UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 84th CONGRESS
SECOND SESSION

VOLUME 102—PART 9

JULY 2, 1956, TO JULY 16, 1956
(PAGES 11515 TO 12980)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1956

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Congressional Record

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PROCEEDINGS AND DEBATES OF THE 84th CONGRESS, SECOND SESSION

SENATE

MONDAY, JULY 2, 1956

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, our Father, who hath made and preserved us a nation, as in the cycle of the year we enter the week when a grateful republic will listen again to the jubilant ringing of the bell from freedom's steeple, help us in this day of global battle against the principalities and powers of slavery to be chiefly concerned that our America shall excel not merely in matters material, but in things of the spirit; not merely in science, inventions, motors, planes, and skyscrapers, but also in ideals, principles, and character; not simply in the calm assertion of rights, but in the glad assumption of duties; not flaunting strength as a giant, but bending in helpfulness, like a good Samaritan, over a sick and wounded world; not in splendid isolation, but in courageous cooperation; not in pride, arrogance, and disdain of other peoples, but in sympathy, love, and understanding.

And as we dedicate ourselves to this vision of America the beautiful on this national natal week, we lift our prayer:

"America, America, God shed His grace on thee,
And crown thy good with brotherhood,
From sea to shining sea."

In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. CLEMENTS, and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 29, 1956, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Tribbe, one of his secretaries, and he announced that on June 29, 1956, the President had approved and signed the following acts:

S. 415. An act for the relief of Ernest B. Sanders;

S. 417. An act for the relief of Pearl O. Seilaz;

S. 530. An act for the relief of the Sacred Heart Hospital;

S. 1034. An act for the relief of Mr. and Mrs. Donald D. Parrish;

S. 1414. An act for the relief of James Edward Robinson;

S. 1749. An act adopting and authorizing the improvement of Rockland Harbor, Maine;

S. 2202. An act to authorize the Secretary of the Interior to enter into an additional contract with the Yuma County Water Users' Association with respect to payment of construction charges on the valley division, Yuma reclamation project, Arizona, and for other purposes;

S. 3472. An act for the relief of Patricia A. Pembroke;

S. 3778. An act to amend the act for the protection of walruses; and

S. 3945. An act for the relief of Walter C. Jordan and Elton W. Johnson.

LEAVE OF ABSENCE

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senator from West Virginia [Mr. LAIRD] be excused from attendance on the sessions of the Senate today and tomorrow, when he will be on official business with the Senate Post Office and Civil Service Committee.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. CLEMENTS, and by unanimous consent, the Senate District Committee conferees on the transit bill were authorized the meet today during the session of the Senate.

On request of Mr. CLEMENTS, and by unanimous consent, the Subcommittee on the Air Force of the Armed Services Committee was authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. CLEMENTS. Mr. President, since the Senate meets today following an adjournment under the rule, there will be the usual morning hour. I ask unanimous consent that statements made in connection with the routine morning business be limited to 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RESOLUTION OF CITIZENS OF GREEK DESCENT, BANGOR, MAINE

Mr. PAYNE. Mr. President, I ask unanimous consent that a resolution adopted by American citizens of Greek descent, residing in Bangor, Maine, may be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, follows:

RESOLUTION OF AMERICAN CITIZENS OF GREEK DESCENT RESIDING IN BANGOR, MAINE, CONCERNING UNITED STATES IMMIGRATION QUOTAS

Whereas over 400 citizens of Greek descent residing in Bangor, Maine, and suburbs are familiar with the privations and hardships of the people of Greece resulting from warfare and occupation and from communistic depredations of the last decade and from the two destructive earthquakes within the last 2 years, and these 400 Americans and their friends are cognizant of the inequities resulting from the national origins system of immigration and of the Refugee Relief Act of 1953, as amended; and

Whereas the prevailing United States immigration laws and regulations are clearly discriminatory inasmuch as they assign to the nations of northern and western Europe five-sixths of the migration quotas and to the southern and eastern nations, only one-sixth and, as aptly stated by Secretary Dulles, this system "draws distinction between the blood of one person and the blood of another, which cannot be reconciled with the fundamental concepts of our Declaration of Independence"; and

Whereas the State Department reports show that there are over 16,000 Greek assurances still pending and without visas; and

Whereas the economy of Greece is in an increasingly precarious state as a result of overpopulation and of depletion through her recurrent wars for liberation, for freedom, and for democracy from 1911 until 1947; and

Whereas immigrants from Greece, within the last 50 years, have been assimilated with unrivaled rapidity and thoroughness in the United States and now with their children and grandchildren, aggregating over 1,250,000 citizens, are amongst the most respected, most prominent, law-abiding, home-loving, loyal, and progressive Americans and American patriots, having proven themselves as such in every endeavor, civil and military; and

Whereas the historic friendship existing between the United States and Greece is predicated upon their mutual devotion to the tenets of democracy and liberty, to the principles of the dignity and the freedom of the individual, and to the culture of the western civilization which was founded in ancient Greece and is now flowering intensively and illuminatively in the United States; and

Whereas these 2 countries fought side by side in 2 great World Wars since the days when each gained its independence; and

Whereas, within the last decade, evidencing its interest in Greece the United States, through the Marshall plan and the Truman doctrine, aided decisively in the preservation of Greece within the orbit of the western nations, for which the Greek people are most grateful; and

Whereas the Greeks have demonstrated repeatedly their loyalty as allies of the western nations and their exemplary courage as a freedom-loving people by resisting heroically the mighty axis forces in 1940–41 and by exterminating the vile communistic forces in 1944–47; and

Whereas Greece, lying athwart the eastern terminus of the Mediterranean Basin, is strategically the controlling gateway of the sea, air, land, and fuel-oil routes among three continents—Europe, Asia, and Africa—and because of its geographical location, Greece is the master hinge of the NATO, Balkan, Baghdad, and SEATO defensive systems and

as such an indispensable bastion for the security of the Western democracies; it is

Resolved by the undersigned (personally and collectively), That our Representatives in Congress, namely the Honorable FREDERICK G. PAYNE, the Honorable MARGARET CHASE SMITH, United States Senators, and the Honorable ROBERT HALE, the Honorable CHARLES P. NELSON, and the Honorable CLIFFORD G. MCINTIRE, Congressmen, be and hereby are respectfully urged and appealed to, to take timely and appropriate action in urging vigorously the Honorable WILLIAM LANGER, chairman, Subcommittee on Refugee Relief Program; the Honorable JAMES O. EASTLAND, chairman, Senate Judiciary Committee; the Honorable EMANUEL CELLER, chairman, House Judiciary Committee; the Honorable FRANCIS WALTER, chairman, House Immigration Subcommittee—

(a) To expedite and support legislation for additional Greek refugee relief quotas by transferring an additional 10,000 visas for Greece from the unused and undersubscribed quotas (of the northern and western Europe five-sixth visas) and 10,000 or more for Italy; but not to increase the overall total of 209,000 under the entire refugee relief program, such transfer being within the humanitarian spirit and true purpose of the prevailing immigation laws; and further

(b) To support actively the effectuation of amendments of the present immigration law beneficially to the people of Greece and of Italy, both members of the NATO, and particularly to support the enactment of legislation within the contemplation of pending bills S. 3570, S. 3571, S. 3572, S. 3573, and S. 3574.

(c) That copies of this resolution be transmitted to Hon. FREDERICK G. PAYNE, Hon. MARGARET CHASE SMITH, Hon. ROBERT HALE, Hon. CHARLES P. NELSON, Hon. CLIFFORD GUY MCINTIRE, and also Hon. WILLIAM LANGER, Hon. JAMES O. EASTLAND, Hon. EMANUEL CELLER, and Hon. FRANCIS WALTER.

Respectfully submitted.

Rev. JOHN PROTOPAPAS,
Pastor of St. George Greek Orthodox Church, Bangor, Maine.

BANGOR, MAINE, *June 23, 1956.*

RESOLUTION OF AMERICAN LIBRARY ASSOCIATION

Mr. CARLSON. Mr. President, the American Library Association at its annual convention at Miami Beach on June 21, 1956, unanimously expressed its appreciation to the President and Members of Congress for their assistance in securing approval of the library services bill.

This legislation will greatly expand the public library service of this Nation and I ask unanimous consent that the resolution may be printed in the RECORD as a part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Library Services Act has been passed by the House of Representatives and the Senate during the 2d session of the 84th Congress and signed by the President of the United States; and

Whereas this action represents an unprecedented expression of confidence by the President and Members of Congress in the importance of public libraries in a free democracy; and

Whereas this act authorizes financial assistance for the extension, development, and improvement of public library service to the people throughout the United States; and

Whereas the impact of this legislation is twofold presenting both a long-awaited opportunity, and a grave responsibility: Therefore be it

Resolved. That the members of the American Library Association in their 75th annual conference assembled at Miami Beach, Fla., June 17–23, 1956, hereby convey their heartfelt thanks to the President and the Members of Congress who have worked so earnestly and effectively for this legislation; and be it further

Resolved, That the members of the American Library Association accept the challenge of this legislation and express the full extent of their appreciation through action—action that will result in the kind of public library service anticipated by the Members of Congress in their support of the Library Services Act.

Unanimously adopted, June 21, 1956.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SMATHERS, from the Committee on Interstate and Foreign Commerce, with an amendment:

S. 3705. A bill to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability (Rept. No. 2402); and

H. R. 11402. A bill to extend the existing application of the Temporary Promotion Act of 1941, as amended, to the Coast Guard, and for other purposes (Rept. No. 2396).

By Mr. BUTLER, from the Committee on Interstate and Foreign Commerce, without amendment:

H. R. 6025. A bill to amend the shipping laws, to prohibit the operation in the coastwise trade of vessels rebuilt outside the United States, and for other purposes (Rept. No. 2395).

By Mr. MCCLELLAN, from the Committee on Government Operations, with amendments:

S. 4076. A bill to provide for the appointment of the chief legal officers of certain departments in the executive branch by the President, by and with the consent of the Senate (Rept. No. 2397).

By Mr. BYRD, from the Commitee on Finance, without amendment:

H. R. 8228. A bill to suspend for 2 years the duty on crude bauxite and on calcined bauxite (Rept. No. 2400); and

H. R. 11740. A bill to provide for a temporary increase in the public debt limit (Rept. No. 2398).

By Mr. BYRD, from the Committee on Finance, with amendments:

H. R. 11714. A bill to extend for 3 years the existing authority of the Secretary of the Treasury in respect of transfers of distilled spirits for purposes deemed necessary to meet the requirements of the national defense (Rept. No. 2399); and

S. Res. 236. Resolution directing the Tariff Commission to investigate whether imports of textiles or textile products are affecting injuriously the domestic industry, together with minority views (Rept. No. 2401).

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—CIVILIAN EMPLOYMENT IN EXECUTIVE BRANCH

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal employment and pay for the month of May 1956. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL PERSONNEL IN EXECUTIVE BRANCH, MAY 1956 AND APRIL 1956, AND PAY, APRIL 1956 AND MARCH 1956

PERSONNEL AND PAY SUMMARY

(See table I)

Information in monthly personnel reports for May 1956 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In May numbered—	In April numbered—	Increase (+) or decrease (−)	In April was—	In March was—	Increase (+) or decrease (−)
Total [1]	2,367,409	2,359,618	+7,791	$846,847	$886,726	−$39,879
Agencies exclusive of Department of Defense	1,196,363	1,191,200	+5,163	425,075	448,681	−23,606
Department of Defense	1,171,046	1,168,418	+2,628	421,772	438,045	−16,273
Inside continental United States	2,162,327	2,154,453	+7,874			
Outside continental United States	205,082	205,165	−83			
Industrial employment	692,466	692,374	+92			
Foreign nationals	294,481	296,856	−2,375	29,444	27,017	+2,427

[1] Exclusive of foreign nationals shown in the last line of this summary.

Table I breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside continental United States by agencies.

Table III breaks down the above employment figures to show the number outside continental United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during May 1956, and comparison with April 1956, and pay for April 1956, and comparison with March 1956*

Department or Agency	Personnel				Pay (in thousands)			
	May	April	Increase	Decrease	April	March	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	82,598	80,554	2,044		$26,494	$26,836		$342
Commerce [1]	45,325	44,253	1,072		18,558	19,244		686
Health, Education, and Welfare	45,483	45,339	144		17,052	17,749		697
Interior	50,691	[2] 49,262	1,429		19,271	19,825		554
Justice	30,380	30,363	17		14,078	14,828		750
Labor	5,787	5,609	178		2,464	2,537		73
Post Office	512,428	511,933	495		173,505	187,240		13,735
State [3] [4]	30,682	29,703	979		11,179	11,244		65
Treasury	80,991	82,325		1,334	33,554	34,399		845
Executive Office of the President:								
White House Office	373	374		1	201	208		7
Bureau of the Budget	422	417	5		261	275		14
Council of Economic Advisers	28	30		2	22	20	$2	
Executive Mansion and Grounds	70	70			23	25		2
National Security Council [5]	27	27			17	18		1
Office of Defense Mobilization	273	278		5	161	169		8
President's Advisory Committee on Government Organization	6	6			4	4		
President's Commission on Veterans' Pensions [6]		26		26	17	24		7
Independent agencies:								
Advisory Committee on Weather Control	15	14	1		6	8		2
Alexander Hamilton Bicentennial Commission	11	11			6	5	1	
American Battle Monuments Commission	763	733	30		98	96	2	
Atomic Energy Commission	6,447	6,436	11		3,215	3,325		110
Board of Governors of the Federal Reserve System	565	565			267	278		11
Boston National Historic Sites Commission	2	2			1	1		
Civil Aeronautics Board	592	591	1		315	326		11
Civil Service Commission	4,167	4,080	87		1,862	1,941		79
Commission of Fine Arts	9	9			1	1		
Export-Import Bank of Washington	173	172	1		99	103		4
Farm Credit Administration	1,037	1,043		6	496	518		22
Federal Civil Defense Administration	1,057	1,026	31		541	559		18
Federal Coal Mine Safety Board of Review	8	8			4	4		
Federal Communications Commission	1,121	1,127		6	571	593		22
Federal Deposit Insurance Corporation	1,124	1,133		9	528	548		20
Federal Home Loan Bank Board	682	678	4		308	316		8
Federal Mediation and Conciliation Service	350	341	9		228	242		14
Federal Power Commission	683	681	2		350	370		20
Federal Trade Commission	625	616	9		347	349		2
Foreign Claims Settlement Commission	124	124			63	66		3
General Accounting Office	5,514	5,530		16	2,441	2,554		113
General Services Administration	26,382	26,322	60		8,966	9,376		410
Government Contract Committee	24	22	2		7	7		
Government Printing Office	6,639	6,640		1	2,841	2,970		129
Housing and Home Finance Agency	10,058	10,003	55		4,588	4,622		34
Indian Claims Commission	13	13			9	10		1
Interstate Commerce Commission	1,912	1,918		6	947	979		32
Jamestown-Williamsburg-Yorktown Celebration Commission	3	3			2	2		
National Advisory Committee for Aeronautics	7,653	7,679		26	3,143	3,611		468
National Capital Housing Authority	256	255	1		93	98		5
National Capital Planning Commission	32	31	1		17	16	1	
National Gallery of Art	328	334		6	105	112		7
National Labor Relations Board	1,106	1,106			595	630		35
National Mediation Board	109	109			63	69		6
National Science Foundation	267	243	24		113	124		11
National Security Training Commission	4	4			3	3		
Panama Canal	14,994	15,110		116	3,569	3,661		92
Railroad Retirement Board	2,169	2,210		31	844	866		22
Renegotiation Board	468	471		3	281	293		12
Rubber Producing Facilities Disposal Commission	7	5	2		3	3		
St. Lawrence Seaway Development Corporation	32	26	6		19	27		8
Securities and Exchange Commission	726	718	8		388	403		15
Selective Service System	6,869	6,833	36		1,629	1,696		67
Small Business Administration	801	792	9		436	458		22
Smithsonian Institution	716	705	11		254	264		10
Soldiers' Home	1,015	1,009	6		223	232		9
Subversive Activities Control Board	32	32			21	20	1	
Tariff Commission	204	206		2	114	118		
Tax Court of the United States	147	143	4		92	94		2
Tennessee Valley Authority	14,321	14,052	269		6,107	6,504		397
Theodore Roosevelt Centennial Commission	3	3			1	2		1
United States Information Agency	10,797	10,772	25		2,832	2,962		130
Veterans' Administration	177,631	177,940		309	58,161	61,600		3,439
Woodrow Wilson Centennial Celebration Commission	2	2			1	1		
Total, excluding Department of Defense	1,196,363	1,191,200	7,068	1,905	425,075	448,681	7	23,613
Net change, excluding Department of Defense			5,163				23,606	
Department of Defense:								
Office of the Secretary of Defense	1,913	1,927		14	1,052	1,123		71
Department of the Army [4]	431,415	431,783		368	151,879	155,991		4,112
Department of the Navy	394,682	395,610		928	150,773	159,498		8,725
Department of the Air Force	343,036	339,098	3,938		118,068	121,433		3,365
Total, Department of Defense	1,171,046	1,168,418	3,938	1,310	421,772	438,045		16,273
Net change, Department of Defense			2,628				16,273	
Grand total, including Department of Defense	2,367,409	2,359,618	11,006	3,215	846,847	886,726	7	39,886
Net change, including Department of Defense			7,791				39,879	

[1] May figure includes 1,093 seamen on the rolls of the Maritime Administration and their pay.

[2] Revised on basis of later information.

[3] May figure includes 8,626 employees of the International Cooperation Administration, as compared with 7,789 in April, and their pay.

[4] Includes 726 employees transferred to the International Cooperation Administration from the Department of the Army, program of civilian relief in Korea.

[5] Exclusive of personnel and pay of the Central Intelligence Agency.

[6] Abolished May 22, 1956, by Executive Order 10588.

TABLE II.—*Federal personnel inside continental United States employed by the executive agencies during May 1956, and comparison with April 1956*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	81,276	79,289	1,987	
Commerce [1]	42,143	41,197	946	
Health, Education, and Welfare	43,691	43,532	159	
Interior	45,230	[2] 44,235	995	
Justice	29,851	29,832	19	
Labor	5,648	5,483	165	
Post Office	509,915	509,428	487	
State [3]	7,902	7,844	58	
Treasury	79,991	81,333		1,342
Executive Office of The President:				
White House Office	373	374		1
Bureau of the Budget	422	417	5	
Council of Economic Advisers	28	30		2
Executive Mansion and Grounds	70	70		
National Security Council [4]	27	27		
Office of Defense Moblization	273	278		5
President's Advisory Committee on Government Organization	6	6		
President's Commission on Veterans' Pensions [5]		29		26
Independent agencies:				
Advisory Committee on Weather Control	15	14	1	
Alexander Hamilton Bicentennial Commission	11	11		
American Battle Monuments Commission	15	15		
Atomic Energy Commission	6,431	6,421	10	
Board of Governors of the Federal Reserve System	565	565		
Boston National Historic Sites Commission	2	2		
Civil Aeronautics Board	588	587	1	
Civil Service Commission	4,149	4,063	86	
Commission of Fine Arts	9	9		
Export-Import Bank of Washington	173	172	1	
Farm Credit Administration	1,025	1,031		6
Federal Civil Defense Administration	1,057	1,026	31	
Federal Coal Mine Safety Board of Review	8	8		
Federal Communications Commission	1,094	1,100		6
Federal Deposit Insurance Corporation	1,123	1,132		9
Federal Home Loan Bank Board	682	678	4	
Federal Mediation and Conciliation Service	350	341	9	
Federal Power Commission	683	681	2	
Federal Trade Commission	625	616	9	
Foreign Claims Settlement Commission	124	124		
General Accounting Office	5,461	5,478		17
General Services Administration	26,275	26,216	59	
Government Contract Committee	24	22	2	
Government Printing Office	6,639	6,640		1
Housing and Home Finance Agency	9,904	9,854	50	
Indian Claims Commission	13	13		
Interstate Commerce Commission	1,912	1,918		6
Jamestown-Williamsburg-Yorktown Celebration Commission	3	3		
National Advisory Committee for Aeronautics	7,653	7,679		26
National Capital Housing Authority	256	255	1	
National Capital Planning Commission	32	31	1	
National Gallery of Art	328	334		6
National Labor Relations Board	1,085	1,085		
National Mediation Board	109	109		
National Science Foundation	267	243	24	
National Security Training Commission	4	4		
Panama Canal	548	541	7	
Railroad Retirement Board	2,179	2,210		31
Renegotiation Board	468	471		3
Rubber Producing Facilities Disposal Commission	7	5	2	
St. Lawrence Seaway Development Corporation	32	26	6	
Securities and Exchange Commission	726	718	8	
Selective Service System	6,675	6,641	34	
Small Business Administration	801	792	9	
Smithsonian Institution	714	703	11	
Soliders' Home	1,015	1,009	6	
Subversive Activities Control Board	32	32		
Tariff Commission	204	206		2
Tax Court of the United States	147	143	4	
Tennessee Valley Authority	14,321	14,052	269	
Theodore Roosevelt Centennial Commission	3	3		
U. S. Information Agency	2,401	2,402		1
Veterans' Administration	176,385	176,692		307
Woodrow Wilson Centennial Celebration Commission	2	2		
Total, excluding Department of Defense	1,132,200	1,128,529	5,468	1,797
Net increase, excluding Department of Defense			3,671	
Department of Defense:				
Office of the Secretary of Defense	1,853	1,865		12
Department of the Army	365,106	363,681	1,425	
Department of the Navy	362,821	363,741		920
Department of the Air Force	300,347	296,637	3,710	
Total, Department of Defense	1,030,127	1,025,924	5,135	932
Net increase, Department of Defense			4,203	
Grand total, including Department of Defense	2,162,327	2,154,453	10,603	2,729
Net increase, including Department of Defense			7,874	

[1] May figure includes 1,093 seamen on the rolls of the Maritime Administration.
[2] Revised on basis of later information.
[3] May figure includes 1,637 employees of the International Cooperation Administration, as compared with 1,612 in April.
[4] Exclusive of personnel of the Central Intelligence Agency.
[5] Abolished May 22, 1956, by Executive Order 10588.

TABLE III.—*Federal personnel outside continental United States employed by the executive agencies during May 1956, and comparison with April 1956*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,322	1,265	57	
Commerce	3,182	3,056	126	
Health, Education, and Welfare	1,792	1,807		15
Interior	5,461	5,027	434	
Justice	529	531		2
Labor	139	126	13	
Post Office	2,513	2,505	8	
State [1] [2]	22,780	21,859	921	
Treasury	1,000	992	8	
Independent agencies:				
American Battle Monuments Commission	748	718	30	
Atomic Energy Commission	16	15	1	
Civil Aeronautics Board	4	4		
Civil Service Commission	18	17	1	
Farm Credit Administration	12	12		
Federal Communications Commission	27	27		
Federal Deposit Insurance Corporation	1	1		
General Accounting Office	53	52	1	
General Services Administration	107	106	1	
Housing and Home Finance Agency	154	149	5	
National Labor Relations Board	21	21		
Panama Canal	14,446	14,569		123
Independent agencies—Continued				
Selective Service System	194	192	2	
Smithsonian Institution	2	2		
United States Information Agency	8,396	8,370	26	
Veterans' Administration	1,246	1,248		2
Total, excluding Department of Defense	64,163	62,671	1,634	142
Net increase, excluding Department of Defense			1,492	
Department of Defense:				
Office of the Secretary of Defense	60	62		2
Department of the Army [2]	66,309	68,102		1,793
Department of the Navy	31,861	31,869		8
Department of the Air Force	42,689	42,461	228	
Total, Department of Defense	140,919	142,494	228	1,803
Net decrease, Department of Defense			1,575	
Grand total, including Department of Defense	205,082	205,165	1,862	1,945
Net decrease, including Department of Defense			83	

[1] May figure includes 6,989 employees of the International Cooperation Administration, as compared with 6,177 in April.
[2] Includes 726 employees transferred to the International Cooperation Administration from the Department of the Army, program of civilian relief in Korea.

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by the executive agencies during May 1956, and comparison with April 1956*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	2,705	2,617	88	
Commerce	2,675	2,527	148	
Interior	8,485	8,393	92	
Treasury	5,546	5,590		44
Independent agencies:				
Atomic Energy Commission	145	145		
Federal Communications Commission	13	13		
General Services Administration	1,063	1,011	52	
Government Printing Office	6,639	6,640		1
National Advisory Committee for Aeronautics	7,653	7,679		26
Panama Canal	7,315	7,415		100
Tennessee Valley Authority	11,594	11,303	291	
Total, excluding Department of Defense	53,833	53,333	671	171
Net increase, excluding Department of Defense			500	
Department of Defense:				
Department of the Army:				
Inside continental United States	[1] 201,100	[2] 200,521	579	
Outside continental United States	[1] 34,725	[2] 35,848		1,123
Department of the Navy:				
Inside continental United States	224,924	225,553		629
Outside continental United States	6,176	6,222		46
Department of the Air Force:				
Inside continental United States	165,614	164,870	744	
Outside continental United States	6,094	6,027	67	
Total, Department of Defense	638,633	639,041	1,390	1,798
Net decrease, Department of Defense			408	
Grand total, including Department of Defense	692,466	692,374	2,061	1,969
Net increase, including Department of Defense			92	

[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under United States agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of May 1956 and comparison with April 1956*

Country	Total		Army		Navy		Air Force	
	May	April	May	April	May	April	May	April
Denmark		9						9
England	7,272	7,078			32	32	7,240	7,046
France	23,929	23,994	16,380	16,498			7,549	7,496
French Morocco	6,096	6,065	207	201	1,027	1,013	4,862	4,851
Germany	108,284	109,941	85,095	86,309	1,422	1,986	21,767	21,646
Japan	141,723	142,018	80,596	[1] 80,596	18,458	18,513	42,669	42,909
Korea	5,965	6,523	5,965	6,523				
Libya	195	198					195	198
Netherlands	47	47					47	47
Norway	17	17					17	17
Saudi Arabia	445	445					445	445
Trinidad	508	521			508	521		
Total	294,481	296,856	188,243	190,127	21,447	22,065	84,791	84,664

[1] Revised on basis of later information.

NOTE.—The Germans are paid from funds provided by German Governments. The French and English reported by the Army and Air Force are paid from funds appropriated for personal services. All others are paid from funds appropriated for other contractual services.

STATEMENT BY SENATOR BYRD

Executive agencies of the Federal Government reported civilian employment in the month of May totaling 2,367,409. This was a net increase of 7,791 as compared with employment reported in the preceding month of April. This was the fifth monthly increase since August 1955.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1956, which began July 1, 1955, follows:

Month	Employment	Increase	Decrease
July	2,384,595	307	
August	2,385,043	448	
September	2,366,069		18,974
October	2,365,183		886
November	2,362,158		3,025
December	2,343,227		18,931
January 1956	2,346,750	3,523	
February	2,351,371	4,621	
March	2,352,657	1,286	
April	2,359,618	6,961	
May	2,367,409	7,791	

Total civilian employment in civilian agencies during the month of May was 1,196,363, an increase of 5,163, as compared with the April total of 1,191,200. Total civilian employment in the military agencies in May was 1,171,041, an increase of 2,628, as compared with 1,168,418 in April.

Civilian departments reporting major increases (largely seasonal) were: Agriculture with 2,044, Interior with 1,429, and Commerce with 1,072. Increases were also reported by State Department with 979 (including transfer of 726 employees to the International Cooperation Administration from the Department of the Army, program of civilian relief in Korea), and Post Office with 495. A decrease of 1,334 was reported by the Treasury Department.

Decreases in civilian employment in the Department of Defense were reported by Department of the Navy with 928 and Department of the Army with 368. The Department of the Air Force reported an increase in civilian employment of 3,938. This was the 13th consecutive monthly increase in civilian employment by the Air Force; total cumulative increase for 13 months was 36,699.

Inside continental United States, civilian employment increased 7,874 and outside continental United States, civilian employment decreased 83. Industrial employment by Federal agencies in May totaled 692,466, an increase of 92.

These figures are from reports certified by the agencies, as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,367,409 civilian employees certified to the committee by the Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in United States Government activities abroad, but in addition to these there were 294,481 foreign nationals working for United States military agencies during May who were not counted in the usual personnel report. The number in April was 296,856. A breakdown of this employment for May follows:

Country	Total	Army	Navy	Air Force
England	7,272		32	7,240
France	23,929	16,380		7,549
French Morocco	6,096	207	1,027	4,862
Germany	108,284	85,095	1,422	21,767
Japan	141,723	80,596	18,458	42,669
Korea	5,965	5,965		
Libya	195			195
Netherlands	47			47
Norway	17			17
Saudi Arabia	445			445
Trinidad	508		508	
Total	294,481	188,243	21,447	84,791

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PAYNE (for himself and Mrs. SMITH of Maine):

S. 4150. A bill to amend the Federal-Aid Highway Act of 1944 to provide for an addition to the National System of Interstate Highways; to the Committee on Public Works.

By Mr. THYE:

S. 4151. A bill to provide for the establishment of a national cemetery at the Birch Coulee battlefield site in Renville County, Minn.; to the Committee on Interior and Insular Affairs.

By Mr. GORE:

S. 4152. A bill to establish a Federal Highway Commission, and to transfer to such Commission all powers, duties, and functions of the Secretary of Commerce with respect to the Bureau of Public Roads and all powers, duties, and functions delegated by the Secretary to or conferred by law on the Bureau of Public Roads; to the Committee on Public Works.

(See the remarks of Mr. GORE when he introduced the above bill, which appear under a separate heading.)

By Mr. LEHMAN:

S. 4153. A bill for the relief of Pasquale Pratola; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 4154. A bill for the relief of Demetrios Thomopoulous; to the Committee on the Judiciary.

By Mr. IVES:

S. J. Res. 188. Joint resolution to provide for the establishment of a United States Academy of Nursing; to the Committee on Armed Services.

(See the remarks of Mr. IVES when he introduced the above joint resolution, which appear under a separate heading.)

PROPOSED FEDERAL HIGHWAY COMMISSION

Mr. GORE. Mr. President, I introduce, for appropriate reference, a bill to establish a Federal Highway Commission. The Commission would be an independent Government agency, with 3 Commissioners, no more than 2 of whom could be members of the same political party, appointed by the President upon the advice and consent of the Senate, each—except for an initial staggering of terms—for a term of 9 years.

The Commission would be charged with the responsibility of administering the gigantic highway program recently enacted.

I take this action for three reasons:

First. The present administrative organization of the Bureau of Roads, in the Department of Commerce, is inadequate to meet the challenge of this immense unprecedented program.

Second. The historic highway program that has gone into effect today should be administered by a nonpartisan independent agency. This would be the sure way to avoid partisan politics in this vital program. The highway program received bipartisan consideration, and was enacted by bipartisan majorities in both Houses of Congress. This was as it should have been, because highways have always been considered and constructed on a nonpartisan basis. This situation must continue.

Third. The long and definite tenure of the Commissioners together with the increased prestige of an independent agency of government will facilitate the acquisition of a competent and dedicated staff necessary to this undertaking.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4152) to establish a Federal Highway Commission, and to transfer to such Commission all powers, duties, and functions of the Secretary of Commerce with respect to the Bureau of Public Roads and all powers, duties, and functions delegated by the Secretary to or conferred by law on the Bureau of Public Roads, introduced by Mr. GORE, was received, read twice by its title, and referred to the Committee on Public Works.

PROPOSED UNITED STATES ACADEMY OF NURSING

Mr. IVES. Mr. President, as a member of the Committee on Labor and Public Welfare I have been mindful of, and concerned by, the chronic shortage of nurses in the United States. The extent of the shortage is indicated by some figures I have obtained from the American Nurses Association and the armed services. They show an estimated shortage of 50,000 nurses in the civilian service and 2,000 in the Armed Forces. The latter figure is fully 20 percent of the total the Armed Forces would like to have.

I have also been disturbed, Mr. President, by the fact that the United States Government does a great deal for the education of men, but very little for the education of women. There is nothing for women comparable to the military academies, ROTC payments and scholarship grants available to men.

For these reasons, Mr. President, I am introducing today a joint resolution to establish a United States Academy of Nursing. It would train young women for service in the Armed Forces. Each student would, upon entering the academy by Presidential or congressional appointment, agree to serve at least 3 years in the Army, Navy, or Air Force Nurse Corps.

Academy graduates who left the service after 3 years would increase the supply of trained nurses available for civilian duty.

I introduce the joint resolution, and ask that it be appropriately referred.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 188) to provide for the establishment of a United States Academy of Nursing, introduced by Mr. IVES, was received, read twice by its title, and referred to the Committee on Armed Services.

OPPOSITION TO DISCRIMINATORY ACTION AGAINST CITIZENS BECAUSE OF RELIGION—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. LEHMAN. Mr. President, I ask unanimous consent that the name of the Senator from Connecticut [Mr. PURTELL] be added as a cosponsor of the resolution (S. Res. 298) opposing discriminatory action against United States citizens because of religious faith or affiliation, which was submitted by me, for myself and other Senators, on June 27, 1956. This brings the number of cosponsors of the resolution to 19.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. THYE:

Address delivered by the Vice President before the 39th annual convention of the Lions International, at Miami, Fla., on June 30, 1956.

RESURGENCE OF FIGHT FOR FREEDOM

Mr. BENDER. Mr. President, no issue is of more importance to the American people than the growth of world communism. It is already clear that this development will overshadow every other international or domestic problem of our generation.

There are some people who are almost completely overwhelmed by this prospect. They are ready either to flee from reality or to wage preventive warfare against communism.

Neither course is justified by events. We have witnessed, in our brief history, the rise and fall of many tyrannies. They have even threatened our own independence. In the Civil War era, a European power placed its own puppet monarch on the throne of Mexico. We did not permit ourselves to become stampeded by this event. Our Government waited for time to destroy the aggressor. It was done.

Today, there are those who say that time is on the side of the Communists. I do not share this belief. Dictatorships crumble because human beings will not permit themselves permanently to be enslaved. In the last few days we have seen startling evidence that the Communist world is seething. The people of Poland, despite the presence of a Russian occupation force, demonstrated their courage and their determination to achieve ultimate freedom in the city of Poznan. At the risk of their lives, they proved the existence of an active underground. Their mighty outburst of courage told the world that the spirit of free Poland still lives.

Only a few years ago, a similar revolt took place in East Germany. Given the opportunity and the weapons, hundreds of thousands of enslaved people behind the Iron Curtain would rise in their wrath to throw off the yoke of Communist tyranny.

There is no doubt that the Soviet Union has created a mighty military machine. In the process, it has destroyed the independence of many nations, but it has by no means destroyed their spirit of resistance. The captive people of Czechoslovakia, Poland, East Germany, Estonia, Latvia, Lithuania, Hungary, Rumania, and Bulgaria are not crushed. The Russian leaders know today that if they should launch an attack upon the Western World they would be faced with an internal revolution which would shake the Communist empire to rubble.

This is the spirit which freemen in America must continuously seek to foster. The future does not belong to the enslaved subjects of the Communist empire. It belongs to the free people of the

earth who are inspiring their brothers behind the Iron Curtain to break their bonds and to live again as free nations.

"CREEPING SOCIALISM" AGAIN?

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD two excellent editorials from the June 21, 1956, issue of the Medford (Oreg.) Mail Tribune entitled " 'Creeping Socialism' Again?" and "It All Depends."

These editorials are written by one of Oregon's most distinguished editors, Robert W. Ruhl, former winner of the Pulitzer Prize for journalism. Mr. Ruhl asks, most cogently, how it is that this administration and former Secretary McKay can back $1 billion worth of power projects in the upper Colorado River Basin, and yet in good faith claim that power projects of far lower cost in the Columbia River Basin are so-called creeping socialism.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

"CREEPING SOCIALISM" AGAIN?

It is rather amusing to observe the private-power press dust off that old cliche about "creeping socialism."

The Republican administration abandoned it some time ago, as far as Federal power projects are concerned.

It had to do so or be charged with glaring inconsistency. For even Secretary of the Interior McKay came out without reservation for one of the largest and costliest Government development projects ever proposed—namely the upper Colorado River project.

If TVA, Bonneville, Grand Coulee and the other Federal multiple-power developments are inventions of "Old Man Debil" Karl Marx, then the Colorado project must be.

For there is not even the guise of partnership in the billon-dollar proposal recently enacted into law and duly signed by the President.

The Government—that is, the taxpayers—pay all the expenses with nearly twice the cost of a similar project at Hells Canyon (which the present administration opposes) and which will supply far less power.

When it comes to these multiple-power projects, involving huge expenses, slow, sure, but low returns, collateral benefits in the way of irrigation, water transportation and recreation, the private power companies are simply not interested. So, if great public benefits such as the administration claims for the upper Colorado River project are to be enjoyed, the Government must do it.

That has been the contention of the Mail Tribune for a long time; if the Government won't do the job for the people, the job won't be done.

But this is no more socialism, creeping or walking, than Government financing of the mails, financial aid to big business via tax exemptions, depletion allowances, etc., etc., as well as aid to the unemployed and destitute. The Government loans the money but eventually it is paid back.

Nevertheless, with a campaign on there is little doubt the old cry of socialism will be raised again, and the time-honored definition of Congressman ELLSWORTH that this is socialism, which is only another term for Russian communism, may well be revived, although all over the world the orthodox Socialists and Communists are lying awake nights trying to think up schemes for destroying the other.

It's the old, old army game.

There is an ebb and flow as there is in everything else, but the traditional political pattern doesn't change—not much at least.—R. W. R.

IT ALL DEPENDS—

It always depends so much upon whose ox is gored.

Representatives from Colorado, New Mexico, and other States that will benefit directly from the upper Colorado River development, spoke and voted for this multiple project but the same Representatives have been very vocal against Federal projects that, unlike private enterprise, pay no taxes.

Some of them claimed that if TVA had to pay taxes like the private power companies it would have to charge rates higher than their present competitors and thus be forced out of business.

Well, a partial answer to that is TVA does pay large sums in lieu of State and local taxes, and even larger sums to the Government in repayment of the Government loan.

But the amusing feature is that these same Representatives who were and are so exercised by the tax angle in Tennessee—and probably in Hells Canyon—were not similarly disturbed when it came to the upper Colorado River project.

In fact, during the debates in Congress they dismissed the tax argument as fallacious because turning nonproductive land into productive land in five States would benefit not only the districts served in the matter of tax income, but the States and the Government. No taxes or very low taxes would be replaced by a tremendous increase in taxes, local, State, Federal, income, and property taxes.

Well, they are right the second time.

There are two sides to the tax angle in the multiple Federal project problem, and Tennessee is a striking example.

The transformation of that State from a bit of Tobacco Road to a thriving, growing, and prosperous Commonwealth, has increased tax payments, income and property, by the proverbial leaps and bounds.

We grant the tax item is hard on the private power companies, and has reduced their rates and consequently their profits—but it has not, as some have claimed, driven them out of business. And the benefits from the public-welfare standpoint have been tremendous.

After all, in a democracy the public welfare is rather important.—R. W. R.

CANAL ZONE MANAGEMENT PIONEER—MAJ. GEN. JOHN S. SEYBOLD, RETIRED

Mr. HOLLAND. Mr. President, for the past 2 years my position on the Appropriations Committee of the Senate has brought me in close contact with Maj. Gen. John S. Seybold, retired, who has recently finished his 5-year assignment as Governor of the Canal Zone and president of the Panama Canal Company. Last December I had the pleasure of making an inspection trip to the Canal Zone, during which I had the chance to observe the excellent work which General Seybold has done as Governor. There is no doubt whatever that his service there has been of the highest, most constructive type and has shown him to be an executive of great ability.

Since his recent retirement I have noted in the May 21, 1956, issue of Time magazine, Latin American edition, an article entitled "Management Pioneer," under the general heading "Canal Zone," which relates to General Seybold and his service to our country as Governor of the Canal Zone. In rendering this personal tribute to General Seybold as an outstanding public servant based on my own observations, I ask that the article just mentioned be printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CANAL ZONE

MANAGEMENT PIONEER

A rugged, dutiful military man named John S. Seybold, 58, this week will leave his two-hat job as Governor of the Canal Zone and president of the Panama Canal Company and sail into retirement. In his 4-year term he worked a management revolution in the business of putting ships through the Panama Canal. He leaves with a record of duty done and respect won—at an unavoidable cost in popularity.

The Panama Canal in most of the years before Seybold was an easygoing enterprise. A hodgepodge organization divided functions between a Government bureau (lock operation, ship repair, power generation) and the Government-owned Panama Railroad Company (commissaries, steamships, trains, food processing). No one ever clearly separated the assets of the canal proper, repayable to the United States Treasury, from the defense investment, mostly military bases chargeable to the Armed Forces. Each year Congress appropriated enough money to meet the bills, and the canal tolls went into the Treasury. Bureaucracy flourished. Then in 1951 an act of Congress put the whole operation under the Panama Canal Company, a corporate successor to the railroad company, and ordered it to get businesslike. Seybold, a general officer in the Corps of Engineers, took over soon after, and carried out the order.

As a basic management step, he set about discovering the value of the canal's assets. (The Bureau of the Budget must still approve his recently completed inventory, but the reported figure is $380 million.) Then he tackled costs and revenues. Jobs and wages are tied to civil service standards, but he forced the payroll down from 18,290 to 13,400, mostly by refusing to replace workers who resigned or retired. Canal tolls can be increased only with Presidential approval, but Seybold raised income by increasing rents and food prices for employees and by cutting out such traditional fringe benefits as free medical care. All this sharply pained a work force accustomed to benevolent paternalism and a relaxed tropical pace. "The only reason to stay here now," grumbled one United States employee sarcastically, "is the climate."

Inflicting austerity may have pained Seybold too, but he did it. As he leaves, he can take bleak pride in accomplishment. In the last 18 months the Panama Canal Company has paid $15 million toward liquidating its estimated original investment. It is at last what Congress ordered it to be, a Government-owned enterprise that pays a return to the Treasury.

SCRAPPING THE BATTLESHIP "OREGON"

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an excellent article from the Oswego (Oreg.) Review of June 28, 1956, by Elizabeth Salway Ryan, urging that Congress investigate the bungling and mishandling attendant on the sad fate of the historic battleship *Oregon*, which once ruled the seas with the American Navy.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MUSINGS AND MUTTERINGS

(By Elizabeth Salway Ryan)

THE REST OF THE STORY, PLEASE

The battered barnacle-encrusted hull of the unsinkable battleship *Oregon* is now awaiting scrapping in Tokyo Bay by a Japanese salvage company. It is time the whole story is told of how the gallant old ship was used from December 7, 1942, when the United States Navy repossessed her, until we see just what use the Japanese will make of her.

The *Oregon* was launched October 26, 1893, and she cost $6,280,000. She achieved immortality when she made the run around South America, through the Straits of Magellan, on to Key West, then to Santiago to take part in the destruction of the Spanish fleet in 1898. The *Oregon* was flagship of the Pacific Fleet during World War I. In 1925 she was turned over to the State of Oregon as a museum, and from 1927 to June 1941, the State spent about $150,000 on her care and maintenance. She was moored in the Willamette at the foot of Columbia Street in downtown Portland.

The ship was sold to Edward M. Ricker & Co. for $35,000, but the United States Government paid back by 1950 to the purchaser $101,731.73 for a portion of the salvage material and was still subject to a suit at that time from the Ricker company. Some $12,000 of this was for hull used finally to tow explosives to Guam near the end of the war. Now the hull has been sold to the Japanese for $208,000.

Ex-Congressman Homer Angell worked hard to find out just what happened to the metal from the *Oregon*, and his report is in the CONGRESSIONAL RECORD of January 19, 1950. But this is only one chapter. Ricker dismantled the ship and sold the parts to many firms and agencies. What did they do with it? Did the parts serve again? Did they serve soon enough? Much of the metal lay around for months, including top priority copper.

Tracing the metal, especially after all this time, is not easy, particularly when those who have the records are not disposed to display them. Some metal did go to war. The Isaacson Iron Works of Seattle received only the armorplate which was around the hull and turrets and what must have been the powder elevators. This armor had a nickel content of 3½ percent, and was about the only known source of nickel steel in this area during the critical years of the war. "This scrap was used only for combat ships and on those parts that required such an alloy," said R. W. Hargis in 1948. About 500 or 1,000 tons of metal from the *Oregon* was shipped to the Carnegie-Illinois Steel Corp. in Chicago.

SOUVENIRS SCATTER

More recently we have seen that Senator RICHARD NEUBERGER is interested in making available souvenirs of the *Oregon*. He undoubtedly knows that hundreds if not thousands of *Oregon* souvenirs are scattered all over the country, and more particularly in Oregon. Some certainly are in museums. In fact the Battleship Oregon Museum, which is having a rough time without any appropriation, is located at 1615 NE. Wasco, Portland. Two of the four *Oregon* steering wheels, blueprints, life preservers, bell, steam whistle, and the loving cup used at the christening, are there. The fabulous silver service, estimated to be worth $75,000, bought for the *Oregon* by schoolchildren's pennies years ago, is on loan to the Oregon Historical Society, and has been shown a number of times this year over the State.

A battleship *Oregon* war bond drive was held from November 1942 until early 1943. A coordinator of woodworking in the Portland schools helped remove the woodwork from the ship. Some 250,000 mementos were shipped to every county in the State. Solid oak headboads and panels were fashioned into plaques for the schools selling the most war bonds. From the cabin woodwork came cribbage boards, gavels, silhouettes, anchors. Governors of every State received gavels; the late President Franklin D. Roosevelt got an oversize one inscribed, "Long Live the *Oregon*."

Many souvenirs included pictures of the ship and all retained the original finish of the wood. Some of the larger pieces of furniture went to Oregon counties with the best per capita showing in the bond drive.

The mast, which stood for 11 years on Harbor Drive at the foot of Columbia, was moved recently to its new location at the foot of SW. Oak.

Many souvenirs went to private owners. These included the flagpole, radio shack, regulating instruments, manhole cover, part of the funnel. Teakwood from between the decks became billy clubs for Kelso, Wash., police, and frames for pictures.

Perhaps the Japanese can be urged to chop up the hull into pieces and sell them back to us as souvenirs of the *Oregon*. Many would have preferred to have had our own Navy give the last of the *Oregon* to the courtesy of an honorable death at sea. But most Americans would like a full investigation of what happened to the *Oregon*—and for how much. The unsavory odor which clings to the *Oregon* does not decrease with age.

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

EXECUTIVE SESSION

Mr. CLEMENTS. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of Charles W. Ford and James R. Glass, to be postmasters at McGregor, Tex., and Chesterhill, Ohio, respectively, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

UNITED STATES DISTRICT JUDGE—ALASKA

The legislative clerk read the nomination of Raymond J. Kelly, of Michigan, to be United States district judge for division No. 1, district of Alaska, for a term of 4 years.

Mr. NEUBERGER. Mr. President, I should like to comment very briefly on the nomination.

So far as I know, there is no objection at all to Mr. Kelly, personally. He is undoubtedly an outstanding citizen.

However, I should like to call one fact to the attention of the distinguished minority leader, who several days ago, protested, on the floor of the Senate, because our country was sending to the United Nations reports about our stewardship over the Territory of Alaska. Mr. Kelly has been nominated by the President to be United States district judge for division No. 1, district of Alaska, to serve at Juneau. Mr. Kelly is a resident of Michigan. As I understand, Mr. President—and if I am in error about this matter, I stand ready to be corrected—of the judicial appointments for Alaska which this administration has made since it took office, half of the appointments have been of men who were not residents of the Territory of Alaska. In other words, they are so-called carpetbaggers. I do not say that the men so appointed lacked the qualification to serve as judges in Alaska, in connection with matters pertaining to the people of Alaska. However, Mr. President, I believe that if Alaska is to have the freedom of which the distinguished minority leader of the Senate spoke several days ago, the President of the United States and the Department of Justice can find an able, competent, honest, and sincere judge from among the very outstanding members of the bar who live in Alaska, have their homes in Alaska, and expect to continue to live permanently in Alaska. How else can we encourage people to live on the great Alaskan frontier?

I shall vote for confirmation of the nomination of Mr. Kelly to be United States district judge for division No. 1, district of Alaska, because, so far as I know, Mr. Kelly is a person of honesty and integrity; and I believe that the President of the United States is entitled to make such appointments as he sees fit to make, so long as the persons appointed have honesty and integrity. But, Mr. President, I believe that the people of Alaska are entitled to have the judges of the Federal court in Alaska appointed from among the members of the Alaskan bar.

For that reason, I wish to make this very brief protest, so that it may appear in the RECORD, against the action of the administration which once again has gone to 1 of the 48 States, in selecting a person for appointment as Federal judge in Alaska, rather than to make the appointment from among the bona fide, genuine residents of Alaska who are members of the Alaskan bar and, therefore, are competent to serve as judge in Alaska.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

The next nomination on the Executive Calendar will be stated.

UNITED STATES DISTRICT JUDGE—MISSOURI

The legislative clerk read the nomination of R. Jasper Smith, of Missouri, to

be United States district judge for the western district of Missouri.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT JUDGE—NEBRASKA

The legislative clerk read the nomination of Richard E. Robinson, of Nebraska, to be United States district judge for the district of Nebraska.

Mr. CURTIS. Mr. President, I wish to take just a moment to recommend that the Senate confirm the nomination of the Honorable Richard E. Robinson, as United States district judge for the district of Nebraska.

Mr. Robinson is in the prime of life. I believe his age is approximately 52 or 53. He will be able, I hope, to serve on the Federal bench for a long time to come.

Mr. Robinson is eminently fitted by training, experience, and judicial temperament to serve in the high office to which the President has appointed him. I am glad to recommend to the Senate that the nomination of Mr. Robinson be confirmed.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

UNITED STATES MARSHAL

The legislative clerk read the nomination of James F. Brophy of Georgia, to be United States marshal for the southern district of Georgia.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. CLEMENTS. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

THE CALENDAR

The PRESIDENT pro tempore. As the Chair understands, under the previous order, the calendar of bills and other measures to which there is no objection, commencing with Order No. 2282, but including Order No. 2232 and Order No. 2249, will now be called.

Mr. CLEMENTS. That is correct, Mr. President; and I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Without objection, it is so ordered.

The Secretary will now proceed with the call of the calendar.

BILLS PASSED OVER

The bill (S. 2691) for the relief of Cale P. Haun and Julia Fay Haun was announced as first in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BARRETT. Over.

Mr. BIBLE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6888) to amend the act of September 3, 1954, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ERVIN. Mr. President, pursuant to a request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

MR. AND MRS. ERNEST M. KERSH

The bill (S. 1708) for the relief of Mr. and Mrs. Ernest M. Kersh was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Ernest M. Kersh, 214 East Peace Street, Canton, Miss., in the sum of $10,000, in full satisfaction of all claims against the United States for compensation for severe and permanent injuries sustained by their daughter, Lynder Nell Kersh, at birth on December 6, 1943, in the Navy Hospital, Pensacola, Fla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

FRANK R. DAVIS

The bill (S. 1184) for the relief of Frank R. Davis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank R. Davis, of Ten Sleep, Wyo., the sum of $1,229.52. The payment of such sum shall be in full satisfaction of his claim against the United States for reimbursement for losses sustained as a result of his failure to secure a contract from the Bureau of Land Management of the Department of the Interior for the building of certain fences in Big Horn and Washakie Counties, Wyo., because his bid on such contract, which was mailed and registered at the post office at Ten Sleep, Wyo., on March 15, 1954, was not dispatched from such post office until March 18, 1954, and was therefore not received by the Bureau of Land Management office in Billings, Mont., in time for consideration in awarding such contract, even though such bid was lower than the successful bid on such contract: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

BILL PASSED OVER

The bill (S. 3704) to authorize the acquisition of the remaining property in square 725 and the property in square 724 in the District of Columbia for the purpose of extension of the size of the additional office building for the United States Senate or for the purpose of addition to the United States Capitol Grounds, was announced as next in order.

Mr. BIBLE. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over.

ADDITION OF CERTAIN FEDERALLY OWNED LAND TO THE LASSEN VOLCANIC NATIONAL PARK, CALIF.

The Senate proceeded to consider the bill (S. 3743) to add certain federally owned land to the Lassen Volcanic National Park in the State of California, and for other purposes which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 9, to strike out:

Sec. 2. The provisions of law heretofore enacted specifically for the protection and administration of Lassen Volcanic National Park shall continue to be applicable to the park as hereby revised, and the Lassen Volcanic National Park shall continue to be administered in accordance with the general laws governing areas of the national park system. The authority contained in the Lassen Volcanic National Park Act of August 9, 1916 (39 Stat. 442; 16 U. S. C., 1952 edition, sec. 201) relating to the use of areas within the park for a reclamation project is hereby repealed.

So as to make the bill read:

Be it enacted, etc., That, for the purpose of improving the campground, highway, and scenic features of the Lassen Volcanic National Park, Calif., the following described lands of the Lassen National Forest are excluded from the forest and are added to the Lassen Volcanic National Park:

Lots 1, 2, and 3, south half northeast quarter, and southeast quarter northwest quarter section 4; west half southeast quarter and that part of the south half northwest quarter and of the southwest quarter of section 11 lying east of Lost Creek; and section 19, township 31 north, range 4 east, Mount Diablo Meridian, Calif.: *Provided*, That the aforesaid lands in section 19 are included within the national park subject to the right of the United States Forest Service to construct and to maintain a permanent road through that section in order to permit the use, protection, and administration of adjacent national forest lands and the removal of timber from the national forest.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BIBLE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BIBLE

The Secretary of the Interior requested this legislation which would add some 1,040 acres of federally owned land to the Lassen Volcanic National Park in California. The Department of Agriculture, which administers the lands involved, has agreed to this boundary adjustment.

Three parcels of land are involved. Through one of the parcels passes a Park Service highway; its addition to the park renders the highway maintenance more convenient from an administrative standpoint. Another parcel, if added, will assure permanent protection for the scenic character of certain forested lands which are in view from the highway mentioned previously. The addition of the third tract would permit expansion of campground facilities in a portion of the park which is subject to the greatest public use.

The bill, as introduced, would have repealed a provision of the act creating the park which would have permitted a reclamation project within the park's boundaries. Although the authorization to be repealed has not been used in the 40 years since the park was created, the committee did not consider the repeal of the provision to be relevant to the main objective of the bill, namely, the addition of these lands to protect the park's integrity. The development of reclamation installations in national park areas has been a controversial subject in the past. The committee prefers to consider such subjects as a general policy question and not on a piecemeal basis.

ROBERT F. GROSS

The bill (S. 1693) for the relief of Robert F. Gross was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Robert F. Gross, of Harrisburg, Pa., is hereby relieved of all liability to refund to the United States the sum of $1,047.42, representing the amount of the overpayment received by him at the time of his final separation from employment with the Department of Labor as compensation for unused annual leave.

SEC. 2. All disbursing officers, or other responsible officers, who made or authorized the overpayment referred to in the first section of this act, are relieved of all liability for such overpayment and their accounts shall be credited with the amount of such overpayment.

TRUST LANDS FOR CERTAIN PUEBLOS IN NEW MEXICO—BILL PASSED OVER

The bill (H. R. 5712) to provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo grant and a small area of public domain adjacent thereto was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BIBLE. Over, by request.

Mr. ANDERSON. Mr. President, will the Senator withhold his objection for a moment?

Mr. BIBLE. I shall be happy to do so.

Mr. ANDERSON. Mr. President, I do not understand the continuing objection to this bill, which seeks to effectuate something which was started in 1934.

The Indians in the area in 1934 had great difficulty in getting proper rangeland. At that time, the administration purchased the Ojo del Espiritu Santo grant, for the protection of these Indians. I was in touch with the so-called public spending program at that time. I know the lengths to which the program went to make sure that this land might be available to the Indians who were there.

After the land grant was purchased, the Laguna Indians were asked if they would mind moving to another grant. The Antonio Sedillo grant was purchased with Federal money, and the Laguna Indians were given grazing rights there. Under that arrangement, some of the grazers of the Ojo del Espiritu Santo grant who were non-Indians could make use of land on that grant. It should be noted that every dollar that went into this grant was Government money. Not $1 of a single stockraiser went into it. All the non-Indians who were running stock there were doing so regardless of the fact that the Federal Government had purchased it for the Indians. Nonetheless, they were there. In spite of the fact that the Antonio Sedillo grant was purchased and part of the Indians were moved to that grant, the other Indians were left in possession of the Espiritu grant and non-Indians were given some grazing rights.

From that time on there was supposed to be a division of 400 head of Indian cattle and 400 head of non-Indian cattle. About a year and a half ago the Indians came to members of their congressional delegation and said, "We are being run off; even though the Government purchased this for us, nevertheless, we are being run off."

When the last count was made, there were 1,176 head of cattle on the land with 776 belonging to non-Indians and about 400 head of Indian cattle.

This was not the purpose of the grant at all.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter addressed to Representative DEMPSEY, by the governor of the Jemez Pueblo and by the governor of the Zia Pueblo, setting forth that these lands were a part of the reservations of Laguna, Acoma, and Isleta, under Public Law 226, "and if there is to be any change or disposition of this Ojo del Espiritu Santo, grant, we request that you protect our interests by sponsoring legislation which will add to our reservations their apportionate share of this grant."

An attempt has been made recently to sell the grant from under the Indians, when nothing has been in this but Government money right from the beginning. I should like to have that letter printed in the RECORD at this point if I may.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 29, 1954.

Hon. JOHN J. DEMPSEY,
House of Representatives,
Washington, D. C.

DEAR MR. DEMPSEY: We are writing you concerning the Ojo del Espiritu Santo grant. In the November issue of the New Mexico Stockman there was an article which stated that there was a movement underway to dispose of this land by the Federal Government. On the basis of this magazine article, these Pueblos contacted their superintendent and requested his assistance in the protection of their grazing privileges on this grant. We feel sure that the Indian Service will make an effort to see that we are treated fairly; however, we are also aware that we must advise you of our needs if we are to get proper consideration in congressional action.

This grant was purchased in the mid-1930's by the Federal Government under its submarginal land purchase program to be used by Indians residing nearby to supplement their grazing resources. Prior to the purchase of the grant both the Jemez and Zia Indians made use of it under a free grazing arrangement. When the grant was first purchased, it was placed under the administration of the Department of Interior and administered by the Commissioner of Indian Affairs. The Jemez and Zia Pueblos each were granted grazing privileges for 200 cow units, or the equivalent in sheep, yearlong. At first the balance of the grazing privileges on this grant was used by the Laguna Indians. Separate grazing units were established as follows:

Jemez—approximately 34,553 acres.
Zia—39,863 acres.
Balance used by the Laguna Indians.

Unit boundaries were laid off along natural barriers supplemented by fences and the livestock of each Pueblo was confined to that portion of the grant nearest their reservation. Upon acquisition by the Federal Government of the Antonio Sedillo grant for the Laguna Pueblo, the portion used by the Laguna Indians was made available to non-Indian residents in the vicinity. Since 1940 the Jemez and Zia Indians have grazed their livestock in common with these non-Indian permittees on the grant.

When the Interdepartment Rio Grande Board explored the needs of both Indians and non-Indians in the area under the submarginal land program, the Jemez and Zia Pueblos were each recognized to have prior grazing for 200 cow units year long. When the administration of the grant was transferred to the Soil Conservation Service these privileges were never questioned, nor when the administration of the grant was changed from the Soil Conservation Service to the Forest Service. The Indian stock owners of these two Pueblos have continuously cooperated with that Agency responsible for the administration of this grant by making whatever shifts in grazing that were necessary to conserve the soil and forage. During the recent drought when a reduction was necessary in the number of livestock on the grant, we took our apportionate reduction even though we had been granted prior right for 200 cow units. We felt at that time it was only fair for us to share in the hardships confronting other permittees on the grant.

The grazing resources of the Jemez and Zia Pueblos are very meager in proportion to the number of Indians residing on the reservation and this permit on the Espiritu Santo Grant is certainly necessary for the livestock men of these Pueblos to maintain their small herds.

We feel that since other lands obtained under this program were made a part of the reservations of Laguna, Acoma, and Isleta under Public Law 226 and if there is to be any

change or disposition of this Ojo del Espiritu Santo Grant, we request that you protect our interests by sponsoring legislation which will add to our reservations their apportionate share of this grant. We would prefer that this land be added to our reservation similar to Public Law 226 which places the land in trust and insures its proper use and conservation.

The records of the Indian Bureau contain all this information. We feel sure that they are cognizant of our needs for these grazing privileges and that they will render any assistance necessary to expedite the enactment of legislation.

We wish to thank you for past favors which we have received from you and if there is any additional information which we can furnish, we will be glad to do so.

Sincerely yours,

PAT JOYA,
Governor, Jemez Pueblo.
JUANITO MEDINA,
Governor, Zia Pueblo.

Mr. ANDERSON. Mr. President, the Forest Service tried recently to make a study to determine how certain men got their permits. It is interesting to note that the man who has shown up with the most permits for running cattle on this grant is the man who formerly was in charge of the administration of the Government program. This man now is the largest holder of permits in the entire area.

I do not like to clutter up the RECORD with all this material, but I do have affidavits from people who formerly owned the permits, describing what happened to them.

I do not know how much of this would be desirable to put in the RECORD, but I believe it would be well to put this item in the RECORD, so that everyone will understand.

I employed a young attorney in New Mexico to make a study of this subject. I said, "I would like to go back and get the facts from the history of the whole subject. I remember what happened, but my memory may play tricks on me. I know how we bought this land grant."

So Patricio S. Sanchez, a special member of my staff, made a study of this whole question, and on November 2, 1955, he submitted a report, in which he pointed out that the 1941 agreement, which was finally entered into, gave the Indians the use of 400 cattle units. That provision has been steadily violated to the point where the non-Indians have had all the increases, and the Indians have had no more rights.

I do not believe that that is the way this matter should be handled. I ask unanimous consent to have printed in the RECORD at this point the letter from Mr. Sanchez.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, D. C., November 2, 1955.

Hon. CLINTON P. ANDERSON,
United States Senator,
Washington, D. C.

DEAR SENATOR ANDERSON: I have spent several days during the last 3 weeks checking the files covering the transactions affecting the Espiritu Santo grant. In addition to this, I have taken the time to interview some of the permittees of the grant as well as some of the Federal employees in the Soil Conservation Service formerly concerned with the administration of the grant.

This report is not intended to be fully exhaustive of all the ramifications concerning the administration of the grant, rather, it covers the general problem which you pointed up to me and also some of the things which I feel might be looked into further.

BACKGROUND

The Espiritu Santo grant was one of the various tracts of land purchased under the Indian land purchase projects undertaken by authority and with the funds provided by the National Industrial Recovery Act and the Emergency Relief Appropriations Act of 1935 providing for the "prevention of the misuse of land by erosion or other causes and a restoration of land productivity," and the "rehabilitation of Indian population by acquisition of lands to enable them to make appropriate and constructively planned use of combined land areas in units suited to their needs."

These projects were taken over and in a large part completed by the Resettlement Administration. Upon transfer of the Resettlement Administration to the Department of Agriculture, jurisdiction over these lands became vested in the Secretary of Agriculture. The erosion control and Indian rehabilitation program resulted in the purchase of approximately 701,100 acres by the United States in the upper Rio Grande area of New Mexico. These purchases were completed September 30, 1937, and included, among other areas, the Espiritu Santo grant.

USE RIGHTS

Negotiations between the various Federal agencies resulted in 1936 in the granting of temporary use-rights exclusively to the Indians of the Espiritu Santo Grant. By agreement between the Indian Service, the Soil Conservation Service, and the Resettlement Administration, the Soil Conservation Service undertook the physical rehabilitation and the administration of the Espiritu Santo Grant along with other northern New Mexico grants that had been purchased by the United States.

The Interdepartmental Rio Grande Committee, consisting of representatives from the Forest Service, Farm Security Administration, Grazing Service, Soil Conservation Service, and the Indian Service came into being during this time. Apparently the chief purpose of this committee was to propose and carry out a unified Federal land-use program for the upper Rio Grande watershed. Under date of December 1, 1937, this committee submitted concrete recommendations for the transfer of jurisdiction, allocation of use-rights, and administration of these Government-purchased lands. It at that time recommended that the temporary use rights previously worked out in which the Espiritu Santo Grant was assigned to exclusive Indian use be approved and that this grant, along with the Bernade Montano, the Borrego, and the San Ysidro Grants be transferred by Executive order to the Secretary of the Interior for the use of the Office of Indian Affairs. The Espiritu Santo Grant was accordingly transferred to the Secretary of the Interior in January of 1938.

Recommended land-use allocations were at that time also made with respect to other upper Rio Grande areas which had been recently purchased by the United States. These other areas are not the subject of this report except insofar as they affect the subsequent use-rights on the Espiritu Santo grant.

This committee in its December 1, 1937, report also made the following recommendation:

"That the Office of Indian Affairs agree to relinquish, upon recommendation of the proposed upper Rio Grande board, grazing use on the Espiritu Santo grant permitted to the livestock of the Laguna Indians which grazing may hereafter be allocated to resident non-Indians who have agreed to the conservative management of the private leased or other lands used by them in their noncommission livestock operations; this transfer of Laguna Indian grazing use on the Espiritu Santo Grant to be contingent upon the provision of additional range with equivalent grazing capacity for the Laguna livestock closer to the Laguna Reservation."

At that time the grazing capacity of the Espiritu Santo Grant was indicated at about 805 animal units of which the Laguna had some 400 animal units and the Zia and Jemez Indians had the balance of approximately 200 to each pueblo. This recommendation was subsequently carried out by turning over to the Lagunas the Sedillo Grant and making available to the non-Indian dependent population the grazing made available by removal of the Laguna livestock to the Sedillo Grant. This transaction is developed further below in the discussion of the two interdepartmental agreements that follow.

INTERDEPARTMENTAL AGREEMENT OF 1938

The above-quoted recommendation of the Interdepartmental Rio Grande Committee was made after insistent local demand for the allocation of a fair proportion of the purchase areas to non-Indian residents for grazing use and this recommendation was followed by an interdepartmental agreement signed June 29 and July 14, 1938, between the Secretary of Agriculture and the Secretary of the Interior. This agreement provided in substance that the Secretary of Agriculture would acquire the Antonio Sedillo Grant, which consists of approximately 86,000 acres, and, upon its acquisition, that the Secretary of Agriculture would, through appropriate Presidential order, cause the Antonio Sedillo grant to be transferred to the Secretary of the Interior and that the Secretary of the Interior would, through appropriate Presidential order, cause the Espiritu Santo grant to be transferred to the Secretary of Agriculture. These transfers were made accordingly by Executive order and were completed in February of 1941.

In this same agreement the two Secretaries declared their mutual understanding and intention to be:

(a) That the range on the Espiritu Santo grant should, as early as practical, be made available to the non-Indian population;

(b) That the Jemez and Zia Indians should continue to use the Espiritu Santo grant "in an amount not to exceed the present use of the Jemez and Zio Indians, until other satisfactory range can be supplied for them"; and,

(c) That the livestock of the Laguna Indians then grazed on the Espiritu Santo grant be transferred to the Sedillo grant.

This memorandum charged the Interdepartmental Rio Grande Board with the job of working out the details of this transfer.

This agreement also called upon the Secretary of the Interior to take necessary steps to provide additional lands to accommodate the livestock of the Jemez and the Zia Indians then remaining on the Espiritu Santo grant with the view of eventually removing all of the Indian livestock from this grant and in this regard called for spilling-over from the Bernabe Montano grant to the Sedillo grant such grazing as would not be needed on the Sedillo grant for the Laguna Indians and in turn spill-over from the Espiritu Santo grant such Jemez or Zia livestock to the Montano grant as were removed from it to the Sedillo grant.

In brief, the idea underlying the above transactions was that the Espiritu Santo grant would eventually be used exclusively by the non-Indian dependent population and this was to be accomplished by giving the

Laguna Indians the Sedillo grant and allowing the Zia and Jemez Indians to use the Espiritu Santo grant to the extent of their then use, which was approximately 400 animal units, until other lands could be provided for them.

It can be gleaned from the memoranda regarding these transfers that the Laguna Indians had no objection to the transfer of their livestock from the Espiritu Santo to the Sedillo grant since the Sedillo grant seems to be much more favorably located with relation of the Laguna Pueblo; however, the memoranda reveals some conflicts arising over the proposal of spilling-over of Zia and Jemez livestock to the Montana grant, the objection of these two Pueblos being that the Montano grant was approximately 9 miles away whereas the Espiritu Santo grant was immediately adjacent to the Pueblos. Proposals were made at that time that the non-Indian population use the Montano grant and this idea was rejected by the agencies involved primarily because of the large distances the non-Indian livestock would have to travel to reach the Montano grant.

INTERDEPARTMENTAL AGREEMENT OF 1941

The Interdepartmental Rio Grande Board, acting under instructions of the Secretary of Agriculture and the Secretary of the Interior to study the problem arising out of the proposed removal of certain Jemez livestock from the Espiritu Santo to the Montano grant recommended on May 17, 1940, that the Zia and Jemez Indians be given permanent use privileges on the Espiritu Santo grant equivalent to the amount of Indian livestock occupying the grant as of October 31, 1939, but not to exceed 500 animal units year long. Accordingly, under dates of April 19, 1941, and May 27, 1941, the Secretaries of Agriculture and Interior entered into an agreement embodying the recommendations of the Interdepartmental Rio Grande Board in which it was agreed that the Pueblo Indians be given permanent use privileges on the Espiritu Santo grant equivalent to the amount of Indian livestock occupying the grant as of October 31, 1939. It is to be noted here, however, that the limitation of Indian livestock to 400 units as recommended by the board was not included in the agreement itself.

In this agreement the claim of the Pueblo Indians for "compensating advantages" arising out of their surrender of the use-rights to some 269,000 acres on certain purchased grants in northern New Mexico was recognized by the Secretary of the Interior and the Secretary of Agriculture. The agreement provided that the privilege extended to the Pueblo Indians on the Espiritu Santo grant be considered as satisfying the Pueblo claim to the amount of 400 animal units year long and, it having been determined that the total value of the land relinquished amounted in grazing value to 2,000 grazing units year long, this left a balance of 1,600 cattle units year long still to be provided to satisfy the total claim. The same agreement provided that the Montano and the Sedillo grants would be used exclusively by Indian livestock.

No record is found indicating that the balance of the claim of 1,600 animal units year long was ever satisfied. However, so far as the Espiritu Santo grant itself is concerned, the relinquishment by the Indians of approximately 400 animal units year long was satisfied by turning over the Antonio Sedillo grant to Interior for Laguna Indian use.

The idea of providing "compensating advantages" seems not to have been practical since these compensating advantages were apparently too nebulous to be worked out. While it is clear that the interdepartmental Agreement of 1938 expressed the intention of eventually making the entire grant available exclusively for non-Indian use, this intention was modified by the interdepartmental agreement of 1941 in which the intention is clearly expressed that the Indian population shall have permanent use of 400 animal units year long on the grant.

ADMINISTRATION OF GRANT BY SOIL CONSERVATION SERVICE

(a) Increases in use: The Soil Conservation Service was the administering agency of the Espiritu Santo grant from the inception of the proposals contained in the interdepartmental agreements of 1938 and 1941 outlined above. Administration of the grant continued in the Soil Conservation Service until 1954 when its regional offices were abolished and administration of the grant was transferred to the Forest Service.

The grant was made available for non-Indian livestock as a result of the agreements set out above. The use records from year to year have not been located in the files as yet and it will be necessary to submit a supplemental report covering these records as soon as they are isolated and have been analyzed. It is apparent, however, that the non-Indian use was commenced sometime in 1940 or 1941 and was equivalent to the number of Laguna livestock removed from the subject grant to the Sedillo grant.

The increase in numbers on the grant from 805 animal units in 1941 to 1,191 animal units in 1955 is attributed by Soil Conservation Service and Forest Service officials to the increase in forage production by conservation control measures on the grant. The increase has apparently been a gradual one over the years. It is to be noted that stocking controls were initiated on the grant in 1936 shortly after its purchase.

It is significant to note that the grazing increases allowed on the grant over the years did not accrue to the benefit of the Indians. The Indian grazing has been held at a constant number of 400 animal units and the increases in permitted stock have all gone to the non-Indian population.

This result was achieved by administrative interpretation of the interdepartmental agreements of 1938 and 1941 discussed above.

It is true that the 1938 agreement contained a maximum limitation of 400 animal units to the Zia and Jemez Indians. However, that agreement contemplated only temporary use by the Indians since it was the intention, at that time, of the agencies involved that eventually all Indian livestock would be removed from the grant. Therefore this maximum limitation of 400 animal units of Indian livestock on the grant is not, in my opinion, controlling.

The 1941 agreement modified the intention of the agencies involved to this extent; that by 1941 it was apparent that other suitable range was not going to be found for Zia and Jemez livestock and therefore the agencies had abandoned the idea of eventually removing the Zia and Jemez livestock from the Espiritu Santo grant. The 1941 agreement, therefore, gave a permanent use to the Indians of 400 cattle units on the grant. The significant change made in the 1941 agreement is that no maximum limit was placed on the use of the grant by Indian livestock notwithstanding that the Interdepartmental Rio Grande Board had recommended placing a maximum figure of 400 animal units on Indian livestock. Apparently, the Federal agencies involved in interpreting these agreements failed to notice this variation between the recommendations submitted and the agreement itself as it was finally consummated. Or it may be that the administering agencies felt that the maximum figure set out in the 1938 agreement was controlling and did not consider the fact that the 1941 agreement was intended to and did modify the 1938 agreement, and that the 1941 agreement contains no maximum limitation as to the amount of Indian livestock to be grazed on the grant. Apparently the Indian Service never challenged the interpretation given to the agreements by the Soil Conservation Service and the issue whether or not the Indians could graze more than 400 units by the terms of the agreements themselves was never raised. In any event, the increases in permitted use over the years have all gone to non-Indians.

(b) Selection of permittees and reallocation of relinquished permits:

The files indicate that definite criteria were established by the Soil Conservation Service for the selection of non-Indian users. These criteria included:

(1) Previous livestock operation within the project area during the base period of 1938, 1939 and 1940;

(2) Economic dependency;

(3) Ownership of commensurate or base property; and

(4) Size of the operation.

Thus the original permits issued by the Soil Conservation Service were based upon elaborate economic surveys of non-Indians within the project area. In October of 1942 the Soil Conservation Service shut down its acceptance of new permit applications and since that date no new permits have been granted on the grant and the only manner in which a use permit could be obtained was by transfer of an existing use to a new individual. The criteria established by the Soil Conservation Service for the transferring of these permits among non-Indian users were as follows:

"Applicants who acquire ownership or control of range livestock operations with or without the transfer of commensurate property which have formed the basis for preferences shall be eligible, if otherwise qualified, for the reallocation of preference formerly based thereon up to an amount that when added to the applicants other livestock operations (including base property and permits issued by other bureaus) will not cause the unit to exceed the overall maximum limit of 100 animal units nor to exceed 40 units of L. U. preference. Existing preferences in excess of 40 animal units may upon relinquishment be reallocated to new qualified applicants in amounts not to exceed 40 animal units to any one applicant except that an entire existing preference may be transferred by direct inheritance."

It is to be noted that the preferences or use permits, when lost by the sale or transfer of the base unit, reverted to the Soil Conservation Service for reallocation. It is in this area of activity that the Soil Conservation Service apparently ran into its biggest administrative headaches. Conflicts between the Service and non-Indian users arose in two ways:

(1) Small livestock men from areas adjacent to the units felt that they were entitled to new permits. This problem was particularly acute due to the fact that the acceptance of new permittees was closed down in October of 1942 which was some 11 months after we were at war and many of the boys felt that they were deprived the right of use by virtue of being in the Armed Forces.

(2) The second area of conflict arose in the reallocation of relinquished permits to new permittees. In most cases the relinquished permits were reallocated to the transferee or the purchaser of the base unit. In some cases the base unit consisted of little more than the use permit on the grant and the real value of what was being transferred, it is suspected, was not the base unit but the permit. The records do not disclose whether the persons to whom these permits were reallocated were, as required by the criteria quoted above, "otherwise qualified." It may be that in some cases and probably in many cases, the person to whom the use permit was transferred was not in as much need as other dependent families in the area; however, not one single case appears in the files where the permit was not transferred to the

person purchasing the "base unit". This may or may not have been desirable.

In any event, the exact manner in which the permits were reallocated and the extent to which they were reallocated together with the exact criteria that were actually used would seem to me to bear closer examination. I say this even though, to some extent, the question is moot since there is little that can be done about past use. However, the question is of considerable importance with respect to future legislation in this regard, viz: if the purpose of these projects is to provide wise land use and the people who are to benefit are dependent families within the areas, then it would seem desirable that this purpose be not defeated by lax reallocation criteria which would enable nondependent persons to get their hands on these permits through the simple means of purchasing an existing unit, without giving proper regard to the economic need of the transferee or of other dependent families in the area.

PATRICIA S. SANCHEZ.

Mr. ANDERSON. Mr. President, I do not believe it is desirable to put into the RECORD all the material dealing with the early agreements, and so forth; but this is one example of what happens to the Indians when there is no one there to protect them.

The only reason the bill is before the Senate now is that we have understood that an effort would be made to give the Indians some other piece of ground, and to buy this land for the expanding herds of non-Indians, who were never supposed to be on this piece of ground in the first place, and who are not the individuals who were given rights to run a part of their cattle herds on this land.

I think it is too bad that a piece of legislation which has been passed unanimously by the House, which has been recommended by all the Indian organizations, and supported by people there who are very much interested in the Indians, cannot be passed on the call of the calendar. I hope that we may have a chance of having the objection withdrawn. If not, I hope the leadership will bring the bill up on motion.

I should like to call the roll, one by one, of the non-Indians who have sold their permits to this former employee of the Grazing Service, who has taken them over round by round. It is a frightful example of what can happen in this area.

Mr. BIBLE. Mr. President, I appreciate the position of my distinguished friend the Senator from New Mexico. The objection to the bill is by request, and I must renew the objection.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

COINAGE OF SUBSIDIARY SILVER COINS

The bill (H. R. 10230) to amend sections 3526 and 3528 of the Revised Statutes relating to the coinage of subsidiary silver coins and minor coins of the United States was considered, ordered to a third reading read the third time, and passed.

PRINTING OF ADDITIONAL COPIES OF SENATE DOCUMENT NO. 117

The concurrent resolution (S. Con. Res. 79) to print additional copies of Senate Document No. 117, entitled "A Handbook for Americans," was considered and agreed to, as follows:

Resolved, etc., That there be printed for the use of the Senate Subcommittee on Internal Security of the Committee on the Judiciary 75,000 additional copies of Senate Document No. 117, "A Handbook for Americans."

RELINQUISHMENT OF CONSULAR JURISDICTION IN MOROCCO—JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 165) approving the relinquishment of the consular jurisdiction of the United States in Morocco was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. PURTELL. I should like to make it clear that I am not opposed to the joint resolution; in fact, I am very much in favor of it. However, I do not believe it is a joint resolution which should be passed on the call of the calendar. I hope it will be brought up on motion immediately after the call of the calendar has been concluded.

Mr. MANSFIELD. Mr. President, I, too, hope the joint resolution will be brought up for debate, because I think it is very important. I am delighted that the Senator from Connecticut has suggested that it be passed over.

The PRESIDING OFFICER. The joint resolution will be passed over.

BILL PASSED OVER

The bill (S. 1333) to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes, was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

REDEMPTION OF CERTAIN UNSOLD FEDERAL MIGRATORY-BIRD HUNTING STAMPS

The Senate proceeded to consider the bill (H. R. 5256) to provide for the redemption by the Post Office Department of certain unsold Federal migratory-bird hunting stamps, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment on page 2, after line 17, to insert:

SEC. 3. (a) Hereafter such quantity of migratory-bird hunting stamps, not sold at the end of the fiscal year for which issued, as determined by the Postmaster General to be (1) required to supply the market for sale to collectors, and (2) in suitable condition for such sale to collectors, shall be turned over to the Philatelic Agency and therein placed on sale. Any surplus stock of such migratory-bird hunting stamps may be destroyed in such manner as the Postmaster General shall direct.

(b) The fourth sentence of section 2 of the act of March 16, 1934, as amended (48 Stat. 451; 16 U. S. C., sec. 718b), is hereby further amended to read as follows: "Such stamps shall be usable as migratory-bird hunting stamps only during the fiscal year for which issued."

(c) The first and second provisos in the paragraph under the heading "Migratory Bird Conservation Fund" in the act of June 28, 1941 (55 Stat. 356; 16 U. S. C., sec. 718i) are hereby repealed.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ROBERT D. GRIER

The bill (H. R. 6029) for the relief of Robert D. Grier (individually and as executor of the estate of Katie C. Grier) and Jane Grier Hawthorne was considered, ordered to a third reading, read the third time, and passed.

TRANSFER OF 600 ACRES OF PUBLIC DOMAIN TO THE KANOSH BAND OF INDIANS, UTAH

The bill (H. R. 9828) to transfer 600 acres of public domain to the Kanosh Band of Indians, Utah, was considered, ordered to a third reading, read the third time, and passed.

CHANGE OF PROCEDURE FOR HOMESTEADERS SETTLING ON UNSURVEYED LAND IN ALASKA

The Senate proceeded to consider the bill (S. 3665) to allow a homesteader settling on unsurveyed public land in Alaska to make single final proof prior to survey of the lands, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 1, line 5, after the word "entryman", to insert "may", so as to make the bill read:

Be it enacted, etc., That section 2 of the act of July 8, 1916, as amended (48 U. S. C., sec. 375) is further amended to read as follows:

"SEC. 2. The entryman may, after due compliance with the terms of the homestead laws, file his final homestead proof in accordance with applicable regulations of the Secretary of the Interior regardless of whether or not the system of public surveys has been extended over the land included in a homestead entry. The Secretary of the Interior shall, within 1 year after the filing of such proof, issue proper instructions for the survey of the land so entered, without expense to the entryman, and if the entryman has complied with the requirements of the homestead law and applicable regulations a patent based on such survey shall be issued. Nothing in this section however shall prevent the homesteader from securing earlier action on his entry and proof by a special survey at his own expense, if he so elects."

SEC. 2. Section 4 of the act of April 29, 1950 (48 U. S. C., sec. 371c), is amended to read as follows:

"A homestead settler on unsurveyed public lands shall make final or commutation homestead proof within 5 years from the date of the filing of notice of the settlement claim in the district land office, as a basis for a free survey under section 2 of the act of July 8, 1916, as amended (48 U. S. C., sec. 375), in accordance with regulations of the Secretary of the Interior."

The amendment was agreed to.

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate

Committee on Interior and Insular Affairs be discharged from further consideration of the House bill 10504, and that the Senate proceed to the consideration of the House bill. The Senate and House bills are identical.

The PRESIDING OFFICER. Without objection the Committee on Interior and Insular Affairs is discharged from the further consideration of the bill (H. R. 10504), to allow a homesteader settling on unsurveyed public land in Alaska to make single final proof prior to survey of the lands.

Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 10504) to allow a homesteader settling on unsurveyed public land in Alaska to make single final proof prior to survey of the lands.

Mr. BIBLE. Mr. President, I move that the Senate bill, as amended, be substituted for the text of the House bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nevada.

The motion was agreed to.

The PRESIDING OFFICER. If there are no further amendments to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDING OFFICER. Without objection, the Senate bill 3665 is indefinitely postponed.

EASEMENT OF CERTAIN LANDS TO THE TOWN OF CHINCOTEAGUE, VA.

The bill (H. R. 8552) to authorize the Secretary of the Navy to grant to the town of Chincoteague, Va., permanent easements on certain lands for the purpose of taking subterranean water was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill.

Mr. STENNIS. Mr. President, the bill came before a subcommittee of the Committee on Armed Services where I conducted the hearings on it. The facts in the case are that the source of water in the town of Chincoteague, Va., is under Government jurisdiction, and unless the people are given this privilege in the nature of an easement with reference to the taking of water, they will be left without an adequate source of supply. The bill in a general way merely carries out the promises and representations which have been heretofore made in connection with some of the military lands.

Mr. MORSE. Will the Senator advise me in regard to the reports on the bill?

Mr. STENNIS. I do not have the memorandum with me at this time, so I cannot go into detailed explanation of the representations, except to this extent, that it has been found that the authority heretofore given was inadequate, and to meet the practical situation, it was considered necessary that this bill be passed. We do not consider that it materially changes the present law on the subject. It is more of a clarification and extension of what was recognized as a right originally belonging to the people. They have not any means of getting their water supply.

Mr. MORSE. Originally, the land was obtained by the Federal Government for Navy purposes in the area of this community. Is that correct?

Mr. STENNIS. That is correct.

Mr. MORSE. And although, apparently, no express conditions seem to be written into any of the transfers, there was a clear implied condition that the people of the community would be allowed to continue to draw on the subterranean water for a municipal water supply.

Mr. STENNIS. That is correct.

Mr. MORSE. And that was understood by all the parties concerned?

Mr. STENNIS. That is the subject of the agreement; and I consider this measure necessary to carry out the original understanding.

Mr. MORSE. Mr. President, I certainly have no objection to such an arrangement. I am raising the question only so that the record may show there is quite a difference between water and oil. This being water, we are establishing no precedent for oil. The bill being limited to water, I certainly want the people to have an adequate supply of it.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

USE OF CERTAIN PROPERTY IN VOLUSIA COUNTY, FLA., FOR CIVIL-DEFENSE PURPOSES

The bill (H. R. 5657) to allow the use of certain property in Volusia County, Fla., for civil-defense purposes without payment of compensation to the United States was considered, ordered to a third reading, read the third time, and passed.

RELEASE OF RIGHT, TITLE, AND INTEREST OF THE UNITED STATES IN CERTAIN LAND, MONTGOMERY, W. VA.

The Senate proceeded to consider the bill (S. 976) to provide for the release of the right, title, and interest on parcel of land conditionally granted by the United States to the city of Montgomery, W. Va., which had been reported from the Committee on Armed Services with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Army is authorized to modify by appropriate written instrument the exception and reservation to the United States of America in the deed executed by the Secretary of War on December 13, 1938, pursuant to the act of Congress approved June 14, 1938 (52 Stat. 675), of the perpetual right to flood such part of the 8 3/10 acres conveyed to the town of Montgomery, W. Va., as may be necessary from time to time in the interests of navigation so as to limit such exception and reservation to the portion of the 8 3/10 acres located below elevation 619 feet, mean sea level, and to release by appropriate written instrument to the city of Montgomery, W. Va., such restrictions and conditions imposed by section 2 of said act of June 14, 1938, and included in the deed granted pursuant thereto: *Provided*, That any release by the Secretary of the Army of the restrictions and conditions imposed by section 2 of said act of June 14, 1938, shall be effective only in the event the land described in such act is conveyed to the State of West Virginia within 1 year from the date of enactment of this act on condition that it shall be used for National Guard or other military purposes.

If the State of West Virginia shall cease to use the property for the purpose intended then the title thereto shall immediately revert to the United States and, in addition, all improvements made by the State of West Virginia during its occupancy shall vest in the United States without payment or compensation therefor.

The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or for naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of West Virginia, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency, plus 6 months, such property shall revert to the State of West Virginia, together with all appurtenances and utilities belonging or appertaining thereto.

All mineral rights, including gas and oil, in the lands authorized by this act shall be reserved to the United States.

The cost of any surveys necessary as an incidence to the conveyance authorized herein shall be borne by the State of West Virginia.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. STENNIS. Mr. President, I ask unanimous consent to have printed at this point a statement which I have prepared on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR STENNIS

The purpose of this bill is to authorize and direct the Secretary of the Army to relinquish restrictions placed on approximately 8.3 acres of land in Kanawha County, W. Va., in order that the West Virginia National Guard may construct an armory thereon.

The acreage involved was conditionally conveyed to the town of Montgomery in Kanawha County by the Secretary of War, by deed dated December 13, 1938, with the Government retaining the right to overflow the land whenever necessary in the interest of navigation.

The West Virginia National Guard has a requirement for a site in the vicinity on which to construct an armory and this tract is considered to be the most ideal location. The Department of the Army reports that the requirement which resulted in the retention of the right to flood this area has since been modified sufficiently to allow the land to be utilized for the purposes desired by the National Guard.

The bill contains the usual recapture rights in the event of a national emergency, and

provides for the return of the property to the Federal Government if it ceases to be utilized for National Guard or military purposes.

CONVEYANCE OF TRACT OF LAND TO THE STATE OF VIRGINIA

The bill (S. 3404) to direct the Secretary of the Army or his designee to convey an 11¼-acre tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. STENNIS. Mr. President, I have an explanation of the bill——

Mr. MORSE. Mr. President, I think I understand the situation.

The bill would authorize the Secretary of the Army or his designee to convey by quitclaim deed, without consideration, an 11¼-acre tract of land situated in the vicinity of Williamsburg to the State of Virginia. This tract is to be used for training of the Virginia National Guard and for other military purposes. This tract is a part of 9,860 acres acquired by the Department of the Navy in 1942 for the establishment of Camp Peary.

Mr. STENNIS. The Senator is correct. It provides for the return of the property to the Government if it ceases to be used for National Guard or military purposes.

Mr. MORSE. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Armed Services with an amendment on page 4, line 16, after the word "or", where it appears the second time, to strike out "or" and insert "for", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Army or his designee is authorized and directed to convey by quitclaim deed, without consideration, to the State of Virginia, all right, title, and interest of the United States, except as retained in this act, in and to 11¼ acres of land situated in York County, Va., and being a part of the lands at the Armed Forces Experimental Training Activity, Camp Peary, near Williamsburg, Va. The 11¼ acre tract of land to be conveyed to the State of Virginia is more particularly described as follows:

Beginning at a point in the southwestern boundary line of the Camp Peary Reservation where the Government's southwestern property line intersects the centerline of Queen's Creek; said point of beginning is also the farthermost point west that the Government's boundary line traverses the centerline of Queen's Creek; thence from the said point of beginning along the property line of the Government north 41 degrees 58 minutes 20 seconds west 84.14 feet to a concrete monument; thence north 41 degrees 58 minutes 20 seconds west 150.13 feet to a concrete monument in a corner of the Government's southwestern boundary line; thence continuing along the property line of the Government north 51 degrees 15 minutes east 1,374.04 feet to a concrete monument; thence south 35 degrees 04 minutes east, through property of the Government, 2,663.73 feet to the true point of beginning; thence, from said true point of beginning, south 69 degrees 49 minutes east 837 feet to a point on the northwestern right-of-way line of Virginia State Highway Route No. 132; thence southwesterly along said right-of-way line, and on a curve to the right, with a radius of 2,746.79 feet an arc distance of 911.09 feet to a point; thence, continuing along said right-of-way line south 53 degrees 59 minutes west 108.87 feet to a point; thence north 15 degrees 06 minutes west 743.28 feet to a point; thence north 24 degrees 52 minutes east 310.54 feet to the true point of beginning, containing 11.25 acres, more or less, and shown on District Public Works Office, Fifth Naval District, drawing No. 46265, entitled "Camp Peary, Williamsburg, Va."

SEC. 2. All mineral rights, including gas and oil, in the lands authorized to be conveyed by this act shall be reserved to the United States.

SEC. 3. There shall be further reserved to the United States in the conveyance of the above-described lands, rights of ingress and egress over roads in the above-described lands serving buildings or other works operated by the United States or its successors or assigns in connection with the remaining portion of the lands at the Armed Forces Experimental Training Activity, Camp Peary, near Williamsburg, Va., rights-of-way for water lines, sewer lines, telephone and telegraph lines, power lines, and such other utilities which now exist, or which may become necessary to any operations of the United States on or in connection with the remaining portion of said lands at the Armed Forces Experimental Training Activity, Camp Peary, near Williamsburg, Va.

SEC. 4. The conveyance of the property authorized by this act shall be upon condition that such property shall be used for training of the National Guard and the Air National Guard and for other military purposes, and that if the State of Virginia shall cease to use the property so conveyed for the purposes intended, then title thereto shall immediately revert to the United States, and in addition, all improvements made by the State of Virginia during its occupancy shall vest in the United States without payment of compensation therefor.

SEC. 5. The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or for naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Virginia, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency, plus 6 months, such property shall revert to the State of Virginia, together with all appurtenances and utilities belonging or appertaining thereto.

SEC. 6. In executing the deed of conveyance authorized by this act, the Secretary of the Army or his designee shall include specific provisions covering the reservations and conditions contained in sections 2, 3, 4, and 5 of ths act.

SEC. 7. The cost of any surveys necessary as an incident to the conveyance authorized herein shall be borne by the State of Virginia.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DEVELOPMENT OF FEDERAL FISH HATCHERY, PITTSFORD, VT.

The bill (S. 3998) to provide for the development of the Federal fish hatchery, known as the Holden trout hatchery at Pittsford, Vt., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the Secretary of the Interior shall develop, reconstruct, equip, operate, and maintain the Federal fish hatchery, known as the Holden trout hatchery, at Pittsford, Vt., in accordance with the program established by the Fish and Wildlife Service, Department of the Interior, for the improvement of such hatchery.

SEC. 2. There is authorized to be appropriated the sum of $220,000 to carry out the provisions of this act.

BILL PASSED OVER

The bill (S. 1384) to provide that the Secretary of the Army shall return certain mineral interests in land acquired by him for flood-control purposes to the former owners of such land, was announced as next in order.

Mr. PURTELL. Over, Mr. President.

Mr. STENNIS. Mr. President, that bill is of such a nature that I think it should be passed to the motion calendar, and I ask that it be passed over with the expectation of asking the majority leader to have the Senate take the bill up at a later time on motion.

The PRESIDING OFFICER. The Chair will advise that the bill will remain upon the Calendar, and that it will be the responsibility of the majority leader and the policy committee to determine when to bring it up for consideration.

Mr. STENNIS. Mr. President, I object to its being considered at this time.

The PRESIDING OFFICER. The bill will be passed over.

INCREASE IN BORROWING POWER OF COMMODITY CREDIT CORPORATION

The bill (S. 3820) to increase the borrowing power of the Commodity Credit Corporation was announced as next in order.

Mr. PURTELL. Mr. President, may we have an explanation of the bill?

Mr. ELLENDER. Mr. President, this is a bill which seeks to increase the borrowing power of the Commodity Credit Corporation. The Department originally asked for an increase.

Mr. PURTELL. Mr. President, I ask that the bill go over, because it is not a proper bill for calendar business.

Mr. ELLENDER. Mr. President, I express the hope that this bill, as well as the following one, which I assume will go over for the same reason, will be fixed for consideration at an early date. Both the bills are very important.

The PRESIDING OFFICER. The Senator from Louisiana stated that it was his hope that Calendar No. 2312, S. 3820, and Calendar No. 2313, S. 3903, would go over, so that they could be called up on motion at the appropriate time for consideration by the Senate.

Mr. ELLENDER. I would not have any objection to considering the bills now; but since there is objection, I express the hope that arrangements will be made to have the bills considered, so that they can be enacted at an early date.

Mr. PURTELL. I have no particular objection at all to having the bills called up on motion, nor will I have objection to them when they are. But I think the bills are of such a nature that they ought not be passed on the unanimous-consent calendar.

Mr. JOHNSTON of South Carolina. Mr. President, I also urge that the bills be called up on motion in the near future. Both bills came from and were recommended by the Department of Agriculture. The Department needs the money in connection with the soil bank program. For that reason, I hope the consideration of the bills will be expedited as much as possible.

The PRESIDING OFFICER. Objection is heard, and Calendar No. 2312, S. 3820, will be passed over.

BILL PASSED OVER

The bill (S. 3903) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes, was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. PURTELL. Mr. President, may I inquire what disposition was made of Calendar No. 2311?

The PRESIDING OFFICER. The Chair will advise the Senator from Connecticut that Calendar No. 2311 was passed previously.

TRANSPORTATION OF MAIL BY HIGHWAY POST OFFICE SERVICE

The Senate proceeded to consider the bill (S. 2634) relating to the transportation of mail by highway post-office service, and for other purposes, which had been reported from the Committee on Post Office and Civil Service with amendments, on page 2, line 25, after the word "contract", to insert "Each such contract shall contain a provision providing for its cancellation by the Postmaster General and may provide for an indemnity payment by the Postmaster General in the event of such cancellation.", and on page 4, line 4, after the word "may", to strike out "provide" and insert "contract for", so as to make the bill read:

Be it enacted, etc., That this act may be cited as the "Highway Post Office Service Act of 1955."

SEC. 2. The Postmaster General may provide highway post-office service, either by contract or Government-owned motor vehicle, for carrying the mails and postal employees on routes between points where, in his judgment, conditions justify the operation of such service. The motor vehicles shall be especially designed and equipped for the distribution of mail en route and shall be constructed, fitted up, maintained, and operated in accordance with such specifications, rules, and regulations as the Postmaster General may prescribe.

SEC. 3. Contracts for highway post-office service shall be obtained in accordance with section 3709 of the Revised Statutes as amended (41 U. S. C. 5).

SEC. 4. (a) The Postmaster General may make contracts for highway post-office service for terms not to exceed 6 years.

(b) The Postmaster General may make provisions in contracts for highway post-office service for increasing or decreasing the mileage, increasing or decreasing the hours of service required or for other service changes. He may also provide in such contracts for the readjustment of compensation paid thereunder, either upward or downward to reflect such changes, and to reflect increased or decreased costs attributable to changed conditions occurring during the contract term over which the Postmaster General or the contractor have no control and which could not reasonably have been foreseen at the time the original bid was made or the proposal for renewal filed.

(c) Contracts for highway post-office service may provide for the imposition or remission of fines and penalties by the Postmaster General for delinquencies in the performance of the contract. Each such contract shall contain a provision providing for its cancellation by the Postmaster General and may provide for an indemnity payment by the Postmaster General in the event of such cancellation.

(d) Contracts for highway post-office service may contain such other provisions as the Postmaster General deems appropriate.

SEC. 5. (a) The Postmaster General, by mutual agreement with the holder of a contract for highway post-office service and without submitting the service for bids, may renew the contract for successive periods of not more than 6 years at the rates of compensation prevailing at the end of the preceding contract term.

(b) If the holder of a contract for highway post-office service has sublet his contract in accordance with its terms and does not indicate in writing to the Postmaster General at least 90 days before the end of contract term that he desires to renew the contract, the Postmaster General may enter into a contract with a subcontractor then performing the service, in the same manner and upon the same terms as prescribed in subsection (a) of this section, if such subcontractor has performed the service required under the contract to the satisfaction of the Postmaster General for a period of at least 6 months.

SEC. 6. Where there is no contractor legally bound or required to perform the service desired by the Postmaster General or when an accepted bidder or contractor shall fail or refuse to perform the service on a route according to his accepted proposal or his contract the Postmaster General, without advertising, may contract for the service desired or continue the service originally contracted for in such manner and in such equipment as he may deem to be in the public interest for a term of not to exceed 1 year.

SEC. 7. The Postmaster General may require such bond or bonds as he deems necessary to protect the interests of the Government. Such bond shall be in the form and amount and contain such conditions as he may prescribe.

SEC. 8. Sections 1 and 2 of the act of July 11, 1940, entitled "An act to provide for the transportation and distribution of mails on motor-vehicle routes" (54 Stat. 756; 39 U. S. C. 505, 506) are hereby repealed.

The amendments were agreed to.

Mr. JOHNSTON of South Carolina, Mr. President, the purpose of the bill is to enable the Post Office Department to make improvements in the highway post office service and to accomplish savings in the operation of the service.

At the present time, the highway post office service is operated under provisions of law applicable to star route service. These laws are not appropriate to the operation of the highway post office service. Star route service consists of moving mail over the highways in standard make vehicles and for comparatively short distance. The highway post office service requires heavy equipment comparable, in many respects, to railway mail cars. The routes extend for comparatively long distances.

There are three provisions of the star route laws under which the highway post office currently is being operated which are deemed inappropriate. These are: First, that the bidder be a legal resident of the county or counties through which the route operates; second, certain technical restrictions and requirements in connection with bonds that must be provided; and third, the restriction which prevents curtailment or extension of the service except to a very limited extent.

To correct the impact of the above provisions, the bill would establish a law tailored to the requirements of the highway post office service.

Hearings were held on the bill, at which the Post Office Department, private interests, and representatives of the postal employees concerned testified in its favor. There was no testimony in opposition to the bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COAST GUARD SUPPLY FUND

The Senate proceeded to consider the bill (S. 4011) to amend section 650 of title 14, United States Code, entitled "Coast Guard," relating to the Coast Guard supply fund.

Mr. BIBLE. Mr. President, an amendment to the bill has been suggested. I see no objection to the proposed amendment. Therefore, I submit the amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 1, line 11, after the word "fund", it is proposed to strike out "for" and insert "by."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. BIBLE].

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) section 650 of title 14, United States Code, is amended to read as follows:

"§ 650. Coast Guard supply fund

"A Coast Guard supply fund is authorized. The Secretary may prescribe regulations for designating the classification of materials to be stocked. In such regulations, whenever the fund is extended to include items not previously stocked, the Secretary may au-

thorize an increase in the existing capital of the fund by the value of such usable materials transferred thereto from Coast Guard inventories carried in other accounts. Except for the materials so transferred, the fund shall be charged with the cost of materials purchased or otherwise acquired. The fund shall be credited with the value of materials consumed, issued for use, sold, or otherwise disposed of, such values to be determined on a basis that will approximately cover the cost thereof."

(b) The analysis of chapter 17, title 14, United States Code, is amended by striking out

"650. Coast Guard supply fund and supply account."

and inserting in place thereof the following item:

"650. Coast Guard supply fund."

TRANSFER OF CERTAIN PROPERTY TO THE PANAMA CANAL COMPANY

The Senate proceeded to consider the bill (H. R. 4652) to authorize the Secretary of the Treasury to transfer certain property to the Panama Canal Company, and for other purposes.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a brief explanation of the bill, showing that the Morse formula does not apply.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

H. R. 4652 would transfer from the jurisdiction of the United States Coast Guard to the Panama Canal Company seven lights in the approaches to the canal which serves as an aid to navigation for vessels using the canal. Two lights situated on the Pacific side are serviced by the Canal Company on a reimbursable basis.

The remaining five lights are serviced by the Coast Guard. The cost of servicing the seven lights is approximately $118,000 and the Panama Canal Company estimates that it can service them at approximately $48,000 annually.

The above arrangement has been agreed to by the Coast Guard and the Panama Canal Company.

The Morse formula would not apply.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

DISTRIBUTION OF COAST AND GEODETIC SURVEY CHARTS

The bill (H. R. 5147) to change the distribution of Coast and Geodetic Survey charts was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF AN IMPROVED SITE IN COLON, PANAMA, TO THE DEPARTMENT OF STATE

The bill (H. R. 6245) to authorize the Panama Canal Company to convey to the Department of State an improved site in Colon, Republic of Panama, was considered, ordered to a third reading, read the third time, and passed.

CREATION OF ACADEMIC ADVISORY BOARD FOR THE UNITED STATES MERCHANT MARINE ACADEMY

The bill (H. R. 6850) to create an academic advisory board for the United States Merchant Marine Academy was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954, AS AMENDED—BILL PASSED OVER

The bill (S. 4112) to amend the Atomic Energy Act of 1954, as amended, and for other purposes, was announced as next in order.

Mr. HRUSKA. Mr. President, I ask that the bill go over, since it is not proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

OBSERVANCE AND COMMEMORATION OF THE 50TH ANNIVERSARY OF THE FIRST CONFERENCE OF STATE GOVERNORS

The Senate proceeded to consider the joint resolution (S. J. Res. 139) to provide for the observance and commemoration of the 50th anniversary of the first conference of State governors for the protection, in the public interest, of the natural resources of the United States, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 4, line 4, after the word "Conservation", to strike out "Memorial" and insert "Anniversary"; in line 9, after the word "chairman", to insert "the Secretary of Agriculture, and the Secretary of Interior, ex officio"; in line 16, after the word "Chairman", to strike out "may" and insert "shall"; and on page 5, line 9, after the word "observance", to insert "The Commission is authorized to appoint such volunteer special project committees, task forces, and advisory groups as will advance its work, and it shall seek the cooperation of all citizens, and of groups and associations with activities in the conservation field, in bringing conservation's importance to public attention during the year 1958."; so as to make the joint resolution read:

Resolved, etc., That (a) there is hereby established a commission to be known as the National Conservation Anniversary Commission (hereinafter referred to in this joint resolution as the "Commission").

(b) The Commission shall be composed of the following members: The President of the United States, who shall be honorary chairman, the Secretary of Agriculture, and the Secretary of Interior, ex officio; the President of the Senate, and four Members of the Senate appointed by him; the Speaker of the House of Representatives and four Members of the House of Representatives appointed by him. The Commission members shall serve without compensation and shall select a chairman from among their number. The Chairman shall, with the advice of the Commission, expand its membership to include 15 representatives of national nonprofit organizations dedicated to conservation of various natural resources and 10 citizens at large from private life.

SEC. 2. It shall be the duty of the Commission to prepare and carry out a comprehensive plan for the observance and commemoration of the 50th anniversary of the first conference of State governors on conservation in the United States and generally promote among all citizens a realization of the importance of protecting the natural resources of the United States. In the preparation of such plan, the Commission shall have the cooperation and assistance of all departments and agencies of the Federal Government. It shall also cooperate with the governors of the individual States in order that there may be proper coordination and correlation of plans for such observance. The Commission is authorized to appoint such volunteer special project committees, task forces, and advisory groups as will advance its work, and it shall seek the cooperation of all citizens, and of groups and associations with activities in the conservation field, in bringing conservation's importance to public attention during the year 1958.

SEC. 3. (a) The Commission is authorized to appoint and prescribe the duties and fix the compensation of such employees as are necessary in the execution of its duties and functions.

(b) There is hereby authorized the appropriation of such sums as may be necessary to carry out the purposes of this joint resolution, including all necessary traveling and subsistence expenses incurred by the members and employees of the Commission. All expenditures of the Commission shall be allowed and paid upon presentation of itemized vouchers therefor, approved by the Chairman of the Commission.

(c) The Commission shall cease and exist not later than 1 year after the date of the observance of the golden anniversary.

The amendments were agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was amended, so as to read:

Whereas the year 1958 marks the 50th anniversary of the first conference of State governors ever held in the history of the United States; and

Whereas President Theodore Roosevelt, who called the conference, in his opening address on May 13, 1908, said in part:

"So vital is this question of conservation, that for the first time in our history the chief executive officers of the States separately, and of the States together forming the Nation, have met to consider it. It is the chief material question that confronts us, second only—and second always—to the great fundamental question of morality.

"The occasion for the meeting lies in the fact that the natural resources of our country are in danger of exhaustion if we permit the old wasteful methods of exploiting them longer to continue. In the development, the use, and therefore the exhaustion of certain of the natural resources, the progress has been more rapid in the past century and a quarter than during all preceding time of history since the days of primitive man.

"All these various uses of our natural resources are so closely connected that they should be coordinated, and should be treated as part of one coherent plan and not in haphazard and piecemeal fashion"; and

Whereas this first conference of governors, in complete agreement with the thinking of President Theodore Roosevelt, adopted unanimously a series of resolutions calling for a national policy and programs that would preserve and protect the forests, the water and streams, the soil and the range, wildlife, the minerals, fuels, and all other natural resources; and

Whereas this action by the State governors, assembled together for the first time in history, gave formal approval to the conservation movement in the United States; and

Whereas the problems involving the protection, development, and wise use of our natural resources are as great today, if not greater than ever before, as pointed out by President Dwight D. Eisenhower at the Mid-Century Conference on Resources for the Future held in Washington, D. C., in December 1953; and

Whereas it has been emphasized repeatedly by both Democratic and Republican Presidents of the United States since Theodore Roosevelt that conservation of our natural resources is a bipartisan, continuing, and never-ending struggle that should have the interest and support of all citizens; and

Whereas the conservation of natural resources is the key to the future because the very existence of our Nation depends on conserving and making wise and efficient use of the resources which are the foundations of its life; and

Whereas it is vital for the continued welfare and prosperity of our citizens that conservation policies be followed in the future for the protection of our natural resources which will make certain that the purpose of "conservation is the greatest good of the greatest number for the longest time"; and

Whereas the most effective way of maintaining such conservation policies is for the greatest possible number of citizens to maintain a continuing interest in the problem of conserving our natural resources; and

Whereas this interest of all citizens will be aroused, renewed, and stimulated through the proper observance of the golden anniversary of the first conference of State governors, which was on conservation problems: Therefore be it

The preamble was agreed to.

AFTERCARE PAYMENTS BY THE YOUTH DIVISION OF THE UNITED STATES BOARD OF PAROLE

The Senate proceeded to consider the bill (S. 1087) to authorize aftercare payments by the Youth Division of the United States Board of Parole, which had been reported from the Committee on the Judiciary with amendments on page 1, at the beginning of line 5, to strike out "Out of the appropriation for 'Support of United States Prisoners', the Division is authorized" and insert "There are hereby authorized to be appropriated such sums as may be necessary to enable the Division", and on page 2, line 11, after the word "Code", to insert "or who have been committed under any Federal law and are under the age of 22 years", so as to make the bill read:

Be it enacted, etc., That section 5019 of title 18, United States Code, is hereby amended by adding at the end thereof the following:

"There are hereby authorized to be appropriated such sums as may be necessary to enable the Division, upon the finding of substantial need, to make money payments to persons released under parole supervision when, in the opinion of the Division, such payments will aid in the adjustment of the youth or juvenile or will allow for an earlier date of release from a Federal institution: *Provided*, That payments shall not exceed $200 to any one parolee and no parolee shall be eligible for such payments after the first 90 days of parole supervision: *Provided further*, That such payments may be authorized only with respect to parolees who had originally been adjudged youthful offenders under the provisions of chapter 402 of this title or juvenile delinquents under the provisions of chapter 403 of this title or chapter 9 of title 11 of the District of Columbia Code or who have been committed under any Federal law and are under the age of 22 years."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 221) favoring the granting of the status of permanent residence to certain aliens, which had been reported from the Committee on the Judiciary with an amendment, on page 5, after line 9, to insert:

A-9687099, Yiu, Leung.

The amendment was agreed to.

Mr. HUMPHREY of Minnesota. Mr. President, I ask for a brief explanation of the concurrent resolution.

Mr. JOHNSTON of South Carolina. Mr. President, House Concurrent Resolution 221 records congressional approval of the adjustment of status of certain aliens whose cases have been recommended to Congress by the Attorney General under the provisions of section 4 of the Displaced Persons Act of 1948, as amended, which provides for the adjustment of the immigration status of certain aliens who establish that they lawfully entered the United States as nonimmigrants prior to April 30, 1949. Under the procedure prescribed in the act, if during the session of Congress in which a case is reported or prior to the end of the session next following, Congress adopts a concurrent resolution stating in substance that it approves the granting of the status of permanent residence to such alien, the Attorney General is authorized to record the alien's lawful admission for permanent residence.

Included in the concurrent resolution are 72 names. In each case which is recommended for approval, a check has been made to determine whether or not the alien meets the requirements of the law and that the case possesses strong equities which would warrant the granting of the status of permanent residence.

Mr. HUMPHREY of Minnesota. Mr. President, I thank the Senator from South Carolina. I simply wanted to be certain that I understood exactly what the measure provided and to have a brief explanation of it. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution, as amended.

The concurrent resolution, as amended, was agreed to.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 228) approving the granting of the status of permanent residence to certain aliens, which had been reported from the Committee on the Judiciary with amendments on page 3, after line 2, to strike out:

0300-460097, Chu, Sen Sun.

On page 6, line 2, after the name "Liu", to strike out "Yung-Ling" and insert "Yung-Ying"; on page 12, after line 8, to strike out:

A-6986548, Chun (Victor), Wen-Hwa.

On page 13, line 9, after "A-6613745", to strike out "Gfeliner, Theresa (nee Deri)" and insert "Deri, Theresa (nee Gfellner)"; and on page 22, line 6 after the word "or", where it appears the second time, to strike out "Deszo" and insert "Dezso."

The amendments were agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, since House Concurrent Resolution 228 was reported by the Committee on the Judiciary, the House Subcommittee on Immigration, after considering the facts in the case, has requested that an additional name be deleted from the resolution. I therefore ask that House Concurrent Resolution 228 be further amended. I submit the amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 29, line 2, it is proposed to strike out "0301-21592, Muscardin, Umberto."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina.

The amendment was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, the purpose of the concurrent resolution is to record congressional approval of the adjustment of status of certain aliens whose cases have been recommended to the Congress by the Attorney General under the provisions of section 6 of the Refugee Relief Act of 1953, as amended. Under that section, a limited number of aliens, who lawfully entered the United States as bona fide nonimmigrants prior to July 1, 1953, and because of events which have occurred prior to their entry or subsequent to their entry, are unable to return to their country of birth, nationality or last residence, may apply to the Attorney General for an adjustment of their status. Under the procedure prescribed in the act if, during the session of the Congress in which a case is reported or prior to the end of the session next following, the Congress passes a concurrent resolution stating in substance that it approves the granting of the status of permanent residence to such alien, the Attorney General is authorized to record the alien's lawful admission for permanent residence as of the date of the passage of such concurrent resolution.

Included in the concurrent resolution, as reported, were 961 names, and in each case which is recommended for approval, a careful check has been made to determine whether or not the alien meets the requirements of the law and that the case possesses strong equities which would warrant the granting of the status of permanent residence.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution, as amended.

The concurrent resolution, as amended, was agreed to.

RELIEF OF CERTAIN RELATIVES OF UNITED STATES CITIZENS

The Senate proceeded to consider the joint resolution (H. J. Res. 456) for the relief of certain relatives of United States citizens, which had been reported from the Committee on the Judiciary with amendments on page 1, line 7, after the word "fees", to strike out "under" and insert "and upon compliance with"; on page 2, at the beginning of line 6, to insert "Stella W. Janinis", and in the same line, after the name "Jackson", to insert "Reinhold H. Meric."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 616) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments on page 1, after line 7, to strike out:

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Joyce Delores Evans, shall be held and considered to be the natural-born alien child of Mrs. Epifania Emilita Ramsey Reddie, a citizen of the United States.

On page 2, at the beginning of line 3, to change the section number from "3" to "2"; at the beginning of line 8, to change the section number from "4" to "3"; at the beginning of line 13, to change the section number from "5" to "4"; at the beginning of line 18, to change the section number from "6" to "5"; at the beginning of line 23, to change the section number from "7" to "6"; on page 3, at the beginning of line 3, to change the section number from "8" to "7"; at the beginning of line 8, to change the section number from "9" to "8"; at the beginning of line 13, to change the section number from "10" to "9"; at the beginning of line 18, to change the section number from "11" to "10"; at the beginning of line 23, to change the section number from "12" to "11"; on page 4, at the beginning of line 3, to change the section number from "13" to "12"; at the beginning of line 8, to change the section number from "14" to "13"; at the beginning of line 13, to change the section number from "15" to "14"; at the beginning of line 18, to change the section number from "16" to "15"; after line 22, to strike out:

SEC. 17. For the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, the minor child, Gertraud Anna Giulio, shall be held and considered to be the natural-born alien child of Augusta Giulio Horak, a lawful resident of the United States.

On page 5, after line 2, to insert:

SEC. 16. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Gertraud Anna Giulio, shall be held and considered to be the natural-born alien child of Frank Joseph Horak, a citizen of the United States.

At the beginning of line 8, to change the section number from "18" to "17"; at the beginning of line 13, to change the section number from "19" to "18"; at the beginning of line 18, to change the section number from "20" to "19"; at the beginning of line 23, to change the section number from "21" to "20"; on page 6, at the beginning of line 3, to change the section number from "22" to "21"; and after line 7, to insert:

SEC. 22. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Jose Boo Lopez, shall be held and considered to be the natural-born alien child of Patrick Louis Perry, a citizen of the United States.

SEC. 23. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Lim Ginwey, shall be held and considered to be the natural-born alien child of Lim Nuey, a citizen of the United States.

SEC. 24. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Shiu Ming Ma, shall be held and considered to be the natural-born alien child of Donald Herbert Deppe, a citizen of the United States.

SEC. 25. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Roland F. Petersen, shall be held and considered to be the natural-born alien child of Vernon L. Petersen, a citizen of the United States.

SEC. 26. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Lampros Lazaridis, shall be held and considered to be the natural-born Indian child of Lazar and Bernice Christoff, citizens of the United States.

SEC. 27. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Paz Tupas Meeker shall be held and considered to be the minor natural-born alien child of C. A. Meeker, a citizen of the United States.

SEC. 28. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Luciana Papa Powell, shall be held and considered to be the natural-born alien child of James M. Powell and Camille Powell, citizens of the United States.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time, and passed.

EVANGELOS DEMETRE KARGIOTIS

The bill (S. 2272) for the relief of Evangelos Demetre Kargiotis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Evangelos Demetre Kargiotis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

HASAN MUHAMMAD TIRO

The bill (S. 2644) for the relief of Hasan Muhammad Tiro was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Hasan Muhammad Tiro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

FETHI HEPCAKICI

The bill (S. 2761) for the relief of Fethi Hepcakici was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Fethi Hepcakici shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MAX MAZAK TERIAN AND HIS WIFE, MARIA TERIAN

The bill (S. 2803) for the relief of Max Mazak Terian and his wife, Maria Terian, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Max Mazak Terian and his wife, Maria Terian, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

DR. CHING-LIN HSIA AND HIS WIFE, WAI TSUNG HSIA

The bill (S. 2826) for the relief of Dr. Ching-Lin Hsia and his wife, Wai Tsung Hsia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Dr. Ching-Lin Hsia and wife, Wai Tsung Hsia shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

DON-CHEAN CHU

The bill (S. 2846) for the relief of Don-chean Chu was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Don-chean Chu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ROSALIND CHANG

The bill (S. 2904) for the relief of Rosalind Chang was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Rosalind Chang shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ANNA JUSTINE CAKSTE

The bill (S. 2955) for the relief of Anna Justine Cakste was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Anna Justine Cakste shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ELISABETH HOLLAS

The bill (S. 2958) for the relief of Elisabeth Hollas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act, Elisabeth Hollas may, if found to be otherwise admissible under the provisions of such act, be admitted to the United States for permanent residence under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose. A suitable and proper bond or undertaking, approved by the Attorney General, shall be deposited as prescribed by section 213 of such act. This exemption shall apply only to a ground for exclusion which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

MAYLAND TOWNSHIP, CARPIO, N. DAK.

The bill (S. 3016) for the relief of Mayland Township, Carpio, N. Dak., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HRUSKA. Mr. President, we request an explanation of the bill.

The PRESIDING OFFICER. An explanation of the bill is requested.

Mr. JOHNSTON of South Carolina. Mr. President, the purpose of this bill is to relieve the Mayland Township, Carpio, N. Dak., of all liability to pay the United States the sum of $310.22, representing the balance due and owing the United States for the removal of certain gravel from the Upper Souris National Wildlife Refuge under permits issued by the Fish and Wildlife Service in August 1955.

The township signed two contracts with the Service for removal of gravel for the purpose of constructing public roads. The total amount of the contracts was $360.22, $50 of which was paid at that time. The remainder of the amount is still due and owing the United States.

The record seems to indicate that some of the material removed for gravel was unusable for that purpose.

The Department of the Interior is opposed to the enactment of this measure.

In view of the fact that the gravel was used for public purposes and in view of the fact that certain portions of the gravel were not suitable for such use, the committee is constrained to recommend that the bill be favorably considered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 3016) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Mayland Township, Carpio, N. Dak., is hereby relieved of all liability to pay to the United State the sum of $310.22, representing the balance due and owing the United States for the 5,146 yards of gravel removed by such township for public road purposes from the Upper Souris National Wildlife Refuge under permits issued by the Fish and Wildlife Service of the Department of the Interior in August 1955.

NO KUM SOK

The bill (S. 3059) for the relief of No Kum Sok (also known as Kenneth No) was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Mr. President, reserving the right to object, and I shall certainly not object to this bill, I wish to commend both the sponsor of this bill, the junior Senator from Delaware [Mr. FREAR] and the Judiciary Committee for advancing this proposed legislation toward ultimate passage.

The bill would confer permanent residence upon a North Korean who, as a combat pilot, flew his MIG fighter over United Nations lines and delivered it intact to the United Nations Forces. The Commander of the United Nations Forces in Korea had offered $100,000 for the first MIG aircraft to be turned over intact. However, the beneficiary of the bill states that he had never even heard of this offer, and the only reason for his action was his distaste for communism and the communist way of life. Nonetheless, the $100,000 was awarded him, and he has placed this money in a trust fund.

I believe this to be a highly meritorious bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 3059) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, No Kum Sok (also known as Kenneth No) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MRS. RIVA KAGAN

The bill (S. 3171) for the relief of Mrs. Riva Kagan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Mrs. Riva Kagan may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, that a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

HENRY LAPPEMAN

The bill (S. 3194) for the relief of Henry Lappeman was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Henry Lappeman may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

HELEN MAR STANGER

The bill (S. 3196) for the relief of Helen Mar Stanger was considered, ordered to be engrossed for a third reading,

read the third time, and passed, as follows:

Be it enacted, etc., That Helen Mar Stanger, who lost United States citizenship under the provisions of section 401 (e) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of the enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this act, the said Helen Mar Stanger shall have the same citizenship status as that which existed immediately prior to its loss.

SAVERIA VELONA GANGEMI

The bill (S. 3206) for the relief of Saveria Velona Gangemi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, notwithstanding the provisions of paragraph (19) of section 212 (a) of the Immigration and Nationality Act, Saveria Velona Gangemi may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

PAUL EDWARD HORN

The bill (S. 3209) for the relief of Paul Edward Horn was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Paul Edward Horn, who lost United States citizenship under the provisions of section 404 (c) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of the enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this act, the said Paul Edward Horn shall have the same citizenship status as that which existed immediately prior to its loss.

MRS. THOMAS L. DAVIDSON

The bill (S. 3217) for the relief of Mrs. Thomas L. Davidson was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Mrs. Thomas L. Davidson, who lost United States citizenship under the provisions of section 401 (e) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of the enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer abroad, an oath as prescribed by section 337 of the Immigration and Nationality Act. From and after naturalization under this act, the said Mrs. Thomas L. Davidson shall have the same citizenship status as that which existed immediately prior to its loss.

JOAQUIN FLORES-MUNOZ

The bill (S. 3218) for the relief of Joaquin Flores-Munoz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (19) of the immigration and Nationality Act, Joaquin Flores-Munoz may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

CHIYOKO TOMINAGA BECKMANN

The bill (S. 3253) for the relief of Chiyoko Tominaga Beckmann was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraphs 9 and 12 of section 212 (a) of the Immigration and Nationality Act, Chiyoko Tominaga Beckmann may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraphs known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

AMIN HABIB NABHAN

The bill (S. 3255) for the relief of Amin Habib Nabhan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purpose of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Amin Habib Nabhan, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Kaleel G. Nabhan, citizens of the United States.

JAN HOVORKA

The bill (S. 3276) for the relief of Jan Hovorka was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of 212 (a) (6) of the Immigration and Nationality Act, Jan Hovorka may, if found to be otherwise admissible under the provisions of such act, be admitted to the United States for permanent residence under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose. A suitable and proper bond or undertaking, approved by the Attorney General, shall be deposited as prescribed by section 213 of such act. This exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

ALECOS MARKOS KARAVASILIS AND HIS WIFE, STELIANI KARAVASILIS

The Senate proceeded to consider the bill (S. 1847) for the relief of Alecos Markos Karavasilis and his wife, Steliani Karavasilis, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Alecos Markos Karavasilis and his wife, Steliani Karavasilis, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARNOLD ROSENTHAL

The Senate proceeded to consider the bill (S. 2022) for the relief of Arnold Rosenthal, which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "feel", to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Arnold Rosenthal shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. GERALDINE ELAINE SIM

The Senate proceeded to consider the bill (S. 2882) for the relief of Mrs. Geraldine Elaine Sim, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Mrs. Geraldine Elaine Sim shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MATHILDE GOMBARD-LIATZKY

The Senate proceeded to consider the bill (S. 3583) for the relief of Mathilde Gombard-Liatzky, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 11, after the word "act", to insert a colon and "*And provided further*, That

a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act. For the purposes of this act, Mathilde Gombard-Liatzky shall be deemed to have been born in Russia", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraphs (1) and (4) of section 212 (a) of the Immigration and Nationality Act, Mathilde Gombard-Liatzky may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraphs known to the Secretary of State or the Attorney General prior to the date of the enactment of this act: *And provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act. For the purposes of this act, Mathilde Gombard-Liatzky shall be deemed to have been born in Russia.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TOWN OF FREEPORT, MAINE

The Senate proceeded to consider the bill (S. 3650) for the relief of the town of Freeport, Maine, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 1, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted etc., That the Secretary of the Treasury is authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, to the town of Freeport, Maine, the sum of $2,500. The payment of such sum shall be in full satisfaction of all claims of the town of Freeport against the United States for reimbursement of a portion of certain costs incurred by such town when a bridge located therein was washed out and destroyed during the hurricane of 1954: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdeameanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DOREEN TSUNG-TAO CHEN

The Senate proceeded to consider the bill (S. 1328) for the relief of Doreen Tsung-tao Chen, which had been reported from the Committee on the Judiciary, with amendments on page 1, line 4, after the word "act", to strike out "Doreen Tsung-tao Chen" and insert "Mrs. Hubert Chan (formerly Doreen Tsung-tao Chen)", and in line 8, after the word "fee", to strike out "Upon the granting of permanent residence to such alien as provided for in this Act, the Secretaray of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted etc., That for the purposes of the Immigration and Nationality Act, Mrs. Hubert Chan (formerly Doreen Tsung-tao Chen) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Mrs. Hubert Chan (formerly Doreen Tsung-tao Chen)."

YEE CHUNG FONG MING AND OTHERS

The Senate proceeded to consider the bill (S. 2760) for the relief of Yee Chung Fong Ming, Yee Chung Nom Ming, and Gee Shee Ming which had been reported from the Committee on the Judiciary with amendments on page 1, line 4, after the name "Fong", to strike out "Ming," and insert "Ming and", and at the beginning of line 5, to strike out "Ming, and Gee Shee Ming," and insert "Ming", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Yee Chung Fong Ming and Yee Chung Nom Ming shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Yee Chung Fong Ming and Yee Chung Nom Ming."

MRS. ALBERTA BERNARD

The Senate proceeded to consider the bill (S. 2916) for the relief of Mrs. Alberta Bernard, which had been reported from the Committee on the Judiciary with an amendment in line 4, after "Mrs.", to strike out "Alberta" and insert "Aliberta", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Mrs. Aliberta Bernard may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mrs. Aliberta Bernard."

RICHARD RHEN-YANG LIN AND OTHERS

The Senate proceeded to consider the bill (S. 3012) for the relief of Richard Rhen-Yang Lin and his wife, Julia Lam Lin, and their minor child, Richard Rhen-Yang Lin, Jr., which had been reported from the Committee on the Judiciary with an amendment, on page 2, after line 2, to strike out:

SEC. 2. Notwithstanding the quota limitation of the Immigration and Nationality Act, upon application hereafter filed, an immigration visa may be issued, and admission for permanent residence granted, to Richard Rhen-Yang Lin, Jr., if he is otherwise admissible under the Immigration and Nationality Act. Upon the issuance of such visa, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

So as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Richard Rhen-Yang Lin and his wife, Julia Lam Lin, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this section, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Richard Rhen-Yang Lin and his wife, Julia Lam Lin."

COSTANTINOS F. AGORIS

The Senate proceeded to consider the bill (S. 3030) for the relief of Costantinos F. Agoris, which had been reported from the Committee on the Judiciary with amendments on page 1, line 4, after the word "act", to strike out "Costantinos F. Agoris" and insert "Constantinos Peter Agoris", and in line 7, after the word "visa", to strike out "fee." and insert "fee, and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Constantinos Peter Agoris shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee, and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney Gen-

eral, be deposited as prescribed by section 213 of the said act. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Constantinos Peter Agoris."

MRS. ROSE AMORESANO AND HER CHILDREN

The bill (H. R. 877) for the relief of Mrs. Rose Amoresano and her children was considered, ordered to a third reading, read the third time, and passed.

RESIDENCE IN AMERICAN SAMOA OR TRUST TERRITORY OF THE PACIFIC ISLANDS AS QUALIFICATION FOR NATURALIZATION PURPOSES

The bill (H. R. 4031) to consider residence in American Samoa or the Trust Territory of the Pacific Islands by certain employees of the governments thereof and their dependents, as residence in the United States for naturalization purposes, was considered, ordered to a third reading, read the third time, and passed.

MARIA DEL CARMEN GAGO SANTANA

The bill (H. R. 3960) for the relief of Maria del Carmen Gago Santana was considered, ordered to a third reading, read the third time, and passed.

VIVENCIO FERNANDO RAYMUNDO AND OTHERS

The bill (H. R. 4141) for the relief of Vivencio Fernando Raymundo, Bienvenida Raymundo, Lolita Raymundo, Agnes Raymundo, Henry Raymundo, and Fred Raymundo was considered, ordered to a third reading, read the third time, and passed.

KELMOOR FOX & FUR FARM, INC.

The bill (H. R. 4851) for the relief of Kelmoor Fox & Fur Farm, Inc., was considered, ordered to a third reading, read the third time, and passed.

MRS. MARGARET DOWS THYBERG

The bill (H. R. 5041) for the relief of Mrs. Margaret Dows Thyberg was considered, ordered to a third reading, read the third time, and passed.

DR. WOLODYMYR FEDYNIAK AND OTHERS

The bill (H. R. 5635) for the relief of Dr. Wolodymyr Fedyniak and others was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF TEXAS CITY DISASTER CLAIMS ACT

The bill (H. R. 11499) to amend the Texas City Disaster Claims Act was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to invite the attention of the Senate to the fact that the second paragraph of the report accompanying the bill, which states its purpose, indicates, through clerical error, that approximately 17 claims are involved, whereas in fact there are 78 claims involved.

I wish to call that to the Senate's attention.

RELIEF OF CERTAIN VETERANS

The Senate proceeded to consider the bill (H. R. 1761) to relieve certain veterans who relied on an erroneous interpretation of the law from liability to repay a portion of the subsistence allowances which they received under the Servicemen's Readjustment Act of 1944, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 20, after the word "act", to strike out "for the payment of any one claim in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MARTIN M. SORENSON

The Senate proceeded to consider the bill (H. R. 1876) for the relief of Martin M. Sorenson, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 12, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN R. HENRY

The Senate proceeded to consider the bill (H. R. 9371) for the relief of John R. Henry, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "wages", to insert a colon and *"Provided,* That no part of any amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not exceeding $1,000."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ENS. CHARLES A. BINSWANGER

The Senate proceeded to consider the bill (H. R. 6190) for the relief of Ens. Charles A. Binswanger, which had been reported from the Committee on the Judiciary with amendments on page 1, line 9, after the word "States", to strike out "(1)", and, on page 2, line 1, after the numerals "1949", to strike out the comma and "and (2) for unpaid amounts due him at the time of his retirement in 1946 for mileage from Rochester, Minn., to Baltimore, Md."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 84) favoring the suspension of deportation of certain aliens was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244 (a) (5) of the Immigration and Nationality Act (66 Stat. 214); 8 U. S. C. 1254 (c):

A-4402414, Feigenbaum, Lena.
A-1368567, Guszcza, Konstanty.
A-5540879, Johnson, William.
A-2436831, Schwartz, Albert.
A-1328350, Amado, Joseph Barbosa.
A-2550952, Baum, Louis.
A-3065105, Cinque, Luigi.
A-5448287, Donaldson, John Kelly.
A-2623371, Ekstrom, Gustav Fritz.
A-3576941, Gabartus, Joseph.
A-1418512, Gaines, Raymond Verand.
A-5981807, Gerber, Pauline.
A-4180130, Hernandez, Narciso.
A-3483987, Kolek, Frank.
A-1534631, Martenuk, Wasil.
A-1087241, Mendez-Perez, Feliciano.
A-1258280, Mendez-de la Rosa, Anassacio.
A-5069154, Monteiro, Anthony.
A-8281823, Morrison, John William.
A-5167345, Murphy, Donald K.
A-1297962, Okerstrom, Olof Edwin.
A-5038080, Palen, Adolph.
A-5407196, Rubenstein, Benjamin.
A-8478270, Russo, Esteban.
A-2331492, Schwed, John.
A-5919577, Sikorski, Adolph.
A-8678037, Stamatopulos, Andreas Vasilios.
A-2784150, Tamayo, Maria Salazar de
A-5574722, Zaks, Aber.
1300-134264, Casillo, Pedro Contreras.
A-5991679, Chomsker, Mones.
A-4722856, Garcia, Eliseo Vasquez.
A-5237203, Mascitti, Luigi.
A-3065941, Ruzycki, Walter Stanley.
A-5880176, Aguayo-Renteria, Felipe.
A-5543950, Abeson, Louis.
A-5163391, Briller, Clara Sadie.
A-4241143, Ceddia, Angelo.
A-5190234, Duffy, Dorothy B.
A-5294327, Fellmeth, Martin.
E-057893, Frumpkin, Paul.
A-5242017, Golbin, Margaret.
A-4177923, Gonzales, Louis.
A-2710779, Gutierrez-Galaviz, Miguel.
A-4192990, Kaganski, Chaim.
A-6824870, Kaplan, Morris.
A-4924358, Kryshtall, Alexander.
A-5781163, Laro, Franciso.
A-2513344, Lashuk, Maxime.
A-3084067, Lysyak, Lucas.
A-5624182, Marcus, Benjamin.

A-7142118, Melicharek, John.
A-4732368, Molina, Salvadora Ozuna.
A-4338054, Molina, Saturnino Paderes.
A-8846106, Race, Thomas Frank.
A-5772133, Radmilo, John.
A-4385372, Ramirez-Davalos, Dario.
0300-460796, Reisler, Betty.
A-4098680, Rodriguez-Borjas, Manuel.
A-3445360, Rubicz, Stefan.
A-10035249, Sedor, Walter Richard.
A-4683291, Shadletsky, Esther.
A-2935218, Silverman, George James.
A-5998756, Spector, Maurice.
A-5808720, Springer, James.
A-5758104, Tuxen, Jean Charles.
A-5767334, Wong, Man Jaw.
A-1802172, Zahran, Abraham John.
A-3807772, Zych, Walter Joseph.

OPPOSING SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The resolution (S. Res. 296) opposing the suspension of deportation of certain aliens was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PURTELL. Mr. President, reserving the right to object, may we have an explanation of the resolution?

Mr. JOHNSTON of South Carolina. Mr. President, this resolution deals with cases in which the Attorney General has exercised the discretionary authority granted to him under the Immigration and Nationality Act to suspend the deportation of certain deportable aliens pursuant to section 244 (a) (1) of that act. The cases involved are among those referred to the Congress by the Attorney General for its approval. Under the procedure prescribed in the act, the action taken by the Attorney General becomes final unless either the Senate or the House of Representatives adopts a resolution stating in substance that it does not favor the suspension of deportation within the session of Congress in which the cases are referred or in the session next following.

In the 3 cases involved in this resolution, the Committee on the Judiciary has carefully reviewed all the facts. In 2 of the cases included in the resolution, the aliens involved are the spouses of United States citizens, and are, therefore, entitled to nonquota status in the issuance of visas, and may have their status adjusted administratively without the necessary quota deduction as provided for under section 244 (a) (1) of the Immigration and Nationality Act. In the remaining case, the committee could not find sufficient equities present to make a finding that the deportation of this alien would result in exceptional and extremely unusual hardship to him. The alien is a national of French Indochina, who remained in the United States after having been admitted in transit to reship foreign. While he meets the residence requirements of the Statute, the committee was unable to find any other fact which would justify granting this extraordinary form of discretionary relief.

In the report of the Committee on the Judiciary—Senate Report No. 1137, 82d Congress—issued in connection with the Immigration and Nationality Act, the committee stated with reference to the suspension of deportation procedure that—

> The bill accordingly establishes a policy that the administrative remedy should be available only in the very limited category of cases in which the deportation of the alien would be unconscionable. Hardship or even unusual hardship to the alien or to his spouse, parent, or child is not sufficient to justify suspension of deportation.

These 3 cases are among 400 cases referred to the Congress during the 1st session of the 84th Congress, under section 244 (a) (1).

Mr. PURTELL. I thank the Senator from South Carolina.

Mr. President, I have no objection to adoption of the resolution.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 296) was considered and agreed to, as follows:

> *Resolved*, That the Senate does not favor the suspension of deportation in the case of each alien hereinafter named in which case the Attorney General has suspended deportation pursuant to section 244 (a) (1) of the Immigration and Nationality Act (8 U. S. C. 1254 (a) (1)):
>
> A-5163473, Henriksen, Charles Emil.
> E-092802, Petrolekas, Christos Ioannis.
> A-9836943, Van Thoai, Nguyen.

PROHIBITION OF MISUSE OF NAMES, EMBLEMS, AND INSIGNIA TO INDICATE FEDERAL AGENCY; AND OF USE OF INITIALS "U. S." IN ADVERTISING—BILLS PLACED AT FOOT OF CALENDAR

The bill (S. 2017) to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies of names, emblems, and insignia to indicate Federal agency was announced as next in order.

Mr. BIBLE. Mr. President, may we have an explanation of the bill?

Mr. JOHNSTON of South Carolina. Mr. President, the purpose of the bill, as amended, is to amend title 18 by adding a provision which would prohibit the misuse by collecting agencies and private dective agencies of names, emblems, and insignia to indicate Federal agency. In the recent past there have been repeated occurrences in which private businesses have used as a part of their letterheads and advertising such names as "National," "Federal," "United States," in such style as "Reverification Office" or "Claims Office," and with pictures of the Capitol or other emblems which, with a Washington, D. C., mailing address, are reasonably calculated to deceive, and have deceived, numerous persons and businesses in the past. Such practices tend to bring discredit upon the Federal Government. This bill would make such acts subject to criminal penalties.

The Department of Justice makes no recommendation regarding the bill, but has suggested that such a prohibition, if enacted, also be applied to private detective agencies, inasmuch as the files of the department contain complaints referring to such practices both by collecting agencies and such detective agencies. The committee, upon consideration of the facts, has amended the bill to include private detective agencies, and has further amended the bill by the inclusion of a savings clause giving a 60-day grace period.

After a careful study of the record, the committee recommends that S. 2017 be favorably considered.

Mr. BIBLE. Mr. President, I wish to thank the Senator from South Carolina for the explanation of the bill.

I think the bill is good proposed legislation, and I think the same is true of the bill following it on the calendar. My only concern is that the bill we are now discussing calls for a fine of not more than $10,000 and for imprisonment for not more than 10 years, or both, whereas the following bill on the calendar has had stricken from it any reference to a term in prison for violation. I wonder why one bill calls for a fine of $10,000, whereas the other bill calls for a fine of $10,000 and a prison sentence. That is the only point I raise.

Mr. JOHNSTON of South Carolina. As I recall, the Senator from Texas [Mr. DANIEL], the chairman of the subcommittee, recommended that that be done with respect to S. 2017 because of the deceitful nature of the offense.

Mr. BIBLE. That is provided for in one bill. But in the other bill, no prison sentence is provided for—although I may be in error about that.

Mr. JOHNSTON of South Carolina. With respect to S. 2891, existing law provides for imprisonment of not more than 1 year, therefore the bill does not touch on that. If the Senator from Nevada wishes to have the bill passed over, we can consider it further.

Mr. BIBLE. I wonder whether the bill may go to the foot of the calendar, inasmuch as this bill provides for one penalty, and the bill following it on the calendar provides for a different penalty.

Mr. JOHNSTON of South Carolina. The reason is that the subcommittee recommended that the bill S. 2017 be reported in that manner, because it sets up a new section of the code, and the full committee took a similar view, whereas in the case of the other bill, an imprisonment provision already exists. However, it might be better to have both bills provide the same term.

Mr. BIBLE. That is what I would suggest.

Therefore, Mr. President, I ask that this bill and the following bill on the calendar—Calendar No. 2375, Senate bill 2891—be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, Senate bill 2017 will be placed at the foot of the calendar.

Without objection, Calendar No. 2375, Senate bill 2891, to amend section 709 of title 18 of the United States Code so as to prohibit the use by certain businesses of the initials "U. S." in the business or firm name or pictures of the Capitol Building and other public buildings of the United States in their advertising and to increase the penalties for violation of such section, will also be placed at the foot of the calendar.

TRANSFER OF CERTAIN RESPONSIBILITIES OF THE SECRETARY OF THE INTERIOR

The bill (H. R. 8385) to transfer certain responsibilities of the Secretary of the Interior to the Public Housing Commissioner and the Secretary of Agriculture, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

OBLIGATION BONDS OF THE TERRITORY OF HAWAII

The bill (H. R. 9768) relating to general obligation bonds of the Territory of Hawaii amending Public Laws 640 and 643 of the 83d Congress (68 Stat. 782, ch. 889 and 68 Stat. 785, ch. 892), and ratifying certain provisions of Act 273, Session Laws of Hawaii, 1955, which authorizes issuance of public improvement bonds for schools in the city and county of Honolulu and the county of Hawaii was considered, ordered to a third reading, read the third time, and passed.

ISSUANCE OF CERTAIN HIGHWAY BONDS, HAWAII

The bill (H. R. 7426) to ratify and confirm Act 249 of the Session Laws of Hawaii, 1955, as amended, and to authorize the issuance of certain highway revenue bonds by the Territory of Hawaii was considered, ordered to a third reading, read the third time, and passed.

AUTHORIZATION FOR ISSUANCE OF CERTAIN BONDS, TERRITORY OF HAWAII

The bill (H. R. 9769) to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue general obligation bonds was considered, ordered to a third reading, read the third time, and passed.

CHANGE OF NAME OF BEDLOE'S ISLAND, N. Y., TO LIBERTY ISLAND

The resolution (S. J. Res. 114) to change the name of Bedloe's Island in New York Harbor to Liberty Island was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That Bedloe's Island, which is located in New York Harbor, shall hereafter be known as Liberty Island, and any law, regulation, document, or record of the United States in which such island is designated or referred to under the name Bedloe's Island shall be held to refer to such island under and by the name of Liberty Island.

The preamble was agreed to.

REGISTRATION OF ARCHITECTS AND PROFESSIONAL ENGINEERS, CANAL ZONE

The bill (H. R. 7811) to amend the Canal Zone Code by the addition of provisions relative to the registration of architects, and professional engineers and the regulation of their practice was considered, ordered to a third reading, read the third time, and passed.

EXPERIMENTAL OPERATION AND TESTING OF VESSELS

The bill (H. R. 11027) to amend title VII of the Merchant Marine Act, as amended, 1936, to provide for experimental operation and testing of vessels owned by the United States was considered, ordered to a third reading, read the third time, and passed.

Mr. BIBLE. Mr. President, inasmuch as this measure was requested by the Secretary of Commerce, I ask unanimous consent that a letter and an explanatory statement from the Secretary of Commerce be printed at this point in the RECORD.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF COMMERCE,
Washington, July 22, 1955.

The PRESIDENT of the Senate,
United States Senate,
Washington, D. C.

DEAR MR. PRESIDENT: There is submitted herewith draft and statement of purpose and provisions of a bill to amend title VII of the Merchant Marine Act, 1936, as amended, to provide for experimental operation and testing of vessels owned by the United States.

The Department of Commerce is engaged in a Liberty ship conversion, engine improvement, and cargo handling betterment program, designed to develop the possibilities and potentialities of ships in the national reserve fleet. In view of the rapid obsolescence of the war-built merchant fleet, both active and reserve, it is highly desirable that developments in vessel design and propulsion, and cargo handling facilities on ships, should be carefully tested in actual use in order that the results can be analyzed and determinations made for the benefit of Government and industry. The testing of vessels converted or constructed for experimental purposes will enable the Government more effectively to plan for the use of our defense reserve fleet in the event of emergency need, assist in obtaining more efficient use of old vessels, and speed up the technical development of new additional and replacement vessels. Test operation of experimental ships will, of course, be highly important in developing the practical possibilities for use of nuclear energy for propulsion of merchant vessels.

The purpose and provisions of the proposed legislation are set forth in detail in the accompanying statement.

Since the first of the converted Liberty ships will be ready for testing operations this summer, the Department urges early consideration and enactment of the proposed legislation.

The Director of the Bureau of the Budget has advised that there would be no objection to the submission of the proposed legislation.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

STATEMENT OF PURPOSE AND PROVISIONS OF BILL TO AMEND TITLE VII OF THE MERCHANT MARINE ACT, 1936, TO PROVIDE FOR THE EXPERIMENTAL OPERATION AND TESTING OF VESSELS OWNED BY THE UNITED STATES

The Department of Commerce, Maritime Administration, is engaged in a Liberty ship conversion, engine improvement, and cargo handling betterment program, designed to develop the possibilities and potentialities of the ships in the national defense reserve fleet. The purpose is to conserve the national investment in the war-built fleet, to measure the capabilities of this fleet in defense and mobilization requirements, and to assist in the development of merchant ship propulsion and cargo handling. In view of the rapid obsolescence of the war-built fleet, both active and reserve, and in view of the necessity for the Government to take the lead in the development of ship design, reconversion of hulls and propulsion machinery, and the development of cargo handling practices and facilities, the results of these far-reaching experiments and developments should be consolidated and expanded as an economical means of improving the capabilities and defense potentialities of our merchant fleet, both privately owned and Government-owned, in the interest of both commerce and defense.

The Maritime Administration is contracting for the conversion of 4 Liberty ships, including experimental repowering with 4 different powerplants, involving a very substantial increase in speed, and, in addition, will install modern developments in cargo handling gear in 2 of these conversions. These developments must be tested in actual use in order that the results can be analyzed and determinations made for the benefit of Government and industry. This can best be done by active cooperation with private steamship owners and operators who are interested in the improvement of their own services. It is believed that such owners and operators, even though not interested in the immediate purchase or commercial charter of experimental ships, will be interested in using such ships as additional or substitute ships in their services, whether in foreign or domestic operations, under suitable arrangements with the Government. In this way the most effective use of tests and the data and information resulting therefrom can be secured. This procedure is clearly consistent with the provisions of law contained in the Merchant Marine Act, 1936, particularly in such provisions as section 211 and section 212 (c). The emphasis in existing law, of course, is placed upon new construction. The current problem facing our merchant marine is the replacement of obsolete vessels as rapidly as possible, in order to avoid block obsolescence of the entire fleet of war-built vessels. Conversion and improvement of war-built vessels and the testing of such converted vessels and modern equipment will enable the Government to effectively plan for the use of our defense reserve fleet in the event of emergency need, to assist in obtaining cheaper and more efficient operation of both old and new vessels, and to speed up the technical development of new ship designs.

The conversion program underway involves the expenditure of some $11 million, and the current budget proposal contemplates a program of special mobilization ships, in addition to the current experimental conversion of the four Liberty ships. One of the Liberty ships will be ready for testing operations in the summer of 1955.

The Merchant Marine Act, 1936, and the Merchant Ship Sales Act of 1946, contain provisions for the operation and charter of Government-owned merchant ships. However, the authority is subject to provisions geared to war or emergency operation on the one hand and supplementary peacetime operation on the other. The Department should have permanent authority for experimental operation to be conducted by United States citizen steamship owners and operators or other departments of the Government, such as Defense, under general agency or bareboat charters. While it is contemplated that the vessels would be used in actual shipping operations for relatively short periods in order to secure realistic results, the charters and agencies could not be handled on a strictly commercial basis because of the unknown capabilities of the vessels and their equipment and the uncertainties of the results from a commercial standpoint.

It is expected that private operators may be willing to use experimental ships as additional or substitute ships in their services and it is contemplated that a vessel may well be tested in different trades and services. The test operations must be carefully observed and studied to appraise performance and determine need for perfecting improvements. It is contemplated that some ships converted with new type power units in the initial program now underway should be operated in coastal or nearby ocean waters, in order to have technical Government, shipyard, and industry personnel and facilities readily available. Some of the ships may be operated in regular berth service, with particular attention to efficiency of experimental cargo gear. From the defense viewpoint, test in operation, with particular attention to practical defense requirements for merchant ships, can best be conducted directly by the Defense Establishments. It is necessary, therefore, that the proposed authority be general and flexible. The draft bill would set out the purposes of the experimental operation, and leave discretion in the Secretary of Commerce as to the means and arrangements under which the test operations would be conducted. It is anticipated that the operations would be under bareboat charters wherever practical, with resort to general agency operation only where definitely necessary. In all cases operations should be conducted with full protection of private owners and with the purpose of making results of operations and tests fully available to the industry.

The proposed legislation provides that bareboat charters would be made at reasonable rates of charter and would include provisions for protection of the public interest, with provisions for recapture of profits as provided in chartering under title VII of the Merchant Marine Act, 1936. Both charters and general agency agreements entered into would be reviewed not less than annually for the purpose of determining whether conditions justify continuance of the charter or agreement. Operations, including employment of seamen through general agents, would be subject to the provisions of law establishing the vessel operations revolving fund (Public Law 45, 82d Cong.; 65 Stat. 52, 59).

Inasmuch as the first of the Liberty ship conversions will be completed very soon, the Department of Commerce recommends early action on the proposed legislation.

MORTON J. KRAKOW

The bill (H. R. 2267) for the relief of Morton J. Krakow was considered, ordered to a third reading, read the third time, and passed.

FLORIDA STATE HOSPITAL

The bill (H. R. 5522) for the relief of the Florida State Hospital was considered, ordered to a third reading, read the third time, and passed.

MRS. KATHRYN M. BAKER

The bill (H. R. 5526) for the relief of Mrs. Kathryn M. Baker was considered, ordered to a third reading, read the third time, and passed.

GRANTING OF STATUS OF REGULAR SUBSTITUTES IN THE POSTAL FIELD SERVICE

The Senate proceeded to consider the bill (S. 3592) to provide in certain additional cases for the granting of the status of regular substitutes in the postal field service, which had been reported from the Committee on Post Office and Civil Service with an amendment to strike out all after the enacting clause and insert:

That the appointment of each employee of the Post Office Department who—

(1) on the effective date of this act and on the date of application prescribed in this section is on the rolls under an indefinite or temporary appointment in a position in the competitive civil service for which the salary is fixed by the Postal Field Service Compensation Act of 1955 (Public Law 68, 84th Cong.);

(2) during each of the 3 consecutive years ending on the date of his application, has been paid for not less than 700 hours of satisfactory work in a position or positions for which the salary is fixed by said act; and

(3) meets such noncompetitive examination standards as the United States Civil Service Commission shall prescribe with respect to the position held at the time he makes application;

shall, upon application by such employee made within 1 year after the effective date of this act to the Postmaster General, or to such officials as he may designate, and upon recommendation by the Postmaster General or his designated representative, be converted to a career appointment subject to applicable law.

SEC. 2. Any person who would meet the conditions of section 1 except for absence in the Armed Forces of the United States on the effective date of this act and is reemployed in the postal field service in accordance with United States Civil Service Commission regulations, shall, upon application made within 1 year of reemployment, have his former appointment converted in accordance with this act.

SEC. 3. This act shall not apply to positions of rural carrier and postmaster.

SEC. 4. The United States Civil Service Commission is hereby authorized and directed to promulgate regulations to carry out the provisions of this act.

SEC. 5. This act shall take effect on the 90th day following the date of its enactment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have a statement on Senate bill 3592 printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

The purpose of this proposed legislation is to give the Post Office Department the same authority to give regular status to certain temporary and indefinite employees as was given to other departments and agencies of the Government under Public Law 380, enacted during the last session of Congress.

The bill provides that persons who were or are serving under temporary or indefinite appointments in the postal field service may be granted the status of regular substitute, provided, among other things, (1) that they have or do serve for a period of not less than 3 years, (2) that they meet such noncompetitive examination standards as may be prescribed by the Civil Service Commission, and (3) that they request conversion, and it is recommended by the Post Office Department.

The committee amendment conforms completely with the suggestions offered by the Civil Service Commission and, in its amended form, meets with the approval of the Commission and the Bureau of the Budget.

GRANT OF CERTAIN PUBLIC LANDS TO THE STATES FOR SCHOOL PURPOSES

The bill (S. 3828) to clarify the law relating to the grant of certain public lands to the States for school purposes was announced as next in order.

Mr. BIBLE. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from the further consideration of House bill 11127, and that the Senate proceed to consider the House bill, which is identical to Senate bill 3828.

The PRESIDING OFFICER. Without objection, the Committee on Interior and Insular Affairs is discharged from the further consideration of House bill 11127. Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 11127) to clarify the law relating to the grant to certain public lands to the States for school purposes.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 11127) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3828 is indefinitely postponed.

CONVEYANCE OF CERTAIN LAND IN MISSISSIPPI TO RICHARD C. FRENCH AND OTHERS

The bill (H. R. 8452) to authorize and direct the conveyance of certain tracts of land in the State of Mississippi to Richard C. French, Lewis M. French, and Ruth French Hershey was considered, ordered to a third reading, read the third time, and passed.

INCLUSION OF ZION NATIONAL MONUMENT WITHIN ZION NATIONAL PARK

The bill (H. R. 10535) to include the present area of Zion National Monument within Zion National Park in the State of Utah, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

RELINQUISHMENT OF RIGHT, TITLE, AND INTEREST IN CERTAIN LAND IN FORREST COUNTY, MISS.

The bill (H. R. 11558) to relinquish any right, title, and interest in which the United States may have in certain land located in Forrest County, Miss. in order to clear the title to such land was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF TIME FOR PAYMENT TO THE SHOSHONE TRIBE AND THE ARAPAHOE TRIBE IN WYOMING

The Senate proceeded to consider the bill (S. 3397) to amend section 3 of the act of May 19, 1947 (ch. 80, 61 Stat.

102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments.

The PRESIDING OFFICER. The clerk will state the first committee amendment.

The first amendment of the Committee on Interior and Insular Affairs was, on page 2, at the beginning of line 8, to strike out "85 percent of said trust funds as initially established, and 85 percent of all sums credited thereto during a period of 20 years from and after May 19, 1947," and insert "commencing with the quarterly period beginning April 1, 1956, 85 percent of all sums credited to said trust funds during the period ending May 19, 1959,"; in line 16, after the word "said", to strike out "tribes, and any sums distributed per capita out of the funds described in section 1 of this act on or after April 1, 1947, shall be taken into consideration in determining the sums to be distributed under this proviso to the same effect as if this act had been in force on and after April 1, 1947." and insert "tribes."

The amendment was agreed to.

The next amendment was, on page 3, line 2, after the word "States", it is proposed to insert a comma and "and except as to irrigation charges owed by individual Indians to the United States with respect to lands for which water is requested and received, and with respect to lands that are determined by the Secretary of the Interior to be properly classified under existing law on the basis of a survey to be undertaken by the Secretary after the date of the enactment of this act: *Provided further*, That nothing in this act shall be construed to limit the existing authority of the Secretary to protect and conserve the per capita funds payable to members of the tribes who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs."

Mr. BIBLE. I think the Senator from Wyoming has some amendments to offer to the committee amendment.

Mr. BARRETT. Mr. President, I offer the amendments which I send to the desk, to the committee amendment. They are perfecting amendments to section 1 of the bill.

The PRESIDING OFFICER. The amendments offered by the Senator from Wyoming to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 3, line 5, in the committee amendment, after the word "received", it is proposed to insert "by said individual Indians"; in line 12, after the word "or", it is proposed to insert "who"; and in line 13, in the committee amendment, after the word "Secretary", it is proposed to insert a comma, after the word "are."

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Wyoming to the committee amendment.

The amendments to the amendment were agreed to.

The amendment, as amended, was agreed to.

The next amendment of the Committee on Interior and Insular Affairs was, on page 3, after line 14, to insert the following:

SEC. 2. As a basis for determining the conditions under which per capita payments may be authorized after May 19, 1959, the Secretary of the Interior is requested to report to the Congress before January 1, 1958, (1) his recommendations regarding any new authority, if any, that he believes is needed in order to protect adequately the interests of minors and incompetent Indians, (2) the results of a survey and reclassification of the lands that should be removed from the irrigation project, and (3) the adequacy of the tribal contribution to the cost of administering the reservation.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation," approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended to read as follows:

"SEC. 3. Notwithstanding any other provision of existing law, the trust funds credited to the Shoshone Tribe and the Arapahoe Tribe, respectively, under the provisions of this act shall be available for expenditure or for advance to the tribe for such purposes as may be requested by the tribal council and approved by the Secretary of the Interior or such official as may be designated by him: *Provided*, That commencing with the quarterly period beginning April 1, 1956, 85 percent of all sums credited to said trust funds during the period ending May 19, 1959, shall be paid on the 1st day of September, the 1st day of December, the 1st day of March, and the 1st day of June each year, per capita, to the individual members of said tribes: *Provided further*, That said per capita payments shall not be subject to any lien or claim of any nature against any of the members of said tribes unless the tribal council of such member shall consent thereto in writing, except as to reimbursable Treasury loans made to individual members of either tribe which may be due to the United States, and except as to irrigation charges owed by individual Indians to the United States with respect to lands for which water is requested and received by said individual Indians and with respect to lands that are determined by the Secretary of the Interior to be properly classified under existing law on the basis of a survey to be undertaken by the Secretary after the date of the enactment of this act: *Provided further*, That nothing in this act shall be construed to limit the existing authority of the Secretary to protect and conserve the per capita funds payable to members of the tribes who are minors, non compos mentis, or who in the opinion of the Secretary, are in need of assistance in conducting their affairs."

SEC. 2. As a basis for determining the conditions under which per capital payments may be authorized after May 19, 1959, the Secretary of the Interior is requested to report to the Congress before January 1, 1958, (1) his recommendations regarding any new authority, if any, that he believes is needed in order to protect adequately the interests of minors and incompetent Indians, (2) the results of a survey and reclassification of the lands that should be removed from the irrigation project, and (3) the adequacy of the tribal contribution to the cost of administering the reservation.

CLYDE M. LITTON

The bill (H. R. 1072) for the relief of Clyde M. Litton was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 7663) to provide for settlement in part of certain claims of the Uintah and White River Bands of Ute Indians in Court of Claims case No. 47568, through restoration of subsurface rights in certain lands formerly a part of the Uintah Indian Reservation was announced as next in order.

Mr. ERVIN. Mr. President, I ask that the bill be passed over, because it is not appropriate for consideration on the call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

CAMP KOOCH-I-CHING

The bill (H. R. 5690) for the relief of Camp Kooch-i-Ching was considered, ordered to a third reading, read the third time, and passed.

MARY C. FREDERICK

The bill (S. 1450) for the relief of Mary C. Frederick was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the Administrator of Veterans' Affairs is authorized and directed to pay to Mary C. Frederick, the widow of Alex J. Frederick (XC–11542142), a sum equal to the amount which would have been payable to her as death benefits for the period beginning March 24, 1950, and ending on May 2, 1952, on account of the death of the said Alex J. Frederick, had her application for such benefits been filed within one year from the date of the death of her husband.

BILL PASSED OVER

The bill (S. 2167) to make certain changes in the administration of the Panama Canal Company, and for other purposes, was announced as next in order.

Mr. LONG. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

TEMPORARY WATER SUPPLY FOR CERTAIN LANDS

The bill (H. R. 6643) to amend the reclamation laws to provide that excess lands acquired by foreclosure or inheritance may receive water temporarily for 5 years was considered, ordered to a third reading, read the third time, and passed.

TRANSFER OF TITLE TO IRRIGATION DISTRIBUTION SYSTEMS

The Senate proceeded to consider the bill (S. 2217) to provide for transfer of title to irrigation distribution systems constructed under the Federal reclamation laws upon completion of repayment

of the costs thereof, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 2, line 18, after the word "transferred", to insert "Unless the care, operation, and maintenance of the system to be transferred has already been turned over to the transferee, any such transfer shall also be accompanied by the transferee's acceptance of such care, operation, and maintenance.", and on page 3, line 2, after the word "system", to insert a semicolon and *"Provided, however,* That, where the distribution system or a portion thereof is located upon lands within a national forest or other lands administered by the Secretary of Agriculture necessary rights-of-way only shall be granted therefor subject to such conditions as the Secretary of Agriculture finds necessary for the adequate protection and utilization of the national forest or other lands", so as to make the bill read:

Be it enacted, etc., That, upon request of an organization representing the water users on any project or division of a project constructed under the Federal reclamation laws (act of June 17, 1902, 32 Stat. 688, and acts amendatory thereof or supplementary thereto), the Secretary of the Interior shall, if he finds that said water used or their organization have completed payment of all construction and other charges, except future operation and maintenance charges, which they or it are obligated to pay under said reclamation laws with respect to their distribution system, transfer to the organization or to any other entity designated by it and capable of receiving the same title to said distribution system or to such portion thereof as is useful solely to said water users. The Secretary shall likewise transfer title to any portion of such a distribution system which is useful to two or more groups of water users or organizations thereof upon their joint request when he finds that payment of all charges, as aforesaid, has been completed. Any such transfer shall be accompanied by the transferee's acceptance of all liabilities, duties, and obligations, which the United States may theretofore have incurred with respect to the distribution system, and the transferee shall agree to save the United States harmless with respect thereto and with respect to all future claims, liabilities, obligations, or duties arising out of the construction, operation, or maintenance of the distribution system transferred. Unless the care, operation, and maintenance of the system to be transferred has already been turned over to the transferee, any such transfer shall also be accompanied by the transferee's acceptance of such care, operation, and maintenance. As used in this act, the term "distribution system" is inclusive, to the extent to which the Secretary finds the same to be appropriate in any particular case, not only of works and structures for the delivery of water but also of drains, lands, interest in land, equipment, supplies, and records relating to said distribution system: *Provided, however,* That, where the distribution system or a portion thereof is located upon lands within a national forest or other lands administered by the Secretary of Agriculture necessary rights-of-way only shall be granted therefor subject to such conditions as the Secretary of Agriculture finds necessary for the adequate protection and utilization of the national forest or other lands.

SEC. 2. The Secretary is authorized to provide in all contracts hereafter negotiated under the Federal reclamation laws for transfer of title to distribution system in accordance with the terms of section 1 of this act.

SEC. 3. This act shall be a supplement to the Federal reclamation laws.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BIBLE. Mr. President, I ask to have printed at this point a statement which I have prepared in support of Senate bill 2217.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

S. 2217 implements the Federal Reclamation Law by authorizing the Secretary of the Interior to transfer to water user organizations in the West title to irrigation distribution systems when construction and related charges have been repaid to the United States. The organizations are required to take over operation and maintenance of the distribution systems before title to these works is surrendered by the Government.

The bill is to the advantage of both the Government and the water users. It encourages the local organizations to pay up construction and other charges so they may secure title to the distribution works, which they must then operate and maintain.

The United States retains title to dams, headworks, and other features of the irrigation supply systems.

The bill is in keeping with the intent of Congress when it required that title to irrigation works constructed under the Reclamation law should remain in the United States until otherwise provided by Congress.

My colleague, the senior Senator from Nevada [Mr. MALONE] is associated with me as cosponsor of S. 2217.

BILL PASSED OVER

The bill (H. R. 7089) to provide benefits for the survivors of veterans, and for other purposes, was announced as next in order.

Mr. BIBLE. Mr. President, I ask that that bill be passed over. It is the unfinished business.

The PRESIDING OFFICER. The bill will be passed over.

PAYMENT OF GRATUITY TO DENA B. CONNERY

The resolution (S. Res. 300) to pay a gratuity to Dena B. Connery was considered, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Dena B. Connery, widow of David P. Connery, an employee of the Senate at the time of his death, a sum equal to 2 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

INCREASE IN LIMIT OF EXPENDITURES BY THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

The resolution (S. Res. 249) increasing the limit of expenditures by the Committee on Post Office and Civil Service was considered and agreed to, as follows:

Resolved, That the Committee on Post Office and Civil Service is authorized to expend from the contingent fund of the Senate, during the 84th Congress, for the purposes specified in section 134 (a) of the Legislative Reorganization Act of 1946, $10,000 in addition to the amount authorized in such section.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement which I have prepared regarding the resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

This resolution was unanimously reported without amendment by the Senate Committee on Post Office and Civil Service and by the Senate Committee on Rules and Administration. It provides $10,000 for what we might call routine expenditures of the committee such as telephone expense and the expense of shorthand reporters for reporting committee meetings and hearings in connection with postmaster nominations and legislation before the committee.

Under the Legislative Reorganization Act, each committee is allotted at the beginning of a Congress the sum of $10,000 to take care of the functioning of the committee (general housekeeping affairs). When that sum has been exhausted, it is customary to offer a resolution, such as the one now pending. Senate Resolution 249 is of a routine nature and I, therefore, ask that it be approved by the Senate.

ADDITIONAL FUNDS FOR THE COMMITTEE ON APPROPRIATIONS

The resolution (S. Res. 271) providing additional funds for the Committee on Appropriations was considered and agreed to, as follows:

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the 84th Congress, $15,000, in addition to the amounts, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946, and Senate Resolution 136, agreed to July 29, 1955.

DEMOLITION AND REMOVAL OF GREENHOUSES AND OTHER STRUCTURES

The Senate proceeded to consider the bill (S. 3881) authorizing the demolition and removal of greenhouses and other structures, and the replacement thereof at the Botanic Gardens, which had been reported from the Committee on Rules and Administration with amendments, on page 1, line 9, after the word "a", to strike out "part" and insert "park"; on page 2, line 10, after the word "in", to strike out "replacement" and insert "place"; and in line 19, after the word "purpose", to strike out "of"; so as to make the bill read:

Be it enacted, etc., That the Architect of the Capitol, under the direction of the Joint Committee on the Library, is hereby authorized and directed to demolish and remove all existing greenhouses and other structures from square 576 west in the city of Washington, D. C., bounded by Maryland Avenue, Second Street, Independence Avenue, and Third Street SW., and to develop such square as a park area.

SEC. 2. The Architect of the Capitol, under the direction of the Joint Committee on the Library and in accordance with plans to be prepared by the Architect of the Capitol and to be approved by the Joint Committee on the Library, is hereby authorized

and directed to construct eight new greenhouses, a boilerhouse, and other necessary structures and facilities at the United States Botanic Garden Nursery on land heretofore acquired by the United States Botanic Garden, under authority of the act of June 26, 1926 (44 Stat. 774), in place of the greenhouses and other structures authorized to be demolished under section 1 hereof.

SEC. 3. The Architect of the Capitol, under the direction of the Joint Committee on the Library, is hereby authorized and directed to enter into contracts and to make such expenditures, including expenditures for personal and other services, as may be necessary for carrying out the provisions of this act and there is hereby authorized to be appropriated for such purpose the sum of $587,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing the demolition and removal of certain greenhouses and other structures on square 576 west in Washington, D. C., and the construction of other facilities in place thereof, at the Botanic Garden Nursery, and for other purposes."

AMENDMENT OF SOLDIERS' AND SAILORS' CIVIL RELIEF ACT OF 1940

The bill (H. R. 10441) to amend the Soldiers' and Sailors' Civil Relief Act of 1940, to restrict its application to insurance which has been in effect 6 months at the time benefits are sought under such act was considered, ordered to a third reading, read the third time, and passed.

BILL AND JOINT RESOLUTION PASSED OVER

The bill (H. R. 11926) to amend the Atomic Energy Act of 1954 to permit the negotiation of commercial leases at atomic energy communities, and for other purposes, was announced as next in order.

Mr. PURTELL. Mr. President, I ask that the bill be passed over, not because I have any objection, or because the committee has any objection, but we feel that it is of such a nature that it ought not to be passed on the call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 182) to extend the time for filing the report of the Commission on Government Security to June 30, 1957, and for other purposes, was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The joint resolution will be passed over.

REVISION AND PRINTING OF A COMPILATION OF FEDERAL LAWS RELATING TO REGULATION OF CARRIERS

The bill (S. 2145) providing for the revision and printing of a compilation of Federal laws relating to the regulation of carriers subject to the Interstate Commerce Act was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Interstate Commerce Commission is authorized to revise, bring up to date, and prepare for printing in suitable form, the complete set of volumes entitled "Compilation of Federal Laws Relating to the Regulation of Carriers Subject to the Interstate Commerce Act, With Digests of Pertinent Decisions of the Federal Courts and the Interstate Commerce Commission, and Text of or References to General Rules and Regulations."

INCREASE IN MEMBERSHIP OF THE SENATE OFFICE BUILDING COMMISSION

The Senate proceeded to consider the bill (S. 4116) to increase the membership of the Senate Office Building Commission.

Mr. BARRETT. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested of calendar 2410, Senate bill 4116.

Mr. BIBLE. Mr. President, in the absence of the chairman of the Committee on Public Works, it is my understanding that the purpose of the bill is merely to increase the number of the membership of the Senate Office Building Commission from 7 to 9 members.

During the last few years, the immense increase in the volume of work in the Senate and of the standing committees has necessarily caused a large increase in the number of employees as staff workers. This large volume of work created a need for increased room to provide space for the clerical forces connected with the duties of the Senators of the United States and for members of the committee staffs.

The new Senate Office Building is well under construction and is scheduled for completion in 1958. There will be many details to be worked out under the supervision of the Senate Office Building Commission with respect to awarding many contracts, finishing the interior of the building, landscaping, equipping and furnishing the completed building, parking facilities, and policing.

The committee feels that the remaining minute details in connection with the new Senate Office Building, as well as those relating to the old building, warrant the increase in membership of the Commission to nine members, and recommends enactment of S. 4116.

Mr. PURTELL. Mr. President, as chairman of the Commission I should like to offer such explanation as perhaps may cast more light on this particular subject. I also wish it understood that I offer no objection to the passage of the bill. As a matter of fact, I recommend that the action proposed in the bill be taken.

I call attention to the fact that when the Commission met in January, 1955, after the Democrat Party had been successful in gaining a majority in the Senate I suggested that this commission, like all other committees and commissions, should perhaps be headed by a Democrat. At that time it was the will of the Commission that not be done, and I was asked to continue as Chairman, even though I am a Republican.

I have since continued to serve as chairman. However, I feel that if the Democrat Party or the Democrat Members of the Senate wish to have the Commission headed by a Democrat, it should be so headed, and I have no objection whatsoever.

However, I deserve to invite attention to the fact that the Commission itself does not place any contracts. Contracts are placed by the Architect of the Capitol. I point out that there will be very few, if any, additional contracts. The question of furnishings has not yet been settled. It has not yet been determined whether that subject will come within the purview of the Committee on Rules and Administration or the Senate Office Building Commission.

I not only have no objection to the bill, but, if it is the wish of the majority party that the Commission be headed by one of their party, I think that should be done.

Mr. SPARKMAN. Mr. President, I should like to be heard for a moment on the bill.

It has been my privilege to serve on this Commission virtually since it was established. As I recall, I went on the Commission in 1947, and I have served since that time.

I join with the Senator from Connecticut in his statement that he has no objection to the measure. We have talked it over several times, and I talked to him again about it this morning.

Certainly I have no objection to it. However, I desire to take advantage of this opportunity to make a very brief comment on the very excellent job which has been done by the distinguished Senator from Connecticut in his service as chairman of the Commission during the past 3 years or so. There has been a great deal of work done by the Commission, more, I am sure, than most Senators realize. The work of the Commission has necessitated a great deal of time and attention by the members of the Commission, particularly by the Chairman. The Senator from Connecticut has been Chairman of the Commission since the preliminary details were worked out and the planning of the building was done, after the authorizing legislation was enacted, and then when funds were appropriated, and when the details of contracting for the excavation and contracting for the building itself were worked out. Many different problems have arisen during that time, and the distinguished Senator from Connecticut has done a wonderful job as Chairman of the Commission. I wish to commend him for the work he has done. All of us can see the actual construction work going on day by day.

We have reasonable assurance of the contractor and the architect that the Senate will be able to move into the new building when Senators return for the opening of the session in 1958. An unfortunate dirt slide occurred some time ago during the excavation work. Because of that unfortunate development, the contractor is not obliged to finish the work in the time stipulated, but he has

promised us, nevertheless, that he will drive the work forward just as fast as he can, so as to have the building ready for occupancy when the Senate returns in 1958. I am sure he will be able to keep that promise. For that progress we have to thank the able leadership and the careful attention to detail by all members of the Commission, but particularly by the Chairman, the distinguished Senator from Connecticut. Therefore I wish to commend him for the fine job he has done.

Mr. PURTELL. Mr. President, I express to my distinguished colleague, the Senator from Alabama, my thanks for his remarks. It has been a pleasure to work with him as a member of the Commission, and with all other members of the Commission. Whoever may be the next Chairman, I hope he will receive the same unstinted and fine and cooperative help that I have received as chairman.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the membership of the Senate Office Building Commission, created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), as amended by Public Law 178, 83d Congress, approved August 3, 1953, is hereby increased from 7 to 9 members, such additional members to be appointed by the President of the Senate.

RESOLUTION PASSED OVER

The resolution (S. Res. 291) opposing Reorganization Plan No. 2 of 1956 was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PURTELL. Mr. President, I ask that the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

BILL PLACED AT FOOT OF CALENDAR

The bill (S. 3482) to provide for transfer of title of certain lands to the Carlsbad Irrigation District, N. Mex., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Mr. President, inasmuch as a report on this bill is lacking, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. BARRETT subsequently said: Mr. President, I ask unanimous consent that Calendar No. 2412, S. 3482, be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILL PASSED OVER

The bill (S. 4146) providing for a civilian atomic power acceleration program was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PLACED AT FOOT OF CALENDAR

The bill (H. R. 7732) to amend section 402 (c) of the Federal Food, Drug, and Cosmetic Act, with respect to the coloring of oranges, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Mr. President, with respect to Calendar No. 2414 and Calendar No. 2415, I ask that both measures go over.

Mr. HOLLAND. Mr. President, will the Senator withhold his objection for the moment?

Mr. PURTELL. I shall be happy to do so.

Mr. HILL. Mr. President, does the Senator raise the same objection, that he has not received a copy of the report?

Mr. PURTELL. That is correct.

Mr. HILL. It may be that the reports have not been placed in the compilation of bills and reports on the Senator's desk, but reports on these bills were issued by the committee. The Senator from Connecticut will recall that H. R. 7732, Calendar No. 2414, was reported by the Committee on Labor and Public Welfare, of which he is a distinguished member, on Thursday last. The reports on these bills are available. I have before me a copy of the report on House bill 7732.

Mr. PURTELL. A report has just been handed to me. However, we did not have a copy of the report before the Calendar Committee when it was considering these bills. The Calendar Committee consists of three Senators. However, some measures have been placed at the foot of the calendar, and perhaps between now and the time those measures are considered, we may be able to read the report on H. R. 7732, and we can then remove any objection to the consideration of the bill. Therefore, Mr. President, I will ask that the bills to which I have referred be placed at the foot of the calendar.

The PRESIDING OFFICER. Is the Senator referring now to Calendar No. 2414, H. R. 7732, and Calendar No. 2415, Senate bill 3875?

Mr. PURTELL. That is correct.

The PRESIDING OFFICER. Without objection, both bills will be placed at the foot of the calendar.

WAR-RISK HAZARD AND DETENTION BENEFITS

The bill (H. R. 11802) to continue the effectiveness of the act of December 2, 1942, as amended, and the act of July 28, 1945, as amended, relating to war-risk hazard and detention benefits until July 1, 1957, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3956) to amend the Fair Labor Standards Act of 1938, as amended, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ERVIN. Pursuant to a request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

That completes the regular call of the calendar.

The Senate will now proceed to the consideration of measures which have been placed at the foot of the calendar. The first measure will be stated.

PROHIBITION OF MISUSE OF NAMES, EMBLEMS, AND INSIGNIA TO INDICATE FEDERAL AGENCY

The bill (S. 2017) to amend title 18 of the United States Code, so as to prohibit the misuse by collecting agencies of names, emblems, and insignia to indicate Federal agency was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BIBLE. Mr. President, I ask that both Calendar No. 2374, S. 2017, and Calendar No. 2375, S. 2891 go over to the next call of the calendar, to be called then. There is a difference in the penalty clauses of the two bills. We are in favor of the proposed legislation; we believe it should be passed. However, we believe the bills should be reexamined and an effort made to bring the two penalty provisions into harmony.

Therefore I ask that both measures go over to the next call of the calendar, to be called on the next call of the calendar.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. JOHNSTON of South Carolina. The suggestion has been made that we strike out the 10-year penalty provision and insert a 1-year penalty provision in lieu thereof.

Mr. BIBLE. If we can perfect amending language so as to have a 1-year prison sentence imposed by S. 2017, we certainly have no objection to the present consideration of the bill.

The PRESIDING OFFICER. Does the Senator withdraw his objection?

Mr. BIBLE. I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the present consideration of Calendar 2374, S. 2017?

There being no objection, the Senate proceeded to consider the bill (S. 2017) to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies of names, emblems, and insignia to indicate Federal agency, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "agencies", to insert "or private detective agencies"; in line 9, after the word "obligations", to insert "or being engaged in furnishing private police, investigation or other private detective services"; on page 2, after line 11, to insert:

SEC. 2. The provisions of this section shall become effective 60 days from the enactment thereof.

At the beginning of line 14, to change the section number from "2" to "3"; and in the material following line 17, after the word "agencies", to insert "or private detective agencies", so as to make the bill read:

Be it enacted, etc., That chapter 33 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 712. Misuse of names by collecting agencies or private detective agencies to indicate Federal agency.

"Whoever, being engaged in the business of collecting or aiding in the collection of private debts or obligations, or being engaged in furnishing private police, investigation, or other private detective services, uses as part of the firm name of such business, or employs in any communication, correspondence, notice, advertisement, or circular the words "national", "Federal", or "United States", the initials "U. S.", or any emblem, insignia, or name, for the purpose of conveying and in a manner reasonably calculated to convey the false impression that such business is a department, agency, bureau, or instrumentality of the United States or in any manner represents the United States, shall be fined not more than $10,000 and imprisoned not more than 10 years, or both."

SEC. 2. The provisions of this section shall become effective 60 days from the enactment thereof.

SEC. 3. The analysis of chapter 33 of title 18 of the United States Code which immediately precedes section 701 of such title is amended by adding at the end thereof the following:

"SEC. 712. Misuse of names by collecting agencies or private detective agencies to indicate Federal agency."

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSTON of South Carolina. Mr. President, I offer an amendment to perfect the bill further, by striking the words "ten years," on page 2, line 10, and inserting in lieu thereof the words "one year."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina.

The amendment was agreed to.

Mr. BIBLE. As I understand, the adoption of the amendment brings the provisions of the bill into conformity with the provisions of Calendar No. 2375, S. 2891.

Mr. JOHNSTON of South Carolina. That is correct.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency."

PROHIBITION AGAINST THE USE OF THE INITIALS "U. S." IN ADVERTISING BY PRIVATE FIRMS

The bill (S. 2891) to amend section 709 of title 18 of the United States Code so as to prohibit the use by certain businesses of the initials "U. S." in the business or firm name or pictures of the Capitol Building and other public buildings of the United States in their advertising and to increase the penalties for violation of such section was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HRUSKA. Mr. President, I have no objection to the bill; the objectives of the bill are worthy. However, my concern is with respect to corporations in businesses now in existence which are using the initials "U. S." and have been doing so for many years. I should like to ask what provision has been made so that the proposed legislation will not adversely affect such businesses.

Mr. JOHNSTON of South Carolina. The law which this bill amends provides that it is not unlawful to use a name lawful when the section was enacted; so there is time for them to get their house in order and to abide by the law.

Mr. HRUSKA. I suppose consideration has been given to the fact that they have used the names for many years and provision has been made for that fact.

Mr. JOHNSTON of South Carolina. Those who are legitimately carrying on their business are not affected at all, but there are some who have the purpose of trying to make it appear that they are carrying on a legitimate business.

Mr. HRUSKA. I think the purpose of the bill is commendable, and I am glad that it provides for that type of contingency.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BARRETT. Mr. President, reserving the right to object, I am not quite clear whether the bill is retroactive. It seemed to me that the explanation given by the Senator from South Carolina was to the effect that certain time would be given to corporations which had been organized and incorporated and were authorized to use the words.

Mr. JOHNSTON of South Carolina. We are now dealing with Calendar No. 2375, Senate bill 2891.

Mr. BARRETT. It prohibits the use by certain businesses of the initials "U. S." My question is whether or not corporations which have heretofore been organized and authorized to use the letters "U. S." are by this measure precluded from further use of those letters?

Mr. JOHNSTON of South Carolina. The answer is "No." But I think it is advisable that I read at this time a statement on the bill in order to clarify the matter:

This proposed legislation enlarges the prohibition against false and misleading advertising by investment and bank companies.

It prohibits the use of the initials "U. S." in the firm or business name of such companies and the use of pictures of the Capitol or other public buildings in the advertising of such companies when such advertising would be reasonably calculated to convey the false impression that the company had some connection with, or was insured by, the U. S. Government.

Section 709 of title 18, United States Code, now prohibits use of the words "National," "Federal," United States," "Reserve," or "Deposit Insurance," as a part of a business or firm name engaged in certain specified types of business. Violators are subject to the general penalty provisions under the section of a maximum fine of $1,000 and the maximum imprisonment of 1 year. It seemed apparent to the committee that legislation prohibiting use of the words "United States" was not entirely effective as long as a firm could use the initials "U. S." and thereby convey the impression that it had the backing of the Federal Government.

The Congress in approving the original statute has indicated its desire to avoid the use of the words by certain businesses which may reasonably be calculated to deceive the unwary. The present legislation is an extension of the earlier action taken by the Congress.

The Department of Justice in its report preferred to make no recommendation on the legislation since it constitutes a question of policy, but the Department did raise a question with respect to the increase of the penalty provided. Consequently, the committee amended the bill so that the only increase in punishment for violation would be the possible maximum fine of $10,000. Otherwise, the penalty provisions remain as they are in the present law. The committee thought that the increase in the maximum fine represents a more suitable deterrent for the violation outlined in section 709.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ERVIN. Mr. President, reserving the right to object, the bill provides:

Whoever as a person, corporation, partnership, business trust, association, or other business entity, engaged in the banking, loan, building and loan, brokerage, factorage, insurance, indemnity, savings, or trust business, except as permitted by the laws of the United States, (1) uses the words "National," "Federal," United States," "Reserve," "Deposit Insurance," or the letters "U. S.," as part of the business or firm name of such person, corporation, partnership, business trust, association or other business entity—

And so forth. What effect would that have on national banks? All national banks use the word "national" in their name.

Mr. JOHNSTON of South Carolina. Mr. President, this bill has no reference to national banks at all.

Mr. ERVIN. Does the Senator contend that this classification would relieve them from the provisions of the bill?

Mr. BARRETT. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. BARRETT. The inquiry occurs to me, what about United States national——

Mr. JOHNSTON of South Carolina. Mr. President, I request that the bill go over to the next call of the calendar, if there is any question at all about it.

The PRESIDING OFFICER. The bill will be passed over.

TRANSFER OF TITLE TO CERTAIN LANDS TO THE CARLSBAD IRRIGATION DISTRICT, NEW MEXICO

The bill (S. 3482) to provide for transfer of title of certain lands to the Carlsbad Irrigation District, New Mexico, was considered, ordered to be engrossed for

a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the Carlsbad Irrigation District, Carlsbad, N. Mex., at no cost to the district, all rights, title, and interest of the United States in and to the following described land situated in Eddy County, State of New Mexico: lots 1 and 3, block 43; Stevens addition to the town of Eddy, now city of Carlsbad, Eddy County, N. Mex., located at the corner of Fox and Canal Streets in the city of Carlsbad, N. Mex.

ARTIFICIAL COLORING OF ORANGES

The bill (H. R. 7732) to amend section 402 (c) of the Federal Food, Drug, and Cosmetic Act, with respect to the coloring of oranges was considered, ordered to a third reading, read the third time, and passed.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the portion of the report of the committee, from the beginning to the middle of page 3.

There being no objection, an extract from the report (No. 2391) was ordered to be printed in the RECORD, as follows:

The Committee on Labor and Public Welfare, to whom was referred the bill (H. R. 7732), to amend section 406 of the Federal Food, Drug, and Cosmetic Act (Public Law 717, 75th Cong.), as amended, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to permit the orange industry to continue for a maximum period of 3 years (until March 1, 1959) the long-established practice of artificially coloring with a coal-tar color designated as "F. D. & C. Red 32" oranges which are ripe but whose skins do not have the characteristic orange color. The standards of maturity which such oranges must meet are established by the law of the States in which the oranges are grown.

This practice has become an economic necessity for a major segment of the orange industry, since large quantities of oranges grown in Florida and Texas would meet with strong consumer resistance if they are not artificially colored. Oranges so colored are plainly stamped "color added" so that the buying public is fully apprised of this fact.

The Food and Drug Administration does not object to the enactment of the bill.

The need for this legislation arises because the only coal-tar color suitable for coloring oranges (F. D. & C. Red 32) has been stricken from the approved list by the Food and Drug Administration. The Administration, after public hearing, concluded that this particular coal-tar color was not harmless but was toxic, and that under present law the Administration could not list this color as "harmless and suitable for use in food" although the Administration testified before the committee that the scientific evidence so far available does not establish any likelihood of injury to man from use of this color on the exterior of oranges at the levels of use presently employed.

The bill further provides that the continued authority to use F. D. & C. Red 32 is limited to oranges which are not intended for processing with the exception of oranges designated by the trade as "packing-house elimination." The latter term is understood by the industry to mean oranges originally not intended for processing but which are sent to processing plants after they have been colored because for some reason they are not considered suitable for sale as raw fruit.

F. D. & C. Red 32 was introduced for the purpose of coloring in the midthirties. This color was first placed on the approved list early in 1939 and has been certified since that time for food use. Prior to certification, use of this color on oranges was permitted under a special proviso of section 402 (c) of the Federal Food, Drug, and Cosmetic Act.

The order of the Secretary of Health, Education, and Welfare removing this color and two other coal-tar colors from the approved list was published on November 16, 1955.

Under existing law (sec. 402 (c) of the Federal Food, Drug, and Cosmetic Act), a food bearing a coal-tar color is adulterated unless the color is from a certified batch. The Department is authorized to list only those coal-tar colors "which are harmless and suitable for use in food," and to "provide for the certification of such [listed] colors with or without harmless diluents."

The order of the Secretary was based on the Department's conclusion, reached after a public hearing and on the basis of a public record and detailed findings of fact, that F. D. & C. Red 32 was not a harmless color, but a toxic one, and hence was not eligible for listing and certification under the law.

The effect of this order is to ban as an adulterated food color-added oranges.

The order of November 16, 1955, has been attacked in three courts of appeals: (1) The Certified Coal Tar Color Industry Committee petitioned for review of the entire order in the second circuit, and the case is pending before the court; (2) Eli Lilly & Co. petitioned for review in the seventh circuit seeking to set the order aside as it affects use of the colors in drug products; and (3) Florida and Texas orange growers petitioned for review in the Court of Appeals for the Fifth Circuit challenging the order insofar as it prevents use of Red 32 for coloring the skins of oranges. In this case the Government and the petitioners agreed to an order to maintain the status quo, the effect of which is to permit continued certification and use of Red 32 in coloring mature oranges for a temporary period until the case can be argued and decided.

Since the color is an economic necessity and since, according to the testimony of the Food and Drug Administration, the evidence so far available does not establish any likelihood of injury to man from the minute amount of this coal-tar color which might find its way into man's diet from his use of colored oranges, the committee believes that temporary legislation should be enacted to permit continued use of the color for coloring the skin of mature oranges generally not intended for processing.

However, the committee concluded that this legislation should be limited to a maximum period of 3 years. This will allow time for the necessary scientific studies in the development of a harmless synthetic color. The committee received testimony that these studies are well underway and promise to yield good results. The bill, as amended, will also allow time for the further exploration of the toxicity of F. D. & C. Red 32. Before a final conclusion about the precise toxicity of this color can be drawn, it is necessary to conduct comprehensive, scientific studies of chronic toxicity with laboratory animals over their life span. This will involve feeding tests at levels relating to the quantities of the color that might enter man's diet from his consumption of colored oranges. Such tests and studies will require approximately 3 years and the industry is expected to make these studies during this period.

Inasmuch as the judicial proceedings referred to above have not as yet been concluded, the committee wants to make it clear that if it is finally judicially determined that the Secretary of the Department of Health, Education, and Welfare already has the power to certify F. D. & C. Red 32 for use of the exterior or oranges, the instant legislation is not intended to limit or modify that power.

AMENDMENT OF VOCATIONAL REHABILITATION ACT, AS AMENDED

The bill (S. 3875) to amend section 4 (a) of the Vocational Rehabilitation Act, as amended was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That clause (2) of section 4 (a) of the Vocational Rehabilitation Act, as amended (68 Stat. 655), is hereby amended to read as follows:

"(2) for planning, preparing for, and initiating, during the fiscal year ending June 30, 1955, and the fiscal years ending June 30, 1956, and June 30, 1957, a substantial nationwide expansion of vocational rehabilitation programs in the States."

The PRESIDING OFFICER. That completes the call of the calendar.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House insisted upon its amendment numbered 2 to the bill (S. 1622) to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FORRESTER, Mr. DONOHUE, and Mr. MILLER of New York were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to the resolution (H. J. Res. 592) for the relief of certain aliens.

The message further announced that the House had agreed to the amendments of the Senate to each of the following joint resolutions of the House:

H. J. Res. 605. Joint resolution for the relief of certain aliens; and

H. J. Res. 611. Joint resolution for the relief of certain relatives of United States citizens.

The message also announced that the House had passed a joint resolution (H. J. Res. 671) making temporary appropriations for the fiscal year 1957, and for other purposes, in which it requested the concurrence of the Senate.

BENEFITS FOR SURVIVORS OF SERVICEMEN AND VETERANS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 7089) to provide benefits for the survivors of servicemen and veterans, and for other purposes.

Mr. MANSFIELD obtained the floor.

Mr. BIBLE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. BIBLE. Would the Senator have any objection to a quorum call at this time?

Mr. MANSFIELD. No.

Mr. BIBLE. Mr. President, I suggest the absence of a quorum, with the understanding that the Senator from Montana will not lose his right to the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Montana is recognized.

REVIEW OF FOREIGN POLICY—VII. UNITED STATES POLICY AND A CHANGING EUROPE

Mr. MANSFIELD. Mr. President, as the Senate knows, I have been presenting during the current session a series of observations on the international situation. When I began this series some months ago, it seemed to me that a need existed for a general review of conditions throughout the world and the problems which these conditions pose for our foreign policy.

We have witnessed many changes in the international situation during the past year. If our foreign policy is to serve the peace and well-being of the United States, it must keep pace with these changes. It must be adjusted when and where the need for adjustment exists.

Essential adjustments are not likely to be made, however, without public understanding of the issues involved. Nor are they likely to be made unless the Government is willing to face these issues with perception, with honesty, and with courage.

The initiative for change in foreign policy must come largely from the executive branch because of the special obligations of the President in this connection. But we in Congress, especially in the Senate, are not without our own responsibilities under the Constitution to speak out, to advise, and to consent on foreign policy.

That thought has prompted this review of foreign policy. In previous remarks I have dealt with the situation in southeast Asia, north Africa, the Middle East, the Western Hemisphere, and the African Continent. In these addresses I have been attempting to bring to the attention of the Senate what I believed to be the essential facts respecting each region and the course which this country has followed in coping with those facts. Where possible, I have advanced suggestions in the hope that they might be helpful in improving our policies.

This series is now drawing to a close. Before completing it, I want to consider the areas which have beeen, in effect, the main concentrations of American policy during the past decade. One of these areas in Europe. It is the situation in that continent—the changing situation in that continent—that I wish to cover in my remarks today.

Our relations with Europe are of vital importance to us not only in themselves but also in their influence on our policies elsewhere. I have discussed at length in previous statements how considerations arising out of the European situation color our policies in the Middle East, Africa, southeast Asia, and other areas. Sometimes, in my judgment, these adjustments of policy have been valid, or at least understandable, and in others they have not been. I shall not redescribe this interrelationship at length today. I believe it to be sufficient at this point merely to reemphasize the fact that we have not infrequently taken major positions elsewhere which we would probably not have taken except out of concern for the attitudes and interests of the countries of Western Europe. That such is the case is an indicator of the indirect significance of Europe in our total policy.

As for the importance of our direct relations with the European Continent. Members of the Senate are well aware that this country has participated in two major wars, both of which originated largely in crises in Europe. They know, too, that the bulk of our postwar expenditures for foreign aid have been directed to that continent and that some of our most extensive military commitments for mutual defense likewise have been undertaken in concert with the European nations.

It is obvious, therefore, that Europe lies close to the core of our foreign policy. There are many reasons why that is the case. To the extent that they are valid reasons, they add up to this: The freedom, the peace, and the well-being of this Nation can be profoundly—decisively—influenced by what transpires in the lands across the Atlantic.

I have no desire to revive the old and tattered debate as to whether Europe is more or less important than the Far East in our foreign relations or is equally as important. In any event, I intend to deal with the latter region at a later time. Let me say now, though, that in the modern world, for better or for worse, we cannot insulate this Nation against the tremendous impact of European developments on our security and well-being.

Just one example should suffice to demonstrate why that is so. Our budget for national defense this year is $40 billion. That is the sum which the American people take out of their earnings and their wages to support our Army, Navy and Air Force. It is a heavy burden, but we sustain it for the sake of the safety of the Nation.

We might well ask ourselves what that burden would be, what would come out of our earnings and wages for national defense, if the countries of Western Europe were not free, if they were not linked in peaceful ties with the United States. Suppose, instead, the great productive capacity, the skills, and the genius of that region had been impelled into a hostile totalitarian camp after World War II. What would be the levy on ourselves for national defense at the present time? $80 billion? Twice the present burden? Three times? Is it not probable that the levy would have also included the cost of a third World War and that we might now be living amid its ruins, if indeed we were living at all? When we become irked with the responsibilities of foreign policy and especially those which relate to Europe, these are some of the questions that we would do well to ask ourselves.

Nor is defense—mutual security—the sole basis for the great significance of Europe in our foreign relations. Are we so prosperous, so self-sufficient in an economic sense, that we can dismiss lightly an annual trade with Western Europe of $7.5 billion? How many jobs, what return to American industry and agriculture, does this trade represent?

Can we, finally, ignore the contribution in science, religion, and art which Europe has made and can continue to make to our national progress? To cite one specific example, how many years might it have taken for us to develop atomic energy without the work of Einstein, Fermi, and other European scientists? Without their contribution, would we have achieved atomic weapons before enemies bent on our destruction during World War II obtained them?

There is no need to labor the point, Mr. President. It is clear that many bonds, both visible and invisible, stretch across the ocean between Europe and America. They are, for the most part, useful and mutually helpful bonds. They may rub us uncomfortably and irritatingly at times. I have no doubt that the Europeans suffer similar adverse effects on occasion. Relations among nations are not much different in this respect than among human beings. If I may use a word which the Secretary of State has popularized in recent months, however, it is the "totality" of the relationship that counts.

Most Americans, I believe, are aware that in this totality, there is an important identity of interest between the European nations and the United States. Our foreign policy over the past decade has interpreted this awareness with great fidelity. The Marshall plan, the Berlin airlift, the North Atlantic Treaty Organization, the restoration of a free Western Germany within the Western community—these measures are the highlights of a policy that has continually expressed the deep interest, the enlightened self-interest, of this Nation in the survival and strengthening of a free Europe.

I am sure many mistakes have been made during the postwar period in carrying out our policy with respect to Europe, some noticed, some unnoticed. Mistakes will always be made so long as foreign relations continue to be conducted by human beings. It will be so with Democrats as well as with Republicans.

Let us by all means take reasonable precautions against mistakes, and recognize and correct them when they are made. But let us not become so obsessed with mistakes that we dry up the wellsprings of courage and initiative which this country must have to adapt itself to the international life of our times.

Nor should we in an unseemly eagerness to find fault with ourselves and others ignore the fact that the enormous achievements of past policy would not have been possible without some risk and irritation. Let us ask ourselves what our

national position would now be if we had not dared to help the free European nations to recover from World War II. What would our situation be had we not interposed the strength of this country between an exhausted Europe and the expansionist dreams of the power-mad dictator to the east?

I believe the citizens of this country know that intelligent foreign policies over the past decade, mistakes and irritations notwithstanding, have done much to preserve freedom and peace in Western Europe and, in so doing, have served the deepest interests of the United States.

If doubts as to the effectiveness of our foreign policy are now developing, Mr. President, it is because there has appeared in this Government a tendency to seek refuge in the security of successful past policies rather than to explore the unknown of new policies, an exploration which is essential to meet the changing pattern of the international situation. The past can guide. It can provide a base on which to build. But foreign policies effective once do not remain effective forever. If they are to serve the interests of this Nation, they must remain a vital element in our national life. They may evolve out of the past, but they cannot idle in the past.

A policy that served the American people in 1945 was no longer entirely applicable in 1950. What was helpful in 1953 can be a hindrance in 1956 unless we adjust it to the realities of 1956.

These realities with respect to Europe are vastly different than they were just a short time ago. The European situation is changing, and it is changing rapidly. The changes, as I understand them, Mr. President, radiate from three principal geographic sources—from within Western Europe, from within the Soviet system in Western Europe, and from within the whole of Germany.

Our policies, however, have been slow to accept the fact of change in Europe. They have gone on in the old familiar patterns. It is only in recent weeks, with the Secretary of State in this country, that there have been signs of an awakening on the part of the executive branch to the need for adjustments. Unfortunately, the hour is already late.

Press correspondents and other observers have long been alert to the emergence of new trends in Europe and they have reported them accurately and promptly to the American public. Members of Congress have also noted these trends in their missions abroad. The executive branch, however, despite the vast and costly array of information-gathering facilities at its command, seems to be the last to learn the truth. I wonder sometimes at the efficacy of these facilities, or at least at the capacity of the responsible authorities in the executive branch to act on the information which they may supply.

In appraising the changes in Europe, Mr. President, I should like to turn first to the area which is of most direct concern to us, to Western Europe. Since the end of World War II our policy has been aimed at the preservation of freedom in that area. It has also sought closer collaboration as among the Western European democracies themselves, and with us and others in the North Atlantic Treaty Organization.

For reasons of which I have already spoken, these have been valid objectives of American foreign policy. Our people, expressing themselves through Congress, have consistently supported them. The Europeans, other than the Communists, have generally welcomed them.

It is not difficult to find evidence of the success of this policy of support of freedom and close collaboration in Western Europe. The region has not only recovered from World War II in an economic sense, but has recovered so thoroughly that its peoples are reaching out for new and unprecedented standards of living. The Europeans now have more military strength to resist the pressures of totalitarianism from without and within. They have also moved a considerable distance toward integration as among themselves. With other free nations, moreover, they have participated in building up the common defense structure of NATO.

A casual observer, Mr. President, might find the picture I have just drawn a most encouraging one. It is. The only trouble with it, however, is that it is not complete.

Progress in Western Europe has indeed been real and extensive, but it has not been unalloyed. There are shadows as well as highlights in the situation, and it is a function of responsible government to bring both to the attention of the American people. If the executive branch is unable to paint a full and accurate picture of our predicament—the dark as well as the light—the Senate is not without capacity to do so. I hope that my colleagues will not attribute to me a dour outlook on life if I now make an effort in that direction with respect to Western Europe.

I should like to turn first to the question of Western European integration. I noted a moment ago that the Western European nations had made considerable progress in that direction over the past decade. For many reasons, that progress is of greatest importance to the future of Europe. In the first place, integration is a key to the end of the suicidal wars which have torn at the vitals of Western civilization over the past century. Furthermore, it is a key to the rising standards of living which the peoples of Western Europe are demanding with increasing insistence from their political and economic systems. Integration is important, finally, because, together, the European nations will be able to maintain, in greater security, a higher degree of freedom than each could ever expect to do alone.

We ought not to underestimate the difficulties which confront the nations of Western Europe in a further march toward unity. The vested interests which conspire against it are great. The suspicions are ancient. And the fears are deep.

Without underestimating these difficulties, however, we should also recognize the urgent necessity of overcoming them. A united Europe is not only the great promise of the 20th century for the people of that continent. It may well be their last hope of free survival.

Unfortunately, Mr. President, after moving forward impressively with such undertakings as the Coal and Steel Community and Western European Union, Europe may now be retreating from the goal. Certainly, the moment is long overdue for further progress in the integration of power facilities, transportation, markets, and currencies.

The great test of the future of unity in Europe may well come in the matter of atomic energy. Is there sufficient strength in the concept of Europeanism to harness the creative talents of European science and industry in a common effort to develop this great new source of power? Is there real prospect for the acceptance of some such plan as Euratom? If there is not, it is not too difficult to envision the end of the surface prosperity and cooperation which the Western European nations now enjoy in a new outbreak of cutthroat nationalistic rivalries.

In the larger grouping of the free nations in NATO the same shadows of divisiveness that have appeared in Western Europe are also apparent. A deadlock over Cyprus has turned allies against one another in terroristic outbreaks and reprisals. The dispute has disrupted the eastern defense structure of NATO and jeopardized the stability of the entire Middle East.

Mr. President, I know that this country, standing outside the conflict, cannot fully appreciate the interests and attachments which are at stake in Cyprus for the British, Greeks, and Turks. Are the stakes so important, can they be so important, that they are each prepared to gamble their own future and the common future of NATO on a trial by continued strife? Can there be greater risks to any of them in a resumption of negotiations or the acceptance of the conciliation of friendly nations?

Beyond Cyprus and the similar distracting difficulties of the French in North Africa, lies the whole question of the erosion, not only of the military structure of NATO, but of the very concept of NATO itself. There are some who attribute this erosion to the decline of the danger of Soviet military aggression in Europe and to the outdating of the organization by the development of new nuclear weapons. I think it more accurate, Mr. President, to attribute it to an excessive eagerness on the part of other free nations and ourselves to discard the irksome burdens of preserving peace. When I was in Europe last fall, I noted this tendency, which was already strong in the wake of the Geneva conference. I made this observation with respect to it in a public report to the Committee on Foreign Relations:

> If we confuse an atmosphere of peace with the actuality of peace we have no one to blame but ourselves. If we rush to disarm before agreements on disarmament with proper safeguards have been achieved, the fault is our own. If at the first sign of peace each of the nations in the Western alliance begins to pursue policies which ignore the needs of the others, it will not require any great skill on the part of the Soviet Union to disintegrate NATO and the other instru-

ments of Western unity. They will soon fall apart of their own accord.

In making that observation, Mr. President, I did not mean to imply that NATO should be regarded as something sacrosanct. Certainly, changes in that organization should be made, and they should be made promptly, if they are necessary. Military structures are not designed to last unchanged in perpetuity.

The dangers to NATO do not lie in an intelligent adjustment of its strategy and its requirements to a changing situation. The dangers lurk in haphazard adjustment, in changes dictated not by political and military realities, but by wishful thinking and the unilateral pursuit of short-range interests by member states.

Even if the threat of Soviet aggression has receded; even if, as some speculate, mutual possession of superbombs has now given us the cold comfort of a peace of mutual terror—even if that were the case, is the need for western cooperation any less pressing? If the concept of NATO—the concept of the mutual defense of free nations—is obscured, how long will it be before new threats to these nations will arise from outside, or perhaps even from within the group itself?

There are some who contend that NATO is essentially negative in purpose; that the survival of the organization depends on the existence of a specific and incipient military danger. Certainly, the Soviet threat was a factor in the creation of the NATO, but is it the only factor? Have we forgotten that twice in this century our civilization has skirted the edge of doom, that twice our heritage has been tossed recklessly into the fires of war, by conflicts which began within Western Europe and spread their great damage in that region? Communism fed on these conflagrations. After the wars the Communists probed among the charred and smoking ruins and tore down nations and ideals which had been severely weakened by the conflicts. That is the destructive role which communism has occupied in the contemporary world, and we must not lose sight of it. By the same token, however, it is essential not to obscure the fact that the greatest damage to the free nations has been largely self-inflicted. It has resulted from their own inner disunity, and particularly the disunity of the Western European region.

Both great wars of this century in the first instance were attempted suicides on the part of Western Europe. The critical danger of totalitarianism came after, not before, these massive assaults which the region launched upon itself. Only as a way is found to cope with tendencies of this kind will the free nations develop real security against communism and other forms of totalitarianism.

That is why, for years, many of us have urged that attention be directed to the positive side of NATO. The recent proposal of the Secretary of State to develop the totality of NATO is a step in that direction, but it is a belated and halting step, and may well have produced only a mirage. When this matter was discussed at the May meeting of the NATO Council, scarcely 15 minutes was devoted to it; and it appears as though the proposals were already on the way to being lost in the bureaucratic side issue of which agency or organization shall do what.

What is fundamental is not whether NATO itself is reinforced in its nonmilitary aspects or whether other nonmilitary organs of Western cooperation are given greater vitality. What is important is that the NATO nations retain and strengthen the unity of outlook on which the freedom of each ultimately depends. What is important is that they continue to express this unity in deeds. What is important is that they continue to search out and develop means by which free governments, working together, can better serve their citizens and their common interests.

The free nations need this strength of common purposes now more than ever before. We need it because the changes which are taking place within the Soviet bloc will confront us with great dangers and great opportunities in the months and years ahead. These changes are not of recent vintage. They have been maturing at least since the death of Stalin. But we have been slow in this instance, as in the case of Western Europe, to recognize the fact.

It is not yet clear what these changes will produce within the Soviet Union, whether they are forerunners of fundamental shifts in the Communist system, or whether they are simply the prelude to a new and tighter tyranny. We would do well, in any event, not to become overly fascinated by the thrilling mystery stories that are being published by the present Soviet leaders. Absorbed in this literature of escapism, we are overlooking the fact that the meaning of the changes is already becoming abundantly clear in the area that is of greatest importance to us. That is the area of Soviet relations with other nations.

In that area, the changes add up to a vast effort to push the interests of Soviet communism, not by the crude tactics of a Stalin, but by the traditional techniques of diplomacy, trade, and exchange. In commenting on these changes 2 years ago in the Senate, I said:

> There are great stakes involved. * * * Here it is not a matter of a few resources, a few strategic positions and a reluctant people being seized by the Communists and dragged into their camp. * * * The willing allegiance or the benevolent neutrality of entire nations is involved.
>
> The Communists are striving by a combination of diplomacy and economic enticements to drive the free nations further and further apart and to draw as many of them as possible into their orbit or into an intermediate stage of neutralism.

Mr. President, if we continue to blind ourselves to the power of these new tactics, we shall do so only at our own risk. It is inexcusable to fail to recognize the impact which they are already producing throughout the world. Their effects are felt in Asia, in Europe, in Latin America, and in Africa. The tactics register even in such ancient enemies of Soviet communism as Iran, Spain, and Japan. In Europe, Communist parties begin to take on a new respectability; and if present trends continue, it may not be long before united fronts again appear in the European parliaments.

Let us face in all honesty the dimensions of the threat of these new tactics. They appeal to a world sick of war and the threat of war. They appeal to nations with a great need to enlarge their trade if they are even to maintain living standards, which in some cases are but a small fraction of those we have in this country. They appeal to countries anxious to speed up their technical progress.

It is precisely because they do appeal in this fashion that the Soviet tactics present such a danger to freedom. They draw independent nations away from the responsibilities of preserving peace. They permit wedges to be driven between these nations. They move poverty-stricken, underdeveloped countries into closer alinement with Soviet totalitarianism. We cannot stop this trend either by sanctimonious admonitions or by efforts to outbid the Soviet Union in enticements. In some instances, experience is the only teacher of the truth; and we shall have to wait until the lessons are learned.

If the shift in Soviet tactics creates these dangers to freedom, it also opens up opportunities. If we are neither disconcerted, discouraged, nor divided by the sudden Russian emergence into the free world, if we do not cower in the face of the dangers which it produces, we may yet be able to seize these opportunities. If we have the courage and the initiative which freedom demands of its adherents, we may find that the door of the closed totalitarian world which now has swung outward may also be made to swing inward. The Soviet Union may discover that it cannot travel out into the world of freedom and expect the repressed states of Eastern Europe to remain obediently at home.

If we are to take the opportunities which may follow in the wake of the changes within the Soviet bloc, we cannot lose sight of the fact that the aims of totalitarian communism do not change. We must keep clearly in mind that totalitarianism survives only by feeding its fears and ambitions in an ever-widening pasture of domination.

It will do us little good, however, to repeat the fact that the goals of communism do not change, as though it were some sort of litany, if we fail to recognize at the same time that many roads lead to Communist domination. The goals of Communists do not change, but the ways in which they seek the goals do change and have changed.

Until now, we have keyed our policies largely to meet a sudden Soviet military thrust to world domination, and we must continue to be prepared for that contingency. But can we ignore any longer the fact that Communist progress toward that goal is now being registered by means other than military?

If the day ever comes when freemen no longer have the will to rise together to meet a military challenge, on that day freedom will begin to die. In the same fashion, if the day ever comes when freemen can rise together only to meet a military challenge, on that day freedom will have lost its meaning.

It is small comfort, therefore, that we have built high the wall of military containment only to find that Communist totalitarianism moves up, around, and under the wall with the tools of economic penetration and diplomatic maneuver.

Nowhere is the danger of Soviet achievement in this connection greater than in the third zone of great change in Europe, in Germany. We have watched that nation rise up out of the ruins of World War II, to become once again a powerful and independent force, the decisive force in the fate of Europe.

Until now, Germany has looked to the West. Are we, however, on the verge of witnessing a great shift?

The pressures for change are rising in Germany. They are rising out of the issue of frustrated unification. They are rising out of resistance to rearmament and military commitments to NATO. They are rising out of the search for economic and trade opportunities in the East. They are rising out of the dying promise of Western European unity.

These pressures, Mr. President, I believe, are turning the outlook of Germany away from the West, not toward the East but perhaps inward and backward to a past built on neutralism and revival of nationalistic excess. The fact that this past is underscored with disaster for Germany and Europe, as Chancellor Adenauer and others in the Bonn Government know only too well, may not be a sufficient deterrent. The pressures for change may be too powerful even for an Adenauer to curb, especially if the Soviet Union should choose to throw into the situation the diplomatic and other resources of its new tactics at a critical moment.

This country has rested its policies respecting Germany on the shoulders of one man, a great and extremely able man. The Soviet Union, however, is in a position to aline its policies with the tremendous forces that are at work in Germany, forces with historical roots that go back decades and centuries, forces which will be in operation long after the Chancellor and every Member of this body have gone.

As I noted in remarks appended to the RECORD in 1954:

> The Russians could withdraw their occupation forces and expand the nucleus of German militarism which already exists in the East German Communist army. They could, in other words, offer Germany a unification with real nationalistic inducements and ask in return only that the Germans separate themselves from Western Europe.

The flexibility of Soviet diplomacy has placed the Russians in a position to manipulate a development of that kind. They control the East German Government and they have diplomatic relations with Bonn. They have begun, in recent weeks, the withdrawal of their occupation forces from East Germany.

Will they now go further and accept the Bonn Government as a nucleus of political control for all Germany and ask only that a place be made for the Communist-trained East German army in the new Reich? Will they acquiesce in expanded German trade with the countries of Eastern Europe, the countries which lie along the road from Berlin to Istanbul, a traditional line of German commercial penetration?

I do not know how far the Russians will go. I believe, however, that they will go to great lengths to dissolve the bonds which hold together the free nations, from Greece and Turkey to Scandinavia, and to reduce the influence of the United States on the European continent and in surrounding areas.

Mr. President, I have sought in my remarks to survey the changes which confront American policy with respect to Europe. What we see today are only the dim outlines of what may take place in the months and years ahead. Unless we act to preserve and strengthen the basic foundation of freedom and peace in Europe, the floodgates will surely open, and the tidal wave will overwhelm much of the constructive effort of the past decade. It will carry away the promise of unity in Western Europe. It will cover NATO. It will drive American influence from Europe; it will prepare the ground for totalitarianism and a world war III.

There may still be an opportunity to forestall this sequence of events. But we shall miss the opportunity if we comfort ourselves with a pleasant portrait of European developments, as the executive branch has been doing these past months. We shall miss it unless we begin first by recognizing the total situation which confronts us in Europe.

Seen in that light, the changes on that continent raise for the foreign policy of this country three great problems: First, to provide the leadership which will preserve and strengthen the institutions of common action which have already been established among the free nations; second, to recognize the dangers inherent in the new Soviet tactics and at the same time to seize the opportunities which they may also create; and third, to facilitate the unification of Germany and to insure the continuance of its basic ties with the Western nations.

Mr. President, I know that these problems are easier stated than met. Yet, it is not impossible to delineate the outlines of a policy which might meet them. I list in conclusion some of the elements which I believe are essential to such a policy:

First. We should be prepared to offer the good offices of the United States in a search for a peaceful solution to the Cyprus question.

Second. We should support the prompt inclusion of Spain, Tunisia, and Morocco in NATO and the latter two in the United Nations.

Third. We should consider sympathetically any reasonable request which emanates from France and is supported by bona fide nationalist leaders in Algeria for assistance in ending the conflict in that region.

Fourth. We should urge a frank, formal, and full-scale reexamination of the strategic concepts and the financial and manpower requirements of NATO, while at the same time this country reexamines its own foreign-aid program.

Fifth. As I have long urged, we should convene an economic conference of the NATO nations with a view to increasing commerce as among ourselves and establishing uniform standards for trade with the Soviet bloc, recognizing that if we fail to do so, we shall run the risk of undermining necessary restrictions in a mad scramble for markets in that region.

Sixth. We should be prepared, on a mutually beneficial basis, to offer extensive cooperation in nuclear matters to Euratom, if it is established, and we should make clear the terms of our offer promptly.

Seventh. If circumstances permit, we should increase the size of our diplomatic missions in the Eastern European countries, to the end that we may be more fully informed on trends in that area.

Eighth. We should extend the provisions of legislation involving surplus agricultural stocks to the Eastern European countries, provided there is assurance that food and other products so supplied shall in fact go to the peoples of these countries, recognizing that the children and the destitute must be exempt from conflicts of ideologies in any policy which is worthy of this country.

Ninth. We should recognize frankly the resistance to rearmament in Germany and reassess the need for it within the context of the negotiation of sound agreements on disarmament.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. I wish to commend the Senator from Montana for the speech on foreign policy which he has delivered today. My commendation, if I were to take the time to be specific, would cover a great many points, but I wish to mention two.

First, we often hear it said by our opposition that we have no specific suggestions to make in respect to a reappraisal of American foreign policy. In my judgment, the Senator from Montana has blown that criticism to pieces, because he has presented a bill of specifics, to which I think the Foreign Relations Committee of the Senate and the Senate itself should give great heed. What the Senator from Montana has outlined today is a reappraisal of American foreign policy in terms of specifics.

Second, I wish to commend the Senator from Montana, because, as I interpret various parts of his speech, he has been willing to approach a very touchy subject in the field of foreign policy.

The Senator's speech points out to the American people that we must reappraise also the whole military approach that we have been making in foreign policy, and to give much greater emphasis to a revitalized economic approach to American foreign policy.

If we are to win the fight for freedom, we will have to win it on the economic front, rather than on the military front. It is one thing to keep ourselves strong for defense—and I am for that, as the Senator, who is my colleague on the Committee on Foreign Relations, knows—but I believe it is important for us to do a much better job than we are doing on the economic front.

That is why I believe foreign aid needs to be restudied. That is why I went along in the Foreign Relations Commit-

tee with the proposal for a reexamination of foreign aid. However, I believe in his speech today the Senator put it in words which the rest of us have lacked in making this point clear, when he emphasized the economic approach to foreign policy.

I am very much disturbed, for example, speaking of foreign aid, by what is happening to the textile industry of our country. For example, I have in mind what is happening to women's blouses.

Who in the world would have thought a few months ago that the manufacture of women's blouses would have an international aspect from the standpoint of foreign aid. Yet the fact is that factory after factory in this country which makes blouses is closing down.

The other day I met a group of women's blouse manufacturers in New York City. To my surprise, they pointed out that they can no longer manufacture and sell the medium- and low-priced women's blouses.

It is a rather paradoxical situation in which they find themselves, that because of the policy we have followed in connection with eliminating some of our surplus raw cotton, we have built up a women's blouse manufacturing industry in Japan whereby, with the cheap cotton we make available to them, Japanese manufacturers can produce a cheap woman's blouse for such a low price that manufacturers in this country must close their doors. That is what will continue to happen unless we face up to the realistic fact that Japan ought to be encouraged to seek her own old, historic markets.

Her old, historic market for cotton goods is China. However, if we suggest, in an election year, that perhaps we ought to encourage cotton trade between Japan and China, we had better watch out for political repercussions. Anyone who suggests such a thing runs the risk of being accused of advocating trade with Red China.

No one can read the speech of the Senator from Montana and not recognize that he is realistic about the situation and that he recognizes the fact that we must take steps to review the whole question of foreign economic aid.

It may well be that shipping some clothes into China, which can be worn by the Chinese, will endanger the combat strength of America. However, I will have to be sold on that bill of goods before I will believe it.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I am glad to yield.

Mr. MANSFIELD. Perhaps I can answer his question.

Mr. MORSE. I shall be glad to have the Senator answer it.

Mr. MANSFIELD. As a matter of fact, since the end of the Second World War, there has been a certain amount of nonstrategic trade between the Japanese Empire and China. That trade was conducted first with Nationalist China and then with Communist China. If my understanding is correct—and I tried to get further information on this point during the debate last week—during the entire Korean war there was a certain amount of trade between Japan and Communist China. While it did not amount to a great deal—probably not more than $20 or $25 million—nevertheless, that trade, which was under way when MacArthur was in control in that area, has continued, and is still in operation today.

Personally, I believe it would be a fine thing if we could develop ways and means whereby Japan, for example, could ship its ginghams and velveteens and blouses to Communist China and to Southeast Asia, and to develop markets there. Certainly by no stretch of the imagination could trade in this type of cotton goods be considered of a strategic nature.

Therefore, I hope that we will have in the Far East an economic conference, just as I hope we will have one in the North Atlantic area. I say that because the sooner we get together and iron out these problems, the better off we will be.

Mr. MORSE. I thank the Senator. It seems to me that we have here an area for economic negotiation whereby we can encourage trade in the Far East and in Southeast Asia, without shutting down our textile mills—I see the Senator from Vermont [Mr. AIKEN] on the floor—without shutting down our textile mills in Massachusetts, Vermont, Maine, New Hampshire, and Rhode Island.

We can help our fight against totalitarianism by encouraging such a program of trade between Japan and the nations which constituted her old, historic markets. We can do it much better in that way than by following a program which has characterized so much of our economic foreign policy, namely, that we will not permit any trade in that section of the world as though Red China did not exist. Unfortunately, she exists as Red China. I want to see her come into existence as free China. I believe we will do more to win freedom for China by bringing China into contact with economic freedom as we know it in the capitalistic society than we will by continuing to insist that our allies must not trade with Red China in nonstrategic materials. I believe such trade should be encouraged.

Mr. MANSFIELD. In developing totality in that area, which the Secretary of State has been proposing, why would it not be a good idea for Western European nations to get together in an economic sense, so that collectively they could put into operation an aid program which would not be dependent upon this country acting all alone.

After all, most of these nations are prosperous. I believe it would be a fine indication of their cohesiveness and unity if we could get all the nations comprising the NATO group to undertake a combined aid program, so that countries in Africa, which are going to be in need of assistance in the years ahead, would be able to benefit from a collective aid program. The same thing would be true of the Near East and the Middle East and Southeast Asia and the Far East.

Mr. MORSE. There is a great deal of merit to what the Senator is suggesting.

Mr. AIKEN. Mr. President, I was very much interested in what the Senator from Oregon said about the importation of Japanese blouses into this country. A very serious situation developed, and it may still exist.

Last year there were imported into this country from Japan about 3 million dozen blouses. A large number of them, I understand, retailed in this country for about a dollar, in competition with blouses manufactured in the United States which cost 2 or 3 times that much.

In the latter part of the winter our Government undertook to negotiate with Japan, and, through an exchange of notes, it was agreed by Japan that the importation of blouses into America from Japan would be restricted to 2½ million dozen.

Apparently that was not satisfactory to our blouse manufacturers. As I understand, they made application to the Tariff Commission for relief and protection from this type of competition. I was informed 2 or 3 days ago that through further dealings with Japan, our country has been able to restrict the importation of Japanese blouses into this country to 1½ million dozen. As a result, our blouse manufacturers have withdrawn their appeal to the Tariff Commission. That is information which has come to me only in the past 2 or 3 days.

I believe the Tariff Commission has held hearings in the case of velveteen, and that hearings are pending in the case of gingham, as well as with respect to 2 or 3 other segments of the cotton industry in this country.

However, the matter is not permanently settled by the exchange of notes. As everyone knows, if we insist that Japan cease trading in her normal trading area, it is necessary to take care of her in one way or another. As I understand, Japan has observed our insistence that she not trade with Red China much better than have some of our allies, who, in fact, have not observed our insistence at all, except so far as weapons and instruments of war are concerned.

Mr. MORSE. Mr. President, will the Senator from Montana permit me to ask the Senator from Vermont a question?

Mr. MANSFIELD. Mr. President, I should like to point out that so far as cotton towels are concerned, what has happened is that the duty has been raised from 10 to 40 percent.

Mr. AIKEN. Of course, if the Japanese cannot trade with us, they will develop trade somewhere else.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I should like to ask the Senator from Vermont if he agrees with me that not only do we have the duty of protecting our own domestic market, but we also have the obligation to encourage Japan to trade with the Communist segment of the world in nonstrategic goods. With reference to women's blouses and goods of that kind, I think it is important to get them into Red China and enable the Chinese to see the advantages of our system.

Mr. AIKEN. There is another bill on the calendar which has to do with the matter. There is a bill permitting the selling of certain commodities to satellite nations. If they trade with Russia

for everything they need, they have an incentive which we cannot prevent so long as we practically force them to do that.

Mr. MANSFIELD. Why did the people of Poznan revolt? It was because they were hungry. What were they shouting when they marched arm in arm against the Soviet tanks? They were shouting "bread, bread."

Mr. AIKEN. They were desperate.

Mr. MANSFIELD. That is another reason why we should ship surplus wheat to those afflicted countries.

Mr. AIKEN. There is no reason why we should not trade in nonstrategic materials with some of those countries. We might, eventually, get them out from under Communist domination. In fact, Canada is endeavoring to do that. She has already entered into an agreement to sell wheat to Poland. That will help to reduce our surplus, too.

Mr. MANSFIELD. Mr. President, I yield the floor.

TEMPORARY APPROPRIATIONS FOR THE FISCAL YEAR 1957

Mr. HAYDEN. Mr. President, I ask that the Chair lay before the Senate House Joint Resolution 671.

The PRESIDING OFFICER. The Chair lays before the Senate a joint resolution coming over from the House of Representatives, which will be stated by title for the information of the Senate.

The joint resolution (H. J. Res. 671) making temporary appropriations for the fiscal year 1957, and for other purposes was read twice by its title.

Mr. HAYDEN. I ask unanimous consent for the present consideration of the joint resolution.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. HAYDEN. Mr. President, this joint resolution provides appropriations for those activities which have not been taken care of by either House in the regular appropriation bills. The 2 Houses have passed the 12 regular appropriation bills. The latest information I have is that the President has signed all of these regular bills.

This resolution provides for the mutual-security program and those regular activities which will be included in the supplemental bill.

The amount of money in this resolution for the mutual-security program is limited to $200 million. The other items relate to the President's special international program, the Atomic Energy Commission, the export control functions of the Department of Commerce, the Department of Defense military construction program, the International Fisheries Commission, and the Export-Import Bank which will all be taken care of in the supplemental appropriation bill to be approved shortly. The House committee expects to report the Mutual Security appropriation bill the end of this week and the supplemental appropriation bill next week.

Mr. CLEMENTS. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. CLEMENTS. I do not wish to delay the action on the pending joint resolution, but I would not want this opportunity to pass without commending the chairman of the Appropriations Committee and the committee itself for the speedy action which has been taken this year on appropriation bills. There have been few times in congressional history that appropriation bills have moved so rapidly through the Congress as they have in 1956.

Mr. HAYDEN. It could not have been done except for the fact that I had some old hands on the Committee on Appropriations who knew how to do the job. It was impossible for me to do it by myself, and I received excellent cooperation from every member of the committee on both sides of the table.

Mr. CLEMENTS. I should like to ask the distinguished chairman of the committee if it is not a fact that this joint resolution provides for a period of only a few days.

Mr. HAYDEN. That is correct.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

SUSIE LEE SPENCER—VETO MESSAGE (S. DOC. NO. 134)

The PRESIDING OFFICER (Mr. SCOTT in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on the Judiciary, and ordered to be printed:

To the United States Senate:

I return herewith without my approval S. 2152, "for the relief of the estate of Susie Lee Spencer."

The enrolled bill would direct the Secretary of the Treasury to pay $7,500 to the estate of Mrs. Spencer in full settlement of all claims against the United States for her death, sustained in an accident at the Norfolk Navy Yard on December 11, 1943.

Mrs. Spencer was employed by the Navy Department as a civilian truck-driver at the Norfolk Navy Yard, Norfolk, Va. On December 11, 1943, she was assigned to deliver a truckload of material to building 384 at the navy yard. She approached her destination at approximately 1:30 a. m. on that date and in order to obtain assistance in unloading the truck she had to locate the supervisor of the warehouse crew. She and her helper were driving slowly through the area when they saw a man they thought was the person they were seeking and Mrs. Spencer stopped her truck. At this point the vehicle was directly across the spur line of the railroad system of the Norfolk Navy Yard.

Simultaneously, a locomotive of the shipyard assigned to remove cars from the rear of building 384 began backing along the spur. There was a sharp curve in the track as the spur cut from the main line alongside the warehouse building. The normal procedure was for a member of the train crew to station himself at the crossing to warn traffic and to signal the train if there were danger of a collision, but it was not followed in this case.

Mrs. Spencer was seriously injured when the train rammed her truck. Despite emergency surgery, she died in the Norfolk Navy Hospital at 9:55 p. m. on December 11, 1943.

The deceased was survived by a husband but by no children or other dependent relatives. Her husband made application for compensation under the Federal Employees' Compensation Act (39 Stat. 742, as amended) on account of the death of his wife. By the terms of the act, however, compensation for death, except burial allowance, is payable only to certain classes of dependents. As there was no showing of dependency upon his wife, Mr. Spencer's claim was denied. The specified burial allowance of $200, however, was paid in this case.

The provisions of S. 2152 are identical to those of H. R. 1026, 81st Congress, and S. 1045, 82d Congress, which were returned to the Congress without approval.

I am compelled to withhold my approval of this measure.

Although I can appreciate the motives of equity and fairness which prompted Congress to seek to make amends for the negligence of a Government employee by private bill, I believe that sympathy and equity must be subordinated to the overriding considerations of sound public policy and equality before the law. S. 2152 is inconsistent with the principles of dependency requirements and the exclusive remedy provisions of the Federal Employees' Compensation Act. When Congress passed the 1949 amendments to the act, those provisions of the act which limit the right of a surviving husband to compensation were reaffirmed. This general policy should not now be weakened by singling out a particular individual for special treatment not accorded to others similarly situated.

If Congress is of the view that there are sound and justifiable reasons for departing from the policy of this act, to permit payment of death compensation to a nondependent husband of a Federal employee, it should do so through general legislation rather than by making individual exceptions through the enactment of private relief measures which are discriminatory against the general class of persons subject to the Federal Employees' Compensation Act.

In this connection, I have been informed that, on the average, 200 claims for death compensation are filed each year under the Federal Employees' Compensation Act. Of these, some 15 percent are denied on grounds of nondependency. In my judgment, it would be inequitable in the face of such statistics to approve a bill for a single beneficiary.

In disapproving this bill, I am aware that the Congress has treated it as action upon a petition for redress of grievance rather than as an exception to the Federal Employees' Compensation Act. There are many circumstances in which this approach is wise. It has resulted, in words of the Judiciary Committee, in

passage by the Congress of "private bills almost without number in recognition of meritorious claims." It seems to me, however, that where the Congress has enacted general legislation of broad applicability, consideration should first be given to amendment of that legislation before resorting to the private bill procedure. A private bill frequently establishes a precedent that makes consideration of amendment of general law increasingly difficult with each similar enactment.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 2, 1956.*

CLAIM OF WILLIAM E. STONE—VETO MESSAGE (S. DOC. NO. 135)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on the Judiciary, and ordered to be printed:

To the United States Senate:

I return herewith, without my approval, S. 2582, a bill "to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of William E. Stone for disability retirement as a Reserve officer or Army of the United States officer under the provisions of the act of April 3, 1939, as amended."

The enrolled bill would confer jurisdiction on the Court of Claims, notwithstanding any limitation on its jurisdiction, to adjudicate the claim of Capt. William E. Stone arising out of the failure of the then War Department to retire him for physical disability.

The beneficiary of this measure sustained injuries to his neck and shoulders when he parachuted over enemy territory in 1944. Following this jump, he was held as a prisoner of war by the Germans until his liberation in 1945. He was subsequently examined in the same year by 3 medical officers who found no evidence of any incapacitating disability. The beneficiary was relieved from active duty for reasons other than physical disability in 1946, after affirmatively indicating he had suffered no service-incurred injuries.

During a period of Reserve training duty in 1951, the beneficiary was examined by the Air Force and found physically fit to perform flying duty. However, in the following year, he applied for and was awarded service-connected disability compensation by the Veterans' Administration, which currently considers him to be 40 percent disabled.

Upon review of his case in 1953, the Office of the Surgeon General of the Air Force determined that the beneficiary had not been permanently incapacitated for the performance of active duty at the time he was relieved from such duty in 1946. This decision was twice reviewed, in 1954 and in 1955, by the Air Force Board for the Correction of Military Records acting under statutory authority empowering it to amend military records when such action is necessary in order "to correct an error or to remove an injustice." Acting under this broad standard, the Board upheld, with the approval of the Secretary of the Air Force, the prior decision of the Surgeon General's Office. The present measure would permit review of these administrative decisions by the Court of Claims.

To avoid confusion, there is one thing which I think should be made clear at the outset. This is the difference between the basis for awarding disability retirement pay administered by the military departments and that for awarding disability compensation administered by the Veterans' Administration. The basis for the former is whether or not the individual sustained an injury or disease in the service which permanently incapacitated him for the performance of active duty at the time he was relieved from such duty. Awards of disability compensation, however, are based on findings that the former serviceman has a compensable service-connected condition. As a result of this difference, it is obvious that many individuals, particularly those with latent injuries such as the beneficiary sustained, will be able to qualify for disability compensation but cannot qualify for the receipt of disability retirement pay.

Traditionally, eligibility for retirement on account of physical disability has been determined by the military service in accordance with general provisions of law. More recently, appellate review of these decisions has been provided within the executive branch by means of statutory boards such as the several Boards for the Correction of Military and Naval Records established by the Legislative Reorganization Act of 1946, as amended.

On at least two occasions within the past year, the Court of Claims has been petitioned to award disability retirement pay to individuals who had been found not entitled to such pay by the Secretary of the military service concerned. In denying these petitions, the court has stated, in effect, that under the statutory procedures for determining and reviewing entitlement to retirement, it has jurisdiction only in cases where it can be shown that the cognizant military Secretary has acted arbitrarily, capriciously, or contrary to law.

I believe that this rule which the Court of Claims adopted is a sound one. It conforms to an important principle underlining judicial review of administrative decisions, namely, that the courts will not substitute their judgment for that of the experienced officials who have been given adjudicative responsibility by law. For this reason and since there is no evidence in this case that the Secretary of the Air Force acted arbitrarily, capriciously, or contrary to law, I can see no justification for special legislation which would require the Court of Claims to grant the beneficiary a de novo hearing.

Approval of this bill would discriminate against the many hundreds of individuals who have had their claims for disability retirement denied without benefit of judicial review. It would also establish an undesirable precedent leading to other exceptions to the orderly procedure which is now provided for under general law and which currently governs the hundreds of similar cases that are adjudicated each year.

Accordingly, I am compelled to withhold my approval from S. 2582.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 2, 1956.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed without amendment, the following bills and joint resolutions of the Senate:

S. 584. An act to amend title 28, United States Code, relating to the Customs Court;

S. 977. An act to amend title 28, United States Code, with respect to duties of judges of the United States Court of Claims;

S. 997. An act to provide punishment for certain confidence game swindles;

S. 1542. An act to authorize an allowance for civilian officers and employees of the Government who are notaries public;

S. 1688. An act to amend the Federal Seed Act;

S. 1961. An act to provide for the conveyance of part of Ethan Allen Air Force Base, Colchester, Vt., to the State of Vermont, and for other purposes;

S. 2091. An act authorizing the reconstruction, enlargement, and extension of the bridge across the Mississippi River at or near Rock Island, Ill.;

S. 2210. An act to modify the project for the St. Marys River, Mich., South Canal, in order to repeal the authorization for the alteration of the International Bridge as part of such project, and to authorize the Secretary of the Army to accomplish such alteration;

S. 2712. An act to authorize the charging of tolls for transit over the Manette Bridge in Bremerton, Wash.;

S. 3214. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Clark Hill Reservoir;

S. 3307. An act to amend section 9 (d) of the Universal Military Training and Service Act to authorize jurisdiction in the Federal courts in certain reemployment cases;

S. 3527. An act authorizing the State Highway Commission of the State of Maine to construct, maintain, and operate a free highway bridge between Lubec, Maine, and Campobello Island, New Brunswick, Canada;

S. 3547. An act to amend section 1 of the act of August 9, 1955 (69 Stat. 555), authorizing the sale of certain land by the Pueblos of San Lorenzo and Pojoaque;

S. 3674. An act to amend section 1343 of title 18, United States Code, relating to fraud by wire, radio, or television;

S. 3723. An act to authorize the Secretary of the Navy to convey certain land in the county of Alameda, Calif., and to accept other land in exchange therefor;

S. 3866. An act to facilitate the making of lease-purchase agreements by the Administrator of General Services under the Public Buildings Act of 1949, as amended, and by the Postmaster General under the Post Office Department Property Act of 1954, and for other purposes;

S. J. Res. 110. Joint resolution directing the Secretary of the Interior to conduct a study and investigation of Indian education in the United States; and

S. J. Res. 178. Joint resolution to authorize an appropriation to provide for certain costs of United States participation in the International Bureau for the Publication of Customs Tariffs.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 77) authorizing the

printing of additional copies of parts 6, 7, and 8 of the hearings on the study of the antitrust laws of the United States.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 11356) to amend further the Mutual Security Act of 1954, as amended, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RICHARDS, Mr. GORDON, Mr. MORGAN, Mr. VORYS, and Mr. JUDD were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 245. An act for the relief of Ahmet Haldun Koca Taskin and Ursula Jadwiga Milarski Goodman;

S. 1375. An act for the relief of certain aliens;

S. 1814. An act for the relief of Teresa Lucia Cilli, Guiseppe Corrado Cilli, and Manda Pauline Petricevic;

S. 2842. An act for the relief of Toini Margareta Heino; and

S. 3581. An act to increase the retired pay of certain members of the former Lighthouse Service.

SALT-TO-FRESH-WATER CONVERSION PLANT

Mr. WATKINS. Mr. President, on all sides we are daily learning how crucial is the problem of water supply. The problem ranges from the limited-supply factor in such semiarid regions as my home State of Utah to that of pollution-ridden streams such as the Potomac. No phase of the problem of water and its beneficial use lacks importance.

For those less favored in water supply the prospect of conversion of salt-to-fresh-water has great interest and importance. In this regard I call the attention of the Senate to an article appearing in this morning's issue of the New York Times, which tells of plans for the construction of the world's largest salt-water conversion plant.

The plant will be built by a New York engineering firm for the Government of Aruba in the Netherlands West Indies, on an island just north of Venezuela. It will have a capacity twice as great as the present maximum plant—that at Kuwait on the Persian Gulf. The new plant is being designed to produce 2,700,000 gallons of fresh water daily and is expected to be completed in about 2 years.

Mr. President, while it is true that the Department of the Interior is carrying on a 5-year research study of the subject, I believe the importance of this program deserves more forceful action. In this respect I favor a crash program development designed to hasten this urgently-needed research.

Meanwhile I believe our Government should follow closely such developments as those at Aruba. Such practical plants are certain to add greatly to knowledge.

Mr. President, because I believe the article from the Times will be of interest to all Members of Congress, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARUBA TO INCREASE CONVERSION OF WATER IN DRIVE FOR INDUSTRY

(By Albert L. Kraus)

The government of Aruba, island in the Netherlands West Indies, is counting on fresh water made from sea water to help it in its drive to build a tourist trade and to diversify industry. A New York engineering concern, Singmaster & Breyer, has been awarded a contract to design and build on the island the world's largest salt-water conversion plant. The plant will replace an older one, which will be abandoned after the new one goes into operation.

With a capacity twice as great as the largest plant in existence, at Kuwait on the Persian Gulf, the unit is being designed to produce 2,700,000 gallons of fresh water a day. It is expected to cost $10 million and to be completed in September 1958.

Aruba is the site of one of the world's largest oil refineries, the 440,000-barrel-a-day Largo plant of the Standard Oil Company of New Jersey. The island long has enjoyed the benefits and suffered some of the problems of a one-industry territory.

To spur development of tourist trade and of a diversified industry, the government has established 10-year tax concessions for new concerns. Lack of water, however, has proved a major stumbling block.

WATER USE IS LOW

Aruba, with a population of 55,000, has a per capita consumption of water of 16 gallons a day. By contrast, per capita use in the United States varies from 100 to 300 gallons a day. Almost all the water used on the island must be obtained from rainfall or conversion of salt water.

The new plant is expected to provide a 40-percent increase in the water available to the islanders. In addition, the present price of water—reckoned now on a par with the price of meat and bread—is expected to be halved.

The project calls for the generation of 10,000 kilowatts of electricity as a byproduct. How the electricity and other possible byproducts will be priced and sold will be a determining factor on the price of the water.

William H. Finkeldey, Ed Hilgeman, and G. E. Sonderman, the three Singmaster & Breyer engineers most closely identified with the project, say that water produced by the new plant will be the cheapest yet to be made by any conversion process.

The plant will use a multiple-effect flash evaporation method, including a new scheme to prevent deposits from forming on evaporator units. The method was 1 of 8 studied. G. & J. Weir, Ltd., of Glasgow, Scotland, one of the oldest manufacturers in the field, will build the unit.

It will resemble a series of giant teakettles, joined successively, spout to back, like a string of circus elephants. Steam is generated by heat under the first "kettle" only. Steam from this unit passes on to the next units, and, with partial vacuums in each of the successive "kettles," the result is low-temperature boiling. The result is distillation of the steam into pure water in a quantity greater than that produced by other methods.

Despite its anticipated effectiveness, the plant is not considered the answer to problems of places like southern California. There distant dams and long aqueducts, costly as they may be, still will bring water to users at lower cost.

But the Singmaster & Breyer engineers believe that the developments in the new plant will mark a significant step in the search for a source of sea water competitive with ground water in arid areas of the United States.

The Department of the Interior is carrying on a 5-year, $10 million research study of the subject.

The economies of the Aruba process are viewed more favorably for arid countries in which the cost of water must be paid along with the cost of the commodities.

HIGH HELLS CANYON DAM—A WASTE OF TAXPAYERS' MONEY

Mr. WATKINS. Mr. President, the Senate shortly will have before it for consideration S. 1333, the proposal to build a so-called high dam in Hells Canyon on the Snake River.

Many contend that the project as presented in S. 1333 is not a proper expenditure of public funds.

The senior member of the natural resources committee of the United States Chamber of Commerce, Mr. Frederick P. Champ, has made a prolonged and detailed study of this proposal. Mr. Champ, a distinguished banker and businessman of Logan, in northern Utah, is thoroughly familiar with all of the area which is affected by the high Hells Canyon proposal.

In summarizing his findings Mr. Champ last week declared:

Construction of the so-called high-dam Federal-power project in Hells Canyon would be one of the greatest wastes of the American taxpayers' money that has occurred in all history.

Mr. Champ's reasons for this final judgment are contained in a news report which appeared in the Salt Lake Tribune of June 29. I believe they will be of interest to all Members of the Senate. I, therefore, ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHAMP BLASTS BIG DAM IN HELLS CANYON

LOGAN, June 28.—"Construction of the so-called high-dam Federal-power project in Hells Canyon would be one of the greatest wastes of the American taxpayers' money that has occurred in all history," Frederick P. Champ, northern Utah banker and businessman, said Thursday.

Mr. Champ, senior member of the natural resources committee, United States Chamber of Commerce, has given testimony on the project in Washington, D. C.

"To spend nearly a half a billion dollars of the taxpayers' money to build a project which already has been undertaken with Federal approval by private, taxpaying industry on a basis which will give greater protection to upstream water rights and downstream navigation and deliver power 6 years earlier to meet the power needs of the Northwest, obviously is absurd and savors of politics and the kind of congressional log-rolling which, if continued, will eventually bankrupt the United States," he said.

"In lieu of an estimated 10 million dollars of annual tax revenue from the private facility now under construction, the American taxpayer would pay all the bill, with no returns, except alleged cheap power.

"Of this bill the taxpayers of Utah and Idaho would contribute nearly three million dollars," he said.

Mr. Champ said, "There is no similarity whatever between the Hells Canyon project, which is a power project pure and simple, and the upper Colorado River storage proj-

ect, which is a multipurpose project which cannot be undertaken by private industry."

"Seven years of debate have resolved the Hells Canyon question, and the Idaho Power Co. is constructing the first of its units on schedule to meet the power needs of the territory," he said.

"The people of this area, and particularly the water users of the Snake River Basin, whose water rights are at stake under the Federal project, should rise to strike down the demagogic attempt to logroll the region and the Nation into paying the bill for those who have a socialistic concept regarding power development," Mr. Champ said.

REPUBLICAN POLICY COMMITTEE CHARGES AGAINST PATRIOTISM OF DEMOCRATIC PARTY

Mr. NEUBERGER. Mr. President, the Washington Post and Times Herald for June 30, 1956, carries a United Press dispatch which the newspaper headlined: "GOP Says Reds To Aid Democrats." The dispatch quotes the "staff of the Senate Republican policy committee" as having sent a memorandum to Republican Senators, for use by Republican political speakers, allegedly stating that "the official Communist line" is that "a Democratic Party victory is essential." It is further reported as stating that, according to the Communist line, "the Republicans must be defeated and all support thrown to the Democrats."

I repeat, Mr. President, these quotations are from a staff memorandum of the Senate Republican Policy Committee, as reported by the United Press. It happens that the Republican Policy Committee does not send me its memoranda, so I have only this press report to bring to the attention of the Senate, and I ask unanimous consent that it be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. SPARKMAN. I am intrigued by the subject matter about which the Senator from Oregon is speaking. Does he not think that it would be much better if there were at least one Republican Senator on the floor to listen to his remarks?

Mr. NEUBERGER. If the Senator from Alabama wishes to make an effort to have some of our colleagues on the other side of the aisle induced to come to the Chamber, I shall be extremely happy to yield for that purpose.

Mr. SPARKMAN. Mr. President, I apologize to my distinguished friend from New Jersey [Mr. SMITH]. I see he has now come into the forum. But if the Senator from Oregon will yield to me for the purpose, without losing his right to the floor, I should like to suggest the absence of a quorum, so that some of our Republican brethren might listen to his speech.

Mr. NEUBERGER. I shall be very happy to yield for that purpose.

Mr. SMITH of New Jersey. Mr. President, I shall be very glad to agree to the suggestion of the absence of a quorum, but I may say that I have an appointment at 3 o'clock, so I shall answer to the quorum call, leave the Chamber, and return as soon as I can.

Mr. SPARKMAN. I hope the Senator from New Jersey understood the subject matter of the speech being made by the Senator from Oregon.

Mr. SMITH of New Jersey. I could not hear the Senator from Oregon.

Mr. NEUBERGER. I was glad to have the Senator from New Jersey present because I was commenting upon a Washington Post and Times-Herald newspaper dispatch, dated June 30, which carries the headline, "GOP Says Reds Aid Democrats."

The reason I should like to have the distinguished Senator from New Jersey remain on the floor is that I heard with great admiration his very able speeches last week in defense of the foreign policy of the President of the United States.

I was so favorably impressed by the brilliant speeches made by the Senator from New Jersey, and by some of his colleagues who agreed with him on that issue, that I voted quite consistently in support of the foreign policy of the President of the United States; and I am rather surprised by the charges which are made against those of us on this side of the aisle by the Republican Senate Policy Committee. I should like to have the Senator from New Jersey hear the discussion of this subject.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. NEUBERGER. Yes.

Mr. SMITH of New Jersey. I wish to thank the Senator, not only for his kind remarks about me, but for the splendid support which he gave to the administration's position on the foreign aid bill. I want to say also that if I can get back to hear the Senator's discussion, I shall do so.

As the Senator from Alabama has suggested, I think the absence of a quorum should be suggested. Let us have a quorum called and see if we can get more Senators present.

Mr. NEUBERGER. I thank the Senator.

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NEUBERGER. Mr. President, I was quoting briefly from the wire-service dispatch of last Saturday, discussing the announcement from the Republican Senate Policy Committee.

Mr. President, also according to the United Press, the memorandum carries a notation that "neither Republican Senators nor the policy committee are responsible for the statement." If this is the case, Mr. President, we face a truly incredible situation and one which, it seems to me, requires the attention of the Senate. I hope we may have some comment from the distinguished minority leader, or the chairman or another member of the minority policy committee, explaining how this kind of discredited smear campaign may be reopened against the majority party in political memorandums issued on behalf of the Senate Republican policy committee, while at the same time disclaiming any responsibility whatever for such tactics on the part of the committee or any Republican Senator.

Are we also to be told that the Senate Republican policy committee and its members are in no way responsible for their staff? I think the Senate is entitled to know this, Mr. President.

WHO SUPPORTS EISENHOWER FOREIGN POLICIES?

It is particularly ironic that this memorandum should appear on the very day—indeed, at the very hour—when the Democratic leadership in the Senate, the Democratic chairman and members of the Committee on Foreign Relations, and the Democratic majority in the Senate were battling until late in the night to save, against crippling attacks and amendments supported by many leading Members of the Republican minority, President Eisenhower's key legislative program for the mutual security of the free world against Soviet communism.

President Eisenhower has made it abundantly clear that he considers this mutual-security system—which he himself helped to lead, under the preceding Democratic administration—as the core of our policy in the world contest with Communist dictatorship. I shall not burden the RECORD by reviewing the votes of last Thursday and Friday. Anyone may read the RECORD for those days and see for himself where some of the members of the minority policy committee—some who have been most vocal with the kind of false charges against the Democratic Party circulated by the staff of that committee—stood when it came to voting, instead of just talking, about support for the administration's program for a strong, free, non-Communist world.

Speaking only for myself, I should like to point out that, according to the analysis by the Congressional Quarterly, I voted for the President's recommendations in the field of foreign policy far more faithfully during my first year as a Senator than did our State's three Republican Members of the House of Representatives. I believe I supported the President's foreign policy on 80 percent of the yea-and-nay votes, whereas one of our Republican House Members from Oregon backed Mr. Eisenhower 25 percent of the time. For this, Mr. President, I am rewarded by the Senate Republican Policy Committee—beg pardon, by its staff—by being blanketed in with alleged Communists.

Last year, the Oregon State Legislature, composed 2 to 1 of Republicans over Democrats, overwhelmingly memorialized Congress to defeat H. R. 1, the President's reciprocal-trade program. One of the few State legislators who rose in Salem, our State capital, to defend the President's trade program was my wife, Maurine. She, like me, is a Democrat. In the Senate, on all four yea-and-nay votes involving reciprocal trade, I rejected the advice of our Republican legislature, and voted to back the President.

Mr. President, in 1954 two Republican Senators came to Oregon and urged my defeat in the name of supporting President Eisenhower. That was certainly their privilege and right. Yet, Mr. President, last week, on 6 out of 7 yea-and-nay votes involving foreign aid, these 2 Republican Senators voted in opposition to the policies of the President of the United States. I supported the policies of the President of the United States on those 6 out of 7 yea-and-nay votes. Res ipsa loquitur—the fact speaks for itself.

IS SUPPORT OF EISENHOWER GROUNDS FOR CHARGE OF WEAKNESS TOWARD COMMUNISM?

Why is it, Mr. President, that we Democrats, who have supported the foreign policy of the President of the United States, are decried as helping communism, while the Republicans who oppose his foreign policy are upright, loyal, outstanding patriots? Is there something subversive about the President's foreign policy which we have been backing so conscientiously? Would the Senate Republican Policy Committee think better of us if we followed, for example, the mandate of our Republican legislature in Oregon and opposed the reciprocal-trade program of President Eisenhower and the administration?

Mr. President, although false charges and innuendo such as that circulated by the staff of the Republican policy committee have been deplored and repudiated by the President and other Republican leaders, evidently there are still Republican politicians at lower levels who cannot resist the temptations of political demagoguery.

It is time to call a halt to this calumny. In choosing to fight on the ground of effective anti-Soviet policies, these low-level politicians have made a poor choice. The record of their party, held against that of the Democratic Party, sadly contradicts their claims. It is worth pointing out that, while the minority party's spokesmen try to spread the false charge that a Democratic victory would aid communism, the Kremlin does not see it that way.

KREMLIN HOPES FOR REPUBLICAN VICTORY

It happens that this fact has recently been reported from Moscow by the famous foreign correspondent, Joseph C. Harsch, of the Christian Science Monitor. In the Monitor of June 11, 1956, this responsible observer reports:

> Western embassy diplomats agree that the Kremlin hierarchy shows a strong preference for Republicans in the up-coming United States elections. Kremlinites make no secret of a belief that Eisenhower will win and prefer it so.

Mr. President, I believe we may take the view of the Kremlin over that of the staff of the Republican policy committee, as to what may or may not be deemed best for the interests of communism.

I merely report this article of Mr. Harsch's from Moscow. I would not think of basing on it such political charges against the Republican Party as the minority staff memorandum suggests should be made against Democrats by Republican campaign speakers. I believe that sort of mudslinging must be eliminated from American politics, and I call upon the Senate Minority Policy Committee to repudiate the memorandum circulated to the public by its staff.

EXHIBIT 1

[From the Washington Post and Times Herald of June 30, 1956]

GOP SAYS REDS TO AID DEMOCRATS

> The staff of the Senate Republican policy committee said yesterday "the official Communist line" now is that "a Democratic Party victory is essential."
>
> The weekly staff memo to GOP Senators said the Communist line dictates that "the Republicans must be defeated and all support thrown to the Democrats."
>
> Issued as ammunition for political speakers, the memo carries a notation that neither Republican Senators nor their policy committee are responsible for the statements.
>
> It said Claude Lightfoot, Illinois Communist Party chairman, told party leaders last month that Communists should pursue "an independent course which influences the direction of the Democratic Party."
>
> The GOP publication said Lightfoot said in a meeting in Milwaukee May 6: "If the people can compel the Democrats to do certain things, and the Democrats win, we can look forward to great achievements."
>
> The Republican memo added: "Patriotic Democrats may grind their teeth in rage, but the Communist curse is hard to shake off. Apparently the comrades look forward with eager anticipation to another round of infiltration."

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator from Oregon yield to me?

Mr. NEUBERGER. I am happy to yield.

Mr. HUMPHREY of Minnesota. Am I to understand that the memorandum by the staff of the Republican policy committee contains a disclaimer on the part of the members of the committee, our senatorial colleagues? Will the Senator from Oregon read that language again?

Mr. NEUBERGER. I am reading now from the Washington Post of last Saturday. Incredible as it may seem, here is the exact quotation from the news story which was published in the Washington Post:

> Issued as ammunition for political speakers, the memo carries a notation that neither Republican Senators nor their policy committee are responsible for the statements.

Mr. HUMPHREY of Minnesota. Let me ask this question: Who is responsible for it? The paid members of the administrative staff of the policy committee must have some superior as their guide or their director; or are they permitted, under the rules of the Senate, to operate just footloose and fancy free, on the political payroll?

Mr. NEUBERGER. Perhaps, like Topsy, this memorandum "just growed."

Mr. HUMPHREY of Minnesota. I should like to know who planted the seed.

Mr. NEUBERGER. It could have been gremlins.

Mr. HUMPHREY of Minnesota. In his comment, the Senator from Oregon has indicated quite forcefully, let me say, that the responsibility for this particular campaign document rests officially on the Republican Party, under whose auspices it was published. Is that correct?

Mr. NEUBERGER. I repeat the statement published in the Washington Post:

> The memo carries a notation that neither Republican Senators nor their policy committee are responsible for the statements.

Mr. HUMPHREY of Minnesota. Mr. President, I am in full sympathy with the statement the Senator from Oregon has made. I should like to find out who is responsible for the memorandum. I notice that the Republican minority leader is in the Chamber at this time. Let me ask whether statements of that sort are to be circulated throughout the country, bearing the badge of an established American political party, and with an attached disclaimer printed in fine type, whereas the headlines read: "Communists Favor Democratic Victory."

Mr. NEUBERGER. I have been in the Senate only a year and one-half, and I do not know whether there are gremlins in the public buildings around the Capitol. It may be that they wrote this.

Mr. HUMPHREY. For the moment, I think we can ignore the gremlins. I believe that the paid staff of the Republican Policy Committee took upon themselves to do what I call an undercover job; and then the members of the Republican policy committee washed their hands of it. In a sense, it is more or less of a Pontius Pilate operation.

Mr. SPARKMAN. Mr. President, at this point will the Senator from Oregon yield to me?

Mr. NEUBERGER. I yield to the distinguished Senator from Alabama.

Mr. SPARKMAN. Mr. President, I hold a copy of the memorandum in my hand. At the top there is a prancing elephant emblem. I think all of us know whose emblem that is. The memorandum is headed "Senate Republican Memo."

At the very bottom of the memorandum appears a notation in very small type; and I wish to read all of it. As the Senator from Oregon read from the newspaper article, he did not read all of the fine type at the bottom of the memorandum.

Mr. NEUBERGER. I merely read from the newspaper dispatch.

Mr. SPARKMAN. Not only is the notation in very fine print, but it is also printed at the very bottom of the memorandum, entirely removed from the text of the memorandum which precedes it. The fine print at the bottom reads as follows:

> NOTE.—Neither the members of the Republican policy committee nor other Republican Senators are responsible for the statements herein contained except such as they are willing to endorse and make their own.

Of course, we all know that this memorandum was sent out for one purpose, and one purpose only. It is campaign literature. It is ammunition for them to use as their own.

Has the Senator from Oregon heard a single Republican Senator denounce, disown, or in any way criticize this despicable smear sheet?

Mr. NEUBERGER. I certainly have not.

I should like to invite the attention of the distinguished minority leader, who, as the Senator from Minnesota has said, is present in the Chamber, to the fact that recently I had a survey made of my mail. The two things I have done in the brief time I have been a Member of the Senate for which I have received the most criticism in the mail from my State, which has been a Republican State through most of modern times, have been my votes to uphold the reciprocal-trade program of the President of the United States, and the mutual-security program of the President of the United States. The letters which I have received from Oregon ran approximately 5 to 1 against the President's reciprocal trade program. The memorial which we received from the State legislature in Oregon, which is overwhelmingly Republican, urged those of us in Congress from the State to vote against the President's reciprocal trade program, and some of the Republicans in our delegation did so.

I have received the most criticism in my mail from my State in connection with two major foreign policies of the President which I have supported.

As I read this dispatch from the newspapers on Saturday, which came from some evanescent source, be it gremlins, ghosts, or whatever they may be—it implied that we Democrats who have been supporting the President's foreign policy are charged with sympathy for communism.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. KNOWLAND. Let me say first of all that, as minority leader, I have stated on this floor not once, but many times, as well as in public speeches elsewhere, that in my judgment the members of the Democratic Party, who sit on the other side of the aisle, are as patriotic and devoted to this country as is any Member who sits on this side of the aisle.

I have served in this body for 11 years. We have differed on matters of policy, but on basic questions involving the security of our country I have found no division across the center aisle. I wish to make that perfectly clear.

I understand that this memorandum was a quotation from an article which appeared in the New York Times some time ago, and from an article which appeared in the Milwaukee Journal, purporting to quote some official of the Communist Party. I have sent for the original clippings, to see precisely what was said.

I believe that there is only one party of treason, and that is the Communist Party. As I say, the other parties, representing the people of the United States, are just as devoted to the defense, security, and welfare of the American people as they could be. One party is as loyal and devoted as the other. I wish to make that perfectly clear, speaking as minority leader.

Mr. NEUBERGER. May I ask the distinguished Senator from California a question?

Mr. KNOWLAND. Certainly.

Mr. NEUBERGER. First, I wish to say that, as always, he is most fair in his statements.

What would the distinguished Senator from California think if some of us on this side of the aisle made use of the following statement by the eminent foreign correspondent, Joseph C. Harsch, of the Christian Science Monitor, to prove that the Communists are aiding the Republicans:

> Western embassy diplomats agree that the Kremlin hierarchy shows a strong preference for Republicans in the upcoming United States elections. Kremlinites make no secret of a belief that Eisenhower will win and prefer it so.

Mr. KNOWLAND. Listening to the Senator, I assume that he had read that statement into the RECORD. However, I will say that there is no more justification for using the quotation against one party than for using it against the other.

Mr. NEUBERGER. Would the eminent Senator from California agree that we on this side of the aisle would be highly unfair if we used that statement from the Christian Science Monitor, by Joseph C. Harsch, as the basis for a release to the press and our campaign speakers, under the heading "Democrats Say Reds To Aid Republicans"? Would the Senator think that was unfair?

Mr. KNOWLAND. I cannot be responsible for what was published in the Washington Post. I will say that I have no doubt that the Communist Party may be attempting to infiltrate both great parties, if they think they can get away with it. I assume—and I have no doubt it would be done from all levels of the great Democratic Party—that there would be a repudiation of such support by Communists, wherever they might be, or whatever their purposes might be, in the same way that I here and now repudiate any such policy on the part of the Kremlin. It is none of their business to take even a remote interest in an American presidential campaign or election.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. HUMPHREY of Minnesota. First, let me say that the minority leader, as always, is straightforward and honorable. As he has previously stated, he has made it perfectly clear that he has acknowledged the patriotic devotion of Members of the Senate and Members of the House, without any discrimination as to whether they are Republicans or Democrats.

I will say to the Senator from California that while we respect and admire his veracity and courage, we again see a picture in which a leading spokesman of the party makes his position clear, but through the publicity channels of the party comes other information. Every Member of Congress knows that a charge against an individual or a party is much more effective than a retraction. The retraction gets the 3d page or 34th page treatment, while the charge gets the 1st page, or at least the 1st page of section B.

What does the official memorandum of the Republic Party say? This memorandum is published at public expense, just as the Democratic policy committee memorandum is published at public expense. That memorandum, volume II, No. 26, for June 28, 1956, on its front page, contains the following:

> Contents: Communism: Communist Party pleads for Democrats to win.

When we turn to page 8 of the memorandum, we find that it reads as follows:

> The official Communist line has now been announced. The Republicans must be defeated and all support thrown to the Democrats. A Democratic Party victory is essential.
>
> This news has been percolating down to party members for some time.

It continues for a full page.

The minority leader and his colleagues may rise and say, "We do not believe this. We know that the Democrats and Republicans alike are loyal and patriotic." However, the fact is that every country newspaper and every leading newspaper will carry the news broadcast by means of this memorandum. This is the official line from the Republican policy committee, for Republican speakers. It is the party line for their speakers in the precincts and at the ward and township level, where the Senator from California cannot go because he is too busy here.

If I were to select a responsible adversary in debate or in political life, there is no one I would rather recommend than the Senator from California, because he is always responsible and fair. But there are hundreds of speakers who will take this "clip sheet"—I think that is the proper parlance for such a boiled-down memorandum—and use it as a speaker's guide. The memorandum contains the notation that—

> Neither the members of the Republican policy committee nor other Republican Senators are responsible for the statements herein contained, except such as they are willing to endorse and make their own.

I believe it is about time to ask the question: How many members of the Republican Party in the Senate endorsed this statement? How many leaders of the Republican Party endorse this statement? If they do not endorse it, what disciplinary action are they taking to make certain that this kind of glorified nonsense will not again be made a matter of public print?

If this should get to be a question of who can get into the gutter first, let me suggest that there is all kinds of material on both sides of the fence.

Two or three weeks ago I read headlines to the effect that Khruschev and Bulganin are hoping the best for Mr. Eisenhower. I am sure the impression was gained that they were wishing President Eisenhower the best from the standpoint of health and recovery. That is the normal reaction for anyone to get from reading such a headline. It is in accordance with custom that the head of one nation should hope for the speedy recovery and restoration to health of the head of another country.

However, it should be remembered that no Democrat came to the floor of the Senate and made the argument: "The bosses of the Kremlin are for President Eisenhower." We know the President is not for them, and that they do not like

Republicans or Democrats. I may say that the feeling is mutual.

However, I becoming a little tired of seeing election after election fought on the basis that somehow or other there is an affinity of interest between the Democratic Party and the Communist. It is about time that the Republican Party should take steps to see to it that there will be no more of this nonsense, for it is nothing more or less than unadultered nonsense. It is therefore about time that someone in a position of authority and responsibility not only should make a disclaimer, but should go into the Policy Committee and find out who is responsibile for this kind of editorial comment, and then proceed to give that person some political surgery, such as severing him from the public payroll and taking him away from the public trough.

Mr. CLEMENTS. Mr. President, will the Senator from Oregon yield so that I may comment on what the Senator from Minnesota has said?

Mr. NEUBERGER. I am glad to yield.

Mr. CLEMENTS. The Senator from Oregon suggested that what he called a memorandum came out of the Republican Policy Committee. He has also suggested that it was printed at public expense. Is it not a fact that we on this side of the aisle have the right to believe that it is the act of the Policy Committee itself until such time as individual members or spokesmen for the Policy Committee come to the floor and denounce that charge and state clearly that it was not issued by the policy of the Policy Committee and did not represent the feeling of the Policy Committee? Does not the Senator believe that it is only on this floor that appropriate action along that line could be taken and that only in that way could Republican Senators clear themselves from being parties to the act?

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator from Oregon yield?

Mr. NEUBERGER. I am pleased to yield.

Mr. HUMPHREY of Minnesota. I may say to my friend, the Senator from Kentucky, the majority whip and acting majority leader that I am quite confident that if similar information or a similar document had come from the Democratic Policy Committee, several members would have taken the floor and clarified it or repudiated it.

It is absolutely essential, if we are to have any semblance of responsibility in the forthcoming campaign that when these little blotches on the political periphery start to make their appearance, treatment be given to them right off the bat. If this kind of thing can be done publicly at public expense, with official blessing, then there is no end to what can be done in the precincts and on the highways and byways of political campaigns.

I am fed up with the fact that every time we get into a campaign someone must get out the old bloody shirt and try to drag it around the Democrats, particularly the Democrats who have fought their hearts out to help the administration on foreign policy, which is a vital aspect of our struggle against world communism.

The record of the Senate shows that we go along with the administration vote for vote, issue after issue, on the basis of the defense of our country, on the foreign policy of our country, and on the question of national security. Certainly Democratic Members are not to be found wanting. I will not say that we are better than any of our colleagues on the other side of the aisle, because I do not want to make a comparison. However, I will say that vote for vote and issue for issue, when it comes to the defense of the Nation, when it comes to the foreign policy of the United States, when it comes to a matter of cooperation with our allies and with our President on issues of foreign policy, our record is second to none.

I stood on the floor of the Senate the other day defending the President and the Secretary of State on an issue which was not easy to defend. However, I said then, and I say it again, that we have only one President at a time and only one Secretary of State at a time; that we may disagree with the President and with the Secretary of State; but when the chips are down and when the Chief Executive and his chief agent, the Secretary of State, say, "This is vital to the security of this land," and either of them tells us that personally, then we must act from a deep sense of obligation which supersedes party considerations.

I wish to say to the Senator from Kentucky that I believe it is the moral responsibility and the political duty of the Republican Party in the Senate not only to repudiate this document, but to have it called back from circulation. If this is what we are going to be up against, I will say that a little research can be done on the other side also. If the Republicans start this kind of politics even before the campaign is in full gear, I want to say to them that I will not let them hang a Red label on my back or on the back of any other Democrat, particularly any other Democratic Member of the Senate. I know of no one in this Chamber who is not a loyal American. I do not intend to have any two-bit Republican spokesman or three-for-a-nickel Republican spokesman pointing to the party of which I am a member and saying it is pro-Communist, or by distortion and innuendo make any such charge, particularly by taking the statement of a Communist who is already under sentence. He is a confirmed criminal, a convicted criminal. That statement is being sent out throughout the country as if it were the last word and the final word about the relationship of the Democratic Party to the subversive influences in American life.

Mr. CLEMENTS. Mr. President, will the Senator from Oregon yield so that I may make another observation to the Senator from Minnesota?

Mr. NEUBERGER. I am happy to yield.

Mr. CLEMENTS. As a matter of fact, this is not only an attack on the Democratic Party, but it is also an attack on every member of the Democratic Party, and it is aimed at one thing—and I believe the Senator from Minnesota will agree—and that is at the elections of 1956.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator from Oregon yield to me so that I may make reply?

Mr. NEUBERGER. I yield.

Mr. HUMPHREY of Minnesota. Of course, it is aimed at the elections of 1956. I should like to point to the kind of witness the Republican policy committee is using in this matter. The man whom they have quoted is a person by the name of Claude Lightfoot, Illinois party chairman and Communist political action leader, who is now under conviction under the Smith Act. He is presently out on bail.

Not only does the Republican policy committee say that the Communist Party hopes the Democrats will win, but they use as their witness and chief agent a confirmed criminal. In the future I suggest that they use a more wholesome and healthy witness. That might be more helpful.

Of course, I know that every Republican Senator and Representative will say, "Senator, we don't believe this. This is not true." Yet I have seen many campaigns in which reckless use has been made of the Communist Party issue. I thought we had agreed in the Senate and in the House that Democrats and Republicans were Americans loyal to their country. I do not believe we ought to reach down into the subbasement of political sewers and bring forth literature and documents which are an insult to the intelligence of the American people and a direct insult to the patriotism and decency of the members of the Democratic Party.

Mr. CLEMENTS. Does not the Senator believe that it is only a question of hours, certainly of a day, until responsible members of the policy committee on the other side of the aisle will come to the floor of the Senate and give true expression to the feelings of those who are members of the policy committee?

Mr. HUMPHREY of Minnesota. I certainly do. I hope that will happen. I recall to the memory of my colleagues the fact that some time ago the Republican policy committee issued a memorandum on defense information, which was held to be secret, but which was made public. It brought a protest from many areas of American life. There is a limit to how far one should go. There should be some ground rules in American politics. I realize that it is rather difdifficult to impose ground rules in back-alley fights, away out in the hinterland, but, believe me, in the Senate we have rules of conduct. We do not impugn the motives of our collegues. We do not speak in derogation of any State of the Union. I think it is about time that official publications of the Congress, and particularly of the respective policy committees, should not speak in a derogatory and defamatory manner of either political party.

If we are going to start out on a contest as to who can make wild charges we

can list some relatively inadequate research artists who are not known so much for their judgment, but, possibly, for their ability to make fast quips and clever twists of phrase. We can take Joseph Harsch's story, and there are other stories, which would lead to certain conclusions, if we wanted to draw such conclusions.

That would look rather bad for the Republican Party. But I hope no Democrat will ever find himself in the position of having made a statement to the effect that the Republican Party, because Mr. Eisenhower met with Khrushchev and Bulganin, is somehow in cooperation with the Kremlin. But that kind of a conclusion can be drawn if we have that kind of mixed-up minds. But if we have clean hearts and recognize that American politics should have some ground rules, no one will draw that kind of a conclusion. We grant to the President of the United States not only the right to meet with leaders of other nations, but the solemn obligation to do so.

I am becoming tired of this front-porch business which apparently is all nice and dressed up until we find that much of the political medicine is not being made on the front porch at all, but in the subbasement where the gremlins and goblins are at work. I think we have got to get some gremlin and goblin exterminator to keep it as a front-porch operation rather than as a subbasement operation.

Mr. NEUBERGER. Mr. President, I have thought about this matter since last Thursday night. My distinguished senior colleague [Mr. MORSE] is not on the floor at this moment. He faces what undoubtedly will be the most bitter and vehement opposition that any candidate for election or reelection will have to encounter this year. I believe it was on Thursday night that my senior colleague, who is a member of the Senate Committee on Foreign Relations, voted with his committee chairman and many other Senators to defeat an amendment which would have barred aid to Yugoslavia. When my senior colleague voted in that way, he did so as a responsible member of the great Senate Foreign Relations Committee. If I am not mistaken, he was heeding the request specifically voiced in a letter sent by the Secretary of State to the distinguished Senator from Georgia [Mr. GEORGE].

In that letter the Secretary of State expressly mentioned, if I am not mistaken, that the policy of permitting continued aid to Yugoslavia had the full participation of the President of the United States, Mr. Eisenhower.

Yet, Mr. President, I will make the prediction on the floor of the Senate—and perhaps the prediction is already true, because Oregon is 3,000 distant miles from here—that this very brave and responsible vote which the senior Senator from Oregon cast last Thursday, will be used against him time and time again in the forthcoming campaign in Oregon in order to prove, allegedly, that he is some kind of a leftist, and, therefore, sympathetic to communism.

I am wondering if any responsible member of the Republican Party will come forth and say, in the heat of the campaign, that when the senior Senator from Oregon voted as he did on Thursday night he was voting in a manner which was urged by the Secretary of State and the President.

I should like to have these Republicans come to my office and look at my scrapbooks of the last campaign in Oregon. When we should have spent more time on issues such as taxation and private power as compared with public power, or on natural resources, we had constantly to defend our patriotism. We had to present honorable discharges from the military service. It was very amusing, toward the end of the campaign, when we found out that candidates running at the head of the Democratic ticket had had three or four times longer military service than had their Republican counterparts. Did we use that argument to prove that we were more patriotic? Of course not. There are outstanding Republicans in history, such as Tom Dewey, Charles L. McNary, Robert A. Taft, and others, who never were in the military service. That is nothing at all against them. They served their country well and notably.

I repeat the prophecy that the vote which the distinguished Senator from Oregon cast last Thursday in support of the administration's policy of being allowed to send additional aid to Yugoslavia will be used against him to prove that he is some kind of a leftist in the forthcoming campaign.

Mr. SPARKMAN. Mr. President, will the Senator from Oregon yield?

Mr. NEUBERGER. I am happy to yield.

Mr. SPARKMAN. Something has been said several times about the minority policy committee, and the able acting majority leader expressed great faith in his feeling that the members of the minority policy committee would take the floor of the Senate to repudiate this bulletin and the irresponsibility of the staff in issuing it.

I have been looking over the list of the members of the minority policy committee which is contained on page 231 of the Congressional Directory, the January 1956 issue. Unfortunately, I believe there are only two members of that committee on the floor at the present time. The distinguished minority leader, the Senator from California [Mr. KNOWLAND], is here, as is the distinguished Senator from New Jersey [Mr. SMITH].

The distinguished minority leader made a very commendable statement, and we all know he is absolutely sincere in what he says. But I listened to him to hear some word of repudiation of this bulletin. This is not a staff downtown representing some group of private citizens. It is a staff paid for by the Senate. The members of the staff are paid with taxpayers' money. They operate in the Capitol, a public building, with their expenses taken care of. They operate as an arm of the Republican Party in the Senate. There is no escape from that fact.

In the first place, it is not up to me or to any one of us to suggest to the Republican Members how they should conduct their business, but it seems rather strange that they should allow the staff to issue that kind of a bulletin, with an attempted denial of responsibility on the part of any Republican Senator for what is said in it. Remember that the bulletin is not distributed only to the Republican Members of the Senate; it is furnished to the press and to the radio, and it goes all over the country. It is sent to various Republican speakers who are expected to participate in the campaign. It is ammunition.

It seems to me, certainly, that the members of the minority policy committee should repudiate it in order that the country may know that they do not subscribe to any such stuff. I can imagine what would happen if that kind of matter came out of the Democratic policy committee, issued by staff members. If they tried to deny responsibility I should say that on the very next day there would be a demand for a purging of the payroll list and an investigation to see who was responsible, and all kinds of things suggested to make certain that it would not happen again. This is not a matter of charges against an individual Democratic Senator. It goes to the integrity of the Senate. All kinds of procedures would be suggested in order to make certain it did not happen again.

I believe it to be the duty of the Senate to examine carefully into this matter, because it is not a question of a charge against individual Democratic Senators; as I see it, it goes to the integrity of the Senate. I believe the Senate ought not to rest until it gets to the bottom of the matter because if, months ahead of the election, this kind of stuff is being published, what can we expect from the same group, with a cloak of irresponsibility drawn around it, by the time election day is reached?

Mr. NEUBERGER. I simply presume that all my fellow Americans are patriotic and sincere, even though they may disagree with me on certain particular issues. I shall presume their patriotism until it has been proved otherwise in a court of law, and shall not rely on indiscriminate charges. I assume that practice would be true of everyone in public life.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. LEHMAN. The headline of the memorandum entitled "Senate Republican Memorandum" states clearly that it is published and prepared by the staff of the Senate Republican policy committee, room 335, Senate Office Building.

I have listened to the statement by the distinguished minority leader, and I join with my associates in their expression of full confidence in his integrity, in his sincerity, and in his good will. But when he says that he does not feel the Republican policy committee is responsible for the memorandum, or other similar memoranda or statements which have appeared or may appear, in pamphlet form, it seems to me that this is not logical but mere arrant nonsense.

As my distinguished colleague from Alabama has pointed out, the salaries and expenses of the Senate Republican

policy committee are not met by individual subscribers to the campaign funds of the Republican Party. They are paid from funds of the Senate and are supposed to be used to carry on the work of the Senate. They are not to be used for partisan or political purposes. So long as members of the staff are under the control of the Senate Republican policy committee, are housed in a public building, a building belonging to the United States, so long as they are hired and fired by the Republican policy committee, and so long as their salaries and expenses are paid by the Senate, there can be no way for the Republican Party to purge itself of responsibility for their statements save by direct repudiation. It is the responsibility of the Republican Party to repudiate now and for all time false and malicious statements made in any pamphlet of this sort, whether it be called a memorandum, a statement, or anything else, so long as it remains under the control of the Republican policy committee and is paid for completely by public funds.

The Republican policy committee can do no less than to repudiate the incident completely and take such steps as may be necessary to make certain that there is not a repetition of it—and this is not the only unfortunate incident which has occurred in the Senate in recent months. I call for a direct and complete repudiation by the Republican policy committee of this and other similar statements.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield.

Mr. SMITH of New Jersey. I was out of the chamber, keeping an appointment, when the Senator began his speech. This is the first time I have seen the memorandum to which the Senator has referred.

I wish to go on record as saying that I disagree with it completely. I think it is very shameful that it should have been suggested, that any member of either the Republican Party or the Democratic Party has any Communist leanings.

So far as I myself am concerned, I am simply overwhelmed with regret that any such thing has happened. I plan to bring it up at the next meeting of the policy committee; because, as a member of the Republican Party, I cannot tolerate this kind of campaign, if it is a campaign. I have no hesitation whatsoever in taking this position; and even if I am alone, and I am sure I will not be alone, in this position, I will take it.

I will take the matter up with the policy committee, and I can assure Senators that this kind of thing will stop, so far as I am concerned.

Mr. NEUBERGER. I thank the Senator from New Jersey. His statement is characteristic of his statesmanship.

I repeat what I said to him earlier today. I entered the Chamber last week uncertain how I would vote on the mutual security bill. I listened very attentively to the outstanding speeches made by the Senator from Georgia [Mr. GEORGE] and by the Senator from New Jersey [Mr. SMITH]. Those speeches helped to convince me that I should vote for the mutual security bill and to support it against the so-called crippling amendments.

I feel that what the Senator from New Jersey has said on this occasion is characteristic and worthy of him.

Mr. SMITH of New Jersey. I thank the Senator from Oregon. I emphasize again that if we cannot all be Americans at a time like this, what hope is there for us? We must all be Americans together.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. HUMPHREY of Minnesota. I express a personal note of thanks to the Senator from New Jersey for the statement he made a moment ago and for what I thought he would make. Knowing him as I have during our few years together in the Senate, my respect for his sense of integrity, and for his high character, is very great. I think his statement today is further evidence of his sterling character.

While we may have our points of disagreement, as we have had them with the minority leader, the Senator from California [Mr. KNOWLAND], and the Senator from New Jersey [Mr. SMITH], speaking for myself, I can think of no two finer gentlemen. Differences of opinion may arise at times, but the manner in which the debate is conducted when there is participation by the Senator from California and the Senator from New Jersey is, I think, always a credit to the Senate.

I am appreciative of the comments which have been made. If any similar action or act should take place in the Democratic policy committee, which I hope and pray will not, and which I believe has not, I think it could be expected that the majority leader [Mr. JOHNSON of Texas] and the majority whip [Mr. CLEMENTS], and other members of the policy committee, would insist that there be no more of it.

I feel that this debate may have served a good purpose today, because if we in the Senate cannot set a line of conduct which will upgrade American politics, which should place American politics and the discussion of the basic issues of our time on a high plane, then indeed we have no right to expect others, who have not been privileged to serve in this honorable body, to do any better.

I cannot help feeling that while our debates at times may become heated, may become almost overly vociferous and embattled, our duty is to maintain a high sense of public purpose.

Thank goodness for the rule book we have. But the rule book is not nearly so important as the regard and respect we have for one another. That regard and respect could not be any more priceless and dear than it is concerning the two Senators who have spoken from the Republican side today, and those who have spoken from this side.

Mr. SMITH of New Jersey. I thank the Senator for his kind words.

Mr. NEUBERGER. Mr. President, I hope this episode may make it clear that no political campaign should ever justify placing the Ten Commandments and the Sermon on the Mount in the deep freeze, just to win an election.

I yield the floor.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. NEUBERGER. I have yielded the floor.

Mr. DOUGLAS. Will the Senator yield for a question?

Mr. NEUBERGER. I am glad to yield to my friend from Illinois.

Mr. DOUGLAS. I join with the Senator from Minnesota in expressing appreciation for the statement made by the Senator from New Jersey, which is only what we would have expected from the fine gentleman that he is.

Is the Senator from Oregon familiar with the volume entitled "American-German Relationships," which was published by the State Department some weeks ago?

Mr. NEUBERGER. I am aware of it, but, in all honesty, I must admit that I have not read it.

Mr. DOUGLAS. I have read it. I am very glad that certain passages, dealing with the year 1940, have not been used by the Democratic Party. In my judgment, they will not be used, unless the Democratic Party feels badly abused and unjustly attacked.

Mr. NEUBERGER. I think the record of the Democratic Party is such that it has not gone about the country charging its political opponents with a lack of patriotism or a lack of Americanism.

Mr. DOUGLAS. Has the Senator heard any Democrat mentioning the remarks of Premier Bulganin at Geneva last summer to indicate any lack of patriotism on the part of the leaders of the Republican Party?

Mr. NEUBERGER. I have not. I believe the Democratic Party does not have a record of using the so-called guilt by association technique. That is not one of the weapons in the Democrats' political arsenal.

Mr. DOUGLAS. The leaders of the Republican Party have no control over what Premier Bulganin said, and therefore they should not be attacked because of what he said. Is not that true?

Mr. NEUBERGER. Of course, it is very obvious that the practice of using remarks of some nameless or virtually obscure Communist, who has total irresponsibility, in indicting a political party's policies goes far beyond proper campaign practices.

Mr. DOUGLAS. The remarks to which I alluded, but did not mention, were remarks made by the ranking leader of Soviet Russia. Yet we know the leaders of the Republican Party could not be held responsible for the remarks which Premier Bulganin made. Is not that true?

Mr. NEUBERGER. Of course; that is completely true.

Mr. DOUGLAS. And no Democrat has so charged, has he?

Mr. NEUBERGER. Not to my knowledge.

Mr. DOUGLAS. And no Democrat will do so willingly, but there is a limit to what human nature and flesh and blood can stand.

Mr. NEUBERGER. I trust we Democrats do not succumb to the temptations of demagogy.

Mr. President, I yield the floor.

BENEFITS FOR SURVIVORS OF SERVICEMEN AND VETERANS

The Senate resumed the consideration of the bill (H. R. 7089) to provide benefits for the survivors of servicemen and veterans, and for other purposes.

Mr. BYRD. Mr. President, I ask unanimous consent that the committee amendments to House bill 7089 be agreed to en bloc, and that the bill as thus amended be considered as original text for the purpose of the amendment.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair.) Is there objection? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

In the table of contents, on page 2, under the heading "Title IV," in section 404, after "January 1," to strike out "1956" and insert "1957"; after section 404, to strike out:

"Sec. 405. Special insured status in cases of in-service or service-connected deaths.
"Sec. 406. Special status in case of service-connected disability.
"Sec. 407. Special provisions in cases of prior deaths."

To change section number "408" to "405"; after section 408, to strike out:

"Sec. 409. Reimbursement of trust fund for special insured status of servicemen and veterans."

To change section number "410" to 406"; to change section number "411" to "407"; to change section number "412" to "408"; after the amendment just above stated, to strike out "survivor annuities" and insert "Annuities"; after section 412, to strike out:

"Sec. 413. Determinations by Administrator of Veterans' Affairs."

To change section number "414" to "409"; to change section number "415" to "410"; to change section number "416" to "411"; after section 502, to strike out:

"Sec. 503. Applications for benefits.
"Sec. 504. Miscellaneous."

After the amendment just above stated, to insert:

"TITLE VI—MISCELLANEOUS

"Sec. 601. Application for benefits.
"Sec. 602. Extension of insurance privileges.
"Sec. 603. Effective dates."

On page 3, line 10, after the word "component", to strike out "or as a commissioned officer of the Coast and Geodetic Survey or the Regular or Reserve Corps of the Public Health Service,"; on page 4 after line 22, to strike out:

"(F) The Reserve Corps of the Public Health Service."

On page 5, at the beginning of line 1, to change the "(G)" to "(F)"; at the beginning of line 3, to change the "(H)" to "(G)"; line 4, to strike out "States;" and insert "States."; after line 4, to strike out:

"(I) The federally recognized National Guard or Air National Guard of the several States and Territories, and the District of Columbia."

In line 11, after the word "training", to strike out "(B) full-time duty as a commissioned officer in the Coast and Geodetic Survey, or in the Regular Corps of the Public Health Service, or in the Reserve Corps of the Public Health Service (other than for training purposes), (C)" and insert "(B)"; in line 18, after the word "and", to strike out "(D)" and insert "(C)"; in line 23, after the word "purposes", to strike out "(B) full-time duty as a commisioned officer in the Reserve Corps of the Public Health Service for training purposes, (C)" and insert "(B)"; on page 6, line 5, after the word "and", to strike out "(D)" and insert "(C)"; in line 20, after the word "Corps", to insert "or", and in the same line, after the word "Guard", to strike out "or Public Health Service,"; in line 23, after the word "Corps", to insert "or"; in line 24, after the word "Guard", to strike out "or Public Health Service,"; on page 7, line 8, after "January 1,", to strike out "1956" and insert "1957"; in line 15, after "III", to insert "except section 303"; in line 16, after "II", to insert "and section 303"; on page 8, after line 8, to strike out:

"(C) Training or duty performed by a member of the National Guard of the United States, the Air National Guard of the United States, or the federally recognized National Guard or Air National Guard of any of the several States and Territories, or the District of Columbia, under sections 5, 81, 92, 97, 99, or 113 of the National Defense Act, approved June 3, 1916, as amended, shall be deemed to be "active duty for training"; or "inactive duty training", according to the character of the training or duty performed."

And, in lieu thereof, to insert:

"(C) A member of the National Guard or Air National Guard of the several States, Territories, or the District of Columbia, when performing training or duty under sections 92, 94, 97, 99, or 113 of the National Defense Act of June 3, 1916, as amended, shall, for the purpose of benefits provided herein, be considered a 'member of a Reserve component of a uniformed service,' and training or duty performed by such a member under those sections of that act shall be considered 'active duty for training,' or 'inactive duty training' as appropriate."

On page 9, line 5, after "(7)", to strike out "The" and insert "Except for purposes of title IV, the"; in line 8, after "(8)", to strike out "The" and insert "Except for purposes of title IV, the"; on page 10, line 2, after the word "Coast", to strike out "Guard;" and insert "Guard."; after line 2, to strike out:

"(E) The Secretary of Commerce with respect to the Coast and Geodetic Survey; and
"(F) The Secretary of Health, Education, and Welfare with respect to the Public Health Service."

On page 11, at the beginning of line 1, to strike out "1956" and insert "1957"; in line 12, after "January 1,", to strike out "1956" and insert "1957"; on page 12, in line 14, after "January 1,", to strike out "1956" and insert "1957"; on page 13, line 11, after the word "the", where it appears the second time, to insert "basic pay considering"; in line 18, after "January 1,", to strike out "1956" and insert "1957"; in line 23, after the word "time", to insert "immediately following the date of such discharge or release"; on page 14, line 9, after the numeral "1", to strike out "1956" and insert "1957"; after line 20, to strike out:

"SEC. 202. (a) Dependency and indemnity compensation shall be paid under this title to a widow at a monthly rate equal to $112 plus 12 per cent of the basic pay of her deceased husband, with the total amount adjusted to the next higher dollar.

"(b) If there is more than one child of a deceased person, and the deceased person did not die a fully or currently insured individual (for purposes of title II of the Social Security Act), or if his average monthly wage (for purposes of that title) is less than $160, the dependency and indemnity compensation paid monthly to the widow shall be increased by $20 for each such child in excess of one; however, the total of such increases shall not exceed the difference between—

"(1) the total of the monthly benefits to which such widow and children would be entitled under such title II if the deceased person's average monthly wage had been $160; and

"(2) the total of the monthly benefits to which such widow and children are entitled under such title II.

It shall be assumed for purposes of clause (1) that such widow and all such children are entitled to such benefits and that the deceased person died a fully and currently insured individual. The amounts referred to in clauses (1) and (2) shall be determined by the Secretary of Health, Education, and Welfare, making all reductions required by section 203 (a) of the Social Security Act, and shall be certified by him to the Administrator."

And, in lieu thereof, to insert:

"SEC. 202. (a) Dependency and indemnity compensation shall be paid under this title to a widow at a monthly rate equal to $112 plus 12 percent of the basic pay of her deceased husband.

"(b) If there are two or more children of a deceased person and—

"(1) at least 2 of such children have not attained the age of 18, and

"(2) (A) such deceased person died neither a fully nor currently insured individual (for purposes of title II of the Social Security Act) nor completely or partially insured (for purposes of section 5 of the Railroad Retirement Act of 1937, as amended), or

"(B) the total of monthly benefits to which the widow and children, who have not attained the age of 18, of such deceased person are or would, upon the filing of an application, be entitled under section 202 of the Social Security Act, or section 5 of the Railroad Retirement Act of 1937, as amended, on the basis of such deceased person's earnings is less than $128,

then the dependency and indemnity compensation paid monthly to the widow pursuant to subsection (a) of this section, shall be increased by $30 for each such child, who has not attained the age of 18, in excess of one; except that the total of such increases shall not exceed the difference between (i) $128, and (ii) the total of the monthly benefits to which such individuals are or would, upon the filing of an application, be entitled under the Social Security Act (after reduction under section 203 (a) of the Social Security Act but without regard to the deduction provisions of such section 203), or under section 5 of the Railroad Retirement Act of 1937, as amended (after reduction under section 4 (i) and section 5 (h) of such act), whichever is applicable.

"(c) The amount determined under subsection (a) shall, after increase (if any) under subsection (b), be adjusted by the Administrator to the next higher dollar. The amount referred to in clause (ii) of subsection (b) shall be determined by the Secretary of Health, Education, and Welfare or the Railroad Retirement Board, as the case may be, and shall be certified to the Administrator upon his request."

On page 19, line 11, after the word "one", to strike out "dependent"; in line 16, after the word "two", to strike out "dependent"; on page 20, line 3, after the word "two", to strike out "dependent"; in line 4, after the word "a", to strike out "dependent"; in line 6, after the word "such", to strike out "dependent"; in line 8, after the word "the", where it appears the second time, to strike out "dependent"; in line 9, after the word "the", to strike out "dependent"; on page 21, line 1, after the word "a", to strike out "dependent", and in the same line, after the word "such", to strike out "dependent"; in line 3, after the word "such" to strike out "dependent"; in line 5, after the word "such", to strike out "dependent"; at the beginning of line 6, to strike out "dependent"; in line 10, after the word "a", to strike out "dependent"; in line 12, after the word "such", to strike out "dependent"; in line 20, after the word "title", to strike out "and"; in line 21, after the word "death", to insert "or disability"; in line 23, to strike

out "Administration." and insert "Administration;"; after line 23, to insert:

"(E) lump-sum death payments under title II of the Social Security Act."

On page 22, line 3, after the word "a", to strike out "dependent"; in line 7, after the numerals "31", to strike out "1955" and insert "1956"; in line 13, after the numerals "31", to strike out "1955" and insert "1956"; in line 14, after the word "a", to strike out "dependent"; in line 15, after the word "a", to strike out "dependent"; in line 22, after the word "such", to strike out "dependent"; on page 23, line 7, after the word "or", to strike out "dependent"; in line 10, after the word "or", to strike out "dependent"; on page 24, line 3, after the word "two", to strike out "dependent"; at the beginning of line 6, to strike out "dependent"; in line 8, after the word "both", to strike out "dependent"; in line 9, after the word "other", to strike out "dependent"; in line 15, after "(1)", to strike out "Except as provided in paragraph (3), no" and insert "No"; in line 16, after the numeral "1", to strike out "1956" and insert "1957"; in line 23, after the numerals "28", to strike out "1955" and insert "1956"; on page 25, after line 7, to strike out:

"(3) Where a child is eligible for dependency and indemnity compensation by reason of this section, and is also eligible for payments under the Servicemen's Indemnity Act of 1951 by reason of the death giving rise to his eligibility for dependency and indemnity compensation, he shall receive the greater amount. Where a child receives payments under such act and such child is also eligible for dependency and indemnity compensation, no payments of the portion of the indemnity in which such child had an interest shall be made to any other person except another child of the deceased person."

On page 26, line 4, after the numeral "1", to strike out "1956" and insert "1957"; in line 14, after the word "title", to insert "Dependency and indemnity compensation which is otherwise payable to a child shall commence effective the date on which the child's entitlement arose if application is filed within 1 year from that date; otherwise from the date of filing application."; in line 22, after the numeral "1", to strike out "1956" and insert "1957"; in line 25, after the numeral "1", to strike out "1956" and insert "1957"; on page 27, line 2, after the numeral "1", to strike out "1956" and insert "1957"; in line 13, after "(d)", to strike out "A child eligible for" and insert "If a child receives or there is paid on account of a child"; in line 17, after the word "a", to strike out "parent" and insert "parent,", and in the same line, after the amendment just above stated, to strike out "may not receive"; in line 19, after the word "parent", where it appears the first time, to strike out "who is not a natural parent" and insert "who is not in the same parental line may not be paid to or on account of such child"; on page 28, line 5, after the word "'widow'", to insert "for any period"; in line 25, after the word "payee", to insert "Notwithstanding the foregoing provisions of this section, payments of dependency and indemnity compensation due or to become due under this title shall not be exempt from levy under the provisions of subchapter D of chapter 64 of the Internal Revenue Code of 1954, relating to seizure of property for collection of taxes."; on page 31, at the beginning of line 2, to strike out "1956" and insert "1957"; in line 3, after the word "on", to insert "the day following"; on page 32, line 7, after the word "unless", to insert "the Administrator determines that"; after line 17, strike out:

"(b) No certifying or disbursing officer shall be liable for any amounts erroneously paid or overpaid under this title to a woman as a "spouse" or to a person as a "child" in the absence of fraud, gross negligence, or criminality on his part.

"(c) The Secretary concerned may waive the recovery of any such erroneous payments or overpayments when such recovery would be against equity and good conscience."

On page 33, at the beginning of line 4, to strike out "(d)" and insert "(b)"; at the beginning of line 7, to strike out "(e)" and insert "(c)"; at the beginning of line 20, to strike out "(f)" and insert "(d)"; on page 34, line 12, after the word "'wages'", to strike out "(as defined in the preceding provisions of this subsection) shall include" and insert "shall, subject to the provisions of subsection (a) of this section, include"; on page 35, line 1, after "December", to strike out "1955" and insert "1956"; on page 36, line 24, after the word "component", to strike out "or as a commissioned officer of the Coast and Geodetic Survey or the Regular or Reserve Corps of the Public Health Service,"; on page 38, after line 14, to strike out "'In the case of any individual who died outside the 48 States and the District of Columbia after December 1955 while he was performing service, as a member of a" and, in lieu thereof, to insert "'In the case of any individual who died outside the 48 States and the District of Columbia after December 1953 and before January 1, 1957, whose death occurred while he was in the active military or naval service of the United States, and who is returned to any of such States, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands for interment or reinterment, the provisions of the preceding sentence shall not prevent payment to any person under the second sentence of this subsection if application for a lump-sum death payment with respect to such deceased individual is filed by or on behalf of such person (whether or not legally competent) prior to the expiration of 2 years after the date of such interment or reinterment. In the case of any individual who died outside the 48 States and the District of Columbia after December 1956 while he was performing service, as a member of a"; on page 39, after line 19, to strike out:

"(b) The amendment made by subsection (a) shall take effect on January 1, 1956."

And, in lieu thereof, to insert:

"(b) The amendment made by subsection (a) shall be effective as though it had been enacted on March 31, 1956."

On page 40, line 2, after the numeral "1", to strike out "1956" and insert "1957"; in line 14, after the numeral "1", to strike out "1956" and insert "1957"; in line 25, after the numeral "1", to strike out "1956" and insert "1957"; on page 41, line 14, after the word "December", to strike out "1955" and insert "1956"; in line 16, after the word "December", to strike out "1955" and insert "1956"; on page 42, line 3, after the word "Corps", to strike out "Coast Guard, Coast and Geodetic Survey or Public Health Service" and insert "and Coast Guard"; in line 14, after the numeral "1", to strike out "1956" and insert "1957"; on page 43, at the beginning of line 9, to strike out "1956" and insert "1957"; in line 17, after the numeral "1", to strike out "1956" and insert "1957"; on page 44, line 5, after "(f)", to insert "(1)"; in line 19, after the word "December", to strike out "1955" and insert "1956"; on page 45, line 2, after the word "be", to strike out "irrevocable."" and insert "irrevocable."; after line 2, to insert:

"(2) Whenever a widow waives her right to receive such annuity such waiver shall constitute a waiver on her own behalf; a waiver by a legal guardian or guardians, or, in the absence of a legal guardian, the person (or persons) who has the child in his care, of the child's right to receive such annuity shall constitute a waiver on behalf of such child. Such a waiver with respect to an annuity based on a veteran's service shall be valid only if the widow and all children, or, if there is no widow, all the children, waive their rights to receive annuities under the Civil Service Retirement Act of May 29, 1930, as amended, based on such veteran's military or civilian service."

In line 24, after the numeral "1", to strike out "1956" and insert "1957"; on page 46, line 17, after the word "December", to strike out "1955" and insert "1956"; on page 47, line 5, after the word "benefits", to insert "The terms used in this subsection shall have the same meaning as when used in title II of the Social Security Act."; after line 7, to insert:

"(d) Except for the last sentence of section 217 (e) (1) of the Social Security Act as amended by subsection (a) of this section, the amendments made by such subsection (a) shall be effective as though they had been enacted on March 31, 1956. Such last sentence of section 217 (e) (1) of the Social Security Act shall become effective January 1, 1957."

After line 14, to strike out:

"SPECIAL INSURED STATUS IN CASES OF IN SERVICE OR SERVICE-CONNECTED DEATHS

"SEC. 405. Section 214 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"'Special Insured Status for Servicemen

"'(c) In the case of any individual who dies after December 1955, and whose death occurs—

"'(1) while on active duty or inactive duty training as a member of a uniformed service, or

"'(2) as the result of a disease or injury which the Veterans' Administration determines was incurred or aggravated in line of duty while on active duty, or an injury which the Veterans' Administration determines was incurred or aggravated in line of duty while on inactive duty training, as a member of a uniformed service after September 15, 1940, if the Veterans' Administration determines that such individual was discharged or released from the period of such active duty or inactive duty training under conditions other than dishonorable,

he shall be deemed to have died a fully and currently insured individual.'"

"SPECIAL STATUS IN CASE OF SERVICE-CONNECTED DISABILITY

"SEC. 406. (a) So much of subparagraph (A) of section 216 (i) (2) of the Social Security Act as precedes clause (i) thereof is amended to read as follows:

"'(A) if the individual satisfies the requirements of paragraph (3) on such day or the disability is service-connected.'.

"(b) Such section 216 (i) (2) is further amended by striking out subparagraph (B) and inserting in lieu thereof the following:

"'(B) if such individual does not satisfy the requirements of paragraph (3) on the day referred to in subparagraph (A) and the disability is not service-connected, then on the first day of the first quarter thereafter in which he satisfies such requirements;

except that if, on the day referred to in subparagraph (A), such individual is on active duty or inactive duty training, the period of disability shall begin on the day following the day on which he is released from active duty, ceases to perform inactive duty training, or is separated from service as a member of a uniformed service.'

"(c) Section 216 (i) (4) of such act is amended by striking out subparagraphs (A) and (B) and inserting in lieu thereof the following:

"'(A) the day such disability began, but only if he satisfies the requirements of paragraph (3) on such day or the disability is service-connected;

"'(B) if he does not satisfy such requirements on such day and the disability is not service-connected, the first day of the first quarter thereafter in which he satisfies such requirements;

except that if, on the day referred to in subparagraph (A), such individual is on active duty or inactive duty training, the

period of disability shall begin on the day following the day on which he is released from active duty, ceases to perform inactive duty training, or is separated from service as a member of a uniformed service.'

"(d) Section 216 (i) of such act is further amended by adding at the end thereof the following new paragraphs:

"'(5) (A) For purposes of paragraphs (2) and (4), in the case of any individual who, after December 1955, is released from active duty, ceases to perform inactive duty training, or is separated from service as a member of a uniformed service, under conditions other than dishonorable, a disability is service-connected if it resulted wholly from a disease or injury which the Veterans' Administration determines was incurred or aggravated in line of duty while such individual was on active duty, or from an injury which the Veterans' Administration determines was incurred or aggravated in line of duty while such individual was on inactive duty training, as a member of a uniformed service, and—

"'(he was under such disability when he was released from active duty, ceased to perform inactive duty training, or was separated from service as a member of a uniformed service or such disability began within 3 years after the month in which such release, cessation, or separation occurred; or

"'(ii) such disability began within 3 years after cessation of a disability which meets the requirements of clause (i).

"'(B) Notwithstanding subparagraph (A) of paragraph (2) or subparagraph (A) of paragraph (4), the provisions of such subparagraph shall apply, in the case of any individual who does not satisfy the requirements of paragraph (3) on the day referred to in such subparagraph, only if he files his application for a disability determination while under a disability which is service-connected under paragraph (6) or subparagraph (A) of this paragraph and such filing occurs (except as otherwise provided in subparagraph (A) of paragraph (6)) within—

"'(i) 3 years after the month in which he is released from active duty, ceases to perform inactive duty training, or is separated from service as a member of a uniformed service, or

"'(ii) 3 years after the month in which the disability began;

whichever is later.

"'(6) For purposes of paragraphs (2) and (4), in the case of any individual who, after September 15, 1940, but before January 1, 1956, was released from active duty, ceased to perform inactive duty training, or was separated from service as a member of a uniformed service, under conditions other than dishonorable, a disability is service connected if it resulted wholly from a disease or injury which the Veterans' Administration determines was incurred or aggravated in line of duty while such individual was on active duty, or from an injury which the Veterans' Administration determines was incurred or aggravated in line of duty while such individual was on inactive duty training, as a member of a uniformed service, and

"'(A) he files an application for a disability determination while under such disability and prior to January 1, 1599, and

"'(B) the Veterans' Administration determines (i) that while such individual was on active duty as a member of a uniformed service he incurred a disease or injury or such disease or injury was aggravated, in line of duty, or while such individual was on inactive duty training as a member of a uniformed service he incurred an injury or such injury was aggravated, in line of duty, and (ii) that as a result thereof such individual was under a disability (whether or not within the meaning of such term as defined in section 216 (i)) which was total in degree (for purposes of compensation payable by such Administration) at the time he was released from active duty, ceased to perform inactive duty training, or was separated from service as a member of a uniformed service, or within 3 years after the month in which such release, cessation, or separation occurred.

Paragraph (4) shall apply with respect to any application for a disability determination filed under subparagraph (A) of this paragraph, whether or not such application is filed before July 1957.'

"(e) The amendments made by this section shall apply only with respect to monthly benefits under section 202 of the Social Security Act for months after December 1955, and lump-sum death payments under such section 202 in the case of deaths occurring after December 1955.

"SPECIAL PROVISIONS IN CASES OF PRIOR DEATHS

"SEC. 407. (a) In the case of any individual—

"(1) who died prior to January 1, 1956,

"(2) who served on active duty or inactive duty training as a member of a uniformed service after September 15, 1940,

"(3) whose death (A) occurred while on such active duty or inactive duty training, or (B) resulted from a disease or injury which the Veterans' Administration determines was incurred or aggravated in line of duty while on active duty, or an injury which the Veterans' Administration determines was incurred or aggravated in line of duty while on active duty training, as a member of a uniformed service after September 15, 1940, if the Veterans' Administration determines that such individual was discharged or released from the period of such active duty or inactive duty training under conditions other than dishonorable, and

"(4) who had less than six quarters of coverage at the time of his death, or who died after June 30, 1954, and was not a fully and currently insured individual at the time of his death,

he shall be deemed, for purposes of monthly benefits under title II of the Social Security Act, to have died a fully insured individual (except for purposes of determining entitlement of a former wife divorced to benefits under section 202 (g) of that Act) if he died prior to September 1950, or to have died a fully and currently insured individual if he died after August 1950. The terms used in this section shall have the same meaning as when used in title II of the Social Security Act.

"(b) No monthly benefits under title II of the Social Security Act shall be payable by reason of subsection (a) for any month prior to January 1956; and no lump-sum death payment under such title shall be payable by reason of such subsection.

"(c) If any monthly benefits are payable under section 202 of the Social Security Act by reason of subsection (a), the primary insurance amount on which such benefits are based shall be $30 instead of the amount computed under title II of such act; and, for purposes of section 203 (a) of such act, the average monthly wage on which such benefits are based shall be deemed to be $55.

"(d) In the case of any individual to whom subsection (a) is applicable, the requirement in subsection (f) or (h) of section 202 of the Social Security Act that proof of support be filed within 2 years of the date of death shall not apply if such proof is filed before January 1, 1958."

On page 55, line 13, to change the section number from "408" to "405"; in line 18, after the word "June", to strike out "1955" and insert "1956"; in line 23, after the numeral "1," to strike out "1957" and insert "1958"; on page 56, line 1, after the numerals "30", to strike out "1955" and insert "1956"; in line 10, after the numerals "30", to strike out "1955" and insert "1956"; after line 13, to strike out:

"REIMBURSEMENT OF TRUST FUND FOR SPECIAL INSURED STATUS OF SERVICEMEN

"SEC. 409. (a) Section 201 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"'(h) There are hereby authorized to be appropriated to the trust fund annually such sums as the Secretary of Health, Education, and Welfare deems to be necessary to meet the additional costs, resulting from section 214 (c) of this act and from the amendments made to section 216 (i) of this act by section 406 of the Servicemen's and Veterans' Survivor Benefits Act, of the benefits paid under this title for months after December 1955 (including lump-sum death payments in the case of deaths occurring after December 1955).'

"(b) There are hereby authorized to be appropriated to the Federal Old Age and Survivors Insurance Trust Fund annually such sums as the Secretary of Health, Education, and Welfare determines to be necessary to meet the additional costs, resulting from section 407 of this act, of the benefits paid under title II of the Social Security Act for months after December 1955."

On page 57, at the beginning of line 12, to change the section number from "410" to "406"; in line 22, after the word "section", to strike out "503" and insert "601"; on page 58, at the beginning of line 2, to change the section number from "411" to "407"; in line 6, after the word "December", to strike out "1955" and insert "1956"; in line 13, after the word "December", to strike out "1955" and insert "1956"; in line 18, after the word "December", to strike out "1955" and insert "1956"; in line 21, after the word "December", to strike out "1955" and insert "1956"; on page 59, line 20, after the numeral "1", to strike out "1956" and insert "1957"; on page 60, line 5, after the word "December", to strike out "1955" and insert "1956"; on page 61, line 2, after the word "in", to strike out "1955" and insert "1956"; after line 2, to strike out:

"SURVIVOR ANNUITIES UNDER THE CIVIL SERVICE RETIREMENT ACT

"SEC. 412. Section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by inserting after the second paragraph thereof the following new paragraph:

"'Notwithstanding any other provision of this section, any service (other than service covered by military leave with pay from a civilian position) performed by an individual after December 1955, as a member of a uniformed service on active duty or active duty for training (as those terms are defined in section 102 of the Servicemen's and Veterans' Survivor Benefits Act) shall be excluded in determining the aggregate period of service upon which an annuity payable under section 4 (b) or 12 of this act to his widow or child is to be based, if such widow or child is entitled (or would upon proper application be entitled), at the time of such determination, to monthly survivors benefits under section 202 of the Social Security Act based on such individual's wages and self-employment income. If in the case of the widow such service is not excluded under the preceding sentence, but upon attaining retirement age (as defined in section 216 (a) of the Social Security Act) she becomes entitled (or would upon proper application be entitled) to such benefits, the Commission shall redetermine the aggregate period of service upon which such annuity is based, effective as of the first day of the month in which she attains such age, so as to exclude such service. The Secretary of Health, Education, and Welfare shall, upon the request of the Commission, inform the Commission whether or not any such widow or child is entitled at any specified time to such benefits.'

And, in lieu thereof, to insert:

"ANNUITIES UNDER THE CIVIL SERVICE RETIREMENT ACT

"SEC. 408. Section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by inserting after the second paragraph thereof the following new paragraph:

"'Notwithstanding any other provision of this section, any service (other than service covered by military leave with pay from a civilian position) performed by an individual after December 1956, as a member of a uniformed service on active duty or active duty for training (as those terms are defined in section 102 of the Servicemen's and Veterans' Survivor Benefits Act) shall be excluded in determining the aggregate period of service upon which an annuity payable under this act to such individual or to his widow or child is to be based, if such individual or widow or child is entitled (or would upon proper application be entitled), at the time of such determination, to monthly old-age or survivors benefits under section 202 of the Social Security Act based on such individual's wages and self-employment income. If in the case of the individual or widow such service is not excluded under the preceding sentence, but upon attaining retirement age (as defined in section 216 (a) of the Social Security Act) he or she becomes entitled (or would upon proper application be entitled) to such benefits, the Commission shall redetermine the aggregate period of service upon which such annuity is based, effective as of the first day of the month in which he or she attains such age, so as to exclude such service. The Secretary of Health, Education, and Welfare shall, upon the request of the Commission, inform the Commission whether or not any such individual or widow or child is entitled at any specified time to such benefits.'"

On page 63, after line 15, to strike out:

"DETERMINATIONS BY ADMINISTRATOR OF VETERANS' AFFAIRS

"SEC. 413. The Administrator of Veterans' Affairs shall, whenever requested by the Secretary of Health, Education, and Welfare, make any determination provided for in section 214 (c) (2) 216 (i) (5) (A), or 216 (i) (6) of the Social Security Act, or in section 407 (a) (3) of this act. In making a determination under any such section, the Administrator shall, to the extent not inconsistent with such section, utilize the same criteria and procedures as he utilizes in making determinations with respect to claims for benefits under title II of this act."

On page 64, at the beginning of line 6, to change the section number from "414" to "409"; on page 65, line 3, after the word "'wages'", to strike out "(as defined in subsection (a)) shall include" and insert "shall, subject to the provisions of subsection (a) (1) of this section, include"; at the beginning of line 10, to change the section number from "415" to "410"; in line 18, after the word "December", to strike out "1955" and insert "1956"; on page 66, line 14, after the word "component", to strike out "or as a commissioned officer of the Coast and Geodetic Survey or the Regular or Reserve Corps of the Public Health Service,"; on page 68, after line 7, to strike out:

"SEC. 416. Section 6051 (b) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(b) Special rule as to compensation of members of the Uniformed Services: In the case of compensation paid for service as a member of the Armed Forces, the statement required by subsection (a) shall be furnished if any tax was withheld during the calendar year under section 3402, or if any of the compensation paid during such year is includible in gross income under chapter 1, or if during the calendar year any amount was required to be withheld as tax under section 3101. In lieu of the amounts required to be shown by paragraphs (3) and (5), respectively of subsection (a), such statement shall show as wages paid during the calendar year (1) the amount of such compensation paid during the calendar year which is not excluded from gross income under chapter 1 (whether or not such compensation constituted wages as defined in section 3401 (a)), and (2) the total amount of wages as defined in section 3121 (a), computed in accordance with such section and section 3121 (i) (2).'"

And, in lieu thereof, to insert:

"SEC. 411. (a) Section 6051 (a) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new sentence: 'In the case of compensation paid for service as a member of a uniformed service, the statement shall show, in lieu of the amount required to be shown by paragraph (5), the total amount of wages as defined in section 3121 (a), computed in accordance with such section and section 3121 (i) (2).'

"(b) Section 6051 (b) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(b) Special rule as to compensation of members of Armed Forces: In the case of compensation paid for service as a member of the Armed Forces, the statement required by subsection (a) shall be furnished if any tax was withheld during the calendar year under section 3402, or if any of the compensation paid during such year is includible in gross income under chapter 1, or if during the calendar year any amount was required to be withheld as tax under section 3101. In lieu of the amount required to be shown by paragraph (3) of subsection (a), such statement shall show as wages paid during the calendar year the amount of such compensation paid during the calendar year which is not excluded from gross income under chapter 1 (whether or not such compensation constituted wages as defined in section 3401 (a)).'"

On page 70, after line 17, to strike out:

"(2) Section 621 of the National Service Life Insurance Act of 1940 is amended by adding at the end thereof the following:

"'(c) No insurance shall be granted to any person under this section on or after January 1, 1956, unless prior to such date an acceptable application accompanied by proper and valid remittances or authorizations for the payment of premiums (1) was received by the Veterans' Administration, (2) was placed in the mails properly directed to the Veterans' Administration, or (3) was delivered to an authorized representative of any of the uniformed services.'"

And, in lieu thereof, to insert:

"(2) Section 621 of the National Service Life Insurance Act of 1940 is amended to read as follows:

"'SEC. 621. Any person who is ordered (whether before, on, or after January 1, 1957) to active duty or active duty for training (as those terms are defined in section 102 of the Servicemen's and Veterans' Survivor Benefits Act) for a period exceeding 30 days, shall, upon application in writing made within 120 days after separation from such active duty or active duty for training and payment of premiums as hereinafter provided, and without medical examination, be granted insurance by the United States against the death of such person occurring while such insurance is in force. Insurance granted under this section shall be issued upon the same terms and conditions as are contained in the standard policies of national service life insurance on the 5-year level premium term plan except (1) such insurance may not be exchanged for or converted to insurance on any other plan; (2) the premium rates for such insurance shall be based on the Commissioners' 1941 standard ordinary table of mortality and interest at the rate of 2¼ percent per annum; (3) all settlements on policies involving annuities shall be calculated on the basis of the annuity table for 1949, and interest at the rate of 2¼ percent per annum; and (4) insurance issued hereunder shall be on a nonparticipating basis and all premiums and other collections therefore shall be credited directly to the national service life insurance appropriation, and any payment of benefits on such insurance shall be made directly from such appropriation.'

"(3) The Administrator is authorized and directed to liquidate the assets of the revolving fund, known as the veterans special term insurance fund, established by section 621 (a) of the National Service Life Insurance Act (as such section was added by the Insurance Act of 1951) and to transfer the total amount of such fund to the credit of the national service life insurance appropriation."

On page 72, at the beginning of line 15, to strike out "(3)" and insert "(4)"; after line 18, to strike out:

"'(b) No application may be made after December 31, 1955, for waiver of premiums under this section.'"

And in lieu thereof to insert:

"'(b) Notwithstanding the provisions of subsection (a), no application for waiver of premiums may be made after December 31, 1956, except applications therefor filed (1) pursuant to the first proviso of subsection (a) or (2) during a period of war or of any emergency involving hostilities proclaimed by the Congress or the President. Any waiver granted during a period of war or of any emergency involving hostilities proclaimed by the Congress or the President shall be effective only with respect to such period.'"

On page 73, after line 4, to strike out:

"(B) Where any individual dies on or after May 1, 1956, and at the time of his death has in effect a policy of national service life insurance or United States Government life insurance under waiver of premiums under section 622 of the National Service Life Insurance Act of 1940, no dependency and indemnity compensation shall be paid under this act to his widow, children, or parents by reason of his death, but death compensation may be paid under laws administered by the Veterans' Administration to such widow, child, or parents by reason of his death, notwithstanding the fact that such death occurred after December 31, 1955.

And, in lieu thereof, to insert:

"(B) Except as herein otherwise provided, where an individual dies on or after May 1, 1957, and at the time of his death has in effect a policy of national service life insurance or United States Government life insurance under waiver of premiums under section 622 of the National Service Life Insurance Act of 1940, no dependency and indemnity compensation shall be paid under this act to his widow, children, or parents by reason of his death, but death compensation may be paid under laws administered by the Veterans' Administration to such widows, children, or parents by reason of his death, notwithstanding the fact that such death occurred after December 31, 1956. In no event shall the foregoing provision be applicable with respect to any person entitled to waiver of premiums (1) under the first proviso to section 622 (a) of the National Service Life Insurance Act of 1940, as amended, whose death occurs prior to his return to military jurisdiction or within 120 days thereafter, or (2) during a period of war or of any emergency involving hostilities proclaimed by the Congress or the President."

On page 74, at the beginning of line 12, to strike out "(4)" and insert "(5)"; after line 13, to strike out:

"'SEC. 623. (a) Any person in active service on January 1, 1956, who surrendered a policy of national service life insurance or United States Government life insurance on a permanent plan for its cash value while in the active service on or after April 25, 1951, and prior to January 1, 1956, may, upon applica-

tion in writing made within 120 days after separation from active service, be granted, without medical examination, permanent plan insurance on the same plan not in excess of the amount surrendered for cash, or may reinstate such surrendered insurance upon payment of the required reserve and the premium for the current month. Waiver of premiums under this act shall not be denied in any case of issue or reinstatement of insurance on a permanent plan under this section in which it is shown to the satisfaction of the Administrator that total disability of the applicant commenced prior to the date of application.

"'(b) Any person in the active service on January 1, 1956, who had United States Government life insurance or national service life insurance on the 5-year level premium term plan, the term of which expired while he was in the active service after April 25, 1951, and prior to January 1, 1956, shall, upon application made within 120 days after separation from active service, payment of premiums, and evidence of good health satisfactory to the Administrator, be granted an equivalent amount of insurance on the 5-year level premium term plan at the premium rate for his then attained age."

And, in lieu thereof, to insert:

"'SEC. 623. (a) Any person who surrendered a policy of national service life insurance or United States Government life insurance on a permanent plan for its cash value while in the active service on or after April 25, 1951, and prior to January 1, 1957, may, upon application in writing made while in the active service or within 120 days after separation from the active service, be granted, without medical examination, permanent plan insurance on the same plan not in excess of the amount surrendered for cash, or may reinstate such surrendered insurance upon payment of the required reserve and the premium for the current month. Waiver of premiums and total disability income benefits otherwise authorized under this act or the World War Veterans' Act, 1924, as amended, shall not be denied in any case of issue or reinstatement of insurance on a permanent plan under this section in which it is shown to the satisfaction of the Administrator that total disability of the applicant commenced prior to the date of application. The cost of the premiums waived and total disability income benefits paid by virtue of the preceding sentence and the excess mortality cost in any case where the insurance matures by death from such total disability shall be borne by the United States and the Administrator is authorized and directed to transfer from time to time from the national service life insurance appropriation to the national service life insurance fund and from the military and naval insurance appropriation to the United States Government life insurance fund such sums as may be necessary to reimburse the funds for such costs.

"(b) Any person who had United States Government life insurance or national service life insurance on the 5-year level premium term plan, the term of which expired while he was in the active service after April 25, 1951, or within 120 days after separation from such active service, and in either case prior to January 1, 1957, shall, upon application made while in the active service or within 120 days after separation from active service, payment of premiums and evidence of good health satisfactory to the Administrator, be granted an equivalent amount of insurance on the 5-year level premium term plan at the premium rate for his then attained age."

On page 77, line 11, after the word "this", to strike out "section." and insert "section.'", and in the same line, after the amendment just above stated, to strike out "The repeal of such act shall not affect the insurance rights provided in section 5 thereof (except the first sentence) of any person separated from the service prior to January 1, 1956 1957, whose 120-day period specified in such section has not expired."'

After line 16, to insert:

"(6) Section 619 of the National Service Life Insurance Act of 1940 is amended by striking out 'sections 620 and 621' and inserting in lieu thereof 'sections 620, 621, and 623'.

"(7) Nothing contained in the amendments made by paragraphs (1) and (2) of this subsection shall be construed to cancel or restrict any rights under insurance contracts issued under the National Service Life Insurance Act of 1940 prior to the effective date of this act, or to cancel or restrict any rights or privileges, arising by reason of service in or with the Armed Forces which begins before January 1, 1957, of any person with respect to insurance under such act."

On page 78, after line 4, to strike out:

"(b) (1) Section 212 of the Public Health Service Act (42 U. S. C., sec. 213) is amended to read as follows:

"'MILITARY BENEFITS

"'SEC. 212. (a) Except as provided in subsection (b), commissioned officers of the Service and their surviving beneficiaries shall, with respect to active service performed by such officers—

"'(1) in time of war;

"'(2) on detail for duty with the Army, Navy, Air Force, Marine Corps, or Coast Guard; or

"'(3) while the Service is part of the military forces of the United States pursuant to Executive order of the President;

be entitled to all rights, privileges, immunities, and benefits now or hereafter provided under any law of the United States in the case of commissioned officers of the Army or their surviving beneficiaries on account of active military service, except retired pay and uniform allowances.

"'(b) The President may prescribe the conditions under which commissioned officers of the Service may be awarded military ribbons, medals, and decorations.

"'(c) The authority vested by law in the Department of the Army, the Secretary of the Army, or other officers of the Department of the Army with respect to rights, privileges, immunities, and benefits referred to in subsection (a) shall be exercised, with respect to commissioned officers of the Service, by the Surgeon General.

"'(d) Active service of commissioned officers of the Service shall be deemed to be active military service in the Armed Forces of the United States for the purposes of all laws administered by the Veterans' Administration (except the Servicemen's Indemnity Act of 1951) and section 217 of the Social Security Act.'

"(2) The amendment made by this subsection (A) shall apply only with respect to service performed on or after July 4, 1952, (B) shall not be construed to affect the entitlement of any person to benefits under the Veterans' Readjustment Assistance Act of 1952, (C) shall not be construed to authorize any payment under section 202 (i) of the Social Security Act, or under Veterans Regulation No. 9 (a), for any death occurring prior to January 1, 1956, and (D) shall not be construed to authorize payment of any benefits for any period prior to January 1, 1956.

"(3) In the case of any individual—

"(A) who performed active service (i) as a commissioned officer of the Public Health Service at any time during the period beginning July 4, 1952, and ending December 31, 1955, or (ii) as a commissioned officer of the Coast and Geodetic Survey at any time during the period beginning July 29, 1945, and ending December 31, 1955; and

"(B) (i) who became entitled to old-age insurance benefits under section 202 (a) of the Social Security Act prior to January 1, 1956, or

"(ii) who died prior to January 1, 1956, and whose widow, child, or parent is entitled for the month of January 1956, on the basis of his wages and self-employment income, to a monthly survivor's benefit under section 202 of such act; and

"(C) any part of whose service described in subparagraph (A) was not included in the computation of his primary insurance amount under section 215 of such act but would have been included in such computation if the amendment made by paragraph (1) of this subsection or paragraph (1) of subsection (d) had been effective prior to the date of such computation.

the Secretary of Health, Education, and Welfare shall, notwithstanding the provisions of section 215 (f) (1) of the Social Security Act, recompute the primary insurance amount of such individual upon the filing of an application, after December 1955, by him or (if he dies without filing such an application) by any person entitled to monthly survivor's benefits under section 202 of such act on the basis of his wages and self-employment income. Such recomputation shall be made only in the manner provided in title II of the Social Security Act as in effect at the time of the last previous computation or recomputation of such individual's primary insurance amount, and as though application therefor was filed in the month in which application for such last previous computation or recomputation was filed. No recomputation made under this paragraph shall be regarded as a recomputation under section 215 (f) of the Social Security Act. Any such recomputation shall be effective for and after the 12th month before the month in which the application was filed, but in no case for any month before January 1956.

"(c) (1) Section 2 of the Federal Employees' Group Life Insurance Act of 1954 is amended by striking out all after 'District of Columbia' in subsection (b) and inserting in lieu thereof a period, and by adding at the end of such section the following new subsection:

"'(c) No person shall acquire insurance coverage under this act by virtue of his status as a member of a uniformed service. The insurance granted to any employee under this act (1) shall cease (except for a 31-day extension of life insurance coverage) on the day immediately prior to his entry on active duty or active duty for training, unless the period of such duty is covered by military leave with pay from a civilian position, and (2) shall not cease during any period of inactive duty training. The terms used in this subsection shall have the meanings assigned to them by section 102 of the Servicemen's and Veterans' Survivors Benefits Act.'

"(2) The amendments made by this subsection shall not apply with respect to deaths occurring prior to January 1, 1956, nor shall such amendments apply with respect to insurance granted prior to January 1, 1956, under the Federal Employees' Group Life Insurance Act of 1954 to commissioned officers of the Coast and Geodetic Survey or of the Regular or Reserve Corps of the Public Health Service. No dependency and indemnity compensation shall be payable under this act to any widow, child, or parent of any such commissioned officer if any amounts are payable under such insurance by reason of the death of such officer occurring on or after May 1, 1956.

"(d) (1) The second sentence of the second paragraph of section 16 of the act of May 22, 1917 (33 U. S. C., sec. 857), is amended to read as follows: 'Active service of commissioned officers of the Coast and Geodetic Survey shall be deemed to be active military service for the purposes of all laws administered by the Veterans' Administration (except the Servicemen's Indemnity Act of 1951) and section 217 of the Social Security Act, and for the purposes of section 210 of the

Social Security Act as in effect prior to the Social Security Act Amendments of 1950.'

"(2) The amendment made by this subsection (A) shall apply only with respect to service performed on or after July 29, 1945, (B) shall not be construed to affect the entitlement of any person to benefits under the Veterans' Readjustment Assistance Act of 1952, (C) shall not be construed to authorize any payment under section 202 (i) of the Social Security Act, or under Veterans Regulation No. 9 (a), for any death occurring prior to January 1, 1956, and (D) shall not be construed to authorize payment of any benefits for any period prior to January 1, 1956.

"(e) Section 40 (b) of the Federal Employees' Compensation Act (5 U. S. C., sec. 790 (b)) is amended—

"(1) by striking out clauses (2) and (3) and redesignating clauses (4) and (5) as clauses (2) and (3), respectively; and

"(2) by inserting immediately after 'United States' the second time it occurs in the parenthetical phrase in clause (1) the following: ', but excluding commissioned officers of the Regular Corps of the Public Health Service, commissioned officers in the Reserve Corps of the Public Health Service on active duty, and commissioned officers of the Coast and Geodetic Survey'."

On page 84, at the beginning of line 3, to strike out "(f)" and insert "(b)"; at the beginning of line 17, to strike out "(g)" and insert "(c)"; at the beginning of line 22, to strike out "(h)" and insert "(d)"; on page 85, at the beginning of line 7, to strike out "(i)" and insert "(e)"; after line 8, to strike out "in the act of February 18, 1946 (38 U. S. C., sec. 38), is amended by striking out all beginning with '(2)' through the words 'such pensions' where those words appear the second time in the second proviso, and inserting in lieu thereof the following: '(2) laws administered by the Veterans' Administration providing for the payment of compensation or dependency and indemnity compensation on account of service-connected disability or death: *Provided further*, That such compensation or dependency and indemnity compensation shall be paid at the rate of one Philippine peso for each dollar authorized to be paid under the laws providing for such compensation or dependency and indemnity compensation, and where annual income is a factor in entitlement to benefits, the dollar limitations in the laws specifying such annual income shall apply at the rate of one Philippine peso for each dollar'." and, in lieu thereof, to insert "in the act of February 18, 1946 (60 Stat. 14), as amended (38 U. S. C. 38), is amended by striking out all beginning with 'and (2)', and inserting in lieu thereof the following: '(2) laws administered by the Veterans' Administration providing for the payment of compensation or dependency and indemnity compensation on account of service-connected disability or death, and (3) the Missing Persons Act (56 Stat. 143) as amended (50 U. S. C. App. 1001 and the following): *Provided further*, That such compensation or dependency and indemnity compensation shall be paid at the rate of one Philippine peso for each dollar authorized to be paid under the laws providing for such compensation or dependency and indemnity compensation, and where annual income is a factor in entitlement to benefits, the dollar limitations in the laws specifying such annual income shall apply at the rate of one Philippine peso for each dollar: *Provided further*, That any payments heretofore made under any such law to or with respect to any member of the military forces of the Government of the Commonwealth of the Philippines who served in the services of the Armed Forces of the United States shall not be deemed to be invalid by reason of the circumstances that his service was not service in the military or naval forces of the United States or any component thereof within the meaning of such law.'"

On page 86, at the beginning of line 24, to strike out "(j)" and insert "(f)"; on page 87, at the beginning of line 15, to strike out "(k)" and insert "(g)"; at the beginning of line 20, to strike out "(l)" and insert "(h)"; at the beginning of line 25, to strike out "(m)" and insert "(i)"; on page 88, at the beginning of line 9, to strike out "(n)" and insert "(j)"; in line 12, after the word "or", to insert "title II of"; in line 15, after the word "under", to insert "title II of"; at the beginning of line 17, to strike out "(o)" and insert "(k)"; at the beginning of line 21, to strike out "(p)" and insert "(l)"; on page 89, at the beginning of line 5, to strike out "(q)" and insert "(m)"; in line 9, after the numeral "1", to strike out "1956" and insert "1957"; at the beginning of line 11, to strike out "(r)" and insert "(n)"; in line 15, after the numeral "1", to strike out "1956" and insert "1957"; at the beginning of line 11, to strike out "(r)" and insert "(n)"; in line 15, after the numeral "1", to strike out "1956" and insert "1957"; at the beginning of line 16, to strike out "(s)" and insert "(o)"; in line 19, after the numeral "1", to strike out "1956" and insert "1957"; in line 22, after the numeral "1", to strike out "1956" and insert "1957"; on page 90, at the beginning of line 1, to strike out "(t)" and insert "(p)"; after line 2, to insert:

"(q) (1) Section 2 of the Servicemen's Indemnity Act of 1951 is amended—

"(A) by striking out 'on and after June 27, 1950,';

"(B) by striking out 'during a period of war or an emergency as proclaimed by the President or the Congress';

"(C) by striking out 'against death in such service in the principal amount of $10,000' and inserting in lieu thereof 'against death in such service, occurring during the period of any war or of any emergency involving hostilities proclaimed by the Congress or the President, in the principal amount of $10,000';

"(D) by striking out the first proviso;

"(E) by striking out ', on or after June 27, 1950,'; and

"(F) by striking out 'the Selective Service Act of 1948, as amended, who on or after June 27, 1950,' and inserting in lieu thereof 'the Universal Military Training and Service Act, or any other Act of Congress which provides for the involuntary induction of persons into the Armed Forces, who'.

"(2) Section 5 of the Servicemen's Indemnity Act of 1951 is amended to read as follows:

"'SEC. 5. The automatic indemnity coverage authorized by section 2 shall apply to any person in the active service of the named Armed Forces who, upon death in such active service, is insured against such death under a contract of national service life insurance or United States Government life insurance, but only with respect to a principal amount of indemnity equal to the difference between the amount of insurance in force at the time of death and $10,000.'

"(r) (1) Subparagraph I (a) (3) of part I of Veterans Regulation No. 2 (a) is amended to read as follows:

"'(3) Where a claim has been finally disallowed, a subsequent claim on the same factual basis, if supported by new and material evidence, shall have the attributes of a new claim, except that, whenever any disallowed claim is reopened and thereafter allowed on the basis of new and material evidence resulting from the correction of the military or naval records of the proper service department under section 207 of the Legislative Reorganization Act of 1946, the effective date of commencement of the benefit so awarded shall be the date on which an application was filed for correction of the military record.'

"(2) The amendments made by this subsection shall be effective as of August 2, 1946, except that no payment shall be made for any period before the date of enactment of this subsection unless application therefor is made within 1 year after the date of enactment of this subsection."

On page 92, after line 19, to strike out:

"(7) Section 9 of the act of January 19, 1942 (33 U. S. C., sec. 870).

"(8) Section 2 of the act of December 3, 1942 (33 U. S. C., sec. 855a)."

At the beginning of line 24, to strike out "(9)" and insert "(7)"; on page 93, after line 3, to strike out:

"(10) The Servicemen's Indemnity Act of 1951."

After line 4, to insert:

"TITLE VI—MISCELLANEOUS

At the beginning of line 7, to change the section number from "503" to "601"; on page 94, after line 8, to insert:

"EXTENSION OF INSURANCE PRIVILEGES

"SEC. 602. (a) Notwithstanding the provisions of section 619 of the National Service Life Insurance Act of 1940, as amended, insurance may be granted under section 602 (c) (2) of the National Service Life Insurance Act of 1940, as amended, upon application made in writing within 1 year after the effective date of this act, and subject to the limitations provided in such section.

"(b) Notwithstanding any time limitation for filing application for insurance contained in section 620 or section 621 of the National Service Life Insurance Act of 1940, as amended, any person who, prior to January 1, 1957, was eligible to apply for insurance under such sections shall, upon application made in writing within 1 year after the effective date of this act, be granted insurance thereunder, subject to the other limitations specified in such sections, except that where application for insurance under the provisions of section 621 of the act is made more than 120 days after separation from active service the applicant shall be required to submit evidence satisfactory to the Administrator of Veterans' Affairs of good health at the time of such application."

On page 95, line 6, to strike out "Miscellaneous" and insert "effective dates"; at the beginning of line 7, to change the section number from "504" to "603," and in the same line, after "(a)", to strike out "This act" and insert "Except as otherwise provided herein, this act"; in line 8, after the numeral "1," to strike out "1956" and insert "1957"; in line 15, after the numeral "1", to strike out "1956" and insert "1957"; in line 17, after the numeral "1", to strike out "1956" and insert "1957"; in line 18, after the word "right", to insert "or the continuation of benefits"; and at the beginning of line 19, to strike out "is entitled under the Federal Employees' Compensation Act by reason of such disability" and insert "would otherwise be entitled by reason of such disability except for such amendment or repeal."

Mr. BYRD. Mr. President, H. R. 7089, the so-called survivors benefits bill, has been promoted by the administration and the armed services as military career incentive legislation.

In short, the bill would cover uniformed military personnel into the contributory social security system, thereby supplementing military retirement and survivors benefits.

The bill was referred to the Finance Committee in the Senate primarily because it involved veterans compensation and covering servicemen into the Social Security System. In considering the bill, the Finance Committee invited collaboration with the Armed Services Committee, and received it.

In the House of Representatives the bill was developed, drafted, and managed by a select committee appointed for

the purpose, which included the distinguished Representative from Virginia, Mr. HARDY. The House committee spent more than 2 years on the bill.

As it is now before the Senate, the bill was reported by the Senate Finance Committee after 9 months of staff study and some 2 weeks of hearings in which all interested parties were given an opportunity to be heard.

Generally, the major objectives of the bill are approved by the President, the Bureau of the Budget, Treasury, General Accounting Office, Department of Health, Education, and Welfare and the Social Security Administration, Veterans' Administration, Department of Defense and its component services, and practically all of the principal veterans organizations including the American Legion, Veterans of Foreign Wars, AMVETS, Disabled American Veterans, etc.

The bill represents extremely complex legislation involving amendments to existing laws relating to the military, veterans benefits, and the Social Security System.

A summary of its provisions will be found on the desks of Members of the Senate. The detail is in the Committee report. I shall briefly describe the effect of the various titles and sections of the bill in the order in which they are reached from beginning to end.

I shall omit discussion of strictly technical and clarifying amendments.

Title I of the bill defines "member of a uniformed service," "a reserve component of a uniformed service," "active duty," "active duty for training," "inactive duty training," "portal to portal coverage for reserves," "National Guard," "child," "parent," "widow," and "basic pay."

Title II relates to "indemnity compensation for widows, children and parents."

This bill would eliminate the present wartime-peacetime differential in rates payable for servicemen's death.

It would change the basis for payment to widows from the present flat rate for all to one determined by rank or pay grade of the deceased serviceman. The widows' rate under the bill would be $112 plus 12 percent of the basic pay of the deceased husband.

Generally, the bill would revise upward compensation payable to widows of servicemen who die on or from active duty, active duty for training, or inactive-duty training after December 31, 1956.

Widows now on the rolls might elect to retain their present status on highly exceptional cases where that may be more advantageous. In the great majority of cases, based on deaths before January 1, 1957, where widows elect to "take" under the new provisions, the applicable basic pay would be that for the rank held by the deceased husband under the pay schedule in effect January 1, 1957.

Under the bill, the definition of "widow" would be uniform and generally more liberal than the definition under existing law.

As a rule, with few exceptions, the amount paid the widow with children would not be increased on account of additional children after two.

Remarriage of the widow would, at the present, stop compensation payments.

Compensation rates for children where there is no eligible widow would be payable in uniform amounts without relationship to the military pay grade of the deceased father. These rates would be slightly higher than the existing rates for children, $70 per month for 1 child—present wartime rate is $67—$100 for 2 children—present wartime rate is $94—$130 for 3 children—present wartime rate is $122—and $25 per month for each child in excess of 3—present wartime additional rate is $23.

Current definitions of children would not be changed. The basic age limit is 18 years, except for helpless children over 18 and children attending school between the ages of 18 and 21.

The bill would provide supplemental compensation by the Veterans' Administration of $25 to an orphan child who is helpless and over 18 years of age in addition to the basic rate of $70 compensation payable to such a child. The bill would also provide payment of $70 per month to a helpless child over 18 where there is a widow. This payment would be made concurrently with the payment of compensation to the widow.

In a case involving an eligible widow with a child between 18 and 21 attending school, the child would be paid $35 monthly compensation in addition to payments to the widow.

Payments to parents would be changed to a sliding-scale basis with 15 rates. The rates would range from $10 to $100 per month. Under the present law there are 4 rates: peacetime—$60 in the case of one parent and $64 where there are two parents; wartime—$75 and $80.

Rates paid a single parent would be controlled by the parent's annual income. The income scale ranges from $750 per year to $1,750 per year. The rates of monthly compensation would follow the scale in inverse order, ranging from $75 per month to $15 per month. The range for two parents living together would run from $50 each, where the combined income is $1,000 or less, to $10 each if the combined income is as high as $2,400. There would be variations where parents are living apart.

Under existing law, a parent may receive compensation if his income does not exceed $105 per month. Where there are two parents compensation may be paid if their combined income does not exceed $175 per month. Government insurance and any other payments from VA based on disability or death are not included as income.

The bill would define income as all payments received by the parents from any sources except death gratuity, donations from relief organizations, payments of veterans disability compensation and death compensation on account of other deaths, lump-sum payments for burial paid by social security, and unusual medical expenses.

Widows, children, or parents eligible for compensation based on a death prior to January 1, 1957, may elect to take the compensation under either existing veterans laws or under the provisions of this bill. Parents who cannot qualify for compensation under present law because of excessive income might qualify for a pro rata amount under the bill.

The right of election to the new compensation rates under the bill could not be exercised if a beneficiary now on the rolls continued to receive servicemen's indemnity—free insurance—payments. But the election could be made after the 10-year period during which such insurance payments are made, or upon waiving the indemnity payments.

Receipt of Government insurance—contract—payments, as distinguished from indemnity insurance—free insurance—would not prevent election or require an offset.

Like the present law, the bill would cover deaths resulting from active duty or active duty for training; but effective January 1, 1957, it would extend new coverage for death resulting from injury sustained by reservists or national guardsmen while proceeding to or returning from training pursuant to order by competent authority.

The extended coverage would likewise apply with respect to travel to or from active-duty training, without regard to whether travel was specifically authorized. One effect of the provision would be to cover cases of death from injury while en route to weekly drills—inactive duty—training periods.

The bill would extend coverage to national guardsmen dying from disease incurred on active duty training of less than 30 days. Such coverage is now limited to death from injury.

Survivorship benefits would be granted to members of the ROTC ordered to annual training duty of 14 days or more, including authorized travel to or from such duty. ROTC members are not now covered for VA benefits.

Title III relates to death gratuity.

Under this bill the service departments would pay death gratuity equal to 6 months' pay to survivors of deceased servicemen. Death must occur while on active duty, active duty training, or inactive duty training. It might also occur within 120 days from discharge, if death is due to service. The Veterans' Administration determines service connection in the latter situation. The present law provides that payment of gratuity will only be made to survivors of the regular establishment, Reserves, and National Guard who die while on duty.

The bill would restrict payment to survivors who are closely related to the serviceman. The present law allows payment to anyone who has an insurable interest.

The bill would establish a minimum of $800 and a maximum of $3,000 for this benefit. The present law fixes a $468 minimum and a $7,656 maximum.

Title IV relates to social security.

Effective January 1, 1957, members of the uniformed services would be placed under the regular contributory OASI coverage while on active duty and active duty for training.

Contributions and benefits would be computed on basic pay.

The serviceman as employee would pay 2 percent, and the United States Government as employer would pay 2 percent.

The present $160 gratuitous social security wage credit for military service would be discontinued after December 31, 1956, when contributory coverage would be effective. Reimbursement of the OASI fund for the previous $160 free wage credit would be authorized by the bill.

Social security benefits would be in addition to any Veterans' Administration compensation benefits or military retired benefits.

Both the serviceman and his wife would be eligible for social security benefits at age 65.

Like others under social security, the widow, if she has a child, would be eligible at once for social security benefits. When the child becomes 18 years of age, the payments stop. When the widow becomes 65, she is again eligible for regular social security benefits.

Existing OASI and civil service retirement laws bar the use of the gratuitous $160 wage credits for social security if a survivor of a veteran is entitled to benefits under the Civil Service Retirement Act, based wholly or partially on military service. There is now no right to elect which benefit to take. But this bill would amend the existing law so that—

First, a widow of a civil service employee who, because of the $160 gratuitous wage credit, is eligible for both civil service and social security benefits, might elect to take either; but she could not take both.

Second, military service rendered after 1956 could not be used to increase a widow's civil service benefit, if she is eligible for social security benefits.

Third, military service rendered after 1956 could not be used by a Federal employee for civil service retirement, if he is eligible for social security benefits.

The bill would continue payment by the Government to the railroad retirement account of $160 monthly wage credit for each month of military service performed by men with at least 10 years of coverage under the Railroad Retirement Act—including coverage acquired by military service.

The Internal Revenue Code of 1954 would be amended by sections 409, 410, and 411 of the bill, to extend appropriate provisions of the Federal Insurance Contributions Act to define "wages" and "employment" for service in the uniformed services.

Title V sets forth amendments and repeal provisions.

As to deaths after January 1, 1957, the bill would suspend the Servicemen's Indemnity Act providing free insurance coverage of $10,000 except in time of war or national emergencies.

The existing privilege of nondisabled veterans to take out term insurance within 120 days after separation from service would be preserved.

The right to take out insurance extended by section 620 of the National Service Life Insurance Act to service-disabled persons would be preserved.

The right of servicemen who surrendered insurance for cash under section 5 of the Indemnity Act to reinstate it or take out new insurance within 120 days after service would be protected if they surrendered their policies prior to January 1, 1957.

The premium waiver privileges under section 622 of the NSLI Act would be preserved for those policies under waiver on January 1, 1957. No new application for waiver would be made after that date. Indemnity compensation would not be payable under the bill if an individual dies on or after May 1, 1957, with a policy under waiver. The survivors would be limited to the compensation payable under the present death compensation laws now administered by the Veterans' Administration.

Persons with active service between October 8, 1940, and September 2, 1945, and since April 25, 1951, would be given the right for 1 year, upon showing of good health, to purchase insurance under the National Service Life Insurance Act of 1940.

Application of the Federal Employees' Compensation Act to Reserve officers for peacetime benefits would be repealed as of January 1, 1957. Where death occurred prior to January 1, 1957, survivors could elect to "take" under this bill. Such election would terminate eligibility for F. E. C. A. benefits. But the rights of any officer entitled to benefits by reason of disability incurred prior to January 1, 1957, would be protected.

Mr. President, this is a complex bill. Numerically, the majority of changes made by the Finance Committee are in the nature of necessary technical and clarifying amendments which, once made must be carried forward throughout the bill.

Mr. SALTONSTALL. Mr. President, has the Senator concluded?

Mr. BYRD. Yes.

Mr. SALTONSTALL. First, as a member of the Armed Services Committee, upon which I serve with the distinguished Senator from Virginia, let me commend the Senator for reporting the bill to the Senate from the Committee on Finance and for having it considered, because he knows, as I do, how much the Department of Defense has urged that this bill become a part of the so-called fringe-benefits system we are trying to evolve, so as to encourage men to remain in the service.

I should also like to inquire, from the point of view of the armed services, about the Public Health Service, and why it was left out of the Senate committee version of the bill. Let me give a little of the history which I asked to have furnished to me.

Since its inception in 1873 the personnel system of the commissioned corps of the United States Public Health Service has been identified with the personnel system of the military services.

To cite some examples:

First. An act of 1920 included both military services and Public Health Services in a single pay act.

Second. This was continued in the Pay Readjustment Acts of 1922 and 1942 and in the Career Compensation Act of 1949.

Third. The Congress again included the Public Health Service in the uniformed Services Contingency Option Act of 1953.

Fourth. The Medical and Dental Procurement Act of 1956, and most recently in the Dependents Medical Care Act of 1956, included the Public Health Service.

Fifth. In addition to recognizing the mission of the Public Health Service, the Congress included the Public Health Service in Selective Service System legislation.

That legislation provides that service by physicians and dentists in the commissioned corps of the Public Health Service counts as fulfilling obligated service.

Carrying forward that history, I wondered why the Public Health Service should not be included in this bill. We must maintain that service, as well as the military services.

Mr. BYRD. The committee went very fully into that question. The Public Health Service and the Coast and Geodetic Service employees have never been under the Social Security System in time of peace, and they have never been under the VA benefits in time of peace. This bill would give them benefits in time of war when they are taken into the military.

Mr. SALTONSTALL. There was discussion in the Armed Services Committee, and we decided to include them, for two reasons. First, as I understand, their compensation is based upon their rank—lieutenant, captain, major, and so forth. Therefore we felt that inasmuch as the pay grades were the same as the pay grades in the armed services, in view of the difficulties involved in inducing men to enter the service and inducing career men to remain in the service, we should include them, even though it is not a peacetime operation.

Mr. BYRD. That is not disturbed.

Mr. SALTONSTALL. I understand; but if we include them at the pay rates of the Armed Forces in peacetime, and we need the men in the Public Health Service, because we are continually building up the Public Health Service, should we not include them in this bill too?

Mr. BYRD. A major question is whether the Public Health Service should be brought under social security in time of peace. Public Health Service personnel in peacetime have never been under social security, as the Senator knows. There has been a special provision of $160 a month credit for all servicemen, but that is not applicable to Public Health Service personnel. If they go back into the military service, they will receive the benefits. This bill has nothing to do with the rates of pay.

Mr. SALTONSTALL. I understand that.

Mr. BYRD. The question involved is whether the Public Health Service is a military organization. They have never been in the military, except in time of war.

Mr. SALTONSTALL. I agree to that. However, in peacetime, in building up our present system of large armed services, which are bigger than ever before, we also have a continually expanding

Public Health Service. Based upon their rates of pay, and based upon the fact that Public Health Service personnel are included in the Selective Service Act, should they not be included in this bill? I am asking the Senator the question. I am not sure myself.

Mr. BYRD. If the Congress should enact a bill giving them military status, they would be covered by this bill. If Congress should declare them to be a part of the military, they would come under this bill automatically.

Mr. SALTONSTALL. If Congress believed that in the long run it would be better for them to be included in this retirement system, and should place them in the military service——

Mr. BYRD. That would not be a question for the Finance Committee, but for the Armed Services Committee. The Finance Committee is dealing with the question of social security. If the Armed Services Committee reports a bill, and it is passed, making such personnel a part of the military, they will come under this bill and receive the full benefits.

Mr. SALTONSTALL. Automatically?

Mr. BYRD. I am advised that that is correct.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. SMITH of New Jersey. I should like to raise the same question that was raised by the Senator from Massachusetts. Being a member of the Committee on Labor and Public Welfare, I was surprised that the Public Health Service was left out of this bill, although it appeared in the House bill.

I am not familiar with all the ramifications of the questions presented in the Armed Services Committee or the Finance Committee.

I believe that the Public Health Service situation is most important. I have been in conference with members of the House Committee on Education and Labor. As I understand, the Secretary of Health, Education, and Welfare feels that the Public Health Service should have been included.

Mr. BYRD. That is correct. He wrote a letter to the committee to that effect.

Mr. SMITH of New Jersey. I express the hope that when the bill goes to conference, inasmuch as the House has included the Public Health Service, careful consideration will be given to the latest developments in the Public Health Service. The Surgeon General of the Public Health Service has done a wonderful job, notwithstanding the fact that his service involved some sacrifice on the part of his family.

Mr. BYRD. I do not believe the passage of this bill would have any effect upon the Surgeon General.

Mr. SMITH of New Jersey. I do not think it would, but we desire to retain that type of persons in the Public Health Service.

Mr. BYRD. They are not in permanent military status.

Mr. SMITH of New Jersey. I understand that.

Mr. BYRD. Therefore the Senate Finance Committee struck out that service, so far as social security is concerned, and so far as VA benefits are concerned. If they revert to military status, either pursuant to law enacted by Congress, or by reason of a declaration of war, they will receive all these benefits automatically.

Mr. SMITH of New Jersey. I am very glad to have this explanation.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. HUMPHREY of Minnesota. First, I wish to join with Senators who have complimented the Senator from Virginia and his committee on their very excellent work in connection with the pending bill. Particularly I congratulate him for allowing a year of grace for reinstatement of the NSLI policies, and making it possible to restore the right of nondisabled veterans to take out term insurance.

My question is in reference to the rate of compensation for widows, with or without children, of both the officer class and those below the officer class. As I understand, the pending bill provides a basic floor of $112 a month for a widow, with or without children, plus 12 percent of the monthly pay of the deceased.

Mr. BYRD. Yes.

Mr. HUMPHREY of Minnesota. So the average payment for widows of officers would be about $167 a month, and for enlisted men's widows, about $137 a month, and the rates would range from $122 to a maximum of $266 for the widow of a general or admiral.

Mr. President, I also noted, in the brief study I have been able to make of the bill, that about 18,000 of the 350,000 and more cases now being paid both classes of compensation are from the Regular Military Establishment and the remainder are from the Reserves or inductees. Is that correct?

Mr. BYRD. I think the Senator is correct.

Mr. HUMPHREY of Minnesota. I shall offer an amendment designed to change the base pay schedule from $112 plus 12 percent to $140 plus 8 percent. I should like to get the Senator's views on such an amendment. In the meantime I should like to tell him why I believe it would be advantageous to adopt my amendment. The effect of my amendment would be to raise the compensation payment to a widow of a private from $122 to $137, while the widow of an officer, whose pay, for example was $500 a month, would receive only $2 less a month than is provided under the present wording of the bill.

My concern is for the widow of a private or the widow of a man who had less than officer rank, because her needs are just as great in many ways, familywise, as those of the widow of an officer.

I have no desire to cut down the compensation of the officer group at all. However, I feel that the disparity between the two groups is rather obvious.

For example, as I have been able to tabulate the figures, there is a difference as between $137 and $266, which is almost a 100-percent difference in compensation as between the 2 groups. Needless to say, the largest number of widows is in the less-than-officer class. During wartime the greatest number of casualties is suffered by enlisted men and second and first lieutenants, and captains. By far the greatest number of service-connected deaths occur outside the ranks of the Regular Establishment. What would be the view of the Senator from Virginia on what I have expressed? I know he has given serious consideration to this subject.

Mr. BYRD. The Committee on Finance followed the language of the House bill. I am told that such an amendment as the Senator from Minnesota suggests would increase the cost of the bill by $55 million a year. It is merely a question of what the policy should be. The Senator knows that under present law the widow of a private receives as much as the widow of an officer.

Mr. HUMPHREY of Minnesota. That is correct. The bill provides a fundamental change.

Mr. BYRD. The bill provides a fundamental change. It is a question of judgment as to how far it should go.

Mr. LONG. Mr. President, in this debate there is one point which should be emphasized. It is that one of the purposes of the bill is to try to make the armed services attractive as a professional career. Making it attractive for people to reenlist in peacetime is one of the principal objectives sought to be brought about by the proposed legislation.

The members of the armed services who do not rise above the rate of private are not those we seek to encourage to reenlist. Those we would seek to have reenlist are the specialists, the highly skilled people, and experienced officers. We are hopeful that if this bill becomes a law they will be encouraged to stay in the service.

For example, let me take the case of a pilot of an airplane. Our Government oftentimes spends $100,000 in providing adequate training for a pilot, in the necessary skills required by his duties. Such a man faces great hazards from day to day. His attitude is that if he cannot be paid as much as he would be paid in civilian life, at least it is only fair that the Government should in effect have a good insurance program whereby his wife and children would be protected if he should be killed in a plane crash. That is the type of situation the pending bill seeks to reach.

While I have my sympathies for the Senator's amendment, I believe it should also be pointed out that those who are in the higher categories make a much larger contribution to the fund than those in the lower categories, and that that fact should justify their receiving more in compensation, in accordance with the insurance principle that the more a person pays, the more he gets out of an insurance policy.

One of the defects of the whole program up to this time has been that there has been no relationship whatever between the benefits a widow draws in comparison with the earnings she has been accustomed to having, based on her husband's income.

The pending bill, while it does not put that relationship into full focus, does give some recognition to the different

earning power as between a general and a private, for example.

Mr. HUMPHREY of Minnesota. I fully recognize the very honorable and worthy purposes of the proposed legislation. As I said earlier, the Committee on Finance has undertaken a long overdue revision of the whole question of compensation and survivor schedules. However, I am concerned with the very drastic increase in the cost of living for a widow with children, whose husband held less than officer status. I refer, for example, to a technical sergeant.

Mr. LONG. Has the Senator looked at what a widow with children would draw under the pending bill?

Mr. HUMPHREY of Minnesota. I have the schedule before me.

Mr. BYRD. The widow of a private killed during peacetime now receives $69.60. Under the pending bill such a widow would receive $122 a month, which is a 75-percent increase.

Mr. LONG. If that figure is related to the family income prior to the time the private was killed, it will be seen that the widow's income is not reduced by nearly the same amount, proportionately, as is the income of the widow of an officer, in terms of reduction of family income.

Mr. HUMPHREY of Minnesota. My point is that while under the bill we are making substantial increases in an enlisted man's survivor compensation benefits, a much larger increase is made for the officer group. I am not trying to set one group against another. What I am trying to do is to determine if there is not a chance of having a little more solid base provided for the survivors of other than officers.

Mr. LONG. Does the Senator have the figure which would apply to a widow with two children, particularly as to what such a widow would draw while the two children were below 18 years of age?

Mr. HUMPHREY of Minnesota. Under my amendment?

Mr. LONG. No; under the bill as it is before the Senate at the present time.

Mr. BYRD. The Senator must take into consideration social security benefits, which the widow is not receiving now.

Mr. HUMPHREY of Minnesota. They are also supplemental, of course.

Mr. BYRD. Yes. In addition to the 75-percent increase, the widow would receive social-security payments, and that would make a substantial increase for her.

Mr. HUMPHREY of Minnesota. I should like to get the information to which the Senator from Louisiana has just referred.

Mr. LONG. We are speaking about a widow with two children. She would get $122 under the bill, for herself. Then, in addition to that, she would get $128 in social-security payments until the two children reached the age of 18 years.

Mr. HUMPHREY of Minnesota. Provided she is how old?

Mr. BYRD. Age is no factor.

Mr. LONG. When the children reach 18 years of age, she ceases to draw the payments for her children, but she continues to draw the $122 until the day she becomes 65 years of age. At that point she begins to draw social-security retirement benefits, which push her income above $200 a month for retirement purposes.

That, of course, is distinguished from the situation with respect to social security coverage alone, under which there is no income for the widow from the time the children reach 18 until the widow reaches 65. Under the bill, the widow would be drawing $250 a month, which, when related to the private's income prior to the time of his death, compares very favorably.

Mr. HUMPHREY of Minnesota. Does not that provision also apply to widows of officers as well as to widows of enlisted men? I refer to the social security benefit payments.

Mr. LONG. Yes; widows of officers also would receive the $128 under social security.

Mr. HUMPHREY of Minnesota. That is the minimum which would be involved so far as the two children were concerned. Is that correct?

Mr. LONG. The Senator is right. She would receive slightly more than that.

Mr. HUMPHREY of Minnesota. On the basis of earned income over the number of quarters which would make her eligible as the survivor of the head of the household.

Mr. LONG. Let us consider the case of a private who has been receiving less than $250 a month, and who dies. The income for his family will be as great as was the family income when he was living.

An officer may be making $800 a month. When he dies there is a tremendous reduction in the income of the family. Comparatively speaking, there is a much greater reduction for the wife and children of an officer than for the wife and children of a private.

Mr. HUMPHREY of Minnesota. Yes, but I think the Senator from Louisiana will agree with me that when the private soldier was alive, with the $250 he was receiving he was having a hard time to put aside any savings for his heirs or for those who would follow him, while the officer earning $800 a month would be in a little more desirable situation.

I have no idea of trying to cut down the officer group, but I think it should be recognized that there are a number of people who feel that there should be a uniformity of payment as between the groups.

As the Senator from Virginia [Mr. BYRD] said, there is an increase of about 75 percent in the nonofficer group, but there is in excess of 100-percent increase for the officer group. I think there is 115-percent increase in that group.

I only wish to establish a minimum which would be a little more generous and which would bridge some of the gap between the officer and nonofficer groups. I do not think we are having much difficulty getting officers through the ROTC. I find there is a constant increase in the number of available officers. The problem is in the enlisted personnel, the technical sergeants, those in aviation who make up the ground crews and the repair crews. That is where we have the real difficulty.

If we wish to have a career service in the Army—and I think that is desirable—we should place a substantial portion of the benefits in the nonofficer group, or we will not have a career service.

Mr. CURTIS. Mr. President, will the distinguished Senator yield to me?

Mr. HUMPHREY of Minnesota. Mr. President, I am going to offer my amendment, and the Senate can either vote it up or vote it down. I should like to make a statement with reference to it, and then we shall see what will happen to it.

Mr. President, I send my amendment to the desk, if the Senator from Virginia will yield for that purpose, and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Minnesota will be stated.

The LEGISLATIVE CLERK. On page 16, line 1, it is proposed to strike out "$112 plus 12," and insert in lieu thereof "$130 plus 8."

Mr. HILL. Mr. President, I should like to address myself for a moment concerning the omission of the United States Public Health Service from this bill. I shall not offer an amendment. If the Senator will permit me——

Mr. HUMPHREY of Minnesota. Mr. President, we have had most of the debate on this amendment. Since I have offered the amendment, I think I have a right to discuss it. I shall not speak more than 5 minutes.

Mr. HILL. The truth is that the Senator did not exactly get the floor. The Senator from Virginia had the floor. But the Senator says he will not take more than 5 minutes. I know he would not think of taking 1 second beyond that. [Laughter.]

Mr. HUMPHREY of Minnesota. The Senator has never made a truer statement in his life. The generous remarks of the Senator from Alabama are characteristic of his fine nature and character, and I appreciate it.

Mr. President, as I said earlier, the pending bill provides for a base of $112 a month for all widows, plus 12 percent of the basic pay of the deceased husband. Under this provision it is estimated that the average payment for the widows of enlisted personnel would be $137 a month, while the average payments for widows of officers would be $167 a month, with considerably higher payment to the widows of senior officers.

But, looking more closely, this provision means that the widow of a private with 6 months' service would be awarded only $122 a month, while the widow of a major general would receive $242 a month. This is a differential of almost 100 percent, and has been termed the "rank in death" provision of the bill.

While a certain differential in the compensation rates may be desirable from the standpoint of providing career incentives, the present differential is far too discriminatory.

The effect of the amendment would be to raise the compensation payment to the widow of a private from $122 to about $137, while the widow of an officer whose base pay was $500 a month would receive

$2 less a month than under the present wording of the bill.

I pause to emphasize that the decrease in compensation of the senior officer's widow would be less than $2 a month, but the increase in the enlisted man's survivors' benefit would be $15 a month. That would help to buy bread and butter, groceries, clothing, medical care, school books, all the little necessities of life that a widow would need as the survivor of one of our servicemen. I wish to point out that this $15 a month will mean more to the person who is receiving it than the loss of $2 a month would mean to a person who had been receiving $240 or more as a benefit payment.

I have noted that during wartime, the greatest casualties are suffered in the lower ranks of both officers and enlisted men. By far the greater number of service-connected deaths occur outside the ranks of the Regular Establishment. To illustrate, of the 350,000 service-connected deaths for which the Government is paying compensation, only 18,000 were in the Regular Establishment.

Furthermore, Mr. President, many of the inductees from civilian life who are sent within a short time into combat are individuals whose civilian income considerably exceeded their income as a private or private first-class. It would seem only just, in determining the rates of compensation, to recognize this fact, and to make an effort to provide for the widows of inductees a monthly income more nearly in keeping with the preservice income of their husbands.

Mr. President, I trust that I did not speak more than 5 minutes.

Mr. LONG. Mr. President, the junior Senator from Minnesota is one who always seeks to look after the underprivileged and the less fortunate. I should like to point out, however, that much consideration has been given to the needs of those in the low-income brackets, the widows of privates and other enlisted men, under this bill.

Let us consider a private with a wife and two children. If that private were killed in the service after this bill becomes effective, his wife and two children would receive $250 under the bill until the two children reached the age of 18 years.

When we look at the whole benefit, the income for the widow and those two children would amount to $100 a month more than the income of the husband while he was living.

Mr. HUMPHREY of Minnesota. While he was in the armed services.

Mr. LONG. Yes.

Mr. HUMPHREY of Minnesota. But he may have come from civilian life where he had a job paying him $600 a month. That is the point I was trying to make earlier; the civilian income is not taken into consideration at all.

Mr. LONG. Nevertheless, the retroactive benefit for the wife and two children is substantial, and it is certainly an increase in family income of about 70 percent over and above what the family was receiving while the private was living.

Furthermore, the widow would draw $122 a month at the time the children reached the age of 18 and until she was in a position to retire at age 65, or age 62 if the new social security bill should also pass this year. At that point she would have her social security retirement benefits in addition to the $122 a month.

By contrast, let us consider the case of the widow of a general. Assume that she, too, has two children. The family income in that case would be $1,295 a month. If the general passed away, then, based on the bill, the widow and the two children would draw $397 a month.

It is true that that is substantially more—about 60 or 70 percent more—than the private's widow would draw. On the other hand, Senators should remember that the general's income was about 1,000 percent greater than the private's income. The income of the general's family would be greatly reduced as a result of the death of the general, the general's widow would receive only about one-third the rate of income which the family had been receiving prior to the general's death. The general's widow would have to adjust herself and her children to a much lower rate of income, and their standard of living would be greatly reduced.

At the time the children reached the age of 18, the widow would draw $240 a month until she reached the retirement age, when she would receive her social security benefit. While this is almost twice the amount of the private's widow's pension, she would be the survivor of a person who had spent many years in the service at a much greater income.

I believe the bill takes into account the needs of the private. The committee has made a very sincere effort to take care of the private and the enlisted man, while at the same time it has tried to recognize to some degree the greater additional earning power of those whom we are trying to keep in the service, hoping that they will become commissioned officers and will devote themselves to a lifetime of patriotic duty in the Armed Services.

Mr. HUMPHREY of Minnesota. I hope the Senator from Louisiana realizes that I believe the committee has done commendable work. I have no desire to deny adequate compensation to the officer group. I think it is a national disgrace that they have not been paid better. Often fine persons, whose husbands have given a lifetime of service to the country, have been actually left to the mercy of friends, relatives, and savings.

The point I am trying to make is that when we compare the income of a general, who is a career man, and who has served his life as a military man, and who has an income of $1,000 a month, with the income of a private, we must remember that the private, in the main, had his career marked out for him in civil life. He lived the normal community life, so the comparison of income is not exactly germane.

I hope the Senator from Louisiana sees the point I am trying to make. The buck private or first class private who was inducted or who enlisted, may very well have left a civilian position which paid him several times more than his military pay, so his family income through the selective service, while he is in the Army, has been reduced substantially. If he should be killed or should lose his life otherwise in the service, his family would be left with a rate of compensation or survivorship benefits which would not be related to the civilian income at all, but would be related basically to the military income. Seen in that light, a relatively good picture can be made for the non-officer group.

Mr. President, I shall not take any more time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY].

The amendment was rejected.

Mr. HILL. Mr. President, I understand the distinguished Senator from Nebraska wishes to ask a question of the chairman of the committee. I yield to him for that purpose.

Mr. CURTIS. Mr. President, it appears that section 602, page 94, of the bill would grant the right to everyone who has served in the armed services since 1940 to apply now and to receive coverage under the national service life insurance and to collect the insurance.

Mr. BYRD. The Senator from Louisiana is the author of that amendment, I yield to him.

Mr. CURTIS. How many persons would be eligible to apply for such insurance?

Mr. LONG. Approximately 14 million veterans of World War II and the Korean war failed to avail themselves of the opportunity to take out national service life insurance. Approximately 2½ million veterans took out national service life insurance when they had the opportunity to get it when they were discharged from the Armed Forces.

It was the feeling of the committee and of the majority of the Senators who joined in sponsoring the bill that this insurance should be made possible to the many veterans who have family obligations today, who need this type of insurance, and who would like to avail themselves of the opportunity to get it.

NSLI will save the veteran anywhere from 20 to 70 percent of the cost of insurance premiums, depending on the type of policy the veteran takes.

Mr. CURTIS. Do I understand correctly that the bill would extend insurance to all former members of the Armed Forces, even though they can pass a physical examination to secure insurance elsewhere?

Mr. LONG. That is correct.

Mr. CURTIS. Theoretically, the bill would give that opportunity to, roughly, 12 million veterans?

Mr. LONG. Fourteen million.

Mr. CURTIS. That is the total number of veterans, is it not?

Mr. LONG. No; there are 14 million veterans of World War II and the Korean war who do not have NSLI insurance and who would have the opportunity to apply for the insurance.

Mr. CURTIS. I notice that this is a provision which was not in the bill as it

came from the House. Does the Senator know whether the Veterans' Administration and the Bureau of the Budget approve the bill?

Mr. LONG. There was no objection from any department or agency except the Bureau of the Budget.

The cost would be about $3.50 a policy. Assuming there would be one million veterans who would avail themselves of the opportunity, the cost would be $3,500,000.

Some phases of NSLI insurance are especially advantageous to veterans. For example, there is a 5-year term renewable policy, on which the rate tends to increase every 5 years. That is very advantageous, so far as the veteran is concerned. At age 35, the rate for the NSLI 5-year term renewal policy is only about one-third the lowest rate I have found for any of the major insurance companies offering this type of policy.

I have found that wherever veterans were informed that this measure was being considered, there was a very enthusiastic response. In the State which I have the honor, in part, to represent, a great number of veterans associations have unanimously approved petitions asking that they be given an opportunity to take out the insurance.

I am positive there are great numbers of families in which the husbands do not have insurance to protect the families, but who would avail themselves of the opportunity now, realizing that the insurance is a good bargain and a good buy, and who realize that they made a mistake in not taking it out previously. Many veterans, of course, have had a change in their family situations, so that the insurance is now needed.

I am very hopeful that Congress will agree to this provision. I hope the House will be willing to accept the provision, if it goes to conference, because the American Legion, the Veterans of Foreign Wars, and the American Veterans of World War II—sometimes called the AMVETS—are in favor of it. It would cost the Government very little. Large numbers of families would be protected by insurance who are not today protected.

Mr. CURTIS. As I understand, the only agency which filed an adverse report was the Bureau of the Budget.

Mr. LONG. Yes. I believe their statement was to the effect that they would prefer not to have the opportunity for insurance extended to veterans again. However, I point out to the Senator that there is a precedent for this. It is my understanding that some years after World War I, when many veterans realized that they had lost an opportunity to take out insurance, Congress passed a law giving veterans a limited period in which they could apply for veterans insurance.

Mr. CURTIS. I thank the Senator from Louisiana.

Mr. HILL. Mr. President, I share the concern of the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from New Jersey [Mr. SMITH] over the omission in the bill, by the Committee on Finance, of the commissioned officers of the United States Public Health Service. In view of the outstanding work performed by the United States Public Health Service, I feel it would be a major deficiency and a great mistake if the omission should remain.

The committee has proposed the exclusion of commissioned officers of the United States Public Health Service from the bill as it passed the House, and in which these officers are included.

The gaps and deficiencies which exist in the survivor benefit program currently available to these officers, as compared to the benefits now applicable to the military services, would be magnified if the Senate version of the bill were enacted. In view of the outstanding history of the Public Health Service, this would be a major deficiency and a great mistake.

The Public Health Service was initially established as the Marine Hospital Service by an act of Congress in 1798, thus making it one of the oldest services in the Federal Government. The Commissioned Corps of the Public Health Service was established in 1873 by regulations of the Treasury Department—where it was then administratively located. Sixteen years later, in 1889, the Corps was given statutory recognition by the Congress.

The Commissioned Corps is a body of Regular and Reserve officers who are experts in public health, medical care, medical research, and related fields. From its inception, the Commissioned Corps personnel system has been identified with the personnel systems of the military services.

Presidential appointments; rank and tenure; a system of regular promotion; retirement; pay; and mobility in assignment—these and other characteristics of the Corps have had a proved and continuing appeal to professional people through the years. They have contributed in no small measure to the record that the Public Health Service has established for devotion to duty, competence, and leadership.

The identification of the Public Health Service Commissioned Corps with the military services was strengthened by the Congress in 1920, when both groups were included for the first time in a single pay act. The new pattern of a uniform pay act for all services was more firmly established with the pay acts of 1922 and 1942, and with the Career Compensation Act of 1949. The Career Compensation Act specifically identified the "Uniformed Services" of the Federal Government as the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and the Commissioned Corps of the United States Public Health Service. In so doing, the act gave recognition to the personnel system within the Federal Government which has evolved for all the uniformed services.

The pattern thus established by the Career Compensation Act has been extended through the enactment of subsequent legislation affecting pay, allowances, and benefits for all the uniformed services, including the Commissioned Corps of the Public Health Service. The most recent examples of such legislation are the Uniformed Services Contingency Option Act of 1953, the Medical and Dental Officer Procurement Act of 1956, and the Dependents' Medical Care Act of 1956.

However, the Public Health Service Commissioned Corps has not had permanent legislation which would authorize survivor protection equal to that afforded to survivors of military personnel, except for the period during World War II when the Commissioned Corps was made a military service by Executive order of the President. With the formal termination of the war in 1952, the Commissioned Corps reverted to nonmilitary status, and the benefits temporarily derived from military legislation ended. The obligations of Public Health Service officers, in peace as well as in war, did not end, however.

Public Health Service officers have died in the past in their time-honored fight to eliminate disease and protect the health of our people. Public Health Service officers have also given their lives while on duty with the military services in our country's wars. The diverse missions of the Service have led to a tradition of discipline under which its officers are subject to transfer. They are required to accept assignments that often are varied, frequently are isolated, and sometimes are hazardous. These include sea duty with the Coast Guard, service with missions of the International Cooperation Administration in underdeveloped countries throughout the world, and tours of duty in small Indian hospitals in isolated areas of our Western States and in Alaska.

The existing survivor benefit program presently available to commissioned officers of the Public Health Service is now generally limited to the Federal Employees' Group Life Insurance Act and the Federal Employees' Compensation Act. The first of these acts provides an insurance policy for each Public Health Service officer in an average amount of approximately $6,000, paid for in part by the officer, as contrasted with the $10,000 indemnity insurance coverage afforded to members of the military services without payment. Benefits under the second act, which a workmen's compensation act, have not been available to dependents of over 80 percent of those Public Health Service officers who have died on active duty.

Survivor benefits, in one form or another, are now included in all the personnel systems of the Federal Government. The survivor benefit program currently in effect in the military services, and the survivor benefit program provided for by H. R. 7089, are not of themselves military in nature, nor are they basically related to the hazards of wartime service. Rather, survivor benefits are an extension of pay, and are necessarily integrated into the pay system applicable to any group of employees.

Members of the Commissioned Corps of the Public Health Service receive compensation under the same pay legislation and subject to the same conditions as the military services. To deny such members the benefits of H. R. 7089 that would be extended to members of the military services, who also are paid under the Career Compensation Act, would result in discrimination in the matter of pay and allowances.

During the present session of the Congress, Public Law 492 was enacted as an administration bill. It amended the Public Health Service Act in several ways, including authorization for the President to make the Commissioned Corps of the Public Health Service a military service in times of emergency involving the national defense as well as in time of war. I am advised that a survivor benefit section was dropped from the bill before submission to Congress because survivor benefits for the Public Health Service were included in H. R. 7089, in conformance with the past practice of providing benefits on an equal basis for the survivors of members of all the uniformed services.

In 1953, when the Congress enacted the Uniformed Services Contingency Option Act, which provides for survivor protection if an officer dies while in retirement, the Commissioned Corps of the Public Health Service was included with the other uniformed services. If today an officer dies while in retirement, the survivor benefits go to his survivor; but if he dies while on duty or while in active service, those benefits will not be obtained if the omission is not corrected.

H. R. 7089 is really a companion measure to the Contingency Option Act, in that it provides for survivor protection for members while they are on active duty. Together the two acts—if H. R. 7089 is enacted as proposed by the Senate Committee on Finance—will provide the dependents of members of the uniformed services, with the exception of the commissioned officers of the Public Health Service and the Coast and Geodetic Survey, with a well-rounded survivor protection program.

The Congress has provided retired Public Health Service officers with the same survivor benefits as those provided for the other uniformed services. It is not reasonable, therefore, that survivors of Public Health Service officers who die on active duty should be treated differently from those of the other services. The penalizing of the survivors of these competent and dedicated officers by excluding them from benefits under H. R. 7089 is not equitable or consistent.

Moreover, the lack of an adequate survivor-benefit program for active duty officers of the Public Health Service today is forcing experienced officers into early retirement so that they may protect their survivors under the Contingency Option Act.

As I have said, if they retire and then die, the survivors will get the benefits, but if they die while in active service, there are no benefits to be had.

Many of these officers are at their greatest use at the time of retirement. Private industry is continually seeking the services of such competent personnel, and it is capable of paying them salaries which the Federal Government is not able to meet.

Certainly, to protect its investment and to encourage the retention of experienced health and medical personnel in programs vital to the welfare of our people, officers of the Commissioned Corps of the Public Health Service should be eligible for the benefits provided under H. R. 7089.

The Public Health Service, like the other uniformed services, is now experiencing difficulties in attracting and retaining personnel of high professional caliber to man its many programs of medical research, public health, and medical care. These programs, in one way or another, touch all of us and our families, and are regarded hopefully by millions of Americans as leading the way to a future in which disease, and the pain and sorrow attending disease, will be reduced to a manageable minimum.

Public Health Service officers are shifted among the Service's 16 major hospitals, its 56 Indian health hospitals in our Western States and Alaska, or sent out on the high seas with the United States Coast Guard as needed. They serve at home and abroad on quarantine duty, and with overseas missions to provide health services to underdeveloped regions of the world. They also serve in this country in large research centers—such as the Communicable Disease Center in Atlanta, Ga.; the National Institutes of Health, at Bethesda, Md.—we know the wonderful work being done in the National Institutes of Health at Bethesda in the battle to find the cause and cure and prevention of communicable disease—and the Robert A. Taft Sanitary Engineering Center, at Cincinnati, Ohio. Often their assignments are dangerous. More than a few have died in order that other Americans might live.

The officers of the Public Health Service are serving mankind as few such groups of professional people can do. To omit them from legislation benefiting survivors of members of the uniformed services is to ignore the vital and humanitarian work they and the Public Health Service have been doing for many generations.

I wish to digress to pay tribute to the retiring head of the United States Public Health Service, Surg. Gen. Leonard A. Scheele. I have known General Scheele for a number of years. I have worked closely with him. He is one of the finest and one of the most devoted public servants I have even known. He has rendered great and outstanding service to his country and to the people of the United States.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. HILL. I yield to my friend from Minnesota.

Mr. HUMPHREY of Minnesota. I should like to join the distinguished Senator from Alabama, and the chairman of the Committee on Labor and Public Welfare, in this tribute to Dr. Scheele, the Surgeon General of the United States, for his outstanding service to his country and his outstanding professional contribution to the profession of medicine.

I also wish to associate myself, if the Senator from Alabama will permit, with his remarks regarding the United States Public Health Service, the oldest established line agency of our Government. The Public Health Service is the envy of the world, I would say, in terms of its professional competence and its great contributions in the field of the healing arts and medicine. I feel that everything that we in the Congress can do to help the Public Health Service in its great work will be to the public good.

In conclusion, Mr. President, let me say that the Senator from Alabama [Mr. HILL] has been a stalwart worker in the field of public health. By his own legislative activities and by his guidance and counsel, he has contributed immeasurably in the areas of public health and medical care. Therefore, it is most appropriate that the Senator from Alabama speak today in behalf of the Public Health Service.

I, too, wish to have the officers of the Public Health Service covered by the provisions of the bill, because in peace as well as in war they are the first line of our health defense. They always have been so, and they always will be so.

Therefore, Mr. President, I join the Senator from Alabama in his words of commendation of this great agency of the United States.

Mr. HILL. Mr. President, I thank the Senator from Minnesota for his contribution.

I wish to say that before the distinguished Senator from Minnesota came to this body, he was a licensed pharmacist. When he came here, he became a member of the Committee on Labor and Public Welfare, on which he worked diligently and tirelessly on its Subcommittee on Health. In that work he had an insight into the work of the Public Health Service, and had an opportunity to appraise the outstanding service and fine leadership of Surgeon General Scheele.

Mr. HUMPHREY of Minnesota. I thank the Senator from Alabama.

Mr. HILL. Mr. President, I thank the Senator from Minnesota for the contribution he has made here this afternoon.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Alabama yield to me?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Does the Senator from Alabama yield to the Senator from New Jersey?

Mr. HILL. I yield.

Mr. SMITH of New Jersey. Mr President, I wish to associate myself completely with the remarks of the distinguished Senator from Alabama [Mr. HILL], the chairman of the Committee on Labor and Public Welfare; and I desire to join him wholeheartedly in his tribute to Dr. Scheele.

I have had the privilege of serving on the committee while Dr. Scheele has been Surgeon General of the United States. So far as I know, no one who had ever occupied that high position has rendered greater service to the people of the United States than that rendered by Dr. Scheele; and I refer particularly to the work done last year on the polio vaccine problem.

So I wish to join both the Senator from Alabama and the Senator from Minnesota in their tribute to Dr. Scheele.

Mr. HILL. I thank the Senator from New Jersey. He has served well and long on the Committee on Labor and Public Welfare, and has also had an insight into the work of the Public Health Service and the fine work of Surgeon

General Scheele. I appreciate the contribution the Senator from New Jersey has made to this debate.

Mr. President, I was very much gratified when the distinguished Senator from Virginia [Mr. BYRD], who will be one of the confereees on the pending bill, assured the Senate that the Senate conferees will give careful and thorough consideration to the proposed inclusion of the Public Health Service under the provisions of the bill, including its provisions for survivor benefits. I know that the Senator from Virginia wishes to do the fair thing and the right thing; and I am indeed gratified that he will go into this matter thoroughly, completely, and sympathetically.

Mr. MARTIN of Pennsylvania. Mr. President, I wish to commend the Senator from Virginia [Mr. BYRD] for the magnificent job he has done on this very controversial bill. I think much more is involved in this bill than some of us may think. The real purpose of the bill is to make the military service or the Defense Department more attractive to more young Americans, young men who will prepare themselves as commissioned officers or noncommissioned officers and technicians in the various branches of our armed services. The military or the Defense Department now has become composed of men of great technical knowledge. We wish to encourage young men to remain in the service. Unfortunately, at the present time there is a turnover of practically one-third every year. Financially, that is not good for the United States; furthermore, it is not good so far as defense is concerned.

The distinguished senior Senator from Virginia, the chairman of the Finance Committee, has given very thorough consideration to the problem, and has listened carefully to all the witnesses who appeared before the committee; and I believe that the bill constitutes a fine step toward the fulfillment of a long-standing need, insofar as the armed services are concerned. I sincerely trust that the action of the committee will be approved and that the bill will be speedily enacted.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 7089) was read the third time, and passed.

Mr. BYRD. Mr. President, I move that the Senate insist upon its amendments to the bill, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BYRD, Mr. GEORGE, Mr. KERR, Mr. MILLIKIN, and Mr. MARTIN of Pennsylvania conferees on the part of the Senate.

Mr. BYRD. Mr. President, I ask unanimous consent that House bill 7089 be printed with the Senate amendments numbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. CLEMENTS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2313, Senate bill 3903.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3903) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kentucky.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 3903) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with an amendment.

Mr. HOLLAND. Mr. President, will the Senator from Kentucky yield for a question?

Mr. CLEMENTS. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. First, let me say that I appreciate very much the action of the distinguished acting majority leader in having Calendar No. 2313, Senate bill 3903, made the unfinished business.

Let me ask whether it is his intention to have the bill debated this afternoon; or is it contemplated that when the distinguished Senator from New Mexico [Mr. ANDERSON] has completed the remarks which he intends to make, the Senate will take a recess until tomorrow?

Mr. CLEMENTS. I may say to my friend, the Senator from Florida, that it is the intention of the acting majority leader that Calendar No. 2313, Senate bill 3903, shall be the first order of business on tomorrow, following the morning hour.

Mr. HOLLAND. I thank the distinguished Senator from Kentucky.

LEGISLATIVE PROGRAM

Mr. CLEMENTS. Mr. President, for the information of the Senate, I should like to announce a few bills which are likely to be taken up. These bills are in addition to those previously announced as ready for consideration by the Senate:

Calendar No. 2407, House bill 11926, to amend the Atomic Energy Act of 1954 to permit the negotiation of commercial leases at atomic energy communities, and for other purposes;

Calendar No. 2310, Senate bill 1384, to provide that the Secretary of the Army shall return certain mineral interests in land acquired by him for flood-control purposes to the former owners of such land;

Calendar No. 2375, Senate bill 2891, to amend section 709 of title 18 of the United States Code so as to prohibit the use of certain businesses of the initials "U. S." in the business or firm name or pictures of the Capitol Building and other public buildings of the United States in their advertising and to increase the penalties for violation of such section; and

Calendar No. 2395, House bill 7663, to provide for settlement in part of certain claims of the Uintah and White River Bands of Ute Indians.

Mr. CLEMENTS subsequently said: Also on tomorrow there will be scheduled Calendar No. 1748, House bill 5566, a bill to terminate the existence of the Indian Claims Commission, and for other purposes; also House bill 11740, to increase the public debt limit, which was reported today by the Committee on Finance.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., July 2, 1956.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. J. ALLEN FREAR, JR., a Senator from the State of Delaware, to perform the duties of the Chair during my absence.

WALTER F. GEORGE,
President pro tempore.

Mr. FREAR thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE HOUSE— ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 671) making temporary appropriations for the fiscal year 1957, and for other purposes, and it was signed by the Acting President pro tempore.

EXPRESSIONS OF SYMPATHY TO THE PEOPLE OF POZNAN

Mr. ANDERSON obtained the floor.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. Yes, Mr. President, provided I may do so without losing my right to the floor. I so request.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. HUMPHREY of Minnesota. I thank the Senator from New Mexico.

Mr. President, out of order, and with the considerate cooperation of the Senator from New Mexico, on behalf of myself, the Senator from Illinois [Mr. DOUGLAS], and the Senator from Montana [Mr. MANSFIELD], I submit, and send to the desk, a resolution which I ask to

have read; and I also request its immediate consideration.

Let me say that the resolution has been gone over with both the majority and the minority leaderships, and I believe it has been cleared by them for such action.

Mr. CURTIS. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Does the Senator wish to permit the resolution to be read first?

Mr. CURTIS. The resolution may be read.

The ACTING PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 302) was read by the legislative clerk, as follows:

Resolved, That the Senate of the United States hereby expresses—

1. Its profound admiration to the people of the city of Poznan and to all the liberty-loving people of Poland for their courage in resisting the oppressive tyranny which has denied them freedom and food;

2. Its conviction that the President of the United States should continue to urge relief agencies in Poland to accept food from the United States to help alleviate suffering in that country;

3. Its request that the President seek to expedite, through international agencies and otherwise, the provision of sustenance to the long-suffering people of Poland by their friends, relatives, and appropriate official and unofficial agencies in the United States;

4. Its determination that the historic sacrifice of the Poznan martyrs will not have been in vain, and its enduring confidence that the spirit of Polish freedom will never die.

The PRESIDING OFFICER. The Senator from Nebraska has suggested the absence of a quorum.

Mr. CURTIS. Mr. President, I withdraw the suggestion.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. HUMPHREY of Minnesota. Mr. President, reports from Poznan today indicate that two armored divisions and thousands of policemen are hunting for the courageous patriots who participated in last week's rebellion against Polish Communist tyranny. Informants reaching Germany from Poland report that the Polish police have sealed off this entire industrial center of 365,000. Eye witnesses report that 200 to 300 lives have been taken in the uprising. As the purge begins, a Roman Catholic bishop of Poznan has been quoted as saying that his church has been overcrowded and that prayers are being said to "beg for God's mercy."

Mr. President, it seems clear that the Communist empire is now being convulsed by the shock of profound change. This "bread and freedom" revolt at Poznan has once again placed the entire Communist world on notice that it cannot indefinitely restrain the enormous pent-up emotions accumulated under Stalin's ferocious and terror-ridden regime. An excellent summary of the uprising in Poznan appeared in the New York Times yesterday. Mr. President, I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RISING IN POZNAN

Alexis de Tocqueville, in his book on The Old Regime, referring to the causes of the French Revolution, wrote:

"The evils which are endured with patience so long as they are inevitable seem intolerable as soon as a hope can be entertained as escaping from them."

The highly civilized people of Poland, admirers of Western culture, nurture a cold hatred and contempt for the Russians. For nearly a decade they endured their trials with patience. Then with Stalin's death there came a deep-seated surge of unrest that was not immediately apparent beyond the country's borders.

Poland's Communist regime moved quickly to try to placate the growing discontent. Repression was eased. There was more freedom of speech. A Polish writer, Adam Wazyk, was able last fall to publish a poem reminiscent of T. S. Eliot's The Waste Land, that contained this verse:

"There are people who wait for justice,
There are people who wait very long."

The sudden death of Boleslaw Beirut, first secretary of the Polish Workers (Communist) Party, followed by the downgrading of Stalin, lifted the lid. The security system was reformed, its chief dumped. Five ministers fell from power. Old Stalin foes emerged alive from prison. Dead ones were rehabilitated. The Deputy Premier, Jacob Berman resigned. True, new enemies of the people were found, new capitalist plots uncovered. But the lid was off.

By the thesis of Tocqueville, this was a mistake. He would have said that last week's disturbances in Poznan, Poland's fourth largest city (population 365,000), was a result.

Ten days ago Poznan's annual trade fair opened. Since 1922, except for years of war and political upheaval, the fair has been a magnet for European businessmen. This year, for the first time since World War II, Western businessmen flocked to Poznan, drawn by the West's relaxation of controls over trade with the East and by the enthusiasm with which Poland has put into effect the new Communist measures to relax tensions.

WORKERS STRIKE

Last Thursday, with thousands of foreigners in the city, the workers at the big, and as yet unrenamed Stalin Steel Works, chose the moment to strike. What happened thereafter was told mainly by Western eyewitnesses who fled to London, Copenhagen, Stockholm, and Berlin. This was the sequence of events:

At 7 a. m. the workers gathered outside the struck plant for a demonstration, then began to parade toward the center of the city. The local authorities looked on tolerantly. A Communist functionary was even heard to remark, "Warsaw should know that we will not stand for this any longer." The crews began abandoning their streetcars on lines leading into the city center. Soldiers marching toward the fairgrounds broke ranks and mingled with the strikers. As barricades went up in the streets and shops lowered their iron shutters the atmosphere became ominous.

The fairgrounds on the edge of the city began to empty. Troops marched into Poznan's center and tanks massed on the outskirts. Still nothing happened. Then the strikers marched into the main city square chanting, "Bread, bread, bread."

At noon T-34 tanks rolled into the city. All traffic arteries were closed. Antiaircraft guns, leveled for direct fire, were spotted in the main squares. The workers tightened their ranks. Old Polish national flags appeared. The crowds sang long-forbidden Polish national songs.

TANKS CAPTURED

Scattered shooting broke out, aimed over the heads of the demonstrators. Some soldiers were reported to have handed their weapons to the strikers. One was reported slain by his commander for refusing to fire on his fellow Poles.

The order was given to fire pointblank. A marcher fell. The strikers sprang upon the soldiers with a roar of anger. They captured two tanks stationed before the Pozsmanski Hotel, guarding a bank.

For hours they ranged the city beyond control. They stormed Communist Party headquarters, took the city prison, freed its inmates, destroyed its records, and set it afire. They captured a radio station, used to jam western broadcasts, hurled its equipment to the street. They overturned streetcars for use as barricades, burned military vehicles.

Throughout the night the mobs roamed the street. Jet planes screamed low over the rooftops, dropping flares. Last to fall was the radio station—at 7 a. m. Sporadic gunfire was still heard, but by midmorning Friday all was silent.

The toll, announced by Warsaw, was 38 dead and 270 wounded. But returning travelers regarded these figures as low, suggesting that the final toll would be much higher.

There were indications that the regime was moving to tighten its lines. In a broadcast over Warsaw radio, Premier Josef Cyrankiewicz said:

"Everyone who raises his hand against the people may be sure it will be hacked off in the interest of the working class, in the interest of raising our standard of living and in the interest of the fatherland."

Mr. HUMPHREY of Minnesota. What a change, Mr. President, from the official sweetness and light philosophy of the new Kremlin leadership! Their counterpart Premier in Warsaw now announces:

Everyone who raises his hand against the people may be sure that it will be hacked off in the interest of the working class.

The Communist Premier's statement, Mr. President, is in the direct line of descent from the heritage of foreign butchery introduced in Poland by the czars and continued in our own time by the Nazis. But we know that today, as in former years, Polish men and women have dared to attack tanks and machine guns and all of the paraphernalia of police tyranny. They have done so in the historic tradition of the great patriots like Pulaski, Chopin, and Paderewski. Their cry for bread and freedom in Poznan is a revolutionary cry which will find sympathetic ears everywhere among workers and farmers in Eastern Europe, and we have considerable ground for believing that the repression of the Poznan revolt will not kill this spirit. It is more likely that last week's events are a beginning than an end.

Mr. President, I believe that it is entirely fitting that the Senate should pay appropriate credit to these brave freedom loving men and women of Poland. They have symbolized for us in recent days a long-smoldering determination which must have its supporters in the other satellite countries and inside the Soviet Union itself. I have sent to the desk a resolution expressing the admiration of the Senate to these Polish partiots and I ask that the Senate proceed forthwith to approve the resolution.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY of Minnesota. I am glad to yield to the distinguished minority leader.

Mr. KNOWLAND. Reserving the right to object—and I shall not object—I wish to read into the RECORD at this point a departmental statement released by the State Department on Friday, June 29, 1956. It read as follows:

The United States Government is profoundly shocked to learn of the shooting at Poznan which killed and wounded so many persons. Our sympathy goes out to the families of these people who were merely expressing their profound grievances. They apparently feel that their Government primarily serves the interests of the Soviet Union.

This episode dramatically underlines what President Eisenhower said to the Soviet rulers at Geneva—namely, that the peoples of Eastern Europe, many with a long and proud record of national existence, should be given the benefit of our wartime pledge that they should have the right to choose the form of government under which they will live and their sovereign rights should be restored to them.

We believe that all free peoples will be watching the situation closely to see whether or not the Polish people will be allowed a government which will remedy the grievances which have brought them to a breaking point.

On June 30, the Acting Secretary of State, Mr. Herbert Hoover, Jr., wrote the following letter to Mr. Harold Starr, general counsel of the American Red Cross, at Washington, D. C.:

JUNE 30, 1956.

Mr. HAROLD STARR,
General Counsel, American Red Cross, Washington, D. C.

DEAR MR. STARR: The reports of serious disorder in Poznan, Poland, seem to be marked by demands by the population for bread, and we are informed of serious food shortages in Poland. The people of the United States, many of whom are of Polish descent, have a sympathetic concern for the welfare of the Polish people. As you know, there is a long history of cooperation between our peoples, especially after World War I and as long as we were permitted after World War II.

The United States Government, on behalf of the American people, is ready to make available to the League of Red Cross Societies (International Red Cross), for free distribution through Red Cross channels to the people in Poland and particularly to relieve the critical situation in the Poznan area, appropriate quantities of wheat, flour, and other foods.

The United States Government would make the food available to the League of Red Cross Societies, without cost, at an appropriate port of entry in Poland. In keeping with our usual requirements that the consumers of American relief grants be informed of the source of the supplies, the food so provided would be labeled for distribution as a gift from the American people.

I should be grateful if the American Red Cross would seek immediately to ascertain if the food offered as a gift by the United States to relieve the reported hunger and distress of the Polish people is accepted.

Sincerely yours,

HERBERT HOOVER, Jr.,
Acting Secretary.

Mr. HUMPHREY of Minnesota. Those statements are truly fitting and appropriate. I commend the Under Secretary for that very prompt action on the part of our Government. Also I wish to express my personal thanks to the minority leader for his willingness to have the resolution considered, and for his helpfulness.

Mr. KNOWLAND. I thank the Senator.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 302) was agreed to.

ORDER FOR ADJOURNMENT

Mr. CLEMENTS. Mr. President, I ask unanimous consent that when the Senate completes its work today it stand adjourned until 12 o'clock noon tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE ATOMIC ENERGY PROGRAM

Mr. ANDERSON. Mr. President, the Joint Committee on Atomic Energy is reporting to the Congress a legislative program for the expansion and acceleration of present atomic energy development and production. We do this to assure United States leadership in the peaceful uses of atomic energy and bolster the defenses of the free world.

Before I describe the proposed programs to you, I want to indicate briefly something of the background of these recommendations.

Before I go further, I wish to invite attention to the fact that there is now pending Calendar No. 2413, Senate bill 4146, introduced by the Senator from Tennessee [Mr. GORE] for himself, the junior Senator from Washington [Mr., JACKSON], the junior Senator from Rhode Island [Mr. PASTORE], and the junior Senator from New Mexico, a bill to provide for a civilian atomic power acceleration program.

I am happy to bring this matter up while the able minority leader is in the chamber, because I would not want it to stand in the RECORD that the introduction of this bill is a partisan measure. The introduction of Senate bill 4146 by four Democratic Senators does not mean that the joint committee has not had the cooperation and help of the Republican members of the Joint Committee on Atomic Energy.

On the contrary, the able minority leader, busy as he was, came to the session of the Joint Committee on Atomic Energy at 9 o'clock in the morning a few mornings ago to help in the completion of the drafting of the bill. I say to him as frankly as I can that he was of great assistance and his influence was of great assistance in bringing about a completed bill to be reported by the committee.

I can say the same for the able senior Senator from Iowa [Mr. HICKENLOOPER], who is not in complete sympathy with all the suggestions contained in the bill, because he felt many of these things might be done by the Atomic Energy Commission itself. Yet the able Senator from Iowa attended the sessions with great regularity and contributed steadily to the alterations which were made in the language of the bill in order to make it, so far as possible, acceptable to all concerned.

I should also mention that on the House side, the former chairman of the Joint Committee on Atomic Energy, a very able Representative from the State of New York, Mr. COLE, was present steadily. His long experience and very fine judgment were of great assistance to us as we progressed through the bill.

While the bill bears the name of the able junior Senator from Tennessee [Mr. GORE], I am sure that he would be the first to say that without the cooperation of Senators on both sides of the aisle, it would not have been possible to present, without a negative vote in committee, a bill for the consideration of the Senate.

The joint committee during the 84th Congress has seen the beginning of a crucial transitional period in the development of atomic energy. This transition involves greater emphasis on the peacetime development of the atom while at the same time we are maintaining our lead in the military uses of atomic energy.

It is the declared policy of the United States under the Atomic Energy Act of 1954 to develop the peaceful uses of atomic energy to the greatest possible extent. We are pledged before the world to devote our minds, industry, and resources to the creation of means whereby the power of the atom can be used for constructive purposes rather than destructive.

At the same time we cannot lose sight of the continuing threat of aggression and the need for adequate defenses. The defense of the United States and the free world is today based on an increasing atomic strength.

These dual tasks require expensive and highly complicated efforts utilizing the Nation's very best creative and technical talent in our laboratories and industrial installations. From time to time the national program must be reviewed and necessary adjustments made. In Congress this is a function of the Joint Committee on Atomic Energy.

A few moments ago I referred to the industrial installations. I should now like to refer to S. 4112, which is a bill to amend the Atomic Energy Act of 1954, in order to create a program of indemnity for the operation of reactors.

That bill was not suddenly worked out. That bill was the result of a long study and hearings in an attempt to find out what the representatives of the industry felt, what the representatives of the Atomic Energy Commission might suggest, and what the members of the Joint Committee themselves could work out.

That bill comes to the Senate from the Joint Committee on Atomic Energy, and its companion bill goes to the House, with the recommendation of the Joint Committee.

Even though it is somewhat of a novel venture for the Government of the United States to underwrite an indemnity program running to $500 million, and not really charging much, if anything, for the assumption of that hazard, I say that it is merely an expression of the confidence of the committee that the industrial organizations and companies

working on the reactor program will work carefully and wisely in the development of types of machinery which will present no hazards to the American people.

The Joint Committee was created some 10 years ago by the Atomic Energy Act of 1946 to assure congressional review of a highly secret Federal activity. Since then the chairmanship and the majority membership have changed several times, but the committee's purposes have remained unchanged. The committee has been dedicated to American world leadership in atomic energy and defense of these United States.

The Joint Committee, under the chairmanship of Senator Bourke B. Hickenlooper, Senator Brien McMahon, Representative Carl Durham, and Representative W. Sterling Cole, has been bipartisan and united in purpose. It has sponsored technological improvement and expansion with considerable unanimity. It has debated differences without regard to political affiliations.

There have been notable moments during these 10 years.

I can recall the early morning hours of July 3, 1952, when Senator McMahon was on his deathbed and Senator HICKENLOOPER led the fight for legislation to increase facilities for the production of fissionable material. As a result, Congress authorized the Savannah River reactor projects and the Paducah and Portsmouth gaseous diffusion plants. Much of our present priceless supply of special nuclear material which is the shield of western civilization was guaranteed on that morning.

During the chairmanship of Representative STERLING COLE in 1953 and 1954, the 5-year reactor program was inaugurated as a means of providing long-term objectives and assurances of continued support at a time when so-called economy and cutbacks were the watchword. This program has provided for much of our pilot-plant reactor development, and laid the basis for large-scale prototype development and demonstration.

During the past 2 years, the joint committee has been engaged in almost continuous study of the domestic atomic-energy program as well as those of other countries. Among other things we have concentrated on three main areas of interest. They are: Peaceful uses of atomic energy in the United States, primarily the reactor-development program for the generation of power; the international program designed to carry out the atoms-for-peace proposal of the President of the United States before the United Nations in December of 1953; the military-preparedness program and the advent of new weapons, many of which are designed for the defense of this continent.

Last summer, when Congress was out of session, the committee invited leading citizens from all walks of life to take part in the panel on the Impact of the Peaceful Uses of Atomic Energy. This was known as the McKinney panel, named after its chairman, Robert McKinney, and it reported to us in January 1956.

During the summer of 1955, members of this committee were observers at the International Conference on the Peaceful Uses of Atomic Energy at Geneva, Switzerland.

During the present session the joint committee or one of its subcommittees has been sitting almost daily.

The full committee has held extensive hearings on the need for indemnity against reactor hazards and proposals for the acceleration of the civilian-reactor program. Concurrently our subcommittees have been examining military application, scientific manpower shortages, biology and medicine, and international cooperation in atomic energy.

The administration of this program in the executive branch of Government has been assigned one of the most difficult tasks in our Nation's history. Uses of atomic energy are entering almost every segment of our national life, our foreign-assistance programs, and the heart of our military structure. Nothing so all-encompassing could remain static in our democratic system of government. Differences of opinion and basic philosophy—honest differences—free of partisanship are bound to arise. I believe these differences of opinions are healthy. They show the world our democracy in action.

The results of the committee's study and review of the atomic-energy program have convinced us that the program must be expanded and accelerated in certain major respects.

We therefore propose to the Congress:

First. That the power-reactor development program be substantially increased and accelerated in terms of the number of prototype reactor concepts which will be developed. Such reactors should be constructed at existing AEC sites.

Second. That the AEC should have the responsibility to provide greater aid for the conduct of a vigorous program of foreign atomic energy assistance.

Third. That the production of special nuclear material be substantially increased to assure sufficient quantities of this invaluable resource for peacetime commitments here and abroad, as well as for new weapons for the defense of this continent and the free world. This can be accomplished by the construction of dual-purpose reactors which generate electricity and also produce special nuclear material.

Fourth. That the principal road blocks to private participation in the development of atomic energy be removed, including (a) the enactment of legislation to provide a governmental indemnity to supplement private insurance against reactor hazards; and (b) the enactment of legislation to permit industrial firms to participate with power companies in the development of reactors for limited periods without being subject to regulation under the Public Utility Holding Company Act.

I want to explain each of these recommendations briefly and indicate what we are doing about them, recognizing that they will be the subject of extensive discussion in the days to come.

ACCELERATED REACTOR DEVELOPMENT—DOMESTIC AND INTERNATIONAL

As I stated previously, the reactor development program of the United States should be substantially increased and accelerated. To carry out this proposal we would authorize and direct the construction of large scale reactors at existing Atomic Energy Commission installations. While demonstrating the practical use of atomic power the generating stations would make the present facilities partially self-sufficient in their power needs. Most AEC sites are in isolated locations and afford the safest possible areas for new and novel concepts.

The bill would also provide for smaller reactors from which knowledge could be gained as to new and promising design. The bill also gives the AEC responsibility for a vigorous program of cooperation and assistance overseas in the design, construction, and operation of power reactors.

Since the passage of the Atomic Energy Act of 1954 power reactor development has been proceeding primarily under the direction of private industry. Their efforts have been well motivated but in the absence of profit incentive they are not stimulated to produce the fullest possible effort so badly needed by the United States. In addition, they are plagued by expensive technical problems the solution of which may exceed the capacity of their financial allotments.

Electricity generated through atomic power is not now economically competitive and may not be in the United States for many years to come. Conventional means of generation have become more and more efficient in the past few years making it even more difficult for nuclear power to compete with natural fuels. Yet there is a pressing need for obtaining more experience in all types of designs of power reactors, and Government must supplement the private program. In a situation such as this where the economic incentive is lacking and yet where there is a pressing national purpose for going forward, the Government must take the initiative and should make the necessary investment.

Our national prestige is at stake. The United States was the first to harness the atom for military purposes and the first nation to express the willingness to explore its peacetime uses. The world prestige arising from this can be lost if we surrender our progress. Instead, memories of Hiroshima and Nagasaki—of blasted Pacific atolls—will be associated with the United States rather than the memorable design of Atoms for Peace presented by the President of the United States to the United Nations in December of 1953.

Mr. GORE. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. GORE. The Senator has stated that nuclear power may not be competitive in the United States for some years to come. Does he think that will hold true in all parts of the United States?

Mr. ANDERSON. No. I should think there might be some parts of the United States where nuclear power might be competitive much more quickly than in

others. It could be that it might be competitive with ordinary fuels within the next few years. But I should say that over the country, if we consider the present cost of coal in the United States and the cost of falling water in connection with current generated by most of the dams, it does not look as if it would be competitive for a few years to come.

Mr. GORE. Would not the Senator say that the United States is unusually favorably situated with respect to a supply of conventional fuel?

Mr. ANDERSON. Yes. We have not to travel far outside the United States to realize how wonderfully situated we are. When the members of the Joint Committee on Atomic Energy went to the Geneva Atoms for Peace Conference last year, we stopped, first, in England and found they were talking about commercially competitive nuclear power in a period of years much shorter than that contemplated in the United States. That was not necessarily because of any more rapid development of the art. It was that their coal is very difficult to obtain, they have no deposits of oil, and they have none of the other things, such as natural gas, and falling water, which we have in the United States.

Mr. GORE. Is it not true that there are many parts of the world in which nuclear power is economically feasible and can be generated at a smaller cost than is now the case with conventional fuel?

Mr. ANDERSON. I think there are areas, and certain parts of Latin-America would be examples, where a 5,000- or a 10,000-kilowatt plant could be constructed from designs we know about in this country and would be commercially advantageous.

Mr. GORE. Mr. President, will the Senator from New Mexico yield further?

Mr. ANDERSON. I yield.

Mr. GORE. It is not true that the position of the United States with respect to a supply of conventional fuel is one of the very strongest reasons why it is necessary for the Government to supplement the efforts of private enterprise in this field?

Mr. ANDERSON. Yes, I think so. I believe private enterprise in the United States, aggressive as we know it can be, would have developed much more rapidly if the price situation were the same here as it is abroad. I think it would be quite clear, however, that if we tried to do that, when other fuels are very attractive, it would hardly be fair to the stockholders generally and to private business as we know it. We might justify a firm in a faroff part of the country gambling that here was a possibility of a good source of fuel, and staking a great share of its capital on using it, but we would hardly be justified in doing it inside the United States if we knew that current was available in the Pacific Northwest at a few mills when the other form of energy might cost 10 or 15 or 20 mills.

Mr. GORE. As the able Senator knows, neither he nor I in the course of the long hearings the committee held on the subject, and statements we have made on the floor and outside the Senate, have critized private enterprise for its reluctance and slowness in moving into this field. I fully sympathize with the risk involved and with the prudent regard which companies properly show for their stockholders. I believe the Senator from New Mexico fully shares that sentiment. As a matter of fact, I heard him make a speech not long ago in which he expressed such a sentiment.

Mr. ANDERSON. Yes. I feel this way about it. A company might be capitalized for $50 million. That is a great amount of money. We know many companies which regard themselves as having a rather strong capital structure when they have $5 million. But let us say a company is capitalized at $50 million, and it wants to build a plant which will generate as much as 150,000 kilowatts. It invests $50 million, its total capital structure, and when it finishes, it might face one of two things: either the plant might not work successfully, or, if it did work, the cost of the current might be so high that it would not feel justified in turning that current into its lines.

I do not know that that will happen, of course, but I say that a group of contractors or a strong company would not be living up to its responsibilities if it invested a large portion of the capital structure of the company in a venture which is uncertain for the present and may not be required for its business in the immediate future.

Mr. GORE. Although the risk may be too great for one company prudently to undertake, does the distinguished Senator not think the risk of the United States in losing its leadership in the nuclear power field is so great that the whole people must undertake the risk of this development?

Mr. ANDERSON. Oh, yes, I do. I feel there is an analogy with the story of the automobile. I feel quite certain, from my recollection, that no farmer would have attempted to use a powered truck to handle his livestock of his produce at a time when the automobile was coming into existence.

I spent much time in a farm implement store in the 1910–12 period, because that was the business of my father. While it was possible that an occasional farmer would buy a high-wheeled automobile and come into town in a high-wheeled car, he would never have thought of taking a low-wheeled car into the hazardous ruts and roads which existed outside of town. Nor would he have thought of buying a truck; it was not economically sound.

But today a farmer not only has to buy a truck, and not only buys automobiles for his family, but in the great West the rancher rides the range in an automobile half the time, unless he is turning now to an airplane.

So although a car was not economically feasible for farm work in 1910, the picture has been completely changed by 1956.

Similarly, many things which are not practical or are not commercially feasible now for general use must be done by the Government in order that our private industry can flourish and can continue to flourish in a field in which we already have an investment running into the billions of dollars. I think the Government can do some things in the cause of speed which it cannot ask private industry to do.

Mr. GORE. Does not the Senator believe that a program to demonstrate the feasibility of the practical utilization of nuclear energy for the generation of electricity could, and very probably will, prove to be one of the greatest boons to private enterprise and to the entrance of private enterprise into this field?

Mr. ANDERSON. Yes; not only do I believe that, but I would not be helping the bill along if I did not believe it.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Washington.

Mr. JACKSON. First, I compliment the distinguished chairman of the Joint Committee on Atomic Energy for the very able accounting he is giving to the Senate this afternoon on the peaceful as well as the military atom. Under the leadership of our chairman, we have, in my judgment, made great progress in furthering the peaceful and military atom, all of which relates to the common security of our country and to the future growth and prosperity of the Nation.

The chairman has made reference to the dual purpose reactor. Is it not true that the Atomic Energy Commission, in a letter to the Joint Committee, informed the Joint Committee that it would be possible to produce at Hanford atomic electric power at a cost of from 4 to 7 mills?

Mr. ANDERSON. Yes; when we got into the question of the possibility of building a dual purpose reactor, we were informed that the company which operated Hanford had made a study of it.

Mr. JACKSON. That is the General Electric Co., is it not?

Mr. ANDERSON. Yes. I had left out the name, because I was about to say that it is a very well organized and very well operated company. I would want that to come under the classification of a compliment and not an advertisement.

Nevertheless, the company has done very fine work in development. It was asked to study the possibility of developing a dual purpose reactor in that area. It supplied the Atomic Energy Commission with an estimate that was different from the ordianry estimate, because the proposed power production would be tied to the production of plutonium, and we do not make public the costs of plutonium production. But assuming that the plant was as competent as other plants in the country, and therefore assigning to it about what it would have cost to produce plutonium in other areas, the power cost would have been somewhere between 4 and 7 mills, as the Senator from Washington has correctly pointed out.

It seems to me that that offers very interesting possibilities, because the British are pressing ahead with the development of power, but they are doing it in connection with a weapons program and the production of plutonium. Therefore, I should be very happy to see what American ingenuity and enterprise could do in a similar capacity.

We might find—I do not say we will find; I want to be very careful and say we might find—that just as the Brit-

ish have been able to build, or are contemplating building, a number of these plants, in many areas of their country, we could safely, if we tested them, contract with some of the capable industrial firms for the construction of dual purpose reactors, with them taking the power at an agreed rate, and the Government taking the plutonium to supplement its cost.

Mr. JACKSON. It would be a graphic illustration, would it not, of the atom in its dual role as a sort of protector of our liberties and also as a plowshare, in the sense that it would make available electricity for peaceful application?

Mr. ANDERSON. I am glad the Senator from Washington has mentioned that, because it seems to me that if there was anything I took away from the Geneva Atoms for Peace Conference which was unpleasant, it was the conversation I had with persons from countries other than the United States, whose almost constant refrain was, "Everyone else is interested in power, but you people make only weapons, do you not? Do you make anything else besides weapons in any of your plants?"

Yes, we do make things besides weapons, and we look forward to making other things besides weapons. But the people from other countries look only at the great plants at Hanford, Oak Ridge, Portsmouth, and Paducah, and say that the only things the Americans are interested in are weapons. Actually, that is as far from the truth as it can be, but we need to demonstrate that fact.

Mr. JACKSON. The bill which has been reported by the committee, and upon which the Senate will act shortly, will give to the Commission the authority to build such a reactor. This will dramatize to the world the dual nature of the atom. It will make it possible for the operation at Hanford to produce, for example, at the same time, both power and the fissionable material necessary for our military defense.

Mr. ANDERSON. Yes; and the fact probably is that not only would it generate power directly, if that were to be done, but the plutonium which is developed need not be used only as a means of weapons development; it may find its role in peaceful use, as well. So the entire project would have a peaceful trend, which I think would be very welcome throughout the world.

The United States is pledged before the world to devote the fullest possible effort to the peaceful uses of atomic energy. I have conducted a survey of industrial companies in the United States capable of contributing talent to the atomic energy program and find that many companies are willing to be invited to participate. We are capable of a greater effort if we use all our industrial talents. Many men were doubtful when President Roosevelt announced we would build 60,000 aircraft for World War II. Since then we have learned never to sell America short.

The world leadership of the United States in atomic energy is threatened by other nations in the world, particularly the Soviet Union. Progress in the Soviet Union, no doubt, has been stimulated by our great developments and promises to the world, but once we have stimulated them into action, we must move fast to stay ahead. Not only the Soviet Union but our allies also have active developmental programs.

The United States has told the world that quantities of fissionable material for the peaceful uses of atomic energy have been earmarked for the use of foreign nations. This generous offer would lose much of its meaning unless followed by technical assistance. The fissionable material we have offered is uranium 235. Outside of the Soviet Union, we are the only nation with atomic technology based primarily on uranium 235. Should our technical progress lag, and we not produce prototype reactors capable of using this material effectively and efficiently, other countries may turn away from the offer and seek to use natural uranium or they could possibly turn to the Soviet Union for assistance. In either event we can ill afford such a loss.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. Yes; I shall be happy to yield to the Senator from Tennessee.

Mr. GORE. Is the Senator aware of the critical nature of the development of nuclear power in Western Europe currently? I mean by that, is he aware of the intense study which the nations of Western Europe are giving and the importance which they attach to it and the possibility that the nations of Western Europe may determine to develop reactors different in concept and design from those upon which the United States has been placing great store, and different in type and concept as to the type of fuel they will use?

Mr. ANDERSON. Yes, those developments are going on, and I think they are rather serious from the standpoint of the United States. I mean, I should like to have the countries of Western Europe feel that they were going to develop programs that ran in harmony with scientific efforts for development in this country.

Sometime ago there were some articles published which referred to what was going on in France. The articles pointed out that France does not have money to spend like rich Uncle Sam does. France, therefore, is going to follow the poor man's route, and find a way of making atomic energy which is not like the program of the United States. The obvious reference was to the fact that we were using enriched uranium, and enriched uranium is very expensive. The United States used it in order to get things done in this country, and I am glad it did so.

I do not criticize the fact that the first nuclear submarine was powered by enriched uranium. But, as the Senator from Tennessee well knows, that is not the final answer for a surface vessel, for example. If we are going to have competitive atomic-powered vessels, we are not going to power them by enriched uranium. The countries of Europe know that. Therefore, when they start their programs they say, "Well, give us a program based on the use of natural uranium, heavy water, and things of that character, so we can afford it, and we will listen to you." We cannot blame them. They have had budget problems since World War II, and they are not anxious to get into further budget problems now.

Studies were made at Princeton University under Frederick S. Dunn, and a pamphlet was published under the title, "Euratom and American Policy," a conference report which I do not think got too much publicity when it came out, but it is a very thoughtful study of what now faces Europe and what is going to face the United States if we do not try to follow along with some of the suggestions they are now making.

Mr. GORE. The Organization for European Economic Cooperation released a rather exhaustive report only last month, in which the importance of nuclear power in Western Europe was spelled out in great detail. In case the United States does not plow ahead in the development of the technology of nuclear power, does not the Senator think that our friends, and also nations uncommitted as our friends, will be looking to other sources for leadership in this field?

Mr. ANDERSON. Yes; I can say to the Senator from Tennessee I not only think they will be but I am sure they will be. I had a long visit with a representative from another country at the Geneva Conference, and he was trying to explain to me why his country was looking to some nation other than the United States for its help. Much of what he had to say came back to the question of dollars. He knew we were early in our work on atomic energy. He knew we had the first concepts. But he said, "I am afraid you have lost the concept we have to bear every day; namely, we have to ask how much it costs. Furthermore, if it costs American dollars, we are at a disadvantage, because we do not have American dollars." All the time he was trying to indicate that they had to look to countries other than the United States.

I wonder if the Senator from Tennessee will permit me to read something into the RECORD at this point. We in our office have been trying to dig back into the history of the power concept. Where did it come from? When did we know anything about the development of atomic power? Strangely, an article was written by William L. Laurence in the Saturday Evening Post of September 7, 1940, at page 62, which gives us a clue to the fact that away back in 1940 somebody had the idea of using this material for power. Mr. Laurence said in his article:

> One pound of pure U–235 would have the explosive power of 15,000 tons of TNT. * * * But such a substance would not likely be wasted on explosives. A 5-pound lump of only 10- to 50-percent purity would be sufficient to drive ocean liners and submarines back and forth across the seven seas without refueling for months.

I say to the Senator from Tennessee that here in this land we have had the power concept from the beginning. Here was a newswriter who in 1940 had the idea that the day would come when a little lump of uranium would be able

to drive submarines back and forth across the seven seas. The junior Senator from Tennessee and the junior Senator from New Mexico went on the *Nautilus*, and went beneath the surface of the sea, and we were propelled back and forth in it, and realized that there is a ship that could, as this man had predicted in 1940, go back and forth across the seven seas without refueling for months.

I say America has had that vision, and has had the vision of using uranium for power. I think it would be tragic if, because fossil fuels are cheap, we do not develop atomic energy for power, and put every resource we can behind American industry to see that it drives in that direction.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD another extract from the article to which I have made reference, page 63 of the Saturday Evening Post of September 7, 1940.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

Indeed it would be just as premature to discuss in detail the possible applications and potentialities for the future of U–235 as a new source of power as it would have been to discuss the potentialities of * * * the internal combustion engine when * * * first invented * * *.

Nevertheless, it would be lacking in farsightedness for our industrialists not to watch with keen interest the developments in this field, and it would be downright shortsighted not to aid the pioneer scientists in this highly important research so that America may be in the lead when the time comes for the practical application of this tremendous new potential source of power. It would be tragic indeed, if America were to lose the lead it is now believed to have in this field because its scientists * * * could not keep up in the race with their totalitarian rivals.

Mr. ANDERSON. Mr. President, I ask unanimous consent that two short excerpts from the January 1940 Reviews of Modern Physics, by Louis A. Turner, be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

"For the first time it seems that there is some reasonable possibility of utilizing the enormous nuclear energy of heavy atoms. * * * The prospects of extremely cheap production of energy are none too bright, however, if the chain can be propagated only by slow neutrons acting on the less abundant isotope, U–235." (From p. 21.)

Also (from p. 20): "It was realized by many of those who first studied the emission of secondary neutrons connected with fission that there was a possibility of a catastrophic chain reaction. * * * The propagation of such a chain would involve the release of terrific amounts of energy in a very short time."

Mr. ANDERSON. Mr. President, I ask unanimous consent that an extract from the report of Dr. H. D. Smyth in 1945, in which he wrote of atomic power, be inserted at this point in the RECORD.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

Although there were no atomic power plants built in the thirties, there were plenty of discoveries in nuclear physics and plenty of speculation. * * *

There was much talk of atomic power and some talk of atomic bombs.

* * * * *

The first meeting of the Uranium Committee was October 21, 1939. The result was a report dated November 1, 1939, and transmitted to President Roosevelt. The report * * * specifically mentions both atomic power and an atomic bomb as possibilities.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. GORE. I find the article from which the able Senator has read thrilling——

Mr. ANDERSON. I dislike to break in on the Senator from Tennessee, but may I say that Mr. Laurence, who wrote the article, by a remarkable coincidence, is reported to have been the only newsman present at the trinity test near Alamogordo when the first atomic bomb was tested. I think the man who had that vision and that concept of how it might be used for power, not for destruction, not for the elimination of human lives, but for the enrichment of human life, should have been present, and I am glad he was.

Mr. GORE. I share the Senator's statement about the dreams and initiative of the United States in this field. I feel the same way, as I am sure he does, about its accomplishment.

Does the Senator not think, however, that unless the United States redoubles its efforts, and unless a program similar in concept to that which he and his committee, on which I have the privilege of serving, is suggesting to the Senate be enacted, the United States is in danger of losing its leadership in the field of nuclear power?

Mr. ANDERSON. Oh, yes, I do; and it is because of the hearings we have had and the studies we have made.

The Senator from Tennessee well knows that we did not go lightly into this question, but that we tried to hold extensive hearings, and tried to submit the information to the persons concerned, and to obtain their comments, and that we tried to obtain the best possible viewpoint of the scientists and the Atomic Energy Commission and the industry which was so actively engaged in the construction of reactors, and of the segments of the industry which are anticipating that they may soon become engaged in the construction of reactors.

From listening to the testimony of the representatives of all those groups, I became convinced that we must go forward with zeal in doing the job, because many other parts of the world are anxious to go forward with it and to use it as the most successful means of propaganda that I think they have ever had.

Mr. GORE. I compliment the Senator very genuinely upon his record in the conduct of the hearings. I believe that the record of the hearings comprises approximately 500 pages.

Mr. ANDERSON. To be exact, 545 pages.

Mr. GORE. I submit they are among the most objective and informative congressional hearings I have ever known in my years of experience in the Congress, and were conducted in a most urbane manner. The Senator from New Mexico was most able in his leadership of the hearings and in the negotiations in the executive sessions of the committee. His efforts have borne great fruit. The bill was reported from the committee by a vote of 14 in favor and none against. So I congratulate the Senator from New Mexico, and I am happy to have worked by his side.

The Senator from New Mexico has referred to other nations which are vigorously moving forward in this field. Is it not true that an eminent Russian scientist recently made a speech in London, and there outlined an announced Russian program?

Mr. ANDERSON. Oh, yes; the Kurchatov speech was very widely studied around the world. We succeeded in getting copies of the speech; they were brought to the Joint Committee on Atomic Energy. I have often thought that it might be very useful to have the Kurchatov speech published in the CONGRESSIONAL RECORD. Therefore, Mr. President, I ask unanimous consent to have printed at this point in the RECORD, excerpts from the address of I. V. Kurchatov on the subject "Some Aspects of Atomic Power Development in the U. S. S. R." I ask that only the first three pages of the English translation of the speech be printed in the RECORD. Included elsewhere in the speech are some charts which will not be meaningful and some text in regard to the charts will not be meaningful without the charts.

There being no objection, the excerpts from the speech were ordered to be printed in the RECORD, as follows:

SOME ASPECTS OF ATOMIC POWER DEVELOPMENT IN THE U. S. S. R.

(By Academician I. V. Kurchatov)

I am glad of the opportunity to speak in this establishment whose work in the peaceful uses of atomic energy is known to scientists and engineers the world over.

In my address I shall discuss the chief trends of atomic-power development in the U. S. S. R. and shall examine some problems of the physics of water-moderated reactors.

A large power-development program will be carried out in the U. S. S. R. in the next several years. We have diverse natural-power resources in Siberia—vast and easily accessible coal deposits and good conditions for building cascades of huge hydroelectric powerplants. These natural conditions make it possible to produce in Siberia cheap hydroelectric power and, on the basis of stripping coal, cheap electric power and heat. A power system with an annual output of some 250 to 300 billion kilowatt-hours is to be set up in the area of the Angara-Yenisei Basin in the next 15 years.

However, much of the Soviet Union's population and industries is now concentrated on the plains of its European part. Here, the cheap water resources will soon all be put to use, and coal mining and transportation will become more and more costly, while the rapidly growing industries and agriculture will demand an ever-increasing supply of electricity and heat.

The available resources are sufficient for some decades to come. In the more distant future, however, atomic energy may have to be the practically inexhaustible and relatively cheap source of abundant power in the European part of the U. S. S. R.

We aim to develop atomic-power production which, in the conditions of the European part of the U. S. S. R., at least, will be more economical than coal power.

To this end we plan to build in the early period large atomic electric powerplants of 400,000-600,000 kilowatts to accumulate experience in nuclear engineering and mass production of fuel elements and their processing. And atomic power can be economically produced only at large atomic powerplants.

The construction of large atomic powerplants and their operation will also make it possible to determine which of the installations are most harmless and safest for the surrounding population. The economic characteristics and these data will determine the type of atomic power stations and the scale of atomic power development in the 1960–70 period.

In the 1956–60 5-year period, we plan to build 5 experimental atomic power stations. According to this program the atomic power stations will be put into operation beginning with the end of 1958; some of them will start operation in 1959 and in 1960.

Two stations will be equipped with water-moderated and cooled thermal and epithermal 200,000-kilowatt reactors, and 70,000-kilowatt turbines using saturated steam of about 30 atmospheric pressure.

Another station will be equipped with graphite-moderated steam and water-cooled reactors of the type used at the first atomic powerplant of the U. S. S. R. Academy of Sciences, on which a paper was read to the Geneva Conference by Professor Blokhintsev. Each reactor will produce steam of about 90 atmosphere, superheated to 480–500 degrees Centigrade for feeding turbines of 200,000-kilowatt total capacity.

The third type of atomic powerplant will have a heterogeneous heavy water-moderated and gas-cooled reactor. At the New York National Conference last October, Professor Vladimirsky gave the basic characteristics of this type of reactor. It will produce steam of about 30 atmospheric pressure, with a temperature of some 400 degrees Centigrade for feeding turbines of 200,000-kilowatt total capacity.

Besides these three types of large atomic powerplants, we shall build and put into operation in 1959–60 several pilot plants each with an electrical capacity of 50,000 to 70,000 kilowatts.

These will include:

1. A unit with a water-moderated thermal reactor and a turbine operated by slightly radioactive steam fed directly from the reactor.

2. A homogeneous heavy water-moderated thermal-breeder reactor, with the U^{233}-Th^{232} cycle.

3. A thermal graphite-moderated and sodium-cooled reactor.

4. A fast sodium-cooled breeder reactor with the Pu^{239}-U^{238} cycle.

We expect that the fulfillment of this experimental program will make it possible to select the best types and clarify many still not quite clear problems of reactor physics.

We hope that our work will prove useful for those countries where, considering their natural resources, the development of atomic power industry is a vital necessity.

Mr. ANDERSON. Mr. President, the address by Mr. Kurchatov refers to the program of construction, and points out that the period from 1956 to 1960—the time in which we are now living—is the one for which they are making plans.

Incidentally, Mr. President, let me say that I hope that later on we shall not say, "We did certain wonderful things in the period from 1940 to 1945." It is true that we did some important things in that period. However, I wish to point out that now we are living in 1956, and now we are concerned with the period in the future, extending from the present year, 1956, to 1960. In regard to that period, Mr. Kurchatov says that they, the Russians, plan to do certain things. In particular, he says in his speech:

In the 1956–60 5-year period, we plan to build 5 experimental atomic power stations. According to this program the atomic power stations will be put into operation beginning with the end of 1958; some of them will start operation in 1959 and in 1960.

Two stations will be equipped with water-moderated and cooled thermal and epithermal 200,000-kilowatt reactors, and 70,000-kilowatt turbines using saturated steam of about 30 atmospheric pressure.

Mr. GORE. Is it not anticipated, according to the announcement the Russians themselves have made, that by 1960 they will be generating from two million to two and one-half million kilowatts of nuclear power?

Mr. ANDERSON. Yes, that is the appraisal which Mr. Kurchatov made of their program.

Mr. GORE. From the evidence presented to the committee, does the Senator from New Mexico not feel that the Soviet Union has adopted as a primary objective excelling the United States in the peacetime uses of the atom for the production of power?

Mr. ANDERSON. Yes, that is true. Of course, the Senator from Tennessee and I should bear in mind that the Russians may be using this first announcement for propaganda purposes. However, as a result of developments during the last few years, I think we have found that one does not write off lightly the claims made by the Russians. For instance, the Senator from Tennessee is aware that some officials of our Government made an estimate about when the Russians might be able to fly their intercontinental bomber, and also when they might be able to fly them in force. One week after those officials estimated that the Russians would not be able to fly their intercontinental bomber for 2 years, the Russians flew them in formation, and permitted anyone who wished to do so to take pictures of them.

Therefore, Mr. President, I am not disposed to write off as exaggerations any announcements made by the Russians, for later they may prove to be accurate. Of course, later they may prove to be exaggerations, but I do not want to begin by writing them off as exaggerations. After all, the Russians announced, before the announcement was made in the United States, that the United States had exploded a hydrogen bomb; and the Russians also announced, before the announcement was made in the United States, that the United States would drop a hydrogen bomb from an airplane. That announcement was made long before the American people were informed of that fact; and subsequently the United States did drop such a bomb from an airplane.

Under these circumstances, Mr. President, I regard this Russian appraisal as meaning something. Let me also state that the fact that the Russians are using types which we believe eventually will be types we can use for the development of commercial, competitive power, is of great interest to me. I recognize that the first plant we shall bring into operation is at Shippingport, and the figures provided us indicate that the first operations at the Shippingport plant are likely to result in the production of power costing 52 mills, which is exorbitant and outrageous and completely impossible. Yet the experiment is most important. On the other hand, the Russians are conducting operations for which they make estimates of cost lower than that. In view of the tests and the estimates, I wish to look into that matter, because the type of operations at Shippingport is the type which we believe will not be the final development in the low-cost development of power, whereas the Russians are starting to do things which we have reason to believe—not that we know, but that we have reason to believe—will lead to the development of low-cost, competitive power. Therefore, I think that is worth watching.

Mr. GORE. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. GORE. Without the enactment of further legislation, is the Atomic Energy Commission itself not powerless to bring about the development and construction of a large-scale reactor using a promising design, unless and until some private concern comes forward and voluntarily proposes to build it?

Mr. ANDERSON. Yes, I think so. Some interpretation which may be put on some section of the law may lead private industry to build such a plant, although I do not think the Commission would now so contend. But as the situation now stands, the private power companies have to undertake to suggest a type of construction which embraces these large plants. I do not object to that. I want the best possible information which can be gathered from the private power companies. I want the most sensible suggestions that they can make, because, after all, they are trying to conserve their dollars and their stockholders' dollars. Therefore I give some credence to what they advocate. But along with that, as was pointed out so many times in the hearing, I should like to test out some of the "second bests," which do not look quite so promising, perhaps, as some of the things the Commission is now testing out, but which might be the clue to cheap commercial power in the United States. If we do that, I think it will be of the best possible assistance to private industry.

I do not contemplate by this bill—and I hope that will be steadily in the minds of those interested—that we are trying to set up a network to compete with the private power companies. The bill has removed from the picture—I believe successfully—the whole public versus private power controversy. Therefore we can go ahead and test the devices which seem to offer great possibilities, even though they have not heretofore been tested.

I asked, during the course of the hearings, a question which Representative COLE had asked. I read from page 82 of the hearings:

Chairman ANDERSON. Could I come back to the question Congressman COLE asked, and that is the one that I was trying to get around to asking, and which I appreciated him asking.

Before I do so, referring to what Senator GORE had in his statement when he quoted Admiral Strauss a year and a half ago, saying:

"The Commission recognizes that the greatest advances in the actual technology will come from the actual construction and operation of large-scale reactors on a commercial basis. There is no effective substitute for such a practical experience."

I digress to point out that that is the very thing that is attempted to be accomplished by the construction of the three large reactors at AEC sites.

Then I went on to say that—

A moment ago Congressman COLE phrased it probably better, when he said, "Is there a particular reactor concept that you feel has reached the stage of development," and you modified it to say, if given the same research contributions that the Government is going to give to these other reactors, "it might be a logical and appropriate step for us to take."

I was trying to see if we had done anything in the construction and operation of reactors which, given some slight modification, might be useful to us in the development of power.

I think the reply from Dr. Zinn should be in the RECORD at this point. He said:

I would then point out that we have many years of experience of operating Hanford-type reactors, which are graphite, water-cooled, and that these can be converted—

Then he corrected himself, because he was not trying to shut down the Hanford development—

or their type can be converted to a power reactor by merely pressurizing the water-cooling channel.

It is not as simple as it seems from reading it. There are some engineering problems in connection with pressurizing the water-cooling channel. We know how difficult the problem is, and we know how to go about it. I think, if we followed some of the suggestions of Dr. Zinn, it might be worth while.

I ask unanimous consent to have printed in the RECORD at this point an excerpt from the printed hearings, beginning on page 83 of the hearings and extending to the middle of page 85, containing the reply of Dr. Zinn to the questions asked at that point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Could you give us examples of where you think that there are, perhaps, holes in the present program that profitably could be explored?

Dr. ZINN. I think that there are such examples, and I will not include some very promising things which are now being proposed for the experimental type of construction. What I mean to mention here are types of reactors where we already have considerable experience or where the type of construction and operation does not seem to be of such a novel kind that we could not undertake the construction.

I would then point out that we have many years of experience of operating Hanford-type reactors which are graphite, water-cooled, and that these can be converted or their type can be converted to a power reactor by merely pressurizing the water-cooling channel.

There is an enormous body of experience on large-scale operations. You cannot be sure that the type of reactor does not have as good a chance to be economic with some further development and some construction for power as some of the ones now being constructed.

Chairman ANDERSON. We have quite a bit of experience with that.

Dr. ZINN. We have enormous experience with that type of reactor, not with the tubes pressurized, but that is a technical change that it seems feasible to be able to do. Of course, I would like to point out that the 5,000 kilowatt Russian plant that Senator GORE referred to earlier is just that type. Their larger scale ones are of that type, also.

Similarly, we have enormous experience at Savannah River with a type of reactor which, if it were changed in design to be a pressurized heavy water reactor rather than a nonpressurized one, which it is now, gives as much promise as any heterogeneous-type reactor for economic power, especially if one takes into account that the American Government apparently can produce heavy water at astoundingly low cost, or at least it astounds our friends in other countries.

Chairman ANDERSON. Did you have any contact with the design or operation or construction of the Savannah River plant?

Dr. ZINN. Yes, sir, I believe I had some contact with the design of that plant.

Chairman ANDERSON. Did you design it?

Dr. ZINN. I had something to do with it; yes, sir.

Chairman ANDERSON. You are not unfamiliar with it?

Dr. ZINN. I am not at all unfamiliar with it. I believe there are several versions of heavy water reactors that might be worth pursuing, not only because we have experience with them, but because of all of the high-performance reactors, they are probably as safe as any, and maybe safer, from the hazard point of view. They give the promise, as I mentioned earlier, of giving powerplants which can be operated in large sizes on natural uranium, and if you mentioned an exportable type of reactor, I believe this is an exportable type of reactor. Remember, it takes with it an important material, heavy water, which is only available commercially, really, in our country. I think such reactors of several kinds, the pressurized-tube kind and also the pressurized-tank type could profitably be developed into a type that has promise for economic power.

Although there has been a great deal of development on the homogeneous, aqueous homogeneous reactor, and although the goal set for this reactor under its present development is really of the very highest type of performance, we have to admit what is lacking in this very attractive type of reactor, from all points of view, economy and safety and so on, is large-scale experience. The homogeneous reactor suffers in comparison with the other types on this count. We know that the Shippingport reactor very likely will operate almost 100 percent of the time, and very successfully, because there is other large-scale similar experience, namely the *Nautilus*, the land-based version of the *Nautilus*, and even our other water-cooled reactors. But the homogeneous reactor lacks large-scale application. It might be wise to undertake a large-scale homogeneous reactor, lowering the performance goal from what is the best we can envision, in order to get an early large plant. By lowering the performance goal, one avoids some of the now technically unsolved problems having to do with corrosion and so on.

Another type which has been passed by several times in an analysis in this country as a power reactor still, perhaps, warrants development and looking into, and that is the gas-cooled reactor. The gas-cooled reactor under any present examination does not give now as good an economic picture as, let us say, a boiling water one would.

Chairman ANDERSON. You mean, for instance, the Zinn boiling water reactor?

Dr. ZINN. Yes, but that carries within it a feature which in the long run may put it ahead. Now, of course, we have heard a lot today about the fact that the British are developing this. The reason that it has promise in the long run is that it takes only some material developments of considerable magnitude to get reactors that operate at really high temperatures. Now, we all know that high temperatures in the generation of power is a very useful thing, because it increases the efficiency and the efficiency of conversion of the heat energy in the reactor to electricity. Also, it holds out the promise, perhaps, of some day permitting one to get away from the steam cycle and use the gas cycle. Therefore, to completely ignore this particular development on a large scale might not be the wisest approach, if the opportunity is open for an expanded program.

Finally, I would like to mention that another type of high-temperature reactor, although now in our present program, is in there only in one version proposed, I believe, by one contractor. I speak of the sodium-cooled graphite reactor. The reason for using sodium and the reason for giving this type of plant any merit at all is just that it will produce high-temperature steam, high-pressure steam, whereas nearly all of the other reactors previously mentioned, which are based on water technology, do not give high-temperature steam, or high-pressure steam.

It may be wise to consider other versions of that particular type of reactor design. That is for large-scale exploitation now.

I do not know whether I have answered your question.

Chairman ANDERSON. You have answered it, and the next question that would come to my mind is this: It would seem that the present program has to be circumscribed by the desires of the people who are going to build the plant. In other words, if they all decided to build pretty much the same type of plant, and the scientists felt that the best way to get it would be through gas, or through the various types you have mentioned, no such proposal would be made to the Commission and therefore that route would never be tried in this country. Would that be a fair assumption?

Dr. ZINN. Well, I believe the present program leaves it up to the proposers to choose, and there is not necessarily any central plan, if I may use that phrase, which may be unpopular. Well, an example of it is that I believe the majority of the reactors being proposed are all light water-cooled and moderated. The emphasis is heavy along that line, and the reason is that everyone has in mind that the *Nautilus* is a fine machine, and that is what that is. It seems to be more attractive to go along that line.

Chairman ANDERSON. So that the determination of what types we will produce is not the determination of the Atomic Energy Commission, but the determination of the electric industry?

Dr. ZINN. I would say it is partly the utility industry, and perhaps even more, the equipment manufacturers. I think the equipment manufacturers have more influence on the choice of what kind of reactor is being developed than anyone else. Maybe that is the way it should be, and I am not saying it should not be.

Mr. ANDERSON. I am happy to consult Dr. Zinn as an expert, because he served long and profitably with the Atomic Energy Commission. He has just retired, as of the 1st of July. His retirement will be a terrific loss to the Government of the United States, and a great loss to our entire problem. However, I hope he will find many ways in the future of continuing to express his great talent in this field.

Western Europe anticipates a power shortage in but a few years and any loss of Middle East oil would make the situation more critical. With this in mind two European groups are planning to pool resources for an atomic energy power program. One is EURATOM, patterned after the Coal and Steel Community; the other is the Organization for European Economic Cooperation which was first instituted at the suggestion of the United States at the time of the Marshall plan. Both of these groups have recognized Europe's power needs. Both are seeking to bring nuclear power to Western Europe at the earliest possible time. I believe that the moment is ripe for the United States to exercise its leadership and offer any friendly European nation or group of nations the benefit of an advanced atomic technology.

The increased development of atomic power in Pan-American countries, and in the underdeveloped countries of Africa, Asia, and the Near East, also requires encouragement and assistance.

The United States will also have a power shortage in coming years but there is at present an abundance of conventional fuels to fill our power requirements. However, we owe it to the people of this country to develop nuclear power now so that it will be economically competitive at an early date and serve as a needed supplement to available fuels.

It is a truism that the more energy a man has at his command the higher is his standard of living. I believe that the use of nuclear energy for power throughout the world will contribute more to the raising of standards of living than any other single factor.

MILITARY PREPAREDNESS PROGRAM

Present military forecasts indicate that during the next 4 years a new type of atomic-missile warfare will come into being. Only last week military leaders at Quantico, Va., were reportedly told to expect a cut of about 300,000 men in the Armed Forces because of displacement of men by atomic weapons and missiles. What was left unsaid in the press reports is the fact that the defense of the continental United States, the defense of our cities from thermonuclear attack, will also be based upon ground-to-air missiles using nuclear warheads. The demand for these weapons will be immense, and fissionable material in large quantities will be needed.

Defense Department thinking is accented toward greater reliance on atomic weapons and atomic energy in our defense posture. Our present production rate of fissionable material is insufficient to meet any expanded demands and at the same time power a domestic reactor program and meet our overseas commitments.

With this in mind, Senator HENRY M. JACKSON, chairman of the Military Applications Subcommittee, and Representative MELVIN PRICE, chairman of the Research and Development Subcommittee, joined me in a letter to President Eisenhower suggesting an increase in the production of fissionable material and the placing of the additional material into a bank as a reserve for future contingencies. We believe that the present state of planning in the Defense Department is such that no one really knows which type weapons will be of the highest priority 3 or 4 years hence. But, unquestionably, more material would be necessary. The reserve could be devoted to any critical future requirement.

Mr. President, I request unanimous consent to place our letter to the President in the RECORD following these remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 24, 1956.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: As you know there have been many new peaceful and military developments based on the use of special nuclear materials and atomic energy. In the recent extensive hearings of the Military Applications and Research and Development Subcommittees of the Joint Committee on Atomic Energy, we studied these advances and believe that our rapid progress dictates an increase in production and a modification of existing methods for the allocation of fissionable materials.

The basic formula used by the Department of Defense and the Atomic Energy Commission in setting atomic requirements is well known to you. We have concluded after many years of observing its operation that despite advances in the nuclear art, production quotas remain relatively static. Recognition of this problem has led the Joint Committee on Atomic Energy from time to time to recommend and sponsor expansion of production facilities. As you will recall only last year we recommended such an expansion.

Our concern of the moment is not confined to this increase but is also directed toward the need for materials over and above those which are committed to a particular military or civilian use. We find little elasticity in the present system of production and allocation and we suggest a new approach which may offer greater flexibility.

We do not imply that there is a critical shortage of fissionable material, although we believe increased production is necessary. We would alter present rigid concepts of allocation so that new and novel military or civilian uses may be quickly exploited as they arise.

We have also observed that the present formula leaves no uncommitted reserve from which either reactor fuel elements or defensive weapons could be fabricated in an emergency. No one can be certain that in a future war we would still have our production capacities.

In addition, the Navy of the future will be a nuclear propelled Navy and yet there is no plan for a reserve of nuclear fuels comparable to naval oil reserves.

With these thoughts in mind we would propose the establishment of an atomic bank for the stockpiling of uncommitted reserves of fissionable material. To create this bank we would have to increase our present rate of production. All production over and above that which is presently committed would be placed in the bank. The material would not be fabricated either for reactors or weapons but would remain in the most suitable form from which it could be diverted to either use.

The bank would offer the Nation a critical reserve for peace or war. It would also be a source of supply for the new, the novel, or the unexpected development.

The bank would provide a segregated supply of material from which your laudable pledge to the world of 40,000 kilograms of special nuclear material for the peaceful uses of atomic energy can be fulfilled.

A stockpile of special nuclear material is unquestionably an invaluable national asset. Its existence assures the defense of the free world and at the same time provides future generations with a priceless inheritance of abundant electric energy and a host of other uses.

We have a deep awareness of your devotion to the development of the peaceful uses of atomic energy and to the maintenance of our national security. Our proposal is directed towards these objectives.

Respectfully,

CLINTON P. ANDERSON,
Chairman, Joint Committee on Atomic Energy.
HENRY M. JACKSON,
Chairman, Military Applications Subcommittee.
MELVIN PRICE,
Chairman, Research and Development Subcommittee.

Mr. ANDERSON. Remember that the fissionable material we produce today is a priceless fuel for our future and the world future in a time of increasing demands for electric power.

I, therefore, propose a substantial increase in production of special nuclear material through the construction of dual purpose reactors under the reactor acceleration bill supported by the Joint Committee on Atomic Energy.

INDEMNITY AND OTHER ROADBLOCKS

I have already introduced S. 4112, which is designed to take care of the roadblock to private progress created by the inability of private industry to obtain full insurance coverage for atomic reactors. Essentially this bill is drafted to protect the public financially in the most unlikely event of a runaway reactor. This protection is achieved by requiring the reactor operators to put up financial protection through insurance, or other equal amounts, up to the sum that the Commission finds proper for the kind of reactor involved. It provides a firm commitment of the Government to pay damages up to $500 million for each incident on top of that, and provides a mechanism for having the Congress look at anything further that may be needed. It also provides for limitation of liability if the sums are still not adequate. The committee has already received many communications approving this proposed legislation.

The Potter-Pastore bill (S. 2643) is designed to facilitate group endeavors in reactor development. Certain groups found Public Utility Holding Act provisions a roadblock to collective efforts. The bill has gone through hearings before the Senate Interstate and Foreign Commerce Committee and has been referred to the Joint Committee on Atomic Energy, and I am sure will be favorably considered by the joint committee.

Controversial problems of the multiple ownership of one hydroelectric project have been eliminated from the bill. The bill is now drafted to have statutory exemption for the multiple ownership of a group operating research and development reactors while they are primarily in the research and development stage. Thereafter the bill establishes procedures for removing the exemption for these facilities under the Public Utility Holding Act. I believe that the joint committee will recommend passage of the revised bill.

ASSISTANCE TO AEC

I wish to reemphasize that we have a full appreciation of the fact that the

Atomic Energy Commission has a most difficult task. The Commission and its staff supervises a huge industrial complex greater in size than any single industrial activity in the United States.

The committee has voted to report out a bill calling for increases in salary for the AEC Chairman, Commissioners, and top scientific and executive staffs. The bill recommends increases generally comparable to those contemplated in the Executive Pay Act of 1955, which is now before the Congress for consideration.

Our bill, conditioned on the passage of the executive pay bill would increase the salary of the Chairman of the AEC to the same compensation recommended for Cabinet officers and would award appropriate increases to the other Commissioners, the general manager, and his assistants.

In further recognition of the difficult problems before the Commission, the joint committee has felt that any reasonable assistance the AEC requests should be expeditiously granted. With this in mind the authorization bills for AEC construction have been reported out in near record time. Confirmations of Commissioners Harold S. Vance and Willard F. Libby were considered in the joint committee almost as soon as the appointments arrived.

I can assure the Congress that the joint committee will continue to lend every possible assistance to the AEC.

The proposals I have described all speak of expansion and acceleration of our atomic energy program. They speak of added expenditures at a time when the costs of maintaining our Government are mounting. I can assure Senators that the committee has considered the budgetary problems, but it recognized that each proposal offers more value than its cost.

Reactors built now and fissionable material produced are a priceless heritage for the future. Raising the standard of living of the world through the use of nuclear power offers opportunities for peace of a magnitude beyond value.

This twentieth century is a time of technological breakthrough and scientific achievements dated in months rather than centuries. The national interest dictates that each be exploited promptly for time lost is progress delayed and material betterment postponed.

I have every confidence that my colleagues in both Houses will support the committee's proposals.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 2, 1956, he presented to the President of the United States the following enrolled bills:

S. 245. An act for the relief of Ahmet Haldun Koca Taskin and Ursula Jadwiga Milarski Goodman;

S. 1375. An act for the relief of certain aliens;

S. 1814. An act for the relief of Teresa Lucia Cilli, Guiseppe Corrado Cilli, and Manda Pauline Petricevic;

S. 2842. An act for the relief of Toini Margareta Heino; and

S. 3581. An act to increase the retired pay of certain members of the former Lighthouse Service.

ADJOURNMENT

Mr. ANDERSON. Mr. President, in accordance with the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 32 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Tuesday, July 3, 1956, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 2, 1956:

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service, subject to qualification therefor as provided by law and regulation:

I. FOR APPOINTMENT

To be senior assistant dental surgeon

William D. McBride	James E. McSweeney
Norman Buckman	Kenneth T. Strauch
Rogert E. Blu	Lawrence J. Stanwich

To be assistant dental surgeons

Hugh L. Henley	Victor L. Andrews, Jr.
Jerry D. Niswander	Harvey L. Weiner
S. Henry Holton, Jr.	Jackie W. Gamble
Robert N. Phillips	Clarence R. Miedema
Harold K. Packard	Thomas B. Haller
Don P. Whited	Kenneth O. King
Keith G. Winkler	Joseph J. Knoll
James R. Hull	Jerry F. Jones

POSTMASTERS

The following-named persons to be postmasters:

ALASKA

Margaret E. White, Juneau, Alaska, in place of C. S. Jenne, resigned.

CALIFORNIA

Chester F. Harritt, Santee, Calif., in place of L. B. Gilbert, resigned.

FLORIDA

John Lester Dicus, Clearwater, Fla., in place of Sue Barco, retired.

Wilmer K. Sadler, Lutz, Fla., in place of W. R. Vosburgh, retired.

GEORGIA

Charles C. Fulghum, Abbeville, Ga., in place of Irene McLeod, retired.

John N. Waters, Arabi, Ga., in place of R. M. Hamilton, resigned.

IDAHO

Robert L. Bulen, Culdesac, Idaho, in place of C. A. Rohrman, resigned.

Wayne J. Petrie, Lewiston, Idaho, in place of L. H. Erb, resigned.

ILLINOIS

William R. Wesley, Des Plaines, Ill., in place of A. L. Larson, retired.

Herbert O. E. Baltz, Freeburg, Ill., in place of E. J. Heiligenstein, deceased.

INDIANA

Frances L. Autrey, Newberry, Ind., in place of C. V. Wolford, retired.

Vertis L. Thompson, Owensville, Ind., in place of S. A. Blood, Jr., resigned.

KANSAS

Walter S. Coulter, Linwood, Kans., in place of N. L. Stark, retired.

Lloyd William Barker, Valley Falls., Kans., in place of Clayton Wyatt, retired.

LOUISIANA

Robert A. McCormick, Houma, La., in place of C. M. Smith, removed.

MICHIGAN

Lyle H. Van Eetten, Jasper, Mich., in place of C. A. Van Dusen, retired.

Phyllis E. Simpson, North Street, Mich., in place of H. W. Sweet, resigned.

MISSOURI

Colin A. Labruyere, Bloomsdale, Mo., in place of A. P. Drury, retired.

Rebecca J. Jackson, Dearborn, Mo., in place of O. L. Dean, retired.

Lawrence L. Poleski, St. Ann, Mo. Office became Presidential June 1, 1954.

George A. Arnold, Smithville, Mo., in place of E. E. Eberts, resigned.

MONTANA

Mark M. Fuller, Great Falls, Mont., in place of E. W. Toole, resigned.

NEBRASKA

Gerald B. Longwell, Homer, Nebr., in place of L. M. Carey, retired.

NEW MEXICO

Chester E. Haley, Chama, N. Mex., in place of Ramonsita Gallegos, removed.

NEW YORK

August J. Oliver, Frankfort, N. Y., in place of B. J. Vincent, removed.

Paul W. Brown, Sloansville, N. Y., in place of L. Van Aller, removed.

Arthur T. Judge, Troy, N. Y., in place of D. J. Costello, deceased.

NORTH CAROLINA

Jackson T. Potter, Winnabow, N. C., in place of J. J. Henry, resigned.

NORTH DAKOTA

Elmer O. Severson, Fessenden, N. Dak., in place of H. H. Parsons, retired.

OHIO

John E. LePage, Cumberland, Ohio, in place of W. E. Waller, removed.

Leslie M. Taylor, Middletown, Ohio, in place of H. H. Martin, retired.

Mary E. G. Rex, Rome, Ohio, in place of G. G. Rex, transferred.

OAKLAHOMA

Kendall E. Campbell, Hunter, Okla., in place of M. M. Friend, resigned.

Archie A. Godfrey, Lone Wolf, Okla., in place of S. M. Alexander, retired.

OREGON

Joseph P. Kelly, Coos Bay, Oreg., in place of W. P. McKenna, retired.

John P. Ivers, Oceanlake, Oreg., in place of R. J. Collins, removed.

PENNSYLVANIA

Harry H. Powell, Sr., Tamaqua, Pa., in place of M. E. Devlin, deceased.

SOUTH CAROLINA

Thomas W. Martin, Eutawville, S. C., in place of J. L. Hinnant, retired.

Shuford S. Shull, Leesville, S. C., in place of J. S. Nichols, deceased.

VIRGINIA

Lewis H. Hiscock, Church Road, Va., in place of M. J. Davis, resigned.

Louis W. Blankenship, Glen Lyn, Va., in place of E. B. Shumate, retired.

WASHINGTON

Chauncey F. Arnold, Silverdale, Wash., in place of Elizabeth Clogston, retired.

Chesla D. Williams, Tonasket, Wash., in place of D. M. Richardson, removed.

WEST VIRGINIA

Lindsey L. Kenney, Mill Creek, W. Va., in place of C. M. Rightmire, retired.

Ruth J. Cochran, Mona, W. Va., in place of E. A. Trevillian, resigned.

WISCONSIN

Werner F. Arnhoelter, Brillion, Wis., in place of J. J. Ecker, removed.

John A. Wolenec, Cobb, Wis., in place of T. J. Keyes, retired.

George C. Drews, Hortonville, Wis., in place of A. M. Olk, removed.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 2, 1956:

UNITED STATES DISTRICT JUDGES

Raymond J. Kelly, of Michigan, to be United States district judge for division No. 1, district of Alaska, term of 4 years.

R. Jasper Smith, of Missouri, to be United States district judge for the western district of Missouri.

Richard E. Robinson, of Nebraska, to be United States district judge for the district of Nebraska.

UNITED STATES MARSHAL

James F. Brophy, of Georgia, to be United States marshal for the southern district of Georgia.

WITHDRAWALS

Executive nominations withdrawn from the Senate July 2, 1956:

POSTMASTERS

James R. Glass to be postmaster at Chesterhill, in the State of Ohio.

Charles W. Ford to be postmaster at McGregor, in the State of Texas.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 2, 1956

The House met at 12 o'clock noon.

The Reverend Dr. Albert J. Kissling, minister, the Riverside Presbyterian Church, Jacksonville, Fla., offered the following prayer:

Almighty God, by whose awful power we hold dominion over land and sea for moments so fleeting, grant unto us that humility of spirit that we shall yield to Thy guidance in all deliberations, that we may be persistent for that which is good and patient in dealing with our fellow creatures, to the end that Try will shall be achieved and this shall be a righteous Nation by Thy grace, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, June 29, 1956, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 11356. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. GREEN, Mr. FULBRIGHT, Mr. SPARKMAN, Mr. SMITH of New Jersey, Mr. HICKENLOOPER, and Mr. KNOWLAND to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3046. An act to amend the act of May 29, 1884 (23 Stat. 31), as amended, and the act of March 3, 1905 (33 Stat. 1264), as amended, to eliminate the requirement of certain notices thereunder, and for other purposes.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 56–18.

COMMITTEE ON THE JUDICIARY

Mr. HOLTZMAN. Mr. Speaker, on behalf of my colleague the gentleman from New York [Mr. CELLER], I ask unanimous consent that the Committee on the Judiciary may sit while the House is in session today and tomorrow, during general debate.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

MINORITY REPORT ON H. R. 8902

Mr. HESELTON. Mr. Speaker, I have discussed this matter with the chairman of my committee, the House Committee on Interstate and Foreign Commerce.

Mr. Speaker, on Friday last, I asked unanimous consent that I might be allowed until midnight tonight, July 2, to file a minority report on the bill H. R. 8902. Apparently the reporter misunderstood my request. I was quoted as asking unanimous consent that I might be allowed until midnight last Friday night to file this minority report.

I anticipated I would receive certain data by now in order to prepare this minority report. I have not received it and understand it will not be ready until Thursday, July 5. Therefore, I ask unanimous consent that I may be allowed until midnight Thursday, July 5, to file a minority report on the bill H. R. 8902.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TEMPORARY APPROPRIATIONS, 1957

Mr. CANNON. Mr. Speaker, by direction of the Committee on Appropriations, I call up the joint resolution (H. J. Res. 671) making temporary appropriations for the firscal year 1957, and for other purposes, and ask unanimous consent that the resolution be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Mr. Speaker, reserving the right to object, and I shall not, this is the usual continuing resolution that comes in every year when there is a situation where all of the appropriations have not been provided.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the resolution be considered as read.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The resolution is as follows:

Resolved, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units in the executive branch of the Government, namely:

Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1956 and listed in this section (a) at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, or (b) in the amount or at the rate specified herein:

Funds appropriated to the President, President's special international program (emergency fund for international affairs);

Atomic Energy Commission;

Department of State, International Fisheries Commission (sea lamprey control and research activities);

Department of Commerce, export control;

Department of Defense—Civil functions, Department of the Army, government and relief in occupied areas; military construction, Army; military construction, Navy; military construction, Air Force;

Export-Import Bank of Washington;

Mutual-security programs, $200 million, to be expended in accord with provisions of law applicable to such programs during the fiscal year 1956 and at a rate for any individual program not in excess of the current rate therefor: *Provided,* That administrative expenses for such programs shall not exceed the current rate.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this act shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this act, or (b) enactment of the applicable appropriation act by both Houses without any provision for such project or activity, or (c) July 31, 1956, whichever first occurs.

SEC. 103. Appropriations and funds made available and authority granted pursuant to this act may be used without regard to the time limitations set forth in subsection (d) (2) of section 3679, Revised Statutes, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 104. No appropriation or fund made available or authority granted pursuant to this act shall be used to initiate or resume any project or activity which was not being conducted during the fiscal year 1956, except military construction projects otherwise authorized by law. Appropriations made and authority granted pursuant to this act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such

project or activity are available under this act.

Mr. CANNON. Mr. Speaker, this is the usual resolution passed at the end of a session to provide for the continued operation of all departments during the month of July.

It is greatly simplified this year due to the fact that all supply bills have been passed by both Houses and have been sent to the President, and according to my latest information all have been signed by the President with the possible exception of two—the defense bill and the public-works bill.

Since rising to speak I am informed that all the annual appropriation bills for the fiscal year 1957 have been approved by the President.

It is an unusual record and I do not recall at this time when the appropriation bills have been enacted so early in the session.

As a result, the continuing resolution is largely a matter of routine.

The Committee on Appropriations has only two more bills which it expects to submit to the House in this session of the Congress—the foreign aid mutual assistance bill and the last supplemental or deficiency bill. We expect to report those bills to the House this week.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the distinguished leader of the House, the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, service on the Committee on Appropriations is a very, very trying task. The members of that committee devote practically all of their time without limitation. They make great sacrifices to serve on this important committee. This year the Committee on Appropriations, under the leadership of the distinguished gentleman from Missouri [Mr. CANNON], and under the leadership, too, of the various chairmen of the subcommittees—all the members of the committee, in fact, have made an outstanding record. They have completed every regular departmental appropriation bill and they have passed both branches of the Congress and they have been submitted to the President before the 30th of June. I congratulate the chairman of the committee and the chairmen of the subcommittees and all members of the Committee on Appropriations for the great work they have done this year. I know all my colleagues in the House who are not members of the Committee on Appropriations join with me in expressing our thanks and our congratulations.

Mr. CANNON. I thank the gentleman for his kindly comments, and also take advantage of the opportunity to thank him for the cooperation and collaboration on the part of the great majority leader of the House during the session, which has made that record possible.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all who have spoken on this resolution may revise and extend their remarks.

The SPEAKER. Is there objection?

There was no objection.

RENTAL QUARTERS FOR MEMBERS OF THE ARMED SERVICES

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 567, Rept. No. 2551), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5731) to permit members of the Army, Navy, Air Force, Marine Corps, Coast and Geodetic Survey, and Public Health Service, and their dependents, to occupy inadequate quarters on a rental basis without loss of basic allowance for quarters. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CIVIL RIGHTS LEGISLATION

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 568, Rept. No. 2552), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 days, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on the Judiciary now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

LONGSHOREMEN AND HARBOR WORKERS' COMPENSATION

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 569, Rept. No. 2553), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10765) to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PRINTING OF REPORTS

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 242 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 10,000 additional copies of the report entitled "Special Study Mission to the Middle East, South and Southeast Asia, and the Western Pacific," and that 5,000 copies shall be for the use of the Committee on Foreign Affairs and 5,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days, after which time the unused balance shall revert to the Committee on Foreign Affairs.

The SPEAKER. The question is on the resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CONSTITUTION OF THE UNITED STATES WITH DECLARATION OF INDEPENDENCE

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 243 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Constitution of the United States, as amended to February 27, 1951, together with the Declaration of Independence, be printed as a House document, with an index, in such form and style as may be directed by the Joint Committee on Printing, and that 100,000 additional copies be printed, of which 75,000 copies shall be for the use of the House of Representatives and 25,000 copies for the use of the Senate.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF ADDITIONAL COPIES OF HOUSE REPORT NO. 2189, 84TH CONGRESS, 2D SESSION

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 245 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 50,000 additional copies of the report entitled "The Great Pretense" (H. Rept. No. 2189, 84th Cong., 2d sess.), for the use of the Committee on Un-American Activities.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL PRINTED COPIES OF HEARINGS ON SHORTAGE OF SCIENTIFIC AND ENGINEERING MANPOWER

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 248 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Joint Committee on Atomic Energy, 30,000 additional copies of the hearings held by the Research and Development Subcommittee of the said joint committee during the 84th Congress entitled "Shortage of Scientific and Engineering Manpower."

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOW OUR LAWS ARE MADE

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 251, and ask for its immediate consideration.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there is ordered to be reprinted 132,000 copies of House Document No. 210 of the 83d Congress entitled "How Our Laws Are Made," by Dr. Charles J. Zinn, law revision counsel of the Committee on the Judiciary, to be prorated to the Members of the House of Representatives for a period of 90 days after which the unused balance shall revert to the Committee on the Judiciary.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof: "That the brochure entitled "How Our Laws Are Made," by Dr. Charles J. Zinn, law revision counsel of the House of Representatives Committee on the Judiciary, as set out in House Document No. 210 of the 83d Congress, be printed as a House document, with emendations by the author and with a foreword by Hon. EDWIN E. WILLIS; and that there be printed 132,000 additional copies to be prorated to the Members of the House of Representatives for a period of 90 days after which the unused balance shall revert to the Committee on the Judiciary."

The committee amendment was agreed to.

The concurrent resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERIM REPORT ON CORPORATE AND BANK MERGERS

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 434, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there be printed 1,000 additional copies of the publication of the Committee on the Judiciary entitled "Interim Report on Corporate and Bank Mergers," 84th Congress, 1st session, for the use of the Committee on the Judiciary.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRAYERS OF THE CHAPLAIN OF THE HOUSE, 84TH CONGRESS

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 439, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the prayers offered by the Chaplain, the Reverend Bernard Braskamp, D. D., at the opening of the daily sessions of the House of Representatives of the United States from January 3, 1953, to the end of the 84th Congress be printed as a House document, and that 6,000 additional copies be printed and bound for the use of the House of Representatives, to be distributed by the Chaplain of the House of Representatives.

With the following committee amendment:

Page 1, line 6, strike out the word "six" and insert in lieu thereof the word "two."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRESENTATION OF PORTRAIT OF HON. CLIFFORD R. HOPE TO COMMITTEE ON AGRICULTURE

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 532, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the transcript of the proceedings in the Committee on Agriculture of Wednesday, June 6, 1956, incident to the presentation of a portrait of Hon. CLIFFORD R. HOPE to the Committee on Agriculture be printed as a House document with suitable binding.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CIVIL RIGHTS HEARINGS

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 544, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there be printed for the use of the Committee on the Judiciary, House of Representatives, 1,000 additional copies of the hearings held by said committee during the 84th Congress, 1st session, on civil rights.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE PRAYER ROOM IN THE UNITED STATES CAPITOL

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 546 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives, 42,000 additional copies of House Document No. 234, 84th Congress, 1st session, entitled "The Prayer Room in the United States Capitol."

With the following committee amendment:

Page 1, line 2, strike out the words "forty-two thousand" and in insert in lieu thereof "thirty-eight thousand five hundred."

The committee amendment was agreed to.

The resolution was agreed to. A motion to reconsider was laid on the table.

STATES TAXATION OF INTERSTATE TRUCKING AND THE RECIPROCITY PROBLEM

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 547 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the staff report to the Committee on Interstate and Foreign Commerce, entitled "State Taxation of Interstate Trucking and the Reciprocity Problem," be printed as a House document, and that 3,000 additional copies be printed for the use of the Committee on Interstate and Foreign Commerce.

The resolution was agreed to. A motion to reconsider was laid on the table.

PRESENTATION OF PORTRAIT OF HON. DEWEY SHORT TO THE COMMITTEE ON ARMED SERVICES

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 548 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the transcript of the proceedings in the Committee on Armed Services of Tuesday, June 19, 1956, incident to

the presentation of a portrait of Hon. DEWEY SHORT to the Committee on Armed Services be printed as a House Document with suitable binding.

With the following committee amendment:

Page 1, line 4, after "printed", insert a comma and the words "with an illustration,";

Page 1, line 5, after "Document", insert "and."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE POWERS OF THE PRESIDENT AS COMMANDER IN CHIEF OF THE ARMY AND NAVY OF THE UNITED STATES

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 549 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the manuscript entitled "The Powers of the President as Commander in Chief of the Army and Navy of the United States" be printed as a House document, and that there be printed for the House of Representatives 5,000 additional copies.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING 1,000 ADDITIONAL COPIES OF HEARINGS HELD BY SUBCOMMITTEE ON ANTITRUST AND MONOPOLY

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 77 and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on the Judiciary 1,000 additional copies each of parts 6, 7, and 8, of the hearings held by the Subcommittee on Antitrust and Monopoly during the 84th Congress, 1st session, on a study of the antitrust laws of the United States, and their administration, interpretation, and effect.

The Senate concurrent resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 592 for the relief of certain aliens, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment, as follows:

Page 2, after line 9, insert:

"SEC. 3. Within 6 months immediately following the effective date of this act, Sirijo Tanfara may file an application for adjustment of his immigration status under the provisions of section 6 of the Refugee Relief Act of 1953, as amended (67 Stat. 403; 68 Stat. 1045), notwithstanding his status at the time of entry into the United States."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 605 for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "Anesti N. Baicousheff."

Page 1, lines 7, 8, and 9, strike out "Katherine Pui King Loo (Feun), Lindson Feun, Lindgoy Feun, Amie Feun."

Page 3, lines 17, 18, and 19, strike out "upon payment of the required visa fees, and section 212 (a) (28) of the said act shall be inapplicable in the case of each such alien" and insert "as of the date of the enactment of this act, upon payment of the required visa fees, and their past membership in the classes defined in section 212 (a) (28) of the said act of which the Attorney General has knowledge prior to the date of the enactment of this act shall not hereafter be a cause for their exclusion from the United States."

The SPEAKER. Is there objection to the request of the gentlemen from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN RELATIVES OF UNTED STATES CITIZENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 611, for the relief of certain relatives of United States citizens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, after "be", insert "issued visas and be."

Page 2, line 12, strike out "Reinhold H. Meric."

Page 2, line 16, strike out "and."

Page 2, line 16, after "Wai", insert ", Liesel H. H. Chapman, Aldo D'Amico, Natsuko M. Dean, Lino Giulani, Martha M. B. Hawn, Anastasia Kerlangitis, Kiyoko, M. Malone, Isabella Mezzina, Masako, H. Mindermann, Fanny Z. Muskatt, Kinuyo K. Nicolini, Jenney P. Novo, Monica H. Osborne, Daniele Pantera, Ljuba S. Prodanic, Katsuko H. Robbins, Margarita G. de Rodriguez, Antonio Romanelli, Michiko M. Schlottmann, Reiko T. Stille, and Karlis B. Zvirgzdins."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RAPID VALLEY UNIT, SOUTH DAKOTA, OF THE MISSOURI RIVER BASIN

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1622) to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley Unit, South Dakota, of the Missouri River Basin project, and for other purposes, with House amendment No. 2 thereto and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Georgia? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. FORRESTER, DONOHUE, and MILLER of New York.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

AMENDING FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Clerk called the first bill on the calendar (S. 2364) to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING PUBLIC HEALTH SERVICE ACT TO PROVIDE MENTAL HEALTH STUDY GRANTS

The Clerk called the bill (H. R. 9048) to amend the Public Health Service Act so as to improve the mental health of the Nation through grants for special projects to develop improved methods of care, treatment, and rehabilitation of the mentally ill.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. HARRIS). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AUTHORIZING CONSTRUCTION OF BRIDGE OVER PANAMA CANAL AT BALBOA, C. Z.

The Clerk called the bill (H. R. 9801) to authorize and direct the Panama Canal Company to construct, maintain,

and operate a bridge over the Panama Canal at Balboa, C. Z.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice. I understand this is on the list of bills for action under suspension of the rules today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ESTABLISHING REARING PONDS AND FISH HATCHERY

The Clerk called the bill (H. R. 221) to establish rearing ponds and a fish hatchery in western Oklahoma.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CONVEYANCE OF LANDS TO VOLUSIA COUNTY, FLA.

The Clerk called the bill (H. R. 9774) to provide for the conveyance of certain lands of the United States to the board of commissioners of Volusia County, Fla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to convey by quitclaim deed to the Board of Commissioners of Volusia County, Fla., all of the right, title, and interest of the United States in and to the tracts of land more particularly described as follows:

PARCEL A

Beginning at an 8 inch by 8 inch granite monument marking the northwest corner of the Ponce de Leon Lighthouse Reservation as described in deed executed by Barlota C. Pacetti, Martha J. Pacetti, and Mercides F. de Pacetti, in favor of the United States dated December 1, 1883, measure thence south 10 degrees 00 minutes west for 415 feet to a point; thence south 80 degrees 00 minutes east for 125 feet to a point; thence north 10 degrees 00 minutes east for 160 feet to a point; thence north 60 degrees 00 minutes east for 396.7 feet to a point; thence north 80 degrees 00 minutes west for 428.9 feet to the point of beginning containing 2.08 acres more or less. All as shown on drawing SK–2123 dated March 21, 1955.

PARCEL B

Beginning at an 8 inch by 8 inch monument at the northwest corner of the Ponce de Leon Lighthouse Reservation as described in deed executed by Barlota C. Pacetti, Martha J. Pacetti, and Mercides F. de Pacetti in favor of the United States dated December 1, 1883, measure south 10 degrees 00 minutes west a distance of 445 feet to a point, which is the northwest corner of parcel numbered "B" and the point of beginning of this description.

Thence south 10 degrees 00 minutes west for 215 feet to an 8 inch by 8 inch granite monument; thence south 80 degrees 00 minutes east for 660 feet to a point; thence north 10 degrees 00 minutes east for 215 feet to a point; thence north 80 degrees 00 minutes west for 660 feet to the point of beginning containing 3.26 acres more or less, excepting, however, the right of ingress and egress over a portion of this land which is described as follows:

From the northwest corner of the above-described parcel "B" measure south 80 degrees 00 minutes east a distance of 299 feet to a point which shall be the point of beginning and the northwest corner of the right-of-way; thence south 10 degrees 00 minutes west for 215 feet to a point; thence south 80 degrees 00 minutes east for 25 feet to a point; thence north 10 degrees 00 minutes east for 215 feet to a point; thence north 80 degrees 00 minutes west for 25 feet to the point of beginning.

All as shown on drawing SK–2123 dated March 21, 1955.

With the following committee amendments:

On line 3, page 1, delete the words "Secretary of the Treasury" and in lieu thereof insert the words "Administrator of General Services."

On line 4, page 1, after the word "convey" insert the words "for public purposes."

On line 5, page 1, after the word "Florida," insert the words "at a price equal to 50 percent of the fair market value of the property as determined by the Administrator, General Services."

Add the following new section:

"SEC. 2. The conveyance authorized by this act shall contain the following conditions:

"(1) a condition that no structure shall be erected on the property conveyed which would in any way obscure or otherwise interfere with the usefulness or visibility of the light or tower, and

"(2) a condition that in the event the property so conveyed to such county ceases to be used for public purposes, title therein shall revert to the United States."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BENEFITS TO WIDOWS OF FORMER LIGHTHOUSE EMPLOYEES

The Clerk called the bill (S. 2937) to increase from $50 to $75 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDING THE ACT OF AUGUST 31, 1954

The Clerk called the bill (H. R. 9591) to amend the act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of August 31, 1954 (68 Stat. 1037), is hereby amended to extend the authority of the Secretary of the Interior, contained therein, to the Cape Hatteras National Seashore Recreational Area.

SEC. 2. Any funds appropriated to the Department of the Interior for the acquisition of non-Federal lands within areas of the National Park System shall hereafter be available for the acquisition of non-Federal lands within the Cape Hatteras National Seashore Recreational Area, and the appropriation of funds for the acquisition of such lands is hereby authorized.

With the following committee amendment:

Page 2, line 4, insert:

"SEC. 3. The total amount which may be expended for the land acquisition program at Cape Hatteras National Seashore Recreational Area, pursuant to the authorizations contained in this act, is hereby expressly limited to $250,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DECLARING CUSTOMS COURT TO BE CONSTITUTIONAL COURT

The Clerk called the bill (S. 584) to amend title 28, United States Code, relating to the Customs Court.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 251 of title 28, United States Code, is amended by inserting after the first sentence thereof a new sentence as follows: "Such court is hereby declared to be a court established under article III of the Constitution of the United States."

SEC. 2. Section 292 of title 28, United States Code, is amended by inserting at the end of such section a new subsection as follows:

"(f) The Chief Justice of the United States may upon presentation to him by the chief judge of the Customs Court of a certificate of necessity, designate and assign temporarily any district judge to serve as a judge of the Customs Court."

SEC. 3. (a) Section 293 of title 28, United States Code, is amended by inserting at the end of such section a new paragraph as follows:

"The Chief Justice of the United States may designate and assign temporarily a judge of the Customs Court to perform judicial duties in a district court in any circuit upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises."

(b) The first paragraph of section 295 of title 28, United States Code, is amended by inserting at the end thereof a new sentence as follows: "No designation and assignment of a judge of the Customs Court in active service shall be made without the consent of the chief judge of such court.".

SEC. 4. Nothing contained in this act shall be construed in any way to limit or alter the jurisdiction heretofore conferred upon the United States Customs Court by any provision of law.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE 28, UNITED STATES CODE

The Clerk called the bill (S. 977) to amend title 28, United States Code, with respect to duties of judges of the United States Court of Claims.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) subsection 291 (a) of title 28, United States Code, is amended to read as follows:

"(a) The Chief Justice of the United States may designate and assign temporarily any

circuit judge to act as circuit judge in another circuit, or any judge of the Court of Claims to serve as a circuit judge in any circuit, upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises."

(b) Section 292 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

"(e) The Chief Justice of the United States may designate and assign any judge of the Court of Claims to serve as a judge of any district court, when requested so to do, upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises."

(c) Subsection 294 (b) of title 28, United States Code, is amended by adding at the end thereof the following new paragraph:

"Any retired judge of the Court of Claims (1) may be designated and assigned by the Chief Justice of the United States to perform such judicial duties in any circuit as he is willing to undertake, and (2) may be called upon by the chief judge of the Court of Claims to perform such judicial duties in such court as he is willing to undertake."

(d) Section 331 of title 28, United States Code, is amended by inserting, immediately after the second paragraph thereof, the following new paragraph:

"The Chief Justice of the United States shall also summon the chief judge of the Court of Claims, or if he is unable to attend, another judge of such court, to participate in the conference. Any judge summoned shall attend, and, unless excused by the Chief Justice, shall remain throughout the conference and advise as to the needs of such court and as to any matters in respect of which the administration of justice in the courts of the United States may be improved."

(e) The second paragraph of section 605 of title 28, United States Code, is amended to read as follows:

"Such estimates shall be approved, before presentation to the Bureau of the Budget, by the Judicial Conference of the United States, except that estimates with respect to the Court of Customs and Patent Appeals and the Customs Court shall be approved by such courts, respectively."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAYTON, N. MEX.

The Clerk called the bill (S. 218) for the relief of the town of Clayton, N. Mex.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CONVEY PROPERTY TO STATE OF WASHINGTON

The Clerk called the bill (H. R. 10184) to authorize the Secretary of the Treasury to convey property to the county of Pierce, State of Washington.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to convey by quitclaim deed to the county of Pierce, State of Washington, for public use through the Brown's Point Improvement Club, incorporated and organized under the laws of the State of Washington as a nonprofit organization, the following strip of land, being a portion of the Brown's Point Coast Guard Light Station Reservation, Pierce County, State of Washington:

Beginning at Government meander corner at the southwest corner of lot 1, section 17, township 21 north, range 3 east, Willamette meridian, Pierce County, Wash., located 53.09 feet north of the centerline of Tonawanda Avenue and 580 feet due west from the 16th corner between sections 16 and 17, township 21 north, range 3 east, Willamette meridian, thence north 29 degrees 13 minutes 09 seconds west 56 feet to a point of beginning on the south boundary line of Coast Guard property, thence north 29 degrees 13 minutes 09 seconds west 120 feet to a point on the Government meander line lot 1, thence east 364 feet to a point on the Coast Guard east boundary line, thence south 105 feet along the east boundary line to a point which is 3 feet east of a concrete monument located on the Coast Guard south property line, thence west along the south property line 306 feet to the point of beginning, including any rights to contiguous tidelands not acquired by the State of Washington.

SEC. 2. The conveyance of the property authorized by this act shall contain a condition that, in the event the property so conveyed to such county ceases to be used for public purposes, title therein shall revert to the United States.

With the following committee amendments:

Page 2, line 5, strike out "sixteenth" and insert "one-sixteenth."

Page 2, line 24, insert:

"SEC. 3. The conveyance shall contain the express conditions that the Brown's Point Improvement Club shall move and reestablish the fence on the relocated south line of the said Coast Guard Reservation, and shall provide an access gate, and provide and maintain a suitable access road therefrom through that portion of the strip of land conveyed, and property owned by said club, in order to provide access from the Government property to Tonawanda Avenue, Brown's Point, and upon failure to do so, title in that portion of the strip of land conveyed shall revert to the United States."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISSISSIPPI AND ARKANSAS BI-STATE COMMISSION

The Clerk called the bill (H. R. 10679) granting the consent of Congress to the establishment by the States of Mississippi and Arkansas of a bi-State commission to investigate the possibilities of constructing a railroad bridge across the Mississippi River.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of the Congress is hereby given to the States of Mississippi and Arkansas to establish a bi-State commission to investigate the possibility of constructing a railroad bridge across the Mississippi River at or near Greenville, Miss., and Lake Village, Ark.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEMBERS OF ARMED FORCES TO MAKE UP TIME LOST

The Clerk called the bill (H. R. 8407) to require enlisted members of the Armed Forces to make up time lost during enlistments.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That an enlisted member of the Army, Navy, Air Force, Marine Corps, or Coast Guard who—

(1) deserts;

(2) is absent from his organization, station, or duty for more than 1 day without proper authority, as determined by competent authority;

(3) is confined for more than 1 day while awaiting trial and disposition of his case, and, if convicted, whose conviction has become final;

(4) is confined for more than 1 day under a sentence which has become final; or

(5) is unable for more than 1 day, as determined by competent authority, to perform his duties because of intemperate use of drugs or alcoholic liquor, or because of disease or injury resulting from his misconduct;

is liable, after his return to full duty, to serve for a period which, when added to the period that he served before his absence from duty, amounts to the term for which he was enlisted or inducted.

SEC. 2. The following are repealed:

(1) Section 1 (article 107) of the act of June 4, 1920 (ch. 227, 41 Stat. 809), as amended by section 6 (a) of the act of May 5, 1950 (ch. 169, 64 Stat. 145).

(2) The proviso of the fourth paragraph under "Officers for Engineering Duty Only" of the act of August 29, 1916 (ch. 417, 39 Stat. 580), as amended by the act of July 1, 1918 (ch. 114, 40 Stat. 717 (2d par.))

(3) The act of May 21, 1928 (ch. 650, 45 Stat. 620).

(4) Section 367 (a) (3), (b), and (c) of title 14, United States Code.

SEC. 3. Section 367 (a) of title 14, United States Code, is amended by renumbering clauses "(4)" and "(5)" as "(3)" and "(4)", respectively.

With the following committee amendments:

Page 2, line 1, strike out "if convicted."

Page 2, strike out lines 23 and 24 and insert:

"(4) Clause (3) and the last sentence of subsection (a), and subsections (b) and (c), of section 367 of title 14, United States Code."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEY CERTAIN LANDS TO VERMONT

The Clerk called the bill (S. 1961) to provide for the conveyance of part of Ethan Allen Air Force Base, Colchester, Vt., to the State of Vermont, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Air Force is authorized and directed to convey to the State of Vermont all right, title, and interest of the United States in and to certain land comprising a part of the Ethan Allen Air Force Base, together with improvements thereon, and appurtenances thereto

belonging; such property being more particularly described as follows:

Parcel numbered 1: Beginning at a brick masonry pillar, such pillar being at the intersection of the southwesterly property line of Ethan Allen Air Force Base and the northwesterly side of Vermont Highway Numbered 15 and running thence north 45 degrees 30 minutes west 243.6 feet more or less along such property line; thence north 44 degrees 30 minutes east 55 feet more or less across a road to a bound; thence north 81 degrees 43 minutes east 176.9 feet more or less to a bound; thence south 44 degrees 14 minutes east 47.7 feet more or less to a bound; thence south 7 degrees 50 minutes east 162.9 feet more or less to a brick masonry pillar on the northwesterly side of Vermont Highway Numbered 15; and thence in a southwesterly direction along such highway to the place of beginning.

Parcel numbered 2: Being a strip of land 55 feet wide adjacent to and on the northeasterly side of the southwesterly property line of the Ethan Allen Air Force Base, beginning on such property line at a point 243.6 feet more or less northwesterly from the beginning point in parcel numbered 1 and extending in a northwesterly direction along such property line for a distance of 2,785 feet, more or less. The property authorized to be conveyed herein shall include the hydrant line along Feigle Street.

SEC. 2. The property authorized to be conveyed by the first section of this act shall be used for the training of the National Guard of Vermont and for other military purposes, and the conveyance authorized herein shall be made without monetary consideration therefor, but shall be subject to the reservation by the United States of all mineral rights, including oil and gas; the right of reentry and use by the United States in the event of need therefor during a national emergency declared by the President or the Congress; and the condition and limitation that if the property shall fail or cease to be used for the training of the National Guard of Vermont or for other military purposes, the title to the property so conveyed shall revert to and revest in the United States, and all improvements made thereon during its occupancy by the State of Vermont shall vest in the United States without payment of compensation therefor.

SEC. 3. The costs of any surveys necessary as an incident of the conveyance authorized herein shall be borne by the State of Vermont.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEY AND EXCHANGE CERTAIN LAND IN CALIFORNIA

The Clerk called the bill (S. 3723) to authorize the Secretary of the Navy to convey certain land in the county of Alameda, Calif., and to accept other land in exchange therefor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized to convey to the State of California all of the right, title, and interest of the United States of America in and to that certain real property located in the County of Alameda, State of California, as more particularly described in section 2 of this act, and in consideration for said conveyance, to accept on behalf of the United States of America all of the right, title, and interest of the State of California in and to that certain real property described in section 3 of this act. Said conveyances shall be made by, and accepted on behalf of, the United States of America subject to (1) all reservations, rights, and easements hereinbelow set forth, and (2) to such other and further terms and conditions as may be expressly agreed upon by the parties thereto.

SEC. 2. The property to be conveyed by the United States of America to the State of California is described as follows:

A portion of tract 39, according to the map entitled, "Map of Alameda Marsh Land, as partitioned among the owners thereof in the suit numbered 8923 and entitled 'Pacific Improvement Company, plaintiff, against James A. Waymire, and others,' defendants, superior court of Alameda County, State of California," filed July 30, 1900, in the office of the recorder of Alameda County and of record in map book 25, pages 74, 76, and 78, said portion being described as follows:

Commencing at the northeasterly corner of that certain 76.15 acre tract of land, described in the declaration of taking made on December 13, 1951, in District Court of the United States for the Northern District of California, southern division, case numbeder 30735, United States of America against 76.15 acres of land, more or less, and so forth, a certified copy of which was recorded on December 21, 1951, in book 6618, page 339, official records of Alameda County said corner also being on the general western line of Wester Street, as said line as established by the deed from the regents of the University of California to the city of Alameda, dated April 13, 1944, recorded May 4, 1944, in book 4555 of official records of Alameda County, page 50; thence along the last mentioned line the three following courses and distances: South 6 degrees 52 minutes 06 seconds west 28.42 feet south 4 degrees 52 minutes 13 seconds west 352.37 feet and south 89 degrees 41 minutes 14 seconds east 42.00 feet (recorded bearings and distances south 5 degrees 54 minutes 38.5 seconds west 28.52 feet south 3 degrees 43 minutes 27 seconds west 352.37 feet and north 89 degrees 10 minutes east 42.00 feet) to the westerly line of Webster Street, as said line was established by the deed to the city of Alameda, dated May 31, 1928, recorded June 5, 1928, in book 1867 of official records of Alameda County, page 266; thence along the last mentioned line south 0 degrees 18 minutes 46 seconds west 74.95 feet (recorded bearing and distance south 0 degree 50 minutes east 74.95 feet) to the southern boundary line of the said 76.15 acre tract of land; thence along said southern boundary line north 87 degrees 55 minutes 29 seconds west 839.66 feet (recorded bearing north 89 degrees 00 minutes 30 seconds west) thence north 2 degrees 04 minutes 31 seconds east 464.03 feet to the general northerly boundary line of said 76.15 acre tract of land; thence along said northerly line south 87 degrees 12 minutes 43 seconds east (recorded bearing south 88 degrees 20 minutes east), 815.00 feet to the point of commencement, said property containing 8.538 acres, more or less.

SEC. 3. The land to be conveyed to the United States of America by the State of California is described as follows:

A portion of tract 39 as shown on the map of Alameda Marsh Land filed July 30, 1900, in book 25 of maps at pages 74, 76, and 78 in the office of the county recorder of Alameda County, said portion being described as follows:

Commencing at the northwesterly corner of that certain 76.15 acre parcel of land described in the declaration of taking made on December 13, 1951, in District Court of the United States for the Northern District of California, southern division, case numbered 30735, United States of America against 76.15 acres of land, more or less, a certified copy of which was recorded on December 21, 1951, in book 6618, page 339, official records of Alameda County; thence along the northern boundary line of the said 76.15 acre parcel south 87 degrees 12 minutes 43 seconds east, 1,863.14 feet; thence north 2 degrees 47 minutes 17 seconds east, 309.5 feet; thence north 87 degrees 12 minutes 43 seconds west, 1.875.09 feet to the westerly line of said tract 39; thence along said westerly line south 0 degrees 34 minutes 39 seconds west, 309.73 feet to the point of commencement, said property containing 13.280 acres, more or less.

SEC. 4. (a) The property authorized to be conveyed to the State of California by section 2 of this act shall be subject to—

(1) nonexclusive easement for roadway purposes over and across a strip of land 75 feet wide, the centerline of said strip of land described as follows:

Commencing at a point on the westerly line of the above-described parcel, distance thereon north 2 degrees 04 minutes 31 seconds east 37.50 feet from the southwesterly corner of said parcel; thence south 87 degrees 55 minutes 29 seconds east 387.19 feet. The easterly terminus of said centerline being distant north 87 degrees 55 minutes 29 seconds west 452.39 feet from the westerly line of Webster Street, as said line was established by the deed to the city of Alameda, recorded June 5, 1928, in book 1867, page 266, official records of Alameda County;

(2) easement for water pipeline serving the Oakland Quartermaster Market Center;

(3) easement for water pipeline serving Estuary Housing Project; and

(4) easement for utility lines lying within the 8.538 acres to be conveyed.

(b) The property authorized to be conveyed to the United States by section 3 of this act shall be subject to a perpetual easement for right-of-way 20 feet in width for the construction and maintenance of a sewer over and across the herein-described property as condemned by the United States of America in action numbered 22606–S had in the District Court of the United States for the Northern District of California, southern division. The certified copy of the decree of condemnation in said action being recorded on June 18, 1943, in book 4414 of official records of Alameda County at page 13.

(c) The bearings and distances used in the description of property contained in this act are on the California coordinate system, zone 3.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HUNDREDTH ANNIVERSARY OF BIRTH OF THEODORE ROOSEVELT

The Clerk called the bill (S. 3386) to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt," approved July 28, 1955.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 7 of the joint resolution entitled "Joint resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt," approved July 28, 1955, is amended to read as follows:

"SEC. 7. There is hereby authorized to be appropriated not to exceed the sum of $461,000 to carry out the provisions of this joint resolution."

With the following committee amendment:

Page 2, line 1, strike out "$461,000" and insert "$100,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUSTMENT OF RENTALS UNDER CERTAIN LEASES

The Clerk called the bill (S. 3214) to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Clark Hill Reservoir.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Chief of Engineers, under the supervision of the Secretary of the Army, is authorized to amend any existing lease providing for the construction, maintenance, and operation of commercial recreational facilities at the Clark Hill Reservoir, entered into prior to the date of the enactment of this act under section 4 of the act of December 22, 1944, as amended (16 U. S. C. 460d), so as to provide for adjustment, either by increase or decrease, from time to time during the term of such lease of the amount of rental or other consideration payable to the United States under such lease, when and as he determines such adjustment to be necessary or advisable in the public interest. No adjustment shall be made under the authority of this act so as to increase or decrease the amount of rental or other consideration payable under such lease for any period prior to the date of such adjustment.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMEMORATING ANNIVERSARY OF ESTABLISHMENT OF FIRST SETTLEMENT IN FLORIDA

The Clerk called the concurrent resolution (H. Con. Res. 225) commemorating the quadricentennial anniversary of the establishment of the first settlement in Florida.

There being no objection, the Clerk read the concurrent resolution, as follows:

Whereas August 15, 1959, will mark the 400th anniversary of the first recorded attempt to establish a European settlement in what is now the continental United States; and

Whereas on August 15, 1559, Don Tristan de Luna landed his Spanish colonists in Florida at Pensacola; and

Whereas the city of Pensacola now commemorates annually the Fiesta of the Five Flags in observance and celebration of this anniversary which has gained national and international recognition; and

Whereas this occasion reestablishes and reemphasizes the ties of friendship and heritage between the nations of the Western Hemisphere: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States joins the people of Florida in commemorating the quadricentennial anniversary of the first attempt to found a European settlement in Florida at Pensacola.

SEC. 2. A copy of this resolution, suitably engrossed and duly authenticated, shall be transmitted to the Governor of Florida, the mayor of Pensacola, and the Fiesta of the Five Flags Association, Pensacola, Fla.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF NURSES OR WOMEN MEDICAL SPECIALISTS TO BE MEMBERS OF THE ARMY OR AIR NATIONAL GUARD

The Clerk called the bill (H. R. 7290) to authorize female Reserve officers of the Army or Air Force appointed as nurses or women medical specialists to be members of the Army National Guard of the United States or Air National Guard of the United States, as appropriate.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Armed Forces Reserve Act of 1952 is amended as follows:

(a) The first sentence of section 217 (b) (66 Stat. 486) is amended to read as follows: "Subject to section 222 (a) of this act and if otherwise qualified, women may be appointed as Reserve officers of the Army or Air Force for service as nurses or medical specialists in the Army National Guard of the United States or Air National Guard of the United States, as appropriate, and women may be appointed or enlisted as reserves in the Armed Forces of the United States for service in the Army Reserve, the Naval Reserve, the Marine Corps Reserve, and the Air Force Reserve, as appropriate, in the same grade, ranks, and ratings, as are authorized for women in the Regular component of the appropriate Armed Force of the United States."

(b) Add a new section 715 to read as follows:

"Except as otherwise specifically provided, all laws now or hereafter applicable to made officers and former officers of the Army National Guard of the United States or Air National Guard of the United States, and to their dependents and beneficiaries shall in like cases be applicable respectively to female Reserve officers and female former Reserve officers of the Army National Guard of the United States or Air National Guard of the United States, as appropriate, and to their dependents and beneficiaries except as may be necessary to adapt said provisions to the female persons in the Army National Guard or the United States or Air National Guard of the United States. The husbands of women members of the Army National Guard of the United States and Air National Guard of the United States shall not be considered dependent on their wives for over half of their support, and the children of such members shall not be considered dependents unless they are in fact dependent on their mother for over half of their support."

With the following committee amendment:

Strike all after the enacting clause and insert the following: "That section 57 of the act of June 3, 1916, as amended (32 U. S. C. 1), is further amended by inserting after the words 'forty-five years of age,' the words 'and of female citizens of the United States who are appointed as commissioned officers of the National Guard under section 58 of this Act,'.

"SEC. 2. 58 of the act of June 3, 1916, as amended (32 U. S. C. 4), is further amended as follows:

"(a) Insert the word 'male' immediately before the word 'citizens' where it appears in that section; and

(b) Delete the colon preceding the proviso at the end of the section, substitute a comma in lieu thereof and insert the words 'and female commissioned officers appointed to serve as nurses and medical specialists who are citizens of the United States, at least 21 years of age, are graduates of hospitals or university training schools and registered nurses if appointed to serve as nurses, and have the physical and other qualifications prescribed by the Secretary of the Army:'.

"SEC. 3. The amendments made by section 1 and section 2 of this act apply to the Air National Guard of the several States, Territories, and the District of Columbia, and the authority granted therein to the Secretary of the Army with respect to the National Guard is granted to the Secretary of the Air Force with respect to the Air National Guard.

"SEC. 4. The Armed Forces Reserve Act of 1952 is amended as follows:

"(a) The first sentence of subsection 217 (b) (66 Stat. 486; 50 U. S. C. 941 (b)) is amended to read as follows: 'Subject to section 222 (a) of this act and if otherwise qualified, women may be appointed as Reserve officers of the Army or Air Force for service as nurses or medical specialists in the National Guard of the United States or Air National Guard of the United States, as appropriate. Women may be appointed or enlisted as Reserves in the Armed Forces of the United States for service in the Army Reserve, the Naval Reserve, the Marine Corps Reserve, and the Air Force Reserve. Women are appointed or enlisted in the grades, ranks, and rating authorized for women in the Regular component of the appropriate Armed Force of the United States.'

"(b) A new section 715 is added as follows:

"'SEC. 715. Except as otherwise specifically provided, laws applicable to male officers and former officers of the National Guard of the United States or the Air National Guard of the United States, and to their dependents and beneficiaries apply in like cases to female Reserve officers and female former Reserve officers of the National Guard of the United States or the Air National Guard of the United States, respectively, and to their dependents and beneficiaries. The husband of a female member of the National Guard of the United States or the Air National Guard of the United States may not be considered a dependent unless he is in fact dependent on his wife for over half of his support, and the child of such a member may not be considered a dependent unless he is in fact dependent on his mother for over half of his support'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF LAND TO STATE OF TEXAS

The Clerk called the bill (H. R. 9081) to direct the Secretary of the Army or his designee to convey a two and nine hundred and fifteen one-thousandths acre tract of land situated about 6 miles south of the city of San Antonio, in Bexar County, Tex., to the State of Texas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army or his designee is authorized and directed to convey by quitclaim deed, without consideration, to the State of Texas all right, title, and interest of the United States, except as retained in this act in and to the following described land formerly designated as the Department of Agriculture San Antonio Nursery Site, with all buildings, improvements thereon, and all appurtenances and utilities belonging or appertaining thereto:

A certain tract of land, situated in the county of Bexar, and State of Texas, containing three acres, said tract being situated

in the southwest corner of a tract of land containing two hundred and five acres heretofore conveyed to G. W. Ware and R. F. Moore, out of what is known as the Manuel Leal Survey located about six miles south of the city of San Antonio; said three acres of land being more particularly described as follows, to wit:

Beginning at a stake in the east edge of the Corpus Chrisi Road and the north line of Cemetery Road, at a point where the south line of said two hundred and five acre tract of land intersects said Corpus Christi Road, for its southwest corner; the same being also the northwest corner of the San Antonio Sewer Farm as originally conveyed to the city of San Antonio, and being 62.2 feet north 22 degrees 28 minutes west from the present fence corner of the same; thence with the east line of the Corpus Christi Road north 19 degrees 35 minutes west 200 feet to a stake set for the northwest corner of this tract; thence south 89 degrees 33 minutes east 695.5 feet to a stake set for the northeast corner of this tract; thence south 19 degrees 35 minutes east 200 feet to a stake in the Ware and Moore fence line, being the north line of the Cemetery Road; for the southeast corner of this tract; thence with the said fence north 89 degrees 33 minutes west 695.5 feet to the place of beginning.

Subject to right-of-way for the purpose of widening State Highway No. 9 granted by letter-permit, dated June 16, 1937, from the Acting Secretary of Agriculture, United States Department of Agriculture, to the Texas State Highway Department, covering eighty-five thousandths acre of land, being more particularly described as follows:

Beginning at the northwest corner of said tract, said corner bears south 89 degrees 33 minutes east 35.1 feet from station 47+58.7 on the centerline; thence south 89 degrees 33 minutes east 17.3 feet to point for corner; thence south 20 degrees 46 minutes east 201.4 feet to a point on the north line of Cemetery Road; thence north 89 degrees 33 minutes west 21.5 feet along the north line of Cemetery Road to its intersection with the east line of State Highway No. 9; thence north 19 degrees 35 minutes west 200.0 feet with the east line of State Highway No. 9 to place of beginning, leaving a total net area of 2.915 acres to be conveyed to the State of Texas.

SEC. 2. All mineral rights, including oil and gas, in the lands authorized to be conveyed by this act shall be reserved to the United States.

SEC. 3. The conveyance of the property authorized by this act shall be upon condition that such property shall be used primarily for training of the National Guard and Air National Guard and for other military purposes, and that if the State of Texas shall cease to use the property so conveyed for the purposes intended, then title thereto shall immediately revert to the United States, and in addition, all improvements made by the State of Texas during its occupancy shall vest in the United States without payment of compensation therefor.

SEC. 4. Nothing in this act shall prevent the State of Texas from disposing of or salvaging the improvements now located on the land to be conveyed.

SEC. 5. The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Texas, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency plus 6 months such property shall revert to the States of Texas, together with all appurtenances and utilities belonging or appertaining thereto.

SEC. 6. In executing the deed of conveyance authorized by this act, the Secretary of the Army or his designee shall include specific provisions covering the reservations and conditions contained in sections 2, 3, 4, and 5 of this act.

With the following committee amendments:

Page 3, line 20, insert a period following the word "beginning" and strike the remainder of line 20 and all of line 21.

Page 4, lines 2 and 3, strike the words "and Air National Guard."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to direct the Secretary of the Army or his designee to convey a 3-acre tract of land situated about 6 miles south of the city of San Antonio, in Bexar County, Tex., to the State of Texas."

A motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN PROPERTY TO THE COMMONWEALTH OF PUERTO RICO

The Clerk called the bill (H. R. 9506) to provide for the conveyance of La Puntilla Military Reservation, San Juan, Puerto Rico, to the Commonwealth of Puerto Rico.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CONVEYANCE OF CERTAIN LAND TO THE STATE OF OREGON

The Clerk called the bill (H. R. 9699) to provide for the conveyance to the State of Oregon of the land and improvements known as the Clackamas National Guard target range, at Clackamas, Oreg., to be used for National Guard purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized to convey to the State of Oregon all the right, title, and interest of the United States in and to a tract of land in Clackamas County, Oreg., comprising two hundred thirty-three and ninety-one one-hundredths acres, more or less, together with buildings and improvements thereon, being the same property now utilized by the State of Oregon National Guard as a firing range and storage depot, subject, however, to reservation in the United States of all mineral rights, including gas and oil, in the land authorized to be conveyed by this act.

SEC. 2. The conveyance of the property identified in section 1 of this act to the State of Oregon shall be made without consideration therefor and upon condition that it shall be used for military purposes only, and in the event it shall not be used for such purposes title thereto shall immediately revert to the United States, and, in addition, title to all improvements made by the State of Oregon during its occupancy shall vest in the United States without payment of compensation therefor. The deed of conveyance shall contain the further provision that whenever the Congress of the United States shall declare a state of war or other national emergency, or the President declares a state of emergency to exist, and upon determination by the Secretary of Defense that the property so conveyed is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without charge, except as indicated below, to reenter upon the property and use the same or any part thereof, including any and all improvements made by the State of Oregon, for a period not to exceed the duration of such state of war or national emergency plus 6 months, and upon cessation of such use, such property shall revert to the State of Oregon, together with any or all improvements thereon and appurtenances appertaining thereto: *Provided, however,* That the United States shall be responsible during the period of such use for the entire cost of maintaining all of the property so used, and shall pay a fair rental for the use of any structures or other improvements which have been added thereto without Federal aid.

SEC. 3. The cost of any surveys necessary as an incident of the conveyance authorized herein shall be borne by the grantee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STUDY OF INDIAN EDUCATION IN THE UNITED STATES

The Clerk called the joint resolution (H. J. Res. 451) directing the Secretary of the Interior to conduct a study and investigation of Indian education in the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate resolution, Senate Joint Resolution 110, be considered in lieu of House Joint Resolution 451.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of the Interior (hereinafter referred to as the "Secretary"), acting through the Bureau of Indian Affairs, is authorized and directed to conduct a study and investigation of Indian education in the continental United States and Alaska, including a study and investigation of (1) the education problems of Indian children from non-English-speaking homes, and (2) the possibility of establishing a more orderly, equitable, and acceptable program for transferring Indian children to public schools.

SEC. 2. The Secretary, in carrying out the provisions of this joint resolution, is authorized to enter into contracts in accordance with the provisions of the Johnson-O'Malley Act of June 4, 1936 (49 Stat. 1458; 25 U. S. C. 452).

SEC. 3. Not later than 2 years after funds are made available to carry out the purposes

of this joint resolution, the Secretary shall submit to the Congress a complete report of the results of such study and investigation, together with such recommendations as he deems desirable.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary for carrying out the purposes of this joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution was laid on the table.

FRAUD BY WIRE, RADIO, AND TELEVISION

The Clerk called the bill (S. 3674) to amend section 1343 of title 18, United States Code, relating to fraud by wire, radio, or television.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1343 of title 18, United States Code is amended to read as follows:

"§ 1343. Fraud by wire, radio, or television

"Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined not more than $1,000 or imprisoned not more than 5 years, or both."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBITING TRANSPORTATION OF WATER-HYACINTHS

The Clerk called the bill (H. R. 11636) to amend chapter 3 of title 18, United States Code, relating to animals, birds, and fish.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if we might have a few words of explanation concerning this bill.

Mr. CELLER. Mr. Speaker, the author of the bill, the gentleman from Louisiana [Mr. WILLIS], is very much interested in this bill. It concerns a plant called the water-hyacinth, which, although a very beautiful plant, is highly destructive when transported over State lines. It creates a path of destruction to vegetables and other plants that are valuable to humans.

Mr. GROSS. Mr. Speaker, I was intrigued by the fact that the Committee on the Judiciary is dealing in legislation affecting animals, birds, and fish. I withdraw my reservation of objection.

Mr. CELLER. There is a crime involved, as set out in the bill, and that is why the Committee on the Judiciary handled the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That chapter 3 of title 18, United States Code, is amended by adding the following section:

"§ 46. Transportation of water-hyacinths.

"(a) Whoever knowingly delivers or receives for transportation, or transports, in interstate commerce, alligator grass (alternanthera philoxeroides), or waterchestnut plants (trapa natans) or water-hyacinth plants (eichhornia crassipes) or the seeds of such grass or plants; or

"(b) Whoever knowingly sells, purchases, barters, exchanges, gives, or receives any grass, plant, or seed which has been transported in violation of subsection (a); or

"(c) Whoever knowingly delivers or receives for transportation, or transports, in interstate commerce, an advertisement, to sell, purchase, barter, exchange, give, or receive alligator grass or waterchestnut plants for water-hyacinth plants or the seeds of such grass or plants—

"Shall be fined not more than $500, or imprisoned not more than 6 months, or both.

"SEC. 2. (a) The analysis of part I of title 18, United States Code, is amended by striking out

" 'Chapter 3. Animals, birds, and fish'

and inserting in lieu thereof

" 'Chapter 3. Animals, birds, fish, and plants'.

"(b) The analysis of chapter 3 of title 18 is amended by striking out the heading

" 'CHAPTER 3. ANIMALS, BIRDS, AND FISH'

and inserting in lieu thereof

" 'CHAPTER 3. ANIMALS, BIRDS, FISH, AND PLANTS';

and by adding the following:

" '46. Transportation of water-hyacinths.' "

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REQUIRING CERTAIN VESSELS TO BE FITTED WITH RADIOTELEPHONE INSTALLATIONS

The Clerk called the bill (H. R. 7536) to amend the Communications Act of 1934, as amended, so as to require that certain vessels carrying passengers for hire be fitted with radiotelephone installations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title III of the Communications Act of 1934, as amended, is hereby amended by adding at the end thereof the following new part:

"PART III—RADIO INSTALLATIONS ON VESSELS CARRYING PASSENGERS FOR HIRE

"SEC. 381. Except as provided in section 382, it shall be unlawful for any vessel of the United States, transporting any passenger or passengers for hire, to be navigated in the open sea or any tidewater within the jurisdiction of the United States adjacent or contiguous to the open sea, unless such ship is equipped with an efficient radiotelephone installation in operating condition.

"SEC. 382. The provisions of this part shall not apply to—

"(1) vessels which are equipped with a radio installation in accordance with the provisions of part II of title III of this act, or in accordance with the radio requirements of the Safety Convention; and

"(2) vessels of the United States belonging to and operated by the Government, except a ship of the United States Maritime Administration, the Inland and Coastwise Waterways Service, or the Panama Railroad Company.

"SEC. 383. The Commission may exempt from the provisions of this part, any ship or class of ships, if it considers that the route or conditions of the voyage, or other circumstances, are such as to render a radio installation unreasonable, unnecessary, or ineffective, for the purposes of this act.

"SEC. 384. The Commission shall have authority for any ship subject to this part—

"(1) to specify operating and technical conditions and characteristics including frequencies, emissions, power, communication capability and range, of installations required by reason of this part;

"(2) to approve the details as to the location and manner of installation of the equipment required by this part or of equipment necessitated by reason of the purposes and requirements of this part;

"(3) to approve installations, apparatus and spare parts necessary to comply with the purposes and requirements of this part;

"(4) to prescribe such additional equipment as may be determined to be necessary to supplement that specified herein for the proper functioning of the radio installation installed in accordance with this part or for the proper conduct of radio communication in time of emergency or distress.

"SEC. 385. The Commission shall make such inspections as may be necessary to insure compliance with the requirements of this part.

"SEC. 386. The following forfeitures shall apply to this part in addition to penalties and forfeitures provided by title V of this act:

"(a) Any vessel of the United States that is navigated in violation of the provisions of this part or of the rules and regulations of the Commission made in pursuance thereof shall forfeit to the United States the sum of $500 recoverable by way of suit or libel. Each day during which such navigation occurs shall constitute a separate offense.

"(b) Every willful failure on the part of the master of a vessel of the United States to enforce or to comply with the provisions of this part or the rules and regulations of the Commission made in pursuance thereof shall cause him to forfeit to the United States the sum of $100."

SEC. 2. Section 504 (b) of the Communications Act of 1934, as amended, is amended by deleting "part II of title III and section 507," and inserting in lieu thereof "parts II and III of title III and section 507."

SEC. 3. Section 3 (y) (2) is amended by deleting "part II of title III" and inserting in lieu thereof "parts II and III of title III."

SEC. 4. The amendments made herein shall take effect June 1, 1956.

With the following committee amendments:

Page 2, line 3, strike out "ship" and insert "vessel."

Page 2, line 12, strike out "ship" and insert "vessel."

Page 2, strike out lines 16 through 21 and insert in lieu thereof the following:

"SEC. 383. The Commission shall exempt from the provisions of this part any vessel, or class of vessels, in the case of which the route or conditions of the voyage, or other conditions or circumstances, are such as to render a radio installation unreasonable, unnecessary, or ineffective, for the purpose of this act."

Page 2, lines 22 and 23, strike out "for any ship" and insert ", with respect to any vessel."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHANGING NAME OF GOVERNMENT LOCKS AT BALLARD, WASH., TO THE HIRAM M. CHITTENDEN LOCKS

The Clerk called the bill (H. R. 7943) to change the name of the Government locks at Ballard, Wash., to the "Hiram M. Chittenden locks."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That the locks known as the "Government Locks," at Ballard, Wash., shall hereafter be known and designated as the "Hiram M. Chittenden Locks" in honor of Gen. Hiram M. Chittenden, who (as district engineer in Seattle) was primarily responsible for the design and construction of the locks, and whose services did so much to promote the development and progress of the Port of Seattle.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUNISHMENT FOR FRAUDULENT ACCEPTANCE OF BENEFITS UNDER DEPENDENTS ASSISTANCE ACT OF 1950

The Clerk called the bill (H. R. 10683) to amend the Dependents Assistance Act of 1950, as amended, so as to provide punishment for fraudulent acceptance of benefits thereunder.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Dependents Assistance Act of 1950, as amended (64 Stat. 794; 67 Stat. 6; Public Law 118, 84 Cong., approved June 30, 1955), is amended by inserting the following section after section 13:

"SEC. 13a. Whoever shall obtain or receive any money, check, allowance, or allotment under this act, without being entitled thereto and with intent to defraud shall be punished by a fine of not more than $2,000 or by imprisonment for not more than 1 year, or both."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING UNIVERSAL MILITARY TRAINING AND SERVICE ACT

The Clerk called the bill (S. 3307) to amend section 9 (d) of the Universal Military Training and Service Act to authorize jurisdiction in the Federal courts in certain reemployment cases.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 9 (d) of the Universal Military Training and Service Act, as amended, is amended by striking "or" immediately following "subsection (b)", inserting a comma in lieu thereof, striking the comma immediately following "subsection (c) (1)" and inserting in lieu thereof "or subsection (g)."

SEC. 2. The amendment made by the first section of this act shall take effect as of June 19, 1951.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIREMENT BENEFITS FOR CERTAIN WEST POINT PROFESSORS

The Clerk called the bill (H. R. 4296) to provide that certain professors at West Point shall not be deprived of certain retirement benefits.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That each professor at the United States Military Academy who was appointed to such office prior to August 7, 1947, and who retires after the date of enactment of this act because of attaining the age of 64 years, may elect to receive monthly retired pay computed at the rate of 75 percent of the basic pay which he is receiving at the time he retires, or to receive monthly retired pay computed under other provisions of law applicable to him.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN FORMER MEMBERS OF THE NAVY AND MARINE CORPS

The Clerk called the bill (H. R. 6729) to provide that the Secretary of the Navy shall appoint certain former members of the Navy and Marine Corps to the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, and thereafter transfer such members to the appropriate retired list.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That upon application by any former member of the Navy or Marine Corps—

(1) who was discharged prior to August 10, 1946, under conditions other than dishonorable, and

(2) who, at the time of his discharge, had at least twenty years' active Federal service, the Secretary of the Navy shall appoint such former member in the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, in the rank held by him at the time of such discharge.

SEC. 2. Each person appointed to the Fleet Reserve or Fleet Marine Corps Reserve under the first section of this Act shall be transferred to the appropriate retired list (1) on the first day of the first calendar month beginning after such appointment, if his last discharge occurred 10 or more years prior to the date of such appointment, and (2) in the case of individuals appointed under such section before the expiration of 10 years from their last discharge, on the first day of the first calendar month beginning after the expiration of 10 years from the date of such discharge.

SEC. 3. (a) Each former member transferred to a retired list under clause (1) of section 2 shall receive retired pay at the annual rate of 2½ per centum of the annual base and longevity pay he was receiving at the time of his last discharge, multiplied by the number of his years of active Federal service at such time (not to exceed 30), and adjusted to reflect the percentage increases made since such discharge in the retired pay of persons retired from the Armed Forces prior to October 12, 1949.

(b) Each former member transferred to a retired list under clause (2) of section 2 shall receive retired pay at the annual rate of 2½ per centum of the basic pay to which he would be entitled if serving on active duty at the time of such transfer, multiplied by the number of his years of active Federal service at such time plus his years of service in the Fleet Reserve or Fleet Marine Corps Reserve (not to exceed 30).

SEC. 4. For the purposes of this Act, all active service in the Army of the United States, the Navy, the Marine Corps, the Coast Guard, or any component thereof, shall be deemed to be active Federal service.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That upon application by any former member of the Navy or Marine Corps—

"(1) who was discharged prior to August 10, 1946, under honorable conditions, and

"(2) who, at the time of his discharge, had at least 20 years' active Federal service,

the Secretary of the Navy shall appoint such former member in the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, in the rank held by him at the time of such discharge.

"SEC. 2. Each person appointed to the Fleet Reserve or Fleet Marine Corps Reserve under the first section of this act shall be transferred to the appropriate retired list (1) on the first day of the first calendar month beginning after such appointment, if his last discharge occurred 10 or more years prior to the date of such appointment, and (2) in the case of individuals appointed under such section before the expiration of 10 years from their last discharge, on the first day of the first calendar month, beginning after the expiration of 10 years from the date of such discharge.

"SEC. 3. Each former member transferred to a retired list under clauses (1) and (2) of section 2 shall receive retired pay at the annual rate of 2½ percent of the annual base and longevity pay he was receiving at the time of his last discharge, multiplied by the number of his years of active Federal service at such time (not to exceed 30), and adjusted to reflect the percentage increases made since such discharge in the retired pay of persons retired from the Armed Forces prior to October 12, 1949.

"SEC. 4. For the purposes of this act, all active service in the Army of the United States, the Navy, the Marine Corps, the Coast Guard, or any component thereof, shall be deemed to be active Federal service.

"SEC. 5. No pay shall accrue to the benefit of any person appointed under the provisions of this act prior to the date such person is actually appointed under the provisions of this act and in no event prior to the first day of the first month following enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE ARMED FORCES LEAVE ACT OF 1946

The Clerk called the bill (H. R. 9246) to amend the Armed Forces Leave Act of 1946 by authorizing payments to survivors of former members for unused leave credit.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the last sentence of section 4 (c) of the Armed Forces Leave Act of 1946, as added by section 1 of the act of August 4, 1947 (37 U. S. C. 33), is amended to read as follows: "Settlement and compensation in accordance with this subsection shall, in the case of a member or former member of the Armed Forces who dies after discharge and without having received that compensation, be made to the

survivors of that member or former member in the order set forth in section (6) (b) of this act."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the last sentence of section 4 (c) of the Armed Forces Leave Act of 1946, as added by section 1 of the act of August 4, 1947 (37 U. S. C. 33 (c)), is amended to read as follows: 'Settlement and compensation in accordance with this subsection shall, in the case of a member or former member of the Armed Forces who dies after retirement or discharge and without having received that compensation, be made to the survivors of that member or former member in the manner prescribed in section 6 (b) of this act.

"SEC. 2. This act takes effect August 9, 1946. No settlement and compensation may be made under this act in the case of a member or former member who died before the date of enactment of this act unless application is made to the Secretary concerned within 2 years after the date of enactment of this act.

"SEC. 3. Any settlement and compensation made under this act shall be made from current applicable appropriations."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHYSICAL EXAMINATIONS OF OFFICERS OF THE NAVAL SERVICE

The Clerk called the bill (H. R. 9892) to amend the provisions of the revised statutes, relating to physical examinations preliminary to promotion of officers of the naval service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1493 of the Revised Statutes is amended to read as follows:

"SEC. 1493. No officer of the Regular Navy or Regular Marine Corps may be promoted to a grade above that of ensign in the Navy or second lieutenant in the Marine Corps until he has qualified therefor by such physical examination as the Secretary of the Navy may prescribe. No officer shall be excluded from a promotion to which he would otherwise be regularly entitled if in his case the medical examiners shall report that his physical disqualification was by reason of wounds received in the line of duty and that such wounds do not incapacitate him for the performance of useful service in the higher grade."

SEC. 2. The following laws and parts of laws are repealed:

(1) Section 1494 of the Revised Statutes (34 U. S. C. 272);

(2) The last sentence of the tenth paragraph under the heading "Marine Corps" of the act of August 29, 1916 (ch. 417, 39 Stat. 611; 34 U. S. C. 666); and

(3) Section 9 of the act of May 29, 1934 (ch. 367, 48 Stat. 812; 34 U. S. C. 665).

With the following committee amendment:

Page 2, line 1, strike out "the medical examiners shall report" and insert "the Secretary of the Navy or the Chief of the Bureau of Medicine and Surgery when authorized by the Secretary of the Navy determines."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOWN OF BALD KNOB, ARK.

The Clerk called the bill (H. R. 10075) to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to convey to the town of Bald Knob, White County, Ark., upon payment by such town of consideration in the amount of $1, all of the right, title, and interest of the United States in and to certain real property in such town of Bald Knob, White County, Ark., more particularly described as follows:

Lying and being in the town of Bald Knob, county of White, State of Arkansas; beginning at a point in the northwesterly side of a 16-foot public alley; said point being the southerly corner of lot 3 and the easterly corner of lot 4, block 11, original town of Bald Knob, White County, Arkansas; said point also being a corner of land now or formerly of Mrs. Lally C. Morris and Mrs. Leanna C. Chrisp; running thence in a southwestwardly direction along the northwesterly side of said 16-foot public alley and the southeasterly side of said lot 4, a distance of 36 feet to a point in land now or formerly of Mrs. Lally C. Morris and Mrs. Leanna C. Chrisp; thence in a northwestwardly direction along said land of Mrs. Lally C. Morris and Mrs. Leanna C. Chrisp a distance of 30 feet to a point in other land of said Mrs. Lally C. Morris and Mrs. Leanna C. Chrisp; thence in a northeastwardly direction along said other land of Mrs. Lally C. Morris and Mrs. Leanna C. Chrisp, a distance of 36 feet to a point in the southwesterly boundary of lot 3, block 11; thence in a southeastwardly direction along the southwesterly boundary of said lot 3, a distance of 30 feet to the point or place of beginning.

With the following committee amendment:

Page 1, line 8, after "Arkansas,", strike out the remainder of the act and insert in lieu thereof the following: "being that part of lot 4, block 11, conveyed by the town of Bald Knob, Ark., to the United States on February 23, 1953, as part of a proposed post-office site, a more particular description of which shall be provided in the deed of conveyance by the Administrator of General Services."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF VERO BEACH, FLA.

The Clerk called the bill (H. R. 10383) to provide for the conveyance of certain real property of the United States to the city of Vero Beach, Fla.

Mr. BRAY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Indiana?

There was no objection.

COUNTY OF GALVESTON, TEX.

The Clerk called the bill (H. R. 10479) to authorize the Administrator of General Services to convey certain land to the county of Galveston, Tex.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to convey without consideration by quitclaim deed a certain parcel of surplus realty, described hereinafter, to the county of Galveston, Tex.

SEC. 2. The land referred to in section 1 is a strip of land one hundred feet in width, extending across the entire southerly boundary of old Fort Crockett Military Reservation, beginning from the centerline of Thirty-ninth Street, and extending westerly to the easterly line of Fifty-third Street, city of Galveston, Tex. Width of said strip is measured northerly from the northerly edge of the concrete seawall. A more particular description of the realty conveyed herein shall be made in the deed of conveyance by the Administrator of General Services.

SEC. 3. If at any time within the twenty years following the conveyance herein the realty so conveyed is no longer used for public road purposes, title to such realty, together with all improvements thereon, shall revert to the United States of America.

With the following committee amendments:

Page 1, line 5, strike out "surplus" and insert "Government."

Line 6, after "Texas", insert "for public road purposes."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOWN OF CASTINE, MAINE

The Clerk called the bill (H. R. 11520) to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine.

There being no objection, the Clerk read the bill, as folows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to convey by quitclaim deed, without consideration, to the town of Castine, Maine for public-park purposes, all right, title, and interest of the United States in and to that portion of the property known as the Dice Head Lighthouse Reservation, Maine, consisting of the light tower and the plot of land surrounding such tower one hundred feet square (together with any right of ingress and egress thereto), which was excepted from the conveyance transferring a part of such reservation to the town of Castine, Maine, authorized by section 5 of the act entitled "An act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes", approved May 28, 1935 (49 Stat. 305), such property having been transferred to the Administrator of General Services for disposition as surplus property. The exact legal description of the property authorized to be conveyed under this act shall be determined by the said Administrator.

SEC. 2. The conveyance authorized by this act shall be subject to the conditions (1) that in the event the property conveyed pursuant to this act ceases to be used for public-park purposes, all right, title, and interest so conveyed shall revert to the

United States in accordance with the provisions of section 36 of the act referred to in the first section of this act, and (2) that the United States reserves the right to resume ownership, possession, and control, for Government purposes, of any of such property so conveyed, at any time and without the consent of the grantee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ST. MARYS RIVER, MICH. SOUTH CANAL

The Clerk called the bill (S. 2210) to modify the project for the St. Marys River, Mich., South Canal, in order to repeal the authorization for the alteration of the International Bridge as part of such project, and to authorize the Secretary of the Army to accomplish such alteration.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the project for the St. Marys River, Mich., South Canal, as approved by the act of March 2, 1945 (59 Stat. 10), is modified by repealing the authorization for the alteration as part of such project of the International Bridge owned by the Sault Ste. Marie Bridge Co.

SEC. 2. The Secretary of the Army is authorized to accomplish the alteration of the bridge referred to in the first section of this act under such an agreement as he may arrive at with the owners of such bridge. The costs of any such alteration shall be apportioned between the United States and such bridge owners in accordance with section 6 of the act entitled "An act to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes," approved June 21, 1940 (54 Stat. 497).

SEC. 3. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALLOWANCE WITH RESPECT TO OBTAINING NOTARY COMMISSIONS

The Clerk called the bill (S. 1542) to authorize an allowance for civilian officers and employees of the Government who are notaries public.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That civilian officers and employees of the departments and establishments of the Federal Government and the municipal government of the District of Columbia who are required to serve as notaries public in connection with the performance of official business shall be paid an allowance to be established by the department or establishment concerned not to exceed the expense required to be incurred by them in order to obtain their commission from and after January 1, 1955.

SEC. 2. Funds available to the departments and establishments of the Federal Government and the municipal government of the District of Columbia for personal services or general administrative expenses shall be available to carry out the purposes of this act.

SEC. 3. This act may be cited as the "Notaries Public Expense Act of 1955."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL COUNSEL FOR POST OFFICE DEPARTMENT

The Clerk called the bill (H. R. 10523) to conform the appointment and compensation of the chief legal officer of the Post Office Department to the method of appointment and rate of compensation provided for comparable positions, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of law establishing the position of the chief legal officer of the Post Office Department (codified as section 364 of title 5, United States Code) are amended to read as follows: "There shall be in the Post Office Department a General Counsel, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall have basic compensation at the rate per annum provided for Assistant Postmasters General, and shall rank equally with the Assistant Postmasters General."

With the following committee amendment:

At the end of the bill insert the following:

"SEC. 2. The incumbent in the office of Solicitor for the Post Office Department immediately prior to the time the amendment made by the first section of this act becomes effective shall serve as General Counsel for such Department and shall receive compensation at the rate provided for such office of General Counsel, pending appointment and confirmation of a General Counsel under the amendment made by the first section of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF ELKINS, W. VA.

The Clerk called the bill (S. 2182) for the relief of the city of Elkins, W. Va.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CONTRACT POSTAL STATIONS

The Clerk called the bill (H. R. 4938) relating to contracts for the conduct of contract postal stations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 15 of the act entitled "An act to amend the act approved June 25, 1910, authorizing the postal savings system, and for other purposes," approved May 18, 1916 (39 Stat. 163; 39 U. S. C. 161), is hereby amended to read as follows:

"The Postmaster General may enter into contracts for the conduct of contract stations, on such terms as he deems to be in the best interests of the United States."

With the following committee amendment:

Page 1, strike out lines 8, 9, and 10, and insert in lieu thereof the following:

"'SEC. 15. The Postmaster General may enter into contracts for the conduct of contract stations for a term not exceeding 3 years. Any such contract may be renewed by the Postmaster General, at the same or a lower contract price, for additional terms not exceeding 3 years each unless (1) the Postmaster General finds that such renewal is not in the interest of the United States or (2) not later than 90 days before the end of any contract term the Post Office Departmnt receives a request in writing that the contract be opened for competitive bidding at the end of such term. Upon any such finding by the Postmaster General, or upon receipt of any such request, the Postmaster General shall terminate the contract, with respect to which such finding has been made or such request has been received, at the end of the current term and shall advertise for bids thereon in accordance with existing laws relating to the advertising of public contracts and the award thereof on the basis of competitive bidding'."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COPYRIGHT FEES

The Clerk called the bill (H. R. 10263) to amend title 17, United States Code, entitled "Copyrights" with respect to certain fees.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of title 17, United States Code, is hereby amended by striking out "$6" and substituting in lieu thereof "$4."

SEC. 2. The second paragraph of section 215 of title 17, United States Code, is hereby amended by striking out "except a print or label used for articles of merchandise, $4; for the registration of a claim to copyright in a print or label used for articles of merchandise, $6; which fees" and substituting in lieu thereof "$4; which fee."

SEC. 3. The third paragraph of section 215 of title 17, United States Code, is hereby amended by striking out "$2" and substituting in lieu thereof "$4."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATUTE OF LIMITATIONS ON COPYRIGHTS

The Clerk called the bill (H. R. 781) to amend title 17 of the United States Code entitled "Copyrights" to provide for a state of limitations with respect to civil actions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 115 of title 17, United States Code, is hereby amended to read as follows:

"115. (a) Limitation of criminal proceedings: No criminal proceeding shall be maintained under the provisions of this title unless the same is commenced within 3 years after the cause of action arose.

"(b) Limitations of Civil Actions: No civil action shall be maintained under the provisions of this title unless the same is commenced within 3 years after the claim accrued."

SEC. 2. The amendments made by this act shall take effect 1 year after the date of enactment of this act and shall apply to all actions commenced on or after such effective date.

With the following committee amendments:

Page 1, line 5, strike out "115. (a) Limitation of Criminal proceedings.—", and insert in lieu thereof:

"Section 115. Limitations.

"(a) Criminal Proceedings."

Page 1, line 9, strike out "(b) Limitation of Civil Actions.—", and insert in lieu thereof:

"(b) Civil actions."

Page 2, add a new section as follows:

"SEC. 3. The chapter analysis of Chapter 2 of Title 17 proceeding section 101 is amended by striking out "115. Limitation of criminal proceedings" and inserting "115. Limitations."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL PROBATION ACT

The Clerk called the bill (H. R. 6870) to amend the Federal Probation Act to make it applicable to the United States District Court for the District of Columbia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of title 18, United States Code, section 3651, shall apply to the United States District Court for the District of Columbia. Accordingly, the first paragraph of section 3651 of title 18, United States Code, is amended by striking therefrom the words, "except in the District of Columbia", so that said paragraph shall read as follows:

"Upon entering a judgment of conviction of any offense not punishable by death or life imprisonment, any court having jurisdiction to try offenses against the United States when satisfied that the ends of justice and the best interest of the public as well as the defendant will be served thereby, may suspend the imposition or execution of sentence and place the defendant on probation for such period and upon such terms and conditions as the court deems best."

SEC. 2. The act approved June 25, 1910 (36 Stat. 864; secs. 24–102, D. C. Code) is repealed insofar as it applies to the United States District Court for the District of Columbia but nothing contained in this act shall be construed to amend or repeal the provisions of the act entitled "An act to provide for the suspension of the imposition or execution of sentence in certain cases in the Municipal Court for the District of Columbia and in the Juvenile Court of the District of Colmbia," approved June 18, 1953 (67 Stat. 65).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OFFICIAL GOVERNMENT-MAIL MATTER

The Clerk called the bill (S. 1871) to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), is amended by the addition of sections 3 and 4 to read as follows:

"SEC. 3. There shall be paid to the Post Office Department, as postal revenue, out of the respective appropriations or funds available to the departments, agencies, establishments, Government corporations, and all other organizations and persons concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General for matter sent in the mails without prepayment of postage, or without prepayment of registry fees, by the department, agency, establishment, Government corporation, organization, or person concerned, for which the Post Office Department otherwise does not receive compensation, under authority of the following laws:

"(1) Section 3932 of the Revised Statutes (39 U. S. C. 385);

"(2) That part of section 3 of the act entitled 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1885, and for other purposes,' approved July 5, 1884 (23 Stat. 158), as amended by section 2 of the act entitled 'An act authorizing the Postmaster General to establish a uniform system of registration of mail matter, and for other purposes,' approved May 1, 1928 (45 Stat. 469), and codified in section 321a of title 39, United States Code;

"(3) Section 10 of title 13, United States Code (sec. 1, ch. 1158, 68 Stat. 1012, 1014);

"(4) The first and second provisions of section 306 of title III of the act entitled 'An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes,' approved June 25, 1948 (62 Stat. 1049; 39 U. S. C. 321n); and

"(5) Section 345 of the act entitled 'An act to revise the laws relating to immigration, naturalization, and nationality; and for other purposes,' approved June 27, 1952 (66 Stat. 266; 8 U. S. C. 1456).

"Such payments shall be regarded as a necessary expense of the respective appropriations and activities.

"SEC. 4. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made therefor, to the Department of Agriculture, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General for matter sent in the mails without prepayment of postage pursuant to the following laws:

"(1) Section 4 of the act entitled 'An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' approved March 2, 1887 (24 Stat. 441; 7 U. S. C. 365);

"(2) Section 3 of the act entitled 'An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1862,' approved August 30, 1890 (26 Stat. 418; 7 U. S. C. 325); and

"(3) The proviso in the third paragraph under 'General expenses, offices of experiment stations' in the act entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915,' approved June 30, 1914 (38 Stat. 438; 39 U. S. C. 330).

SEC. 2. Section 15 of title 17, United States Code (sec. 1, ch. 391, 61 Stat. 652), is hereby repealed.

SEC. 3. Section 306 of title III of the act of June 25, 1948 (62 Stat. 1049; 39 U. S. C. 321n), is hereby amended by (A) striking out the words "free of postage" wherever they appear therein, and by inserting, in lieu thereof "as penalty mail"; and (B) by striking out all of the second sentence down to and including the words "*Provided*, That", in the first proviso.

SEC. 4. This act shall be effective July 1, 1955.

With the following committee amendment:

Strike out all after the enacting clause and insert "That the act entitled 'An act to reimburse the Post Office Department for the transmission of official Government-mail matter', approved August 15, 1953 (67 Stat. 614; Public Law 286, 83d Cong.), is amended by adding at the end thereof the following new sections:

"'SEC. 3. There shall be paid to the Post Office Department, as postal revenue, out of any appropriations or funds available to each department, agency, establishment, or Government corporation concerned and as a necessary expense of such appropriations and funds and of the activities concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails, without prepayment of postage or without prepayment of registry fees, by or to such department, agency, establishment, or corporation, for which the Post Office Department does not otherwise receive compensation, under authority of the following provisions of law:

"'(1) Section 3932 of the Revised Statutes (39 U. S. C., sec. 385);

"'(2) The proviso added by section 2 of the act of May 1, 1928 (45 Stat. 469; 39 U. S. C., sec. 321a), to section 29 of the act of March 3, 1879, as amended (20 Stat. 362; 23 Stat. 158; 28 Stat. 412; 29 Stat. 590);

"'(3) Section 10 of title 13 of the United States Code;

"'(4) The second sentence of section 306 of the Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C., sec. 321n); and

"'(5) Section 345 of the Immigration and Nationality Act (66 Stat. 266; 8 U. S. C., sec. 1456).

"'SEC. 4. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Department of Agriculture for such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of the following provisions of law:

"'(1) Section 6 of the act entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the act supplementary thereto", approved March 2, 1887, as amended (69 Stat. 673; 7 U. S. C., sec. 361f);

"'(2) Section 3 of the act entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1862", approved August 30, 1890 (26 Stat. 418; 7 U. S. C., sec. 325); and

"'(3) The proviso contained in the third paragraph under the heading "General Expenses, Office of Experiment Stations" under the caption "Office of Experiment Stations" in the act entitled "an act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915", approved June 30, 1914 (38 Stat. 438; 39 U. S. C., sec. 330).

"'SEC. 5. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Library of

Congress for such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of section 15 of title 17 of the United States Code.'

"SEC. 2. (a) The first sentence of section 306 of the Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C., sec. 321n), is amended by striking out ', free of postage,' and inserting in lieu thereof 'as penalty mail'.

"(b) The second sentence of such section 306 is amended to read as follows: 'Nothing contained in this section shall be construed to prohibit (1) the transmission in the mail, as penalty mail, of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions, to public libraries, or to Federal, State, or other public authorities and (2) the transmission in the mail, as penalty mail, of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, Government Printing Office, or announcements of publications of maps, atlases, and statistical and other reports offered for sale by the Federal Power Commission under authority of section 312 of the Federal Power Act (16 U. S. C., sec. 825k).'

"SEC. 3. The amendments made by this act shall take effect on July 1, 1956."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to amend certain provisions of law in order to provide for the reimbursement of the Post Office Department by Government agencies in certain additional cases for the transmission of mail matter."

A motion to reconsider was laid on the table.

ADMINISTRATOR OF GENERAL SERVICES

The Clerk called the bill (S. 3866) to facilitate the making of lease-purchase agreements by the Administrator of General Services under the Public Buildings Act of 1939, as amended, and by the Postmaster General under the Post Office Department Property Act of 1954, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (e) of section 411 of the Public Buildings Act of 1949, as added by section 101 of the Public Buildings Contract Act of 1954 (68 Stat. 518), is further amended—

(1) by repealing so much of said subsection (e) as reads: "No proposed purchase contract agreement shall be executed under this section unless such agreement has been approved by the Director of the Bureau of the Budget, as evidenced by a written statement of such officer to the effect that the execution of such agreement is necessary and is in conformity with the policy of the President."; and

(2) by adding at the end of subparagraph 8 of said subsection (e) the following: "Such statement by the Director shall be based on budgetary and related considerations and shall not be deemed to constitute approval by the Director of the specific terms or provisions of any proposed agreement or of the selection of any particular contractor or lessor."

SEC. 2. Subsection (g) of section 202 of the Post Office Department Property Act of 1954 (68 Stat. 521), is amended—

(1) by repealing so much of said subsection (g) as reads: "No proposed lease-purchase agreements shall be executed under this section unless such agreement has been approved by the Director of the Bureau of the Budget, as evidenced by a written statement of such officer to the effect that the execution of such agreement is necessary and is in conformity with the policy of the President."; and

(2) by adding at the end of subparagraph 8 of said subsection (g) the following: "Such statement by the Director shall be based on budgetary and related considerations and shall not be deemed to constitute approval by the Director of the specific terms or provisions of any proposed agreement or of the selection of any particular contractor or lessor."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL BUREAU FOR THE PUBLICATION OF CUSTOMS TARIFFS

The Clerk called the joint resolution (S. J. Res. 178) to authorize an appropriation to provide for certain costs of United States participation in the International Bureau for the Publication of Customs Tariffs.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That there is hereby authorized to be appropriated to the Department of State the sum of $44,975 for payment by the United States of certain contributions for the support of the International Bureau for the Publication of Customs Tariffs for the period beginning April 1, 1950, and extending through the fiscal year expiring June 30, 1957.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADVISORY COMMITTEE ON WEATHER CONTROL

The Clerk called the bill (S. 2913) to extend for 2 years the Advisory Committee on Weather Control.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 10 (a) of the act entitled "an act to create a committee to study and evaluate public and private experiments in weather modification," approved August 13, 1953 (67 Stat. 559, 561), is amended by striking out "June 30, 1956" and inserting in lieu thereof "June 30, 1958."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DIXON. Mr. Speaker, I wish to make a statement explaining this bill.

The bill, S. 2913, would extend the life of the President's Advisory Committee on Weather Control. One might logically ask, why extend the life of this Committee when it originally was set up to complete the job by June 30, 1956? The answer simply is this: A check of the record shows that the act creating this Committee was approved August 13, 1953, but funds were not appropriated until almost a year later, in July 1954. Because of this fact, the Committee was not able to assemble a qualified scientific staff that could accomplish the work of the Committee until January 1955.

In effect, therefore, this means that the Committee has had only about 1½ years in which to study the problems it was set up to examine. Its published report shows that cloud-seeding operations in the mountainous areas of the Pacific coast States have produced increased precipitation ranging from 9 to 17 percent above the normal expected precipitation. Most important of all, however, there has simply not been time to permit the Committee's technical staff to study the possibility of increasing precipitation in the Mountain States and the Midwest, which do, as you know, have vast sections now labeled drought disaster areas and which are, thereby, eligible for Federal assistance. To a lesser extent, the same is true of certain sections of the East and South. Because of these conditions, it would be regrettable if the life of this Committee is not extended. Water is one of our most basic resources and it is terribly important that every possible means be exhausted to increase its availability.

JOHN HOLLIS BANKHEAD LOCK AND DAM

The Clerk called the bill (H. R. 7130) to provide that lock and dam No. 17 on the Black Warrior River, Ala., shall hereafter be known and designated as the John Hollis Bankhead Lock and Dam.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

AMENDING TITLE 18 OF THE UNITED STATES CODE

The Clerk called the bill (H. R. 6403) to amend title 18, entitled "Crimes and Criminal Procedure," of the United States Code, to provide a criminal sanction for the embezzlement or theft of the property of Indian tribal organizations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 53 of title 18, United States Code, is hereby amended by inserting at the end of the chapter analysis preceding section 1151 of such title the following new item:

"1163. Embezzlement and theft from Indian tribal organizations."

SEC. 2. Title 18, United States Code, is hereby amended by inserting in chapter 53 thereof immediately after section 1162 a new section, to be designated as section 1163, as follows:

"§ 1163. Embezzlement and theft from Indian tribal organizations

"Whoever embezzles, steals, abstracts, purloins, knowingly converts to his use or the use of another, willfully misapplies, or willfully permits to be misapplied, any of the moneys, funds, credit, goods, assets, or

other property belonging to any Indian tribal organization or intrusted to the custody or care of any officer, employee, or agent of an Indian tribal organization; or

"Whoever, knowing any such moneys, funds, credits, goods, assets, or other property to have been so embezzled, stolen, abstracted, purloined, converted, misapplied or permitted to be misapplied, receives, conceals, or retains the same with intent to convert it to his use or the use of another—

"Shall be fined not more than $5,000, or imprisoned not more than 5 years, or both; but if the value of such property does not exceed the sum of $100, he shall be fined not more than $1,000, or imprisoned not more than 1 year, or both.

"As used in this section, the term 'Indian tribal organization' means any tribe, band, or community of Indians which is subject to the laws of the United States relating to Indian affairs or any corporation, association, or group which is organized under any of such laws."

With the following committee amendments:

Page 2, line 5, strike out "abstracts, purloins."

Page 2, line 14, strike out "abstracted, purlioned."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

AIRCRAFT ACCIDENTS

The Clerk called the bill (H. R. 6805) to prohibit in any lawsuit or action for damages the use and admission as evidence of investigations by the military departments of aircraft accidents conducted in the interest of air safety.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, it seems to me that this bill would limit the right of individuals to go into court in cases involving an airplane accident where the Army, Navy, or any other Defense Department plane is involved and to have produced in court evidence of any investigation made by the Department of Defense or a component part thereof. I would like to know if my understanding is correct?

Mr. CELLER. That is correct. I think there is a real reason for it. If I may be privileged to read a part of the report, it says that the purpose of this legislation is to prohibit in a lawsuit or action for damages the use and admission as evidence of investigations by the military establishments of aircraft accidents involving military aircraft conducted in the interest of safety and air navigation.

If you were to permit the disclosure as evidence in any private lawsuit all the data that might be developed in these investigations, you would make it very difficult to conduct these investigations in the interest of air safety. The testimony was to the effect that it would greatly impede these investigations if those who appeared would subsequently have their opinions and their conclusions developed in a private lawsuit. It would impede the Military Establishment in conducting these safety investigations.

Mr. McCORMACK. What about the case of an Army truck or anything else?

Mr. CELLER. This applies only to aircraft.

Mr. McCORMACK. I know, but the same principle applies. If a person is flying in an airplane operated by any company and an Army plane hits it and that person is either injured or killed and there is an investigation of the accident, do you mean to say the plaintiff in a later suit could not be permitted to subpena any data or information?

Mr. CELLER. I will say I believe the gentleman is in error. I do not mean to be disrespectful. In that sort of investigation, certainly that information can be used in a private lawsuit. But, there is superimposed the requirement to investigate to determine whether or not such action could be prevented in the future. As to that, there would be no possibility of needing that information, or you would not have the right to delve into that second investigation. As to the first, that you spoke of, however, there would be no prohibition whatsoever.

Mr. McCORMACK. Of course, any evidence that is admissible would have to be germane and pertinent. Of course, any evidence of an investigation which is held would not be admitted if objection was made unless germane and admissible. I would like to look this bill over further.

Mr. CRUMPACKER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. CRUMPACKER. A specific example of what is involved took place in northern Indiana about 2 years ago, when an American Air Lines plane and a United Air Line plane collided in mid-air. Neither was damaged seriously, and they both managed to get to the ground safely. The crews of those planes have refused to testify at all as to any of the circumstances surrounding the mid-air collision for fear of incriminating themselves. If they had been protected by this kind of a measure the testimony they might have given could have led to information as to how the collision occurred and such information could possibly have led to the adoption of safety precautions which might have prevented the serious accident that occurred over the weekend.

Mr. McCORMACK. This bill would not apply to that case.

Mr. CRUMPACKER. It is a very similar situation. The military investigate their aircraft accidents for several purposes, one of which is flight safety. Where the personnel involved are not protected from possible self-incrimination as a result of the testimony they give to the air safety investigation, they will not feel free to testify.

Mr. McCORMACK. That is no reason why innocent persons should be compelled to suffer. Someone is injured, and if I bring a suit for a plaintiff for an accident caused by an Army truck, for instance, I can subpena the records of the Defense Department or the Department of the Army, or whatever it is. That does not mean all records. It is those that are admissible in evidence in a trial.

Mr. CELLER. Will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. CELLER. Usually there are 2 investigations; 1 to determine negligence, if there had been any. There is usually a second investigation concerning the safety; and, as to that, this bill would make that investigation impervious to private scrutiny or to private lawsuits.

Mr. McCORMACK. It seems to me that this bill is imposing further security.

Mr. CRUMPACKER. Will the gentleman yield further?

Mr. McCORMACK. Yes, I yield.

Mr. CRUMPACKER. The committee specifically amended the bill to require the armed services to conduct an investigation into negligence involved, if any civil action could possibly result from the accident, and to make the results of such investigation available to possible litigants. In that respect this legislation would greatly improve the situation of potential litigants and make it much easier for them to secure evidence to support their claims.

Mr. McCORMACK. I am very jealous of protecting the rights of individuals, and so are all my other colleagues. But with my experience of many years as a lawyer, if I brought suit against the Government, where there was an airplane accident involved, this bill might seriously interfere with my client getting justice.

I am not making a decision on the bill today, but I think it is one that should be looked into very carefully, because it seems to me there are many implications involved in this bill that should be considered.

Mr. CELLER. Mr. Speaker, will the gentleman yield further?

Mr. McCORMACK. I yield to the gentleman.

Mr. CELLER. I think if the gentleman will read this bill——

Mr. McCORMACK. I have read it carefully, I can assure the gentleman.

Mr. CELLER. I am sure the gentleman will find we are very anxious to protect the individual and provide that there must be an investigation by the Military Establishment to determine negligence.

Mr. McCORMACK. I am not so sure about that. I know the gentleman's fine intent, having served with him for years; but we are all human, and even committees can make mistakes; I do not say they have in this case, but I think the membership ought to have an opportunity to look into this bill further.

Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MANETTE BRIDGE, BREMERTON, WASH.

The Clerk called the bill (S. 2712) to authorize the charging of tolls for transit over the Manette Bridge in Bremerton, Wash.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any provision to the contrary contained in the act entitled "An act granting the consent of Congress to W. E. Buell, of Seattle, Wash., to construct a bridge across Port Washington Narrows within the city of Bremerton in the State of Washington," approved June 14, 1926 (44 Stat. 744), authority is hereby granted to the Washington Toll Bridge Authority as an agency of the State of Washington to fix and charge tolls over the bridge constructed pursuant to such act (hereinafter referred to as the "Manette Bridge").

SEC. 2. The rates of the tolls authorized by the first section of this act shall be so adjusted that the amounts collected from the tolls on the Manette Bridge, together with the amounts collected from the tolls imposed on not more than one additional bridge hereafter to be constructed by such authority adjacent to the Manette Bridge and across Port Washington Narrows from within the city of Bremerton, Wash., will provide (a) a fund sufficient to pay the cost of the maintenance and operation of both such bridges, and (b) a sinking fund sufficient to amortize the cost of reconstructing and improving the Manette Bridge and of constructing such additional bridge and the approaches thereto, including interest and financing costs, within a period of not more than 30 years after the date such reconstruction, or construction and improvement is commenced, whichever first occurs. After there has been collected from such tolls an amount sufficient to provide such funds, the bridges shall be maintained and operated free of tolls.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE BETWEEN LUBEC, MAINE, AND CAMPOBELLO ISLAND, NEW BRUNSWICK, CANADA

The Clerk called the bill (S. 3527) authorizing the State Highway Commission of the Sate of Maine to construct, maintain, and operate a free highway bridge between Lubec, Maine, and Campobello Island, New Brunswick, Canada.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the State Highway Commission of the State of Maine is authorized to construct, maintain, and operate a free highway bridge and approaches thereto, at a point suitable to the interests of navigation, across the waters between Lubec, Maine, and Campobello Island, New Brunswick, Canada, so far as the United States has jurisdiction over such waters. Such construction, maintenance, and operation shall be in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and shall be subject to the conditions and limitations contained in this Act and to the approval of the proper authorities of the Government of Canada.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING INTERSTATE COMMERCE ACT RELATING TO MOTOR CARRIERS

The Clerk called the bill (S. 898) to amend the Interstate Commerce Act, with respect to the authority of the Interstate Commerce Commission to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property.

Mr. FORD. Mr. Speaker, reserving the right to object, this legislation, if I recall correctly, was passed in the House several years ago but no action was taken in the other body. We now find that during this term of Congress affirmative action has been taken in the other body and the bill is now before us for consideration.

It is my recollection that there has been some controversy about the legislation. It is important legislation not only affecting agriculture but also the transportation industry. I would like to ask the author of the bill or someone from the committee whether they feel that this is the kind of legislation that should be on the Consent Calendar.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. ASPINALL. Unless there is some special circumstance surrounding the consideration of this bill which necessitates its being on the Consent Calendar, it is not the type of bill that comes within the jurisdiction of the committee on which the gentleman and I serve. Is that correct?

Mr. FORD. That is my understanding.

Mr. ASPINALL. Because of its importance I think we should have it brought to the floor under different circumstances.

Mr. FORD. I would like to see the bill come to the floor under a rule or under some other parliamentary procedure. This bill has so many implications that I do not think it should be on the Consent Calendar. The gentleman from Arkansas [Mr. HARRIS] is an authority on this bill. I would like to get his reaction.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. FORD. I gladly yield to the gentleman from Arkansas.

Mr. HARRIS. I hope the gentleman does not object to this bill. There is real need for this legislation. I may say that this is not a new matter for the consideration of the House and the Congress. The trip leasing controversy arose several years ago, I believe as far back as 1948.

The Interstate Commerce Commission has proposed an order which will seriously affect the transportation of farm products to the consuming areas. This problem came to a head in the last Congress, the 83d Congress, and the House, after considerable debate and consideration, passed a bill which had for its purpose clearing up this problem which the ICC felt they should impose at that time. The bill, however, was not as restrictive as the one we have before us now. There were a good many organizations interested in it then and the controversy was rather sharp. Over the period of time since then we have endeavored to work this issue out as satisfactorily as possible.

I can say to the gentleman that after a great deal of painstaking consideration our committee has worked out this bill to the complete satisfaction to everyone interested in the problem, with the exception of a few private carriers. We are faced with their problem and which is the only issue that cannot be resolved. I must state in all frankness that the other body which failed to concur in our action in the last Congress has finally agreed to the terms of a bill in which it will only support. In fact, this bill passed the Senate in the way it can be accepted. We then worked it out, clarified it in our committee to accomplish the purpose intended; it takes care of everything raised in connection with this problem, with the exception of the private carrier group. That is a group, of course, that will never be permitted to trip lease promiscuously all over the country in continued abuses developed over the years.

Yesterday the order of the ICC was to become effective. If this bill is not passed then trip leasing is going to be nullified by order of the ICC. The farmers of this country are going to have to labor under adverse conditions and circumstances and will not have the advantage of reduced cost for transporting their product to the consuming public. I therefore implore the gentleman to let this important bill go through because we have worked long and hard on it, and it is necessary in the interest of the farmer and the consuming public.

Mr. FORD. I recall the gentleman's speech several years ago when he, and I think properly, condemned the ICC for its action in reference to this problem. I have a great deal of faith in the gentleman's understanding and knowledge of the problem and his desire to straighten out the situation as it currently exists. I am concerned, however, over several things. Turning to page 3 of the bill, if I read that language correctly, it indicates that the House committee has not agreed to concur in the Senate amendments but instead has written an amendment which is a substitution for the Senate language. Does the House language materially change the Senate language? What is the intent?

Mr. HARRIS. The House language clarifies the language of the Senate bill. It does not change the intent and purpose at all. I certainly would not want to cast any reflection at all on the language adopted by the other body; but there were 2 or 3 things about their language which made us apprehensive it would not accomplish what was intended. We discussed the situation for clarity purposes with counsel for the Interstate and Foreign Commerce Committee over in the Senate; we discussed it with Senator MAGNUSON, chairman of the committee; we discussed it with his legislative counsel, and worked this language out in order to clarify and to make sure that it did precisely what the Senate intended it should do.

Mr. FORD. Could the gentleman for the benefit of the House indicate what is meant by the following: "property of a character embraced within section 203 (b) (6)."

Mr. HARRIS. Section 203 (b) (6) of the act defines agricultural commodities

and has to do with the character of goods defined under that provision of the ICC act.

If the gentleman will permit me to explain precisely what it does, it permits trip leasing by private carriers or other carriers engaged in the transportation of agricultural commodities to markets as long as the trip leasing is in the general area from which they originate. It permits private carriers or other carriers regularly engaged in the transportation of perishable goods from agricultural areas to engage in trip leasing. The gentleman [Mr. HALEY] lives in Florida, we will say. They are interested in the transportation of oranges, orange juice, and so forth, to the markets. This would permit a truck regularly engaged in the transportation of frozen orange juice, as an example, from Florida to New York, to trip lease back to Florida, but if the truck were to transport canned orange juice, which is not of a perishable character, to New York, it would not have the authority to trip lease back the Florida. That is just an example of how it works.

Mr. FORD. In the example first given by the gentleman, could that truck from Florida, coming back from New York to Florida, bring back any particular commodity, manufactured or agricultural?

Mr. HARRIS. Yes. That is the purpose of it.

Mr. FORD. Now let me ask this question. Supposing a furniture manufacturing company has trucks of its own; they are not public carriers, and they ship their product in their own trucks, we will say, to Florida. May they under this legislation as proposed bring back agricultural commodities from Florida, or are they precluded from trip leasing?

Mr. HARRIS. Unless they were regularly engaged in that business, they would be precluded.

Mr. FORD. Mr. Speaker, this whole problem is involved and serious.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Tennessee.

Mr. PRIEST. I simply ask the gentleman from Arkansas if this measure was not unanimously report by his subcommittee.

Mr. HARRIS. It was unanimously reported by the subcommittee and unanimously reported by the full committee of 31 members. It has the approval of the Senate committee, all the farm organizations all over the country. The railroad industry does not oppose it, and the ICC is favorable to it; in fact, everyone except a group that would like to be turned loose promiscuously all over the country.

Mr CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. I would like to ask the gentleman from Arkansas [Mr. HARRIS] a question. When this bill or one similar to it was before the House some years ago, is it not a fact that it was debated and a roll call had on it?

Mr. HARRIS. Yes. But it was not worked out at that time to the satisfaction of most all who are interested with this problem.

Mr. CUNNINGHAM. I do not want to go into the merits of it. We on the Consent Calendar objectors committee have no business going into the merits of legislation. We only want to protect the membership and see that a bill should not be passed hurriedly without full and frank discussion on it. I am for the bill personally; I would love to vote for it. But are there any Members in this House who would vote against it if they had the opportunity?

Mr. HARRIS. I do not know of but one, and he may not.

Mr. CUNNINGHAM. Were there any who voted against it before?

Mr. HARRIS. Yes. But it was a different bill than it is now.

Mr. CUNNINGHAM. Then, should not those who were against it at that time be given an opportunity to be heard if this is a different bill? Maybe they would want to vote against it. I am talking about the purposes of the Consent Calendar objectors' committee. We are not here to oppose legislation. We are here to protect you and every other Member of the House, and I understand that is the view of the objectors' committee on the other side, as was expressed by the gentleman from Colorado [Mr. ASPINALL] a while ago. If this bill were brought up under debate and there would be objections to it and some Members would be opposed to this bill, then we would not be doing our duty to allow it to go through by unanimous consent. If we did otherwise, you might as well abolish the committee. I would not want some Member of the House on the floor at the moment, who has not heard a description of the bill and an explanation of it, and a good explanation, by the gentleman from Arkansas, who if he heard that explanation would still vote against the bill, be charged with having voted for it, and I do not think that is fair, and that is my purpose in making this statement. I think the gentleman from Michigan is only trying to protect the membership in that matter.

Mr. HARRIS. Mr. Speaker, if the gentleman would permit, I want to say that I am one of those in this House, along with other Members who appreciates the fine work that is being done by the objectors committee on the Consent Calendar. I know it takes a great deal of time and I know it is a difficult task and they are to be highly commended for their efforts. All of us know the purpose of their work. We appreciate the efforts they are making. So far as I am concerned, though, had I not been fully aware that we had worked this out so that practically everyone is in favor of it, I would not have suggested that the bill be put on the Consent Calendar. I think that is generally true with almost every other bill that goes on the Consent Calendar.

Mr. FORD. Mr. Speaker, I believe my views might coincide with those of the gentleman from Arkansas [Mr. HARRIS]. However, it is admitted that this bill is not the same bill that the House passed in the 83d Congress. There are material differences. That bill, during that session, was rather extensively debated. I do not recall whether it was amended on the floor or not.

I feel quite strongly that the ICC is wrong in their decision or the order that they have issued. I certainly condemn them for not at least giving the Congress the courtesy of extending the time of the order for another 30 days until this issue could be resolved legislatively.

Mr. HARRIS. Mr. Speaker, I might say this, if the gentleman would permit, in behalf of the ICC. They have extended this order from time to time over the past 6 or 7 years in an effort to get Congress to pass on it.

Mr. FORD. Is it not also true that if they really wanted to be cooperative, they could extend the order until this session of Congress has adjourned? Then they would know whether or not affirmative legislation countermanding their order was enacted into law. But, as the gentleman from Iowa [Mr. CUNNINGHAM] and the gentleman from Colorado [Mr. ASPINALL] have said, this is rather a basic change in existing law for agriculture and transportation and affects wide segments of our economy.

Mr. HARRIS. Will the gentleman permit me to say this on that point? It might be considered a basic change in transportation law, but this is the same procedure that has been developed by the farmers and from which the farmers have been getting the benefit over the past 20 years or more. So that this is no change in procedure, no change whatsoever. The farmers have been permitted to have it over many, many years. In fact, it only permits them to continue the same practice.

In view of the fact that our committee has gone into this subject so carefully and worked it out in as acceptable a way as is possible, and especially since each one of your objectors committee has indicated approval, I am at a complete loss to understand why you object to the bill at this time. The farmers and farm organizations in my opinion are not going to be too pleased with this action. It is simply delaying final approval of the bill. I have no objection to asking for a rule or considering it under suspension. If you insist, we have no other choice, even at the expense of delay.

As I have already said, the order of the Commission in effectuating the 30-day rule, which in effect prohibits trip-leasing and drastically affects farmers of this country, in the transportation of their product to the markets, was to become effective yesterday, July 1, 1956. The ICC has recently postponed again the effective date of the rule in view of the fact that Congress is considering this legislation. In these closing days of this session, should we not be able to complete the consideration of this bill, the rule will be in my opinion effectuated. If it is, it will be to the detriment of the agricultural industry and the consumers of America.

If you insist on objection, although I feel you should not, I shall with the chairman and other members of our committee pursue such other courses available to us toward the final approval of this bill.

Mr. FORD. Mr. Speaker, based on the existing rules and regulations which we as objectors on both sides of the aisles must observe, I am constrained to ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Michigan?

There was no objection.

SETTLEMENT FOR LOSSES SUSTAINED BY OFFICERS OF COMMISSIONED SERVICES

The Clerk called the bill (H. R. 5888) to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That upon application of any officer or former officer (including the widows and legal representatives of such officers who are deceased) of the services mentioned in the Joint Pay Act of June 10, 1922, who, upon advancement in pay period or rank, did not receive an increase in the rates of pay or allowances for any part of the period beginning July 1, 1932, and ending June 30, 1934, by reason of the application in the case of such officer of section 201 (except as to longevity increase provided for in the 10th paragraph of sec. 1 of said Joint Pay Act) of the Legislative Appropriation Act for the fiscal year ending June 30, 1933, the Comptroller General shall determine the aggregate amount of pay and allowances, in addition to that otherwise accruing, which would have accrued to such officer if such section had not been applied in his case (except as to longevity) and pay to such officer the amount so determined. Applications under this act shall be made in such form and contain such information as the Comptroller General may prescribe, but an application under this act not filed in the General Accounting Office prior to the expiration of 1 year from the date of enactment of this act shall be of no effect. Any officer of the United States is authorized and directed upon request of the Comptroller General to supply any information from the records in the custody of such officer to aid the Comptroller General in passing upon applications under this act.

SEC. 2. There is hereby authorized to be appropriated such a sum as may be necessary to carry out the provisions of this act.

With the following committee amendments:

Page 1, line 6, strike out "pay period or."

Page 2, line 13, strike out "1 year," and insert in lieu thereof "2 years."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF LAND TO CITY OF CORBIN, KY.

The Clerk called the bill (H. R. 8817) to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture shall convey to the city of Corbin, Ky., all right, title, and interest of the United States in and to the tract of land containing 6 acres, more or less (together with all improvements thereon), located within that city, which tract of land was acquired by the United States from J. H. Early and his wife, Alice Early, as evidenced by the deed dated July 23, 1938, and recorded in the land records of Whitley County, Ky., on July 30, 1938, in book 140, at page 239, upon the payment by the city of Corbin of an amount equal to the fair market value of such tract of land (together with the improvements thereon) as determined by the Secretary. The city of Corbin shall be allowed a credit against the total amount determined by the Secretary as the fair market value of the property to be conveyed, which credit shall be in the amount of $10,458.75, plus interest at the rate of 6 percent per annum computed from the date of construction of sanitary improvements through such land was completed by such city, to the date of the conveyance authorized by this act, such amount representing the portion of cost due from the United States in connection with such construction.

SEC. 2. In order to carry out the purposes of this act, there is hereby transferred from the Administrator of General Services to the Secretary of Agriculture, all right, title, and interest of the United States in and to the improvements located on the tract of land referred to in the first section of this act.

With the following committee amendments:

Page 1, line 3, strike out "Secretary of Agriculture" and insert "Administrator of General Services."

Page 2, line 4, beginning with the word "Secretary" strike out the remainder of the section through and including line 13, and insert "Administrator of General Services. In the event the city of Corbin fails to tender the purchase price within 1 year after being informed of the amount thereof by the Administrator, he is hereby authorized to dispose of said tract and improvements under the Federal Property and Administrative Services Act of 1949, as amended."

Page 2, beginning on line 14, strike out all of section 2 and insert:

"SEC. 2. In order to carry out the purpose of this act, there are hereby transferred from the Secretary of Agriculture to the Administrator of General Services the custody and control of the land referred to in the first section of this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND EXCHANGE—CHATTAHOOCHEE NATIONAL FOREST

The Clerk called the bill (H. R. 9339) to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee National Forest, Ga., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, with the approval of the National Forest Reservation Commission as established by section 4 of the act of March 1, 1911 (36 Stat. 961), the Secretary of Agriculture is hereby authorized to exchange a parcel of land situated in lots 451 and 452, district 11, section 1, Union County, Ga., comprising 2.10 acres, more or less, and being the same tract acquired by the United States by deed dated January 23, 1936, and recorded at page 168 of deed book AA, records of Union County, Ga., for lands of at least equal value situated within the exterior boundaries of the Chattahoochee National Forest in the State of Georgia: *Provided*, That lands conveyed by either party under the provisions of this act may be subject to such reservations, exceptions, and conditions as the Secretary of Agriculture may approve: *Provided further*, That any lands conveyed to the United States under the provisions of this act shall be subject to all the laws, rules, and regulations applicable to lands acquired under the aforementioned act of March, 1911, as amended.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

CONVEYING CERTAIN LAND TO STATE OF VIRGINIA

The Clerk called the bill (H. R. 9660) to direct the Secretary of the Army or his designee to convey an 11¼-acre tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army or his designee is authorized and directed to convey by quitclaim deed, without consideration, to the State of Virginia, all right, title, and interest of the United States, except as retained in this act, in and to eleven and one-fourth acres of land situated in York County, Va., and being a part of the lands at the Armed Forces Experimental Training Activity, Camp Peary, near Williamsburg, Va. The eleven and one-fourth acre tract of land to be conveyed to the State of Virginia is more particularly described as follows:

Beginning at a point in the southwestern boundary line of the Camp Peary Reservation where the Government's southwestern property line intersects the center line of Queen's Creek; said point of beginning is also the farthermost point west that the Government's boundary line traverses the center line of Queen's Creek; thence from the said point of beginning along the property line of the Government north 41 degrees 58 minutes 20 seconds west 84.14 feet to a concrete monument; thence north 41 degrees 58 minutes 20 seconds west 150.13 feet to a concrete monument in a corner of the Government's southwestern boundary line; thence continuing along the property line of the Government north 51 degrees 15 minutes east 1,374.04 feet to a concrete monument; thence south 35 degrees 4 minutes east, through property of the Government, 2,682.73 feet to the true point of beginning; thence, from said true point of beginning, south 69 degrees 49 minutes east 837 feet to a point on the northwestern right-of-way line of Virginia State Highway Route Numbered 132; thence southwesterly along said right-of-way line, and on a curve to the right, with a radius of 2,746.79 feet an arc distance of 911.09 feet to a point; thence, continuing along said right-of-way line, south 53 degrees 59 feet west 108.87 feet to a point; thence north 15 degrees 6 minutes west 743.28 feet to a point; thence north 24 degrees 52 minutes east 310.54 feet to the true point of beginning, containing eleven and twenty-five one-hundredths acres, more or less, and shown on District Public Works Office, Fifth Naval District, drawing numbered 46265, entitled "Camp Peary, Williamsburg, Va."

SEC. 2. All mineral rights, including gas and oil, in the lands authorized to be conveyed by this act shall be reserved to the United States.

SEC. 3. There shall be further reserved to the United States in the conveyance of the above-described lands, rights of ingress and egress over roads in the above-described lands serving buildings or other works operated by the United States or its successors or assigns in connection with the remaining portion of the lands at the Armed Forces Experimental Training Activity, Camp Peary, near Williamsburg, Va., rights-of-way for waterlines, sewer lines, telephone and telegraph lines, powerlines, and such other utilities which now exist, or which may become necessary to any operations of the United States on or in connection with the remaining portion of said lands at the Armed Forces Experimental Training Activity, Camp Peary, near Williamsburg, Va.

SEC. 4. The conveyance of the property authorized by this act shall be upon condition that such property shall be used for training of the National Guard and the Air National Guard and for other military purposes, and that if the State of Virginia shall cease to use the property so conveyed for the purposes intended, then title thereto shall immediately revert to the United States, and in addition, all improvements made by the State of Virginia during its occupancy shall vest in the United States without payment of compensation therefor.

SEC. 5. The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Virginia, for the duration of such state of war or of such emergency. Upon the termination of such state of war or such emergency plus 6 months, such property shall revert to the State of Virginia, together with all appurtenances and utilities belonging or appertaining thereto.

SEC. 6. In executing the deed of conveyance authorized by this act, the Secretary of the Army or his designee shall include specific provisions covering the reservations and conditions contained in sections 2, 3, 4, and 5 of this act.

SEC. 7. The cost of any surveys necessary as an incident to the conveyance authorized herein shall be borne by the State of Virginia.

With the following committee amendment:

Page 4, lines 1 and 2, strike the words "and the Air National Guard."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COASTWISE TRADE

The Clerk called the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, I understand that this bill is programed to be called up under suspension of the rules. Therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PRIVATE FINANCING OF PASSENGER VESSELS

The Clerk called the bill (H. R. 11554) to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of passenger vessels in the interest of national defense, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, I understand that this bill will be called up under suspension of the rules today. Therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

WATERSHED PROJECTS

The Clerk called the bill (H. R. 11873) to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the Watershed Protection and Flood Prevention Act is amended by striking out of the third proviso of said section the words "forty-five" and inserting "fifteen."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERCHANGE OF CERTAIN FEDERAL AND STATE EMPLOYEES

The Clerk called the bill (S. 1915) to provide for further effectuating the act of May 15, 1862, through the exchange of employees of the United States Department of Agriculture and employees of State political subdivisions or educational institutions.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Reserving the right to object, Mr. Speaker, I wonder if someone will tell me whether this would provide for an increase in the number of employees through this exchange?

Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EXTENSION OF SPECIAL SCHOOL MILK PROGRAM

The Clerk called the bill (H. R. 11375) to amend the Agricultural Act of 1949, as amended, to further extend the special school milk program to certain institutions for the care and training of children.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the last sentence of section 201 (c) of the Agricultural Act of 1949, as amended, is amended to read as follows: "For the period beginning September 1, 1954, and ending June 30, 1955, not to exceed $50 million, and for the fiscal year ending June 30, 1956, not to exceed $60 million, and for each of the 2 fiscal years in the period beginning July 1, 1956, and ending June 30, 1958, not to exceed $75 million, of the funds of the Commodity Credit Corporation shall be used to increase the consumption of fluid milk by children in (1) nonprofit schools of high-school grade and under; and in (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children."

Mr. JOHNSON of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNSON of Wisconsin. Mr. Speaker, on May 22, 1956, I introduced H. R. 11375 to amend section 201 (c) of the Agricultural Act for the purpose of clarifying language in the act to extend the school-milk program to agencies and institutions now barred from receiving school milk by a recent ruling of the United States Department of Agriculture.

After introducing the bill, I received communications from a number of religious organizations, organizations engaged in youth activities, farm organizations, and dairy groups expressing support of the bill.

When the Dairy Subcommittee of the House Agriculture Committee held hearings on the bill, representatives of the National Milk Producers Federation, the Milk Industry Foundation, the Dairy Industry Committee, and the National Farmers Union testified in favor of H. R. 11375.

The House Agriculture Committee voted unanimously on June 21 to report the bill out to the House.

Under the law, as it now stands, school milk can be given free only to nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions if the children are underprivileged and on a public welfare basis.

My bill, H. R. 11375, eliminates all reference to underprivileged children on a public welfare basis. H. R. 11375 permits the use of CCC funds for the purpose of increasing the consumption of fluid milk in nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children.

On the basis of conferences I have had with United States Department of Agriculture officials, it is my understanding that if all nonprofit agencies serving children were eligible to receive school milk without restrictions on the matter of recipients being on public welfare several hundred thousand more children would be receiving school milk.

In Wisconsin, where considerable progress has been made in extension of the school-milk program to organizations other than schools, a survey was made recently to determine the number of children that would be eligible under the present program. The survey indicates that 31 child-care institutions serving 4,600 children are eligible.

However, if authority was broadened—as proposed in my bill—279 institutions or programs would serve 85,000 children under H. R. 11375.

Present legislation excludes many organizations serving a substantial number of children. Among these groups are the Boy Scouts, Girl Scouts, Camp Fire Girls, 4–H Clubs, YMCA, church groups, and summer camps or recreation programs operated by city recreation departments or park commissioners.

For example, 270 camps in Massachusetts now receive surplus foods; however, only 20 to 25 of these camps can qualify on the basis of giving milk to underprivileged children on a public welfare status. Similiarly, summer recreation programs in the Boston area and in Philadelphia are excluded under present authority.

The same situation applies to many other States where hundreds or thousands of children are excluded from receiving milk because they are not on public welfare.

In conclusion, I wish to thank the House Agriculture Committee, the House Dairy Subcommittee and the House itself for supporting H. R. 11375.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENTS TO FEDERAL SEED ACT

The Clerk called the bill (S. 1688) to amend the Federal Seed Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 406 of the Federal Seed Act (7 U. S. C. 1956) is amended to read as follows:

"(a) Any person who knowingly, or as a result either of gross negligence or of a failure to make a reasonable effort to inform himself of the pertinent facts, violates any provision of this act or the rules and regulations made and promulgated thereunder shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall pay a fine of not more than $1,000, for the first offense, and upon conviction for each subsequent offense not more than $2,000.

"(b) Any person who violates any provision of this act or the rules and regulations made and promulgated thereunder shall forfeit to the United States a sum, not less than $25 or more than $500, for each such violation, which forfeiture shall be recoverable in a civil suit brought in the name of the United States."

SEC. 2. Section 204 of the Federal Seed Act (7 U. S. C. 1574) is amended to read as follows:

"SEC. 204. The use of a disclaimer or nonwarranty clause in any invoice, advertising, labeling, or written, printed, or graphic matter, pertaining to any seed shall not constitute a defense, or be used as a defense in any way, in any prosecution or other proceeding brought under the provisions of this act, or the rules and regulations made and promulgated thereunder."

SEC. 3. Section 412 of the Federal Seed Act (7 U. S. C. 1602) is amended to read as follows:

"SEC. 412. The institution of any one of the proceedings provided for in sections 405, 406, 409, 410, and 411 shall not bar institution of any of the others, except that action shall not be instituted under both subsections 406 (a) and (b) for the same cause of action. Nothing in this act shall be construed as requiring the Secretary of Agriculture to recommend prosecution, or institution of civil penalty proceedings, libel proceedings, cease-and-desist proceedings, or proceedings for the enforcement of a cease-and-desist order, for minor violations of this act or the rules and regulations made and promulgated thereunder whenever he believes that the public interest will be adequately served by suitable written notice or warning."

SEC. 4. The amendments made by this act shall be applicable only with respect to violations occurring after the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONFIDENCE GAME SWINDLES

The Clerk called the bill (S. 997) to provide punishment for certain confidence game swindles.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2314 of title 18, United States Code, be, and it is hereby, amended by inserting therein immediately after the first paragraph thereof, a new paragraph to read as follows:

"Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transports or causes to be transported, or induces any person to travel in, or to be transported in interstate commerce in the execution or concealment of a scheme or artifice to defraud that person of money or property having a value of $5,000 or more; or."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRAINING OF FISHING INDUSTRY PERSONNEL

The Clerk called the bill (H. R. 10433) to promote the fishing industry in the United States and its Territories by providing for the training of needed personnel for such industry.

Mr. CUNNINGHAM. Mr. Speaker, it is my understanding that this bill is programed by the leadership to come up under suspension of the rules. Therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

BRIDGE ACROSS THE MISSISSIPPI RIVER, ROCK ISLAND, ILL.

The Clerk called the bill (S. 2091) authorizing the reconstruction, enlargement, and extension of the bridge across the Mississippi River at or near Rock Island, Ill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act authorizing the city of Rock Island, Ill., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Rock Island, Ill., and to a place at or near the city of Davenport, Iowa," approved March 18, 1938, is amended by inserting "(a)" immediately after "That" and by adding at the end thereof the following new subsection:

"(b) The city of Rock Island, Ill., or any State or political subdivision thereof which may have acquired the bridge constructed pursuant to the subsection (a) of this section, is hereby authorized, subject to the prior approval of the plans by the Chief of Engineers and the Secretary of the Army, to reconstruct and enlarge such bridge and to reconstruct, enlarge, and extend the approaches to such bridge, including, but not limiting the generality of the foregoing, the altering, widening, laying out, opening, or constructing of any streets, avenues or boulevards within or without any municipality deemed necessary by said city, or any State, public agency, or political subdivision that may take over or acquire said bridge in order to provide adequate traffic regulations and approach or approaches to the said bridge: *Provided,* That such approaches shall include only those necessary portions of streets, avenues, and boulevards which are directly connected with the bridge, or which are located immediately adjacent thereto, and whose principal use is to provide access to the bridge."

SEC. 2. Section 2 of such act of March 18, 1938, is amended by inserting "(including reconstructing, enlarging, and extending such bridge and its approaches)" after "and its approaches."

SEC. 3. Section 4 of such act of March 18, 1938, is amended to read as follows:

"SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches (including the reasonable cost of reconstructing, enlarging, and extending such bridge and its approaches) under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 30 years from the completion of the reconstruction, enlargement, and extension of such bridge and its approaches as provided in subsection (b) of the first section of this act. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls in accordance with such arrangement as may be agreed upon by the city of Rock Island, Ill., or its assigns, and the State highway departments or other appropriate agencies of the States of Iowa and Illinois. An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; the expenditures for reconstructing, enlarging, and extending the same; and all of the daily tolls collected shall be available for the information of all persons interested."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF COMMODITY EXCHANGE ACT

The Clerk called the bill (H. R. 9333) to amend the Commodity Exchange Act to give certain consuming processors of cotton the privilege of buying cotton futures contracts in certain cases.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Reserving the right to object, Mr. Speaker, will the author of the bill give us a brief explanation of what is proposed to be done by this bill?

Mr. GATHINGS. Yes, I shall be glad to do so.

This bill was carefully and thoroughly considered by the subcommittee and the full Committee on Agriculture. Three days of hearings were held. It provides that manufacturers and processors of certain agricultural commodities may acquire the season's need in that particular commodity by going on the futures market and purchasing such amount.

Mr. GROSS. The manufacturers of textiles are now prohibited from going into the futures market; is that correct?

Mr. GATHINGS. No. They can go into the futures market, but there is a limit now placed on them. For example, on cotton 30,000 bales is the limit. If you go over 30,000 you have to file a report with the Commodity Exchange Authority. This would permit them to go into commodity markets and purchase futures in such amounts as would not exceed a season's supply.

Mr. GROSS. More than 30,000 bales?

Mr. GATHINGS. They could go over 30,000 bales. The authority sought under the bill applies to only a few manufacturers, and all agree that this is desirable legislation. The Department is favorable. The manufacturers want the legislation. The exchanges want it. There was no opposition to the bill whatever.

Mr. GROSS. They now have that authority up to 30,000 bales?

Mr. GATHINGS. Yes. This would let them go higher. There are only a few manufacturers who would be dealing in more than 30,000 bales.

Mr. GROSS. I thank the gentleman, and Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4a (3) of the Commodity Exchange Act is amended by striking out the period at the end thereof and inserting at the end thereof a semicolon and the following new paragraph:

"(C) an amount of such commodity the purchase of which for future delivery by a bona fide consuming processor together with such processor's inventory of the raw commodity and products and byproducts thereof would equal a reasonable season's supply for said processor."

With the following committee amendment:

Page 1, line 7, strike out the remainder of the bill and insert the following:

"'(C) an amount of such commodity the purchase of which for future delivery shall not exceed such person's unfilled anticipated requirements for processing or manufacturing during a specified operating period not in excess of 1 year: *Provided*, That such purchase is made and liquidated in an orderly manner and in accordance with sound commercial practice in conformity with such regulations as the Secretary of Agriculture may prescribe.'

"SEC. 2. This act shall take effect 60 days after the date of its enactment."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manfacturers."

A motion to reconsider was laid on the table.

CERTAIN FEDERAL LAW ENFORCEMENT AND INVESTIGATORY OFFICIALS

The Clerk called the bill (H. R. 6997) to include persons engaged in carrying out the provisions of labor laws of the United States within the provisions of sections 111 and 1114 of title 18 of the United States Code, relating to assaults and homicides.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1114 of title 18, United States Code is hereby amended by striking out "or any officer or employee of the Indian field service of the United States" and inserting in lieu thereof "any officer or employee of the Indian field service of the United States, or any officer or employee of the Department of Labor or other person authorized to perform investigatory or other duties in connection with the administration or enforcement of provisions relating to labor contained in any law of the United States".

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That section 1114 of title 18, United States Code, is hereby amended by striking out 'or any officer or employee of the Indian field service of the United States' and inserting in lieu thereof 'any officer or employee of the Indian field service of the United States, any officer or employee of the Department of Labor authorized to perform duties in connection with investigatory or enforcement functions under provisions relating to labor in any law of the United States, any officer, guard, or special policeman who is designated either by the Secretary of Commerce or by any person authorized by him to make such designation, or who is designated by the Administrator of the General Services Administration or by any person authorized by him to make such designation, to guard and protect property of the United States under the administration and control of the Department of Commerce or the General Services Administration,'.

"SEC. 2. Section 1114 of title 18, United States Code, as amended, is amended by inserting after the words 'correctional institution,' the words 'any probation officer of a United States district court'."

Mr. POFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, as author of H. R. 6997, in which was incorporated by the Committee on the Judiciary the provisions of other bills of similar import, I would like to make a brief explanation of the purpose and need of this legislation.

Section 1114 of the Criminal Code provides that whoever kills any of the Federal law enforcement officials named therein shall be subject to Federal prosecution and punishment under sections 1111 and 1112 relating to murder and manslaughter. Section 111 of the Criminal Code makes it a felony for a person to assault any of these law enforcement officials while they are engaged in the performance of their duties.

H. R. 6997, as amended by the committee, would extend the protection of these sections of the Criminal Code to investigatory and law enforcement officials of the Department of Labor, the General Services Administration, and the Department of Commerce and to probation officers. Testimony before the subcommittee fully substantiated the practical need for this legislation. Wage-hour investigators conducting investigations under the Fair Labor Standards Act and the Walsh-Healey Public Contracts Act and field representatives of the Bureau of Employment Security, who conduct investigations as to compliance with the terms of our agreement with Mexico concerning employment of Mexican farm labor, have been physically assaulted during the performance of their duties. Some of them have been forcibly ejected from the premises and others have had their lives threatened, all without protection under the Federal Criminal Code.

Special guards and officers appointed by the heads of the General Services Administration or the Department of Commerce to guard and protect the real property and the vast physical assets of the United States from loss, damage, or injury by theft, fire, burglary, etc., have been subjected to the same type of peril. The record is replete with cases concerning assault and threat of assault and homicide against probation officers whose duties require them to make frequent visits to the homes of persons on probation or parole and to make certain recommendations to the court concerning punitive action which should be taken against parole or probation violators. In some cases, it may even be necessary for the probation officer to arrest the offender.

The list of United States officials already covered under the protection of these sections of the Criminal Code can be found on page 2 of the committee report. In addition to Federal judges, United States attorneys, United States marshals and their assistants and deputies, the list includes post office inspectors, customs personnel, National Park Service personnel, United States game wardens, and so forth. If these officials are to have the protection of this statute, it would seem prudent and

no more than fair that the investigatory and law enforcement officials named in H. R. 6997 should be extended the same protection. The chief value of the legislation would be not so much its punitive effect but its deterrent effect upon those who would commit violence upon the bodies of civil servants charged with the duty of protecting the property and enforcing the laws of the United States.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time and passed.

The title was amended so as to read: "A bill to include officers and employees of the Departments of Labor, Commerce, and the General Services Administration and Federal probation officers in title 18 of the United States Code, section 1114."

A motion to reconsider was laid on the table.

AMENDING TITLE 28 OF UNITED STATES CODE

The Clerk called the bill (H. R. 9038) to amend title 28 of the United States Code to provide that the Commonwealth of Puerto Rico shall be treated as a State for purposes of district court jurisdiction based on diversity of citizenship.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1332 (b) of title 28 of the United States Code is amended to read as follows:

"(b) The word 'States', as used in this section, includes the Territories, the District of Columbia, and the Commonwealth of Puerto Rico."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "To amend title 28 of the United States Code to provide that the Commonwealth of Puerto Rico shall be treated as a State for purposes of district court jurisdiction based on diversity of citizenship."

A motion to reconsider was laid on the table.

AMENDING SECTIONS 657 AND 1006 OF TITLE 18 OF UNITED STATES CODE

The Clerk called the bill (H. R. 10111) to amend sections 657 and 1006 of title 18 of the United States Code in order to include certain savings and loan associations within its provisions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 657 of title 18 of the United States Code is amended as follows: After the words "United States" where they first appear in section 657, strike the comma immediately after the word "States" and insert in lieu thereof "or any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation."

SEC. 2. Section 1006 of title 18 is amended as follows: After the words "United States", where they first appear, strike the comma immediately after the word "States" and insert in lieu thereof "or any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation."

With the following committee amendment:

On page 2, line 4, strike the word "Corporation." and insert in lieu thereof "Corporation,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUEBLOS OF SAN LORENZO AND POJOAQUE

The Clerk called the bill (S. 3547) to amend section 1 of the act of August 9, 1955 (69 Stat. 555), authorizing the sale of certain land by the Pueblos of San Lorenzo and Pojoaque.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of August 9, 1955 (69 Stat. 555), is amended by inserting after "townships 6, 7, and 8 north", the following: "range 14 west, townships 7 and 8 north,".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOWER LAKE RANCHERIA, CALIF.

The Clerk called the bill (H. R. 11163) to amend section 2 of the act of March 29, 1956 (Stat. 58), authorizing the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act of March 29, 1956 (70 Stat. 58), is amended by striking all of the section following the phrase "for the following-described land, to wit", and inserting: "Beginning at a point on the east line of lot 2, section 34, township 13 north, range 7 west, Mount Diablo base and meridian, that is situated south 48 degrees 17 minutes 30 seconds east, a distance of 849.39 feet from a point that is north 48 degrees 19 minutes 57 seconds west, a distance of 4,276.27 feet from the southeast corner of said section 34 and from said point of beginning, running thence north along the east line of said lot 2 to the center of said section 34; thence east along the line running east and west through the center of said section 34, a distance of 431.9 feet; thence north 48 degrees 12 minutes west, a distance of 464.5 feet; thence west to the west line of said lot 2; thence south along the west line of said lot 2 to the U. S. meander line of Clear Lake; thence southeasterly along said meander line to the east line of said lot 2; thence north along the east line of said lot 2, to the point of beginning, containing 41 acres, more or less."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INFRINGEMENTS OF COPYRIGHTS BY THE UNITED STATES

The Clerk called the bill (H. R. 6716) to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1498 of title 28 of the United States Code is hereby amended by inserting the letter "(a)" at the beginning of the section and adding at the end thereof a new subsection "(b)" reading as follows:

"(b) Whenever after December 31, 1956, any work protected under the copyright laws of the United States shall be infringed by the United States, by a corporation owned or controlled by the United States, or by a contractor, subcontractor or any person or corporation pursuant to a contract with or authorization by the Government, the owner's remedy shall be by action against the United States in the Court of Claims or in any district court for the recovery of such damages as the copyright owner may have suffered due to such infringement in accordance with the procedure and terms, including the minimum statutory damages, set forth in section 101 (b) of title 17, United States Code: *Provided*, That the copyright owner shall also have the right to pursue the administrative remedy available under the Federal Tort Claims Act (secs. 2671–2680 of title 28, U. S. C.) in cases in which the damages claimed, including the minimum statutory damages set forth in section 101 (b) of title 17, United States Code, do not exceed $1,000, except that in claims for copyright infringement section 2680 (a) of title 28, United States Code, shall not be available as a defense to the Government: *And provided further*, That the statute of limitations in bringing actions or in making claims under this subsection shall be the 6 years specified in section 2401 (a) of title 28, United States Code."

With the following committee amendment:

Strike out all after the enacting clause and insert "That section 1498 of title 28 of the United States Code is hereby amended by inserting the letter '(a)' at the beginning of the section and adding at the end thereof a new subsection '(b)' reading as follows:

"'(b) Whenever after December 31, 1956, the copyright in any work protected under the copyright laws of the United States shall be infringed by the United States, by a corporation owned or controlled by the United States, or by a contractor, subcontractor, or any person, firm, or corporation acting for the Government and with the authorization or consent of the Government, the exclusive remedy of the owner of such copyright shall be by action against the United States in the Court of Claims for the recovery of his reasonable and entire compensation as damages for such infringement, including the minimum statutory damages as set forth in section 101 (b) of title 17, United States Code: *Provided*, That a Government employee shall have a right of action against the Government under this subsection except where he was in a position to order, influence, or induce use of the copyrighted work by the Government: *Provided, however*, That this subsection shall not confer a right of action on any copyright owner or any assignee of such owner with respect to any copyrighted work prepared by a person while in the employment or service of the United States, where the copyrighted work was prepared as a part of the official functions of the employee, or in the preparation of which Government time, material, or facilities were used; *And provided further*, That before such action against the United States has been instituted the appropriate corporation owned or controlled by the United States or the head of the appropriate department or agency of the Government, as the case may be, is authorized to enter into an agreement with the

copyright owner in full settlement and compromise for the damages accruing to him by reason of such infringement and to settle the claim administratively out of available appropriations.

"'Except as otherwise provided by law, no recovery shall be had for any infringement of a copyright covered by this subsection committed more than 3 years prior to the filing of the complaint or counterclaim for infringement in the action, except that the period between the date of receipt of a written claim for compensation by the department or agency of the Government or corporation owned or controlled by the United States, as the case may be, having authority to settle such claim and the date of mailing by the Government of a notice to the claimant that his claim has been denied shall not be counted as a part of the 3 years, unless suit is brought before the last-mentioned date.'

"SEC. 2. The act of August 1, 1953, chapter 305, section 609, 67 Statutes 350 (31 U. S. Code 649b) is amended to read as follows:

"'Appropriations for the military departments available for procurement or manufacture of supplies, equipment, and materials shall hereafter be available for the purchase or other acquisition of (a) copyrights, letters patent, applications for letters patent, (b) licenses under copyrights, under letters patent, and under applications for letters patent, and (c) designs, processes, and manufacturing data; and shall also be available for the purchase or other acquisition of releases, before suit is brought, for past infringement of letters patent or copyrights. Any such purchase or other acquisition shall pertain to supplies, equipment, materials, copyrighted matter, or processes produced or used by or for, or useful to, the department concerned.'

"SEC. 3. The catchline of section 1498 of title 28, United States Code, is amended to read 'Sec. 1498. Patent and copyright cases.'

"The item identified as '1498. Patent cases' in the chapter analysis of chapter 91, of title 28, United States Code, is amended to read '1498. Patent and copyright, cases.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES MERCHANT MARINE

The Clerk called the bill (S. 2711) to authorize medals and decorations for outstanding and meritorious conduct and service in the United States merchant marine, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of California. Mr. Speaker, reserving the right to object, I would like to have this bill explained. What rules and regulations have been laid down for the awarding of these decorations? Have any rules been laid down that are to be applied in awarding these decorations or is it just at the whim of the head man?

Mr. BONNER. This bill was sent down from the Maritime Commission. Hearings were held and there was no objection to the bill. The bill was reported out unanimously by the committee. The Department of Commerce with the concurrence of the Secretary of the Treasury supervises the awarding of the medals pursuant to rules and regulations prescribed by him.

Mr. JOHNSON of California. It seems to me that does not answer my question.

Mr. BONNER. If the gentleman wants to object to the bill, it will not worry me one bit.

Mr. JOHNSON of California. I do not want to object.

Mr. BONNER. I think it is the right thing to do. I think it is the proper thing to do. These men served although they were not enlisted in the Armed Services, and their service in the Murmansk Run as well as other parts of the world in World War II and during the Korean incident was just as meritorious as the service of any man who served on a battleship, submarine or any other vessel.

Mr. JOHNSON of California. Of course, that is true and I understand that.

Mr. BONNER. They award the medals for meritorious service rendered.

Mr. JOHNSON of California. I understand that also, but there ought to be some rules as is the case where military decorations are awarded. I would like to be sure that there are some reasonable rules so that it would be difficult for anyone to get those medals unless the rules were compiled with, and if I could be sure of that I would not object to the bill.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield.

Mr. McCORMACK. I understand that they do have rules which will apply if this bill is enacted into law.

Mr. BONNER. That is right. I would like to read from the report as follows:

The first section would authorize the Secretary of Commerce to provide, with the concurrence of the Secretary of the Treasury, a distinguished service medal to any person in the United States merchant marine for distinguished service beyond the line of duty, and a meritorious service medal for meritorious acts or service in line of duty.

The report provides just what shall be done.

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GEOPHYSICAL INSTITUTE IN HAWAII

The Clerk called the joint resolution (H. J. Res. 643) to provide for an investigation of the need for a geophysical institute in the Territory of Hawaii.

There being no objection, the Clerk read the resolution, as follows:

Whereas the period from July 1957 through December 1958 has been designated the International Geophysical Year; and

Whereas the Territory of Hawaii, because of its location far out in the Pacific Basin, the prevalence of volcanic phenomena in the Hawaiian Islands, and for other reasons appears to be peculiarly suited for geophysical studies; and

Whereas it appears that there could profitably be conducted in the Territory of Hawaii research and investigations in all of the principal branches of geophysics, namely geodesy, seismology, meterorology, oceanography, terrestrial magnetism and electricity, volcanology, geochemistry and petrology, hydrology, and tectonophysics: It is hereby

Resolved, etc., That the National Science Foundation (hereinafter referred to as the "Foundation"), is hereby authorized and directed to conduct an investigation into the need for and the feasibility and usefulness of a geophysical institute located in the Territory of Hawaii. In conducting such an investigation, the Foundation shall give particular attention to—

(a) the benefits to the Federal Government which would arise from the establishment and maintenance of such an institute;

(b) the appropriateness of financing by the Federal Government, in whole or in part, of the establishment or of the establishment and maintenance of such an institute;

(c) if such financing by the Federal Government appears appropriate, the agency or agencies of the executive branch to which appropriations should be made and upon which directional authority should be conferred; and

(d) The extent, if any, to which such a geophysical institute should be a part of or otherwise related to the University of Hawaii.

SEC. 2. The Foundation shall report the results of its investigations, together with its recommendations based thereon, to the Congress not later than 9 months after the date of enactment of this act. The final report shall include estimates of the cost, if any, to the United States of the establishment, or of the establishment and maintenance of the geophysical institute so recommended.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO AMEND THE HAWAIIAN ORGANIC ACT, AS AMENDED

The Clerk called the bill (H. R. 9265) to amend the Hawaiian Organic Act, as amended, relating to the audit of government (Territorial and county) accounts.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 77 of the Hawaiian Organic Act (48 U. S. C. 542) is amended to read as follows:

"SEC. 77. Comptroller and Deputy Comptroller: There shall be a comptroller and deputy comptroller, who shall have the powers and duties conferred upon and required by the auditor-general and deputy auditor-general, respectively, by act 39 of the session laws as amended by this act, subject to modification by the legislature. In said act 'officer' shall be substituted for 'minister' where used without other designation."

SEC. 2. A new section is added, to read as follows:

"SEC. 77A. Post-auditor: There shall be a post-auditor who shall be appointed by a majority vote of each house of the legislature in joint session, who shall serve for a term of 8 years and until a successor shall have been duly appointed. He shall have such powers and duties relating to the post-audit of Territorial and county accounts and appropriations as may be prescribed by law. The legislature, by a two-thirds vote of the members in joint session, may remove the post-auditor at any time for cause."

SEC. 3. This act shall take effect upon the enactment by the Legislature of the Territory of Hawaii of legislation prescribing the duties of post-auditor and redefining the duties of the comptroller.

With the following committee amendment:

On page 2, line 5, strike out "by a majority vote of each house of the legislature in joint session" and insert "by the Governor by and with the advice and consent of the Senate."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONFERRING OF AN AWARD TO BE KNOWN AS MEDAL FOR DISTINGUISHED CIVILIAN ACHIEVEMENT

The Clerk called the bill (H. R. 11923) to provide for the conferring of an award to be known as the Medal for Distinguished Civilian Achievement.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask the chairman of the committee, or the gentleman sponsoring this bill who is going to award this medal and for what purpose or purposes.

Mr. METCALF. Will the gentleman yield?

Mr. GROSS. I yield.

Mr. METCALF. I was chairman of the subcommittee that handled the hearings on this bill. This bill was considered and passed unanimously by the subcommittee and the committee. It provides for a board of five distinguished members to be appointed by the President, who will recommend to the President the various individuals in the fields for distinguished achievement.

Mr. GROSS. What fields?

Mr. METCALF. They are listed on page 1: "public affairs, social betterment, science, health and medicine, education, letters, arts, law, engineering, agriculture, labor, industry, and related fields."

The reason for the bill is that President Eisenhower in his state of the Union message at the first and second sessions of this Congress, asked that Congress provide for awards of merit to be established whereby we can honor our fellow citizens who make contribution to the advancement of our civilization, and pointed out, and it was pointed out in the hearings, that we have various military awards, but nothing for outstanding civilian achievements. It was dramatically brought out that we have no way of awarding a man like Dr. Salk, whose achievements in the civilian field probably outweigh many of the military achievements.

Mr. GROSS. Would this be limited to United States citizens and in the domestic fields in this country?

Mr. METCALF. Yes, sir. It is limited to citizens of the United States for distinguished civilian achievement. That is in section 4 of the bill.

Mr. GROSS. But it is limited to achievements in the domestic fields?

Mr. METCALF. Yes, sir, in the domestic fields, in the fields enumerated on page 1 of the bill, section 1 of the bill, and again enumerated where the duties are outlined.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That it is the purpose of the Congress, by providing public recognition for outstanding accomplishments in public affairs, social betterment, science, health and medicine, education, letters, arts, law, engineering, agriculture, labor, industry, and related fields, to foster those cultural qualities essential to the development of a high civilization and conducive to the maintenance of peace and the national sovereignty of the United States, which are of paramount importance to humanity at all times.

MEDAL FOR DISTINGUISHED CIVILIAN ACHIEVEMENT

SEC. 2. There is hereby established the Medal for Distinguished Civilian Achievement, with accompanying appurtenances and devices, which the President may award to persons recommended to him as provided herein as having distinguished themselves by outstanding accomplishments in the fields listed in section 1.

MEDAL FOR DISTINGUISHED CIVILIAN ACHIEVEMENT BOARD

SEC. 3. (a) There is hereby established a Medal for Distinguished Civilian Achievement Board (hereinafter referred to as the "Board") to be composed of five members to be appointed by the President from among persons of recognized competence in the fields listed in section 1. Each member shall hold office for a term of 5 years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of the members first taking office shall expire as follows: one shall expire with the close of the first calendar year which begins after the enactment of this act, one with the close of the second such calendar year, one with the close of the third such calendar year, one with the close of the fourth such calendar year, and one with the close of the fifth such calendar year, as designated by the President at the time of appointment. The President shall from time to time designate a member of the Board to serve as its Chairman.

(b) The members of the Board, while attending meetings of the Board, shall be paid travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b–2) for persons in the Government service employed intermittently.

DUTIES OF THE BOARD

SEC. 4. (a) The Board is authorized to recommend to the President citizens of the United States who shall in the judgment of the Board have made the most notable contributions (not necessarily in the year any such recommendation is made) in any or all of various fields such as public affairs, social betterment, science, health and medicine, education, letters, arts, law, engineering, agriculture, labor, industry and related fields, to receive the Medal for Distinguished Civilian Achievement. In considering potential candidates for awards, the Board shall weigh carefully the relative merit of contributions in the public interest of great potential effect but not yet widely acclaimed, as well as contributions already well known and appreciated.

(b) The Board is also authorized to make recommendations to the President for the conferring of the Medal for Distinguished Civilian Achievement posthumously upon citizens of the United States in belated recognition of outstanding accomplishments during their lives. Persons so honored posthumously shall include only those deceased during the previous 25 years.

(c) All transactions of the Board with respect to the selection of candidates for awards shall be confidential.

(d) The Board shall select the design of the Medal for Distinguished Civilian Achievement and of accompanying appurtenances and devices, and the design of a parchment testimonial to accompany the medal, and may contract for the designing and making of the medal and the testimonial in such manner as it deems advisable.

ORGANIZATION OF THE BOARD

SEC. 5. (a) The chief administrative officer of the Board shall be the Secretary of Health, Education, and Welfare, or anyone he may designate from within the Department; in addition, the Secretary shall assign such other personnel as may be necessary to perform such duties as may be directed by the Board.

(b) The principal office of the Board shall be in the District of Columbia. Whenever the Board deems that the convenience of the public or of the parties may be promoted, or delay or expense may be minimized, it may hold hearings or conduct other proceedings at any other place within the continental limits of the United States.

(c) There are authorized to be appropriated such sums as may be necessary to carry out this act.

CONFERRING OF HONORS

SEC. 6. The President personally, or through a representative designated by him, shall confer the Medal for Distinguished Civilian Achievement in a suitable ceremony, and shall present to each person so honored an engrossed parchment testimonial recording the conferring of the award and the accomplishment or contributions for which the award is made. In the case of a posthumous award, the medal and testimonial shall be presented to a representative of the deceased person so honored, to be designated by the Board.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING FEDERAL PARTICIPATION IN THE COST OF PROTECTING THE SHORES OF PUBLICLY OWNED PROPERTY

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11861) to amend the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. BLATNIK].

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946, is is hereby amended to read as follows: "That (a) with the purpose of preventing damage to the shores of the United States, its Territories and possessions and promoting and encouraging the healthful recreation of the people, it is hereby declared to be the policy of the United States, subject to the following provisions of this act to assist in the construction, but not the maintenance, of works for the restoration and protection against erosion, by waves and currents, of

the shores of the United States, its Territories and possessions.

"(b) The Federal contribution in the case of any project referred to in subsection (a) shall not exceed one-third of the cost of the project, and the remainder shall be paid by the State, municipality, or other political subdivision in which the project is located.

"(c) When in the opinion of the Chief of Engineers the most suitable and economical remedial measures would be provided by periodic beach nourishment, the term 'construction' may be construed for the purposes of this act to include the deposit of sand fill at suitable intervals of time to furnish sand supply to project shores for a length of time specified by the Chief of Engineers.

"(d) Shores other than public will be eligible for Federal assistance if there is benefit such as that arising from public use or from the protection of nearby public property or if the benefits to those shores are incidental to the project, and the Federal contribution to the project shall be adjusted in accordance with the degree of such benefits.

"(e) No Federal contributions shall be made with respect to a project under this act unless the plan therefor shall have been specifically adopted and authorized by Congress after investigation and study by the Beach Erosion Board under the provisions of section 2 of the River and Harbor Act approved July 3, 1930, as amended and supplemented.

"SEC. 2. When the Chief of Engineers shall find that any such project has been constructed in accordance with the authorized plans and specifications he shall cause to be paid to the State, municipality, or other political subdivision involved the amount authorized by Congress.

"SEC. 3. The Chief of Engineers may, in his discretion, from time to time, make payments on such construction as the work progresses, but these payments, including previous payments, if any, shall not be more than the United States pro rata part of the value of the labor and materials which have been actually put into such construction in conformity to said plans and specifications: *Provided,* That the construction of restoration and protective works under this act may be undertaken by the Chief of Engineers upon the request of, and contribution of required funds by, the interested State, municipality, or other political subdivision.

"SEC. 4. As used in this act, the word 'shores' includes all the shorelines of the Atlantic and Pacific Oceans, the Gulf of Mexico, the Great Lakes, and lakes, estuaries, and bays directly connected therewith."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARMED FORCES REGULAR OFFICER AUGMENTATION ACT OF 1956

Mr. KILDAY. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11683) to authorize permanent appointments in the Armed Forces of the United States, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Armed Forces Regular Officer Augmentation Act of 1956."

TITLE I

Army

SEC. 101. (a) The President, by and with the advice and consent of the Senate, may appoint commissioned officers in the Regular Army under this title.

(b) To be eligible for appointment under this title, a person must—

(1) be a citizen of the United States;

(2) be at least 21 years of age;

(3) be of good moral character;

(4) be physically qualified for active service; and

(5) have such other qualifications as the Secretary of the Army may prescribe.

SEC. 102. (a) No person may be appointed in a commissioned grade in the Regular Army under this title if on the date of his appointment he has already passed his—

(1) thirty-fourth birthday, for a person appointed as a chaplain;

(2) thirty-second birthday, for a person appointed in the Veterinary Corps or Judge Advocate General's Corps;

(3) thirtieth birthday, for a person appointed in the Medical Service Corps; or

(4) twenty-seventh birthday, for all other persons. The maximum ages prescribed in this subsection may be increased by a period equal to the years, months, and days credited under section 103 (a) other than clause (1) or (2).

(b) No person may be appointed a Regular officer under this title if his age is above that which would permit him to complete 20 years of active commissioned service before he attains his 55th birthday.

SEC. 103. (a) For the purpose of determining grade, position on a promotion list, seniority in his grade in the Regular Army, and eligibility for promotion, a person appointed in a commissioned grade in the Regular Army may, in the discretion of the Secretary of the Army, be credited at the time of his appointment with the active commissioned service in the Army after December 6, 1941, that he performed after becoming 21 years of age and before his appointment, and, in addition, if applicable, not more than one of the following periods:

(1) Three years, if appointed in the Veterinary Corps, a chaplain, of the Judge Advocate General's Corps.

(2) Three years, if appointed in the Medical Service Corps (for a person who holds a degree of doctor of philosophy or comparable degree recognized by the Surgeon General in a science allied to medicine).

(3) A period (not to exceed 8 years), for a person who is a commissioned officer on active duty on the effective date of this act, which is equal to the number of days, months, and years of his commissioned service creditable in the computation of his basic pay which is in excess of his years of active commissioned service and which when added to his years of active commissioned service, equals the number of days, months, and years by which his age at time of appointments exceeds age 27.

(4) A period (not to exceed 8 years) equal to the days, months, and years by which his age exceeds 27, for not more than 200 appointees who—

(A) are outstanding specialists in a critical field in acccordance with criteria prescribed by the Secretary of the Army and approved by the President; and

(B) are appointed within 2 years after the effective date of this act.

(5) A period (not to exceed 2 years) equal to the days, months, and years by which his age exceeds 27.

(b) Notwithstanding any other provision of law, no person who was a cadet at the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy may be originally appointed in a commissioned grade in the Regular Army before the date on which his classmates at that Academy are graduated and appointed as officers. No person who was a cadet at, but did not graduate from, an Academy may be credited, upon appointment as a commissioned officer of the Regular Army, with longer service than that credited to any member of his class at that Academy whose service in the Army has been continuous since graduation.

(c) Notwithstanding any other provision of law, a cadet at the United States Military Academy who completes the prescribed course of instruction may, upon graduation, be appointed a second lieutenant in the Regular Army. Whenever such an appointment or the appointment in the Regular Army, upon graduation, of a graduate of the United States Naval Academy or the United States Air Force Academy, results in there being a number of active-list commissioned officers in the Regular Army in excess of the authorized strength in those officers, that strength is temporarily increased as necessary for that appointment. Rank among the graduates of each class at such an Academy who, upon graduation, are appointed in the Regular Army shall be fixed under regulations prescribed by the Secretary of the Army. A graduate of the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy who is appointed as a second lieutenant in the Regular Army is not entitled to any service credit under this title.

SEC. 104. Based on the service credited under this title, the commissioned grade in which a person is appointed under this title is that which is held by the junior officer on the applicable promotion list who is not a deferred officer or an officer considered but not recommended for promotion under section 518, Officer Personnel Act of 1947 (10 U. S. C. 5591), having the same or next longer service, and the name of an officer so appointed shall be placed on that list immediately below such officer.

SEC. 105. The years of service for promotion credited to an officer under this title, or under other provisions of law, plus his subsequent active commissioned service in the Regular Army, shall be considered "years' service" within the meaning of sections 509 and 514 of the Officer Personnel Act of 1947, as amended (10 U. S. C. 559c, 941a), if greater than that with which he would be credited under those provisions.

SEC. 106. This title does not apply to the appointment of officers of the Army Nurse Corps or the Army Medical Specialist Corps. This title, other than section 109, does not apply to the appointment of officers of the Medical Corps and Dental Corps.

SEC. 107. This title does not terminate the appointment of any officer of the Regular Army.

SEC. 108. The promotion to a higher Regular grade of an officer of the Regular Army, otherwise eligible for promotion, may not be withheld because of an appointment under this title.

SEC. 109. Subsection 102 (b), Army and Air Force Authorization Act of 1949 (10 U. S. C. 20j (b)), is amended by striking out the words "thirty thousand six hundred" wherever they appear therein and inserting the figure "49,500."

TITLE II

Air Force

SEC. 201. (a) The President, by and with the advice and consent of the Senate, may appoint commissioned officers in the Regular Air Force under this title.

(b) To be eligible for appointment under this title, a person must—

(1) be a citizen of the United States;

(2) be at least 21 years of age;

(3) be of good moral character;

(4) be physically qualified for active service; and

(5) have such other qualifications as the Secretary of the Air Force may prescribe.

(c) The Secretary of the Air Force shall convene selection boards, to meet at times prescribed by him, to consider persons who are eligible for appointment in the Regular Air Force under this title. Each board shall be composed of at least five officers of the Regular Air Force. A recommendation for appointment must be made by the majority of the total membership of the board. The President may remove from the list of per-

sons recommended by the board the name of any person who, in his opinion, is not qualified for appointment.

(d) Not more than a total of 100 persons in any calendar year may be appointed and credited with years of service under section 203 (a) (2) of this title from civilians, and Reserves of the Air Force who are not on active duty and who have qualifications not otherwise available from members of the Air Force on active duty.

SEC. 202. No person may be appointed in a commissioned grade in the Regular Air Force under this title if on the date of appointment he has already passed his 30th birthday. However, the maximum age limitation is increased by the period of active commissioned service in the Armed Forces performed after the appointee became 21 years of age and before his appointment. In addition, the Secretary of the Air Force may waive the maximum age limitation for any category in which, in his opinion, there is an inadequate number of officers with the required qualifications, but no person may be appointed under this act if he is above the age which would permit him to complete 20 years of active commissioned service before he attains his 55th birthday.

SEC. 203. (a) For the purpose of determining grade, position on a promotion list, seniority in his grade in the Regular Air Force, eligibility for promotion, and mandatory retirement or elimination under the Officer Personnel Act of 1947 (10 U. S. C. 506 and the following), a person appointed in a commissioned grade in the Regular Air Force under this title shall be credited at the time of his appointment with the active commissioned service in the Armed Forces that he performed after becoming 21 years of age and before his appointment. In addition and for the same purposes, under regulations to be prescribed by the Secretary of the Air Force—

(1) a person appointed under this title while on active duty in the Air Force may be credited with not more than 2 years of service; and

(2) a person appointed under section 201 (d) of this title may be credited with not more than 8 years of service.

(b) A person appointed in the Regular Air Force under this title with a view to designation in one of the following categories shall be credited at the time of his appointment, in addition to the service with which he is credited under subsection (a), and for the purposes of determining grade, position on a promotion list, seniority in regular grade, and eligibility for promotion, with the following service:

(1) Veterinarian: 3 years.

(2) Chaplain: 3 years.

(3) Judge Advocate: 3 years.

(c) Under such regulations as the Secretary of the Air Force may prescribe, a person who is originally appointed in a commissioned grade in the Regular Air Force with a view to designation as a medical service officer, and who, at the time of appointment, holds a degree of doctor of philosophy or a comparable degree in a science allied to medicine, so recognized by the Secretary, may be credited at the time of his appointment, in addition to the service with which he is credited under subsection (a), and for the same purposes, with 3 years of service.

(d) Notwithstanding any other provision of law, no person who was a cadet at the United States Air Force Academy, the United States Military Academy, or the United States Naval Academy may be originally appointed in a commissioned grade in the Regular Air Force before the date on which his classmates at that Academy are graduated and appointed as officers. No person who was a cadet at, but did not graduate from, an Academy may be credited, upon appointment as a commisioned officer of the Regular Air Force, with longer service than that credited to any member of his class at that Academy whose service in the Air Force, or in the Army and the Air Force, has been continuous since graduation.

(e) Notwithstanding any other provision of law, a cadet at the United States Air Force Academy who completes the prescribed course of instruction may, upon graduation, be appointed a second lieutenant in the Regular Air Force. Whenever such an appointment or the appointment in the Regular Air Force, upon graduation, of a graduate of the United States Naval Academy or the United States Military Academy, results in there being a number of active list commissioned officers in the Regular Air Force in excess of the authorized strength in those officers, that strength is temporarily increased as necessary for that appointment. Rank among the graduates of each class at such an Academy who, upon graduation, are appointed in the Regular Air Force, shall be fixed under regulations prescribed by the Secretary of the Air Force. A graduate of the United States Air Force Academy, United States Military Academy, or United States Naval Academy who is appointed as a second lieutenant in the Regular Air Force is not entitled to any service credit under this title.

SEC. 204. Based on the service credited under this title, the commissioned grade in which a person is appointed under this title is:

(1) For persons with less than 3 years of service: Second lieutenant.

(2) For persons with at least 3, but less than 7, years of service: First lieutenant.

(3) For persons with at least 7, but less than 14, years of service: Captain.

(4) For persons with at least 14, but less than 21, years of service: Major.

(5) For persons with at least 21 years of service: Lieutenant colonel.

The name of each person appointed under this title shall be placed on the applicable promotion list immediately below the junior officer of the same grade having the same or next longer service for promotion purposes.

SEC. 205. This title does not terminate the appointment of any officer of the Regular Air Force.

SEC. 206. The promotion to a higher regular grade of any officer of the Regular Air Force, otherwise eligible for promotion, may not be withheld because of an appointment under this title.

SEC. 207. (a) Notwithstanding any other provision of law, each officer of the Regular Air Force on the date of enactment of this title who was appointed therein under the provisions of section 506 (c) of the Officers Personnel Act of 1947 and whose active commissioned service in the Armed Forces is greater than that credited to him under that section (10 U. S. C. 506c (c)) at the time of his appointment, plus his active commissioned service after that appointment, shall be credited, for the purposes set forth in section 203 (a) of this title, with the total amount of his active commissioned service in the Armed Forces performed after December 7, 1941, and after becoming 21 years of age, and which has not been previously credited to him.

(b) The years service credited, for the purpose of determining grade, position on a promotion list, seniority in regular grade, and eligibility for promotion, to each officer of the Regular Air Force, who is designated as a judge advocate, veterinary officer, or chaplain, and who was appointed under the act of December 28, 1945 (59 Stat. 663), may be increased, but not by more than 3 years, under regulations to be prescribed by the Secretary of the Air Force.

(c) Each officer who, as a result of being credited with service under this section, becomes eligible for mandatory consideration for promotion under section 509 of the Officer Personnel Act of 1947 (10 U. S. C. 559c) shall be considered by a selection board convened for that purpose in the manner provided in section 507 of the Officer Personnel Act of 1947 (10 U. S. C. 559a). If he is recommended for promotion by that board, he shall be placed on the applicable promotion list immediately below the junior officer on that list having the same or next longer service for promotion purposes and shall be given a date of rank accordingly. If he is not recommended for promotion by that board, he is a deferred officer. However, such an officer may not, because of this failure of recommendation, have his years of service reduced under section 509 (g) of the Officer Personnel Act of 1947 (10 U. S. C. 559c), and he shall be considered by the next regularly convened selection board considering officers of his grade and category. If he is recommended for promotion by that board, his years of service for promotion purposes shall be reduced so that he will be junior by at least 1 day to the junior officer who was considered and recommended for promotion by the selection board which failed to recommend him for promotion, and who has the same or next longer period of service. If he is not recommended by that selection board, he shall be treated as provided in the last sentence of section 509 (h) of the Officer Personnel Act of 1947 (10 U. S. C. 559c (h)).

SEC. 208. (a) Notwithstanding any other provision of law, the years' service credited to an officer of the Regular Air Force on the date of enactment of this title for the purposes set forth in section 203 (a) of this title, may be increased, but not by more than 2 years, under regulations to be prescribed by the Secretary of the Air Force.

(b) Each officer who, as a result of being credited with service under this section, becomes eligible for mandatory consideration for promotion under section 509 of the Officer Personnel Act of 1947 (10 U. S. C. 559c) shall be considered by the next regularly convened selection board considering officers of his grade and category.

SEC. 209. An officer whose years' service is readjusted under section 207 or 208 of this title may have his date of rank in permanent grade and his position on the applicable promotion list adjusted to reflect his increased years' service.

SEC. 210. Section 202 (b) of the Army and Air Force Authorization Act of 1949 (10 U. S. C. 20s (b)) is amended by striking out the words "twenty-seven thousand five hundred" and inserting the figure "69,425" in lieu thereof.

SEC. 211. This title does not apply to the appointment of persons appointed with a view to designation as medical officers, dental officers, Air Force nurses, or Air Force medical specialists.

TITLE III

Miscellaneous provisions

SEC. 301. The Secretary of Defense, with the approval of the President, shall project annually for the ensuing 5 years the active duty Regular commissioned list strength in each of the armed services (exclusive of any additional extra numbers authorized by special provision of law).

SEC. 302. Section 503 (a) of the Officer Personnel Act of 1947 (61 Stat. 885; 10 U. S. C. 506a (a)) is amended to read as follows

"(a) (1) The authorized strength of the Regular Army in general officers on the active list, exclusive of the number authorized for the Army Medical Service and the chaplains, is seventy-five ten-thousandths of the authorized strength of the Regular Army in commissioned officers on the active list, exclusive of the number of commissioned officers on the active list authorized for the Army Medical Service and the chaplains. Of this authorized strength, not more than one-half may be in a regular grade above brigadier general. The authorized strength of each of the following branches—

(A) the Medical Corps;

(B) the Dental Corps;

(C) the Veterinary Corps; and

(D) the Chaplains;

in general officers on the active list of the Regular Army is five one-thousands of the authorized strength of the branch concerned in commissioned officers on the active list of the Regular Army. Not more than one-half of the authorized strength in general officers in such a branch may be in a regular grade above brigadier general. When the application of the percentages and ratios specified in this subsection results in a fraction, a fraction of one-half or more is counted as one, and a fraction of less than one-half is disregarded. General officers on the active list of the Regular Army who are specifically authorized by law to hold any civil office under the United States, or any instrumentality thereof, are not counted in determining authorized strength under this act.

"(2) The authorized strength of the Regular Air Force in general officers on the active list is seventy-five ten-thousandths of the authorized strength of the Regular Air Force in commissioned officers on the active list. Of this authorized strength, not more than one-half may be in a regular grade above brigadier general. However, the number of officers on the active list of the Regular Air Force in any regular grade above colonel on the last day of each fiscal year may not be more than the number of general officers authorized in title III of the Officer Grade Limitation Act of 1954 (68 Stat. 69; 10 U. S. C. 1843 et seq.) for the total number of commissioned officers of the Air Force on active duty as of that date, as determined by the Secretary of the Air Force. When the application of the percentage above specified results in a fraction, a fraction of one-half or more is counted as one, and a fraction of less than one-half is disregarded. General officers on the active list of the Regular Air Force who are specially authorized by law to hold any civil office under the United States, or any instrumentality thereof, are not counted in determining authorized strength under this act."

SEC. 303. The names of officers appointed under the provisions of section 103 (a) (4) and section 201 (d), together with the grades to which appointed and the justification therefor, shall be submitted to the Committees on Armed Services of the House and Senate not later than July 15, 1958, and each year thereafter.

SEC. 304. The following are repealed:

(1) Section 5 of the act of August 9, 1955 (69 Stat. 607).

(2) Section 506 of the Officer Personnel Act of 1947 (10 U. S. C. 506c).

The SPEAKER. Is a second demanded?

Mr. SHORT. Mr. Speaker, I demand a second.

Mr. KILDAY. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. KILDAY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill is entitled "A bill to authorize permanent appointments in the Armed Forces of the United States and for other purposes."

This bill has been referred to as the augmentation bill.

The primary purpose of the bill is to increase the number of regular officers in the Army and in the Air Force and to provide for their appointment in the regular service.

I would like to make it clear at the outset that the purpose of this bill is not to increase the number of officers now on duty in the Army and in the Air Force; the purpose of the bill is to change the status of reserve officers from temporary or reserve officer to that of regular officer.

Under the proposed legislation the present statutory ceilings for Regular Commissioned officers in the Army will be increased from 30,600 to 49,500. The authorized Regular commisioned officer strength of the Air Force will be increased from 27,500 to 69,425.

As of December 31, 1955, there were 113,288 officers serving on active duty in the Army. On that same date there were 139,616 officers serving on active duty in the Air Force.

Of the 113,000 officers serving on active duty in the Army only 27,806, or 26 percent, were Regular officers.

Of the 139,000 officers serving on active duty in the Air Force, only 24,118, or 17 percent were Regular officers.

In the Navy approximately 45 percent of the officers serving on active duty are Regular officers. In the Marine Corps approximately 50 percent of the officers serving on active duty are Regular officers.

Upon enactment of the proposed legislation the Army and Air Force will seek to attain an eventual ratio of regulars to total officer strength which will permit the Army and Air Force to have approximately 40 percent Regular officers. To accomplish this objective, the Army will select approximately 7,000 persons from their present active-duty Reserve status for transfer to the status of Regular officers in July of 1958. During this same period of time the Air Force will select 24,000 officers from an active-duty Reserve status for transfer to a Regular status in January of 1958.

Thereafter, the Army will continue to transfer active-duty Reserve officers to a Regular status in addition to normal procurement of Regular second lieutenants, until by 1963 approximately 40 percent, or 39,600 officers serving on active duty in the Army, will be Regular officers.

It is felt, and I think there can be no doubt about it, that enactment of the bill will greatly stabilize our officer personnel by changing their status from Reserves on extended active duty to Regular officers. It is self-evident that a man on duty in a Regular status, knowing that he has security of tenure is much more likely to continue on active duty, than the man who is serving in a temporary position of extended activity. After all, a contract for extended activity is a unilateral contract binding on the man but not binding on the Government. This bill will give them greater stability which is regarded as being essential to building up a firm corps.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Connecticut.

Mr. MORANO. I would like to know on what basis the Army and the Air Force will select Reserve officers to go into the Regular service.

Mr. KILDAY. The officers will be notified of the program and they will be permitted to make their applications. Those applications will be processed by a Board and, of course, in the final analysis, since regular commissions are involved, the nominations will have to be made by the President to the Senate and they will have to be confirmed by the Senate.

Mr. MORANO. Is it purely voluntary on the part of the reserve officer as to whether or not he wants to go into the regulars?

Mr. KILDAY. Yes. It is entirely up to him whether he applies or not. Whether he is selected will depend upon Board action and final nomination by the President to the Senate.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Iowa.

Mr. GROSS. If the gentleman will permit me to read one sentence of the report, I quote the following:

> The Department of Defense has stated its grave concern over the number of reserve officers who leave active duty after having acquired skills that are in some instances almost irreplaceable.

I think probably this bill has a great deal of merit, but I call the gentleman's attention to the fact that increasing numbers of West Point and Annapolis cadets are resigning at the end of 3 years. I wonder if that does not give the gentleman and other members of the House Committee on Armed Services and other Members of Congress grave concern?

Mr. KILDAY. It is giving us continuing grave concern and has over a period of time. This bill, of course, is not concerned with that problem. We have in this session of the Congress and in the last session of the Congress taken action that should make the services so attractive to these men on a career basis that they will not be as apt to resign.

I would like to call the gentleman's attention to the fact that recently the President wrote letters to the Vice President and to the Speaker of the House requesting that six items of legislation affecting the military be passed prior to adjournment. At that time the House had already passed four of the bills requested by the President. This is No. 5, and as soon as we get this passed, if we do under suspension of the rules, I shall call up the sixth. I believe that represents the best judgment of the President and the administration as to what we might do to prevent those resignations. I may say also that a committee has been appointed in the Defense Department to consider a number of matters in connection with personnel. The length of service to be required of Academy graduates will be one of the subjects studied.

Mr. GROSS. I hope the committee will give serious consideration to this matter. If the legislation that has been passed does not succeed in correcting the situation, I trust the committee will give serious consideration to extending the mandatory period of service of the graduates of West Point, Annapolis, and the Air Force.

Mr. KILDAY. I assure the gentleman that is now under consideration. I believe this bill should be passed under suspension of the rules. I should point out that it actually will not increase the

budgetary requirements because it does not increase the number of officers on active duty. It merely changes their status from temporary to regular.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. This is a very meritorious bill and will give those reserves a break who wish to become career officers and have entered the Regular Establishment. It is very important that we pass this measure today and I commend the gentleman for his splendid presentation of this matter.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from West Virginia.

Mr. BAILEY. May I ask the distinguished gentleman from Texas if I understood him to say this does not apply to the Navy or the Marine Corps?

Mr. KILDAY. It applies to the Navy and Marine Corps only to the extent that it extends existing authority. It makes permanent law existing temporary legislation which permits the Navy and Marine Corps to integrate into their regular services.

Mr. SIEMINSKI. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from New Jersey.

Mr. SIEMINSKI. May I ask if within the gentleman's knowledge one of the problems in personnel being considered in the service academies is whether the military rates its superintendents and the teaching officer personnel stationed at the academies on their ability to train students in scholastic as well as military proficiency? Members of Congress make appointments to the academies. Students are accepted on qualification. Each year a portion flunks out. Does the gentleman know whether the Pentagon grades officers at the academies on their efficiency in qualifying for graduation the appointees qualified for acceptance? How successful are superintendents and officer personnel in handling for graduation cadets and midshipmen once they are admitted to the Academies? On whom are turnouts and flunkouts a reflection? On the cadets and midshipmen? On the superintendents and the officers? How much is each to blame? Is there a measuring rod? Are Members of Congress indifferent in that regard? Are officers at the Academy? Is that a field that is being studied, can the gentleman tell me?

Mr. KILDAY. I am sorry, but I am not familiar with the problem the gentleman refers to, and I am not informed as to what might be taken into consideration in making efficiency reports on officers on duty there.

Mr. SIEMINSKI. May I suggest that that topic be taken up by the next Board of Visitors? The gentleman mentioned the people that resigned from the Academies. I know there are a number of equally sincere students who would like to stay there, but are flunked out for failure to meet scholastic standards. Is the failure theirs alone? To what extent is the teaching personnel responsible? When Members of Congress send students to the Academies, they want success for those students. I would like to be sure that officers at the Academies who coach these students to graduate are on the ball and are being graded accordingly.

Mr. SHORT. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this proposed legislation was sent down to the Hill by the Department of Defense. Your Committee on Armed Services has rewritten and revised the legislation. Nevertheless, the bill as written and reported has received full endorsement by the Department of Defense. Its enactment is strongly recommended by the President of the United States. The Bureau of the Budget interposes no objection to its consideration.

Why is this legislation asked for at this time? It is shocking that only 17 percent of all the officers in our Air Force at the present time are Regular officers. About 25 to 26 percent in our Army at the present time are Regular officers. The Navy and the Marine Corps do a little better. About 48 percent of the officers in the Navy are Regular officers and almost or approximately 50 percent of the Marine Corps officers are Regulars.

Mr. Speaker, this legislation will not result in any increased cost to the Government, because it does not increase the number of officers authorized to serve on active duty. What it does do is to bring about some certainty and stability in our armed services by increasing the proportionate rate of Regular officers to Reserve officers now serving. It is expected to have a most stimulating effect on the stability of our officer strength; to give the Reserve officers with excellent records an opportunity for promotion and permanency. It is wholly optional, however, but if his record is good enough, he can be transferred from Reserve officer to Regular officer. That will give stability to our officer strength and reduce this exceedingly and expensive high turnover in the Regular officers of our armed services. It is highly meritorious legislation. It is going to take a little while, a few years, perhaps 7 years, to build the Regular officer strength up to approximately 50 percent. The Navy and the Marine Corps will continue for the next few years at the present ratio of approximately 50 percent. By 1958 we hope to build up the Regular officers in the Air Force from 17 to 36 percent and by 1963 we hope to have the Regular officers in our Air Force up to 40 percent. The ultimate goal, of course, is around 50 percent.

We hope to bring the percentage of our Regular officers in the Army, from approximately 25 or 26 percent today to 36 percent by 1958 and to 40 percent by 1963.

It is rather shocking, I dare say, not only to the ordinary layman, the private citizen in America, but it was shocking to many Members of Congress and even to members of our own committee to learn that just about one-fourth of all of our officers today in our armed services are Regular officers, while the other three-fourths are Reserve officers who live on a year-to-year basis, with that sort of uncertainty hanging over their heads, and with a quick and expensive turnover that adds enormously to the instability and ineffectiveness of our forces.

This is legislation that has been unanimously reported by our committee, has been approved by the Bureau of the Budget and the Department of Defense, and urged by the President. I think the bill should pass.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

House Resolution 557 was laid on the table.

PROVIDING AN ASSISTANT SECRETARY FOR RESEARCH AND DEVELOPMENT FOR THE ARMY, NAVY, AND AIR FORCE

Mr. KILDAY. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11575) to provide for an Assistant Secretary for Research and Development for each of the three military departments within the Department of Defense, as amended.

The Clerk read as follows:

Be it enacted, etc., That the first sentence of subsection (a) of section 102 of the Army Organization Act of 1950, as amended (5 U. S. C. 181–5), is amended by striking out "four" and inserting in lieu thereof "five"; and by inserting at the end of such subsection the following sentences: "One of the Assistant Secretaries authorized herein shall be designated the Assistant Secretary of the Army for Research and Development. The Assistant Secretary of the Army for Research and Development shall perform such functions relating to the coordination of the research and development functions of the Department of the Army, and such other functions of such department, whether or not relating to the coordination of such research and development functions, as the Secretary of the Army may prescribe."

SEC. 2. There shall be an additional Secretary of the Navy to be designated the Assistant Secretary of the Navy for Research and Development, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate prescribed by law for Assistant Secretaries of military departments. The Assistant Secretary of the Navy for Research and Development shall perform such functions relating to the coordination of the research and development functions of the Department of the Navy, and such other functions of such department, whether or not relating to the coordination of such research and development functions, as the Secretary of the Navy may prescribe.

SEC. 3. The first sentence of subsection (a) of section 102 of the Air Force Organization Act of 1951, as amended (5 U. S. C. 626–1), is amended by striking out "four" and inserting in lieu thereof "five"; and by inserting at the end of such subsection the following sentences: "One of the Assistant Secretaries authorized herein shall be designated the Assistant Secretary of the Air Force for Research and Development. The Assistant Secretary of the Air Force for Research and Development shall perform such functions relating to the coordination of

the research and development functions of the Department of the Air Force, and such other functions of such department whether or not relating to the coordination of such research and development functions, as the Secretary of the Air Force may prescribe."

SEC. 4. For each office established by the foregoing provisions of this act, the President may designate a civilian officer of the executive branch of the Government to perform the functions of that office until it is filled by appointment as provided by such provisions. By performing such functions any officer so designated shall not forfeit any office that he otherwise holds.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Is this a committee bill or an individual bill?

The SPEAKER. I assume it was reported by the committee. It has no other way of getting here unless the Speaker were to take it out of the hands of the committee and recognize someone to move to suspend the rules.

Mr. GROSS. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Under the rules of the House, do not individual bills have priority over committee bills on the first Monday of each month?

The SPEAKER. That is a matter of discretion in the Speaker, whom he recognizes to move to suspend the rules. That has been the rule and the precedent for over 40 years, that I know of.

Mr. GROSS. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Does this bill come to the floor with the approval of the committee, with the formal and specific approval of the Committee on Armed Services for action under suspension of the rules?

The SPEAKER. The bill has been reported and is on the calendar. The Chair agreed to recognize a Member to move to suspend the rules. The Chair has quite a good deal of discretion on every other Monday.

Mr. SHORT. Mr. Speaker, if the gentleman will yield, I might say to the gentleman from Iowa [Mr. GROSS] that this bill was introduced by a Member of the House, the distinguished majority leader, the gentleman from Massachusetts [Mr. MCCORMACK]. It was reported with only two votes against it, as I remember.

The SPEAKER. Is a second demanded?

Mr. HÉBERT. Mr. Speaker, I demand a second.

The SPEAKER. The Chair will recognize the gentleman from Missouri [Mr. SHORT], a Member on the minority side.

Mr. SHORT. Mr. Speaker, since I am not opposed to the bill, I cannot demand a second; but the gentleman from Louisiana [Mr. HÉBERT], a member of our committee, is opposed to the bill.

The SPEAKER. The Chair will recognize a Member of the minority, if he qualifies.

Mr. GROSS. Mr. Speaker, I am opposed to the bill and I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. KILDAY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill provides for an Assistant Secretary for Research and Development for each of the 3 military departments within the Department of Defense.

Mr. Speaker, I might point out that during the 83d Congress we passed legislation to increase the number of Assistant Secretaries of the various military departments. At that time it was proposed by the gentleman from Massachusetts [Mr. MCCORMACK] that one of the assistant secretaries in each of the military departments be designated as the Assistant for Research and Development. At that time the Department did not support the provisions advocated by the gentleman from Massachusetts.

This bill comes here now with the request from the Department of Defense and its various military departments that an additional assistant secretary be authorized and that he be charged with the duty of research and development.

Of course, we are all familiar with the fact that there has been tremendous progress made in all of the scientific matters having to do with the military services as well as in industry and other activities in the United States and in the world at large. I believe it to be self-evident that there should be one secretary in each department charged with the primary duty of attending to those things having to do with research and development.

It is true that after the legislation was passed in the 83d Congress the Secretary of the Air Force by administrative action designated one of his assistants to be in charge of research and development. The other two military departments did not see fit to take that action.

I might point out that in this day and time it would hardly be possible to operate any one of the military departments without having someone in overall charge, whether he be designated as an assistant secretary or whether he be an adviser, consultant, or only an employee designated to carry out that duty and that function.

I believe there are a number of things to be said in favor of the person handling this very important work being designated as an assistant secretary rather than an employee or a consultant. First of all, I think it is highly desirable that Congress have something to say about the individual who fills this important position. Under the bill as presented here, he will be an assistant secretary of a military department appointed by the President and confirmed by the Senate. I believe that to be the first great advantage in having the individual appointed as an assistant secretary.

In addition, I think we will be in a position to attract a better type of personnel, abler. That is, to a statutory position with a proper title applying to that position. I feel that the request of the departments is justified and that this action should be taken.

I think I should refer to the fact that there was a reorganization program submitted to the Congress which would have carried out this very thing, designating an additional secretary in each of the military departments. It is the feeling of the Committee on Armed Services that that was not the proper subject of a reorganization plan, that it was the creation of a new office rather than the reorganization of something previously authorized by Congress. We have now proceeded in the proper legislative manner to set up these new assistant secretaryships by law.

I hope that the bill will be adopted.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Missouri.

Mr. SHORT. We all know that the last fiscal year ended the night before last, at midnight Saturday. In the fiscal year 1956 just ended the Navy had appropriations in excess of $300 millions, the Army had appropriations in excess of $400 million, and the Air Force had appropriations in excess of $600 million; in other words, our Department of Defense in the fiscal year 1956 just ended spent $1,300,000,000 on research and development. As far as any of us can judge for the foreseeable future, expenditures will be of similar and even greater magnitude. Certainly, I think every Member of this body when he considers the stupendous sums of money we are spending in this increasingly important and interesting field of research and development will agree that we hould have a secretary for this particular branch of the service in the three different departments of our armed services. It should redound to the benefit of everyone and save the taxpayers millions upon millions of dollars.

Mr. KILDAY. I thank the gentleman from Missouri.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. HOLIFIELD. The gentleman stated to the House that the reorganization plan designated Reorganization Plan No. 1 was sent down recently by the President to the House Committee on Government Operations. After consultation with some of the senior members of the House Committee on Government Operations, we, too, agreed that this was not the proper type of reorganization plan and our chairman, the gentleman from Illinois [Mr. DAWSON] got in touch with the chairman of the Committee on Armed Services [Mr. VINSON] and indicated to him we thought this should be considered as a matter of substantive legislation by the Committee on Armed Services rather than in a reorganization plan by the House Committee on Government Operations. I concur with what the gentleman has said. I support the bill on the basis of need

for accenting research and development responsibility, and I approve of the manner in which it is being brought to the floor.

Mr. KILDAY. I thank the gentleman from California.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Speaker, I assure you I am under no illusion that what I have to say will have any effect on this legislation. I readily recognize the fact that when my distinguished majority leader, the gentleman from Massachusetts, has his name on a bill that it carries much weight on his side of the aisle. Taking into consideration the fact that his colleagues and friends on the opposite side are in agreement with him, you can easily understand what a lone voice in the wilderness we few who oppose this legislation have. However, I do think it is imperative and incumbent upon me to bring before the House certain facts in connection with this legislation. I could not do otherwise in the light of my own past activities from the day the Unification Act was passed and the statements which were made at that time by those who advocated that legislation. Certainly, I believe there should be a secretary in charge of research and development. There is no quarrel about that. The distinguished gentleman from Massachusetts has worked on that subject matter for several years and he has done a splendid job. However, I do not believe there is justification for adding more numbers to the Secretaries in the Department of Defense at this time. If we continue at the rate we are going, we will have more secretaries than there are vice presidents in General Motors or vice presidents in the television and radio industry. I want to call your attention to some very important testimony which was given to the Committee on Government Operations when the unification plan was put into effect. I will read to you the testimony of the late Adm. Forrest Sherman, then Chief of Naval Operations. I ask you to weigh well what he said at that time. This was in 1947. I quote Admiral Sherman as follows:

> Of course, the size of the Office of the Secretary of National Defense will in reality always be controlled by the appropriations which the Congress makes for its support. The Secretary of National Defense should have a small executive office for directing and controlling the National Defense Establishment.

Hear well these next words:

> In addition to the 4 assistants provided by section 104, I believe he could accomplish his mission with about 100 people, including stenographic personnel and file clerks. I would expect that he would use to their full capacity such agencies as the War Council, the Joint Chiefs of Staff, the Munitions Board, and the Research and Development Board, and would decentralize to a maximum.

I again direct your attention that Admiral Sherman mentioned four assistants and at that time those of us who opposed that act could foresee that it was just another layer placed on the cake, and that in time it would grow to be a great overlapping agency added to that which we already had.

It is interesting to note, as the gentleman from Texas has told you, the Defense Department came back several years ago and was given additional secretaries. It is interesting to know that now those 4 secretaries that Admiral Sherman spoke about have grown to 29 statutory secretaries in the Department of Defense. If this bill is enacted—and I know it will be—there will then be 32 statutory secretaries. I think it is of interest to you to know that there is resting before the Armed Services Committee still another bill asking for still another secretary, making a grand total of 33 individuals in the Department of Defense who could be called by the title of "Mr. Secretary."

The SPEAKER. The time of the gentleman from Louisiana has expired.

Mr. GROSS. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. HÉBERT. I think it would be well if we passed this bill that we provide them with convention badges so the secretaries could recognize each other as they walk up and down the halls of the Pentagon. It is interesting to recall that when the Deputy Secretary of Defense was on the stand testifying I asked him how many secretaries he already had. He did not know. He could not answer the question. He had to send down to the Pentagon to get the numbers. Well, I hold here in my hand the pages containing this extensive list. Fifty-two names are listed in the secretarial level. Fifty-two. I notice there is a Secretary for Research and Development in the Air Force, and what is printed next to it? "Vacant." They have not even filled it, and they tell us this is needed legislation. There is already in the Department of Defense on the top layer of the cake a secretary to develop research and development.

Mr. WINSTEAD. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield.

Mr. WINSTEAD. I believe the testimony will show that last year, when we granted six additional secretaries, the whole argument of the Defense Establishment at that time before our committee was that they could use some of these secretaries that they had then to carry on this research for which we are now being asked to provide additional secretaries.

Mr. HÉBERT. Of course that was yesterday. We have not read tomorrow morning's mail. They will probably come up here for another secretary to assist the secretaries by tomorrow.

I think this is getting utterly ridiculous. I think the House should know best what to do. I think you should realize, however, what you are doing when you do this. I do think you should know that probably next week there will be another bill to get another secretary whom they say they need very badly. It is your own wisdom, however, to do as you please about it.

Mr. Speaker, I ask unanimous consent to include at this point this list of individuals of 52, who are now on the secretarial level in the Department of Defense.

The SPEAKER. Is there objection?

There was no objection.

(The matter referred to follows:)

Office of the Secretary of Defense

Name	Title	Grade	Salary
Charles E. Wilson	Secretary of Defense	Statutory	$22,500
Reuben B. Robertson	Deputy Secretary of Defense	do	20,000
Eger V. Murphree	Assistant to the Secretary (Guided Missiles)	Public Law 911	(1)
Herbert B. Loper [2]	Assistant to the Secretary (Atomic Energy)	Statutory	15,000
Gen. G. B. Erskine	Director, Special Operations	GS-18	14,800
Frank D. Newbury	Assistant Secretary of Defense (Applications Engineering)	Statutory	15,000
Grayson A. Tucker	Deputy Assistant Secretary	GS-18	14,800
W. J. McNeil	Assistant Secretary of Defense (Comptroller)	Statutory	15,000
Lee R. Shannon	Deputy Assistant Secretary	GS-18	14,800
Mansfield D. Sprague	General Counsel	Statutory	15,000
Leonard Niederlehner	Deputy General Counsel	GS-17	14,190
Frank B. Berry	Assistant Secretary of Defense (Health and Medical)	Statutory	15,000
Edward H. Cushing	Deputy Assistant Secretary	Public Law 313	15,000
Gordon Gray	Assistant Secretary of Defense (International Security Affairs)	Statutory	15,000
E. Perkins McGuire	Deputy Assistant Secretary	Public Law 665	14,800
Robert Tripp Ross	Assistant Secretary of Defense (Legislative and Public Affairs)	Statutory	15,000
Lorne Kennedy	Deputy Assistant Secretary (Legislative Affairs)	GS-18	14,800
Philip K. Allen	Deputy Assistant Secretary (Public Affairs)	GS-18	14,800
Carter L. Burgess	Assistant Secretary of Defense (Manpower, Personnel and Reserve)	Statutory	15,000
Henry A. DuFlon	Deputy Assistant Secretary	GS-18	14,800
Floyd S. Bryant	Assistant Secretary of Defense (Properties and Installations)	Statutory	15,000
Robert A. McDonald	Deputy Assistant Secretary	GS-18	14,800
C. C. Furnas	Assistant Secretary of Defense (Research and Development)	Statutory	15,000
J. B. Macauley	Deputy Assistant Secretary	Public Law 911	(1)
William J. Holaday	do	do	(1)
Vacancy	Assistant Secretary of Defense (Supply and Logistics)	Statutory	15,000
Robert C. Lamphier	Deputy Assistant Secretary	Public Law 911	(1)

[1] Without compensation.

[2] Statutory appointee as Chairman of the Military Liaison Committee.

Department of the Army

Name	Title	Grade	Salary
Wilber M. Brucker	Secretary of the Army	Statutory	$18,000
Charles C. Finucane	Under Secretary of the Army	do	15,000
Chester R. Davis	Assistant Secretary of the Army (Fiscal Management)	do	15,000
Robert D. King	Deputy Assistant Secretary of the Army (Fiscal Management)	GS-18	14,800
George H. Roderick	Assistant Secretary of the Army (Civil Military Affairs)	Statutory	15,000
Edward A. Bacon	Deputy Assistant Secretary of the Army (Civil Military Affairs)	GS-18	14,800
Hugh M. Milton II	Assistant Secretary of the Army (Manpower and Reserve Forces)	Statutory	15,000
Franklin L. Orth	Deputy Assistant Secretary of the Army (Manpower and Reserve Forces)	GS-18	14,800
Frank H. Higgins	Assistant Secretary of the Army (Logistics)	Statutory	15,000
Henry N. Marsh	Deputy Assistant Secretary of the Army (Logistics)	GS-18	14,800
Frank G. Millard	General Counsel	GS-18	14,800
William H. Martin	Director, Research and Development	Public Law 313	15,000

Department of the Navy

Name	Title	Grade	Salary
Charles S. Thomas	Secretary of the Navy	Statutory	$18,000
Thomas S. Gates, Jr.	Under Secretary of the Navy	do	15,000
Raymond H. Fogler	Assistant Secretary of the Navy (Material)	do	15,000
William B. Franke	Assistant Secretary of the Navy (Financial Management)	do	15,000
Albert Pratt	Assistant Secretary of the Navy (Personnel and Reserve Forces)	do	15,000
Garrison Norton	Assistant Secretary of the Navy (Air)	do	15,000
			15,000

Department of the Air Force

Name	Title	Grade	Salary
Donald A. Quarles	Secretary of the Air Force	Statutory	$18,000
James H. Douglas	Under Secretary of the Air Force	do	15,000
Lyle S. Garlock	Assistant Secretary of the Air Force (Financial Management)	do	15,000
David S. Smith	Assistant Secretary of the Air Force (Manpower, Personnel and Reserve Forces)	do	15,000
Dudley C. Sharp	Assistant Secretary of the Air Force (Materiel)	do	15,000
Vacancy	Assistant Secretary of the Air Force (Research and Development)	do	15,000
John M. Ferry	Special Assistant for Installations	GS-17	14,190

Mr. HÉBERT. Mr. Speaker, that is the situation as we find it. It is now up to you to do as you will.

I yield back the remainder of my time.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. WINSTEAD].

Mr. WINSTEAD. Mr. Speaker, I was 1 of 2 who voted against this bill in committee. During World War II, when we only had the Army and Navy Departments, we won World War II with only six Secretaries in all the military departments. Today, under this New Look, in a time of postwar prosperity, when Secretary Wilson stated only a few days ago that we could cut down on our military personnel, we have 29 secretaries, together with all their assistants, as the gentleman from Louisiana has pointed out. Now they say they need three additional secretaries.

We just passed a bill here in order to maintain the services to give compensation to Reserve officers when they are released from active duty against their will. I predict that it will not be long before the military will be back asking us to raise the pay of officers in order that they may obtain them. Then it will not be long before they will be back again to raise their pay in order to keep them. Now we are told under these circumstances that we need three additional secretaries.

I am like the gentleman from Louisiana [Mr. HÉBERT]: I assume this bill will pass but I do not believe there is a Member of this Congress who knows anything about the facts but who knows that they have sufficient secretaries to do the job, without creating three additional secretarial positions in the Defense Establishment.

I just cannot see, to save my life, how we can talk so much about bureaucracy and Government expenditures and increasing bureaus. And may I say something for the Hoover Commission? They are trying to go behind the Hoover Commission to get this done without an act of Congress, but that does not justify you and I voting to give them the authority to do so. We should not let them bypass the Congress further.

I voted for the unification of the armed services, but that is about the last reorganization plan I voted for. I have not seen a Hoover Commission recommendation yet that did not result in creating additional manpower. Instead of reducing personnel we have increased it in almost every instance and delegated authority. We will get the military so overstaffed that the Members of Congress and the congressional committees with our own staffs cannot keep up with them. We are facing the same situation with every other agency of Government. If we don't stop this we will be required to come back and increase our own staffs in order to be able to keep up with the overstaffed Federal agencies.

I want to say for the author of this bill [Mr. MCCORMACK]: that he came before our Committee on Armed Services last year and argued that one of the additional secretaries which were being requested at that time should be designated for research and development and that they had sufficient secretaries, then, to do the job. I think the gentleman is to be complimented because he recognized some time ago that one of the secretaries in each service should be designated for research and development but, as I have said, he also recognized, at that time, that there were ample secretaries already serving who could be designated to the position.

As for me, I shall oppose the bill.

Mr. KILDAY. Mr. Speaker, has the gentleman from Iowa any further requests for time?

Mr. GROSS. I have.

Mr. KILDAY. Mr. Speaker, so far as I know I have but 1 other speaker. I would ask that the gentleman from Iowa consume his time.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. GROSS. Mr. Speaker, as the gentleman from Louisiana [Mr. HÉBERT] has said, in effect, this bill simply adds to the establishment in the Pentagon another layer of fat, another and a nice juicy layer of fat.

When the distinguished majority leader of the House appeared before the committee last year in behalf of a bill that would provide for 2 assistant secretaries in each of the departments in the Pentagon, he at that time urged them that one of these new secretaries be given statutory authority in each department with respect to development and research.

Yet when two assistant secretaries were added in each of the departments in the last session of Congress the gentleman's admonition was not heeded.

Mr. MCCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Massachusetts.

Mr. MCCORMACK. The last Congress was in 1954. I just want to correct the gentleman.

Mr. GROSS. Yes, the last Congress. I believe that is what I said.

Mr. MCCORMACK. No. The gentleman said the last session of Congress;

that might be the first session of this Congress.

Mr. GROSS. In the last session of Congress there were 2 assistant secretaries added in each of the departments. The gentleman from Massachusetts at that time urged that one of them in each department be designated, but that was not done. Now the gentleman is back urging that another layer of fat be added despite the fact that the subcommittee of which the gentleman from Texas [Mr. MAHON] is chairman, the Subcommittee on Defense Appropriations, in their report this year stated as follows—and I want the gentleman to hear this:

> There appears to be a considerable lack of understanding on the part of the 8 assistant secretaries (except the Assistant Secretary (Controller) whose authority is statutory) and the General Counsel as to what authority they have. Testimony adduced before congressional committees indicate that assistant secretaries possess no line of authority as such; that they merely serve as staff adviser to the Secretary. As such they cannot, it would seem, carry on any authoritative correspondence with any level of the 3 services.

Yet you come in today and seek to add 3 additional secretaries to the overflow already in the Pentagon, who, the subcommittee on appropriations this year said, have no clear line of authority. Why do you not come in here with a bill giving one of the existing secretaries in each of the departments a clear line of authority for development and research? Why do you want to add this layer of fat?

The gentleman from Massachusetts [Mr. MCCORMACK] in 1954, in the last Congress, urged that one of the two assistant secretaries created at that time be set up as an Assistant Secretary for Research and Development.

Mr. MCCORMACK. I will explain that, I hope to the satisfaction of the gentleman.

Mr. GROSS. I cannot understand why the gentleman did not come in with a bill in this session of Congress to provide that three of those Assistant Secretaries, already on the payroll, be charged with responsibility for research and development?

Mr. MCCORMACK. The gentleman does not know the full facts. I will enlighten the gentleman after he is through. It is always best to ascertain the facts before you make charges. The gentleman is drawing deductions without knowing the full facts.

Mr. GROSS. I was simply asking the gentleman a question.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. GROSS. I yield myself 1 additional minute.

Mr. Speaker, I say again that this simply sets up another line of assistant secretaries over in the Pentagon. We should defeat this measure and then let the Armed Services Committee come in with another bill providing that one of the many secretaries in each department be designated as Assistant Secretary in charge of Development and Research. It is that simple and just that easy. And do not forget there will be more air-conditioned Cadillacs rolling over the streets of Washington if you create three more secretaries and you will provide more expensive staffs to serve them. You will set up another chain of expense for the taxpayers and I am opposed to this kind of loading of unnecessary expenses on them.

Mr. KILDAY. Mr. Speaker, I yield 5 minutes to the author of the bill, the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, it is hard for me to understand why the gentleman from Iowa and why the gentleman from Louisiana, both of them, should pick on poor little me in reference to a bill that everybody says is necessary. They all admit there should be assistant secretaries for each one of the armed services for research and development. That is the important thing. I introduced a bill in 1953 to establish by law an Assistant Secretary of Defense, which was later established by a reorganization plan, and three Assistant Secretaries of the Army, the Navy, and Air Force for Research and Development.

In 1954 I appeared before the Committee on Armed Services when there was a bill up increasing the 3 branches by 6 assistants, 2 for each branch that the gentleman from Iowa has referred to. I tried then to have one of them designated as Assistant Secretary for Research and Development. But, the committee in its wisdom did not do it, although they put in their report a strong statement that each one of them should have the duties. It is different to have duties in connection with research and development and being designated by law as Assistant Secretary for Research and Development, with the importance of research and development in the world of today.

Now, this year, 3 years after I introduced my bill, the President sends up a reorganization plan establishing 3 assistant secretaries for research and development. That is a recognition of the importance of research and development. None of us can underestimate it. Every one of us realizes it. The bill was not, in the opinion of the Committee on Government Operations, the subject of a reorganization plan, and there was enough cloudiness about it that it was advisable to reject the reorganization plan, which the committee has done. Then I introduced a bill to establish three assistant secretaries for research and development. At that time I said to the committee, "If you do not report my bill, report a bill out designating three of the existing ones, but it is important to designate them by law as assistants for research and development." I might say that 2 years ago, when the 6 extra assistants were authorized, the Secretary of the Air Force did designate administratively one of the new assistants as assistant secretary for research and development. Now, President Eisenhower has recommended it only 5 or 6 weeks ago. His reorganization plan has been disapproved by the Committee on Government Operations. It is opposed by the Committee on Armed Services and will come up next week and undoubtedly will be disapproved by the House.

Mr. Speaker, the three assistants are vitally necessary in the world of today. And, I did the logical thing, to introduce a bill to provide by law for the establishment of the three assistants.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MCCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. I want to commend the gentleman for his authorship of this measure. I might also say that it has always been my opinion, in matters of this sort, that if the legislative branch was willing to act and would act, it will be a very proper way to get at it. I am very sure on this side of the aisle we understand the views of the President and others in support of this bill, and I am very sure that the gentleman will find very substantial support for the bill.

Mr. MCCORMACK. I thank my friend.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MCCORMACK. I yield to the gentleman from Iowa.

Mr. GROSS. I have not yet been able to get an answer as to why the gentleman did not introduce a bill that would give statutory authority and designation to three of the existing assistant secretaries now in the Pentagon to take charge of research and development.

Mr. MCCORMACK. I tried to get that 2 years ago. The Committee on Armed Services in its wisdom followed the advice and the position of the Secretary of Defense at that time.

One thing is certain, my friend, if I might impress it, and that is that the importance of research and development in the military field cannot be overemphasized. One of the great difficulties in our military is that we have not had on a higher echelon of civilian position an assistant secretary for research and development, giving scientists the dignity and the importance they are entitled to, and knowing that they have at the head one who represents them and who is qualified to speak, and the importance of the activities in connection with the national interests of our country. Even if you think there are 3 too many, you should not oppose this bill because of the great importance of the position and the designation of it as Assistant Secretary for Research and Development.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MCCORMACK. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. This bill is in exact line with the recommendation made by unanimous vote of the Second Hoover Commission in connection with its findings on research matters. The Commission felt that it was very important to have special Assistant Secretaries in each of the Armed Forces to take charge directly of these research matters. The Commission did not take a position on whether these new Assistant Secretaryships should be set up by Executive order, by a presidential reorganization plan or by legislation. So

this bill is on all fours with the recommendation of the Second Hoover Commission.

Mr. McCORMACK. That is correct.

Mr. WINSTEAD. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman.

Mr. WINSTEAD. I want to say that the gentleman was right 3 years ago. He was opposed by the Pentagon, but he was right then and he is right now. We should specify by law these three assistant secretaryships. I want to compliment the gentleman, because this is the same position he took 3 years ago. The Pentagon fought him down at that time and our committee failed to report out the bill.

Mr. McCORMACK. Mr. Speaker, may I say in conclusion of my remarks that I cannot stress too strongly to my colleagues the importance of designating this position by law; it is more important than its being designated administratively. We had the Riehlman subcommittee that made an excellent investigation of this matter and they recommended this very action. I sat on the committee. I have lived with this matter for several years. This is a problem of adjusting the relationships between the scientists and the military, and in the national interest of our country those positions will do more than anything I know of to further the interest of our country. Even if we have three too many, I think this bill should be passed. If we have three too many, let us remove them from somewhere else. But let this bill pass.

Mr. GROSS. That is what we are trying to do, but not increase the number of positions.

Mr. McCORMACK. But the gentleman is going at it in the wrong way.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman.

Mr. DURHAM. Mr. Speaker, ordinarily I would be against reporting a bill providing for 2 or 3 additional assistant secretaries. But this is a different matter. This Congress and this country want one thing. They want research and development to remain in the hands of civilians. Mr. Speaker, this is one way of telling the Armed Forces and telling the world that we expect them to keep research and development in the hands of civilians, who would not be dictated to by some officers down the line. That is exactly what would happen unless this is kept in civilian control.

Mr. McCORMACK. Mr. Speaker, I appreciate the powerful remarks of my friend. There has been only one thought that has animated me. This is nothing new, it goes back several years. It was looked into by the Riehlman committee.

In conclusion, may I say to my dear friends from Louisiana on my side, both of whom support what I am trying to do, why pick on poor JOHN McCORMACK in connection with this bill?

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken, and the Speaker announced that in the opinion of the Chair two-thirds had voted in favor thereof.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and eighteen Members are present, a quorum.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SMALL FLOOD-CONTROL PROJECTS

Mr. DAVIS of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3272) to increase and make certain revisions in the general authorization for small flood-control projects in the Flood Control Act of 1948, as amended.

The Clerk read as follows:

Be it enacted, etc., That section 205 of the Flood Control Act of 1948, as amended (33 U. S. C. 701s), is amended by striking out "$3,000,000" and inserting "$10,000,000", by striking out "and not within areas intended to be protected by projects so authorized,", and by striking out "$150,000" and inserting "$400,000."

Mr. SADLAK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SADLAK. Mr. Speaker, I heartily endorse H. R. 9555, amending section 205 of the Flood Control Act of 1948 to increase and make certain revisions in the general authorization for small flood-control projects because it is most worthy legislation, not only for the New England areas that were so seriously devastated by the recent hurricane floods but because it will provide rapid assistance in all areas of our country without geographical restrictions and expedite the construction of small flood-control projects not specifically authorized by Congress. Similar legislation has already been approved in the other body where a herculean effort was put forth by the senior Senator from Connecticut [Mr. BUSH]. This companion measure by the distinguished majority leader of the House, Mr. McCORMACK, will, when accepted by the House today, not only increase much-needed funds which will be used wisely by our Army engineers, but will provide for the immediate construction of flood-protective works which might otherwise be unduly delayed awaiting the usual survey and authorization process. This legislation will bring hope, relief, and a feeling of security to large segments of our people throughout the United States. I urge the suspension of the rules and approval of this bill.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I am in strong support of H. R. 9555, a bill designed to promote urgently needed small flood control projects throughout the Nation. This measure will do much to round out the program, which Congress has already adopted in order to effect flood relief and rehabilitation in many communities. It marks a vital step toward expeditious action to correct many conditions arising from uncontrolled waters whether due to natural disasters, or inability of local communities and States to cope effectively with such problems. The bill will enable many of these conditions to be tackled promptly and expeditiously and it should be beneficial in carrying out many smaller preventive measures that will effectually regulate dangerous and damaging water flowage.

I realize that this bill is coming up under suspension of the rules and for that reason the House will have to take it as it is. I should like to see the amount available much higher and the limit for individual projects much higher, but under the circumstances, I am very thankful indeed that the Congress is furnishing valuable relief, which the bill will make possible.

I hope that the committee will continue its study of the problems posed by the urgent need for smaller flood control measures and ultimately come up with a broader proposal.

I desire to state very emphatically as Chairman of the Massachusetts Congressional Delegation Committee on Flood Prevention and Rehabilitation that I am very grateful to the able chairman, my esteemed friend, Mr. DAVIS, and able members of the committee, for their solicitous concern and effective work in presenting this measure to the House.

And it goes without saying that I am also greatly indebted, and all the people of my district and State and the Nation who have recently been afflicted by floods, are greatly indebted, to my good and valued friend, our distinguished majority leader, Congressman McCORMACK, whose far-sighted statesmanship in introducing the pending measure and vigorous work in pressing it in the committee and before the House have been so invaluable in bringing the measure to the enactment stage. To him and to all our colleagues, who have cooperated in supporting this important measure, I express my sincere appreciation.

I have every reason to believe that the Army engineers, who have already done such fine work, will be willing and able to invoke the provisions of this bill to inaugurate projects in my district, State, and area which will bring effective relief to flood, water, and drainage conditions which will be very constructive and helpful.

The SPEAKER. The question is, Will the House suspend the rules and pass the Senate bill as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "To amend section 205 of the Flood Con-

trol Act of 1948 to increase and make certain revisions in the general authorization for small flood-control projects."

A motion to reconsider was laid on the table.

A similar House bill (H. R. 9555) was laid on the table.

GENERAL PUBLIC UTILITIES CORP. AND THE MANILA ELECTRIC CO.

Mr. PRIEST. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 10624) relating to intercorporate relations between the General Public Utilities Corp., a corporation organized and operating in the United States, and the Manila Electric Co.

The Clerk read the bill, as follows:

Be it enacted, etc., That no law of the United States shall be held to require, or to authorize any department or independent agency of the Government to require, the General Public Utilities Corp., a corporation organized and operating in the United States, to divest itself of control of, or any interest in, the Manila Electric Co., which produces and distributes electricity in and around the city of Manila in the Republic of the Philippines.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second, simply for the purpose of seeing that there is some debate.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. PRIEST. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. KLEIN].

Mr. KLEIN. Mr. Speaker, this is a bill reported out of the subcommittee on Commerce and Finance and out of the full Committee on Interstate and Foreign Commerce.

The bill would permit the General Public Utilities Corp. to retain the Manila Electric Co. as a subsidiary despite the provisions of the Public Utilties Holding Company Act of 1935. This bill does not establish any precedent. We are all opposed to amending the Holding Company Act. I might say that I spoke to our beloved Speaker, the gentleman from Texas, who is the father of that law, who is very much opposed to any amendments to it. He is satisfied with tnis procedure. All of the stock of the Manila Electric Co. is held by the General Public Utilities Co. which is a public holding company in the United States. The Manila Electric Co. controls the electric power in Manila and the Philippines. If the company were compelled to dispose of its stock, a controlling interest might be purchased by some foreign country, perhaps, an enemy country, and at some time there might result a situation where damage might result in the event of hostilities in the Philippines.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. KLEIN. I yield.

Mr. PRIEST. I simply want to support and corroborate what the gentleman has said with reference to the attitude of the committee. The committee felt it did not desire to propose or support any general amendments to the holding company act. The committee felt, persuaded by the evidence presented, that this particular case was one that had substantial merit and it is not to be considered as any precedent whatsoever, but that this is a bill which at this time should be enacted by the Congress. Simply to support what the gentleman has said, I am making this statement as chairman of the committee, and I want to express my appreciation to the gentleman from New York, as chairman of the subcommittee, for the very fine work his subcommittee did in developing this subject and bringing the legislation to the floor of the House.

Mr. KLEIN. I thank the gentleman.

Mr. RICHARDS. Mr. Speaker, will the gentleman yield?

Mr. KLEIN. I yield to the distinguished gentleman, the chairman of the Committee on Foreign Affairs.

Mr. RICHARDS. Mr. Speaker, I commend the gentleman from New York and the chairman of the great Committee on Interstate and Foreign Commerce for bringing this legislation to the floor. I happen to be familiar with some of the facts and the circumstances surrounding this legislation. Beyond doubt, it will not conflict with the original purposes of the holding company act. I am sure of that. I am sure also that it is what the Philippine Government wants and should have in their fight for economic recovery. I am equally certain from the letters I have seen and from comments made to me that it does not conflict with the foreign policy of the United States.

Mr. KLEIN. I thank the gentleman. I might say I discussed this problem with the gentleman in his position as chairman of the Committee on Foreign Affairs. He informed me it has the support of the Department of State. I would like to read to the House, if I may, a paragraph from the strong endorsement given this legislation by the Department of State. They state:

> The performance of the Manila Electric Co. under its present ownership apparently has been a very creditable one, particularly in its efforts, since the end of World War II, to expand its services to meet the rapidly growing demand for electric power in the area which it serves in the Philippines. Representatives of the General Public Utilities Corp. in conversations with departmental officers have indicated that the corporation is seriously considering the use of an atomic reactor for future power production in the Philippines. Continued performance of this type by American-owned firms advances the foreign economic policy of the United States by giving practical demonstration to foreign countries of the advantages which accrue to such countries through the investment of American capital.

We also have an endorsement from the International Cooperation Administration, which has no objection to the enactment into law of H. R. 10624, and which has stated that such enactment would be in conformity with the objectives of the Mutual Security Act of 1954, as amended.

The Bureau of the Budget has indicated that it has no objection to the passage of this bill.

Mr. DIES. Mr. Speaker, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from Texas.

Mr. DIES. I commend the gentleman for bringing this bill to the floor of the House. Our committee reported it unanimously, as I recall, because it is very much in the national interest.

Mr. KLEIN. I thank the gentleman.

The only opposition in the committee was from the Securities and Exchange Commission, which, of course, objects to any amendments to or changes in any of the securities acts which it administers. However, I want to point out to my colleagues that even in the SEC report, which was adverse, they make this statement:

> The importance to United States foreign policy of having an American corporate entity overseeing the management of the Philippine subsidiaries, and the significance of a possible nuclear reactor project to the United States foreign policy, are matters within the special competence of other Government departments and agencies.

Mr. GROSS. I thank the gentleman. That is the question I wanted to raise, as to why the continued opposition of the SEC to this proposal.

Mr. KLEIN. Well, of course, it is their business to see that the securities acts are not amended or changed in any way. They felt that this public utilities company could sell that stock in this country and thus comply with the terms of the Public Utilities Holding Company Act of 1935.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. PRIEST. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. GROSS. Will the gentleman yield?

Mr. KLEIN. I yield.

Mr. GROSS. I have also been concerned in reading this report by the fact that the General Public Utility ignored the Securities and Exchange Commission even in its correspondence. I think one time it took 60 days to receive an answer.

Mr. KLEIN. Well, that is not quite a fair statement. My understanding is that they have tried on two different occasions to dispose of this stock. There is $35 million worth of it, and they could not dispose of it in this country, because it has a very limited market. The stock at this time is held mainly by large insurance companies and large banks. The vice president of the John Hancock Mutual Insurance Company testified before our committee, as did the vice president of the First National City Bank, I think it was, that if they were compelled to sell the stock, they would have to dump it on the market and it would have a deleterious effect on the market. We have had hundreds and hundreds of letters from stockholders, all of whom protested against the forced sale of these securities. That is the reason why this legislation was introduced.

Mr. GROSS. The gentleman does not think the Public Utilities Corporation is taking an arbitrary attitude toward the SEC?

Mr. KLEIN. No, sir. They have tried to comply, but they find it is impossible. I trust that the House will suspend the rules and pass this very worthy bill.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

PROVIDING PERMANENT CERTIFICATION FOR CERTAIN AIR CARRIERS OPERATING IN HAWAII AND ALASKA

Mr. PRIEST. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3163), as amended.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 401 (e) of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 481 (e)), is amended by adding at the end thereof the following:

"(4) If any applicant who makes application for a certificate within one hundred and twenty days after the date of enactment of this paragraph shall show that on such date it *or its predecessor in interest* was an air carrier, furnishing service within either the Territory of Hawaii or the Territory of Alaska (including service between Alaska and adjacent Canadian territory) authorized by certificate or certificates of public convenience and necessity issued by the Civil Aeronautics Board to render such service within such Territory, and that any portion of such service between any points or for any class of traffic was performed pursuant to a temporary certificate or certificates of public convenience and necessity issued by the Civil Aeronautics Board, the Board shall, upon proof of such facts alone, issue a certificate or certificates of indefinite duration authorizing such applicant to engage in air transportation within such Territory between the same point and in the same manner and for each such class of traffic as temporarily authorized by such certificate or certificates as of the date of enactment of this paragraph."

The SPEAKER. Is a second demanded?

Mr. JUDD. Mr. Speaker, I am not opposed to this bill, but if that is the only way to get some discussion, I will have to ask for a second.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. PRIEST. Mr. Speaker, I yield 5 minutes to the gentleman from Alaska [Mr. BARTLETT] the author of the bill.

Mr. BARTLETT. Mr. Speaker, this bill is intended to do for 7 air carriers operating within Alaska and 1 carrier in the Territory of Hawaii exactly what was done when the Congress last year passed a bill which became law to provide permanent certification for what are known as local feeder lines. It will do just exactly that; nothing less, nothing more. In the report to the committee on this proposed legislation, the Civil Aeronautics Board, which ought to and does know more about this subject than any other agency of the Government, said, and I quote from a letter written to Chairman PRIEST by the then Chairman Rizley on March 28, 1956:

The Board feels that economic conditions and other circumstances applicable to the local service carriers are also generally applicable to the carriers who would be benefitted by these bills, and therefore that adoption of H. R. 9252 and H. R. 9253 would be in the public interest.

There are six carriers in the Territory of Alaska which would come within the provisions of the bill: Wein Alaska Aairlines, Northern Consolidated, Alaska Airlines, Cordova Airlines, Alaska Coastal, and Ellis, and each of these seven companies is a pioneer in the providing of essential air service within the Territory. All of them were in existence long before the enactment of the Civil Aeronautics Act of 1938, I believe it was.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT. I yield gladly to the chairman.

Mr. PRIEST. The gentleman generally has explained that the proposal in the pending bill is exactly the same proposal that the Congress approved last year for our local-service airlines.

Mr. BARTLETT. The gentleman is right.

Mr. PRIEST. Is it not true also that on this occasion the Civil Aeronautics Board supports the pending legislation and feels that it is wise and proper to enact this bill?

Mr. BARTLETT. That endorsement and support were spelled out in a letter written to you on March 28 by the then chairman of the CAB.

Mr. DOLLIVER. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT. I yield to the gentleman from Iowa.

Mr. DOLLIVER. Is it not a fact that of the two air carriers in the Hawaiian Islands one already has permanent certification?

Mr. BARTLETT. That is correct; one of the carriers there has permanent certification and I think that the other very logically and properly ought to be similarly treated.

Mr. DOLLIVER. Is it not also true that in the archipelago of the Hawaiian Islands virtually the only means of interisland travel is by airplane and these two air carriers?

Mr. BARTLETT. I do not pretend to be an expert on Hawaii, but that is my understanding.

The case in Alaska is that the air carriers there perform a service, which is probably unique, certainly as unique as that performed by the two carriers in the Hawaiian Islands. As the gentleman from Iowa knows there is comparatively no highway system in Alaska and American maritime passenger service has been suspended; so almost entirely the people are dependent on air; you go by air or you do not travel.

Mr. DOLLIVER. Is it not a fact that in the Territory of Alaska the use of airplanes to reach remote spots in the territory has become almost universal and is very very vital to the inhabitants of the territory?

Mr. BARTLETT. And I might add that the Alaskan Command and the Alaskan Air Command in particular have stated that the building up, maintenance, and permanence of these local air carriers is vital to the national defense effort which as the gentleman knows is going forward in the Territory.

Mr. DOLLIVER. I thank the gentleman.

Mr. BARTLETT. I should also say that if these lines have permanent certificates they can get capital easier and cheaper for the improvement of their physical plant, such as hangars; they can also get capital easier and at cheaper rates for buying new and more suitable aircraft.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT. I am very happy to yield to the chairman of the subcommittee, the gentleman from Arkansas.

Mr. HARRIS. I wanted to take this occasion to commend the gentleman for his sponsorship of this bill. I was one of the members of the committee who sat through the hearings and listened to the witnesses who were brought from Alaska to Washington in order to plead for this legislation. I was, in fact, amazed at the tremendous need that was explained by representatives from the gentleman's Territory who came all the way down here to explain the importance of this legislation and how the interests of the people of the Territory require that this bill be adopted.

I was certainly impressed with the gentleman's presentation and also of various witnesses who came from Alaska down here to explain to us the need for this bill. This type of legislation is not new because the Congress did the same thing for the local airline carriers or local service carriers in the last session of the Congress. This is carrying out a precedent that was enunciated by the Congress at that time. I am supporting the gentleman's bill and I trust the Congress will approve it.

Mr. BARTLETT. I am grateful to the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT. I yield to the gentleman from Iowa.

Mr. GROSS. Is it not a fact this legislation is opposed by the Department of Commerce?

Mr. BARTLETT. It is.

Mr. GROSS. And by the Executive Office?

Mr. BARTLETT. It is. In reference to this bill we are in exactly the same situation, as I understand it, that occurred with regard to the local feeder bill of last year. At that time the Department of Commerce and the Budget Bureau, so I am informed, were opposed to the enactment of that bill. Nevertheless, the merits of the case justifying it, the Congress passed it and the President signed it. I am told it is working out very well. One end result will be in every case where this is done, according to competent evidence, it will lower the subsidy requirements of the airlines and thus save money for the Federal taxpayers.

Mr. GROSS. Do I understand the subsidy last year was approximately $3 million?

Mr. BARTLETT. In respect to what?

Mr. GROSS. The line that is to be given a permanent certificate here.

Mr. BARTLETT. There are 8 lines all told that will be given permanent certificates. In the case of the Alaskan operations the subsidy requirements are much less than that.

Mr. JUDD. Mr. Speaker, I yield myself 5 minutes. I asked for a second primarily to address some questions to the chairman of the Committee on Interstate and Foreign Commerce. I am not against the bill; in fact, I am heartily in favor of it. It gives the same opportunity to these relatively small lines within Alaska to acquire permanency in their status and thus be able to plan intelligently, as we provided in similar legislation passed in 1938 for the trunk lines in the United States and last year for the small local service feeder lines in the United States.

My concern today is why the Committee on Interstate and Foreign Commerce takes a couple of bills, both dealing with the same sort of situation and passed together by the Senate unanimously, and reports out one bill, S. 3163, but does not report out the other one? The bill, S. 3163, deals with 9 small lines within Alaska and 2 in the Hawaiian Islands. The bill S. 3164 deals with three airlines, all with temporary certification but not permanently certificated to fly between Alaska and the States of mainland United States. Some of these airlines are in both bills, the one before us, and the other bill which the committee has seen fit not to report. I would like to have some explanation by the chairman of the committee as to why the committee does not bring out S. 3164 which seems equally meritorious with S. 3163. The very same arguments apply to both of them.

Mr. WIER. I want to raise the same question. I am also interested in the bill that is not here today.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Tennessee.

Mr. PRIEST. Mr. Speaker, I shall ask at this point that the gentleman from Arkansas [Mr. HARRIS], who was chairman of the subcommittee and heard all of the testimony, explain to the gentleman why the subcommittee and subsequently the full committee took the action they did.

Mr. HARRIS. I will be glad to give to the gentleman such information as I have. In the first place, as the gentleman knows, there are four lines operating from the States to Alaska, the Pacific Northern, the Alaskan Airlines, Pan-American, and Northwest. Pan-American Airlines and Northwest Airlines are permanently certificated from Northwest United States to Alaska. The Northwest Airlines has another route called the inside route from Chicago and Minneapolis straight across to Anchorage, which is not permanently certificated. Northwest Airlines is interested in being permanently certificated on that run. The route, however, has been recently established; it has not yet been developed, and the executive department of the Government, together with the Department of Commerce, does not believe that it has been developed to the extent that it should be permanently certificated at this time. With reference to the other two airlines, let me say this——

Mr. JUDD. Before we get away from Northwest, in the first place, it is not correct to say that the route has been recently established. Northwest pioneered this route before the last war and flew it all during and since the war. In the second place, Northwest's application for permanent certification was turned down previously and a 3-year temporary certificate given, supposedly because Northwest was still on subsidy. We had passed legislation encouraging or directing the President to try to cut down wherever possible, subsidies of the taxpayers' money for airlines. But, Northwest for a year and a half has now been operating without any subsidy. Every other line in these bills is receiving a subsidy: About $3.5 million subsidy in S. 3163, which we shall pass shortly, and about $3.5 million for subsidies for 3 of the 4 lines in S. 3164 flying between the United States and Alaska. Northwest is the only one of the three operating without subsidy, yet the bill granting it permanent certification is not reported to us. It is a little difficult for some of us to understand that.

Mr. HARRIS. I agree with the gentleman that Northwest Airlines is doing a very splendid job. I know something about the management of Northwest Airlines. I know something of the people themselves. Mr. Don Nyrop, the president, was a former member of the Board. We had occasion to know Mr. Nyrop when he performed that public service, and very ably. But, the fact remains that this development of Northwest Airlines from Minneapolis, the gentleman's area, straight across to Anchorage still has only 1 or 2 round trips each week.

Mr. JUDD. That is right. It is partly due to inadequate facilities at the intermediate stop, Edmonton, for larger and faster equipment than the DC–4.

Mr. HARRIS. It was felt by the committee that due to the importance of the development of this route and the involvement that the Civil Aeronautics Board itself, as it does in other instances, determine whether or not certification should be permanent. Now, the Board came before the committee and recommended that this bill be passed in which the gentleman is interested.

Mr. JUDD. That is right.

Mr. HARRIS. Nevertheless, the Bureau of the Budget, which is the arm of the President, and the Department of Commerce, were just as insistent against the bill because of the far-reaching effect it would have.

Mr. JUDD. They were against both bills. Why ignore their advice on one and not on the other? That is what I am trying to find out. Perhaps I should turn it around: Why are we failing to act on one, S. 3164, while the other one, S. 3163 goes through?

Mr. HARRIS. It is the opposition to S. 3164 and practically no opposition to the other one.

Mr. JUDD. Does the gentleman have any idea on what the opposition is based?

Mr. HARRIS. Well, the gentleman's administration downtown.

Mr. JUDD. Well, there is more than that, does not the gentleman think?

Mr. HARRIS. No. I have heard some rumors about some other reasons, but we were unable to find if those rumors were true—if we have the same thing in mind.

Mr. JUDD. I heard a rumor that one reason they were opposing this downtown was because they did not like 1 of the 3 lines covered in S. 3164. But that same line is given certification for local service in S. 3163. How is it that they are opposed to it in one bill and not in the other?

Mr. HARRIS. In the local service airline program as developed by this Congress in the last session of the Congress we determined that the need was pressing. Now, when we talk about going overseas, that is from the States to some overseas base, we are, in fact, as is contended by the gentleman's own administration downtown, encroaching on a prerogative that was reserved to the President of the United States with reference to overseas service. When the Board recommended this bill, they called attention to the committee section 308 of the CAA Act which reserved that prerogative to the President, and whatever was to be done, they reported that that provision be recognized. Therefore the opposition developed within the committee because of the controversy over this procedure, No. 1; and No. 2 you have 2 lines already certificated from the States to Alaska. You have another one which most people want and there is a fourth that many people are opposed to. That is the practical basis for the controversy.

Mr. JUDD. Of course, against those arguments, which I recognize fully, and which I grant have some validity, there is the fact that the power to approve in international cases that is lodged in the White House was delegated to the President by the Congress. Therefore, the ultimate sovereignty rests in the Congress and at any time we decide on our own responsibility that a given action ought to be taken, we can go ahead and take it. The President could veto our action, if he wished. But we would not be infringing upon any constitutional authority of his, we would merely be resuming authority which is ours under the Constitution and acting under that authority in a case where we felt the executive agencies had not moved properly or with sufficient promptness.

Mr. Speaker, everybody knows that the only military threat with which we are faced would probably come from the north. That part of our country is becoming increasingly important. We have radar projects and various other sorts of activities to build up our defenses and our industry and the strength and stability across the northern part of our country. Alaska is a crucial and an essential part of our northern defenses. Anything that connects Alaska with the United States more closely, more efficiently, is all to the good of the United States.

Here is an airline that has been operating this route for years under temporary certifications, a line that might properly be considered entitled to certification under the grandfather clause as were our domestic trunklines in

1938, a line that is now operating without subsidy over a route for which there is no other applicant and is the shortest route from our greatest centers of population to the Orient—surely this is a case where Congress ought to step in and take the action it believes appropriate, despite its previous delegation of power to the President, a delegation it can take back just as it granted it.

I hope the gentleman's committee, before this Congress has adjourned, will make an effort to bring this second bill out. I shall do all I can with the executive agencies down at the other end of the avenue.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield.

Mr. HARRIS. This committee has made a very sincere effort to get some consideration of this legislation. We have had hearings and we have met in executive session. The gentleman knows what the opposition is, as has been explained. Members of the committee feel that the Civil Aeronautics Board ought to assume their responsibility for permanent certification to these lines. It is the duty of the Board if they believe in it to go ahead and act.

Mr. JUDD. I agree with the gentleman on that, and I hope the CAB will do so promptly. If it is not fully happy about this bill—although it stated passage of the bill would be in the public interest—because it is opposed to one airline in it, then it can go ahead at once and grant permanent certification to the other two lines.

Mr. Speaker, one very good reason why this bill before us today should be passed, is because of the permanent certification of lines operating within the Hawaiian Islands—when air transportation is as indispensable as in Alaska, the Delegate from Hawaii [Mrs. FARRINGTON] has worked long and ably on this matter and will be happy to achieve the success this bill represents.

Mr. JUDD. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. FARRINGTON] may extend her remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mrs. FARRINGTON. Mr. Speaker, in supporting S. 3163, I would like to point out that the people of the Territory of Hawaii are almost completely dependent on air transportation for travel and communication between the various islands of the Territory. Therefore, this legislation has widespread support throughout the Territory.

It has been pointed out that permanent certification of these airlines is important from the standpoint of defense. It is also important because of the element of competition which should be preserved in air transportation. Practically every phase of daily activity throughout the Territory is dependent upon interisland travel.

The granting of permanent certification to Trans-Pacific Airlines, the only carrier in the islands that does not have permanent certification, would enable this airline to plan on a long-term basis for new equipment and modernization of its general operating facilities which the other interisland carrier, Hawaiian Airlines, enjoys today.

Therefore, I hope that this body will enact this legislation.

The SPEAKER. The question is on suspending the rules and passing the bill.

The questions was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MUTUAL SECURITY ACT

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11356) to amend further the Mutual Security Act of 1954, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. RICHARDS, GORDON, MORGAN, VORYS, and JUDD.

AUTHORIZING CONSTRUCTION OF BRIDGE OVER PANAMA CANAL AT BALBOA, C. Z.

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 9801) to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z.

The Clerk read, as follows:

Be it enacted, etc., That it is hereby declared that the United States is obligated under the terms of point 4 of the General Relations Agreement between the United States and the Republic of Panama, effected by an exchange of notes signed at Washington on May 18, 1942 (Executive Agreement Series No. 452), to construct a tunnel under or a bridge over the Panama Canal at Balboa; that a high-level bridge at such point would be more desirable than a tunnel; that the construction, maintenance, and operation of any such bridge and the approaches thereto should be administered by the Panama Canal Company; and that the expenses of construction, maintenance, and operation of any such bridge and the approaches thereto should be treated as extraordinary expenses incurred through a directive based on national policy and not related to the operations of the Panama Canal Company.

SEC. 2. The Panama Canal Company is authorized and directed to construct, or to cause to be constructed, and to maintain and operate, a high-level bridge, including approaches, over the Panama Canal at Balboa, C. Z.

SEC. 3. There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this act.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the necessity for this bill grows out of the fact that in 1942 the United States agreed with the Government of Panama to build this bridge across the Panama Canal, based on the Government of Panama giving to the United States for its national defense the privilege of setting up airbases in the Republic of Panama. There has been a delay in carrying it out but that, of course, is understood. Recently in the negotiations of the State Department with the Government of Panama in 1955 this matter came up. The State Department assured the Government of Panama that legislation would be sent to Congress and immediate action would be asked on it. It is therefore administration legislation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Iowa.

Mr. GROSS. Could not some other settlement have been worked out with the Panamanian Government rather than to build a $20 million bridge concerning which the committee report has this to say:

> The area is presently served by a ferry and there is no evidence that the bridge is justified by either present or prospective traffic.

Mr. BONNER. The report is correct, as the gentleman stated it. Nevertheless the United States Government in getting the privilege of building airfields and other military bases in the Republic of Panama agreed to build this bridge across the Panama Canal.

Mr. GROSS. Was there no settlement that could be worked out at a lesser figure than to build a white elephant bridge which is not justified by present or prospective traffic?

Mr. BONNER. I was not there at the time the agreement was made, but the agreement was made.

Mr. GROSS. Neither was I, but if I vote for this I am voting to place another $20 million on the shoulders of the taxpayers of this country.

Mr. BONNER. The Government of Panama expects this area to expand. The road that is being built to South America goes through this area, and it is anticipated that this bridge will be utilized.

Mr. GROSS. That is not what the report says.

Mr. BONNER. I agree with the gentleman the report does not say that. Nevertheless, we agreed to build this bridge. The State Department has had its negotiations with Panama and it is very much disturbed that we have not fulfilled the obligation we assumed for the use of the bases in Panama during World War II.

Mr. GROSS. I do not know too much about the Panamanians, but I think they would be glad to deal on a considerably smaller basis than the construction of a bridge for which they have no substantial use and we have no use. I think there could have been a horse trade here that would not have saddled the taxpayers of this country with a $20-million obligation.

Mr. BONNER. It is an administration measure, and I am presenting it to the House. It is said that we must carry out administration policies. I be-

lieve it is a fair thing, and I believe we should do it.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and the Speaker announced that in his opinion (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. HOFFMAN of Michigan. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 325, nays 59, not voting 49, as follows:

[Roll No. 85]

YEAS—325

Abbitt	Cunningham	Hess
Addonizio	Curtis, Mass.	Hiestand
Albert	Dague	Hill
Alexander	Davidson	Hinshaw
Allen, Calif.	Davis, Tenn.	Hoeven
Andrews	Dawson, Ill.	Hoffman, Ill.
Anfuso	Dawson, Utah	Holifield
Arends	Deane	Holland
Ashley	Delaney	Holmes
Aspinall	Denton	Holtzman
Auchincloss	Devereux	Hope
Avery	Dies	Horan
Ayres	Diggs	Hosmer
Bailey	Dingell	Huddleston
Baker	Dixon	Hull
Baldwin	Dodd	Hyde
Barden	Dollinger	Ikard
Barrett	Dolliver	Jackson
Bass, N. H.	Dondero	James
Bass, Tenn.	Dorn, N. Y.	Jarman
Bates	Dorn, S. C.	Jenkins
Baumhart	Doyle	Jennings
Beamer	Durham	Johnson, Calif.
Belcher	Elliott	Johnson, Wis.
Bennett, Fla.	Ellsworth	Jones, Ala.
Betts	Engle	Jones, Mo.
Blatnik	Evins	Jones, N. C.
Blitch	Fallon	Judd
Boggs	Feighan	Karsten
Boland	Fenton	Kean
Bolling	Fernandez	Kearns
Bolton, Frances P.	Fisher	Keating
	Fjare	Kelley, Pa.
Bolton, Oliver P.	Flood	Kelly, N. Y.
	Forand	Keogh
Bonner	Ford	Kilday
Bow	Forrester	Kilgore
Boykin	Fountain	King, Calif.
Boyle	Frazier	King, Pa.
Bray	Frelinghuysen	Kirwan
Brooks, La.	Friedel	Klein
Brown, Ga.	Fulton	Kluczynski
Brown, Ohio	Garmatz	Knutson
Broyhill	Gary	Lankford
Buckley	Gathings	Lesinski
Burleson	Gavin	Lipscomb
Burnside	Gordon	Long
Bush	Gray	Lovre
Byrd	Green, Oreg.	McCarthy
Byrne, Pa.	Green, Pa.	McConnell
Byrnes, Wis.	Gregory	McCormack
Canfield	Griffiths	McCulloch
Cannon	Gubser	McDonough
Carlyle	Gwinn	McDowell
Carnahan	Hagen	McGregor
Carrigg	Haley	McIntire
Cederberg	Halleck	McVey
Chase	Hand	Macdonald
Chenoweth	Hardy	Machrowicz
Chiperfield	Harris	Mack, Ill.
Christopher	Harrison, Nebr.	Mack, Wash.
Chudoff	Harrison, Va.	Madden
Clark	Harvey	Magnuson
Clevenger	Hays, Ark.	Mahon
Cooley	Hays, Ohio	Mailliard
Coon	Hayworth	Marshall
Cooper	Healey	Martin
Corbett	Hébert	Matthews
Coudert	Henderson	Meader
Cramer	Herlong	Merrow
Crumpacker	Heselton	Metcalf
Miller, Calif.	Reed, N. Y.	Springer
Miller, Md.	Rees, Kans.	Staggers
Miller, Nebr.	Reuss	Steed
Mills	Rhodes, Ariz.	Sullivan
Minshall	Rhodes, Pa.	Talle
Mollohan	Riehlman	Teague, Calif.
Morano	Riley	Thompson, Tex.
Morgan	Rivers	Thomson, Wyo.
Moss	Roberts	Tollefson
Murray, Ill.	Robeson, Va.	Trimble
Murray, Tenn.	Robsion, Ky.	Tumulty
Natcher	Rodino	Udall
Nicholson	Rogers, Colo.	Utt
Norblad	Rogers, Fla.	Van Zandt
Norrell	Rogers, Mass.	Velde
O'Brien, Ill.	Rogers, Tex.	Vinson
O'Brien, N. Y.	Rooney	Vorys
O'Hara, Ill.	Rutherford	Wainwright
O'Neill	Sadlak	Walter
Osmers	St. George	Weaver
Ostertag	Saylor	Westland
Passman	Schenck	Whitten
Patterson	Schwengel	Widnall
Pelly	Scott	Wier
Perkins	Scudder	Wigglesworth
Pfost	Seeley-Brown	Williams, N. J.
Philbin	Selden	Williams, N. Y.
Phillips	Sheehan	Willis
Pilcher	Shelley	Wilson, Calif.
Powell	Short	Wilson, Ind.
Price	Shuford	Wolcott
Priest	Sieminski	Wolverton
Prouty	Sikes	Wright
Quigley	Simpson, Ill.	Yates
Rabaut	Sisk	Young
Radwan	Smith, Miss.	Younger
Rains	Smith, Va.	Zablocki
Ray	Spence	Zelenko

NAYS—59

Abernethy	Fino	Pillion
Alger	Flynt	Poff
Allen, Ill.	Gentry	Polk
Andersen, H. Carl	George	Scherer
	Grant	Scrivner
Ashmore	Gross	Siler
Becker	Hoffman, Mich.	Smith, Kans.
Bennett, Mich.	Jensen	Smith, Wis.
Berry	Johansen	Taber
Bosch	Jonas	Taylor
Budge	Kearney	Thompson, Mich.
Burdick	Knox	
Chelf	Krueger	Tuck
Church	Laird	Vanik
Cole	Latham	Vursell
Colmer	LeCompte	Wharton
Curtis, Mo.	McMillan	Williams, Miss.
Davis, Ga.	Mason	Winstead
Derounian	Miller, N. Y.	Withrow
Donovan	Mumma	
Dowdy	O'Konski	

NOT VOTING—49

Adair	Fogarty	Poage
Andresen, August H.	Gamble	Preston
	Hale	Reece, Tenn.
Bell	Harden	Richards
Bentley	Hillings	Roosevelt
Bowler	Holt	Sheppard
Brooks, Tex.	Kee	Simpson, Pa.
Brownson	Kilburn	Teague, Tex.
Celler	Landrum	Thomas
Chatham	Lane	Thompson, La.
Cretella	Lanham	Thompson, N. J.
Davis, Wis.	Morrison	Thornberry
Dempsey	Moulder	Van Pelt
Donohue	Multer	Watts
Eberharter	Nelson	Wickersham
Edmondson	O'Hara, Minn.	
Fascell	Patman	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Bell with Mr. Cretella.
Mr. Preston with Mr. Gamble.
Mr. Lanham with Mr. Simpson of Pennsylvania.
Mr. Landrum with Mr. Nelson.
Mr. Thompson of Louisiana with Mr. Adair.
Mr. Sheppard with Mrs. Harden.
Mr. Chatham with Mr. Bentley.
Mr. Celler with Mr. Van Pelt.
Mr. Bowler with Mr. Davis of Wisconsin.
Mr. Morrison with Mr. Brownson.
Mr. Moulder with Mr. August H. Andresen.
Mr. Fogarty with Mr. Kilburn.
Mr. Donohue with Mr. Holt.
Mr. Dempsey with Mr. Reece of Tennessee.
Mr. Wickersham with Mr. Hale.
Mr. Watts with Mr. O'Hara of Minnesota.
Mr. Thompson of New Jersey with Mr. Hillings.

Mr. COUDERT changed his vote from "nay" to "aye."

Mr. MILLER of New York, Mr. SCHERER, and Mr. KEARNEY changed their votes from "aye" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

TRAINING OF FISHING INDUSTRY PERSONNEL

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2379) to promote the fishing industry in the United States and its Territories by providing for the training of needed personnel for such industry, as amended.

The Clerk read as follows:

Be it enacted, etc., That (a) the Secretary of the Interior is authorized to make grants, out of funds appropriated for the purposes of this section, to public and nonprofit private universities and colleges in the several States and Territories of the United States for such purposes as may be necessary to promote the education and training of professionally trained personnel (including scientists, technicians and teachers) needed in the field of commercial fishing. Any amount appropriated for the purposes of this section shall be apportioned on an equitable basis, as determined by the Secretary of the Interior, among the several States and Territories for the purpose of making grants within each such State and Territory. In making such apportionment the Secretary of the Interior shall take into account the extent of the fishing industry within each State and Territory as compared with the total fishing industry of the United States (including Territories), and such other factors as may be relevant in view of the purposes of this section.

(b) There are authorized to be appropriated not in excess of $550,000 for the fiscal year beginning on July 1, 1956, and for each fiscal year thereafter for the purposes of this section.

(c) The Secretary of the Interior may establish such regulations as may be necessary to carry out the provisions of this section.

SEC. 2. (a) Section 3 (a) of the Vocational Education Act of 1946 is amended by inserting after paragraph (4) the following new paragraph:

"(5) $375,000 for vocational education in the fishery trades and industry and distributive occupations therein, to be apportioned for expenditure in the several States and Territories on an equitable basis, as determined by the United States Commissioner of Education after consultation with the Secretary of the Interior, taking into account the extent of the fishing industry of each State and Territory as compared with the total fishing industry of the United States (including Territories)."

(b) Section 3 (b) of such act is amended by striking out "paragraphs (1) to (4)" and inserting in lieu thereof "paragraphs (1) to (5)."

The SPEAKER. Is a second demanded?

Mr. BYRNES of Wisconsin. I demand a second.

Mr. BONNER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, this bill would provide urgently required encouragement of education of individuals in the field of commercial fisheries. There is an existing and increasingly serious lack of sufficiently trained manpower in the industry to assure its maintenance at a level consistent with the demands of our economy.

Mr. Speaker, in the field of commercial fishing there is a great need for professionally trained personnel, such as scientists, technicians and teachers. Expanded educational opportunities are necessary to arrest the trend away from commercial fishing by young men even in the area having a long and proud fishing tradition.

The bill seeks to meet these problems by providing funds for public and private universities to encourage training of teachers and researchers and, on the high school level, to amend the Vocational Education Act of 1946 to include aid for education in the fishery and distributive trades.

The bill was reported with amendments which deleted the authority of the Secretary of the Interior to establish scholarships, included the scientists in the category of needed professionally trained personnel and deleted the authority to establish guides and curriculums for educational purposes.

Mr. Speaker, the bill was reported from the Committee on Merchant Marine and Fisheries of the House, both by the subcommittee and the full committee unanimously.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, I wanted to ask the ask the gentleman a question. In the TVA area they have the problem of lowering and raising the water incident to flood control and navigation. I think they have about six specialists who study the fish life and who advise when to lower and raise the water.

Mr. BONNER. Mr. Speaker, this bill contemplates no change in the provisions now prevalent in TVA. I think the gentleman from Mississippi is more interested in the bill that will follow, which changes certain provisions for the Fish and Wildlife Service, more than he is in this bill.

Mr. McINTIRE. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Maine.

Mr. McINTIRE. As one who comes from Maine, with our long tradition in the fishing industry, may I commend the chairman and his committee on the action taken on this bill.

Mr. Speaker, H. R. 10433, S. 2379, and companion bills, are designed to supply properly trained and competent personnel to meet the urgent needs of our fishing industry.

Section 2 (a) of S. 2379—by amending the vocational education and extension service in the fishery trades and industry and distributive occupations—would bring into being a program for the fishing industry comparable to our presently existing agricultural extension service work. The splendid record of agricultural extension work stands as a strong inducement to introduce a similar function to the fishing industry.

The bill further provides for the college-level education of instructors who would become equipped to enter schools where provision is made for courses relating to the fishing industry and to set up and conduct courses on this subject.

Progressive fishery education in the United States has been sorely neglected, operating to the detriment of high standards of management in the fishing industry and of constructive programs of conservation for our fishery resources.

We cannot afford to be lax in our attitude toward our fishing industry, for in this highly technological age, it becomes doubly imperative that the industry keep abreast of new technological developments in its field. Our country's standing as a major fish-producing Nation must not be placed in jeopardy by apathy.

As the fishing industry makes an important contribution to our national income, so does it perform as an excellent source of protein for the American diet, a source which would become all the more important in the event of an emergency.

Vocational training and extension courses in functions relating to the fishing industry would, undoubtedly, raise the production and operating standards of our fishing industry well above their present levels and would serve to encourage those efficient fishing practices which are the ingredients of a sound industry base.

The State of Maine's fishing industry plays an extremely important part in the State's economic complex, and I feel that the industry would benefit materially from the provisions of this legislation.

Mr. BONNER. Mr. Speaker, I am glad to have the gentleman's kind reference to the committee and to the bill. I might say that all of the New England States, the Atlantic Coast States, the Great Lakes States, and the Pacific Coast States were interested in this bill and unanimously in support of it. I heard no opposition.

Mr. DIES. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Texas.

Mr. DIES. What will this program cost?

Mr. BONNER. This program will cost approximately $925,000 per year.

Mr. DIES. For how many years?

Mr. BONNER. Three years.

Mr. DIES. Is that the length of the program—3 years?

Mr. BONNER. Of course, it can be extended. I should like to yield to the gentleman from Washington [Mr. TOLLEFSON] to comment on the question just asked by the gentleman from Texas [Mr. DIES].

Mr. TOLLEFSON. Mr. Speaker, my understanding is the same as that of the chairman. The cost is slightly under $1 million a year and we anticipate, or at least it was understood that by this program we might give encouragement to universities and colleges throughout the country to carry on these studies. It is our general understanding that it would run for probably 3 years.

Mr. BONNER. Mr. Speaker, I should like to yield to the gentleman from Massachusetts [Mr. McCORMACK], in case I have made some error concerning the length of the program. The gentleman from Texas [Mr. DIES], asked the question how much it would cost per year and how long the program would last.

Mr. McCORMACK. The bill provides an authorization of $925,000 per year, I believe.

Mr. BONNER. That is correct. The question is how long it is anticipated the program will run.

Mr. McCORMACK. I hope personally that it will run permanently. I hope that in the discretion of Congress the authority would exist where appropriations could be made for such a very worthy purpose. This is of vital interest to the fishing interests of the United States in all sections of the country. They consider this to be a very important contribution. It was at their request that I introduced the bill, and I was very glad to do so.

Mr. DIES. Do I correctly understand this bill authorizes the program for 3 years?

Mr. BONNER. It was my understanding that the purpose of the bill could be accomplished in 3 years or the Congress could carry the bill on further. It is not written in the bill.

Mr. DIES. There is no time limit in the bill?

Mr. BONNER. That is correct.

Mr. DIES. It is permanent legislation?

Mr. BONNER. Yes; the gentleman is correct.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Is there a surplus of fish now? If we start an educational program for making people fishermen, why do we not do it for almost everybody in any industry?

Mr. BONNER. This country does not supply the quantity of fish that is consumed in the country. We are having to import fish. It is a great industry. In many countries there is a Cabinet member for fisheries. We do not have that. We have not paid the attention to the commercial fisheries in this Nation that we should have paid.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield.

Mr. HOFFMAN of Michigan. Can the gentleman tell us along what lines this education is to be? That is, are you to tell the commercial fishermen how to catch more fish, among other things?

Mr. BONNER. I tried to point out that we are trying to develop scientists, people trained professionally to carry out experiments and studies to search for new fish resources. The ocean is full of fish, but we must find out how to catch them. We cannot go on in the old, antiquated system we have been following.

Other nations are far in advance of us in the knowledge of fishing and they produce great quantities of fish.

Mr. HOFFMAN of Michigan. My question is this. I can understand the part about producing more fish, but in this program is there included something to tell the commercial fishermen how to catch more fish, better nets, this, that, or the other?

Mr. BONNER. That is the purpose of it. It is for the purpose of producing more fish.

Mr. HOFFMAN of Michigan. They are catching too many now. That is one of the reasons why in the Great Lakes the fish are practically gone.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield.

Mr. MILLER of California. This bill seeks for the fisheries what our agricultural colleges throughout the country do for agriculture. The reason we have lost some of our fisheries is the lack of technical knowledge on how to preserve them, how to make sure that enough fish escape to propagate the species. In the field of agriculture we have agricultural colleges and we have husbandry people. This bill for the fishermen is doing just exactly what we have done at great expense for agriculture.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I come from an area that has commercial fishing and I suppose a wise political course of action would simply be to sit down and keep my mouth shut on this particular bill. But, on reading it over, the thought occurred to me that if we are going to get into a proposition of spending a half million dollars a year or more of the taxpayers' money on this program, we had better look and see what we are getting into.

Mr. DIES. Mr. Speaker, if the gentleman will yield, it is $900,000.

Mr. BYRNES of Wisconsin. Well, $925,000. The part of the bill that concerns me is the annual authorization of $550,000 for the fiscal year beginning July 1, 1956. The other part has to do with vocational education and training. I think maybe you can make out some justification for some of that. But, it is this new program in the Department of the Interior calling for $550,000 to promote the education and training of professionally trained personnel needed in the field of commercial fishing. Now that is not a research proposition to find out where the fish are or how to catch them better or anything else. You have research programs going on, as I understand it, at the present time in that field. This is to train, as I gather it, professional personnel that might be needed including scientists, technicians, and teachers. If we get into this field, the thought just occurs to me: Are there not shortages as far as trained personnel is concerned in many areas? We certainly know it is true in the field of science today and various other classifications. I just wonder whether we should not at least stop and take a look to see not just what this particular bill does, but where it takes us in the long run.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. BONNER. I call the attention of the gentleman to the fact that all the skilled scientists and people who have the know-how in this industry now come from the Pacific coast. There is very little, if any, provision made in our institutions on the Atlantic coast to develop people in this field.

Mr. BYRNES of Wisconsin. The argument occurs to me that in this country whenever there has been a need for different skills, sooner or later the people show up to fill that need. That is the American system. I do not know why this situation is so critical that the only way we can get people to be trained in this field is for the Federal Government to go in and engage in some kind of program or activity. I certainly have nothing against the promotion and development of our commercial fisheries. I think it is an important industry. But, as to this particular aspect, I just wonder whether the Federal Government should get into it and, if we do get into it, where do we stop? Other industries may feel for the moment that they are short of skilled personnel. Are they going to come to us and say that the need is for the Federal Government to spend some money. Let me call your attention to the fact, as found in the committee report, that the Department of the Interior does not ask for this particular authorization. They point out that they have authority under existing authorization and they have the money to carry on different research work with colleges and universities for scientific information. The Department of Health, Education, and Welfare has not asked for this bill. In fact, if I read the report correctly, they as much as say they do not approve of it. Mr. Speaker, it seems to me, therefore, that under the circumstances I should get up and raise a little warning flag that here we are being too free with the taxpayers' money.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. DINGELL. This bill will furnish very valuable knowledge about these fisheries resources, knowledge which will be derived from the research which will be done under this program.

Mr. BYRNES of Wisconsin. Why are we not getting that today from the research that is presently being carried on?

Mr. DINGELL. This is more a research than a training program. That research is actually the main function of it. The research which will be done under this program will benefit all areas of the Atlantic coast, the Pacific coast, the gulf coast, and the Great Lakes area. It will help us in the Great Lakes area by furnishing trained fishery experts and knowledge of the fisheries in our area. It also could help to give us knowledge and trained people to combat the sea lamprey which is destroying our fish.

Mr. BYRNES of Wisconsin. If the gentleman from Michigan is correct in his analysis, why does not the committee say that that is the purpose of the bill. But I ask you to read the bill. The bill says on lines 8, 9, and 10: "For such purposes as may be necessary to promote the education and training of professionally trained personnel (including scientists, technicians, teachers) needed in the field of commercial fishing." There is nothing there whatever about the matter of research being the prime objective. It has to do with just plain people.

As part of these remarks, Mr. Speaker, I include the reports of the Department of the Interior and the Department of Health, Education, and Welfare:

The committee is of the opinion that the bill will supply a most important need in the field of commercial fisheries and recommends that it do pass.

The departmental reports are as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., April 26, 1956.

Hon. HERBERT C. BONNER,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D. C.

MY DEAR MR. BONNER: Your committee has requested a report on H. R. 10433, a bill to promote the fishing industry in the United States and its Territories by providing for the training of needed personnel for such industry. Section 1 of this proposed legislation would promote the education and training of professionally trained personnel in the field of commercial fishing. This would be accomplished by the making of grants, out of funds to be appropriated for such purposes, to public and nonprofit private universities and colleges in the several States and Territories of the United States. Section 2 of this bill would amend the Vocational Education Act of 1946 so as to provide specifically for the advancement of vocational education in the fishing trades and industry and in the distributive occupations thereof.

Although we are fully in accord with the goal of the legislation in providing fishery education, we believe that there are existing media for achieving this objective. We, therefore, recommend that the bill be not enacted in its present form.

The Fish and Wildlife Service, through contract and by means of cooperative research, is assisting in stimulating programs at the university level. These programs should be further expanded in order to assist in the training of graduate students and to promote the development of fisheries courses in colleges and universities.

We believe that these objectives can be obtained by appropriating funds under existing legislation with whatever provisions may be necessary to insure (1) equitable distribution to the several States and Territories on the basis of the extent of their fishing industries; and (2) the use of the knowledge and experience of the Department of the Interior in this field.

Legislation referred to is the act of June 29, 1935 (49 Stat. 436, 439), and the Vocational Education Act of 1946, as amended by the act of August 1, 1946 (60 Stat. 775).

We have been advised by the Bureau of the Budget that there is no objection to the submission of this report to the committee.

Sincerely yours,
WESLEY A. D'EWART,
Assistant Secretary of the Interior.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D. C., April 30, 1956.

Hon. HERBERT C. BONNER,
Chairman, Committee on Merchant Marine and Fisheries,
House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: This letter is in response to your request of April 18, 1956, for a report on H. R. 10433, a bill to promote the

fishing industry in the United States and its Territories by providing for the training of needed personnel for such industry.

This bill would authorize the Secretary of the Interior to make grants to public and nonprofit private universities and colleges in the several States and Territories for such purposes, including the establishment of scholarships, as necessary to promote the education and training of professionally trained personnel (including technicians and teachers) needed in the field of commercial fishing. Grants would be apportioned by the Secretary of the Interior "on an equitable basis' and the Secretary would be required to "take into account the extent of the fishing industry within each State and Territory as compared with the total fishing industry of the United States," plus other relevant factors. The Secretary would be authorized to "establish such guides and curricula for educational courses as may be necessary." Appropriations for this section of the bill would be authorized at $550,000 for the fiscal year 1957 and for each fiscal year thereafter.

The second section of the bill would amend the Vocational Education Act of 1946 (the George-Barden Act) by authorizing $375,000 in grants to the several States and Territories for vocational education in the fishery trades and industry and distributive occupations therein. Such grants would be apportioned by the Commissioner of Education "on an equitable basis" after consultation with the Secretary of the Interior, "taking into account the extent of the fishing industry of each State and Territory as compared with the total fishing industry of the United States * * *."

As regards the proposed Federal grants and scholarships in the field of higher education, we believe that the basic question which Congress should consider is whether the needs of this industry for professionally trained personnel are so acute and so vital to the national interest—as compared with similar needs of other industries—as to warrant singling out this industry for the special Federal assistance proposed by the bill. The information available to this Department as to the extent and nature of these needs would not suffice to justify this portion of H. R. 10433.

Also, in view of the general responsibilities of the Office of Education in the field of higher education and the desirability of consistent Federal policies and procedures in Federal programs of financial assistance in this field, we would suggest that suitable provision be made for consultation with that Office in the development of basic policies and procedures for administration of the program, if authorized by Congress.

Finally, the broad discretion which the bill proposes to vest in the Secretary of the Interior, especially the authority to establish curricula for educational courses with which presumably educational institutions aided by such grants would have to comply, would appear to permit an undesirable degree of Federal control of education.

With respect to section 2 of this bill, which would authorize a $375,000 program for vocational education in the fishery trades and industry and distributive occupations therein, this Department would point out that authorization under the existing vocational education acts permits vocational education in the fishery trades and industry and in the distributive trades related to fishing. We question the need or desirability of establishing a special category for the fishery trades. This is particularly true since the funds for vocational education have by this Congress been increased by approximately $2,800,000 and the amount available for distributive trades raised from $900,000 to $1,500,000. We would rather feel that in the States where fishery trades and industry and distributive occupations are important, encouragement should be given to utilization by the States of as much of the increased funds as they can for the development of vocational education in the fishery fields.

In the absence of information which would justify the proposal for special Federal grants for training at colleges and universities and in the light of our comments above on the vocational education proposals in the bill, we are unable to recommend enactment of H. R. 10433.

The Bureau of the Budget advises that it perceives no objection to the submission of this report to your committee.

Sincerely yours,

HEROLD C. HUNT,
Acting Secretary.

Mr. Speaker, I now yield 2 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, continuing the argument which the gentleman from Wisconsin [Mr. BYRNES] has just made, lines 8, 9, and 10 of the bill, page 1, all provide training for people in the commercial fishing industry as to how they can become more efficient in the taking and distribution of fish. The bill rests upon the supposition that there are not now enough fish to supply our needs.. But it makes no provision for increasing our knowledge as to how we can produce more fish, protect the present supply. Over on the next page $375,000 is earmarked for vocational education in the fisheries industry and distributive occupations. The bill seems to be an effort to teach us how to catch and sell more fish. And then when there is a shortage in the present available supply, most of us will support a bill which will provide for research and for instruction as to how we can increase the food supply of fish in this country. But, this is a bill solely in behalf of commercial fishermen. It will help them not at all. What they need is a greater supply of fish.

When the issue comes up, as it often does, and I say I am in favor of legislation to kill off the lamprey eels and vote for appropriations for that purpose but add: "If you will quit taking so many fish out of the rivers, out of the lakes, the lamprey eel will not be so troublesome," the commercial boys get angry. One firm had 35 miles of gill nets; one string in Huron and one in Superior. I have watched this for more than 50 years, and I have seen the supply of fish in the Great Lakes dwindle year after year. Fishermen farmers used to catch them just off the shore, but now they have to go way up to Superior and sometimes over on the Canadian side. I say this bill goes at the problem from the wrong angle. If this money is wanted for research, all right, I am with you. But when you want to help the commercial fisherman to find ways of taking more fish from the present short schools, oh, no, they know too much about it now. Go down the Chesapeake and see the fellows who are fishing down there, catching striped bass, 20- 40-pound spawners, keeping the shad from the spawning beds, cutting off the future supply.

No, we do not need to train men to catch and market more—what we need is new knowledge as to how we can conserve the present crop, hatch and grow more.

This bill should go back to committee, and a new one brought in to solve the real problem.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. BONNER. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Speaker, the gentleman from Wisconsin raises some good points which I think should be answered. In the first place, may I say there are only two sources of food products in the United States—those which come from the land and those which come from the sea. When we speak of training personnel I think we should ask ourselves how much money the Federal Government has spent in training agricultural scientific personnel. It may be interesting to know that throughout past years the Federal Government spends about $6 per ton of agricultural food products produced, whereas it has spent less than $1 a ton on fishery food products produced.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield.

Mr. FULTON. Why should not this education work be done by the States, people who may be interested in it on a regional basis?

Mr. TOLLEFSON. The gentleman asks a good question. The fact remains that the States are not doing it. There are only 2 or 3 colleges and universities, 1 in my home State of Washington and 1 in the State of California, and perhaps 1 other university, which gives a degree in fisheries. It is our hope that through this legislation—and I am sorry the author of the bill is not here, because he comes from an area where they see the need of this legislation—it is the hope of the committee that we might be able over a few years to encourage other universities and colleges to interest their pupils in courses in fisheries.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield.

Mr. HOSMER. The report says, "There are too few trained men to undertake research projects planned to discover and maintain an adequate supply of fish to meet the constantly increasing demand for protein food."

Mr. TOLLEFSON. There has been testimony before our committee over the years that we have not had sufficient trained personnel to do research work in connection with the depletion of our fisheries. That is true of tuna, it is true of the sardine industry in California, it is true of salmon in the Pacific Northwest and up in Alaska; it is true of fish on the eastern seaboard and in the gulf area; and now because we just do not have the trained fisheries personnel to do the research—fishery stocks are being depleted and the welfare of our commercial fishery industry is not keeping pace with the foreign commercial fisheries.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I am glad to yield to the author of the bill.

Mr. McCORMACK. The fishing industry is the oldest industry in the western hemisphere.

Mr. TOLLEFSON. The gentleman is correct.

Mr. McCORMACK. It is still one of the primary industries of our country. They are fighting with their backs against the wall. Imports are coming in in such great quantites. This bill will play a very important part. It is a fair bill, it is a bill unanimously requested at their recent convention in Miami, a convention of the commercial fishing industry of the United States. Is that correct?

Mr. TOLLEFSON. The gentlemen is absolutely correct.

Mr. McCORMACK. It seems to me that this is a minimum of consideration that we should extend to this great basic industry, the oldest we have in our country.

Mr. TOLLEFSON. I thank the gentleman for his comment.

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. Is it not true that the fishing industry itself spends considerable money in research?

Mr. TOLLEFSON. That is true with respect to the salmon industry and I have personal knowledge of the funds that the salmon industry has spent for years. As a matter of fact, their contribution to the research program, particularly at the University of Washington and in research programs up in Alaska in the salmon industry goes into hundreds of thousands of dollars over the years. Even so, much yet remains to be done, more than the industry can afford to do. The Government must do more if it wants even this segment of the industry to survive.

Mr. SMITH of Wisconsin. Then it seems to me the question naturally arises: Why should the Federal Government get into this field?

Mr. TOLLEFSON. It is unfortunate that the same thing that I have said about the salmon industry is not true of the rest of the fishery industries. In the case of many of those who harvest other fishery stocks they just do not have the funds to carry on adequate research. The gentleman from Massachusetts raised the point with respect to the fishing industry of the United States fighting with its back against the wall. That has been true in the New England area since 1949. To my own personal knowledge some of the commercial fishing interests have moved up into Canada because of the adverse conditions under which they have been forced to operate under our laws.

It seems to me this is a good bill. It does provide a minimum to be spent, and it does not set a precedent. It should not be confused with programs in other industrial categories. This is a food resources program that we are conducting rather than an industrial program.

Mr. DIES. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Texas.

Mr. DIES. Why did not the gentleman's committee put a time limit of 2 or 3 years in the bill instead of making it permanent?

Mr. TOLLEFSON. I would have no objection to a time limit. It just so happens, perhaps I might say to the gentleman from Texas that we probably did not think about it. I would not object to a time limitation.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I will say to those who talk about the importation of foreign fish that perhaps American fishermen would be doing better if they had been given some of the electronic fish-detecting equipment that the Government has ladled out to foreigners for their fishing enterprises under the foreign WPA program. Maybe we ought to give our fishing industry some of this electronic fish-detecting equipment that the taxpayers of this country have bought and given to foreigners.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. MASON. In connection with the fishing industry fighting with its back to the wall, we had days of testimony in the Ways and Means Committee that it was the flood of imports that was causing them to go out of business, because of our low tariff.

Mr. GROSS. And so we give the foreigners expensive equipment that enables them to outfish us, and in addition give them the benefit of low tariffs as the gentleman from Illinois has suggested.

Apparently the only thing that is not in this bill is a scholarship for Members of Congress, a fishing scholarship——

Mr. HOFFMAN of Michigan. Now, wait a minute.

Mr. GROSS. Or is there provision for the gentleman from Michigan?

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Briefly.

Mr. TOLLEFSON. Is the gentleman in accord with the agricultural program of the United States with respect to its educational program to help farmers?

Mr. GROSS. I am in favor of 90 to 100 percent of parity, if that is what the gentleman means.

Mr. TOLLEFSON. No, I am not talking about. I would like to ask the gentleman if he can tell us how much the Department of Agriculture spends in connection with the research program and educational program throughout the United States.

Mr. GROSS. Yes, I am in favor of the farmers being accorded at least equal treatment with foreigners, I will say to the gentleman. I want to reemphasize what the gentleman from Wisconsin said. The Interior Department and the Department of Health, Labor, and Education disapproves this legislation according to the report of the committee itself. Furthermore, you will be confronted here in a short time with a bill from this same committee calling for reorganization of the Department of the Interior and that reorganization will call for emphasis to be placed upon the fishing industry of this country.

Mr. Speaker, this bill ought to be defeated.

Mr. BONNER. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I am afraid the debate on this bill has gone far afield from the objectives of the bill. The fishing industry is a sick industry. It is a sick industry because of the impact of newer types of fishing gear. We have to have people who know all about this business.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from California.

Mr. JOHNSON of California. Will the gentleman please state for the Members of the House that he was head of the Fish and Game Commission of California and he ought to know what he is talking about.

Mr. MILLER of California. Yes, for 4 years I headed the division of fish and game in the State of California, so I do know something about it. With new gear we lost certain species of fishes. We overfished them. We are fighting to get them back at this time.

We need this source of protein food in our national diet. It is a major source of protein in our diet. It is a source of food you cannot get any other place. The people who are engaged in the fishing industry realized, perhaps too late, some of the abuses that were going on in it. We are trying to beat it back and get it back on the same type of solid foundation that through the years and through the medium of agricultural education we arrived at a fairly solid agricultural industry.

Mr. BATES. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Massachusetts.

Mr. BATES. A question has been brought up concerning the depletion of fish. The very purpose of this bill is to instruct people so that we can get it on a higher scale.

Mr. MILLER of California. That is right. We want to develop it. We can encourage and bring back the fishing industry. We have lost the sardine fishing industry on the Pacific coast but it is on its way back because we are beginning to learn how to handle that situation.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Also the question of scientific research and study enters into the situation which will help the fishing industry immensely; is that not so?

Mr. MILLER of California. That is very important. So this bill merely seeks, as I said before, to do and belatedly to do for the fishing industry, an important part of our food program, what for so many years we have done for agriculture. We maintain a large agricultural establishment in the Federal Government. Of course, the States have their agricultural colleges, too. But this thing has to be coordinated and it is coordinated pretty much on the

Federal level. That is what we hope to do with the fishing industry.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I will not disagree with the gentleman as far as the needs of this industry are concerned, its importance and as to some of its problems, but the thing that bothers me is as to how this bill as such will meet those problems, because all it involves is the matter of promoting education and training professional personnel. You do not say how you are going about it. You are going to pass out some money, but that does not give you trained personnel.

Mr. MILLER of California. Well, you need trained professional people, such as fisheries biologists, ichthyologists, and so forth.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and the Speaker being in doubt, the House divided and there were—ayes 113, noes 65.

Mr. BONNER. Mr. Speaker, I demand tellers.

Tellers were ordered, and the Speaker appointed as tellers Mr. BONNER and Mr. BYRNES of Wisconsin.

The House again divided; and the tellers reported that there were—ayes 149, noes 61.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 256, nays 133, not voting 43, as follows:

[Roll No. 86]

YEAS—256

Addonizio	Carlyle	Fascell
Albert	Carnahan	Feighan
Alexander	Cederberg	Fernandez
Allen, Calif.	Chase	Fino
Andrews	Chelf	Fisher
Anfuso	Chenoweth	Flood
Ashley	Christopher	Forand
Aspinall	Chudoff	Forrester
Auchincloss	Church	Fountain
Avery	Clark	Frazier
Ayres	Cooley	Friedel
Bailey	Coon	Fulton
Baldwin	Cooper	Garmatz
Barden	Corbett	Gathings
Barrett	Coudert	Gavin
Bass, Tenn.	Cramer	George
Bates	Curtis, Mass.	Gordon
Baumhart	Davidson	Gray
Bennett, Fla.	Davis, Tenn.	Green, Oreg.
Bennett, Mich.	Dawson, Ill.	Green, Pa.
Blitch	Dawson, Utah	Griffiths
Boggs	Deane	Gubser
Boland	Delaney	Hagen
Bolling	Denton	Haley
Bolton, Frances P.	Devereux	Hand
	Diggs	Hardy
Bolton, Oliver P.	Dingell	Harris
	Dixon	Hays, Ark.
Bonner	Dodd	Hayworth
Boykin	Dollinger	Healey
Boyle	Donovan	Hébert
Brooks, La.	Dorn, N. Y.	Herlong
Brown, Ga.	Dorn, S. C.	Heselton
Buckley	Doyle	Hill
Burdick	Durham	Hinshaw
Burnside	Elliott	Hoffman, Ill.
Byrd	Ellsworth	Holifield
Byrne, Pa.	Engle	Holland
Canfield	Evins	Holmes
Cannon	Fallon	Holtzman
Hope	Miller Calif.	Rooney
Horan	Miller, Md.	Sadlak
Hosmer	Mills	Seely-Brown
Huddleston	Minshall	Selden
Hull	Mollohan	Sheehan
Hyde	Morano	Shelley
Ikard	Morgan	Sheppard
Jennings	Moss	Short
Jensen	Moulder	Shuford
Johnson, Calif.	Multer	Sieminski
Johnson, Wis.	Murray, Ill.	Sikes
Jones, Ala.	Nicholson	Simpson, Ill.
Jones, Mo.	Norblad	Simpson, Pa.
Karsten	Norrell	Sisk
Kearney	O'Brien, Ill.	Spence
Kearns	O'Brien, N. Y.	Staggers
Kelley, Pa.	O'Hara, Ill.	Steed
Kelly, N. Y.	O'Neill	Sullivan
Keogh	Passman	Teague, Calif.
Kilday	Patterson	Teague, Tex.
Kilgore	Pelly	Thomas
King, Calif.	Perkins	Thompson, N. J.
Kirwan	Pfost	Thompson, Tex.
Kluczynski	Philbin	Thomson, Wyo.
Knutson	Phillips	Tollefson
Lankford	Powell	Trimble
Lesinski	Price	Tumulty
Lipscomb	Priest	Udall
Long	Prouty	Utt
Lovre	Quigley	Vanik
McCarthy	Rabaut	Van Zandt
McCormack	Radwan	Wainwright
McDonough	Rains	Walter
McDowell	Ray	Weaver
McIntire	Reed, N. Y.	Westland
McVey	Reuss	Wier
Macdonald	Rhodes, Pa.	Wigglesworth
Machrowicz	Richards	Williams, N. J.
Mack, Wash.	Riehlman	Willis
Madden	Riley	Wilson, Calif.
Magnuson	Rivers	Wolverton
Mailliard	Robeson, Va.	Wright
Martin	Rodino	Yates
Matthews	Rogers, Colo.	Young
Merrow	Rogers, Fla.	Zablocki
Metcalf	Rogers, Mass.	Zelenko

NAYS—133

Abbitt	Gamble	O'Konski
Abernethy	Gary	Osmers
Alger	Gentry	Ostertag
Allen, Ill.	Grant	Pilcher
Andersen, H. Carl	Gregory	Pillion
	Gross	Poff
Andresen, August H.	Gwinn	Polk
	Halleck	Rees, Kans.
Arends	Harrison, Nebr.	Rhodes, Ariz.
Ashmore	Harrison, Va.	Roberts
Baker	Harvey	Robsion, Ky.
Bass, N. H.	Henderson	Rogers, Tex.
Beamer	Hess	Rutherford
Becker	Hiestand	St. George
Belcher	Hoeven	Saylor
Berry	Hoffman, Mich.	Schenck
Betts	Jackson	Scherer
Bosch	James	Schwengel
Bow	Jarman	Scott
Bray	Jenkins	Scrivner
Brown, Ohio	Johansen	Siler
Broyhill	Jonas	Smith, Kans.
Budge	Jones, N. C.	Smith, Miss.
Burleson	Judd	Smith, Va.
Bush	Kean	Smith, Wis.
Byrnes, Wis.	Keating	Springer
Carrigg	King, Pa.	Taber
Chiperfield	Knox	Talle
Clevenger	Krueger	Taylor
Cole	Laird	Thompson, Mich.
Colmer	Landrum	
Crumpacker	Latham	Tuck
Cunningham	LeCompte	Velde
Curtis, Mo.	McConnell	Vorys
Dague	McCulloch	Vursell
Davis, Ga.	McGregor	Wharton
Derounian	McMillan	Whitten
Dies	Mahon	Widnall
Dolliver	Marshall	Williams, Miss.
Dondero	Mason	Williams, N. Y.
Dowdy	Meader	Wilson, Ind.
Fenton	Miller, Nebr.	Winstead
Fjare	Miller, N. Y.	Withrow
Flynt	Mumma	Wolcott
Ford	Murray, Tenn.	
Frelinghuysen	Natcher	

NOT VOTING—43

Adair	Davis, Wis.	Holt
Bell	Dempsey	Kee
Bentley	Donohue	Kilburn
Blatnik	Eberharter	Klein
Bowler	Edmondson	Lane
Brooks, Tex.	Fogarty	Lanham
Brownson	Hale	Mack, Ill.
Celler	Harden	Morrison
Chatham	Hays, Ohio	Nelson
Cretella	Hillings	O'Hara, Minn.
Patman	Scudder	Watts
Poage	Thompson, La.	Wickersham
Preston	Thornberry	Younger
Reece, Tenn.	Van Pelt	
Roosevelt	Vinson	

So (two-thirds not having voted in favor thereof) the motion to suspend the rules and pass the bill was rejected.

The Clerk announced the following pairs:

Mr. Bell with Mr. Reece of Tennessee.
Mr. Lanham with Mr. Kilburn.
Mr. Vinson with Mr. Bentley.
Mr. Wickersham with Mr. Adair.
Mr. Klein with Mr. Holt.
Mr. Celler with Mrs. Harden.
Mr. Chatham with Mr. Cretella.
Mr. Dempsey with Mr. Brownson.
Mr. Donohue with Mr. Nelson.
Mr. Morrison with Mr. O'Hara of Minnesota.
Mr. Preston with Mr. Hillings.
Mr. Fogarty with Mr. Hale.
Mr. Thompson of Louisiana with Mr. Van Pelt.
Mr. Hays of Ohio with Mr. Davis of Wisconsin.
Mr. Bowler with Mr. Scudder.
Mr. Watts with Mr. Younger.

Mr. PROUTY changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

FACILITATING PRIVATE FINANCING OF PASSENGER VESSELS

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11554) to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of passenger vessels in the interest of national defense, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That title XI of the Merchant Marine Act, 1936, as amended (46 U. S. C. 1271–1279), is amended as follows:

(a) Sections 1101 (f) and 1103 (a) and (b), are amended by striking out the words "90 percent of" wherever those words appear in such sections.

(b) Section 1101 (f) is amended by striking out of the proviso the words "except for certain special-purpose vessels as provided for in subsections (a) and (b) of section 1103 (46 U. S. C. 1273)" and the commas which immediately precede and follow those words.

(c) Section 1103 (a) and (b) are amended by striking out the provisos.

(d) Section 1103 (d) is amended to read as follows: "(d) The faith of the United States is solemnly pledged to the payment of interest on and the unpaid balance of each mortgage and loan insured under this title."

(e) Section 1105 (a) (1) and (a) (2) are amended by striking out the words "the insured portion of" wherever such words appear in those sections.

(f) The last sentence of section 1105 (c) (1) is amended to read as follows: "In the event the Secretary of Commerce shall receive through the sale of the vessel an amount of cash in excess of any payment made to the mortgagee under subsection (a) (1) of this section, and the expenses of collection of such amount, he shall pay such excess to the borrower."

(g) The last sentence of section 1105 (c) (2) is amended to read as follows: "In the event the Secretary of Commerce shall receive through the sale of the property an amount of cash in excess of any payment

made to the lender under subsection (a) (2) of this section and the expenses of collection of such amount, he shall pay such excess to the borrower."

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, this bill as reported by the committee would amend the Federal ship mortgage insurance provision of title XI of the Merchant Marine Act so as to authorize the Secretary of Commerce to insure 100 percent of the principal of and interest on mortgages and loans not only on so-called special purpose vessels as now provided, but also 100 percent of the principal and interest of mortgages and loans on other vessels.

It was the intent of Congress in enacting Public Law 781, 83d Congress, that private financing institutions would be willing to assume 10 percent of the uninsured portion of the risk on ship mortgages. However, this intent has not been realized because financing institutions have insisted upon cash collateral for the uninsured portion, thus defeating the purpose of Congress in its effort to encourage the replacement and expansion of our merchant fleet.

This bill, as introduced, would have extended 100 percent coverage only on passenger ships on the theory that their characteristics justify the same treatment as that presently accorded to other special purpose vessels. However, the Maritime Administration in the committee hearings recommended the extension of 100 percent mortgage insurance to construction loans and mortgages on all types of merchant ship construction and reconstruction. In view of the failure of the existing law to accomplish its purposes, the committee unanimously ordered the bill reported with the abovementioned amendments.

This bill is urgently needed to advance the merchant-ship replacement program. Its immediate favorable consideration will enable prompt consummation of the proposal of Arnold Bernstein Steamship Lines to establish a modern tourist class passenger service to northern Europe on a trade route not presently served by any American flag vessel passenger ship. The Bernstein proposal contemplates 3 modern ships within 5 years. If the bill is not acted upon in this session, this operator could not be sure of the continued availability of the credit he now has assured him. The private money market is getting tighter.

I believe if the Members of the House understood this proposal and would listen to it, we might have a better result on this occasion than we had on the former occasion.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Well, this is a better bill than the other.

Mr. BONNER. Well, I thank the gentleman very much. There is a difference of opinion, but I apprciate the compliment you pay this bill.

Today our merchant marine is more seriously unbalanced in the category of passenger ships than any other types that are essential in time of national emergency. The national defense has assured our committee and testified that we are today 15 passenger ships short of the amount necessary should an emergency arise. Before World War II we had 123 passenger vessels in active operation. There are now only 39 passenger vessels, and these are combination freight and cargo vessels. We only have a few strictly passenger vessels in operation.

This bill, though, is patterned for a particular operation. No shipping company in America offers this form of passenger service to the tourists of America. The tourist business today is one of the largest businesses. Our American citizens have to go to Canada to ship on a ship of this class. There is no ship of this proposed class operating from any port in the United States flying the American flag. It offers cheap transportation to the rank and file of the people of America to visit Europe. And the proposal is for an essential trade route.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman.

Mr. PATTERSON. I read a short time ago that there is a gentleman in New York by the name of Cantor who has the idea of building 2 large luxury liners that would be superior to the Queen Elizabeth and the Queen Mary. He needs some help apparently from the Government. Is there anything in this bill touching that?

Mr. BONNER. This bill would help him.

Mr. PATTERSON. How would it help him?

Mr. BONNER. Under the 90 percent provision which is now in existence there never has been a default and the Government has never been called on to pay anything. This adds only 10 percent, because the private lending agencies just simply will not go into this field.

Mr. PATTERSON. Is it not his idea to build these vessels so that the ordinary working people of our country will have an opportunity to spend 2 weeks abroad at about $50 a week?

Mr. BONNER. That is what this proposal is here. I am not sure of the gentleman whom the gentleman from Connecticut has referred to, but there was a gentleman to see the committee who has ideas for a larger passenger vessel.

Mr. PATTERSON. His name was Cantor, if I recall.

Mr. BONNER. I think he has been before the committee.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BONNER. The gentleman from Iowa [Mr. GROSS] demanded a second. If he expects to yield some time, I should be glad to yield to him at this time.

Mr. GROSS. I should be glad to yield the gentleman 5 minutes.

Mr. BONNER. I yield to the gentleman.

Mr. GROSS. I only wanted to ask a question. Why the reluctance of lending institutions to assume a portion of the risk of the uninsured portion of the mortgages?

Mr. BONNER. That is a fair question. I simply cannot answer it. There never has been a default when we insured 90 percent. The existing law carries provision for 100 percent insurance in special type vessels, but they do not include passenger vessels.

Mr. GROSS. That is a question that intrigues me very much.

Mr. BONNER. It intrigues me, sir.

Mr. GROSS. Furthermore, are these ships to be built in American yards?

Mr. BONNER. Yes, sir; and operated by American seamen under all the requirements of the Merchant Marine Act of 1936.

Mr. GROSS. I thank the gentleman.

Mr. ALLEN of California. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from California.

Mr. ALLEN of California. Mr. Speaker, it should be noted that when this bill was before the committee a year or so ago, the General Accounting Office was one of those that held the opinion that 90 percent of the risk was all that should be insured. Now they have come before the committee, among others, and said that experience has demonstrated that private lending institutions will not take these loans with only 90 percent insurance. On the other hand, the financing that has been available if ships are to be built is on mortgages held by the Government and in that case they take 100 percent of the risk. So the effect of this bill would be to keep the Government with the same risk it now has under the law under which it furnishes money, but would bring the money from private sources.

Mr. BONNER. The gentleman is absolutely correct and I thank him for his contribution. This bill will offer employment to American seamen, American citizens, who are not now being offered such employment. It will enhance greatly the value of our national defense.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Washington.

Mr. TOLLEFSON. I think there may be some in the House who are concerned about the Government's insuring these mortgages to the extent of 100 percent. There is no reason for concern, otherwise the General Accounting Office would have so stated to our committee. The House should know that presently on the books is a law providing for Government financing of ships. Up until a few years ago that law was in effect and was used. In other words, the Government's own money was used to build ships.

Within the past 2 or 3 years the Government has felt that private financing institutions should be induced to use their funds rather than Government funds. We approved a bill a year or two ago which authorized the Government to insure mortgages up to 90 percent.

We felt that we might be able to obtain sufficient financing. However, the history of that legislation has proved that the financial institutions have not wanted to lend their funds, hence we now come back and ask for Government insurance up to 100 percent of the amount of the mortgage. It will not cost the Government a penny; in fact, the Government will make money on it.

Mr. BONNER. I thank the gentleman.

I call the attention of the House to the fact that there have been built only three new passenger ships since World War II. We are woefully short in passenger service to furnish to our own people.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. Mr. Speaker, I commend the chairman of the Committee on Merchant Marine and Fisheries and his committee for the consideration that has been given to the bill H. R. 11554, to facilitate private financing of passenger vessels in the interests of national defense.

This bill, if enacted into law, will provide a means of encouraging the construction of passenger ships of a certain type. At the present time our merchant marine is more seriously unbalanced in the category of passenger ships than in any other of the types that are essential in time of national emergency.

The highest defense authorities have repeatedly advised that, because of its potential for troop transport, the national security demands an adequate, modern passenger ship component in our active oceangoing merchant fleet. They are needed immediately in the event of emergency.

Only 3 new passenger ships have found their way into the privately owned merchant marine since World War II, according to the report of the committee. It further appears that through World War losses and obsolescence, there are now only 39 active passenger vessels under the American flag, as against 123 in operation in 1939 at the outbreak of World War II.

Furthermore, there is particular need for the construction of vessels of a type that will care for the rapidly growing tourist trade. It is contemplated that the provisions of this bill will encourage the building of a new type of passenger vessel that will have a direct appeal to meeting the fast growing tourist class of travel. The need for such is well established as can be seen from an examination of Government records. For instance, of a commercial fleet which includes as many as 45 ships to North Europe alone, just 2 fly the American flag, and 1 of them has reached an age requiring early replacement. In 1954 we carried only 18 percent of the total North Europe passenger movement. At the present time the tourist class passengers represent 50 percent of the total movement in the North Atlantic. It is significant that between 1951 and 1954, practically the entire increase in traffic has been in the tourist class, which has grown by 136 percent in that very short time. One hundred and fifty-nine thousand tourist class passengers served in 1951, as compared with 371,000 in 1954. Corresponding advances were made in 1955.

The bill now before us is entitled to have the favorable opinion of the Congress. First, it will provide a type of passenger vessel for use in the tourist trade. Thus, it will increase the opportunity of our citizens of limited means to enjoy the pleasures and privileges of foreign travel. And, second, it will provide additional work for our shipworkers and thus help to strengthen our deteriorating shipbuilding industry. Our shipyards need work if we are to keep them up to date and ready for any emergency that may confront us. I trust the bill will have the support of this House and that it will become law during this session of Congress.

Mr. BONNER. The intention here is to build ships so that the average American citizen can sail under the American flag at economical prices.

Mr. WOLVERTON. It is an excellent idea and gives work to the American shipbuilders.

Mr. BONNER. It is a one-class passenger vessel and will be a great asset to the Navy as a troop carrier.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill H. R. 11554 as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "A bill to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of merchant vessels in the interest of national defense, and for other purposes."

A motion to reconsider was laid on the table.

COASTWISE TRADE

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That, (a) in order to encourage the construction of new vessels and to promote the development and rehabilitation of the coastwise trade, the Secretary of Commerce (hereafter in this act referred to as the "Secretary") is authorized and directed notwithstanding the provisions of section 11 of the Merchant Ship Sales Act of 1946, as amended, and section 510 (h) of the Merchant Marine Act, 1936, as amended, to bareboat charter to citizens of the United States tankers under his jurisdiction.

(b) As used in this act, the term "citizens of the United States" includes corporations, partnerships, and associations but only those which are citizens of the United States within the meaning of section 2 of the Shipping Act of 1916, as amended.

(c) No charter shall be made under this act with any applicant who does not, in the determination of the Secretary, possess the qualifications necessary to enable him to operate tankers eligible for charter under this act in the United States domestic coastwise trade.

(d) Each charter made under authority of this act shall be for a period of 5 years except that, upon agreement by the Secretary and the applicant, a charter may be made for a longer period.

(e) The charter hire for any tanker chartered under this act shall be at the rate of $150,000 per annum.

(f) As additional consideration for making of any charter under this act, the charter shall, on such terms and conditions as the Secretary deems necessary to protect the interest of the United States, agree to the following:

(1) The charterer shall, at his expense, install on each chartered tanker an upper deck suitable for the carriage of cargo containers which have an aggregate capacity of not less than 1,000 tons gross weight. Such installation shall be in accordance with plans and specifications approved by the Secretary of Commerce and by the Secretary of the Navy.

(2) The charterer must agree that for each two tankers chartered to him under this act the charterer will cause to be constructed in a United States shipyard or shipyards one dual purpose cargo-tankship of not less than 32,000 tons deadweight, designed for the carriage of liquid cargo, equipped with an upper deck suitable for the carriage of cargo in containers, and having a speed of at least 18 knots.

(3) For a period of 10 years after its construction no cargo-tankship constructed pursuant to this act shall be operated in any trade other than the United States domestic coastwise trade, except that with the approval of the Secretary, such vessel may be operated in any other trade if such operation is for the account of any department or agency of the United States.

(4) The chartered tanker shall be restricted to operation in the United States coastwise trade, except that, with the approval of the Secretary, such vessel may be operated in any trade if such operation is for the account of any department or agency of the United States.

(5) When redelivered to the United States such chartered tanker shall be in a good operating condition, including class, as when delivered to the charterer, ordinary wear and tear excepted.

(6) The charter shall contain such other terms and conditions as the Secretary deems necessary to protect the interests of the United States.

SEC. 2. Tankers shall be chartered under this act only in pairs or multiples of two.

SEC. 3 (a) The Secretary shall place each tanker eligible to be chartered under the provisions of this act in good operating condition, including class, before it is chartered, and the expense thereof shall be that of the United States.

(b) If the charter is terminated prior to expiration for any reason not the fault of the charterer, the United States shall pay to the charterer the depreciated cost of the deck installation required by section 1 (f) (1). For the purposes of this subsection the cost of such deck installation shall be depreciated at the rate of 20 percent per annum.

SEC. 4. (a) For each new cargo-tankship to be constructed in accordance with section 1 (f) (2) of this act the charterer or an affiliate under common ownership with such charterer may trade in to the United States two dry-cargo vessels for an allowance of credit to the charterer. The allowance shall be paid, by the Secretary, on terms and conditions approved by him, to the shipbuilder constructing the new cargo-tankships. To be eligible to be traded in under this section, a dry-cargo vessel must be (1) not less than 1,500 gross tons; (2) not less than 12 years old; (3) a war-built vessel, as defined in section 3 (b) of the Merchant Ship Sales Act of 1946 (60 Stat. 41); (4) owned by a citizen or citizens of the United States; (5) documented under the laws of the United States

for not less than 3 years immediately preceding the date of its physical delivery to the United States; (6) a vessel that has been owned by the charterer or an affiliate under common ownership with such charterer for not less than 3 years immediately preceding the date of its physical delivery to the United States; (7) free and clear at the time of title transfer of all liens and encumbrances whatsoever, other than mortgage indebtedness due the United States; and (8) in class satisfactory to the Secretary on the date of its physical delivery to the United States with respect to its hull and machinery. The allowance of credit for a dry-cargo vessel traded in under this act shall be fixed by the Secretary at the time of the signing of the agreement required by section 1 (f) (2) of this Act, at an amount not less than the fair market value for a comparable vessel if such comparable vessel were to be sold at such time of signing for operation under foreign registry or flag. The allowance of credit for such vessel shall be reduced by the amount of any mortgage indebtedness on such vessel due the United States and such indebtedness shall be thereupon discharged. The owner of a vessel being traded in under this section shall have the right to charter such vessel for such period of time as such owner may desire but not beyond the voyage current at the time of the delivery of the new cargo-tankship with respect to which an allowance of credit has been made for such dry-cargo vessel. Charter hire for the vessel traded in shall be paid to the Secretary at the rate of 15 per centum per annum of the statutory sales price of such vessel, computed at the time of charter in accordance with the provisions of section 3 (d) of the Merchant Ship Sales Act of 1946 (60 Stat. 41).

SEC. 5. No gain shall be recognized to the charterer, or to an affiliate under common ownership with such charterer, for the purpose of Federal income taxes in the case of a trade-in of a dry-cargo vessel to the Secretary under this act. The basis for gain or loss upon a sale or exchange and for depreciation under the applicable Federal income tax laws of a new cargo-tankship constructed pursuant to this act shall be the same as the basis of the dry-cargo vessels traded in for credit, increased in the amount of the cost of such new cargo-tankship (other than the cost represented by such dry-cargo vessels) and decreased in the amount of loss recognized upon such trade-in.

SEC. 6. No charter shall be made under this act on or after 2 years from the date of enactment of this act.

The SPEAKER. Is a second demanded.

Mr. VAN ZANDT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second is considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, during this session of Congress, last year and this year, the Committee on Merchant Marine and Fisheries has conducted extensive hearings on the further development of the American merchant marine, particularly the coastwise trade.

At the outbreak of World War II most of the coastwise vessels were taken for the national defense. Since World War II, it has been found too expensive for private industry to build ships for the coastwise trade.

Recently the Committee on Merchant Marine and Fisheries had a gentleman come before the committee and offer a solution to this problem. I can say truthfully to the House this is the first breath of a new idea that has been presented to the committee in the development of the merchant marine.

This proposal comes from a gentleman who is willing to invest his own capital. There is no subsidy in it.

There is no operating subsidy or construction subsidy. We have in the reserve fleet some 40 tankers anchored. There is a scarcity of tanker bottoms on the high seas. Due to the fact that those hauling petroleum have withdrawn their tanker fleet from the petroleum service and gone into the carrying of grain and dry cargo. There will be some objection by those who operate tankers, but it must be remembered that they have left the tanker operation and have gone into the dry cargo operation. There will be some objection from the railroads to this bill, but I tell you that the gentleman who offered this proposal to move some of this cargo and to revive the coastwise trade went to the railroads and offered the railroads the business on his own flatcars and the railroads told him they were not interested. That is the testimony before the committee.

Mr. ZELENKO. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield.

Mr. ZELENKO. This gentleman in testimony before the committee stated that if tankers only were to be broken out from the fleet, he was not interested—that is he was not interested in tanker bottoms alone.

Mr. BONNER. I do not know what the gentleman can be talking about—we are talking about tankers here.

Mr. ZELENKO. Yes, sir; the very gentleman who came before the committee and whose company offered to build these vessels said on page 231 of the committee hearings that if the law permitted him only to charter tankers, he was not interested.

Mr. BONNER. I am going to get to that. I will show you and give you a full explanation of this proposal. This proposal does not apply to one man. Anybody else can do this who wants to do it.

Mr. ZELENKO. Except this, Mr. Speaker, if I may be permitted, the second part of this bill provides for the turning in of his old cargo vessels.

Mr. BONNER. I will get to that.

This operator proposes that if the Government will charter him two tankers that are now in the reserve fleet, on those two tankers he will build a superdeck at a cost of some $200,000 per deck. That $200,000 superstructure stays with the tanker and is the property of the Federal Government. The Navy testified that it would increase the asset value of the tanker. On that superdeck he would carry dry cargo in truck bodies and he would carry oil in the hull of the ship below the deck in accordance with the carrying capacity of the vessel. For each two tankers he would charter from the Government, he would build at his own expense a 32,000-ton tanker. At the time he charters the two tankers, he will ask permission to turn in two C dry-cargo ships. Our reserve fleet has only Victory ships and Liberty ships in it, but the C-type ships are the supertype ships that were built in World War II. They are the best ships that were buiilt. They are the ships that were first sold from the reserve fleet. They were the cream of the fleet. Now he offers to turn these ships in and he will receive, on turning them in, the allowance that is prescribed in the act as it is today, in the jurisdiction of the Secretary of Commerce. In addition, this transaction will return to the Federal Government $21,550,000, if it is carried out in its entirety. There is no question about that. Here are the actual figures. I understand the opposition, and I understand those who will oppose the bill. The railroads certainly ought to be helped, and we ought to do all we can to help the railroads, but our highways are getting so congested with big trucks that anything that will relieve the highways of the truck traffic to some extent will be of aid to our transportation system.

This will relieve the highways of a certain amount of highway cargo. It will not affect the drivers, because the drivers are used in driving the trucks. Only the body of the trailer will be put on these ships, and teamsters will have to be used at both ends of the line.

For those in the coastal areas who found themselves short of fuel during World War II, this man proposes that there will be tankers operating to provide fuel up and down the coast. The fuel which he hauls in this case will relieve other tankers to supply the short demand of tankers in the Navy.

I am certain the Navy is having a great deal of trouble in finding tanker bottoms, but it is due to 42 tankers leaving the petroleum business and going into dry cargo trade. It is also due to the fact that the Navy has not been able to build, under the two bills that were passed by this House, to provide additional tankers.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield.

Mr. GROSS. I have not talked to anyone connected with the railroads, shipping interests, airlines, or anybody else about this bill. I am interested in it from the standpoint of the taxpayers of this country. You propose to take 17 Navy tankers and your report states at the time hearings were held the military requirements indicated an immediate need for the 17 T–2–SE–A2 vessels to help overcome a serious current shortage of military tanker tonnage.

Mr. BONNER. I am glad the gentleman brought that up. I overlooked it. We had a meeting with Admiral Good and we agreed that these tankers would only be released to this operator as the Navy's backlog was reduced, and he agreed to that. That has all been met, and Admiral Good testified in behalf of this bill.

Mr. GROSS. It is also provided in this bill that to break out these tankers in first case the condition which the Government is obligated to do under this bill, it would cost $200,000, according to the Comptroller General, and if a major bulkhead and other repair work had to be done it might run as high as $750,000 per tanker.

Mr. BONNER. There are some of these tankers that will need nothing done to them. There are some of the tankers that do need something. We have a provision in the bill charging him a flat sum for rental service on the tankers. Then on the cargo ships, he rents them back as any carrier rents them back. You must understand this man is already in business. He is not a fly-by-night. This is the former Waterman Steamship Line, which is one of the largest operators flying the American flag. They are in business. He will be under a firm contract. He does not take this ship out and return it immediately. He takes it out and uses it for a period of time.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield.

Mr. TOLLEFSON. This is the provision with respect to putting the Government ship into business?

Mr. BONNER. That goes with every ship that goes from the reserve fleet.

Mr. ZELENKO. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield.

Mr. ZELENKO. I have gone along at all times with every other bill that has come out of our committee, but I remember that I indicated at the time the committee voted on this one that the committee should give this more study.

Mr. BONNER. If the gentleman had attended the committee meetings and listened to the hearings, we had extensive hearings on the matter. When the gentleman came to the executive committee I prolonged the executive committee meeting for an hour on this bill to explain the situation to the gentleman. He knows that.

Mr. ZELENKO. I have examined the record of the hearings very carefully, and I failed to find any evidence revealing from what source these obsolete cargo ships that this man intends to trade in to the Government were obtained.

Mr. BONNER. They are not obsolete by any means. They are the best World War-built vessels that we have. If the gentleman will familiarize himself with our war-built vessels, he knows they are the best vessels.

Mr. ZELENKO. This is the point I am raising; I do not pass judgment upon it at this time because my information has just been given me by counsel to the committee: It is my understanding that under this bill the Government will allow this man about $1,600,000 for each cargo vessel that he trades in to the Government; and it is my further understanding that those very vessels were sold by the Government to this company in 1947 for about $950,000 each.

Mr. BONNER. That is correct.

Mr. ZELENKO. If they were worth only $950,000 in 1947 I fail to see how they are worth $1,600,000 today, and I would appreciate some information about it.

Mr. BONNER. The gentleman is absolutely correct in what he says. The Maritime Commission can allow on a trade-in the world market price, and that is just what is proposed here; the world market price is provided in the 1936 act with the approval of the Maritime Commission.

Mr. VAN ZANDT. Mr. Speaker, I yield myself 5 minutes.

The SPEAKER. The gentleman from Pennsylvania is recognized.

Mr. VAN ZANDT. Mr. Speaker, I am opposed to H. R. 1122. In stating my opposition to this legislation I should like to call attention to the report that accompanies this bill and ask that you turn to page 8 and read a letter from the Comptroller General of the United States. In the very last paragraph Mr. Campbell has this to say:

> This is a matter of national policy for consideration by the Congress.

Therefore, this bill affects the national transportation policy of the country.

Mr. Speaker, this bill does affect our national transportation policy and at the same time is tailored to fit the operations of the Pan-Atlantic Steamship Corp., a coastwise affiliate of the Waterman Steamship Corp., and very likely if this bill is enacted into law it cannot be utilized by anyone else.

Generally speaking, outright subsidies for the merchant marine have been limited to vessels engaged in foreign trade; for instance, the construction differential subsidy and the operating differential subsidy. Certain aids have been provided for vessels engaged in domestic trade but never before have such outright subsidies been provided for vessels engaged in domestic trade. The bill provides two outright subsidies for the Pan-Atlantic Steamship Corp.

First. The chartering of approximately 17 tankers from the Government's reserve fleet at a rental per vessel of $150,000 per year when, according to testimony of the American Merchant Marine Institute's witness, the commercial value of such a tanker is about $400,000 a year, and the charter rate on such a vessel would be about $225,000 a year if the formula provided for dry-cargo ships under the Merchant Ship Sales Act were applied in this situation. This is the equivalent of a concealed operating subsidy.

Second. For each new tanker to be constructed the Government will take in two dry-cargo vessels for the allowance of credit. The allowance of credit should be "at an amount not less than the fair market value for a comparable vessel if such comparable vessel were to be sold at such time of signing for operation under foreign registry or flag."

According to testimony presented by Mr. M. P. McLean, chairman of the board, Pan-Atlantic Steamship Corp., the allowance for each such dry-cargo vessel under this formula would be $1,600,000. According to other testimony, this is a conservative figure and it might run somewhat higher. In any event, it is to be noted that this is the bare minimum that is to be granted as the allowance. Each of these dry-cargo vessels for which the Government is now to pay $1,600,000 or more was purchased by the Waterman Steamship Corp. from the Government in the years 1947 and 1948 at a price of approximately $957,000. Furthermore, before selling them to Waterman at that price the Government had expended very substantial amounts getting 12 of them in shape and on 10 of them not put in class by the Government Waterman was given reconversion allowances totaling approximately $6,680,000 so that the Government only realized $2,890,000 on the 10 vessels. These were vessels that had cost the Government approximately $3,250,000 each to build just 3 or 4 years before. The subsidy is clear. As an indication of how liberal this subsidy is the Merchant Marine Act now provides that in connection with the purchase of a new tanker the allowance of credit for a traded-in tanker that was sold under the Merchant Ship Sales Act of 1946—as was the case with these dry-cargo vessels—shall be the depreciated net sales price paid to the United States. Thus, on a tanker sold by the United States in 1948 for $957,000 the most the Government could pay the owner as an allowance if that vessel were traded-in in 1956 would be $575,000.

Such a measure as this is in sharp conflict with the National Transportation Policy by providing unfair and unequal competition for one mode of transportation through outright Government subsidy. No national need has been disclosed justifying such a departure from sound policy.

The American Merchant Marine Institute opposed these bills; the Maritime Commission recommended amendments that would have placed these vessels on substantially the same basis as other vessels under the Merchant Ship Sales Act and would have eliminated much of the subsidy provided.

Mr. Speaker, I conclude by saying that certainly the railroads are opposed to this bill. While it is true some 2,000 trucks will be taken off the highways of this country, let me remind you that the railroads launched some months ago a piggy-back program through which they hope to pick up considerable traffic by hauling trailers on flat cars between points of origin and destination. When you take 2,000 trucks off the highway you take away from the piggy-back program of the railroads a potential source of business that could mean employment to hundreds of employees of the railroads. Therefore the railroads are vitally interested, as is railway labor.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Indiana.

Mr. HALLECK. As I read the last section it has to do with capital gains. Whether the gentleman wants to go into that or some member of the committee will explain it, I would like to be enlightened about it.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from North Carolina.

Mr. BONNER. That is the provision in the 1936 act and that just continues in this. It does not change in any way at all any existing law. That is provided for in the 1936 act.

Mr. HALLECK. May I ask the gentleman, What is the net effect of it since these figures have been announced and the gentleman agreed to them? What is the difference between the price that

was paid to get these ships and the price at which they are being turned back to the Government and what effect does that have with respect to capital gains under the income-tax laws?

Mr. BONNER. I cannot answer that. I know the gentleman from Pennsylvania [Mr. VAN ZANDT] wants to be fair. You say this operator is getting a subsidy, but this operator agrees to build 10 tankers that will cost $10 million apiece. The money you speak about that the Maritime Commission will allow him on ships traded in will be invested in these tankers.

Mr. VAN ZANDT. The gentleman is correct?

Mr. BONNER. It will not go to him at all. It will be in the tankers. He is building ten 32,000-ton tankers which the national defense is crying for and he offers them, should the emergency arise, to the national defense.

Mr. VAN ZANDT. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. ZELENKO].

Mr. ZELENKO. Mr. Speaker, there are several other problems involved in this legislation that I should like to bring to the attention of the House. This one operator for whom this bill is tailor made—and his testimony before the committee concedes it—claims that he will be able to take off the roads of America about 2,000 trucks a week. Now, it is very well to solve the traffic problem, but if you are going to create widespread unemployment in the trucking industry, I think we should hesitate and reexamine this bill.

Furthermore, this man is not interested in providing the necessary tanker bottoms for this country at this time. On page 231 of his testimony, he said "If the Government will allow me by law merely to charter tankers for use as tankers I am not interested." The reason he is not interested is that what he really wants is to sell back his cargo ships to the Government on the other side of this bill and get into the tanker field through a side door.

Now, what is going to happen to the labor now engaged in sailing and loading these cargo ships when they are traded in to the Government? Many seamen will be forced out of work. Seamen will lose their present jobs upon the nebulous promise of future work.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ZELENKO. I yield to the gentleman from Iowa.

Mr. GROSS. The Comptroller General makes a point here that I wish the gentleman would comment on. The Comptroller General says that this fleet of new tankers that is to be built will not be limited to coastwise trade. Is that correct? There is no limitation in the bill that these tankers will be limited to coastwise trade.

Mr. ZELENKO. This bill restricts these new vessels to coastwise trade.

Mr. GROSS. No; I do not believe it does, according to the Comptroller General. It does not restrict the tankers to this trade. It does not limit them to coastwise trade.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. ZELENKO. I yield to the gentleman from North Carolina.

Mr. BONNER. There is no doubt about the tankers being limited to coastwise trade. The Maritime Commission in the hearings suggested that they be given the benefit of the offshore trade, but we restricted the tankers to the coastwise trade. These tankers will have superdecks built on them, and the operator did not care anything about other than the coastwise trade unless the national defense wants to take the tankers and use them in the offshore trade for national defense.

Mr. ZELENKO. I have just one more point to make. These people have two tankers which they recently converted into this new idea of trailer trucks on the decks. They started in business on April 26 of this year. That is the testimony of this operator. Whether they will be able to operate successfully or not no one knows, yet we intend to give them what I consider windfalls of about $1 million apiece to get rid of their old cargo vessels.

Mr. BEAMER. Mr. Speaker, will the gentleman yield?

Mr. ZELENKO. I yield to the gentleman from Indiana.

Mr. BEAMER. I would like to ask a question in regard to windfalls. Is it not a fact that probably they paid perhaps $957,000 for these ships some 8 years ago and that they have been amortizing these ships at 5 percent, at least? There is another 40 percent deducted, and that will bring it down to probably $560,000, if we use our pencil correctly. That shows a very nice profit, does it not?

Mr. ZELENKO. I must agree on principle with the gentleman.

Mr. BEAMER. I wonder whether that would not mean $27 million in round figures as a windfall, if we want to call it that, to this particular firm that is being paid by the taxpayers.

Mr. ZELENKO. What this bill means is this: This company promises to save the Government $20 million sometime in the future while they are getting a $20 million windfall at the present time.

Mr. TOLLEFSON. Mr. Speaker, I yield myself 5 minutes.

At the outset let me deny categorically that there would be any windfall to the operator who proposes to take advantage of this proposed legislation. It is true the bill provides for a trade-in allowance at the world market price which we estimate to be $1.6 million for the dry cargo vessels that the operator intends to trade in. It is true also that those vessels were sold by the Government under the Ship Sales Act for a figure considerably less. But we are here dealing with ships. We are not dealing with automobiles. The value of ships will vary from year to year depending upon the business. As of now these ships are worth $1.6 million—or approximately that.

All that would be necessary to be done to accomplish the same purpose as far as this operator is concerned is for him to obtain the permission of the Maritime Administrator to sell those ships foreign and he would get the world market price, which is about $1,600,000. We could have put that provision in the bill if we wanted to, but we did not want to do it because we want these vessels in our reserve fleet. They are the best type of vessels, as our chairman has said, which were built during World War II, and we do not want to see them go foreign. We want them to stay in our own reserve fleet.

Nobody is getting a windfall here. The proposed operator could sell them for that price in the foreign market. All he would need to do would be to have the Maritime Administrator's permission to do so.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Louisiana.

Mr. BOGGS. As the gentleman knows, I share his interest in the merchant marine. I have tried to follow this debate and I have not succeeded too well. I wonder if the gentleman would be kind enough to explain very briefly just exactly what this bill does.

Mr. TOLLEFSON. I would be very happy to do so to the extent of my limited ability.

As the chairman says, we have between 37 and 40 tankers in our reserve fleet. This particular operator wants to charter 20 of them; any 20, not necessarily the Navy's 17 vessels that are there now. We have already agreed with the Navy, and that includes Secretary Thomas, that the Navy should take their 17 vessels out and this operator will take any 20. And he charters them for not to exceed 5 years. The reason he wants to charter them for a 5-year period is to give him an opportunity during that time to build from 8 to 10 supertankers at his own expense. That is the only reason for the charter. He just wants them during the time in which he can build his large tankers.

He is presently converting 2 or 3 ships, 2 or 3 of his presently owned tankers and putting topside a structure to carry dry cargo on the return run, or even while he is carrying oil. He wants to do the same with the new ships that he will build. He also wants to do the same with the tankers that are in our reserve fleet that he will charter.

The Maritime Administration is not opposed to that. Neither is the Department of Defense. They all acknowledge that it would enhance the value of those tankers. Those tankers would go back to the Government at the end of 5 years with that superstructure on it free, of course, to Uncle Sam. Uncle Sam would get those superstructures for nothing.

Mr. Speaker, there were some statements made here which I feel I must answer.

Mr. BOGGS. Mr. Speaker, would the gentleman yield at that point?

Mr. TOLLEFSON. I yield to the gentleman.

Mr. BOGGS. Where does this piggyback business come in?

Mr. TOLLEFSON. This is not really a piggy-back operation, although I suppose it could be compared to it. This structure that he is going to build would be on the top deck of the tanker and it would carry these containers which can be lifted from the truck to the upper deck of the vessel.

Mr. BOGGS. But it would be used as a regular tanker carrying oil?

Mr. TOLLEFSON. That is right. There were some statements made which I should like to answer. I am sorry that the gentleman from New York, who is opposed to this bill, was not present during the extended hearings we had on the bill. It is true that he was present at the executive session. But had he been present at the hearings I think he would have had an entirely different conception from that which he now entertains.

There are no subsidies involved in this bill. There are only 2 types of subsidy under our law. One is a construction subsidy and the other is an operating subsidy. There is no subsidy here despite the allegations to the contrary.

The gentleman from Pennsylvania says in effect that there is an indirect subsidy because of the trade-in allowance. I have explained that trade-in allowance which runs to about $1.6 million per ship.

The operator could sell them foreign for that with the permission of the Maritime Administrator, but we choose to keep them in our reserve, so there is no subsidy at all to him.

Mr. ALLEN of California. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield.

Mr. ALLEN of California. Has it not been the policy recently of the Maritime Commission to permit the transfer of 2 ships to a foreign flag if the operator would agree to build 1 larger ship in an American yard, which is exactly what the arrangement is in this case?

Mr. TOLLEFSON. That is true generally.

I have not placed enough emphasis upon the necessity for our getting a sufficient number of supertankers in our reserve fleet or in our operating fleet. The Defense Department has told us time and time again we are deficient in the number of tankers we have, and for the past 2 years our committee and the Committee on Armed Services have been endeavoring to encourage the construction of supertankers. Those programs have not gone along as well as we had hoped. This is another program which will encourage, not at Government expense but at the expense of the operator himself, the construction of 8 to 10 supertankers.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Florida.

Mr. HALEY. I wonder if the gentleman would elaborate a little bit on the statement made here a while ago that this corporation or this group of people have been in business for only a very short time.

Mr. TOLLEFSON. The Waterman Steamship Co. has been in business for a great many years. The gentleman involved in this transaction has purchased a majority of the stock of the Waterman Steamship Co. However, the Waterman Steamship Co. has been in existence for a great many years.

Mr. ZELENKO. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from New York.

Mr. ZELENKO. I think to clarify that point this statement should be made. The Waterman Steamship Co. as such has been in existence for a great many years, but the particular type of operation in which we are involved now in this legislation this company has been attempting only since April 26 of this year. This is an entirely new type of operation. Nobody knows how it is going to work out. For all practical purposes, he has been in business only 2 months.

Mr. TOLLEFSON. The idea is a new one. As the chairman said at the outset, this is one of the most refreshing ideas that has come along in the maritime industry since it has been my privilege to be on the committee. This is not going to cost Uncle Sam a dollar. Over the period of the charter Uncle Sam is going to make a profit.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Pennsylvania.

Mr. SCOTT. Does the contractor reserve the right to build these new ships in any shipyard he designates, or is there any provision for distribution of new construction around the country?

Mr. TOLLEFSON. This is private construction, but we insist it be done in American yards. He will go where he gets the best bid. We cannot control that.

Mr. SCOTT. He could take all of his construction into one yard if he wanted to?

Mr. TOLLEFSON. If he wanted to.

Mr. SCOTT. Has he indicated any intention to do that?

Mr. TOLLEFSON. No, he has not. Our committee likes to see the ship construction spread among the various yards. We would encourage him to do that.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from Ohio.

Mr. VORYS. As I understand, in this bill the charter hire is lower than the regular rate and the sales price is higher than the regular rate. Is that not right?

Mr. TOLLEFSON. The gentleman has two questions there. The sales price is not higher. His trade-in allowance is the world market price. He can get that by selling these ships foreign, which we do not want him to do. That takes care of that part of it.

The gentleman speaks of charter hire. It is true that the world market charter hire at the present time is about a maximum of $400,000 per year per ship. There is some question about the accuracy of that amount, but let me say that the world charter market varies from year to year. Just a couple of years ago the world charter market was down to $100,000 a year. We provide in this bill for $150,000 a year per ship. We take that as a good average figure. In addition to that, it is part of the inducement to get him to build additional tankers.

Mr. ZELENKO. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield to the gentleman from New York.

Mr. ZELENKO. Can the gentleman tell us why it is that this operator refuses to charter these vessels merely as tankers, if he is interested in providing tankers for this country?

Mr. TOLLEFSON. I think the gentleman is mistaken. He is interested in chartering nothing but tankers from the Government, and the bill so provides.

I think it is essential that I answer one or two questions about this bill. Some remarks have been made in connection with the capital gains tax which is in the last paragraph of the bill. Let me say that the wording of this paragraph is exactly the same as in the 1936 act of 20 years ago. The words are exactly the same and it is much the same as in the case of a man selling his house or trading it in on a new house. This provision does not allow or give this man any advantage that other shipowners do not have when they trade a vessel in.

Mr. ZELENKO. Mr. Speaker, will the gentleman yield?

Mr. TOLLEFSON. I yield.

Does that not, in effect, say that he is testimony, he says:

> We can only do so much and if the bill only changes existing law so as to, in effect, provide for the charter of tankers, our company, for one, will not be able to participate.

Does that not, in effect, say that he is not interested in tankers as such?

Mr. TOLLEFSON. I think if the gentleman were present at the hearings, he would know what was in the mind of the witness and the committee at that time. This is not just a straight charter bill. It is a bill to induce him under an agreement to build from 8 to 10 supertankers, and also to build on the tankers that he charters this superstructure. In other words, it is not limited to just a tanker charter proposal. It would have other features which are contained in the bill that the witness had reference to. This bill speaks for itself. This man is interested in chartering tankers from the Government at what our committee considers to be a reasonable price. There is no subsidy of any kind involved. As a matter of fact, as I have indicated, and as our chairman has indicated, if this program is permitted to go its course and operate for 5 years, and the bill will only run 5 years, Uncle Sam will make a net profit of approximately $10 million according to the estimates. I trust that the House approves the bill. It is a good bill and it is one of the best ideas that has come along in the maritime field since I have been a member of the committee.

Mr. VAN ZANDT. Mr. Speaker, I yield myself 5 minutes.

On page 9 of the committee report, the Comptroller General of the United States has this to say and I quote:

> H. R. 11122 would require the Government to bear the cost of breaking out and laying up and of placing each tanker chartered in good operating condition, including class. It has been the policy of the Administrator to require the charters to bear such costs initially and to take such costs into account in the determination of additional charter hire. These costs could be substantial if major bulkhead and repair work is required to place a tanker in good operating condition, including class, since Maritime representatives have estimated that the cost per

vessel for breaking out and laying up would be approximately $200,000, and for major bulkhead and repair work, approximately $750,000. If the charter hire is approximately $127,000 per annum, and major bulkhead and repair work was involved, the charter hire over the 5-year period would not cover the Government's costs. However, the vessel would be returned to the reserve fleet in a considerably improved condition.

That is the Comptroller General of the United States speaking. He says the cost could be substantial. The Waterman Steamship Corp. chartered these ships at a cost of $957,000 in 1947 and 1948, and now they want to return them to the Government at a price of $1,600,000. Not only will they make a profit of $575,000, but Uncle Sam will be charged the cost of preparing those ships for use and when they are turned back to lay them up again.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. GROSS. That is the point I was trying to make a while ago. The Government and the taxpayers of this country are going to put these tankers in shape before they are turned over. Then, according to the Comptroller General, all we get out of them is $127,000 a year when the Comptroller General says we ought to get approximately $240,000 a year.

Mr. VAN ZANDT. That is right. It might be well for each Member of the House to read the Comptroller General's letter because it certainly explains this legislation.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. BONNER. I certainly hope, because I reached an agreement with our Speaker because of certain arrangements that the Speaker has made, and because of the desire of the minority leader, that he recognize another Member of the House at 5:30 o'clock for another purpose. I have agreed that this vote go over until Friday, and in the meantime I would like to have every Member of the House read this report and inform himself on the bill. If that is done, I feel the bill will be passed without doubt.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. TOLLEFSON. With reference to this trade-in allowance, the gentleman prefers that he sell them foreign for $1,600,000?

Mr. VAN ZANDT. I am not informed as to the world market, but this bill will permit these vessels to be returned to the Maritime Commission at $1,600,000. We must recognize such a transaction as an outright subsidy.

Mr. TOLLEFSON. But on the other hand the gentleman recognizes that if the operator is willing to sell the ships foreign, we lose the ships altogether, and they are worth more than $1,600,000.

Mr. VAN ZANDT. I yield to the gentleman from New York.

Mr. ZELENKO. The gentleman knows he cannot sell these vessels foreign. That is the argument that he has made, that he is now selling them under the American flag. He cannot sell them.

Mr. TOLLEFSON. If the gentleman will yield, the gentleman makes a very positive statement, that he cannot transfer them foreign. The fact of the matter is he can, with the permission of the Maritime Commission, and within the past year or two he has permitted the transfer of 75 or 80 vessels. There is no question in my mind that he would transfer them.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, as amended?

The question was taken; and (on a division) there were—ayes 101, noes 90.

Mr. BONNER. Mr. Speaker, as I stated before, I object to the vote on the ground that there is no quorum, but I am not going to ask for a rollcall vote now. I ask unanimous consent that further proceedings on this bill be postponed until Friday.

The SPEAKER. Is there objection?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 671. Joint resolution making temporary appropriations for the fiscal year 1957, and for other purposes.

READJUSTMENT OF POSTAL RATES

Mr. SMITH of Virginia. Mr. Speaker, I call up the resolution (H. Res. 527) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11380) to readjust postal rates and to establish a congressional policy for the determination of postal rates, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and yield myself such time as I may consume.

This resolution makes in order the so-called postal rate increase bill. It is a straight open rule providing for 3 hours of general debate.

The bill, as you all know, is very controversial, but I hope that the House will adopt the rule so that we may get into the consideration of the merits of this very vexatious question.

As you all know, the postal revenues are running in the red half a billion dollars a year. For a long time they have needed correction and adjustment. The committee has worked hard and in great detail to bring out a bill that would try in some way to level off this deficit and put the Post Office Department on a businesslike basis. I do not know too much about the bill; I am not going to discuss its details. I do know that these rates need correction, and I hope it will be the will of the House to pass the bill. I am supporting the rule and the bill.

Since World War II the average annual postal deficit has been about $460 million. This has been due primarily to the increased cost of employee benefits and transportation which, since 1945, has been approximately $1,689 million.

To eliminate these annual postal deficits H. R. 11380 proposes an increase of 1 cent per ounce on first-class mail which will produce an increase in revenue of $295,700,000. The increase in domestic air mail rates from 6 to 7 cents will produce $16,400,000.

No change is proposed in the rates for second-class mail, that is periodical publications, newspapers and magazines mailed within the county of publication, or on publications maintained by and in the interest of nonprofit religious, educational, agricultural, philanthropic, labor, veterans' or fraternal organizations or associations. The rate increase on second-class mail addressed for delivery outside the county of publication is made in five annual increments and will result, at the end of the 5-year period, in additional revenue of $44,500,000. An increase in the rate of transient second-class mail, that is publications mailed by other than publishers or news agents, will add an additional $800,000 and will place this service on a break-even basis.

The increase in rates for third-class mail will bring a total increase in revenue of $77,000,000.

There is no change in the present rate for controlled circulation publications weighing not over 8 ounces and this rate is also established as a uniform rate for publications weighing over 8 ounces.

The rate on books is changed from 8 cents on the first pound and 4 cents on each additional pound to 10 cents on the first pound and 4 cents on each additional pound. However, the category of items entitled to the book rate is substantially increased under the bill.

The total estimated increase in revenues when all the rates are in effect will amount to $430,100,000.

It should be pointed out that this bill has no provision for changing the size and weight of parcel post packages.

Title 2 of the bill relates to the establishment of a policy for postal rates by the Congress to provide an adequate, economical and efficient postal service at just and reasonable rates. It is proposed to accomplish this by adjusting postal rates, following periodical surveys of the postal-rate structure, expenses and revenues, so that the adjusted revenues will be approximately equivalent to the total amount of expenses.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may use.

The able gentleman, my dear friend from Virginia, has told you about the rule.

Mr. Speaker, I believe this to be one of the most meritorious bills that has come before the Congress in a long time, I think this bill could probably be called the congressional financial responsibility bill for 1956. The Committee on the Post Office and Civil Service has held 22 meetings; they have listened to 150 witnesses on this legislation designed to bring about a change in that vast deficit in our Post Office Department.

During the past 10 years the postal deficit has run to $4,600,000,000. Our taxpayers are paying toward that deficit $60,000 per hour, hour after hour, week after week, and year after year.

What brought about this deficit in the Post Office Department? Many of us here have justly time after time raised the salaries of our postal workers. There are 500,000 postal workers and many of us come here year after year and vote to increase their salaries, which are part of the operating expense of the Post Office Department. I now wonder who, if any, here in this House after continually voting raises in postal salaries and other operating expenses for the Postal Department are going to vote against providing for these additional expenditures which we, the Members of this body and the other body, have created.

Mr. Speaker, I want to talk briefly about the first-class mail. In 1932, at a time when we were in a depression, the first-class mail rate was raised from 2 to 3 cents. That is a 50 percent increase. At this time of great prosperity, we are asking for a raise of 25 percent to take care of this vast deficit in the Post Office Department. Some will argue that the first-class mail is paying its way. To them I say that perhaps we would have to consider, if we wanted to have some stability at all, putting the Post Office Department in the same category as other businesses. For instance, I feel certain that the passenger service of the railroads is losing hundreds of millions of dollars a year. The only way that can be made up is through the freight end to take care of that difference. The same principle is involved here, although, personally, I doubt whether the present rate of 3 cents is taking care of the first-class mail when you take into consideration the extra service given the people who use first-class mail, including the cost of post office buildings, and so forth.

It has not been so long ago that we raised the post-card rate from 1 to 2 cents. I recall very vividly many Members of Congress taking the floor here and stating there would be a great hue and cry from back home that would shake the halls of the Capitol if we provided this increase. I was here at that time and voted for that increase of 1 cent in the postal card rate and I did not receive any cries from back home. I do not remember of even receiving one letter from my people. I am convinced that the people generally want Members of Congress to have some stability and some financial responsibility. I do not believe that the average person back home understands when Members of Congress continually raise the operating expenses of the Post Office Department and then vote against bills to provide the additional revenue.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. I wonder if the gentleman can tell me how much taxes were increased upon the pay increase granted classified workers in the Federal Government?

Mr. ALLEN of Illinois. I do not know the percentage for the past 10 years. I do know that the postal workers have received extensive raises.

Mr. GROSS. I am not asking about income taxes. I refer to taxes that were raised to fund the increase in pay to classified employees?

Mr. ALLEN of Illinois. I do not wish to get into any income tax here. I do know, Mr. Speaker, that the average American citizen knows of the increase whether they pay through taxes or pay through the ticket window when they go to buy the stamps. I do not think they realize that there is much difference. But they would prefer, I believe, to pay at the ticket window the amount of this deficit in preference to additional taxation because then those who use the mail will be charged according to how much they use the mails.

Many speak about the little fellow. Who, in fact, is being benefited by these low rates that have caused this postal deficit? Well, we know it is the large publications. We hear so much about the little fellow, but we know that magazines dealing with Howdy-Doody, love romances, and 10 years in a harem, and so forth, have been sent all over the United States during the past 10 years at the taxpayers' expense; all that trash that we see on the newsstands, and they have been given subsidies amounting to tens of millions of dollars annually by not paying their way. So, when we talk about helping the little fellow, maybe we better be cognizant of just who is being benefited. If we do not pass this bill, these publications that I have mentioned will continue to receive many tens of millions of dollars of subsidy through low mail rates.

Now, who, Mr. Speaker, is for this bill? The President of the United States, the Secretary of the Treasury, the Postmaster General, ex-Postmaster General Farley, and ex-Postmaster General Donaldson. We had representatives of Sears Roebuck before us.

In the event that this bill passes, they said that it will mean an increase of over $800,000 a year, but they are for it. The Burroughs adding machine people were before us, and they said it will cost them an additional $800,000 a year if this bill passes. The Manufacturers Association, an organization that represents big business, are for it. So, I say to you that about every responsible person and group came in and they favored this bill.

In conclusion, Mr. Speaker, we appreciate that this is an election year. But, I hope my opponent brings this issue up. I would like to discuss it with him, in the event he feels that this Government should not meet its responsibility and should continue to again and again and again vote for things which will add to the operating expenses of the postal department and not provide sufficient revenue. So, I hope that my opponent does take the floor and make an issue of Government financial responsibility.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman talked about an election year. Just confining it to that, you do not mean by that that Members might vote against the bill——

Mr. ALLEN of Illinois. My remark was not intended about any Member. I was talking about my opponent, who is not a Member.

Mr. McCORMACK. You were talking about an election year. A bill was reported out in an election year in the 83d Congress, in February, and it was never brought up. Your party was in control. Why did you not bring it up at that time?

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Indiana.

Mr. HALLECK. We did bring up almost this identical provision. Now we are talking today about a rate increase.

Mr. McCORMACK. Oh, yes. You brought up another bill——

Mr. HALLECK. Just a moment. I have the floor, as I understand it. Now, we put a rate increase in with the postal pay increase that so many of you over there were so anxious to have passed, and all we said to you was, if you want to vote a lot more money out in pay, you ought to have courage enough to vote for something to take care of it. If you want to point the finger of responsibility at some of us who are now for this rate increase, that is perfectly all right with me. I think the gentleman from Illinois is on sound ground when he said that whoever our opponents may be, at the proper time we will meet them. But, I do not want it said here that in the 83d Congress we did not present to the House of Representatives an opportunity to vote for a rate increase almost identical with this one.

Mr. McCORMACK. Of course, the gentleman from Indiana knows that that statement is not completely correct. You did not bring up the postal rate increase bill which was reported out of committee. What you attempted to do was to combine a pay raise increase and a postal increase and put it through under suspension of the rules, and you just could not get away with it. That is all.

Mr. HALLECK. We had a majority on that vote, but if I may say so, election year or no election year, the bill should have been passed. It was a good bill then. It would have saved the deficit we had since that time. But, we just did not have enough support from people who failed to meet their responsibility in respect to the fiscal affairs of the Government of the United States.

Mr. McCORMACK. All you had to do was to get a rule. There were 8 Republican members on the Committee on Rules. All you had to do was get a rule and bring it up where a majority vote was all that was necessary, but you did not do it.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman.

Mr. CEDERBERG. Mr. Speaker, I would not want to charge any election-year politics in this matter, but there is something strange here somewhere. The Democratic chairman of our committee is in favor of this particular postal-rate increase. The gentleman from Virginia [Mr. GARY], the chairman of the Subcommittee on Appropriations, which handles the appropriations for the Post Office Department, is in favor of it. He sits on the Democratic side of the aisle. He testified in behalf of the bill. There are a number of reports from the Committee on Appropriations that admonish the Post Office and Civil Service Committee to do something about rates. That is the leadership on the Democratic side of the aisle, who know the most about the post-office problem. The leadership on that side of the aisle does not seem to follow the committee leadership of the Committee on Appropriations or the legislative committee. I do not know what can be charged there, but there is a question somewhere.

Mr. HALLECK. Mr. Speaker, will the gentleman yield to me?

Mr. ALLEN of Illinois. I yield to the gentleman from Indiana.

Mr. HALLECK. Since the matter of the attitude of the Subcommittee on Appropriations has been brought up, I should like to commend those people who have to deal with the problem of appropriating the money. As I understand it, all seven members of that subcommittee join in this statement, in the report on the bill this year:

> The postal deficit having reached the estimated figure of $470 million, the committee cannot avoid again expressing concern that some action must be taken to get postal rates more appropriate to the costs of the service. Many items previously charged to the postal service, but not properly a part of operating costs (airline subsidies, etc.) have now either been eliminated or transferred to a more proper place in the Federal fiscal structure. There remain in these appropriation items but the costs of handling the mails, and it is obvious that the presently established rates are woefully inadequate to compensate for such necessary expenditures.

All I say we are doing, those of us who support this bill—and I am one of them, and I am happy to stand with the President who has asked for this action time and time again—all we are doing here now is to meet the responsibility for the deficit that recurs from year to year in the Post Office Department. For my part, I am perfectly willing to meet it.

Mr. ALLEN of Illinois. Mr. Speaker, perhaps some will get up here and say that the Department is a service. To them I would say that the people of the United States are entitled to have water, but the municipalities in our various States, when they bring that water into a person's home, although they know the people are entitled to the water, perhaps as much as they are to the postal service, bill them a certain rate for that water.

Mr. Speaker, in conclusion may I say to my good friend from Massachusetts [Mr. McCORMACK], in order that we might have a meeting of the minds, that I did not mean to imply in anyway that there would be anyone here who would vote for the increases that raise the operating expenses of the Post Office Department, and ask for more salary raises, and continue to cry for more raises, and then turn around and vote against supplying the necessary revenue in order to pay for those things for which they voted.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I opposed the rule for the pending bill H. R. 11830 when it was considered by the Rules Committee last week. An open rule has been granted on this legislation which provides for an increase in the first-class letter rate from 3 cents to 4 cents an ounce.

The cost of handling the average first-class letter is 3.3 cents. The revenue from the same letter averages 3.6 cents. First-class letter mail showed a profit of $87,371,144 in fiscal 1955.

A great deal of propaganda has been generated, attempting to show that first-class mail loses money. The fact is stressed that everything else has gone up in price, why not the 3-cent stamp. The truth is that first-class mail has been more than paying its way since 1932. It still makes a profit.

The increase urged by the Postmaster General is nothing more than a tax on the little fellow. The main witnesses for the bill were Republic Steel, the Burroughs Corp., Coca-Cola, Sears, Roebuck, and the National Association of Manufacturers.

Aside from being able to write off their postage bills in taxes or increased prices, these mammoth corporations see an opportunity to saddle the ordinary citizen with this $295 million tax.

If first class users were not paying their way, there might be some justification for an increase. Only a General Motors alumnus would propose such an unjustified tax on a category of mail which has been paying its way for the past 24 years.

The report on the bill would lead us to believe that there was little opposition to increased postal rates, particularly first class. Such is not the case; 145 witnesses made the pilgrimage to the House Committee on Post Office and Civil Service to testify at the hearings. The overwhelming majority of them were opposed to this bill. Many pointed out the inequity of increasing first-class mail rates. We must also keep in mind that although all citizens use first class mail, they have no organization to keep them advised of what is happening and to speak for them. Congress is their spokesman.

One important fact about the postal service is purposely ignored. The Department's deficit is only 15 percent of its total income. No other agency of Government begins to approach that record. Yet the postal service is the only Government service used by all of our people day in and day out. Higher rates will only reduce the volume of mail. I cannot see how the service will be improved or revenue increased if this bill is passed.

We are told the deficit presently is $470 million. Members will be interested in learning what causes this deficit. I shall list these items for your information. They are from the Department's own 1955 cost figures:

Second class mail	$212,000,000
Third class mail	172,000,000
Books	14,240,000
Special services (COD, registered mail, etc.)	48,000,000
Post and postal cards	38,500,000
Free or subsidized items (free mail for the blind, philanthropic mail, etc.)	30,000,000
Total	514,740,000

If the Postmaster General wishes to balance the postal budget why does he not recommend raising the rates on the the above classes of mail which is responsible for the deficit. Why load this special privilege subsidy on the backs of the first-class 3-cent postal patron? He pays his postal obligation.

The American people and especially the taxpayer in the smaller bracket are paying a high income-tax rate under present conditions. The greatest privilege which these millions of taxpayers receive for their financial sacrifice is the daily service and contact which they enjoy from the Post Office Department.

I do not think that the taxpayers of America desire the Post Office Department to be conducted on a profit and loss basis. This is one Department of our Government from which the public desires and enjoys daily service. The Congress could very easily make some much needed changes in tax concessions which have been granted to monopolies and other special privilege groups through mail subsidies, etc.

In both the 83d and 84th sessions of Congress, in all tax legislation, the little taxpayer was left on the outside and could only see the mellon cutting through a knot-hole. This legislation will make the knot-hole a little smaller for the people who need it most.

This postal increase on first-class mail is nothing more than another tax on the general public and should be defeated.

Somebody mentioned about our colleague the gentleman from Virginia [Mr. GARY] testifying. I will read what he said in his testimony:

> Our committee has always felt that the rate should be increased so that the users of the various classes of mail would pay for the services they are receiving.

If the users of the various classes of mail were paying their just share under this bill there would not be so much opposition to this bill. Bear this in mind, that no matter how you are going to figure this tax $290 million will be added to the tax load of the millions over the country that go in and buy 3-cent stamps.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The tax in the case of the increase in the first-class rate is a 33⅓ users' tax.

Mr. MADDEN. That is true. I am glad the gentleman from Massachusetts mentioned that.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman referred to the testimony of the gentleman from Virginia [Mr. GARY] before the committee. As I get it from what the gentleman said, he too, feels that action should be taken at least to some degree to wipe out the deficit in the Post Office Department.

Mr. MADDEN. Certainly. I am in favor of that.

Mr. HALLECK. So I take it the gentleman would be in favor of this rule.

Mr. MADDEN. I am not opposing the rule. I want the Members to debate this bill and find out the true facts. I voted against the rule in committee, I will say to the gentleman.

Mr. HALLECK. I can appreciate that, but what I was interested in knowing at this point is whether or not the real matter of contest was being made on the adoption of the rule. As I understand the gentleman, he thinks the increases in respect to second- and third-class rates should be greater than are contained in the bill.

Mr. MADDEN. I think the postal costs should be equally distributed and I do not mean by that the little weekly or country newspaper as they are already sharing their postal tax burden.

Somebody mentioned our good friend Jim Farley testifying. He is one of the big men in Coca-Cola.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield.

Mr. CEDERBERG. I find myself in the unique position of trying to defend a former Postmaster General of your administration. To set the record straight, if I understand correctly, the chairman of our committee requested that former Postmaster General Farley appear before our committee as a former Postmaster General who knows something about the problems of the Post Office Department.

Mr. MADDEN. He was also appearing as a representative of Coca-Cola Co.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield.

Mr. CANFIELD. I wonder if the gentleman recalls 2 years ago Mr. William C. Dougherty, vice president of the American Federation of Labor and president of the National Association of Letter Carriers appeared before the legislative committee contending for a 5 cent stamp for first-class mail.

Mr. MADDEN. I do not recollect that, but I do say Dougherty is not repsenting the 160-odd million people who are paying 3 cents for stamps every day.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Speaker, H. R. 11380, the postal rate increase bill, is scheduled for action in the House soon. The question naturally arises, "Why should Congress increase postal rates?" As I see it there are two very good reasons for Congress to act favorably on H. R. 11380.

First, Mr. Speaker, Congress itself is solely responsible for the $430 million yearly deficit in the Post Office Department, because during the past 15 years Congress has voted almost unanimously for one pay increase after another for postal employees, pay increases that now total over $1 billion per year; and so far Congress has refused to face the fact that increased expenditures without increased receipts mean deficits.

Being solely responsible for the postal deficits, Congress is now obligated to increase the Post Office income by legislating increased postal rates.

Second, Mr. Speaker, it is a fact that increased postal rates will actually mean a saving to individuals and families. At present 60 percent of $430 million yearly deficit is paid out of taxes levied upon individuals. If this deficit were made up through increased postal rates, 80 percent of it would be paid for by business concerns, the large users of the mail.

The switch from taxes to increased rates to make up the deficit, Mr. Speaker, will actually mean a saving of $130 million per year for individuals that use the mail, and, of course, that much extra for business houses to pay each year for mail service.

A postal rate increase to make up the postal deficit will not only place the cost of postal service where it belongs, upon the large mail users, but it will also end postal deficits, give relief to individual taxpayers, provide better mail service, prevent free-loading by large users of the mail, and establish a pay-as-you-go sound fiscal policy for the Post Office Department.

Mr. Speaker, H. R. 11380, the postal rate increase bill, should receive almost unanimous support in this House. We alone are responsible for the deficit. We alone have the responsibility and the duty to wipe it out by voting for a postal rate increase.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. WILSON].

Mr. WILSON of California. Mr. Speaker, as the only advertising man in Congress, I should like to call the attention of my distinguished colleagues to a few home truths about the risks involved in this proposal to more than double postal charges on the advertising pages of magazines. Advertising, I sometimes think, is one of the most maligned and least understood professions in the country. Admen are supposed to know how to use words, but we seem to use them to sell everything under the sun except ourselves.

I have heard people who should know better, including some college professors, say the cost of advertising is an unjustified burden on the consumer—that it raises the prices Americans pay for the necessities and luxuries of life.

How ridiculous that is. Far from costing the consumer money, advertising saves him millions of dollars a year. We can hold the prices of our products down only through mass distribution. We can obtain mass distribution only by informing the maximum number of people of just what the products of American industry can do for them. That is the function of advertising.

When Elias Howe invented the sewing machine, advertising as we know it did not exist. The result was that he made only a few prototype machines, costing hundreds of dollars apiece. Nobody knew about them, and almost nobody could have afforded them anyway. Years after inventing the sewing machine, Howe was so poor that he had to borrow the suit of clothes he wore to his own wife's funeral. Yet as soon as the art of advertising became general, and American housewives learned about the convenience of the sewing machine, they bought hundreds of thousands at a price they could afford to pay.

The continued development of the American economy in the years immediately ahead will depend in no small measure on how effectively we can display to the people the goods and services we have available. Even in the war for men's minds abroad, the part played by advertising cannot be overestimated. The other day, for instance, a friend from Indonesia wrote me that even old American magazines are at a premium there—and that the Indonesians find the colorful ads as informative and absorbing as the editorial content.

Advertisements, after all, are news in a most fundamental sense. They tell us the things we have to know if we are going to live better today than yesterday, and still better tomorrow than today.

Not only as an advertising man, but as an American, I become alarmed when I hear proposals to increase postage rates on magazines and newspapers according to a scale based on the number of advertising pages. Those pages do not just benefit the advertiser or the magazine—they benefit the consumer. It is true that there are other outlets for advertising besides magazines and newspapers. Only in print, however, is it possible to select the customers who will be particularly interested in the manufacturer's own product. If he manufactures model trains, he can advertise in a magazine devoted to model trains. If he makes school equipment, he can advertise in a magazine for school administrators. His advertisement, moreover, is on the record for all to see. It can be referred to again and again.

Advertising in magazines and newspapers is an essential factor in our economy. The proposed 120-percent postal-rate increase for advertising pages would be a disserve, not simply to publications but to the future of our country. I hope it will be eliminated from this bill.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. MOSS].

Mr. MOSS. Mr. Speaker, I urge the adoption of this rule in order that we may have the extended debate necessary to tear down the great fabric of misin-

formation which has been so carefully spread across this Nation.

The distinguished gentleman from Illinois [Mr. ALLEN] said this should be known as the congressional financial responsibility bill of 1956. I have another recommendation, that it be known as the Postal Tax Act of 1956, because as it increases the rate on first-class mail from 3 to 4 cents, it levies on the average user of the mail a 1-cent tax aggregating $290 million over a year's time. I call it a tax because it cannot be justified as a rate; you do not set rates that produce far more revenue than is needed. This would be a tax to underwrite serious deficiencies in other rates.

You are going to be told that first-class mail does not pay its way. It does. That can be proven conclusively; it can be proven by the cost ascertainment figures of the Post Office Department itself, figures which incidentally have been vigorously defended before our committee.

Then they will tell you that those figures are not correct in the case of first-class mail, that they do not reflect the preferential treatment. I questioned Mr. Maurice H. Stans, the Deputy Postmaster General as to the method of putting together the cost ascertainment figures. It was his statement that the figures do reflect the preferential handling of first-class mail.

Why, then, are we seeking to raise the greatest amount of money, the bulk of the postal revenue, from the first-class user? The answer is—because he is not organized. He has no highly articulate lobby to help him. He cannot come here, there are too many of him. The first-class user of the mail is a soft touch.

It is going to be stated—I know that the gentleman from Michigan is rising to make the contention—that 75 percent of first-class mail is business mail. The distinguished gentleman from Illinois [Mr. MASON] said 80 percent is business mail. No one can tell you how much of it is business mail. Your guess is as good as any that will be offered on this floor.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I did not make the statement that the gentleman has made for me. But am I not correct that the gentleman proposed or was about to propose in the committee that the first-class rate be raised to 3½ cents?

Mr. MOSS. The gentleman is making an assumption. However, if the committee had proceeded in a logical fashion to consider the need for additional revenues perhaps from first-class mail, I would have been willing, but the committee went at its job backward. We have in this bill which will be before the House upon adoption of the rule a postal policy statement which we immediately proceeded to violate. Instead of adopting the policy, then logically proceeding to an implementation of that policy and the setting of rates, we grabbed hold of the rate which had been proposed by the Postmaster General. Then we adopted a policy, one which is not at all consistent with the rates we established. Until that policy is consistent with rates or rates are consistent with policy, we have failed to do a responsible job of ratemaking. This is a ratemaking procedure, not a tax setting procedure.

The SPEAKER. The time of the gentleman from California has expired.

Mr. SMITH of Virginia. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. CEDERBERG. Whatever this Congress does in its wisdom is in effect policy, is that not correct?

Mr. MOSS. By accident, yes. I prefer a policy by deliberate, careful thought.

Mr. CEDERBERG. Let us assume that the policy agreed upon was one that the gentleman agreed with, would the gentleman say he would favor a 3½ cent first-class rate?

Mr. MOSS. The gentleman would reach no conclusion at all until he saw what the policy led to.

Mr. CEDERBERG. There was a 3½ cent proposal about to be made. I do not know whether it was ever made, but I am sure the gentleman indicated he was in favor of it.

Mr. MOSS. The gentleman never offered a 3½ cent rate unless policy proved the need for it. I would not have offered the 3½ cent rate otherwise, but if we had a sound policy, a carefully thought-out policy, and it required a 3½ cent rate, then I would go ahead and vote for it and fight for it on the floor here. I do not believe in levying in the guise of rates the type of tax which is proposed in this legislation.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. MURRAY].

Mr. MURRAY of Tennessee. Mr. Speaker, the bill upon which the rule is requested was introduced by me. I am glad to be the author of this bill. I accept full sponsorship for it, as it is nonpartisan, nonpolitical legislation which is in the best interests of our Nation. I am not going to debate the merits of the bill because it is not necessary at this time. There is no opposition to the rule, insofar as I know. The distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK] who has been very fair and frank with me about this legislation, assured me last Friday that insofar as he was concerned, he was not opposing the rule. Is that correct?

Mr. McCORMACK. That is correct.

Mr. MURRAY of Tennessee. I do not know of any opposition that has been expressed against this rule. No one appeared before the Rules Committee against it.

Mr. Speaker, I do not want to take up any further time as the hour is growing late. I do not want to argue the merits of the bill at this time but I will do so when the bill is considered by the House. When this bill is considered in general debate I ask you to give me your careful attention, and I hope that I can convince you this is a fair, a just bill, and should be passed in the interest of economy and the reduction of the huge annual deficit of the Post Office Department. I sincerely trust that the Members will reserve judgment upon this measure until the general debate is concluded.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CITY OF ELKINS, W. VA.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2182) for the relief of the city of Elkins, W. Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the city of Elkins, W. Va., is hereby relieved of all liability to repay the United States the sum of $75,000 (plus any interest which may have accrued thereon), which amount represents a loan made to such city by the United States on April 5, 1943, through the Reconstruction Finance Corporation. In the settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for all amounts for which liability is relieved by this act.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That all of the airport revenue bonds issued by the city of Elkins, W. Va., presently held by the Reconstruction Finance Corporation, and amounts due thereon or in connection therewith, are hereby transferred to the Civil Aeronautics Administration, together with all functions, rights, powers, and records of the Reconstruction Finance Corporation relating to the said bonds. All receipts and recoveries hereafter with respect to said bonds shall be covered into the Treasury as miscellaneous receipts.

"SEC. 2. In the settlement of its accounts the Reconstruction Finance Corporation shall receive full credit for the said bonds and all amounts due thereon or in connection therewith."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NORTHEAST FLORIDA ROUTE CASE

Mr. BYRNE of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, the Civil Aeronautics Board will shortly commence hearings in the prolonged Northeast-Florida route case, a proceeding which has dragged on for four years.

In this period, the people of Philadelphia and the Delaware Valley area have been denied adequate north-south air transport. Our airport facilities are excellent, the demand for accommodations is great, and the inability of Philadelphians to get aboard airplanes in their home city has been a major irritant and inconvenience for much too long.

As the Board will learn in the forthcoming hearings, Mr. Speaker, feeling against the current state of affairs is running high. It is bipartisan. There is no good reason for subjecting Philadelphians to the inconvenience and harrassment of having to travel for two hours to another metropolitan area in order to get a seat aboard a Florida-bound plane.

Happily, a solution has been proposed in Pan American World Airways application to operate on the Northeast-Florida route. Pan American is ready, willing and able, to make Philadelphia one of its northern coterminals for such service. The other two would be New York and Boston, which are now linked by Pan American with the cities of Western Europe and San Juan, Puerto Rico.

The Pan American application would offer Philadelphia one-carrier service not only to Miami, but to cities throughout Latin America into which Pan American's inter-American division now flies. The advantages of such operations to the Delaware Valley's vast industrial complex, which depends in large degree on trade with our neighbors to the south for key raw materials, and on their markets for our manufactured products, are obvious.

Pan American is willing, able, and ready to make good on its promises, and is awaiting only the authorization of the Board to initiate schedules to Florida and to Latin America.

In its application, Pan American has the wholehearted support of Philadelphia, as expressed by Mayor Richardson Dilworth, Commerce Director Frederic R. Mann, the Greater Philadelphia Chamber of Commerce, the leading dailies of the community, and, above all, the general public, whose convenience and needs should be a primary determinant of the merits in this case.

It should be noted that Pan American is the only carrier prepared to provide one-plane service of a standout character to points beyond Miami in the Caribbean, Central America, and South America. The company would begin with 3 daily nonstop flights to Miami, 2 of them continuing to Latin American ports of call. The equipment would be DC–7B's and DC–7C's pending the delivery of jets in 1959.

The planes which Pan American would use immediately on certification, Mr. Speaker, would not only have seats for Philadelphians, but would carry them to their destination in Florida by nearly 2 hours less in flying time than is now the case on this route.

In a joint statement 4 months ago, Mayor Dilworth and Mr. Mann underscored their partiality for Pan American's case on these grounds:

First. A fifth of the 5,000 passengers per month in 1954 on the Miami-Philadelphia route were international passengers taking off from Latin American and European ports or bound for these continents.

Second. Because of the nature of Pan American's worldwide operations, the carrier could schedule increased through service between Europe and Latin America via Philadelphia.

Third. Pan American has the flexibility to expand services to Florida during the heavy traffic period winter months, when Atlantic traffic is at a low point, and equipment can be diverted to domestic service.

Fourth—

We are impressed with the fact that all profits derived from the operation of these improved services will be applied entirely to reduce the company's subsidy requirements. These profits will, therefore, result in a corresponding saving to taxpayers.

Despite the prevailing humidity in Washington, Mr. Speaker, it will not be long before another winter season is at hand, and the demand for air accommodations to southern points is soaring. I trust, Mr. Speaker, that the Board will alleviate the conditions which have hamstrung the progress of commercial aviation on the United States east coast for the past 4 years.

PROTECTION OF PUBLIC PROPERTY NEAR SHORES OF UNITED STATES

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, in March of 1955 I introduced a bill to provide for the protection of public property near the shores of the United States from the damages of waves and currents, a beach erosion measure.

As a member of the Rivers and Harbors Subcommittee of the Public Works Committee, I heard the extensive hearings on H. R. 11861 and other similar bills, including my own and I am most encouraged that the House today acted favorably on this bill entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property" as introduced by my distinguished colleague, Mr. AUCHINCLOSS, of New Jersey.

I have had the privilege of working closely with Mr. AUCHINCLOSS on this matter, important to both his State and my State of Florida, they being two of the States in our country vitally interested in adequate beach-erosion control. At previous points in the record I have indicated the necessity of this legislation.

The bill passed contains language quite similar to that of my bill, so far as extending the 30-percent grant authority of the Federal Government is concerned in that it provides:

Shores other than public shall be eligible for Federal assistance if there is benefit such as that arising from public use or from the protection of nearby public property or if the benefits to those shores are incidental to the project, and the Federal contribution to the project shall be adjusted in accordance with the degree of such benefits.

Thus, the problem of acquiring justified Federal assistance to protect the public property that does not actually abut on the water but is threatened by erosion is recognized and affirmatively dealt with. Previously, erosion protection for public property abutting on the water only had been provided with Federal matching funds. This has presented a real problem to communities such as in my district where miles of roads, for instance, that do not actually abut on the water but that are sufficiently close to be subject to beach erosion have been denied matching funds. This bill recognizes the principle set out in my bill and I am happy to have had a part in its consideration and to have been able to support it on the floor of the House today.

PENSIONS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to draw attention to the fact that I introduced today and last week two bills for increases in compensation and also increases in certain pensions for widows and dependents.

WILLFUL DESTRUCTION OF AIRCRAFT OR MOTOR VEHICLES

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 2972), to punish the willful damaging or destroying of aircraft and attempts to damage or destroy aircraft, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2287)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 2972, an act to punish the willful damaging or destroying of aircraft and attempts to damage or destroy aircraft, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House which are as follows:

Strike out all after the enacting clause and insert: "That title 18 of the United States Code is amended by inserting immediately after section 14 thereof the following new chapter:

" 'CHAPTER 2. AIRCRAFT AND MOTOR VEHICLES

" 'Sec.

" '31. Definitions.

" '32. Destruction of aircraft or aircraft facilities.

" '33. Destruction of motor vehicles or motor vehicle facilities.

" '34. Penalty when death results.

" '35. Imparting or conveying false information.

"'§ 31. Definitions

"'When used in this chapter the term—

"'"Aircraft engine", "air navigation facility", "appliance", "civil aircraft", "foreign air commerce", "interstate air commerce", "landing area", "overseas air commerce", "propeller", and "spare part" shall have the meaning ascribed to those terms in the Civil Aeronautics Act of 1938, as amended.

"'"Motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, or passengers and property;

"'"Destructive substance" means any explosive substance, flammable material, infernal machine, or other chemical, mechanical, or radioactive device or matter of a combustible, contaminative, corrosive, or explosive nature; and

"'"Used for commercial purposes" means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit.

"'§ 32. Destruction of aircraft or aircraft facilities

"'Whoever willfully sets fire to, damages, destroys, disables, or wrecks any civil aircraft used, operated, or employed in interstate, overseas, or foreign air commerce; or

"'Whoever willfully sets fire to, damages, destroys, disables, or wrecks any aircraft engine, propeller, appliance, or spare part with intent to damage, destroy, disable, or wreck any such aircraft; or

"'Whoever, with like intent, willfully places or causes to be placed any destructive substance in, upon, or in proximity to any such aircraft, or any aircraft engine, propeller, appliance, spare part, fuel, lubricant, hydraulic fluid, or other material used or intended to be used in connection with the operation of any such aircraft, or any cargo carried or intended to be carried on any such aircraft, or otherwise makes or causes to be made any such aircraft, aircraft engine, propeller, appliance, spare part, fuel, lubricant, hydraulic fluid, or other material unworkable or unusable or hazardous to work or use; or

"'Whoever, with like intent, willfully sets fire to, damages, destroys, disables, or wrecks, or places or causes to be placed any destructive substance in, upon, or in proximity to any shop, supply, structure, station, depot, terminal, hangar, ramp, landing area, air-navigation facility or other facility, warehouse, property, machine, or apparatus used or intended to be used in connection with the operation, loading, or unloading of any such aircraft or making any such aircraft ready for flight, or otherwise makes or causes to be made any such shop, supply, structure, station, depot, terminal, hangar, ramp, landing area, air-navigation facility or other facility, warehouse, property, machine, or apparatus unworkable or unusable or hazardous to work or use; or

"'Whoever, with like intent, willfully incapacitates any member of the crew of any such aircraft; or

"'Whoever willfully attempts to do any of the aforesaid acts or things—

"'shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

"'§ 33. Destruction of motor vehicles or motor vehicle facilities

"'Whoever willfully, with intent to endanger the safety of any person on board or anyone who he believes will board the same, or with a reckless disregard for the safety of human life, damages, disables, destroys, tampers with, or places or causes to be placed any explosive or other destructive substance in, upon, or in proximity to, any motor vehicle which is used, operated, or employed in interstate or foreign commerce, or its cargo or material used or intended to be used in connection with its operation; or

"'Whoever willfully, with like intent, damages, disables, destroys, sets fire to, tampers with, or places or causes to be placed any explosive or other destructive substance in, upon, or in proximity to any garage, terminal, structure, supply, or facility used in the operation of, or in support of the operation of, motor vehicles engaged in interstate or foreign commerce or otherwise makes or causes such property to be made unworkable, unusable, or hazardous to work or use; or

"'Whoever, with like intent, willfully disables or incapacitates any driver or person employed in connection with the operation or maintenance of the motor vehicle, or in any way lessens the ability of such person to perform his duties as such; or

"'Whoever willfully attempts to do any of the aforesaid acts—

shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

"'§ 34. Penalty when death results

"'Whoever is convicted of any crime prohibited by this chapter, which has resulted in the death of any person, shall be subject also to the death penalty or to imprisonment for life, if the jury shall in its discretion so direct, or, in the case of a plea of guilty, or a plea of not guilty where the defendant has waived a trial by jury, if the court in its discretion shall so order.

"'§ 35. Imparting or conveying false information

"'Whoever willfully imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by this chapter or chapter 97 or chapter 111 of this title—

shall be fined not more than $1,000, or imprisoned not more than one year, or both.'

"SEC. 2. The part analysis preceding chapter 1 of title 18, United States Code, is amended by inserting between chapters 1 and 3 the following item:

"'2. Aircraft and motor vehicles..... 31'"

Amend the title so as to read: "An act to punish the willful damaging or destroying of aircraft or motor vehicles, and their facilities, and for other purposes."

And agree to the same.

OREN HARRIS,
JOHN BELL WILLIAMS,
E. E. WILLIS,
CHAS. A. WOLVERTON,
SHEPARD J. CRUMPACKER,
Managers on the Part of the House.

WARREN G. MAGNUSON,
MIKE MONRONEY,
GEO. A. SMATHERS,
ANDREW F. SCHOEPPEL,
WILLIAM A. PURTELL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 2972) to punish the willful damaging or destroying of aircraft and attempts to damage or destroy aircraft, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

The one issue of concern at the conference was the interpretation of the scope of the term "motor vehicles" as defined in the bill. It was agreed that the term "motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, or passengers and property. It does not extend to motor vehicles, including commercial motor vehicles, used merely for the transportation of property, or for personal or private purposes.

OREN HARRIS,
JOHN BELL WILLIAMS,
EDWIN E. WILLIS,
CHARLES A. WOLVERTON,
SHEPARD J. CRUMPACKER.
Managers on the Part of the House.

Mr. HARRIS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

IRELAND'S JEWISH LORD MAYOR OF DUBLIN

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Speaker, why should we not all join in extending an invitation to Honorable Robert Briscoe, the first Jewish lord mayor of Dublin, to visit with us?

The following newspaper article contained in the New York Herald Tribune of Sunday, July 1, 1956, is highly interesting:

BOTH RACES HERE HAIL DUBLIN'S JEWISH MAYOR

(By Francis Sugrue)

The Irish and Jewish leaders of New York agreed yesterday that it was a great thing, like the celebration of March 17, or the Feast of Purim that Robert Briscoe has become the first Jewish Lord Mayor of Dublin, a post held by some of Ireland's great heroes.

The New York Irish see his election as proof that the quality of democracy in Ireland is of the finest and truest essence. And Jewish people regard the event as a great symbol of tolerance the world so needs today.

Last Monday when Mr. Briscoe became the lord mayor he was asked naturally enough, if he planned to visit New York where the Irish of New York are sometimes accurately described as being more Irish than the Irish of Ireland.

WOULD LIKE TO VISIT

The new lord mayor replied that he would like to visit New York very much, "but it's manners to wait until you're asked."

It was learned yesterday that if it is the asking the lord mayor wants, then before the mist settles along the green hills of County Kerry again he is going to be asked and urged to come to New York more than he knows what to do with.

One observer of the metropolitan Irish scene observed that if Mr. Briscoe accepted all the invitations to speak here he could embark on a lecture tour that would keep him out of Dublin for the rest of his term.

John J. Sheehan, perennial chairman of the St. Patrick's Day parade, informed the New York Herald Tribune last night that he had sent off a cable in which he was inviting and exhorting the lord mayor to review the 1957 St. Patrick's Day parade and employed words of urgency, persuasion, and the right of petition.

ANOTHER INVITATION

Mr. Sheehan intends to go to Ireland personally in August to add his quiet but quite winning charm as a postscript to the invitation.

Speaking as president of the Irish Institute, Paul O'Dwyer, attorney and brother of former New York mayor, William O'Dwyer, announced that a Miss Maura Bradshaw, a sister of the former mayor of Limerick, who lives in Washington Heights, left by plane Friday to attend the University of Cork and carried with her a written invitation urging the lord mayor to be the guest of honor at the anniversary dinner of the institute next January 12.

To further argue the case for the Irish Institute, Sean P. Keating, commissioner of the board of standards and appeals, grand marshal of this year's St. Patrick's Day parade, an Irish Republican Army man himself, will be in Ireland in August and call upon the lord mayor.

The Fire Department's Emerald Society has cabled Mr. Briscoe with the warm approval of Fire Commissioner Edward F. Cavanagh, Jr., inviting him to be their guest on any visit to New York in the near future.

James O'Brien, deputy commissioner of the department of commerce and public events, who meets and escorts foreign notables who visit New York, said he has written a note to Mr. Briscoe reminding him "to be sure to leave St. Patrick's Day open for us." Mr. O'Brien said it would be a pleasure to get up in the middle of the night, if necessary, to meet the lord mayor if he comes in early.

A spokesman for the United Jewish Appeal said, "We'd be delighted to have him speak for the United Jewish Appeal when he comes to the country."

FATHER OF SEVEN

Oh, yes; the election of Mr. Briscoe, the native of Dublin, the father of seven children, is applauded in New York's Irish community and regarded with a smiling kind eye. To hear some of the people talk you wonder why it didn't happen a long time ago.

Back in the city from a convention of the Ancient Order of Hibernians at Syracuse, John Kane, president of the New York State A. O. H., said: "Our attitude is that Mr. Briscoe is an outstanding Irishman and religion doesn't enter into it. There's no bigotry or prejudice in the Republic of Ireland and we're happy that he's been elected to office."

Rabbi Israel Goldstein, president of the American Jewish Congress, who said he knew the new lord mayor personally, commented: "This is quite a tribute to him and to the Irish. He has been a forthright Jew, a forthright Irishman, and a forthright spokesman for the freedom of Israel."

SERVED IN DAIL

Irish here recall Mr. Briscoe as a fine Irishman, who fought for Ireland in the Black and Tan War. He is one of the most admired men of the old Irish Republican Army, speaks fluently and often on the subject of bringing about the union of the six northern counties, and has served with distinction in the Dail, the Irish Parliament, for 28 years. Jews know him as an Orthodox Jew, a respected man in the Jewish community in Dublin of about 6,000 persons, and a man who worked for the formation of the state of Israel.

In a formal statement Abe Stark, president of the city council, hailed Mr. Briscoe's election in these words: "The people of Dublin have demonstrated to the world that religious liberty is the cornerstone to human freedom. My congratulations to the Irish people and to Lord Mayor Briscoe. I am confident that he will reflect credit upon the office he holds and the community he serves."

Mr. Keating was quite adamant that he wanted it understood that "he's the first Irish Lord Mayor of Dublin of the Jewish faith," not the Jewish Lord Mayor. He added a note that "it shows what we've been maintaining all along. * * * Ireland is the only democracy in Europe. Now, if England would only apply the same principle we'd have those six counties in northern Ireland back in a united Ireland.

And as an amen to all these comments, James McGurrin, commissioner of jurors for New York County and president general of the American Irish Historical Society, said, "I know Bob very well. He's a great fellow. One of the most popular men in Ireland. He's an Irish patriot in the finest sense of the word. * * * We'll certainly join with any group in inviting him to New York, and we'll honor him when he comes. He'll get so many invitations he won't be able to accept them all."

It is reported that Mr. Briscoe speaks with a delightful Irish accent, which means that his articulation and use of the English language is on the highest order. It is not the better part of wisdom in Irish circles to say that he speaks with an Irish brogue.

OTC AND UNITED STATES FOREIGN POLICY

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. WILLIAMS] is recognized for 30 minutes.

Mr. WILLIAMS of New Jersey. Mr. Speaker, we all recall the President's statement made in connection with H. R. 1, the extension of the reciprocal trade agreement: "If we fail in trade we may fail in all." We also recall when the measure came to the floor it prevailed by a slim margin. The Democratic side of the House extended the overwhelming degree of support required for passage of the measure.

We now hear that the proposal for the United State to join the Organization for Trade Cooperation is on the President's "must" legislation. We also note that the the Committee on Ways and Means has reported H. R. 5550 by the vote of 17 to 7. It is well to note that the breakdown along party lines was 13 Democrats in favor, 1 against; 6 Republicans against, 4 in favor. This, despite the fact that the President has asked Congress in most urgent tones for approval of OTC as contained in H. R. 5550. The conclusion from this brief survey of the history of trade legislation in this Congress is clear for all to see. In action on H. R. 1, and the recent action in the Ways and Means Committee the Democratic Party has solidly supported sound trade policy which has advanced the free world alliance. A majority of the Republicans have stood against the trade policy urgently recommended by the President.

In view of the Soviet's new offense on the economic level it is more urgent than ever that the United States indicate its willingness to cooperate with the free world in expanding trade along regularized and orderly bases which OTC would provide. But this will not occur unless more members of the Republican Party show they like Ike enough to support him on this vital issue.

Many arguments have been raised regarding the constitutionality of OTC. I thought it might be well to carefully examine this contention with the hope of clarifying the legal aspects of this controversial problem.

I have asked the Library to prepare a statement for me which I submit at this point in the RECORD:

GATT AND OTC

I. GENERAL AGREEMENT ON TARIFFS AND TRADE

A. Introduction

GATT is a multilateral trade agreement which, at the present time, has 34 member countries [1] with an aggregate foreign trade in excess of $100 billion per year. Inaugurated in 1948, it has operated continuously on a provisional basis with two major revisions of its terms, one in 1949 and the other in 1955.

The authority supporting the right of the United States to join stems from the Reciprocal Trade Agreements Act of 1934 (48 Stat. 943; 19 U. S. C. 1351 et seq.) supplemented by the constitutional power of the President with respect to foreign affairs.

The validity of this basis is denied by the opponents of GATT upon three grounds: (1) that the Reciprocal Trade Agreements Act of 1934 is unconstitutional, GATT is not within the ambit of its terms; and (3) that GATT is not an executive agreement under the act or any other authority but an embryonic treaty which must be advised and consented to by the Senate.

While the authority of the United States to participate in GATT is not directly before the Congress as a result of the introduction of H. R. 5550, the terms of which authorize our membership in the proposed Organization for Trade Cooperation, called OTC, to be created to administer the provisions of GATT, the debate on the bill will afford indirectly an opportunity to the Congress to indicate to the administration approval or disapproval of our participation in GATT.

The executive power to enter into agreements and compacts under the Constitution which inheres in and is necessarily incident to the executive power of the Federal Government, and upon which military agreements, claims agreements, modus vivendi, and exchange notes of a contractual nature are predicated, is not of primary importance in this instance. Here there is (1) an exercise of a constitutionally delegated authority under the terms of the Reciprocal Trade Agreements Act; or (2) an embryonic treaty.

In attempting to determine which of the two powers it is, the following three questions will be treated seriatum:

1. Is the delegation of authority in the Reciprocal Trade Agreements Act of 1934 constitutional?

2. Is GATT a proper exercise of the authority delegated by the Reciprocal Trade Agreements Act of 1934?

3. Is GATT an embryonic treat?

B. Constitutionality of the Reciprocal Trade Agreements Act of 1934, as extended

Initially, it may be stated generally that a delegation of authority, to be constitutional, must be circumscribed in a manner to prevent the exercise of the policymaking function of the Federal Government that is vested exclusively in the legislative branch. "The line has not been exactly drawn which separates those important subjects, which must be entirely regulated by the legislature itself, from those of less interest, in which a general provision may be made, and power

[1] The present contracting parties are: Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Chile, Cuba, Czechoslovakia, Denmark, Dominican Republic, Finland, France, Germany, Greece, Haiti, India, Indonesia, Italy, Japan, Luxembourg, The Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Peru, Federation of Rhodesia and Nyasaland, Sweden, Turkey, Union of South Africa, United Kingdom, United States of America, Uruguay.

given to those who are to act under such general provisions to fill up the details." [2] This statement of Justice Marshall, made in 1825, is still true.[3] It may be stated, however, that at least three guideposts have been erected to show the way to a valid delegation. They are: (1) the establishment of a policy by legislation, with only the execution thereof left to the recipient of the delegation; (2) the making of the effectiveness of a law dependent upon the happening of a contingency determined by the recipient of the delegation; and (3) the establishment of specific standards controlling the exercise of the power by the recipient of the delegation.[4]

The Reciprocal Trade Act has been in effect for over 20 years, during which time its renewal has been considered by the Congress 10 times. It has a declared policy, namely, expansion of foreign markets for the products of the United States. It requires for effectiveness a finding of undue burden and restriction on our foreign trade. It has a limitation on the modification of duties and a prohibition against the transfer of articles between the dutiable and free lists. It has a requirement for reasonable public notice to interested parties of any intention to change tariff rates. It has a requirement that advice must be sought from the United States Tariff Commission and other specified agencies before any change of tariff rates may be made.

Under the circumstances it would seem reasonable to assert that the act meets the requirements for a constitutional delegation of authority and is not materially broader than previous tariff acts sustained by decisions of the Supreme Court.[5] The delegation of authority in this act is certainly more analogous to that in the tariff acts sustained than to that in the National Industrial Recovery Act not sustained by the Supreme Court.[6] Chief Justice Taft in the Hampton case,[7] justified the delegation of power to fix customs duties under section 315 of the Tariff Act of 1922,[8] by analogy to the delegation of power to the Interstate Commerce Commission to fix transportation rates, and Chief Justice Hughes in the New York Central Securities case [9] stated for the court that the term "public interest" when read in context was a sufficient basis upon which to predicate a constitutional delegation of power.

In further support of the constitutionality of the act, and in addition to the assumptions of the foregoing paragraphs, are:

(1) The reports of the House and Senate Committees on the Reciprocal Trade Agreements Act of 1934 and its extensions; [10]

(2) A statement of Representative Vinson (later Chief Justice of the United States), during the debates on the 1937 renewal, in which he refers to the charge that the Trade Agreement Act "unconstitutionally delegated tax and treaty powers" in these words: "For the life of me, I cannot understand how this defense could be set up at this time. * * * The matter is really not debatable. The placing of this discretion in the Chief Executive of the United States is not an unconstitutional delegation of power"; [11]

(3) The memorandum of February 29, 1940, of Attorney General Jackson (later Justice Jackson) to the Secretary of State wherein he stated inter alia: "In view of the historic exercise by the President, under authority of acts of the Congress, of powers similar to those granted in the Foreign Trade Agreements Acts and of the express declaration of the Supreme Court in the cases mentioned, it would seem that there no longer exists any sound basis for contention that the Foreign Trade Agreements Act is unconstitutional because it contains an unwarranted delegation of legislative power." [12]

The Constitution has never been regarded as denying to the Congress the necessary resources of flexibility and practicability, which will enable it to perform its functions.[13] One of the essential braces necessary to support the constitutionality of an act delegating authority, is a "policy establishment." This brace, the Reciprocal Trade Agreements Act erects by the provisions of section 3 of the Trade Agreements Extension Act of 1955.[14] In addition, as formerly set forth, a finding of facts is required and the other conditions of a valid and proper delegation are made. Since the foundation of the Government, the President has entered into agreements with foreign governments under powers conferred by congressional legislation.[15]

The rationale that the broad powers of the President over foreign affairs justify in this field delegated powers that would not be justified in the domestic field, favorably colors the probability that the act would be sustained.[16]

While disavowing any clairvoyant powers or the right to make dogmatic pronouncements as to the future holdings of the Supreme Court, there nevertheless appears to be justifiable grounds to support a statement that the Reciprocal Trade Agreements Act is constitutional.

C. Is GATT a proper exercise of the authority delegated by the Reciprocal Trade Agreements Act?

GATT cannot, by any logical rationalization, be brought within the category of executive agreements inherently within the ambit of the powers of the President pertaining to foreign relations. It is beyond cavil that the control of the subject matter of the agreement reposes in powers vested, by article I, section 8, clauses 1 and 3 of the Constitution, in the Congress. The foundation, therefore, required to support GATT as a valid executive agreement is a constitutional act passed by the Congress delegating to the President authority to proclaim tariff rates, customs, and trade regulations, contained in executed trade agreements, effective in lieu of existing law. Note that this limitation is with reference to the validity of GATT as an executive agreement. GATT as a treaty would not be circumscribed by any such limitation.[17] Assuming the constitutionality of the Reciprocal Trade Agreements Act,[18] it remains to be determined if the provisions of GATT are within the purview of the authority delegated by the act or are an embyronic treaty. An examination of the provisions of the Reciprocal Trade Agreements Act and of GATT may help resolve the question.

The Reciprocal Trade Agreements Act of 1934 provides inter alia (1) that the President may enter into trade agreements for the purpose of expanding foreign markets for the products of the United States; (2) that these agreements may (a) regulate the admission of foreign goods, (b) modify, within certain limits,[19] existing duties and other import restrictions, including the rate and form

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[2] *Wayman* v. *Southard* (1825) (10 Wheat. 1, 43).

[3] *Lichter* v. *United States* ((1948) 334 U. S. 742, 779).

[4] *Union Bridge Co.* v. *United States* ((1907) 204 U. S. 364, 386); *United States* v. *Grimaud* ((1911) 220 U. S. 506, 517); *Avent* v. *United States* ((1924) 226 U. S. 127); *J. W. Hampton, Jr. & Co.* v. *United States* ((1928) 276 U. S. 394).

[5] *Marshall Field & Co.* v. *Clark* ((1892) 143 U. S. 694); *B. Altman & Co.* v. *United States* ((1912) 224 U. S. 583); *J. W. Hampton, Jr. & Co.* v. *United States, supra.*

[6] *Panama Refining Co.* v. *Ryan* (1935) 293 U. S. 388); *A. L. A. Schechter Poultry Corp.* v. *United States* ((1935) 295 U. S. 495).

[7] *J. W. Hampton, Jr. & Co.* v. *United States, supra,* at p. 407.

[8] 42 Stat. 858, 941.

[9] *New York Central Securities Corp.* v. *United States* ((1932) 287 U. S. 12, 24).

[10] See Appendix A.

[11] 81 CONGRESSIONAL RECORD 1028 (1937).

[12] 86 CONGRESSIONAL RECORD 3677, 3682.

[13] *Principality of Monaco* v. *Mississippi* ((1934) 292 U. S. 313, 331).

[14] "For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(A) To enter into foreign trade agreements with foreign governments or instrumentalities thereof: * * *

"(B) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder."

[15] The act of February 20, 1792 (1 Stat. 232) authorizing agreements for the reciprocal delivery of mail through post offices of foreign countries. The act of June 4, 1794 (1 Stat. 372) authorizing the President to lay embargoes on ships. The act of February 9, 1799 (1 Stat. 613), the act of December 18, 1806 (2 Stat. 411), the act of March 1, 1809 (2 Stat. 528), and the act of May 1, 1810 (2 Stat. 605), authorizing the President to lift or revise certain restraints on commercial intercourse. The act of March 1, 1816 (3 Stat. 255) and the act of May 31, 1830 (4 Stat. 425) authorizing the President to take action in re duties. The act of October 1, 1890 (26 Stat. 567) and subsequent tariffs acts of July 24 1897 (30 Stat. 151), August 5, 1909 (36 Stat. 11), September 21, 1922 (42 Stat 858), and June 17, 1930 (46 Stat. 590) to modify duties under certain circumstances.

[16] *United States* v. *Curtis-Wright Export Corp.* ((1936) 299 U. S. 304, 320).

[17] Digest of International Law. (1906.) John Bassett Moore, vol. V, secs. 164–165.

[18] See preceding division of paper [B].

[19] 1351 (a) (2) (A) increase any rate of duty existing January 1, 1945 more than 50 percent; (B) transfer any article between the dutiable and free lists; (C) carry out any agreement entered into before June 12, 1955, or with respect to which notice of intent to negotiate was published November 16, 1954, which would decrease any duty existing on January 1, 1945, by more than 50 percent; (D) carry out any trade agreement entered into after June 11, 1955, which decreases any duty below the lowest of: (i) 15 percent below the rate existing on January 1, 1955, or (ii) 50 percent ad valorem (or equivalent) for duty rates higher than 50 percent ad valorem (or equivalent); 3 (A) proclamations shall be in effect from the time specified therein except: (B) if the decrease does not exceed 15 percent of the January 1, 1955 rate, (i) the amount of decrease becoming effective at any one time shall not exceed 5 percent; (ii) if

of import duties, the classification of articles, the limitations, prohibitions, charges and exactions, other than duties imposed on or for the regulation of imports.

GATT contains specific reciprocal obligations for: (1) Unconditional most-favored-nation treatment of subscribing parties; (2) a schedule of tariff concessions; (3) preventing nullification of tariff concessions by means of internal taxes or regulations; (4) preventing the imposition of discriminatory motion-picture quotas; (5) guaranteeing freedom of transit of goods; (6) permitting antidumping or countervailing duties necessary to protect against injury resulting from dumping; (7) stabilizing methods of valuations of imports; (8) preventing the use of customs fees or formality as barriers to imports; (9) preventing use of marks of origin to restrict or to discriminate against imports; (10) requiring prompt publication of laws, regulations, etc.; (11) eliminating quantitative restrictions; (12) permitting an exception to quantitative restrictions if balance-of-payments difficulties exist; (13) requiring these exceptions to be nondiscriminatory; (14) making three limited exceptions to these nondiscriminatory exceptions if certain conditions exist with respect to balance-of-payments difficulties; (15) preventing circumvention of concessions by use of exchange controls; (16) requiring information and discussion of subsidies that are threatening another subscribing party's economy; (17) requiring state-trading enterprises to act in a nondiscriminatory manner; (18) permitting renegotiation of tariffs and other concessions by underdeveloped countries; (19) permitting emergency action in withdrawing concessions if unforeseen developments increase imports, i. e., escape-clause action; (20) permitting adoption or enforcement of measures to protect public morals, human, animal, or plant life or health, to implement intergovernmental commodity agreements pertaining to materials in short supply, maintenance of price controls, and liquidation of temporary surpluses; (21) permitting refusal to supply information involving security interests, arms, munitions, etc.; (22) affording opportunity for consultations; (23) providing initially for bilateral discussions of differences which are to be followed by multilateral discussions if former fail; (24) permitting the establishment of customs unions and free-trade areas; (25) providing for meetings of contracting parties; (26) providing for definitive acceptance of the agreement; (27) permitting withdrawal of concessions originally negotiated with a country which has not yet become, or ceases to be, a contracting party so long as the country withdrawing notifies all other contracting parties and consults with those interested in the product concerned; (28) providing a term for concessions and for extensions thereof; (29) providing for relationship between the Habana Charter and GATT (obsolete); (30) providing for the manner of making amendments; (31) providing for withdrawals; (32) defining contracting parties; (33) providing for accessions of new parties to the agreement; (34) incorporating annexes; and (35) providing for nonapplication of the agreement between particular parties at the time either becomes a contracting party.

The inclusion of a most-favored-nation clause (item 1) is nothing more than a continuation of a policy adopted by the United States in 1923, of inserting an unconditional most-favored-nation clause in commercial treaties,[20] and would seem to be well within the authority granted by the act.

There can be no question as to the authorization under the Reciprocal Trade Agreements Act for entering into agreements for reciprocal-tariff concessions (item 2).

The logical argumentation to support items (3) through (9), (11) through (15), (19), and (20), is that they all pertain to the rate and form of import duties or to the classification of articles, or to limitations, prohibitions, charges, and exactions other than duties imposed on or for the regulation of imports and, as such, are specifically authorized by the act.

Items (10), (16) through (18), and (21) through (24), while not directly identifiable with duties or other custom charges or regulations, as are those enumerated in the foregoing paragraph, are nonetheless collateral and necessarily needed adjuncts to carrying out the negotiated reciprocal concessions. As necessity fixes a point beyond which it is unreasonable and impracticable to compel Congress to prescribe detailed rules for the purpose of avoiding an unconstitutional delegation of legislative power,[21] a fortiori, these provisions (pertaining for the most part to notifications, consultations, and the recognition of the inherent right of all to be informed and treated fairly which are not grants of substantive rights) might be considered within the authority vested by the act.

Items (25) through (35) are administrative provisions including procedural rules, definitions, etc., incidental and necessary to the carrying out of the substantive provisions of the agreement. These provisions of GATT are similar to those included in many previously entered into bilateral agreements, and without them the tariff and other duty concessions would be less than fully effective. They are conceptually of the nature considered "detail fills" when a question of constitutional delegation of authority arises.

In addition to the specific reciprocal obligations of a substantive nature and the necessarily collateral obligations agreed to, the agreement contains provisions vesting authority in the contracting parties to act as an organizational entity. These provisions grant, among others, authority to GATT acting as an organizational entity to: (1) approve adjustments made in tariff concessions resulting from a reduction in the par value of currencies (art. III–6a); (2) waive the prohibition against antidumping or countervailing duties so as to permit a country to impose such duties in order to protect a third country's industry that is threatened with material injury (art. VI–6); (3) formulate, in agreement with the International Monetary Fund, rules to control the conversion of foreign currencies having multiple rates of exchange (art. VII–4c); (4) release a subscribing party from specific obligations to another party imposing unapproved quantitative restrictions because of balance-of-payments difficulties (art. XII); (5) impose limitations or order termination of deviations allowed from prohibition against quantitative restrictions (art. XIV); (6) permit imposition of import restrictions by underdeveloped countries (art. XVIII); (7) disapprove of the suspension of equivalent obligations or concessions in retaliation for use of the escape clause (art. XIX); (8) permit the continuance past January 1, 1951, of measures, outside the terms of the agreement, pertaining to products in short supply or disposed of as Government surpluses (art. XX); (9) release any subscribing party from its obligations under the agreement to the country GATT considers is nullifying or impairing concessions granted (art. XXIII); (10) approve by a two-thirds vote a customs union or a free-trade area which does not comply fully with the "article" controlling them (art. XXIV); (11) waive by a two-thirds vote (which two-thirds must be more than half of all the parties) in exceptional circumstances not otherwise provided for, an obligation imposed upon a contracting party (art. XXV); (12) force the withdrawal of a party not accepting an amendment (art. XXX); (13) fix the terms for admission of new parties to the agreement (art. XXXIII); and (14) designate contracting parties to be brought into consultations. Article XXVIII is one of many.

The clearly discernible purpose for the authorization granted by the Reciprocal Trade Agreements Act is to supply the President with a catalytic agent that will expand foreign markets for our products. In creating this agent the Congress was not dealing alone with its legislative power with respect to taxation and foreign commerce but was implementing the inherent power with respect to foreign affairs conferred by the Constitution upon the President as the Nation's

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the amount of the decrease is other than 15 percent, not more than one-third shall become effective at any one time; (iii) there must be an aggregate period of 12 months between the effective date of the succeeding parts of the decrease; (C) no part of any decrease not exceeding 15 percent of the January 1, 1955 rate shall take effect after June 30, 1958 (that is, the decrease cannot be made in full unless the first 5 percent takes effect before July 1, 1956); (D) the President may exceed the above limitations on rate of decrease by (i) the difference between the limitation and the next lower whole number, or (ii) one-half of 1 percent ad valorem, if such action will simplify computation of the duty.

[20] Secretary Hughes wrote President Harding, on January 15, 1923:

"The policy of the United States, as you readily will recall to which there have been but few exceptions, since the foundation of the Government has been to stipulate for a conditional most-favored-nation clause, whereas an unconditional clause has been popular with European countries for the past 60 or more years. Under the conditional ceases to be, a contracting party so long as clause, favors which either party to the treaty grants to a third country accrue to the other party to the treaty when the favor to the third country is granted freely, but do not accrue if the favor be granted for a consideration unless the other party to the treaty proffer an equivalent consideration: under the unconditional clause all favors granted by either party to third countries accrue to the other party irrespective of questions of consideration or equivalents.

"There is an opinion among many that for the future the United States should adopt the unconditional form of most-favored-nation clause in its treaties of commerce and navigation."

To this communication President Harding replied:

"I am well convinced that the adoption of the unconditional favored-nation policy is the simpler way to maintain our tariff policy in accordance with the recently enacted law and is probably the surer way of effectively extending our trade abroad." Digest of International Law, Hackworth, vol. V: 271.

"It was in recognition of these same facts that the principle was included in the Trade Agreements Act and has been applied in the carrying out of the trade-agreements program." (Secretary of State Cordell Hull, hearings, Senate Finance Committee on H. J. Res. 407, 76th Cong., p. 15.)

The United States has, since 1934, incorporated in our bilateral trade agreements a provision that concessions granted one country should be extended to like products of other countries in accordance with the unconditional most-favored-nation principle. President Eisenhower's message in re Membership in Organization for Trade Cooperation. (H. Doc. 140, 84th Cong., 1st sess., p. 2.)

[21] *American Power & Light Co.* v. *Securities & Exchange Commission* ((1946) 329 U. S. 90, 105).

organ in this field.[22] The Congress, therefore, did not attempt to limit the application of the agent to a specific formula but, to the contrary, permitted the flexibility needed to meet the infinitely variable conditions inherent in the objective.[23] Such a degree of discretion is permissible when the effectiveness of congressional legislation depends upon negotiations in the international field.[24] Therefore, in determining whether GATT is within the terms of the Reciprocal Trade Agreements Act, it is not necessary to find in the act an expressed or clearly implied power to support each and every provision.[25] GATT's validity is supportable by the Trade Agreements Act plus the executive powers of the President pertaining to foreign affairs brought into play by the enactment of the act.

In determining whether GATT is within the terms of the supporting act it will be necessary to examine the allegations that only bilateral agreements are authorized and that the President has redelegated the authority granted him to an international organization.

In view of the procedural safeguards established under Executive Order 10082 as amended,[26] to make the negotiations within GATT conformable to the authority granted by the Reciprocal Trade Agreements Act, there is a solid premise for considering GATT nothing more than a consolidation of many individually negotiated bilateral agreements of the nature entered into by the United States since the first enactment of the law in 1934. It is, however, not necessary to rationalize on this basis to bring GATT within the terms of the Reciprocal Trade Agreements Act, as it neither expressly nor impliedly limits the authorization to enter into trade agreements to those of a bilateral nature.

As the Constitution, the keystone to our form of government, has expanded to bind the economic and social advancements of the times, is it not possible that GATT is an expansion of the mechanics of tariff negotiations in order to meet the advancements in this field? The opinion that no authority exists to permit the United States to enter into multilateral agreements will undoubtedly continue until Congress settles the matter by new legislation. As of the present time, however, it appears fair to state that those who support this opinion have not maintained the burden of proof necessary to sustain their contention.

The underlying philosophy of the allegation pertaining to unconstitutional redelegation would appear to be predicated upon the basis that, in our entering into GATT, the exclusive legislative power of the Congress over tariffs was transferred to an international organization.

At this point, cognizance should be taken of an apparent conceptual misunderstanding of the force and effect of the Trade Agreements Act. Congress is as powerless to grant what it has not as is any individual. Not having power to approach a foreign country for the purpose of negotiating a trade agreement it did not, as it could not, delegate this power to the President. The President alone has this power, which power is free of any possibility of invasion by the Congress.[27] The Trade Agreements Act, therefore, does not authorize the President to make trade agreements but provides that, upon the execution of a trade agreement and a proclamation of changes within the delineations of the act, the tariff rates and customs or trade regulations agreed to therein shall be effective in lieu of the then existing law.

If this delegation of authority to the President is not a delegation of legislative power,[28] which of course it cannot be,[29] it is not necessary to answer the contention that the Constitution does not permit the President to delegate power to GATT to exercise the legislative power of Congress over the tariff-making function. The President, as is true of the Congress, cannot grant what he does not possess.

The contention as to redelegation, therefore, must be that GATT is exercising authority which the President possesses. But, to prove that the President has redelegated a power delegated him by the Congress, in and of itself, proves nothing. Exclusive of his constitutional prerogatives, the President was never expected to nor has he exercised personally every power vested in him. Many, if not most, of the powers delegated to him by Congress have been redelegated. Redelegation is not synonymous with invalidity.[30]

The kernel of contention, therefore, must be that as GATT is an international instrumentality, the policies of which are determined upon by the vote of its members, we cannot join. There are no expressed or implied constitutional provisions that would prohibit the United States from joining an international organization whose policies are so determined. There are no legal or historical precedents which would support the general argument that the United States could not join such an organization. We have been and are now a member of many organizations possessing such authority. We have joined these organizations under authority contained in treaties, congressional resolutions, or executive agreements.[31]

The argument against the validity of GATT because of this facet cannot rest on the general grounds that we are unable, under the Constitution, to join international organizations of this type. It must rest on specific grounds applicable only to GATT. What these specific grounds are have never been definitively set forth by the proponents of the argument. As there can be no delegation of legislative power, there can be no question as to its redelegation. The premise of the argument, which is beclouded with assertions of redelegation, must be that the Reciprocal Trade Agreements Act itself is unconstitutional because it delegates legislative power.

There being no substantial grounds to support the contentions that only bilateral trade agreements are authorized or that there is an unconstitutional redelegation of a legislative or a Presidential power, it would appear that the provisions of GATT are within the terms of the Reciprocal Trade Agreements Act.

Being cognizant of the fact that there is an extensive and respectable group of scholars that contends GATT is not an executive agreement authorized by the Reciprocal Trade Agreements Act, as is maintained in parts B and C of part I of this report, but an embryonic treaty which should be submitted to the Senate for "advice and consent", the point will be examined.

D. GATT as an embryonic treaty

The Constitution grants express authority to the President to make treaties with other nations, by and with the advice and consent of the Senate.[32] "The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government or in that of one of the States, or a cession of any portion of the territory of the latter, without its consent. But with these exceptions, it is not perceived that there is any limit to the questions which can be adjusted touching any matter which is properly the subject of negotiation with a foreign country. *Ware* v. *Hylton* (3 Dall. 199); *Chirac* v. *Chirac* (2 Wheat. 259); *Hauenstein* v. *Lynham* (100 U. S. 483); *Droit D' Abaine* (8 Ops. Atty. Gen. 417); *People* v. *Gerka* (5 Cal. 381)."[33] This treatymaking power does not need the aid of legislation to effectuate it,[34] it is plenary and complete. There is no doubt that GATT could be negotiated as a treaty independent of the limitations of the Reciprocal Trade Agreements Act.

The executive branch has conducted the negotiation of GATT as if it were to be an executive agreement within the grants of authority and the limitations of the Trade Agreements Act. Would the failure of the executive branch, notwithstanding its intentions to operate within the framework of the act, convert GATT from an invalid executive agreement into an embryonic treaty subject to the requirement that it be submitted to Senate for "advice and consent"? As a prelude to answering this question it is necessary to determine, if possible, the distinction between an executive agreement and a treaty.

"The distinction between so-called executive agreements and treaties is purely a constitutional one and has no international significance."[35] A treaty signifies "an international compact" made between two or more independent nations with a view to the public welfare.[36] An international compact, however, is not always a treaty which requires the participation of the Senate. The power to make international agreements that do not constitute treaties in a constitutional sense, while not expressly affirmed

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[22] See *United States* v. *Shaughnessy* ((1950) 33 U. S. 437); *Chicago and Southern Airlines* v. *Waterman Steamship Corp.* ((1948) 333 U. S. 103, 109).

[23] See *Lichter* v. *United States, supra,* at p. 785.

[24] See *United States* v. *Curtiss-Wright Export Corp., supra.*

[25] *United States* v. *Shaughnessy, supra,* at p. 548, Justice Frankfurter, dissenting:

"We are reminded from time to time that in enacting legislation Congress is not engaged in a scientific process which takes account of every contingency. Its laws are not to be read as though every 'i' has to be dotted and every 't' crossed."

[26] Federal Register, October 5, 1949, vol. 14, p. 6105 as amended E. O. 10170; October 12, 1950, vol. 15, p. 6901.

[27] *United States* v. *Curtiss-Wright Export Corp., supra.*

[28] See preceding argument.

[29] *Panama Refining Co.* v. *Ryan, supra.*

[30] *William* v. *United States* ((1843) 1 How. 290); *United States ex rel. French* v. *Weeks* ((1922) 259 U. S. 329); *United States ex rel. Creary* v. *Weeks* ((1922) 259 U. S. 336); *Russell Motor Car Co.* v. *United States* ((1923) 261 U. S. 514).

[31] The International Monetary Fund, the International Civil Aviation Organization, the International Wheat Agreement, the International Court of Justice, the Universal Postal Union, the Indo-Pacific Fisheries Council, and scores of others.

[32] Art. II, sec. 2, clause 2.

[33] *Geofroy* v. *Riggs* ((1890) 133 U. S. 258, 267). See also *In re Ross* ((1891) 140 U. S. 453, 463); *Missouri* v. *Holland* ((1920) 252 U. S. 416); *Asakura* v. *City of Seattle* ((1924) 265 U. S. 332, 341).

[34] *Foster* v. *Neilson* ((1829) 2 Pet. 253, 314); *Head Money Cases* ((1884) 112 U. S. 580, 598); *Chew Heong* v. *United States* ((1884) 112 U. S. 536, 540); *Whitney* v. *Robertson* ((1888) 124 U. S. 190, 194); *Maiorano* v. *Baltimore & Ohio R. Co.* ((1909) 213 U. S. 268, 272).

[35] Research in International Law, Draft Convention on the Law of Treaties (Harvard Law School) (29 Amer. J. of Int. L., supp. (1935) 653, 697).

[36] *B. Altman & Co.* v. *United States,* supra, at p. 600.

by the Constitution, nevertheless exists as inherently inseparable from the conception of nationality.[37] There are many such compacts, of which a protocol, a modus vivendi, a postal convention, and other agreements are examples.[38]

The proceedings of the Constitutional Convention and of its committees, along with the debates of the State conventions, fail to shed any light on the distinction between "treaties" and "agreements and compacts."[39]

There are constitutional scholars of renown who have advanced the theory that the distinction between "treaties" and "agreements and compacts" intended by the Founding Fathers is that contained in Vattel's Law of Nations, which was the most widely known and available work in America on international law then extant.[40] The pertinent sections of this work read:

"SEC. 152. Treaties of Alliance and other public treaties. * * * A treaty, in Latin foedus, is a pact entered into by sovereigns for the welfare of the state, either in perpetuity or for a considerable length of time.

"SEC. 153. Compacts, agreements or conventions. Pacts which have for their object matters of temporary interest are called agreements, conventions, compacts. They are fulfilled by a single act and not by a continuous performance of acts. When the act in question is performed these pacts are executed once for all; whereas treaties are executory in character and the acts called for must continue as long as the treaty exists.

"SEC. 192. Treaties executed by an act done once for all. Treaties which do not call for continuous acts, but are fulfilled by a single act, and are thus executed once for all, those treaties, unless indeed we prefer to give them another name (see sec. 153), those conventions, those pacts which are executed by an act done once for all and not by successive acts, are, when once carried out, fully and definitely consummated. If valid, they naturally bring about a permanent and irrevocable state of things."

Granting arguendo that these scholars are correct in their deductions as to the intended distinction between "treaties" and "agreements and compacts" and that there are cardinal rules of constitutional interpretation[41] requiring that a distinction be established, we are still confronted with the indisputable fact that no line of demarcation has been clearly drawn by the Constition, by judicial decisions or by State Department precedents to guide us. Rationalization that the Founding Fathers must have had a distinction in mind or they would not have used different terms and categorization of past executed conventions in accordance with criteria such as form, importance, and length of effectiveness are both equally unproductive in establishing characteristics that definitively appertain only to one or the other.[42] The most that may be definitively asserted on the basis of the implication arising from the Constitution, judicial decisions and State Department precedents is: regardless of form or subject matter, a convention submitted to the Senate for "advice and consent" is a treaty, whereas a convention not submitted is an executive agreement.

That this distinction, determinable only after a fait accompli, entirely within the discretion of the President, is not a satisfactory basis for a predetermination of whether GATT should, under the Constitution, be submitted for ratification, is too apparent to permit of elaboration. It is, however, sufficient to support the assumption that GATT, since its inception in 1948, has not been considered by the executive branch as a treaty. Furthermore, the legislative branch has not taken any definitive action in opposition to this assumption of the executive branch, other than to insert a caveat in the recent Extension Acts to the affect that passage of these acts does not indicate approval or disapproval of GATT.

Ostensibly, there is a sound rationale for the position of the executive branch, which may be predicated upon the presumed constitutionality of the Reciprocal Trade Agreements Act of 1934, as repeatedly extended, and the assumption that GATT is a combination of many bilateral agreements all of which are within the terms of the authority granted by the act.

It is not intended to be asserted, nor should it be implied, that the failure to submit GATT to the Senate conclusively disposes of any and all contentions that it is a treaty. It is, however, asserted that those who contend that GATT is a treaty have the burden of proof to maintain. This is no small task in view of the decisive fact that there are no definite precepts which establish a convention as a treaty as contradistinguished from an executive agreement.

Academically, there may be a hypothesis that the Founding Fathers intended a distinction between "treaties" and "agreements and compacts," but pragmatically there is no theorem by which to establish the difference. As stated by Frankfurter and Landis, "there is no self-executing test differentiating 'compact' from 'treaty.'"[43]

There are those who contend and there are those who deny that there is a real difference. As indicative of these two schools of thought are the respective statements of Hyde and McClure, as follows: "The President with the aid of Congress may not be able to achieve through agreement making what he could achieve with the aid of the Senate in treatymaking;"[44] and "* * * with the cooperation of Congress the President can accomplish through Executive agreement anything that he can accomplish by treaty."[45]

What should or should not be handled as a treaty is not a new issue, although up to the present time, an irresolvable one, as is evident from: (1) the colloquy between Senators Connally and Norris with respect to Executive G, 77th Congress,[46] which was in the nature of an exchange of notes pertaining to the diversion of the waters of the Niagara River, and (2) the position of the United States that the Convention with Canada exempting traffic in sheltered waters on the west coast of North America must be in the form of a treaty.[47]

It may be stated categorically that an agreement having the effect of impinging, no matter how infinitesimally, upon the powers vested by the Constitution of the United States in Congress must be in the form of a treaty subject to the advice and consent of the Senate. We must not succumb to the danger of thinking that a strong public desire to improve a public condition is sufficient to warrant achieving the desire by shortcutting the constitutional way of making the change.[48] As procedural regularity is essential to the maintenance of our personal liberties, so is the separation of powers essential to the maintenance of the proper functioning of our Government. The most insidiously dangerous philosophy we of this country could adopt is: "I don't like the methods, but * * *." Whether GATT is good or bad it must be adopted by the proper procedure. The proper procedure, of course, is the crucial determination to be made. There being no salient features separating a treaty from an Executive agreement, what grounds are there for the contention that GATT is a treaty-in-the-making which must be "advised and consented" to by the Senate? Assuming that GATT is outside the compasses of the authorizations of the Trade Agreements Act, this would not ipso facto transpose it into a treaty. To the contrary, if such is the case, GATT is an invalid Executive agreement. This is not to say that if GATT were found to be invalid, it could not be submitted as a treaty. GATT is not an embryonic treaty.

II. THE ORGANIZATION FOR TRADE COOPERATION

Having concluded that there are no valid constitutional objections to our participation in GATT, it is necessary to determine whether the pending revised version of GATT and "The Organization for Trade Cooperation," called OTC, set up to administer the provisions of the revised version, will adversely affect this conclusion.

Representatives of the 34 participating countries which, in toto, control over 80 percent of the trade of the world concluded their work of revision at the 9th session of GATT in March 1955.

The revised version, like the version presently in effect, is divided into three

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[37] *B. Altman & Co.* v. *United States*, supra, at p. 600; *United States* v. *Curtiss-Wright Export Co.*, supra, at p. 318.

[38] *United States* v. *Belmont* ((1937) 301 U. S. 324, 330).

[39] Executive agreements: A Study of the Executive in the Control of the Foreign Relations of the United States, David M. Levitan, 35th Illinois Law Revue, pp. 365, 366.

[40] What Did the Framers of the Federal Constitution Mean by Agreements or Compacts? Abraham C. Weinfield, three University of Chicago Law Revue, p. 458.

[41] The framers must be understood to have employed words in the natural sense (*Gibbons* v. *Ogden* ((1824) 9 Wheat. 1, 188)) they had at the time the Constitution was adopted (*Veazie Bank* v. *Fenno* ((1869) 8 Wall. 533, 542)).

[42] Wallace M. McClure, International Executive Agreements (1941), pp. 276–277:

"It may be added that when learned jurists like Mr. Justice Day are driven to resort to such distinctions as the possession of 'dignity,' a mere abstraction, wholly meaningless from any practical or legal point of view, in order to consider whether approval by two-thirds of the attending Senators is necessary, the probability becomes strong indeed that no real difference exists. Similar, and frequently attempted, is the question of form or formality, or temporary versus permanent intent or subject matter, in determining the necessity of submitting an instrument to the Senate. Such criteria are futile from the points of view alike of commonsense and of experience. Instruments of many forms and for many different durations and types of content have been sent to the Senate, and instruments of as many have been put into force without such procedure. What has form to do with substance? What has time or time quality to do with the application of the Constitution?"

Sayre, Constitutionality of the Trade Agreements Act (1939. 39 Col. L. Rev. 751, 755): "International agreements involving political issues or changes of national policy and those involving international arrangements of a permanent character usually take the form of treaties. But international agreements embodying adjustments of detail carrying out well-established national policies and traditions and those involving arrangements of a more or less temporary nature usually take the form of executive agreements."

[43] The Compact Clause of the Constitution: A Study in Interstate Adjustments, Felix Frankfurter and James M. Landis, 34 Yale Law Journal, pp. 685, 695, footnote 37.

[44] Constitutional Procedures for International Agreements, Charles C. Hyde (1937), 31 Proc. Am. Soc. Int. Law. 45.

[45] International Executive Agreements, Wallace M. McClure, supra, at p. 363.

[46] 87 CONGRESSIONAL RECORD, 9045–9048 (1941).

[47] Digest of International Law, Hackworth, vol. V, p. 399 et seq.

[48] See *Pennsylvania Coal Co.* v. *Mahon* ((1922) 260 U. S. 393).

parts. The primary difference between the new and the old is that all the parts of the new include references to and provide for the exercise of functions by OTC. This organization, created to carry on the administrative functions now carried on by the "GATT Organization," will have a continuously operating Secretariat and an Assembly consisting of all of the contracting parties to GATT, and an Executive Committee of 17 members. The United States is assured of membership on this committee so long as our foreign trade continues in its relative present volume. This is so because article 6 of the agreement to establish OTC provides: "The Executive Committee shall consist of 17 members of the organization elected periodically by the Assembly. Each election shall be for a single term and each member shall be eligible for reelection.

"In such election, the assembly shall be guided by the following criteria:

"1. The Executive Committee shall include the five members of chief economic importance, in the determination of which particular regard shall be paid to their shares in international trade."

The OTC, however, will not have life nor will the definitive application of the provisions of the revised GATT pertaining to the exercise of functions by OTC be possible until the United States accepts membership. This is so because article 17 (c) of the OTC Agreement provides:

"Without prejudice to the principle laid down in article 2, this agreement shall enter into force, as among those governments which are then contracting parties to the general agreement and which have accepted this agreement, on the thirtieth day following the day on which it has been accepted by governments named in the annex to this agreement the territories of which account for 85 percent of the total external trade of the territories of such governments, computed in accordance with the appropriate column of percentages set forth therein. This agreement shall enter into force for each other government which is a contracting party to the general agreement on the thirtieth day following the day on which it has been accepted thereby. It shall enter into force for each other government which has accepted it when such government accedes to the general agreement."

Among the governments named in the annex [49] with a percentage designation of trade is the United States with a designation of 20.6 percent of the total external trade of the territories of such governments, thus making it imperative that the United States join in order for the OTC agreement to come into force and effect.

The question of our joining OTC is now before the Congress in the form of a House bill (H. R. 5550),[50] introduced April 14, 1955, the day that the Congress received the President's message recommending United States membership in OTC. The President in making this recommendation stated among other things: "I believe the reasons for United States membership in the proposed organization are overwhelming. We would thus demonstrate to the free world our active interest in the promotion of trade among the free nations. We would demonstrate our desire to deal with matters of trade in the same cooperative way we do with military matters in such regional pacts as the North Atlantic Treaty Organization, and with financial matters in the International Monetary Fund and in the International Bank for Reconstruction and Development. We would thus cooperate with the free world in the struggle against Communist domination, to the greater security and the greater prosperity of all." [51]

The most controversial of the administrative provisions of GATT, viz, those that grant authority to interpret the provisions of the agreement contained in article 23, and those to grant waivers contained in article 25, have been transferred to OTC. They, however, should be considered to be modified to the extent provided by article 3, paragraph 8 of OTC under which the organization is denied the authority to amend any provision of GATT or to make any decisions or to take any action in the assembly or in any of the subsidiary bodies which might impose any new obligation upon a member unless the member has specifically agreed to undertake the obligation or to forego the privilege.

The function-delegating articles of GATT are in résumé form as follows:

PART I

Article III

Adjustments of special duties, necessitated by the action of the International Monetary Fund in reducing, in excess of 20 percent, the par value or the exchange rate currency of a contracting party, must be concurred in by the OTC. This authority granted to OTC thus prevents the action of another international organization, the International Monetary Fund, from throwing out of balance by an indirect action, the agreed-to schedule of tariff rates. It is not in derogation of the powers of Congress over the tariff.

PART II

Article VI

OTC is authorized "to permit" the levying of anti-dumping or countervailing duties to protect the interest of a third country.

This authority is not in derogation of the powers of the Congress over the tariff. The legal effectiveness of such a duty enacted by the Congress is wholly independent of the action that OTC may take in granting or withholding "permission." Neither a treaty nor an Executive agreement may prevent subsequent inconsistent or conflicting legislation by the Congress.

The allegations made as to this article and others of OTC, that even if they do not supersede the congressional power to enact, they nevertheless impinge upon congressional prerogatives in that they require the Congress to invalidate our international obligation in order to exercise a constitutional vested legislative function, are nonsequiturs with respect to the right and power of Congress to control the tariff. Further, these allegations are of no substance unless we adopt the untenable premise that an international agreement may not contain a provision agreeing to refrain from taking unilateral action. The erection of a barrier of this magnitude removes beyond the realm of probability, if not possibility, the opportunity of our entering into international agreements. To reiterate, these provisions do not surrender constitutional legislative power but establish policy.

Article VII

OTC may request information in re action taken to base valuation for custom purposes on actual value. OTC, in agreement with the International Monetary Fund, shall formulate rules for the conversion of foreign currencies in which multiple rates of exchange exist consistently with the articles of the monetary fund. These rules may be applied by members as an alternative to applying par value for the purposes of custom valuation. There is no derogation of the powers of Congress in this article. The right to request information taken in accordance with the terms of an international agreement is not a supersedure of any powers of the Congress. The rules for the conversion of currency formulated by OTC and the International Monetary Fund are not mandatory.

Article VIII

OTC may request a member to review its policies with respect to fees and formalities connected with importation or exportation. There is no delegation of authority here that would invade the prerogatives of Congress. We have agreed to the principle that fees and formalities shall not be unduly burdensome and that we will examine them upon request. OTC has no authority to change these fees or formalities. That authority remains with Congress.

Article X

OTC may require information with reference to a review procedure that is not independent of the enforcement agency, to determine if the procedure is objective and impartial. As we have a provision for independent review, there is no authority vested by this article in OTC with respect to our procedure.

Article XII

Requires members to consult with OTC as to the nature of its balance-of-payments difficulties immediately after it applies a new restriction or intensifies existing restrictions pertaining to balance-of-payments. The article also permits OTC, upon the failure of a member to correct balance-of-payments actions which seriously threaten the trade of another, to authorize compensatory action by the injured party. Agreement to consult with reference to certain actions is not a delegation of the authority to take the action. Probability or even the possibility of the United States being subjected to this article is almost too remote to justify any concern.

Article XIII

The proportionate basis and the representative period determinations pertaining to quotas by countries in balance-of-payments difficulties are subject to consultation upon request of OTC. Again, agreeing to consult with reference to certain actions is not a delegation of the authority to take the action.

Article XIV

OTC may permit temporary exceptions to the non-discriminatory application of quotas by countries in balance-of-payments difficulties with respect to a small part of its external trade if there is no substantial injury to another's trade. There is no delegation of power here which would be in derogation of the power of Congress. OTC has no authority over the discriminatory action a country in balance-of-payments difficulties might take. If we become such a country, OTC consent will be of small moment.

Article XV

Provides for cooperation and coordination between OTC and the International Monetary Fund and that GATT shall not interpose any exchange control or restriction greater than that imposed by the International Monetary Fund. This does not usurp any legislative power of Congress. The cooperation and coordination between two international organizations of which we are members would not come within the purview of the legislative control of the Congress.

Article XVI

Provides for review of subsidy programs by OTC; however, it is not given any power to change such programs. While this article subjects subsidy legislation by the Congress to a certain review procedure, it does not attempt to authorize the changing of such legislation. As stated with reference to article II Congress has the power, which cannot be taken away, to supersede or change, so far as domestic law is concerned, the terms of treaties or executive agreements not predicated upon an inherent power of the President emanating from a constitutional executive prerogative vested in him. Agreements as to subsidies are not so based.

Article XVII

OTC is authorized to request information in re State trading enterprises. This article

[49] Appendix B.
[50] Appendix C.
[51] H. Doc. 140, 84th Cong., 1st sess.

is not one with which we are likely to be concerned from the standpoint of being required to supply information.

Article XVIII

Provides for supplying information, etc., to OTC in re balance-of-payments and quota concessions to underdeveloped countries. This is not applicable to the United States at this time nor is it likely to be ever applicable to the United States.

Article XIX

Requires a country invoking the escape clause to notify and afford the OTC an opportunity to consult. This article, as do many of the others, requires notifications and opportunity to consult. It does not infringe upon the power of the Congress or of the sovereign to exercise the prerogative of invoking the escape clause.

Article XX

Provides that the need for measures protecting products in short supply shall be subject to review by the OTC not later than June 30, 1960. Subjecting this action to review, unless there is the possibility of a sanction being applied, is not a delegation of the power to take the action which is to be reviewed.

Article XXII

Provides for consultation, upon request, between OTC and any contracting party with respect to any matter upon which such party and another are unable to agree. This is another case of providing for consultation and arbitration of misunderstandings. This provision is not subject to the charge that it is a delegation of congressional power or to the charge that it is a surrender of sovereignty.

Article XXIII

Provides for referral to the OTC of representations with respect to nullification or impairment not adjusted between parties. The provision for referral of unadjusted representations pertaining to nullification to the administrative arm of the organization seems proper. Insofar as any sovereign powers of the United States are concerned, we are not surrendering any final policy decision in this respect. We can either refer or we can take the action we determine upon without referral. It is a matter of whether or not we wish to use the machinery to continue arbitration of the matter or stand on our rights.

PART III

Article XXIV

OTC is to be supplied information with respect to custom unions or free-trade areas, upon the basis of which it may recommend changes. The power does not extend beyond making recommendations.

Article XXV

Provides that OTC will undertake the administration of GATT, that parties to GATT will become members of OTC, that parties not joining OTC will, at the option of the members of OTC, cease to be members of GATT.

This is not in derogation of the power of the Congress. It would seem well within the province of the parties to OTC to determine whether or not a country to be a member of GATT must also be a member of OTC. However, with respect to the United States, the obligations under this article would be moot insofar as we are concerned. Unless we join OTC there will be no OTC.

Article XXVII

Provides for notification to OTC of the withholding or withdrawal of concessions initially negotiated with a country which fails to enter the agreement and for consultations with parties having a substantial interest in the product involved. Again, this article provides only for consultations and notifications.

Article XXVIII

Provides for determination by OTC of parties to be consulted with upon applications for modifications of concessions. The setting up of a procedure for the modification of concessions granted in an international compact is not within the ambit of congressional power nor does it foreclose tariff changes by Congress.

Article XXIX

Permits OTC to sponsor negotiations looking toward reduction of tariffs. Sponsoring of international compacts are no more a function of Congress than negotiating.

Article XXX

Makes amendments in re the most-favored-nation treatment, tariff concessions, and of this article effective only after acceptance by all members of OTC. Makes amendments in re other matters effective only after acceptance of two-thirds of the members of OTC. There is no unconstitutional delegation of either legislative or executive power in this article. The Constitution does not limit our membership in international organizations to those in which we have a power of veto.

Article XXXI

Provides that withdrawal notices shall be sent to the Director General of OTC.

Article XXXIII

Provides that OTC shall decide upon terms for entry of new members. These articles do not invade the legislative functions of the Congress.

XXXV

Provides that OTC upon request of any member may review and make appropriate recommendations in re the nonapplication of the agreement between particular contracting parties. Recommendations that cannot be enforced with reference to an action cannot be said to be in derogation of the action.

An examination of the powers vested in OTC, summarized above, does not disclose any sweeping powers vested in the Organization which would permit it to fix our tariff rates and regulate our customs procedures.

The manner of our joining OTC has been questioned. There are those who contend that membership should be effected by means of a treaty. There are others who feel that a resolution or bill is a perfectly valid manner by which to authorize membership in the Organization. Secretary Hull, on January 11, 1935, in reply to Representative Tinkham in re an objection that the United States' entry into the International Labor Organization pursuant to a joint resolution of Congress rather than by means of a treaty was invalid, wrote "I see no reason to doubt the validity of the Joint Resolution of June 19, 1934, authorizing the President to accept membership in the Organization, or of the action of the President on August 20, 1934, in accepting the invitation to become a member of the Organization extended by the Director of the International Labor Office on behalf of the International Labor Conference. There exists a long line of instances where the President of the United States has entered into international engagements on behalf of this Government in pursuance of joint resolutions or acts of Congress."[52]

III. CONCLUSION

The purpose of this speech is simply and solely to shed light on the question of whether GATT, either implemented or not implemented by OTC, is per legem terrae.

The Reciprocal Trade Agreements Act and the established rules of statutory construction cannot be stretched to sustain a finding of authority in GATT to exercise a control over the tariffs of the United States that would in effect supersede the legislative powers of Congress. If the terms of the act could be so stretched, the act would be unconstitutional. It is unequivocably stated that the authority of GATT as it now exists or as it would exist if H. R. 5550 were to be passed, cannot derogate the powers of the Congress over the tariff.

The expediency or the inexpediency of the United States operating under the existing GATT or under the revised version of GATT as it would be implemented by OTC should not be projected into the making of a determination of the President's power.

Believing that the Reciprocal Trade Agreements Act is constitutional and that the present GATT and the revised GATT as implemented by OTC are both within the terms of the act as supplemented by the constitutional powers of the President over foreign commerce, the joining of OTC is strictly a question of policy. The constitutional power to join exists.

Mr. KEAN. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS of New Jersey. I am glad to yield to the distinguished gentleman, a member of the Committee on Ways and Means.

Mr. KEAN. This House is in control of the Democratic Party, is it not?

Mr. WILLIAMS of New Jersey. The organization—certainly, yes.

Mr. KEAN. Therefore, any time that the leadership of the Democratic Party wishes to bring up OTC before the Committee on Rules, they may. And they have failed to do so.

Mr. WILLIAMS of New Jersey. Is that a statement?

Mr. KEAN. Yes.

Mr. WILLIAMS of New Jersey. I take it that my friend is one of the four on the Committee on Ways and Means who supports OTC?

Mr. KEAN. I will say to my friend that I agree with what he says about the need for OTC. I voted for it and I am glad I voted for it and I am glad that my friend is going to support it if it comes to the House.

Mr. WILLIAMS of New Jersey. I thank the gentleman.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS of New Jersey. I yield to the gentleman from West Virginia.

Mr. BAILEY. Mr. Speaker, I should like to remind the distinguished gentleman from New Jersey that in consideration of H. R. 1 during the first session of the 84th Congress, the gentleman mentioned the fact that it was approved by a narrow margin. Let me remind the gentleman from New Jersey that on the vote on this basic matter there were 104 Republicans and 103 Democrats. They just wiped out party lines on the vote and took the legislation away from the Committee on Rules and away from the Committee on Ways and Means. His statement that an overwhelming majority of the Democratic Party is for the trade agreements is not borne out by that, and it is not borne out by the survey that has been made on the bill at the present time.

Mr. WILLIAMS of New Jersey. The vote of the Committee on Ways and Means certainly bears out the proposi-

[52] Digest of International Law, Hackworth, 1938, p. 407.

tion on the Organization for Trade Cooperation.

Mr. BAILEY. May I say to the gentleman from New Jersey that I should like them to bring the bill out, because now I have votes enough to beat it. I may not have them in the next Congress.

Mr. WILLIAMS of New Jersey. I thank the gentleman. I hope it comes up.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CRETELLA (at the request of Mr. MORANO), for the week of July 2, on account of illness.

Mrs. KEE (at the request of Mr. MCCORMACK), for several days, on account of doctor's orders.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WILLIAMS of New Jersey, for 30 minutes, today.

Mr. SADLAK, for 20 minutes, on Thursday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HOLTZMAN.

Mr. ANFUSO and to include extraneous matter.

Mr. ROGERS of Florida.

Mr. BLATNIK.

Mr. BURDICK in two instances.

Mr. MCGREGOR and to include excerpts from previous speeches made by him on the floor of the House.

Mr. CHIPERFIELD and to include extraneous matter.

Mr. VANIK and to include extraneous matter.

Mr. PATTERSON and to include extraneous matter.

Mr. DODD in two instances and to include extraneous matter.

Mr. HAYS of Arkansas to include extraneous matter.

Mr. MADDEN and to include a telegram and a letter.

Mr. SAYLOR and to include extraneous matter.

Mr. GWINN and to include figures on Federal aid to education.

Mr. HOLTZMAN (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. MULTER (at the request of Mr. MCCORMACK) and to include extraneous matter.

Mr. RODINO (at the request of Mr. MCCORMACK) and to include extraneous matter.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3046. An act to amend the act of May 29, 1884 (23 Stat. 31), as amended, and the act of March 3, 1905 (33 Stat. 1264), as amended, to eliminate the requirement of certain notices thereunder, and for other purposes; to the Committee on Agriculture.

ENROLLED JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. R. Res. 671. Joint resolution making temporary appropriations for the fiscal year 1957, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 245. An act for the relief of Ahmet Haldun Koca Taskin and Ursula Jadwiga Milarski Goodman;

S. 1375. An act for the relief of certain aliens;

S. 1814. An act for the relief of Teresa Lucia Cilli, Guiseppe Corrado Cilli, and Manda Pauline Petricevic.

S. 3842. An act for the relief of Toini Margareta Heino; and

S. 3581. An act to increase the retired pay of certain members of the former Lighthouse Service.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 29, 1956, present to the President, for his approval, bills of the House of the following titles:

H. R. 9952. An act to provide a lump-sum readjustment payment for members of the Reserve components who are involuntarily released from active duty; and

H. R. 10986. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1957, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 21 minutes p. m.) the House adjourned until tomorrow, Tuesday, July 3, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

2026. Under clause 2 of rule XXIV, a letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, relative to a letter dated June 6, 1956, relating to the case of Eliseo Delacruz-Villagran, and attaching a copy of an order of June 28, 1956, revoking our order granting a waiver of inadmissibility pursuant to section 212 (d) (3) of the act in behalf of the subject alien was taken from the Speaker's table, and referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 29, 1956, the following bill was reported on June 30, 1956:

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 9555. A bill to amend section 205 of the Flood Control Act of 1948 to increase and make certain revisions in the general authorization for small flood-control projects; with amendment (Rept. No. 2548). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of June 28, 1956, the following bill was reported on June 30, 1956:

Mr. COOPER: Committee on Ways and Means. H. R. 11947. A bill to extend and amend the Renegotiation Act of 1951; with amendment (Rept. No. 2549). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted July 2, 1956*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON: Committee on Appropriations. House Joint Resolution 671. Joint resolution making temporary appropriations for the fiscal year 1957, and for other purposes; without amendment (Rept. No. 2550). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 567. Resolution for consideration of H. R. 5731, a bill to permit members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, and their dependents, to occupy inadequate quarters on a rental basis without loss of basic allowance for quarters; without amendment (Rept. No. 2551). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 568. Resolution for consideration of H. R. 627, a bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States; without amendment (Rept. No. 2552). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 569. Resolution for the consideration of H. R. 10765, a bill to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes; without amendment (Rept. No. 2553). Referred to the House Calendar.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 242. Concurrent resolution providing for 10,000 additional copies of the report entitled "Special Study Mission to The Middle East, South and Southeast Asia, and the Western Pacific"; without amendment (Rept. No. 2554). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 243. Concurrent resolution authorizing the printing as a House document of the Constitution of the United States together with the Declaration of Independence, and providing for additional copies; without amendment (Rept. No. 2555). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 245. Concurrent resolution authorizing the printing of additional copies of House Report No. 2189, 84th Congress, 2d session; without amendment (Rept. No. 2556). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 248. Concurrent resolution authorizing the Joint Committee on Atomic Energy

to print 30,000 additional copies of the hearings of the Research and Development Subcommittee on Shortage of Scientific and Engineering Manpower; without amendment (Rept. No. 2557). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 251. Concurrent resolution authorizing reprinting of House Document No. 210 of the 83d Congress; with amendment (Rept. No. 2558). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 434. Resolution authorizing the printing of additional copies of the publication entitled "Interim Report on Corporate and Bank Mergers", 84th Congress, 1st session, for the use of the Committee on the Judiciary; without amendment (Rept. No. 2559). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 439. Resolution authorizing the printing of the prayers offered by the Chaplain, the Reverend Bernard Braskamp, D. D., at the opening of the daily sessions of the House of Representatives during the 83d and 84th Congress; with amendment (Rept. No. 2560). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 532. Resolution providing for the printing of certain proceedings in the House Committee on Agriculture; without amendment (Rept. No. 2561). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 544. Resolution authorizing the printing of additional copies of the hearings held by the Committee on the Judiciary on civil rights; without amendment (Rept. No. 2562). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 546. Resolution providing for additional copies of House Document 234, 84th Congress, 1st session; with amendment (Rept. No. 2563). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 547. Resolution authorizing the printing of the staff report entitled "State Taxation of Interstate Trucking and the Reciprocity Problem" as a House document, and providing for additional copies thereof; without amendment (Rept. No. 2564). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 548. Resolution providing for the printing of certain proceedings in the House Committee on Armed Services; with amendment (Rept. No. 2565). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 549. Resolution authorizing the printing as a House document, and additional copies, the manuscript entitled "The Powers of the President as Commander-in-Chief of the Army and Navy of the United States"; without amendment (Rept. No. 2566). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. Senate Concurrent Resolution 77. Concurrent resolution authorizing the printing of additional copies of parts 6, 7, and 8 of the hearings on the study of the antitrust laws of the United States; without amendment (Rept. No. 2567). Ordered to be printed.

Mr. COOLEY: Committee on Agriculture. S. 2517. An act to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska; without amendment (Rept. No. 2568). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRIEST: Committee on Interstate and Foreign Commerce. S. 3958. An act to improve the health of the people by assisting in increasing the number of adequately trained professional and practical nurses and professional public health personnel, assisting in the development of improved methods of care and treatment in the field of mental health, and for other purposes; with amendment (Rept. No. 2569). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 8321. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended; without amendment (Rept. No. 2570). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 9678. A bill to authorize the Secretary of Agriculture to convey to the Territory of Alaska certain lands in the city of Sitka, known as Baranof Castle site; without amendment (Rept. No. 2571). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Joint Committee on Atomic Energy. H. R. 11709. A bill to amend Public Law 506, 84th Congress, 2d session, to increase the authorization for appropriations to the Atomic Energy Commission for acquisition or condemnation of real property or any facilities, or for plant or facility acquisition, construction, or expansion, and for other purposes; with amendment (Rept. No. 2572). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Armed Services. H. R. 2035. A bill to provide for the crediting of certain service toward retirement of Reserve personnel; with amendment (Rept. No. 2573). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 11879. A bill to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes; with amendment (Rept. No. 2575). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H. R. 11346. A bill for the relief of Camillus Bothwell Jeter; with amendment (Rept. No. 2574). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HALE:

H. R. 12074. A bill to amend the Federal-Aid Highway Act of 1944 to provide for an addition to the National System of Interstate Highways; to the Committee on Public Works.

By Mr. HERLONG:

H. R. 12075. A bill relating to the reporting for income-tax purposes of dues and fees received by nonprofit service corporations; to the Committee on Ways and Means.

H. R. 12076. A bill to amend section 501 of the Internal Revenue Code of 1954 with respect to exemption of voluntary employees' beneficiary associations; to the Committee on Ways and Means.

H. R. 12077. A bill to amend section 501 of the Internal Revenue Code of 1954 with respect to exemption of voluntary employees' beneficiary associations; to the Committee on Ways and Means.

By Mr. PELLY:

H. R. 12078. A bill to amend the Merchant Marine Act, 1936, to provide assistance to United States-flag commercial vessels through the establishment of a standard of equality with respect to the margin of profit obtained by certain non-United States-flag vessels carrying cargoes procured, furnished, or financed by the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. PHILBIN:

H. R. 12079. A bill to permit missionaries who are citizens of the United States to make purchases at certain commissaries operated abroad by the United States; to the Committee on Armed Services.

By Mr. BUCKLEY:

H. R. 12080. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

By Mr. DEROUNIAN:

H. R. 12081. A bill to exempt churches from the excise tax on bowling alleys, billiard and pool tables; to the Committee on Ways and Means.

By Mrs. ROGERS of Massachusetts:

H. R. 12082. A bill to increase the rates of death pension payable to certain dependents of veterans; to the Committee on Veterans' Affairs.

By Mr. WILLIAMS of New Jersey:

H. R. 12083. A bill to exempt from the tax on club dues amounts paid with respect to any nonprofit neighborhood swimming pool; to the Committee on Ways and Means.

By Mr. MILLER of Nebraska:

H. J. Res. 672. Joint resolution to provide for a 230,000-volt line from the Fort Randall Dam in South Dakota to Grand Island, Nebr.; to the Committee on Interior and Insular Affairs.

By Mr. DAWSON of Illinois:

H. Con. Res. 261. Concurrent resolution authorizing the printing of additional copies of the hearings on civil defense for national survival held during the current session by a subcommittee of the Committee on Government Operations; to the Committee on House Administration.

By Mr. ANFUSO:

H. Res. 570. Resolution creating a select committee to conduct an investigation and study of labor racketeering; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. HESELTON: Resolutions of the Massachusetts State Senate urging the Congress of the United States to adopt the bill for expanded highway construction and increased Federal aid as agreed upon by the joint congressional conference committee; to the Committee on Public Works.

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to adopt the bill for expanded highway construction and increased Federal aid as agreed upon by the joint congressional conference committee; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GUBSER:

H. R. 12084. A bill for the relief of Maria de Jesus Alfaro de Martinez; to the Committee on the Judiciary.

By Mr. HAGEN:

H. R. 12085. A bill to permit St. Francis Catholic Church and Parish House, Bakersfield, Calif., to apply for a disaster loan

under the Small Business Act of 1953; to the Committee on Banking and Currency.

By Mr. KING of California:

H. R. 12086. A bill for the relief of Julio Carpiso Orca; to the Committee on the Judiciary.

By Mr. SHELLEY:

H. R. 12087. A bill for the relief of Pietro Manzo (also known as Giovanni Girardi); to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 12088. A bill for the relief of Grace Su (nee Ling Yu-Ying), wife of Dr. Ting Su; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1177. By Mr. FOGARTY: Petition of the Womans' Christian Temperance Union of Rhode Island, Inc., submitted by Mary M. Eldridge, legislative director, urging enactment of legislation to remove alcoholic beverage advertising from the air and channels of interstate commerce; to the Committee on Interstate and Foreign Commerce.

1178. By the Speaker: Petition of C. G. Holden and others, Robbinsdale, Minn., requesting that the bills H. R. 3087, H. R. 5702, H. R. 757, and H. R. 8862 be given favorable consideration and passed during this session; to the Committee on Interstate and Foreign Commerce.

1179. Also, petition of Agnes G. Kurtz and others, Omaha, Nebr., requesting that the bills H. R. 9065 and S. 3616 are not permitted to become law; to the Committee on Interstate and Foreign Commerce.

1180. Also, petition of Mrs. John Volkman, legislative co-chairman, B'nai B'rith Women, Edna Riebman Chapter, Wilmington, Del., requesting enactment of the bills H. R. 259, H. R. 627, S. 3167, S. 3168, and S. 3170; to the Committee on the Judiciary.

1181. Also, petition of Mrs. Marie S. French, secretary, Texas League of Vocational Nurses, Sinton, Tex., relative to requesting that they be placed on record as being opposed to the bill H. R. 7225; to the Committee on Ways and Means.

1182. Also, petition of Mrs. L. E. Sinclair, president, California Federation of Women's Clubs, Fresno, Calif., relative to two resolutions endorsed by the California Federation of Women's Clubs, summer conference, Los Angeles, June 14, 1956, for amending the Hawaiian Organic Act, and recommending the abolishment of the discriminatory tax on travel between Hawaii and the mainland United States; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Congressman Lester Holtzman Reports to the People—Fourth Annual Report

EXTENSION OF REMARKS
OF
HON. LESTER HOLTZMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. HOLTZMAN. Mr. Speaker, each year, after the work of the Senate and House of Representatives is done, it has been my practice to send a report to the folks back home.

INTERNATIONAL AFFAIRS

Since my last report to the people, the passing months have witnessed far-reaching developments all over the world. Abroad, there have been changes in the faces and tactics of the Russian leadership as it wages a life-and-death struggle with the free world for the souls of men everywhere. In Europe, our friends and allies continue to develop new answers to the ancient questions of security from attack and from want. In the Near East, little Israel once again looks into the guns of a rearmed and vastly strengthened Arab world. In Asia, countries that for centuries had not known freedom forge ahead in the quest for a stable economy and a secure democracy. In Africa, new forces are emerging, and pressing problems of varied kinds clamor for solution. Our Latin-American neighbors have seen the removal of one of those despots who now and then gain a temporary foothold in some part of the world only to be booted out when their excesses become too much to bear.

DOMESTIC AFFAIRS

And here at home, events and problems of equally great importance crowd each other in rapid succession. In the area of civil rights, the historic Supreme Court decision on school desegregation has opened a period of progress and readjustment in many States of the Nation. The merger of the two major labor organizations into one union gives a more dynamic voice to the aspirations of millions of our citizens. The continued stresses of competition between big and small business call for imaginative and constructive solutions to safeguard a stable economy. Our farmers are still confronted by falling income while our consumers face rising prices. From our Nation's laboratories come reports of scientific advances in the fashioning of destructive weapons and, at the same time, in the fight against polio and other diseases. The preservation of our natural resources, threatened lately by the big giveaways arranged by a businessman's administration, requires the attention and ingenuity of our best minds. The optimum size of our armed forces, the wisest arrangements for aid to our allies, the protection of the rights of the individual against the occasional transgressions of government bureaucracy, the safeguarding of adequate earning power of our wage earners and of the economic security of our elder citizens, the building of housing, schools, highways, dams, and waterways to serve our expanding Nation—all these and many other problems must be tackled by your Congressman and his colleagues.

A CONGRESSMAN'S RESPONSIBILITY

Of course on most of these issues, a Representative's main job is to inform himself thoroughly enough to be able to cast his vote in the best interests of his constituents and of the country as a whole. On others, he must participate in committee hearings and deliberations which must come before proper legislation can be framed. And yet on others of particular interest to him, he may formulate and sponsor bills which embody his thoughts and recommendations.

I should like to invite the comments of my neighbors in the Sixth Congressional District to legislation I have introduced:

BILL NUMBER AND PURPOSE

H. R. 10072, strengthen our civil-rights laws so that all Americans may enjoy equal opportunity.

H. R. 6509, H. R. 6510, H. R. 6511, grant tax relief to the average man and woman by increasing the allowance for dependents from $600 to $1,000.

H. R. 9687, H. R. 5277, increase the minimum wage to $1.25 per hour and reduce the workweek to 35 hours.

H. R. 9844, provide $100 per month pension to veterans of World War I at age 60.

H. R. 4443, assist cooperative housing owners by reducing FHA insurance premiums.

H. R. 6828, H. R. 4805, amend and revise the McCarran-Walter Act.

H. R. 2108, curb low-flying planes by making airlines and pilots criminally responsible for violations of law.

H. R. 3842, H. R. 3227, prohibit the importation of souvenir firearms by returning servicemen and their dependents.

House Concurrent Resolution 74, condemn religious persecutions behind the Iron Curtain.

H. R. 3479, control inflation by giving the President authority to freeze the economy of the United States.

H. R. 7390, expand benefits under the civil-service retirement system.

H. R. 8667, relieve victims of disaster from the forces of nature.

H. R. 11624, give bargaining recognition to civil-service employees.

House Concurrent Resolution 43, safeguard consumer interests by keeping down the cost of living.

H. R. 9430, increase unemployment compensation benefits.

H. R. 6543, repeal the unfair provisions of section 14B of the Taft-Hartley Act.

In addition, I have voted in favor of the following legislation: The Mutual Security Act; extension and liberalization of the Social Security Act; reduction of individual income tax and excise taxes; admission of 200,000 refugee immigrants; Housing Act, providing for additional public-housing units; Federal aid for highway construction; Federal aid for school construction; increased benefits for veterans; broadening of unemployment compensation program; pay increases for postal workers and other Federal employees; increase in minimum wage; statehood for Hawaii and Alaska; St. Lawrence Seaway development; reciprocal trade agreement extension.

I would also welcome the feelings and attitude of my constituents on legislation that I have opposed and voted against: The tidelands oil bill; the Dixon-Yates contract; the natural-gas bill; the shipment of arms to the Arab States; the reduction of the Air Force budget; the curtailment in building veterans' hospitals; the increase in first-class mail rates; the disposal of Government-owned synthetic rubber plants.

BACK HOME

In addition to these legislative endeavors, a Congressman's job affords many opportunities to take a hand in solving some of the local problems back home. I am fortunate to live in an area within easy commuting distance to the Nation's Capital, so that it has been possible for me to take an active part in the civic work which is so integral a part of the communities that have sent me to Washington to represent them. In any rapidly expanding area such as my district, there is an urgent need for additional schools and traffic lights and police protection, and I hope my constituents will continue to call upon me to take part in their drives for these vital community services.

Mr. Speaker, during the last 4 years, my greatest pleasure and privilege has been the chance to meet with so many of my neighbors, to profit from their thoughts and recommendations, and to try to serve their personal and civic needs. Their friendship and sincere interest will always be this Congressman's most lasting compensation.

Washington Lowdown Book Said Not Distributed

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. BURDICK. Mr. Speaker, about June 2, 1956, a book entitled "The Washington Lowdown" was offered for sale. The book was written by Larston D. Farrar who is a writer here in the city of Washington. It is reported that newsstands order the book, the publishers ship out the books, but they do not get to the newsstands. In other parts of the country the books are selling by the thousands. Just what is the trouble here? The book does not boost either party but attempts to give some pertinent facts about the leaders of both.

There is no legal action pending for the purpose of suppressing the book; no injunction has been served on either the author or publisher, but still the books cannot be obtained in Washington. I am curious to know what is the reason for this surreptitious ban on these books. If the people of the District want to read it, what is preventing them from getting the book? It cannot be the exorbitant price asked for the book, because the retail price is 25 cents per copy. The publishers have a good supply of these books and the news dealers want to handle them as they sell them as fast as they can be had. In spite of this the newsstands cannot get the books.

Can it be that the higher ups who may or may not have been criticized have influence enough, with legal action, to stop the flow of these books to the public? If there is some force squelching the sale of these books, surreptitiously, I am sure those who believe in free speech and a free press want to know what it is.

Income Taxes

EXTENSION OF REMARKS
OF
HON. PAUL G. ROGERS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. ROGERS of Florida. Mr. Speaker, most of us regard a family as a single economic unit producing income for the common benefit of all members of the family. However, for income tax purposes the unit has traditionally been the individual, and not the family. Since our personal income tax has always been a graduated tax, the higher the income of the individual, the higher the tax rate which applies to it. In most families the husband is the income-earner and the tax rates are applied to his income. But if the husband and wife are regarded as the tax unit of the family and the income can be divided between them, the total family tax will be less in most cases than if the family income is taxed only to the husband. This follows because more of the family income will then be taxed at lower rates. The tax on two $4,000 incomes is much less than the tax on one $8,000 income.

Prior to 1948, residents of community property States were in a particularly advantageous tax position because under the property laws of those States the income of husband and wife was regarded as belonging one-half to each of them, even though all of it was earned by the husband. In common law States, such as Florida, income could be split between the husband and wife only in special cases where property could be held jointly, or where property could be conveyed from one spouse to another to attain a division of income. Income items, such as salaries, could not be divided in any way in common law States. As between couples residing in California this resulted in a much higher tax for the Florida couple and offered a real inducement to retired people to move to California to gain a tax advantage, even though they may have preferred to come to Florida.

In 1948, Congress acted to place the common law States on a parity with community property States and allowed, for the first time, income splitting on a joint return. Income splitting means that after the total income for both husband and wife has been determined it is divided and the tax computed on one-half. This tax is multiplied by two. The effect is about the same as though all income of the husband and wife were community income reported on separate returns.

From 1948 to 1954 the community property States and common law States occupied the same position for tax purposes, and the residents of community property States had no tax advantages not enjoyed by residents of common law States. This is as it should be. But in 1954, when the new Internal Revenue Code was enacted, new discriminations were produced against residents of common law States in favor of residents of community property States.

The 1954 code changed the tax on dividend income by permitting the taxpayer to exclude from gross income up to $50 of dividends received from a domestic corporation. In addition, the 1954 code permits the taxpayer who is 65 years of age or over a credit against his tax liability, known as the retirement income credit. This credit can operate to reduce the retired income-taxpayer's tax liability by a maximum of $240 per year. This credit is equivalent to the tax at the first bracket rate of 20 percent on amounts of retirement income up to $1,200.

A Floridian whose gross taxable income includes $100 in dividends and $2,400 of retirement income derived from a pension can take only $1,200 of his retirement income into account for purposes of the $240 credit, and only $50 of his dividends into account for purposes of dividends exclusion. Since he purchased the stocks from which his dividends are derived from his earnings and performed the services for which the pension is paid, he may not take a retirement credit for his wife, nor may he take an additional $50 dividends exclusion for her.

Yet a Californian in the same circumstances is permitted two $50 dividend exclusions and two retirement income credits. This discrimination results because the Internal Revenue Service has ruled that the community property laws of our Western States must be taken into account in applying sections 37 and 116 of the Internal Revenue Code.

In the official explanation sent out with the 1955 tax returns the Internal Revenue Service took the position that married residents of community property States were entitled to two $50 dividend exclusions, even though the stocks owned by the husband and wife were paid for completely by the earnings of the husband. To the same effect in revenue ruling 55–597 the service has ruled that a husband and wife domiciled in a community property State are entitled to two retirement income credits, even though all of the retirement income of the couple may have been earned by the husband.

The resulting discrimination against residents of Florida and other common law States can best be pointed up by an example. Assume that we have two taxpayers, both are married, have no dependents, both are over 65 years of age, and that their wives are over 65, but that one lives in Florida and the other in

California, and that income tax is computed on the basis of the same income:

	California community property State	Florida common law State
Gross income:		
Rents	$1,500	$1,500
Interest	1,500	1,500
Dividends	1,600	1,600
Pension	2,400	2,400
Total	7,000	7,000
Dividends exclusion	100	50
Adjusted gross income	6,900	6,950
Less:		
Standard deduction	690	695
Personal exemptions	2,400	2,400
Taxable income	3,810	3,855
Tentative tax	762	771
Retirement income credit	480	240
Dividends credit	60	62
Tax payable	222	469

The double retirement income credit and the double dividends exclusion enjoyed by the couple residing in California results in a tax bill which is $247 lower than that paid by the couple residing in Florida. $247 is a lot of money to a retired couple. It can mean the difference between comfort and want.

The general purpose of the bill H. R. 11920 which I have introduced is to equalize, with respect to the items covered by the bill, the income-tax treatment of husbands and wives in States which do not have community property laws with the treatment of husbands and wives in community property States. There are eight States which have community property laws. This bill will give like benefits to the 40 States which have been discriminated against.

The first section of the bill relates to the retirement income credit provided by section 37 of the Internal Revenue Code of 1954.

Under existing law, if an individual has received earned income before the taxable year he is allowed a credit against tax for amounts received by him as retirement income. Under community property laws this means that both the husband and wife are entitled to the credit on the basis of the income each is considered as receiving under such laws.

The effect of the first section of the bill is to permit a husband and wife who made a joint return to treat one-half of the earned income and one-half of retirement income as received by one spouse and one-half by the other. These provisions do not apply unless it is to the advantage of the taxpayers. Section 2 of the bill relates to the partial exclusion from gross income of dividends received by individuals.

Existing law permits an individual to exclude dividends from gross income to the extent the dividends do not exceed $50. Thus, if the dividends constitute community income a husband and wife may exclude a total of not to exceed $100 whether they file separate or joint returns. Under section 2 of the bill the total exclusion is $100 if the husband and wife file a joint return. Section 3 of the bill relates to limitation on capital losses. Existing law provides: "In the case of a taxpayer other than a corporation, losses from sales or exchanges of capital assets shall be allowed only to the extent of the gains from such sales or exchanges, plus the taxable income of the taxpayer or $1,000, whichever is smaller." In the case of a joint return the limitation is computed with respect to the combined capital gains and losses of the spouses. If separate returns are filed by a husband and wife the limitation applies separately to each but the advantage of splitting income under the joint return system is lost.

Subsection (a) of section 3 of the bill increases the $1,000 limitation to $2,000 if a joint return is filed. Subsection (b) makes a technical conforming change in the definition of "net capital gain."

Labor Racketeering

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. ANFUSO. Mr. Speaker, the Daily Mirror last Friday finished an exposé on labor racketeering written by that crusading reporter, Victor Riesel, who was blinded a short time ago because of his previous exposés of labor racketeering.

Mr. Riesel has submitted shocking evidence that mobsters, hoodlums, and cheap labor racketeers have:

First, interfered with our national security "by withholding workers from employers whose projects were racing for deadlines set by contracts with the Federal Government." Some of these contracts pertained to our atomic energy research program.

Second, compelled businessmen who wanted to bid on Government contracts to first consult certain union officials to determine the take of these crooked union officials on the contract. If one dared to bid on a Government contract without the union bosses' permission he would be forced out of business.

Third, threatened and bribed public officials, judges, and prosecutors.

Fourth, murdered at least 200 other union officials throughout the United States who dared to interfere with their rackets.

Fifth, created a super second government run by an army of thugs operating under the laws of the underworld.

Mr. Riesel's daily column in the Daily Mirror has for years blazed away at labor racketeers. Until the foul acid attack on him he felt himself immune because of his status as a reporter. He pathetically stated this observation in his exposé:

> It is bitter to realize that all the glare into the snakepit did not move the public.

He concluded by challenging the Congress of the United States to take proper action. Speaking of congressional probes, he says:

> There must be congressional probes. Otherwise the ball falls between two outfielders. The Government finds that it can't handle clever criminals on any charges except income-tax evasion. So, some of the worst hoods get away with sentences as short as 8 months on tax raps. There just are no laws to deal with the subtleties of the crime cartel and to jug men like Frank Costello.

Mr. Riesel also told the millions of Mirror readers that previous congressional probes have been allowed to die when they hit pay dirt. Referring to our own 84th Congress, he made this blistering accusation:

> Why, after Illinois Senator PAUL DOUGLAS found a score of union officials using welfare and pension funds as their own money, was his investigation permitted to die?

Mr. Speaker, it is my considered opinion, and I have spent a restless weekend thinking about this matter, that we cannot let this defiance of law and order to go unchallenged. We cannot permit a second government within the United States. Congress, and only Congress, has the power to write the laws that would put an end to this sort of racketeering.

I am reminded, Mr. Speaker, that the union officials involved are only a small fragment of the large body of union leaders who have battled, and continue to battle, the crooks, that the millions of men and women of organized labor are pleading with us that we drive the crooks and hoods out of their unions.

Without the power of the Government many union officials have risked their lives to clean their own houses. Most outstanding are:

First. Samuel Gompers, the father of the labor movement himself.

Second. George Meany, president of the AFL–CIO.

Third. Walter and Victor Reuther, of the Automobile Workers Union.

Fourth. Mr. Alex Rose, president of the Hatters Union.

Fifth. Mr. David Dubinsky, president of the International Ladies Garment Workers Union.

Sixth. Mr. Joe Curran, president, National Maritime Union.

Seventh. Mr. Jacob Potofsky, president of the Amalgamated Clothing Workers Union.

Eighth. Mr. Paul Hall of the Seafarers International Union.

Ninth. Mr. Luigi Antonini, vice president of the International Ladies Garment Workers Union.

Tenth. Mr. Edward Mollisani, member, general executive board of the International Ladies Garment Workers Union.

Eleventh. Mr. August Bellanca, vice president, Amalgamated Clothing Workers Union of America.

There are many other unsung heroes in the labor movement who are daily battling the crooks.

Mr. Speaker, I am this day introducing a resolution calling for a full-scale investigation of labor racketeering and all other interference with the proper conduct of labor unions; that this investigation be made by a select committee of the House who are after all the true representatives of the people; and that this committee have all the necessary powers to subpena and the right to call

on any agency of our Federal Government to assist in this investigation.

Let us have a complete and full study. Let us call on Victor Riesel and the public to present such facts as they have at their disposal. Let us call on the honest labor leaders with a record of defying the hoods to present their suggestions.

In the end we should be able to write legislation that would clean up the labor movement and keep it clean.

Low Second-Class Postal Rates Have Provided Best Informed Citizenry of the World

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. BURDICK. Mr. Speaker, I am alarmed when I hear these distinguished gentlemen stand up and argue seriously that some publishers—not many, they admit that, but some—are still making a little money to cover their taxes, and that we ought to take it away from them before they manage to hide it.

Publishing is one of the lowest-profit industries in the country, and personally I wish they made a lot more. There would not be any United States as we know it today if it were not for newspapers and magazines. And without newspapers and magazines this free and informed United States we do know today would not be here tomorrow.

I learned my ABC's from a magazine. It was called Farm Home and Fireside, and it cost the whopping price or 25 cents a year. That was pretty high for us farmers out in Dakota, so we had a rotation system. Our folks were the second on the list that got it. When we were through with it we passed it on.

I do not know if Farm, Home, and Fireside was any great shakes as an intellectual magazine. I remember it carried a lot of stories about detectives and fights with Indians. That was not escape literature, either—in those days we had Sioux Indians all around the ranch. They used to knock on the kitchen door to bum coffee. But that little magazine also brought the whole community information about farming methods that there was no other way of getting. It told about new farm machinery and better livestock. And it reminded us that there was a great big world beyond Graham's Island, N. Dak.—that maybe the world did not even end at Minnesota.

If I were going to name the elements that have rendered this country great, I would put reading very near the top of the list. And if I were going to name the things that have made reading possible, I would put down first of all the public-school system and the great institution of second-class mail. It it were not for second-class mail we never would have gotten that magazine out in Graham's Island. If it were not for low second-class rates a lot of families could not get magazines and newspapers today.

No other country in the world can match our hunger for information or our techniques for getting that hunger satisfied. We Americans are learning more and more as the years go by. I just wish some foreign countries, and I do not need to name them, could say as much.

In my opinion, it is just as absurd to call the net costs of the postal service a deficit as it would be to call the net costs of the Agriculture Department a deficit. The Post Office is an essential avenue of communication. The information it disseminates through newspapers and magazines not only sharpens our minds—it gives people a look at the products of our industry. It keeps the heart of business pumping. Certainly, we need a Post Office that is efficient and well run, but once that is taken care of we ought to throw this ridiculous talk about deficits right out the window. What we are getting as a result of low second-class rates is the best-informed citizenry of the world, and even if the Postmaster General is right when he claims it is costing the taxpayers money it is cheap, in my opinion, at the price. The proposal to as much as double the price we are charging to carry newspapers and magazines through the mails is an affront to commonsense and a disservice to the people of this country.

Federal Aid to Classroom Construction

EXTENSION OF REMARKS
OF
HON. RALPH W. GWINN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. GWINN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following memorandum:

Federal aid to classroom construction; a memorandum for the Members, dealing with the Kelley bill and the proposed amendment based upon the Scrivner plan of Federal aid, prepared by RALPH GWINN, dated July 2, 1956

State	Kelley bill States will pay in	Kelley bill States will get back	Income tax collections fiscal 1954	Under Scrivner plan a sum equal to 1 percent of tax collections will be returned to the States
Alabama	$2,172,000	$8,968,658	$355,904,000	$3,359,040
Arizona	928,000	2,537,686	153,119,000	1,531,190
Arkansas	904,000	5,313,957	148,110,000	1,481,100
California	30,480,000	27,545,819	4,671,633,000	46,716,330
Colorado	3,588,000	3,611,322	553,265,000	5,532,650
Connecticut	7,364,000	4,782,562	1,168,589,000	11,685,890
Delaware	5,152,000	835,050	869,525,000	8,695,250
Florida	3,868,000	7,623,902	599,990,000	5,999,900
Georgia	4,008,000	10,237,501	581,573,000	5,815,730
Idaho	612,000	1,691,790	100,902,000	1,009,020
Illinois	32,912,000	20,247,262	4,926,633,000	49,266,330
Indiana	9,148,000	10,226,657	1,205,079,000	12,050,790
Iowa	3,020,000	6,420,128	494,575,000	4,945,750
Kansas	2,876,000	4,750,027	437,870,000	4,378,700
Kentucky	7,600,000	8,317,970	441,333,000	4,413,330
Louisiana	3,096,000	8,090,229	459,357,000	4,593,570
Maine	976,000	2,244,876	159,030,000	1,590,300
Maryland [1]	10,904,000	16,202,148	851,777,000	8,517,770
Massachusetts	10,876,000	10,573,691	1,708,884,000	17,088,840
Michigan	34,844,000	17,058,887	4,857,146,000	48,571,460
Minnesota	6,064,000	7,699,816	917,256,000	9,172,560
Mississippi	800,000	6,506,886	129,336,000	1,293,360
Missouri	10,128,000	9,174,710	1,472,722,000	14,727,220
Montana	668,000	1,594,187	109,285,000	1,092,850
Nebraska	2,340,000	3,220,909	320,620,000	3,206,200
Nevada	484,000	466,327	70,308,000	703,080
New Hampshire	712,000	1,279,688	118,150,000	1,181,500
New Jersey	11,776,000	11,343,672	1,745,232,000	17,452,320
New Mexico	$608,000	$2,320,790	$99,351,000	$993,510
New York	74,996,000	32,794,708	11,626,091,000	116,260,910
North Carolina	8,824,000	12,178,549	673,436,000	6,734,360
North Dakota	364,000	1,724,325	60,929,000	609,290
Ohio	26,936,000	20,236,416	4,147,301,000	41,473,010
Oklahoma	3,576,000	5,715,215	504,416,000	5,044,160
Oregon	2,444,000	3,893,287	403,821,000	4,038,210
Pennsylvania	30,448,000	25,105,737	4,531,795,000	45,317,950
Rhode Island	1,696,000	1,778,549	271,663,000	2,716,630
South Carolina	1,444,000	7,005,748	239,806,000	2,398,060
South Dakota	408,000	1,724,325	67,056,000	670,560
Tennessee	2,916,000	9,174,710	463,856,000	4,638,560
Texas	12,490,000	21,982,431	1,969,318,000	19,693,180
Utah	1,696,000	2,168,962	135,924,000	1,359,240
Vermont	432,000	965,188	70,790,000	707,900
Virginia	6,156,000	9,207,244	641,430,000	6,414,300
Washington	4,736,000	6,355,059	711,456,000	7,114,560
West Virginia	1,676,000	5,747,750	270,198,000	2,701,980
Wisconsin	7,428,000	8,740,918	1,121,973,000	11,219,730
Wyoming	324,000	780,826	51,764,000	517,640
Hawaii	776,000	1,409,825	126,170,000	1,261,700
Possessions		422,000		
Alaska			45,843,000	458,430
District of Columbia			707,455,000	7,074,550
Puerto Rico			(9,571,000)	(95,710)
Total	398,664,000	400,000,000	58,578,533,000	585,785,330

[1] Figures for Maryland include those for District of Columbia and Puerto Rico.

NOTE.—Income tax includes collections for old-age insurance. Actual benefits would be somewhat less than shown in Scrivner plan after adjustment for that factor, an average of 7.2 percent.

Rock Island (Ill.) Centennial Bridge Improvement

EXTENSION OF REMARKS
OF
HON. ROBERT B. CHIPERFIELD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. CHIPERFIELD. Mr. Speaker, I am delighted S. 2091, a bill authorizing the reconstruction, enlargement and extension of the bridge across the Mississippi at Rock Island, Ill., passed the House today.

This bill was sponsored by Senator DIRKSEN and had previously passed the Senate. I introduced a similar bill in the House.

The real purpose of the bill is to reconstruct, enlarge and extend the approaches to such bridge. This construction does not require any Federal appropriation and will not cost the Federal Government one dime but will be paid for by toll revenue collected from those who use the bridge.

The following statement from the House report concisely states the reasons why improvements are necessary:

GENERAL STATEMENT

The Rock Island bridge was completed in 1940 and since that time the average daily traffic over the bridge has increased from 4,000 to 12,000 vehicles per day. The bridge is a 4-lane roadway and can accommodate a large volume of traffic, but it is estimated that its present approaches have only one-third to one-fourth the capacity of the bridge. Approximately 10 percent of the vehicles using the bridge are large trucks which are channeled through the business areas.

The metropolitan areas of Rock Island and Moline, Ill., Davenport, Iowa, and adjacent cities, has a total population of about 200,000. The area is highly industrialized, with an estimated 126 industries with 29,000 employees on the Illinois side, 179 industries with 15,000 employees on the Iowa side, and 6,000 employees at the Rock Island Arsenal located on an island in the river. Being one metropolitan area, the traffic across the river produced by this employment is extremely heavy on the available bridges.

Approximately eight blocks east of the Rock Island bridge is a free Government bridge connecting Rock Island and Davenport by way of the Rock Island Arsenal. Practically all of the employees at the arsenal travel to and from their homes by motor vehicles over the free bridge. The present average flow over this bridge is 15,000 to 18,000 vehicles per day. This traffic is impeded by the opening of the bridge to permit boats to pass, which averages about 125 openings monthly.

Based on present revenue, the Rock Island bridge is expected to be toll free in 1959. The committee has been advised that city authorities believe that refinancing and extending the small toll of 10 cents per passenger vehicle is a practicable, equitable, and feasible method of improving the approaches to the bridge. They estimate that under this procedure the proposed improvements will be completely paid for and the bridge made toll free by about 1970.

The committee believes that S. 2091 should be enacted so that proper steps can be taken to permit the Rock Island bridge to be utilized to its designed capacity to relieve the existing and anticipated traffic conditions. The approaches to the bridge appear to be the key to the problem, and unless corrected to permit a free flow of traffic across the river, the economy of the area will be adversely affected and the movement of highway traffic will be impaired. Adequate approaches to the bridge, with attendant improvement of access roads and streets, will afford safe and rapid approach to the bridge and increase its utility; prevent congestion and overflow of traffic and trucks in the downtown city area; and handle the heavy increase in traffic expected from the nearby terminus of the Illinois toll road East-West Highway and the construction of a new bridge over Rock River.

The committee has been informed that the Secretary of the Army, the Secretary of Commerce, and the Director of the Bureau of the Budget have offered no objection to the enactment of this legislation.

Rebellion Within Poland

EXTENSION OF REMARKS
OF
HON. RAY J. MADDEN
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. MADDEN. Mr. Speaker, I am herewith submitting for the information of the Members of Congress a copy of a telegram I received from the Indiana Department of the Polish American Congress. The same speaks for itself.

I am also submitting a copy of the letter which I have mailed to the Honorable John Foster Dulles, Secretary of State. This letter requests that our Government immediately instruct our representatives to the United Nations to resolve that the United Nations Organization make a complete investigation of the Poznan uprising and all internal and governmental conditions which incite rebellion on the part of the Polish people against communistic tyranny.

The telegram and letter follow:

JUNE 30, 1956.

Hon. RAY J. MADDEN,
House of Representatives:

The Polish American Congress of Indiana Department demands your appeal to the Department of State to immediately bring the Polish uprising at Poznan to the attention of the United Nations as a proof that Poland is still enslaved under the sharp communistic oppression. It is imperative that the State Department demand free election in Poland under the international control as per the Potsdam Agreement. A clear and determined position of the State Department in the defense of the Polish anti-communist heroes must be taken up immediately.

POLISH-AMERICAN CONGRESS
INDIANA DEPARTMENT,
ALOISE M. WOZNIAK, *President.*
THADDEUS WACHEL, *Secretary.*
T. S. KUBIAK, *Director.*
JOSEPH WIEWIORA,
Public Relations.

JULY 2, 1956.

The Honorable JOHN FOSTER DULLES,
Secretary of State,
Washington, D. C.

DEAR MR. SECRETARY: Enclosed you will find telegram which I have this day received from officers of the Polish American Congress, Department of Indiana, in regard to the uprising of the Polish citizens at Poznan. The request set out in the same should be given every consideration by our Government. The uprisings in Poland as well as the rebellion that took place in Germany 2 years ago, is an added testimonial of the unbearable enslavement of all captive countries under the Kremlin.

Judging from the propaganda machinery of the Commist tyrants, we can easily imagine the actions of the Kremlin if similar uprisings took place in any of the democratic nations of the world. The Communists would indeed carry on an endless propaganda if these conditions existed in any country outside of the Iron Curtain. Our Government has already overlooked and failed to take advantage of numerous opportunities to expose Soviet operation, enslavement, and tyranny over captive countries. One outstanding example was the failure of the State Department to allow the evidence and findings of the congressional Katyn Forest Massacre Committee to be sent to the United Nations. Another mistake was the opposition of the State Department to the sending of the findings and reports in the 83rd Congress of the Committee Investigating Communist Aggression. If we are to gain the confidence of the people of the world who love freedom, we must expose the truth about communism.

I believe that it is the duty of the State Department to immediately submit to our representatives in the United Nations, a demand for a complete and exhaustive investigation of the Poznan uprising, conditions and economic enslavement of the Polish people. History reveals that when tyranny and slavery exist in any part of the world, it is a threat to freedom everywhere.

Sincerely yours,

RAY J. MADDEN,
Member of Congress.

The Preservation and Protection of Precious Documents of Our Historic Past

EXTENSION OF REMARKS
OF
HON. THOMAS J. DODD
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. DODD. Mr. Speaker, today I have introduced a bill establishing a commission, similar in form and content to the Hoover Commission, for the purpose of making a critical revaluation of all documents in the possession of the Government. In the 180 years since the founding of our Nation there has been no adequate program developed for the preservation and protection of precious documents of our historic past.

While it is true that the Declaration of Independence is preserved for the ages under glass, there are other documents of almost equal value that are not. The establishment of a commission charged with the task of determining what documents are of historic significance and making recommendations as to their preservation and display, could make a valuable contribution to generations of Americans to come.

The Fourth of July is more than just a pleasant summer holiday to thoughtful Americans. It is a time to pause briefly, forgetting the cares of the day, and reflect on the courage and wisdom of the men who forged America's freedom from

tyranny. It is easy to take our heritage of freedom lightly and to forget that men, not unlike ourselves, were inspired to boldly proclaim the practical idealism upon which our Nation was founded. It was a new departure in the philosophy of Government, and for the first time set forth the principle that the State is the servant of man, not his master.

The Nation was born of strife and suffering and the universal urge of mankind for freedom. Our early struggle for independence is documented by the letters and papers, both public and private, of the colonial leaders who had the courage and the spirit to fight for freedom. It is clearly the duty of Congress to take an active interest in these documents and to make sure that they are not allowed to deteriorate.

George Mason, the outstanding patriot from nearby Fairfax County, Va., is the author of what later became the Bill of Rights. The first draft of this precious document, in Mason's handwriting, is the property of the Federal Government and is now in the possession of the Library of Congress. While the Mason papers constitute an important segment of Revolutionary documents, absolutely nothing is done to preserve them, or to make them available to the public in the form of reprints. This is by no means an indication of neglect in the care of these papers. They are well guarded against the possibility of theft or malicious mutilation, but are vulnerable to the attrition of time. In a recent issue of the American Bar Association Journal, Mr. R. Carter Pittman, an authority on Mason, states:

> The original (Mason's Bill of Rights) in Mason's handwriting now lies unrecognized, unhonored and unsung among the Mason papers in the Library of Congress. It too is forgotten history.

Yet this first draft of our Bill of Rights eventually became living law.

My bill will establish a commission to be known as the Commission on Historical Documents that will conduct a comprehensive review of historical documents in the possession of the United States relating to the formative years of our country. It will be the duty of this Commission to determine, after objective evaluation, whether a document is of such historical importance that it should be preserved for future generations. There can be little doubt that hitherto neglected portions of America's past will come to light by the establishment of such a Commission. Generations of Americans to come will profit by gaining an accurate, contemporary view of the genesis of our country.

The Commission will be composed of seven members, chosen to insure a balanced representation among individuals equipped to undertake such an evaluation. The Commission members will be:

First. The Archivist of the United States.

Second. The Librarian of Congress.

Third. One Member of the Senate appointed by the President of the Senate.

Fourth. One Member of the House of Representatives appointed by the Speaker of the House of Representatives.

Fifth. Three members from private life appointed by the President of the United States.

I feel certain the creation of such a Commission would make an invaluable contribution to a better and more widespread understanding of the principles upon which our Nation was founded.

Atomic Roadblock

EXTENSION OF REMARKS
OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 2, 1956

Mr. SAYLOR. Mr. Speaker, under leave to extend my remarks, I include in the RECORD an editorial from the Boswell (Pa.) News entitled "Atomic Roadblock."

Articles such as this one will go a long way toward alerting the American people to the impracticability and economic danger in some of the proposals regarding peacetime application of atomic energy. Although metropolitan newspapers have become accessible to practically every town in the Nation through the medium of improved transportation facilities, and although television has now replaced or supplanted the radio in most homes in the populated areas, rural America looks also to the smalltown press for factual and interpretive information on all issues—national and local. The printed word of the sincere smalltime editor remains one of the most effective devices for forging individual curiosity into public opinion.

Recognizing as ludicrous the proposed reactor program to set up an atomic powerplant in practically every area where there is a Good Humor truck is only to be expected of the smalltown editor. He has never been taken in by the profligates who persist in planning to invest money that we do not have in projects that we do not need. Such exposes as the Boswell News' report are going to defeat the atomic TVA program. My hope is that the intrinsic fallacies of the reactor program will be given sufficient publicity in the coming weeks as to forestall any appropriations of this nature that advocates of the program may attempt to force through Congress in the closing days of this session. A delay of any kind will be beneficial. It will give Members of Congress and the general public time to make a rational analysis of the plans of the atomic bureaucrats, thus making the legislation more difficult—if not impossible—to get through in ensuing sessions.

I am particularly pleased to know that publishers in coal areas are taking an active part in the crusade to prevent the irresponsible crash reactor program from going into effect. Those behind the reactor program are following the usual procedure; that is, first it is recommended that these reactors be built in areas where power generated by nuclear materials will not compete with coal-fired steam plants. That theory is in itself misleading and dishonest. Every coal-burning electric power plant in the country—regardless of its location—is at this very moment capable of generating electricity at costs far below the most optimistic estimates for atomic plants. If, however, the United States Government provides the funds for construction of the plants, buys the fuel, and, finally, underwrites the risks involved in the operation of the plant, then it may be possible to produce electricity cheaper than it can come through coal. The same standard would apply in the heart of coal regions.

The National Coal Association Convention for 1956 got under way yesterday and is continuing through today. One of the reasons for the optimism prevailing at the convention is the expected increase in coal demand by electric power companies. During hearings of the Coal Research Subcommittee, of which I am a member, witnesses invariably emphasized the projected rise in consumption of coal by the electric utilities as a premise on which long-range plans can be formulated.

Assuming that the principal dangers involved in the operation of an atomic power plant can ultimately be minimized and the disposal problems settled, Government-built and subsidized electric facilities would be directly responsible for the loss of thousands of jobs in the coal industry, and among railroaders as well. Residents of coal-producing States cannot afford to permit such an eventuality to take place. Now is the time for opposition to be made known. The editor of the Boswell News is to be congratulated for his efforts in this direction and I hope that an increasing number of voices will be heard in this regard. The editorial follows:

ATOMIC ROADBLOCK

Washington is accustomed to words—especially in an election year. But Elmer Lindseth, president of the Cleveland Electric Illuminating Co., has said a few that not only make uncommon good sense but contain worthwhile news for the American people.

The Joint Congressional Committee on Atomic Energy was told by Mr. Lindseth that the United States now has 89 atomic reactors completed, planned, or applied for, compared with 63 for all the other nations of the world combined and five times as many as Communist Russia. This is atomic leadership with a capital L.

Mr. Lindseth was speaking for the Edison Electric Institute, the industry's statistical authority, in opposition to a bill by Senator GORE, of Tennessee, which would put the Atomic Energy Commission in the electric business by ordering it, against its will, to build six large-scale atomic power reactors.

This atomic TVA program would cost taxpayers an estimated $2 billion on top of the $10 billion which the Federal Government has either spent or is planning to spend on power facilities in competition with United States electric companies. The point is, there is just no need for Federal spending in this field. America already is head and shoulders above the rest of the world in atomic power progress. Private industry is moving forward rapidly with its own program to build nine atomic powerplants. The proposed program would do nothing but duplicate projects underway, wasting manpower, materials, and tax dollars in the process.

With taxes as high as they are today, it makes no sense to waste taxpayers' money

simply to produce a carbon copy of a job already being done by private enterprise in cooperation with AEC. We suggest that Senator Gore voluntarily remove his roadblock to progress and let the AEC get on with its job.

Ignace Jan Paderewski: The 15th Anniversary of His Death, June 30, 1956

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Monday, July 2, 1956

Mr. RODINO. Mr. Speaker, in 1860 there was born in Poland a man destined to become one of her greatest artists and statesmen. This man was Ignace Jan Paderewski. We are proud today to commemorate the anniversary of his death and to review briefly some of his inspiring and noble achievements.

Ignace Jan Paderewski had a long musical career filled with satisfying experiences and stimulating work. A true genius in the field of music he finally channeled his great talents and energies into the fight for Polish freedom, thus advancing the cause of liberty and democracy everywhere in the world. Someone once said: "The Polish race breeds patriot artists; their patriotism is not enervated by their art, neither is their art vulgarized by their patriotism." This can certainly be applied to Paderewski. He gladly put aside his music in order to contribute his time for Polish independence and freedom. Although it is not uncommon for great creative artists to offer their services when their nation's liberty is imperiled, it is unusual for them to play the outstanding political role that Paderewski did in reviving the independence of his native land.

During the First World War Ignace Paderewski became aware of the need for championing the restoration of Poland to the European community. Many Poles were enlisted in the campaign to help regain their former liberties and national integrity, and the task of alerting America to the Polish cause fell to Ignace Paderewski. Being well known in the United States as a pianist and very highly regarded as both an artist and a humanitarian, he was an excellent choice for an unofficial ambassador to America. He particularly gained the confidence of Col. Edward M. House, personal adviser to President Woodrow Wilson, and later Wilson himself acknowledged that he had been won over to the Polish cause by Paderewski. There were also countless other statesmen and leaders in the United States who shared Wilson's esteem for Paderewski. Charles Evans Hughes remarked about Paderewski that "creative power has rarely had such an opportunity, and rarely has opportunity been so nobly used." Robert Lansing, in his writings on world war leadership, stated that Paderewski:

Was an able and tactful leader of his countrymen and a sagacious diplomat, and that his emotional temperament, while it intensified his patriotic zeal and his spirit of self-sacrifice, never controlled or adversely affected the soundness of his judgment or his practical point of view.

It is a fact that Paderewski gave his whole life over to benefit and improve his fellowmen.

The steady and untiring efforts by Paderewski for a free Poland still are clear in the minds and hearts of Poles today. And as the vision of an independent Poland was the lodestar of his existence, so must the liberation and revival of Poland become a goal for the democratic world. We gladly commemorate the anniversary of this noble and dedicated Polish statesman and artist.

Boys' Clubs of America Commend CBS-TV Comics

EXTENSION OF REMARKS
OF
HON. LESTER HOLTZMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, July 2, 1956

Mr. HOLTZMAN. Mr. Speaker, it has come to my attention that a leading youth organization, Boys' Clubs of America, whose chairman of the board is a former President of the United States, Hon. Herbert Hoover, has commended a New York publisher for providing outstanding comic magazines to our youth. This is a matter of vital national significance which should be brought to the attention of all Americans who are vitally concerned with the moral and spiritual welfare of our children.

Mr. Ned L. Pines, president of Pines Publications, Inc., New York City, has been presented with the golden anniversary gold medallion and certificate of award of Boys' Clubs of America for his distinguished service to American youth by publishing exceptionally fine and wholesome comic magazines. This honor is most significant because of the considerable criticism that has been heaped upon this segment of the publishing industry in recent years.

This recognition accorded to Mr. Pines merits our attention because it focuses the spotlight of public opinion upon a publisher who believes in our youth and believes in providing them with wholesome entertainment. Mr. Pines, who has been a publisher for nearly 30 years, provides millions of our Nation's young folk with fine, wholesome comics such as Dennis the Menace, CBS-Television's Terrytoon comics and Mighty Mouse comics. I am indeed happy to see that he is getting this well-deserved recognition from one of the country's most respected organizations, devoted to the highest ideals of building the character of American boys.

I only hope that this award will spur other comic magazine publishers throughout the country to follow Mr. Pines' lead in publishing comics which we can, in good conscience, encourage our children to read and enjoy.

I want to read into the RECORD the text of the certificate of award and that of the presentation letter to Mr. Ned Pines from former President of the United States, Hon. Herbert Hoover, chairman of the board of Boys' Clubs of America:

BOYS' CLUBS OF AMERICA,
New York, N. Y., April 26, 1956.

Mr. NED L. PINES,
President, Pines Publications, Inc.,
New York, N. Y.

DEAR MR. PINES: It gives me great pleasure to inform you that Boys' Clubs of America has selected you to receive a special award in recognition of your distinguished service to American youth and your outstanding contributions to the Boys' Clubs movement.

I should like, therefore, to present to you this golden anniversary medallion and certificate of award.

Please accept my personal congratulations along with those of the other members of the board of directors.

Sincerely,

HERBERT HOOVER,
Chairman of the Board.

BOYS' CLUBS OF AMERICA—GOLDEN ANNIVERSARY AWARD PRESENTED TO NED L. PINES, PRESIDENT, PINES PUBLICATIONS, INC.

For distinguished service to American youth by publishing comic magazines whose outstanding wholesomeness, interest, and entertainment value exemplify the highest publishing standards.

A. L. COLE,
President.
DAVID W. ARMSTRONG,
National Director.
HERBERT HOOVER,
Chairman of the Board.
WILLIAM S. HALL,
Honorary President.

MAY 1956.

Technical Assistance: Instrument of National Policy

EXTENSION OF REMARKS
OF
HON. BROOKS HAYS
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES

Monday, July 2, 1956

Mr. HAYS of Arkansas. Mr. Speaker, recently the World Alliance Newsletter published an extract of a speech that I made at the Conference on University Contracts Abroad sponsored by American Council of Education, and under leave to extend my remarks I include my statement as follows:

TECHNICAL ASSISTANCE: INSTRUMENT OF NATIONAL POLICY

(By BROOKS HAYS)

Many of the independent nations of the world cherish their independence, but do not fully appreciate the nature of the East-West conflict. Most of them, I am sure, would recognize in case of armed aggression that they do have a stake in the issue that divides the Communist and the free world.

Without neglecting the importance of a strong military defense, we must share our productiveness with the less favored peoples of the world. Even if we were not thinking in terms of global strategy against communism, we should be busy convincing the "neutral" third of the world's population that we are gravely concerned with assistance programs that are only remotely related to our own narrow national interests. This involves our ideals. It involves the philosophy upon which we have built our Nation.

UNITED STATES POLITICS AND WORLD PROGRAMS

There are political implications in these world programs. The businessman fears that the cost may be too much, although the U. N. proper, with all organizational activities, takes only 8 cents per year from the United States taxpayer, and when we add the activities of the specialized agencies, the total cost is still only 67 cents per United States citizen per year. Some of our people fear that energies are diverted that could be used at home. It is difficult to establish that in promoting world progress we promote our own self-interest. But it is true, and we must try to be convincing on that point. There are also considerations outside the appeal of our national self-interest. Underneath the surface of mental skepticism is a potential nobility in the heart of the American voter, and he has springs of generosity and intelligence that can be channeled in constructive directions.

U. N. TECHNICAL ASSISTANCE

Some of the most interesting things that were talked over in United Nations meetings this year concerned the U. N. technical assistance programs. One of the expanded technical assistance program's functions is to coordinate the work of such specialized agencies as the World Health Organization, the U. N. Children's Fund, the Food and Agricultural Organization, and the International Postal Union. These multilateral operations are extremely important for the underdeveloped countries. Multilateral programs spread the burden, and other nations are eager to assume some of the responsibilities for them.

Every person recovering from a dread disease through miracle drugs feels grateful to find that some of them were discovered in foreign laboratories. The farmers who are aware of the benefits of research abroad, and of the help in their fight against crop diseases, feel a new sense of internationalism. The interdependence of our modern world is, of course, something that I do not need to labor. But perhaps we talk too much of what we have done for other people and too little of our debt to them. We should impress our own people with the fact of interdependence, and certainly we should avoid every appearance of trying to impose our own culture on other peoples.

There is an impression among those who have not probed deeply the question of political sentiment that we should retreat from responsibilities for leadership in education and health and material progress throughout the world. While we cannot read the Russians' minds or appraise their decisions, it is evident that they are transferring some of their energies away from the military into the economic and propaganda fields. We must not let them out-run us. We must be in there fighting for the kind of bold, effective technical assistance program that convinces the people of the world that we are concerned about living standards, and that the people of the United States want to share our incredible productivity with them. If we move into blighted areas and neglected places with imagination and leadership, we will win in this global struggle with the Communists, and nothing can obstruct us. I fear that if we follow a pinch-penny policy for technical assistance and foreign aid, we may lose this race to those who believe altogether differently about man, about human society, and about the processes of government by which order and justice are sought.

UNITED STATES PUBLIC IS FOR TECHNICAL ASSISTANCE

We are making headway. The technical assistance program is being accepted, and I think it is because of the fine admixture of practical values with our historic ideal of service. Every poll I have seen supports this. Only 6 percent of the college-educated people are opposed; 94 percent are for it. The percentage in favor goes down a little, according to the polls, if specific sums are mentioned. They always look too big, whatever the figure, but the principle is embedded in the thinking of the American people, and even in the group of the lowest educational level—the grammar school level—50 percent know about technical assistance and are generally for it.

The technical assistance program should not be greatly affected by changes in the administration or control of Congress. We must have the total resources of both parties to prevail in this great human service. There is too much suffering abroad, and there are too many expectations of us, to leave unutilized our tremendous moral and intellectual resources.

As We Prepare To Celebrate Independence Day, What Would Be More Fitting Than To Make the Capitol Dome an All-Night Beacon of Freedom's Light?

EXTENSION OF REMARKS
OF

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 2, 1956

Mr. THOMPSON of New Jersey. Mr. Speaker, the project for which I rise to speak is minor in and of itself for the agenda of the Congress of the United States in this crowded hour of crisis and the concentrated pressure of the public business. Yet it has a symbolic value that in my judgment can be said to have intense meaning for America and considerable global significance, particularly as we prepare to celebrate Independence Day this year. Without being either too boastful or too obtrusive, I like to think of the Capitol of the United States as a kind of beacon of freedom for all mankind—a light that should never be permitted to go out—both figuratively and actually. It is symbolic of that meaning that I recommend this House take steps, through official channels, to provide that this Capitol's exterior be illuminated, not only up to the hour of midnight, but all night long.

What I ask this House to remember is that the Capitol of the United States has come to be a magnet for the 166 million people who own it, as well as for visitors from all corners of the earth. We must begin to think of it not only as the workshop of the greatest democracy in the annals of free government, but also as a monument to freedom for all peoples. This calls for exhausting every avenue of appeal, of propaganda—in the best sense of the term—of acceptability, to intensify the patriotic feelings of our own people, and win the mind of mankind. Thus it seems to me almost rude in a Capitol representative of so much magnificence in the rise of man, that, promptly at midnight, as if life and freedom ceased at that hour, the lights over the Capitol go out and a deadly pall hangs over the area, as if freedom had fallen victim to its enemies and has now become a corpse.

Eyes that are not used to the light of freedom are disturbed and uncomfortable in its harsh, merciless light. The hundreds of millions of human beings dominated by communism today are like those pitiful creatures in Plato's cave, looking at shadows and listening to echoes all of their lives.

At first, when any of them is liberated and compelled suddenly to stand up and turn his neck round and walk and look toward the light, he will suffer sharp pains—

Socrates said, and added that—

the glare will distress him, and he will be unable to see the realities of which in his former state he had seen the shadows.

The background story of the illumination of the Capitol may be told in a word: There was no exterior illumination of the Capitol at night even as recently as the first Woodrow Wilson administration. It was during the second Woodrow Wilson inaugural that the lights were turned on—how appropriate when we think of the history of that hour—and our people began to see a significance in the lights that transcended in the imagination and mere measurement of candlepower and kilowatts and wattage. Consequently, the lighting that had been intended merely for the inaugural ceremonies was continued. It was then decided that the lights should be on every night of the year up to midnight.

That is the status as of now, except for one additional item: In 1922, at the request of the Department of Commerce and as a safety factor for aviation, which was then rising to prominence, it was decided to keep lighted all night the figure of Freedom, which tops the Capitol dome. Thus 4 searchlights, 1 at each point of the compass, illuminate this sculptural mass all through the night. These are synchronized to the timing of the city's street lights, depending upon the length of the night. Of course, this is indispensable and, of course, this is all to the good. But I cannot forebear the observation that it is rather a pity we should think of the statute of Freedom not for its immense cultural and psychological meaning for ourselves and all the world, but only as a traffic light in the night to keep our aviators from peril. My proposition for the full illumination after midnight of the Capitol as it is now illuminated only up to that hour, amplifies this element of safety for aviation and combines with it the much broader and more profound task of serving as a sort of eternal pillar of fire to the passion for freedom that stirs men's hearts everywhere.

In assigning myself to the responsibility for suggesting this project I had a cursory investigation instituted to determine the cost. For we are all conscious of Government waste and we are all determined to avoid expense where the fruits fail to justify it. I find that—roughly speaking—the cost of illuminating the Capitol of the United States for a few additional hours from midnight to dawn would come to something between five and ten dollars an hour. This would provide bathing the Capitol in light by the warm illumination of 100 1,000-watt floodlamps and eight 1,000-watt searchlights. The cost therefore would be—say for 4 hours—$40 per night, or something like $14,200 annually.

Judged by the advertising rates, shall we say, of the enthusiastic and enter-

prising entrepeneurs of New York's Madison Avenue, this annual outlay for this form of displaying the American dream, is a price so cheap for a cause so magnificant that it would be extravagance in its stupidest form not to seize the bargain. Oh, yes, I am aware, as we all are, that the period from midnight to dawn is not as rich in audience attraction as the earlier period. But my studies show that 10,000 people visit the Capitol of the United States every day—2 million a year. It is inconceivable to me, that this vast motoring and traveling and sightseeing public, to say nothing of the permanent population, hungry for a vision of their living Government, all drop off to slumber promptly on the stroke of midnight. It is inconceivable to me that we should deny to travelers after midnight—whether Americans or visitors from far countries—the inspiration of the sight of the Capitol from the air.

It is a vision that we should not deny ourselves.

Nor does it sound reasonable to me that a Nation with a gross national product of upward of $400 billion, with an annual budget running into the sixty billions and more, a nation which has given out billions in foreign aid, should start counting petty pennies when it comes to dressing up its own Capitol in the light that should by that much help win the affectionate patriotism of its own people and the heart-warming respect of the foreign visitor. Other capitols of the world—perhaps with the help of money we give them in the form of foreign aid, directly or indirectly—show their pride in their nationhood by all-night illumination of their capitols.

The greatest Nation since the Roman Empire, the greatest Nation in the world and in all time, certainly owes itself that much self-regard. I hope the Congress of the United States will join me in saying: "Let there be light." I hope we shall have it soon, a signal to the world and a symbol of man's success at last that where this light burns there is the heartbeat of free government and a happy people.

Liberalize Railroad Retirement Benefits Now

EXTENSION OF REMARKS
OF
HON. JOHN A. BLATNIK
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. BLATNIK. Mr. Speaker, the employees of the rail industry and retired railroad employees are looking for some relief from this Congress on the many inequities and inadequacies existing under the existing Railroad Retirement System.

The Committee on Interstate and Foreign Commerce has reported out a bill, H. R. 9065, which is designed to liberalize the existing Railroad Retirement System by increasing pensions and annuities by 15 percent. As originally introduced the bill contained a tax-exempt feature which provided that railroad employees would pay withholding taxes on their take-home pay only and not on their gross earnings. This provision, contained in section 5 of the bill, was eliminated in committee and as reported H. R. 9065 contains no comparable provision today. In other words, the bill due to come to the floor of the House increases the employees' taxes by 1 percent without any corresponding relief. As a result railroad employees will be forced to pay 7¼ percent of their earnings up to $350 a month which makes this the highest pension rate in the country. Fortunately, the Committee on Ways and Means has decided to hold hearings on legislation similar to the provisions of section 5 of the original bill.

Now railroad employees do not mind paying additional taxes if they can obtain additional benefits. The question is whether H. R. 9065 actually provides for a more liberal and equitable pension program for the Nation's railroad employees who number over 1 million today. Of course, H. R. 9065 does provide for a 15-percent increase in benefits, with extensive limitations. In the first place, the 15-percent increase in no way increases benefits for those in the lower paid brackets who are today operating under the social-security guaranty and are actually receiving social-security benefits although at no time did they pay less than 3 times more in taxes than did their counterpart under social security.

For instance, 65 percent of the aged widows and widowers presently under railroad retirement would receive no additional benefits under H. R. 9065. Only a very limited number of spouses would receive any additional benefits. Combining all types of beneficiaries under the present system, we find that 27 percent of them would receive no additional benefits whatsoever. The inequity of such a bill is apparent on its face. It should be amended to provide increased benefits to all retired railroad employees and their families across the board.

I firmly believe, Mr. Speaker, that we take a long, close look at this bill which is soon due to come before the House in an effort to write into law amendments truly designed to benefit the hard-working and loyal railroad employees throughout the Nation.

A number of amendments are badly needed to modernize and improve the existing railroad retirement system. For instance, the test period, 1924–31, should be eliminated and the 5 highest years substituted in lieu thereof. This would bring the Railroad Retirement Act up to the standards now enjoyed by the postal people, the civil servants, and even the social-security beneficiaries. Why discriminate against railroad workers, Mr. Speaker? Why must their retirement system be based on an obsolete and antique formula not used by any other pension system in the country and, at the same time, ask these people to pay a higher contribution than any of the other systems? This striking inequity in the law should be repealed and a new test period comprising the 5 highest years substituted in its stead.

Another very necessary change is the elimination of the so-called dual restriction insofar as spouses are concerned. Under existing law, spouses who help the family budget by working find now that the social security they qualify for in their own right is deducted from their spouse benefit check under railroad retirement. This application is so harsh that many spouse benefits are wiped out entirely because the social security produces higher benefits. Spouses today are the only group to which this dual restriction applies.

In 1954 Public Law 398 was enacted removing the dual restriction insofar as employees were concerned. Again in 1955 Public Law 383 was approved which eliminated the dual restriction insofar as survivors were concerned. Under Public Law 383 widows who had social security benefits in their own right would receive such benefits in addition to survivor benefits under railroad retirement. This provision applied mostly to widows, widowers, and parents, but the railroad worker's spouse still suffers from this restriction and any benefit awarded to her under social security is deducted from her spouse's benefit check under railroad retirement. We are actually penalizing these wives of railroad workers who find it necessary to go out and work to help the family budget. We are discouraging thrift and the desire of people to better their station in life. We are discriminating against women who work. This is especially unfair when many railroad employees find themselves working a short week with no overtime to supplement earnings. In short, Mr. Speaker, the dual restriction on spouses should in justice be eliminated if we are to have a truly effective and beneficial railroad retirement system.

Another important improvement that can be made in existing law is the elimination of the "last employer" clause. At the present time, a large number of employees, while they work for the railroads, have side jobs in building and loan associations, fraternal organizations, and so on, where they receive a little additional income. Most of these jobs pay only very small wages, yet the individuals must resign from these positions before they can qualify for railroad retirement benefits. This restriction should be removed so that it will not be mandatory to resign from other than a railroad to qualify for retirement benefits under the act.

In conclusion, Mr. Speaker, I urge all the Members of the House to give serious thought and consideration to the question of railroad retirement improvements. While H. R. 9065, which has been reported out of committee, is an improvement, it does not go far enough toward correcting the inequities in existing law. So while we have this very serious problem of so great importance under consideration we should exert every effort to work out a sound, yet adequate bill. There is no question but that this is a deep, involved and complex problem, but I do hope we will be able to make some basic and fundamental improvements in the railroad retirement system. I believe we should act now. Any further delay would be an injustice to hundreds of thousands of railroad workers and their dependents.

Address by the Vice President at Annual Convention of the Lions International

EXTENSION OF REMARKS
OF
HON. EDWARD J. THYE
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Monday, July 2, 1956

Mr. THYE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address delivered by the Vice President of the United States before the 39th annual convention of the Lions International.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TEXT OF ADDRESS OF THE VICE PRESIDENT OF THE UNITED STATES BEFORE THE 39TH ANNUAL CONVENTION OF LIONS INTERNATIONAL, MIAMI, FLA., JUNE 30, 1956

I have selected a subject today which I believe is the most important and vital issue of our time. I should like to state it in the form of a question. What United States policy is best designed to reach the goal we desire for ourselves and for others—freedom in a world of peace?

Let me first make three basic propositions clear.

This subject is one which is completely devoid of partisanship. No political party has a monopoly on patriotism or on devotion to the basic objective all Americans share, of keeping our country strong, our people free, and the world at peace.

There is understandable and honest disagreement among equally well-intentioned men as to what our policy should be during this period. Some say we spend too much for defense, and some, too little. Some say we should increase foreign aid, others that we should reduce it. Some say that in view of recent events we are being too tough on the Communist world, others that we are too soft.

The third proposition that I wish to make clear is that I claim no infallibility or omniscience in this field. I bring you no secret information—no magic formula. What I would like to do is to present to you as objective a picture as possible of the problems which confront the policymakers in Washington, and some suggestions as to how we can deal with those problems.

THE AMERICAN POSITION

Let us first examine the position of the United States on this great issue.

The yearning for peace is deep in the heart of every American. It is rooted in every page of our history. The waves of immigrants who made this Nation great came here to escape the strife and turmoil of older lands, hoping here to find the sanctuary of freedom, a land of peace.

But we are not alone in this pursuit of peace. In nation after nation, on both sides of the Iron Curtain, the voice of countless millions is heard asking for an end to war and bloodshed.

War has never been glamorous to those who took part in it. The thrill and excitement of battle, the joy of triumph, are feelings which sometimes come to the spectator who sees war at a distance. Novels and dramas often portray war as a path to glory. But this is not the reaction of those who are in the midst of the struggle. The weary soldier, the bereaved mother, the widow, the orphan—they find no glamor, no thrill, in the harsh reality of destruction and death.

This response to the demands of elemental human decency has been reflected in the foreign policy of the United States. We have been forced into war, but we went with reluctance. When we fought, it was not because we considered peace as a lesser value, but only that we felt that freedom was more important. It is no accident that America's great leaders who have known war at first hand, from our first President, George Washington, to President Eisenhower today, have desperately fought to save mankind from useless slaughter.

The United States of America covets nothing that belongs to other peoples. We do not seek to dominate other lands. We seek a world in which the immense energies of the atom, and the other great discoveries of modern science, will be used to build, not to destroy. The only enemies we want to attack are poverty, disease, ignorance, and fear. We hope that the entire world, including the people now under Communist rule, may one day share the prosperity and freedom we count among our blessings. This quest for peace and world prosperity is the official policy of the United States. It has been stated time after time by President Eisenhower and Secretary of State Dulles.

But the battle for peace will not be won simply by being for peace. No panaceas, no cliches, no slogans will win this battle. Only hard, tedious, exacting, and dedicated work will achieve our goal. That is why I believe that we are so fortunate to have had during this critical period the wise, experienced, inspirational leadership of a man who knows war, and is a symbol of peace throughout all the world, President Eisenhower.

The problem of achieving our peaceful goals is difficult even when we know what we are faced with. It is infinitely more difficult when there is disagreement on the nature and magnitude of the threat to peace. We find ourselves in such a predicament today as we try to determine the answer to this question: What are the real policies of the Soviet Union and the related Communist states at this time?

COMMUNIST LINE CHANGES

The Soviet leaders have proclaimed the possibility of peaceful coexistence between Communist nations and the rest of the world. They have denounced some of the policies of Stalin. They have toured the world seeking alliances with neutral nations. They have offered the hand of friendship to Socialist parties throughout the world, claiming that now they can work together for the same goals.

What is even more surprising is that there are signs of changes in the internal administrations of Communist countries. It may be too much to say that the first signs of freedom have appeared. But the stark terror or earlier years has been partially lifted at least for a time.

What do these moves mean? The Soviet leaders talk peace. But are their actions in harmony with their words? We should ask this question without cynicism, and without bitterness. If we could be sure that the Soviet leaders were willing to promote peace, justice, and freedom throughout the world, we should be willing to forget the nightmare of the past 40 years and thank God that now we can work together for the good of all.

We face a painful dilemma. If we reject Soviet so-called peace moves, many nations may consider us as warmongers. If we accept these offers uncritically, we may weaken our alliances and thus invite the very war we seek to avoid.

How do we escape this dilemma? I think that the simplest and most honest way is this—to proclaim to the entire world, as we have, that we are always ready to listen to words of peace, but that we will act only when these words are followed by deeds. Some complain that such a policy is too firm, too rigid. But a firm policy will not discourage the Kremlin if it really seeks peace. The leaders of Russia are realists. They know that in the light of past history the burden of proof is on them. For nearly 40 years we have had various changes and twists in Soviet policy. But events have always proved that these changes were deceptive. They were aimed to mislead the free world and too often they succeeded.

Surely we cannot be charged with being calloused and indifferent to the cause of peace if we bear these facts in mind. I am sure that the very Communist leaders who proclaim peace and coexistence would despise us as weak-minded if we did not demand the most rigorous proof that conditions had really changed in the Communist world.

THE SOVIET RECORD

Let us for the moment look at the record in this respect. In the last 35 years, there have been 8 complete about-faces in Soviet policy.

In 1920, the Soviet Union gave independence to the Baltic States, Estonia, Latvia, and Lithuania, and in 1940, annexed them.

In 1921, shortly after the Soviet Union was formed, Lenin backtracted on his announced program of communizing Russia in a short time. Instead he encouraged private enterprise at home, and even invited foreign engineers and technical experts to help build Soviet industry.

In 1929, Stalin reversed the field, wiped out private enterprise, and forced farmers into collective farms, starving or imprisoning millions who refused to cooperate.

Six years later, Stalin, terrorized by fear of Hitler, ordered all Communist parties throughout the world to adopt a new line. They were to become respectable and cooperate with all non-Communists in a united front against Fascism.

Yet, in 1939, the bloody hands of the two cruel dictators, Stalin and Hitler, were clasped in a fast pact of friendship. This protected Hitler's eastern front and started the Second World War.

When Hitler turned on his partner in 1941, Stalin once again proclaimed devotion to freedom and democracy. In fact, under the influence of this line, Earl Browder said, in 1943, that capitalism and communism could coexist after the war.

Two years later, Browder was purged when the iron fist was unveiled and Soviet troops moved out to conquer defenseless peoples in Europe and Asia.

Today the Communist line has shifted back to that of Earl Browder in 1943.

History is a greater teacher. Certainly in this case it should teach us caution.

As Secretary Dulles said just 9 days ago, the fact is that it is possible for a dictatorship to have one policy for public consumption, and a different or even opposite policy as its real program. It is perfectly equipped to deceive the unwary, since it can clamp an Iron Curtain of censorship over all its actions. It is accountable to no one for its policies. In dealing with the outside world, it can reveal or conceal, as it pleases. Until this Iron Curtain is lifted, we can not be sure of the realities behind honeyed words.

TESTS OF SOVIET INTENTIONS

Is there anything, then, that we know for sure about the Communist world and its tactics and strategy for the future? Let us examine what is publicly known about the present military, political, economic and subversive policies of the Soviet Union. In these four fields let us contrast Communist words with Communist deeds. This will help all of us to understand the foreign policy of our Nation in these confusing times.

MILITARY STRENGTH

In the military field, the Soviet leaders have announced a reduction of 1,200,000 men in its armed forces, the scrapping of some naval units, and other actions which would seem to indicate less emphasis on military preparedness.

This is what the Soviet leaders say. Now let's see what it means. Assuming that the announced reduction in Soviet armed forces has actually been made, it will not affect the core of its military strength. The Soviet Union is one of the most powerful military nations in the world. To quote Secretary Dulles, "Soviet industries are working at top speed to develop ever more potent atomic and nuclear weapons." It has excellent aircraft in abundance, a large and powerful army, and a navy that includes hundreds of the latest and best submarines. Its research in the use of guided missiles apparently is beginning to pay off.

A real disarmament program must cut deeply in three areas of offensive weapons—atomic weapons, bombers and guided missiles, and long-range submarines. Until concrete action is taken in these areas—action which can be corroborated by an adequate inspection system—we cannot say that deeds have been added to words in this phase of the Soviet peace campaign.

DIPLOMACY AND POLITICAL ACTION

In the sphere of diplomacy and political action, the leaders of the Soviet Union have been intensely active in building up alliances and seeking to win friendship. Within the Communist orbit, relations with Yugoslavia have been improved and for the first time the political independence of a Communist nation has been acquiesced in by the Kremlin. So-called neutral nations have been cultivated with all the arts of salesmanship. There have been friendly gestures directed toward many countries now united in defensive alliances against Communist aggression. Premier Bulganin and Mr. Khrushchev have gone to great trouble to convince many nations that the Soviet desires peaceful coexistence.

But on the other side of the picture we find disturbing deeds which contrast with peaceful words. The shipment of arms to the Middle East increases the chances of war in that critical area. The Soviet leaders have been adamant in refusing to end the artificial division of Germany. They have also refused to help France establish peace in North Africa. While Foreign Minister Shepilov proclaims in Egypt that the Soviet opposed all colonialism, it has not yet surrendered an inch of territory which it took by force during the last 15 years, with the exception of a small part of Finland, and the badly plundered state of Austria. As the uprisings in Poland which were reported in the press yesterday so eloquently illustrate, no torrent of words will drown out the cries of the millions of captive peoples who are suffering under this modern type of colonial imperialism which the Communists have imposed.

In other words, there are two styles of Soviet diplomacy today. There is the soft line that is being used to woo nations that have recently been freed from colonial status. This line is also used to foster trade relations when this is to the advantage of the Soviet Union. But there is also a hard, almost ruthless line which is used for Germany, France, or any other nation that is trying to get concrete, workable assurances of peace. In view of this record, are we unfair in asking if the Soviet is really seeking peaceful coexistence, or if it is merely using this as a means for gaining allies and friendly neutrals?

ECONOMIC POLICY

A third area of conduct involves international trade. Determined efforts are being made to expand the exchange of goods with other countries, particularly with nations that are beginning to develop their natural resources. Loans, both of money and of technicians and engineers, are offered to many peoples so that they can go ahead with economic expansion.

If this were a peaceful world, we would rejoice at this expansion of trade. We would be particularly happy that assistance is being rendered to nations whose standards of living are so low in comparison with our own.

But past Soviet trade programs have not been beneficial to the parties involved in them. They have been far too political in their motivation. At times they sought to tie a nation's economy to that of the Soviet Union so that it would ultimately lose its political independence. At other times they sought cover for agitators and political agents who stirred up internal subversion in the host nation.

In other words, these were not really legitimate patterns of world trade. Rather we had here a dressed-up version of the economic imperialism that caused such merited resentment in the last century. We cannot but ask the question, Is this trade designed to help other nations, or to make them economic satellites of the Soviet Union?

INTERNAL SUBVERSION

A final test of Soviet peaceful intentions is found in the area of internal subversion within free nations. Communist agents, Moscow controlled, have long been active in almost every nation in the world. They are a serious threat today in large areas of Africa, Asia, and Latin America. Less than 2 weeks ago our press carried stories about difficulties caused by Communist activity in Brazil. Burma and Malaya are troubled with Communist-led civil wars. We know the story of China, Korea, and Indochina.

Once again, when we seek to check the line of peaceful coexistence with actual Communist practice, we find relatively little evidence of substantial change. It is true, as Secretary Dulles pointed out earlier this week, that the large Communist Parties of France and Italy have been critical of Soviet leadership. Beyond doubt, the denunciation of Stalin has created great internal strains and caused much soul searching in their midst.

Yet, with all these difficulties, they remain true to the principles of Marx and Lenin. They are quarreling over their own relations with each other, rather than over basic beliefs, which continue to be materialistic and godless. So, while we should welcome these signs of dissension in the Communist world, we dare not assume that Communist subversion will lessen. Even if these parties were to shake off to an extent the old pattern of complete Moscow control, their principles and aims and would still run counter to those of the free world.

In these four areas then—the military, political, economic, and subversive programs of the Soviet Union—we have a checklist of actual performance under the new line of Communist policy. On the basis of this checklist, we have no guaranties that will allow us to relax our defensive preparations. Those who demand that we junk our present programs and adopt a so-called bold, new foreign policy forget that Soviet capabilities for evil have not disappeared, and their intentions are not purified. If the situation is changing in that liberalizing forces are at work, it is largely because of the policies the free world has followed.

Does this mean, then, that we ignore completely the new policies of the Soviet leaders? Not at all. But it does mean that we do not abandon a program which has proven to be successful in checking Communist expansion and which has forced the Kremlin leaders to adopt new tactics.

A POLICY FOR AMERICA

Our course of action then becomes clear. Militarily we must maintain our strength and continue to assist our free world allies to maintain theirs until we get more concrete proof that the Soviet leaders are reducing their strength.

Economically we must recognize that the men in the Kremlin have opened a new front. This is in reality a tribute to the success, not only of the programs which have shored up the military strength of the free world, but also of our Marshall plan, our point 4, and other economic aid programs. We have not moved over to challenge the Soviet leaders through aggression and subversion. They have moved over to challenge us and to challenge us right in our own backyard in terms of our own economic system, in terms of the relative abilities of communism and free enterprise to meet and satisfy human needs.

It would be foolhardy for us to ignore this challenge. We must constantly explore ways and means to make our economic program more effective in meeting the new Soviet tactics. I know the impatient arguments well-intentioned people throughout the country make against these programs. They say they don't like giveaways, that the recipients of our aid don't appreciate it, and that often they fail to support our diplomatic policies in world councils.

PURPOSE OF ECONOMIC AID

Let us recognize at this point the objective of our economic assistance programs abroad. They are not aimed at buying the friendship of other peoples. This would be a foolish and unobtainable goal. They are not aimed at creating subservient economic satellites throughout the world, as are the Soviet economic programs.

What are we trying to do then? We know that a people who are economically strong enough to retain their independence and freedom can resist the imposition of tyranny of any type, including Communist tyranny. And a program which helps any country keep its independence helps all countries who want to keep theirs.

We must deal with Communist subversion in our own country in a fair, sane, and effective manner. The naive idea that there is such a thing as an American Communist Party should be exploded once and for all. What we face is a foreign-controlled, conspiratorial Communist organization in the United States. Its members and supporters do not owe their allegiance to the United States and, as such, they should be dealt with accordingly under the laws of the land.

Our program for information must be strengthened and, as I stated just a few weeks ago at Lafayette College, it is particularly important that we greatly expand our program for exchange of students and leaders from other countries. I can speak from experience when I say that our guests of today are ambassadors of good will tomorrow. They see at firsthand the fruits of freedom and democracy. They know that we are a peaceful people and that we harbor ill will toward the people of no other nation in the world.

EXCHANGE WITH COMMUNIST NATIONS

It is particularly important that we not overlook any opportunity to expand the exchange of persons between the United States and countries behind the Iron Curtain. We should accept the challenge of honest interchange of views. We should do this, not with the naive idea that everything is changed, that all will be better overnight, but rather as earnest apostles of peace.

We can be friendly without receding one iota from our principles of freedom and justice. We can deal on a person-to-person basis with the Russian people, and those of other Communist lands, but we will not compromise on the system of communism itself. It is true that, in the past, such visits have often deluded naive and unprepared persons. But the program I envisage would not be wild-eyed visits of the 1930's. Rather I believe that informed and competent Americans, who know and understand the Communist system, could take advantage of these

new opportunities to talk frankly and honestly with their counterparts behind the Iron Curtain. Thus we could plant ideas of freedom and justice which, in the long run, would bear real fruit.

As far as citizens of Communist nations visiting the United States are concerned we should recognize that such forms of information as radio broadcasts, pamphlets, news releases, and the like, may now have less effect than previously on the people behind the Iron Curtain. They have just been told by their own leaders that virtually everything they heard or read during the 29 years of Stalin's rule was at its best inaccurate, and at its worst unmitigated falsehood. Consequently, people behind the Iron Curtain may be affected now primarily by what they see, and not by what they read or hear. That is why exchange of persons is so vitally important in this area.

By this approach we can cut through the confusion and uncertainty that the Soviet "new look" has caused in many circles. Our approach will be simple and positive. Where Soviet deeds do not harmonize with peaceful words, we shall keep up the military, economic and political strength that is the only sure deterrent to war. And whenever the opportunity arises to tell of the virtues of freedom, we shall proclaim the faith that has made America great.

Freedom is a priceless right cherished by every man, no matter how poor he may be or how lowly his position in life. It is cherished by the people of the Soviet Union and in the satellites. It is honored in India and Indonesia. It has spread like fire through the colonial world of Africa. We believe in freedom. We practice freedom. We want it for ourselves and for others throughout the world.

With this as our message, we can never lose in a struggle with the slave philosophy of communism.

Crimes of the Communist Conspiracy

EXTENSION OF REMARKS

OF

HON. THOMAS J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, July 2, 1956

Mr. DODD. Mr. Speaker, for many years leaders in the United States and elsewhere in the free world have been charging the Communist conspiracy with a wide range of crimes against humanity. Many of these charges involved crimes which, by their magnitude and cold cruelty, almost defied belief. Eye witnesses to these crimes who later escaped to freedom have added their testimony to support the charges made against the elite class of communism. Still others, who themselves were once Communists, have come forward to add more evidence to a record of crimes against humanity which knows no equal in history.

In our lifetime we have witnessed the rise and fall of the Nazi tyranny with a black record of crimes against humanity which shocked all recent people. Following World War II the criminal leaders of the Nazi conspiracy were brought to justice in the international war crimes trials at Nuremberg. As executive trial counsel at the trial of the top Nazi leaders, I came to know the details of those terrible crimes. In the many months devoted to the preparation for and trial of those international criminals, we pieced together one of the greatest human tragedies ever to be recorded in the dismal record of man's inhumanity to man.

The 83d Congress created the Select Committee To Investigate Communist Aggression. It was my privilege to serve as a member of that committee. In that capacity, we examined hundreds of witnesses under oath and made a careful examination of thousands of affidavits attesting to the criminal nature of communism and the many crimes committed in its name.

This intensive inquiry lasted for 2 years and was climaxed with the submission to Congress of 27 official reports which have since been universally hailed as among the most authoritative works on the conspiracy of communism available anywhere in the world. But with all this work, which includes voluminous information on some of the most extensive crimes of communism, the job of completely documenting all such crimes and identifying all the persons implicated in them is far from complete. To accomplish this task will require a full-time body, officially authorized and operating under rules and procedures, which will assure the orderly collection and verification of all facts and evidence as well as individuals implicated in the crimes.

The urgency for going ahead with this project is emphasized by one of the speeches of Communist Party Boss Khrushchev at the 20th Congress of the Communist Party in which he charged Stalin with many terrible crimes. Khrushchev by no means included all the crimes against humanity committed by the Communist leaders, but he performed a real service when he testified that Stalin had both directed and participated in crimes of mass violence, genocide, and political murder. But Communist Party Boss Khrushchev neglected to fill in a number of essentials which are important both for the record and for the judgment of all mankind. Here is some idea of what I mean by details:

First. What part did Khrushchev, Bulganin, Molotov, Zhukov, Mikoyan, Kaganovich, Voroshilov, and other Communist leaders play in the decision to carry out these crimes against humanity and the actual carrying out of the Stalin order?

Second. Did not these same leaders of communism praise Stalin for his inhumanities and cloak them with deceptive phrases so as to keep the truth from the people of the world?

Third. What acts of opposition, if any, to these crimes were engaged in by the Communist elite who now attempt to place all the blame for these terrible crimes upon Stalin and Beria?

Fourth. Could Stalin and Beria alone have carried out this long list of crimes? If not, what action has been taken to punish all those who played the cruel game of tyranny with Stalin and Beria?

Besides, Khrushchev neglected to even mention some of the worst crimes committed against humanity during the Stalin reign. Here are but a few of them:

First. The deportation of 100,000 patriots from Estonia, Latvia, and Lithuania to Russian Siberia in the course of 48 hours during the tragic days of June 13 to 14, 1941. It is an established fact that General Serov, now chief of Internal Security of the U. S. S. R., issued NKVD Order No. 001223 which set in motion the mass arrests and deportation in the dead of night of these good people. But who were the higher-ups authorizing this action and who were all the people who carried out its evil ends? For example, what part did Molotov, Vishinsky, or Malenkov play in these crimes?

Second. The false arrest and forced deportation to the U. S. S. R. of over 100,000 Hungarians from their homelands in 1945–46, and the studied effort to liquidate all Hungarian leadership, such as that symbolized by Cardinal Mindszenty.

Third. The slaughter in the Polish Home Army of patriots, which occurred when Moscow encouraged these patriots to rise up against the Nazis as the Red Army approached Warsaw, and when the battle was at fever pitch the Red Army halted across the river from Warsaw. What part did Zhukov, as marshal of the Red Army and actual field commander in that area, have in this cruel plot to destroy the Polish Home Army?

Fourth. The manmade famine in the Ukraine during 1932–33 which caused the death by starvation of 5 million Ukrainians at a time when the crops in that country were better than average. Molotov was then first secretary of the Communist Party in Kiev, a position that controls all that happens in Ukraine. Khrushchev was then a party functionary in the Ukraine, and a very zealous one. How could either of these men possibly escape responsibility for this terrible crime against humanity?

Fifth. The calculated plan carried out in Slovakia to destroy all the leadership elements in the population and to replace them with foreign Communists who are engaged in an effort to break the spirit of the Slovak nation which for 1,000 years has struggled against foreign occupation and for national independence. Who are the Communist elite responsible for this crime?

Sixth. The slave-labor system of the Communist empire takes its manpower from every one of the nations under the heel of the Kremlin. Are not the present leaders of communism responsible for the enslavement and death of millions of people by permitting this system to persist?

Seventh. Armed aggression against non-Communist nations, causing death, maiming, and tragedy for millions of innocent people. Korea and Vietnam are the most recent examples of this type of crime against humanity. What part did Zhukov, as the leading military strategist of the Red army, play in mapping out the plans for these ruthless aggressions and for putting them in motion? Thousands of American mothers and fathers, whose sons died or were wounded in the defense of human freedom in these countries are entitled to the answer to this question.

Again, Mr. Speaker, these are but a few of the major crimes committed by the Communist conspirators which should be fully recorded and documented by an international agency.

There is a tendency these days to forget the true nature of communism. The Russians are engaged in an all-out campaign to confuse and dim the memory of free people on the real facts about life under communism. There are dangerous signs of a softening up process among free nations as the illusion of peace is advanced by the Communists. Our basic free world alliance, the North Atlantic Treaty Organization, has shown signs of weakening as the false belief spreads that the danger of another war of aggression by the Communists has passed. Many nations which up until recently have sought a neutral course in world affairs are now drifting into the Communist orbit. These are all danger signs for those who work and pray for peace because they can lead nowhere but to war—under conditions which would be favorable to the Communist conspiracy.

It is for these reasons, Mr. Speaker, that I have introduced in the House today, House Joint Resolution 668, because I feel this resolution represents positive action we can take in the cause of a just and lasting peace.

I include the text of that resolution at this point in my remarks:

House Joint Resolution 668

Joint resolution to urge the creation of an International Juridical Commission within the framework of the North Atlantic Treaty Organization in order to document the crimes against humanity committed by the international Communist conspiracy and to reduce the dangers of world war III

Whereas there is an abundance of evidence now available to support the charge that the leaders of the international Communist movement are guilty of a long list of crimes against humanity; and

Whereas there are many persons in the free world able to give eyewitness testimony to the crimes against humanity committed by the leaders of communism and to identify official documents, directives, records, and other written evidence necessary to support the essential details of such crimes; and

Whereas the orderly collection and safekeeping of such evidence and testimony is essential in order that a just and truthful account of Communist crimes be made a part of history; and

Whereas the leaders of the international Communist movement are now engaged in an intensive campaign to place sole guilt and responsibility for these crimes against humanity upon the deceased Dictator Stalin thus relieving themselves of complicity in such crimes; and

Whereas the effort of the present rulers of the Kremlin to absolve themselves from complicity in a long list of crimes against humanity is aimed at covering the conspiracy of communism with a deceptive cloak of respectability which can only lull free people into a false sense of security, divide the free world alliances, and rapidly increase the danger of world war III;

Whereas the experience gained at the International War Crimes Trials at Nuremberg following World War II demonstrated that the scarcity of authentic records, sworn testimony of eyewitnesses, and other documented evidence made difficult and in some cases impossible the prosecution of persons who were participants in a wide range of crimes against humanity; and

Whereas the North Atlantic Treaty Organization is a grouping of free nations dedicated to the defense of human freedom and the safeguarding of such nations against Communist aggression: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of Congress that the establishment of an International Juridical Commission, within the framework of North Atlantic Treaty Organization, is both necessary and timely in order to document all available evidence on the crimes against humanity committed by the leaders of the international Communist conspiracy; to prevent those individuals implicated in such crimes from purging themselves of guilt by passing all responsibility to former leaders of the conspiracy now deceased; to prevent the conspiracy of communism from cloaking itself with unwarranted respectability and to reduce the dangers of a world war III.

The President and Secretary of State are respectfully urged to take immediate steps to cause the establishment of such an International Juridical Commission within the framework of North Atlantic Treaty Organization.

New England Industry

EXTENSION OF REMARKS
OF

HON. JAMES T. PATTERSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, July 2, 1956

Mr. PATTERSON. Mr. Speaker, recently I read an excellent pamphlet entitled "Salute to New England," published by Pan American Airlines. It is a report on the growing ties of New England industry with the markets and resources of Latin America. Since this directly concerns the future of New England industry, and particularly the people of the Naugatuck Valley, whose welfare is of the utmost concern to me, the pamphlet prompts me to make some urgent remarks.

As we all know, New England, long the center of America's industrial activity, recently found itself confronted with serious problems caused by conditions beyond its control. Manufacturers and laborers had to face ruinous competition from other areas whose labor and power were cheaper and where fuel and resources were more accessible. This was particularly true, for example, in our great textile industries, where only 1 of 9 New England workers is now employed, compared to 1 of 4 in 1920.

New England was in trouble. Unemployment was chilling the lives of many of our great one and one-half million labor force. Valuable plants active in strengthening the national defense were cutting down production.

This is why New England's great surge since the war has been so exciting to me. As a result of this surge our industry has both a new look and a new direction. Its new look is its new industries—plastics, aircraft, electronics, and nuclear power, to name just a few. Native New England ingenuity has rechanneled some of its great potential into these new fields and has nearly succeeded in solving the problems caused by cheap southern power and labor.

I do not mean to say by this that New England has a completely new look. This is not so. Connecticut's great metal factories, for example, alone employ over 300,000 workers, many in the Naugatuck Valley. Almost 150,000 more of our great labor force earn their livings producing such essential materials as furniture and paper, and rubber, leather and textile goods. All these long-established great industries are still the core of Connecticut's industrial life, yet the expanding new ones, such as nuclear power and plastics, have made New England even more the heart of American industry.

Yet even more important than the New Look of New England industry is its new direction—Latin America. Here is a vast land area, startlingly near New England, and superbly wealthy in natural resources, which is rapidly solving our crucial problems of costly domestic transportation and lack of native resources. The two areas are made for each other.

I am proud to say that our manufacturers in New England have been very quick to see the potentialities of this developing area. More and more, the great resources of Latin America—cheaply transported to such nearby ports as New York, Boston, Bridgeport, and New Haven—have been used by New England manufacturers in making their products. More and more, our finished goods are finding their way to the rapidly expanding Latin American markets. The combination is an unbeatable one. For example, already, 40 percent of New England investment is in Latin America; 40.5 percent of its waterborne imports are from Latin America. This represents more than $200 million worth of imports.

And since more than one-third of New England industry depends very heavily upon foreign imports, of which 40 percent are from Latin America, it follows that at least 200,000 of New England's working force totaling 1,500,000 people depend directly upon these imports for their livelihoods. About 450,000 depend upon them to a great extent. In our Naugatuck Valley this is particularly true, since Latin American imports are essential to these great factories.

Furthermore, Latin America provides New England industry with a $400 million export market yearly. This is 6 percent of the Nation's total to Latin America, and 2 percent of the nationwide trade to the whole world.

The most exciting thing about these statistics is that they grow by leaps and bounds every year. Both New England and Latin America are expanding quickly, and in expanding, become even more closely tied. Latin America's population is the most rapidly growing in the world. Its 175,000,000 people are increasing at the rate of 2½ percent a year. This means that by 2006 there will be 500 million people in Latin America in need of New England's finished goods. Furthermore, as they grow, they are becoming much more expert at harvesting their inexhaustible supplies of crude petroleum, fibers, hides, foods, and

all kinds of ores for machinery, machine parts, transportation and electrical equipment, precision instruments, metal products, and finished goods of all kinds. These, needless to say, are just the raw materials New England needs—and they can be transported here more cheaply than similar materials found anywhere else in the world. The east coast of South America, for example, is only 200 miles farther from Bridgeport than it is from Miami. This fact of distance is clearly shown when we realize that the ties with Latin America are much stronger in New England than in the rest of the Nation. The more New England manufacturers turn to Latin America, the better the future of New England industry, and I am proud to say that New England manufacturers have been the first to realize this.

I want to stress this point with regard to the industries in the Naugatuck Valley. Not only will fine and inexpensive raw materials from Latin America make it possible for these fine industries to compete favorably with any area in the world, but Latin America offers unlimited possibilities as a market. The more we invest in their development, the faster this market will grow. Furthermore, Latin America can be tremendously beneficial to transportation facilities in the valley. Ports such as Bridgeport, New Haven and others nearby would benefit by concentrating upon this trade. Railroads would find their business booming even more if they acted as feeder lines from these ports to the factories in the area. And all transportation facilities, and consumers in general, would benefit by the cheaper goods produced as a result of less expensive raw materials and expansion of production.

So the most important thing of all about the New Look and the new direction of New England industry is not just that there are new industries or that they are turned in a new direction. The most important thing is that New Englanders keep up this trend. Ingenuity and resourcefulness have keep New England's place as America's industrial leader. The way to stay in the lead is to increase our ties with Latin America. We must invest even more in their undeveloped resources so that they may become greater. In the process so will New England.

Pan American Airlines deserves praise for its continued keen interest in New England industry, especially Connecticut industry. This great, forward-looking airline has long been a great service to businessmen in New England, and its continued interest will be a tremendously important factor in our future. A regular and direct Pan American flight schedule operating out of Boston, New York, Hartford, and other convenient cities in the area could do as much for our industrial future as any other single innovation. Such a service would make Latin America much more accessible to New England businessmen and investors, and thereby increase the economic ties with Latin America many times over. We of New England thank Pan American for its "salute," and return it with hope for the future.

Need for Federal Responsibility for Relief of Migratory Families

EXTENSION OF REMARKS
OF
HON. CHARLES A. VANIK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. VANIK, Mr. Speaker, a few weeks ago a statement was made in this House attacking the city of Cleveland for violating the civil rights of an Alabama woman who was offered the alternative by the juvenile court of Cuyahoga County, Ohio, of either placing her adjudged neglected children in a county receiving home where they could get food, shelter, and supervision or returning to their home in Alabama. The woman in question had been adjudged guilty of contributing to the neglect of the children and the family had a legal residence in Alabama. The Alabama welfare agencies had acknowledged their responsibility for the family and had indicated their willingness to provide relief upon their return to their legal residence.

The judge in the Ohio court had no other alternative for this family for the reason that the family was not qualified for permanent relief in Ohio because of the 1-year residence requirement.

In the attack upon my city it was charged that section 2 of article IV of the United States Constitution which guarantees the right of every citizen to live anywhere in the United States was violated. This was certainly not the case. The right of any citizen to live anywhere in the United States does not include the right to receive relief, pensions, and other privileges for which each of the States have established some necessary residence requirements. This case certainly points up the need for some Federal supervision and Federal responsibility for the relief of migratory families in America. The citizens of one State should not be compelled to assume the full cost of providing for the relief and welfare of migratory citizens who enter that State frequently because their home State fails to provide adequately for their welfare. The interstate movement of families in despair is a national problem. The tragic fact is that this Nation professes more concern for the problem of the migratory bird than it does for the migratory family.

It is incumbent upon Congress to recognize the fact that the migration of families in America will be a constant problem and that those communities which are generous to their responsibility, to the destitute, the homeless, and the disabled, should be reimbursed for whatever expenditures they make to take care of this interstate problem. The migration of the destitute and the homeless to the more friendly and more generous attitude of northern cities should in some measure be compensated by the Federal Government. In no other way can the unquestioned constitutional right of every citizen to live anywhere in the United States be given meaning.

The family in question came to Ohio because Alabama apparently failed in its obligation to care for a needy case.

The civil rights of this family were not violated by Ohio—the State of temporary refuge.

In order to clear the record, I am submitting herewith a letter which I have today received from Mr. Bernard C. Wachtel, president of the Cuyahoga County Bar Association, which completely describes the case, along with the Cleveland Press editorial of Saturday, June 23, 1956, entitled "This Effort to Smear Ohio Is Absurd and Meaningless," and the editorial of the Cleveland Plain Dealer of Saturday, June 23, 1956, entitled "The Martha Winston Case"; also a copy of a letter dated June 15, 1956, addressed to the editor of the Cleveland Plain Dealer by the Honorable Albert A. Woldman, Judge of the Juvenile Court.

THE CUYAHOGA COUNTY BAR ASSOCIATION,
Cleveland, Ohio, June 29, 1956.

Hon. CHARLES A. VANIK,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN VANIK: Our attention has been called to the requests of two Southern Congressmen calling for a Federal probe of the Martha Winston case which was tried before Judge Albert A. Woldman of the juvenile court of Cuyahoga County the early part of this month.

Because we have reason to believe that their requests are based upon distorted newspaper accounts which erroneously referred to the Winston family's leaving Cleveland for their native Alabama as court imposed "exile," the trustees of the Cuyahoga County Bar Association feel very strongly that any action predicated upon these incorrect newspaper accounts constitute an unwarranted and unjustified attack upon the juvenile court of Cuyahoga County, Judge Woldman, the Cuyahoga County Welfare Division which held the Winston family ineligible for public relief in Ohio, and upon the people of greater Cleveland generally.

The trustees of the Cuyahoga County Bar Association have caused an investigation to be made of the entire matter and have concluded that there is no basis for criticism in the handling of the case. We believe that you should be given the facts so that you may help set the record straight in Congress and uphold both the fine reputation of Judge Woldman and this community's nationally known position for a fair and intelligent attitude in racial matters.

We enclose herewith a certified copy of the court entries in this case which reflect the only authentic account of what actually occurred. We enclose also copies of editorials which appeared in the Cleveland Plain Dealer and the Cleveland Press commenting upon this case, and a copy of Judge Woldman's letter which was published in the Cleveland Plain Dealer on Sunday, June 17, 1956.

Our investigation reveals that the matter came before Judge Woldman in the Juvenile Court on a complaint filed by a representative of the Cleveland Board of Education charging that the children were neglected and that the mother had contributed to their neglect; that the evidence before Judge Woldman disclosed that the family was destitute and unable to qualify for public relief; that the children were neglected and that one, a girl 17 years of age, had recently given birth to an illegitimate child; that the children had not been in school since February; that the family lived in a condemned house in Area B which was soon to be demolished; that the family had legal residence in Alabama where the husband and father resided and operated a farm; and

that the Alabama welfare agencies had acknowledged their responsibility for the family and had indicated their readiness to provide relief upon their return to their legal residence.

The court entries indicate that the children were adjudged neglected and ordered placed in a temporary county receiving home where they could get food, shelter and supervision; and that the mother was adjudged guilty of contributing to their neglect. However, no disposition had ever been made of her case when it was reported to the court that she had left with her family for Alabama.

We agree with the conclusion of the Cleveland Press editorial which states, "The woman in question wasn't forced to leave * * * rather, she left (with traveling expenses paid by Cuyahoga County) after she was told the alternative was to place her children in foster homes."

We also agree with the conclusion of the Cleveland Plain Dealer editorial which states: "Judge Woldman handled the case wisely and humanely. He could have sent Mrs. Winston to jail for neglecting her children, while committing the children to an institution. Instead, he found a way of keeping the family together which was what the woman wanted."

We trust with this information at hand you will be able to present the truth of this matter to the House of Representatives and thereby remove the erroneous conclusions which so unjustifiably reflect to the discredit of Judge Woldman and this community.

Further, we are convinced that the relief problem created by our citizens who move from one State to another in an attempt to better their living conditions should receive the attention of Congress, to the end that the citizens of the United States may, within reason, establish themselves in communities where they deem it in their best interests to do so.

Thank you for your attention to this matter.

Sincerely yours,

BERNARD C. WACHTEL,
President, Cuyahoga County Bar Association.

[From the Cleveland Press of June 23, 1956]

THIS EFFORT TO SMEAR OHIO IS ABSURD AND MEANINGLESS

Efforts of an Alabama judge and a Georgia congressman to make the relief troubles of a former Cleveland resident a civil rights case are ridiculous.

The woman in question wasn't forced to leave Cleveland, as these men are trying to make people believe.

Rather, she left (with traveling expenses paid by Cuyahoga County) after she was told the alternative was to place her children in foster homes.

The family was eligible for relief in Alabama, but not in Ohio, because the children didn't qualify under residence requirements here. So relief officials paid the expenses for getting the family home, which is the standard way of handling these cases on both sides of the Mason-Dixon line.

It would be well if Ohio's laws were flexible enough so the county could be more helpful in cases like this one.

But unless other States also relaxed their laws, or the Federal Government stepped in, it would be impossible.

Easier residence laws would simply encourage prospective relief clients to shop around for "easy" States, which would impose too heavy a burden on States that were trying to do the best job.

[From the Cleveland Plain Dealer of June 23, 1956]

THE MARTHA WINSTON CASE

The case of Martha Winston and her 7 children, and 1 grandchild has attracted national attention because the news stories incorrectly said she had been "exiled" from Ohio to her native Alabama. Such was not the case. The family was destitute, but not eligible for relief under Ohio law because Mrs. Winston had not been a resident of the State for 1 year. Accordingly, when she was brought before juvenile court on a charge of neglecting the children, Judge Albert A. Woldman gave her a choice of having the children committed to a home where they would be cared for, or of returning voluntarily to Alabama where the family was legally entitled to relief. Mrs. Winston chose the latter.

Now an Alabama judge has gotten into the act, in an obvious effort to make it appear that a Northern State discriminates against Negroes. He has charged that Mrs. Winston was deprived of her legal rights by being "forcibly sent to Alabama," and he wants an investigation.

* * * * *

It was because of such cases as Mrs. Winston and her family that the Ohio Legislature a number of years ago enacted the law requiring 1 year's residence before a person became eligible for relief. Before that requirement, indigent people were coming to Ohio from other States for the purpose of drawing relief, which always has been dispensed more generously here than in some other parts of the country.

Judge Woldman handled the case wisely and humanely. He could have sent Mrs. Winston to jail for neglecting her children, while committing the children to an institution. Instead, he found a way of keeping the family together, which was what the woman wanted.

Anyone who tries to make political capital out of this case is either ignorant of the facts or is deliberately trying to incite racial animosity.

JUNE 15, 1956.

EDITOR, THE CLEVELAND PLAIN DEALER,
Cleveland, Ohio.

DEAR SIR: The unfortunate use of the word "exile" in describing the action of my court in the case of Mrs. Martha Winston, her 7 children and an 11-day-old grandchild, who voluntarily returned to Alabama where they were eligible for relief, is a complete distortion of the actual decision.

A complaint was filed by the Cleveland Board of Education charging the mother with contributing to the neglect of her children because she had kept them out of school since February. In addition, it was reported to the court that a 17-year-old daughter had given birth to an illegitimate child 11 days before this hearing; that the welfare agencies of Cuyahoga County had given the family emergency relief for 3 months from the children's arrival from Alamaba in October 1955, and had cut off all further relief in December because the family was not eligible under the Ohio law requiring residence of at least 1 year; that the family was living in a Cleveland city-owned house in area B which had been ordered razed, and that the family would soon be without shelter; that there was no food in the house, no milk for the 11-day infant, and no income whatever; that the husband and father of the seven children was a legal resident of Alabama, was operating a farm there and stood ready to accept the return of his family to the farm. (Not being divorced from her husband, Mrs. Winson's legal residence and that of the children is the residence of the husband.) That the welfare agencies of Alabama had been contacted, had acknowledged legal responsibility for the family and stood ready to give them relief on their arrival in Alabama.

I advised Mrs. Winston I had no right to tell her where she should reside and that it was her privilege to live wherever she wanted to. However, I pointed out to her that since she admitted that she could not support her family, or get relief in Ohio, or return to her legal residence in Alabama where relief was forthcoming, I had no alternative but to take immediate measures provided by law to protect the 11-day infant and the other children who were reportedly without food.

In accordance with the testimony given by the school and welfare representatives and by our probation officers, I adjudged the children to be neglected children, and the mother guilty to contributing to their neglect. The welfare division was instructed to give the family immediate temporary relief; the children were ordered placed in a county receiving home where they would be given food, shelter, and supervision.

Despite the fact that the children were without food, the mother objected to their placement in the receiving home because she did not want to be separated from them. I told her that the emergency situation left only two courses of action: Either the children must go to the receiving home in Cleveland, or she could go back with them to Alabama where they were legally entitled to relief. I withheld disposing of the mother's case to give her time to make her choice.

Two days later she decided to return to Alabama with her children. In fact, I was in the midst of a series of telephone conferences with some leaders of the local community, including representatives of the Urban League, the NAACP and the Call & Post, to ascertain if some private help could be obtained for the family, when I was advised that Mrs. Winston had decided against having her children placed in a receiving home and preferred to return with them to Alabama.

The local Travelers' Aid furnished the family with transportation and food and contacted the Alabama welfare agency to receive them. There was no exile order by the court but only a voluntary choice by Mrs. Winston to escape a possible sentence for her neglect of the children, and to prevent them from being placed in a receiving home. No court could compel Mrs. Winston to return to Alabama had she preferred to remain in Cleveland under the above circumstances.

As chairman of the Unemployment Compensation Board of Review of Ohio, I had fought for the granting of unemployment compensation to workers who moved from one State to another for the purpose of finding employment. I believe nothing should be done to hinder American citizens from migrating to localities where they might improve their economic conditions. Today a mass migration is going on in our country. Families are on the move from one State to another. It is inevitable that problems like those of the Winston family should arise.

It is noteworthy that 45 of the 48 States have residence restriction like those of Ohio against granting relief to persons unable to qualify under residence requirements. The plight of the Winston family is typical of many other cases. The hands of courts and relief agencies are tied against granting long range help to nonresidents. Involved is a broad human problem which transcends the borders of any single State. It is a national problem. The rights and human dignity of unfortunate people will continue to be adversely affected until public relief is put on a national basis as in the case of relief for farmers for many years. Consideration must be given to the enactment of Federal legislation to help families who must migrate from one State to another in search of better living conditions. The hands of local welfare agencies and courts should not be tied so as to prevent granting aid and relief in worthy cases.

Sincerely yours,

ALBERT A. WOLDMAN,
Associate Judge, Juvenile Court of Cuyahoga County.

Excerpts From Addresses Made on the Floor of Congress Relative to Farm Problems by Hon. J. Harry McGregor

EXTENSION OF REMARKS
OF

HON. J. HARRY McGREGOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 2, 1956

Mr. McGREGOR. Mr. Speaker, I feel that the people whom I represent in Congress would like to know of my activities and my position on various issues. I recognize that time and space make it impossible to cover all subjects. However, knowing the interest of the farm group in legislation directly affecting them, I would like to review a portion of my activities on this subject.

MAY 4, 1955—CONTROLS AND PRICE SUPPORTS

Mr. Speaker, as one who is sincerely endeavoring to seek a solution to some of our farm difficulties, I took a poll of the 17th Ohio District trying to learn just what our farmers and our people are recommending. The following were the questions and the replies received:

Which is your choice on the farm program relative to price support and crop control?

One hundred percent price support and rigid crop control. Yes, 8 percent; no, 92 percent.

Flexible price support and medium crop control. Yes, 64 percent; no, 36 percent.

No price support and no crop control. Yes, 30 percent; no, 70 percent.

This clearly demonstrates to me, Mr. Speaker, that my constituents are thoroughly familiar with the fact that the 90 percent parity program has been the cause of tremendous farm surpluses which is now costing us approximately $1 million per day for storage and maintenance services. My farmers are also of the definite opinion they want a minimum of Federal controls and are looking forward to the time when they can live as free citizens without Government interference. If the New Dealers are going to continue to force rigid controls upon the farmers under the guise that they, the farmers desire it, then they should be reasonable and allow all farmers to vote on the referendum. It is unfair that all farmers should be forced to abide by the decision of a referendum vote when all farmers are not given the right and opportunity to voice their views by ballot.

Why not establish a program that will ultimately allow us to get rid of controls, Mr. Speaker, so that the farmers of today will be able to make an honest living and not be dictated to by some bureaucrat who, in many instances, knows nothing about farm problems.

JANUARY 23, 1956—PERMIT ALL FARMERS TO VOTE ON WHEAT REFERENDUM

Mr. Speaker, I think we have become a great Nation because of the many freedoms it is our privilege to enjoy. That freedom has been protected at the ballot box by an expression of the views of the majority. With this thought in mind, I have introduced a bill, H. R. 8697, to permit wheat farmers, including those who plant less than 15 acres of wheat, to vote in any wheat marketing referendum conducted by the Secretary of Agriculture.

The records will show that in Ohio, only 57,000 of nearly 152,000 wheat producers have the right to vote. This certainly is unfair. If this bill is passed, Mr. Speaker, I am sure that we will be carrying on the majority views of the people and that is what we want. Regardless of the "pros" and "cons" of a marketing program, the majority of the people should determine whether it should be in effect or not in effect.

JANUARY 23, 1956—PERMIT FARMERS TO GROW WHAT THEY NEED

Mr. Speaker, I find a great deal of hardship is prevailing among my farm group because of certain portions of an agricultural program which was passed several years ago and is now in effect. Many of my farmers find themselves in a position of not being able to grow enough grain to feed even their livestock and to give them an adequate supply of straw.

I have introduced a bill, H. R. 8698, which will exempt from marketing quotas farmers who raise grain entirely for their own use on their farms either as feed or seed. I feel this legislation will give freedom from a program to that group of farmers who now do not derive benefit. Certainly in this great Republic responsible farmers should have the right to grow the crops that are necessary to sustain their own farms without Federal control or interference.

JANUARY 26, 1956—GIVE RURAL MAIL SERVICE TO ALL

Mr. Speaker, I have introduced a bill, H. R. 8845, which gives authority to the Postmaster General, subject to the postal laws and regulations, the right to extend rural mail routes. This bill, if it becomes a law, would give rural mail delivery, as nearly as practicable, to the entire rural population of the United States.

I previously had introduced a bill similar to this making it mandatory that all be given rural mail service. It has been proven to me, Mr. Speaker, that my previous mandatory bill would not be equitable or workable as in some areas of our country it would be nearly impossible to be in compliance with that mandatory clause.

I am reintroducing the bill and I have been assured by those in control that everything would be done wherever at all possible to see that the intent of the law be carried out. This legislation, Mr. Speaker, will probably require realinements of routes but when this is done, I feel certain that practically all will have rural mail service to their property, and it will cost our Federal Government only a small amount. After all, Mr. Speaker, we are all citizens and we are entitled to equitable service and treatment regardless of where we live.

JANUARY 30, 1956—MCGREGOR SUPPORTS GASOLINE REFUND TO FARMERS

Mr. Speaker, I am most happy to add my support and vote to H. R. 8780, which relieves farmers from excise taxes in the case of gasoline and special fuels used on the farm for farming purposes. I was most happy when President Eisenhower, in his state-of-the-Union message, insisted that the Congress pass this legislation immediately and bring some semblance of relief to the farmers.

I sincerely hope that the Agriculture Committee will start hearings immediately on the other portions of the President's recommendations to give relief to agriculture groups. I hope that the committee will forget politics and recognize that the farmers need immediate help. I feel certain that this Congress is in accord with most of the President's recommendations to give immediate relief to the agriculture people.

MAKING SURPLUS FOODS AVAILABLE TO WESTERN EUROPE—FEBRUARY 22, 1956

Mr. Speaker, I am most happy to see that President Eisenhower is making our surplus food available to western Europe, which has suffered from blizzards and floods in one of the worst winters in 20 or 30 years. I am particularly pleased with his statement, and I quote:

The United States stands ready to make surpluses of agricultural commodities, which we have in abundance, available for relieving the distress of the people in these areas.

Mr. Speaker, to me this is a great humanitarian deed, and I am one who has always felt that it was ridiculous for us to have surplus food when people in other parts of the world are hungry. I congratulate the President on his immediate action to relieve the distressed.

AGRICULTURAL SURPLUSES—MAY 29, 1956

Mr. Speaker, on January 17, 1956, I introduced H. R. 8549, a bill to prohibit the use of real property owned by the United States for the production of agricultural commodities which are to be disposed of by sale. It seems ridiculous to me that we have had a policy of renting farmland that is owned by our Federal Government to people who, in turn, produce the very crops that are in surplus.

The Federal Government had been following a policy of buying this property, constructing the needed projects and then leasing thousands of acres, in many instances, back to the previous owner who puts the land into production of crops we now consider surplus and for which we are now paying the farmers for not growing. To me this is a silly procedure. After many conferences with the Defense Department, a decision was reached whereby this program could be put on a sound and logical basis simply by a Presidential directive. I am happy to advise the President made a public release, and I quote from that release:

The President today by memorandum requested the heads of all executive departments and agencies to place in effect specified policies designed to limit the leasing of federally owned farmlands for the production of price-supported crops in surplus supply. The President's action was taken to make the leasing of farmlands owned by the Federal Government consistent with the administration's program to reduce price-depressing surpluses and to bring agricultural production into line with markets.

Now, Mr. Speaker, I would like to quote from the President's Executive Memorandum to all executive departments and agencies:

1. Except as provided in paragraphs 2 and 4 hereof, leases of farmlands made by the Federal Government on or after the effective

date of this memorandum shall prohibit the cultivation of price-supported crops in surplus supply.

2. In the case of acquisition of farmlands by the Federal Government on or after the effective date of this memorandum, if price-supported crops in surplus supply are growing on such lands at the time of acquisition, the harvesting of such crops may be permitted.

This directive, Mr. Speaker, by the President establishes a policy that is in accord with the administration's program to reduce depressing surpluses and would bring agricultural production into line with market demands. I am highly pleased that this policy, that has been adopted, will accomplish the objective of the bill I introduced, H. R. 8549, and will assure fair and equitable treatment to the farmers that are leasing Government-owned real property for agricultural purposes.

HIGHWAY BILL, 1956, FARM-TO-MARKET ROADS, AND REA

Mr. Speaker, it has been my privilege to be a member of the Public Works Committee ever since I came to Congress. These years of service on that committee has placed me as senior minority member of the Subcommittee of Roads, which position carries with it possible additional responsibilities, as well as privileges. As senior member of the Subcommittee of Roads it was my duty to assume my proportionate share of responsibility for the highway legislation recently passed by this Congress, H. R. 10660. The records will show that I was especially active and took the initiative in provisions that will give additional Federal assistance to the farm-to-market roads. This legislation gives permission to the State highway department and local authorities to use Federal funds on county and township roads. The specifications covering these roads can be drawn by local county engineers, with the approval of the highway department, and need only to meet the requirements of the local communities. This means that Federal highway funds can be used on farm-to-market roads without rigid adherence to Federal specifications which often in the past, because of the exhorbitant cost, have prevented the construction of needed roads in many sections of rural areas.

The record will also show, Mr. Speaker, that I was very active in having a provision included in the new highway bill which grants permission to use Federal funds to pay for the cost of relocating both public and private utility facilities necessitated by construction of highway projects. This means that all utilities, including either storm sewers or sanitary sewers in a village or city, or telephone poles and facilities, including REA, which have to be moved due to the relocation of a roadway, will have proportionate share of that cost borne by the Federal Government. This certainly will mean a great saving to the REA users and small telephone companies which, in the past, have been forced to bear the cost of all relocations when compelled to do so by new road alinements.

Mr. Speaker, the new highway bill has many fine provisions which, in my opinion, will give us a better system of highways, both on farm-to-market, primary, urban and interstate. It is cheaper to drive a car or a truck over a good road than it is over a bad one. We had approximately 38,000 highway fatalities last year and about 110,000 highway accidents. Let us hope and pray that this vast expenditure of money that we are putting into highways will make our travel more pleasant, less expensive, and without accident.

Mr. Speaker, it certainly is my hope that my constituents will keep me advised of their opinions and interests because only by this contact am I, as their Congressman, able to know their views and express them by my actions and votes on the floor of Congress. Their suggestions are always welcome.

Legislation to Correct Unfair Automotive Industry Practices

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 2, 1956

Mr. MULTER. Mr. Speaker, the following is my testimony before the House Judiciary Committee in support of legislation to correct the unfair practices in the automotive industry:

STATEMENT OF REPRESENTATIVE ABRAHAM J. MULTER, DEMOCRAT, 13TH DISTRICT, NEW YORK, BEFORE THE HOUSE COMMITTEE ON THE JUDICIARY, JULY 2, 1956

Mr. Chairman and distinguished members of the committee, I appreciate the opportunity of appearing before your committee to present my views concerning proposed legislation to eliminate certain unfair practices in the automotive industry. I am aware of the long, untiring efforts of committees to protect the public interest and to stave off the serious consequences threatening our economy because of certain unfair marketing practices in the industry.

I know that this hearing has been scheduled to consider S. 3879 which was passed by the Senate and the chairman's bill, H. R. 11360. I trust you will not consider me presumptuous when I say to this committee that that bill hardly begins to touch the problem. It deals with only one of many unfair practices, and I believe it does not sufficiently attack even that one.

In this statement, with your permission, I will cover all of the problems, as I understand them, affecting the situation, and then give you my recommendations, for whatever they may be worth, for the guidance of the committee.

You will find that all of these matters have been fully documented and covered by supporting testimony in many congressional hearings, and in this Congress before the House and Senate Committees on Interstate and Foreign Commerce.

THE PUBLIC INTEREST

In commenting on some of the existing unfair practices in the automobile industry, I should like to specificate one underlying fact; namely, that in the automobile market both the consumer and the dealer have little choice in the selection of the manufacturer. As you well know, the year 1955 saw the disappearance of one more private automobile manufacturer—Kaiser-Willys. Today only five sources remain—General Motors, Ford, Chrysler, American Motors, and Studebaker-Packard. It is an anomalism that as the market has grown the number of companies in the market has lessened. The public was only amused upon reading in the press that the General Motors Corp., the biggest manufacturer in this country, which is at the same time the country's largest automobile manufacturer, in testifying before the Senate Antitrust and Monopoly Subcommittee in December 1955, said that it "is the servant of the dealer." It is public knowledge that dealers have been forced into serflike submission to the manufacturer. The dealer's plight is manifest from the figures, such as those submitted by the General Motors Corp. last December showing that the 1953 return on net worth for dealers averaged 14.40 percent, and was reduced in 1954 to 9.4 percent. Comparable figures show that the corporation earned 20 percent in 1953 after taxes and bonuses, and almost 24 percent in 1954. In 1955, it was over 28 percent.

MANUFACTURER-DEALER RELATIONS

Committees in this Congress have directed their attention to the subjects of territorial security for automobile dealers, bootlegging and so-called phantom-freight. There are also other unfair marketing practices in the industry that must be appraised in evaluating the position of the industry in our economy. With the committee's permission, I will comment on all of these practices.

A substantial part of the problems which beset the industry stem from the dealer agreement which is so drawn that manufacturers may grant or withdraw the franchise at will. I am in favor of the principle which would validate manufacturer-dealer contracts establishing exclusive representation by dealers for fixed periods of time. Heretofore, such contracts have been at the will of the manufacturer. In my opinion, manufacturers have wielded their whip of economic power too long, and if we are to avoid repetition of the picture of the thirties, and if we are to meet our obligation to the public, legislation must be enacted now to protect our economic structure.

As long as manufacturers want to have dealers under contract to handle only particular makes of cars, the manufacturers should be required to sell only to such dealers and to prohibit bootlegging. Manufacturing should be required to cancel the franchise of bootleggers. I have incorporated many of my views in H. R. 10310, which I introduced on March 29, 1956.

As a result of the recent congressional investigations, we have observed newspaper reports that the manufacturer's cancellation privilege will be superseded by a provision requiring the cancellation to be for cause. But will the manufacturer be compelled to define the term "cause"? There is no uniformity among the court decisions construing automobile franchise agreements.

Incidentally, some State legislatures are making strides in revoking the manufacturer's arbitrary cancellation privilege. In my own State of New York, Governor Harriman on April 20, 1956, signed a bill amending the New York general business law, for the purpose of prohibiting automobile manufacturers from arbitrarily revoking the franchises of dealers in New York State. Under the law effective October 1, 1956, auto manufacturers are required to register with the secretary of state and are prohibited from terminating a dealer contract except for cause. A maximum penalty of $1,000 fine is imposed for each violation. We should not be surprised to learn that automobile manufacturers opposed the legislation, claiming that "the public interest is not sufficiently affected." In his statement upon signing the bill, Governor Harriman announced it was his firm conviction that "it is very much in the interest of the people

that small- and medium-sized business should be protected against unfair exercise of economic power."

In view of the peculiar nature of the automotive industry, coupled with the clear proof that previous congressional admonishments have been flouted, it is the duty of the Congress to enunciate a public policy that will protect the consumer interests in their relations with the economic giants who not only produce this article of necessity, but also control its distribution, as well as the price thereof.

ADVERTISING ABUSES

The dealers must pay for advertising literature they do not want and would not order. It is sent in to the dealer in such quantities as the manufacturer thinks he should distribute, and the dealer is billed and must pay for that literature even though he throws most of it into the wastebasket. The dealers must pay a fixed sum per car to the manufacturers toward the cost of advertising. The dealer's name and address is never part of that advertising, only the product is mentioned. This policy would cease if the responsibility for exaggerated and fraudulent advertising were laid at the door of the manufacturer and if the manufacturer were prohibited from requiring dealer contributions toward the cost of such advertising.

Only recently, as a result of testimony adduced at congressional hearings, the Federal Trade Commission filed charges against the General Motors Corp. for false and deceptive advertising. Independent manufacturers have reported that General Motors' use of the words "genuine Chevrolet" to describe parts used in making repairs is diverting business from the independent manufacturers and small repair shops. The parts manufacturers contend that the items, distributed and warranted by General Motors, actually are bought by General Motors from the independent manufacturers. The implication is that the "genuine Chevrolet" parts are superior to the same parts sold by competitors without such label.

DELIVERIES WITHOUT ORDERS

Manufacturers require dealers to file each month several reports showing sales and inventory volumes. The manufacturer bases his deliveries to the dealer upon these figures. Whether or not the dealer considers this quota salable is immaterial.

Moreover, the dealer has no control over the various built-in accessories that are billed as extras. For instance, the automobile is listed as equipped with vacuum windshield wipers, but is later shipped in with an electric wiper billed as an extra. Every car comes with a hole in the dashboard for a cigarette lighter, but the lighter is an extra.

It is the manufacturer, also, who determines the stock of parts and accessories that the dealer must purchase from the automobile manufacturer. The dealer could purchase these same parts and accessories directly from the parts manufacturer and much cheaper, too.

The only way to abolish this practice is to prohibit lump-sum bills and to require of the manufacturer and of the dealer a complete itemization of all charges. No amount should be collectible by either for extras unless ordered in writing by the buyer.

OLD CARS SOLD AS NEW

The need to eliminate the unfair practice on the part of some dealers in selling as new automobiles those which have been towed or driven from the factory or used as demonstrators has long been recognized but completely ignored. Under legislation I have introduced, it would be a violation for any manufacturer or dealer to replace or disconnect the speedometer on an automobile or to change its reading in a manner to mislead the public as to the mileage, condition, or usage of the automobile.

The foregoing, as well as the other unfair automobile marketing practices commented upon throughout this statement, are dealt with in the omnibus bill, H. R. 10310, which I introduced on March 29, 1956, to provide for the enactment of a general motor vehicles law.

AUTOMOBILE FINANCING

Not to be overlooked in any compilation of unfair automobile marketing practices are the reports of substantial overcharges under the package finance deals. Dealers complain, too, they are forced to grant wild credit to consumers in order to satisfy quotas in manufacturer's race for sales.

Insofar as General Motors' installment sales are concerned, it should be noted that if the purchaser defaults, the manufacturer has recourse against the dealer. Contemplate, if you will, the situation of the small-business man—the average dealer with an investment of his life's savings in showroom, service station, autos, and parts. Should the market fall, upon whom would the loss rest? Upon the dealers themselves, because the manufacturers have so directed. If my memory serves me, the total amount of installment paper on all consumer items last year was $26 billion—of which $14 billion represented the automobile business. Thus far in 1956, auto installment loans extended in January and February totaled $2.5 billion—an increase of 14 percent over last year. Yet, on the other hand, production and sales are running about 26 percent below a year ago.

In April of this year three large finance companies announced increases in auto-loan costs which will be passed on to the dealers. Dealers, in turn, must either absorb the costs or pass the increase on to their consumers. The consequences are that the squeeze is continually put on the dealers. General Motors defies the country to compel it to accept any shrinkage in its predetermined profits. Incidentally, GMAC has not yet made any statement on its installment costs. It, of course, is the largest auto finance company. As a group, the finance companies account for 55 percent of the auto installment credit volume. The other 36 percent is handled by the banks which have also recently raised rates. Is it not fair to assume that General Motors will also make such an additional charge?

CHEATING OUR SOLDIERS

At this point I should like to touch on a matter that involves the now well-known adage: "What is good for General Motors is good for the country." You will see in a moment that we can now change that to "What is wrong for the insurance companies is not wrong for the automobile companies."

On September 8, 1955, I wrote to Secretary of Defense Wilson, calling his attention to a scheme by which armed-services personnel returning to this country are being duped and mulcted of thousands of dollars in connection with the sale to them of new automobiles. I indicated that the matter had been called to the attention of the automobile manufacturers who have failed to do anything to prevent these practices. I further stated that the Secretary of Defense need not make any determination of whether these practices are fraudulent or merely unethical, but urged him to direct all commanding officers to alert their men to these practices to afford them an opportunity to protect themselves accordingly. My letter of September 8, 1955, is exhibit A, which I submit herewith. I received an answer, dated September 23, 1955, a copy of which is submitted as exhibit B, in which the Department of Defense refused to take any action. I replied by letter of September 28, 1955, a copy of which I also submit and mark exhibit C, again indicating the need for departmental action. No answer has been received to my last letter.

Now let us see what happened when the Department's attention was called to similar fraudulent practices by insurance salesmen. No General Motors was involved. An investigation was instituted which confirmed the charges. A complete set of regulations was promulgated by the Department of Defense, including a directive to commanders of all bases, making them responsible for protection of the men against such frauds. Another reason for different treatment of the phony automobile salesmen is that the fraudulent business is so profitable that the automobile manufacturers have sent their own direct representatives overseas to grab this business.

MANUFACTURING WARRANTIES

What is the situation today? The consumer may need a new automobile, but he dreads the purchase. Breaking in the car means running back and forth to the dealer to correct inherent mechanical failures that are uncovered long after the guaranty period has expired. The attitude of the consumer is aptly defined in unsolicited letters I received, which were printed in the CONGRESSIONAL RECORD—one appearing in the January 31, 1956, issue; another in the February 9, 1956, issue; and a third and fourth in the March 21, 1956, issue. The dealer, on the other hand, is called upon as a regular procedure to comply with, not his warranty, but a warranty the company requires him to make. What has been the dealer's redress? The answer the dealer receives from the manufacturer is to step up or maintain his sales volume—even if that means come-on advertising, bootlegging, price packing, and any other unfairtrade practice. Even outright fraud is countenanced by the manufacturer.

Many an inexplicable accident is caused by defective vehicles. The manufacturer, upon whom the blame should rest, passes the responsibility on to the dealers who cannot assume nor begin to fulfill the obligation. The automobile manufacturer today makes only a spot check of 1 out of every 10 or 20 automobiles that leave the assembly line. The company's warranties are plainly worthless, and the dealer upon whom the responsibility falls gives a minimum of service until the guaranty period expires; after which, he charges the consumer for repairs.

In testifying last December before a Senate committee a spokesman on behalf of 1 of the 6 manufacturers in the country stated: "The manufacturer assumes the greater risks and bears the ultimate responsibility to the customer." Should we not make certain, then, that this responsibility is firmly fixed? My bill, H. R. 10309, prohibits the interstate sale, transportation, or use of a new automobile unless accompanied by a certificate of fitness from the manufacturer or assembler, showing that the automobile has been inspected and found in good working order and, further, that it has been road-tested and found in good operating condition.

BOOTLEGGING

This topic needs very little amplification. Every Member of Congress is fully familiar with the practice which has grown up in this industry at the active instigation and with behind-the-scenes connivance of the automobile manufacturers. On the other hand, they require a dealer to handle only their new cars. Then they load him up with more cars than he can sell to the consuming public. Then they help him dispose of those cars to nonfranchised dealers. When a complaint is made to the manufacturer about this unfair practice, the manufacturer responds that he can do nothing about it because of the antitrust laws. When we seek to amend the antitrust laws to prohibit such practice the manufacturers come in and complain that it would be an unfair restriction upon their right of free enterprise.

MANUFACTURER REACTION TO CONGRESSIONAL HEARINGS

On the heels of the disclosure of so many unfair practices in the industry, we now see by the papers that the manufacturer pretends he is reforming. General Motors Corp. has predicted the beginning a new era, an era of good will, in relations with its dealers. The Ford Motor Co. announced dealer-management talks to show dealers how they will gain by joining the fight against bootlegging. In so doing Ford said this was the first time dealers have been called to discuss the bootlegging problem with top management. I say to you, gentlemen of the committee, that such overtures are too late.

The public confidence can only be restored by the affirmative action of this Congress. Let us recall that a similar false contrition permeated the atmosphere in 1938 after the Congress enacted House Joint Resolution 594, which directed the Federal Trade Commission to investigate the policies of motor vehicle manufacturers and dealers in their relation to the public interest. The Commission, 1 year later, made public its findings, which were not at all unlike the unfair practices that are now paraded before congressional committees. Unfortunately the Congress took no action at that time for the reason, among others, that the industry itself rejected any type of Federal legislation.

THE MANUFACTURERS' WAY OF ELIMINATING AN UNFAIR TRADE PRACTICE

The elimination of acknowledged unfair practices in the automobile industry cannot be left to the discretion of the industry itself. Let me illustrate. The phantom freight charge has long been prevalent in the automobile industry. A similar practice among steel producers, "Pittsburgh plus," was eliminated in the thirties. Under this practice, the manufacturer ships the automobiles to dealers from nearby assembly plants and requires the dealer to pay for the transportation in an amount equivalent to, or even greater than, the rail freight rates from the factory to the dealer's delivery points.

Let us examine the 1954 shipment record for motor vehicles as reported in the 35th edition of Automobile Facts and Figures, 1955. Of the 6,601,071 motor vehicles shipped, 80.5 percent or 5,314,842, left the factory by highway—on a big truck that hauls several other cars, or towed behind another new car. Shipment by boat accounted for 5.6 percent, or 370,044; while rail shipments accounted for only 13.9 percent. In other words, only 916,185 out of a total of 6,601,071 motor vehicles shipped went by rail. You have seen reports stating that the phantom freight charges have annually amounted to over $250 million. And what has the manufacturer to say? Ford has admitted that in 1954 it gained $50 to $60 million on its total distribution charges. General Motors testified before a Senate committee that its excess of collections over actual freight paid for last year would be about $152 million. We may rest assured those were conservative estimates. Do not forget that the excess profit per unit in previous years was much greater, because it was not based on the lower freight rates announced at various times by the industry.

I urge that the public announcements now being flaunted in our faces by the manufacturers as to their mended ways is merely an attempt to becloud the issue.

As of February 29, 1956, Chrysler Corp., General Motors Corp., and the Ford Motor Co. eliminated phantom freight charges. These three manufacturers at the same time increased the wholesale price of their cars to their dealers. This in the face of the Chrysler testimony that they paid out more for freight charges than they collected. The manufacturers contend they should be permitted to deal with the so-called phantom freight on an industrywide basis. Their testimony and their actions, in my opinion, indicate they cannot be trusted to solve these problems.

As long as the industry practice is to collect a separate charge from the public which is represented as the cost in making delivery of the automobile from the factory to the consumer, then the industry should not be permitted to collect any more than such actual cost. For this purpose I have introduced H. R. 7935, which would amend the Internal Revenue Code of 1954 to require every seller of property, who collects from the purchaser any amount as a charge for the transportation of such property, to furnish such purchaser a statement showing the amount of transportation charges, if any, taxable under section 4271 (a) of such code, and the amount of tax imposed.

I have heretofore referred to the report filed by the Federal Trade Commission in 1939, pursuant to its study of the automotive industry. It should be noted that, irrespective of whether or not legislative action was necessary, the Government controls of World War II, limiting production, obviated the need for positive action by the Congress at that time. Nevertheless, we find the same unfair practices prevalent in the industry today, and what is worse, on a larger scale. In these circumstances, our duty to the public is not discharged by a formal disclosure of their nature.

In conclusion I should like to make this observation. The manufacturers representing the automotive industry can best be described as giant octopuses whose tentacles of economic power extend over every phase of the industry, as well as over many unrelated products. On the other side of the picture are the 42,340 dealers—90 percent of whom are small-business men, the very backbone of our free-enterprise system. In most cases they are the civic and philanthropic leaders in their communities. In the past their position has been one of dignity among their fellow citizens. They are fast becoming the most despised members of their communities. There were 219 dealer bankruptcies in 1953, the highest number since 1938. Two hundred and forty-one dealer mortalities occurred in 1954. The April 30, 1956, issue of Automotive News gives some interesting figures on General Motors' dealer terminations. The figures are based on the first 10 months of 1955 as against 1954. In 1955 there were 178 nonrenewals against 150 for 1954; 214 involuntary terminations in 1955 against 192 for 1954; 1,908 voluntary terminations in 1955 as against 1,585 for 1954.

It is high time to put this House in order.

RECOMMENDATIONS

There are several legislative ways of remedying all of these very bad conditions in this industry. It can be done by enactment of a combination of the various bills which have been referred to the Interstate and Foreign Commerce Committee. It can also be done by this committee's reporting a bill which would write into the antitrust laws a fair code of practices which would cover all of these matters. There is little point in attempting to take them one at a time and treat each of them by a separate bill. The only way to clean up this industry is by doing the full job.

With all due respect to the Senate, its bill, S. 3879, will accomplish very little, if anything. I doubt whether any law can be enacted which will require anyone to renew a contract which has expired or is about to expire. To provide merely for compensatory damages in the event of cancellation or termination of a contract will accomplish nothing except to clog the court calendars with litigation.

What compensation can the court fix in the event of an unlawful or improper cancellation of a contract? The loss of future earnings is not compensation. If the dealer has a large investment in a service station which is connected to his showroom, what compensation is he to get when his contract is canceled? He still owns the service station. The same applies to his showroom. Is the court to say that a showroom for a Buick car is worth less than for some other car? Or that the automobile showroom cannot be used for any equally valuable purpose other than as an automobile showroom?

Any law like this, to be effective, will have to carry with it a provision for double or treble damages and punitive damages, plus some arbitrarily fixed sum large enough to serve as a penalty which will deter the improper practice.

Surely this committee will agree that, as important as it is to prevent cancellations of franchises, it is even more important to prevent fraudulent advertising and bootlegging and phantom freight charges, and to require certificates of fitness and safety. These latter items are for the protection of the general public.

Certainly it is just as important in trying to protect the dealer, to also prohibit the manufacturers from requiring the dealers to buy and pay for automobiles and parts which they do not order, and to prohibit the requirement of the dealer to buy only the accessories carrying the name of the automobile manufacturer when in fact those accessories are manufactured by others than the automobile manufacturer.

Again, Mr. Chairman and members of the committee, permit me to thank you for the opportunity to attend here and express my views on these very important matters.

EXHIBIT A

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., September 8, 1955.

Hon. CHARLES E. WILSON,
Secretary of Defense, Department of Defense, Washington, D. C.

MY DEAR MR. SECRETARY: For some time Members of Congress have been receiving complaints about the tactics being used by various dealers in selling new automobiles to members of the Armed Forces returning from posts outside of the country.

It seems that some of these retailers have sent representatives abroad who through fraud and deceit induce these men who are about to return to the United States to sign contracts, and to pay deposits for the delivery of new automobiles to them at the port of their arrival in this country. As part of this scheme these retailers have made exclusive rental agreements for offices in the hotels in this country at which these men and their families are temporarily lodged upon their arrival here. The deceptive practices are continued at those places until the delivery of a new automobile is made and payment obtained.

No purpose can be served by setting forth in this letter the nature of the fraudulent representations that are made, nor is it necessary for the purpose of this letter to determine whether or not these practices are actually fraudulent or merely unethical business practices. The result of all of these practices is that these men are being duped and taken advantage of. They are paying more for these automobiles than if they bought them in their hometowns or, for that matter, if they bought them at the port of arrival. They are paying higher finance charges than they would pay if they took the opportunity of financing their automobiles in their hometowns or in the city in which they are discharged from the service, and they are being deprived of the inspection and service that ordinarily goes with a new car purchase when made in their hometown.

The automobile manufacturers, when apprised of these practices, have taken the position that these retailing practices are no concern of theirs.

I believe you will agree with me that in the absence of the manufacturers undertaking to prevent these practices, something must be done to help these men.

My suggestion is that you immediately issue a directive requiring commanding officers in all stations outside of this country to alert the men under their command to this situation, and to advise those men that it is inadvisable for them to make such purchases while abroad, or, for that matter, even at the place of arrival in this country, or the place of discharge from the service in this country, and that their best interests will be served by their making such purchases from dealers in their home communities. The hometown dealers, in almost every instance, can arrange for the delivery of a new automobile to them at their point of arrival or discharge in this country, which would then be available for them for transportation to their hometowns.

I hope you will agree with me that such a directive will serve a very useful purpose. As a matter of fact, the directive and the notice from the local commanding officer can be appropriately worded so that neither manufacturers nor retailers need be accused of any wrongdoing or impropriety and yet provide some measure of protection to the members of our Armed Forces.

With kindest personal regards, I am,

Sincerely yours,

ABRAHAM J. MULTER.

EXHIBIT B

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., September 23, 1955.

Hon. ABRAHAM J. MULTER,
House of Representatives.

DEAR MR. MULTER: This is in reply to your letter of September 8 concerning certain practices of automobile dealers in selling to members of the Armed Forces returning from overseas posts.

You appreciate, I am sure, that no agency of the Department of Defense sponsors any plan of automobile sales such as you describe and the Department is therefore without jurisdiction to discontinue it. The selection of an automobile salesman or sales contract is a matter of individual choice.

Overseas representatives of United States automobile dealers are not amenable to military control. So long as they comply with the laws of the locality in which they do business they can offer their merchandise for sale to both civilian and military. Control of this group like their contemporaries at the port would appear to rest with the automobile dealers, their trade associations, and perhaps, the manufacturers.

I believe that the directive you suggest would be more restrictive than is appropriate for issuance by this Department and that it might affect the legitimate activities of firms and dealers who render real service to our personnel. I believe that the objective we seek, the use of caution and judgment by the servicemen in their purchases from unknown vendors, can best be accomplished by a continuation of the present normal counseling given by commanders to their troops. I am taking the liberty of sending a copy of your letter to the military departments.

Your interest in the welfare of our Armed Forces personnel is appreciated.

Sincerely yours,

CARTER L. BURGESS.

EXHIBIT C

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., September 28, 1955.

CARTER L. BURGESS,
Assistant Secretary of Defense,
Department of Defense,
Washington, D. C.

DEAR MR. BURGESS: Receipt is acknowledged with thanks of yours of September 23.

I fail to understand how the directive as suggested by me is in any manner restrictive. It does not require the Department or any commanding officer to take a position on the matter, nor in any manner to interfere with automobile dealers in this country or abroad. It has always been proper for the Defense Department to alert the members of the Armed Forces against dangers that they may encounter, whether physical, moral, or financial.

Alerting these men to these practices is in direct line with such procedure.

Sincerely yours,

ABRAHAM J. MULTER.

The CHAIRMAN. We have many questions which I know you, as an exceptionally able lawyer, can be of help to us in answering.

Mr. MULTER. I made notes on much of the Senator's testimony, and notes on some of the questions addressed to him, and I will comment upon them during the course of my remarks.

The question which your committee is considering now, Mr. Chairman, is not new to this Congress or any of its predecessors. It has been the subject of testimony on many occasions. Two committees of this Congress have taken considerable testimony on the overall subject. You will find in my prepared statement that I have subdivided the overall problem and given it various titles. And the strange thing about it all is that the titles are very much like the titles you will find in the report that I hold in my hand.

This entire volume is a report of 1,077 pages. This report was prepared by the Federal Trade Commission and submitted to the Congress on June 5, 1939, after the Congress, in 1938, had adopted House Joint Resolution 594, directing it to conduct a complete investigation of the problems involved in the automotive industry.

The Congress at that time had conducted quite lengthy hearings on this subject, before it adopted this resolution calling for this investigation.

Mr. Chairman, I understand that Congressman ALBERT'S statement is very much briefer than mine; and if it meets with your permission, I have no objection to stepping aside.

Mr. ALBERT. I do not want to do this, if it will interfere with your testimony; but my statement is brief, and I would appreciate it if I could go on, Mr. Chairman, at this time.

The CHAIRMAN. Certainly.

Mr. ALBERT. Thank you, Abe; I appreciate that.

STATEMENT OF HON. ABRAHAM J. MULTER—RESUMED

Mr. MULTER. Mr. Chairman, when I started my testimony I was referring to the report of the Federal Trade Commission, which, after a very exhaustive study—it spent over a year in their investigations—it included in its report not only what it turned up during that year, but what it learned from the investigation of complaints that had been made even before the Congress had directed this all-inclusive study.

When you get to the conclusions in this very voluminous report, you find these headings or titles.

The situation as it existed at that time, the evils that were complained of at that time, are just the same as you will hear about during this hearing by this committee. They are the same as they heard on the Senate side in its committees' hearings and in the Interstate and Foreign Commerce Committee of this House this very year.

I read from the 1939 report.

The first title is: "Concentration in the Motor Vehicle Industry." Then there is "Competition in Production and Prices"; "Competition Among Motor Vehicle Dealers"; "Padding New and Used Car Prices"—that is what we today are calling packing prices—"Dealer Price-Fixing Activities"; "Unfair Methods of Motor Vehicle Manufacturers in Their Relations With Their Dealers"; "Manufacturers' Treatment of Dealers", "Abuses of Installment Financing"; "Itemized Invoice Needed for Consumer Protection"; "Deception in Charges for Transportation of Motor Vehicles"; "Sale of Driven Cars as New Cars."

The CHAIRMAN. Mr. MULTER, that report considered among other things the distribution, as I understand, of General Motors cars. Is that correct?

Mr. MULTER. It included that, but it covered the entire automotive industry.

You will find that almost every witness is going to refer to the same subject matter. He may use different words, as I did in my statement. My titles may sound a little different, but actually we cover the identical subject matter.

Now, one of the principal objections that is raised to this and all the other legislation introduced in this session of Congress is that you shouldn't pick on one industry and legislate against one industry. Well, then, we shouldn't have legislated on the security exchanges, there should be no Security Exchange Act today, there should be no regulation of the railroads, there should be no bank merger bills, because all of those laws—and there are dozens of others—are directed to specific industries, just as these bills are.

When I sat down to draft the legislation which I introduced in this session I thought that the thing to do, the approach, would be bills of general application to cover our entire economic situation where these problems or evils or wrongdoings would crop up. I thought we should have a law of general application that would cover them all.

Well, I say to you, that would be an almost impossible task. What you must do is address yourself to each industry as the testimony is adduced, showing what the situation is in that industry and how you can cure it.

The CHAIRMAN. I am very much impressed with that argument.

Mr. MULTER. Now, there were several questions raised this morning with reference to the bill that you are considering, which is a counterpart of S. 2879, which passed the Senate in slightly different form from the bill as introduced there. The two bills were identical when introduced, but it has come out of the Senate with some changes.

With all due deference to the Members of the Senate and to the author of the bill, I think they have put the cart before the horse. If you follow the same principle, you will be doing that, too. Every man has a right to go to court today, but the situation in this industry is such that when he arrives—when his proof is completed, his case is dismissed, because he has no actionable cause of action.

In other words, the fundamental situation is not changed by this bill as passed by the Senate and your own bill H. R. 11360 does not change it.

In order for a man to go to court and make a recovery in a civil suit, he first must have a legal right, not a moral right, a legal right; and then he must establish that that right has been violated or impaired or impeded and then, on top of that, that he has sustained damage.

Now, if you say, when he has proved the violation of a legal right, he shall recover punitive damages, you have given him a cause of action; but if you give him only compensatory damages, then you must inquire—what are the damages in cases of this kind?

Mind you, we are dealing now with contracts, the contract between the dealer and the manufacturer. No matter how unfairly it may have been arrived at, no matter how he may have been coerced into entering into it, on the dealer's part, as against the manufacturer, he still did not have to make the contract if he did not want to. He can get no damages because he, the dealer, accepted a bad contract.

If you are going to say that "We are going to let him recover damages because that contract is not renewed"—obviously, from the report of the committee on the Senate side, they do not talk about a contract that has an option of renewal and is not renewed, but they say that if the contract has expired, or is about to expire and is not renewed, then he shall have a cause of action unless the manufacturer acts in good faith.

Look at the language: "The term 'good faith' shall mean the duty of the automobile manufacturer, its officers, employees, or agents to act in a fair, equitable, and nonarbitrary manner so as to guarantee the dealer freedom from coercion, intimidation, or threats of coercion or intimidation, and in order to preserve and protect all the equities of the automobile dealer which are inherent in the nature of the relationship between the automobile dealer and automobile manufacturer."

Now, that is the language in the House bill. I think that both bills had the same language, then, in section 3:

"An automobile dealer may bring suit against any automobile manufacturer," and so forth and:

"And shall recover twofold damages by him sustained and the cost of suit, including a reasonable attorney's fee, by reason of the failure of said automobile manufacturer to act in good faith in performing or complying with any of the terms or provisions of the franchise, or in terminating, canceling, or not renewing the franchise with said dealer."

Now, they added on to the Senate version: "*Provided,* That in any such suit the manufacturer shall not be barred from asserting in defense of any such action the failure of the dealer to act in good faith."

In other words, both sides must act in good faith, and it is fair to ask that both sides under a contract act in good faith—but the dealer's contract is about to expire and the manufacturer says, "I am not going to renew."

Well, when does he act not in good faith? When he says to the dealer, "You did not sell enough cars, I am going to put a dealer in here who is going to sell more cars"—is that bad faith?

Or suppose he says, "I think your service station is not being operated the way that we would like to have it done."

Each of them is going to bring in any number of dissatisfied customers. Their files will be full of complaints from customers who went in for service. And the dealer says, "Well, I have done the best I can for you, but you need a new motor in this car."

You are going to run up against an impossible situation in a bill of this kind unless the first thing you do is to enact a code of fair practice.

Mr. MCCULLOCH. If I may interrupt. If that is not done, are we not faced with a law which in effect requires the renewal of contracts or the reexecution of contracts in practically every instance; and wouldn't the same reasoning apply between landlord and tenant, where there was a lease of a storeroom, for instance, which calls for rental based upon the gross business done. Are we not entering into a field in a manner that is wholly new in the field of our jurisprudence?

Mr. MULTER. I am not afraid of the newness of this or the novelty of the section, Mr. McCulloch; but you touched this morning and you have touched now upon a very important constitutional question: Can you make any man make a contract with any other man?

Now, you can lay down a code of fair practice and say, "In all your dealings you must do thus and so; there must be no bootlegging; there must be no delivery of items not ordered; you can charge only for that which is billed"—talking now about extras—"you can give the man a contract for a territory."

This is the first time that I know of where the people against whom the antitrust laws were aimed come in and say, "You cannot do these things because of the antitrust laws." They do not come in and say, "This is a good thing, let us do it, change the antitrust law, so that we can do it."

The CHAIRMAN. May I ask you this question? Suppose General Motors has a dealer contract with Mr. Smith and Mr. Smith is inefficient, there is no doubt about his being inefficient. Would General Motors have the right to cancel or refuse to renew Smith's contract as a dealer, under this bill?

Mr. MULTER. Well, I should say, even if there is doubt that the man is inefficient, and they come in and say that he is inefficient, "We will cancel out," the manufacturer could make that contention in good faith.

Well, surely you are not going to say to the manufacturer, "You must keep an inefficient dealer"?

The CHAIRMAN. But I want to be sure that this legislation is so drafted that the manufacturer cannot refuse to renew the contract for that reason.

Now, the point is, if all you need is good faith on one side——

Mr. MULTER. Well, I think the Senate version requires good faith on both sides.

The CHAIRMAN. The Senate's report says this, on page 3, line 15:

"*Provided,* That in any such suit the manufacturer shall not be barred from asserting in defense of any such action the failure of the dealer to act in good faith."

Now, that does not cover it.

Mr. MULTER. Yes.

The CHAIRMAN. Now, where is there language to permit the manufacturer to refuse a renewal of a contract under these circumstances?

We have in the report of the Senate the following, on page 5:

"The bill does not prohibit the manufacturer from terminating or refusing to renew the franchise of the dealer who is not providing the manufacturer with adequate representation."

Now, that is only a conclusion in the report.

Mr. MULTER. Yes. And when it got to the floor——

The CHAIRMAN. Perhaps somebody will point out to me something in the bill on which that can be grounded.

Mr. MULTER. When they got to the floor, the question was raised that the bill should provide just that, and they added the proviso that you find at the bottom of page 3 of the bill as passed the House.

The CHAIRMAN. As passed the House?

Mr. MULTER. As passed the Senate. You will find this proviso added:

"*Provided,* That in any such suit the manufacturer shall not be barred from asserting in defense of any such action the failure of the dealer to act in good faith."

The CHAIRMAN. That is not the point. The manufacturer simply says, "The dealer is inefficient."

Now, the question is, if the dealer is in good faith, although inefficient, would the manufacturer still have the right to dismiss him?

Mr. MULTER. The way the Senate bill was passed, I would say the manufacturer would have lost his right to cancel out—the manufacturer would have lost his right to cancel, under the Senate version of the bill, regardless of inefficiency, if the dealer is acting in good faith. If the dealer just happens to be a bad dealer and cannot do the job, but if he is acting in good faith and is doing the best he can, that would be a complete answer.

The CHAIRMAN. Then the manufacturer could not dismiss him?

Mr. MULTER. No. The manufacturer could not refuse to renew.

The CHAIRMAN. That would be barbarous, I would think. I think you would have to construe it this way, I will say to the gentleman from New York; if the manufacturer refuses to renew because the dealer is inefficient that does not show bad faith on the part of the manufacturer. And if the manufacturer is not acting in bad faith, I think he is within his rights in not renewing and the dealer could not successfully maintain the suit. Otherwise it would be a barbarous bill.

Mr. MULTER. I think the fault, if I may say, sir, with the drafting of this legislation is that you have provided a remedy, without having first stated what the things are that you want to remedy.

In other words, you have no declaration of policy of the things that you say are wrong in this industry which must be corrected.

The CHAIRMAN. Isn't there a preamble?

Mr. MULTER. No, sir; unless you call the title a preamble.

The CHAIRMAN. Yes. That is the preamble.

Mr. MULTER. You start with your title, which is almost in the nature of a preamble, and then you have your definitions, and after your definitions you then go into the provision that a lawsuit may be maintained.

The CHAIRMAN. Go ahead, Mr. Maletz.

Mr. MALETZ. Mr. MULTER, may I say this? As I understand it, under both the Senate and House bill, the question as to whether the manufacturer is acting in good faith or bad faith is a question of fact to be determined by the jury after receiving evidence of all the circumstances, for example, of the cancellation.

If a dealer has been canceled out because he has not provided adequate representation, presumably what the dealer would do would be to sue the manufacturer. The dealer would have the burden of proof, would he not, of establishing that the manufacturer had acted in bad faith?

But I would assume that under the circumstances, which you and the chairman have been discussing, the dealer would be unable to sustain that burden of proof; is that not correct?

Mr. MULTER. Let us assume that he does. Let us assume that he shows bad faith; he brings in the zone manager or the regional manager from the manufacturer's office, who says, "Yes; I didn't like the color of this fellow's tie the day I called on him, and that is why I canceled out"—obviously bad faith.

The CHAIRMAN. Yes. But if he——

Mr. MULTER. Then what happens? The man has a contract that is cancellable at will or runs for 30 days or for a year.

Mr. MALETZ. Well, it is so——

Mr. MULTER. He has no option to renew. And the day the contract runs out the manufacturer says, "I am not going to renew your contract."

Now, what are you going——

The CHAIRMAN. At that point the manufacturer says, "I am not renewing the contract because you are inefficient; you do not give me proper representation." And I assume that charge is true. Certainly the dealer has no claim, or should have no claim, against the manufacturer.

Mr. MULTER. Let us take it the other way——

The CHAIRMAN. Is that right? Do you agree with that?

Mr. MULTER. Let us agree that where the inefficient dealer—there is no question about his inefficiency—the manufacturer has the right to cancel out and does cancel out; there is no lawsuit or no right of recovery in a lawsuit.

The CHAIRMAN. Right.

Mr. MULTER. Let us go to the other case, the case you were trying to correct, the case where you were trying to help the dealer. The dealer has run a fine business. He has done well for himself and done well for the manufacturer. But the zone manager's brother needs a franchise, and this is a good place for him, and he goes in and says, "Look. You

take my brother as a partner or we are going to cancel out."

The CHAIRMAN. That is bad faith.

Mr. MULTER. Bad faith of the worst kind. Now, where do you go from there?

The CHAIRMAN. Under the Senate bill, you get compensatory damages, having shown that bad faith; under the House bill, you get double damages.

Mr. MULTER. Where is the legal obligation that has been violated to give you your right of action? Just because the manufacturer has acted in bad faith, can you give the man a cause of action?

The CHAIRMAN. You mean that we should spell out in the legislation exactly what "damages" mean?

Mr. MULTER. You will have to first spell out a cause of action.

The CHAIRMAN. That is a cause of action if he does not renew the contract and shows bad faith. That is a cause of action.

Mr. MULTER. For how long must he renew the contract? One year? Ten years, or a lifetime?

The CHAIRMAN. It is not a question of renewal now; it is a question to be determined by the jury under the facts.

Mr. MULTER. I am afraid that any time this gets to any court, the court is going to say, "You have not established a cause of action. This legislation does not give this man a cause of action of such definiteness that we can enforce it."

The CHAIRMAN. Let me ask you this. Are you in favor of giving some remedy, and if so, what?

Mr. MULTER. Oh, yes.

The CHAIRMAN. How would you?

Mr. MULTER. I say you write into the law a code of fair practice, and you indicate there that these things, A, B, C, D, and E——

The CHAIRMAN. How could you do that? A code of fair practice in the law?

Mr. MULTER. I am giving a——

The CHAIRMAN. I would like to work it out with you, but I——

Mr. MULTER. I am giving you a broad definition of what I think you must do.

The CHAIRMAN. You have a bill yourself, have you not?

Mr. MULTER. Yes, H. R. 10310.

(H. R. 10310, referred to, is as follows:)

"H. R. 10310

"A bill to provide for the regulation of motor vehicles on the highways of the United States, and for other purposes.

"*Be it enacted, etc.*, That this act may be cited as the 'General Motor Vehicles Act of 1956'.

"DECLARATION OF POLICY

"SEC. 2. It is hereby declared to be the policy of Congress through the exercise in this act of its power to regulate commerce, in accordance with which policy all of the provisions of this act shall be interpreted, to promote safety in the operation of motor vehicles by the general public on the highways of the United States, and to regulate the trade practices between manufacturers of motor vehicles and their franchised dealers and the general public.

"DEFINITIONS

"SEC. 3. As used in this chapter—

"(a) 'Manufacturer' means any individual, partnership, corporation, association, business trust, or any other form of business enterprise, or any branch or agent thereof engaged in the business of manufacturing or assembling motor vehicles or of selling motor vehicles for resale, or servicing or financing motor vehicles intended for resale.

"(b) 'Dealer' means any individual, partnership, corporation, association, or any other form of business enterprise, or any branch or agent thereof, engaged in the business of purchasing motor vehicles for resale and of exchanging or servicing motor vehicles.

"(c) 'Motor vehicle' means any motor driven or propelled vehicle, except airplanes, road rollers, traction engines, power shovels, and other equipment used in construction work and not designed for or employed in general highway transportation, as well as farm and agricultural machinery, and vehicles designed for running on tracks or rails.

"(d) 'New motor vehicle' means a motor vehicle which has never been the subject of a sale with intent to pass an interest therein and has never been driven, pushed, towed, or propelled over a public highway.

"(e) 'Used motor vehicle' means a motor vehicle which has been sold, bargained, or exchanged, given away, or whose title has been transferred from the person who first acquired it from the manufacturer or dealer, and so used as to have become what is commonly known as second-hand, within the ordinary meaning thereof, or which has been driven, pushed, towed, or propelled over a public highway.

"(f) 'Franchise' means the right, privilege, or authorization accorded the dealer by the manufacturer, whether by contract, agreement, or otherwise, to purchase, sell, and service motor vehicles.

"(g) 'Commerce' means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation.

"UNLAWFUL PRACTICES

"SEC. 4. It shall be unlawful for anyone to sell, ship, transport, drive, push, tow, or propel any motor vehicle in commerce unless accompanied by a manufacturer's certificate of fitness which must state (i) that the motor vehicle and all the parts and accessories thereon have been inspected and found in good working order, safe and ready for operation on the public highways, and in complete accord with all specifications as set forth in all descriptive and advertising matter, and (ii) that the vehicle has been road-tested for 500 miles and found in good operating condition after having been road-tested for at least 100 miles at each of the speeds of 15, 30, 45, 60, and 75 miles per hour.

"SEC. 5. It shall be unlawful for any manufacturer or dealer to sell, ship, transport, drive, push, tow, or propel in commerce a motor vehicle with equipment, parts, or accessories different from or in addition to those specified in the current literature and advertisements of motor vehicles of the same make and model for which an additional or extra price or charge is made or sought to be collected for such equipment, parts, or accessories: *Provided*, That nothing herein shall prohibit the order or shipment of any motor vehicle equipped in accordance with the specifications set forth in a written order or written agreement of the parties, which separately itemizes each additional or extra item by full description and price.

"SEC. 6. (a) It shall be unlawful for any manufacturer to sell, ship, transport, drive, push, tow, or propel in commerce any motor vehicle without first having sealed the speedometer thereof so as to prevent tampering therewith or to prevent its operation.

"(b) It shall be unlawful for anyone to replace, disconnect, or prevent the normal and proper operation of the speedometer on any motor vehicle or change its reading in such a manner as to mislead or deceive a person as to the usage, mileage, condition, or other character of the motor vehicle.

"SEC. 7. It shall be unlawful to deliver a motor vehicle to a retail purchaser unless such delivery shall be accompanied by an itemized invoice of the cash sale price which shall separately set forth the amount attributable to each part, piece of equipment, and each accessory; Federal excise tax; State or local taxes; transportation; advertising; handling charges; service; motor-vehicle license; motor-vehicle title registration; and any other charge included in the price of the vehicle delivered: *And provided further*, That when sale of a motor vehicle is made other than on a cash-delivery basis the invoice shall also include the components of the charges added to the sale price by reason of the fact that the vehicle is delivered under a time sale or other agreement, separately stating the amount of each item charged in connection with the financing and the insurance, if any; and also indicating whether or not, and if so, how much of such charges are refundable if the balance is paid before maturity.

"SEC. 8. It shall be unlawful for any manufacturer or dealer to charge or collect as a charge for transportation of a motor vehicle or taxes thereon any amount in excess of the actual cost to such manufacturer or dealer of the freight or other transportation charges incurred or taxes payable by the manufacturer or dealer in making delivery of such motor vehicle.

"SEC. 9. It shall be unlawful for any manufacturer or dealer to advertise, or cause the advertisement of a motor vehicle in a manner so as to confuse or mislead, or to tend to confuse or mislead, a prospective purchaser as to the price or description of such motor vehicle that is intended to be or has been delivered at the dealer's place of business.

"SEC. 10. No manufacturer shall directly or indirectly require any dealer or group of dealers to advertise or pay for the advertisement of the manufacturer's product except by the usual signs at a dealer's place of business indicating he deals in the manufacturer's products.

"SEC. 11. It shall be unlawful for any manufacturer to threaten to terminate, to terminate or cancel, or to fail or refuse to renew the contract, agreement, or franchise of any dealer because of the dealer's unwillingness or refusal to purchase parts, accessories, equipment, or tools of any particular type, kind, or description from said manufacturer.

"PRICE DISCRIMINATION

"SEC. 12. It shall be unlawful for any manufacturer in any manner whatsoever, or by any device or method whatsoever, to discriminate pricewise between dealers by way of discounts, rebates, or other allowances to any dealer over and above, or any different from, any discounts, rebates, or other allowance available at the time of such transaction on equal terms to all other dealers. Volume discounts, allowances, or rebates are hereby expressly prohibited.

"MANUFACTURER-DEALER RELATIONS

"SEC. 13. (a) Every contract or agreement between a dealer and a manufacturer by which such dealer in motor vehicles operates as such under a franchise granted by such manufacturer may include provisions to provide for the termination or cancellation of the contract by mutual consent or upon breach of provisions specifically contained therein, and such contract shall be canceled only for one or more of the reasons stated therein.

"(b) Nothing contained in this act or in any other law shall render unlawful any contract or agreement between a manufacturer and a franchised dealer, in which such manufacturer agrees that such franchised dealer shall have the sole and exclusive right to sell in a specified geographical area and/or for a specific period of time a new or used motor vehicle produced or distributed by said manufacturer.

"(c) Nothing contained in this act or in any other law shall render unlawful any contract or agreement between a manufacturer and a franchised dealer in which such dealer agrees to sell only within a designated geographical area and to refrain from selling outside said area any new or used motor vehicle produced, assembled, or distributed by said manufacturer.

"(d) Nothing contained in this act or in any other law shall render unlawful any contract or agreement between a manufacturer and a franchised dealer in which such dealer agrees not to resell, either directly or indirectly, any current model motor vehicle made by such manufacturer, to any person, partnership, corporation, or other entity engaged in the business of selling new or used motor vehicles other than a person or entity operating under a franchise or authorized dealer agreement with such manufacturer.

"(e) Nothing contained in this act or in any other law shall make it unlawful for a manufacturer of motor vehicles to enforce any agreement authorized by subsection (d) by refusing to sell to, or canceling the franchise of, any dealer who knowingly engages in the sale of a motor vehicle of current model made by such manufacturer to any person, partnership, corporation, or other entity engaged in the business of selling new or used motor vehicles other than a person or entity operating under a franchise or authorized dealer agreement with such manufacturer.

"ENFORCEMENT

"SEC. 14. Any manufacturer or dealer shall be entitled to sue for and have injunctive relief, in any district court of the United States having jurisdiction over the parties, to enforce the terms of valid agreements or to enjoin violation thereof, or against threatened loss or damage by a violation of this act, when and under the same conditions and principles injunctive relief against threatened conduct that will cause loss or damage is granted by the courts, and upon the execution of proper bond against damages for an injunction improvidently granted: *Provided, however,* That the parties may agree to accept the decision of an arbitration body to be composed of three members—one of whom shall be selected by the manufacturer; one of whom shall be selected by the dealer; the third of whom shall be selected by the two appointees, provided the third person so named shall not be a manufacturer or dealer, or a stockholder, officer, or employee of, or person affiliated with, either a manufacturer or a dealer.

"SEC. 15. Anyone who shall be injured in his business or property by reason of anything prohibited or made unlawful by this act may sue therefor in any district court of the United States in the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover twofold the damages by him sustained, and the cost of suit, plus a reasonable attorney's fee.

"PENALTIES

"SEC. 16. Any person violating any of the provisions of this act shall, upon conviction for each violation, be fined not more than $10,000, or imprisoned for not more than 1 year, or both.

"SEC. 17. Whenever a corporation shall violate any of the provisions of this act, such violation shall be deemed to be also that of the individual directors, officers, or agents of such corporation who shall have authorized, ordered, or participated in doing any of the acts constituting, in whole or in part, such violation, and such violation shall be deemed a misdemeanor, and upon conviction therefor of any such director, officer, or agent, he shall be punished by a fine of not exceeding $5,000 or by imprisonment for not exceeding 1 year, or by both.

"SUITS BY UNITED STATES

"SEC. 18. The several district courts of the United States are invested with jurisdiction to prevent and restrain violations of this act; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute appropriate proceedings to prevent and restrain such violations and for damages and penalties. Pending final determination of the matter, the court may issue such temporary restraining order or prohibition as shall be deemed just in the premises.

"SEC. 19. A final judgment or decree rendered in any criminal prosecution or in any suit or proceeding brought by or on behalf of the United States under this act to the effect that a defendant has violated said laws shall be prima facie evidence against such defendant in any suit or proceeding brought by any other party against such defendant under this act as to all matters respecting which said judgment or decree would be an estoppel as between the parties thereto.

"SEC. 20. Whenever any suit, proceeding, or criminal prosecution is instituted by the United States to prevent, restrain, or punish violations of this act, the running of the statute of limitations in respect of each and every private right of action arising under said act and based in whole or in part on any matter complained of in said suit or proceeding shall be suspended during the pendency thereof, and the time within which to bring such suit or proceeding shall be extended by the length of time elapsed between the institution and final determination, by appeal or otherwise, of such suit, proceeding, or criminal prosecution.

"TECHNICAL AMENDMENTS

"SEC. 21. (a) Part II of subchapter C of chapter 33 of the Internal Revenue Code of 1954 (relating to tax on amount paid for transportation of property) is hereby amended by adding at the end thereof the following section:

"'SEC. 4274. Statement of Transportation Charges.

"'(a) Requirement: Any person who, in connection with any sale of property, collects from the purchaser any amount as a charge for the transportation of such property shall, in any case in which any part of the amount attributable to such transportation is taxable under section 4271 (a), furnish such purchaser a statement showing—

"'(1) the amount attributable to such transportation upon which a tax is imposed by section 4271 (a), and

"'(2) the amount of such tax.

"'(b) Treble damages:

"'(1) Recovery by purchaser: Any person who, by reason of any misrepresentation in the statement required under subsection (a) of this section, is required to pay any amount as a charge for the transportation of property, including the tax imposed thereon, which exceeds the amount actually paid by the seller for such transportation, including such tax, may, within 2 years after the date of such payment, bring a civil action against the seller to recover three times the amount paid as such transportation charge, including such tax, in excess of that actually charged the seller. Whenever any person successfully maintains an action under the provisions of this paragraph, such person shall be entitled to recover, in addition to the amount provided in the first sentence of this paragraph, a reasonable attorney's fee, to be fixed by the court, which fee shall be taxed and collected as part of the costs in the case.

"'(2) Recovery by United States: In any case in which a person entitled to bring a civil action against a seller under the provisions of paragraph (1) of this subsection, shall fail to bring such action within the period of time prescribed therein, the Attorney General is authorized to bring a civil action against the seller in the name of the United States, within 2 years after the expiration of such prescribed period of time, to recover three times the amount paid as a charge for the transportation of the property purchased, including the tax thereon, which exceeds the amount actually paid by the seller for such transportation, including such tax, plus the sum of $500 as additional costs of the suit, the amount recovered to be paid into the Treasury of the United States.

"'(c) Cross-references:

"'(1) For penalty for false statement to purchasers relating to tax included in purchase price, see section 7211.

"'(2) For penalty for failure to furnish statement required by this section or for furnishing false statement, see section 7276.'

"(b) The table of sections for such part II is hereby amended by adding at the end thereof the following:

"'SEC. 4274. Statement of transportation charges.'

"SEC. 22. (a) Subchapter B of chapter 75 of the Internal Revenue Code of 1954 (relating to offenses in connection with certain taxes) is hereby amended by adding at the end thereof the following section:

"'SEC. 7276. Misrepresentations in connection with tax on amount paid for transportation of property.

"'Any person required under the provision of section 4274 to furnish a statement who willfully furnishes a false or fraudulent statement or who willfully fails to furnish a statement showing the information required under section 4274, shall, for each such offense, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than one year, or both."

"(b) The table of sections to such subchapter B is amended by adding at the end thereof the following:

"'SEC. 7276. Misrepresentations in connection with tax on amount paid for transportation of property.'

"SEPARABILITY OF PROVISIONS

"SEC. 23. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of the act, and the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

"EFFECTIVE DATE

"SEC. 24. This act shall take effect 90 days after its enactment."

Mr. MULTER. First, you have a declaration of policy, and the declaration of policy—mind you, in my declaration of policy, I seek to protect the buying public as well as the dealer. And I think it is just as important, if not more important, to protect the man who buys and uses the car on the street as it is to protect the dealer. Today he does not get the protection that the manufacturer advertises it guarantees to him.

Now, after your declaration of policy you have a section on definitions. And then we come to unlawful practices. You specify what shall be unlawful.

The CHAIRMAN. What page is that?

Mr. MULTER. On page 3 of my bill, beginning with section 4.

Now, I don't pretend that you must take every one of these practices and designate them unlawful, nor do I pretend that it is all inclusive. The committee may add some to it. But I think that is the manner in which you must proceed.

The CHAIRMAN. Your bill regulates motor vehicles on the highways of the United States; doesn't it?

Mr. MULTER. That is only a small part of it. And then in section 5:

"It shall be unlawful for any manufacturer or dealer to sell, ship, transport, drive," and so forth, "with equipment, parts, or accessories different from or in addition to those specified."

Nothing shall prevent an order for extras, if the order is in writing.

Then you have section 6:

"It shall be unlawful for any manufacturer to sell, ship, transport," and so forth,

"any motor vehicles without first having sealed the speedometer thereof so as to prevent tampering therewith or to prevent its operation."

That is to prevent this business of riding the car over the road from place of assembly to place of delivery to the consumer. In other words, he is actually getting a used car today delivered to him as a new car, because the speedometer is connected when it is ready for delivery to the buyer at the dealer's shop.

Then I have a provision:

"It shall be unlawful to deliver a motor vehicle to a retail purchaser unless such delivery shall be accompanied by an itemized invoice of the cash sale price," and so forth, to prevent this business of phantom freight charges.

Then I have the provision:

"It shall be unlawful for any manufacturer or dealer to charge or collect as a charge for transportation," anything except what is actually charged therefor.

And then a provision:

"It shall be unlawful for any manufacturer or dealer to advertise, or cause the advertisement of a motor vehicle in a manner so as to confuse or mislead, or to tend to confuse or mislead, a prospective purchaser as to the price or description," and so forth.

And then this provision:

"No manufacturer shall directly or indirectly require any dealer or group of dealers to advertise or pay for the advertisement of the manufacturers' product."

Mr. MALETZ. May I ask you this question. Going over your bill rather hurriedly, you have sections 13 (b) and (c).

Mr. MULTER. That is right.

Mr. MALETZ. Section 13 (b) provides that "nothing contained in this act or in any other law shall render unlawful any contract or agreement between the manufacturer and a franchised dealer, in which such manufacturer agrees that such franchised dealer shall have the sole and exclusive right to sell in a specified geographical area."

And then subsection (c):

"Nothing contained in this act or in any other law shall render unlawful any contract or agreement between the manufacturer and a franchised dealer in which such dealer agrees to sell only within a designated geographical area, and to refrain from selling outside such area any new or used motor vehicle produced, assembled, or distributed by said manufacturer."

Now, wouldn't those provisions of the bill be contrary to the policy of the antitrust laws?

Mr. MULTER. I am aware of the fact that the Attorney General has rendered an opinion to that effect. I think his opinion is wrong. But right or wrong, if this Congress agrees that it is wrong for the law to so provide, then I think you must enact legislation to clearly provide, it is wrong.

Presently the manufacturer says to his dealer, who looks for an exclusive franchise with limitation of area, "I can't do it, I will be violating the antitrust law," and refers to the opinion as the reason why he can't do it.

Let's leave that to a matter of contract between the parties. I know there is a division among the dealers as to whether that is good or bad.

The CHAIRMAN. As I understand it, you suggest that we follow the pattern of your proposed bill, which is, of course, a broad one, by inserting under the Senate or House bill some sort of standards or criteria which would guide the courts and dealers and manufacturers in the future.

That is your suggestion?

Mr. MULTER. That is my suggestion, sir.

Now, whether you will adopt all or some of these, whether you will adopt a provision prohibiting bootlegging or not, or price discrimination—and there is price discrimination in this industry today—their volume discounts are in direct violation of the Robinson-Patman Act.

The CHAIRMAN. Of course, we start out with the idea of protecting dealers from this monolithic, duopoly, that is, General Motors and Ford.

Now, if we keep that in mind, if we seek to protect the dealers against these corporations, hadn't we better keep our sight trained on that alone rather than going beyond that?

Mr. MULTER. I think, Mr. Chairman, with all due respect to that view, that you are missing the boat and you are not doing your full job if you do not also write into any law you write protection for the driving public.

You must go beyond just protecting the dealer, you must protect the buying public, too, and you can do it.

The CHAIRMAN. I don't want to argue with you about your bill, but I don't think you give the public protection when you give exclusive selling rights in certain areas. That is not protecting the public.

Mr. MULTER. As I said, there is a tremendous difference of opinion even among the dealers; you will find some dealers that say, "We should have this exclusive contract for a certain territory," and others that say no. The little fellow that can't sell his allotment in his area wants to rove all over the country selling it. And the other fellow that can sell in his area doesn't want the other man coming in.

You may never resolve that, but I say again, that should be a matter of contract between the dealer and the manufacturer.

The CHAIRMAN. I might say this: I have been studying the antitrust laws for many years, as a member of this committee and otherwise, and during the period when I have been on this committee I have always deemed that activity which you now seek to legalize is a violation of the antitrust law.

Mr. MULTER. That is right.

But in the light of our experience, in the light of what has gone on through these years, in the light of all the testimony adduced before the congressional committees—and you will hear much of it again during these sessions of the committee—I think it is time to review that.

You may not change your mind about it, but certainly you ought to give it very serious consideration as to whether or not the time hasn't arrived—at least, as to that part of it which applies to this industry, must be changed.

The CHAIRMAN. Let me ask you this:

Considering these bills with their limited range which are before us, where the State licensing statute, as for example, in Colorado, requires a court order in any case before a cancellation of a franchise of a dealer becomes effective, can you tell us what effect the passage of the bill before us would have on that statute?

Mr. MULTER. Has the statute been tested?

The CHAIRMAN. It is the law on the books. But the question is what effect that law we are attempting to pass will have on that situation.

Admiral Bell, you can answer that.

Mr. MULTER. I would say offhand that if a court order is necessary as a condition precedent to cancellation, any cancellation without it certainly would give rise to a very strong cause of action under this bill that you are considering, if it is enacted.

The CHAIRMAN. You asked a question whether the law has been tested. I understand General Motors has proceeded to test it by a three-man court.

Mr. MULTER. You say they are testing it in the courts now?

The CHAIRMAN. I understand it is being tested now.

Let me ask you this other question——

Mr. MULTER. In other words, if that kind of a law is constitutional, then certainly this law that you are considering now would be constitutional, and you would be able to tell these manufacturers, once you issue a franchise, that is a franchise in perpetuity.

The CHAIRMAN. We use the term "automotive vehicles"—do you think that should include tractors and motorcycles and other such vehicles?

Mr. MULTER. Not unless there is proof adduced before your committee which would show that the same abuses apply in that phase of the industry. I don't know what the situation is with respect to farm machinery, I don't know what it is with reference to buses, motorcycles or bicycles.

The CHAIRMAN. Do you think the pending legislation, if adopted, would apply to existing contracts?

Mr. MULTER. You run into the question of retroactivity there. Certainly, this bill, unless you specifically provide that it shall be retroactive in effect—the very first rule of construction is that legislation is not retroactive in effect but prospective only, unless the language specifically and clearly indicates that it is retroactive.

The CHAIRMAN. If it does not apply to existing franchises, the bill would not have much applicability, would it? There are a lot of these franchises that are——

Mr. MULTER. Now, if you declare the public policy to be along this certain line, that public policy can be enforced as to existing contracts.

But, if you are going to make it retroactive and say that the public policy which we announced today will be thus and so, and that it will give a cause of action as to anything that was not contrary to that public policy heretofore, that is, that acts or conduct that occurred in the past with reference to an existing contract because of change of public policy or because of an enunciation of a new public policy, that would be retroactive in effect, and I believe your bill would be unconstitutional even if you specifically sought to make it so.

I believe that a bill which will be prospective in its outlook—as far as future conduct is concerned if it says, "Anything you do hereafter, after this, even under the existing contract"—that that would be good, provided that you do not go so far as actually to deprive the man of any property right under the contract. You could not deprive him of his rights. You could not, under the guise of public policy, take away from this man, his property; but if you say that hereafter, in interpreting these contracts, you must pursue this course of conduct because the public policy of the country requires you to and if the law makes it a violation to act contrary to such policy, after enactment of the statute—I think it would be enforceable.

The CHAIRMAN. Now, would you have a statute of limitations?

Mr. MULTER. I have not examined into that, but I am certain that the statutes of limitations that are on the statute books today would apply.

Now, they have different statutes in different States. For instance, in the State of New York, under the State law, the general statute of limitations in almost every instance is 6 years——

The CHAIRMAN. I know it varies from State to State.

Mr. MULTER. That is right.

The CHAIRMAN. From 1 year to 6 years generally.

Mr. MULTER. That is right.

The CHAIRMAN. If you do not put a statute of limitations in this act, then the statutes of the State would apply, and they would vary.

Mr. MULTER. Yes, they would vary from one place to another; which would not be good.

The CHAIRMAN. That is right.

Mr. MULTER. I think it should be uniform.

The CHAIRMAN. To have a uniformity which would provide for some period of time?

Mr. MULTER. Yes, and I think, having that in mind, that uniformity, at least to that extent, would be a very good provision of the bill. Your bill should have a statute of limitations written into it.

The CHAIRMAN. One further question; what is the status of your bill?

Mr. MULTER. I testified in support of the bill on both the House side and the Senate side. The House subcommittee has not yet met in executive session on that or any other bills on which they have taken testimony. The hearings are closed but they have not yet acted or reported on the bills.

Now, I may point out one thing with reference to the remedy that you provide. You provide a remedy by court suit.

Suppose they write into these contracts an arbitration clause. Would you say that the man, nevertheless, can go to court or should go to court?

You see, in my bill, 10310, in setting up the enforcement provisions, I give them the right to go to court; and I also give them the right to have arbitration, if they so agree, the arbitration to be by a board of arbitrators of three, 1 appointed by the manufacturer, 1 by the dealer and the third not to be affiliated with the industry in any way.

The CHAIRMAN. Well, neither bill precludes arbitration; that would be voluntary.

Mr. MULTER. But if you don't put into the bill a provision as to what kind of arbitration, then your contract coming forth from the manufacturer could have a provision permitting him to name the arbitrator.

The CHAIRMAN. And if they are unable to agree, they can go to court.

Mr. MULTER. But you still have the situation—what kind of a contract the dealer is going to get. Today he must take the contract offered to him by the manufacturer. You do not need any of this legislation if the manufacturer is going to sit down and deal in good faith at arm's length, and fully and openly negotiate with the dealer—but they won't do it. They haven't done it. These bills H. R. 11360 and S. 7879 do not require it.

The CHAIRMAN. Admittedly. But as Senator O'MAHONEY this morning said, the motor companies have become so concerned that they are not likely to give reasonable cause——

Mr. MULTER. No, I do not go along with that. They were chastened immediately after this report came down in 1939 (exhibiting document); but for how long? And, now they are coming forward and telling us, "Leave this up to us, let us police the industry. We can do the job."

If this session closes without legislation, you can expect trouble again. The manufacturers will not reform for very long.

The CHAIRMAN. I may say that if the same party controls this House in the new session, the motor companies better watch out if they engage in coercive practices and their representatives who are in this room, I hope will bring that message back to their principals.

Mr. MULTER. Now, let me pursue this one step forward, as far as the Senate bill is concerned.

I don't know whether you have in mind going along with the Senate version on compensatory damages, or staying with your version of double damages, and I do not want to put the committee in a position of giving an expression of opinion at this time.

The CHAIRMAN. I think at this point I may say that probably when I drew my bill I did not realize how punitive the damages were going to be—

Mr. MULTER. Let us consider that for a moment. I said that unless you provide for a penalty or for punitive damages there will be no recovery. After the plaintiff dealer has established his cause of action, and the court says, "Now, come forward and let us have your damages"—what are his damages?

The CHAIRMAN. It is very difficult to say, and I would not——

Mr. MULTER. Let me pursue it, Mr. Chairman.

The CHAIRMAN. You cannot anticipate all of those——

Mr. MULTER. Let me pursue it for a moment.

The CHAIRMAN. We are pioneering here.

Mr. MULTER. And that is why I want to pursue this with you for a few moments.

Assume I am representing the dealer and am trying my case before you as the judge, and I start to offer as part of my proof of my damages the evidence of profits, what they have been over the years that I have had this franchise, and I say, now, that I want to offer this proof so that you will have some idea of the profits I am going to lose in the years ahead and I want compensation for my loss of profits during each of the years that I would have had that franchise if it had not been canceled or if it had been renewed.

The CHAIRMAN. Well, that strikes me that that is the best proof, as to what the profits might be——

Mr. MULTER. Good——

The CHAIRMAN. How could you prove any loss—I would consider that kind of evidence relevant or material——

Mr. MULTER. But I do not think it comes within the definition of compensatory damages.

The CHAIRMAN. Why not? How can you prove compensatory——

Mr. MULTER. Compensatory damages are in my opinion, your actual losses, not prospective losses that might occur in any one of several events even if there had been no cancellations.

The CHAIRMAN. Do you feel that the word "damages" standing alone is better?

Mr. MULTER. Certainly I urge strongly that the word "compensatory" must be taken out, because the word "compensatory" will be limited to actual damage.

If he owns the building, the building has value, no matter how you are using it; if he has a lease, the leasehold has value, not matter how he is using it; and as far as his inventory is concerned, I think that every one of these franchise agreements requires the manufacturer to take back the inventory at cost, so he has lost nothing there, and——

The CHAIRMAN. I think your point is well taken. If you use the word "damages," you will have broader coverage than if you use "compensatory damages," is that right?

Mr. MULTER. Yes; with the probability—well, with the possibility of the court, nevertheless interpreting it to mean only actual damage.

The CHAIRMAN. That is all we want.

Mr. MULTER. What will he get there? If he makes out a cause of action, he will get attorneys' fees, and maybe 6 cents. Assuming that the court is going to take into account his prospective loss of profits, for how many years? You have arrived at the average earnings during the last 10 years or 5 years or whatever it may be of $100,000 a year—for how many years are you going to give him those lost profits?

The CHAIRMAN. Well, it is like a negligence case, the man gets his damages.

Mr. MULTER. That is right——

The CHAIRMAN. And the previous decisions will tell us what proof can be offered; and, as time goes on in a case of this sort, after passing this bill, it will be more or less standardized. But in the beginning the damages that the man alleges are very indefinite, depending upon many things——

Mr. MULTER. It certainly is; it depends on what he is doing, what he has earned, how he has——

The CHAIRMAN. That is what you are going to have here, I think——

Mr. MULTER. The stumbling block to recovery of substantial damages, which these bills do not remove, is the question if whether you can write into law a provision giving to a contract a term of years where none has been provided by the parties. These bills attempt to hurdle that obstacle by giving the court the right to speculate as to whether it will be 1 year, 2 years, or a lifetime. Each court will pull out of the air, whatever period it likes. The same court may apply different terms to each lawsuit. In a jurisprudence, which declares contracts expire at will, where the parties fail to agree on a specific term, you cannot permit that.

I am afraid that if you do not write into this bill the words "punitive damages," or provide for penalties, specific penalties, you are going to give this man a cause of action without a right of recovery of any money.

The CHAIRMAN. In other words, you think we should have penalties in the bill?

Mr. MULTER. Oh, yes.

The CHAIRMAN. In addition to damages?

Mr. MULTER. Yes, because otherwise he will walk out of court with the satisfaction of having been told by the court and jury: "You are right, but there is nothing that this man owes you."

The CHAIRMAN. That is something to consider, whether we should have sanctions, penalties, as a matter of law.

Mr. MULTER. You gentlemen undoubtedly will be told how the automobile dealers of the country are thriving and have done so well through the years.

In that connection, may I anticipate and give you this answer to that? In the June 1956 Dun's Review, there are statistics on failures by divisions of our industry. Incidentally, I think you will all agree that big industry and big companies have been not failing and are not failing; they are not going into bankruptcy. Some of them are liquidating and taking their capital gains, but they are not folding up because of adverse conditions or inability to earn profits.

In the automotive group of the retail trade in the 4 months of 1956, there were 232 bankruptcies as against 157 in the same period of 1955, and the total liabilities for the 4 months of 1956 were $9,900,000 against the same 4-month period of 1955 of $3,800,000.

You will hear from the representatives of the automobile dealers, and I think they will make out a pretty good case of their need for help.

I think, Mr. Chairman——

The CHAIRMAN. We certainly know that the dealer needs a lot of help now. I read with great interest last night an article in the current issue of Atlantic Monthly which called attention to the glut of cars that were rammed down the throats of the dealers by the three big manufacturers. One dealer now is offering a vacation to Bermuda if you buy one of his cars; another is offering a Geiger counter, and with that you can find uranium, and if you do not find the uranium when you get his car, he will give you 10 shares of uranium stock. I do not know what value it would have.

Another dealer provides that if you buy one of his Pontiac cars, you get a discount of $1 per pound of weight of the man and his wife.

I do not know how much weight that would be, but it would be a discount.

Another man offers, I think, 2 Chevrolet cars at $999, but there are only 2 in the shop; so you have to race there to get the 2. I do not know what kind of crowd went after those 2 cars.

But that article shows the desperate plight of the dealers. Of course, it also shows that in the period of 1953–54, which was called a lush period, that the dealers made a great deal of money and that prior thereto they also made considerable sums of money. And there is a repetition of the testimony of Mr. Curtice before one of the Senate committees that the squawks are mainly coming from those dealers who made these vast sums of

money in those lush years who now are put to it to sell the cars that are being offered to them.

There is no doubt that the dealers are being hard pressed now to sell their cars.

The important things is that it is a very anomalous situation in our economy: Three huge companies can force and ram down the throats of dealers such a vast number of cars.

There was undoubtedly the prospect of a glut of cars in this country; yet the manufacturers had the power to do these things.

There is where the danger lies, that these companies should have that power to be able to accomplish that kind of evil. And it is an evil.

Mr. MULTER. You are going to be told, too, I am sure, that this year the manufacturers have not done so well. I think that the statistic is that they have done about 13 percent less in profits this year than last year. But bear in mind these figures: In 1953, General Motors earned 20 percent after taxes and bonuses on its capital investment; in 1954, 24 percent; in 1955, over 28 percent.

Now, the 13 percent less does not bring that down to 15 percent. It is 13 percent of the 28 percent worse this year so far than last year.

The CHAIRMAN. Am I correct in stating that last year, the calendar year 1955, General Motors had a gross profit of about $1 billion?

Mr. MULTER. That figure sounds right to me. I could get you the exact figure—I am sure I have it here somewhere—and submit it to you for the record. But that figure sounds right to me.

Incidentally, when the manufacturers are before you, I trust you will pursue them on this question of bootlegging. They will tell you about what a great job they are doing with their dealers today and how they protect them and are really rendering a fine public service in that connection.

I have in front of me, and I will leave it with you, a photograph of a Packard agency, and the sign in the window takes up one entire window right on the corner, a Packard agency, an authorized Packard dealer: "1956 Oldsmobiles, all models, big saving."

The CHAIRMAN. What was that?

Mr. MULTER. "1956 Oldsmobiles, all models, big saving."

Now, the point I am making is that this is typical of the so-called bootlegging that is going on throughout the country, not only the used car lot selling new cars, but even so-called authorized dealers carrying automobiles that are supposed to be handled only by so-called exclusive franchise dealers of other companies. The manufacturers do nothing to prevent this practice, because all they are interested in is the volume sales.

The CHAIRMAN. Is that all?

Mr. MULTER. There is one other point I would like to touch on very briefly. I have touched on it in my statement.

The CHAIRMAN. I hope you will not be too much longer.

Mr. MULTER. I will be less than 5 minutes.

The CHAIRMAN. We have not finished this morning's witnesses.

Mr. MULTER. A practice grew up among the dealers of sending men into military installations from which the boys were being sent home, and selling them cars there, making all sorts of misrepresentations to the men.

A similar situation occurred in the insurance industry, and the Defense Department found insurance salesmen were going into these places and selling the men insurance under false representations and outright fraud.

But when that matter was called to the attention of the Secretary of Defense, he immediately issued a directive and made every base commander responsible, required him to issue licenses to the insurance salesmen and made him responsible for the actions of these salesmen so as to be sure that the men and the service were not taken advantage of in the sale of insurance.

Now, when I learned of this practice in the automobile industry, I sent off a letter to the Secretary of Defense, Mr. Wilson, and called his attention to it. I did not ask him to do what he did in the insurance business; I did not ask him to make his commanding officers responsible. I merely asked him to issue a directive to his commanding officers requiring them to alert the men under their command to these fraudulent practices. And I said to him, "Don't predetermine the question. Don't make a finding of fraud or misrepresentation, but just tell these commanding officers that they must alert their men to be on guard against this thing."

And I got back from the gentleman, the Secretary of Defense, a letter saying that they could not do that; that would be restrictive of private enterprise.

In other words, what is good for General Motors is good for the country; what is bad conduct by the insurance companies, is not bad conduct by General Motors.

That situation was called to his attention as far back as September 1955.

My last letter to him on September 28, 1955, is still unanswered, except that the manufacturers have sent their direct sales representatives into those places to try to garner the business which the dealers were getting before.

That, Mr. Chairman, completes my statement unless there are some other questions.

The CHAIRMAN. The record will be left open for any changes or additions you want to make.

Mr. MULTER. Thank you, sir.

The CHAIRMAN. Thank you very much.

SENATE

TUESDAY, JULY 3, 1956

Rev. Edward B. Lewis, minister, Union Methodist Church, Washington, D. C., offered the following prayer:

O God, our Heavenly Father, we bow in Thy presence today, thanking Thee for the confidence in our hearts of Thy love and the resource of Thine infinite power. Thou art the hope of all the ends of the earth. We beseech Thee to grant Thy blessings upon the President of the United States and especially, O God, we pray that Thou wilt bless this session of the Senate of the United States. May these Thy good servants represent well the people of their States. Empower them with the highest spirit of wisdom, goodness, and truth. Rule their hearts and bless their endeavors, that law and order, justice, and peace may everywhere prevail.

We humbly bow in thanksgiving on the eve of our national Independence Day. May we be continually reminded of the words of one of our founders, "The longer I live, the more convincing proof I see of this truth that God governs in the affairs of men." So we pray that Thou wilt continue that conscious guidance upon our national leaders. Give each a sharp conscience, a humble spirit, and a confidence in Thee. In the time of prosperity fill our hearts with thankfulness; in the day of trouble suffer not our trust in Thee to fail. Grant us personal peace as our Nation seeks to be a stronghold of peace. May we advocate peace in the council of nations through Thy peace in our hearts. We pray in the name and in the spirit of Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BIBLE, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 2, 1956, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the bill (S. 2913) to extend for 2 years the Advisory Committee on Weather Control.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 2182. An act for the relief of the city of Elkins, W. Va.;

S. 3163. An act to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating in Hawaii and Alaska; and

S. 3386. An act to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 100th anniversary of the birth of Theodore Roosevelt," approved July 28, 1955.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 1871. An act to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government mail matter," approved August 15, 1953; and

S. 3272. An act to increase and make certain revisions in the general authorization for small flood control projects in the Flood Control Act of 1948.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2972) to punish the willful damaging or destroying of aircraft and attempts to damage or destroy aircraft, and for other purposes.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 781. An act to amend title 17 of the United States Code, entitled "Copyrights," to provide for a statute of limitations with respect to civil actions;

H. R. 4296. An act to provide that certain professors at West Point shall not be deprived of certain retirement benefits;

H. R. 4938. An act relating to contracts for the conduct of contract postal stations;

H. R. 5888. An act to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned serv-

ices under the emergency economy legislation, and for other purposes;

H. R. 6403. An act to amend title 18, entitled "Crimes and Criminal Procedure," of the United States Code, to provide a criminal sanction for the embezzlement or theft of the property of Indian tribal organizations;

H. R. 6716. An act to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States;

H. R. 6729. An act to provide that the Secretary of the Navy shall appoint certain former members of the Navy and Marine Corps to the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, and thereafter transfer such members to the appropriate retired list;

H. R. 6870. An act to amend the Federal Probation Act to make it applicable to the United States District Court for the District of Columbia;

H. R. 6997. An act to include officers and employees of the Departments of Labor, Commerce, and the General Services Administration and Federal probation officers in title 18 of the United States Code, section 1114;

H. R. 7290. An act to authorize female Reserve officers of the Army or Air Force appointed as nurses or women medical specialists to be members of the Army National Guard of the United States or Air National Guard of the United States, as appropriate;

H. R. 7536. An act to amend the Communications Act of 1934, as amended, so as to require that certain vessels carrying passengers for hire be fitted with radiotelephone installations;

H. R. 7943. An act to change the name of the Government locks at Ballard, Wash., to the "Hiram M. Chittenden locks";

H. R. 8407. An act to require enlisted members of the Armed Forces to make up time lost during enlistments;

H. R. 8817. An act to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.;

H. R. 9038. An act to amend title 28 of the United States Code to provide that the Commonwealth of Puerto Rico shall be treated as a State for purposes of district court jurisdiction based on diversity of citizenship;

H. R. 9081. An act to direct the Secretary of the Army or his designee to convey a 3-acre tract of land situated about 6 miles south of the city of San Antonio, in Bexar County, Tex., to the State of Texas;

H. R. 9246. An act to amend the Armed Forces Leave Act of 1946 by authorizing payments to survivors of former members for unused leave credit;

H. R. 9265. An act to amend the Hawaiian Organic Act, as amended, relating to the audit of government (Territorial and county) accounts;

H. R. 9333. An act to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manufacturers;

H. R. 9339. An act to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee National Forest, Ga., and for other purposes;

H. R. 9591. An act to amend the act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes;

H. R. 9660. An act to direct the Secretary of the Army or his designee to convey an 11¼-acre tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia;

H. R. 9699. An act to provide for the conveyance to the State of Oregon of the land and improvements known as the Clackamas National Guard target range, at Clackamas, Oreg., to be used for National Guard purposes;

H. R. 9774. An act to provide for the conveyance of certain lands of the United States to the Board of Commissioners of Volusia County, Fla.;

H. R. 9801. An act to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z.;

H. R. 9892. An act to amend the provisions of the Revised Statutes, relating to physical examinations preliminary to promotions of officers of the naval service;

H. R. 10075. An act to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.;

H. R. 10111. An act to amend sections 657 and 1003 of title 18 of the United States Code in order to include certain savings and loan associations within its provisions;

H. R. 10184. An act to authorize the Secretary of the Treasury to convey property to the county of Pierce, State of Washington;

H. R. 10263. An act to amend title 17, United States Code, entitled "Copyrights" with respect to certain fees;

H. R. 10479. An act to authorize the Administrator of General Services to convey certain land to the county of Galveston, Tex.;

H. R. 10523. An act to conform the appointment and compensation of the chief legal officer of the Post Office Department to the method of appointment and rate of compensation provided for comparable positions, and for other purposes;

H. R. 10624. An act relating to intercorporate relations between the General Public Utilities Corp., a corporation organized and operating in the United States, and the Manila Electric Co.;

H. R. 10679. An act granting the consent of Congress to the establishment by the States of Mississippi and Arkansas of a bi-State commission to investigate the possibilities of constructing a railroad bridge across the Mississippi River;

H. R. 10683. An act to amend the Dependents Assistance Act of 1950, as amended, so as to provide punishment for fraudulent acceptance of benefits thereunder;

H. R. 11163. An act to amend section 2 of the act of March 29, 1956 (70 Stat. 58), authorizing the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes;

H. R. 11375. An act to amend the Agricultural Act of 1949, as amended, to further extend the special school milk program to certain institutions for the care and training of children;

H. R. 11520. An act to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine;

H. R. 11554. An act to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of merchant vessels in the interest of national defense, and for other purposes;

H. R. 11575. An act to provide for an Assistant Secretary for Research and Development for each of the three military departments within the Department of Defense;

H. R. 11636. An act to amend chapter 3 of title 18, United States Code, relating to animals, birds, and fish;

H. R. 11683. An act to authorize permanent appointments in the Armed Forces of the United States, and for other purposes;

H. R. 11861. An act to amend the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946;

H. R. 11873. An act to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects;

H. R. 11923. An act to provide for the conferring of an award to be known as the Medal for Distinguished Civilian Achievement; and

H. J. Res. 643. Joint resolution to provide for an investigation of the need for a geophysical institute in the Territory of Hawaii.

The message also announced that the House had agreed to the following concurrent resolutions, in which is requested the concurrence of the Senate:

H. Con. Res. 242. Concurrent resolution to commemorate the quadricentennial anniversary of the establishment of the first settlement in Florida;

H. Con. Res. 242. Concurrent resolution providing for 10,000 additional copies of the report entitled "Special Study Mission to the Middle East, South and Southeast Asia, and the Western Pacific";

H. Con. Res. 243. Concurrent resolution authorizing the printing as a House document of the Constitution of the United States together with the Declaration of Independence, and providing for additional copies;

H. Con. Res. 245. Concurrent resolution authorizing the printing of additional copies of House Report No. 2189, 84th Congress, 2d session;

H. Con. Res. 248. Concurrent resolution authorizing the Joint Committee on Atomic Energy to print 30,000 additional copies of the hearings of the Research and Development Subcommittee on "Shortage of Scientific and Engineering Manpower"; and

H. Con. Res. 251. Concurrent resolution authorizing reprinting of House Document No. 210 of the 83d Congress.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H. R. 10230. An act to amend sections 3526 and 3528 of the Revised Statutes relating to the coinage of subsidiary silver coins and minor coins of the United States;

H. R. 10504. An act to allow a homesteader settling on unsurveyed public land in Alaska to make single final proof prior to survey of the lands;

H. R. 11802. An act to continue the effectiveness of the act of December 2, 1942, as amended, and the act of July 28, 1945, as amended, relating to war-risk hazard and detention benefits until July 1, 1957; and

H. J. Res. 592. Joint resolution for the relief of certain aliens.

HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON CALENDAR

The following bills and joint resolution were severally read twice by their titles and referred or placed on the calendar, as indicated:

H. R. 781. An act to amend title 17 of the United United States Code, entitled "Copyrights," to provide for a statute of limitations with respect to civil actions;

H. R. 5888. An act to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation, and for other purposes;

H. R. 6403. An act to amend title 18, entitled "Crimes and Criminal Procedure," of the United States Code, to provide a criminal sanction for the embezzlement or theft of the property of Indian tribal organizations;

H. R. 6716. An act to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States:

H. R. 6870. An act to amend the Federal Probation Act to make it applicable to the United States District Court for the District of Columbia;

H. R. 6997. An act to include officers and employees of the Departments of Labor, Commerce, and the General Services Administration and Federal probation officers in title 18 of the United States Code, section 1114;

H. R. 9038. An act to amend title 28 of the United States Code to provide that the Commonwealth of Puerto Rico shall be treated as a State for purposes of district court jurisdiction based on diversity of citizenship;

H. R. 10111. An act to amend sections 657 and 1006 of title 18 of the United States Code in order to include certain savings and loan associations within its provisions;

H. R. 10263. An act to amend title 17, United States Code, entitled "Copyrights" with respect to certain fees; and

H. R. 11636. An act to amend chapter 3 of title 18, United States Code, relating to animals, birds, and fish; to the Committee on the Judiciary.

H. R. 4296. An act to provide that certain professors at West Point shall not be deprived of certain retirement benefits;

H. R. 6729. An act to provide that the Secretary of the Navy shall appoint certain former members of the Navy and Marine Corps to the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, and thereafter transfer such members to the appropriate retired list;

H. R. 7290. An act to authorize female Reserve officers of the Army or Air Force appointed as nurses or women medical specialists to be members of the Army National Guard of the United States or Air Natiional Guard of the United States, as appropriate;

H. R. 8407. An act to require enlisted members of the Armed Forces to make up time lost during enlistments;

H. R. 9081. An act to direct the Secretary of the Army or his designee to convey a 3-acre tract of land situated about 6 miles south of the city of San Antonio, in Bexar County, Tex., to the State of Texas;

H. R. 9246. An act to amend the Armed Forces Leave Act of 1946 by authorizing payments to survivors of former members for unused leave credit;

H. R. 9699. An act to provide for the conveyance to the State of Oregon of the land and improvements known as the Clackamas National Guard target range, at Clackamas, Oreg., to be used for National Guard purposes;

H. R. 9892. An act to amend the provisions of the Revised Statutes, relating to physical examinations preliminary to promotion of officers of the naval service;

H. R. 10683. An act to amend the Dependents Assistance Act of 1950, as amended, so as to provide punishment for fraudulent acceptance of benefits thereunder;

H. R. 11575. An act to provide for an Assistant Secretary for Research and Development for each of the three military departments within the Department of Defense; and

H. R. 11683. An act to authorize permanent appointments in the Armed Forces of the United States, and for other purposes; to the Committee on Armed Services.

H. R. 4938. An act relating to contracts for the conduct of contract postal stations; and

H. R. 10523. An act to conform the appointment and compensation of the chief legal officer of the Post Office Department to the method of appointment and rate of compensation provided for comparable positions, and for other purposes; to the Committee on Post Office and Civil Service.

H. R. 7536. An act to amend the Communications Act of 1934, as amended, so as to require that certain vessels carrying passengers for hire be fitted with radiotelephone installations;

H. R. 9801. An act to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z.; and

H. R. 11554. An act to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of merchant vessels in the interest of national defense, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 7943. An act to change the name of the Government locks at Ballard, Wash., to the "Hiram M. Chittenden locks";

H. R. 10679. An act granting the consent of Congress to the establishment by the States of Mississippi and Arkansas of a bi-State commission to investigate the possibilities of constructing a railroad bridge across the Mississippi River; and

H. R. 11861. An act to amend the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946; to the Committee on Public Works.

H. R. 8817. An act to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.;

H. R. 9774. An act to provide for the conveyance of certain lands of the United States to the Board of Commissioners of Volusia County, Fla.;

H. R. 10075. An act to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.;

H. R. 10479. An act to authorize the Administrator of General Services to convey certain land to the county of Galveston, Tex.; and

H. R. 11520. An act to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine; to the Committee on Government Operations.

H. R. 9265. An act to amend the Hawaiian Organic Act, as amended, relating to the audit of government (Territorial and county) accounts;

H. R. 9591. An act to amend the act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes;

H. R. 11163. An act to amend section 2 of the act of March 29, 1956 (70 Stat. 58), authorizing the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes;

H. J. Res. 643. Joint resolution to provide for an investigation of the need for a geophysical institute in the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

H. R. 9333. An act to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manufacturers;

H. R. 9339. An act to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee National Forest, Ga., and for other purposes;

H. R. 11375. An act to amend the Agricultural Act of 1949, as amended, to further extend the special school milk program to certain institutions for the care and training of children;

H. R. 11873. An act to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects; to the Committee on Agriculture and Forestry.

H. R. 10184. An act to authorize the Secretary of the Treasury to convey property to the county of Pierce, State of Washington; placed on the calendar.

H. R. 11923. An act to provide for the conferring of an award to be known as the Medal for Distinguished Civilian Achievement; to the Committee on Labor and Public Welfare.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The concurrent resolution (H. Con. Res. 225) to commemorate the quadricentennial anniversary of the establishment of the first settlement in Florida, was referred to the Committee on the Judiciary, as follows:

Whereas August 15, 1959, will mark the 400th anniversary of the first recorded attempt to establish a European settlement in what is now the continental United States; and

Whereas, on August 15, 1559, Don Tristan de Luna landed his Spanish Colonists in Florida at Pensacola; and

Whereas the city of Pensacola now commemorates annually the Fiesta of the Five Flags in observance and celebration of this anniversary which has gained national and international recognition; and

Whereas this occasion reestablishes and reemphasizes the ties of friendship and heritage between the nations of the Western Hemisphere: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States joins the people of Florida in commemorating the quadricentennial anniversary of the first attempt to found a European settlement in Florida at Pensacola.

SEC. 2. A copy of this resolution, suitably engrossed and duly authenticated, shall be transmitted to the Governor of Florida, the mayor of Pensacola, and the Fiesta of the Five Flags Association, Pensacola, Fla.

The concurrent resolution (H. Con. Res. 242) providing for 10,000 additional copies of the report entitled "Special Study Mission to the Middle East, South and Southeast Asia, and the Western Pacific," was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 10,000 additional copies of the report entitled "Special Study Mission to the Middle East, South and Southeast Asia, and the Western Pacific," and that 5,000 copies shall be for the use of the Committee on Foreign Affairs and 5,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days, after which time the unused balance shall revert to the Committee on Foreign Affairs.

The concurrent resolution (H. Con. Res. 243) authorizing the printing as a House document of the Constitution of the United States together with the Declaration of Independence, and providing for additional copies, was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Constitution of the United States, as amended to February 27, 1951, together with the Declaration of Independence, be printed as a House document, with an index, in such form and style as may be directed by the Joint Committee on Printing, and that 100,000 additional copies be printed, of which 75,000 copies shall be for the use of the House of Representatives and 25,000 copies for the use of the Senate.

The concurrent resolution (H. Con. Res. 245) authorizing the printing of additional copies of House Report No. 2189, 84th Congress, 2d session, was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall

be printed 50,000 additional copies of the report entitled "The Great Pretense" (H. Rept. No. 2189, 84th Cong., 2d sess.), for the use of the Committee on Un-American Activities.

The concurrent resolution (H. Con. Res. 248) authorizing the Joint Committee on Atomic Energy to print 30,000 additional copies of the hearings of the Research and Development Subcommittee on "Shortage of Scientific and Engineering Manpower," was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring). That there be printed for the use of the Joint Committee on Atomic Energy 30,000 additional copies of the hearings held by the Research and Development Subcommittee of the said joint committee during the 84th Congress entitled "Shortage of Scientific and Engineering Manpower."

The concurrent resolution (H. Con. Res. 251) authorizing reprinting of House Document No. 210 of the 83d Congress, was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That the brochure entitled "How Our Laws Are Made," by Dr. Charles J. Zinn, law revision counsel of the House of Representatives Committee on the Judiciary, as set out in House Document 210 of the 83d Congress, be printed as a House document, with emendations by the author and with a foreword by Hon. EDWIN E. WILLIS; and that there be printed 132,000 additional copies to be prorated to the Members of the House of Representatives for a period of 90 days after which the unused balance shall revert to the Committee on the Judiciary.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. YOUNG was excused from attendance on the sessions of the Senate on Thursday and Friday of this week and all of next week.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. BIBLE, and by unanimous consent, the Business and Commerce Subcommittee of the Committee on the District of Columbia was authorized to meet during the session of the Senate today.

On request of Mr. KNOWLAND, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate today.

On request of Mr. BIBLE, and by unanimous consent, the Subcommittee on Agricultural Credit of the Committee on Agriculture and Forestry was authorized to meet during the session of the Senate this afternoon.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. BIBLE. Mr. President, since the Senate meets today following an adjournment, under the rule there will be the usual morning hour. I ask unanimous consent that statements made in connection with the routine morning business be limited to 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AUDIT REPORT ON REVIEW OF USE OF CUMULATIVE SINKING FUND FOR RETIREMENT OF PUBLIC DEBT OBLIGATIONS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on review of use of cumulative sinking fund for retirement of public debt obligations, Bureau of the Public Debt, Treasury Department, for the fiscal years 1921 through 1955 (with an accompanying report); to the Committee on Government Operations.

REPORT ON FARWELL UNIT, NEBRASKA, MISSOURI RIVER BASIN PROJECT

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report of the Department of the Interior on the Farwell unit, Nebraska, of the Missouri River Basin project (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSED CONCESSION CONTRACT, GLACIER NATIONAL PARK, MONT.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Glacier National Park, Mont. (with accompanying papers); to the Committee on Interior and Insular Affairs.

GRANTING OF APPLICATIONS FOR PERMANENT RESIDENCE FILED BY CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Four letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for ordering such suspensions (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Eliseo Delacruz-Villagran from a list of aliens granted temporary admission into the United States, transmitted to the Senate on June 6, 1956 (with an accompanying paper); to the Committee on the Judiciary.

EXTENSION AND IMPROVEMENT OF VOLUNTARY HEALTH PREPAYMENT PLANS OF POLICIES

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to encourage the extension and improvement of voluntary health prepayment plans or policies (with an accompanying paper); to the Committee on Labor and Public Welfare.

APPOINTMENT OF FEDERAL HIGHWAY ADMINISTRATOR, BUREAU OF PUBLIC ROADS, AND ONE ADDITIONAL ASSISTANT SECRETARY OF COMMERCE

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for the appointment of a Federal Highway Administrator in the Bureau of Public Roads, one additional Assistant Secretary of Commerce, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

REPORT ON OPERATIONS IN CONNECTION WITH BONDING OF GOVERNMENT OFFICERS AND EMPLOYEES

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report on operations in connection with the bonding of Government officers and employees under the act of August 9, 1955 (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Disabled American Veterans, Department of New Jersey, protesting against the so-called Bradley Report, relating to veterans' benefits; to the Committee on Finance.

Two resolutions adopted by the executive board of the California Federation of Women's Clubs, Fresno, Calif., relating to the travel tax, and amendment of the Hawaiian Organic Act; to the Committee on Interior and Insular Affairs.

The petition of Mrs. Gladys Gregg, of Bloomington, Ill., praying for the enactment of the so-called Langer bill, to prohibit the transportation of alcoholic beverage advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

A resolution adopted by B'nai B'rith Women, Grand Lodge District No. 3, and approved by the Edna Riebman Chapter of Wilmington, Del., relating to immigration; to the Committee on the Judiciary.

FEDERAL AID ROAD ACT OF 1956—RESOLUTIONS OF SENATE OF COMMONWEALTH OF MASSACHUSETTS

Mr. KENNEDY. Mr. President, on behalf of myself, and my colleague, the senior Senator from Massachusetts [Mr. SALTONSTALL], I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, the following resolution adopted by the Senate of the Commonwealth of Massachusetts on June 26, 1956:

Resolutions urging the Congress of the United States to adopt the bill for expanded highway construction and increased Federal aid as agreed upon by the joint congressional conference committee.

There being no objection, the resolutions were ordered to lie on the table; and, under the rule, to be printed in the RECORD, as follows:

RESOLUTIONS URGING THE CONGRESS OF THE UNITED STATES TO ADOPT THE BILL FOR EXPANDED HIGHWAY CONSTRUCTION AND INCREASED FEDERAL AID AS AGREED UPON BY THE JOINT CONGRESSIONAL CONFERENCE COMMITTEE

Whereas a joint congressional conference committee has reached an agreement on a record $33,400,000,000 road-building program,

under which the Commonwealth of Massachusetts would receive greater benefit than it would have under the version of said bill proposed by the Senate; and

Whereas the Commonwealth of Massachusetts stands to receive an additional $365,300,000 under the said agreement: Therefore be it

Resolved, That the Massachusetts Senate respectfully urges the Congress of the United States to adopt the bill for expanded highway construction with increased Federal aid, as agreed to by the joint congressional conference committee; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the Presiding Officer of each branch of the Congress and to each Member thereof from this Commonwealth.

Senate, June 26, 1956, adopted.

IRVING N. HAYDEN, *Clerk*.

A true copy.

Attest:

EDWARD J. CRONIN,
Secretary of the Commonwealth.

The PRESIDENT pro tempore laid before the Senate resolutions of the Senate of the Commonwealth of Massachusetts, identical with the foregoing, which were ordered to lie on the table.

RESOLUTION OF NORTHERN ELECTRIC COOPERATIVE ASSOCIATION, VIRGINIA, MINN.

Mr. HUMPHREY of Minnesota. Mr. President, the board of directors of the Northern Electric Cooperative Association of Virginia, Minn., recently adopted a resolution concerning the rural electrification program now pending before Congress. I ask unanimous consent that this resolution be printed in the RECORD as a part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas there are bills before Congress at the present time affecting the rural electrification program as follows: H. R. 11477, affecting rural electrification in New York; H. R. 412 and 5300, affecting rural electrification in Colorado; and H. R. 4648 and S. 1333, affecting the power needs of the whole Northwest; and

Whereas these bills provide for the development of natural resources resulting in abundant low-cost electric energy, flood control, and irrigation, the benefits of which belong to the people; and

Whereas the preference principles of these bills are necessary as a yardstick to protect the citizens of this country against a private power monopoly: Now, therefore, be it

Resolved, That this board of directors request our Senators and Congressmen to support these bills to preserve the benefits of the development of our country's natural resources for the greatest number of people and to provide for more low-cost electric energy for rural farms and residents in New York, Colorado, and the whole Northwest.

CERTIFICATE

I, Emil H. Sande, do hereby certify that I am the duly elected, qualified, and acting secretary of the Northern Electric Cooperative Association, and the keeper of its records; that the foregoing copy is a true and correct copy of the resolution as adopted at the regular meeting of the board held on June 21, 1956, at its principal office of business, in the city of Virginia, Minn.

In witness whereof, I have hereunto set my hand and affixed the seal of the cooperative this 25th day of June 1956.

EMIL H. SANDE, *Secretary*.

EQUAL TELEVISION TIME FOR PRESIDENTIAL NOMINEES IN NATIONAL ELECTIONS—EDITORIAL

Mr. HUMPHREY of Minnesota. Mr. President, on May 29, 1956, I introduced S. 3962 which would attempt to safeguard equal television time for presidential nominees in our national elections. I have been deeply encouraged by the response I have had concerning this bill. A recent issue of the St. Louis Post-Dispatch contained an editorial entitled "Putting Campaigns on TV."

I ask unanimous consent that this editorial be printed at this point in my remarks, and appropriately referred.

There being no objection, the editorial was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

PUTTING CAMPAIGNS ON TV

Senator HUMPHREY of Minnesota has introduced a bill which tries to do something about assuring fair presentation of both sides of presidential campaigns on television.

His measure, in addition to requiring TV stations and networks to sell equal time to major party candidates, would provide for a limited amount of free time. Presidential nominees of major parties—defined as those which polled 4 percent of the vote at the last election, or could present petitions signed by 1 percent of the voters—would be allowed to request a half-hour each week in September, an hour a week in October, and 1 hour in November.

That would amount to 7 hours for each candidate over a period of some 9 weeks. It does not seem too much to set aside once every 4 years for the highly important business of a presidential campaign. If the TV networks feel that they cannot possibly do without the revenue from commercial programs during this period, the Federal Government would be justified in buying the time in the name of the American people.

Somebody, somehow, should take responsibility for seeing to it that major and bona fide presidential candidates get equal access to a feasible minimum of TV time.

If the TV networks will not do this as a public service, the Government should do it as a contribution to informed citizenship.

APPROPRIATION TO PUBLIC HEALTH SERVICE TO COMBAT DENTAL DISORDERS—MEMORIAL

Mr. MORSE. Mr. President, I have received a memorial from a group of constituents remonstrating against the appropriation of $2,971,000 for use by the United States Public Health Service to combat so-called dental disorders. I ask unanimous consent that the memorial be printed in the RECORD.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., *May 17, 1956*.

Senator WAYNE L. MORSE.

DEAR SIR: This being a Federal issue, with the use of Federal money, we protest the appropriation of $2,971,000 by Congress, for the use by the United States Public Health Service to combat dental disorders. Incidentally, another promotion of fluoridation of public water systems and experimentation upon unwilling citizens?

We protest the violation of our civil rights: (1) In the suppression of news; (2) in the suppression of scientific data on all age groups and covering all phases, and/or parts, of the human body; (3) to experiment on unwilling citizens and communities as a whole, only to justify their means of so-called benefits, regardless of known toxic effects to some persons.

We make the request there be joint congressional investigation by a committee independent of both promotion and the promoters of fluorides.

United States Public Health Service officers are violating their public trust in the use of the money intrusted them by: (1) Using it to promote fluorides; (2) using untold thousands and thousands (millions in the Armed Forces alone) of our tax dollars on people to experiment; (3) using untold thousands of dollars on literature for promotion; (4) and additional thousands of dollars to travel here and abroad, to entertain, for lobbying, etc., to promote fluorides.

We want all the facts made public, not opinions nor half truths, and as citizens, we request this letter be read in Congress and inserted in the records.

P. S.—Copies of the letter are being sent to the following: Senator R. L. NEUBERGER, Representative WALTER NORBLAD, Representative EDITH GREEN.

MRS. M. J. SIMPSON.
MRS. P. M. MATHEWS.
F. E. SIMPSON.
R. G. SIMPSON.
MRS. VIRNA GASSLER.
CLIFFORD C. GASSLER.
MRS. WALTER SCHULER.
MRS. JERRY E. MYERS.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ERVIN, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 3877. A bill to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes (Rept. No. 2403).

By Mr. LEHMAN, from the Committee on Labor and Public Welfare, with amendments:

S. 3419. A bill to provide for the establishment of a Federal Advisory Committee on the Arts, and for other purposes (Rept. No. 2409).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 3350. A bill to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired (Rept. No. 2406);

H. R. 3351. A bill to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired (Rept. No. 2408); and

H. R. 3897. A bill to relieve the Secretary of the Interior of certain reporting requirements in connection with proposed National Park Service awards of concession leases and contracts, including renewals thereof (Rept. No. 2407).

By Mr. DWORSHAK, from the Committee on Interior and Insular Affairs, with amendments:

S. 3458. A bill to grant leaves of absence to homestead entrymen and to permit suspension of cultivation and improvement operations on homestead and desert land entries, and for other purposes (Rept. No. 2405).

By Mr. BYRD, from the Committee on Finance, with amendments:

H. R. 8636. A bill to continue until the close of June 30, 1957, the suspension of duties and import taxes on metal scrap, and for other purposes (Rept. No. 2410).

AMENDMENT OF ATOMIC ENERGY ACT OF 1945, AS AMENDED, RELATING TO SALARIES OF CERTAIN EXECUTIVES OF ATOMIC ENERGY COMMISSION (S. REPT. NO. 2404)

Mr. ANDERSON, from the Joint Committee on Atomic Energy, reported favorably an original bill (S. 4162) to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes, which was read twice by its title, and placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of New Jersey:

S. 4155. A bill to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Auf der Heide-Aragona, Inc., of West New York, N. J.; to the Committee on the Judiciary.

By Mrs. SMITH of Maine (for herself and Mr. KEFAUVER):

S. 4156. A bill to assist the United States cotton textile industry in regaining its equitable share of the world market; to the Committee on Agriculture and Forestry.

(See the remarks of Mrs. SMITH of Maine when she introduced the above bill, which appear under a separate heading.)

By Mr. MARTIN of Pennsylvania:

S. 4157. A bill to amend the Internal Revenue Code of 1954 to provide a tax on certain processing of watch movements; to the Committee on Finance.

By Mr. MILLIKIN (for himself and Mr. ALLOTT):

S. 4158. A bill for the relief of Richard Edward Wylie; to the Committee on the Judiciary.

By Mr. POTTER:

S. 4159. A bill to amend section 1 (15) of the Interstate Commerce Act in order to prevent discrimination against ports on the Great Lakes; to the Committee on Interstate and Foreign Commerce.

By Mr. HILL (for himself and Mr. SMITH of New Jersey):

S. 4160. A bill to authorize the appropriation of funds to assist the States and Territories in the further development of their programs of general university extension education; to the Committee on Labor and Public Welfare.

By Mr. BARRETT (for himself and Mr. O'MAHONEY):

S. 4161. A bill for the relief of George Christopoulos; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 4162. A bill to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes; placed on the calendar.

(See reference to above bill which appears under the heading "Reports of Committees.")

By Mr. KENNEDY:

S. 4163. A bill for the relief of Nicholaos Nionakis; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 4164. A bill to provide for the appointment of a Federal Highway Administrator in the Bureau of Public Roads, one additional Assistant Secretary of Commerce, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THYE:

S. 4165. A bill to provide for the settlement of claims resulting from the crash of a United States Air Force plane at Minneapolis, Minn., on June 5, 1956; to the Committee on the Judiciary.

S. 4166. A bill to make the retirement benefits of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 available to certain persons who rendered active Federal service during the Korean conflict; to the Committee on Armed Services.

By Mr. CHAVEZ:

S. 4167. A bill for the relief of Salvatore Francisco Alfieri; to the Committee on the Judiciary.

By Mr. WELKER:

S. 4168. A bill to authorize the payment of compensation for certain losses suffered as the result of the outbreak of poliomyelitis following the early use of poliomyelitis vaccine; to the Committee on the Judiciary.

INCREASED EXPENDITURES BY COMMITTEE ON THE JUDICIARY FOR STUDY OF JUVENILE DELINQUENCY

Mr. LANGER. Mr. President, I submit a resolution, and ask that it be appropriately referred. I send to the desk a statement in connection with the resolution, and ask unanimous consent that it may be read by the clerk.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will read the statement.

The Chief Clerk read as follows:

STUDY OF JUVENILE DELINQUENCY IN THE UNITED STATES

Mr. LANGER. Mr. President, I should like to bring to the attention of the United States Senate a resolution which I am submitting today to provide an additional $30,000 for the use of the United States Senate Subcommittee To Investigate Juvenile Delinquency, which is operating under the authority of Senate Resolution 173 of the 84th Congress, 2d session. When this resolution was agreed to on March 19, 1956, the Senator from Tennessee [Mr. KEFAUVER], chairman of the subcommittee, had advised the Senator from Louisiana [Mr. ELLENDER] by letter that he would not ask for any further extensions of the subcommittee. I, however, on the floor of the Senate, stated that I would reserve my prerogative to ask for additional funds or an extension of the subcommittee at the appropriate time. I knew then, as I know now, that the $55,000 allotted to the Senate Juvenile Delinquency Subcommittee was insufficient for it to continue to do the excellent work that it has done since the subcommittee was initiated, while I was chairman of the Judiciary Committee. In 1953, when the subcommittee was inaugurated, the rate of juvenile delinquency in the United States was the highest in its history. The subcommittee, through its excellent investigations and hearings, has helped immeasurably in alerting the public, State, and local officials and agencies, and religious, civic, and service groups and agencies in a combined fight against juvenile delinquency. We have seen introduced into the Senate of the United States approximately 30 bills which are intended to correct some of the factors leading to juvenile delinquency. All but one of these bills are still pending in committee or awaiting action by the Senate. This work must be completed.

We have had reports that States and city councils throughout the United States have enacted legislation, much of which was suggested by the work of this subcommittee through its investigations, hearings, and conferences, which legislation will go a long way in stemming the tide in the increase of juvenile delinquency throughout the country.

Many State, city, and county governments have initiated youth commissions and youth councils for the purpose of organizing an all-out effort by public and private agencies and groups in combating juvenile delinquency. The Senate subcommittee has received thousands of letters from State and local public officials, leaders of religious, civic, and service community groups, as well as from many mothers and fathers, congratulating the subcommittee on its many efforts to help the youth of this Nation.

The subcommittee has tried valiantly, under its limited appropriation, since March to continue the program reported to the Senate on March 19, 1956. That report to the Senate indicated future hearings on narcotic addiction among minors, institutions and treatment, Federal forestry camps, Federal probation system, Youth Correction Act, mental health facilities for youth, youthful offenders 18 to 21, Armed Forces induction policy, runaway children, juvenile court system, delinquency in rural areas, preventive programs, slum areas and housing, mass media—continuation—legislative hearings, and problems of Indian children—continuation. The report also pointed out the legislation that had to be acted upon and interim reports that had to be completed. Among those reports are Education and Schools and Juvenile Delinquency, which is in committee print form for submission to the Judiciary Committee for approval. The interim report on interstate adoption practices and black market baby traffic, on which hearings were held recently in Washington on the proposed legislation introduced, is in the process of being completed for submission to the Senate. Interim reports on religion and its role in combating juvenile delinquency, and on juvenile delinquency in Alaska are in committee print form, for approval by the Judiciary Committee.

We have a community-type hearing scheduled in St. Louis, Mo., and a hearing affecting facilities for youth scheduled in the New England area, and also one affecting the treatment and cure of juvenile narcotic addicts. There are several important hearings in which I personally am interested, as also is the Senator from Wisconsin [Mr. WILEY]; and other hearings which the subcommittee feels are necessary, cannot be held because of the limited funds we have.

Mr. President, I wish to say that at this time it is unwise for us to curtail the activities of a subcommittee that has done such excellent work. The subcommittee should have available to it sufficient resources to enable it to complete its excellent program, as set forth in previous reports to the United States Senate. I believe that amendment of Senate Resolution 173 so as to give the

subcommittee an additional $30,000 with which to complete its work is most necessary, and should immediately be agreed to, before the conclusion of business of this session. I herewith submit a resolution amending Senate Resolution 173 of the 84th Congress, 2d session.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 303) increasing the limit of expenditures for conducting a study by the Committee on the Judiciary of juvenile delinquency in the United States, submitted by Mr. LANGER, was referred to the Committee on Rules and Administration, as follows:

Resolved, That Senate Resolution No. 173 agreed to on March 20, 1956, be amended by striking out in section 4, lines 21 and 22, "Expenses of the committee, under this resolution, which shall not exceed $55,000" and inserting in lieu thereof the following: "Expenses of the committee, under this resolution which shall not exceed $85,000".

ASSISTANCE TO CERTAIN TEXTILE INDUSTRY IN REGAINING ITS SHARE OF WORLD MARKET

Mrs. SMITH of Maine. Mr. President, on behalf of myself, and the Senator from Tennessee [Mr. KEFAUVER], I introduce, for appropriate reference, a bill to assist the United States cotton textile industry in regaining its equitable share of the world market. I ask unanimous consent that I may speak on the bill for 4 minutes.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the Senator from Maine may proceed.

The bill (S. 4156) to assist the United States cotton textile industry in regaining its equitable share of the world market, introduced by Mrs. SMITH of Maine (for herself and Mr. KEFAUVER), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mrs. SMITH of Maine. Mr. President, the textile industry of our country is faced with economic annihilation by the cheap labor of the Japanese textile industry. This crisis calls for action now, instead of continuing studies and surveys. By the time that any study or survey could be completed, many textile mills would have been shut down.

I am not unmindful and unappreciative of the complexity of the problem—of the desire to help Japan become so strong economically that the danger of having the Communists take over that country would be removed. In fact, last year, in Tokyo, I conferred on this subject with the then acting Foreign Minister of Japan.

I assured him our country wanted to be helpful on this point but, I warned him, not to the point of literally exporting textile jobs and industry out of Maine and the rest of the United States, to build up such industry in Japan, especially when Japanese labor received wages of only one-tenth or less of that which American labor received.

No one in this body has a more consistent record of supporting reciprocal trade legislation than I. And it has not been easy to do that, when most of the opposition to it came from the political party of which I am a member. I can assure you, Mr. President, that it brought me into considerable disfavor with certain elements of the Republican Party.

Maximum trade between nations of the world is a worthy objective. But it must not be carried to such blind extremism as to write off one of our important industries as expendable.

Helping other nations of the world raise their living standards is a worthy objective. But it must not be carried to such blind extremism as to lower our own living standards, with textile unemployment or textile fractional employment—to lower our own living standards to raise the living standards of once former enemy countries that sought to destroy our American way of life.

Exactly what is the situation we find ourselves in? Just this: In our generosity to Japan, we gave her the money with which to build an entirely new and modern textile industry of 7 billion spindles. To this we added the lowering of tariffs. We gave Japan the financing, the equipment, lower tariffs, industrial know-how, and literally took away a part of our market for her, to keep her from going communistic.

How did we think that we were going to be able to do this without undermining our own textile industry? How did we think that we could compete with cheap Japanese labor that received wages of only one-tenth or less of that which American labor received? With superior industrial know-how? But the fallacy of that reasoning is that we exported that superior American industrial know-how to Japan, and in doing so we gave up the remaining differential or equalizer that we had to offset the cheap Japanese labor.

If the administration will not impose quotas or raise tariffs on Japanese textile imports, then some way must be found to offset and equalize the competitive advantage that Japan has with her cheap labor, paid at literally slave wages.

The bill I have introduced proposes a way. It proposes that we use our surplus cotton to save our textile industry, by making it available to textile mills at prices with which they can compete in world markets with cheap foreign labor, and limiting the use of such surplus cotton exclusively for sale in world export markets at competitive prices.

In other words, I am proposing a new differential or equalizer to offset the cheap Japanese labor. Not only will it save our textile mills, but it will put to good use surplus cotton.

It proposes that the Secretary of Agriculture make available to textile mills 750,000 bales of surplus cotton at such prices as may be necessary to enable American mills to regain their just and fair share of export markets. These 750,000 bales of surplus cotton would be used solely for export markets, and would not affect the domestic market.

This would enable our textile mills to recapture their fair share of world markets. It would give full-time employment to textile workers. It would enable textile mills to pay better wages to their employees. It would prevent the liquidation of textile mills. It would reduce the large quantities of Government cotton bought and paid for with American taxpayers' money, and now in storage.

In short, Mr. President, it would convert the presently negative situation into a positive situation.

I shall go into the matter in greater detail in a few days. Today, I am confining myself to the basic points of the bill. I request that the bill be left open until the close of business on Tuesday, July 10, for other Senators to join in sponsoring it, if they so desire. I most sincerely invite all Senators to join me in cosponsorship of the bill.

I ask unanimous consent that the bill may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will lie on the desk, as requested by the Senator from Maine, and will be printed in the RECORD.

The bill (S. 4156) is as follows:

Be it enacted, etc., That it is the purpose of this act to assist the United States cotton textile industry to reestablish and maintain its fair historical share of the world market in cotton textiles so as to (1) insure the continued existence of such industry, (2) prevent unemployment in such industry, and (3) allow employees in such industry to participate in the high national level of earnings.

SEC. 2. (a) In order to carry out the purposes of this act the Secretary of Agriculture is authorized and directed to make available to textile mills in the United States during the fiscal year ending June 30, 1957, and each of the 4 succeeding fiscal years not less than 750,000 bales of surplus cotton owned by the Commodity Credit Corporation at such prices as the Secretary determines will allow the United States cotton textile industry to regain the level of exports of cotton products maintained by it during the period 1947 through 1952. Cotton shall be made available to a textile mill under this act only upon agreement by such mill that such cotton will be used only for the manufacture of cotton products for export.

(b) The Secretary shall announce, not later than September 1 of each year for which surplus cotton is made available under this act, the price at which such cotton is to be made available and thereafter for a period of 30 days shall accept applications from textile mills for the purchase of such surplus cotton. In the event the quantity of cotton for which application is made exceeds the quantity of such cotton made available for distribution under this act, the cotton made available for distribution shall be distributed pro rata among the mills making application therefor on the basis of the quantities of cotton processed by such mills during the 3 calendar years preceding the year for which such distribution is made.

SEC. 3. The Secretary shall promulgate such rules and regulations as may be necessary to carry out the provisions of this act.

SEC. 4. Any person who knowingly sells or offers for sale in the United States any product processed or manufactured in whole or substantial part from any cotton made available under this act shall be punished by a fine of not more than $5,000, or by imprisonment by not more than 5 years, or by both such fine and imprisonment.

Mr. KEFAUVER. Mr. President, I wish to commend the distinguished Senator from Maine [Mrs. SMITH] for

her foresight and statemanship in preparing and introducing a bill which offers great hope to the textile industry of the United States. We know of the sad plight of many parts of the textile industry—not only the industry itself, but the employees of the industry—during the past few years.

The proposal of the Senator from Maine seems to me to have a great deal of merit. It is certainly deserving of serious consideration by Senators who are interested in helping the textile industry and its employees. I hope it can be given an early hearing, so that the industry may receive assistance, if the committee hearings sustain the contention of the Senator from Maine, as I think they will.

AMENDMENT OF CERTAIN PROVISIONS OF LAW RELATING TO THE ESTATE TAX—AMENDMENT

Mr. ANDERSON. Mr. President, I submit an amendment, intended to be proposed by me to the bill (H. R. 6595) to amend certain provisions of law relating to the estate tax, and ask that it be appropriately referred, and printed. I ask unanimous consent that the amendment, together with an explanatory statement of the amendment, prepared by me, may be printed in the RECORD.

The PRESIDENT pro tempore. The amendment will be received, referred to the Committee on Finance, and printed; and, without objection, the amendment and explanatory statement will be printed in the RECORD.

The amendment submitted by Mr. ANDERSON is as follows:

At the proper place in the bill, insert the following new section:

"SEC. —. Lease by medical research organization to clinic.

"(a) Effective with respect to taxable years beginning after December 31, 1953, section 514 (b) (3) (A) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new sentence: 'A lease to a medical clinic by a scientific organization engaged in medical research of premises adjoining those occupied by such scientific organization shall meet the requirements of clause (1).'

"(b) Effective with respect to taxable years beginning after December 31, 1950, section 423 (a) of the Internal Revenue Code of 1939 is amended by inserting the following new sentence after the fourth sentence thereof: 'A lease to a medical clinic by a scientific organization engaged in medical research of premises adjoining those occupied by such scientific organization shall meet the requirements of clause (A) of the preceding sentence.' "

The explanatory statement presented by Mr. ANDERSON is as follows:

EXPLANATION OF AMENDMENT TO H. R. 6595—LEASE BY A MEDICAL RESEARCH FOUNDATION TO A CLINIC

Charitable and educational organizations otherwise exempt from income tax are taxed on their unrelated business income, including a share of their income from certain leases of real property proportionate to the portion of the basis of such property financed by indebtedness still outstanding at the close of the year. This tax was first imposed by the Revenue Act of 1950.

The tax does not apply, however, to rents from leases entered into primarily for purposes substantially related to the performance by the exempt organization of its charitable, educational, or other exempt functions. To describe the exemption for "related" leases, the report of the Senate Finance Committee on the Revenue Act of 1950 actually chose this example:

" 'Related' is defined in a similar fashion as in the case of a related trade or business and is, for example, intended to exclude from the application of this tax leases by tax-exempt hospitals of part of the hospitals to doctors' associations to use as clinics."

Notwithstanding this explicit statement by Congress of its intent, the Internal Revenue Service has ruled that a lease by an exempt medical research foundation of part of the premises of buildings it occupies to a medical clinic is not related to the medical foundation's functions—although the foundation makes extensive use in its medical research of the experience of the clinic, the medical case histories of the clinic, and the advice and assistance of the clinic's physicians. Such a case would appear to be exactly what Congress meant by "related," and it is so similar to the situation described in the Finance Committee report (and repeated in the regulations) that it is almost inconceivable that the Internal Revenue Service could rule that such a lease was not related.

The attached amendment would state explicitly in the law that a lease by an exempt medical research foundation to a clinic of premises adjoining its own shall be treated as related. In view of the clear Congressional intent, from the beginning, to exempt related leases of this character, the amendment is made applicable to all years for which a tax on unrelated business income has been imposed on charitable, etc., organizations—beginning with 1951.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JACKSON:

Address delivered by Senator KERR at appreciation banquet honoring Senator MAGNUSON.

NOTICE OF HEARING ON NOMINATION OF GILES S. RICH TO BE ASSOCIATE JUDGE OF UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS

Mr. O'MAHONEY. Mr. President, on behalf of a subcommittee of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, July 11, 1956, at 10:30 a. m., in room 424, Senate Office Building, on the nomination of Giles S. Rich, of New York, to be associate judge of United States Court of Customs and Patent Appeals, vice Noble J. Johnson, elevated.

Prior to the above-mentioned date all persons interested in the above nomination should file with the committee such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Wisconsin [Mr. WILEY], and myself, chairman.

NOTICE OF HEARING ON NOMINATION OF NOBLE J. JOHNSON TO BE CHIEF JUDGE, UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS

Mr. O'MAHONEY. Mr. President, on behalf of a subcommittee of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, July 11, 1956, at 10:30 a. m., in room 424, Senate Office Building, on the nomination of Noble J. Johnson, of Indiana, to be Chief Judge of the United States Court of Customs and Patent Appeals, vice Finis J. Garrett, resigned.

Prior to the above mentioned date all persons interested in the above nomination should file with the committee such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Wisconsin [Mr. WILEY], and myself, chairman.

ONE HUNDRED AND EIGHTIETH ANNIVERSARY OF THE INDEPENDENCE OF THE UNITED STATES

Mr. SMITH of New Jersey. Mr. President, on tomorrow, July 4, we in America will celebrate the 180th anniversary of our independence.

This is a day when all citizens, rightfully proud of their heritage and their history, stop to pay tribute and honor to the men and women who, in 1776, gave their lives so that we could be free and self-governing.

Since that glorious day, Americans have fought and died to remain free and independent. We pay especial honor to them on this great day.

The struggle for freedom is never completely over, Mr. President. Today, we are still working to protect ourselves from totalitarian communism which would take away our liberty.

We also must struggle every day to protect ourselves against any encroachment or eating away of our traditional liberty here in America. We must always be watchful to protect the great principles of our Bill of Rights.

It is fitting to note, Mr. President, that as we prepare to celebrate our Independence Day tomorrow, many persons in other lands are still fighting and dying to secure their liberty and independence.

Only this week, all of us have read of the riots in Poland, where apparently thousands have been killed or wounded by the Communist oppressors.

Tomorrow, our Independence Day also marks, Mr. President, the 10th anniversary of Philippine independence.

As a result of the Spanish-American War, the United States obtained the Philippines. Unfortunately, peace and independence were not to be obtained for the Philippine people for some time.

On February 4, 1899, the Philippine people, desirous of independence, and not willing to have American rule substituted for Spanish rule, revolted.

Many in America and in the Congress desired to pass at that time a resolution promising the Philippine people eventual complete independence.

Instead, Mr. President, the Senate adopted the McEnery resolution, which said that the United States would not annex the Philippines permanently, but would "in due time" make such disposition of that land as would best "promote the interests of the citizens of the United States and the inhabitants of said islands"—CONGRESSIONAL RECORD, 55th Congress, 3d session, page 1830.

Many persons were tragically killed in the Philippine revolt. After 2 years of warfare, the famous Philippine leader, Emilio Aguinaldo, was captured.

After that time, Mr. President, hope was continually held out that the Philippines would receive their independence.

Finally the Congress passed, on March 24, 1934, the Tydings-McDuffie Act. On May 1, 1934, exactly 36 years after Admiral Dewey's victory, the Philippine Legislature accepted this act unanimously.

This act provided for complete independence after a 10-year period.

Mr. President, the United States lived up to that promise, and on July 4, 1946, the Philippines received full independence.

During the past 10 years, the Philippines has developed into a strong, free-democratic nation, standing shoulder to shoulder with America against the encroachments of communism.

Mr. President, on June 18 of this year I introduced a bill which would authorize the return to the Philippines of certain historical records concerning their revolution. These papers were captured by American forces during the revolt.

I know that the Congress will unanimously approve this bill when it is reported from committee; in this fashion, we can make a gesture of sincere friendliness toward a great friend and a good ally across the Pacific.

On this day, Mr. President, I pay tribute to those throughout the world, especially in Poznan and in the Philippines, who have fought for and are fighting for the said blessing of human freedom.

Let us hope and pray that the Communist oppressors in Poland and elsewhere behind the Iron Curtain will see the futility in their iron rule.

Let us hope that in the very near future the unfortunate Eastern European lands will be able to enjoy once again the liberty and self-government which we have enjoyed for 180 years and which the Philippines have enjoyed for 10 years, as of tomorrow, July 4, 1956.

Mr. President, I have had requests from some of my constituents that a copy of the Declaration of Independence be printed today in the CONGRESSIONAL RECORD. I therefore ask unanimous consent to insert in the body of the RECORD at the conclusion of my remarks the Declaration of Independence.

There being no objection, the Declaration of Independence was ordered to be printed in the RECORD, as follows:

DECLARATION OF INDEPENDENCE—IN CONGRESS JULY 4, 1776

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences:

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for use in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind. Enemies in War, in Peace Friends.

We, Therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by authority of the good People of these Colonies,

solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

(The foregoing declaration was, by order of Congress, engrossed, and signed by the following members:)

John Hancock; New Hampshire: Josiah Bartlett, Wm. Whipple, Matthew Thornton; Massachusetts Bay: Saml. Adams, John Adams, Robt. Treat Paine, Elbridge Gerry; Rhode Island, etc.: Step. Hopkins, William Ellery; Connecticut: Roger Sherman, Sam'el Huntington, Wm. Williams, Oliver Wolcott; New York: Wm. Floyd, Phil. Livingston, Frans. Lewis, Lewis Morris; New Jersey: Richd. Stockton, Jno. Witherspoon, Fras. Hopkinson, John Hart, Abra Clark; Pennsylvania: Robt. Morris, Benjamin Rush, Benja. Franklin, John Morton, Geo. Clymer, Jas. Smith, Geo. Taylor, James Wilson, Geo. Ross; Delaware: Caesar Rodney, Geo. Read, Tho M'Kean; Maryland: Samuel Chase, Wm. Paca, Thos. Stone, Charles Carroll of Carrollton; Virginia: George Wythe, Richard Henry Lee, Th Jefferson, Benja. Harrison, Thos. Nelson, jr., Francis Lightfoot Lee, Carter Braxton; North Carolina: Wm. Hooper, Joseph Hewes, John Penn; South Carolina: Edward Rutledge, Thos. Heyward, junr., Thomas Lynch, junr., Arthur Middleton; Georgia: Button Gwinnett, Lyman Hall, Geo. Walton.

MORE FLAG DAYS FOR AMERICA

Mr. MARTIN of Pennsylvania. Mr. President, General Mark Clark, a great soldier and an outstanding American, made the statement a short time ago that we should have more Flag Days in this country. This is a statement that should have the consideration of every American.

Our Nation was founded upon deep religious ideals. We should never be ashamed of patriotic assertions.

Tomorrow is the 180th anniversary of our Declaration of Independence. The action of the 55 men who signed that immortal paper was one of courage because they knew they were sacrificing everything for the cause in which they believed.

Americans should never be timid. Americans should always be proud of our past and confident of our future.

The Pittsburgh Sun-Telegraph, a few days ago, had an editorial on the subject, More Flag Days, with reference to General Clark's remarks.

Mr. President, I ask unanimous consent that this editorial be printed at this point in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MORE FLAG DAYS

Gen. Mark Clark said in a San Francisco speech that maybe he is old fashioned but he believes most of our people would be better Americans if they were more demonstrative and aggressive and certainly more sentimental and emotional in the performance of their patriotic duties.

Suggesting that there should be more frequent and more enthusiastic occasions for patriotic demonstrations in America, he noted that the recent Flag Day observance in the United States gave all our people higher concepts of loyalty, and:

I believe we should have more Flag Days in this country, and fewer United Nations days.

Remarking that he had been told that there are times when the United Nations flag is flown over the flag of the United States, he said it distresses him that this could happen in the country, because:

This is our Nation, with its own history and its own flag, and all of them always should some first.

The fundamentals of good Americanism, said General Clark, are faith in our country, its Constitution, its laws and history, and its spiritual and religious dedication.

Teach these fundamentals to young Americans, and they in their turn and time will make America great.

Timidity about Americanism and its forthright expression was a bad habit into which many of our people fell during the years between the two great wars, when subversive and parlor pinks sought to make it fashionable to disparage any show of love and pride for flag and country.

Awakened to the grave dangers and responsibilities of wartime, the vast majority of Americans shook off that bad habit and became militant patriots and lived up to their high estate and its rich heritage, and were proud and grateful.

As General Clark says, they should not slip back into the lazy habits of other days in the matter of patriotic enthusiasm.

They should observe all days of national tradition and significance, not casually or indifferently, but with joy and affection.

They should establish more occasions for such observance, not fewer.

It is not old fashioned, but the unchanging duty and challenge of Americans in all generations, to give youth faith, to teach youth conviction and courage, to inspire youth with religious and moral guidance, and to make youth worthy of its American heritage.

General Clark is right that Americans should not merely know and love their country, but should show it proudly, and lift their faces and their voices high in its praise on all occasions.

VISIT TO THE SENATE BY MISS WANG TSUN-YING, MEMBER OF TAIWAN (FORMOSA) LEGISLATURE

Mrs. SMITH of Maine. Mr. President, we have the privilege this afternoon of welcoming a distinguished guest, Miss Wang Tsun-Ying, a member of the Legislative Yuan of Formosa. She serves on the Foreign Affairs Committee of that legislative body. She is a member of the faculty, a teacher of psychology, of National Taiwan University.

This is not her first visit to the United States, because she received her master's degree in psychology from the University of Michigan.

She is a member of the Women's Committee of the Chinese Association for the United Nations.

She is now in this country in connection with the foreign leaders program of the International Educational Exchange Service of the United States Department of State.

As a member of the Foreign Affairs Committee of the Chinese Legislature, Miss Wang is deeply interested in promoting international friendship. She hopes during her stay in this country, to confer with American women's groups sharing similar interests, so that upon her return to Formosa she can give the women of her country the benefit of her findings in the United States.

I am sure we are all very happy to welcome Miss Wang. [Applause, Senators rising.]

The PRESIDENT pro tempore. We are very happy to welcome the distinguished visitor.

THE JUDICIAL BRANCH OF GOVERNMENT

Mr. KEFAUVER. Mr. President, I ask unanimous consent that I may be allowed to speak for not to exceed 5 minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Tennessee may proceed.

Mr. KEFAUVER. Mr. President, tomorrow we observe the anniversary of our independence.

I know that many Members of this body will be participating in Fourth of July celebrations here and at other places throughout the Nation.

I hope that in extolling the patriotism and supreme love of liberty of that group which banded together to sign the Declaration of Independence on July 4, 1776, we will take occasion to extol also the ultimate result of their work—the establishment of the coordinate branches of the Government, formed later at the Constitutional Convention in Philadelphia.

One of these coordinate branches is the judiciary, at the pinnacle of which is the Supreme Court. Many voices are being raised against the Court these days.

I have no criticism of criticism as such. Reasoned disagreement with actions of the Court, or any of its members, is healthy, and has been practiced throughout the existence of the Court. In a famous case, Bridges against California, the Supreme Court itself pointed out that "it is a prized American privilege to speak one's mind, although not always with perfect good taste, on all public institutions."

However, I think we must all deplore the turn taken in recent days in which criticisms go beyond legitimate bounds, and, what is far worse, are truly subversive of our American form of government.

Within recent days, for example, Members of this very body have labeled the Supreme Court as pro-Communist, insolent, willful, and irresponsible.

This is reckless criticism, the result of which can only be to undermine and subvert the rule of law. And we know only too well, from the experiences of other countries, what happens when the rule of law disappears.

If we weaken confidence in the judiciary, and in the motives of the Justices,

then our most precious safeguard of liberty is damaged to the detriment of the entire Nation.

Only yesterday we read in the press that people were being tried and convicted in Argentina of very serious charges but without knowing what the charges were. This is what happens in the Soviet Union, what happened in Germany under Hitler, and what happens in other states when the rule of men replaces the rule of law. Our Constitution, bedrock of justice, surrounds our people with safeguards for a fair and just trial against the vagaries of changing opinion, and must not be sacrificed or eroded through expediency.

Personally, I happen to think that the Court was right in its security decision which was the occasion for the most recent attacks. I think the security system under which we have been operating was dictated more by political reasons than by security reasons. While I would oppose it, if the system of clearance is to be extended to all Federal employees, then it should be done by act of Congress, not by an Executive order, and the Court was right in knocking down that Executive order. Personally, I would regret to see this Nation become one-half screenees and one-half screenors by either method.

Furthermore, by innuendo and by intemperate and reckless abandon, we are witnessing, possibly to our future sorrow, an undermining of respect for the Constitution itself, not merely the Court. Under the Constitution—the fundamental charter of law and government and of our liberties—the Supreme Court is the ultimate arbiter of constitutional questions. The Court did not arrogate this authority unto itself. It was conferred upon it by the Founding Fathers. Article III of the Constitution expressly provides that the judicial power of the United States shall be vested in the Supreme Court, and that that power "shall extend to all cases in law and equity, arising under this Constitution."

Article VI provides that the Constitution and the laws made in pursuance thereof "shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding."

We may not agree with a decision, but no responsible person can rightfully question the authority, and indeed the duty, of the Supreme Court to invalidate statutes, both Federal and State, when they are found to be in violation of the Constitution.

I commend to the consideration of Senators the words of one of my favorite Republicans—Abraham Lincoln—who disagreed wholeheartedly with the Court in the famous Dred Scott case. In his Springfield address in 1857, Abraham Lincoln said:

> I believe as much as Judge Douglas (perhaps more) in obedience to, and respect for, the judicial department of government. We think its decisions on constitutional questions, when fully settled, should control not only the particular cases decided, but the general policy of the country, subject to be disturbed only by amendment of the Constitution as provided in that instrument itself. More than this would be revolution. But we think the Dred Scott decision is erroneous. We know the Court that made it has often overruled its own decisions, and we shall do what we can to have it overrule this. We offer no resistance to it.

I believe that today, as in Lincoln's day, it is again time for all good men to come to the aid, not merely of the Court, but of the Constitution. The shrill, strident voices of those who seek to undermine the rule of law should not be unanswered.

Our Constitution is the beaconlight which guides us through the fogs of despair and injustice—which gives us protection against oppression and tyranny.

I sincerely believe that now—on the eve of Independence Day of 1956—it is the duty of all responsible persons in Government, in the legal profession, and in the press and other media of public communication, to express anew their faith in the Constitution and in the tripartite division of functions which it established.

CAREER SERVICE AWARDS

Mr. CARLSON. Mr. President, last evening the National Civil Service League presented its second annual career service awards.

The league was organized in 1881. It is a nonpartisan citizens' group working to improve public service at all levels of government, Federal, State, and local.

July 2 was chosen for the awards presentation this year as it was on this date, in 1881, that a disappointed office-seeker fatally shot James A. Garfield, President of the United States. This act marked the beginning of the Federal civil service and the inception of the league.

Nine men and one woman received the awards this year. These people exemplify in an outstanding manner the highest characteristics of the career service, and are from various agencies of the Federal Government.

The following received the awards:

Mr. Richard T. Cotton, United States Department of Agriculture.

Mr. James E. Dodson, United States Department of Labor.

Dr. Dennis A. Fitzgerald, International Cooperation Administration.

Mr. William T. Heffelfinger, United States Department of the Treasury.

Mr. Ezra Kotcher, United States Air Force.

Dr. Helen K. Mackintosh, United States Department of Health, Education, and Welfare.

Mr. William F. McCandless, Bureau of the Budget.

Mr. John Charles Niedermair, United States Navy.

Mr. Clifford W. Seibel, United States Department of the Interior.

Mr. Leon L. Wheeless, United States Department of Defense.

I ask unanimous consent that the program for the dinner meeting be made a part of these remarks.

Mr. President, it was my privilege to participate in this program, and I ask unanimous consent that the speech I delivered on this occasion be printed in the RECORD.

There being no objection, the program and speech were ordered to be printed in the RECORD, as follows:

PROGRAM

Presiding: Nicholas Kelley, president, National Civil Service League.

Master of ceremonies: Theodore F. Koop, director, CBS News and Public Affairs, Washington, D. C.

Invocation: Dr. Bernard Braskamp, Chaplain, United States House of Representatives.

Music: United States Air Force Band.

Speakers: Introduction, Winston Paul, chairman, executive committee, National Civil Service League; Hon. Robert B. Meyner, Governor of the State of New Jersey; introduction, Jean Herrick, vice president, Look magazine; Hon. Frank Carlson, United States Senate Committee on Post Office and Civil Service.

Music.

Awards presentation.

Message from the President of the United States.

ADDRESS BY SENATOR CARLSON AT THE NATIONAL CIVIL SERVICE LEAGUE SECOND ANNUAL CAREER SERVICE AWARDS DINNER, JULY 2, 1956

President Kelley, Governor Meyner, my congressional colleagues, distinguished guests, ladies, and gentlemen, it is a great privilege for me to have this opportunity to congratulate publicly the two sponsors of this memorable event: the National Civil Service League, which during its existence has contributed so much to the growth and development of the Federal civil service; and Look magazine, whose vision in joining with the league on this occasion for the second time exemplifies the high sense of public responsibility that is the hallmark of enlightened journalism.

And may I add a special compliment to Mr. Gardner Cowles for his appreciation of the fact that "the people's right to know" includes the right to know the good as well as the bad in public affairs.

Among the various means of bringing to public attention the high caliber of Federal career employees, awards and honors publicly conferred are particularly effective. Incentive awards, honors from business and professional groups, grants from foundations, and the like, have contributed greatly in recent years to an improved public appreciation of civil-service employees. I regard the league's career service awards as especially valuable in this respect, because of the fact that they emphasize not only accomplishments but also character. They are granted on the basis not only of what these people do, but also what they are.

The 10 distinguished Federal employees whom we are honoring tonight therefore typify in all respects what is best in our career service—as did their 10 distinguished predecessors who were similarly honored last year. I take great pride in congratulating them on being selected to receive the second annual career service awards, and I want to add to those congratulations my personal expression of appreciation to them for their invaluable services to me as a citizen and to all my fellow citizens.

In the final analysis, it is the character and ability of the men and women in the career service that make events such as this one possible. The credit that these awards reflect on the career service in general gives a real lift to the morale of all career employees, for recognition is one of the most essential ingredients of morale. Remembering the tremendous success of the first program, it is my earnest hope that these occasions will be repeated annually for many years to come.

The determination with which the National Civil Service League embarked last year upon this new program is consistent with the manner in which it has pursued

its objectives over a period of 75 years. Dedicated to the high purpose of developing "an enlightened public attitude toward efficient and nonpartisan personnel practices in government," it was organized while President James A. Garfield lay on his deathbed, a martyr to the spoils system. For three-quarters of a century the league has continued with unabated vigor its battles on behalf of good government, concentrating in its early years on laying the foundation of the merit system and progressing, as the merit system progressed, to increasing emphasis on methods of improving public personnel administration.

Through the long fabric of the league's history runs one consistent thread: the thread of its concern for the quality of public-service personnel. One of its basic contentions 75 years ago was that open competition and merit-system administration would provide the Federal Government with a competent, stable, and loyal work force.

We have with us tonight living proof of that contention, because these 10 career employees are representative of the best in the career service rather than unique. It is doubtful whether a single person could have been found in the Government service in 1881 who could meet all the league's present criteria for career service awards—competence, efficiency, character, and continuity of service. Certainly there was no dignity in public service in the days when the first concern of every Government jobholder was the mad scramble for political patronage.

Over the years the National Civil Service League has served not only the executive branch of the Government, but the legislative branch as well. Through this organization, and others of its kind, the Congress has had the benefit of advice on important personnel matters from men of wisdom and experience. These people have no personal ax to grind, and they are motivated solely by their sincere and unselfish interest in good government. Only a Member of Congress can know how pleasant it is to encounter advisers who are working for a principle rather than for a personal interest.

This is not to say, of course, that the members of the Civil Service League do not have a personal interest in their cause. Actually, it is the most enlightened kind of interest. Those who identify themselves with this organization do so because they are more keenly aware than the average citizen is of the fact that very man, woman, and child in this country has a personal stake—and a big one—in the honest and efficient operation of our Federal Government.

I think it is appropriate on this occasion to point out that from the day the present administration came into office it has been actively concerned with the improvement of the Federal civil service, and with the closely related problems of the prestige and the morale of Federal employees. Under the inspiring leadership of President Dwight D. Eisenhower great gains toward more efficient and economical administration of the executive departments and agencies have been made, and it has increased the average citizen's respect both for the Government activities with which he comes in contact and for the Government employees who carry on those activities.

The fact is that since 1953 we have seen a significant improvement in the prestige of Federal employment and Federal employees, and I hope that the employees themselves realize how great a change has taken place.

In a public address a few weeks ago President Harold Dodds, of Princeton University, praised the high caliber of Government employees and their devotion to duty, and expressed the belief that they are more generally appreciated by the American people than they sometimes realize.

The enactment of progressive personnel legislation is in itself evidence that the representatives of the people hold Federal employees in high esteem. I am proud to have been the author of many laws that have been enacted for the benefit of those in the public service.

And finally, let us not overlook the fact that the dignity, the efficiency, and the prestige of the career civil service all depend upon its being kept clear of the taint of politics. As a practical politician, I am naturally interested in patronage. I want to see it well and wisely used in its proper place, namely, the legitimate political or policymaking area of the Government. I do not want to see it mixed with the career civil service, because such an association gives both the career service and patronage a bad name.

This is a big problem for both major political parties and there is no simple answer. I do however pledge myself to the continued nonpartisan development of the career civil service.

I believe that with this administration the stability and value of the career service is well established and the integrity of the career service has been advanced.

And now let us take a brief look into the future problems. In spite of the almost unbelievable distance we have traveled in three-quarters of a century, much important work yet remains to be done. Seventy-five years from now, for that matter, there will still be work to do. For the merit system is not a thing of fixed rules or eternal laws; it is a dynamic, living force that must change with changing times. While its fundamental principles need not—and indeed must not—be altered, the application of those principles should be adapted to serve the needs of our Government under whatever conditions the future may bring.

Several problems requiring such solutions are currently before the Congress. Among these is the provision for outside-Government training of selected Government employees. As you know, this proposal was advanced by the Hoover Commission and is strongly favored by the administration. I shall do all I can to secure its enactment before the end of this session of Congress. And may I add here my pledge to consider carefully all the Hoover Commission recommendations, to work for the adoption of those that are meritorious and practicable, and to cooperate fully with the executive branch in carrying them out.

Looking ahead a little further we will encounter the problem of automation, which we are told is practically upon us. I see no great cause for alarm in this prospect. Actually, "automation" is more a new word than a new thing. It is a further development in the whole process of mechanization which has been going on ever since the industrial revolution. And just as the industrial revolution created vastly higher standards of living, rather than the dire want and distress that many predicted, so automation in the Government should result in better Government service. Of all people on earth, Americans have the least cause to fear mechanization; it has already brought us a level of economic well-being that cannot be matched anywhere in the world.

To be sure, when automation is introduced or expanded in Government agencies it must be carefully planned in advance so that the necessary reorganization, retraining, and reassignment can be accomplished in an orderly and equitable manner. Normal attrition will eliminate any possibility of widespread reductions in force. We have every reason to believe that, in the coming years, automation will bring greater benefits for employees—a shorter workweek, more leisure time, less nervous pressure and strain, and relief from many monotonous and blind-alley jobs.

But let us take a real look to the future.

We have an opportunity here tonight to do more than recognize the historic advances in the last 75 years—or even the high degree of competence in our career service that we are now recognizing. I have pointed out that we have in American Government three great factors: First, an outstanding career service which is strong, efficient, and capable of great improvement and advancement; second, we have a great American tradition of citizen concern for good government, which is represented here by the fine efforts of the National Civil Service League and the distinguished group of public-spirited citizens who are ever alert to the needs for improving government; third, we have that essential characteristic of American democracy, responsible political leaders.

It is my proposal that we rapidly raise our sights to the true challenge and opportunity of a peacetime atomic age. I feel especially confident in discussing this because of the factors which we represent and recognize tonight. I would like for us, however, to stop for a moment and think of the tremendous responsibilities which we as a free nation must meet in terms of the future of the world and the miraculous and fantastic development of nuclear power.

God has given us the use of atomic energy first to defend the freedom of the world. We have—in true fashion of the American way—pursued vigorously this development. While other forms of actual defense use may be forthcoming, it seems to a practical layman that we have reached the ultimate. Most scientists agree we can destroy ourselves, so what else is there? Therefore, let me urge that we turn and direct our energies and resources for the fullest peacetime development, both at home and for worldwide benefits. Certainly, in receiving this great miracle as a defense measure, we must assume full responsibility for its beneficial development for world peace.

This we can undertake in full confidence because of the factors which we are recognizing and honoring here tonight. I am not ready to make a specific proposal in terms of dollars to be spent or exact programs to be undertaken, but we have learned a great deal about cooperation by the American Government and the factors of the capitalistic system. Today more than ever before, the people of America are realizing that government as an institution of American society can and must participate in America's development as a partner with the constructive forces of capitalism. I am certain, therefore, that government must work with private forces in finding ways for fullest use in peacetime of atomic energy. It may be to heat the New Senate Office Building; it could possibly be to run a tractor in the wheatfields of Kansas. Whatever it is, we should work diligently on it because every stage of advance not only improves our way of life in America, but constitutes one more step toward world peace.

We must join in training the scientists who will work in industry and who will serve government like these outstanding scientists we honor here tonight. Not many years from now, we will be honoring the people who have done most for the development of atomic science for peacetime utilization. In the same vein, we must keep our sights broad and recognize that many economic, social, and political questions will arise and need to be given thorough study. Government in every phase must meet this challenge. It must be as efficient and as forward looking as progressive private industry. In other words, an everdeveloping, everimproving thing. It must maintain its efficiency and adaptability to meet the 20th-century challenge.

In my capacity as United States Senator, I will work toward this end of the fullest American responsibility for the peacetime use of the great miracle of the 20th century.

I feel strong in this because of the friends and colleagues represented at this dinner tonight and the fine spirit in which we are meeting.

I have outlined a few examples of the work to be done by the Government. There is also important work still to be done by the National Civil Service League. Eternal vigilance has been the league's watchword for 75 years, and I cannot foresee a time when that vigilance can safely be abandoned. One of the most important of the league's activities is its grassroots educational work on behalf of good government at all levels. I hope it will never lack the necessary resources for carrying on this work. The public must be given the same facts over and over; some of the things the league was saying 75 years ago still need to be said today. Neither the merit system nor career employees must ever be taken for granted.

The National Civil Service League, like the Federal civil service, was born of the martyrdom of a President—the tragic event that we commemorate today. But the spoils system itself was a great tragedy also—less dramatic but equally disastrous to the American people. This tragedy must never be permitted to recur. The smallest evidences of spoils practices must be recognized and stamped out before they have a chance to develop. The time will never come when the watchdogs of the civil service will not have work to do.

May I express again my gratitude to the league and to Look magazine for the privilege of taking part in this inspiring program—my hearty congratulations to the winners of the career service awards—and my sincere admiration for the competent, devoted, loyal, and honorable men and women of the career civil service whom I have known and with whom I have worked for so many years.

CAMPAIGN TO INCREASE WORKER OUTPUT

Mr. HUMPHREY of Minnesota. Mr. President, an interesting combination of letters recently reached me from Minneapolis. One of them, over the signature of Felton Colwell, president of the Minneapolis Chamber of Commerce, points out that in Minneapolis a mature labor movement is presently conducting a campaign to increase worker output. Attached to Mr. Colwell's letter is a copy of a letter on the stationery of the City and County Laborers' Local Union 363. It is an excellent example of farsighted and courageous union leadership.

I particularly wish to call attention to one sentence in the letter written by the union:

> It is not the number of hours that we put in the job, but what we put into the hours that counts.

I ask unanimous consent that the two letters be printed in the RECORD at this point in my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MINNEAPOLIS CHAMBER OF COMMERCE,
Minneapolis, Minn., June 1, 1956.

DEAR SIR: Have your labor leaders ever conducted a campaign to increase worker output?

Here in Minneapolis, where we have a mature labor movement, just such a campaign is in progress.

Attached is a copy of a letter from union leaders to their membership which we think will be of interest to you.

If your labor cost is high and your worker attitudes poor, may we suggest that you consider Minneapolis as a location.

For economic data or site information, contact our industrial department. All inquiries will be handled in a confidential manner.

Sincerely,
FELTON COLWELL, *President.*

[City and County Laborers' Local Union 363 of the International Hod Carriers', Building and Common Laborers' Union of America]

MINNEAPOLIS, MINN., *May 2, 1956.*

DEAR BROTHER: We must not become complacent about our jobs with the city.

Today our day labor system is in jeopardy as never before and unless we make it an efficient and economical operation (a system worth saving) today, it may be lost to us forever tomorrow. We then will be without a job. This is not a threat, but a fact.

Wherein are we, as employees, at fault and what must we do to halt the decline and eventual abolition of the day labor method? Our shortcomings are suggested by the solutions for improvement subsequently indicated.

No matter how long we may have worked for the city, the following things to do are to be put on our must list:

1. Recent wage hikes, plus all of the other benefits which city employees are receiving, must be justified by increased productivity—more and better work. It is not the number of hours that we put in the job, but what we put into the hours that counts. The day labor system desperately needs more work output per man-hour.

Anybody can waste time at the rate of $2.25 or more per hour, but only a conscientious employee can deliver $2.25 or more of services in an hour and thereby save his own job as well as the jobs of other city workers.

Our whole future is with the city, and if it isn't we might as well hie ourselves to greener pastures now because we are just keeping a willing and competent employee from filling our position.

The way to better our lot is to do a lot better. We do less than we ought to if we do less than we can do.

Unless we become fired with enthusiasm to do more and better work, we may find ourselves just plain fired because the day labor system will have been found wanting. The size and security of our job tomorrow depends on the size of our efforts today.

2. A second item on our must list is to report for work regularly, on time, for the required time, and in a sober condition. If we fail to do these things and are suspended or discharged we cannot expect the union to accomplish miracles to help us out of our predicament.

Once we have begun a day's work we must apply ourselves to it until the authorized quitting time. We can't deliver 8 hours of work for 8 hours of pay if we start late and quit early.

If we are permitted a "coffee break" it behooves us not to abuse this favor or we may lose it. Circumstances may make it necessary that we forego our mid-morning or mid-afternoon coffee occasionally. The coffee concessions have been allowed us on the conditions that (a) we do not leave the project; (b) there be no over-all interruption of the work; (c) we confine our break to the allotted time, and (d) we, under no circumstances, use city vehicles for getting our "coffee and."

The abuse of sick leave privileges sooner or later will result in our losing them permanently for ourselves and for all other city employees. Good judgment requires that we bank our sick leave for use in case of prolonged illness.

Frequent absenteeism for unwarranted reasons may be grounds for the suspension or dismissal of the offending employee and it is detrimental to the survival of the day labor system.

There is no defense that a union can interpose in behalf of an employee who is disciplined because of intoxication on the job. If we must indulge in liquor, let us do our drinking and sobering up on our own—and not the city's time.

3. Let us help establish and maintain good public relations with the taxpayers who are our employers and pay our salaries. We must go out of our way to be courteous and civil in our contacts with the public; to show consideration for the rights and property of others; to guard our conduct and conversations in public and to avoid vulgar language in the presence of others, especially strangers.

We leave a bad impression with the public when we congregate in idle conversation or indulge in horseplay during the lulls in work. We can gain the confidence and earn the respect of the people for us and the day labor system if we give at least the semblance of being busily occupied at all times during working hours.

4. It is our duty to maintain harmonious relations with the department heads, with our immediate supervisors, with the civil service and with our fellow workers. If we continually carry a chip on our shoulder on the job, it may indicate wood higher up. We cannot blame the department heads or our immediate superiors if they place too low an estimate on our capacity, because their judgment is based necessarily upon what we actually accomplish.

It is imperative that we obey the orders of our supervisors. When you call upon a thoroughbred he responds with all the speed, strength and sinew within him; but when you call upon a jackass, he kicks or refuses to budge.

If heeded, the foregoing bits of admonition may be the means of preserving our job for tomorrow, of insuring the security of our family, of saving the jobs of others and of retaining the day labor system. In the performance of our duties let us make the most of ourselves because that is all there is of us, and let us not relax on the basis of past performances because they were covered in previous pay checks. Let us resolve and unite to do more and better work at less cost.

FEDERAL AID FOR SCHOOLS

Mr. HUMPHREY of Minnesota. Mr. President, I recently received a letter from the dean of the University of Minnesota College of Education, Dr. Walter W. Cook, concerning prospective action on the Kelly bill, H. R. 7535.

In his letter, Dean Cook outlines the arguments for Federal aid for our schools, and does it so well that I ask unanimous consent that his letter be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF MINNESOTA,
COLLEGE OF EDUCATION,
Minneapolis, June 14, 1956.

Hon. HUBERT HUMPHREY,
United States Senate,
Washington, D. C.

DEAR SENATOR HUMPHREY: Although I feel certain you are doing all within your power to insure positive action on the Kelly bill (H. R. 7535), I want to commend you and encourage you to continue the good work.

It seems to me the evidence supports the fact that even the Kelly bill is far from adequate to meet the financial needs of public education in this country. We need a defi-

nite policy of Federal support for the public schools. The Federal Government is the only agency that can insure that at least 1 percent of national production is channeled into public education. Since the amount of our national income rests quite directly on the effectiveness of our public schools, it does not seem unreasonable that 1 percent of this income should be channeled into more adequate support for these schools. At the present time this would amount to approximately $3½ billion (about one-tenth of what we spend on defense). If this amount were to be distributed to the States in terms of number of public-school pupils, the State of Minnesota would receive $80 million per year. This would enable us to prepare the elementary schools, the high schools, and the colleges which the young people of Minnesota will require. It would also prevent the raids on our faculty by business and industry. It would insure a sufficient number of science and mathematics teachers to continue the training of high-level talent in these areas.

I feel I do not need to give you the arguments for Federal support for the public schools, but you will forgive me if I merely outline them:

(1) It is the national tradition for the Federal Government to be concerned with public education. From the ordinance of 1785 and of 1787 through the first Morrill Act and many subsequent acts, the Federal Government has set the pattern not only for our public elementary and secondary schools but for our State universities and our land-grant colleges. Every dollar contributed by the Federal Government to this pattern has multiplied a thousandfold. When education is strong, all other problems of the community, the State, and the Nation are solved in due course; but, when education is weak, no problems are solved.

(2) The mobility of our population requires Federal concern for education.

(3) A glance down the street of any town or city of the United States (past the Shell, Standard, Skelly, Phillips, etc., stations; past the Ford, Buick, Chrysler garages; past the A. & P., the Big Ten, the Fairway groceries; and the Walgreen and United Drugstores) convinces one that industry, commerce, and business operate on a national scale can bring a tax system on a national scale can bring the income resources of this Nation to bear on the public schools. The Federal income tax is the fairest tax in the Nation. It must support the most fundamental of our expenditures—public education.

(4) The national defense rests in the last analysis on the effectivenesss of our public schools. During World War II, 2 percent of the recruits from Minnesota were rejected because of intellectual incompetency. In other States this percentage reached as high as 50 percent. The average for the Nation was over 25 percent. If no States were above the present average in the effectiveness of their schools, we could not defend ourselves in a modern war. Minnesota furnishes much more than its share of pilots, bombardiers, navigators, and all technicians.

If the Federal Government were to establish the policy of channeling at least 1 percent of the national income back to the States on a per-pupil basis for the support of education, I feel certain you would find the people of the United States supporting it overwhelmingly and you would find the educational problems of the States and local communities disappearing.

If I can be of service to you in supporting such legislation, please call upon me at any time.

Sincerely yours,

WALTER W. COOK, *Dean.*

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THE ROLE OF THE FEDERAL GOVERNMENT IN EDUCATION

Mr. HUMPHREY of Minnesota. Mr. President, earlier this year I submitted a letter to the editor of the Minneapolis Star, in reply to an editorial entitled "Education Is a National Not Federal Problem." In my letter to the editor, I outlined in part the case in support of Federal aid for school construction.

I ask unanimous consent that the letter be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 13, 1956.

The EDITOR, THE MINNEAPOLIS STAR,
Minneapolis, Minn.

DEAR MR. EDITOR: Your editorial of Wednesday, December 21, entitled "Education Is a National Not Federal Problem," deserves further consideration. This editorial was written in reply to my letter of the same date printed in your column "Everybody's Ideas."

You may recall that I served as a member of the President's Commission on Intergovernmental Relations. We studied with great care and detail the educational needs of our country, and gave specific attention to the efforts currently being made by the respective States and local subdivisions in order to meet educational needs. Furthermore, we studied the financial needs or capacity of States and localities to further develop their educational structure, including both facilities and personnel.

The primary responsibility for public education does belong to the State and its political subdivisions. The educational system should be close to the people. The management of our schools should rest essentially with the local citizenry. Our public education system is one of the great achievements of our people.

Indeed, education is a national problem. Your second paragraph indicates a lack of understanding as to the American tradition, or an unwillingness to accept the role of the Federal Government in our educational structure. You stated as follows, referring to my letter: "But he also implies that education is a problem for the Federal Government, and there he is at odds with the tradition of America. Financing education is a local and State problem, which on the whole has been handled well at those levels."

Let's examine the role of the Federal Government in education, and see whether or not my conviction that the Federal Government does have a responsibility in the educational field is at odds with the tradition of America.

The legislative milestones in the development of Federal aid to education are as follows:

In 1787 the Northwest Ordinance set aside certain public lands for public education purposes.

In 1826 the Morrill Act provided for grants of Federal land to each State for the establishment of colleges specializing in the subjects of agricultural and mechanical arts. Our own University of Minnesota is such a college.

1867: Congress established an independent Federal Department of Education. Its name was officially changed to the United States Office of Education after 1929.

In 1917 the Smith-Hughes Act established the first program of Federal grants-in-aid to promote vocational education in public schools. This, in turn, was strengthened and expanded under the George-Barden Act.

In the 1930's the Public Works Administration made loans and grants for school construction, and the Federal Emergency Relief Administration, along with the WPA, provided funds for school construction plus adult education and nursery school programs.

In 1936, the George-Barden Act.

In 1940 the Lanham Act, which authorized athletic aid to local governments for construction, maintenance, and operation of school facilities.

In 1944 the Servicemen's Readjustment Act, commonly known as the GI bill of rights, set up a program of additional benefits for World War II veterans, and later extended to veterans of the Korean war.

In 1946 the National School Lunch Act authorizing aid in the form of funds and food to cities for use in school lunch programs.

In 1950, Public Law 874, authorizing Federal payments for maintenance and operating costs of schools overburdened by increased enrollment resulting from Federal activities.

Also in 1950, Public Law 815, authorizing grants to States for construction of schools in federally affected areas. Both of these laws have been extended.

In 1954, Public Law 530, authorizing the White House Conference on Education, along with Public Law 532, establishing a nine-member advisory committee on education.

This is but a brief review of some of the activities of the Federal Government directly relating to our educational structure. Again, I should add that our vast programs for scientific, technological, and medical research are not included in the above listing of legislative enactments. The scope of our research programs is growing every year, and the amount of funds appropriated runs into the millions. Surely, Mr. Editor, it is within our tradition for the Federal Government to have an important role in education—a tradition which started in 1787 and continues to this day—a tradition which was recently reaffirmed by the reports and conclusions of the White House Conference on Education.

Until the 1930's the overwhelming share of school revenues was obtained at the local independent school district level. Then came the period of State aid to the local schools. State aid was bitterly opposed, but the economic necessities of a modern school system equipped to meet the growing population brought acceptance and approval of State aid.

The impact of the depression and World War II, along with the postwar surge in population, placed tremendous burdens on our school system. There can be no doubt as to the shortage of school facilities, despite a major school construction program by local school districts. It is common knowledge that our classes are overcrowded, that our teacher shortage is growing every year, that our colleges are not graduating an adequate supply of new teachers to fill the gap and to replace those who are retiring.

Here are the facts as reported in the Congressional Quarterly for February 1955. Since then, the situation has grown even more critical despite the enlarged program of local school districts and States.

A report by the United States Office of Education shows that in the fall of 1954 there were 2,600,000 pupils in excess of normal school building capacity in the United States. About 9 percent of all pupils were being accommodated in makeshift or improvised quarters. Nationwide there is a shortage of over 340,000 classrooms. An additional 58,000 teachers were needed in 1955. The teacher total is diminishing rather than growing in relation to pupil population. It is estimated that in the next 5 years approximately 620,000 public elementary and secondary classrooms and related facilities will be needed. The 1955 building program was scheduled to produce about 60,000 classrooms—far short of current needs without taking into consideration the lag in construction during the depression and war and

immediate postwar years, or the future growth of the population.

Again quoting from the Congressional Quarterly: "While school needs are essentially a State and local community problem, the Federal Government has played a major role in promoting education. For example, in fiscal year 1953, Federal expenditures for education in the States totaled $1,200,000,000. The bulk of the Federal funds—$725.6 million—were for education of veterans. Other major items were support of land-grant colleges, vocational education and payment to the States for school construction and maintenance in federally affected school districts. This figure does not include the vast sums of money appropriated by Congress for research, much of which was allocated to our universities and technical schools.

I know of no public or lay spokesman who is recommending that the Federal Government take over the responsibilities for our public school system. However, our public education program is in trouble due to inadequate facilities, shortage of teachers, and lack of adequate local and State revenues. To be sure, some of the States could do a better job than they are doing. Federal legislation should not be designed to relieve State and local governments of their responsibilities. Federal aid should be supplemental and not replacement. Federal aid to public education should in the main be limited to school construction needs. Control over school management, curriculum, and educational program must remain in the hands of the local community and its appropriate school agency. There is no evidence that would lead one to conclude that Federal aid means Federal domination. Our land-grant colleges have not been dominated by the Federal Government. Our vocational education programs are not dominated or managed by the Federal Government. Yet, in both of these areas of education the Federal Government has made a sizable contribution.

Regrettably, many States and localities are restrained by constitutional and charter limitations in providing the necessary funds for school purposes. Theoretically, one can argue that city charters and State constitutions should be changed, and indeed this should be done. In the meantime, our public education structure continues to deteriorate and becomes ever more inadequate to meet the heavy increase in school enrollment. The Federal Government is the people's Government; it belongs to the people. The Federal Government is responsive to public opinion and public will, yes, even more so than some State and local governments. The Congress is elected by the people, just as in a State legislature. The President is elected by the American people, just as is the governor by the people of his State.

Our Nation is becoming ever more integrated. The American people move from one area to another. Our system of commerce and transportation has united this country into one great Nation. Education is a national problem, and the provision of proper educational facilities is the responsibility of the people of this country acting through their instrumentalities of government. While editors and Senators, governors and Presidents, Congressmen and legislators argue over Federal aid to education, our school system suffers and remains inadequate. We are in a struggle for survival. We need a strong, intelligent and well-informed citizenry. We need competent scientists and technicians. We need, above all, equality of opportunity for education. That equality of opportunity is being denied today to millions of our young people—young people who are called upon to serve in the defense of this country; young people who may reside in our State or some other State in the years to come; young people who will be called upon to shoulder burdens of yet unknown and uncharted proportions in the future.

I suggest we bring this argument on Federal aid to education to a halt and get on with building the schools, training the teachers, providing scholarships for talented men and women, expanding our programs of research and development, equipping our universities and institutions of higher learning to meet an unprecedented enrollment. A rich and prosperous America can afford to pay the bill. Our failure to pay this bill could well result in jeopardy to our national security and long-term national prosperity. Education is a sound investment. There are no cut-rate prices nor bargain-basement sales on the development of talent, skill, and good citizenship.

Sincerely yours,

HUBERT H. HUMPHREY.

HARRICUM TRUMAN—A YANK AT OXFORD

Mr. HUMPHREY of Minnesota. Mr. President, today the former President of the United States, Harry S. Truman, returned to his native shores after a 2-month trip to Europe. Many Americans of his own generation will probably always think of Mr. Truman as a living embodiment of democracy in action—a man whose career reflected the rise of an ordinary, commonsense, plainspoken Midwesterner to the greatest office of responsibility in the free world. More often than not, his own fellow countrymen dwell upon Mr. Truman's frequent and blunt ad lib remarks, remarks which have delighted his partisan friends and infuriated his partisan foes.

The people of Europe, however, removed from our domestic political controversies, have been able to appreciate Mr. Truman from a different, perhaps more historic, perspective.

An incident concerning Mr. Truman's reception in Germany, and the public acclaim which he received with his honorary degree at Oxford, England, on June 20, are excellent examples of what I have in mind.

About 2 weeks ago I received a letter from one of my good friends who has been traveling in Europe, Gen. Julius Klein, of Chicago, Ill. The general was kind enough to permit me to refer to his letter and also to the editorial which he included in it.

I call to the attention of my colleagues in the Senate this editorial from one of the leading newspapers in Cologne, Germany, the Koelner Stadt-Anzeiger, of June 8, 1956. It is entitled "Hello Harry." It is a splendid tribute to former President Truman, which eloquently testifies to the affection and respect which Mr. Truman commands from freedom-loving people abroad.

As a preface, I should note that my correspondent, General Klein, had this to say:

DEAR HUBERT: While in Europe, I read the enclosed editorial in the leading Cologne paper which touched me deeply. I really got a big kick out of this article. I am also sending you a copy of the telegram I sent to President Truman while he was in Bad Godesberg.

This editorial in the German paper is so sincere that I feel you might care to insert it in the CONGRESSIONAL RECORD, provided that this message from me to you is not misunderstood by my friends, but that this old Republican reveres good old President Truman with the sincere hope he is going to stay out of the campaign.

As a Taft Republican I agree with the editorial with the exception of President Truman's act in the manner in which he recalled my beloved commander, General MacArthur.

With kindest personal regards,

Sincerely yours,

JULIUS.

Mr. President, I ask unanimous consent that a translation of the editorial referred to by General Klein be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[Translation]

EDITORIAL "HELLO HARRY" FROM "KOELNER STADT-ANZEIGER," OF JUNE 8, 1956

What a shame, Mr. Truman, that you couldn't stay somewhat longer with us. We hope that during your short visit in Germany you noticed how much we like you. Would it be considered lack of respect if we tell you before you leave us that you are a nice guy? But then again, you never put much stock in formal manners, not even in those years when you occupied the highest office in the United States.

Someone once said that you are the greatest little guy of our times. We, however, bow before the greatness and the courage with which you acted in the grave hours of decision. In those hours when you sat at your desk and carried on the discussion with history: should the war be continued or should the atom bomb be used in Hiroshima; when on the 25th of June 1951 you were faced with the grave question whether death of American and allied soldiers in Korea was too high a price for the protection of freedom—at that time the burden of responsibility must have weighed heavily on you. You have never made it easy for yourself, and never shirked responsibility. From your frank memoirs we have learned in the meantime about the background of those developments.

You chose freedom and did not decide in favor of immediate interests when you rushed aid to Turkey and Greece and when you recalled the overpowerful General MacArthur. The policy which bears the name "Truman Doctrine" kept in check the expansionistic drive of Stalin during the most critical years. The program with which you initiated the international aid program for underdeveloped areas will be associated with your name and will survive the present era. You have given your own people lasting suggestions for the solution of the Negro question.

Your place of residence is called Independence. This concept gave birth to your country. You represent the best characteristics of this country. Harry Truman, we wish you an enjoyable trip and good luck to you and your family.

Mr. HUMPHREY of Minnesota. Mr. President, the same point has recently been made about Mr. Truman by Sir Oliver Franks, the former British Ambassador to the United States, when he said:

I think the judgment of history will be that President Truman was a great President of the United States.

Mr. Truman, as President, had extraordinary powers of decision. This is not a common gift. The capacity to decide is rare.

The temptation is always to fight the difficult decisions, to fight them off. So often all the possible courses seem risky and unpleasant. It is not easy to get the facts clear to foresee what the consequences of particular

decisions will be. Making decisions on foreign affairs in times of crisis is hard work for men of great courage. Mr. Truman has this capacity to decide, with all the endowment of moral courage and sheer hard work that it implies.

It was Mr. Truman's extraordinary power of decision which Oxford University saw fit to honor on June 20. When he received his new degree of doctor of civil law, President Truman was hailed as the personification of forthrightness. Addressing Mr. Truman, Lord Halifax described him as "truest of allies, direct in your speech and in your writings, and ever a pattern of simple courage."

Four articles describing Mr. Truman's Oxford appearance have especially seemed to me to catch the atmosphere of the occasion. They were the Associated Press dispatch of June 20, an article by Drew Middleton which appeared in the New York Times on June 21, an editorial in the Virginian-Pilot of Norfolk, Va., and another short column from the Times of June 24.

Mr. President, I ask unanimous consent that these four items be printed in the RECORD at this point in my remarks.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

OXFORD DEGREE TO TRUMAN

OXFORD, ENGLAND.—Harry S. Truman, who was too poor to go to college, today received an honorary degree from Oxford, one of the world's most distinguished universities.

Tears filled the eyes of the former United States President when Lord Halifax, chancellor of the university, conferred the degree of doctor of civil laws with this eulogy:

"Truest of allies, direct in your speech and in your writings, and ever a pattern of simple courage."

CHOKES UP

Truman smiled, choked up and then quickly whipped out a handkerchief and blew his nose.

"Never, never in my life," he whispered to a reporter, "did I ever think I'd be a Yank at Oxford."

He had explained to correspondents that his father's business reverses had prevented him from going to university after a boyhood on a Missouri farm.

Asked by a reporter how many honorary degrees he had received Truman replied:

"A BIG ONE

"My God, I must have a couple of dozen. But this is really a big one."

The auditorium of Oxford's ancient Sheldonian Theater rang with applause as the degree was conferred. It swelled in volume as Truman faced 94 crimson-robed professors in the packed auditorium and flashed a broad smile.

"I've attended a lot of these convocations," said an old professor after the house became quiet. "I don't remember when there was ever so much applause. Mr. Truman is very popular in this country."

Mrs. Truman, sitting several rows behind her husband also wiped the tears out of her eyes.

OXFORD PRESENTS TRUMAN A DEGREE—EX-PRESIDENT CALLED TRUEST OF ALLIES AS HE GETS DEGREE

(By Drew Middleton)

OXFORD, ENGLAND, June 20.—Harry S. Truman was hailed as the personification of simple courage when he received an honorary degree of doctor of civil law from Oxford University today.

The former President's admission to the ancient fellowship of Oxford took place in the Sheldonian Theatre, designed by Sir Christopher Wren. The Earl of Halifax, former Foreign Secretary and British Ambassador to Washington and now chancellor of the University, conferred the degree.

The man from Missouri, serious but unabashed by the weight of dignified knowledge around him, stood in the center of the theater while the public orator, T. F. Higham, read the citation of "Harricum Truman" in Latin.

Then Lord Halifax, also speaking in Latin, conferred the degree with words that, translated, said:

"Truest of allies, direct in your speech and in your writings and ever a pattern of simple courage, I by my own authority and that of the whole university admit you to the degree of doctor of civil law honoris causa."

There was a warm burst of applause from the theater lasting more than a minute when Mr. Truman stepped forward to shake Lord Halifax's hand and take his seat among dignitaries of the university.

Mr. Truman had confessed that he did not remember much of the Latin he had studied at school. But he remembered enough to grin at the public orator's jesting reference to the 1948 presidential election.

Virgil, the orator said, could help describe the plight of Thomas E. Dewey, the Republican nominee. To prove it, Mr. Higham adapted a verse from Aeneid:

"The seers saw not your defeat poor soul.
Vain prayers, vain promises, vain Gallup poll."

The banked rows of doctors of divinity, civil law, medicine, music, letters, and science shook with laughter at this joke. Lord Halifax, an imposing figure in a gold embroidered black gown, unbent to smile.

TRUMAN'S AID EFFORTS HAILED

The theme of the public orator's presentation was Mr. Truman's assistance to the Western World in the years after World War II. Mr. Higham recalled United States aid to Britain and cited General of the Army George C. Marshall and Dean Acheson, former Secretary of State, similarly honored by Oxford.

He noted that Mr. Truman "made it clear that he and his people were fully aware of the crisis in human affairs and of the duties that fall to a leading world power."

The former President decided that "America would be true to herself in the defense of liberty," the public orator added.

There were repeated references to Mr. Truman's modesty. The orator recalled that on his first day of retirement the former President had told reporters he took the suitcases up to the attic.

"I present to you for admission to the honorary degree of doctor of civil law a man of courage and energy, modest even in the splendor of his high position—Mr. Harry Truman," the orator concluded.

Oxford, the serene and gravely courteous, also offered "our sincerest wishes for every possible happiness" to Mr. Truman's newly married daughter, Mrs. Clifton Daniel.

[From the Virginian-Pilot]

MR. TRUMAN'S OXFORD DEGREE

Former President Harry S. Truman was visibly moved as he received the honorary degree of doctor of civil law from Oxford University. Lord Halifax, the university's chancellor, apostrophized Mr. Truman as "truest of allies, direct in your speech and in your writings, and ever a pattern of simple courage." That these words touched Mr. Truman, said to him at the seat of one of the world's oldest and greatest universities, and far from the scene of bitter acerbities of politics, in which he will soon have a part again, is understandable.

To many Americans who think of Mr. Truman in terms of the idiomatic English he so often uses, and "give 'em hell" campaigns, and, sadly, in terms of some of the moral shabbiness that touched his administration with scandals near the end, the high British esteem of the former President is not so easily understood. In Britain, and in Europe, these latter-day events of the Truman administration have tended to fade from memory. Distinct in memory, and standing out as landmarks of history, are events and American policies associated with Mr. Truman's name, and his Presidential administration, and, also, with the survival of Europe in the dark postwar days. Those were the days of betrayal by Russia of her former World War II allies.

Britain and Europe think of Mr. Truman in terms of an American foreign policy that was timely and great and heroic in its effect. Nations of the Western Alliance remember the Berlin airlift. They remember the defense of Korea. They think of Mr. Truman in terms of aid to Greece and Turkey, and of the Marshall plan and NATO, all steps leading to the high ground of an alliance for democracy that is also the best defense of peace in the world today.

Mr. Truman, as President of the United States, was the instrument of a wisdom that history will not forget and that Oxford University has just honored.

[From the New York Times of June 24, 1956]

HARRICUM TRUMAN

"Heu vatum ignarae mentes! quid vota repulsum,
Quid promissa iuvant? tua quid praesagia Gallup?"

These verses, freely adapted from book IV of Virgil's Aeneid, brought a grin to the face of Harry Truman last week as he read a translation of it. It was recited by the public orator of Oxford University during ceremonies in which the university conferred an honorary doctorate in civil law on "Harricum Truman." The verses described what happened to Thomas E. Dewey in 1948:

"The seers saw not your defeat poor soul.
Vain prayers, vain promises, vain Gallup poll."

Lord Halifax conferred the degree with these words, also spoken in Latin:

"Truest of allies, direct in your speech and in your writings and ever a pattern of simple courage, I by my own authority and that of the whole university admit you to the degree of doctor of civil law honoris causa."

That night Mr. Truman was walking beneath the windows of New College. Some students leaned out and shouted: "Harricum. Harricum." When Mr. Truman looked up, they shouted: "Give 'em hell, Harricum."

Mr. HUMPHREY of Minnesota. Mr. President, the night after he received his Oxford degree, "Harricum Truman"—as he was called—made a speech at Christ Church College, Oxford, in which he said that the world "must declare in a new Magna Carta, in a new Declaration of Independence, that henceforth economic well-being and security, health and education and decent living standards, are among our inalienable rights." I ask unanimous consent that a Reuters dispatch of June 20 summarizing Mr. Truman's remarks be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRUMAN URGES DECENT LIVING FOR EVERYONE

(By Fern Rich)

OXFORD, ENGLAND, June 20.—Harry Truman, in a speech at Oxford University tonight,

called for a new "Declaration of Independence" which would make decent living standards an inalienable right throughout the world.

The 72-year-old former President was speaking at the annual reunion dinner of Christ Church College.

In a colorful ceremony earlier in the day, he had been made an honorary doctor of civil law.

Addressing an all-male audience tonight, Truman said that the world "must declare in a new Magna Carta, in a new Declaration of Independence, that henceforth economic well-being and security, health and education and decent living standards, are among our inalienable rights."

He said that both Britain and the United States "have undergone democratic revolution by due process of law." In America this revolution was called the New Deal and the Fair Deal.

Truman added: "If we are wise, we will not limit the benefits of our democratic way of life to ourselves. The whole world knows how well we live.

"In Africa, and Indonesia, in the Far East and the Near East, along the Equator and in the islands of the Pacific, there has been a great awakening.

"The people no longer want to live as their ancestors lived. They have moved into our century and they want to live as we do.

"They are determined to enjoy the benefits that we know now, in their lifetimes, in this year, this decade, this generation.

"The whole world now very much wants to get things done. It wants to go places."

He declared that the uncommitted world had a choice of two systems—democracy or slavery. In the latter, the citizens may vote against the dictator "only after he is dead," and "even to do this is regarded as an act of rare independence and courage.

"But I have no faith in governments which answer to no one; it is a terrifying thought that a dictator like Stalin—an irresponsible egomaniac, according to his successor, answerable to no one—could give an order that would, in a matter of hours, wipe out most of the civilized world."

Truman said: "There must never be another war. A war in the future will inevitably become an atomic war. Nobody will win."

He asserted that the power of destruction could not be entrusted to 1 man, 1 party, or 1 country. It could only be safely entrusted to the control of the people of the world.

Mr. HUMPHREY of Minnesota. Mr. President, this was a notable address, a fitting conclusion to a notable day. In honoring former President Truman, Oxford was honoring the total historic impact that America through Mr. Truman's policies and under his leadership had upon the bleak and strife-torn postwar world. Oxford conferred a great honor upon Mr. Truman. His pride in it should be shared by all of his fellow citizens.

NATIONAL DEFENSE

Mr. PAYNE. Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point an excellent editorial, entitled "National Defense—Who Scuttled the Merchant Marine Naval Reserve?" which appeared in the Marine News of July 1956.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NATIONAL DEFENSE—WHO SCUTTLED THE MERCHANT MARINE NAVAL RESERVE?

Now that the United States Merchant Marine Academy at Kings Point has been made permanent by act of Congress, it has been discovered that not only its own cadets but also those of the four Federal-aided, State maritime academies at New York, Massachusetts, Maine, and California can be inducted into the Army at any time due to the action of the Department of Defense. To add insult to injury, it has also been learned that the Department of Defense has prevented the graduates of these Federal and State maritime academies from being granted commissions as ensigns as heretofore.

Congress may well inquire into the acts of the Department of Defense in these matters. Congress should at the same time, inquire into and expose the individual or clique in the Department of Defense who "slipped in a repealer" of the Merchant Marine Act of 1936 and previous acts of Congress whereby the Merchant Marine Naval Reserve and the status of cadet midshipmen at the Federal and State academies was scuttled or sabotaged by the Armed Forces Reserve Act of 1952 which was drawn up by the Department of Defense in a large measure. In fact, this slick "repealing clause" was not even noticed until the Department of Defense prevented the Navy from commissioning these graduates. The "repealing clause" was apparently kept under wraps until wholesale damage could be inflicted. Thus, the Naval Reserve is deprived of a "hard core" of well trained, loyal, patriotic Americans.

We know that frantic efforts are being made to recruit officers and men for the Reserve Forces of the United States, yet it appears that the Department of Defense is preventing success of the recruitment campaign by overt discrimination against the American Merchant Marine, its officers and men.

The Armed Forces Committee of the House of Representatives has recently conducted hearings to reestablish the status of cadet/midshipman and Naval Reserve Commissions for graduates of the Federal and state academies but again the Department of Defense has been "negative." Congress should smoke out the ill advised or subversive elements who are thwarting the Naval Reserve. It is now only too obvious that something is rotten in the Defense Department.

On May 22, 1956, the Honorable Charles S. Thomas, Secretary of the Navy, delivered a stirring address as the keynote speaker at the National Maritime Day ceremonies at New York's Rockfeller Plaza. To quote his excellent remarks in part: "Twice in our memory we have been unprepared, Secretary Thomas warned, "Twice our failure to have a strong merchant marine has brought our country to the brink of disaster. A third failure could be fatal."

The graduates of the Federal and State maritime academies are trained in naval science by Regular Navy officers. They are licensed as officers by the United States Coast Guard after examination. Yet, we find that the Department of Defense prefers to let them be drafted as foot soldiers in the Army. Again, we ask "What goes on in the Department of Defense?" In this connection, the Senate of the United States has previously passed enabling legislation in behalf of the Naval Reserve but the Department of Defense seems to be staging a last ditch campaign to "scuttle the ship." In so doing, it is scuttling our Merchant Marine in time of national emergency and our national defense. It is impairing the Navy.

The circumstances which necessitate the prompt passage of S. 1748, which concerns the restoration of naval reserve status to the cadets and graduates of Kings Point and the State Maritime Academy, warrants a full and immediate congressional investigation both from the standpoint of possible ill-considered and unpatriotic actions of a few individuals in the Armed Forces, and also what might be tantamount to an act of subversion which threatens to dissipate and demoralize a Regular corps of officers.

For the Naval reservist: "Individual preparedness is national preparedness."

AIR SAFETY

Mr. HUMPHREY of Minnesota. Mr. President, I read with considerable interest in this morning's newspaper the comments of some of our colleagues relating to the tragic air accident which took place over the mountains and wastelands of Arizona, near the Grand Canyon. It was an airplane accident which involved a United Airlines DC–7 and a Trans-World Airlines Super Constellation.

First of all, Mr. President, I wish to commend our colleague from Florida [Mr. SMATHERS] for his comments relating to the urgent necessity for the Civil Aeronautics Administration and the Civil Aeronautics Board to direct their attention to safety regulations. I also wish to commend the Senator for his comments in reference to the advisability of having a congressional inquiry into the air crash itself, as well as into the procedures and operating methods of the Civil Aeronautics Administration and the Civil Aeronautics Board.

Mr. President, this is a subject which has been rather close to my heart, because, from time to time, I have discussed air-traffic control and aviation safety with the responsible officers of the Civil Aeronautics Administration as well as of the Civil Aeronautics Board.

I believe it is about time that the Congress of the United States took a much firmer hand in these matters. There are known safety devices which commercial airlines are not using. There is such a thing as radar for airplanes which can be used. Some airlines are using radar equipment at the present time. Radar, properly installed, can give advance warning of thunderstorms, and air turbulence, thereby providing a much safer and more comfortable flight.

The safety of thousands and thousands of Americans is at stake, and I do not think the Congress of the United States or the agencies of the Government should in any way permit civil aviation to use anything but the best equipment, particularly as it relates to airline safety.

I hope that the Civil Aeronautics Administration will start to give some orders to the airline industry, rather than merely some suggestions.

A few days ago there was brought to my attention a report dated March 26, 1956, published in American Aviation. It relates to what is known as a flight recorder—the pros and cons of a flight recorder.

I should like my colleagues to take note of the fact that there has been developed in this country an efficient instrument which is crashproof and fireproof, which has been tested and proved scientifically by the Civil Aeronautics Administration. This instrument is being used on some airlines. It records the total flight pattern including air speed, altitude, heading, vertical acceleration and time.

Mr. President, I ask unanimous consent to have 5 minutes additional time in which to discuss this subject.

The PRESIDENT pro tempore. Without objection, the Senator from Minnesota may proceed for 5 minutes.

Mr. HUMPHREY of Minnesota. Mr. President, this particular flight recorder can record 300 hours of continuous operation.

It operates for 10 minutes following a power source failure or even a crash. Its recorded data will not be destroyed by 30 minutes of exposure to 2,000 degrees Fahrenheit temperature of open fire. There is no electronic circuitry. There is maximum reliability and it is self contained. There are no remote pickups.

Mr. President, it costs approximately from $2,000 to $2,500. This flight recorder, was tested by Prof. James J. Ryan, professor of mechanical engineering at the University of Minnesota. Both the Airline Pilots Association and the Airplane Owners and Pilots Association have requested that this recorder be placed on all commercial aircraft.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a study entitled "Economies in Airline Operation With Flight Recorders" by James J. Ryan.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

ECONOMIES IN AIRLINE OPERATION WITH FLIGHT RECORDERS

(By James J. Ryan, professor, mechanical engineering department, University of Minnesota, Minneapolis, Minn.)

This economic discussion is based upon the features and performance of the General Mills flight recorder. A technical description of this instrument is included in the brochure prepared by the mechanical division of General Mills, Inc.

For economic return in aircraft flight, there are several requirements of a recorder. One is that it be accurate and reliable; another, that it preserve the record under crash and fire conditions; a third, that basic intelligence be obtained from as many elements as possible; a fourth, that it be free from operational and maintenance difficulties; and a fifth, that the intelligence may be easily compared or evaluated.

From a recorder as described, scientific studies may be made to determine the variability of the winds aloft from the three dimensional flight path shown on the records. Standard flight paths over the surface of the earth between given points may be ascertained from repetition, and variations readily cataloged. This actual flight data whereby planes may be routed in altitudes and directions to take advantage of favorable winds, would reduce operating costs and time. Thus, the occasional record flight that is achieved would be the commonplace rather than the exceptional.

In regular service, the intensities of vertical acceleration through gust loading may be resolved in terms of the weather conditions. When gust loadings occur, it is required that the aircraft decrease its speed to maintain a safe structural load-speed ratio. It is economically necessary that the airline operators know (1) that the planes are properly reduced in speed to maintain safe structures, and (2) that the plane flights are not unnecessarily slowed down to reduce revenue. Severe gust loading requires an inspection of the aircraft to be certain no structural failure has occurred. The exact measurement of the gust loads by the flight recorder indicates the range and degree of inspection required. Gust loads between 2 and 2½ G are not severe and visual examination of the outside structure may suffice. Loads between 2½ and 3½ G may require internal inspections of the highest stressed points, but not entail removal from service. However, stresses of 4 G and above would probably indicate a complete structural inspection. Measurements of these forces can only be made with the flight recorder which allows the preservation of airworthiness at the minimum expense to the operator. The gust loading to which the aircraft is subjected throughout its life would determine a base for fatigue studies. Aircraft subjected to a large number of gust loadings may be routed in other quiet areas to prevent their obsolescence and replacement. The extension of the service span is an economic benefit.

Scientific research has long been involved in ascertaining the caues of aircraft crashes and operational failures. The recorder presents a history of the same basic indications that the pilot has observed in the cockpit. Further, it shows the reaction of the airplane to his control, directed by his intelligence. Air mishaps occur when the craft does not respond to the pilot's wishes, or when the information is incorrectly interpreted through instrument error, misunderstanding, or matters of judgment. A recording of the second to second conditions of flight would materially aid the investigation of failure and crash, and remedial measures could be immediately practiced to prevent repetition. The long and costly investigations of crash may be unnecessary in many cases through the scientific study of the recording.

This expensive investigation falls upon the airline to disrupt the normal operation of personnel and equipment. It reflects in the public's view, and in the pilot's also, until the cause is determined and corrected. Much money is spent and most of it without hope of return. The prompt and correct analysis of one aircraft disaster with the help of the flight recorder, would immediately set up measures to prevent the recurrence, and would save moneys sufficient to reimburse the airlines for the expense of all the flight recorders in the service.

At any instant of time the sequence of events with respect to altitude, airspeed, vertical acceleration, and heading may be compared to determine the process by which a failure in the aircraft eventualized. An instantaneous loss of power will be reflected in a change in speed which would precede other events, and make positive the determination of the sequence due to abnormal conditions. If a cabin pressure element had indicated explosive decompression, such an event would occur first, before changes in airspeed, altitude, or heading.

The Government bodies which determine the rules for air travel have great difficulty in evaluating their regulations. Further, air carriers establish policies for flight that are mandatory for their operations. Also pilots in the aircraft depend for their safety and performance upon these rules. The recording of the air path assumed by the airplane in flight presents scientific means for determining the effectiveness of these regulatory measures.

Most train locomotives, buses, trucks, and other carriers have recorders for speed and running time. The records they make are as important to the operation as the bookkeeping system for business transactions. Without this information economic control over the performance of the equipment could not be obtained.

A recording of aircraft operation also furnishes a means for review and study of the training and checkout evaluation of pilots. Standard checkout patterns would be evidence of repetition. Many psychological conditions in pilot performance may be first observed in the data presented on the recorder record, and steps may be taken to correct deficiencies. Otherwise economic losses occur to the equipment or the service.

It has recently been shown that the substitution of autopilots in the cockpits is a measure that presents a degree of economy in operation. It may be further observed that the flight recorder would monitor the engineering application of the autopilot to be certain that its functions were maintained to the highest degree. In a like manner the performance of any aircraft will be improved by the scientific analysis of its flight characteristics. This accounting pays dividends in operating efficiency, longer periods between overhauls, and preventive maintenance.

The analysis and study of military flight techniques may be reduced to a scientific basis by the introduction of flight recorders. In many of the operations the combination of the man and the machine may be increased in effectiveness in a manner similar to the playback of football movies to a squad. The rapid growth of the science of aviation requires a continual understanding for projection into the future.

It may be concluded that all flying will contribute to safety and economy by the accumulation of this measured knowledge. As Lord Kelvin so aptly pointed out, "To measure is to know."

Mr. HUMPHREY of Minnesota. Mr. President, what would this recorder do in an accident such as that which took place in Arizona recently? First of all, it would reveal exactly what happened in that accident. It would reveal the speed of the flight, the degree of turbulance through which the Transworld Airline plane traveled. It would reveal any departure from the approved flight pattern. It would reveal stress and strain upon the aircraft structure.

I would have my colleagues note that in this morning's New York Times it is stated:

The official investigators were refraining from speculation pending the completion of inquiries that will take many weeks.

These include studies of the operational records of the two planes—their flight plans, their checkpoint reports as far as western Arizona, and any en route alterations in plan. The investigators will interview persons in the area of the crash, none of whom are known to have had any inkling of it, and examine the wreckage.

Mr. President, the cost to the Government of the United States in connection with the investigation of this crash will run into hundreds of thousands of dollars and possibly an equal amount to the airlines. I am not saying the cost is too great. I am merely pointing out the total possible cost. Even then, the information may be very inadequate.

The pilots on our airlines are becoming a little bit discouraged in having it always said, when there is an accident, that it was caused by pilot error. Pilots frequently say that accidents are due to structural deficiency, mechanical, electrical, or other material failures.

The flight recorder which is made by one of our larger American companies, General Mills, Inc., has been thoroughly tested by the CAA and is completely acceptable. It has gone through every conceivable scientific test. This flight recorder could give to the investigators a complete second-by-second description of what happened on any given flight.

What does the Air Transport Association have to say about this? The Air Transport Association represents the

scheduled airlines. When the CAB asked for the views of the airlines on this particular flight recorder, the Air Transport Association advised the CAB, first, that it cost too much; and second, that the storage of the recording tape, which would describe the flying conditions, would require entirely too much space.

What is the cost of the recorder? From $2,000 to $2,500. How much tape would have to be stored? The airlines said the regulations call for a period of 30 days for record retention. The carriers would be storing some 90,000 feet of tape continuously. How much is 90,000 feet of tape? For the entire airline industry it is equivalent to 1 file cabinet having 3 drawers.

My point, quickly put, is that the airlines had better start using protective safety equipment. It is about time the American people demanded the best in terms of safety precautions. This is not simply a matter of air traffic regulations; it is a matter of using equipment which has been tested and is available.

The American people have a right to ask why radar is not being used on all commercial airlines. Why do commercial airlines continue to fly planes through all kinds of weather in many kinds of traffic patterns without radar equipment, when we know that radar is available?

Why is there not used a recording unit which will fully translate or transcribe the stress and strain on the aircraft, changes in flight pattern, vertical acceleration, and change in course of travel of plane? All of this information can be recorded, and if it were when an inquiry concerning an airplane needs to be made, the investigation of its safety factors and performance could be expedited.

After any large airliner goes through a considerable degree of turbulance, the pilot makes a report. The report goes to the operating headquarters of the airline and is then referred to the repair and maintenance division. The airliner then is subject to investigation and check, to determine whether there has been any undue stress or strain upon certain critical parts. At best, the pilot's report is but one man's opinion. But with the mechanical devices which have been perfected and the modern equipment which is now available, and which could be placed in every airliner, the investigation or checkup would be accurate, complete, and reliable.

Mr. President, I ask unanimous consent that the article to which I have referred, entitled "Flight Recorder—Pros and Cons," be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GENERAL MILLS FLIGHT RECORDER: PROS AND CONS—BUILT-IN RECORDKEEPING SYSTEM PRODUCES VALUABLE PERMANENT RECORD THAT WOULD AID IN ACCIDENT INVESTIGATIONS, COMPANY BELIEVES

(By Henry P. Steier)

Transport aircraft may soon be carrying a built-in recordkeeping system that automatically produces a permanent record of each aircraft's flight history from engine start at the loading platform to engine stop at the terminus.

In 1948 the Civil Aeronautics Board suggested development of a flight recorder as a means of accumulating data that could be used to get information useful in arriving at operating procedures designed to reduce air mishaps.

Among the recorder requirements was a need for the highest degree of record indestructibility, low maintenance costs and weight. Prof. James J. Ryan, University of Minnesota, went to work on the problem and came up with some basic principles that have since been incorporated into a device known as the General Mills flight recorder. It is produced by the mechanical division, General Mills, Inc.

ATA NOTES OBJECTIONS

The recorder was evaluated by CAA and a number of airlines. In 1951 the CAB reasoned that availability of recorded data on events and circumstances in a flight's history prior to an accident would aid in accident investigation. At that time it proposed a ruling requiring flight recorders in transport aircraft. The rule was opposed by the Air Transport Association. Recently, with renewed interest in recorders in the CAB, ATA is objecting on the grounds that benefits would be "insignificant in comparison to the maintenance difficulties and the costs involved."

To support this argument, ATA reports that out of 96 fatal accidents in the period 1938 to 1954, only 8 "might have been more easily solved had a flight recorder been installed."

On the maintenance score, ATA objects to the amount of film that would accumulate from a representative 1,000 scheduled aircraft if the General Mills recorder were used. Under the proposed regulation the tape would be retained for 30 days. From the number of aircraft mentioned 90,000 feet of tape would accumulate for the period.

Aside from the use of the recorder as an accident investigation aid, it could easily have interest for the insurance companies, both for accident matters and lawsuits that might involve any petty matters such as chickens frightened by planes at reported low altitudes or more serious noise-nuisance cases involving whole communities.

IMPORTANT ADVANTAGES

Far-reaching advantages in matters concerning airline operating economies are predicted by General Mills for recorder use. Among these would be elimination of unnecessary structural inspections after heavy turbulence was encountered, flight-route evaluation, auto-pilot performance, check-out evaluation of pilots.

An approved model A version of the recorder is now available for piston-powered aircraft. It records indicated air speed, altitude, vertical acceleration, time, and compass heading. Data are obtained from two types of sources. Air data from a standard pilot-static tube installed on the aircraft supplies air speed data. For use in a pressurized area a connection is provided for static pressure to operate the altimeter bellows.

From a gyro-stabilized magnetic compass information is supplied through electrical synchro position connectors to a magnetic amplifier and servo units that operate the heading indicator recorder. An accelerometer built into the recorder supplies vertical acceleration data. A built-in clock supplies time data.

ALUMINUM FOIL USED

From these sources five styli are operated to inscribe 0.002-inch-wide lines on 0.001-inch thick aluminum foil that acts as the recording medium. The lines are impressed on the foil, not scratched into it. Unlike other recorders that are available, and which use magnetic type or photo means of recording, the General Mills machine was designed around a recording medium not easily destroyed by fire. The tape is rated to withstand a half-hour exposure to a 2,000° F. open fire and still be readable. This is a paramount consideration in event of an accident where fire occurs.

To drive the spools on which 100 feet of aluminum tape can be carried, a small under-voltage motor was chosen. Operating under this condition, the motor revolves at about six revolutions per hour and the take-up spool at one revolution per hour. The foil moves at the rate of 3½ to 5½ inches per hour, and gives 300 hours recording with one loading.

Despite the slow tape speed, recording is said to be of laboratory accuracy. According to a General Mills spokesman, "We have an instrument that records more accurately than cockpit instruments." The implication is that the coarse needles on cockpit instruments do not permit reading instruments to the same accuracy as the recorder records.

A tiny clock in the unit serves as the time-regulating element and also as an emergency drive device should power failure occur. In event of such a failure, the clock will run the unit for 10 minutes. All information would continue recording excepting heading information since it is dependent upon electrical power.

If the pilot wishes to draw attention on the record to an unusual event he may note it on a time-of-event basis. Pushing a button in the cockpit activates a marker in the recorder. The marker inscribes a "pip" on the tape that is higher than the usual and regular time-pips inscribed at 1-minute intervals on the edge of the tape.

Thus, an extremely severe air shock or landing impact could be noted by the pilot for evaluation of g units incurred at the time and immediately analyzed upon reaching the terminal. A bump of 2g's might require an inspection of only a portion of the aircraft, whereas 3 g's might necessitate thorough study to certify airworthiness.

HOW RECORDS ARE ANALYZED

Two means of analyzing records are provided. For analysis by personnel in the field, a transparent clip-on calibration overlay permits immediate determination of flight conditions. Time for record removal, measurement, and replacement is less than 10 minutes. If accurate analysis is needed a reader is available. On it two records may be scanned simultaneously. Twenty-four inches may be scanned visually at one time.

Overlays bearing calibration data are mounted on a track so that movement over a horizontally laid piece of the tape can be accomplished. A magnifying glass follows with the overlays, or a 35 mm. camera can be mounted on the track to photograph portions of the record and then microscopic examination made of the photo.

Despite some criticism of the recorder that it "won't float" in event of ditching, it will float if released from the airframe since its specific gravity is 0.5. A spherical housing, pressure sealed, is used in accordance with CAA-CAB requirements for rigidity against impacts and imperviousness to moisture. The case is about 15 inches in diameter and the entire unit will sustain 100 g shock or acceleration without damage to the record. It weighs only 16 pounds.

At present, the Model A will measure from —1,000 to 40,000 feet altitude, 12 g to —3 g acceleration, 50 to 500 mph airspeed, and azimuth over 360 degrees. For future needs other sensing elements might be added which could include: cabin pressure for high flying aircraft; engine data such as rpm, torque and fuel flow.

Units of the recorder have been given extensive tests by United Airlines, Braniff International Airways, CAA, and Glenn L. Martin Co., all of which have commented on trouble-free operation and satisfaction with the recording method. Other units are being flown by KLM and Air France.

Mr. HUMPHREY of Minnesota. Mr. President, I ask unanimous consent that the release of the Civil Aeronautics Board dated November 10, 1955, Civil Aeronautics Regulations Draft Release No. 55–26, on the subject of flight recorders, be printed in the RECORD at this point in my remarks.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
CIVIL AERONAUTICS BOARD,
Washington, D. C., November 10, 1955.

CIVIL AIR REGULATIONS DRAFT RELEASE
No. 55–26

Subject: Flight recorders.

The Civil Aeronautics Board has under consideration amendments to parts 4b, 40, 41, and 42 of the Civil Air Regulations. The reasons therefor are set forth in the explanatory statement of the attached proposal which is being published in the Federal Register as a notice of proposed rulemaking concurrently with the issuance of this draft release.

The Board desires that all persons who will be affected by the requirements of this proposal be fully informed as to its effect upon them and is therefore circulating copies in order to afford interested persons ample opportunity to submit to the Board such comments as they may desire.

Because of the large number of comments which we anticipate receiving in response to this draft release, we will be unable to acknowledge receipt of each reply. However, you may be assured that all comment will be given careful consideration.

It should be noted that comments must be submitted in duplicate and in order to insure consideration must be received by the Board not later than January 16, 1956.

M. C. MULLIGAN, *Secretary.*

CIVIL AERONAUTICS BOARD

(14 CFR parts 4b, 40, 41, 42)

FLIGHT RECORDERS—NOTICE OF PROPOSED RULEMAKING

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of proposed amendments to parts 4b, 40, 41, and 42 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by January 16, 1956. Copies of such communications will be available after January 18, 1956, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

On two occasions within the past several years the Board has amended the Civil Air Regulations to require the use of a recording device on scheduled air carrier aircraft. In both instances the Board found it necessary to rescind the amendments since the instruments then available were found to be unreliable and inadequate for the purpose intended. The Board gave notice, however, that a requirement for a recording device would be reconsidered at such time as a suitable instrument was available.

We are now informed that a suitable flight recorder is available. This recorder gives evidence of being a rugged, self-contained instrument which records time, airspeed, pressure altitude, vertical acceleration, and heading directly on aluminum foil. It operates for 300 hours' flight time between changes of record and requires no attention of the flight crew in operation. The record can be quickly removed and read at any time without processing. The instrument is enclosed in a 13-inch diameter spherical shell designed for reduction of impact damage and for protection of the record during crash impacts and fire following crashes. Weight of the installed instrument is approximately 25 pounds. The instrument will float in water and the record foil is resistant to attack by sea water. Although this instrument does not record communications, the lack of this feature is of minor importance due to the steadily increasing number of communication centers which automatically record all outgoing and incoming radio transmissions. This instrument has undergone 5,300 hours of satisfactory service testing.

In view of the foregoing, notice is hereby given that it is proposed to amend the appropriate parts of the Civil Air Regulations to require the installation of flight recorders on certain aircraft.

It has been recommended that the regulations be amended to provide that all 4-engined and all 2-engined airplanes originally type certificated under parts 4a and 4b of the Civil Air Regulations having a maximum certificated take-off weight of more than 12,500 pounds shall not be operated in air transportation unless they are equipped with instrumentation to record continuously during flight the following information: time, vertical acceleration, airspeed, pressure altitude, and direction. The recorder would have to comply with design specifications prescribed by the Administrator of Civil Aeronautics. It was further recommended that the air carriers be required to preserve flight recorder records for a period of 30 days.

In support of this recommendation, it was maintained that the recorder would provide useful information with respect to accident prevention and accident investigation which would be of value not only to Government agencies, but also to the airlines. For example, a study of the flight record would disclose information with respect to the need for structural inspection of the aircraft after hard landings or severe turbulence and whether flights have been conducted in accordance with clearances and approved operating procedures.

As an alternative to the foregoing, it has also been recommended that the regulations be amended to require the installation of this instrument only on transport category airplanes designed to operate above 25,000 feet altitude. Such a proposal is based upon the assumption that justification for requiring flight recorders exists only for airplanes which are intended for operations at high altitudes where little operational experience exists. Thus, the installation of recorders on such airplanes would contribute to overall safety of operation.

In addition to the two alternatives described, the Board would welcome any other proposals as to types of aircraft and operations for which flight recorders should be required.

These amendments are proposed under the authority of title VI of the Civil Aeronautics Act of 1938, as amended. The proposals may be changed in the light of comments received in response to this notice of proposed rulemaking.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601–610, 52 Stat. 1007–1012, as amended; 49 U. S. C. 551–560)

Dated at Washington, D. C., November 10, 1955.

By the Civil Aeronautics Board:

[SEAL] M. C. MULLIGAN, *Secretary.*

Mr. HUMPHREY of Minnesota. Mr. President, this particular release and proposed amendment to the Civil Air Regulations was sent to the airlines with a date suggested for the return of the answers. The answers came in months later, and then the Air Transport Association, which represents the large commercial airlines, rejected the suggestions of the Civil Aeronautics Board.

My view is that if the Civil Aeronautics Administration and the Civil Aeronautics Board believed certain devices or instruments would afford greater safety in air travel and would promote a better understanding of the operation of airliners in all kinds of weather conditions, those agencies should not have to ask the airlines whether they want to install them. Instead, they should order the airlines to install them, just as the Interstate Commerce Commission orders the railroads to install certain safety devices. The airlines have a responsibility to provide safe traveling conditions. I submit that in some instances the CAB has not fulfilled that responsibility.

Finally, Mr. President, I ask unanimous consent to have printed in the RECORD at this point the text of a copy of a letter I have received, dated July 2, 1956, signed by Mr. Max Karant, vice president of the Aircraft Owners and Pilots' Association, and addressed to the Hon. ROBERT H. MOLLOHAN, chairman of the Legal and Monetary Affairs Subcommittee, of the House Committee on Government Operations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 2, 1956.

Honorable ROBERT H. MOLLOHAN,
Chairman, Legal and Monetary Affairs Subcommittee, Committee on Government Operations, House of Representatives, Washington, D. C.

DEAR CONGRESSMAN MOLLOHAN: I am impelled to write this letter concerning the collision between the TWA super Constellation and the United DC–7 over the Grand Canyon, because of the press reports that were quickly attached to that accident. Within hours of the accident both the press and broadcasting industry had been supplied with material which, in effect, said that this accident was what everyone had been expecting for some time, that it was due to the congested air space, that the present air traffic control system's serious deficiencies were responsible, etc. In other words, it is apparent to me that someone quickly twisted the facts connected with this accident to an "I told you so" conclusion, as though to imply that this accident was caused by factors beyond the control of the people involved.

Because of this effort to use this terrible tragedy to suit the purposes of the professional airspace users who want the sky to themselves, I feel it necessary to comment on the facts as they are presently apparent. My comments are based, however, on the facts that have come to me through the published accounts of the accident, and the background information gathered by the press.

First, it should be readily apparent that this accident occurred in one of the most remote, desolate portions of the United States. It did not even occur on an airway; airways are the only portions of the airspace directly under the jurisdiction of air traffic control.

Both these airliners apparently were flying "off airways," a type of operation that has been in wide use for many years. In this particular case, these aircraft were being flown through an area equipped with virtually no radio-navigation aids on the course

they were flying, making accurate navigation impossible. Such radio aids—especially those needed for instrument operations—are concentrated on the airways. In this case, however, both pilots chose to make their flights off-airways, an often-used time-saving practice. But pilots electing to fly IFR (under instrument flight conditions) off airways elect to do so deliberately, knowing full well that they do not have the full protection of air traffic control when they do so. This type of instrument flight operation has been a source of debate and discussion for years, because of the known hazards.

This basic information is well known to all pilots, especially the professionals. The newspaper reports indicate that this was a factor in the collision between these two airliners. According to those reports, the TWA pilot asked ATC (air traffic control) for clearance to fly at 21,000 feet instead of the 19,000-foot altitude he was using. ATC knew of the United flight at 21,000 feet, and told the TWA captain he should not fly at that altitude because of the presence of the United DC–7 there. The TWA pilot, according to press reports, then asked for permission to fly 1,000 on top, and permission was granted.

If these reports are correct, the key to this accident appears to be that "1,000 on top" clearance. All pilots who fly on instruments are thoroughly familiar with the meaning of such a clearance, and the responsibility it places upon them. It means that the airplane so cleared can be climbed upward until it comes out of the top of the clouds into the clear. The regulations specify the 1,000-foot clearance so that other aircraft climbing on instruments up through the clouds will not blindly run into an airplane flying in the clear on top of the clouds, but so close to the clouds that it would be impossible for the other plane to avoid a collision.

However, once any pilot accepts such a clearance, he knows it then is his responsibility to look where he's going, because he's then flying in clear air, and this is VFR (flying under visual flight rules). Now, if this TWA captain did not for some reason manage to get in the clear on top of the clouds before he reached United's 21,000-foot level, he would be obligated—both by law and by ordinary commonsense—to avoid that altitude at all costs. Remember: It is reported that he had been advised not to fly at that altitude because of the proximity of the United DC–7.

What is so deplorable to me, however, is what appears to be deliberate distortion of these facts by some airline proponents, within hours of a terrible tragedy involving two of their own aircraft. They have indulged in quick résumés of the Harding report, particularly the portion that merely quotes the airlines themselves as claiming there are an average of four near-misses a day involving airline aircraft in the United States. They neglect to point out, however, that this still unsubstantiated claim originally dealt with the problem in very busy terminal areas. It was not intended to convey the impression that the off-airways airspace over the Grand Canyon—one of the country's most desolate areas—at 21,000 feet was a major problem.

Unfortunately, a considerable area of mystery will probably surround this accident forever. As I believe I testified before your committee, AOPA has some time ago strongly supported a proposal by the Civil Aeronautics Board to require all United States air transport aircraft to be equipped with automatic flight recorders. These recorders automatically and continuously record each plane's altitude, speed, heading, climb and descent, and any stresses to which the plane's structure may be subjected. These recorders are fireproof, and designed to withstand shocks of up to 100 times the force of gravity.

The airlines' representatives in Washington opposed this proposal, contending such recorders would add nothing to the safety picture, but would involve them in a lot of unnecessary recordkeeping.

Had both these airliners been equipped with these recorders many of the most urgently needed facts relating to this tragedy would become known as soon as the recorders could be found.

Needless to say, we deeply regret this terrible accident. It is most unfortunate that this tragedy must so quickly become the cause of such unwarranted public controversy. It is particularly deplorable that some people would take such an opportunity to deliberately mislead and confuse the public with irrelevant discussions of the air traffic control system and other aspects of the airspace-use problem. I sincerely hope your subcommittee will take a careful look at all these facts.

Sincerely,

MAX KARANT,
Vice President, Aircraft Owners and Pilots Association.

Mr. HUMPHREY of Minnesota. Mr. President, it will be noted from the letter that the vice president of the Aircraft Owners and Pilots Association has asked that the major airlines be required to install in their aircraft flight-recorder instruments, so that there can be a better means of ascertaining what takes place when crashes occur, and furthermore, what takes place in the course of normal flights, which encounter unusual weather conditions.

I feel that the time is at hand for Congress to take some appropriate action about the matter rather than merely to express our regrets to the families of the persons who have lost their lives. The time is at hand really when something should be done.

I have had experience in this field through consultations on former occasions with the Civil Aeronautics Administration.

New equipment is becoming available. The aircraft industry is entering upon the jet age. Soon jet commercial airliners will be in operation. Every conceivable safety precaution must be undertaken, and air traffic control must be greatly improved.

It is estimated by competent authority that between New York City and Miami, Fla., there are about four near collisions every day of the year. Why? Because the Government is not exercising regulatory authority which the basic law concerning air transportation provides.

As one Senator who travels frequently on planes, whose family also travels often on planes, I insist that the Civil Aeronautics Administration and the Civil Aeronautics Board start working for the benefit of the public. The airlines are entitled to all fair protection; but they are required, under the law, to provide safe, modern, comfortable transportation; and it is the duty of the Civil Aeronautics Administration and the Civil Aeronautics Board to make certain that that duty is fulfilled.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article entitled "Inquiry on CAA Urged in Senate," published in the New York Times of July 3, 1956.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INQUIRY ON CAA URGED IN SENATE—SMATHERS SUGGESTS SAFETY AND FLIGHT PROCEDURES MAY NEED OVERHAUL

WASHINGTON, July 2.—A demand for an investigation of the Civil Aeronautics Administration came today from Senator GEORGE A. SMATHERS, Democrat, of Florida. It followed the crash Saturday of 2 airliners in Grand Canyon, Ariz., with the loss of 128 lives.

"If we are to insure the future of commercial aviation, we must closely examine our safety standards and takeoffs, landing and flight procedures," Senator SMATHERS said in a letter to Chairman WARREN G. MAGNUSON, Democrat, of Washington, of the Senate Commerce Committee.

He added:

"I therefore urgently request that you direct the committee to conduct an immediate investigation of the Civil Aeronautics Administration as to whether or not their present operations are keeping up with the increase in the volume of air travel, plane speeds, limitations of airspace, and the demands made upon it by commercial and military needs."

Meanwhile, the Civil Aeronautics Board said it would hold a public hearing on the crash as soon as possible. It probably will be held in Los Angeles, the city from which the two planes took off.

In other Washington developments:

Milton W. Arnold, vice president of the Air Transport Association, said it is his guess that no air traffic control system could have prevented the crash of the airliners.

Mr. Arnold, testifying before a House Government Operations Subcommittee that has been studying the Government's role in civil aviation, said no absolutely foolproof ssytem could be developed to prevent aerial collisions.

"There are still going to be mistakes," he said. "Human beings and machines are not going to function perfectly."

Max Karant, vice president of the Aircraft Owners and Pilots Association, an organization of private plane owners and pilots, said "a considerable area of mystery will probably surround this accident forever." He suggested the Civil Aeronautics Board require all transport aircraft be equipped with automatic flight recorders.

"Had both these airliners been equipped with these recorders many of the most urgently needed facts relating to this tragedy would become known as soon as the recorders could be found," he said.

The aeronautics board assigned Robert W. Christ, Chief of the Hearings and Reports Division of its Safety Bureau, to preside over the inquiry into the crash.

The Board said it was "moving forward swiftly" with its investigation. Five accident investigators, working under the direction of William K. Andrews, Chief of the Safety Investigation Bureau, are setting up base headquarters to examine the wreckage.

The Civil Aeronautics Administration has charge of the country's airways, while the Civil Aeronautics Board has jurisdiction over economic aspects of civil aviation, including safety.

Mr. HOLLAND. Mr. President, I appreciate the timely remarks made by the distinguished Senator from Minnesota. All of us have the deepest sympathy for all those who sustained tragic losses in connection with the collision, or the apparent collision, to which the Senator has referred.

I desire the record to show that the Civil Aeronautics Administration has made very strong recommendations for the improvement of facilities, and that

the CAA is in the course of carrying out those recommendations.

The recommendations call for the expenditure of $246 million for new flight control facilities alone in a period of 5 years, of which this is the first year.

I am glad to advise the distinguished Senator from Minnesota that the Senate backed up its Committee on Appropriations, which in turn was backing up the CAA in its insistence that $40 million of that amount, or all that could be properly expended in the first year of the 5 years, should be made available in the appropriation bill which was passed only a few weeks ago.

The Senator may recall that the other House had felt that perhaps some diminution of the amount could be effected this year. There was a question, and there is a question, whether the whole $40 million can be expended this year. But the Senate committee felt that if we erred at all, it should be in favor of adopting the full program as recommended. So the Senate committee recommended that the full $40 million requested be appropriated.

I am happy to say that in conference the House too agreed that if we erred, it should be on that side. So the full $40 million is available.

I hope and believe the Senate will see through to its finality the important program in connection with the installation of the improved regulatory and safety facilities which the CAA, the civil airlines, and the Department of Defense are insisting upon.

I call attention to the fact that not only is safety in civilian travel involved in this matter, but, equally, the safety of travel by air of literally millions, in the course of a year, of our uniformed personnel is involved. We are moving in that direction as rapidly as it is possible for us to move, insofar as supplying appropriations is concerned.

I want the distinguished Senator from Minnesota and the public to know that Congress is not unaware of the difficulties and the necessities encompassing this problem, and is backing up 100 percent the forward movement of CAA, civil aviation, and military aviation in the joint effort to procure, just as quickly as possible, a much improved system of flight control, through, as a first step, the installation of modern flight-control equipment involving radar and many other devices with which the Senator is familiar.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator from Florida yield at that point?

Mr. HOLLAND. I yield.

Mr. HUMPHREY of Minnesota. I wish to commend personally the Senator from Florida for his leadership in this matter. I recall that a year ago at the time of the consideration of the appropriation bill, and again this year, the Senator spoke on this subject. What the Senator describes is very reassuring, and indicates the active interest and the willingness of Congress to proceed with the installation of the most modern equipment. I think that the airlines should utilize the modern equipment now available, which has been tested scientifically and proved to be acceptable. I think the two run together. Just as the Government provides radar equipment on public airways and public installations, so it is now possible for the airplane itself to be equipped with radar. I have been on flights where such radar equipment has been used.

The point I am trying to make is that I know that a very highly perfected and thoroughly effective flight recorder instrument is available. It has been tested by United Airlines, Braniff International, K. L. M., the Dutch airlines, and Air France. I hope that the few dollars involved in the cost of the installation of such equipment will not prevent our airlines from accepting this equipment.

The PRESIDING OFFICER (Mr. MUNDT in the chair). The Chair reminds the Senator that the Senate is now in the morning hour and is operating under the 2-minute rule. The Senator's time has expired under that limitation.

Mr. HOLLAND. Mr. President, I ask unanimous consent that I be allowed to proceed for 1 minute more.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Florida may proceed.

Mr. HOLLAND. In concluding, I wish to say that we have the same objectives in mind, in connection with appropriations for the operation and administration of safety apparatus and flight control apparatus, as the CAA, and that this year an appropriation of $126,804,000 was provided for that purpose. That is not quite the amount requested by the CAA, but the Senate did try to provide the full amount. Without at all detracting from the fine service rendered in the other body of the Congress, I may say there was a difference of opinion, which was met by some slight reduction from the $128,500,000, which was the full amount requested by the CAA.

We are fully aware of the dangers attendant on the faster and the larger number of planes now operating. Personally, I welcome the fact that the distinguished Senator from Minnesota has called attention to the critical problems, which cannot be too often called to the attention of people who travel, and to the attention of all the public, because all of us have loved ones who travel by air, and whose safety should be safeguarded.

The PRESIDING OFFICER. Is there further business under the morning hour? If not, morning business is closed.

RELINQUISHMENT OF CONSULAR JURISDICTION IN MOROCCO

Mr. GEORGE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2297, Senate Joint Resolution 165.

The PRESIDING OFFICER. The joint resolution will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 165) approving the relinquishment of the consular jurisdiction of the United States in Morocco.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. GEORGE. Mr. President, I desire to say only a few words. The purpose of Senate Joint Resolution 165 is to express approval by Congress of a proposal by the President that he relinquish the consular jurisdiction of the United States in Morocco at such date as he finds it in the best interests of our Nation to do so.

At the present time Morocco is the only remaining country in the world where we exercise the extraterritorial privilege of trying cases before our consular courts. We have renounced this consular jurisdiction in all the other areas where we formerly enjoyed it.

Now that Morocco has achieved its independence, our Government believes that it would be an undesirable invasion of Moroccan sovereignty to insist on retaining what has become a symbol of a colonial era. To relinquish that special privilege, therefore, would be in keeping with the American tradition of encouraging formerly dependent peoples to achieve an equal status among the free nations of the world.

It is important to emphasize, Mr. President, that the rights which would be relinquished pursuant to this resolution are extremely limited. Apart from a theoretical jurisdiction over customs and contraband cases, our consuls, under the treaty of 1836 with Morocco, and the Act of Algeciras, are empowered to exercise jurisdiction only in cases where both parties are American. It applies in criminal cases only where both the accused and the victim are American citizens; and it applies in civil cases only where the defendant and the plaintiff are Americans. In short, it is inoperative in litigations involving an American and the citizen of another country, whether of French or some third nationality. It provides no protection whatsoever for Americans against local individuals, whether private or official.

The committee explored very carefully with the Department of State the reasons for adopting the procedure of congressional resolution to effect the desired renunciation, rather than negotiating a new treaty with the Moroccans requiring Senate approval. I may remark parenthetically that both courses have been followed in the past. After weighing carefully all factors, the committee concluded that it was preferable to proceed by unilateral action, instead of bargaining over extraterritoriality in another treaty. Because Morocco is in a position to denounce our treaty privileges upon giving one year's notice, it seemed clear to the committee that any bargaining power we might appear to have was largely illusory.

Finally, Mr. President, the pending joint resolution has nothing to do with other rights which we exercise in Morocco under existing treaties. We shall still retain the commercial and economic privileges we have hitherto enjoyed.

It is highly desirable, from the standpoint of the executive, and, in the opinion of the committee, from the standpoint of our own relations in the world,

that we renounce this last extraterritoriality privilege which we now enjoy.

Mr. SMITH of New Jersey. Mr. President, as the acting senior minority member of the Committee on Foreign Relations, I rise to give my support to the statement which has just been made by the distinguished Chairman of the Foreign Relations Committee [Mr. GEORGE] on Senate Joint Resolution 165.

As has been noted, the resolution would provide approval by Congress of a proposal by the President to relinquish the consular jurisdiction of the United States in Morocco. By the terms of the joint resolution, this action is to be taken at such time as the President deems appropriate. That could be either in the near future, or at a delayed date, depending upon circumstances.

I wish, Mr. President, simply to stress several points. First of all, I think it is important to assure my colleagues in the Senate that the Committee on Foreign Relations gave extremely careful attention to the joint resolution. Representatives of the Department of State were repeatedly recalled by the committee to supply information bearing upon points which had been brought to the committee's attention by the various groups affected by the joint resolution. A number of American groups in Morocco were invited to present their views. They sent to the committee a spokesman who apprised us of the reasons for their position.

All of us are aware that many Americans are engaged, and have been engaged for numbers of years, in business activities in Morocco. The protection of the rights of these American businessmen in Morocco is a matter which is of the utmost concern to me personally, as it is to other Members of this body. Mention has already been made of the nature of the objections which these groups had raised to the proposal contained in Senate Joint Resolution 165. After a thoroughgoing study of these objections, it was the committee's considered judgment that passage of the joint resolution not only would not injure American business interests in Morocco, but would serve the national interest. Indeed, we would hope that this action, which is an expression of good will on the part of the United States toward Morocco, will result in enhanced good will from the newly independent government toward this country and its citizens in Morocco.

Second, Mr. President, it is very important, too, that all of us recognize that the purposes of the joint resolution are fully in accord with America's traditions. A new Morocco has come into being. As it assumes the responsibilities of self-government, it is fitting that we assist it to attain a status of equality with other nations. By voluntarily renouncing the outmoded concept of extraterritoriality, we shall again demonstrate to the world our sympathy with the aspirations of those who have achieved self-government and the rights and responsibilities appurtenant thereto. The exercise of extraterritoriality to many is tinged with colonialistic connotations, which it is in our interest to erase.

In conclusion, Mr. President, the relinquishment of American consular jurisdiction in Morocco fully appears to be both in the best interests of the newly independent Morocco and in the best interests of the United States.

The PRESIDING OFFICER. The joint resolution is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S. J. Res. 165) was ordered to be engrossed for a third reading, read the third time and passed, as follows:

Resolved, etc., That the relinquishment by the President, at such time as he considers this appropriate, of the consular jurisdiction of the United States in Morocco is hereby approved and sections 1693, 4083 to 4091, inclusive, 4097 to 4122, inclusive, and 4125 to 4130, inclusive, of the revised statutes, as amended, are repealed effective upon the date which the President determines to be appropriate for the relinquishment of such jurisdiction, except so far as may be necessary to dispose of cases then pending in the consular courts in Morocco.

The preamble was agreed to.

AMENDMENT OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. BIBLE. Mr. President, I move that the Senate resume the consideration of Calendar No. 2313, Senate bill 3903; and I particularly call the attention of the Senator from Louisiana [Mr. ELLENDER] to the bill.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 3903) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with an amendment.

Mr. ELLENDER. Mr. President, the bill was introduced by me as chairman of the Committee on Agriculture and Forestry, by request of the Department of Agriculture. The bill was reported by the committee in almost the same language as that in which it was referred to the committee, with the exception of an amendment which was added at the behest of the distinguished Senator from Florida. The amendment exempts the sales of fruit and fruit products from private stocks under title I of Public Law 480 from the cargo preference laws. In due time, no doubt, the Senator from Florida will discuss that phase of the bill.

Mr. President, I understand that the question in reference to the cargo preference law was taken up by the Senator from Florida with the distinguished senior Senator from Washington [Mr. MAGNUSON] and I also understand that as the result of a conference between the two Senators, an amendment which will be proposed by the Senator from Florida will meet with the approval of the Senator from Washington.

Mr. President, the purpose of the bill, with the committee amendment, may be stated as follows. As thus proposed to be amended, the bill would—

First. Increase the limitation on transactions which might be carried out under title I of Public Law 480, 83d Congress—sale of agricultural commodities for foreign currency—from those calling for appropriations of $1.5 billion to those calling for appropriations of $3 billion.

Second. Permit foreign currencies acquired under that title to be used to provide assistance to schools, libraries, and community centers abroad founded or sponsored by citizens of the United States and serving as demonstration centers for methods and practices employed in the United States.

Third. Amend section 304 of Public Law 480, to restrict its effect to sales for foreign currency under title I, and thereby permit barter with Iron Curtain countries.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point letters from the Department of Agriculture and the Department of State, indicating their interest in this measure and advocating its passage. Copies of the letter appear on pages 10 and 11 of the report.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 17, 1956.

The PRESIDENT OF THE SENATE,
United States Senate.

DEAR MR. PRESIDENT: There is enclosed a proposed form of bill to amend title I of Public Law 480, the Agricultural Trade Development and Assistance Act of 1954, as amended.

The enclosed form of bill would increase the maximum amount authorized to be appropriated to reimburse the Commodity Credit Corporation for commodities disposed of and costs incurred, under title I of the act, from $1.5 billion to $3 billion.

Enactment of legislation to accomplish this purpose is recommended in order to permit orderly programing during the fiscal year 1957.

Since the inception of the title I program, agreements entered into involve a CCC cost of approximately $1,258,000,000. There is reasonable certainty of exhausting the existing authorization of $1.5 billion within the next 2 months through signature of agreements now in negotiation. It is probable that if funds are available, total programing through the fiscal year will exceed $1.5 billion.

On the basis of experience during the first 2 years under the act, it is anticipated that the programing for the fiscal year 1957, would proceed at about the same rate as programing has taken place in fiscal year 1956. This would require between $700 and $800 million for agreements entered into on a 1-year basis, plus the amount for first year's deliveries under 2- and 3-year programs. Prospects for the negotiation of agreements which would cover deliveries over periods of 2 and 3 years are good, and past experience under the program indicates that such agreements would be desirable. Taking into account the possibilities of forward programing, it is believed that agreements which we might expect to enter into by June 30, 1957, would bring the total of the program on the basis of CCC cost, since the beginning of operations, to approximately $3 billion.

The proposed bill would further amend the act in two respects. It would amend section 104 (h) so as to permit the use of title I currencies in rendering assistance to American-sponsored schools and binational centers provided for under the so-called Smith-Mundt Act. It would repeal section 304 of the act, which would permit the bartering of agricultural commodities with Soviet bloc countries but not sales for foreign currencies to such countries.

The Bureau of the Budget advises that there is no objection to the submission of this recommendation.

Sincerely,

E. T. BENSON, *Secretary.*

DEPARTMENT OF STATE,
Washington, May 31, 1956.

Hon. ALLEN J. ELLENDER, Sr.
Chairman, Committee on Agriculture and Forestry, United States Senate.

DEAR SENATOR ELLENDER: The Department of State wishes to support the recommendation of the Department of Agriculture that title I of Public Law 480, the Agricultural Trade Development and Assistance Act of 1954, as amended, be further amended as indicated by the draft form of bill enclosed with the Department of Agriculture's letter of May 17, 1956, to the Speaker of the House of Representatives.

The Department wishes in particular to stress the foreign policy advantages which may be expected to flow from the enactment of sections 2 and 3 of the proposed bill.

Section 2 would amend section 104 (h) of the act by inserting the following language immediately before the period at the end of the section: "and for the providing of assistance to activities and projects authorized by section 203 of the United States Information and Educational Exchange Act of 1948, as amended (22 U. S. C. 1443)."

This would permit the use of local currencies generated by sales of surplus agricultural commodities to assist American-sponsored schools located in a number of different countries. These schools, which have been founded and supported by the cooperative efforts of United States citizens and foreign nationals, constitute an important American influence because they train so many of the future national leaders of the countries in which they are located and of neighboring countries. They are often regarded as models by the local schools, and their methods are widely copied. However, their budgets are inadequate, with resultant limitation of their physical capacities and inability to hire a sufficient number of qualified teachers from the United States. Public Law 480 funds could do much to correct these deficiencies.

Section 3 would repeal section 304 of the act, thus authorizing greater flexibility in making trade offers involving the disposal of surplus agricultural commodities to the Soviet bloc. The Department of State supports repeal of section 304 because we are convinced that we should, as the President indicated in his agricultural message of January 9, 1956, place ourselves in a position to take advantage of any opportunities clearly to our interest which may develop in the future to find markets in such countries for agricultural products.

Sincerely yours,

ROBERT C. HILL,
Assistant Secretary
(For the Acting Secretary of State).

Mr. ELLENDER. Mr. President, since the beginning of this program, 59 agreements have been signed with 27 countries for the sale of agricultural commodities totaling $1,509,000,000 at Commodity Credit Corporation cost as shown in table I of the committee report. It is estimated that actual procurement will fall short by approximately $47 million, thereby reducing the estimated net obligation to $1,462,000,000. It is apparent that the amount of the authorization is just about exhausted.

In terms of quantity, agreements signed to date represent almost 7.1 million metric tons of commodities. By June 30, 4.4 million tons of this total will have been exported, leaving 2.7 million tons to move during the coming months.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table showing the agreements entered into with various countries, to which I have just referred. The table appears on page 5 of the committee report.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Agreements signed from beginning of program*

[In thousands of dollars]

Country	Date signed	Market value excluding ocean transportation	Ocean transportation	CCC cost, including ocean transportation
1. Turkey	Nov. 15, 1954	18,917	5,517	35,086
2. Yugoslavia	Jan. 5, 1955	37,990	6,214	66,018
3. Pakistan	Jan. 8, 1955	28,084	1,316	39,082
4. Chile	Jan. 27, 1955	4,600	407	7,686
5. Peru	Feb. 7, 1955	3,250	380	6,255
6. Spain	Apr. 20, 1955	19,316	1,684	25,009
7. Argentina	Apr. 25, 1955	5,670	130	8,721
8. Turkey (amendment)	Apr. 28, 1955	4,144	427	6,121
9. Israel	Apr. 29, 1955	7,848	822	13,255
10. Finland	May 6, 1955	5,114	126	5,250
11. Yugoslavia (amendment)	May 12, 1955	6,523	1,309	13,384
12. Italy	May 23, 1955	48,200	1,800	71,708
13. Japan	May 31, 1955	79,026	5,974	111,266
14. Korea	do	14,015	985	15,000
15. United Kingdom	June 7, 1955	15,000	205	15,205
16. Austria	June 14, 1955	5,500	584	8,256
17. Israel (amendment)	June 15, 1955	3,652	678	7,312
18. Thailand	June 21, 1955	1,900	100	2,000
19. Colombia	June 23, 1955	4,900	400	7,072
20. Greece	June 24, 1955	5,400	647	8,665
21. Do	do	7,573	772	12,711
22. Peru (amendment)	June 25, 1955	3,400	400	6,259
Subtotal as of June 30, 1955		330,022	30,887	491,321
23. France	Aug. 11, 1955	650	0	650
24. Peru (amendment)	Sept. 20, 1955	3,000	320	3,320
25. Yugoslavia (amendment)	Oct. 1, 1955	17,900	4,260	42,168
26. Ecuador	Oct. 7, 1955	3,750	270	5,280
27. Spain (amendment)	Oct. 20, 1955	10,000	622	10,622
28. Israel	Nov. 10, 1955	14,740	2,300	26,868
29. Brazil	Nov. 16, 1955	37,150	4,680	77,955
30. Egypt	Dec. 14, 1955	4,818	782	10,682
31. Colombia	Dec. 20, 1955	10,900	700	17,054
32. Argentina	Dec. 21, 1955	24,700	600	25,300
33. Germany	Dec. 23, 1955	1,200	0	1,200
34. Finland (amendment)	Jan. 12, 1956	500	50	980
35. Yugoslavia (amendment)	Jan. 19, 1956	42,600	6,400	77,869
36. Spain (amendment)	Jan. 21, 1956	15,000	1,100	16,100
37. Israel (amendment)	Jan. 31, 1956	900	0	1,760
38. Austria	Feb. 7, 1956	20,800	1,650	33,515
39. Burma	Feb. 8, 1956	20,800	900	31,200
40. Egypt (amendment)	do	4,900	700	11,216
41. Israel (amendment	Feb. 10, 1956	10,000	0	10,000
42. Egypt (amendment)	Feb. 17, 1956	7,348	1,052	16,825
43. Greece (amendment)	do	5,867	233	6,100
44. Iran	Feb. 20, 1956	11,300	916	19,938
45. Pakistan	Mar. 2, 1956	15,000	1,900	30,746
46. Indonesia	do	91,800	4,900	152,969
47. Spain	Mar. 5, 1956	60,000	4,800	79,096
48. Turkey	Mar. 12, 1956	3,700	300	4,000
49. Korea	Mar. 13, 1956	39,700	4,100	59,674
50. Chile	do	32,500	2,100	45,437
51. Spanish-Swiss	Mar. 20, 1956	4,607	393	9,430
52. Finland (amendment)	Mar. 26, 1956	12,100	1,000	18,702
53. Finland (amendment)	Apr. 26, 1956	2,900	465	6,718
54. Paraguay	May 2, 1956	2,600	400	5,170
55. Peru	May 7, 1956	2,470	310	5,420
56. Turkey (amendment)	May 11, 1956	9,700	1,400	20,200
57. Portugal	May 24, 1956	6,300	800	13,400
58. Japan	Feb. 10, 1956[1]	59,900	5,900	108,300
59. United Kingdom	June 5, 1956	12,000		12,000
Subtotal, July 1, 1955, through June 5, 1956		624,100	56,300	1,017,864
Total, all agreements signed through June 5, 1956		954,122	87,190	1,509,185
Estimated shortfall				47,000
Estimated net obligation				1,462,185

[1] Effective May 29, 1956.

Mr. ELLENDER. Mr. President, there are included in agreements signed to date, approximately 158 million bushels of wheat, 57 million bushels of feed grains, 10 million hundredweight of rice, 1.7 million bales of cotton, 124 million pounds of tobacco, 1 billion pounds of fats and oils, 90 million pounds of dairy products, 82 million pounds of fruit and vegetables, 75 million pounds of meat products, and other commodities. At this point I ask unanimous consent to have printed in the RECORD, table 3, which appears on pages 7 and 8 of the committee report, giving the details of these commodities by countries.

There being no objection, the table was ordered to be printed in the RECORD,

TABLE 3.—*Approximate quantities of commodities under agreements signed through June 5, 1956, title I, Public Law 480*

Country	Wheat (1,000 bushels)	Feed grains (1,000 bushels)[1]	Rice (1,000 hundredweight)	Cotton (1,000 bales)[2]	Tobacco (1,000 pounds)	Dairy products (1,000 pounds)[3]	Fats and oils (1,000 pounds)[4]	Poultry (1,000 pounds)	Dry edible beans (1,000 hundredweight)	Fruit and vegetables (1,000 pounds)	Meat (1,000 pounds)	Hay and pasture seeds (1,000 hundredweight)
Argentina							220,000					
Austria	2,025	7,091		42.5	5,900		[5] 16,552			[6] 2,084		
Brazil	18,995	2,205			100		[5] 11,000					
Burma				125.0	1,500	14,385				[6] 2,350		
Chile	4,927			37.6	300	9,900	[5] 105,562				[7] 13,214	55
Colombia	2,612			48.3		3,307	14,141					
Ecuador	560			6.6	323		13,629					
Egypt	10,329											
Finland	3,557	750		36.1	9,990	1,163				[6] 11,000		
France					867							
Germany								3,000				
Greece	3,479	2,366				21,264	44,986					
Indonesia	2,894		5,516	257.2	23,000							
Iran	2,120					11,708	5,773					
Israel	6,426	6,082	7	15.5	550	10,793	18,450		37		[7] 40,000	
Italy	948	1,923		253.8	4,000		33,322					
Japan	30,754	12,227	2,111	308.6	9,629							
Korea	4,122	10,000		102.7	14,000	10,000	20,000				[7] 21,000	
Pakistan			2,300	141.3	3,650	4,000	8,274					
Paraguay	990					3,086	[5] 3,105					
Peru	5,040					621	22,000					
Portugal	3,753											
Spain	[8] 2,446	3,594		[2] 239.6	7,573		[5] 340,293			[6] 66,667	[7] 1,640	
Thailand					2,700							
Turkey	7,784	10,532	215				59,957					
United Kingdom					39,489							
Yugoslavia	44,120			114.4			87,964					
Total agreements	157,881	56,770	10,149	1,729.2	123,571	90,227	1,025,008	3,000	37	82,101	75,854	55

[1] Note following:

	Thousand bushels
Corn	18,662
Oats	4,751
Barley	27,562
Grain sorghums	5,795
Total	56,770

[2] Includes 16,700 bales cotton linters for Spain.

[3] Note following:

	Thousand pounds
Nonfat dry milk	36,219
Evaporated milk	23,535
Butter	11,367
Cheese	2,679
Butter oil and/or ghee	10,426
Ghee	4,000
Whey	2,001
Total	90,227

[4] Note following:

	Thousand pounds
Cottonseed oil	202,781
Cottonseed oil and/or soybean oil	302,463
Cottonseed oil, soybean oil and/or lard	344,194
Linseed oil	8,800
Lard	131,014
Tallow and/or grease	35,756
Total	1,025,008

[5] Entire quantity shown for country is lard except Chile, Paraguay, and Spain which includes lard as follows:

	Thousand pounds
Chile	3,357
Paraguay	1,279
Spain	10,862

[6] Austria, canned fruit and fruit juices, 450,000 pounds, dried fruit, 1,634,000 pounds; Burma, dried fruit; Finland, dried fruit; Spain, potatoes.

[7] Israel and Chile, chilled or frozen beef; Korea, canned pork; Spain, canned hams.

[8] Wheat to be sold to Spain for resale to Switzerland for financing procurement of Swiss goods by Spain.

Mr. ELLENDER. During the fiscal year 1956, the following quantities were shipped under title I of Public Law 480:

Shipments under title I of Public Law 480, fiscal year 1956 [1]

Wheat	bushels	92,000,000
Feed grains	do	25,000,000
Rice	hundredweight	2,600,000
Cotton	bales	490,000
Tobacco	pounds	73,000,000
Vegetable oils	do	535,000,000
Other	do	85,000,000
Export market value		$425,000,000

[1] May and June 1956, estimated.

These commodities are paid for by foreign countries in their own currencies. Payments are based on United States export prices rather than on Commodity Credit Corporation investment and costs. On this basis the foreign currency payments due the United States Government under agreements signed to date total $1,041 million. The planned uses of these foreign currencies are as follows:

Planned uses of foreign currency under title I, Public Law 480 agreements

Uses	Amount	Percent of total
	Millions	
Market development	$20.2	2.0
Purchase of strategic material	8.6	.8
Payments of United States obligations	287.4	27.6
International Education Exchange	9.6	.9
Total United States uses	325.8	31.3
Military procurement	174.0	16.7
Purchases of goods for other countries	24.1	2.3
Grants for multiple trade and economic development	7.5	.7
Loans for multiple trade and economic development	508.6	48.9
Unspecified	1.1	.1
Total	1,041.1	100.0

It is my hope that the amount used as loans for multiple trade and economic development will be kept to a minimum, and insofar as possible, the foreign currencies generated under title I will be used for purposes directly beneficial to the United States, such as the payment of United States obligations abroad or the purchase of strategic materials.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the table appearing on page 9 of the report, showing the planned uses of foreign currency under title I, Public Law 480, under agreements signed through June 5, 1956.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE IV.—*Planned uses of foreign currency under title I, Public Law 480 agreements signed through June 5, 1956* [1]

[In millions of dollars]

Country	Total amount programed (market value including overseas transportation)	Market development (104a)	Purchase of strategic material (104b)	Payment of United States obligations (104f) [2]	International education exchange (104h)	Total United States uses (104a, b, f, and h) [2]	Military procurement (104c)	Purchase of goods for other countries (104d)	Grants for multiple trade and economic development (104e)	Loans for multiple trade and economic development (104g)
Argentina	31.1	0.5		8.9	0.7	10.1		1.0		20.0
Austria	[3] 28.5	.7	0.8	8.5	.2	10.2		2.0		16.0
Brazil	[3] 41.8	.7	2.8	5.5	.9	9.9				31.3
Burma	21.7			21.7		21.7				
Chile	39.6	.8		6.5	.6	7.9				31.7

See footnotes at end of table.

TABLE IV.—*Planned uses of foreign currency under title I, Public Law 480 agreements signed through June 5, 1956* [1]—Continued

[In millions of dollars]

Country	Total amount programed (market value including overseas transportation)	Market development (104a)	Purchase of strategic material (104b)	Payment of United States obligations (104f) [2]	International education exchange (104h)	Total United States uses (104a, b, f, and h) [2]	Military procurement (104c)	Purchase of goods for other countries (104d)	Grants for multiple trade and economic development (104e)	Loans for multiple trade and economic development (104g)
Colombia	16.9	.8	1.0	4.1	.5	6.4		.5		10.0
Ecuador	4.0	.2		.5	.2	.9				3.1
Egypt	19.6	1.0		2.0	1.0	4.0		2.0		13.6
Finland	22.3	.2		21.8	.3	22.3				
France	.7	.6		.1		.7				
Germany	1.2	1.1		.1		1.2				
Greece	[3] 20.5	.5		3.9		4.4			7.5	8.5
Indonesia	96.7	1.0	2.0	16.0	.3	19.3				77.4
Iran	[3] 12.2	.2		3.3	.2	3.7	5.9			2.5
Israel	40.9	.4		8.2	.4	9.0		3.1		28.8
Italy	50.0	1.7	1.0	12.7		15.4		4.6		30.0
Japan	150.8	3.3		17.6	2.1	23.0	8.1	10.9		108.8
Korea	58.8	.5		12.9		13.4	45.4			
Pakistan	46.3	1.6		6.3		7.9	25.9			12.5
Paraguay	3.0	.2		.5	.1	.8				2.2
Peru	13.5	.7		2.5	.6	3.8				9.7
Portugal	7.1	.3		2.9	.5	3.7				3.4
Spain	117.5	2.0	1.0	46.2	1.0	50.2				67.3
Thailand	2.0	.2		1.0		1.3				.8
Turkey	44.1	.7		21.4		22.1				22.0
United Kingdom	27.2			27.2		27.2				
Yugoslavia	123.1	.3		25.1		25.4	88.7			9.0
Total agreements	[3] 1,041.1	20.2	8.6	287.4	9.6	325.8	174.0	24.1	7.5	508.6
Uses as percent of total	100.0	2.0	.8	27.6	.9	31.3	16.7	2.3	.7	48.9

[1] Amounts shown on this table are subject to adjustment when actual purchases have been made.

[2] In order to provide flexibility in the use of funds for United States uses, many agreements provide a total amount to be distributed among the several United States uses. In such instances amounts shown under subsecs. (*a*), (*b*), and (*h*) are the best information available in regard to uses or contemplated uses under these subsections. Balances not otherwise distributed are shown under subsec. (*f*). This distribution is subject to revision when allocations have been completed.

[3] Total amount shown for the following countries includes amounts in excess of amounts provided in agreements, for which currency uses have not been specified:

	Thousand dollars
Austria	$335
Brazil	610
Greece	92
Iran	116
Total	1,153

These unspecified uses represent 0.1 percent of total currency uses.

Mr. ELLENDER. As I have indicated, the table which I have just placed in the RECORD gives a full description of how the money is used, and in what countries.

On the basis of experience during the first 2 years under the act, the Department anticipates that the programing for the fiscal year 1957, will proceed at about the same rate as programing has taken place in fiscal year 1956. This would require between $700 and $800 million for agreements entered into on a 1-year basis, plus the amount for first year's deliveries under 2- and 3-year programs. The Department further reports that prospects for the negotiation of agreements which would cover deliveries over periods of 2 and 3 years are good, and past experience under the program indicates that such agreements would be desirable. Taking into account the possibilities of forward programing, the Department believes that agreements which we might expect to enter into by June 30, 1957, would bring the total of the program on the basis of CCC cost, since the beginning of operations, to approximately $3 billion, which is the amount asked for in the bill.

Mr. President, I ask unanimous consent to have printed in the RECORD, at this point, as a part of my remarks, a brief explanation of the operations of title I of Public Law 480, as prepared by the United States Department of Agriculture. The statement is dated June 1, 1956.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE, FOREIGN AGRICULTURAL SERVICE, FOREIGN TRADE PROGRAMS DIVISION,
Washington, D. C., June 1, 1956.

BRIEF EXPLANATION OF OPERATIONS UNDER TITLE I, PUBLIC LAW 480 PROGRAM (LETTER OF COMMITMENT METHOD OF FINANCING)

Commodity agreements under title I, Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong.), as amended, are entered into with governments of importing countries and provide for payment of commodities in local currency, such currency to be expended as specified in section 104 of the act. Following such government-to-government agreements, the importing country applies to the Foreign Agricultural Service for issuance of purchase authorizations which provide for dollar financing of the commodity sales and specify the conditions under which such financing will be made available. Sales under these purchase authorizations are made by private United States exporters to importers authorized by the importing country. Public announcements are made when agreements are signed and purchase authorizations are issued. Since United States Government funds are used to finance title I sales, certain controls have been established as follows:

1. The Government of the importing country designates certain banks in the importing country and in the United States to participate in the program. The Commodity Credit Corporation issues letters of commitment to the United States banks in the amounts requested by the government of the importing country, the total amount of such letters of commitment being the amount provided for in the purchase authorization. Each letter of commitment names the foreign bank as well as the United States bank and constitutes a commitment by the Commodity Credit Corporation to reimburse the United States bank for payments made under letters of credit for the account of the foreign bank in connection with export sales under the purchase authorization.

2. Foreign importers who make contracts with United States exporters apply to their local banks for letters of credit in favor of the exporter. Just as in normal commercial practice, these letters of credit are paid through correspondent banks in the United States, the only limitation being that the foreign bank must use as correspondent a United States bank holding a CCC letter of commitment naming such foreign bank.

3. The United States banks pay dollars to United States exporters against documentation and drafts in the usual manner; however, instead of debiting the foreign bank for such dollar amounts, the United States banks obtain reimbursement from the Commodity Credit Corporation. The foreign bank then pays the value of the documentation, when received by it, by depositing local currency to the account of the United States Government rather than crediting dollars to the account of the United States bank.

Under this procedure, the United States exporter can assure that the transaction, if otherwise in compliance with the program, will be financed by insisting that his contract be covered by an irrevocable letter of credit, bearing the purchase authorization number, issued or confirmed to him by a United States bank. The letter of commitment is issued to the United States bank with respect to a named foreign bank, not with respect to any particular exporter.

Except in the case of cotton, the United States exporter is not required to report to the Department of Agriculture the contracts entered into. His obligation in this respect is to assure that the required documentation accompanies his draft presented to the bank for payment for the commodity.

Announcements containing the details of title I agreements signed and purchase authorizations issued are mailed to those firms on our FAS–FSD mailing list. If you wish to be placed on this mailing list for automatic receipt of all announcements of title I, Public Law 480 activities, request may be made to the above address or by telephone: REpublic 7–4142, extension 6455 or 5451.

Mr. ELLENDER. Mr. President, that completes the explanation of the bill. I understand that the distinguished Senator from Florida [Mr. HOLLAND] will have something to say about an amendment with reference to exemption of fruit from the cargo preference law.

The PRESIDING OFFICER. The clerk will state the committee amendment.

The amendment of the Committee on Agriculture and Forestry was on page 2, after line 3, to strike out "SEC. 3. Section 304 of the act is hereby repealed." and insert:

SEC. 3. Section 304 of the act is amended to read as follows:

"SEC. 304. (a) The President shall exercise the authority contained in title I of this act (1) to assist friendly nations to be independent of trade with the Union of Soviet Socialist Republics and with nations dominated or controlled by the Union of Soviet Socialist Republics and (2) to assure that agricultural commodities sold or transferred thereunder do not result in increased availability of those or like commodities to unfriendly nations.

"(b) Nothing in this act shall be construed as authorizing transactions under title I or title III with the Union of Soviet Socialist Republics or Communist China or North Korea."

SEC. 4. Sales of fruit and the products thereof from privately owned stocks under title I of the act shall be exempt from the requirements of the cargo preference laws (Public Resolution 17, 73d Cong. (15 U. S. C. 616a) and section 901 (b) of the Merchant Marine Act, 1936 (46 U. S. C. 1241 (b)).

Mr. HOLLAND obtained the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. HOLLAND. Mr. President, I understand that the distinguished Senator from Washington [Mr. JACKSON] wishes to have me yield to him at this point, because he must leave the Chamber on other important business. He wishes to discuss the same question which I desire to discuss briefly after he has concluded.

Mr. JACKSON. Mr. President, I thank my distinguished friend from Florida. I should like to make a very brief statement in connection with the amendment of the distinguished senior Senator from Florida.

Mr. President, speaking for myself and my distinguished colleague [Mr. MAGNUSON], I am glad to advise the Senate that both of us are in complete agreement with the distinguished senior Senator from Florida with respect to the proposed amendment to Senate 3903. We are well aware that the export of fresh fruits and their products has been a problem under the so-called 50–50 legislation. This is particularly so because of the lack of refrigerated shipping space in American vessels. The amendment would exempt fruit and the products thereof from the cargo preference law.

On June 27, 1956 Senator MAGNUSON submitted to the Senate a report from the Committee on Interstate and Foreign Commerce on the influence of cargo preference statutes on the surplus agricultural disposal program. This report was in connection with a bill (S. 2584) which would have exempted the sales of surplus agricultural commodities for foreign currencies from the cargo preference law.

During the hearings the National Apple Association, the International Apple Association, the Dried Fruit Association of California, the California Grape and Tree Fruit League and the Northwest Horticultural Council of Washington all indicated in the testimony and supporting documents that the cargo preference law was impeding sales of their products. There has been considerable correspondence to this effect received by the Interstate and Foreign Commerce Committee.

The report to which I refer, Senate Report No. 2376, states:

"We recognize that export of fresh fruits and their products, * * * particularly to certain areas, are not always susceptible to the advance programing required for the administration of Public Law 664.

The committee found that under existing law the Department of Agriculture could, if it so desired, excuse the movement of these commodities from the 50–50 requirements but that it had not done so.

The amendment would exempt them from the preference law. While it might be said that this is unnecessary legislation, inasmuch as authority already exists, since Secretary Benson will not take advantage of the exemption, both my distinguished colleague and myself are in full agreement with the Senator from Florida that positive action is necessary by the Congress to force the Department to recognize the problem.

In conclusion, let me make it unmistakably clear that neither the senior Senator from Washington [Mr. MAGNUSON] nor I, in approving this exemption, would want anyone to infer that we favor weakening the 50–50 statute in any particular.

As I understand the situation, the facts as presented by the fruit shippers make it imperative that an adjustment be made in the law, because of the lack of refrigerated space to move the cargoes. The 50–50 law clearly, by its very language, was not intended to interfere with the orderly marketing of our agricultural products and byproducts thereof.

I believe that the amendment offered by the distinguished Senator from Florida is in conformity with the overall objectives of the 50–50 exemption. On that basis, my senior colleague and I are happy to support the Senator's amendment.

Mr. HOLLAND. First I wish to thank the distinguished Senator from Washington who, in speaking for himself and his senior colleague, has made it clear that they support the amendment, which, by the way, is a committee amendment, reported in the bill now being considered by the Senate, although it was, in the first instance, offered by the Senator from Florida.

Mr. President, to discuss briefly this situation, if I may, it is certainly nothing but justice that the fruit industries, which have not depended upon price supports from the Federal Government, should be exempted from a provision which is preventing their full participation in this very wise act, an act which is rendering a very great service to American agriculture in general, in offering outlets for surplus agricultural commodities.

The facts, as shown very unmistakably from reports, are that the fruit industries have not participated in any degree at all comparable to their importance with other industries of the Nation in securing the benefits of Public Law 480.

The facts, as shown by table 2 of the committee report, printed on page 6 of the committee report, are these:

Of all the enormous amounts which have been moved under Public Law 480, only three very small amounts of fruits or fruit products have been included up to this date in any of the movements. To Austria there was included a movement of $300,000 worth of fruit products. To Burma, there was included a movement of $200,000 worth of fruit products. To Finland, there was included a movement of $1,200,000 worth of fruit products. That makes a total of only $1.7 million worth of fruit products moved under Public Law 480 up to the present time, out of the immense total which has been moved, as described by the distinguished Senator from Louisiana [Mr. ELLENDER].

Mr. President, the reason for that was not wholly, of course, the existence of the 50–50 cargo preference provision, because, as is shown in the report of the committee, various other handicaps were influential in bringing about this poor result with respect to the movement of fruit and fruit products under Public Law 480.

Those additional reasons are clearly recited in the committee report, and I ask unanimous consent at this time that, as a part of my remarks, there may be printed in the RECORD that portion of the committee report which is relevant to this subject, namely, beginning at the second paragraph on page 2 and continuing through the first complete paragraph on page 3.

There being no objection, the excerpt from the report (No. 2290) was ordered to be printed in the RECORD, as follows:

The committee amendment exempting the sale of fruit and fruit products under title I of Public Law 480 from the cargo preference laws is recommended because of the special problems of that industry both in obtaining refrigerated shipping when needed and in opening, reopening, and retaining export markets in the face of many trade barriers and other handicaps.

Throughout its extensive hearings on agricultural legislation relating to the export of agricultural products, the committee has been impressed by the number of instances in which export markets for fruit and fruit products have been restricted by the actions of foreign governments. Such actions have included preferential treatment to other sources of supply, monetary restrictions, embargoes, quotas, and delays in licensing. Import licenses, when issued, have usually been on a temporary or season basis and when the opportunity to market has been granted, some governments have imposed stipulations which have impaired or destroyed the value of the access. Progress in eliminating these barriers has been discour-

agingly slow despite the keen interest and intensified efforts of the Departments of State and Agriculture.

The production and marketing of fresh and processed citrus and deciduous fruit is a highly important part of our agricultural economy. Prewar, exports of fresh and processed fruits ranked first among all food items and third among all agricultural commodities. The testimony presented at the many hearings on this subject has shown that the fruit industry has had a historic dependency on world markets and has a continuous need for the export of certain varieties, grades, sizes, and specifications, irrespective of whether or not a total surplus exists, if an orderly balanced marketing program is to be secured.

The fruit industry has not asked for mandatory price support but has consistently endeavored to work out its marketing problems by striving to reopen its prewar export outlets and by continuing to improve domestic markets. Adequate distribution of fruit and fruit products can be accomplished only if the industry has continuous competitive access to all world markets.

Because of the special needs of this industry for assistance in solving its export marketing problems the committee recommends that its sales under title I be exempt from the cargo preference laws and further, that special efforts be put forth by the appropriate agencies of this Government under presently available authority and procedures to minimize and overcome such barriers to fruit exports and particularly to provide continuing commercial arrangements in order to remove the present uncertainties arising from annual negotiations.

While the committee has not recommended any amendment of the bill with respect to animal products, it recognizes that many of the problems of the fruit industry are also applicable to animal products and that similar action on the part of the executive branch may be required in many instances with respect to animal products.

There is no question, of course, that fruit and animal products, as well as any other agricultural commodity or product thereof, if determined by the Secretary as provided in section 106 to be in surplus supply, are covered by Public Law 480 without regard to whether the Government owns any stocks of such commodity or product.

Mr. HOLLAND. Mr. President, I also wish to have printed in the RECORD in connection with my remarks a brief excerpt from the testimony of Mr. Gwynn Garnett, Administrator of the Foreign Agricultural Service, Department of Agriculture, presented before the Senate Committee on Interstate and Foreign Commerce, on April 20 last.

I include only this small part of Mr. Garnett's statement:

At the inception of the program it was felt that these four countries, the United Kingdom, Denmark, Norway, and Sweden, presented excellent prospects for using the Title I program to improve and expand our agricultural trade on a continuing basis. Of these four countries, three have not participated at all, and the fourth, the United Kingdom, entered into a single commodity arrangement under very special circumstances, but otherwise is not participating.

We believe that the conspicuous absence of these countries from the program results from the compulsory aspect of cargo preference.

It happens that those countries included in the period prior to World War II some of our very best customers in the purchase of fruits and fruit products produced within the United States.

As further background for the action of the committee, I wish to have printed in the RECORD at this point, as a part of my remarks, a letter dated July 12, 1955, addressed by Mr. M. E. Hearn, export coordinator of the Florida Citrus Mutual, to myself.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FLORIDA CITRUS MUTUAL,
Lakeland, Fla., July 12, 1955.

S. 2253.
Senator SPESSARD L. HOLLAND,
United States Senate, Washington, D. C.

DEAR SENATOR HOLLAND: We understand there is a strong possibility of opposition developing on the floor of the Senate over the 50–50 proviso elimination in this bill, recently approved by the Agriculture Committee.

Insofar as fruits are concerned, we questioned the wisdom of this measure which stipulated that half the cargoes moved by American-flag vessels where Mutual Security Act funds were involved, as far back as February 25, 1954, with the Foreign Operations Administration charged with handling this program. At that time, we pointed out to Mr. Arthur G. Syran, Director of the Office of Transportation in FOA what difficulties were involved in adhering to this condition.

From the practical standpoint of the fruit exporter whose merchandise must move in refrigerated space to assure sound outturns at destination, it has been found that no American shipping concern was interested in diverting scheduled vessels to Florida ports for the European run. When the Spanish citrus freeze hit in early February 1954, we contacted every American shipbroker to find suitable space for the anticipated heavy orange movement out of Jacksonville or Fort Pierce to Rotterdam; the only replies received were from agents of Scandinavian and British shipping concerns. The same thing occurred in the fall of 1954. And, with the exception of an infinitesimal volume going through New York Harbor on regular scheduled European Continent runs by American vessels, every single box of the total volume of 1,500,000 boxes of oranges and grapefruit exported by this State to Europe went by Norwegian, Danish, Swedish, or British boats during the 1954–55 season. There simply are no unscheduled refrigerated boats of United States registry to be found.

The second question raised with the FOA was the matter of freight terms and conditions of payment. In 1954 we were approached by representatives of United States merchant shipping lines operating out of Florida, with the request that we use our influence to get processors to move their canned citrus by American ships. However, United States shipping lines were not prepared either to accept "freight payable at destination by consignee" or "freight payable in currency by country of destination" terms offered by competing foreign lines. To countries overseas, anxious to harbor their dollar reserves, paying for the freight in advance in United States currency was totally unacceptable if that was the requirement of American shipping lines, consequently the overwhelming proportion of the canned citrus exported went on foreign-flag boats. Whether the strict requirements of dollar payment in advance for freight are still in force on United States shipping, we do not know, but the fact still remains that a potentially large volume of business was lost to foreign fleets in past years. And, by giving consistently satisfactory delivery, many European shipping lines are now enjoying steady repeat business from Florida processors exporting to Holland, Germany, Belgium, and other areas.

The third point we raised, and have repeatedly brought up in talks with other fruit trade organizations was that this 50–50 is without question highly discriminatory. As you know, the fruit industry of this country has opposed discrimination in every way, shape, size, and form, not only because we are one of the major victims but also because it hampers the normal flow of international trade and the natural interplay of open competition. We were particularly fearful of the reactions of foreign countries, particularly those maritime nations, traditionally good customers for American fruit, whose international trading deficits are recouped by invisible exports such as shipping and freight receipts. Last December, Mr. J. Henry Burke warned Florida Citrus Mutual's export committee that unless this 50–50 proviso were eliminated from Public Law 480, we could not expect any business in fruits from countries like Denmark and Norway; how accurate his prediction was is shown by the fact that these two markets are closed to us except on highly involved and complicated barter deals.

This 50–50 proviso was the major stumbling block that marred the United Kingdom-United States apple deal in October 1954, and we feel sure Truman Nold will be glad to furnish you with full details on the disastrous results of this delay in the negotiations.

The main pont in the Public Law 480 is that it is a trading bill, not a relief or gift scheme such as section 402 of Public Law 665. In other words, this country is trying to sell some of its agricultural commodities, not give them away. And, as seller, the United States must follow the wishes of its potential customers as to the means of transportation to be used. If it refuses, then there will be no sale in a number of instances.

Assuming freight rates on different methods of transportation to be equal, we believe a buyer has the option of selecting how his purchase will move from a plant to his warehouse. Atlantic Ocean steamship rates are, we believe, the same whether it be American, British, Dutch, or any other line, as these are determined by steamship conference agreements. So, logically, the foreign buyer should be able to choose what line his purchases under Public Law 480 should travel.

One way to settle any possible controversy over the 50–50 elimination would be to make the sales of eligible agricultural commodities on an f. o. b. United States port basis (and the buyer to select his transportation as he wishes), but to stipulate that any strategic materials acquired with the counterpart funds be moved in United States-flag ships. We suggest this as a compromise in the event of a deadlock during the debate of S. 2253 on the floor of the Senate.

At all events, we should like you to know that we warmly support your position on this piece of legislation, and trust that its passage will result in an increased movement of all agricultural commodities to overseas countries.

Most sincerely yours,

M. E. HEARN,
Export Coordinator.

Mr. HOLLAND. Mr. President, I wish also to have printed in the RECORD as a part of my remarks a letter from Mr. Hearn, addressed to the senior Senator from Washington [Mr. MAGNUSON], chairman of the Committee on Interstate and Foreign Commerce, dated February 25, 1956.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CITRUS FLORIDA MUTUAL,
Lakeland, Fla., February 25, 1956.

Senator WARREN G. MAGNUSON,
Chairman, Interstate and Foreign Commerce Committee, United States Senate, Washington, D. C.

DEAR SENATOR MAGNUSON: We deeply appreciate your courtesy and kindness in receiving Mr. Ernest Falk and myself last Wednesday, February 22, when we explained to you the crippling handicaps that face

United States agriculture in selling its products to maritime nations under title I of Public Law 480 as long as the 50–50 cargo preference stipulation applies to this legislation.

This conviction was deepened during a recent visit by a 10-man delegation of the Florida citrus industry to Europe investigating export opportunities for our products.

At a luncheon given by the United States agricultural attaché in the Columbia Club, London on January 17, 1956 to which the Florida delegation and top-ranking members of the British Ministeries of Agriculture, Board of Trade and Treasury were invited, Mr. R. E. Stedman, Under Secretary for the Ministry of Agriculture openly told the group that until such time as the 50–50 preference clause was stricken from title I of the Agricultural Trade Development Act of 1954 (i. e. Public Law 480), his country would not even discuss purchasing an ounce of United States fruits under the act.

Identical statements were made to that portion of the Florida delegation visiting Norway and Demark during the trip. The United States agricultural and commercial attaché to Great Britain and Scandinavia likewise confirmed it. Even the many people in the fruit import trades of these countries, who for years have been desperately anxious to resume normal purchases of United States fruit and fruit products frankly admitted that unless this proviso was repealed, the chances of our securing anything but occasional token shipments through section 402 of the Mutual Security Act looked hopeless.

Proof of the position taken by these maritime countries is shown in the official summaries of sales made under title I of Public Law 480 as of October 14, 1955. With one solitary exception—a sale of $15,200,000 worth of tobacco to England who automatically was raising additional revenue by the excise taxes levied on British tobacco concerns—not one agricultural commodity has been sold to the United Kingdom, Denmark or Norway under this law. Any unbiased parties are emphatic this will continue to be so until the repeal of the 50–50 preference clause.

In a lengthy talk with Mr. R. E. Stedman on February 2, 1956, at the British Ministry of Agriculture, the undersigned was informed that Her Majesty's Government did not dispute the justice and validity of the 50–50 clause under the Mutual Security Act of 1954, Public Law 665, section 402, and title II of Public Law 480 where a definite element of aid was involved. Under title I of Public Law 480, however, the British Government maintains it was Congress' specific intent to place United States agricultural products, currencywise, on an equally competitive basis as those of competing soft-currency countries, and, as such, it can only be reguarded as a trade-facilitating measure. Disposal of the counterpart funds are a purely secondary consideration to the sale itself.

(It might be relevant to note in the sale of $15.2 million worth of tobacco to the United Kingdom, that the British conceded to waive the 50–50 proviso because the counterpart sterling were diverted to mutually beneficial military projects in the form of housing construction for United States Air Force personnel based in England, and this was considered as an aid project.)

Of considerable significance, too, is these maritime nations point out, without fear of contradiction, that even with the currency convertibility problem resolved for United States agricultural commodities, there are many other countries capable of furnishing these products and are highly competitive both qualitywise and pricewice but who do not demand that 50 percent of the tonnage move in their own bottoms. Boiled down to plain cold facts, United States agriculture, to sell, must be in a position to offer identical terms, right across the board, that its competitiors are offering.

Faced with this position, it becomes clear that if we ever hope to sell any substantial amounts of American agricultural products to England, Denmark, and Norway—and it must be remembered they provided an enormous outlet for a wide range of such items prewar—then the 50–50 proviso must be removed from title I of Public Law 480.

Notwithstanding this, we strongly concur with you that our own maritime interests, for national defense purposes, should not be endangered. And it is our belief that if a compromise, mutually acceptable to both agriculture and shipping can be reached, where each group helped in a constructive manner to resolve the other party's problem, such a plan would be infinitely preferable to lengthy hearings and debates in the Senate that might only result in bitterness and resentment.

It was with this in view that we suggested to you last Wednesday, the following solution:

In exchange for eliminating the 50–50 Cargo Preference Act from title I of Public Law 480, add such a stipulation to sections 104 (b) and 104 (d) of that law and, likewise, extend this proviso to cover United States purchases of strategic materials under the Mutual Security Act of 1954, as well as any aid or offshore procurement programs undertaken by the United States Government.

At present all strategic materials acquired under either Public Law 480 or Public Law 665 are not required to move 50 percent in American-flag ships. Yet those purchases are definitely United States-financed commodities. For goods purchased abroad for relief purposes to a third country, these are without question aid programs paid for by this country and the United States merchant marine is entitled to move 50 percent of them in their vessels. Likewise, offshore purchases of materials for airbases overseas (e. g., German cement and steel for United States Air Force bases in Spain) should, by rights move 50 percent in American ships.

Such a plan would not only give the United States merchant marine a fair share in homebound cargoes by carrying these strategic materials (a type of cargo which you believed highly desirable as many American vessels are presently returning home in ballast which hikes their overall operating costs and outbound freight charges), but it would also give it far greater worldwide operating flexibility, as well as being of general overall assistance in maintaining volume revenue.

We are convinced the additional freight business arising from such a plan would offset many times any possible loss that may be incurred by eliminating the 50–50 proviso from title I on outbound shipments.

In our conversation, you indicated that such a plan might prove workable. For our part, we feel confident that a concession such as is requested by agriculture from the merchant marine would be reciprocated by agriculture supporting the merchant marine's request to extend the 50–50 proviso to cover inbound strategic material cargoes, aid programs, and other United States Government-financed projects covered by Public Law 665 and Public Law 480 described above.

As we informed you, we are positive that a partial compromise on title I, such as elimination of specific geographical areas (i. e., England, Denmark, and Norway) from the proviso, or eliminating perishable commodities like fruits, or striking it out from private-stock sales, would be totally unacceptable to these aggrieved maritime nations. Their feeling is that a fundamental basic principle is involved, so that a half-hearted gesture would be worse than none at all.

We sincerely hope that you and Senator HOLLAND can get together on this knotty problem and resolve it to everybody's satisfaction.

Very truly yours,

M. E. HEARN,
Export Coordinator.

Mr. HOLLAND. Mr. President, I do not believe it is necessary to argue this matter in any great detail. It is a fact that the fruit industries have not asked for support by the Federal Government of their production. It is a fact that they had built up quite large outlets, particularly in Europe, before World War II, which they have not been able to regain. It is a fact that they have not participated on a comparable basis with other agricultural industries in programs under Public Law 480. We believe that the adoption of this particular amendment, exempting fruits and fruit products from the provisions of the 50–50 cargo preference requirement will be very helpful in this regard.

We call attention to the fact that there is a logical reason for such exemption, in that fruits and fruit products move either in fresh form, which of course means that they are highly perishable and therefore require refrigeration, or in frozen, concentrated form, in packages which require refrigeration, or in canned form, which while it does not require refrigeration, moves in conjunction with the other two. In other words, a small refrigerator ship coming into one of our ports in Florida customarily moves out with some fresh fruit, some concentrated fruit, and some canned fruit; but there is not enough of the canned fruit alone to constitute a cargo, so as to attract the ship to that port.

Mr. President, I have been particularly appreciative of the very fine cooperation of the Senator from Washington [Mr. MAGNUSON] and his associates on his committee. I see one of them present in the Senate, the distinguished Senator from Maryland [Mr. BUTLER]. Both the Senator from Maryland and the Senator from Washington have been outstanding champions of the United States maritime industry. I like to think of myself likewise as one who has tried to build up that industry in every reasonable way possible. However, they saw our problem and have gone along with meeting it in this way. I wish to express my appreciation to them.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield.

Mr. BUTLER. I thank the Senator for his remarks. I believe a real effort has been made to cooperate with the Senator in trying to meet his problem, without at the same time chipping away at our 50–50 law, which the Senator believes with me is so vital to our maritime industry.

Mr. HOLLAND. I thank the Senator from Maryland. I wish him to know that not only is Florida very vitally interested in this subject, but the fruit industries of the west coast are particularly interested. Not only the fresh-fruit industries, but also industries such as the prune, raisin, and dried-fruit industries, which have customarily had sizable foreign outlets, have joined with industry representatives and Senators from Washington, California, Oregon, Florida,

and Texas in helping to work out this program.

I express not only my appreciation to all members of the Senate Interstate and Foreign Commerce Committee, who have grasped the implications of this problem, but also to all members of the Committee on Agriculture and Forestry. I realize perfectly well that this amendment does not go quite so far as some of us on that committee would like to have it go. However, I believe it will help to solve the most critical of the problems which have confronted us, and, as very definite proof shows, adversely affected us. I am very pleased that all concerned have been willing to recognize this problem and to undertake to find the solution.

I yield again to the Senator from Maryland.

Mr. BUTLER. Mr. President, I was a little perplexed by the fact that the Secretary of Agriculture did not recognize this need and did not do what the law gives him the right to do; namely, to permit the shipment of the products to which the Senator refers, without the adoption of the amendment. Nevertheless, I am perfectly willing to follow the recommendation of the committee, and to support the amendment.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. President, I have an amendment to the committee amendment which I wish to offer at this time. Let me say that it is not only agreeable to the Senator from Washington [Mr. MAGNUSON] and myself, but I believe it is agreeable to the members of the committee. The Senator from Washington called my attention to the fact that sometimes in the past there have been some small supplies of fruit and fruit products which belonged to the Commodity Credit Corporation, and that the wording of the bill as reported by the committee includes the words "from privately owned stocks," which would prevent the application of this exemption to such Government-owned fruit and fruit products in the event that situation should again exist.

The counsel for the Committee on Interstate and Foreign Commerce has collaborated with the counsel for the Committee on Agriculture and Forestry to perfect this amendment, which I now ask to have considered. I understand it is wholly acceptable to all concerned, and I offer it subject to that understanding.

The PRESIDING OFFICER. Is the amendment an amendment to the committee amendment?

Mr. HOLLAND. It is.

The PRESIDING OFFICER. The amendment offered by the Senator from Florida to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 2, lines 19 and 20, it is proposed to strike out "from privately owned stocks."

Mr. HOLLAND. Mr. President, I move the adoption of the amendment. I again explain that it simply broadens the committee amendment to exempt from the 50–50 cargo preference provision the movement of fruit and fruit products, whether they be privately owned or publicly owned, in the event the Government should again, as it has sometimes in the past, owned small stocks of fruit and fruit products.

Mr. BUTLER. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. BUTLER. How would the Government come into possession of the products? I am not quite clear as to that.

Mr. HOLLAND. We have not had such a situation with respect to Florida products, but I understand the Government has, at certain times in the past, obtained stocks of raisins, prunes, and other dried fruits, by purchase. It was thought that this amendment might be desirable in such cases in the future. Certainly, I have no objection to it. In fact, I favor it, because I think it would take care of the situation with reference to those highly perishable commodities wherever they might be, regardless of whether they were privately owned, or publicly owned, or partly privately owned and partly publicly owned.

Mr. ELLENDER. They would need refrigeration.

Mr. HOLLAND. That is correct. There would not be such quantities of them as to permit of refrigerated ships coming into port solely for their movement.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. HOLLAND] to the committee amendment.

Mr. AIKEN. Mr. President, I am glad we are getting around to the enactment of this sort of legislation, because it is badly needed. The Department has about used up its authority to transact business with foreign countries under Public Law 480. We are gradually increasing our trade with foreign countries, which I am sure makes us all very happy. Last year we increased our exports of all normally exported commodities, with the exception of cotton, which did not sell very well in foreign markets.

This year, however, we appear to have already sold for delivery, after the beginning of the new marketing year, possibly as much as 50 percent more cotton than we sold during the past marketing year, excluding the 3 weeks still remaining of it.

However, Mr. President, I am not too happy about the exclusiveness of section 4 which repeals the cargo preference provision as it relates to fruit. I am happy that we are repealing it as it relates to fruit, because that is one very short step in the right direction. However, I hope that our fruit growers will not get their hopes up too high and believe that this is going to restore their foreign markets, because it is not. It may help somewhat in the sale of citrus fruit under Public Law 480, and it may help somewhat the sale of dried fruits, such as prunes and raisins. But I come from a section of the country which does not raise citrus fruits or prunes or raisins. We raise apples. I do not believe there is anything in the bill which will be of much benefit to the apple growers.

Our normal export market for apples is Western Europe. In the past we have done a sizable business in exporting apples to that area of the world. Most of the apples exported from the United States to Western Europe have been shipped from New England, New York, the Appalachian region, Virginia, and surrounding States, and the Pacific Northwest.

When the 50–50 cargo preference provision was enacted, the countries of Western Europe did not like it very well, and, in retaliation, they shut off our imports of apples into those countries. I do not believe we have exported an apple to Great Britain since this provision took effect.

Norway has canceled contracts with us, and other countries have done likewise. It was not that the cargo preference provision applied to apples which made them embargo our fruit, but because it applied to heavier commodities such as grains and cotton. That put them in a mood to retaliate.

So, Mr. President, I do not believe that simply exempting fruit and fruit products in connection with the 50–50 cargo preference provision is going to be of any particular advantage to our apple growers.

I am sorry that this provision stops where it does. Certainly, our fruit growers are entitled to it, and, also, our dairy producers are entitled to the same consideration, because dairy products have to be shipped in refrigerated ships. While this provision does not mean much as it relates to the export of apples, it would have been of material benefit had it been applied to dairy products, because the countries to whom we shipped dairy products are not in a mood to retaliate because of the 50–50 cargo preference provision, as they do not have shipping themselves. The largest buyers of dairy products are Venezuela and the Philippines. Very little in the way of dairy products goes to the nations which object to the 50–50 provision.

So, Mr. President, I am very regretful that the Chairman of the Committee on Interstate and Foreign Commerce and the committee itself would not include dairy products in this exemption from the cargo preference provision, because it would have been of considerable benefit to the dairy producers. In fact, I think it should have been applied to all perishable commodities. That would include a small amount of meats, poultry, and eggs as well as fruits and dairy products.

So, while I am glad we are getting this bill enacted and glad it contains this provision which may be of slight benefit to our fruit growers, I am sorry we did not go further and extend this section so it would have done some real good in exporting all perishable commodities.

We are building up in foreign countries a market for dairy products. Our exports jumped from about $80 million in 1954 to $113 million in 1955. We are still building them up. Perhaps we are building them up at a loss, but we expected that when Public Law 480 was enacted. We expected to sell our surpluses at a loss, on very favorable terms—long-term credit, and so forth in order to build up permanent markets for American farm commodities throughout the world. I

think that is being done very successfully.

So while I am glad to go along with all we can get, I certainly had hoped that this provision would be much broader than it is.

Mr. HOLLAND. Mr. President, I appreciate the live-and-let-live attitude of the Senator from Vermont. He knows, as I do, that all the apple-shipping organizations of the country have very readily supported the amendment.

Mr. AIKEN. I am certain they have, and for the same reason I support it. It holds out a little hope. We do not know how far we will have to go to get Great Britain, the Netherlands, and some of the other countries to relent from their embargo against American trade. It is possible that if we go a little further, they might meet us halfway.

Mr. HOLLAND. We are hopeful that our friends in Europe are getting fruit hungry. Last year the United Kingdom took about $500,000 worth of canned grapefruit sections under the Mutual Security Act. This year they have considerably stepped up the amount to $1 million worth of canned grapefruit sections and $500,000 worth of concentrated orange juice. This indicates that we are creating a market not only for Florida citrus, but also for California and Texas citrus. Again, the United Kingdom would not take it except under the Mutual Security Act.

I call the attention of the Senator to the fact that practically all the shipping which is equipped to move these products belongs to the Scandinavian countries and the United Kingdom. So I have every feeling that they will be glad to come back into the market as purchasers under Public Law 480. The purpose should be to attract more purchasers of our products, because after all we are relieving a very sore spot by taking this action.

I appreciate the attitude of the Senator from Vermont, because last fall I had the pleasure of eating some of his famous McIntosh apples in Vermont. I hope he will not insist on moving any of them to Europe or anywhere else outside this country, because they are so delicious that I hope he will insist upon selling them to the people of Florida, Maryland, and other States, who I feel certain will be eager and glad to get those marvelous apples from the Green Mountains of Vermont.

Mr. AIKEN. Mr. President, I know that the testimonial from the senior Senator from Florida regarding Vermont McIntosh apples will mean more to the people of our State than it would coming from almost any other individual.

I hope, now that our friends in Western Europe have reached the point of offering less resistance so far as Florida grapefruit are concerned, that soon they will also find their taste for apples is something which has to be satisfied at all costs, and will again permit our fruit to be shipped into the Western European markets.

We probably will not ship many of our Vermont McIntosh apples abroad. We have other varieties, however, which are better shippers. In fact, there are so many people in the United States who insist on having Vermont McIntosh apples to eat that I doubt we would have enough to supply the rest of the world, anyway. The McIntosh grows to perfection only over a limited area of the United States, and grows to its super perfection in the Green Mountains of Vermont.

Mr. HOLLAND. Mr. President, I feel certain that all Senators will join with me in expressing the feeling that we appreciate the modesty of the distinguished Senator from Vermont in mentioning the qualities of his fine McIntosh apples, which I tried to mention first, so as to relieve him from any false feeling of modesty. They are really the best apples I have ever eaten. I cannot believe that he would fail to find an adequate market for them in our own country.

Mr. AIKEN. I realize that when I tell the truth about Vermont products, I lay myself open to being accused of bragging. I try to stick to the truth at all times, as the Senator from Florida knows.

Mr. BUTLER. Mr. President, before the bill is passed with the committee amendment, as amended by the amendment offered by the Senator from Florida, I may say that, in my opinion, all that is being done by the bill could very well be done under section 901 (b) of the Merchant Marine Act of 1936, as amended. However, the amendment meets a situation which is peculiar to a particular field. In my opinion, it is not in any way a retreat from the cargo-preference principle, and certainly is not to be construed as such.

I have the greatest sympathy toward the views of the Senator from Vermont; but I respectfully say to him the opposition to cargo preference does not come from Western Europe; I think the opposition comes from Great Britain and the Scandinavian countries. The Senator from Vermont suggests that that is Western Europe, but I have never quite considered those countries to be Western Europe.

Mr. AIKEN. They are the countries I have in mind. They are maritime countries which object to our cargo-preference law.

Mr. BUTLER. In that connection, I call the Senator's attention to the fact that they are the countries which own all the ships which would carry this type of cargo. Under the act to which I have referred, the departments or the agencies of the Government which would have to make the shipments are authorized, in the absence of American vessels of the type desired, to employ foreign vessels at a reasonable cost.

So I think we are not adding anything at all to the law, and we are not substantially changing the law. I do not believe it is the intention of the Senator from Florida to weaken the law in any particular.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. HOLLAND. Has my amendment to the committee amendment been agreed to?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. HOLLAND] to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

Mr. HUMPHREY of Minnesota. Mr. President, I wish to ask the chairman of the committee a question with reference to title II of Public Law 480, the famine relief and other assistance title, section 201.

The Senator may recall that during the committee session I was somewhat concerned about the so-called relief provisions of title II.

I have checked into the matter further since the time of our discussion in the committee, and I have found that title II, section 201, contains the words: "to any nation friendly to the United States in order to meet famine or other urgent relief requirements of such nation."

The word "urgent" has been interpreted by the agencies of the Government to mean a catastrophic type of relief situation, and not necessarily one which is of a continuing nature. Therefore, it has been rather restricted.

It may be recalled that the Famine and Relief Act of 1953 also had a rather strict interpretation. For example, I find that in South Korea there are from 5 million to 7 million refugees. Of course, the South Korean refugees are being helped considerably through the appropriations under the mutual-security program. Nevertheless, their dietary standards are very low.

I have information with me from the International Cooperation Administration relating to the relief of Vietnam and South Korea which indicates the need of a considerably larger amount of assistance.

In Hong Kong there are 1 million so-called free Chinese who are seeking some measure of assistance in terms of food supplies. In South Vietnam there are still 100,000 refugees who are as yet not resettled.

My point of inquiry is whether or not, by including, after the word "urgent" such words as "or extraordinary," we would thereby give an appropriate interpretation to title II, so as to make it more effective for those areas of the world in which there is more than an immediate, temporary catastrophic type of situation, but, in fact, one that is continuing and of a somewhat long-range nature.

Mr. ELLENDER. I may say to the Senator from Minnesota that the committee did not consider title II at all.

Mr. HUMPHREY of Minnesota. But the Senator may recall that I spoke to the committee about it.

Mr. ELLENDER. I understand that; yes. But the committee dealt with title I only. I suggest that any further broadening of the program with respect to title II be taken up in due course, instead of amending the pending bill without any hearings. It strikes me, Mr. President, we are doing quite a lot for foreign refugees and others about whom the Senator from Minnesota is talking.

Mr. HUMPHREY of Minnesota. Indeed, we are.

Mr. ELLENDER. By making some of these surpluses available to countries under title I, with the bulk of the foreign currency proceeds made available to purchasers on a more or less loan basis, we certainly should be able to a considerable extent to relieve the famine and distress to which the Senator is referring.

Mr. HUMPHREY of Minnesota. I merely desire to point out that the administrative interpretation concerning the word "urgent" has placed a restriction upon the use of commodities under the title II provision relating to famine relief and other assistance. That title reads:

> In order to enable the President to furnish emergency assistance on behalf of the people of the United States to friendly peoples in meeting famine or other urgent relief requirements, the Commodity Credit Corporation shall make available to the President out of its stocks such surplus agricultural commodities (as defined in section 106 of title I)—

Then it goes on, as I cited earlier, and states:

> in order to meet famine or other urgent relief requirements of such nation.

I cannot help but believe the intent of the legislation as it was originally conceived was to provide for the very situations we are talking about. We have been pouring hundreds of millions of dollars into Vietnam. We have been making large expenditures in Korea. The truth is that the requirements of those countries are not being adequately met primarily because of the interpretation which has been placed on this particular part of the law.

I bow to the suggestion of the Senator from Louisiana that since we are discussing a matter which may have some rather far-reaching consequences, it might be much better to take it up after due deliberation and hearings by the committee, but I felt that this was the appropriate place to call it to the attention of the Senator and set the stage for a reappraisal and a redefinition of what we are doing.

Mr. ELLENDER. I may say further that in addition to making the food available under title I, I am sure the Senator is acquainted with the point 4 program which has been in effect in these countries for quite some time and by which we are increasing the agricultural productive capacity of these nations.

Mr. HUMPHREY of Minnesota. Yes.

Mr. ELLENDER. I had occasion to spend several weeks in Formosa and in South Korea last year. I received information that those countries, as well as Vietnam, are producing more food now on the same number of acres than they have ever done in their history. When all of those factors are added together, it strikes me that so called underdeveloped lands are pretty well taken care of except in cases of emergencies to which the Senator has referred. If the language of title II is being misinterpreted by the Department, then, as I said, we can take that matter up in due time early next year.

Mr. HUMPHREY of Minnesota. I think the trouble about interpretation is due to a previous enactment by Congress, before the permanent type of legislation came into effect, and that interpretation of the language still continues.

Mr. President, before the passage of the bill, I wish to make a comment on the question of surplus disposal.

During the course of long hours of the farm debate earlier in this session, I endeavored to make clear, among other things, that administrative understanding and administrative policy could have as much to do with checking falling farm prices and restoring higher prices in the market place as legislative policy itself. I fought vigorously for legislative mandates directing the Secretary of Agriculture to seek higher price levels for farm commodities because, from what I had observed, I lacked confidence in the willingness of the Department of Agriculture under the present administration to take the discretionary action already authorized and necessary to firm up farm prices.

Nothing I have observed since has changed my mind. On the contrary, events of recent weeks have emphasized more than ever that the Department of Agriculture is either satisfied with lower feed prices to the producer, or else it lacks the understanding and know-how to encourage firmer prices in the market place.

Somehow, Secretary Benson has been so frightened by the bugaboo of "surplus" created by Republican propagandists that he lacks either the vision or understanding to deal boldly with the problem of firming up farm prices, apparently being willing to drift with the tide.

Because it is now apparent that some of the hesitancy and fear existing in the Department of Agriculture today regarding any new venture seems to be based upon what Congress might think, I want to make my position clear today as one member of the Senate's Committee on Agriculture and Forestry.

For weeks the Department has had before it recommendations of the private grain trade—both the commercial trade, and the cooperative trade.

These are recommendations which relate to the sale and export of American agricultural commodities. They are good, sound recommendations—from experienced people who know what they are talking about. Yet the Department appears reluctant to accept them, for fear someone will accuse the Department of favoring the private grain trade.

Mr. President, it seems strange indeed that some of us who have worked long and vigorously for an effective farm program—and been often wrongly accused of seeking to socialize agriculture—should now have to speak out in defense of our country's private grain marketing system.

It seems even more strange that an administration supposedly dedicated to furtherance of free enterprise and preservation of free markets should be the most reluctant to serve those very purposes.

Yet that is now the situation that confronts us.

In recent weeks I have had many experienced men from within the grain trade sadly confess that this administration has done more to socialize the marketing of grain than happened under all the previous years of farm programs. I have heard that similar admissions have been made by Republican-appointed officials within the Department of Agriculture, in their frustration over inability to get top officials to recognize the reality of what they are doing.

There is certainly nothing inconsistent about my vigorous efforts to protect producers through effective farm programs being coupled with just as strong a desire to protect our private marketing system. In fact, just the opposite. I hope and believe that an effective farm program is a part and parcel of an equally effective use of our private marketing system. I do not seek a program wherein the Government of the United States will take over the distribution and the marketing of the produce of the farmers. I believe in full utilization of the existing private marketing and distribution facilities. Our farm-loan programs to bolster producer prices were intended to work within the framework of normal trade practices and facilities, not to supplant them entirely with Government sales.

Mr. President, at this point I call to the attention of the Senate the charter of the Commodity Credit Corporation, in which it is expressly stated that the facilities of the Commodity Credit Corporation are not to supplant the existing marketing facilities, but are to supplement, to aid, and to be of help and assistance, rather than to monopolize and to take over. The charter of the Commodity Credit Corporation has always called for making the maximum use of existing marketing facilities, not driving the private trader out of business.

Congress has made clear its intent in that direction on many occasions, including investigations conducted by our agricultural committees to prevent the Commodity Credit Corporation from encroaching on private trade functions in our marketing system.

It does little good for the Government to expand its own sales efforts, if by so doing it competes with the farmers it is supposed to be helping—through just displacing sales of the private trade which would have to obtain grain from the farmers.

Yet that is what this administration has been doing, is still doing, and seems afraid to stop doing.

That is why it presents the strange picture of telling Congress how it has disposed of more surplus than ever before, only to end up having more supplies in Government ownership than ever before.

The truth is that it is not just disposing of surplus; it is following policies which just mean that more and more of the total production must run through Government hands, taking over more and more of the normal markets formerly served by private traders and exporters.

I, for one, do not believe that is the intent of Congress, nor do I believe such an approach solves any problems for farmers.

It is this shortsightedness which is costing us greatly increased storage costs, costs which this administration likes to blame on the price-support programs. The truth is that these costs are multiplied many fold by the administration's policies of administering the price-support programs, not by the price-support programs themselves.

Mr. President, I say it is time to call a halt, and to start at once to reexamine very carefully the methods being used by the Commodity Credit Corporation in the marketing of our commodities.

What is it the grain trade has suggested, but the top officials of the Department of Agriculture seem to be so hesitant to accept? Actually, it is very simple. All that the grain trade requests is that the Government let the private trade handle more of the market it normally handles, so that more grain will move through private hands, and less of it will have to go through Government hands. Mr. President, that is within the full purpose of the Commodity Credit Corporation's enabling act and charter.

I rise today on the floor of the Senate to say that if the present trend continues, the private marketing of grain will be seriously curtailed and crippled. So it is about time for us to decide whether the Commodity Credit Corporation is to be a supplement to the private grain-trade marketing system or whether it is to supplant it. I, for one, understand that it is to be supplementary, and that it is not to preempt the field and take it over.

The grain trade has recommended that prior to the start of each crop year, the Department of Agriculture announce that on and after the start of that crop year, Government grain will not be available for sale for export.

That is not as startling as it sounds. This announcement has, in substance, been made in the past for corn, for barley, and for other coarse grains. As a result, producers of these grains are not required throughout the crop year to compete with the Government as a seller in the market place.

Such an announcement has never been made as to wheat. Throughout the wheat-crop year the Government has continued to make its stocks available for export for International Wheat Agreement sales, for non-International Wheat Agreement sales, and for sales for foreign currency. As a result, little wheat has been purchased in the open market by exporters, and the market prices have remained well below parity and the statutory resale price.

Mr. President, what I am trying to say is that when the Government continues to hold all the supplies, there is only one place for the exporter to go, to obtain his supplies, and that is to the Government. We also find that the Government itself is making direct sales, thereby upsetting a long-established and normal practice in the marketing of grain.

The grain trade has recommended that the Department of Agriculture this year announce that Government wheat will not be available for sale for export, and that following the technique used for 7 years for International Wheat Agreement sales, the Government will pay a cash subsidy to encourage the export sale of wheat purchased in the open market. In a sense, that is what we had under the International Wheat Agreement. The grain trade is asking that that principle be applied to export sales of grain.

Government wheat stocks would still be available for barter transactions and, if necessary, for domestic and foreign-relief programs, such as the programs authorized under title II of Public Law 480 and under the Mutual Security Act.

The trade has recommended also that a cash subsidy be used to encourage exportation of free-market stocks of other grains and the abandonment of sales of Government stocks for export. These sales of Government stocks for export are at world prices well below loan levels.

So, Mr. President, when the Government sells, it is in fact subsidizing the sale. It is a matter of where the subsidy goes. Under Public Law 480 transactions, there is a subsidy. There is a subsidy under the mutual security transactions relating to agricultural exports. The grain trade is asking, "Why does the Government enter into this business, thereby forcing down the normal price levels in the American domestic market? Why not let the grain trade buy in the American market, bidding up the prices, and thereby giving the producers a better price and reducing the amount of subsidy or loss that comes to the Government through an export program?"

Mr. President, these sales of Government stocks for export are, as I have said, at world prices well below levels of the loans made by the Government on that commodity. Because of them, producers regard the loan program as their most satisfactory market. Under them, for each bushel of grain sold, 1 or more bushels of grain are funneled into Government stocks, through the loan program. Because of them, only a limited use is made of the efficient private grain marketing system.

Under the present program, Government stocks increase, and Government costs of handling and storing are increased, not decreased. Under the loan program or under the system presently being operated the producers suffer, and a stage is set where the Government adopts, in effect, State trading procedures, thus depriving grain producers of the chance to obtain in the market place a price approaching parity.

If the Government withdraws its stocks of wheat from sale for export, exporters and others will have to become wheat buyers in the market, as distinct from wheat buyers from the Government. This will tend to bring about a market price approaching parity, and to result in a market price at or better than the loan level. Under such circumstances producers may obtain parity in the market place, and little, if any, wheat will go under loan or have to be turned over to the Government.

The entire basic concept of the price-support loan program was aimed only at holding back from the market enough to force market prices up to a reasonable level. It was never the aim of backers of these programs that the farmer must look to the Government as his only outlet, and that all marketing should be done through the Government.

During the course of the farm debate I told this body:

> Now, if this administration is so afraid of a surplus it should set out to really make these programs work.
>
> When commodities are placed under loan, they are going to end up in Government hands unless the Department can effectively manage its program to stimulate the market up above the loan level. Once the market gets up there, all the Government eventually has to acquire is the real surplus or amount above effective demand, rather than having to take over far more than is actually surplus just because some of it is under loan that farmers cannot repay at going prices.

That is what I warned the Senate last February. And that is what is still happening today.

Every experienced man in the grain trade recognizes this, and they have been trying as I have tried to convince the Department of Agriculture it is true.

I have been pleased to see the grain trade come up with positive recommendations, as experienced traders, to meet some of our surplus and marketing problems. Yet I must say that they are now learning what I learned long ago—it is a difficult task to convince this administration to act, even if it makes good sense to act.

I respectfully suggest that people who have been in the export business for a half century or longer may very well have some good suggestions to offer. They know how to trade in the world market. I think they may know of a little better method of trading in the world market than a surplus-disposal program strictly under Government auspices.

Quite frankly, I withheld public comment on the grain-trade's recommendations for fear of prejudicing them just because they coincided so closely with my own previous suggestions. However, when I heard officials of the Department of Agriculture were hesitating for fear of what the reaction might be in Congress, I did inform the Department that I felt it was a wise course to pursue and well within the intent of Congress. At least, it is a course worth exploring, in the light of the difficulties we have had in marketing our surplus agricultural commodities.

When the Department of Agriculture still refused to act, I became convinced it was time to bring this out in the open.

It is time for the public to see who is really trying to preserve free markets and preserve the private trade, and who is forcing socialization of the grain industry.

Just as I tried to advise Department officials last January and February, the grain trade is advising them now that present policies result in the Government carrying all the inventory risks for the private trade.

Under present procedures, with the Government present each day as a willing seller for export, there is no incentive for grain firms to assume inventory risks of their own. Therefore the Government gets all the inventory, and the private trade looks to the Government rather than to the producer as its source

of supply. The inevitable consequence of this kind of arrangement is to depress prices to producers, and to eliminate the distributors and marketers of agricultural commodities.

These risks are being carried by the Government at the expense of the taxpayer, and to the detriment of the farmer and the farm program.

At no additional expense to the Government, and to the benefit of farmers and the farm program, while providing for a gradual and orderly disposition of Government stocks through barter and relief operations, a cash subsidy, computed as now under the International Wheat Agreement, to reflect the difference between the world price of wheat and the domestic market price, should be placed into operation to get more of this trade back into private hands, into the hands of people who know how to trade, how to sell, and how to find the private markets. Those are the private traders.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a press statement issued by me on January 22, 1956, covering the same point, at the time I was endeavoring to convince the Department of Agriculture of this situation, while we were drafting the new farm bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SENATOR HUMPHREY ASKS FACTS ON SURPLUS *v.* INVENTORY FOR NATION'S NEEDS

Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, called upon the administration yesterday to "tell the Congress and tell the American people what is surplus and what is not in the Government's holdings of farm commodities."

He urged the Senate Agriculture Committee, of which is a member to—

1. Ask the National Security Council to determine what level of supply of various major commodities should be maintained as available, in the public interest, for immediate needs and potential emergency needs.

2. Ask the Department of Agriculture to make known to what extent its present holdings are normal inventory of the commodity trade rather than real surplus beyond total domestic requirements, export needs, and safe reserves.

"Here we are in Congress, asked in the President's message to get rid of our surplus and cut back our agricultural production plant, without the slightest guidance from the administration as to what they mean by 'surplus', or what level of supply they believe should be retained in the public's interest to protect consumers against a future shortage," Senator HUMPHREY said.

"Instead of all the prattle about 'surplus' to hide the failure of its farm program, it is time the administration gave us some facts about where it believes we should draw the line between safe supplies and surplus production.

"Instead of embarking recklessly on a 'get-rid-of-it-at-any-cost' campaign, let us first find out what the Nation's needs are in terms of our growing population, our increased cattle numbers, and our possible emergency needs on the international scene."

If by surplus the administration means everything in the Government's hands, Senator HUMPHREY warned, "it is recklessly misleading the American people at the risk of stampeding us into shortages."

"The truth is that much of the Government's present commodity holdings are the normal inventory of the private commodity trade," Senator HUMPHREY said.

Senator HUMPHREY challenged the administration to reveal the decrease in inventories normally carried in private hands "since it first announced its intention to lower price-support levels."

Much of the so-called surplus problem, Senator HUMPHREY said, is merely getting the private trade to "carry its own inventory, instead of having it carried at Government expense.

"Ever since this administration started lowering price supports and adopting other price-depressant policies, private commodity dealers have reduced their own normal inventories because they knew they could buy back all they wanted whenever they needed it later at lower prices from the Government.

"You cannot expect the trade to carry large inventories of its own as long as it thinks the Government might come along and lower prices. As a result, any surplus disposal program based upon domestic dumping at lower prices means the trade will be even less inclined to increase its own inventories, and our surplus will grow rather than dwindle."

The most effective surplus-disposal policy that could be adopted right now, Senator HUMPHREY said, would be "for Secretary Benson to announce he was going to ask Congress to restore 90 percent of parity for next fall's crop, but that the trade would have 90 days in which it could still buy from the Government at present support levels.

"Private traders would start rebuilding their inventories to normal levels overnight, greatly reducing the stocks in Government hands and drastically cutting Government storage costs," Senator HUMPHREY said.

"If an auto dealer were overstocked, he could not stimulate much business by publicly announcing prices would be lower 6 months from now. But he could attract business now, by revealing prices were going to be raised 6 months from now."

Mr. HUMPHREY of Minnesota. I note in this release that I urged the Senate Committee on Agriculture and Forestry to ask the National Security Council to determine what level of supply of various major commodities should be maintained as available, in the public interest, for immediate needs, and potential emergency needs.

Second, I urged the committee to ask the Department of Agriculture to make known to what extent its then present holdings were normal inventory of the commodity trade rather than "real surplus" beyond total domestic requirements, export needs, and safe reserves.

The people of the United States are not being given factual information. In other words, they are not being told the truth. I want the Department of Agriculture to tell us just what is surplus and what is not. Surplus does not mean every pound and bushel of grain which gets into the Government's hands. Surplus should be regarded as that which is over and beyond the immediate needs of our domestic requirements, estimated export needs, and safe reserves, which are provided under law as set asides in the normal industry or the normal private grain trade. When today we read in the press about agricultural surpluses of grain, we read literally about all the grain that is in the market. The Department of Agriculture has refused to delineate, define, and make precise and certain what is meant by a surplus. Until it does so, it will continue to depress the entire market, to the detriment of the producer and grain trader alike.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a further press statement, issued by me the following day, January 23, 1956, again intended to show how sales policies of this administration were disrupting private trade to the detriment of the farmer.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ROTATING OF CCC STOCKS ASKED TO CURB PRICE-DEPRESSING DUMPING OF CORN

Curbing of the Secretary of Agriculture's authority to "dump" supposedly deteriorating corn or other farm products onto the market at distressed prices, underselling farmers they are supposed to protect, will be asked in the new farm bill today by Senator HUBERT H. HUMPHREY (Democrat, Minnesota).

Protesting what he termed had been a "cruel hoax" seriously depressing the corn market during the past year, Senator HUMPHREY said he would insist that the new farm bill contain a provision requiring the Secretary to replace by purchases of good quality stocks in the open market any commodities he is forced to sell because they are in danger of spoilage.

"The present farm law contains a necessary provision permitting the Secretary to sell rather than hold any commodities in danger of spoiling in storage," Senator HUMPHREY explained. "Nobody objects to that, but the present administration has seized on this power as a 'dumping' vehicle to depress already low prices still further.

"The antispoilage provision was never intended as a market factor. If the Commodity Credit Corporation's holdings are acquired for the purpose of stabilizing prices, as the law requires, then these stocks should be rotated by being replaced with new commodities acquired in the open market whenever it becomes necessary to dispose of deteriorating commodities."

Senator HUMPHREY charged Secretary Benson had been endeavoring to use the "spoilage" loophole as a surplus disposal "tool," regardless of the consequences on the farmer. The result, he declared, has kept the free market far below the price support levels, driving prices down to 60 percent of parity and rendering the support program on corn "ineffective."

"Thousands of bushels of corn have been improperly disposed of in this way at bargain-counter prices, declared 'out of condition' or borderline cases and yet accepted by the trade for normal feed use in direct competition with the products the farmer is trying to sell at decent prices. These supplies have sharply curtailed normal markets available to our farmers, and forced down the entire price level of corn.

"It is far from a secret in the grain trade that corn supplies labeled 'in danger of spoilage' by the Department of Agriculture are being purchased regularly by the trade and used to displace corn that would otherwise have been purchased from farmers.

"Such tactics as these, indicating the Department's williness to undercut the market, have kept private dealers apprehensive about carrying any substantial inventories of their own, aggravating the Department's surplus problem and adding to its storage costs that otherwise would be borne by the private trade.

"In spite of all its lip service to preserving free markets, this is just one more illustration of the way the Department of Agriculture has consistently disrupted normal functions of such markets, led to administered low prices for farm products, and channeled

too great a proportion of our commodities through Government hands," Senator HUMPHREY said.

"No matter what we write in the law, there will be trouble trying to stabilize farm prices as long as we have officials in the Department of Agriculture committed to lowering prices instead of encouraging higher prices. Secretary Benson talks about hopes for more 'buoyancy' in the commodity markets as a result of new farm legislation, but there can not be much 'buoyancy' if traders know the Department is eager to 'dump' its holdings and undersell the normal market at any excuse it can find."

Mr. HUMPHREY of Minnesota. In this particular statement I pointed out the abuse of the so-called antispoilage provision of the farm law. The present farm law contains a necessary provision permitting the Secretary to sell, rather than hold, any commodities in danger of spoiling in storage. I said then, and I repeat, that no one objects to that, but that the present administration has seized on this power as a vehicle for dumping, to depress already low prices still further. I further said:

The antispoilage provision was never intended as a market factor. If the Commodity Credit Corporation's holdings are acquired for the purpose of stabilizing prices, as the law requires, then these stocks should be rotated by being replaced with new commodities acquired in the open market whenever it becomes necessary to dispose of deteriorating commodities.

I pointed out, by fact and example, that thousands of bushels of corn, supposedly in a condition near spoilage, had been dumped on the market to depress corn prices.

I pointed out some very unusual market practices by the Commodity Credit Corporation, in removing from the Midwest millions of bushels of grain and corn and sending them all the way to Seattle, thereby leaving a dearth of supply in the Midwest to meet temporary drought conditions.

Also, at the present time the port of New Orleans is under embargo against further shipments of agricultural commodities, because of a tremendous quantity of grain sent by the Commodity Credit Corporation to the port of New Orleans, utilizing boxcars and literally fouling up the whole transportation system, and at the same time not leaving supplies available in areas of the country where they might very well be needed. Furthermore, the result is excessive freight and other transportation costs both to the Government and to the ultimate purchaser of the supplies.

Very frankly, the Commodity Credit Corporation's operations in the movement of so-called surplus farm commodities is something that needs a very careful investigation. No individual business firm in America would engage in the kind of movement of grain that the Commodity Credit Corporation is presently engaged in.

I rise on the floor of the Senate to protest against what I consider to be very unbusinesslike and very inefficient methods, which are costly, first to the taxpayers, because of the extreme charges for transportation for long hauls; secondly, costly to the producers, by throwing their market out of balance and depressing prices; thirdly, costly to the grain trade, by reason of the fact that the grain trade is denied the right to do the kind of business it is equipped to do by experience.

Mr. President, when this administration first set up its legislative version of the new soil bank it contained further authority for opening the flood gates of CCC holdings so that the Government would be competing even more with the farmer in the market place, taking over the entire market instead of trying to bolster markets for the farmer. When I called attention to this fact, fortunately, even sponsors of the administration version backed away from his provision for using CCC stocks as a means of financing the program—and it is now fortunately omitted from the farm bill.

I pause to relate again, Mr. President, that the recommendation of the administration was to dump more commodities on the market. Had that taken place, it would have depressed farm prices more and more, and it would have jeopardized the entire grain trade.

The trouble is that the administration is so concerned about getting rid of surpluses, no matter how the result is brought about, that it may very well get rid of the whole grain trade, and the farm producers as well.

The administration first built up this bugaboo about surpluses, about these monstrous surpluses, frightening the daylights out of ever consumer and every taxpayer in the country. It first built up this political issue of monstrous surpluses. Now, it must get rid of them. It is getting rid of them, to be sure, at great cost, not only to the taxpayers, resulting ultimately in a loss on the program, but getting rid of them also at a loss to the farmers and the farm trade. There is a way to market farm commodities through surplus sales.

I note the presence in the Chamber of the Senator from New Mexico [Mr. ANDERSON]. As Secretary of Agriculture, he had experience with marketing Commodity Credit Corporation supplies. He did market them without loss to the Government and without jeopardizing the normal free-enterprise trade transactions of the farmers and grain traders and cooperatives. It is a delicate and difficult job, but that is the task of government. The task of government is not to make itself a government warehouse for all commodities. The task and responsibility of government is not to supersede normal marketing operations, and not to take over from private enterprise. The task of government and the responsibility of government is to supplement and to assist and to encourage and to help, and in the process of doing it not to smother or so embrace the whole agricultural structure as literally to snuff out its life.

I know of no valid reason for the Department of Agriculture to reject the grain trade proposals, proposals endorsed by the National Federation of Grain Cooperatives as well as unanimously approved by the members of the National Grain Trade Council.

Such a program can be instituted under existing law. The charter of the Commodity Credit Corporation, the Agricultural Trade Development Act, and the basic support law appear to grant adequate authority to the Department to pay a cash subsidy to aid in exporting agricultural commodities for which support programs exist and as to which there is a surplus.

I pause again to say that we should find out what is surplus. The word "surplus" needs definition. There are statutory factors in the law which can make it possible for the Department of Agriculture to define every 3 months what is surplus and what is normal inventory. Normal inventory must not be confused with surplus, or vice versa. They are separate and distinct.

My personal view has long been that we would be better off turning to a compensatory payment plan for all of our farm price-support programs so that we would have the least possible disruption of normal marketing operations. Eventually, I am sure, even the trade will come to recognize this as the most economical way of meeting the social objectives of a sound agriculture and yet preserving the necessary functions of a free market. But even though that day has not yet fully arrived, a sound step can be taken in the right direction by the approach the grain trade now favors as related to export markets.

To make a cash subsidy available under existing statutory authority—and we believe such authority does exist—will assure maximum use of the usual and customary facilities and channels of private trade, and remove the threat of State trading which increases each day under present programs. I am convinced that these results can be accomplished while permitting producers a chance to obtain a parity price in the market place, but to do it the cash subsidy procedure for wheat should be made available at once to stimulate the free market now—not wait until after all the new crop is in the hands of buyers and out of the hands of producers. There is good evidence to support the contention that such a plan would boost wheat prices to farmers some 12 to 16 cents a bushel.

If I were looking at this farm situation from a political standpoint I suppose I should hesitate to recommend a plan that could advance wheat prices so substantially just before an election. But fair returns to producers is of the first concern to me, win or lose elections—and for that reason I would welcome any action the Department now takes to firm up prices, whether politically motivated or not.

I want the administration to get off dead center and start using some creative and imaginative sound sense and get to work and do something about the export trade problem and about domestic prices before it is too late.

Mr. President, the American Farm Bureau Federation and I have not always seen eye to eye on farm legislation. I suppose that is commonly known in the Senate. However, apparently in this instance we do agree.

The board of directors of the American Farm Bureau Federation, meeting a few days ago in Chicago, recommended substantially the same course of action I have been urging for months and which the entire grain trade is now supporting.

I ask unanimous consent to have printed in the RECORD at this point in my remarks a press release dated June 29 from the American Farm Bureau Federation in Chicago, Ill.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

CHICAGO June 29, 1956.—The board of directors of the American Farm Bureau Federation in quarterly session here today in the Hotel Sherman issued the following statement on recommendations for changes in Commodity Credit Corporation's policies on the sale of wheat for export:

"We have given careful consideration to the Commodity Credit Corporation's present policy with regard to the sale of wheat for export and also to the various proposals for changes in this policy. It seems clear that the CCC's present policy of selling wheat for export at concessional prices at the ports virtually forces exporters to obtain export supplies from the Corporation rather than through normal channels of trade. This reduces the effectiveness of the wheat price support program, and greatly increases the proportion of the current wheat crop which the CCC must take over each year, move to the ports, store, and finally return to trade channels.

"The CCC was established to support farm prices and store surpluses—not to displace the normal channels of trades as a handling and marketing agency. CCC wheat is largely stored in elevators which have the responsibility of keeping it in condition by rotating stocks. Consequently, we see no justification for forcing the use of CCC stocks to supply export markets where the result is to force the CCC to take over a large percentage of the current crop. Accordingly, we recommend that the CCC's wheat export policies be modified on a 1-year trial basis to permit wheat to move into export from both port and interior positions through the normal channels of trade where sales are made under the existing export subsidy and foreign currency sales programs. We further recommend that export subsidy payments under the International Wheat Agreement and related programs be made in kind from CCC stocks rather than in cash, and that the CCC be permitted to continue to supply wheat for export in transactions involving barter, donations, inventory management or the sale of wheat for feed.

"While we feel that increased reliance on the normal channels of trade should improve our ability to export wheat, we are proposing that the above recommendations be adopted on a trial basis so that their effect on the expansion of export trade in wheat can be reviewed after a year of experience. We also fully recognize that other steps are needed to improve our competitive position in the world wheat market. The next step should be a comprehensive revision of our wheat grades to reduce the excessive tolerances for undesirable material now permitted in some grades, and thereby facilitate the export of a better quality product. We therefore urge that the USDA expedite the studies now underway on proposed changes in the wheat grades."

A copy of the federation's board's statement was forwarded to Secretary of Agriculture Benson.

The present policy of the CCC is to move wheat into position for export and domestic storage to suit its convenience, and to sell wheat for export at the ports at prices which are less than the cost of acquiring privately owned grain at interior markets and moving it to port through normal channels of trade.

Mr. HUMPHREY of Minnesota. Mr. President, I ask that my colleagues study this release very carefully. The American Farm Bureau Federation has come out very strongly for a trial run of a type of program of export subsidy payments such as is now used under the International Wheat Agreement, by removing these commodities and selling them in the normal trade channels, and thereby encourage the most favorable market price both at home and abroad.

I believe the philosophy of this approach is also consistent with the resolutions adopted by our other major farm organizations at their most recent conventions.

Mr. President, I should also like to ask unanimous consent to have printed in the RECORD at this point a membership list of the National Grain Trade Council supporting this proposal, together with minutes of the council's May 23 meeting urging such action.

There being no objection, the list and minutes were ordered to be printed in the RECORD, as follows:

NATIONAL GRAIN TRADE COUNCIL,
EXECUTIVE OFFICES,
Washington, D. C.

MEMBERSHIP LIST

American Feed Manufacturers Association, Inc., Chicago, Ill.
American Seed Trade Association, Chicago, Ill.
Barley and Malt Institute, Chicago, Ill.
Grain and Feed Dealers National Association, St. Louis, Mo.
North American Export Grain Association, Inc., New York, N. Y.
Terminal Elevator Grain Merchants' Association, Kansas City, Mo.
Baltimore Chamber of Commerce, Maryland.
Buffalo Corn Exchange, New York.
Chicago Board of Trade, Illinois.
Cincinnati Board of Trade, Ohio.
Denver Grain Exchange Association, Colorado.
Des Moines Grain Exchange, Iowa.
Duluth Board of Trade, Minnesota.
Enid Board of Trade, Oklahoma.
Fort Worth Grain and Cotton Exchange, Texas.
Indianapolis Board of Trade, Indiana.
Los Angeles Grain Exchange, California.
Memphis Board of Trade, Tennessee.
Merchants' Exchange of St. Louis, Missouri.
Milwaukee Grain Exchange, Wisconsin.
Minneapolis Grain Exchange, Minnesota.
New Orleans Board of Trade, Ltd., Louisiana.
New York Produce Exchange, New York.
Omaha Grain Exchange, Nebraska.
Peoria Board of Trade, Illinois.
Philadelphia, Commercial Exchange of, Pennsylvania.
Portland Grain Exchange, Oregon.
St. Joseph Grain Exchange, Missouri.
Salina Board of Trade, Kansas.
San Francisco Grain Exchange, California.
Seattle Grain Exchange, Washington.
Sioux City Grain Exchange, Iowa.
Toledo Board of Trade, Ohio.

ACTION OF NATIONAL GRAIN TRADE COUNCIL DIRECTORS AT MEETING, WEDNESDAY, MAY 23, 1956

The directors, upon motion made and seconded, unanimously voted that the National Grain Trade Council recommended that—

1. The USDA April 6 announcement on sales of Government grain for export be modified to permit, in addition and in preference, to sales of Government grain at seaboard positions, sales of such grain for export on an f. o. b. track interior terminal market basis with the grain so sold to be insulated from use in the domestic market and the buyer required to move to export from the terminal market, where he takes delivery, the same grade and quantity of grain purchased and, as to wheat, in addition to grade and quantity as above, the same protein.

2. The USDA make available a cash subsidy to encourage the export of United States grain, within statutory and budgetary limits; and that to the extent a cash subsidy is not available, a subsidy in kind from Government stocks be available with these stocks to be supplied at seaboard, in store, f. o. b. steamer or track seaboard, or f. o. b. interior markets, as mutually agreed between CCC and the buyer, and, if supplied f. o. b. interior terminal markets, the grain so supplied to be insulated from use in the domestic market and that there be moved to export from the terminal market where supplied the same grade and quantity of grain supplied, and, as to wheat, in addition to grade and quantity as above, the same protein.

3. The chairman and the council's committee is authorized to recommend as to each type of grain a program involving an announced subsidy or, except as to wheat, a bid subsidy procedure as in the committee's judgment will maximize the volume of grain exports.

Mr. HUMPHREY of Minnesota. I am extremely pleased that the Minneapolis Grain Exchange has been in the forefront in advocating this move to get more of the export trade back into private hands, and believe they are doing it conscientiously in the belief it will be best for the producers, best for the Government, and best for the taxpayers.

Mr. President, I can understand the concern in the Department of Agriculture to make a good showing on disposal of its own holdings by sending them abroad. Yet I do not believe anyone in this Senate is fooled by heavy Government sales if it just means the Government has to acquire twice as much as it sells.

I regret to say, Mr. President, that that is, in substance, what has happened. It is time to halt such vicious circles, and this plan, I think, offers a sound way to accomplish it. At least, the basic principles of the plan which has been suggested appear to me to afford an opportunity to do a better job in the sale and disposal of American agricultural commodities.

Much of the problem comes from refusal of the administration to ever decide what is really surplus and what is not surplus. The administration should set one part of the surplus aside and say, "That is what we need for normal requirements, for export needs, and for safe reserves." That is not surplus. That is what we might call normal supply.

I might remind the Department that Government holdings may have no real relationship to what is actually "surplus." A definition of surplus is contained in Public Law 480, and it refers not alone to Government holdings but to

the amount in either public or private hands above and beyond normal domestic demand and anticipated export sales.

It is time for our Government to concentrate on developing additional outlets for the real surplus, instead of merely displacing private marketings so it can report increased sales while still letting its own holdings accumulate bigger and bigger because of the displaced private markets.

It is time to draw a line between straight concessional sales for export and real surplus disposal, by deciding just what is surplus and then channeling export sales back into private hands while we get rid of our surplus through other outlets not disrupting normal sales.

While Congress has told the Department of Agriculture it wants the surplus liquidated, it has not told the Department it wants it to grab the entire market away from private hands to the extent that the Government holdings increase rather than decrease despite heavy sales being reported.

We have given the Department the broadest possible authority for barter programs, for participation in relief programs through voluntary agencies, and for use of food to help carry out economic development programs that stimulate and increase consumption and build future markets.

That is where the Department should be concentrating its surplus disposal efforts, instead of just taking away markets from private traders for the sake of big sales to report to the Congress. Those sales mean nothing if they just displace private sales.

What we need quickly is a firm policy encouraging private traders to go into the market and buy from farmers, to fill export orders. If it takes subsidies to do that, let us have the subsidies—we will be better off to pay them directly and gain the double benefits of higher farm prices and a stabilized private trade, than to pay them indirectly through Government losses and along with it get lower farm prices, increased Government holdings, and liquidation of our private marketing system.

If this administration really believes in free markets—if it really believes in preserving the free-enterprise system—now is the time to show it.

I am calling upon the administration to demonstrate a little political courage and sound economic judgment in reexamining marketing practices, the practices of the Commodity Credit Corporation and the policies of the Department of Agriculture in trying to tie in to all this the utilization of great private resources and to strengthen such private resources in private trade channels and thereby make more orderly the marketing practices of our Government and of our economy.

Mr. President, I am sorry that I had to take this much time. The chairman of the committee desired to pass the bill quickly, but I wish to say, very frankly, that I represent in part a State which has very deep concern about matters such as this, and I have waited for 3½ or 4 months for the Department of Agriculture to make up its mind what it is going to do. I think it is time that someone literally alerted them to the fact that we are not going to stand idly by much longer. I am hopeful that we will get from the Department statistical evidence of what is in surplus. I do not want surplus to be defined as anything the Department can find throughout the country in terms of production.

I want surplus reports to be made on the basis of the definition in Public Law 480, on the basis of statutory enactments of the Congress. I should like to have from the National Security Council what it believes is the necessary, safe reserve for the security of the Nation.

Mr. President, I am a little bit fed up with listening to and reading comments about surpluses which are not truly surpluses at all, but which have a psychological effect on the market in depressing prices and causing the Government to enter more and more into the grain business.

I am somewhat surprised that the Members of the Senate who have been the champions of free enterprise have not recognized what is happening. Frequently small county elevators have had to fight for their rights because of storage policies on the part of the Commodity Credit Corporation. We now often see the big ones in trouble, because no one in America is as big as the Government, and the Department of Agriculture, with loan authority running into billions of dollars—$12 billion or $13 billion—makes any other industry look insignificant.

Mr. President, we are going to consider a bill to extend the loan authority of the Commodity Credit Corporation. If we are going to give the Commodity Credit Corporation from $12 billion to $13 billion worth of capital, then I say we had better make sure that the policies of government do not literally dry up all our normal enterprise system of distribution and marketing.

I wish some good Republican free-enterpriser would start to defend the free-enterprise system for a change and not have to rely on us, who have from time to time been accused of not being friends of free enterprise. I am its friend. I look upon the role of government as a helping hand, not a crushing hand.

I look upon the role of government to be of some supplementary purpose rather than to supplant. I am hopeful that the Department of Agriculture will find the time to look over these remarks. And may I warn them that I shall be back again unless there is something done in terms of policies and practices to correct those which I think are leading to very unjustified and uneconomic procedure.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3903) was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 220. An act conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande;

S. 449. An act for the relief of George Pantelas;

S. 1178. An act for the relief of Mrs. Sylvia Simonson;

S. 1245. An act for the relief of Agnes V. Walsh, the estate of Margaret T. Denehy, and David Walsh;

S. 1616. An act for the relief of Sumiko Ariumi Bilson;

S. 1798. An act for the relief of Mrs. Charles C. Phillips;

S. 2008. An act for the relief of Winifred A. Hunter;

S. 2169. An act for the relief of M. B. Huggins, Jr.;

S. 2240. An act for the relief of James Richard Hogan;

S. 2244. An act for the relief of Maria Novak;

S. 2352. An act for the relief of Major Luther C. Cox;

S. 2690. An act for the relief of William G. Jackson; and

S. J. Res. 163. Joint resolution granting the status of permanent residence to certain aliens.

INCREASE BORROWING POWER OF COMMODITY CREDIT CORPORATION

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2312, Senate bill 3820.

Mr. O'MAHONEY. Mr. President, before action is taken upon the motion, may I ask the Senator from Nevada if it will be in order for me to take the floor and make a few remarks about the automobile dealers' good-faith bill, which passed the Senate last week, without interrupting the progress of the Senate unduly?

Mr. BIBLE. Mr. President, I wish my good friend from Wyoming would defer making his remarks, so that the Senate may proceed to the consideration of this bill. The Senator from Louisiana [Mr. ELLENDER] has been standing by all day today and all day yesterday. I understand it will not take very long to dispose of the measure.

Mr. O'MAHONEY. It was because I expected there might be a situation that I asked my question of the Senator, instead of trying to obtain the floor. Of course, I shall defer my remarks.

Mr. BIBLE. I thank the Senator from Wyoming for his indulgence.

Mr. President, I renew my motion that the Senate proceed to the consideration of Calendar No. 2312, Senate bill 3820.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. ELLENDER. Mr. President, this bill was introduced by me at the request of the Department of Agriculture. When it was first referred to the Committee on Agriculture and Forestry, the request provided for an increase in the borrowing power of the Commodity Credit Corporation from the present $12 billion to $14 billion. In the meantime, it is estimated that an additional amount of $500 million may be needed by next spring and this was added by the committee. Therefore, the bill before the Senate today asks for an increase in the borrowing power of the Commodity Credit Corporation to $14.5 billion.

The primary reason for the Department needing the additional $500 million is the recent passage of the soil-bank program. As Senators will recall, the financing of the soil bank is to be accomplished, for the first year, by the Commodity Credit Corporation. The Department of Agriculture asked for a $2 billion increase on the assumption that amount would be necessary to take care of price-support operations—loans and purchases—for crops now growing. The committee amendment, as I have just indicated, would increase the Corporation's borrowing authority by the additional sum, which we hope will be sufficient to defray the cost of such contracts during the remainder of this year as may be entered into by the Department of Agriculture under the soil-bank program.

As of April 30, 1956, the Corporation had $11.5 billion of its borrowing authority in use. Of this amount, actual borrowings accounted for $10.7 billion, and obligations to lending agencies accounted for $800 million.

Eight billion six hundred million of this $11.5 billion was covered by the CCC's investments under the price support program, consisting of $2.6 billion in outstanding loans, and $6 billion in price-support inventories. The remaining $2.9 billion represented the net investment of the Corporation in items other than price support, including a realized deficit of $1.9 billion and accounts receivable from appropriations providing reimbursement for special programs of $900 million.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a list of programs financed under Commodity Credit Corporation borrowing authority. The regular programs are price support, the National Wool Act, the special milk program, the emergency feed program, forest facility loans, bin purchases, and others, as indicated in this list.

Among the special activities handled through the Commodity Credit Corporation are the programs for eradication of foot-and-mouth disease, brucellosis, and others, also outlined in this list.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF PROGRAMS FINANCED WITH CCC BORROWING AUTHORITY

REGULAR PROGRAMS

Price-support program.
National Wool Act.
Special milk program.
Emergency feed program.
Supply and foreign purchase.
Storage-facility loans and bin purchases.
Commodity export.

SPECIAL ACTIVITIES

Loan to Secretary of Agriculture for agricultural conservation purposes.
Advances for eradication of foot-and-mouth disease.
Advances for eradication of brucellosis in cattle.
Advances for cotton classing and tobacco grading.
Transfer of hay and pasture seed to land administering agencies.
International Wheat Agreement.
Commodity grants for emergency assistance to friendly peoples (Public Law 480, title II).
Sales of agricultural commodities for foreign currencies (Public Law 480, title I).

SOIL BANK

Acreage reserve program.
Conservation reserve program.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an exhibit indicating the quantity and value of commodities pledged for outstanding loans, commodities in the price-support inventory as of April 30, 1956, and the total investment of CCC as of April 30, 1955.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Quantity and value of commodities pledged for outstanding loans and commodities in price-support inventory as of Apr. 30, 1956, and total investment as of Apr. 30, 1955

All figures in thousands]

Commodity	Unit of measure	Investment as of Apr. 30, 1956 [1]						Total investment as of Apr. 30, 1955 [1]	
		Pledged for loans		In inventory		Total			
		Quantity	Value	Quantity	Value	Quantity	Value	Quantity	Value
Basic commodities:									
Corn	Bushel	420,891	$651,397	728,357	$1,275,107	1,149,248	$1,926,504	876,129	$1,436,526
Cotton, extra long staple	Bale	11	2,959	72	26,441	83	29,400	100	34,992
Cotton, upland	do	6,298	1,017,017	6,794	1,251,449	13,092	2,268,466	8,383	1,439,272
Peanuts, farmers' stock	Pound	164,578	18,849	20,892	2,440	185,470	21,289	5,136	535
Rice	Hundredweight	4,310	22,584	24,834	209,421	29,144	232,005	16,825	98,434
Tobacco	Pound	886,570	535,310	136	57	886,706	535,367	807,125	405,683
Wheat	Bushel	91,833	189,918	976,407	2,600,933	1,068,240	2,790,851	1,034,524	2,633,135
Wheat flour [2]	Pound							7	1
Total basic commodities			2,438,034		5,365,848		7,803,882		6,048,578
Designated nonbasic commodities:									
Honey	Pound	434	46			434	46	100	12
Milk and butterfat:									
Butter	do			74,962	44,059	74,962	44,059	329,433	211,904
Butter oil	do			9,431	7,372	9,431	7,372	7,555	6,969
Cheese	do			286,557	111,437	286,557	111,437	387,549	156,079
Milk, dried	do			178,524	30,034	178,524	30,034	221,867	37,636
Whey								60,924	3,568
Tung oil	do			13,286	3,408	13,286	3,408	42,614	10,662
Wool	do			119,903	81,535	119,903	81,535	153,950	102,946
Total designated nonbasic commodities			46		277,845		277,891		529,776
Other nonbasic commodities:									
Barley	Bushel	47,669	40,723	43,591	51,069	91,260	91,792	93,877	106,617
Beans, dry edible	Hundredweight	1,754	11,220	1,932	15,131	3,686	26,351	3,149	23,080
Cottonseed and products:									
Cotton linters	Pound			310,384	31,413	310,384	31,413	700,121	67,456
Cottonseed meal	do			35	1	35	1	14,577	375
Cottonseed oil	do			11,232	1,785	11,232	1,785	373,923	64,047
Flaxseed	Bushel	1,559	4,498	48	166	1,607	4,664	7,894	24,955
Grain sorghum	Hundredweight	40,715	70,449	22,940	57,532	63,655	127,981	64,524	167,148
Linseed oil	Pound			59,375	8,529	59,375	8,529	80,728	14,005

[1] Book value before deduction of reserve for losses. [2] Acquired by exchange of price-support wheat for disposition under Public Law 480, title II.

Quantity and value of commodities pledged for outstanding loans and commodities in price-support inventory as of Apr. 30, 1956, and total investment as of Apr. 30, 1955—Continued

[All figures in thousands]

Commodity	Unit of measure	Investment as of Apr. 30, 1956						Total investment as of Apr. 30, 1955	
		Pledged for loans		In inventory		Total			
		Quantity	Value	Quantity	Value	Quantity	Value	Quantity	Value
Other nonbasic commodities—Continued									
Naval stores:									
Rosin	Pound			274,772	$21,187	274,772	$21,187	335,170	$25,463
Turpentine	Gallon			1,846	1,075	1,846	1,075	2,524	1,408
Oats	Bushel	49,054	$29,448	35,139	31,002	84,193	60,450	72,445	57,832
Olive oil	Gallon							189	485
Rye	Bushel	7,540	7,940	4,734	5,963	12,274	13,903	8,266	11,832
Seeds, hay and pasture	Pound			8,219	2,274	8,219	2,274	29,575	17,287
Seeds, winter cover crop	do							26,668	3,785
Soybeans	Bushel	9,885	19,878	45	101	9,930	19,979	32,188	70,202
Total other nonbasic commodities			184,156		227,228		411,384		655,977
Exchange commodities: strategic and critical materials					140,308		140,308		27,007
Total			2,622,236		6,011,229		8,633,465		7,261,338

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an exhibit which reconciles the CCC investment in price support and borrowing power in use figures, showing how much money is invested in the price-support program, how much is in cash, and how much is in other assets.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Reconciliation of investment in price support and borrowing power in use, as of April 30, 1956

[Millions of dollars]

Investment in price support:	
Outstanding loans	2,622.2
Inventories	6,011.2
	8,633.4
Borrowing power in use:	
Borrowings	10,709.0
Obligations to lending agencies	828.5
	11,537.5
Difference to be accounted for	2,904.1
ITEMS REFLECTED IN BORROWING POWER IN USE, NOT IN INVESTMENT IN PRICE SUPPORT	
Investment in:	
Cash	19.8
Loan to Secretary of Agriculture	
Storage facility and equipment loans	34.6
Inventories other than price support	21.8
Accounts and notes receivable	1,125.9
Accrued assets	7.4
Fixed assets	146.6
Other assets	58.7
Realized deficit	1,892.8
	3,307.6
Less: Financing of assets other than by use of borrowing:	
Accounts payable	30.7
Accrued liabilities	165.3
Trust and deposit liabilities	35.7
Other liabilities	70.1
Deferred income	1.7
Capital stock	100.0
	403.5
Net investment in items other than price support	2,904.1

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table of reimbursable items due the Commodity Credit Corporation as of April 30, 1956. The total is $2,806,183,757, and the various items aggregating this sum are outlined in the exhibit.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Commodity Credit Corporation: Reimbursable items due as of Apr. 30, 1956

Eradication of foot-and-mouth disease	$2,667,471
Eradication of brucellosis in cattle	11,745,451
Cotton classing and tobacco grading	365,722
Transfer of hay and pasture seed	183,345
International Wheat Agreement	158,127,050
Commodity grants for emergency assistance to friendly peoples (Public Law 480, title II)	157,493,818
Sales for foreign currencies	581,358,325
National Wool Act	1,476,521
Subtotal, special activities	913,417,703
Capital impairment:	
Fiscal year 1955	929,287,178
Fiscal year 1956	963,478,876
Subtotal — capital impairment	1,892,766,054
Total	2,806,183,757

NOTE.—The 1957 Agriculture Department and Farm Credit Administration Appropriation Act provides for reimbursement to CCC of $1,200,136,860.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table indicating the status of the statutory borrowing authorization of the Commodity Credit Corporation.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Commodity Credit Corporation—Status of statutory borrowing authorization, assuming 1955 yield and quantities under price support and reflecting Agricultural Act of 1956 (actual, July 1955 through April 1956; estimated for remaining months)

[Millions of dollars]

Month	Fiscal year 1956		Fiscal year 1957	
	In use at end of month	Available for new or expanded activities	In use at end of month	Available for new or expanded activities
July	8,425	1,575	10,527	1,473
August	8,694	[1] 3,306	10,888	1,112
September	9,074	2,926	11,481	519
October	9,649	2,351	12,170	−170
November	10,245	1,755	12,838	−838
December	10,923	1,077	13,474	−1,474
January	11,353	647	13,985	−1,985
February	11,522	478	14,274	−2,274
March	11,436	564	14,293	−2,293
April	11,538	462	14,436	−2,436
May	11,544	456	14,500	−2,500
June	11,694	306	14,637	−2,637

[1] Statutory borrowing authorization was increased from $10 billion to $12 billion approved Aug. 11, 1955.

Mr. ELLENDER. Mr. President, the 1957 Department of Agriculture and Farm Credit Administration Appropriation Act provides $1.2 billion for capital impairment restoration and for the special reimbursable items, to which I have just referred.

The Department's request for this legislation was based upon its estimate, set forth in the table on page 3 of the committee report, that borrowing authority of $13.5 billion would be needed by the end of June 1957.

I ask unanimous consent that the table on page 3 of the report and also the letter from the Department of Agriculture, asking for the increase in the borrowing capacity of the Commodity Credit Corporation, which appears on page 2 of the committee report, be printed at this point in the RECORD.

There being no objection, the table and letter were ordered to be printed in the RECORD.

Commodity Credit Corporation—Status of statutory borrowing authorization (actual, July 1955 through March 1956; estimated for remaining months)

[Millions of dollars]

Month	Fiscal year 1956		Fiscal year 1957	
	In use at end of month	Available for new or expanded activities	In use at end of month	Available for new or expanded activities
July	8,425	1,575	10,422	1,578
August	8,694	[1] 3,306	10,664	1,336
September	9,074	2,926	11,131	869
October	9,649	2,351	11,707	293
November	10,245	1,755	12,274	−274
December	10,923	1,077	12,778	−778
January	11,353	647	13,162	−1,162
February	11,522	478	13,383	−1,383
March	11,436	564	13,355	−1,355
April	11,584	416	13,453	−1,453
May	11,592	408	13,473	−1,473
June	11,689	311	13,552	−1,552

[1] Statutory borrowing authorization was increased from $10 billion to $12 billion approved Aug. 11, 1955.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 4, 1956.

THE PRESIDENT OF THE SENATE,
United States Senate.

DEAR MR. PRESIDENT: This Department recommends the enactment of legislation to increase the borrowing authority of the Commodity Credit Corporation from $12 billion to $14 billion. There is attached a draft of a bill embodying the necessary amendments to accomplish this increase.

As of March 31, 1956, the Corporation had in use $11,436 million of its borrowing power. This consisted of $10,383 million in borrowings from the Treasury and $1,053 million representing obligations to purchase loans held by lending agencies.

We have estimated the additional requirement of $2 billion on the basis of the current production outlook and announced support levels for 1956 crops and an assumption that as large a yield will be obtained on each 1956 crop as was obtained on the 1955 crop, and that the percentage of the 1956 crop placed under price-support loans or purchased will be the same as the proportion of the 1955 crop placed under support. The additional requirement thus estimated amounted to $1,552 million. In our request, however, we have included an additional $448 million to cover possible developments which cannot now be definitely foreseen.

The possible developments include the following:

(*a*) Yields may exceed the 1955 levels (for example, the yield of cotton per acre in 1955 was 416 pounds or 75 pounds greater than the record set the previous year).

(*b*) With larger supplies from past-year's crops in Commodity Credit Corporation inventory, the proportion of the 1956 crop placed under loan or purchased may be greater than for the 1955 crop.

(*c*) Sales of inventories are estimated to be high, and if actual sales do not materialize to the extent anticipated, more borrowing power would be required.

(*d*) If soil-bank legislation is enacted which would require Commodity Credit Corporation financing, it would be desirable to have a margin of borrowing power available to at least initiate the program.

There is attached a schedule showing, by months, the estimated borrowing power to be in use.

The Bureau of the Budget advises that there is no objection to the submission of this proposed legislation to Congress for its consideration.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

Mr. ELLENDER. Mr. President, since that estimate was made, the Agricultural Act of 1956, providing for the soil bank, has been enacted. While the additional needs under the act are difficult to estimate, the Department of Agriculture has furnished the committee with a later estimate that $14.6 billion will be needed by the end of June 1957.

The bill, with the committee amendments, does not provide quite that much, but sufficient borrowing authority will be provided to carry the Corporation through the first few months of 1957, until the estimates of additional needs can be determined.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the latest report from the Commodity Credit Corporation indicating the price support commodities as of June 20, 1956, stocks on hand, sales, and other dispositions.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Commodity Credit Corporation—Report of price-support commodities as of June 20, 1956, stocks on hand, sales, and other dispositions

[Based on records and known commitments in CSS commodity divisions and offices]

Commodity	Unit	Estimated stocks in merchandising position [1]	Estimated total stocks [2]			Sales and other dispositions for the week ended June 20, 1956 [3]			
			Quantity	Approximate cost	Total cost	Sales [4]		Other dispositions [5]	
						Quantity	Sales proceeds	Quantity	Dollar value
Cotton:		*1,000 units*	*1,000 units*	*Dollars per unit*	*1,000 dollars*	*1,000 units*	*1,000 dollars*	*1,000 units*	*1,000 dollars*
Upland	Bale	4,953	4,953	184.207	912,377	1,568	200,023		
Long staple	do	39	39	366.500	14,294	.04	12,000		
Linters:									
1st cut	do	212	222	60.724	16,760				
Mill run	do	54	54						
Dairy:									
Butter	Pound		5,914	.588	3,477	2,470	1,489		
Cheese	do	185,093	195,426	.389	76,021	2,039	798	62	23
Milk, dried	do	128,620	159,718	.168	26,833	4,448	805		
Grain and feeds:									
Wheat	Bushel	798,001	917,874	2.664	2,445,216	9,987	16,772	5.0	15
Corn	do	678,443	695,885	1.751	1,218,495	2,304	3,705	.4	1
Barley	do	20,941	40,696	1.172	47,696	670	765		
Oats	do	33,491	45,394	.882	40,038	110	68		
Grain sorghum	Hundredweight	50,184	54,193	2.508	135,916	428	873		
Rye	Bushel	5,249	10,020	1.260	12,625	97	111		
Rice:									
Rough	Hundredweight	11,024	13,094	5.351	70,066	109	166		
Milled	do	4,905	8,908	12.656	112,740	1,766	11,204		
Oil crops, oils and peanuts:									
Cottonseed oil, refined	Pound	21	21	.159	3				
Peanuts:									
Farmers' stock	do					4,445	238		
Shelled	do					1,995	155		
Tung oil	do	3,021	3,021	.257	776				
Flaxseed	Bushel	10	17	3.453	59	3	9		
Soybeans	do	5	5	2.249	11	.4	1		
Beans, dry edible:									
Baby lima	hundredweight	106	115	6.630	762	6	17		
Great northern	do	170	217	7.020	1,523	8	54		
Pinto	do	375	558	7.690	4,291	27	193		
Small red	do	214	448	7.070	3,167				
Seeds: Hay and pasture: Fescue	Pound	5,995	6,358	.277	1,761	100	3		
Naval stores:									
Rosin	517-pound drums	528	528	39.864	21,048	.1	3		
Turpentine	50-gallon barrels	37	37	29.116	1,077				

[1] Estimated CCC stocks which are in store and not committed for sale or movement.

[2] Estimated total stocks owned by CCC, including stocks shown in col. 1, plus commitments to purchase, less commitments to sell. Includes 2,534,717 bales of cotton and 383,623,096 bushels of wheat set aside and limited as to disposition pursuant to Agricultural Act of 1954.

[3] Does not necessarily indicate physical delivery of commodities.

[4] Includes quantities and amounts indicated on contracts, authorizations, agreements, or other documents evidencing transactions under Public Law 480, commercial sales, transfers to ICA, IWA sales, barter transactions (approximate dollar value of commodities exchanged), transfers to sec. 32 and school-lunch program, and similar disposal transactions.

[5] Includes donations and inventory loss adjustments.

Commodity Credit Corporation—Report of price-support commodities as of June 20, 1956, stocks on hand, sales, and other dispositions— Continued

[Based on records and known commitments in CSS commodity divisions and offices]

Commodity	Unit	Estimated stocks in merchandising position	Estimated total stocks			Sales and other dispositions for the week ended June 20, 1956			
			Quantity	Approximate cost	Total cost	Sales		Other dispositions	
						Quantity	Sales proceeds	Quantity	Dollar value
Wool:		*1,000 units*	*1,000 units*	*Dollars per unit*	*1,000 dollars*	*1,000 units*	*1,000 dollars*	*1,000 units*	*1,000 dollars*
Processed tops and noils	Pounds	138	138	2.062	285				
Pulled, grease	do	1,387	1,387	1.114	1,545	259	203		
Pulled, scoured	do	2,142	2,142	1.464	3,136	78	83		
Shorn, grease	do	107,186	107,186	.643	68,921	181	80		
Shorn, scoured	do	29	29	1.653	48	13	11		
Total					5,240,967		249,829		39
Cumulative: July 1, 1955, through June 20, 1956 (adjusted)							1,725,298		286,035

Mr. ELLENDER. Mr. President, I have nothing further to add to my statement.

Mr. ANDERSON. Mr. President, I desire to ask the chairman of the committee a question. Does he not feel that the program of sales which has been instituted might reduce the need for the additional borrowing capacity? I merely point out that some years ago the borrowing capacity was $4,850,000,000. That was thought to have been a lot of money. Then the borrowing capacity was increased to $7,850,000,000. We thought that was a lot of money. Then the Department pointed out that it needed to raise the amount $10 billion. At that time I objected. I think I was the only one who did, but I said, "If you keep raising the debt limit, you will not begin to dispose of the surpluses." The proof of that is in what has happened. Cotton supplies were built up from 1 million bales to 14 million bales. Corn supplies have been doubled; wheat supplies have been doubled; and supplies of rice have been greatly increased. All this has occurred because there is money available to acquire the surpluses.

The purpose of the Commodity Credit Corporation is not simply to accumulate perpetually, but to move some of these commodities. I wonder if the chairman and the committee have considered the possibility that we may move 5 million bales of cotton in the export trade.

Mr. ELLENDER. The evidence which was submitted to the committee indicated a need for this loan authority, and that, of course, is the reason why we are proposing it. I was not present for all of the hearings, but I was informed that the Department had made a good showing for this amount. As the Senator knows, it is merely borrowing authority. It does not mean that it is money that is going to be actually used, unless it is necessary to do so.

Mr. ANDERSON. I am sure the able chairman of the committee knows that I am not in the slightest degree being critical of the position he has taken on this matter or the position his colleagues on the Committee on Agriculture and Forestry have taken. I have not seen the hearings, if there are hearings. Are there hearings?

Mr. ELLENDER. Yes, sir.

Mr. ANDERSON. Are they printed?

Mr. ELLENDER. No.

Mr. ANDERSON. How is it expected that any of us could look into the question if there are no printed hearings? It is well and good to say "the hearings show," but who sees the hearings?

Mr. ELLENDER. The members of the committee do. I hope the Senator has faith in the committee.

Mr. ANDERSON. I have the fullest faith in the committee. I want the chairman of the committee to know that no one has more faith in the committee than I have. The chairman states that this is merely borrowing authority. We went through that when we increased the authority from $4½ billion to $7½ billion. It was stated that this was merely borrowing power, and they did not have to use it. Then it was suggested that the borrowing authority be increased to $10 billion, and that it was merely borrowing power and they did not have to use it. They did use it. I want to predict that they will use it all if we give them authority.

Mr. ELLENDER. Was the Senator from New Mexico present when I began my remarks?

Mr. ANDERSON. Yes, I was.

Mr. ELLENDER. I stated that there was an amount of half a billon dollars to take care of the financing of the soil bank for the first 6 months of the program.

Mr. ANDERSON. Yes.

Mr. ELLENDER. As the Senator knows, that was provided for in the farm bill which was recently enacted.

Mr. ANDERSON. I grant that. I only say to the able chairman of the committee, who has worked as hard on agricultural problems as has any man I have ever seen in my life, and who I am sure understands he has not only my good will, but my support, that the Secretary of Agriculture has sold nearly 700,000 bales of cotton up to the coming August 1. Now, he is talking about moving 5 million bales. That runs to $750 million. That money will go back into the Treasury of the Federal Government. It will provide one-half billion dollars for the soil bank.

I do not intend to oppose the committee. I merely want to say that whenever we have raised the borrowing authority, the money has been used. The money would not be necessary if the Department of Agriculture would only move the products. A problem for the farmer arises whenever there are enormous stocks. They constitute a great threat to the farmer.

I see that my good friend the Senator from Florida [Mr. HOLLAND] is present. His State had enormous surpluses of citrus fruits. They did not say, "Move these into the Treasury. Get trucks and back them into the Treasury and let Uncle Sam pay." They sat down and said, "We will move these surpluses by merchandising methods"; and they got rid of their surplus of citrus fruits, which was the most difficult type of surplus in the history of this country.

I merely want to point out to my good friend, the able chairman of the committee, that the idea upon which this raise is based is that this year yields may exceed 1955 yields. For example, yields for cotton in 1955 were 416 pounds, or 75 more than the record for the previous year.

Did the Department of Agriculture bring out any reports showing what the figure may be for cotton this year?

Mr. ELLENDER. No. I do not believe that the year is sufficiently advanced so that the Department can tell us.

As my good friend from New Mexico knows, the cotton crop of last year was quite large. I think there were almost 2 million more bales produced on the 1 million less acres that were allotted. It undoubtedly will be necessary for the Government to acquire a great deal of the 1955 cotton crop. Our farmers will not be able to dispose of it. That is one of the reasons why the increased borrowing authority is urgently needed.

Mr. ANDERSON. I do not question that. I only want to say to the able chairman of the committee that if we really start to move 5 million bales of cotton the American consumer of cotton may change his attitude toward acquiring cotton. Heretofore he has felt no necessity whatever for going into the market and buying choice cotton, because there was plenty of it under loan. He did not have to advance money. Whenever he needed it, he took it from under the loan. But if we start to move

5 million bales of cotton, as the Secretary is now doing—and I commend him for it; I only wish he had done it before—then automatically the persons who buy cotton for domestic use will go to the market and say, "We had better protect ourselves. Some of the cotton could be gone."

I cannot help but believe that if every effort were made to move cotton under the laws already enacted, we would not need that money.

Mr. ELLENDER. The Senator is familiar with the bill just passed to increase the selling authority under title I of Public Law 480 from one and a half billion to three billion dollars. We are told that it will require almost $200 million of Commodity Credit Corporation funds to take care of the increased program, because, as the Senate knows, although we will get some of the money back later on, the Commodity Credit Corporation must have the funds in its hands.

Mr. ANDERSON. I point out to the able chairman that when we take a $200 million loss, inventories are automatically decreased about one and a half billion dollars. We do not take a whole loss on the transaction.

Mr. ELLENDER. The Senator knows that under Public Law 480 we do not sell for United States dollars. The goods are paid for in the currencies of the countries where the goods are sold, and at least 49 percent of that local currency is loaned back to the host government. We have to wait until the next year in order to get appropriations to cover those transactions.

Let me also say to my good friend that $166 million will be for the increased cost of price supports for cotton, rice, wheat, milk, and butterfat as a result of the administration's actions in raising support prices on those commodities following the President's veto of H. R. 12. That is included in the amount. Also, there will be $23 million for increased feed grain support prices as a result of the higher price supports provided by the Agricultural Act of 1956.

Mr. ANDERSON. I do not intend to discuss the matter at length, but I see present on the floor the able chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD]. He spends his time trying to hold down the expenditures and hold down Government obligations. We struggle and work hard to try to reduce the debt, which will be attempted in a bill which he is ready to present, by a few billion dollars with one hand, and with the other hand we give it back to the Department of Agriculture and say, "Here are a few billion dollars you may find some use for." It does not make much sense.

That is why I have supported the Senator from Virginia when he has tried to balance expenditures and income. I think we would do well if we said to the Department of Agriculture $12 billion is enough. You ought to be able to do business with $12 billion. All you have to do is move the products and get them out of the road.

Once they were moved, the Department could ask for an appropriation to make good the requirements of the Commodity Credit Corporation; but to capitalize the Commodity Credit Corporation to the extent of $14.5 billion is outrageous.

I say to the Senator from Louisiana, who I am sure, recognizes the fact that I am not saying this in criticism of him in the slightest, that I can recall when a Secretary of Agriculture contemplated less than a half billion dollars worth of commodities and thought he was looking at a tremendously big figure.

Those commodities were scattered all over the earth. They were kept in all sorts of containers, in all sorts of fashions. We thought that was a terrific inventory. After 2 or 3 years of hard work, we reduced that inventory to $200 million or $300 million. To see the inventory go back up to $12 billion or $14 billion is rather hard medicine to take.

I think the Committee on Agriculture and Forestry would do the farmers of the United States a great service if, some day, it would say to the Commodity Credit Corporation, "You have an obligation to get rid of the surpluses, instead of continuing to accumulate them and letting them wrap around the necks of the American farmers."

It is my guess that the predicted yield of 416 pounds of cotton per acre is not going to be achieved this year. We do not always have perfect weather.

Mr. ELLENDER. Of course, if that occurs, and the yield per acre is less than anticipated, there will not be a need for some of the borrowing authority that is being requested.

Mr. ANDERSON. Oh, yes; they would use it anyway; they say, "We have all this money; and we can just put $14 billion worth of commodities in storage, and everything is fine."

I say to the Senator from Louisiana that I do not intend to oppose his bill. I only continue to express the hope that some day we may have some other answer than steadily to increase the borrowing power of the Commodity Credit Corporation, and that, instead, some day we will decide to sell these commodities, and not to expand the amounts of them kept in the warehouses.

Mr. ELLENDER. I share the Senator's views in that respect, and fervently hope with him that the peak will be reached very shortly.

The PRESIDING OFFICER (Mr. SCOTT in the chair). The amendments of the Committee on Agriculture and Forestry will be stated.

The first amendment of the Committee on Agriculture and Forestry was, in line 5, after the word "thereof", to strike out "$14,000,000,000" and insert "$14,500,000,000."

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, on the same page, in line 10, after the word "thereof", to strike out "$14,000,000,000" and insert "$14,500,000,000."

The amendment was agreed to.

THE PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill (S. 3820) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 4 of the act approved March 8, 1938 (52 Stat. 108), as amended, is amended by striking out "$12,000,000,000" and inserting in lieu thereof "$14,500,000,000."

SEC. 2. Section 4 (1) of the Commodity Credit Corporation Charter Act (62 Stat. 1070), as amended, is amended by striking out "$12,000,000,000" and inserting in lieu thereof "$14,500,000,000."

TEMPORARY INCREASE IN PUBLIC DEBT LIMIT

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2421, House bill 11740, providing for a temporary increase in the public debt limit; and I respectfully invite the attention of the Senator from Virginia [Mr. BYRD] to the bill.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 11740) to provide for a temporary increase in the public debt limit.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. BYRD. Mr. President, the Senate Finance Committee has unanimously reported H. R. 11740, fixing $278 billion as a temporary limit on the Federal debt during fiscal year 1957, ending June 30, 1957; and I recommend passage of the bill.

The permanent statutory debt limit is $275 billion. In each of the past 2 years, Congress has passed temporary legislation increasing the limit by $6 billion. The pending bill would cut the temporary increase in half, to $3 billion.

In effect, the bill would require a $3 billion debt reduction and a downward approach to the permanent statutory ceiling. It may be regarded as the first bona fide debt reduction in 26 years.

The debt has been reduced three times before in the 2½ decades; but in each previous instance it was temporary and by inadvertence, not by design. Two of the reductions resulted from contract cancellations following World War II, and the third developed from increasing taxes for the Korean War before the war bills came due.

The present reduction results entirely from the prudent decision to hold current tax rates against unexpectedly high prosperity. Unfortunately, there has been no expenditure reduction to supplement the increased revenue.

While I am measurably pleased with this reduction, I am not completely satisfied. The bill still would authorize a $3 billion temporary increase in the statutory limit. Reduction in the permanent statutory limit is long overdue.

We should never have allowed ourselves, in peace and prosperity, to sink to the position where increase in the debt ceiling was necessary. The situation resulted largely from premature tax reduction which was charged into the debt. Otherwise, we now would be reducing our

burdensome debt downward from the $275 ceiling.

Under current circumstances, reduction in this dangerously high debt is essential to sound government, sound money, and sound tax-reduction.

The country has been at peace for years, and we are on a pinnacle of prosperity. But Federal appropriations and expenditures are continually and unnecessarily rising.

With $140 billion or more in unexpended balances in appropriations, and with other expenditure authorizations already enacted, and virtually out of control with respect to the rate of expenditure, the debt limit is the one remaining spending anchor.

I am sure there would have been no surplus at the end of the past fiscal year, last Saturday, if the temporary debt limit had been higher.

I am hopeful that the reduced debt limit carried in this bill will hold down expenditures in the coming year, result in another surplus, and allow more reductions in the debt.

Without it, I would now predict that the new fiscal year beginning this week would be another one of deficit financing, despite high level tax receipts. I say this in view of the President's budget for the year, the present congressional spending spree, and the spending experience of the past year.

When, a year ago last January, the President submitted his budget message for the year which ended Saturday, he estimated expenditures at $62.4 billion. The budget review of last August revised the estimate to $63.8 billion. The President's budget message this year raised it again to $64.3 billion. The daily Treasury statement of May 31 finally revised it to $65.9. When the bills are paid, the final spending figure probably will exceed $66 billion.

For the new year now beginning, the President in his January budget message estimated expenditures at $65.9 billion. It will be interesting to see how much the estimate is revised in the August budget review. Last year, most of the increases were in domestic-civilian spending. This year, there will be increases in military, foreign aid, and domestic-civilian spending.

We have just appropriated to the military money which the administration said it did not need. We have just authorized foreign-aid money for a dictator who has turned against us. We are increasing funds for practically every domestic-civilian program, including so-called grants to States.

Incidentally, let me say there is no such thing as a Federal grant to States. The money comes from them. Washington makes a deduction for Federal administration; and then the money goes back to the States, less the deduction; and the Federal Government tells the States how to spend it.

With such spending program ahead, the least we can do is lower the debt ceiling. We were able to balance the budget during the past year only because we underestimated revenue. It is a dangerous policy to assume it will happen again. A drop of 10 percent in the national income would not constitute even a recession, but it would put the Federal Government back in the red, increase the debt, and add to interest costs for years to come.

Interest is already taking more than 10 cents out of every tax dollar, and it will increase. Since I have been in the Senate, interest on the Federal debt has cost taxpayers nearly $100 billion. In the next 20 years it will cost our children upwards of $150 billion.

But interest is not the only evil of debt. Since 1940 the value of the dollar has been reduced by nearly 50 cents. The public debt is not the only factor in this decline, but it is a principal one.

Cheapened money is inflation. Inflation is dangerous. It robs wage earners, persons on fixed income, pensioners, and creditors. Once it is started it is exceedingly difficult to control.

Public debt is not like private debt. If private debt is not paid off, it can be ended by liquidation, but if public debt is not paid off with taxes, liquidation takes the form of disastrous inflation or national repudiation. Either is destructive of our form of government.

From 1792, the first fiscal year of the Federal Government, through 1916, Federal deficits were casual and usually paid off in succeeding years. In this 124-year period there were 43 deficit years and 81 surplus years. As late as July 1, 1914, the interest-bearing debt of the United States was less than $1 billion. During Andrew Jackson's administration the debt was paid off completely.

It may be said for the first 124 years in the life of this Republic we were on a pay-as-you-go basis. In that period it can be accurately said that we laid the foundation for our strength today as the greatest nation in the world.

In 1917–19 World War I deficits aggregated $13 billion. Heavy current taxation in those years paid much of the war cost. The next 11 years, to 1931, were surplus years and the war debt was reduced.

Since fiscal year 1931 the Federal debt has been increased by more than a quarter of a trillion dollars.

With such a record, we may be pleased at a $3 billion Federal debt reduction, but not satisfied. There must be more debt reduction regularly.

Tax rates are still near their all-time peak, and they should be reduced. But there can be no sound tax reduction so long as expenditures climb. In fact there can be no sound reduction in taxes until there is a reduction in expenditures.

Expenditures will continue to climb, and there will be no expenditure reduction until Congress and the executive branch combine in a firm control over them.

There can be no firm control over expenditures so long as there are vast unexpended balances remaining in appropriations and other expenditure authorizations already made to the spending agencies.

With this in view, I have advocated for years the single appropriations bill with built-in annual expenditure control, and item vote authority for the President. This year I have joined with Senators KENNEDY and PAYNE, and others, as a patron on a bill to provide for budgeting and appropriating on an annual accrued cost basis.

To date debt limitation is the best instrument we have for expenditure control.

The immediate necessity for the temporary increase in the debt limit lies in the uneven spread in corporation tax collections. There is a revenue valley between July and January. The peaks come in the second half of the fiscal year. Expenditures are constantly high throughout the year.

The revenue peak and valley situation gradually is being remedied over a 5-year period under the Revenue Act of 1954.

In the House of Representatives the pending bill carried unanimously both in the Ways and Means Committee and on the floor.

As now before the Senate, the bill carries a June 30, 1957, expiration date, and without further legislation the debt ceiling next July 1 automatically will be lowered another $3 billion to the permanent statutory limit of $275 billion.

I wish we could do more. Under the circumstances, I hope the Senate will pass the bill unanimously.

Mr. STENNIS subsequently said: I wish to express my appreciation for the enlightening statement made by the Senator from Virginia [Mr. BYRD], and for his fine work and services in connection with the national debt and his unremitting efforts and influence to hold the debt down.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 11740) was ordered to a third reading, read the third time, and passed.

PENALTIES FOR WILLFUL DESTRUCTION OF AIRCRAFT OR MOTOR VEHICLES — CONFERENCE REPORT

Mr. SCHOEPPEL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2972) to punish the willful damaging or destroying of aircraft and attempts to damage or destroy aircraft, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of July 2, 1956, pp. 11640–11641, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SCHOEPPEL. Mr. President, the need for legislation of this character was recognized as a direct result of the willful destruction of a United Air Lines airplane by a bomb, near Longmont, Colo., on the evening of November 1, 1955, killing all 44 passengers. The bill, as approved by the conferees, would amend the Penal Code so as to

include not only United States air carriers in foreign or domestic trade, but charter planes, company planes, and other commercial planes.

The one issue of concern at the conference was the interpretation of the scope of the term "motor vehicles" as defined in the bill. It was agreed that the term "motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, or passengers and property. It does not extend to motor vehicles, including commercial motor vehicles, used merely for the transportation of property, or for personal or private purposes.

The report is signed by all the conferees, including the author of the bill, the distinguished senior Senator from Washington [Mr. MAGNUSON].

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ORDER FOR RECESS TO THURSDAY

Mr. BIBLE. Mr. President, I ask unanimous consent that when the Senate completes its work today, it stand in recess until 12 o'clock noon on Thursday, July 5, 1956.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEGOTIATION OF COMMERCIAL LEASES AT ATOMIC ENERGY COMMUNITIES

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of calendar No. 2407, House bill 11926.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 11926) to amend the Atomic Energy Act of 1954 to permit the negotiation of commercial leases at atomic energy communities, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. ANDERSON. Mr. President, the bill (H. R. 11926) would give an opportunity for the Atomic Energy Commission, in those areas where it makes commercial leases, to follow the practice other Government agencies have followed in giving continuity to the operation of concession facilities.

At the present time the requirement has been that the Atomic Energy Commission can enter into a lease for several years with a concessionaire. At the end of that time, if a concessionaire has given to the community and to the Atomic Energy Commission completely satisfactory service, he still may lose his concession if someone else bids a fraction of a percentage below what he bids.

These concessions are not based on flat payments, but generally are based upon a percentage above the sales cost. That money goes to the Federal Government, and therefore for a few hundred dollars the Atomic Energy authorities in the particular community are forced to displace someone who has given extremely satisfactory service over a long period of years, and give a concession to someone who would cash in on perhaps 5 years of very fine service by the previous concessionaire.

After a considerable hearing of the subject by the Joint Committee on Atomic Energy, we thought it was a bad practice, and agree with the Atomic Energy Commission that it should be stopped. The committee therefore proposes this legislation. The House very promptly passed the bill, and I hope the Senate will likewise promptly pass it.

The PRESIDENT pro tempore. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 11926) was ordered to a third reading, read the third time, and passed.

RETURN OF CERTAIN MINERAL INTERESTS IN LAND TO FORMER OWNERS

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2310, S. 1384.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1384) to provide that the Secretary of the Army shall return certain mineral interests in land acquired by him for flood-control purposes to the former owners of such land.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Army is authorized and directed, when he determines that the exploration for or exploitation of any mineral interests underlying lands within and for the purpose of reservoir projects of the Yazoo Basin headwater project in the State of Mississippi will not be incompatible with the development, maintenance, and operation of the reservoir projects and that the reconveyance of any such aforementioned interests to the former owners thereof will be in the public interest, to convey such interests to the former owners thereof, or in the case of any such owner who is deceased, to his legal heirs, if any, upon (1) application made within 3 years from the date of enactment of this act, and (2) payment to the United States of an amount equal to but not in excess of the purchase price for which said interests were acquired by the United States.

SEC. 2. Each conveyance of mineral interests under this act shall contain such reservations, restrictions, terms, and conditions as the Secretary determines are necessary for the development, maintenance, and operation of the reservoir projects.

Mr. STENNIS. Mr. President, I shall be very brief in my explanation of the pending bill. It was reported by the Committee on Public Works after conducting hearings on the merits of the bill.

The bill provides for the reconveyance of mineral rights in certain lands above four small reservoirs in Mississippi, the land having been taken in former years either by condemnation or threat of condemnation. It is restrictive in its operation to the small reservoirs and also to the owners of the land or their heirs.

If the bill is passed, it will continue in effect, as to these lands, the policy now followed by the Corps of Army Engineers. In other words, in recent years in the acquisition of lands for reservoir purposes, the practice of the engineers has been not to take any title to the mineral rights in any way. The bill further provides that this shall be done by the Secretary of the Army only in line with the protection of the public interest of the United States.

I believe what I have said covers the salient points of the bill. I shall try to answer questions any Senator may desire to ask of me.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes."

COMPENSATION OF MEMBERS OF CERTAIN BOARDS AND COMMISSIONS, DISTRICT OF COLUMBIA

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1739) to authorize the Commissioners of the District of Columbia to fix rates of compensation of members of certain examining and licensing boards and commissions, and for other purposes, which was on page 3, line 2, strike out all after "member." down through line 4, inclusive, and insert "The United States Civil Service Commission, upon recommendation of the Commissioners of the District of Columbia, is authorized to exclude from the operation of the Civil Service Retirement Act of May 29, 1930, as amended, any officer or employee or group of officers or employees within the purview of this act whose services are intermittent and tenure of office is of limited duration."

Mr. BIBLE. Mr. President, S. 1739 is a bill which authorizes the Commissioners of the District of Columbia to fix rates of compensation of members of certain examining and licensing boards and commissions. The bill passed the Senate on June 24, 1955, and the House of Representatives on June 11, 1956, with an amendment. The amendment of the House is acceptable. I move that the Senate concur in the House amendment.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

AMENDMENT OF DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1953

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 7380) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BIBLE. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. BIBLE, Mr. FREAR, and Mr. BEALL conferees on the part of the Senate.

LEGISLATIVE PROGRAM

Mr. BIBLE. Mr. President, for the information of the Senate I should like to announce that on Thursday, following the recess of the Senate for the Independence Day holiday, the Senate will consider Calendar No. 2039, S. 3449, the airlines capital gains bill; Calendar No. 2000, S. 3410, providing for payment of annuities to widows and dependent children of judges; Calendar No. 1748, H. R. 5566, to terminate the existence of the Indian Claims Commission.

Mr. WATKINS. Mr. President, will the Senator yield at that point?

Mr. BIBLE. I am happy to yield.

Mr. WATKINS. Did I correctly understand the Senator to say that the last bill he mentioned would be taken up this afternoon?

Mr. BIBLE. No; on Thursday afternoon.

Mr. WATKINS. I appreciate that, because I have asked the chairman of the subcommittee to let it go over until Thursday.

Mr. BIBLE. Pursuant to the request of the Senator from Utah, we are asking that it be considered on Thursday afternoon.

Mr. President, in addition to the bills I have listed, the Senate will consider any bills which have been scheduled for consideration today and on which action is not completed today. They will be taken up on Thursday or Friday. In addition, there will also be taken up bills on the calendar which have been cleared by both the majority and minority policy committees.

Mr. President, I now desire to move the consideration of a certain bill.

The PRESIDENT pro tempore. The Senator from Nevada has the floor.

SETTLEMENT OF CERTAIN CLAIMS OF THE UINTAH AND WHITE RIVER BANDS OF UTE INDIANS

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2395, H. R. 7663.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7663) to provide for settlement in part of certain claims of the Uintah and White River Bands of the Ute Indians, in Court of Claims case No. 47568, through restoration of subsurface rights in certain lands formerly a part of the Uintah Indian Reservation.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. WATKINS. Mr. President, the pending bill is a companion to one introduced by me for the relief of a situation which has existed in the State of Utah for many years.

As the report points out, the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah originally possessed a reservation of which 1,010,000 acres were taken in 1905 by Presidential Proclamation as part of the Uintah Forest Reserve. In 1931 Congress appropriated $1,217,221.25, which was deposited to the credit of these Indians as compensation, on the basis of $1.25 per acre, for 973,777 acres of this land taken. The balance of 36,223 acres was previously classified as coal lands by the Department of the Interior, and, therefore, Congress directed the Secretary of the Interior to appraise these lands and report the value thereof to the Congress for such action as Congress deemed appropriate. The Indians have never received compensation for these lands.

The problem is not one of neglect but rather is one of determining the value of subsurface coal as of 1905. The physical problem of appraising the value of this coal is an extremely difficult one.

Surveys had been made which indicated that the land was coal land. It may contain other minerals. The bill which was introduced by my colleague [Mr. BENNETT] and cosponsored by me, which has been reported to the Senate, takes care of that situation as well.

Mr. President, the pending measure reconveys the subsurface rights to the Uintah and White River Bands of Ute Indians. It does not settle the question of the surface, but rather leaves that question to the determination of the courts, where the case is now pending.

It has been realized all along that in a matter of this kind it is very difficult to get a court determination of the amount of coal or other minerals, such as gas and oil, which may be under the surface in this area.

I have been assured that the problem of arriving at a value for the lands, as to their surface value, is not so complicated as to require action by Congress, and; therefore, the matter properly should be settled as is provided by the suit maintained by the tribe against the United States.

This bill, of course, does not take care of that situation. The damage will be taken care of in the courts where the case is now pending.

Mr. President, the management and title to the surface will remain in the United States Forest Service, Department of Agriculture, in order to assure that the surface will not become spoiled and eroded. Thus we hope to avoid in any way endangering the grazing value of this land in accordance with the surrounding forest lands. By this bill, if it is enacted, the Indians will receive the income by way of rents, royalties, bonuses, and leases from the withdrawal of any and all subsurface values.

The bill as reported to the Senate by the Committee on Interior and Insular Affairs contains the amendments recommended by the Department of Interior. It also is approved by the Department of Interior, Bureau of the Budget, Department of Justice, and Department of Agriculture, each expressing the same view "that there is no objection to the passage of this legislation."

The PRESIDENT pro tempore. The bill is open to amendment.

Mr. BENNETT. Mr. President, as the junior Senator from Utah, I had prepared a statement explaining the purposes and scope of the bill. Much of that material has already been presented by my senior colleague. Therefore, Mr. President, I ask unanimous consent that my statement may be printed in the body of the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MEMORANDUM CONCERNING H. R. 7663, BY SENATOR BENNETT

This bill would provide a partial settlement of a long-standing claim against the United States by the Uintah and White River Bands of Ute Indians. The claim arose in 1905 when the United States took the 36,223 acres of land involved for national forest purposes. The lands were formerly part of the Uintah Indian Reservation in Utah, until set aside for forest purposes, pursuant to an act of Congress. In 1931 Congress appropriated $1.25 per acre to pay the Indians for 973,777 acres of land taken at the same time that this land was taken but because the 36,223 acres now in question were classified as coal lands, and presumably were more valuable, it directed the Secretary of the Interior to investigate the value of the coal land and to report to Congress. The Indians have never received compensation for the 36,223 acres, however.

The Indians filed suit in the Court of Claims some years ago and that suit is still pending. However, because the Indians have certain cash assets they have determined that they would prefer to have the lands restored. Since the Department of Agriculture desires to retain the surface for forest and watershed purposes, the Indians have agreed to the provisions of this bill restoring the mineral and oil and gas rights. They would be allowed to continue their suit in the Court of Claims for the value of the surface of the land in question.

The Department of Justice, which defends the suits in the Court of Claims, the Department of the Interior, which is in charge of Indian Affairs, the Department of Agriculture, which administers the forest lands in question, and the Bureau of the Budget have in formal reports to the chairmen of the Senate and House committees expressed no objection to the bill as amended.

The settlement authorized by this bill would disperse with a long and very expensive court proceeding to establish the value as of 1905 of the coal lands involved. I am advised that the valuation of the subsurface coal as of that date would be very difficult and expensive for both the Indians and the United States. On the other hand, cases have already been tried which will establish the 1905 surface value of immediately adjacent lands and the establishment

of the value of the surface of the lands in question will be relatively inexpensive and prompt. For that reason the settlement plan is practical and desirable.

The Assistant Secretary of the Interior in Charge of Indian Affairs has reported to the chairmen of the Senate and House committees that in view of cash assets available to the Indians from previous judgments the Indians believe it would be to their advantage to have the future income from the minerals to be restored, rather than having the full value of the minerals in one lump sum. Accordingly, the Department of the Interior has recommended the enactment of the bill.

If enacted into law, the provisions of this settlement plan would have to be approved within 1 year by the Indians and an appropriate release filed in the Court of Claims before the settlement becomes effective.

Mr. WATKINS. Mr. President, will my colleague yield?

Mr. BENNETT. I yield.

Mr. WATKINS. A number of years ago there was a settlement or a compromise of the famous Ute case involving land in Colorado. In that case suit was pending not only to determine the value of the surface lands which had been taken by the United States for public use and which had been given to the Indians by treaty, but it also involved the subsurface rights.

Not only was coal involved, but the famous Rangely oil field was also involved, and the evidence indicated that there were many other minerals, including uranium, under the surface. It was a rather famous case and it is more or less of a precedent for what we are doing at this time. We simply said the Indians might have returned to them the title to all the underground wealth which lies under that area. The area is now in the national forest to be administered by the Federal Government. In the other case we gave them cash and did not give them subsurface rights.

Mr. BENNETT. In this case the Indians will regain their right to control the subsurface value of the lands and the income will come to them during the years ahead, instead of their receiving a present cash settlement.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 7663) was ordered to a third reading, read the third time, and passed.

PROHIBITION OF USE OF INITIALS "U. S." IN ADVERTISING BY PRIVATE FIRMS

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2375, Senate bill 2891, and I respectfully invite the attention of the Senator from Wyoming [Mr. O'MAHONEY] to this particular bill.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2891) to amend section 709 of title 18 of the United States Code so as to prohibit the use by certain businesses of the initials "U. S." in the business or firm name, or pictures of the Capitol Building and other public buildings of the United States in their advertising, and to increase the penalties for violation of such section.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment.

Mr. O'MAHONEY. Mr. President, I am speaking for the junior Senator from Texas [Mr. DANIEL], who is chairman of the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary, to which this bill was referred. The bill was introduced by the junior Senator from Texas because of a recent occurrence in the city of Waco, Tex., which made it clear that a bill of this kind should be enacted.

Operating in that city was a bank the name of which was "The United States Trust and Guaranty Company of Waco, Tex." It was found to be insolvent. The Senator from Texas, in his statement in explanation of his bill, said:

> This bank, in addition to using "U. S." in its firm name, also advertised on its stationery, in newspapers, and on television, with pictures of the United States Capitol in the background, and the slogan "You can put your trust in the U. S. Trust."

The committee was impressed by the arguments in favor of the bill, and I can best explain it to the Senate by reading the present statute which is sought to be amended.

Title 18, United States Code, provides, in section 709, entitled "False Advertising or Misuse of Names to Indicate Federal Agency" in part, as follows:

> Whoever, except as permitted by the laws of the United States, uses the words "national," "Federal," "United States," "reserve," or "Deposit Insurance" as part of the business or firm name of a person, corporation, partnership, business trust, association or other business entity engaged in the banking, loan, building and loan, brokerage, factorage, insurance, indemnity, savings or trust business; or

And so forth. This bill proposes to amend the law so as to include the letters "U. S." and also to prohibit the use in any advertising of the picture of the Capitol Building or any other public building of the United States in a manner which would be calculated to deceive the public.

Mr. President, I cannot conceive of any controversy over the bill. It was unanimously reported by the committee, and I urge its enactment.

The PRESIDENT pro tempore. The committee amendment will be stated.

The amendment of the Committee on the Judiciary was on page 2, line 16, after the word "thereof", to strike out "'$10,000', and (b) by striking out the words 'for not more than one year' and inserting in lieu thereof the words 'for not less than one year'." and insert "$10,000'.", so as to make the bill read:

> *Be it enacted, etc.*, That the first paragraph of section 709 of title 18 of the United States Code is amended to read as follows:
>
> "Whoever as a person, corporation, partnership, business trust, association, or other business entity, engaged in the banking, loan, building and loan, brokerage, factorage, insurance, indemnity, savings, or trust business, except as permitted by the laws of the United States, (1) uses the words "national", "Federal", "United States", "reserve", "Deposit Insurance", or the letters "U. S.", as part of the business or firm name of such person, corporation, partnership, business trust, association or other business entity; or (2) uses in any advertisement a picture of the Capitol Building or any other public building of the United States in a manner reasonably calculated to convey the false impression that such person or entity is a Government agency or is connected with any Government agency, or that such business, or the deposits, liabilities, obligations, certificates, or shares thereof, are insured or guaranteed by the United States or any instrumentality thereof; or".
>
> SEC. 2. Section 709 of title 18 of the United States Code is amended (a) by striking out "$1,000" wherever it appears in such section and inserting in lieu thereof "$10,000".

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2891) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. O'MAHONEY. Mr. President, when the bill which has just been passed was before the Senate on July 2, a question was raised whether it had application retroactively or was prospective only.

When section 709 of title 18 was codified and enacted into law on June 25, 1948, it contained the following:

> This section shall not make unlawful the use of any name or title which was lawful on the date of enactment of this title.

On June 25, 1948, it was not then the intention that the law should have retroactive application, since it provided a saving clause as to those business organizations which were lawfully using such name or title.

It is not the intention that the pending amendment, S. 2891, shall apply retroactively. This bill does not change the above-quoted provision. Consequently, the bill would operate prospectively only.

TERMINATION OF INDIAN CLAIMS COMMISSION

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1748, H. R. 5566.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with an amendment.

Mr. BIBLE. Mr. President, as I previously stated, there is no intention on the part of the leadership of pursuing action on the bill this afternoon. It has simply been made the unfinished business.

AUTOMOBILE DEALERS DAY IN COURT

Mr. O'MAHONEY. Mr. President, I desire to refer briefly to some evidence which was given yesterday before the Committee on the Judiciary of the House of Representatives, evidence which will illustrate in a most emphatic manner how wise the Senate was on June 19, when it passed the bill reported unanimously by the Senate Committee on the Judiciary, S. 3879, to supplement the antitrust laws by providing a day in court for automobile dealers. The bill was passed by the Senate by a vote of 75 to 1.

On the day before the Senate considered the bill, Mr. Henry Ford II, president of the Ford Motor Co., sent the following telegram from Fort Dearborn, Mich., to about 125 Ford dealers throughout the United States:

FORT DEARBORN, MICH., *June 18, 1956.*

I'm inviting some of our key dealers to meet with me, Messrs. Breech, Crusoe, Gossett, and others in Dearborn on Wednesday, June 20. The urgent purpose of this meeting is to discuss pending legislation affecting all of our interests. Will you please let me know by return wire whether you can attend. The meeting will begin at Dearborn Inn with luncheon at 12:30 p. m. on June 20 and will conclude the same day. All expenses to attend the meeting will be paid by the company. We shall be glad to reserve accommodations and return transportation for you if you so indicate in your reply.

HENRY FORD II.

FORD SENDS DEALERS TO TESTIFY AGAINST BILL

The Senate acted on June 19. The bill went to the House of Representatives, and yesterday there appeared before the House Committee on the Judiciary some Ford dealers who had been invited to Dearborn and had apparently been instructed to come to Washington to testify against not only this particular bill, but against any measure dealing with the automobile industry. In other words, the Ford Motor Co. instituted a whirlwind drive to get the good faith bill, which the Senate had passed, killed in the House.

The manner in which this campaign was conducted, and the testimony by the Ford dealers, demonstrate conclusively, it seems to me, why the bill should be passed. These Ford dealers, purporting to represent hundreds of other dealers, are organized into a Ford-Lincoln-Mercury committee. This committee was formed on June 20. At that time, about 100 dealers went to Dearborn to hear representations by officials of the Ford Motor Co. in opposition to the measure which the Senate passed by a vote of 75 to 1, and against certain other measures pending in Congress dealing with the same subject. All the expenses of these dealers were paid by the Ford Motor Co.

CHAIRMAN OF DEALERS COMMITTEE COMPANY APPOINTEE

A resolution purportedly adopted by the dealers attending the Dearborn meeting was distributed by the Ford Motor Co. to some 9,000 Ford dealers. It is significant that the chairman of the newly organized committee, Mr. Hayse Tucker, was invited by Mr. Ford to attend the meeting. He was appointed the chairman of the committee by Mr. Ernest R. Breech, chairman of the board of the Ford Motor Co. There was no election. All of this was brought out in the testimony before the House committee yesterday.

When I testified at the invitation of the chairman of the House Committee on the Judiciary yesterday morning, I said to the committee that the purpose of the bill which had been passed by the Senate, and which had been previously unanimously approved by the Senate Committee on the Judiciary, was to preserve the American concept of government in the automobile industry, and to avoid the trend which we everywhere see toward totalitarianism.

THIS IS HOW CHAIN OF COMMAND OPERATES IN FORD COMPANY

I now undertake to show, by the testimony of Mr. Tucker under the searching examination which took place yesterday afternoon by Chairman CELLER, of the House Committee on the Judiciary, exactly how the chain of command, to which Mr. Ford referred in his testimony before the Monroney committee, operates. I read from page 279 of the official verbatim transcript of the hearings before the Committee on the Judiciary of the House of Representatives yesterday. I begin with a quotation from Chairman CELLER. Mr. Tucker was on the stand.

The CHAIRMAN. I would like to ask you 1 or 2 questions, Mr. Tucker.

Mr. TUCKER. May I sit down, Mr. Chairman?

The CHAIRMAN. Yes; certainly.

This committee has received an avalanche of telegrams last week in favor of this, many of them from Ford dealers; and subsequently, we have had quite a number of wires from Ford dealers against the bill. In other words, we have them for the bill and then we have them against the bill.

Now, you are the chairman of the national committee of the Ford-Mercury-Lincoln dealers; is that correct?

Mr. TUCKER. Yes, sir.

The CHAIRMAN. How many members do you have in that committee?

Mr. TUCKER. Approximately 97 were in attendance at this meeting last Wednesday; about 105 were absent.

The CHAIRMAN. Where was that meeting?

Mr. TUCKER. Dearborn, Mich.

The CHAIRMAN. And did you receive an invitation to attend that meeting by the Ford Motor Co.?

Mr. TUCKER. We received a personal invitation from Mr. Henry Ford II.

The CHAIRMAN. The meeting was called by Mr. Ford, rather than by the national committee of Ford-Lincoln-Mercury dealers?

Mr. TUCKER. The organization was formed at that meeting.

The CHAIRMAN. Oh, that was the first time——

Mr. TUCKER. Yes, sir. The Senator made a mistake this morning in confusing our regular channel, the democratically elected national council for national—the legislative council. The two are unrelated.

Mr. President, that reference, of course, was to some testimony which I had given in the morning, and Mr. Tucker apparently felt that I had confused the regular national council of Ford dealers with the new legislative council. It was a natural mistake.

DEALER COMMITTEE FORMED SOLELY TO OPPOSE BILL

I proceed with the questioning by Chairman CELLER:

The CHAIRMAN. So you never had a committee called the Committee on Ford-Lincoln-Mercury Dealers before?

Mr. TUCKER. On national legislation, no, sir.

The CHAIRMAN. Before June 20, when you were all invited to Dearborn?

Mr. TUCKER. That is correct.

The CHAIRMAN. At the invitation of Mr. Henry Ford II?

Mr. TUCKER. Yes, sir.

The CHAIRMAN. That is about a week and a half ago?

Mr. TUCKER. Yes, sir.

The CHAIRMAN. So your organization has been in existence for about a week and a half?

Mr. TUCKER. Our organization is less than a week—yes—less than a week old.

The CHAIRMAN. Now, did the Ford Motor Co. appoint you as chairman or designate you as chairman?

Mr. TUCKER. Yes, sir; Mr. Ernest Breech, chairman of the board, appointed me chairman of this dealer group.

The CHAIRMAN. Then there was not an election?

Mr. TUCKER. No, sir.

The CHAIRMAN. You were just appointed?

Mr. TUCKER. I have been for the past several years an elected member of the national council which was referred to this morning——

The CHAIRMAN. Yes, but on this——

Mr. TUCKER. I am appointed, yes, sir.

The CHAIRMAN. What was the purpose of the meeting that was called?

Mr. TUCKER. To start among substantial, successful dealers, separated as to size and geographical location—the start of an intensive educational program on the implications, ramifications and possible consequences of this national legislation.

I digress to remark that this is like the educational program which the oil companies initiated in order to educate Congress as to the meaning of legislation then pending.

I return to the transcript:

The CHAIRMAN. And do you feel that you were a free agent there, having been called by Mr. Ford as his guest and he being the host and you being appointed by the Ford Motor Co.?

Mr. TUCKER. I think that I speak for the 97 men that were present, that we were free agents, substantial businessmen of character who would consider any inference that we failed to use our individual judgment as a reflection on our character.

The CHAIRMAN. Well, there is no——

Mr. TUCKER. I understand that there is no inference in your question but I mean that—we have been publicized a bit, Mr. Chairman, in our trade journals, is the reason I make that statement.

The CHAIRMAN. We have had these contradicting statements coming from Ford dealers and we have to find out a little bit.

Mr. TUCKER. Yes, sir. We will try to answer.

The CHAIRMAN. And there is no reflection upon you personally at all.

Mr. TUCKER. I understand.

EXPENSES FOR TRIP TO DEARBORN AND WASHINGTON PAID BY COMPANY

The CHAIRMAN. Now, may I ask you this: Were your expenses paid by the Ford Motor Co. to the meeting from your place of business?

Mr. TUCKER. They have not yet, but I am counting that they will be paid; yes, sir.

The CHAIRMAN. And will your expenses be paid for your trip here to Washington?

Mr. TUCKER. That has not yet been discussed. I assume they will, but I really don't know. I can imagine that my expenses will be paid by the Ford Motor Co., I have not discussed with anyone, I am not interested in that——

The CHAIRMAN. But you would take money if it were offered?

Mr. TUCKER. If it were not tainted.

The CHAIRMAN. And did you prepare the statement, yourself, that you read to us just a little while ago?

My auditors will remember the declaration of Mr. Tucker earlier in his testimony that his testimony was all his own.

Mr. TUCKER. I am the author and take the sole responsibility for the statement, the essence, the thinking, the principles outlined are entirely my own thinking and creation.

I had professional help to make it a little smooth.

A SMOOTH OPERATION FROM TOP BRASS DOWN THROUGH CHAIN OF COMMAND

Mr. President, this is certainly a smooth operation, if ever there was one—made smooth at Dearborn itself and by the aid of the high command of the Ford Motor Co. I use the phrase "high command" because Mr. Henry Ford II, in testifying before the Monroney subcommittee of the Senate Interstate and Foreign Commerce Committee, himself referred to the chain of command in the Ford Motor Co.—a chain of command which goes from the top brass to the national council, to the district council, to the regional council, to the zone council, and to this new legislative council not yet 2 weeks old, which was subpenaed. Should I use the word "subpenaed"? Of course, it had no legal significance, but the telegram from the top man in that company to these dealers amounted to a summons to come to Dearborn and find out what the high command wanted.

I return to the transcript:

The CHAIRMAN. Was that help furnished by the Ford Motor Co.?

That is the professional help of which he was speaking.

Mr. TUCKER. Yes, sir; yes, sir.

The CHAIRMAN. Would you care to name them?

Mr. TUCKER. And some of the dealers. I have discussed this statement with a number of dealers. We have quite a number——

The CHAIRMAN. Was the help given by some official of the Ford Motor Co.?

Mr. TUCKER. Part of it, yes, sir; by our attorney, by one of our vice presidents.

The CHAIRMAN. Do you care to name the Ford assistants?

Mr. TUCKER. Who helped?

The CHAIRMAN. Yes, sir.

Mr. TUCKER. Mr. Tisdale, assistant general counsel, helped. Mr. Walter Williams, vice president, sales and advertising, helped.

The presentation was written entirely by me. We corrected it in consultation with them.

Mr. President, as I said, it seems to me that all the automobile dealers in America who have been disturbed by this summons to come to Dearborn by the head of the Ford Motor Co. should know what has been said and admitted by the head of this newly organized legislative council which was appointed by Mr. Ford, and not elected by the dealers. All the dealers in America ought to know that the Ford dealers as a whole were not affected by this summons at all.

FORD DEALERS REPUDIATE COMPANY STAND

On June 30, at Lake Placid, N. Y., 10 days ago, after the dinner at Dearborn, the Ford dealers of New York had their meeting. I have in my hand a story from the New York Times of last Sunday, dated Lake Placid, N. Y., June 30, written under the byline of Bert Pierce. The heading reads:

Dealers in State Decry Ford Stand. State Group Praises Bill Guaranteeing "Rights"—New Inspection Outlined.

The article reads:

LAKE PLACID, N. Y., June 30.—Ford dealers objected today to the Ford Motor Co.'s opposition to specified phases of proposed Federal automotive legislation.

The company attitude was repudiated by the Ford contingent at the closing session of the New York State Automobile Dealers meeting here.

They asserted that the company had made misleading representations against the O'Mahoney dealers' right bill now in Congress. Their position was outlined in a resolution that read in part—

And, Mr. President, these are the words of the Ford dealers of New York, meeting in their own session, under their own summons, and not at the behest of the high command in the chain of command of the Ford Motor Co.—

FORD DEALERS JOIN OTHER DEALERS IN SUPPORT OF BILL

Whereas the Ford Motor Co. invited some one hundred and twenty-five Ford products dealers to a meeting in Dearborn, Mich. * * * at which time said dealers adopted a resolution against the passage of the O'Mahoney bill; and

Whereas the New York State Automobile Dealers have passed a resolution in favor of the passage of the O'Mahoney bill: Be it

Resolved, That the Ford products dealers assembled here support the position of the New York State Automobile Dealers in favor of the passage of the O'Mahoney bill.

The article continues as follows:

A copy of the resolution will be sent to Senator JOSEPH C. O'MAHONEY, Democrat, of Wyoming. It will be accompanied by a letter signed by the Ford dealers praising his bill, which provides a dealer the right to sue an automotive manufacturer over cancellation or failure to renew a franchise. The bill has been passed by the Senate and is scheduled for hearings by the House.

Mr. President, I ask unanimous consent that the entire article be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEALERS IN STATE DECRY FORD STAND—STATE GROUP PRAISES BILL GUARANTEEING RIGHTS—NEW INSPECTION OUTLINED

(By Bert Pierce)

LAKE PLACID, N. Y., June 30.—Ford dealers objected today to the Ford Motor Co.'s opposition to specified phases of proposed Federal automotive legislation.

The company attitude was repudiated by the Ford contingent at the closing session of the New York State Automobile Dealers meeting here.

They asserted that the company had made misleading representations against the O'Mahoney "dealers right" bill now in Congress. Their position was outlined in a resolution that read in part:

"Whereas the Ford Motor Co. invited some 125 Ford products dealers to a meeting in Dearborn, Mich., * * * at which time said dealers adopted a resolution against the passage of the O'Mahoney bill; and

"Whereas the New York State Automobile Dealers have passed a resolution in favor of the passage of the O'Mahoney bill: Be it

"Resolved, That the Ford products dealers assembled here support the position of the New York State Automobile Dealers in favor of the passage of the O'Mahoney bill."

SENT TO O'MAHONEY

A copy of the resolution will be sent to Senator JOSEPH C. O'MAHONEY, Democrat, of Wyoming. It will be accompanied by a letter signed by the Ford dealers praising his bill, which provides a dealer the right to sue an automotive manufacturer over cancellation or failure to renew a franchise. The bill has been passed by the Senate and is scheduled for hearings by the House.

The Ford contingent here told the other convention delegations that the 125 dealers who met at Dearborn were not a fair sample of the sentiment. The contention was that if all of the 9,000 Ford products dealers throughout the country were canvassed the O'Mahoney bill would be overwhelmingly endorsed.

John F. Donnelly, executive deputy commissioner of the motor vehicle bureau, urged the dealers to apply as soon as possible for assignment in the State program of compulsory periodic inspection of motor vehicles. This goes into effect for voluntary procedure by motorists on February 1, 1957, and becomes obligatory January 1, 1958.

"In 1 month or so, we will begin general distribution by mail of application forms along with instructions and procedures," he said. "We hope that you all will apply and will do so promptly, because we want to get this program rolling full tilt with actual inspection starting February 1."

An unofficial poll of dealers at the meeting indicated that the curtailing of automotive production at the factories will clear away the stocks of 1956 cars before the 1957 models arrive.

DEALERS GIVEN MELANGE OF MISREPRESENTATION

Mr. O'MAHONEY. Mr. President, I wish to call special attention to the fact that the material sent from Dearborn to the Ford dealers contained references to many bills, and the material could not be understood by any person who had not himself read the various bills—40 or more of them—which have been introduced in the Congress during the several years past, to bring some order out of the totalitarian chaos existing in the automobile industry, with the high command at the center telling the dealers how to spend their own money. Without reading those bills, it would have been impossible for a dealer to know what the issues were. Yet the material sent forth from Dearborn in such volume was a melange of misrepresentation which was fed to the 125 dealers who answered the Ford Motor Co.'s invitation to attend, on June 20, a luncheon and conference.

BILL WOULD FREE DEALER FROM TOTALITARIAN CONTROL

Surely, Mr. President, the public will benefit when there is a cordial relationship between manufacturer and dealer. If we were to ask any automobile dealer whether he believed that good faith

should exist between the dealer and the manufacturer and between the manufacturer and the dealer when a contract was signed, the dealer would reply "Yes." If we asked him whether a dealer should have the right to sue a manufacturer if that good faith were broken, and if the dealer should be able to recover actual damages caused by such breaking of good faith, the answer surely would be "Yes." That is all the O'Mahoney bill seeks to do. Yet it is represented to the dealers, by men in whom they ought to have trust, as being an opening door to Federal regulation of the automobile business. Mr. President, it is not that. It is a bill to relieve the independent automobile dealers of the United States from the central control by the men who run totalitarian big business in America.

I say without the slightest hesitation that unless Congress soon takes steps to prevent it, the concentration of economic power in this country will create an economic totalitarianism which will make political liberty almost impossible. Over and over again, Mr. President, I have said that there cannot be political freedom without economic liberty. What we work for is economic liberty. What the Ford Motor Co. high command is working for is economic servitude by its dealers.

UNLESS "GOOD FAITH" CAN BE TESTED IN COURTS, DEALERS WILL REMAIN PUPPETS

So I am very happy to be able to report to the Senate that from my conversations with Members of the House of Representatives, I am confident that that whirlwind campaign has been a failure, and that the automobile dealers of America now understand that unless the doors of the courts are open to them, so that good faith can be tested by the impartial judicial system of the United States, they will continue to be the puppets of the system of dealer control established by the manufacturers.

FORD CAMPAIGN THREATENS ECONOMIC FREEDOM

I am happy to say in this regard, Mr. President, that I have not heard of any attempt by General Motors to apply the coercion and intimidation which the Ford Motor Co. has attempted to apply. I have no doubt that General Motors Corp. would be pleased if the bill were not passed; but the only evidence I have seen of an attempt by a large automobile manufacturer to question the right of automobile dealers to defend their good faith in the courts of the United States has been evidence of such an undertaking by the Ford Motor Co. Mr. President, I am confident that Ford officials do not understand what they are doing; they do not realize what a threat they are to economic freedom. If that threat should be carried out, then here in the United States of America—where, alone, there can be the spirit and the liberty which will preserve freedom for all mankind—our efforts would be in vain.

WATER RIGHTS SETTLEMENT ACT OF 1956—RESOLUTION

Mr. MORSE. Mr. President, I have received a letter from Mr. Robert D. Lytle, vice president of the Upper Columbia River Basin Projects Committee, of Canyon City and Vale, Oreg., a distinguished member of the bar of my State, who advises me, in his letter dated June 27, but received in my office July 2, that the Upper Columbia River Basin Projects Committee is very much interested in the passage of the so-called Barrett bill.

I ask unanimous consent that Mr. Lytle's letter and a copy of the resolution which was adopted by the Upper Columbia River Basin Projects Committee be printed in the body of the RECORD as a part of my remarks.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

LYTLE, KILPATRICK & SCHROEDER,
Vale, Oreg., June 27, 1956.

Hon. WAYNE MORSE,
United States Senator,
Washington, D. C.

DEAR SENATOR MORSE: All of Oregon, and particularly eastern Oregon, is very much perturbed about the serious implications arising out of the Pelton Dam case, and are anxious to do anything possible to aid in remedying the situation.

The Upper Columbia River Basin Projects Committee held a membership meeting in Pendleton not long ago at which we passed a resolution supporting the Barrett bill, since we are convinced that water uses, and particularly consumptive uses through irrigation, can no longer be advanced with any degree of surety to the appropriator. We have read carefully the Barrett bill and the proposed amendments discussed during the hearings before the Subcommittee on Irrigation and Reclamation. The bill and the amendments in effect make a redeclaration of the severance of land and water made by the Desert Land Act in 1877 and we hope that it may be passed.

We do not believe that the bill should be given any retroactive aspect by particular amendments except as they may protect rights heretofore actually accrued.

We will be glad if this resolution may be of any use in the effort to return State ownership and control of water.

Sincerely,

ROBT. D. LYTLE,
Vice President, Upper Columbia River Basin Projects Committee.

"RESOLUTION

"Whereas the consumptive use of the waters of the several arid and semiarid States, through such use by irrigation, is, second only to the use for domestic and livestock use, necessary to the development and to the economy of such States and the State of Oregon; and

"Whereas each of the several arid and semiarid States has learned that its use and application of water to such consumptive purposes presents problems of administration differing from the problems of each other State and in final, are of local effect and should be resolved under laws, rules, and regulations applicable to areas not in excess of State boundaries; and

"Whereas regulation under Federal law of the uses of water in the several States would require a body of law and rules and regulations beyond the scope of reasonable and economical administration, resulting in chaos, requiring a staff beyond imagination, and subjecting property rights to a great hazard and probable loss; and

"Whereas for more than 90 years there has developed in each of the arid and semiarid States a system of use predicated on priority of application and beneficial use, with such system varying only to meet the differing problems of each of said States; and

"Whereas under such system millions of acres in the reclamation States have been developed and made fruitful, which acres are the basis of the economy of such States; and

"Whereas by appropriation and use under the laws of each of said several States property rights have accrued and have become vested under such State laws; and

"Whereas the Congress of the United States of America since the year 1866 recognized the propriety and the desirability of the control and administration of stream water by the States, and has evidenced such recognition by the following: (a) The act of July 26, 1866 (14 Stat. 253); (b) the act of July 9, 1870 (16 Stat. 218); (c) act of March 3, 1877, Desert Land Act (19 Stat. 390); (d) act of 1902, Reclamation Act, section 8 (32 Stat. 390); (e) act of 1920, Federal Power Act, sections 9b and 27 (41 Stat. 1077); (f) the Taylor Grazing Act of 1934; (g) the Great Plains Water Conservation and Utilization Projects Act of 1912; (h) Water Conservation Act of 1939; and several others such as the Flood Control Act, the act authorizing the joining of the United States as a party in State courts in the adjudication of water rights, the Submerged Lands Act, and the act of July 23, 1955, providing for the multiple use of the surface waters of public lands; and

"Whereas each of said acts of Congress confirmed the relinquishment by the United States to the several States of its proprietorship of all waters of the public domain; and

"Whereas the rights of the States individually to own, control, and administer the surface waters of such State without recourse to Federal law or Federal control for more than 90 years has been recognized except as such waters were within the area of navigation or flood control; and

"Whereas in 1945 in the case of *State of Nebraska* v. *State of Wyoming* (325 U. S. 589) the Supreme Court in its opinion recognized the fixed policy of State control and said, 'We have then a direction by Congress to the Secretary of the Interior to proceed in conformity with State laws in appropriating water for irrigation purposes,' and further, 'Though we assume arguendo that the United States did own all of the unappropriated water, the appropriations made under State law were made to the individual landowner. * * * The rights so acquired are so definite and complete as if they were obtained by direct cession from the Federal Government;' and the same Court in recognition of the declaration of severance of water from the public domain by 'The Desert Land Act' had theretofore, in *California-Oregon Power Co.* v. *Bever Portland Cement Co.* (295 U. S. 142) declared that the act 'effected a severance of all waters upon the public domain, not theretofore appropriated, from the land itself,' and that 'all surplus water over and above such actual appropriation and use, together with all the waters of all lakes, rivers, and other sources of water supply on the public lands and not navigable, shall remain and be held free for the appropriation and use of the public for irrigation, mining, and manufacturing purposes subject to existing rights;' and said Court has further confirmed the theory of 'severance' in the cases of *Ickes* v. *Fox* (300 U. S. 82) and *Brush* v. *Commissioner* (300 U. S. 352) and has so confirmed such theory in clear and concise language until the Pelton Dam case (*Federal Power Commission* v. *Oregon*, 349 U. S. 435), in which the Court distinguishes between 'public domain' and 'reservation' and defines 'public lands (public domain)' as 'lands subject to private appropriation and disposal under public land laws, and declares 'reservations' not so subject to appropriation, the definition of 'reservations' being 'national forests, tribal lands within Indian reservations, military reservations, and other lands and interest in lands owned by the United States, and withdrawn, reserved, or withheld from private appropriation and disposal under the public land laws;' and

"Whereas the Court in the Pelton Dam case purports to grant protection to 'vested' rights in others than the Federal Government in the use of water, that right to use or consumptive use is subject to the priority attaching to 'reserved' lands, if the private appropriation and use is subsequent to the date lands were reserved from appropriation and disposal to the public; and

"Whereas the Warmsprings Indian Reservation on the west shore of the Deschutes River was established June 25, 1855, and made official by proclamation by the President, April 18, 1859, with power site reservation in 1910 and 1913 respectively, and reservation for power site on the eastern shore in 1909; and

"Whereas many thousands of acres of land in the Deschutes watershed, above the power site, have been irrigated through waters appropriated under State law, subsequent to the reservation of lands at the Pelton Dam site, such water rights are inferior and subject to the priority of such 'reservations'; and

"Whereas through the withdrawals of lands under the National Forest Act, the withdrawals for Indian Reservations, for military use and pursuant to the Taylor Grazing Act, there remains no public domain, other than proven mineral lands, which is subject to private appropriation and disposal under the public land laws, with the result that no vested right under State or other authority can accrue subsequent to the date of each particular withdrawal or reservation, and with the added result that further development in the arid and semi-arid States, requiring the consumptive use of water is seriously threatened, if not definitely halted, and rights in property have been so impaired that the economy of the several States involved is threatened; and

"Whereas, many water rights have, under State law, been initiated and ripened to maturity since the date of many withdrawals and reservations of land and have been treated by the States, the users thereof and all persons interested in the titles, including title insurance companies, as vested and as property, all of which rights are now in question and may be declared subsequent in time to such withdrawals or reservations with the net result that such rights may be deprived of the right to consumptive use; and

"Whereas in recent years it has become the apparent policy of certain agencies of the Federal Government to claim title to all unappropriated waters of the reclamation States, of which the case of *United States* v. *Ahtanum Irrigation Dist.* (124 Fed. Sup. 318, U. S. Dist. Ct.; E. D. Washington, D. S.) is typical and in which the Court said, 'Even in the field of property rights, the feeling of the paramount sovereignty of the central power makes itself prominent. During the last few years, as a result of the drive to acquire paramount rights, there has been apparent the theory of the policy making agents that the Government has the power to reexamine all grants, no matter how ancient or how well recognized by contemporary legislation and construction of nearly a century, as if the central government were still, if it once was, landowner and sovereign of all the rights in the area covered by the Western States'; and the Court further stated 'that Washington was admitted on equal footing with the original 13 States, and at that, while the States must recognize vested rights, her people could enact a municipal law governing the fields of real property and water rights, which would be binding upon all, including the United States. Thereafter, except for rights vested before that date, water rights could not become appurtenant to lands to which even the United States held title unless the local statutes and law were followed;' and

"Whereas Senators BARRETT, MALONE, BIBLE, DWORSHAK, ALLOTT, GOLDWATER, WELKER, and CURTIS introduced a bill in Congress (S. 863, 84th Cong., 1st sess.) generally known as the Water Rights Settlement Act of 1956 to which certain amendments were offered by Senator BARRETT, correcting certain aspects of the original bill and providing certain amplifying and broadening provisions and the same is now before the Congress; Now, therefore, be it

"*Resolved by the Upper Columbia River Basin Projects Committee, in regular session of membership assembled, at Pendleton, Oreg.*—

"1. That we deplore the unsettling of water rights, in their consumptive uses, by the decision in the Pelton Dam case and the resultant frustration of Federal and State policy and practice existing for 89 years theretofore; and

"2. That we endorse and approve the bill, S. 863, known as the Water Rights Settlement Act of 1956 and the amendments thereto approved by Senator BARRETT and his associate Senators; and

"3. That copies of this resolution be filed with the following: (a) Hon. Elmo Smith, Governor of Oregon; (b) Lewis A. Stanley, State Engineer of Oregon; (c) the Oregon delegation in Congress; and (d) to each of the sponsors of the bill."

I, Robert D. Lytle, of Vale, Oreg., vice president of Upper Columbia River Basin Projects Committee of Oregon, do hereby certify that the above and foregoing resolution was regularly introduced and unanimously adopted by the membership of the committee at the last meeting of the membership and held at Pendleton, Oreg.

Dated June 4, 1956.

ROBERT D. LYTLE,
Vice President.

Mr. MORSE. I wish to say in response to the letter and the resolution that I am hopeful the Barrett bill can be satisfactorily amended so that its primary object of protecting the States in their water rights can be carried out through a statute designed on the basis of the objectives of the Barrett bill.

In my opinion, the Barrett bill in its present form is too restrictive upon the rights of the Federal Government in respect to navigable streams. In its present form I believe it would raise serious question as to whether or not the interests of all the American people in the maximum development of the economic potentials of the navigable streams of America could be carried out under that bill.

On the basis of my study of the bill to date, I am concerned over whether or not it may jeopardize river development programs of a Federal nature, such as the development of some of our great multiple-purpose dams. On the other hand, I certainly think there is need for some legislation in this field, and I am very hopeful that before the Congress adjourns, the Barrett bill can be modified by satisfactory amendments so that it will have at least a chance of being passed at this session of the Congress.

RECESS TO THURSDAY

Mr. BIBLE. Mr. President, if no other Senator desires recognition at this time, pursuant to the order previously entered, I move that the Senate stand in recess until Thursday, July 5, 1956, at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 29 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Thursday, July 5, 1956, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 3, 1956

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, who art always seeking to draw us within the circuit and compass of Thy divine fellowship, may that memorable day in our national history, which we call Independence Day, stir us with a greater devotion to Thee and our beloved country.

We thank Thee for the indomitable faith and fortitude, the lofty aspirations and hopes which filled the minds and hearts of those heroes and patriots who achieved liberty for their own and succeeding generations.

Grant that in all our plans and purposes to build a great and glorious nation we may have Thy guidance and be inspired with a faith that never wavers and a courage that never falters.

We are not asking Thee to deal with our Republic in any preferential manner, but that we may be loyal partners with all who are striving to bring in that blessed day when nations shall live together in a commonwealth of free men, enjoying a peace that is honorable, just, and righteous.

And under Thy name we ascribe all majesty, dominion, and power, now and forever and ever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 877. An act for the relief of Mrs. Rose Amoresano and her children;

H. R. 1072. An act for the relief of Clyde M. Litton;

H. R. 2267. An act for the relief of Morton J. Krakow;

H. R. 3960. An act for the relief of Maria del Carmen Gago Santana;

H. R. 4031. An act to consider residence in American Samoa or the Trust Territory of the Pacific Islands by certain employees of the governments thereof, and their dependents, as residence in the United States for naturalization purposes;

H. R. 4141. An act for the relief of Vivencio Fernando Raymundo, Bienvenida Raymundo, Lolita Raymundo, Agnes Raymundo, Henry Raymundo, and Fred Raymundo;

H. R. 4652. An act to authorize the Secretary of the Treasury to transfer certain property to the Panama Canal Company, and for other purposes;

H. R. 4851. An act for the relief of the Kelmoor Fox and Fur Farm, Inc.;

H. R. 5041. An act for the relief of Mrs. Margaret Dows Thyberg;

H. R. 5147. An act to change the distribution of Coast and Geodetic Survey charts;

H. R. 5522. An act for the relief of Florida State Hospital;

H. R. 5526. An act for the relief of Mrs. Kathryn M. Baker;

H. R. 5635. An act for the relief of Dr. Wolodymyr Fedyniak and others;

H. R. 5657. An act to allow the use of certain property in Volusia County, Fla., for civil-defense purposes without payment of compensation to the United States;

H. R. 5690. An act for the relief of Camp Kooch-i-ching;

H. R. 6029. An act for the relief of Robert D. Grier (individually, and as executor of the estate of Katie C. Grier) and Jane Grier Hawthorne;

H. R. 6245. An act to authorize the Panama Canal Company to convey to the Department of State an improved site in Colon, Republic of Panama;

H. R. 6643. An act to amend the reclamation laws to provide that excess lands acquired by foreclosure or inheritance may receive water temporarily for 5 years;

H. R. 6850. An act to create an academic advisory board for the United States Merchant Marine Academy;

H. R. 7426. An act to ratify and confirm Act 249 of the Session Laws of Hawaii, 1955, as amended, and to authorize the issuance of certain highway revenue bonds by the Territory of Hawaii;

H. R. 7732. An act to amend section 402 (c) of the Federal Food, Drug, and Cosmetic Act, with respect to the coloring of oranges;

H. R. 7811. An act to amend the Canal Zone Code by the addition of provisions relative to the registration of architects and professional engineers, and the regulation of their practice;

H. R. 8385. An act to transfer certain responsibilities of the Secretary of the Interior to the Public Housing Commissioner and the Secretary of Agriculture, and for other purposes;

H. R. 8452. An act to authorize and direct the conveyance of certain tracts of land in the State of Mississippi to Richard C. French, Lewis M. French, and Ruth French Hershey;

H. R. 8552. An act to authorize the Secretary of the Navy to grant to the town of Chincoteague, Va., permanent easements on certain lands for the purpose of taking subterranean water;

H. R. 9768. An act relating to general obligation bonds of the Territory of Hawaii amending Public Laws 640 and 643 of the 83d Congress (68 Stat. 782, ch. 889 and 68 Stat. 785, ch. 892), and ratifying certain provisions of Act 273, Session Laws of Hawaii, 1955, which authorizes issuance of public improvement bonds for schools in the city and county of Honolulu and the county of Hawaii;

H. R. 9769. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue general obligation bonds;

H. R. 9828. An act to transfer 600 acres of public domain to the Kanosh Band of Indians, Utah;

H. R. 10230. An act to amend sections 3526 and 3528 of the Revised Statutes relating to the coinage of subsidiary silver coins and minor coins of the United States;

H. R. 10441. An act to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to restrict its application to insurance which has been in effect 6 months at the time benefits are sought under such act;

H. R. 10504. An act to allow a homesteader settling on unsurveyed public land in Alaska to make single final proof prior to survey of the lands;

H. R. 10535. An act to include the present area of Zion National Monument within Zion National Park in the State of Utah, and for other purposes;

H. R. 11027. An act to amend title VII of the Merchant Marine Act, 1936, as amended, to provide for experimental operation and testing of vessels owned by the United States;

H. R. 11127. An act to clarify the law relating to the grant of certain public lands to the States for school purposes;

H. R. 11499. An act to amend the Texas City Disaster Claims Act;

H. R. 11558. An act to relinquish any right, title, and interest which the United States may have in and to certain land located in Forrest County, Miss., in order to clear the title to such land; and

H. R. 11802. An act to continue the effectiveness of the act of December 2, 1942, as amended, and the act of July 28, 1945, as amended, relating to war-risk hazard and detention benefits until July 1, 1957.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills, joint resolutions, and concurrent resolutions of the House of the following titles:

H. R. 1761. An act to relieve certain veterans who relied on an erroneous interpretation of the law from liability to repay a portion of the subsistence allowance which they received under the Servicemen's Readjustment Act of 1944;

H. R. 1876. An act for the relief of Martin M. Sorensen;

H. R. 5256. An act to provide for the redemption by the Post Office Department of certain unsold Federal migratory-bird hunting stamps, and to clarify the requirements with respect to the age of hunters who must possess Federal migratory-bird hunting stamps;

H. R. 6190. An act for the relief of Ensign Charles A. Binswanger;

H. R. 9371. An act for the relief of John R. Henry;

H. J. Res. 456. Joint resolution for the relief of certain relatives of United States citizens;

H. J. Res. 616. Joint resolution for the relief of certain aliens;

H. Con. Res. 221. Concurrenct resolution favoring the granting of the status of permanent residence to certain aliens; and

H. Con. Res. 228. Concurrent resolution approving the granting of the status of permanent residence to certain aliens.

The message also announced that the Senate had passed bills, joint resolutions, and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 976. An act to provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Montgomery, W. Va.;

S. 1087. An act to authorize aftercare payments by the Youth Division of the United States Board of Parole;

S. 1184. An act for the relief of Frank R. Davis;

S. 1328. An act for the relief of Mrs. Hubert Chan (formerly Doreen Tsung-tao Chen);

S. 1450. An act for the relief of Mary C. Frederick;

S. 1693. An act for the relief of Robert F. Gross;

S. 1708. An act for the relief of Mr. and Mrs. Ernest M. Kersh;

S. 1847. An act for the relief of Alecos Markos Karavasilis and his wife, Steliani Karavasilis;

S. 2017. An act to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems and insignia to indicate Federal agency;

S. 2022. An act for the relief of Arnold Rosenthal;

S. 2217. An act to provide for transfer of title to irrigation distribution systems constructed under the Federal reclamation laws upon completion of repayment of the costs thereof;

S. 2272. An act for the relief of Evangelos Demetre Kargiotis;

S. 2634. An act relating to the transportation of mail by highway post office service, and for other purposes;

S. 2644. An act for the relief of Hasan Muhammad Tiro;

S. 2760. An act for the relief of Yee Chung Fong Ming and Yee Chung Nom Ming;

S. 2761. An act for the relief of Fethi Hepcakici;

S. 2803. An act for the relief of Max Mazak Terian and his wife, Maria Terian;

S. 2826. An act for the relief of Doctor Ching-Lin Hsia and wife, Wai Tsung Hsia;

S. 2846. An act for the relief of Don-chean Chu;

S. 2882. An act for the relief of Mrs. Geraldine Elaine Sim;

S. 2904. An act for the relief of Rosalind Chang;

S. 2916. An act for the relief of Mrs. Aliberta Bernard;

S. 2955. An act for the relief of Anna Justine Cakste;

S. 2958. An act for the relief of Elisabeth Hollas;

S. 3012. An act for the relief of Richard Rhen-Yang Lin and his wife, Julia Lam Lin;

S. 3016. An act for the relief of Mayland Township, Carpio, N. Dak.;

S. 3030. An act for the relief of Constantinos Peter Agoris;

S. 3059. An act for the relief of No Kum Sok (also known as Kenneth No);

S. 3171. An act for the relief of Mrs. Riva Kagan;

S. 3194. An act for the relief of Henry Lappeman;

S. 3196. An act for the relief of Helen Mar Stranger;

S. 3206. An act for the relief of Saveria Velona Gangemi;

S. 3209. An act for the relief of Paul Edward Horn;

S. 3217. An act for the relief of Mrs. Thomas L. Davidson;

S. 3218. An act for the relief of Joaquin Flores-Munoz;

S. 3253. An act for the relief of Chiyoko Tominaga Beckmann;

S. 3255. An act for the relief of Amin Habib Nabhan;

S. 3276. An act for the relief of Jan Hovorka;

S. 3397. An act to amend section 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, and for other purposes;

S. 3482. An act to provide for transfer of title of certain lands to the Carlsbad Irrigation District, New Mexico;

S. 3583. An act for the relief of Mathilde Gombard-Llatzky;

S. 3592. An act to provide in certain additional cases for the granting of the status of regular substitute in the postal field service;

S. 3650. An act for the relief of the town of Freeport, Maine;

S. 3669. An act to amend the Commodity Credit Corporation Charter Act;

S. 3743. An act to add certain federally owned land to the Lassen Volcanic National Park, in the State of California, and for other purposes;

S. 3875. An act to amend section 4 (a) of the Vocational Rehabilitation Act, as amended;

S. 3881. An act authorizing the demolition and removal of certain greenhouses and other structures on square 576 west in Washington, D. C., and the construction of other facilities in place thereof, at the Botanic Garden Nursery, and for other purposes;

S. 3998. An act to provide for the development of the Federal fish hatchery, known as the Holden trout hatchery, at Pittsford, Vt.;

S. 4011. An act to amend section 650 of title 14, United States Code, entitled "Coast Guard," relating to the Coast Guard supply fund;

S. 4116. An act to increase the membership of the Senate Office Building Commission;

S. 4145. An act providing for the revision and printing of a compilation of Federal laws relating to the regulation of carriers subject to the Interstate Commerce Act;

S. J. Res. 114. A joint resolution to change the name of Bedloe's Island in New York Harbor to Liberty Island;

S. J. Res. 139. A joint resolution to provide for the observance and commemoration of the 50th anniversary of the first conference of State governors for the protection, in the public interest, of the natural resources of the United States;

S. Con. Res. 79. Concurrent resolution to print additional copies of Senate document 117, entitled "A Handbook for Americans,"; and

S. Con. Res. 84. A concurrent resolution favoring the suspension of deportation in the cases of certain aliens.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

H. R. 7089. An act to provide benefits for the survivors of servicemen and veterans, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. GEORGE, Mr. KERR, Mr. MILLIKIN, and Mr. MARTIN of Pennsylvania to be the conferees on the part of the Senate.

JOHN HOLLIS BANKHEAD LOCK AND DAM

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to file a supplemental report on the bill H. R. 7130.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ENGLE. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs may have until midnight tonight to file reports on sundry bills.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the calendar.

IRA D. MACLACHLAN POST, NO. 3, AMERICAN LEGION, SAULT STE. MARIE, MICH.

The Clerk called the bill (H. R. 8047) granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post, No. 3, the American Legion, Sault Ste. Marie, Mich., to use a certain parcel of land in Fort Brady Reservation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is hereby authorized and directed to renew, for the 15-year period immediately following the expiration of the license now in effect, the license to use a certain parcel of land situated in Fort Brady Reservation granted to the Ira D. MacLachlan Post, No. 3, the American Legion, Sault Ste. Marie, Mich., pursuant to the act of June 5, 1936 (49 Stat. 1481). The terms and conditions applicable with respect to the renewed license shall be the same as those applicable with respect to the act of June 5, 1936 (49 Stat. 1481).

With the following committee amendments:

Page 1, line 5, strike the word "license" and insert the word "lease."

Page 1, line 6, insert the words "and the building thereon" between the words "land" and "situated."

Page 1, lines 6 and 7, strike the words "Fort Brady Reservation" and insert the words "St. Marys Falls Canal project."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

The title was amended so as to read: "A bill granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post No. 3, the American Legion, Sault Ste. Marie, Mich., to use a certain parcel of land in St. Marys Falls Canal project."

A motion to reconsider was laid on the table.

CONFIRMING SALE OF CERTAIN REAL PROPERTY

The Clerk called the bill (H. R. 9631) to ratify and confirm the sale of certain real property of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., The conveyance of the real property of the United States evidenced by the deed dated April 4, 1947, conveying certain real property of the United States to Steve Larsson Homer, filed for record in the office of the United States Commissioner and ex-officio recorder of Skagway, Alaska, in volume 13 of deeds, pages 264 to 265, inclusive, is hereby ratified and confirmed as of April 4, 1947.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF INTEREST IN CERTAIN LANDS IN COLORADO

The Clerk called the bill (H. R. 9578) to provide for the conveyance of the reversionary interest of the United States in and to certain lands in Colorado.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to convey by quitclaim deed (1) to the T. W. N. Co., a Colorado corporation, all of the right, title, and interest of the United States in and to the tract of land in the city and county of Denver and the State of Colorado, more particularly described in section 2 (a) of this act, and (2) to Kevin Dever of Denver, Colo., all of the right, title, and interest of the United States in and to the tract of land in the city and county of Denver and the State of Colorado, more particularly described in section 2 (b) of this act.

SEC. 2. (a) All of block 3 except lots 1 and 2, Mar-Lee Manor numbered 2, according to the recorded plat thereof filed in the office of the clerk and recorder of the city and county of Denver, State of Colorado, on August 25, 1952, in book 21 of maps, at page 24.

(b) Lots 1 and 2, block 3, Mar-Lee Manor numbered 2 according to the recorded plat thereof filed in the office of the clerk and recorder of the city and county of Denver, State of Colorado, on August 25, 1952, in book 21 of maps, at page 24.

SEC. 3. The land described in section 2 of this act is located within a portion of the southwest quarter of the northeast quarter and a portion of the southeast quarter of the northwest quarter of section 19, township 4 south, range 68, west of the sixth principal meridian, and is a portion of lands previously conveyed by quitclaim deed from the United States of America to Kenneth I. Morris, recorded October 5, 1946, in book 559 at page 525 of the records of the clerk and recorder of the county of Arapahoe, State of Colorado, and by quitclaim deed from the United States of America to Chester A. Leiser, recorded October 5, 1946, in book 559 at page 523 of the records of the clerk and recorder of the county of Arapahoe, State of Colorado.

With the following committee amendments:

In the first line of the title strike out the words "the reversionary" and insert in lieu thereof the word "an."

Page 1, line 6, after the word "to" add "fissionable materials in."

Page 1, line 11, after the word "to" add "fissionable materials in."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAUL LEVITT

The Clerk called the bill (H. R. 8967) for the relief of Paul Levitt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul Levitt, of Boston, Mass., the sum of $381.55. Such sum represents reimbursement to the said Paul Levitt for paying out of his own funds a judgment rendered against him in the courts of the State of Massachusetts, arising out of an accident occurring in March 1955, when the said Paul Levitt was operating a Government vehicle in the course of his duties as an employee of the Post Office Department: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same

shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 9 and 10, strike out "March 1955' and insert in lieu thereof "July 26, 1954."

Page 2, lines 2 and 3, strike out "in excess of 10 percent thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AGNES V. WALSH ET AL.

The Clerk called the bill (S. 1245) for the relief of Agnes V. Walsh, the estate of Margaret T. Denehy, and David Walsh.

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to the following parties: (1) Agnes V. Walsh, of Cambridge, Mass., (2) the estate of Margaret T. Denehy, late of Cambridge, Mass., and (3) David Walsh, of Cambridge, Mass., the sums of $500, $900, and $352.15, respectively. The payment of such sums shall be in full settlement of all claims against the United States of such parties for personal injuries sustained by the said Agnes V. Walsh and the late Margaret T. Denehy, and for personal injuries and property damage sustained by the said David Walsh, when the automobile in which the above-named persons were riding was struck by a United States Navy motor vehicle at Boston, Mass., on August 24, 1945: *Provided*, That no part of the amount appropriated in this act for any of such parties, in excess of 10 percent thereof, shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim of such party, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAJ. LUTHER C. COX

The Clerk called the bill (S. 2352) for the relief of Maj. Luther C. Cox.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Luther C. Cox, major, United States Air Force, of Ferndale, Md., the sum of $8,215.25. Such sum shall be in full satisfaction of the claim of the said Luther C. Cox against the United States for compensation for the death of his wife, Helen Cox, who was fatally injured as the result of an accident occurring on February 5, 1955, near Saalfelden, Austria, in which a United States Army ambulance struck an automobile in which the said Helen Cox was riding, and for burial and other expenses incurred by the said Luther C. Cox incident to such death: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM G. JACKSON

The Clerk called the bill (S. 2690) for the relief of William G. Jackson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William G. Jackson, of Chattanooga, Tenn., the sum of $15,000. Such sum shall be in full satisfaction of all claims of the said William G. Jackson against the United States for compensation for permanent and disabling injuries sustained by him when a building at Maxwell Air Force Base, Ala., on which the said William G. Jackson had been assigned to work while he was an inmate of a Federal prison, collapsed during construction on January 18, 1955: *Provided*, That no part of the amount appropriated in this act in excess of 5 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DOROTHY E. GREEN AND THELMA L. ALLEY

The Clerk called the bill (H. R. 10720) for the relief of Dorothy E. Green and Thelma L. Alley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of clause (3) of subsection 14 (b) of the Warrant Officer Act of 1954 (68 Stat. 157, 163; 10 U. S. C. 600 1 (b) (3)), Regular Army Warrant Officers Dorothy E. Green, V-904322, and Thelma L. Alley, V-904321, are authorized to be continued on active duty until each, respectively, has qualified for retirement under the provisions of subsection 14 (a) of that act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GUISEPPE AGOSTA ET AL.

The Clerk called the bill (S. 47) for the relief of Guiseppe Agosta.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Guiseppe Agosta shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of the Immigration and Nationality Act, Guiseppe Agosta and Shakeeb Dakour shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

"SEC. 2. For the purposes of the Immigration and Nationality Act, Gertrud Charlotte Samuelis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act.

"SEC. 3. Upon the granting of permanent residence to each alien as provided for in this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Guiseppe Agosta, Shakeeb Dakour, and Gertrud Charlotte Samuelis." A motion to reconsider was laid on the table.

SUMIKO ARIUMI BILSON

The Clerk called the bill (S. 1616) for the relief of Sumiko Ariumi Bilson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Sumiko Ariumi Bilson, shall be held and considered to be the natural-born minor alien child of Maj. John G. Bilson, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

The Clerk called House Joint Resolution 649 for the relief of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, for the purposes of the Immigration and Nationality Act, Haseep Milhem Esper and Carolina M. Gomes shall be deemed to be nonquota immigrants.

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Josip Maracic, shall me held and considered to be the national born alien child of Mr. and Mrs. Mike Braut, citizens of the United States.

SEC. 3. In the administration of the Immigration and Nationality Act, Ada Kabilka, the fiance of Harold S. Weiss, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Ada Kabilka is coming to the United States with a bona fide intention of being married to the said Harold S. Weiss and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Ada Kabilka, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Ada Kabilka, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Ada Kabilka as of the date of the payment by her of the required visa fee.

SEC. 4. For the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, the minor child, Marianne Larsen, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Gorm Larsen, permanent residents of the United States.

With the following committee amendments:

Page 1, line 8, strike out "me" and insert "be."

Page 1, line 9, strike out "national born" and insert "natural-born."

Page 2, line 20, strike out "203 (a) (3" and insert "203 (a) (3)."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

The Clerk called House Joint Resolution 650 for the relief of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, for the purposes of the Immigration and Nationality Act, Isabelle Choueiri (Isabelle Schwray), Inge (Ines) K. Lang, Liselott (Lilo) K. Lang, Paul Joseph Splingaerd, Robert Wong, Faith Wong, Jerzy Hadrosek, Kalle Kalervo Siermala, Jou Sheng Tchao, Benjamin Bursztyn, Czarma Bursztyn, Ber Bursztyn, Gloria Ying Szutu, Jane Ching Szutu, Raymond Yuan Szutu, Peter Cheng Szutu, Anton Steigerwald, Elaine Shartouni Koury, Elie S. Shartouni Koury, Carmen Mario Cannella, Charles Ang, and Olga Juliana Liepins, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 2. For the purposes of the Immigration and Nationality Act, Knut Peterson and Milagros Claveria shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 3. For the purposes of the Immigration and Nationality Act, Sofronio Molina DeGuzman, Manual R. Llamado, and Kosta Milisav Bulatovich, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee, and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said act. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 4. For the purposes of the Immigration and Nationality Act, Elena Rimorin Patacsil shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee, and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

With the following committee amendments:

Page 1, line 7, strike out "Czarma" and insert "Czarna."

Page 2, line 24, strike out "fee" and insert "fees."

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

WAIVING CERTAIN SUBSECTIONS OF SECTION 212 (A) OF THE IMMIGRATION AND NATIONALITY ACT

The Clerk called House Joint Resolution 651 to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, notwithstanding the provisions of section 212 (a) (4), (9), and (17) of the Immigration and Nationality Act, Lawrence Edward Noonan may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 2. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Mrs. Florence Burke, Mrs. Pura Chaviano Martinez de Walter, and Mrs. Ines Meneghetti Tatko may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 3. Notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Mendel Astel may be granted a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 4. In the administration of the Immigration and Nationality Act, Miss Etus Ziga, the fiancée of Sgt. William K. Culbertson, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Miss Etus Ziga is coming to the United States with a bona fide intention of being married to the said Sgt. William K. Culbertson and that she is found admissible under all of the provisions of the Immigration and Nationality Act other than 212 (a) (9) of the said act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Miss Etus Ziga, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Miss Etus Ziga, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Miss Etus Ziga as of the date of the payment by her of the required visa fee.

SEC. 5. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Marianne Koch Everson may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 6. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and a motion to reconsider was laid on the table.

MARIA PINTOS AND DAUGHTER, EUGENIA PINTOS

The Clerk called the bill (H. R. 4152) for the relief of Maria Pintos and her daughter, Eugenia Pintos.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Maria Pintos and her daughter, Eugenia Pintos, shall be held and considered to have been

lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota or quotas for the first year that such quotas are available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RUPERT WALTL

The Clerk called the bill (H. R. 10088) for the relief of Rupert Waltl.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of sections 310 (d) and 316 (a) (1) of the Immigration and Nationality Act, Rupert Waltl shall be eligible for naturalization upon the date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NIKOLAI E. KHOKHLOV

The Clerk called the bill (H. R. 10984) for the relief of Nikolai E. Khokhlov.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Nikolai E. Khokhlov shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee, and section 212 (a) (28) of the said act shall be inapplicable in the case of such alien. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OTTINGER BROS.

The Clerk called House Resolution 531.

There being no objection, the Clerk read the resolution, as follows:

Resolved, That the bill (H. R. 5461) entitled "A bill to confer authority upon the Secretary of the Army to pay certain claims of Ottinger Bros.," together with the accompanying papers, notwithstanding the statute of limitations, be referred to the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same in accordance with the provisions of said sections and report to the House of Representatives, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimant.

SEC. 2. The United States Court of Claims, in connection with its consideration of the case referred by section 1 of this resolution, shall admit in evidence and consider as evidence such documents and affidavits as are submitted by either party.

The House resolution was agreed to.

A motion to reconsider was laid on the table.

MRS. SYLVIA SIMONSON

The Clerk called the bill (S. 1178) for the relief of Mrs. Sylvia Simonson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Mrs. Sylvia Simonson, of East 13216 Fourth Avenue, Opportunity, Wash., in full settlement of all claims against the United States for personal injuries and medical and hospital expenses sustained as a result of an accident while directly serving the Armed Forces as an instructor pilot for the training school rendering training instruction to the 319th College Training Detachment, Pullman, Wash., on December 28, 1943: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CHARLES C. PHILLIPS

The Clerk called the bill (S. 1798) for the relief of Mrs. Charles C. Phillips.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Charles C. Phillips, of Vicksburg, Miss., the sum of $10,000 as an extraordinary monetary award for special services rendered to the United States by her husband, the late Charles C. Phillips, during June and July 1952, at which time, while employed by the Department of Defense, he was on loan to and rendered outstanding service for a subcommittee of the Senate Armed Services Committee, which subcommittee, following detailed hearings and an intensive study to which Mr. Phillips contributed greatly, recommended and was instrumental in the eventual reduction of the Military and Naval Construction Act of $500 million: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. WINIFRED A. HUNTER

The Clerk called the bill (S. 2008) for the relief of Winifred A. Hunter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Winifred A. Hunter, of San Antonio, Tex., the sum of $6,500. The payment of such sum shall be in full settlement of all claims of the said Winifred A. Hunter against the United States for reimbursement for damage to her personal and household effects sometime between December 7, 1946, and March 7, 1947, at Bilbao, Spain. Such damage was incurred when the said Winifred A. Hunter, while employed as a clerk in the Foreign Service of the Department of State, was transferred from the American Embassy at Managua, Nicaragua, to the American Embassy at Madrid, Spain: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

M. B. HUGGINS, JR.

The Clerk called the bill (S. 2169) for the relief of M. B. Huggins, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to M. B. Huggins, Jr., of Timmonsville, S. C., the sum of $8,196.37. Such sum shall be in full satisfaction of his claim against the United States for compensation for medical expenses and loss of earnings incurred as the result of a serious injury suffered by him on March 4, 1955, while assisting two investigators of the Alcohol and Tobacco Tax Division of the Internal Revenue Service, United States Treasury Department, in effecting the arrest of an alcohol tax violator: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES RICHARD HOGAN

The Clerk called the bill (S. 2240) for the relief of James Richard Hogan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any statute of limitation or lapse of time or any provision of law to the contrary, suit may be instituted against the United States in the United States District Court for the District of New Mexico within one year after the date of enactment of this act for damages resulting from James Richard Hogan, of

Albuquerque, N. Mex., being struck by a Government vehicle on the premises of the National Guard Armory, Socorro, N. Mex., on May 5, 1950. In any such suit brought pursuant to this act proceedings shall be had in accordance with the provisions of law applicable in the case of tort claims against the United States, but nothing in this act shall be construed as an inference of liability on the part of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOLLETT L. GREENO

The Clerk called the bill (H. R. 1093) for the relief of Follett L. Greeno.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,069.04 to Follett L. Greeno, of Rochester, N. Y., in full settlement of all claims against the United States representing a refund of employment tax under the Federal Insurance Contributions Act for the periods September 30, 1946, through September 30, 1947. Refund rejected for such periods due to time limitation and department could not make refund.

With the following committee amendment:

Page 2, line 1, after the colon, insert *"Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH SANTO

The Clerk called the bill (H. R. 2325) for the relief of Joseph Santo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Santo, of Roscoe, Pa., the sum of $500. The payment of such sum shall be in full settlement of all claims of the said Joseph Santo against the United States for reimbursement of the amount of a departure bond which was executed on May 18, 1948, in connection with the admission of the alien Zora Krizan (his fiance) to the United States on December 16, 1948. Such bond was breached and payment was made to the Immigration and Naturalization Service on February 9, 1953, in spite of the fact that the said Zora Krizan was lawfully admitted to the United States for permanent residence as a displaced person (DP–8122) effective December 16, 1948: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 7, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARTIN WUNDERLICH CO.

The Clerk called the bill (H. R. 3274) for the relief of the Martin Wunderlich Co.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ELMA AGNES GIBSON HOLLINGSWORTH

The Clerk called the bill (H. R. 8068) for the relief of Elma Agnes Gibson Hollingsworth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Elma Agnes Gibson Hollingsworth, administratrix of the estate of Virgil Thomas Gibson (Veterans' Administration claim No. XC 539 583), is hereby relieved of all liability to repay to the United States the sum of $1,209.44, together with interest and costs, which she was held liable to repay the United States by the United States Court of Appeals for the Ninth Circuit on September 13, 1955. Such sum represents the amount overpaid to the said Virgil Thomas Gibson by the Veterans' Administration through an administrative error.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. LIDIE KAMMAUF

The Clerk called the bill (H. R. 8216) for the relief of Mrs. Lidie Kammauf.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Judicial District of New Jersey to hear, determine, and render judgment upon the claims of Mrs. Lidie Kammauf, Gloucester City, N. J., against the United States for personal injuries sustained by her in July 1940, off Cape May, N. J., when a Navy seaplane which was taking off collided with a boat in which she was a passenger.

SEC. 2. Suit upon such claims may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, appeals therefrom, and payment of any judgments thereon, shall be in the same manner as in cases over which such court has jurisdiction upon section 1346 (b) of title 28 of the United States Code. Nothing in this act shall be construed as an implication of liability on the part of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN L. HUGHES

The Clerk called the bill (H. R. 9029) for the relief of John L. Hughes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John L. Hughes, Marquette, Kans., the sum of $416.50. Such sum represents the amount which is equitably due the said John L. Hughes in full settlement of his claim against the United States for reimbursement of resettlement expenses incurred by him as a direct result of his moving from a tract of land designated as tract No. A–125–E, Kanopolis Reservoir spillway, Kansas, title to which was acquired by the United States on October 7, 1953. The United States was precluded from making administrative settlement of such claim in the manner provided by section 401 (b) of the act of July 14, 1952 (Public Law 534, 82d Cong.), by reason of the provision contained therein prohibiting payment of any such claim unless application for reimbursement is submitted within 1 year after the date of acquisition of title by the United States. Because of his lack of knowledge of such provision, but without fault on his part, the said John L. Hughes failed to submit his application within the prescribed period: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISS ELISABETH VON OBERNDORFF

The Clerk called the bill (H. R. 9440) for the relief of Miss Elisabeth von Oberndorff.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

WILLIAM EDWARD WINE

The Clerk called the bill (H. R. 9947) for the relief of the estate of William Edward Wine.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the estate of William Edward Wine, formerly of Berryville, Va., is hereby relieved of all liability to the United States arising out of the affidavit of support signed by William Edward Wine on March 29, 1954, regarding two immigrants to the United States, Max Adolph William Kommer and his wife, Elfriede Kirsch Kommer, effective upon the acceptance by the

administrator of the Bureau of Security and Consular Affairs in the Department of State of a satisfactory substitute assurance of support for such immigrants.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

P. R. COX

The Clerk called the bill (H. R. 10983) for the relief of P. R. Cox.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to pay, out of money heretofore made available for the eradication of the disease vesicular exanthema in swine to P. R. Cox, Temple, Tex., the sum of $2,753.67. The payment of such sum shall be in full settlement of all claims of the said P. R. Cox against the United States arising out of the destruction in July 1953 of swine owned by him because of the infection and exposure of such swine to the contagious disease vesicular exanthema. Such sum represents 50 percent of the amount of losses incurred by the said P. R. Cox by reason of the destruction of such swine, 50 percent of the amount of such losses having been heretofore paid to him by the State of Texas: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, lines 5 and 6: Strike the words, "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KIM CHUNG HI

The Clerk called the bill (H. R. 11706) for the relief of Kim Chung Hi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Kim Chung Hi, 373 Sin Sul Dong, Dong Munku, Seoul, Korea, the sum of $2,788.90, and such additional sum due to increases in rates of exchange as may be necessary to pay this claim in foreign currency, in full satisfaction and final settlement of her claim against the United States in the amount of 1,338,672 Korean hwan arising out of the deaths of her husband, Lee Hak Chun, and daughter, Lee In Ja, resulting from the criminal acts of a member of the United States Army on December 23, 1950, in Seoul, Korea, and the accompanying criminal assault upon Kim Chung Hi by this same member of the United States Army: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELEPHANT BUTTE DAM

The Clerk called the bill (S. 220) conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any statute of limitations or lapse of time or any limitation upon the jurisdiction of the United States district courts to hear, determine, and render judgment on claims against the United States, jurisdiction is hereby conferred upon the United States District Court for the District of New Mexico to hear, determine, and render judgment upon the claims of Max T. Martinez, Antonio Gonzales, Epigmenio Ramirez, Triunfo Silva, Felix Vallejos, Octaviano Trujeque, Margarite Torres y Gallegos, Eugenio Torres, Emileo Torres, Benito Silva, Juan Saavedra, Santiago Romero, Gernimo Romero, Monico Rivas, Benito M. Pargas, Mrs. Pablo M. Padilla, Jose Padilla, Jose P. Lopez, Casimro Martinez, Frank Martinez, Manuel Martinez, Mrs. C. C. Montoya, Joseph W. Milligan, Tom Olguin, Ruben Gutierrez, Espiridion Gutirrez, Mrs. Pat Gonzales, Salomon Anaya, G. E. Baca, Paul G. Baca, Herminio Baldonado, Mariana O. Gallegos, Vicente Chavez, Mrs. Altagracia Carreaga, David Benavides, Delfino Gonzales, Vidal S. Chavez, Fortunato Gallegos, Damariz Romero, S. Gray Hanna, Pablo Alderete, Charles M. Crossman, Alta Carreaga, Andres Mora, Patricino Trujeque, Conrado Trujeque, Epitacio Torres, Estanislado Torres, Climaco M. Springer, Feliciano Serna, Frank Saavedra, Luz Romero, Celedon Romero, Jr., Dionicia Pargas, Pablo Padilla, Jose M. Padilla, Antonio Lopez, Juanite P. Lopez, Dan Martinez, Juan A. Martinez, Pedro Martinez, Louis Mora, Charles H. Nattress, Sr., Doloritas R. Padilla, Jose A. Gutierrez, Mrs. Refugia B. Gonezales, Jose Maria Gonzalez, Alfredo Armijo, Librada Baca, Frank Barela, Damacia Gonzales Barreras, Charles Eaton, Aurora O. Drevfus, James Carmody, Veronica Gallegos, Jose Gonzales, Rumaldita Gallegos, Jose Herrera, and Trinidad Trujillo against the United States for compensation for the taking of or for damage to real or personal property in the flooding of lands in the Rio Grande Valley in the vicinity of San Marcial, N. Mex., in 1929, which flooding allegedly resulted from the construction by the United States of Elephant Butte Dam on the Rio Grande.

SEC. 2. Suit upon any such claim may be instituted by the owner of the property with respect to which the claim is made or by his heirs at any time within 3 years after the date of enactment of this act. Proceedings for the determination of any such claim and review thereof and payment of any judgment thereon shall be in accordance with the provisions of law applicable in the case of the taking by the United States of private property for public use, but nothing contained in this act shall be construed as an inference of liability on the part of the United States Government. Any claims approved for payment under the provisions of this act shall be liabilities of the United States Government and shall not be charged against irrigation districts located on the Rio Grande project (New Mexico-Texas).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

The Clerk called the bill (S. 146) for the relief of Isabel Tre.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Isabel Tre shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

With the following committee amendments:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of the Immigration and Nationality Act, Isabel Tre, Anniemae M. Swanson, Armylee V. Swanson, and William Jeffrey Jonas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fees.

"SEC. 2. For the purposes of the Immigration and Nationality Act, Mirko Zivolich, Mary A. Mouskalis, Zelda Baumzveiger, Spyros Nicholaou Lekatsas, Elli Yorgiyadis, Athanase G. Politis, Vittorio Ventimiglia, Mario Farabullini, Alla Farabullini, Knar Carmen Ives, Joyce Soonhwe Kim, Frank Sevcik, Jr. (also known as Frantisek or Francesco Sevcik), Ethel Kallins, Oksanna Oztemel, and Javier F. Kuong, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fees. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

"SEC. 3. For the purposes of the Immigration and Nationality Act, Zoltan Klar, Vilma Hartmann Klar, Tibor Klar, and Marion Drucker shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fees: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said act in the cases of Vilma Hartmann Klar and Marion Drucker. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

"SEC. 4. For the purposes of the Immigration and Nationality Act, Stanislaw Argasinski shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this section of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota

is available: *Provided*, That the past membership of Stanislaw Argasinski in the classes defined in section 212 (a) (28) of the Immigration and Nationality Act shall not hereafter be a cause for his exclusion from the United States.

"SEC. 5. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrant of arrest, and bonds which may have issued in the case of Salomon Benveniste. From and after the date of the enactment of this act the said Salomon Benveniste shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

"SEC. 6. For the purposes of the Immigration and Nationality Act, Dr. Yong Whan Kim shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee, and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General, United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act for the relief of certain aliens."

A motion to reconsider was laid on the table.

GRANTING THE STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The Clerk called the joint resolution (S. J. Res. 163) granting the status of permanent residence to certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, in the case of each alien hereinafter named, in whose case deportation has been suspended for 6 months pursuant to section 19 (c) of the Immigration Act of 1917, as amended (54 Stat. 671; 56 Stat. 1044; 62 Stat. 1206), the Attorney General is authorized and directed to cancel deportation proceedings and to record the lawful admission for permanent residence of each alien in accordance with the provisions of section 244 (d) of the Immigration and Nationality Act (66 Stat. 216–217), upon the payment to the Commissioner of Immigration and Naturalization of a fee of $18, which fee shall be deposited in the Treasury of the United States to the account of miscellaneous receipts:

A–2568385, Frett, Lilly M.
A–9605857, Frett, Rudyard D.
A–8014941, Todman, Edith Eileen.
A–3148643, Todman, William Isaac.
A–5978822, Turnbull, Joyce E.
A–8057169, Turnbull, Norwell Leon.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA NOVAK

The Clerk called the bill (S. 2244) for the relief of Maria Novak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (b) (2) and 205 of the Immigration and Nationality Act, the alien Maria Novak shall be held and considered to be the alien parent of Janvid John Staut, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA MARIA FULLER

The Clerk called the bill (S. 1895) for the relief of Anna Maria Fuller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Anna Maria Fuller may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground of exclusion of which the Secretary of State or the Attorney General had knowledge prior to the enactment of this act.

With the following committee amendments:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Anna Maria Fuller, Gosta Harry Roner, Giuseppa Boni, Brigitte Lechner Wagner, Elisabeth Dummer, Maria Cedrone DeRubeis, and Moses Rosenberg may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

"SEC. 2. Notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Elsa Emelina Rosado y Rodriguez de Brower and Lotte Windschild may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

"SEC. 3. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Hildegard L. McNabb and Giuseppe Culcasi may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

"SEC. 4. Notwithstanding the provision of section 212 (a) (3) of the Immigration and Nationality Act, Gertrude Heindel may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

"SEC. 5. Notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Charles Black, also known as Joseph Clark, may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

"SEC. 6. Notwithstanding the provisions of section 212 (a) (7) and (25) of the Immigration and Nationality Act, Anna Abbene may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

"SEC. 7. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Antonia Soulis may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

"SEC. 8. Notwithstanding the provision of section 212 (a) (9), (17), and (19) of the Immigration and Nationality Act, Eladio Ledesma-Gutierrez may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

"SEC. 9. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens."

A motion to reconsider was laid on the table.

ELIZABETH LUCIE LEON

The Clerk called the bill (H. R. 8181) for the relief of Elizabeth Lucie Leon (also known as Lucie Noel).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Elizabeth Lucie Leon (also known as Lucie Noel) shall be held and considered to have been lawfully admitted to the United States for permanent residence on January 2, 1951, upon payment of the required visa fee, and shall be permitted to file a petition for naturalization notwithstanding the provisions of section 316 of that act.

With the following committee amendment:

On page 1, line 9, after "section 316", insert "(a) (1) and (2),"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE PANTELAS

The Clerk called the bill (S. 449) for the relief of George Pantelas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of George Pantelas. From and after the date of enactment of this act, the said George Pantelas shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. AVERY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AVERY. Mr. Speaker, speaking as a member of the objectors committee, it has been the custom for the last few months for the Committee on the Judiciary to group certain aliens under a House joint resolution. If we have objection to one of the beneficiaries of one of the bills incorporated in the resolution, do we object on the basis of a single bill or do we have to object to the entire House joint resolution?

The SPEAKER. The gentleman would have to object to the entire resolution, unless it were under consideration in the House without objection, then an amendment would lie to strike out a certain name.

Mr. WALTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALTER. Would it not be in order to offer an amendment which would have the effect of striking out an objectionable name?

The SPEAKER. If there is no objection to the consideration of the resolution or the bill, then it is before the House and any germane amendment would be entertained, to strike out any part of the bill.

Mr. AVERY. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AVERY. Is it in order during the consideration of the Private Calendar to offer an amendment?

The SPEAKER. Yes, to any bill.

Mr. AVERY. I thank the Speaker.

CORRECTION OF SURVEYING ERROR

The Clerk called the bill (H. R. 11346) for the relief of Camillus Bothwell Jeter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture shall convey, without consideration therefor, to Camillus Bothwell Jeter, Whitmire, S. C., all right, title, and interest of the United States in and to the real property described in section 2 of this act, which was originally acquired by the United States solely by reason of a surveying error.

SEC. 2. The real property referred to in the first section of this act is situated in Fishdam Township, Union County, S. C., and is more particularly described as follows: Beginning at corner 8 of the Forest Service survey of the Katherine V. Lipscomb and others, tract No. 302, a stone identified by David Jeter as the corner common to Carrie Jeter tract and Dr. Jeter tract, south 13 degrees 30 minutes west, 17.35 chains to a point; thence south 38 degrees 03 minutes west, 5.61 chains to corner 7 of the Forest Service survey of tract No. 302, a stone on the edge of cleared right-of-way of the Board River Power Co. transmission line; thence north 19 degrees 30 minutes east, 22.7 chains to the place of beginning, containing 2.02 acres, being the same more or less.

With the following committee amendment:

Page 2, line 7, strike out "Board" and insert "Broad."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. McCONNELL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 87]

Adair	Fogarty	Nelson
Barrett	Fulton	O'Hara, Minn.
Bell	Gamble	Osmers
Bentley	Garmatz	Patman
Blitch	Gray	Poage
Bolton, Oliver P.	Griffiths	Powell
	Hale	Preston
Bowler	Hays, Ohio	Prouty
Brooks, Tex.	Hillings	Radwan
Celler	Hinshaw	Reece, Tenn.
Chatham	Hoffman, Ill.	Scudder
Coudert	Holt	Shelley
Cretella	Hull	Sheppard
Davidson	Keating	Taylor
Davis, Wis.	Kee	Thompson, La.
Dempsey	Kilburn	Thornberry
Donovan	Kluczynski	Van Pelt
Eberharter	Lane	Vinson
Edmondson	Lanham	Watts
Fallon	Morgan	Wickersham
Fino	Moulder	Wilson, Calif.

The SPEAKER. On this rollcall 363 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FEDERAL ASSISTANCE TO STATES FOR SCHOOL CONSTRUCTION

Mr. BARDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7535) to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 7535, with Mr. WALTER in the chair.

The Clerk read the title of the bill.

Mr. DIES. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DIES. Mr. Chairman, the proponents of this bill seek to justify its passage on the ground that the States have failed to meet the classroom shortage although they have made every adequate effort to do so. I would like to read the statement in the bill which is the predicate for the bill:

The Congress finds that despite sustained and vigorous efforts by the States and local communities, which have increased current school construction to an unprecedented level, there is still a serious national shortage of classrooms requiring emergency action on the part of the Federal Government.

I believe that the advocates of this measure will agree the burden of proof is upon them to show that the States have made sustained and vigorous efforts to meet the shortage and have failed through no fault of their own. I doubt if the most ardent and enthusiastic supporter of this measure would contend that the Federal Government ought to be expected to make these grants if the States and local communities, by diligent effort, can supply the need. If any of the managers for the bill dispute that statement, I would like for them to take the floor and question it at this time. I assume that is the predicate, that is the crux of the bill, because it is recited in the very beginning of the bill.

The question, therefore, for our decision, or one of the questions, is whether or not the local communities and the States have made sustained and vigorous efforts to supply the necessary classrooms. Now, in order to determine that question it is appropriate that we go to the committee report, which is the summary of its findings. I assume that the committee heard all of the testimony and the evidence and reached the conclusions which are incorporated in the report and that the report will reflect accurately the true facts.

Now, what are the reasons given by the committee for the failure of the States and the local communities to supply the classroom needs? I read from paragraph 3 on page 3 of the committee report, and I invite your careful consideration to this report:

But most districts—

They are dealing now with the great majority of districts—

must borrow funds by voting bond issues.

Well, that is the way they have to get the money; they have to vote bond issues.

They operate under widely varying laws which in many cases make it difficult to finance school construction. There are debt limits, constitutional in 26 States and statutory in 21, beyond which a district cannot issue bonds.

Now, the first impediment that is assigned for the failure of the State and the local community to meet the classroom shortage is the fact that there are 47 States with debt and tax limits. The second reason is:

These common difficulties are often aggravated by underassessment of property.

In other words, in the school districts they underassess the property and therefore do not raise enough revenue to take care of the school needs of their children. Then the next reason is "and school district size."

In other words, many of the school districts in communities fail to consolidate and to rearrange their districts so that there will be a proper size.

In some cities the children attend schools in areas of low assessed valuations and adjacent industrial areas with high assessed valuations do not contribute to the school costs.

What they are saying in plain language is that the local communities and the States have failed to consolidate school districts so that the district would have enough revenue to meet the needs.

Now, Mr. Chairman, here we have a committee which asked the Congress to depart from a fundamental principle of our Government, to embark upon a new experiment, and the justification for this radical departure is assigned, first, that the local and State governments have debt and tax limitations. Now, Mr. Chairman, think of it. Forty-seven States in our Union have debt and tax limitations and are unwilling to raise them, and therefore they come to the Congress of the United States and say, "We do not want to have any more debt; we are not going to stand for any more taxes. Therefore, we expect the Federal Government to come to our aid, to our rescue."

Why can they not raise their debt limit, their tax limit if they are sincerely and genuinely interested in the welfare of their children? What is there to prevent them from increasing their tax limit and their debt limit to take care of the essential needs of the children of their community? Have we not raised our debt limit? Time and again, this Congress has met an emergency by raising the debt limit. In fact, Mr. Chairman, we owe $287 billion directly which represents more indebtedness than all the rest of the world put together. And indirectly, how much money do you think we owe? Someone has estimated it at from $500 billion to $700 billion. In other words, we are endorser and guarantor on paper to the staggering total of from $500 billion to $700 billion.

We are in far worse financial condition than any State in this Union. And to me it is utterly preposterous and ridiculous for any State or local community to say, "We are unwilling to raise our debt and tax limit to provide for the urgent needs of the children of our community and, therefore, we come to Washington for Federal aid."

In the school district in which I live we needed some additional school revenue several years ago. We did not have time to go through the legal process of increasing valuations and raising the additional revenue. Therefore the school board appealed to the citizenship who voluntarily agreed to an increase in their valuations. And there was a 100 percent agreement.

Do you mean to tell me that there is any school district or any State in our Union that would not be willing to make any sacrifice to provide for the education of their children? And do you mean to imply that in this period of unparalleled prosperity, when vast sums of money are spent upon all sorts of luxuries, that people are not willing to forego some of the Government waste, extravagance, and unnecessary spending in order to provide for their own children?

And do you mean to tell me that they are unwilling to assess their property adequately in their community to raise sufficient revenue? In the city of Washington property is assessed below 50 percent of its market value. And in many communities in this country property is assessed for taxing purposes far below its present market value. I know that to be a fact because I once owned property here in this city for 14 years and I never enjoyed such low tax rates as there were then in the city of Washington. I know that in nearly every community there is no attempt made to appraise property at its market value. And for the committee to say to this Congress that the local communities are unable to raise the money because they will not assess their property higher and therefore the Federal Government, which is burdened with the greatest responsibilities in all history, which must meet an international threat that will test the strength and financial resources of this country to the limit—to say that in a moment of supreme crisis in the affairs of nations, we should be called upon to provide for the classrooms of the children of America, to my mind is utterly uncalled for and preposterous.

They tell us, Mr. Chairman, that there will be no Federal control, and there are pious words in section 403 in which they declare that the bill will be free from Federal control. Yet when we read the bill with all of the provisions and formulae therein set forth we can reach no other conclusion but that it is the beginning of control.

The truth is that there are a lot of people in every State who would like the Federal Government to take over the schools of this country. Make no mistake about that. We have in America, just as there are in every country in the world, people who believe in the omnipotent government. They want a highly centralized state. They want to standardize education and thoughts and customs and habits and force people to comply with their way of living. We have more meddlers and busybodies in the world who are not content with cleaning up their own backyard but who are forever and ever seeking to reform someone else in some distant community. Our public school system is the integral part of our local communities. There is vast variety in the customs and habits and thoughts of our people. From that comes the rich traditions of our Nation and the strength and the power of America.

I believe, Mr. Chairman, that when the time comes that from Washington the decrees and the dictates are issued to standardize the thoughts and the customs and the habits of the people we will cease to exist as a free and independent country.

I know you disclaim any intention of Federalizing the public schools, but those of us who have witnessed the steady encroachment of Federalism upon State institutions know that in the beginning you are always modest in your pretentions and your claims, but once the camel gets his head under the tent he will never take it out.

This is designed as the beginning of what may prove to be a disastrous program to all of those who insist that every community should preserve its individuality. What may be suitable in the city of New York in the administration of schools or in the matter of the curricula that are prescribed would be wholly inappropriate in the State of Texas. We are not seeking and we shall never seek to prescribe for any community the kind of school it ought to have. But there are those who feel that if they can standardize education and impose some sort of Federal regulation upon schools and invest Federal authorities with direction of them we will have better educational institutions. They do not openly proclaim that. They say this is temporary, it will last only 4 years. But all experience demonstrates that that is not true, and that once you begin this Federal control there is no end to it.

What will become of your pious declaration in section 403 when the Powell amendment is added to this bill, and of course it will be added by amendment or regulation. There is no doubt about that. I have heard that there was a poll taken in the House, and 238 Members pledged themselves to vote against it. But I want to predict that the Powell amendment will be added to this bill or its purposes will be accomplished by administrative action.

What will happen to this bill when it is added? On the one hand, in section 403 you will be saying that no agency in the Federal Government shall direct the personnel of the schools. On the other hand, through the Powell amendment or regulation you will be directing the personnel.

So, Mr. Chairman, there is only one thing to do with this bill, and that is to defeat it. Let us defeat it decisively in this House and forever settle the question of federalizing the public school system in the United States.

If the time comes that the 47 States with tax and debt limits come to this Congress and say: "Well, we have raised our debt limit; we have raised our tax limit; we have reassessed our property and we have done everything humanly possible and we cannot provide for the education of our youth," we can take appropriate action. We can say: "This is a crisis, you have done the best you can and you have been unable to supply the needs so we will remit a part of the income taxes so that you can raise the necessary revenues or withdraw from some of the fields of taxation in favor of the States." But, gentlemen, I beseech you to pause long and carefully before you invade the field of public education. We have already reached out into almost every field of human activity. We are now engaged in a multitude of endeavors all over the United States. But once we lost local control of public schools, then the very foundation upon which our Republic is erected will be undermined and the superstructure will topple over. I

beg you to measure up to the grave responsibilities of this hour. I do not believe the people of your communities and mine want this. I do not believe, if they understood the implications of it, and its farreaching effect and what it will lead to ultimately that they would expect you to vote for this measure. I say now in the interest of the preservation of our public school systems, let us in the very beginning of this program of federalization stamp it out and by our vote serve notice upon the federalists and the advocates of the omnipotent state that we will not permit them to invade the field of public education.

Mr. GWINN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, with all of our discussion of Federal aid for education, it seems very strange to me that none of us have not thought of the simple and perfectly amazing magic involved if we would only let the people back home in each of the States keep enough of their own money at home to support their own schools. It is perfectly astonishing that, up to now, it does not seem there is any conscience in this body as to the fact that, if the States need stimulants, it is because we have been giving them sedatives for so long. If the States are in trouble and cannot take care of their schools by themselves, it is because this Congress has year after year for 25 years taken their own money away from them. If there is any fault over the failure of the States to do for their children what they naturally want to do, it is because the Congress has impoverished them so that they no longer feel able to take care of themselves. They feel that the only way to get their wages, salaries, income back is to cry out to Washington to leave some or bring some back from where Washington got it in the first place.

Now, here is a simple device which I am going to offer in due time. It is known as the Scrivner plan. It has been kicking around for a long time. All it does is to leave 1 percent of the tax collections at home, or take exactly 1 percent of the total income and corporate taxes that each State pays to the Federal Government and let it alone to be used by the States as they please. Let their judgment be used for public-school classroom construction. The little chart here that shows how the Kelley bill and the Scrivner plan work is on the desk here. You may have a copy.

The Kelley bill provides $400 million a year. The 1 percent plan will yield nearly $600 million a year, or a third more under the substitute proposed than the Kelley bill proposes under title I. It is interesting to note how it works out. Take Arizona, for example: Under the Kelley bill it looked like it was getting more. Under the keep-your-money-at-home-manage-it-yourself plan, Arizona gets substantially the same. Besides it does not have any cost and no control added on to it.

California, of course, does very well.

Colorado works out surprisingly. Under the Kelley bill she pays in $3,500,000, gets back $3,600,000, but under the Scrivner plan she gets $5,532,000 of her own money.

Connecticut comes out much better; and Delaware, of course, fares much better.

Florida comes out considerably better. Under the Kelley bill she pays in $3,868,000 and takes out $7,623,000, a net of approximately $4 million. Under the keep-your-money-at-home-manage-it-yourself plan she gets $5,999,000.

Idaho the same.

When you come to a rich State like New Mexico, comparatively speaking, it is surprising.

Mr. GAVIN. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. GAVIN. Mr. Chairman, I listened with a great deal of interest to the remarks of my very good and able friend the gentleman from Texas [Mr. DIES]. He made a very able presentation that this proposed legislation is merely, as he stated, to get the foot in the door. After Federal aid for construction it will be Federal aid for education. There will be no way to stop it once they are in; it will be a continuing process over the years and they will have our educational system under the supervision of the Federal Government with its restrictions, regulation and regimentation with bureaucrats control rather than under the supervision of the municipalities, the counties, and the States of the Nation where it rightfully belongs.

I cannot understand the attitude of Congress on all these varied projects. We have a debt of $276 billion; and as I have pointed out before, a million dollars is a thousand thousand dollars and a billion dollars is a thousand million, and we owe about 276 thousand million dollars that our people by the sweat of their brow must pay in some form of taxes if it is ever paid. Even if we paid it back at the rate of $3 billion a year it would take us from 75 to 100 years to pay off the debt. So in all of these spending programs the only legacy we are bequeathing to the generation to follow us is a burden of taxation that will be a burden to them for the next 50 to 75 years.

It is difficult to understand, Mr. Chairman, why the Congress cannot appreciate the fact that the only way Uncle Sam secures money is by taxing the people. The interest on the national debt today is $7 billion a year. That is $7 billion in interest that we are paying each year just to pay the interest on the national debt, a terrific amount. Everyone thinks that when we get Federal aid no matter what it is for that they are getting something for nothing. It is a fallacy. We are not getting anything for nothing, whether it is Federal aid or State aid or whatever kind of aid it is. It must be paid for by taxes. However, everyone seems to think that Uncle Sam is a rich uncle, that his pockets are inexhaustible, that you can continue to spend and spend and nobody has to pay the bill. We all pay the bill and, as pointed out by the gentleman from Texas, somebody has to pay for these programs. The arguments of the gentleman from Texas are sound. We get greater value for the money we spend when it is spent by the boroughs, the municipalities and the States without Federal intervention or without Federal supervision. This is an attempt to get a foot in the door and take over the supervision of the educational system of the Nation.

So I think we should proceed cautiously and carefully on all of these programs.

The school districts in my State have provided for our schools. They raise the money by bond issues. They take care of the educational system themselves and are doing a very fine job. What about those school districts that have taken care of their school requirements? If you pass this Federal aid construction bill the school districts throughout the Nation that were contemplating the building of schools will say: "Let us stop right now. Let us go no further with our plans because if we are going to get Federal aid we might hold up on our program now and it may be possible to secure some assistance from the Federal Government." Therefore you are going to nullify the ambitions and incentives of these people who are now working on programs to provide school facilities in the various districts throughout the Nation. How about the school districts that have already provided educational facilities for the youth of their communities? Are we going to reimburse them for what they have expended? Certainly not.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. GAVIN. I yield to the gentleman from West Virginia.

Mr. BAILEY. The gentleman's State of Pennsylvania under the national school survey it is shown has 2,505 school districts. 1,989 of those districts are not able on their own finances to meet the school needs.

Mr. GAVIN. Let the gentleman state who prepared that statement. Who prepared that information?

Mr. BAILEY. This is the national survey.

Mr. GAVIN. The national survey? Well, we are doing great work in school construction in Pennsylvania to provide facilities for the education of our youth.

Mr. BAILEY. Does the gentleman refuse to yield?

Mr. GAVIN. I decline to yield further. Permit me to say to the gentleman to look after West Virginia and we will look after Pennsylvania. I want to say you better think very carefully before you vote on this legislation.

So I want to state that it is time for a reawakening on the part of the American people to what is happening because in spite of the excellent philosophies underlying the American way, attempts are being made to ease onto the American people various programs which would bring our educational system under Federal supervision.

Therefore, we must be realists and proceed with caution on all these programs or it is a question of whether we can maintain our American way and the solvency of this Nation. Let us not delude ourselves into thinking that any of these programs will produce a utopia, without somebody paying the bills.

So I want to be recorded as being opposed to this program of Federal aid to school construction and will vote against

this legislation. I am against regulation, regimentation, and Federal intervention in our educational system.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. JOHANSEN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I take this time because of comments which I have heard on and off the floor indicating some question as to the official position of the national convention of the American Legion on this issue. Because I wanted the full facts, of which I was very certain, and because I am sure my colleagues, regardless of their views on this issue, want the record straight, I took the liberty of communicating with my friend the national commander, J. Addington Wagner, of Battle Creek. In response I received this telegram, which came to me on yesterday:

I have been advised that there is some question among Members of the House regarding the American Legion's position on Federal aid to education and upon the pending bill H. R. 7535. I call to your attention the letter of transmittal from Miles Kennedy, director of the American Legion's national legislative division, accompanying the statement by Dr. Floyd Golden sent to all Members of the House June 26. As stated in that letter the American Legion is opposed to H. R. 7535 and urges the Congress to reject this measure.

J. ADDINGTON WAGNER,
National Commander.

In this statement issued to the Members of the House by Dr. Golden, vice chairman of the national Americanism commission of the American Legion, is quoted an official resolution adopted at the 37th National Convention of the American Legion held at Miami, Fla. Let me read this resolution:

At the 37th National Convention of the American Legion held at Miami, Fla., from October 10 to 13, 1955, the matter of the relationship of the National Government to general public education was reconsidered; and the 3,158 accredited delegates to the convention, representing every State in the Union, without a dissenting vote, adopted Resolution No. 588, containing the following restatement of principles with respect to public education:

1. That the State and local governments ought to, can and should assume and take care of primary and secondary school needs.

2. That under the Constitution of the United States, the full responsibility and authority (including financing) over the education of our children is reserved to the several States respectively and to the people.

3. That the States and local communities have the capacity to meet the financial requirements for education.

4. That the National Government should avoid interference, control or direction in educational processes or programs of the respective States, either directly or indirectly, or by grants-in-aid, appropriation, curriculum or program control, or by action of any agency, branch or department of the United States Government.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Well, now, in view of that attitude on the part of the American Legion, being opposed to this bill, if I go along with them on this bill today, will that square me for not going along with them the other day?

Mr. JOHANSEN. I am sure the gentleman is astute enough to answer that question.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. The statement by Dr. Golden, which was included under the covering letter, is on general aid to education.

Mr. JOHANSEN. That is correct.

Mr. RHODES of Arizona. Can the gentleman tell me why that particular statement was included under a covering letter which purported to be against the Kelley bill, which is not general aid to education?

Mr. JOHANSEN. The statement in the resolution which I am placing in the RECORD includes this opening paragraph, "that the State and local governments ought to, can and should assume and take care of the primary and secondary school needs," I construe that to include buildings needs as well.

Mr. HENDERSON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HENDERSON. Mr. Chairman, this is one piece of legislation that does not require too much inner struggle in order that I might cast my vote. Federal aid to education in most any form that I could imagine is a distasteful subject. This grand country of ours has always operated and taken the position that education is a matter of local concern and local control.

The people of my district and the people of my State have long ago recognized that theirs is the responsibility to educate their children, and I have not received letters in any significant number which would indicate to me that the people of the 15th District of Ohio are any less willing to shoulder that responsibility today.

We have heard speakers on the floor of this House tell us of the numbers of school buildings which are needed throughout the country. We have been assured that schools have found it necessary to operate on a split-shift basis. We have heard of the overcrowded conditions which exist. I will agree that buildings are needed, that overcrowded conditions do exist, and that new facilities are needed all the time. But it is my position that the same responsibility which exists for the education of our children calls upon the local and State governments to provide the needed additional facilities.

Our Federal Government has no money other than that which it takes from the people back in Cambridge, Zanesville, Marietta, Caldwell, New Lexington, and the other cities, villages, and school districts of southeastern Ohio and the rest of our country. The only way that the Federal Government can get money is to call upon the people back home to pay the bill. You know and they know that when Ohioans are called upon to pay a Federal bill, that Ohio comes out the small end of the horn. Such is the case with many of our States.

Under the bill that is before us, Ohio will be called upon to pay $26,936,000, and, in return for that payment, will receive from the Federal Government $20,236,416. Ohio will lose $6,699,584 in the process. Let us leave the responsibility for building schools providing education exactly where it is today.

The State of Ohio is reviewing its educational setup and seeking to modernize it. It has recognized that there is a need for additional facilities and additional funds. It has recognized that something needs to be done in Ohio for the reallocation of responsibility within localities. Let us let the State of Ohio and the other States of our Union work out these local problems. If they are not taxing themselves enough for education they must find a method of doing so. Parents are not going to stand idly by with inadequate school facilities. As soon as they realize in all of the States, in all of the localities, they cannot look to Washington for funds for education, they are going to set about in an orderly fashion and provide those functions and those facilities for themselves. There is not a single State that cannot better afford the cost of educating its children than can the Federal Government with its heavily indebted Treasury.

On the other hand, I am sure that so long as there is a question of doubt in the minds of the people in my State and the other States, that the Federal Government is going to come along and tax them and take their money in order to help them to build the schools that they should build for themselves, there will be a tendency on the part of local school authorities to hold back, delay, and wait for the day. Let us get the Federal Government out of even the prospects of the school-construction program so that the States can go to work and do their job.

There is no question in my mind that some renewed study on the part of school officials in Ohio is going to result in a new plan for that State whereby local tax funds will be allocated upon a more equitable basis, so that each pupil in the State will get the greatest benefit out of each tax dollar spent. And what can be done in Ohio can be done in the rest of the States.

We hear that this program as proposed is merely a temporary stopgap measure. I question very much that any function which the Federal Government takes remains a temporary matter very long. For once the foot is in the door, once the camel gets his head under the tent, these Federal programs somehow go all the way. And if it is truly a temporary measure, these $400 million of grants per year in the proposed bill would amount to less than 4 percent of public funds that are now being spent on schools. They would hardly be a drop in the bucket. Those same $400 million, coming from the same sources—from the people themselves, but dispensed through other channels—can build the same

number of schoolrooms without the dangers and irritation of Federal control and intervention.

Several of the newspapers in my congressional district have been outspoken in opposition to Federal aid for education. The Marietta Daily Times has devoted a number of editorials to the subject. In one of them it made the following comment:

It has become fashionable in some circles to assume that Federal aid for everything is prima facie liberalism.

When carefully analyzed Federal aid for education is not liberalism but another move in the growing demand that the Federal Government take over larger and larger areas of welfare, thereby encouraging the withering of State and local tax-collecting instrumentalities.

I would like to comment briefly upon that point. I have heard it mentioned here on the floor of the House that the Federal Government has invaded so many fields of activity in taxation that, finally, we have reached the point where it is necessary to take over the function of providing for our schools because there are no fields remaining for taxation. I will agree that the Federal Government has gone far afield in finding sources of taxation but I'll never agree that because it has that it cannot undo what it has already done, and furthermore, that because of one bad action it should follow it with a far worse one by invading another local function.

The Ohio White House Conference Committee on Education, in a statement of principles adopted November 4, 1955, said:

This committee believes that Ohio has sufficient wealth to support its own system of public education entirely and at any level of excellence the people of Ohio may desire. * * *

We believe Ohio does not need and should not seek Federal aid from the Federal Government for school purposes. * * *

Only if it can be demonstrated by the most authentic, impartial evidence that there are States so desperately lacking in resources that the financing of adequate schools will be an unreasonable burden on their taxpayers should the Congress consider supplying aid to such States. * * *

Finally, we point to the fact that no Federal school aid can ever be equitably distributed to the States without the establishing of certain required standards which inevitably will result in a degree of Federal interference and control over the schools in those States which accept such aid.

Gov. Allen Shivers, of Texas, in an address to the Texas Conference on Education, had this to say:

Federal aid may not automatically involve Federal control and interference but I have never seen Federal aid given without some measure of control. Federal aid in the field of education would be disastrous. I think most of you will readily realize the implications of such control and I am positive that the vast majority of Texans would resist with all their might any effort to impose control by the Federal Government.

Federal money is only taxes and taxes come from the State in one way or another. There is no important source of money for the Federal Government that is not within the boundaries of the individual States.

I should like to read an editorial from the Marietta Times of February 16, 1956. The editorial is as follows:

"AID, BUT NOT CONTROL"

Politically minded groups within State and National organizations of educators continue to play up the belief that if more Federal millions are appropriated as aid to public schools it will not mean Federal control of classrooms and school administration.

In 1916, or 40 years ago, Congress enacted the Smith-Hughes Act. It was designed to give Federal aid to vocational education. During the long debate over the measure its proponents shouted from the housetops and soapboxes that "Federal aid will not mean Federal control."

Take a look at the book entitled "Administration of Vocational Education." It is issued by the Federal Government and sets forth the requirements which each State must meet to share in this aid. In the book this sentence stands out: "Each State is required to submit a plan which must meet the approval of the Federal office of education."

Can advocates of Federal school aid today be any more sincere, in believing that Federal control would not result, than they were back in 1916?

When the President recently called for a 5-year program of Federal aid to schools the band wagon was rather quick to begin filling. But not all school administrators, teachers, and patrons favor Federal aid, and the plan has strong opposition in Congress.

However, this is an election year. Both major parties are straining muscles and mixing vote-getting bait, and Federal aid to schools, with or without Federal control, carries much weight in many election precincts.

The Ohio Chamber of Commerce has pointed out that Ohio has expressed a willingness to pay its way. In an analysis of the education system, it said:

Although the schools of Ohio have much to be desired, it might be pointed out that the voters of Ohio have expressed and shown a willingness on their part to support their local schools through general taxation and bond issues. In Ohio in 1955, bond issues totaling $123 million were submitted to the people. Of this amount $103 million was approved and $20 million disapproved, an approval percentage of 83.59 percent. During the 1951 to 1955 5-year period total bond issues submitted reached $597 million and $480 million was approved, a percentage of 80.32.

Mr. Chairman, it seems to me that Ohio is demonstrating that it needs no Federal grants for its educational work and I am convinced that what is true of Ohio is true or can be true of the other States of the Union. From an editorial content point of view, one of the finest papers in the State of Ohio is the Morgan County Herald. Its editorial columns have always contained most thoughtful and penetrating discussions of important subjects. I would like to quote from the editorials of the Morgan County Herald of December 15, 1955, and February 16, 1956.

[From the Morgan County Herald of December 15, 1955]

FEDERAL AID TO SCHOOLS

As was prophesied by skeptical observers of the tempora and mores, the little White House conference on education was largely a blind behind which Federal aid for schools was promoted. For some reason thousands of doctrinaire professors consider Federal aid as the remedy for all the ills inherent in the school problem. Instead of a solution to the question, it poses far more problems than it solves. From a selfish standpoint, what can the taxpayers of Ohio hope to gain by Federal aid? As pointed out by Mr. Manahan, an Ohio legislator and an authority on school questions in this State, who has made a searching and exhaustive examination of every angle of the question, Ohio has ample taxable resources to have any sort of schools we want. Why should the people of Ohio be taxed, for instance, to build schools and raise the salaries of teachers in Arkansas?

It cannot be denied that Federal aid eventually means Federal control of schools. Grants-in-aid will be conditioned upon the Federal program. Do parents want their children indoctrinated by what may be the radical opinions of some left-wing professor? Do they want the school curriculum and what their children are taught, left entirely in the hands of Washington bureaucrats?

The Hoover Commission's recent report of the vast and unwieldy Federal bureaucracy, with its hundreds of thousands of employees, and billions of public funds largely wasted in administering the national affairs—should be sufficient warning to any thoughtful and patriotic citizen, concerned about the direction our Government is headed. Shall we add another army to the vast horde already on the public payroll? Where other than from our own money, does Federal aid come? Do the overburdened taxpayers of this State profit by sending a tax dollar to Washington, have it scalped by a heavy percentage of administrative charges, and the remainder returned to Ohio as Federal aid? There are still a large number of naive persons who cannot grasp the fact that all the Government has is what it takes from you and me.

Once Federal aid for schools becomes general, the highest paid school administrators will not be the best school men—they will be the best beggars who can wangle the most from their Congressman for the schools of their administrative unit. Politicians, as administrative heads for the school systems, will succeed the conscientious teacher who sacrifices himself for what is the best for his school. Public interest in schools will still further deteriorate about in proportion to the square of the distance from the local school to Washington. People have little enough to say about their schools and the curriculum since State aid became the commonplace. There is, however, good argument for rich counties in a State unit, helping support public education in poverty-ridden school districts. There is no argument for removing the parental and public direction and control of a public school system to a remote control at Washington.

"Each year sees less and less of home rule and more and more of bureaucratic rule from Columbus and Washington. As home rule is surrendered on local problems and given over for solution to State and Federal Government, the public interest in public affairs proportionately declines. Have the American people become so helpless and dependent that they are no longer able to conduct their own local affairs? Do parents want their children trained to become the image of what some Federal educational doctrinaire thinks he should be and become? If the coming Congress reads the temper of the people aright, they will find that a large majority is opposed to weakly surrendering control of something as basic and fundamental as the training of their own children in their own public school system. Taxes piled upon taxes, bureaucracy piled upon bureaucracy, home rule becoming a fiction, a country up to its neck in debt, and 30 cents of every dollar taxed to maintain a vast and overweening structure which some day will crazily topple over or blow up in our faces. Have

people really become so incapable of administering their public affairs that they look to Washington for solution of every question which confronts community welfare?

[From the Morgan County Herald of February 16, 1956]

A DANGEROUS AND EXPENSIVE MYTH

"Let me teach for a generation, and I will become ruler of the state." These wise words were uttered by Napoleon Bonaparte. The world's greatest military genius thus pays tribute to the teachers and their power and influence in any state. Napoleon well knew that "as the twig is bent, the tree's inclined." The plastic mind of a child can be molded. Once the concrete has hardened with time, few people change their opinions very much. What we think and are is largely what we are taught and what we hear when a child. Of course, there are exceptions to this generalization. Some men and women grow and expand mentally and are able to overcome early prejudices and predilections. In the main, however, we are pretty much the product of the school, and the home, and our environment.

Every dictator knows the value of control of what the youth of the land is taught. They arise to power through youth movements. Mussolini, Hitler, Stalin, all knew the vast importance of training children for what they wanted them to be. Every Russian child is indoctrinated with communism. It is his substitute for religion. From what we gather it is sophistry to believe communism is thrust down the throat of your Muscovite. To the contrary, the average Russian, especially the youth of that nation, are fanatically devoted to its precepts. He believes he is a crusader and his system of economics and political beliefs will eventually rule the world. No Communist can be a good American citizen. His first sworn allegiance, regardless of where he lives, is to Russia. As the Mohammedan looks toward Mecca when he prays, the Communist anywhere in the world faces toward Moscow.

These comments lead us up to the danger of Federal aid which is the same thing as Federal control—for aid will be predicated on how a school follows the prescribed curricula from Washington. Federal aid, as suggested by the President, for school buildings to relieve an emergency, is a Trojan horse. All Federal programs start the same way. Initially, a comparatively small sum is requested, to allay public fears and anaesthetize the critics of Federal aims. Once the door is opened, a bureau will be established which will flourish and grow as the green bay tree. Did you ever hear of powers once surrendered to the Federal Government ever being returned to the people? A bureaucratic leech, once empowered, and given a soft berth at Washington is more difficult to displace than a barnacle on a ship. His object in life becomes the perpetuation of a soft job and an easy berth.

Federal school aid will grow and grow as parents, thousands of miles from Washington, take less and less interest in what their children are taught. They soon will become aware that it matters little how their offspring are taught as they will have little or nothing to say, even though sinister indoctrination of strange economic and political poison is injected into the inexperienced mind of their child. In the end, radical and doctrinaire school heads, will make of the next generation what they will.

Why Federal aid for schools? It has been conclusively proven that practically every State in the Union is financially able to have any sort of schools it wants to pay for. What folly to send the good money of an Ohio taxpayer to Washington, pay an army of school bureaucrats to sit in an office with their feet on a desk, doing nothing, and then return 50 cents of that dollar left over after they first take their "divvy," uphoniously dubbed, "Federal aid for schools." Are the people of this country unable to even operate their own public schools with some parental control over what a child is taught, without some bureaucrat from Washington piping the tune while the taxpayers pay the fiddler?

In closing, Mr. Chairman, I would like to say that I am fearful of the provisions of this bill. I am fearful first of this additional departure into the field of Federal aid, particularly when it is aid for what has traditionally been a local matter. Our people want to retain control of our schools. The first educational system was in the home and we have extended that responsibility to our local communities. We do not want that responsibility to go on down to Washington. Secondly, the bill is putting the Government in the banking business by creating a bond purchase revolving fund with authority to purchase the obligations of local educational agencies. But finally, and most important, lurking in the background is the threat, the inevitability, of this becoming a permanent plan. And further than that, the idea of Federal intervention in education will catch on not only in school construction but also in the matter of finance, the matter of educational programs, and this will surely and certainly lead to virtually complete Federal control. We cannot escape these dangers if we approve this bill. We can and must provide for our own educational facilities and programs in our own States if the bill is not approved.

Mr. MATTHEWS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as a former schoolteacher and one who is very much interested in education, I, like you, have searched my soul in all seriousness and in all earnestness, and I have come to the conclusion that I must oppose this bill because I believe it opens the door to Federal control of education.

Also, Mr. Chairman, I want to point out a fact that I do not believe has been emphasized enough during the course of this debate, and that is that perhaps the greatest need in America today is for a sufficient number of men and women adequately trained to teach school and to place them in the various classrooms throughout this Nation where they are so vitally needed. The teachers of America have a terrific responsibility. In some of our schools the teachers of America have to take the place of the parents of America.

I was interested in reading just a few days ago of a nationwide survey among our teachers, a survey that asked them about the particular problems they faced, and the reason they face those problems, and the teachers of America said in effect that the biggest problem they had was the lack of proper homes in America and the fact that the parents of America were not accepting the responsibilities that they should.

I read an article the other day in a local paper which said there were, as I recall, about 14 disturbances in the Washington public schools this past year. Some of these disturbances involve the flashing of a knife or a dagger. Then the article went on to say that there were less disturbances this year than last year. But, Mr. Chairman, I submit, if I were a teacher and someone flashed a dagger or a knife at me, I do not know what you would do, but if you will excuse a colloquial expression, I would hunt the high timber just as rapidly as I could.

So I am suggesting that schoolteachers who have to face an occasional knife or dagger in some of the areas of this country of ours are the ones in America today who need to be given special attention. I read in the local paper this last week that there were 95 girls in the District schools under 16 years of age who had to leave school because of expectant motherhood. And they did not even take into account the number over 16 years of age.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman.

Mr. BROOKS of Louisiana. There was a very edifying article in this week's Newsweek regarding conditions in the District schools which will attract the attention of the gentleman, I am sure, when he sees it. I commend it to his reading.

Mr. MATTHEWS. I appreciate the gentleman's suggestion very much. Let me repeat: 95 girls under 16 years of age; and it did not take into account those over 16 years of age.

Mr. Chairman, I know that those conditions do not exist in many schools in America, but my point is that I believe a bigger need in America today is for more attention to the problem of giving our boys and girls good teachers than the pressing problem of classrooms and I know that problem is urgent. As for me, I would rather have my child on one end of a log with a good teacher adequately paid on the other end than to have my child in the finest classroom in America with a teacher who is underpaid, a teacher who has no opportunity to make a decent living out of his job and who naturally resents the greater financial opportunity of someone else who has had no benefit of special professional training but can make much more money than the teacher.

Mr. Chairman, that leads me to this next point which has been suggested. How are we going to get money for the teachers of America? We are going to get money, Mr. Chairman, by the Congress using to the best of its ability, its best sense to provide a fiscal policy in this Nation that will make that possible. I have determined on this course, for whatever time I have remaining in Congress that to the best of my ability I shall remind our people at every instance that the only way they get money is through the taxes that they must pay. I am very proud that we passed a highway bill the other day that provided a pay-as-you-go plan. The newspapers in Florida reminded the people of that.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. MATTHEWS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Chairman, they were reminded that on the 1st of July, every user of gasoline in Florida would have to pay 1 more cent a gallon for his gasoline. I think that is good. Mr. Chairman, would you believe me when I suggest that sometimes I believe some people think that all you have to do to get money in Washington is just to shake it off the cherry trees. Mr. Chairman, the point was made in this debate the other day that the strength of this Government comes from the strength of the people at home. And the strength of the people at home is what provides us the moral sinews; it is what provides us with the tax money that we need to operate this great Nation of ours.

I have been worried more and more about the increasing tendency toward what seems to me to be a lack of fiscal responsibility on the part of those of us in Congress. I would gladly vote for a measure, if I had the opportunity to do so, which would say that for every appropriation you have to provide for the tax revenue to go along with it. I think it would be good for our people to realize that fact more and more.

The point is you can never get money to pay your school teachers, you can never get money to build your classrooms, unless we adopt a saner policy of fiscal solvency and leave the States adequate sources of tax revenue to provide for their educational needs.

I am going to tell you about one other problem that distresses me, one that is just as acute now, I think, almost, as the problem of the classroom shortage in the public schools, and that is the problem of the classroom shortage and the dormitory shortage on the part of the institutions of higher learning in our country.

The institutions of higher learning of this Nation are looking to Congress right now for help in providing the facilities they need. I have been very much impressed with the fact that we have provided in previous years a pay-as-you-go plan to help them build their dormitories. I hope with all my heart we can continue that plan this year despite the temporary stalemate and we can have a pay-as-you-go plan with the States returning the money. Believe me, Mr. Chairman, this situation of inadequate facilities not only in our public schools but in our institutions of higher learning is an acute situation.

We in Congress talk a lot about the shortage of trained scientists and other personnel, and how true that is. That is another tragic problem the teachers have to face. In a class they may have 2 or 3 students who are outstanding and 2 or 3 students who are at the bottom of the educational achievement level. For some reason, in America we seem to take so much more time with those children who are at the bottom of the ladder. We used to call them retarded children. We call them exceptional children now. We do not have in the classrooms of America and in the institutions of higher learning in America enough money to spend for the personnel to inspire those few at the top, and that is the only way we are ever going to get the scientists and the trained research personnel we need. So I say to you, I hope in all our deliberations we will keep in mind these things also.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. RHODES of Arizona. Since the gentleman is in favor of the building of dormitories by federally guaranteed bonds, I presume the gentleman would also be in favor of titles II and III of this act, which provide for the purchase of bonds by the Federal Government in title II and by the purchase of bonds from school building agencies in the State in title III. These are also self-liquidating.

Mr. MATTHEWS. This bill embarks on a new program, a program that has been started since the tragic decision that I am sure both the gentleman and I are familiar with. For that reason I cannot approve of the embarkation on any kind of a new and different program such as this bill contemplates.

Mr. RHODES of Arizona. Did the gentleman just state his real reason for his opposition to this bill?

Mr. MATTHEWS. My chief reason is as I have already stated that I think the Federal Government will inevitably have control of the public schools of our country if we embark upon this new type of program.

Mr. RHODES of Arizona. I thank the gentleman.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. THOMPSON of New Jersey. Does the gentleman see any inconsistency between his position on this bill and on Public Laws 815 and 874, providing for Federal assistance for schools in impacted areas?

Mr. MATTHEWS. I would remind the gentleman that the original law was passed before we had this tragic decision to which I have referred. I do not know what my position in the future would be on that law.

Again I say I am opposed to the bill. The question I have had to resolve in my own mind is whether or not I shall be a party to a process which started 2 years ago with the Supreme Court's decision on segregation in our schools—a process to take away from our States their last bit of authority in the administration of their public schools. The people I represent want me, at every opportunity, to fight for the privilege of our States to administer our schools as the States may resolve. If this school construction bill is adopted either with or without the antisegregation amendment it is my humble opinion that it will still open the door to supreme domination of our public schools by the Federal Government. I am not a lawyer but I have consulted with outstanding lawyers, and I am convinced that if the school construction bill is adopted without the antisegregation amendment that the responsibility of deciding whether or not to withhold Federal funds from States or localities maintaining segregated schools will fall upon the administrator of the programs, the United States Commissioner of Education. I cannot envision a state of affairs where litigation would not ensue and the issue would be decided by the Court. I hazard the opinion, also, that in line with the recent policy of the Supreme Court that funds would be denied our public schools in the Deep South that still have segregation. So for that compelling reason, I am opposed to the bill.

I want to take this opportunity to talk about the progress of our Negro citizens in the South through the past 50 years. I believe this progress is greater than that enjoyed by their brethren in other parts of the country. I want, particularly, to dwell upon the progress of Negro education in the South, based upon separate but equal facilities.

In my own State of Florida, we point with pride to the new school-building program for our Negro citizens resulting in schools which in certain areas are more modern and have better facilities than the schools which had been built for white boys and girls. I want to emphasize, too, Mr. Speaker, that I think this progress has not been made because of a fear of the possible abandonment of the separate but equal doctrine, but rather this progress has been made possible by the Christian conscience of white men and women throughout Florida, and of course, a similar situation has occurred throughout the whole Southland. Progress which is motivated by good will and the spirit of brotherhood is American progress. It is interesting to note that the Prince of Peace never went to Rome to get a law passed. He recognized this basic principle of progress and that is that we move forward to a better world only through understanding, human brotherhood, and expression of religious ideals. You cannot legislate tolerance, good will, and the spirit of human brotherhood.

I have been particularly interested in the opportunities of our Negro schoolteachers in Florida. We have in our State a minimum-foundation program for teacher's salaries which are allocated on the basis of certificate held, and no difference is made for race or teaching level. Supplements to this basic minimum-foundation program allocation are set by local county boards of public instruction. In all but 13 counties the supplements for both races are identical. In 5 of these counties, the difference is $60 or less a year. All of the larger counties in Florida employing about 90 percent of our Negro teachers have single salary schedules. A tentative compilation for the school year 1954–55 shows that Florida employed 5,566 Negro instructional personnel, principals, teachers, and other instructional staff, at an average annual salary of $3,729.44, as compared to 19,563 white instructional personnel at an average annual salary of $3,885.90. Now, when you take into consideration that this difference in salary, which is slight, is due to the fact that a larger percentage of white teachers than Negro teachers are found possessing the doctor's degree and master's degree, and both of these ranks receive high salary allocations under a minimum-foundation program, and when you find that in the average annual salaries reported, there were reported both 10- and 12-month personnel, and that the percentage of white instructional personnel rendering

12-month service is greater than the percent of Negro teachers employed for 12 months, and when you further analyze Florida educational personnel statistics and find that the white schools are generally larger than the Negro schools, and hence principals are paid more in larger schools, I think you can conclude that there is absolutely no differentiation in teachers salaries in Florida paid to white and Negro teachers.

In other words, in the school year 1954–55, about $21 million was paid to Negro instructional personnel. I do not believe any State in the Union has a better record for opportunity for Negro citizens in their educational field than our own State of Florida. Let us take into consideration also that when you consider the population of our Negro citizens as compared to the population of our white citizens, that the ratio of Negro teachers finding employment to white teachers finding employment is indeed very favorable.

Studies in the various public schools throughout the State of Florida have indicated that the standards of our Negro schools were below those of our white schools in educational achievement. Just recently we were told in Florida that only 82 of 1,637 Florida Negro high school graduates could be admitted to the Negro university, Florida A & M, if the educational requirements there were as high as at the University of Florida.

Here I want to quote from an address by the Honorable Thomas D. Bailey, superintendent of public instruction for Florida, that appeared in the Florida Times Union, June 23, 1956:

BAILEY RAPS SCHOOL LAG OF NEGROES

DAYTONA BEACH, June 22.—State School Superintendent Thomas D. Bailey said today there is "no reasonable excuse" for the failure of Negro pupils to match the scholastic achievements of white students in the public schools.

Bailey told a conference of Negro public school principals that "excellent school facilities are being provided (for Negroes) with improved materials as tools with which to work."

He said there are more Negro teachers percentagewise with 4 years of college training than there are white teachers. Salary scales among white and Negro teachers are almost identical, he said.

Yet, Bailey said, in this year's senior high-school tests, on which admissions to the State universities are based, "there was no Negro student who scored up to the level of the top 20 percent of white students."

Only 1 percent of the Negroes scored as well as the top 30 percent of the white students on most of the tests and only 2 percent of the Negro students scored as well as the top 40 percent of the white students, he said.

"If the present admission policies of the university (of Florida) as adopted by the board of control were used at Florida A. and M. University next year, based on this year's scores of seniors in Negro schools, it would seem that only 5 percent of all who took the tests would be eligible to attend that university. Or saying it another way, only about 82 of 1,637 who took the test would be eligible to enter Florida A. and M. or any other State institution of higher learning," Bailey said.

"There may be some reasons for this situation existing in the past few years, but I submit that you are challenged to require a higher degree of performance in the future. * * * There seems to be no reasonable excuse for a continuation of the lag between the achievement of students of the two races," he said.

When we read these facts, however, Mr. Chairman, we are often apt to forget the tremendous, almost unbelievable, progress that has been made in educational attainment by our Negro citizens during the past 50 years. That progress, I repeat again, came through the separate but equal doctrine which was gladly accepted by the Southland, despite the tremendous cost in taxation and the disproportionate burden that it placed upon the white citizens of our area of the country.

Lest anyone think that the Supreme Court's decision on segregation has failed to produce tremendous problems in my own State of Florida, I want to quote an Associated Press article as it appeared in the Palatka Daily News, Palatka, Fla., Monday, June 19, 1956—an article concerning a talk by Florida's brilliant attorney general, the Honorable Richard Ervin:

Attorney General Richard Ervin proposed today the creation of a Florida Advisory Commission empowered to recommend legal solutions to racial problems and to negotiate settlements wherever possible within the law.

Combined with this administrative agency, Ervin recommended a four-point legislative program he said would help cope with new racial problems brought on by recent United States Supreme Court desegregation decisions.

The recommendations came in a speech prepared for delivery before the Fort Pierce Rotary Club in which he said that recent United States Supreme Court desegregation decisions had resulted in deterioration of racial relations and were leading to hostility and conflict.

The attorney general said the Supreme Court in the school desegregation case had substituted "revolutionary explosive absolutism" for its long-accepted "separate but equal" doctrine which he said had permitted settlement of racial problems on a gradual basis.

Legal steps which he said could be taken by legislation or constitutional amendment proposals to meet the current racial problems were: (1) an extension of the 1955 State school assignment law providing additional administrative processes and appeals both at grade school and college levels. The 1955 law permitted county school authorities to assign public school pupils to classes for which they were best fitted. (2) An interposition resolution seeking to maintain the States power of local regulation under the reserved powers of the 10th amendment. Ervin said whether such a resolution would prove of legal value remained to be seen, "but it represents, until tested, the only legal means to formally raise the question of usurpation of State sovereignty by action of the United States Supreme Court." (3) Conferring upon the governor additional authority to take emergency preventive action to avoid public disorder and breaches of peace arising out of racial conflict or imminence of the same from attempts to implement desegregation decisions of the Federal court. (4) Machinery whereby a referendum vote could be called upon the proposition of abolishing any public facility or service to assure citizens of any county or district that compulsory desegregation would not be forced upon them. Ervin said that in such cases public grants might be made to alleviate individual disadvantages.

Such a program as Ervin recommends could be considered at a special session of the Florida Legislature which Governor Collins has indicated he would call for mid-July. Collins has said segregation matters would be included in the call.

"The alternative to this positive approach is continued deterioration of race relations with each new crisis fraught with racial and community disturbances," Ervin said.

"The State could, in the manner suggested, fill this vacuum of hostility and bitterness created by the absolutism of the United States Supreme Court—which the Congress has failed to fill—and meet each issue with understanding, patience, wisdom, and realism." Ervin said that "Necessity sometimes forces practical solutions even in the face of the highest judicial authority."

However, he declared that defiance and unlawful resistance had no part in the picture. "Instead what is proposed is moderating State action within legal and permissible limits," he said.

"The approach should be one of realistic voluntariness and cooperation—not one of attempting to drive free men into hostility and conflict."

Now, Mr. Chairman, a few months ago under the direction of the State Board of Control of Florida, many thousands of alumni and friends of my alma mater, the University of Florida at Gainesville, were sent questionnaires to determine what their reaction would be on integration at the University of Florida. One, a Negro citizen, Virgil Hawkins, has been attempting to gain admission into the University of Florida's law school. The Supreme Court ordered the immediate admission of Virgil Hawkins, without giving the State of Florida a hearing on the results of the questionnaires that were returned by the thousands. It is interesting to note that these questionnaires indicated without a shadow of a doubt that there would be considerable racial disturbances if Virgil Hawkins were admitted to the University of Florida. However, there was no consideration given to these facts, and this attitude of absolutism was one of the driving forces, I am sure, which caused our able Attorney General to make the kind of a talk that I have just quoted.

Mr. Chairman, in my humble opinion the cause of our Negro citizens in the southland has been set back by many years because of the Supreme Court's decision.

I should like to comment briefly on the integrated schools in the District of Columbia. I am delighted that the appropriate committees of the House and the Senate are planning a fair study on the effects of this integration. I am particularly anxious to note what the standards are now in the schools in the District. I want to know if the recent great migration from the District to the suburbs is largely a result of integration. I would like to know how many children are subjected to integration against their will. If they are, I would like to know what rights they have under the Constitution. I would like to know more in detail about various disorders. I noticed in a local paper the accounts of just a few knifings and other disturbances that have occurred in our integrated schools. In my opinion, Mr. Speaker, just one knifing is a terrible tragedy. I taught in the public schools of Florida for many years, and I do not ever remember one single case of knifing. I can imagine of no more horrible experience for a boy or girl to have than to be confronted with a dagger or a knife. Those of us who by reason of material advantages do not have to confront this situation firsthand, should never forget the position of the citizen without material advantage who has to

be subjected to the results of the Supreme Court's decision. I shall await with interest the exhaustive study that I hope will be made of the problem here in the District's schools.

I cannot close without paying tribute to the people in my section of the country of both races who are trying to solve this problem on the basis of goodwill and human understanding. I know within my heart that the only solution to the administration of our schools and to all problems involving the mores and traditions of our people is to permit our States to handle these problems on the basis as they see fit. I stand on that principle. I stake my political future on that principle. It is for that reason that I cannot vote for this Federal aid to education because I am convinced that it would be the final act in the complete abrogation of our States rights to administer their own public schools.

Mr. BARDEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I only ask for this time for the purpose—I guess it might be termed—of begging the committee to let us get started reading the bill. I realize we have had a lot of debate and I am perfectly aware of the fact that the committee utilized or used up most of the time in general debate. I propose to be as patient as anyone and will be reluctant to raise an objection to debate.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. HOFFMAN of Michigan. You said the committee used most of the time. I have no doubt you are accurate about that, but I want to call your attention to the fact that two members of the committee at least have not used any time.

Mr. BARDEN. I do not believe the gentleman asked for any.

Mr. HOFFMAN of Michigan. I did not, no—I do not believe the other gentleman did.

Mr. BARDEN. The gentleman is a very high standing member of the committee.

Mr. HOFFMAN of Michigan. I just did not want the committee to think that all the members of the committee had hogged all the time.

Mr. BARDEN. No, no, I am not trying to say anything ugly about anybody. I have been waiting around and so has the membership to get going on this bill. I am not saying I am going to object to requests to speak for more than 5 minutes, but I am simply pleading with the Members. If we expect to hear any firecrackers shooting tomorrow, we had better get going now. That is all I have to say.

Mr. Chairman, if we get to the reading of the bill and get started, I believe that much of this debate can be had on amendments.

Mr. SADLAK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in deference to the chairman of the Committee on Education and Labor, I ask for this 5 minutes at this time in order to save time later on in the afternoon.

Mr. Chairman, at the appropriate time, if recognized, I expect to propose an amendment which will strike out all sections of title I and I desire to tell the House now the reason for my action. In reading some history recently, I came across a report that back in 1836 when our great country had a surplus under the administration of Andrew Jackson, they did not know what to do with the surplus. It seemed to me we had something tantamount this year in view of the statement that our great Secretary of the Treasury announced not so long ago that although the original estimates of an anticipated surplus this year would approximate only $200,000, it was possible that the surplus this year would reach approximately $1,800,000,000. Therefore, it seems to me that since we had a precedent back in 1836 as to the proper disposal of the surplus, we might apply the same rule at this time and apply it for the purposes of sending it back to the States for the building of these much needed schools and classrooms. I found that the surplus was sent back to the States and many of the States used part of the funds for school purposes. My own State of Connecticut received some $700,000 and $880,000 of that amount was set aside among the 168 of the 169 towns for school purposes. Therein originated the so-called town-deposit fund. That fund has continued to this day. As a matter of fact, the income from this fund is used each year for school purposes. This year it will approximate $50,000. Imagine, if you will, that if we take, not all of the anticipated surplus this year, but an amount equal to what is sought in the Kelley bill, namely, $1,600,000,000, and send that back to the States on the basis of the number of electors, and, of course, we have 531 electors and taking into consideration the Territories as well, it would mean that a State like Vermont where they have 1 Congressman at large and they have 3 electoral votes, they would receive approximately $9 million. My own State, with 8 electoral votes, would receive $24 million, and so on down the line with each State. A fuller explanation is found on pages 10285 and 10286 of the CONGRESSIONAL RECORD of June 13, 1956. But, mind you, this would be a one-shot proposition; each State would receive its proportion of this $1,600,000,000. It would go back to the State without any further strings attached by the Federal Government, and there would be no further concern about the Government's being in the school business, because we would send it back to the States, apportion it to the States, so that the States would use these funds for the building of schools as they saw fit.

I appreciate that the other States do not have a setup such as we have in Connecticut which has lasted since 1836 and under which we would be prepared and ready for the money which would be given us under this suggestion, and the money would be utilized for the construction of schools. I feel that it is not an administrative problem that could not be overcome, and it would work out the serious problem we are faced with.

If we were to make an apportionment of the surplus funds in the form of a tax refund to each taxpayer it might mean that the individual would receive $5 or $10, but he or she would not turn it over to the local school district for the purpose of building schools. Under the plan I suggest the money would be used for school construction.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SADLAK. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Would this tax money go to the Federal Government and then be paid back or would it be retained in the first instance by the States?

Mr. SADLAK. The gentleman must understand that we now have the funds here in the Federal Treasury in accordance with the statement made by the Secretary of the Treasury earlier this year. That money is here. He has said that our surplus in the fiscal year ended 2 days ago, would approximate $1,800,000,000. Therefore the money is here. It would go back to the States to be used for school purposes.

Mr. HOFFMAN of Michigan. It is already here now?

Mr. SADLAK. It is already here now according to the figures that have been given us.

Mr. HOFFMAN of Michigan. That is most unusual, is it not?

Mr. SADLAK. It is unusual; it shows good national administration.

Mr. HOFFMAN of Michigan. There would not be any service charge for giving it back to the States, would there?

Mr. SADLAK. Definitely not. It would not be too difficult to draw a check to a State treasurer allotting a State's entitlement under my suggestion which adheres to the first such Federal surplus distribution to the States.

Mr. BYRD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BYRD. Mr. Chairman, I rise in support of the bill, H. R. 7535, and I take this opportunity to commend the committee for its untiring efforts and zeal throughout its extensive study and investigation of the general construction needs for public elementary and secondary school buildings. The bill here before us will provide prompt and effective relief for the problem that now faces the country.

In extending my support to the bill, I wish to refer briefly to the various programs authorized under the proposed legislation. Title I authorizes an annual appropriation of $400 million for allocation to each State on the basis of the entire school-age population, that is, children between the ages of 5 and 17. The fact that such assistance might range from a maximum of 50 percent of the construction cost down to a minimum of no assistance is also in keeping with the purpose of the legislation, which is to stimulate local action to make it possible for the States to realize their objective in solving the pressing problem of the classroom shortage.

Title II, which permits the purchase of bonds issued by local communities, recognizes the situation existing in some

States in which the local communities are capable of financing their own school construction but are unable to obtain such financing from other sources on reasonable terms.

It is plain that this assistance cannot be regarded as disturbing the procedures under which the various States are carrying out their school-construction programs. Title II authorizes an initial appropriation of $300 million and provides that such obligations should bear interest at the rate determined by the Secretary of the Treasury for long-term Federal obligations, plus three-eighths of 1 percent. Likewise, under this title the assistance given will be conditioned on the certification of the State education agency that the local body issuing the obligations is unable to obtain moneys from other sources upon reasonable terms and at the interest rate provided in the bill.

Title III of the bill permits the Commissioner to enter into agreements with State school-financing agencies by providing a Federal contribution toward a reserve fund to cover 1 year's payment of principal and interest on bonds issued by such agencies to build schools. These agencies would build schools for local communities which eventually would acquire title to them through rental payments. The Federal Government is authorized under this title to share in establishing reserve funds to cover $6 billion in State school financing agency bonds.

Thus, the provisions of the bill make it plain that Federal participation is limited only to the construction of school buildings, and the bill does not in any way represent an interference in the field of education.

Can anyone say that the Congress has interfered with the functions of the States in enacting legislation providing for vocational assistance, school-lunch programs, land-grant colleges, and GI benefits? No one would claim that these Federal-aid programs have provided an opening wedge for the Federal Government to step into the education halls and dictate the school activities in the various States. Nor can it be claimed that Federal employees will be going into local school districts, for the simple reason that the bill makes clear in its several titles that the administration is to be by the State agencies.

The bill here under consideration has other beneficial results that cannot be overlooked. It is said that the States are making progress in providing the necessary classrooms and, therefore, that no reason exists for the Federal Government to expedite the work carried on by the States. But in those States that are making efforts to provide the necessary additional facilities, the aid provided under this bill will make it possible to direct more funds to other school needs such as teachers' salaries.

I can best illustrate the importance of the bill by referring to my own State of West Virginia. In 1932 a tax-limitation amendment reduced by almost two-thirds the school income and resulted in a transfer from the local districts to the State of the financing of the major part of the public elementary and secondary schools. The counties were required to lay the maximum local tax, but with the maximum local tax and the State aid, no funds were left for construction. From 1932 to 1949 there was practically no school construction whatsoever. In 1949 the State made an appropriation of $10 million for the aid of the counties in the construction of schools. Up to that time the maximum bonding capacity was 5 cents per $100. In 1950 the people voted an amendment that permitted the schools only to tax an additional 3 mills or 3 cents on $100. A few of the counties voted bonds, and, with the $10 million aid from the State, a number of schoolrooms were constructed, but not a sufficient number to replace buildings that were worn out or that had deteriorated, and not a sufficient number to accommodate the increased enrollment.

Since 1952 outstanding bonds have been voted in many county districts practically to the limit of their bonding capacity. Kanawha County, which is in my congressional district and which has the largest assessment in the State, illustrates the problem that exists in this regard. During the course of the hearings on Federal aid for school construction, Dr. W. W. Trent, the State superintendent of free schools in West Virginia, testified on October 7, 1954, before a special subcommittee of the House. His testimony showed that Kanawha County at that time had bonded itself for $9,125,000. The remaining bonding capacity was less than $3 million. In order to accommodate the schools and complete the present structures, practically $2 million would be required, with the result that less than $1 million would be left for the next 20 years. On the other hand, the testimony pointed out that, were it possible to pool the outstanding bonding capacity of the State's 55 counties and use all of this capacity for the construction of buildings—thus using up all sources of revenue for the next 20 years, the State would still be short for building construction, the difference between $119,727,000 and the $59,120,539 unused bonding capacity, or approximately $60,606,461.

Mr. Chairman, I believe we have all been alarmed by the recent reports and statistics which show that by 1960 Soviet specialists will far outnumber those of the United States. The report recently issued by the Joint Committee on Atomic Energy, based on a study of trained scientific manpower, states that in 1954 we graduated only half as many college-trained specialists in engineering and science as we did in 1950; while in the same year the Soviets turned out more than twice as many as we. The statistics present evidence that the lead long held by our country in numbers of effectively trained engineers and scientists is threatened. The hearings on the legislation before us have served to point up the serious classroom shortage that exists in the Nation. The warnings of Soviet advances in the field of education have alerted us. These facts clearly reveal the national duty that rests upon our shoulders. The bill before us will enable us to provide for the welfare of our children and to secure their future. Through this legislation, we shall protect our educational system and give warm-hearted assurance to the communities throughout America that the entire country is sympathetically interested and willing to share the financial burden involved. Surely, we would be remiss in our duty if we were to fail to provide the opportunities for proper development of the mental resources of our school-age population, and, although this bill is not a panacea or a complete answer, it certainly does treat the construction factor, which is one major phase of the problem.

Mr. Chairman, the boys and girls who are entering kindergarten today will be the men and women of tomorrow. They will guide our Nation toward its ultimate destiny. It is our responsibility to provide the means whereby the minds of tomorrow's men and women may be fully prepared for the problems that will confront them. If our Nation is to remain a free land it is imperative that the innate genius of its people be given opportunity for cultivation and growth. If America is to remain a leader among nations we must provide fertile soil in which the seeds of leadership can grow. That soil, needless to say, is in the field of educational opportunity. Let us, then, arise to the needs of this hour and let us provide the means whereby man's mind can achieve its ultimate realization.

We are links in a vital chain, charged with a high duty both to the dead and the unborn. We are sons of sires who sleep in calm assurance that we will not betray the trust they gave to our hands, and we are the sires of sons who, in the beyond, wait confident that we shall not cheat them of their birthright.

Let us, then, act in the spirit of Kipling's immortal stanzas:

Our fathers in a wondrous age,
Ere yet the Earth was small,
Ensured to us a heritage,
And doubted not at all,
That we, the children of their heart,
Which then did beat so high,
In later time should play like part
For our posterity.

* * * * *

Then, fretful, murmur not they gave
So great a charge to keep,
Nor dream what awestruck time shall save
Their labor while we sleep.
Dear-bought and clear, a thousand year
Our fathers' title runs.
Makes we likewise their sacrifice,
Defrauding not our sons.

The CHAIRMAN. Does the gentleman from North Carolina care to offer the amendment to section 1 which is at the Clerk's desk?

Mr. BARDEN. Yes, Mr. Chairman, it is more or less a technical amendment, I believe.

The CHAIRMAN. This amendment was sent to the desk by the gentleman from West Virginia [Mr. BAILEY]. The Clerk will read the amendment.

The Clerk read as follows:

Page 1, line 5, strike out "1955" and insert "1956."

Mr. BARDEN. That is agreeable to the committee. It is a committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BARDEN: Page 1, line 5, strike out "1955" and insert "1956."

The amendment was agreed to.

The Clerk read as follows:

Findings and purpose of act

SEC. 2. The Congress finds that despite sustained and vigorous efforts by the States and local communities, which have increased current school construction to an unprecedented level, there is still a serious national shortage of classrooms requiring emergency action on the part of the Federal Government. The limited financial resources available to a number of communities are not adequate to support construction programs of sufficient size to eliminate their classroom shortages. Other communities, in their efforts to apply their potential resources to their needs, are confronted with restrictive debt and tax limits, an inability to borrow the necessary funds at reasonable rates, and other obstacles. While the Congress recognizes that responsibility for providing adequate school facilities lies primarily with the States and local communities, the national interest requires that the Federal Government join with State and local governments in solving these pressing problems. It is the purpose of this act to provide alternative programs for the solution of these varied problems by authorizing (1) payments to State educational agencies, for assistance on a grant basis to communities where this type of assistance can be most effectively utilized, as determined under priorities established by the State; (2) purchase of bonds issued by communities which are capable of financing their own school construction, but cannot obtain such financing from other sources on reasonable terms; and (3) credit assistance to State school-financing agencies, to provide schools and related facilities in States in which such agencies are created.

TITLE I—PAYMENTS TO STATE EDUCATIONAL AGENCIES

Authorization of appropriations

SEC. 101. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1956, and the 3 succeeding fiscal years, such amounts, not to exceed $400 million in any fiscal year, as may be necessary for making payments to State educational agencies under this title.

Mr. FRELINGHUYSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRELINGHUYSEN: Page 3, line 6, strike out "three" and insert "four"; and on page 3, line 7, strike out "$400,000,000" and insert "$300,000,000."

Mr. FRELINGHUYSEN. Mr. Chairman, the purpose of this amendment is a simple one. It is to change the amount authorized under the bill from a total of $1,600,000,000 to a total of $1,500,000,000, and to extend the program from 4 years as provided in the bill to 5 years.

I should like to go back to the President's message in 1955 when he suggested a 3-year program of assistance by the Federal Government to correct in various ways a serious national shortage in classrooms. On the basis of those recommendations and on the basis of the consideration of a number of bills by the subcommittee on school construction of the House Education and Labor Committee a compromise was reached. This proposed a 4-year program, with Federal grants of $400 million annually for that 4-year period to be included.

In January 1956, President Eisenhower again sent a special message on education to the Congress. I would like to quote from that message as follows:

A year ago I proposed a Federal program designed to aid the States and communities in overcoming the classroom shortage. The Congress has not yet enacted legislation. In the light of a full year of further experience and study, in the light of congressional hearings and the White House Conference on Education, I now submit a revised and broadened program to meet our pressing classroom needs.

He then proposed a four-point program, including a 5-year program of Federal grants of $250 million for each of the next 5 years, for a total of $1,250,000,000.

My amendment would compromise between the amount and the number of years in H. R. 7535, and the amount and the number of years proposed by the President. I would like to point out that the President stated also:

If speedily and fully utilized, this Federal program, added to the increased basic efforts of States and communities, should overcome the Nation's critical classroom shortage within 5 years. Once this shortage is overcome, the Federal-grant program can and must terminate. The States and localities should then go forward, without Federal funds, to meet their current and future needs. Present construction levels indicate their ability to do this.

Mr. Chairman, I do not think there should be much argument about the exact dollar amount of the grants or about the length of the program. I do not think members of the committee are likely to object to the proposal which I have made. It is my hope it can be adopted without lengthy discussion.

I would like to conclude, Mr. Chairman, by mentioning a remark made by the gentleman from Texas [Mr. DIES]. He suggested that the general purport of this bill is to provide assistance to States which are unwilling to help themselves. That is a misconception of the purpose of the bill. It is because we recognize that States can do more to build their own schools, and because we feel that the Federal Government can provide methods to expedite and to help them meet their own responsibilities, that we have suggested the program. It is not in any sense meant to result in taking over the finances of the schools by the Federal Government and, in my opinion, this modest program of Federal grants would not do that.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from North Carolina.

Mr. BARDEN. As I understand it, the gentleman changes the program from 4 to 5 years?

Mr. FRELINGHUYSEN. That is right.

Mr. BARDEN. And the gentleman changes the amount from $400 million to $300 million?

Mr. FRELINGHUYSEN. That is right.

Mr. BARDEN. I may say to the gentleman that while the committee has not had a meeting on this amendment, several members of the committee are around me and seem to be in agreement with the gentleman. Under those circumstances I shall not oppose the amendment.

Mr. FRELINGHUYSEN. I thank the gentleman.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. As stated by the gentleman, this is an effort to compromise the amount in the bill and also the number of years of the program. As far as I know, on this side there is no objection to the proposal. I think it is a good way of settling the problem of the amount of funds and the length of time for the programs that we have in the two approaches. So, I am in favor of the amendment proposed by the gentleman from New Jersey.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. FRELINGHUYSEN].

The amendment was agreed to.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent that title I be considered as read and open for amendment at all points.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Allotments to States

SEC. 102. From the total funds appropriated for any fiscal year pursuant to section 101, the Commissioner shall allot to each State an amount which bears the same ratio to the total funds so appropriated as the school-age population of the State bears to the total of the school-age population of all the States. As used in this section, the term "school-age population" means that part of the population which is between the ages of 5 and 17, both inclusive, as determined on the basis of the most recent estimates certified by the Secretary of Commerce.

State plans

SEC. 103. (a) Any State which desires to accept the benefits of this title shall submit to the Commissioner, through its State educational agency, a State plan which shall—

(1) provide that the State educational agency shall be the sole agency for administering the plan;

(2) set forth a program under which funds paid to the State under this title will be expended solely for school facilities construction projects approved by the State educational agency;

(3) set forth principles for determining the priority of projects in the State for assistance under this title which will assure that first priority will be given (consistent with the matching requirements of section 105) to local educational agencies which, upon making an effort commensurate with their economic resources, are unable, solely because of lack of such resources, to finance from the resources available to them the full cost of needed school facilities; the priority principles set forth in accordance with this paragraph shall take into account (A) the financial resources of the several local educational agencies in the State, (B) the efforts which have been and are being made to meet their needs for school facilities out of State and local funds, and (C) the urgency of their needs for school facilities, determined according to conditions of overcrowding or lack of facilities, and extent to which unsafe and obsolete facilities are in use;

(4) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and

accounting for Federal funds paid to the State under this title;

(5) provide an opportunity for a hearing before the State educational agency to each local educational agency within the State which applies for approval of a construction project under this title;

(6) provide for the establishment of standards on a State level for planning and constructing school facilities; and

(7) provide that the State educational agency will make such reports to the Commissioner, in such form and containing such information, as is reasonably necessary to enable the Commissioner to perform his duties under this title.

(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a), but shall not finally disapprove any State plan or modification thereof without first affording to the State educational agency reasonable notice and opportunity for a hearing.

(c) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State educational agency, finds that—

(1) the State plan approved under this section has been so changed that it no longer complies with the provisions of subsection (a), or

(2) in the administration of the plan there is a failure to comply substantially with any such provision, he shall make no further reservations under section 104 (b) for projects in the State, and no further payments for any project directly affected by such failure, until he is satisfied that there is no longer any such failure to comply, or, if compliance is impossible, until the State repays or arranges for the repayment of Federal funds which have been diverted or improperly expended. After notice as provided in this subsection to any State, the Commissioner may suspend further reservations of funds under section 104 (b) for projects in the State, pending the making of findings under this subsection.

Payments to States

SEC. 104. (a) Payments under this title shall be made to those State educational agencies which administer plans approved under section 103 and which furnish statements to the Commissioner in accordance with this section. Each such statement shall set forth one or more projects approved by the State educational agency under the plan, the estimated cost of each such project, and the amount which the State educational agency desires to be paid for each project out of the State's allotment.

(b) Except as provided in section 105, the Commissioner shall issue, to each State educational agency furnishing a statement in accordance with subsection (a), a commitment reserving, out of the State's allotment, for each project included in the statement, the amount requested by the State educational agency for that project. The Commissioner shall change any amount so reserved upon request of the State educational agency and receipt of an amended statement from such agency, but only to the extent the change is not inconsistent with the other provisions of this title. The Commissioner shall pay the amount reserved to the State educational agency, through the disbursing facilities of the Department of the Treasury, upon certification by the State educational agency that the financing of the remainder of the cost of construction of the project has been arranged. Funds so paid shall be used exclusively to meet the cost of constructing the project for which the amount was reserved.

(c) If any project for which one or more payments have been made under this section is abandoned, or is not completed within a reasonable period determined under regulations of the Commissioner, the State to which such payments were made shall repay to the United States, for deposit in the Treasury of the United States as miscellaneous receipts, the amount of such payments or such lesser amount as may be reasonable under the circumstances (as determined by agreement of the parties or by action brought in the Federal district court for the district in which such project is located).

Matching by States and local communities

SEC. 105. The Commissioner may issue or modify a commitment under section 104 only if the amount to be reserved under the commitment, plus any amounts paid or to be paid under other commitments previously issued under this title to the same State educational agency, does not exceed one-half of the sum of (1) the cost of constructing the project in question and (2) the total cost of constructing the projects for which such other commitments have been issued, and if the State educational agency certifies that the remainder of the cost of constructing the project in question will be paid out of funds other than funds paid by the Commissioner under Public Law 815, 81st Congress, as amended. Until actual construction costs are available, cost determinations under this section shall be made on the basis of the estimates furnished under section 104 (a) and revised estimates furnished in compliance with section 103 (a) (7).

Judicial review

SEC. 106. (a) If any State is dissatisfied with the Commissioner's final action under section 103, such State may appeal to the United States district court for the district in which the capital of the State is located. The summons and notice of appeal may be served at any place in the United States. The Commissioner shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

(b) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the appropriate United States court of appeals and the Supreme Court of the United States, as provided in sections 1291 and 1254 of title 28 of the United States Code.

Labor standards

SEC. 107. (a) The Commissioner shall not make any payments under this title to assist in financing the construction of any school facilities project, except upon adequate assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on such project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U. S. C. 276a–276a–5), and will receive compensation at a rate not less than 1½ times the basic rate of pay for all hours worked in any workweek in excess of 8 hours in any weekday or 40 hours in the workweek, as the case may be.

(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a) of this section, the authority and functions set forth in Reorganization Plan No. 14 of 1950 (15 F. R. 3176; 64 Stat. 1267), and section 2 of the act of June 13, 1934, as amended (40 U. S. C. 276c).

Mr. BARDEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARDEN: Page 3, strike out line 21 and all that follows through line 10 on page 9 and insert in lieu thereof the following:

"Payments of State allotments

"SEC. 103. The Commissioner shall pay the State allotment for any fiscal year, or so much thereof as the State educational agency requests, to the State educational agency upon certification by it that the amount to be paid does not exceed one-half of the cost of constructing the school facilities for which such funds are to be expended. Funds paid to a State educational agency under this section shall be expended solely for construction of school facilities in the State, and shall be used to pay not more than one-half of the total cost of constructing all school facilities in the State which are assisted under this title.

"Judicial remedy

"SEC. 104. (a) The district court of the United States for any district in which the capital of a State is located shall have jurisdiction, as provided in this section, to grant appropriate relief in any case where any funds paid to the State under this title have been or are about to be expended in violation of this act.

"(b) An action under this section shall be brought in the name of the United States by the United States attorney for the district involved, and shall be brought against the State. The Federal Rules of Civil Procedure shall apply.

"(c) The court may grant such temporary relief or restraining order as it deems appropriate pending final disposition of any action under this section. If in any such action it is determined that any funds paid to the State under this title have been or are about to be expended in violation of section 103, the court shall grant a permanent injunction or other appropriate relief, including restitution of any funds so expended, or such part thereof as may be just and equitable under the circumstances of the case."

Mr. BARDEN. Mr. Chairman, I took the liberty a few days ago of sending a copy of my amendment to each Member of the House, and at the beginning of the general debate I took a few minutes to attempt to discuss the merits of it.

Mr. Chairman, I am particularly aware of all the emotions that this bill arouses, but I want to assure you, as I did a few days ago, that my sincere intent at the time I prepared this amendment was to remove from the bill many paragraphs that I thought were quite objectionable and would, in my opinion, create a bad precedent for this body to establish. This is especially true in connection with legislation affecting our educational system. In reading the sections which this amendment seeks to strike, you find the State plans. In this section you find the paragraphs that set forth what the States shall do; you find how the priorities shall be arranged and set up by the States in order to be acceptable to the Commissioner; and you find where differences arising between the Commissioner and the State authorities are settled by the Commissioner. Then you find a provision for judicial review in the Federal courts.

Then you turn over to page 6, line 3, where there is this perfect illustration of the Commissioner's powers:

(2) In the administration of the plan there is a failure to comply substantially with any such provision, he shall make no further reservations under section 104 (b) for projects in the State, and no further payments for any project directly affected by such failure, until he is satisfied that there is no longer any such failure to comply, or, if compliance is impossible—

And so forth, and so on. Then you go over to page 7—and I am skipping many

of these paragraphs—and you will find on page 7, line 18, paragraph (c) which reads as follows:

If any project for which one or more payments have been made under this section is abandoned, or is not completed within a reasonable period determined under regulations of the Commissioner—

You will find similar terms running through the 6 pages that this 1 paragraph replaces.

Those who are interested in the passage of the bill say there is only one objective and that is to build school buildings. In my opinion, when you take this one paragraph, section 103 of the proposed amendment, you find it provides for placing the money into the hands of the people who have been building school buildings for over 100 years, and have done a pretty good job of it. And you do that without all the fuss and folderol with the Commissioner of Education. You do it without the kind of disturbances and conflicts that we had recently with the Quantico School, which is clear in the minds of many Members. The United States Commissioner of Education said, "We are just going to close that school." He was interpreting some language that we had written. We could not make him stop, think, or reconsider. We had to bring out a bill which passed the House and Senate and was signed by the President. That is how we kept the Quantico School open. I do not think this House wants to take the chance of having to pass a new bill every time some erroneous construction is given to the many paragraphs in these six pages. And until this very hour not a single person has questioned the workability of this one paragraph.

Then, you have a judicial remedy. The district court in the capital of the State has the jurisdiction and can furnish the remedy whenever there is a possibility that the money has been or is about to be spent illegally.

I should like to say this: I think there is a strong responsibility on us to make this the best bill we can. If you want to defeat it, all right. But I do not think we ought to proceed on the theory of some who want to defeat it—which is to make it as bad as we can, which would be a good excuse to vote against it. The bill might pass and then I do not know what our situation would be.

Mr. Chairman, so I say to you in all sincerity I hope the House will adopt this amendment. That one paragraph, section 103 of the amendment, does a better job with less trouble and without playing with fire and I think that is what this House wants to do.

Mr. THOMPSON of New Jersey. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of New Jersey to the amendment offered by Mr. BARDEN: At the end of section 104 (a) strike out "this act" and insert "law", and in section 104 (b) after the word "involved" insert "or for any person aggrieved."

Mr. THOMPSON of New Jersey. Mr. Chairman, the distinguished chairman of our committee has just discussed his amendment. This amendment was the subject of considerable discussion in our committee and I think the distinguished gentleman from North Carolina said quite accurately the other day that he had a considerable amount of support for it.

My amendment to the Barden amendment is relatively simple. I cannot see why the district court should have limited jurisdiction, as stated in the Barden amendment, to grant relief where any funds are paid to the State under this statute, where they have been or are about to be expended in violation of this act. I therefore have amended the amendment offered by the gentleman from North Carolina to say "in violation of law."

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I will be delighted to yield to my chairman.

Mr. BARDEN. When we were discussing my amendment in our committee it contained the words "in violation of section 103" and somebody on the committee brought up the question of why it should not be "in violation of this act." I said, "Well, that makes sense to me because that protects the whole act." I do not understand the distinction the gentleman makes between saying "in violation of this act" and in saying "in violation of this law." If the act becomes law, what is the distinction?

Mr. THOMPSON of New Jersey. I do not say in violation of this law, Mr. Chairman, I say in violation of law.

I take it there are no further questions on that point.

Mr. BARDEN. There are a lot of other questions, but I want to follow the gentleman.

Mr. THOMPSON of New Jersey. The second part of my amendment relates to subsection (b), where I add after "the United States attorney for the district involved" the words "or for any person aggrieved." The purpose of this is relatively simple. I see no reason why school superintendents, school board members, and other persons connected with this program in the several States should not be able to go into court. I think this is only fair, especially considering some of the debate here where we hear that any Federal money, $1 of it, or any Federal employee, just one of them, which the United States attorney is, is a dangerous person. I think this will add protection to the State by allowing a State school superintendent or local school superintendent, the school principals, and others who are interested, to go into the court as the United States attorney will.

This is not a unique expedient in law. Similar language is found all throughout the law.

There is relatively little else to say except that if the Barden amendment, which in the main, I feel, is a good amendment, is improved as I think my amendments to it will do, certainly it will engender much support on both sides of the House, and I think we could get on without this fear expressed so frequently with respect to the other parts of the title. So without that fear, I think we can proceed and I think this legislation will, with this amendment, pick up a tremendous amount of support.

Mr. BARDEN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Mr. Chairman, if I understand the second part of the amendment offered by the gentleman from New Jersey, you extend to any citizen the right to have an action brought in his behalf.

Mr. THOMPSON of New Jersey. I do, sir.

Mr. BARDEN. Well, to be perfectly frank with the gentleman, I have tried to put that in previous legislation. I recall very distinctly having done some research on that question myself and having others look into it. I think the Supreme Court is now, and has been for years, opposed to recognizing that an individual taxpayer has a suable interest and, therefore, an individual could not bring that action. I think that is pretty well established. I even went to the point where I tried to find some basis whereby a member of a school board could bring an action. I was very skeptical about that because there were no precedents for it. But, I do think the gentleman will find that an individual does not have a suable interest. I think it came about in a proceeding for an injunction to restrain a tax and the Supreme Court reasoned, and I must say logically, that to rule otherwise would lay the Government open to millions of lawsuits all over the country.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. THOMPSON of New Jersey. I know the gentleman is not in complete agreement with all the Supreme Court decisions, but I wonder if it would do any harm to leave this in?

Mr. BARDEN. If that is the best knowledge the gentleman has, then I cannot brag on his intelligence if he thinks I am in agreement with all the Supreme Court decisions.

Mr. THOMPSON of New Jersey. No; I said I know the gentleman is not in complete agreement with all the Supreme Court decisions.

Mr. BARDEN. I thought the gentleman said that I was in agreement.

Mr. THOMPSON of New Jersey. I wonder whether it would do any harm to leave this in and let them dispose of it if need be, but in the event it can be done, then we will have provided for it.

Mr. BARDEN. I think we are going to do enough wrong things accidentally without doing something wrong on purpose.

Mr. THOMPSON of New Jersey. I think that is possible.

Mr. BARDEN. Now, may I ask the gentleman about the first part of his amendment? The gentleman, I am sure, understands that this is attempting to do exactly the thing that is in the bill now except to do it in a more direct way. I am sure the gentleman recognizes that the reason the jurisdiction was restricted to the district court in which district the capital of the State is situated was that it would do away with inconvenience and travel, and eliminate the bringing of actions in courts all over the country.

Mr. THOMPSON of New Jersey. I am in agreement there.

Mr. HOFFMAN of Michigan. Mr. Chairman, I make a point of order. I think the Members are entitled to know who has the floor.

Mr. BARDEN. The gentleman might look me over.

Mr. HOFFMAN of Michigan. Well, I have been looking you over, but I have been listening to the other gentleman sitting on the table.

The CHAIRMAN. The gentleman from North Carolina has been recognized. The gentleman will proceed.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman from North Carolina yield?

Mr. BARDEN. I yield.

Mr. HOFFMAN of Michigan. Mr. Chairman, I make a point of order.

The CHAIRMAN. Does the gentleman from North Carolina yield?

Mr. BARDEN. Mr. Chairman, I yield to either one of the gentlemen who wants to say anything.

Mr. HOFFMAN of Michigan. I want to make a point of order. Will the gentleman yield to me, Mr. Chairman?

The CHAIRMAN. The gentleman will state his point of order.

Mr. HOFFMAN of Michigan. My point of order is the gentleman is not entitled to recognition when he is sitting on the table.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina.

Mr. BARDEN. I yield to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, in any case I recognize the point in putting it in the district court, and if the chairman will remember it was my motion in the committee that that be done as distinguished from the circuit court, for instance. My amendment simply alters two words and adds one in their place.

Mr. BARDEN. Let me say to the gentleman that I could see only one thing that your amendment could do, and that is that it would clutter up the district court's jurisdiction and its docket. Now, you say they can bring any action from anywhere in the State to this particular district, and you defeat the very purpose of limiting the jurisdiction to the district in which the capital is situated. You can now bring the action the gentleman is thinking about in any district court in the State.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. THOMPSON of New Jersey. Mr. Chairman, I ask unanimous consent that the gentleman from North Carolina [Mr. BARDEN] may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield, but let me say this in the beginning: What we were attempting to do, I will say to the gentleman, is to simplify the bill and make it acceptable, and provide for quick action and convenience to the litigants. Since all of the State officials are in the State capital and 99 times out of 100 a district court is situated in the State capital, we thought it was a decided improvement. But I insist that if the gentleman has his way it will extend the jurisdiction of the district court in which the State capital is located.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. THOMPSON of New Jersey. I respectfully submit that the question of venue and the question of jurisdiction is determined by the court in each individual case. Certainly the District Court for the Eastern District of North Carolina, Judge Gillam, cannot take a matter from New Jersey. He has to have jurisdiction and it has to be right in his venue. I think, if I may say so very respectfully to my chairman, that it will not clutter up the court at all.

Mr. BARDEN. Let me say in reply to the gentleman that I cannot conceive, to save my life, of any reason for doing it. I wish the gentleman would give me some reason for his proposed change.

Mr. THOMPSON of New Jersey. In general I think that it is slightly broader, Mr. Chairman.

Mr. BARDEN. If you make it broader you are defeating your very purpose of making it simple. The thing we were trying to do in giving jurisdiction to the district court in the district in which the capital of the State is situated was to make it simple.

Mr. THOMPSON of New Jersey. I thought, may I say respectfully, this was possibly too simple. My amendment broadens it and will make it acceptable to a lot of Members over here. I hope the gentleman will accept this amendment.

Mr. BARDEN. Maybe so. I yield back the balance of my time, Mr. Chairman.

Mr. RHODES of Arizona. Mr. Chairman, I rise in opposition to the Barden amendment.

Today I would like to address myself primarily to the new-found economy bloc which we have heard on the floor today. I have heard some Members get up and speak of economy today, and it surprised me in view of some of the votes I have seen them cast. I do not know why we should start economizing at the expense of building schools in the United States. Perhaps there is a good reason, but thus far it has not come to my attention.

This amendment will have the effect of completely striking the State plans which are part of this bill. These plans I discussed on Friday consist primarily of ground rules by which the States would operate the program on which we are about to embark. They do not consist in any way, shape, or form of control on the part of the Federal Government; they merely state what must be in the State plan; they do not state the exact manner or the exact way in which these funds must be distributed. Those of you who think this plan does add something new, let me disabuse your minds completely. We have had State plans in the following acts: the Vocational Education Act, the Library Services Act, which we passed last month; the Hill-Burton Hospital Construction Act, the George-Barden Act for the vocational rehabilitation of the physically handicapped authored by the gentleman from North Carolina.

So let not anybody say that this is something new which will put the Congress in the position of advocating that we take over the functions of the States and the local districts as far as the school districts are concerned. It just does not have that effect at all.

There are a number of things about this amendment which bothers me. One of them is that in accordance with the amendment you may find that the Federal Government fund is finally distributed largely in accordance with local politics. I am not one to try to outlaw politics. I suppose we will have politics so long as there are two people alive in this country. At the same time I do not want to pass an act which invites the distribution of money according to political standards.

This amendment would provide that the money be paid to the States and that all the States have to do is to certify that the total cost of construction of schools in that State is at least twice the amount paid to the State under this law. So that the States may themselves be in complete control of the manner in which this money goes down into the State school districts. The State educational agency, in other words, would not have to set up any criteria whatsoever for districts to qualify for this money. A State educational agency, if it likes the way a superintendent in X district parted his hair could say: "You, Mr. Superintendent, get X number of dollars. But we do not like the way this other superintendent acts, so he gets nothing."

That can happen. I am not saying it would happen, but it certainly could happen if this amendment were adopted.

Mr. Chairman, I would also like to have you consider with me for a moment the possible effect this might have on the Davis-Bacon provision of this act. It is true that the Davis-Bacon provision is not stricken from the bill by the amendment offered by the gentleman from North Carolina. There again I am conjecturing as to what could happen. I do not believe that the gentleman from North Carolina had this in mind, but I merely want to say this is something which could happen.

We have a situation where a State may set up two funds; in other words, the fund which is paid in by the Federal Government on this act to a State might go into a fund which would be matched by the State and from that fund would be built schools in areas in which the labor standards are such it would not hurt anyway to apply the Davis-Bacon section. In other areas in which the Davis-Bacon section might not be so desirable from a local standpoint because of lower wage rates, the State could set up another fund and build schools in that area from its own fund. I think that is the effect of this amendment and I think that well might happen in the event the amendment were adopted.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from North Carolina.

Mr. BARDEN. Let me say to the gentleman that with respect to the Davis-Bacon Act the bill is the same with my amendment as it is without my amendment because the Davis-Bacon provision is set up in another section. As a matter of fact, frankness compels me to say to the gentleman that under the bill as now written a State could do identically what he says it could do.

Mr. RHODES of Arizona. Under the law as it is now written?

Mr. BARDEN. As the bill is now written, which the gentleman is arguing for, they can do exactly the same thing. The only things on which the United States Commissioner can hold any strings are the buildings in which Federal money is used.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

(By unanimous consent (at the request of Mr. BARDEN) Mr. RHODES of Arizona was allowed to proceed for 3 additional minutes.)

Mr. RHODES of Arizona. Mr. Chairman, I would like to say in reply to the statement of the gentleman from North Carolina, on page 4 in subsection B, as part of the plan the State must set forth the priority under which school districts will be allocated funds. One of the criteria is that the district must have made an effort commensurate with its economic resources. In the gentleman's amendment there is no such criteria.

Mr. BARDEN. Those are two of the very objectionable features of the bill, as far as I am concerned. Who is going to pass upon those criteria? Who is going to pass upon whether it is the proper kind of priority? If you have no flexibility in the law, you would prohibit a State from building a school building with 100-percent State funds unless the Secretary of Labor passed on it. I do not think you want to go that far.

Mr. RHODES of Arizona. I disagree with the gentleman completely. It is not my intention to say that that would be sufficient, and certainly it would not be sufficient. But as far as anybody controlling the priority other than the State, it would not happen, but it does say in here that the State will not, at least in its State plan, set forth the means by which it is going to give priority, and I think that is desirable. I think somebody should take a look at the situation, not to correct it but just so that the State will be put on record. Then, if that is done, according to the judicial review proceedings of this law, the Commissioner may enforce that particular section if it is in violation of State law.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Kentucky.

Mr. PERKINS. I just wanted to say that there is nothing in this State plan that has not been in all other plans where the Federal Government has disbursed money in the past.

Mr. RHODES of Arizona. Also is it not found in 815 and 874?

Mr. PERKINS. That is correct. And as I view this plan it is much simpler than 815 and 874 at the present time, because the plan proposed in this bill only requires a reporting and accounting of the money and sets up a priority system through which the States are required to disburse the funds, and that is all.

Mr. RHODES of Arizona. So, if there is any danger of Federal control in this particular law, certainly there must be something to Federal control in 815 and 874, and nobody has ever been able to see any Federal control in those laws.

Mr. PERKINS. That is true of the rehabilitation program and the vocational training program. Every one of those laws requires State plans, and the State must make that plan which is finally approved by the Federal Government, and those plans also provide for priorities.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from North Carolina.

Mr. BARDEN. Let me say to my genial friend, there is every difference in the world between 815, 874, and this bill. Public Laws 815 and 874 are what we refer to as the impacted area school laws which were enacted due to conditions brought about by the Federal Government which should be, and are, remedied with Federal funds and are supervised by the Federal Government, both from the standpoint of the Commissioner of Education and the Secretary of Labor. Now, that, to my mind, is an entirely different situation from what you run into here. This is a State and local problem, not a Federal Government problem. It was not brought about by the Federal Government. Now, I think we should touch lightly when we go into the local schools and into the State school system.

Mr. RHODES of Arizona. My statement was that if there was any danger of Federal control in 815 and 874, then there would be danger of Federal control in this bill, but there is not. The philosophies of the two bills are entirely different.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I wonder if the gentleman would not agree that it is the responsibility of legislators to attach reasonable restrictions on the expenditures of funds which they appropriate. Is that not what this State plan essentially is?

Mr. RHODES of Arizona. I think the gentleman is absolutely correct. We are authorizing an appropriation of money here as Federal legislators, and I think our duty to the Federal Government and to all the people of the United States requires that we at least take some steps to make sure that that money is spent for the purpose for which we appropriate it.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. Would the gentleman not say that when we wrote this legislation we tried most particularly to place the responsibility of the success of the program upon the shoulders of the United States Commissioner of Education but also gave him a minimum of control?

Mr. RHODES of Arizona. I would say we certainly attempted to do that.

Mr. POWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POWELL. In the event that the Thompson amendment to the Barden amendment is defeated, will there be opportunity to offer an amendment to the Barden amendment by some other Member of the House?

The CHAIRMAN. Yes, at any time. If the Thompson amendment is rejected, then the question would be on the Barden amendment and that amendment would be subject also to amendment.

Mr. POWELL. Mr. Chairman, I rise, then, in support of the Thompson amendment.

The CHAIRMAN. The gentleman is recognized.

Mr. POWELL. Mr. Chairman, may I bring this issue right down where it belongs. The Barden amendment should be defeated for many reasons. If you read it carefully, one of the main reasons is that it completely removes the Kelley bill from all existing provisions of law and says that this money shall be allocated and a judicial remedy shall be based only upon violations of this act.

The gentleman from New Jersey [Mr. THOMPSON] saw this and his amendment changes "act" to "law." Without the Thompson amendment we would be appropriating money for Federal school construction without any of the existing laws of the United States being concerned at all, only the violations of the act. The Thompson amendment says "violations of the law."

What, therefore, is in back of this? This is an effort to completely remove all Federal school construction from any provisions of the law including the Supreme Court decisions of May 17 and May 24. Unless we accept the Thompson amendment to the Barden amendment, you are going to pass a bill here today that will be completely removed from the pale of the law, any law, including the Supreme Court decisions. If you accept the Thompson amendment, then you will have safeguarded our school-construction bill and brought it where it should be, under the majesty of the Federal law.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Indiana.

Mr. HALLECK. The word "law" is used. Does the gentleman interpret

that to mean the common law as well as the statutory law?

Mr. POWELL. Yes, I do.

Mr. HALLECK. I think many times law in legislation refers only to the statutory law as distinguished from the common law. Of course, the Supreme Court decision is a part of the common law but not of the statutory law.

Mr. POWELL. Frankly, if the Thompson amendment is rejected, I have two amendments to the Barden amendment which will clarify the situation much better in line with the comment of the gentleman from Indiana [Mr. HALLECK].

I want to point out that what we are really doing here now is, we are getting around the Supreme Court decision and we are allocating Federal funds without any control of the law whatsoever. I believe that the Barden amendment should be defeated, period. But in the event that it is retained, it must be retained with some clarifying amendment which will keep this legislation under the full majesty of the Federal law.

Mr. BAILEY. Mr. Chairman, I rise in opposition to the Barden amendment.

Mr. Chairman, I have no intention of posing as a referee between the distinguished chairman of the committee, the gentleman from North Carolina, the gentleman from New Jersey, and the gentleman from New York. I do not happen to be a member of the bar. So I am going to direct my comments to the gentleman's amendment, to that part of it not dealing with judicial review; in other words, the first section of the gentleman's amendment under the caption "Payments of State Allotments."

I happened to be a member of the subcommittee that drafted the original legislation that was introduced in the House, H. R. 14 and H. R. 15, known as the Bailey-Kearns approach to school construction legislation. That is the legislation that set up the State plan by which the States could control their own construction programs by setting up a plan and then living by that plan after the Federal Commissioner of Education had approved it.

The amendment offered by the gentleman from North Carolina will definitely destroy State plans.

I recall that in taking testimony on this State-plan proposal the superintendent of schools of the State of North Carolina was a witness and he highly endorsed the idea of the States having a say in their program through this State plan.

Let me say to you that this proposal by the gentleman from North Carolina is basic in that it is quite different from the intent of the Kelley bill. The Kelley bill provides that the Government deal directly with the individual school districts, the State being only an agency and the State only being supposed to supply moneys when the school districts are unable to supply a sufficient amount in addition to what the Government proposes to give.

There are districts in every State in the Union in which there is an emergency. There are other districts in which they can supply all the money they need if they would apply their levies and apply the limits of the bond issue. The object of this State plan was to set up a priority in favor of the poorer school districts within the State. It was liberalization, flexibility, that we wanted the State superintendent of schools to have.

Here would be a little, a poor district up in Podunk that could raise only 30 percent of what it needed to build its school needs. The Federal Government proposes to give only 50 percent on a statewide basis. We wanted that superintendent of schools in that particular State, that chief State school officer, to have the authority to say, "We will give this poor district 70 percent of Federal moneys, and they can raise 30 percent to go ahead with their project." But here is another school district that can raise 60 or 70 percent of what they need and they need only 30 percent Federal assistance. So under that plan you would take care on a priority basis of the more urgently needful school districts.

The amendment offered by the gentleman from North Carolina destroys that and makes it deal directly with the State. If his amendment carries, it will not be one in which the local school districts will be interested except if the State school officer wants to give them money. There is nothing in this bill that compels him to distribute it to the needy district or the one in which there happens to be a building emergency.

I would have to oppose the amendment, too, on the ground that it gives too much authority to the States in making these grants outright. I just cannot conceive of the Congress voting $1,500,000,000 without knowing whether it will build school buildings in the several States. It is just simply too wide open and with no control.

You heard what the distinguished gentleman from Virginia said the other day about the Federal Commissioner of Education taking over the authority under this bill from the Comptroller General's Office. Why, this will not even provide for the Comptroller General ever having anything to do to check those funds after they are once distributed to these States.

There is not an iota of Federal control and there must be a limited amount of it, at least sufficient to see that the Federal funds are properly safeguarded.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. BAILEY. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. The gentleman is recognized for 2 additional minutes.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me for one question?

Mr. BAILEY. Briefly.

Mr. PERKINS. If you adopt the Barden amendment, you have no assurance then that any of the money that goes to the States will get into the needy districts; is that correct?

Mr. BAILEY. None whatever, sir.

I would like to add to what the distinguished gentleman from Arizona had to say about the possibility that there might be something in this proposed amendment which would affect the Davis-Bacon provision that I am rather inclined to think there is. Let us take the gentleman's home State of North Carolina. Let us take the cities of Charlotte, Greensboro, Winston-Salem, Raleigh, and Durham. It is safe to assume that there is a certain amount of labor activity in those communities and that there is a prevailing wage which is somewhere near the union wage. It would be conceivable under this for the State commissioner of education in the State of North Carolina to allocate Federal money to some 8 or 10 districts where we have that situation existing. North Carolina just recently voted $25 million in State bonds to construct school buildings and that all the rest of the Federal moneys would not be under the control of the Davis-Bacon provision unless Federal moneys are used in that particular project.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman—of course, I am not accusing the gentleman of having that in mind, but I say it is possible that that could happen.

Mr. BARDEN. Let me say to the gentleman that it is now and will remain just as you stated. If this law is passed, as it is now written, and I hope it will always be that a State can continue to build school buildings with its own State revenues without asking the Secretary of Labor anything about it.

Mr. BAILEY. I agree. That is true.

Mr. BARDEN. Now, if you will admit they can, will you agree that if they want to build one building with 100 percent Federal funds, they can do it; can they not?

Mr. BAILEY. Under your amendment.

Mr. BARDEN. Under the bill as now written.

Mr. BAILEY. I urge the committee to defeat this amendment. It has no business in this legislation.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the Committee has been here 2½ hours and except in the way of enlightenment, we have not made very much progress.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. MASON. All I want to do is to serve notice on the membership that from now on there will be no more extensions of time nor any transfers of time.

Mr. HOFFMAN of Michigan. I thank the gentleman and I want to say I did not propose to ask for additional time.

Now, with reference to the Barden amendment. Let us get back to where we were, if we can. The Barden amendment, and I have it before me, provides that the Commissioner shall pay to the State whatever is coming to the State. That is the first important provision. Then it provides that the funds paid to

the States shall be used for the construction of school buildings. Then the amendment states that the district courts sitting in the district where the capital of the State is located shall have jurisdiction to grant relief, the suit to be brought by United States district attorney and in the name of the United States.

That is all the Barden amendment is; there is nothing else in it. I have read it. I have it before me. I cannot find anything in it except a purpose to limit the authority of the Federal Government, give the States control of the funds. It has the same provisions as the first amendment to the Constitution: All the power not granted to the Federal Government is by that amendment reserved to the States and the people. The Thompson amendment applying to section 104 (a) of the Barden amendment, which is a provision conferring jurisdiction on the district court, strikes out the last two words of the section, the words "this act", and inserts the word "law." Of course that is an absurdity on the face of it. The law might be a law making assault and battery a criminal offense, it might be chicken stealing, it might be anything. Do you see the point? The Thompson amendment is just an absurdity on the face of it.

Then the next we find in the Thompson amendment is that suit may be brought in the name of the United States by the United States district attorney, mind you, in behalf of "any person aggrieved." Is it not silly on the face of it that any individual who is aggrieved can go to the United States district attorney and complain and the United States district attorney must bring suit in the United States district court? The United States courts have never, unless there is some constitutional question involved, entertained such jurisdiction.

No, there is absolutely no reason or sense to the Thompson amendment to the Barden amendment in spite of anything or everything that has been said. And if you do not believe me—and I am not asking you to—just get a copy of the Barden amendment and read it. Then read the Thompson amendment. All the Barden amendment does is to let the States spend the money that is given to them—no, wait a minute, to make them pay it and when they get back, or get the money that is already in and then spend it for the construction of schools. That is all there is to this situation. The Thompson amendment should be defeated. The Barden amendment adopted.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the Thompson amendment to the Barden amendment.

The question was taken; and on a division (demanded by Mr. THOMPSON of New Jersey) there were—ayes 48, noes 153.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question recurs on the Barden amendment.

The question was taken; and on a division (demanded by Mr. BARDEN) there were—ayes 89, noes 124.

So the amendment was rejected.

Mr. McCONNELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCONNELL: On page 3, strike out lines 11 to 20, both inclusive, and insert in lieu thereof the following:

"SEC. 102. (a) (1) The sums appropriated pursuant to section 101 shall be allotted among the States on the basis of the income per child of school age, the school-age population, and effort for school purposes, of the respective States. Subject to the provisions of section 103, such allotments shall be made as follows: The Commissioner shall allot to each State for each fiscal year an amount which bears the same ratio to the sums appropriated pursuant to section 101 for such year as the product of

"(A) the school-age population of the State, and

"(B) the State's allotment ratio (as determined under subsection (b)),

bears to the sum of the corresponding products for all the States.

"(2) A State's allotment pursuant to paragraph (1) shall remain available for reservations of funds pursuant to section 105 (b) for projects in such State until the end of the year following the year for which the allotment is made.

"(b) For purposes of this title—

"(1) The 'allotment ratio' for any State shall be 1.00 less the product of (A) 0.50 and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the continental United States, except that (A) the allotment ratio shall in no case be less than 0.25 or more than 0.75, and (B) the allotment ratio for Hawaii and the District of Columbia shall be 0.50, and for Alaska, Puerto Rico, Guam, and the Virgin Islands shall be 0.75.

"(2) The allotment ratios shall be promulgated by the Commissioner as soon as possible after enactment of this act and again between July 1 and September 30 of the year 1958, on the basis of the average of the incomes per child of school age of the States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. The first such promulgation shall be conclusive for each of the 3 fiscal years in the period beginning July 1, 1956, and ending June 30, 1959, and the second shall be conclusive for each of the 2 fiscal years in the period beginning July 1, 1959, and ending June 30, 1961.

"(3) The term 'child of school age' means a member of the population between the ages of 5 and 17, both inclusive.

"(4) The term 'continental United States' does not include Alaska or the District of Columbia.

"(5) The term 'school-age population' means that part of the population which is between the ages of 5 and 17, both inclusive, and such school-age population for the several States shall be determined by the Commissioner on the basis of the population between such ages for the most recent year for which satisfactory data are available from the Department of Commerce.

"Maintenance of State and local support for school financing

"SEC. 103. (a) The allotment of any State under section 102 for any year shall be reduced by the percentage (if any) by which its State school effort index for such year is less than the national school effort index for such year. The total of such reductions shall be reallotted among the remaining States by proportionately increasing their allotments under section 102 for such year.

"(b) For purposes of subsection (a)—

"(1) The 'State school effort index' for any State for a fiscal year is the quotient obtained by dividing (A) the State's school expenditures per public-school child by (B) the State's income per child of school age; except that the State school effort index shall be deemed to be equal to the national school effort index in the case of (i) Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, and the District of Columbia, and (ii) any State for which the school expenditures per public-school child are not less than the school expenditures per public-school child for the continental United States.

"(2) The 'national school effort index' for any fiscal year is the quotient obtained by dividing (A) the school expenditures per public-school child for the continental United States, by (B) the income per child of school age for the continental United States.

"(c) (1) The school expenditures per public-school child for any State for purposes of determining its State school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the State and subdivisions thereof for elementary and secondary education made from current revenue receipts derived from State and local sources in the State, as determined by the Commisioner on the basis of data for the most recent school year for which satisfactory data for the several States are available to him, by (B) the number of children in average daily attendance in public elementary and secondary schools in such State, as determined by the Commissioner for such most recent school year.

"(2) The school expenditures per public-school child for the continental United States for purposes of determining the national school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the States and subdivisions thereof for elementary and secondary education made from current revenue receipts derived from State and local sources in the continental United States, as determined by the Commissioner for the same school year as is used under paragraph (1), by (B) the number of children in average daily attendance for such year in public elementary and secondary schools in the continental United States, determined as provided in paragraph (1).

"(3) The income per child of school age for the States and for the continental United States shall, for purposes of subsection (b), be determined by the Commissioner on the basis of the incomes per child of school age for the most recent year for which satisfactory data are available from the Department of Commerce."

Page 3, line 22, strike out "103" and insert in lieu thereof "104."

Page 4, line 10, strike out "105" and insert in lieu thereof "106."

Page 6, line 17, strike out "104" and insert in lieu thereof "105."

Page 6, line 19, strike out "103" and insert in lieu thereof "104."

Page 8, line 5, strike out "105" and insert in lieu thereof "106."

Page 8, line 19, strike out "104" and insert in lieu thereof "105."

Page 8, line 22, strike out "106" and insert in lieu thereof "107."

Page 9, line 12, strike out "107" and insert in lieu thereof "108."

Mr. McCONNELL. Mr. Chairman, the amendment I have offered would change the formula in H. R. 7535, which provides for an allotment of funds to each State on the basis of school age population alone. My amendment would provide for an allotment of funds on the basis of the school age population of the State; the income per school age child of the State; and the financial effort of the State to support education.

Under my amendment an allotment ratio is computed for each State. This

ratio simply expresses each State's income per child as a percentage of the income per child for the United States as a whole. The ratio is computed so that the highest ratio is given to the State with the lowest income, and the lowest ratio to the State with the highest income. The allotments to all other States would range in between depending on their relative income.

After the allotment ratio is computed for each State, it is weighted by multiplying that ratio by the number of school age children in the State. By this method the school age population is recognized in the formula. The products obtained by multiplying the school age population by the allotment ratio for each State are added together to get a total for the whole United States. The product for each State is then expressed as a percentage of the total for the United States. Finally, the percentage so obtained for each State is multiplied by the total appropriation to obtain the amount to be allotted to each State.

This amount would be allotted to the State if it is making a relatively reasonable financial effort to support education. It would not be fair to provide the full allotment to a State lagging behind in its effort. Accordingly, any State falling below the national average in effort, both in the proportion of income that is spent for elementary and secondary education, and in the total amount that is spent per pupil, would have its allotment reduced proportionately. Any amounts resulting from such reductions to any State would be reallotted proportionately among the remaining States that are making a relatively satisfactory effort in behalf of education.

The formula I have described is contained in my amendment and would distribute Federal funds among the States according to relative financial need, school-age population, and would take into account the State and local effort in support of education.

Under the Kelley bill, the 10 wealthiest States in per capita income—with an average income of $11.07 per child—would receive 32.2 percent of the Federal funds. The 10 poorest States in per capita income—with an average income of $4.34 per child—would receive only 19 percent of the Federal funds. Under my amendment the 10 wealthiest States would receive 20 percent; the 10 poorest States 27 percent.

One of the major objectives of the grant-in-aid section of the proposed legislation is to assist States with more limited financial resources than other States. My amendment seeks to do just that by allotting funds according to relative need. That should be a fundamental consideration, and on that basis I ask your support of this amendment.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. In my State of Massachusetts, the children go to school at 6 years of age. Under the gentleman's proposal, the school age starts at 5.

Mr. McCONNELL. Five to 17 years represents the meaning of the words school age population in the bill.

Mr. NICHOLSON. Why 5 years, if they are going to school at 6 in Massachusetts?

Mr. McCONNELL. Five years would cover the States that have children in school at 5 years of age. In fact, some go at 4¾ years in some States.

Mr. NICHOLSON. What have we in Massachusetts then to do in order to qualify, change our law from 6 years of age to 5 years of age?

Mr. McCONNELL. The population of the gentleman's State is included in the bill's definition of "school age population."

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Ohio.

Mr. VORYS. The gentleman used the figure $11 and some cents per capita income per child and $4.43 per capita income per child. Those figures certainly cannot mean what they sound like as general income per capita, because the figures could not be that low in any State.

Mr. McCONNELL. In the 10 wealthiest States it is $11.07 per child and in the 10 poorest States $4.34 per child. Those are the figures I read.

Mr. VORYS. The gentleman means that those figures are money spent for educational purposes, not general income.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. McCONNELL] has expired.

Mr. BAILEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I feel compelled to question the good faith of the gentleman from Pennsylvania in offering this substitute plan. He was a member of the subcommittee that drafted the legislation and it was agreed that the Kelley bill would be a nonpartisan-bipartisan approach to the solution of this problem. That is why the proponents of title I, the Federal grants in aid agreed to accept titles II and III of the President's program as a compromise measure to insure the approval of this legislation. The gentleman is not satisfied with two titles of the President's plan, he wants to substitute title III of the President's plan for title I of the Kelley bill.

I can assure you that the distinguished gentleman from Pennsylvania [Mr. KEARNS] was a party to this agreement, that this would be fought out on a nonpartisan-bipartisan basis and that the Kelley bill was to be defended against all crippling amendments right down the line. That is exactly what I am doing, opposing any crippling amendments, whether they come from the majority or the minority side.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. Mr. Chairman, I should like to say that in the first subcommittee that we had considering school construction, we felt that the Burton-Hill formula or any modified form of it, such as the concept here of the gentleman from Pennsylvania [Mr. McCONNELL] defeated the purpose of the grant-in-aid program. We felt that the only way that we could have a fair program in America was to treat every boy in America the same regardless what State he lived in. That is the substance of title I of the Kelley bill. It was the only approach we had which met the approval of all the educational interests of America as a fair approach.

Mr. BAILEY. Mr. Chairman, I want to say to the gentleman that in consideration of this legislation in the committee, there was an amendment offered by the distinguished gentleman from Alabama [Mr. ELLIOTT] and the same amendment was offered at a different time by the gentleman from Kentucky [Mr. PERKINS]. Both those amendments were defeated in the committee. Yet they appear here today on the floor. Mr. Chairman, let me say to you that it threatens the approval of this legislation because it will give the wealthier States grounds for saying that they are being discriminated against in the distribution of tax money. It will create a greater burden on the wealthier States than on the poor ones.

Now, let us get south of the Mason-Dixon line. I have heard three-quarters of the Members of this Congress express themselves in opposition to this legislation. They are afraid they are not going to get the money under the Kelley bill because of their fear that there is authority under the general law to withhold this money from them. How can they hope to get it under the McConnell plan? So if you go along and tack this amendment on, the South is not going along with you on the vote on final passage of this legislation. Some of the Representatives from the more wealthy States feel that they are getting only a small part of the tax moneys allocated to them, and that it is being used as an equalization fund.

I recall a distinguished gentleman from Pennsylvania who served in the Congress some years ago. Every once in a while he would rise up and say, "Where are you going to get the money?" So I say, "Where are you going to get the votes?" I trust this amendment will meet the same fate as the Barden amendment.

Mr. BARDEN. Mr. Chairman, I rise in opposition to the amendment.

May I ask the gentleman from Pennsylvania [Mr. McCONNELL] if his amendment is a part of S. 2905.

Mr. McCONNELL. I believe substantially yes. I have not read all through S. 2905. I would say substantially yes. That would be my intention generally.

Mr. BARDEN. I looked at title III of S. 2905, and some, if not all, of the paragraphs are verbatim.

Mr. McCONNELL. I would say it is intended to be the administration approach, and S. 2905 is the administration bill. Therefore I assume they are the same. I have not compared them.

Mr. BARDEN. In dealing with the District of Columbia, I believe you have a different way of figuring their allotment?

Mr. McCONNELL. Yes. The District allotment becomes a specified figure. If I remember, it is 50 percent. That is the allotment ratio.

Mr. BARDEN. The District of Columbia is the only part of the United States that occupies a position similar to that of a State which now receives Federal funds for schools. I believe some $30 million was appropriated this year. Do you have the District of Columbia funds coming from two directions?

Mr. McCONNELL. I would say it would be handled just as a State is handled under this bill, H. R. 7535, assuming it is passed. That would be my understanding.

Mr. BARDEN. I just have this to say about it, I have not seen this amendment before.

Mr. McCONNELL. The Senate bill has been in existence for several months.

Mr. BARDEN. But the gentleman did not know whether it contained his amendment or not.

Mr. McCONNELL. It was in another body.

Mr. BARDEN. Neither one of us knew that it was in the Senate bill. I did not know it, and the gentleman just said he did not know it.

Let me say this: I do not know how fast the rest of the Members of the House can think. My IQ will not take in 5 pages of statutory law as technical as this in 5 minutes of debate. I do not know whether it is good or bad. I know we have not studied it. As far as I am concerned, as I said from the well of the House a while ago, we are going to make enough mistakes accidentally. I am not going to make one intentionally, such as voting for an amendment which will affect the most vital institution in the United States of America except the church, without knowing anything about the details in it, even though the gentleman may have a brilliant program.

Mr. McCONNELL. I can say to the gentleman it is a modified Hill-Burton program.

Mr. BARDEN. As I said to the committee a while ago, my amendment had a modification in it but the committee did not accept it. I am going to be just about as hardheaded as some folks in the House. I just do not understand the gentleman's proposal, so I will have to do the best I can and be opposed to it. I have had no occasion to study it.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. RHODES of Arizona. I think the gentleman will remember when the Secretary of Health, Education, and Welfare testified before the committee and testified on this particular formula that it is not a particularly new formula. We have had legislation introduced in the House and referred to our committee and hearings have been had not only on a House bill, but also on a Senate bill on this matter.

Mr. BARDEN. Let me say to the gentleman I know there is no more brilliant mind in this House than that which the gentleman possesses. I do not say that in jest either. I know the gentleman. But, I do not believe that either the gentleman or I remember what Mrs. Hobby said when she was before the committee. I am going to say this and be perfectly frank about it. It is a little bit of an awkward position for the chairman to be caught in when the ranking minority member springs five pages of law on the Committee of the Whole without my ever having seen it. I think it is a pretty hot spot and so far as I am concerned, I am withdrawing from the spot.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. MASON. The McConnell bill simply provides that the grease be spread over the machine where the squeaks are. The Kelley bill provides that the grease be spread uniformly over the machine even if some of the places have no squeaks.

Mr. BARDEN. All I know is I am going to try my best to keep the grease off me.

Mr. HALLECK. Mr. Chairman, I move to strike out the last word and rise in support of the McConnell amendment.

Mr. Chairman, may I say first of all I support these amendments because I am quite convinced that if they are adopted, there will be more votes for this bill. The case made by proponents of Federal aid to education rests upon the premise that more nearly equal educational opportunities in the States promote the general national welfare. It is argued that when people who are raised in States of lesser educational opportunities move into States having higher educational standards, social problems are thereby created in the latter States. So the administration proposal for Federal aid to education is designed to meet this situation. May I say that in referring to the administration's proposal, I certainly trust that such reference does not put any of us in the realm of politics because, after all, the administration had a perfect right to send its proposal to the Congress of the United States and it had a duty to send it, and likewise the Congress has its own obligations as to what ought to be done about it.

In support of these propositions that I have mentioned, I recall when I was majority leader in the 80th Congress, 17 State administrators called on me urging my support of general Federal aid for education. I have never favored that sort of general aid. But, the argument to me was that there were certain States and areas that could not support their own schools so we had to equalize the situation. Of course, I did the very unfair thing of inquiring how many of the 17 would support legislation designed to meet that sort of situation, rather than general help across the country. As I remember it, only one delegate from a State up north said that he would go along with that program. Here are the four principal features of the administration's program. First, the matching requirements. Federal funds would be matched in the first year by States and school districts and thereafter by States alone. The purpose of this provision is to encourage the States to improve laws relating to the financing of school construction and promote sound administration of the program. It is also designed to produce more school construction. Matching would be on a sliding scale. The State with the lowest income per child would put up $1 for every $2 of Federal grant received. The State with the highest income per child would put up $2 for every $1 received. The combined Federal-State payment would supplement such local funds as may be available for new schools.

The purpose of this feature is to narrow the gap between those States offering the least educational opportunities and those offering the most.

Second, distribution according to need.

May I say in these remarks that I am making here, because the gentleman from Pennsylvania has another amendment which I understand will be proposed, I decided to speak on both of them and not burden the Committee twice.

I suggest that to my friend from Illinois hoping he might be a little lenient with me since I am really talking about two different matters.

Funds would be distributed according to relative State income per school-age child. The State with the least income per child would receive approximately three times as much per child as the State with the highest income per child.

The purpose of allotting Federal funds in this way is to give the greatest help where there are the least resources for classroom needs, thus again tending to reduce the gap between educational opportunities among the States.

Third. Recognition of effort commensurate with ability. Allotments would be reduced proportionately to States which are below the national average both in the proportion of their income devoted to schools and in their dollar expenditures per pupil. This position gives recognition to the principle that reasonable State and local effort is fundamental to a sound program of Federal aid for school construction.

There is no justice to any program which taxes the people of a State which is trying to improve its own educational system to support another State which is spending money which could be used on schools but which is used instead to build less-needed facilities.

In summary, the administration's program was designed to help needy States and communities increase the number of classrooms they would otherwise build during the next 5 years.

With the administration's program of Federal grants along with purchase and support of school bonds the total of 410,000 rooms which would be built in the next 5 years without Federal help would be increased to 470,000 rooms, or an extra 60,000 rooms.

Any plan which does not provide the Nation with extra rooms will defeat the purpose of such legislation.

This legislation is not to take the place of State and local construction, but to supplement State and local construction. There can be no other reason for any Federal Government intervention.

The McConnell substitute simply proposes to restore two principles enunciated by President Eisenhower and incorporated in the original administration proposals for a school-construction bill. These principles are:

First. That Federal funds be distributed according to relative need.

Second. That Federal grants must not reduce incentive for State and community effort, but must stimulate such effort, thereby resulting in additional classroom construction over the 5-year period.

And, third, that State governments should participate in financing school construction, thereby demonstrating reasonable State interest in the problem of education.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this amendment was proposed in the subcommittee of which I have the honor to be chairman; we discussed it at great length. The committee rejected it and wrote in the simple plan of equal distribution to the States on the basis of school age population. One reason I supported it was that it simplified the bill. It simplified that portion of the bill so that the ordinary layman could understand it. I doubt if there are more than two people in this body who can understand the formula proposed by the gentleman from Pennsylvania [Mr. McCONNELL].

We thought that with the action of the committee we had made the bill as simple as possible with as little interference from the Federal Government as possible.

If this amendment is adopted it will make for more interference by the Commissioner of Education in this problem of school construction than there would be under the bill H. R. 7535.

Mr. Chairman, I yield back the balance of my time.

Mr. BURDICK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the aid to schools in a building program is now before the House and a few matters have already been cleared up. First of all, the program provides that in erecting needed school buildings, the Government will match funds with cities, or school districts, and second, that the Government has no control over our course of study, and can move in and build only when the people of an area want it. The Federal administrator does exercise some authority over which area will be first served, but in the end every district will have an opportunity to present the urgency of its case.

The so-called Powell amendment will cause some trouble and may keep the school building program from becoming law. Mr. Powell will present an amendment providing that none of the funds appropriated shall be used in any district or city where segregation is practiced. If this passes the Solid South will vote "no" and many northern Members also. The amendment is not needed because the Supreme Court has spoken on the subject and will eventually be sustained by the whole country, but any abrupt approach is bad at this time. The Supreme Court realized this when they provided ample time for the transition.

The Powell amendment will be a threat to the South—to do now, what with a little time may wisely follow.

Anyhow, the Powell amendment is unconstitutional. You can't collect taxes from the Southern States for a schoolhouse building program and then say "You can't have any of the benefits of this tax unless you change your ways of life now." If they are not getting any of the money, then don't tax them. We don't want another conflict over "taxation without representation."

I think the Powell amendment will be defeated and the bill will be passed substantially as it reached the floor. There is no attempt in the bill to deny Negroes, wherever they are, the benefits of needed schoolhouses. In the South where segregation is practiced, the Negroes will get new buildings of their own equally with the white people. The only difference at present will be that the two races are not allowed to mix at school. The Negroes themselves, through education and good manners, will do more to obliterate race differences than Congress or the Supreme Court can do. Gradually through education the Negro is coming up, but to take drastic action would be disastrous to both North and South.

To handle this situation, we need cool heads, not hot and boisterous ones.

Mr. JUDD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, when I first came to this Congress 14 years ago the first committee to which I was assigned and on which I served 4 years was the Committee on Education, as it was then called before being merged with the Committee on Labor. It was then, as now, under the able chairmanship of my good friend the gentleman from North Carolina [Mr. BARDEN]. We had long hearings on the subject of general Federal aid to education in the 78th Congress, and all the same arguments pro and con were considered then that we have had before us in the debate on this bill. We had troubles then as now.

In the 79th Congress we had the question up again. The chairman set up a subcommittee with the Honorable Robert Ramspeck, then a Congressman from Georgia as chairman. On it also were the Honorable CLIFFORD CASE, now a Senator from New Jersey, and myself. We worked on this whole problem for months—how to meet the needs which were acute in some States that did not have adequate resources, yet avoid starting Federal subsidy of our whole school system, with corresponding lessening of responsibilities by the States and school districts.

We finally agreed on a bill which Mr. Ramspeck introduced as H. R. 4929 on December 7, 1945, called the Educational Equalization Act of 1945. It took into account, not just how many children there were in a State; but rather, the need, the resources and the educational effort of that State.

I was for the equalization principle that was in that bill, just as I am for essentially the same principle that is in the McConnell amendment now before us. I can vote for this Kelley school construction bill, if it is amended so that the equalization principle is in it as the basis for allocating funds to the States. But I simply cannot vote for the Kelley bill in its present form because it does not do what is most needed.

This bill is sold to the public all the time as being necessary to meet the urgent needs for classrooms in those poor States which do not have adequate resources to provide proper educational facilities for their children. But that is not what it does. I think the Federal Government may well have a responsibility to assist those States. First, because the problem is national in its origin, inasmuch as actions taken by the Federal Government in many places especially during the war, have exaggerated, accentuated or made more acute the needs in those places.

Second, the problem is national in its results because when people move from areas where they have not had adequate education to other areas, particularly the industrialized cities of the North, they sometimes create more problems and require more expenditures because of unemployability, delinquency, crime and so forth, then the cost of proper education in their original States would have been.

But the problem is not national in the sense that the only way the needs in the poorest States can be met is by Federal funds to all the States. It is not a national problem in the sense that no State is able to build enough schoolrooms for the education of its own school children. Many of the States have adequate resources for their own needs. In fact, there is no money anywhere except that which comes from the States.

The principle that we worked out was to authorize Federal funds from all the States to those States which are making more than the average educational effort, but still are not able to reach the average educational level.

Equality of opportunity for all children is not obtained by the Federal Government providing the same amount for each school child in the United States, no matter how much or how little his State or district provides. Equality of opportunity requires larger amounts for those now unable to get enough, and smaller amounts or nothing at all for children whose States are able to provide adequately.

The equalization formula was not difficult to devise. We determined the average amount being spent per child in the whole country. Then we determined the average percentage the States were spending for educational purposes out of their total State income payments. Not the total tax revenue of the State government, but the total State income payments for wages, salaries and dividends, and so forth—in the same sense as we speak of the national income.

We found that on the average, the States were spending for education about 2.5 percent of their State income payments. Some were spending a much higher percentage but still were unable, because of limited resources or industry, to reach the national average. We said, therefore, that whenever the educational agencies in a State are spending for education more than 2.75 percent of the State income payments, that is, making considerably better than the average effort, but are still unable to meet the average level of expenditures per child

for the whole country, then the Federal Government would provide funds to enable that State to get up to at least the national average.

If a State should reduce its own effort, it would, to the extent of that reduction, reduce its share of Federal funds. The more it put in of its own funds, without being able to reach the national average or basic minimum, the more assistance it would get from the Federal Government.

I think that is a fair way to deal with the problem. It is essentially the equalization procedure that is in the McConnell amendment. But the Kelley bill pays no attention to a State's need, a State's ability or a State's effort. It would give money for school construction to every State in the Union or a basis of $11.30 per child whether the State needs it or not. To me that is completely unjustifiable.

I may say further that I have been a little disappointed at times at some of my colleagues of the teaching profession, or at least some of the representatives of their organizations. Some of them contend that not enough support can be obtained to get a school aid bill through unless all the States and all the districts, and all the teachers get something out of it for themselves. I do not believe that. I think that approach loses more votes than it gains. I taught school myself for 5 years. I have a higher estimate of the teaching profession. I believe their first concern is not better facilities in their own States, but more adequate meeting of the needs of school children wherever those needs are the greatest. Nobody cares less about themselves and more about the well-being of the children than the teachers.

Let us help the ones that need it most, and not spend the money on those who need it least or do not need it at all. I ask adoption of the McConnell amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of the McConnell amendment, and I just want to quote very briefly from one of President Eisenhower's messages in connection with this point. In January 1956, President Eisenhower said:

> Another fundamental principle is that Federal funds, under this type of program, should be distributed according to relative need. We must recognize that some States have more financial resources than others. We must recognize that a weakness in education anywhere is a weakness in the Nation as a whole. Federal appropriations will most quickly accomplish the most good if a relatively larger share of Federal funds is distributed where local and State resources are least adequate to meet classroom needs.

Mr. WIER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I feel I would be remiss in my duty as a member of the Committee on Education and Labor if I did not express my sentiments on the long efforts we have made in the committee on this legislation. I think as far as the McConnell amendment is concerned, perhaps the most questionable provision that brought forth some doubt from the witnesses and the educators of this country was the long drawn out process of the formula to be used in working out and reaching immediate action on school construction. I think it was said many, many times that this McConnell formula or President Eisenhower's formula, made it very, very difficult for any immediate school construction because of the working out of the formula and arriving at the so-called designation of eligibility.

Now, then, in addition to that and in addition to my opposition to the McConnell amendment, I think I ought to make known the position of the educators of the State of Minnesota, primarily those in administrative positions. I am in receipt of this communication from the head of the educational department in Minnesota, which says:

> Please support Kelley bill formula on school building aid without the McConnell amendment. Kelley bill formula most beneficial to Minnesota.

That is signed by the commissioner of education of the State of Minnesota.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. WIER. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I have some figures here about the actual dollars that would be distributed under the different formulas. Minnesota would get approximately the same amount under both proposals, and South Carolina would get almost twice as much as the formula the gentleman from Ohio proposes, so it shows discrimination against Minnesota.

Mr. WIER. I thought I made it clear that I was not talking about funds for Minnesota, whether they would get more or break even. I was trying to bring out that the educators throughout the Nation complained about the McConnell formula as one of long processing and no school construction for an additional year.

Mr. FRELINGHUYSEN. We have figures already available as to what the distribution would be under the McConnell formula, so there would be no undue delay making basic allotments to the various States.

Mr. WIER. Then, added to that is our American way of thinking that every boy and every girl in each and every State ought to be treated equal and be on an equal formula insofar as their educational opportunities are concerned.

Mr. FRELINGHUYSEN. It is for that reason that we are trying to put a need formula in this legislation, so that we will give equal opportunity for all children, no matter what State they live in; not so much per child or whether they come from a wealthy or a poor State. The gentleman ought to be arguing on our side, it seems to me.

Mr. WIER. I think we argued that in our committee. I think we argued it with Mrs. Hobby and Mr. Brownell. I think we argued it out in the committee for several days. They always express a wait-and-see policy.

Mr. DIXON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the McConnell amendment. There is nothing mysterious or new about this principle of equalization. It was developed at Columbia University by Dr. Paul Mort over two decades ago. It is used in the most progressive States to distribute schools to the districts according to need. It works and the experience of many States has proved it so; it is scientific, and it is the only principle that fulfills the purposes of this bill.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Minnesota.

Mr. JUDD. Is it not also true that this is the way that will prevent any possible abuse of power by the Commissioner? He figures out according to the formula, the number of pupils, the financial capacity of the State, and the percentage of its own income that it is spending for education. Then he passes out what the formula tells him. There is no chance for the exercise of discretion or arbitrariness; is not that correct?

Mr. DIXON. Exactly. And it gets much more help to the people who need it.

Mr. JUDD. That is right.

Mr. DIXON. With so much less expense to the taxpayer.

Mr. BAILEY. Mr. Chairman, I rise to make this observation, that if they could explain this complicated formula to the committee here, I would be inclined to support it. But nobody has been able to explain it. We could not understand it in the committee ourselves.

Mr. LAIRD. Mr Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I would like to say the principle of equalization aid is certainly nothing new. We in the State of Wisconsin have long had an equalization formula on which aid to education has been dispersed to the various school districts in our State. The Wisconsin Legislature has recognized the principle that in order to provide equal opportunity for all school children in Wisconsin, it is necessary for the people living in school districts having greater resources to contribute to the support of education in those school districts with inadequate resources.

As a member of the Wisconsin Commission for the Improvement of Education in 1947 and 1948 and as chairman of the Wisconsin Legislative Council in 1951 and 1952, I sponsored and supported many important pieces of educational legislation which have become the basic educational law in Wisconsin. Underlying the important improvements recommended by the Wisconsin State Commission for the Improvement of Education was the principle of equalization aid and helping those areas of our State through State aid which could in no other way meet their educational needs.

I will support Federal aid for school construction if such aid is dispersed by

our Federal Government on the basis of helping those sections of the United States which are making the maximum effort to solve their own school problems and find it impossible to construct new classrooms without Federal aid. In this year 1956, our Federal Government is justified in attempting to equalize the ability of States to meet their educational needs by serving as a medium whereby the richer States can contribute to the poorer States much as equalization aid is paid to the various school districts in Wisconsin.

The McConnell amendment places primary importance on the equalization principle which we have recognized in Wisconsin. It also gives some recognition to the school child population. The McConnell amendment will greatly improve this legislation. Without some recognition of a "need" test in distributing Federal aid for school construction, I cannot support this legislation. I most respectfully urge my colleagues today to support the McConnell amendment.

Last year a Wisconsin Educational Committee was established to give consideration to the educational problems facing our State and this Nation. This committee was composed of representatives of labor, agriculture, industry, education, homemaking and was thoroughly representative of a cross section of Wisconsin. This State committee adopted a statement of principle and made definite recommendations as to what was needed in the way of Federal educational legislation. This committee was unanimous in not supporting the principle of disbursing Federal school construction aid on the basis of child population. The report of the Wisconsin Educational Committee does not support the Kelley bill.

The amount of money made available in this legislation which we are considering today for school construction is indeed small when compared with the total classroom construction cost projected over the next 5 years. Instead of putting this amount of Federal aid out on a strictly child population basis, it should be disbursed to those areas which have made the maximum effort to solve their own problems but find it impossible to construct needed classrooms without Federal aid. The McConnell amendment is a step in this direction.

The McConnell amendment should be agreed to by the House today.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from California.

Mr. ROOSEVELT. I just wanted to find out for my own information, does this formula include the basic taxes paid by the individual States, or is it based on income?

Mr. LAIRD. It is based on income.

Mr. ROOSEVELT. On the national income?

Mr. LAIRD. Yes, on the basis of State income and resources.

Mr. ROOSEVELT. I thank the gentleman.

Mr. ELLIOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the McConnell amendment, which provides for a formula similar to the Hill-Burton formula for the allotment or allocation of the moneys under this bill. In other words, the amendment offered by the gentleman from Pennsylvania takes into account, in addition to the school-age population, between the ages of 5 and 17, the per capita income of the people of the various States. Therefore the low income States, especially those of the South, will receive a great deal more school construction money under this amendment than they will receive under the provisions of the Kelley bill.

Mr. Chairman, the formula embodied in the McConnell amendment is the same, or practically the same, as that embodied in an amendment which I offered in the Committee on Education and Labor. The committee rejected my amendment for the flat-grant formula of the Kelley bill.

It has always appealed to me that the most desirable school construction bill would be one that guaranteed that the money appropriated would be spent where it was needed most. The McConnell amendment goes a long way in that direction. The amendment is in accord with the Hill-Burton principle that has proven so beneficial, and so helpful in so many other pieces of legislation. There is not a Member of the House that is not familiar with the fact that the Hill-Burton principle has resulted in the building of hundreds of hospitals all across America. This amendment, if adopted, will place the emphasis on building school buildings where they are needed most. I hope the House will adopt the amendment.

Mr. Chairman, I desire to demonstrate what this amendment would do. The committee staff of the House Committee on Education and Labor, which has worked so diligently to aid the committee in all its deliberations leading up to this bill, has prepared some figures that will indicate more clearly than I am able to do with mere words what the McConnell amendment would do. I will illustrate with my own State of Alabama. Under the McConnell amendment now before us, assuming an appropriation of $300 million per year, Alabama would be entitled to $10,282,000 per year for a period of 5 years, instead of $9,397,944 per year for a period of 4 years. In other words, under the McConnell amendment Alabama would get in 5 years $51,410,000, whereas under the original Kelley bill, assuming an appropriation of $400 million per year for a period of 4 years, Alabama would get a total of $37,591,776 in the 4 years.

Mr. Chairman, I am including for the record the figures on the McConnell amendment for each State, each year. The total amount of the allotment is shown, as is the amount per child for each State. Should any Member desire to compare these figures with those of the Kelley bill, he may do so by referring to the table on page 4 of the committee report on H. R. 7535.

Allotment of $300,000,000 to States for school construction, according to the terms of S. 2905, without application of reduction factor

Region and State	Amount of allotment (thousands)	Amount per child
Aggregate United States	$300,000	$8.45
Northeast:		
Connecticut	1,764	4.21
Maine	2,042	10.16
Massachusetts	5,987	6.38
New Hampshire	1,025	8.99
New Jersey	4,882	4.90
New York	13,904	4.81
Pennsylvania	16,500	7.46
Rhode Island	1,039	6.58
Vermont	931	10.58
North Central:		
Illinois	9,835	5.47
Indiana	7,180	7.92
Iowa	5,365	9.20
Kansas	3,646	8.68
Michigan	10,852	7.22
Minnesota	6,368	9.30
Missouri	6,793	8.18
Nebraska	2,605	8.99
North Dakota	1,810	11.60
Ohio	12,058	6.82
South Dakota	1,679	10.84
Wisconsin	6,451	8.38
South:		
Alabama	10,282	12.64
Arkansas	6,188	12.64
Delaware	332	4.55
Florida	6,128	9.28
Georgia	10,888	11.84
Kentucky	8,856	11.84
Louisiana	8,371	11.59
Maryland	3,964	7.33
Mississippi	7,553	12.64
North Carolina	13,375	12.19
Oklahoma	5,753	10.90
South Carolina	7,957	12.64
Tennessee	9,829	11.92
Texas	19,517	9.94
Virginia	8,386	10.21
West Virginia	6,172	11.76
District of Columbia	1,153	8.41
West:		
Arizona	2,232	10.06
California	11,675	4.96
Colorado	2,564	8.17
Idaho	1,634	10.68
Montana	1,236	8.70
Nevada	178	4.55
New Mexico	2,400	11.59
Oregon	2,712	7.84
Utah	2,090	10.78
Washington	3,767	7.18
Wyoming	578	8.39
United States service schools, outlying parts of the United States:		
Alaska	416	12.64
Guam	164	12.64
Puerto Rico	9,776	12.64
Territory of Hawaii	1,044	8.41
Virgin Islands	114	12.64

Mr. Chairman, I support the Kelley bill, as I have already said on the floor of this House in general debate last Friday. It is a good bill. The bill has been written in such a way as to eliminate any possibility of Federal controls. I believe that every Member of the House who has examined it objectively realizes the truth of this statement. I, of course, do not think the Kelley bill is perfect. We should all strive to improve it in every possible way. I think the McConnell amendment will improve the bill. I will expect to vote for other clarifying and improving amendments as long as we keep away from Federal control. It would be better not to have the aid than to have Federal control of our schools in any possible manner.

It will be my intention to vote for the Barden amendment, which, although it has some defects of its own, yet it leans backward to be absolutely certain that there are no Federal controls. I am against any Federal control. Of course, I realize that you cannot spend public

funds without some accounting therefor, and I do not regard reasonable and accepted accounting procedures as being in the nature of controls.

An amendment such as the Powell amendment would definitely add Federal controls to this bill. The adoption of that amendment would have the effect of killing this bill. I am against the Powell amendment. I will discuss this question more fully when we have the Powell amendment before us.

Mr. Chairman, we must keep the central question before us. It is that there is a great shortage of classrooms in our public schools. Millions of boys and girls do not have adequate classrooms. Last week, a gentleman with whom I was riding from where I live in Bethesda, Md., into the capital told me that his child had to go to a split-shift school. That meant that his child went to its school for a half day and somebody else occupied that space in the afternoon. All over America that situation persists. Jefferson County is the largest, richest county in Alabama. Dr. I. F. Simmons, superintendent of schools of that county, filed his statement with our committee on May 3, 1955. Here is what he said about Alabama's richest county:

Many of the Jefferson County school buildings are frail, frame buildings heated with coal stoves. Most of these buildings are obsolete, worn out, and should be abandoned. Hardly any of our elementary and junior high schools have auditoriums and/or gymnasiums. Forty-five of our schools have outdoor toilets. Thirty-seven schools do not have school lunchroom facilities.

I could go on and describe conditions in many other counties all across America. The testimony is in the record. The condition of need is everywhere.

Mr. Chairman, I can think of an answer to those who talk about the procedure outlined in the Kelley bill resulting in Federal control. The answer is to be found in many places right in the congressional district I have the honor to represent here. It can be found in Hayden, Ala., in Blount County. It can be found at the Dowling School at Crane Hill. In each of the communities the buildings now occupied by the schools were built in large part with Federal funds. There is a plaque on the school wall in each school denoting and certifying that fact. Those schools were built in the 1930's. I challenge anyone, any time, any place, to find that there has been any Federal control of those schools because the Federal Government helped to pay their cost of construction. This example comes to my mind. I am sure that there are school buildings constructed in part with Federal funds just as these were in the districts of many of the Members here on this floor.

Also, Mr. Chairman, it must be remembered that this bill has section 405. It is to be found on page 29 of the bill. I had the pleasure of offering that section as an amendment when the subcommittee of which I was a member was writing this bill. The amendment reads:

SEC. 405. In the administration of this act, no Department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. McCONNELL].

The question was taken; and (the Chairman being in doubt) the Committee divided, and there were—ayes 97, noes 109.

Mr. McCONNELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. McCONNELL and Mr. BARDEN.

The Committee again divided, and the tellers reported that there were—ayes 110, noes 140.

So the amendment was rejected.

Mr. SADLAK. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SADLAK: Beginning with page 3, line 3, strike out everything down through line 6 on page 10, and insert the following:

"Sums for school construction

"SEC. 101. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, an amount equal to the excess of the receipts of the Federal Government over expenditures for the 12-month period preceding July 1, 1956, or $1.6 billion whichever is the lesser amount, which shall be used by the several States for the construction of schools.

"Allocations among States

"SEC. 102. Funds appropriated under this act shall remain available until July 1, 1960, and shall be paid to the States by the Secretary of the Treasury at such times and in such amounts as he shall determine. Each State shall be entitled to a portion of the total sum appropriated under this title which bears the same ratio to such total sum as the number of its Presidential electors bears to the total number of Presidential electors. The Secretary of the Treasury shall determine the number of electors which Alaska, Hawaii, Puerto Rico, Guam, the Virgin Islands, the District of Columbia, American Samoa, and the Canal Zone shall be deemed to have for the purpose of computations made under the preceding sentence."

Mr. BARDEN. Mr. Chairman, I think the amendment is subject to a point of order, but I will withhold the point of order if the gentleman would like.

The CHAIRMAN. The gentleman will state the point of order.

Mr. BARDEN. Mr. Chairman, I have been informed that the amendment involves departments and problems that are not a part of the bill.

The CHAIRMAN. A very casual examination of the amendment would indicate very clearly that it is merely another formula for the allocation of funds and for that reason the Chair rules the amendment is germane.

Mr. BARDEN. Mr. Chairman, I am inclined to believe one more formula will not hurt.

The CHAIRMAN. That makes it unanimous.

Mr. SADLAK. Mr. Chairman, this amendment puts into writing a suggestion I made prior to the consideration of the first amendment earlier today. At that time I endeavored to explain in the 5 minutes allotted to me the purpose of this amendment.

It is, that we take $1,600,000,000 of the anticipated surplus for the fiscal year which ended just two days ago and send it back to the States for the purpose of constructing schools.

This is not new, novel, unique, or unprecedented, because back in 1836 we were confronted with a like situation, having an anticipated surplus at that time of $40 million. It was later reduced to $28 million. This amount was paid to the 27 States of the Union in 1836 according to the number of electors. A chart listing the States, number of electors, amounts received, and objects to which applied was inserted in the CONGRESSIONAL RECORD on June 13 as part of my special order on this subject. It appears in the RECORD at page 10286.

Many of the States used the money for education purposes. For instance, Alabama received $669,000 and the use to which applied was education.

Connecticut received $764,000: Education, one-half; general purposes, one-half. And may I mention this, Mr. Chairman, that to this day the half, namely $380,000, has been set aside in town funds in every one of our townships but one; income from that money is still being derived and used for school purposes.

The great State of Georgia back in 1836 received $1,051,422.09: it applied one-third for education, two-thirds for general purposes. And so on down the line.

The State of Kentucky received $1,443,757.40, all utilized for education.

So, Mr. Chairman, following that wonderful example in 1836 we can take this year's surplus of $1,600,000,000 which is a like amount to the proposal in the Kelley bill before us and send it back to the States. When it goes back to the States the transaction will be concluded; there will be no Federal control of it, and it can be used for the construction of much-needed classrooms and schools.

I urge the adoption of my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. SADLAK].

The amendment was rejected.

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 6, line 15, after the period, insert: "(8) Provide that school facilities of the State are open to all children without regard to race, in conformity with the requirements of the United States Supreme Court decisions; except that if a State plan does not so provide, it shall not prevent payment of funds authorized under this act to such State for use in counties or other political subdivisions within the States that are operating their schools in conformity with the said Supreme Court decisions."

Mr. POWELL. Mr. Chairman, I have two other amendments at the desk. I would like for all three of the amendments to be considered en bloc rather than to be offered separately using 5 minutes on each. I would like to have the three considered as one and be allowed to proceed for 5 additional minutes.

Mr. MASON. I am afraid, Mr. Chairman, I will have to object. The gentleman will have to offer them one at a time.

Mr. POWELL. In the interest of saving time I ask unanimous consent that they be considered as one amendment.

The CHAIRMAN. There is only one amendment pending.

Mr. POWELL. I would like to have the three considered en bloc.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the other two amendments be read at this time and that all three amendments be considered together.

Mr. BAILEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BAILEY. Do all the amendments apply to title I?

The CHAIRMAN. The Chair assumes that they do. The Chair has not seen them and has not heard them read.

Mr. BAILEY. On what pages are they?

The CHAIRMAN. Pages 6 and 8 and apply to section 104 of title I.

Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. POWELL: Page 6, line 25, after the period, insert "And shall state that the county or other subdivision in which each project is located is operating its schools without regard to race, in conformity with the requirements of the United States Supreme Court decision. A State plan which meets the requirements of the Commissioner in every other way shall be permitted to be put into effect in those school districts which comply with the Supreme Court decisions."

The Clerk read as follows:

Amendment offered by Mr. POWELL: Page 8, line 3, after the period, insert: "Any funds allotted to a State under this act which are not paid to said State because of failure to comply with section 103 (a) or 104 (a) of the act shall be paid to said State at such time as said State does comply, provided such compliance occurs before 3 years from the date of enactment, notwithstanding any other provisions of this act. In the event that the State agency does not include any certification as part of the State plan within the time limit prescribed by the Commissioner for the submission of such plans, the Commissioner is authorized, with regard to any local school agency, within such State, which is able to submit such certification on its own behalf, and is otherwise qualified to receive payments under this act, upon application and appropriate certification, to regard such local school agency as a State agency and the separate local school agency plans as State plans, subject otherwise to the pertinent requirements of the section and such other requirements as the Commissioner, by regulation, may prescribe. Upon approval of such local school agency plans, allotments in such amounts as the Commissioner may determine as being fair proportionate shares of the amount that would otherwise be allotted to the State whereof the local school district is a part shall be made to such local school agency under the formulas prescribed in section 102 of this act, so far as may be applicable."

Mr. POWELL. Mr. Chairman, these three amendments offer a solution to the following three problems: All States that are obeying the Supreme Court decision receive funds. All States that have announced they are going to obey the Supreme Court decision receive funds. Any school district within a State, even though the State may by legislative action or decision of some Government official be against the Supreme Court decision, that decides to integrate shall receive funds. Also during the life of the bill there will be held in escrow by the Commissioner of Education the amounts of money that would have been appropriated to these individual school districts so that if at any time during the 4 years of the bill a school district decides to integrate it will receive the accumulated funds that have been held in escrow.

In other words, Mr. Chairman, we have before us a series of amendments that by no stretch of the imagination can be called extremism, or punitive, but amendments that are aimed at helping the States and school districts to integrate. If my amendments are adopted the gentleman from Arizona [Mr. UDALL] has an amendment which I will support that will set aside a special amount for those districts that are meeting with financial problems as they try to integrate. So that no one can call this extremism.

The only objection that we hear is that this will kill the bill. This bill is going to pass the House if the Powell amendment is in it. How will it kill the bill? We are told there will be a filibuster conducted against it in the other body. That is impossible. The other body does not have the Kelley bill before it. The other body has Senator LISTER HILL'S bill before it and the Powell amendment will not be in that bill. So there will be no occasion for a filibuster there unless some Member of the Senate does introduce a Powell type of amendment. We have no control over that in this body. That is the argument against that matter.

The next is that we should not implement the Supreme Court decision by legislative action.

I am sure that we all agree that whenever there is a constitutional executive order, judicial decision, or legislative action, immediately it is encumbent upon all the other branches of the Government to yield to whatever that decision, order, or law may be. We implemented the Supreme Court decision for 57 years in Plessy against Ferguson, which was the doctrine of separate but equal. We in this House and in the other body passed amendments to the draft bill, the Hill-Burton Act, the Federal school lunch program, implementing the Supreme Court decisions. Now we come to a new decision, a decision of integration, and this is the first test whether we are going to abide by the Supreme Court decision as a legislative body. This is not a racial amendment, although I would like to point out that the only group that can speak with any authority for Negro people, meeting in San Francisco on Saturday morning, the National Association for the Advancement of Colored People, had their national convention. They had 1,100 delegates from 43 States, the Territory of Alaska, and the District of Columbia, representing over 1,000 American cities where chapters were, and they voted unanimously in this respect, and this is the language that they passed in their resolution. They said:

Any vote against the Powell amendment is a vote in favor of segregation.

That was unanimous Saturday at San Francisco. This is not a political amendment, although it has given great concern to some members on my side of the aisle, because they feel that the Republicans are going to make hay out of this. Well, let the Republicans make hay out of the Powell amendment. It would be because we Democrats are not wielding our own scythes and sickles. So, it is not political. I would like to point out that a great deal of organized labor has lobbied against the amendment, and Mr. Walter Reuther assured me yesterday and I am inserting in the RECORD that he is in back of the Powell amendment and so indicated by telephoning me yesterday.

Now, I would just like to close with this one thought. In the last line of Elizabeth Browning's Sonnets From the Portuguese there is this magnificent thought: "God's realities always exceed man's fondest dreams." We have before us the American dream. It is a dream of one nation, indivisible, with liberty and justice for all, and I believe that you should vote according to that American dream.

Mr. WAINWRIGHT. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this is the first time that I have spoken to the House of Representatives this year. However, I think this is the most momentous and important vote with which we have been faced. Certainly it is the most important that I have faced within the 4 years that I have served in the Congress. We have before us the question as to whether we are going to allow the injection of the Federal Government into the educational system of our land. I think that each and every one of us ought to search our hearts and our consciences before we cast a vote in that regard.

I think you would be interested to know that at the request of the Secretary of Health, Education, and Welfare I introduced the administration's proposal, the proposal that the gentleman from Pennsylvania just presented to you here today. Then we had 4 months of testimony, and I changed my mind. I was wrong. I should never have introduced that bill. Why did I change my mind? Because we had the testimony that convinced me and many of my colleagues, as the gentleman from Texas, Mr. DIES, stated earlier today, that if the States wanted to do the job, they could do it; the Federal Government should stay out of the local school districts. The second reason I changed my mind was that historical analysis proved that the evil leaders of each and every totalitarian state, on seizing control of that state, first put their paws on the educational system of their nation. You say that cannot happen here, and maybe it cannot. But let us not give it a chance to happen here.

Finally, the reason that I am opposed to this bill is because this question is answerable in only one way: How can the Members on the Republican side of the aisle, for example, in all good conscience, members of the party of Abraham Lincoln, vote the Federal tax dollars to build white and Negro schools? How can they do it? The mores of other sections of our country allow for a different conclusion, but for my colleagues on my left, I say to them, search your consciences when you vote on this very, very important Powell amendment.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. WAINWRIGHT. I yield to the gentleman from New York.

Mr. POWELL. If the Powell amendment is agreed to, will the gentleman vote for the bill?

Mr. WAINWRIGHT. If the Powell amendment is agreed to and provided the basic changes requiring the States to amend their ways, I will support the bill. I will support it, not believing in Federal aid to education, but only to show my sincere support at the gentleman's motion. In other words it will show that I believe the greater question to be the principle of a Nation of great civil rights.

Mr. BOLLING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise to oppose this amendment because I am completely and absolutely convinced that its attachment to this bill in the House of Representatives will kill any hope of enactment of this very necessary bill into law. My views and the views of another man, a man who has a deserved reputation for his advocacy of and his fight for civil rights are best conveyed in an exchange of correspondence which I should like to read to this committee.

I wrote on April 19 to the former President of the United States, Harry S. Truman, as follows:

UNITED STATES
HOUSE OF REPRESENTATIVES,
Washington, D. C., April 19, 1956.

Hon. HARRY S. TRUMAN,
Federal Reserve Bank Building,
Kansas City, Mo.

DEAR MR. PRESIDENT: One of the most important pieces of legislation before Congress today is the Kelley bill, providing for Federal aid to school construction. Knowing of your awareness of the need to improve educational opportunities for all children, I am sure I need not detail the reasons why it is urgent that this bill become law at this session of Congress.

The consideration of the Kelley bill in the House has been complicated by the prospect that when it was brought to the floor of the House, the so-called Powell amendment would be offered to provide for withholding funds from States not in compliance with the Supreme Court decision declaring segregation in public schools to be unconstitutional. Many of us who are consistent supporters of civil rights, and who approve and support the Supreme Court decision, nevertheless question the desirability of the Powell amendment in the present circumstances. First, we feel that it is inappropriate inasmuch as the Supreme Court is still in the process of implementing its decisions in this field. Moreover, we fear that the adoption of the amendment by the House would only prevent the enactment of the much-needed Kelley bill.

In view of your deep interest in educational opportunities and the strong position you have always taken for the full protection and enjoyment of civil rights by all our citizens, it would be most helpful if you could let me know your views on the situation which now confronts us.

Respectfully,

RICHARD BOLLING.

By letter of May 4, I received the following reply, which I shall read:

KANSAS CITY, MO., *May 4, 1956.*

Hon. RICHARD BOLLING,
House of Representatives,
Washington, D. C.

DEAR DICK: I have your letter of April 19, asking for my views on the situation now confronting the Congress with respect to the Kelley bill, providing for Federal aid to school construction, and the Powell amendment.

First, let me say that I strongly favor legislation to provide Federal aid to school construction. The need is critical, and legislation adequate to meet it should be our prime objective. The Kelley bill is a good bill, and it should be passed promptly.

The Powell amendment raises some very difficult questions. I have no doubt that it was put forward in good faith to protect the rights of our citizens. However, it has been seized upon by the House Republican leadership which has always been opposed to Federal aid to education, as a means for defeating Federal aid and gaining political advantage at the same time. I think it would be most unfortunate if the Congress should fall into the trap which the Republican leadership has thus set. That is what would happen if the House were to adopt the Powell amendment. The result would be that no Federal aid legislation would be passed at all, and the losers would be our children of every race and creed in every State in the Union.

I believe in the full protection of the rights and opportunities of all our citizens without discrimination on account of race, religion, or national origin. This protection can best be afforded by means appropriate to the end in particular cases. In the circumstances which now exist, I believe that we can make the greatest progress toward this objective by the passage of the Kelley bill without the Powell amendment.

Sincerely yours,

HARRY S. TRUMAN.

I should like to point out to the members of the committee that this House prior to the adjournment of Congress will have an opportunity to vote on civil rights legislation as such.

Further, I should like to point out that the present President of the United States on a number of occasions has indicated that he considered the Powell amendment extraneous to the question of school construction.

I urge the defeat of this amendment.

Mr. BARDEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have through the years refrained from debating the subject at hand. I know my people well, I know their traditions, and I know our experience, I know their convictions. I know there is not a man in this hall that has done more in connection with education for the people who are very much involved, than have I in the legislature of my State when I was a member of that body.

What I have said is no indication that I do not have a deep-seated resentment for anyone who thinks that a few paltry dollars would cause men of convictions in my section to wilt and accept the glitter of the gold.

I, too, want to speak for my people even though I know my people will never get one penny of this money. We never have. We have gone right far, and we will go a long way yet.

In my brief statement I am not going to indulge in any swapping of bright remarks. May I remind you of something that happened during the Battle of the Bulge. A great general and some fine Americans were completely surrounded. The German general sent a lengthy demand, setting out the terms of surrender. That great American general, General McAuliffe, speaking the convictions of his men and himself sat down and wrote a very clear but short answer: "Nuts."

Mr. Chairman, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the amendment.

I have given it careful deliberation over many months. I have considered every argument for and against the bill. I realize, naturally, that it is a difficult and perhaps a thankless task to oppose this amendment.

My basic feeling is that we should not inflame what we must admit is a volatile situation by tying the red flag of the Powell amendment to a sound and constructive bill.

There are seven points I should like to make about this amendment. I shall make them as clearly and succinctly as possible. These are:

First, the amendment would interfere with the judicial process.

Second, the amendment would serve to impede rather than hasten the process of school integration.

Third, the amendment would probably kill Federal aid for school construction at this session of Congress, if not for the indefinite future.

Fourth, the amendment would penalize children, including hundreds of thousands of Negro children, for no reason other than the accident of their place of birth.

Fifth, the amendment would threaten the continuation of Federal assistance to States in many vital areas of need, including education in federally affected areas and hospital construction.

Sixth, the amendment would impose a degree of Federal administrative supervision over local educational matters which is repugnant to our system, and would create an exceedingly dangerous precedent in Federal legislation.

Seventh, the American people do not believe the amendment should be added to this legislation for Federal aid for school construction.

We have just heard the gentleman from Missouri read a letter from former President Truman to that effect. We know, because President Eisenhower has mentioned it many times, that he also believes this proposal is extraneous to the bill we have before us.

I

Let us first consider the interference with the judicial process which the proposed amendment would cause.

In its ruling of May 31, 1955, the Supreme Court gave direction to the implementation of its ruling of May 17, 1954. The cases were remanded to the local courts which originally heard them in order that the ruling could be properly implemented. The Court recognized that "Full implementation of these constitutional principles may require solution of varied local school problems." It acknowledged that these local courts, once a prompt and reasonable start had been made, were the proper agency for adjudicating the cases "because of their proximity to the local conditions and the possible need for further hearings."

The ruling stressed that the lower courts would "be guided by equitable principles". It defined equity as "characterized by a practical flexibility in shaping its remedies, and by a facility for adjusting and reconciling public and private needs."

The Court recognized, further, that all States and all districts would not have the same degree of difficulty, nor the same problems, in complying with the original ruling. It therefore said that the lower courts might find "that additional time is needed to carry out the ruling in an effective manner." It went further and specified some of the conditions which the lower courts would take into consideration in making their "judicial appraisal"; "problems relating to administration arising from the physical condition of the school plant, the school transportation system, personnel, revision of school districts and attendance areas into compact units to achieve a system of determining admission to the public schools on a nonracial basis, and revision of local laws and regulations which may be necessary in solving the foregoing problems."

The Court ruling did not specify that all schools would integrate at once, or that all schools would integrate at the same time, or by a stated time. It directed the courts (not the Congress) to require of the school districts that they make "a prompt and reasonable start toward compliance" and declared, in relation to the time in which full compliance might take place, that it be "necessary in the public interest and is consistent with good faith compliance at the earliest practicable date."

Consider the effect of the proposed amendment in light of the letter and spirit of this ruling.

The amendment would shift the determination of compliance from the local courts to the United States Commissioner of Education and would impose a strict time limit for desegregation to be accomplished in order for a school district to benefit from the program.

These obvious conflicts between the Powell amendment and the Supreme Court ruling were accurately described in an article on February 2, 1956, entitled "The Powell Amendment," written by Walter Lippmann. Mr. Lippmann wrote in part as follows—and I quote:

> The Supreme Court, recognizing that the changeover from segregated schools is a difficult and complex matter, has refrained from demanding immediate and unconditional application of its ruling. It has recognized that there must be a period of transition, a period of persuasion and accommodation, and the Supreme Court has accepted the burden of presiding over this transition.
>
> The Powell amendment runs counter to the letter and the spirit of the Supreme Court's decision. For the amendment proposes to have Congress take over from the Court the burden of getting the rule against segregation observed. It proposes to punish the localities which are slow about or opposed to complying, and to give to administrative officials, rather than to the Supreme Court, the power to determine whether the law is being observed. No one, I submit, who understands and believes in the Supreme Court's decision, can vote for the Powell amendment.

I know of no matter of such general and continuing importance in the entire history of our Nation which more clearly calls for handling through the judicial process and not through the legislative process. We in Congress have no hesitation in criticizing both judicial and executive action which we think goes beyond its appropriate bounds. But have we stopped to consider what we would be doing here if we adopt the Powell amendment? My friends, we would be seeking to legislate in an area in which legislation can only do harm. We would be arrogating to ourselves powers clearly belonging to the judiciary.

Desegregation in schools is a matter involving the Federal Constitution on the one hand and State governments on the other. The 14th amendment applies to State action and does not grant powers to the Federal Government. The interpreter of the Constitution is the Supreme Court. It has retained jurisdiction for itself and the system of lower Federal courts. Numerous court cases are pending which will gradually etch out the details of the desegregation process decreed by the Supreme Court. These cases will eventually resolve questions as to the use of tax revenues to support segregated education.

Thus the entire area of desegregation is one under the judicial appraisal which the Supreme Court called for.

For the Congress to intervene at this juncture would be a drastic interference with the judicial process. I am convinced that our action in adopting this amendment would be in derogation of the Constitution rather than in support of it. Let all those who support the Constitution and the Supreme Court decision stand firm against this proposed interference by the legislative branch.

II

My second point is that the amendment would serve to impede rather than hasten the process of integration.

All of us know something about the fundamental and deep-rooted social attitudes which underlie this matter of segregation. These attitudes will change much more rapidly as a result of natural forces—such as observation of the desegregation process in border States—than they will by attempts to impose a Federal policy.

Indeed, I know of nothing more inflammatory to the South or more conducive to a hardening of the resistance to integration than the intrusion of the Federal Government. No matter how the rider is explained, it will be construed as punitive legislation. It will thereby increase racial tensions.

The effect of the proposed rider in increasing racial tensions and hence making desegregation more difficult to accomplish, is well decribed in an article by Bill Frank in the Wilmington (Del.) Morning News of February 7, 1956.

Mr. Frank wrote in part:

> Representative POWELL may think he is helping the cause of integration. He is not; he's hurting it.
>
> * * * * *
>
> Let's look at the possible effect of the Powell amendment in Delaware:
>
> The comparatively little money that the Federal Government would make available here would be denied to such important communities as Laurel, Milford, Georgetown, Seaford, and so on; it would be denied to the smaller districts that need help, too.
>
> You can imagine the intensified hatred that would flare up in those areas.
>
> But you can also imagine how all children would be hurt in those districts—Negro as well as white children.
>
> In fact, the Powell amendment, translated in part of the Federal aid-to-schools law, would virtually bring on an attitude of the hell with it all. We'll not be badgered into submission by any such monetary whip nor will we be lured on any such bribe.

The thesis that this rider, if actually written into a school construction act, would cause further degeneration of race relations and greatly impede a compliance with the Court decisions is stated or implied in nearly every discussion of the proposal. That is the import of President Eisenhower's references to deep ruts of prejudice, emotionalism, built up over the years in this problem, and gradual implementation made in his press conference of January 25 in which he opposed the attachment of this rider to the school construction bill.

On February 15, the Des Moines Register editorialized "Tacking an anti-segregation amendment onto the school bill can serve only to further inflame extremist sentiment in the South. It won't help the causes of either education or equal treatment of Negroes."

III

My third point is that the adoption of this amendment would mean the death of Federal aid for school construction—at this session of Congress if not for the indefinite future. That the other body may take such action whether or not we include this amendment is certainly no argument in favor of incorporating this amendment in the bill.

I invite any one of you to ask the majority or minority leader on the Senate side, or the chairman of the Senate Labor and Public Welfare Committee, his opinion of the chances of enactment of school-construction legislation if it comes to the Senate with the Powell amendment attached. I assure you that you will get the same answer from each of them—that the bill would not have the slightest chance of enactment. It would never be brought to a vote.

These are the realistic, hard, cold facts. We cannot ignore them. We cannot close our eyes to the fact that the objective of this legislation will utterly fail if we add this amendment. We cannot, with honesty, say in this situation that what we do is our business and what the Senate does is its business. If we vote for the amendment, we know we are

voting against school-construction aid to the States this year. Even if the amendment were sound in principle and purpose—which, in my opinion it is not—the fact that it would kill the school-construction bill would be an overwhelming reason for voting it down.

IV

A fourth reason for voting against the amendment is that it would penalize children—both white and Negro—in one whole area of the country, even if we make the unwarranted assumption that a bill could ultimately pass with the rider attached.

The children in segregated States need schools as much as children anywhere. They are not responsible for the social conditions which have their roots in events of a century or more ago. Who would we be hurting if we deny Federal aid to those States still practicing segregation? We would be hurting the youngsters of the school districts most in need of outside assistance: the districts with the most overcrowding or obsolescence and the least resources. These are the districts which have top priority for aid under the bill.

Why should we help to perpetuate educational situations which lie at the root of much of the misunderstanding between races? Why should we hold the educational opportunities for Negroes down at the same time the Supreme Court decision seeks to bring them up? Why should we deny funds to any area of the country when our fundamental objective—in harmony with the Supreme Court decision—is to give Negroes more education rather than less? And what about the white children in the South who would benefit from this bill?

Gentlemen, the fact that a child of this Nation is born in an area of the country where, for reasons of history, a certain social situation exists, must not result in penalizing that child. He would be so penalized if we should withhold from him the educational benefits of this bill.

V

The fifth point I want to make about the Powell amendment is that the amendment would threaten the continuation of Federal assistance to States in many vital programs.

How, for example, can we distinguish between vocational education grants and grants for school construction? The vocational education grants are even more intimately related to the teaching process and the subjective elements considered in the Supreme Court decision than are the proposed grants for assisting in buying bricks and mortar. The Congress appropriated nearly $34 million in the fiscal year 1956 for this exceedingly important program.

What about the grants to localities in federally affected areas? Our committee already has been urged to adopt such a rider to this legislation. The Congress appropriated $90 million for maintenance and operation and nearly $32 million for school construction in these areas for fiscal 1956. These grants involve the Federal Government even more closely than the grants specified in the bill now under consideration, since they do not go through the States. The programs for school construction and school operation involve a direct Federal-local relationship. Thus there would be far more logic in adding the Powell amendment to these laws than to the bill before us.

What about the school-lunch program? How about agricultural extension work?

Indeed, why should the Office of Education be permitted to use its appropriations to provide even technical assistance to States which are still segregated?

What about the health field, hospital construction, and other vital health programs?

Logically, if the amendment is attached to this bill, we will be compelled to attach it to numerous other Federal laws providing educational and other benefits. Furthermore, what about other new programs? Suppose we were to have a national emergency requiring crash educational programs in schools and colleges. Would we have to say that Federal funds could not be used in schools and colleges of the South?

I submit that we cannot block all Federal support for education in the Southern States which are still segregated without creating a crippling situation which will do irreparable damage to the South in particular and to the Nation as a whole. And yet the vote on this amendment presents precisely that issue.

VI

My sixth point is that the amendment would impose a degree of Federal administrative supervision over local educational matters which is repugnant to our system. It would create an exceedingly dangerous precedent in Federal legislation.

If the amendment is adopted, we will be injecting the Commissioner of Education into every school district in the Nation where there is some question as to segregation. The Commissioner would have to be not only a judge but a detective. Do we want the Commissioner looking into the deliberations of school boards, the assignment of teachers, the location of schools, the matter of transportation, and even matters of curriculum? Gentlemen, if we have any real belief that Federal control of education is undesirable we must oppose the Powell amendment.

This amendment would establish a poor precedent so far as the discretion and power of the Commissioner of Education is concerned. It violates our cherished principles of State and local control of the administration of educational matters. It would make the Commissioner of Education almost an arm of the FBI, and make it impossible to administer the bill.

VII

My final reason for opposing the Powell amendment is simply that the vast majority of American people do not want it. Public opinion polls demonstrate this.

No public opinion poll is 100 percent accurate in all cases, but few would deny that the Gallup poll does have a high degree of accuracy. Several polls have been taken by Gallup of opinion regarding school construction legislation. Two conclusions may be drawn:

(a) I mentioned during general debate last week that over two-thirds of the American people favor Federal aid for school construction—this was about the same margin shown at the recent White House Conference on Education. The poll of January 22, 1956, showed that all sections of the Nation and both Republicans and Democrats favor passage of the legislation—for an aggregate of 67 percent favorable.

(b) By nearly the same margin, 61 percent of our citizens familiar with the bill oppose the idea of denying funds to communities in the South where school segregation is still being practiced. Here again, every section of the Nation and Democrats and Republicans alike line up with the majority. This second poll was published on March 22, 1956.

One may only conjecture what the result would be if those who do favor the withholding of funds were asked, "Would you favor such a course if it meant that no State or school district in America will receive urgently needed assistance?" I doubt that anyone will disagree if I suggest that the 61 percent in the Gallup poll opposing the Powell amendment would increase sharply to some 80 percent or 90 percent.

The White House Conference on Education recorded a strong sentiment—2 to 1 for Federal school-construction assistance to the States. It is remarkable that, at this highly representative conference of educators and laymen, less than 1 discussion group in 10 expressed a sentiment for denying such aid to areas which have not yet integrated their schools.

The majority of editorials written on the school construction issue throughout the country in the last few months are in strong opposition to the Powell amendment. A recent example which has come to my attention is the editorial in the Washington Daily News of June 27, entitled "Clouding the Issue." Let me quote just one paragraph from this editorial:

> Whatever one's feelings about the lack of progress in the South in carrying out the segregation ruling of the Supreme Court, it is infinitely better to provide children with better segregated schools than to deny them this help because they are segregated. No demagogic rider can alter that plain fact.

Among other newspapers voicing disapproval editorially are: The New York Times, Washington Post and Times Herald, St. Louis Post-Dispatch, the Kansas City Times, Kansas City Star, Nashville Tennesseean, and Des Moines Register.

As everyone knows, leading educators and educational organizations oppose the Powell amendment.

In conclusion, I feel the arguments against the amendment are overwhelming. I call upon all members of this body to follow the lead of our great President and oppose this amendment.

Mr. ROOSEVELT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time in order to support the amendment offered by the gentleman from New York [Mr. POWELL]. I am sure many of us here today recognize that this amendment has

posed a most difficult problem. We, who have fought for and who believe in Federal aid to school construction, may well be accused of what we have been accused of here, of being willing to sacrifice Federal aid to school construction on the altar of the principle that we believe no Federal money should be spent in order to aid in any way opposition to the Supreme Court decision banning segregation in the public schools.

I think it is well for us to recognize particularly in answer to the gentleman from New Jersey that it would be an entirely different proposition before us today if the statement had not been made over and over, and if action had not already been taken which indicated that this is not action to decide whether some States need more time in order to adopt and to conform to the Supreme Court decision. They have already stated that under no circumstances will they ever conform to that decision. As long as that is the public and stated position, I do not believe that any legislative body has the right to give public funds to those who are in open defiance of the Supreme Court of the United States. And I say to you in all humbleness that I do not believe there is anyone who wants to see more than I want to see money go to help alleviate the schoolroom shortages in our country. But I also know that we as a Nation face a world today where if we give the signal that we are not ready to stand up and to fight for this basic principle even at the cost of temporarily delaying the necessary money to finish some of our schoolrooms we will have lost in the world the friendship and the alliance of those that we need in order to fight the battle of freemen against the communistic world. It is just as simple as that; and while I hate to see one principle defeated, I believe in all conscience that I must say that I think the overriding principle is the principle which the Supreme Court of the country has enunciated and one which I personally am proud to stand up for and to vote for, which I will do in support of Mr. POWELL's amendment.

Mr. BAILEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the proposal of the gentleman from New York is a basic one. If adopted it can well mean the death of this legislation, if not in the House most certainly in the other body.

My position is well known, Mr. Chairman. Some years ago I assisted the gentleman from New York in getting a fair employment practices bill out of our Committee on Education and Labor by a 13-to-12 vote. I assisted him in the fight on the floor even though it was a losing fight. I am still sympathetic toward minority groups.

The Supreme Court has ruled on two occasions, once in 1954 and again in 1955, that the group he seeks to aid is no longer a minority group in the field of educational affairs. I must oppose his amendment on the ground that it has no place in this legislation.

He is not satisfied with equality; he wants the Congress to give special treatment to his race. He wants us to pick them up now that they are on a basis of equality, pick them up as a considered group over and above everybody else who is on a basis of equality, and pass legislation to punish somebody.

It is not the purpose of the Congress of the United States, it is not the function of the Congress, to pass punitive legislation; it is the function of the Congress to pass legislation that is for the general welfare and that bears equally on everyone.

It is the function of the courts to administer punishment and the courts are open to him just like they are open to all the rest of our citizens.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Pennsylvania.

Mr. KELLEY of Pennsylvania. Will the gentleman explain to the committee whether or not the Committee on Education and Labor considered this amendment?

Mr. BAILEY. We did.

Mr. KELLEY of Pennsylvania. What was the result?

Mr. BAILEY. I think the vote was 17 to 10, as I recall it. If I am wrong, I am sure the clerk of the committee can correct me. I think that was the vote in the Committee on Education and Labor.

Mr. Chairman, I would like to submit at this time for inclusion in the RECORD a wire I just received from the National Education Association in session at Portland, Oreg., as follows:

JULY 2, 1956.

Hon. CLEVELAND M. BAILEY,
United States House of Representatives, Washington, D. C.:

The 2,200 delegates representing over 550,000 classroom teachers in these United States meeting today at their annual business meeting in Portland, Oreg., urgently request the defeat of the Powell amendment and the passage of H. R. 7535 to meet the urgent need of classrooms for our Nation's children.

ELIZABETH YANK,
President, Department of Classroom Teachers, National Education Association.

Here is another telegram from West Virginia, as follows:

DUNBAR, W. VA.

The executive board of the West Virginia Federation of Women's Clubs representing 20,000 West Virginia women in session in Charleston ask for your support of the school building construction bill without the Powell amendment.

Mrs. PHARES E. REEDER,
President.

Here is a telegram from the secretary of the National Education Association in session at Portland, Oreg.:

Respectfully urge you be on House floor to oppose and vote against Powell amendment.

WILLIAM G. CARR,
Executive Secretary, National Education Association.
JOHN LESTER BUFORD,
President, National Education Association.

Mr. Chairman, I also have the following letter from James G. Patton, president of the National Farmers Union, as follows:

NATIONAL FARMERS UNION,
Washington, D. C., June 26, 1956.

DEAR CONGRESSMAN: National Farmers Union urges you to support the school-construction bill, H. R. 7535. More than ample justification for enactment into law has been given the Labor and Education Committee in lengthy hearings.

Rural farm States in particular are in need of assistance. Since the beginning of the industrial revolution, wealth has flowed from farm to metropolitan-industrial areas. Migration of rural youth, settlement of estates with off-farm residents, and payment of interest and rent to off-farm interests all contribute to the loss of wealth in rural areas. Wealth from farms will continue to move in this manner with an increasing amount flowing across State lines. The only means we as a Nation have to protect the right of our children to equal educational opportunity is to provide through the Congress the taxing of wealth where it is and the use of funds so derived to help children where they live.

The many long-standing programs of federally aided education have operated under universal local control. National Farmers Union strongly supports local control of educational programs at every level. We do not believe approval of federally aided school construction will violate this principle of long standing.

National Farmers Union strongly believes the bill will give greatly needed aid to children both in urban and rural areas. We hope that you will support H. R. 7535, opposing any crippling amendment when it reaches the House floor for debate and vote.

Sincerely,

JAMES G. PATTON,
President.

Then I wish to submit also the following news item from the National Education Association, which includes a speech by Eric Johnston made at the Annual Convention of the National Education Association in Portland, Oreg. This news item is as follows:

ERIC JOHNSTON, FORMER CHAMBER OF COMMERCE PRESIDENT, ENDORSES FEDERAL AID FOR SCHOOL CONSTRUCTION

PORTLAND, OREG., July 2. Eric Johnston, president of the Motion Picture Association of America and former president of the United States Chamber of Commerce, declared here tonight that there is no crisis in education that money won't cure and that some of the money—"perhaps most of it—must come from the Federal Government." Mr. Johnston's endorsement of the use of Federal funds for education and more specifically of passage of the school-construction bill now being debated in Congress comprised a major part of the speech delivered at the National Education Association annual convention being held here this week.

"At the outset," he said, "I would like to offer one personal conviction. I am for Federal financial responsibility in American education. I say this unequivocally. I know and you know that we cannot buy one new classroom or hire one new teacher with a tax cut. Personally, as a businessman, I would favor postponing any cutting of corporate or income taxes until we deliver adequate funds for restoring our national educational system. * * * I firmly believe that Federal support for education can be supplied without disturbing the autonomy of our Nation's schools in our local communities."

Mr. Johnston pointed to congressional approval of an expenditure for highway construction that could amount to some $3 billion annually for the next decade. "I favor this expenditure. We need the roads," he continued, "but if we can afford $3 billion of Federal funds each year to improve our roads, why can't we afford $3 billion to improve our schools?"

"I know full well," he stated, "that an additional $3 billion for our schools must come from taxes, not tax cuts. Now some people say we must cut taxes to stimulate business. As a businessman, I am sure we

can also stimulate business through a Federal school-construction program."

"It's not hard to offer new ideas," he concluded, "It's always harder to work them out. One reason for this is that our society is always in motion—and today it is moving at breakneck speed, with the accelerator down to the floorboard. The status quo people will undoubtedly argue that large-scale Federal support for education is at least upsetting, possibly radical, probably dangerous. But status quoism is an old fashioned and fairly common disease. We've cured it before. We can cure it again. And we shall also cure the diseases now besetting education."

AN ADDRESS BY ERIC JOHNSTON BEFORE THE ANNUAL CONVENTION OF THE NATIONAL EDUCATION ASSOCIATION, PORTLAND, OREG., JULY 2, 1956, MULTNOMAH STADIUM

The theme of your convention this week is "Be Proud To Teach." It's a fine theme. But pride is not enough. I have not come before you this evening to talk as a professional in the field of education. I don't pretend to be one. I have come to talk to you as a businessman and taxpayer who is interested in the welfare, growth and prestige of our country.

You have talked and I presume will continue to talk during your entire session on the crisis in education. I want to say to you as a businessman that there is no crisis in education—that money won't cure.

And that is why I say that pride is not enough? To be proud of your profession, your profession must have a proper status in our society. This will cost money.

At the outset, I would like to offer one personal conviction. I am for Federal financial responsibility in American education. I say this unequivocally.

I know and you know that we cannot buy one new classroom or hire one new teacher with a tax cut. Personally, as a businessman, I would favor postponing any cutting of corporate or income taxes until we deliver adequate funds for restoring our national educational system.

At the same time, I would like to add that I am against the Federal Government telling our schools what they should teach, or how they should teach it. I firmly believe that Federal support for education can be supplied without disturbing the autonomy of our Nation's schools in our local communities.

* * * We've heard the nature of our educational crisis recited many times in many ways—inadequate schools for our growing population, inadequate salaries and status for teachers, inadequate recruits for the teaching profession, inadequate recognition of gifted students, inadequate opportunities for students to proceed to the limit of their talents, inadequate opportunities for students to become acquainted with our complex world—both at home and abroad.

Some of these problems have been with us for years, but never have they been more acute. Let me anchor this fact with a statistic. In the 20 years between 1930 and 1950 our school enrollments remained about the same. Today our school enrollments are increasing by 1¼ million students every year. If we weren't prepared for our new students in the 1940's, how well prepared do we think we are in 1956?

With that disturbing question, I hope to put aside the problems and consider some of the solutions. I don't think it will be hard to find workable solutions—if we are willing to pay for them. As we all know, free education is free only to school children. Someone has to pay for it.

At this moment in our history, we're getting our nickel's worth of education—perhaps even a dime's worth for a nickel. But if we want a dollar's worth, we're going to have to spend a dollar. There is no bargain-counter price for education in this or any country.

This year our States and communities are spending almost $10½ billion annually for our public elementary and high schools—which amounts to about 3 percent of our gross national income. How do we spend it? According to our public ledgers, we are now paying about $2½ billion annually for new school buildings, about $5 billion for teachers' salaries, and about $3 billion for all additional school costs—books, pencils and paper; heat, light and water; and the salaries of clerks, cooks and janitors.

This amount is simply not enough—neither for our school system today nor for the expanded school system we will require tomorrow. How much more do we need and where will it come from? As a rough figure—a kind of target figure to shoot at—we might consider an additional sum of $3 billion a year for education. I don't intend to stand here tonight and tell the Congress of the United States what it should appropriate—as to the final precise amount, even educators will disagree.

Where the increased funds must come from, however, is a rather simpler question. Some of it, perhaps most of it, must come from the Federal Government. In the gaslight era of our recent past, the States and communities collected 75 percent of all tax revenue and the Federal Government collected 25 percent. Today the States and communities collect only 25 percent while the Federal Government collects 75 percent. If our schools need more tax money today, and they do, they have to go where the tax money is.

Our Congress this year has considered an expenditure for highway construction that could amount to some $3 billion annually for the next decade. I favor this expenditure. We need the roads. But if we can afford $3 billion of Federal funds each year to improve our roads, why can't we afford $3 billion to improve our schools?

I know full well that an additional $3 billion for our schools must come from taxes, not tax cuts. Now some people say we must cut taxes to stimulate business. As a businessman, I am sure we can also stimulate business through a Federal school-construction program. I am opposed to cutting taxes generally until we put our schools in order.

How do we arrive at our target figure of an additional $3 billion a year for education? First of all, we must have more classrooms because we have more children to put into them than ever before and because we have neglected to build enough classrooms for the past 20 years. Today more than a million children can't be properly educated—unless you have no objection to such emergency schoolhouses as war-weary barracks and empty garages.

I am no expert in this field, so I called on the experts. The Federal Office of Education, which has more dedication to its work than funds to carry it out, tells me we must build at least 95,000 classrooms a year for the next 5 years to meet our present needs and increasing enrollments. Their experts say we are now building only 67,000 classrooms a year and that unless we expand our construction program, we will have to stretch the very walls of our schoolhouses to crowd in the avalanche of new students.

I asked how much more we needed, at a minimum, for school construction. With their hearts as well as with their slide rules, they set the figure at $1½ billion annually.

It's not hard to offer new ideas. It's always harder to work them out. One reason for this is that our society is always in motion, and today it is moving at breakneck speed, with the accelerator down to the floorboard. The status quo people will undoubtedly argue that large-scale Federal support for education is at least upsetting, possibly radical, probably dangerous. But status quoism is an old-fashioned and fairly common disease. We've cured it before. We can cure it again. And we shall also cure the diseases now besetting education.

No nation on earth is more devoted than we are to a system of universal free education. After all, we invented the idea. But in recent years, we've neglected our responsibility and now we must give more than lipservice, we must dig into our own pockets. That may hurt a bit, but the rewards will be enormous, for ourselves and the generations to come.

With the funds we need we can restore our educational system to the status it deserves; we can relieve the shortage of skilled people in this country; we can provide an adequate school plant for the children we're raising, an adequate staff to instruct them, and a status for the teaching profession to rank among the highest in America. When that day comes, one truly may be proud to teach.

Mr. BARDEN. Mr. Chairman, as a result of the request of the Members who have engagements tomorrow and are anxious to catch planes and trains, may I see if we cannot agree upon closing debate on the Powell amendment as early as possible.

Mr. Chairman, I ask unanimous consent that all debate on the Powell amendment and all amendments thereto close in 25 minutes.

Mr. LONG. Mr. Chairman, I object.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent that all debate on the Powell amendment and all amendments thereto close at 10 minutes to 5.

Mr. SCOTT. Mr. Chairman, I object.

Mr. BARDEN. Mr. Chairman, I move that all debate on the Powell amendment and all amendments thereto close at 5:15.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. HESELTON].

Mr. HESELTON. Mr. Chairman, reduced to basic considerations, and stripped of frivolous and specious sophistries, the arguments against this amendment seem to me to be two.

First, it is suggested that, for practical reasons, even though a matter of fundamental principle is involved, we must oppose the amendment because somewhere else it may result in a filibuster. What happens elsewhere is the sole responsibility of those who have the duty of acting and who must accept the full consequences for not acting after this House has completed its initial consideration of this or any other legislation. We do not have even a moral responsibility for what happens there. I shall not make my decision and cast my vote here because of any fear aroused by those who have condemned all the members of the Supreme Court bitterly ever since the school decision or who have declared repeatedly that they will find ways and means to nullify that decision and even to defy the Constitution itself, if necessary. Apparently, the theory of their denunciations is that no one has any standing in this Nation unless he or she is born a member of the white race. That violates what I firmly believe to be my duty to all my constituents, irrespective of their race, their religion, national origin, or any other factor, except that each is entitled to life, liberty, and property, and the equal protection of all our laws—not just some of them.

Second, it has been urged that principle is not a factor here. It has been pointed out that the Supreme Court rightly stated that the changes flowing from its unanimous decision should be brought about with deliberate speed. But, in my opinion, that does not excuse this House from facing up squarely to the problem of civil rights in this country whenever it has the opportunity of doing so.

We all know the excellent record of the Supreme Court and other Federal courts in this field. We know the tremendous progress that has been made by the executive departments and agencies. But we know, too, the unfortunate lack of a record of Congress in this field. We are all too conscious of the fact that whenever and wherever a problem involving civil rights may arise in Congress, we will be confronted with dilatory tactics, postponement, and evasive or inflammatory arguments, all to the end that we shall avoid meeting the issue squarely and honestly, as we can and should here this afternoon.

I have great respect for some who believe this amendment should be defeated. But so far as I am concerned, because of a deep conviction that the civil rights of each of our American citizens are far beyond the need to pay lip-service or to include in party platforms, I intend to do my part, at least as I see it, toward helping to make it crystal clear that the House of Representatives of the United States really believes in the individual dignity and the basic human rights of every individual in this country.

There is nothing irrelevant or impatient about this. It is fundamental.

And I believe that the vast majority of the children in this country who may benefit by this program, if it becomes law, would agree this afternoon that their schoolmates and friends have waited long enough for Congress, and particularly this House, to begin to discharge its own responsibilities as to the civil rights of all Americans.

I urge support of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. LONG] for 1¾ minutes.

Mr. LONG. Mr. Chairman, I can hardly figure out how the Democrats have gotten into this. When I first began to tell the folks that I was a Democrat, we talked about local self-government and things of that kind. This kind of a squabble today does not even sound like the Democratic Party of the old days. The Democratic Party of old has believed that the States and local areas were in a position to know what the people wanted and to pass laws affecting these people. In other words, the Democratic Party subscribed to the belief of local self-government.

I am not a young fellow. I have been in this kind of a fight all my life. I know something about it. My district is 40 percent colored and 60 percent white. The colored people in my district pay less than one-half of 1 percent of the ad valorem tax, yet they enjoy every privilege that is enjoyed by the white people. We do not show a difference between white and black when it comes to school matters—Jew, gentile, or anyone else. We have endeavored in every way that we possibly could to see to it that the colored children and the Catholic children got the same break as the Protestants, although the Protestants are far in the majority.

When my brother was Governor of the State of Louisiana, the free schoolbook law was passed. At that time the colored people had very few votes. Many people said, "We are not going to give these books to the colored schools; we are not going to give these books to the Catholic schools; we are not going to give these books to the Jewish schools. They are for the white public schools.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. LONG. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. LONG of Louisiana moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Louisiana is recognized on his preferential motion.

Mr. LONG. Mr. Chairman, I want you to understand that we could very easily have said that no colored child may have free schoolbooks in Louisiana. But we did not do that. We said, we will give schoolbooks to the children of the State of Louisiana, be they white, black, Jew or gentile. And they got them. And they get them today.

When we started to build schools, we built colored schools just as we built white schools. And some of the finest schools on the face of this earth are in Louisiana and they are colored schools.

When we built hospitals, the facilities were opened to the colored just the same as they were to the whites; no color line, no racial line, no religious line, no line at all—just human beings. Anyone who was sick and needed help could go into the hospitals of Louisiana.

This amendment that is brought here today can do only one thing and one only; and those who are proposing this amendment can take upon their shoulders the responsibility for the failure of the children of Louisiana, be they black or white, to get the benefits proposed in this bill. That is all it can do. Do you know why? They know it. Louisiana is not going to integrate; I do not care what kind of a law you pass here today. This is not just GEORGE LONG talking, but I am expressing the sentiments of thousands on top of thousands of people, both black and white, in Louisiana.

I have discussed this question with many good colored people. They are satisfied with their schools, they are satisfied with their hospitals, and they want them to remain that way.

True, we need this money. Many military people have moved into my district. Money is sorely needed for more classrooms. We are overcrowded in every school everywhere.

I could not speak out and say, "Let's take this money." No power on earth can change the customs of a people that have been established over more than 150 years. A few months ago it was entirely legal, to segregate the races, and we did it under the ruling of the Supreme Court of the United States of America. The same Congress that passed the 14th amendment also passed a segregation law for the schools in the District of Columbia. Now can you come here and in a few days or a few months expect to change the traditions of 50 million people, overnight? It is just impossible and preposterous.

Those who propose this kind of amendment do not have at heart the welfare of our children, the white or the black. They have a political ax to grind instead of trying to help the youth of this land who cannot come here to vote for themselves. I am speaking today for those boys and girls who cannot cast their ballot. I am speaking for the poor boy or girl, black or white, who cannot stand up and talk for himself. He does not have an adequate education, and he never will have with this crippling amendment that is sought to be forced on the children of this Nation.

Mr. DAWSON of Illinois. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. LONG. Mr. Chairman, I ask unanimous consent to withdraw my motion.

Mr. HOLIFIELD. I object, Mr. Chairman.

The CHAIRMAN. The objection is heard to the unanimous-consent request to withdraw the preferential motion.

The gentleman from Illinois is recognized for 5 minutes.

Mr. DAWSON of Illinois. Mr. Chairman, I take this method of getting 5 minutes to talk to you about a matter that is of grave concern to all of us.

More than 70 years ago I was born in the South. When I was a child the school for the colored kids was open only a few months out of the year, when they did not need us in the fields. Sometimes those who were engaged to teach could barely read and write themselves. The schools for others were open 9 months out of the year, with adequate schoolrooms and with adequate facilities and with trained teachers.

My mother and my grandmother worked their fingers to the bone cooking and washing clothes in order to give me and my brothers and my sisters an education. We had to go to a private school. The last request of my mother when she passed away was to ask me to see that every one of the children younger than I got the opportunity to have a college education. Every Dawson younger than I has had that college education, and all of them have made their contribution to America. I recite these things to you to let you know that I know something about America. I know something about the system, but I believe in America and I believe in our institutions. That is why I am opposing the Powell amendment. A survey shows that hundreds of thousands of schoolrooms are needed in these United States. Those who claim that the States have the ability to build them are met with the proposition that you have not done it and a national crisis now faces this Nation of ours and schoolrooms are needed by all the children of America.

The education of the young is as fundamental for the preservation of this Nation of ours as maintaining a standing army. You are considering today and you will pass a bill today that will aid education in every State in the Union. I am of the opinion, and that opinion is based upon 14 years of experience in this Congress that if you attach the Powell amendment to this school-aid bill, you will have no school-aid legislation at this session of the Congress. That is based upon the experience I have had with civil-rights bills and other bills. Is the Supreme Court powerless? I say to you the Supreme Court is one branch of our Government charged with its responsibility. Since when did the Supreme Court become powerless?

Every right that we have gained in these last years has been gained under decisions of the Supreme Court because the decisions of the Supreme Court are the law of this land until they are changed by the Congress. Oh, I remember when a member of my race could not vote in the South. We could not vote in the South because the Republican Party would not run any candidates for election and the Democratic Party ran under the white primary. Therefore, Negroes were foreclosed from the polls. But, the Supreme Court issued an edict that since the Democratic primary is the only method of expressing yourself in Federal elections, you could not keep them out of the Democratic primary. And that is why we have had a chance in the South to go forward in spite of the iniquitous agreement entered into by both parties. Go back and read the record. Read the history of your country. Have Negroes attended schools in the South? Yes; we have attended school in the South and in every Southern State. We attended schools because right after the Civil War and after the secession the only way to get back into the Union was for the State to agree to uphold the Constitution of the United States, the 14th and 15th amendments included. Negroes went to school in the South with the children of all races. It was only when there was another political deal made that the question of racial citizenship was made a State question instead of a Federal question. The Supreme Court by its decision has outlawed segregation and thereby made the right to attend school a national question.

I am of the opinion that the Supreme Court has adequate powers to enforce its decisions. This amendment can add nothing to its powers. Nothing can be done under this amendment unless and until the Court rules a State or school district is in contempt; when that occurs the Court will decide and impose the necessary penalties, and it becomes the duty of the Executive to carry those orders out. I am of the opinion that the Chief Executive, be he of any party, would not fail to enforce the mandate of our Supreme Court in the administration of this bill.

Believing as I do that if this amendment is attached to the Federal aid school-building program the basic legislation itself will be defeated, and believing as I do that there is a classroom shortage in every State in the Union, I feel that the passage of this bill at this time is necessary to the best interest of our country.

I would not deny to the children in all States the opportunities to obtain their education because the people of a few scattered States have not yet obeyed the mandate of the Court when the way is open to hale them before the Court. This is the orderly process of our American way of life, and I believe that every right of citizenship will be gained under the provisions of the four corners of our Constitution as swiftly as we are able to bring before the bar of justice those who hesitate or refuse to carry out the mandate of the Highest Court.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Louisiana.

The motion was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Chairman, I have the uneasy feeling that each of us who speaks upon this issue may be a present example of those fools who rush in where angels fear to tread. Yet, challenging as it is to our statesmanship, it cannot be avoided.

Each of us, if he would be worthy of his oath of office, is under a special obligation here to try as best he can to examine this problem not as a northerner nor as a southerner but as an American. This I have tried to do. As an American. I am convinced that the Powell amendment, if adopted, could serve no purpose beyond adding to the confusion and increasing the bitterness which surrounds this problem.

We are dealing here with the most difficult, the most delicate and the most volatile social problem of our time. We must exert every care lest in some misplaced eagerness to solve the problem, we find ourselves in the unhappy predicament of the householder who lights a match to find the gas leak.

Washington newsman Roscoe Drummond, writing recently in his syndicated column, very aptly described the situation when he said:

> It is almost impossible to overstate the size and somberness of the problem. Mishandled, it is capable of splitting the Nation * * * irreparably asunder. If the wrong words are spoken by the wrong people at the wrong time, there can be bloodshed. That is how serious it is.

As a matter of fact, it is not one problem but literally hundreds of problems which come surging upon us, and no single formula can be found to fit them all. Each school district finds itself face to face with a problem peculiarly its own. In my State, for example, 66 school districts have desegregated their classrooms. Others have announced their intention to do so in the coming school year. Yet there are others in which the population pressures are such, and the local sentiment is such, that it would be foolhardy and unrealistic to expect any such action to be taken and sustained at the present time.

The problem simply does not lend itself to any quick, sleight-of-hand solution. Irreparable harm could result from attempting it.

We cannot fail to observe that this proposed amendment goes further than the Supreme Court ruling which it seeks to implement. While the Supreme Court did not presume to establish an effective date of complete transition, this amendment would seem to require it immediately.

Precisely what is it that the amendment seeks to accomplish? Do its sponsors hope that by holding out funds and dangling them before southern schools they can somehow induce more rapid integration? If this is their aim, I think I can assure them that it will not work.

Such an attempt would surely be viewed by many southerners as a sort of shabby bribe to forsake their traditions and their own best judgment of the local situation. You will not change their hearts with dollars.

No legislation, as a matter of fact, can change the way people think. Nor can long habit be upset overnight. The virtues of justice and charity and tolerance and understanding, so essential to a solution, cannot be forced upon people. Products of the spirit, they are learned best by example.

Can we teach tolerance by an example of intolerance? By an example of refusing to tolerate or even recognize the problem of the South?

Can we encourage charity by an uncharitable example? By an example which says "You must immediately adopt our way of thinking, or you will not get one thin dime?"

To the sponsors of this amendment who would seem to be interested in amity and brotherly affection between men of different backgrounds, I would say that the way to achieve these things is not by a threatening posture, not by a legislative boycott of those whose views and whose problems differ from your own.

To my colleagues, both northern and southern, who are so sure that they are altogether right and that those of differing convictions are completely wrong, and to myself as well, I can urge no better advice than that of Him who said:

> Why beholdest thou the mote that is in thy brother's eye but preceivest not the beam that is in thine own eye?

The way to raise the educational standards of an area is not by denying educational funds to that area.

The way to broaden the perspective of a region is not by isolating that region and turning its view to introversion.

The way to get understanding is to give understanding.

I know that there are those in the South who have given no understanding and attempted none, just as there are some in the North. Yet this amendment would contribute nothing to the cause of understanding. Instead, it would increase the tensions, intensify the bitterness, and magnify the bad will which stalks abroad in our Southland today.

It would meet with angry denunciation and bitter counterreprisals. It would give the demagog yet another weapon in his arsenal of hate. It would fan the flames of prejudice. It would permit many to feel self-righteous in declining Federal funds for any school

activity and withdrawing into a shell of cultural and educational isolation.

It would invite retaliation by certain State legislatures already under pressure to deny State funds to any school which does integrate its classrooms, or even to enact local legislation prohibiting such action.

Then where would a man stand who wants to be a good citizen—confronted with a choice between loyalty to his Nation and loyalty to his State. This is the stuff of which the Union could be rent asunder.

The danger to our domestic tranquillity lies with the radicals of both sides. Drastic and precipitate measures play into the hands of the radicals. The solution lies, largely at the local level, with the men of good will, both white and colored. Amicable solutions have been found in certain areas. They can be found elsewhere if we are not shoved, not pushed, not prodded.

I propose a cooling-off period, in which tempers may be assuaged, fears may be allayed, and the precious and healing ingredient of time permitted to perform its wondrous works. I ask time for our southern leaders to explore each avenue which would in good faith improve the opportunity of the colored without inciting riots and hurling our society off this dangerous precipice into the deep ravine of violence.

This is a job for cool heads and clear eyes, neither heated by hatred nor inflamed by fear. Our greatest danger lies in allowing ourselves to become the victims of hate, for hatred is evil in the sight of God.

The Negro is a child of God, as am I and as are my kinsmen. He possesses an immortal soul, as do we. For this reason, if for no other, I cling to the belief that he and we, if left alone, can work out peacefully what differences have in the providence of God been placed between us.

The CHAIRMAN. The gentleman from Utah [Mr. DIXON] is recognized.

Mr. DIXON. Mr. Chairman, the Powell amendment if enacted will bring chaos into our school system.

If you want the States that have segregation to lose the funds for their agricultural experiment stations, vote for the Powell amendment.

If you want them to lose vocational funds for schools, vote for the Powell amendment.

If you want these States to lose funds for the school lunch program, vote for the Powell amendment.

The Powell amendment is tantamount to ordering the administration to deprive States that oppose integration of any of the above-mentioned funds.

I congratulate my colleague and friend, the gentleman from Illinois [Mr. DAWSON], for his fine statement. His spirit and position are the correct ones.

Shakespeare said:

How poor are they who have not patience;
What wound was ever healed but by degrees.
Thou know'st we work by wit and not by witchcraft,
And wit depends on dilatory time.

I love the schoolchildren of America; I have worked with them all my life. I want to see them have school buildings, but I know they will not under this bill; neither will it pass with this amendment in it.

I would like to make my position clear. I am a devoted advocate of integration. Mr. POWELL knows that. I congratulated him on his speech before he went to Bandung. I praised him for saying at Bandung that America had made more progress toward racial equality in the last 3 years than in the decades prior to that time.

Following his speech I placed in the RECORD a resolution from the Utah State Legislature supporting racial equality. This is not an issue of social legislation; this bill is a school building bill. Social legislation is extraneous to its purpose and only tends to deprive both the colored and the white children of the Nation of proper classrooms.

The CHAIRMAN. The gentleman from South Carolina [Mr. RIVERS] is recognized for 1½ minutes.

Mr. RIVERS. Mr. Chairman, it is a long time between speeches. I have sat here patiently, I have not disturbed anybody trying to get a few minutes of your precious time. I got a minute and a half.

Since Shakespeare has been brought into this debate I want to quote him too. We have had education down in my State of South Carolina.

Shakespeare said:

He laughs at scars who never felt a wound.

I want to say this to you: We have languished with this problem, we have languished with this great problem and we have tried to meet it.

We are fewer than 2½ million people in South Carolina and we have free schools, and we are running our schools. We do not want any Federal money. We have over $300 million now that we have levied on my people to build our schools and run our schools. We do not want any of this money; we will run our own schools.

The CHAIRMAN. The Chair recognizes the gentlewoman from Illinois [Mrs. CHURCH].

Mrs. CHURCH. Mr. Chairman, I, of course, favor the Powell amendment, though I realize the implications, and I regret that there are such implications. I have taught school. I have devoted most of my adult life before coming to Congress to raising money for educational purposes. But there are some things more important than bricks and mortar. What I am concerned about is what today, in our action on this amendment, we are saying to the children of this country.

I for one may state, as I have written to everybody who has urged me to vote against the Powell amendment, that I could not be against that amendment and remain consistent to those things in which I have believed and which I have consistently expressed every since I came here: the brotherhood of man, the freedom of the individual, the divine faith of America that all men are created equal.

We are not forcing anything on anybody. We are not forcing them to do anything. Those of us who come from States that are going to carry the major burden of the expense, and that have practiced integration and have proved that the system works in sanity, in soundness, in brotherhood, are simply stating that we cannot sacrifice principle for expediency. However much we need schools, we need much more to say to our fellows, to our children, and to the world that we in America accept no substitute for freedom, and no alternative to the demonstration of our continual faith in the equality and dignity of man.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I am not opposing this amendment from any punitive viewpoint. I am opposing the amendment because I well realize it will be the death of this legislation. Or, at least, that is my best judgment. The Education and Labor Committee has been working on this legislation for some 5 or 6 years. This is a piece of legislation that cannot be brought to the floor over night. I would regret to see all of our good time and effort wasted by the adoption of this amendment.

The Supreme Court has already recognized the problem involved here. They recognize the fact that implementation of those decisions would take time. There is no earthly reason why we should raise this question on this emergency legislation. The adoption of this amendment simply means that we will get no Federal aid for school construction and the proponents of desegregation will get no aid to desegregation.

It is my pleasure to represent one county that contains an area of 780 square miles in Kentucky. The people want to remain in that area. This particular county has an elementary and secondary school population of approximately 20,000. These pupils are now attending approximately 160 schools of various sizes. Eight schools are permanent 12-grade centers, and the remaining 150 enroll elementary pupils only. In this particular county, there are today approximately 126 small rural schools with 1 to 3 teachers. The school people in that area have a plan and they would like to build consolidated schools and leave just as few one-room schools as possible. This county like many other areas in the Nation is spending more than the national average of its income to educate these children.

The school children in similar areas throughout this Nation are entitled to better buildings. They should not be compelled to go to school for another generation, crowded and uncomfortable, without drinking or toilet facilities or central heating.

Yes, sir, those communities are making every effort possible but I am fearful that the adoption of this amendment could easily delay our educational standards for years to come. If the amendment is adopted, I certainly hope I am wrong in my views.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. MCCARTHY].

Mr. McCARTHY. Mr. Chairman, the Supreme Court has counseled us to deliberate speed in this matter. Now, some of us may feel that the Powell amendment is not as deliberate as it should be. Some of us may feel that we should move quickly; some of us that we should move more slowly. It is my opinion that what is proposed in that amendment is in keeping with the recommendations of the Supreme Court of the United States, and surely the House of Representatives, the only body for which we need to speak and to act here today, does have a responsibility to do something on this problem. We have every right and the additional duty to try to bring about with deliberate speed what the Supreme Court has recommended. I must point out to the House that the pattern of segregation and discrimination that exists in this country is not something that has come about by any natural process; it is not something which simply occurred, but it has been advanced and it has been solidified by the action of government at every level. So, we here in the Congress can surely take action in this small way by the action of the House of Representatives to do something to break down with deliberate speed that pattern of discrimination.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. BROWNSON].

Mr. BROWNSON. Mr. Chairman, I rise in support of the Powell amendment. This position in support of a civil rights measure is not a new one for me. I have consistently worked both behind the scenes and publicly for civil rights legislation during my 5½ years in the House—in fact, recognition of the acute need for civil rights legislation was a part of the program in my first campaign for election.

It is important to the country, and in many ways important to our leadership position in a confused world, that this committee—today—faces up to its responsibility, here and now. This is no time for the head in the sand ostrich treatment. We are acting as the Committee of the Whole House on the State of the Union on a vital amendment to an important piece of legislation. This amendment will be voted up or down—accepted or rejected here today. It should be accepted or rejected on its own merits—not tied into a package deal based on vague speculation as to what the fate of the legislation might be if the amendment is accepted.

Several distinguished Members who have preceded me have predicted that if this amendment were adopted here today, it would kill this legislation. Perhaps they know something is afoot of which we are not informed. What proof do they advance for this statement? There is no valid reason to make that prediction if the gentlemen on the other side of the aisle are acting in good faith, and I assume they are. Once the amendment is passed, there should, under normal procedure, be a rollcall vote on the amendment, probably a rollcall vote on a motion to recommit and finally, a vote on passage. I hope it works out this way.

In my opinion there are several who will prefer this legislation with the Powell amendment included, although it must be admitted there are some who would vote against it on the basis of the amendment alone. The bill with the Powell amendment will attract some votes it would otherwise lose.

The argument also has been advanced that the adoption of the Powell amendment would signal the defeat of this legislation in the other body even were it to pass here today. The facts suggest this is less than pertinent since wide publicity has already been given the announcement that a similar amendment will be added in the other body, whether or not the Powell amendment is adopted here today.

There are neither cogent reasons or convenient alibis for us to evade the issue today. This is a time, the first in quite a while, when we have the opportunity of standing up and being counted as to whether we believe the 13th, 14th, and 15th amendments mean what they say. Abandoning the rights of millions of individuals to further guarantee a few million dollars of Federal aid is somewhat less than true liberalism as I understand the term.

Much has been made today of the need for gradualism, for moderation, for slowing down social progress in the field of equal rights. It has been 90 years since the passage of the 13th, 14th and 15th amendments to the Constitution—they are not in full effect yet. My Negro constituents have a right to ask, "How gradual can you get?" There is a recognizable and important difference between progress with moderation and no progress at all. I have studied the Powell amendment carefully. I find it temperate and consistent with moderate thinking. It is undoubtedly inconsistent with the position of those Southerners, many chairman of powerful committees, who signed the recent manifesto. They have openly and honestly suggested that their idea of gradual progress is no progress toward integration at all. With that position, however sincere its advocates may be, I cannot agree.

This is the day each Member pays a price for his civil-rights vote. He has to decide whether the individual welfare of each of 15 million Negroes is more important than a vague risk of losing a $400 million Federal plum.

The civil-rights vote for the President's program, which we hope to make at the end of the month will not be that difficult. This vote today represents the hard choice and, for that reason, I urge adoption of this Powell amendment. I hope when it is adopted we are given an opportunity for a roll call vote both on the amendment and on the bill, but those are decisions which must be made largely within the ranks of the Democratic majority. In choosing between the rights of the individual and the increased Federalization of the educational system—if such should be the ultimate choice—I will support the Powell amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, State and local control over education is a cherished tradition throughout this country of ours. I said to the House when I spoke in general debate that in my judgment up to that point there was no Federal control in that bill. Now I say to you, my friends, if you adopt the Powell amendment, that principle of State and local control over education will be violated and you are at that point adopting a principle for which there is no precedent in this country. The Gallup poll has shown that 71 percent of the American people believe that the integration prescribed by the Supreme Court for public schools should be a gradual process. The Supreme Court itself has said the same thing in the decisions in the school cases. You are dealing with a most delicate situation here. The Powell amendment will be ruinous in the South. It will set the cause of education back.

The Eisenhower administration has expressed open opposition to the Powell amendment, pointing out that school construction should not be delayed by this extraneous proposal. While we debate this amendment, Mr. Chairman, many of our Nation's children continue to suffer for lack of educational opportunities. Let us quickly kill this ill-conceived and ill-timed amendment and provide the Federal aid for school construction necessary for our national security and our national progress.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, difficult problems compel difficult decisions. Under this bill the State of Pennsylvania will be required to contribute about $30½ million and will receive back about $25 million. We are interested in what happens to the $5½ million for which we get no return other than the satisfaction of seeing that it is justly and fairly administered and distributed. If this money were to be distributed by States which had levied taxes for it, those States might well say that we should leave the entire matter to them. But if the money is to be raised by other States and distributed by the Federal Government then I think we should be bound by the Federal law and by the decisions of the Supreme Court.

It was shocking to me to hear the distinguished Vice Chairman of the Democrat National Committee argue against the Powell amendment. The opposition to the Powell amendment of ex-President Truman and the Democrat National Committee exhibits continuing determination to kill civil rights measures. This is not the first time Harry Truman has tried to pull the rug out from under civil rights legislation.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. DODD].

Mr. DODD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DODD. Mr. Chairman, it seems to me that the issue before us is a very simple one because it is a moral one.

This country was founded upon the principle that all men are created equal under God and before the law.

Since this principle was announced at the very beginnings of this Republic, we have been struggling to give full meaning to it.

And the struggle to make this principle applicable to all Americans has been a long and a hard one. So the question which confronts us today is but another episode in this battle for essential human freedom.

It is of interest to me that in this House this afternoon, two extreme and opposite viewpoints have met on common ground, although for different and opposite reasons.

The extreme liberals are against the Powell amendment as a matter of expediency. In this, they are running true to form since they seldom pay much attention to principle.

The extreme conservatives are against the Powell amendment for two reasons. Some of them are opposed to Federal aid for education in principle, but some of them are against the Powell amendment because they refuse to obey the supreme law of the land, because they do not believe in equality before God and the law.

Mr. Chairman, in my judgment, I stand with the middle group, the truly moderate group and the truly progressive group in this country.

We want the Federal Government to assist the States with respect to education because we think it essential to our national welfare. We believe that this can be done under the law.

We also believe that the moral question of equality under law cannot be avoided or sidetracked in the name of better educational facilities. In our view, it is far better to adhere to a right principle than it is to compromise on a basic moral issue.

A Federal law, designed to assist education, which circumvents the law of the land, would be a shameful blot upon us as a Nation.

Finally, it is important to remember that the Communist forces of the world will make a tremendous propaganda weapon out of a failure to support this amendment today.

The United States of America tells the world that it believes in the dignity of every human being regardless of race, color, or creed.

Today, we have an opportunity, as Members of Congress, to practically apply that great moral principle.

Since the vote on this amendment today will not be a matter of record, I feel it is necessary as a matter of intellectual honesty that I record my views so there shall be no doubt as to where I stand on this important question.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman I think I owe it to my constituents to state the problem before us as I see it. The bill under consideration is one to provide class rooms in areas where the schools are overcrowded. The National Government will provide funds on a matching basis with the States. The President suggested that this be done early in the last session of Congress. He recognized that in many situations, due to no fault of the State or the school district, there was a shortage of class rooms.

As all of you know the Supreme Court in a divided opinion decided that segregation of persons because of race, color, national origin and so forth must stop. In other words there must be no segregation of persons in public schools.

Mr. POWELL, of New York, offered an amendment that there must be desegregation in those cases where segregation was practiced, as it was contrary to the decision of the Supreme Court when it decided that segregation was contrary to the Constitution.

It happens that in our State such a ruling would have no effect. In April of 1920 I became a resident of Stockton, California. At that time I learned that our State did not bar anyone from its classrooms. I took an interest in our educational facilities in Stockton and in fact was the chairman of a large group of people who revamped our educational system in the Stockton schools.

But what I want our people to know as well as other persons who may be interested in the problem we are considering is that when I arrived in Stockton no one was barred from entering the schools because of their race, color, national origin. It was interesting to me to visit schoolrooms, and to see that there were students who were of Chinese, Japanese, Portuguese, Negro origin, and so forth. They were in the same category as the white students. What interested me most was that these students had no inhibitions because of their ancestry or color. They entered into the school activities. It seemed that the Japanese were the best students as they always had members who were at or near the top in scholarship at commencement time. But there was no friction because of racial or color differences in the athletic activities. Stockton had fine football, and basketball teams and always there were nonwhite members and the athletes all got along well. In social functions the same situation prevailed. With that sort of a situation in our schools, we do not need any help such as offered by the Powell amendment. What his amendment sought to do, as an academic matter, we had been doing for decades. Surely we do not need the Federal Government to tell us how to run our schools to avoid segregation because we have been doing it to my knowledge for 36 years.

The President himself, who is very anxious to give aid to provide for the needed classrooms, hinted that the suggestion of Mr. POWELL might confuse matters because it was irrelevant to the issue before us, namely, to provide more classrooms.

Certainly my constituents would not want to jeopardize the possibility of obtaining some classroom with Federal help, just because Mr. POWELL insisted upon his amendment to declare against segregation, when we had been doing exactly that.

With the continual tide of immigrants coming into California we are in dire need of classrooms. Governor Warren used to say each Monday that "I must have 91 more classrooms now to take care of the children who came into California with their parents last week and who intend to make California their permanent home."

The Supreme Court did not ask for any haste to have its decree carried out. It indicated by waiting a year that time to make the change was necessary and perhaps desirable to bring the real results which the decision contemplated.

I feel I must exert every effort to get help that will bring the classrooms which our congressional district will need. Several years ago I joined with Mr. BAILEY, of West Virginia, and was successful in getting $145,000 for one of our needy schools. We need help for some of our school districts whose taxing power is small. I have no prejudice against anyone because of their race, color, and so forth, and never will have.

I commend and go along with WILLIAM DAWSON, a Negro who was born in the South and knows the hard row they had to get any education. But he stated that the amendment of Mr. POWELL was a fine academic maneuver which sounded wonderful but would perhaps wreck the problem of getting the classrooms that our children need badly.

CHET HOLIFIELD, of California, a very progressive Congressman with whom I have served many years, also took the same viewpoint. He said he was not going to jeopardize the fate of this bill, which California needs so badly, simply to announce to the world that he believed that the Supreme Court's decision should be followed. It was a mere academic move that he believed might deprive our children in his and my district of some needed classrooms.

The action of Mr. POWELL may prove to be the straw that broke the camel's back and may result in the derailing of the efforts of President Eisenhower to furnish needed classrooms for thousands of fine young students who will be voters in a few years.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, the bill we now have under consideration—the Federal aid to school construction bill—is, in my personal opinion, one of the most vital pieces of legislation considered by the Congress thus far this year.

The magnificent support the Congress has given to the history-making programs of national defense and highway construction is commendable. However, the bill before us today is one of equal importance because it is of more lasting value to the continued leadership and prosperity of our country.

The enactment of the Federal aid to school construction bill holds limitless possibilities, and if enacted into law would definitely insure our Nation's future. We all know the responsibility of providing adequate and more modern school facilities rests with us—the elected Representatives of the American people. We also know the increase in the number of schoolchildren has created an emergency shortage of classrooms, and a

majority of school superintendents throughout the land will prove this point with literally tons of evidence. In our city of Philadelphia we have been aware of crowded classrooms and substandard facilities for years, and I am sure this equally applies to other metropolitan areas all over the United States.

These facts require us to take immediate action, and if we can allocate billions for an improved highway system and more billions for national defense, we certainly should not hesitate to appropriate 400 million to aid our States with school construction. Super dual highways and more powerful defense weapons never can be considered more important to the Nation than the education of our youth. This country has attained its technical superiority and its state of well-being because we have a free education system. It is indeed a ridiculous picture when you think of thousands of the Nation's schoolchildren being transported over modern highways to outmoded, overcrowded schools. It just does not seem possible, does it?

Congress has a national responsibility to help the States and localities to build much needed classrooms to relieve a problem which directly concerns this Nation's welfare. We in all honesty cannot neglect this responsibility because our Government is dependent upon an educated, well-informed citizenry. To neglect any of our young people is serious business. There are, for example, roads in this country that get more attention than many of our obsolete school buildings. We cannot afford to let this continue. Our schools and the education of our children must come first because these very same children are our country's first line of defense. Well-staffed, adequate schools are more important to the future of the free world than any number of stockpiled destructive weapons of warfare. A great deal more good can be derived from this investment of Federal money for school construction because it is an endowment for our future. Highways depreciate, defense weapons become obsolete rapidly, whereas a good school system increases in value with every dollar spent on its improvement because it is an investment in people based on our belief in the worth of each individual.

This bill before us today is designed to help the States and localities help themselves. The same reasoning was behind the highway construction bill. More money is needed for our schools because the shortage of classrooms is critical and has reached emergency proportions. There is a Federal responsibility to help the States meet the demand for more and greatly improved school facilities.

Congress has an additional responsibility to the children of this Nation and it can be fulfilled by amending the school construction bill to assure our schoolchildren, regardless of race, a truly equal education. This would uphold and support the law of the land.

In many areas where separate schools for Negroes and whites are maintained the opportunities are not equal and this is not fair.

In the North we have integrated schools and have found it works out quite naturally. Children accept one another as friends and playmates. They learn to work together and to cooperate in a democratic way. This is as it should be. We make a sham of democracy taught from a textbook, but not practiced in everyday living. We must learn to get along with our fellow Americans. We must practice the brotherhood idea. Only as we learn to know and understand one another, regardless of race, creed or color, can we hope to attain peace in the world. By our example and our intelligent approach to this social unbalance, we can do much to improve our human relations. For these reasons I give my wholehearted support to the amendment introduced by my friend and colleague, the honorable ADAM CLAYTON POWELL, JR.

Mr. Chairman, allocating these funds is definitely a sound and wise investment of Federal money and the dividends will be the greatest ever paid. Perhaps not in a monetary sense, but we can look with pride in the future at our educated young citizens.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, I think the vote on this issue taxes the maturity and responsibility of this House perhaps more than any issue that has come before us since I entered the Congress a year and a half ago. I say that because I think it is an issue which, from the arguments we have heard here, is very finely balanced. I think the most important thing, as we vote here in a few moments, is that we do not get the idea as some Members have attempted to suggest, that this is a simple issue, that it is, for instance, a civil-rights issue and nothing more or less. It would be strange indeed if we were to find Mr. Eisenhower, Adlai Stevenson, DICK BOLLING, our colleague, and Mr. Truman had suddenly run out on equal rights.

I happen to think that there are other broad issues that make this a very complex question. I come down on the side of opposition to the Powell amendment, with all due respect to some of my friends who have argued for it, simply because I happen to believe that the country will be better off and the cause of integration much further ahead if we have a school bill than if we do not.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. BOYLE].

Mr. BOYLE. Mr. Chairman, I rise in support of the Powell amendment. I do it with reluctance after having heard that wonderful statement of position by my colleague, WILLIAM DAWSON, who I honestly believe is the real leader of the 15 million colored people in the United States. I feel that much of the talk that has been leveled here today on the proposition that this amendment will defeat the legislation is purely academic. I have been told personally, privately, by a couple of Members on the other side that they will introduce a similar amendment. Therefore, it is not necessary for us to be alarmed at the "alleged fate" of the bill which we pass today when it comes before the Senate.

Appreciating that real progress has been made in implementing the Supreme Court's ruling on segregation it is one thing to tolerate the existing segregated schools for a while longer; it is another thing to expand the system by helping to build more segregated schools with funds collected from taxpayers all over the country to many of whom the building of segregated schools is repugnant. Gradualism can no longer be tolerated as a synonym for the adamant preservation of the status quo. While 11 States have taken action to abandon segregation, 6—Alabama, Florida, Louisiana, Georgia, Mississippi, South Carolina—have indicated that they will fight desegregation to the bitter end. Many of the remarks made right here on the floor of the House during the past few days indicate that some States have no intention whatsoever of abandoning the theory of segregation. Federal funds—unless conditioned—would help them resist longer and more effectively. It becomes apparent we must go on record as indicating it to be the consensus and the legislative intent that no district or State in disagreement with the existing law of the land is entitled to school-construction money.

From the figures presented to this Congress the State of Illinois will be paying more into this program of school construction than it will receive back from it. However, because of the national need for this school construction I am for the bill. The lack of adequate school housing is apparent to every interested American, and the situation gets worse even as we sit here pondering the question of whether or not to alleviate it. It was estimated that, during the school year just completed, 900,000 pupils were deprived of their chance for a full-time education because of lack of space in the schools. But if we are going to appropriate this money for needed school construction we should do it under conditions and circumstances that will treat each and every schoolchild as free and equal. The people of Chicago and of Illinois want it that way. To say that because a certain school pupil's skin is the wrong color is a serious indictment and one that should not be able to be made in the United States. These outrageous discriminatory actions occur daily in this country, at the same time that we continue to preach opportunity and democracy to the rest of the world.

We to whom the doors of opportunity open easily tend to forget or deliberately to ignore the unpleasant fact that to other capable, desiring individuals these self-same doors are closed. Accustomed to white faces around us, we fail to notice the absence of black ones. We cannot grasp what it would mean to have whole areas of life walled off from us because of the color of our skins. To wall persons off because of the color of their skin is not democracy, it is not American.

The experiences in Oklahoma, the District of Columbia, and elsewhere have shown that integrated schools are more economical to operate. In many cases it would be less expensive to build one in-

tegrated school—or to combine children in an existing one—than to construct a new smaller school to be attended only by colored children or by white children who may have to be transported over long distances. I cannot reconcile the granting of Federal funds to build segregated schools under the theory that the other body will defeat this much needed legislation.

Mr. DIGGS. Mr. Chairman, I fervently hope that those individuals and organizations whose previous record and temperament reflect an affirmative attitude toward equal rights for all have thoroughly digested the excellent analysis of the Powell amendment by its author contained in the CONGRESSIONAL RECORD for Friday, June 29. In my opinion, no reasonable nor prudent person can now maintain a negative position on this amendment. The popular conception that, contrary to the appropriate Supreme Court decisions, this proposal would interfere with timing for enforcement of its edict is completely exploded when we consider it provides that said funds be held in escrow, pending compliance, for the life of the bill, approximately 5 years. Certainly no fairminded person can say 5 years is inconsistent with the terms of the aforementioned decision if the school districts concerned act in good faith. How much time do they want? Ten years? Fifteen years? Twenty years? An indeterminate period forecast by their failure to comply with the separate-but-equal doctrine which they ignored for years? And what of all the acts of circumvention and actual rebellion which have already been initiated and threatened by these recalcitrant States? I challenge anyone in or outside of Congress to come forth with a better method of enforcing the Supreme Court decision than the one sponsored by the gentleman from New York.

The most tragic aspect of this controversy has been the retreat of the liberals from the principle of equal rights, because they fear the consequences regarding the entire bill in the other body. This is their sole significant argument. Not only does such a position disregard the passage of other legislation incorporating antisegregation amendments, but it would be patently presumptuous for the House to withhold expressing its will in anticipation of adverse action in the other body. The traditional method of resolving differences on any given legislation has been and always will be in a conference committee. And, if the alliance of northern Democrats and Republicans continues to operate, the minority viewpoint, no matter how adamant, can be overcome.

In conclusion, permit me to pass on to you my observations during the past 2 years of traveling and speaking to individuals and huge audiences all over this country. It is the nearly unanimous opinion of Negroes, in concert with right-thinking people of other groups, that the wages of segregation is dismal inequality, that the Powell amendment as presently constructed is absolutely necessary. No one holds in higher esteem than I the distinguished gentleman from Illinois [Mr. DAWSON]. My personal admiration for him is exceeded only by the tremendous courage of his convictions manifested today in opposition to the Powell amendment. I know all of us realize what a painful and distasteful task it must have been. However, I am certain he, himself, will tell you that he is not opposed to it in principle and that he speaks strictly as an individual and not as a representative of the 16 million Negro people in the United States and other interested groups; nor as an official of the Democratic Party. Therefore, those who see in his remarks, since he is a prominent figure and a Negro, protection for their own negative position on this issue will not find themselves immunized against the wrath of those affected and concerned.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I support the Powell amendment, and do so with absolute conviction that whether or not it is adopted, the same issue will be raised when the school-construction bill goes to the other body. Civil rights and segregation are issues which must be faced by Congress.

If the Powell amendment is defeated—and it surely will not be defeated here today—an amendment similar to it will be introduced in the Senate. No one can bypass the Senate and the risk of a filibuster there. The issue must be faced and on this particular bill. So let us vote on the issue now.

The gentleman from Illinois [Mr. DAWSON] speaks against the amendment out of his long experience, but I submit neither the gentleman from Illinois [Mr. DAWSON] nor any Member of this House has had an opportunity to vote on civil rights during the past 4 years nor to vote on the issue of segregation since the Supreme's Court's decision against segregated schools.

When I ran for office in 1954, I stated my position on human dignity and justice.

Since then I have worked hard toward a solution of this unfortunate problem. I realize progress must be slow, but if we compromise today it will delay that progress for years to come.

We cannot avoid the issue. This legislation does not compel; it offers an incentive to comply with the law.

Each of us has sworn to uphold the Constitution. In that respect, I am going to vote for the Powell amendment, and soon, too, I hope to have an opportunity to support a bill containing a civil-rights program.

After that I can go home and look my constituents in the eye and stand up truthfully and say I did my utmost for those I represent in conformity with my stand before the last election.

I urge your support of the Powell amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. MACHROWICZ].

Mr. MACHROWICZ. Mr. Chairman, someone said a few days ago to me that those who support the Powell amendment can be classified in two categories, those who honestly believe in civil rights and are opposed to discrimination, and secondly, those who want to see the school construction bill defeated.

May I say for myself, Mr. Chairman, that I wish to classify myself as one of those who support the Powell amendment, because I honestly believe in the principles upon which it is based.

I do not believe there will be any Member of this House who will support the Powell amendment and then vote against the school construction bill, because he will not be showing good faith if he does it.

I have the highest respect for the gentleman from Illinois [Mr. DAWSON]. While I do not agree with him in this instance, I think it is very unfair to criticize him for the statements he has so honestly expressed. May I call the attention of the gentleman who expressed them to the fact that we would not be placed in a position today of having to vote on this amendment if the President of the United States and the Attorney General had made a statement that the Powell amendment would not be necessary and the bill will be properly administered as the Supreme Court has ordered.

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. METCALF].

Mr. METCALF. Mr. Chairman, during the course of this debate, and it has been moving and eloquent, I want to say I agree that the Powell amendment will kill the bill. I also want to say I find, after extensive study of the Supreme Court decision, that in principle, under the Constitution, and to maintain the dignity of the Supreme Court, we should vote against the Powell amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I rise today in support of the Powell amendment, and urge that the House adopt it.

In the first place, the amendment is not really necessary, if the administration faces up to its constitutional responsibility and accepts its full constitutional authority. In his oath of office, the President swears to uphold and defend the Constitution and laws of the United States. The Constitution has recently been interpreted by the Supreme Court to preclude the old, now rejected, concept of separate but equal doctrine which was once used by the States. It is accordingly the duty of the President to squarely face his obligation and to use the full power of his office to see to it that the provisions of the Constitution of these United States are fully and adequately protected and carried out.

I urged the President as early as February 1956 to declare that the funds authorized and appropriated under this bill would not be spent to maintain schools operated in open defiance of the clear and unambigious ruling of the Supreme Court in the school cases. The replies to my letters have been full of fine-sounding phrases, but vague and nebulous, consuming much paper and time, but saying nothing.

The same inquiries have been made by numerous Members of this Congress and others interested in these problems, and

the replies have been equally as unsatisfactory and evasive.

The fact is, the President has authority under the Constitution to withhold funds appropriated at any time he so desires and for any reason he desires. He is doing it today. In fact, he sent the Secretary of Defense up here on the Hill yesterday to tell us in Congress that he is not going to expend the extra money appropriated by the Congress for B–52 bombers for the protection of our beloved country. The President recently withheld the expenditure of some millions of dollars authorized and appropriated for two dams in the Southwest, the Dardenelle and Eufaula Dams, to the great injury of the citizens of the area. I am sure my colleagues are aware of this and similar situations which show this presidential authority.

The exceutive has the power to exercise, when it so desires, but to its shame has never done so where these basic fundamental rights of our citizens are at stake.

Now, let us analyze the facts showing need for this amendment.

We took the same oath to uphold and defend the Constitution as did the President. We are dutybound to see to it that the Supreme Court's ruling in the so-called school cases are carried out, regardless of the bitterness and ill feeling it may cause.

We must decide now that we are a nation of laws and not of men, and that we will be ruled by law, decency, and good conscience, and not by whim, ill will, and bitterness.

I repeat that if the President faced his boldly outlined responsibility as he should, and if he carried out the oath in which he has sworn to uphold and defend the Constitution and laws of the United States, then this amendment would not be necessary, and I am sure that my colleague from New York would not have offered it.

But the situation is strikingly to the contrary. Untold hundreds of thousands of dollars of Federal funds, from all parts of the country, are being expended right now to support segregated schools. As early as last March 26 I offered concrete recommendations on civil-rights action and demanded on the floor of this House that this situation where Federal funds are spent to subvert the Constitution cease. Others of my colleagues here have raised similar demands, but none have been heard, and money raised by Federal taxes under Public Laws 874 and 851 is still being used to maintain segregated schools and is being poured into States where the officials and legislatures are announcing officially that the mandate of the Supreme Court will not be followed, and even boldly enacting laws to effect such circumvention.

Now let us analyze further the help which has been forthcoming from the White House in this fight, and let us use the testimony of Mr. Herbert Brownell, the Attorney General of the United States, in a colloquy with a distinguished colleague of ours in the other Chamber, Senator HENNINGS, of Missouri, as reported in a recent column by Drew Pearson:

"You have come up with no program during your 4 years, until last month, I believe, April 1," Senator HENNINGS challenged.

"Let me say that might lead to a very misleading answer," Brownell countered. "I know you don't mean to do so."

He then detailed various civil rights projects he said he had worked on, from restaurant segregation to discrimination in Armed Forces contracts.

But HENNINGS was quick to point out:

"You know these were initiated in the preceding administration."

"A great many of them, yes," Brownell admitted.

HENNINGS: We welcome your suggestion that there be a commission on civil rights in the Department of Justice. At my request on March 22, 1955, this letter was addressed to you.

(He then read a letter to Brownell, 1 year old, asking his views on four bills proposing a commission on civil rights in the executive branch of the Government.)

HENNINGS: There was no reply in our records of the subcommittee, no reply from you whatever over a year ago relating to the establishment of a commission or a division. We have no record of your ever having replied to that request.

Brownell: I discussed the matter with the then chairman of the committee. He was unable to get together on a hearing on the subject. You are undoubtedly correct that there is nothing in writing in answer to that.

HENNINGS: Did you want to testify on the subject?

Brownell: If a hearing could have been arranged, I would have been glad to.

HENNINGS: But you did not thereafter request that a hearing be held?

Brownell: I discussed it with the then chairman of the committee.

HENNINGS: That would be Senator KILGORE. I don't recall that you ever discussed it with me.

Brownell: I don't recall that I did.

HENNINGS: These bills are lodged in the subcommittee of which I happen to be chairman.

Now, then, Mr. Attorney General, on July 27, 1955, some 9 months ago, a letter was addressed to you as follows:

(He then read a request to the Justice Department for Brownell's views on Senate bill 903 which would protect the Negro's rights to vote. In reply, HENNINGS read a letter, September 8, 1955, from Deputy Attorney General William Rogers stating that Brownell had no opinion on this important subject.) "Whether this should be enacted constitutes a question of policy concerning which the Department of Justice prefers to make no recommendation," Rogers wrote.

"So, at that time," HENNINGS asked the Attorney General, "the Department of Justice had no recommendation?"

Brownell couldn't dispute the facts. He simply said nothing.

HENNINGS: Now then, pursuant to the letter on March 22, at that time, on the matter of the so-called right-to-vote provision, and on the so-called S. 907, as long ago as March 22, over a year and some months or so past, there has been at that time, until April 1, no expression from the Department of Justice upon any of this legislation. Had there, Mr. Brownell?

Brownell: I think, Senator, that letter that you read is right. I think no hearings were held, however, by the committee at which we had a chance to give oral testimony.

HENNINGS: I am speaking now of the letters that were written to you asking for your advice and guidance.

Brownell: As far as I know, those are the only letters on those subjects.

On and on continued Senator HENNINGS with an amazing array of documented facts showing how the Attorney General had ducked the all-important question of civil rights while simultaneously claiming the administration was championing civil rights.

Summarized briefly, the salient points of that testimony by the chief law enforcement officer of the United States is that:

First. No action or leadership was taken by the present administration in the field of civil rights legislation until April 1 of this year. By that time we here in Congress, speaking of my distinguished colleague from California [Mr. ROOSEVELT], and I and the distinguished gentleman from New York, the author of this amendment, and many others had even gone so far as to not only introduce legislation, but to prepare the plan for pushing such legislation through the House of Representatives. The administration came in on April 1, 1956, and in effect took advantage of something already going on, and we might say climbed upon the bandwagon, once others had gotten it rolling.

Second. That the administration has actually ducked all action on the subject of civil rights until 1956, an election year.

Third. That the administration is actually claiming as its sole accomplishment in the field of civil rights those things which have been either started or actually accomplished by earlier Democratic administrations.

Fourth. That the present administration has even ducked its responsibility to answer letters not only from a Member of the Senate, but from the chairman of the Senate committee which was actually considering the problem of civil rights and attempting to secure the help and guidance of the administration.

Even my friend, Roy Wilkins, of the NAACP is quoted recently in the papers as having said that the administration is dragging its feet in this battle for equality, and I agree. The fact is that the administration is too interested in political considerations to help in this struggle, and we in Congress must do the job alone.

It is equally a fact that almost the whole of the administration's civil rights program could be handled by an Executive order, but instead the matter was sent to us up here on the Hill to fight over, in what appears to be a shrewd political maneuver.

I have heard it said that this amendment will kill the bill. With those statements I do not agree. The fact is that those who would oppose the principle of Federal aid to education would oppose the bill whether the Powell amendment is included or not. There are practically none who would oppose the bill solely because of the presence of the so-called Powell amendment. It is, however, a fact that many who oppose the bill will vote to adopt the Powell amendment, in the hope that it will kill the bill. For that I will thank them, regardless of their motive.

The reason why this amendment must be included in this bill is simple: The President is ducking his constitutional duty; we cannot, and I hope, will not. I urge adoption of the amendment, and adoption of the bill.

Mr. Chairman, I am going to yield to my distinguished colleague, the gentleman from Illinois [Mr. DAWSON] who previously asked me to yield to him.

Mr. DAWSON of Illinois. Mr. Chairman, I only accept this out of courtesy to the gentleman who offered it because I do believe I have a minute and a half in my own right on this matter since I spoke before on the motion to strike out the enacting clause. I do appreciate his offering this time to me, and if I have time in my own minute and one-half I will have something to say at that time.

The CHAIRMAN. If the gentleman wishes to use his time now, the Chair will recognize him since the time of the gentleman from Michigan has expired.

Mr. DAWSON of Illinois. Mr. Chairman, if I believed that this school bill would pass this Congress with this amendment in it I would be for it. But in my own experience, knowing and realizing what education means to people, I can never do anything that I conscientiously believe will deprive any child of an education. Even if an individual tried to keep my child from getting an education, I would still want his child to get an education because education is necessary in order that a human being might reach his highest stature.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. VANIK].

Mr. YATES. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Chairman, I shall support the Powell amendment because I believe in the decision of the United States Supreme Court in the school cases. The Supreme Court's order required desegregation in the public schools "with all deliberate speed." The Powell amendment adopts that principle. It does not require immediate desegregation in contravention to the declaration of the Supreme Court.

I very much favor passage of this bill. Those of us who favor the bill are told that we must vote against the Powell amendment if we want this bill to be passed. We are warned of the threat of a Senate filibuster by Senators from Southern States to prevent the bill's passage with the Powell amendment in it. This may or may not be true. The Supreme Court has spoken, outlawing segregation and its decision is the law of the land. Representatives from States which criticize the Supreme Court decision cannot by such criticism or by a filibuster undo the Court's opinion. It will continue to be the law of the land, whether this bill is passed or not. The Powell amendment gives me the opportunity as a Member of Congress to affirm the decision by the Supreme Court that segregation shall be plucked out of the fabric of our social structure as promptly as possible and for that reason deserves my support.

I consider the need for implementing the education of our children with Federal assistance of prime importance. I consider the elimination of various elements denoting second-class citizenship, of equal if not of greater importance. It is essential that we free our Nation from this relic of internal colonialism as promptly as we can. The place to begin is with our children in public schools. The argument of expediency in order to obtain passage of this bill is not an attractive one. I am not convinced that inclusion of the Powell amendment will touch off a Senate filibuster any more than will the bill without it. Friends of mine in this body who are from the South have told me that they are voting against the bill with or without the Powell amendment. They say there is involved here a question of States rights and that the Powell amendment is only ancillary to that question.

Furthermore, what the Senate will or will not do to the school bill cannot be predicted with certainty, nor can we act in fear of what a few Senators may or may not do. Defiance of the Supreme Court, defiance of the Constitution, cannot be condoned.

Mr. Chairman, there are so many imponderables that are advanced in opposition to the Powell amendment that one can only weigh them to the best of his ability and vote in accordance with his conscience. The story is told of the time a Boston minister visited Abraham Lincoln early in the Civil War. "Let us pray, Mr. President," he declared solemnly, "that in this conflict the Lord is on our side."

Lincoln paused a moment and said: "Reverend, I'm not concerned about the question whether the Lord is on our side. I know the Lord is always on the side of the right. But it is my fervent prayer that we may be found on the Lord's side."

I shall vote for the Powell amendment. I believe that in doing so, I shall be found on the Lord's side.

Mr. VANIK. Mr. Chairman, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mrs. GRIFFITHS. Mr. Chairman, I rise in opposition to the amendment. The amendment is punitive in nature and without regard for the dire necessity for schools in this country. This country can afford to wait no longer for schools. If the amendment were to jeopardize the passage of this bill, it would have done a great disservice to all children in every State. I urge that the amendment be defeated and that the bill be passed.

Mr. TAYLOR. Mr. Chairman, in my opinion the Powell amendment should be adopted. The issue is fundamental. We cannot avoid our responsibility. I urge my colleagues to stand up and be counted on this vital legislation.

Mr. LATHAM. Mr. Chairman, I take this opportunity to say that it is my belief that the Powell amendment should be adopted. This amendment involves a principle so fundamental, so basic that we would be derelict in our duty not to give it our wholehearted support.

Mr. BOSCH. Mr. Chairman, I have previously given my views with respect to the Powell amendment now under consideration in the additional views made a part of the committee report on H. R. 7535. It is my opinion that now is the time to stand up and be counted on this admittedly moral issue. If our Constitution means anything we must vote our conviction. It is for this reason that I rise in support of the Powell amendment.

Mr. DAVIDSON. Mr. Chairman, we have before us for consideration at this moment one of the great domestic issues of the day. As legislators, each of us holds the power at this very instant to mold for the future the educational development and opportunities of our Nation's children. If we desire to safeguard their future and to prepare them to lead useful and meaningful lives, we must provide them with the best education possible.

The failure of our country's school systems to keep pace with the increase in the number of schoolchildren has led this legislative body to consider a bill, H. R. 7535, to provide Federal aid to education. Innumerable studies have been made showing the need for classrooms; these studies have been made not only by congressional committees, but also by independent educational groups. There is not the smallest area of doubt that a shortage exists. This bill is must legislation.

The bill now before us does not involve any startling principles of Federal assistance. In its broadest outlines, the measure provides for payments to State educational agencies, for assistance on a grant basis to communities where this type of assistance can be most effectively utilized, as determined under priorities established by the particular State; in addition, this legislation provides for the purchase of bonds issued by communities which are capable of financing their own school construction, but which cannot obtain such financing from other sources on reasonable terms; and finally, the bill provides for credit assistance to State school financing agencies, to provide schools and related facilities in States in which such agencies are created.

I wish to say at this point, Mr. Chairman, that I have always supported the principle of Federal aid to education. I shall continue to urge the adoption of legislation which will give to our Nation's children the educational opportunities and facilities which will afford them the possibility of giving to the Nation their skills, their talents, and their energies, for these are the basic ingredients of good citizenship.

My colleague [Mr. POWELL] has offered an amendment to this bill which we shall be asked to vote on shortly. I am in full agreement with his proposal and I wholeheartedly endorse it, for it also embodies one of the most important domestic issues of our time, the question of the equality of our citizens under the established law of the land.

What does this amendment do? It provides, first, that if a State wishes to accept the benefits of this bill, it must submit a plan to the Commissioner of Education which provides, in addition to the requirements stated in H. R. 7535 at section 103 (a), subsections (1)–(7),

that the schools of the State are open to all children without regard to race, but that if the State plan does not so provide, payments may still be made to those counties or other political subdivisions of the State which are operating their schools in conformity with the decisions of the Supreme Court. In addition, the amendment provides that if a State is not entitled to funds because of the additional requirements of the amendment, such money shall be held for payment to such State at the time of its compliance, if that occurs within 3 years from the date of the enactment of this measure.

The only question that now needs to be raised and answered is why this amendment is entitled to the unqualified support of this House. We have been sent to Washington to legislate. In the performance of that duty, we have, each of us, taken an oath of office in which we have sworn to uphold the Constitution of the United States. The amendment proposed and offered by my colleague [Mr. POWELL] conforms to the requirements of the Constitution as pronounced by the Supreme Court in the Brown case. In addition, it conforms to the basic philosophy of democracy and is in consonance with the American creed that there is no such thing, under our law, as second-class citizenship. Unless this amendment is adopted, we, the duly elected Representatives of the people, will have passed a bill which may prolong the open defiance, by some States and by some political subdivisions thereof, of the requirements of the Constitution.

There are those in this Chamber and elsewhere who have stated publicly that they agree with the principle of the Powell amendment, but that its adoption by the House will jeopardize the education bill and endanger its passage. Mr. Chairman, I cannot and will not cast my vote on such a basis. I will not, under any circumstance, allow myself to compromise principle for expediency; and this is a matter of principle.

As I have stated earlier, I am completely and wholeheartedly in favor of Federal aid to education, but I am equally committed to the proposition that the basic requirements of democracy must underlie and support the legislation which we enact. We will, before adjournment, appropriate billions of dollars for a foreign-aid program designed to help strengthen our friends throughout the world against the cancer of communism. Committees of this House work unceasingly to assure that those dollars will be spent to aid in selling the story of democracy. A rejection of this amendment is a subversion of the work that we seek to do throughout the world, for it supplies our enemies with the ammunition to show that we do not do for our own people what we expect and ask others to do for their own.

Mr. Chairman, I sincerely hope that the amendment will be adopted by an overwhelming majority of this House. Should it fail, I shall vote for the bill and hope that the courts will be able to put an end to disrespect for and noncompliance with the law of the land. That will be a long and a hard course, and one which we have the power to ease at this very moment.

The question before the House is on the passage of the amendment. My vote will be for its adoption and against giving any sanction to reaction and bigotry.

I urge my colleagues to vote in the same fashion.

Mr. MADDEN. Mr. Chairman, when this legislation was considered by the House last week on the adoption of the rule, I spoke at length on the necessity for its enactment.

I shall not repeat today the reasons why aid for school construction is so necessary in critical areas throughout the country.

This amendment offered by our colleague from New York [Mr. POWELL] merely resets out the necessity of following the Supreme Court decision on human equality under the Constitution.

I am for the Powell amendment and will vote for its adoption.

I firmly believe that if President Eisenhower through his Attorney General assured the Congress that the executive department would carry out the Supreme Court decision on segregation and apply it to the administration of this school construction legislation, the Powell amendment would be unnecessary and possibly would not have been offered.

Mr. O'HARA of Illinois. Mr. Chairman, in supporting the Powell amendment I am abiding by the rule that has guided my entire life. Prejudice and discrimination are poisons that destroy men and nations. Whenever in a long and active life opportunty has been given me to combat their evil influence, I have responded. I have seen at different times prejudice and discrimination visited on persons of various nationalities and religions, and in the great American melting pot I have seen how hostility has changed to neighborly cordiality when knowing men and women for what they were in character and in worth washed away the prejudices. I have seen many changes, and all, I feel, have been leading upward and onward to a higher plateau of understanding and brotherhood. Man cannot attain the full measure of contentment and his potentiality for spiritual growth until from his mind has been cleansed the corroding taints of prejudice and discrimination. Nations cannot meet the call to their destinies as servitors of mankind until in the laws, the practices, and the thinking of the people is reflected the finest concepts of religion and of government truly based upon the equality in dignity of all the people. This I believe. For the dissemination of this truth the schools of a free democracy should be dedicated. For such purpose has education its noblest mission. When the passions of the moment have subsided, and in experience the fears that always attend the change from one order to another have been proved groundless, the American people will be found, as always they have been, people of good hearts and good will working together for the common good. Let us march forward unafraid.

Mr. VANIK. Mr. Chairman, although the State of Ohio will receive $6.5 million less in the form of school aid than it will contribute annually to the School Construction Fund and although the community which I represent will probably receive nothing under the terms of this bill, I will nevertheless support this important legislation. The test of soundness in the proposal is more than the return of tax dollars to the community. The test of soundness is the national good.

During World War II and the Korean war numerous numbers of young people, particularly from the backward States, were rejected for military service because of illiteracy. Today we are coping with the burden of 2,500,000 illiterates unfit even to undertake the basic responsibility of national defense. The inadequacy of this group to serve in the national defense imposed a more serious drain upon the young men and women of the better trained areas. In a sense, the young men and women of better trained areas were penalized in the draft for their more adequate training and education.

If the base of our educational standards are lifted, the entire Nation is strengthened both in peaceful productive ability and in the national security. Modern living conditions demand a community of educated, trained citizenry. Funds spent to raise national minimum standards of education are funds invested. The return in better citizenship, increased productivity and lower welfare costs resulting from more stable family life throughout the Nation is many, many times more than the initial investment in school construction.

It is also my intention to support the Powell amendment to compel integration of the schools. At one time, some months ago, I believed the Powell amendment was unnecessary and that its adoption would defeat this important program. However, the heated, bitter words I have heard in and out of Congress in opposition to desegregation and in support of the so-called doctrine of interposition convince me that without the Powell amendment segregated schools would be built and the mandate of the Supreme Court would be shunted aside. Alabama, Georgia, Mississippi, South Carolina, and Virginia have served notice of their intent to resist desegregation. It is these very States that stand to gain the most dollarwise through this legislation.

In view of the Supreme Court edict of May 17, 1954, and in the name of human decency, this Nation should not permit a single new segregated public schoolhouse to be built. The Powell amendment is absolutely essential at this time.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. GREEN] is recognized.

Mr. GREEN of Pennsylvania. Mr. Chairman, I think that it is no problem at all to come before the House with wholehearted support for the Powell amendment, taking the consistent position I have always taken since I became a Member of this House. But it has disturbed me a great deal to see so many of our friends support an entirely different position today.

This is not a political problem with me. I have a district that has a population of close to 450,000 people, and out of the 450,000 a very small percentage, less than 2 percent, are Negroes. I think the issue here today is not the education bill; it is a question of discrimination and I am in wholehearted support of the Powell amendment.

The CHAIRMAN. The gentlewoman from Oregon [Mrs. GREEN] is recognized.

Mrs. GREEN of Oregon. Mr. Chairman, we are today working to try to provide for a decent education for our children. The sheer size of this bill indicates how seriously we value the importance of education.

But what do we really mean by "aid to education?" If we reject this amendment, that will have an important effect on our children's education. It will teach them that we are willing to sacrifice clear and compelling moral principles.

In some parts of this great democracy the 6-year-olds and the 10-year-olds will be learning a very bitter lesson—that in our democracy not all men are equal; that not all Americans have the full rights of Americans. They will know by experience and the whole world will know by our decision that in the United States of America we believe in "freedom, equality, the dignity and rights of every individual" for some Americans but not for all Americans. These are human beings, the children whom we say we want to educate. Is this what we want to teach them?

I want this school bill to pass more than any single piece of legislation on which I have had the privilege to vote since I have been a Member in this House, but I cannot buy buildings at the price of what I believe is right. I cannot trade the rights of children to get buildings. Those children's rights are not my property to trade. I must and will vote for the Powell amendment.

The CHAIRMAN. The gentleman from California [Mr. HOLIFIELD], is recognized.

Mr. HOLIFIELD. Mr. Chairman, the Supreme Court has made a decision. I happen to believe that that decision is right. I wait for the implementation of that decision as all good Americans should wait for the implementation of decisions of the Supreme Court.

Today I stand behind the gentleman from Illinois [Mr. DAWSON]. He showed true courage today in keeping his eye on the ball. That ball is to get $400 million of Federal funds to educate the children in the needy schools of America.

For 14 years my position on civil rights has been known and I will make it known again when that issue is up for consideration. But today we face the opportunity of giving help to the school children of America, and I intend to vote against the Powell amendment. I intend to vote for this bill even if it is the only way we can get the bill. I want to help the school children of America.

The CHAIRMAN. The gentleman from California [Mr. BALDWIN] is recognized.

Mr. BALDWIN. Mr. Chairman, I rise in support of the Powell amendment.

It seems to me there is a matter of principle to be faced in this amendment that we cannot dodge. Every State including my own State is going to contribute funds for this purpose. In the case of my own State we will contribute more funds under this bill than we will receive and that means that part of the funds will be going for schoolrooms in other parts of the Union. That means part of our funds will be going for school construction in other parts of the Union. We have an obligation to the taxpayers we represent to see that the burden we place upon those taxpayers in the way of funds provided under this bill shall be used in accordance with the law of the land and the Supreme Court decisions of the land. I feel with that limitation it is necessary, proper and right to support the Powell amendment to see that these funds are not used to construct schools which will be operated in violation of a Supreme Court decision.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Chairman, I am rather certain that every Member of the House knows how he or she intends to vote on this amendment. The House of Representatives in all its history has faced many tests. I believe we face a supreme test today, a test that will determine whether we shall inject into an education bill an issue which rightly should not be there.

I share fully the opinion of the distinguished gentleman from Alabama [Mr. ELLIOTT] when he said this bill was brought to us as a non-Federal control bill. If the Powell amendment is adopted, it becomes a Federal control bill, there is not any question about that.

The Supreme Court did not tell the Congress of the United States to implement its decision. I think we must look today beyond the walls of this chamber, out across the country where there is a shortage or will be within 2 more years of nearly a half million classrooms that should be built for the children of this country, all the children of this country.

Mr. Chairman, I plead with the Committee of the Whole to defeat the Powell amendment. It does not belong here, and its adoption, in my opinion will jeopardize, if not defeat, the passage of this legislation.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Chairman, I do not care to make any further remarks at this time.

The CHAIRMAN. All time has expired. The question is on the three amendments offered by the gentleman from New York [Mr. POWELL].

Messrs. MORANO and POWELL demanded tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BARDEN and Mr. POWELL.

The Committee divided; and the tellers reported that there were—ayes 164, noes 116.

So the amendments were agreed to.

Mr. BARDEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7535) to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms, had come to no resolution thereon.

AN UNJUST ACCUSATION

Mr. BOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BOYLE. Mr. Speaker, when a representative of a foreign land abuses and insults a large segment of American people it is high time that the American Government, through its State Department, levels with its responsibility and with the people who have been vilified and offended, declare that foreign individual persona non grata.

In a recent address at a normal university forum Mr. Farid Zeinddine, Syrian Ambassador to the United States, asserted as reported in the press:

> The American Jew is not an American emotionally or even ultimately. A Zionist cannot have real allegiance to the country in which he lives.

Such deprecating remarks, casting aspersions on the patriotism and loyalty of members of our land who have contributed so much to it, and about whom there can be no question of their patriotism and loyalty, cannot be simply ignored and brushed off by the American Government. Mr. Zeinddine should be asked by the Department of State to apologize publicly to the Jewish people of our land whom he has so brazenly castigated. If Mr. Zeinddine should refuse to apologize or if in his apology he fails to recognize the true Americanism of the American Jew, Mr. Zeinddine should be declared by the Department of State a persona non grata and asked to leave our land. I am sure that Mr. John Foster Dulles does not permit members of the American Foreign Service to insult segments of the population of lands in which they are our representatives. There is no reason why we should permit a representative of a foreign land to insult our people. Mr. Zeinddine should be requested to explain satisfactorily his wild, far-sweeping, vicious falsehood.

In default of such a reply, Mr. Zeinddine's request for an early leave should be accelerated.

PENNSYLVANIA DUTCH FOLK FESTIVAL

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to

address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, tomorrow marks the opening day of the 7th annual Pennsylvania Dutch folk festival, the largest folk festival in the United States, to be held at the fairground in Kutztown, Pa. The festival will continue through Sunday, July 8, when Palatinate Day will be observed with church services in dialect and the singing of old-time hymns, climaxed in the evening with a dialect play.

Saturday, July 7, will mark the observance of Distelfink Day, with the swearing-in ceremonies of United States Navy recruits of the Distelfink company. Rear Adm. Ernest H. von Heimburg, commandant of the Fourth Naval District, will conduct the ceremonies and deliver the major address.

The Pennsylvania Dutch Folklore Center at Franklin and Marshall College, directed by Dr. Alfred L. Shoemaker, will present awards to three distinguished Pennsylvanians for their contributions to a better understanding of the history and traditions of the Pennsylvania Dutch. Those to be honored are Dr. Harry Hess Reichard, professor emeritus of Muhlenberg College, Paul Heime, owner and operator of the New Brunswick Hotel, and Frederick Rentz, of Franklin and Marshall College.

The festival will feature the choosing of Mother Distelfink through a shoofly baking contest, the demonstration of farm machinery of byegone days, a folk pageant of Pennsylvania Dutch farmlife, craft displays, and antique exhibits.

We Pennsylvania Dutch are proud of our heritage and the virtues of our people. It is fitting that once each year we pause to remind ourselves of our historic roots and the role which the Pennsylvania Dutch have played in the building of our State and Nation.

Mr. Speaker, under unanimous consent, I include an editorial from the Reading (Pa.) Times which expresses the sentiment of our people over the annual observance of the Pennsylvania Dutch folk festival:

ANNUAL DUTCH FESTIVAL GIVES OTHERS A CHANCE TO KNOW US

The annual Pennsylvania Dutch festival is just around the corner, chronologically and geographically. The seventh annual foregathering of the various Dutch clans will be held at the fairground at Kutztown for 5 days, beginning on Independence Day. We trust everything will be gemutlich.

If you wonder why we speak of the various Dutch clans, you're not much of a Dutchman yourself. For there are many such, with common national and cultural roots but still differing, in one respect, from one another. There are, as a matter of fact, even differences among the oldest of the Pennsylvania Dutch groups—differences in point of origin, differences in the way they adapted the mother tongue to their American environment, differences in the way they prepared food and in the kind of foods they prepared.

These differences, of course, will not be too apparent to the thousands of non-Dutch visitors who will descend upon Kutztown, nor need it bother them. Leave such things to the linguists, the cooks, and the historians. Let our visitors be entertained and intrigued by the old ways, but let them also learn some wrong lessons about us Dutch that they may have picked up, as many non-Dutch have.

We are supposed to be clannish and thrifty. Clannish we are no more; thrifty most of us continue to be. Only a smallish percentage of all us Dutch are plain. Most of us dress as most other Americans dress. Few of our womenfolk wear sunbonnets any more, and most of us have to scout around a bit to find a place to buy such a typically Pennsylvania Dutch dinner as boova shenkel.

We welcome the prospective visitors to the Pennsylvania Dutch festival and bid them make themselves at home among us. Let them, when they leave, take with them some of the color of our cultural past, leavened with a clearer picture of our American present.

TAXATION OF LIFE-INSURANCE COMPANIES

Mr. COOPER. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 11995) to provide that the 1955 formula for taxing incomes of life-insurance companies shall also apply to taxable years beginning in 1956.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc.—

SECTION 1. Extension of 1955 formula to 1956.

Subsections (a) and (c) of section 802 of the Internal Revenue Code of 1954 (relating to tax on income of life insurance companies) are each amended by inserting "or in 1956" after "1955."

SEC. 2. Technical amendments.

(a) The table of sections to subpart A of part I of subchapter L of the Internal Revenue Code of 1954 is amended by striking out

"Sec. 802. Tax imposed for 1955."

and inserting in lieu thereof

"Sec. 802. Tax imposed for 1955 and 1956."

(b) The heading to section 802 of such Code is amended by inserting "and 1956" after "1955."

(c) Section 811 (a) of the Internal Revenue Code of 1954 (relating to tax under 1942 formula) is amended by striking out "December 31, 1955" and inserting in lieu thereof "December 31, 1956."

SEC. 3. Effective date.

The amendments made by this act shall apply only to taxable years beginning after December 31, 1955.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, H. R. 11995, which was introduced by the Honorable WILBUR D. MILLS, chairman of the Subcommittee on Taxation of Life Insurance Companies, will extend the 1955 formula for the taxation of life insurance companies to 1956. An identical bill was introduced by the Honorable THOMAS B. CURTIS, of Missouri. H. R. 11995 was reported unanimously by the Committee on Ways and Means.

As will be recalled, in the 83d Congress the Subcommittee on the Taxation of Life Insurance Companies was established by the Committee on Ways and Means for the purpose of examining the then existing method of taxing life insurance companies and making recommendations with respect thereto. Life insurance companies were being taxed by a stop-gap formula first adopted in 1951 and continued from year to year.

In the first session of this Congress the House passed H. R. 7201 which incorporated the recommendations of the subcommittee in the so-called Mills-Curtis plan for the taxation of life insurance companies. As the bill passed the House it contained the framework on which to base a permanent plan of taxation for life insurance companies.

The Secretary of the Treasury endorsed H. R. 7201 before the Senate Finance Committee as a 1-year stop-gap measure with the understanding that the Treasury Department would propose permanent legislation in this session of Congress which would be premised on a total income theory. Accordingly, the Senate limited the application of H. R. 7201 to the taxable year 1955.

It now appears that the Treasury Department will not be able to submit a plan for the taxation of life insurance companies in the remaining days of this session of Congress. Even if a plan is submitted along the lines suggested by the Treasury Department in the time yet remaining in this session of Congress, it would require careful study and public hearings.

Should the present law not be extended for the taxable year 1956, the 1942 formula contained in sections 811, 812, and 813 of the Internal Revenue Code of 1954 will become applicable. Under present conditions the 1942 formula would increase the tax burdens of life insurance companies by almost 50 percent and would cause shifts of the burden between various segments of the insurance industry. To prevent this shift in burdens and to avoid placing life insurance companies in the difficult position of not knowing just what their tax liability for the taxable year 1956 will be, the Committee on Ways and Means is recommending extending the present "Mills-Curtis" formula to the taxable year 1956.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, H. R. 11995 simply provides that the 1955 formula for taxing the income of life insurance companies shall also apply to taxable years beginning in 1956.

It will be recalled that last year our committee reported a bill to this House which provided for a permanent change in the method of taxing the income of life insurance companies. That new plan was the outgrowth of a tremen-

dous amount of work and study done by a subcommittee of the Committee on Ways and Means. When I appointed that subcommittee during the last Congress, Representative CURTIS of Missouri was chairman. Since that time, the subcommittee has continued its work, and Representative MILLS has been chairman. Under this combined leadership of my distinguished colleagues, Mr. MILLS and Mr. CURTIS, a tremendous contribution has been made in this extremely complex field of life insurance company taxation. I am sure that this House appreciates by now what an immensely difficult problem this matter represents.

The House will also recall, I am sure, that our bill of last year which provided a permanent basis for the taxation of these companies was amended by the other body so that the new method was to remain in effect for the year 1955 only. This was done for the purpose of affording further opportunity for study. We accepted the Senate amendment, and the new stop-gap formula took effect for 1955. Therefore, we are again faced with the necessity of providing for the taxation of life insurance companies for the period after 1955. The pending bill, H. R. 11995, accomplishes this by simply extending for one more year, 1956, the temporary formula which was in effect for 1955.

This bill has the substantial agreement of all concerned. I might point out that an identical bill was introduced by Representative CURTIS of Missouri. Moreover, the pending legislation was reported unanimously by the Committee on Ways and Means.

TEMPORARY SUSPENSION OF DUTY ON ALUMINA IMPORTED FOR USE IN PRODUCING ALUMINUM

Mr. COOPER. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 10269) to amend the Tariff Act of 1930 to place metallurgical grade alumina on the free list.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 201 of the Tariff Act of 1930 is amended by adding at the end thereof the following new paragraph:

"PAR. 1820. Metallurgical grade alumina."

With the following committee amendment:

Page 1, line 3, strike out all after the enacting clause and insert in lieu thereof the following: "That no duty shall be levied, collected, or payable under the Tariff Act of 1930, as amended, with respect to alumina, when imported for use in producing aluminum, under such regulations as the Secretary of the Treasury shall prescribe.

"SEC. 2. This act shall be effective as to alumina entered, or withdrawn from warehouse, for consumption during the 2-year period beginning on the day following the date of the enactment of this act."

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the temporary suspension of the duty on certain alumina."

A motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, H. R. 10269 would suspend for 2 years the import duty on alumina which is imported for use in producing aluminum.

The Committee on Ways and Means in earlier consideration of the bill as introduced, which would have placed alumina on the free list, directed the Office of Defense Mobilization to make a study as to the availability of alumina domestically. The Office of Defense Mobilization in its report to the committee, which report was submitted after consultation with all interested departments, indicated that at the present time alumina is not available domestically over and above the requirements of the integrated companies. After the completion of this study the Office of Defense Mobilization reported favorably on H. R. 10269, as amended by the committee, providing for a 2-year suspension of the duty on alumina.

This bill was reported unanimously by the Committee on Ways and Means.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, H. R. 10269, as reported by the Committee on Ways and Means, suspends for 2 years the existing import duty on alumina when such alumina is imported for use in producing aluminum.

Our committee was informed by the Director of the Office of Defense Mobilization that current United States capacity to produce alumina is not adequate to meet aluminum needs. Be that as it may, our committee was also assured that if the pending bill is enacted, the Office of Defense Mobilization will maintain close watch of alumina imports in order to determine whether there is any threat to our mobilization base.

In view of these assurances, I have no objection to the temporary suspension of the duty on alumina which this bill provides. The bill was reported unanimously by the Committee on Ways and Means.

HOUR OF MEETING ON THURSDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House meets on Thursday next it meet at 11 o'clock a. m.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

POLAND

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 574.

The Clerk read the resolution, as follows:

Whereas after World War I the United States, recognizing the gratitude of the people of the United States to the patriotic Polish citizens who assisted in the attainment of American independence, and the long continued friendship between the peoples of the two nations, strongly endorsed and vigorously sustained the independence of Poland; and

Whereas during World War II the people of Poland fought steadfastly as allies of the United States; and

Whereas after World War II, against the will and the continued effort of the people of the United States and in violation of the solemn agreement previously entered into by the Government of the Union of Soviet Socialist Republics, the Polish people were deprived of their right to elect a national government of their own choice and deprived of their independence as a nation; and

Whereas the Communist dictatorship which has been imposed on the people of Poland has ruthlessly trampled upon the rights and liberties of the Polish people and has subjected them to continuous physical hardship and suffering; and

Whereas the House of Representatives is deeply moved by the patriotism which has been manifested by the people of Poland and shocked by the brutal action of the Soviet dictatorship in suppressing the spontaneous uprising at Poznan; and

Whereas the cry for freedom and bread of the people of Poznan gave evidence to the people of the world of the ruthless exploitation of Polish labor and the suffering of the Polish people in striking contradiction of the recent claims of Soviet leaders that people behind the Iron Curtain enjoy liberty and plenty; and

Whereas the House of Representatives feels the depest sympathy for the loved ones of those who have given their lives in the struggle for liberty and views with the utmost anxiety and the deepest concern the reports of mass reprisals being inaugurated by the Communist authorities in order to reestablish the subjugation of the Polish people: Therefore be it

Resolved, That the President, in view of its urgency, give immediate consideration to the advisability of bringing the situation in Poland before the United Nations, and take all possible diplomatic measures to prevent mass reprisal against the people of Poznan and elsewhere in Poland, and to implement the offer of food from the United States which has already been made; and be it further

Resolved, That it is the sense of the House of Representatives that until the people of Poland and of the other captive nations of the world have restored to them the full rights of freedom and self-government of which they have been deprived, the peace of the world will be threatened and the security of the United States endangered.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, while I have introduced this resolution as majority leader of the House, and it is a great pleasure for me to do so, I want the RECORD to show that this action is bipartisan and that the

distinguished gentleman from Massachusetts [Mr. MARTIN], the minority leader, approved of it and joins with me. If this resolution is to have any name, it should be called the McCormack-Martin resolution.

I also desire the RECORD to show that Members on both sides, the gentleman from Michigan [Mr. MACHROWICZ], the gentleman from Illinois [Mr. GORDON], the gentleman from Wisconsin [Mr. ZABLOCKI], the gentleman from Wisconsin [Mr. O'KONSKI], the gentleman from Connecticut [Mr. SADLAK], and others cooperated and worked together in drafting this resolution. The chairman of the Committee on Foreign Affairs, the gentleman from South Carolina [Mr. RICHARDS], gave his approval as did the ranking members on both sides of the committee. Speaker RAYBURN spontaneously and wholeheartedly responded in order that we might bring this resolution up at this time, which could only be done by unanimous consent of all Members of the House. We all know that the timing is of vital importance in view of what has recently taken place in Poland, and in the city of Poznan.

It is the intent of the Kremlin and international communism to carry out its plan of world revolution and world domination. One of the greatest assets we have, which is at the same time one of the great weaknesses of communism, is the inherent desire of men and women to possess freedom. That great desire does not come to mankind by man-made action. It is an inherent desire and instinct that can never be destroyed. At times it has been suppressed. But, it has never been destroyed. In Poznan, Poland, a few days ago there occurred events showing that fact, that the desire for freedom can never be destroyed. History records the temporary suppression of liberty and freedom by dictators, but history also shows that dictators have always been overthrown by men and women who wanted freedom. The recent uprisings in Poznan show the willingness of men and women to face death to regain liberty. The same thing happened in East Germany a few years ago. Those who participated in those events are the modern Patrick Henry's as evidenced by his clarion call of freedom: "Give me liberty or give me death." And that other clarion call of yesteryear: "Where law ceases, tyranny starts."

Mr. Speaker, the pending resolution is an expression of our respect for those in Poland who fought and those who died for a government of laws and not of men. It pays tribute to their bravery. It conveys to them that the House of Representatives in Congress is pledged to make its contribution toward the gaining of their liberty and the independence of Poland as quickly as possible.

Mr. Speaker, I yield to my colleague and friend, the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, I wish to join with my good friend, the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], in the support of this resolution. May it be a message of encouragement for the millions of Polish people struggling to throw off the yoke of slavery.

Long promised freedom and always denied that freedom, they have the sympathy of America.

When these poor unfortunate souls cry for bread, they strike a responsive chord in the hearts of all people. Certainly all of us in the free world are happy to offer food supplies to rescue the suffering Polish people from their sad plight.

We commend the prompt and timely offer of President Eisenhower to provide food, and we all hope the day is not far off when Poland may escape the chains of Communist slavery and stand proudly once again in the world of freedom as a free and independent nation.

Then will come the opportunity of Poland for self-advancement, for progress and for the spiritual liberty which it is denied by its Communist masters.

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PRICE. Mr. Speaker, I join my colleagues in congratulating and complimenting the distinguished majority leader the gentleman from Massachusetts [Mr. MCCORMACK] for presenting this resolution this afternoon giving the House membership the opportunity of officially expressing to the Polish people our support of their resistance to Communist domination.

It is fitting, as some of my colleagues have already said, that we should act in this manner on the eve of our own Independence Day. As we observe the anniversary of our independence let everyone utter a prayer for the liberation of the Polish people from the bonds of Soviet oppression.

Through this resolution, unanimously adopted by the House, we send more than moral encouragement to the heroes of Poznan. We let them know in a practical way that we understand their struggle for freedom and liberty and that we seek action from the United Nations to support them in their efforts.

Poland is a Christian nation. Her people are deeply religious. I have been saying in this House since 1945 that because of her deep-seated Christian background her people would not long endure the tyranny of the Soviet invader—and the Russians are just that. The Soviets hold Poland by force of arms and in that manner alone. Given the right of self-determination in free elections the Polish people would decisively reject those who foist Soviet rule upon them. Denied free elections, Poznans will multiply, the resistance will grow and in the end Poland will arise once again a free and independent nation.

THE POZNAN UPRISING AND AMERICAN FOREIGN POLICY

Mr. ASHLEY. Mr. Speaker, last Friday the attention of the entire world was focused on Poland, where there unfolded another dramatic episode in the unceasing struggle for human freedom. In the industrial city of Poznan, early on the morning of June 28, thousands of unarmed Polish workers for a few hours threw off the chains of Communist tyranny. In what Radio Warsaw termed "a well-organized revolt," the people of Poznan at first only demonstrated for more bread, improved working conditions, and a better life. Then later, still unarmed, workers and citizens alike stormed Communist Party headquarters. Communist flags were torn down, jails set afire and prisoners set free.

Eyewitnesses now estimate that the savage repression of the Communist regime took nearly 1,000 lives. It is also reported that thousands of government troops have thrown a cordon around the city of Poznan, that hundreds of Polish men and women have been arrested, and that many hundreds more are systematically being hunted. May God help these brave people.

Mr. Speaker, it is difficult for us, thousands of miles away and in the security of a free country, to fully understand the motives behind this desperate insurrection. What is it that compels a defenseless people to march arm in arm against Soviet tanks, antiaircraft guns, and small-arms fire? What were the objectives of these courageous souls, and where did they draw their hope of success?

From the Red regime in Poland and from the Soviet Union itself, we are told that the uprising was engineered by "western gangsters" employed by Radio Free Europe. Not only is this an obvious and outrageous lie, Mr. Speaker, it is a deliberate effort to shield from the rest of the world the inevitable failure of Communist imperialism.

In 1952 and 1953, I had the privilege of working for Radio Free Europe. This organization, now known as the Free Europe Committee, is a private American organization supported by the contributions of nearly 10 million Americans. It has as its objective the dissemination of truth to the enslaved peoples of the Iron Curtain countries. In 1953 I helped direct the first major "Winds of Freedom" campaign, in which thousands of balloons were used to carry printed messages to the freedom-loving people of Czechoslovakia.

Since that time, this operation has been greatly expanded. Through improved techniques of balloon delivery the peoples of Poland and Hungary now receive on a regular basis the true facts of what is going on in their own countries and the rest of the world.

The work of the Free Europe Committee, Mr. Speaker, has been successful in keeping alive the hopes of tens of millions of men, women, and children who, in recent years, have come under the iron heel of Communist tyranny. The success of their work is attested to by the official protests from the satellite regimes, from almost daily attacks in the Communist press, and from costly but futile efforts to jam Radio Free Europe broadcasts and to shoot down the balloons launched by the Free Europe press.

Mr. Speaker, there have been other revolts and insurrections in recent years which the Communists have accused the Radio Free Europe Committee of insti-

gating. But the fact of the matter is clear. No whipping boy can expurgate the lurid and ghastly crimes against humanity committed by the Soviet Union. If we are to fully understand the uprising in Poznan last Friday, if we are to put our fingers on the pulse of the Polish people, I think we must turn to a page in history written 12 years ago by the citizens of Warsaw. It was in the latter days of World War II, with only the Vistula River separating Soviet armies from the city of Warsaw, that the Polish underground—40,000 strong—rose up against the Nazi occupation troops. It soon became apparent that the expected help from Soviet military forces was being deliberately withheld. Yet for 63 days the entire population of Warsaw continued their death struggle with the Nazi invader. Finally, on October 2, 1944, the last shot was fired. The Polish dead numbered 250,000. Days later, the Soviet armies entered the city of Warsaw.

Out of this ghastly ordeal of duplicity and death, there comes the pure and unfettered spirit of freedom. And this spirit lives on in the hearts and souls in generations to follow. What took place in Poznan last Friday is more than a manifestation of deepseated hatred of communism. It is a positive expression of the same spirit of freedom which inspired our own forefathers and which for many centuries has been a part of the Polish people.

Mr. Speaker, I consider the heartbreaking struggle at Poznan one of the most significant events of the 20th century, for it demonstrates a fact which the Communists have long sought to distort and disprove. This is the fundamental truth that the forces of individual dignity and human freedom are of themselves positive and dynamic. They may be momentarily quieted by a militant tyranny but they can never be extinguished. In Poznan, as at Warsaw, the losses were great and the gains were heartbreaking. But out of both a divided world has seen living proof of the spirit of freedom.

For the Soviet world, with the blood of the Katyn massacre still red upon its hands, what took place at Poznan could not help but strike fear to its Godless soul. For the leadership of the Kremlin must begin to see that, despite the kind of brutal reprisal that is begotten by fear, the strength of the spirit of freedom can never be broken.

And there is a lesson for the free world, too, Mr. Speaker. The sacrifice of the men and women and the hundreds of children who have been slaughtered in Poland since last Friday is more than a stark example of what happens to a nation when it loses its freedom. The courage of the people of Poland and the other satellite states imposes upon us, as the leader of the free world, an obligation for ever more positive leadership.

Those of us in Congress cannot help but be aware of the mounting feeling of isolationism in many parts of our own country and among our constituents. There is a tendency, it seems to me, for the people of our country to feel that with cracks appearing in the foundation of the monolithic Communist structure, we can afford to play a lesser role in the affairs of the world.

The tragic consequences of such an assumption cannot be accurately described. The spirit of freedom, which occasionally is so nobly demonstrated as it was at Poznan, calls for the leaders of our Nation and the people of our Nation to reassess our position and the forces at work in the world today. In the years ahead, Mr. Speaker, our role must be an ever greater one, our help more generously given, and our moral position set forth with greater clarity. If the United States plays such a role as I firmly believe she will, then the short-term failures of the courageous peoples who have resisted tyranny, and who have paid with their lives for their resistance, will prove to be the long-range victories upon which the existence of our civilization depends.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Illinois [Mr. GORDON].

Mr. GORDON. Mr. Speaker, I wish to add my voice in support of the unanimous-consent request, made by our distinguished majority leader for the immediate consideration of this resolution. I hope the House will unanimously adopt the resolution he has proposed urging the President to give immediate consideration to the advisability of bringing the situation in Poland before the United Nations.

The mutual help extended by the people of Poland and the United States in our early struggles for freedom and independence have become part of the cherished traditions in the histories of our two peoples. Poland was one of our most valiant allies during World War II. The people of the United States have been saddened by the loss of freedom of the Polish people and their sufferings under the Communist dictators.

The recent manifestation by the people of Poznan was a spontaneous, patriotic uprising which deeply moved and impressed freedom-loving peoples throughout the world. The brutal action of the Soviet dictatorship to suppress the uprising has been one more shocking instance of Communist cruelty.

The heroic Polish patriots of Poznan have given striking proof of the subjugation, exploitation, and injustices that exist behind the Iron Curtain.

It is most timely that the House of Representatives, by adopting the resolution proposed by the majority leader, express and emphasize to the rest of the world our sympathy for the people of Poland and of the other captive nations, and our deep sense of understanding that, until these people regain their rights of freedom and self-government, world peace and security will remain threatened.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, I congratulate the majority leader for scheduling this resolution at this particular time. I think it is most appropriate that we consider it here today on the eve of the celebration of our own Independence Day. We certainly all sympathize with our Polish friends and we sympathize with the problem they face.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Michigan [Mr. MACHROWICZ].

Mr. MACHROWICZ. Mr. Speaker, I also wish to congratulate the majority leader for the leadership he has shown in presenting this resolution today and also I congratulate the minority leader for his participation and the Speaker of the House and all others who have made it possible for us to vote on this resolution today.

I think nothing has so dramatically shown that the spirit of the Polish people is indomitable, and the lies regarding changes behind the Iron Curtain have never been so dramatically revealed as by the incidents of the past few days.

I wish to state also to my colleagues that on Thursday, July 5, a special order has been granted and during that time this matter and the incidents which led to the revolt in Poznan will be discussed more fully. I hope those interested will be present at that time.

Mr. McCORMACK. Mr. Speaker, I yield to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. FRANCES P. BOLTON. Mr. Speaker, I join very heartily in the expressions of gratitude being expressed toward the majority leader, Mr. McCORMACK, and to the minority leader, Mr. JOSEPH MARTIN, our distinguished colleagues, for bringing to us this splendid resolution. It is especially fitting that it comes to us today on the eve of our own independence celebration.

As one Member after another has spoken my thoughts have taken me back to the great privilege that was mine of being in Warsaw in 1945 just after the end of the Second World War. The Subcommittee on Eastern Europe and the Near East of the Committee on Foreign Affairs, under the chairmanship of the distinguished gentleman from Illinois [Mr. GORDON] visited various cities in Eastern Europe and Russia, among them Warsaw, immediately after the cease-fire. There in Warsaw we saw with our own eyes the terrible ravages of bitter war. We talked with those who had nursed the wounded, who had stood watch by night. We looked across the Vistula to where the Russians had camped—from where they sent the signal to the city for the uprising—from where they watched Hitler's armies force their might upon a people whose bravery, whose courage, stands out in history. As I have sat here and even as I speak I seem to be back on those ruins, the stench of death in my nostrils, a prayer on my lips for Poland.

So it is with deep appreciation, Mr. Speaker, that I join with my comrades here in passing this resolution you, Mr. McCORMACK, have brought to the floor.

Poland has once again shed her blood for freedom. If it has been momentarily an unsuccessful effort, there will most surely come the moment when her bloodstained flag will fly again above a free nation. May Heaven speed the day.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I desire to join in commending the distinguished leadership of the House for programing this resolution. I hope they will also give consideration to a resolution which will express equal solicitude for the cause of others who are seeking justice and independence, namely the people who inhabit the island of Cyprus.

Mr. McCORMACK. I think the gentleman is well acquainted with my views on that matter. I expressed myself on that subject on the floor of the House not so many weeks ago. As far as I am concerned I respond to the gentleman's thoughts.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. ZABLOCKI. Mr. Speaker, I join my colleagues in extending sincere congratulations to our esteemed majority leader for sponsoring and obtaining immediate consideration of this resolution. Our deep appreciation and commendation to you Mr. Speaker, for your approval to take up the measure at this time.

There is no doubt in my mind that this measure will receive the spontaneous and unanimous approval of the House just as it has received approbation from the Speaker and leadership of both sides of the isle.

On the eve of our own Independence Day it is most fitting that we convey to those unfortunate peoples who are denied fredom, by way of this resolution, the expression of our sincere interest and desire to assist them in their plight, in their struggle against tyranny.

Our forefathers battled against great odds—the brave and courageous people of Poznan and other areas behind the Iron Curtain are fighting against great odds. Despite the tremendous difficulties our patriotic Revolutionary men and women have succeeded in the struggle for independence in 1776. May God grant that the courageous peoples in the Soviet-dominated countries be rewarded for their sacrifices with the ultimate blessing of independence, freedom, and liberty. The reports indicate that over 1,000 presons have been killed in the workers revolt in Poznan. An uprising stemming from the irrepressible human desire for freedom and food—crushed brutally by the Communist military force. These 1,000 souls have not died in vain.

It has been stated by Daniel Webster that: "God grants liberty only to those who love it, and are always ready to guard and defend it." God grants liberty to those willing to fight for it. The people of Poland have and will continue to fight tyranny and domination.

The Polish people have experienced many occupations and have suffered many repressions, they have died in many courageous revolts it is therefore inevitable that the spirit of the Polish people will continue to fight for liberty and true independence.

No amount of force can extinguish love of liberty among those who have experienced liberty. By this resolution we extend our moral support, our prayers, and undying hope for freedom for the people of Poland.

Mr. McCORMACK. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Speaker, I support the McCormack-Martin resolution now before us and I commend the distinguished leaders of both parties for bringing to the floor what I am certain will have unanimous approval a measure designed to give encouragement to the liberty-loving people of Poland who now rise up against their Communist rulers and cry out "Give us freedom, bread, and democracy."

It is most appropriate that we take this action in one of the branches of the greatest free legislature in the world on the eve of our own Independence Day, a day to which men of Polish blood contributed so much. It will be renewed support for the stirring appeal of President Eisenhower at last summer's Geneva Conference calling on the Kremlin to permit the Eastern Europeans to choose their own sovereign governments. There is an old Polish saying "Wherever beats a Polish heart, wherever flows Polish blood, there is an enduring will to be free." Today the Polish people stand conquered but not subdued. Their spirit is not crushed. As they have seen their Soviet masters turn their backs on Stalin so they will see the deliverance of Poland from the Communist yoke.

Let the people of Poznan and all of Poland hear again and take hope from the pledge of President Eisenhower in his recent address before the American Society of Newspaper Editors:

> We will not grow weary in our quest for peaceful remedies for the enslavement or wrongful division of once free nations.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. SADLAK].

Mr. SADLAK. Mr. Speaker, I likewise warmly congratulate the leadership on this occasion today. I unqualifiedly endorse the resolution. As was mentioned by the gentleman from Wisconsin [Mr. BYRNES], we take this action on the eve of our own Independence Day, and I am convinced that this action today will help buttress the indomitable spirit of Poland.

I am also delighted that the resolution urges that our Government send food and will also encourage private organizations to send food which these people badly need to sustain themselves. Hunger knows no boundary—we offer food and clothing—I hope the responsible officials of Poland will permit welfare and relief organizations to cross the border bringing these essentials to the needy of Poznan and other communities that require and need them to keep body and soul together.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SHEEHAN].

Mr. SHEEHAN. Mr. Speaker, I join wholeheartedly with the majority leader, Mr. McCORMACK, and the minority leader, Mr. MARTIN, in this resolution. Earlier today I introduced two different resolutions on this same theme: No. 1, that the Congress request the United Nations to bring the subjugation of the Polish people and their loss of self-government and independence before the General Assembly of the United Nations for immediate action; and, secondly, that President Eisenhower take appropriate action so that the U. S. S. R. honor its written agreement at Yalta to provide for free elections in Poland and the reorganization of the Polish Government on a broader democratic basis and that the Polish people be allowed to enjoy freedom of speech, freedom of government, and freedom of religion. As I stated earlier today I felt that "Congress would do well to momentarily interrupt its legislative processes" and consider such action.

This bipartisan resolution shows in no uncertain terms the spirit of Congress and our deep sympathy for the Polish people in their fight against oppression and tyranny.

Mr. McCORMACK. Mr. Speaker, I yield to the gentlewoman from Illinois [Mrs. CHURCH].

Mrs. CHURCH. Mr. Speaker, I thank the gentleman. I know of no more fitting way to begin our great national holiday than to thank the gentleman from Massachusetts [Mr. McCORMACK] and the gentleman from Massachusetts [Mr. MARTIN] for their joint introduction of this resolution, pointing to the desire of the free men in Poland and free men everywhere to live up to their own rights. I would remind the gentleman that those of my own State who died, when they died they did not die in vain.

During the last week there has been a desire of those of Poland to fight for their freedom. That has meant much to the free world. I would assure the gentleman that insofar as it is possible the Committee on Foreign Affairs will expedite consideration of this resolution.

Mr. McCORMACK. The resolution is before the House now.

Mrs. CHURCH. Then I certainly congratulate the gentleman for the manner in which he has brought it in and for its substance. I urge its adoption.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I wish to thank both gentlemen from Massachusetts, the leaders of our two great parties, for giving us the opportunity to express our regard and appreciation for the people of a heroic nation.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Speaker, all of us appreciate the brilliant and courageous record of the people of Poland over the centuries. All of us appreciate the indebtedness of this country to the people of Polish descent who have contributed so greatly.

It is an inspiration to all that Poland and the Polish people have consistently refused to compromise with evil.

We all appreciate the unbelievable suffering which they have undergone under Communist domination.

They have our heartfelt sympathy.

We are confident that the indomitable spirit of Poland and its people will ultimately triumph.

Mr. McCORMACK. Mr. Speaker, I yield to the gentlewoman from Michigan [Miss THOMPSON].

Miss THOMPSON of Michigan. Mr. Speaker, in 1946 I did a tour of duty in Denmark, and often visited the many refugee camps there, which included Estonians, Latvians, Lithuanians, and Poles. I became very well acquainted with them through an English speaking Red Cross director, and with him, frequently visited a small hospital for Polish amputees. Their favorite treat was American cigarettes and since I did not smoke my accumulated rations, they were adequate for all the patients. I have never seen such grateful people.

Nearby was an old castle which housed their families. They too, were grateful for the little treats I could give them, viz: candy, peanuts, cookies, and cakes. Their greatest possession was a large black Saint Bernard dog. Always, he was stretched out on the middle of the floor, with the children romping and dancing around him, and singing their native songs. One day, the matron told me the children wished I would ask them the name of their dog. When I did so, they circled around the dog; clapped their little hands, and in unison answered, "Uncle Sam." I learned to love those great people. They had endured so much—they had suffered so greatly—they had so little to do with, but they had the will, and the courage, to carry on. Their one ambition was to some day come to our United States, but those hopes did not materialize. They were sent to Australia, where, I am told, they adjusted themselves very well.

The Polish people are a great people. They are worthy of our aid, our sympathy, and above all, our prayers for deliverance from further Communist persecution.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GREEN].

Mr. GREEN of Pennsylvania. Mr. Speaker, I join with other Members of the House in congratulating the majority and minority leaders for submitting this resolution on the eve of our own Independence Day. It was a great thrill just a short while ago to see this uprising happen in Poland. I am only sorry it was not so successful that Poland would, in the near future, see her freedom.

The Polish people have made great contributions to America and it is only fitting and proper that we in the Congress of the United States pass such a finely worded resolution. I offer my congratulations to our majority leader.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. SIEMINSKI].

Mr. SIEMINSKI. Mr. Speaker, I congratulate the gentleman who introduced this resolution. I think it will be warmly received.

As a man grows to fight for freedom, he comes to realize, I suppose, that in that fight he must, if necessary, stand alone.

If successful, others rally to his cause. If he fails, heads wag to say poor man, how imprudent, yet how romantic. I suppose the same can be said of nations.

It was said of Poland in 1939 when, alone, she resisted Hitler and felt the knife of the Kremlin plunged in her back. It was said of the Poles in 1944 in the Warsaw uprising when over 200,000 Polish men, women, and children were slaughtered through the perfidy of the Kremlin and the bullets of the Nazis.

In some quarters, the same thing was said of the Poles in the Poznan uprising.

But such things are not said of the Poles by the Congress of the United States. The joint resolution now before this body, in effect, says, How brave, how inspiring, how like the Poles who have paced, through time, the moral sense of man. God bless the Poles.

In the uprising in 1944 in Warsaw, the Polish people were promised help by the Red Army. It never came. Instead, the Communists used the Nazis as pawns to slaughter the Poles. The effect was to engender hatred of the Nazis by the Poles while guaranteeing postwar domination of the Poles by the Red Army.

The same Communist mystique was used in Korea when the Reds used Chinese and North Korean soldiers as pawns to kill Koreans and slaughter Americans in the Communist drive to throw the forces of the United Nations out of Korea.

In the Poznan uprising, the instinctive morality of man now plagues the Kremlin. A Polish soldier was shot to death by an officer because he refused to fire on his countrymen. Will the stain out? It will plague the Communists for years to come.

To the Poles, the book of judgment rests in heaven and not on the table of any political commissar.

The Poles believe, with Abraham Lincoln, that for every drop of blood drawn by the lash the Lord in his time exacts an accounting.

Not too long ago, in 1793, three powers carved up and occupied Poland. Two have retired, one remains. Germany and Austria have gone home. Russia remains.

How soon will the Soviets recede?

The mills of the Gods grind slow but mighty fine. The Poles are sure that the Lord knows just when the Russians will recede, and in time will exact his accounting.

Niech żyje Polska Bóg Zaplać.

I congratulate you, Mr. McCORMACK, and I thank you, Mr. MARTIN, on behalf of the people of my district for the splendid stand you have taken in this matter by your resolution.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. TUMULTY]

Mr. TUMULTY. Mr. Speaker, I rise to add my voice in support of the resolution. The first speech I made in this House was in behalf of the liberty of Poland. Last year, when I made the speech, I suggested that the charter of the United Nations contained ample provision for the removal of the pseudogovernment, the so-called present government of Poland, from the body of the United Nations, as not being representative of the Polish people and as being the alter ego of the Soviet Union. I am happy to see that this resolution would turn the matter of Poland's pseudogovernment over to the United Nations for action.

I would hope, however, that the United States representative in the United Nations would introduce a resolution looking to the removal of the false government of Poland masquerading as a civilized government, from the United Nations, in the light of what we have seen in the shooting down of these people who are attempting to get what we have already, which is freedom.

I would hope that our executive department would reexamine the credentials of the Ambassador from the false government of Poland to determine whether or not he ought to be duly accredited to the United States. I say that because a committee of this House, the so-called Kersten committee, found, after hearings, that the so-called government of present-day Poland was not, in fact, a true government, was in fact representative of an occupying power, an aggressive force which occupies Poland today against the laws of nature if not against the laws of man.

I am very happy to see this resolution in the House and I am very happy to know that this matter is going to the United Nations where action can be taken.

Mr. McCORMACK. Mr. Speaker, I am very glad at this time to yield to the distinguished chairman of the Committee on Foreign Affairs, my dear friend from South Carolina [Mr. RICHARDS] who played a very important part in the drafting of this resolution and its being brought up for consideration by unanimous consent.

Mr. RICHARDS. Mr. Speaker, the tragic suffering and sacrifice of the great Polish people for liberty throughout the centuries has few parallels in history. What has recently happened in Poland shows that the spirit of liberty there is not dead, even though they have been under the heel of international communism, with all its despotism, for some time.

In this dark hour for Poland, I wish the voice of the American people could get to them, a voice of appreciation of the great contribution made by their great patriots to our own liberty in the dark days after 1776.

Mr. Speaker, I wish to congratulate the majority leader and the minority leader who joined in offering this resolution. Further I hope there will not be a vote against it in the House, because if ever a resolution spoke the sense of the American people this resolution does.

Mr. McCORMACK. Mr. Speaker, I thank my friend from South Carolina very much.

I yield at this time to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Speaker, let me convey to the leadership of the House what I may assume will be a ray of hope to several thousand loyal Americans of Polish descent who reside in the district that I have the honor to represent. By this action today the people of Polish descent in the United States will feel that the Congress, with all of its other responsibilities, has taken a sound and a correct position in the light of what has happened during the last week. To the

people of my district and every other district in the United States, I think this message through this action today will convey the information that Congress is concerned and is interested in what has happened in Poland in recent days.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mrs. ROGERS of Massachusetts. I again congratulate the majority and minority leaders on doing a very fine thing, I know with the approval of Mr. Speaker RAYBURN. If I talked all day I could not speak my deep gratitude to the Polish people for their great contribution to us. I have visited Poland. I have many Polish people in my district and know many people of Polish descent all over the country. Everywhere the Polish people have a perfect circle of courage, patriotism, and helpfulness to other nations.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. ROONEY. Mr. Speaker, I should also like to join the many able and eloquent Members of the House who have extended commendations to the distinguished gentleman from Massachusetts, the majority leader [Mr. McCORMACK], and the distinguished gentleman from Massachusetts, the minority leader [Mr. MARTIN], for their joint labor in bringing this important resolution to the floor of the House so expeditiously. I am sure that it will meet the approval of every Member, without exception. The struggle for freedom which was revived last week at Poznan will continue until once again Poland and all the Polish people are free.

The SPEAKER. The question is on the resolution.

The resolution was unanimously agreed to.

BENEFITS FOR SURVIVORS OF SERVICEMEN AND VETERANS

Mr. HARDY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7089) to provide benefits for the survivors of servicemen and veterans, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mrs. ROGERS of Massachusetts. Reserving the right to object, Mr. Speaker, I should like to say how glad I am that this bill has come over from the other body, carrying as it does help for the widows and other survivors of servicemen and veterans. I am pleased that the bill will soon be on its way to become law.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Speaker appointed the following conferees: Messrs. HARDY, TEAGUE of Texas, KILDAY, BATES, and KEAN.

THE POLISH UPRISING

Mr. SHEEHAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SHEEHAN. Mr. Speaker, with the fateful events of last week's rioting in Poznan, Poland, having been revealed to our citizens and to the freedom loving peoples of the world, it is fitting that the House of Representatives take appropriate action in order to let all the oppressed peoples throughout the world know that we as a nation are in complete sympathy with their every effort to free themselves from the yoke of Communist oppression.

The valiant uprising of the Poles who staged a revolt against the Communist-dominated Government of Poland in a fight for food and freedom should bring clearly into focus the fact that world socialism or communism—whichever one prefers to call it—means starvation of both body and mind. This uprising is a demand on America to review its complacent outlook on world communism and on communism within our own country.

Mr. Charles Rozmarek, president of the Polish-American Congress, has voiced the views of all citizens of Polish extraction when he asks the Congress to take a firm stand on the defense of the people of Poland who are being terrorized by the Communists.

Mr. Edward E. Plusdrak, president of the American Polish Federation, urges that Congress adopt a joint resolution "calling on our State Department to submit the issue of enslaved Poland and the other subjugated countries behind the Iron Curtain on the immediate agenda of the United Nations and thus compel Soviet Russia to an accounting of its so-called new peaceful policy."

As in the days when our colonial ancestors were struggling for freedom and desperately needed both moral and material aid in the fight for independence, so do the valiant Polish people need the material and moral support that we as a free nation are able to supply. Our country, through Acting Secretary of State Herbert Hoover, Jr., has already offered to ship free food to the starving areas of Poland. Mr. Hoover's stipulation that the gift must bear the United States label would, indeed, symbolize to the enslaved Polish people our material aid in their struggle.

The statement issued by our State Department calling on Russia's rulers to grant political freedom to the Poles and other satellite peoples, and the pronouncements by Vice President Nixon show conclusively that the excutive department of our Government is lending moral assistance to the Polish people's fight for freedom.

Now it remains for the direct representatives of the people, the legislative branch of our Government to show that we lend our moral support to the Polish fight for food and freedom. To this end I have today introduced in the House of Representatives two resolutions which I believe the Congress would do well to momentarily interrupt its domestic legislative processes to immediately consider.

The first:

House Resolution 571

Whereas the U. S. S. R. is a member of the United Nations and by written agreement at San Francisco wrote into the Charter of the United Nations obligations to advance self-government and independence of all peoples; and

Whereas the Soviet Communist Government has through a system of oppression, domination and infiltration deprived the Polish people of self-government and independence: Therefore be it

Resolved, That the President is hereby requested to instruct the Secretary of State, through the United States delegation to the United Nations, to bring the subjugation of the Polish people and their loss of self-government and independence before the General Assembly of the United Nations for immediate action.

This resolution calls on our State Department to forthwith bring the issue of the subjugation of the Polish people before the United Nations for immediate action.

The second resolution:

House Resolution 572

Whereas on June 28, 1956, the citizens of Poznan, Poland, in an effort to throw off the yoke of oppression rose in righteous rebellion against the Communist dominated and controlled Government in Poland; and

Whereas their fight for food and freedom is tragic proof of the slavery to which the Polish nation has been reduced: Therefore be it

Resolved, That the President is hereby requested—

(1) To take appropriate action to inform the oppressed people of Poland that we, as a nation, are in sympathy with their fight for freedom; and

(2) To demand, as head of one of the signatory nations to the Yalta Agreement, that the U. S. S. R. honor its written agreement therein to provide for free elections in Poland and the reorganization of the Polish Government on a broader democratic basis, and to insure that the Polish people be allowed to enjoy freedom of spech, freedom of government, and freedom of religion.

In this resolution I respectfully petition the President of the United States, under the terms of the Yalta Agreement signed by the U. S. S. R., Great Britain, and the United States, to ask the Russian rulers to live up to the terms of the Yalta Agreement by providing for free elections in Poland and for the reorganization of the Polish Government on a broader democratic basis.

By our considering and approving both these resolutions, the free people of the world and the freedom-loving people living under Communistic oppression will readily understand that the elected representatives of the people of the United States lend their unwavering moral support to the never-ending fight for freedom.

VOICE OF AMERICA SHOULD BROADCAST THE DECLARATION OF INDEPENDENCE ON THE FOURTH OF JULY

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, the Fourth of July is one of the few national holidays in the world that celebrates, not merely an event, but the words that explained it. For July 4 is the anniversary of the signing of a great document which proclaimed to the world the philosophic principles upon which the people of the United States claimed independence. The actual passage of the resolution was 2 days earlier on July 2. The fact that our forefathers elected to celebrate the document itself is a tribute to their sense of history. The act of liberation affected only a handful of people who lived in 13 small colonies along the Atlantic Coast but the principles behind it enabled that band of men and women to build a great Nation and eventually brought new hope to the outermost reaches of the world.

The declaration has become the inspiration of the modern era. It is still vital. Indeed there are many parts of the world where the words of the Declaration of Independence are just beginning to achieve importance. Unfortunately, however, some have forgotten that the great idea of human dignity and freedom was nurtured in the United States. Today our enemies are attempting to depict the United States as a foe of freedom and equality.

On this Independence Day we have a great opportunity to reassert our friendship for all people who seek freedom. Let us remind them of the immortal principles to which our infant Republic was consecrated in 1776. I hope that our national spokesmen will mark the Fourth of July by reaffirming to the whole world that we adhere to the principles of the Declaration of Independence and that now, as in 1776, we believe that they apply universally, to all peoples, and not merely to the founders of our own Nation. Specifically, let us broadcast to the world the immortal words that—

> All men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

Let us make clear that we sympathize with the aspirations toward self-government of all peoples who suffer under the yoke of unjust colonial domination.

Certainly, we recognize that gradual transitions are far better for everyone than violent ones, and certainly we recognize that long standing relationships of interdependence should not be overthrown for light and transient causes.

But we would be false to our history if we did not make it clear that we believe that the ultimate decision belongs to the people themselves, and to them only.

We can, indeed, be proud of the history of our own relationships with dependent areas. We have conferred the status of self government upon Cuba and the Philippines.

Why, then, have we permitted ourselves to be associated in the minds of Asians and Africans with colonial power? Why have we failed to make it clear that it was our own country which started the whole revolutionary ferment of our times, that crowned the dignity and worth of the individual human being, whatever he is and wherever he lives?

Abraham Lincoln saw the Declaration of Independence as a document which had significance throughout the world. On February 22, 1861, in a Washington's Birthday speech at Independence Hall, Philadelphia, on his way to his inauguration in Washington, he said:

> It was not the mere matter of separation of the colonies from the motherland, but the sentiment in the Declaration of Independence which gave liberty, not alone to the people of this country, but, I hope, to the world for all future time.

Indeed, even before he was elected President, in a speech at Springfield on June 26, 1857, Lincoln said:

> The Declaration contemplated the progressive improvement of all men everywhere.

I hope that the United States Government, through the Voice of America, will broadcast tomorrow the Declaration of Independence to all the corners of the earth. In so doing, I believe that we can rededicate ourselves to these principles of the Declaration. And I hope that we will mean every word we say. For this is our heritage. And it is for these things, rather than for our lush material prosperity, for our weapons of war or our vehicles of comfort, that the name of our country is respected and revered throughout the world today.

And it is because our enemies—the agents of latter day despotism—allege that we have abandoned these principles, that many of the vigorous young people in the world's new nations have turned against us. We must win them back—not merely for our own good, but for their's. We must advocate the words and spirit of the Declaration because we believe in them as passionately as did the men who wrote them 180 years ago.

BIRMINGHAM—PROTOTYPE OF THE NEW SOUTH

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, as you know, I represent the Ninth Congressional District of Alabama. This district comprises Jefferson County, Ala., which is one of the few economically integrated districts in the Nation. Embraced in this great metropolitan congressional district is the young and progressive city of Birmingham.

The dynamic growth of Birmingham in the short period of its history characterizes the economic development which has taken place all over the southern part of this country within the past 75 years.

Birmingham was officially born and simultaneously became the county seat of Jefferson County on December 18, 1871, less than 85 years ago. The city was named for the iron capital of Europe, Birmingham, England.

Early growth was slow because of the severe depression that rocked the United States in the 1870's and also because of a cholera epidemic which swept the ambitious young city. However, the natural resources with which Birmingham is so bountifully blessed saved the city. In 1879 Birmingham had a population of 3,086 and it was in that year that the first rolling mills and blast furnace were built. The first furnace turned out a then record production of 150 tons of pig iron a day. Thus started the young industrial giant.

In the ensuing years, Birmingham's growth has been little short of phenomenal. In this brief span of 75 years, it has developed into a metropolis of over a half million people. In 1950, the Bureau of the Census gave the population of Jefferson County as 559,000, with Birmingham numbering 327,000. This growth has continued up to the present and the Sales Management Survey of Current Buying Power estimates today's population for the county as 612,700, with the city as 360,500.

In addition to Birmingham, there are 26 other incorporated municipalities in the county. These vary in size from 2,500 to over 30,000. The county also includes a large rural area and agricultural pursuits are important to its economy.

The Ninth Congressional District is, populationwise, the fourth largest in the country.

Mr. Speaker, why has Birmingham and Jefferson County, which I take such great pride in representing in this Congress, experienced such a tremendous population growth in so few years? A number of favorable factors and conditions have brought about this almost miraculous influx of people. A careful study of these factors convinces me that Birmingham's rich natural resources; our diversity in commerce and industry: ample fuel, power, and water; a mild climate; and the initiative and enterprising spirit of the people themselves, all have made Birmingham and Jefferson County one of the leading industrial areas of our country.

Lying in a long and deep natural valley, Birmingham sits between two mountain ranges, Red Mountain on the south and the southern ranges of the Appalachian Mountains on the north. Under this valley floor and deep in Red Mountain, early southern pioneers discovered the magic minerals which later became the foundations for the future growth of my district. Birmingham's topography is red with iron ore, black with coal, and white with limestone—a unique combination of the three vital ingredients of iron and steel, the only place in the world where they are found in such close proximity. The presence of these three elements is the major reason Birmingham, almost from the beginning, became the industrial center of the South.

Although the young city started out as a mining and iron town, and these are still vital aspects of its healthy economy, in recent years it has seen a great diversification in manufacturing and distribution of both hard and soft goods, in heavy and light industries, and in administrative and clerical offices of all types. Numerous and varied businesses have been established in the Birmingham area within the last 5 years. A few of the hundreds of manufactured items, both large and small, produced in Birmingham, include textiles, aircraft, drug and chemical products, automotive parts, cement, food products of every kind, bricks, machinery and electrical equipment, cast iron, clay and concrete-asbestos pipe, and many others.

These developments, Mr. Speaker, give ample evidence of the great and continuing transformation of the economic structure of Alabama and of the entire South. The manufacture of finished goods in an expanding industrial and agricultural economy is rapidly replacing the former practice of exporting our partially processed raw materials for manufacture in other regions.

In January of this year, 655 manufacturers were listed in the industrial directory of Birmingham. This represents an increase of 125 new manufacturers since the 1947 census of manufacturing. Dun and Bradstreet reports that Birmingham ranked third in the Nation in the number of new business firms established in 1955.

The growth of the greater Birmingham area has been enhanced by the sufficient availability of fuel, power, and water. Despite the marked growth in recent years, these can be plentifully supplied for the needs of most types of industry. The public utility companies have far-reaching expansion programs under way so as to be in a position to supply the ever-increasing industrial and individual needs of the area for many years to come.

Gas service is rendered by the Alabama Gas Corp. in 47 municipalities and communities in central Alabama, including Birmingham and the adjacent municipalities making up the Birmingham area. The company serves about 880,000 persons, of which the Birmingham area accounts for over 50 percent.

The Birmingham district is also a large and important market for natural gas. Birmingham is the home of the Southern Natural Gas Co., which operates an interstate natural gas pipeline system extending from gas fields in Texas, Louisiana, and Mississippi to markets in Mississippi, Alabama, Georgia, and South Carolina.

The Birmingham metropolitan area sits atop one of the Nation's largest bituminous coal deposits, the Warrior coal field. This area of coal-bearing formation exceeds 3,000 square miles and contains an estimated 66 billion tons of coal, which is enough to last for 3,500 years at the near peak mining rate reached in World War II. Birmingham coal is of high quality as measured by chemical analysis; its heat value is uniformly high for all types of production and consumption. The utilization of coal as a raw material for metallurgical and byproduct chemical industries offers almost unlimited opportunities for further industrial expansion in Birmingham.

Many major oil companies maintain offices and storage facilities in Birmingham for the lighter fuel oils which are transported to Birmingham by pipeline and barge. Most of the heavier fuel oils are rail transported to Birmingham, although two nearby refineries furnish a part of this type of oil. The Birmingham district offers any industry requiring oil for processing abundant supplies at competitive prices.

Electric power for the Birmingham area is supplied from the transmission and distribution facilities of Alabama Power Co. The company has a total generating capacity of nearly 1,400,000 kilowatts. A major steam generating plant at Gorgas, near Birmingham, will add 156,250 kilowatts to the capacity within the next month. The Alabama Power Co. has a $400 million program for the expansion of its hydro facilities on the Warrior and Coosa Rivers and of its steam-plant facilities, which will add 1 million kilowatts of new capacity by 1964.

An abundant supply of water has helped Birmingham keep pace with the ever-increasing demand resulting from the rapid population growth. Birmingham is in an enviable position in that it has an industrial water system separate altogether from the domestic system.

The source of supply for the industrial water system is Inland Lake, which has a capacity of 21 billion gallons of water. The present capacity of the industrial system is 55 million gallons per day. Water from this lake is free from objectionable chemicals and foreign matter and is delivered without treatment. The water temperature the year round varies but slightly from 50° F. and this constant low temperature makes the water excellent for industrial cooling purposes. Plans are now being made by the city of Birmingham, which owns both the domestic and industrial system, to provide additional supply and capacity for industrial use.

Mr. Speaker, of major importance to Birmingham and Jefferson County is the fact that it is in reality the "Crossroads of the South." Its central geographic location has made it the transportation and distribution center of the southeastern part of the United States. Average distances to other major southern cities are shorter from Birmingham than any other city. The availability of fast as well as economical transportation by either rail, truck, air, water, or bus, places businesses located in Birmingham in an unusually favorable position.

The city is a rail terminus of major importance. Nine major railroads give Birmingham fast, mainline service to every important market in the entire country. Three belt-line railroads and many public or team trucks afford splendid service within the city.

Seventy-one passenger trains currently serve Birmingham. It has 159 scheduled freight trains, plus many special ones. Also, four crack "less than carload expediters" offer fast, daily service from the eastern seaboard, Chicago, the Northwest and west to Birmingham.

There are five freight yards in the Birmingham district, including Southern Railway's new $11 million installation, and plans are already nearing completion for additional freight-yard facilities. The present total yard capacity is approximately 10,000 cars.

Already possessing one of America's modern airports, Birmingham will soon begin construction of a new and much larger terminal building at a cost of over $1 million. The four major airlines serving Birmingham schedule 106 flights daily, providing immediate passenger, mail, and cargo service, not only to distant parts of the country, but to Alabama cities as well.

Also, located at the Birmingham Municipal Airport are Hayes Aircraft Corp., which is one of the largest modification plants for medium and heavy bombers in the country; the Birmingham Naval Air Station, which trains nearly 800 men from Alabama and surrounding States who are members of the Naval Reserve training program; and the Alabama Air National Guard. A new 7,900-foot jet runway will soon be under construction.

Birmingham is the hub of the South's trucking industry. Twenty-nine trucking companies of the more than 57 lines offering regular route, irregular route, general, and special contract facilities, have their headquarters in Birmingham. The trucking industry refers to Birmingham as the trucking capital of the South.

The Warrior-Tombigbee River system, which has an excellent 9-foot channel, provides fast, low-cost water transportation from inland Birmingham ports to the port of Mobile, and to other points along the Atlantic and gulf coasts and overseas. The low transportation costs quoted by the 23 barge lines operating on the river system have made it the most important river highway in the Southeast. The latest figures available reflect that in 1952, 2¾ million tons were moved on the Warrior-Tombigbee, which is greater tonnage than on any other southeastern waterway. Birmingham importers of domestic and foreign heavy raw materials have found that the utilization of water transportation places them in a favorable competitive position on the resale of the cargoes; similarly, it gives manufacturers a competitive advantage on the sale of their finished products because of the lower freight cost of cargoes shipped by water. Some of the principal products shipped on the Warrior-Tombigbee route are coal, iron ore, fuel oils, scrap metal, iron and steel products, building stone, and sand and gravel.

In addition, 19 different buslines offer fast bus transportation in all directions from Birmingham. There are 450 arrivals and departures each day.

Birmingham is favored by a mild climate. The average monthly temperatures for 55 years of record show a range from a 46° mean in January to a July mean of 80°. The average temperature from 1939 through 1955 was slightly over 63°, while the average rate of precipitation was about 52 inches. Birmingham has a minimum of droughts and snowfall is seldom heavy enough to disturb the normal flow of commerce. Located nearly 300 miles inland, Birmingham's

position keeps it safe from the destructive winds of tropical hurricanes. No winds of hurricane force have been recorded at Birmingham.

Mr. Speaker, of all Birmingham's rich resources, the large and well-trained number of workers in the labor mart is probably our greatest single asset. Birmingham is the labor mart for an area of almost 7,000 square miles—one of the most extensive employment areas in the South. The population within this 10-county area is approximately 1 million, and at present only 300,000 are estimated to be in the labor force. It can, therefore, readily be seen that Birmingham's labor has not yet even approached its maximum potential. The reason for our broad labor mart is that no major competitive market for workers exists within a 60-mile radius of Birmingham. Many businesses and industries, old and new, in the Birmingham area have employees residing at the extreme limits of the area. These workers are commuters by choice with years of Birmingham employment behind them. In spite of the phenomenal industrial and business expansion, labor availability in Birmingham has remained at a consistently high level.

It should also be noted, Mr. Speaker, that Birmingham enjoys a history of exceptionally stable labor relations for a city of its size and industrial makeup. Officials of both large and small businesses, which have more recently been established in Birmingham, point to the exceptional cooperative spirit between management and their employees as being one of the major reasons they are glad they located in the Birmingham area. New as well as long-established business firms point with pride to the skills, adaptability, native intelligence, loyalty, and efficiency of their employees. The high output per man-hour, which is characteristic of the labor force of the Birmingham district, has contributed much to the success of all businesses. I take great pride in the fact that, according to the United States census, 1950, more than 99 percent of Birmingham workers are native-born citizens of Alabama.

Birmingham and Alabama's taxes applicable to citizens and businesses are notable in any comparison of State tax structures. According to reports of the Commerce clearinghouse, only two States have a lower rate per capita State tax than Alabama.

Birmingham has splended medical, educational, and recreational facilities. We have one of the finest medical centers in the South which includes, within its 12 blocks, the University of Alabama Hospital, Medical School, Dental School, and many other modern and efficient medical services such as a crippled children's clinic and hospital, the cancer clinic, and a large public health service building. All of the buildings which comprise the medical center are new and have the latest and best equipment known to medical science to combat diseases of all types. In addition to University Hospital, Birmingham has 14 other hospitals so that no part of greater Birmingham is without a hospital nearby.

Seven colleges are located in the Birmingham district with a total enrollment of approximately 4,500 students. In addition to the University of Alabama Dental School, Medical School, and Extension Division, the others are Birmingham-Southern, Howard College, Miles College, and Danial Payne College. The latter two are liberal arts colleges for our Negro students.

Within the metropolitan area of Birmingham are five public school systems—Bessemer, Birmingham, Fairfield, Tarrant, and Jefferson County, and numerous parochial schools, a combined enrollment of over 123,000. The citizens throughout Jefferson County are proud of the superb job our educators are doing in giving our children not only a good fundamental education, but also a basically sound approach to life.

The city of Birmingham has 65 public parks and playgrounds covering 1,228 acres. There are 4 public and 6 private golf courses, 6 swimming pools, and a new but rapidly growing zoo. Athletics for the spectator sportsmen include Southern League—class AA—professional baseball by the Birmingham Barons; outstanding collegiate and high-school football, baseball, basketball, and other sports. We have unusually good amateur baseball which is evidenced by the fact that Birmingham has produced the National Amateurs Baseball Federation championship team several times during the past 10 years.

The cultural life of Birmingham is also notable. The Birmingham Symphony Orchestra is outstanding. We have many amateur theater groups, and a beautiful art gallery and museum operated by the city. The Birmingham Public Library contains over 300,000 volumes and it has a number of community branches located throughout the metropolitan area.

Spiritual needs of the Birmingham citizens are amply provided for by more than 600 churches of nearly every denomination. The influence of religious thought and activities has inspired and contributed greatly to the remarkable material growth of Birmingham.

Mr. Speaker, with all its rich natural resources, the greatest asset possessed by Birmingham is its citizens. All our people, from the president of our largest corporation to those who perform the most menial tasks, seem to be imbued with a deep civic consciousness and pride in the community in which they reside and make their living. The people of our district learned long ago that the progress of a city depends on the active participation and support of all its citizens. The civic responsibility of Birmingham's leaders is evidenced by the fact that numerous national and international organizations have honored men and women of Birmingham by selecting them for high office.

The young but glorious history of Birmingham and Jefferson County can be matched only by its faith in the future. Blessed by our many natural resources, which complement a people who are imbued with the spirit of progress, we look to our future with confidence.

TENTH ANNIVERSARY OF THE INDEPENDENCE OF THE PHILIPPINES

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, today the Republic of the Philippines is 10 years old. The new government was officially launched on July 4, 1946, with appropriate ceremonies, and the Vice President of the United States is presently winging his way through the air to Manila to help celebrate the event—unless at this moment he has already arrived at his destination.

The Republic of the Philippines is rich in history. The archipelago was discovered by Magellan, the fearless Portuguese explorer, in 1521, and here he lost his life but his expedition pushed on and completed the first entire trip around the world.

For many long years the Philippines were under the domination of Spain.

At the close of the Spanish-American War, and by the terms of the Treaty of Paris, signed on December 10, 1898, the islands—7,000 in number—were ceded to the United States for the sum of $20 million.

Admiral George Dewey had won a most significant victory in Manila Bay on May Day, 1898, when his little fleet slipped by the forts before the break of dawn and when the sun arose he engaged the Spanish armada in battle, destroying the entire fleet without the loss of a single American.

Subsequently the Army moved in, capturing and occupying the islands.

No one will ever forget the cowardly attack of the Japanese at Clark Field on December 8, 1941. Always we will remember the heroic defense of the islands by General MacArthur and General Wainwright and their patriotic forces.

The Philippines were already looking forward to independence. Congress, in 1934, passed the Tydings-McDuffie Act, which was approved by President Franklin D. Roosevelt on March 24, 1934, granting complete independence to the islands 10 years hence.

The final ceremonies took place at Manila on July 4, 1946, when the American flag, with great honors, was formally withdrawn and the flag of the Republic of the Philippines, amid great applause, was hoisted to the flagstaff as a complete recognition of the new nation, which thus took its place among the free nations of the world.

The American representatives taking part in the ceremony were named by President Truman, President pro tempore of the Senate Kenneth McKellar, and by Speaker Rayburn, and were as follows: Paul V. McNutt, Gen, Douglas MacArthur, Postmaster General Robert E. Hannegan, Senator Millard Tydings, Chairman C. Jasper Bell.

United States congressional delegations:

Senate: Hon. Millard E. Tydings, Hon. Allen J. Ellender, Hon. Owen Brewster, Hon. Hugh Butler.

House: Hon. C. Jasper Bell, Hon. J. W. Robinson, Hon. George P. Miller, Hon. Eugene Worley, Hon. Fred L. Crawford, Hon. Karl M. LeCompte.

Executive: Hon. Robert E. Hannegan, Hon. J. Stuart Symington, Hon. J. Weldon Jones.

It is interesting to note that of the Members of Congress who took part in this important historical event, only one Member is still in the Senate—Senator ALLEN J. ELLENDER, of Louisiana; and of the House Members still in Congress there are only two—the gentleman from California, Mr. MILLER, and myself.

Hon. Paul McNutt, as a special representative of the President, presided at the ceremonies. Senator Tydings, of Maryland, headed the congressional delegation.

Many notable persons served as Governor of the Philippines or as High Commissioner in the period of nearly a half century that the islands were under American control.

William Howard Taft, later to become President and then Chief Justice of the United States, was the first civil Governor of the Philippines, serving from 1900 to 1904.

I append a complete list of the distinguished men who helped in preparing the islands for complete independence:

General Merritt, military commander, 1898.
William Howard Taft, first civil Governor, 1900.
Luke E. Wright, Governor, 1904.
Henry C. Ide, Governor, 1906.
Gen. James F. Smith, Governor, 1906.
William Cameron Forbes, Governor, 1909.
Francis Burton Harrison, Governor General, 1913.
Gen. Leonard Wood, Governor General, 1921.
Henry L. Stimson, Governor General, 1927.
Dwight F. Davis, Governor General, 1932.
Theodore Roosevelt, Jr., Governor General, 1932.
Frank Murphy, Governor General, 1933.
Paul V. McNutt, High Commissioner, 1937.
Francis B. Sayre, High Commissioner, 1939.
Paul V. McNutt, 1945.

Hon. Manuel Roxas was the first president of the new nation. He was murdered by an assassin.

The new nation has made great progress in 10 years and has fully justified the confidence placed in the Nation by our Government. It stands as a friend of America on the opposite side of the globe and certainly will be an inspiration to other nations and groups to adopt constitutional representative government.

VETERANS' LEGISLATION

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am happy to say that the members of the Committee on Veterans' Affairs reported out today a bill increasing the compensation of certain veterans. This is long overdue, and I rejoice that it has been reported by the committee. I understand the bill will soon be considered on the floor.

I also hope very much that we can report out a bill for the equalization of pensions for the widows of veterans of the different wars, including the Spanish-American War. I hope that bill will come up for consideration later.

Further, Mr. Speaker, I hope with all my heart that the other body will soon act on the pension bill we passed, which will do so much for people who need it so desperately.

THE CIVIL RIGHTS BILL

The SPEAKER. Under previous order of the House, the gentleman from Louisiana [Mr. BROOKS] is recognized for 15 minutes.

Mr. BROOKS of Louisiana. Mr. Speaker, at this early date, I want to go on record against H. R. 627, commonly known as the civil rights bill. This measure comes from the Judiciary Committee where it has been pending for a long time. It was only after the Attorney General of the United States testified in favor of the measure and put all of the influence of his office behind it that the measure was reported with favor to the House for consideration.

Before it could reach the House floor, however, it had to pass through the Rules Committee; and this committee which is the watchdog of all legislation which goes to the floor for consideration, held the measure within its jealous jurisdiction for many weeks. In fact, the chairman of this committee, Judge HOWARD SMITH, of Virginia, made an all-out fight to retain it in committee and he was ably supported by southern Democratic colleagues who believe, as I do, that this measure is bad law and did not think that it should even be considered by the House. The other day, after a tremendous amount of pressure had been exerted on members of the Committee on Rules, the bill was voted out of the committee.

You may ask why I am against this measure. I answer because it is directed at my own section of the country; and I do not propose to sit here and see bills aimed at widespread social changes within the structure of the South against her will without protesting and fighting such a proposal. The other day we had a bill on the consent calendar; but I was told that while the bill was general in scope to cover everyone in this land coming within the restricted terms of the bill, it was really directed at one person. This measure, the civil rights measure, is directed at one section of the Nation—the South—although it is general in scope. If enacted, its enforcement will punish and persecute my State and I am against it.

More particularly, this measure provides for the establishment of a Commission on Civil Rights to be composed of 6 members. The duties of this commission shall be to investigate charges that certain citizens are being deprived of their civil rights, to study economic, social and political development of these certain people, and to appraise the laws and policies of the Federal Government with respect to equal protection of laws under the Constitution.

Under the widespreading terms of this measure, an additional attorney general is authorized, and under him a corps of 100 lawyers are to be employed. Their sole duties are the handling of civil rights cases coming to their attention, taking the side of their own choosing and rendering services free of charge in these cases. Of course, the citizen happening to be on the other side of the controversy, must do his own financing and make his own arrangements to handle the suit. He must meet the best efforts of this specially trained corps of lawyers which number may run as high as four or five hundred.

In addition to this, the measure, if enacted, would remove on the part of a civil-rights applicant the necessity of going through any department prior to suit as is required of any other individual—the need of taking preliminary legal steps such as required of other persons, and would permit him to immediately go into court with a tax-paid free attorney regardless of whether he has exhausted his other remedies.

This, in brief, is the bill which will shortly come before this Congress. Of course, I do not know what kind of enforcement this measure will receive. If, however, the Attorney General continues to listen to the false voices of all who cry "discrimination" to him, it may bring on a literal reign of legal terror throughout the South. It could easily be used to paralyze the social, economic, and political life of a large part of this Nation—putting the economic blight upon it—and in doing so build up other parts of the Nation.

Mr. Speaker, I have not lived long enough to have seen the reconstruction days in the South. I am told by those who came before me through this period of cruelty, lust, and wanton and unbridled power, that it was a shame and a disgrace to our Nation. With knowledge of what occurred in those, the most trying days the South has ever been through, I will do whatever is within my power to prevent the passage of a measure which is calculated to penalize the South.

AIR TRANSPORTATION IN FLORIDA

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. FASCELL] is recognized for 10 minutes.

Mr. FASCELL. Mr. Speaker, when one of my colleagues recently commented on the completion of another history-making trans-Atlantic flight by Pan American World Airways, I was prompted to speak on the importance of this great international airline to my State of Florida and to the Fourth Congressional District there.

Although there was no intended connection between my words and this fact, it does happen that there is now pending before the Civil Aeronautics Board a route case involving the air services to my State. My remarks were apparently construed in some quarters as being partisan in a case where Miami's domestic airlines are also seriously concerned.

I am particularly interested that there be no misunderstanding in this respect because I feel strongly, and I am sure I share this feeling with every other Member of this House, that airline matters should be judged, without any interfer-

ence from any source, by the Civil Aeronautics Board, the agency which the Congress created to regulate our great airline system.

But I do want to take advantage of this moment to commend the splendid work done by the domestic airlines serving my great State, in promoting and developing the economy of Florida and in contributing so greatly to the public welfare.

Florida perhaps to a greater extent than any other State in the Union has benefited by and has depended on the services of our air transportation system. One of the first airlines under the American flag was launched in Florida more than 30 years ago by that great American Capt. Eddie Rickenbacker, and members of his famous fighting squadron from World War I.

The Eastern Air Lines, whose destinies Captain Rickenbacker has directed for so long, pioneered the first air service from the North to the State of Florida and to the Fourth Congressional District, way back in 1928. At that time it took days of arduous travel to reach Miami from such northern cities as New York and Washington, and our tourist business, which is the largest industry in my State, was measured in terms of that travel time.

We of Florida also point with infinite pride to the tremendous progress of our home State industry—National Airlines and its dynamic founder and President Ted Baker.

National is now and always has been a Florida corporation and throughout its 22 years has maintained its general offices and principal base of operation in Florida. Even more gratifying to me personally is the fact that National, Eastern and many thousands of their employees are my constituents. Time does not permit me to detail the manifold contributions Eastern, National, and their families have made to the phenomenal progress of commerce and industry in my district.

I will not burden the RECORD with the inspiring details of how that air service in Florida by National and Eastern was nurtured and expanded through the years. I need only cite the fact that largely through the drive, the aggressive promotion and the outstanding operating record of Eastern and National Airlines, southern Florida has been converted from a limited winter resort into a popular year-round vacation land, a phenomenon which has profoundly affected the economy of the entire State.

Records of the Civil Aeronautics Board show that the main air route between New York and Miami represents a greater investment by the participating airlines, shows a higher development of traffic, and a broader expansion of low-cost economical air services than any comparable air route in the United States. Between them, Eastern and National Airlines operate in excess of 100 schedules a day, during the peak of the travel season, between the North and Florida's great sunshine cities, the most frequent service afforded on any major air route in our country.

Air transportation is a major industry of Florida's and Eastern Airlines is the largest airline employer within that State. Eastern and National Airlines, combined, employ more than 10,000 people in Florida at the present time, the bulk of them having their homes in my district, contributing in a major manner to the commerce and industry of our community, to its civic enterprises and humanitarian charities. They constitute a young, growing, and an aggressive family of which I am inordinately proud.

Their faith in themselves and in the future of Florida is best demonstrated by the fact that Eastern Airlines has on order some $417 million of the very finest and most advanced aircraft turned out by our manufacturing industry, including the jet-driven aircraft which will revolutionize travel time between the North and my State within the next few years. I am advised this is by far the largest equipment program, pacing the way to the jet air age, ever undertaken by any airline, domestic or international.

But in addition to Eastern's tremendous program, National Airlines has also undertaken a $100 million fleet expansion program. Together, the fleets of these two pioneer Florida airlines will, within the next 5 years, triple the present travel capacity between the North and Florida, which has already been developed to a volume in excess of 2 million passengers a year.

This, to me, is an inspiring example of what free men of vision and initiative can accomplish. And, that they are doing this without a drain on the taxpayer for subsidy, but purely as a commercial enterprise, is perhaps the finest tribute of all.

It must give those of our Members who brought the legislation of the Civil Aeronautics Act into being in 1938 tremendous satisfaction to see what has been accomplished, under the guidance and with the aids provided by the Congress which recognized the importance of air transportation and the public benefits to be derived therefrom.

It gives me tremendous pride to have within my State and based within my congressional district, airlines which have produced such a splendid record while from their base in that same district, Pan American World Airways has done an equally remarkable job in the pioneering of air services for the United States to foreign lands around the world by this enterprise and under the American flag.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight tonight to file a report on Reorganization Plan No. 2 for 1956.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WOLVERTON, for an indefinite time, on account of serious illness in his family.

Mr. GARMATZ (at the request of Mr. BYRNE of Pennsylvania) on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS of Massachusetts, for 10 minutes, today.

Mr. HESELTON, to transfer the special order he has for today to Friday, July 6.

Mr. BROOKS of Louisiana, for 15 minutes, today.

Mr. MACHROWICZ, for 1 hour, on July 5.

Mr. FASCELL, for 10 minutes, on today, and to revise and extend his remarks.

Mr. O'HARA of Illinois, for 20 minutes, on July 5.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DIES.

Mrs. ROGERS of Massachusetts to extend her remarks and include extraneous matter.

Mr. BROOKS of Louisiana in two instances, in each to include extraneous matter.

Mr. CHUDOFF.

Mr. POWELL.

Mr. WAINWRIGHT in two instances.

Mr. FALLON (at the request of Mr. MCCORMACK) and to include extraneous matter.

Mr. HOFFMAN of Michigan.

SENATE BILLS, JOINT RESOLUTIONS, AND CONCURRENT RESOLUTIONS REFERRED

Bills, joint resolutions, and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table, and, under the rule, referred, as follows:

S. 976. An act to provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Montgomery, W. Va.; to the Committee on Armed Services.

S. 1087. An act to authorize aftercare payments by the Youth Division of the United States Board of Parole; to the Committee on the Judiciary.

S. 1184. An act for the relief of Frank R. Davis; to the Committee on the Judiciary.

S. 1328. An act for the relief of Mrs. Hubert Chan (formerly Doreen Tsung-tao Chen); to the Committee on the Judiciary.

S. 1450. An act for the relief of Mary C. Frederick; to the Committee on the Judiciary.

S. 1693. An act for the relief of Robert F. Gross; to the Committee on the Judiciary.

S. 1708. An act for the relief of Mr. and Mrs. Ernest M. Kersh; to the Committee on the Judiciary.

S. 1847. An act for the relief of Alecos Markos Karavasilis and his wife, Steliani Karavasilis; to the Committee on the Judiciary.

S. 2017. An act to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency; to the Committee on the Judiciary.

S. 2022. An act for the relief of Arnold Rosenthal; to the Committee on the Judiciary.

S. 2217. An act to provide for transfer of title to irrigation distribution systems constructed under the Federal reclamation laws upon completion of repayment of the costs thereof; to the Committee on Interior and Insular Affairs.

S. 2272. An act for the relief of Evangelos Demetre Kargiotis; to the Committee on the Judiciary.

S. 2634. An act relating to the transportation of mail by highway post office service, and for other purposes; to the Committee on Post Office and Civil Service.

S. 2644. An act for the relief of Hasan Muhammad Tiro; to the Committee on the Judiciary.

S. 2760. An act for the relief of Yee Chung Fong Ming and Yee Chung Nom Ming; to the Committee on the Judiciary.

S. 2761. An act for the relief of Fethi Hepcakici; to the Committee on the Judiciary.

S. 2803. An act for the relief of Max Mazak Terian and his wife, Maria Terian; to the Committee on the Judiciary.

S. 2826. An act for the relief of Dr. Ching-Lin Hsia and wife, Wai Tsung Hsia; to the Committee on the Judiciary.

S. 2846. An act for the relief of Don-chean Chu; to the Committee on the Jidiciary.

S. 2882. An act for the relief of Mrs. Geraldine Elaine Sim; to the Committee on the Judiciary.

S. 2904. An act for the relief of Rosalind Chang; to the Committee on the Judiciary.

S. 2916. An act for the relief of Mrs. Aliberta Bernard; to the Committee on the Judiciary.

S. 2955. An act for the relief of Anna Justine Cakste; to the Committee on the Judiciary.

S. 2958. An act for the relief of Elisabeth Hollas; to the Committee on the Judiciary.

S. 3012. An act for the relief of Richard Rhen-Yang Lin and his wife, Julia Lam Lin; to the Committee on the Judiciary.

S. 3016. An act for the relief of Mayland Township, Carpio, N. Dak.; to the Committee on the Judiciary.

S. 3030. An act for the relief of Constantinos Peter Agoris; to the Committee on the Judiciary.

S. 3059. An act for the relief of No Kum Sok (also known as Kenneth No); to the Committee on the Judiciary.

S. 3171. An act for the relief of Mrs. Riva Kagan; to the Committee on the Judiciary.

S. 3194. An act for the relief of Henry Lappeman; to the Committee on the Judiciary.

S. 3196. An act for the relief of Helen Mar Stanger; to the Committee on the Judiciary.

S. 3206. An act for the relief of Saveria Velona Gangemi; to the Committee on the Judiciary.

S. 3209. An act for the relief of Paul Edward Horn; to the Committee on the Judiciary.

S. 3217. An act for the relief of Mrs. Thomas L. Davidson; to the Committee on the Judiciary.

S. 3218. An act for the relief of Joaquin Flores-Munoz; to the Committee on the Judiciary.

S. 3253. An act for the relief of Chiyoko Tominaga Beckmann; to the Committee on the Judiciary.

S. 3255. An act for the relief Amin Habib Nabhan; to the Committee on the Judiciary.

S. 3276. An act for the relief of Jan Hovorka; to the Committee on the Judiciary.

S. 3397. An act to amend section 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3482. An act to provide for transfer of title of certain lands to the Carlsbad Irrigation District, New Mexico; to the Committee on Interior and Insular Affairs.

S. 3583. An act for the relief of Mathilde Gombard-Liatzky; to the Committee on the Judiciary.

S. 3592. An act to provide in certain additional cases for the granting of the status of regular substitute in the postal field service; to the Committee on Post Office and Civil Service.

S. 3650. An act for the relief of the town of Freeport, Maine; to the Committee on the Judiciary.

S. 3669. An act to amend the Commodity Credit Corporation Charter Act; to the Committee on Banking and Currency.

S. 3743. An act to add certain federally owned land to the Lassen Volcanic National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3875. An act to amend section 4 (a) of the Vocational Rehabilitation Act, as amended; to the Committee on Education and Labor.

S. 3881. An act authorizing the demolition and removal of certain greenhouses and other structures on square 576 west in Washington, District of Columbia, and the construction of other facilities in place thereof, at the Botanic Garden Nursery, and for other purposes; to the Committee on Public Works.

S. 3998. An act to provide for the development of the Federal Fish hatchery, known as the Holden trout hatchery, at Pittsford, Vt.; to the Committee on Merchant Marine and Fisheries.

S. 4011. An act to amend section 650 of title 14, United States Code, entitled "Coast Guard," relating to the Coast Guard Supply Fund; to the Committee on Merchant Marine and Fisheries.

S. 4116. An act to increase the membership of the Senate Office Building Commission; to the Committee on Public Works.

S. 4145. An act providing for the revision and printing of a compilation of Federal laws relating to the regulation of carriers subject to the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 114. A joint resolution to change the name of Bedloe's Island in New York Harbor to Liberty Island; to the Committee on Interior and Insular Affairs.

S. J. Res. 139. A joint resolution to provide for the observance and commemoration of the fiftieth anniversary of the first conference of State governors for the protection, in the public interest, of the natural resources of the United States; to the Committee on the Judiciary.

S. Con. Res. 79. Concurrent resolution to print additional copies of Senate document 117, entitled "A Handbook For Americans."; to the Committee on House Administration.

S. Con Res. 84. A concurrent resolution favoring the suspension of deportation in the cases of certain aliens; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 877. An act for the relief of Mrs. Rose Amoresano and her children;

H. R. 1072. An act for the relief of Clyde M. Litton;

H. R. 2267. An act for the relief of Morton J. Krakow;

H. R. 3960. An act for the relief of Maria del Carmen Gago Santana;

H. R. 4031. An act to consider residence in American Samoa or the Trust Territory of the Pacific Islands by certain employees of the governments thereof, and their dependents, as residence in the United States for naturalization purposes;

H. R. 4141. An act for the relief of Vivencio Fernando Raymundo, Bienvenida Raymundo, Lolita Raymundo, Agnes Raymundo, Henry Raymundo, and Fred Raymundo;

H. R. 4652. An act to authorize the Secretary of the Treasury to transfer certain property to the Panama Canal Company, and for other purposes;

H. R. 4851. An act for the relief of the Kelmoor Fox and Fur Farm, Inc.;

H. R. 5041. An act for the relief of Mrs. Margaret Dows Thyberg;

H. R. 5147. An act to change the distribution of Coast and Geodetic Survey charts;

H. R. 5522. An act for the relief of the Florida State Hospital;

H. R. 5526. An act for the relief of Mrs. Kathryn M. Baker;

H. R. 5635. An act for the relief of Doctor Wolodymyr Fedyniak and others;

H. R. 5657. An act to allow the use of certain property in Volusia County, Fla., for civil-defense purposes without payment of compensation to the United States;

H. R. 5690. An act for the relief of Camp Kooch-i-ching;

H. R. 6029. An act for the relief of Robert D. Grier (individually, and as executor of the estate of Katie C. Grier) and Jane Grier Hawthorne;

H. R. 6245. An act to authorize the Panama Canal Company to convey to the Department of State an improved site in Colon, Republic of Panama;

H. R. 6643. An act to amend the reclamation laws to provide that excess lands acquired by foreclosure or inheritance may receive water temporarily for 5 years;

H. R. 6850. An act to create an academic advisory board for the United States Merchant Marine Academy;

H. R. 7426. An act to ratify and confirm Act 249 of the Session Laws of Hawaii, 1955, as amended, and to authorize the issuance of certain highway revenue bonds by the Territory of Hawaii;

H. R. 7732. An act to amend section 402 (c) of the Federal Food, Drug, and Cosmetic Act, with respect to the coloring of oranges;

H. R. 7811. An act to amend the Canal Zone Code by the addition of provisions relative to the registration of architects and professional engineers, and the regulation of their practice;

H. R. 8385. An act to transfer certain responsibilities of the Secretary of the Interior to the Public Housing Commissioner and the Secretary of Agriculture, and for other purposes;

H. R. 8452. An act to authorize and direct the conveyance of certain tracts of land in the State of Mississippi to Richard C. French, Lewis M. French, and Ruth French Hershey;

H. R. 8552. An act to authorize the Secretary of the Navy to grant to the town of Chincoteague, Va., permanent easements on certain lands for the purpose of taking subterranean water;

H. R. 9768. An act relating to general obligation bonds of the Territory of Hawaii amending Public Laws 640 and 643 of the 83d Congress (68 Stat. 782, ch. 889, and 68 Stat. 785, ch. 892), and ratifying certain provisions of Act 273, Session Laws of Hawaii, 1955, which authorize issuance of public improvement bonds for schools in the city and county of Honolulu and the county of Hawaii;

H. R. 9769. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue general obligation bonds;

H. R. 9828. An act to transfer 600 acres of public domain to the Kanosh Band of Indians, Utah;

H. R. 10230. An act to amend sections 3526 and 3528 of the Revised Statutes relating to the coinage of subsidiary silver coins and minor coins of the United States;

H. R. 10441. An act to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to restrict its application to insurance which has been in effect 6 months at the time benefits are sought under such act;

H. R. 10504. An act to allow a homesteader settling on unsurveyed public land in Alaska to make single final proof prior to survey of the lands;

H. R. 10535. An act to include the present area of Zion National Monument within Zion National Park, in the State of Utah, and for other purposes;

H. R. 11027. An act to amend title VII of the Merchant Marine Act, 1936, as amended, to provide for experimental operation and testing of vessels owned by the United States;

H. R. 11127. An act to clarify the law relating to the grant of certain public lands to the States for school purposes;

H. R. 11499. An act to amend the Texas City Disaster Claims Act;

H. R. 11558. An act to relinquish any right, title, and interest which the United States may have in and to certain land located in Forrest County, Miss., in order to clear the title to such land;

H. R. 11802. An act to continue the effectiveness of the act of December 2, 1942, as amended, and the act of July 28, 1945, as amended, relating to war-risk hazard and detention benefits until July 1, 1957;

H. J. Res. 592. Joint resolution for the relief of certain aliens;

H. J. Res. 605. Joint resolution for the relief of certain aliens; and

H. J. Res. 611. Joint resolution for the relief of certain relatives of United States citizens.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 671. Joint resolution making temporary appropriations for the fiscal year 1957, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 59 minutes p. m.), under its previous order, the House adjourned until Thursday, July 5, 1956, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2027. A letter from the Comptroller General of the United States, transmitting a report on review of use of the cumulative sinking fund for retirement of public debt obligations, pursuant to the Budget and Accounting Act, 1921 (31 U. S. C. 53), and the Accounting and Auditing Act of 1950 (31 U. S. C. 67); to the Committee on Government Operations.

2028. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to provide for the appointment of a Federal Highway Administrator in the Bureau of Public Roads, one additional Assistant Secretary of Commerce, and for other purposes"; to the Committee on Public Works.

2029. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 6 of the Refugee Relief Act of 1953; to the Committee on the Judiciary.

2030. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

2031. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (1) of the Immigration and Nationality Act of 1952, (8 U. S. C. 1254 (a) (1)); to the Committee on the Judiciary.

2032. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (2) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (2)); to the Committee on the Judiciary.

2033. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (5) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (5); to the Committee on the Judiciary.

2034. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress, amending subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 155 (c)); to the Committee on the Judiciary.

2035. A letter from the Secretary of the Navy, relative to the Department of the Navy proposing to transfer to the Navy League of the United States a 104-foot aircraft rescue boat, hull No. C–13550, without engines, pursuant to section 1 of the act of August 7, 1946 (c. 804, 60 Stat. 897, as amended; 34 U. S. C. 546f); to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLATNIK: Committee on Public Works. Supplemental report. H. R. 7130. A bill to provide that lock and dam No. 17 on the Black Warrior River, Ala., shall hereafter be known and designated as the John Hollis Bankhead Lock and Dam; without amendment (Rept. No. 2426, pt. 2), Referred to the House Calendar.

Mr. WALTER: Committee on the Judiciary. H. R. 3. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; with amendment (Rept. No. 2576). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H. R. 4127. A bill to exempt courses leading to standard college degrees offered by nonprofit educational institutions of higher learning from the provisions of section 227 of the Veterans' Readjustment Assistance Act of 1952 prohibiting the enrollment of eligible veterans under that act when such courses have been in operation for less than 2 years; without amendment (Rept. No. 2577). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H. R. 10238. A bill to authorize and direct the Administrator of Veterans' Affairs to accept certain land in Buncombe County, N. C., for cemetery purposes; with amendment (Rept. No. 2578). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H. R. 10477. A bill to prohibit the payment of pension to persons confined in penal institutions for periods longer than 61 days; with amendment (Rept. No. 2579). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 10560. A bill to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability; with amendment (Rept. No. 2580). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H. R. 12038. A bill to provide increases in service-connected disability compensation and to increase dependency allowances; with amendment (Rept. No. 2581). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. House Joint Resolution 655. Joint resolution to extend the time for the submission of the final report of the Commission on Government Security, and for other purposes; without amendment (Rept. No. 2582). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6779. A bill to authorize and direct the Secretary of the Interior to convey certain property of the United States located in Juneau, Alaska, known as the Juneau Sub-Port of Embarkation, to the Territory of Alaska; with amendment (Rept. No. 2583). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans Affairs. H. R. 10478. A bill to amend section 21 of the World War Veterans' Act, 1924, to provide for the disposition of certain benefits which are unpaid at the death of the intended beneficiary; with amendment (Rept. No. 2584). Referred to Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. House Resolution 534. Resolution disapproving Reorganization Plan No. 1 transmitted to Congress by the President on May 16, 1956; without amendment (Rept. No. 2585). Referred to the Committee of the Whole House on the State of the Union.

Mr. SELDEN: Committee on Foreign Affairs. House Joint Resolution 664. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor; without amendment (Rept. No. 2586). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 11766. A bill to provide for the establishment of the Horse

Shoe Bend National Military Park, in the State of Alabama; without amendment (Rept. No. 2587). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 12034. A bill to authorize the Secretary of the Interior to execute a contract with the Tule Lake Irrigation District, California, and for other purposes; without amendment (Rept. No. 2588). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Joint Committee on Atomic Energy. H. R. 12094. A bill to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes; without amendment (Rept. No. 2589). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 11928. A bill to amend section 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, and for other purposes; without amendment (Rept. No. 2592). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 11248. A bill to authorize the Secretary of the Interior to convey to Indian tribes certain federally owned buildings, improvements, or facilities on tribal lands or on lands reserved for Indian administration; with amendment (Rept. No. 2593). Referred to the Committee of the Whole House on the State of the Union.

Mr. QUIGLEY: Committee on the Judiciary. S. 3180. An act to amend title 28 of the United States Code to authorize the appointment of two United States commissioners for Cumberland Gap National Historical Park; without amendment (Rept. No. 2594). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7435. A bill to reauthorize construction by the Secretary of the Interior of Farwell unit, Nebraska, of the Missouri River Basin project; with amendment (Rept. No. 2595). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 3982. An act to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories, and possessions, and for other purposes; with amendment (Rept. No. 2596). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 10423. A bill to provide for the conveyance of 15 acres of land, more or less, within the Garza-Little Elm project to the city of Lewisville, Tex., for sewage-disposal purposes; with amendment (Rept. No. 2597). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7893. A bill to amend section 73 (i) of the Hawaiian Organic Act; with amendment (Rept. No. 2598). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. House Resolution 541. Resolution disapproving Reorganization Plan No. 2 transmitted to Congress by the President on May 17, 1956; without amendment (Rept. No. 2599). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 660. Joint resolution for the relief of certain aliens; without amendment (Report No. 2590). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 661. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; with amendment (Rept. No. 2591). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DODD:

H. R. 12089. A bill to provide for the establishment of a commission on historical documents; to the Committee on House Administration.

By Mr. HIESTAND:

H. R. 12090. A bill to amend the Merchant Marine Act, 1936, to provide for payment under war risk policies issued by the War Shipping Administration in certain cases involving accidental death at sea during World War II; to the Committee on Merchant Marine and Fisheries.

By Mr. KLEIN:

H. R. 12091. A bill to amend the Federal Employees' Compensation Act to provide that an employee who has received compensation for total disability continuously for 20 years shall thereafter be paid compensation for total disability for the remainder of his life; to the Committee on Education and Labor.

By Mr. PRIEST:

H. R. 12092. A bill to permit the flying of the flag of the United States for 24 hours of each day over the grave of Capt. William Driver in City Cemetery, Nashville, Tenn.; to the Committee on the Judiciary.

By Mr. WRIGHT:

H. R. 12093. A bill to provide for adjustments in the lands or interests therein acquired for certain reservoir projects located in the State of Texas, by the reconveyance of certain lands or interests therein to the former owners thereof; to the Committee on Public Works.

By Mr. DURHAM:

H. R. 12094. A bill to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes.

By Mr. BONNER:

H. R. 12095. A bill to clarify the application of navigation rules for the Great Lakes and their connecting and tributary waters and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CELLER:

H. R. 12096. A bill to amend section 70, title 5, United States Code (18 Stat. 109), and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FASCELL:

H. R. 12097. A bill to provide increases in service-connected disability compensation and to increase dependency allowances; to the Committee on Veterans' Affairs.

By Mr. FLOOD:

H. R. 12098. A bill to create a Trade Commission to promote the establishment and improvement of international trade centers, trade fairs, and expositions; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYWORTH:

H. R. 12099. A bill to amend section 608 of title 18 of the United States Code to establish a $500 limitation on the aggregate amount of political contributions that may be made during any calendar year by any person, and a $100 limitation on the amount of political contributions that may be made by any person during any calendar year to or on behalf of any candidate; to the Committee on House Administration.

By Mr. POFF:

H. J. Res. 673. Joint resolution to authorize transfer of a percentage of tax collections from individual and corporate income taxes to the States and Territories for use for educational purposes only, and for other purposes; to the Committee on Ways and Means.

By Mr. SHEEHAN:

H. Res. 571. Resolution requesting the President of the United States to instruct the Secretary of State, through the United States delegation to the United Nations, to bring the subjugation of the Polish people and their loss of self-government and independence before the General Assembly of the United Nations for immediate action; to the Committee on Foreign Affairs.

H. Res. 572. Resolution requesting the President of the United States to take appropriate action to inform the oppressed people of Poland that we, as a Nation, are in sympathy with their fight for freedom; and further that he demand, as head of one of the signatory nations to the Yalta Agreement, that the U. S. S. R. honor its written agreement therein to provide for free elections in Poland and the reorganization of the Polish Government on a broader democratic basis, and to insure that the Polish people be allowed broader democratic basis, and to insure that the Polish people be allowed to enjoy freedom of speech, freedom of government, and freedom of religion; to the Committee on Foreign Affairs.

By Mr. WALTER:

H. Res. 573. Resolution to print additional copies of hearing held during the current session containing the testimony of Nikolai Khokhlov; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS of Georgia:

H. R. 12100. A bill for the relief of Jack Cohen; to the Committee on the Judiciary.

By Mr. GARY:

H. R. 12101. A bill for the relief of Mrs. Virginia Lee Sage; to the Committee on the Judiciary.

By Mr. GUBSER:

H. R. 12102. A bill for the relief of Anka Scirkovich; to the Committee on the Judiciary.

By Mr. HILL:

H. R. 12103. A bill for the relief of Richard Edward Wylie; to the Committee on the Judiciary.

By Mr. LANKFORD (by request):

H. R. 12104. A bill to provide for the issuance of a license to practice pharmacy in the District of Columbia to Paul L. Miller; to the Committee on the District of Columbia.

By Mr. PRIEST:

H. R. 12105. A bill for the relief of the Electronic Medical Foundation; to the Committee on the Judiciary.

H. R. 12106. A bill for the relief of Katie Jane Banks; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 12107. A bill for the relief of certain aliens; to the Committee on the Judiciary.

By Mr. FASCELL:

H. Res. 575. Resolution providing for sending the bill H. R. 4963 and all accompanying papers to the United States Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1183. By Mrs. KEE: Petition of Comdr. W. L. Clingman, Veterans of Foreign Wars, Post No. 6737, and commander-elect of district No. 10, VFW Department of West Virginia, Renick, W. Va., and 45 other veterans and their friends of Renick and vicinity, urging a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

1184. By Mr. SILER: Petition of some 2,800 residents of the counties of Allen, Athens, Brown, Butler, Clinton, Columbiana, Fairfield, Fulton, Hamilton, Hancock, Jefferson, Knox, Logan, Lorain, Mercer, Lucas, Montgomery, Morgan, Noble, Ottawa, Ross, Scioto, Trumbull, Warren, Wayne, Williams, Wyandot, in the State of Ohio, submitted by the Ohio WCTU, Columbus, Ohio, urging enactment of legislation to prohibit the transportation of alcoholic beverage advertising in interstate commerce and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

1185. Also, petition of Mrs. James A. Carson and some other 135 residents of Philadelphia, urging enactment of legislation to prohibit the transportation of alcoholic beverage advertising in interstate commerce and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Rivers and Harbors

EXTENSION OF REMARKS
OF
HON. OVERTON BROOKS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 3, 1956

Mr. BROOKS of Louisiana. Mr. Speaker, under leave to extend my remarks I include the address made by the Honorable CHARLES A. HALLECK, Congressman from Indiana, assistant minority leader of the House of Representatives, before the 43d Annual Convention of the National Rivers and Harbors Congress in Washington, D. C., on May 11, 1956. It is as follows:

REMARKS BY HON. CHARLES A. HALLECK, MEMBER OF CONGRESS

Mr. President, my colleagues, and members of the National Rivers and Harbors Congress, if the distinguished gentlemen who have preceded me in welcoming you to these parts haven't convinced you that we are glad to have you in town, I don't know what I might add as a clincher.

It's good to have another "Congress" in town.

Misery loves company.

Maybe you folks can take some of the heat off us for the next few days.

As a matter of fact, I suppose some of the folks back in my district would say that I ought to take advantage of my appearance here this morning to put a little heat on you for support of our own harbor project.

You know, I've been trying ever since I came to Congress to help sell the idea that Indiana ought to have a public harbor at the mouth of Burns Waterway on Lake Michigan.

I've been in pretty distinguished company, too: Republicans and Democrats. Governors from the time of the late Paul McNutt to George Craig, and Senators down the line, including one who is now a Supreme Court Justice—Sherman Minton—have all lent their support.

We've been working at it for more than 20 years and we haven't got past the survey stage yet.

We've had so many studies made that probably if we took all the documents that have been compiled and dumped them in Lake Michigan, we'd have a a good start on a breakwater.

I guess it's a good thing I didn't try to make a living as a lobbyist. I'd have starved to death a long time ago.

But I must say that my experience with the Indiana Burns Harbor plan and the troubles that crop up from time to time along the Wabash, Kankakee, and Iroquois Rivers, which run through my district, have made me realize that there aren't many subjects more complex, more frustrating, and, I might add, more prone to controversy, than this whole business of the sound and orderly development of our national water and land resources.

Quite naturally, it would be difficult to find anyone who would admit that he wasn't for the orderly development of these resources.

Everybody is for economy, too—if you take the "me" out of it.

Well, in any event, I suspect your experience in this field of resources development has been an education to you as it has to me.

In the activities of your congress, as in the activities of the Congress of the United States, broad public understanding of the problems involved is a continuing necessity.

In your field of endeavor, you come face to face with two pretty tough customers—Mother Nature and human nature.

With this in mind, I say sincerely that anything you may accomplish—and your accomplishments have been considerable—is nothing short of heroic.

So, we welcome you to Washington as fellow workers in the vineyard—as allies in a great cause.

Only the most short-sighted of citizens would deny the vital importance of the program to which your organization is dedicated.

But whereas you, by choice, confined your efforts to one field, wide though it may be, the responsibilities of the Congress of the United States are of necessity far more diverse.

I think I can safely say there is none among us, in the House and in the Senate, who would not wish that far more attention could be given not only to this matter of resources development, but to the many other vital areas of national importance which come before us for consideration.

But we get spread pretty thin.

At the same time, I think it is safe to say that all of us wish more money could be appropriated for these projects in which you are interested so that progress could be speeded.

But the taxpayer's dollar is spread pretty thin these days, too.

Thus, as you must compromise in your studies, bringing together somehow the many interests that are affected by projects involving rivers and harbors, we in the Congress must also weigh values and reconcile conflicts as best we can.

It is our obligation to strike such balances as we can between what we would like to do and what we can do.

It is our complicated job to reach decisions on pleas for more attention to, and more money for, the defense needs of the country—for more aid to schools, more aid for highways, for health, for old-age assistance, and many other things, having in mind, at the same time, the capacity of our great domestic economy to shoulder the burdens of public spending.

By your past actions, you have demonstrated a gratifying understanding of the Government's role in this great work of resources development.

You have proved yourselves to be unselfish friends, patient and anxious to be helpful.

I assure you, your attitudes and your diligence have been deeply appreciated by those of us in Government who know of your work.

I hope, for your part, that you have found, and will continue to find, that we in the Government recognize fully the profound importance of the cause for which you labor—without reward, may I say, other than the personal satisfaction of knowing that you are performing a service to your Nation.

So welcome, indeed, to the Capital.

We are happy to have you here, to meet with you and to discuss with you our mutual interests, our mutual problems, and our mutual aspirations for America.

Fire Island Inlet

EXTENSION OF REMARKS
OF
HON. STUYVESANT WAINWRIGHT
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 3, 1956

Mr. WAINWRIGHT. Mr. Speaker, a running dispute of local interest has been going on for some time in regard to the Fire Island Inlet. A well-known daily newspaper, Newsday, has given this dispute excellent coverage. Their treatment has been fair and unbiased. Probably the best article on the subject has been written by Tom Morris. The following article appeared on Monday, June 25, 1956. On Tuesday, June 26, I presented my arguments in behalf of a comprehensive study. This is also set forth.

Robert Moses, chairman of the Long Island Park Commission, claimed in dramatic fashion that there was no dispute. Newsday devoted a blank page to dramatize Mr. Moses' unwillingness to recognize any viewpoint but his own. In other words, they used the entire left centerfold of the paper to present my viewpoint and the right centerfold of the paper appeared blank.

I am also setting forth two editorials on this subject, one appearing in Newsday and the other in a chain of newspapers owned and operated by the former Republican Congressman from the area, W. Kingsland Macy. Mr. Macy has never been overenthusiastic, to say the least, about any program in which I have been interested. However, he has, as a public service, allowed me freedom of a news column in his papers. My viewpoint on this subject has appeared in that column on several occasions.

[From Newsday of June 25, 1956]

STORM OVER FIRE ISLAND INLET

(By Tom Morris)

The tides keep rolling in and the sands keep piling up, but nobody yet has figured out what to do with Fire Island Inlet.

For nearly 100 years the creeping sands have moved west, threatening to cut off the Atlantic Ocean from the Great South Bay. And for nearly 100 years everybody has said: "Something ought to be done about it."

They're echoing the same words now. Meanwhile, the inlet—the South Shore's most vital waterway—is choked with treacherous sand bars and is being closed up fast. Imbedded in the shifting sands are the problems of Federal, State, and Suffolk County governments as well as the many organizations and thousands of boatowners and beach dwellers.

All the groups have boiled down to two separate points of view: Should the inlet be dredged out again? Or should surveys be continued to find a way of cutting a new inlet through western Fire Island?

The plan for dredging the inlet generally is called the stabilization plan. Those in favor are behind a bill now before Congress which calls for the spending of $2 million to get the job started. That bill has just been unanimously passed by a House subcommittee and soon will be brought up before the House Public Works Committee.

Those favoring the new inlet have found a champion in Representative STUYVESANT WAINWRIGHT. The Wainscott Republican, while in general accord with the stabilization plan, said he wants further surveys made of the entire shore. He believes John Q. Public may well get a better long-term financial shake if a new inlet is cut. He also feels the people will be freed from future worry about sand build-ups that way.

The stakes are big. What the outcome will be is uncertain. There are possible solutions to the inlet problem. Fire Island Inlet, born centuries ago, has always been a precocious child of nature. Long Island can't live without it, but living with it has been a headache for 50 years.

The bill now before Congress is sponsored by Senators IRVING M. IVES, Republican, New York, and HERBERT LEHMAN, Democrat, New York, in the Senate, and by Representative FRANK J. BECKER, of Lynbrook, in the House. The legislation grew out of a 10-year study by the United States Army Corps of Engineers and the Long Island State Park Commission.

If Congress assents, the Army would begin this summer to dredge 2.5 million cubic yards of sand from the inlet. The sand would be pumped through an underground pipe to the badly eroded Oak Beach and Cedar Beach shore on the north side of the inlet. The bill calls for $85,000 a year for maintenance during the next 15 years, if it is necessary.

AREA'S FUTURE IN THE BALANCE

Everyone from Park Commissioner Robert Moses, to WAINWRIGHT, to fishermen and boaters wants an inlet at Fire Island as a link between the ocean and Great South Bay.

But the problem is over how to get one—permanently. Many persons, including WAINWRIGHT, fear the Army-Park Commission project is being unnecessarily hurried to cover past inaction. Many think any permanent solution still lies hidden in the drifting sands.

The immediate and long-term future of property owners, commercial fishermen, pleasure craft operators, oil tanker concerns, and the entire area hangs in the balance as the answer is sought.

On one side there is plenty of support for surveys on cutting a new inlet. It centers around middle and Eastern Suffolk, where fears are high that Moriches and Shinnecock Inlets may suffer if a large amount of Federal money is funneled to Fire Island Inlet. On Fire Island itself there is heavy pressure from the Fire Island Antierosion Committee in favor of a more general beach rehabilitation project.

Threaded into the opposition to the Army-Park Commission plan is a feeling in some quarters that the proposal is being jammed through by State and Federal officials with deaf ears to other points of view.

The suspicion isn't new. Many Fire Islanders, for example, live in fear of State construction of a bridge across the present inlet. They say such a bridge would divert money that could be used for beach erosion and also destroy the cherished rusticity that has made Fire Island one of the world's best-known summer resorts.

Plans to build such a bridge eventully were dusted off by Sidney M. Shapiro, chief park commission engineer, last September 9 in an address at Hofstra College. He said: "Ultimately, the 5 miles of oceanfront at Fire Island State Park, reached by an extension of the Captree Causeway across Fire Island Inlet in place of the present shuttle ferries, will be developed."

Others have said the stabilization plan has "unspoken undercurrents."

Joseph Glancy, of Northport, operator of a Sayville oyster firm and a student of the inlet problem, charged: "The park commission wants this new dredging and sand-pumping plan to get the new sand moving toward Jones Beach."

"Inlet troubles killed the oyster industry in Great South Bay. This new plan is short-sighted and a mistake. The whole county would be better off with a new inlet to facilitate tidal flow. WAINWRIGHT is the only guy with guts enough to stand up and say so."

Joseph Meade, of Babylon, former beach-condition expert for the Navy and Coast Guard on Long Island, said the new plan would not work unless a huge jetty were built west of the mouth of the inlet. He argued that the fast, erosive tides in the inlet were partially caused when the park commission in 1930 closed down an inlet east of Cedar Beach, cut through in 1910 by a storm. Meade said this inlet was closed to build the Ocean Causeway, now endangered by erosion.

Capt. Eugene Osborn, of Center Moriches, district Coast Guard commander from 1931–35, and Long Island commander in World War II, said: "Serious consideration should be given a new inlet west of the lighthouse." He said: "Natural forces from the bay and ocean may well open an inlet there again."

But for all the misgivings about the Army-Park Commission plan, there is heavy support for it. Leading the fight is the Fire Island Inlet Committee of Nassau and Suffolk, which has more than 100 member organizations and claims to represent 1 million persons in Suffolk and Nassau.

Capt. Eric Westerlind, of West Islip, committee chairman, said it would be foolish to cut a new inlet because of the cost. He said a big ditch would disturb the natural northeast-southwest migration of fish that makes the area a sportsman's mecca.

In 1948, Secretary of the Army Kenneth C. Royall told Congress a new inlet would cost $9,280,000. "In addition," he said, "the effect of closure of the natural inlet on the shoreline cannot be predicted, in view of the immense changes to nature that would occur."

Also backing the stabilization plan, supervised by Army Gen. Theron D. Weaver, are Gen. William F. Cassidy; Col. Clarence Renshaw; Thorndike Saville, dean of engineering at New York University; Morrough P. O'Brien, dean of engineering at the University of California; Dr. Lorenz G. Straub, director of the hydraulic laboratory at the University of Minnesota; Gov. Harriman, the Suffolk Board of Supervisors; and Babylon and Islip townships.

MOSES SEES NO DISAGREEMENT

Moses has refused to recognize that any disagreement within the stabilization plan exists. But WAINWRIGHT, caught in the cross-currents is under pressure from both sides.

He said he had asked Moses if he would agree to a new-inlet study in return for support of the stabilization. "He refused," WAINWRIGHT said, adding that he "sincerely felt," in the interests of erosion at Oak Beach, that the stabilization plan should be carried out. But, he added, if the bill came to a house vote, he could throw it to a rules committee by getting three objections, which would be easy. As to whether he would try to hold up the project that way, he said, "I'll cross that bridge when I get to it."

In the meantime, the Wainscott Republican hopes Moses will see the light of day.

Today's worry over the right thing to do is as justified as it is old. The inlet is used by 1 million persons a year and by 5,000 boats. Though 2 miles wide as a body of water, the navigable channel for most boats is only 250 feet wide. Tankers, about 4 of them daily, must snake through a course 90 feet wide to avoid menacing bars.

Add to the imposing commerce of the inlet the concern of thousands for a waterway integrally laced to the romance of coastal living and the reasons for disagreement multiply.

The inlet is a boon when it is clear, a carrier of death and ruin when filled.

Why is it such a blessing in disguise? Chiefly because the natural drift of shore sand on Long Island is from east to west. Fire Island presumably began its southwest journey because of prevailing wind and tides.

By 1858, when the Federal Government built the present lighthouse at Democrat Point, the point was the western tip of Fire Island. Since then, Democrat Point has crept west at an amazing speed, threatening to seal off the ocean from the bay. By 1900 it had begun to spell trouble.

In 1906, Congress first received, and rejected, a request for Federal aid. The same thing happened in 1927. Eleven years of inaction passed and then the 1938 hurricane struck Long Island.

With the inlet in desperate condition, a $900,000 jetty, now almost buried in sand, was built in 1939 at Democrat Point by the Federal and county governments. Since 1940, the situation has grown steadily worse. Spot dredging was tried several times but did little good.

ANSWER OR DEATH TRAP?

By 1949, proposals for a new inlet plan were again in vogue. It first had been seriously suggested in 1934 by transportation tycoon Bertell W. King, of Babylon. The Army rejected the idea in 1947 though the Suffolk supervisors favored it. Harry T. Tuthill, then county highway supervisor, had prepared plans for a new inlet to be located near Kismet. He made the plans at the confidential request of former Representative W. Kingsland Macy.

The controversy has dragged on, in one degree or another, since. Some said the new inlet would be a final answer. Others said it would be an insane death trap.

From April 1949, to February 1954, a plan proposed by the Army to spend $228,000 for dredging the inlet and $85,000 for annual

maintenance bogged down in Congress despite efforts by former Representative Ernest Greenwood and then WAINWRIGHT to get it through.

In February 1954 the Army agreed to keep the channel 250 feet wide and 10 feet deep until the survey that produced the stabilization plan was finished. Congressional haggling had been silenced by the storm of November 6–7, 1953. The Army said it would be "flying in the face of God" not to "finish what nature started." After November 1954 a temporary truce in the Battle of Fire Island Inlet was called.

But the bars quickly began to form and drove the channel into the Oak Beach shore, where there are 190 homes. Amid general concern, the Army-Park Commission plan was unveiled last July.

The Federal Government appropriated $840,000 for the work, the State $580,000, and the county $580,000. The inlet plan is part of a $6 million project extending from Jones to Fire Island Inlet. A separate study is underway by the United States Beach Erosion Board on what to do about erosion from Kismet to the Hamptons.

Most observers predict that the stabilization plan will pass in Congress. Yet not even the strongest supporters of the plan predict it will head off nature's incessant challenge. They hope that a portable land dredge proposed for Democrat Point will be able to keep the inlet clear at a reasonable yearly cost and work faster than the erosion.

Weaver recently told a House committee: "Unless something permanent is done, Fire Island Inlet will be closed and part of Fire Island itself will be cut through by tidal action." But, will "something permanent" result from more stabilization, by continuing the study of a new inlet, or by both?

[From Newsday of June 26, 1956]

WAINWRIGHT, MOSES GIVE

(By Representative STUYVESANT WAINWRIGHT)

At the outset let me emphasize two points. I am not opposed to the technical features of the Moses plan as I am not an engineer. Also, I am now and always have been a vigorous advocate of a proper inlet. One of my proudest possessions is the plaque presented to me 2 years ago by the Fire Island Inlet Committee for having obtained maintenance funds for this project. Incidentally, neither my predecessor, Mr. Greenwood, nor I ever had one word of encouragement or support from Mr. Moses during the battle in behalf of this project.

The question before us is not whether the Moses plan is good or bad. The question is why does Mr. Moses refuse to consider studies or any other plan. You will note that I do not say the Wainwright plan, nor for that matter do I suggest any set proposal. My proposal is that the Army Engineers be allowed to determine whether the Moses plan is the best answer to a permanent inlet. Before we pour a possible $8 million of our tax money into a Rube Goldberg experiment, new to the field of engineering, I urge a study of all other possibilities. At no time during the research on the Moses plan were the Army Engineers ever allowed to study the advisability of relocating the inlet. In fact, Mr. Moses refused to consider such an idea, advising me that he called such a study "reckless."

Why is Mr. Moses so bitterly opposed to studying this project? For two reasons: He feels it would jeopardize his plan, that his plan might be ruled out; and, two, that the result of a further study might call for the cutting of a new and permanent inlet. To answer Mr. Moses' first objection, I suggested that his plan and my study proceed simultaneously. He rejected this. As for a new inlet, he says it was studied years ago and ruled out. This is absolutely false in that the Army has never built the necessary Vicksburg model nor given anything more than a cursory opinion. This opinion, arrived at 10 years ago, was heavily influenced, so I believe, by Mr. Moses' personal intervention. It was not an unbiased study.

What were the old objections to a new inlet? There were but two given; that the salinity of the water would be changed; and two, that it would cost too much money. As to the first objection, since the date of the report (1946) the Moriches Inlet has come into proper operation. This has improved the saline content of the water to a great degree. It would be ridiculous to suppose that the flushing of the bay would be destroyed by the building of a permanent inlet.

The second objection must, perforce, be abandoned by Mr. Moses because of the cost of his own project. A new inlet according to House Document 762 (80th Cong.) would cost $9,280,000. Mr. Moses' plan may cost well beyond that before it is finished. The principal purpose of the Moses plan is to put sand on Oak Beach. The present inlet is trying hard to close (at the rate of over 240 feet per year). Should the inlet close, he would not need the sand for Oak Beach. But before the inlet closes by act of God, we would obviously have to build a permanent and stable cut with a 12-foot draft.

What are some other advantages of a permanent inlet? Stability, security, and safety. The inlet has posed a problem for each generation of Long Islanders. It has never been tackled on the grounds of "Let's build something that will last, something we won't have to pour maintenance money into each year." Why shouldn't the people of Long Island be entitled to know that they have an inlet on which they can count on as being there. Give the fisherman and boatman this necessary and desirable security. Provide him, too, with a safe inlet; not one where he risks his life every time he goes through the opening.

Long Islanders will soon need this stability, security, and safety. When Mr. Moses rejected any studies of a new inlet our population in Suffolk alone was well under 300,000. In a few years we will reach the million mark. We will need a really good inlet to supply our fast growing business enterprises with their necessities. These are but a few of the economic reasons why we are entitled to a first-class inlet rather than a patchwork temporary job which regularly comes apart at the seams.

In closing let me point out one important item. Mr. Moses says the benefit from the erosion phase would greatly aid property in Nassau County. Yet Suffolk County is asked to bear the entire local cost. Don't you think the tax load should be evenly spread according to the benefits to be derived? You see, there are so many reasons why we should not be steamrollered into doing something which we will regret in years to come. Unfortunately, those responsible will probably no longer be holding public office. There will be no recourse. Now is the time to review the problem in the typical American way. Consequently, I urge Mr. Moses not to avoid a study.

Let's put all the cards on the table.

[From Newsday of June 28, 1956]

BENEVOLENT DESPOT AT WORK

Park Commissioner Robert Moses is a benevolent despot. Few people could quarrel (or would dare to) with his record of extraordinary accomplishment. In the hundreds of jobs he has done for the State—and Long Island—he has carved out a permanent record of achievement. But his standard method of operating is clearly despotic. He decides what to do, puts his head down, rallies allies and charges until the job is done. If anyone gets in his way, Moses drives his opponents into the ground like so many tent pegs.

There is some merit in his method; he gets things done and a great deal would have gone undone had Moses not been so bulldogged. But Moses' tactics are also fraught with danger. The trouble with a benevolent despot is that he may start doing things that should not be done. Then his benevolence fades and only his despotism is left.

The current fight over the Fire Island inlet is just such a case. The issues are complicated. But basically they involve the question of what is to be done to prevent the creeping sands of the Fire Island inlet from cutting off the Great South Bay from the Atlantic Ocean. Moses has put his full weight behind the Army Engineers' "stabilization plan" to dredge the inlet and keep it open. Now—he thinks—he will get the $2 million needed to start the job.

In typical Moses fashion, he has insisted that everyone is solidly behind the scheme. Moses says everybody is; his formidable battery of aids, assistants and batmen all chorus that there is no opposition to the plan. But their claim is patently false. Suffolk Republican Congressman STUYVESANT WAINWRIGHT, who frankly concedes he is no engineer, charges that Moses is using "steamroller" tactics. "The question before us," says WAINWRIGHT, "is not whether Moses' plan is good or bad. The question is why Mr. Moses refuses to consider studies of other plans." When Moses was invited to reply to WAINWRIGHT's sharp attack on him printed in Newsday, Moses characteristically and disdainfully replied: "I have heard of no controversy with regard to the United States Army Engineers' plan for the stabilization of the Fire Island inlet."

Moses has heard of the controversy. WAINWRIGHT has consistently maintained—and Moses knows it—that the stabilization plan may be a "patchwork," which the Army engineers have approved because they were "heavily influenced by Mr. Moses' personal intervention." WAINWRIGHT further charges that the investigation which led to Moses' plan was "not an unbiased study." We have no idea whether WAINWRIGHT is right. But it seems to us he makes a perfectly valid proposal, which Moses refuses even to acknowledge. The Suffolk Congressman wants the possibility investigated of an inlet being dredged in an alternate place as a permanent solution to the Fire Island Inlet problem. Perhaps the inquiry will prove that Moses is right. But without such a study no one will ever know whether Moses is right or not.

Yesterday Moses won a big victory. The House Public Works Committee voted out to the floor of Congress the plan he backs. The bill includes no provision for really investigating further the possibility of creating an inlet any place but the area that Moses wants it. Last night, WAINWRIGHT reiterated his opposition to the bill because, he charges, it offers no guaranty of a "permanent solution."

WAINWRIGHT stands very much in the minority. Moses has rallied supporters from Governor Harriman down. But in the minority is not always a bad place to be. WAINWRIGHT's objections deserve a public answer. Moses' refusal to even recognize any disagreement with his own scheme is despotism at work—and we are not even sure it's benevolent despotism at that.

[From the Suffolk Consolidated Press of July 4, 1956]

WAINWRIGHT AND MOSES

County officials are beginning to see that State Park Commissioner Robert Moses is pushing his beach protection and Fire Island Inlet stabilization plan for the sole purpose of safeguarding State property west of the inlet; that he wants to unload a State obligation on the county and Federal governments. Congressman WAINWRIGHT is opposed to the Moses plan and so is County Board Chairman Phil Hattemer, even though

the supervisors went along with the Moses plan in the hope that some of the Government money eventually would help bolster the beach east of the inlet.

To date WAINWRIGHT'S is the only voice raised loudly against the Moses project approved last week by the House Committee on Public Works and which, incidentally, has not heard of the suggested new cut across the Great South Beach to take the place of the ever-shoaling inlet.

WAINWRIGHT'S voice must be thin, indeed, if a House committee goes over his head and takes the assertions of a Nassau County Congressman as gospel. It has long been known that Moses had and has powerful political friends in the neighboring county. That Suffolk's representative is ignored, therefore, does not come as a surprise. And it all can be blamed on the close Nassau-Suffolk ties of the past 5 years—ties that would relegate Suffolk to a second-rate entity.

Just because Moses says "this is it," doesn't mean that a better plan cannot be found. But he wouldn't be averse to throttling an idea other than his own. For this reason he wants to hear nothing of WAINWRIGHT'S demand that a study be made of the feasibility of a new cut as suggested some years ago.

The big thing just now is for WAINWRIGHT to impress on the Washington legislators that they are being asked to provide funds that should be made available by the State solely for the protection of State property.

As for county money, Hattemer might do well to reappraise the situation and ask to have the recent resolution rescinded until such time that thorough studies and surveys are made.

Enforce the Dies Bill To Outlaw Communist Organizations in the United States

EXTENSION OF REMARKS
OF
HON. MARTIN DIES
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 3, 1956

Mr. DIES. Mr. Speaker, it has been nearly 2 years since my bill to outlaw the Communist Party or its successors, and to define Communist membership or participation in organizations so as to destroy and prohibit Communist organizations, passed the Congress as sections 3, 4, and 5 of the Communist Control Act of 1954.

By enforcing my bill, the Department of Justice can put out of existence for all time every Communist organization in the United States. Prior to the passage of my bill, the Department of Justice brought proceedings to require Communists to register under the Registration Act. However, the Communists appealed to the courts, and the Supreme Court sent the case back for additional evidence. Because of the pendency of this case, the Department of Justice has delayed the enforcement of my bill. Mr. Speaker, it is the duty of the Department of Justice to enforce my bill without further delay.

During its 7 years of existence the Dies committee established beyond any doubt that the Communist Party is a foreign conspiracy masked as a political party and that Communist organizations are controlled and operated by Moscow to undermine our country from within. The Dies committee exposed hundreds of Communist organizations with several million members who were financing Communist propaganda and activities, and 600 periodicals in the United States. We exposed 2,000 Communists on the Federal payroll who later stole hundreds of vital military, industrial, and diplomatic secrets which enabled Russia to build up her formidable war machine to threaten the free world. We exposed a dozen Communist-controlled labor unions in key industries which thereafter instigated scores of strikes to cripple American industry.

Events during the past 15 years have confirmed our findings 100 percent. If our warnings had been heeded promptly, thousands of lives that have been sacrificed, and untold billions of dollars that have been spent to resist Communist aggression, could have been spared.

In the report of the Dies committee filed January 3, 1939, with the Congress and released to the country, we warned the Nation that "Communism is a world-wide revolutionary movement aiming ultimately at the setting up of a world Union of Soviet Socialist Republics. The Communist conquest of the earth will be far less than complete until it has conquered America and destroyed our free institutions."

In numerous other reports issued by our committee we warned the Government that the chief objective of the Communists was world conquest, and we exposed the techniques and tactics which the Communists intended to use and which they later used in every detail.

Ten years after this exposure, our Government followed our recommendations, but much of the damage had already been done.

From these tragic experiences we should have learned that "an ounce of prevention is worth a pound of cure," and that to govern is to foresee.

While as a result of the exposure by the Dies committee the Communist movement in America was seriously crippled, it will rise again to threaten us unless our Government profits from its past mistakes. It was to keep this from ever happening that the Congress passed my bill. But my bill will not do the job unless the Department of Justice enforces it vigorously without fear or favor and without further delay.

The Republic of the Philippines Celebrates Its 10th Anniversary of Independence, July 4, 1956

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL, JR.
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 3, 1956

Mr. POWELL. Mr. Speaker, I wish to extend sincere felicitations to the people of the Philippines, President Ramon Magsaysay, and His Excellency Carlos P. Romulo, Ambassador of the Philippines, on the occasion of the celebration of the 10th aniversary of independence of the Republic of the Philippines, July 4, 1956.

After 4 centuries of alien rule, the Philippines emerged as the first free and democratic republic in the world after the Second World War. The Philippines is a nation founded on democratic principles. The Constitution and laws of the United States of America were inspiring, decisive factors in the development of political institutions in the Republic.

The unfortunate occupation of the Philippines during the war interrupted its constructive progress toward nationhood. After the war, the Philippines Government was saddled with crushing problems of rehabilitation and reconstruction. Under the energetic leadership of President Magsaysay, the Filipino people have embarked on a concerted effort to achieve peace and prosperity at home as well as security from external dangers. Although the war wrought havoc to the economy, the nation since that time has displayed amazing recuperative powers. The economy is being rapidly modernized and diversified.

As an independent country, the Republic of the Philippines has pursued a course of friendship and understanding among the free nations of the world. The Republic sums up the cornerstones of its policy in dealing with other nations thusly:

First, loyalty to freedom and democracy and therefore against communism; second, adherence to the principles of the United Nations Charter and active participation in United Nations activities; third, espousal of the cause of non-self-governing peoples and protection of minorities; fourth, friendship toward the United States as the foremost and sincere champion of peace and economic well-being; and fifth, closer cultural, political, and social ties with our Asia neighbors.

President Magsaysay's statement on the Asia foreign policy of the Philippines is significant and merits the attention of all freedom-loving people:

The Philippine Government stands for the right of self-determination and independence of all Asian nations; for closer cultural and economic relations and mutual cooperation with freedom loving Asian countries as a group and within the framework of the Charter of the United Nations; and for the proposition that a return to colonialism, of which the last vestiges are now disappearing from Asia, shall not be tolerated in any form.

The colonialism that threatens Asia today is world communism. Nations which have won their freedom from old-style colonialism now face the danger of losing that freedom. A good defense against this threat is a healthy Asian trend to self-determination. We support this kind of nationalism as a rallying point for all free Asians against the forces of aggression and subversions.

The Filipino people can best serve the cause of freedom and democracy by cooperating actively with other Asian peoples in the achievement and maintenance of political independence, economic stability, and social justice. We cannot contribute to that cause if we isolate ourselves from other freedom-loving Asian States and are suspected by them of ulterior motives of insincerity in our relations with them. Our Asian policy must, therefore, seek to remove all causes of distrust.

To achieve our goals, underdeveloped countries in this region need the assistance of the more advanced economies and that each Asian country should be free to decide for itself whether or not it desires such assistance as well as the conditions it believes compatible with its sovereignty and economic objectives.

I salute the Republic of the Philippines as it embarks upon a new year of national life and pray for its people continued progress.

Civil Rights Legislation

EXTENSION OF REMARKS
OF
HON. EDITH NOURSE ROGERS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 3, 1956

Mrs. ROGERS of Massachusetts. Mr. Speaker, several weeks ago I signed a discharge petition on H. R. 627, the bill seeking to assure and protect the civil rights of all American citizens. This bill has been favorably reported by the House Judiciary Committee and is pending before the Rules Committee.

It was to assure the Members of the House the opportunity to vote on this vitally important bill, that I signed the petition which now lies on the Speaker's desk.

I say "vitally important" in a very real sense. "Vital" because it affects the very life of the Nation; vital because it carries to the highest functional level, the very life of a free and democratic Nation. To carry this word just one step further: I am here as a Member, devoted to the ideals of America, vitalized by Abraham Lincoln.

It is profoundly significant to me that while Lincoln had the support of one party in his fight to assert and protect the civil rights of all the people, President Eisenhower has the support of members of both parties. I want to thank those members of our Judiciary Committee who laid aside party partisan politics and harkened to the appeal of President Eisenhower and reported out the proposed Civil Rights Act of 1956. This bipartisan, thoroughly American attitude is shown in the very first section of the bill which provides for a bipartisan Commission on Civil Rights; truly bipartisan and not merely nominally so. For of the 6 members, not more than 3 may be members of the same party.

The appreciation of the deep meaning of the word "inequality" is wisely recognized. Inequality may assert itself in many ways. Basic, of course, is the right to vote. For there can be no equality unless the free exercise of the right to vote is carefully and continuously safeguarded. Hence, the proposed act would specially protect every citizen's right to vote. But this bill recognizes "inequality" as something which can be reflected in conditions which affect the rights of free citizens. This bill would authorize the Commission "to study and collect information concerning economic, social and legal developments constituting a denial of equal protection of the laws under the Constitution." It further expressly recognizes the gravity of "unwarranted economic pressures" which may be imposed on citizens because of "their color, race, religion, or national origin." This thought, these words, make a deep impression on me. I come from New England. In our very early history our boundaries enclosed men who would abuse our fellow men because of creed—when those who would impose such penalties had themselves come to this land to assure them the right to worship God as they chose. But long before my State, Massachusetts, led in helping found our Nation, we wiped out the denials of freedom of worship. When political slavery was the issue, so magnificently did Massachusetts point the way that Daniel Webster held us up as an example in his famous "Massachusetts, There She Stands." In our early history we led in wiping out the laws which imposed cruel punishments arising from economic inequalities. We wiped out the laws for imprisonment for debt. We pioneered in the enactment of child labor laws. We removed property holding requirements as a qualifying condition for voting.

But today, social and economic pressures assert themselves in a far more complex manner. As the great Lincoln said, our Nation cannot be half free, half slave. So today we realize that our Nation cannot be half free economically and socially and half degraded. Poverty, disease, antisocial conduct of all sorts know no State boundaries. Physical and social ills of one part of the country may and often do become a problem of grave concern to all of us. Lincoln had the vision to recognize this fact and so it is that today as I plead for action on the proposed Civil Rights Act, I plead for a modern adaptation of the great plea of Lincoln. Today there is no threat of a break from our national unity. But there is a threat to our national spiritual unity if we forget the responsibility of all of us to assure equal protection under the laws for each of us.

I am happy that President Eisenhower has taken such a sound and firm position in assuring all people in all of the States that the resources of the Federal Government shall be used for the protection of each and all. I would close this appeal by telling the House of an incident which occurred shortly after President Eisenhower's inauguration.

It was on February 12 at the Lincoln Memorial here in Washington where annually the Military Order of the Loyal Legion holds its exercises in commemoration of Lincoln and in rededication to the principles which he served. These exercises were conducted under the leadership of our beloved civic leader, Gen. U. S. Grant III. For the first time in many years, the President of the United States personally went up those steps to lay the wreath which his aid carried. As President Eisenhower stood there before this statue, in a moment of prayerful, silent devotion, his eyes welled with tears. He looked at Lincoln and bowed his head; he placed the wreath and again seemed to dedicate himself to the spirit of Lincoln with profound feeling. From that movement on, President Eisenhower has proved his sincerity and his devotion to Lincoln's devotion to the freedom of all men.

It is in this spirit that I plead that an opportunity be given to the House Members to vote on the proposed Civil Rights Act.

A New Foreign Policy

EXTENSION OF REMARKS
OF
HON. CLARE E. HOFFMAN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 3, 1956

Mr. HOFFMAN of Michigan. Mr. Speaker, it has been impossible for me to see the efficacy of a foreign policy which called, year after year, for the giving, the loaning, or the expenditure of billions of dollars to foreign nations on the theory that, if war with Russia came, they would be our effective allies.

It has never worked out that way. History will bear out the assertion that in every war, local or worldwide, in which a nation is involved, of necessity she makes her own objectives her first concern.

Our contributions of billions, whether in dollars, munitions of war, or economic aid, have failed, except as their own national interests indicated, to obtain for us overall, long-time allies.

Not only have our sacrifices and generosity failed to give us stanch, permanent friends abroad, but in some instances they have created a feeling of animosity against us. Well do I recall the report of a grandson who, some years ago, serving in the Navy, twice with his shipmates having shore leave in Italy, were greeted with shouts of "Go home, Yanks".

Recently the press, reporting on the election in Iceland—a United States base considered necessary for protection against Russia—told us that the Social Democrat and Progressive Parties, who joined forces in a drive-out-the-Americans-but-remain-in-NATO stand, polled 25 seats, 2 short of a workable majority. The Independents won 19 seats; the Communists 7, giving them the balance of power.

This, notwithstanding the fact that we gave Iceland $35 million between 1948 and 1953. Because our contributions to Iceland caused inflation, raised the cost of living to local people, our activities there are resented.

Iceland's livelihood is derived from its fishing industries. More recently, both the United States and Great Britain, by the imposition of what is considered a high tariff, have made it almost impossible for Iceland to sell its fish in either country. Russia has stepped in, giving the Icelanders a market for the only thing they have to sell.

Iceland has no armed forces, her people have always resented the presence of troops from other countries.

The three factors—the one making it impossible for Iceland to market fish, the

only thing she has to sell; another, the presence of American troops; and the other the influx of American dollars which raised the cost of living to every Icelander—all add up to ill will where we anticipated friendship.

We need a reconsideration of our foreign policy.

Administrative Levy Against Warm Springs Indians Reduced

EXTENSION OF REMARKS
OF
HON. EARL CHUDOFF
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 3, 1956

Mr. CHUDOFF. Mr. Speaker, in November 1955 the Public Works and Resources Subcommittee of the House Government Operations Committee and the Legislative Oversight Subcommittee of the Senate Interior and Insular Affairs Committee jointly held 3 weeks of hearings in northern California, Oregon, and Washington. We were looking into Federal timber policies as carried out by the Forest Service, the Bureau of Land Management and the Bureau of Indian Affairs.

In the course of the hearings, on November 21, 1955, representatives of the Indians of the Warm Springs Reservation in Oregon told the committee that they were being seriously overcharged by the Bureau of Indian Affairs for administrative expenses in connection with the sale of their timber. Under the Bureau's regulations, 10 percent of the income from the sale of Indian timber was being deducted from the amount paid to the Indians to cover the costs of administering the sales. This 10 percent went into the Federal Treasury.

The Indians' representative pointed out that since 1950, the amount deducted has exceeded the actual administrative expenses incurred by the Indian Bureau on the Warm Springs Reservation. In 1955 the Indians were overcharged by over $40,000. In 1956 the overcharge was expected to reach $60,000.

The members of the two subcommittees were quite concerned about the situation. We asked the Bureau of Indian Affairs for a report on the matter. On February 22, 1956, the Bureau supplied figures indicating that between 1951 and the end of 1955, the Warm Springs Indians had been overcharged in excess of $100,000, although if the figures were carried back to 1943 the overcharge was only about $14,000, since between 1943 and 1951 administrative expenses exceeded the deductions.

The subcommittee members made clear their view that the Indian Bureau should reduce the levy against the Warm Springs Indians before the overcharges reach even more serious proportions.

I am very happy to be able to inform the Congress that on June 22, 1956, the Commission of Indian Affairs announced that effective July 1, 1956, the administrative charge against the Warm Springs Reservation timber would be reduced from 10 percent to 7 percent. I trust that the Bureau will watch the Warm Springs situation closely and make further adjustments promptly if they are warranted.

I am sure that all members of the two subcommittees are gratified that our hearings did work out to help the Warm Springs Indians.

In fact, the Warm Springs overcharge was just a small facet of our many days of hearings. We expect to present to Congress soon a comprehensive report on our studies. I hope the report will prove useful to Congress and to the Federal agencies in meeting some of the difficult problems which they face.

Appreciation Banquet for Senator Warren G. Magnuson

EXTENSION OF REMARKS
OF
HON. HENRY M. JACKSON
OF WASHINGTON
IN THE SENATE OF THE UNITED STATES
Tuesday, July 3, 1956

Mr. JACKSON. Mr. President, some time ago, leaders and advocates of intensive Pacific Northwest developments held an appreciation banquet honoring the senior Senator from Washington, WARREN G. MAGNUSON, in recognition of the work he has done in this regard.

The main speaker for the occasion was our colleague, Senator ROBERT KERR, of Oklahoma.

I ask unanimous consent that the address by Senator KERR, as of the broadcast from the banquet, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR KERR

It is wonderful to be in the State of Washington. When Oklahoma came into the Sovereign Union of States she did so with a constitution that had been drafted by a constitutional convention of many of her greatest sons.

It is a well-known fact that she took more points and more provisions from the constitution of what was then the young State of Washington than from any other source. And we have always been grateful that this great and sovereign State of Washington had produced such a progressive and worthwhile constitution that could serve as so much of a pattern for our own constitutional convention.

There's a lot in common between Washington State and Oklahoma.

I'm very happy to participate in this occasion honoring my Senate colleague.

There is nothing that a politician appreciates as much as appreciation. In fact, an ounce of appreciation is worth a pound of criticism.

It has been said that a statesman is a dead politician. I don't subscribe to that statement. I resent it.

A statesman is an appreciated politician. And politicians go where invited and stay where appreciated. You know, appreciation at home, Maggy, is wonderful.

When I first went to Washington and became acquainted with Senator WARREN G. MAGNUSON, and when I learned of his stature and reputation so justly earned, I heard them calling him "Maggy," and I wondered how that started. Then it became apparent as I became acquainted with him that it was because of his having such a magnetic personality.

You know, Warren, appreciation at home is wonderful. A man just can't stay in office without it. But, also, I want to say to you that appreciation of his colleagues in the United States Senate, and their respect for him, is also a wonderful thing for your Senator WARREN MAGNUSON.

You know, a man can't stay in Washington as a Senator unless he has the appreciation of the folks at home.

And he'd just as well not be there, so far as the folks at home are concerned, unless he has the appreciation of his colleagues. Because, great as your State is, and outstanding as your Senators are, there are just 2 of them in the 96 down there, and it takes teamwork there, just as it does here, to be effective.

A Senator's effectiveness for his constituents at home is in direct proportion to the respect and appreciation in which he is held by his colleagues.

I'm happy to tell you tonight that no man in the United States Senate (notice I didn't say "no woman" because there is a great lady in the United States Senate and I want you to know I'm excepting her from this statement) that no man in the United States Senate is more accepted and more appreciated by Senators than is WARREN MAGNUSON, of Washington.

A fellow in public office is greatly desirous of living up to the responsibility and opportunity of the office he occupies.

I was impressed by the invocation that we heard a little while ago from the fine voice of the Christian leader who spoke those words of reverence in the invocation. I listened as he asked for guidance from the Deity who has that place in the heart and mind of the American people, that on every coin now minted by the Government of the United States, you find inscribed these words, "In God we trust."

I'm glad that I live in a country where that sentiment is evident not alone on the coin in the pocket, but also in the hearts of the people. And I'm grateful for the fact that He who founded the Christian religion gave not only to the disciples about Him and to His day and generation but also to us the exact recipe whereby man can be appreciated and respected by his fellow men.

It was He who said, "Let him who would be first among you, be the servant of all."

Therein is the priceless secret of His own omnipotent personality, grace and power. In those words He laid down the only formula whereby we who proclaim His name and prescrive His faith can walk in His footsteps.

"Let him who would be first among you, be the servant of all."

The great thing about WARREN MAGNUSON is that in his public life he has exemplified that great admonition in seeking to be the servant of his people.

He has more position in the United States Senate and more seniority than any other man of his age in the Senate of the United States.

Under his leadership, and by reason of the sum total of effort which he and those who work with him—and certainly he's made the greatest contribution to that effort—the most extensive program of Federal development of the natural resources of any State in the Union has taken place here in the State of Washington.

It's wonderful to fly over this great State; it's wonderful to fly over our country with its magnificent forests, broad streams, fertile valleys, and glorious mountains. We get the picture of the abundance with which providence has blessed us, and no State has been more richly blessed than yours. Nor have the resources of any State been further

brought along in development than yours, with your great reservoirs for the conservation and the storage of that priceless resource, water.

For the creation of power.

For the development of navigation.

For the building of recreational facilities.

For industrial and municipal water supply.

For use in bringing the breath of life to your fertile soil through irrigation.

WARREN MAGNUSON has walked in the front ranks of those who have brought the development of the Nation's resources to such an advanced stage.

No State has fared better than yours.

Not only have these projects contributed to the security and prosperity of the State of Washington—made the Nation more prosperous in peace and stronger in war—brought your State to such a high degree of development; but every single one of them either has brought revenue which has reimbursed the Federal Government for its cost, or is in the process of doing so.

Long after the Government has received back every dollar invested in them through decades, yes, through centuries of future progress, they will serve to reinforce the economy and strength of your State and the security of your country.

When I think about Grand Coulee—the greatest engineering accomplishment man has brought about upon the face of the earth, Ice Harbor Dam, Chief Joseph Dam, the McNary Dam, Kennewick irrigation project, Roza powerplant, development of the great Bonneville power grid, I am aware that each is in part and some of them in toto—a monument to the genius, the service, and the labors of your great senior Senator, WARREN MAGNUSON.

By his service, this year and hereafter, he will play a prominent part in the development of that, yet another, tremendous hydroelectric power—water conservation project—Hells Canyon.

One of the things that I have respected Senator MAGNUSON for the most has been his stanch service to agriculture. He shares with me the conviction that a nation which has developed the most outstanding industrial economy on the earth despite only 7 percent of the earth's surface, and 7 percent of the earth's population, yet produced an industrial structure that produces half of the manufactured products in the world—can still say our greatest national industry is agriculture.

The second largest industry in our country is the public utility.

The third largest industry is the oil and gas industry.

The fourth largest industry is our railroads.

Yet, the total investment in all three of those—the second, third, and fourth industries in our country—their combined investment is less than is the total investment in agriculture.

So there can be no doubt but what it is our greatest industry. MAGNUSON has recognized these facts in being a stanch friend and champion of agriculture, of the farm people of his State and our country.

He has fought to prevent increases in freight rates on his cattle producers.

He has fought for markets for the fruit, the wheat, the livestock producers, and those who produce other agricultural commodities.

Today he's recognized by his colleagues in the Senate as one of the outstanding champions of agriculture in the Congress of the United States.

MAGNUSON has always been a stanch friend of the common man. He has championed social legislation—social security—laws that guarantee better wages and working conditions for labor, and he has devoted himself in a high degree to programs that have been devoted to improving the health of all the people.

There are many people in Washington, D. C., who regard WARREN MAGNUSON as the greatest authority in the Nation's Capital on the development of adequate research to prevent and bring about control of cancer and of heart disease.

Programs of your Government to which he has made as great a contribution as any, and much greater than most, in the field of research against these killers of humanity has resulted, so I am told by health authorities, in increasing the life span of the average citizen a minimum of 12 years, in the last 15 years of the history of these great programs.

I don't see any women here tonight old enough to be concerned about getting 12 more years of life yet, but I see a lot of men here who are in my shape and to whom the comforting thought of 12 more years than had previously been the average life span is a matter of no little comfort.

Maggy, I want to pay my contribution and tribute to you for your great work in that field of public service.

Yes, I'm happy to pay tribute to WARREN MAGNUSON.

He has built many monuments to himself in his unselfish public service.

The evidence at this meeting tonight reminds me that the greatest monument that he has built to himself is in the affection and love of the people of the State he loves.

It has been said by the great order in whose hall we meet tonight: "The faults of our friends we write upon the sands; their virtues we carve in the stone of love and memory."

Therein is man's greatest monument—therein is man's greatest achievement.

The few halting words that I have spoken and the matters to which I have referred, significant and as important as they are, will all sink into relative insignificance when compared with the tremendous reservoir of good will, affection, esteem, respect, and appreciation in the hearts and minds of the people of the great State of Washington for this man, her distinguished son and public servant.

It gives me great pleasure tonight to be here with you and him.

Appropriations for Public Works

EXTENSION OF REMARKS
OF

HON. OVERTON BROOKS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 3, 1956

Mr. BROOKS of Louisiana. Mr. Speaker, under leave to extend my remarks, I present herewith the address of the Honorable LOUIS C. RABAUT, Congressman from Michigan, delivered to the 43d annual convention of the National Rivers and Harbors Congress held in Washington, D. C., on May 11–12, 1956. Congressman RABAUT, as an able member of the House Appropriations Committee, has studied carefully and thoroughly the projects brought before his committee, and I feel his comments on the processing of these projects have far more than the usual interest to the Members of Congress as well as to the Nation as a whole.

The address follows:

APPROPRIATIONS FOR PUBLIC WORKS

(By LOUIS C. RABAUT, Member of Congress)

It is a pleasure to accept the invitation of your president and my colleague, the Honorable OVERTON BROOKS, to come here today and discuss the scope and responsibility of the Public Works Subcommittee of the Committee on Appropriations, of which I am acting chairman.

I suppose the appropriate point at which to begin would be a listing of the Government agencies seeking funds from my group. The Public Works Subcommittee has jurisdiction over the Army Corps of Engineers, the Bureau of Reclamation, Southeastern and Southwestern Power Administration, TVA, and last, but certainly not least, the Atomic Energy Commission.

It is rather difficult to tell you, in the time allotted to me, of the amount of work the subcommittee is called upon to perform in the course of one session of Congress.

The Corps of Engineers alone has over 700 projects that must be scrutinized by the subcommittee. Some of these projects are in the earliest planning stage, others are under construction. Still others are completed and must be maintained and repaired at tremendous expense. The Bureau of Reclamation also has over 200 projects either under construction or being operated. The 43 Bonneville Power Administration transmission lines and facilities are but one small phase of the subcommittee's responsibility. The thousands of pages of testimony give ample evidence of the hours spent discussing and justifying financial commitments. Since our committee started holding hearings in March, we have heard 668 outside witnesses. These witnesses consumed the better part of 160 hours.

In addition to hearing the opinions of hundreds of witnesses, the members and committee staff perused a 3-foot high stack of correspondence and telegrams from other interested parties. Exhibits and visual aids supporting testimony and correspondence stood 5 feet high, tightly compacted.

The thought probably occurs to many as you hear of the voluminous testimony taken by the subcommittee—what primarily does a witness talk about? To make a pun, he talks about an hour. In all seriousness, however, the witness must justify to the satisfaction of the committee the expenditure of all money requested. Many times a Government agency will request a certain sum of money for a given project and be turned down cold because the subcommittee did not feel the proposed endeavor was sound or in the best interest of the American taxpayer.

We do not just sit there and give blanket endorsement to anything the executive branch might see fit to suggest. We take the attitude of I'm from Missouri—show me. I have seen some cases where Congressmen on the panel suggested an alternative that was superior to the plan proposed by a particular agency. This is the purpose of a congressional committee—to safeguard the national interest while preventing a waste of the taxpayers' hard-earned dollar. Sometimes, as I sit on the panel and listen to a proposal I consider to be ill-advised, I cannot help but think—how many Americans earning $60 to $70 a week will Congress have to tax indefinitely to pay for this project? I tell you, gentlemen, asking yourself a question like that returns you to the fundamental of representative government.

I feel that I am sent here by the people of Detroit to protect the principles of Federal Government and give the American people, all of the American people, the best possible deal for every dollar they are required to spend.

When the subcommittee is first approached regarding a project, certain basic questions must be asked—is the project actually needed? Can we get along without it? Is it monetarily sound? Is the proposed location the best possible site? How about the purchase of acreage? In other words, is the taxpayer being protected?

In the construction of a dam, for instance, there is a multitude of legal, financial, and mechanical ramifications. Dams are of many types and for various purposes. Some are multipurpose, that is, flood control, power, irrigation, and possibly navigation and recreation.

Quite often local organizations and interests desire to cooperate, with the intent of repaying a portion of the cost in return for certain rights, such as use of water for irrigation. An equitable settlement must then be worked out with these local residents. The loaded question soon follows—what must be moved before the dam can be built? Perhaps entire towns must be relocated, miles of railroads, highways, and bridges moved at great expense. Incidentally, in the movement of railroad bridges, the Government now has a standard rate of amortization concurred in by the utilities that somewhat reduces expenditures.

I am not going to dwell further on the dislocations resulting from the construction of a dam. When the job is finished, we have power, navigation, inundation, irrigation, and irritation. It's impossible to please everyone—we do the best we can.

In closing, I would like to touch lightly on a number of other matters.

The all-important St. Lawrence Seaway, a 50-year dream that will unite inland ports with world commerce, requires a great deal of planning and construction. Disastrous floods, such as we have experienced in recent months in New England and the Far West must not be allowed to recur. The Mississippi, where $60 million a year is spent just to live with the river, is a constant worry. The Tennessee Valley Authority has informed us that a serious power shortage is anticipated by 1958 unless swift remedial action is taken. The solution to the problem seems to lie in thermopower, several units of which have already been installed. Public power, with all of its pros and cons, is constantly being debated.

In the field of atomic energy, we stand on the threshold of a new era which could radically alter our mode of living.

True, we do not yet fully understand this new source of energy, but we are making giant strides. The only thing holding us back is a shortage of highly trained technicians and scientists. Much thought is being given to the possibility of granting Federal scholarships to promising young men and women interested in engineering and the sciences. Something must be done—and soon—if we are to keep abreast of other nations in technological fields.

Well, there you have—in a rather sketchy form—some idea of the Government functions our subcommittee is charged by Congress to supervise. I enjoyed addressing your group and wish the Rivers and Harbors Congress a most pleasant stay in the Nation's Capital. Thank you.

Highway Legislation

EXTENSION OF REMARKS
OF
HON. GEORGE H. FALLON
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 3, 1956

Mr. FALLON. Mr. Speaker, as chairman of the subcommittee on roads, it was my privilege to introduce H. R. 10660, national highway legislation passed by this Congress. This legislation became a reality when President Eisenhower recently signed the measure. It is now known as Public Law 627, 84th Congress, the Highway Act of 1956.

Mr. Speaker, in my opinion, the new Highway Act is an excellent one. It is essentially the bill introduced by me in January and passed by the House by a vote of 388 to 19. I am particularly gratified that the House formula for allocation of funds on the National System of Interstate and Defense Highways was retained for the vital final 10 years of the 13-year program. This will guarantee that each State will receive exactly the amount of money it needs, no more and no less, to complete its section of the Interstate System during the life of the program. This is, I believe, the most important section of the act.

Nothing in my career as a member of the House of Representatives has given me the satisfaction that I have experienced from playing my part in the creation and forwarding of this truly great legislation. Not only will every person in the United States benefit from it, but its favorable impact on our economy already is felt. My colleagues in the House and their counterparts in the Senate I know must feel as I do that the act which we have produced was worth every minute of the many months of effort that went into it.

Under leave to extend my remarks in the RECORD, I wish to include a statement by the Bureau of Public Roads, listing benefits expected under the new Highway Act. I think the statement will be of interest to every citizen and car owner of the Nation.

BUREAU OF PUBLIC ROADS LISTS BENEFITS EXPECTED FROM NEW HIGHWAY PROGRAM

FEWER TRAFFIC JAMS

About 80 percent of our citizens drive to work. Considering only the Interstate System, this network will get millions of people out of daily traffic jams as they go to and from the job. How tomorrow's freeways will speed the flow of traffic can be seen on such busy routes as the Hollywood Freeway near Los Angeles, where 290,760 vehicles were counted on its busiest day—the average is 172,000 daily. On Chicago's Lake Shore Drive near Aldine Street, 142,503 vehicles have been counted in a single day. A highway bridge which takes U. S. Route 1 from Washington, D. C., has carried 117,333 vehicles in 24 hours.

BIGGER, LESS-TIRING VACATION TRIPS

To the vast majority of American families, thoughts of a vacation include the family car. Vacationing families must ration both time and distance carefully. When the Interstate System is completed to modern standards, vacation plans will range much further than they do today. Expressways will let motorists lay out daily mileages on a 60-miles-an-hour basis, and those longer runs will take much less out of drivers and passengers alike.

INCREASED SAFETY

Last year the death toll on our streets and highways reached 38,300. About 1,350,000 people were injured, including more than 100,000 persons who were left with permanent physical impairments. Dollarwise, the National Safety Council estimates the annual loss from traffic accidents at nearly $5 billion.

In 1955, on all rural highways, nationwide, there were 8.4 fatalities per 100 million vehicle-miles, in contrast with 3.2 for the representative rural freeways for which the Bureau of Public Roads has data. The Automotive Safety Foundation has estimated that modernization of the Interstate System will save 3,500 lives a year.

MORE JOBS IN HIGHWAY CONSTRUCTION

Jobs in highway construction will increase as the new program gets under way. In 1955 contractors employed nearly 240,000 persons and it is estimated that each increase of $1 billion in the value of highway construction over the 1955 level will require at least 70,000 additional employees.

The highway construction industry, which has been operating at less than 50 percent of capacity, will step up its operations to near-capacity levels when the program reaches its peak in 1963–64.

MORE JOBS IN SUPPORTING INDUSTRIES

The demand for earth-moving and other road-building machinery will keep manufacturers of such equipment busy for the next 10 or 15 years.

At the end of 1954, the production capacity of the cement industry was 294 million barrels per year. Plans now under way indicate that this will be increased to about 400 million barrels sometime in 1959. Now that an enlarged highway program is assured, such plans for future expansion may be carried out even sooner.

In 1955 the aggregates industries produced 821 million tons of crushed stone, sand and gravel, and slag. Over 400 million tons of this total were used in highway construction. The new highway program will give a sustained lift to production and productive capacity in this widespread industry.

United States total consumption of bituminous materials in 1955 came to about 18.6 million tons. Highway construction used about 6 million tons. It is obvious that a greatly enlarged highway program will provide a much bigger market for petroleum asphalt and other bituminous materials.

Many segments of the steel industry will benefit from an expanded highway program. In 1955 highway construction consumed over 800,000 tons of structural shapes and piling, about 700,000 tons of reinforcing bars, and over 110,000 tons of welded wire fabric. Traffic signs, corrugated pipe, guard rail, and many other items used in road construction and maintenance also require steel.

COMMUNITY DEVELOPMENT

The indirect impact of expressways on industry and communities is illustrated by recent investigation of Route 128 in the Boston metropolitan area, the New York Thruway and some California studies.

Among the recently completed new plants on Route 128 is that of a publishing plant costing $3,500,000. Under construction is a shoe machinery corporation in Waltham, costing half a million dollars, which will employ 300 persons. It is estimated that the cost of plants which have been started or finished exceeds $100 million. Land that sold for $50 or $100 an acre before Route 128 was built now commands $5,000 to $10,000 an acre.

Although the New York Thruway is not yet completed nor has it been opened to traffic for very long, it is conservatively estimated that already more than $150 million worth of new industrial plants have been erected adjacent to it. These plants are estimated to employ 30,000 persons with an annual payroll in excess of $100 million. Typical examples range from a $4 million television assembly plant at Batavia in western New York to a $30 million shipping center at Yonkers.

In California, a new section of the Eastshore Freeway has stimulated a spectacular growth of industry in the Oakland metropolitan area of Alameda County. The particular area investigated, served by the freeway, constituted only 9 percent of the total industrial area in Alameda County, yet it accounted for 43 percent of the dollars invested in new industries, 30 percent of the number of new industries, and 38 percent of the dollars invested in industrial expansion.

Similar results can be expected nationwide as the highway program is carried out, but these changes will not come overnight. They will develop section by section. Cross-country travel entirely by expressways will not be possible until the Interstate System is nearly completed. So far, only the general locations of the network are fixed. Detailed locations, especially in and around cities, will be proposed by the States for approval by the Bureau of Public Roads and will be acted upon one by one.

MORE FUNDS FOR OTHER HIGHWAYS

Apart from funds for the Interstate System, the 1956 act adds $125 million to the apportionment for other Federal-aid highways—primary, secondary and urban. It also authorizes $850 million for 1958 and $875 million for 1959.

In addition, the assumption by the Federal Government of 90 percent of the cost of constructing the Interstate System will leave many States with more funds to spend on other road systems, including farm-to-market roads.

A Report to the People

EXTENSION OF REMARKS
OF

HON. STUYVESANT WAINWRIGHT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 3, 1956

Mr. WAINWRIGHT. Mr. Speaker, this is my fourth annual report to the people: A Congressman is an employee; thus in our First Congressional District there are approximately 700,000 bosses. Each and every one, regardless of political party, race, creed, or color is entitled to receive this accounting. In reality my report is a summary, because each week I have written a column for your weekly newspaper. Every Sunday I have presented a 15-minute broadcast over Suffolk County's four radio stations. During the four years I have served you over 500 regular or special reports have been submitted on current topics so that you may have the up-to-date facts. I should like to express my appreciation for the wonderful cooperation received from the many weekly newspapers which published my weekly report as a regular feature; also to the radio stations for broadcasting my Sunday radio reports.

What has the 84th Congress done for the people? Is it true that this Democratic Congress has destroyed the Eisenhower program? Is it true that our constitutional system shows its skirts when you have a Chief Executive from the Republican Party and a Congress controlled by the Democratic Party? I think the best answer is for you to look, impartially, at the record and make up your own mind. There is no doubt that the executive branch has done much. We are at peace for the fourth straight year. Yet our national prosperity is at an incredible peak. Employment for June reached an alltime high of 66½ million. Conversely, unemployment was lower. The national income is more widely and fairly distributed than ever before. Still there was much for this Congress to do.

Ten of the President's 1956 requests are set forth in the order in which they were presented in his state of the Union message of January 5:

First:

I most earnestly request that the Congress approve our membership in the Organization for Trade Cooperation. . . . Our membership in the OTC will provide the most effective and expeditious means for removing discriminations and restrictions against American exports and in making our trade agreements truly reciprocal.

The Ways and Means Committee—do not forget that all committees of Congress are controlled by the Democratic Party—pigeon-holed this proposal indefinitely.

Second:

In order that our friends may better achieve the greater strength that is our common goal, they need assurance of continuity in economic assistance for development projects and programs which we approve and which require a period of years for planning and completion. Accordingly, I ask Congress to grant limited authority to make longer-term commitments for assistance to such projects, to be fulfilled from appropriations to be made in future fiscal years.

The Congress turned down this Eisenhower request for authority to plan the cold war on a long-term basis. They cut deep into the military aid to our foreign friends and allies. Yet a sound compromise was eventually passed.

Third:

I expect the budget to be in balance during the fiscal year ending June 30, 1956.

I shall propose a balanced budget for the next fiscal year ending June 30, 1957.

These statements became a reality despite certain moneys given away by Congress for political purposes—as for example the Wilson-Symington Air Force battles. The Executive cut its expenditures to the bone.

Fourth:

I shall lay before the Congress my detailed recommendations for new steps that should be taken promptly to speed the transition in agriculture and thus assist our farmers to achieve their fair share of the national income.

Congress, at first, passed a political farm bill on a party basis. The President vetoed the bill. With obvious reluctance the Democratic leadership gave the President most of what he needed.

Fifth:

Disaster-assistance legislation requires overhauling, and an experimental program of flood-damage indemnities should be undertaken.

Public pressure caused by the floods and hurricanes of last year forced Congress to approve this legislation.

Sixth:

In my message of February 22, 1955, I urged that measures be taken to complete the vital 40,000-mile Interstate System over a period of 10 years at an estimated Federal cost of approximately $25 billion. No program was adopted.

This session passed a highway bill because of public reaction to Congress having turned down the President's similar request in 1955.

Seventh:

The Post Office Department faces two serious problems: First, much of its physical plant—post offices and other buildings—is obsolete and inadequate. Many new buildings and the modernization of present ones are essential if we are to have improved mail service. The second problem is the Department's fiscal plight. It now faces an annual deficit of one-half billion dollars.

The administration recommended increasing the postal rates in an effort to correct the problem. The proposal, although it passed the House, was pigeonholed by the Democratic leadership in the Senate.

Eighth:

In the field of human needs, we must carry forward the housing program, which is contributing so greatly to the well-being of our people and the prosperity of our economy. Home ownership is now advanced to the point where almost three of every five families in our cities, towns, and suburbs own the houses they live in.

It was felt by most responsible people that the Federal Government should not dominate this field, but that free enterprise should be allowed to operate.

Ninth:

It is disturbing that in some localities allegations persist that Negro citizens are being deprived of their right to vote and are likewise being subjected to unwarranted economic pressures. I recommend that the substance of these charges be thoroughly examined by a bipartisan commission created by the Congress.

All civil rights proposals submitted to Congress were defeated by members of the Democratic Party in the Senate residing in a specific section of our country. They had threatened filibuster.

Tenth:

One particular challenge confronts us. In the Hawaiian Islands, east meets west.

Statehood, supported by the repeatedly expressed desire of the islands' people and by our traditions, would be a shining example of the American way to the entire earth. Consequently, I urgently request this Congress to grant statehood for Hawaii. Also, in harmony with the provisions I last year communicated to the Senate and House Committees on Interior and Insular Affairs, I trust that progress toward statehood for Alaska can be made in this session.

The people's representatives have not been allowed to debate separately this key subject in the 84th Congress. It has been permanently bottled up in committee.

As you can see, of the President's ten basic requests only three were granted outright by the Congress, three were granted in part, and four were turned down completely. You have the facts. Now you can decide if it is wise to elect a President from one party and Congress from another. This Congress has been labeled "the worst in history" because it passed such an insignificant amount of constructive legislation. This criticism is probably too harsh and partisan, yet it is true that the record is most uninspiring.

CONTINUED LOCAL PROSPERITY

In my 1955 report I stated:

For the next 12 months, I predict a continuation (of) prosperity for Long Island with the exception of the potato farmer.

It is gratifying that I can now make the identical prediction for the forthcoming year without excluding the potato farmer. The district continues to grow in population. We have increased by approximately 100,000 within the past year for a total of 700,000. Contrast this with somewhere in the neighborhood of 300,000 five years ago. This has meant continued home building. New small businesses have blossomed overnight. I have urged the increased allocation of defense contracts to our industries. Hardly a week goes by without our office aiding some business concern seeking its fair share of Government contracts.

Despite self-evident expansion, our local government has been unable to keep pace with the times. A proposed change of county governmental structure was vetoed by Governor Averell Harriman. Consequently, it is extremely difficulty to coordinate proper planning. Let me emphasize that point. Planning is the key to our future. Roads, industry, inlets, erosion control, all have a Federal interest. Yet I know of no comprehensive policy discussions between Federal, State, and local officials in this field. If the State leadership would reduce its emphasis on politics and pay some heed to our great needs, it would be most beneficial to all our citizens.

A NATIONAL PARK

The National Park Service compiled one of the most remarkable studies in recent years. It was discovered that of the 3,700 miles of general shoreline constituting the Atlantic and Gulf coast, only a small fraction is in the Federal and State ownership for public recreation uses. The seashore is a priceless scenic and scientific resource for which there is no substitute. Yet all we see along the beach today is no trespassing, private property, subdivision: lots for sale. A segment of this natural heritage—the salt marsh, the sand dune, the shrub, and the forest's evergreen community must be saved for the benefit of the people.

The Department of the Interior determined that the undeveloped Fire Island area of Long Island is the ideal seashore recreation area for the largest population center of the United States. The Department's position was arrived at in the closing days of this session; consequently, it was impossible to obtain legislation to acquire and protect this priceless heritage for the people. However, the necessary bill is being prepared for immediate introduction at the opening of the next Congress in January. This has the unqualified support of Hon. Fred A. Seaton, Secretary of the Interior. He will join me in my fight against the special interests who seek to deprive the people of this heritage.

HOUSING INVESTIGATION

Long Island's housing industry has done an excellent job. However, certain greedy and unscrupulous developers and builders have robbed and swindled the people. While most of these homes have VA and FHA mortgages, there is no machinery for Federal enforcement where a builder fails to comply. He can be blacklisted, but the damage has already been done. Conferences were held with the FHA and VA officials in an effort to improve the inspection services. Also compliance requirements were tightened. Public meetings have been conducted so that these problems could be explained and thoroughly aired. Two members of my staff have devoted most of their time to these cases.

The worst situations were turned over to the deputy United States attorney for our district. He states:

> The United States attorney's office has arranged for a complete investigation from attic to cellar of those developments which have produced the most serious and numerous complaints. The object of this investigation is to discover whether there were any violations of the Federal criminal statutes. This investigation is presently being conducted by a group of nonresident investigators and architects of the Housing and Home Finance Agency.

In a recent report received by me from the Federal Housing and Home Finance Agency, Mr. Lester P. Condon, Director of the Compliance Division, stated:

> As a byproduct of the investigation there will be an improvement of inspection procedures and such disciplinary action as is warranted will be taken against any builder who has been negligent or who has not built in conformity with plans and specifications.

Thus you can see that these measures of themselves have forced the builders to more generally meet the requirements and specifications called for in their plans and advertisements.

EROSION, HURRICANE INSURANCE, AND PUBLIC WORKS

The Fire Island Inlet controversy is too well known to require expansion. In essence, I have attempted to have a study made to determine the best way in which the inlet problem should be handled. We on Long Island must guard our great natural heritage, the Great South Bay. It must at all times have an adequate exit to the sea. For several centuries we have been troubled with the inlet becoming shallow. It became obvious several years ago that a long-range approach should be made. I approached the Long Island Park Commission, informally, to seek their support. They claimed they were working on their plan, but it soon was apparent that this plan was designed solely to help protect the park commission's Jones Beach parkway. It is a temporary makeshift. The senior member of the Park Commission, Mr. Robert Moses, used every possible device of public pressure to pass his own measure and to defeat my proposed study. So far he has succeeded. Fortunately, the sands of time are endless. The people of Long Island will one day be provided with a permanent inlet into the Great South Bay.

In a related field, the beach erosion study of the south shore is almost complete. However, no Federal funds have yet been appropriated to carry out the authorization granted in the Auchinloss bill (similar to the Wainwright bill). This provides for the division of cost of beach erosion in front of privately owned property between the Federal, State, and local governments on an equal basis.

Not only have our Long Island shores been badly injured by recent hurricanes, but our homes as well. Consequently, I have fought for the hurricane and flood insurance legislation. The bill received House action in the closing hours of Congress after inadequate debate. The bill sets up a program of Federal flood insurance and authorizes Federal aid for reinsurance on policies issued by private insurance companies against floods. The Government's portion of the total insurance is set at $5 billion with the approval of the President. As far as individual amounts are concerned: a limit of $250,000 a person or corporation with a proviso that not more than $10,000 can be written on any one home.

MISCELLANEOUS

In addition to these major protests, a number of local and miscellaneous items should be called to your attention.

First. Office hours are held periodically in Huntington and Wainscott. In addition, the Washington office will provide daily service, 52 weeks a year. Members of my staff are available on Long Island at all times.

Second. Appointed three young men to the service academies—West Point, Annapolis, and the Air Force Academy. These appointments were based on civil service examinations, plus a personal, impartial interview conducted as a public service by a distinguished newspaperman, Mr. C. H. MacLachlan, of Huntington.

Third. Sponsored legislation to provide a residence for the Vice President of the United States and to modernize that important office. The use made of the Vice President has increased tremendously in importance, but the tools with which he must work are antiquated.

Fourth. Sponsored legislation to amend the Longshoremen's and Harbor Workers' Compensation Act to provide increased benefits in case of disabling injuries. I am pleased to say this became law.

Fifth. Introduced at the request of the administration legislation to carry out the President's request for a Federal Advisory Commission on the Arts. This was defeated by pressure groups. I am writing an article next month for a Sunday magazine section of a daily newspaper on this shameful action.

Sixth. Sponsored and followed through numerous private immigration bills. Only in this way can relief be granted in cases of extreme hardship.

Seventh. Our office has handled hundreds of visa and passport cases. In several instances we have been called on to obtain action from the State Department in a matter of hours, while the person was waiting at the pier or airdrome.

Eighth. Polled, at my own expense, a cross section of the citizens of the district on the issues of the day. Only by sampling your opinion can I be kept constantly aware of your views.

Ninth. Eliminated the dangerous AA firing at Montauk Point during those months when commercial and private fishing craft abound in the area.

Tenth. Sponsored the first official visit of a Cabinet Member to Suffolk County

within the memory of man. Secretary of Agriculture Ezra Taft Benson spoke to an enthusiastic crowd of more than 1,000 people on May 15, 1956, in Riverhead. This was clarion proof of the Eisenhower administration's interest in the Long Island farmer.

Eleventh. Obtained special services for the various communities, such as a naval vessel for Port Jefferson's Fourth of July ceremonies, as well as soldiers to march in patriotic parades.

Twelfth. Insured a competent and proper investigation of the Coast Guard's participation in a tragic mishap in the Great South Bay. By forcing this investigation it brought to light certain deficiencies in operations with respect to Coast Guard communications and station equipment. Steps have been taken to make more effective the work of all lifeboat stations.

Thirteenth. Obtained for the Fishers Island School, 3.82 acres of land and 5 buildings that will be used to alleviate the housing shortage needed to care for the teachers in Public School District No. 4.

Fourteenth. The Department of Agriculture has assured me that they will be equipped to transport schoolchildren from Plum Island over to the Orient Point School at the commencement of the next school term.

Fifteenth. Continued to support and sponsor legislation to aid in both school maintenance and construction where, and only where, the Federal Government is responsible—such as impacted school districts caused by workers moving in on defense contracts.

Sixteenth. Post office matters. In the past 8 months, my office has:

A. Arranged for the construction of a new post office in Babylon.

B. Extended city delivery in Bellport, Bethpage, Deer Park, Farmingdale, and Sayville.

C. Been given assurance by the Post Office Department that West Islip will be given its own post office in the near future.

My task, beyond the normal services described in this report, is a position of trust to protect your rights, freedoms, and privileges. Your tolerance and support has been an inspiration.

As usual, it is an honor and a pleasure to be of service to my country and to the people of the First District. Your comments, advice, and suggestions are always welcome.

SENATE

THURSDAY, JULY 5, 1956

(Legislative day of Tuesday, July 3, 1956)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God, in whose keeping are the destinies of men and nations, endue with Thy wisdom our fallible minds as we face decisions with the background of fearful forces of nature which, if not harnessed by mutual good will, may destroy us utterly. Give us greatness of soul that the keys of new power may be used to open doors not of peril, but of plenty for the whole earth. So distill upon us the dews of quietness and confidence that in simple trust and deeper reverence we may be found steadfast and abounding in the work of the Lord, knowing that in Him and for Him and with Him our labor is not in vain. So send us forth with serenity and calm to meet an agitated world with an unruffled tranquillity which is strength and an inner candor which is the courage of the soul. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. CLEMENTS, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 3, 1956, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 47. An act for the relief of Guiseppe Agosta;

S. 146. An act for the relief of Isabel Tre; and

S 1895. An act for the relief of Anna Maria Fuller.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7089) to provide benefits for the survivors of servicemen and veterans, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARDY, Mr. TEAGUE of Texas, Mr. KILDAY, Mr. BATES, and Mr. KEAN were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1093. An act for the relief of Follett L. Greeno;

H. R. 2325. An act for the relief of Joseph Santo;

H. R. 4152. An act for the relief of Maria Pintos and her daughter, Eugenia Pintos;

H. R. 8047. An act granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post, No. 3, the American Legion, Sault Ste Marie, Mich., to use a certain parcel of land in St. Marys Falls Canal project;

H. R. 8068. An act for the relief of Elma Agnes Gibson Hollingsworth;

H. R. 8181. An act for the relief of Elizabeth Lucie Leon (also known as Lucie Noel);

H. R. 8216. An act for the relief of Mrs. Lidie Kammauf;

H. R. 8967. An act for the relief of Paul Levitt;

H. R. 9029. An act for the relief of John L. Hughes;

H. R. 9578. An act to provide for the conveyance of an interest of the United States in and to certain lands in Colorado;

H. R. 9631. An act to ratify and confirm the sale of certain real property of the United States;

H. R. 9947. An act for the relief of the estate of William Edward Wine;

H. R. 10088. An act for the relief of Rupert Waltl;

H. R. 10269. An act to provide for the temporary suspension of the duty on certain alumina;

H. R. 10720. An act for the relief of Dorothy E. Green and Thelma L. Alley;

H. R. 10983. An act for the relief of P. R. Cox;

H. R. 10984. An act for the relief of Nikolai E. Khokhlov;

H. R. 11346. An act for the relief of Camillus Bothwell Jeter;

H. R. 11706. An act for the relief of Kim Chung Hi;

H. R. 11995. An act to provide that the 1955 formula for taxing income of life-insurance companies shall also apply to taxable years beginning in 1956;

H. J. Res. 649. Joint resolution for the relief of certain aliens;

H. J. Res. 650. Joint resolution for the relief of certain aliens; and

H. J. Res. 651. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

H. R. 877. An act for the relief of Mrs. Rose Amoresano and her children;

H. R. 1072. An act for the relief of Clyde M. Litton;

H. R. 2267. An act for the relief of Morton J. Krakow;

H. R. 3960. An act for the relief of Maria del Carmen Gago Santana;

H. R. 4031. An act to consider residence in American Samoa or the Trust Territory of the Pacific Islands by certain employees of the governments thereof, and their dependents, as residence in the United States for naturalization purposes;

H. R. 4141. An act for the relief of Vivencio Fernando Raymundo, Bienvenida Raymundo, Lolita Raymundo, Agnes Raymundo, Henry Raymundo and Fred Raymundo;

H. R. 4652. An act to authorize the Secretary of the Treasury to transfer certain property to the Panama Canal Company, and for other purposes;

H. R. 4851. An act for the relief of the Kelmoor Fox & Fur Farm, Inc.;

H. R. 5041. An act for the relief of Mrs. Margaret Dows Thyberg;

H. R. 5147. An act to change the distribution of Coast and Geodetic Survey charts;

H. R. 5522. An act for the relief of the Florida State Hospital;

H. R. 5526. An act for the relief of Mrs. Kathryn M. Baker;

H. R. 5635. An act for the relief of Dr. Wolodymyr Fedyniak and others;

H. R. 5657. An act to allow the use of certain property in Volusia County, Fla., for civil-defense purposes without payment of compensation to the United States;

H. R. 5690. An act for the relief of Camp Kooch-i-ching;

H. R. 6029. An act for the relief of Robert D. Grier (individually, and as executor of the estate of Katie C. Grier) and Jane Grier Hawthorne;

H. R. 6245. An act to authorize the Panama Canal Company to convey to the Department of State an improved site in Colon, Republic of Panama;

H. R. 6643. An act to amend the reclamation laws to provide that excess lands acquired by foreclosure or inheritance may receive water temporarily for 5 years;

H. R. 6850. An act to create an academic advisory board for the United States Merchant Marine Academy;

H. R. 7426. An act to ratify and confirm Act 249 of the Session Laws of Hawaii, 1955, as amended, and to authorize the issuance of certain highway revenue bonds by the Territory of Hawaii;

H. R. 7732. An act to amend section 402 (c) of the Federal Food, Drug, and Cosmetic Act, with respect to the coloring of oranges;

H. R. 7811. An act to amend the Canal Zone Code by the addition of provisions relative to the registration of architects and professional engineers, and the regulation of their practice;

H. R. 8385. An act to transfer certain responsibilities of the Secretary of the Interior to the Public Housing Commissioner and the Secretary of Agriculture, and for other purposes;

H. R. 8452. An act to authorize and direct the conveyance of certain tracts of land in the State of Mississippi to Richard C. French, Lewis M. French, and Ruth French Hershey;

H. R. 8552. An act to authorize the Secretary of the Navy to grant to the town of Chincoteague, Va., permanent easements on certain lands for the purpose of taking subterranean water;

H. R. 9768. An act relating to general obligation bonds of the Territory of Hawaii amending Public Laws 640 and 643 of the 83d Congress (68 Stat. 782, ch. 889 and 68 Stat. 785, ch. 892), and ratifying certain provisions of Act 273, Session Laws of Hawaii, 1955, which authorize issuance of public improvement bonds for schools in the city and county of Honolulu and the county of Hawaii;

H. R. 9769. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue general obligation bonds;

H. R. 9828. An act to transfer 600 acres of public domain to the Kanosh Band of Indians, Utah;

H. R. 10441. An act to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to restrict its application to insurance which has been in effect 6 months at the time benefits are sought under such act;

H. R. 10535. An act to include the present area of Zion National Monument within Zion National Park, in the State of Utah, and for other purposes;

H. R. 11027. An act to amend title VII of the Merchant Marine Act, 1936, as amended, to provide for experimental operation and testing of vessels owned by the United States;

H. R. 11127. An act to clarify the law relating to the grant of certain public lands to the States for school purposes;

H. R. 11499. An act to amend the Texas City Disaster Claims Act;

H. R. 11558. An act to relinquish any right, title, and interest which the United States may have in and to certain land located in Forrest County, Miss., in order to clear the title to such land;

H. J. Res. 605. Joint resolution for the relief of certain aliens; and

H. J. Res. 611. Joint resolution for the relief of certain relatives of United States citizens.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred, as indicated:

H. R. 1093. An act for the relief of Follett L. Greeno;

H. R. 2325. An act for the relief of Joseph Santo;

H. R. 4152. An act for the relief of Maria Pintos and her daughter, Eugenia Pintos;

H. R. 8068. An act for the relief of Elma Agnes Gibson Hollingsworth;

H. R. 8181. An act for the relief of Elizabeth Lucie Leon (also known as Lucie Noel);

H. R. 8216. An act for the relief of Mrs. Lidie Kammauf;

H. R. 8967. An act for the relief of Paul Levitt;

H. R. 9029. An act for the relief of John L. Hughes;

H. R. 9947. An act for the relief of the estate of William Edward Wine;

H. R. 10088. An act for the relief of Rupert Waltl;

H. R. 10983. An act for the relief of P. R. Cox;

H. R. 10984. An act for the relief of Nikolai E. Khokhlov;

H. R. 11706. An act for the relief of Kim Chung Hi;

H. J. Res. 649. Joint resolution for the relief of certain aliens;

H. J. Res. 650. Joint resolution for the relief of certain aliens; and

H. J. Res. 651. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; to the Committee on the Judiciary.

H. R. 8047. An act granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post No. 3, the American Legion, Sault Ste. Marie, Mich., to use a certain parcel of land in St. Marys Falls Canal project; and

H. R. 10720. An act for the relief of Dorothy E. Green and Thelma L. Alley; to the Committee on Armed Services.

H. R. 9578. An act to provide for the conveyance of an interest of the United States in and to certain lands in Colorado; and

H. R. 9631. An act to ratify and confirm the sale of certain real property of the United States; to the Committee on Government Operations.

H. R. 10269. An act to provide for the temporary suspension of the duty on certain alumina; and

H. R. 11995. An act to provide that the 1955 formula for taxing income of life-insurance companies shall also apply to taxable years beginning in 1956; to the Committee on Finance.

H. R. 11346. An act for the relief of Camillus Bothwell Jeter; to the Committee on Agriculture and Forestry.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. CLEMENTS, and by unanimous consent, the Subcommittee on Patents of the Committee on the Judiciary, was authorized to meet today during the session of the Senate.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. CLEMENTS. Mr. President, I ask unanimous consent that there may be the usual morning hour for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, and that statements made in connection therewith be limited to 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RESOLUTION OF AMERICAN LIBRARY ASSOCIATION, CHICAGO, ILL.

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the 75th annual conference of the American Library Association, at Miami, Fla., relating to the enactment of the Library Services Act.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Library Services Act has been passed by the House of Representatives and the Senate during the 2d session of the 84th Congress and signed by the President of the United States; and

Whereas this action represents an unprecedented expression of confidence by the President and Members of Congress in the importance of public libraries in a free democracy; and

Whereas this act authorizes financial assistance for the extension, development, and improvement of public library service to the people throughout the United States; and

Whereas the impact of this legislation is twofold, presenting both a long-awaited opportunity, and a grave responsibility: Therefore be it

Resolved, That the members of the American Library Association in their 75th annual conference assembled at Miami Beach, Fla., June 17–23, 1956, hereby convey their heartfelt thanks to the President and the Members of Congress who have worked so earnestly and effectively for this legislation; and be it further

Resolved, That the members of the American Library Association accept the challenge of this legislation and express the full extent of their appreciation through action—action that will result in the kind of public library service anticipated by the Members of Congress in their support of the Library Services Act.

Unanimously adopted, June 21, 1956.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

S. 3926. A bill to authorize the Secretary of the Interior to charge for special services to purchasers of timber from Indian lands (Rept. No. 2414).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3556. A bill to amend Public Law 551, chapter 616, 83d Congress, 2d session (Rept. No. 2418).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 3927. A bill to authorize the Secretary of the Interior to convey to Indian tribes certain federally owned buildings, improvements, or facilities on tribal lands or on lands reserved for Indian administration (Rept. No. 2415).

By Mr. DWORSHAK, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3227. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Little Wood River reclamation project, Idaho (Rept. No. 2417).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 6218. A bill to authorize payment by the Federal Government of the cost of making certain studies necessary to assist the Menominee Tribe of Indians to prepare for the termination of Federal supervision (Rept. No. 2411);

H. R. 9280. A bill relating to the plan for control of the property of the Menominee Indian Tribe, and for other purposes (Rept. No. 2412); and

H. R. 9974. An act to amend section 1 of the act entitled "An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin," approved March 28, 1908, as amended (Rept No. 2413).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 3658. A bill to amend the act of May 11, 1938 (52 Stat. 347) so as to authorize, by agreement, the subsurface storage of oil or gas in restricted Indian lands, tribal or allotted (Rept. No. 2419).

By Mr. KNOWLAND, from the Committee on Foreign Relations, with amendments:

S. 147. A bill to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 30 days after the execution thereof (Rept. No. 2416).

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. SALTONSTALL. Mr. President, from the Committee on Armed Services, I report, favorably, a group of nominations in the Army and Navy. These include the nominations of 1 major general and 31 brigadier generals for permanent appointment and 23 brigadier generals and 11 major generals for temporary appointment in the Regular Army, as well as 5 officers of flag rank in the Navy, one of which is the nomination of Vice Adm. Harry D. Felt, to be Vice Chief of Naval Operations with the rank of admiral. Included also is the nomination of Prof. Thomas Dodson Stamps, United States Military Academy, for appointment as dean of the Academic Board of the United States Military Academy. I ask that these nominations be placed on the Executive Calendar.

The PRESIDENT pro tempore. The nominations will be placed on the Executive Calendar, as requested by the Senator from Massachusetts.

The nominations placed on the Executive Calendar are as follows:

Maj. Gen. Gilman Clifford Mudgett, and sundry other officers, for appointment in the Regular Army of the United States;

Maj. Gen. Frederic Joseph Brown, and sundry other officers for appointment in the Regular Army of the United States;

Vice Adm. Harry D. Felt, United States Navy, to be Vice Chief of Naval Operations, with the rank of admiral;

Vice Adm. Thomas S. Combs, United States Navy, and Rear Adm. William V. Davis, Jr., United States Navy, for commands and other duties determined by the President with the rank of vice admiral; and

Prof. Thomas Dodson Stamps, United States Military Academy, for appointment as dean of the Academic Board of the United States Military Academy.

Mr. SALTONSTALL. Also, from the Committee on Armed Services, I report favorably, 434 nominations for appointment, promotion, and transfer in the Regular Army, involving grades of colonel and below. All of these names have already appeared in the CONGRESSIONAL RECORD, so to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Vice President's desk for the information of any Senator.

The PRESIDENT pro tempore. Without objection, the nominations will lie on the Vice President's desk, as requested by the Senator from Massachusetts.

EXECUTIVE REPORT OF COMMITTEE ON FOREIGN RELATIONS

The PRESIDENT pro tempore. As a Senator, and chairman of the Committee on Foreign Relations, from that committee, the Chair reports favorably, without reservation, Executive I, 84th Congress, 2d session, the International Wheat Agreement, 1956, signed at Washington between April 25 and May 18, 1956, and submits a report (Ex. Rept. No. 7) thereon. The agreement will be placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUSH:

S. 4169. A bill for the relief of Livio Senni; and

S. 4170. A bill for the relief of Mr. Constantinos Karras, alias Costas Karras; to the Committee on the Judiciary.

By Mr. LANGER:

S. 4171. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. LANGER when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL (for himself and Mr. SMITH of New Jersey):

S. 4172. A bill to encourage the extension and improvement of voluntary health prepayment plans or policies; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HILL when he introduced the above bill, which appear under a separate heading.)

By Mr. POTTER:

S. 4173. A bill for the relief of Josef Michael Adolph; to the Committee on the Judiciary.

S. 4174. A bill to suspend the manufacturers' excise tax on passenger automobiles for a period of 6 months; to the Committee on Finance.

(See the remarks of Mr. POTTER when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. KERR:

S. 4175. A bill for the relief of Hans Hirth; to the Committee on the Judiciary.

INVESTIGATION OF PENETRATION OF CRIMINAL ELEMENTS INTO ORGANIZED LABOR

Mr. IVES. Mr. President, every American is shocked from time to time by evidence that criminals are at work in the labor movement. I believe—I hope correctly—that only a small fraction of the Nation's labor unions have been infiltrated by these evil men. But the truth is that no one knows the extent to which racketeers have moved in on the labor movement.

Victor Riesel, a distinguished labor columnist, contends that labor racketeers have a considerable impact on our national economy. Mr. Riesel has fought for years to expose these criminals. He has paid an awful penalty for his efforts: Early in April a thug walked up to Mr. Riesel on a sidewalk in New York City and threw acid into his eyes. Mr. Riesel is now blind as a result of the attack, which could only have been made in retribution for his fight to root out the racketeers in the labor movement. Blinded for life, but not daunted, Mr. Riesel has returned to the fight. I admire his courage profoundly.

Now Mr. Riesel has called for a congressional investigation of racketeering in labor. He has urged that it be made by labor's friends in Congress, and he has graciously included me in that category.

My first reaction to Mr. Riesel's suggestion was that a congressional investigation would be unwise because of the opportunities it would offer for charges—however unfair—that it was a persecution of labor, or that it was being used to make political capital at labor's expense.

But I have decided, upon further reflection, that the Congress is the only forum in the land with the power to expose fully the extent to which racketeers have penetrated organized labor in the United States and to take adequate corrective action.

The problem of labor racketeering crosses State lines. The criminals in labor naturally take great pains to conceal themselves and the nature of their activities. Only the congressional investigatory and legislative power can deal with this nationwide problem on a nationwide basis.

Therefore, Mr. President, I am submitting today a resolution calling on the Senate Committee on Labor and Public Welfare to undertake such an investigation. I recognize at this late date in the congressional session the resolution is unlikely to be considered before adjournment. I submit it now for the purpose of stimulating thinking on this vital subject. I shall resubmit the resolution early in January, after the convening of the 85th Congress; and I shall urge speedy action on it.

As a member of the Committee on Labor and Public Welfare, I shall do all in my power to make certain that this investigation—if it is authorized—is conducted without partisanship and with scrupulous fairness to labor organizations, employers, and all other interested parties.

Mr. President, I submit the resolution, and ask that it be appropriately referred.

Because of its brevity, I ask unanimous consent to have the text of the resolution printed at this point in the body of the RECORD in connection with my remarks.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 304), submitted by Mr. IVES, was referred to the Committee on Labor and Public Welfare, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized and directed to make a comprehensive study and investigation of the penetration of criminal elements into, and their influence on, organized labor in the United States, for the purpose of ascertaining whether legislation is necessary for the protection of labor organizations, employees, employers, and the general public. The committee shall report its findings, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date.

SEC. 2. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable. The expenses of the committee under this resolution, which shall not exceed $250,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL ASSISTANT DOORKEEPER OF THE SENATE

Mr. BARRETT (for himself, Mr. CURTIS, Mr. GEORGE, Mr. MANSFIELD, Mr. MARTIN of Iowa, Mr. SPARKMAN, Mr. GOLDWATER, Mr. WELKER, and Mr. BEALL) submitted the following resolution (S. Res. 305), which was referred to the Committee on Rules and Administration:

Resolved, That the Sergeant at Arms and Doorkeeper of the Senate be, and he is hereby, authorized and directed to appoint H. J. Provencal an additional assistant doorkeeper, effective July 1, 1956, whose basic compensation shall be at the rate of $3,800 per annum, to be paid out of the contingent fund of the Senate until otherwise provided by law, and who shall be assigned to and controlled by the President of the Senate.

ADJUSTMENT OF RATES OF BASIC COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE GOVERNMENT

Mr. LANGER. Mr. President, I introduce, for appropriate reference, a bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes. I ask unanimous consent that a statement in explanation of the bill, may be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 4171) to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

The statement presented by Mr. LANGER is as follows:

EXPLANATORY STATEMENT BY SENATOR LANGER

A bill to increase the salaries of those Federal employees who are paid in accordance with the Classification Act appears at this time to be amply justified. There are two chief reasons for proposing an increase in their salaries:

(1) Each previous increase was delayed after the real need for it had developed; and (2) the pay of employees in all grades has not advanced at the rate or in the proportion to which salaries and wages have gone ahead outside the Government service.

The adverse economic situation in which employees under the Classification Act find themselves may be summarized as follows:

The gross average weekly earnings of production workers in manufacturing industries increased from $23.86 in 1939 to $78.39 in April 1956. This was an increase of 228.5 percent. This was double the rate of increase for grade GS–1. In the same period, the Consumer Price Index rose 94.7 percent from August 1939 to April 1956. Thus the advance in gross average weekly earnings for factory workers was 69 percent greater than the increase in consumer prices.

If Classification Act salaries on a weekly basis in the first three grades had been raised in the same proportion as the earnings of factory workers, the situation would have been as follows:

Grade	Actual rate		Proportionate to increase in factory earnings
	1939	1956	
GS–1	$24.23	$51.73	$79.61
GS–2	27.69	56.92	90.98
GS–3	31.15	61.06	102.35

It may be objected that so-called white-collar and blue-collar pay rates are not comparable, but that is a fallacy to which only those who attempt to justify low pay rates will subscribe. Of course, they differ to the extent their jobs differ, but the economic bases for wage-rate determinations are no different than those for fixing salaries.

The one significant difference between the two groups is the lack of unionization in the white-collar group. This is why the earnings of the factory worker have increased at a more rapid rate and more substantially than those of the white-collar group. About 15 million workers are employed in clerical, professional and technical positions, excluding the managerial category. It is reliably estimated that 2,750,000 are union members, or about 18 percent of the estimated white-collar potential. In contrast is the degree of unionization among production workers—the blue-collar group. Well over 50 percent of the union potential in the blue-collar category have been organized.

2. This disparity between the increase in earnings of the factory worker and the office worker is further pointed up by these figures of the Bureau of Labor Statistics showing the percentage increase in the median wage or salary income of experienced male employees in the following occupational groups:

Major occupational group:	*Percent increase, 1939–54*
Professional, technical	171.1
Clerical and kindred workers	162.8
Sales workers	199.4
Craftsmen, foremen and kindred workers	224.4
Service workers, except private household	238.3
Laborers, except mine	250.4

3. Another measurement of the trend of clerical and professional earnings is the index of weekly earnings for this group prepared monthly by the Federal Reserve Bank of New York. This index indicates that clerical and professional earnings increased 150.9 percent from August 1939 to February 1956. In 1953, BLS calculated the increase in average salaries of classification act salaries, general schedule, to have been 92.2 percent. Last year's raise would bring this figure up to 106.6 percent. On the basis of the Federal Reserve index, the increase in the earnings of all clerical and professional employees was 21 percent above that for Federal white-collar workers. This shows that Federal employees lagged behind even the relatively poor position which white-collar workers in the entire labor force had attained during and since World War II.

4. The economic disadvantage of employees in the upper grades of the General Schedule of the Classification Act is confirmed both by the Federal Reserve Index and a comparison provided by the BLS, both of which have already been analyzed. This disadvantage is further confirmed by the Consumer Price Index. These employees have lagged behind advancing prices ever since Classification Act pay schedules received their first revision 11 years ago. This disparity has from time to time been emphasized until at present it has reached a point which will make it doubly difficult to hold in the Federal Civil Service persons whom it can ill-afford to lose.

This is indicated in a comparison of existing salaries with those which are needed to preserve the economic position of these employees in 1939. The comparison follows:

Grade	Current salary	Salary needed to maintain 1939 buying power
GS–5	$3,670	$3,895
GS–7	4,525	5,063
GS–9	5,440	6,232
GS–11	6,390	7,400
GS–13	8,990	10,906
GS–15	11,610	15,580

The marked disparity between current salaries and the amount of pay needed to maintain their former economic position is apparent. It has come about by the fact that each time salaries were raised the amount fell short of the sum needed to retrieve lost purchasing power. Thus there has been a cumulative loss which has never been restored even to an appreciable extent in the upper grades.

On the basis of this evidence, the rates provided in the bill which is proposed are well within reason and quite realistic.

EXTENSION AND IMPROVEMENT OF VOLUNTARY HEALTH PREPAYMENT PLANS OR POLICIES

Mr. HILL. Mr. President, on behalf of myself and the Senator from New Jersey [Mr. SMITH], I introduce for appropriate reference a bill to authorize the Secretary of Health, Education, and Welfare, after consultation with the Federal Trade Commission and with the approval of the Attorney General, to approve voluntary agreements between private insuring organizations for pooling or coordinating their resources and efforts in developing plans or policies designed to meet current needs for adequate health prepayment protection.

The bill was drafted by the Department of Health, Education, and Welfare and its introduction was suggested by the Secretary of Health, Education, and Welfare.

The bill requires that data and technical materials developed as the result of operations and activities carried out under an approved agreement be made publicly available. The bill also provides that reinsurance made available pursuant to the agreement could be purchased by insurance organizations

who are not parties to the agreement. Approval of any voluntary agreement will be withdrawn if there is substantial failure of the organizations to comply with any provisions required in the agreement, or if it is determined that continuation of such agreement will no longer further the objectives of the bill or would otherwise be contrary to the public interest. The bill also provides for consultation by the Secretary with representatives of State insurance supervisory agencies in order to obtain their advice and recommendations in the development of standards for approving voluntary agreements, and on other needs arising in the administration of the program.

The provisions of the bill are applicable only to voluntary associations like the Blue Cross and Blue Shield, and since the larger insurance companies are generally in a position to undertake experimentation and development activity on their own, to insurance companies doing less than 1 percent of the total commercial health insurance business in the United States.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4172) to encourage the extension and improvement of voluntary health prepayment plans and policies, introduced by Mr. HILL (for himself and Mr. SMITH of New Jersey), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. SMITH of New Jersey. Mr. President, I am pleased today to join with the Senator from Alabama [Mr. HILL] in introducing Senate bill 4172, which is strongly endorsed by the Department of Health, Education, and Welfare. This bill would authorize small insurance companies or voluntary associations like Blue Cross and Blue Shield to enter into agreements which would permit them jointly to develop and experiment with improved health insurance plans or policies. Although activities which would be permitted under the bill should not be looked upon as a panacea in the field of health insurance, they could be very useful in speeding the day when better coverage is available to more people.

Voluntary health insurance in the United States has grown tremendously in the past decade, and developments within the last 2 or 3 years have been unusually significant. It is estimated that there are now 105 million Americans with some form of hospital insurance. About 90 million people in this country have some prepayment protection against the costs of surgery, and about 50 million have insurance against the costs of other physicians' services in the hospital. Many of these also have protection against the costs of medical services outside the hospital. It is especially interesting to note that more than 5 million persons now have major medical expense insurance, a number which has grown from less than 700,000 only 4 years ago.

These are real advances, and great credit is due the leadership of Blue Cross, Blue Shield, and the insurance industry for their energetic and imaginative efforts in helping the American people to spread the financial risk of illness.

But there still are several problems in the voluntary health insurance field that need attention. For example, only about 1 in 3 persons over 65 has any health insurance. Yet it is the individual in this age group who most frequently has chronic disease and heavy medical and hospital expenses. There is also a need to make health insurance more widely available to people who have had a disabling illness such as heart disease or cancer. At the present time some progress is being made in insuring substandard risks, but further development of this type of insurance to cover such people is sorely needed.

Farmers and their families and persons who are living in small communities or who are self-employed or work in small plants, frequently do not have the advantage of health insurance protection. This is another problem which must be solved.

Mr. President, there is ample evidence that large insurance companies are able on their own to develop new forms of coverage, and to experiment with new methods of reaching the population with voluntary health-insurance coverage. However, there exists a need to assist the smaller insurance companies of this country in their efforts to improve and extend coverage. The bill which the Senator from Alabama and I are introducing would authorize the Secretary of Health, Education, and Welfare, after consultation with the Federal Trade Commission and the Attorney General, and with the latter's approval, to approve voluntary agreements between two or more small insurance companies, or between voluntary associations, for the purpose of carrying on developmental activities and experimentation in improving health-insurance plans or policies. I understand that executives in several small insurance companies are anxious to move ahead in developing new kinds of coverage, but individually they feel they cannot afford the specialized personnel or the unpredictable risks that would be assumed in moving into these unchartered areas.

Antitrust provisions now restrict pooling agreements between insuring organizations. We should not permit these provisions to stand in the way of possible joint action that would clearly be in the public interest. This bill would simply make it possible for two or more small companies or organizations like Blue Cross or Blue Shield to pool resources to employ specialized personnel like statisticians, actuaries, and underwriters to work on the development of new types of coverage. It would also permit members of the pool to share in the risks involved in experimenting with the new policies which are developed.

As I pointed out, this proposal is not envisaged as a quick, easy solution to the problem. Rather it is a step in the direction of enlisting additional talent in our constant effort to improve voluntary health insurance. In my opinion this legislation is a logical step, which will be most useful. Mr. President, I hope the Congress will take positive action on this bill at an early date.

TEMPORARY REMOVAL OF EXCISE TAX ON AUTOMOBILES

Mr. POTTER. Mr. President, I am about to introduce a bill, and I ask unanimous consent that I may speak of it in excess of the 2 minutes allowed under the order which has been entered.

The PRESIDENT pro tempore. Without objection, the Senator from Michigan may proceed.

Mr. POTTER. Mr. President, a serious emergency exists in the State of Michigan.

While the United States rides the greatest wave of prosperity in its history, a quarter of a million people in Michigan subsist on unemployment benefits—or on nothing at all. They are the victims of a drastic layoff of automobile workers in the wake of plunging automobile sales.

These people have sought other jobs. Very few have found them, for Michigan's economic vitality flows principally from her vast automobile industry. Each day that passes sees thousands of these workers exhausting their unemployment benefits. And the next step, as we know, is charity.

Mr. President, I request emergency action by Congress.

During the past week we have voted billions of dollars for airplanes and battleships. We have voted more billions of dollars for military, economic, and technical assistance abroad. On behalf of the 220,000 Americans in my State who, through no fault of their own, find themselves jobless, and for the benefit of businessmen and consumers in every State, I ask that the Federal excise tax on passenger cars be suspended for a period of 6 months.

What would this temporary lifting of the automobile excise tax accomplish? In two words, "more jobs." And more jobs are what we desperately need in Michigan.

Lifting the tax will immediately create a demand for more passenger automobiles. Today, the Federal excise tax on a $2,500 automobile is 10 percent, or $250. Drop this tax, and the price of a car will be substantially cut. As any businessman knows, a reduced price for a good product stimulates sales. That is exactly what must be done if Michigan's production lines are to swing back into full-time output immediately.

If we spur those sales now, tens of thousands of skilled workers will be recalled to their jobs. The benefits of increased auto production will be reflected immediately in the activities of suppliers, subcontractors, transportation media, dealers, and business throughout the country. The small businesses which depend on the auto industry for their existence could look for a new surge of activity.

I have always considered the auto excise tax unfair and discriminatory. However, I believe that permanent removal—which I favor—of this Federal revenue is a question Congress may wish to consider in less pressing circumstances.

Therefore, since adjournment is approaching and the need for action is

critical, I propose that the tax be suspended for a limited period only. Six months without the auto excise will start the wheels rolling again in Michigan.

On January 6, 1955, at the opening of this session of Congress, I introduced a bill to repeal the excise tax on automobiles and certain other items.

I am today introducing new proposed legislation. This bill, if enacted, will suspend for a 6 months' emergency period the excise tax on automobiles alone. Since all tax matters must be considered first by the House, I have written to Hon. JERE COOPER, chairman of the Ways and Means Committee of the House asking that immediate consideration be given to this proposal.

I have sent a similar letter to the distinguished senior Senator from Virginia [Mr. BYRD], the chairman of the Finance Committee of the Senate, requesting speedy action on my new bill.

Mr. President, I do not present this urgent request lightly. If I were not convinced we have explored every possible avenue on a community, State, and National level, I should not be speaking now.

Since early 1956, when drastic layoffs began, I have devoted a major share of my time to seeking contracts for Michigan's idle factories. We have worked ceaselessly, turning every stone, to get defense orders into the State. I have been in frequent—sometimes daily—contact with the Secretary of Defense, procurement officials in the Army, Navy, and Air Force, and Labor Department experts.

Seven Michigan cities now have been classified as distressed areas by the Labor Department. Detroit, Flint, Monroe, Escanaba, Iron Mountain, Marquette, and Port Huron are suffering.

Recently the Department of Defense indicated that $100 million in new defense contracts could be expected by our factories this summer. But there is a long path between word and deed. These contracts could not be let until the President signed the Defense Department Appropriation bill for 1957, which he did only this week. Government contracts, obviously, take time to become operative. Weeks, even months, may be required to shift a modern factory into production of a strange product.

Here is the way the Michigan Employment Security Commission described our situation last month:

> The slackening of demand for automobiles in the early months of 1956 and the consequent reduction of production schedules, both within the automobile industry itself and in the plants of its suppliers in related industries, is creating unemployment of such proportions as to become a matter for community and statewide concern.
>
> * * * In 1953 we had an average of 81,000 unemployed during the year. In 1954 it averaged 211,000. The automobile industry had a record year in 1955, carrying the number of jobs up with it.
>
> * * * The reversal of this trend started in January of this year. By the end of February 72,000 workers had been laid off—60,000 in the Detroit labor market area.
>
> Layoffs since April 15 indicate that statewide unemployment is currently at approximately 220,000—7.8 percent of our labor force.

Mr. President, that is not all. The Commission closed its report by predicting that another 20,000 to 50,000 people will lose their jobs during the remainder of the year.

The Department of Defense has made every effort to cooperate. Since the first of the year I have worked with them, and we have established an open-door policy for Michigan industrialists. Company officials now can come to Washington to discuss their plant and factory facilities with the appropriate procurement officers at the Pentagon. In this way idle facilities and service needs are combined. Executives, union officials, and interested individuals visit my office daily to seek help and direction in this effort.

All of this has brought some relief. But not enough to make a real dent in those starkly grim figures in the columns of the unemployed.

In the meantime the cries of anguish continue to arrive from my State by letter, telegram, and telephone. If I were to incorporate these in the RECORD, they would fill the CONGRESSIONAL RECORD. I shall read only 3 or 4 of these communications, Mr. President, so that my distinguished colleagues may grasp the nature of this emergency. I read first a letter dated May 26, 1956:

> DEAR SIR: I am a taxpayer, have worked for Motor Products 19 years. Now the doors are closing on us—4,000 of us. Where can I find a job at my age? Please do all that you can to get work for this company.
>
> Sincerely yours,
>
> GERTRUDE DUDEK.
>
> LAPPIN, DETROIT, MICH.

I now read a telegram addressed to Hon. CHARLES E. POTTER, United States Senate, Washington, D. C., dated June 1, 1956:

> Lansing area unemployment has risen sharply from 2,100 in January to 5,600 to date. An additional 2,700 workers from outside Ingham County also affected by curtailed production here. Request your earnest consideration and assistance to channel appropriate defense work to this area also continued analysis of present and anticipated conditions desired.
>
> ALBERT C. BOYD,
> *General Manager, Chamber of Commerce of Greater Lansing.*

I read now a communication dated June 6, 1956:

> Senator CHARLES E. POTTER,
> *Washington, D. C.:*
>
> We urge all effort during the critical period Michigan is now in to relieve unemployment by early added allocation of defense work in this area.
>
> ALBERT SATTLER,
>
> DETROIT, MICH.

Another telegram addressed to Hon. CHARLES E. POTTER, United States Senate, Washington, D. C., dated June 12, 1956, reads:

> At a joint meeting of the Monroe City Commission, the industrial development committee, and representatives of 27 Monroe County A. F. of L. and CIO locals, we were directed by unanimous action to bring your attention to a prevailing serious unemployment situation in Monroe County which now extends to more than 2,500 wage earners with no prospect for early improvement. We now have a ratio of 8.3 percent unemployment, placing us in class D.
>
> Hon. MILTON J. H. KNABUSH,
> *Mayor.*
> CARLOS GASTAMBIDE,
> *President, CIO Council.*
> RALPH YENOR,
> *President, AFL Council.*
> BERT WILCOX,
> *President, Building Trades Council.*
> Dr. LAWRENCE FROST,
> *Chairman, Industrial Development Committee.*

This is only a fraction of the mail which has come to my desk in past months. Every letter, every telegram, every resolution, tells a story of individual hardship, loss of security and dignity, and personal distress. Indeed, it is a sad contradiction to the lush prosperity of the Nation as a whole.

At first the hardship was confined to auto workers and related industries. Now it is spreading to merchants, restaurants, and services. Michigan's rural population is beginning to feel the pinch. Unless quick action is taken, every industry in the State will be hit.

Community improvement projects and Federal highway construction jobs are on the way. All of these will help, but they alone cannot absorb the thousands who need jobs. Within a month we expect that 15,000 to 20,000 men and women will be exhausting their benefit payments each week.

In the end, these unfortunate people must still look to the automobile industry for work. Today, that industry has a backlog of some 900,000 automobiles. To provide the necessary jobs, inventories must be whittled down to normal by new sales. The shot in the arm which will bring those new sales is suspension of the 10 percent excise tax. Let us act quickly, Mr. President, and save these people further hardship.

Under the most favorable circumstances, the Federal Government could expect to collect less than $500 million from the excise tax on automobiles during the next 6 months. This is small, compared to the massive multibillion dollar surplus the national budget will show.

In actual dollars and cents, Mr. President, we would not lose that $500 million of revenue at all, for a wave of automobile buying will follow the lifting of the excise. New business, new jobs, and new salaries will bring those millions of dollars right back into the Federal Treasury, in the form of income taxes and other revenues. So we stand to lose little and to gain much.

Mr. President, I happen to believe that there has never been a valid excuse for a luxury tax on automobiles. More than half of the mileage we run in this country every year and almost three-fourths of the average man's driving are for getting to work, performing his job, or related necessary purposes.

Mr. and Mrs. America live on wheels. Therefore, a tax which tags the automobile a luxury is discriminatory and unrealistic. It is a great burden, and, in the present situation, it is a great deterrent to sales.

Before we adjourn this Congress, Mr. President, let us make very sure that the

fabulous prosperity we enjoy nationally is not closing our eyes and our hearts to the situation in Michigan. There, in our great industrial heartland, 220,000 unemployed, and their numbers growing, represent a cancer which can spread to other vital centers.

Remember that 1 out of 7 jobs in the country is automotive. The automobile industry provides a broad base for employment in other industries, through its consumption of steel, rubber, glass, and cotton.

Let us suspend the automobile excise tax for an emergency period of 6 months. Let us recognize our responsibility to the thousands of workers whose creative effort has built the vast empire of the automobile—the empire on which our entire economy rests. Only Congress can help now.

I urge the respective committees to act on this proposed legislation with all possible speed.

Mr. President, I introduce the bill and request that it be appropriately referred.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4174) to suspend the manufacturers' excise tax on passenger automobiles for a period of 6 months, introduced by Mr. POTTER, was received, read twice by its title, and referred to the Committee on Finance.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MARTIN of Iowa:

Compilation entitled "Notes on the Democratic Party Claim To Be the Party of the Common Man."

NOTICE OF HEARING ON VARIOUS CIVIL-RIGHTS PROPOSALS BY COMMITTEE ON THE JUDICIARY

Mr. JOHNSTON of South Carolina (for Mr. EASTLAND). Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that the committee will resume hearings on the various civil-rights proposals beginning at 2:30 p. m., Friday, July 6, 1956; Thursday, July 12, 1956; and Friday, July 13, 1956; in the committee room, room 424, Senate Office Building.

ORDER FOR HOLDING OF MEMORIAL SERVICES FOR THE LATE SENATORS KILGORE, OF WEST VIRGINIA, AND BARKLEY, OF KENTUCKY, ON MONDAY NEXT

On motion of Mr. CLEMENTS, and by unanimous consent, it was—

Ordered, That at the conclusion of routine morning business on Monday, July 9, 1956, the legislative business of the Senate be suspended in order that memorial addresses may be delivered on the life, character, and public service of the late Senators Harley M. Kilgore, of West Virginia, and Alben W. Barkley, of Kentucky, respectively.

DEATH OF FORMER SENATOR FRANCIS JOHN MYERS, OF PENNSYLVANIA

Mr. MARTIN of Pennsylvania. Mr. President, it is with profound sorrow that I rise on the floor at this time to formally advise the Members of the Senate of the sudden passing of our distinguished former colleague, the Honorable Francis John Myers, of Philadelphia, Pa.

Senator Myers, who served here from 1945 to 1951, died this morning in the Graduate Hospital. He had not been well, as we all knew, but his passing comes as a great shock.

Prior to being elected to the Senate, he had served as a Member of the House in the 76th, 77th, and 78th Congresses.

Born in Philadelphia in 1901, he graduated from St. Joseph's College in 1923 with a bachelor of arts degree, and from Temple University Law School in 1927 with a bachelor of laws degree. He was engaged in the practice of law since 1927, and was appointed a deputy attorney general for the Commonwealth of Pennsylvania in 1937.

Married to the former Miss Catharine M. Hall, they had three children, Francis John, Jr., Kathleen, and Barbara.

Francis John Myers was a distinguished member of the Democratic Party, who served with great honor and distinction in both the House and the Senate. He was beloved by his colleagues. He was a big man, both in stature and competence. His perspectives were great and his horizons boundless. He was devoted to the public service.

Senator Myers was a brilliant, hard-working member of the Finance, Interstate Commerce, Naval Affairs, Patents, and Pensions Committees.

To the surviving members of his family, whom he loved so deeply and devotedly, we extend our greatest sympathy in their bereavement.

Mr. DUFF. Mr. President, I had both admiration and affection for Francis Myers, and I am shocked beyond expression to know that he is gone.

His was a wonderful record of public service. When we opposed each other for the Senate 6 years ago I came to know him well. He was a fair, honest opponent. I am sure that in the whole history of Pennsylvania politics there was never a campaign when there was less personal invective than there was in our contest for the Senate at that time. Both before and since that time Frank Myers was a wonderful friend.

In his death, his innumerable and devoted friends, the Commonwealth of Pennsylvania, and the country at large have suffered a severe loss.

Mr. CLEMENTS. Mr. President, the news wires this morning have brought us sad and melancholy tidings—the death of our former colleague Francis J. Myers, of Pennsylvania.

Although my service in the Senate with Frank Myers was brief, we were close, personal friends. His passing comes as a shock to me. It is tragic for all of us who knew him and who had the benefit of his friendship.

He was one of those men who devote their lives to public service in a quiet, nonspectacular but effective way. Frank Myers rarely commanded the headlines, but he always commanded the respect of those who were aware of his unceasing work for the public good.

He was a sympathetic, understanding man, who had the affection of people of all faiths and all creeds. His friends were many, his enemies few.

Our hearts go out to the loved ones he left behind, and all of us wish for them comfort and solace in this dark hour.

Mr. SMITH of New Jersey. Mr. President, I desire to join in paying a tribute to Frank Myers. I should like to identify myself with the fine words spoken by my colleagues about this young, vigorous, and interesting statesman. Frank Myers was a Member of the Senate when I came to the Senate, and I served a number of years with him. While we were in different parties, it was always a great privilege to have dealings with a man of his caliber, character, and integrity. I am sure that the people of the State of New Jersey, who knew Frank Myers, will mourn his loss, as the Members of the Senate do, and that we all convey to his family our deepest sympathy.

Mr. SPARKMAN. Mr. President, I should like to join with my colleagues in their expressions of sorrow on receiving the sad news, and the shock that accompanied the news, of the death of our former colleague, Francis Myers, of Pennsylvania. I had the privilege of serving several years in the House of Representatives with Francis Myers. As a matter of fact, our offices were next door to each other. He then came to the Senate. Later I came to the Senate, and I had the privilege of serving in the Senate with him.

I liked the man. I admired him greatly. He was a man of good faith; a man who was devoted to his work, whatever the task imposed upon him might be; and a man who was devoted to his State and his country.

I join my colleagues in extending heartfelt sympathy to his bereaved loved ones.

Mr. BENDER. Mr. President, I have just learned of the untimely death of Francis Myers. I served with him in the House for many years, and got to know him very well. I remembered his service here in the United States Senate. Francis Myers was a jovial and a friendly person. It happened that I was 1 of 2 Republicans who went to Philadelphia to a meeting of the Democratic organization there when they honored him on his election to the United States Senate. I remember very well that former President Truman came through a storm in his airplane, in order to be a speaker on that occasion.

Francis Myers was a Democrat, and I was a Republican, but the political differences never affected our personal friendship. I always had a great admiration for him.

I know that every citizen of Pennsylvania and every person who knew him feels deeply his loss.

Mr. MANSFIELD. Mr. President, I should like to join my colleagues in expressing my deep regret at the passing of Francis Myers, and the sympathy of Mrs. Mansfield and myself for his family.

When I first became a Member of the House of Representatives in 1943, Francis Myers was serving in that body. He was a pillar of strength in giving me sound advice and good counsel. Shortly thereafter, he left the House of Representatives, and came to the Senate, where he was an outstanding Member.

Mr. President, it was with profound sorrow that, on coming to the Senate Chamber today, I was advised of the passing of my friend. I extend the condolences of my family to the Myers family; and I express the hope and the confidence he will find his new abiding place one of peace, entirely lacking the contentions and frustrations which are to be found on this earth. May his soul rest in peace.

Mr. MURRAY. Mr. President, I rise to express my deep regret at the passing of Francis Myers. He was a valued friend and an outstanding Member of the Senate, for whom all of us had the highest regard and the greatest respect.

I am sure I voice the sentiments of all the Members of the Senate, and particularly all the Members on this side of the aisle, when I say that his passing is a great shock and a very great loss to us. I desire to extend to his family my deep regret and sincere sympathy in his passing.

Mr. O'MAHONEY. Mr. President, I wish to associate myself with the remarks of my colleagues in paying tribute to our late colleague, former Senator Francis Myers, of Pennsylvania. He was a man of outstanding ability and of sympathetic nature. His integrity was beyond question. His keen analysis of legislative problems was spontaneous and inspired the confidence of all who knew him.

I felt that it was a great loss to this body when he retired from the Senate. He returned to his native State and to the practice of law, in which he was recognized as an outstanding member of the bar, both before and after his service in the Senate of the United States.

His passing is a great personal loss to those of us who served with him and who knew his fine character and great ability. On behalf of my family, also, I wish to express here on the floor of the Senate our deep solicitude and sincere sympathy for the family of the late Senator Myers.

Mr. LANGER. Mr. President, I desire to be associated with the remarks of my colleagues in expressing profound regret at the death of our late colleague, Francis Myers.

I knew Francis Myers perhaps as well as did the average Member of the Senate. As a person, I always admired his fearlessness in voting for the things he believed to be right.

I know that the people of the United States have lost a great friend; and I join my colleagues in extending my deep and sincere sympathy to his survivors.

Mr. IVES. Mr. President, I wish to associate myself, also, with the remarks of my colleagues regarding the death of our former colleague, Francis Myers. In his passing, we have lost an outstanding citizen who served with distinction in the Senate. All of us who served with him knew him as a personal friend upon whom we could rely and whom we could trust.

My heart goes out to his family at this time, and I extend to them my deepest sympathy.

Mr. CHAVEZ. Mr. President, I wish to associate myself with the remarks of my colleagues who have expressed their deep regret at the passing of our late colleague, Francis Myers, and who have extended their condolences and sympathy to his family.

I knew Senator Myers well, pleasantly, and favorably; I think I knew him perhaps as intimately as did any other Member of this body. He was an outstanding Senator, and we mourn his passing.

Mr. President, we know that these things must happen; Francis Myers has passed on, only a little ahead of the rest of us. When confronted with the action of divine providence, we can only say, "Thy will be done."

Mr. HILL. Mr. President, it is with deep regret that I have just learned the sad news of the death of our former colleague, Francis Myers, of Pennsylvania.

I was privileged to serve in the Senate with him, and knew him well. He and I served together as members of the Democratic Policy Committee. He was my good friend. He was always helpful and loyal. He was an able legislator, and a devoted servant of the people, a fine Christian gentleman, and an outstanding American.

I express to his wife and members of his family my deep sympathy, and I wish them to know that my thoughts are with them in the hour of their great bereavement.

CONSERVATION IN THE NATIONAL FOREST

Mr. NEUBERGER. Mr. President, the present administration, through the Department of the Interior, has gone on record to support—in principle—a program which I believe would lead to the dismemberment of the national forests. I think the Department of Interior should explain whether it stands for a continuation of the conservation policies inherent in the national forests, or whether, as its recent statement indicates, it lends support to the perennial efforts to decimate the forest preservation program.

The task of maintaining and wisely using the priceless values represented by our Nation's 161-million acres of national-forest land is one of far-reaching importance to every resident of the United States. The 150 national forests stand at the apex of a national treasure chest of natural resources. Scores of cities are dependent upon their watersheds for pure drinking water. The national forests play a key role in the economy of the lumber industry. Likewise, they provide natural habitat for wildlife and a vast outdoor recreation area for millions of campers, hunters, hikers, and fishermen. Our Nation would be a different place in which to live, if the national forests had not been wisely established 50 years ago by President Theodore Roosevelt and Gifford Pinchot.

In spite of the widely recognized benefits which accrue from the national-forest system hardly a year goes by but what some sort of assault is launched to dismember or impair the value of the national-forest system. It was on March 29 of this year that I took a few minutes on the floor of the Senate to make a brief statement in opposition to Senate bill 3444, which, I felt, represented a proposal to dismantle the national-forest program under the guise of States rights. At that time, I expressed the belief that the proposal for establishment of individual State commissions to study means of transferring Federal lands to State or private ownership was based on the views of the present Republican administration.

IZAAK WALTON LEAGUE OPPOSES BILL AT ISSUE

My fears about the meaning of S. 3444 also are shared by leaders in the American conservation movement. At a recent meeting of the National Conservation Association, Mr. J. W. Penfold, conservation director of the Izaak Walton League of America, reported on this new proposal. An article in Outdoor America for July-August 1956 gave the following report of Mr. Penfold's comments:

> He continued by calling attention to bill S. 3444 to establish study commissions to investigate land ownership in the so-called public land States. The bill specifically exempts national parks, monuments and other national shrines so it is obviously aimed at national forests and Taylor grazing lands. It provides that these committees would report their findings and recommend such changes as they saw fit. The President would then prepare a plan for land disposal to be submitted to both Houses of Congress. After 60 days the agency involved would be required to carry on the disposal plan unless specifically disapproved by Congress. There are also provisions for long-term, low-interest-rate purchases by present landowners in the vicinity of such lands. This newest attack on our public land domain is of greatest concern to all of us and we had better watch it very closely.

A report on this legislation has been received by the able and distinguished chairman of the Senate Committee on Interior and Insular Affairs [Mr. MURRAY]. The report, over the signature of Assistant Secretary Wesley D'Ewart, takes objection to the form of the legislation, but expresses sympathy with the objectives which led to its introduction. The objectives of the legislation are quite plain to those who have knowledge and experience of the results of relinquishment of Federal control over public lands.

Another section of Mr. D'Ewart's report states:

> The basic principle apparently underlying this legislation, namely, the belief that land should not be retained by the Federal Government when it would be more effectively managed in the public interest by other hands, is one in which we are in accord.

Mr. President, my home State of Oregon has had considerable experience with the handling of forest resources by other hands than the Federal Govern-

ment. When it was admitted to the Union, Oregon was granted 4,203,000 acres of public lands for school purposes. Of these acres, only 765,000 are still held in trust for the schools. The rest has gone. It is a matter of record that much of this valuable timber was sold by the State for as little as $3.16 per acre. Later, this same timber could have brought $1,000 an acre.

NATIONAL FORESTS VITAL TO SOUND RESOURCE PROGRAM

This past record of timber-resource management gives little sustenance to the hope that public or private agencies, other than the Federal Government, would more effectively manage the resource which is contained in the national-forest system. Mr. President, it is incumbent on the Department of the Interior to clarify its policies on the future use of federally held timberland. We should know in unequivocal terms whether or not the Interior Department is to become a party to the parceling out of Federal forests to the States, where there might be few safeguards against the special interests who covet this valuable resource.

Mr. President, I ask unanimous consent to include with my remarks in the RECORD, an outspoken editorial from the Medford, Oreg., Mail Tribune of June 27, 1956. This Pulitzer prize-winning newspaper from the State of Oregon reflects the alarm which conservationists feel over the statement of the Interior Department, which apparently favors abandonment of sound Federal management of the Nation's forest resources.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OBLIVION DESERVED

The Mail Tribune's Washington correspondent, A. Robert Smith, keeps a sharp eye out for happenings in the Nation's Capital which have an interest to the people of Oregon.

In yesterday's paper he had an article about something of interest, a bill which is designed to turn over Federal forests and grazing lands to local private interests of the States.

Smith's story says:

"The most valuable lands covered by the bill are the national forests and Oregon's O. and C. timberlands." And he adds, "The National Lumber Manufacturers Association announced its advocacy of the bill in its directors meeting several weeks ago at Seattle."

We should think so. The bill is an open invitation to destroy the careful, long-range program of conservation and protection of the Nation's forest resources which date back to Theodore Roosevelt and Gifford Pinchot.

We are glad to note that the Budget Bureau is opposed to the bill, and that Smith notes it is doubtful if any action will be taken on it at this session.

We are less happy about the reaction of Wesley A. D'Ewart, Assistant Secretary of the Interior for public land management, who said he is in sympathy with the objectives of the bill, though not in its present form.

As we see it, the measure is potentially one of the most dangerous to Oregon's long-range economy ever contemplated.

Smith describes the bill as follows:

"In the form in which it was introduced, the bill would call for creation of Federal-State land study commissions in every State which asked for one. Each commission would make a study of Government and private forest and grazing holdings in the State and report recommendations for changes to the President.

"The President, under the bill, would then be compelled to 'prepare a plan for the disposal of the lands recommended for disposal' which would involve sales to the highest bidder. In drafting this plan, the President would be directed to 'provide that, so far as practicable, such lands shall be disposed of in tracts of such size and number and under such terms and conditions as will best serve the purposes of the Federal Government, the State, and the general public, taking into consideration the predominant land needs, if such exist, of present landowners in the vicinity of such lands and the need of potential purchasers for a long-term, low-interest-rate purchase program to enable them to purchase such lands.'"

The Forest Service opposes the bill which, it said, "might result in possible large-scale breaking up of the national-forest system." It also questioned the bill's constitutionality, inasmuch as the President would be required to follow a commission's recommendation.

Constitutionality or no, the bill proposes a gigantic giveaway which staggers the imagination. It could well mean an end to orderly natural-resources management. It could well throw the lumber industry into chaos, to the benefit of a few big companies and the extinction of smaller firms.

Jackson County's lumber industry increasingly is based on federally owned timber, aside from a few large holdings which are being managed on a sustained-yield basis. If the national-forest and O. and C. lands were opened up for sale to the highest bidder, it would do two things:

1. Destroy the Federal timber management and conservation control of the country's largest single resource, and

2. Allow that control to go to the highest bidder, which means, obviously, the bigger companies.

The first of these results would tear away a painstakingly developed system of fire control, access road construction, silvicultural research, and efficient administration. The forests would suffer, no matter how conscientious the new owners might be, for they lack the resources the Forest Service has at its disposal.

The second result would mean that the small operator, now almost entirely dependent on Federal timber, would be squeezed out, and that the new owners, while presumably they would follow good forest-management practices simply out of self-interest, would be under no obligation to do so.

The proposal deserves just one thing—oblivion.—E. A.

DR. DOOLEY RETURNS TO LAOS

Mr. MANSFIELD. Mr. President, next September, Dr. Thomas Dooley, who as a Navy doctor rendered such outstanding services and assistance in caring for the ill and the needy refugees from North Vietnam will undertake a private mission to Laos. In the words of Dr. Dooley:

The future of Laos is shrouded in a mantle of uncertainty heavier to pierce than that associated with any of the other newly independent countries of Asia. Rather than curse the darkness, perhaps we can light a few candles.

He is not going to Laos as a naval officer. However, he is taking with him his old naval quartet, which did such valuable work in North Vietnam.

The trip is being financed entirely by private contributions and donations. It is a significant fact that drug concerns and airlines and other businesses have seen fit to contribute to the venture of this outstanding young man.

He is a really great man and in his way is perhaps one of the best ambassadors of our country. Would that we had more like him.

I ask unanimous consent that the article entitled "Young Dr. Dooley Is Going Back," published in the Daily Missoulian of July 2, 1956, be printed at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUNG DR. DOOLEY IS GOING BACK

(By Kenneth Gilmore)

WASHINGTON.—Young Dr. Dooley is hardly one to sit back and watch the Communists make hay.

Once again this blue-eyed Irishman with all the charm and guts of his ancestry is preparing to head for Asia to spread his personal brand of good will.

Baseballs, movie cartoons and much needed medicine—these will be the simple but effective diplomatic tools of Dr. Thomas Dooley, a rather remarkable young American.

The former Navy doctor, who has written a best seller about his experiences caring for refugees from North Vietnam, is now getting read to go to Laos.

As a civilian, he's determined to spread some grassroots good will in this tiny country endangered by communism.

"The future of Laos is shrouded in a mantle of uncertainty heavier to pierce than that associated with any of the other newly independent countries of Asia," he says. "Rather than curse the darkness perhaps we can light a few candles."

Next September, 29-year-old Dr. Dooley and four ex-Navy medical corpsmen who worked with him before, will start visiting the mountain people of Laos loaded with gifts, entertainment and medicine.

"We will present ourselves to the village chief, then throw a baseball around, play with the kids and that evening eat with the natives," he says.

"At nightfall we will show them a movie, Bambi, Fantasia, Snow White, or another of that type of film. The sound track is being prepared in their own tongue by the Laos Embassy.

"The next morning we shall say, 'Let us treat you. Bring us every child you have. Look, we possess the medicines that cure yaws, your malaria, your trachoma.'

"Then we will give medicine to anyone who needs it for 4 or 5 days, show them a movie each evening and tell them about our life."

After each one of these excursions Dooley and his corpsmen will return to Vientiane, the capital of Laos, for fresh supplies. For 6 months during the dry season they plan to carry out their operation.

"We will not be a member of the State or any affiliated Government organizations," explains Dooley. "Rather we shall be under the auspices of the International Rescue Committee, a private organization."

All the funds and equipment for Dr. Dooley's trip come from private sources.

For example, the Charles Pfizer Co., Inc., of Brooklyn, is supplying $50,000 worth of medicine. Pan American Airlines is pledging four round-trip tickets to Bangkok, Siam, worth $8,000. Another company has donated a jeep.

CARE, the relief agency, is giving Dooley 31 midwifery kits to use in training village midwives. In addition to help from other business concerns and private organizations, many contributions are being made by individuals.

Dooley is also throwing in money from the sale of his popular book, Deliver Us From Evil, an account of his work with North Vietnam Refugees over a year ago.

"This is a job that has to be done, and I'm just egotistical enough to think it can be done," he says. "With our small mobile unit we are going to go on the offensive for America in Laos and not just sit on our duffs and deny what the Communists say about us."

THE VICE PRESIDENT'S TRIP TO SOUTHEAST ASIA

Mr. MANSFIELD. Mr. President, a few days ago the Vice President of the United States, Mr. NIXON, left this country, at the request of the President of the United States, to visit the Philippines, Vietnam, Formosa, and other countries in Asia.

I am delighted that he has gone to this area of the world. It is significant to note that approximately 2 years ago today the present President of the Republic of Free Vietnam, Ngo Dinh Diem, assumed office. He assumed his office at a moment when the outcome was uncertain and the chances were 5 in 100 that South Vietnam could remain free.

I am especially happy that on this momentous occasion, 2 years after Ngo Dinh Diem took office, our Vice President, as the official representative of the President of the United States, will visit this man and his country.

The free world owes a great debt of gratitude to the determination, grit, and integrity displayed by Ngo Dinh Diem in keeping that most vital part of Southeast Asia free. I am certainly aware of the fact that those of us who have been to South Vietnam, as has the distinguished minority leader and the acting majority leader and other Senators, believe it is to this man that practically all the credit must go for the fact that this most important area of Southeast Asia is still free and that the prospects for its freedom in the future are still good.

It is good to note, too, that free Vietnam has adopted a constitution which will bring more freedom to the people of that country. Given time, there is no reason why the new republic cannot succeed in becoming a full-fledged member of the family of nations.

All honor and credit to a great man, Ngo Dinh Diem, who has led his country out of the morass he found it in and who, by his determination, courage, and integrity has supplied the inspirational leadership to a people in their struggle toward freedom and equality. With him, the future of free Vietnam is in good and steady hands. He is the right man, in the right place, in the right country.

ADDRESS DELIVERED BY THE VICE PRESIDENT AT MANILA ON THE 10TH ANNIVERSARY OF INDEPENDENCE OF THE REPUBLIC OF THE PHILIPPINES

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the address, entitled "Our Partnership in Creating a World of Peace," delivered at Manila on July 4, 1956, by the Vice President of the United States on the occasion of the 10th anniversary of the independence of the Republic of the Philippines.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

OUR PARTNERSHIP IN CREATING A WORLD OF PEACE

President Magsaysay, distinguished guests, ladies and gentlemen, Mrs. Nixon and I are singularly honored in being invited to participate in your celebration of the 10th anniversary of the independence of your courageous nation. It is fitting that we who fought side by side in Bataan and Corregidor should celebrate jointly our days of independence. You are a young nation, but already the wisdom and insight of your counsel is appreciated throughout the entire world. You are known for your devotion to freedom, your courage and integrity in fighting for ideals, your determination to live up to the highest standards of liberty and democracy. We who share your ideals are proud that you have asked us to be here with you on this happy occasion.

I come to you as a representative of a Nation that cherishes your friendship and partnership. And I come especially as the representative of our beloved President, Dwight D. Eisenhower. As you know, he is happily recovering from an operation that prevented his being with you today. But he asked me, on the very day I left for Manila, to bring his fondest greetings to President Magsaysay and to the Philippine people. He recalls the 4 years he spent in your country from 1936 through 1939 and he values the many friendships he made at that time among the Filipino people. He wants you to know how impressed he is with your magnificent accomplishments in such a short time. You have his very best wishes as you progress into the future with courage and confidence.

I know I speak for the President and all Americans in paying tribute to the splendid administration of President Magsaysay. He is known throughout the world, not only for his splendid conduct on the internal affairs of your Republic, but also for his work in drawing up the Pacific Charter. Here was a bold stroke for freedom.

This was your declaration of independence, not only from the old colonialism of the last century, but also from the far worse Communist colonial imperialism of today. We who stand shoulder to shoulder with you in this common fight for the survival of all that we cherish are proud of your leadership in producing this great charter.

May I add a personal note. Mrs. Nixon and I will never forget our previous visit to your country 3 years ago, and the warmth and friendliness of your reception. Everywhere we went we felt completely at home. There is a Spanish phrase of welcome which many of you will recognize—"está ustedes en su casa."—"you are in your own home." That is exactly how we felt during all the time we were in your country. In the cities and in the barrios, in your schools, factories, and farms we met hundreds of people. We felt, as does your President, that the real way to know a people is to meet those in all walks of life, as well as their official representatives. Our meetings with you are deeply engraved in our memories. Long after we leave public life, Mrs. Nixon and I will remember and cherish your friendship.

May I add one final word of tribute. Just as we in the United States recognize George Washington as the Father of our Country, we honor today in the Philippines a dedicated patriot and hero, Manuel Quezon. To him, with such men as Osmena and Roxas, goes the credit for the agreement that led to the establishment of the Philippine Commonwealth in 1935. Eleven years later, the independence to which Manuel Quezon had devoted so much of his life became a great reality. Our nations were close partners before your independence, but we feel that we are even closer together today.

Because on this occasion we are jointly celebrating the day on which our two countries acquired their independence I think it is appropriate for us to review some of the problems which newly independent countries face if they are to attain the goals for which they made such great sacrifices. Let us consider first the problems which face the youthful nations. It is significant to note that your problems are very much like those we faced 170 years ago, when we celebrated our 10th anniversary as a free nation.

At that time we knew that we were economically and militarily weak. But in spite of this weakness, we were fiercely proud of our independence.

The American people and Government felt then that might does not make right, that strength of armies is no substitute for honor and integrity, and that reason and justice should prevail in relations among nations. And we believe in those same principles today just as passionately as we did 180 years ago.

Some may consider us naive when we speak of God-given rights, of the dignity of man, and of the equal sovereignty of all peoples. If these are simple views, then we are proud to be a simple people. We know that you will share these views, for you too believe that the greatness of nations is judged by eternal standards of right and wrong, and not by the accidents of military and economic power.

Both our nations faced grave internal problems after our independence. Both were weakened by the cruel blows of war. But we also share in common a rebirth from the ruin and devastation of war. We built up our economies, restored law and order, and started the orderly political and economic development of our nations. Our two countries were alike in another way. We in the United States had the problem of our Tories, who were still loyal to a foreign ruler. Yours was a far greater problem. The authority of your Government was defied by the Huks. Many of these rebels, as you know, were simple people, led astray by their leaders. But among the leaders were men who were not truly Filipinos. They owed first allegiance to the materialistic, ruthless, foreign ideology of Communist colonial imperialism. You fought the menace with great wisdom. You used military force where necessary, but you also removed the political and economic causes of discontent. In this effort your President, Ramon Magsaysay, played a leading part. For this he has won the admiration of the whole free world. He showed how communism can and should be successfully fought—not simply by being against it but by beating the Communists in the very area they are trying to exploit—creating a better life for the people of a nation.

In spite of the time and energy consumed by these efforts, and the resources devoted to defense, you have made remarkable economic progress in the last 10 years. We are proud of the fact that, according to an economic survey published by the United Nations, during the years 1946 to 1956, the Philippines had the highest annual rate of production growth of any country in the Far East.

Let us now consider some of the problems confronting other nations who are charting their course on the newly found seas of independence. Some of these nations have raised a question as to whether their countries can be truly independent and be allied with a free world power like the United States. Through the years they have become suspicious of the Western Powers, feeling that any alliance with them might jeopardize their hard-won independence.

Both of us can understand this feeling, since we both have known colonial status. Yet our partnership during the last 10 years is proof that alliance with an overseas power that holds the same standards of freedom and democracy can help both parties equally. We are friends. We are allies. We are equals. In our dealings there is not now and there must never be any so-called big power-little power or big brother-little brother relationship. Our alliance has not infringed upon your independence. On the contrary, it has strengthened it.

I hope that other nations will study this example carefully and realize what it means to walk side by side with the United States of America. Let them contrast your strength and security with the fate of small nations who were not united with us in mutual alliances. You are independent. But are Latvia, Estonia, and Lithuania independent? Is there any freedom in East Germany, Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, and Albania?

How much liberty is there in North Korea or North Vietnam? What has happened to ancient Tibet? We must all frankly face this question: Where there is a threat of Communist colonial imperialism, is a nation really safe in striking out alone? I know that if I were an executive in a newly independent nation, I would ponder this question with the utmost care. You know that in our efforts to promote collective security, we are not defending a discredited and repudiated colonialism. We have declared our belief in the right of all peoples to govern themselves. We feel that progress toward self-government should be resolute and continuous. Some peoples may wish a completely independent existence. Others may choose to govern themselves in some kind of association with older states. In modern times the really cruel colonialism has been the colonialism of the Communist world. It has enslaved over a dozen nations and has left hundreds of millions to suffer the harshest forms of tyranny. It has not only captured their bodies, but tried to dominate their minds and kill their souls.

What has checked the expansion of Communist colonial imperialism? To answer this question, look at Western Europe. Eight years ago, Western Europe was a cluster of weak nations, inviting invasion and aggression. The pattern of Czechoslovakia could have been repeated over and over again. But it was not repeated. Why? Because, in the first place, your good partner, the United States, intervened strongly to protect Greece and Turkey. Then it asked these free nations to band together in a pattern of collective security. Thanks to NATO and aid from the United States, Western Europe can breathe securely today. These are the facts. Yet the agents of Communist colonialism have the supreme audacity to suggest to the ancient and honored nations of the East that our offers of help are a form of imperialism. Is that what happened in Korea? Are we subjugating the Free Republic of Vietnam? You need but look around you to find the answers to these questions.

At the same time, we might ask another question: What would have happened if the free nations had not joined in defending Korea? Who would feel safe in Asia today, if this one small country had been overrun? We all know that this was a test of collective security. And we are proud that the free nations of the world met this test. And may I say that your own soldiers played an honored part in this defense against aggression. Once again we fought together for the freedom of all of us.

We have heard recently a great deal of discussion of the attitude that goes by the name of neutralism. Let us see how it bears on the problem of independence. I would feel that generally a nation that rejects the principles of collective security because it feels its independence will be compromised by association with other powers is not reading rightly the trends of modern history. It has far more to gain by standing together with free nations than by remaining aloof. But there may be other reasons for neutralism. Many nations have the same principles which we share in common, and they are prepared to defend them. Yet they feel that their own internal problems compel them to abstain, at least for the moment, from mutual-security pacts and associations. They wish to devote all their energies to building their own political and economic systems. Or they may feel that they are too geographically exposed to risk provoking Communist colonial imperialism.

We in the United States can understand the attitudes of such powers. For over a century we tried to avoid being identified with any of the warring power blocs of Europe. But we learned from hard experience that policies which worked well in the 19th century were completely inadaquate in the 20th. In 1917, we were forced to enter a terrible world war. Again in 1941, we were plunged into the blood bath of the Second World War.

Finally we learned our lesson. Together with most of the other nations of the world, we joined in a world organization designed to promote justice and insure peace. In addition, we joined regional alliances permitted under the Charter of the United Nations. We found that the world is too small today for effective isolation.

We believe in the right of each individual nation to chart its own course and we respect whatever decision it makes even though we might not fully agree with that decision. It is only natural that we should feel closer to those who stand with us as allies in the effort to keep the world free. But we, just as you, cherish also the friendship of other nations who share our dedication to the principles of democracy and freedom even though they have not seen fit to ally themselves with us politically and militarily.

But there is still another brand of neutralism that makes no moral distinction between the Communist world and the free world. With this viewpoint, we have no sympathy. How can we feel toward those who treat alike nations that believe in God and honor religion and morality, and nations that boast of atheism and the rule of force and terror alone? How can anyone treat as equals those who believe in the dignity of man and the basic rights of all men, and those who treat their subjects as mere machines? Is democracy to be equated with dictatorship? Is freedom the same as tyranny? There are faults in the nations of the free world, and we all know and deplore them.

But can anything that we have done compare with the history of communism recently portrayed by Nikita Khrushchev himself? The Communists have convicted themselves out of their own mouths. Even their lackeys, the Communist parties throughout the world, have been forced to repudiate publicly this shameful record. Yet this is not the story of one man alone. It is inherent in Communist dictatorship. It follows of necessity from the principles of Marx and Lenin, which the present collective leadership of the Soviet Union still embraces. I shall not judge those who put communism and freedom in the same category. History shall judge them much better than I can. I hope that no leader of a free people will adopt this line. Should he do so, however, I hope that he realizes that he endangers the security of his nation. For we believe, as you do, that godless Communist imperialism is evil in itself, and a threat to the liberty and aspirations of free people everywhere.

I know there are those who feel that friendly neutrality toward the Kremlin and Peiping may spare them. But you know the proverb: He who sups with the devil, must have a long spoon. The Communists have been ruthless toward the people of the nations that they have engulfed. They have no memory of former favors, no kindness toward those who tried to be friendly. They are cold and calculating masters. Those who feel that they can outmaneuver them are taking a fearful risk.

We hope that all the nations of Asia will understand our attitude toward collective security. In this regard, you can play a leading role in interpreting our views and intentions to your neighbors. You have two great advantages in this regard. First, you have been our friends and partners during these years of independence. Second, your culture is a happy blend of the best of the West and East. You are familiar with the ancient culture of Europe. You know and understand our habits in the United States. Yet, at the same time you are an Asian people, with all the gracious qualities of Asian culture. Like your fellow Asians, you are a spiritual people. You have a sense of beauty and a deep understanding of history. You honor family life and respect the traditions of the past. With this happy blend of great cultures, you can be a bridge between East and West. You can help to remove the misunderstandings and hostility based on past errors. You can speak for us as one who knows and understands.

The awakening and emergence of Asia is one of the most striking and important world developments since the end of World War II. Along with the Republic of the Philippines, one nation after another has achieved full independence. Today the new states are addressing their energies and wills to the difficult problems involved in advancing the general welfare of their peoples. The dimensions of these problems challenge the imagination. Hundreds of millions of people in this vast area believe for the first time that, through their own efforts, but with some outside assistance, they can rise above the level of life which their ancestors knew for centuries. The will to succeed in these bold new programs is manifest, for Asians today see a vision and are determined that the vision shall materialize. It will not materialize this year; it may not in some cases materialize to any significant degree for a generation; but Asians know that some day it shall.

In fulfilling this vision Asia will realize its great potential. Communism has achieved economic gains in some areas of the world but in order to achieve them it has sacrificed the liberties and sacred aspirations which are cherished by human beings. For this fundamental reason, communism is out of step with Asia's march toward the realization of its vision. Because the people of Asia will never tolerate substituting for the old style colonialism from which they have acquired independence, the much more tyrannical Communist colonial imperialism which the fanatical men in Peiping and Moscow are attempting to impose on all the world.

We in the United States on the other hand are proud to state that we share wholeheartedly the true aspirations of the people of Asia and of other newly developing areas to realize their dreams of economic progress. We shall welcome the opportunity to be of assistance where our help is desired in reaching those goals. And our help is offered always in this spirit. The United States wants nothing which belongs to any other people or nation in the world. We want no economic satellites, no subservient lackeys in the council of nations. The only war we want to launch is the war against poverty, disease, ignorance, and fear wherever it exists.

Asia is everywhere on the march. The spirit of the newly independent Asian nations is the spirit of the signers of the American Declaration of Independence 180 years

ago today, who proclaimed to the world: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed." We are proud that on this day we jointly celebrate our independence with a people who share with us dedication to a goal worthy of great nations—a peaceful world in which individuals can be free, nations can be independent, and peoples can live together in peace, prosperity, and friendship.

Mr. KNOWLAND. Mr. President, immediately following the printing of the Vice President's address, I ask unanimous consent that there may be printed in the RECORD an article entitled "NIXON'S Manila Talk Called Best Reply to Neutralism." The article was written by David Lawrence and published in the New York Herald Tribune of today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TODAY IN WORLD AFFAIRS—NIXON'S MANILA TALK CALLED BEST REPLY TO NEUTRALISM

(By David Lawrence)

WASHINGTON, July 4.—Vice President NIXON made in Manila on the Fourth of July the greatest speech of his career. In many respects, it was the most important speech that has yet been delivered by any American in addressing the so-called "neutral" world. It was doubly important because President Eisenhower specifically requested Mr. NIXON to go on his present trip to Asia.

It is a speech that Nehru of India and Sukarno of Indonesia might well read over and over again. It contains the best answer to "neutralism" that has been made. It sets forth what the United States stands for and proclaims, in direct contradiction of Soviet propaganda, a policy of unselfishness and altruism—but a tactful reminder at the same time that there can be no neutrality between right and wrong.

Succinctly, the NIXON speech contrasts Soviet colonialism with its brutishness and tyranny and the enlightened colonialism that has lifted so many small nations up to the point where they now can govern themselves. The Vice President didn't mention the names of any of the "uncommitted" countries, but he refuted effectively the Communist-inspired propaganda that America wants only military alliances and merely desires to win "satellites" both political and economic.

WROTE SPEECH HIMSELF

Mr. NIXON discussed ahead of time with the Department of State some of the general ideas that he expressed, but he wrote the speech himself.

There have been some misunderstandings about "neutrality" due to some incomplete remarks by the President at a recent press conference which were later amplified by Secretary of State Dulles. It seemed best to have the Vice President, while attending the anniversary of Philippine independence and while on a visit to southeast Asian countries, to say in behalf of the United States the pointed things that needed to be said lest partisans, here and abroad, who have been trying to confuse the issue and who have pretended not to understand America's true purposes under the present administration, create further misunderstandings. The NIXON speech squares absolutely with the President's views.

With his characteristic forthrightness, Mr. NIXON launched a comprehensive attack on Communist colonialism and pointing to the independence of the Philippines said:

"We are friends. We are allies. We are equals. In our dealings, there is not now and there must never be any so-called big power-little power or big brother-little brother relationships. Our alliance has not infringed upon your independence. On the contrary, it has strengthened it.

AN EXAMPLE TO STUDY

"I hope that other nations will study this example carefully and realize what it means to walk side by side with the United States of America. Let them contrast your strength and security with the fate of small nations who were not united with us in mutual alliances. You are independent. But are Latvia, Estonia and Lithuania independent? Is there any freedom in East Germany, Poland, Czechoslovakia, Hungary, Rumania, Bulgaria and Albania? How much liberty is there in North Korea or North Vietnam? What has happened to ancient Tibet? We must all frankly face this question: Where there is a threat of Communist colonial imperialism, is a nation really safe in striking out alone? I know that if I were an executive in a newly independent nation I would ponder this question with the utmost care. * * *

"In modern times, the really cruel colonialism has been the colonialism of the Communist world. It has enslaved over a dozen nations and has left hundreds of millions to suffer the harshest forms of tyranny. It has not only captured their bodies, but tried to dominate their minds and kill their souls."

Mr. NIXON pointed to NATO as a military alliance that had checked the expansion of Communist colonial imperialism. He added:

"Thanks to NATO and aid from the United States, Western Europe can breathe securely today. These are the facts. Yet the agents of Communist colonialism have the supreme audacity to suggest to the ancient and honored nations of the East that our offers of help are a form of imperialism."

TWO KINDS OF NEUTRALITY

The Vice President said that Americans believed in the right of each nation to chart its own course and for reasons of its own, perhaps proximity to the enemy, to refrain from military associations with any other nations, and that this was understandable neutrality. Then, however, he added:

"But there is still another brand of neutralism that makes no moral distinction between the Communist world and the free world. With this viewpoint we have no sympathy. How can we feel toward those who treat alike nations that believe in God and honor religion and morality, and nations that boast of atheism and the rule of force and terror alone? How can anyone treat as equals those who believe in the dignity of man and the basic rights of all men, and those who treat their subjects as mere machines? Is democracy to be equated with dictatorship? Is freedom the same as tyranny?

"There are faults in the nations of the free world, and we all know and deplore them. But can anything that we have done compare with the history of communism recently portrayed by Nikita Khrushchev himself? The Communists have convicted themselves out of their own mouths. Even their lackeys, the Communist parties throughout the world, have been forced to repudiate publicly this shameful record."

The words of Vice President NIXON will be heard 'round the world. For they will be broadcast over the radio in all languages by the United States Information Service. The American viewpoint cannot be transmitted to the world by underlings or bureaucrats in the lower echelons. It has to come from the top figures who command world-wide publicity attention. This is an illustration of effective publicity—delivered in the right place and at the right time.

KEEPING THE CENTRAL GOVERNMENT UNDER THE PEOPLE'S CONTROL

Mr. MARTIN of Pennsylvania. Mr. President, yesterday we celebrated the 180th anniversary of the Declaration of Independence.

I wonder how many of the 165 million free Americans gave any consideration to the real reason for our great growth. We thank God that we have a continent of unsurpassed natural resources, but this alone did not make us the most powerful Nation of all history.

To my mind, the real reason of our growth is that we have a Government that does not dominate the people but is controlled by the people. We must always keep our Central Government under the people's control.

The bigness of government is always a danger.

Mr. President, Mr. Felix Morley in the Nation's Business for July, writes on the state of the Nation, and makes some very potent suggestions relating to our country. I ask unanimous consent that his article be printed at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE STATE OF THE NATION

(By Felix Morley)

IF WE RESPECT OUR STANDARDS THE WORLD WILL RESPECT US

It would require a very large birthday cake to contain the candles appropriate for the Fourth of July this year. For on that date this Republic attains the venerable age of 180. That many years have come and gone since the Continental Congress, "appealing to the Supreme Judge of the world for the rectitude of our intentions," declared unanimously "that these United Colonies are, and of right ought to be, free and independent States."

But if this declaration had been no more than an assertion of independence from Great Britain, the anniversary would never have achieved its present worldwide significance. Since July 4, 1776, dozens of subjected areas have broken the ties that bound them to other countries. Few can even name all of the 18 new nations established since the close of World War II. Why, then, does the birth of our Republic receive such universal recognition?

Material success is certainly not the explanation. It is legitimate cause for pride that the United States has steadily grown in wealth and power, while so many other nations have withered on the vine and lost a freedom which for various reasons they were unable to maintain. But prosperity and physical strength tend to inspire envy rather than admiration among those who lack these assets. There is a deeper reason why July Fourth is a notable day throughout the whole free world.

The Declaration of Independence, though received with distaste and skepticism 180 years ago, nevertheless proclaimed to the world not only a new nation, but also a wholly new philosophy of life. It is what we call "the American way," far more than the individual and collective benefits result-

ing therefrom, that has made the birthday of this Republic worthy of respect by all mankind.

"We hold these truths to be self-evident: that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness."

No other political manifesto, anywhere or at any time, has ever asserted that government has only a conditional authority and that its purpose is to serve rather than to dominate the people. Under the British system men were "subjects" of His Majesty's Government and were expected to conduct themselves as such. Americans decided to be citizens rather than subjects; to control their officials instead of being controlled by them. That was the revolution in political thinking that made, and after 180 years still makes, this national birthday internationally significant.

There is, of course, no guaranty that it will remain so. The essence of the American way is that the Central Government should be kept under constant restraint, so that it may never encroach upon the rights reserved to men as individuals. Many safeguards to that effect were written into the Constitution, which sought to transform the ideals of the Declaration into permanently binding law.

From its establishment as the Nation's Capital, however, Washington has tended to centralize power on the argument that only thus can the "safety and happiness" of the American people be assured. The counterargument is that big government is precisely what the Declaration of Independence opposes. There is certainly something timely in its denunciation of King George because: "He has erected a multitude of new offices and sent hither swarms of officers to harass our people, and eat out their substance."

Under our system there can be no fixed point at which all will agree that the power exerted by the Central Government is exactly what it should be. Always some will argue that it ought to be doing more for the people. Always some will protest that the rights we call "unalienable" are already alienated by the "multitude of new offices." To keep these opposing viewpoints in a generally acceptable balance is the inescapable responsibility laid on American citizens by the Constitution. And while noise and festivity are appropriate for Independence Day, a little quiet thinking on this matter of the essential balance is also wholly in order. For if it should be lost, the meaning of the Fourth of July would be lost with it—not only for Americans, but for the world.

It is our habit to give especial recognition to anniversaries that are measured in round numbers. We celebrate a "silver wedding" rather than the conclusion of 24 or 26 years of marital compromise. Those who have been out of college for 10, 20, or 30 years make a special effort to revisit alma mater on alumni day.

So this 180th birthday of the Republic is something of an occasion. It is made more so because this anniversary year is also that of a presidential election, always an important test of our national capacity for orderly self-government. This coincidence happens only once in every 20 years, for the simple reason that 20 is the lowest common denominator of 4—the number of years in a presidential term—and the round numbers of 5 or 10.

There is some reason to regard 1956 as an unusually critical year, both in the field of foreign and domestic problems. It is therefore the more interesting, and comforting, to recall that the same could be said of every year in which there was a conjunction between a presidential election and a decennial anniversary of July 4. There have been, in the 180 years since 1776, 9 such occasions.

Most of us remember the immediate previous one, in 1936, when Hitler was consolidating his power in Germany; when here at home the AAA and NRA had just been declared unconstitutional.

A smaller number remember 1916, when the issue of our participation in World War I was at fever heat.

A few remember 1896, when William Jennings Bryan was making his first campaign in a Nation seething with social discontent.

Possibly an occasional patriarch can still recall 1876, the centenary of the Declaration, when the country was in the depths of business depression and the dubious result of the Hayes-Tilden contest was further inflaming popular passions.

Of 1856—a century ago—nobody can speak with personal knowledge. But we all know that it was the year in which Buchanan's election made many in the North conclude that slavery could only be abolished by civil war.

In 1836 we were on the eve of a panic year, with the firm hand of Andrew Jackson about to be replaced by the vacillations of Van Buren, the President accused of perfuming his whiskers and "rowing toward every objective with muffled oars."

Still farther back, in 1816, Monroe had no serious opposition for the Presidency. But the price inflation, following the inconclusive war of 1812, was proportionately as great as it is today. And the only form of unemployment relief was migration to the newly acquired Western Territories.

But perhaps the most critical period of all was the first conjunction of a presidential year with a decennial anniversary of the Declaration. In 1796 the new political institutions were untested, Washington was retiring from the Presidency, there was bitter rivalry over the succession and a threat from revolutionary France which seemed as great as that from communism today. Yet all of that can now be condensed into a paragraph.

As in the case of individuals, national problems are never really solved. As one is disposed of, others arise to take its place, often created by the supposed solution. Few of us would change this even if we could, for the spice of life is in the opposition of our abilities to our difficulties.

Success or failure in this struggle is not measured by victory or defeat, but by whether or not our standards are successfully maintained. The United States is fortunate among nations in having such standards. Set forth by a handful of rebellious colonists 180 years ago, they have throughout been the basis of our growth to power.

Crises come and crises go. But standards endure. And so long as our first declaration of political standards is respected by Americans, so also will Americans be respected by all mankind.

THE HELLS CANYON DAM

Mr. GOLDWATER. Mr. President, the national indignation, to which I referred last week, which has developed from the methods used in getting the Hells Canyon bills to the floors of both Houses, continues to grow.

More editorials, published in responsible newspapers across this country, have come to my attention. So that my colleagues may know of the thinking of people in States other than their own, I ask unanimous consent that the editorials be printed in the RECORD at this point in my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Oklahoma City Times of June 22, 1956]

OKLAHOMA, CAN YOU SPARE $5 MILLION?

Do you, as an Oklahoma citizen, feel like contributing your share of a slush fund of $5 million to help reelect Senator WAYNE MORSE, of Oregon?

The facts of life are not stated quite that brazenly in a recent letter sent out by Chairman Paul M. Butler, of the Democratic National Committee, but that is what it means.

He urges that all national Democratic Party leaders get behind Senator MORSE, of Oregon, Senator LEHMAN, of New York, and other Senators and Congressmen who have pet projects to nationalize hydropower. In the case of Senator MORSE it is the Hells Canyon project in Idaho, to cost about half a billion dollars of the taxpayers' money (despite the fact that private enterprise has already started construction of smaller dams to produce hydropower with equal or better advantages to the consumer, especially since public power projects are virtually tax-exempt).

Experts of the Oklahoma Public Expenditure Council figure that if the Hells Canyon project is passed, it will cost Oklahoma $5 million.

The letter of Mr. Butler doesn't mention the logrolling, horse-trading, pork-barrel angle by exact specification, but anyone who watches the progress of such projects knows exactly what he means when he says that the Hells Canyon drive "will be an effective issue in other sections of the country."

"Effective" because the bipartisan plunderbund in Congress sounds the good old slogan, "You scratch my back and I'll scratch yours," or "You vote for my pork barrel and I'll vote for yours."

In Senator LEHMAN'S case the pork barrel consists of the Niagara nationalized power project, which is pushed by the public power crowd even though private enterprise has been trying for years to get requisite permission to build plants that won't cost the taxpayer a cent, and furnish electric energy at a lower net cost than the notoriously inefficient and wasteful socialized plants. So Mr. Butler links this with the Hells Canyon job, in a tight, clubby little arrangement of mutual assistance.

So, again, the Halls of Congress are ringing with the drooling warcry, "Come and get it."

[From the Idaho Daily Statesman, Boise, Idaho, of June 28, 1956]

IT'S A DISGRACEFUL DEMONSTRATION

Idaho's First District Democratic Representative GRACIE PFOST wasn't including the people of Idaho as a whole when she chortled Tuesday that her bill to authorize construction of a high Hells Canyon Dam "is a must—the last chance to preserve the waters of Snake River for the benefit of the people of the Nation."

She gave out with this already hackneyed blurb immediately after Democratic leadership, with resort to barefaced and ruthless political chicanery, had euchered the bill out of the long resisting grasp of a committee and cleared it for action on the floor of the House.

In committee action leading to the release of this bill, Mrs. PFOST openly and flagrantly

displayed her total disregard for the vital stake that most Idahoans have in the waters of Snake River. She voted as a member of the committee in opposition to an amendment proposed by Idaho's Second District Republican Representative HAMER BUDGE to safeguard Idaho's water rights. In so doing she demonstrated beyond any question that she is all wrapped up in the advancement of the Government power dam building project, and not at all concerned about what it might do to Idahoans.

Mr. BUDGE's amendment would have incorporated in the bill the provisions of pending legislation sponsored in the Senate by Wyoming's Republican Senator BARRETT and in the House by Representative BUDGE and California's Democratic Representative CLAIR ENGLE. It provides specifically that Federal Government appropriation and use of waters shall conform to State law.

And therein is the hard core of the controversy over Hells Canyon development.

Except for the fact, already buttressed by high court decisions, that the Federal Government might make whatever use it pleased of the waters involved, it's quite likely that question of whether Hells Canyon were developed by the Idaho Power Co. or by the Federal Government would be a matter of indifference to most Idahoans.

But when that conclusion has been made so certain as it has been in the course of the long continuing cosideration of the Hells Canyon project, so that everyone living in the Snake River Valley has reason to know that Federal administration of the river might, if it chose, disregard State water rights altogether in an emergency and divest the river's waters to fulfillment of needs on the lower reaches, or possibly, in California, there is presented a situation in which every Snake River water user is prepared for all-out defense of his headgates. And the Federal Hells Canyon project will never be approved with their consent.

Mrs. PFOST has demonstrated not only that she's most concerned about advancement of the public power program; but that also she's docilely obedient to the dictation of the Democratic Party chairman who is demanding action on Hells Canyon as a necessity if some Democratic candidates, including Oregon's Senator MORSE and Idaho's Representative GRACIE PFOST are to have a ghost of a chance for reelection.

To that end she has demonstrated that she's quite willing to hazard the livelihoods of every farmer and stockman, every resident of every community along the Snake River's reaches through eastern and southern Idaho.

Mrs. PFOST might at least have had the grace to indicate some show of interest in the welfare of so many Idahoans with a vote in support of the Budge amendment.

In her refusal to do so, and in the course she has taken, she finds herself in a situation that's altogether disgraceful to Gracie.

[From the Wilkes-Barre (Pa.) Times-Leader-Evening News of June 15, 1956]

PACKAGE POWER DEAL IS BLACKMAIL

What is termed politely as a package power deal and not so politely as legislative blackmail is now being promoted on Capitol Hill in Washington by the public-power lobby and the Democratic National Committee to milk the American taxpayers of more than $1 billion.

The plan is to force a policy of Government ownership on the Eisenhower administration under threat of defeat of power measures the President and many Republicans favor. The idea is to put the Nation's Chief Executive on the spot.

The key measure involves the $156 million Fryingpan-Arkansas project to divert Colorado River water through the Continental Divide to irrigate the Arkansas Valley. This legislation which President Eisenhower approves has been tied up for months in committee.

Notice has been served that to get the Arkansas project through Congress, approval also must be given to the $339 million dam, proposed at Hells Canyon on the Snake River by the MORSE-MAGNUSON crowd. The Federal Power Commission, incidentally, has given the green light to the Idaho Power Co. to proceed with this construction, so if the Government were to okay the dam, the Idaho contract would have to be canceled.

And that is not all there is to the log-rolling. Among other projects included in the package now are Niagara, involving $405 million; Yellowtail, involving $95,721,000; Washoe reclamation project in Nevada and California, involving $43,700,000, and Fort Randall-Grand Island transmission line in Nebraska and South Dakota, involving $5,500,000, making a grand total of $1,105,462,000.

It's the old story of you scratch my back and I'll scratch yours. In other words, if the survivors of the Ickes-Chapman group do not get what they want, they threaten to block other legislation.

It makes no difference how necessary one project might be or how unnecessary another might be. It is just a case of take it or leave it.

Behind the scenes, unprecedented manipulation is in progress. As in the case of the St. Lawrence Seaway, proponents of the package apparently will stop at nothing.

This is a frightening way to conduct the Nation's business. This country is entitled to something better than Government by conspiracy and coercion, no matter by what fancy terms they are called.

Taxpayers from States like Pennsylvania are especially penalized since they pay so much of the freight and have no way of evening the score, if they were inclined to do business on this basis which, thank God, they are not.

This is nauseating and calls for condemnation in the strongest possible terms.

[From the New York World-Telegram of June 25, 1956]

POLITICS REIGN IN HELLS CANYON

(By Kermit McFarland)

For years now there has been a political tussle—fanatical at times—over who builds what dams in Hells Canyon, Idaho.

The New Dealers have wanted the taxpayers to put up a single dam to cost some half-billion dollars.

President Eisenhower has another policy. He says the Government should help develop natural resources—but only where there is a national benefit and where private enterprise can't or won't do it.

So the Idaho Power Co., under license from the Government, is ready to go ahead with a series of three smaller dams, to cost half as much as the Government project would have cost.

And private enterprises, unlike Government-owned projects, pay taxes—which is a double relief to the taxpayers.

In any case, the Democratic leadership in Congress has worked up a political spectacular out of this situation. It is hauling out of committee bills to authorize construction of the Federal dam.

The idea is not so much to get the dam built but to get votes for Democratic candidates—especially Senators MORSE of Oregon and MAGNUSON of Washington. The Democrats figure President Eisenhower would veto the bill, as he doubtless would. But they estimate the veto would enhance their claim that by letting private, taxpaying enterprise develop these resources, the administration is giving away public property.

How much "giveaway" there is in pouring taxpayers' money into something private capital can do is a question they don't answer, of course.

[From the Salem, (Oreg.) Capital Journal of May 14, 1956]

THE REAL "GIVE-AWAYS"

The estimated cost of the big Hells Canyon Dam which Congress, both Democratic and Republican have refused to authorize construction of is $465 millions of taxpayers' money. Instead the Federal Power Commission has authorized the private utility, the Idaho Power Co., to build three smaller dams, which will generate nearly as much electrical energy without mulcting the taxpayers. In addition to this saving the private utility will have to pay both annual Federal and States taxes on their investment providing additional revenue and help reduce the taxpayers' burden.

The policy of Congress and the Federal Government has been to build only such needed projects whose costs are too great for private enterprise. That is proper development for Government.

The weekly news magazine Time prints a detailed list of what the taxpayers of each of the 48 States would have to pay for the big single Hells Canyon Dam in State taxes. All of these extra taxes are saved by the triple dams, through their building by a local independent electric company instead of the Government.

Oregon's share of the State taxpayers' cost of the big Hells Dam would be $4,400,000, Idaho's $1,200,000, Washington's $7,300,000, Montana's $1,500,000, Nevada's $700,000, California's $42,900,000, Arizona's $1,900,000, New Mexico's $1,400,000 and Utah's $1,600,000.

Taxpayers of heavily populated States would be hit hardest and receive none of the power generated. Among these are Illinois $35,600,000, Indiana $11,900,000, Massachusetts $15,000,000, Michigan $26,900,000, Missouri $11,606,000, New Jersey $16,900,000, New York $68,700,000, Ohio $29,700,000, Pennsylvania $35,000,000, Texas $18,900,000 and Wisconsin $9,500,000.

No wonder Congressmen from these States oppose these needless taxes sought by public power fanatics and utilized by Democratic demagogs as a fake issue against the Eisenhower administration. McKay, who had nothing to do with it, has continued to be libeled as "Give-Away McKay" when he had little to do with it, because he favors private enterprise when it will save millions of taxpayers' money and provide additional sources of taxation in the future. Federal dams are tax exempt.—G. P.

[From the Daily Iowegian, of Centerville, Iowa, May 21, 1956]

PUBLIC POWER TAX GRABBERS

A few months ago we had a lot of debate over whether a big dam and power project at Hells Canyon should be a Federal project financed by the taxpayer's dollars, or a private enterprise under Government regulation. The latter won out. The total cost was estimated to be $465,500,000. Somebody has gone to the trouble to figure out what that would have meant allotted to the States. Iowa is estimated to have saved $5,600,000; Nebraska, $3,400,000; Minnesota, $7,800,000; Illinois, $35,600,000; and Missouri, $11,600,000. If the Senator Morses had their way they would have the Government spending billions on these projects. Then they would cite the big savings made because of lower rates by these favored projects, because they had no taxes, little interest, and other expenses. That is the way the Tennessee Valley project operates at the expense of the whole country and for the benefit of the people in its territory.

[From the Topeka (Kans.) Daily Capital of June 22, 1956]

A PICKPOCKET ISSUE

Failing to find a valid major issue on which to attack the Eisenhower administration, the Democratic leaders now are falling

back on the timeworn advocacy of public power. Their hope is to dramatize the administration's preference for development of natural resources by private industry as something reprehensive; thus a live political issue designed to win votes from harressed taxpayers.

The Senate Interior Committee, Tuesday, approved by a vote of 8 to 3 a bill to authorize the Government to construct a dam in Hells Canyon on the Snake River between Oregon and Idaho. This deep and narrow gorge has been the subject of controversy for years.

The Federal Power Commission on July 27, 1955, handed down a unanimous decision favoring the Idaho Power Co.'s application for a 50-year permit to build three dams on a 100-mile stretch of the Snake River. These dams would flood the site of the proposed Federal Hells Canyon Dam.

The private company already is at work on two of the dams. It proposes to spend $250 million on the three dams and transmission lines. And it would pay $10 million a year in taxes on the project.

The Federal dam proposed by Senator MORSE and 29 other so-called liberal Senators calls for an expenditure of $500 million in Government money. Some experts claim that the public power project would cost in excess of $1 billion. And it would pay no taxes. The entire cost would be charged against all the Nation's taxpayers, most of them so far removed they could by no stretch of the imagination receive any benefits.

When Douglas McKay was Secretary of the Interior he withdrew that Department's long-time opposition to development of Hells Canyon by private enterprise. This was in line with the administration's policy of taking the Government out of businesses that could be done as well, or better, by private companies.

Democrats are calling the granting of a license to Idaho Power a giveaway. The bill's sponsors are so steeped in the theory that the taxpayers should be stuck with the costs of public power installations they cannot discern the difference between sound business methods and the non-taxpaying-Government projects.

On the same day that the Senate committee approved the costly Hells Canyon Federal proposal the House Ways and Means Committee also approved the requested hike of $3 billion increase in the public debt. If Congress passes the Morse Hells Canyon bill it could conceivably add still another billion to the debt.

McKay is running against MORSE for Senator in Oregon. MORSE is a stanch advocate of public power. McKay opposes spending tax money for projects that private interests want to build.

It is difficult to see how the Democrats can make much of an appeal to the American people on the Hells Canyon issue. Every time citizens have had a chance to vote on the public power versus private power issue in recent years they have decisively defeated the socialistic programs.

[From the El Paso (Tex.) Times of June 21, 1956]

HELL'S CANYON

Hungry for issues in this election year, Democrats on Capitol Hill appear ready to stage a big battle over a Federal dam at Hell's Canyon, opposed by the Eisenhower administration. Their hope would be thus to dramatize their advocacy of public power and their dissatisfaction with the administration's preference for development of natural resources by private industry.

Hell's Canyon, a deep and narrow gorge separating eastern Oregon from western Idaho, has been a subject of controversy for years. As Secretary of the Interior, Douglas McKay, now running for United States Senator from Oregon against Senator WAYNE MORSE, Democrat, in May 1953 withdrew the long-standing opposition of that Department to the application of the Idaho Power Co. for permission to build 3 smaller dams in the canyon.

The Federal Power Commission on July 27, 1955, handed down a unanimous decision favoring the company's application for a 50-year license to build the 3 dams on a 100-mile stretch of the Snake River. These dams would flood the site of the proposed Federal Hell's Canyon dam.

The company already has begun work on 2 of the 3 dams. The FPC on June 15 announced that it had authorized the company to issue $20 million of promissory notes to finance construction of one of the dams. But the National Hell's Canyon Association and other public power groups are challenging the company's license in the United States Court of Appeals.

And Senator MORSE and 29 other Senators—including the 2 North Dakota Republicans, WILLIAM LANGER and MILTON R. YOUNG—are backing a bill to authorize Federal construction of a high dam at Hell's Canyon. After the death of Senator Alben W. Barkley, Democrat, Kentucky, the Democratic leadership of the Senate switched Senator RUSSELL B. LONG, Democrat, Louisiana, who had voted against the bill in the Interior Committee, over to the Senate Foreign Relations Committee to fill the Barkley vacancy.

The Federal dam proposed by the Morse bill and a companion bill in the House would be built at a cost of $500 million. By comparison, the private power company would spend only about $250 million on its 3 dams and transmission lines. And it would pay close to $10 million a year in taxes on the project.

Even so, Democrats are calling the granting of a license to Idaho Power a giveaway. Senator RICHARD L. NEUBERGER, Democrat, Oregon, who will campaign for MORSE this year, called FPC support of the private project "a major step in the destruction" of the Army engineers' "master plan for the full development of the power resources of the Columbia Basin."

[From the Fort Worth (Tex.) Star-Telegram of June 16, 1956]

POOR RULE TO GO BY

Whether public funds shall be used to build a huge dam in Hells Canyon near the Idaho-Oregon border, for electric power purposes, is a matter of great controversy. So also are proposals to make Federal appropriations for the Niagara River power project in New York, for construction of more power-generating capacity for the Tennessee Valley Authority, and for increasing the rural electrification loan fund. Though there are many complicating factors, the main issue is whether such developments should be financed by the Federal Government or by private interests.

Aside from this fundamental issue of public policy, the sums involved are far from insignificant to the taxpayers. If built by public funds, the Hells Canyon project is estimated to cost $399 million, and probably will cost more. The proposed Niagara power project has a preliminary price tag of $405 million. Sums of this magnitude should not be spent without the most careful consideration by Congress of whether such expenditures are in the public interest.

That is not the basis on which Demcoratic National Chairman Butler wants to proceed. He wants the funds approved to help the election chances of Senator MORSE in Oregon and Senator LEHMAN of New York, and House candidates in the areas which would be affected by the appropriations. Said Mr. Butler in a letter to Democratic leaders in Congress:

"The enactment of the foregoing measures in this session would be hailed as the accomplishments of our Democratic Congress and would be vitally important in our retaining control of the Congress for the next 2 years."

It is a poor basis for action. Matters of vital public policy should not be decided according to whether they will help someone's political chances, nor should public money be used as a virtual slush fund for congressional candidates.

ELECTRIC POWER IN THE PACIFIC NORTHWEST

Mr. GOLDWATER. Mr. President, those who are the loudest in their concern for more electric power in the Pacific Northwest also are the ones who have effectively delayed getting more power to the people. For many years private money stood ready, willing, and able to give the people who live in that delightful section of our country the power they need; for as many years the advocates of public power had blocked private power. Work now has actually begun on the private venture, but even with that milestone passed, the public-power zealots attempted to throw another roadblock in the path of that effort. This attempted roadblock failed, I am happy to report, when the United States court of appeals on Monday denied a request for an injunction which would have stopped construction at the sites. I ask unanimous consent that a report of this decision from the Idaho Daily Statesman be printed in the RECORD as a part of my remarks at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COURT OF APPEALS REJECTS ATTEMPT TO HALT IDAHO POWER DAMS—FEDERAL POWER BACKERS ARE DENIED INJUNCTION TO STOP CONSTRUCTION OF THREE PROJECTS ON SNAKE RIVER

WASHINGTON.—The United States Court of Appeals Monday denied a request to stop construction of private power dams which would flood the site of the proposed Federal Hells Canyon project. Public power groups advocating the Federal proposed dam asked that the Idaho Power Co. be prevented from building dams in the Snake River until its Federal Power Commission license has been tested in the court. They also asked the court to hear oral arguments on their request that the license be stayed. The court turned down both requests.

The public power groups said in their motion filed June 21 that Idaho Power is constructing Brownlee Dam in the Hells Canyon stretch of the Snake River bordering Idaho and Oregon.

Construction of Brownlee, first of three dams planned by Idaho Power, would prejudice congressional consideration of legislation to authorize the Federal Hells Canyon project, the public power groups said.

Idaho Power said in its reply that the dam must be built on schedule according to its FPC construction license and that any delay would cost the company and its customers about $10 million.

The public power groups, including the National Hells Canyon Association, are asking the court to cancel Idaho Power's FPC license on grounds the Federal project should be built. The court has heard arguments and is considering the legality of the license.

LOAN OF CERTAIN EQUIPMENT TO BOY SCOUTS OF AMERICA

The PRESIDING OFFICER (Mr. SCOTT in the chair) laid before the Senate the amendments of the House of

Representatives to the bill (S. 2772) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in England in 1957; and for other purposes, which were on page 1, line 6, after "Scouts", insert ", Scouters"; on page 2, line 24, strike out "Scouts and" and insert "Scouts,"; on page 2, line 24, after "Scouters", insert "and officials"; on page 3, line 3, strike out "Scouts and" and insert "Scouts,"; on page 3, line 3, after "Scouters", insert "and officials"; on page 3, lines 23 and 24, strike out "Scout or" and insert "Scout,"; and on page 3, line 24, after "Scouter", insert "or official."

Mr. KNOWLAND. Mr. President, may we have an explanation of the amendments?

Mr. WELKER. Mr. President, the House amendments are very innocuous. They provide merely that the Boy Scouts shall get the things they need for their summer encampment, and that nothing shall interfere with it. The amendments are of such a character that the Committee on Armed Services, which met not more than 20 minutes ago, unanimously asked that the House amendments be agreed to. If the distinguished Senator from California wishes me to go into more detail, I shall be glad to do so. However, I assure him that the amendments were unanimously approved by the committee. They are merely perfecting amendments.

Mr. President, I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Idaho.

The motion was agreed to.

FIFTIETH ANNIVERSARY OF THE FOOD, DRUG, AND COSMETIC ACT, AND THE FEDERAL MEAT INSPECTION ACT

Mr. MURRAY. Mr. President, last week the Nation celebrated the 50th anniversary of the Food, Drug, and Cosmetic Act and the Federal Meat Inspection Act. Several dozen of the Nation's leading organizations joined in the celebration of this historic event with ceremonies here in Washington. Leading officers of these groups lauded the Food and Drug Administration and the Meat Inspection Branch of the Department of Agriculture for the great protection of the Nation's health they have provided during the past half decade.

One of these speeches went somewhat beyond throwing bouquets to these two great Government agencies and the laws which created them. That was the address delivered by William F. Schnitzler, secretary-treasurer of the AFL-CIO.

Mr. Schnitzler forthrightly told those gathered for the anniversary that the job of safeguarding the Nation's health had to be a continuing campaign. Referring to the ceremonies, he said:

> This should not be a memorial service but a rededication to the great goal of protecting the health and welfare of all American citizens.

Specifically, Mr. Schnitzler urged the plugging of what he called "the biggest loophole in the existing—health protection—statutes." He referred to the lack of proper inspection for sanitation and wholesomeness in the poultry industry.

He not only urged the speedy enactment of Federal legislation, but promised, in addition, that the AFL-CIO would carry the fight into State legislatures to secure appropriate State legislation.

Mr. President, I applaud Mr. Schnitzler's excellent speech. It is another forward step in the AFL-CIO's continuing campaign to support legislation which will benefit the entire American people.

On poultry legislation specifically, it was one of the AFL-CIO's affiliates, the Amalgamated Meat Cutters and Butcher Workmen, which called public attention to the need for laws to safeguard consumers and poultry workers. Staunchly supported by the rest of the AFL-CIO, it has waged an unrelenting campaign for a poultry inspection statute. The Nation is indebted to this union and all of organized labor for this splendid public service activity.

Like Mr. Schnitzler and the AFL-CIO, I feel the enactment of legislation for the inspection of poultry is extremely urgent. Such a statute is long overdue. We certainly should not adjourn this session of Congress without meeting this great and pressing need.

In May, the Subcommittee on Legislation Affecting the Pure Food and Drug Administration, consisting of Senator McNAMARA, Senator BENDER, and myself, held hearings on compulsory poultry inspection. Many women's organizations, farm groups, public health organizations, labor unions, professional groups appeared before us and testified to the urgent need for the enactment of poultry inspection legislation.

Following the hearings the subcommittee members joined in introducing S. 3983. This measure would provide antemortem and postmortem inspection and a sanitation program for poultry. The work would be carried out by the Meat Inspection branch of the Department of Agriculture.

Our hearings convinced us that this was the best way to provide protection against the marketing of diseased and filthy poultry.

The Meat Inspection Branch of the Department of Agriculture has done a good job for 50 years in the related red-meat field, and we believe it will do an excellent job in assuring the cleanliness and wholesomeness of poultry meat.

Mr. President, like Mr. Schnitzler, I can think of no better way for Congress to commemorate the 50th anniversary of the Food and Drug Act and the Meat Inspection Act than by the enactment of S. 3983 to plug the poultry loophole in the food laws.

I request unanimous consent that Mr. Schnitzler's speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS OF MR. WILLIAM F. SCHNITZLER AT THE 50TH ANNIVERSARY OF PURE FOOD AND DRUG LAW, WEDNESDAY, JUNE 27, 1956

The American Federation of Labor and Congress of Industrial Organizations is happy to join in this observance of the 50th anniversary of our basic pure food and drug laws.

Personally, and on behalf of the officers and members of the AFL–CIO, I want to pay a sincere tribute to those far sighted and public-spirited Americans who led the long fight to achieve these laws which are so necessary and so desirable.

The American labor movement has long supported the purpose for which these statutes were written. Many of our members work in these industries; all of our 15 million members and their families are consumers. As workers and as consumers, we have benefited, as the general public has benefited, from these laws which prohibit injurious adulteration and misbranding of food, drugs and cosmetics.

But our interest in this vital matter does not solely arise from the law's beneficial effects upon our own members. It is part of our overall interest in all that affects the lives and well-being of our community and our Nation. It is akin to our interest in, and our fight for, better housing, better roads, better hospitals, better schools.

We sincerely believe that what is good for America is good for organized labor. Certainly, the public health falls into that category. Certainly all of us must demonstrate major concern for the continuing problem of keeping this Nation and its people strong and healthy.

Laws, in themselves, do not guarantee observance. Even the 10 Commandments, it must be admitted, are not universally obeyed. We still need police, prosecutors, courts and jails. Likewise, we must have effective enforcement of the pure food and drug laws. That includes thorough inspection, and prompt action against violators backed up by stern penalties.

As citizens, we can't pass the buck. We must see to it, through organized vigilance, that our elected public officials provide fair, but rigorous enforcement. The tax cost for such protection is indeed trifling compared with the value, in terms of human welfare, of this essential public service.

There is no issue here of wasting the public's tax money. The only issue is whether we can afford to waste the public's health through pennywise-but-pound-foolish legislative tactics.

Nor can it be assumed that the job of writing laws to protect the consuming public had been completed. New technological changes often require revision of the laws in order to keep them up to date.

At the same time, we must plug up the loopholes in existing statutes. One of the biggest of these loopholes has been brought to the public's attention by the action of the Amalgamated Meat Cutters and Butcher Workmen of North America, one of the affiliates of the AFL–CIO.

I am referring to the poultry industry. Poultry is an important part of the American diet, yet only about 20 percent of the commercially slaughtered and processed poultry of the United States is inspected under the voluntary program.

The unsavory fact is that today poultry processed under the most unsanitary conditions imaginable finds its way to the consumers' dinner table every single day. There are, I am informed by experts, at least 26 poultry diseases which are transmissible to human beings, but nothing is being done to protect the American people from this clear and present danger.

We in the AFL–CIO have urged Congress to enact a strict, compulsory and effective regulation and inspection program so as to guarantee that poultry shipped in interstate commerce will be processed under sanitary conditions and be free from disease.

That, of course, is not an ironclad guarantee of purity. The housewife is not likely to know—at first glance at a market's poultry counter—which chicken is an interstate commerce article and which "a local" chick.

Therefore, we in the AFL–CIO shall carry this fight to the State legislatures as well, seeking to make this program as effective as possible.

You might say we have a selfish interest in this matter. We admit it. More than 30,000 of our members work in the poultry industry and are exposed to these diseases. I suppose that almost all of our members are poultry consumers. So we do have a personal stake in securing this kind of legislation.

But we have the broad public interest in mind, as well. All consumers will be safer if we achieve our goal. Of course we are not alone in this campaign. We appreciate the help of other groups devoted to this cause.

And we are confident that when our public officials understand all of the facts, legislation will be swiftly enacted.

It seems to me that the best way we can pay tribute today to the pioneers who fought for and achieved the enactment of the first pure food and drug laws is to enlist in a continuing campaign to make those laws fully effective.

This should not be a memorial service but a rededication to the great goal of protecting the health and welfare of all American citizens.

Certainly, we in the AFL–CIO are convinced that this public service deserves and must get the highest priority now and in the future, from those elected to serve the public.

TERMINATION OF INDIAN CLAIMS COMMISSION

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed, and the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 5566) to terminate the Indian Claims Commission, and for other purposes.

Mr. POTTER obtained the floor.

Mr. GEORGE. Mr. President, will the Senator from Michigan yield to me in order that I may request consideration of a House joint resolution which I do not think will be controversial?

Mr. POTTER. I shall be delighted to yield.

PARTICIPATION BY THE UNITED STATES IN PARLIAMENTARY CONFERENCE OF THE NORTH ATLANTIC TREATY ORGANIZATION

Mr. GEORGE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2163, House Joint Resolution 501.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 501) to authorize participation by the United States in parliamentary conference of the North Atlantic Treaty Organization.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the joint resolution.

Mr. KNOWLAND. Mr. President, I assume we shall have a brief explanation of the joint resolution.

Mr. GEORGE. Mr. President, all this joint resolution does is to authorize the Members of the Senate to attend conferences of the NATO group of countries, but with the provision that conferences in any year shall not be held while the Senate is in session. The conferences can be held only during vacations.

The House of Representatives sent representatives to the parliamentary session last year. The Senate did not, because the parliamentary session was held at the time when the Senate was working toward adjournment.

The joint resolution provides for a small amount of money to pay the expenses of such Members of the Senate as may be appointed by the Vice President to attend. As I recollect, the total amount is only $36,000 in any year.

The Foreign Relations Committee reported the joint resolution favorably.

Mr. KNOWLAND. Mr. President, I raise no objection, but I think it is important that the entire report of the Committee on Foreign Relations be printed at this point in the RECORD, and I ask unanimous consent that that may be done.

There being no objection, the report (No. 2140) was ordered to be printed in the RECORD, as follows:

The Committee on Foreign Relations having had under consideration House Joint Resolution 501, to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization, favorably reports the resolution to the Senate and recommends that it do pass.

GENERAL PURPOSE OF RESOLUTION

This resolution authorizes the appointment of 9 Members of the House of Representatives and 9 Members of the Senate to meet jointly and annually with representatives of other parliaments from other North Atlantic Treaty Organization countries to discuss common problems related to the maintenance of peace and security in the North Atlantic area. The resolution also authorizes an annual appropriation of $36,000, of which $6,000 is to be for an annual contribution of the United States toward maintenance of the North Atlantic Treaty Parliamentary Conference, and $15,000, respectively, to meet the annual expenses of the House and Senate delegations.

BACKGROUND OF PROPOSAL

Last year the Congress passed House Concurrent Resolution 109 which authorized the appointment of not to exceed 14 Members of Congress to meet jointly with representative parliamentary groups from other NATO members to discuss problems of common interest related to the maintenance of peace in the North Atlantic area. That resolution authorized participation in the one conference then scheduled to be held in Paris.

The business of the Senate made it impossible for Senators to participate in the conference held in Paris from July 18 to 22. Representatives from the House of Representatives, however, attended that meeting.

At the meeting held in Paris representatives of the 15 NATO countries were present, including 6 Members of the House of Representatives. The agenda included general briefings by NATO officers, inspection of NATO facilities, and a number of sessions at which there was a free interchange of ideas among delegates. The report on that meeting, filed by Congressman HAYS of Ohio, included the following resolution adopted unanimously by representatives present, and a statement in which members of the House delegation recommended annual United States participation in future meetings of this type.

"'RESOLUTION ON FUTURE MEETINGS OF MEMBERS OF PARLIAMENT FROM NATO COUNTRIES

"'This meeting of members of parliament from NATO countries:

"'Recalling that the aim of the North Atlantic Treaty is both to encourage the defense of member countries and to contribute to the economic, social, and cultural development of the people united within the framework of the Atlantic community;

"'Considering that achievement of the latter aim would be facilitated by closer relations between the members of the representative assemblies of the different countries and considering that this is particularly desirable in the case of the legislative branches of the member states who have by solemn treaty pledged themselves to the mutual defense and welfare of their respective peoples through the far-reaching initiative in international relations that is NATO;

"'Believing that these discussions between members and the NATO authorities and between members themselves have already been of great value;

"'Invites the speakers of the various parliaments concerned, according to the procedure which they think appropriate, to send delegations to a similar meeting each year;

"'Expresses the wish that the governments of the countries here represented facilitate through NATO Council further meetings;

"'Considers further that before we separate, a continuing committee should be selected, composed of the present officers and other members of the steering committee, 15 in number, to include 1 from each NATO nation and with the right of substitution to make arrangements for the next meeting;

"'This meeting further considers that such a continuing committee would require some secretarial assistance of its own. This should be, for the time being, on a part-time basis. The necessary finance, which should be quite small, should be provided by the participating governments or parliaments concerned on a basis to be mutually agreed.'

"The delegation from the House of Representatives unanimously felt that the interchange of ideas and problems among the members of the parliamentary bodies of the 15 NATO countries was indeed very beneficial. The committee believes that United States should participate in the future meetings and should not only participate but should also encourage and do everything it can to make these meetings worthwhile. Your committee believes that such future meetings will be mutually advantageous to the nations allied in NATO and will be productive of great good in the interchange of ideas. It was very obvious during the sessions that the airing of common problems and the effort made by the delegations from various countries to understand the problems of the associated nations would be valuable in the conduct

of future consideration of the many questions faced by an organization such as NATO. It was pointed out by not only the committee from the United States, but by others that it is the belief of many that NATO has been largely responsible in deterring armed aggression and an outbreak of the third world war and that NATO can be as useful in the cold war as it has been in preventing a hot war."

As a result of the favorable reaction of the House representatives, the pending resolution was introduced by Congressman HAYS of Ohio and approved by the House on May 7, 1956.

The Committee on Foreign Relations in its favorable report of last year (Rept. No. 548, 84th Cong., 1st sess.) stressed "the distinction between [the then pending resolutions] and Atlantic Union proposals." It noted that "the scheduled meeting in Paris will be of an informal character, following the pattern of the Interparliamentary Union meetings with which Members of the Senate are familiar." It pointed out that, as is the case in the pending resolution, "Members from Congress will attend in their individual capacities."

COMMITTEE ACTION

The committee, prior to its consideration of House Joint Resolution 501, obtained the views of the Department of State with respect to its enactment. The Department reported as follows:

"The Department of State warmly endorses the proposal embodied in House Joint Resolution 501.

* * * * *

"It is therefore appropriate that free peoples consider the development of supplementary forms of contact and association to strengthen their unity. We are convinced that regular meetings of the kind proposed can make a genuine contribution to better understanding and more effective cooperation throughout the Atlantic Community.

* * * * *

"In general, the Department believes that this effort serves the purpose of improving and extending NATO cooperation in nonmilitary fields and of developing greater unity within the Atlantic Community to which the NATO member countries attached such great importance at the last Ministerial Meeting."

On June 5, 1956, the committee ordered House Joint Resolution 501 favorably reported to the Senate.

PROVISIONS OF THE BILL

In addition to authorizing the annual appropriations noted above, the pending bill provides that of the 9 Members to be selected by the presiding officers of the respective Houses, not more than 5 appointees from the respective Houses shall be of the same political party.

In order to avoid conflict between responsibilities of Members of Congress while Congress is in session and annual meetings of the NATO Parliamentary Conference, the bill provides that United States representatives are to be appointed to these meetings "when Congress is not in session."

Provision is also made for the United States group to submit a report each fiscal year when appropriations are made for our participation.

CONCLUSION

Members of the Committee on Foreign Relations as well as many other Members of the Senate have participated in the past in meetings of the Interparliamentary Union as well as in other sessions devoted to exchanges of personal views among members of parliaments of many nations. Uniformly legislative participants at these sessions have reported them productive of mutual understanding.

The committee believes that it will be productive of better understanding among members of the North Atlantic Treaty Organization if meetings can be encouraged at the parliamentary level of government as well as at the executive level. United States participation in meetings of the North Atlantic Treaty Parliamentary Conference are a step in that direction. Should they prove productive of better understanding among the nations associated in NATO, they should be helpful in promoting peace. The Committee on Foreign Relations, therefore, urges adoption of the pending resolution.

Mr. KNOWLAND. Mr. President, I wish to invite the attention of the distinguished Senator from Georgia to the following language which appears on page 3 of the report:

The Committee on Foreign Relations in its favorable report of last year * * * stressed "The distinction between (the then pending resolutions) and Atlantic Union proposals." It noted that "the scheduled meeting in Paris will be of an informal character, following the pattern of the Interparliamentary Union meetings with which Members of the Senate are familiar." It pointed out that, as is the case in the pending resolution, "Members from Congress will attend in their individual capacities."

I merely wanted to ask the distinguished chairman of the Foreign Relations Committee, for the RECORD, if it is not correct that the Members will be in attendance in their individual capacities and will have no power or authority to bind the Congress of the United States to any action.

Mr. GEORGE. The Senator is entirely correct. Otherwise, I would not have favored the resolution myself, and I do not think the Foreign Relations Committee would have reported it.

The PRESIDING OFFICER. The question is on the third reading and passage of the joint resolution.

The joint resolution (H. J. Res. 501) was ordered to a third reading, read the third time, and passed.

TRANSFERS OF DISTILLED SPIRITS

Mr. GEORGE. Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2422, House bill 11714.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 11714) to extend for 3 years the existing authority of the Secretary of the Treasury in respect to transfers of distilled spirits for purposes deemed necessary to meet the requirements of the national defense.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CHAVEZ. Mr. President, reserving the right to object—and I shall not object—I should like to have the Senator from Georgia give us an explanation before unanimous consent is given for the consideration of the bill.

Mr. GEORGE. Mr. President, I shall be glad to do so.

Section 5217 (a) of the Internal Revenue Code of 1954 authorizes the transfer of distilled spirits between alcohol plants and registered distilleries or internal revenue, or industrial alcohol, bonded warehouses under certain circumstances. Subsection (b) of this section also permits the Secretary of the Treasury or his delegate temporarily to waive the application of any of the internal revenue laws relating to distilled spirits, except those imposing tax under certain circumstances. Although the committee has determined that subsection (b) has not been utilized during the past 5 years, it is recommended that the 2-year extension also be applicable to subsection (b) in order that it may be available as standby authority in the event that emergency conditions involving national defense should arise. Under present law the authority of the Secretary or his delegate to permit these transfers, or to waive the application of these internal-revenue laws expires as of July 11, 1956. This bill extends this authority for 2 additional years instead of 3 additional years as provided in the House bill.

Therefore, Mr. President, the bill will have to go back to the House to obtain concurrence in the amendment. The Senate Finance Committee has authorized another amendment to the bill, since it must go back to the House in any event. The amendment, which I shall be glad to explain if unanimous consent is given to consider the bill at this time, is one in which both the staff of the Joint Committee on Internal Revenue Taxation and the Treasury Department have concurred. That is to say, they have no objection to the amendment, and it has been approved. It relates to a different subject matter, but I merely call attention to that fact.

The reason why this bill should be acted upon at this time is to give to the Treasury a 2-year extension to meet a national emergency if the national defense should require it within a 2-year period.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CHAVEZ. I have no objection to the present consideration of the bill.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment on page 1, line 5, to strike out "1959" and insert "1958."

The amendment was agreed to.

Mr. GEORGE. Mr. President, I have been authorized by the Committee on Finance to offer an amendment, which I now submit. I do not think it is necessary to have the amendment read. It is highly technical. However, I shall explain it. The explanation will disclose the full nature of the amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be printed at this point in the RECORD.

The amendment offered by Mr. GEORGE is as follows:

After line 5, insert:

"SEC. 2. (a) Section 852 (b) (3) of the Internal Revenue Code of 1954 (relating to method of taxation of capital gains of regulated investment companies) is amended by adding after subparagraph (C) thereof the following new subparagraph:

"'(D) Treatment by shareholders of undistributed capital gains:

"'(i) Every shareholder of a regulated investment company at the close of the com-

pany's taxable year shall include, in computing his long-term capital gains in his return for his taxable year in which the last day of the company's taxable year falls, such amount as the company shall designate in respect of such shares in a written notice mailed to its shareholders at any time prior to the expiration of 30 days after close of its taxable year, but the amount so includible by any shareholder shall not exceed that part of the amount subjected to tax in subparagraph (A) which he would have received if all of such amount had been distributed as capital gain dividends by the company to the holders of such shares at the close of its taxable year.

"'(ii) For purposes of this title, every such shareholder shall be deemed to have paid, for his taxable year under clause (i), the tax of 25 percent imposed by subparagraph (A) on the amounts required by this subparagraph to be included in respect of such shares in computing his long-term capital gains for that year; and such shareholder shall be allowed credit or refund, as the case may be, for the tax so deemed to have been paid by him.

"'(iii) The adjusted basis of such shares in the hands of the shareholder shall be increased by 75 percent of the amounts required by this subparagraph to be included in computing his long-term capital gains.

"'(iv) In the event of such designation the tax imposed by subparagraph (A) shall be paid by the regulated investment company within 30 days after close of its taxable year.

"'(v) The earnings and profits of such regulated investment company, and the earnings and profits of any such shareholder which is a corporation, shall be appropriately adjusted in accordance with regulations prescribed by the Secretary or his delegate.'

"(b) The amendment made by this section shall apply only with respect to taxable years of regulated investment companies beginning after December 31, 1956."

Mr. GEORGE. Mr. President, the amendment relates to regulated investment companies, insofar as they distribute long-term capital gains from the sale of stock or securities.

Under the present law, if a regulated investment company distributes long-term capital gains from the sale of stock or securities to its shareholders, it pays no tax on such long-term capital gains, but the individual shareholders are required to include such distributions received by them in their individual returns as long-term capital gains. On the other hand, if the company does not distribute such long-term capital gains to the shareholders but withholds them for future investment in other securities, it is required to pay a flat long-term capital gains tax of 25 percent. This results in a hardship on the shareholders who, if such long-term capital gains had been distributed to them, would in many cases be taxed at a much lower rate than 25 percent. In addition, if the gains are retained by the regulated investment company, they may be reflected in the value of the company's shares and thus produce a second and duplicate capital gains tax liability whenever the shareholder sells his stock. There are approximately 2,200,000 shareholders of record in these regulated investment companies, and the average individual holding is approximately $4,000. Thus these long-term capital gain distributions are apt to be very small when distributed among the various shareholders, and more benefit would ordinarily accrue to the shareholders if they were left in the company for reinvestment. To remedy this situation and afford more protection to the shareholders in these investment companies, my amendment amends existing law so that a regulated investment company which does not deem it wise to distribute all, or any, of its long-term capital gains is permitted to pay over to the Treasury for the account of the shareholders the regular long-term capital gains tax of 25 percent on that portion of the long-term capital gains which are not distributed to the shareholders. The shareholder will then be required to include in his return for his taxable year in which the last day of the company's taxable year falls the amount of such long-term capital gains. He will then be given a tax credit on his return for the 25 percent tax paid by the corporation on his portion of the undistributed long-term capital gain. If the 25 percent tax paid by the corporation is greater than the tax the shareholder would have paid if the long-term gains had been distributed to him, he will receive a credit or refund for the excess tax paid. The net effect would be the same as if the company had distributed all the realized long-term capital gain for the year. The taxpayer's cost for his stock would be increased by 75 percent of the gains which remain in the company after payment of the tax.

Mr. President, the Treasury has no objection to the amendment. The staff of the Joint Committee on Taxation has recommended the amendment, and the Committee on Finance has approved it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to amend sections 5217 (c) and 852 (b) (3) of the Internal Revenue Code of 1954."

DETENTION OF MAIL FOR TEMPORARY PERIODS IN CERTAIN CASES

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2256, H. R. 9842.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9842) to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with an amendment on page 2, line 11, after the word "situated", to strike out "for" and insert "and obtain."

ESTABLISHMENT OF FEDERAL ADVISORY COMMITTEE ON THE ARTS

Mr. CLEMENTS. Mr. President, I ask unanimous consent that House bill 9842 be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2433, Senate bill 3419.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3419) to provide for the establishment of a Federal Advisory Committee on the Arts, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with an amendment, to strike out all after the enacting clause, and insert:

That the Congress hereby finds and declares, and it is the policy of the Congress in enacting this act—

(1) that the growth and flourishing of the arts depend upon freedom, imagination, and individual initiative;

(2) that the encouragement of creative activity in the performance and practice of the arts, and of a widespread participation in and appreciation of the arts, is essential to the general welfare and the national interest;

(3) that as work days shorten and life expectancy lengthens, the arts will play an ever more important role in the lives of our citizens; and

(4) that the encouragement of the arts, while primarily a matter for private and local initiative, is an appropriate matter of concern to the United States Government.

SEC. 2. (a) There is hereby established in the Department of Health, Education, and Welfare a Federal Advisory Council on the Arts (hereinafter in this act referred to as the "Council"). The Council shall be composed of 24 members appointed by the President, from among private citizens of the United States who are widely recognized for their knowledge of or experience or profound interest in, one or more of the arts. Twenty-one of such members shall be representative of the following 7 major art fields and each of the 7 art fields shall have at least 2 representatives: Music, drama and dance; literature; architecture and allied arts; painting, sculpture, graphic and craft arts, and photography; motion pictures; radio and television; and three members shall be persons who have been or are associated with organizations or institutions engaged in preserving, displaying, or advancing the arts, or promoting the creation or understanding of the arts. In making such appointments the President shall give due consideration to a balance of representation from the seven major art fields, appropriate to the activities of the Council.

The term of office of each member of the Council shall be 6 years, except that the term of one-third of the members first appointed shall be for 2 years, one-third for 4 years, and one-third for 6 years. No member of the Council shall be eligible for reappointment during a 2-year period following the expiration of his term. The terms of office shall begin for the first members of the Council on January 1, 1957.

The Council shall meet at the call of the Chairman or the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary"), but not less often than twice each calendar year. The President shall from time to time designate a member of the Council to be Chairman.

(b) The Council shall have an executive secretary who shall be appointed by the Secretary after consultations with the Council. Within the limits of appropriations available therefor, the Secretary shall also provide the Council, its executive secretary, and members of its special committees with necessary secretarial, clerical, and other staff assistance.

SEC. 3. A major duty of the Council shall be to recommend ways to maintain and increase the cultural resources of the United States. A primary purpose of the Council is to propose methods to encourage private initiative and its cooperation with local, State, and Federal departments or agencies to foster artistic and cultural endeavors and the use of the arts both nationally and internationally in the best interests of our country, and to stimulate greater appreciation of the arts by our citizens.

To these ends, the Council shall undertake studies of and make recommendations relating to, appropriate methods consistent with the policy set forth in the first section of this act, for encouragement of creative activity in the performance and practice of the arts and of participation in and appreciation of the arts. Such studies shall be conducted by special committees of persons, expert in the field of art involved, appointed by the Secretary after consultation with the Council, which shall give due consideration to recommendations for nomination submitted by the established national organizations in such field of art. After considering reports on these studies, the Council shall make recommendations in writing to the Secretary. In the selection of subjects to be studied and in the formulations of recommendations, the Council may obtain the advice of any interested and qualified persons and organizations.

SEC. 4. Members of the Council and members of special committees appointed pursuant to section 3, while attending meetings of the Council or while engaged in the conduct of studies hereunder, shall receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, and shall be paid travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 734–2) for persons in the Government service employed intermittently.

SEC. 5. (a) Any member of the Council or of a special committee, appointed under this act, and any other person appointed, employed, or utilized in an advisory or consultative capacity under this act is hereby exempted, with respect to such appointment, employment, or utilization, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code, except as otherwise specified in subsection (b) of this section.

(b) (1) The exemption granted by subsection (a) of this section shall not extend to the following acts performed as an officer or employee of the United States by any person so appointed, employed, or utilized: (A) The negotiation or execution of, or (B) the making of any recommendation with respect to, or (C) the taking of any other action with respect to, any individual contract or other arrangement under this Act with the private employer of such person or any corporation, joint stock company, association, firm, partnership, or other business entity in the pecuniary profits or contracts of which such person has any direct or indirect interest.

(2) The exemption granted by subsection (a) of this section shall not, during the period of such appointment, employment, or utilization and the further period of 2 years after the termination thereof, extend to the prosecution or participation in the prosecution, by any person so appointed, employed, or utilized, of any claim against the Government involving any individual contract or other arrangement entered into pursuant to this act concerning which the appointee had any responsibility during the period of such appointment, employment, or utilization.

SEC. 6. There are hereby authorized to be appropriated to the Department of Health, Education, and Welfare such sums as may be necessary to carry out this act, including expenses of professional, clerical, and stenographic assistance. Such appropriations shall be available for services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a).

SEC. 7. This act shall not be deemed to invalidate any provision in any act of Congress or Executive order vesting authority in the Commission of Fine Arts.

Mr. LEHMAN. Mr. President, this bill is a simple one. A number of hearings were held on the bill before a subcommittee of the Committee on Labor and Public Welfare.

The background of the bill is as follows:

In his state of the Union message of January 6, 1955, President Eisenhower urged that the Federal Government do more to give official recognition to the importance of the arts and other cultural activities and recommended the establishment within the Department of Health, Education, and Welfare of a Federal Advisory Commission on the Arts, which would advise the Federal Government on appropriate means of fostering the development and appreciation of the arts. In his message the President said:

> In the advancement of the various activities which will make our civilization endure and flourish, the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities. I shall recommend the establishment of a Federal Advisory Commission on the Arts within the Department of Health, Education, and Welfare, to advise the Federal Government on ways to encourage artistic and cultural endeavor and appreciation.

Subsequently a number of bills were introduced in the Congress which carry out the recommendation of the President. Two of these bills, S. 3054 and S. 3419, were referred to the committee for its consideration. Senate bill 3054, introduced by the Senator from New Jersey [Mr. SMITH], contained the proposals of the administration. Senate bill 3419 was jointly sponsored by the senior Senator from New York [Mr. IVES], the Senator from Montana [Mr. MURRAY], the Senator from Illinois [Mr. DOUGLAS], and myself.

A special subcommittee on the Federal Advisory Commission on the Arts was established by the Committee on Labor and Public Welfare, and the subcommittee reported the bill unanimously to the Committee on Labor and Public Welfare, which, by unanimous vote, has reported the bill favorably to the Senate, for its action.

The bill provides for the establishment of an advisory committee—and I wish to emphasize that it is to be purely an advisory committee—to be composed of 24 members who are to be appointed by the President of the United States. The committee will represent all the arts.

Mr. President, I believe the bill is an excellent one. In my opinion, it meets a need which has been recognized by the President of the United States and by many Members of Congress. I hope very much that the bill will be passed.

Mr. SMITH of New Jersey. Mr. President, will the Senator from New York yield to me?

Mr. LEHMAN. Yes, Mr. President; but before I yield, let me say that the bill which has been reported is a compromise between the two bills to which I have referred. Therefore, the bill as unanimously reported by the subcommittee, of which the distinguished Senator from New Jersey [Mr. SMITH] and I are members, and later the bill was unanimously reported by the full Committee on Labor and Public Welfare.

At this time I am very glad to yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, I am glad to add a word to what the distinguished Senator from New York has said.

Two or three bills on this subject were introduced. One of them was introduced by me, at the request of the administration; and that bill represented the administration's point of view, most of which is embodied in the bill which finally was reported to the Senate by the committee.

The distinguished Senator from New York went to great trouble in regard to this matter, and a number of hearings were held. At the hearings, all objections and other points which had been raised by various groups were considered. I believe we arrived at a measure—in the form of the bill finally reported to the Senate—which meets all the objections which might be raised.

There was some thought that the Federal Government might, by means of the bill, be dealing with a subject with which it should not deal. However, of course the entire purpose of the bill is to encourage the development of all the arts, and for that purpose to establish a council which will understand and consider the problems in that connection, and will make recommendations to assist the arts in the United States to develop comparably to the development in the arts which has occurred in other countries.

I know that the bill appeals very strongly to the President of the United States, and that he is happy to have a measure of this kind brought forward.

Therefore, Mr. President, I am happy to join the Senator from New York in urging that the bill be passed.

Mr. LEHMAN. I thank the Senator from New Jersey.

Mr. President, I emphasize that the bill meets with the approval of both the majority and minority membership of the committee.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks, a statement on the bill, as issued by the National Council on the Arts and Government. The statement is signed by 300 of the leading members of the arts in the United States.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NATIONAL COUNCIL ON THE ARTS AND GOVERNMENT,
New York, N. Y., July 9, 1956.

"Over 300 men and women, eminent in the arts and public life in 30 States, have subscribed their names to an appeal to Congress to enact at this session legislation requested by President Eisenhower to set up a Federal Advisory Commission on the Arts," the recently formed National Council on the Arts and Government announced today.

"We believe," the signers declared, "that the welfare of the Nation's arts is a proper matter for the concern of its Government and that such legislation would serve the interests of the Nation as well as those of the arts it would promote."

The signers of this statement represent music, drama, dance, literature, architecture, painting, sculpture, graphics, photography, motion pictures, radio, television, and also art museum directors, patrons of the arts, art critics, universities, and art schools.

The National Council on the Arts and Government consists of representatives of the seven major art fields and is the first national organization in the United States concerned primarily with governmental activities and legislation affecting all the arts. The council called attention to the fact that these art bills were sponsored by both Democrats and Republicans in Senate and House and that of the large number of societies and institutions concerned with different arts in America only one art society in the field of sculpture opposes this Federal Advisory Commission which President Eisenhower recommended.

The full statement and list of 318 signers is attached.

THE WELFARE OF THE NATION'S ARTS—AN APPEAL TO CONGRESS

"We believe that the welfare of the Nation's arts is a proper matter for the concern of its Government.

"President Eisenhower, in his state of the Union message to Congress in January 1955, stated that the Federal Government should do more to give official recognition to the importance of the arts and other cultural activities. He recommended the establishment of a Federal Advisory Commission on the Arts within the Department of Health, Education, and Welfare.

"There are now parallel bills before Congress, sponsored by both Republicans and Democrats, to do what the President proposed. These are: H. R. 7973 (Congressman FRANK THOMPSON, Jr., Democrat, of New York), H. R. 8291 (Congressman STUYVESANT WAINWRIGHT, Republican, of New York), and S. 3419 (cosponsored by Senator HERBERT H. LEHMAN, Democrat, of New York; Senator IRVING M. IVES, Republican, of New York; Senator JAMES E. MURRAY, Democrat, of Montana; and Senator PAUL H. DOUGLAS, Democrat, of Illinois).

"This Commission would study and recommend plans to encourage the performance, practice, and appreciation of the arts, and, upon request, advise those Federal departments and agencies which administer or have under consideration art programs, with the exception of those areas of responsibility of the present Commission of Fine Arts.

"We feel that the artists of this country should be permitted to advise the Government on how their arts may best be developed and used for the advancement of the culture of the whole Nation.

"We are convinced that these bills now before Congress would encourage artistic and cultural endeavor and appreciation.

"We believe such legislation would serve the interests of the Nation as well as those of the arts it would promote.

"We ask that this legislation be immediately and favorably considered and that it be enacted by this session of Congress."

The above statement was signed by the following persons:

Music: Maurice Abravanel, Salt Lake City, Utah; Raymond Ashton, Salt Lake City, Utah; Rose Bampton, New York, N. Y.; Samuel Barber, Mount Kisco, N. Y.; Sam L. M. Barlow, New York, N. Y.; Leonard Bernstein, New York, N. Y.; Theodore Bloomfield, Portland, Oreg.; John Brownlee, New York, N. Y.; Saul Caston, Denver, Colo.; Joseph Cherniavsky, Saginaw, Mich.; Eugene Conley, New York, N. Y.; Norman Dello Joio, New York, N. Y.; Leonard De Paur, New York, N. Y.; Rudolf Ganz, Chicago, Ill.; Ira Gershwin, Beverly Hills, Calif.; Vladimir Golschmann, St. Louis, Mo.; Howard Hanson, Rochester, N. Y.; Guy Fraser Harrison, Oklahoma City, Okla.; Edwin Hughes, New York, N. Y.; Dudley M. Irwin, Buffalo, N. Y.; Thor Johnson, Cincinnati, Ohio; Enrique Jorda, San Francisco, Calif.; Milton Katims, Seattle, Wash.; Lewis Kitchen, Kansas City, Mo.; Mme. Olga Koussevitzky, Lenox, Mass.; Josef Krips, Buffalo, N. Y.; Erich Leinsdorf, Rochester, N. Y.; George London, New York, N. Y.; Yehudi Menuhin, New York, N. Y.; Nathan Milstein, New York, N. Y.; Howard Mitchell, Washington, D. C.; Dimitri Mitropoulos, New York, N. Y.; Patrice Munsel, New York, N. Y.; Paul Paray, Detroit, Mich.; Lily Pons, New York, N. Y.; Muriel Rahn, New York, N. Y.; Regina Resnick, New York, N. Y.; Hans Schweiger, Kansas City, Mo.; Fabian Sevitzky, Indianapolis, Ind.; Eleanor Steber, New York, N. Y.; Arthur L. Stern, Rochester, N. Y.; Rise Stevens, New York, N. Y.; Reginald Stewart, Baltimore, Md.; Polyna Stoska, New York, N. Y.; Lawrence Tibbett, New York, N. Y.; Leonard Warren, New York, N. Y.; J. D. Zellerbach, San Francisco, Calif.

Drama: Leo G. Carroll, Hollywood, Calif.; Donald Cook, New York, N. Y.; Russel Crouse, New York, N. Y.; Claude Dauphin, New York, N. Y.; Clarence Derwent, New York, N. Y.; Angus Duncan, Norwalk, Conn.; Maurice Evans, New York, N. Y.; Lillian Gish, New York, N. Y.; Alfred Harding, New York, N. Y.; Theresa Helburn, New York, N. Y.; Judith Laire, Pleasantville, N. Y.; Lawrence Langner, New York, N. Y.; Howard Lindsay, New York, N. Y.; Raymond Massey, Georgetown, Conn.; Gilbert Miller, New York, N. Y.; Paul Muni, New York, N. Y.; Frederick O'Neal, New York, N. Y.; Robert Schnitzer, New York, N. Y.; Margaret Sullivan, Greenwich, Conn.; David Wayne, Westport, Conn.; Blanche Yurka, New York, N. Y.

Dance: George Balanchine, New York, N. Y.; Ruthanna Boris, New York, N. Y.; Edward Caton, New York, N. Y.; Lucia Chase, New York, N. Y.; Janet Collins, New York, N. Y.; Andre Eglevsky, New York, N. Y.; Frank Hobi, New York, N. Y.; Tilda Morse, New York, N. Y.; Mary Ellen Moylan, New York, N. Y.; Bentley Stone, New York, N. Y.; Oleg Tupine, New York, N. Y.

Literature: Conrad Aiken, Brewster, Mass.; Maxwell Anderson, Stamford, Conn.; Kenneth Burke, Andover, N. J.; Henry Seidel Canby, Deep River, Conn.; Stuart Chase, Georgetown, Conn.; James T. Farrell, New York, N. Y.; Waldo Frank, Truo, Mass.; Oscar Hammerstein II, New York, N. Y.; Joseph Wood Krutch, Tucson, Ariz.; Percy MacKaye, New York, N. Y.; Marianne Craig Moore, Brooklyn, N. Y.; Elmer Rice, New York, N. Y.; Upton Sinclair, Monrovia, Calif.; Rex Stout, Brewster, N. Y.; Allen Tate, Princeton, N. J.; Lionel Trilling, New York, N. Y.; Robert Silliman Hillyer, Newark, Del.; Alfred Kreymborg, New York, N. Y.; Louis Untermeyer, Newton, Conn.; Thornton Wilder, Hamden, Conn.; Stark Young, New York, N. Y.

Architecture: Harris Armstrong, Kirkwood, Mo.; Pietro Belluschi, Cambridge, Mass.; Julian E. Berla, Washington, D. C.; Walter F. Bogner, Cambridge, Mass.; Herman Brookman, Portland, Oreg.; William Hoskins Brown, Boston, Mass.; Walter E. Church, Portland, Oreg.; Gardner Dailey, San Francisco, Calif.; Claire W. Ditchy, Detroit, Mich.; Philip L. Goodwin, New York, N. Y.; Walter Gropius, Cambridge, Mass.; William E. Hartmann, Chicago, Ill.; Samuel E. Homsey, Wilmington, Del.; John MacL. Johanson, New Canaan, Conn.; Philip Johnson, New Canaan, Conn.; Louis L. Kahn, Philadelphia, Pa.; Karl Kamrath, Houston, Tex.; Carl Koch, Cambridge, Mass.; William Lescaze, New York, N. Y.; Walter A. Netsch, Jr., Chicago, Ill.; Richard J. Neutra, Los Angeles, Calif.; John W. Root, Chicago, Ill.; Paul Rudolph, Cambridge, Mass.; Eero Saarinen, Bloomfield Hills, Mich.; Daniel Schwartzman, New York, N. Y.; Alfred Phillips Shaw, Chicago, Ill.; Henry R. Shepley, Boston, Mass.; Glenn Stanton, Portland, Oreg.; Hugh Stubbins, Cambridge, Mass.; Walter Dorwin Teague, New York, N. Y.; Nies Van der Rohe, Chicago, Ill.; Ralph Walker, New York, N. Y.; Harry M. Weese, Chicago, Ill.; Kenneth C. Welch, Grand Rapids, Mich.; Samuel G. Wiener, Shreveport, La.; Edgar I. Williams, New York, N. Y.; William W. Wurster, San Francisco, Calif.

Painting: George Biddle, Croton, N. Y.; Henry Billings, Rhinebeck, N. Y.; Isabel Bishop, New York, N. Y.; Peter Blume, Sherman, Conn.; Jack Levine, New York, N. Y.; Loren MacIver, New York, N. Y.; Pepino Mangravite, New York, N. Y.; George L. K. Morris, New York, N. Y.; Louis Bouche, New York, N. Y.; Charles Burchfield, West Seneca, N. Y.; Kenneth Callahan, Seattle, Wash.; Eliot Clark, New York, N. Y.; Stuart Davis, New York, N. Y.; Adolf Dehn, New York, N. Y.; Olin Dows, Rhinebeck, N. Y.; Emlen Etting, Philadelphia, Pa.; George Grosz, Huntington, N. Y.; Jan Juta, New York, N. Y.; Karl Knaths, Provincetown, Mass.; Leon Kroll, Gloucester, Mass.; Jacob Lawrence, Brooklyn, N. Y.; Anna Mary Robertson Moses, Eagle Bridge, N. Y. ("Grandma Moses"); Robert Motherwell, New York, N. Y.; I. Rice Pereira, New York, N. Y.; Jackson Pollock, East Hampton, N. Y.; Ruth Reeves, New York, N. Y.; Norman Rockwell, Arlington, Vt.; Ben Shahn, Roosevelt, N. J.; Charles Sheeler, Irvington, N. Y.; Millard Sheets, Claremont, Calif.; Franklin Watkins, Philadelphia, Pa.; Max Weber, Great Neck, Long Island, N. Y.; Harold Weston, St. Huberts, N. Y.; Andrew Wyeth, Chadds Ford, Pa.; Karl Zerbe, Miami, Fla.

Sculpture: Alexander Calder, Roxbury, Conn.; Jose de Creeft, New York, N. Y.; Robert Howard, San Francisco, Calif.; Robert Laurent, Bloomington, Ind.; Jacques Lipchitz, Hastings, N. Y.; Richard Lippold, New York, N. Y.; Oronzio Maldarelli, New York, N. Y.; Hugo Robus, New York, N. Y.; Theodore Roszak, New York, N. Y.; Concetta Scaravaglione, New York, N. Y.; David Smith, Lake George, N. Y.; Charles Umlauf, Austin, Tex.; Heinz Warneke, Washington, D. C.; Ruth Yates, New York, N. Y.; William Zorach, Brooklyn, N. Y.

Graphic Art: Al Hirschfield, New York, N. Y.; J. J. Lankes, Durham, N. C.; Clare Leighton, Woodbury, Conn.; Ivan Mestrovic, Notre Dame, Ind.; George Price, Tenafly, N. J.; Saul Steinberg, New York, N. Y.; James Thurber, New York, N. Y.; Stow Wengenroth, Greenport, N. Y.

Art museum directors: H. Harvard Arnason, Minneapolis, Minn.; Adelyn D. Breeskin, Baltimore, Md.; Jerry Bywaters, Dallas, Tex.; Charles C. Cunningham, Hartford, Conn.; Rene d'Harnoncourt, New York, N. Y.; Joseph T. Fraser, Jr., Philadelphia, Pa.; Lloyd Goodrich, New York, N. Y.; Dwight Kirsch, Des Moines, Iowa; Alonso Lansford, New Orleans, La.; Lee Malone, Houston, Tex.; Henri Marceau, Philadelphia, Pa.; Thomas Messer, New York, N. Y.; William M. Milliken, Cleveland, Ohio; Herman More, New York, N. Y.; Grace L. McCann Morley, San Francisco, Calif.; Charles Nagel, St. Louis, Mo.; Mrs. Rafael

Narvas, Wichita, Kans.; James S. Plaut, Boston, Mass.; Perry T. Rathbone, Boston, Mass.; Daniel Catton Rich, Chicago, Ill.; Harry Schapiro, New York, N. Y.; Edgar Schenck, Brooklyn, N. Y.; James Johnson Sweeney, New York, N. Y.; Hermann Warner Williams, Jr., Washington, D. C.

Photography: Bernice Abbott, New York, N. Y.; Harry Callahan, Chicago, Ill.; Will Connell, Los Angeles, Calif.; Louise Dahl-Wolfe, San Francisco, Calif.; Andreas Feininger, New York, N. Y.; Russel Lee, Austin, Tex.; Wayne Miller, Orinda, Calif.; Lisette Model, New York, N. Y.; Barbara Morgan, New York, N. Y.; Homer Page, New York, N. Y.; W. Eugene Smith, Croton-on-Hudson, N. Y.; Bert Stern, New York, N. Y.; Ezra Stoller, Rye, N. Y.; Ike Vern, New York, N. Y.; Edward Weston, Carmel, Calif.; Minor White, Rochester, N. Y.

Motion pictures: Don Hartman, Hollywood, Calif.; Joseph L. Mankiewicz, New York, N. Y.; Dore Schary, Culver City, Calif.; Fred Zinneman, Hollywood, Calif.

Radio and television: Erik Barnouw, Larchmont, N. Y.; Patty Chayefsky, New York, N. Y.; Charles Collingwood, New York, N. Y.; John Crosby, New York, N. Y.; David Davidson, New York, N. Y.; Donald and Dorothy Davis, New York, N. Y.; Dave Garroway, New York, N. Y.; Worthington Miner, Hollywood, Calif.; Morris S. Novik, New York, N. Y.; Reginald Rose, New York, N. Y.; Gilbert Seldes, New York, N. Y.; Rod Serling, Westport, Conn.; Jay Nelson Tuck, New York, N. Y.; Harriet Van Horne, New York, N. Y.; Gore Vidal, Barrtown, N. Y.; Elihu Winer, New York, N. Y.

Patrons of the arts: Sidney Berkowitz, New York, N. Y.; Robert Woods Bliss, Washington, D. C.; William A. M. Burden, New York, N. Y.; Ralph F. Colin, New York, N. Y.; Col. Edgar W. Garbisch, New York, N. Y.; A. Conger Goodyear, Old Westbury, N. Y.; Edith G. Halpert, New York, N. Y.; Mrs. Averell Harriman, Albany, N. Y.; Joseph Hirshhorn, New York, N. Y.; R. Sturgis Ingersoll, Philadelphia, Pa.; Maxim Karolik, Newport, R. I.; Daniel Longwell, Neosho, Mo.; Milton Lowenthal, New York, N. Y.; Henry R. Luce, New York, N. Y.; Earle Ludgin, Chicago, Ill.; Mrs. G. Macculloch Miller, New York, N. Y.; Newbold Morris, New York, N. Y.; Roy R. Neuberger, New York, N. Y.; Duncan Phillips, Washington, D. C.; Mrs. Henry P. Russell, San Francisco, Calif.; Dr. Paul J. Sachs, Cambridge, Mass.; James S. Schramm, Burlington, Iowa; Lawrence M. C. Smith, Philadelphia, Pa.; James Thrall Soby, New Canaan, Conn.; Mrs. Otto L. Spaeth, New York, N. Y.; Hudson Walker, Forest Hills, N. Y.; J. Raymond Walsh, New York, N. Y.; Edward M. M. Warburg, New York, N. Y.; William Benton, Southport, Conn.

Universities and art schools: Dr. R. B. Allen, Los Angeles, Calif.; Dr. Edwin S. Burdell, New York, N. Y.; Dr. John T. Caldwell, Fayetteville, Ark.; Dr. Oscar James Campbell, New York, N. Y.; Victor d'Amico, New York, N. Y.; Lamar Dodd, Atlanta, Ga.; Lain Faison, Jr., Williamstown, Mass.; Dr. Frank L. Griffin, Portland, Oreg.; Henry Russell Hitchcock, Northhampton, Mass.; Joseph H. Hudnut, Cambridge, Mass.; Dr. Robert House, Chapel Hill, N. C.; Dr. Lewis W. Jones, New Brunswick, N. J.; Stewart Klonis, New York, N. Y.; Oliver W. Larkin, Northampton, Mass.; Dr. John R. Murray, Elmira, N. Y.; John Parker, Chapel Hill, N. C.; Charles H. Sawyer, New Haven, Conn.; Lawrence Schmeckebier, Syracuse, N. Y.; Dr. George N. Shuster, New York, N. Y.; Dr. Harold Taylor, Bronxville, N. Y.; Alan Wellem, Urbana, Ill.; Dr. Lynn T. White, Jr., Oakland, Calif.; Dr. Edwin Ziegfeld, New York, N. Y.

Art critics, editors: Gertrude Benson, Philadelphia, Pa.; Carlyle Burrows, New York, N. Y.; Howard Devree, New York, N. Y.; Alfred Frankenstein, San Francisco, Calif.; Emily Genauer, New York, N. Y.; Dorothy Grafly, New York, N. Y.; Henry R. Hope, Bloomington, Ind.; Norman Kent, New York, N. Y.; Jane Lipman, Cannondale, Conn.; Jonathon Marshall, New York, N. Y.; Arthur Millier, Los Angeles, Calif.; Aline Saarinen, New York, N. Y.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time and passed.

The title was amended so as to read: "A bill to provide for the establishment of a Federal Advisory Council on the Arts, and for other purposes."

REHABILITATION OF COASTWISE TRADE

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2426, Senate bill 3877.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3877) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with amendments.

Mr. CLEMENTS. The distinguished Senator from North Carolina [Mr. ERVIN] is present to explain the bill.

Mr. WILLIAMS. Mr. President, will the acting majority leader yield?

Mr. CLEMENTS. I yield.

Mr. WILLIAMS. I think a great deal of time could be saved in the consideration of the bill if it were passed over until Senators have an opportunity to read it. The bill was reported only on Tuesday, and copies of the bill were not available until this morning.

Mr. CLEMENTS. Does the Senator object to consideration of the bill at this time? The bill has been cleared by the leadership on both sides of the aisle. I take it that includes the membership of the committee which reported the bill.

Mr. WILLIAMS. I am not objecting to the consideration of the bill, but I think a great deal of time would be saved if consideration were postponed, because there are some features of the bill concerning which I should like more information. I leave that decision up to the leadership.

Mr. CLEMENTS. If the Senator feels that he has not had sufficient time to study certain features of the bill, there is no desire on the part of the acting majority leader to press for its consideration today. However, I wish the Senator to know that the leadership on both sides of the aisle have cleared the bill, so far as they thought it was necessary to clear it. There was a firm understanding with respect to its consideration. I shall be delighted to request postponement of consideration of the bill, and proceed to some other measure, if that is the desire of the Senator from Delaware.

Mr. WILLIAMS. I think time could be saved if that were done.

Mr. ERVIN. Mr. President, I conducted the hearings on the bill. There is no opposition to the bill, except from the Association of American Railroads, which, of course, does not want any competition. The bill had the endorsement of representatives of the Department of Commerce, of the Navy, and of the Maritime Commission. It is a bill which is very aptly designed to rehabilitate the coastwise trade of the United States. In substance, it authorizes the Government to lease oil tankers for use in the coastwise trade, for a period of 5 years, unless for good reason a charter is made for a longer period.

According to the evidence, the coastwise tankers are worth approximately $3 million at the present market value, and the charterer must pay $150,000 in cash each year for each tanker chartered. In addition—and the Navy Department considers this to be one of the most valuable features of the bill—he must build one new tanker himself for each two that are leased to him. Each new tanker will cost about $10 million. The Navy, in particular, is desirous of having the new tankers built by the charterer, who bears all expenses other than the trade-in allowances for dry-cargo ships traded in under the terms of the bill. A dry-cargo deck is to be installed on each tanker chartered at no cost to the Government.

As I say, the bill was approved by the Maritime Commission, the Department of the Navy, and the Department of Commerce. I do not believe there is any valid objection to the bill.

Mr. WILLIAMS. Have the hearings on the bill been printed?

Mr. ERVIN. I do not know.

Mr. WILLIAMS. I have not seen them. It is my understanding that the departments were not exactly in agreement on the bill. I may be in error on this point, but the report is not clear. I understand that the bill provides an entirely new formula for the trade-in allowance, one which has never been used before. If I am not correct, I hope the Senator will correct me.

Mr. ERVIN. The Department suggested certain amendments to the bill in its original form, to make it conform to a similar bill in the House, which is pending before the House committee. All such amendments have been made. All the leases must be on terms satisfactory to the Department of Commerce. I do not believe any valid objection can be raised to the bill at this time. Everything in the bill conforms to the wishes of the Department of Commerce, the Department of the Navy, and the Maritime Commission.

Mr. WILLIAMS. Am I not correct in my understanding that the bill provides an entirely new formula for the trade-in allowance for these vessels, a formula which has never been used before?

Mr. ERVIN. I cannot answer that question, because I do not know what has happened in times past. However, I do know that the formula embodied in the bill is satisfactory to everyone concerned.

Mr. WILLIAMS. I can see no reason why it should not be satisfactory to anyone who proposes to take advantage of the liberal provisions of the bill. It is many times more liberal than the formula provided under the existing law. As I understand, under the existing law the trade-in allowance is based upon the cost of the vessel less normal depreciation at the time it is traded in. The bill provides that there shall be no relationship between the depreciated value and the trade-in allowance. A foreign value is taken as the basis.

When all the fancy language is reduced to terms of dollars and cents, it boils down to this: Several years ago it cost the Government about $3½ million or $4 million apiece to build these vessels. We sold them to these shipping companies at prices ranging from $275,000 to $957,000; $957,818 was the highest price received for any one of the ships when they were sold by the Government 10 to 12 years ago. The prices ran all the way down to $250,000. Yet under the provisions of the bill, the Government will repurchase these ships at $1,600,000. This is from 2 to 4 times the price paid for the ships when purchased from the Government. As I understand it, that procedure has never been followed before. If I am in error, I hope the Senator will correct me.

Mr. ERVIN. I think the Senator is in error. The bill provides that the credit for the ships is to be an amount "not less than the fair market value for a comparable vessel, if such comparable vessel were to be sold at such time of signing for operation under foreign registry or flag."

In other words, that is the world market price of the vessel. That seems to me to be fair. The bill provides that the credit shall be the current market price of the vessel. That is the price it would bring in the market if offered for sale. When the Government condemns a man's property for public use, it always pays the current market price. The bill provides a credit in those terms.

Mr. WILLIAMS. Reading from pages 4 and 5 of the report:

> It is true that the tanker charter hire figure may be somewhat low at current market rates and it is equally true that the trade-in allowance is somewhat higher than existing maritime administration policy, but not higher than existing law permits.
>
> The bill provides that the trade-in allowance shall be the foreign market value of the vessel traded in. This is estimated to be about $1,600,000 per vessel at the present time.

The present law provides that the trade-in allowance shall be computed upon the basis of the domestic value, the cost minus depreciation. The formula provided in the bill is definitely a departure from any provision of existing law. If I am in error, I wish the Senator would correct me.

Mr. ERVIN. I think the Senator is in error.

Mr. WILLIAMS. Under the existing law is the foreign value of the ship taken into consideration? Where in the existing law is it provided that the depreciated value of the ship at the time of the transaction shall not be taken into consideration?

Mr. ERVIN. The language is rather technical. I am assured that the language provides that the credit shall be the world market price of the vessel at the time of the transaction which, of course, is fair and just.

Mr. WILLIAMS. The language may be technical, but it still is a new formula. It is proposed to allow these companies the world market price as trade-in allowance for the ships, but when we sold the ships to the companies we did not base the sales price upon the world market price. We sold them to the companies for prices ranging from $250,000 to $900,000 each. Now 12 years later we are being asked to pay $1,600,000 to repurchase these same ships. The companies are to be allowed a credit of twice as much as they paid for the ships.

Mr. ERVIN. My information is that Manhattan was purchased from the Indians for a couple of demijohns of liquor. However, if the Government were to condemn Manhattan Island today, it would have to pay the current market price of the land, instead of a couple of demijohns of liquor, which the original purchasers paid.

Mr. WILLIAMS. We are not dealing with demijohns or with Manhattan Island; we are dealing with ships, which are years older and worth much less than when originally sold. The point is that the Senator from North Carolina wants to pay twice the price at which a ship was sold 10 or 12 years ago. I call the Senator's attention to the fact that if ships are appreciating in value on any such basis as that, why should we subsidize ships to begin with?

Furthermore, as I understand the bill, practically all the advantage would go to one shipping company, because it would be practically the only company to be affected by the proposed legislation.

Mr. ERVIN. It goes to a shipping company that wishes to make the trade. In other words, no one is forced to make the trade. Nothing takes place under the bill unless the Government decides to enter into a lease. The bill provides for such leases as the Government may wish to make.

Mr. WILLIAMS. I am not speaking of the leasing feature of the bill. I am concerned with section 4 of the bill, under which a new trade-in allowance formula is provided. That is the part of which I am speaking at the moment.

Mr. ERVIN. I read from section 4:

> The allowance of credit for a dry-cargo vessel traded in under this act shall be fixed by the Secretary at the time of the signing of the agreement required by section 1 (f) (2) of this act, at an amount not less than the fair market value for a comparable vessel if such comparable vessel were to be sold at such time of signing for operation under foreign registry or flag.

Mr. WILLIAMS. Mr. President, I still contend that an entirely new formula is sought by the passage of the pending bill. Under the existing law, under the Merchant Ship Sales Act, when ships are traded in, the Government gives consideration to the cost of the ship to the buyer, and takes into consideration also the normal rate of depreciation for the ship. That is and should be taken into consideration as a factor when the ships are traded in and placed in the reserve fleet.

If we are to adopt a new formula, certainly the sponsors of the bill should be aware of the fact. I will leave to the discretion of the acting majority leader the question as to whether we should proceed to consider this bill at this time.

Mr. CLEMENTS. Let me say to the distinguished Senator from Delaware that there is no desire, as I said earlier, to press for consideration of the bill. I wish to say, however, that the usual steps were taken by the leadership to clear the bill for consideration today. As I have previously stated, if the Senator from Delaware wishes more time in which to study the bill, I shall be glad to schedule the measure for consideration by the Senate at another time. I should like to know from the Senator from Delaware how much time he would like to have and when he will be ready to take up the bill. Would he be ready to take it up tomorrow?

Mr. WILLIAMS. Yes.

Mr. CLEMENTS. He has no objection to its being taken up at that time?

Mr. WILLIAMS. No; I do not question the way in which the bill was brought up. The leadership followed the proper procedure. However, there is a difference in the understanding of what the bill provides so far as the Senator from North Carolina and the Senator from Delaware are concerned. I am sure the Senator from North Carolina believes he is right; I think I am right. I am convinced that the bill would set up a new formula and I feel sure that I could establish that point in the discussion of the bill.

Mr. CLEMENTS. I ask the Senator from North Carolina if he would have sufficient time between now and tomorrow to look into the matter further.

Mr. ERVIN. I must be away tomorrow. I am going to Texas. Therefore I will not be in the Senate tomorrow.

Mr. CLEMENTS. Will the Senator be in the Senate on Monday?

Mr. ERVIN. I hope to be here. If the Senator from Delaware will check the points he has in mind with the Department of Commerce and with the Department of the Navy and with the Maritime Administration, I am confident he will find that there is no opposition to the bill by any of those agencies. He will find that they all favor it as being a bill which will rehabilitate the coastwise shipping trade and afford to the United States additional tankers for use in any kind of emergency.

Mr. WILLIAMS. The Senator from North Carolina may well be right in what he says. However, even if the bill has the approval of every agency of Government, if it still provides that the Government is to pay shipping companies 2 or 3 times as much for the ships as they were sold for 10 or 12 years ago, I shall continue to object to it even though I may be the only one to object. I am willing to have the bill taken up tomorrow or at any time thereafter.

Mr. CLEMENTS. It is always the desire of the leadership to give every Member of the Senate ample opportunity to

look into the merits of proposed legislation.

I therefore ask unanimous consent that the order under which the Senate proceeded to the consideration of Calendar 2426, S. 3877, the pending business, be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIEF OF CERTAIN ALIENS

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2152, House Joint Resolution 580.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 580) for the relief of certain aliens.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution which had been reported from the Committee on the Judiciary with an amendment on page 1, line 7, after the name "Kunder", to strike out "Lee Fay Fan".

Mr. BIBLE. Mr. President, the purpose of the joint resolution, as amended, is to grant the status of permanent residence in the United States to 13 aliens. Provision is made for appropriate quota deductions where necessary, and for the payment of the required visa fees. In one case, provision is made for the posting of a bond as a guaranty that the alien will not become a public charge. The joint resolution has been amended to delete one name.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution (H. J. Res. 580) was read the third time, and passed.

LEAVES OF ABSENCE TO HOMESTEAD ENTRYMEN

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2429, S. 3458.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3458) to grant leaves of absence to homestead entrymen and to permit suspension of cultivation and improvement operations on homestead and desert land entries, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BIBLE. Mr. President, I am wondering if the Senator from Kentucky would be willing to withdraw his request for the consideration of the bill. I know of the interest the Senator from Idaho [Mr. DWORSHAK] has in the bill; it is his bill. I understand that he will be in the Chamber in a few minutes, and therefore I wonder if we could proceed to the consideration of another bill, and temporarily hold up consideration of the homestead bill.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that I may withdraw my request, and that the Senate temporarily postpone consideration of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

SALE OF CERTAIN PUBLIC LANDS

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2430, H. R. 3350.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 3350) to provide for the sale by the Secretary of the Interior of certain public lands in the United States which have not been used for the purpose for which acquired.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. AIKEN. Mr. President, may we have an explanation of the bill?

Mr. BIBLE. I am prepared to give a brief explanation of the bill. It was reported unanimously by the Committee on Interior and Insular Affairs.

Mr. AIKEN. The reason I asked for an explanation of the bill is that we are taking up bills now which are not in the binder of bills on our desks. Therefore we have no idea what we are voting on. That is the only reason I am asking for an explanation.

Mr. BIBLE. I am very happy to make an explanation.

As I have said, the bill was unanimously reported by the Committee on Interior and Insular Affairs.

This bill directs the Secretary of the Interior to sell approximately 18 acres of land acquired by the United States for use in connection with construction of the Folsom Dam and Reservoir project in California. The project is now complete and the land was not needed for the purpose for which it was purchased.

As introduced, the bill provided for reconveyance to the original owners at the price for which the United States purchased the land from them, reduced by such amount as the Secretary deemed appropriate as a result of removal of improvements or other damage to the property. The committee amended the legislation to provide for sale of the property at its full current appraised value with the original owners being given first right to purchase the property if they so desired.

Mr. AIKEN. I have no objection to the bill. As I understand, it applies only to 18 acres.

Mr. BIBLE. That is correct. No administrative procedure is available whereby the sale could be made. It is necessary to pass a special act of Congress.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

The bill (H. R. 3350) was ordered to a third reading, read the third time, and passed.

RELIEF OF NATIONAL PARK SERVICE FROM CERTAIN REPORTING REQUIREMENTS OF CONCESSION LEASES AND CONTRACTS

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2431, House bill 3897.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 3897) to relieve the Secretary of the Interior of certain reporting requirements in connection with proposed National Park Service awards of concession leases and contracts, including renewals thereof.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, this bill was reported unanimously from the Committee on Interior and Insular Affairs. If enacted, it would relieve the Secretary of the Interior from reporting to the Congress on contracts involving a gross annual business of less than $100,000 or of not more than 5 years' duration, including the renewals thereof.

The bill as originally suggested by the Department asked that there be no reporting. The House committee felt that there should be some reporting of concessions doing a gross annual business of over $100,000, and it was amended to that effect. It would not cover the many concession contracts and lease agreements involving small sums of money, but in the case of the larger ones it would involve a reporting to the two Houses of the Congress and a waiting period of 60 days before such awards of concession leases and contracts could be made.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 3897) was ordered to a third reading, read the third time, and passed.

SALE OF CERTAIN PUBLIC LANDS

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2432, House bill 3351.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 3351) to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, this is a companion bill to the one which I just explained. This particular measure, which had the unanimous approval of the Department of the Interior and of the Interior and Insular Affairs Committee, directs the Secretary of the Interior to sell approximately 37 acres of land acquired by the United States for use in connection with construction of the Folsom Dam and Reservoir project in California. The project is now complete and the land was not needed for the purpose for which it was purchased. It is provided that the land shall be sold at the full appraised value, with the original owners given the first preference of repurchasing the 47 acres of land.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 3351) was ordered to a third reading, read the third time, and passed.

APPLICATION OF TEMPORARY PROMOTION ACT OF 1941 TO THE COAST GUARD

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2419, House bill 11402.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 11402) to extend the existing application of the Temporary Promotion Act of 1941, as amended, to the Coast Guard, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment on page 1, line 10, after the word "thousand", to strike out "five hundred."

Mr. BIBLE. Mr. President, the purpose of this bill, which was reported from the Committee on Interstate and Foreign Commerce, is to extend the application of the Temporary Promotion Act of 1941 to January 1, 1962, as it may be applicable, to the Coast Guard. The present legislation expires on January 17, so far as the Coast Guard is concerned, and an extension is required to prevent possible reversion of temporary officers to permanent status.

The bill also increases the maximum of the authorized commissioned officer strength from 2,250 to 3,500, and it contains a provision for certain promotion flexibility and oath of office procedure. The bill was proposed and approved by the Treasury Department.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 11402) was read the third time, and passed.

LEAVES OF ABSENCE TO HOMESTEAD ENTRYMEN

Mr. CLEMENTS. Mr. President, I see the distinguished Senator from Idaho [Mr. DWORSHAK] in the Chamber, and I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2429, Senate bill 3458.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3458) to grant leaves of absence to homestead entrymen and to permit suspension of cultivation and improvement operations on homestead and desert land entries and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, at the beginning of line 5, to insert "or which, based on an application on file on March 1, 1956, was allowed and subsisting on the date of approval of this act"; on page 2, line 1, after the numerals "1956", to insert "or which, based on an application on file on March 1, 1956, was allowed and subsisting on the date of approval of this act"; in line 11, after the word "the", to strike out "District Land Office" and insert "land office having jurisdiction over the area"; on page 3, line 6, after the numeral "1", to strike out "1959, and for" and insert "1959: *Provided,* That said person files with the land offices having jurisdiction over the area in which the land is located, (a) within 60 days after the date of allowance of his entry, a notice of his intention to delay initiation of his residence, cultivation, or improvements, and (b) at least 90 days prior to initiation of his residence, cultivation, or improvements, a notice of his intention to initiate said activity. For"; and on page 4, line 6, after the word "land", to strike out "and homestead", so as to make the bill read:

Be it enacted, etc., That any person who holds a homestead entry on public lands which was allowed and subsisting on March 1, 1956, or which, based on an application on file on March 1, 1956, was allowed and subsisting on the date of approval of this act, is hereby granted leave of absence from the lands until March 1, 1959, and any person who holds a homestead or desert land entry which was allowed and subsisting on March 1, 1956, or which, based on an application on file on March 1, 1956, was allowed and subsisting on the date of approval of this act, is hereby granted permission to suspend until March 1, 1959, further operations looking to the cultivation and improvement of the lands: *Provided,* That such entryman shall forfeit no rights and shall not otherwise be excused from full compliance with the applicable public land laws by reason of such absence or of such suspension of cultivation and improvement operations: *And provided further,* That the rights of such entrymen shall not be protected by this act unless they file with the land office having jurisdiction over the area in which the land is located, (a) a notice of their intention to absent themselves from the land or to suspend cultivation and improvement operations and accompanying such notice information as to location and extent of present cultivation or improvement placed on the entry, and (b) a grant to the United States, for itself and for its lessees, licensees, and permittees, of a right to enter upon and occupy the lands which have not been prepared for cultivation or which have not had improvements placed on them, without recourse, for any purpose authorized by the public land laws, except that such grant need not include a right to construct permanent improvements on the land or to permit a substantial change in its character.

SEC. 2. Any person who on March 1, 1956, had on file a homestead or desert land application which application shall be allowed on its merits subsequent to enactment of this act and prior to March 1, 1959, shall not be required to enter upon the lands and commence residence thereon, or cultivate and improve the lands prior to March 1, 1959: *Provided,* That said person files with the land offices having jurisdiction over the area in which the land is located, (a) within 60 days after the date of allowance of his entry, a notice of his intention to delay initiation of his residence, cultivation, or improvements, and (b) at least 90 days prior to initiation of his residence, cultivation, or improvements, a notice of his intention to initiate said activity. For the purposes of the homestead and desert land laws, March 1, 1959, may be treated as the date of the entry, if an actual entry has not been made prior to that date. If an actual entry is made prior to March 1, 1959, the date of such actual entry shall be the date of entry for the purposes of the homestead and desert land laws. Until an actual entry by a person subject to the provisions of this section has been made, or until March 1, 1959, whichever first occurs, the United States, for itself and for its lessees, permittees, and licensees, shall retain the right to enter upon and occupy the lands in each such entry, without recourse, for any purpose authorized by the public land laws: *Provided,* That the United States, its lessees, permittees, and licensees, shall not construct permanent improvements on the lands or otherwise substantially change such lands in their character.

SEC. 3. Notwithstanding any other provision of the desert land laws, the property right prior to issuance of patent to the lands in his desert land entry of an entryman who elects to suspend cultivation and improvement operations in accordance with section 1 of this act and of an entryman whose entry is allowed in accordance with section 2 of this act shall be a personal right, inheritable but not assignable.

SEC. 4. This act shall apply only to applications filed for, or entries made on, public lands in the continental United States, exclusive of Alaska, pursuant to the act of May 20, 1862 (12 Stat. 392; 43 U. S. C., ch. 7), as amended and supplemented, and pursuant to act of March 3, 1877 (19 Stat. 377; 43 U. S. C., ch. 9), as amended and supplemented. Nothing in this act shall apply to applications filed for, or entries made on, public lands pursuant to the act of June 17, 1902 (32 Stat. 388; 43 U. S. C., ch. 12), as amended and supplemented.

Mr. BIBLE. Mr. President, this is a bill sponsored by the senior Senator from Idaho [Mr. DWORSHAK]. I know of his interest in the bill, and I yield to him at this time.

Mr. DWORSHAK. Mr. President, the principal result of the bill is to extend

for 3 years from March 1, 1956, the requirement that the entryman must claim and continue to reclaim the land and put it in shape to produce crops. This bill gives to the entryman the right to elect to take a leave of absence from the basic requirements of the law. It does not, however, alter in any way these basic requirements. It would permit any person who had a valid homestead or desert land law application which is subsequently allowable to suspend entry on the land until March 1, 1959.

The bill preserves the status quo of applicants in the same manner as entrymen.

Entrymen electing under section 1 to benefit by the provisions of that section, are not irrevocably committed to the leave of absence for the 3-year period. Reentry may be made at any time if the requirements of notice are first met.

Mr. President, there are two main objectives in this proposed legislation.

The first of these is to ameliorate the situation arising from the fact that the cultivation requirements of the homestead and desert land laws force the cultivation of new lands at the same time that an effort is being made to reduce the total acreage under cultivation. It is true that the effect of this cultivation under the homestead and desert land laws upon the whole problem of crop surpluses is not great, for only a relatively small acreage is involved. At the present time we assume that any factor tending to reduce the surplus problem would be welcomed.

The second objective also is related to the existing farm problem. Many entrymen are experiencing difficulty in securing adequate financing. Many entries require the development of underground water supplies and considerable grading, ditching, and other work of a similar nature. All of these are expensive undertakings, and, in present condition of farm prices, it is often difficult for a man to obtain financing for projects which enjoyed a more favorable outlook when they were first undertaken. We have been informed that many entrymen and applicants are in danger of losing their investments in research, surveys, development activities, and the like because of their inability to continue their work as a result of the failure to obtain financing. The enactment of S. 3458 would not provide a final solution of this problem, but it would at least permit a 3-year suspension of activity during which there may be an improvement in the financing situation.

Mr. President, I became interested in this proposed legislation primarily because of the inconsistent situation existing in the southern part of my own State, where we were observing the bringing into cultivation of many thousands of acres of Federal desert land through the use of underground water and pumping, while at the same time the Government was making widespread efforts to curtail the production of wheat and other surplus commodities.

Under such circumstances, it readily became obvious that, notwithstanding the inadvisability of disrupting or terminating the homestead procedure for cultivating land, something should be done to relieve the pressures on entrymen to prove their homesteads.

I conferred with Director Edward Woozley, of the Bureau of Land Management, Department of the Interior, and he was most cooperative, because he had recognized the need for taking action to discourage the bringing of thousands of acres of Federal domain into cultivation at this particular time.

So far as I know, there is no opposition of any kind to the bill, because it seems to provide a very timely remedy for a situation which presents a real challenge. Developing new homesteads conflicts with the Government's effort to curtail the production of food and fiber, especially wheat and some of the other surplus crops.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3458) was ordered to a third reading, read the third time, and passed.

PERIODIC SURVEY OF NATIONAL SHIPBUILDING CAPABILITY

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2425, S. 3705.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3705) to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment on page 1, line 4, after the word "by", to strike out "adding at the beginning thereof the following sentence: 'The Chairman of the Federal Maritime Board, with the advice and assistance of the Secretary of the Navy, shall, not less often than once each year, survey existing shipyards to determine whether their capability and capacity, including facilities and skilled personnel, provide an adequate mobilization base of strategic points for national defense or emergency purposes' " and insert "striking out the first sentence thereof and inserting in lieu thereof the following two new sentences: 'The Secretary of Commerce, with the advice of and in coordination with the Secretary of the Navy, shall periodically, as required for purposes of this act, survey the existing privately owned shipyards capable of merchant ship construction, or review available data on such shipyards if deemed adequate, to determine whether their capabilities for merchant ship construction, including facilities and skilled personnel, provide an adequate mobilization base at strategic points for purposes of national defense and national emergency. The Secretary of Commerce, in connection with ship construction, reconstruction, reconditioning, or remodeling under title VII and section 509, and the Federal Maritime Board, in connection with ship construction, reconstruction, or reconditioning under title V (except sec. 509), upon a basis of a finding that the award of the proposed construction, reconstruction, reconditioning, or remodeling work will remedy an existing inadequacy in such mobilization base as to the capabilities and capacities of a shipyard or shipyards at a strategic point, and after taking into consideration the benefits accruing from standardized construction, the conditions of unemployment, and the needs and reasonable requirements of all shipyards, may, with the approval of the President, allocate such construction, reconstruction, reconditioning, or remodeling to such yard or yards in such manner as it may be determined to be fair, just, and reasonable to all sections of the country, subject to the provisions of this subsection' ", so as to make the bill read:

Be it enacted, etc., That section 502 (f) of the Merchant Marine Act, 1936, as amended, is hereby amended by striking out the first sentence thereof and inserting in lieu thereof the following two new sentences: "The Secretary of Commerce, with the advice of and in coordination with the Secretary of the Navy, shall periodically, as required for purposes of this act, survey the existing privately owned shipyards capable of merchant ship construction, or review available data on such shipyards if deemed adequate, to determine whether their capabilities for merchant ship construction, including facilities and skilled personnel, provide an adequate mobilization base at strategic points for purposes of national defense and national emergency. The Secretary of Commerce, in connection with ship construction, reconstruction, reconditioning, or remodeling under title VII and section 509, and the Federal Maritime Board, in connection with ship construction, reconstruction, or reconditioning under title V (except sec. 509), upon a basis of a finding that the award of the proposed construction, reconstruction, reconditioning, or remodeling work will remedy an existing inadequacy in such mobilization base as to the capabilities and capacities of a shipyard or shipyards at a strategic point, and after taking into consideration the benefits accruing from standardized construction, the conditions of unemployment, and the needs and reasonable requirements of all shipyards, may, with the approval of the President, allocate such construction, reconstruction, reconditioning, or remodeling to such yard or yards in such manner as it may be determined to be fair, just, and reasonable to all sections of the country, subject to the provisions of this subsection."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. BIBLE. Mr. President, I shall make a brief explanation of the bill.

Section 502 (f) of the Merchant Marine Act of 1936, as amended, presently provides that if at any time the Commission shall find that existing shipyards, including Navy yards, do not provide adequate facilities to meet necessary requirements for purposes of national defense and national emergency, it may,

with the approval of the President, allocate construction work to such yards in such manner as it may deem advisable and necessary. The present law does not require a periodic survey and is merely permissive, not mandatory, as far as allocation is concerned.

The pending bill, as amended, makes it mandatory that a periodic survey of the facilities of privately owned shipyards be made. The duty is delegated to "the Secretary of Commerce with the advice of and in coordination with the Secretary of the Navy." The survey would determine whether the capabilities of the yards—which includes facilities, skilled personnel, and records—are adequate to provide a mobilization base at strategic points in the country for national defense purposes or in case of national emergency. Any inadequacies disclosed by the survey will be corrected by the Secretary of Commerce or the Federal Maritime Board with the approval of the President "after taking into consideration the benefits accruing from standardized construction, the conditions of unemployment, and the needs and reasonable requirements of all shipyards" by allocations of work to such yard or yards as to be fair and reasonable to all sections of the country.

The bill, as amended, is identical to H. R. 10560 which is, at present, in the process of being reported out of the House Committee on Merchant Marine and Fisheries.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3705) was ordered to be engrossed for a third reading, read the third time, and passed.

SUSPENSION OF DUTIES AND IMPORT TAXES ON METAL SCRAP

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2434, H. R. 8636.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 8636) to continue until the close of June 30, 1957, the suspension of duties and import taxes on metal scrap, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments, on page 1, line 9, after the word "scrap", to insert "or to any form of tungsten scrap, tungsten carbide scrap, or tungsten alloy scrap"; on page 2, line 1, after the word "alloy", to insert "or to articles of tungsten, tungsten carbide, or tungsten alloy"; and, after line 7, to insert:

SEC 3. Paragraph 1734 of the Tariff Act of 1930, as amended (U. S. Code, title 19, sec. 1201, par. 1734), is hereby amended to read as follows:

"PAR. 1734. Ores of gold, silver, or nickel; nickel-containing material in powder, slurry, or any other form, derived from ore by chemical, physical, or any other means, and requiring further processing for the recovery therefrom of nickel or other metals; nickel matte; nickel oxide; ores of the platinum metals; sweepings of gold and silver."

SEC. 4. Subsection (b) of section 2 (relating to the free importation of book bindings or covers) of the act of August 28, 1954 (Public Law 694, 83d Cong.), is amended by striking out "September 1, 1956" and inserting in lieu thereof "September 1, 1958."

SEC. 5. Notwithstanding the provisions of section 4 of the act of February 21, 1950 (64 Stat. 6), the provisions of section 2901 of the Internal Revenue Code of 1939, as amended by such act, shall be applicable to distilled spirits which were lost by theft from customs bonded warehouse after January 1, 1945, and with respect to which taxes have not been assessed under a liquidation which has become final on or before the date of enactment of this act, if a conviction on account of such theft has been obtained in a court of competent jurisdiction.

Mr. GEORGE. Mr. President, on behalf of the chairman of the Committee on Finance, I offer this brief explanation of the measure:

First, it is merely an extension, with certain amendments, of an act of Congress which has been in effect for some time. The general purpose of the bill simply is to continue the existing exemptions of metal scrap from import duties and taxes for another year—that is, until the close of June 30, 1957.

The suspension would apply to such types of scrap as iron and steel, aluminum, magnesium, nickel, and other metals, but not to lead or zinc scrap, to lead alloy scrap, antimonial scrap, scrap battery lead or plates, or zinc alloy scrap or articles of lead alloy, antimonial lead, zinc, or zinc alloy, imported for remanufacture by melting.

Several amendments to the bill were made in committee. One was to eliminate tungsten scrap because tungsten is now in sufficient supply in this country, and also because certain abuses were indicated, in that tungsten was simply broken up into scrap in order to have it come in free, rather than by the payment of a small duty on some types of tungsten which were dutiable.

Nickel concentrates, whether processed by chemical, physical, or other means, would be entered free of duty by amendment to paragraph 1734 of the Tariff Act of 1940.

The present suspension of the duties on certain bookbindings or covers was continued for another 2 years. That amendment was presented, I believe, by the minority leader, the Senator from California [Mr. KNOWLAND], and simply permits the entry, free of duty, of bookbindings on certain very valuable books found in the Far East, and which ordinarily arrive in this country in simple paperback form, without the bindings.

An amendment was adopted to permit the abatement of taxes on stolen spirits where proof of loss is indicated by a conviction in the case.

The amendment last mentioned was offered by the senior Senator from Pennsylvania [Mr. MARTIN]. He may wish to explain it to the Senate before the vote is taken on the bill as amended.

Mr. MARTIN of Pennsylvania. The amendment really amends the law of 1950 as to stolen spirits when a conviction has been obtained. The amendment would make the law what it was before the passage of the act of 1954. Congress failed to include the provision in the law at that time. It is really a correcting amendment.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 8636) was read the third time, and passed.

OPERATION OF VESSELS IN COASTWISE TRADE

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2418, H. R. 6025.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 6025) to amend the shipping laws to prohibit the operation in the coastwise trade of vessels rebuilt outside the United States, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, I should like to make a brief explanation of the bill. The purpose of the bill is to amend the Merchant Marine Act of 1920 to provide that no vessel of more than 500 gross tons which has acquired the right to engage in the coastwise trade, and which later has been rebuilt outside the United States, its Territories, or possessions, shall have the right thereafter to engage in the coastwise trade.

A report would be required regarding any such rebuilding in foreign yards on the vessel's first arrival in this country subsequent thereto, under penalty of forfeiture of vessel, and fining of owner and master.

The bill's purpose is in accord with the historic policy of our country, and to fill what is undoubtedly a gap in our shipping laws. Suggested amendments of both the Departments of Commerce and of Treasury were incorporated by the House committee, to clarify the meaning of the term "rebuilt" and to exclude boats of 500 or less gross tons.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 6025) was ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS

Mr. CLEMENTS. Mr. President, I had understood the Senator from Utah [Mr. WATKINS] had a statement he desired to make this afternoon.

Mr. WATKINS. Mr. President, I have sent for my manuscript. It will be here shortly.

Mr. CLEMENTS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. CLEMENTS. Mr. President, I ask unanimous consent that when the Senate completes its work today, it stand in adjournment until tomorrow, at 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. CLEMENTS. Mr. President, for the information of the Senate, I should like to state that on tomorrow the unfinished business—Calendar No. 1748, House bill 5566, to terminate the existence of the Indian Claims Commission, and for other purposes, will be considered; and, in addition, such other measures as may in the meantime be cleared by the staffs of the leadership, after they have carefully checked with the committees, which have reported the measures.

STATEMENT BY GOVERNOR LEE, OF UTAH, ON THE CANDIDACY OF PRESIDENT EISENHOWER

Mr. WATKINS. Mr. President, it is with great reluctance that I rise today to discuss a matter which affects the people of my State and their chief executive.

When President Eisenhower made his dramatic announcement, on February 29, that he would be a candidate for reelection, the American people were greatly impressed with his frankness, his humility, and his sincerity.

At that time there were no public suggestions by any responsible officials, Republican or Democrat, or by the press generally that the President did not mean what he said when he told the country his name would go before the Republican convention at San Francisco as a candidate for renomination.

On February 29 the President declared:

> After the most careful and devoutly prayerful consideration, I have decided that if the Republican Party chooses to renominate me, I shall accept.
>
> * * * * *
>
> I assure you of this: My answer would not be in the affirmative unless I thought I could last out 5 years.
>
> * * * * *
>
> Moreover, I would not allow my name to go before the Republican convention unless they, all the Republicans, understood, so that they would not be nominating some individual other than they thought they were nominating.

To me and, I believe, to the public generally, it was inconceivable that any public official or any intellectually mature and fairminded person, for that matter, could or would express a doubt as to the good faith of the President in making his historic decision to seek reelection.

But it appears that I was mistaken. I had overlooked the well-known critical attitude of Utah's Governor, J. Bracken Lee, toward the President and many of the major programs and policies of his administration.

With the public generally, therefore, I was shocked to read Governor Lee's statement to the New York press on June 28. In the course of an interview with wire-service reporters, Governor Lee made this incredible statement:

> I believe he [the President] announced his candidacy after his heart attack last fall only because he didn't want to lose control of Congress and because he wants to control convention votes so as to be able to swing them to someone else of his choice.

Governor Lee also told the reporters he thought the President would withdraw his candidacy for the GOP nomination after Congress adjourns.

The Governor, in this statement, has made it plain that he does not believe the President was telling the truth to the American people about his announced purposes in that famous declaration of his intentions to seek and accept renomination.

The charge of deviousness, or in fact, of fraud on the part of the President is implicit in the Governor's comment, even though he used the device of prefacing his remarks with "I believe."

Mr. President, I said previously that it was with great reluctance that I should speak on this matter. It is not a pleasant task to direct attention to the actions of the chief executive of one's own State which cast reflection upon the good faith and integrity of a great President of the United States.

This is particularly true when all the circumstances are taken into consideration.

Governor Lee and I are members of the same political party. I have supported him for Governor in three elections. I have been a candidate with him on the same ticket.

I have had admiration for many traits of character which he possesses. I have supported many of the activities of his administration.

I also recognize his right to speak his mind on any subject he wishes to discuss as long as he keeps within the law. With all other Americans, he, and I, and you have the same right. In fact, I am exercising that right in making this statement.

But I also realize that a Governor or Senator, as a matter of custom and practicality, has considerably more responsibility for his utterances than a private individual. That responsibility is inherent in the nature of public office, and therefore, it is difficult for the public to distinguish between the public and the private views of their officials.

With these thoughts and this background in mind, I feel I have a duty to perform; and that duty is to make it clear to the President, to the Congress, and to the American people, with all the force at my command, that Governor Lee's comment on the President's announcement of last February that he would be a candidate does not in my opinion represent the views of the Republicans nor of the people of Utah, regardless of party. In fact, I believe the overwhelming majority of the people of my State have complete confidence in the honesty and integrity of the President.

I believe that the people of Utah also feel, as I feel, that the Governor's comments on the President's announcement were uncalled for, unjustified, and unworthy of a man holding the high office of governor, and an unfair and unfounded reflection on the motives and integrity of the President.

The action of Governor Lee is all the more incomprehensible when it is remembered that only 2 days previously the Governor had signed a statement—unanimously endorsed by all of the Republican governors attending the recent governors' conference—which praised the President and his administration in glowing terms and urged him to run for reelection. This resolution reads:

> We, the Republican governors, meeting in the 48th annual governors' conference, wish to express wholehearted approval of the administration of our great Republican President, Dwight D. Eisenhower. We believe that his brilliant leadership of our Nation in these troubled times has made an unexcelled contribution to peace in the world, economic stability, and social justice. We believe that no other man in our country today is so revered for sound judgment and practical wisdom. The world looks to America for leadership such as President Eisenhower is giving this Nation toward a peaceful and prosperous future.
>
> We hereby urge, and pledge our full support to his renomination and reelection.
>
> Fred Hall, Kansas; Theodore R. McKeldin, Maryland; J. Bracken Lee, Utah; Walter A. Gordon, Virgin Islands; Goodwin J. Knight, California; Leo A. Hoegh, Iowa; Elmo Smith, Oregon; Victor E. Anderson, Nebraska; C. Norman Brunsdale, North Dakota; J. Hugo Aronson, Montana; Robert C. Smylie, Idaho; Millard L. Simpson, Wyoming; Joe Foss, South Dakota; Charles H. Russell, Nevada; Joseph B. Johnson, Vermont; Christian A. Herter, Massachusetts; Walter Kohler, Wisconsin; Arthur B. Langlie, Washington; J. Caleb Boggs, Delaware; Lane Dwinell, New Hampshire; William G. Stratton, Illinois; George N. Craig, Indiana.

Incidentally, it should be noted that Governor Lee was the third governor to sign that resolution.

Mr. President, I ask unanimous consent to have the United Press story of Governor Lee's comments on President Eisenhower's announcement, which was published extensively throughout the country, and also in the Deseret News and Salt Lake Telegram of June 28 printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IKE WON'T RUN, LEE PREDICTS

NEW YORK.—Gov. J. Bracken Lee, of Utah, said Thursday he does not believe President Eisenhower will run for reelection.

The Republican governor, en route to his home from the governor's conference in Atlantic City, told newsmen that Senator WILLIAM F. KNOWLAND, of California, is a good bet for the GOP presidential nomination.

"I know I am in the minority, but I do not believe Mr. Eisenhower will run again," Lee said.

"I believe he announced his candidacy after his heart attack last fall only because he didn't want to lose control of Congress and because he wants to control convention votes so as to be able to swing them to someone of his choice."

Lee said he thought the President would withdraw his candidacy for the GOP nomination after Congress adjourns.

ANTITRUST PROCEEDING AGAINST GENERAL MOTORS CORP.

Mr. O'MAHONEY. Mr. President, it was with a great deal of pleasure last evening that I watched on television the initial press conference conducted by Miss Martha Rountree, who several years ago helped to introduce the television program which I think the entire country knows as Meet the Press. The new television program, judging from its initial performance last night, will be a very successful source of public information. It certainly was to me last night. The Attorney General of the United States, Herbert Brownell, Jr.——

Mr. WATKINS. Mr. President, will the Senator yield at that point?

Mr. O'MAHONEY. I am glad to yield.

Mr. WATKINS. I, too, saw and heard the program which Miss Rountree presented last night. I agree with the Senator that it was very informative. It was done in a way which made it impressive. Everyone seemed to be taking part with full freedom in asking questions, so far as the press was concerned; and the Attorney General seemed very free and forthright in giving his answers. I congratulate Miss Rountree and those associated with her in this enterprise. I think it will accomplish a great deal of good in supplying information to the American people about the operation of the activities of Government.

I thank the Senator for making the comment which he has made, and giving me the opportunity to say a word about the program.

Mr. O'MAHONEY. I am glad the Senator from Utah has taken advantage of the opportunity.

I wish to proceed further, and compliment the Attorney General upon the ability with which he handled the situation. I should say that he was in pretty complete command at all times, and had the superb ability to change from one interrogator to another whenever he desired to do so. I have attended press conferences on television programs in times past, when I found that I was under the control of the panel, and not in control of the inquiring reporters, as the Attorney General was last night. So he is to be complimented on that score.

What I rose to point out, however, was my happiness at the announcement of the Attorney General that the Department of Justice is about to file a suit in the Federal court against General Motors Corp., apparently for the divestiture of its motorbus division.

I invite the attention of those who read the RECORD to the fact that on the 30th of April last, on behalf of the Committee on the Judiciary, I filed with the Senate Report No. 1879. It was a report of the staff of the Subcommittee on Antitrust and Monopoly, of which I was the acting chairman at the time the study of General Motors was made last November and December. There was a great deal of public interest displayed in that study. Those who may wish to refer to the report will note, beginning at page 44, the findings which were made with respect to the motor-bus situation. I now wish to read into the RECORD one paragraph from the report:

> The staff does not have sufficient information concerning the relationship between General Motors and Greyhound to determine whether its stock interests in Greyhound gave General Motors any preferred position. The staff has not examined any of the contractual arrangements between General Motors and/or Greyhound over the years to ascertain whether they were exclusionary. However, Charles W. Perelle, president of American Bosch Arma Co. and formerly president of the ACF-Brill Co., alluded in his testimony to a contract between General Motors and Greyhound which precluded other bus manufacturers from getting access to the Greyhound business (VI, 2648–49). Mr. Perelle testified that in 1944 or 1945, when he was vice president in charge of operations of Consolidated Vultee, he was asked by the Greyhound Corp. to design a bus for them. Consolidated Vultee was at the time looking for some postwar products and, because of their background and knowledge in the fabrication of aluminum, became interested in the possibilities of buses. At Greyhound's suggestion, Consolidated entered into the preliminary stages for design of a bus, but, according to Mr. Perelle, dropped the project when it discovered there was some type of sales commitment between Greyhound and General Motors. It was Mr. Perelle's understanding that under this commitment Greyhound could not deal with Consolidated without first obtaining the permission of General Motors. Mr. Perelle stated that the Douglas Aircraft Co. was also planning to design a bus for Greyhound but subsequently abandoned the project for the same reason. Mr. Perelle said that Douglas never went into the business of manufacturing buses thereafter. He also asserted that since Greyhound was by far the single largest purchaser of intercity buses, denial of access to this market was a powerful deterrent to potential manufacturers. Otherwise, witnesses stated only that General Motors appeared to have all, or the major portion, of the business of Greyhound. Thus, according to the testimony, two potential manufacturers of buses—airplane companies of considerable size—abandoned the idea of making buses upon learning they were foreclosed from a substantial share of the market by agreements between Greyhound and General Motors. A thorough analysis of General Motor's relations with Greyhound over the years is necessary to determine whether General Motors' great financial strength enabled it to obtain a preferred position. If requirement contracts existed, it would appear that General Motors may have followed a pattern similar to that which was found objectionable in the National City Lines criminal case.

The latter case was brought successfully by the Department of Justice.

Mr. President, I ask unanimous consent that the portion of Report No. 1879 which relates to motorbuses be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. O'MAHONEY. Mr. President, what I desire to point out is that the Department of Justice by bringing the suit to which I have adverted—in which the complaint has not yet been released, so far as I know, and a copy of which I do not have—is attempting to determine to what extent a big company may grow bigger and bigger until it involves innumerable lines of operation which are not always relevant to the principal purpose for which it was created.

I have personally no objection whatever to bigness per se. I do not believe that bigness per se is evil. I believe that a great country, and a growing world area throughout which this country must operate, make necessary large corporations.

However, I have always insisted that when a great company enters into innumerable fields of operation, it must be careful, and the Government must be equally careful, that by its expansion it does not close the door of opportunity to others to enter the business.

We can tackle this kind of monopolistic domination of the economic field by the slow process of Department of Justice suits or Federal Trade Commission suits, or by a more rapid process of legislation designed to clear up misunderstandings in the antitrust laws and designed to make clear what corporations are permitted to do in their growth and in their expansion, so as to avoid, in the public interest, the establishment of monopoly which closes the door to free enterprise.

Because of the repetition of the phrase "cold war" everyone in our country knows that the United States of America is presently engaged in what is actually an economic war with totalitarianism. It seems to me that it ought to be perfectly clear that we cannot maintain a free economy in the world, as we are attempting to do with huge military appropriations and enormous appropriations for economic aid, if at the same time we permit economic concentration here at home to strangle small business.

There is not a Member of Congress who does not know that the complaint is continuous from small-business men that they are not having the opportunity of free enterprise because of the restrictions on trade which are imposed by some of the larger corporations.

I am very much pleased indeed that the Department of Justice has taken this first step. I shall await with interest the filing of the complaint. I wish it to be understood that it is not hostility to General Motors which prompts me to make this comment, nor hostility to any other large corporation. It is only my desire to make certain that by

the passage of appropriate laws we may allow the big companies to grow properly within their own field, but without injuring or destroying the opportunity of citizens of the United States who may desire to enter such field. When private power is so concentrated that it can establish its own economic rule in a field the jurisdiction of which was granted to the Congress of the United States by the Constitution, then, Mr. President, I say we are abandoning the American system.

I trust that the filing of the suit will be a very helpful step in leading us all, in business and government, in the executive branch and in the legislative branch, to know how we can best handle this very grave problem with justice to all.

EXHIBIT A

6. MOTORBUSES

General Motors is by far the largest producer in the United States of motorbuses used both for local transportation and for transporting passengers between cities. The last few years have witnessed the disappearance of certain old, well-established bus producers and the progressive increase in General Motors' relative market share until it now dominates the industry. The subcommittee undertook to determine the reasons for this domination. It is significant that none of the other passenger car producers manufactures buses. Ford at one time produced buses, but went out of the field in 1950. The question is: Has General Motors achieved its position solely through its superior product, better management, and technical proficiency, or has it employed restrictive practices and otherwise abused its power in gaining market prominence? In what way has competition been affected by General Motors' rise to power in the industry, particularly within the past few years? Witnesses representing the industry, government, and General Motors gave testimony on this aspect of the study.

It would appear that General Motors' rise to prominence in the bus industry did not stem wholly from internal growth. As in the case of diesel locomotives, General Motors obtained an initial foothold in the industry not by the utilization and expansion of existing facilities but by buying out a competitor. In 1925, General Motors merged the manufacturing facilities of Yellow Cab Manufacturing Co., a motor coach and taxicab manufacturing concern having plants at Chicago and East Moline, with certain of its own facilities into a new corporation known as Yellow Coach & Manufacturing Co., in which General Motors owned 57 percent of the common stock. From 1925 until 1943, General Motors owned the controlling interest in the stock of this corporation. In 1943, General Motors acquired the minority stock interest and the company became a division of General Motors, now operated as GMC Truck and Coach Division.

In a statement submitted to the subcommittee, General Motors admitted that it entered the motor coach industry by buying out another company because of the desire to obtain the services of the able personnel of this company with its manufacturing and operating experience in the field. It noted that the principal owner of Yellow Cab Manufacturing Co. had been in ill health for almost a year and was interested in relinquishing the burden, but went on to say:

"General Motors was interested because of its close connection with its truck and heavy vehicle operations in getting into the manufacture of taxicabs and motor coaches (General Motors had been making chassis for coach builders), and particularly desired to obtain the service of the able personnel of Yellow Cab with its manufacturing and operating experiences in this field. It was felt that the merger of the two interests would result in achieving the needs of each (VIII, app. B, II (42))."

In 1928, Yellow's manufacturing and administrative offices were transferred to a new plant constructed at Pontiac, Mich., for the manufacturing of buses, trucks, and taxicabs. It was reported that the properties in Chicago and East Moline of the old Yellow Cab Manufacturing Co. were sold, and in 1939, the manufacture of taxicabs was discontinued.

Here again is an instance where General Motors made its entry into, and initial progress in, an industry via the merger route. Information submitted to the subcommittee indicates that at the time of this acquisition, Yellow Cab Manufacturing Co. was the largest manufacturer of coaches in the United States. The merger, therefore, was not just of incidental importance but represented a significant step by General Motors in this field.

Beginning with the acquisition of Yellow Truck & Coach, General Motors progressed at a steady pace until it acquired the commanding position which it occupies today. Exhibits were introduced by witnesses from competitive bus manufacturers showing the continued increase in General Motors' market position.

According to one chart, in the 27-year period ended in 1951, General Motors manufactured 34 percent of all buses made in the United States (VI, 2628). From 1924 to 1926, this chart showed that General Motors produced 20 percent of the buses while the next largest classification of manufacturers comprising the 4 principal companies manufactured 40 percent. General Motors' most significant increase during the period was from 1947 through 1951 when it produced 43 percent of the buses made. From 1947 to 1951, the next 4 largest manufacturers increased their market share from 23 to 34 percent. The chart reflects the tremendous growth of General Motors from 1952 to 1955. By 1955, the corporation's market position mounted to over 80 percent.

This increase in General Motors' market position was also verified by a chart furnished the subcommittee by Thomas P. Butler, vice president of the Flexible Co., Loudonville, Ohio, dated November 11, 1955, and entitled, "Percent of Buses (Inter-City and City) Built by Various Bus Manufacturers 1950–55" (VIII, app. B, XXXII).

The market in question includes buses for transit or city use and buses for intercity travel. The transit type bus is sold to transportation companies which are either privately or municipally owned. The intercity bus is generally a larger and heavier bus for transporting passengers for longer distances between cities in the United States.

An analysis of the statistics obtained from the Automobile Manufacturers Association for 1955 indicates that General Motors is now producing in excess of 80 percent of city and intercity buses made in the United States. In its statement submitted to the subcommittee, General Motors did not attempt to deny or rebut the claim of the other bus manufacturers that General Motors' market position is now in the neighborhood of 80 percent.

It is noteworthy that during the period when General Motors was making its deepest inroads into the market, there was a very high mortality rate among competitive producers. Not only the relatively small companies, but also older, well-established firms found the going too tough and had to abandon the business. ACF-Brill, of Philadelphia, the best known name in streetcars and for many years a leading producer of buses has entirely transferred its activities to the totally unrelated retail food field. Frank R. Fageol, chairman of Twin Coach Co., Kent, Ohio, stated he went into the safety coach business in 1921 (VI, 2624). Twin Coach remained one of the leading manufacturers of buses until 1953 when it transferred its bus business to the Flexible Co. It now manufactures automobile vehicles, engines, and engages in aircraft assembly. In a progress report to employees on October 27, 1953, concerning the financial position of the company, Mr. Fageol explained his reason for going out of the bus business and, among other reasons, stated:

"* * * Further, one big company, through its great economic power, has been able to secure a total of over 75 percent of the bus business * * *" (VI 2636).

White Motor Co., Twin Coach, and ACF-Brill went out of the bus business in 1953 leaving only Mack of the four companies in the group which Fageol had described as the principal competitors of General Motors. Among the smaller companies which Mr. Fageol said have also abandoned the business within the past few years were: Beaver, Pony, Reo Bus Co., Checker Cab Transit and General Car (VI, 2630).

Since General Motors had been a defendant in a civil and a criminal antitrust suit involving the sale of buses, the subcommittee sought to learn whether the conduct involved in these suits had any substantial effect upon competition, or whether it contributed to General Motors strength in the industry.

On April 9, 1947, a Federal grand jury sitting in the southern district of California, returned an indictment against the National City Lines, Inc., and several other companies, including General Motors Corp., charging them with conspiring to restrain and monopolize the manufacture of buses, tires, and petroleum products in violation of sections 1 and 2 of the Sherman Act. A companion civil case was also filed (VI, 2595). After an extensive jury trial, the defendants in the criminal cases were found guilty on March 11, 1949 of violating section 2 of the Sherman Act. The Court of Appeals for the Seventh Circuit unanimously affirmed this conviction on January 3, 1951. The Supreme Court denied the defendants' petition for certiorari on April 3, 1951 (VI, 2602, 2611). Various proceedings thereafter followed in the civil case. Some of the defendants abandoned the contracts and other practices which the Government charged were at the heart of the illegal conspiracy in the criminal case, and on December 14, 1954, a consent judgment was entered against the National City Lines defendants, requiring, among other things, that National City purchases of certain of the items other than buses, be purchased upon a competitive bidding basis, in an attempt to open this market to competition. The defendants contended that the issues had become moot, making judgment unnecessary, as the contracts and the practices involved were no longer engaged in and there was no reasonable likelihood that they would be resumed. The suit was continued as to General Motors and the Government sought to enjoin General Motors from engaging in this or similar conspiracies, from renewing the requirements contracts, and from making similar investments in other transit companies. The Government also felt that certain relief was still needed with respect to the supplier-defendants and, accordingly, pushed the civil case to trial. On September 15, 1955, the court entered a final judgment holding that the relief sought by the Government was no longer needed. The order dismissing the case against General Motors without prejudice was entered on October 31, 1955, and no appeal was taken by the Government.

In connection with these cases, the subcommittee heard the testimony of William C. Dixon (VI, 2594–2621), an attorney of Los Angeles, Calif., who had been chief of

the west coast office of the Antitrust Division and who personally conducted the grand jury proceedings leading to the criminal indictment. Mr. Dixon testified that the investigation resulting in the filing of these cases was prompted by numerous claims to the Antitrust Division by various suppliers of buses, petroleum products, and tires to the effect that they had either lost business which they had theretofore enjoyed with National City Lines, or had found it impossible to sell local transit systems controlled and operated by National City Lines because of the apparent closure of these outlets to their products. Mr. Dixon described National City Lines Corp. as a holding company established in the thirties for the purpose of purchasing and operating local transit systems throughout the various cities of the country. The National City Lines cases dealt solely with the transit or urban-type bus.

According to Mr. Dixon, the indictment charged that beginning on or about January 1, 1937, the defendants, including General Motors, engaged in a conspiracy to exclude all competition in the sale of motorbuses, petroleum products, tires and tubes from the business of the local transportation companies then or thereafter owned or controlled by National City Lines or any of its subsidiaries. Count 2 of the indictment charged the defendants with conspiring to monopolize the sale of motorbuses, petroleum products, tires and tubes used by local transportation companies in which National City Lines owned or controlled, or in which it might thereafter acquire a substantial financial interest. The indictment particularized the conspiracy charged by reciting that General Motors and other supplier-defendants furnished money and capital to National City Lines, Inc., to be utilized by National and its subsidiaries to purchase or secure control of local transit systems located in various cities of the United States. In return, National City Lines and its controlled local transportation companies agreed that they would not renew any of their then existing contracts to purchase buses, tires, tubes, and petroleum products with companies other than the supplier-defendants without their consent, and that they would not dispose of any interest in any operating company without requiring such company to assume the obligation of continuing to purchase its requirements from the supplier-defendants, including General Motors. The defendants received stock in National City Lines and, according to the indictment, National City Lines received about $9 million of which General Motors furnished over $3 million. The indictment further stated that the total sales of motorbuses by General Motors to the National City Lines operating companies from 1936 to 1946 exceeded $25 million. Mr. Dixon testified that, pursuant to the illegal conspiracy charged, General Motors entered into requirements contracts with National City Lines under which General Motors was to furnish 85 percent of all the buses required by National and operating companies it owned as of August 2, 1939. General Motors and another supplier-defendant, Mack Manufacturing Corp., were each to furnish 42½ percent of all new motorbus business of any operating companies thereafter acquired by National City Lines. He stated that the remaining 15 percent was reserved for emergency purchases or for disposition as agreed upon by General Motors and Mack.

Mr. Dixon stated that at the time these contracts were entered into, the operating companies of National City Lines were securing buses from several suppliers. He stated that these suppliers were naturally foreclosed from furnishing any further equipment to these companies after these contracts became effective. Representatives of competing suppliers, the witness related, indicated during the trial of the criminal case that they could not sell their buses to the operating companies controlled by National City Lines, Inc., because of its agreement with General Motors.

In substance, Mr. Dixon testified that General Motors acquired substantially all of the bus business of the operating companies of National City Lines by making so-called stock investments in National City Lines or its subsidiary companies. He stated that the suppliers who made these so-called investments themselves apparently recognized that they were buying the stock only as part of a larger deal which assured them the business of the operating companies (VI, 2606). Mr. Dixon also claimed that National City Lines made its purchases of buses from General Motors with little reference to current price quotations. He implied that the requirements contracts obligated National to purchase buses from General Motors, regardless of the prices charged by other bus manufacturers.

Mr. Dixon testified that after the affirmance of the conviction in the criminal case, some of the defendants, including General Motors, disposed of their investments in National City Lines, Inc., and its operating companies in an apparent effort to make the issues in the civil case moot (VI, 2606–07). Some of the requirements contracts were also abandoned or canceled, and others expired through the lapse of time. Mr. Dixon revealed that, despite the conviction of the criminal case, some of the other defendants persisted in retaining their requirements contracts, and that such contracts were not terminated until the entry of the final order of the district court in 1955.

The subcommittee is vitally interested in the effectiveness of antitrust decrees in restoring competition. Mr. Dixon ventured the opinion that 5 years hence, if the Department of Justice reviews the situation, it will probably find that the National City Lines companies, if they are still operating, will be using General Motors equipment almost entirely. Mr. Dixon expressed the view that the lapse of a long period of time generally works in the defendant's favor in an antitrust case, and that this was particularly true in the National City Lines case. As the witness said:

"The conspiracy charged had been in effect for at least 10 years prior to the time the indictment and civil cases were filed.

"The result is that for a period of 18 years in this case the market involved here has been foreclosed from substantially all competition, and in the meantime, the companies have been making the profits on the products that they have sold in this market, without any fear that they were going to lose that business from competitive suppliers.

"Now, as a practical matter, the court decree may require certain things, but if you have been doing business with someone for 18 years the chances are that you are going to be a little reluctant to change to someone else unless you are forced to do so" (VI, 2620).

This criticism corroborates the views of other critics of antitrust enforcement, who hold that buying habits and other commercial practices, once entered into illegally, are often difficult if not impossible to terminate. While court decrees can enjoin or cancel illegal contracts, it is extremely difficult to disrupt the buying habits of companies which find it expensive and burdensome to change to other suppliers.

General Motors, in rebuttal of the testimony of Mr. Dixon, submitted its own statement of the facts based upon the court records relating to General Motors and the National City Lines cases. This statement charged that Mr. Dixon's testimony gave an inaccurate and incomplete picture of the facts in the record:

"* * * so incomplete and inaccurate that actually no mention was made that the final outcome of the several years' litigation in this case was the denial of the relief requested by the Government and dismissal of the civil action against General Motors * * *" (VIII, 3919).

General Motors took strong exception to what it described as the implication left at the hearing that it was by virtue of contracts with National City Lines that General Motors had achieved its present high percentage in the bus market. General Motors claimed that the record showed that its total sales to National City Lines companies during the years 1949 through the first 10 months of 1954 constituted only 4 percent of its total sales of buses. It concluded that there must be other reasons for its success, since 96 percent of its total business came from other sources.

This raises an important issue respecting General Motors' role in the bus industry. If the General Motors Corp. made important inroads into the bus market through restrictive agreements—in this case, requirements contracts—this is a fact which law-enforcement officers must carefully appraise. Any final conclusion as to possible Sherman Act violation by General Motors in this area must take into account the use of such contracts as a device to preempt the market, and their importance in achieving this result. In its statement filed with the subcommittee, General Motors does not state what percentage of its sales of transit buses were represented by its sales to National City Lines companies for the period in question. If Mr. Dixon imputed significant gains to the General Motors Corp. because of the illegal contracts, the market he was speaking of was obviously the sale of transit or urban buses. There is reason to believe that in this market General Motors' National City Lines business was considerably in excess of 4 percent.

General Motors claimed that Mr. Dixon's statement gave none of the background for the capital investment and contracts, and that such background would show that General Motors had no purpose to prevent or restrict competitors from the opportunity to secure National City Lines business. General Motors explained its capital investment in National City and the related contracts in the following way: Yellow Truck & Coach Manufacturing Co., referred to as Yellow, was a manufacturer of buses from 1923 until 1943, and during this period General Motors owned slightly more than 50 percent of its stock. The management of Yellow in 1932 set up a holding company with capital of $300,000 for purpose of financing the conversion from streetcars to buses in certain small cities. Yellow felt that if it built a small bus, a market would be created in smaller communities where a bus could be operated more economically than a streetcar. Investments were made in three cities where it was claimed Yellow successfully motorized the city and, having demonstrated the feasibility of using small buses, turned the management over to other interests and liquidated its investment. Roy Fitzgerald of National City Lines and his associates were then conducting similar activities in other small communities and were buying their buses from Yellow. According to General Motors' statement, Fitzgerald made his first venture into converting city streetcar systems to bus operation upon the suggestion of a representative of Yellow. General Motors claimed that Fitzgerald converted several small cities from streetcars to buses, purchased his buses from Yellow on time, reduced fares and made money. National City Lines, it claimed, was organized to engage in a similar type of activity. General Motors claimed that when Fitzgerald could not obtain financing from investment bankers, he solicited capital from

Yellow and other suppliers. The first investment made by General Motors (Yellow) in the City Lines companies was in Pacific (a subsidiary) in 1938. General Motors further stated that at the time this investment in Pacific was made, nothing was said about Yellow's supplying buses to Pacific. The matter of a requirements contract for buses was first mentioned in 1940, General Motors claims, 2 years after it made its investment and only in order to assure Pacific on an assured supply of buses during wartime conditions (VIII, 3921). Mr. Dixon had also stated that, according to the record, it was National City Lines who sought the capital investment from the defendant-suppliers.

Although this requirements contract was not made until 2 years after Yellow's investment in Pacific, no such delay occurred with reference to Yellow's investment in National in 1939. In connection with this investment, the board of directors of Yellow Truck & Coach approved the investment in National and, at the same meeting, approved the requirements contract described by Mr. Dixon. General Motors asserts that Fitzgerald sought capital assistance for National City Lines in 1939, but does not deny that the requirements contract with National was part of the package involving the capital investment. General Motors alleged that an investment of $500,000 was made by Yellow and that the requirements contract was entered into at the suggestion of Fitzgerald.

"Yellow did not ask for nor want a requirements contract; prior to that time the Fitzgeralds and National, after its organization, had been purchasing practically all their bus requirements from Yellow" (VIII, 3922).

Significantly, General Motors gives no reason why Fitzgerald suggested the requirements contract at the time of the original 1939 investment in National City Lines. More important, General Motors makes no explanation why it decided to enter into a requirements contract. Since it claims it was already obtaining the business, there would appear to be no need for the contract. And since General Motors was advancing the money at City Lines' request, it was under no obligation to make such a contract.

Mack received a contract from National for 42½ percent of the new bus business of after-acquired properties. According to General Motors, Mack had assured National it would and could build buses competitive with Yellow's, but it never did, and as a result failed to sell its allotted percentage of new equipment. Mack Corp. denied that its failure to obtain its 42½ percent was due to its inability to build the new buses as promised.

General Motors rejected the inference drawn by Mr. Dixon that its success with National was due to the requirements contract and, by way of reply, stated that it sold to National and its subsidiaries the following percentages of their purchases of new buses for the years prior to the requirements contract:

	Percent
1936	83.3
1937	88.3
1938	100.0

(VIII, 3923)

During the 10-year period of the existence of the requirements contract, 1939 to 1949, General Motors stated its percentage of National City Lines' business was 75.49 percent. Following the termination of the contract, General Motors sold National and its subsidiaries the following percentage of their requirements:

	Percent
1950	100.0
1951	95.7

(VIII, 3923)

The figures for 1950 and 1951 can be construed as supporting Mr. Dixon's assertion that even after illegal contracts have been terminated it is very difficult to eradicate their results.

Several of the witnesses representing other bus companies testified that they had been successfully selling buses to transit companies which were later taken over as part of the National City Lines system. According to these witnesses, after National City Lines acquired the companies they were no longer able to do any substantial volume of business with them. The witnesses stated that they did continue to get some replacement business, but the bulk of this business went to General Motors (VI, 2645).

General Motors also challenged Mr. Dixon's assertion that the statement by a bus manufacturer concerning the exclusionary effect of these requirements contracts was typical. General Motors claimed that at the trial only one witness from a competitive bus manufacturer testified that he tried unsuccessfully to solicit bus business from City Lines. General Motors pointed out that on cross-examination it was shown that the reason City Lines did not purchase buses from the witness' company was because of the faulty performance of buses previously furnished. General Motors concluded that it seemed rather obvious the City Lines president was using the "so-called General Motors tieup as a means of getting rid of a salesman whose product he did not want (VIII, 3924). Thus, it can be said there was no proof that General Motors relationship with National City Lines companies prevented competitive manufacturers from selling their product."

However, the contracts offered in evidence, as the basis of the Government's case, were clearly restrictive on their face (VIII, 3924).

General Motors concluded:

"The court record, therefore, demonstrates National was and is buying General Motors buses because of their merits, as are all other purchasers, and not because of some insinuated improper relationship as suggested by the former Government attorney" (VIII, 3925).

The evidence submitted by General Motors does raise a question concerning the relative significance of the requirements contracts in obtaining National's bus business for General Motors. However, its reference to "some insinuated improper relationship" and its disclaimer of all wrongdoing ignore the finding by the jury in the criminal case that General Motors, along with other defendants, had in fact entered into a criminal conspiracy to monopolize the business in question. The court of appeals affirmed that verdict.

General Motors stated that the court expressly ruled that the making of the requirements contract was legal and that no objection was made by the Government to this ruling, referring to the memorandum decision by the district court in 1955 in which the court characterized the practices involved in the case as not matters of outright lawlessness or brazen price fixing, and stated that, since requirements contracts are not illegal per se, it is not necessarily unlawful for a supplier to help a customer financially, whether by extending liberal credit or investing capital.

General Motors thus regarded the final outcome of the several years of litigation in this case as the denial of the relief requested by the Government and dismissal of the civil action against it. Such a characterization leaves the impression the corporation was completely exonerated from all wrongdoing in these cases and that the Government in fact did not prevail. However, the corporation was in fact indicted and convicted in the criminal case for violating the Sherman Act. The Government's suit for civil relief against General Motors was dismissed by the court as unnecessary only because the corporation had abandoned the restrictive contracts and had divested itself of its stock interests in National City. In fact, in the very suit which was dismissed, the court had previously declared that the issue concerning the illegality of the conduct, of which the requirements contract formed the basis, had already been decided by the court in the criminal case and could not be relitigated. The inferences drawn by General Motors from the remarks of the trial court, and the further assertion by General Motors that the court declared the contract to be legal are scarcely consistent with the ruling of the district court in the civil case on the Government's motion for summary judgment. In declaring that the issue of liability in the case had already been decided against the defendants and was binding upon this court, the district court on December 17, 1953, declared (118 F. Supp. 465, 468):

"In affirming the conviction, the Court of Appeals painstakingly reviewed the evidence. The findings which were held to be necessary to support the verdict on appeal are:

"1. That, within the period charged in the indictment, the defendant entered into contracts among themselves for the exclusive sale and purchase of the supplies required by the transportation companies involved;

"2. That these contracts were intentionally executed by the defendant acting in concert;

"3. That these acts were performed with the intent required by the Sherman Act; and

"4. Constituted a conspiracy to restrain trade in violation of that act (*United States* v. *National City Lines, Inc.* (7 cir. 1951, 186 F. 2d 562 at pp. 570–572)). These matters shall be deemed established. No proof of these facts shall be required of the plaintiff at the trial, and no evidence denying them shall be admitted, except that any evidence bearing upon the proper scope of any decree which might be entered may be received."

Whatever the opinion of the court in the criminal case concerning the contracts and whatever the reaction of the corporation concerning the propriety of its conduct in executing these contracts, this ruling constitutes a judicial holding that the contracts were illegal as constituting a part of the unlawful conspiracy charged. Although requirements contracts may not be per se unlawful, these contracts were found to be unlawful in the context of this case.

The extent to which General Motors may have obtained substantial advantages in the bus industry through the device of "buying a market," that is, capital investment in bus operators with an agreement expressed or implied that they will purchase buses exclusively from General Motors, is not clear. However, General Motors candidly admitted that the practice in the National City Lines case had its counterpart in the earlier plan of Yellow in 1932. Yellow, according to General Motors' statement, set up a holding company with a capital of $300,000 for the purpose of financing the conversion from streetcars to buses in small cities, including Kalamazoo and Saginaw, Mich., and in Springfield, Ohio. These arrangements and their effect upon General Motors' bus business were not involved in the National City Lines case. A final determination as to the reasons for General Motors' dominant position in the bus industry requires a careful study of these early investments to determine whether there were simultaneous agreements, either express or implied, by which General Motors was guaranteed the business of these transit companies, and whether these investments were part of a plan, as in the National City Lines case, to preempt a market.

General Motors contends that it contributed to the public good by making such investments, as otherwise small city streetcar companies would not have ventured into the more advanced field of bus transportation. However, the question remains whether General Motors, because of its size and financial

strength, was able to make important inroads into the bus market through this type of financing at a time when its competitors were not financially able to do likewise. In any event it would appear that National City Lines was not the only instance where General Motors made investments in bus operators, and presumably thereby obtained some preferential consideration from such customers.

It would be premature at this point to make any investments in bus purchasers since the matter is now under the scrutiny of the Department of Justice. While such conduct may be perfectly lawful in itself, it must be appraised in the light of the company's total behavior over the years, and its consequent effect upon competition. However, it would appear that definite market advantages are gained in this way, and that the ability to make such gains is directly related to the corporation's financial power.

The representatives of various bus-manufacturing companies who testified before the subcommittee suggested a number of reasons why General Motors has obtained its success in the market. Mr. Fageol, of Twin Coach, claimed that General Motors helped finance the Greyhound Co. Greyhound, he said, standardized on General Motors equipment (VI, 2631). Mr. Butler, of Flxible, also spoke of the tieup between General Motors and Greyhound as giving General Motors a virtual monopoly of the Greyhound business (VI, 2464). These witnesses claimed that Greyhound was by far the largest purchaser of intercity buses. According to their testimony, General Motors obtained preferential treatment in the intercity bus market through the device of capital advances to operating companies.

In 1930 Yellow Truck & Coach supplied capital assistance to the Blue & Grey Transit Co. operating between Richmond and Washington and north to New York, and also to Campbell City Coach Co., which operated between Washington, Richmond, and South Charleston. Yellow subsequently exchanged its stock interest in these two companies for stock in National Highway Transport Corp., which had acquired them. By 1934, the Greyhound Corp. had acquired all of Yellow's interest in National Highway Transport Co. through an exchange of stock in which Yellow (General Motors) acquired a 3½ percent stock interest in the Greyhound Corp.

In 1948, General Motors sold its stockholding in Greyhound Corp. in the open market. The annual report filed by Greyhound with the Interstate Commerce Commission shows that General Motors was the largest stockholder in Greyhound from 1936 to 1948.

The staff does not have sufficient information concerning the relationship between General Motors and Greyhound to determine whether its stock interests in Greyhound gave General Motors any preferred position. The staff has not examined any of the contractual arrangements between General Motors and/or Greyhound over the years to ascertain whether they were exclusionary. However, Charles W. Perelle, president of American Bosch Arma Co., and formerly president of ACF–Brill Co., alluded in his testimony to a contract between General Motors and Greyhound which precluded other bus manufacturers from getting access to the Greyhound business (VI, 2648–2649). Mr. Perelle testified that in 1944 or 1945, when he was vice president in charge of operations of Consolidated Vultee, he was asked by the Greyhound Corp. to design a bus for them. Consolidated Vultee was at the time looking for some postwar products and, because of their background and knowledge in the fabrication of aluminum, became interested in the possibilities of buses. At Greyhound's suggestion, Consolidated entered into the preliminary stages for design of a bus, but, according to Mr. Perelle, dropped the project when it discovered there was some type of sales commitment between Greyhound and General Motors. It was Mr. Perelle's understanding that under this commitment Greyhound could not deal with Consolidated without first obtaining the permission of General Motors. Mr. Perelle stated that the Douglas Aircraft Co. was also planning to design a bus for Greyhound but subsequently abandoned the project for the same reason. Mr. Perelle said that Douglas never went into the business of manufacturing buses thereafter. He also asserted that since Greyhound was by far the single largest purchaser of intercity buses, denial of access to this market was a powerful deterrent to potential manufacturers. Otherwise, witnesses stated only that General Motors appeared to have all, or the major portion, of the business of Greyhound. Thus, according to the testimony, two potential manufacturers of buses—airplane companies of considerable size—abandoned the idea of making buses upon learning they were foreclosed from a substantial share of the market by agreements between Greyhound and General Motors. A thorough analysis of General Motor's relations with Greyhound over the years is necessary to determine whether General Motors' great financial strength enabled it to obtain a preferred position. If requirement contracts existed, it would appear that General Motors may have followed a pattern similar to that which was found objectionable in the National City Lines criminal case.

This study of General Motors' domination of the bus industry raises certain important questions. Have General Motors' contracts with Greyhound over the years been restrictive of competition? Have such contracts been an important factor in the ability of General Motors to control most of the Greyhound business? How significant is the Greyhound business? What advantage did General Motors gain as a result of its stock interest in Greyhound? Obviously, the ability to invest in bus purchasers is not available to all of General Motors' competitors. Size and financial power make possible such a program. General Motors consistently maintained that only the superiority of its product accounted for its success. Assuming a superior product, did initial arrangements—made possible in large part because of its size—give it a competitive advantage which the corporation shrewdly followed up by development of an excellent product?

Whether the courts will ultimately conclude that investment in bus operators excluded competition and contributed in part to General Motors acquiring a possibly illegal bus monopoly is not for us to decide. We are not attempting to determine whether General Motors has unlawfully monopolized this industry, but the evidence indicating how the size of General Motors has given it advantages which may have contributed to its present dominant position is important in making a clinical case study of bigness.

Both Twin Coach and Flexible testified they were never able to overcome the advantages General Motors obtained by its investments in bus purchasers. They indicate that once General Motors was able to get its foot in the door, the transportation companies ultimately standardized on General Motors equipment, and from that point on it was practically impossible to get such companies to consider competitive equipment. These witnesses criticized the effectiveness of the decree of the National City Lines case. Once the pattern of buying from a single supplier had been established, the witnesses claimed, the court decree had little effect in opening the business to competitors.

Several of the witnesses claimed that General Motors obtained business because directors of various transit companies were bankers who were anxious to obtain General Motors' banking business, and, therefore, urged their managers to purchase General Motors buses. These witnesses claimed that the managers of certain transit companies, although well satisfied with non-General Motors products which they had used for many years, switched to General Motors at the urging of their directors. These witnesses contended this was an example of reciprocity which worked to the advantage of the big corporation. In this way, it was claimed, General Motors was obtaining business in ways having nothing to do with the intrinsic value of its product.

Mr. Perelle spoke of other advantages that flow to a large corporation because of its size. He noted the ability of General Motors to obtain bus business with the railroads because of the great amount of freight General Motors ships over the roads (VI, 2652–2653). He stated that several railroads were at one time equipped with ACF–Brill buses, but that this business eventually dried up because the railroads turned to General Motors in return for getting its freight business. He cited a specific case in 1950 or 1951 in which the purchasing agent of the New York, New Haven & Hartford Railroad was reputed to have told his purchasing department in connection with a small order of 6 buses, that "there were so many freight cars a week involved in this order," and that they would not take a chance of losing this business (VI, 2653). Mr. Perelle expressed the view that the preference of the railroad for General Motors because of the desire to secure its freight business was not a result of any particular pressures exerted by General Motors but was merely an economic fact of life. Because General Motors was big and a large shipper of freight it was able to obtain business with the railroads which otherwise might have been available to other bus manufacturers. Mr. Perelle testified that he satisfied himself concerning this reciprocity by making a personal survey after he had been invited to become president of American Locomotive. Upon examining the pattern of sales in the industry he became convinced that General Motors obtained preference because of their large shipment of freight and, therefore, he decided not to take the job.

According to Mr. Perelle, another advantage enjoyed by General Motors is its ability to maintain a large number of warehouses and parts depots throughout the country for servicing equipment. Other manufacturers also have such warehouses and depots, but as volume decreases these become very expensive, and the smaller companies have been forced to eliminate them in order to keep costs in balance. General Motors, Mr. Perelle stated, has such maintenance centers throughout the country for buses and diesel engines together with its automotive activities. It is thus able to spread the burden of its costs over a large volume of business, whereas Brill had to maintain such warehouses solely for its bus business (VI, 2654).

The subcommittee solicited the views of Stanley L. Green of Southern Coach Manufacturing Co., Evergreen, Ala., as a representative of the small bus manufacturers. Southern Coach makes buses of the transit type only. One of its principal problems stems from purchasers' fears that this small company might go out of business as had many of the other bus manufacturers within the past few years. Their fear seemed to deter prospective purchasers from his company since they feared it would be impossible to get necessary replacement parts and servicing in the future (VI, 2661). As did other manufacturers, Mr. Green felt that once a user standardized on a particular bus such as General Motors, this posed very difficult problems for another competitor. It then became difficult to induce purchasers to change because this meant training new mechanics and maintaining a duplicate parts inventory.

Three of the four bus manufacturers who testified were emphatic in expressing their

belief that General Motors gained a substantial advantage because of its ability to offer attractive financing terms. Mr. Perelle, formerly of Brill, Mr. Green of Southern, and Mr. Butler of Fixible stated that, because of the nature of the bus business, financing terms are extremely important. Purchasers—particularly transit companies—operate on a very low margin and are in great need of liberal finance terms. According to the witnesses, it is extremely difficult to interest many local banks because of the financial condition of the customer and the great risk involved. Therefore, a corporation possessing the financial power of General Motors, which can handle its own financing through Yellow Manufacturing Acceptance Corp. (YMAC), has a decided advantage which it exploits fully. YMAC is a subsidiary acquired by General Motors in the consolidation of Yellow Truck and Coach. It is under the jurisdiction of the Truck & Coach division and finances the products of that division, and now also the products of the Euclid division. Mr. Perelle testified that Brill did some of its own financing, but lost other business because of its inability to obtain financing. All three witnesses referred to the long-term financing which General Motors was able to offer purchasers through its finance company. A small company like Southern Coach needed all of its capital for its own operation and was not in a position to do any financing. As Mr. Butler of Fixible stated:

"Therefore, when they [transit companies] need financing, and by the term 'financing,' I mean, say, 10 percent down and 6 or 7 years, the only way that paper can be handled is for the manufacturer, the strength of the manufacturer's name, on the paper with the bank. In our case, we can't handle a lot of those deals because of our size as compared with GM" (VI, 2665).

Mr. Butler stated that his company relied for a good deal of its financing upon General Motors Acceptance Corp. He stated that in some instances, GMAC refused to handle the financing of Fixible and the business ultimately went to General Motors which financed the deal through GMAC on longer and more liberal terms than those which Fixible had sought from GMAC (VI, 2665–2666.

The staff was not in a position to compare specific financing contracts of General Motors with those of other bus manufacturers to determine whether, in fact, General Motors was offering more liberal terms, and thus obtaining the bus business. However, the economics of the industry make abundantly plain the importance of financing in securing bus business. Again, it would appear that the vast scale of General Motors' operations, particularly its integration into the financing field, affords the company opportunities to get business on a basis not available to its smaller competitors. This is not to charge wrongdoing merely because a company finances the products it makes and sells through its own subsidiary. But when a company achieves a dominant position in a market—sufficiently large in terms of market share to fall within the statistical measurement of monopoly as defined by the Supreme Court—then its ability to obtain business in this manner presents an ideal case for a study in the exercise of power. Is size abused when a corporation obtains business, not solely through the production of a better product, but in large measure through advantages gained from its superior financial position? This type of advantage does not stem from efficiency of operation. When it is successfully exploited, and the net results is the loss of business by, and the ultimate elimination of, competitors, the question arises whether this is the type of free enterprise to which the public policy of the United States, as expressed in the Sherman Act, is dedicated. Whether the use of power as described herein is sufficient to constitute that element of deliberateness which is a necessary element of the monopolization forbidden by the Sherman Act is a question which the courts may someday have to decide. The other practices referred to by the witnesses, such as mergers, investments in purchasers, requirements, and other exclusive contracts are all factors which may be decisive of the question whether General Motors obtained the power to exclude and intended to exercise such power.

Mr. Butler, of Fixible, stated that his company was unsuccessful in an attempt to obtain diesel engines from the diesel engine division of General Motors. He claimed that General Motors did not want to furnish diesel engines to a competitor in the bus business (VI, 2670–2671). Mr. Butler submitted to the subcommittee documentary evidence that high officials of the General Motors Corp. had exerted pressure through their diesel division upon dealers not to furnish diesel engines to Fixible. According to these documents, General Motors learned from a customer of Fixible that the company contemplated using General Motors diesels. The same source shows that orders came directly from a "Mr. Wilson" that the diesel engines in question were not to be delivered to the Fixible Co. "as they are competitors of ours" (VI, 2672–2674). It would appear that General Motors used its position in the manufacture of diesel engines in order to restrict the activities of a bus competitor. This incident illustrates the potential danger of bigness and the possibilities for abusing the power incident to integration.

Roger M. Kyes, vice president of General Motors, submitted a statement to the subcommittee describing the contributions of General Motors to the motor-coach industry (VIII, 3926–3932). He vigorously insisted that General Motors has prospered because it has fulfilled the requirements of the operator more effectively than its competition. He cited several instances showing that General Motors buses were much more economical to operate than those of its competitors. National City Lines, he stated, made comparisons of operating costs in cents per mile of maintenance labor, service labor, special maintenance of overall, fuel and depreciation. These studies revealed that General Motors buses have operated from 1½ to 2½ cents per mile cheaper than competitive buses. Mr. Kyes listed various technical contributions of General Motors to the industry which he urged accounted for the superiority of General Motors products and explained the preeminent position of its buses. Monocoque body construction, rear-engine installation, two-cycle diesel engine, improved transmissions, hydraulic transmissions, and air suspensions are among the contributions listed. General Motors also claims that it pioneered in preventive maintenance in order to assure satisfactory performance in the use of the buses being supplied.

Mr. Kyes stated that General Motors' competitors had either failed to anticipate changing trends in transportation requirements or were unable to design a product which would meet the requirements of the bus operators with the same effectiveness as General Motors. He summarized the reasons for General Motors' success in the bus industry by concluding that General Motors has:

1. Built an outstanding product.

2. Provided a product that has produced substantial economic savings to customers.

3. Contributed significantly to the ability of its customers to manage their properties profitably (VIII, 3932).

In the statement submitted by Mr. Kyes, it was asserted that General Motors truck and coach division had developed a group of trained specialists who could effectively and efficiently survey the total operation of a particular company and make sound and helpful recommendations to improve its overall efficiency. He said that the group of men elected are thoroughly schooled in transportation engineering. This survey team makes detailed studies of the needs of any operator who requests its services, and its valuable know-how is made available to the customer "without any obligation or cost on his part" (VIII, 3930). Mr. Kyes stated that to the best of his knowledge, no other bus manufacturer had an equivalent organization. The staff has made no study to determine the extent to which the activities of such survey teams have succeeded in procuring bus business for the corporation. However, it is apparent that such a service to small operators, working with limited capital, in a field requiring considerable know-how, would be of tremendous value, particularly since it is obtainable without charge. To maintain such a skilled staff undoubtedly entails a sizable cost to the corporation. Are all such costs charged to the GMC truck and coach division? Are any of the people who contribute knowledge or information associated with the diesel division or other branches of the corporation? The work of such professionally trained people has probably aided materially in the promotion of the technology in the industry.

Despite the contributions of such teams in the advancement of transportation engineering and the promotion of more efficient systems, the question remains whether the public interest is best served in the long run when a company is able to employ the advantages of its size in such a way that smaller companies cannot compete.

If monopoly is achieved, will the advantages resulting from such methods continue, and will they be passed on to the consumer? Our free-enterprise system is predicated on the assumption that competition provides the spur to insure the maximum advantages to the public. Monopoly is bad, because the natural advantages which flow from competition do not exist. The United States has placed its trust in competition as the greatest safeguard of our free-enterprise system. In enforcing this policy, the courts have steadfastly maintained that we cannot afford to be dependent upon the beneficent monopolist, no matter how benign his policies appear to be at any given time. The hearings relating to General Motors' role in the bus industry indicate the need for a prompt decision as to whether Government action is necessary to alleviate the situation.

Mr. WATKINS. Mr. President, unfortunately I had to leave the Chamber for a few moments to telephone, but I heard most of the excellent statement made by the distinguished Senator from Wyoming, and I wish to say that I compliment him upon it. The Senator from Wyoming and I serve on the Judiciary Committee. That committee has been holding hearings on mergers which have to do with the monopoly policy of the United States Government. I know the Department of Justice deserves the compliment the Senator paid it. The Department of Justice is working energetically to enforce the antitrust laws of the United States. Judge Barnes, who recently resigned to become a member of the circuit court in San Francisco, made an excellent record as the head of the Antitrust Division. I understand he was given a free hand to proceed to do what he thought was wise in the investigation and prosecution of offenders against the antitrust laws.

The Attorney General last night on the television program handled himself with a great deal of ability, and I thought he

was very frank. It is true that in a press conference of that kind the person being interviewed is controlled to some extent by the persons asking the questions, but it seems to me Mr. Brownell did very well last night in responding with informative answers to the numerous questions propounded. He did a great deal, within the limited time of the press conference, to inform the American people of what the Department of Justice is doing in carrying out its functions.

With reference to the proceeding to be brought against General Motors, I hope that in this country we shall always be fair in our investigations and our prosecutions under the antitrust laws. I agree with the Senator from Wyoming that big business is not objectionable if it conducts itself properly within the laws of the country, but, at the same time, we must also recognize the fact that we do have large and strong business concerns and industries, and they have made it possible, during two world wars, not only to provide the implements of war and the commodities necessary for ourselves, but also to aid our allies. American industry and business deserve a great deal of credit, along with labor, in keeping the United States strong and in a position to defend ourselves.

So I would join with those who say we should be fair to big businesses who obey the laws and permit them to compete with businesses which are not so strong economically and with small businesses which are trying to get into the production field in industry.

I think the investigation conducted by the committee will be helpful in this regard.

I join with the Senator from Wyoming in complimenting the Department of Justice for the wholehearted manner in which the Department has been attempting to enforce the antitrust laws.

POLICIES OF THE COMMODITY CREDIT CORPORATION AND THE DEPARTMENT OF AGRICULTURE

Mr. HUMPHREY of Minnesota. Mr. President, on Tuesday, July 3, I addressed the Senate concerning the policies of the Commodity Credit Corporation and the Department of Agriculture as they relate to the sale and disposal of surplus commodities. I brought to the attention of the Senate a proposal which had been developed by the National Grain Trade Council, supported by the American Farm Bureau Federation and the American Federation of Grain Cooperatives.

Recently I received a copy of a letter which was addressed to the Secretary of Agriculture on the date of June 19 and signed by Mr. C. C. Farrington, chairman of the National Grain Trade Council. In this letter Mr. Farrington, speaking for the council, summarizes the arguments in behalf of the grain trades proposal relating to export trade.

I ask unanimous consent that the letter referred to be printed in the body of the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MINNEAPOLIS, MINN., *June 19, 1956.*

Hon. EZRA TAFT BENSON,
Secretary of Agriculture, United States Department of Agriculture, Washington, D. C.

DEAR EZRA: The board of directors of the National Grain Trade Council has unanimously approved the following resolutions with respect to the handling of export grain:

"1. That the USDA April 6 announcement on sales of Government grain for export be modified to permit, in addition and in preference, to sales of Government grain at seaboard positions, sales of such grain for export on an f. o. b. track interior terminal market basis, with the grain so sold to be insulated from use in the domestic market and the buyer required to move to export from the terminal market, where he takes delivery, the same grade and quantity of grain purchased, and—as to wheat—in addition to grade and quantity as above, the same protein.

"2. That the USDA make available a cash subsidy to encourage the export of United States grain within statutory and budgetary limits, and that—to the extent a cash subsidy is not available—a subsidy in kind from Government stocks be available, with these stocks to be supplied at seaboard, in store, f. o. b. steamer or track seaboard, or f. o. b. interior markets, as mutually agreed between CCC and the buyer, and—if supplied f. o. b. interior terminal markets—the grain so supplied to be insulated from use in the domestic market and that there be moved to export from the terminal market where supplied the same grade and quantity of grain supplied, and—as to wheat—in addition to grade and quantity as above, the same protein.

"3. That the Chairman and the council's committee are authorized to recommend as to each type of grain a program involving an announced subsidy, or—except as to wheat—a bid subsidy procedure as in the Commitee's judgment will maximize the volume of grain exports."

We believe that the adoption by CCC of the above recommended procedures will accomplish three important objectives:

1. A greater return to grain producers in the market place, and a greatly reduced takeover of loan grain by CCC.

2. The greatest possible efficiency in the marketing and handling of United States produced grain with a reduction in overall cost to CCC.

3. Restoration to the private grain trade, including, of course, cooperative interests of the handling, marketing, and exporting of United States-produced grain.

President Eisenhower and you repeatedly have stressed your objective of promoting reasonable prices for growers in the market place with a minimum of Government interference with private enterprise. The adoption of the above recommendations would contribute greatly to the accomplishment of that objective. If the grain being exported from the United States were drawn entirely from free market supplies (except for such quantity of grain as might be contributed by CCC on barter transactions or as payments in kind), the demand for the currently produced crops of grain would be broadened and prices in the market place would be strengthened early in the marketing year. We believe it is reasonable to assume that market prices would be at or above the support level a large part of each marketing year, and less grain would be put under loan; also—of that grain which is put under loan—a substantial amount would be redeemed, and Commodity's takeover would be greatly reduced, if not eliminated.

Our tentative estimates with respect to wheat indicate that costs to CCC would not be increased, and savings of $15 million or more per year might be realized. We estimate increased incomes to domestic wheat producers of $95 million to $128 million. We are assuming the same volume of exports (310 million bushels of wheat) and the same level of world prices ($1.60 per bushel for No. 1 Hard Winter, f. o. b. gulf ports) under both procedures.

Under the present program, with nearly all of the export grain being supplied from CCC stocks, it is inevitable that a good portion of each year's production must be acquired by CCC through the loan program, thereby adding to the surplus stocks from which exports are made during subsequent years. Each year CCC sells large quantities out of its stocks, but—through the loan program—acquires even larger amounts, with the result that carryover stocks are built higher and higher, the grain trade handles a smaller and smaller percentage of the total crop, and no real progress is made toward reducing CCC's holdings.

The Department of Agriculture, during the past 3 years has made heroic efforts to increase exports of grain, and I believe they have done about everything in this direction that reasonably could be expected. In advocating the soil bank program the President and you have recognized that further expansion of exports does not offer a solution to the agricultural surplus problem, and that real progress in this direction can be made only by cutting back production to a level below domestic consumption and exports.

The grain trade's proposals with respect to the handling of export grain would be entirely consistent with and tend to further the objectives of the administration's soil bank plan and flexible price supports, and would minimize Government competition with private enterprise.

It is not claimed that the procedure recommended by the grain trade for the handling of grain exports would, of and by itself, substantially increase the volume of grain exports. The volume of grain exports is dependent primarily upon the price that grain is made available to foreign buyers and the credit or financing arrangements that are made available by the United States Government. We believe, however, that the adoption of the procedure which we are recommending will promote the greatest possible efficiency in the handling of export grain and the largest possible volume of exports per dollar of expenditure by the United States Government.

Possible charges of export dumping which may be used against the procedure we are recommending will not be well founded. It is presumed that approximately the same volume of grain will be exported, and at approximately the same price, under this procedure as under alternative procedures which the Government might use to cause the exportation of grain. It is presumed that cash subsidies likely will be used only with respect to exports of wheat for which world prices are readily ascertainable, and with respect to which cash export subsidies are specifically authorized by congressional action in connection with the International Wheat Agreement. For all other grains a bidding procedure can be used to determine the ratio between the quantity of grain to be exported and the quantity being made available as subsidy in kind. This will have the same general effect as the bidding for CCC stocks which currently is being done.

I believe that costs to CCC will be reduced somewhat by the procedure recommended herein rather than being increased. (See estimate attached.) It is true that Commodity will make substantial payments for export subsidies either in cash or in kind, but this will be offset by the loss that

otherwise would be sustained between the takeover cost of the grain it acquires and the price it realizes for its stocks sold for export. It is true that domestic consumers will pay somewhat more for their supplies and producers will receive a greater income for that portion of their production which is used for domestic purposes, but this transfer of income would be strictly in line with the objectives of the farm legislation which Congress has enacted and the objectives which you and the President are trying to achieve—greater returns for farmers in the market place.

I earnestly hope that you will give favorable consideration to the trade's proposals.

Sincerely,

C. C. FARRINGTON,
Chairman.

Basic assumptions

United States wheat production 1956 (June 1 indications)—bushels	922,000,000
United States wheat exports 1956–57—bushels	310,000,000
United States domestic wheat use 1956–57—bushels	612,000,000
Net change in carryover and in CCC stocks	None
Value of United States wheat for export basis No. 1 Hard Winter, f. o. b. gulf ports	$1.60

Cost to CCC of takeover wheat from 1956 crop basis No. 1 Hard Winter f. o. b. gulf ports, $2.50 ($2.45 loan rate plus interest and fobbing charges).

Estimated comparative costs to CCC of present and proposed programs

Present:	
Loss on 280 million bushels of wheat exported from CCC stocks at 90 cents per bushel ($2.50 less $1.60)	$252,000,000
Cash subsidies on 30 million bushels of wheat at 70 cents per bushel	21,000,000
Loss on domestic sales of CCC wheat—25 million bushels at 20 cents per bushel	5,000,000
Total	278,000,000
Proposed:	
Subsidies on 310 million bushels at 80 cents per bushel	$248,500,000
Subsidies on 310 million bushels at 85 cents per bushel	263,500,000
Increased storage charges on 280 million bushels at 5 cents per bushel	14,000,000
Loss on domestic sales of CCC wheat	None
Total, $262,500,000 to $277,500,000.	

Increased returns to wheat producers from proposed procedure

15 to 20 cents per bushel on approximately 642 million bushels which otherwise would be used for domestic purposes and for subsidized exports:	
At 15 cents per bushel	$95,300,000
At 20 cents per bushel	128,400,000

UNITED STATES PARTICIPATION IN THE UNITED NATIONS

Mr. HUMPHREY of Minnesota. Mr. President, earlier this year, the Honorable Francis O. Wilcox, Assistant Secretary of State, delivered a remarkable and well-documented speech concerning United States participation in the United Nations. The subject of the address by Dr. Wilcox is entitled "The United Nations in the Mainstream of History." It is worthy of the thoughtful attention of every Member of Congress—indeed, of all citizens.

Secretary Wilcox has traced for us the historical basis of the United Nations and provided us with a review of the first decade of United Nations activities. He has carefully and objectively analyzed the development of the United Nations as an effective and practical international institution, citing both its strength and weaknesses, its accomplishments and its shortcomings.

This splendid address reminds us of the importance of our participation in the activities of the United Nations. It also calls to our attention some of the problems and challenges we will face in our participation within the United Nations.

I ask unanimous consent that the address delivered by Secretary Wilcox be printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE UNITED NATIONS IN THE MAINSTREAM OF HISTORY

(Address by Hon. Francis O. Wilcox, Assistant Secretary of State, before the American Society of International Law, Washington, D. C., April 27, 1956)

As a member of the fraternity of international law, I am honored to appear before you tonight as the society celebrates its 50th anniversary. We have been colleagues for a long time. It may sometimes seem to you, as it does to me, that we in Government tend to lose touch with the wellsprings of scholarship and speculation that are indispensable to intellectual vigor. The scholar, for his part, may sometimes get too far away from the harsh realities of political action. August Comte, I am told, practiced the policy of cerebral hygiene—he didn't read any books except his own. This kind of sterility of thought must be avoided at all costs, and I hope the day never comes when we in the Government read only our own memoranda.

Both the public service and the learned professions can profit from increased contact between our two worlds. Organizations such as the American Society of International Law can and should provide a helpful bridge in this connection.

In wondering how to use this opportunity tonight, I thought it might be beneficial to step back from the immediate and the obvious, and look upon the United Nations from an historical point of view.

How can we sum up its first decade? How should we evaluate the trends that have set in? What are the main problems that lie ahead?

THE HISTORICAL BASIS OF THE U. N.

First of all, we should abandon the notion, sometimes held, that in 1945 the United Nations sprang into being from nowhere, like Minerva from the brow of Zeus. The analogy, rather, should be the Phoenix arising from its own ashes. For while many felt it wise in 1945 to avoid dwelling on antecedents, those who labored to create the United Nations would have had an extremely difficult time without the precedents of the League of Nations to guide them.

Indeed, the ancestry of the United Nations reaches back to such historic landmarks as the rise of the nation-state, the evolution of constitutional government, the beginnings of modern economic patterns, and the development of international jurisprudence from the time of Grotius and Vittoria.

From these early roots the process which Secretary Dulles has called "the institutionalizing of peace" has slowly taken form, culminating in our age in the creation of the United Nations.

We can criticize history, but we can never rewrite it, despite the best efforts of both Stalin and his ungrateful proteges. When the United Nations came into being men and nations had reached a certain point in their development. It was at this point, and this point only, that the United Nations could be constructed.

By no means, all men realized that we had reached that historic watershed. There were those, as there still are, who, out of conviction or prejudice, denied the possibility of true international cooperation. Much past history was available to support their pessimism.

Others went well beyond that point. Optimistic about man's innate virtue, they sought—and still seek—utopian solutions.

In the main, the United Nations Charter represents a consensus—if not of men, at least of governments. The document itself is a remarkable compromise in the name of political reality. However, it has provided a satisfactory framework within which the organism has been able to live, to experiment, and to grow. That no nation, however dissatisfied, has withdrawn its membership bespeaks both the intrinsic value of the organization and increasingly articulate world public opinion. One can only conclude that it has been in the interest of member states to participate. This in itself is a major tribute to the architects who, by and large, confined themselves within the bounds of political interests and possibilities. The organization has had to function in a world of fundamental changes, and its responses to those changes show that it has a strong survival factor.

THE FIRST DECADE—TWO OVERRIDING FACTS

What are the great changes in the first decade of the organization's life Two facts of paramount importance stand out.

First of all, after military victory in World War II was assured, the Soviet Union resumed its doctrinal hostility to the non-Communist world, and above all to the United States—the symbol of all that stands between it and world domination.

To say this is to describe how the hopeful notion of universal collective security has had to be transformed, at least for this age, into quite a different pattern of coalitions and alliances. It describes the growth and the competition of two great powers; one determined to subvert free societies, the other equally determined to preserve from assault and subversion the values of western civilization and the practice of freedom under law. This fact has dimmed the United Nation's bright promise of cooperation and peace enforcement. For once the cold war began in earnest, the United Nations had to adapt itself to an intensely competitive, often hostile, and flagrantly undiplomatic world of tensions among the great powers. If it had not been able to do so, it would have expired.

A second momentous development has marked the postwar decade. For the first time in modern history the scene of political and social action has significantly shifted from the European West to the great cradle of civilization lying athwart the Equator stretching from north Africa to the islands of Melanesia. This half of the world, which seemed to slumber through the great revolutions of the West, is rising from the remains of its mighty past.

In one apocalyptic moment, as history tells time, this ancient world has erupted like some long-forgotten volcano. Today, 11 years after the war, 14 nations containing 600 million people have achieved political independence and become members of the United Nations. Hundreds of millions of their neighbors are moving toward a new

political status, either quickly or slowly. They, too, lay claim to the status and the opportunities of the West, demanding an equal share of both.

Those members of the United Nations who share similar backgrounds or similar problems in relation to colonialism and economic development command a parliamentary strength today which few dreamed of in 1945. This balance was strengthened by the admission of 16 more States to membership last fall. What they ask, in short, is freedom from poverty, freedom from control, and freedom from inequality. In the United Nations this takes on concrete shape in the repudiation of a passing age of Western colonialism, in expectations of economic help toward industrialization, and in demands for recognition of their claims for racial, social, and cultural equality. Together, these ambitions represent a dynamic emotional force that has swept the subcontinents of the eastern hemisphere.

The collision in the United Nations between these two currents, one running between the free world and international communism, the other between Europe and its old imperial holdings, has served to mold the United Nations to the shape of the world it represents. It may have set discouraging limits to the organization. But it has also opened new possibilities for utilizing the United Nations to keep within peaceful bounds these sweeping tides and currents. The foremost task facing both the policymaker and the scholar is to determine how best these forces can be turned to good and constructive use, in pursuance of our goals of peace with justice.

THE FIRST DECADE—OTHER PROBLEMS

But it is only too easy to forget that, if there had been no cold war, and if the colonial revolution had not broken out with such energy, there would still be a formidable array of international problems. Finding solutions for some of these problems has sorely taxed human ingenuity.

If nationalism is a vital force in Asia, it is no less so in the rest of the world. Disputes arise between nations over questions of trade, or territory, or simply prestige. Effective machinery is necessary to direct such disputes into peaceful channels. It is likewise necessary for conflicts that arise out of efforts to change the established order. One reason why it is so hard to speak of law as a governing principle of the United Nations is that, like the League, its most pressing problems arise from the desire of nations, not to see their legal rights enforced, but to change the law itself.

The clash and interplay of conflicting claims and competing systems and cultures has had a transforming effect on the concept of multilateral relations that prevailed in 1945.

For one thing, nations have tended to draw together in the United Nations in voting blocs on the basis of their special interests, and their estimate of the parliamentary power situation. Those who placed a high premium on traditions of political and civil liberties have united for defense against world communism. Those who shared a definable corner of the globe tended to find community in regional alliances. Those who administered dependent territories tended to unite on the principle of noninterference in colonial affairs. The non-Communist but anticolonial nations have banded together to create parliamentary strength out of individual weakness. In this situation, the Communist bloc has worked, as might be expected, to take advantage of these divisions of interest in the free world.

The unreliability of the Security Council, given its unworkable premise of great power unity, has placed a premise on the Assembly. New voting patterns, involving shifting groups of states, have come to characterize the Assembly. It was there that the Asian, African, and Latin American nations found new ways to exert their influence. It was there that we ourselves turned in 1950 to unfreeze the organization's potential for collective defense against aggression, in the face of the deadlock in the Security Council. And it is there that the great powers have had to present and defend their policies before the rest of the world.

In this setting, the United Nations has tended to become less and less of a tribunal where abstract justice could be meted out, and where, when the chips were down, the great powers would together enforce the peace. At the same time, it has also tended to become less of a tight coalition of prowestern nations. Instead, it has been revealed for what it really was all along: A sort of log-cabin community house where the entire neighborhood friends and strangers, rich and poor, law abiding and law breaking, are all present.

Their mood indoors is not appreciably different from what it is outdoors, but one great purpose is shared in common by most members: To settle differences peacefully, arguing national policy on a give-and-take basis, negotiating agreements under public pressure, and, if one member gets unruly, trying as best they can to deal with him.

The ground rules are primitive, but those that work are indispensable to world order. The dreams of a future model community under law do not die, nor should they. But just as law is a product of the community, so the community must follow from a consensus, however modest, as to the common goals and purposes of the individual members. The development of this community and the broadening of its underlying consensus is the greatest long-term task facing us today.

HOW THE U. N. HAS DEVELOPED—ADAPTATION TO REALITY

We have so far depicted the United Nations in broad terms. What has happened to it in the face of changing conditions? The combination of pressures on the organization have led it to adapt in a number of significant ways. None of these has been formally ratified by amendment of the charter. In some cases there was no suitable charter provision to change. But in the main, these were adaptations designed to permit the machinery to function without having to rewrite the charter.

Chief Justice Marshall once said of our Constitution that "it was intended to endure for ages to come, and, consequently, to be adapted to the various crises of human affairs." Throughout our history the process of constitutional growth has gone on unceasingly. Specifically, the Constitution has grown in four ways: Through formal amendments, through interpretation by the courts, through custom and usage, and through basic legislation passed by Congress. With remarkably little textual change the Constitution has been kept a living document.

In somewhat the same fashion the charter has proven flexible enough to meet new situations not foreseen 10 years ago. Despite the fears of some, these are not changes in the powers of the organization as a whole in relation to its member stress. The United Nations legal powers are no less and no greater than what was agreed to at San Francisco, although they have been in some respects clarified. The purposes and goals have not changed either. Indeed the changes I refer to have brought these goals closer to fruition by avoiding futility, and refusing to accept impotence.

These informal evolutions fall into four categories.

In the first place, some provisions of the charter early became obsolete and unworkable. Much of charter VII dealing with Security Council enforcement had to be put aside so long as the great power unanimity it presupposed was impossible to achieve. Similarly, article 106 on interim enforcement measures called for great power unanimity, and similarly it became unworkable in a setting where one of the powers itself constituted the chief threat to the peace.

In the second place, new interpretations were found for existing charter provisions. The practice of abstention prevented total paralysis of the Security Council, on occasions where an outright veto could be sidestepped. The Secretary General's role has come to be interpreted quite liberally, opening the way to new possibilities in the peaceful settlement of disputes. A new set of activities in the colonial field has grown out of interpretations of article 73 regarding responsibilities with respect to non-self-governing territories, a development which we must help to keep constructive and balanced. And, as I have indicated, the General Assembly has largely replaced the Security Council as the principal forum for consideration of political issues, including many arising from the colonial revolt against the West.

In the third place, international agreements have been developed to fill out gaps in the charter. I have in mind such important treaties at the Atlantic Pact, the SEATO agreement and other regional and collective defense pacts based on articles 51–54.

These pacts, I am aware, have sometimes been criticized on the ground that they run counter to the spirit—if not the letter—of the charter. Actually, they are based on the obvious fact that the enforcement procedures outlined in the charter were denied vitality by the Soviet Union.

Finally, the major organs of the United Nations have used their authority to create subsidiary organs, such as the Interim Committee and the various ECOSOC regional commissions, to assist the parent organs in performing their proper functions.

It is clear that if the United Nations is to develop without charter amendments, we must strike a balance between the extreme positions of loose and strict construction. The idea that the charter is so flexible that it can be changed at will merely by interpretation, may be dangerous not only for the member states but also for the United Nations. For obviously, a member that supports a broad interpretation on one occasion might find the precedent very much against its interests on another occasion. And a General Assembly that might seek to enlarge unduly the area of its power by narrow voting margins would probably find its influence weakened in a relatively short time.

THE FUTURE OF THE UN: SOME CENTRAL ISSUES

When the member nations come to reexamine the powers, functions, and structure of the United Nations in connection with the proposed charter review conference, these developments all constitute vital background. Nothing could be more futile than to scrutinize the charter in a political vacuum, in the vain hope that improvements in language alone will somehow transform the behavior, the interests, or the motivation of nations. But it would be equally irresponsible, in my judgment, to assume that no real improvements are possible.

This is a uniquely propitious time to be taking a hard look at international organizations, and at the role the United States should play in them. For we appear to be living through one of those electric periods when the whole apparatus of history seems to hesitate, shift gears, and move ahead on a new and different track.

Certainly the program of the Soviet Union has shown startling signs of alteration, if not of policy, then of strategy and tactics. We

must not be deluded into a false set of assumptions about its continuing purpose. But the tactical shift of the Soviets should not be minimized. It is a major political development, and it has already had an important impact in the United Nations. Indeed, its effects confront us everywhere with new and challenging problems. Their solution will call for the most imaginative balance between the continuing need for military defenses, and the growing possibility that economic, social, and cultural weapons may be decisive factors in an era of competitive coexistence.

We still have some distance to go to prepare ourselves to act effectively in the long pull ahead. Indeed, the comments made at the first meeting of this society, in 1907, by its president, Elihu Root, are still discouragingly timely:

"The education of public opinion, which should lead the sovereign people in each country to understand the definite limitations upon national rights and the full scope and responsibility of national duties, has only just begun."

What do we see when we look ahead to the next 10 years? Our world has changed drastically over the last ten; have we reason to believe the process will stop?

My own crystal ball is no better than yours. But it is possible to project ahead some of the fundamental issues, with confidence that whatever else happens to these problems, they will not disappear.

THE PROBLEM OF DOMESTIC JURISDICTION

The most profound issue involving the United Nations has to do with the scope of its authority in relation to member states. Around this central question revolves the whole galaxy of controversial problems involving supranational powers, domestic jurisdiction, the veto, human rights, the development of world law, and many others. We can see the two extreme poles of this argument—world government at one end, relatively complete national freedom of action at the other. But, like all extremes, these are misleading and impractical.

We can equip ourselves to deal intelligently with this problem only if we clarify our own thinking as to the nature and authority of the United Nations.

There is no more persistently recurrent—and unjustified criticism of the U. N. than that it threatens the sovereignty of the United States. This is a good illustration of how mischievous a little misinformation can be. The misinformation in this case is that the U. N. allegedly has the power to make treaties automatically binding on the member nations. This, of course, is just not so. The United Nations or its specialized agencies can, if its members wish, freely draft and recommend conventions or treaties. However, none of these can ever be binding on any nation until that nation has given consent through its normal constitutional processes. In our case, this means approval by two-thirds of the United States Senate.

The member states of the U. N. are sovereign. They have agreed to collaborate in certain fields in their common interest. If they wish to use the U. N. as a forum for reaching international agreement on a variety of matters, there is, of course, nothing in the charter to prevent them from doing so. But there is nothing to prevent those same countries from reaching agreement on the same matters outside the U. N. The point is that it is the states which make this decision, not the organization, and it is, as it always has been, up to the individual state to enter into a treaty or not. In considering the matter of jurisdiction and the United Nations, we would do well to keep emotions from obscuring the facts.

COLLECTIVE SECURITY UNDER THE CHARTER

Another central issue is the matter of collective defense against aggression. There has been abundant evidence that the original premises of universal collective security were unattainable in today's world, in the sense that nations would not commit themselves in advance to fight any aggression, anytime, anywhere. If the great powers were the antagonists, this seemed to be particularly true.

When great power unanimity proved unrealistic, the United States took the lead in devising alternative methods of developing collective defense under the charter. This took two forms. When it was seen that the Security Council was able to act in the Korean aggression only because of the absence of the Soviets, we sponsored the Uniting for Peace resolution, strengthening the Assembly's capacity to respond to similar emergencies. Also, we have played a leading part in organizing regional defense pacts and mutual security arrangements, the possible need for which had already been anticipated by the charter.

Some people have complained that our Government has been suffering from a case of "pactitis." We should all recall, however, that soon after the end of World War II the Soviet Union, which alone, of the great powers, had not disarmed, began to employ military threats and pressure to expand its influence and territories. The urgency of the formation of collective defense pacts was obvious. Behind these bastions nations have been able to put their political and economic houses in order, and develop their own defenses. These pacts, along with the uniting-for-peace program, have been the answer to the Soviet Union's abuse of the veto. They have provided free world security inside the charter but outside the veto.

Today, as the world political situation changes, the United States and other nations are exploring the possibilities of giving greater effect to the potentialities of NATO, for example, in the nonmilitary field, without losing sight of its primary role as a bulwark against aggression. We must now go on to encourage and support other aspects of cooperation inside and outside the U. N. This leads to a third great issue relating to the U. N.; the technical and economic fields.

U. N. SOCIAL AND ECONOMIC ACTIVITY

It is important to remember that the charter did not specifically create any of the specialized agencies or the now flourishing technical assistance program. It merely authorized and approved their establishment. In my mind, their growth and vitality constitutes one of the most remarkable developments in the last 10 years. They reflect a high degree of successful international cooperation.

The United States has from the beginning given the strongest support to this aspect of the U. N. system. It is clearly in our national interest, and it constitutes a powerful force for peace and international understanding. The Soviet Union, after years of indifference or downright hostility, now seems prepared to play a more active role in this work. If this participation is genuine, it is welcome. This is a field in which we do not hesitate to compete with the Soviet Union.

In carrying on its social and economic programs the U. N. and its specialized agencies must be guided by two cardinal principles. In the first place, in their natural enthusiasm to get results, they should be very careful not to alienate public opinion by invading the domestic jurisdiction of their member states. This engenders adverse criticism and loss of valuable support, out of which only harm can come to the organizations and their objectives. There is plenty to do within the limits of their present authority, and it can be done most effectively if the agreed metes and bounds are respected.

In the second place, the U. N. should not attempt to do more than it reasonably can. Progress in the social and economic fields is painfully slow, and there is much to do. Yet I believe that modest programs, well conceived and effectively administered, will take the U. N. further toward its goal than more grandiose programs that exceed the organization's present capabilities. We must recognize that the U. N. will lose ground, and may indeed suffer incalculable damage, if it tries to move too far too fast.

OTHER BASIC ISSUES

I have dealt with only three of the issues that must be thought through in the years to come. Other problems will persist and other vistas of opportunity will open up. There is, for example, the issue of colonialism, and the possibilities inherent in the U. N. for resolving colonial disputes and establishing nonviolent patterns of change. There is also the important field of pacific settlement and international adjudication.

In this connection I might say just a word about Secretary-General Hammarskjold's mission to the Middle East. It is, of course, too early to predict the final outcome of his efforts. Up to this point he has made a valuable contribution in easing tensions in the area and avoiding the possible outbreak of war. He may well lay the groundwork for a more lasting peace. His role illustrates once more the fact that there are many resources for peace within the charter—including the techniques of direct and quiet diplomacy—which have not yet been fully tapped.

In evaluating the political work of the United Nations let us remember one hard fact. Many important and difficult international problems are solved outside the organization. But the really tough ones, the well-nigh insoluble ones, come to the United Nations. It is, in a way, the court of last appeal.

UNITED STATES RELATIONS WITH THE UNITED NATIONS

The United Nations is, as I have emphasized, a voluntary partnership of nations which have subscribed to a set of common purposes and principles. In trying to look into the future of this organization we cannot speak for other nations. We can, however, speak for ourselves.

Last fall 16 new members were admitted to the United Nations. Other qualified States are waiting and the membership list may soon exceed the 80 mark. It is our view that this trend toward approximate universality will add new vitality and strength to the organization.

There are, of course, a few prophets of gloom who have been predicting that the United States will lose its role of leadership in the United Nations. I have no fear of such a development. In the General Assembly the democratic process has worked remarkably well. The small countries, on nearly all important issues, have rallied to the cause of the free world.

Thus far whatever leadership we have exercised has stemmed largely from the logic of our position and our ability to persuade other nations of the rightness of our cause. We intend to continue to rely on these principles. And if the time should ever come when we are consistently outvoted in the General Assembly then we had better begin to reexamine our basic policies.

As we move into the second decade let us keep firmly in mind the fundamental principles which underlie our participation in the United Nations.

First. We intend to live up to the purposes and principles of the charter. We shall refrain from the use of force and we shall do our utmost to settle our disputes by peaceful means. If other nations will do the same there can be established that mutual confidence which is the indispensable ingredient of permanent peace.

Second. We shall continue to foster and encourage the concept of collective security so that those nations which wish to remain free may stand together in protective unity under the charter against the threat of aggression.

Third. We shall earnestly pursue our quest, within the framework of the United Nations, to bring about adequately safeguarded disarmament. This is the most complex and the most urgent of all world problems.

Fourth. We shall continue to cooperate with other countries in our mutual efforts to attain the social and economic goals of the charter. To this end our Government can be counted on to continue our strong financial support to the United Nations Technical Assistance Program and the work of the specialized agencies.

May I tarry on this point for just a moment. There are suggestions from a few critics to the effect that the United States should limit its participation in, or even withdraw from, certain of the specialized agencies. One argument is that increasing Soviet and Communist satellite activity in these agencies is a threat to free world interests. This seems to me to be an additional reason, if any were needed, why we should continue in, and even increase our support for, the specialized agencies.

Actually, if we were to withdraw from enterprises of this kind every time we encountered a serious obstacle or an unpleasant situation, we would perforce be compelled to desert almost every international activity of any consequence in which we participate. And it is extremely difficult for me to understand how we can wage peace successfully by runnng away from all the battlefields.

Fifth. We shall do what we can to encourage through the United Nations the development of international law. Unfortunately this is a period of history in which certain nations ignore moral principles and break rules of law when it suits their convenience. That is precisely the reason we should put renewed effort into the great search for that consensus of world opinion which will make permanent peace the unwritten law of relations among the nations.

While I said earlier that the United Nations did not materialize out of nowhere like Minerva, I recall now that Minerva was among other things, the patron of peace. It now seems possible that we have an opportunity to wage the sort of diplomacy we ought to excel at—the diplomacy of peace.

Such a peace, if it should persist, will not be a static one. It will have to be maintained in a world of conflicts, of passions, and of change. In the background will still lurk the terrible possibility of nuclear war. The hostility of world communism will be long sustained. The working out of far-reaching transformations in the formerly colonial areas, and in economically undeveloped regions, will be slow and precarious.

But in the sort of world we are working in and toward—a world of peaceful change—the United Nations can continue to grow and flourish as a patron of peace, striving always to create community out of discord, and law out of community.

FINES FOR ANTITRUST VIOLATIONS

Mr. HUMPHREY of Minnesota. Mr. President, some time ago it was my privilege to introduce S. 3516, a bill which would permit the courts to fine business executives up to double their salaries for the period of the antitrust violations they promote.

The nationwide membership of the National Federation of Independent Business has recently been polled on the bill. In pursuance of its usual custom, the national federation distributed among its members prepared comments regarding the issues which were the subjects of the poll. The arguments pro and con on S. 3516 as sent out by the national federation were as follows:

Argument for: Prospect of light penalties and great profits sorely tempt businessmen to play fast and loose with antitrust laws. Courts steer clear of sending businessmen to jail because they feel it's neither nice nor proper in the business world. Fines are small, and usually against the business itself, and then but a fraction of the monopoly profits. This bill would change the picture, give businessmen real reason to stop, look, and listen before taking chances. Result could be many fewer antitrust violations and less monopoly damage.

Argument against: It's fine to talk about stronger penalties for antitrust violators. All agree that those who break the law and do great damage to competitors should have the book thrown at them. But, at present, there are very few businessmen who know just what the antitrust laws really mean in many competitive situations which demand quick judgment for success or failure. It's not at all fair to stand these men up to such severe judgments when Government hasn't first warned them specifically of just what is right and what is wrong.

The poll reached approximately 1,200,000 voting members of the National Federation. The results were as follows: 76 percent for the bill, 16 percent against, 8 percent no vote.

Mr. President, I think the results of this poll show quite clearly that small-business men today are deeply concerned about monopoly growth and are impatient for more effective antitrust enforcement. I am earnestly hopeful that S. 3516 will be given the attention it deserves, and that if action by both Houses of Congress proves impossible during the present session, that the new Congress which convenes next January will proceed forthwith to the strengthening of our antitrust laws in this appropriate way.

CONVEYANCE OF CERTAIN LAND TO THE STATE OF VIRGINIA

Mr. STENNIS. Mr. President, recently the Senate passed Senate bill 3404 to direct the Secretary of the Army or his designee to convey an 11¼-acre tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia. The bill went to the Committee on Armed Services and was reported favorably. The land was to be used by the Virginia National Guard.

There is a companion House bill which has already passed the House and which has been sent to the Senate. In the bill as passed by the Senate there was an erroneous use of the words "Air National Guard," which should not have been included.

To clear up the matter, I move that the Senate reconsider the vote by which Senate bill 3404 was passed and that the Senate proceed to the consideration of H. R. 9660, which is a companion bill to the bill passed by the Senate.

The PRESIDING OFFICER. Without objection, the vote by which Senate bill 3404 was passed is reconsidered.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 9660) to direct the Secretary of the Army or his designee to convey an 11¼-acre tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia, which was read twice by its title.

Mr. STENNIS. I ask unanimous consent for the present consideration of the House bill. It contains the usual clause providing for recapture in the case of an emergency. It also provides for the reservation to the United States of the mineral rights, and also contains the usual protecting clauses in similar conveyances.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 9660) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3404 is indefinitely postponed.

COMPLAINTS ABOUT POST OFFICE DEPARTMENT OPERATIONS

Mr. HUMPHREY of Minnesota. Mr. President, the operation of all great organizations is occasionally open to question, but I have lately received an excessive number of complaints about the operation of the Post Office Department. I am gaining the distinct impression that while Mr. Summerfield and his staff are busy painting our mail boxes red, white, and blue, they are not paying a proportionate amount of attention to other matters which are more important to the American public.

I recently received a letter from a constituent who is the publisher of the Grain and Feed Review in Minneapolis. Attached to his letter was the cover of a recent magazine which had been returned undelivered by the Post Office. The magazine was addressed to an individual at 2511 North 66th Avenue, Omaha, Nebr. It was stamped "Undeliverable" by the post office and had attached a note that the addressee had moved from 2511 North 66th Avenue to 2509 North 66th Avenue in the same city of Omaha, Nebr. The exasperated publisher points out that No. 2509 surely cannot be separated more than two doors from No. 2511.

Yet the Post Office Department went through a large amount of paperwork and routine, which I presume must have been more expensive than the cost of delivering the magazine, and stated that the publication was undeliverable, since the addressee had moved. But he had actually moved only next door.

It seems to me that there must be a better way of delivering the mail than to go through the time-consuming procedure of issuing notices and making the numerous bookkeeping entries which are required in this kind of operation, especially when the person who was to have received the mail had not moved any farther away than 50 feet down the street.

Mr. President, I call the matter to the attention of the Department in this way because sometimes I find it easier to bring it to their notice through the medium of

the CONGRESSIONAL RECORD than by sending a letter to the Department.

I ask unanimous consent that the letter be referred to the Committee on Post Office and Civil Service and that it be printed at this point in my remarks.

There being no objection, the letter was referred to the Committee on Post Office and Civil Service, and was ordered to be printed in the RECORD as follows:

THE MANAGER PUBLISHING CO.,
Minneapolis, Minn., June 13, 1956.

Senator HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR HUMPHREY: Generally speaking publishers do not object to paying their way so far as postal rates are concerned, but once in a while things arise which tend to make one wonder whether all the the money in the world would make the post office personnel efficient and cost-conscious.

The enclosed is a case in point. The writer is not too familiar with Omaha but certainly 2509 cannot be separated more than two doors from 2511.

Just as a matter of cost to the post office in this one instance there have been at least 2 carriers, 2 clerks, 2 truck drivers, a mail clerk on a train, freight, and so forth, involved for the post office. Our costs in making this correction are about 75 cents to $1. The solution of course is simple * * * the post office for years has provided cards by which postal employees make changes of address to publishers.

Yours sincerely,

W. D. FLEMMING,
Publisher.

WILDERNESS PRESERVATION SYSTEM

Mr. HUMPHREY of Minnesota. Mr. President, not long ago I introduced for myself and several cosponsors S. 4013, a bill designed to set up a new Wilderness Preservation System. Among the encouraging editorials which have come to my attention is one from the Minneapolis Star on June 28, 1956, entitled "A Wilderness Law?" I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A WILDERNESS LAW?

Sigurd Olson, of Ely, president of the National Parks Association, is arguing strongly for the wilderness preservation bill introduced by Senator HUMPHREY. Olson contends that congressional sanctions are necessary if our wilderness areas are to be preserved from the mounting pressures of population and industrialization in the mid-twentieth century.

Olson points out that the so-called wilderness and roadless areas in national parks and monuments, national forests, national wildlife refuges, and Indian reservations are set up by administrative orders and not by law. There has been some confusion in the minds of some people on this point because the overall areas, such as national parks, are established by Congress while smaller "wilderness" areas within them are not.

Wilderness and roadless areas are administered by four different Federal agencies: The Park Service, the Forest Service, the Fish and Wildlife Service, and the Bureau of Indian Affairs. All these, of course, are subject to various pressures to modify, enlarge, or eliminate administrative orders covering such districts.

Conservation leaders generally are expected to support the wilderness bill. Opposition is predicted from the many groups seeking commercial or industrial exploitation of the areas involved.

Proponents argue that the bill would create no new wilderness areas, but would simply give the protection of law to 165 already existing federally owned regions of this kind. Congress will not act on the bill at the present session and it probably will be under study in the Senate Interior Committee for the next year.

Sigurd Olson undoubtedly is correct in his contention that the accelerating pressures of modern life and industry threaten what is left of the American wilderness. We have seen some of that pressure here in Minnesota. Whether this bill is the best way of preserving what we have left is a matter that calls for thorough study by all those concerned with this aspect of the American heritage.

UNITED STATES FOREIGN POLICY AND THE ISSUE OF COLONIALISM

Mr. HUMPHREY of Minnesota. Mr. President, one of the most difficult and vexing problems facing the foreign policy of the United States these days is the issue of colonialism. Often this issue arises in a form acutely embarrassing to our closest Western allies. The recent debate on Algeria and the decision against placing the Algerian question on the U. N. agenda is an excellent case in point.

I do not pretend to know all of the answers to the so-called colonial question, Mr. President, but I am frank to say that I am not always satisfied with the legalistic reflex action which we so constantly seem to exhibit when such questions are raised in the U. N. In this area, as in many others, I think our foreign policy is in need of a soul-searching reexamination.

On the Algerian issue, some of the aspects which have concerned me are admirably set out in a recent editorial which appeared in the Minneapolis Star on Thursday, June 28, 1956. The editorial is entitled "Is Algeria France?" I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IS ALGERIA FRANCE?

In refusing to put the Algerian question on their agenda, the members of the U. N. Security Council take refuge in a U. N. legalism to uphold a French legalism. France's contribution is its contention that Algeria, though it lies across the Mediterrean Sea from Christian France and is mainly peopled by Moslem Arabs, is legally part of metropolitan France.

This makes it possible for Paris to say the Algerian revolt, which threatens to involve all Arab north Africa, is really a domestic French matter and in nowise subject to U. N. jurisdiction. In bowing to the French contention, Security Council members refer to section 7, article 2, chapter I of the U. N. Charter:

"Nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present charter;"

Note that the above quotation ends with a semicolon. There follows a concluding phrase which might reasonably be considered to affect the broad prohibition of the first passage: "but this principle shall not prejudice the application of enforcement measures under chapter VII."

Chapter VII begins with article 39, which reads:

"The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken * * * to maintain or restore international peace and security."

No one who has observed the surge of popular sympathy for the Algerians in other Arab countries, especially in north Africa and, even now, among the previously moderate Tunisians, could say that the war in Algeria does not threaten the peace in that part of the world. The Tunisians are now backing away from a tentatively agreed upon defense treaty with France, because of their concern about Algeria.

It needs to be emphasized that it is France's declaration alone which defines Algeria as part of metropolitan France. The Algerians weren't asked if they wanted to be considered Frenchmen. And if they were asked, they would reject the idea.

One wonders how far the United States or the U. N. should go in recognizing such unilateral declarations as France's in this matter. One wonders, too, if there is not some parallel between this case and that of Russia's annexation of Estonia, Latvia, and Lithuania. By their own unilateral action the Soviets made the fate of the Baltic States a matter solely within the domestic jurisdiction of Russia.

The United States has never recognized Russia's annexation of the Baltic States. Perhaps we should reexamine our acceptance of France's declaration on Algeria.

REVISIONS IN GENERAL AUTHORIZATION FOR SMALL FLOOD-CONTROL PROJECTS

The PRESIDING OFFICER (Mr. LAIRD in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 3272) to increase and make certain revisions in the general authorization for small flood-control projects in the Flood Control Act of 1948, which were to strike out all after the enacting clause and insert:

That section 205 of the Flood Control Act of 1948, as amended (33 U. S. C. 701s), is amended by striking out "$3,000,000" and inserting "$10,000,000", by striking out "and not within areas intended to be protected by projects so authorized,", and by striking out "$150,000" and inserting "$400,000."

And to amend the title so as to read: "An act to amend section 205 of the Flood Control Act of 1948 to increase and make certain revisions in the general authorization for small flood-control projects."

Mr. CHAVEZ. Mr. President, the Senate passed S. 3272. The House in acting favorably on the bill has suggested some amendments.

The bill was originally introduced in the Senate by the Senator from Connecticut [Mr. BUSH]. He is willing to accept the amendments of the House. Therefore, I move that the Senate concur in the House amendments.

The motion was agreed to.

TERMINATION OF INDIAN CLAIMS COMMISSION

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, and for other purposes.

DISCRIMINATORY MEASURES IMPOSED BY CERTAIN ARAB COUNTRIES AGAINST AMERICAN CITIZENS OF JEWISH FAITH

Mr. DOUGLAS. Mr. President, I was very glad last week to join the junior Senator from New York [Mr. LEHMAN] as a sponsor of his resolution, Senate Resolution 298, opposing discriminatory action in foreign countries against United States citizens because of their religious faith or affiliations.

As I have said on other occasions, our Government should take a strong and forthright stand to bring to an end the practices in Saudi Arabia which abridge the rights and affront the dignity of United States citizens of the Jewish faith.

As the Senate considers the resolution which would express the sense of the Senate to this effect, I ask unanimous consent that the careful study by the American Jewish Committee, entitled "The Assault on American Citizenship," be printed in the body of the RECORD at the conclusion of business today, for the information of Members.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

For some years past a variety of harsh, discriminatory measures have been imposed by a number of Arab countries against American citizens of the Jewish faith. In the opinion of the American Jewish Committee, these practices—especially to the extent that they are tolerated by our own Government—must be opposed for three reasons:

1. They violate the civil rights of Americans.

2. They are not sanctioned by international law.

3. They are morally indefensible.

The following is a review of these discriminatory acts:

1. AMERICAN CITIZENS OF THE JEWISH FAITH ARE DENIED THE RIGHT OF TRAVEL OR TRANSIT THROUGH ARAB COUNTRIES

With the single exception of Egypt, which has only recently discontinued its ban on Jewish travelers, all the Arab countries prohibit travel through their territories by American citizens of the Jewish faith, including American Government officials and military personnel. The visa applications issued by Arab countries require the applicant to specify his religion; with a few exceptions, American citizens of the Jewish faith have been refused visas.

These restrictions have, at times, been carried to humiliating extremes. For example, on October 6, 1952, a member of a United States Junior Chamber of Commerce delegation making a round-the-world good will tour was removed from a plane in Iraq, separated from the rest of his party and expelled from the country under guard. During emergency flight landings on Arab soil, when all other passengers, as a matter of convenience and courtesy, are permitted to disembark, American passengers of the Jewish faith must remain on the plane.

Americans in Government and in commercial transportation have acknowledged the existence of such discrimination and have failed to protest and resist effectively. On the contrary, the Government has readily accommodated to it.

The following notification, signed by Director Frances G. Knight, of the United States Passport Office, is now included with every passport issued to American citizens who indicate that they intend to travel in the Middle East:

"It is understood that Jordan and Iraq now require Americans applying for visas to show evidence that they are Christians. A copy of a baptismal certificate or a letter from a pastor seem to be acceptable. Other Arab countries may at any time require such evidence." [1]

Passengers aboard American ships entering Arab ports are advised that persons of Jewish faith or Jewish name are denied the landing privileges enjoyed by their fellow passengers. American airlines also notify their passengers that Jews are not permitted to disembark at Arab airports.

2. AMERICAN CITIZENS OF JEWISH FAITH ARE EXCLUDED FROM GOVERNMENT AND MILITARY POSTS AND FROM PRIVATE EMPLOYMENT IN ARAB LANDS

A 1951 agreement with Saudi Arabia, granting the United States use of the Dhahran airfield, includes the following clauses:

"It is provided that there must not be among members of the mission or among the other employees any individual who is objectionable to the Saudi Arabian Government, and that the Government of the United States will submit a detailed list of the names and identity of these personnel and employees.

"If the Saudi Arabian Government requests the mission to send out or replace any of its personnel or employees whom the Saudi Arabian Government does not desire to remain in the country, the mission will carry out such request promptly." [2]

Similar language is contained in many treaties with other countries. Essentially, the current problem is one of interpretation, by Saudi Arabia on the one hand and, more particularly, by the United States.

According to former President Harry S. Truman, the agreement, concluded during his administration, merely acknowledged the right of Saudi Arabia to object to specific individuals stationed in its territory. Mr. Truman emphasized that this right "is on an individual, and not on a race or creed, basis."

From the outset, however, Saudi Arabia has interpreted the agreement as sanctioning the exclusion of all Americans of the Jewish faith. Since 1951, our State Department, by its failure to place any other interpretation on these clauses, has acquiesced to Saudi Arabia's position, thus making the United States a party to discrimination against Americans for reasons of religion.

Employees of the Arabian-American Oil Co. (ARAMCO), a combination of United States oil companies with vast concessions in Saudi Arabia, are also covered by the anti-Jewish ban. In 1950, the New York State Commission Against Discrimination (SCAD) was advised by ARAMCO that the company "had an understanding with the Arabian Government to screen all prospective employees for work in Arabia before they applied for Arabian visas, for the purpose of excluding persons of the Jewish faith, to whom visas will not be granted." ARAMCO urged SCAD to avoid any actions which might jeopardize this agreement, in view of considerations regarded as important to the international interests and security of the United States.[3]

The State Department also "stressed the importance of not having anything interfere with the existing relationship between the Arabian Government and the Arabian-American Oil Co." reported SCAD. Reluctantly, therefore, New York's Commission Against Discrimination has complied with the request, finding the discriminatory employment practices of ARAMCO "not violative of State law."

Similar practice prevails in the recruitment of American construction workers for our defense installations in Arab countries. If these installations were located in Iowa or Alabama, religious discrimination in recruitment by our Government, or in its behalf, would be prohibited and readily open to redress. But the discriminatory recruitment of American labor for defense construction in Saudi Arabia, the cost of which is defrayed by United States taxpayers, is deemed beyond our reach. Thus, in 1952, when New York's SCAD questioned the United States Army concerning these employment practices, the Army replied that "Jewish workers are unable to obtain the required visas" from Arab countries. This ban remains in force today.

3. THE UNITED STATES GOVERNMENT HAS VIEWED THESE RESTRICTIONS AS LEGITIMATE EXPRESSIONS OF ARAB SOVEREIGNTY

While the American Jewish Committee has been given repeated assurances of the State Department's concern and displeasure over these oppressive measures, no official steps have been taken to counter them, other than unrewarding and largely futile friendly discussions with the Arab countries. The United States Government appears to have accepted the view that discrimination against American citizens of the Jewish faith is within the authority of the Arab States. The American Jewish Committee considers this an intolerable position for our Government.

At a public session of the Senate Foreign Relations Committee in February 1956, Secretary of State Dulles was questioned on the discriminatory aspects of the Mutual Security Agreement of 1951 with Saudi Arabia. Following is an exchange between the Secretary and Minnesota's Senator HUBERT HUMPHREY:

"Senator HUMPHREY. Is it true * * * that certain American personnel are not permitted to be stationed in Saudi Arabia, American personnel of the Jewish faith?

"Secretary DULLES. It may be. I think that for many years, not just in recent years * * * there has been a prohibition on Jews in Saudi Arabia.

"Senator HUMPHREY. I mean Americans; I am talking about citizens of the United States of America.

"Secretary DULLES. I am talking about persons of Jewish faith.

"Senator HUMPHREY. Yes, but Americans.

"Secretary DULLES. Yes, of any nationality.

"Senator HUMPHREY. Is it true that American businessmen who may be of the Jewish faith are not permitted to engage in commercial enterprise in Saudi Arabia with our agreement and our recognition of that discrimination?

"Secretary DULLES. No, not with our agreement or recognition of it. The King of Saudi Arabia regards himself as the primary custodian of the sacred places of Moslem faith, and they have for a long time been extremely rigorous in the practice of the Moslem law."

The Secretary's rather ambiguous statement is apt to create the impression that Saudi Arabian discrimination against Jews finds its justification in the Moslem religious sanctions which, it might be supposed, prohibit access for Jews alone to the holy cities of Mecca and Medina.

In fact, however, all unbelievers—Christians, Buddhists, and followers of any other non-Moslem religion—are barred, without exception, from the shrines in these cities and from the inviolable territory of the Haram which surrounds them. Were exclusion from Saudi Arabia territory as a whole intended—to prevent desecration of holy places by the presence of infidels—then all

[1] New York Post, April 11, 1956.

[2] The New York Times, February 25, 1956.

[3] Report of Progress, New York State Commission Against Discrimination, 1950.

Americans except those of the Moslem faith would be barred from the country. Actually, non-Moslems have been freely admitted in modern times to all but a few circumscribed areas which, of course, do not include our airbase. Some 6,000 Americans presently serve or work in Saudi Arabia; the startling fact is that the religious ban is applied solely to Americans of Jewish faith.

During further questioning, Secretary Dulles elaborated on the reasons for respecting Saudi Arabia's discriminatory demands:

"You are dealing with a kingdom and with a dynasty which more than any other in the world * * * practices very rigorously certain religious doctrines, and they have felt for a long time—it goes back centuries—a very particular animosity toward the Jews, because they credited the assassination of Mohammed to a Jew.

"Now my advisers tell me I am wrong, but I am not sure; at any rate, I will ask leave to correct the record in that respect on it if it proves I made a mistake.

"Now we do not like or approve or acquiesce, except perforce in any such practices, such as that, but we do have to recognize the fact that Saudi Arabia is an ally. * * * That does not mean we approve of all its practices at all. It does mean we get along together in a way which is of mutual advantage.

"We, perforce, accommodate ourselves to certain practices they have which we do not like; they, perhaps, accommodate themselves to certain of our idiosyncrasies which they do not like, but on the whole, they have a pretty arbitrary rule, largely dictated by the strict tenets of the Moslem faith."

Mr. Dulles later withdrew his erroneous statement that Saudi Arabian animosity against Jews stemmed from their belief that Mohammed was assassinated by a Jew. No such charge has ever been made, even by Saudi Arabia; Mohammed died a natural death.

Other departments of our Government also bow to the anti-Jewish bias of the Arab lands. The following official instructions appear in a United States Air Force manual:[4]

"Section XXVII, paragraph No. 3: Individuals of Jewish faith or descent are strictly barred entrance or transit of Saudi Arabia. Further, any passport containing an Israeli visa will not be honored.

"Section XII, paragraph No. 30: Individuals of the Hebrew race will not be issued visas or admitted to Jordan."

In reply to complaints on this score registered by New York's Senator HERBERT H. LEHMAN, the State Department replied:

"According to international law and practice, it is * * * the fundamental right of any sovereign state to determine whether and under what conditions aliens may enter its territory. * * * It is the Department's belief that, with a gradual improvement in Israel-Arab relations, there will be further relaxation of the travel restrictions by the Arab States."

In a discussion with State Department officials on March 6, 1956, a representative of the American Jewish Committee encountered the following arguments in support of the United States position on the exclusion of American Jewish military and civilian personnel:

1. Other international agreements also give contracting parties the right to bar undesirable individuals. Thus, in July 1953, the United States Senate ratified the NATO Status of Forces Agreement, containing the reservation that the United States has "the right to safeguard its own security by excluding or removing persons whose presence in the United States is deemed prejudicial to its safety or security."

This argument has no relevance to the Saudi Arabian situation. The issue here is not the obvious right of a nation to exclude undesirable individuals on grounds of security, but the assumed right to impose arbitrary discrimination against an entire group of Americans because of their religion.

2. Saudi Arabian tradition as custodian of the Moslem holy places sanctions the exclusion of unbelievers. As noted above, if the exclusion really involved sanctity of holy places, all non-Moslems would have been barred from Saudi Arabia.

3. Saudi Arabia excludes or limits the admission of others, such as Italians, as well. The fact that Italians or any other nationality group are excluded by Saudi Arabia has no pertinence to the issue of discrimination against Americans of a given religious faith. Furthermore, Italy may view the exclusion of its nationals as equally offensive. But regardless how other nations react, the United States must not remain in the position of accepting such affronts against its citizens.

United States precedents

In the past, the United States Government has, on many occasions, taken forthright action in behalf of its citizens abroad.

Perhaps the most pertinent precedent was our position in 1941, when czarist Russia refused to remove its ban against Americans of Jewish faith. Armed with unimpeachable United States passports, they nevertheless could not enter Russia, or reside or conduct business there, except at the whim of the Russian authorities.

The implications of United States acquiescence to such discriminatory treatment were spelled out in January 1911, in a memorable address by American Jewish Committee founder Louis Marshall:

"The painfully slow methods of diplomacy have failed. * * * We, a nation of 100 million Americans, stand at the door of Russia, hat in hand, pleading with it that it shall recognize and perform its contract. With a sardonic smile Russia answers: 'Not yet.' * * * But it may be argued that the suspension of commercial relations between the two countries may hurt our trade. I have a higher opinion of the American people than to believe that they are so destitute of idealism, so devoid of a sense of honor, as to regard a matter of this supreme importance with the eyes and souls of mere shopkeepers. However extensive our trade with Russia might be, we could well afford to jeopardize it rather than have it said that our country rates the dollar higher than it does the man, that it esteems the volume of its trade more than its national dignity." [5]

Once familiar with the situation, the public responded with great indignation at the patent affront to the dignity of the American passport. A joint resolution urging our Government to terminate a United States treaty with Russia which had been in force since 1832 was passed by the House of Representatives by a vote of 300 to 1. Before the measure reached the Senate floor, however, the treaty was officially abrogated by Secretary of State Philander Knox in December 1911.

With this step the United States served notice to the whole world that America would no longer be a party to any treaty or act which would permit discrimination against American citizens by a foreign nation because of their race or religion.

Goren Haywood Hackworth's comprehensive Digest of International Law, an official State Department publication,[6] describes a number of other instances in which the United States Government acted to protest discriminatory treatment of Americans abroad. A few examples will serve to illustrate the point:

Switzerland: In 1924 the Government of Switzerland denied a group of American Mormon missionaries extension of their cantonal residence permits. Assuming that this exclusion was ordered solely because of the Mormon's religious faith, our envoy made diplomatic representations to the Swiss Government. The matter was dropped only when our representative was satisfied that there were other reasons for the move.[7]

Germany: Our Government's numerous protests and denunciations of Nazi decrees and conduct took place within the recollection of many present employees of the State Department. Our first representations were made after the German decree of April 26, 1938, requiring the declaration of property owned by Jews. The United States insisted that application of such decrees to the property of American citizens violated rights of Americans under existing treaties and by virtue of comity and international law.

Italy: In 1938 our State Department also registered a series of protests with the Italian Government concerning the expulsion of Jews who had come to Italy or its possessions after January 1, 1919. When Italy explained that the measure applied not only to American Jews but to all Jews, the United States declared that we were not questioning treatment of American Jews as compared with the Jews of other countries; that our protest was "against the application to American nationals of measures which would have the effect of dividing them into two broad classes, namely, Jewish and non-Jewish, and would accord to the former differential treatment." [8]

Danzig: In 1939, the State Department instructed our consul at Danzig to protest, in behalf of an American citizen, the imposition of a property tax levy applicable only to Jews. Here, too, the United States insisted that the provisions of existing treaties with respect to the treatment of our nationals abroad be applied to all our nationals "without exception based on race or creed," adding that the United States "declines to recognize the rights of other nations to apply measures to American citizens which would have the effect of arbitrarily dividing them into special classes and subjecting them to differential treatment."

International law

Leading experts in international law support the right of the United States to protect its own citizens against discrimination by foreign governments.

According to Charles Calvo, long regarded as one of the most eminent authorities, we can resolve the question of whether a particular act of intervention is a "right duty or a banal act only by placing one's self on the ground of practice." [9] Certain cases rest upon "the exercise of an incontestible right and the tendency and appreciation of which are logical and necessarily in accord with true international principles." When a sovereign state uses diplomatic pressure for the protection of its citizens abroad, it seeks neither to change or to prevent change in the existing form of government in that country. The sole motive is to protect its own nationals.

Among the principal types of intervention discussed by legal authorities are: (1) Those designed to enforce engagements contracted with or for nationals of the intervening state; (2) Those calling for compliance with "the general principles of international law when they have been violated." [10]

That the United States has long accepted this doctrine is clearly demonstrated in a

[4] U. S. A. E. F. Manual 30–1, Clearance and Documentations for Leave and Duty Travel, June 20, 1953.

[5] Schachner, Nathan, The Price of Liberty, American Jewish Committee, 1948, p. 44.

[6] State Department Publication No. 1708, VIII, No. 286 (Governmnet Printing Office, 1942), Measures Based on Race or Creed.

[7] Hackworth, supra, note 14, p. 696.

[8] Hackworth, supra, p. 647.

[9] Calvo, Charles. Le droit international, vol. 1, sec. 139, p. 278.

[10] Pradier-Fodere, Traite de droit international public, vol. 1, sec. 367, p. 559.

1934 memorandum of the Solicitor of the Department of State: [11]

"There is a considerable authority for the proposition that such interposition by one state in the internal affairs of another state for the purpose of affording adequate protection to the citizens of one resident in the other * * * is not only not improper, but, on the contrary, is based upon, is in accord with, and is the exercise of a right recognized by international law."

In this memorandum the State Department lists the occasions on which our Government has moved by force to protect American citizens or property. The earliest example is the case of the Ameliá Islands in 1812; the latest incident took place in Smyrna, in 1922. From 1812 to 1911, there were some fifty such "interpositions"; another 11 "typical incidents" are cited in a supplement covering the period of 1911 to 1933.

The American Jewish Committee of course does not advocate use of force in this instance. We do believe it relevant to call attention to the striking contrast between United States action in other situations and inaction at the present time.

American law

The mandates of our Federal Constitution, numerous court decisions, and oft-expressed public policy obligate the United States Government to repel Arab assaults on the dignity of American citizenship.

The first amendment to the United States Constitution provides that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise hereof." This has been interpreted by the United States Supreme Court as barring all Federal action that would tend to "prefer one religion over another." [12]

According to our Constitution, therefore, the departments and agencies of the State are forbidden to use their facilities or resources to discriminate against any American citizen on the basis of religion. When the United States Air Force bows to Saudi Arabian demands by barring American soldiers of the Jewish faith from service at the Dhahran Air Base, it obviously practices discrimination and thus violates the civil rights of its own citizens. Soldiers and civilians of a particular faith are singled out by a Federal department and, in effect, segregated from other American soldiers and civilians. Their constitutional right to be treated by their Government without preference, favor, or discrimination has been grievously impaired—whether the location of the military base is desirable or undesirable, strategic or otherwise. At a time when racial segregation is all but eliminated in the Armed Forces, it is paradoxical that the Army and Air Force should move toward religious segregation.

The right to travel abroad has been legally established as more than a mere privilege accorded American citizens; it is an attribute of personal liberty, which may not be infringed upon or limited in any way without satisfying the due process requirements of the fifth amendment.[13] Furthermore, if the applicant intends to use the passport for business, an unwarranted denial or limitation may constitute a deprivation of both personal liberty and property.[14]

Hence, when the State Department fails to assert and defend the dignity of the United States passport and to insist on the equal treatment of American citizens seeking to travel on such passports to Arab nations, it shirks the clear responsibility imposed by custom, usage, and practice in both national and international law. The United States Government is, in effect, nullifying for one group of its citizens the rights and privileges implicit in an American passport.

In an historic decision involving racial restrictive covenants, the United States Supreme Court has ruled that Federal judicial enforcement of such agreements represents "State action" which violates the "public policy of the United States as manifested in the Constitution, treaties, Federal statutes, and applicable legal precedents." Significantly, the Court declared:

"It is not consistent with the public policy of the United States to permit Federal courts in the Nation's Capital * * * to compel action denied the State courts where such action has been held to be violative of the guaranty of the equal protection of the laws." [15]

Clearly, the injunctions upon the judiciary which are outlined in this ruling apply equally to the executive branch of the Federal Government. The equal protection clause of the 14th amendment requires the States to treat all citizens as equal, and without discrimination or distinction based on religion or race. If all State action in violation of the equal protection clause is prohibited by the Constitution, it is evident that this proscription applies with equal force to the various departments and agencies constituting the executive branch of the Federal Government.

Since 1933, our Federal Government has expressed an unequivocal position with respect to racial or religious discrimination in employment financed, directly or indirectly, by Government funds. In 1933, nondiscrimination clauses were inserted into contracts for all public-works projects.

In 1941, the first Executive order was promulgated prohibiting discrimination in employment on the ground of race, creed, color, religion, or national origin by any company holding defense contracts.[16] The same directive also ordered the elimination of discriminatory employment practices within the Federal Government.

In 1953, President Eisenhower issued Executive Order 10479, which strengthens the provisions of earlier Executive orders by declaring that nondiscrimination in employment on Government contracts is "Government policy."

In 1955, the President's Executive Order 10590 created a President's Committee on Government Employment Policy to supervise the nondiscrimination program in Federal employment.

Against this background, it is evident that several Federal agencies are flouting clearly stated public policy in their dealings with the Arab States. The United States Army, in recruiting construction workers for defense installations in Arab countries, and in assembling military units for service, overtly discriminate against Jews. The excuse that the discrimination is forced upon us because the Arab governments refuse to issue visas to American Jews does not absolve a Federal agency from its responsibility to carry out the policy and the law of our land.

Obligations of world moral leadership

Even if diplomatic usage, international law, and the public policy of the United States argued less forcefully against United States tolerance of Arab discrimination, it would still be morally indefensible for our country to remain silent.

Since the end of World War II, the United States has occupied a role of leadership in the free world. As a leader, how should the United States behave? An emphatic answer was given by John Foster Dulles in October 1945, on his return from a London meeting of the Council of Foreign Ministers:

"We are emerging from 6 years of war, during which morality and principle have increasingly been put aside in favor of military expendiency. The war has now ended and with that ending, principle and morality must be reestablished in the world. * * *

"It devolves upon us to give leadership in restoring principle as a guide to conduct. If we do not do that, the world will not be worth living in."

As recently as April 25, 1956, Secretary Dulles, speaking before a Senate Judiciary Subcommittee, attacked our present national origins quota system of immigration, which is widely criticized because by implication, many of its exclusions are based on race. The Secretary asserted that the system "cannot be reconciled with the fundamental concepts of our Declaration of Independence."

Yet, in the case of Arab discrimination against American citizens of the Jewish faith, these basic principles have been sacrificed to military expediency and diplomatic appeasement. This course places the United States in an indefensible moral position, in both international and domestic affairs:

By Capitulating to Arab Discrimination, the United States Gravely Compromises Its Own Strong Defense of International Human Rights

After World War II, the United States was a prime mover behind the United Nations Charter and the Universal Declaration of Human Rights. The expediency of our present behavior in yielding to anti-Jewish prejudice must be weighed against the principles enunciated in these two documents, which we have repeatedly endorsed.

The United Nations Charter calls for "universal respect for, and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion." [17]

The Universal Declaration of Human Rights, adopted as "a common standard of achievement for all people and all nations," recognizes "the inherent dignity and * * * the equal inalienable rights of all members of the human family" as "the foundation of freedom, justice, and peace in the world." [18] Article 7 of the declaration states:

"All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this declaration and against any incitement to such discrimination."

Clearly, our recent concessions to Arab discrimination breach the spirit in which the United States pressed for universal standards of human rights, just as Saudi Arabia breaches the letter of the Universal Declaration of Human Rights. If the United States is to be a world spokesman for freedom, certainly it cannot compromise the freedom, equal rights and dignity of its own citizens.

By permitting discrimination against its own citizens abroad, the United States is weakening its democratic principles here at home.

The United States Government, in tacitly approving Arab fiats, is forcing Americans to accept religious tests for Government service, military service and employment on United States defense installations built under Government contracts. It is impossible for the United States to "accommodate to" such Arab restrictions without debasing the value of United States citizenship—for its citizens of the Jewish faith today, and perhaps for members of other groups tomorrow.

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[11] Right to Protect Citizens in Foreign Countries by Landing Forces. GPO Publication No. 538, 1934, p. 25.

[12] *Everson* v. *Board of Education* (330 U. S. 1, 15–16 (1947)); *McCollum* v. *Board of Education* (333 U. S. 203, 210 (1948)).

[13] *William* v. *Fears* (179 U. S. 270 (1900)), *Schachtman* v. *Dulles* (225 F. 2d 938 (1955)).

[14] *Boudin* v. *Dulles* (136 F. Supp. 218, 220 (1955)).

[15] *Hurd* v. *Hodges* (334 U. S. 24, 35 (1948)).

[16] E. O. 8802 (1941); subsequent orders covering this subject matter were E. O. 9346 (1943); E. O. 10308 (1951).

[17] Art. 55.

[18] Preamble.

Acceding to outrageous demands by Arab governments is scarcely the way to win allies, or to earn friendship and respect. Munich-like tactics of appeasement will only cause us to be scorned for our weakness. Experience has proved repeatedly that submitting to intimidation is futile and, all too often, disastrous.

Recommendations

The United States should take definite steps to dissociate itself from Arab discriminatory practices, and should protest, firmly and with dignity, against the affronts which have already taken place.

Toward this end, the American Jewish Committee has framed four proposals which, we submit, are in the national interest:

1. The various departments and agencies of the Federal Government should discontinue immediately any action, or adherence to any policy, which condones or facilitates discrimination against Americans by any country on the basis of religion or race.

The armed services should be instructed no longer to consider the religion of military personnel in making assignments to Arab countries.

The Passport Service should be directed to cease advising Americans to be prepared to submit evidence that they are Christians, in order to enter Arab countries.

Contractors recruiting workers for defense installations on Arab soil should be informed that they may not impose a religious test for employment.

The State Department should withdraw its recommendation that state commissions against discrimination should not allow anything to interfere with relations between Arab governments and American business concerns.

2. Our Government should not tolerate or accept any interpretation of international agreements negotiated or renewed between the United States or any of its departments or agencies and other countries which leads to discrimination based on religion or race.

Any decision by another country to exclude an American citizen as persona non grata must be based on his personal record or conduct and not on his membership in or adherence to any religious or racial group.

3. All chambers of commerce and other business or trade associations in the United States should be advised by our Government to refuse to cooperate with other countries by providing such information as may tend to assist them in boycotting American business firms on the basis of their religious or racial affiliations.

Just as the device of boycott based on race or religion should be repugnant to the departments and agencies of our Government, so should it be similarly repugnant to private organizations interested in promoting economic development.

4. The United States delegation to the United Nations should call upon the United Nations to investigate the discriminatory practices described in this memorandum, as violations of the United Nations Charter and the Universal Declaration of Human Rights.

As a signatory of the United Nations Charter, the United States is pledged "to take joint and separate action in cooperation with the Organization (U. N.)" to strengthen "human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion." [19]

The American Jewish Committee submits that firm United States action protesting Arab discrimination against Americans of Jewish faith is long overdue. In the past, this country's reaction to similar affronts to Americans has been clear cut and positive; the same forthright position on the part of our Government is imperative today. The United States must take prompt steps to resist any and all stipulations and practices which draw distinctions between American citizens on the basis of religion.

To do less is to surrender a precious right of our American heritage and to degrade the status of American citizenship.

[19] Article 56.

ADJOURNMENT

Mr. CLEMENTS. Mr. President, pursuant to the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 58 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Friday, July 6, 1956, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 5, 1956

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal God, our Father, whose infallible wisdom is the guide of our minds and whose infinite love is the joy of our hearts, we invoke the blessings of Thy grace and favor.

May the hours of this new day be hallowed with a sense of Thy companionship and counsel which will fortify us against fear and frustration.

Grant that we may be courageous to seek and faithful to labor for that blessed day when there shall be a spirit of good will among all nations.

Help us to believe that no lofty ideal vouchsafed to our human souls is too high and too holy to be fulfilled by Thy love and power.

Humbly and gratefully we offer our prayer in the name of the Christ, our Saviour. Amen.

The Journal of the proceedings of Tuesday, July 3, 1956, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 7663. An act to provide for settlement in part of certain claims of the Uintah and White River Bands of Ute Indians in Court of Claims case No. 47568, through restoration of subsurface rights in certain lands formerly a part of the Uintah Indian Reservation;

H. R. 11740. An act to provide for a temporary increase in the public debt limit; and

H. R. 11926. An act to amend the Atomic Energy Act of 1954, to permit the negotiation of commercial leases at atomic energy communities, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1384. An act to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes;

S. 2891. An act to amend section 709 of title 18, of the United States Code so as to prohibit the use by certain businesses of the initials "U. S." in the business firm name or pictures of the Capitol Building and other public buildings of the United States in their advertising, and to increase the penalties for violation of such section;

S. 3820. An act to increase the borrowing power of Commodity Credit Corporation;

S. 3903. An act to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for the purposes of title I of the act, and for other purposes; and

S. J. Res. 165. Joint resolution approving the relinquishments of the consular jurisdiction of the United States in Morocco.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1739. An act to authorize the Commissioners of the District of Columbia to fix rates of compensation of members of certain examining and licensing boards and commissions, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 7380) entitled "An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities," disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. FREAR, and Mr. BEALL to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2972) entitled "An act to punish the willful damaging or destroying of aircraft and attempts to damage or destroy aircraft, and for other purposes."

HON. CLIFFORD R. HOPE

Mr. LOVRE. Mr. Speaker, I ask to permission to extend my remarks at this point and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. LOVRE. Mr. Speaker, as we all know, our beloved colleague, CLIFFORD R. HOPE, has decided to retire from the Congress and return to his home State of Kansas to practice law. Many tributes have been paid to him, with best wishes for the many years ahead. One of the warmest and most enjoyable occasions for a salute to Mr. HOPE for his past services to agriculture was that expressed at a dinner given by the National Milk Producers Federation last Friday, June 29.

At the invitation of America's dairy farmers and their cooperatives as represented by the National Milk Producers Federation, nearly all of the members of the House Committee on Agriculture and their wives, friends from the Senate, and the new Secretary of the Interior, Fred A. Seaton, joined in honoring our outstanding agricultural leader, CLIFFORD R. HOPE.

In addition to a few brief remarks expressing the thoughts of all of us at the dinner, two very nice messages were read which had been received from Vice President RICHARD M. NIXON and Senator LYNDON B. JOHNSON who were unable to be present. The message from the Vice President reads as follows:

It is a pleasure to join the members of the National Milk Producers Federation who are meeting together this evening to pay tribute to CLIFF HOPE for his distinguished career of 28 years in Congress.

As both ranking Republican member of the House Agriculture Committee and its chairman for a number of years, CLIFF HOPE has always dedicated his public service toward the goal of forwarding and protecting the interests of the American farmer. I have enjoyed his friendship and benefited by his unselfish advice, as have hundreds of others in the Halls of Congress. My best wishes go with Cliff in the years ahead.

The other message reads:

I very deeply regret that I will be unable to attend the dinner in honor of Representative CLIFFORD R. HOPE. I can think of no man who is more deserving of such a tribute.

For many years CLIFFORD R. HOPE has served the country with distinction. He is an honorable man who is beloved by his colleagues on both sides of the aisle and a man of whom it can truthfully be said that he is always fair and always objective.

CLIFFORD HOPE has always proceeded on the basis that what is best for America is the thing that should be done, and I am very proud to have known him and to have worked with him.

Sincerely,

LYNDON B. JOHNSON.

This most enjoyable dinner ended with the presentation of a framed scroll to the guest of honor in recognition of a lifetime of distinguished service. Also, a gift certificate was given for a comfortable leather chair to be delivered to the law office of our friend when he returns to Garden City, Kans.

I know I speak for all of us who attended the dinner; we had a very pleasant and enjoyable time as guests of the National Milk Producers Federation.

SPECIAL ORDER VACATED

Mr. SADLAK. Mr. Speaker, inasmuch as the theme of my special order for today was taken up on the McCormack-Martin resolution on Tuesday, I ask unanimous consent that the special order I have for today be vacated.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. HOLLAND. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 88]

Anfuso	Chatham	Eberharter
Bell	Cooley	Evins
Blitch	Cretella	Gamble
Celler	Dorn, S. C.	Harvey
Healey	Nelson	Sieminski
James	O'Hara, Minn.	Smith, Va.
Kean	Pilcher	Thompson, La.
Keating	Powell	Thornberry
King, Pa.	Prouty	Wilson, Calif.
Kluczynski	Scudder	Winstead
Lane	Shelley	

The SPEAKER. On this rollcall 385 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FEDERAL ASSISTANCE TO STATES FOR SCHOOL CONSTRUCTION

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD on the school construction bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I am impressed by the convincing evidence that our public schools need more classrooms. Many schools in almost every part of the United States are overcrowded; others are obsolete and should be replaced by modern, safe school buildings; new schools are needed everywhere to take care of the thousands and thousands of babies born during the past decade.

I am dismayed to hear some people talk about our high birthrate as though it were a calamity. There is too much talk about the crisis in our schools, the desperate need for teachers, the horrible shortage of classrooms. These sad cries of alarm and disaster should stop. There is no sense to such thought or argument.

These children are a blessing of God upon our Nation. To provide good schools for them is not a backbreaking burden; it is a grand and wonderful opportunity and privilege to be able to prepare them for good citizenship in our great Nation.

This is no time to wring our hands in fretful worry about the cost of education. This is the time to roll up our sleeves and get to work on new schools. Every penny spent for education is a solid investment in the future of our Nation. In a Nation as wealthy as ours pennypinching with regard to education has no place.

The American people want good schools and are willing to pay the price. Time and time again they have voted for increases in their taxes for educational purposes. They expect the Federal Government to help out whenever this is necessary to guarantee a child a reasonable opportunity for a decent education. Across the whole Nation there is widespread support and enthusiasm for the legislation before us.

Today I want to pay particular tribute to some people whose generous support of education in our country is frequently overlooked or even ignored. I refer to the parents and guardians of children attending private and parochial schools. I also refer to those religious groups which operate the parochial schools which so many of us appreciate and admire.

At their own expense these good people now provide excellent grade and high schools for about 4,400,000 pupils. At least 12 percent of the Nation's schoolchildren attend private and parochial schools. Three million, nine hundred thousand of these children are enrolled in the parochial schools of the Catholic Church.

In Massachusetts, 23 percent of the children attend private and parochial schools; in Rhode Island, 28 percent; in New Hampshire, 25 percent; in New York, 25 percent; in New Jersey, 21 percent; in Pennsylvania, 20 percent; in Illinois, 22 percent.

In these States as in every other State, private and parochial schools are an essential part of our educational enterprise. Without them the public schools today would be burdened to a much greater degree. In many places it would be impossible for our crowded public schools to accommodate even a small part of the thousands of children in private and parochial schools. These schools, therefore, are an indispensable part of the Nation's school system. We simply could not get along without them.

These private and parochial schools save the Nation's taxpayers a tremendous sum of money. Using a conservative estimate, I would say these schools are saving the taxpayers at least $1,210,000,000 maintenance and operating costs a year, money which would be added to our tax bills if the children in private and parochial schools had to be accommodated in public schools. Imagine the increase in taxes if all the private and parochial schoolchildren in States like New York, Massachusetts, California, and Illinois—to name a few—were transferred to public schools These are facts we ought to remember when we talk about spending Federal money for education.

Operating these private and parochial schools costs money. We do not have an exact per capita cost of operating a private or parochial school, but I would estimate that on the average it would be in the neighborhood of $200 per student per year. Multiply $200 by 4,400,000 pupils and you will find that the annual cost of operating these schools is $880 million a year, $440 million more than the annual authorization for Federal grants for school construction in the bill before us. Moreover, people supporting these private and parochial schools will be expected to pay interest on school-building debts, to pay off part of the principal, and after all this, to pledge even greater donations to finance new building to take care of the huge increases in enrollment anticipated during the coming decade.

The United States Office of Education predicts that by 1960 private and parochial schools will enroll in excess of 5 million pupils, at least 600,000 more pupils than were enrolled during the school year 1955–56. At a very minimum, therefore, these schools will need 15,000 new classrooms by 1960. To build them they will need a minimum of $400

million, about $100 million a year for the next 4 years.

The children destined for enrollment in private and parochial schools in 1960 are already born. The need for new classrooms, therefore, is compelling and urgent. People who believe in these schools will have to provide the necessary funds for these school facilities. This applies to our whole educational system, whether public or private.

I want to point out that, despite the heavy burden of financing their own schools, those who support private and parochial schools have not complained about the cost of public education. On the contrary, they want good public schools and are willing to pay the price. All one has to do is to read the hearings on Federal aid for school construction and you will find no complaints, no opposition, no obstructionist proposals that have come from private or parochial school sources. For the most part, people who generously supported private or parochial schools have refrained from any action that might impede passage of this bill even though it will bring no direct benefit to their schools. These people have an unselfish, statesmanlike attitude. Their reasoning is that, if this bill and the money it authorizes are proven to be essential for the general good of the Nation's public school children, they do not want to stand in its way. That, I say, is an attitude deserving of highest commendation. It is big, noble, and generous.

I cannot help but recall that a few years ago some of us wanted to help the public schools with their operating expenses, particularly with better salaries for teachers. Most private and parochial school representatives were willing to go along. They did not want to stand in the way of legislation that would help public school children. Some of us, however, wanted to use a little part of the money for health and safety services, like polio shots or bus rides, for nonpublic school children. What happened? Public school devotees descended upon us en masse. They opposed our giving millions of dollars to the public schools if at the same time we were to spend a few thousand dollars for the health and safety of private and parochial school children for auxiliary services. They would not listen to reason. Better to have no Federal aid at all, they said, than to give a penny to a private or parochial school child. This was their unthinking, and in fact and effect, selfish and belligerent attitude. The result of their attitude was inaction in this important field.

I do not know whether we shall again need to consider Federal aid for current expenditures. If we do, I hope we will be spared a repetition of the ordeal of a few years ago. I hope public-school authorities will have a tolerant, cooperative attitude if an effort is made to try in a small way to help private and parochial school children by giving them health and safety services clearly allowable under the Federal Constitution as interpreted by the Supreme Court of the United States. If these public-school authorities want to see a good example of a cooperative, constructive attitude, I suggest they examine the attitude which many private and parochial school authorities have shown toward the legislation before us today.

Public, private, and parochial school children are equally precious in the sight of God, their Father. All are citizens of this blessed land. All deserve fair consideration that can be given them under the laws of our Government.

Mr. POFF. Mr. Speaker, every legislator in America, both State and Federal, favors aid to education, that is, free public education financed by government. The only question at issue is, "Which government?" Shall aid to education come from the Federal Government or from the State government? Since power follows the purse, either immediately or ultimately, the real question is, "Shall education be controlled by the Federal Government or the State government?"

The Constitution answers the question. Since educational authority was not one of the powers specifically eenumerated and delegated by the sovereign States to the Federal Government, it was reserved by the 10th amendment to the several States and the people. To me, that answer and that answer alone is sufficient. It is not necessary, at least in this speech, to itemize all of the ideological and philosophical reasons why educational authority should not be centralized in an unelected bureaucrat in Washington.

Proponents of Federal aid say that the States are financially unable to meet the schoolroom crisis individually. There are three answers to that. First, every national survey report disputes the contention. Second, the whole is no stronger than the sum of its parts. Third, the combined debt of all of the 48 States today is only $20 billion compared to the Federal debt of $273 billion.

Nevertheless, it is true that the States could and would build more schools except for one thing. The Federal Government today has gobbled up practically every source of revenue. It taxes nearly every sale, service, and commodity. The States have little left to tax except property and income, and even in that category, billions of dollars annually are siphoned out of the States in Federal individual and corporate income taxes. A Federal aid program would require additional Federal tax revenue which would further aggravate this situation.

The Federal Government can give to the States nothing which it does not first take from the citizens of the States, and the amount it gives is the difference between what it takes and what it costs to administer the program—costs of new employees, office facilities, paper work, postage, telephone, travel, and so forth. It has been estimated that this overhead expense is at least 30 to 35 percent of total appropriations.

I have introduced a bill which will, first, save these overhead expenses; second, preclude the danger of Federal control over education; and, third, enable the individual States to build their own schools with money collected from their own citizens in accordance with their own judgment. My bill provides in part as follows:

That 1 percent of all income taxes collected on individual and corporate incomes under Federal statutes shall be deemed to be revenue for the State or Territory within which it is collected, for use, for educational purposes only, without any Federal direction, control, or interference.

The district directors of internal revenue are directed to transfer this money to the State treasurer. Thereafter, no Federal official would have any control over it. It would be spent under the exclusive jurisdiction and control of State officials for educational purposes.

There is ample legal precedent for my bill. For instance, in Public Law 630 passed by the 81st Congress, all Federal income taxes collected from American citizens in Guam are turned over to the Government of Guam.

In fiscal year 1954, the Federal Government collected from all the States and Territories in income taxes a total of $58,578,533,000. Under my bill, $585,785,330 would be returned to the States for school purposes every year so long as needed. This is $185,785,330 more than the Federal-aid program currently under consideration provides. This loss of revenue to the Federal Treasury would not be a loss to the taxpayers of the States. Indeed, when you consider the overhead expense of Federal administration of the program, it would be a gain. In any event it would be a cheap price to pay for the blessing of local control.

I earnestly trust that this plan, which already has support from other Members who have introduced similar bills, will receive favorable consideration as a substitute for the potentially dangerous Federal-aid program presently before the Congress.

Mr. BROOKS of Louisiana. Mr. Speaker, of course, I am deeply in favor of helping our public schools. I am, at the same time, just as strongly against Federal control of our State school system. I have supported programs of limited nature for our public schools in the past. At the same time, any program which is general in scope and which threatens to become a permanent one fills me with fear of Federal and bureaucratic control.

The other day, one of my colleagues held up a thick book and shouted on this floor that "this is a volume of all of the Federal laws and regulations in aid of our public schools" and he drew the inference from this large book of laws and regulations that Federal aid is possible without Federal control. Such is, of course, the case; but as we approach nearer the program of our State-controlled public schools, we come closer to the point where State control leaves off and Federal control begins. Inversely, the more we depend upon Federal Government for help for our public schools, the greater is the threat of Federal control of them.

No one has to be persuaded of the bad effects of centralized Federal control of our public schools. Such a program will be disastrous to us and to our type of government. Dictatorships first attempt to gain control of the school systems before consolidating themselves in complete control of government. Centralized control of education means regimented control of education. It easily follows that education then becomes a mass,

uniform, orthodox type of learning, without innovations and without competition and without the yearning for change and advance which we find so evident in our State-controlled school system.

This bill presents a 4-year program of $100 million per year. This money is to be used for the building of classrooms which may cost about $32,000 per classroom. The need for classrooms is terrific; and it is very apparent that 4 years of this type of program will not be sufficient to meet the current needs for new buildings and new classrooms. Four years of the program will mean an expenditure of $1.6 billion. There are 63,000 public schools in the United States; and according to the committee report, it will cost from ten to twelve billion dollars to provide adequate classrooms for children currently enrolled in public schools throughout the country.

All of this means simply that we will have a continuing program from now on out. Four years of this aid will not be sufficient. States and parishes and counties under this program will await the coming of Federal money with which to build classrooms; and this delay will hold up the entire program in some communities. It will mean the classroom shortage will not be overcome for many years, during which time we will have had a fixed program saddled to the backs of our State public schools.

Mr. Speaker, during past years I have seen many temporary programs which have become permanent. The defense impact public school program is one of them. I have supported this defense impact program because it was promised to be temporary and because it was limited in scope to a relatively few schools in defense areas throughout the country. It looks to me as though this has now become a permanent school program, and more and more our States are being encouraged to depend upon it for aid. A general program of a permanent nature may be disastrous.

I am concerned a great deal with regulations and restrictions placed in the bill. The old adage of, "He who pays the piper calls the tunes" applies today with great force. Over the years, that government which puts up the money to support a permanent school policy will exert its control over our public educations. Of course, integration in our public schools in the South is unthinkable; and with or even without the amendment, under Federal control such is possible and could be expected. With the stipulations recently placed in this bill, it will integrate our schools and this Louisiana will not tolerate.

Mr. BEAMER. Mr. Speaker, a consideration of H. R. 7535 involves more than Federal aid to school construction. Judging from the many letters that I have received in opposition to this legislation, it seems that one typical explanation is expressed in House Concurrent Resolution 2, 85th General Assembly, State of Indiana:

Indiana needs no guardian and intends to have none. We Hoosiers—like the people of our sister States—were fooled for quite a spell with the magician's trick that a dollar taxed out of our pockets and sent to Washington, will be bigger when it comes back to us. We have taken a good look at said dollar. We find that it lost weight in its journey to Washington and back. The political brokerage of the bureaucrats has been deducted. We have decided that there is no such thing as Federal aid. We know that there is no wealth to tax that is not already within the boundaries of the 48 States.

So, we propose henceforward to tax ourselves and take care of ourselves. We are fed up with subsidies, doles and paternalism. We are no one's stepchild. We have grown up. We serve notice that we will resist Washington adopting us.

Be it resolved by the House of Representatives of the State of Indiana (the Senate concurring), That we respectfully petition and urge Indiana's Congressmen and Senators to vote to fetch our county courthouse and city halls back from Pennsylvania Avenue. We want government to come back home.

Resolved further, That we call upon the legislatures of our sister States and on good citizens everywhere who believe in the basic principles of Lincoln and Jefferson to join us, and we with them to restore the American Republic and our 48 States to the foundations built by them.

Mr. ABBITT. Mr. Speaker, I am opposed to the so-called school-construction bill. This body has adopted an amendment known as the Powell amendment, the effect of which purports to prohibit those States that maintain segregation in the school system from obtaining funds for the construction of schools provided by this bill.

Candor and frankness compel me to State that the so-called Powell amendment does not add to or take from this bill. I am convinced that those having charge of this program will, regardless of whether or not the Powell amendment stays in the bill, prohibit funds from going to those States that maintain and operate segregated schools. This means to me that this entire program is intended by its sponsors and those in charge of the program as an entering wedge to federalize and take over the public-school systems of the States. They believe in a strong, centralized Government with controls in Washington. They desire this octopuslike Government of ours to reach into and direct the operations of every possible function of the various localities.

I realize that this bill merely purports to assist in the construction of school buildings. It is not that simple and harmless, however. It is a direct step toward handing over to the Federal Government the operation, running, and control of the public schools of America. It is the opening wedge of turning our school systems over to the Federal Government. The truth of the matter is that the Federal Government owes over $275 billion. The States are far better off financially to build their own schools than is the Federal Government.

For that reason, and other reasons, I am opposed to the bill under consideration, and I hope that the Members of this House will defeat this legislation.

Mr. WHARTON. Mr. Speaker, at this late stage in the debate on pending school-aid legislation, several points are obvious to all. Primarily, not a single Member of this body seems to be opposed to the education of the youth of the country, adequately and with increasing efficiency as to the means and methods involved.

In my own State, the trend of late has been to larger, centralized schools and, while many question the end results as compared to the individual instruction of the little red schoolhouse, obviously we cannot turn back the clock under modern conditions. Someone has very aptly said, "Now let's just not monkey with the clock."

According to my computation, in New York State proposed Federal aid under the pending legislation costing $49 million in contributions would add up to one small classroom for each school district, and I seriously doubt that the problem of overcrowded schools or inadequate salaries would be solved thereby. We have heard repeatedly during debate, and no one questions the fact that each and every one of the 48 States is presently in better financial condition than the Federal Government and more able to carry on its traditional responsibilities of the education of our young people.

In case the old maxims are still given passing attention in our schools today, it might be well to recall that no man can serve two masters and that too many cooks spoil the broth, for that would be exactly the case were the vast arm of the Federal Government to be added to the already extensive machinery of the several States. To say that the two could possibly be in agreement would be asinine after listening to the several days of debate in which this body has indulged.

Already this bill is loaded with provisions bearing on the segregation of the races and the employment of labor at specified rates and conditions, highly controversial subjects but approved by the Supreme Court of the United States. How much further the Court will attempt to invade the prerogatives of the States gives many of us the greatest concern.

We in New York State recall that as late as March of this year there was serious talk of sufficient surplus funds in the State government to warrant a reduction in State income taxes, and those States without income taxes are obviously in a better position than New York.

Now we have aided the States at this session of Congress with highways, sewers, airports, reclamation, irrigation, wildlife, welfare, old-age benefits, and numerous other subsidies—agriculture, with the so-called basic commodities including such momentous items as peanuts and soybeans. Let us pause for breath and leave just this one controversial item out of our socialistic thinking—leave it where it belongs, at home with the State governments. In that way our educators and teachers will know exactly where to carry their problems without becoming involved in national issues.

This matter of the education of our youth is of the utmost importance and the people should be allowed to express themselves if such a radical change is

contemplated, and this by way of a constitutional amendment.

NECESSITY FOR FEDERAL GOVERNMENT ASSISTANCE TO STATES AND LOCAL COMMUNITIES IN CONSTRUCTION OF ADDITIONAL CLASSROOMS TO MEET THE PRESENT SHORTAGE

Mr. WOLVERTON. Mr. Speaker, it will be generally agreed that the bill now before the House, H. R. 7535, providing Federal assistance to States for school construction is one of great importance. Because of the fundamental character of some of the policy questions to be decided, it will probably be the most important that will come before Congress at this session.

The Nation is faced with a shortage of classrooms. The situation has grown more critical each succeeding year since World War II. During the depression years few schools were built, and during the war years even fewer schools were built, partially on account of the shortage of materials. This fact, coupled with the increasing birth rate, left a serious classroom problem in practically every community in the Nation.

The interest and concern on the part of Congress was reflected in the enactment of Public Law 815 in the 81st Congress, which was designed to assist school districts to meet their classroom shortage problem insofar as that problem was aggravated by Federal activities. During the 82d Congress a subcommittee gave further study to the problem and recommended that the Federal Government take appropriate steps to assist local school districts in financing needed school construction. In the 83d Congress another subcommittee held extensive hearings in an effort to determine the existing need for additional classrooms.

There is no question that more classrooms are urgently needed. This need has been repeatedly demonstrated by school facilities surveys, by reports from State governors, and by testimony during extensive subcommittee hearings. It will cost from $10 billion to $12 billion to provide adequate classrooms for children now enrolled, and enrollment will increase markedly in the next few years. The hearings held by the subcommittee have demonstrated that the national interest requires that the Federal Government join with State and local governments in solving this pressing problem. Adequate education for our children is essential to the preservation of a free and strong Nation. Their education must not be impaired by the serious classroom shortages which exist in every State.

It is clear that Federal legislation is needed, and that this legislation must be designed to encourage State and local efforts to meet the problem. Care must be taken to avoid any possibility of Federal control over local school systems, or any tendency for Federal action to supplant State and local efforts.

President Eisenhower, on February 8, 1955, directed to the Congress a special message relating to the necessity of the Federal Government assisting the States and local communities in the construction of schools. The following are extracts from that message:

> For the consideration of the Congress, I herewith propose a plan of Federal cooperation with the States, designed to give our schoolchildren as quickly as possible the classrooms they must have.
>
> The American idea of universal public education was conceived as necessary in a society dedicated to the principles of individual freedom, equality, and self-government. A necessary corollary is that public schools must always reflect the character and aspiration of the people of the community.
>
> Fundamentally, the remedy lies with the States and their communities. But the present shortage requires immediate and effective action that will produce more rapid results. Unless the Federal Government steps forward to join with the States and communities, this emergency situation will continue.

In the consideration of the type of help that should be given by the Federal Government, to assist the States and local school districts in meeting the need, great care has been taken by the committee to make certain that there shall be no possible interference by the Federal Government in the control of our school system. In fact, it has been the primary objective of the committee to provide a method whereby the Federal Government could join with the States in meeting the classroom shortage problem, and at the same time insure against any Federal control or interference in the operation of schools and school systems. Thus, great care has been used to provide legislation on the subject that would preclude any possibility of Federal control in our school system. The bill now before us makes certain of this important matter.

The financing of school construction has many differing aspects when the requirements of the Nation as a whole are considered. Therefore, the bill now before the House contains several alternate methods with the object that our States and local communities can avail themselves of the method that best suits their peculiar problems, or more easily comes within the statutory law of the particular State.

For instance, in the effort to provide such alternate methods, it is provided that aid may be extended as follows: First, payments to State educational agencies for assistance on a grant basis to communities where this type of assistance can be most effectively utilized as determined by a priority system established by the State; second, purchases by the Federal Government of bonds issued by school districts which are capable of financing their own school construction, but cannot obtain financing from ordinary sources on reasonable terms; and, third, credit assistance to State school-financing agencies to provide schools and related facilities in States where such agencies exist or are created.

There has been added to the bill an amendment that no moneys are to be advanced to any State that does not recognize the decisions of the United States Supreme Court. It can be readily seen that the purpose of the amendment is to sustain the recent decision of the United States Supreme Court that outlawed segregation in our public-school system on the basis that such was opposed to the provisions of the Constitution of the United States guaranteeing equal rights. It is unfortunate that some Members of Congress from certain sections of our country are so strongly opposed to the decision of the Court as to preclude their support of this most worthwhile bill that seeks to assist our States and local communities of needed school facilities.

This measure and the amendment have my support.

Mr. WILLIAMS of New Jersey. Mr. Speaker, the fact that the public schools of our Nation are facing the greatest crisis in our history is no longer surprising news. Nor are some of these facts—that 18 percent of our schools are fire hazards, a third are health and safety hazards, and thousands of school buildings are more than 50 years old. We are no longer astonished to hear that the school enrollment figure in 1955–56 was 1,675,000 over that of the previous year, or that the Nation faces a shortage of hundreds of thousands of classrooms. All of these frightening facts have become almost old hat, incredibly enough. What is even more incredible is that all this is true at a time when our gross national product is over $400 billion a year and is rising continuously; when our Nation has at its command resources of unparalleled magnitude; when we could solve any domestic problem confronting us by making the concerted decision to do so—and then going ahead and solving it.

The Kelley bill will not of itself solve our desperate school crisis. But it represents a step of major significance. The Kelley bill represents national recognition that the school crisis is a problem common to us all. It makes concrete the widespread sentiment of parents throughout the country that the fiscal resources not only of local communities and the States but of the Federal Government must be tapped to finance a frontal assault on a situation which is perilously close to being a national disaster. It is genuinely realistic thinking about the needs of this Nation at a time when domestic conditions and world leadership are inseparable from each other.

A vivid illustration of why this measure is so vital is found in my own State of New Jersey. New Jersey has 547 administrative school units. Of these, 395—or 72½ percent—have exhausted their statutory bonding capacity. Half of these 395 districts, in turn, have obtained the permission of the State to exceed their statutory bonding limits. In my own congressional district, Union County, 12 out of 21 school districts have reached their statutory limits; and 29 applications have been made by those 12 school districts for permission to exceed the limits. Among the communities which have made such applications are several of the highest income suburban towns in the area.

What this indicates is that school needs have pyramided so rapidly that the dependence of our schools for a major portion of their revenues on the fiscal resources of local communities has

become an anachronism. The theory that school revenues should be drawn largely from property taxes is one of the roots of our present school crisis since, as we well know, property assessments have hardly begun to keep pace with real values. Another of the roots of this crisis is that the Nation's tax structure has undergone a complete revision in the past generation. Three out of every 4 tax dollars now go to the Federal Government, rather than to State and local governments. While some people may label this an illustration of Federal aggrandizement, I think a realistic examination of our tax structure will reveal quite the reverse—namely, that States and local communities have not been adjusting progressively to the burgeoning needs of a Nation whose rising population and productivity have made it a giant of the modern world.

As has been pointed out to me by members of the New Jersey Department of Education, the Kelley bill will not only be helpful in meeting the immediate school shortages, but it also has the advantage of being, in the long run, a less costly source of revenue to the local community. While it is true that New Jersey's contribution to the Federal Treasury will be greater than the grants it will receive if the Kelley bill passes, those grants will not be saddled by the interest and financing charges which attach to local bond issues.

The Kelley bill would yield New Jersey a significant amount of help toward a solution to its school problems. A projected 5-year program for additions to existing schools and construction of new schools would cost an estimated $478 million; applications to the State by local communities for permission to exceed their statutory bond limits amounted to $81 million in the 1955–56 school year. While New Jersey is neither a poor nor a backward State, the impact of new population moving into our urban and suburban communities has been accelerating at such a pace that our needs are quite as pressing as those of States whose economic development is behind New Jersey's. And because school construction is a lengthy process—taking 2 to 3 years to plan and build a new school—States like New Jersey, undergoing the steady assault of population growth, must be helped as rapidly as possible.

There is one more point that I want to make about this bill. As a member of the Committee on Foreign Affairs, our world leadership position is never far from my mind. I cannot help being disturbed when I read that while the United States spends $8 billion a year on its public schools, the Soviet Union spends 16 billion. There is no reason to doubt that with our ingenuity and inventive capacity we can continue to stay far ahead of the Soviets in technological and scientific development. I believe that in any competition with the Soviets we can win. But to win this technological, scientific, and industrial competition we must have people adequately trained for their tasks. A recent congressional study shows that we are scarcely even with the Soviet Union as regards numbers of engineers and have only a slight lead in numbers of scientists. In 1954 we graduated only half as many college-trained specialists in engineering and science as we did in 1950. In the same year the Soviets turned out more than twice as many as we did. Allen Dulles, Director of the Central Intelligence Agency, recently warned that in this present decade the Soviet Union will graduate 1,200,000 university students in the basic physical sciences, while we will graduate only 900,000.

If this Congress passes the Kelley bill it will mean that we recognize the imperative need to face the school crisis as a national crisis. It means a first step toward national acceptance of the fact that the Soviet lead in training specialists must be faced and dealt with as a basic phase of our national security effort. It means, too, that, although this would be the first general school bill passed by Congress, we would in reality be continuing our faithfulness to the basic principles of our Nation. Our public schools are the very pedestal of our democracy, as our Founding Fathers knew, since Federal aid to education preceded even George Washington's inauguration with the passage of the Land Grant Act of 1787. The Kelley bill would be the most recent link in a long chain of legislation to support a school system which can transmit to our children the skills, techniques, moral principles, and ideals which are the core of America.

The record is clear on the demonstrated need for this school legislation. It also seems manifest that we will not achieve this legislation during the current session of Congress if the so-called Powell amendment is attached. And here we come to the real dilemma. Many in this body are sincerely troubled over this problem, and no one could question their obvious sincerity in arguing for the Powell amendment. I share their ardent desire to see full and equal opportunity extended to all American citizens at the earliest possible time. As a matter of fact, I yield to no one in my deep-seated desire to see the end of the awful practices of segregation and discrimination. I will continue to devote my energies to advancing the cause of civil rights and welcome the opportunity which we in the House will shortly have to vote on a straight civil-rights measure.

But this question is posed: What will be gained by the passage of the Powell amendment? The clear answer is that nothing will be gained. No responsible person would suggest that this bill will become law if the Powell amendment is included. Not only would inclusion of the amendment kill the bill, it would set back the possibility of adequate aid to schools possibly for years to come, while our public school system will continue to deteriorate.

From a practical point of view, there are already signs that many who are relatively neutral on the question of civil rights but deeply concerned about the school crisis may well become hostile to civil-rights legislation if we permit this measure to die over the question of the Powell amendment. The amendment's adoption will not only defeat much-needed school legislation but will set back the possibility of meaningful civil-rights legislation. This seems to me far too high a price to pay.

Many may argue that in a district such as mine a vote against the Powell amendment could mean political suicide. But this underestimates the intelligence of people who are interested in advancing the cause of civil rights. Our real goal is respect for individual integrity and the provision for equal opportunity in a meaningful fashion rather than making a futile gesture.

Finally, let me make this other point. The Supreme Court has spoken on this subject. Progress toward desegregation is mandatory under the law. I recognize that there is opposition to the Court's decision, and in several States no progress is being made. This is a thoroughly deplorable fact. But it does not set aside the law of the land. We must move toward compliance with the Supreme Court decision, perhaps not as rapidly as some of us would like, but we must move ahead. Given sympathetic administration of a Federal-aid-to-school-construction program, there is no doubt that progress can be made in accordance with the Court's decision. Therefore, I suggest that we who are interested both in helping our schools and moving forward in civil rights pass this measure without the Powell amendment and that we give scrupulous attention to the aid program to assure that it is not used to frustrate implementation of the Supreme Court decision. Let us not permit the people of good faith who are interested in school legislation or in civil rights legislation to become embroiled with each other in futile argument. Let us not permit the friends of sound progress to dissipate their energies by fighting each other.

CRISIS IN EDUCATION

Mr. BLATNIK. Mr. Speaker, as a former schoolteacher and administrator and one who has always been interested in the education and welfare of the Nation's young people, I consider the legislation before us today of paramount importance. No single domestic problem affects the Nation's future more than does the current critical classroom shortage. The bill before us, H. R. 7535, should be enacted if we are to make any progress toward the solution of the problem.

The classroom shortage problem goes beyond and is much deeper than a mere shortage of facilities and materials. The root of the problem and the real cause for concern is that a shortage of classrooms and classroom facilities deprives the Nation's young people of adequate educational opportunities. Limited classroom space and old, dilapidated buildings are not conducive to learning. If we do nothing about the classroom shortage situation we are, in effect, depriving the Nation's schoolchildren of an adequate education.

For instance, because of the classroom shortage there are children now graduating from the eighth grade who have never attended school on a full-time basis. Because of the shortage, classes are crowded beyond efficient teaching

limits making it impossible for schoolchildren to obtain the individual attention from teachers which is so essential to adequate education. Today 2 classrooms out of 5 have more than 30 pupils in them. Nearly 1 in 10 have more than 40.

The classroom shortage also tends to limit educational opportunities because children are forced to attend classes in surroundings not conducive to learning. Two children out of five, for instance, attend school in buildings that do not meet minimum fire safety requirements. Thousands of them attend classes in buildings 50 years old or older. It is estimated that only 2 out of every 5 pupils are in satisfactory school buildings.

Looking at the facts and figures of the classroom shortage leads to the inescapable conclusion that so long as the current shortage continues the schoolchildren of the Nation will be deprived of adequate educational opportunities. Therein lies the danger, the very serious danger, of the classroom shortage problem. Our greatest asset, the children and youth of the Nation, are being improperly trained for the tremendous responsibilities of leadership which someday will be theirs. The effects are already being felt, Mr. Speaker. We read daily of the very critical shortage of trained personnel in the scientific and engineering fields. If this Nation is to continue as a world leader we need the trained personnel to carry on the grave responsibilities of leadership. This can be attained only through early training and development in the primary and secondary schools of the Nation where the great men and women of tomorrow are learning the fundamentals so necessary for advanced learning. Yet we place these future leaders in dilapidated and obsolete firetraps without proper facilities and in overcrowded classrooms where they lose their individuality and become mere numbers in the overworked teachers' class book.

Here we are, Mr. Speaker, the greatest, strongest, richest Nation on earth and we cannot give our young people adequate educational facilities and opportunities. Why are we in such a position?

The classroom shortage facing the Nation today results from several factors: First, the curtailment of construction during the depression and World War II; second, the normal building replacement needs due to obsolescence; and, third, the rising birthrate. Consider, for a moment, the rising birthrate and school enrollment. Reversing a long-range trend, the birthrate started rising in the mid-thirties, and it has been on the increase ever since. School enrollment which had remained relatively stable for over 20 years began to rise in 1951. Thirty-two million children enrolled in our public elementary and secondary schools in 1955–56. This was an increase of 1.5 million over the previous year. By 1959 it is estimated that the total school enrollment will be 38.8 million.

Hard on the heels of this rising birthrate came a corresponding decrease in classroom construction. School construction dropped sharply in 1932, recovered between 1936 and 1939 with Federal aid, and then sagged again, not reaching predepression levels until 1949. Since that time school construction has set new all-time highs every year, but even at this current record rate construction is only keeping up with rising enrollments, but in no way reducing the total classroom deficit which is approaching the 370,000 mark.

On the basis of available facts and figures no one can deny the existence of the classroom shortage problem and that this shortage seriously curtails the effectiveness of the American educational system. We are then faced with the question of what we are going to do about it. Essentially, the problem reduces itself to a question of the proper roles and relationship between the Federal Government and the various States.

There is no denying the fact that the responsibility for the education of children rests primarily on the local and State level. This has been the traditional policy of our Government since its inception. Education is a local and State matter, and I would be the first to fight against the imposition of any Federal controls over public education. I share the fears of those who have warned against Federal control of education during this debate, but, at the same time, I recognize the crucial and essential fact that we are faced with a crisis in education due to the classroom shortage and something must be done about it.

What we must do is enact H. R. 7535 to provide assistance in the form of grants-in-aid to the States in order that they might alleviate the present classroom shortage. This approach to the problem will not upset our traditional concepts of Federal-State relationships in the field of education.

In the first place, the Kelley school-construction bill, H. R. 7535, is not, strictly speaking an aid-to-education bill. It is an aid-to-school-construction bill, pure and simple. The bill provides three approaches to help communities catch up with the classroom deficit. These approaches are:

First. Federal grants totaling $1.6 billion over the next 4 years would be given States on a 50–50 matching basis. A State's allotment would be decided solely on its share of the Nation's school-age population between the ages of 5 and 17. Under this formula, Minnesota would receive over $7 million a year for 4 years.

Second. The Government would be authorized to buy $750 million in local school bonds during the 4 years if the school districts cannot sell them at reasonable interest rates in the open market.

Third. For areas which cannot borrow, the Government would help existing or new school-building authorities launch building programs by which communities could acquire schools on a lease-purchase basis. The Government would put up a maximum of $6 billion to guarantee construction loans made by the building authorities.

It is apparent that all this bill does is authorize Federal funds to assist the States and communities to construct needed classrooms. This has nothing whatever to do with what is being taught, or how it is being taught, or who is doing the teaching. It is merely an attempt to aid the States to do a job which has become so enormous that they cannot do it by themselves.

Let no one say, Mr. Speaker, that the States and localities have not made a valiant effort to meet their responsibilities without Federal aid. But even their maximum efforts could not keep up with the unprecedented increase in school enrollments. For instance, in 1952, the Office of Education estimated after a careful nationwide survey that the total school construction needs of the Nation were 312,000 classrooms. In the next 2 years the States and localities spent nearly $4 billion in school construction. In spite of this huge outlay the same Office of Education now admits that the classroom shortage has risen from 312,000 to 370,000. Thus, in spite of the greatest construction activity in our history during the past few years, the situation became worse. The States cannot, by themselves, keep up with present demands, replace obsolete equipment, and catch up with the backlog of schoolroom needs. To catch up with the current backlog of classroom needs would cost $12 billion. According to the latest reports the most the local school districts together with all available State aid could provide is $5.9 billion, leaving a deficit of $6.1 billion which the States and localities could not possibly meet. In other words, we have reached the point where the financing of education can no longer be taken care of entirely from local or even State and local revenues.

Another reason why the Kelley bill does not upset our traditional philosophy of public education on a local level, is because a part of that philosophy and tradition includes Federal aid and assistance for educational purposes. Mr. Speaker, I refer those who would defeat this bill on the ground that it brings the Federal Government into the educational field to our long history of Federal participation in the field of education. Throughout our history the Federal Government has encouraged and aided State educational programs through allotments of public lands and by grants of money.

As early as 1785, 2 years before the Constitution was drafted, the Continental Congress reserved lot No. 16 of every township in the Northwest Territory for the maintenance of public schools. That famous Northwest Ordinance contained the phrase we should all harken to today "the means of education shall forever be encouraged." This is exactly the purpose of the Kelley school-construction bill. To encourage the means of education by making available to the States and communities the facilities with which to provide adequate educational opportunities.

Since the enactment of the Northwest Ordinance over 50 major bills concerning education have been enacted by Congress. I will mention only a few: The Morrill Land-Grant Act which granted

to each State an amount of 30,000 acres of public land per Congressman for the support of a college; the Smith-Hughes Act which provided grants for promoting vocational training in the public schools; the National School Lunch Act; the GI bill of rights; and Public Laws 815 and 874 which provide assistance for school construction and maintenance and operation in federally affected areas. At the present time, Mr. Speaker, 56 major educational activities are now financed by the Federal Government at an annual cost of over a billion dollars.

The central theme running through the long history of Federal legislation for education is to provide educational opportunities. None of the programs now in operation entail Federal control of the programs established under the Federal legislation. The purpose of all these enactments, from the Northwest Ordinance down to the GI bill, is to provide adequate educational opportunities. The Kelley school-construction bill has, in the last analysis, the same aim and goal.

Another problem of major proportions facing American education is the shortage of teachers. Even if we had enough classroom facilities we would be in an educational dilemma because we do not have the teachers to put in them. The shortage is growing worse, year by year. Thousands of teachers are being employed who do not meet the minimum qualification standards which make matters worse. Last year we produced fewer than 1,000 high-school teachers of chemistry and physics, and most of them go into higher paying private industrial jobs. Over 1,500 high schools have dropped courses in chemistry or math because of a lack of teachers.

Each year we are accumulating a deficit of 60,000 teachers. Only 90,000 are trained annually against a need for 150,000. One of the reasons for the shortage is the low pay that teachers receive. In most States, teachers are paid less than factory workers. No wonder over 450,000 teachers, a number nearly equivalent to half the total now teaching, have left their desks in the last 10 years. Enactment of a Federal aid to school construction bill will help somewhat, in an indirect way, to increase teachers' salaries and in making the profession more attractive. Taking advantage of Federal aid for construction will enable the States to allocate more of their education budgets to increased teachers' salaries.

Mr. Speaker, every American child has the right to an adequate educational opportunity. They are being deprived of that opportunity today. The States and local communities have done their valiant best to cope with the problems, but with their limited sources of revenue have been unable to keep up with the demand for expanded classroom facilities and catch up with the backlog at the same time. Because adequate education of all American youth is essential to the preservation of the Republic the Federal Government has a definite duty and responsibility to insure that such educational opportunities are available. The seriousness of the problem is nationwide demanding our attention on a national Federal level. Enactment of H. R. 7535, the Kelley school-construction bill, is essential if we are to live up to our responsibilities to the people of the United States, and, especially, to the youth of the Nation.

An enlightened and informed citizenry Mr. Speaker, is not only essential for the preservation and further growth of a democracy such as ours, but is the very keystone of the foundation upon which that democracy is sustained. Our forefathers discovered that in the early days when they established public education. You can postpone or delay the construction of a bridge or public works project without too serious a loss for the time being, but in education that time is lost forever. Much of a whole generation has been deprived the full benefits of an adequate education. They are not being adequately prepared to take their places as citizens in this nuclear age with its complexity of problems, domestic and international, such as the world has never seen before. There is not a more urgent strengthening of our entire democratic system as is the providing for adequate educational opportunities.

Mr. BARDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7535) to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 7535, with Mr. WALTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose 2 days ago the first title had been read and was open for amendment at any point. Are there further amendments to title I?

Mr. BARDEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have a brief statement I should like to make to the House.

For 22 years I have done my best to be sincere and frank with the membership of this House. I propose to continue that, both in attitude and in practice.

I have very definitely reached the conclusion that the American people do not want this legislation in its present form. Certain things have happened to the bill that make it very, very obnoxious and objectionable to the people I represent.

I never have claimed to be an expert when advocating something that I was sincerely and conscientiously for. I have always felt I would be a complete flop in trying to advocate something I did not believe in and did not advocate. This bill is objectionable to me. It has so many bad features and so many things have been given priority over the consideration of the objective that we set out to accomplish that I must say, in all frankness, to the House I cannot continue in the position here of directing this bill. I feel that someone who can be fairer to the bill in its present shape than I, should handle the bill. I would have to be a much better actor than I now am to proceed in the position of handling this piece of legislation which I cannot support and do not want to pass. For that reason, I want the House to understand my very definite position in the matter. So, with that, I think the House will understand my position and those in a position on the committee to handle the bill will have my cooperation to a certain extent, but no one need to expect any assistance from me or any encouragement for the bill.

Mr. McCONNELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCONNELL:

Page 4, lines 9 and 10, strike out "(consistent with the matching requirements of section 105)."

Page 6, beginning with line 16, strike out everything down to and including line 20 on page 8 and insert in lieu thereof the following:

"Reservations of funds and payments

"SEC. 104. (a) In the case of each project for the construction of school facilities for a local educational agency with respect to which the State educational agency requests any funds under this title, the State educational agency shall include in its request—

"(1) a description of the school facilities project with respect to which the request is made;

"(2) its estimate of the cost of construction of such project and a statement of the amount of the Federal-State grant proposed to be made by the State educational agency with respect thereto under the plan;

"(3) a certification that State funds to cover the State share of such Federal-State grant will be available.

"(b) Except as provided in section 105, the Commissioner shall issue, to each State educational agency furnishing a statement in accordance with subsection (a), a commitment reserving, out of the State's allotment, for each project included in the statement, the amount requested by the State educational agency for that project. The Commissioner shall change any amount so reserved upon request of the State educational agency and receipt of an amended statement from such agency, but only to the extent the change is not inconsistent with the other provisions of this title. Upon certification by the State educational agency that the financing of the remainder of the cost of construction of the project has been arranged, the Commissioner shall pay the amount reserved to the State educational agency, through the disbursing facilities of the Department of the Treasury and in such installments as he may determine. Funds so paid shall be used exclusively to meet the cost of constructing the project for which the amount was reserved.

"(c) In lieu of certification by a State educational agency pursuant to subsection (a) (3) with respect to a project, the Commissioner may accept certification by such agency that an amount equivalent to the State share of the payment with respect to such project has been arranged through provision for State payments toward the debt service on the loan (if any) to help finance part of the construction of such project, provision for waiver of payments due the State or any agency thereof with respect to such project, or other provision which, in the judgment of the Commissioner, is (or is estimated to be) equivalent to such State share.

"(d) If any project for which one or more payments have been made under this section is abandoned, or is not completed within a reasonable period determined under regulations of the Commissioner, the State to which such payments were made shall repay to the United States, for deposit in the Treasury of the United States as miscellaneous receipts, the amount of such payments or such lesser amount as may be reasonable under the circumstances (as determined by agreement of the parties or by action brought in the Federal district court for the district in which such project is located).

"Matching by States

"SEC. 105. (a) The Commissioner may issue or modify a commitment under section 104 with respect to any project only if the amount to be reserved under the commitment, plus any amounts paid or to be paid under other commitments previously issued under this title to the same State educational agency, does not exceed the Federal share for such State of the sum of (1) the Federal-State grant toward the cost of constructing such project and (2) the total of the Federal-State grants toward the cost of constructing the projects for which such other commitments have been issued. Until actual construction costs are available, cost determinations under this section shall be made on the basis of the estimates furnished under section 104 (a) and revised estimates furnished in compliance with section 103 (a) (7).

"(b) For purposes of this title—

"(1) (A) The 'Federal share' for any State shall be 1.00 less the product of (A) .50 and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the continental United States, except that (i) in no case shall the Federal share be less than .33⅓ or more than .66⅔, and (ii) in the case of Alaska it shall be .50.

"(B) The Federal shares shall be promulgated by the Commissioner as soon as possible after enactment of this act and again between July 1 and September 30 of the year 1958, on the basis of the average of the income per child of school age of the States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. The first such promulgation shall be conclusive for each of the three fiscal years in the period beginning July 1, 1956, and ending June 30, 1959, and the second shall be conclusive for each of the 2 years in the period beginning July 1, 1959, and ending June 30, 1961.

"(2) The 'Federal-State grants' for any project means the total of the Federal and State funds (including the equivalent thereof as provided in section 104 (c)) paid or to be paid under the State plan toward the cost of construction of such project.

"(3) The 'State share' of a Federal-State grant with respect to any project is the difference between such grant and the amount paid to the State with respect to such project under this title.

"(c) Notwithstanding the preceding provisions of this title, the Commissioner may, during the fiscal year ending June 30, 1957, issue or modify under section 104 a commitment of funds from a State's allotment for such year if the amount to be reserved under the commitment plus any amounts paid or to be paid under other commitments previously issued under this title to the same State educational agency, does not exceed the Federal share for such State of the sum of (1) the cost of constructing such project and (2) the total cost of constructing the projects for which such other commitments have been issued, and if the State educational agency certifies that the remainder of the cost of constructing the project in question will be paid from funds other than funds paid by the Commissioner under the act of September 23, 1950 (Public Law 815, 81st Cong.), as amended. The cost determinations under this paragraph shall be made on the same basis as is provided in subsection (a).

"(d) In the case of any project to which subsection (d) is applicable,

"(1) the amount of the Federal share and the amount of any other payments toward the cost of constructing such project shall be disregarded for purposes of determining under subsection (a) the amount of the commitment for any project which may be reserved during any fiscal year beginning after June 30, 1957;

"(2) the statement required by section 104 (a) (2) shall be a statement of the amount of the reservation of funds requested with respect to such project instead of the amount of the 'Federal-State grant';

"(3) instead of the certification required under section 104 (a) (3), the State shall certify that funds from State or local sources, or both, equal to the non-Federal share of the cost of construction will be available; and

"(4) the requirement in section 104 (b) for standards and procedures assuring highest priority to certain local educational agencies shall be deemed met if such priority is assured subject to the matching requirements of this section."

Mr. McCONNELL (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. MASON. Mr. Chairman, in order to facilitate action on this obnoxious bill, I simply want to state that I shall object to all extensions of time and transfers of time.

Mr. McCONNELL. Mr. Chairman, when we first considered this bill, during the amending period, I had offered one of two amendments which would reflect the administration's viewpoint regarding the allotment of funds, effort and matching by the States.

I can say this briefly, that if a person is not in accord with equalization of funds, the richer States to the poorer, and so on, then naturally they would not be favorable to the allotment amendment which I offered, or to the matching amendment which I am offering now. They are both based on the theory that the approach should be to encourage and help those States with lower incomes versus States with higher incomes. In other words, it is an effort toward equalization of educational opportunity.

The amendment I have offered would change the matching provisions of H. R. 7535. The Kelley bill provides that the Federal share in all projects on a cumulative basis may not exceed 50 percent of the total cost, and the remaining 50 percent can be borne by State or local governments or both.

My amendment would provide that the Federal share in all projects on a cumulative basis may not exceed a percent ranging from 33⅓ to 66⅔ of that cost that the State and the Federal Government share together, not counting the cost borne by the local governments. In the first year, however, the Federal share is to be based on the total cost of the project, whether the rest is met from State or local sources or both. This exception is made in order not to retard school construction pending the convening of the State legislatures. Virtually all of them are scheduled to convene early in 1957.

The effect of my amendment would be to provide that construction funds of local educational districts should be used fully in those local districts, and that the Federal funds should be matched by State appropriations. By that type of matching more funds would be available in the States for school construction.

If State funds are not provided and local funds only are applied to match Federal funds, which is permissible under the Kelley bill, the responsibility of the State is bypassed and a direct Federal-local relationship is established. Equalization within the State should be achieved as well as equalization among the States.

Failure of a State to provide matching funds could lead to a failure to provide needed classrooms in local districts unable to raise necessary local matching funds. Thus under the Kelley bill the Federal grants would tend to go only to districts able to provide the matching requirements.

Required matching from State appropriated funds would provide added assurance and incentive for increased State and local effort.

We must never lose sight of the objective of overcoming the shortages of classrooms. Joint matching from State funds would mean more funds for school construction and thus help to a greater extent in relieving the classroom shortage.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania [Mr. McCONNELL]. It marks a sensible improvement in an important bill. Its basic intent is to encourage the State as a partner in the construction of classrooms, and to avoid the bypassing which might result if we did not have such an amendment, we might even have a reduction in effort if we do not have the required State matching, such as is now being proposed.

You will note, Mr. Chairman, that there is no immediate requirement of State matching under this amendment. I think it is necessarily advisable, however, that we do get State matching as soon as possible in order to assure the careful use of the funds which the Federal Government is to put up.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield.

Mr. BROWN of Ohio. Will this amendment in any way change the formula by which the funds will be distributed to each of the States, according to the number of students?

Mr. FRELINGHUYSEN. Unfortunately, that decision has already been made. An attempt to change the for-

mula of distribution was defeated in the committee on Tuesday.

Mr. BROWN of Ohio. Then this bill leaves the formula at $11.40 per child.

Mr. FRELINGHUYSEN. If $300 million, rather than $400 million, is made available, the exact amount might be somewhat less; however, the formula provides for a flat grant per school-age student.

Mr. Chairman, I think it is important that we make as intelligent a use of the Federal dollar as we can. This proposal would require the greatest utilization of the Federal dollar, and a requirement of matching by the States, a feature which is not incorporated in the bill as we now have it.

I think it is important for us to remember the basic justification for this legislation. It is that we have a program of cooperation between the States and the local governments, that we stimulate them, that we encourage and accelerate the program of school construction. This, it is hoped, will reduce within a reasonable period the national shortage of classrooms.

Under the provisions of the bill now before us we hope to build an additional 30,000 classrooms with the assistance of the Federal Government. This will be over and above the 60,000 classrooms now being built annually. The Federal grants of $300 million annually will provide for an additional 10,000 classrooms, if we estimate costs at $30,000 per classroom. If we get a State matching requirement such as proposed by the gentleman from Pennsylvania, we will get, of course, an additional source of funds from the States. In addition there will be continued local efforts in the States. I think it is important that we encourage these efforts. For that reason I hope that this amendment is favorably considered by the committee.

In our consideration of this bill it is important that we remember that our purpose is to provide more adequate educational facilities for our children. On our youth depends the future welfare of our country. On them depends our future progress and the security of the Nation. Their welfare should not be jeopardized by various nonessential, though admittedly controversial, questions.

Mr. METCALF. Mr. Chairman, I rise in opposition to the McConnell amendment.

Mr. Chairman, we have heard a good deal during the course of this debate about Federal control. This amendment is Federal control with a vengeance. This amendment will go down into every State and say to the State: "You change your tax system, you change your system of apportionment of funds if you want to get the matching Federal aid." The amendment offered by the gentleman from Pennsylvania provides that after the first year all the matching funds shall come from State funds, that no local funds shall be used for matching, a new future: but not for the first year, because he says: "The first year the legislatures will not have a chance to meet, but that we are going to hold this club over your head and if after your legislature meets you do not change your State laws, your State tax laws, the laws for the distribution of your tax revenues, then you get no Federal aid."

There are 23 States in the Union that have State tax funds available for school construction. There are 25 that do not have State funds available for school construction. In every 1 of the 48 States, there is some sort of equalization program. Some States provide funds for the purchase of textbooks, the payment of teachers' salaries, the school lunch program, for vocational education and many other things that come under instruction and educational purposes. Many of the States do not use State funds for school construction, that being left to local communities. State funds are used for teaching, and educational purposes. In our State we have State appropriations for transportation, for textbooks, for teachers' salaries, and for operational and maintenance expenses. We have a constitutional prohibition against the use of State funds for school construction. We feel that the school construction itself should be done by the local agencies.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. I do not like to interrupt the gentleman for I know his time is limited, yet I think we should understand the real intent and official position of this administration. There should be an incentive for action by the States. At the present time about 18 States only, I believe, give to education some form of aid within their own States. We feel if they are going to get Federal funds the incentive should be there, and the State should provide it to get this Federal aid. That is the purpose of it.

Mr. METCALF. I may say to the gentleman that every State in the Union, according to the survey I have obtained, has some form of equalization program. Twenty-three of those States have State assistance for school construction. Twenty-five of the States would have to change their entire financing program. This is coercion, this is Federal coercion, this is forcing the States through their legislature to change their tax system and to change the distribution of their tax revenues.

Mr. McCONNELL. I may say it is an incentive rather than coercion. They do not have to do it, but the incentive is there. If they will put up the funds, the Federal Government will match them.

Mr. METCALF. But some States prefer to use their State funds for teachers' salaries, for school lunches, or for transportation. We are all talking about getting this down to the grass roots and the local schoolboards. Other States say they would prefer to have the State help in school construction and let the local agencies pay for the teachers' salaries. They put it up to the States and local agencies.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from New York.

Mr. WAINWRIGHT. I would like to ask the gentleman whether he does not feel it is more important, if the issue is presented, to keep the Federal Government out of the local school districts? Local school districts under the gentleman's proposal could match the funds. Mr. McCONNELL's amendment requires the States to match the funds rather than requiring the local agencies to do it. That is the question.

Mr. METCALF. We are giving the money to the States, and they can match their funds out of the State fund if they desire. If they do not desire to use State funds for school construction but for teachers' salaries, they should be allowed to do so without Federal interference.

Mr. WAINWRIGHT. Which means the Federal Government can go right down to the local agencies. It also sets the trend, you are saying, to pay teachers' salaries.

Mr. METCALF. A requirement in the Federal legislation setting up the program to the effect that matching funds must be provided by the States alone rather than allowing State and local contributions to make them up might introduce additional problems which each of the States would have to face in order to take advantage of the Federal grants. These problems arise out of the fact that such a requirement is not in sympathy with the plans now in force in the States. At present every State has some form of State aid to local communities for educational purposes. Some do not encompass school construction. Of those which do, some do so by a flat grant, some under an equalization program, and some by means of loans; but all of them require the local communities to share in the expense. Such a requirement would at once eliminate all of these differences among the States and make the burden of financing school construction—within the States which would be willing to make the adjustment in order to obtain the Federal aid—a State concern rather than a local or a State-and-local one. In the absence of such a requirement the States would be free to continue their present financial policies, obtaining the necessary matching funds through established channels. In order to comply with such a requirement, far-reaching legislation in the field of school finance would be necessary in each of the States. In those now offering some form of State assistance, the programs would have to be altered to eliminate local contributions; in those which do not offer such assistance, the entire burden would be shifted from the local subdivisions onto the States.

Besides the legislative problems which would be raised, such a plan would also have the effect of making school construction a State concern rather than a local one. The benefits of local interest and effort would be lost, while at the same time the local communities would be deprived of a certain amount of direction and control over their school affairs.

The chart from the Office of Education shows State aid for local school systems.

TABLE 17.—*School program and service factors recognized in allocating State funds for the public schools, 1953–54*

STATE AID FOR LOCAL SCHOOL SYSTEMS

State	Kindergarten	Grades 1 to 12	Grades 13 to 14	Adult or evening schools	Teacher training	Education of exceptional children	Vocational education	Tuition payments
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Continental United States	19	48	8	14	5	37	39	17
Alabama		X		X		X	X	
Arizona		X				X	X	
Arkansas		X				X	X	
California	X	X	X	X		X		
Colorado	X	X	X			X	X	
Connecticut	X	X		X		X	X	X
Delaware		X				X		
Florida	X	X	X			X	X	
Georgia		X					X	
Idaho		X					X	
Illinois	X	X				X	X	X
Indiana		X				X	X	X
Iowa	X	X	X			X	X	
Kansas		X				X	X	
Kentucky		X					X	
Louisiana		X				X	X	
Maine	X	X		X	X	X	X	X
Maryland		X	X	X		X		
Massachusetts		X				X	X	X
Michigan	X	X	X	X	X	X	X	X
Minnesota	X	X	X		X	X	X	X
Mississippi		X					X	
Missouri		X			X	X	X	X
Montana		X					X	
Nebraska		X			X	X	X	X
Nevada		X				X		
New Hampshire	X	X					X	X
New Jersey	X	X		X		X	X	X
New Mexico							X	
New York	X	X		X			X	X
North Carolina							X	
North Dakota							X	
Ohio	X			X			X	X
Oklahoma							X	X
Oregon	X						X	
Pennsylvania	X						X	X
Rhode Island	X			X			X	
South Carolina				X			X	
South Dakota							X	
Tennessee							X	X
Texas							X	
Utah	X						X	
Vermont							X	X
Virginia				X			X	
Washington	X		X	X			X	
West Virginia							X	
Wisconsin	X			X			X	X
Wyoming							X	
Outlying parts	1	3	0	2	0	3	3	1
Alaska		X		X		X	X	X
American Samoa								
Canal Zone								
Guam								
Hawaii	X	X				X	X	
Puerto Rico		X		X		X	X	
Virgin Islands, St. Croix								

PUBLIC SCHOOL FINANCE PROGRAMS OF THE UNITED STATES

State	Administration and supervision	School housing	Textbooks	Pupil transportation	School lunches	Health services	Libraries	Emergency conditions
1	10	11	12	13	14	15	16	17
Continental United States	25	23	16	39	9	5	5	16
Alabama		X	X	X				
Arizona			X					
Arkansas	X	X	X	X				
California	X	X		X				X
Colorado	X							X
Connecticut		X		X				
Delaware	X	X		X		X	X	X
Florida	X	X	X	X				
Georgia		X	X	X			X	X
Idaho				X				
Illinois	X			X	X			
Indiana	X			X				
Iowa				X				X
Kansas				X				
Kentucky			X					
Louisiana	X		X	X	X		X	
Maine	X	X	X	X		X		
Maryland	X	X		X				
Massachusetts	X	X		X	X			
Michigan	X			X				
Minnesota				X	X			X
Mississippi		X		X				
Missouri		X	X	X				
Montana				X				
Nebraska								X
Nevada								X
New Hampshire	X							
New Jersey	X			X		X	X	X
New Mexico			X	X				X
New York		X		X	X			
North Carolina	X	X	X	X				
North Dakota	X							X
Ohio		X		X				X
Oklahoma			X	X				
Oregon				X				X
Pennsylvania	X	X		X		X		X
Rhode Island	X			X	X	X		X
South Carolina	X	X		X	X			
South Dakota	X							
Tennessee	X	X	X	X				
Texas	X		X	X				
Utah	X	X		X	X			
Vermont		X						
Virginia	X	X	X	X				X
Washington		X		X				
West Virginia	X		X	X	X			
Wisconsin		X		X			X	
Wyoming				X				
Outlying parts	0	3	0	2	1	0	0	0
Alaska		X		X				
American Samoa								
Canal Zone								
Guam								
Hawaii		X						
Puerto Rico		X		X	X			
Virgin Islands, St. Croix								

Mr. WIER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I raised a question Tuesday, during debate on the first amendment offered by the gentleman from Pennsylvania on equalization. My State is very much in the same position as the State of the gentleman who just preceded me, Congressman METCALF, of Montana. I charged the other day that both the first amendment and this amendment postpones for some time in the future any school construction because, taking my State as an example, we have a constitutional provision on the use of any State funds for construction purposes in the public-school districts. That means our legislature which will meet beginning in January 1957 and the only thing that legislature can do is to make possible enabling legislation for a referendum vote on the change in the Constitution, which would have to await until the following election for the referendum by the voters.

I read the telegram of the commissioner of education of my State Tuesday

wherein he favored the Kelley proposal over the McConnell proposal. It is on the basis that the State of Minnesota would find no possible remedy to participate under either of the amendments for at least 2 years before the State constitution could be made flexible enough to provide for the State entering into the financing of it.

Let me refer to a question that came up a minute ago about Federal control. We have a great experience in this question of control of the local districts in the operation of the Federal impacted school bill, Public Laws 815 and 874. There we deal directly with the local school districts. There we deal directly with the local school districts, in all of the 48 States and Territories, in their needs and in their eligibility for requesting financial aid as the result of the impact. Now, it is true that the State administrator in each of the States and Territories does have to O. K. these applications that are submitted from the local school district. But, we have not had any trouble under 815, and that is merely the same formula of providing this revenue that Uncle Sam owes that school district through the Department of Education. The local school district makes the application, it is approved by the State administrator, and the funds are made available according to the eligibility of that school district. Now that is the thing about the Kelley provision that simply removes the argument of any Federal control over the local school district. I do not think there is a school district in this country that has raised any issue, or a State administrator, that the Federal Government, in any way, shape, or manner dictates any Federal control in 815 and 874. After all, they are bills that make contributions from the Federal Government to the local level.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. WIER. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I think the gentleman's remarks are well taken, but I am not sure how relevant the discussion about Public Laws 815 and 874 is to the present problem. In no case, I think the gentleman is in agreement, would the McConnell amendment, or the present language in this bill, mean that there would be Federal control of an undesirable kind.

Mr. WIER. I raised that point on the basis of Mr. WAINWRIGHT'S statement that he prefers that the Federal Government deal with the State administrator rather than the local school district.

Mr. FRELINGHUYSEN. But, with respect to the present bill, in both cases we are dealing at the State level. This amendment just proposes a different matching formula. Therefore, we are not arguing about any basic difference as, for example, whether or not we are dealing with local school districts. In effect, we are dealing with the State level in this bill, no matter which specific approach we use.

Mr. WIER. Again we come back where we left off yesterday. In our committee we spent a number of days on it. The purpose of school construction is an immediate one. It is not a long-time study, and that is what we hear from the Department every time we bring up a school-aid bill of any kind: Let us study it; let us hold a couple of national conferences, such as were held last year. I only disagree with the ranking minority member on the basis that it does not afford any immediate action.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. I just wanted to comment on the closing remark, and say that is why the 1 year of the Kelley provisions are provided under my amendment, so there would be immediate action.

Mr. THOMPSON of New Jersey. There can be immediate action in 1 year, but the point that the gentleman from Montana [Mr. METCALF] made, which I think needs developing here, is that under this amendment the program can proceed for only 1 year without the States changing their constitutions or basic school laws. I am opposed to the amendment, and I take this time so that I may ask the gentleman from Montana some specific questions. Would the State of New Jersey have to alter its laws if this amendment were adopted in order to qualify the second year?

Mr. METCALF. The State of New Jersey has a State equalization program for kindergarten, for elementary schools, for adult and evening schools, and exceptional children's vocational education but does not have State equalization programs for schoolhouses, so there would have to be a change in the State laws of New Jersey before you received any help.

Mr. THOMPSON of New Jersey. How about the State of Michigan?

Mr. METCALF. The State of Michigan has no State program for school housing although it has a State equalization fund for pupil transportation, administration, school lunches, health services, kindergarten, vocational education, and elementary schools.

Mr. THOMPSON of New Jersey. In other words, it would have to change its laws to become eligible under the second year, is that correct?

Mr. METCALF. In other words, the people of Michigan who now say that they want to use their school funds to operate these various operational requirements, school lunches, and so forth, would have to divert them into school construction and let the local agencies take care of the other.

Mr. THOMPSON of New Jersey. North Carolina and Arizona are well known for their State equalization programs. Would they have to alter their basic laws to become eligible under this amendment?

Mr. METCALF. The State of Arizona, according to the information I have, has a State equalization educational program for 15 out of the 17 categories. But the State of Arizona does not have a State fund for school construction.

Mr. THOMPSON of New Jersey. How about North Carolina and Texas?

Mr. METCALF. Texas also has a comprehensive program, but does not have a State program for school housing.

North Carolina has 16 of the various categories and has a program of school housing.

Mr. THOMPSON of New Jersey. Mr. Chairman, I think it is apparent that there would have to be great alteration in the laws of the several States if this amendment were adopted. That is the point that I am trying to develop.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. FRELINGHUYSEN. Mr. Chairman, in view of the apparent ignorance of the gentleman from New Jersey about the situation in New Jersey, I should like to point out that the gentleman is underlining the very point of the McConnell amendment; that is, we should encourage States to make certain changes so as to qualify for these Federal funds. It seems to me highly desirable that we expedite what the States are gradually doing. In our own State we are finally getting around to considering the advisability of providing some construction money.

Mr. THOMPSON of New Jersey. Notwithstanding the fact that we are considering the advisability of providing construction money, we would still have to alter the law. I do not think, with all due respect to my colleague from New Jersey, that I am ignorant of the laws of New Jersey, having come here only 2 years ago from an experience of 5 years in the legislature, having served on the Appropriations Committee and as minority leader. I would be glad to have the gentleman tell me some things that I do not know about the State, because I am sure there are some.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the committee in H. R. 7535 has tried to make the bill as simple as possible and to get away from interference in States by the Federal Government. The amendment offered by the gentleman from Pennsylvania [Mr. McCONNELL] would bring about more interference in the affairs of the States by the Federal Government. For that reason I am opposed to the amendment.

As I stated the other day, the committee which wrote H. R. 7535 had several objectives. One of them was to make the bill as clean as possible so that the ordinary layman could understand it. A second was to have as little interference by the Federal Government as possible. It seems to me that this amendment does just the opposite, and, therefore, I am opposed to it.

I wonder whether we did not vote on something similar to this the other day, and voted it down.

Mr. McCONNELL. Mr. Chairman, would the gentleman yield?

Mr. KELLEY of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. It was not similar to this. We voted on the allotment the other day. This is the amendment on the matching requirements.

Mr. KELLEY of Pennsylvania. But the objective is the same.

Mr. McCONNELL. This was offered in the subcommittee and was defeated in the subcommittee. We had not discussed it here until now.

Mr. KELLEY of Pennsylvania. The objective is the same as the allotment feature. The gentleman is trying to put a complicated formula into this bill.

Mr. McCONNELL. It is not an effort on my part to put a complicated formula into the bill. It is an effort to put in a principle and in describing the principle language is involved. That is a matter of draftsmanship and the use of words. The principle which we are seeking is that there should be some State matching. If the States are not in a position to do so now, we will give them 1 year in which the legislatures may change their laws so they can take advantage of the Federal funds.

Mr. KELLEY of Pennsylvania. I cannot see the necessity for that amendment as compared to the bill as it stands now.

Mr. RHODES of Arizona. Mr. Chairman, I move to strike out the requisite number of words.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from New York.

Mr. WAINWRIGHT. The gentleman from Pennsylvania apparently did not hear the speech made by the gentleman from Texas [Mr. DIES]. The essence of the remarks made by the gentleman from Texas were that the States not only are in better fiscal condition than the Federal Government and still have failed to do the job as far as their own school districts are concerned. The amendment offered by the gentleman from Pennsylvania [Mr. McCONNELL] would say to the States just that, "Come. Do the job." That is why we support it.

Mr. KELLEY of Pennsylvania. Under the present bill you offer the opportunity to everybody to come in.

Mr. RHODES of Arizona. Mr. Chairman, I think we should go back to the general philosophy behind this bill and realize that the aim behind all of this is to try to get more schools built. How do we do it? We are not going to put out enough money under this bill to build a great number of schools. This is an incentive program. We are trying to get new money into the school construction program. The reason for the McConnell amendment is to try to get more new money in the program than the Federal Government is going to put in. Its aim is to get the States to take the initiative, which many of them have not now taken and go ahead with this program of building schools hand in hand with the Federal Government.

A lot of words have been said here on the floor concerning the propriety of the Federal Government's getting into this program at all. I do not know whether it is appropriate. Perhaps it is not. However, if it is appropriate is it not just as appropriate for the Federal Government as a prerequisite for its getting into this program to demand that the State governments, which are much closer to the situation and much more responsible for education than we are, should also come in with us on an equal basis? That in substance is all the McConnell amendment would accomplish.

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. DAWSON of Utah. I commend the gentleman for the most persuasive arguments he is making. Is it not a fact that without the McConnell amendment we are doing just the opposite of what we intend to do, that is, we are giving money to the States without any matching on their part. As a result there would be less inducement on the part of the States to take care of their own schools, because they would figure later on, "The Federal Government is going to increase this amount, so why should we exert any effort?"

Mr. RHODES of Arizona. I think the gentleman has just stated the practical effect which the Kelley bill as it is now written would have; in other words, with the matching from the local districts, the States would not get into the picture at all, because there would be no necessity for them to get into it unless they are already in it, so that the matching provisions would come from the local districts. There would be no new money in this program except the money the Federal Government puts in, which admittedly is not enough to build the schools we need.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from California.

Mr. GUBSER. Will the gentleman from Arizona attempt to answer this question: Under this bill it is my understanding the award is given to the States. Is it not possible that those States that have not established an equalization program for school construction might still have to change their laws in order to have the machinery to disburse the money?

Mr. RHODES of Arizona. I think it is very possible many of the States would have to change their laws in order to comply with many of the provisions of this bill. I do not know that that is true, but I certainly think it may be true.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. In view of the discussion just had with the gentleman from New Jersey [Mr. THOMPSON], I realize he is well aware of the educational problems in New Jersey, and I am sure he is well aware of the law there. I realize his questions were rhetorical. My point was that the purpose of the McConnell amendment is to suggest that changes in the State laws might be highly beneficial insofar as additional classrooms are concerned. We should not oppose an amendment because it would require, in some cases, changes in State laws in order to qualify for Federal funds.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. Is it not true that under the Kelley matching provisions the States would just continue on their present program and no additional money would have to be put up in the schedule for next year, we will say, by the local districts and the States?

Mr. RHODES of Arizona. That is my interpretation of it.

Mr. McCONNELL. Under my amendment they have to pay something to get additional money, and we want them to have additional money, if they are willing to match it on a State basis.

Mr. RHODES of Arizona. We then have 48 State governments as partners in the business of building schools.

Mr. ROOSEVELT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I address my remarks to the gentleman from Arizona who just spoke. Is it not true in relation to the question which was asked by my colleague from California that it would be necessary in the State of California, where we do not have an equalization program except that we do have one in relation to impacted areas within the State, that we would have to change our constitution in order to accomplish and become eligible for Federal funds under the McConnell amendment. Under our State laws that would require more than 1 year in order to enable us, therefore, to become eligible under this program. We would first have to pass legislation through the legislature and then submit it to the voters, and that would take us at least over a 2-year period. Is not that the kind of delay which would in essence defeat the very purpose of the bill itself?

Mr. RHODES of Arizona. Of course, the gentleman made some statements about the California law which I can neither corroborate nor contradict. If that would be the situation so far as California is concerned, then certainly it might be that for a period of time you might find the State of California could not come in under the program. However, there are more ways to skin a legal cat than one, and I would doubt that with so much money at stake the State of California would not be able to find some way to get out of its dilemma. Frankly, they are a very resourceful group of people you have out there. I have seen your attorneys pull many legal rabbits out of the hat in water matters. A small problem like this should not tax their ingenuity.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. FORRESTER. Addressing myself to the gentleman from Arizona [Mr. RHODES], I understand the gentleman's contention is that under this McConnell amendment, you want to make some of the States who have not measured up to their responsibilities do on a State level exactly as other States have already done?

Mr. RHODES of Arizona. That is correct.

Mr. FORRESTER. In addition, I would like to ask the gentleman, and I would like to suggest to the gentleman from California, that, so far as changing their constitution is concerned, he might give a little thought to providing a little escrow provision here, as was done in the Powell amendment, which he supported, and say that when they change their constitution and when they measure up by the States doing their best on the State level, then they might get their money.

Mr. ROOSEVELT. Mr. Chairman, may I say we are not discussing the Powell amendment at the present time, but I would not oppose his idea. I would like to point out that under our present system we are rated, and I think the gentleman would agree with me, from the charts shown, at the very top of all the States, for making a State effort for school construction. Therefore, it seems to me that in essence what this amendment is going to do is to penalize us at this time for the very things that we have done which have put us at the top of the State effort for school construction. Therefore, I would find it necessary to vote against this amendment because it seems to me it does exactly what we have been opposed to. It says to the States that you must follow the formula set out by the Federal Government. It takes away from the individual county or individual local district the power to set up and do the job as they have been doing it, and simply lays down a formula of Federal interference.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. RHODES of Arizona. I would have to take issue with the gentleman on his last remarks. Certainly this amendment would not take anything away from the local school districts. The only thing this amendment provides is that the State and the Federal Government must share equally in the cost of construction of any school which is not allocated to the local school district, and the share which is allocated to the local school districts may vary as the State educational agency might see fit.

Mr. ROOSEVELT. But is it not true that the same thing could be accomplished with the present Kelley bill, and doing it directly between the Federal Government and the local school districts?

Mr. RHODES of Arizona. The only difference, of course, is that in most of the States—and I am not saying that the State of California is one of them—you do not have any State money allocated to the building of schools. All the Kelley bill does is to take local money which is now available and add Federal money to it. You do not build as many total schools under that program as you would under the McConnell program, under which the State government must also participate.

Mr. ROOSEVELT. Will the gentleman explain one thing to me? What difference would it make whether the matching fund, as they are all matching, comes from the local school district or the State itself, so long as it actually comes out of the existing State. It seems to me we come out exactly on the same plane, except that this way we are saying you must do it according to the way that we, the Federal Government, set it up.

Mr. RHODES of Arizona. If the State is in the program financially, then you have the State government being responsible for the way in which this total fund is spent. Second, you have more new money in the program if you have the States in the program. Third, as far as local school districts are concerned, there is a greater total relief to the school district of the school construction costs than under the Kelley bill. What we want to do is to build schools and relieve the local school districts as far as we possibly can.

Mr. ROOSEVELT. First, you stop us from building schools; and, secondly, it does not add new money because there is nothing that would prevent the States from passing a law which would relieve the local district from having to do it.

The CHAIRMAN. The time of the gentleman from California [Mr. ROOSEVELT] has expired.

Mr. CURTIS of Missouri. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time primarily to ask some questions, but also to say that in my opinion the present McConnell amendment, with the previous one, goes to the essence of this bill. If this particular amendment is defeated, I think we no longer have the administration's proposal.

I was reluctantly going to vote for this school construction bill with proper amendments because I felt it was a real emergency, but I think the essence of the entire matter is fiscal. It is the question of getting funds into the school construction program, and our difficulty has been created to a large extent because of inflation and the deleterious effects that inflation has had upon the ability of the State and local governments to raise taxes. Here is the reason: The local governments use the property tax as their basic method of raising revenue. Inflation increases all other costs, but it does not increase property values on the appraisal books. It is a very difficult thing for a local government to reappraise all of the assessed property. That is why this McConnell amendment is a tax and fiscal matter. It seems to me it is the very essence of the bill, as far as I am concerned. It is attempting to say that the States must come in to try to help to meet this fiscal problem. I think in time the local governments will be able to adjust to inflation, and the difficulties they have been confronted with in these taxing matters.

I would like to ask the gentleman from Pennsylvania [Mr. MCCONNELL], the author of this amendment, if I am not correct in saying that the sole question is fiscal, and does not enter into any of the substantive aspects of education? It is purely a fiscal problem, is it not?

Mr. MCCONNELL. I would say it is mainly a fiscal problem. It also has a psychological aspect to it—the incentive factor that we are trying to stir up.

Mr. CURTIS of Missouri. But it is an incentive factor to raise money, so that is in the fiscal area.

Mr. MCCONNELL. If you mean that we want more money for schools, that is correct.

Mr. CURTIS of Missouri. Not saying how schools shall be built, but solely a question of raising funds. It is a ways and means question. It seems to me that unless we do adopt this amendment we are really defeating the very object of this entire bill.

Mr. MCCONNELL. Will the gentleman yield further?

Mr. CURTIS of Missouri. I yield.

Mr. MCCONNELL. There is nothing in the Kelley bill which says local districts shall develop a program that would be sufficient to get Federal funds. We would like to have local funds used in those districts, and then have State funds brought in in addition with matching Federal funds, thereby bringing in more funds for school construction purposes. That is the entire intent of this amendment.

Mr. CURTIS of Missouri. Under privilege to extend my remarks, I wish to make the additional observations.

I was intrigued by the manner in which the action the House took on the Powell amendment was reported in the press the next day. I believe the United Press account by William M. Bates, appearing in the July 4, 1956, Washington Post, is quite illustrative. This report starts:

> The House all but scuttled hopes for Federal school aid when it voted tentatively to deny help to Southern States which refused to abolish racial segregation in their public schools.
>
> * * * * *
>
> The bill faces its biggest hurdle in the Senate. Southern Senators, already angered by the High Court's decision, would be in a strong position to try to kill it off during the last-minute drive for adjournment.

Now it must be recognized that this reporting represents a definite point of view expressed on the floor during debate by a certain bloc of Congressmen who claimed—with considerable justification, based upon their past voting records—that they were interested in the issues of civil rights, but that they felt in order to obtain any bill for Federal aid to school construction the issue of civil rights had to be abandoned.

But this was a point of view to which specific exception was taken by another bloc of Congressmen. I asked one question of the group who advanced this point of view in the Republican caucus held to discuss the bill: "What makes you think that, regardless of the Powell amendment, the southerners either in the House or the Senate are going to allow this bill to go through, in view of the Supreme Court decisions? If the Powell amendment is unnecessary, then the southerners are going to oppose the bill anyway. If the Powell amendment is necessary, then you are abandoning an important civil-rights issue, because you believe Federal aid to school construction is more important than the issue of civil rights."

I think it behooves the press to report the issues as debated, including the results, impartially, without concluding as

a matter of course that any particular position taken was the fact.

The Powell amendment did not scuttle the school-construction bill. If the bill is scuttled, it is because of the underlying opposition to it by the southern Congressmen and Senators.

In one sense, I find this present debate grimly humorous. There has been a certain school of political thought, perhaps best expressed by the Americans for Democratic Action, which seeks to move the Federal Government further and further into all areas of our governmental and social endeavors. It seeks to break down the existing balance between the powers of the Federal Government and those of the States and local governments at the expense of the State and local governments. It seeks to break down the existing balance between the powers of the Government and those of private enterprise at the expense of private enterprise.

It has not seemed to have made much difference to this group just in what area the powers of the Federal Government could be enlarged. The attack has been on all and every front, including, of course, the field of education. The group has been quite successful in using the resources of the Federal taxing powers to obtain support for its various movements. Federal money has been an important incentive to gain the support of the reluctant, or perhaps apathetic, peoples of the country and their representatives in the Congress.

But the issue of civil rights has been used as another incentive; to gain the votes of the large minority groups of this country to further these schemes of enlargement of the Federal Government.

Now, for the first time the two incentives run counter instead of concurrent. I have always wondered when the chips were down just which issue would appear to be most important in the eyes of the ADA—the further movement toward socialism or further movement toward civil rights. I have always felt that civil rights to most of its members was essentially a vote-getting matter and that the matter which was based upon bedrock principles was the socialization of our society.

I think the Powell amendment has smoked some of them out. If the issue of civil rights stands in the way of further movement toward getting more power in the hands of the Federal Government, then civil rights will be abandoned.

Now, this is not to say that there are not many Congressmen not associated with the ADA or the bloc that adheres to them who for other reasons have adopted the theory that our educational problems should take precedent over civil-rights issues. I think there are many in this area. The ADA group, however, would take the position they do whether the issue was education, housing, public power, or what, if my speculation is accurate.

The ADA quite early took the offensive in this present matter, on the theory, I believe, that the best defense is an offense. Persons like myself, who early took a position in favor of the Powell amendment, were accused of being just out to scuttle the school-construction bill, the same theme used by Mr. Bates in his reporting the action taken on the bill. I replied in these early days, and I am talking about 2 or 3 months ago, that to me the issue of civil rights was 1 of the 2 pillars upon which I based my entire political thinking, and that I could never compromise on that subject.

Now the ADA, who started this campaign against the motives of those who would not budge on the issue of civil rights, will probably rise up to cry "foul" because I suggest that the basic principle which it will not compromise, in spite of its Fabian philosophy, is socialism. I use the word in its dictionary sense and not as an epithet. I am quite aware of the defense mechanism resorted to by the ADA in pretending that a clearly defined dictionary term like "socialism" is merely an epithet.

Incidentally I will vote for the school construction bill with either of the two administration amendments proposed by the gentleman from Pennsylvania [Mr. McCONNELL], and I would have whether the Powell amendment were in it or not, because I, too, believe that it is surplusage inasmuch as the Supreme Court decision will be enforced regardless of what Congress says. But I have no objection to restating my affirmation of the Supreme Court decision, which my ADA friends refuse to do, in the slight hope they seem to have that by laying low the Federal Government might be immediately moved into the school-construction field.

I reluctantly do vote to move the Federal Government into the school-construction field, but I am convinced that we truly have an emergency in education due to lack of routine and orderly construction in World War II, the great increase in birth rates beginning in 1940, and the increased standards of living which are putting a larger percentage of this enlarged group of young people in a position to avail themselves of greater educational opportunity and the deleterious effects of the tax of inflation used to finance World War II on the taxing abilities of the State and local governments. However, I would say to the ADA and their followers that I do not regard this as the nose of the camel under the tent. I recognize the danger that it could be and their plans that it will be. However, I am satisfied that their power has waned and that the time has come for them to regroup and plan to fight in another decade.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. CURTIS] has expired.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. CORBETT. Mr. Chairman, I object.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 10 minutes.

The motion was agreed to.

The CHAIRMAN. The gentleman from West Virginia [Mr. STAGGERS] is recognized.

Mr. STAGGERS. Mr. Chairman, I am opposed to the amendment for this reason, that I believe either intentionally or unintentionally there has developed in this House an intention to sabotage this bill and kill it entirely. I do not impugn the motives of any man or woman here because I believe that 99 percent, or 99.44 percent of all the Members are sincere in their motives and in their actions entirely.

I would be opposed to the bill if it interfered in any way with States rights, and I do believe that this amendment will do just that. I have advocated that if we are going to help the States we should grant the money and let the States spend it as they now spend it on the basis of matching funds.

We talk about studies, we have had studies for years, and years, and years; we talk about time righting this problem, but time is passing and other countries are getting ahead of us while we are talking in the Congress and doing nothing. I believe the time is now, the present, that action be taken; and for that reason I believe we should simplify the bill as much as possible, vote on it, and get it out of the road, either up or down. Also, I think that an atmosphere has developed, a political atmosphere, if you please, that if this bill fails to point the finger at one group or another and say they are guilty for it not passing. I do not believe this to be the true intent of the Congress.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. CORBETT] is recognized.

Mr. CORBETT. Mr. Chairman, as a former schoolteacher and as one who has studied this question of Federal aid for a long time, I hope that I can contribute something to the thinking on this subject. I do not believe that anyone can safely assert that as the bill stands or as it will be amended that it will not fail to increase inequality of educational opportunity. Obviously where you have a situation where matching funds are involved, those with the most funds to match are the ones who will get the most Federal aid. However, I believe that the amendment proposed by my colleague from Pennsylvania will produce the least amount of inequality of any proposal that has yet been made, because it will ask the States that have an equalizing program for 14 or 16 other items to include 1 more, a basically important one, involving school construction.

With reference to the argument here that the States will have to adjust their laws and regulations to meet this proposition, goodness, yes, they will have to do that. This is a new program being instituted, Federal aid to education. I say, certainly there will have to be adjustments in theory and law if the States are going to properly use the money and see to it that there are no improper controls at any level, either State or Federal. So the argumenet that because the States are going to have to adjust their laws a little bit if they want to participate carries no weight or vigor. It is not a matter of requiring them to give up any right; it is simply telling them that if they want this money all they have to do is to make themselves eligible

for it by tailoring their situation to fit the Federal program.

Mr. Chairman, the pending amendment should be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, the amendment proposed by the gentleman from Pennsylvania [Mr. McCONNELL] would do grave violence to the laws of my State. California has done a remarkably thorough job in providing for its educational needs to the fullest of its ability. But I am confident that adoption of the McConnell amendment would require at least two constitutional amendments and a great variety of changes in the educational code and in the laws of the local school districts, the county and city governments as well.

I served for 4 years as a member of the California Assembly's committee handling appropriations for education in my State and as a member of the committee on education. I served during a time when we were meeting an impact of growth that is without precedent in any other part of this Nation. I am not unfamiliar with the laws of California—I know this amendment would be very bad.

I told my people I would vote for a bill to give Federal aid to education provided it had a minimum of control imposed by the Federal Government.

When you impose the sort of control which requires an extensive redrafting of the laws, a modification of the constitution, of my State, then you have imposed a most serious and a most onerous type of Federal control in aiding this educational program. If the pending amendment is adopted, I must then oppose the legislation.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Does not the State of California now build schools at State level?

Mr. MOSS. From bond issue funds only, bonds voted to undertake aid on an emergency basis to distressed school districts, a most liberal program and one accounting for almost one billion dollars in additional State aid.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, the gentleman from Pennsylvania [Mr. CORBETT] has made the main points that I had in mind much better than I could have presented them.

It has been said repeatedly that we must keep the bill simple. Well, are we chiefly interested in having things simple, or in getting schools built where they are needed most? Suppose there are some needy people on your street. You do not go down the street passing out $10 bills promiscuously. It would be very simple to pass them out to everybody who was there. Everybody would welcome the aid and be benefited thereby. But that would not solve the problem, because it would not meet the needs of those who need the help most.

If, on the other hand, you were to say to a needy man that in order to get your $10 bill, he would have to work a little harder than he has been working, that is quite another thing. I do not think that is an interference with anyone's freedom or intervention in his affairs. He does not have to take it if he does not want to. He merely has to do his utmost to help himself if he wants to share in your grants.

It has been said it is improper or unfair to ask the States to change their laws. But if we are changing our Federal laws and our whole historical pattern because of the urgent need for classrooms, I do not see anything particularly wrong about asking the States to make such adjustments in their laws as are necessary to enable them to participate more fully in this program so that they will get more schools for themselves.

The McConnell amendment will not take anything away from the States; it will give more to those which make the greatest effort, considering their resources. The school districts can get more under the McConnell amendment, because they will then have 3 sources of income rather than 2. They will have their own, they will receive help from the Federal Government, and in addition the States will have greater incentive to make larger contributions. The more effort they make, the more assistance they receive, and that is the way to get the most schools built.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from West Virginia.

Mr. BAILEY. I would like to ask the distinguished gentleman if he asked those questions of participation by individuals who are benefiting when it was decided to build a national university and 14 technical schools in Ethiopia.

Mr. JUDD. I do not know what relation that has to this amendment. That was done on the basis of a totally different situation. Actually there are incentives in that aid program, too. I do not think they have always been carried out as effectively as they should have, but they are there.

Mr. BAILEY. It is all right to do that, but you will not want to take care of the boys and girls here.

Mr. JUDD. I resent the implication that because I want to defend my country's security abroad, I therefore do not want to take care of the children of the United States here at home. It is because I do want to take care, better care of them, that I favor this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. McCONNELL].

Mr. McCONNELL. Mr. Chairman, I am glad of this opportunity to read a part of this amendment, which I think would cover some of the California problems. I know it covers Pennsylvania and Georgia and those States using school financing agencies:

SEC. 104. (c) In lieu of certification by a State educational agency pursuant to subsection (a) (3) with respect to a project, the Commissioner may accept certification by such agency that an amount equivalent to the State share of the payment with respect to such project has been arranged through provision for State payments toward the debt service on the loan (if any) to help finance part of the construction of such project, provision for waiver of payments due the State or any agency thereof with respect to such project, or other provision which, in the judgment of the Commissioner, is (or is estimated to be) equivalent to such State share.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. McCONNELL].

The question was taken; and on a division (demanded by Mr. McCONNELL) there were—ayes 66, noes 126.

So the amendment was rejected.

Mr. ZELENKO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ZELENKO: Page 8, beginning with line 21, strike out everything down through line 10, page 9, and insert the following:

"Judicial review

"SEC. 106. Any State or subdivision thereof, or any party aggrieved by final action of the Commissioner under section 103 may obtain a review of such final action by the court of appeals of the United States for the judicial circuit in which is situated the State with respect to which such action was taken or in the United States Court of Appeals for the District of Columbia by filing a petition to review such final action in the court within 60 days after the Commissioner has made the finding referred to in section 103 (c). A copy of such petition shall forthwith be served upon the Commissioner, and thereupon the Commissioner shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action. Upon the filing of such petition, transcript, and record, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States, as provided in section 1254 of title 28 of the United States Code."

Mr. ZELENKO. Mr. Chairman, it was the intention of the committee to provide as much latitude as possible to the various States in the submission of their State plans and in the approval or disapproval of their State plans. In the bill itself there is contained provision in section 103 that when it looks as if a State plan will be disapproved the Commissioner shall give that State a hearing, and if thereupon the Commissioner again disapproves, the State will have access to the court.

In my opinion, section 106, which deals with the judicial review of the Commissioner's disapproval as it is now written is vague, it is confusing, and I think it is somewhat unlawyerlike, and may, if adopted, possibly destroy some of the benefits of the act.

First of all, it provides for getting into court with something called a summons and notice of appeal. That expression is not known in the Federal courts, if any such procedure exists.

Secondly, it does not state that this summons and notice of appeal shall be filed anywhere, and before an action of any kind can be instituted in any United States district or circuit court there must be a filing.

Thirdly, it does not state upon whom it shall be served.

Fourth, it provides for service anywhere in the United States.

Fifth, it does not specify any time in which a party may come into court to object to the hearing.

My amendment does not deal with the substance of the act as such. It is a proposal which is clear and concise, and provides an easily accessible and quick method of getting a legal determination on the Commissioner's ruling.

Administrative findings are subject to review more logically in an appellate court, and that is why in my amendment I urge the United States Circuit Court of the particular area as the proper tribunal. Secondly, I have specified a particular time in which such an action may be brought so that no delay will result. I have specified the type of action as a petition.

Under my amendment, the procedure is simple, it is direct, it is quick, and I think will serve the purpose for which it is brought.

Mr. METCALF. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment does one thing that is going to be detrimental to everyone who seeks judicial review, that is, it moves the judicial review from the district court as provided in the bill to the circuit court of appeals. He says that is the proper way to handle this appellate review.

Historically this review from administrative decisions has been in the United States district court. An example of course is the Interstate Commerce Act, which provides that review from the decision of the Interstate Commerce Commission shall be in the local district court affected.

Of late years under the Federal Communications Commission Act and some of the others that review has been put into the appellate court. In the gentleman's own State going into the circuit court of appeals is not much of a job, but out in the ninth circuit where I live going to the circuit court of appeals means traveling about 1,400 miles to San Francisco.

In most of these cases, in 9 out of 10 of the cases, review in the local district court in the capital of the State affected, a local review will settle it. There will not have to be any further appellate decision. So no matter what State you live in, for convenience of review and settling this matter, the first hearing, the first determination in the local district court should be in the capital of the State affected, where the attorney general has his office and where the United States district attorney has his office. The matter can be settled quickly and properly and with the least inconvenience to all concerned.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield.

Mr. RHODES of Arizona. Is it not true that in the committee we considered this section rather fully and actually took a great deal of time in writing it? Rather than having it be an unlawyer-like document, as our friend from New York has stated, some fairly good lawyers, I think, worked on it. I feel, and I am sure the gentleman does, too, that it will be a workable plan.

Mr. METCALF. I thank the gentleman from Arizona, who is a lawyer. Not only he but the committee and the committee staff worked on this.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield.

Mr. BROOKS of Louisiana. Would it not be better to have the appeal to the State court rather than to the Federal court? I say that advisedly because we are having tidelands trouble in Louisiana. When they want to bring up something on the tidelands question they hale the State of Louisiana into the Federal courts, and they bring us up into remote points. Would it not be far better to have it in the State court, where you have State judges and where you will get fair decisions, which will work to the interest of retaining State control of our educational system?

Mr. METCALF. I doubt if the State courts would have jurisdiction in this case.

Mr. BROOKS of Louisiana. We could place jurisdiction in the State courts if we wished to.

Mr. METCALF. The gentleman's argument certainly points to another reason why the first, the initial appeal should be to the local district court, where the judge is familiar with the local customs.

Mr. ZELENKO. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from New York.

Mr. ZELENKO. Will the gentleman explain to me whether there is any such expression or process know in any Federal court as summons and notice of appeal?

Mr. METCALF. The notice of appeal is the notice of appeal from the administrative agency, in this case, the Commissioner of Education. The summons, of course, would be the service of the notice, which follows the notice of appeal in the Administrative Procedures Act. The summons would be served on the Commissioner of Education.

Mr. ZELENKO. Would the gentleman accept my opinion that there is no such process in the Federal courts known as that? Secondly, will the gentleman tell me in what time somebody can bring an action under this section? The time is not limited.

Mr. METCALF. I would say the time would be provided under the provisions of the Administrative Procedures Act. I have not read the act for a long time, but time is provided. We have discussed the matter in committee, and the gentleman knows that we felt the provisions of the Administrative Procedures Act would apply to this.

Mr. ZELENKO. Will the gentleman tell me on whom this process is to be served under the section as written now?

Mr. METCALF. It would be served on the Commissioner of Education.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ZELENKO].

The amendment was rejected.

Mr. ZELENKO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ZELENKO:

Strike out lines 22 through 25, page 8, and lines 1 through 4, page 9, and substitute the following:

"SEC. 106. (a) The Commissioner shall file a certified copy of his final decision, report or action, under section 103 with the chief educational officer of the State within 30 days after the said decision or report has been completed or final action taken. The decision shall be available for public inspection.

"(b) Any State or subdivision thereof, or any party aggrieved by the Commissioner's decision may petition in writing praying for review of the entire decision or any portion thereof in the following manner:

"(1) The petition shall be filed in the United States district court for the district in which the capital of the State is located. The petition shall be filed within 60 days from the date of the filing of the Commissioner's decision with the local State agency.

"(2) A copy of the petition shall be served upon the Commissioner and the United States attorney for the district in which the said petition is to be filed prior to said filing. Service may be made in person or by registered mail.

"(3) The petition shall be in any form acceptable to the court.

"(4) Within 10 days after filing of said petition the Commissioner shall certify and file with the court a transcript of the proceedings and the record upon which he based his decision.

"(5) The court may then conduct the proceeding in a manner not inconsistent with the rules and laws governing civil actions in the United States district courts."

On line 5, page 9, strike out "(b)" and substitute "(c)."

On line 5, page 9, after the word "affirm" add the words "or modify."

Mr. ZELENKO. Mr. Chairman, I had anticipated that there might be some opposition to my amendment bringing judicial review into the circuit court on the ground that this should be a local and district court matter. So, I have proposed this second amendment which brings the judicial review of the commissioner's decision into the local district court. I believe it rectifies all of these errors and omissions which I pointed out exist in the section, as it is written now. First of all, under my amendment, in order to make it simple and expeditious for any citizen or any State or school board to find out what the decision is.

It is required that the decision be filed at the State capital within a certain specified time. Then, it provides that a petition of a party aggrieved be filed in the local district court within a specified time. It provides the time for an answer by the commissioner. It provides that the papers so filed shall be in any form acceptable to the courts so that there shall be no technicalities involved. It provides the rules by which the court may decide the dispute.

I believe this rectifies the complaints I had against the section as written. I believe it meets the contention of the gentleman from Montana and those who argue that this should be a district court matter. My purpose in offering this amendment is to provide a simple, direct, and concise method by which the courts may decide the dispute.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. ZELENKO. I yield.

Mr. WAINWRIGHT. Was this second amendment brought up or discussed in committee?

Mr. ZELENKO. No.

Mr. WAINWRIGHT. Have we heard of this before?

Mr. ZELENKO. No, sir.

Mr. METCALF. Mr. Chairman, will the gentleman yield?

Mr. ZELENKO. I yield.

Mr. METCALF. The exact amendment was not discussed in committee, but the substance of the amendment was brought up and was discussed in committee and debated in committee and was voted down.

Mr. ZELENKO. May I say that that is not so. What is so sacrosanct about discussing something in committee? I feel the House should know this. I feel that this is an unlawyerlike piece of legislation which we have in the bill now, and it will create confusion in the courts. My amendment does nothing more than specify exactly how someone can get into court.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. ZELENKO. I yield.

Mr. WAINWRIGHT. The gentleman's amendment is very important. But, I think there is something wrong with trying to put in judicial procedure for a Federal aid to education program in 5 minutes on the floor of the House of Representatives.

Mr. ZELENKO. I attempted to take it up in the committee and it was suggested I save it for the floor, which I did.

Mr. METCALF. Mr. Chairman, I rise in opposition to this amendment. It is largely a technical amendment. All the questions the gentleman has asked are answered by the Administrative Procedures Act, which is incorporated as a part of this law.

Mr. ZELENKO. What are the provisions of the Administrative Procedures Act? The gentleman said he did not know.

Mr. METCALF. I have not read it since the Taft-Hartley law was being discussed last year. This matter was discussed in committee, and it is a very technical amendment, and I urge that the gentleman's amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ZELENKO].

The question was taken; and on a division (demanded by Mr. ZELENKO) there were ayes 12, noes 59.

So the amendment was rejected.

Mr. GWINN. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GWINN: Beginning on page 3, line 1, strike out everything through line 6 on page 10 and insert in lieu thereof the following:

"Authorization of appropriations

"SEC. 101. There is hereby authorized to be appropriated for the fiscal year beginning July 1, 1956, and for each of the three succeeding fiscal years, an amount equal to 1 percent of the total of all income taxes collected on individual and corporate incomes, under the Internal Revenue Code of 1954 from all the States and Territories during the previous calendar year, which shall be paid by the Secretary of the Treasury on December 31, during each such fiscal year, to the respective States and Territories, in amounts equal to 1 percent of the amount of such revenue collected in each such State or Territory, to be used for public schoolroom construction as prescribed by the law of each State or Territory."

Mr. KELLEY of Pennsylvania. Mr. Chairman, I make the point of order that the amendment is not germane; that it involves a taxation problem, and is not germane to this legislation.

The CHAIRMAN. Does the gentleman desire to be heard further?

Mr. KELLEY of Pennsylvania. No, Mr. Chairman.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. GWINN. No, Mr. Chairman.

The CHAIRMAN (Mr. COOPER). The gentleman from New York [Mr. GWINN] has offered an amendment which has been reported. The gentleman from Pennsylvania [Mr. KELLEY] has made a point of order against the amendment on the ground that it is not germane.

The Chair has examined the amendment with some degree of care. It provides another formula for apportionment of funds for school purposes, and is similar to a question raised previously on the Sadlak amendment.

Therefore, the Chair overrules the point of order.

Mr. GWINN. Mr. Chairman, I think most of you heard my efforts very briefly to explain this amendment. In substance, it gives a real stimulant to the States. There is no stimulant like being able to keep our own money and manage it ourselves, instead of having the Government take it away from us and bring only part of it back to manage itself.

I have very little time, therefore, I am going to presume that you know enough about this proposal to ask any questions that may be bothering you. If so, I would like to answer instead of making a speech.

Mr. KEARNEY. Mr. Chairman, will the gentleman yield?

Mr. GWINN. I yield to the gentleman from New York.

Mr. KEARNEY. I wish the gentleman would explain just what effect the Kelley bill would have upon the populous States like the State of New York.

Mr. GWINN. The Kelley bill will take from the State of New York. I will read you exactly from figures furnished by the United States Office of Education. It will take $74-million-plus and give back $32 million; that is, it will take $2 from New York for each one returned.

Mr. KEARNEY. With references to titles II and III what will be the effect?

Mr. GWINN. Titles II and III is where the real tough take with little or no return at all takes place; especially in the case of New York. She is not likely to get back a dime out of the $750 million or out of the $6 billion. New York will not be found needy enough by the Commissioner of Education. It has built its schools out of its own funds. She is now to be forced to go across the river after paying the taxes on its own schools and help build schools in other wealthy States, possibly where they have been waiting for this bill.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. GWINN. I yield.

Mr. MASON. In my opinion, and I have given this careful study for a good many years, the gentleman's proposal is the most simple, the most effective, and the least objectionable if we are going to have Federal aid for the construction of public schools, because it simply says to every State: You get 1 percent of the tax money collected in your State by the Federal Government; you use that 1 percent for the construction of public schools. That is all it says.

Mr. SIEMINSKI. Mr. Chairman, will the gentleman yield?

Mr. GWINN. I yield to the gentleman from New Jersey.

Mr. SIEMINSKI. Would the gentleman be willing to admit that the other 47 States are contributing to the kitty of New York through the tolls exacted by the New York Port Authority? It is a bit unfair to ask Middle Western and other States to have the same proportionate kitty. You should be willing to give just a little more to the aid of education generally than you would by your amendment.

Mr. GWINN. You will do much better if you take 1 percent of your own money, much better than if you wait on New York under this laborious process.

Mr. SIEMINSKI. But do you not wait on the automobiles and trucks of the rest of the Nation to get a good part of your income?

Mr. GWINN. The gentleman's State would be doing much better under my amendment than under the bill as it now stands. I do not yield further to the gentleman.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. GWINN. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. In view of the fact that there is no requirement that Federal income-tax returns be filed in the jurisdiction where the money is earned would not this create an inequity? I know of many companies which earn their money in my district but file their income-tax returns in another State. As an example, I know of one company that earned all its money in my State but filed its income-tax return in the State of Texas. The same applies to individual income taxes. A man earning all his income in one State may choose to establish a legal residence in another State with favorable inheritance tax laws or to obtain a divorce. As evidence of his change of legal residence, he files his income-tax return in the State in which he wishes to establish a residence rather than in the State in which he earns and has his business assets. How would that work out as far as equity under this amendment?

Mr. GWINN. I do not know; I am not acquainted with the complications the gentleman mentions, but I cannot imagine its being very effective, because we do not let people go from one State to another to pay taxes. They pay where they earn their income.

Mr. THOMSON of Wyoming. No, not escape.

Mr. GWINN. Or avoid taxes.

Mr. THOMSON of Wyoming. I have in mind, for example, one company that operates in Wyoming and makes a substantial part of its money there. It is an oil company. But it makes its income-tax return in the State of New York.

Mr. GWINN. Even so, it must pay taxes on a proportionate basis.

Mr. THOMSON of Wyoming. But that money would be going to New York rather than to Wyoming.

I believe that we can accomplish the purpose of the gentleman if we reduce our Federal taxes and return the tax base and tax resources to the local communities so they can support their own schools, but as far as this amendment with its obvious inequities and failures, I believe it should be defeated and I think it is better to leave the bill as it is.

Mr. GWINN. Leave bad enough alone. Is that the gentleman's idea?

Mr. JUDD. Mr. Chairman will the gentleman yield?

Mr. GWINN. I yield.

Mr. JUDD. We have heard a great deal made of the point that under the Kelley bill 12 States will pay more in taxes than they get back in aid for school construction, and 36 will get back more than they pay in. There is another way of looking at it.

Mr. GWINN. But the order is more nearly corrected by reversing it. About 36 get less after expenses of government management and 12 get more than they pay out in taxes.

Mr. JUDD. If you analyze it on the basis of the number of congressional districts represented, in those 12 States are 215, almost exactly half of the 435 districts in the Nation. So what happens under the Kelley bill is that half of the congressional districts pay in more and get less back and the other half get more and pay less. It is not 12 States helping the other 36; but 215 districts helping the other 220.

Mr. RHODES of Arizona. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York [Mr. GWINN].

Mr. Chairman, this is not a new proposition. In fact the same matter was brought up on the floor of the other body on May 4, 1949, and I would like to read an excerpt from the CONGRESSIONAL RECORD of that day which included a speech by the late Senator Robert Taft, of Ohio. Referring to an amendment which was very similar to the one now before the House, Senator Taft said:

> His amendment certainly violates every principle of Federal finance. It is based on the supposition that in some way a State has some property right to the taxes collected from sources within its boundaries. If, for one moment, we admit such a principle, the entire Federal financial system will crash, because a State has no such interest. The place where tax moneys are collected has no relationship even to whether people living in that State pay the taxes.

Then Senator Taft went on to make the point which the gentleman from Wyoming [Mr. THOMSON] just made, that corporations and individuals actually pay taxes from States in which they do not earn the money. For instance, many corporations are incorporated in Delaware, New Jersey, and in other States and actually do their business elsewhere; but the Federal income-tax return is quite often filed in the State in which the corporation is incorporated.

So I think this would create a very great amount of injustice. It is dangerous as far as the Federal financial system is concerned. If we want to get into the situation of yielding back areas of taxation to the States so that the States may go ahead and build schools, then I would say, "Fine, let us do it, but do it on a scientific basis of actually cutting out certain fields of taxation insofar as the Federal Government is concerned and leaving those fields to the States."

This type of approach is not very scientific and, as the late Senator Taft said, it is a very definite danger to the Federal financial system.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Connecticut.

Mr. MORANO. Was this amendment considered in committee, and, if so, what was its fate?

Mr. RHODES of Arizona. The amendment was not considered or offered in committee.

Mr. MORANO. I want to congratulate the gentleman for the wonderful ability he has displayed in explaining these various amendments that have heretofore been offered. His explanations have been forceful, intelligent, and adequate. The membership of the House has been immeasurably aided by his knowledge of the subject of this bill.

Mr. RHODES of Arizona. I thank the gentleman.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from New York.

Mr. WAINWRIGHT. Does not the gentleman feel that the reason the gentleman from New York has offered this amendment is primarily as a protest on the part of those States that have done a good job toward their schools, while other States have not?

Mr. RHODES of Arizona. I would not presume to read the mind of the gentleman from New York. I know he is a very able and sincere Member of the House, and would never offer an amendment facetiously.

Mr. SCRIVNER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I have been listening to this debate, I have been reading a lot about this matter. I have heard many Members say, "I want something that is simple." Others say, "I want something in which there is absolutely no Federal control of State school boards, or the putting of Uncle Sam on the local board of education." Others say, "I want a program where there are not any of the elements of sharing the wealth and all of that sort of thing."

Mr. Chairman, the proposed amendment will do that. It is simple, it is direct, and it may not be scientific but it is certainly fair and just.

Let us indulge in a supposition for a minute. You have your family, you have had a series of setbacks, you are trying to take care of them, you are paying their hospital bills, exerting effort, exhausting your resources. Someone comes along and says, "Your neighbor down the street is having difficulty. He has children in the hospital, he has to have some help to pay his bills. Even though you are hard pressed, you must take from what you are earning to help pay his."

That just does not make sense, especially when you are doing everything you can, exhausting your resources to fulfill your obligations. Many of the communities are exhausting every possible resource they have to build schools, doing the best job possible, yet their citizens are being called upon to take from their diminishing resources and pay to fulfill the other communities' obligations.

The States have the responsibility for providing education and facilities. This proposal will make them better able to do so.

The communities in this Nation are doing all they can. They are doing a good job, and they would do more were it not for the fact that Uncle Sam's tax collector reaches down into every possible and conceivable line of taxation and makes it impossible for most of the communities now to raise more money to build the schools so badly needed in our country today. This amendment does not provide any "share the wealth" aspects where the so-called rich States taking care of the poor States, because the rich States have the same school-building shortage and problems that the other States have. They are exhausting all other efforts. This is merely a rebate of 1 percent of the taxation providing a State self-help program making it possible for every one of the States to have more funds than they now have with which to build schools. It is a sane, sound, simple, sensible program. It is not a new innovation. When Congress organized Guam, you said that Guam could retain all of the income taxes earned while American mainland citizens were there, to be used for the support of the government of Guam. Now, if you can turn back to the little island of Guam 100 percent of the income taxes earned there, certainly it is not straining when you turn back to each of the States 1 percent of the taxes which their citizens have earned, a rebate of 1 percent.

The gentleman from New Jersey [Mr. SIEMINSKI] raised the question about the port of New York. The taxes he is talking about are excise and import taxes, not income taxes, so they have nothing whatsoever to do with this bill. I first proposed substantially this approach back as far as 1949. My resolution and bill was referred to the Committee on Ways and Means because it was held that it related to taxation. No member of the Committee on Education and Labor can say that this substance of this amendment has never been called to their attention, because I have sent to every Member of the House a full and complete explanation of the whole pro-

posal, not only once but twice, and if Members did not read their mail, that is not my fault. I have also explained it on the floor, the most recent occasion being on page 11295 of the RECORD for June 28, 1956. I thought the program I proposed, which is substantially as the Gwinn amendment, was sound and simple, and it will do all these things the people say they want to do. Federal aid is a myth. The money comes from taxes levied upon the citizens of the various States. The proposal provides absolutely no Federal control; it does not share the wealth, and it makes available to many of the States much more than they now have. If you examine the figures the gentleman from New York [Mr. GWINN] prepared, you will see that many of these States are paying in $2 to $4 for every one they would get back under the Kelley formula. Some States would just about trade dollars. But, you and I know that if some simple solution like this is not found, that where your Uncle Sam's tax dollars go your Federal controls are going to follow in this program just as has happened in the vocational training program.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Will the gentleman comment on the statement made that income taxes are often paid in States other than in which earned?

Mr. SCRIVNER. That is true. There is no State in the whole 48 that could not provide the same sort of corporate tax that Delaware has. They have not done it, but they could.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Actually your amendment is based on Federal income tax.

Mr. SCRIVNER. That is exactly what I suggested; individual and corporate income taxes.

Mr. RHODES of Arizona. So, there is no way I know of that any State could require a corporation to file its return in the State where the income was earned.

Mr. SCRIVNER. I did not say "require." I said they could have the same type of corporation laws that the State of Delaware has, as to which some question was raised a while ago.

Mr. OLIVER P. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Ohio.

Mr. OLIVER P. BOLTON. Is it not also a fact that people living in one State may have been educated in another State?

Mr. SCRIVNER. That is right. It will wash out all across the board.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. I would just like to point out that the Delaware corporation laws have nothing to do with this, because a corporation organized in Delaware may make its money in one State, and still report its income taxes in a third State.

Mr. SCRIVNER. That is possible. There are any number of other tax situations possible. It may be that my State may be getting the benefit. I do not know.

Mr. Chairman, I trust this amendment will pass, so we may have a simple, direct school-building program devoid of Federal bureaucratic control.

Mr. BOW. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York which contains the language of the Scrivner bill. There has been some question here about a departure from regular procedure in the use of funds. I will say to the gentlemen who have raised the question in title 16, section 500, which is the National Forest Act, 25 percent of the amount received from your national forests is returned to counties and States for school purposes. That is out in the West where these questions have been raised. Title 30 of section 191 of the Mineral Lands and Mining Act provides that 37½ percent of all the moneys received from sales, bonuses, royalties, and rentals of public lands are paid back to the States where they are located, for roads and schools.

So under those two acts we do have cases where a percentage of the amount received by the Federal Government is paid back to the States and in some cases to counties for school purposes. So we have a precedent.

The gentleman from Kansas [Mr. SCRIVNER] has referred to the Organic Act of Guam. In that particular act there is provision that all of the income tax and all other taxes are turned back to Guam for their own use.

This is a case where we are trying to provide for the States, and we can by the deduction of this 1 percent of the income of those States take care of the local responsibility without any Federal intervention, without the possibility of those things happening that so many people are concerned about, of the Federal Government beginning to interfere with the operation of the schools of the country.

There are those who believe that if we have this type of aid, the Federal Government will begin to control the schools in our local districts and that our children will be indoctrinated rather than educated. I share that view.

However, I believe in this particular case that the States should have the right to have this 1 percent to build the classrooms that may be necessary.

You hear people say in this debate, to which I have listened for the last several days, how much the Federal Government will give to the States. The Federal Government gives nothing to the States. The States give to the Federal Government. We could not keep this Federal Government in operation if the States did not contribute to us. So let us not stand on this floor and say that we give to the States. Let us say now by adopting this amendment that we will permit the States to keep 1 percent that we have been taking from them.

The only reason we have this shortage of classrooms, the only reason we are in trouble today is that the Federal Government has been taking and taking and taking from the States and from the local communities, so they cannot build their own classrooms.

Here is the opportunity to do a job by permitting this 1 percent to stay in the States to take care of the situation.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from New York.

Mr. COLE. Another illustration of the rebating of the Federal tax to a locality I think may be cited; that is, 100 percent of the excise taxes on rum manufactured in Puerto Rico is rebated to the Puerto Rican Treasury.

Mr. BOW. That is correct. It goes back to Puerto Rico with the other taxes they have there.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. RHODES of Arizona. Is it not true in the illustration the gentleman gave that those earnings came from resources of the particular States involved where as here we have a different situation. We have an income tax, which is an indirect tax.

Mr. BOW. I cannot yield further, Mr. Chairman. I understand the point the gentleman has in mind, and I bleed for him. He wants to take $27 million from my State of Ohio and return $20 million. If the gentleman will go down the list he will find that he is taking a lot of money from various States and they are not getting back nearly that much.

Here we are providing for the money to go back, so the gentleman should not complain about that.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield.

Mr. JOHANSEN. Does the gentleman discern any great enthusiasm for this proposal on the part of the bureaucrats of the Office of Education?

Mr. BOW. No; of course, we would not have to build up the Federal payroll. We would not have to set up a bureau here to administer and to check on applications and requests. It would simply give back to the States this money with which they can do their own job.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Florida.

Mr. HALEY. I want to compliment the gentleman for supporting the amendment and compliment the gentleman who offered the amendment. I think it is the best amendment that has been offered to a bad bill.

Mr. BOW. The amendment was offered by the gentleman from New York [Mr. GWINN]. It incorporates the Scrivner amendment.

Mr. ELLIOTT. Mr. Chairman, the Gwinn amendment should be defeated. It provides the least scientific manner of Federal aid for school construction of any of the proposals now before the House. I think the best method of apportionment of funds for aid is the need

formula, commonly referred to as the Hill, or the Hill-Burton, formula. I like this formula best because it puts the most of the money where it is needed most. I offered this formula in the Committee on Education and Labor when the bill for Federal aid for school construction was before the committee. It failed there. I understand that it will be offered again today, possibly in a motion to recommit this bill and report the same back to the House forthwith with the needs formula in it. If it is so offered it will be my intention to vote for it.

The next best formula for apportioning money for school construction is that provided by the Kelley bill. That is the committee bill. That is the formula contained in the bill now before us when it first came to the House. It provides for a flat-grant or flat-matching formula, whereby the money that goes to any State must be matched, dollar for dollar, by that State. This formula is much to be preferred to the Gwinn formula.

On yesterday, I put into the CONGRESSIONAL RECORD the apportionment to the States that would take place under the needs formula, or the McConnell approach. It can be found on page 11755 of the RECORD.

Now, I desire to read into the record a table prepared by the gentleman from New York [Mr. GWINN] which purports to show, on the basis of a $400 million appropriation each year, what each State would pay toward the cost of this program of school construction. The table also shows what each State would get under the Kelley bill, and what each State would get under the Scrivner plan as embodied in the Gwinn amendment. It is easy to see that the Gwinn proposal is the least desirable of the three plans before us. For instance, under the McConnell proposal, under a $300 million appropriation per year, Alabama would get $10,282,000; under the Kelley bill, with an appropriation of $400 million per year, Alabama would get $8,968,658; under the Gwinn or Scrivner plan, Alabama would get $3,559,040. The table follows:

Federal aid to classroom construction

[A memorandum for the Members, dealing with the Kelley bill and the proposed amendment based upon the Scrivner plan of Federal aid; prepared by RALPH GWINN, dated July 2, 1956]

States	Kelley bill, States will pay in—	Kelley bill, States will get back—	Income-tax collections, fiscal 1954	Scrivner plan, 1 percent of tax returned
Alabama	$2,172,000	$8,968,658	$355,904,000	$3,559,040
Arizona	928,000	2,537,686	153,119,000	1,531,190
Arkansas	904,000	5,313,957	148,110,000	1,481,100
California	30,480,000	27,545,819	4,671,633,000	46,716,330
Colorado	3,588,000	3,611,322	553,265,000	5,532,650
Connecticut	7,364,000	4,782,562	1,168,589,000	11,685,890
Delaware	5,152,000	835,050	869,525,000	8,695,250
Florida	3,868,000	7,623,902	599,990,000	5,999,900
Georgia	4,008,000	10,237,501	581,573,000	5,815,730
Idaho	612,000	1,691,790	100,902,000	1,009,020
Illinois	32,912,000	20,247,262	4,926,633,000	49,266,330
Indiana	9,148,000	10,226,657	1,205,079,000	12,050,790
Iowa	3,020,000	6,420,128	494,575,000	4,945,750
Kansas	2,876,000	4,750,027	437,870,000	4,378,700
Kentucky	7,600,000	8,317,970	441,333,000	4,413,330
Louisiana	3,096,000	8,090,229	459,357,000	4,593,570
Maine	976,000	2,244,876	159,030,000	1,590,300
Maryland	10,904,000	16,202,148	851,777,000	8,517,770
Massachusetts	10,876,000	10,573,691	1,708,884,000	17,088,840
Michigan	34,844,000	17,058,887	4,857,146,000	48,571,460
Minnesota	6,064,000	7,699,816	917,256,000	9,172,560
Mississippi	800,000	6,506,886	129,336,000	1,293,360
Missouri	10,128,000	9,174,710	1,472,722,000	14,727,220
Montana	668,000	1,594,187	109,285,000	1,092,850
Nebraska	2,340,000	3,220,909	320,620,000	3,206,200
Nevada	484,000	466,327	70,308,000	703,080
New Hampshire	712,000	1,279,688	118,150,000	1,181,500
New Jersey	11,776,000	11,343,672	1,745,232,000	17,452,320
New Mexico	$608,000	$2,320,790	$99,351,000	$993,510
New York	74,996,000	32,794,708	11,626,091,000	116,260,910
North Carolina	8,824,000	12,178,549	673,436,000	6,734,360
North Dakota	364,000	1,724,325	60,929,000	609,290
Ohio	26,936,000	20,236,416	4,147,301,000	41,473,010
Oklahoma	3,576,000	5,715,215	504,416,000	5,044,160
Oregon	2,444,000	3,893,287	403,821,000	4,038,210
Pennsylvania	30,448,000	25,105,737	4,531,795,000	45,317,950
Rhode Island	1,696,000	1,778,549	271,663,000	2,716,630
South Carolina	1,444,000	7,005,748	239,806,000	2,398,060
South Dakota	408,000	1,724,325	67,056,000	670,560
Tennessee	2,916,000	9,174,710	463,856,000	4,638,560
Texas	12,480,000	21,982,431	1,969,318,000	19,693,180
Utah	1,696,000	2,168,962	135,924,000	1,359,240
Vermont	432,000	965,188	70,790,000	707,900
Virginia	6,156,000	9,207,244	641,430,000	6,414,300
Washington	4,736,000	6,355,059	711,456,000	7,114,560
West Virginia	1,676,000	5,747,750	270,198,000	2,701,980
Wisconsin	7,428,000	8,740,918	1,121,973,000	11,219,730
Wyoming	324,000	780,826	51,764,000	517,640
Hawaii	776,000	1,409,825	126,170,000	1,261,700
Possessions		422,000		
Alaska			45,843,000	458,430
District of Columbia			707,455,000	7,074,550
Puerto Rico			(9,571,000)	(95,710)
Total	393,664,000	400,000,000	58,578,533,000	585,785,330

NOTE.—Income tax includes collections for old age insurance. Actual benefits would be somewhat less than shown in Scrivner plan after adjustment for that factor—an average of 7.2 percent.

Mr. Chairman, the Powell amendment, in whatsoever form it may finally face us, should be defeated. If it is not defeated, it will kill this bill, and millions of boys and girls all over America will suffer. I appeal to all the friends of education in this House to kill the Powell amendment. If you adopt it, I predict that this bill will not pass, and if it does pass the House of Representatives, I predict that it will never become law. Ironically, in the long run, the colored boys and girls of the South will suffer most if the Powell amendment is adopted.

The membership of this House knows the attitude of the South toward the mixing and mingling of the races. It knows that the South is in no mood to tolerate attempts to force it to tear down its social and educational system, based on the theory of "separate but equal" facilities, which system, up to two years ago had the sanction of law for the past 75 years. The Powell amendment goes far beyond any Supreme Court decision. It would give the Commissioner of Education powers which no Commissioner ought to have. It would pour salt in the wounds of the South. It ought not to pass. Its passage will do infinitely more harm than good. I hope the House will vote it down.

Mr. Chairman, the question before the House is whether we are going to recognize the great need for additional school rooms, and answer that need in a forthright manner, doing it in a way that it will do the most good, rejecting extraneous matters like the Powell amendment, and adopting formulas that will get the most school rooms built in the shortest time. The condition facing us is one of emergency. To substantiate my statement, I desire at this point to read into the RECORD, the needs of Alabama for additional classrooms, and the needs of each of the counties. The total for Alabama amounts to $344,787,000, as of the school year 1959–60.

These figures were compiled under the provision of title I of Public Law 815, 81st Congress, approved September 23, 1950, in a joint Federal-State survey of building needs. These figures are now about 3 years old. They were gotten together at the end of the 1952–53 school year.

Autauga	$2,137,500
Baldwin	4,989,000
Barbour	3,645,000
Bibb	3,622,500
Blount	2,352,500
Bullock	$3,025,000
Butler	3,082,500
Calhoun	5,672,000
Chambers	5,912,500
Cherokee	1,222,500
Chilton	3,172,500
Choctaw	3,247,500
Clarke	3,445,000
Clay	1,747,500
Cleburne	1,060,000
Coffee	3,707,000
Colbert	4,442,500
Conecuh	2,471,000
Coosa	1,695,000
Covington	5,527,500
Crenshaw	1,367,500
Cullman	4,010,000
Dale	2,345,000
Dallas	6,157,000
De Kalb	4,192,500
Elmore	4,496,500
Escambia	4,725,000
Etowah	12,113,000
Fayette	1,440,000
Franklin	1,620,000
Geneva	1,729,500
Greene	2,072,500
Hale	2,940,000
Henry	2,425,000
Houston	4,470,000
Jackson	5,017,500
Jefferson	58,493,500
Lamar	1,332,500
Lauderdale	5,052,500
Lawrence	3,592,500

Lee	$5, $15, 000
Limestone	5, 835, 000
Lowndes	3, 052, 500
Macon	3, 940, 000
Madison	6, 120, 000
Marengo	5, 747, 500
Marion	1, 685, 000
Marshall	4, 662, 500
Mobile	24, 617, 500
Monroe	3, 892, 500
Montgomery	15, 270, 000
Morgan	6, 292, 500
Perry	3, 791, 500
Pickens	2, 856, 000
Pike	4, 985, 000
Randolph	1, 942, 500
Russell	4, 962, 500
St. Clair	3, 586, 000
Shelby	2, 485, 000
Sumter	4, 067, 500
Talladega	5, 260, 000
Tallapoosa	3, 245, 000
Tuscaloosa	12, 217, 500
Walker	5, 447, 500
Washington	1, 997, 500
Wilcox	3, 375, 000
Winston	2, 670, 000
Total	344, 787, 000

Of this total of $344,787,000 Alabama had the ability in mid-1953 to finance approximately $16 million worth of this cost under the constitutional limitations in effect at that time.

Mrs. GREEN of Oregon. Mr. Chairman, the so-called Scrivner amendment, introduced by the gentleman from New York, proposes to return to each of the States 1 percent of the Federal taxes collected there, for aid to school construction.

This amendment violates every principle of Federal finance. It is based on the supposition that in some way a State has some property right to the taxes collected from sources within its boundaries. If for one moment we admitted such a principle, the entire Federal financial system will crash, because a State has no such interest.

The place where tax monies are collected has no relationship even to whether people living in that State pay the tax. For instance, hundreds or thousands of people live in Connecticut and pay income tax to the collector of taxes in Connecticut, but earn all their income in the State of New York. None of that money comes from Connecticut. There is no reason why Connecticut should be credited for that particular tax money for it is not earned in Connecticut. The internal revenue taxes collected by the United States are collected not from the citizens of the State; they are collected from the citizens of the United States. Where they earn the money, or whether the taxes are collected within the State makes not the slightest difference.

Mr. Chairman, those words are not mine. They are the words of a respected conservative, Senator Robert Taft, in opposition to an amendment exactly like this one. The occasion was a debate on the Taft-Thomas school-aid bill (which incidentally proposed Federal aid on a broader basis than the present bill) on May 4, 1949. But these words, from this source, should help to bring us back to a realization of how thoroughly radical, unsound and irresponsible a proposal this is.

Yet the gentleman from New York advances this doctrine, so contrary to everything in our national tradition, as though it were entitled to respectful consideration. I am surprised that he did not seek Biblical sanction for his amendment. Let me offer him a text from the Gospel according to St. Matthew, chapter 25: 29:

For unto everyone that hath shall be given, and he shall have abundance: but from him that hath not shall be taken away even that which he hath.

The gentleman from New York could equally well cite the old proverb: "The rich get richer and the poor get poorer." In fact, he seems more than resigned to such a state of affairs; he apparently wants to give it the force of law.

It is true that, by this formula, wealthy States would be wealthier. New York would receive $32 million under the Kelley bill, $116 million under the Scrivner plan. Connecticut would gain $7 million from the Scrivner plan. Even my own State of Oregon would get slightly more money. But these figures do not recommend the scheme. For the States that most need help would benefit least. Mississippi, which would receive $6.5 million under the Kelley bill would get only $1.3 million according to the Scrivner formula. Georgia would get almost twice as much under the Kelley bill as from the Scrivner plan.

Compare even the effects of this meaningless formula on two well-to-do States, Indiana and Illinois. Illinois gets about twice as much as Indiana under the bill as originally written. If we accept this amendment, Illinois will receive four times as much help as Indiana. The difference has nothing to do with need or with number of schoolchildren. To accept the Scrivner amendment is to distribute school funds between Illinois and Indiana according to the accident of the number of corporations which file tax returns through their Chicago offices.

Mr. Chairman, this amendment is an irresponsible, blind, and wasteful approach to the problem. It abdicates a national responsibility to an ideological fetish. It is, in fact, a thoroughly radical scheme, subversive of all proven and time-tested methods of dealing with such problems. It may satisfy opponents of school aid but it will botch the job of educating our children. What we need today is sober, responsible handling of this issue, not gratification of prejudice. Our children and their education are not walled off by State lines. Oregon and its people do care about the children of the rest of the Nation. I am sure that the people of every State feel a responsibility to all American children, regardless of the accidents of their geographical location.

Let us behave, then, like Americans meeting an American problem for the sake of American children. Let us recognize this scheme for what it is—a radical and unsound proposal, a form of logrolling in reverse. Let us vote it down and, instead, do justice to our children.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. KELLEY of Pennsylvania) there were—ayes 72, noes 74.

Mr. GWINN and Mr. BOW demanded tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GWINN and Mr. KELLEY of Pennsylvania.

The Committee again divided; and the tellers reported that there were—ayes 122, noes 120.

So the amendment was agreed to.

The Clerk read as follows:

TITLE II—PURCHASE OF OBLIGATIONS OF SCHOOL DISTRICTS

Authority to purchase; revolving fund

SEC. 201. (a) During the fiscal year beginning July 1, 1956, and each of the 3 succeeding fiscal years, the Commissioner may purchase obligations of local educational agencies, as provided in this title, to assist such agencies in financing the construction of school facilities, where such agencies are unable to obtain such financing on reasonable terms from other sources.

(b) There is hereby created a School Bond Purchase Fund, which shall be used by the Commissioner as a revolving fund to purchase obligations under this title. Any funds received by the Commissioner on or before June 30, 1960, in payment of principal or interest on any obligations so purchased, or in connection with the sale of any such obligations by him, shall be deposited in the fund and be available for purchasing additional obligations under this title. Any funds so received after June 30, 1960, and any balance remaining in the fund at the close of June 30, 1960 (at which time the fund shall cease to exist), shall be covered into the Treasury as miscellaneous receipts. There are hereby authorized to be appropriated to the fund the sum of $300 million, to provide initial capital, and such additional sums as may be necessary thereafter.

Limitations

SEC. 202. The aggregate principal amount of obligations purchased under this title shall not exceed $750 million. The aggregate principal amount of obligations of local educational agencies in any one State purchased under this title in any fiscal year shall not exceed 15 percent of the aggregate principal amount of all obligations purchased under this title during that fiscal year.

Terms of obligations

SEC. 203. (a) Obligations purchased under this title may be either general or special obligations, shall be purchased at par or face value, shall include such provisions as may be agreed upon by the State educational agency and the Commissioner, shall be repaid within a period of 30 years or less, and shall bear interest at a rate equal to the quarterly rate which the Secretary of the Treasury shall specify as applicable to the calendar quarter during which obligations are purchased by the Commissioner, plus three-eighths of 1 percent.

(b) The quarterly rate applicable to each calendar quarter shall be determined by the Secretary of the Treasury by estimating the average yield to maturity, on the basis of daily closing market bid quotations of prices during the month preceding such calendar quarter, on all outstanding marketable obligations of the United States having a maturity date of 15 or more years from the first day of such month, and by adjusting such estimated average yield to the nearest one-eighth of 1 percent.

Conditions to purchase of obligations

SEC. 204. Obligations may be purchased under this title only upon application by the State educational agency to the Commissioner certifying that—

(1) the local educational agency issuing such obligations is, as evidenced by a public offering of such obligations, unable to obtain the funds necessary to finance the cost of construction of the school facilities involved

from other sources upon reasonable terms and at the interest rate applicable to obligations purchased under this title;

(2) there is an opinion by a qualified attorney that such obligations have been legally issued and are binding on the local educational agency issuing them;

(3) the school facilities to be constructed with the proceeds from the sale of the obligations are needed for current or reasonably anticipated enrollments, are consistent with any applicable State redistricting plans or policies, and will be undertaken in compliance with applicable State construction laws and standards;

and including such additional information as may be necessary to make a reasonable showing that the local educational agency issuing the obligations is financially able to pay them as they become due.

Administrative provisions

SEC. 205. (a) The Commissioner, notwithstanding the provisions of any other law, may—

(1) sell or exchange at public or private sale, upon such terms and at such prices as he may fix, any obligations purchased by him under this title; and

(2) subject to the specific limitations in this title and where necessary to protect the financial interest of the United States, consent to the modification of any term of any obligation purchased by him, or any agreement entered into by him, under this title.

(b) The Commissioner shall, with respect to the financial operations arising by reason of this title—

(1) prepare annually and submit a business-type budget as provided for wholly owned Government corporations by the Government Corporation Control Act;

(2) maintain an integral set of accounts, which shall be audited annually by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions, as provided by section 105 of the Government Corporation Control Act; and

(3) determine the character and necessity of expenditures under this title and the manner in which such expenditures are incurred, allowed, and paid, subject to the provisions of law specifically applicable to wholly owned Government corporations.

TITLE III—FEDERAL CREDIT ASSISTANCE TO STATE SCHOOL-FINANCING AGENCIES

Purpose

SEC. 301. For the purpose of assisting States desiring to finance the construction of school facilities without capital outlay by local educational agencies, the Commissioner is authorized, as provided in this title, to enter into agreements, on behalf of the United States, with State school-financing agencies for making advances to reserve funds established by such agencies to help assure payment of obligations issued by them to finance the construction of school facilities for use and ultimate ownership by local educational agencies.

Agreements with State school-financing agencies

SEC. 302. The Commissioner shall enter into an agreement with the State school-financing agency of any State only if—

(a) such agency is empowered to enter into an agreement with the Commissioner under this title and otherwise comply with the provisions of this title;

(b) the State law empowering such agency to take the action referred to in clause (a) authorizes payment by the State, subject to and within the limits of appropriations made available for the purpose, of advances for deposit in the State account of the basic reserve fund (or funds) of such agency equal to the amount withdrawn pursuant to the agreement from such account in any year (other than the year in which occurs the latest maturity date of the obligations); and

(c) in States where the State school-financing agency is not the State educational agency, the governor certifies that methods for securing effective coordination between the two agencies have been provided.

Establishment of reserve funds

SEC. 303. (a) An agreement pursuant to this title shall provide that the State school-financing agency shall establish and thereafter maintain a basic reserve fund and a supplemental reserve fund with respect to each issue of obligations, which funds, so long as any such obligations remain outstanding, shall be held in trust for and irrevocably pledged to the payment and retirement of such obligations and for payments as provided in section 308.

(b) Where so provided in the agreement at the request of the State school-financing agency, such basic reserve fund, or such fund and such supplemental reserve fund, may be established with respect to two or more issues of obligations; and in such case such issues shall, to the extent provided in the agreement, be regarded as a single issue of obligations.

State advances to basic reserve fund

SEC. 304. Such agreement shall provide for establishment of the basic reserve fund with respect to an issue of obligations on or before the date of delivery of any such obligations to the purchasers thereof, and for deposit by the State therein, upon establishment of such fund, of an amount equal to one-half of the maximum annual debt service on such obligations. The amounts so advanced, plus any amounts subsequently advanced by the State thereto, together with any interest or other increments from the investment of such advances, shall be known as the State account.

Federal advances to basic reserve fund

SEC. 305. (a) In the case of any State school-financing agency which has entered into an agreement as provided in this title with respect to an issue of obligations, the Commissioner shall advance to such State school-financing agency for deposit in the basic reserve fund for such issue an amount equal to one-half of the maximum annual debt service of such obligations. Such advance shall be made on or before the date of delivery of any such obligations to the purchasers thereof. The advance so made, plus subsequent advances by the Commissioner, together with any interest or other increments from the investment of such advances, shall be known as the Federal account.

(b) If any funds are withdrawn in any year (other than the year in which occurs the latest maturity date of the obligations) from the Federal account in a basic reserve fund pursuant to an agreement under this title, the Commissioner shall make an additional advance to such account in an amount equal to that withdrawn.

(c) The faith of the United States is solemnly pledged to the payment of all advances contracted to be made to the Federal account in a basic reserve fund pursuant to this title.

(d) Advances by the Commissioner to the Federal account in a basic reserve fund, together with any other sums in such account, shall be invested, as provided in the agreement—

(1) in interest-bearing securities of the United States or securities guaranteed as to both principal and interest by the United States; or

(2) in bonds or other obligations which are lawful investments for fiduciary, trust, and public funds of the United States.

Payment to supplemental reserve fund

SEC. 306. An agreement pursuant to this title shall provide for payment into the supplemental reserve fund established with respect to an issue of obligations of all sums collected for such purpose pursuant to section 309 (d) (2).

Use of supplemental and basic reserve funds

SEC. 307. The agreement pursuant to this title shall provide that if, after payment of the other expenses specified in section 309 (d), the funds available are insufficient to meet the annual debt service for any year on any issue of obligations—

(a) the State school-financing agency shall use the sums, if any, in the supplemental reserve fund established for such issue for meeting such debt service;

(b) if such sums are insufficient for this purpose, such agency shall use the sums available in the basic reserve fund established for such issue;

(c) withdrawals from the basic reserve fund for this purpose shall be equally divided between the State account and the Federal account in the fund, to the extent the balance in the State account is adequate for this purpose; and

(d) if such balance is not adequate, the amount of any remaining deficiency shall be withdrawn from the Federal account to the extent of any balance therein, except that the total of the withdrawals from such account with respect to such debt service may not exceed one-half of such debt service.

Repayments of advances

SEC. 308. (a) An agreement under this title with respect to any issue of obligations shall provide that if the aggregate of the sums in the basic and supplemental reserve funds, including interest or other increments from the investment thereof, at the end of any year exceeds two times the maximum annual debt service on such issue for any of the ensuing years the State school-financing agency shall pay to the Commissioner, first (and until all advances made by the Commissioner, subsequent to the original advance made by him, together with interest or other increment received from the investment of such advances, have been repaid), an amount which bears the same ratio to the amount of such excess as the sum of such subsequent advances bears to the sum of such advances plus the sum of any payments made by the State to the State account in the basic reserve fund in addition to the original amount of such State account; and second (and until all advances made by the Commissioner, together with interest or other increment received from the investment of such advances have been repaid), an amount which bears the same ratio to the amount of such excess as the sum of all advances made by the Commissioner bears to such sum plus the sum of all payments made to the State account.

(b) Whenever any portion of an excess is repaid to the Commissioner under subsection (a), the remainder, if any, of such excess shall be paid to the State or left in the basic or supplemental reserve, or shall be disposed of in such other manner as may be provided, at the request of the State school-financing agency, by or pursuant to the agreement.

(c) Amounts paid to the Commissioner under subsection (a) shall be used to redeem any outstanding obligations of the Commissioner issued pursuant to section 312 and any excess shall be deposited in the Treasury of the United States as miscellaneous receipts.

Additional conditions of agreement

SEC. 309. In addition to the foregoing provisions and such other provisions as may be necessary to protect the financial interest of the United States, each agreement entered into by the Commissioner with respect to any issue of obligations of a State school-financing agency shall provide—

(a) that (1) all such obligations shall mature in not more than 32 years from the earliest date of any of such obligations and the first payment of principal shall become due

not later than the end of the third year following such earliest date, and (2) the proceeds of the sale of such obligations shall be used to finance the cost (including interest prior to, during, and for such period not exceeding 1 year after completion of construction as may be provided in the agreement, and other necessary carrying charges) of construction of school facilities, by the State school-financing agency, the local educational agencies, or otherwise, for use by local educational agencies requesting such facilities;

(b) that such school facilities shall be limited to those certified by the State educational agency to be needed for current or reasonably anticipated enrollments and to be consistent with any applicable State redistricting plans or policies, and that construction thereof will be in accord with applicable State construction laws and standards;

(c) that such school facilities, upon completion of construction, shall (1) be made available for the use of the local educational agency for the school district in which the school facilities are located, (2) if the State so desires, be conveyed to such local educational agency upon the making of adequate provision for repayment of advances made by the Commissioner with respect to the issue of obligations and for retirement of such issue or an agreed upon portion thereof, as provided in the agreement; and

(d) that the payments for the use of such facilities shall be fixed, charged, and collected in amounts which will in the aggregate, together with other sums available for the purpose, provide sufficient funds to pay, to the extent payment is not otherwise provided for, (1) the annual debt service on the issue of obligations, and (2) an amount equal to one-fourth of 1 percent of the original principal amount of such issue of obligations, for deposit in the supplemental reserve fund, in each year until the latest maturity date of such issue of obligations, and (3) the cost of the maintenance, repair, replacement, and insurance of such facilities, and (4) administrative and other expenses of the State school-financing agency in connection with such facilities or the financing thereof.

Authorization of appropriations

SEC. 310. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1956, and the next 3 fiscal years, such sums as may be necessary to provide the initial Federal advances authorized by this title to be made to basic reserve funds.

Limit on amount of obligations

SEC. 311. Federal advances may be made pursuant to this title only with respect to obligations issued in the period beginning July 1, 1956, and ending June 30, 1960, in an aggregate principal amount not to exceed $6 billion.

Obligations issued by Commissioner

SEC. 312. (a) To obtain funds for additional advances under section 305 (b), the Commissioner shall issue notes, debentures, or other obligations for purchase by the Secretary of the Treasury. The total amount of such obligations issued in any year may not exceed the aggregate amount needed for such additional advances for such year.

(b) Obligations issued by the Commissioner under this section shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Commissioner, with the approval of the Secretary of the Treasury. Such obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of such obligations. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Commissioner issued under this section and for such purpose is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such act, as amended, are extended to include any purchases of the Commissioner's obligations hereunder. There are hereby authorized to be appropriated such sums as may be necessary, together with repayments made by State school-financing agencies hereunder, for payments on obligations issued by the Commissioner under this section.

Administrative provisions

SEC. 313. (a) The Commissioner, in addition to other powers conferred by this act, shall have power to agree to modifications of agreements made under this title and to pay, compromise, waive, or release any right, title, claim, lien, or demand, however arising or acquired under this title; except that nothing in this subsection shall be construed to affect the power of the Attorney General in the conduct of litigation arising under this act.

(b) Financial transactions of the Commissioner in making advances pursuant to this title, and vouchers approved by the Commissioner in connection with such financial transactions, shall be final and conclusive upon all officers of the Government.

Suits against the United States

SEC. 314. Any State school-financing agency with which the Commissioner has made an agreement under this title, or any holder of obligations with respect to which a reserve fund has been established under this title, may bring suit against the United States to enforce any duty of the Commissioner under this title or any undertaking of the Commissioner under an agreement under this title. In any action arising under this title to which the United States is a party, the district courts of the United States shall have jurisdiction, without regard to the amounts involved. Such action shall be brought in the district court of the United States for the judicial district in which the plaintiff, or any of the plaintiffs if there are more than one, resides, or has his principal place of business or, if he does not have his principal place of business within any such judicial district, in the District Court of the United States for the District of Columbia.

Underwriting of obligations by banks

SEC. 315. The last sentence of paragraph 7 of section 5136 of the Revised Statutes, as amended (12 U. S. C. 24), is amended by inserting "or a State school-financing agency (but only in the case of obligations, of such an agency, with respect to which advances have been made pursuant to title III of the School Construction Assistance Act of 1955)" after "International Bank for Reconstruction and Development" and by striking out (in the proviso) "either of said banks" and inserting in lieu thereof "any of said banks or State school-financing agencies."

Tax-exempt status of obligations

SEC. 316. Obligations of any State school-financing agency, including interest thereon, with respect to which advances are made pursuant to this title, and income of such agency in connection with the school facilities financed by such obligations, shall be exempt from all taxes (other than estate, inheritance, and gift taxes) now or hereafter imposed by the United States.

Mr. KELLEY of Pennsylvania (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of title II and title III be dispensed with, that the said titles be considered as read and printed in the RECORD and be open for amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BAILEY. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Amendment offered by Mr. BAILEY: On page 14, line 6, strike out the semicolon and "and" and insert a period; strike out lines 7 through 11.

Mr. BAILEY. Mr. Chairman, when this legislation was before the Rules Committee seeking a rule, certain questions were raised about language that was objectionable, particularly by the chairman of the Rules Committee, and I reported the situation that developed in the Rules Committee to the Committee on Education and Labor.

On page 14, line 7, it was decided that that language, all of subsection 3, beginning on line 7, page 14, should be deleted. That would necessitate striking out the semicolon and striking out the word "and" in line 6, and then striking out all of lines 7 through 11.

The purpose of this amendment, if you will notice, is to strike out this language in the bill "determine the character and necessity of expenditures under this title and the manner in which such expenditures are incurred, allowed, and paid, subject to the provisions of law specifically applicable to wholly owned Government corporations."

The situation is this: There is only one present Government facility operating independent of the Comptroller General's Office that is a wholly owned Government corporation, and that is the Housing Authority. The Rules Committee suggested that there should be nothing in this legislation to interfere with the right of the Comptroller General's Office to control this legislation. The committee agreed that the point raised by the Rules Committee was proper, and approved striking out this section, and instructed me to offer the amendment.

I urge that the Committee go along with the Committee on Education and Labor in their request to have this stricken from the legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. BAILEY].

The amendment was agreed to.

Mr. FRELINGHUYSEN. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. FRELINGHUYSEN:

On page 10, line 11, strike out "three" and insert "four."

Page 10, line 21, strike out "1960" and insert "1961."

Page 10, line 25, strike out "1960" and insert "1961."

Page 11, line 1, strike out "1960" and insert "1961."

Mr. FRELINGHUYSEN. Mr. Chairman, the purpose of this amendment is very simple. I hope it can be accepted without very much discussion.

Last Tuesday we took action to establish a 5-year program. My amendment would make the necessary changes in title II so that the purchase of obligations section of the bill would also be

for a 5-year period, instead of a 4-year period, as it came from the committee.

I do not believe there is any difference of opinion as to the advisability of making the various sections of the bill conform.

Mr. BAILEY. There is no objection on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. FRELINGHUYSEN].

The amendment was agreed to.

Mr. UDALL. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. UDALL: Page 26, line 13, insert:

"TITLE IV—SCHOOL CONSTRUCTION IN AREAS WHERE RACIAL INTEGRATION OF PUPILS AND SCHOOL SYSTEMS IS BEING CARRIED OUT

"Declaration of policy

"SEC. 401. In recognition of the impact which a program of racial integration of pupils and school systems undertaken in compliance with the decisions and opinions of the Supreme Court of the United States in the case of *Brown et al.* v. *Board of Education of Topeka et al.*, delivered on May 17, 1954, and May 31, 1955, will have on the need for additional school facilities in areas where such integration is being carried out, the Congress hereby declares it to be the policy of the United States to bear the cost of constructing school facilities in such areas in the manner and to the extent provided in this title.

"Payments to local educational agencies

"SEC. 402. (a) A local educational agency shall be eligible under this title for the payment provided for herein if the Commissioner of Education finds—

"(1) that the local educational agency is carrying out, or is prepared to carry out, a program of racial integration of pupils; and

"(2) that the construction of additional school facilities is needed in order to carry out such program of racial integration and maintain an average of not more than 25 pupils per classroom in the schools of such agency.

"(b) Each eligible local educational agency shall be entitled to receive an amount not to exceed (1) the number of children enrolled in its schools at the close of the regular school year 1953–54 in excess of that number of children enrolled which is equal to an average of 25 pupils per classroom multiplied by (2) the average per-pupil cost (determined in accordance with section 210 (7) of Public Law 815, 81st Cong.) of constructing complete school facilities in the State in which the school district of such agency is located.

"Applications

"SEC. 403. (a) No local educational agency shall receive payment of any part of the amount to which such agency is entitled as established in section 402, except upon application therefor submitted through the appropriate State educational agency and filed with the Commissioner in accordance with regulations prescribed by him. Each such application shall set forth a project for the construction of school facilities for such agency in accordance with applicable provisions of section 205 (b) (1) of Public Law 815, 81st Congress.

"(b) The Commissioner shall approve any such application if he finds (1) that the applicable requirements of section 205 (b) (1) have been met; (2) that the educational agency has certified that no person shall be denied admission to any facility constructed under this title solely on the ground of race; (3) that the cost of the project does not exceed so much of the maximum amount which such agency is entitled to receive under section 402 as has not been expended or obligated for payment of the cost of projects of such agency heretofore approved; (4) after consultation with the local and State educational agencies, that the project with respect to which such application is made is not inconsistent with overall State plans for the construction of school facilities; and (5) that there are sufficient Federal funds available to pay the cost of such project and of all other projects for which Federal funds have not already been obligated and which, under section 406, have a higher priority.

"(c) No application under this title shall be disapproved in whole or in part until the Commissioner has afforded the local educational agency reasonable notice and opportunity for hearing.

"Certification and payment

"SEC. 404. (a) Upon approving the application of any local educational agency under section 403 (b), the Commissioner shall certify to the Secretary of the Treasury for payment to such agency an amount equal to 10 percent of the cost of the project with respect to which such application was made. After final drawings and specifications have been approved by the Commissioner and the construction contract has been entered into, the Commissioner shall certify to the Secretary of the Treasury for payment to such agency, in accordance with regulations prescribed by him and at such time and in such installments as may be reasonable, the remainder of the cost of the project.

"(b) The Secretary of the Treasury shall make payments to each local educational agency in accordance with the certification of the Commissioner. Any funds paid to a local educational agency and not expended for the purposes for which paid shall be repaid into the Treasury of the United States.

"Withholding of payments

"SEC. 405. Whenever the Commissioner, after reasonable notice and opportunity for hearing to a local educational agency, finds (1) that there is a substantial failure to comply with the drawings and specifications for the project, (2) that any funds paid to a local educational agency under this title have been diverted from the purposes for which paid, or (3) that any assurance given in an application is not being or cannot be carried out, the Commissioner shall forthwith notify such agency that no further payment will be made under this title with respect to such agency until there is no longer any failure to comply or the diversion or default has been corrected or, if compliance or correction is impossible, until such agency repays or arranges for the repayment of Federal moneys which have been diverted or improperly expended.

"Establishment of priorities

"SEC. 406. The Commissioner shall from time to time set dates, the last of which shall be not later than July 1, 1961, by which applications for payments under this title with respect to construction projects must be filed. If the funds appropriated under this title and remaining available on any such date for payment to local educational agencies are less than the cost of the projects with respect to which applications have been filed prior to such date (and for which funds under this title have not already been obligated), the Commissioner shall by regulation prescribe an order of priority, based on relative urgency of need, for approval of such applications. Only applications meeting the conditions for approval under this title shall be considered applications for purposes of the preceding sentence.

"Authorization

"SEC. 407. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and for each of the four succeeding fiscal years, such amounts, not to exceed $20 million in any fiscal year, as may be necessary for carrying out the purposes of this title."

The CHAIRMAN. We have not reached title IV as yet.

Mr. UDALL. This amendment follows title III as a new title IV.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona that the further reading of the amendment be dispensed with?

Mr. COLMER. Mr. Chairman, I think the House should know what is in the amendment; I would like to know myself; therefore, I object.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk completed reading the amendment.

Mr. COLMER. Mr. Chairman, I reserve a point of order against the amendment. I do not know yet what it does.

Mr. UDALL. Mr. Chairman, I was one of those who took the well of the House on Tuesday last and who thought it was the better part of wisdom not to adopt the amendment proposed by the gentleman from New York.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Connecticut.

Mr. MORANO. I just would like to ask the gentleman if some member of the committee will say whether or not the action the House has just taken has not stricken the Powell amendments from the bill?

Mr. UDALL. I do not know, but that matter can be taken up later. I have a great deal of explaining to do.

Since it is now the will of the House that we attempt to do something to implement the Supreme Court school integration decision, I feel I can consistently propose this program which has been before the Congress for over a year. Subcommittee hearings have been held on the legislation and it has been favorably reported by a subcommittee.

This amendment simply applies to the school-integration decision of the United States Supreme Court the Federal impact principle we are all familiar with. I dare say there is no Member of Congress here who has not had some school board in his congressional district receive funds under Public Law 815. We apply the Federal impact principle, which is that where the Federal Government has come into a community and built an airbase, or established a defense plant and an excessive burden is placed on those communities, there is a Federal responsibility, and the Federal Government must build the school facilities outright, and pay 100 percent of the funds required.

What has happened in the Southern and Border States? After 57 years of the so-called separate but equal doctrine, they were told that they must change their policies, that the legal was illegal, that the constitutional was now unconstitutional, that they must reorganize and revamp their entire school systems. It has thrown a tremendous financial burden on many of these school districts, aside from the problems of human rela-

tions. In many communities it has resulted in a great need for additional school facilities.

I should like to read to you a statement. The State superintendent of schools of the State of Kentucky wrote to me last month as follows:

One of the greatest difficulties we have had with our program of integration is due to lack of facilities.

And, therefore, for that extra burden that we have imposed upon these States I say there is a Federal responsibility, just as there is under Public Law 815, the Federal impact program. We should be consistent and do precisely what we are doing at the present time under this program.

Now, what we did, in effect, on Tuesday was to say that it was the sense of the Congress, and we so directed, that in the States and areas that are not in compliance, funds should be withheld. This amendment today, to my way of thinking, is a much more clear vote on integration, and I think the Members who voted for the amendment on Tuesday will be tested again today. This amendment asks you this question: Shall we give extra aid—shall we shoulder our Federal responsibility—toward the school districts in Tennessee, Oklahoma, Kentucky, Delaware, and Texas, that are now carrying out integration programs? Are we going to leave this problem, created by one of the arms of the Federal Government, up to them, or are we going to discharge our Federal responsibility just as we are doing under Public Law 815, the Federal impact program. So, if we are going to legislate in this field, let us not only have the Powell amendment which we have adopted, but let us complement that with a constructive program that will give direct aid to those school districts that are already going ahead and tackling this tremendous problem. I think the issue is very simple and very clear, and I hope that the Members in considering this legislation and in voting upon it will take due regard for the principles involved. I happen to believe, as the author of this bill, that whether we adopt it now or in 2 or 4 or 6 years, perhaps, Congress will pass it because it is right and just. I think we are going to pass legislation of this type because there is a clear Federal responsibility involved and it is unfair to expect the people of these States to discharge these responsibilities alone.

Mr. ROOSEVELT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROOSEVELT. In order that we may understand what has already transpired, am I correct in assuming that the adoption of the amendment offered by the gentleman from New York has stricken all previous amendments, including the Powell amendment, adopted by the committee?

The CHAIRMAN. The amendment offered by the gentleman from New York takes the place of the language that is contained in title I of the bill. It substitutes for it the language of the amendment that he offered.

Mr. ROOSEVELT. That includes any language in title I, including the labor provisions and all amendments adopted by the committee to it?

The CHAIRMAN. That is correct.

Mr. MORANO. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MORANO. Does that mean then that when we go back into the House there will be no opportunity to vote for or against the Powell amendment on a rollcall?

The CHAIRMAN. Well, under the present circumstances, that is correct.

Does the gentleman from Mississippi [Mr. COLMER] withdraw his reservation of a point of order?

Mr. COLMER. Mr. Chairman, on investigation I withdraw.

The CHAIRMAN. The point of order is withdrawn.

Mr. MORANO. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MORANO. If, when we go back into the House, there is a rollcall vote on the Gwinn amendment and that amendment on a rollcall vote is defeated, will we then have an opportunity to vote on the Powell amendment?

The CHAIRMAN. No. The Powell amendment, under the present circumstances, cannot be reported to the House.

Mr. MORANO. Assuming that the Gwinn amendment is defeated on a rollcall vote in the House, will we then have an opportunity to vote on the Powell amendment?

The CHAIRMAN. If the Gwinn amendment is defeated on a rollcall in the House, then there will be nothing before the House except title I as originally reported.

Mr. MORANO. And amended?

The CHAIRMAN. Without amendment; as it is contained in the bill.

Mr. WAINWRIGHT. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WAINWRIGHT. Is the bill considered open and subject to amendment, such as a future Powell amendment, at this time?

The CHAIRMAN. Only titles II and III are open to amendment. The request did not include title IV.

Mr. BAILEY. Mr. Chairman, I rise merely to make this comment. I think the Members should know a little bit of the background concerning the amendment offered by the gentleman from Arizona [Mr. UDALL]. That amendment was offered in the committee and was turned down with instructions that the gentleman should offer his amendment on the floor of the House. The committee has no comment to make one way or the other and prefers to permit the Committee of the Whole to work its will on the proposal of the gentleman from Arizona [Mr. UDALL].

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. UDALL].

The question was taken; and on a division (demanded by Mr. UDALL) there were ayes 45, noes 120.

So the amendment was rejected.

Mr. BAILEY. Mr. Chairman, I offer an amendment to title III.

The Clerk read as follows:

Committee amendment offered by Mr. BAILEY: On page 24, strike out "(a)" in line 13, and strike out lines 21 through 25.

Mr. BAILEY. Mr. Chairman, the amendment proposed here involves the same question that was involved in the amendment I offered to title II on page 14. The Committee on Rules objected strenuously, in granting a rule on this bill to the inclusion of the language in lines 21 through 25 which reads as follows:

Financial transactions of the Commissioner in making advances pursuant to this title, and vouchers approved by the Commissioner in connection with such financial transactions, shall be final and conclusive upon all officers of the Government.

This would simply take away from the Comptroller General, the General Accounting Office, the right to regulate and audit these expenditures. The gentleman from Virginia, the chairman of the Committee on Rules [Mr. SMITH], and the gentleman from Mississippi [Mr. COLMER], a member of the Committee on Rules, raised the question and I called the committee's attention to it. The committee authorized this section to be stricken.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. I can understand what the gentleman is trying to do here. It has been discussed before. There is one problem that worries me a great deal in connection with title III. The Commissioner enters into an agreement with the school-financing agencies to put up half the basic reserve fund in conjunction with the State's putting up the other half. On the basis of the agreement of the Commissioner, people purchase the bonds of the school-financing agencies. When a purchaser buys the bond he would like to be sure, in order that his money is protected and safe, that the agreement of the Commissioner will be lived up to.

I am wondering if we ought not to leave this provision in here with the following added, and I should like the gentleman's judgment because I think it does exactly what I think he is trying to do:

Agreements to make advances entered into by the Commissioner in conformance with the provisions of this title shall be valid and binding upon the United States, and all financial transactions of the Commissioner in conformity with the provisions of such agreements shall be final and conclusive; except—

And here comes the new part—

that all such financial transactions of the Commissioner and vouchers approved in connection therewith shall be subject to audit by the General Accounting Office at such times and in such manner as the Comptroller of the United States may by regulation prescribe.

Mr. BAILEY. May I say to the gentleman from Pennsylvania that I offered a modified section in lieu of striking lines 21 to 25, which was the request filed by the Department of Health, Education, and Welfare, and the rules committee was adamant in saying that they wanted the section eliminated without any qualifying language. So that is what I reported to the committee, and I was instructed to offer the amendment to strike lines 21 through 25.

Mr. McCONNELL. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. McCONNELL as a substitute for the amendment offered by Mr. BAILEY: In lieu of the striking section 313 (b), substitute for section 313 (b), page 24, lines 21 to 25, inclusive, the following:

"Agreements to make advances entered into by the Commissioner in conformance with the provisions of this title shall be valid and binding upon the United States and all financial transactions of the Commissioner in conformity with the provisions of such agreements shall be final and conclusive; except that all such financial transactions of the Commissioner and vouchers approved in connection therewith shall be subject to audit by the General Accounting Office at such times and in such manner as the Comptroller General of the United States may by regulation prescribe."

Mr. McCONNELL. Mr. Chairman, I have already spoken on this particular amendment. I cannot emphasize strongly enough that when banking institutions enter into agreements on voting bonds they have to know that the agreements made are binding on someone. While I understand the purpose of the gentleman from West Virginia, which is that the Commissioner cannot make changes in the various provisions without some accounting under the direction of the Comptroller General, I think in the amendment I have offered I not only observe the responsibility of the Commissioner toward the agreements made with purchasers of obligations of school-financing agencies, but I have also preserved the interest of the United States in that we do not leave the Comptroller General or the General Accounting Office out of consideration. He would have a right and the General Accounting Office would have the right at all times in such manner as the Comptroller General would wish to audit the agreements and the transactions of the Commissioner in connection with these bond obligation agreements.

Mr. BAILEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, regardless of what I may think of the proposal offered by the gentleman from Pennsylvania, I still have a commitment not only to the members of the Committee on Rules, which granted the rule, but I have a commitment to my own Committee on Education and Labor who instructed me to offer the amendment as I did offer it to strike out the lines on page 24. I have no way of conceding what the gentleman wants to do. Personally, I committed myself to the Committee on Rules and I committed myself to my own committee to offer the amendment.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield.

Mr. WAINWRIGHT. I think it might be pointed out that it was not a unanimous decision of the committee to eliminate this language altogether. I think we can agree with the gentleman from Pennsylvania that there is merit to his substitute amendment.

Mr. BAILEY. It still does not change my position of having committed myself to offer the amendment.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield.

Mr. McCONNELL. I understand your position. I hope you understand mine. What I am trying to do is exactly what the committee wished. But, at the same time, I want to insure protection for the purchasers of the obligations of these school financing agencies. I want to be sure that both are protected. I think my amendment does just that.

Mr. BAILEY. I might say, Mr. Chairman, that had the reading clerk read the amendment which was at the Clerk's desk with reference to page 23, it might have prevented this situation so that it would not have been necessary to have the proposed substitute amendment. However, we might just as well proceed as we are.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Pennsylvania.

The substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia as amended by the substitute amendment.

The amendment, as amended, was agreed to.

Mr. BOSCH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOSCH: On page 25, strike out all after line 18 through line 4 on page 26 and on page 26, line 6, change section 316 to 315.

Mr. BOSCH. Mr. Chairman, this is a very simple amendment which has as its purpose the striking out of section 315 of this bill beginning on line 19, page 25, through line 4, page 26.

Briefly, section 315 would permit commercial banks to underwrite and deal in certain revenue bonds of State school financing agencies. It is a known fact that revenue bonds are considered more speculative than are general obligation municipal bonds. This section would create a dual interest since national banks, generally speaking, finance the investment dealers who for many years have been underwriting revenue bonds and thus they can control the bidding on such bonds.

Mr. Chairman, this provision is completely separate from and is in no way essential to the financing or other provisions of this bill, but it does present very important questions of public policy with regard to banking and finance. I am informed that there is now pending before the House Banking and Currency Committee bills which have specific reference to the subject matter covered by section 315 of this bill. In accordance with legislative procedure, the House Banking and Currency Committee should have sole jurisdiction of legislation dealing with any amendment or changes in the banking law. It is not within the prerogative of our Committee on Education and Labor to legislate on banking and finance. Since the enactment of the Glass-Stegall Banking Act of 1933, commercial banks have been forbidden to underwrite or deal in securities of any type with certain exceptions. These exceptions are specifically set forth in paragraph 7 of section 5136 of the Revised Statutes—title 12, United States Code, section 24—and section 21 of the Banking Act of 1933—title 12, United States Code, section 378. These exceptions would be amended if section 315 of H. R. 7535 were not deleted.

It has been stated that section 315 would stimulate the sale of the revenue bonds of proposed local school financing agencies, but past experience has clearly shown that security dealers have ample underwriting capital and distribution strength to handle these bonds soundly and competitively without calling upon banks to engage in this business. It should also be noted, Mr. Chairman, that no testimony as to this provision or its implications was had either before the subcommittee or the full committee.

I respectfully urge the adoption of this amendment.

Mr. KELLEY of Pennsylvania. Mr. Chairman, that amendment was agreed to in the full committee. The committee agrees to accept the amendment.

Mr. McCONNELL. It is quite agreeable to our side, as far as I know.

Mr. BOSCH. I thank the gentleman.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BOSCH].

The amendment was agreed to.

Mr. BARDEN. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. BARDEN moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. BARDEN. Mr. Chairman, I offer this motion to strike the enacting clause because I think it proper and in the interest of good legislation. I think it is something the majority of the Members of this House want to do, for I think the bill is now in such shape that it will in the final analysis be defeated. So, without consuming 5 minutes, I say to the House that I hope you will adopt this motion and save a lot of time.

Mr. BAILEY. Mr. Chairman, I rise in opposition to the preferential motion.

It is evident that this is a move to kill this legislation. In view of the nationwide demand that something be done about this serious emergency, I do not believe that this is any way for the Congress to dodge its responsibility under the circumstances. A vote for this preferential motion—and it will not be withdrawn—it is intended to be voted upon—will kill this legislation. I sincerely hope you will not be misled, those of you who are sincerely in favor of trying to do something for the boys and

girls of this Nation, into voting for this motion.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from North Carolina, Mr. BARDEN.

Mr. DIES. Mr. Chairman, I demand tellers on this vote.

Tellers were ordered, and the Chairman appointed as tellers Mr. BARDEN and Mr. MCCONNELL.

The Committee divided; and the tellers reported that there were—ayes 130, noes 149.

So the motion was rejected.

Mr. HALLECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on the motion just offered, as you may have observed, I voted "no." I do not think that at this time consideration of the pending bill should be terminated. A few more things should be said before we finally finish consideration of the bill and come to the point where the final vote will be had. We shall still have an opportunity to put the recommendation and proposal of the President in this bill and greatly enhance prospect for passage.

I have understood the administration's position on this bill from the beginning. It has been argued by many responsible people in the country that a critical shortage of classrooms exists in our school system, that the situation is so critical and the necessity is so great that the Federal Government should lend a helping hand in a rather moderate and restricted way to try to help alleviate the difficulty. So the proposal that came from the President and the administration enunciated two propositions covered in title I, which has to do with the financial help to the States. Many consider title I to be the real backbone of the proposal. The administration said specifically two things: First, obviously not all areas across this broad land of ours are faced with the same critical conditions; some communities and some States need help to a far greater degree than do others. Therefore, the administration has insisted from the beginning that the allocations to the various States should take into consideration the needs of the States and the communities in those States.

As I said on Tuesday last, speaking in reference to the first McConnell amendment, the administration wanted to move in the direction of some equalization of educational opportunities across the land.

The first McConnell amendment sought to carry out administration policy in that regard. The amendment was decisively defeated by Democrats who voted against the President.

Second, the administration has insisted that if we are moving in the direction of this legislation to meet a critical situation—what is said to be needed are more classrooms—then the program to be instituted should absolutely guarantee that the classrooms to be built under this program are in addition to or supplemental to those that would be built at State or local levels. Otherwise the program does not accomplish what it seeks to accomplish and what the President thought it should accomplish.

In addition, it was deemed highly desirable by the administration that as many incentives as possible be built into this legislation to be effective upon the States, recognizing that the States and the local communities have the fundamental responsibility for education. That is something I believe in. It is something the President believes in. So today the second McConnell amendment was offered to again try to bring this legislation into line with the administration's views, the President's views, the Department's views. Again that amendment was decisively defeated by Democrat votes.

Mr. Chairman, may I say to you that the Kelley bill never was the administration program; it is not the administration program now. As far as the Gwinn amendment, which was adopted, is concerned, in my humble judgment it does greater violence to the principle of allocation on the basis of need than the formula in the Kelley bill, because I think it should be clear to all of us that corporate and personal income taxes are concentrated in many areas where probably the need for the help that this program would provide is less than in any other place in the country.

I make this statement only that it may be understood that this bill as it presently shapes up is not the administration proposal as far as title I is concerned. It does not incorporate the administration's principle as I have enumerated them. What ultimately will come of it I do not know. That remains to be seen. However, I want it understood, before we come to a vote, just what the situation is.

I hope a motion to recommit is offered, with instructions to incorporate the McConnell amendments, thereby incorporating the President's recommendations. I further hope this motion prevails because I believe adoption of the administration's proposals are necessary to final approval of this legislation here in the House of Representatives.

Mr. BAILEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BAILEY:

Page 23, line 1, strike out "three" and insert "four."

Page 23, line 1, after "sums", insert "aggregating not more than $150,000,000."

Page 23, beginning in line 7, strike out "1960" and insert "1961," and strike "in an aggregate principal amount not to exceed $6,000,000,000."

Mr. BAILEY. Mr. Chairman, this amendment became necessary due to objections raised by the Committee on Rules. They thought, by the language at the bottom of page 22 and the top of page 23, that we were attempting to obligate the Federal Government for a total of $6 billion. After discussing this matter with the Committee on Rules, I called attention at the next session of our Committee on Education and Labor to the objections offered by the Committee on Rules to this legislation, and it was decided that we would write into the legislation the exact amount of Government obligations. In view of the fact that we amended the bill to make it a 5-year program instead of a 4-year program, the first thing would be to substitute "four" for the word "three" on line 1, page 23, and after the word "sums" in line 1 inserting "aggregating not more than $150,000,000." The Committee on Rules thought we should state the exact Government obligations. Now, why is that $150 million? On page 14 of the bill the Government agrees to assume one-half of the carrying charges on the interest and retirement of these bonds during the construction period from 1956 to 1960. One-half of that carrying charge would be at the present rate which the Government can borrow with interest at 2.5 percent, which would be 2.5 percent of $6 billion or $150 million. I have heard it said repeatedly that it was not $150 million but that it was an $8 billion program. So, the amendment I am offering puts in the exact Government obligation of $150 million. Then, in section 311 we change the date of 1960 to 1961 to correspond with our 5-year program, and then striking the remaining part of that to show that the Government is not being obligated for $6 billion.

Mr. Chairman, I move the adoption of the amendment.

Mr. McCONNELL. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I am glad to yield to the gentleman.

Mr. McCONNELL. Mr. Chairman, I should like to say at this time that this is an effort to assure the Members of Congress and all the people reading the bill that no such sum as $6 billion is contemplated. If every school financing agency took advantage of the opportunity, they could finance up to the principal amount of $6 billion and the Government would agree to put up one-half of the basic reserve fund. The amount for that would be $150 million as the gentleman has said. So I am quite in accord with naming the exact figure rather than using the misleading language that is in the bill.

Mr. Chairman, I therefore support the amendment.

Mr. BAILEY. I thank the gentleman.

Mr. HOFFMAN of Michigan. Mr. Chairman, I rise in opposition to the amendment.

FEDERAL AID TO EDUCATION IN IMPACTED AREAS

Mr. Chairman, it is my understanding that title I and all the amendments to title I were stricken by the Gwinn amendment. Subsequently we were told by the administration spokesman, the gentleman from Indiana [Mr. HALLECK] that the bill as now written was not the administration bill, was not acceptable to the administration. That is wonderful news, because it frees all of us over here who are supposed to be riding on somebody's coattails to do as we like—each can vote as he wishes. I always have.

It was somewhat intriguing to me to learn from the press either yesterday or this morning, that we are all becoming flabby because we are riding around so much in automobiles, not getting enough exercise. It is apparent from that story, if true, that shortly we will not be able to walk. Statistics bear out that contention, so that while you may smile, or even laugh about it, just think it over and read the article by the professor.

Some of our higher educators are telling us that future generations will not be able to walk. Future Members will need a little cart to bring them to the House floor.

I can understand, it is not difficult to understand why, when the Federal Government moves into a community and brings in a large group of workers and their families—I can understand why the Federal Government should provide aid in building facilities for schooling. I can go along with that easily enough. But when in a normal situation we go back to the proposition that we cannot build our own schoolhouses, it makes me wonder if that article in the paper was not correct.

Do you know what our forefathers did when they needed a schoolhouse? They took an axe and a maul and a wedge, and if they had it—and they were lucky if they did—a crosscut or bucksaw and went out into the woods and cut the timber and built the schoolhouse. We do not have the timber? Right. But we have many a substitute and we have the money to pay for the schoolhouse and the teacher if we have the will. I read somewhere that Lincoln did not have any Federal aid to assist him in getting an education. There have been quite a few people who have come along in this country, good citizens, men and women who have accomplished something—without Federal or any other kind of aid. Only yesterday I heard the gentleman from Illinois [Mr. DAWSON] tell how he obtained an education—and on his own. Are our children, our grandchildren less able?—of less courage?

Mr. BAILEY. Mr. Chairman, I make the point of order that the gentleman is not discussing the amendment.

Mr. HOFFMAN of Michigan. Yes, I am. I want to show you how the amendment and the bill with the amendment in it, if it were put in, would not be any good.

The CHAIRMAN. The gentleman will proceed.

Mr. HOFFMAN of Michigan. Have we become so weak and so dependent upon the Federal Government—which does not have a dime until we supply it—that we cannot build our own schoolhouses or hire our own teachers? I do not know what the folks in Michigan will think if we put through a bill here which gives them back $17 million less than they are paying in. Above all it does seem to me that we ought to be a little careful about taking from our people that constitutional right to transact their own business, and putting the teaching of our children in the hands of the Federal Government. Is there any assurance that the Federal Government is all wise, that it will do everything right?

Just a few days ago—and I shall put this in the RECORD a little later today—David Lawrence, who is a pretty good observer and an accurate reporter, carried in his article the statement that the Federal Government had spent—and it is not contradicted—$3 million educating veterans in schools owned wholly or principally by the Communists. All of these billions for national defense. All of these billions for foreign aid, to say nothing about the lives that have been lost over there to fight communism, and yet we learn that we have imposed a burden of $3 million on our taxpayers to enable a Federal agency to help schools that teach communism. How much more do you want of it?

Hardly a day passes but that a congressional committee comes up with a scathing report of either the wasting or the embezzlement of Federal tax dollars by someone in a Federal agency.

In practically every field of activity, we find the hand of the Federal Government either directing or pushing us around. The Federal Government has the average taxpayer working a third of his time, or 4 months out of the year, to supply it with funds so that it may operate.

It gets its foot in the door and, the first thing we know, it is sitting with its feet under the dining-room table, turning the electric current on and off, and soon, if we are not careful, will be crawling into bed with us. Waking or sleeping it is with us.

In fact, during the past few years, many a Communist, a Red, a Pink, has been sleeping in the Federal bed, and quite comfortably, too.

Now, the Federal Government proposes to take our children, put them in the schoolhouses which it will build or supervise, and shortly some of its experts on higher education, gullible as usual, will be sitting side by side with Communists or leftwingers or one worlders, teaching our boys and girls that the Constitution is outmoded; that work, thrift, and sacrifice all belong to the Dark Ages.

In my judgment, no quicker way to destroy the American way of living, American institutions, could be adopted than to accept this bill and the procedure which would inevitably follow.

If the past and its lessons mean anything to us, let us defeat this bill on final passage.

Mr. STAGGERS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have been discussing the Federal aid to education bill, a subject that has been discussed for a long time. Men in this country, when public education first started, fought public schools. We did not have public schools throughout the United States until 1839 as a complete system of education.

The gentlemen who preceded me mentioned his State of Michigan and said that in 1874 the Supreme Court of Michigan held that local districts wishing to extend their schools beyond the elementary grades might do so. Today it is the custom throughout the United States that we provide public education through the high school days.

Five important words in the Declaration of Independence are, "all men are created equal." We lead peoples of the world to believe that every man in America and every woman has an equal opportunity, and that means in every field. Certainly this should be so in the basic field of education.

Recently a man in the city of Washington worth, I presume, at least $2 million, was discussing with me this fact of Federal aid to education, and I brought up the subject that in some of the States they just could not afford to give their children the kind of education they do in the richer States. He made the statement to me, "If those children can't get it, let them leave that State and go to some State where they can get it." I told him I thought that was the most absurd statement that a man I thought had good sense could make, because those children did not have the ability nor the opportunity to pick up and go to some other State to get their education. Perhaps their fathers and mothers should have, but why should we blame and penalize our children for the fact that they cannot get an education because of lack of teachers and facilities?

They say, "Where will the Federal Government come in?" As I understand the President's recommendation, and as I understood the gentleman from Indiana [Mr. HALLECK], they too, advocated that we equalize educational opportunities somewhat throughout the United States. I believe the Kelley bill does that. I hope that when we go back into the House the Gwinn amendment will be voted down, and that the Kelley bill will be voted up. We then will have made some start in this Federal aid to education which will equalize the opportunity of every man's child to get an education equal with yours and mine. I hope that my children will be educated in West Virginia. We feel that we have good schools. I want them to have a good education. But I would want the right for every other American child in this land, to have an equal opportunity for a good education. I believe every good citizen wants that, because the strength of America is in the whole and not in the part. There are a lot of men who would have their children go to a good school but would deny that right to some poorer child.

Mr. GAVIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened with a great deal of interest to the debate for the past several days. I am quite concerned about these various Federal aid programs. For the past 20 years we have been concocting all sorts of ideas for Federal aid programs of some nature or other. Federal aid—Federal aid—that is all we hear. Nobody seems to pay any attention to the fact that we have to pay for all Federal aid which is granted. In my opinion it would be more practical and better if we paid taxes in our municipalities or in our counties or our States to build our school system rather than tax the people in our States, bring the money to Washington to have formulas concocted for regulating and directing the spending of money through Washington supervision. I think all of these programs ought to be left in the hands of the people of the communities and their respective States. In my own district, they are consolidating the school districts and they are floating bond issues to pay for school construction programs. They are building their own schools under their own supervision. They are assuming, and have been for many years, the responsibility of the education of our youth.

Everybody today is for Federal aid for everything, you will not receive the Federal aid unless you conform to certain formulas developed by the Federal Government and that is where the differences arise.

Why not leave school-construction programs to the States and municipalities?

Let me remind you also of the national debt. Nobody thinks about the national debt of $276 billion. Nobody even thinks about the debt any more. If Bob Rich, my good and able friend and former Representative from Pennsylvania, were with us today he would say, "Where are you going to get the money?" It is a fallacy to think when you talk about that Federal aid you are getting something for nothing. Let me remind you any Federal aid your receive is paid for by taxes. You are not getting anything from the Federal Government that does not have to be paid for. Everyone thinks Uncle Sam, as I have said before, is a rich uncle, that his pockets are inexhaustible, and that all you have to do is to spend and spend; that Federal aid is a magic word, and you pick the money out of the air. I wonder how many votes there would be in the House for Federal aid for school construction if a companion bill were brought in to tax the people to raise the money to pay for this $400 million? You would think twice before you would vote any tax increase. I feel certain of that. As I have said before, we owe $276 thousand million. The interest on the debt is $7 billion a year. Even if we paid the debt on the basis of $3 billion a year, it would take 75 or 100 years to pay the debt. But still, week after week and month after month somebody concocts ideas and legislative proposals for Federal aid programs. Federal aid has to be paid for. Put a bill before the House for increased taxes and see how much interest would be aroused. So, I think this legislation should be defeated. Let us leave the responsibility for school-construction programs with the respective communities throughout the Nation who are and have been developing these programs for school construction for the education of the youth of America. They have been doing a great job. They are doing a great job in my State. Once the Federal Government gets its foot in the door with Federal-aid programs for school construction, next year you will be here for $800 million or a billion dollars to enlarge the program, and if continued for several years it will be expected to have the Federal Government take over all school construction. The next step after school construction would be Federal aid to education, with an opener of $500 million or up. Federal aid for school construction would be well underway, and then you would necessarily have to have Federal aid for education, with the Federal Government supervising, regulating, and directing, and telling you what to do and when to do it, and how to do it. As for me, I do not want the Federal Government in our education system. We are doing a good job, and have been for years. We have built a great nation through our system of freedom to operate without governmental intervention.

We have made the greatest progress of any nation in the world. We have the greatest prosperity that any nation has ever enjoyed. We are making great progress in our educational program, maybe not as well as we would like, but we are turning in a very satisfactory performance throughout all the States. So, let us be realistic. Let us be practical. Let us use a little reasoning on the matter. Let us go back to the American way that has built without question the greatest nation the world has ever known. The communities throughout the Nation have been assuming their responsibilities and no doubt will continue to do so. This fallacy that you are getting something for nothing from the Federal Government when you secure Federal aid should be deflated. Nobody gets anything for nothing; we all pay the bill.

Let me say to my colleagues this country of ours was set up as one in which the people would be masters of government, not the government masters of the people. And I hope it will continue to be a Government that believes that the right to assume self-responsibility will always be more precious than life itself.

It was founded and developed by people who sacrificed comfort and security in order to secure and ever preserve liberty and freedom of operation in this Nation.

Governmental control over the fundamental rights of the citizens in recent years is not only alarming, but if it continues, can lead only to some form of regimentation. In fact, bureaucracy has grown so in the past 20 years that it really constitutes a fourth branch of our Government. Bureaucracy has grown to the point where it will, if continued, become the master of the citizen and the citizen will become the servant rather than the master of Government.

The degree to which people of all classes have been brought into dependency upon the whim or bounty of Government is not only alarming but it is dangerous to the very concept of the sovereignty of the individual and self-government of the people.

In my opinion this Federal aid to school construction is just another program that would project the Government into our educational system.

Four hundred million dollars is being requested to initiate this program, but once the foot is in the door this program will be expanded and expanded with more taxes and more taxes which have now become a burden on the backs of every American taxpayer. High taxes are a millstone around the necks of all our citizens. They stifle initiative. They are a drag upon production and are a major factor in the cost of living because they enter into the cost of everything.

Instead of reducing taxes, we are concocting more ideas to increase taxes. Under the circumstances, if taxes were reduced the Federal Government would function more efficiently by eliminating waste and extravagance. Rather than create new formulas for spending, let us return these responsibilities to the States where they rightfully belong.

This legislation should be defeated.

Mr. HAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

THE POWELL AMENDMENT AND CIVIL RIGHTS

Mr. HAND. Mr. Chairman, I hope that the House will affirm in some proper form the decision we adopted in Committee on Tuesday to adopt the Powell amendment.

For several months I have given a good deal of prayerful consideration to the proposal of the gentleman from New York. I am conscious of the argument that if the House adopts the Powell amendment the result might be to delay by filibuster in the other body the consideration of the bill for Federal aid to schools. This may or may not be true, but the fundamental fact remains that that is not the responsibility of this House, and certainly not my responsibility. We must call them as we see them here, whatever may happen somewhere else.

I have listened to and examined with great care all of the arguments in this debate, including the calm, well-reasoned, and logical statement made by Congressman POWELL on June 29—CONGRESSIONAL RECORD, page 11472.

Mr. POWELL says:

> Now certain things are self-evident; you cannot teach respect for law and order in schools built in defiance of law and order.

I agree.

The Supreme Court of the United States, in a memorable and incidentally a unanimous opinion, has said that under our Federal Constitution segregation in our public schools is unlawful. In that same opinion the Court, recognizing the magnitude of the problem in the South, and recognizing the fact that the "separate but equal facilities" doctrine has prevailed for half a century, knew that some time would be required to implement this decision, and said so. However, necessity for some delay does not recognize the right to open defiance.

DEFIANCE OF LAW

Everybody who reads knows that a number of our States have very forcibly expressed such open defiance, describing the decision of the Court as tyranny which must be resisted with every resource; stating that the decision will be a nullity; passing legislative enactments denouncing it and going so far as to take steps to abolish the public-school system for the purpose of evading the ultimate effect of the Court's decree.

Mr. Chairman, the Supreme Court is without any real power short of military compulsion, which is completely unthinkable, to enforce its decree, but at the very least the Congress need not seek to assist those States which defy the law of the land, and indeed is legally and morally obliged not to do so.

Referring back for a moment to the longstanding so-called equal but separate facilities, with but a few striking exceptions the facilities for colored children and white children have never been

equal, and the expenditures both for construction of schools and the maintenance and operation of schools have been substantially greater for white children than for colored.

Moreover, recognizing that time and a considerable amount of it is necessary for a solution of this great social problem, another Powell amendment would hold in escrow the funds allocated to school districts that have not integrated until the last year of the pending bill, which is 4 years from now. If, after that length of time, the schools have decided to integrate, they will receive all the accumulated funds. At the end of this bill, 4 years from now, 7 years will have passed since the Supreme Court's decision. That does not seem to be proceeding with unreasonable speed.

There is an international problem involved in this question and that is that the United States is the leading exponent of democracy, freedom and equality throughout all the world. How can we support that position of leadership when the Congress itself appropriates money for an unconstitutional defiance of the democratic process.

CITIZENS OR NOT?

Mr. Chairman, either our 14 million American Negroes are citizens of this country or they are not. There is no constitutional warrant for classes of citizenship. Since they have been citizens for nearly a century, they are entitled to the rights and privileges of citizens, and one of those fundamental rights is freedom fully to participate in our public educational system.

The money which we propose to spend on aid for schools is collected from all American taxpayers, including Negro taxpayers. How can we justify using taxes collected from Negroes to assist segregation practices against their children.

What becomes of the pledge that all of us so frequently make at public meetings, where we pledge allegiance to the flag, and to "one Nation indivisible, with liberty and justice for all." Let us try calmly and in a friendly fashion to really make this Nation indivisible, and to really establish liberty and justice for all.

I urge further support of the Powell amendment.

CIVIL RIGHTS

Mr. Chairman, a somewhat similar problem to that which I have just discussed will be before us, I hope, within a very few days, and that is the administration's bill to implement civil rights.

Here again, as in the school problem, the Constitution is not self-implementing. I presume there is no one who would argue that the Constitution does not guarantee all Americans of any color, the right to vote. The fact is, however, that the right to vote has been successfully denied to millions of our people for a great many years and nothing very effective has been done about it.

Therefore, there will shortly be presented to this House after too much delay, caused by persons who are opposed to civil rights, a bill which will try to do something about it. The bill creates a permanent bipartisan Commission on Civil Rights, whose continuing duties will be to investigate allegations that certain citizens of the United States are being deprived of their right to vote, or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin, and to study and collect all information on this problem.

More importantly, however, the bill will provide for the appointment on a permanent basis of an additional Attorney General of the United States whose sole duties will be to enforce civil rights. Under the bill the Attorney General may institute for the United States or in the name of the United States, but for the benefit of the real party in interest, a civil action or other proper proceedings for redress or preventive relief, including injunction. The bill will provide that—

No person, whether acting under cover of law or otherwise shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote as he may choose, for any candidate for President, Senator, Member of the House of Representatives, at any general, special, or primary election.

And again the Attorney General is authorized fully to proceed to enforce these rights.

Mr. Chairman, it seems to me that this is a minimum of what we should do, and should do now. When you face the facts, it is really unthinkable that the world leader of democracy, liberty, and freedom permits any citizen of the United States, no matter how humble, to be deprived of his fundamental right to vote, or for that matter any other fundamental right guaranteed by the Constitution.

EQUALITY UNDER LAW

Almost peculiar to the United States of America is the ideal of equality under law, and privilege based on birth or race or religion or economic condition has always been alien to the American ideal. As the Committee on the Judiciary says in favorably reporting this legislation:

The purpose of this legislation is clear. It is to make more certain that rights guaranteed by the Constitution and laws of the United States will be enjoyed by all, regardless of race, creed, color, or national origin. It is directed at no particular section of America. Certainly, no area of the country can claim achievement of full equality under law. The Committee on the Judiciary of the House of Representatives recognizes its distinct duty to enact wise legislation which will guarantee that the words of promise spoken by the Constitution will be fulfilled in every corner of the Nation. It is also realized that American leadership of the free world is aided greatly by practical demonstrations of our historic commitment to the ideal of equality under law. To shirk this high responsibility and leave the production of Federal rights to State or local governments would represent, at best, an unjust imposition of Federal duties on these overworked State and local law-enforcement officials and, at worst, dereliction of sworn duty to uphold and defend the Constitution of the United States. Finally, to fail to take appropriate action to provide adequate tools for the protection of rights and privileges guaranteed by the Constitution and laws of the United States would amount to gross faithlessness to the great American ideal of equality under law.

OPINION OF MY PEOPLE

Mr. Chairman, some time during this past winter a delegation of 20 or more citizens of my congressional district came down to Washington and conferred with me on what was called the civil rights worksheet for 1956. This program contained eight points and they are as follows:

First. Set up an effective Federal FEPC to prevent discrimination in employment.

Second. Make Federal funds for education, housing, and welfare available only to those programs and projects that comply with constitutional bars against segregation and other forms of discrimination.

Third. Make lynching and other assaults by public officials or private citizens, acting either in concert or individually, on persons or property because of race, color, religion, or national origin, a Federal crime.

Fourth. Wipe out interference with the right to register or vote in primary or general Federal elections, and abolish the poll tax.

Fifth. Create a Civil Rights Division within the Department of Justice, headed by an Assistant Attorney General, with authority to protect civil rights in all sections of the country.

Sixth. Establish a permanent Federal Commission on Civil Rights to make continuous appraisals and to recommend actions with respect to civil-rights problems.

Seventh. Eliminate remaining segregation and other forms of discrimination in interstate travel.

Eighth. Establish majority rule in the Senate and House of Representatives.

I told them then, and repeat now, that I am for this program. The pending civil-rights bill will certainly go a long way to taking care of points 4, 5, and 6. The other points are equally important.

I am proud of the progress which the Eisenhower administration has made in this connection and of the general Republican record for civil rights. I hope it will continue and that we will obtain a favorable vote in the House of Representatives.

By reason of the long delay which has been occasioned by enemies to the program, it is fairly evident that this program, or perhaps not even a substantial part of it, can be enacted in the closing days of this session of Congress; but there again, as I said in the discussion of the Powell amendment, responsibility for delay or frustration in some other body is not our responsibility in this House of Representatives. Here we should pass the program, and if action on it is not completed in this year, we should renew our efforts at the very beginning of the next session.

I suggest that we all stand up and be counted so that our Negro citizens, as well as our other minority groups, can determine from the record once and for all who are their friends and who are against them.

Mrs. BLITCH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and Representatives of the United States of America—I say that

with great feeling, because that is exactly what each person in this room is.

We do not all think alike here today. That is what makes America great. The reason we do not think alike is because we are a combination of States, living under traditions left by those who went before us. We all state with pride that this has come to be the greatest country in the world. I think if you could say one single thing is responsible for the greatness of America, it is the fact that we have not been forced to conform to a set mold, but because we are a group of States, we develop our individual traits and the best of them go into making a great Nation. Perhaps this present bill will not take us too far overboard at this particular time, but let me say, that if this bill is passed, we have opened the door to the complete disruption of all the rights that we have to be different from one another. I do not say that it is a compelling thing that all of us should be unalike, but God help us from all over being exactly alike. May we always preserve our right to be different.

A few years ago it was my privilege to sit in a great hotel in Philadelphia with some Democratic leaders. One of the subjects that came up for discussion was this very same subject—Federal aid to education. I positively gasped. I said "Not Pennsylvania? Here you are sitting on top of more money than there is in any comparable space in the world, and Pennsylvania is going to ask for Federal aid for education." I said, "Don't you have any backbone in your State? Don't you have the backbone to stand up and fight for your own children, and your own State, and the opportunity to educate them? Don't you care for your own children enough to do the best you can for them, or do you want to pour more money into the Federal Treasury and then siphon off a little to Georgia and some of the other Southern States just to get a little school money for yourselves?"

The answer was this: "We have a Republican governor, and you cannot get him to do a thing toward raising taxes to give us some money; to give us enough money to educate our children."

Since that time they have changed governors in Pennsylvania. They now have a Democratic governor there. Evidently tax procedures and the will to call upon the people at the State level to finance their children's education is still nonexistent for we have the distinguished gentleman from Pennslyvania, whom I revere very much, coming here and fighting with all his might for Federal aid to education.

Let me tell you something, my friends. I do not want any Federal aid for education. The people in my State want none of the largess from New York, Ohio, or any of the other States that are considered so rich. Let me tell you that following the War Between the States, we were left with no schools for the white, no schools for the colored, and no votes for the white.

I have read in the CONGRESSIONAL RECORD speeches very carefully prepared advocating strict adherence to the 13th, 14th, and 15th amendments, but I have heard no mention made of the 9th and 10th amendments that were adopted in good faith by the States. Knowledge that they were going to be adopted was the only reason that the Constitution itself was adopted. But those three amendments that have been mentioned here on this floor today were adopted when so many of the States had as their legislators a few scalawags, a few carpetbaggers, and poor ignorant and uninitiated Negroes. Certainly, there is a grave cloud of doubt as to the legality of those particular amendments.

But there is no shadow of a doubt that the Constitution gives only the Congress power to legislate and that it reserves to the States or the people all rights not reserved to the Federal Government.

The word "education" is mentioned at no single place within the Federal Constitution. Therefore, none but the most willfully blind can say that education is a prerogative of the Federal Government.

Our brilliant and courageous forefathers who wrote or ratified the Constitution were jealous of the right to educate their own children.

Tell me not, my fellow colleagues, that our forefathers were ignorant and stupid and were not up-to-date on this great fundamental principle of our Government. The tremendous success of this Government bares eloquent testimony to their discernment.

That any Member of this body would have the temerity to destroy this heritage would be unbelievable were I not here to witness it.

The world is more complex today than ever. Our only chance of survival is to hold close, hold close and very dearly to the principles that in spite of human weaknesses have preserved this democracy in a Republic—the greatest form of government ever before achieved by man.

Mr. Chairman, I urge, I implore my colleagues to defeat the bill before us.

Mr. JACKSON. Mr. Chairman, I move to strike out the last word.

Mr. KNOX. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KNOX. Mr. Chairman, I feel I am compelled to support the Kelley school-construction bill so that every child, regardless of where he or she may live, will have an equal opportunity to receive an education. Because of the large holdings of State and Federal lands in the State of Michigan, and the fact that Michigan itself has been negligent in assisting the poorer school districts of the State in acquiring the facilities for the education of the youth are principal reasons for my supporting the bill.

I am cognizant that many school districts in the 11th Congressional District of Michigan have bonded themselves and in turn increased the mileage to retire the bond issue so they may meet the requirements of educational facilities. However, we have many school districts that are completely surrounded by Federal and State lands which have deleted great portions of the tax base that the school districts may use for the spreading of taxes for the construction of schools, and the amount of money forthcoming from the holdings of Federal lands is a mere pittance of the need of financial aid for school construction.

Until this past session of the Michigan Legislature the State of Michigan paid 10 cents an acre to schools and townships for lands held by the conservation department for State purposes. I must give credit to the last session of the Michigan Legislature for making an increase from 10 cents to 15 cents an acre on said lands.

The youth of our Nation is with us because we want them. Our responsibility is to see that the children have an opportunity to receive an education so that they may meet the competition in seeking the position of making their goal in life.

For these reasons I will vote for the passage of the school-construction bill.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I ask unanimous consent that all debate on the bill, H. R. 7535, and all amendments thereto, close at 3:15.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 26, after line 12, insert a new title IV:

"That there shall be no Federal funds allotted or transferred to any State which fails to comply with the provisions of the Supreme Court."

Mr. WILLIAMS of Mississippi. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the time of debate on the entire bill has been limited, as I understand it. Is that time to be divided equally among those who were standing at the time?

The CHAIRMAN. That is within the discretion of the Chair. No one was standing when time was fixed, so the Chair assumes there will be ample time for everybody.

Mr. POWELL. Mr. Chairman, I rise to give the Members of this House an opportunity to reaffirm their action of 2 days ago. With adoption of the Gwinn amendment all of title I as amended, including the so-called Powell amendments, was stricken out.

I would like to say also that the gentleman from New York [Mr. GWINN] in offering his amendment did not do so to strike out the Powell amendment, because both he and the gentleman from Kansas [Mr. SCRIVNER] as long ago as February 27 of 1955, were proposing this approach to Federal aid to education. So the fact that the Powell amendment was lost due to the adoption of the Gwinn amendment was not due to any conscious act on his part aimed at the Powell amendment.

The Gwinn amendment, for the benefit of those who do not know what it is, says:

There is hereby authorized to be appropriated for the fiscal year beginning July 1, 1956, and for each of the 3 succeeding fiscal years, an amount equal to 1 percent of the total of all income taxes collected on individual and corporate incomes, under the Internal Revenue Code of 1954 from all the States and Territories during the previous calendar year, which shall be paid by the Secretary of the Treasury on December 31, during each such fiscal year, to the respective States and Territories, in amounts equal to 1 percent of the amount of such revenue collected in each such State or Territory, to be used for public schoolroom construction as prescribed by the law of each State or Territory.

That figures out, according to the table I have here, about $585 million a year based on income-tax collections in 1954. My amendment now is in the shape of a new title, and that title is that there shall be no Federal funds allotted or transferred to any State which fails to comply with the provisions of the Supreme Court.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New Mexico.

Mr. FERNANDEZ. Well, the gentleman's amendment at the present time is much broader than the one adopted the other day.

Mr. POWELL. Yes; it is, because under our parliamentary procedure I could not draw up an amendment as liberal as this one the other day. I would like to direct attention to this part of the amendment "which fails to comply with the provisions of the Supreme Court." Now, the provisions of the Supreme Court are provisions that are lenient; they are provisions which state "move with all deliberate speed." So, therefore, the fact the amendment contains "provisions of the Supreme Court" does make it liberal.

Mr. METCALF. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Montana.

Mr. METCALF. I want to ask the gentleman to explain a little further about what the provisions in his amendment mean, because decisions of the Supreme Court are many. "Provisions of the Supreme Court" does not mean only one decision; it means all the decisions. It is rather an ambiguous and vague amendment.

Mr. POWELL. I am sure the gentleman from Montana does not object to States abiding by whatever decisions the Supreme Court may render; does he?

Mr. METCALF. No; I do not. I am for it. But I do not think his amendment does what he wants it to do.

Mr. POWELL. I think it does. It abides by the decisions of the Supreme Court.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Indiana.

Mr. HALLECK. For the purpose of clarification, I looked at the language contained in the gentleman's amendment. Now, as the Powell amendment has been under consideration in the press and around the country in recent months, the criticism has been directed at it because it took no recognition—that is, the gentleman's amendment as it has been talked about was alleged to take no recognition—of the matter of timing that was a part of the Supreme Court's decision. Now, as I read the gentleman's amendment, it would seem very clear to me that the amendment that is presently pending does take account of that part of the Supreme Court decision that has to do with the matter of timing.

Mr. POWELL. You are exactly right, sir. This amendment is just in support of the Supreme Court and makes sure that no Federal funds shall be given to any State which is violating the provisions of the Supreme Court, and that is all.

Mr. ALBERT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this for the purpose of directing an inquiry to the gentleman from New York [Mr. POWELL]. Does the term "provisions of the Supreme Court" have any legal or any other meaning whatsoever?

Mr. POWELL. To me, yes, sir.

Mr. ALBERT. Well, "provisions of the Supreme Court" could mean the equal but separate doctrine provision.

Mr. POWELL. No. That is gone; Plessy versus Ferguson has been ruled out by that.

Mr. ALBERT. Does the term "provisions of the Supreme Court" relate to law or what?

Mr. POWELL. It relates to the Supreme Court provisions affecting this bill that is before us, which is the school construction bill.

Mr. ALBERT. I would direct the point to the gentleman that the term "provisions of the Supreme Court" has no meaning with reference to any decision or body of laws upon which the Supreme Court of the United States has acted.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Then the word "provisions" could mean provisions already in effect or to be in effect hereafter.

Mr. POWELL. Provisions in effect now. This is a school construction bill. Anything in this bill must relate to education. Therefore, when I say "provisions of the Supreme Court," I am applying the Supreme Court decisions as they affect education.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from North Carolina.

Mr. COOLEY. Is it not a fact that the Supreme Court does not make provisions?

Mr. ALBERT. That is exactly the point of my inquiry. The gentleman is correct, that there is no legal significance to the term "provisions of the Supreme Court."

Mr. COOLEY. The Supreme Court only renders decisions and does not make provisions.

Mr. ALBERT. Exactly. The gentleman is correct.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from New York.

Mr. POWELL. If it was changed to "decisions," then would you be satisfied?

Mr. ALBERT. No. I am directing my inquiry in the interest of legislative accuracy, and I deem this would not be accurate either.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Chairman, with respect to what the gentleman from Oklahoma [Mr. ALBERT] has suggested, of course, if the gentleman from New York [Mr. POWELL] were to ask unanimous consent to amend his amendment by changing the word "provisions" to "decisions and orders" it would seem to me the amendment would more properly fulfill the purpose.

Mr. ALBERT. I would say to the gentleman from Indiana that that is no part of the amendment that is pending before the Committee of the Whole at this time.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield.

Mr. POWELL. I want to thank the gentleman for bringing this to my attention. I am sure that I could get unanimous consent to amend the amendment, or one of my colleagues will offer an amendment to the amendment.

Mr. Chairman, I ask unanimous consent that my amendment be changed to read "the decisions of the Supreme Court."

Mr. ALBERT. Mr. Chairman, I object to that.

Mr. POWELL. I want to thank the gentleman for straightening me out, even though he did not go all the way.

Mr. KEARNS. Mr. Chairman, I move to strike out the last word.

I do not think there is any Member of the House who has been more interested in school construction than I. I rise at this time to speak on this very important legislation.

I like the gentleman from New York [Mr. POWELL]. I like every member of our committee. I think we have tried to do a conscientious job. Many Members who have spoken on the floor either for or against school construction have come to members of our committee time and again and have said, "When are we going to have a bill reported out for school construction?"

The challenge I want to offer to the gentleman from New York [Mr. POWELL], is this—and I do not disagree entirely with him in his philosophy. But is he willing to take the responsibility of sabotaging school construction for every boy and girl in America because of his own conception of this legislation as stated in his amendment?

I think Members of Congress have the right to stand up and say that they believe in the Powell concept or they disagree with it. But every boy and girl in America knows what he wants, and that is a schoolhouse.

It is wrong to have this whole bill sabotaged on this issue.

Mr. ROOSEVELT. Mr. Chairman, I offer an amendment to the amendment of the gentleman from New York [Mr. POWELL].

Mr. BASS of Tennessee. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BASS of Tennessee. If an amendment is to be offered to the amendment proposed, I make the point of order that the amendment is not germane to the bill.

The CHAIRMAN. That point of order comes entirely too late.

Mr. BASS of Tennessee. If an amendment is proposed to the amendment, would not a point of order then lie?

The CHAIRMAN. The Chair cannot anticipate what the situation will be. The Clerk will read the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROOSEVELT to the Powell amendment: Strike the word "provisions" and insert the word "decisions."

Mr. BASS of Tennessee. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BASS of Tennessee. I make the point of order that the amendment is not germane to the bill.

The CHAIRMAN. It is certainly germane to the amendment offered by the gentleman from New York to substitute the word "decisions" for the word "provisions." The Chair so rules.

Mr. BASS of Tennessee. Mr. Chairman, a further point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BASS of Tennessee. I make the point of order that the word "provisions" is ambiguous and has no meaning whatever and would make the amendment not germane.

The CHAIRMAN. The Chair does not rule on the question of ambiguity. It is a question of germaneness solely, and the Chair has ruled that the amendment is germane.

The gentleman from California is recognized for 5 minutes.

Mr. ROOSEVELT. Mr. Chairman, I do not think it is necessary to elaborate any further on the argument. I yield back the balance of my time.

Mr. VELDE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to H. R. 7535, the bill for Federal aid to school construction unless the Gwinn amendment is passed on a rollcall vote. At the outset, let me say that I voted to report this bill out of committee, and am happy that I did so. I feel that a bill of this importance should be given consideration by the full membership of the House of Representatives.

During the general debate and debate on the various amendments which have been offered, I have learned a lot that I didn't know before, and it is upon these grounds that I have now decided to oppose this bill.

For the past 8 years I have been privileged to represent a congressional district which I suppose could be called a silk stocking district as far as education is concerned. Our schools are good. We have very fine teachers and I feel in most instances that they are adequately paid. Under H. R. 7535 I doubt very much whether any schools in the 18th Congressional District would receive one red penny in aid, except for the regular per capita amount under title I. As far as that is concerned, I doubt very much if many schools in the whole State of Illinois would receive any Federal funds which are authorized by any other provisions of the bill.

I feel it my duty as a true Representative of my people to consider the welfare of the taxpayers in my district first, because it is through their ingenuity and enterprise that they have been able to establish an educational system which is adequate and in keeping with our tradition of free and locally controlled educational facilities. Two of our outstanding citizens from the 18th Congressional District, O. D. Maddox, and L. J. Fletcher, acted as delegates to the White House Conference on Education last November. Both expressed their deep opposition to any form of Federal aid to our school systems. In addition to that, our great Governor, the Honorable William G. Stratton, who has also served two terms in this House, and our fine superintendent of public instruction, the Honorable Vernon L. Nickell, have done likewise.

I just this morning received a letter from Mr. Nickell expressing his opposition to this bill, and I would like to quote in part from his letter:

The attorney general of Illinois has informed us that if the bill as written is enacted, or is enacted in any similar form, Illinois—if it desires to participate—could take no legal action until after the State Legislature passed enabling acts in the next general assembly which will meet next January. So in any event, Illinois could not participate before receiving the approval of the State legislature. If I understand it correctly, the bill provides that Illinois would pay into the fund a sum of thirty to thirty-two million dollars and have returned only $20,000, while on the other hand, the State of Mississippi would pay not more than around $2 million and get back $6 million.

Now, knowing Mr. Nickell as I do, I am sure that he is not penurious and has just as high regard for the welfare of the youth of this country as I do, but it is difficult, and understandably so, for us to understand why the State of Illinois—which has gained a reputation for meeting its obligation to educate its youth—should be forced to pay for the education of the youth of so-called backward States, whose State legislatures have not had the courage to raise their tax limits and thus meet their needs for education.

I have heard my distinguished chairman telling of his extreme devotion to the cause of education. Other members of our Education and Labor Committee have likewise expressed their feelings that the education of our American children is the greatest weapon we have against tyranny and suppression of speech and thought. I want to say now that I firmly believe the future of America lies to a great extent in the education of its younger generation. I have been fortunate myself in having been a school teacher for 4 years. During that period in my life I learned that our educational policies and principles can best be handled by our local administrators. In fact, the local and State administration of our school system, in my opinion, is largely responsible for our Nation gaining its present stature.

But to be more specific in my reasons for opposing this bill, let me say that as a practicality the real need of school districts in this country would not be helped one iota; the fact is that those schools in the South, which according to all statistics are the most needy, will not receive aid from this bill.

Another fact is that this bill will merely provide for taking money out of one pocket and putting it in another, with of course a deduction by the Federal Government for the cost of handling. This to me is not progress.

Like practically everyone in this great body, I believe too that the Federal Government should have no part in the control of our educational policies. I would be less than sincere if I stated that I could see no Federal control of education in this bill. We have gone far enough as it is in the concentration of power in our Federal Government. It is high time we begin to think about the division of powers between the Federal Government and the governments of our various States, as set forth so clearly and wisely in the 10th amendment to our Constitution. In all the nations of the world, where tyranny and dictatorship have prevailed, the educational system has been used as a prime tool to make such tyranny and dictatorship their source of power and authority. I feel we cannot be too cautious in seeing that this does not happen in our great Nation.

I therefore firmly believe that a decisive defeat of this bill would not be a step backward in the education of our youth in America. I feel, rather, that it would be a step forward because once the voting taxpayers realize the Federal Government will not lend its financial support or control to the construction of school facilities, they will then buckle down, get busy and assume their responsibility in raising the necessary funds in their local areas, just as my great State of Illinois has done so successfully in the past.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. VELDE. I yield to the gentleman from West Virginia.

Mr. BAILEY. Would the gentleman want to put a dollar sign on a matter as serious as this?

Mr. VELDE. I certainly feel that the gentleman from West Virginia has done the same thing many times before. The matter of finance is a very integral part of this bill and I certainly feel constrained to take the matter of dollars into consideration.

Mr. BAILEY. I think the gentleman will acknowledge that I have done a great deal to bring about the passage of much of the school legislation that is on the books.

Mr. VELDE. Does not the gentleman from West Virginia realize that his State will benefit by this bill?

Mr. BAILEY. I am not so sure of that.

Mr. VELDE. Especially under title I as it was first written. Under the present

bill, if the Gwinn amendment suceeds, of course he will not.

Mr. DOLLINGER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOLLINGER. Mr. Chairman, I rise for the express purpose of emphasizing my position on the issue before us, the Powell amendment to the bill to authorize Federal assistance to the States and local communities financing an expanded program of school construction.

I voted for the Powell amendment when it originally came before us on July 3. I shall vote for the Powell amendment presently before us.

During the debate on June 29, my distinguished colleague from New York [Mr. POWELL] pointed out that on January 18, 1949, and in each Congress thereafter, I introduced a bill to withhold Federal aid from schools which discriminate between students by reason of their race, color, religion, ancestry, or national origin. Beyond a polite acknowledgment from the chairman of the committee in reply to my requests that action be taken on my bill, nothing was done. Now, at last, the issue is before us. I am pleased to have the opportunity to cast my vote in favor of legislation which will further the cause of integration in our schools and will end some of the evils of discrimination suffered by so many of the children and young people of our Nation, as well as their parents.

It is of utmost importance that the provisions of the Powell amendment be included in the school construction bill before us. Without such provisions the integration decision of the Supreme Court would be futile; we would provide the Soviet Union with another weapon against us; those nations which we hope to keep on our side in the cause of democracy would look upon us with derision and contempt on the ground that there is no true democracy in our own country; another blow would be dealt the Negro people here who have been prevented from enjoying that true freedom and equality provided under our Constitution.

Mr. KEATING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in connection with this amendment, I think unquestionably the intent of the House would be clear under the wording as originally offered by the gentleman from New York when he used the expression, "the provisions of the Supreme Court," although I believe the correct term to use would be "decisions and orders of the Supreme Court." I have an amendment at the desk to the amendment of the gentleman from New York to so provide. It would read:

The decisions and orders of the Supreme Court.

I wonder if the gentleman from California would like to withdraw his amendment so that my amendment may be reported?

Mr. ROOSEVELT. Because I believe the gentleman from New York who is now speaking is one of the greatest authorities on this matter, I ask unanimous consent to withdraw my amendment and support his.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. BASS of Tennessee. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. KEATING. In the light of the objection and I anticipated we might have an objection at this point, I think it is perfectly clear what the meaning is. This matter can be resolved in conference so as to include the correct words, which I think should be here. In other words, the words "decisions and orders" can be supplied by the conferees. This amendment should not be defeated simply because it lacks artistry. The meaning is perfectly clear.

Mr. Chairman, this amendment, as it is now phrased, ought not to be objectionable to anyone. It simply states what should be the law in any event. It therefore can do no possible harm. It is moderate and restrained in its phraseology. It must be borne in mind that the Supreme Court in writing these decisions said that they would be put into effect through implementing decisions of the Federal district judges.

Mr. Chairman, we know that the question of segregation in many communities is giving rise to grave problems. They cannot be disposed of overnight. They must not be ignored or subjected to resolution by force. The principle of integration must be upheld under our Constitution. At the same time, we must, in wisdom and fairness, avoid extremist tendencies. That is just exactly what the Supreme Court recognized in its decision when it said that the various States should proceed with all deliberate speed, but that it was left to the Federal judges in the various areas to implement the decision of the Supreme Court by a subsequent decision.

The present amendment of the gentleman from New York is, if anything, even more moderate in its recognition of that fact than the one which was stricken out through the parliamentary tangle we got into a few minutes ago. I will concede when I first considered this amendment, I was somewhat disturbed by the impression that it might be an extremist tactic. I feared that bringing the integration question into our deliberations on school construction might detract from the consideration of the main issue on its merits.

But I have revised that opinion. In its present form, this amendment is moderate and proper. Furthermore, I recognize that it involves a question of principle upon which there should be no compromise by those of us who happen to believe the way I do.

This amendment will have no undesirable effects, so far as the administration of this school construction bill is concerned, since Federal funds would not reach those areas which have regrettably chosen to scuttle their public education systems anyway. And its omission might raise confusion as to the intent of Congress and the attitude of the Federal Government with respect to the Supreme Court's mandate. The amendment adds nothing to what the nine members of the High Court have already said. It only assures that this piece of legislation cannot be construed as weakening the mandate of the Court. That would be, in my judgment, indefensible. For these reasons I support the amendment of the gentleman from New York.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. SCOTT. Mr. Chairman, yesterday I was surprised to hear the distinguished gentleman from Illinois, the vice chairman of the Democratic National Committee, argue against the Powell amendment. The opposition to the Powell amendment of ex-President Truman as revealed by his letter read on the floor of this House, and of the Democratic National Committee exhibits continuing determination to kill civil rights measures. This is not the first time Harry Truman has tried to pull the rug out from under civil rights legislation. His purpose is clear: to prevent a record vote where the Democrat Members must stand up and be counted. I do not believe Members on my side of the aisle are timid about recording their views so that he who runs may read. I support the Powell amendment.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. HALLECK. I have asked the gentleman to yield not to speak on the particular matter that is pending, but to make this statement for the understanding of the Members. An amendment was adopted in the Committee of the Whole—the Gwinn amendment—which changed all of title I of the bill. The gentleman from Pennsylvania [Mr. MCCONNELL] proposes to offer a motion to recommit which would put into the bill the two amendments that he had offered while the Committee was sitting. If the Gwinn amendment is not voted down, his motion to recommit would not be in order. I want it further understood that if we are to get to the point where Mr. MCCONNELL's motion to recommit can be offered, and I hope it will be offered and that it prevails, we must first vote down the Gwinn amendment. His motion to recommit will give effect to and implement the President's recommendations and views as to the vital and important parts of the bill. If his motion is voted down, the President's proposals are ignored, and, in my opinion, passage of the bill will be seriously jeopardized.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. MORANO. Is it not true that this amendment does not stop the flow of funds to a State by reason of a date limitation, and therefore it is more liberal?

Mr. KEATING. That is my understanding.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WINSTEAD. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The Chair wishes to announce that an amendment to an amendment is not permissible. There

has been an amendment offered by the gentleman from California.

Mr. WINSTEAD. Mr. Chairman, I rise then in opposition to the Powell amendment.

Of course, I am opposed to the Powell amendment, and the bill, but I do not have time to discuss that. I will discuss what this proposed amendment to the amendment would deal with. You who support the Powell amendment insist you want to do something for the Negro race. If you do, why do you not go far enough to amend his amendment to the extent that no State in this Union can participate in these funds unless they hire a percentage of the Negro race to teach the children in those States, in keeping with the population of that race to the rest of the people? I doubt if there would be a State in the Union above the Mason-Dixon Line who could participate. The Southern States which do not practice integration employed 113,000 Negro teachers, according to recent statistics, as against 10,480 in the so-called integrated States. South Carolina alone employed more than 2,000 Negro teachers, more than the New England States combined. If you want to make a political football out of this thing, why not go all the way. If you are sincere in wanting to see that they have equal opportunities, then give the same proportion of Negro teachers in proportion to the Negro population before you come in here for a provision that would deny the Southern States participation in this bill because they maintain separate facilities. You can laugh this thing off if you want to, but if you are sincere, stand up and be counted. Why don't you good people from New York do something about the Puerto Rican proposition? That is one of the worst racial problems in the United States.

May I say again, if you are going for the Powell amendment, go all the way. Show your courage. You can talk about your courage. Some of you condemn the South so freely. I would like to see Chicago, Ill; Detroit, Mich.; and New York City, and Ohio, and some of these States where we hear so much from you and your Representatives about the racial problem, set an example at home, or take a position in this Congress that is consistent with what you practice. Then you might find some of us a little more willing to go along with your provisions.

Mr. CHUDOFF. Mr. Chairman, will the gentleman yield?

Mr. WINSTEAD. I yield.

Mr. CHUDOFF. I believe the gentleman said the State of South Carolina had a great number of Negro teachers. I should like to know from the gentleman if he knows whether the State of South Carolina pays those teachers the same wages as white teachers.

Mr. WINSTEAD. I cannot say about South Carolina, but Mississippi has the same standards of pay for the Negro teachers as the whites. I wish some of you would get better informed before you come in here and talk so much on this type of thing. It is my understanding that South Carolina, North Carolina, Georgia, and the other Southern States pay teachers according to their qualifications regardless of race. A Negro teacher with qualifications equal to that of a white teacher, receives the same pay.

We in the South at least believe in giving the Negro race leaders and teachers of their own people. Some of you in the Northern States who so actively support the Powell amendment, undoubtedly do not practice this same principle in employing your teachers.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SIEMINSKI. Mr. Chairman, today was a most challenging day for me as a legislator. The school-construction bill is a legislative must on our list of accomplishments for our people.

Interwined with the success of this program is a great social question that has recently been decided by the highest Court in the land, our Supreme Court.

The association of all races and creeds is the story of development in Hudson County, N. J. We learned to live and to worship and to work together many, many years ago.

Our school system, I believe, is second to none in this great land.

Perhaps our singular success has been the realization of our public officials, clergy, and educators that equal opportunities must exist for all in our public-school system. Integration is not a new world in our school system. It has been the byword for many years.

I pray that God in His great wisdom will guide and strengthen us in our efforts to provide equal opportunities for all our citizens, regardless of race or creed.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. ROOSEVELT] to the amendment offered by the gentleman from New York [Mr. POWELL].

The amendment to the amendment was agreed to.

Mr. COOLEY. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. COOLEY. Now that the Powell amendment has been perfected by the amendment offered by the gentleman from California, I make the point of order against the Powell amendment that it is not germane to the bill; and I would like to be heard briefly at this time.

The CHAIRMAN. The Chair is ready to rule. The point of order comes entirely too late, because the Powell amendment has already been perfected.

Mr. COOLEY. Mr. Chairman, let me point out that I did not make this point of order against the Powell amendment until the Powell amendment was perfected, because some debate had intervened between the time the Powell amendment was offered and the time the Roosevelt amendment was offered.

The CHAIRMAN. The Chair passed on that question when it was raised by the gentleman from Tennessee.

Mr. COOLEY. The Chair passed upon the question of the Powell amendment before the Powell amendment had been perfected.

The CHAIRMAN. The Chair has ruled.

Mr. COOLEY. Mr. Chairman, I rise in opposition to the Powell amendment.

The CHAIRMAN. Time for debate on amendments expired at 3:15. It is now 3:16.

The question recurs on the Powell amendment as amended.

The question was taken, and on a division (demanded by Mr. KELLEY of Pennsylvania) there were—ayes 177, noes 123.

Mr. BAILEY. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read title IV.

The Clerk read as follows:

TITLE IV—GENERAL PROVISIONS

Definitions

SEC. 401. For purposes of this act—

(1) The term "Commissioner" means the (United States) Commissioner of Education.

(2) The term "State" means a State, Alaska, Hawaii, Puerto Rico, Guam, or the Virgin Islands, except that for purposes of title I it also includes the District of Columbia, American Samoa, and the Canal Zone.

(3) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the governor or by State law.

(4) The term "State school-financing agency" means the single agency, official, governmental entity, or instrumentality of a State, designated or established by the State for purposes of title III.

(5) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a city, county, township, school district, or political subdivision in a State; and includes any State agency which directly operates and maintains public schools. If a separate public authority has responsibility for the provision or maintenance of school facilities for any local educational agency or the financing of the construction thereof, such term includes such other authority.

(6) The term "school facilities," except as otherwise provided in this paragraph, means classrooms and related facilities (including initial equipment, machinery, and utilities necessary or appropriate for school purposes), for eduaction which is provided as elementary or secondary education, in the applicable State, at public expense and under public supervision and direction; and interests in land (including site, grading, and improvement) on which such facilities are constructed. Such term does not include athletic stadia, or other structures or facilities, intended primarily for events, such as athletic exhibitions, contests, or games, for which admission is to be charged to the general public. For purposes of title I, such term does not include interests in land, off-site improvements, or structures or facilities designed to be used exclusively for special activities, such as single-purpose auditoriums and gymnasiums.

(7) The terms "constructing" and "construction" mean the preparation of drawings and specifications for school facilities; erecting, building, acquiring, altering, remodeling, improving, or extending school facilities; and the inspection and supervision of the construction of school facilities.

(8) The term "annual debt service" means the aggregate amount required to pay the interest on and principal of each issue of

obligations becoming due in each successive 12-month period designated in accordance with the agreement under title III.

Utilization of other agencies

SEC. 402. In administering the provisions of this act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and, without regard to section 3709, as amended, of the Revised Statutes, of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary of Health, Education, and Welfare and the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon by the Secretary and the head of the agency or institution concerned.

Appropriation for administration

SEC. 403. There are hereby authorized to be appropriated for each fiscal year to the Department of Health, Education, and Welfare such sums as may be necessary for administration of this act.

Delegation of functions

SEC. 404. The Commissioner may delegate to any officer or employee of the Office of Education any of his functions under this act except the making of regulations.

Assurance against Federal interference in schools

SEC. 405. In the administration of this act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system.

The CHAIRMAN. Are there any amendments to titles II, III, and IV?

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer a motion.

Mr. KELLEY of Pennsylvania. Mr. Chairman, a point of order. I asked and received unanimous consent that all debate on the bill close at a certain time.

The CHAIRMAN. The unanimous-consent request did not dispense with the reading of title IV. The time was limited, but it was possible and it is still possible to offer amendments to be voted on without debate.

Mr. KELLEY of Pennsylvania. Mr. Chairman, my intention was to ask, and I think I did, that all debate on the bill, H. R. 7535, close at 3:15.

The CHAIRMAN. There is no question about that. All time has expired and the debate has ended. Now the Chair wants to know whether there are any more amendments?

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. That cannot be debated.

Mr. HOFFMAN of Michigan. Mr. Chairman, then I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

FEDERAL AID TO EDUCATION

Mr. HOFFMAN of Michigan. Mr. Chairman, listening to the debate on this bill but not thinking, one would reach the conclusion that unless it was adopted future generations would drop back into the dark ages.

Those who conceived and put into words the principles enumerated in the Constitution were wholly without education such as that contemplated by this bill.

They were of many races. They were men of different religious faiths. They were not of one mind as to any political philosophy.

No overall authority had guided them, determined either the form or the substance of their education.

To determine their course, they had their knowledge of the kind of government which had prevailed in the lands from whence they came. They had their experiences to guide them. Their ever-present problems, their way of living, shaped their thoughts, determined their actions.

Nevertheless, they put into words the Declaration of Independence, which today, for clearness and conciseness, is still the best expression of man's justifiable desires.

In the Constitution and the first 10 amendments, they expressed basic and fundamental principles of government, which many of us believe outlined the best possible form of government.

Under it, we have not only grown great and powerful as a Nation, we have not only become prosperous and progressive, but we still enjoy a greater degree of liberty and freedom than that obtainable anywhere under any other form of government.

In those days, there were schools. The school buildings were constructed by the people. They varied in form and size, as did the homes, the necessities, and the resources of the people whose children attended them.

Whether the teacher should confine education to the three R's, the local people determined.

Do not misunderstand. No one is advocating that we go back to the one-room schoolhouse. No one suggests that we confine the curriculum to the three R's. No one contends that the opportunity to learn should be limited to those who had available only the light of the fireplace, the pine torch, the bear grease, or the tallow candle.

What is being attempted is the expression of the thought that, relying upon the Constitution, upon the commonsense of our people, we have not only made amazing progress as our position is compared with that of other nations but that nowhere at any time has a better system of education than that formulated and carried out by our own people existed.

WHY REPUDIATE IT?

The 10th amendment to the Constitution declares that—

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

This bill before us today proposes to take from the people the right to determine the form and the substance of the education which their children shall receive.

The bill proposes to take the authority which they have heretofore enjoyed and exercised and vest it in a Federal Government, a Federal Government which all too often and in too many ways has already circumscribed their freedom. The proposal is the opening attempt to take from the people the education of their children and vest it in a bureaucracy at Washington.

If it be said that that is not the wording in the bill, that such is not the purpose of the bill, nevertheless experience tells us that once the Federal Government inserts a wedge in the activities of the people, ultimately the Federal Government controls that activity.

If this bill becomes law, we have no assurance whatever that the Federal Government will not take over completely our system of education.

If this bill be adopted, we are back to those days when in Germany Hitler marched the children to his controlled schools, indoctrinated them, and the result of that we know.

Perhaps there is no more accurate observer or reporter in the Nation today than David Lawrence. His U. S. News & World Report, as well as his pieces in the daily press, give citizens too busy or unable to carry on their own investigations, statements of fact, sound conclusions, unexcelled by any other source.

What has happened when once the Federal Government obtained control of a function may happen again. We have no assurance that it will not happen again. Permit me to read what Lawrence recently wrote:

The United States Government used more than $3 million of taxpayers' money from 1946 to 1952 to pay for the education of war veterans in 4 schools owned wholly or in part by members of the Communist Party.

This conclusion was reached by the Senate's permanent Subcommittee on Investigations, of which Senator MCCLELLAN, of Arkansas, is chairman.

With that fact in mind, knowing as we do that there is no more patriotic agency in the Government than the Veterans' Administration, than those who were in charge of the education program of the veterans, can we now forsake the system of education which has proven to be sound, shown itself efficient, given us so much? Place it under control of those who do their thinking in Washington? Will we, by the adoption of this bill take from the people their constitutional right to determine the form and substance of the educational system which shall determine not only the future of their children, but the future of our Government?

Following the two paragraphs which have been quoted, Lawrence further wrote:

Clumsy administration in the veterans agency in those years and, to some extent, lack of alertness on the part of State agencies which had approved the schools were responsible for the situation.

More than $2 million in Federal funds were expended to a private high school in New York City that had in it many pro-Communist teachers, but the bulk of the veterans were trained at the school even after the Veterans' Administration was aware that it was Communist-dominated.

The Senate committee has called for new legislation by Congress to prevent any further Federal support of Communist-owned schools. It is apparent that some of the existing laws are inadequate to take care of the situation.

Most significant in the subcommittee's report—which, incidentally, is unanimous—is the statement made concerning the im-

portance of confidential informants. The subcommittee does not reveal just what handicaps the investigating agencies of the Government may have been under in connection with the ascertainment of the facts concerning the influence of the Communists in the schools, but the subcommittee says:

"These hearings have served to reemphasize to this subcommittee the important contributions that may be made by confidential informants to the exposure of the Communist conspiracy before the courts and congressional committees. To this end they have made extreme sacrifices of which the American public generally is unaware.

"It is to be expected that Communists and Communist sympathizers will launch smear campaigns against these former party members who have a unique knowledge of the real purposes of the Communist Party, United States of America. However, the subcommittee is particularly disturbed by a recent increase in similar unjustified attacks from misguided quarters avowedly anti-Communist. By such activities they are either unwittingly or deliberately promoting Communist causes.

"The result of such attacks has been an increasing relunctance on the part of former members of the Communist Party or undercover agents to testify in courts or before congressional committees. This Government is thus being deprived of its best source of facts concerning an organization dedicated to its overthrow by unconstitutional means.

"It is of interest that those groups attacking informants are not heard from when informants on non-Communist matters are involved.

"The very nature of the Communist conspiracy has always rendered its exposure exceedingly difficult. Now that the party has gone underground, that difficulty has greatly increased, necessitating an even greater dependence on confidential informants within the party in order to keep abreast of its activities and at appropriate times to publicly expose its real objectives.

"Reckless and unjustified attacks against all confidential informants and their use by our Government are strongly condemned by this subcommittee. They accomplish nothing except the rendering of assistance to the Communist Party.

"This subcommittee is firmly opposed to the expenditure of Federal funds for institutions owned or controlled by Communists."

Maybe the justices of the Supreme Court who inveighed against "confidential informants" in one of their decisions recently will read what the Senate subcommittee has just said on the subject.

The subcommittee, incidentally, points out that, under existing laws, the Veterans' Administration "did not have and does not have legal authority to discontinue payment of Federal funds to schools reliably reported as Communist owned." But the Senators point out nevertheless that the Veterans' Administration "was on notice as early as 1946 of the deficiencies in this area" of public law.

The criticism of the Veterans' Administration is phrased this way:

"For a period of over 9 years, the Veterans' Administration failed to recommend corrective legislation or at least apprise Congress of the deficiencies of these laws. Such inaction is strongly condemned by this subcommittee. It resulted in an inexcusable expenditure of Federal funds in support of Communist-owned schools."

It is interesting to note that the new bill to correct the situation is sponsored by the full membership of the subcommittee, which means Democrats as well as Republicans.

This bill should be defeated.

Mr. DONOHUE. Mr. Chairman, the problem of providing vitally needed Federal aid to school construction in this country is second to none in its challenge to the legislative duty and individual conscience of the membership of this House.

The bill before us, the Kelley bill, H. R. 7535, should be enacted if we are to meet our duty and accept our conscientious obligation.

The overwhelming array of authoritative testimony of factual record leaves no question but what this Nation is faced with a dismaying shortage of classrooms. The situation has grown more critical each succeeding year since World War II. During the depression years few schools were built and during the war years even fewer, partially because of the shortage of materials. The nonexistence of classrooms coupled with the increasing birth rate has resulted in a catastrophic school situation in almost every community in the country.

The astonishing and astounding facts now are that 18 percent of our schools are fire hazards, a third are health and safety hazards, and thousands of school buildings are more than 50 years old. Coupled with these distressing figures is the cold fact that the school enrollment figure in 1955–56 was 1,675,000 over that of the previous year. By 1959 it is reliably reported that the total school enrollment will be more than 38½ million children.

This admitted classroom shortage problem goes beyond and is much deeper than the restriction of facilities and materials. Obviously the root of the problem and the real cause for national concern is that a shortage of classrooms and classroom facilities deprives the Nation's youth of adequate educational opportunities. Limited classroom space and old, unsafe, and unhealthy buildings are not conducive to learning nor are they by any means an inspiration to the faithful teacher. If we ignore this critical problem our greatest asset and investment for the future—the Nation's youth—are continuing to be improperly trained for the tremendous responsibilities of leadership which someday will be theirs.

Associated with this classroom shortage is perhaps even the more important problem of the shortage of teachers. The Nation's education authorities advise us that we are each year accumulating a deficit of 60,000 teachers while at the same time the yearly need is 150,000. Obviously, the almost sacred profession of teaching is becoming more and more unattractive to those who would best serve in it if they could afford to do so. The educators tell us further that the major reason for the teacher shortage is the low pay that teachers are offered, together with the poor facilities and overburdening number of pupils in the individual classrooms. In most States teachers are paid less than the average industrial worker. It is no wonder then that over 425,000 teachers have left their desks for other positions in the last ten years.

Enactment of a sound Federal Aid to School Construction bill will at least result, indirectly, in helping to make the teaching profession more attractive. Taking advantage of Federal aid for construction will permit State and communities to allocate more of their education budgets to the increase of teachers' salaries.

Mr. Speaker, there are some who honestly feel that any type of Federal Government injection into the national school system will hold the great danger of Federal interference and control. I should like to point out to these individuals that the committee hearings will show the great care and precautions taken by the committee to make certain that there shall be no undue interference by the Federal Government in the control of our school system. I would be the first to protest any unwarranted intrusion, or danger of intrusion, by the Federal Government into the supervision and direction of the schools of this country. I am extremely happy that the committee has seen to it that this legislation carries provisions that preclude any possibility of Federal control of our schools.

Mr. Speaker, it is unfortunate perhaps that in connection with this school construction bill we are being forced to vote on an amendment providing that no financial aid shall be advanced to any State that does not recognize the decisions of the Supreme Court. It is, of course, very clear that the purpose of the amendment is to sustain and emphasize the recent decision of the United States Supreme Court that outlawed segregation in our public-school system on the basis that such was opposed to the provisions of the Constitution of the United States granting equal rights. It is an unhappy circumstance that this amendment creates a dilemma in the minds of many of the Members of this House. It is clear that herein lies a challenge to be determined and resolved in accord with the individual conscience, and that the challenge must be met.

In these tremendous days of tension at home and turmoil abroad it is obvious to me that the authority, the stature and prestige of the Supreme Court of this land must be ever and forever upheld in its dignity and position of one-third of this Government as established and defined by the Constitution upon which our democracy rests. Any other course, to my conscience, would be an abandonment of the judicial part of our Government and unwittingly provide the Communist propaganda machines with an inexhaustible amount of material to undermine our efforts of world leadership.

I earnestly hope and pray that the majority of this membership can find it in their minds and hearts to support the Constitution while they are supporting the Nation's children and that we can in conscience and in patriotism preserve the Nation and provide for our youth by adopting this Federal school construction measure which is essentially good for all of America.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the

bill (H. R. 7535) to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms, pursuant to House Resolution 554, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. KELLEY of Pennsylvania. Mr. Speaker, I demand a separate vote on the so-called Powell amendment and on the Gwinn amendment.

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN of Michigan. Mr. Speaker, when the House votes on the bill and if a motion is offered to recommit with instructions to send the bill back to the committee and report the bill forthwith back to the House with the McConnell amendments, would the Powell amendment still be in it?

The SPEAKER. That depends on what action the House takes.

Mr. HOFFMAN of Michigan. If a motion is offered with instructions to report the bill back with the McConnell amendments, would the Powell amendment be in the bill?

The SPEAKER. The Chair is not going to prognostigate on whether amendments are going to be adopted or what the motion to recommit will be.

Mr. POWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POWELL. Mr. Speaker, a request has been made that there be a separate vote on the Powell amendment, that request being by the author of the bill, the gentleman from Pennsylvania [Mr. KELLEY]. Is that amendment the gentleman is talking about title IV which was just adopted in the last 10 minues by the Committee?

The SPEAKER. That is the amendment reported to the House proposing a new title IV.

Mr. BASS of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BASS of Tennessee. Mr. Speaker, is it in order at this time to also demand a record vote on the Powell amendment to title I?

The SPEAKER. Not on title I.

Is a separate vote demanded on any other amendment?

If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read, as follows:

Beginning on page 3, line 1, strike out everything through line 6 on page 10 and insert in lieu thereof the following:

"Authorization of appropriations

"SEC. 101. There is hereby authorized to be appropriated for the fiscal year beginning July 1, 1956, and for each of the 3 succeeding fiscal years, an amount equal to 1 percent of the total of all income taxes collected on individual and corporate incomes, under the Internal Revenue Code of 1954 from all the States and Territories during the previous calendar year, which shall be paid by the Secretary of the Treasury on December 31, during each such fiscal year, to the respective States and Territories, in amounts equal to 1 percent of the amount of such revenue collected in each such State or Territory, to be used for public schoolroom construction as prescribed by the law of each State or Territory."

The SPEAKER. The question is on the amendment.

Mr. KELLEY of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 168, nays 250, not voting 14, as follows:

[Roll No. 89]

YEAS—168

Abbitt	Donovan	Miller, Nebr.
Adair	Dorn, S. C.	Miller, N. Y.
Alexander	Dowdy	Minshall
Alger	Durham	Morrison
Allen, Ill.	Ellsworth	Moulder
Andersen, H. Carl	Fascell	Mumma
Andresen, August H.	Fenton	Norblad
Andrews	Fisher	O'Brien, N. Y.
Ashmore	Fjare	Ostertag
Avery	Flynt	Passman
Barden	Forrester	Phillips
Baumhart	Fountain	Pillion
Beamer	Gamble	Poff
Becker	Gary	Preston
Bennett, Fla.	Gavin	Radwan
Bentley	Gentry	Ray
Berry	George	Rees, Kans.
Betts	Gross	Riehlman
Blitch	Gwinn	Riley
Boggs	Hale	Rivers
Bolton, Frances P.	Haley	Robeson, Va.
Bolton, Oliver P.	Harden	Rogers, Fla.
Bonner	Harrison, Va.	Rogers, Tex.
Bosch	Hays, Ohio	Rutherford
Bow	Hébert	St. George
Boykin	Henderson	Schenck
Bray	Herlong	Scherer
Brooks, La.	Hess	Scrivner
Brown, Ga.	Hoeven	Sheehan
Brown, Ohio	Hoffman, Ill.	Short
Brownson	Hoffman, Mich.	Shuford
Broyhill	Horan	Sikes
Budge	Jackson	Siler
Burleson	James	Smith, Kans.
Bush	Jenkins	Smith, Va.
Carlyle	Jennings	Smith, Wis.
Carrigg	Jensen	Springer
Chase	Johansen	Taber
Chatham	Jonas	Talle
Chiperfield	Jones, Mo.	Taylor
Church	Jones, N. C.	Teague, Calif.
Clevenger	Kearney	Thomas
Cole	Keating	Thompson, Mich.
Cooley	Kilburn	Tuck
Coon	Knox	Tumulty
Coudert	Landrum	Utt
Cramer	Lanham	Van Pelt
Crumpacker	Latham	Velde
Cunningham	LeCompte	Vinson
Dague	Long	Vursell
Davis, Ga.	McCulloch	Weaver
Derounian	McGregor	Wharton
Dies	McMillan	Williams, N. Y.
Dondero	McVey	Willis
	Mason	Wilson, Ind.
	Matthews	Wolcott
	Meader	
	Miller, Md.	

NAYS—250

Abernethy	Bass, N. H.	Byrd
Addonizio	Bass, Tenn.	Byrne, Pa.
Albert	Bates	Byrnes, Wis.
Allen, Calif.	Belcher	Canfield
Anfuso	Bennett, Mich.	Cannon
Arends	Blatnik	Carnahan
Ashley	Boland	Cederberg
Aspinall	Bolling	Celler
Auchincloss	Bowler	Chelf
Ayres	Boyle	Chenoweth
Bailey	Brooks, Tex.	Christopher
Baker	Buckley	Chudoff
Baldwin	Burdick	Clark
Barrett	Burnside	Colmer
Cooper	Hosmer	Philbin
Corbett	Huddleston	Poage
Curtis, Mass.	Hull	Polk
Curtis, Mo.	Hyde	Powell
Davidson	Ikard	Price
Davis, Tenn.	Jarman	Priest
Davis, Wis.	Johnson Calif.	Prouty
Dawson, Ill.	Johnson, Wis.	Quigley
Dawson, Utah	Jones, Ala.	Rabaut
Deane	Judd	Rains
Delaney	Karsten	Reece, Tenn.
Dempsey	Kean	Reed, N. Y.
Denton	Kearns	Reuss
Devereux	Kee	Rhodes, Ariz.
Diggs	Kelley, Pa.	Rhodes, Pa.
Dingell	Kelly, N. Y.	Richards
Dixon	Keogh	Roberts
Dodd	Kilday	Robsion, Ky.
Dollinger	Kilgore	Rodino
Donohue	King, Calif.	Rogers, Colo.
Dorn, N. Y.	King, Pa.	Rogers, Mass.
Doyle	Kirwan	Rooney
Eberharter	Klein	Roosevelt
Edmondson	Kluczynski	Sadlak
Elliott	Knutson	Saylor
Engle	Krueger	Schwengel
Evins	Laird	Scott
Fallon	Lankford	Seely-Brown
Feighan	Lesinski	Selden
Fernandez	Lipscomb	Shelley
Fino	Lovre	Sheppard
Flood	McConnell	Sieminski
Fogarty	McCormack	Simpson, Ill.
Forand	McDonough	Simpson, Pa.
Ford	McDowell	Sisk
Frazier	McIntire	Smith, Miss.
Frelinghuysen	Macdonald	Spence
Friedel	Machrowicz	Staggers
Fulton	Mack, Ill.	Steed
Garmatz	Mack, Wash.	Sullivan
Gathings	Madden	Thompson, N. J.
Gordon	Magnuson	Thompson, Tex.
Grant	Mahon	Thomson, Wyo.
Gray	Maillard	Tollefson
Green, Oreg.	Marshall	Trimble
Green, Pa.	Martin	Udall
Gregory	Merrow	Vanik
Griffiths	Metcalf	Van Zandt
Gubser	Miller, Calif.	Vorys
Hagen	Mills	Wainwright
Halleck	Mollohan	Walter
Hand	Morano	Watts
Hardy	Morgan	Westland
Harris	Moss	Whitten
Harrison, Nebr.	Multer	Wickersham
Harvey	Murray, Ill.	Widnall
Hays, Ark.	Murray, Tenn.	Wier
Hayworth	Natcher	Wigglesworth
Healey	Nicholson	Williams, Miss.
Heselton	Norrell	Williams, N. J.
Hiestand	O'Brien, Ill.	Winstead
Hill	O'Hara, Ill.	Withrow
Hillings	O'Konski	Wolverton
Hinshaw	O'Neill	Wright
Holifield	Osmers	Yates
Holland	Patman	Younger
Holmes	Patterson	Zablocki
Holt	Pelly	Zelenko
Holtzman	Perkins	
Hope	Pfost	

NOT VOTING—14

Bell	Nelson	Thompson, La.
Cretella	O'Hara, Minn.	Thornberry
Dolliver	Pilcher	Wilson, Calif.
Lane	Scudder	Young
McCarthy	Teague, Tex.	

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Bell for, with Mr. McCarthy against.
Mr. Dolliver for, with Mr. Cretella against.
Mr. Pilcher for, with Mr. Nelson against.

Until further notice:

Mr. Thompson of Louisiana with Mr. O'Hara of Minnesota.
Mr. Thornberry with Mr. Scudder.
Mr. Teague with Mr. Wilson of California.

Mr. FALLON changed his vote from "yea" to "nay."

Mr. HOFFMAN of Michigan changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment on which a separate vote is demanded.

The Clerk read as follows:

Page 2, after line 12, insert a new title:

"Title IV. That there shall be no Federal funds allotted or transferred to any State which fails to comply with the decisions of the Supreme Court."

Mr. KELLEY of Pennsylvania. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 225, nays 192, answering "present" 1, not voting 14, as follows:

[Roll No. 90]

YEAS—225

Adair	Fogarty	Multer
Addonizio	Ford	Mumma
Allen, Calif.	Friedel	Murray, Ill.
Allen, Ill.	Fulton	Nicholson
Andersen, H. Carl	Gamble	Norblad
	Garmatz	O'Brien, Ill.
Andresen, August H.	George	O'Brien, N. Y.
	Gordon	O'Hara, Ill.
Anfuso	Green, Oreg.	O'Neill
Arends	Green, Pa.	Osmers
Ashley	Gross	Ostertag
Auchincloss	Gubser	Patterson
Avery	Gwinn	Pelly
Ayres	Hagen	Philbin
Baldwin	Halleck	Phillips
Barrett	Hand	Powell
Bates	Harden	Price
Baumhart	Harrison, Nebr.	Quigley
Beamer	Harvey	Rabaut
Becker	Hays, Ohio	Radwan
Bentley	Hayworth	Ray
Betts	Healey	Reed N. Y.
Blatnik	Henderson	Rees, Kans.
Boland	Heselton	Reuss
Bolton, Frances P.	Hess	Rhodes, Pa.
	Hiestand	Riehlman
Bolton, Oliver P.	Hill	Rodino
	Hillings	Rogers, Colo.
Bosch	Hinshaw	Rogers, Mass.
Bow	Hoeven	Rooney
Bowler	Hoffman, Ill.	Roosevelt
Boyle	Hoffman, Mich.	Sadlak
Bray	Holland	St. George
Brown, Ohio	Holt	Saylor
Brownson	Holtzman	Schenck
Buckley	Horan	Scherer
Bush	Hosmer	Schwengel
Byrne, Pa.	James	Scott
Byrnes, Wis.	Jenkins	Scrivner
Canfield	Jensen	Seely-Brown
Cannon	Johansen	Sheehan
Carnahan	Johnson, Calif.	Shelley
Cederberg	Judd	Short
Celler	Karsten	Sieminski
Chase	Kean	Simpson, Ill.
Chiperfield	Kearney	Smith, Kans.
Christopher	Keating	Springer
Chudoff	Kelly, N. Y.	Sullivan
Church	Keogh	Taber
Clevenger	King, Calif.	Talle
Cole	King, Pa.	Taylor
Coon	Kirwan	Teague, Calif.
Corbett	Klein	Thompson, Mich.
Coudert	Kluczynski	
Crumpacker	Krueger	Thomson, Wyo.
Cunningham	Laird	Tumulty
Curtis, Mass.	Latham	Utt
Curtis, Mo.	LeCompte	Vanik
Davidson	Lipscomb	Van Pelt
Davis, Wis.	McCormack	Van Zandt
Delaney	McCulloch	Velde
Derounian	McDonough	Vorys
Diggs	McGregor	Vursell
Dingell	McVey	Wainwright
Dodd	Machrowicz	Weaver
Dollinger	Mack, Ill.	Wharton
Donohue	Madden	Widnall
Donovan	Mailliard	Wier
Dorn, N. Y.	Martin	Wigglesworth
Doyle	Mason	Williams, N. Y.
Eberharter	Meader	Wilson, Ind.
Ellsworth	Merrow	Wolverton
Fallon	Miller, Nebr.	Yates
Feighan	Miller, N. Y.	Young
Fino	Minshall	Younger
Fjare	Morano	Zelenko
Flood	Morgan	

NAYS—192

Abbitt	Ashmore	Bass, Tenn.
Abernethy	Aspinall	Belcher
Albert	Bailey	Bennett, Fla.
Alexander	Baker	Bennett, Mich.
Alger	Barden	Berry
Andrews	Bass, N. H.	Blitch
Boggs	Gregory	Norrell
Bolling	Griffiths	O'Konski
Bonner	Hale	Passman
Boykin	Haley	Patman
Brooks, La.	Hardy	Perkins
Brooks, Tex.	Harris	Pfost
Brown, Ga.	Harrison, Va.	Pillion
Broyhill	Hays, Ark.	Poage
Budge	Hébert	Poff
Burdick	Herlong	Polk
Burleson	Holifield	Preston
Burnside	Holmes	Priest
Byrd	Hope	Prouty
Carlyle	Huddleston	Rains
Carrigg	Hull	Reece, Tenn.
Chatham	Hyde	Rhodes, Ariz.
Chelf	Ikard	Richards
Chenoweth	Jarman	Riley
Clark	Jennings	Rivers
Colmer	Johnson, Wis.	Roberts
Cooley	Jonas	Robeson, Va.
Cooper	Jones, Ala.	Robsion, Ky.
Cramer	Jones, Mo.	Rogers, Fla.
Dague	Jones, N. C.	Rogers, Tex.
Davis, Ga.	Kearns	Rutherford
Davis, Tenn.	Kee	Selden
Dawson, Ill.	Kelley, Pa.	Sheppard
Dawson, Utah	Kilburn	Shuford
Deane	Kilday	Sikes
Dempsey	Kilgore	Siler
Denton	Knox	Sisk
Devereux	Knutson	Smith, Miss.
Dies	Landrum	Smith, Va.
Dixon	Lanham	Smith, Wis.
Dondero	Lankford	Spence
Dorn, S. C.	Lesinski	Staggers
Dowdy	Long	Steed
Durham	Lovre	Thomas
Edmondson	McConnell	Thompson, N. J.
Elliott	McDowell	Thompson, Tex.
Engle	McIntire	Tollefson
Evins	McMillan	Trimble
Fascell	Macdonald	Tuck
Fenton	Mack, Wash.	Udall
Fernandez	Magnuson	Vinson
Fisher	Mahon	Walter
Flynt	Marshall	Watts
Forand	Matthews	Westland
Forrester	Metcalf	Whitten
Fountain	Miller, Calif.	Wickersham
Frazier	Miller, Md.	Williams, Miss.
Frelinghuysen	Mills	Williams, N. J.
Gary	Mollohan	Willis
Gathings	Morrison	Winstead
Gavin	Moss	Withrow
Gentry	Moulder	Wolcott
Grant	Murray, Tenn.	Wright
Gray	Natcher	Zablocki

ANSWERED "PRESENT"—1

Jackson

NOT VOTING—14

Bell	Nelson	Teague, Tex.
Cretella	O'Hara, Minn.	Thompson, La.
Dolliver	Pilcher	Thornberry
Lane	Scudder	Wilson, Calif.
McCarthy	Simpson, Pa.	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. McCarthy for, with Mr. Bell against.

Mr. Jackson for, with Mr. Nelson against.

Mr. Cretella for, with Mr. Scudder against.

Mr. Dolliver for, with Mr. Pilcher against.

Mr. Wilson of California for, with Mr. Thompson of Louisiana against.

Until further notice:

Mr. Teague of Texas with Mr. Simpson of Pennsylvania.

Mr. Thornberry with Mr. O'Hara of Minnesota.

Mr. BOYLE, Mr. BLATNIK, and Mrs. ROGERS of Massachusetts changed their vote from "nay" to "yea."

Mr. JACKSON. Mr. Speaker, on the last vote I voted "yea." However, I have a live pair with the gentleman from Maine, Mr. NELSON. Had he been here he would have voted "nay." Therefore, I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. McCONNELL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. McCONNELL. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. McCONNELL moves to recommit the bill to the Committee on Education and Labor with instructions to the committee to report the same back forthwith with the following amendments:

Page 3, strike out lines 11 to 20, both inclusive, and insert in lieu thereof the following:

"SEC. 102. (a) (1) The sums appropriated pursuant to section 101 shall be allotted among the States on the basis of the income per child of school age, the school-age population, and effort for school purposes, of the respective States. Subject to the provisions of section 103, such allotments shall be made as follows: The Commissioner shall allot to each State for each fiscal year an amount which bears the same ratio to the sums appropriated pursuant to section 101 for such year as the product of

"(A) the school-age population of the State, and

"(B) the State's allotment ratio (as determined under subsection (b)),

bears to the sum of the corresponding products for all the States.

"(2) A State's allotment pursuant to paragraph (1) shall remain available for reservations of funds pursuant to section 105 (b) for projects in such State until the end of the year following the year for which the allotment is made.

"(b) For purposes of this title—

"(1) The 'allotment ratio' for any State shall be 1.00 less the product of (A) .50 and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the continental United States, except that (A) the allotment ratio shall in no case be less than .25 or more than .75, and (B) the allotment ratio for Hawaii and the District of Columbia shall be .50, and for Alaska, Puerto Rico, Guam, and the Virgin Islands shall be .75.

"(2) The allotment ratios shall be promulgated by the Commissioner as soon as possible after enactment of this act and again between July 1 and September 30 of the year 1958, on the basis of the average of the incomes per child of school age of the States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. The first such promulgation shall be conclusive for each of the 3 fiscal years in the period beginning July 1, 1956, and ending June 30, 1959, and the second shall be conclusive for each of the 2 fiscal years in the period beginning July 1, 1959, and ending June 30, 1961.

"(3) The term 'child of school age' means a member of the population between the ages of 5 and 17, both inclusive.

"(4) The term 'continental United States' does not include Alaska or the District of Columbia.

"(5) The term 'school-age population' means that part of the population which is between the ages of 5 and 17, both inclusive,

and such school-age population for the several States shall be determined by the Commissioner on the basis of the population between such ages for the most recent year for which satisfactory data are available from the Department of Commerce.

"Maintenance of State and local support for school financing

"SEC. 103. (a) The allotment of any State under section 102 for any year shall be reduced by the percentage (if any) by which its State school efforts index for such year is less than the national school effort index for such year. The total of such reductions shall be reallotted among the remaining States by proportionately increasing their allotments under section 102 for such year.

"(b) For purposes of subsection (a)—

"(1) The 'State school effort index' for any State for a fiscal year is the quotient obtained by dividing (A) the State's school expenditures per public schoolchild by (B) the State's income per child of school age; except that the State school effort index shall be deemed to be equal to the national school effort index in the case of (i) Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, and the District of Columbia, and (ii) any State for which the school expenditures per public schoolchild are not less than the school expenditures per public schoolchild for the continental United States.

"(2) The 'national school effort index' for any fiscal year is the quotient obtained by dividing (A) the school expenditures per public schoolchild for the continental United States, by (B) the income per child of school age for the continental United States.

"(c) (1) The school expenditures per public schoolchild for any State for purposes of determining its State school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the State and subdivisions thereof for elementary and secondary education made from current revenue receipts derived from State and local sources in the State, as determined by the Commissioner on the basis of data for the most recent school year for which satisfactory data for the several States are available to him, by (B) the number of children in average daily attendance in public elementary and secondary schools in such State, as determined by the Commissioner for such most recent school year.

"(2) The school expenditures per public schoolchild for the continental United States for purposes of determining the national school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the States and subdivisions thereof for elementary and secondary education made from current revenue receipts derived from State and local sources in the continental United States, as determined by the Commissioner for the same school year as is used under paragraph (1), by (B) the number of children in average daily attendance for such year in public elementary and secondary schools in the continental United States, determined as provided in paragraph (1).

"(3) The income per child of school age for the States and for the continental United States shall, for purposes of subsection (b), be determined by the Commissioner on the basis of the incomes per child of school age for the most recent year for which satisfactory data are available from the Department of Commerce."

Page 3, line 22, strike out "103" and insert in lieu thereof "104."

Page 4, line 10, strike out "105" and insert in lieu thereof "106."

Page 6, line 17, strike out "104" and insert in lieu thereof "105."

Page 6, line 19, strike out "103" and insert in lieu thereof "104."

Page 8, line 5, strike out "105" and insert in lieu thereof "106."

Page 8, line 19, strike out "104" and insert in lieu thereof "105."

Page 8, line 22, strike out "106" and insert in lieu thereof "107."

Page 9, line 12, strike out "107" and insert in lieu thereof "108."

Page 4, lines 9 and 10, strike out "(consistent with the matching requirements of section 105)."

Page 6, beginning with line 16, strike out everything down to and including line 20 on page 8 and insert in lieu thereof the following:

"Reservations of funds and payments

"SEC. 104. (a) In the case of each project for the construction of school facilities for a local educational agency with respect to which the State educational agency requests any funds under this title, the State educational agency shall include in its request—

"(1) a description of the school facilities project with respect to which the request is made;

"(2) its estimate of the cost of construction of such project and a statement of the amount of the Federal-State grant proposed to be made by the State educational agency with respect thereto under the plan;

"(3) a certification that State funds to cover the State share of such Federal-State grant will be available.

"(b) Except as provided in section 105, the Commissioner shall issue, to each State educational agency furnishing a statement in accordance with subsection (a), a commitment reserving, out of the State's allotment, for each project included in the statement, the amount requested by the State educational agency for that project. The Commissioner shall change any amount so reserved upon request of the State educational agency and receipt of an amended statement from such agency, but only to the extent the change is not inconsistent with the other provisions of this title. Upon certification by the State educational agency that the financing of the remainder of the cost of construction of the project has been arranged, the Commissioner shall pay the amount reserved to the State educational agency, through the disbursing facilities of the Department of the Treasury and in such installments as he may determine. Funds so paid shall be used exclusively to meet the cost of constructing the project for which the amount was reserved.

"(c) In lieu of certification by a State educational agency pursuant to subsection (a) (3) with respect to a project, the Commissioner may accept certification by such agency that an amount equivalent to the State share of the payment with respect to such project has been arranged through provision for State payments toward the debt service on the loan (if any) to help finance part of the construction of such project, provision for waiver of payments due the State or any agency thereof with respect to such project, or other provision which, in the judgment of the Commissioner, is (or is estimated to be) equivalent to such State share.

"(d) If any project for which one or more payments have been made under this section is abandoned, or is not completed within a reasonable period determined under regulations of the Commissioner, the State to which such payments were made shall repay to the United States, for deposit in the Treasury of the United States as miscellaneous receipts, the amount of such payments or such lesser amount as may be reasonable under the circumstances (as determined by agreement of the parties or by action brought in the Federal district court for the district in which such project is located).

"Matching by States

"SEC. 105. (a) The Commissioner may issue or modify a commitment under section 104 with respect to any project only if the amount to be reserved under the commitment, plus any amounts paid or to be paid under other commitments previously issued under this title to the same State educational agency, does not exceed the Federal share for such State of the sum of (1) the Federal-State grant toward the cost of constructing such project and (2) the total of the Federal-State grants toward the cost of constructing the projects for which such other commitments have been issued. Until actual construction costs are available, cost determinations under this section shall be made on the basis of the estimates furnished under section 104 (a) and revised estimates furnished in compliance with section 103 (a) (7).

"(b) For purposes of this title—

"(1) (A) The 'Federal share' for any State shall be 1.00 less the product of (A) 0.50 and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the continental United States, except that (i) in no case shall the Federal share be less than 0.33⅓ or more than 0.66⅔, and (ii) in the case of Alaska it shall be 0.50.

"(B) The Federal shares shall be promulgated by the Commissioner as soon as possible after enactment of this act and again between July 1 and September 30 of the year 1958, on the basis of the average of the income per child of school age of the States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. The first such promulgation shall be conclusive for each of the 3 fiscal years in the period beginning July 1, 1956, and ending June 30, 1959, and the second shall be conclusive for each of the 2 years in the period beginning July 1, 1959, and ending June 30, 1961.

"(2) The 'Federal-State grant' for any project means the total of the Federal and State funds (including the equivalent thereof as provided in section 104 (c)) paid or to be paid under the State plan toward the cost of construction of such project.

"(3) The 'State share' of a Federal-State grant with respect to any project is the difference between such grant and the amount paid to the State with respect to such project under this title.

"(c) Notwithstanding the preceding provisions of this title, the Commissioner may, during the fiscal year ending June 30, 1957, issue or modify under Section 104 a commitment of funds from a State's allotment for such year if the amount to be reserved under the commitment plus any amounts paid or to be paid under other commitments previously issued under this title to the same State educational agency, does not exceed the Federal share for such State of the sum of (1) the cost of constructing such project and (2) the total cost of constructing the projects for which such other commitments have been issued, and if the State educational agency certifies that the remainder of the cost of constructing the project in question will be paid from funds other than funds paid by the Commissioner under the act of September 23, 1950 (Public Law 815, 81st Congress), as amended. The cost determinations under this paragraph shall be made on the same basis as is provided in subsection (a).

"(d) In the case of any project to which subsection (d) is applicable,

"(1) the amount of the Federal share and the amount of any other payments toward the cost of constructing such project shall be disregarded for purposes of determining under subsection (a) the amount of the commitment for any project which may be reserved during any fiscal year beginning after June 30, 1957;

"(2) the statement required by section 104 (a) (2) shall be a statement of the amount of the reservation of funds re-

quested with respect to such project instead of the amount of the 'Federal-State grant';

"(3) instead of the certification required under section 104 (a) (3), the State shall certify that funds from State or local sources, or both, equal to the non-Federal share of the cost of construction will be available; and

"(4) the requirement in section 104 (b) for standards and procedures assuring highest priority to certain local educational agencies shall be deemed met if such priority is assured subject to the matching requirements of this section."

Mr. McCONNELL (during the reading of the motion). Mr. Speaker, I ask unanimous consent that the further reading of the motion be dispensed with. The amendments are the same as I offered during the last 2 days of debate on this measure.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. HOFFMAN of Michigan. Mr. Speaker, I reserve the right to object. If this motion to recommit prevails and the bill is passed, is the Powell amendment still in?

The SPEAKER. The Powell amendment was just voted in.

Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. The question is on the motion to recommit offered by the gentleman from Pennsylvania.

Mr. McCONNELL. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas, 158, nays, 262, not voting 12, as follows:

[Roll No. 91]

YEAS—158

Adair	Donovan	LeCompte
Allen, Calif.	Dorn, N. Y.	Lipscomb
Allen, Ill.	Elliott	Lovre
Andersen, H. Carl	Ellsworth	McConnell
	Fenton	McDonough
Andresen, August H.	Fernandez	McGregor
	Fjare	McIntire
Arends	Ford	McVey
Auchincloss	Frelinghuysen	Mailliard
Avery	Gamble	Martin
Ayres	George	Mason
Bailey	Gross	Miller, Md.
Baker	Gubser	Miller, Nebr.
Bass, N. H.	Gwinn	Miller, N. Y.
Bates	Hale	Morano
Beamer	Halleck	Nicholson
Belcher	Hand	Norblad
Bennett, Mich.	Harden	Osmers
Berry	Harrison, Nebr.	Ostertag
Bolton, Frances P.	Harvey	Perkins
	Hays, Ark.	Phillips
Bolton, Oliver P.	Heselton	Poff
	Hess	Prouty
Bray	Hiestand	Radwan
Brownson	Hill	Reece, Tenn.
Broyhill	Hillings	Rees, Kans.
Budge	Hinshaw	Rhodes, Ariz.
Bush	Hoeven	Riehlman
Byrnes, Wis.	Hoffman, Ill.	Robsion, Ky.
Canfield	Holmes	Rogers, Mass.
Cederberg	Holt	Sadlak
Chenoweth	Hope	St. George
Chiperfield	Horan	Saylor
Church	Hosmer	Scherer
Cole	Hyde	Schwengel
Coon	Jackson	Scrivner
Corbett	James	Sheehan
Coudert	Jensen	Sheppard
Cramer	Johnson, Calif.	Short
Crumpacker	Judd	Siler
Cunningham	Kean	Simpson, Pa.
Curtis, Mass.	Kearney	Smith, Kans.
Curtis, Mo.	Kearns	Smith, Wis.
Davis, Wis.	Keating	Springer
Dawson, Utah	Kilburn	Taber
Devereux	King, Pa.	Talle
Dixon	Krueger	Teague, Calif.
Dondero	Laird	Thomas
Thompson, Mich.	Wainwright	Wilson, Ind.
	Watts	Withrow
Thomson, Wyo.	Weaver	Wolcott
Utt	Westland	Young
Van Pelt	Widnall	Younger
Velde	Wigglesworth	
Vorys	Williams, N. Y.	

NAYS—262

Abbitt	Forand	Multer
Abernethy	Forrester	Mumma
Addonizio	Fountain	Murray, Ill.
Albert	Frazier	Murray, Tenn.
Alexander	Friedel	Natcher
Alger	Fulton	Norrell
Andrews	Garmatz	O'Brien, Ill.
Anfuso	Gary	O'Brien, N. Y.
Ashley	Gathings	O'Hara, Ill.
Ashmore	Gavin	O'Konski
Aspinall	Gentry	O'Neill
Baldwin	Gordon	Passman
Barden	Grant	Patman
Barrett	Gray	Patterson
Bass, Tenn.	Green, Oreg.	Pelly
Baumhart	Green, Pa.	Pfost
Becker	Gregory	Philbin
Bennett, Fla.	Griffiths	Pillion
Bentley	Hagen	Poage
Betts	Haley	Polk
Blatnik	Hardy	Powell
Blitch	Harris	Preston
Boggs	Harrison, Va.	Price
Boland	Hays, Ohio	Priest
Bolling	Hayworth	Quigley
Bonner	Healey	Rabaut
Bosch	Hébert	Rains
Bow	Henderson	Ray
Bowler	Herlong	Reed, N. Y.
Boykin	Hoffman, Mich.	Reuss
Boyle	Holifield	Rhodes, Pa.
Brooks, La.	Holland	Richards
Brooks, Tex	Holtzman	Riley
Brown, Ga.	Huddleston	Rivers
Brown, Ohio	Hull	Roberts
Buckley	Ikard	Robeson, Va.
Burdick	Jarman	Rodino
Burleson	Jenkins	Rogers, Colo.
Burnside	Jennings	Rogers, Fla.
Byrd	Johansen	Rogers, Tex.
Byrne, Pa.	Johnson, Wis.	Rooney
Cannon	Jonas	Roosevelt
Carlyle	Jones, Ala.	Rutherford
Carnahan	Jones, Mo.	Schenck
Carrigg	Jones, N. C.	Scott
Celler	Karsten	Seely-Brown
Chase	Kee	Selden
Chatham	Kelley, Pa.	Shelley
Cheif	Kelly, N. Y.	Shuford
Christopher	Keogh	Sieminski
Chudoff	Kilday	Sikes
Clark	Kilgore	Simpson, Ill.
Clevenger	King, Calif.	Sisk
Colmer	Kirwan	Smith, Miss.
Cooley	Klein	Smith, Va.
Cooper	Kluczynski	Spence
Dague	Knox	Staggers
Davidson	Knutson	Steed
Davis, Ga.	Landrum	Sullivan
Davis, Tenn.	Lanham	Taylor
Dawson, Ill.	Lankford	Teague, Tex.
Deane	Latham	Thompson, N. J.
Delaney	Lesinski	Thompson, Tex.
Dempsey	Long	Tollefson
Denton	McCormack	Trimble
Derounian	McCulloch	Tuck
Dies	McDowell	Tumulty
Diggs	McMillan	Udall
Dingell	Macdonald	Vanik
Dodd	Machrowicz	Van Zandt
Dollinger	Mack, Ill.	Vinson
Donohue	Mack, Wash.	Vursell
Dorn, S. C.	Madden	Walter
Dowdy	Magnuson	Wharton
Doyle	Mahon	Whitten
Durham	Marshall	Wickersham
Eberharter	Matthews	Wier
Edmondson	Meader	Williams, Miss.
Engle	Merrow	Williams, N. J.
Evins	Metcalf	Willis
Fallon	Miller, Calif.	Winstead
Fascell	Mills	Wolverton
Feighan	Minshall	Wright
Fino	Mollohan	Yates
Fisher	Morgan	Zablocki
Flood	Morrison	Zelenko
Flynt	Moss	
Fogarty	Moulder	

NOT VOTING—12

Bell	McCarthy	Scudder
Cretella	Nelson	Thompson, La.
Dolliver	O'Hara, Minn.	Thornberry
Lane	Pilcher	Wilson, Calif.

So the motion to recommit was rejected.

The Clerk announced the following pairs.

On this vote:

Mr. Wilson of California for, with Mr. McCarthy against.

Mr. Nelson for, with Mr. Pilcher against.

Mr. Cretella for, with Mr. Bell against.

Mr. Dolliver for, with Mr. Thompson of Louisiana against.

Until further notice:

Mr. Thornberry with Mr. O'Hara of Minnesota.

Mr. DAWSON of Illinois, Mr. BARRETT, Mr. BENTLEY, Mr. MERROW, and Mr. ALGER changed their vote from "yea" to "nay."

Mr. KEARNS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. BAILEY. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 194, nays 224, answered "present" 2, not voting 13, as follows:

[Roll No. 92]

YEAS—194

Addonizio	Feighan	Martin
Allen, Calif.	Fernandez	Meader
Anfuso	Fino	Merrow
Ashley	Flood	Metcalf
Aspinall	Fogarty	Miller, Calif.
Auchincloss	Forand	Mollohan
Ayres	Frelinghuysen	Morano
Bailey	Friedel	Morgan
Baker	Fulton	Moss
Baldwin	Garmatz	Moulder
Barrett	Gordon	Multer
Bass, N. H.	Gray	Mumma
Becker	Green, Oreg.	Murray, Ill.
Bennett, Mich.	Green, Pa.	Norblad
Blatnik	Griffiths	O'Brien, Ill.
Boland	Gubser	O'Brien, N. Y.
Bolling	Hagen	O'Hara, Ill.
Bosch	Hale	O'Konski
Bowler	Hand	O'Neill
Boyle	Hays, Ohio	Osmers
Buckley	Hayworth	Ostertag
Burdick	Healey	Patterson
Burnside	Heselton	Pelly
Byrd	Hill	Perkins
Byrne, Pa.	Holifield	Pfost
Canfield	Holland	Philbin
Cannon	Holmes	Polk
Carnahan	Holtzman	Powell
Carrigg	Hope	Price
Celler	Horan	Prouty
Chenoweth	Hosmer	Quigley
Christopher	Hull	Rabaut
Chudoff	Jarman	Radwan
Clark	Johnson, Wis.	Reuss
Corbett	Karsten	Rhodes, Ariz.
Coudert	Kean	Rhodes, Pa.
Cunningham	Keating	Riehlman
Curtis, Mass.	Kee	Robsion, Ky.
Curtis, Mo.	Kelley, Pa.	Rodino
Dague	Kelly, N. Y.	Rogers, Colo.
Davidson	Keogh	Rogers, Mass.
Dawson, Ill.	King, Calif.	Rooney
Dawson, Utah	Kirwan	Roosevelt
Delaney	Klein	Sadlak
Dempsey	Kluczynski	Schwengel
Denton	Knox	Scott
Derounian	Knutson	Seely-Brown
Diggs	Lankford	Sheehan
Dingell	Latham	Shelley
Dixon	LeCompte	Sheppard
Dodd	Lesinski	Sieminski
Dollinger	McCormack	Sisk
Donohue	McDowell	Staggers
Donovan	McIntire	Sullivan
Dorn, N. Y.	Macdonald	Taylor
Doyle	Machrowicz	Thompson, N J.
Eberharter	Mack, Ill.	Tollefson
Edmondson	Mack, Wash.	Tumulty
Ellsworth	Madden	Udall
Engle	Magnuson	Vanik
Fallon	Mailliard	Van Zandt

Westland	Williams, N. J.	Young
Widnall	Withrow	Zablocki
Wier	Wolverton	Zelenko
Wigglesworth	Yates	

NAYS—224

Abbitt	Ford	Natcher
Abernethy	Forrester	Nicholson
Adair	Fountain	Norrell
Albert	Frazier	Passman
Alexander	Gamble	Patman
Alger	Gary	Phillips
Allen, Ill.	Gathings	Pillion
Andersen, H. Carl	Gavin	Poage
	Gentry	Poff
Andresen, August H.	George	Preston
	Grant	Priest
Andrews	Gregory	Rains
Arends	Gross	Ray
Ashmore	Gwinn	Reece, Tenn.
Avery	Haley	Reed, N. Y.
Barden	Halleck	Rees, Kans
Bass, Tenn.	Harden	Richards
Bates	Hardy	Riley
Baumhart	Harris	Rivers
Beamer	Harrison, Nebr.	Roberts
Belcher	Harrison, Va.	Robeson, Va.
Bennett, Fla.	Harvey	Rogers, Fla.
Bentley	Hays, Ark.	Rogers, Tex.
Berry	Hébert	Rutherford
Betts	Henderson	St. George
Blitch	Herlong	Saylor
Boggs	Hess	Schenck
Bolton, Frances P.	Hiestand	Scherer
	Hillings	Scrivner
Bolton, Oliver P.	Hinshaw	Selden
	Hoeven	Short
Bonner	Hoffman, Ill.	Shuford
Bow	Hoffman, Mich.	Sikes
Boykin	Holt	Siler
Bray	Huddleston	Simpson, Ill.
Brooks, La.	Hyde	Simpson, Pa.
Brooks, Tex.	Ikard	Smith, Kans.
Brown, Ga.	James	Smith, Miss.
Brown, Ohio	Jenkins	Smith, Va.
Brownson	Jennings	Smith, Wis.
Broyhill	Jensen	Spence
Budge	Johansen	Springer
Burleson	Johnson, Calif.	Steed
Bush	Jonas	Taber
Byrnes, Wis.	Jones, Ala.	Talle
Carlyle	Jones, Mo.	Teague, Calif.
Cederberg	Jones, N. C.	Teague, Tex.
Chase	Judd	Thomas
Chatham	Kearney	Thompson, Mich.
Chelf	Kearns	
Chiperfield	Kilburn	Thompson, Tex.
Church	Kilday	Thomson, Wyo.
Clevenger	Kilgore	Trimble
Cole	King, Pa.	Tuck
Colmer	Krueger	Utt
Cooley	Laird	Van Pelt
Coon	Landrum	Velde
Cooper	Lanham	Vinson
Cramer	Lipscomb	Vorys
Crumpacker	Long	Vursell
Davis, Ga.	Lovre	Wainwright
Davis, Tenn.	McCulloch	Walter
Davis, Wis.	McDonough	Watts
Deane	McGregor	Weaver
Devereux	McMillan	Wharton
Dies	McVey	Whitten
Dondero	Mahon	Wickersham
Dorn, S. C.	Marshall	Williams, Miss.
Dowdy	Mason	Williams, N. Y.
Durham	Matthews	Willis
Elliott	Miller, Md.	Wilson, Ind.
Evins	Miller, Nebr.	Winstead
Fascell	Miller, N. Y.	Wolcott
Fenton	Mills	Wright
Fisher	Minshall	Younger
Fjare	Morrison	
Flynt	Murray, Tenn.	

ANSWERED "PRESENT"—2

Jackson McConnell

NOT VOTING—13

Bell	McCarthy	Scudder
Cretella	Nelson	Thompson, La.
Dolliver	O'Hara, Minn.	Thornberry
Lane	Pilcher	Wilson, Calif.

So the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. McCarthy for, with Mr. Bell against.

Mr. Cretella for, with Mr. Pelcher against.

Mr. Doliver for, with Mr. Thompson of Louisiana against.

Mr. Scudder for, with Mr. McConnell against.

Mr. Nelson for, with Mr. Jackson against.

Until further notice:

Mr. Thornberry with Mr. Wilson of California.

Mr. MUMMA changed his vote from "nay" to "yea."

Mr. GROSS changed his vote from "yea" to "nay."

Mr. McCONNELL. Mr. Speaker, I have a pair with the gentleman from California, Mr. SCUDDER. I voted "nay" when my name was called. If the gentleman from California were here I understand he would vote "yea." I therefore withdraw my vote of "nay" and vote "present."

Mr. JACKSON. Mr. Speaker, I have the same agreement with the gentleman from Maine, Mr. NELSON. If he were present he would have voted "yea." I therefore withdraw my vote of "nay" and vote "present."

The result of the vote was announced as above recorded.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just considered.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

LEGISLATIVE PROGRAM FOR BALANCE OF THE WEEK

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, may I inquire of the majority leader if he can tell us what the program for tomorrow is?

Mr. McCORMACK. Would the gentleman include the remainder of today?

Mr. MARTIN. Yes, sure.

Mr. McCORMACK. There are two disapproving resolutions which have been unanimously reported out of the Committee on Government Operations. There is a deadline involved and we intend to bring those up in a few minutes. I know of no opposition to the adoption of these disapproving resolutions.

If the House grants permission, we will meet at 11 o'clock tomorrow morning, at which time we will take up the postal rate increase bill. There is also a conference report to be taken up tomorrow afternoon on the narcotic bill.

Mr. MARTIN. That will follow the postal rate bill?

Mr. McCORMACK. Yes. There are some items to be taken up by unanimous consent.

At the conclusion of the consideration of the postal rate increase bill, the bill H. R. 10765, the Longshoremen and Harbor Workers Compensation Act, will be called up, followed by the bill H. R. 11695, to extend the school construction program in impacted areas. Then there will be the bill H. R. 11132, to increase the borrowing power of the Commodity Credit Corporation.

On Saturday there is a Democratic State Convention in Connecticut, and any rollcalls will go over until Monday.

Mr. MARTIN. We are going to make every effort to finish the postal rate increase bill tomorrow?

Mr. McCORMACK. I hope so.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. The gentleman from Massachusetts announced that we will take up tomorrow the longshoremen's bill?

Mr. McCORMACK. No; on Saturday.

Mr. SMITH of Virginia. That bill is reported in my name, and I do not expect to call it up on Saturday.

Mr. McCORMACK. That is an unexpected revelation, which, of course, the gentleman from Virginia may exercise, in view of his having control of that rule. But I may say that this has been on the program all week and the gentleman from Massachusetts would have been better pleased if the gentleman from Virginia had advised him of his intention. May I ask the gentleman if he is in charge of any of the other rules?

Mr. SMITH of Virginia. The gentleman happens to be chairman of the Rules Committee, and as such I am in charge of a good many rules. I will be happy to confer with the gentleman from Massachusetts at any time, and I would also feel better, I may say, if the gentleman from Massachusetts would sometimes consult the gentleman from Virginia.

Mr. McCORMACK. In reply to the last observation by the gentleman from Virginia, may I say that the gentleman from Massachusetts, in the making of programs for the House where rules are reported out, does not feel he has to consult with the chairman of the Rules Committee. That is, where a rule has been reported. The gentleman from Massachusetts programs a bill for consideration. If any member of the Rules Committee has views, it would seem that that member of the Rules Committee should advise the gentleman from Massachusetts, as majority leader—not as a Member from Massachusetts but as majority leader—of any views that he entertains. I respect the chairman of the Committee on Rules and I expect respect from him. May I ask a question of the gentleman? Is the gentleman in charge of any other rules?

Mr. HOFFMAN of Michigan. Mr. Speaker, I would like to ask about a rule, if I may.

Mr. MARTIN. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. My question is this: Inasmuch as these two disapproval resolutions from the committee are coming up this afternoon, if either one of those plans is to be disapproved, does it not require the presence of a majority or 218 Members of the House? I just want the Members to know about that.

Mr. McCORMACK. Well, the gentleman from Massachusetts understands

that under the law it calls for a constitutional majority. If, in the opinion of the Chair, a constitutional majority has voted for those disapproval resolutions, I would assume that that conforms to the statute. But, that is a matter not for the gentleman from Massachusetts to pass upon. That is a matter of parliamentary inquiry for the Speaker to determine.

The SPEAKER. It is not a matter upon which a rollcall must be had.

Mr. HOFFMAN of Michigan. In order to disapprove, there must be a majority or 218 Members present here.

The SPEAKER. The Chair assumes that a quorum is always present unless a point of no quorum is made.

Mr. HOFFMAN of Michigan. One further inquiry, Mr. Speaker. If one of my friends on the floor from the West should make a point of no quorum, then the plan would fail if the count discloses less than 218.

The SPEAKER. Well, the Chair always meets the problems when they arise, and he has enough problems without having to reach out for one.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

INDEPENDENCE DAY GREETINGS FROM THE PRESIDENT OF THE CUBAN HOUSE OF REPRESENTATIVES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, a cablegram has been received which reads as follows:

HON. MR. PRESIDENT OF THE HOUSE OF REPRESENTATIVES:

In commemoration of this day of the proclamation of the independence of the United States the House of Representatives of Cuba takes pleasure through our conduct in congratulating with most cordial greetings the illustrious Members of that honorable legislative assembly at the same time reaffirming its faith in the postulates of democracy as the ideal formula of government which embodies the great Nation of Washington. We take the opportunity of this occasion to renew to you the assurances of our highest consideration and esteem.

GASTON GODOY Y LORET DE MOLA,
President of the House of Representatives.
ANDRES PUPO SANCHEZ,
EUGENIO CUSIDO TORRES,
Secretaries.

RAPID VALLEY UNIT, SOUTH DAKOTA

Mr. FORRESTER submitted the following conference report and statement on the bill (S. 1622) to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 2618)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1622) entitled "An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted by the House amendment insert "18,383 as reimbursement"; and the House agree to the same.

E. L. FORRESTER,
HAROLD D. DONOHUE,
WILLIAM E. MILLER,
Managers on the Part of the House.
JAMES E. MURRAY,
CLINTON P. ANDERSON,
ARTHUR V. WATKINS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1622) entitled "An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes", submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

When this proposed measure passed the House the following amendments were made in accordance with recommendations contained in the letter from the Department of the Interior which was printed in the Senate report (No. 1856):

(1) Page 1, lines 4 and 5, strike out "of the Rapid Valley unit, South Dakota,".

(2) Page 2, line 5, strike out "$18,383 as reimbursable" and insert "16,382 as reimbursement".

(3) Page 2, line 7, after "thereof", insert "on other lands".

(4) Page 2, line 10, strike out "13" and insert "30".

The Senate agreed to amendments Nos. 1, 3, and 4, and receded from its disagreement to amendment No. 2, and agreed to the same with the following amendment: In lieu of the language proposed to be inserted by the House amendment, insert "18,383 as reimbursement". The purpose of this language is to correct an error which appeared in the printed reports.

E. L. FORRESTER,
HAROLD D. DONOHUE,
WILLIAM E. MILLER,
Managers on the Part of the House.

PANAMA CANAL SEA LEVEL PROJECT

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 493 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the report entitled "Panama Canal, the Sea-Level Project and National Security," be printed as a House document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDER

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent that, following the other special orders heretofore entered, I may address the House for 30 minutes and revise and extend my remarks and include certain extraneous material and five tables of statistics.

The SPEAKER. Is there objection?

There was no objection.

DESIGNATION OF KENT STATE UNIVERSITY AS A DEPOSITORY OF GOVERNMENT PUBLICATIONS

Mr. HAYS of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, I have today introduced a bill to designate Kent State University, Kent, Ohio, as a depository of Government publications. Kent State is one of the most rapidly growing educational institutions in the country and serves one of the most heavily populated areas of northeastern Ohio as a State-controlled institution, offering both undergraduate and graduate degrees in 28 departments of instruction. This fine university has more than 6,000 students who have continuing need to refer to Government publications in connection with their courses of instruction, but it cannot be made a designated depository without the enactment of a special law.

The subcommittee of which I am chairman, which was authorized by House Resolution 262 of this Congress to study and investigate federally operated printing facilities and Government paperwork, reports that the law under which depository libraries receive copies of Government publications was enacted almost 100 years ago. Under that statute, libraries which are once designated as depositories to receive Government publications shall, during their existence, continue such receipt so long as they fulfill existing provisions of law. Existing law does not permit the redesignation of depository libraries within congressional districts, although the needs may change substantially. For example, there is one college library in Ohio which serves only 600 students, which was designated as a Government depository library many years ago. Certainly, Kent State, which has more than 10 times as many students, has ample justification to be designated as a Government depository library. Preliminary findings by the subcommittee staff on this subject indicate the need for modernization of these archaic distribution practices which should lead to a more equitable system of publications distribution, so as to serve the greatest number of people possible.

NEW OFFICES IN THE DEPARTMENTS OF THE ARMY, NAVY, AND AIR FORCE

Mr. DAWSON of Illinois. Mr. Speaker, by direction of the Committee on Government Operations, I call up House Resolution 534, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk read as follows:

Resolved, That the House of Representatives does not favor the Reorganization Plan No. 1 transmitted to Congress by the President on May 16, 1956.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. The question is on the resolution.

The question was taken.

The SPEAKER. In the opinion of the Chair, the resolution having received an affirmative vote of a majority of the authorized membership of the House, the resolution is agreed to.

CREATION OF A SEPARATE FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Mr. DAWSON of Illinois. Mr. Speaker, by direction of the Committee on Government Operations, I call up House Resolution 541 and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk read as follows:

Resolved, That the House of Representatives does not favor the Reorganization Plan No. 2 transmitted to Congress by the President on May 17, 1956.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. GROSS. Mr. Speaker, reserving the right to object, what is Reorganization Plan No. 2?

Mr. DAWSON of Illinois. Reorganization Plan No. 2 has to do with the Home Loan Bank Board. A subcommittee heard testimony and unanimously reported the resolution favorably to the full committee. There was not a dissenting vote. We have with us, if the gentleman wants further information, the author of the resolution, Mr. FASCELL, who has given the subject great study.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. The question is on the resolution.

The question was taken.

The SPEAKER. In the opinion of the Chair, the resolution having received an affirmative vote of a majority of the authorized membership of the House, the resolution is agreed to.

HORSESHOE BEND NATIONAL MILITARY PARK

Mr. ENGLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11766) to provide for the establishment of the Horse Shoe Bend National Military Park, in the State of Alabama.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That when not less than 500 acres of the non-Federal lands hereinafter described (together with improvements thereon) and known as the Horse Shoe Bend Battle Ground on the Tallapoosa River, in the State of Alabama, shall have been acquired and transferred free and clear of all encumbrances to the United States without expense to the Federal Government, such areas shall be, and are hereby, dedicated and set apart as a unit of the National Park System for the benefit and enjoyment of the people of the United States, under the name of the Horse Shoe Bend National Military Park.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to make an examination of the Horse Shoe Bend Battle Ground with a view to determining the area or areas thereof deemed desirable for inclusion in the Horse Shoe Bend National Military Park and which, except for not more than 20 acres of any other lands adjacent to such battleground found by the Secretary to be necessary to carry out the provisions of this act, lie within the lands particularly described as follows: Sections 13, 14, 15, 22, and 23, all township 23 north, range 23 east, Saint Stephens meridian.

SEC. 3. (a) The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject to the provisions of the act entitled "An act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), as amended.

(b) In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 4. This act shall become effective if and when the requirements of sections 1 and 2 hereof shall have been fully complied with to the satisfaction of the President of the United States, who shall then issue a notice declaring that the requirements herein have been met, and said notice shall formally dedicate and set aside the areas transferred to the United States in accordance with the provisions of section 1 hereof.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

With the following committee amendments:

Page 1, line 5, strike out "Horse Shoe" and insert "Horseshoe."

Page 2, line 1, strike out "Horse Shoe" and insert "Horseshoe."

Page 2, line 4, strike out "Horse Shoe" and insert "Horseshoe."

Page 2, line 7, strike out "Horse Shoe" and insert "Horseshoe."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama."

A motion to reconsider was laid on the table.

COMMITTEE ON RULES

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

SUBSTANDARD HOUSING BILL

Mr. KILDAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5731) to permit members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, and their dependents, to occupy inadequate quarters on a rental basis without loss of basic allowance for quarters.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of any other law, members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, and their dependents may occupy on a rental basis, without loss of basic allowance for quarters, inadequate quarters under the jurisdiction of any of the uniformed services, nothwithstanding that such quarters may have been constructed or converted for assignment as public quarters.

SEC. 2. The Secretaries of the Army, Navy, and Air Force for the respective military departments, the Secretary of the Treasury for the Coast Guard when the Coast Guard is operating as a service in the Treasury Department, the Secretary of Commerce for the Coast and Geodetic Survey, and the Secretary of Health, Education, and Welfare for the Public Health Service, hereafter referred to as the Secretaries, are each authorized, subject to standards established pursuant to section 5 hereof, to designate as rental housing such housing as he may determine to be inadequate as public quarters.

SEC. 3. The Secretaries are each further authorized, subject to standards established pursuant to section 5 hereof, to lease inadequate housing to personnel of any of the mentioned services for occupancy by them and their dependents. The housing facilities leased, as herein provided, shall not be required to have been constructed with funds derived from appropriations specifically made for the purpose of the construction of rental housing for personnel of the services mentioned.

SEC. 4. (a) All housing units determined, pursuant to section 2 of this act to be inadequate shall, within 4 years of such determination, either be altered or improved so as to qualify as public quarters, or be demolished or otherwise disposed of: *Provided,* That there may be excepted from the requirements of this section such housing as the respective Secretary shall determine, subject to the standards established pursuant to section 5 hereof, to be urgently needed because there is a shortage of housing located within a reasonable proximity and available at suitable rentals, but such exceptions shall be reviewed and redetermined at least annually.

(b) For such time as the Secretary concerned shall determine, there may be excepted from the requirements of subsection (a) of this section, housing which is inadequate for reasons of size alone under such criteria as the said Secretary shall prescribe

pursuant to standards authorized by section 5 of this act.

SEC. 5. The provisions of this act shall be administered under regulations approved by the President.

SEC. 6. The act of July 2, 1945 (ch. 227, 59 Stat. 316), is hereby repealed.

With the following committee amendments:

Page 1, line 6, strike "and their" and insert "with."

Pages 2 and 3, strike all of section 4 and insert in lieu thereof the following:

"SEC. 4. All housing units determined, pursuant to section 2 of this act to be inadequate shall, prior to July 1, 1958, either be altered, or improved so as to qualify as public quarters, or be demolished or otherwise disposed of."

Page 3, line 16, strike the word "President" and insert in lieu thereof "head of the executive department concerned."

Page 3, line 18, strike the comma and the period where they appear and the word "hereby" and following the word "repealed", add the following: "as of June 30, 1957."

The committee amendments were agreed to.

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KILDAY. Mr. Speaker, the gentleman from Florida [Mr. BENNETT] is the author of this bill and reported it for the Committee on Armed Services.

This bill would authorize members of our uniformed services to occupy inadequate family housing units on a rental basis, and without loss of their housing allowance.

Behind this bill is a serious question of inequity in what the man pays for the house he lives in. It has been the case that two individuals occupy identical family units with one surrendering a housing allowance in the order of $100 while the other pays a rental of $40 or $50.

The reason for this is actually a simple one. If the house for which the man is surrendering his whole housing allowance was constructed in the first instance from funds which contemplated their use for housing, then the housing becomes "public quarters" and under a ruling of the Comptroller General any housing of this kind requires the surrendering of the total housing allowance.

It should be understood that in most cases, the family housing to which I am referring is not the kind of house which you or I live in or even the kind of house which most people in this country live in. The house in many of these instances is merely a converted barracks with several families occupying the building, or perhaps a quonset hut which was originally erected as barracks space and later converted to family housing.

The other man who I mentioned and who rents an identical house is able to do so under an artificiality of the law which permits him to occupy the house on a rental basis for the sole reason that the house was originally constructed as a warehouse or for some use other than that of housing.

While the explanation is, as I say, not a complicated one, the answer is one which is neither immediately apparent or acceptable to the man who is surrendering his full housing allowance while his friend across the street is paying, perhaps, one-half or less than this amount for his quarters.

Today there are some 36,000 units of inadequate family housing but which are technically public quarters and which, therefore, require the surrender of the total housing allowance. This bill is designed to permit these houses to be occupied by our military personnel—and in perhaps over 90 percent of the cases, by enlisted personnel—upon the payment of the fair market rental of the quarters. In other words, they would occupy these quarters in the same way and for the same amount as they would occupy similar quarters in the nearby town, if such were available.

Immediately the question arises as to whether this problem will not be taken care of through the family housing programs already authorized by the Congress and to be authorized in the near future. The answer is "Yes"—but there is a shortage of family housing today of well over a 100,000 units and it is going to take some time to fill this gap. This bill has only temporary application and we can hope that the end of this unfair situation and the provision of sufficient adequate quarters will more or less coincide.

This bill does one other thing. It repeals the act of July 2, 1945. The act of July 2, 1945 authorizes the rental of housing units which are not public quarters in the sense that I have described a few moments ago. There are about 43,000 of these units and most of them also are substandard.

Upon enactment of this bill, the 36,000 family units which are public quarters could be rented and upon the repeal of the act of July 2, 1945—and that repeal would be, according to the bill, 1 year from now, the 43,000 units, or that portion of them which are substandard, would continue to be leased but under the authority of this bill which we have before us today.

Under the bill, the whole matter of renting these houses will end 2 years from now. The authority granted by the bill covers only this period. When the bill was submitted to the committee by the Department of Defense, it permitted this situation to exist for another 4 years and it also gave the Secretaries of the individual departments a great deal of latitude by way of continuing the situation even beyond that 4 years.

As you can see from the amendments to the bill, the period of the authority has been cut from 4 years to 2 years and every vestige of discretion in the individual Secretaries has been eliminated. The Armed Services Committee wants the departments to get out of the substandard housing business and out of the rental business. The committee does, however, recognize that with the shortage of family units today and the great need from many standpoints to keep our military families together, it should permit these houses to remain in existence for the minimum necessary time and at the same time, to remove the inequities and unfairness which are now the case.

The enlisted men of all services are looking to us to rectify an artificial, illogical, and unfair housing situation. The Armed Services Committee agreed unanimously to ask the Congress to do just this.

The bill was ordered to be engrossed and read a third time, and was read the third time and passed.

The title was amended so as to read: "A bill to permit members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, with dependents, to occupy inadequate quarters on a rental basis without loss of basic allowance for quarters."

A motion to reconsider was laid on the table.

House Resolution 567 was laid on the table.

FILING OF MINORITY REPORT

Mr. HESELTON. Mr. Speaker, I ask unanimous consent that I may have until midnight on Monday next to file a minority report on the bill H. R. 8902.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection?

MASSACHUSETTS CRANBERRIES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I hold in my hand a very attractive basket which was presented by the National Cranberry Association. In it are some delicious cranberries grown in the district of my colleague from Massachusetts [Mr. NICHOLSON]. It only shows how active my colleague is for his constituents whether it be for the sale of cranberries grown in his district; whether it be for veterans' legislation; whether it be for the saving of the textile industry for which he has worked so hard or for rivers and harbors, or for the Great National Guard installation in his district. I like to draw attention also to the fact that my colleague from Massachusetts works constantly for what he considers to be for the good of the country, and he is a great fighter for everything that he believes in, just as he was a great fighter in World War I in France. I am very grateful to him, and the Commonwealth of Massachusetts, and the Nation also should be grateful to him.

Mr. NICHOLSON. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I am glad to yield to the gentleman.

Mr. NICHOLSON. I am at a loss for words at the sentiment the gentlewoman is expressing. The gentlewoman must have a great deal of admiration for me.

Mrs. ROGERS of Massachusetts. Yes, I do; and I also have a great deal of admiration for your wife.

Mr. NICHOLSON. I assure you the admiration is mutual. The gentlewoman is very kind and I want to thank her for the opportunity to give some of this cranberry sauce to the Members, and I think after today they need it.

Mrs. ROGERS of Massachusetts. In closing I congratulate the gentleman and statesman on the great services he has achieved during his career. I was glad to see the very fine picture he had taken at the White House a few weeks ago with President Eisenhower.

THE LATE HONORABLE FRANCIS J. MYERS

Mr. GREEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GREEN of Pennsylvania. Mr. Speaker, it saddens me very much to have to announce to the House the passing of a former colleague of ours, and a great Senator from Pennsylvania, former United States Senator Francis J. Myers. Frank Myers represented the Second Congressional District in western Philadelphia from 1938 until 1944 when he ran for the office of United States Senator and was elected by the people of Pennsylvania. He served as a Member of the House and had a great record.

I have been a close personal friend of Francis J. Myers for close to 31 years. He taught me in high school at St. Joseph Prep, and we formed a very close friendship. He was one of the outstanding civic leaders in the city of Philadelphia and in the State of Pennsylvania. His term in the Senate brought him a host of friends throughout the entire country. I know that I speak for all Philadelphians when I say that the passing of former Senator Myers is a great loss to the city of Philadelphia and a great loss to the State of Pennsylvania and a great loss to the Nation.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Pennsylvania. I yield.

Mr. WALTER. Mr. Speaker, it was my privilege to serve in the House throughout the entire period of Frank Myers' service. I can honestly say I have never come in contact with a more conscientious and sincere public servant than was Francis Myers. He was my friend. With his passing I feel I have suffered a great personal loss.

I extend to his wife and his family my sincerest and deepest sympathy.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Pennsylvania. I yield.

Mr. FLOOD. Mr. Speaker, since coming to this House in 1944, I have had occasion to pay tribute to the memories of many of my colleagues, since departed; but never have I felt so close to me the passage of the angel of death as I do in the passing of my beloved friend, Senator Myers. This is the death of a young man in his middle fifties, in the prime of his life, yet still after many years of faithful, loyal, and brilliant service to his city, and his State, and his country as a Member of this House and as a Member of the United States Senate. Francis was a big man physically and mentally—a great mind, a great heart, and a great understanding. He was a friendly man, a jovial, spirited, lighthearted friend of his colleagues and of others whose numbers are legion. His wonderful wife, Kitty, and himself would frequently joke with Mrs. Flood and myself and take full responsibility for bringing about and arranging the marriage which has made us so happy, and which made them so happy, and in which ceremony, as I mentioned before, Senator Myers honored Mrs. Flood and myself by acting as an usher at our wedding.

Francis was an eloquent and moving orator in the great and early tradition of America—forceful, dramatic, with a rich, ringing voice. He had the ability to move an audience to the heights of feeling in response to whatever cause he might be addressing.

I know full well the high regard in which he was held by his hometown, the City of Brotherly Love, Philadelphia—and in civic and municipal affairs he was respected and regarded as one of William Penn's true sons through the years of his service.

The traditional, learned, and practiced attorney, Francis was a trial lawyer of skill, acumen, and resourcefulness before he came to this House and since he left the Senate up until the day he died.

Of recent years, favored with an extensive and responsible practice, he did honor to a great and noble profession, and in the best sense of the term was a Philadelphia lawyer. Frank, as we his friends fondly called him, was sought by us as an adviser on politics and on matters having to do with the intricate Washington scene. In that capacity, we looked upon him as far older than his years, and paid the respect to him as young in years but truly an elder statesman of the country, and as one of the leaders on the national scene of the Democratic Party. For many years in the State of Pennsylvania he has been looked upon as one of the small handful of great leaders whose honesty, rectitude, and personality brought to the forefront the Democratic Party in the State of Pennsylvania, and materially was responsible for the election of the present Governor of Pennsylvania, George Leader; and I feel certain that Governor Leader will be the first to agree with this sentiment.

I will not dwell upon the years of service as a Member of the House of Representatives and as a Member of the United States Senate, and as a whip of the majority party his last year in the Senate, the record of this Congress through his years of service speaks far more eloquently than can I.

For Mrs. Flood and myself may I say, our hearts go out to sweet Kitty Myers and to her family in this terrible hour, but she and they can always remember that 10,000 times 10,000 do I express the feelings of the Members of this great House to her beloved and great husband.

Mr. Speaker, there has passed through these Halls into eternity another great American, great in his patriotism, great in the faith of his church, and great in the hearts of his countrymen.

Mr. CHUDOFF. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Pennsylvania. I yield.

Mr. CHUDOFF. Mr. Speaker, I was both grieved and shocked to hear this morning of the untimely death of Senator Myers, of Pennsylvania. I have known Frank Myers personally for many years. I think some of the success that I have achieved in politics is probably due to the wonderful advice he gave me when I visited him from time to time to get his ideas on certain legislation and on certain political problems in Philadelphia.

I know that all Members from Philadelphia will miss him. He has been a great civic leader in Philadelphia and a great son of Pennsylvania. I take this opportunity to offer my sincere condolence to Kitty Myers, his good wife, and family.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Pennsylvania. I yield.

Mr. BARRETT. Mr. Speaker, I rise to offer my condolence to the lovely family of Frank Myers and to say that Frank Myers was a capable lawyer and an outstanding Senator and one of the finest legislators that came from the State of Pennsylvania.

He and his family endeared themselves to the hearts of all Philadelphians, and he particularly, because of his integrity, his rectitude, and his unswerving loyalty to friends and neighbors. It is a great loss to Pennsylvania, and one that Philadelphia will never forget.

Mr. HOLLAND. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Pennsylvania. I yield.

Mr. HOLLAND. Mr. Speaker, I want to join with my colleagues from Philadelphia County in extending my sympathy to the family of Frank Myers. I also extend to the people of Pennsylvania my sympathy, as they too have suffered the loss of a great, outstanding Pennsylvanian.

I had the pleasure of working with him in this House in 1942 and have worked with him on matters that concerned our State during my years in the Assembly of Pennsylvania. I have always found him to be one of the most upright and the squarest of men I have ever met.

I know that the people of Pennsylvania will miss him a great deal.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Pennsylvania. I yield.

Mr. ROONEY. Mr. Speaker, I was truly shocked and deeply saddened this morning when I learned of the passing earlier today of my good friend, our former colleague the distinguished former Senator from the State of Pennsylvania, Frank Myers.

Frank Myers, ever since the time I first came to Washington, has been my close personal friend. I extend to his lovely and dear wife and his fine family my deepest sympathy in their bereavement.

Mr. BYRNE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. BYRNE of Pennsylvania. I, too, was saddened by the news of Frank Myers' death. Frank Myers also taught me at St. Joseph's Prep. I knew Frank since 1924. He was not only my personal friend; he was also my political friend and adviser.

In the city of Philadelphia, the State of Pennsylvania, and the Nation as a whole, Frank Myers will be sadly missed. I would like to convey my deepest sympathy to his wife, Kitty, and his 3 children.

Mr. GREEN of Pennsylvania. The death of Senator Myers comes as a deep personal shock to all of us, and I personally want to extend my condolences to his wife and family.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Pennsylvania. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. Mr. Speaker, it was my privilege to have had a close and very intimate relationship with Francis Myers from the time he came into this House—during the time he served here and in the Senate, there were interests which he had and which I had which brought us into close contact.

I was greatly impressed with the high degree of honesty, integrity, and sincerity that actuated him in everything that he said and did. I consider myself very fortunate indeed to have had the opportunity to be so close to Francis Myers in this House and afterward when he served in the Senate. I shall miss him a great deal. I valued my friendship with him very highly. He had a high regard for public duty. It could not help but impress those who had occasion to meet him and discuss any public matter.

I extend my sympathy to his family.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Pennsylvania. I yield to our majority leader.

Mr. McCORMACK. Mr. Speaker, Frank Myers and I developed a very close friendship in this body which continued while he was a Member of the United States Senate and thereafter up until the time of his death.

I feel deeply grieved by the passing of my valued friend, Frank Myers.

As a member of both branches of Congress he was devoted to his duty as well as in the performance of his duties for the people of his State, his district, and the people of the country. He has left an imprint on the pages of American history in a constructive manner. But, over and above that, Frank Myers symbolized everything that was nice, good, and honorable. He possessed those fine traits following the deep faith that he had, traits that impressed themselves upon others and constituted an inspiration for others to follow.

To Mrs. Myers and her children, I extend my profound sympathy in their bereavement. I know that the fine, noble, good life her beloved husband led will be a consolation to both herself and her loved ones.

Mr. GREEN of Pennsylvania. I thank the gentleman from Massachusetts for his very fine words.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Pennsylvania. I yield to our Speaker.

Mr. RAYBURN. Mr. Speaker, I am better in all ways for having known Francis Myers. He was a distinguished citizen, an able lawmaker, and a man who made the world better for having lived.

Mr. GREEN of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD on the life, character, and public service of the late Senator Myers.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight Friday to file reports on sundry bills.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SPECIAL ORDERS

Mr. HESELTON. Mr. Speaker, I ask unanimous consent that after the remarks of the gentleman from Michigan [Mr. MACHROWICZ] I may be permitted to insert my remarks under a special order I have and to include several editorials and also a report of the Harding Commission.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that when my special order is reached I may have permission to extend my remarks in the RECORD at that point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

POLAND

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. MACHROWICZ] is recognized for 60 minutes.

Mr. MACHROWICZ. Mr. Speaker, just 2 days ago, on July 3, this House unanimously adopted a House resolution, referring to the tragic recent events in Poznan, Poland, which resolution called upon the President of the United States to bring that situation in Poland before the United Nations. The resolution further called on the President to take all possible diplomatic measures to prevent mass reprisals against the people of Poznan and elsewhere in Poland, also to implement the offer of food previously made to the hungry people of Poland.

In the resolution, the membership of the House also reaffirmed its conviction that the security of the United States is and will continue to be endangered as long as the people of the captive nations behind the Iron Curtain are deprived of their full rights of freedom and until self-government is restored to them.

It is significant indeed that this action of the House urging the restoration of independence to Poland took place on the very eve of the day on which we celebrated the declaration of our own independence.

By its action, the House fulfilled its responsibility. I sincerely hope that the President and the Secretary of State will see to it that this matter is properly presented before the United Nations as urged by the House. Unfortunately, I have some doubts whether this will be done. These doubts are occasioned by the fact that two previous similar resolutions were completely ignored by our Secretary of State. In the instance of the congressional Committee on the Katyn Forest Massacre, the House unanimously adopted the committee recommendation that the President issue instructions to the United States delegates to present the Katyn case to the General Assembly of the United Nations. This recommendation was completely ignored and no action taken. A similar recommendation of the Committee on Communist Aggression, also unanimously adopted by the House, received the very same treatment. It will be interesting to note how the President and Secretary of State will react to the present resolution.

Mr. Speaker, the ruthless murder of over 1,000 Polish men, women, and children, whose only offense was a demand for food and for the freedom and civil rights of which they have been deprived, was a most brutal exhibition of the inhumanity of communism and of Communist leadership. Instead of freedom and bread, the Polish workers got bullets. And there is no doubt, that unless the Western democracies intercede, there will be many more murders, imprisonments, and other forms of reprisal on the innocent population of all of Poland.

The question that naturally arises is how did it happen, that after 10 years of indoctrination, of slave-labor camps, of murders and deportations, there is still as much will and resistance left in the downtrodden people of Poland. One need only look to the past history of Poland throughout the ages to find an answer to that. There never has been a nation in the world which suffered and endured so much to attain freedom and yet was so steadfastly loyal to the principles of freedom and independence as the great Polish nation. The Polish people are passionately devoted to those ideals of freedom and democracy which are exemplified by our own United States.

It was said by some that the will to resist Communist domination in Poland would die with the new generation, brought up along Communist lines and indoctrinated with Communist teachings. And yet, photos show and western witnesses attest to the fact that the revolt of last week was led by youngsters, most of whose adult life was spent

under Soviet domination. It seems that Communist teaching has not made much of a dent on the youth in Poland.

What actually led the workers of Poznan to stage this bloody demonstration, which they must have known, was destined to be crushed? Of course, primarily it was hunger, but there was also more than that. We do not yet have all the facts before us but it seems obvious to me that the time and place was deliberately selected by the Poles to coincide with the staging of a trade fair at which there would be present western visitors whom the Communists would try to impress with pretenses of prosperity and good times in Poland.

I cannot help believe that the timing of the Poles was deliberate to prove to the Western World that there is no hope for peaceful coexistence with a treacherous demon who is now trying to deceive the world by putting on a new cloak of decency and repentance. It was a deliberate sacrifice of their blood to show the world that the new wave of anti-Stalinism, of softening up, was nothing but a sham to conceal the true aims which have never changed—the Sovietization of all of Europe, and eventually all the world, including America.

Reports which I have received and which many others have likewise received from Poland, indicate that the Poles have been greatly perturbed over the attitude of the Western Powers, including our own United States, of fraternizing with the Communist leaders.

It must have come as a bitter disappointment of the people of Poland to hear the steadily mounting conviction that the American policy toward nations behind the Iron Curtain is undergoing a significant change. In 1952 Secretary of State Dulles advocated a policy of liberation. That has since been abandoned and is now giving way, as a result of the softening process started by the Communists at Geneva, to a new theory which calls not for a liberation but in its place the encouragement of so-called national freedom under Communist governments a la Tito—with the thought that after such freedom was achieved, there would be attempted a democratization of the Communist regime. This thinking is very much in line with that of George B. Kennan, former Ambassador to the Soviet Union, who took the position that in these countries behind the Iron Curtain there is a finality for better or worse" and that our policy should be for the evolution of the Communist regime to a position of greater independence and greater responsiveness to democratic opinion.

The great fallacy of this theory of the present administration and of Kennan is that there just cannot be any democratization of Communist regimes. Tito has already shown that his loyalty will always be to Soviet Russia. The Poles have demonstrated again that they will have no part of any regime based on Communist principles. And most of all, our national interests are not served by such policies.

The fraternization of our Government with the enemies of the people of the oppressed nations has already borne its bitter fruit. It has induced some of the weaker refugees from Communist oppression to return to their homeland in the belief that there is no hope for restoration of liberty to their nation because of the abandonment by the Western powers of their avowed principles of bringing justice to all the people of the world.

What is even worse from the standpoint of our national security, it has caused threat of smaller nations to relax in their vigilance against the Communist domination. It has caused them to lose faith in our leadership and look to a compromise with Soviet Russia.

I sincerely hope and trust that the indomitable spirit shown by the people of Poland will strengthen us and inspire us to a return to the sound principle of refusal to compromise when it comes to the preservation of basic moral and human rights of a people.

To the Polish nation I express my deepest sympathy. I sincerely trust and hope that the blood of the workers in Poznan has not been shed in vain, and that there may be an end of the long and bitter suffering of that unfortunate nation. Congress has shown by its action Tuesday that it intends to do its part in bringing relief, not only in offer of food but also in restoring to the people of Poland the full right of freedom and self-government of which it has been deprived. May the merciful Lord grant a hastening of the day of liberation of this great nation.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. MACHROWICZ. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Speaker, I would like to say that of the many great Members of this House, past and present, in whose veins flows the proud blood of Polish ancestry, the gentleman now speaking to us, the gentleman from Michigan [Mr. MACHROWICZ] yields to no one in his service and in his understanding of the needs of the Polish people for freedom and liberty for which he speaks so eloquently. The gentleman mentioned the Katyn massacre investigation. The gentleman served with me on that committee. I see present also at this moment the gentleman from Indiana [Mr. MADDEN] who was chairman of that committee and who, with me, feels the gentleman from Michigan did such great service not only for the cause of Polish liberty but as well for his service to all of democracy as the result of that work done. The gentleman knows that tomorrow evening in New York Americans of Polish ancestry in this country are meeting to speak and to pray and to hope as he is doing now with reference to the trials, and, as we know, the persecutions which will follow in Poznan as a result of this uprising for liberty, for which the gentleman from Michigan appeals. Certainly not only do I congratulate the gentleman for initiating this program and uttering these words this afternoon, in which I as well as others join, but speaking for all of our friends of Poland in America we hope and pray that everything possible will be done to prevent any further bloodshed to be visited upon these patriots and these freedom-loving people. I know that the gentleman will permit me to add additional words to what I have now said in the extension of these remarks.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MACHROWICZ. I yield to the distinguished majority leader.

Mr. McCORMACK. Mr. Speaker, I congratulate my friend, the gentleman from Michigan [Mr. MACHROWICZ] on the remarks that he has made to the House. Knowing the gentleman as I do, I thoroughly understand and appreciate the fact that he has closely followed not only the situation in Poland but world conditions in general. The people of Poland throughout the ages have been a people of deep faith. They are western minded. They are individualistic. They believe in a government of laws under God. They believe in the same substance of government as we believe in a government under which freedom exists and prevails. We all feel keenly their subjugation which we know is only temporary. We hope that it will be lifted very rapidly when there will be a restoration of their independence, the independence of their government, and the freedom of the people of Poland. We were all electrified by the incidents that took place in Poznan only a short while ago, men and women willing to face death to be free.

I am sorry that while those incidents were happening, our Government issued a statement for further fraternization with the Soviet Union. It was very poor timing, when men and women were dying in Poland because of their inherent desire to be free. I considered it most untimely and unwise at that time, if wise at all, for a statement to be made by our Government, by the administration, for further fraternization with the Soviet Union. I felt extremely sorry that the statement was made at that time, conveying to the people in Poland and other people behind the Iron Curtain who want to be free a message that might result in disappointment and disillusionment to them. I hope that when future statements are made, the question of timing will be kept prominently in mind, because the timing of that statement, coming as it did when those incidents were taking place, when men and women, I repeat, were dying because they wanted to be free, was not only unwise, but justifiably subject to severe criticism.

Mr. MACHROWICZ. Mr. Speaker, I agree with the gentleman completely and at this time I want to express my sincere thanks to him for the interest which he has always shown in the cause of the unfortunate people throughout the world who do not enjoy the liberty we do, and particularly for the part he played in bringing the resolution before the House 2 days ago.

Mr. Speaker, I yield at this time to the gentleman from Pennsylvania [Mr. HOLLAND].

Mr. HOLLAND. Mr. Speaker, the gentleman from Michigan [Mr. MACHROWICZ], I believe, is in a better position to talk about the atrocities in Communistic Russia than any Member of this House. In February 1919 he was among those lovers of freedom of Polish ancestry, from America, who joined the Free Polish Army. They were the first

people to realize the threat to the freedom of the world. They held off the Communist armies from entering Poland at terrific loss to their comrades. That valiant army tried to stop the spread of communism in 1919. If at that time the free world had been as much awake as the gentleman from Michigan was, we would not have the conditions we have in the world today.

Mr. Speaker, I want to join with him in the comments that he had made today in behalf of that country which loves freedom and her people who have fought for freedom.

I want to express my wish that it will not be long before America awakens. The State Department should carry the fight to the United Nations.

America must insist that the atrocities committed against the Polish people must end, and that the people of Poland shall be given the right to choose their own form of government.

When this is done, there shall be a free Poland.

Mr. MACHROWICZ. I thank the gentleman for his contribution. I am pleased to yield at this time to the gentlewoman from Michigan [Mrs. GRIFFITHS].

Mrs. GRIFFITHS. Mr. Speaker, I should like to associate myself with the gentleman in the remarks he has made and congratulate him on the work he has done in this House for the freedom of Poland, and join with him in the hope that this country may so use its good offices that Poland will again be free.

Mr. MACHROWICZ. I thank the gentlewoman from Michigan and yield at this time to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I want to commend the majority leader, Mr. MCCORMACK, for introducing House Resolution 574; and also commend the gentleman from Michigan [Mr. MACHROWICZ] for setting aside this time to commemorate not only the valiant fight that the people of Poland are making for freedom, but also to call to the attention of the world the great battle that the patriots in Poznan have fought in the present uprising, in opposing communistic tyranny.

Last week, on July 2, I received a telegram from the officers of the Indiana Polish American Congress. At this time I wish to read that telegram.

JUNE 30, 1956.

Hon. RAY J. MADDEN,
House of Representatives.

The Polish American Congress of Indiana Department demands your appeal to the Department of State to immediately bring the Polish uprising at Poznan to the attention of the United Nations as a proof that Poland is still enslaved under the sharp communistic oppression. It is imperative that the State Department demand free election in Poland under the international control as per the Potsdam Agreement. A clear and determined position of the State Department in the defense of the Polish anti-Communist heroes must be taken up immediately.

POLISH-AMERICAN CONGRESS,
INDIANA DEPARTMENT,
ALOISE M. WOZNIAK, *President.*
THADDEUS WACHEL, *Secretary.*
T. S. KUBIAK, *Director.*
JOSEPH WIEWIORA, *Public Relations.*

On July 2, the day after I received this telegram, I wrote a letter to the Honorable John Foster Dulles, Secretary of State, Washington, D. C., as follows:

DEAR MR. SECRETARY: Enclosed you will find telegram which I have this day received from officers of the Polish American Congress, Department of Indiana, in regard to the uprising of the Polish citizens at Poznan. The request set out in the same should be given every consideration by our Government. The uprisings in Poland as well as the rebellion that took place in Germany 2 years ago, are added testimonials of the unbearable enslavement of all captive countries under the Kremlin.

Judging from the propaganda machinery of the Communist tyrants, we can easily imagine the actions of the Kremlin if similar uprisings took place in any of the democratic nations of the world. The Communists would indeed carry on an endless propaganda if these conditions existed in any country outside of the Iron Curtain. Our Government has already overlooked and failed to take advantage of numerous opportunities to expose Soviet operation, enslavement, and tyranny over captive countries. One outstanding example was the failure of the State Department to allow the evidence and findings of the congressional Katyn Forest Massacre Committee to be sent to the United Nations. Another mistake was the opposition of the State Department to the sending of the findings and reports in the 83d Congress of the Committee Investigating Communist Aggression. If we are to gain the confidence of the people of the world who love freedom, we must expose the truth about communism.

I believe that it is the duty of the State Department to immediately submit to our representatives in the United Nations, a demand for a complete and exhaustive investigation of the Poznan uprising, conditions and economic enslavement of the Polish people. History reveals that when tyranny and slavery exist in any part of the world, it is a threat to freedom everywhere.

Sincerely yours,

RAY J. MADDEN,
Member of Congress.

Mr. Speaker, I commend the great work that was done by the gentleman from Michigan [Mr. MACHROWICZ] as a member of the Katyn Forest Massacre Investigating Committee in the 82d Congress. Time does not permit me to reveal the outstanding accomplishments of the work of that committee.

I see the gentleman from Michigan [Mr. BENTLEY] here on the floor. He was a member of the committee of the 83d Congress investigating Communist aggression, and did great work in taking testimony not only in this country but across the water in exposing communism and the Kremlin leaders as they really are. I had the honor to serve as a member of that committee. The findings, report and recommendations of that committee received worldwide publicity and aided greatly in informing the people of the world true facts about the Communist conspiracy and tyranny. The more the attention of the people of the world is called to what communism is and what the Kremlin is really trying to do in enslaving the world, the more communism will be curtailed and eliminated from the face of the earth.

Mr. MACHROWICZ. I thank the gentleman.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. MACHROWICZ. I yield.

Mr. FULTON. I believe it is a fine thing that we friends of Poland meet here today and speak from our hearts of the valiant spirit of the people of Poland to be free and independent.

I believe it will be a matter of encouragement to them to know that in the United States Congress, there are friendly Representatives who will speak up for Poland, and for our friends and relatives there under these present difficult circumstances.

I am one of those Members of Congress who believes that the current difficulties and hardships in Poland should be brought promptly to the attention of the United Nations, and that America should take a firm stand so that it will encourage these friends of ours to remember we in the United States stand firmly on the side of justice and fair dealing with all people.

We should have the truth presented from both sides before world public opinion under the United Nations, and America should take the lead in requesting action before the United Nations. Nothing would clear the international air more than an immediate willingness of the large powers, as well as small nations, to get the real truth of the current serious situation under prompt United Nations action. Let us see what good fruits a fair and honest approach through the United Nations will bring.

In closing, may I emphasize the friendship of the whole people of America for the good people of Poland.

Mr. MACHROWICZ. I thank the gentleman from Pennsylvania.

Mr. KLUCZYNSKI. Mr. Speaker, will the gentleman yield?

Mr. MACHROWICZ. I yield.

Mr. KLUCZYNSKI. Mr. Speaker, Poland in all her history has been the buffer state—the country symbolizing the progress of civilization, yet bordering the tartar and wild state of Russia. Poland throughout her history has protected the civilization of Europe from the onslaught and attacks of the savage hordes, roaming the plains and valleys of the Urals. Her people ever fought the cause of freedom and liberty.

Never quiet and peaceful for any length of time. She fought and fought to create a finer government for a freedom-loving people.

Her neighbors to the west had always enjoyed the glory of her protection. They could rest peacefully so long as there was a living Poland.

Her people were ever alert and courageous. No sacrifices were too great, even life itself, to defeat enslavement.

Poland's people were and are a pious people. Their belief in God is deep rooted and strong. They revere the word and teachings of God Almighty, and they set their goals and ideals in the ways and dictates of the Lord. They live to achieve salvation and believe in the brotherhood of men. They are an industrious people who till the soil and create all things in the advancement of a better civilization.

Poland was always an abundant land, ever fruitful through the endeavors of her people who loved their heritage and property and took pride in their achievements and gloried in their accomplishments.

No wonder the wild uncivilized hordes always threatened her border to the east. Yet, through it all, Poland survived, always her spirit lived.

No conquering enemy could long keep her people in subjugation.

Always and ever the spirit of liberty and the will to live free surged and erupted to bring forth a new and stronger Poland.

Mr. Speaker, today as often before Poland arises and revolts against the chains of communistic tyranny. It is the same spirit and courage that cries to be free.

Poland will again live, to help and fight with the free world against the forces of slavery and darkness.

Poland will live to lead the world against the conquest by communism. Poland must live.

Mr. MURRAY of Illinois. Mr. Speaker, will the gentleman yield?

Mr. MACHROWICZ. I yield to the gentleman from Illinois.

Mr. MURRAY of Illinois. Mr. Speaker, I join our colleague from Michigan and our colleague from Illinois in their remarks on the recent occurrences in Poland, and the action taken in this House with respect to the occurrences.

The distinguished career of our colleagues, Americans of Polish nativity, demonstrates better than any words of mine the devotion of the Polish people to the cause of individual liberty under God.

Our compassion goes out to the martyrs of Poznan in their suffering. I am certain that the blood spilled by the Poznan martyrs will hasten the full blooming of the independence of Poland and of all the captive nations. I thank the gentleman.

Mr. LESINSKI. Mr. Speaker, will the gentleman yield?

Mr. MACHROWICZ. I yield.

Mr. LESINSKI. Mr. Speaker, oftentimes it is only after considerable reflection upon events of the past that we realize their full significance for the present and the future. I believe this is particularly true today when we give pause to reflect on the recent Poznan rebellion in Poland and the events that led up to it.

The rebellion should come as no surprise to those who know the true, indomitable spirit of the Polish people. Their history is replete with examples of courage, an unwavering love of freedom, and supreme sacrifice in the face of overwhelming odds.

These people have covered themselves with glory time and again. They did it at Chocim when 75,000 Poles defeated 220,000 invading Turks. Then again in 1683 at Vienna, when King John III Sabieski defeated the Turks and saved Europe.

Following World War I the communistic army of Lenin, then dictator of Russia, tried to take over all of Central and Western Europe. As we know, Europe at that time was in no position to defend herself because the ravages of war had left all weak and impotent.

Russia must have expected an easy battle, but she counted without considering the iron will of the Poles. The forces of Russia bent their full fury on the then free nation of Poland. A mass of over half a million ravaged the northeastern portion of the country and concentrated at the gates of Warsaw. The populace faced the Bolshevik invaders with fear in their hearts of the possible outcome, but with the will to stand and fight. On the evening of the first battle, thousands of famished and exhausted men, women, and children who had been under extreme privation organized in a volunteer army to fight the invading horde. A group of teenagers were led by Father Skroupka who sacrificed his life during the battle.

Fortunately, France had sent ammunition and General Foch to assist in repelling the invaders. But this material assistance, although of great value, was not nearly as decisive in the battle as was the will of the people to fight for their freedom. Without this God-given inspiration, no amount of arms will ever win a battle.

One would say, How could such a country which had just been liberated and was attempting to recover from the devastation of war, possibly win a battle against an army of over one-half million? But win the battle they did. Some would say it was the will to survive; others who believe in spiritual guidance say it was a miracle. Regardless of the attitude on this point, it must be recognized that faith, determination, and love of country bring about sacrifices that are superhuman. These very points are instilled by religious beliefs. I am ready to accept the victory of the Vistula as a miracle, for divine guidance, through the intercession of the Blessed Virgin, the patron saint of Poland, had to be present for the people to win against such overwhelming odds.

The importance of this date, August 16, may not be apparent to many. What if this battle had failed? Is it realized that all of Europe may have been overrun at that time? The area Communist Russia now holds would surely have been held 20 years sooner.

We may very well take a lesson today from that occasion. Poland was given the opportunity to lay down her arms and she would have been given territories beyond the Curzon line. The Poles, wise to the intent of the Russians, refused the offer and accepted the fight.

August 16 should be commemorated among the free nations of the world, not only because it marks one of the most decisive battles of history, but it also shows how the courage and bravery of a people with a will and a desire to keep their freedom will win even against the greatest odds.

These odds eventually led to the defeat of Poland and her subsequent partition among Russia, Austria, and Germany. We all know that the Poles were defeated during World War II not only by Russia through treachery, but in large part by the German Armies which devastated the country and left it without the opportunity to organize. Those remnants of initial resistance fell prey to Russia, only later to be executed.

Poland's constant, more recent struggles have equally met with disaster and privation; but it has not stopped her people. They go into battle knowing that the chances of victory are slim.

Those powers that surround Poland fear her, for on every occasion it has taken strong and cooperative efforts to subdue the people. The open rebellion at Poznan shows the same kind of spirit that has permeated Poland for centuries past. As we know, all the people of Central Europe desire their complete and unfettered freedom. The action at Poznan will, I am sure, kindle the spark of rebellion in those who seek the light of liberty.

I believe that this reflection on the history of Poland clearly shows that the freedom-loving spirit, irrespective of odds, will continue to burn brightly and will flame forth as it did at Poznan, until once again the Poles have their independence.

I believe that the preceding remarks substantiate so conclusively the need for the following through of H. R. 574. This, if accomplished, would stop the needless bloodshed of the brave.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. MACHROWICZ. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, I want to join my colleague in congratulating our good friend, the gentleman from Michigan [Mr. MACHROWICZ], on his splendid fight for the people of Poland and the people imprisoned behind the Iron Curtain. I want to join in the remarks which have been made by my other colleagues.

I want to express my hope and desire that our State Department will bring the matter of Poznan along with the matter of Poland as a whole being deprived of her rights, and of the people of Poland who are being persecuted by their Russian and Communist overlords, to the attention of the United Nations. I hope these matters will be brought to the attention of the United Nations at a very early date.

I want to go further and speak as an American of Polish descent and to condemn in the strongest way that I am able the vicious manner in which the Communists have repressed the people of Poland, and to condemn in every way possible the current program of brutalities which is being conducted against those people of Poznan because of their effort to bring their plight to the attention of the free world.

I want to say that it is to me a matter of great pride that the Polish people took this occasion to make their protest, and I think it is a matter of particular interest not only to us here in America but also to peoples in all the world that this event occurred on the birthday of a great Polish patriot, statesman, and musician, Jan Paderewski, who was once President of Poland. I think it is also interesting for us to note that the loss which the people of Poznan have suffered and will suffer because of their courageous act is not in vain. They have by this very courageous action exposed to us the fact that the Russian Bear still is the Russian Bear and that the recent protestations by the Communists have not changed either their ultimate end or their methods and we find that those who have once condemned Stalin as being a monster are today practicing

precisely those things which they so hypocritically and so piously condemned Stalin for.

I hope our State Department and our people here in the United States and the world as a whole will take notice of the fact that the Communists are still practicing the same doctrines for which they have condemned Josef Stalin. I hope that the sacrifices which the people of Poznan made will bear fruit in ultimate freedom not only for Poland but for other captive nations throughout the world.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. MACHROWICZ. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Speaker, the heroic uprising of the Polish people in the city of Poznan last week stands as a brilliant symbol of the inevitable triumph of human freedom over the forces of slavery everywhere in the world.

The uprising of the Polish patriots against the tyranny of the Russian occupiers is a matter of the greatest significance today. For some months we have heard it said by so-called Russian experts that "there is a finality, for better or for worse, to events which have taken place in Central and Eastern Europe" during and following World War II. This statement, of course, is the basis for the doctrine of defeatism which has plagued the conduct of our foreign affairs for too long. The Polish people have given the answer to this doctrine of defeatism by their bold and determined effort to drive the Russian occupier off Polish soil. They do not think there is a finality to events which have led to their oppression and enslavement; these patriots shall never rest until there has been restored human freedom and national independence to our ally Poland.

In recent months we have also heard a great deal about the doctrine of political evolution which holds that it is possible for human freedom and atheistic communism to coexist and that in so doing, over a period of years, there will develop a new civilization. A little bit of the precepts of human freedom and a little bit of the precepts of atheistic communism are to be mixed into a new concoction which will create a new civilization. The Polish people, by their revolt against the tyranny of communism, have made it clear that it is impossible to mix the ingredients of human freedom and the ingredients of atheistic communism, just as it is impossible to mix fire and water. Those who know the precious values of human freedom will never sacrifice them for any part of the individual degradation and tyranny which are the hallmarks of atheistic communism. That is another lesson which the Polish patriots have spelled out for those who have yet to learn the fundamentals of man's long struggle for human decency and liberty.

Only a few weeks ago here in the House we heard speeches made about "independent Communists" and claims that Dictator Tito had weakened the Communist empire by his staged show of pulling away from Moscow. It has been suggested that the only way, or in any case the surest way, to destroy the Russian Communist Empire is to stimulate and work for greater independence of action on the part of the Communist regimes which now occupy all the non-Russian nations of the Empire. Some strategists have called this the process of chipping away the power block. Others have called it the application of the Socialist axiom of the "inevitability of gradualism" to the political dynamics of Central and Eastern Europe.

But the Polish people who are the sad victims of Communist tyranny do not agree with any of these theories and dubious notions. The Polish people made it clear they do not want anything like an indigenous Communist regime and that their objective is to drive the Russian Communists from Polish soil. The Polish workers' chant of "Russians go home" will long be remembered by lovers of human freedom everywhere. The Polish workers, by their courageous attacks upon Communist Party headquarters in Poznan, also demonstrated that they will never be contented until the destroying and malignant roots of communism have been completely eliminated from every segment of Polish life.

The strategy behind Kremlin efforts to blame Secretary of State Dulles for the uprising of the Polish people at Poznan is not only obvious, but cynical. These cynical Russian leaders know that the Polish uprising grew out of their ruthless exploitation of the people, the denial of individual liberty, the efforts to Russify the Polish Nation, together with the freedom-loving nature of the Polish people who will never acquiesce to Russian occupation. The most convincing proof of the fact that Secretary of State Dulles has not used any of the Kersten amendment funds behind the iron curtain is that the Polish insurgents had to fight Russian tanks and militiamen with their bare hands.

But the cynical Russian leaders are attempting to blame Secretary of State Dulles for this uprising because thereby they hope to discourage all other lovers of freedom behind the Iron Curtain from carrying on activities against the Communist regime. This they plan to do by pointing to the ruthless manner in which the patriots of Poznan were put down and then slaughtered by the hundreds. The Russians are attempting to create the illusion that funds from the Kersten amendment were used to stimulate the Poznan uprising in order to cover up the great failure of communism and the hatred of the people for their Russian occupiers. The real tragedy is that had the funds authorized by the Kersten amendment been used as originally intended, the Poznan uprising as well as the East German uprising of June 17, 1953, would have met with much greater success, and we would be much closer to our cherished goal of peace and freedom for all nations and people.

Mr. Speaker, I suggest that it is high time we began to work out an offensive against the conspiracy of communism which will be in tune with the aspirations of all the enslaved people behind the Iron Curtain which has been so vividly expressed by the uprising of the Polish people in Poznan. I regret to say that we have, up to now, failed to face up to this greatest issue of our times. We seem to have formulated no practical or defined policy to take advantage, in the cause of liberty, of the resistance and suffering behind the Iron Curtain. We must formulate a political, economic, and diplomatic offensive against the conspiracy of communism and for the cause of human freedom and individual liberty. This we must do if we are to prevent world war III.

I hope that the heroic uprising of the Polish workers will not have been in vain. I hope that at least in respect for their great sacrifice made in the common cause of human freedom that an end will be put to such silly notions as "independent Communists," that political evolution can be a substitute for political revolution, and the sterile thought that the enslavement of nations within the Russian Communist Empire is permanent and unchangeable. We owe at least that much to those fighters for freedom who died on the streets of Poznan in an effort to drive the Russian occupier from Polish lands.

Mr. SIEMINSKI. Mr. Speaker, will the gentleman yield?

Mr. MACHROWICZ. I yield to the gentleman from New Jersey.

Mr. SIEMINSKI. Mr. Speaker, I thank the gentleman from Michigan for this time, and I congratulate all those who have spoken today for their stirring defense of freedom and the right of the Polish people to enjoy freedom now and for all time. The gentleman from Michigan [Mr. MACHROWICZ] has been a great fighter, as this House knows, for the rights not only of the Poles but others behind the Iron Curtain to enjoy the blessings of freedom as we do here in the United States and as do people the world around deserve to enjoy.

Particularly on this Fourth of July celebration, I think we should have short résumés of the signers of the Declaration of Independence inserted in the CONGRESSIONAL RECORD, showing who these men were, what they stood for, and that their signature on the document meant death if captured before freedom was won. They were not captured. We were successful, and for a nation to come into being it means just this: Are you willing to die to give birth to your Nation? And to keep it in health and growth if need be?

The Poles have proven that in the past. We proved it in the United States. And people will continue to prove it as long as organized man violates the moral sense of man which says that he is born free. He has a right to journey through life in freedom and if you lay a hand on him, in the open presence of his fellowman, he will flatten you or you will have to flatten him. It is as simple as that. That is what the situation is.

I do not think the Creator ever relinquished His sovereignty over the mind and heart of man no matter who in organized society says that he has the right to snatch without your consent that sovereignty, as the Communists seem to think they have done. They say that they have the right to direct you to live as they want you to live. That just is not so.

It was a thrill for me to stand on the floor of this House on Tuesday, July 3, and speak in behalf of the joint McCormack-Martin resolution with reference to the Poznan uprising in Poland. I trust that a similar resolution will pass the Senate and be called to the attention of the Executive.

On July 3, I made some remarks, Mr. Speaker, which I ask unanimous consent to insert at this point in the RECORD. They show my stand on that evening is the same on this evening. There is slight revision, and I ask unanimous consent to insert those remarks at this point in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

Mr. MCCORMACK. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. SIEMINSKI].

Mr. SIEMINSKI. Mr. Speaker, I congratulate the gentleman who introduced this resolution. I think it will be warmly received.

As a man grows to fight for freedom, he comes to realize that in that fight he must, if necessary, stand and fight alone.

If successful, others rally to his cause. If he fails, heads wag to say poor man, how imprudent, how romantic. I suppose the same can be said of nations.

It was said of Poland in 1939 when, alone, she resisted Hitler and felt the knife of the Kremlin plunged in her back. It was said of the Poles in 1944 in the Warsaw uprising when over 200,000 Polish men, women, and children were slaughtered through the perfidy of the Kremlin and the bullets of the Nazis.

In some quarters, the same thing was said of the Poles in the Poznan uprising.

But such things are not said of the Poles by the Congress of the United States. The joint resolution now before this body, in effect, says, "How brave, how inspiring, how like the Poles who have paced through time the moral sense of man. God bless the Poles."

In the uprising in 1944 in Warsaw, the Polish people were promised help by the Red Army. It never came. Instead, the Communists used the Nazis as pawns to slaughter the Poles. The effect was to engender hatred of the Nazis by the Poles while guaranteeing postwar domination of the Poles by the Red Army.

The same Communist mystique was used in Korea when the Reds used Chinese and North Korean soldiers as pawns to kill Koreans and slaughter Americans in the Communist drive to throw the forces of the United Nations out of Korea. We flattened them.

In the Poznan uprising, the instinctive morality of man now plagues the Kremlin. A Polish soldier was shot to death by an officer because he refused to fire on his countrymen. Will the stain out? It will plague the Communists for years to come.

To the Poles, the book of judgment rests in heaven and not on the table of any political commissar.

The Poles believe with Abraham Lincoln that for every drop of blood drawn by the lash the Lord in His time exacts an accounting.

Not too long ago, in 1793, three powers carved up and occupied Poland. Two have retired, one remains. Germany and Austria have gone home. Russia remains.

How soon will the Soviets recede?

The mills of the Gods grind slow but mighty fine. The Poles are sure that the Lord knows just when the Reds will recede, and in time will exact his accounting.

Niech żyje Polska. Bóg Zaplać.

I congratulate you, Mr. MCCORMACK, and I thank you, Mr. MARTIN, on behalf of the people of my district for the splendid stand you have taken in this matter by your resolution.

Mr. SIEMINSKI. I remember when we, in the 10th Corps, were above the 38th parallel, in October of 1950 during a rest period, it was my pleasure to be escorted into town in Hamhung and brought to a theater where I was asked by an interpreter if I would like to see some of the Soviet propaganda film attempts being made before we lifted the Iron Curtain above the 38th parallel to convince the North Koreans that the Russians were political charmers and that the Russians, or the Soviets or the Communists had the answer to a good society. I saw Russians in pictures strewn around the snow. They made merry with North Koreans.

One of the films I saw was called The Night Before Yesterday. It showed the Czar's officers and the Czar's militia killing in cold blood people in their shirt sleeves, in Russia. The lesson was clear, that the Czar and capitalistic societies took coercive action in cold blood against the worker. It seemed to me that the film The Night Before Yesterday certainly caught up with the Reds in Poznan the other day, and if our State Department and our Public Relations Office has that film, it would be well for them to roll it out over the Voice of America and just ask, How consistent are the Communists? Do they preach one thing in North Korea and then show the world in the West another thing?

I do hope that in our removal of systems and organizations that Communists put on the backs of people—and incidentally, I wonder when the Communists will wake up and realize that man is born without a saddle on his back, that if man was meant to carry anyone without his consent, the Creator would have given him birth with a saddle, or room for one. He has not that saddle. The Reds should wake up and realize that they will be thrown and thrown for a loss every time they try to ride herd on any human being. They were thrown for a loss in Poznan.

In our desire to throw off tryanny against man wherever it appears under any form on the face of the earth, I beg that we keep sight of geography and our environment.

Just as we need water, we need friends, and we need geography if we are going to help those who are in peril beyond our reach. What do I mean? When we came into Italy in World War II, it was the Allied forces and the pressures that we exerted that caused the crackup and the retreat of the German Army, but it was the people of Italy in Genoa that made it easy for us to liberate that town. So in Yugoslavia tonight; Yugoslavia, the soft underbelly of Europe; there is nothing we can say on the floor of this House that is going to change the geography of Yugoslavia, and the fact that if we need to jam a bayonet into the soft underbelly of Europe through Yugoslavia, World War II experience shows that the friendship of the people of Yugoslavia will help us jam that bayonet where it belongs in the fight for liberation when the whistle blows.

When we went on record in this House as expressing friendship for the people of Yugoslavia, subject to analysis by the President as to whether we would give that help, our declaration to the people of Yugoslavia was as powerful as the declaration that we passed to send forthwith Red Cross supplies to the Poznan insurgents and people in Poland. We must never give the people of this world the feeling that we will abandon them, or that they are abandoned. People are people the world around. They respond to the treatment they receive. It is those who have organized on their behalf who have through history generally loused up the trust people have placed in their hands, or the trust they have seized presumably in the people's interest. From left to right and from right to left, "Sound off," "Count off" has resounded in the march of men down the halls of time.

Whistles have blown and guns have gone off, and men have marched when what they needed to live was denied them. When people cannot get what they need to live in self-respect they must fight or die. That has been the history of men and nations. It seems to be the job of men in government to engineer forces in such manner as to keep need from oppressing the people whose trust they hold.

Slaughter in Poznan is a reflection on the Government in Poland. Like slaughter on 10th Avenue, the murderers in Poland must be caught and wiped out.

We want the people of Poland, of Czechoslovakia, of Yugoslavia, we want the 100 million people of Central Europe to know that their governments have abandoned them. We want them to know that their governments quake in the wake of the trust they so forcibly seized and so wretchedly loused up.

We are not afraid of the Communists and they know it. There is nothing Communists can offer except tyranny and torture and broken promises. They cannot deliver because they cannot respond to the heart of man. I know. My God, how I know. Those of you who have been in Korea or might have met Communists here or elsewhere know that there is something that is killed inside each one of them. All they do is look at you with a sort of cross-eyed look. They look at your forehead, not your eyes. It is their password. They quote dialectics you wonder whence they come. You know they are zombies.

Here is how an American kid spilled the Reds in face-to-face encounter in North Korea. He was in a Communist prisoner-of-war camp. There was a lecturer, a Chinese Red, who started to tell the boys there, our boys, that the South Koreans started the war. He tried to prove to them that the Reds were innocent in this stemming of aggression. So this American boy got up, raised his hand, and was recognized. He said, "If it is true that the United Nations forces or those of South Korea started the war, then please tell this audience how it was that you Communists were in Seoul in 3 days."

The Red blew his stack. He said, "I am doing the lecturing. You sit down. I will talk, you listen."

The class roared. The guy was absolutely shamed and disgraced. That's the American way of showing these people how foolish they are. As zombies, they misapply what they think is logic to the human heart. Like oil does water, the heart overcomes logic that does not come from within it. Nothing these Reds have comes from within you. They know it. They have taken something Marx spun out in London on conditions in 1848 and have loused it up from Lenin, Trotsky, and Stalin to the washouts in Red regimes today. Like children beating a drum, they are absolutely out of step with the march of man in his quest for the sovereignty of his soul, for that freedom of mind, body, and spirit that can make each of us sparkle as the stars, each of us separate and equal, firm and aglow in the loyalty and love of God.

I thank the gentleman from Michigan [Mr. MACHROWICZ] for the opportunity of these comments.

Mr. MACHROWICZ. Mr. Speaker, I yield to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Speaker, how proper it is that our colleague, Representative BYRNE of Philadelphia, Pa., by appointment of the Speaker occupies the Chair tonight, presiding over these hearings and this testimonial that we are making on this occasion. The hour is now past 6:30. I want to hail my colleague from Michigan, the Honorable THAD MACHROWICZ of the First District, for his devotion that he has shown since coming here in 1950 to those who have been behind the Iron Curtain. This massacre the other day of another thousand in Poznan is just another testimony that freedom lives even under these terrible circumstances. This race, the Polish people, are known for their devotion to religion. If you want any evidence of that, look at their churches throughout the world. They are a race under God and their religion is their consolation in their darkest hour.

Mr. MACHROWICZ. I thank the gentleman. I now yield to the distinguished gentleman from Michigan who knows as much about the situation behind the Iron Curtain, having been there himself on a very important service for this country.

Mr. BENTLEY. Mr. Speaker, I thank my colleague and good friend, the Congressman from the First District in Michigan. I can certainly bear witness to the gentleman's lively interest and keen sympathy for all oppressed peoples behind the Iron Curtain just as I am sure he can bear witness to mine. Between them, I am certain, no party line exists at all.

I would like, however, to ask my good friend and able colleague, the gentleman from Michigan, just one or two questions to possibly clarify some of the remarks made just a little previously. The gentleman expressed some skepticism as to the possibility of action by the State Department and the President with regard to the resolutions which have been introduced and, I believe, passed at the present time. The gentleman, I believe, or at least one of the other gentlemen who had spoken here on the floor, expressed some disappointment because certain findings of the committees, the Kersten committee and the Katyn committee have not been made available to the United Nations and to our delegate to the United Nations. I cannot speak about the findings of the Katyn committee, but it is our understanding that our findings were published by us when we were in the 83d Congress, as members of the select committee. The findings have been made available by Ambassador Lodge to the United Nations; is that not correct?

Mr. MACHROWICZ. That is absolutely correct, but if the gentleman will note, my statement was not to request that they be made known to the members of the committee but that the matter be presented before the forum of the United Nations.

Mr. BENTLEY. I think that is right. I think possibly the gentleman from Indiana seemed to think that they had not been made available. With respect to this uprising that happened on the eve of our Independence Day and, of course, it can create many sad memories in one's mind and recall a very sad memory of another uprising which was possibly also a little premature, the unfortunate uprising in Warsaw in August, 1944, when the Polish underground army was drowned in a sea of blood by the Nazi with the Soviets looking on from the other bank of the river.

Also, of course, on the eve of Independence Day brings back to our mind the assistance that Poland gave in our own struggle for independence 180 years ago when brave Poles came to this country to fight for the cause of freedom which they were unable to do in their own country. We all deeply sympathize with the people of Poland at the present time, certainly no one more than myself, having known from first-hand experience what conditions are like behind the Iron Curtain.

Our good friend spoke a few moments ago to the effect that had a certain plan been implemented the Poles could have readily had a large supply of arms and been able to be more successful in respect to this uprising. I wonder if my good friend from Michigan thinks that the way to encourage these people at the present time is by furnishing them arms to carry on outbreaks such as was just witnessed at Poznan when everyone knows that no matter what arms or supplies were given them they would be hopelessly outnumbered finally and crushed.

Mr. MACHROWICZ. The gentleman does not believe that we can help them best by furnishing them arms and getting them to revolt when the chances for the success of any such revolt are very small.

I think the way we can help them best is by a firm policy with the Communists, not the policy which is so popular in the office of the Secretary of State by promoting a Tito form of democracy, but a policy of liberation such as was announced by Secretary of State Dulles in 1952 and 1953, a Republican form of democracy which unfortunately has been abandoned since.

Mr. BENTLEY. I know the policy of which the gentleman speaks, and he and I were associated together in accomplishing some good. Working through a bipartisan basis, it is possible to get concrete results accomplished. I call the gentleman's attention to the fact that we had the pleasure through cooperative effort of getting the State Department to throw out the Communist Polish consuls from Chicago, New York, and Detroit. By bipartisan effort the State Department will be able to take steps that are not only still appropriate but are overdue.

Mr. MACHROWICZ. I agree with the gentleman, and I would state to him that the criticism I am presenting is not at all political. As the gentleman knows, I was equally critical of the previous administration. I did not hesitate to criticize them because of policies established by the Department which were not conducive to the best interest of our Nation. I fully agree with what the gentleman says, that the basis should be bipartisan and one of cooperation. That is the best way to produce results.

Mr. BENTLEY. I thank the gentleman, and I would like to call attention to some remarks which I think the distinguished majority leader made a short time ago in which he questioned the genuineness of this demonstration of fraternization with the Soviets.

I am sure the gentleman will agree with me in my personal viewpoint, and I am sure it is his, that any declaration of fraternization with the Soviets is untimely.

Mr. MACHROWICZ. The gentleman is correct.

Mr. BENTLEY. I thank the gentleman.

Mr. MACHROWICZ. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HILLINGS. Mr. Speaker, the recent riots in Poznan indicate that the spirit of freedom is not dead behind the Iron Curtain.

Despite the fact that the brave people of Poland have been under Communist subjugation since World War II, they are still attempting to shake off the yoke of tyranny.

Mr. Speaker, this unrest in the Red-dominated satellites means that we cannot accept the status quo. We must continue to press for free elections and not allow these brave peoples to lose hope of eventually returning to a free society.

Mr. RODINO. Mr. Speaker, the people of Poland in keeping with their gallant and honorable tradition as fighters for freedom have once again demonstrated that this spirit is very much alive in their recent uprising against Communist tyranny. The steelworkers of Poznan who cried out for bread and freedom as they defied the Communist dictatorship of Poland were speaking for the people of Poland. It was the belief

of these people that they could have freely spoken out because the Communists were wearing a new look—at least outwardly. But their answer came with bullets and spilling of blood.

No, Mr. Speaker, the Communist leaders have not changed their spots—only their clothing. There can be no freedom under communism. But bullets and blood spilling will not destroy the spirit of freedom that lives in the hearts of all liberty-loving Poles. The idea of freedom lives and will continue to live in Poland despite Communist despotism and tyranny. The freedom-loving people of the world will take note and not forget the lesson of this struggle. They will not be deceived by the lure of the new look worn by the Soviet leaders.

Mr. Speaker, it is high time that the case of Poland be placed on the agenda of the United Nations. It is but another sampling of Communist tyranny and total disregard of the fundamental principle of the United Nations Charter—the principles of peace, security and freedom.

Mr. FLOOD. Mr. Speaker, a new chapter has been added to the long chronicle of man's centuries-old struggle for liberty. That chapter is headed "Poznan." Just a week ago today the residents of this Polish city struck a blow for freedom that electrified and thrilled the world. They struck a blow that has forever emblazoned their names in the glorious records of those who love liberty more than safety and who put the preservation of human dignity on the highest rung of life's basic values.

The deeds of the workers of Poznan on June 28 evoke recollections of the embattled farmers of our own Lexington and Concord who spontaneously arose to resist the tyrant of another age. The shouts of the Poznan workers for freedom remind us of those Poles of another day, such as Pulaski and Kosciuszko, who so despised despotism that they willingly risked their necks and their fortunes to deal it a blow in whatever sector of the world it raised its head. Polish history is brilliant with the glory of its countless sons and daughters who have sacrificed their all that Poland might live in dignity and in freedom.

Tragedy and oppression are no strangers to the Poles. For a century and a half they were submerged under foreign rule before the peace of 1919 brought them a new resurrection. For two precious decades they enjoyed independence and self-government, but this was terminated by the onrush of the Nazi blitzkrieg. We can rejoice that Hitler and his henchmen were eventually wiped out in their last redoubts, but the victory was short lived for the Poles and soon turned to bitter gall, for it brought with it the heavy tread of Red army boots and, not long after, the rule of the commissar. In the closing days of World War II the leader of the Soviet Union solemnly pledged with our own President and the Prime Minister of Great Britain to allow the machinery of democracy to run untrammeled in Poland, but he lied as he spoke and the elections that were eventually held were frauds of deception and chicanery. A gloomy night of terror, repression, and persecution settled over the people of Poland. The freedom of their government was eclipsed, their basic human rights were mocked and spurned, and they were forced to labor for the benefit of the Communist colossus that was preparing its sickle to reap the harvest of the world. It seemed at times as though the night would never end, but then there came a few chinks of light in the darkness. Stalin was replaced by others and repression, for a moment at least, did not seem quite as bad as it used to be. Then suddenly the people of Poznan threw a blinding beam of freedom, courage, and inspiration across the dark Polish sky.

It is true that the light they lit flamed only a short while before it sputtered out beneath the tanks, the artillery, and advancing troops of the Communist regime. Nearly 1,000 victims fell, reports say, but in making their sacrifice they registered everlasting proof of the cruelty, viciousness, and hatred which the so-called republic of the workers bears toward the common man who must toil for his daily bread. The repression of Poznan will take its place beside Soviet treachery during the Warsaw uprising of 1944 and the Katyn Forest murders as a demonstration of the eternal enmity between communism and Polish freedom.

The citizens of Poznan have given hope to their fellow countrymen. They have given inspiration to a world that sometimes is tempted to grow weary of the long fight against the despoilers of mankind. They have given fresh heart to the American people who are determined never to falter in their efforts to restore Poland and the other captive nations to their former positions of independence and freedom. They have deeply moved all of us here in this House of Representatives which just 2 days ago passed a resolution offering sympathy, relief, and political support to the people of Poland in their present misery. They have, in short, given a new stimulus to freedom and for that the world and their fellow countrymen are forever in their debt.

Mr. REUSS. Mr. Speaker, the cry for freedom and for bread of the people of Poznan struck a responsive chord in the hearts of all who cherish human dignity.

Since 1945 Poland has been in the grip of a ruthless tyranny. But brutal though their subjection has been, the Polish people have a religious faith and a national tradition stronger than the mailed fist of their oppressors. The uprising in Poznan gave new evidence that the burning spirit of human freedom can never be extinguished.

We are inspired by the heroism of the Poznan martyrs. We are encouraged at this new sign that cracks are appearing in the monolithic Communist tyranny. In the pages of history, Poznan will become a new milestone in mankind's continuing struggle to assert his natural dignity and freedom.

But however glorious or encouraging the Poznan uprising may appear, it is also a challenge to all of us here in our own land of liberty. For the revolt has been crushed and the people of all Poland are feeling the bitter lash of mass reprisals by their Communist overlords. There is no freedom in Poland today.

Until Poland is free again, America cannot rest. Our responsibility today as yesterday is to work unceasingly for a world in which all men can breathe the air of their native land in dignity and justice. As we work toward that goal, the bravery of the people of Poznan gives us new confidence and determination.

Mr. DODD. Mr. Speaker, the recent revolt in Communist Poland in the city of Poznan is dramatic proof that the spirit of freedom and liberty is still alive in Poland, despite many years of Communist tyranny and despotism.

And the revolt in Poznan will do much to keep alive that spirit of liberty and freedom in the hearts of other captive peoples. The courageous Poles who have participated in this uprising shall be remembered in history as heroes of Poland and of the free world.

At a time in the history of the world when there is so much talk of appeasement and of coexistence, the people of Poznan have taught an heroic lesson on the value of freedom.

Mr. Speaker, let us consider for a moment the circumstances under which this revolt was made. The people of Poznan are the captured slaves of the Communists. A terrible police system operates in Poland. The chances for success in a revolt of this kind obviously were extremely poor. Those who participated in this uprising knew all of this, but they were willing to pay a dreadful price in order to demonstrate their love of liberty and of freedom and of justice. This is the stuff of which the early American patriots were made. The heroes of Poznan have taken their place beside men like Patrick Henry. They, too, have said with Patrick Henry, "Give me liberty or give me death."

Ever since the unwise and harmful summit conference the Communists have been attempting to demonstrate to the captive peoples and to the neutrals that resistance to communism is futile and worthless.

This is why photographs of important Americans with notorious Russians drinking toasts have been shown in the satellite countries and in the neutral areas of the world. This is why the visit of General Twining and other top American officers has been exploited as a propaganda weapon. All of this has been intended to discourage those who resist Soviet tyranny.

This is why the uprising of Poznan will take its place in the history of the world as one of the most significant events in the long struggle between freedom and slavery.

Polish history is one of struggle against one form of tyranny after another, yet the spark of freedom has never gone out. Perhaps no other people in the history of the world have fought more valiantly against oppression than have the Poles. The Poznan revolt is another bloody chapter, another bold expression of the national will for freedom.

On March 22, 1955, I introduced House Resolution 183, requesting the Secretary of State to instruct the United States representative to the United Nations to submit copies of the summary report of the Select Committee on Communist Aggression to the member nations.

This report is a detailed study of Communist methods both in taking over and occupying other countries. The report is positive proof that the Soviet Union is the ruthless and illegal occupant of once free and independent nations. It leaves no doubt in the mind of the reader as to the real cause of the Poznan revolt by showing the pattern of Soviet aggression in terms of eye-witness accounts.

Under this same resolution, our ambassador to the United Nations would draw up a resolution based on the select committee report, naming the U. S. S. R. as an aggressor nation against the nations enslaved by communism, and would place this resolution on the agenda of the General Assembly of the United Nations.

Mr. Speaker, although this resolution was approved by the House Committee on Foreign Affairs, it is still bottled up in the Rules Committee. It should be brought up in this House and adopted by this House.

On June 29, 1956, I introduced House Joint Resolution 668, which calls for the establishment of an International Juridical Commission within the framework of the North Atlantic Treaty Organization in order to document the crimes against humanity committed by the international Communist conspiracy and to reduce the dangers of world war III.

This resolution has been referred to the appropriate committee, and it is my great hope that it will receive favorable action and will be adopted by this House.

Mr. Speaker, I refer to these two resolutions to point out that there are things which we can and should be doing in this country to help in the struggle against Communist tyranny.

If the Poles of Poznan are willing to give their lives in a demonstration for liberty, surely it is not too much to ask that the Congress of the United States do its part in this great battle.

PREVENTION OF FURTHER TRAGEDIES IN AIR TRAFFIC

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Massachusetts [Mr. HESELTON] is recognized for 20 minutes.

Mr. HESELTON. Mr. Speaker, the worst disaster in the history of civil aviation should be sufficient reason for immediate corrective action to prevent a second tragedy.

Revenue passengers on United States scheduled airlines alone in 1955 were 41,623,000. Many millions more traveled on nonscheduled lines and in military and private aircraft.

It is frightening to think of how many of these human beings may have narrowly escaped the horrible deaths 128 of their fellow citizens met over Grand Canyon last week. A responsible group, the Harding committee, pointed out, in December 1955, that four near-collisions of aircraft have been reported every day, on the average.

Studies and investigations of the Grand Canyon tragedy are important.

But even more important is prompt corrective action which should be instituted at once.

If CAB regulations contribute to this situation, they should be revised without delay. If necessary regulations are not in existence, they should be put into effect immediately. If other procedures are needed, failure to act at once will be tragic.

Numerous editorials express forcibly the questions in the minds of all and the demands for action now in time to prevent a second catastrophe. No one will question the wisdom of developing long-range programs which may well take time. But failure on the part of those who have the power and responsibility to make practical and prompt changes now will not be tolerated or forgiven if a second disaster occurs.

Two recent editorials from the Boston (Mass.) Globe follow:

WHY?

Whether the appalling air crash in Arizona was caused by "freak" conditions, as one expert suggests, or was attributable to some extremely risky flight planning, only a full inquiry by the Civil Aeronautics Board will disclose. Meantime a horrified public will insist that answers be given to several pertinent questions.

Why were these two heavily loaded airliners dispatched on an identical flight course only 3 minutes apart? Why were not divergent, or at least parallel courses, 30 or 40 miles apart, assigned them? Why were both given a check point for reporting position above the disaster region which placed them, according to reports, but 1,100 feet apart? In cloudy or stormy flying weather such as they encountered, wasn't this far too hazardous?

Our civil airlines have had excellent records for safety. This catastrophe reveals urgent need for newer and more rigorous precautions.

THE CROWDED AIR

Farmers who shouted "get a horse" at motorists a half century ago could not foresee the time when nearly 40,000 persons would be killed annually on American highways.

With all our experience on the ground, it is difficult for us to realize even today that the airlanes can become crowded. The sky is so vast.

Yet crowded they are becoming, as responsible aviation authorities warned us only recently at a gathering in Boston. After the disaster over the Grand Canyon, we can begin to appreciate that fact.

To date, the most plausible explanation of the apparent collision seems to be this: One plane was flying at 21,000 feet, while the other had received permission to rise a thousand feet above the clouds, which may well have been at the 20,000-foot level.

But were the pilots of the two aircraft informed of each other's location? Why were they flying under different systems? The accident has been called "a freak," due to a coincidence that could occur but once in a million years. That may be true. It is also a fact, according to a report published by the Federal Budget Bureau, that four airliners have near-collisions in the United States every day.

The rules governing air traffic are frequently revised to keep them up to date. But the system from which they stem, together with much of the equipment on which control is based, was established in the middle 1930's.

At that time there were about 9,000 military and civilian planes in the country. Today there are 1,400 airliners, 65,000 private planes, and an estimated 22,000 military aircraft—a total of 88,400.

It has been felt for some time that the whole air traffic control system needs an overhaul. After considerable discussion and controversy, Congress has just voted $40 million as the first step in a $246 million 5-year program for the modernization of control equipment and management.

The Grand Canyon disaster will help the public understand why a change is needed. It should also convince everyone with influence in aviation that no possible hazard can be ignored, however small it may seem. Great weight should be given to the views of the pilots who fly the planes.

It is urgent to estimate accurately, both today and in the future, what new dangers may arise as aircraft grow larger and go faster.

It is also important to plan beyond the 5-year program. Following the Budget Bureau report, the President appointed Edward P. Curtis, chief of staff to Air Force General Spaatz in World War II, to draw up estimates of what the situation is likely to be at times that are foreseeable, but more distant.

Such forehandedness cannot be too highly praised. With the automobile, the development of effective enforcement, better highways and driver education has seemed to lag behind the need. We never quite catch up with that problem.

Must it be the same with aviation? It took the deaths of Army flyers, carrying the mail in the 1930's, to establish the present system of air traffic control. The Grand Canyon disaster will undoubtedly work to speed another overhaul.

But such tragedies should not be necessary. We will be able to avoid many of them in future if we grasp the fact that the airlanes, like the highways, are becoming crowded.

UNCLE DUDLEY.

The following is an editorial from the Berkshire (Mass.) Eagle:

TRAGEDY OVER GRAND CANYON

The collision of the two great airliners above the Grand Canyon Saturday, in which 128 people were killed, marks the greatest catastrophe in commercial flying to date.

The two airliners, a TWA Super-Constellation carrying 70 passengers, and a United Airlines DC–7 carrying 58 had taken off only 3 minutes apart from Los Angeles flying eastward, and both following the great circle route. The schedule called for the TWA plane to fly at 17,000 feet, while the United plane was slated to fly at 21,000 feet. Near the California-Arizona border the planes encountered thunderstorms and the TWA pilot radioed for permission to fly at 21,000 feet. This was denied because this was the altitude at which the United plane was flying, but when he asked for permission to fly at 1,000 feet "above the weather" the request was granted, which is said to be the normal procedure. What may have happened was that the under clouds piled up to 20,000 feet, and the TWA plane, attempting to climb above them ran into the United plane which was flying at that altitude. Neither plane carried the radar equipment that would penetrate cloud and storm.

It is surely a bitter irony that the worst disaster in airplane history occurred over one of the most sparsely settled areas in the whole United States, and in a spot where the airways could be presumed as little crowded as anywhere. It is also ironic that each plane knew that the other was in the vicinity and knew of the possibility of collision if they met at the same height. In any event the catastrophe calls for the most thorough investigation to establish the facts as to how the collision came about, with special attention to the custom of scheduling flights that imply such perilous proximity, with the inquiry concentrating on the lack of radar apparatus, which to the most uninformed citizen would seem to be absolutely

indispensable to passenger planes flying trunk routes. With so many other hazards provided against, it seems strange that some giant planes do not carry the apparatus that warns them that other planes are operating in the same vicinity.

This editorial from the Washington (D. C.) Star underlines several of the urgent recommendations of the Harding committee:

GRAND CANYON TRAGEDY

Perhaps the precise cause of the world's worst civil aviation disaster, costing 128 lives, will never be known. Pilots of both of the wrecked airliners are dead. Their final radio messages gave no hint of an imminent emergency, beyond the cryptic unfinished statement of one of the crew members: "We are going——." The wreckage of the aircraft, strewn along the ragged cliffs of the Grand Canyon, is in poor condition to furnish clues to the mystery. But since circumstantial evidence points to a midair collision, the investigators will concentrate on a hunt for positive proof of plane-to-plane contact. And it is pertinent, in view of the collision theory, to review the grave warnings of growing air-collision hazards given in a report to the Budget Bureau earlier this year.

The collision possibility arises from the fact that the huge Trans World and United Airlines craft were flying courses which brought them into the same area at the same time—but at different altitudes. The TWA pilot reported stormy weather and asked permission to increase his altitude from 17,000 to 21,000 feet. Permission was refused because 21,000 feet was the altitude of the nearby UAL plane. But, as is usual at such times, the TWA pilot was authorized to fly 1,000 feet above the storm clouds. Thus, if the clouds had reached 20,000 feet, the TWA plane would have risen to the same level as that of the United ship.

Ironically, the so-called Harding report to the Budget Bureau, in referring to the 65 midair collisions involving civil aircraft since 1950, said: "Fortunately, so far, none have been between two of our largest transports when fully loaded." Then the report added: "At present, we are continuing to fly more aircraft faster, higher, and more and more often with what appears to be a rather casual disregard of hazards involved. We are, as several industry and Government officials have told us, 'flagrantly defying the law of averages'." It pointed out that a recent study showed that four near-collisions of aircraft are reported every day, on the average.

It is also of interest to note that the report makes it clear that the traditional "see and be seen" safety motto of the era of slower flying is obsolete in this age of jet and turbo power. It said: "It is impossible for a pilot to fly a high-speed modern airplane effectively without almost continuous reference to his cockpit instruments. Hence, under the best conditions, the pilot, even if he is alert, may not be looking out of his airplane when a midair collision is imminent. Furthermore, he can see only a small percent of the sky around him from his cockpit, and may not see crossing, overtaking, or descending aircraft." And it was pointed out that, with superliners and high speeds, it is often impossible to avert a collision when the hazard is discovered.

The urgent recommendations of the Harding report for a complete modernization of air-traffic control systems and facilities in keeping with requirements of today's overcrowded airspace caused President Eisenhower to appoint Edward P. Curtis to study and plan such an overhaul program. The terrible tragedy in Arizona should at least expedite this important undertaking in behalf of public safety.

H. R. 12058

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 20 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, criticism and concern have been manifested during the past year toward conversion of federally chartered and State-chartered mutual savings and loan associations into permanent stock companies.

Many members of high standing in the savings and loan industry have expressed alarm over the manner in which conversions are being consummated with the possibility, in their opinion, of abuses that would be harmful to the public interest and would be prejudicial to the popular esteem now enjoyed by the savings and loan industry.

The industry, however, is not united in this viewpoint. This is the reason why proposed legislation, protective of legitimate interests but preventative of possible abuses by the unscrupulous, has not been presented in time for consideration and action by the 84th Congress. The need for some legislation of the sort seems generally to be recognized. The difficulty has been in reaching an agreement as to the exact nature and scope of the legislation. Meanwhile, the public interest and the welfare of the savings and loan industry, now soundly imbedded in public confidence and esteem, is to be considered.

BILL OFFERED FOR STUDY

In the hope of stimulating study in this field I have introduced H. R. 12058. It is not my intention to push for consideration at this session of the Congress. Extensive public hearings must precede any action by the Banking and Currency Committee. I am not committed to the exact form of the needed legislation. In introducing H. R. 12058 I have had in mind that this may serve as a stimulus to thoughtful consideration and a basis for study during the autumn months ahead.

It is argued that Federal insurance of accounts in savings and loan associations was predicated upon risks inherent in a mutual-type business. Permanent stock type charters were very rare at the inception of Federal insurance and their existence attracted little attention or concern. However, the enactment of permanent stock company laws in several States and the current interest in converting mutual associations into permanent stock companies have served to emphasize that the character of risk that has been assumed by the Federal Savings & Loan Insurance Corporation and its members needs to be reexamined. As pointed out, conversions are a rather recent development that may develop into a trend of significant dimensions.

It is argued by the proponents of this proposed legislation that there is grave doubt, with profound changes being wrought in the basic characteristics of the industry, through conversions, that the Government with propriety should continue to make insurance available to permanent stock type institutions. The argument is that such institutions in their pattern of operations are financially responsive to a limited group of profit-motivated and possibly absentee stockholders who lack the sense of responsibility of mutual associations to their shareholders and the community in which they live. Their recommendation is that Congress amend the law to provide that, in the future, insurance of accounts by the Federal Savings & Loan Insurance Corporation be granted only to accounts of local, mutual savings and loan associations, and that the insurance of existing mutual associations be canceled within 1 year, if they convert to or are merged with a permanent stock company. Such requirements, it is pointed out, would impose no inequity or hardship upon an existing savings and loan association or upon an institution with a permanent stock type of charter which is already insured.

Legislation should not, of course, be enacted without a full hearing participated in by all those with interest and knowledge in the subject matter. I am hopeful that the effect of having H. R. 12058 introduced at this time, with several months intervening before the convening of the 85th Congress, will prove beneficial in assuring the most thorough and thoughtful consideration of a serious problem, with full presentment of viewpoints and counsel from all angles.

CITES NEED FOR LEGISLATION

That my colleagues may be familiar with the arguments of those in the savings and loan industry who are committed to the necessity of legislation of this character I am extending my remarks to include the statement of A R. Simmons, of Jasper, Ala, before the House Banking and Currency Committee on May 14, 1956, as follows:

I am Mr. A. R. Simmons, president of the First Federal Savings & Loan Association, of Jasper, Ala. This statement is given to inform the House Banking and Currency Committee of my views on the recent national trend toward the chartering of the permanent stock type of savings and loan organizations and my reasons for urging this committee to consider the inclusion of the attached bill as an amendment to the Housing Act of 1956.

As this committee well knows, the savings and loan industry is now in its 125th year of service to the citizens of the United States. From its origin in 1831 its strength and popularity has stemmed primarily from the subordination of the interests of a few and the devotion to the welfare of the community being served. This has been evidenced and assured by the corporate form of charter which has vested the ownership in the hands of all those who would save or borrow in the corporate entity, with the further limitation that the activities of each entity were confined to the local area known as the community. With good reason have these entities been described as "local, mutual building and loan associations" and with good reason has the Congress of the United States encouraged the development of such an industry.

Naturally over the century and a quarter of its existence this business has developed and changed to meet the changing needs of our citizens. Being on the local scene, it has been possible for our associations to quickly sense the need for necessary changes and to supply them or to petition the State legislatures or the Congress for such modifications as were consistent with the basic objectives of our business. The creation of the Federal Home Loan Bank System, of the Federal savings and loan associations, the Federal Sav-

ings and Loan Insurance Corporation, and the many refinements of these three cornerstones in our system, with which this committee is well familiar, are examples of good and proper developments in the history of this business.

There is another type of development, however, which is taking place currently that is inconsistent with the conviction of the overwhelming majority of savings and loan managers throughout the country—a trend which, unless understood by this committee, may change the future course of our business from the enlightened form of capitalism we have been blessed with. This is the accelerated trend toward chartering of permanent stock companies in which the effective control is vested in a small group who own the non-withdrawable shares.

In outward appearance there is marked similarity to the local, mutual building and loan association. In basic objectives, however, it is totally different. While the mutual association is chartered and operated for the benefit of all of its members, the permanent stock company is operated for the benefit of its owners—those who hold title to the permanent stock. Owners of such stock, just as the owners of stock in any business enterprise, are properly and primarily concerned with making a profit on their investments. Their personal financial interest dictates all business decisions made. If it is financially desirable to sell such ownership to interests far from the community there is no way nor any good reason to prohibit such a sale. If subsequent and distant owners chart a course which does not favor the interests of the community, who is to object? If the tendency toward permanent stock companies is encouraged in an industry which has always been mutual in character we introduce for the first time the danger of monopolistic practice and the restraint of free competition since it is only this type of corporate structure that lends itself to financial manipulation for the benefit of a few. If financial speculators devise ways of creating quick but unsound profits (as in the scandalous days of the national associations back in the 1880's and 1890's), how is the basic character of this 125-year-old business to be preserved?

The permanent stock type of charter has been in existence in a relatively few States, notably Ohio, California, Texas, and Colorado. Being a distinct minority in the total picture back in the days when the insurance of accounts was devised, understandably little concern was given when insurance of accounts was made available to them as well as all mutual savings and loan associations. With the adoption of permanent stock company laws in Illinois and Washington and the current interest in converting mutual associations to permanent stock companies, the time has come to question the propriety of the Federal Government making available the insurance of accounts to corporate entities whose objectives are not consistent with those conceived by the Congress when insurance of accounts was issued and whose increased numbers bid well to alter materially the character of the risk being assumed by the insurance corporation and its members. As a fixed minority there was no need to be alarmed; as a growing and potential majority, basic philosophies must be reexamined and convictions crystalized.

It is in the light of this background that I recommend the addition of this attached language to H. R. 10157. Under it the Federal Savings and Loan Insurance Corporation is directed henceforth to grant insurance of accounts to local mutual savings and loan associations exclusively, and to cancel its insurance contracts within 1 year to any mutual association which may convert or be merged with a permanent stock savings and loan company. Under such an amendment no hardship would be imposed on any existing insured savings and loan association, whether it has a mutual or permanent stock form of charter. Under this amendment each State is free to legislate and grant whatever form of corporate titles it deems wise within its jurisdiction.

The insurance of accounts, however, since it is a privilege and not a right, should properly be issued by the insurer to such assureds and under such conditions as are reasonable and proper in the light of the total risk being assumed. Federal insurance of savings accounts in savings and loan associations was designed within the framework of the risks inherent in a mutual business. If a State or any group of States, or the United States, deems it wise to insure the accounts in a business whose basic motivations and operations differ as radically as does the capital stock savings and loan company, a separate insurance plan on a State, regional or national basis should probably be considered. To represent to the public, however, that these two different types of charters are the same by granting identical insurance is not consistent with fact and is a betrayal of the public confidence which the Federal Congress wished to encourage in establishing this corporation originally.

A kindred question, though not related to the insurance of accounts, is also included in my proposed amendment to the Housing Act. It would clearly state that which I'm sure has always been a matter of intent in the liquidation or conversion of any Federal savings and loan association. Under this amendment there would be a clear mandate that mutual owners of an association are to receive their pro rata share of the full market value of all the assets and goodwill which the association possessed if the association were liquidated, converted, or merged with any form of organization except a mutual savings institution. Such a statement by the Congress will clarify the intent of Congress for more expeditious supervision and eliminate any further inquiry into the determination of what are the equities of the savings members of a Federal savings and loan association.

RACIAL DIFFERENCES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Mississippi [Mr. WILLIAMS] is recognized for 20 minutes.

Mr. WILLIAMS of Mississippi. Mr. Speaker, many millions of words appear daily in the public press of this Nation, dealing with the matter of racial relations between the white and Negro people. Predominantly, the Nation's so-called liberal press has supported the radically novel doctrines recently laid down by the Supreme Court.

Seldom do the crusading editors descend from their stratospheric realm of theoretical conjecture to the practical level of recognizing cold realities and the hard, but unavoidable, facts of life.

Somehow, in this maelstrom of controversy and this plethora of platitudinal conclusions, truth has become completely obscured. Like dirt, it has been swept under the rug. It is not easy to break the paper curtain that the so-called liberal press has thrown around the truth.

Like the old story of "man bites dog," an interracial crime committed in the shade of a magnolia tree makes screaming page 1 headlines all over the country. Conversely, like the common occurrence of "dog bites man," mass race riots on the Great Lakes, or at Asbury Park, or in Chicago or Detroit, are usually relegated to a seldom-read section of these papers, if reported at all.

Mr. Speaker, the Southern States have been the target of journalistic demagogs since before the War Between the States. Being libeled and slandered is no new experienc for this great section of our country. Perhaps this is because, in dealing with her problems, the South does not indulge in hypocrisy nor does it yield to the alien dictatorship of power-mad pressures from other areas.

No greater or more despicable example of hypocrisy can be found than that of the liberal press, which editorializes in favor of complete social equality, yet refuses to accept pictures of Negro brides for its society columns. How often do the readers of these crusading metropolitan dailies in New York, or Washington, or Chicago, or other great cities in the Northern States, see pictures of Negro brides adorning the society pages of these papers? This glaring inconsistency was pointed up recently in an address at the New York Athletic Club by Hon. Grover C. Hall, Jr., editor in chief, the Montgomery (Ala.) Advertiser, one of the Nation's outstanding editors, when he said:

> Take the New York Times, the world's greatest newspaper, which recently printed a special 8-page section on the race problem in the South. Now New York has a million Negro citizens, but how many times have you seen in the Times' society section the photographs of a Negro bride? One time only. In 125 years, the Times, whose credendum is "All the news that's fit to print," has printed the picture in its society section of but 1 Negro bride. That auspicious event occurred on September 10, 1954, and at the Times office they give you that date out of hand like an Englishman giving the date of Hitler's blitz.
>
> But I do not wish to exalt this audacious stroke of desegregation beyond the true measure of its worth, because, after all, the Times' society editor told us that—quoting—this Negro bride "was extremely light and no one ever noticed it."
>
> One more example. In St. Louis, wherein is published the South-baiting Post-Dispatch, the Negro bride is also left at the altar. The Post-Dispatch society editor told my newspaper that when Negro brides submit their pictures, they are tactfully reminded that there are Negro publications for Negro brides. In the case of the uncertainty of a telephone approach, the Post-Dispatch asks the caller to submit the picture, which takes care of the screening in all save the most mulatto cases.
>
> Out across the continent at the Los Angeles Times, Jim Crow is society editor, but he wears a different hat—the Los Angeles Times refuses to run Chinese brides. And since there is a great deal of race friction in Los Angeles, I assume that a Negro bride's picture hasn't got a Chinaman's chance.

In spite of all the current brotherhood-of-man propaganda to the contrary, and in spite of the Supreme Court's high-phrased sociological findings, the fact remains that there exist ethnic differences between the Caucasian race and the Negro race which cannot be changed by the hand of man.

Hitler was known to be very adept at the "big lie" technique; proceeding on the premise that a lie, if repeated enough times, eventually assumes the position of truth in the minds of the public. It

would appear that the biased liberal press has recognized this, and has adopted Hitler's practices, to convince the people that the often-used canard "the only difference between the races is in the pigment of the skin" is, in reality, fact. No greater disservice could be done to future generations of Americans, white or Negro.

In the days before this brainwashing crusade began, editors did not fear to print the truth, nor were these racial differences held by them to be a verboten or untouchable subject. Rather, they printed honestly, and for public consumption, the objective findings of sociological and anthropoidal experts, perhaps in the hope that abstract self-analyses by the respective races would contribute to better understanding between them, and would promote comity.

For instance, the Encyclopaedia Britannica, 11th edition, contains the following, in its dissertation on the Negro:

> Mentally the Negro is inferior to the white. The remark of F. Manetta, made after a long study of the Negro in America, may be taken as generally true of the whole race: "The Negro children were sharp, intelligent, and full of vivacity, but on approaching the adult period a gradual change set in. The intellect seemed to become clouded, animation giving place to a sort of lethargy, briskness yielding to indolence. We must necessarily suppose that the development of the Negro and white proceeds on different lines. While with the latter the volume of the brain grows with the expansion of the brainpan, in the former the growth of the brain is on the contrary arrested by the premature closing of the cranial sutures and lateral pressure of the frontal bone. This explanation is reasonable and even probable as a contributing cause; but evidence is lacking on the subject and the arrest or even deterioration in mental development is no doubt very largely due to the fact that after puberty sexual matters take the first place in the Negro's life and thoughts.
>
> "On the other hand Negroes far surpass white men in acuteness of vision, hearing, sense of direction and topography."

Here, Mr. Speaker, I think it should be noted that, while this authority would place the Negro's mental development at a level quite lower than that of the Caucasian, it emphasizes quite a number of physical advantages enjoyed by the Negro over members of the white race.

On March 27, 1956, I pointed out some of the differences between the races, by reading into the CONGRESSIONAL RECORD several tables of statistics, taken from official Government sources. Thus far, no one has come forward to dispute the authenticity of this data, or the obvious conclusions to be drawn therefrom. Today, I shall place other material in the RECORD which, I believe, will contribute further to dispelling the myth that holds skin pigment to be the only line of ethnic demarcation between the races.

Mr. Speaker, the most recent official census reports the racial distribution of the United States to be as follows: White, 89.5 percent; Negro, 10 percent; other races, 0.5 percent.

At this point, I am inserting a table, made up from official United States Government files:

TABLE 1.—*Breakdown by area and race of men rejected through failure of armed services qualification test—All services, year ending June 30, 1955*

Army area	White			Nonwhite			Nonwhite rate over White rate (percent)
	Tested	Failures	Rate failed per 1,000	Tested	Failures	Rate per 1,000	
1st	165,840	7,622	46	14,128	3,603	255	554
2d	183,969	10,447	57	26,785	7,711	288	505
3d	117,479	15,512	133	56,112	29,398	524	386
4th	83,555	6,449	77	19,225	7,551	393	510
5th	219,272	7,097	33	18,131	4,425	242	764
6th	107,473	5,225	49	5,944	1,196	201	410
Total	877,588	52,352	59	140,325	53,884	384	651

Source: Department of Defense.

The States in each Army area are as follows:

First: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.

Second: Delaware, Kentucky, Maryland, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia.

Third: Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee.

Fourth: Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

Fifth: Colorado, Indiana, Illinois, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

Sixth: Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington.

From this table, we find that the nonwhite rate of failures was 6½ times that of white failures, throughout all Army areas.

In the northeastern area, the nonwhite rate was 5½ times the white rate, and in the Midwest the nonwhite rate was over 7½ times that of the white rate. On the west coast, 20 percent of all nonwhites taking the test failed, while only 5 percent of the whites failed.

Whatever conclusions may be drawn from these statistics, one thing is certain: Even in areas where schools have historically been mixed or integrated, the differences in mental achievement remain outstanding. Overall, 13.8 percent of those tested were colored, yet this group accounted for more than 50 percent of the failures.

In the Southern States, the nonwhite failure rate was less than four times the white rate.

It is appropriate to mention here, in discussing this data, that the Southern States have the shortest history of public education. For three quarters of a century following the War Between the States, the South's economic development was arrested by Government policies, while other regions prospered. As a result, public education in the South was unable to flower, and it was not until after World War I that it came into its own. Today the South—always a sleeping giant—has awakened. She has thrown off the economic shackles that bound her in the past, is balancing her agriculture with industry, and is emerging as the brightest economic region of the country. Public education is keeping pace with this development, and opportunity for advancement for white and colored knows no bounds. This has been accomplished within the framework of established racial traditions and institutions, through common and friendly understanding among all of her people. The South has no intention of permitting her development to be halted by another era of racial exploitation in order to satisfy the powerlust of ambitious politicians or political parties.

That a double moral standard exists in the behavior of the white and colored races can hardly be denied. Of course, there are numerous exceptions to this rule, but any objective analysis must deal with averages based on the actions of the whole, from which the exceptions must be subtracted.

Washington, D. C., residents were shocked last week when the Washington Daily News revealed the startling news that 95 junior high school girls had been excused from classes because of pregnancy. The following was reported in the Washington Daily News under date of June 29, 1956:

> Ninety-five junior high school girls—almost all of them under 16—were "excused" from their classes in District public schools this year because they were pregnant, the News learned today.
>
> This was slightly below the 100-a-year average.
>
> The year before—in the 7th, 8th, and 9th grades—107 girls were sent home for the same reason. In 1953–54 there were 98; in 1952–53 there were 94; in 1951–52 there were 106.
>
> Top school officials refused to make the figures public, but the News was able to get them from another source.
>
> There are about 10,700 girls in District junior high schools.
>
> The figures here appear far out of line with those of other cities, many of which report almost no pregnancy problem in junior highs.
>
> Since girls can drop out of school at will when they are 16 or over, there is no check on pregnancies in senior highs here.
>
> But the high rate of "excused" cases among the younger girls indicates the same problem may persist through senior high.
>
> In many cases the girls had no understanding of sex and did not realize that sexual intercourse had anything to do with conception and birth, one junior high school principal said.
>
> Three junior highs—Alice Deal, Eastern, and Paul—have had no pregnacies reported in the 5-year period covered by these statistics.
>
> All the others have. The number ranges from 1 case to 26.
>
> Most, but not all, of the girls are Negroes.
>
> The pregnancy rate follows a fairly definite pattern.
>
> In crowded, low-income areas the number has been higher.
>
> Former white schools had fewer cases than former Negro schools; but former Negro

schools in less crowded and higher economic areas had fewer than those in overcrowded, low-income areas.

Such illegitimacy is a serious factor in public assistance.

Talking to the District Social Hygiene Society last May 24, Public Welfare Director Gerard Shea said: "The price of illegitimacy is insidious and expensive. The cost to the Department of Public Welfare is incalculable in dollars and cents, and deep rooted in its impact on the lives of children."

Mr. Shea reported that illegitimate children make up 38 percent of all children who are supported at public expense under the Welfare Department's aid-to-dependent children program.

The program costs the District approximately $2,700,000 a year.

* * * * *

All of the statistics—the reported pregnancies in the schools, the number of illegitimate children being cared for by the Department of Welfare, and the daily grist of nonsupport and "born out of wedlock" cases in juvenile court—indicate that the problem rests predominantly among the Negro population of the city, as does also the venereal disease problem.

If Negro cases are subtracted from totals, the city's statistics on school pregnancies, Welfare Department child support cases and the number of bastardy cases in juvenile court drop to a tiny fraction of their present figures.

At the same time, there seems to be no effectively organized and active setup among the Negro leaders of the city working on the problem on a citywide and racial basis, although many Negro church people and civic leaders express concern over it, as individuals.

A poll of a number of other United States cities through other Scripps-Howard newspapers, reveals that in most of them the problem of pregnancy among junior high school girls is almost unknown.

Denver reported less than 5 pregnancies in this age group during the past school year; Evansville, Ind., 3; Knoxville, Tenn., and Houston, Tex., none; Albuquerque, N. Mex., "no serious or growing problem."

New York City keeps no records.

San Francisco reported 108 pregnancies among junior and senior high school girls during the 1954–55 school year. Pregnant girls there are assigned home teachers or attend classes at the Florence Crittenton Home for Wayward Girls.

Here in Washington they are excluded from school, given no home instruction, and taken back into classes after the birth of their babies, if they still are within compulsory education age.

Prior to this exposé by the News, I had obtained information from the District of Columbia Health Department relating to illegitimate births in the District of Columbia, which I insert at this point in the RECORD:

TABLE 2.—*Illegitimate live births by age of mother and race: District of Columbia, 1952-54*

[By place of residence. Based on a 50 percent sample]

Year and race	Total	Under 15 years	15 to 19 years						20 to 24 years	25 to 29 years	30 to 34 years	35 to 39 years	40 years and over	Not stated
			Total	15 years	16 years	17 years	18 years	19 years						
1952	2,810	56	938	110	186	228	186	228	854	488	268	146	30	30
White	450	2	84	2	18	22	16	26	182	78	50	32	4	18
Nonwhite	2,360	54	854	108	168	206	170	202	672	410	218	114	26	12
1953	3,104	70	1,072	122	224	218	264	244	964	492	272	154	32	48
White	442	8	118	8	16	22	30	42	164	80	40	14	6	12
Nonwhite	2,662	62	954	114	208	196	234	202	800	412	232	140	26	36
1954	3,386	70	1,140	100	178	278	298	286	1,028	556	388	138	42	24
White	442	4	102	2	6	20	28	46	184	74	36	18	6	18
Nonwhite	2,944	66	1,038	98	172	258	270	240	844	482	352	120	36	6

Source: Vital Statistics of the United States: National Office of Vital Statistics; Public Health Service, Department of Health, Education, and Welfare.

Mr. Speaker, it is shocking to find such immorality in our Nation's Capital, and particularly among those of school age. This table shows, in 1954, a total of 924 unwed mothers of school age—18 and under, of which 60 were white and 864 Negro. Among children 14 and under, 66 Negro and 4 white illegitimate pregnancies were reported.

The statistics in the foregoing table were compiled for years preceding the integration of Washington's public schools.

Now, Mr. Speaker, I would like to include at this point another table which gives the picture of illegitimacy in the District of Columbia following the integration of the public school system:

TABLE 3.—*Illegitimate live births by age of mother and race: District of Columbia, 1955*

[By place of residence]

Year and race	Total	Under 15 years	15 to 19 years						20 to 24 years	25 to 29 years	30 to 34 years	35 to 39 years	40 years and over	Not stated
			Total	15 years	16 years	17 years	18 years	19 years						
Total	3,533	86	1,184	142	214	267	287	274	1,031	622	379	170	45	16
White	382	5	95	5	10	19	31	30	121	68	55	26	3	9
Nonwhite	3,151	81	1,089	137	204	248	256	244	910	554	324	144	42	7

Source: District of Columbia Department of Public Health, Biostatistics and Health, Education Division, June 28, 1956.

This table shows that illegitimate births among teen-age mothers has increased sharply. In the category of under 15 years, there has been an increase of 23 percent over 1954 in illegitimate births; an increase of 42 percent in the 15-year category; and an increase of 20 percent in the 16-year group. In the aggregate, the increase for the 3 age groups was 27 percent.

In 1955, the 16-year and under age groups produced 442 illegitimate births—422 Negro and 20 white.

If these statistics can be taken as indicative of the moral atmosphere that exists in Washington's integrated school system, is there any wonder that the segregated suburbs are growing by leaps and bounds, while Washington's population remains almost static, except for a change in complexion from white to colored?

In this regard, the following news item appeared in the Washington Star under date of June 6, 1956:

Washington's burgeoning suburbs are growing 10 times as fast as the District, acording to estimates newly prepared by Dr. Jerome P. Pickard, research director of the Washington Board of Trade.

Suburban population has increased 382,000 since the 1950 census, while the District's population has increased only 38,000. At the same time, the ratio of white-to-colored residents is rapidly changing within the District.

The metropolitan area now numbers 1,884,000 persons. Of this total, 840,000 live in the District, 1,044,000 in Montgomery, Prince Georges, Arlington, and Fairfax Counties, and Alexandria and Falls Church. Dr. Pickard says his estimates go up to January 1 of this year.

In the District, for the 6-year period studied, there has been a loss of 81,000 white persons who moved out, which is only partially offset by a natural increase (births minus deaths) of 28,000 for a net loss of 53,000. In the same period, the colored population of the District rose 52,000 by migration and 39,000 by natural increase, for a net gain of 91,000.

The present composition of the District's population, according to the estimates, is 465,000 white to 375,000 colored.

In the suburbs, meanwhile, white population has risen 373,000, while the colored population has gone up only 9,000.

The general population shift, with higher-income white families moving to the suburbs and the ratio of colored residents rising in the central city, is typical of most metropolitan areas in the United States today, Dr. Pickard said.

Mr. Speaker, such a pattern in population trends is hardly new or unusual. It

is happening in every metropolitan area where a large influx of Negroes is occurring. It is merely further proof of the theory that persons prefer the association of their own kind. It is merely obeisance to a fundamental law of nature: That persons of similar tastes, backgrounds, morals, intelligence, and race will segregate themselves wherever possible. Where there is separation, there is harmony; where forced intermingling occurs, mutual understanding and respect inevitably crystalize into hatred and contempt.

A double standard of behavior becomes evident, also, when military courts-martial records are studied. According to the best information available to me, Negroes comprised about 10 percent of the United States military forces in the European theater of operations during World War II. Bearing this in mind, I am sure the following tables, taken from official reports of the Judge Advocate General, Department of the Army, will be of interest:

TABLE 4.—*Executed in European theater of operations during World War II July 18, 1942 to Oct. 31, 1945*

	Total	Murder	Rape	Murder and rape	Desertion
White	15	6	4	4	1
Colored	55	22	25	8	0

TABLE 5.—*Convicted by general court martials by offense and race, European theater of operations, July 18, 1942, to Oct. 31, 1945*

	Murder	Rape	Total
White	90	205	295
Colored	116	256	372

I would repeat, Mr. Speaker, that according to my information, Negroes comprised only about one-tenth of the total of United States servicemen in the European thater.

Mr. Speaker, these tables hardly require explanation or amplification; they are self-explanatory: the 10 percent minority of Negro troops were responsible for a disproportionate share of offenses committed.

I realize, of course, that many plausible excuses can be advanced for these differences in deportment; but no matter how logical or reasonable the explanation may be, it does not, it cannot, erase the fact that the difference exists.

If the NAACP, the crusading "liberal" press, and their left-wing affiliates could suspend their drive toward amalgamation long enough to devote some of their energies to raising the moral and economic levels of American Negroes as a race, they would be making a substantial contribution to the future well-being of all mankind. As it is, though, their promotion of discord, hatred, and immorality actually retards the real progress of good and deserving American Negroes.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered, was granted to:

Mr. HESELTON, for 20 minutes, on Monday next.

Mr. GREEN of Pennsylvania, for 3 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. SMITH of Wisconsin and to include extraneous matter.

Mr. VURSELL in four instances.

Mr. CHIPERFIELD in two instances.

Mr. CURTIS of Missouri and to include extraneous matter.

Mr. RAY

Mr. YATES (at the request of Mr. RODINO) and to include a speech.

Mr. BROOKS of Louisiana and to include extraneous matter.

Mr. FLOOD (at the request of Mr. MCCORMACK) and to include extraneous matter.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2891. An act to amend section 709 of title 18, of the United States Code so as to prohibit the use by certain businesses of the initials "U. S." in the business firm name or pictures of the Capitol Building and other public buildings of the United States in their advertising, and to increase the penalties for violation of such section; to the Committee on the Judiciary.

S. J. Res. 165. Joint resolution approving the relinquishments of the consular jurisdiction of the United States in Morocco; to the Committee on Foreign Affairs.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 11740. An act to provide for a temporary increase in the public debt limit.

SENATE ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled bills and joint resolutions of the Senate of the following titles:

S. 220. An act conferring jurisdiction upon the United States Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande;

S. 449. An act for the relief of George Pantelas;

S. 584. An act to amend title 28m United States Code, relating to the Customs Court;

S. 977. An act to amend title 28, United States Code, with respect to duties of judges of the United States Court of Claims;

S. 997. An act to provide punishment for certain confidence game swindles;

S. 1178. An act for the relief of Mrs. Sylvia Simonson;

S. 1245. An act for the relief of Agnes V. Walsh, the estate of Margaret T. Denehy, and David Walsh;

S. 1542. An act to authorize an allowance for civilian officers and employees of the Government who are notaries public;

S. 1616. An act for the relief of Sumiko Ariumi Bilson;

S. 1688. An act to amend the Federal Seed Act;

S. 1739. An act to authorize the Commissioners of the District of Columbia to fix rates of compensation of members of certain examining and licensing boards and commissions, and for other purposes;

S. 1798. An act for the relief of Mrs. Charles C. Phillips;

S. 1961. An act to provide for the conveyance of part of Ethan Allen Air Force Base, Colchester, Vt., to the State of Vermont, and for other purposes;

S. 2008. An act for the relief of Winifred A. Hunter;

S. 2091. An act authorizing the reconstruction, enlargement, and extension of the bridge across the Mississippi River at or near Rock Island, Ill.;

S. 2169. An act for the relief of M. B. Huggins, Jr.;

S. 2210. An act to modify the project for the Saint River, South Canal, in order to repeal the authorization for the alteration of the International Bridge as part of such project, and to authorize the Secretary of the Army to accomplish such alteration;

S. 2240. An act for the relief of James Richard Hogan;

S. 2244. An act for the relief of Maria Novak;

S. 2352. An act for the relief of Maj. Luther C. Cox;

S. 2690. An act for the relief of William G. Jackson;

S. 2712. An act to authorize the charging of tolls for transit over the Manette Bridge in Bremerton, Wash.;

S. 2913. An act to extend for 2 years the Advisory Committee on Weather Control;

S. 2972. An act to punish the willful damaging or destroying of aircraft or motor vehicles, and their facilities, and for other purposes;

S. 3214. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Clark Hill Reservoir;

S. 3307. An act to amend section 9 (d) of the Universal Military Training and Service Act to authorize jurisdiction in the Federal courts in certain reemployment cases;

S. 3527. An act authorizing the State Highway Commission of the State of Maine to construct, maintain, and operate a free highway bridge between Lubec, Maine, and Campobello Island, New Brunswick, Canada;

S. 3547. An act to amend section 1 of the act of August 9, 1955 (69 Stat. 555), authorizing the sale of certain land by the Pueblos of San Lorenzo and Pojoaque;

S. 3674. An act to amend section 1343 of title 18, United States Code, relating to fraud by wire, radio, or television;

S. 3723. An act to authorize the Secretary of the Navy to convey certain land in the county of Alameda, Calif., and to accept other land in exchange therefor;

S. 3866. An act to facilitate the making of lease-purchase agreements by the Administrator of General Services under Public Buildings Act of 1949, as amended, and by the Postmaster General under the Post Office Department Property Act of 1954, and for other purposes;

S. J. Res. 110. Joint resolution directing the Secretary of the Interior to conduct a study and investigation of Indian education in the United States;

S. J. Res. 163. Joint resolution granting the status of permanent residence to certain aliens; and

S. J. Res. 178. Joint resolution to authorize an appropriation to provide for certain costs of United States participation in the International Bureau for the Publication of Customs Tariffs.

ADJOURNMENT

Mr. MACHROWICZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 40 minutes p. m.), under its previous order, the House adjourned until tomorrow, Friday, July 6, 1956, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2036. A letter from the Secretary of Defense, transmitting a report on real and personal property of the Department of Defense as of December 31, 1955, pursuant to section 410 of the National Security Act of 1947, as amended; to the Committee on Armed Services.

2037. A letter from the Secretary of the Army transmitting a report on claims brought about due to the explosions and fires at Texas City, Tex., during April 1947, pursuant to Public Law 378, 84th Congress; to the Committee on the Judiciary.

2038. A letter from the Presidential Adviser on Personnel Management, transmitting a draft of proposed legislation entitled "A bill to provide health and medical services for United States citizen civilian officers and employees in the Federal service overseas and their dependents, and for other purposes"; to the Committee on Post Office and Civil Service.

2039. A letter from the Acting Secretary of the Treasury, transmitting the annual report of the Federal Bureau of Narcotics, prepared by the Commissioner of Narcotics, for the calendar year ended December 31, 1955, pursuant to section I of the act of June 14, 1930; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. H. R. 10947. A bill to provide particular designations for the highway bridges over the Potomac River at 14th Street in the District of Columbia; without amendment (Rept. No. 2606). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 11090. A bill concerning gifts of securities to minors in the District of Columbia; without amendment (Rept. No. 2607). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. S. 2705. An act to authorize the Philadelphia, Baltimore & Washington Railroad Co. to construct, maintain, and operate a branch track or siding over Second Street, SE., in the District of Columbia; without amendment (Rept. No. 2608). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. S. 2704. An act to authorize the appropriation of funds for the construction of certain highway-railroad grade separations in the District of Columbia, and for other purposes; without amendment (Rept. No. 2609). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 2895. An act to amend the acts of February 28, 1903, and March 3, 1927, relating to the payment of the cost and expense of constructing railway-highway grade elimination structures in the District of Columbia; with amendment (Rept. No. 2610). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. House Joint Resolution 667. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies; with amendment (Rept. No. 2611). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 2568. An act to amend title I of the act entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes"; with amendment (Rept. No. 2612). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 2696. An act to amend the act relating to cemetery associations; without amendment (Rept. No. 2613). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7538. A bill to provide 5 longevity increases for officers and members of the Metropolitan Police force who have completed 28 years of service, without regard to the grade in which such service was rendered; without amendment (Rept. No. 2614). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 11967. A bill to amend Public Law 523 of the 78th Congress entitled "Joint resolution to consider a site and design for a National Memorial Stadium to be erected in the District of Columbia," approved December 20, 1944; without amendment (Rept. No. 2615). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 9918. A bill to authorize the Secretary of the Interior to negotiate and execute a contract with the Riverside Irrigation District, Idaho, relating to the rehabilitation of the district's works, and other matters; with amendment (Rept. No. 2616). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 10030. A bill to provide for transfer of title of certain lands to the Carlsbad Irrigation District, N. Mex.; without amendment (Rept. No. 2617). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORRESTER: Committee of conference. S. 1622. An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes; without amendment (Rept. No. 2618). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 493. Resolution to print as a House document the report entitled "The Panama Canal, Sea-level Project and National Security"; without amendment (Rept. No. 2619). Ordered to be printed.

Mr. SPENCE: Committee on Banking and Currency. H. R. 11261. A bill to extend the Export-Import Bank Act of 1945, as amended; without amendment (Rept. No. 2620). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. H. R. 9348. A bill to amend the act entitled "An act incorporating the Archeological Institute of America" to increase the value of real and personal property that such Institute may hold; without amendment (Rept. No. 2621). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Joint Committee on Atomic Energy. H. R. 12061. A bill providing for a civilian atomic-power acceleration program; without amendment (Rept. No. 2622). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRIEST: Committee on Interstate and Foreign Commerce. H. R. 9547. A bill to amend section 701 of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedures governing the prescribing of regulations under certain provisions of such act, and for other purposes; with amendment (Rept. No. 2623). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Colorado: Committee on the Judiciary. H. R. 11653. A bill to increase the fees of witnesses in the United States courts and before United States commissioners, and for other purposes; without amendment (Rept. No. 2624). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 577. Resolution for consideration of S. 849, an act to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes; without amendment (Rept. No. 2625). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 578. Resolution for consideration of S. 898, an act to amend the Interstate Commerce Act, with respect to the authority of the Interstate Commerce Commission to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property; without amendment (Rept. No. 2626). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 579. Resolution for the consideration of S. 3246, an act to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research; without amendment (Rept. No. 2627). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 580. Resolution for consideration of S. 3958, an act to improve the health of the people by assisting in increasing the number of adequately trained professional and practical nurses and professional public health personnel, assisting in the development of improved methods of care and treatment in the field of mental health, and for other purposes; without amendment (Rept. No. 2628). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 581. Resolution for consideration of H. R. 10643, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California; without amendment (Rept. No. 2629). Referred to the House Calendar.

Mr. TRIMBLE: Committee on Rules. House Resolution 582. Resolution for consideration of H. R. 11613, a bill to authorize the loan of naval vessels to the governments of the Federal Republic of Germany, Greece, Portugal,

Spain, and friendly Far Eastern nations, and for other purposes; without amendment (Rept. No. 2630). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FORRESTER: Committee on the Judiciary. S. 277. An act for the relief of Jean Pfeifer; without amendment (Rept. No. 2600). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. S. 1893. An act for the relief of Harold D. Robison; without amendment (Rept. No. 2601). Referred to the Committee of the Whole House.

Mr. CRAMER: Committee on the Judiciary. H. R. 908. A bill for the relief of August J. Strigga; with amendment (Rept. No. 2602). Referred to the Committee of the Whole House.

Mr. CRAMER: Committee on the Judiciary. House Resolution 540. Resolution to provide for sending the bill H. R. 7740 and accompanying papers to the United States Court of Claims; without amendment (Rept. No. 2603). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 6185. A bill for the relief of the E. B. Kaiser Co.; without amendment (Rept. No. 2604). Referred to the Committee of the Whole House.

Mr. CRAMER: Committee on the Judiciary. H. R. 9755. A bill for the relief of Elmer L. Henderson; with amendment (Rept. No. 2605). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 12108. A bill to revise the Alaska game law; to the Committee on Interior and Insular Affairs.

By Mr. DORN of New York:

H. R. 12109. A bill to amend the National Housing Act to provide an opportunity for tenants in certain rental housing projects to present written objections to proposed rent increases, and to make the eviction of such tenants subject to regulation by the Federal Housing Administration; to the Committee on Banking and Currency.

By Mr. FALLON (by request):

H. R. 12110. A bill to provide for the appointment of a Federal Highway Administrator in the Bureau of Public Roads, one additional Assistant Secretary of Commerce, and for other purposes; to the Committee on Public Works.

By Mr. FULTON:

H. R. 12111. A bill to prevent the loss of longevity grade benefits of postal field service employees by reason of 1-day intervals in certain service under temporary appointments, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REED of New York:

H. R. 12112. A bill to amend section 72 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. REUSS:

H. R. 12113. A bill to incorporate the Boys' Clubs of America; to the Committee on the Judiciary.

By Mr. SADLAK:

H. R. 12114. A bill to amend the Internal Revenue Code of 1954 to provide for refund or credit of internal revenue taxes paid or determined and customs duties paid on distilled spirits, wines, beer, tobacco products, and cigarette papers and tubes lost, rendered unmarketable, or condemned by authorized officials as a result of a major disaster; to provide for refund of internal revenue tax paid on beer lost or rendered unmarketable as result of floods of 1951; and to provide for refund or credit of taxes paid on distilled spirits and wines of Puerto Rican manufacture lost or rendered unmarketable or condemned by health authorities as result of hurricanes of 1954; to the Committee on Ways and Means.

By Mr. TRIMBLE:

H. R. 12115. A bill to provide for additional Federal aid for highways to those States which do not levy a third structure highway-use tax; to the Committee on Public Works.

By Mr. BONNER:

H. R. 12116. A bill to provide for the conveyance of the Maritime Administration Reserve Shipyard at Wilmington, N. C., in exchange for certain lands to be conveyed by the North Carolina State Ports Authority to the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CRAMER:

H. R. 12117. A bill to provide that the Secretary of the Interior shall investigate and report to Congress as to the advisability of establishing Fort De Soto as a national memorial; to the Committee on Interior and Insular Affairs.

By Mr. HAYS of Ohio:

H. R. 12118. A bill to make the library of Kent State University, Kent, Ohio, a depository for Government publications; to the Committee on House Administration.

By Mr. THOMAS:

H. R. 12119. A bill relating to clerk hire of Members of the House of Representatives; to the Committee on House Administration.

By Mr. WICKERSHAM:

H. R. 12120. A bill to provide increases in service-connected disability compensation and to increase dependency allowances; to the Committee on Veterans' Affairs.

H. R. 12121. A bill to amend the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938 to provide for a Great Plains conservation program; to the Committee on Agriculture.

By Mr. PRICE:

H. Con. Res. 262. Concurrent resolution authorizing the Joint Committee on Atomic Energy to print 40,000 additional copies of the hearings of the Research and Development Subcommittee on Progress Report on Research in Medicine, Biology, and Agriculture Using Radioactive Isotopes; to the Committee on House Administration.

By Mr. HILLINGS:

H. Res. 576. Resolution authorizing an investigation of damage claims resulting from sonic blasts; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. FRANCES P. BOLTON:

H. R. 12122. A bill for the relief of Sadie Lobe; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H. R. 12123. A bill for the relief of Shmuel Zwi (Herman) Adler; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 12124. A bill for the relief of Mrs. Emmeline Carter Gay; to the Committee on the Judiciary.

By Mr. SIEMINSKI:

H. R. 12125. A bill for the relief of Gordon Sidney William Barson; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H. R. 12126. A bill for the relief of Mrs. Yoshiko Szymanski; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1186. By Mr. SHORT: Petition of Macie E. Johnson and other women of the Friendly class in the Bible School of the First Christian Church, Carthage, Mo., urging the passage of the bill preventing the advertising of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

1187. Also, petition of Mrs. M. O. Purvis, chairman of community missions, First Baptist Church, Appleton City, Mo., and other citizens of St. Clair County and Christian mothers, urging the passage of H. R. 4627, a bill to prohibit alcoholic beverage advertising from radio, television, and national magazines; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Declaration of Independence, 1776–1956

EXTENSION OF REMARKS

OF

HON. LAWRENCE H. SMITH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 5, 1956

Mr. SMITH of Wisconsin. Mr. Speaker, we have just celebrated our greatest national holiday, July 4, or, as it is sometimes called, Independence Day.

It might be well at this time to renew acquaintance with the document that was the result of pioneer action in declaring the 13 United States free and independent.

Under leave to extend my remarks, I am including the Declaration of Independence as originally executed:

THE DECLARATION OF INDEPENDENCE, 1776—IN CONGRESS, JULY 4, 1776—THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA

WHEN in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed,—That whenever any Form of Government becomes

destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.—Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will along, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Office, and sent hither swarms of Officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond seas to be tried for pretended offenses;

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our Brittish brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

WE, THEREFORE, the Representatives of the UNITED STATES OF AMERICA, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be FREE AND INDEPENDENT STATES; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

New Hampshire: John Hancock, Matthew Thornton, Josiah Bartlett, Wm. Whipple; Massachusetts Bay: Saml. Adams, John Adams, Robt. Treat Paine, Elbridge Gerry; Rhode Island: Step. Hopkins, William Ellery; Connecticut: Roger Sherman, Sam'el Huntington, Wm. Williams, Oliver Wolcott; New York: Wm. Floyd, Phil. Livingston, Frans. Lewis, Lewis Morris; New Jersey: Richd. Stockton, Jno. Witherspoon, Fras. Hopkinson, John Hart, Abra. Clark; Pennsylvania: Robt. Morris, Benjamin Rush, Benja. Franklin, John Morton, Geo. Clymer, Jas. Smith, Geo. Taylor, James Wilson, Geo. Ross; Delaware: Caesar Rodney, Geo. Read, Tho, M'Kean; Maryland: Samuel Chase, Wm. Paca, Thos. Stone, Charles Carroll of Carrollton; Virginia: George Wythe, Richard Henry Lee, Th. Jefferson, Benja. Harrison, Thos. Nelson, jr., Francis Lightfoot Lee, Carter Braxton; North Carolina: Wm. Hooper, Joseph Hewes, John Penn; South Carolina: Thos. Heyward, Junr., Edward Rutledge, Thomas Lynch Junr., Arthur Middleton; Georgia: Button Gwinnett, Lyman Hall, Geo. Walton.

Thirty-fourth Annual Slovak Day, Wilkes-Barre, Pa., July 4, 1956

EXTENSION OF REMARKS

OF

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 5, 1956

Mr. FLOOD. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address:

ADDRESS BY MR. FLOOD AT 34TH ANNUAL SLOVAK DAY HELD AT SANS SOUCI PARK JULY 4, 1956, WILKES-BARRE, PA.

Reverend chairman, clergy, the route from Washington to Wilkes-Barre and return covers a little over 500 miles. My willingness to travel that distance to address this splendid gathering is in some small way a measure of my esteem for the thousands of Americans of Slovak extraction living in the congressional district which I have the high honor to represent at the seat of our Federal Government. It is a rare privilege for me to be here, and I am grateful to Father Matircho and his committee for extending me this gracious invitation.

This occasion in reality is a quadruple celebration. This day marks the 34th annual Slovak Day in historic Wyoming Valley and it is the 180th anniversary of the signing of the American Declaration of Independence. Moreover, this year also marks the 150th anniversary of the incorporation of Wilkes-Barre, and for a span of over three-fifths of its incorporated life, Slovak immigrants and their descendants have played an outstanding role in the civic and cultural life of the community. You have also gathered here to commemorate that great moment in history, when the intrepid and beloved Sts. Cyril and Methodius left Macedonia to bring the religion of Christ to your forefathers in the shadows of the Tatra Mountains more than 1,100 years ago. Just as the Irish venerate St. Patrick, the Poles cherish St. Stanislaus, and the Welsh revere St. David, so do the Slovaks pay deserved tribute to Methodius, first bishop of their

beloved Nitra, and to his scholarly brother Cyril, the inventor of the first Slavic alphabet.

And it is particularly fitting that Slovaks should combine a religious anniversary with a patriotic celebration. Anyone who knows them as well as I do, who has grown up with their descendants, is familiar with their magnificent history and has drunk deeply of their folklore in song and story, could not expect them to do otherwise.

For to a Slovak, religion and freedom are concomitant; love of country and devotion to God go hand in hand. In all of their turbulent and colorful history, Slovaks have held steadfastly to the faith, and no amount of oppression, however long or arduous, has been able to stamp out their yearning for liberty and freedom.

It is now more than 90 years that immigrants from the land of Slovakia began arriving in the United States in large numbers. But this land we now call America has felt the Slovak leaven long before the Civil War. Slovak ingenuity and craftsmenship were highly valued by the redoubtable Capt. John Smith, when on September 25, 1608 the sailing ship "God Speed" sailed into Jamestown harbor with 6 skilled craftsmen on board, 2 of whom, Juraj Mata and Jan Bogdan, were Slovaks. These men, with the 4 Poles, Lowicki, Stefanski, Zrenica, and Sadowski, came in answer to an urgent plea by Captain Smith to his London agents, to "send 30 carpenters, blacksmiths, and bricklayers rather than a thousand of the kind we have here." It was largely due to the skilled efforts of these craftsmen that the Jamestown colony was able to secure a foothold on the American continent.

And in the War of the Revolution, Slovak love of liberty was exemplified in the military exploits of Count Maurice Benovsky who served with Pulaski at Savannah and who was born in storied Nitra, that ancient See of St. Methodius. Shortly after the first shot was fired at Fort Sumter, Slovak immigrants living in Chicago, under the leadership of Gejza Michalovich, petitioned the President of the United States for permission to organize the Lincoln Brigade which served so valiantly on the side of the Union Army. Hundreds of Slovaks served in the United States forces in the Spanish American War, and of course, thousands were doughboys in World War I and more thousands served as GI's in World War II and Korea.

It is clear therefore, that the thread of Slovak history in the New World is long and unbroken from earliest colonial times to the present. And nowhere have Slovak immigrants and their descendants taken firmer root than in the mining communities of northeastern Pennsylvania. Here the first Slovak churches were organized. Here were founded the first fraternal societies, and the earliest schools, social groups and cultural organizations. The roots of the Slovaks are deep in the soil of Wyoming Valley, and it is heartening to recognized that the third and fourth generations are carrying on in the footsteps of the early arrivals.

When your Slovak forefathers disembarked at Ellis Island by the thousands in the period between 1860 and 1895, it was not just chance that saw them endowed with solid potentials for American citizenship. For one quality they had in abundance—faith. Religion for them was not an isolated phenomenon; their devotion to God was an integral part of their lives and the more than 300 parishes in America founded by Slovaks and their descendants serve as eloquent testimony to a rich spiritual heritage. And it was this very heritage, coupled with the Slovakian love for liberty that enabled the early pioneer leaders, the Furdeks, the Rovnianeks, the Novomeskys, the Jankolas and their later compatriots like Murgas, Onda, Porubsky, and Mamatej—to integrate themselves so firmly in our American democracy and imbue their followers with the essentials of loyal citizenship. A good Slovak could not help but be a good American because he has always known his true relationship with God. Like the 56 men who prepared and signed our Declaration of Independence, your pioneer Slovak forefathers knew that man is a creation of God and is graced with qualities that are his, at birth, as a special gift from God.

In these days of intellectual and moral confusion, we ought to ponder the illustrious words that comprise the Declaration of Independence. Nations come and go in history, their real strength powered by a spiritual dynamism. Their decay is rarely the product of material deterioration or defeat in armed conflict. These are just results, not causes. A nation really decays when it begins to weaken its spiritual motivation. To exist, a nation must have faith in its traditions if it is to have faith in itself. All lovers of liberty can well emulate those doughty inhabitants of Slovakia today. Notwithstanding the pratings of dictators and the mouthings of Communist bosses, the gallant sons and daughters of Slovakia know there is no substitute for true democracy, even if it is enclosed in an attractive package with a red wrapper on it.

It is indeed heart-rending to contemplate the cruel Communist yoke under which the 3½ million Slovaks in the old country are constrained to live their lives. But knowing the Slovaks as I do, I know that the glory of Slovakia will not long be dimmed, and that the Slovaks unquenchable thirst for liberty, freedom and democracy will prevail. Just as liberty-loving Slovaks have refused to live under enslavement by the Turks, Magyars, and other conquerors, so will they in the end repudiate the hammer and the sickle for the torch of liberty. I proclaim this confidently: The flaming spirit of the Slovaks that nurtured the magnificent Janosik, whose exploits live in song and story, will no more yield to Communist domination than the Janosiks succumbed to their oppressors. You thousands of Americans of Slovak descent should take heart and have abiding faith, for you have come from ancestors who have rejected enslavement of the spirit even when the flesh was in bondage.

My friends, in these turbulent days of the mid-twentieth century, we Americans can hold our heads high, humbly proud in the knowledge of the heritage that is America. That heritage is in good hands when it is entrusted to the likes of the more than 1½ million Americans of Slovak descent. You can have no nobler destiny as Americans than this, that following in the footsteps of your intrepid pioneer ancestors, and heeding the example of the framers of the Declaration of Independence, you too hold aloft the banner of freedom, love of God and sound Americanism.

Sale of Alcoholic Beverages on Air Carriers

EXTENSION OF REMARKS
OF
HON. CHARLES W. VURSELL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 5, 1956

Mr. VURSELL. Mr. Speaker, I am glad to learn that H. R. 8000 has been approved by the Rules Committee, and I am hopeful that this legislation may be scheduled as early as possible for the consideration of the Members of the House.

This bill provides that no air carrier shall sell to its passengers any alcoholic beverages, including wine and beer, for consumption while in flight between points within the limits of the 48 States, and the District of Columbia.

I have received, as other Members of the House have, communications from the organizations representing the airlines' pilots, who have the responsibility of flying these planes and protecting the safety of the public, urging the enactment of this legislation into law.

I believe this speaks very highly for the men, who better than anyone else realize the necessity of this proposal being enacted into law before the close of this session.

I am sure that the great majority of the American people who use the airlines for transportation also favor such legislation. I sincerely hope that this legislation can be considered and written into the law before the end of this session, and, as we all know, time is growing short before its close.

A Workable Program for Fighting Slums

EXTENSION OF REMARKS
OF
HON. EDGAR W. HIESTAND
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 5, 1956

Mr. HIESTAND. Mr. Speaker, under existing law a local community may not receive Federal loans or capital grants for urban renewal projects, nor may it receive special FHA mortgage insurance aids for urban renewal housing unless the community has an approved workable program for the prevention and elimination of slums and blight. This provision was enacted by the Housing Act of 1954. The purpose of the provision in the 1954 act is to achieve maximum results in slum elimination and prevention by requiring localities assisted by Federal funds to utilize their own local facilities and powers in the prevention and elimination of slums. As originally enacted by the Housing Act of 1954, this requirement was applicable to Federal assistance to low-rent public housing. Its applicability to public housing was removed by the Housing Amendments of 1955. In his legislative program for this year President Eisenhower proposed that the law be amended so as to restore the applicability of the workable program requirement to future low-rent public housing.

H. R. 11742, the bill reported by the Committee on Banking and Currency, and referred to as the Housing Act of 1956, fails to restore the workable program provision. That is one of the reasons why a bipartisan Committee on Rules voted to table it. The bill is defective in that it presents public housing as an end in itself. That is certainly not the basis on which public housing was originally presented to the Congress. It was offered as a means of ridding our cities of slums. I believe, as does Albert M. Cole, the Housing Administrator, that

public housing should be a part of an integrated attack on slums and blight and that communities undertaking public housing with the assistance of Federal funds should develop their own plans for meeting their overall problems of slums and blight and make their public housing projects a part of those plans.

That is what a workable program is—a community's plans for meeting its overall problems of slums and blight. It is in no sense an onerous or impossible requirement. Basically, it consists of the following seven elements:

First. Codes and ordinances: The objective is to assure adequate minimum standards of health, sanitation, and safety through a comprehensive system of codes and ordinances which state the minimum conditions under which dwellings may be lawfully occupied.

Second. A comprehensive community plan: The objective is the formulation and official recognition of a comprehensive general plan for the community as a whole. A general plan should be developed under procedures provided by State and local legislation, and should be supervised and administered by an official local planning body with adequate resources and authority to insure continuity of planning.

Third. Neighborhood analyses: The objective is the identification of the extent and intensity of blight and logical patterns of specific neighborhoods for purposes of developing a basis for planning of healthy neighborhoods of decent homes and suitable living environment.

Fourth. Administrative organization: The objective is a firmly established administrative responsibility and capacity for enforcement of codes and ordinances, and for carrying out renewal programs and projects.

Fifth. Financing: The objective is the development of means for meeting the financial obligation involved in carrying out urban renewal activities.

Sixth. Housing for displaced families: The objective is to facilitate the rehousing, in decent, safe, and sanitary accommodations, of families displaced by governmental action.

Seventh. Citizen participation: The objective is communitywide participation on the part of individuals and representative citizens' organizations which will help to provide, both in the community generally and in selected areas, the understanding and support which is necessary to insure success.

There are many reasons why the adoption by the community of a workable program for dealing with slums and blight should again be made a prerequisite for Federal aid to public housing, just as it is a requirement for Federal aid to urban renewal and special FHA mortgage insurance assistance for urban renewal housing. Among them are the following:

First. Federal aid to public housing should be given only where the community has an overall plan to prevent and eliminate slums. Public housing is only one of several instruments to be used in fighting slums and blight. A workable program is essential to assure that other available instruments which are appropriate under local conditions will be used by the community for this purpose and will be coordinated with public housing.

Second. The removal of this requirement resulted from a misunderstanding. The workable program requirement was repealed last year when it was confused with other provisions which required detailed calculations by the communities concerning displaced families, their incomes, existing low-rent public housing, and the timing of the construction of public housing in relation to the progress of urban-renewal projects. The workable program requirement never caused any difficulty or confusion in public housing, and the Housing Agency never asked that it be removed.

Third. The requirement for a workable program is not burdensome for either large or small communities. Communities are not expected to undertake protracted and unrealistic slum-prevention planning and other activities. Rather, they are merely expected to adopt sensible, long-range programs within their capabilities and suitable to their local conditions. Proof is that, as of June 1, workable programs had been approved for over 100 communities. More than half of them have populations of less than 50,000. About 45 percent have populations of less than 25,000. Twenty-two communities have populations of less than 10,000, 5 communities have populations of less than 5,000, and 2 have less than 2,000 population.

Fourth. The workable program does not have to be carried out before a public housing contract can be entered into. What is required is demonstration by the community that it is serious about carrying out its own program for dealing with slums and blight. It is recognized that it takes time to enact and put into operation housing codes and other actions contemplated by the workable program, and that it would be unreasonable to withhold Federal assistance to public housing until the program is carried out. The program looks only to future action.

Fifth. The workable program requirement would not preclude communities which do not have urban renewal powers from obtaining public housing. Requiring a workable program means merely that the community must have a plan of action for removing and preventing slums and blight. In some communities a program utilizing the city's normal police powers for rehabilitation and conservation would be sufficient. In other communities the program would be adequate if it coupled police powers with the usual exercise of eminent domain powers to acquire land for public improvement, such as parks, playgrounds, or other public facilities. Even in cities where extensive slum conditions cannot be eliminated without the use of eminent domain under urban renewal powers, this does not preclude such cities without those powers from having approved workable programs. It is only necessary that the city recognize its problems and have a plan for working toward this solution, even if this includes a reasonable plan of action for obtaining necessary State legislation or other legal action.

Mr. Speaker, the workable program requirement for the prevention and elimination of slums and blight is sound and desirable. The Congress should have no hesitancy in making it applicable to public housing in order that the public housing program may better serve its primary objective of helping to solve the slum problem.

The American's Creed and the Fourth of July

EXTENSION OF REMARKS
OF
HON. ROBERT B. CHIPERFIELD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 5, 1956

Mr. CHIPERFIELD. Mr. Speaker, as Independence Day comes around each year it brings to mind The American's Creed and its connection with the Fourth of July.

One need only to recall the author of The American's Creed, the Honorable William Tyler Page who for many years was Clerk of the House of Representatives. He was accustomed each Independence Day to go into his library and read the great and fundamental documents on which this country was founded. From such study was born his inspiration to write The American's Creed.

He began his life work at the age of 13 as a page boy, and held numerous offices in the House of Representatives. He completed 60 years of service—the longest any individual ever worked on Capitol Hill. He served under 14 Speakers of the House. Every office he ever held he filled with simple dignity and distinction. His personal charm and superior mental ability were known to all.

William Tyler Page carried in his veins the blood of many great Americans, and his philosophy of life and of Government upheld the finest traditions and ideals of his ancestors.

He was born 88 years ago in Frederick, Md., and early in life formed a friendship with a boy named Schley. Later on Schley went to Annapolis while Tyler Page went to the Capitol. This warm friendship between these two boys continued for many years. Finally, in the Spanish-American War, Schley, who had risen to the rank of commodore of the Navy, and who was temporarily in charge of the American Fleet, won a glorious American victory on July 3, 1898. The marvelous news of the victory of his old friend Schley, thrilled Tyler Page and filled him with patriotism.

He made the resolve that instead of celebrating the next day, the Fourth of July, in the usual way, he would shut himself up in his library and read the great and fundamental documents of the beginning of our country, such as the Constitution, Declaration of Independence, and the Farewell Address of Washington. That evening, after reflection on what he had read during the day, he made the further resolve that he would continue this practice of reading the

great historical writings upon which our Nation was founded each Fourth of July thereafter, and he kept that promise for forty-odd years.

In the war of 1917 a contest was held to write an American creed. Page submitted his manuscript and won the contest, and the Congress officially recognized it as the American's creed of our country. It would have been strange indeed if William Tyler Page had not eventually written this creed, for unconsciously, from the reading of these great works, he had been formulating in his mind such a creed for many years. It was the welling up from the soul of this man all of the devotion to liberty, all the ideals of his love of country.

Knowing the Apostles' Creed to have been a compilation expressing their doctrines and principles, which they practiced long before the creed was formulated, and the sources of its articles were the books of the Bible, he resolved that his American creed must also come from recognized authoritative and historical writings. He did not want to use his own words, and every word of the American Creed is taken from such documents as the Constitution of the United States, the Declaration of Independence, Lincoln's Gettysburg Address, Washington's Farewell Address, the National Anthem, and other similar references.

I could do no better in paying tribute to William Tyler Page than to quote the American's Creed of exactly 100 words:

I believe in the United States of America as a Government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies.

The National Rivers and Harbors Congress

EXTENSION OF REMARKS
OF

HON. OVERTON BROOKS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 5, 1956

Mr. BROOKS of Louisiana. Mr. Speaker, under leave to extend and revise my remarks, I present the following report which I made as president of the National Rivers and Harbors Congress at the 43d annual convention held at the Mayflower Hotel, Washington, D. C., on May 11–12, 1956:

REPORT OF THE PRESIDENT, REPRESENTATIVE OVERTON BROOKS, OF THE NATIONAL RIVERS AND HARBORS CONGRESS, TO THE 43D ANNUAL CONVENTION, AT THE MAYFLOWER HOTEL, WASHINGTON, D. C., MAY 1956

Ladies and gentlemen of the convention, it now becomes my duty to make a report concerning the activities of the congress during the year since we last met on May 31 and June 1, 1955, for our 42d national convention. I am happy to report that we have had a fine year marked by progress in every direction toward our goals.

Our 42d annual convention achieved a new high in enthusiasm for conservation of water resources. An outstanding event in the organization's long history of accomplishment, the gathering attracted 346 registered delegates from 44 States, Alaska, Hawaii, Puerto Rico, and the District of Columbia. There were many additional unregistered guests and representatives of press and radio. Louisiana led the States in number of delegates, with 57; North Carolina was second, with 28; and Michigan was third, with 20.

During consideration at the Capitol of the public works appropriation bill for fiscal year 1956, a delegation from our organization appeared at the hearings to present its recommendations to the House committee. The delegation included your president, the projects committee chairman, Representative SID SIMPSON, and vice chairman, H. H. Buckman, of Florida; the resolutions committee chairman, Representative FRANK E. SMITH, of Mississippi, and vice chairman, E. W. Rising, of Idaho; and the executive vice president, William H. Webb.

When the bill was reported to the House by the Appropriations Committee on June 10, reducing the budget estimates of President Eisenhower by 28 percent, the largest cut made in any appropriations bill to that date, Representative SIMPSON and I joined in an invitation to all Members of the House of Representatives to a meeting in the Old House Office Building caucus room to take action toward restoring the budget figures.

This meeting was very largely attended by both Republicans and Democrats. After a full discussion, four resolutions were adopted unanimously, pledging support to amendments to increase the amounts in the bill for construction and planning of flood control, navigation, and irrigation projects.

Such amendments were accordingly prepared in consultation with the House legislative counsel, and when the bill came to the House floor the following day, all four amendments were adopted by very large majorities, increasing the amounts by more than $88 million. They provided the full amounts requested in the President's budget message, and also the full amounts recommended by the House Appropriations Committee for 12 projects not included in the budget estimates.

Shortly thereafter a delegation from our organization called on the chairman of the Public Works Appropriations Subcommittee of the Senate, the senior Senator from Louisiana, Senator ALLEN J. ELLENDER, to present the reports of our projects and resolutions committees which had been recently adopted at our 42d annual convention. Senator ELLENDER gave us a very fine reception and assured us that he and his committee would give sympathetic consideration to our recommendations.

Subsequently the Senate, following the recommendations of its appropriations committee, increased the amounts for fiscal year 1956 by more than $100 million over the amounts recommended by the budget and the House Appropriations Committee. Finally, the conference committee reached an agreement on an amount slightly less, viz., $590,251,500 for the civil functions of the Army engineers, or for rivers and harbors and flood control projects, as compared with $560 million recommended by the budget and $500 million recommended by the House Appropriations Committee.

This was a splendid victory after a long and arduous campaign, and one for which our organization may rightfully take a large share of the credit.

In November of last year when the budget estimates for the year 1957 were under consideration, a delegation from the National Rivers and Harbors Congress called at the Budget Bureau to present our recommendations to officials of the Bureau. These recommendations embodied as a goal a long-term program of internal water development in the United States of $1 billion per annum.

The delegation recommended that $750 million be included in the budget figure for 1957 for rivers and harbors improvement and flood control and $250 million for irrigation and reclamation. It urged that there be a continuation of the administration's policy of new starts and that an adequate amount be included for planning and general investigations, and maintenance of completed projects. I took occasion to point out the action of the Congress last year in increasing the budget recommendations and stressed the general feeling throughout the country that there should be provided additional sums for general internal improvement, including the development of our water resources.

The President's budget message to Congress in January of this year recommended $583,997,000 for the civil-works program of the Corps of Engineers in fiscal year 1957. In the general construction program, funds were requested for 39 new starts and 3 resumptions of construction, in addition to 30 small authorized projects, and continuing projects, and 1 new start in the requested funds for the Mississippi River and tributaries flood-control project.

The first test of the sentiment in Congress toward our program came early in this year when the Appropriations Committee of the House reported out an urgent deficiency appropriations bill for fiscal year 1956, and slashed $3,046,000 from the amount requested by President Eisenhower for flood control in the New England States, New York, and Pennsylvania. The committee also knocked out $330,000 recommended by the President for a complete review of existing flood-control plans in the Northeastern States.

The Capitol Hill battle for flood-control appropriations found the National Rivers and Harbors Congress stanchly supporting the stricken New England areas, and when the vote was taken in the House, the action of the Appropriations Committee was reversed and the amounts recommended by the President were restored to the bill. This action was subsequently approved by the Senate and the bill was approved by the President on February 14 appropriating the full amount requested by the Army engineers and recommended by the Budget Bureau.

So we have started this session of Congress with another splendid victory, and shall hope for continued success in the weeks to come.

A special meeting of your board of directors was called by me for January 21 in this city, and was attended by a majority of the members of the board. The board studied copies of the President's report on water resources policy, recently submitted to Congress, and took especial note of the comments on user charges on water transportation, which our organization has consistently opposed for many years. The board meeting received reports from various officers which showed gains in membership and the treasury, and found encouragement in many directions of its overall program. During the board's meeting, a proposal for the establishment in Washington of a permanent headquarters building was laid before the directors by Mr. H. H. Buckman, consulting engineer of Jacksonville, Fla., and one of our oldest directors in point of service. A special committee appointed by me has been studying this matter and may be ready to report to the meeting of the board of directors scheduled to follow our adjournment today.

During the past year, two regional conferences were held in the New England region, one in Hartford, Conn., in October of 1955

and one in Boston, Mass., in April of this year. A regional conference was also held in the South Atlantic region at Raleigh, N. C., in February of this year. Our regional directors for the New England and South Atlantic regions will report to us later in the day concerning these conferences and the splendid work which has been carried on in their areas.

Our projects committee has also been at work during the past year on a method of procedure to be followed by it and by the organization in following up its recommendations and rendering assistance to the proponents of the many hundreds of projects which have been processed by that committee. We shall anticipate the recommendations of that committee with keen interest and hope that we shall be able to work out a procedure and policy which will contribute to advancing the interests of the various projects and speeding their construction.

A membership certificate was designed and has now been furnished to every individual and organization maintaining an active membership in the congress, as evidence of their active participation in the work of the organization. It is hoped that these certificates will be found suitable for framing and displaying in the offices, or other suitable place, of the members. Additional new members are constantly being added to the rolls so that we will soon reach an alltime high in number of members as well as in total membership dues. During the calendar year 1955 our total receipts were nearly $27,000, and the indications are that this will be exceeded during the present year. We still have quite a ways to go to reach the goal of $50,000 per annum set by our board of directors some time ago, but we shall continue our efforts in this respect.

And now in closing, may I say just a word about our congress. As most of you know, it is the oldest and most influential organization in its field. Originally organized at Johns Hopkins University in Baltimore, Md., in October, 1901, it is now entering upon its 54th year of service to the Nation. It is generally agreed by those who know of its work that America owes her present system of improved harbors and waterways directly to the efforts of the congress. Through the years, the organization has cooperated closely with the United States Congress which has always received its recommendations and advice and gives a ready ear to its counsel.

The congress is dedicated to the sound and orderly development of our water and land resources for all beneficial purposes, and the approval of worthy and meritorious projects throughout the country. It provides a forum for discussion of all problems relating to land and water development and use, serves as a clearinghouse for coordinating the activities of local and sectional organizations, and affords a means for securing united action by all the interests concerned with the various phases of land and water conservation. Its work has been endorsed by every President of the United States from Theodore Roosevelt to Dwight Eisenhower. Its members are located in every State in the Union.

At the last session of Congress, it was successful in increasing the appropriation for flood control, navigation, and reclamation by nearly $100 million, and it will continue its efforts in the present session to see that an adequate amount is provided in view of the recent devastating floods and the continuing need for improved navigational facilities.

Members of the National River and Harbors Congress, we are now in a new age, when scientific progress and development have almost outstripped the human imagination. New problems have arisen and new methods of approach which would solve the old problems have been worked out, often scientifically. Almost every speaker who has addressed this convention of the National Rivers and Harbors Congress has referred to the increasing water shortage throughout the United States. This naturally leads to speculation as to how such shortages might be relieved. Of course, you may approach this problem from the viewpoint of reclamation and irrigation. I, however, have been convinced that further scientific studies regarding artificial rainmaking, hurricane control, and conversion of sea water into fresh water may be of great scientific benefit to this country. I do not necessarily believe that any one of these matters has yet been brought to the point that it is practicable and feasible at the present time.

More attention, however, should be given by Congress and by the executive branch of Government to these matters, and with increased experimental effort it is entirely possible that water shortages may be relieved through the development of these types of projects.

We all know with what devastating effect Hurricane Hazel and other hurricanes struck the Atlantic seaboard. We know that these turbulent conditions, through use of proper experiments, might be reduced in devastation and perhaps in some way used for the benefit of mankind. In a like manner, projects for water conversion have reached a point where the important question is the cost of taking the saline content out of salt water and thereby making it fresh water and fit for human consumption and industrial purposes.

The tremendous development of the H-bomb and the A-bomb bring forth other problems which may affect our weather and disturb rainfall over wide areas. It is yet too early to draw conclusions from scientific findings in this respect, but it is known that contamination may cover great areas and the upset condition of the atmosphere may result in tremendous precipitation. It is even suggested that a contamination of water reservoirs in farflung areas might result from these explosions. All of these problems are new and tax the brains of the best scientists which we have available. They present challenge to the Government for proper solution.

We have now crossed the threshold of the last half of the 20th century. There are 20th-century, or even 21st-century, problems. They are problems to which we may close our eyes temporarily but they are not problems which in the long run can be sidestepped or evaded by Congress, by the executive branch of Government or by our population. Survival of a nation and normal methods of living throughout the world are going to be affected by these matters until scientific solutions, backed up with proper governmental guidance, give our people the support to which they will be entitled.

Sale of Surplus Vessels

EXTENSION OF REMARKS
OF
HON. JOHN H. RAY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 5, 1956

Mr. RAY. Mr. Speaker, I am introducing today a joint resolution to permit the sale of two transport and cargo vessels to any citizen who has sufficient financial strength and operating experience to undertake the project and secure approval by the Federal Maritime Administrator. The purchaser must recondition the ships at his own expense in American yards and must operate them under the American flag on essential trade routes 3 and 4. These routes run between the United States and Cuba and the United States and Mexico. The ships are now idle in the reserve and have been declared surplus by the Government. They can be repossessed by the Government if needed. Use of these ships will restore the American flag to these essential groups and should help expand our trade with Cuba and Mexico.

I think passage of the resolution will be very much in the public interest, and I hope the resolution will receive widespread support among the Members of this House.

Speech of Hon. Sidney R. Yates Before the National Convention of the National Association for the Advancement of Colored People, San Francisco, Calif., June 29, 1956

EXTENSION OF REMARKS
OF
HON. SIDNEY R. YATES
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 5, 1956

Mr. YATES. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address:

SPEECH OF HON. SIDNEY R. YATES BEFORE THE NATIONAL CONVENTION OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, SAN FRANCISCO, CALIF., JUNE 29, 1956

Mr. Chairman, ladies and gentlemen, I am grateful for your invitation to speak to you tonight and to participate in this convention. Your kind invitation gives me the opportunity to pay tribute to your fine organization for its devoted fight for freedom for all Americans.

"Freedom is more than a word * * * freedom is a creative spirit that summons the energies of all men to the task of building the kind of community, the kind of nation, the kind of world in which they want to live. It is a dream of a world in which all men, women, and children are encouraged to grow to their fullest—physically, mentally, spiritually—so that they may fulfill the great promise of their inner potential."

It is for this freedom—so aptly stated by President Edward J. Sparling, of Roosevelt University of Chicago—that the National Association for the Advancement of Colored People has been making a great fight, and for which it deserves the thanks of all Americans. I have been in the Congress for 8 years. In that time I have come to know and to appreciate the dedicated work being done by the NAACP. In the courts, working with Congressmen and with officials in the executive branch, the NAACP has indeed served as one of the most active guardians of the conscience of the community. As one of society's good housekeepers, it lifts the rug under which the Nation has swept and tried to forget the difficult problems of human relationships, in order that they may be exposed to the light of decency and cleaned up.

This is an important meeting for both political parties. It is to be expected that I would meet with Mr. SCOTT at this meeting because he is one of the few members of his party who remembers that it is the party of Lincoln. Knowing this, whenever there is

a meeting on civil rights, the Republican National Committee appoints Mr. SCOTT as the party spokesman in order to try to convey the impression that the other members of the Republican Party are like him. Every time there is a meeting of the NAACP you will find HUGH SCOTT present as a party spokesman. The Republicans don't have anybody else they can substitute in his place.

And Mr. SCOTT is about as good a spokesman as the Republicans have. Unfortunately for him, he has no product to sell, because the Republican Party's record on civil rights is a blank—a real dud. Regardless of this fact, however, the Republican Party still tries for the votes of those who want civil rights progress.

The NAACP recognized the potency of the ballot as a sword and shield to obtain justice almost a half century ago. In the first issue of the Crisis in November 1910, Dr. W. E. B. DuBois sounded the clarion call to Negroes everywhere to qualify and vote so that they might have a part in shaping their country's destiny and their own. "Let every colored man who can, vote," urged Dr. DuBois, "whether he vote the Republican or Democratic ticket, let him vote it, not because his father did or because he is afraid, but because, after intelligent consideration, he thinks the success of that ticket best for his people and his country."

Negroes are like all other Americans in seeking the blessings of this democracy. They want equal protection of the laws. They want no more, no less than is their just birthright under the Constitution. They want to enjoy the equal opportunity to work in any position for which their training and education qualify them. They want to see an end to discrimination by employers and by unenlightened labor unions.

They want the right to engage in the election of candidates for all offices and to run for office themselves, without fear of becoming the victims of a bigoted, lawless mob. They want the right, too, to be considered for appointive office on all levels, including that of the President's Cabinet itself.

They want the end of separate but equal facilities, with the tag of inferiority which such separation brings. They want the elimination of Jim Crow everywhere—in transportation, in hotel accommodations, in restaurants, in recreation and entertainment. They want the opportunity for their children to obtain the same good education that is offered to the other children of our country, and they want fulfillment of the Supreme Court's decision in the school case.

In short, they want the eradication of second-class citizenship. In this respect, the ballot has been and will continue to be a most potent weapon.

It was the ballot, bringing the Democratic Party into power in 1932, which contributed most toward projecting America's minority peoples closer to their goal of equality than any other influence in our history. Led by Presidents Franklin D. Roosevelt and Harry S. Truman, the New Deal and Fair Deal brought hope and courage to the masses of American people to replace the despair which had been their lot under Republican administrations. The Democrats brought, too, the opportunity to earn a decent living after the Republicans had left deep poverty and depression in their wake.

The New Deal and the Fair Deal brought a social revolution which changed the people's attitude toward their Government. As explained by Republican editor William Allen White, the victory of the Democrats indicated a firm desire on the part of the American people to use government as an agency of human welfare.

Under this concept, the powers of government were used by Democratic administrations to assure the American people of the right to a useful and remunerative job; of the right to earn enough to provide adequate food, clothing, and recreation; of the right of every farmer to raise and sell his products at a return which would give him and his family a decent living; of the right of every businessman to trade in an atmosphere of freedom from unfair competition and domination by monopolies; of the right to a decent home; of the right to adequate medical care and the opportunity to achieve and enjoy good health; of the right to a good education for their children; of the right to adequate protection from the economic fears of old age, sickness, accident, and unemployment.

Taking action to achieve these goals, the Democratic Party initiated legislation for a minimum wage law; for a full employment law; for a Federal aid to education bill; for raising health standards through adequate medical care; for good housing, including public housing; for unemployment compensation and for social security; for a farm bill that would permit farmers to live in decency.

And all this time what were the Republicans doing? They were opposing every single one of the New Deal measures. The record shows that all the social reforms which are recognized today as being an essential part of our democratic way of life were enacted into law in spite of—not because of—the Republican Party.

Why did they oppose such reforms? They said they were socialistic.

Socialistic? Not to all Republicans. The Democratic program wasn't socialistic to Dr. Channing H. Tobias, for example, who at the time was an Independent Republican. He said that he proposed to support President Roosevelt in 1944 "because his philosophy of government and the generally progressive course he has followed for the past 12 years have vested the common man of every race, creed, and color with a dignity and inspired him with a hope that he has never known before."

Dr. W. E. B. DuBois, after looking carefully at the record, was convinced "without the slightest doubt that Franklin D. Roosevelt has done more for the uplift and progress of the American Negro than any president since Abraham Lincoln."

And with respect to President Truman, Mr. Thurgood Marshall, whom I think you know, and is one of the most respected attorneys in Washington, had this to say in a recent radio interview when he was asked about possible presidential candidates: "The candidate that gets nearest to Harry S. Truman will more than likely get the votes of the people who believe in civil rights. That's my belief."

It is to be expected that these outstanding leaders would so express themselves. Mr. SCOTT stated that the New Deal improved the economic condition of Negroes in this country. It certainly did. The rise of the average American under the Roosevelt reforms was amazing. Knowing that there could be no true freedom unless there is freedom from want, the New Deal of the Democratic Party set about first the elimination of the ravaging effects of poverty, and bringing a dignity to the forgotten man that he never before enjoyed. Both the President and Mrs. Roosevelt gave him a recognition and the feeling that he was a necessary part of the community—that he belonged.

And as for Harry Truman, he became the symbol of progress in the field of human rights. It was he who established the famous Commission to study the complex problems of assuring every citizen's constitutional rights. It was he who fathered the greatest all-around legislative program in the field of civil and constitutional rights this country has ever known.

Yes, and it was Harry Truman who stuck by that program right through the 1948 Democratic Convention and right through the election, even though he knew it might split his own party and cost him the Presidency.

Harry Truman is a man who knows what it is to stand up and fight for what he believes in, no matter what the cost. More important, perhaps, is the fact that his civil-rights program was not just an election-year matter. Year after year, he kept urging his program on the Congress.

Just compare President Truman's actions with those of the present administration. What a difference. Under President Truman the Federal Government stood squarely behind the constitutional rights of all individuals. Shortly before he left office he stated his view of the responsibility of Federal Government in this field. "I am not one of those," he said, "who feel that we can leave these matters up to the States alone, or that we can rely solely upon the efforts of men of good will. * * * The full force and power of the Federal Government must stand behind the protection of rights guaranteed by our Federal Constitution."

No wonder Thurgood Marshall is searching for a candidate that "gets nearest to Harry S. Truman."

I was in the 81st Congress when the civil-rights bills were filed to implement the civil-rights program, as recommended by President Truman's Commission. They might have been passed if the northern Democrats had received the cooperation rather than the opposition of the northern Republicans. But because most of the members of the Republican Party chose to work with reactionary Dixiecrats from the South, the bills were defeated.

For example, I remember very well the fight on an FEPC bill in 1950 because I was right in the middle of it. After months of maneuvering the bill finally came to the floor on Washington's Birthday, February 22. The southern Congressmen who opposed the bill fought it with the only filibuster that the House knows, quorum calls and rollcalls. Even though the bill had been made the legislative business of the day, after completion of the reading of Washington's Address, which is always done on his birthday, Congressman Cox of Georgia got up and moved that the House adjourn out of respect to the memory of George Washington. Time after time that day I watched Republican Members of the House walk off the floor so that a quorum call would be necessary. A quorum call takes 40 minutes. There were about 10 of them.

We got a vote on FEPC at 3 o'clock the next morning. Those of us who favored the strong bill, watched with dismay when a substitute bill which took away all the enforcement powers of FEPC was offered. Was it offered by a southern Democrat? It was not. It was offered by the ranking Republican member of the Committee on Education and Labor, and the Republicans approved it. On that vote, a majority of the Democrats voted against the substitute bill. Sixty-eight percent of the Republicans voted for it.

You have heard, too, that no civil-rights bill can get through the Senate because of the threat of a southern filibuster.

In 1949 the Republicans in the Senate had an opportunity to strike a blow for civil-rights progress. They could have helped by supporting Vice President Barkley in his ruling to close a loophole in the antifilibuster rules. But nearly three-fifths of the Republicans voted against Mr. Barkley. As a result the Senate today is shackled by the infamous rule 22, which makes it virtually impossible to stop a filibuster. Was the author of that rule a southern Democrat? He was not. The author was the late Senator Wherry, of Nebraska, who was then the Republican floor leader of the Senate.

As a matter of fact, when southern Democrats have proposed anti-civil-rights measures, northern Democrats rather than Republicans have been in the forefront to resist them. A few years ago, Congressman WINSTEAD, of Mississippi, offered an amendment to the Selective Service Act which gave the right to every inductee to serve in a segregated outfit, if he chose. That amendment, which was approved by the House Armed Services Committee, was defeated on the floor of the House because of a magnificent speech delivered by Congressman WILLIAM L. DAWSON, of Chicago. Congressman DAWSON, a Democrat, is the first Negro chairman of a major congressional committee in the history of the Nation.

The record shows that the Republican Party has fought public housing; it has fought the minimum-wage law and subsequent increases; it has fought social security and increased coverage and benefits; it has fought unemployment compensation; it has fought appropriations for health measures and hospitals; it has fought FEPC; it has fought Federal aid to education. It has fought all progressive legislation.

But now the Republicans say—forget the past. We have a new Republican Party. We are now the party of Eisenhower. Forget the fact that the Republican Party did little to help the average man when it was in power. Forget that the Republican Party fought all measures for the people. Forget that it is the party of big business. This is a new party, say the Republicans.

Well, let me say this, former President Calvin Coolidge was once asked the question: "Mr. President, do the people where you come from say a hen lays or a hen lies?" Mr. Coolidge replied: "The people where I come from, sir, lift her up to see."

Let's lift up the hen and take a look at the new Republican Party. What has the President done in the field of civil rights? In contrast to the fighting leadership given to the civil-rights program by Harry Truman, President Eisenhower has done little or nothing. During the first 3 years of his administration he presented no civil-rights program at all to the Congress. This was the first year in which he made any recommendations. He came forward with a limited program of civil-rights legislation.

Did President Eisenhower include FEPC in his program? He did not. The President has stated that he is opposed to FEPC. A few years ago when Secretary of Labor Mitchell testified before a Senate committee that he favored a strong FEPC with enforcement provisions, the President declared that Secretary Mitchell was entitled to his opinion. As far as he, the President, was concerned, he did not agree with him.

Nor did President Eisenhower recommend passage of the antilynching bill or the antipoll tax bill, which have traditionally been recognized as necessary parts of the civil-rights program. Why did he refuse to sponsor these bills?

Last year, Democrats sponsored several measures to advance the progress toward our goal of equal opportunity. Congressman POWELL introduced an omnibus civil-rights measure in January of 1955, providing for all the recommendations called for by President Eisenhower in 1956.

A comparable measure was sponsored by Congressman CELLER last year. Congressman CELLER is chairman of the Judiciary Committee which has charge of civil-rights bills. It is customary to ask the opinion of the Department of Justice on such bills. Did the Republican Attorney General approve such bills? He did not. He didn't even reply. He took notice of the bill only after a House Judiciary Subcommittee had ordered the bill reported.

Literally dozens of similar bills were sponsored by Democrats last year. On all of them the Department of Justice was conspicuously silent.

In February of last year, Congressman DAVIDSON'S bill calling for a Civil Rights Division in the Department of Justice under an Assistant Attorney General got the same treatment from Mr. Brownell. Congressman DIGGS' effort was treated the same way.

Why should the Attorney General take this position? Why shouldn't Government help implement the Supreme Court decision rather than leaving that burden to the NAACP?

I think this is the answer. This morning's Washington Post carried a column by Marquis Childs. The heading reads "Brownell Hedges on Security Issue," and this is what the article says: "Although the Senate Committee on Constitutional Rights is about to make a concluding report, that committee has not had the benefit of the views of Attorney General Herbert Brownell Jr., who is the officer of the Government most directly concerned with the Constitution and its interpretation in law enforcement.

"Repeatedly for many months the committee chairman, Senator THOMAS C. HENNINGS, JR., of Missouri, has invited Brownell to testify and repeatedly Brownell has found one reason or another to evade the invitation.

"This is perhaps the most conspicuous example of a trend more and more evident in the administration to avoid taking any stand on issues that might be considered in any way controversial. It is too often the press agent's approach to Government."

Can anyone tell me how you can be for civil rights and be afraid of controversy at the same time. If any organization knows that you can't make progress in the field of civil rights without a fight, it's the NAACP. You can't get freedom by wishing for it or uttering pious phrases. You've got to fight for it like you did in the Supreme Court or like you are doing in Montgomery, Ala.

Marquis Childs is right—much too often this Government is a government by press agents. Their actions are like the cotton candy you get at the circus—all air and no substance.

It is no secret that there exists within the Democratic Party divergent views on the question of civil rights. We have our Dixiecrats it is true. You know what a Dixiecrat is—it's a man who is elected as a Democrat and then spends his time in Congress voting like a Republican. We have our Dixiecrats because the Democratic Party is truly a national party—a party that knows no regional boundaries. Despite this fact, the record shows that every key motion for civil rights in the United States Congress has been supported by a majority of the Democratic Members.

But is there any reason why the Republicans should act like Dixiecrats? The Republican Party has virtually no representation in the South. The Republicans are not bound by the customs and prejudices of the Southern attitudes on civil rights. The Republican Party represents itself as the party of Lincoln, but Lincoln would turn over in his grave if he saw the way the Republican Party was voting against civil-rights matters.

Mr. SCOTT called the roll of Democrats who would be chairmen of congressional committees next year if the Democrats won the Congress again. He also called the roll of Republicans who would be chairmen if their party wins the election. But Mr. SCOTT forgot to mention the fact that Senator MCCARTHY would also be a chairman. Why Mr. SCOTT omitted the name of Senator MCCARTHY, I don't know. It may have been inadvertent, but he cannot deny that Senator MCCARTHY will be a chairman if the Republican Party wins. And you will remember that Mr. MCCARTHY is the man who a few days ago said that Chief Justice Warren was following the Communist line.

Mr. SCOTT also threatens you with the fact that Senator EASTLAND will be a committee chairman if the Democrats win. Well, Mr. SCOTT—who voted against Senator EASTLAND'S confirmation as chairman? Two Democrats voted against it; MORSE and LEHMAN. Every Republican voted in favor of his confirmation.

Mr. SCOTT threatens you by saying that a vote for the Democrats is a vote for EASTLAND. He says this to get you to believe that a vote for the Republicans is a vote for civil-rights legislation. But how gullible does he think you are? If what he is saying is true, why didn't the Republicans come out with a program on civil rights in the Republican 83d Congress. They controlled the Congress. They controlled the committees. Senator EASTLAND wasn't chairman then. No Democrat was a chairman during that Congress. And what happened? Not one civil rights bill was voted out.

Why is it that the Republican Party has voted solidly against fair employment practices legislation in State after State? Right here in California, for example—assembly Republicans voted solidly against an FEPC bill in committee, and in the assembly itself—they voted nearly 3 to 2 against forcing the bill out of committee. Democratic assemblymen, I am proud to say, voted 34 to 1 in favor of the bill.

The story is the same in my home State of Illinois. In 1949, when Governor Stevenson recommended an FEPC bill, it passed the Democratically controlled house, but died in the Republican-controlled senate. In 1951 with both houses of the legislature in the hands of the Republicans, it never even got out of the house committee, and was reported unfavorably in the senate.

That's how the "party of Lincoln" behaved in the land of Illinois.

And in Michigan, in 1952, when an FEPC bill finally reached the house floor, 25 Republicans got up and left the house chamber, refusing to listen to one of their Republican colleagues speak on behalf of the bill. And here is what the Republican said:

"My grandfather and my father voted for Abraham Lincoln. I never expected to see the time when Republicans would leave their seats rather than hear a Republican discuss human rights."

So much for the Republican Party and civil rights. It is a field in which the administration and the administration's party cannot take pride.

What about other legislation? The NAACP is interested not only in civil rights matters—it is interested in all legislation which will help the average American.

In the field of housing, the President has been content to recommend the annual construction of only 35,000 public housing units, an amount that could be absorbed by the New York City itself. The Senate of the United States almost each year passes a bill providing for the construction of 135,000 public housing units. The House always scales it down. The President always accepts the lower figure.

Is this the attitude of a new Republican Party?

Over the President's opposition, the House passed a new social security bill providing benefits to be paid to women at age 62, rather than age 65. The bill also provides for totally and permanently disabled people to obtain social-security benefits at age 50. This is the provision to which the administration is violently opposed.

Is this the attitude of a new Republican Party?

And in the House Committee on Education and Labor a few weeks ago, the bill sponsored by Congressman UDALL of Arizona, which would help solve many of the problems of desegregation by offering additional funds to school districts making the change, was voted down by a vote of 14 to 10. Every single one of the Republicans voted against it.

Is this the attitude of a new Republican Party?

Congressman POWELL has declared that if the Udall bill were approved there would be no need for his amendment to the school bill.

The Eisenhower administration can hardly be called an administration devoted to the interests of the average man. The school bill was forced on the President by outraged mothers of the Nation, who pointed out the enormous educational deficit which had accrued. The Congress has approved appropriations far in excess of the recommendations of the administration for health and welfare measures.

But you don't find the administration reluctant to heed the call of big business. If this is a new Republican Party, how can it justify the Dixon-Yates contract; the Tidelands giveaway; and other giveaways of the people's natural resources?

The administration makes much of the fact that it has given important jobs to Negroes. Yet, for each such job given, it has discharged almost a hundred Negroes under the security order. The greatest number of people who have been fired under the security order have been porters, charwomen, janitors and other custodial employees. They have been dismissed from Government service as security risks because of some minor gambling infraction.

This, then, is the record of the new Republican Party—of a party, which, according to the New York Times, "is going after the votes of Negroes in the large urban areas of the north in an effort to regain control of the Congress." This is the record of a party, which, it seems, is going to try to persuade the voters that everything from Supreme Court decisions to President Truman's Executive orders are official property of the Republican Party. They have even taken over the victories of the NAACP, like the District of Columbia desegregation case. Did Mr. SCOTT ever hear of Mrs. Mary Church Terrill? It was Mrs. Terrill and the NAACP who won that fight.

Take, for example, the statement of Mr. Richard Tobin, public relations director of the National Citizens for Eisenhower. "In the context of Supreme Court decisions under a Chief Justice appointed by the President," said Mr. Tobin, "decisions as historic as the Emancipation Proclamation of Lincoln, we have a wonderful story to tell, and it is my opinion that it has not yet been told sufficiently well to the average Negro voter."

I am sure the Court and I am sure the people of the United States resent this politicalization of the Supreme Court of the United States—this identification as part of the Republican Party. Certainly the Democrats would never claim that the Supreme Court decision was a Democratic decision because 7 of the 9 Justices who voted on the decision were Democrats.

Apparently, the Republicans will tell the people anything to win. The Republicans in the north say one thing. They say the opposite in the south. Just recently, Mr. Charles McWhorter, national chairman of the Young Republicans, journeyed to Mississippi. There he said that Republicans will be campaigning this fall on a States rights platform. He expressed the opinion that the "Republican" record as a conservative party, moderate on civil rights, best suited the interests of Mississippians.

Is this what Republicans have been saying in the north? Is this what Republicans have been saying to minority groups?

The new Republican Party today is a confused party of inaction and political opportunism. The story is told on Capitol Hill of veteran GOP congressmen who are trying to affiliate themselves with the new Eisenhower look and don't know quite how to do it. They used to be isolationists—now they have to vote for foreign aid and mutual security. They used to call public housing socialism—now they have to go along with it. As one observer put it—they're like the Australian bushman who was given a gift of a new boomerang and went crazy trying to throw his old one away.

It takes aggressive national leadership to chalk up new gains in human rights now and in the future. It takes an active role—as this organization so well knows—not a passive one—to record progress.

You've got to believe in the cause of human rights if you expect to get anywhere in overcoming prejudices and bigotry. You've got to have heart and courage to fight for the things you believe in. You've got to have a feeling—a deep emotional feeling—to do away with discrimination and segregation and second-class citizenship. You've got to have the very qualities that this administration does not possess.

Where has this administration shown any disposition to fight on any issue?

The only important legislation the President has vetoed has been the fixed price support program, and the natural gas bill, and he said he vetoed the natural gas bill not because he wanted to protect the consumers. He said he was for the bill in principle, but he just didn't like the way the gas people were lobbying.

The cause of human rights is served best by the Democratic Party. The Democratic Party ask only that you look at the record. Don't be taken in by sweet words and smooth phrases and glib promises of what you may expect in the future. Don't be taken in by an administration that rests on press agents' ideas. Look at the facts. Look at the record and ask yourselves:

Which party consistently fought for progress through national legislation? Which party stands firmly on the side of equality—of human rights?

The questions are important ones. The answers are important, too. There comes to my mind the time a Boston minister visited Abraham Lincoln early in the Civil War. "Let us pray, Mr. President," he declared solemnly, "that in this conflict the Lord is on our side."

Lincoln paused a moment and said:

"Reverend, I'm not concerned about the question whether the Lord is on our side. I know the Lord is always on the side of the right. But it is my fervent prayer that we may be found on the Lord's side."

1956 will be a fateful year. Let us pray, too, that in making our choice we may be found on the Lord's side. For my part, the Democratic side is the Lord's side.

Foreign Aid Benefits American Industries

EXTENSION OF REMARKS
OF
HON. ROBERT B. CHIPERFIELD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 5, 1956

Mr. CHIPERFIELD. Mr. Speaker, regardless of whether the foreign-aid programs are justified from a national security standpoint they do benefit our economy.

Eighty-two percent of all the money appropriated is spent right here in the United States and the remaining American dollars must eventually be spent in this country.

I have the distinct honor of representing what is often referred to as the farm equipment capital of the world. A close examination of purchases made under foreign-aid programs discloses that the farm equipment industry and allied manufacturers in this area benefited to a large extent under these programs.

In the period May 1949 through December 1955, the International Cooperation Administration and its predecessor agencies have financed orders from the following companies in the amounts shown:

J. I. Case	$11,330,000
John Deere	15,248,000
International Harvester	75,454,000
Minneapolis Moline	1,448,000
Caterpillar	62,714,000
R. G. Latorneau	7,547,000
Butler Manufacturing Co	2,200,000
Clearing Machine Corp	6,648,000
Rockford Machine Tool	638,000

The Contribution of Oil to Illinois and the Nation

EXTENSION OF REMARKS
OF
HON. CHARLES W. VURSELL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 5, 1956

Mr. VURSELL. Mr. Speaker, today I want to discuss the oil industry which has made such a great contribution to the defense and to the economy of our Nation, and to southern Illinois and the Congressional District I have the honor to represent.

First, I want to tell you why, for the 14 years I have been in Congress, I have constantly supported the oil industry.

I have supported the oil industry because of the tremendous and constant flow of wealth it has brought to the citizens of most of the counties of my Congressional District, and to the State as well for the past several years.

To give you an idea of the great wealth the oil industry brings to Illinois, may I point out that Illinois in 1954 produced 81,130,000 barrels of crude oil, the value of which was $242,500,000, and, mind you, that was for just one year.

It is important to note that in the 23d District I represent, we produce about two-thirds of all the oil produced in the State, or 60,849,000 barrels in 1954—an income to this area for that year in the amount of $181,875,000, and millions of dollars from oil will keep coming in for many years in the future.

Now to emphasize the tremendous value of oil production to the 23d Congressional District, if you would multiply the production in 1954 of $181,875,000, by the 14 years I have been in Congress, it would amount to $2,546,250,000. This does not take into account the early production for the first 5 years, from 1937 to 1942, which would amount to many more hundreds of millions of dollars.

In addition to the income from oil that is actually produced, in Illinois there is now more than 1 million acres of land, not now producing oil, under lease. From this source, the farmers of Illinois have at least another million dollars annual income.

I have been alert and active in protecting the legitimate interest of the oil industry because I want to continue, as long as possible, this great source of wealth and prosperity for our people.

By protecting the rights of the oil industry, I am representing the best interests of many thousands of farmers who have oil on their land, or who have sold royalties, or leases, upon which land they hope some day oil will be found.

BENEFITS BUSINESS AND LABOR

I am also representing the best interests of all of the businessmen who benefit from the millions of dollars of prosperity that has been brought to the farmers, and countless thousands of people who are employed, at good wages, in the various fields of the oil industry.

Back in 1936, before the Clay City and Salem-Centralia oil fields were discovered, the economic conditions throughout this area, as you will remember, were at a low level; in fact, in 1936 thousands of farms in this entire area were mortgaged for about all they could stand. Within a few years after the discovery of oil, thousands of farmers were able to sell their oil leases, oil, and royalties, thereby paying off their mortgages. In other words, the oil industry is of particular interest to practically every citizen in our entire area. This great production of wealth furnishes thousands of jobs, and the necessities and luxuries of life for our citizens. It pays a big tax to the State, to our local subdivisions of government, which helps pay the running expense of government, and the building of schools for the education of our children. The industry makes its full contribution to the civic welfare of our communities, and the support of our churches.

To give you an idea of the wealth it has brought to the counties in the 23d Congressional District in one year, 1954, I am inserting a table containing this information, as follows:

Report from Illinois Geological Survey

County	Amount of barrels	Volume in dollars
Bond	79,000	$237,000
Clay	4,895,000	14,685,000
Clinton	1,735,000	5,205,000
Edwards	1,440,000	4,320,000
Fayette	6,693,000	20,079,000
Hamilton	3,326,000	9,978,000
Jefferson	2,281,000	6,843,000
Lawrence	3,258,000	9,774,000
Marion	6,525,000	19,575,000
Montgomery	6,000	18,000
Richland	3,515,000	10,545,000
Wabash	3,638,000	10,914,000
Washington	940,000	2,820,000
Wayne	7,067,000	21,201,000
White	8,010,000	24,030,000
Total	53,408,000	160,224,000

This great wealth that has come to the communities in my section of Illinois—not only in one year, but it has been repeated each year since the discovery of oil, in major quantities, in 1937. In total it runs into several billions of dollars. The good that it has done for all of our people is generally known throughout this area.

WHY PROTECTION OF OIL INDUSTRY?

You may ask why and how oil needs protection. The answer is very plain and understandable. The independent oil operators in particular, and at times the large operators need protection against the effort that has been made a number of times in the 14 years I have been in Congress to reduce, or wipe out, the 27½-percent depletion deduction. The demagogues in the Congress and those socialistically inclined, and the leftwingers of the Nation will tell you it should be wiped out, and they have tried to do it. This crowd generally is against the free enterprise system, and all legitimate business. They prefer Government controls, which are the forerunners of socialism.

WHAT IS DEPLETION DEDUCTION?

Let me explain it. Back in 1926 a group of the ablest tax attorneys in the Internal Revenue Department in Washington, and the Congress agreed upon allowing a 27½-percent tax depletion deduction on the sale of oil. They did it because under the Constitution the Government could not tax capital of any kind. After a year's study by the Government's tax experts and the Members of Congress, they determined that 27½ percent of the value of a barrel of oil represented the capital of the owner, and could not be taxed. They provided that the profit made on a barrel of oil should be taxed. From that date until this, the capital, or the oil under the ground that belonged to the farmer, or to the farmer and producer when they made a contract, represented 27½ percent of the value, and all above the 27½ percent, less operating cost, is profit, and is taxed as income the same as all other income. This principle has been made applicable to substantially all minerals, including coal, zinc, and so forth.

Several times in the 14 years I have been in the Congress a fight has been made to reduce this depletion allowance; however, so far, we have been able to defeat each attempt, and I will help to defeat every attempt in the future as long as I am in Congress.

If the depletion deduction was wiped out, it would hurt the farmers and the oilmen because it would slow down their drilling and exploration for more oil. That would strike a hard blow at the economy of southern Illinois and the Nation; two-thirds of the oil rigs in southern Illinois would be stacked in lots, or the operators would move away. Thousands of wage earners would be out of jobs, and the millions of dollars that come from the ground in southern Illinois, to enrich our communities, would be left underground because new fields would not be explored and developed. This is an undeniable fact.

OIL IMPORTS

Now, there is another threat that has been developing rapidly over the past few years to the independent oil producers, like most of them operating here in southern Illinois. That threat comes from a few big oil companies, about seven in all, which have developed a great deal of oil in the rich oilfields of the Middle East in particular, which produce unlimited millions of barrels of oil each year, at a very low cost.

Because of the abundant production, it is being imported into this country in such great amounts that the smaller oil producers of our entire Nation have been forced to cut back their production further than it should be. In the interest of defense, we must maintain production at a high level, and keep exploring and bringing in new fields and new oil reserves if we are to make certain that if another world war came we would be able to produce enough oil to keep industry in this Nation going at a high level. And enough oil to supply our Army, our great Air Force—so necessary to the protection of our country—and to keep our thousands of ships in position to transport our men and military supplies to any nations which would become our allies.

The Office of Defense Mobilization, the President of the United States, and all of those from the highest level in Government, realize that we must make certain that our production of oil and gas in this country must always be kept at a high enough level to sustain ourselves for many months if we are to assure the defense of this country.

May I point out in the last world war the submarine menace cut off, to a very large extent, the importation of oil from Venezuela and South America, and from the Far East.

Fortunately, even though the submarines cut off a large part of our import oil for several months before we were able to get them under control, our oil industry had been kept in such high production that we were able to increase our industry for war, and to supply our Army, Navy, and thousands of airplanes during this great crisis.

Since peace came, in 1945, oil imports have continued to increase year after year, and as they increased, our production of wells in the United States has been cut back and cut back until the Congress, and later the President, for the first time in our history recognized that excessive imports of oil had become a problem that must be dealt with.

In 1954, I introduced a bill that would not permit imports to reach the level of more than 10 percent of our national consumption, and after a major fight on the floor of the House, the bill failed to be passed by only a few votes.

We continued our fight against excessive imports in the Congress until in 1955 the President appointed a Cabinet-level committee, headed by Dr. Flemming, Director of the Office of Defense Mobilization, to study energy supplies and resources including oil. That committee, after making a thorough study, rendered a decision that in the future the proportion of oil imports to domestic production be held at the 1954 level. Since that time, Dr. Flemming, acting for the executive department, and the Congress have been making every effort to get the seven major oil-importing oil companies to voluntarily reduce their imports and comply with the expressed will of the Congress and the executive department.

Some of them have shown an inclination to comply to a greater extent than others. Some few have not. Dr. Flemming recently issued his third letter to all

of the major companies urging compliance, and asking for specific information as to their program of imports in the future. The oil people, generally, agree that it would be better to limit excess imports on a voluntary basis rather than to pass legislation if it is possible to get them to do it.

My information is that the executive department hopes that third quarter imports this year may be substantially reduced based on recent reports to the Office of Defense Mobilization, in reply to the recent letter he sent out and the personal conferences Dr. Flemming has had with some of these importers.

This is a problem that must be met in the interest of our economy, and in the defense of our country if legislation is to be avoided.

Unless voluntary compliance is met which will result in the proportion of oil imports to domestic production being held at the 1954 level, as recommended by the President's Cabinet Committee at the close of their study, I shall join with other Members of the Congress in introducing and supporting legislation which I predict will be passed by the Congress in the next session to accomplish this.

I would like to make a comparison between the attitude of President Eisenhower and his administration with the attitude of the two past Presidents, Mr. Roosevelt and Mr. Truman, with reference to the oil industry.

COMPARISON

President Eisenhower has shown by his friendly attitude toward the oil industry that he understands and appreciates the great contribution it has made to the economy of our Nation, and the necessity for keeping it strong as one of the first lines of defense of the Nation. For instance, one of his first acts was to support legislation to turn the oil tidelands back to the States, which had been in possession of them for over 100 years before the Supreme Court in a split decision brought the tidelands under the control of the Federal Government.

By comparison, President Truman had previously vetoed a tidelands bill, overriding the will of the Congress that had passed it by a substantial majority.

DEPLETION DEDUCTION

The late President Roosevelt, upon the recommendation of Mr. Henry Morgenthau, Jr., and others, made more than one attempt to reduce, or wipe out the oil industry's 27½-percent tax depletion deduction, but was prevented from doing so by the Congress.

Then again, after Mr. Truman became President, he made the same attempt to wipe out, or reduce, the 27½-percent tax depletion deduction, but was also prevented from doing so by us in the Congress.

By comparison in the 3½ years President Eisenhower has made no attempt or suggestion to do so.

IMPORTS

Because of the rapid increase in imports since World War II, President Eisenhower was the first Chief Executive to recognize the danger of excessive imports as a problem that had to be dealt with. He thereby brought into being the Cabinet-level study committee, which, under the chairmanship of Dr. Arthur S. Flemming, rendered a decision that in the future the proportion of oil imports to domestic production be held at the 1954 level. Furthermore, the President showed his interest in this problem by authorizing the Director of Defense Mobilization to follow up on the recommendations of the Committee, and to make recommendations to the oil-importing companies designed to bring about substantial compliance with the Committee's recommendations.

I would also like to point out that in the veto of the gas bill the President said, in substance, that he reluctantly vetoed the bill because he thought that legislation should be enacted to prohibit Federal control of the price and gathering of gas at the wellhead, but that certain lobbying activities had been engaged in that caused him to feel he should take such action. He, in a manner, left the door open for the consideration of such legislation by a subsequent Congress.

I would also like to point out that the Cabinet-level committee, in making their report recommended against the Government's control of the price and gathering of gas at the wellhead.

By comparison, again, when the Kerr bill in 1950 was passed by the Congress to remove Federal control of the price and gathering of gas at the wellhead President Truman vetoed it.

The above comparison of records plainly shows the difference in the attitude of the Eisenhower Administration toward the oil and gas industry. The Eisenhower administration has been favorable to the oil industry. The past administrations were unfavorable.

Slum Clearance Authorization Adequate

EXTENSION OF REMARKS
OF
HON. EDGAR W. HIESTAND
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 5, 1956

Mr. HIESTAND. Mr. Speaker, on July 13, 1956, there appeared in the CONGRESSIONAL RECORD a statement by the gentleman from Pennsylvania, Hon. ELMER J. HOLLAND, which deplored the action of the House Rules Committee in tabling the house bill, H. R. 11742. The statement attempts to point out the allegedly serious effects on the Federal slum clearance program should the housing bill not be enacted.

The statement points up one of the great fallacies concerning the pending housing bill and that is its purported relationship to slum clearance.

Actually if the pending housing bill is not enacted, it will in no way affect the program of Federal grants for slum clearance and urban redevelopment. The Congress has appropriated $1 billion for this purpose and, since 1949, $700 million has been earmarked for Federal grants for slum clearance, leaving $300 million remaining in this fund.

The statement of the gentleman from Pennsylvania contends that if the housing bill is not enacted that slum clearance will be set back because there will be no public housing available for displaced persons. Actually it is the omission from the pending bill of this important relationship between public housing and slum clearance that prompted the Administrator of the Housing and Home Finance Agency, Albert M. Cole, recently to criticize the measure as "excessive, unrealistic, and ill conceived," and has influenced the House Rules Committee to table an application for a rule.

The administration in its endorsement of a modest public-housing program seeks to make public housing one of the instruments in the fight to clear the Nation's slums. The other body and the House Banking and Currency Committee rejected such a use for public housing and approved an unrealistic program which seeks to project public housing on the Nation's communities as an end in itself and not as one of the instruments in the Nation's fight against slum clearance.

The proponents of public housing for years sought to justify public housing as necessary in the fight to clear slums. Yet when the administration sought to tie in public housing with slum clearance this was rejected. The administration believes that any community in order to qualify for public housing must have a workable program for the prevention of slums. This requirement was rejected by the other body and the House Committee on Banking and Currency.

I have here a letter from Frank P. Zeidler, mayor of the city of Milwaukee, Wis., dated May 25, 1956, and addressed to the regional director of the Housing and Home Finance Agency in Chicago, Ill. Mayor Zeidler points out that originally he opposed the whole concept of the workable program because he saw it to be a maneuver on the part of those opposed to public housing to put another stumbling block in the way of obtaining Federal funds for public housing or for slum clearance.

Now in this letter which I am inserting as part of this statement the mayor endorses the workable program requirement as something that is long overdue.

If the champions of public housing were sincere in their efforts to clear slums, they would accept the workable program requirement and insist that all units be earmarked for slum dwellers who are displaced by code enforcement, slum clearance, or other governmental action. By so doing they would remove the principal roadblock to the consideration of the pending housing bill.

The letter follows:

OFFICE OF THE MAYOR,
Milwaukee, Wis., May 25, 1956.

Mr. IVAN D. CARSON,
Regional Director of Urban Renewal Housing and Home Finance Agency, Chicago, Ill.

DEAR MR. CARLSON: When I discussed with you at East Lansing the effects of the workable program of urban renewal, I said I would express in writing some of the experiences which Milwaukee has had with the program in order that you might have some material for analysis of the course and direction of the program.

I was originally opposed to the whole concept of the workable program because I conceived it to be a maneuver on the part of the real estate interests, who are hostile to public housing, to put another stumbling block in the way of obtaining Federal funds for public housing, or for slum clearance. I still believe that this was partly the reason for the creation of the workable urban renewal program.

However, I also recognized at the time that there were other persons interested in the workable program who had a genuine concern about slum clearance and felt that cities could and should do more on their own in order to accomplish the objectives of city restoration. I think that those who conceived the workable renewal program as being a means of forcing cities onward in their housing standards are being justified now to a considerable extent.

The necessity of having a workable urban renewal program certified by the Federal Government permitted the forces for better housing conditions in Milwaukee to pass a housing code which is somewhat stiffer than the one that we have had in the past. I note that this code is not what the URA felt to be ultimately desirable, but, nevertheless, this code is much more than we could have obtained without the Federal spur to create such a program. At the present time the staff of the health commissioner, who administers the program, has gone over a considerable portion of the rooming house district and has come forward with many orders for improvement. Of course, there is a considerable amount of protest against the orders but I believe that they are desirable from the public point of view.

Secondly, the necessity of having a certified workable urban renewal program has brought about the passage of a resolution by the Milwaukee Common Council which permits the creation of the post of an urban renewal coordinator. Coordination is absolutely necessary for urban renewal, and the task is so great that the responsibility for it must be centered.

A citizen urban renewal committee, established to comply with the urban renewal law, is a strong force for improving standards of the community, because the citizens appointed are, in the main, completely interested in their work.

The workable urban renewal program also sorted out some planning difficulties that existed in the city. It was decided that the board of public-land commissioners should have the major responsibility for improving the master plan and for selecting planning sites and areas to be demolished, rehabilitated, or conserved. In my opinion, this was an important step forward, because the staff of the land commission did not concentrate on urban renewal until the Federal demand for a workable program came through.

Perhaps the principal way in which the workable program is having a good effect is through the office of the building inspector. The building inspector was able to secure additional assistance for inspection resulting in demolition. He has already caused to be demolished this year hundreds of substandard buildings. If the city had to pay for the razed buildings under a land-purchase plan, or under a forceable condemnation, the city simply could not have afforded a program of this type.

It would appear now that, on the basis of his present experience, the building inspector is taking down enough buildings every 4 months to amount in total to the number of buildings that would be taken down in a major clearance project in the city. This work is done at very little cost to the city government. It does not disturb communities and does not upset land ownership. As a result of this experience, I am thinking of asking the State legislature to give us a stronger condemnation law.

The necessity of qualifying in 1957 for a recertification of having a workable urban renewal program has caused work to move forward on the creation of a civic center. This work is long overdue.

The workable program is also spurring the completion of the Milwaukee Building Code. I believe that the Milwaukee Common Council will hire a special consultant to complete the last six chapters of the code, which has been in the making a long time.

On the basis of our current experience, I think the workable program for urban renewal should be given several years of additional life in order to see what further advantages it will bring to the cities which have been compelled to meet its standards.

Yours truly,

FRANK P. ZEIDLER, *Mayor*.

Fallacy of Democratic Claim To Be Party of Common Man

EXTENSION OF REMARKS

OF

HON. THOS. E. MARTIN

OF IOWA

IN THE SENATE OF THE UNITED STATES

Thursday, July 5, 1956

Mr. MARTIN of Iowa. Mr. President, on April 11, former President Harry S. Truman, at Des Moines, addressed the people of Iowa. He indulged in his usual unsupported charges which have characterized his political speeches.

In discussing foreign policy, he said:

My friends, I have spoken to you tonight mostly about the agricultural situation. However, there is another matter which should never be absent from our thoughts—that is the question of foreign policy and world peace. I have spoken on this subject a number of times recently and I shall not dwell upon it tonight. But we should always remember that this subject is so important it overshadows all our other problems here at home. And in this field, unfortunately, the Eisenhower administration has made the worst mistakes of all.

They have made a mockery of bipartisanship in foreign policy. They have put politics first and the national interest second. The result has been to dismay our friends, comfort our enemies, weaken the position of the free world, and drive other nations closer to the Communist bloc.

One would think from this statement that Harry Truman thought there was really something basically wrong with President Eisenhower's foreign policy. He supplied the refutation for his own statement. In Rome on May 21, he said:

I am for the foreign policy outlined by the President of the United States. I only wish everyone on the other side had done the same for me (New York Times, May 22, 1956).

On April 26 I placed in the RECORD an answer to many of Harry Truman's charges in his speech at Des Moines. His own statement in Rome repudiating his foreign policy charges at Des Moines must now be included as a part of that record.

The entire tenor of his speech at Des Moines followed the familiar Democratic theme that the Democrat Party holds a monopoly in serving the interests of the common man. He said:

Really the only people who haven't been messed up are General Motors, big business, and the stock market gamblers.

On April 26, in answer to his attack on this particular point, I said:

From Harry Truman's speech, you would gather the impression that this administration is only interested in the very rich. He said: "Really, the only people who haven't been messed up are General Motors, big business, and stock market gamblers." The distribution of the increase in both personal and national income does not support the repeated Democratic claims that this administration is operating solely in the interests of big business. The repeated attacks by Harry Truman, Adlai Stevenson, and Senator KEFAUVER on the businessmen in Government is a terrible disservice to the American people.

Let me remind you that prior to 1939 President Roosevelt used to indulge in attacks on the leading members of the business community. However, when the chips were down and it became necessary to mobilize our resources to fight the Nazis, to whom did President Roosevelt turn? He asked William S. Knudsen, then president of General Motors; Edward R. Stettinius, then chairman of United States Steel; Donald Nelson, the president of Sears Roebuck; Charles E. Wilson, the president of General Electric; and William H. Harrison, a vice president of the American Telephone & Telegraph Co., along with countless others of similar capacities and abilities, to enter the Government service. What happened? A certain Senator from Missouri, Harry S. Truman, proceeded to impugn the integrity of these people. He questioned the distribution of defense contracts and asserted that undue favoritism had been shown big business. Early in 1941 the Truman committee was established which plummeted Harry Truman into the Vice Presidency, and then the Presidency. A few years later, when confronted with the Korean emergency what did Harry Truman do? He asked Mr. Charles E. Wilson, the president of General Electric, to take over the Office of Defense Mobilization, one of the most important positions in the entire Federal Government.

Do the Democrats imply the people of the United States can only secure the service of competent people in a period of acute emergency—that the rest of the time we must be content with mediocrity, political hacks, and intellectual theorists? As a matter of fact, the Democrats when in power have recruited business leaders for many important posts. Let me remind you that our first Secretary of Defense—an unusually capable man, James Forrestal, was a Wall Street banker. W. Averell Harriman, President Truman's Secretary of Commerce after he kicked Henry Wallace out, was not exactly a barefoot boy. The Biddles and the Morganthaus would not qualify as little-business men.

It is time that we stopped peddling this kind of nonsense, that we ceased appealing to the basest of human motivations—envy and jealousy of the achievements of others. President Eisenhower is to be commended for having secured the most capable people he could find to operate what is the biggest business in the world, our Federal Government.

The staff of the Senate Republican policy committee has recently completed an extensive study of the record which disposes of the Democratic claim to be the party of the common man. Mr. President, I ask unanimous consent that excerpts from this study may be printed in the RECORD.

Mr. President, I am advised by the Public Printer that the excerpts I have asked to have printed in the RECORD will exceed by 2½ pages the two pages which may be printed in the RECORD without a statement of cost, and that the entire cost will be $346.50.

There being no objection the excerpts were ordered to be printed in the RECORD, as follows:

NOTES ON THE DEMOCRATIC PARTY CLAIM TO BE THE PARTY OF THE COMMON MAN

Campaign oratory is usually dissolved in the ballot box. But occasionally some political claims and slogans are made to stick in the public memory and become part of the folklore of political parties.

One of these is the claim that the Democratic Party "is the people's party" while the Republican Party "is the party of special interests." Stated another way, Democrats assert theirs "is the party of the common man" while Republicans favor "the privileged few."

This claim is utterly false, but Democrats have pressed it so boldly, for so long, and in so many forms that they have achieved for it a measure of popular acceptance.

DEMOCRATIC PLAY ON THE THEME OF THE COMMON MAN

The theme has a double-barreled effect (1) to praise the Democratic Party and associate it with the interests of "the common man" and the "average man"; and (2) to condemn the Republican Party and associate it with the interests of the "rich," the "bankers," "big business," and the "privileged few."

SPURIOUS NATURE OF THE DEMOCRATIC CLAIM

The Democratic Party claim to be the "party of the common man" and the corollary that the Republican Party is "the party of the privileged few" is a flagrant sample of the big lie in politics.

No major party could function successfully in a country the size and diversity of the United States if it served only the common man or only the privileged few.

It is one of the virtues of our nationwide two-party system that the voters may switch from one major party to the other and find each one an adequate instrument to serve the Nation as a whole. If this were not true, our political system would soon degenerate into a multiplicity of small special interest parties incapable of governing, as we see in some countries abroad. The very health and vigor of our two-party system—each drawing strength from all four corners of the union, belies the Democratic Party claim.

One reason behind the Democratic Party claim to be the party of the common man is the fact that for years the Democratic Party has followed a philosophy and has labored hard to mold the American people into common men.

Secretary of Labor James P. Mitchell observed this tendency of the Democrats to turn our people into common men in these words:

"The keepers of this doctrine were interested not in individual men but in collective man, massed man. For them social problems were quite simple. One merely had to determine what was good for collective man and then shove it down his throat like castor oil. The government was of the people, for the people, but by the social planners." [1]

And Dr. James B. Conant, former president of Harvard University, put his finger on the source of the doctrine of massed man when he said: "The Soviets seek uniformity and strict adherence to the creed of Marxism-Leninism." [2] In that creed man is nothing as an individual. He exists only as an unidentifiable atom in a collective mass. And men and mass exist only for the state.

Recent history shows the many steps through which the New Deal-Fair Deal Democrats, who were in control of Government, attempted to deprive our people of their individuality. These Democrats strove to centralize government of everyday affairs in Washington, leaving less and less for people to do in their home States and localities. They handed out billions in relief, grants, and aids from Washington, making a large number of people dependent upon the Government at the Nation's Capital. The centralized administration of these activities operated to reduce the individuality of persons to numbers in electronic computing machines. The list of laws, acts, and regulations systematically designed to rob people of their individuality and pile them up in collective masses could be extended a mile long.

No one can deny that the Democrats responsible for these operations intended to do good by them. But it also cannot be denied that an inescapable and most harmful byproduct of such operations has been the weakening of individual personality and self-reliance.

The Democratic Party under New Deal-Fair Deal domination has done its utmost to pour our people into the mold of common men and to deal with them in the mass. This is the basis of their political philosophy and voting appeals. They have had some measure of success, especially where our technical progress has emphasized collective or mass action. But the success has been superficial because deep down our people are proud and jealous of their individuality. They resent being compressed into the mold of the common man. Behind the mass production and the collective this and that our people still have wide diversities and at heart remain individualists. This is clear when we examine some of the deep-seated diversities in American life.

AMERICA HAS NO "COMMON MAN"

Where Democrats are sincere in making the claim to be the party of the common man, as some undoubtedly are, they see the forest and not the trees. They look at the material uniformities in American life—the same trains, hotels, restaurants, cooking, and newspapers—and quickly come to the conclusion that all our people, too, are of a common mold.

What they fail to see is that this conformity is merely an expression of our technical, material progress. They fail to understand or deliberately close their eyes to the fact that underneath the common material veneer is a people still highly individual in talents, aspirations, and with the intense desire of each to fulfill his or her individual personality.

The greatest fallacy in the Democratic Party claim is that in America there is no common man.

Secretary of Labor James P. Mitchell declared: "We were told for some years that government was supposed to minister to the 'common man.' This doctrine of the common man was as singularly unfree a doctrine as we have ever witnessed in this country. The idea that we are all alike, a common mass, the products of some sort of biological punch press, seeking the same end, through the same means, with the same ideas, desires, and needs, is indeed a devastating one." [3]

REAL BASIS FOR THE DEMOCRATIC PARTY CLAIM TO BE THE PARTY OF THE COMMON MAN

Democratic Party leaders who make the claim that theirs is the party of the common man are well aware that ours is a Nation of great diversities, and that there is no such thing as a common man in our midst.

They even play upon these diversities by making demagogic appeals to minority racial, religious, occupational, and class prejudices. They do not hesitate to develop and inflame class distinctions in their aim to separate a few of our people from all the others.

One doesn't have to think hard to find the reasons for such Democratic trickery. One reason, as explained previously, is that the Democrats have been running the Government on the doctrine of the collective man, massed man.

A second reason lies in the field of raw politics.

Political history shows that present-day Democratic Party leaders will make any claim and follow any line which promises them the votes to gain control of the country and remain in power.

They have shrewdly calculated where the bulk of votes lies and they make their appeals accordingly. That is why they label Republicans as the party of the "rich," the "bankers," "big business," and the "privileged few." They know that such labels carry an unpleasant, even sinister implication; and that few votes can be had from those sources.

They label their own party the party of the common man, the average man, and include among these the farmer, the laboring man, the white-collar worker, and the small-business man because such labels sound wholesome and the bulk of votes can be found in those sources.

It does not trouble such Democratic spokesmen in the least that this deliberate inflaming of class distinctions can do great harm to the peace and unity of the Nation.

It does not bother them to malign good men and women among our people.

Their consciences aren't troubled when it is pointed out that their party, too, has its share of milionaires, its quota of advisers from banks and big business, and a much sorrier record of favors to "the privileged few." It doesn't seem to bother them, either, that a great many of the things they have done with professed intentions to help the so-called "little man" have resulted in great harm to the bulk of our people.

In using the inflammatory phrases of class distinction, they have had but one thought in mind—to get in power and stay there.

MILLIONAIRES AND BIG BUSINESSMEN IN DEMOCRATIC PARTY ADMINISTRATIONS

Common observation of political debate readily shows that Democratic Party leaders never leave off criticizing Republicans for having businessmen serve in Government posts. "Eight millionaires and a plumber" is the way Adlai Stevenson expressed it. The same idea is phrased in many other ways.

Since Democrats seem to think it bad for Government to avail itself of the talents, abilities and competence of businessmen, one would think that no Democratic administration would touch a millionaire or a businessman with a ten-foot pole.

Let us look at the record on this point. Does the Democratic Party of the "common man" rub shoulders with millionaires? Does it seek the aid of bankers—big bankers and big-business men?

MILLIONAIRES SERVE DEMOCRATS, TOO

A cursory examination of the men in the United States Senate discloses at least a half dozen multimillionaire Democratic Senators, more it seems than can be found on the Republican side of the aisle (BYRD, GREEN, KERR, LEHMAN, MURRAY, SYMINGTON).

It is a matter of common knowledge that John J. Raskob, multimillionaire contributor to the Democratic Party, bailed out Franklin D. Roosevelt (a millionaire in his own right) when Roosevelt was reluctant to run for Governor of New York for fear of losing his investment in Warm Springs, Ga.

Bernard M. Baruch, who got millions out of Wall Street just before the 1929 crash,

[1] Address at Flint, Mich., January 20, 1956.
[2] The Citadel of Learning, Yale University Press, 1956.
[3] Address at Flint, Mich., January 20, 1956.

is well known as an adviser to Democratic Presidents.

Four out of five prominent contenders for the 1956 Democratic Presidential nomination—Adlai Stevenson, Averell Harriman, W. Stuart Symington, and G. Mennen (Soapy) Williams—are men of wealth.

BANKERS ALSO SERVE DEMOCRATS

Big bankers are not neglected in the roster of Democratic Party aides. Former Secretary of Defense Robert A. Lovett is a partner in the influential Wall Street firm of Brown Brothers, Harriman & Co., Averell Harriman, holder of a half dozen top-level posts under Truman, and now Democratic Governor of New York, was associated with the same firm. The late James Forrestal, first Secretary of Defense, was president of Dillon, Read & Co., one of the Nation's largest investment houses.

DEMOCRATS CALL UPON BIG BUSINESS

Nor has big business been neglected by Democratic Presidents in their search for executive talent. W. STUART SYMINGTON, before he was elected to the Senate, served in the Defense Department and several other high Government positions after he was brought to Washington from the presidency of the Emerson Electric Co., St. Louis, Mo.

A mainstay in high level Democratic administration posts was Charles E. Wilson, president of General Electric Co. Roger L. Putnam, chosen to head the Economic Stabilization Agency with virtual power of life and death over American industry, had been connected with the Nation's largest manufacturers of package machinery, a director of a large machine and gear firm, and of a Springfield (Mass.) bank. Putnam's predecessor as Economic Stabilizer was Eric Johnston, former president of the United States Chamber of Commerce, now president of the Motion Picture Association of America, and a director of United Air Lines, the Bank of America, an insurance firm, and several banks. Paul Hoffman, automobile magnate who reportedly made his first million before he was 35, was head of the Economic Cooperation Administration (ECA) in the Truman administration.

Ex-Secretary of State Acheson has been associated between periods of Government employment with a law firm which has drawn huge retainers as representative of foreign governments, some of them seeking large loans from the United States.

In May of 1952, Senator CAPEHART inserted in the CONGRESSIONAL RECORD a list which provided a quick glance at men of wealth and big business connections who are either prominent Democrats or who served Democratic administrations in recent years.[4] A thorough survey would multiply this record many times, especially if it included the thousands of businessmen participating in Franklin D. Roosevelt's National Recovery Administration (NRA). But the list presented by Senator CAPEHART should be enough to prove the point.

In setting forth the list, it was not the Senator's purpose to direct criticism at any of the men listed. The purpose was to brand as contemptibly false the Democratic Party insinuation that the employment of big business executives in Government is against the interests of the "little man."

Some of the men listed are Republicans, more are Democrats, judged by voting registrations, by intent, or by repeated and substantial contributions to the Democratic Party. But all who are listed are men whose talents, abilities, initiative, and effort have served the American free enterprise system with distinction. If any administration failed to use such men of proven ability, the people would have cause to charge Government with stupidity, or worse, dereliction of duty.

Memory need not be long to recall the early days of the Roosevelt administration in 1933 when a host of crackpot economists, lawyers alert for the main chance, poets, social planers, and intellectual freebooters swarmed to Washington to inaugurate the more abundant life. After having spoon-fed the Nation's ailing economy for 5 years from sundry bottles of elixir bought with billions of taxpayers' money, these assorted buccaneers only succeeded in having the 1937 depression take the country back to 1932 levels.

Then it was that the Democratic Party of the "common man" turned to the businessmen they pretended to despise in every election campaign. Then began the process of replacing the social adventurers with men whose outstanding performance for American business and industry testified to their talent, ability, and competence.

Once the door was opened no field of private industry and enterprise was left unexplored in the scramble for talent. After World War II began, the Democratic administration's appeal to businessmen was intensified and thousands upon thousands came to Washington to help produce the production miracle which insured victory.

In the roster we find representatives from the American Telephone & Telegraph Co., Aluminum Co. of America, Standard Oil, United States Steel, Republic Steel, General Electric, and General Motors.

Roosevelt and Truman obtained officials for Government posts from General Foods Corp., Eastman Kodak, United States Rubber Co., Lever Bros., Merck & Co., the Union Pacific, and several other railroads, half a dozen air and steamship lines, the Greyhound Corp., many insurance companies, the National Broadcasting Co., and other radio chains.

Investment and international financiers were brought to Washington from Dillon, Read & Co.; J. P. Morgan & Co.; Kuhn, Loeb & Co.; and others.

Mention could also be made of John W. Davis, wealthy lawyer and lifelong Democrat; Owen D. Young of General Electric Co.; Melvin A. Traylor, president of the First National Bank of Chicago; Henry Bruere, president of the Bowery Savings Bank, New York; Basil O'Connor, a lawyer with whom President Roosevelt had been associated and who once asked a fee of $200,000 in an RFC loan, according to Jesse Jones, RFC Administrator; Joseph E. Davies, Roosevelt's millionaire Ambassador to Russia; Col. James W. Flanagan, formerly president of the Imperial Oil Company of Canada who went as RFC representative to South America; Louis Johnson, former Secretary of Defense and who also served the Democratic administration as counsel of General Aniline & Film at $50,000 per year; John M. Hancock, industrial banker who worked with Bernard Baruch on Government missions; Walter Dunham, banker and Detroit businessman of RFC notoriety; Kaiser and his sons who received millions in Government loans which interested his large creditors, the Giannini Bank of America and the Mellon National Bank & Trust Co.; and Delos W. Rentzel of American Air Lines whom Truman made head of the Civil Aeronautics Board.

In the appendix of his book, Fifty Billion Dollars, RFC Administrator Jesse Jones presented a list of former employees of RFC (alumni, he called them) with their connections in business, industry, finance, and other associations. All served the RFC with honor and distinction under a Democratic administration whose leaders now denounce businessmen when they serve in a Republican administration.

The use by the Roosevelt and Truman administrations of wealthy bankers and businessmen is not subject to condemnation, Democrats, like Republicans, simply discovered that these men were the best men for the large jobs in which the Government engaged in depression times, war years, and during the postwar transitions.

It does make the case, however, that the Democratic Party has made lavish use of men from the very sectors of American life their leaders constantly denounce. Republicans, even in their most active days in control of the Government, never had such extensive big business connections.

MEASURES OF NATIONAL WELL-BEING UNDER DEMOCRATS AND REPUBLICANS OR WHICH PARTY BENEFITS THE COMMON MAN?

The test of a political administration, Democratic or Republican, does not lie in comparing benefits given to particular groups in our population. It does not lie in making general conclusions from bits and pieces of data. Yet this is the method Democratic politicians repeatedly use to show that Republicans favor big business, or are against the farmer, or hurt the little man. The method is just as phony and just as meaningless as it would be so say that a husband favors his wife when he buys her a dishwasher, is against his daughter because he does not get her a piano, and hurts his children because he denies them candy before supper.

The true test of a political administration must be found in the general effect the administration has on the national interest and the well-being of the people as a whole.

The chief measures of the well-being of a nation are not hard to find. Does the Nation enjoy peace? Is the Nation secure from external danger? Is individual freedom preserved? Is the Nation prosperous? Is there plenty of work at fair wages for all willing and able to work? How burdensome is the level of taxes? Is the Government operated economically and free from corruption?

Questions such as these indicate the true measures of well-being in a nation. A political administration can be judged good or bad by how its performance affects these measures of national well-being. If such tests are applied with regard to the people of the Nation as a whole, the Democrats who claim so loudly to be the party of the common man have much to explain.

WAR AND PEACE

Few events are more important to the average man—the people as a whole—than war and peace. When a nation goes to war the rank and file of people pay the heaviest price. Their sons do the fighting and make up the biggest list of dead and wounded. They and their succeeding generations pay the cost in money. They suffer the shortages and privations of wartime economy. The Nation suffers a tremendous loss in resources, many irreplaceable forever. The life of the Nation generally is deeply upset and its troubles continue long after the last shot is fired.

While no political party can be absolutely charged with blame if the Nation becomes involved in war, yet the diplomacy and foreign policy of a political administration has a considerable bearing on whether the Nation goes to war or not. With a nation as powerful as the United States, the influence of its diplomacy and foreign relations also has a strong bearing on whether the world generally remains at peace or sinks into war.

Each of our major political parties has been in office for approximately half the time since 1900. Their diplomacy and foreign policies worked completely opposite results.

THE DEMOCRATIC PARTY RECORD ON WAR AND PEACE

It is a singular fact of history that the United States has gone to war three times since 1900—each time under Democratic administrations; not once under Republican administrations.

In World War I, 4¾ million men were engaged in the Armed Forces. The battle

[4] CONGRESSIONAL RECORD, May 20, 1952, vol. 98, pt. 4, pp. 5555–5561.

deaths numbered 53,407, other deaths 63,156, and 204,002 were wounded.[5]

In World War II, 16 million were engaged. The battle deaths totaled 293,986, other deaths 113,842, with 670,846 wounded.[6]

In the Korean war, which Mr. Truman entered without prior authority from Congress, 5¾ million men were engaged. The battle deaths numbered 33,629, other deaths 20,617 and 103,284 were wounded.[6]

The full money cost of these three wars cannot be computed finally until many generations have passed because the people of our country will be repaying the borrowed money and continued obligations stemming from these wars beyond the year 2000.

Some measure of the immediate cash cost of these wars can be inferred from figures on the national debt. The average gross public debt of the Federal Government for the period 1911–1915 was $1,191,000,000. For the period 1916–1920, under Democratic administrations, which covered World War I, the debt rose to an average of $24,299,000,000. In 1941, just prior to World War II, the debt stood at $42,968,000,000. By 1946, which finally reflected the influence of World War II, the debt stood at $269,422,000,000. Some reduction was thereafter made by cancellations of war contracts and other financial adjustments. So that on the eve of the Korean war the debt stood at $257,357,000,000. When that war was finally over in 1953, the debt had jumped again $266,017,000,000.[7]

The interest charges on the Federal debt at the end of December 1955 totaled $6,913,000,000 and must be paid currently out of taxes.[8] This amount is approximately $2 billion more than it cost to operate the entire Government in President Hoover's last year, just before the Democrats took over in the interest of the common man.

While these figures are astronomical, they do not amount to a fraction of what these three wars will cost by the time the last dollar is paid on the public debt and the last veteran, his dependents, and survivors are paid off in the distant future. Taxes, of course, are also an important part of war financing and will be treated in the section below devoted to that subject.

Woodrow Wilson in 1916 was elected on the slogan, among others, that "He kept us out of war." Some 5 months later the United States was involved in World War I.

Franklin D. Roosevelt was elected on the Democratic Party platform which declared, "We will not participate in foreign wars, and we will not send our Army, naval, or Air Force to fight in foreign lands outside the Americas, except in case of attack." In a speech delivered in Boston, October 31, 1940, Mr. Roosevelt reaffirmed this pledge in emphatic terms. He said: "While I am talking to you mothers and fathers, I give you one more assurance. I have said this before, but I shall say it again and again and again: Your boys are not going to be sent into any foreign wars."

Historians have since shown that at the time this speech was made, Mr. Roosevelt had already taken enough unneutral steps (many of them secretly) to make our involvement in World War II almost inescapable.

Mr. Truman engaged American forces in the Korean war without ever placing the matter before Congress.

One can hear anguished cries from Democrats that it is unfair to label them the war party in American politics. Senator JOHN J. WILLIAMS, Republican, of Delaware, gave the definitive answer to this outcry in the following words:

"If members of the Democratic Party wish to charge the depression to the Republican Party, a depression which was worldwide but which they wish to charge to the Republicans solely because it happened in a Republican administration, then I want the Democratic Party to take full blame for the wars which occurred in the Democratic administrations. If they boast of the artificial prosperity which accompanied those wars let them have full credit for the wars."[9]

That is fair political rejoinder to a purely political charge. Democrats took political credit in 1916 for keeping the country out of war. Democrats campaigned successfully for more than 20 years on the 1929 depression which they charged to Republicans. But they do not find it so amusing to find themselves on the target end of a comparable charge.

But whether they are responsible for the wars or not, it can hardly be said that the war years in their administrations redounded to the benefit of the "common man."

THE REPUBLICAN RECORD ON WAR AND PEACE

While the campaign of 1952 was being waged the United States was still locked in a stalemate war in Korea. President Eisenhower promised that he would make every effort to end that bloodshed. He kept that promise. Furthermore, he kept the Nation out of another war in Indochina. Despite all the menacing ups and downs in world politics, the American Nation is still at peace and enjoying unprecedented prosperity not based on wars.

President Eisenhower, in sharp contrast to his predecessors, declared his attitude in these words: "I will never be guilty of any kind of action that can be interpreted as war until the Congress, which has the constitutional authority, says so."[10]

These are an attitude and a record which pay substantial dividends in well-being to all the people of the Nation, the "common man" included.

DEMOCRATIC PARTY RECORD ON EMPLOYMENT

At the height of the depression some 12 million or more people were out of work. After the 1932 elections, the Democratic Party took control of the Federal Government and remained in office for 20 years.

In the period 1933–37, the Democrats spent tremendous sums of money on relief, public works, and other Federal projects. They tried every economic nostrum in the books. But at the end of that period the national economy slid back to 1932 levels. Never in the entire period did unemployment fall below 7,500,000. By 1939, there were again 9 million persons out of work.

By that time World War II had commenced. The United States was swept into the war atmosphere first, in rebuilding its own defense which had been neglected for many years; second, in helping Great Britain and her associated allies; and finally, by America's entry—at the end of 1941—into the war itself.

That solved the employment problem for the duration of the war.

In the years immediately after the war, employment remained substantially high because of the pent-up demand for civilian goods released by the ending of war in 1945.

By 1949, however, another sharp economic recession set in and unemployment rose to approximately 4 million persons.

In the summer of 1950 the United States became involved in the Korean war. Once again unemployment fell away to negligible proportions. This continued throughout the remainder of the Truman administration.

Now what do we see here in summary?

One fact stands out: Democratic administrations, with full control of the Federal Government and a practically unlimited treasury of 20 years, completely failed to solve the problem of unemployment, except by war.

Democrats failed in a crucial matter touching the well-being of the "common man."

REPUBLICAN RECORD ON EMPLOYMENT

President Eisenhower's first year, 1953, set all-time records for employment, economic activity, and general prosperity. This is all the more remarkable because the Nation was finally at peace, war spending had tapered off, and the difficult transition was begun from a war economy to a peacetime economy.

The high level of prosperity thus begun continued through 1954 and 1955. It is continuing in 1956.

The one dark spot in an otherwise healthy and prosperous economy is the drop in farm income. Net income of farm operators from current operations dropped from $14.9 billion in 1952 to $11 billion in 1955.[11] The index of prices received and paid by farmers (parity ratio) which had dropped 15 points under Truman (from 107 in 1951 to 92 in 1953) fell another 8 points under the Republican administration to 84 by 1955.[12] However, between April and May of 1956 the parity ratio rose to 85.[13] The parity ratio decline reflected two maladjustments in agriculture: The difficulty in cutting production back from wartime levels, and the high price supports which encouraged increased production to the point where huge surpluses of farm products hang over and depress the market. The Eisenhower administration seeks to return agriculture to a healthy condition by flexible price supports aiming at parity income in the market place, by a soil-bank proposal to take a portion of farmlands out of production, and by other measures short of making the farmer a ward of the Government.

By May 1956, employment on farms, in factories, and in other nonagricultural pursuits stood at more than 65 million.

Personal income in the Nation in April 1956 ran at an annual rate of $317 billion, an increase of $18 billion over the same month a year ago and a jump of $51 billion over April 1952, the last year of the Truman administration. Wages and salaries in the same month of 1956 reached an annual rate of $218.7 billion, or $14.1 billion above the April 1955 rate and $98 billion more than the April 1952 rate.[14]

During the 3 years of the Republican administration the compensation of employees averaged 69 percent of the national income compared with 65 percent during the 7 years of the prior Democratic administration.[15]

Corporate profits on the other hand, after taxes, averaged 6 percent of the national income during the first 3 years of the Eisenhower administration, compared to an average of 7.7 percent during the Truman administration.

The highest gross national product reached in prior Democratic administrations was $346 billion in 1952. Under Republicans it reached approximately $365 billion in 1953, rose to $387 billion in 1955, and in the first 3 months of 1956 it reached an annual rate of $398.5 billion.[16] Constantly higher rec-

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[5] Statistical Abstract of the United States, 1955, table No. 266, p. 227.

[6] Ibid.

[7] Ibid., table No. 407, p. 349.

[8] Treasury Bulletin, February 1956, table 4, p. 20.

[9] CONGRESSIONAL RECORD, March 10, 1955, p. 2192.

[10] Press conference, April 5, 1956.

[11] Economic Indicators, May 1956, p. 7.

[12] Ibid., p. 25.

[13] USDA Parity Price Index Reports, May 31, 1956.

[14] Office of Business Economics, Department of Commerce, June 5, 1956.

[15] Address of Deputy Assistant Secretary of Commerce Carl F. Oechsle in Baltimore, Md., April 9, 1956.

[16] Office of Business Economics, Department of Commerce, May 10, 1956.

ords were set during the period in industrial production, construction, wages, and income.

On January 20, 1956, the Labor Department reported that its Consumer Price Index (often called cost-of-living index) during 1955 reflected the greatest period of stability since the index was started 15 years ago. In 1955, the index changed very little, ranging from 114.2 percent of the 1947–49 average to 115 percent. As the year started, the January figure was 114.6, only three-tenths of 1 percent above that for January of a year ago.

The Department also announced that the gross pay of the average factory worker with three dependents in April 1956 reached $78.99 per week, $4.03 a week more than in April 1 year ago and $13.32 more per week than in April 1952.[17] Net take-home pay for the average factory worker with three dependents set a record of $72.42 in April 1956, compared with $69.20 in the same month of 1955 and $61.81 in April 1952. The purchasing power of the average American worker's paycheck at the end of 1955 was more than 6 percent higher than at 1954's end.

Thus, under Republicans, we have more employment and higher wages than were ever achieved under previous Democratic administrations who like to refer to themselves as the party of the common man.

Democrats talk about benefiting the common man, but Republicans deliver.

TAXES AS A MEASURE OF NATIONAL WELL-BEING

Taxes reflect the cost of government. Every cent the Federal Government spends ultimately comes out of the pockets of the American taxpayer. How has the common man fared in the matter of taxes under Democratic and Republican administrations?

DEMOCRATIC PARTY RECORD ON TAXES

The Democratic Party was in office from 1933 to 1953.

When it came into office in 1933, Federal taxes were approximately $3 billion. When it left office in 1953 Federal taxes reached the enormous total of $65 billion.

In 1932 the so-called "little fellow" paid small or no income taxes. Over the years, under Democratic administrations, the real burden of income taxes shifted to the common man. This is best shown by the number of income-tax returns. In 1932 there were only 1,900,000 taxable returns. After 20 years of Democratic administrations the number of returns increased to 46,800,000. The simple meaning of these two figures is that Democratic Government spending and high taxes shifted the main burden of taxes to the common man.

The plain truth of the tax story is that, since 1913, the income tax has changed from a rich man's tax to everyman's tax. It began as a 1 percent levy ranging upward to 6 percent on incomes of half a million or more. Corporations paid a 1 percent income tax in 1913.

Nowadays the basic income tax rate is 20 percent, and it ranges up to 91 percent on incomes in excess of $300,000 for individuals. Corporations pay 52 percent.

The burden on the little man was further increased by reductions in tax exemptions for himself and family. In 1932 a single person had a tax exemption of $1,000 which Democrats progressively reduced to $600 by 1952. A married person's exemption in 1932 was $2,500 which Democrats reduced to $1,200 by 1952.

In 1932 a single person earning $2,000 paid $32 in Federal income taxes; in 1952, he paid $266. A married couple without dependents with the same income in 1932 paid no taxes; but paid $133 in 1952.

[17] Latest revised Department of Labor figures for monthly report to be published June 30, 1956.

A $5,000 income is more realistic in today's circumstances. In 1932 a single person paid only $140 in taxes; but in 1952 he paid $911. A married couple with no dependents and the same income in 1932 paid $80 in taxes as against $733 in 1952. Owing to the reductions in allowances for dependents, the married couple in the $5,000 income bracket with 2 dependents pays a little more than half as much—$48 in 1932 and $466 in 1952.

The per capita burden of Federal income taxes in 1932, the last year of the Hoover administration, was $170. After 20 years of Democratic administrations this burden was increased to $659, according to official Treasury figures.

During the same span of years excise taxes on almost everything the common man has to buy were greatly extended and in some cases set as high as 20 percent of the price of the article.

TAX INCREASES AND TAX REDUCTIONS

Democrats not only passed the first Federal income tax law in 1913, but they also voted 14 out of 15 tax increases since that time.

Republican Congresses voted 7 tax cuts out of the 10 reductions since 1913.

REPUBLICAN RECORD ON TAXATION

The Republican Party has always pressed for reduced Government spending and lower taxes.

The first Republican Congress since 1932 (the 80th Cong., 1947–48) enacted bills to lower income taxes on three occasions. Three times, Democratic President Truman vetoed these bills. On the last occasion, Republicans won the battle to override his veto and the Revenue Act of 1948 became Public Law 471 on April 2, 1948.

Briefly, this law provided tax relief for more than 40 million American taxpayers. It relieved 7,400,000 taxpayers in the lowest income brackets entirely of income taxpayments. Most of the benefits went to persons earning less than $5,000. Individual income tax rates were reduced by 12.6 percent in low income brackets, graduated downward to about 5 percent reduction in higher brackets. Dependent exemptions were increased from $500 to $600. Married couples were allowed to file joint returns, giving them additional tax cuts. The aged and blind were given additional allowances.

Again in 1954, another Republican Congress made possible the largest tax cut ever given in any single year. The total reduction amounted to $7.4 billion and 62 cents of every dollar in tax cuts went to individuals; almost 25 cents to taxpayers with incomes of less than $5,000 a year. The tax cut included reductions in excise taxes on articles in everyday use. A tax cut of this size would have been wholly impossible if a Republican President and a Republican Congress had not sharply cut Government spending by billions of dollars.

INFLATION

From 1932 to 1952 the Democrats did more than just take a bigger chunk of the "little fellow's" paycheck by way of taxes.

Democrats fired the engine of inflation, so that whatever the "little fellow" had after taxes bought less groceries, clothes, and shoes in the market place.

When governments spend lavishly and go deeper into debt each year, as did the New Deal and the Fair Deal, the buying power of the dollar goes down inflation sets in.

In March 1933, the end of the Hoover administration, the buying power of the dollar (with 1935–39 as a yardstick) stood at 111. After 20 years of Democratic administrations, the buying power of the dollar fell to 52 cents. That is why prices are practically doubled for everything people buy today.

Few people realize how inflation robs the average family. Like a sneak thief in the night, it is difficult to see. But, according to a survey of the National Committee on Monetary Policy, Americans lost $158 billion in purchasing power because of inflation between 1938 and 1952. Some $97 billion was lost by holders of life insurance policies, $31 billion by holders of bank deposits, $21.5 billion by owners of Government savings bonds, and $8.5 billion in other channels. This is in addition to the losses in the daily buying power of wages and salaries.

When conditions like this set in, it is the little fellow—not the rich or the corporations—who suffers. Yet the Democrats constantly talk of their sympathetic interest in the common man. If they loved him less vocally at election time and remembered him more often as they dipped into his tax purse, John Q. Taxpayer would be a lot better off today.

Immediately upon taking office, Republicans began to reduce Government spending. Looking over the full 3 years of the Eisenhower administration, Assistant Secretary of Agriculture Earl L. Butz declared: "During the first 3 years of the present administration, the Government will spend $36 billion less than it would have, had the spending policies of the preceding administration been continued. That represents a saving of nearly $1,000 for every farm and city family of 4 in the United States."

At the same time not a single element of security in national defense or social welfare of our people has been sacrificed.

Once again, it is clear that the self-styled Democratic Party of the common man has followed courses of action with results completely the opposite and against the interests of the rank and file of citizens.

H. R. 5550

EXTENSION OF REMARKS
OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 5, 1956

Mr. CURTIS of Missouri. Mr. Speaker, it looks as if it were quite unlikely that H. R. 5550, a bill to authorize the United States to enter into the OTC will be brought out on the floor of the House for debate in this Congress.

I regret this. Regardless of whether entry into the OTC is authorized or not, the subject matter is one that needs as much public debate and consideration as possible. My personal views are that the Ways and Means Committee needs to conduct further studies and hearings upon the broad subject of the delegation of congressional powers to the Executive in the field of the regulation of foreign trade if we are to adequately advise the House on OTC or any other matter in this area.

Inasmuch as the OTC probably will not be debated in this Congress, I am herewith inserting in the RECORD the supplemental views I wrote to accompany the report of the Ways and Means Committee on H. R. 5550, in which I discuss this general subject in some detail:

SUPPLEMENTAL VIEWS OF THOMAS B. CURTIS ON H. R. 5550

I joined in voting H. R. 5550 out of committee primarily because I felt that it was a

measure of such importance that it should be presented to the House. This matter of United States foreign trade needs as much public airing as it can get. This committee has held lengthy hearings on the aspect of our foreign trade presented by H. R. 5550. However, a major question for this House to decide is whether these hearings provide sufficient data upon which the House can base an intelligent vote.

The first question to be resolved in considering H. R. 5550 granting the President authority to join the United States in the OTC is whether this can be considered intelligently on its own bottom without relation to the GATT.

AREA COVERED IN COMMITTEE HEARINGS

The decision was made to confine the subject to the OTC by the manner in which the hearings were set up, by the selection of witnesses and by the understanding given to witnesses that the subject matter before the Committee was limited. The executive-department witnesses who appeared before the committee supported this approach. They argued that the delegation of power sought by the executive in H. R. 5550 did not require congressional consideration of GATT, even though Congress has never had the question of GATT directly before it.

On the other hand, the chairman of the committee was very fair in permitting the witnesses to be questioned extensively on the subject of whether approval of OTC amounted to an approval of the GATT; and also on the subject of the jurisdiction, procedures, and operation of the power allegedly delegated by the Congress to the Executive to enter into GATT.

However, if the various executive department heads who testified before this committee had been instructed that they were to be prepared to discuss the GATT and the executive department's authority to enter GATT, a great deal more pertinent information would have been made available to this committee and to the House membership through the hearings. As it is, much of the information in the printed hearings merely was supplied for the record and there has been no opportunity to question the witnesses on this material. Furthermore, the persons from the executive department who have first-hand information on the manner in which trade agreements operate and are negotiated, particularly members of the Committee on Reciprocity Information, of the Departmental Trade Agreements Committee, of the Tariff Commission, and of the United States Board of Trade Negotiators for GATT were not called before the committee for statements and examination.

CAN OTC BE CONSIDERED WITHOUT CONSIDERING GATT?

H. R. 5550 grants to the executive the power to enter into OTC, an organization designed to make GATT more effective and more permanent. It seems foolish to try to consider OTC without knowing what GATT is; what the President's authority to enter GATT consists of, its limitation, if any; how the President has exercised this authority; what procedures have been established for United States industry, agriculture, and labor to present their views and to have their views considered in the negotiation of trade agreements and with what degree of formality these procedures have been established; what control the Congress has retained in this area of regulating foreign trade, which is so explicitly designated in the Constitution as a power and responsibility of the Congress.

The position of the executive department witnesses that approval of OTC does not require a study of GATT is difficult to understand in the face of the fact that three times the Congress has explicitly stated in legislation collateral to GATT that by approving this legislation it is neither approving nor disapproving GATT. These congressional caveats spring from a series of doubts. Doubts as to the authority of the Executive to enter GATT at all and more serious doubts as to whether the authority of the GATT exceeds the President's authority to enter into multilateral trade agreements. Doubts about the procedures under which the Executive has exercised whatever his authority may be. Doubts as to whether foreign trade barriers have actually been decreased and whether foreign trade has actually increased as the result of GATT.

The Randall Commission, which was certainly friendly to the GATT, recommended that the subject matter of the GATT be presented to the Congress for its approval. Many of the nongovernmental witnesses appearing before the committee in favor of H. R. 5550 were forthright. They said, of course, Congress approving H. R. 5550 meant approval of GATT. Several witnesses stated that Congress by extending the Trade Agreements Act of 1934 from time to time with full knowledge that the Executive had used this act as the source of his power to put the United States in GATT had given approval to GATT, in spite of the insertion of the caveat clauses.

To sum it up then. It is time Congress considered GATT. To vote intelligently on H. R. 5550, establishing the OTC, we must consider GATT. The caveat clauses from a practical standpoint are meaningless. A caveat clause in H. R. 5550 saying that approval of H. R. 5550 neither approves nor disapproves of GATT is meaningless.

WHAT COURSE CAN BE TAKEN?

So let us look at GATT with the information we have been able to gather to see (1) whether we have enough information to go on and, (2) if we have, whether it is to the best interests of our country to approve or disapprove OTC and GATT.

My personal views are that this committee has not obtained enough information about GATT and the United States Government's relation to it to intelligently understand it. The hearings on H. R. 5550 were not set up to study GATT and most of the information about GATT in the printed hearings comes from data supplied for the record in answer to questions. As I pointed out before, there was no opportunity for asking questions about this data or questioning the witnesses who had firsthand information about the manner in which the executive department enters into trade agreements under GATT. The best place, of course, to amend our procedures in writing trade agreements is in the extension of the Trade Agreements Act when it comes up again in 1958, but it could have been done at this time in considering the OTC.

Not having enough information about GATT would indicate that H. R. 5550 should be defeated. This, however, is not necessarily so. Two other possibilities exist. 1. To recommit the matter to the committee for further study. Of course, the public has been conditioned already to look upon this as a defeat of OTC; but if a further study by the committee were really made by going into the matter of GATT, this would not be a defeat, but a delay. 2. To approve OTC provisionally, on the theory that for the very immediate future our country stands to gain from a more rigid enforcement of the present trade agreements made under GATT and what defects there may be in the GATT and the manner in which Congress delegated power to the Executive to enter into GATT, can be corrected at a later date.

There is much to my mind that recommends this second course. I trust that the following discussion based upon our limited studies of GATT will bring out some points that bear on the course of action this House should pursue.

DELEGATION OF POWER BY THE CONGRESS OVER FOREIGN TRADE

Has the Congress constitutionally delegated the power to regulate foreign trade which the Constitution vests in the Congress, to the President, in the Trade Agreements Act of 1934 as amended?

There were some witnesses who questioned whether the Congress could constitutionally delegate any of its power to regulate foreign trade to the Executive. In my judgment, there is no question that the Congress can delegate its power in this area if it does so in a correct manner.

The constitutional question becomes, Did the Congress in the Trade Agreements Act of 1934 as amended delegate its power in a correct manner? This raises two basic points: (a) Was the delegation of power sufficiently limited as to extent? (b) Was the delegation of power sufficiently defined in the manner in which it should be exercised?

One witness who felt that the language in the Trade Agreements Act, although very broad and general, was sufficiently definitive as to the extent of the power conferred, cited similar broad and general language delegating power over interstate commerce by the Congress to the executive in the act creating the Interstate Commerce Commission. However, the Congress in delegating these broad powers created a very specific agency to carry out these powers, the Interstate Commerce Commission. Congress did not create a similar type agency to carry out the powers over foreign trade delegated in the Trade Agreements Act.

To fully study this question, however, the powers of the Tariff Commission, an agency previously established and of some years standing, must be reviewed. It is interesting to note, however, that the Trade Agreements Act in delegating whatever power that it did in the area of foreign trade did not refer to the powers previously granted to the Tariff Commission although it must be remembered that the Reciprocal Trades Act itself is an amendment to the Tariff Act of 1930. It is further pertinent to note that the two major amendments to the original Reciprocal Trades Act, the escape clause and the peril point provision confer additional powers on the Tariff Commission. Yet there has not been a clear delineation of powers in this area between the Tariff Commission and the executive under the Trade Agreements Act.

Furthermore, the executive department by Executive Order No. 10082 of October 5, 1949, established the Committee on Reciprocity Information and the Interdepartmental Committee on Trade Agreements to handle certain matters which arise in the United States preparation for entering into multilateral trade agreements under GATT. It is not quite clear just where the Tariff Commission fits in this scheme of things, particularly as in this same Executive order the Tariff Commission is directed to file an annual factual report of the operation of the trade agreements program with the Congress. This portion of Executive Order No. 10082 was enacted into law by the Congress last year in the extension of the Trade Agreements Act. These reports by the Tariff Commission are by no means confined to the subject of tariffs; they cover a wider area of foreign trade. Yet apparently the Tariff Commission has been given no jurisdiction in this area other than to "at all times keep informed concerning the operation and effect of provisions relating to duties or other import restrictions of the United States contained in trade agreements. * * *"

Regrettably, though these reports have been filed with the Congress for several years, no Committee of the Congress has been designated to receive these reports, study them and in turn report to the Congress on them. Many Congressmen bewail the loss of power of the Congress to the executive branch of

the Government, some even call it usurpation of power—yet in all too many instances—as in this specific case—the loss of power comes from the Congress failing to exercise the prerogatives it has retained for itself. I am hopeful that in the future the Ways and Means Committee will receive, study, and if necessary, hold hearings on the Tariff Commission's annual report on the operation of our trade agreements. Had we been doing this in the past we would be in a position now of making a more intelligent and meaningful report to the House on H. R. 5550.

Furthermore, the Tariff Commission in its inception was designated to be an arm of the Congress. Just what it is an arm of today is questionable. This broad subject of the status of the Tariff Commission in multilateral trade negotiations and agreements remains unstudied by this committee and, as near as I can tell, it remains unstudied by anyone.

CREATION OF EXECUTIVE COMMITTEES

However, even though the Congress may not have created an agency similar to the Interstate Commerce Commission to carry out the delegation of authority to the executive branch of the Government over the regulation of foreign trade, and though the Tariff Commission's position in this area is rather vague and undefined, the executive department has done some definitive work itself.

By Executive Order No. 10082 it created the Committee on Reciprocity Information. This Executive order is set out in the hearings and should receive the study of the House. The Executive also created an Interdepartmental Committee on Trade Agreements. Its structure and duties are not as well defined as those of the CRI. The personnel of the ICTA seems to be identical with CRI. The relationship of these executive committees with the Tariff Commission is likewise vague and undefined although there is a relationship.

The purpose of these two committees, essentially, seems to be to provide a forum whereby industry, agriculture, labor, and other groups concerned with the operation of the trade agreements and the possible negotiations of future trade agreements may present the facts and arguments surrounding their particular situation and concern.

The function of these committees is not that of administering the peril-point provisions. That is specifically a function of the Tariff Commission, although apparently the Executive uses these committees and whatever findings they make in order to exercise the further prerogatives he has to not abide by the findings of the Tariff Commission.

The difficulty in dealing with the CRI and the ICTA from the standpoint of industry, agriculture, and labor seems to be, according to the testimony of witnesses who had dealings with them, that one never knows what action the committees have taken, if any. Whether any findings have been made and, if made, whether they are reduced to writing and forwarded and, if forwarded, to whom. There is no opportunity to know whether the data and arguments presented by a special interest have been considered, ignored, or partially paid attention to.

BOARD OF TRADE NEGOTIATORS

Above all, the difficulty experienced by industrial, agricultural, and labor groups lies in the fact that neither the CRI, ICTA, or the Tariff Commission have any function in the actual negotiation of the trade agreements. Who compose the United States Board of Trade Negotiators is a question mark. There has been no formalization of the Board of Trade Negotiators by Executive order. Apparently the personnel may change from day to day, the number of negotiators may change, the qualifications of the negotiators may be anything. In fact, there is no real name for our group of negotiators. I have referred to them as the Board of Negotiators because I don't know what else to call them. How the board obtains information about American industry, agriculture, and labor is uncertain. Theoretically the CRI and the Tariff Commission pass information to them. But this is pure theory. If the CRI reduces its factfinding to writing and recommendations and then passes this data in this form to the Board of Negotiators it does so as the result of no established procedure. Furthermore, any such findings or data, according to the Government witnesses, is secret.

One thing seems to be certain, however, that on the United States Board of Negotiators there are to be no special economic interests represented nor are special interests permitted to be around to give advice in the area of their special interests, either before or during negotiations. Nor does any group know what the Board regards as factual information about its economics, upon which it conducts the negotiations.

Certain witnesses have raised objections to this procedure on the grounds that other nations do not follow similar practices. For example, there was testimony that in recent negotiations involving textiles one of Britain's negotiators was a person in the textile industry who because of his special knowledge in the field was able to give Britain great advantage over the United States negotiators who were unfamiliar with the detailed economics of the industry.

It seems clear to me, without hearing further testimony, that the Congress has not done a proper job in spelling out in detail the procedures which should be followed in negotiating trade agreements. There is little question but that American industry, agriculture, and labor do not know where to go or how to go in presenting their cases before negotiations are entered into.

I am not talking now about a matter which has reached such an extreme position that the peril point or escape clause provisions in the Trade Act come into play. I am talking only about the ordinary negotiations where our negotiators should be in a position of strength through knowledge and where our economic groups should be assured that our negotiators are dealing in knowledge and not in ignorance. Above all, our economic groups at least should know by name and qualifications who our negotiators are and not be placed in the position of having their economic welfare placed in the hands of unknown persons operating under no known set procedure.

(I again want to point out that the information supplied for the record by the State Department on this subject was not available at the time of the public hearings, so there has been no opportunity for this committee to dig into the data for checking.)

ARE THERE SUFFICIENT PROCEDURES ESTABLISHED IN THE DELEGATION OF AUTHORITY?

Whether the congressional inaction of this area is such that the delegation of authority to the Executive is so vague and undeterminative as to be unconstitutional is almost academic. Certainly the congressional action is ill advised and not conducive to the national economic well-being and has put our citizenry in a position of not knowing how either to promote or to protect their economic welfare in the area of vast importance to them such as foreign trade is.

If Congress thinks it advisable to confer upon the Executive vast powers over the regulation of foreign trade, it should do so in a fashion that the citizens' basic right to petition the Congress is protected by adequate administrative machinery. I suggest it was the need of the people to have this right in regard to their economic interests that prompted the writers of the Constitution to confer the powers over both interstate trade and foreign trade to the Congress rather than to the executive department. I believe that the difficulty we are presently experiencing and have been experiencing with increasing difficulty in continuing with the reciprocal trade formula for handling our foreign trade does not lie in the concept of granting the executive the broad power to negotiate multilateral trade agreements or of Congress divesting itself of the power to write the details into our tariff schedules, but rather lies in the fact that our citizens feel that they have not had a fair opportunity to have their cases heard and considered * * * that faceless negotiators, loyal Americans and dedicated public servants though they may be, have through ignorance been hurting badly various domestic economic interests.

Furthermore, there was nothing more than the most general sort of testimony concerning the overall betterment of our foreign trade through GATT. The statements made were so general that one could only conclude that the witnesses felt the matter did not require proof. The only specific data presented to the Committee during public hearing on the economics of foreign trade whether it has increased or decreased, what the trends and causes were, was from Professor Glenn O. Saxon, of Yale. He argued from the data he presented that foreign trade had not increased as could have been anticipated in light of the increase in overall world gross national products. Certainly this committee should have more information than it has on the economic statistics of world trade. The data was supplied by the State Department on this subject for the record, but again this data, though interesting, pertinent and valuable, has not been subjected to examination or public scrutiny. It is a mystery to me why the witnesses for the executive department did not come prepared to testify at the public hearings with data rather than with general conclusions. The whole issue before the Congress and the people of our country in this area is what governmental action will help us best in increasing our foreign trade. It is important that we dig in and study this to see how well we really have been doing under our present approach and not just take it for granted that we are doing well.

GATT'S JURISDICTION IS GREATER THAN UNITED STATES PRESIDENT'S AUTHORITY OVER FOREIGN TRADE

There are many additional areas of confusion in this foreign-trade picture. The present Executive states through his Cabinet representatives that his sole authority to regulate foreign trade through the reciprocal trade formula and to enter into GATT comes from the Trade Agreements Act of 1934 as amended. It is important to review the testimony in previous hearings on the subject. This has not been a consistent position of the Executives. There have been claims to certain implied powers. The report of this committee, I understand, contends that the language in the Trade Agreements Act has implications which broaden the scope of the Executive authority. This committee did not discuss such a theory, and any such conclusion stated in the committee report is not yet the considered judgment of the committee. This matter should be clarified.

Be that as it may, the authority of the President to enter GATT stems from an amendment to the Tariff Act of 1930 which is called the Trade Agreements Act. Section 350 of that act states "whenever he (the President) finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are

unduly burdening or restricting the foreign trade of the United States he may act."

Article I of GATT states as follows:

"2. The contracting parties desire to contribute to these objectives through this Agreement by entering into reciprocal and mutually advantageous arrangements directed to the substantial reduction of tariffs and other barriers to trade and to the elimination of discriminatory treatment in international commerce."

It is quite clear, furthermore, from reading the preamble of GATT and the preamble of the Trade Agreements Act that the word "trade barriers" used in defining GATT's jurisdiction is an extremely broad term and encompasses considerably more than "duties or other import restrictions," even if the broad interpretation of these words claimed by the Executive and approved in the Committee Report is accepted. Health measures, currency exchange, quotas, etc. are just a few items included as "trade barriers" which would not be considered properly under the terms "duties and import restrictions" as they are used in an amendment to the Tariff Act of 1930.

The very fact that the United States obtained a waiver from the other countries to GATT in regard to our agricultural quotas set up in the Agriculture Act bring home the fact that GATT is considerably beyond the scope of authority delegated by the Congress to the Executive to enter into trade agreements.

A PRACTICAL REASON FOR ENACTING H. R. 5550

A practical point made in behalf of OTC is that foreign countries have utilized "trade barriers" other than "duties and import restrictions" extensively, some of which are considerably more restrictive to modern trade than duties and conventional import restrictions. By creating OTC it is argued these other barriers to trade used by other countries but which they have agreed to eliminate by agreement, may be eliminated.

It is for this practical reason I have suggested that it is probably to the immediate advantage of the United States to enter provisionally into an organization that will make the trade agreements under GATT more enforceable. We have already made concessions along the lines of tariff reductions, but the reciprocity which we have anticipated has been long in coming. OTC would assist in the very immediate future in getting rid of some of these foreign trade barriers.

But in trying to gain this momentary advantage the Congress is certainly putting its stamp of approval on executive action in entering into a general agreement on trade which contemplates subject matters way beyond the subject matter Congress specified, in its delegation of power to the Executive in the Trade Agreements Act. It could be said that the United States entry into GATT applied only to the subject matter contemplated in the Trade Agreements Act, but that it was perfectly proper for the United States to get concessions from the other countries of GATT on these other trade barriers. But then I would think we would have the question on the part of other countries of whether they have the same understanding of the limitation of the United States participation in GATT. Obviously they do not have the same understanding because some of the other countries in GATT raised the question on the United States agricultural quotas which was outside the United States Executive's delegated jurisdiction to deal with in the first place.

Should we continue in this uncertain state of either fooling our friends abroad or fooling our own people at home? Isn't it the better course of wisdom and valor to clear the matter up for all concerned? And as quickly as possible?

AMENDMENTS TO H. R. 5550 MADE BY THE COMMITTEE

The committee tried to correct some of the alleged dangerous possibilities in H. R. 5550 by amendment. First, language was inserted which attempts to limit the powers of the Executive in the area of foreign trade to those powers already delegated in the Trade Agreements Act. However, the idea of a previous Executive that certain implied powers exist in the Executive over the subject of foreign trade was left unexamined and untouched and, as stated, the committee report gives credence to an extended interpretation of the language in this act.

An amendment was adoted putting some responsibilities, authorities and qualifications on the head of the United States delegation to the OTC. Senate confirmation of this appointment is required. This is a big improvement.

An amendment to enlarge the voting power of the United States was discussed but not formalized and put to a vote. Information was given to the committee in executive session that the subject of voting power was discussed at the conference which gave birth to the OTC but that criteria such as population and amount of foreign trade were found to be more faulty than sovereignty as a basis for apportionment of vote. Why a compromise which reflected all these criteria could not have been developed remained unanswered. The writers of the United States Constitution when confronted with a very similar problem regarding the voting powers of the big and small States in the Federal Congress were able to successfully reflect a compromise between population and sovereignty. It seems little short of ridiculous that the concept of sovereignty should be so rigid that a nation of 165 million people and an annual gross national product of $400 billion should be classed in trade matters with nations of a million or less people and less than $100 million gross national product.

EFFECT OF CONGRESSIONAL DISAPPROVAL OF H. R. 5550

Finally, I come to the feature of this proposed legislation and the circumstances surrounding it which cause me the greatest concern. In discussing the course of action this Congress might take, I said in reference to a recommittal of this bill to the committee for further study: "Of course, the public has been conditioned already to look upon this as a defeat of OTC." So have the foreign nations in GATT been conditioned to look upon a recommittal of this bill, or anything but an almost blind passage of OTC by the Congress, as not only a defeat of OTC but a defeat of the entire conception of multilateral trade agreements. The executive witnesses as well as nongovernmental witnesses who testified for H. R. 5550 have resorted to this argument time and again during hearings and during executive sessions. It is a powerful argument. But I raise the question of who is responsible for this conditioning of the minds of our citizens and the minds of citizens and governmental leaders of foreign states on a matter which should be the subject of considerable objective study by the Congress?

Indeed, is the question of handling foreign trade and the implication of the establishment of OTC so simple and so cut and dried that no honest arguments can be presented other than those that openly and intentionally are designed to kill the technique of multilateral trade agreements? There are those who are convinced that the Reciprocal Trades Act and GATT have not benefitted the United States or world trade and who, therefore, seek to cut it down as much as possible and to even eliminate it, if that were possible. I do not agree with this position. I think that in spite of the poor case made for the GATT that it has accomplished an overall benefit for our country and foreign countries by contributing to an increase of foreign trade. However, I also think that it has accomplished much less than it could have accomplished if it were better organized and more clearly set up. Certainly I believe that it could have accomplished what it has accomplished without the accompanying damage it has done to certain segments of our domestic economy. I do not believe the OTC is the best way to remedy these basic structural defects in our procedures for negotiating multilateral trade agreements through GATT. The best way is to restudy and then rewrite the delegation of congressional authority to the President over foreign trade.

The failure of the representatives of the executive to present economic data to this committee on the status of our foreign trade and the effect the GATT has had upon it, if such effect can be determined at all from what economic data there is, is such as to negative their case that through GATT we are following the best course possible to increase world trade. It is true that the Congress has been badly at fault in not following yearly the progress of our foreign trade through the reports submitted to it by the Tariff Commission, but that surely does not excuse the executive department from not recapitulating in detail the data of these annual reports and presenting additional pertinent data at the formal public hearing where the general subject of foreign trade is up for review.

Furthermore, the failure of the executive witnesses to be prepared to discuss in detail the procedures established and followed in entering trade agreements under GATT and, indeed, their affirmative presentation of the preposterous idea that the Congress could intelligently approve the United States entering into OTC without studying GATT, further negatives their case.

The failure of the majority of the members of the committee to attend or follow the hearings on this matter, coupled with the poor presentation referred to, convince me of one basic thing. The conditioning of the public mind on this subject has been so well done that an objective study into the problem of foreign trade by the Congress was neither desired nor intended by the State Department personnel who are essentially responsible for this presentation. The theory seems to be the more ignorance there is the more certain the blind approval.

I am not convinced, as some persons are, that there is anything sinister in the attitude of the State Department bureaucracy who have taken charge of the regulation of foreign trade. (I have been impressed by the comprehensive data the State Department officials have presented to this committee for the record, when asked. However, I again point out that without this data being available to the public and made the subject of examination and questioning by our committee its value is greatly limited.) Rather, I am convinced that the attitude of the State Department personnel is one of basic loyalty to the overall welfare of our country, and I am further convinced that the individual persons occupying this particular drawer of the Federal Bureau are very able, hardworking and conscientious citizens. However, I do find an attitude of certainty that they know best what is in the welfare of the United States and that the Congress and the special economic interests that seek to influence and, on occasions, can influence the Congress, do not. Indeed, they feel that it is their duty to protect the overall welfare of the United States against what they regard as the shortsighted and selfish interests of all special economic groups.

This, of course, is benevolent dictatorship. Perhaps they do know best but I doubt it. I still feel that the collective wisdom existing in our citizenry is the best wisdom our society can obtain, not the wisdom of any small group, even though they be the wisest men in the society. It behooves us to follow procedures which best will enable this collective wisdom to be brought to bear upon the problems that face us. The institution of the Congress is no more than a set of procedures whereby the wisdom of our people may be gathered together and brought to bear upon the problems of our day. When Congress delegates its authority to the Executive, as it should, in various areas including the areas of foreign trade, it should do so in a fashion that this basic feature is preserved. This, in my opinion, is not the situation in respect to the regulation of our foreign trade today.

An Army doctor whose job it was to interview the Korean war prisoners in order to try to learn the techniques of Red Chinese brain washing made a significant statement in an interview which was published in the February 24, 1956, U. S. News & World Report:

"Question. Did the Communists feed prisoners propaganda?

"Answer. They certainly did.

"Question. What was the aim of this propaganda?

"Answer. To lower their opinions of America.

"Question. How?

"Answer. They began gently, capitalizing upon a sure-fire theme: the unpopularity of the Korean war. This was a subject dear to the heart of many a soldier."

The Constitution provides that only Congress may declare war, for the specific reasons that the writers of that great document felt, and rightly so, that any war in which our society is engaged must have the support of the people. One of my friends in the State Department said to me at the time of the Korean war, "but if it had been referred to the Congress, Congress might not have done the right thing and it was necessary for our national welfare under the circumstances to move into Korea at once."

Yes, similarly it is true if the GATT in all its ramifications were referred to the Congress it might not be approved, but I suggest following the course we are still following bears with it even greater dangers than any momentary setback. Personally, I believe that Congress would have approved the Korean war if the problems were forthrightly presented to it just as Congress would approve the GATT if it was presented forthrightly to it and there were proper procedures established for preserving the basic rights of our citizens in promoting their proper economic interests.

SENATE

FRIDAY, JULY 6, 1956

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, spirit of light and truth, of beauty and freedom, bestow upon us, we pray Thee, Thy sustaining grace that our strength fail not nor the vision splendid fade in the heat and burden of the day. In this moment, closing the door against all clamorous voices, we bring our stained lives to the holiness that shames our uncleanness, to the love that forgives our iniquities, to the truth that reveals our falseness, to the patience that outlasts our fickleness.

Make us patient and thoughtful one with another in the fret and jar of these difficult days, remembering that each comrade by our side fights a hard fight and walks a lonely way. Teach us a gentler tone, a sweeter charity of words, and a more healing touch for all the smart of this wounded world. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. CLEMENTS, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 5, 1956, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On July 2, 1956:

S. 1614. An act to amend the act entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids," title 21, United States Code, section 321c;

S. 2016. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Lawrence F. Kramer;

S. 2771. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use at the Fourth National Jamboree of the Boy Scouts of America, and for other purposes;

S. 3295. An act to amend the act of April 28, 1953, relating to daylight-saving time in the District of Columbia; and

S. 3663. An act to exempt from taxation certain property of the Columbia Historical Society in the District of Columbia.

On July 3, 1956:

S. 1275. An act to authorize the Commissioners of the District of Columbia to designate employees of the District to protect life and property in and on the buildings and grounds of any institution located upon property outside of the District of Columbia acquired by the United States for District sanitariums, hospitals, training schools, and other institutions;

S. 2512. An act to amend the act of August 27, 1954, so as to provide for the erection of appropriate markers in national cemeteries to honor the memory of certain members of the Armed Forces who died or were killed while serving in such forces; and

S. 3076. An act to provide for a continuing survey and special studies of sickness and disability in the United States, and for periodic reports of the results thereof, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5731. An act to permit members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, with dependents, to occupy inadequate quarters on a rental basis without loss of basic allowance for quarters; and

H. R. 11766. An act to provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

S. 220. An act conferring jurisdiction upon the United States Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande;

S. 449. An act for the relief of George Pantelas;

S. 584. An act to amend title 28, United States Code, relating to the Customs Court;

S. 977. An act to amend title 28, United States Code, with respect to duties of judges of the United States Court of Claims;

S. 997. An act to provide punishment for certain confidence game swindles;

S. 1178. An act for the relief of Mrs. Sylvia Simonson;

S. 1245. An act for the relief of Agnes V. Walsh, the estate of Margaret T. Denehy, and David Walsh;

S. 1542. An act to authorize an allowance for civilian officers and employees of the Government who are notaries public;

S. 1616. An act for the relief of Sumiko Ariumi Bilson;

S. 1688. An act to amend the Federal Seed Act;

S. 1739. An act to authorize the Commissioners of the District of Columbia to fix rates of compensation of members of certain examining and licensing boards and commissions, and for other purposes;

S. 1798. An act for the relief of Mrs. Charles C. Phillips;

S. 1961. An act to provide for the conveyance of part of Ethan Allen Air Force Base, Colchester, Vt., to the State of Vermont, and for other purposes;

S. 2008. An act for the relief of Winifred A. Hunter;

S. 2091. An act authorizing the reconstruction, enlargement, and extension of the bridge across the Mississippi River at or near Rock Island, Ill.;

S. 2169. An act for the relief of M. B. Huggins, Jr.;

S. 2210. An act to modify the project for the Saint Marys River, South Canal, in order to repeal the authorization for the alternation of the International Bridge as part of such project, and to authorize the Secretary of the Army to accomplish such alteration;

S. 2240. An act for the relief of James Richard Hogan;

S. 2244. An act for the relief of Maria Novak;

S. 2352. An act for the relief of Maj. Luther C. Cox;

S. 2690. An act for the relief of William G. Jackson;

S. 2712. An act to authorize the charging of tolls for transit over the Manette Bridge in Bremerton, Wash.;

S. 2913. An act to extend for 2 years the Advisory Committee on Weather Control;

S. 2972. An act to punish the willful damaging or destroying of aircraft or motor vehicles, and their facilities, and for other purposes;

S. 3214. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Clark Hill Reservoir;

S. 3307. An act to amend section 9 (d) of the Universal Military Training and Service Act to authorize jurisdiction in the Federal courts in certain reemployment cases;

S. 3527. An act authorizing the State Highway Commission of the State of Maine to construct, maintain, and operate a free highway bridge between Lubec, Maine, and Campobello Island, New Brunswick, Canada;

S. 3547. An act to amend section 1 of the act of August 9, 1955 (69 Stat. 555), authorizing the sale of certain land by the Pueblos of San Lorenzo and Pojoaque;

S. 3674. An act to amend section 1343 of title 18, United States Code, relating to fraud by wire, radio, or television;

S. 3723. An act to authorize the Secretary of the Navy to convey certain land in the county of Alameda, Calif., and to accept other land in exchange therefor;

S. 3866. An act to facilitate the making of lease-purchase agreements by the Administrator of General Services under the Public Buildings Act of 1949, as amended, and by the Postmaster General under the Post Office Department Property Act of 1954, and for other purposes;

S. J. Res. 110. Joint resolution directing the Secretary of the Interior to conduct a study and investigation of Indian education in the United States;

S. J. Res. 163. Joint resolution granting the status of permanent residence to certain aliens;

S. J. Res. 178. Joint resolution to authorize an appropriation to provide for certain costs of United States participation in the International Bureau for the Publication of Customs Tariffs; and

H. R. 11740. An act to provide for a temporary increase in the public debt limit.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 5731. An act to permit members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, with dependents, to occupy inadequate quarters on a rental basis without loss of basic allowance for quarters; to the Committee on Armed Services.

H. R. 11766. An act to provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama; to the Committee on Interior and Insular Affairs.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. CLEMENTS, and by unanimous consent, the Committee on Interior and Insular Affairs and the Committee on Government Operations were authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. CLEMENTS. Mr. President, under the rule, there will be the usual morning hour. I ask unanimous consent that statements made in connection with the routine morning business be limited to 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON REAL AND PERSONAL PROPERTY, DEPARTMENT OF DEFENSE

A letter from the Secretary of Defense, transmitting, pursuant to law, a report on real and personal property of the Department of Defense, as of December 31, 1955 (with an accompanying report); to the Committee on Armed Services.

PROPOSED TRANSFER BY NAVY DEPARTMENT OF A 104-FOOT AIRCRAFT RESCUE BOAT TO THE NAVY LEAGUE OF THE UNITED STATES

A letter from the Secretary of the Navy, reporting, pursuant to law, that the Navy League of the United States had requested the Navy Department to transfer a 104-foot aircraft rescue boat, without engines, for the training of young men of the Capitol Cadet Corps; to the Committee on Armed Services.

REPORT ON SETTLEMENT OF CLAIMS ARISING FROM DISASTER AT TEXAS CITY, TEX.

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the settlement of claims due to explosions and fires at Texas City, Tex., during April 1947 (with accompanying papers); to the Committee on the Judiciary.

REPORT OF FEDERAL BUREAU OF NARCOTICS

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report of the Federal Bureau of Narcotics, for the calendar year ended December 31, 1955 (with an accompanying report); to the Committee on Finance.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

DEPORTATION STATUS OF A CERTAIN ALIEN

A confidential letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, relating to the deportation status of a certain alien (with an accompanying paper); to the Committee on the Judiciary.

HEALTH AND MEDICAL SERVICES FOR OFFICERS AND EMPLOYEES AND THEIR DEPENDENTS IN SERVICE OVERSEAS

A letter from the President's adviser on Personnel Management, transmitting a draft of proposed legislation to provide health and medical services for United States citizen civilian officers and employees in the Federal service overseas and their dependents, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Caribbean Tourist Association, New York, N. Y., favoring a repeal of the 10-percent travel tax; to the Committee on Finance.

A resolution adopted by an organization known as the Return of the Hawaiians to the Soil, relating to Hawaiian homestead lands; to the Committee on Interior and Insular Affairs.

A resolution adopted by the convention of District Grand Lodge, No. 3, B'nai B'rith, Philadelphia, Pa., relating to immigration; to the Committee on the Judiciary.

A resolution adopted by the Baltimore chapter of the American Institute of Architects, Inc., Baltimore, Md., protesting against any alteration of the Capitol Building in the District of Columbia; to the Committee on Public Works.

LIBERATION OF LITHUANIA—LETTER

Mr. SALTONSTALL. Mr. President, I have received a letter from the American Lithuanian community in Lawrence, Mass., relating to the liberation of enslaved peoples of the world. I ask unanimous consent that this communication be printed in the RECORD at this point as a part of my remarks. I do so because it is a very strong resolution based upon what is happening in their country, with respect to which we feel so strongly.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN LITHUANIAN COMMUNITY,
ST. FRANCIS PARISH,
Lawrence, Mass., June 22, 1956.

To the United States Senate:

Sixteen years ago in June Communist armies invaded our native Lithuania and in a short period of time turned this peaceful and prosperous country into a prison and a land of tortures. The peak of Communist cruelty was reached when, a year later, they started their first mass deportation of Lithuania's population to the slave-labor camps in deep Siberia, where men, women, and children were doomed to certain death just because they loved their country and their own way of life above all.

American Lithuanian Community of greater Lawrence assembled at St. Francis Roman Catholic Parish Hall to commemorate these tragic events have unanimously resolved to appeal to the United States Senate with the following request:

1. To continue Senate's firm stand on America's policy of struggle for justice and liberation of enslaved peoples of the world.

2. To use all Senate's power and prestige so as to bring about an early withdrawal of Communist armies from enslaved countries with the subsequent complete restoration of their freedom and independence and ending of the destruction of our native country, and the sufferings of our brothers and sisters.

Msgr. FRANCIS M. JURAS,
Pastor,
Rev. G. C. KLINVAL,
EL. VASYLINNAS,
JOHN VALINKONIS,
S. V. MALINANSKEY,
Representatives of the American Lithuanian Community.

PRODUCTION AND DISTRIBUTION OF BITUMINOUS COAL—LETTER AND RESOLUTION

Mr. LAIRD. Mr. President, I ask unanimous consent to have printed in the RECORD, and appropriately referred, a letter I have received from William A. Fullarton, special assistant to the president of the Pocahontas Fuel Co., enclosing a resolution adopted by the National Coal Association at its convention on

June 14, 1956, relating to bituminous coal.

May I urge every Member of the Congress to give full consideration to this important matter.

There being no objection, the letter and resolution were referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

POCAHONTAS FUEL CO., INC.,
Pocahontas, Va., June 28, 1956.

Hon. WILLIAM R. LAIRD III,
Senate Office Building,
Washington, D. C.

DEAR MR. LAIRD: It appears that Members of Congress, the executive branch of the Federal Government and its agencies, and the general public are beginning to recognize the vital importance of the bituminous coal industry to the national economy and the defense effort. This has been manifested in various ways, one of the more recent being the resolutions sponsored by Senator DIRKSEN and Congressman SAYLOR.

In facing this future, it seems to me that it would be prudent for the Government and the industry to know more about the industry and its markets. We must know where its product is being used today, and where and how much of it will be needed at various times and places in the future. Adequate production and marketing data on which to base forecasts are imperative so the industry can plan its expansion in an orderly manner, and so the industries which will be required to furnish equipment and supplies to the coal industry also will be ready for their part in providing the additional production capacity. This information also is needed by the various Federal and State Governments and by the investment and banking industries which will be required to provide funds and credit to make this expansion possible.

There is a decided dearth of production and marketing data available about this great basic industry. During the administration of the Bituminous Coal Act of 1937 and during the tenure of the Solid Fuels Administration for War and the Office of Price Administration, cost realization and distribution data were collected from the industry. This program was terminated in 1946. The industry attempted a few years ago to collect distribution data on a voluntary basis but the effort proved unsuccessful. With 6,500 producing companies it appears not to be possible to get adequate coverage through industry efforts to make the figures reliable.

The National Coal Association, which represents most of the commercial production of bituminous coal in the United States, in convention assembled in Washington on June 14, unanimously adopted a resolution calling upon the Federal Government to cooperate in the collection of pertinent production and distribution data. A copy of that resolution is enclosed herewith.

Knowing of your interest in the bituminous coal industry, I commend this resolution to you and request your support in any efforts to implement it.

Sincerely yours,

WM. A. FULLARTON,
Special Assistant to the President.

RESOLUTION UNANIMOUSLY ADOPTED BY NATIONAL COAL ASSOCIATION IN CONVENTION ASSEMBLED JUNE 14, 1956, WASHINGTON, D. C.

Whereas maintenance of the Nation's expanding peacetime economy will require increased efficiency in the production and distribution of bituminous coal because of the ever-increasing dependence on coal as a source of energy; and

Whereas any defense mobilization effort which may be necessary will require greatly increased efficiency in the distribution of coal; and

Whereas sincere and prolonged efforts on the part of the coal industry to collect adequate production and distribution data with respect to its product have been unsuccessful, due primarily to the fact that the coal industry consists of a large number of relatively small companies: and

Whereas adequate economic data with respect to the production and distribution of coal would be beneficial to the national defense effort, the peacetime economy of the Nation, the Federal Government and its agencies, the coal industry, and other industries which will be increasingly dependent upon coal, such as the railroad industry, the equipment industry, the power industry, the steel industry, and the banking and investment industry: Now, therefore, be it

Resolved by the members of the National Coal Association in convention assembled, That the Federal Government, preferably through the Bureau of Mines, is urged to collect and disseminate, on a regional as well as a national basis, monthly data with respect to the production and distribution of bituminous coal, to the end that all affected segments of the economy can effectively analyze the fuel energy markets and make reliable estimates of the energy supply and demand.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RUSSELL, from the Committee on Armed Services, with amendments:

H. R. 11683. A bill to authorize permanent appointments in the Armed Forces of the United States, and for other purposes (Rept. No. 2420).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 1696. A bill to provide compensation to the Crow Tribe of Indians for certain ceded lands embraced within and otherwise required in connection with the Huntley reclamation project, Montana, and for other purposes (Rept. No. 2421).

By Mr. FULBRIGHT, from the Committee on Banking and Currency, without amendment:

S. 3784. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the birth of the late Justice Louis Dembitz Brandeis (Rept. No. 2422); and

H. J. Res. 569. Joint resolution to provide for a medal to be struck and presented to each surviving veteran of the War Between the States (Rept. No. 2423).

By Mr. McCLELLAN, from the Committee on Government Operations, without amendment:

H. R. 9578. A bill to provide for the conveyance of an interest of the United States in and to certain lands in Colorado (Rept. No. 2427);

H. R. 10075. A bill to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark. (Rept. No. 2425);

H. R. 10479. A bill to authorize the Administrator of General Services to convey certain land to the county of Galveston, Tex. (Rept. No. 2426).

By Mrs. SMITH of Maine, from the Committee on Government Operations, without amendment:

H. R. 11520. An act to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine (Rept. No. 2428).

PAYMENTS TO LOCAL GOVERNMENTS IN LIEU OF TAXES (S. REPT. NO. 2424)

Mr. HUMPHREY of Minnesota, from the Committee on Government Operations, reported an original bill (S. 4183) to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes, which was read twice by its title, and ordered to be placed on the Calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SCOTT (for himself and Mr. ERVIN):

S. 4176. A bill to provide for the conveyance of the Maritime Administration Reserve Shipyard at Wilmington, N. C., in exchange for certain lands to be conveyed by the North Carolina State Ports Authority to the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WATKINS:

S. 4177. A bill to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. WATKINS when he introduced the above bill, which appear under a separate heading.)

By Mr. MURRAY:

S. 4178. A bill to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, and fungicides upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources following spraying, and to provide basic data on the various chemical controls so that forests, croplands and marshes can be sprayed with minimum losses of fish and wildlife; to the Committee on Interstate and Foreign Commerce.

By Mr. MURRAY (for himself and Mr. MANSFIELD):

S. 4179. A bill to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to make grants to certain educational institutions for the construction of military and naval science buildings, and for other purposes; to the Committee on Armed Services.

By Mr. BARRETT (for himself and Mr. O'MAHONEY):

S. 4180. A bill for the relief of Chrisoula Antonios Chegaras; to the Committee on the Judiciary.

By Mr. O'MAHONEY (for himself, Mr. DANIEL, Mr. EASTLAND, Mr. WELKER, and Mr. BUTLER):

S. 4181. A bill to amend chapter 223 of title 18 of the United States Code to authorize the admission in evidence of telephonic interceptions by duly authorized law-enforcement officers engaged in the investigation of certain narcotic offenses; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 4182. A bill to require equal tax treatment for similarly situated taxpayers; to the Committee on Finance.

By Mr. HUMPHREY of Minnesota:

S. 4183. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; placed on the calendar.

(See reference to above bill when reported by Mr. HUMPHREY of Minnesota, from the

Committee on Government Operations, which appears under the heading "Reports of Committees.")

By Mr. MARTIN of Iowa:

S. J. Res. 189. Joint resolution to designate the fourth day of May as Teachers Day; to the Committee on the Judiciary.

IMPROVEMENT OF STANDARD OF LIVING OF AMERICAN INDIANS

Mr. MURRAY submitted the following concurrent resolution (S. Con. Res. 85), which was referred to the Committee on Interior and Insular Affairs:

Whereas it is the understanding of Congress that its responsibility in the American Indian problem cannot be fulfilled by the dispersal of Indian communities, but by the continuous development of their human and economic potential; and

Whereas it is recognized that Indian communities cannot be considered to have reached the American level of well-being until the principles of consent of the governed, self-determination, and local self-government are operative, nor until Indian opportunities in economy, education, and health are measurably equal to those of their fellow citizens; and

Whereas the American point 4 program, as it has been applied successfully in underdeveloped areas of the world, reveals tested techniques whereby American Indian communities may be so developed: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Bureau of Indian Affairs shall be, by definition, an agency to assist American Indian communities to reach the level of well-being enjoyed by other communities in the United States, and the governing program of the Bureau of Indian Affairs shall be an American Indian point 4 program.

It is declared to be the sense of Congress that this program shall be offered to the American Indian communities without exacting termination of Federal protection of Indian property or of any other Indian rights as its price; that Indian culture and identity shall not be restricted or destroyed; that technical guidance and financial assistance shall be made available; that the request for assistance shall come from the Indians themselves after each Indian group has studied itself in terms of its own needs; that an impartial effort shall be made to deal with the development of natural resources to maximum capacity, to develop the full capabilities of industrial and agricultural production, of improvements in housing, nutrition, clothing, sanitation, and health, and of the resettlement on their initiative of individuals and families in other areas; that technical assistance shall be given to long-term general, vocational, technical, and professional education to enable American Indians to share fully in our total American society and to contribute to it; and that older, revered values shall be respected and used as new forms of living are introduced.

It is further declared to be the sense of Congress that the Secretary of the Interior shall review all programs of the Bureau of Indian Affairs in order to develop its activities to further an American Indian point 4 program, and that he shall report to Congress at the earliest possible date his recommendations for such legislation as may be necessary to accomplish the purposes of this resolution.

Finally, it is declared to be the sense of Congress that Federal protection and services shall be ended for any tribe, band, or group only when such unit shall have adopted a plan for its organization and operation under State law, and such plan shall have been approved by the appropriate State and by the Secretary of the Interior prior to its submission to the Congress.

AMENDMENT OF PACKERS AND STOCKYARDS ACT OF 1921, AS AMENDED

Mr. WATKINS. Mr. President, I introduce, for appropriate reference, a bill designed to remove the special antitrust jurisdiction of the Secretary of Agriculture over packers contained in title II of the Packers and Stockyards Act and to restore general jurisdiction over packers to the Federal Trade Commission. The jurisdiction of the Secretary of Agriculture over stockyards activities in title III of the act and special jurisdiction over live poultry dealers and handlers in title V remain unimpaired.

Section 1 of the bill repeals title II of the Packers and Stockyards Act, the sections being 201–205.

Section 2 of the bill removes packers from the reporting requirements of section 401 and from the agency liability of section 403 of the Packers and Stockyards Act. This section was included after consulting the Department of Agriculture which suggested that if amendment is to be made all references to packers be stricken from the act. In effect, the act now becomes the Stockyards Act.

Section 3 would remove any latent ambiguity in section 5 (a) (6) of the Federal Trade Commission Act which presently excepts "persons, partnerships, or corporations subject to the Packers and Stockyards Act, 1921, except as provided in section 406 (b) of said act" from the jurisdiction of the Federal Trade Commission. The addition of the words "as amended" after "1921" will insure that no packer subsequently proceeded against by the Commission will be able to raise as a defense the former application of the Packers and Stockyards Act. It should be noted that although section 406 (b) of the act remains unchanged in terms, its scope is now limited by the repeal of title II. The section will continue to bar FTC jurisdiction over stockyards.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4177) to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes, introduced by Mr. WATKINS, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF FEDERAL DEPOSIT INSURANCE ACT, RELATING TO SAFEGUARDS AGAINST CERTAIN BANK MERGERS—AMENDMENTS

Mr. DOUGLAS submitted amendments, intended to be proposed by him to the bill (S. 3911) to amend the Federal Deposit Insurance Act to provide safeguards against mergers and consolidations of banks which might lessen competition unduly or tend unduly to create a monopoly in the field of banking; which were referred to the Committee on Banking and Currency, and ordered to be printed.

EXTENSION OF EMERGENCY SHIP REPAIR ACT OF 1954—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. BUTLER. Mr. President, I ask unanimous consent that the name of my good friend, the distinguished Senator from California [Mr. KUCHEL] be added as a cosponsor of Senate Joint Resolution 187, introduced by me on June 29, 1956, providing for the extension of the Emergency Ship Repair Act.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I am indebted to the distinguished Senator from Maryland for making the unanimous-consent request. The proposed emergency ship repair legislation is of particular interest to the State which I have the honor, in part, to represent.

I hope the joint resolution introduced originally by the Senator from Maryland may now receive a speedy hearing in committee. I am most hopeful that thereafter the Senate will promptly pass the joint resolution, and that it will be enacted into law.

OPPOSITION TO DISCRIMINATORY ACTION AGAINST CERTAIN CITIZENS—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. LEHMAN. Mr. President, I ask unanimous consent that the name of the Senator from Ohio [Mr. BENDER] be added as an additional cosponsor of the resolution (S. Res. 293) opposing discriminatory action against United States citizens because of religious faith or affiliation, which was submitted by me, for myself and other Senators, on June 27, 1956. This brings the total number of cosponsors of the resolution to 20.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. CLEMENTS. Mr. President, I move that the Senate proceed to the consideration of executive business, and take action on the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

IN THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the nominations in the Army be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Army will be considered en bloc; and, without objection, they are confirmed.

IN THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the nominations in the Navy be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy will be considered en bloc; and, without objection, they are confirmed.

NOMINATIONS PLACED ON THE VICE PRESIDENT'S DESK

The Chief Clerk proceeded to read sundry nominations in the Regular Army of the United States, which had been placed on the Vice President's desk without being printed on the Executive Calendar.

Mr. CLEMENTS. Mr. President, I also ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. CLEMENTS. Mr. President, I ask that the President be immediately notified of the nominations today confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. CLEMENTS. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

PRESIDENT EISENHOWER NEEDS REPUBLICAN COMMITTEE CHAIRMEN IN THE 85TH CONGRESS

Mr. SCHOEPPEL. Mr. President, on October 28, 1954, President Eisenhower said:

The Congress in Washington is made up of over half a thousand men and women—Republicans and Democrats. Under our system when there are more Republicans than Democrats, the Republicans run the Congress. When there are more Democrats, they run the Congress.

And the party that runs the Congress also runs the committees of the Congress. And it is mainly in these thirty-odd committees that the laws of our country are written.

Now, let's look a little deeper into this. When pressures of party loyalty and obligation influence legislative leaders and committee chairmen to oppose the Executive, there are many things they can do. * * *

Legislative leaders can stop essential bills in the legislative committees, in the Rules Committee, or kill them in the Senate or House of Representatives.

They can refuse to approve appointments to public offices.

They can put political amendments on good laws to force the President to veto the whole or to accept the amendment in order to get the good law.

For political reasons, they can bottle up program after program to keep the President from doing something. * * *

For the next 2 years the executive branch will be Republican. Confusion can be avoided and steady progress assured only by electing a Republican majority to the Congress.

I am not talking theory, I am talking hard facts. Here are just a few examples of what we could expect:

If the Democrats should take over the Congress, the committee which handles your tax laws would be in charge of a man who supported the administration on only 8 percent of the issues on which the leaders of the two parties disagreed.

In Senate and House committees which handle laws respecting all judicial matters and our courts, the chairmen would be men who supported the administration on only 5 percent of those same issues.

The Senate and House committees handling laws affecting American business would be headed up by men who supported the administration on only 4 percent of these same issues.

These are just examples. But they illustrate the innumerable obstacles to steady progress if your governmental team is made up of a Congress controlled by one party, the executive branch by another.

Mr. President, despite President Eisenhower's warning as to what would happen, there was too much complacency, and the Democrats were given the responsibility of organizing both Houses of Congress in the 1954 elections. As the present session draws to a close, we find that most of the President's program has been bottled up by the Democratic committee chairmen. More money has been spent on congressional investigations than in any previous Congress.

A comparison of the voting records of the Democratic committee chairmen with the ranking Republican members of the committee shows that Democrats gave President Eisenhower scant support on those issues where the party lines were drawn.

Raymond Moley, in a newspaper article which appeared in the Waterbury Republican on June 27, reviews the support given to Republican positions during the first session of the present Congress by those who will be the ranking members of both the House and Senate committees in the 85th Congress. The voting pattern described by President Eisenhower in October of 1954 has persisted during the 84th Congress with disastrous results. An inspection of Mr. Moley's column clearly shows why it is essential for the President to have Republican majorities in both Houses in the 85th Congress so that the Republican Members he lists will be the committee chairmen.

Unfortunately, many voters do not realize that they are not merely voting for a Congresman or Senator when they go to the polls, but for the organization of the Congress itself. I intend to bring this message before the American people during the next 4 months, so that there will never be a repetition of the 1954 election results. I am determined to do everything in my power to see to it that President Eisenhower will have the cooperation of a Republican Congress when he is reelected in November.

Mr. President, I ask unanimous consent that Mr. Moley's article may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONGRESSMEN VOTE WITH THEIR PARTY

(By Raymond Moley)

There are already appearing expressions of the opinion, presumably inspired by Democratic sources, that it will be just as helpful to President Eisenhower, if elected, to have a Democratic majority as a Republican majority in the 85th Congress. A study of the voting records of Members, together with a consideration of who will be chairmen of the committees in the 85th Congress completely disproves this contention.

Whatever wishful thinking there may be to the contrary, party government prevails in Congress. Democrats, with very, very few exceptions, are anxious to help their own party. On the other side, President Eisenhower is a Republican, and Republicans will for many reasons give him support.

In proving this point, let us first note the many changes among the ranking members of the committees that will be seen in 1957. Senator GEORGE and Representative RICHARDS, top Democrats in foreign relations and foreign affairs, respectively, are retiring. So are Representative DONDERO, ranking Republican on the Public Works Committee, and Representatives WOLCOTT and GAMBLE, top Republicans on Currency and Banking. Representative REED, ranking Republican on Judiciary, died recently. TOLLEFSON, ranking Republican on Merchant Marine and Fisheries, is leaving Congress to run for the Washington governorship. Representative VELDE, ranking Republican on the Un-American Affairs Committee, is retiring, and so is Representative HOPE, ranking Republican on Agriculture.

Taking these retirements into consideration, let us see how President Eisenhower might fare with either of the two prospective ranking members of the committees in the new Congress. Twenty-four issues in the 84th Congress on which the Democratic and Republican leadership were on opposite sides were used in compiling the following tabulation of Senate committees. Twenty-three issues were used in the House tabulation. The figure following each name is the number of times that the Member voted in support of Republican measures, which in practically all cases meant support of President Eisenhower.

SENATE

Agriculture: ELLENDER, Democrat, 9; AIKEN, Republican, 18.

Appropriations: HAYDEN, Democrat, 1; BRIDGES, Republican, 19.

Armed Services: RUSSELL, Democrat, 4; SALTONSTALL, Republican, 23.

Banking and Currency: FULBRIGHT, Democrat, 1; CAPEHART, Republican, 19.

District of Columbia: NEELY, Democrat, 2; BEALL, Republican, 19.

Finance: BYRD, Democrat, 15; MILLIKIN, Republican, 21.

Foreign Relations: GREEN, Democrat, 3; WILEY, Republican, 15.

Government Operations: MCCLELLAN, Democrat, 4; MCCARTHY, Republican, 15.

Interior and Insular Affairs: MURRAY, Democrat, 4; MALONE, Republican, 16.

Interstate and Foreign Commerce: MAGNUSON, Democrat, 2; BRICKER, Republican, 21.

Judiciary: EASTLAND, Democrat, 6; LANGER, Republican, 3.

Labor and Public Welfare: HILL, Democrat, 1; SMITH of New Jersey, Republican, 24.

Post Office and Civil Service: JOHNSTON of South Carolina, Democrat, 1; CARLSON, Republican, 22.

Public Works: CHAVEZ, Democrat, 2; MARTIN of Pennsylvania, Republican, 22.

Rules and Administration: HENNINGS, Democrat, 1; JENNER, Republican, 15.

HOUSE

Agriculture: COOLEY, Democrat, 4; ANDERSON, Republican, 17.

Appropriations: CANNON, Democrat, 1; TABER, Republican, 23.

Armed Services: VINSON, Democrat, 5; SHORT, Republican, 16.

Banking and Currency: SPENCE, Democrat, 1; TALLE, Republican, 17.

District of Columbia: MCMILLAN, Democrat, 8; SIMPSON of Illinois, Republican, 15.

Education and Labor: BARDEN, Democrat, 7; MCCONNELL, Republican, 20.

Foreign Affairs: GORDON, Democrat, 0; CHIPERFIELD, Republican, 16.

Government Operations: DAWSON of Illinois, Democrat, 1; HOFFMAN of Michigan, Republican, 22.

House Administration: BURLESON, Democrat, 7; LECOMPTE, Republican, 18.

Interior and Insular Affairs: ENGLE, Democrat, 3; MILLER of Nebraska, Republican, 20.

Interstate and Foreign Commerce: PRIEST, Democrat, 2; WOLVERTON, Republican, 13.

Judiciary: CELLER, Democrat, 0; KEATING, Republican, 18.

Merchant Marine and Fisheries: BONNER, Democrat, 9; ALLEN of California, Republican, 16.

Post Office and Civil Service: MURRAY of Tennessee, Democrat, 11; REES of Kansas, Republican, 21.

Public Works: BUCKLEY, Democrat, 0; MCGREGOR, Republican, 20.

Rules: SMITH of Virginia, Democrat, 13; ALLEN of Illinois, Republican, 23.

Un-American Activities: WALTER, Democrat, 3; KEARNEY, Republican, 14.

Veterans' Affairs: TEAGUE of Texas, Democrat, 5; ROGERS of Massachusetts, Republican, 9.

Ways and Means: COOPER, Democrat, 3; REED of New York, Republican, 14.

Party control of the committees is very important. Chairmen decide when hearings are held and select committee majority staffs. These staff members for the most part draft the reports and to a large degree select witnesses. In some deplorable cases they leak information to sympathetic newspapermen. The chairman also has great power with his party colleagues on the committees.

The record of the members shown above should indicate why a voter, if he prefers President Eisenhower, should also prefer candidates for Congress on the Republican side, and if he prefers the Democratic candidate for President he should support Democratic candidates for Congress.

CONTRIBUTIONS TO NATIONAL HELLS CANYON ASSOCIATION

Mr. GOLDWATER. Mr. President, yesterday I had printed in the body of the RECORD a clipping from the Idaho Daily Statesman reporting the fact that the United States court of appeals had turned down a request for an injunction to halt the construction now taking place in Hells Canyon, construction which is financed by private funds. The National Hells Canyon Association was one of the parties instrumental in applying for this injunction, and the junior Senator from Arizona feels that his colleagues might be rightly interested in the composition and sources of funds of this organization. I certainly do not dispute any group's right to organize either for or against any project suggested in America, the present one included, but I think that seeing both sides of the picture makes the entire argument a little more understandable.

I ask unanimous consent that there be printed in the RECORD at this point as a part of my remarks a compilation of contributions to the National Hells Canyon Association, from June 1953 through August 12, 1955.

There being no objection, the compilation was ordered to be printed in the RECORD, as follows:

Contributions to the National Hells Canyon Association from June 1953 through Aug. 12, 1955

Labor:	
Oregon State Federation of Labor	$3,747.50
Washington State Federation of Labor	2,400.00
Idaho State Federation of Labor	700.00
Oregon State CIO	1,000.00
Brotherhood of Railway Carmen	115.00
UAW–CIO	4,000.00
Washington State CIO	25.00
Mine, Mill & Smelter Workers	200.00
Montana State Federation of Labor	500.00
International Association Bridge, Structural & Ornamental Iron Workers	2,000.00
CIO	5,000.00
International Brotherhood of Boilermakers	1,500.00
International Brotherhood Pulp, Sulphite & Paper Mill Workers	1,800.00
International Association of Machinists	4,500.00
Sheet Metal Workers International Association	250.00
International Union of Operating Engineers	5,000.00
The Order of Railroad Telegraphers	500.00
International Brotherhood of Paper Makers	950.00
Lodge No. 1374, I. A. of M.	400.00
United Packinghouse Workers of America, CIO	100.00
Brotherhood of Railway & Steamship Clerks	500.00
Wood, Wire & Metal Lathers International Union	100.00
International Ladies' Garment Workers' Union	2,000.00
Amalgamated Clothing Workers	700.00
United Steelworkers	2,500.00
International Hod Carriers & Common Laborers	1,000.00
Rocky Mountain District Council of Carpenters	220.00
United Association of Plumbers	500.00
Operative Plasterers' & Cement Masons' International Association	250.00
United Brotherhood of Carpenters	3,500.00
Brotherhood of Painters	500.00
Hoisting & Portable Engineers, Local 701	500.00
Western Conference of Operating Engineers	1,000.00
United Steelworkers of America, CIO	4,000.00
American Federation of Labor	1,000.00
CIO Councils	385.00
Central Labor Council	807.00
Other local unions	5,403.80
Total	57,053.30
Farm:	
Oregon State Grange	2,000.00
Oregon Farmers Union	989.44
Washington State Grange	2,000.00
Missouri Farmers Association	1,000.00
National Farmers Union	1,000.00
Farmers Union Central Exchange	2,000.00

Contributions to the National Hells Canyon Association from June 1953 through Aug. 12, 1955—Continued

Farm—Continued	
Pacific Supply Cooperative	$600.00
Consumers Cooperative Association	450.00
Midland Cooperatives	200.00
Pierce County Farmers Educational and Cooperative Union	15.00
Gervais Farmers' Union	30.00
Farmers Union 429	15.00
Farmers Educational and Cooperative Union (Wisconsin)	25.00
Gooding Farmers Union	15.00
Farmers' Union Local 425	20.00
California Farm Research	20.00
Farm Research (New York)	5.00
Pierce County Farmers Union	25.00
Subordinate granges	3,564.58
Total	13,999.02
Public power:	
Northwest Public Power Association	2,000.00
Montana REA	200.00
Southwest Washington PUD Commissioners Association	1,030.00
Eastern Washington PUD Commissioners Association	500.00
Idaho REA	500.00
Wasco Electric Cooperative	425.00
NRECA	2,000.00
Oregon REA	2,000.00
Tennessee Valley Public Power Association	1,000.00
Water and Power Users of Santa Clara County	27.00
APPA	1,750.00
Washington REA	200.00
Cooperative League of the United States	25.00
Individual REA's	19,268.70
Total	30,925.70
Other:	
Green, Richardson & Green	350.00
Idaho, Oregon, Washington Hells Canyon Association	2,323.12
Baker County Commercial Club	200.00
Lebanon Hells Canyon Association	50.00
Wallowa County Hells Canyon Association	100.00
Council Hells Canyon Association	53.75
Benton County Hells Canyon Association	15.00
Wasco County Hells Canyon Association	200.00
Walla Walla Public Power Group	27.00
Multnomah County Hells Canyon Association	673.50
Thurston County Demo Club	24.00
Snohomish County Democratic Women	20.00
Jane Jefferson Democratic Women's Club of Washington County	10.00
Myrtle Leaf Club	125.00
Washington County Hells Canyon Association	311.00
Total	4,482.37
Individuals	3,784.68
Folders	745.64
Decals	205.00
Total, all contributions to date	111,195.71

Contributions to the National Hells Canyon Association from June 1953 through Aug. 12, 1955—Continued

Contributions	$111,195.71
Expenditures	110,885.09
Bank balance	310.62
Owing Hilmer & Cooper	2,500.00
Budget for appeal	60,000.00
Total	62,500.00
Firm pledges to date	12,350.00
To be raised	50,150.00

THE INTERPARLIAMENTARY UNION

Mr. ROBERTSON. Mr. President, the United States members of the Interparliamentary Union who attended the Conference last August in Helsinki, Finland, have just received printed copies of the proceedings of that Conference. They fill a volume of 1,173 pages, but that includes a report published in both French and English.

The central theme of the Helsinki Conference was "The Conditions of a True Peaceful Coexistence Between the Nations." That discussion was broken down on successive days under the following subtitles:

(a) The Juridical and Moral Principles of Coexistence.

(b) International Security and Disarmament in the Light of Present Day Circumstances.

(c) The Development of International Exchanges in the Economic Field.

(d) Cultural Exchanges and the Free Movement of Persons as Means for Fostering International Rapprochement and Understanding.

I elected to speak on the subject of international exchanges in the economic field, and to that end prepared, before I left Washington a rather lengthy statement indicating our position on the subject of freer international trade, the operations of the World Bank and International Monetary Fund, our Export-Import Bank, and so forth, but when I was reached on the program, the delegates were too tired to listen to any one read a long prepared manuscript. So I discarded my prepared statement and summarized extemporaneously the points I desired to emphasize.

Mr. President, I ask unanimous consent that the remarks I made on that occasion, which were recorded by the official reporter, and which appear beginning on page 949 of the printed copies of the proceedings of the Conference, be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Mr. Chairman, members of the conference, may I first take advantage of this opportunity publicly to express to our Finnish hosts our deep appreciation of the gracious hospitality which they have extended to us. The incomparable manner in which the people of Finland became the architects of their own destiny is a rainbow of hope in a troubled world. Their love of personal freedom, their firm allegiance to fundamental principles, their honesty, courage, and personal achievement set an example which all nations of the world may well emulate.

I selected for discussion today the economic portion of our agenda because I had served first for 10 years on the Ways and Means Committee of the United States House of Representatives, which handles taxes, tariffs, and trade agreements, and then for 8 years on the Banking and Currency Committee of the Senate, which handles all legislation dealing with our national banking system, and on the Appropriations Committee handling appropriations for our domestic expenditures, foreign aid, and contributions to the International Bank and International Monetary Fund, and all those phases of international cooperation. I did not realize, however, that my time to speak would come after this conference had been flooded with about 1 week's oratory on subjects more interesting than finances, superimposed on delightful entertainment, and so I have had my speech mimeographed and copies placed at your disposal, and in the event any of you are sufficiently interested in my thoughts on international exchanges you can take them home with you and some day perhaps read them.

I wish, therefore, merely to summarize what I have written out in a more formal way and also to comment very briefly on the six items that the committee has reported to us. The chairman of the committee said this morning that he did not claim the language used was perfect, and he said that he would not object to comments. I hope he will construe my comments as being a friendly analysis rather than a hostile criticism of the program proposed.

The first point says that we are to be opposed to unjustified economic restriction between countries. Of course, we are opposed to unjustified restrictions, but I pose two questions: (1) What is unjustified? (2) Who will sit in judgment? I have never known any country to impose a tariff, a quota, or a currency restriction on the trade of another country—or all three perhaps—that did not justify or attempt to justify the restriction that was imposed. I throw the suggestion out that if we vote in opposition to unjustified economic restrictions we shall not have made much progress in defining just where we stand.

The second point is that we favor more trade agreements. What kind of trade agreements do we favor? If we favor more bilateral trade agreements, then we favor more restrictions on trade. If we favor multilateral trade agreements, we can gradually expand the world's trade. So I say the second point needs a little amplification.

Point 3 is that we favor trade fairs. That is fair enough. They give one nation a chance to show other nations what it produces. It would be very fine for the United States, regarding the manufacture of farming equipment, to send to an international fair examples of its tractors, multiple ploughs, combines, and all the other modern equipment we have to improve the production of our farmers. But how is the man in another country, who is still cutting his wheat with the old sickle, going to find out how he can buy our combines and modern farming equipment?

Then our good friends from France offer an amendment to that. That amendment says in effect that if a nation conducts a very liberal program of total reform—for instance, goes on to a 30-hour week and has high wages and does not turn out as many goods per unit as another competing nation—there must be some way to equalize that disadvantage. I feel that is an effort to oppose the law of life. The man who works more and sweats more is entitled to eat more bread, and he is not under a moral obligation to share that bread with the fellow who wants to sit in the shade and take it easy.

We have that situation well illustrated by the conditions of coal miners in the United States and those in Great Britain. We pay our coal miners per day 3 times as much as the British miners receive, but they produce 5 times as much coal, and they do it for 2 reasons: One, we have large seams of coal, 12 feet, as against thin seams in Great Britain, often down to 12 inches, and secondly we have mechanized our mines at a cost of $5,000 per worker in each mine and the British have not yet been able fully to mechanize their mines. I would say, with all due deference to our French friends, that the business of equalizing is a little utopian, a little unpractical, and I do not think that it should be adopted.

Point 4 refers to adverse monetary balances. That is not a cause, it is just an effect. If you run out of dollars it is because you are buying more from the United States than you are selling to her. The answer to that is to free the economy of the world so that you can either sell more of your goods to the United States or else sell more of your goods to some other country which in turn can sell to the United States. It can be 2- or 3- or 4-way trade.

Point 5 refers to arbitration machinery. There is no objection to that. You cannot have trade disputes until you have some trade, so that is not really fundamental.

Point 6 deals with the exchange of technical experience. It should be assumed that that would go first to underdeveloped countries. I have no objection to the amendment but that ought to be assumed.

The United States has done what it can to break down barriers to trade. We subscribed to the International Bank and to the International Monetary Fund more than any other nation in the world without the hope of borrowing a nickel from either one. We went into the Marshall plan and other schemes, and since the end of the Second World War we have lent and given away over $50 billion. We have continued for another 3 years our reciprocal trade agreements program. Any trade concession we give to one nation goes to all nations on that particular item. We have endorsed membership of the International Finance Corporation to stimulate the investment of private funds abroad.

You talk about peaceful coexistence. What is coexistence? You live together. What is peaceful? You live together without conflict. There are shooting conflicts racial conflicts, and religious conflicts, but trade conflicts have caused as many wars as any other type. All the nations of the world should realize that if we are really wanting to lay the foundations of peace—and please do not call it a lasting peace because there is no such thing—you have to live it from day to day and month to month and year to year. One of the things that will help them to live together is the breaking down of tariffs, quotas, lack of convertibility of currency. Let nations which excel in the production of certain goods ship those goods to other nations which will sell them something else.

Mr. ROBERTSON. Mr. President, delegates from communistic countries see the propaganda value of getting control of an organization like the Interparliamentary Union and using it for the adoption and promulgation of resolutions in support of communistic ideologies. That is the reason the delegates from the Soviet Union, from their satellites and from certain so-called neutrals who consistently voted with them, made a determined effort at Helsinki to have Red China admitted, renewed that effort last April at Dubrovnik, and, having been defeated in both of those efforts, promised to renew it again next November at Bangkok. But we and others of the free world object to the admission of Red China to one of the oldest peace organizations in the world, which

by its charter is supposed to be dedicated to the promotion of democratic principles, because Red China is an unrepented aggressor; and while there can be no question about the Red leaders being firmly in the saddle, they have, not by democratic principles, but by bloody purges and threats of further reprisals, crushed the will of the rank and file of the Chinese people to resist. Under such circumstances, the admission of Red China to the Interparliamentary Union would make a farce of the principles for which that organization is supposed to stand.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). If there is no further business to be transacted in the morning hour, morning business is closed.

REORGANIZATION PLAN NO. 2

Mr. CLEMENTS. Mr. President, because of action taken by the House of Representatives on a companion measure to Calendar No. 2411, Senate Resolution 291, which rejected Reorganization Plan No. 2, I ask unanimous consent that Calendar No. 2411, Senate Resolution 291, opposing Reorganization Plan No. 2 of 1956, be indefinitely postponed.

The PRESIDING OFFICER. The resolution will be stated by title, for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 291) opposing Reorganization Plan No. 2 of 1956.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Kentucky? The Chair hears none and it is so ordered.

TERMINATION OF INDIAN CLAIMS COMMISSION

Mr. CLEMENTS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLEMENTS. Do I understand correctly that the unfinished business is Calendar No. 1748, House bill 5566?

The PRESIDING OFFICER. House bill 5566 is the unfinished business. It is the understanding of the Chair that the unfinished business will not automatically be laid before the Senate until 2 o'clock. It can, however, in the meantime, be brought up by motion.

Mr. CLEMENTS. Mr. President, I move that the Senate resume the consideration of Calendar No. 1748, House bill 5566.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kentucky.

The motion was agreed to; and the Senate resumed the consideration of the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment.

EFFECT OF ACTS OF CONGRESS ON STATE LAWS

Mr. STENNIS. Mr. President, I wish to commend the Senate Committee on the Judiciary for reporting favorably Senate bill 3143. I am pleased to be one of its sponsors, and hope it will receive early and favorable consideration by the Senate. Later in these remarks I shall read the bill in full.

Implicit in our form of government is the State-Federal Union. This was uppermost in the minds of the great patriots who hammered out our Constitution word by word, and clause by clause. This document named the limited powers delegated to the Federal Government and spelled out the distribution of those powers. It created a nation, which, within the relatively small period of recorded history of 165 years, has come to occupy an unparalleled position in peaceful world leadership. In the architecture of the structure of this monument to democracy, the coequal partnership of States and the Federal Government is the cornerstone.

If this cornerstone is to be changed, it must be accomplished by the methods established by the Constitution, the Constitutional Convention, or by the people, after action through their duly elected representatives and Senators in Congress. It should never be accomplished by usurpation of the policymaking function of Congress by the Supreme Court.

Congress is the basic and fundamental policymaking branch of our Government. The duty to enact and change the law under the Constitution and to define its limits is vested here.

Recently the Supreme Court has extended the majesty of the Federal Government into the most intimate and local tax-supported institutions, such as the public schools. It has struck down State subversive laws. It has narrowly limited the State in the proper exercise of its police power. I do not believe that any intellectually honest citizen in America today can fail to be alarmed at the pervasion of Federal power into every local community activity.

This bill, S. 3143, strikes right at the heart of the problem. The bill provides:

> That no act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates, to the exclusion of any State laws on the same subject matter, unless such act contains an express provision to that effect. No act of Congress shall be construed as invalidating a provision of State law which would be valid in the absence of such act unless there is a direct and positive conflict between an express provision of such act and such provision of the State law so that the two cannot be reconciled or consistently stand together.

It represents a direct way in which the States can effectively wage a counterattack in this war which has been brought to them by a relentless Federal judiciary. Innumerable State laws have been struck down since the turn of the century; and more of these valid exercises of the State policy and regulatory power will be struck down unless and until some effective check is imposed and enforced by Congress.

The concept embraced in this measure is not a legislative innovation. It is the legislative reassurance to inferior courts that it is the national policy that the fundamental doctrine laid down by the Supreme Court of the United States itself should prevail in construing State and Federal laws. The actual key language is taken from a decision of this Court which I now quote:

> It should never be held that Congress intends to supersede or by its legislation suspend the exercise of the police powers of the States, even when it may do so, unless its purpose to effect that result is clearly manifested. This court has said—and the principle has been often reaffirmed—that in the application of this principle of supremacy of an act of Congress in a case where the State law is but the exercises of a reserved power, the repugnance or conflict should be direct and positive so that the two acts could not be reconciled or consistently stand together.

Mr. President, that quotation is taken from *Reid* v. *Colorado* (187 U. S. 137, 148).

Mr. President, the language of that quotation is almost identical—and in part is identical—with the language of this proposed short statutory enactment, and which merely reaffirms and puts into legislative law the very rule and concept the Supreme Court itself announced in plain language years ago.

There is nothing more fundamental in the field of constitutional law, or more familiar to the experienced judges of this country, than the doctrine expressed by the language of this bill—the opposition of certain special-interest groups notwithstanding. Theirs is a vested interest in confusing this issue. This doctrine in American jurisprudence goes back to John Marshall, when he upheld a State criminal statute, saying:

> To interfere with the penal laws of a State, where they have not leveled against the legitimate powers of the Union, but have for their sole object the internal government of the country, is a very serious measure, which Congress cannot be supposed to adopt lightly or inconsiderately.

That quotation is from the famous case of *Cohens* v. *Virginia* (6 Wheat. 264, 443).

Everyone who has taken the trouble to inform himself on the subject, knows that the judicial doctrine of "preemption of the field" of law has a rightful and proper place in American law. Certain powers are delegated to the Federal Government. Within the proper framework of these powers, the interest of national uniformity must prevail over local and State laws—which would otherwise be valid. No breach of faith is involved in the exercise of the delegated powers of the Federal Government by Congress. It is when the Court, by distortion of this sound judicial principle, begins to invade the rights and powers reserved to the States under the ninth and tenth amendments, that the exercise of judicial discretion becomes a menace to our way of life.

This bill merely states a rule that gives specific legislative approval to a judicial rule promulgated by the judicial great, and followed by the true judges in the best American constitutional tradition. This rule has never been overruled by the Court itself, although it has been disdainfully ignored when the Court, in order to reach a predetermined goal, has decided that State law is unduly interfering with an extension of Federal power. It has always been our law; Congress is only giving

encouragement to the distinguished jurists who recognize the problem when it is presented to them, and is reminding those on the Federal bench who would rewrite our Constitution that Congress is still the law-making branch of Government.

In connection with a congressional act reaffirming this venerable doctrine—which originated in the courts themselves—there is no real problem of application or any new concept, as is claimed by some opponents of this bill, who have a vested interest in the further centralization of power in the Federal Government at the expense of the States.

Speaking as one who formerly carried judicial powers and responsibilities, I think that this bill, when enacted into law, will provide a useful and valuable guide to the trial judges in the State and Federal courts in every State in the Union who have to meet the issues squarely as they arise in the heat of trial. I think such an expression of legislative intent would be welcomed most by the men on whom the initial responsibility falls. It should be welcomed by all courts and all members of all courts.

The issue has been raised by the consideration of this bill—by its introduction, by its approval by the Senate Committee on the Judiciary, and by being placed on the Senate calendar. To fail to pass it would be to encourage further encroachments on the powers of the States, as well as to approve former steps in that direction. Congress cannot fail to meet this issue and supply this compelling need for legislation. I therefore urge my colleagues to study this bill, and I express the fervent hope that the measure will be enacted into law at this session. To fail is to invite serious consequences over future years.

Mr. LANGER. Mr. President, will the the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield to the Senator from North Dakota.

Mr. LANGER. I am happy to say to the distinguished Senator from Mississippi that the action of the Judiciary Committee was unanimous. The committee felt that the time had come when a law of this kind should be enacted.

I may say that in a case arising in my own State of North Dakota a few years ago, the Supreme Court—with Pierce Butler writing the opinion—entirely ignored the equalization board of North Dakota, in dealing with the assessment of railroad property, and arbitrarily cut off millions of dollars of tax income. That was done by an opinion which the Supreme Court rendered, entirely usurping the rights of the North Dakota State Equalization Board, which had considered and dealt with that matter.

So I am delighted at the strong speech the distinguished Senator from Mississippi has made, and I congratulate him on it.

Mr. STENNIS. I thank the Senator from North Dakota for his statement, and also for his efforts in the committee in getting the committee to report the bill favorably.

I know, too, that the Senator from North Dakota is a former Governor of his State, one of the sovereign States of the Union, and that one who has carried those responsibilities has had brought home to him clearly and forcibly, in connection with State government, how far this trend is going and how much it can mean.

Let me add my word to his and to those of others: I feel certain that unless this trend is stopped, it will mean the virtual complete emasculation of our State governments and their powers under the Constitution, most of which are reserved powers. This is not a fancied problem, but it is a serious one which only the Congress can correct; and I think we are already burning daylight, since in years gone by we have failed to take corrective action.

I certainly hope and pray that we shall not continue to let the bill lie on the calendar, but that we shall pass it forthwith, by a resounding vote, and that during this session it will become law.

Mr. GOLDWATER. Mr. President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I am glad to yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, I merely wish to join my colleague, the Senator from North Dakota [Mr. LANGER], in commenting on the speech the distinguished Senator from Mississippi [Mr. STENNIS] has just made.

As one who, in part, represents the youngest State in the Union, I have been concerned for a long time about the trend of the decisions of the Supreme Court. I feel certain that the cornerstone of our Constitution is the 10th amendment, which precisely prescribes the relationship of the Federal Government to the State governments.

Representing, in part, my State, I wish to thank the Senator from Mississippi for his excellent statement on the subject, and to join him and other Senators in the hope that the bill to which he refers will receive early action on the floor of the Senate.

Mr. STENNIS. I thank the Senator for his very fine words. I know of his consistent, sincere interest in this subject matter, and his fine work in this field.

Let me mention in passing that it is no small thing for the Governors of the 48 States, in solemn assembly, to adopt a resolution. They are men of responsibility, men of diverse political beliefs, representing every area of the country. It is significant that they feel so strongly on the subject that they feel compelled to make an expression on this very subject matter. The expression was unanimous. They were crying out, "Save us! save our States! Save us from an interpretation of the Constitution which whittles away our reserved powers!"

If the Congress does not enact such a law as this, the States must make some effort to have an enumeration of their reserved powers. Such enumeration could not be any plainer, but perhaps it could be more specific than that which is written into the Constitution now.

Mr. MARTIN of Pennsylvania. Mr. President, I should like to make a brief comment relative to the statement of the distinguished Senator from Mississippi.

The subject which he discussed, as it relates to the Federal Government and the States, is to my mind one of the most important issues confronting the country. At one time the statement was made that the power to tax is the power to destroy. The Federal Government is now entering almost every field of taxation. This is being done in many cases to the detriment of the States and the other subdivisions of government. If it continues, there will not be sufficient funds available to the States and local subdivisions of government to enable them to carry on their necessary police work, to provide for education and their schools, and to safeguard the public health.

I feel that the questions discussed by the distinguished Senator from Mississippi should have the most careful consideration of Congress at all times. Senators are familiar with the provision in the Constitution to the effect that powers not granted to the Federal Government are reserved to the States, or to the people. The nearer we can get government back to the people, the better government we shall have, because the greatest supervision of government in the United States is that which is imposed by the people themselves.

I commend the distinguished Senator from Mississippi for his statement today.

TERMINATION OF INDIAN CLAIMS COMMISSION

The Senate resumed the consideration of the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, and for other purposes.

Mr. CLEMENTS. Mr. President, I note the presence in the Chamber of the distinguished Senator from Wyoming [Mr. O'MAHONEY] and the Senator from Utah [Mr. WATKINS], who are very much interested in the proposed legislation which is now before the Senate. I ask the Senator from Wyoming if he is prepared to proceed with the discussion of the bill.

Mr. O'MAHONEY. Mr. President, several years ago, in 1946, Congress created the Indian Claims Commission, with the hope that a deadline could be established by law before which claims filed by Indians for reimbursement for alleged losses brought about by action of the United States could be settled.

Almost since the beginning of Congress Indian claims have been filed with it. It was necessary for committees of Congress to consider these claims and then pass laws to allow the Indians to file their claims with the Court of Claims, because without such authority, of course, the Indian tribes were not authorized to sue the United States. As a result a great burden has been imposed on the Congress.

One of the sad things about the relationship between the Government of the United States and the Indians is that in all the years which have passed these claims have not been settled. Of course, the Indians have progressed very greatly. They have been very fortunate in some instances in the development of natural resources upon the reservations which were given to them. At the same time, however, they have until very recent

years been subject to action by the Government of the United States which was inimical to their basic property rights and to them as a people as well.

The Senator from North Dakota [Mr. LANGER] is closely listening to the discussion. He will recollect, I am sure, the time when the Corps of Army Engineers was authorized by Congress to build the Garrison Dam on the Missouri River. In order to build this reservoir, it became necessary for the Government to take a portion of the reservation upon which the Fort Berthold Indians were residing. It took a great deal of effort in the Committee on Appropriations and on the floor of the Senate to obtain an understanding by which justice was done to those Indian tribes.

Mr. President, it is so easy to forget the responsibilities which the Government owes to the Indians. The conception of the pending Indian claims bill was that a period of 5 years should be established within which claims could be filed, and an additional period of 5⅔ years for the Claims Commission to hear the claims and pass upon them. It turned out that it was altogether impossible for the Claims Commission to discharge its duties within the time allowed in the act. The deadline for filing claims has passed. That period was terminated in August 1951.

In the meantime, the Indian tribes have filed 852 claims, and the Commission has already disposed of 102 of those claims. It is necessary in the hearing of the claims that the rights and interests of the United States be defended by the Department of Justice. In connection with all those claims, the attorneys of the Department of Justice have appeared before the Claims Commission and have argued the various cases on behalf of the United States.

Unfortunately, Congress has been rather lax in providing sufficient funds to enable the Department of Justice to maintain a staff sufficiently large to dispose of the claims more quickly than they have been disposed of. The committee this year has sought to remove that difficulty, and has recommended appropriations, which have been made, adding $300,000, as I recall, to the funds of the Department of Justice, earmarked for the purpose of handling the Indian claims.

The pending bill, which was reported unanimously by the committee, extends the period by 5 years during which the Commission may dispose of approximately 750 claims which are still pending.

In order that the RECORD may show what progress has been made with respect to some of these claims, I desire to read a letter into the RECORD. I requested the letter from one of the Commissioners of the Claims Commission, Mr. Louis J. O'Marr, Associate Commissioner. The letter was written in response to my request. The letter is dated April 17, and is addressed to me as chairman of the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs. It reads, in part, as follows:

DEAR SENATOR O'MAHONEY: In compliance with your request of last week I have prepared and attached hereto a list of all claims which have reached the stage of determining the Government's liability based upon claims growing out of, or arising out of "original Indian title."

Let me digress for a moment to say that the Department of Justice at one time was fearful that under the original Indian title excessive awards might be made to the Indians. The subcommittee went into the matter at great length, and became satisfied that that would not be the case.

I now proceed with the reading of the letter:

As you will see by the list, we have determined 10 claims to date, which involves in the aggregate 100,116,582 acres. Some of these claims we have denied in toto, as shown in the list—others we have made a partial allowance for which the Government's liability has been determined for a total of 16,515,445 acres.

Thus it appears that of claims aggregating considerably more than 100 million acres, there were allowed only 16,515,445 acres.

I resume the reading of the letter:

Concerning the acreage shown in the list, I must state it is based upon the best information available at this time. I think it is fairly accurate because, as to part of the claims at least, the Department of Justice has had the Bureau of Land Management estimate the acreage. I might add that the reason for the estimates of acreage is that in determining liability we merely describe the boundaries of the area for which liability has been established, and it is not until it is necessary to determine value that the exact acreage is computed.

As to the lands contained in the attached list for which we have denied liability, the areas involved are in most cases defined by a treaty, so that the acreage can be computed from such boundaries. The Bureau of Land Management has been able to make computations of that sort without much difficulty where the boundaries are clearly defined.

Perhaps I should explain that in these cases the Commission first determines whether the Government is liable for all or any part of the lands claimed, and it is only when such determination has been made in favor of the Indians that we take the second step which is to determine the value of the land acquired by the Government, and the acreage thereof. Of course, where we decide that the Government is not liable for any part of the land claimed, we dismiss the case.

If I understand your request correctly, you are at this time concerned only with the acreage claimed by the Indians and the disposition of the same by the Commission, and that is the information set forth in the attached list. Should you require any further information about these "original Indian title" cases, I shall be glad to furnish it.

Mr. President, I ask unanimous consent that Mr. O'Marr's letter, with the attached list, may be printed in full in the RECORD at this point in my remarks.

There being no objection, the letter and list were ordered to be printed in the RECORD, as follows:

APRIL 17, 1956.

Hon. JOSEPH C. O'MAHONEY,
Chairman, Senate Subcommittee on Indian Affairs, United States Senate, Washington, D. C.

DEAR SENATOR O'MAHONEY: In compliance with your request of last week I have prepared and attached hereto a list of all claims which have reached the stage of determining the Government's liability based upon claims growing out of, or arising out of original Indian title.

As you will see by the list, we have determined 10 claims to date, which involves in the aggregate 100,116,582 acres. Some of these claims we have denied in toto, as shown in the list—others we have made a partial allowance for which the Government's liability has been determined for a total of 16,515,445 acres.

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If I understand your request correctly, you are at this time concerned only with the acreage claimed by the Indians and the disposition of the same by the Commission, and that is the information set forth in the attached list. Should you require any further information about these original Indian title cases, I shall be glad to furnish it.

Yours very truly,

LOUIS J. O'MARR,
Associate Commissioner.

List of cases in which the Indian Claims Commission has passed upon the Government's liability on claims based upon or arising out of "original Indian title," showing as of Apr. 16, 1956, the disposition of each and the acreage involved

Doc. 14, *Quapaw Tribe* v. *United States:*	
Acreage claimed	43,520,888
Claim denied by Commission on Mar. 15, 1951. Affirmed by Court of Claims Apr. 4, 1954 (128 C. Cls. 45).	
Doc. 33–34–45, *Kaw Tribe* v. *United States:*	
Acreage claimed	18,314,240
Claim denied by Commission on Sept. 26, 1950.	
Doc. 11, *Otoe and Missouria Tribe* v. *United States:*	
First claim:	
Acreage claimed (Iowa)	2,322,285
Claim denied by Commission on Mar. 31, 1953 (rehearing pending).	
2d and 3d claims:	
Acreage claimed	792,000
Acreage claimed (net)	1,087,892
Total	1,879,892
Compensation for this area awarded Mar. 31, 1953, and affirmed by Court of Claims May 3, 1955 (131 C. Cls. 593).	

List of cases in which the Indian Claims Commission has passed upon the Government's liability on claims based upon or arising out of "original Indian title," showing as of Apr. 16, 1956, the disposition of each and the acreage involved—Continued

Doc. 226, *Caddo Tribe* v. *United States:*	
Acreage claimed	926,768
Claim for part of acreage allowed by Commission on Nov. 23, 1953 (estimated)	632,000
Doc. 240, *Tillamook Tribe* v. *United States:*	
Acreage claimed (estimated)	960,000
Claim for part of acreage allowed by Commission on June 10, 1955 (estimated)	288,000
Doc. 181, *Colville Indians* v. *United States:*	
Acreage claimed	3,500,000
Claim for part of acreage allowed by Commission, Feb. 29, 1956 (estimated)	1,400,000
Doc. 46, *Nooksack Tribe* v. *United States:*	
Acreage claimed	609,000
Claim for part of acreage allowed by Commission on May 9, 1955	100,000
Doc. 21, *Creek Nation* v. *United States:*	
Acreage claimed	25,936,901
Claim for part of acreage allowed by Commission on Dec. 29, 1955	8,986,653
Doc. 81, *Coeur d'Alene Tribe* v. *United States:*	
Acreage allowed	3,502,500
Claim for part of acreage allowed by Commission on Aug. 26, 1955	3,138,900
Doc. 98, *Muckleshoot Tribe* v. *United States:*	
Acreage claimed	524,000
Claim for part of acreage allowed by Commission on May 14, 1953	100,000

SUMMARY

Acreage of claims denied:	
Doc. 14, Quapaw, in toto	43,520,888
Doc. 33–34–35, Kaw, in toto	18,314,240
Doc. 11, Ote and Missouria, in toto	2,322,285
Doc. 46, Nooksack	609,000
Doc. 21, Creek Nation	25,936,901
Doc. 81, Coeur d'Alene	3,502,500
Doc. 226, Caddo	926,768
Doc. 240, Tillamook	960,000
Doc. 181, Colville Indians	3,500,000
Doc. 98, Muckleshoot	524,000
Total of acreage denied	100,116,582
Acreage of claims allowed:	
Doc. 11, Otoe one Missouria (not part of acreage denied above)	1,879,892
Doc. 226, Caddo	632,000
Doc. 240, Tillamook	288,000
Doc. 181, Colville Indians	1,400,000
Doc. 46, Nooksack	90,000
Doc. 21, Creek Nation	8,986,653
Doc. 81, Coeur d'Alene	3,138,900
Doc. 98, Muckleshoot	100,000
Total of acreage allowed	16,515,445

Mr. O'MAHONEY. Mr. President, there has been considerable misunderstanding with reference to the bill, not only with respect to the acreage involved under claims of original Indian title, a question which I have already discussed, but also in terms of the value. The Indian Claims Commission determines value solely as of the time of the alleged taking, not the value of the land as of the present time. The reparations which are made to the Indians in cases which are found to have a valid basis are computed solely upon the value of the lands taken at the time they were originally taken.

In order that we may dispose of these claims and get this matter behind us, it is important that the bill should pass. It has already passed the House, and is now before the Senate. A bill of this kind was prevented from passage in the last session by a parliamentary misunderstanding. But it is of importance to the Indians themselves, to the people of the United States, and to the Government that this question of Indian rights and Indian claims be finally determined.

I hope, Mr. President, that the bill may be unanimously passed.

Mr. WATKINS. Mr. President, H. R. 5566 in effect extends the life of the Indian Claims Commission until April 10, 1962, or to such earlier time as the Commission shall have made its final report to Congress on all claims filed with it within the statutory period designated in the original act of August 13, 1946.

When the bill was before the Indian Subcommittee of the Senate, a question was raised with respect to the scope and nature of the jurisdiction of the Commission.

The specific problem was: Did the act creating the Commission give the Commission jurisdiction of claims based on "original or Indian title"?

The Justice Department had taken the position, as the hearings before the Commission advanced, that Indian title cases were not within the purview of the act. The views of the Department were very ably presented by Mr. Perry Morton, Assistant Attorney General, at informal hearings held by the subcommittee.

Contrary views were also ably presented by representatives of the Indian Bureau and attorneys for the Indian tribes representing Indian claims before the Commission.

In connection with this matter I was advised by the minority leader of the Senate, Mr. KNOWLAND, and representatives of the Interior and Justice Departments that they would be guided largely by my recommendations as ranking minority member of the subcommittee, with respect to whether an amendment to the bill, making it clear that claims based on "original or Indian title" were not within the jurisdiction of the Commission, would be presented to the Senate.

With this responsibility in mind, I have spent many hours and days in studying the legislative history of the Claims Commission Act, the decisions of the Commission, the Court of Claims decisions reviewing Indian Commission decisions, and also the Supreme Court decisions relevant to the matter. In addition I have had the opportunity of studying the transcript of the informal hearings held by the subcommittee and various statements and memos submitted by the various lawyers who appeared before the subcommittee.

As a result of this rather lengthy and somewhat laborious study, I have reached the conclusion that the Congress in enacting the Indian Claims Commission Act intended that the Commission should have jurisdiction to hear and determine the claims of Indian tribes to the extent that the Commission hearings would result in a final determination of the vexed question of Indian claims which had been before the Congress in numerous special acts, seeking relief for the individual Indian tribes and bands.

This act was intended to provide a means for a final adjudication and settlement of whatever substantive claims the Indians thought they had against the United States Government as the result of the taking of so-called Indian lands; and as a part of my conclusion, I have determined that the record makes it clear that claims based on "original or Indian title" were within the jurisdiction of the Commission.

Therefore, I recommend that H. R. 5566 do pass without any amendments. Having made this recommendation I think it proper that I make certain comments.

I make these comments in order to clarify my thinking on this matter and to indicate some of the reasons why I came to the conclusion which I reached. The review I shall make is not all-inclusive. It does not take into consideration many points of argument raised by the attorneys representing the Department of Justice, the Indians, and members of our staff.

I merely pick out a few highlights in which I think the Senate will be interested.

During the Senate subcommittee hearings it was claimed that under the interpretation of the Indian Claims Commission Act by both the Indian Claims Commission and Court of Claims judgments which might be rendered against the United States could run into billions of dollars on claims for almost the entire area of the United States.

I doubt that the decisions that I have referred to, would permit the Indians Claims Commission to go to the extent claimed by the Justice Department representative.

It was made quite clear in the report of the Committee on Indian Affairs of the House of Representatives that there was no doubt in the minds of the members of that committee that the United States would not have to pay for the entire area of this country all over again, when the committee said—on page 4 of the report accompanying H. R. 4497:

> The United States has been dealing with the Indians by treaty, agreement, and contract in buying and selling land, timber, and minerals, amounting in value to many hundreds of millions of dollars. About 95 percent of our public domain was purchased from the Indians by the Federal Government, and it has been estimated that about $800 million was paid to the Indians in this process. * * * Generally these agreements were made in good faith and have been faithfully carried out.

In a hearing before the House committee on the same bill Felix S. Cohen, Associate Solicitor, Department of the Interior, in testifying on the bill made this statement:

> Except for that area in California and an area here in Louisiana and eastern Texas, where apparently whatever Indian rights there were were wiped out before we took

sovereignty of the areas, there seems to be some kind of Federal recognition and Federal dealing for every square mile of the United States.

I have not tried to figure out how much the United States paid in dollars and cents for all these acquisitions, but my guess would be between $500 million and $1 billion.

Mr. GALLAGHER. More than the land was worth at the time the deal was made?

Mr. COHEN. I would say, by and large, the Indians did not get such a bad deal, considering the values of land at the time the various cessions were made. At least, the Indians got more for the Louisiana Purchase than Napoleon did.

During the discussions in committees and on the floor of the House and Senate it was made quite clear that the setting up of the Commission was for the purpose of determining finally all Indian claims against the United States; but I found nowhere in the discussion any suggestion that such claims would include the repurchase, or paying again, for the entire area of the United States. So much for the general situation.

With respect to the specific provisions of the present Indian Claims Commission Act, which permits Indian tribes to sue for losses incurred by them for the taking of their land by the United States, we should consider the following sections:

Section 2, clause 3:

Claims which would result if the treaties, contracts, and agreements between the claimant and the United States were revised on the ground of fraud, duress, unconscionable consideration, mutual or unilateral mistake, whether of law or fact, or any other ground cognizable by a court of equity.

Clause 4:

Claims arising from the taking by the United States, whether as the result of a treaty of cession or otherwise, of lands owned or occupied by the claimant without the payment for such lands of compensation agreed to by the claimant.

Clause 5:

Claims based upon fair and honorable dealings that are not recognized by any existing rule of law or equity.

As nearly as I can determine, through the entire history of the enactment of these provisions it was understood that they were not mutually exclusive. It was understood that any claims could have been asserted under all three provisions although recovery for particular claim could be obtained only once. The most pointed provision with respect to the right of Indians to sue for damages of the losses of their entitled land is clause 4 which provides that they may sue on "claims arising from the taking by the United States, whether as the result of a treaty of cession or otherwise, of lands owned or occupied by the claimant without the payment for such lands of compensation agreed to by the claimant."

It appears from the record that Mr. Felix Cohen, Associate Solicitor of the Indian Bureau, drafted the particular provisions now under discussion.

Clause 4, just quoted, was in the bill which was originally introduced in the House of Represenatives, H. R. 4497. In testifying before the House committee on clause 4, Mr. Cohen points out that it "would express recognition to one of the most clearly just and grievously resented classes of claims, that growing out of the scattered instances where lands peaceably held under an uncontested Indian title have been expropriated without an act of cession on the part of the Indians, or where the Government has retained ceded lands nothwithstanding its failure to ratify or carry out the terms of the cession." At House committee hearings, June 14, 1945.

It will be noted that Mr. Cohen referred to "scattered instances where lands peaceably held under an uncontested Indian title have been expropriated without an act of cession on the part of the Indians." This seems to sustain the theory I have already mentioned that the drafters of the legislation and the Congress did not contemplate that claims for the taking of the entire area of the United States would be before the committee.

Again, in hearings before the Senate Committee on Indian Affairs on H. R. 4497, Mr. Collett, in behalf of the Indians of California, asked the chairman the following question:

Mr. COLLETT. I would like to ascertain whether or not the nontreaty Indians of California may assert a claim under this bill.

Senator O'MAHONEY, the chairman, answered:

I see no language in the bill that would exclude them, do you, Mr. Cohen?

Mr. Cohen, who was at the hearings as the official representative of the Secretary of the Interior, replied:

I do not see any, but I would defer to Mr. Stormont's judgment since he handled the case for the Department of Justice.

That case involved a suit brought by the California Indians for damages for the taking of their lands. Mr. Stormont apparently was a representative of the Department of Justice in defending against that claim.

Senator O'MAHONEY, then turning to Mr. Stormont who was at the hearing as one of the official representatives of the Department of Justice, asked him:

Would the nontreaty Indians be excluded from this bill?

Mr. Stormont replied:

I do not think so.

The record shows that Mr. Collett represented California Indians who had claims for land taken in California by the United States where no treaty of cession had been negotiated. The Indians were relying wholly upon Indian title.

Thus, in the hearing before the Senate committee, representatives of Indian tribes and the official representatives of the Secretary of the Interior, the official representative of the Attorney General, and the chairman of the committee were all in agreement that the language of the bill permitted Indian tribes to sue on "Indian title."

After the hearings, the Senate committee condensed the language of the bill and reported it to the Senate in an abbreviated version. In this abbreviation, clause 4 was eliminated on the theory that clauses 3 and 5, which I have quoted, were still sufficient to permit the assertion of claims for Indian title. That there was no intention on the part of the Senate committee to eliminate these claims, is apparent from its report, which stated:

There is no intention on the part of the committee to deprive claimants of the right to invoke the jurisdiction of the Commission in any case which would have been cognizable under the language of the bill as it passed. (S. Rept. 1715, 79th Cong., p. 5.).

That statement in the report referred to the bill as it passed the House of Representatives.

The Senate and House versions of the bill were taken to conference, and as a result of the conference, clause 4, which had been omitted, was restored to the bill, and the conference report thus adopted was approved by both Houses and was signed by the President.

Much has been made of the fact that the report of the conferees itself was brief. This point seems to be of little consequence for the reason that about all conference reports do is to report the completed bill with the changes indicated. There is no attempt in the ordinary conference report to interpret the language of the bill agreed upon. At least that has been my experience, and I have served on quite a number of conferences as a representative of the Senate.

However the House managers, in this particular instance, in accordance with a House rule, did give reasons for the changes made and the interpretation of the changes. The language included in the statement of the House managers is as follows. I quote from the House managers' report:

The bill, as passed by the House of Representatives, enumerated six clauses of claims cognizable by the Commission. The Senate, in the interest of simplicity, reduced these to three, being careful to state in its report, that the change was not intended to deprive the claimants of the right to invoke the jurisdiction of the Commission in any case which would have been cognizable under the language of the bill as it passed the House. Out of an abundance of caution the conferees reinserted two of the classifications struck by the Senate because they wanted to make sure that if any tribal claimant could prove facts sufficient to make a case under either of these classifications, the Commission would have authority to make an award to such claimant.

The first of these classifications, consisting of "claims which would result if the treaties, contracts, and agreements between the claimant and the United States were revised on the ground of fraud, duress, unconscionable consideration, mutual or unilateral mistake, whether of law or fact, or any other ground cognizable by a court of equity" is aptly explained in the report of the House committee. The second of these classifications covers claims arising from the taking by the United States of Indian lands, i. e., lands to which tribal claimants had "Indian title" or the "right of occupancy." Sometimes these lands were taken under the guise of unratified treaties, sometimes without any semblance of a treaty. The reinsertion of this classification makes it plain that where claimant can prove sufficient facts within language of this classification, the Commission has full authority to award proper damages therefor.

Both of the classes of claims reinserted by this amendment may fall within the category of "fair and honorable dealings." To

set them forth explicitly helps to clarify the contents of that category.

In setting forth some of the pertinent legislative history which influenced me in coming to the conclusions which I have already announced, I think I should add the fact that the Indian Claims Commission and the Court of Claims rendered decisions which interpreted the Indian Claims Commission Act as permitting recovery based on the taking of lands held by Indians under original or Indian title.

The Supreme Court of the United States refused a writ of certiorari when the Government attempted to repeal the decision which the Court of Claims had rendered.

Personally, I am convinced that the Indian Claims Commission Act was a wise one; that the Indians were entitled to have a forum where they could finally have their just claims adjudicated and settled. I am convinced that the Department of the Interior was right in approving and urging the enactment of such an act, and that the present administration of the Department of the Interior has made a sound and a wise conclusion that the act should not be amended, but should be extended for the period indicated.

However, on that point I am not so sure that is the exact time it should be extended; but at least 5 years, in the judgment of many, is not too long a period of time.

I am convinced that the Department of Justice representatives have defended the United States against the claims in a lawyer-like, efficient way, and they should be commended as the chief legal arm of the Government, for looking out for the interests of the United States.

I specifically mention at this point Mr. Morton, who raised before the Subcommittee on Indian Affairs the questions I have just discussed. Mr. Morton felt the Department had a responsibility, and I think he was right and should be commended for coming before the committee and raising the questions where they could be discussed, because this probably will be the last opportunity to fully discuss matters of that kind if the act should be extended. It has gone so far that, if any amendment is to be made, it should be made now.

Mr. President, I ask unanimous consent to have made a part of the RECORD a letter from the Department of the Interior commenting upon the Indian Claims Commission Act.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington D. C., June 25, 1956.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

MY DEAR SENATOR MURRAY: On February 9, 1956, the Senate Subcommittee on Indian Affairs held a hearing on H. R. 5566, a bill "To terminate the existence of the Indian Claims Commission, and for other purposes." The purpose of the hearing was to consider a proposed amendment to the bill that would restrict the present jurisdiction of the Indian Claims Commission with respect to claims that arise out of original Indian title. After the hearing, the chairman of the subcommittee asked Mr. H. Rex Lee, Legislative Associate Commissioner, Bureau of Indian Affairs, to obtain the Department's position on the proposed amendment.

Although we understand the factors which led to suggestion of the proposed amendment, our careful study of it leads us to recommend that it be not enacted for the following reasons:

1. The jurisdiction of the Indian Claims Commission to adjudicate this category of claim has been fully litigated. After an exhaustive review of the issue, which was comprehensively briefed, the Court of Claims decided that Congress intended to give the Indian Claims Commission jurisdiction over this category of claim when it enacted the Indian Claims Commission Act in 1946, and the Supreme Court has declined to review that decision (*Otoe and Missouria Tribe* v. *United States* (2 Ind. Cls. Comm. 335, aff'd. 131 Ct. Cls. 593, cert. den. 350 U. S. 848)). The scope of the 1946 act is therefore settled.

2. Many Indian tribes have incurred considerable expense in preparing their claims based upon original Indian title, and it would be construed by them to be a breach of faith to withdraw at this late date, 10 years after the Indian Claims Commission Act was enacted, the jurisdiction of the Commission to adjudicate those claims.

3. Although the sums claimed in the pending claims based upon original Indian title may be several billion dollars, as represented, previous experience clearly indicates actual liability will be only a fraction of the potential liability, and we believe that this consideration should not be the determining factor when considering the most practical method of hearing and disposing of the claims.

4. The purpose of the Indian Claims Commission Act was to end the practice of passing special jurisdictional acts on a tribe-by-tribe basis, and to provide for a final adjudication of all tribal claims. Claims based upon original Indian title have in the past been the subjects of special legislation, and if the Commission's jurisdiction were limited as now proposed Congress would be urged to return to that old and unsatisfactory system. That system is an expensive and inadequate method of dealing with the subject, and it lacks uniformity.

The Bureau of the Budget has advised us that there is no objection to the submission of this report.

Sincerely yours,

WESLEY A. D'EWART,
Assistant Secretary of the Interior.

Mr. WATKINS. Mr. President, I had in mind asking that a letter from Judge O'Marr, of the Indian Claims Commission, addressed to the chairman of the subcommittee [Mr. O'MAHONEY], also be made a part of the RECORD; but since I prepared the statement I understand the chairman of the subcommittee has already read that letter into the RECORD.

Mr. LANGER. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Is the amendment of the Senator from North Dakota an amendment to the committee amendment?

Mr. LANGER. It is an amendment to the bill.

The PRESIDING OFFICER. The committee amendment will be stated first.

The amendment of the Committee on Interior and Insular Affairs was, at the top of page 2, to strike out:

SEC. 2. Section 13 of the act approved August 13, 1946 (60 Stat. 1049, 1052; 25 U. S. C., sec. 701), is hereby amended by adding the following new subsection:

"(c) Attorneys appointed pursuant to subsection (b) hereof may conduct hearings, administer oaths, examine witnesses, receive evidence, and report findings of fact and recommendations for conclusions of law in cases assigned to them. Such attorneys shall not, by virtue of such duties, be subject to the Administrative Procedure Act."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LANGER. Mr. President, I now offer my amendment.

The PRESIDING OFFICER. The amendment of the Senator from North Dakota will be stated.

The LEGISLATIVE CLERK. On page 1, line 7, it is proposed to strike out "five" and insert in lieu thereof "two."

Mr. LANGER. Mr. President, when I came to the Senate, I was appointed to the Judiciary Committee, and among the very distinguished members of that committee was the Senator from Wyoming [Mr. O'MAHONEY]. We considered claims, among them, at the time, Indian claims. They proved to be very complicated, and the Indians were dissatisfied. I doubt if the Indians had a better friend on that committee than the distinguished Senator from Wyoming. He has been a fighter in their behalf, and I have heretofore publicly paid tribute to the very fine assistance he rendered to the Indians of North Dakota at the time of the condemnation of their land when the Garrison Dam was to be built.

Mr. O'MAHONEY. I thank the Senator for his very generous remarks.

Mr. LANGER. I am delighted to make them, because the compliment is well deserved.

The Judiciary Committee at that time concluded that its members simply did not have the time properly to consider the various Indian claims which came before it, and the committee unanimously recommended that a commission be established to consider Indian claims. No one was opposed to it, but at the time no one estimated that it would take nearly 100 years to determine all these claims. The Indian Bureau was created in 1824. The Claims Commission was created for a 5-year period. We thought at the end of 5 years substantial progress would have been made so that thousands of Indians then living would not have died before they were paid money which was rightfully due to them. Lo and behold, at the end of 5 years the Commission was extended for 5½ years more.

What has the Commission done? According to the letter introduced into the RECORD by the distinguished Senator from Wyoming, believe it or not, in 10½ years the Commission has decided 10 claims—1 claim a year.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. LANGER. I shall not yield at this time, because that is what is stated in the letter. I shall not yield now. I shall yield later. I have some thoughts in my mind which I desire to express, but I

shall be glad to yield to the distinguished Senator from Wyoming before I conclude.

The Commission, with 3 men sitting on it, decided 1 claim a year. That is the kind of justice which has been accorded to the Indians. The letter states that the Commission has decided 10 claims.

For many years both the Republican and Democratic platforms stated, and away back when Franklin Delano Roosevelt was running for President in 1932, some of the boards, commissions, and bureaus should be wiped out, because we had far too many of them. Instead of doing that, there was created this Indian Claims Commision. We naturally expected that its members would get busy, clear up this terriffic Indian problem and see to it that the Indians received the money for their property which, in many cases, was taken away from them 100 years ago. The original Indians are dead, but certainly their descendents ought to be getting some money at this time. Instead of that, we learn from the letter introduced into the RECORD by the distinguished Senator from Wyoming that 10 claims have been passed upon by the Commission.

Mr. O'MAHONEY. Mr. President, will the Senator yield at that point?

Mr. LANGER. I yield, in fairness, if the Senator wants to change the letter.

Mr. O'MAHONEY. I do not want to change the letter, but I want to call to the attention of the Senator the fact that the letter refers to only 1 of the 5 categories of bases for claims.

The very first paragraph of the letter states:

> In compliance with your request of last week I have prepared and attached hereto a list of all claims which have reached the stage of determining the Government's liability based upon claims growing out of, or arising out of "original Indian title."

If the Senator will permit me to read into the RECORD at this point from section 2 of the Claims Act——

Mr. LANGER. I shall be delighted to have the Senator do so.

Mr. O'MAHONEY. He will see that section 2 recites as follows:

> The Commission shall hear and determine the following claims * * *: (1) claims in law or equity arising under the Constitution, laws, treaties of the United States, and Executive orders of the President.

That category of claims is not mentioned in the letter.

> (2) all other claims in law or equity, including those sounding in tort, with respect to which the claimant would have been entitled to sue in a court of the United States if the United States was subject to suit;

None of those claims were mentioned in that letter.

> (3) claims which would result if the treaties, contracts, and agreements between the claimant and the United States were revised on the ground of fraud, duress, unconscionable consideration, mutual or unilateral mistake.

None of those claims which have been disposed of is mentioned in the letter.

I read further from the act:

> (4) Claims arising from the taking by the United States, whether as the result of a treaty of cession or otherwise, of lands owned or occupied by the claimant without the payment for such lands of compensation agreed to by the claimant; and
>
> (5) Claims based upon fair and honorable dealings that are not recognized by any existing rule of law or equity.

It is under those two headings that claims based on the original title may arise. So, as I stated in the opening of my remarks today, and as is shown in the committee report—and it can be demonstrated to the Senator from the records—the Indian tribes have filed 852 claims with the Commission, and 102 of those have been disposed of.

I put the letter in the RECORD to show that the fear that these Indian claims would result in paying for all of the United States is groundless. The letter proves that, of more than 100 million acres claimed by the Indians under original title, title to only about 16 million acres has been recognized.

Mr. WATKINS. Mr. President, will the Senator from North Dakota yield to me so that I may ask a question?

Mr. LANGER. First, I wish to ask a question of the Senator from Wyoming.

Mr. WATKINS. The question I wish to ask may help clear up this matter.

Mr. LANGER. First, I wish the Senator from Wyoming to reply to my question.

Mr. President, what the distinguished Senator from Wyoming has said only makes my case stronger. I thought the claims would be disposed of during the next 70 years; but apparently it will take longer than that, judging from what the distinguished Senator from Wyoming has said, because of 800 cases, some 700 are still left, and they are being decided at the rate of 10—not 10 a year, but 10 in 10 years, or 1 a year. So the cases in this particular category are being decided at the rate of 1 a year.

Mr. WATKINS. Mr. President——

The PRESIDING OFFICER (Mr. PAYNE in the chair). Does the Senator from North Dakota yield?

Mr. LANGER. I yield to the Senator from Utah.

Mr. WATKINS. Mr. President, I wish to ask a question of the Senator from Wyoming. Is it not true that in connection with the letter sent to Judge O'Marr, the original question——

Mr. LANGER. The original title question.

Mr. WATKINS. Yes—the original title question was raised, and we were trying to ascertain what the Commission was doing in respect to those cases. We wanted to know how many had been filed and what was involved, because it had been claimed that indication had been made by the Department of Justice that there were strong possibilities that the judgments in connection with cases of that type might run into billions of dollars, and we wished to know how many claims had been filed and how many had been disposed of. That is why we asked that question, and is the only reason why we did so.

Mr. O'MAHONEY. Mr. President, will the Senator from North Dakota permit me to answer the question?

Mr. LANGER. Of course.

Mr. O'MAHONEY. I wish the RECORD to show, and I wish the Senator from North Dakota to understand—because I know how strong he is in his defense of the Indians—that today the Indian Claims Commission is in process of settling more than 50 percent of all the claims which have been filed. I can assure the Senator from North Dakota of that.

Let me add that the Senator from North Dakota is mightily interested, and has displayed his interest all through his senatorial career, in doing justice to the Indians. Now let us not do an injustice to the Indians by penalizing the Indian Claims Commission for a fault of which it is not guilty. It is proceeding rapidly with the disposal of these cases. Undoubtedly it will proceed more rapidly in the future, because at my request, when I appeared before the Appropriations Committee at the time when Mr. Morton appeared there, I suggested to the members of the committee that they give the Department of Justice an increased appropriation of $300,000 to enable it to handle these cases more expeditiously.

I beg the Senator from North Dakota to withdraw his amendment. It really will not do justice to the Indians.

Mr. WATKINS. Mr. President, will the Senator from North Dakota yield, so that I may ask a further question of the Senator from Wyoming?

Mr. LANGER. I yield.

Mr. WATKINS. Is it not a fact that cases of this type probably are the most difficult legal cases to prepare, of all the cases being handled today by lawyers?

Mr. O'MAHONEY. Yes; I know of nothing more difficult.

Let me say that at one time I was chairman of the old Indian Affairs Committee. After the Congressional Reorganization Act was passed, and after the Indian Affairs Committee was merged into the Committee on Interior and Insular Affairs, I became chairman of that committee. Later, when the majority in Congress changed, the Senator from Utah [Mr. WATKINS] became chairman of the Subcommittee on Indian Affairs, the position I am holding now. Both of us, with the utmost sincerity, assure the Senator from North Dakota that if he wishes to continue his excellent work thus far in behalf of doing justice to the Indians, he will not seek to penalize the Indian Claims Commission.

Mr. WATKINS. Mr. President, if the Senator from North Dakota will yield further, I should like to ask the Senator from Wyoming a question.

Mr. LANGER. I yield.

Mr. WATKINS. Is it not true that in some of the Indian cases, the attorneys have worked for as long as 16 years before they got a final determination? I refer now to the famous Ute case, in which a judgment of approximately $32 million was given to the Utes in my State, against the Federal Government.

Mr. O'MAHONEY. That is true not only in Utah but also in my home State of Wyoming. Years and years and years have passed. We have spent more than 100 years in passing upon claims bills, and they have taken protracted amounts of time, in individual cases.

Now we have this measure, which will dispose of all remaining cases.

Mr. WATKINS. As a matter of fact, the courts cannot go ahead until the attorneys are ready to proceed.

Mr. O'MAHONEY. The Senator is correct.

Mr. WATKINS. Time is required to prepare the cases, many of which go back to the beginning of the history of our country.

Mr. LANGER. Mr. President, I have heard the same kind of argument before. There is absolutely no excuse for a case lasting 16 years in any court. It is said that it requires 16 years to decide a little Indian claim. That is utter nonsense.

Both the Republican Party and the Democratic Party, in their platforms beginning in 1932, declared against the continuation of useless boards, bureaus, and commissions.

The Senator from Wyoming, in attempting to correct me, said that there were eight-hundred-odd cases, but that only 102 had been decided in 10 years. So instead of 1 a year, 10 a year were decided, including all categories. But there are 700 cases left; and if the Commission proceeds at the same rate at which it has been proceeding, it will require 70 years longer. We shall have this Commission for 70 years longer, as a burden upon the taxpayers of the country. In the meantime, most of the Indians now living will be dead, and the chances are that some of their sons and daughters will be dead. I have no doubt that some not yet born will be dead by the time the Claims Commission gets around to doing justice.

We established the Indian Bureau in 1824, a long time ago.

Mr. O'MAHONEY. The Senator is mistaken.

Mr. LANGER. The Indian Bureau was established in 1824.

Mr. O'MAHONEY. Yes; but that was for a different purpose.

Mr. LANGER. When the Senator from Wyoming and I were placed upon the Judiciary Committee we found that the Indians were not being taken care of properly. He and I both advocated strongly in the Judiciary Committee the creation of the Indian Claims Commission.

What harm could be done by extending the life of the Commission for 2 years instead of 5? If it does a good job, we can extend its life for a few years more. However, it cannot do a good job if its members are going to take vacations like the ones taken by a Federal judge whom I know in North Dakota. He went off to Florida and allowed the work to pile up month after month. If we are to have that type of individual sitting on the Indian Claims Commission, or even the Supreme Court of the United States, those bodies cannot keep up with the workload. Justice Owen Roberts once testified before our committee, as the distinguished Senator from Wyoming well knows, that in his opinion a vacation of 3 months was far too much, even for the Supreme Court of the United States.

I do not know the members of the Indian Claims Commission. I assume they are fine, hard-working, honorable gentlemen. If they are, why should they object to a 2-year term? The Governor of my State is elected for only 2 years. The State officials are elected for only 2 years. If the members of the Indian Claims Commission do a good job, they will undoubtedly continue upon the Commission.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. O'MAHONEY. No one knows better than I the sincerity with which the Senator from North Dakota speaks. I am willing to make a concession to him. I want to recognize his sincerity. I share with him the desire to stimulate more rapid action. I have already evidenced that desire by urging an increased appropriation for the Department of Justice, in the hope that this question can be settled, without having to go through the argument all over again. If the Senator from North Dakota will modify his amendment to 3 years instead of 2 years, I shall be glad to accept it.

Mr. LANGER. The Senator from North Dakota will go halfway to meet the Senator from Wyoming, and make it 2½ years.

Mr. O'MAHONEY. I accept the amendment as modified.

The PRESIDING OFFICER. The amendment, as modified, will be stated.

The CHIEF CLERK. On page 1, line 7, after the words "the end of", it is proposed to strike out "five" and insert "two and one-half."

Mr. LANGER. Let me say in conclusion that the Indians of California, Montana, North Dakota, and South Dakota are all dissatisfied at the interminable delay involved in obtaining decisions. The Senator from Wyoming has said that he succeeded in obtaining an additional appropriation of $300,000 for the Department of Justice. I compliment him for that.

Mr. O'MAHONEY. The chairman of the committee was responsible for it.

Mr. LANGER. I am sure the Senator from Utah [Mr. WATKINS] had something to do with it. He is very fair. He attends many Indian meetings, at which he delivers speeches. I have heard him tell about some of them.

The Senator from North Dakota is interested only in getting action before these Indians die, and before their sons and daughters, or their grandchildren, die.

Mr. WATKINS. Mr. President, I should like to be understood with respect to this question. I said that I thought that 5 years would not be too long a time. I believe, from the very nature of the cases, that a long time will be required to develop the evidence. Some of the cases go back to the beginning of the history of the country, or even before that time. A determination must be made as to where the Indians lived, and what lands they occupied. Many documents must be examined. Anthropologists and others work on these cases. It requires a long time for attorneys to develop an Indian claim. The Indians must remember that.

I am just as eager as is the Senator from North Dakota to see the Indians get some relief while they are living. I have already said that I think this is a wise bill. Formerly those representing the Indians would obtain a special jurisdictional act, conferring jurisdiction on the Court of Claims to try certain cases. Finally we decided that we could speed up the consideration of the cases if we set a deadline and created a special commission to try the claims. That is what was done. In the beginning of the life of the Commission, I think it was not too active, but I doubt if that was the fault of the Commission. Probably the attorneys did not have the cases ready. It has required a long time to prepare the cases and file them with the Commission.

I think 2½ years is a reasonable extension. I think it will speed up the work of the Commission, and I am for it.

Mr. LANGER. I think we are all agreed. We all wish to be fair to the Indians.

Mr. O'MAHONEY. Mr. President, I hope the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. LANGER], as modified.

Mr. GOLDWATER. Mr. President, I rise to support the distinguished Senator from Wyoming in his plea. I wish to make a few comments with relation to it.

Having sat through the hearings, and having become quite well acquainted with the problems involved, I am critical of the Justice Department in this instance. It has played a game and has lost, and it is now proposing to change the rules. I do not believe that that is the fair or American way to do things.

I think the amendment originally proposed, which it was tacitly agreed not to press, involves a matter of broad public policy, which should be considered as a separate matter, and not as an amendment to a bill extending the Indian Claims Commission.

The Justice Department is attempting, by legislative fiat, to overcome a court decision which was rendered after the case was well argued and well briefed.

If we do not extend the Indian Claims Commission, if we amend this measure in the disastrous way suggested by the Department of Justice, Senators know as well as I do exactly what will happen. Special bills will be introduced into the Congress by the hundreds to obtain relief for Indian tribes who feel that they do not have proper means of obtaining redress from the United States Government; and in all probability the Indian tribes will obtain such relief—in some cases relief to which they are not entitled. However, if the question is left with the Court of Claims, a body which has operated wisely and well, I feel that it will be able to separate the good from the bad, and that the tribes which have proper claims against the United States Government will be compensated.

I wish to take this opportunity to join with my colleague from Wyoming in expressing the hope that the amendment, as modified, will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota, as modified.

The amendment, as modified, was agreed to.

Mr. O'MAHONEY. Mr. President, I wish to make an additional concluding

statement. I quote from the report of the Committee on Interior and Insular Affairs:

It cannot be stressed too strongly that the Indian Claims Commission Act was passed by Congress for the purpose of permitting the Indians their day in court to present their claims of every kind, shape, and variety. Until all of these claims are heard and settled, we may expect the Indians to resist any effort to terminate Federal supervision and control over them. It must not be overlooked that Congress has been receiving petitions from Indian tribes since the earliest days of the Government for the enactment of laws to permit them to sue the United States in the Court of Claims. The purpose of the Indian Claims Commission Act was to bring this practice to an end and to settle once and for all every claim they could possibly have under the categories set forth in the law and specifically upheld by the Court of Claims in the Otoe and Missouria case on which the Supreme Court has denied certiorari. In good faith the committee believes that Congress should not withdraw the law which the Indians have accepted.

I hope the bill may be passed.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 5566) was read the third time, and passed.

CONGRESS' CONSIDERATION FOR THE "LITTLE FELLOW"

Mr. ALLOTT. Mr. President, because from time to time we hear critical words spoken about the functions of Congress, I ask unanimous consent to have printed in the RECORD at this point a letter which I received from Mr. John H. Gately, of Colorado Springs, which he addressed to Vice President NIXON. It deals with the various functions performed by Congress. I believe it is a very thoughtful letter and should be given careful scrutiny.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COLORADO SPRINGS, COLO., *June 30, 1956.*
THE CONGRESS OF THE UNITED STATES,
Washington, D. C.
(Attention Hon. RICHARD NIXON, President, U. S. Senate.)

GENTLEMEN: I have just finished reading an article of John Arthur Reynolds in the American Mercury, Private Laws for Private Citizens.

I spent 6 years in the Washington merry-go-round going to school. Since then I practiced law in Chicago for over 20 years, 4 of which was as a special attorney general of Illinois prosecuting tax evaders. I saw and knew many politicians. Some were fine, many were not.

I retired to a ranch in Colorado and have recently returned to the practice of law to attempt to clean out a "mare's nest" of political intrigue and connivance in a local city.

I cannot express in words my deep admiration and respect that I feel for you, the Congress of the United States, for those of you who have had the heart and the compassion for the little fellow, to come down from your austere and important tasks to listen to, and avow, his dilemmas. May God bless you, and keep you, always compassionate and benevolent for the little guy. You were one once yourself.

You, through your committees, secretaries, and other plenipotentiaries, may never hear or read this voice of praise and acclaim, but I sincerely hope that you do. Even a pat on the back, from one who has "no ax to grind," should be heartening.

With this hope, and a very sincere thank you, for all those private laws, I thank you again.

So long as you, the Congress of the people, do not forget the people, in the immortal words, "This country, under God, will not perish from the earth."

Most sincerely,

JOHN H. GATELY.

TERMINATION OF FEDERAL SUPERVISION OF MENOMINEE TRIBE OF INDIANS

Mr. O'MAHONEY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2435, H. R. 6218.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 6218) to authorize payment by the Federal Government of the cost of making certain studies necessary to assist the Menominee Tribe of Indians to prepare for the termination of Federal supervision.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. O'MAHONEY. Mr. President, the pending bill, which authorizes the payment by the Federal Government of the cost of making certain studies necessary to assist the Menominee Tribe of Indians to prepare for termination of Federal supervision, may be very briefly explained.

There is nothing controversial about the measure. A previous Congress passed an act of termination, which would make the Menominees free of the trusteeship of the Government, and would authorize them to handle their own affairs. The bill was introduced at the request of the Indians themselves, and is designed to authorize the Federal Government to pay the cost of making some studies which are essential in this respect.

The PRESIDING OFFICER. The bill is open for amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 6218) was ordered to a third reading, read the third time, and passed.

PLAN FOR CONTROL OF PROPERTY OF THE MENOMINEE INDIAN TRIBE

Mr. O'MAHONEY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2436, H. R. 9280.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9280) relating to the plan for control of the property of the Menominee Indian Tribe, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. O'MAHONEY. Mr. President, the bill which is now before the Senate is another bill to aid the Menominee Indians effect termination of Federal control. The bill amends the original termination law so as to enable the Indians to manage their forests on the basis of the modern, scientific pattern of sustained yield, whereby their forests may be preserved as a growing asset. There is no controversy over the bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 9280) was ordered to a third reading, read the third time, and passed.

CUTTING OF TIMBER ON MENOMINEE INDIAN RESERVATION

Mr. O'MAHONEY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2437, H. R. 9974.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9974) to amend section 1 of the act entitled "An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of forests on the Menominee Indian Reservation in the State of Wisconsin," approved March 28, 1908, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. O'MAHONEY. Mr. President, this is another of the three Menominee Indian bills. The purpose of the bill is also to facilitate the operation of the timber resources on the reservation of the Indians. It authorizes an increased cut of 2 million board-feet of forest products other than saw logs. It will increase the revenue of the Indians, based upon the report of the experts. There is no objection to the bill. It is endorsed by the Department of the Interior and by the tribe by resolution.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 9974) was ordered to a third reading, read the third time, and passed.

CHARGE FOR SPECIAL SERVICES TO PURCHASERS OF TIMBER FROM INDIAN LANDS

Mr. O'MAHONEY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2438, S. 3926.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 3926) to authorize the Secretary of the Interior to charge for special services to purchasers of timber from Indian lands.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. O'MAHONEY. Mr. President, the pending bill, like the other bills the Senate has considered today, is endorsed by the Department of the Interior and the Bureau of the Budget. The express purpose of the bill is to authorize the Secretary of the Interior to charge purchasers of Indian timber for special services provided by the Bureau of Indian Affairs personnel. It sometimes becomes necessary for the employees of the Bureau of Indian Affairs to perform certain services to facilitate the purchase and sale of Indian timber. There is no controversy over the bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3926) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to charge purchasers of timber on Indian lands that are held by the United States in trust, or that are subject to restrictions against alienation or encumbrance imposed by the United States, for special services requested by the purchasers in connection with scaling, timber marking, or other activities under the contract of purchase that are in addition to the services otherwise provided by the Secretary, and the proceeds derived therefrom shall be deposited to the credit of the appropriation from which the special services were or will be provided.

CONVEYANCE TO INDIAN TRIBES OF CERTAIN BUILDINGS AND LANDS

Mr. O'MAHONEY. Mr. President, I move that the Senate proceed to the consideration of S. 3927, Calendar No. 2439.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3927) to authorize the Secretary of the Interior to convey to Indian tribes certain federally owned buildings, improvements, or facilities on tribal lands or on lands reserved for Indian administration.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 3, after the word "the", where it appears the second time, to strike out "Interior" and insert "Interior, at the request of any Indian tribe, band, or group", and in line 5, after the word "to", to strike out "any" and insert "such", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior, at the request of any Indian tribe, band, or group, is authorized to convey to such Indian tribe, band, or group, by such means as he may deem appropriate, title to any federally owned buildings, improvements, or facilities (including any personal property used in connection with such buildings, improvements, or facilities) that are situated on lands of such tribe, band, or group or on lands reserved for the administration of its affairs, and that are no longer required by the Secretary for the administration of Indian affairs. Any tribe, band, or group to which property is conveyed pursuant to this act may dispose of such property whenever its governing body determines that the property is no longer needed for its use. If, at any time while property conveyed pursuant to this act remains in the ownership of any Indian tribe, band, or group, the Secretary of the Interior determines that such property is not being adequately maintained or properly utilized by such tribe, band, or group or that the property creates a health or safety hazard or other undesirable condition, he may declare a forfeiture of the conveyance and the title to such property shall thereupon revert to the United States. Such determination by the Secretary shall be final.

Mr. O'MAHONEY. Mr. President, the bill authorizes, as the title states, the Secretary of the Interior to convey to certain Indian tribes federally owned buildings, facilities, and the like. The committee amended the bill to make certain that the authority would extend only to a conveyance when requested by an Indian tribe, band, or group. The understanding is that the buildings to be conveyed are such as are no longer of any use to the Federal Government, and are to be used only by the Indian tribes, bands, or groups.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill (S. 3927) was ordered to be engrossed for a third reading, read the third time, and passed.

SUBSURFACE STORAGE OF OIL OR GAS IN RESTRICTED INDIAN LANDS

Mr. O'MAHONEY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2443, Senate bill 3658.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3658) to amend the act of May 11, 1938 (52 Stat. 347) so as to authorize, by agreement, the subsurface storage of oil or gas in restricted Indian lands, tribal or allotted.

Mr. O'MAHONEY. Mr. President, this bill was introduced by the Senator from New Mexico [Mr. ANDERSON]. He appears not to be on the floor at the moment, and I suggest that the bill be temporarily passed over.

The PRESIDING OFFICER. The bill will be temporarily passed over.

AMENDMENT OF PUBLIC LAW 551, 83D CONGRESS, 2D SESSION

Mr. O'MAHONEY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2442, Senate bill 3556.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3556) to amend Public Law 551, chapter 616, 83d Congress, 2d session.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That the act of July 29, 1954 (68 Stat. 580, 43 U. S. C. 499a) is amended by adding thereto a new sentence reading as follows: "In order to encourage the assumption by irrigation districts and water users' organizations of the operation and maintenance of irrigation works, the Secretary is authorized to use appropriated funds available for the project involved to acquire movable property for transfer at the time operation and maintenance is assumed under the terms and conditions hereinbefore provided."

Mr. O'MAHONEY. Mr. President, the purpose of this bill is to encourage local water-user organizations in irrigation districts to take over the operation and maintenance of irrigation systems on reclamation projects. The Secretary of the Interior is authorized to use appropriated funds available to him for those projects with which to purchase movable property which can be transferred to the irrigation districts. The cost of the property would be repaid under repayment contracts.

The distinguished senior Senator from Arizona [Mr. HAYDEN], chairman of the Appropriations Committee, has expressed great interest in the enactment of this measure, since it will have an immediate effect in connection with the transfer of operation and maintenance of the Mohawk project in the State of Arizona to the local water-user organization for operation and maintenance.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3556) was ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTION AND MAINTENANCE OF THE IDAHO WOOD RIVER RECLAMATION PROJECT, IDAHO

Mr. O'MAHONEY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2441, Senate bill 3227.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3227) to authorize the Secretary of the Interior to construct, operate, and maintain the Idaho Wood River reclamation project, Idaho.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to, and the Senate proceeded to consider the bill,

which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 3, after line 14, to insert:

"(c) Little Wood River Reservoir shall be operated in accord with water rights, under decree or permit, which are valid under the laws of the State of Idaho, but the Congress, taking cognizance of the need for clarification of certain of these rights in some formal manner effective under Idaho law, particularly as between the Fish and Game Department of said State and the water users under the Little Wood River project or their organizations, does not by this declaration accept for or impose upon the United States, its officers or employees any responsibility for determining the correctness of such claims of right and does not, either by the enactment of this act or by any action taken pursuant thereto, intend to and/to prejudice the claims of any party to a dispute with respect thereto or to impose upon any party to a contract entered into under this act any obligation with respect to such rights that does not exist under the laws of the State of Idaho or to require that water, other than that which is available under established rights, shall be used primarily either for irrigation or for the preservation of fish and wildlife resources."

So as to make the bill read:

Be it enacted, etc., That, for the principal purposes of improving the irrigation water supply of approximately 10,000 acres of land in Blaine County, Idaho, and assisting in the control of floods, the Secretary of the Interior is authorized to undertake an enlargement of the Little Wood River Reservoir and to operate and maintain the same in accordance with the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto). Any contract entered into under section 9, subsection (d), of the Reclamation Project Act of 1939 (53 Stat. 1187, 1193; 43 U. S. C. 485h) for payment of those portions of the costs of constructing, operating, and maintaining the Little Wood River project which are properly allocable to irrigation and which are assigned to be paid by the contracting organization shall provide for the repayment of the construction cost over a period of not more than 40 years or as near thereto as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within the period stated under average conditions, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the organization to pay.

SEC. 2. The Secretary is authorized to construct minimum basic public recreational facilities in connection with the Little Wood River project and to enter into appropriate arrangements for the operation and maintenance of the same by a State or local agency or organization. The cost of such facilities shall be nonreimbursable and nonreturnable under the reclamation laws.

SEC. 3. (a) The Secretary may make such reasonable provision in the works of the Little Wood River project as, upon further study in accordance with section 2 of the act of August 14, 1946 (60 Stat. 1080, 16 U. S. C. 661a), he finds to be required for the preservation and propagation of fish and wildlife. An appropriate portion of the construction cost of the project shall be allocated as provided in said act and it, together with the portion of the construction cost allocated to flood control and the portions of the operation and maintenance costs allocated to these functions or the capitalized value of the equivalent thereof, shall be nonreimbursable and nonreturnable under the reclamation laws.

(b) So far as the Secretary finds the same to be consistent with safety and with efficient operation for the primary purpose of the Little Wood River project, the project waters in the project area shall be open to free public use for lawful hunting and fishing purposes, and free access to the waters for those purposes shall be assured.

(c) Little Wood River reservoir shall be operated in accord with water rights, under decree or permit, which are valid under the laws of the State of Idaho, but the Congress, taking cognizance of the need for clarification of certain of these rights in some formal manner effective under Idaho law, particularly as between the Fish and Game Department of said State and the water users under the Little Wood River project or their organizations, does not by this declaration accept for or impose upon the United States, its officers or employees any responsibility for determining the correctness of such claims of right and does not, either by the enactment of this act or by any action taken pursuant thereto, intend to and/or prejudice the claims of any party to a dispute with respect thereto or to impose upon any party to a contract entered into under this act any obligation with respect to such rights that does not exist under the laws of the State of Idaho or to require that water, other than that which is available under established rights, shall be used primarily either for irrigation or for the preservation of fish and wildlife resources.

SEC. 4. There are hereby authorized to be appropriated for construction of the Little Wood River project $1,880,000 plus such amounts, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indexes applicable to the types of construction involved therein and, in addition, such amounts as may be required to operate and maintain said project.

Mr. O'MAHONEY. Mr. President, will the Senator from Idaho [Mr. DWORSHAK] explain the bill, please.

Mr. DWORSHAK. Mr. President, the purpose of the amendment is to make it clear that the United States has no responsibility for determining water rights which may be affected by or conflict with the operation of the Little Wood River project. It recognizes there is need for clarification of certain water rights as between the fish and game department of Idaho and the water users under the Little Wood River project.

The project plan includes the enlargement of Little Wood Reservoir from 12,100 acre-feet to 30,000 acre-feet by raising the height of the dam by about 45 feet. The additional storage water will provide supplemental irrigation supplies, for 9,500 acres, for which there is a shortage after July of each year. In addition the increased storage will provide flood-control benefits for downstream areas especially in the vicinity of Carey. Provision is also made for the protection of fish and wildlife.

On the basis of total benefits, the benefit-cost ratio based on a 50-year analysis is 2.52 to 1. For a 100-year period is 3.19 to 1. Direct benefits are in a ratio of 1.98 to 1 and 2.52 to 1, respectively.

Of the total construction costs of $1,880,000, $1,552,000 is allocated to irrigation and $328,000 to flood control. Annual operation, maintenance, and replacement costs are estimated at $3,900.

The committee recommends that the project be authorized in accordance with the objectives of the reclamation program. The reports from the Acting Secretary of the Interior and from the Acting Director of the Bureau of the Budget give approval to the project. The committee has recommended an amendment which would clarify the water rights as between the fish and game department of Idaho and the water users under the project.

Mr. President, there is no real opposition to the bill. With the exception of a small allocation for flood work, the entire amount is reimbursable over a period of 40 years.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3227) was ordered to be engrossed for a third reading, read the third time, and passed.

SUBSURFACE STORAGE OF OIL OR GAS IN RESTRICTED INDIAN LANDS

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2443, Senate bill 3658.

The PRESIDING OFFICER. the bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3658) to amend the act of May 11, 1938 (52 Stat. 347) so as to authorize, by agreement, the subsurface storage of oil or gas in restricted Indian lands, tribal or allotted.

The PRESIDING OFFICER. Is there obection to the request of the Senator from Kentucky?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments on page 1, line 3, after the word "That", to strike out "section 4 of"; in line 5 after the word "new", to strike out "paragraph" and insert "section 8"; in line 9, after word "approve", to strike out "agreements made by authority of the tribal council or other authorized spokesmen for such Indians," and insert "leases of lands that are subject to lease under section 1 of this act or the act of March 3, 1909 (35 Stat. 783, 25 U. S. C. 396)"; on page 2, line 4, after the word "produced", to strike out "in lands owned in whole or in part by any tribe, group, or band of Indians under Federal jurisdiction, except those specifically excepted from the provision of this section by section 396f of this title;"; at the beginning of line 9, to strike out "effectuate such agreements" and insert "provide for the subsurface storage of oil or gas"; in line 12, after the word "allotted", to strike out "in whole or in part included in any such agreement,"; in line 14, after the word "such", to strike out "agreements" and insert "leases"; at the beginning of line 17, to strike out "agreement" and insert "leases"; and in line 18, after the word "gas", to insert "or", so as to make the bill read:

Be it enacted, etc., That the act of May 11, 1938 (52 Stat. 347), is amended by add-

ing at the end thereof (25 U. S. C. 396d) a new section 8 as follows:

"The Secretary of the Interior, to avoid waste or to promote the conservation of natural resources or the welfare of the Indians, is hereby authorized in his discretion to approve leases of lands that are subject to lease under section 1 of this act or the act of March 3, 1909 (35 Stat. 783, 25 U. S. C. 396), for the subsurface storage of oil and gas, irrespective of the lands from which initially produced, and the Secretary is hereby authorized, in order to provide for the subsurface storage of oil or gas, to approve modifications, amendments, or extensions of the oil and gas or other mining lease(s), if any, in effect as to restricted Indian lands, tribal or allotted, and may promulgate rules and regulations consistent with such leases, modifications, amendments, and extensions, relating to the storage of oil or gas thereunder. Any such leases may provide for the payment of a storage fee or rental on such stored oil or gas or, in lieu of such fee or rental, for a royalty other than that prescribed in the lease when such stored oil or gas is produced in conjunction with oil or gas not previously produced. It may be provided that any oil and gas lease under which storage of oil or gas is so authorized shall be continued in effect at least for the period of such storage use and so long thereafter as oil or gas not previously produced is produced in paying quantities."

Mr. ANDERSON. Mr. President, this measure has to do with the subsurface storage of oil and gas in restricted Indian lands, tribal or allotted. Such storage has proved very valuable in privately owned areas. The measure merely gives to Indian lands the same rights which now exist in other areas, under the power which has been granted to the Secretary of the Interior with respect to the public domain. In the case of Indian lands the grants are sort of mixed together in that area, and it is impossible to administer the law without extending to the Indian lands the same rights as are enjoyed by other lands.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3658) was ordered to be engrossed for a third reading, read the third time, and passed.

REINVESTMENT BY AIR CARRIERS OF PROCEEDS FROM SALE OF CERTAIN OPERATING PROPERTY

Mr. CLEMENTS. Mr. President, I ask unanimous consent that following the memorial services on Monday, Calendar No. 2039, S. 3449 relating to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment be made the order of business.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. CLEMENTS. Mr. President, in connection with the bill, S. 3449, I submit a proposed unanimous-consent agreement and ask that it be read for the information of the Senate.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be read for the information of the Senate.

The Chief Clerk read as follows:

Ordered, That, effective on Monday, July 9, 1956, at the conclusion of the memorial exercises on the late Senators Kilgore and Barkley, during the further consideration of the bill (S. 3449) relating to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment, debate on any amendment (except an amendment to be designated by Mr. WILLIAMS, of Delaware, upon which there shall be a limit of 1 hour's debate), motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal. (July 6, 1956.)

Mr. CLEMENTS. Mr. President, before action is taken by the Senate, I may state that the proposed unanimous-consent agreement has been considered by the leadership on both sides of the aisle and has been discussed with the proponents of the bill and with those who desire that some amendments be offered to the bill.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and the agreement is entered.

ORDER DISPENSING WITH THE CALL OF THE CALENDAR ON MONDAY

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the call of the calendar on Monday, which is required under the rule, be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. CLEMENTS. Mr. President, I ask unanimous consent that when the work of the Senate is completed today, the Senate stand adjourned until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. CLEMENTS. Mr. President, in addition to Calendar No. 2039, S. 3449, which is to be the first order of business on Monday following the memorial services, it is hoped, if time will permit, that the Senate may consider the following bills on Monday:

Calendar No. 2000, S. 3410, to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges;

Calendar No. 2256, H. R. 9842, to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases; and

Calendar No. 2426, S. 3877, to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

In addition, if there are other bills which have been cleared by the committees, and if an agreement can be reached in the usual manner, it is hoped that those bills also may be placed on the agenda for Monday.

NOMINATION OF SIMON E. SOBELOFF—EXECUTIVE REPORT OF A COMMITTEE (EXEC. REPT. NO. 8)

Mr. BUTLER. Mr. President, from the Committee on the Judiciary, as in executive session, I submit a report, together with the minority views, on the nomination of Simon E. Sobeloff, to be United States circuit judge for the fourth judicial circuit, and ask that it be printed.

The PRESIDING OFFICER. The report, together with the minority views, will be received and printed, and the nomination will be placed on the Executive Calendar.

CONVENTION WITH FRANCE, RELATING TO AVOIDANCE OF DOUBLE TAXATION—REMOVAL OF INJUNCTION OF SECRECY

The PRESIDING OFFICER (Mr. LAIRD in the chair). As in executive session, the Chair lays before the Senate Executive J, 84th Congress, 2d session, a convention between the United States of America and the French Republic, signed at Washington on June 22, 1956, supplementing the conventions of July 25, 1939 and October 18, 1946, relating to the avoidance of double taxation, as modified and supplemented by the protocol of May 17, 1948. Without objection, the injunction of secrecy will be removed from the convention, and the convention, together with the President's message, will be referred to the Committee on Foreign Relations, and the message from the President will be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, if the Senate approve thereof, I transmit herewith a convention between the United States of America and the French Republic, signed at Washington on June 22, 1956, supplementing the conventions of July 25, 1939, and October 18, 1946, relating to the avoidance of double taxation, as modified and supplemented by the protocol of May 17, 1948.

I transmit also for the information of the Senate the report by the Secretary of State with respect to the proposed supplementary convention, together with the memorandum and appendices enclosed with that report.

The supplementary convention has the approval of the Department of State and the Department of the Treasury.

DWIGHT D. EISENHOWER.

The WHITE HOUSE, *July 6, 1956.*

(Enclosures: 1. Report of the Secretary of State, with enclosed memorandum and appendices A, B, and C. 2. Supplementary tax convention with France.)

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS DURING ADJOURNMENT

Mr. CLEMENTS. Mr. President, I ask unanimous consent that committees may be permitted to file reports during the period between now and the convening of the Senate on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO MONDAY

Mr. CLEMENTS. Mr. President, pursuant to the order previously entered, I move that the Senate now stand adjourned.

The motion was agreed to; and (at 1 o'clock and 56 minutes p. m.), the Senate adjourned, the adjournment being, under the order previously entered, until Monday, July 9, 1956, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 6, 1956:

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grade indicated in the Coast and Geodetic Survey:

TO BE CAPTAIN

Curtis LeFever

IN THE ARMY

The following-named officer under the provisions of section 504 of the Officer Personnel Act of 1947 to be assigned to a position of importance and responsibility designated by the President under subsection (b) of section 504, in rank as follows:

Maj. Gen. John Francis Uncles, O14914, United States Army, in the rank of lieutenant general.

TEMPORARY APPOINTMENTS

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of subsection 515 (c) of the Officer Personnel Act of 1947:

To be major generals

Brig. Gen. Evan McLaren Houseman, O17307, Army of the United States (colonel, U. S. Army).

Brig. Gen. Robert William Porter, Jr., O18048, Army of the United States (colonel, U. S. Army).

To be brigadier generals

Col. Roy Norman Walker, O29112, United States Army.

Col. Philip Frederick Kromer, Jr., O18030, United States Army.

Col. Alden Pugh Taber, O18134, United States Army.

Col. Frederick Dwight Atkinson, O18169, United States Army.

Col. John Clement Monahan, O38706, United States Army.

Col. Frederick William Ellery, O18725, United States Army.

Col. George Thigpen Duncan, O18878, United States Army.

Col. William Mackentyre Thames, Jr., O29846, United States Army.

Col. Robert Campbell Tripp, O18972, United States Army.

Col. James Hilliard Polk, O19028, United States Army.

Col. Sherburne Whipple, Jr., O19130, United States Army.

IN THE NAVY

Capt. Chester C. Ward, United States Navy, to be Judge Advocate General of the Navy, with the rank of rear admiral, for a term of 4 years.

John C. Zimmerman (Naval Reserve Officers' Training Corps) to be an ensign in the Navy, subject to qualification therefor as provided by law.

Yorke G. Jacobson (civilian college graduate) to be a lieutenant in the Medical Corps of the Navy, subject to qualification therefor as provided by law.

The following-named Reserve officers to the grades indicated in the Medical Corps in the Navy, subject to qualification therefor as provided by law:

COMMANDER

Virgil E. Seibert

LIEUTENANT COMMANDER

Jesse A. Bowers

LIEUTENANT

Robert A. Brown	Don C. Higgins
Lewis N. Cahill	John H. Mazur
David E. Cowan	Paul D. Mozley
Robert W. Frazier	Bernabe G. Ostolaza
Rafael Garces-Rivera	Edward C. Sacher
James L. Glass, Jr.	Robert A. Smith

The following-named (civilian college graduates) to the grades indicated in the Dental Corps of the Navy, subject to qualification therefor as provided by law:

COMMANDER

Joseph F. Taggard

LIEUTENANT

Lloyd B. Chaisson

The following-named Reserve officers to the grades indicated in the Dental Corps of the Navy, subject to qualification therefor as provided by law:

CAPTAIN

George R. Reynolds

COMMANDER

Lee P. Sharp

LIEUTENANT COMMANDER

"J" Weir Mitchell

LIEUTENANT

Ethan C. Allen	Robert A. Gaston
Marion M. Black, Jr.	Harry S. Riley

LIEUTENANT (JUNIOR GRADE)

Joseph S. Tramontana

The following-named officers for temporary or permanent appointment to the grade indicated in the line in the Navy, subject to qualification therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT

Wayne H. Atkin	William R. Bryant
Charles A. Aus	Bufford R. Brymer
James A. Babbitt, Jr.	Herbert J. Burrows
Charles G. Batten	William C. Green
Carl Blaskowsky	Robert F. Gregg
Daniel T. Bridge	Warren C. Hamm, Jr.
Charles T. Hampton	Harmon E. J. Stanch
Howard A. Hill	Robert J. Stinner
William B. Kalmus	James J. Sullivan
Charles L. Mann, Jr.	Richard T. Thomas
Ernest R. Nordtvedt	Lawrence E. Traynor
John E. O'Drain	Bernard W. Welch
Raymond E. Paul	

LIEUTENANT (JUNIOR GRADE)

Reece L. Andrews	Jack R. Gunter
Warren E. Aut	Arnold J. Hyman
Walter F. Baker	Ralph S. Larson
Charles B. Beuris	James W. McKinster
John A. Byrne, Jr.	Gary A. McMahill
Alan S. Cabot	George W. Milam
John F. Dempsey	Don G. Primeau
David R. Giblett	John F. Sauers

The following-named for permanent appointment:

LIEUTENANT

Calvin C. Dudley	George D. Murdoch
Jason P. Law	

LIEUTENANT (JUNIOR GRADE)

Wayne H. Atkin	Thomas J. LaBeau
Charles A. Aus	Robert McN. Loftus
David W. Ayers	John C. Loucks
James A. Babbitt, Jr.	John H. McKay
Charles G. Batten	Gerard A. McKenna
Reo A. Beaulieu	James D. McLuckie
Edward J. Belinski	James C. MacKinnon III
Carl Blaskowsky	Charles L. Mann, Jr.
Daniel T. Bridge	Jack L. Marriott
Kenneth R. Brown	James K. Martin
William R. Bryant	George W. Mau, Jr.
Bufford R. Brymer	Clifford D. Moran
William C. Burke	Dean R. Morford
Herbert J. Burrows	Norman A. Nelson
John A. Campbell	James A. Newcomb
Robert J. Carlin	Robert B. Newton
Winfred G. Carter	Richard L. Nichols
Hayward F. Cayting	Ernest R. Nordtvedt
Fred T. Chalmers	John T. O'Der
Edmond J. D'Arville	John E. O'Drain
Gordon J. Dey	Bernard J. O'Rourke
James F. Donovan	Raymond E. Paul
Jack R. Douglas	Walter R. Petersen
George DeV. Ellis, Jr.	Lawrence Phillips, Jr.
John E. Elmore	Robert L. Rasmussen
Dan E. Fenn	Phillip D. Richardson
James J. Fimian	David L. Self
Robert W. Freeman	James E. Service
Millard T. Gardner III	Howard W. Smith
George C. Gatje	Herman A. Spanagel, Jr.
Felix P. Gigliotti	Harmon E. J. Stanch
Robert H. Glaves	Harold F. Stevens
Jimmy O. Gold	Donald E. Stine
Frank O. Goodwin, Jr.	Robert J. Stinner
Robert F. Gregg	Donald J. Stromme
William C. Green	James J. Sullivan
Webster Griffith	John F. Sweeney
Warren C. Hamm, Jr.	Richard T. Thomas
Kenneth E. Hammond	George I. Thompson
Charles T. Hampton	Lawrence E. Traynor
Byron R. Higgins	Barrie K. Trebor-MacConnell
Raymond F. Higgins	David A. VanHorssen
Howard A. Hill	Donald E. Vaden
Lawrence G. Holt	Jon C. Woodyard
Richard B. Howe	Robert H. Weeks
Roswell L. Howell	Bernard W. Welch
Marcel B. Humber	Robert L. Williamson
Burris Jenkins III	Doyne R. Wills, Jr.
Forrest R. Johns	Jon C. Woodyard
Thomas E. Jones	Richard A. Zick
William B. Kalmus	
William N. Kelt	
Leonard Kleeman	

ENSIGN

Reece L. Andrews	Arnold J. Hyman
Warren E. Aut	Ralph S. Larson
Walter F. Baker	James W. McKinster
Charles B. Beuris	Gary A. McMahill
John A. Byrne, Jr.	George W. Milam
Alan S. Cabot	Don G. Primeau
John F. Dempsey	John F. Sauers
David R. Giblett	Ned H. Shows
Jack R. Gunter	Warren H. Winchester

The following-named officers for temporary or permanent appointment to the grade indicated in the line in the Navy (engineering

duty) subject to qualification therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT

William T. Hale

The following-named for permanent appointment:

LIEUTENANT

Robert A. Dauber

LIEUTENANT (JUNIOR GRADE)

William T. Hale

The following-named officer for temporary or permanent appointment to the grade indicated in the line in the Navy (aeronautical engineering duty) subject to qualification therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT (JUNIOR GRADE)

Leroy B. Keely

The following-named for permanent appointment:

ENSIGN

Leroy B. Keely

The following-named officers for temporary or permanent appointment to the grade indicated in the line in the Navy (special duty, communications), subject to qualification therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT

John S. Jennings

The following-named for permanent appointment:

LIEUTENANT (JUNIOR GRADE)

John S. Jennings

Alan C. Patureau, Reserve officer, for permanent appointment to be a lieutenant (junior grade) in the line of the Navy (special duty, public information), subject to qualification therefor as provided by law.

The following-named officers for permanent appointment to the grade indicated in the line in the Navy (special duty, law), subject to qualification therefor as provided by law:

LIEUTENANT (JUNIOR GRADE)

Henry S. Palau

ENSIGN

Lee R. Grogan

The following-named women officers to the grade indicated in the line of the Navy, subject to qualification therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT (JUNIOR GRADE)

Mary A. Collins
Barbara G. Ellis
Henrietta R. Lanier
Lida J. McDonough

The following-named for permanent appointment:

LIEUTENANT (JUNIOR GRADE)

Barbara J. Deerkop
Marabelle Dowler
Nancy G. Hollenbeck

ENSIGN

Mary A. Collins
Barbara G. Ellis
Henrietta R. Lanier
Lida J. McDonough

The following-named officers for temporary or permanent appointment to the grade indicated in the Medical Corps in the Navy, subject to qualification therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT

Carter E. Carlton, Jr.
Thomas S. Dunn, Jr.
Elgar P. Ellis, Jr.
Vernon H. Fitchett
James D. Gross
Ralph A. Heising
Max C. Karrer
James W. Ledwith
Clinton J. McGrew, Jr.
Robert L. Mullin
Fred R. Portney
Charles U. Shilling
Martin F. Sokoloff
Robert C. Thomas
Alexander G. Webb, Jr.
Morton D. Willcutts, Jr.
John R. Williams, Jr.
Bernard S. Yurick

The following-named for permanent appointment:

LIEUTENANT (JUNIOR GRADE)

Carter E. Carlton, Jr.
Thomas S. Dunn, Jr.
Elgar P. Ellis, Jr.
Vernon H. Fitchett
James D. Gross
Ralph A. Heising
Max C. Karrer
James W. Ledwith
Clinton J. McGrew, Jr.
Robert L. Mullin
Fred R. Portney
Charles U. Shilling
Martin F. Sokoloff
Robert C. Thomas
Alexander G. Webb, Jr.
Morton D. Willcutts, Jr.
John R. Williams, Jr.
Bernard S. Yurick

The following-named officers for temporary or permanent appointment to the grade indicated in the Dental Corps in the Navy, subject to qualification therefor as provided by law.

The following-named for temporary appointment:

LIEUTENANT

Earl M. Carson
Russell A. Grandich
James W. Hays
Harry C. Pebley

The following-named for permanent appointment:

LIEUTENANT (JUNIOR GRADE)

Earl M. Carson
Russell A. Grandich
James W. Hays
Harry C. Pebley

The following-named officers for temporary or permanent appointment to the grade indicated in the Medical Service Corps in the Navy, subject to qualification therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT

Donald E. Still

LIEUTENANT (JUNIOR GRADE)

Warren R. Sanborn

The following-named for permanent appointment:

LIEUTENANT

Richard B. Taliaferro, Jr.

LIEUTENANT (JUNIOR GRADE)

Donald E. Still

ENSIGN

Kenneth H. Dickerson
Warren R. Sanborn

The following-named officers for temporary or permanent appointment to the grade indicated in the Supply Corps in the Navy subject to qualification therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT

William C. Fanelty
Jesse R. Hill, Jr.

LIEUTENANT (JUNIOR GRADE)

Richard D. Christenson
Charles A. Hawkins
John W. Horrigan, Jr.
Brian K. Lewis
William H. Riordan

The following-named for permanent appointment:

LIEUTENANT

Charles M. Schoman, Jr.

LIEUTENANT (JUNIOR GRADE)

Joe A. Allinder, Jr.
William M. Bledsoe
Russell M. Brown
Nathan N. Burlingham
Walter E. Conner
Lawrence J. Costello
William C. Fanelty
William J. Hennessy
Jesse R. Hill, Jr.
Donald K. Howe, Jr.
Charles C. Hubbard
William E. Kenealy, Jr.
John F. Kenny
Fred A. Kling
Marvin H. Lewis
Gardiner Marek
Frank J. Pokorny, Jr.
Ralph W. Price
Thomas L. Schanz
George W. Stewart III

ENSIGN

Richard D. Christenson
Charles A. Hawkins
John W. Horrigan, Jr.
Brian K. Lewis
William H. Riordan

Mildred L. Odom, Reserve officer, for appointment in the Supply Corps in the Navy in the permanent grade of ensign and in the temporary grade of lieutenant (junior grade), subject to qualification therefor as provided by law.

The following-named officers for temporary or permanent appointment to the grade indicated in the Chaplain Corps in the Navy subject to qualification therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT

Normand A. Ricard

The following-named for permanent appointment:

LIEUTENANT

Alan R. Gibbons

LIEUTENANT (JUNIOR GRADE)

Walter B. Feagins, Jr.
John T. Goad
Homer E. Keen, Jr.
Stanford E. Linzey, Jr.
Normand A. Ricard
Carl E. Ruud

The following-named officers for permanent appointment to be lieutenant (junior grade) in the Civil Engineer Corps of the Navy, subject to qualification therefor as provided by law:

Warren H. Anderson
Edward F. Callahan, Jr.
Joseph A. D'Emidio
Richard H. Schellhardt
Bobby E. Stultz

The following-named officers for temporary or permanent appointment to the grade indicated in the Nurse Corps in the Navy, subject to qualification therefor as provided by law:

The following-named for temporary appointment:

LIEUTENANT

Daisy Evans
Gretchen S. Hill
Pauline J. Kuenzi

LIEUTENANT (JUNIOR GRADE)

Joanne P. Smith

The following-named for permanent appointment:

LIEUTENANT

Dorothy I. McShea
Josephine M. Polignone

LIEUTENANT (JUNIOR GRADE)

Daisy Evans
Gretchen S. Hill
Pauline J. Kuenzi

ENSIGN

Joanne P. Smith

Telofil Dmoch for permanent appointment to the grade of chief warrant officer, W–4, in the United States Navy, subject to qualification therefor as provided by law.

The following-named officers to be chief warrant officer, W–2, in the United States Navy for temporary service, subject to qualification therefor as provided by law:

Charles D. Albers
Roderick E. Bookout
William C. Faus
Camden E. Greene
William D. Lankford
Dean W. Larrick
John R. Melton
Dave Nicholson
Gilbert H. Orr
John V. Patterson, Jr.
Hans J. Petersen
Walter H. Routledge
Leslie B. Ware
George K. Wolfes

The following-named Marine Corps Reserve officers for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

John J. Caldas, Jr.
Donald S. Carr
William G. Ficere, Jr.
Robert A. Freeman
Donald J. Hatch
Richard B. Hohman

Brian C. Kelly
James A. McCarthy
David H. Murch
John A. Schuyler
Lionel V. Silva
Gordon D. Strand
Everett L. Tunget
Norman H. Vreeland
Dwayne E. T. Wilson

The following-named Marine Corps officer for permanent appointment to the grade of chief warrant officer, W–3, in the Marine Corps subject to qualifications therefor as provided by law:

Cedric A. Fevurly

CONFIRMATIONS

Executive nominations confirmed by the Senate July 6, 1956:

IN THE ARMY

UNITED STATES MILITARY ACADEMY

Prof. Thomas Dodson Stamps, O8560, United States Military Academy, for appointment as dean of the Academic Board of the United States Military Academy under the provisions of an act of Congress approved June 26, 1946 (Public Law 449, 79th Cong.).

APPOINTMENTS IN THE REGULAR ARMY

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title V of the Officer Personnel Act of 1947:

To be major general

Maj. Gen. Gilman Clifford Mudgett, O14966.

To be brigadier generals

Maj. Gen. Ira Kenneth Evans, O16215.
Brig. Gen. Elmer Peter Hardenbergh, O28940.
Brig. Gen. George Wiltz Gardes, O28840.
Maj. Gen. William Preston Corderman, O16387.
Brig. Gen. George William Hickman, Jr., O16420.
Maj. Gen. Harry Purnell Storke, O16468.
Maj. Gen. Herbert Butler Powell, O16684.
Maj. Gen. Frank Sayles Bowen, Jr., O16434.
Maj. Gen. James Francis Collins, O16819.
Brig. Gen. Conrad Stanton Babcock, O16104.
Maj. Gen. Henry Randolph Westphalinger, O16130.
Brig. Gen. William Clyde Baker, Jr., O16371.
Brig. Gen. Keith Richard Barney, O16377.
Brig. Gen. Clerin Rodney Smith, O16388.
Maj. Gen. Harry Warren Johnson, O16391.
Maj. Gen. Ralph Morris Osborne, O16399.
Maj. Gen. Lewis Sherrill Griffing, O16413.
Maj. Gen. Waldo Eugene Laidlaw, O16414.
Brig. Gen. Holger Nelson Toftoy, O16422.
Maj. Gen. William Peirce Ennis, Jr., O16436.
Maj. Gen. John Lawrence Ryan, Jr., O16451.
Maj. Gen. Edward Harold McDaniel, O16497.
Brig. Gen. George Olaf Norman Lodoen, O16580.
Maj. Gen. John Gibson Van Houten, O16669.
Brig. Gen. Robert Vernon Lee, O28882.
Maj. Gen. Max Sherred Johnson, O16745.
Maj. Gen. Frederic Joseph Brown, O16761.
Maj. Gen. Thomas Morgan Watlington, O16780.
Maj. Gen. Leander LaChance Doan, O16839.
Maj. Gen. Robert Frederick Sink, O16907.
Maj. Gen. Willis Small Matthews, O16932.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of subsection 515 (c) of the Officer Personnel Act of 1947:

To be major generals

Brig. Gen. Gerald Edward Galloway, O16043.
Brig. Gen. William Clyde Baker, Jr., O16371.
Brig. Gen. Clerin Rodney Smith, O16388.
Brig. Gen. Bertram Arthur Holtzworth, O16804.
Brig. Gen. Herbert John Vander Heide, O17754.
Brig. Gen. Thomas Weldon Dunn, O18157.
Brig. Gen. John Phillips Daley, O18358.
Brig. Gen. Theodore William Parker, O18369.
Brig. Gen. Orlando Collette Troxel, Jr., O18487.
Brig. Gen. Rush Blodget Lincoln, Jr., O18656.
Brig. Gen. Floyd Allan Hansen, O18767.

To be brigadier generals

Col. Alexander McNair Willing, O38619.
Col. James Harvey Cash 2d, O38628.
Col. Charles Coburn Smith, Jr., O18434.
Col. John Joseph Davis, O18530.
Col. Curtis James Herrick, O18538.
Col. Richard Steinbach, O18560.
Col. John Edward Leary, O18607.
Col. Hal Cushman Pattison, O29683.
Col. John Henry Weber, O18680.
Col. Kenneth Frederick Zitzman, O18694.
Col. Frank Hamilton Britton, O18703.
Col. Edwin Simpson Hartshorn, Jr., O18716.
Col. Stephen Michael Mellnik, O18754.
Col. Charles Salvatore D'Orsa, O18866.
Col. Loris Ray Cochran, O18889.
Col. Lawrence Joseph Lincoln, O18968.
Col. John Gardner Shinkle, O18979.
Col. Chester Arthur Dahlen, O19020.
Col. George Warren White, O19079.
Col. Edgar Collins Doleman, O19131.
Col. Charles Francis Tank, O19350.
Col. Robert George MacDonnell, O19361.
Col. Stanley Robert Larsen, O22094.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

The nomination of Robert H. Adams, and 433 other officers for promotion in the Regular Army of the United States under the provisions of sections 502 and 510 of the Officer Personnel Act of 1947, which were confirmed today, were received by the Senate on June 21, 1956, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD, for that date, under the caption "Nominations," beginning with the name of Robert H. Adams, which is shown on page 10779, and ending with the name of Jerome J. Zavadil, Jr., which occurs on page 10781.

IN THE NAVY

VICE ADMIRALS

Vice Adm. Harry D. Felt, USN, to be Vice Chief of Naval Operations, with the rank of admiral, and while so serving, to have the grade, rank, pay, and allowances of admiral.

Vice Adm. Thomas S. Combs, USN, to have the grade, rank, pay, and allowances of vice admiral.

Rear Adm. William V. Davis, Jr., USN, to have the grade, rank, pay, and allowances of vice admiral.

Vice Adm. Matthias B. Gardner, USN, to be placed on the retired list with the rank of vice admiral, when retired.

Vice Adm. Stuart S. Murray, USN, to be placed on the retired list with rank of vice admiral, when retired.

HOUSE OF REPRESENTATIVES

FRIDAY, JULY 6, 1956

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, whose love and care are universal, as we enter upon this new day may we be blessed with an insight that is equal to the special issues which now confront us.

We rejoice that in Thee we may find the inspiration and the sanction, the faith and the freedom to preserve and perpetuate the democratic way of life, which is not only our priceless heritage but the glorious hope for the whole human race.

Help us to understand more clearly that our beloved country will prove unworthy of leadership in democracy, which has been entrusted to us, if we fail to place the welfare of all mankind above our own personal interests.

Grant that daily our minds and hearts may be tempered with the noble spirit of forbearance and brotherhood, of sympathy and cooperation, and may all our capacities and capabilities be dedicated to the service of the common good.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 3350. An act to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired;

H. R. 3351. An act to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired;

H. R. 3897. An act to relieve the Secretary of the Interior of certain reporting requirements in connection with proposed National Park Service awards of concession leases and contracts, including renewals thereof;

H. R. 6025. An act to amend the shipping laws, to prohibit the operation in the coastwise trade of vessels rebuilt outside the United States, and for other purposes;

H. R. 9660. An act to direct the Secretary of the Army or his designee to convey an 11¼-acre tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia; and

H. J. Res. 501. Joint resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization.

The message also announced that the Senate had passed, with amendments in which concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 8636. An act to continue until the close of June 30, 1957, the suspension of duties and import taxes on metal scrap, and for other purposes;

H. R. 11402. An act to extend the existing application of the Temporary Promotion Act of 1941, as amended, to the Coast Guard, and for other purposes;

H. R. 11714. An act to extend for 3 years the existing authority of the Secretary of the Treasury in respect to transfers of distilled spirits for purposes deemed necessary to meet the requirements of the national defense; and

H. J. Res. 580. Joint resolution for the relief of certain aliens.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3419. An act to provide for the establishment of a Federal Advisory Council on the Arts, and for other purposes;

S. 3458. An act to grant leaves of absence to homestead entrymen and to permit sus-

pension of cultivation and improvement operations on homestead land and desert land entries, and for other purposes; and

S. 3705. An act to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 2772. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in England in 1957; and for other purposes; and

S. 3272. An act to increase and make certain revisions in the general authorization for small flood control projects in the Flood Control Act of 1948.

MOTHER CABRINI

Mr. LATHAM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LATHAM. Mr. Speaker, while I am a member of the Protestant faith, I join with my Catholic friends, especially those of Italian ancestry, in commemorating the canonization of the first United States citizen to become a saint. Ten years ago tomorrow, July 7, 1946, Frances X. Cabrini was canonized a saint of the Roman Catholic Church. Mother Cabrini's body now lies in a crystal coffin in the chapel in Mother Cabrini High School, not too far from where I live in New York City.

Mother Cabrini was born in Lombardy, Italy, July 15, 1850. From early childhood she indicated a burning desire to devote her life to missionary work among the Chinese. It was Pope Leo XIII who advised her "not to go east, but to the west." With six Sisters of the order she had founded in Italy, Mother Cabrini arrived as an immigrant to the United States, March 31, 1889. Her work was concentrated largely toward helping fellow Italian immigrants to become rooted in American soil. While transportation was still primitive and dangerous in many areas, she traveled widely throughout the United States to establish schools, colleges, kindergartens, and free clinics in New York, New Orleans, Chicago, Seattle, Denver, and Philadelphia.

United States citizenship was granted to Mother Cabrini in Seattle, Wash., in 1909. She died in Chicago, December 22, 1917. The work of her life was so outstanding that the Catholic Church set aside a long-standing canon to permit early canonization of Mother Cabrini. Ordinarily, no investigation looking toward proclamation of sainthood can be started for 50 years after the death of the person to be so honored. Pope Pius XI dispensed with this canon of the church so that investigations could begin into the life and works of Mother Cabrini a scant 20 years following her death.

On November 19, 1950, His Holiness Pope Pius XII named Mother Cabrini as patroness of emigrants, making her the first United States citizen to be made a patron saint. Patron saints of the Catholic Church are those who have shown a disposition to extend special supernatural help to certain classes of persons. In the future, emigrants facing hardships in the journeys to new lands, and those confronted with the uphill battle to establish themselves in a new and strange country, can look for strength from their patroness, Mother Cabrini.

The work of Mother Cabrini dramatizes for us the hardships that most immigrants face while they are establishing themselves, even in this great and prosperous country of ours. Not only are the customs and language strange to them, but often they find communities and employers are unwilling to accept them fully. Added to these problems, most immigrants must bear the sorrow of separation from the families and loved ones who were left behind. I am proud that I have on occasion been given at least a small part to play in helping immigrants to become reunited with their families.

On this 10th anniversary of the canonization of Mother Cabrini, the American immigrant saint, we should pause to reflect on the tremendous strength, both economic and moral, this country enjoys because of contributions made by immigrants from Italy.

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. MURRAY of Tennessee. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 93]

Anfuso	Dolliver	O'Hara, Minn.
Barden	Dowdy	Patman
Bass, Tenn.	Eberharter	Pilcher
Belcher	Gamble	Powell
Bell	Hinshaw	Prouty
Bolton, Oliver P.	Kelley, Pa.	Richards
Burleson	Lane	Scudder
Celler	McCarthy	Springer
Cretella	McDowell	Thompson, La.
Diggs	Merrow	Thornberry
Dixon	Morrison	Wickersham
Dodd	Moulder	Wilson, Calif.
	Nelson	

The SPEAKER. On this rollcall 394 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COASTWISE TRADE

The SPEAKER. The unfinished business is on suspension of the rules and passage of the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes, which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. MARTIN. Mr. Speaker, I think the Members of the House would like an explanation as to what this suspension is.

The SPEAKER. This is a bill, the consideration of which was carried over from last Monday until today.

Mr. BONNER. Mr. Speaker, I ask unanimous consent to withdraw further consideration of this bill, as I have requested a rule from the Rules Committee.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, if the gentleman's request is granted, does that mean it may be called up at any time between now and the adjournment of Congress?

Mr. BONNER. No. I will bring it up under a rule.

Mr. CURTIS of Massachusetts. Mr. Speaker, reserving the right to object, is this the tanker bill?

The SPEAKER. It had something to do with that matter.

Mr. CURTIS of Massachusetts. We had two bills, Mr. Speaker.

The SPEAKER. The gentleman from North Carolina can perhaps inform the gentleman.

Mr. BONNER. Mr. Speaker, this bill provided for the chartering of tankers from the reserve fleet.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

READJUSTMENT OF POSTAL RATES

Mr. MURRAY of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11380) to readjust postal rates and to establish a congressional policy for the determination of postal rates, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 11380, with Mr. HARDY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, never has any legislation been considered more carefully, more deliberately, or more conscientiously by your House Committee on Post Office and Civil Service than the pending legislation, H. R. 11380. Hearings began on this legislation on March 13 and ended on April 26. There were 22 sessions in connection with hearings on this bill and 152 persons either appeared or presented statements. There were nearly 1,000 pages of testimony.

Mr. Chairman, I am glad to be the author of this legislation, as I am proud of the bill as reported out by our committee. In my opinion, the committee has done a good, outstanding job. I have never been more sincerely, more enthusiastically, or more seriously interested in any legislative measure than

I have been in the present bill. This legislation is nonpolitical and nonpartisan and is in the best interests of our Nation. Far be it from me to play politics for a single moment with postal rate legislation, and I resent any effort to make a political football out of postal-rate legislation. Certainly this legislation is nonpolitical, when former Postmasters General James A Farley and Jesse M. Donaldson, Democratic postmasters, came before our committee and urged the adoption of this legislation, and I hope that no Member will be guided either way by any political motives or considerations in the enactment of this bill.

As chairman of the House Committee on Post Office and Civil Service, I am striving to perform my duties conscientiously and in the best interests of our country. I do not know of a chairman of a House committee that has more burdens, more trials and tribulations, and more constant pressure and demands made upon him than I as chairman of our committee. I sometimes wonder why I do not quit as chairman because of the heavy pressure and many demands and other unpleasant duties that confront me. Still, I have a responsibility and a sense of duty and can shoulder the burdens and stand the gaff as long as my conscience is clear. I feel that I am doing the best job I am capable of with my many limitations.

Now, why is this bill necessary? For the past 10 years there has been a cumulative deficit in the Post Office Department of approximately $5 billion. This huge, tremendous deficit has been passed on into our general deficit and upon the taxpayers of our country. I have always maintained that those who use the mail for business purposes or for profit should pay their way and the cost of handling their mail.

Mr. Chairman, this bill will raise $430 million on revenue each year. At the present time the deficit of the Post Office Department is $470 million a year. Here is where the revenue will come from this bill:

From first-class mail, $295,700,000 annually.

From airmail, $16,400,000.

From second-class mail, $45,300,000.

And from third-class mail, $77 million.

It is very important that first-class mail be increased.

Mr. Chairman, did you know that there has been only one increase in first-class mail since 1895? That was in 1932, when the Committee on Ways and Means, as a revenue measure, increased first-class mail from 2 cents to 3 cents.

A little later on in the discussion, I am going to show beyond any peradventure of doubt that first-class mail is not paying its way. If we do not increase first-class mail, then we cannot increase airmail as proposed in this bill because, at the present time, the differential between airmail and first-class mail is 3 cents. We are proposing to make first-class mail 4 cents and airmail 7 cents. If you keep first-class mail at 3 cents then you cannot increase airmail.

Furthermore, we are proposing on the individual third-class mail that the rate be 3 cents. If we do not increase first-class mail to 4 cents, we cannot afford then, on your circular or junk mail, to make it 3 cents. So I say it is absolutely essential that first-class mail be increased.

It is the easiest thing in the world to get a salary bill approved by Congress, but the most difficult task to get approval of a postal-rate bill. Mr. Chairman, not only is first-class mail not paying its way, but the continued operations of the Post Office Department are costing more money. Just last week the eastern railroads filed a petition with the Interstate Commerce Commission for an increase in their rates of pay for the transportation of the mails. They will ask for about a 30-percent increase. If the railroads are given a 30-percent increase in their rates for the transportation of the mails, that will mean another $100 million added to the cost of operating the Post Office Department.

Mr. Chairman, as everyone here knows, there are many salary-increase bills pending now before this committee, and I presume that this House will pass a salary bill not later than next year that will add about $200 million to $300 million to this deficit.

So, in view of the fact that first-class mail is not paying its way, and knowing that costs will increase because of higher mail pay to the railroads and on account of the salary increases that the Congress will probably vote for postal employees, how can you vote against this bill which provides that first-class mail shall be increased from 3 cents to 4 cents and provides us with additional revenue of $295 million?

Let us face this situation with a sense of fiscal responsibility. Let us have the courage to do our duty. I have heard it said that you cannot afford to increase the first-class mail rate because it affects the little man. Mr. Chairman, did you know that from 75 percent to 80 percent of all first-class mail comes from businesses and corporations of all kinds? It is estimated that the average family sends only from 10 to 12 personal letters a month. Their added expense would be only 10 or 12 cents a month.

I trust that Members are not afraid to vote for the increase in first-class mail because this is an election year. I remember in 1951 when we passed a rate bill raising $161 million—I was the author of that bill and I am glad I sponsored it and Congress approved it—while we were having hearings and before we reported the bill out, for practically 1 month, one Member of the House got up here every day and under permission to address the House for 1 minute preached political woe and disaster and ruination to any Member who would vote to do away with the poor man's penny postal card. That Member, former Representative Edwin Arthur Hall, told us all that we would be defeated if we voted to do away with the poor man's card. It happened. We raised the penny postcard rate to 2 cents. I never heard of any Member who voted for it being defeated as a result of it. Unfortunately for himself, in the next election this former Representative, Hon. Edwin Arthur Hall, was defeated.

Mr. REES of Kansas. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, there should be a postal rate readjustment as recommended by President Eisenhower last January in a special message to Congress.

First of all, it seems grossly unfair that we should continue to pile up postal deficits which become a part of our national debt. This in effect will cause our children to pay for handling the letters and magazines and advertising material that we are using today.

Since 1945, these deficits have accumulated to more than $5 billion. While the deficit was reduced to some extent last year, it has bounced up again this year to $500 million.

Since 1945, there has been a $300 million increase in transportation costs, which has followed the pattern of transportation increases generally, but the primary increase in the postal costs is in salary increases and other benefits for postal employees.

Postal employees' salary increases and other benefits since 1945 have increased postal costs annually by $1,300,000,000. These salary increases and other benefits are in line with those granted other employees in Government, as well as employees in private industry. We have passed quite a number of employee benefit bills since 1945—22, in fact. Only two bills have been passed to raise postal rates. One of them, Public Law 900, 80th Congress, was combined with an employee-benefit bill in order to get it passed. A second one, Public Law 233, 82d Congress, was passed simultaneously with an employee salary bill. The employees constantly claim their pay and benefits should not be tied to postal rate increases. It would seem to me to be equally clear that we cannot constantly approve employee benefits unless we are willing to make a comparable charge on those who use the mails.

The users of first-class letter mail have not been called upon for one single increase to pay for any of these benefits. If there were no other reason given at all for raising the first-class letter rate from 3 cents to 4 cents, in my judgment this would be enough. To feel otherwise would be to say that we have been wrong ever since 1932. The Congress has acted nine times upon the maintenance of the 3-cent rate at a substantial markup over allocated costs. When the 3-cent rate was made permanent—it was paying about 30 percent over its allocated cost—it passed the House by unanimous consent. If we raise the rate from 3 to 4 cents, first-class mail will be paying just about the same margin.

Fourth-class mail is required to pay its own way. The rates on this mail have increased more than 115 percent since 1945. Both second- and third-class mail and postal cards have had substantial increases during that period.

The ratio of revenue to costs of first-class letter mail has dropped sharply since 1945. Now it is the lowest in its history and it does not even pay its apportioned cost—to say nothing of paying for the priority of service it gets over other classes of mail. If retaining the first-class letter rate at 3 cents is right under the present circumstances, then

we have been wrong for the past 50 years.

Those who say that first-class mail is showing a profit are using figures that do not include the last salary increase and other benefits of postal employees, amounting to more than $200 million a year.

It should be noted that in computing costs of the Post Office Department, the cost of buildings and their upkeep is not included in these computations.

Unless first-class letter mail is raised, the rate increases proposed for other classes of mail cannot be put into effect either. For example, under the bill, a 1-ounce letter of third-class mail sent individually will be charged 3 cents, the present first-class mail rate. Thirty-five million dollars of the $77 million increase for third-class mail will be raised by this particular increase.

There are those who try to confuse the issue by saying that an increase in first-class mail rates is a tax to pay for deficits in other classes of mail. This is not true. If there were no second-, third-, or fourth-class mail, it would be necessary to charge at least 5 or 6 cents for first-class mail in order to keep the Post Office Department from having a deficit. This is because all fixed charges would have to be met by letter mail.

The increased rate for second-class mail in the rate increase bill is primarily on the advertising portion going outside the county of publication and will be paid for by advertisers. Small newspapers will not receive as large an increase because there are no increases proposed for the portion of the newspapers delivered within the county of publication. In the case of weekly newspapers, 65 percent of their circulation is in the county of publication and will have no increases at all.

To sum up, we should not expect our children to pay postage for the letters and packages we send today. The postal deficits are due primarily to increased costs in transportation and salaries and should be paid by all mail users. If this bill is approved, first-class letter mail will have received the smallest percentage of increase of any class of mail since 1945 in order to meet these postwar, increased costs. First-class mail will be increased 33⅓ percent, second-class mail 100 percent, third-class mail 100 percent, and fourth-class mail 115 percent.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I shall be glad to yield.

Mr. MILLER of Nebraska. Will the gentleman tell our colleagues whether there has been an increase in the postal rates on first-class mail recently or how long it has been since there has been an increase.

Mr. REES of Kansas. Not since 1932 has there been any increase in first-class postal rates.

Mr. MILLER of Nebraska. And the cost of handling mail has gone up; has it not?

Mr. REES of Kansas. It has, definitely.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. HOFFMAN of Michigan. Am I correct in saying that these increases are rendered necessary, in part, because of the increase given to postal employees?

Mr. REES of Kansas. That is part of it and rightly so.

Mr. HOFFMAN of Michigan. Is there any way that we can require the Postmaster General to tell the people who are getting the mail that part of that is due to the increase in salaries?

Mr. REES of Kansas. We are trying to tell the people why this legislation is necessary.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. MORANO. Will the gentleman explain how much the administration requested for an increase in second-class mail and how much is included in the bill?

Mr. REES of Kansas. The increase requested on second-class mail, as I recall it, was $47 million or $48 million, and the bill provides for $77 million.

Mr. MORANO. Does the gentleman have the percentage figures?

Mr. REES of Kansas. We will present them to you a little later.

Mr. VAN ZANDT. What is the per capita cost of the increase of 3 cents to 4 cents to the average family?

Mr. REES of Kansas. You mean the individual cost?

Mr. VAN ZANDT. Yes.

Mr. REES of Kansas. The gentleman can figure it if he wants to. Two hundred ninety-five million dollars is asked for in the increase on first-class mail, of which 80 percent is being paid by industry and business. The average cost per family would be about $1.76.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. COUDERT. Is it not a fact that the bill provides at some point in the second-class mail provision a 120 percent increase in rates.

Mr. REES of Kansas. It is the increased rate on advertising. They increased their cost of advertising, and there was a feeling by the committee that that is where a larger share of the increased cost ought to be charged.

Mr. COUDERT. Is that what the Department requested?

Mr. REES of Kansas. It is more than the Department requested on that particular portion of second-class mail.

Mr. COUDERT. Does not the gentleman think that is a great hardship on certain of our national magazines?

Mr. REES of Kansas. No. I hardly think so, although it is a rather heavy increase.

Mr. COUDERT. Increasing it at that enormous rate?

Mr. REES of Kansas. Not enormous but rather heavy.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 6 minutes to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, first I would like to say that I have served for nearly 10 years on the Post Office and Civil Service Committee under the chairmanship of the distinguished gentleman from Kansas [Mr. REES] and the distinguished gentleman from Tennessee [Mr. MURRAY].

I think we have as little partisanship in our committee as any committee in this House.

I would also like to take this opportunity to compliment the Postmaster General and his able staff and assistants for the work they are doing to give us an efficient and economical administration.

I am opposed to this bill, and I signed the minority report. I would like to call these minority views to the attention of the membership. It is only a 4-page pamphlet and it is available to you, and if you will read it I believe you will get some very valuable information on this proposed increase.

The first reason why I am opposed to this bill is that it attempts to place on the users of first-class mail the burden of carrying most of the deficit which is incurred by second- and third-class mail. As you will note in this minority views report, the Department operating deficit in the fiscal year 1955 was approximately $370 million. Not a penny of that was a deficit from the use of first-class mail. The first-class mail in that year paid a profit of $62,300,000, and that included a portion of the year in which we operated under the salary increase for postal employees. It not only paid its way; it did not impose any of the deficit about which you have heard discussion. It paid a profit in 1955 of $62,300,000, including all of that year in which we operated under the increased salary provision.

For the fiscal year 1956, all of which was operated under the increased salary of postal employees, it practically broke even. There is not a dollar of deficit in 1956 fiscal year by reason of first-class mail. There is a great deficit by reason of second-class and third-class mails.

The cost ascertainment system under which we have operated over all of these years is one which has stood the test of time and it has had the approval of all the post office people until this year. They say now that they ought to add $157 million of the second-class mail deficit and $117 million of the third-class mail deficit as a legitimate cost against first-class users.

That is not correct. You have heard much talk about the injustice and unfairness of having our children and grandchildren pay this deficit, but it is equally unjust to say that the users of first-class mail must assume and pay the deficit incurred by second- and third-class users, and that is what this bill would do.

They say that because first-class mail gets a priority it is perfectly all right to add this deficit in the second- and third-class rates to it. But first-class mail now pays for its priority. It pays 3 cents an ounce, or 48 cents a pound as compared with 1.95 cents per pound paid by second-class mail. If that difference does not pay for the priority given first-class mail, then what does it pay for?

This bill will not do away with the subsidy of $6 million which is being paid to the Saturday Evening Post; the $4,800,000 that is being paid to Reader's Digest; or the $9,500,000 being paid to Life. These big magazines which are operating at a profit will still get a subsidy from the Post Office Department even under this bill. I have the figures here, and I had hoped to be able to give them to you, but I do not have the time.

The Saturday Evening Post will still receive a subsidy of $2 million if this bill passes. Reader's Digest, $3 million; and Collier's magazine, $1.7 million; Life magazine, $1.5 million.

I think this bill certainly ought to be defeated.

Mr. REES of Kansas. Mr. Chairman, I yield 7 minutes to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Chairman, first, may I say that I have served on the Post Office and Civil Service Committee for 10 years. I have also served under the able chairmanship of the gentleman from Kansas [Mr. REES] and the gentleman from Tennessee [Mr. MURRAY].

I can assure the Congress that every bill this committee has brought to the floor of the House has certainly received the most careful, the most lengthy, and most impartial consideration; of that there can be no possible doubt.

I would like to address myself especially to first-class mail, because I think a great many things have been said about first-class mail that need to be cleared up, to say the least.

First of all, it is contended that first-class mail pays its way, and therefore the rate should not be raised in any way. I am reliably assured that first-class mail does not pay its way; that even after we pass this bill and raise the rate to 4 cents an ounce, it will still cost about three-tenths of a cent per piece. But laying that to one side, let us ask ourselves what is the history of the post office and of first-class mail? Let us go right back to the beginning.

Benjamin Franklin, who was the father of our postal system, stated unequivocally that postage rates are not in the nature of a tax, but rather are fees paid for service.

How do we pay for our first-class mail now? What do the first-class users of mail have to do? They have to pay for this deficit.

We have done a lot of talking about the little fellow and certainly we should be careful of his rights. I would like to assure you, however, that no little fellow came before this committee to protest against the raise in the first-class rate. Why? Because, although it may be the fashion to talk down to the little fellow, he is quite aware of where his money goes. This is where his money goes and where his money will go. Here are the exact figures, which I have taken considerable trouble to get and they are correct. If the postal rate bill is passed, it will cost the average American family, of whom there are 40 million, an additional $1.76 per annum. If it is not passed, the deficit will continue to be supported by tax money. In other words, to tell these people that because their rate is raised they are not paying anything is a lot of demagogery, and we know it. They will pay. What will they pay? They will pay $7 per year. That is, the exact difference between $1.76 and $7 per year.

When we say that first-class mail should not be taxed as heavily, we should take into consideration certain matters. First, may I tell you that, if you do not raise the first-class rate, you might as well leave here now and not bother with the bill at all, because it is not worth the trouble to pass.

First-class mail in the year 1932 cost 1.7 cents per piece to carry. Nevertheless, without any great trouble the rate in that year was raised to 3 cents. I believe we were assured that that would be temporary. It was so temporary that in 1947, by unanimous consent, it was made a permanent rate, which it has been up to the present time. So there was no question then of making it pay its way. It was paying a good 2-cent surplus for all those years to help carry the Department.

Now we are only asking for the 1-cent raise, which is almost a necessity if you are going to raise your third class, and I think there is little argument but what that should be 3 cents. In other words, when first-class mail was first raised in the year 1932—and it has never been raised since—it paid 30 percent over its allocated cost. We are doing nothing like that today.

To go back to the individual, to this little fellow whose thoughts and aspirations we are always careful of except when it comes to voting his money away, and, after all, we should be careful of him. Most of us are little fellows, and we know what that means. He as an average would prefer, believe it or not, to pay 5 cents. Up to the north of us in Canada where they are more advanced in many things, they have a 5-cent first-class postal rate, and it has worked no hardship at all.

Mr. FULTON. Mr. Chairman, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Pennsylvania.

Mr. FULTON. May I congratulate the gentlewoman on her excellent and logical statement.

Mrs. ST. GEORGE. I thank the gentleman. Even at 5 cents, you will be sending a first-class letter farther for a lower rate than anywhere in the world today. That is a statement that cannot be challenged. At 3 cents you are just giving it away.

Mr. KEATING. Mr. Chairman, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from New York.

Mr. KEATING. I think the gentlewoman has expressed the most convincing argument for an increase in the first-class rate of any I have heard. In other words, it would actually cost every family or the average family about $5.25 to defeat this bill, the amount they would have to pay in addition?

Mrs. ST. GEORGE. That is exactly correct, and I thank the gentleman for his contribution.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RHODES].

Mr. RHODES of Pennsylvania. Mr. Chairman, first I want to express disagreement with the statement by the gentlewoman from New York that no little fellow appeared before our committee to testify against the first-class increase. I recall one gentleman who was treated rather roughly, and the proponents of the bill even inquired about the gentleman's income tax return.

Mr. Chairman, my views are presented in the minority report in opposition to the enactment of this bill to increase postal rates. It is hoped that Members of the House of Representatives have studied this report and find therein a voting guide on this complex subject. In the few minutes allotted to me I want to express additional reasons for my opposition.

In my opinion, this is a most unfair and unjust proposal. It is an administration bill, although it was introduced by the distinguished chairman of our committee, for whom I have a great deal of respect and admiration.

Mr. MURRAY of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Pennsylvania. I yield to the gentleman from Tennessee.

Mr. MURRAY of Tennessee. You say this is an administration bill. Do you not know that the provisions for second-class mail were written in there by amendments offered by a Democratic Representative, the gentleman from Michigan [Mr. LESINSKI], making a 120 percent increase in advertising and a 30 percent increase in reading matter?

Mr. RHODES of Pennsylvania. There were 1 or 2 amendments made in committee, I will admit that, but this is an administration bill which the chairman introduced.

Few persons, if any, are better informed than our chairman, Mr. MURRAY, on postal legislation. He has courage and strong convictions and is a most able chairman.

But because of his extreme conservative thinking and philosophy, I often find myself in disagreement with him. I never doubted his desire to do what was fair and what was best for the people and for the Nation. But frequently I find myself in sharp disagreement with him as to what is fair and what is right and best.

On postal rate legislation, however, I have generally been in accord with the views of our chairman. When the last rate increase bill was passed in 1951, I was in complete agreement with him and fully supported his bill. At that time he opposed an increase in first-class mail for the very same reasons I oppose this bill today. He is taking a different view today than he did at that time, when the same situation prevailed.

The theory has been created that the only agency of government which should take in as much as it spends is the Post Office Department. This incorrect concept of a great service arm of Government has been fostered by the present Postmaster General through countless publicity handouts, speeches by himself and his aides, by inspired editorials and by expensive propaganda in the form of

charts and surveys sent to all parts of the country; by polls and tailored testimony before the House Post Office Committee.

The record of the hearings on this proposal before the House Post Office and Civil Service Committee encompasses 869 pages. House Members can hardly be expected to read all of this record or to resolve the conflict which exists therein. One fact emerges, however—nowhere does the Postmaster General or his aides adequately stress the importance to the American economy of the postal establishment. From his testimony and that of other proponents of the legislation one gains the impression that the great increase in mail volume during the last decade is something to be abhorred, forcing as it does the need for the hiring of more and more employees, the purchase of more equipment, the payment of increased transportation costs, and so forth.

This bill, Mr. Chairman, will put an unfair and unjust burden on the users of the mail who already pay more than their proportionate share of the postal costs.

There is merit to proposals to adjust postage rates so as to cut the postal deficit. But it will be highly discriminating if we attempt to shift more of the postal service costs on the average citizen, on community organizations, and small-business groups who are the big users of the first-class mail service.

Members of our committee received a list of 1,000 printers, publishers, and direct-mail houses from the head of a Philadelphia business firm, 95 percent of whom opposed the increase in first-class rates. It was pointed out by this gentleman that the first-class rate increase would stifle the advent of new small businesses and hand the established business firms on a silver platter assurance of no additional competition. This bill, as he infers, is a big-business bill. It should be defeated.

We had some excellent testimony against the first-class increase from small-business men, despite the fact that some were not treated with the courtesy and respect they are entitled to when they come before a congressional committee.

Perhaps all Members received a letter, such as I did a few days ago, from Marcus R. Braun, president of the Association of First Class Mailers. Let me read what he said:

> When I appeared to speak on behalf of the little man—the man who is really going to have to foot the bill for Mr. Summerfield's crusade for glory—my business was held up to scorn. My integrity was questioned indirectly when one of the committee members demanded to see my personal income-tax return.

What Mr. Braun said is true.

It took a lot of courage to testify against the provision to boost first-class rates.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. RHODES of Pennsylvania. Mr. Chairman, I regret that the opposition to this legislation apparently is not going to get equal time. It so happens that both the chairman and the ranking minority member are in favor of the proposal. I wish I had time to complete my statement which would take only 10 or 12 minutes.

It was obvious in many instances that witnesses for the bill had been coached by the Department. This was particularly true in the case of certain employee groups. Inspired editorials appeared in some newspapers, although small publishers are on record against the bill.

In his all-out drive to force a rate bill through the committee the Postmaster General recruited a number of well-known citizens and organizations to support this legislation. Among them were representatives of Sears, Roebuck & Co., Republic Steel Corp., Burroughs Corp., the Kudner Agency, the Flint Michigan Journal, the Association of Postmasters. Other supporters of the legislation included two Cabinet officers: Secretary of Commerce Weeks and Secretary of the Treasury Humphrey, as well as former Postmaster General James Farley. Not one of these witnesses, however, was able to offer more than a personal opinion regarding the impact of the rate bill on the economy of the country. When questioned on this point the Secretary of the Treasury said his Department had made no studies. The Secretary of Commerce conceded that one group within his agency had gone into the problem of the effect of postal increases on the printing and publishing industry and had recommended a stand in opposition to the rate bill.

First-class postage pays its own way, despite all the deceptive arguments to the contrary. Before any thought is given to a boost in first-class rates, substantial adjustment should be made in other classes of mail, particularly second-class, where the major portion of the deficit occurs.

Former Postmaster General Jesse Donaldson, in testifying before our committee on this bill, urged that there be a 70 percent increase in second-class rates before we adopt a 4-cent rate for first-class mail.

If you believe in the trickle-down philosophy then vote for this bill. It is a proposal to tax the little fellow. You will be voting to charge the people an additional $295 million a year in order to make more secure the indirect postal subsidies which go to a handful of big magazine publishers. Before you vote for this bill give some thought to the fact that the publishers of Life magazine will benefit from low second-class rates to the tune of about $10 million this year. Reader's Digest will get something like five or six million, and Saturday Evening Post will get an indirect subsidy of about seven or eight million for the year.

Even if $38 million is raised through increased second-class rates, a second-class deficit of approximately $200 million will still exist. The administration originally sought only $17 million from second-class users. These users, in turn, demonstrated that their industry experienced profits averaging only 2.6 percent after taxes; that the imposition of further fees totaling $17 million would put the majority of them in the red.

I can appreciate that this may be true in the case of the smaller publications, the magazines with small circulations, the newspapers which have extremely low circulations and little advertising. We face the danger of permitting big publishers of getting bigger, by gobbling up the circulations of the bankrupt little fellow.

Mr. Chairman, the American people have not been given full and complete information on postal rates. They have been fed a lot of Department propaganda filled with half-truths and deception. They have been told how many schools could have been built with the amount of money which was lost by the Department over the past decade. This has nothing whatever to do with postage rates or the postal deficit. It is not fair to try to influence public opinion with such deceptive statements.

The facts are that the leading proponents for this postal increase have a philosophy which brings them in sharp conflict with legislative proposals for an adequate Federal program to provide needed schools for the youth the Nation.

Deceptive propaganda has poured out of the Post Office Department in an effort to influence public opinion and Members of the Congress. Local postmasters have been fed canned speeches and have given the public a one-sided story filled with half-truths and deception. Pressure has been used to line up postal employees for this proposal. A public opinion poll service was bought and paid for by the Post Office Department in an effort to win favor for the administration proposal. Like many of you, I have very little respect for or confidence in these bought public opinion polls. They are designed, as this one was, to influence public opinion, rather than to measure it.

Department propaganda found its way to the pages of many newspapers throughout the Nation. Letters to the editor appeared disguised as messages from housewives and the like. Few readers would suspect that they were written in the Post Office Department.

Mr. Chairman, good examples of this attempt to deceive and propagandize the American people are two recent letters to the editor of the Washington Post and Times Herald. Both of these letters are passionate defenses of the 4-cent letter, written by women who speak as "housewives." The first of these letters was carried in the April 3, 1956, issue of the paper. The writer makes quite a case for increasing postal rates of the big publishing corporations and other mail users being subsidized by the taxpayers. But how to reduce the subsidies? Of course, by raising first-class postal rates, according to the writer, who also praises the Postmaster General for his spunk in this fight for higher rates.

Another such "housewife" letter in the April 16, 1956, issue attacks the postal deficit because, she says, "the taxes to pay for our share of this deficit will come out of my husband's paycheck," and

argues that "the average housewife would benefit financially from an increase in her letter costs as requested of Congress by the Postmaster General."

It is quite interesting that one of these letters has been reprinted in the June issue of the Postmaster's Gazette. An editorial comment preceding the letter states that—

The Gazette does not know the writer of the letter, but she certainly has a correct understanding of the reasons for increased postal rates and states them consistently.

Mr. Chairman, the two average housewives who wrote these letters to the editor of the Washington Post and Times Herald are the wives of two members of Postmaster General Summerfield's public relations staff who share an office in room 3307 in the Post Office Department.

Of course, these women have a perfect right to express themselves in letters to the editor column, but I submit that representing themselves as average housewives is an obvious attempt to deceive the reading public on this issue. Their letters are a restatement of the cleverly written propaganda line of the Post Office Department to put over this discriminating postal rate bill.

I do not know how widespread this inspired "letter to the editor" propaganda device has been around the country, or whether Post Office Department employees have been intimidated into this obvious attempt to mould public opinion to the pattern established by the public relations salesmen on the Postmaster General's staff.

Mr. Chairman, so that Members may judge for themselves the propaganda content of these inspired letters to the editor, I included the letter from the April 16, 1956, issue of the Washington Post and Times Herald and the letter from the April 3, 1956, issue of the same paper, as reprinted with editorial comment in the June 1956 issue of the Postmasters Gazette:

[From the Washington Post of April 16, 1956]

LETTERS TO THE EDITOR

POSTAL DEFICIT

According to recent testimony before a congressional hearing, the present yearly postal deficit will be close to $500 million.

The taxes to pay for our share of this deficit will come out of my husband's paycheck, in the form of withholding taxes. As a housewife, I would like to see something done to correct this deficit and make our tax burden less.

As I understand it, various figures have shown that the average family's share of the postal deficit of half a billion dollars a year will be about $7. This is an estimated cost which must be borne by each of the 43.5 million families in the United States. Also as I understand it, this deficit will be paid largely in income taxes.

At the risk of possible oversimplification, I would like to show how the average housewife would benefit financially from an increase in her letter costs as requested of Congress by the Postmaster General.

The average family, according to Government figures, would spend about $1.50 a year for additional postage if letter rates are raised a penny, as proposed.

But, if they are not raised, we will continue to pay $7 in taxes to help meet the postal deficit.

As it is, we are spending the $7 in taxes to foot the postage bills of the large mail users, since they send about 80 percent of letter mail, and most of the mail of other classes.

I'm sure there must be many complications and arguments involved. But the fact remains after all is said and done that my husband and others are helping pay the postage bills for the big mail users, through their payroll withholdings, because postage rates are too low and the taxpayers are, in effect, subsidizing the large mail users.

The fundamental arithmetic should be obvious to anyone who has the responsibility of making ends meet for the family. It seems to me that a postage rate increase not only is desirable, but is absolutely necessary in the interest of justice for the average taxpayer. Let those who use the mails the most pay the most.

MARGARET EMMET.

WASHINGTON.

[From the Postmasters Gazette of June 1956]

FAIR POSTAL RATES MEAN SAVINGS TO AVERAGE FAMILY—A HOUSEWIFE AND MOTHER HAS SOMETHING TO SAY

The Gazette does not know Mrs. Marie L. Lewis, of Hyattsville, Md., who wrote the following letter to the Washington Post and Times Herald, but she certainly has a correct understanding of the reasons for increased postal rates and states them concisely. She answers the hypothetical arguments made by some opponents of rate increases and emphasizes what the public is coming to realize—that increased postal rates are not adtional taxes for the people but transferring the cost of the service from the general taxpayers to the firms and individuals who use the mails for profit, personal benefit, and pleasure, thus reducing the tax burden of the general taxpayers. The Washington paper printed several letters on March 27 from persons who gave preposterous examples of how the proposed increases would be burdensome, like paying 8 cents to mail a 2-ounce letter to a neighbor across the street.

POSTAL RATE BOOST

There is so much misstatement and misunderstanding in the letters of March 27, relating to postage rate increases, that—as a housewife and mother—I feel compelled to write you with some of the true facts.

I do not believe any mother or father would believe it is right to pass on their debts for food, rent, laundry, and the like to their children. But that is exactly what we are doing now on our postage bills. Because we are not paying enough for our postage, we are passing the postal deficit—in the form of taxes—on to our children.

And, to make matters even worse, this deficit that our children will have to pay is not so much our own postage bill—as average mothers and fathers—but the postage bill of the big publishing corporations and other mail users at such low rates that the taxpayers are unknowingly paying millions a year to subsidize these private businesses.

Despite all this, the big publishers have not hesitated to raise the costs of their magazines from a nickel to 20 cents.

I notice that one of your letters to the editor complains that it will now cost 8 cents to mail a letter across the street—and presumably we should not raise our postage rates because of this.

This is a ridiculous argument. The times that the average family sends a letter requiring more than one stamp during a year generally can be counted on the fingers of one hand. And, as for mailing a letter across the street, how often does that happen? Seldom, if ever.

It has taken a lot of spunk for Postmaster General Summerfield to stick to his guns on this. He knows the postage rates actually will save the average family money in the long run, by making the big mail users pay their fair share of postage. I say we should be willing to face up to a proper postage increase to make sure that these postage bills for the big users are no longer dumped on us and our children in the form of taxes.

Mrs. MARIE L. LEWIS.

HYATTSVILLE, MD.

It seems to me, Mr. Chairman, that such unscrupulous tactics are unnecessary to gain support for meritorious legislation. The very fact that it was necessary to resort to such deceptive methods is a good reason in itself why the proposal now before us should be defeated.

Mr. REES of Kansas. Mr. Chairman, I yield 6 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I should like to read a brief message from the President of the United States on the need for postal rate increases:

A postal deficit of more than $500 million is obviously unsound, especially at a time when every effort must be made to reduce the size of the Federal budget. The taxpayers of this country are faced with an unavoidably large burden in financing our defense program. It is unreasonable and unfair that they should also have to pay for postal costs which should be borne by those who receive the direct benefits of postal service.

Mr. Chairman, that is not President Dwight D. Eisenhower speaking. Those are the words of former President Harry S. Truman in his message to Congress of February 27, 1951.

Former Postmaster General Farley, under President Roosevelt, testified in our committee for this legislation. Former Postmaster General Donaldson, Postmaster General under President Truman, also testified and favored a first-class increase under conditions which are met by this bill.

At page 764 of the printed hearings, Mr. Donaldson said:

Therefore I believe it would be unjust to raise the rate on first-class mail until and unless there is a greater increase in the rates for second-class mail. I have not changed my opinion on this matter from that expressed to this committee in March of 1951.

Later in the hearings, the gentleman from Tennessee, the chairman of our committee [Mr. MURRAY], asked Mr. Donaldson:

What do you think would be an equitable increase in second-class mail at the present time?"

Mr. DONALDSON. Mr. Chairman, so far as the Postmaster General's rate structure is concerned, that is, increased rate of postage is concerned, I would join him in everything that he has recommended if he would include in his recommendation a further increase in second-class mail of 70 percent. Instead of the 30 percent, make it 70 percent.

I presented an amendment to accomplish Mr. Donaldson's recommendation. It was defeated 13 to 12. A very distinguished Democratic committee member, the gentleman from Michigan [Mr. LESINSKI] offered an amendment which raised it above the level recommended by Mr. Donaldson and I am happy to say I supported it and it is today a part of this bill.

So we have Mr. Donaldson's recommendation in support of this increase, Mr. Farley's recommendation, a former Democratic President, as well as the two former Democratic Postmasters General, the present Postmaster General, Presi-

dent Eisenhower, Chairman MURRAY, and the ranking Republican member, the gentleman from Kansas [Mr. REES], all favoring this bill. That leads me to the conclusion that this is a nonpartisan bill, it is not a political bill, it is a bill to do justice for the American people, to stop a national disgrace.

A bill to do justice to the American people? You may say, "How can it do justice when the first-class user is already paying his way?" The simple truth is that according to the long-established policy of Congress, first-class mail is not paying its way. Even if you disregard any costs which accrue to the preferential handling of first-class mail, you will find that in this present fiscal year the revenue from first-class postage will be less than the expenditures and there will be a loss in the fiscal year 1957, the first year that we will have had the full effect of the salary increases that we voted last year.

First-class mail, throughout the years or in recent years, has contributed a smaller percentage of the total cost of running the Post Office Department. It used to be 50 percent in the prewar period. Now over the postwar period it has averaged only 35 percent of the cost of running the entire Post Office Department.

Let me emphasize this point. As of this moment, first class is not paying its way even if you disregard the special handling. Does anyone here deny that the prime purpose of a post office is to deliver a first-class letter? Does anyone deny that that is the reason for the post office being in business?

The gentleman from Kansas [Mr. REES] has stated that it would cost 5 or 6 cents per first-class letter if that was all we handled. How can we disregard the extra equipment, the extra men, the extra planes, the rail cars, the trucks, and the post offices that are necessary in order to deliver a first-class letter from Seattle, Wash., to someone's doorstep down in Miami, Fla.? Of course, first-class mail costs more than other classes just as platinum is more expensive than gold and T-bones are more expensive than hamburger. Those costs cannot be ignored, and Congress has always recognized them.

In 1933 the first-class mail rate was paying 112 percent of its cost, even when you exclude the cost of preferential handling. Then Congress, with 12 percent to the good, raised the letter rate from 2 cents to 3 cents, so that it contributed 156 percent. We went along through the years, and now we come to this point where increased costs and increased wages have actually taken it down to the point where in fiscal 1956, even disregarding the cost for preferential handling, you will have a loss through the handling of first-class mail.

Look at it another way. From 1932 to 1955, 33 percent was charged above the cost of handling first-class mail because of the preferential treatment given that mail. In 1932, we were charging only 12 percent above. You raised it in 1933 so that we went to 56 percent above the cost. We came down to 27 precent in 1947, and now it is below the cost level in fiscal 1956. This bill would take it up to less than 33 percent, the traditional average that Congress has allowed over a period ranging from 1932 to 1955.

If you do not pass this first-class increase I ask this question: Who pays for the deficit? If you fail to pass it, are you helping the little man?

The little man sends 15 letters a month; $1.80 a year is what this increase will cost him. Right now what does it cost him? He is paying $6.70 a year to support the postal deficit part of the national debt.

Whom are you kidding? If you try to tell me that voting down a first-class rate increase will help the little man, when you are hurting him by the difference between $1.80 and $6.70 a year, I say let us stop kidding the average taxpayer. Let those that use first class pay for it. Let us stop charging our grandchildren for our postage bill. Let us stop the national disgrace of being the only free country in the world that is showing a deficit in its Post Office Department. Let us vote for this bill, and let us vote a first-class increase.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 13 minutes to the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, I want first to indicate complete agreement with two statements made by the distinguished chairman of the committee. I join him in his hope that no Member will be guided by partisan considerations in approaching this legislation. I join him in the firm belief that those who use the mails should pay their way. It is because of the conviction that that should be the guiding principle for this postal establishment that I arise to oppose the legislation presently before us. I want to challenge very pointedly the statement of the chairman which has been concurred in by each of the speakers succeeding him that first-class mail does not pay its way. It does pay its way—under the only yardstick which is recognized by law, the postal cost ascertainment system. This interesting document which is printed at considerable expense to the taxpayers is called the cost ascertainment report. What does it show? It shows that there is an excess of revenue over expenses of $62,325,144. Then, if we add to that item the additional $55 million to $60 million, which will be allocated as the first-class share of the salary increases, we find that a profit still accrues of between $2 million and $7 million. Where does this great big deficit, if it is a deficit, occur? Again going back to that official yardstick, the cost ascertainment report, we find that $219,586,785 accrues from second-class mail, and $172 million from third-class mail. The bill before us now proposes to increase through a postal tax the revenues to the Department by some $400 million, approximately the amount of loss incurred on second- and third-class mail. Of that $400 million approximately $300 million will be derived from a 1-cent tax on every first-class letter put in the mails—and it is a tax because it is a rate in excess of the needs of the service to handle that class of mail. It was so recognized as a tax when it was increased on a temporary basis back in 1932. That was an honest action of the Congress. Facing the need for revenues, they levied a 1-cent additional tax on the first-class mail and it was considered and acted upon and reported by the Committee on Ways and Means. That is where this bill should be coming from today insofar as it affects first-class rates. It is a first-class postal tax and make no mistake.

Now, let us get right to this point of defining these different users of the mail. There are other users here, if we are going to define this deficit of the Post Office Department, much of which I think represents a national policy. We lose about $8 million by carrying international mails as a result of international agreements, That is an expense which should be directed against the general revenues of this Government and not against the postal users. Then, we have another item of some $47 million of loss for special services. Under the law, the Postmaster General is empowered to adjust those rates.

Mr. HOLIFIELD. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred fourteen Members are present; a quorum.

Mr. MOSS. Forty-seven million dollars covers the loss on special services which could be adjusted by the Postmaster General. If it is his feeling that the public interest demands continuing those rates below cost, then it should be charged against general revenues of the Government, and not a charge against first- or second-class users of mail.

As we break down these figures of postal deficits, we find that the second-class user is burdened with items which should be separately handled in the public interest.

Handling of mail for the blind, $13,329,000, is included in that second-class deficit. It should not be so included. It is the considered judgment of this Congress that the blind require service, and, as in the case of all other social service, it should come from the general revenues and not the postal rates.

We have exempted a variety of publications which the Congress, in its judgment from time to time, has granted highly preferential rates in the carrying of them in the mail, amounting to $44 million. This should not be a charge against the second-class users of the mail. These are clearly public services by the Government of the United States, and they should be separately appropriated for and segregated from the cost of the postal establishment.

I sympathize with the Postmaster General. I would not want the onus of operating a deficit agency, but, remember, this is not a business. This is a service, as every other department and agency of Government. As we assign to it the problem that its rates recover all of its costs, we isolate it and treat it differently than any other agency or department of Government, and we in all fairness should not do that. To the extent that it gives public service it should be treated in its appropriations just as the Department of State, Justice,

or Commerce, or any other agency of the Government.

We should not look to a less number of people, in this case the lesser number of first-class users, to undertake the support of this deficit by a special tax.

The same thing is true with airmail. I would like to caution you that in raising airmail rates you will not diminish the volume. At the present time there is under way an experiment, which is almost 2 years old, where we are flying first-class mail for 3 cents, and the Postmaster General tells us we are flying it at 3 cents and we are making a profit. Now he wants 7 cents for regular airmail, and tells us that that volume of first class which goes by service transportation, for some magical, unexplained reason loses on every item. Yet we can fly that first-class mail for 3 cents and make a profit, but we cannot fly airmail for 6 cents.

The Postmaster General should read the testimony of the Comptroller General of the United States before the subcommittee of the Committee on the Judiciary on antitrust, where it was recommended by the Comptroller General that the Post Office Department undertake some realistic negotiations with the air carriers. He pointed out, and I read:

> The service rendered by the carriers in transporting airmail is almost identical to that furnished for airfreight, except for the factor of priority which the Post Office Department has stated exists in theory only.

Yet the first-class mail rates are considerably higher than airfreight rates. We should consider this statement before setting the rate on the airmail postage 1 cent higher. We are paying too much for its carriage. We can bring it down. In that I am joined by a carefully considered report of the Comptroller General of the United States, a man who is not interested in anything but the sound accounting policies of this Government.

There are a great many things which can be said about this matter of postal rates, and one of the most important is that the Congress in this piece of legislation is adopting a most interesting procedure. We set the rates in this bill and then we write a postal policy, a backward action if ever I have seen one. The policy is good. It is a step in the right direction, but we should have first written the policy and then by careful implementation of the policy come up with a sound rate based on a policy which is the result of considered judgment and not expediency, as is the case of the bill presently before us.

Mr. HOLTZMAN. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield.

Mr. HOLTZMAN. I want to compliment the gentleman on what I consider one of the finest statements I have ever heard in this House. Are we to understand that the figures the gentleman has quoted are from the only official source of information which we can use?

Mr. MOSS. I have used figures from no other source than the official cost ascertainment report of the Post Office Department.

Mr. HOLTZMAN. I thank the gentleman.

Mr. MURRAY of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the chairman of our committee.

Mr. MURRAY of Tennessee. The gentleman was one of the authors of the report, was he not?

Mr. MOSS. With the gentleman from Pennsylvania [Mr. CORBETT] I helped draft the report.

Mr. MURRAY of Tennessee. I wish to read a statement from the report of which the gentleman himself was a coauthor. The policy statement in title II of the bill declares it to be the policy of Congress with respect to first-class mail that:

> The acceptance, transportation, and delivery of first-class mail constitutes a preferred service of the postal establishment and, therefore, the postage for first-class mail should be sufficient to cover (A) the entire amount of the expenses allocated to first-class mail in the manner provided by this title and (B) an additional amount representing the fair value of all extraordinary and preferential services, facilities, and factors relating thereto.

Mr. MOSS. I agree with every word in that statement. I have just voiced my protest at the failure of the committee to take that policy statement and determine the features of priority in the handling of first-class mail. Because of the failure of the committee to do that job I say to you that no job has been done and that we departed from sound policy and reverted to expediency in the setting of rates, as has been the case for over a hundred years.

Mr. REES of Kansas. Mr. Chairman, I yield 7 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL. Mr. Chairman, rising in support of this legislation I would like to state that I am in agreement with the definition of the legislation as given by the gentleman from Illinois the other day when he stated in effect that this bill should be identified as the Congressional Fiscal Responsibility Act of 1956. Whether you agree with that definition or disagree with it, this legislation gives each Member an opportunity to assume his fiscal responsibility as he believes it to be. I realize it is a very unpleasant task when the Members are called upon to vote any type of increase in cost upon our people. But we have had to assume unpleasant tasks before. We have had to adopt tax increases when increased revenue was necessary. We had to adopt the draft law and we had to go as far as to declare war. Many unpleasant tasks the Congress has been called upon to perform when the economic situation and the security of the national defense of our country were at stake.

Certainly something must be done about the postal situation now. We know that the costs of operation of our postal system have doubled, like the costs have doubled in everything else. There has been a deficit of $5 billion in the post office since World War II, a half billion dollars in the current year alone. So far as this increased cost is concerned, the increase in wages alone since 1945 has exceeded all increase in revenue by a ratio of 4½ to 1. We have had a total increase in wages in the postal system since World War II of $1,300,000,000. All of the increases in the rates combined have amounted to only $286 million.

Bear in mind we have not had any increase in letter rates whatsoever since 1932. The total increase in magazine rates since 1932 has amounted to approximately 3 percent. Something must be done about that. We cannot stick our heads in the sand and let the situation take care of itself.

Mr. Chairman, there are three courses of action available. One is as mentioned by the gentleman from Kansas [Mr. REES]; that is, we can pass it on by increasing the national debt and let future generations pay for the cost of the service we are enjoying today. No Member of this body cares to do that, I am sure.

We can follow the course mentioned by the gentlewoman from New York and pass it on as a general tax increase for all the American people, thereby delaying a much needed and much desired general tax reduction. As pointed out by the gentlewoman from New York, if we pass it on as a general tax increase it would cost the average American family approximately $7 a year.

The third course of action is as provided in the bill, secure the revenue from the sources that are benefiting from the service. Let the people who use this postal service pay for it. That is the most equitable way of providing additional revenue.

We hear a lot of argument about business cost versus the cost to individuals, but we find here that 75 percent of the first class mail service is used by business, therefore, if the mail users pay for the cost of this mail service, the individual would only be paying 25 percent of it anyway. If we pass it on to general taxation, it will cost the taxpayers an additional $5 or more per family.

We have had a great deal of argument about the benefits for big business over the benefits for little business. Let us take the small weekly newspapers, for example, as provided for in this bill. For the 9,000 weekly newspapers in this country average a 2,000 circulation or over, the total increase that those newspapers would pay combined would bring in approximately $700,000 a year in additional revenue. Thirty percent of the newspapers, or 30 percent of their circulation, is delivered free anyway and remains free in this bill. Another 35 percent will not be affected by any increase for in-county delivery. In other words, 65 percent of the circulation is not affected by this bill. For the part affected only half of those would have to absorb an increase in excess of 30 percent.

Let us see how much that amounts to for the average weekly newspaper in this country. Here is one in Fort Scott, Kans., whose total postage rate now amounts to $1.76 a week. Under this bill it would amount to $2.56, an increase of 76 cents per week. Here is another newspaper with a circulation of 1,370, an increase of $1.90; another newspaper in Illinois would have to pay an increase of $3.31 a week, and another in Texas, 2,200 circulation, an increase of $2.31 a week.

Mr. Chairman, did you know that the cost for weekly newspapers is identically the same as it was here in this country in 1885? It is actually less than it was in 1879; in fact, it is less than it was before the Civil War. So, the charge that little business is having to assume this cost, or the individuals assume the cost, is just a shield that is being used by the mail users who are benefiting by these low rates.

Now, a little bit about the political situation. I certainly would not attempt to advise any Member of this body what is good politics, but I have a confession to make: that I am enough of a politician to be very vitally concerned with how my people back home feel about this measure. Well, I sent a questionnaire out to every registered voter and I asked the question: Do you want to pay a postal increase in order to eliminate the postal deficit? Seventy-seven and seven-tenths percent of the people said "Yes," out of 15,000 who replied to that questionnaire. That is a ratio of approximately 4 to 1. And, I daresay in some sections of the country you could not get that large a percentage if you asked them were they 100 percent against sin. I recognize that the average individuals are willing to pay the increase in order to solve the problem. I do not think the average American people expect something for nothing, and they do not want something for nothing, and they are willing to go along with this measure. The only people I know who are opposed to it are the people who are using the mail service as a part of their business. They have had to pay an increase on every other item of facility and service in the operation of their businesses, yet they raise Cain when they are having to pay any increase for the service provided for them by the Federal Government. Again I say I believe the American people overwhelmingly are in support of this legislation, and I urge its favorable consideration by this body.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Connecticut.

Mr. MORANO. I have a situation in my county of papers published and printed in Bridgeport, Conn., in the county of Fairfield. Now, they circulate and distribute them in other counties. What is the situation?

Mr. BROYHILL. There is a 30-percent increase in the out-of-county mail, but the vast majority of all of these weekly newspapers is circulated within the county.

Mr. MORANO. They will have to show the circulation out of their county compared to circulation in the county, then?

Mr. BROYHILL. That is correct.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, the post office operates at a deficit and so does every other department of the Government. It only just so happens that the post office recovers about 85 percent of its cost of operation, so we are talking about a 15-percent deficit on the part of the post office rather than almost a 100-percent deficit of every other department of the Government that renders service to the American people.

Now, the question before the House is, Who shall pay the deficit? Shall all the taxpayers of the Nation pay it, like they have been doing for 165 years, or shall we saddle all of the deficit on the 3-cent mail users? That is all there is to it. That is the question; that is the problem.

Now, the Congress has decided traditionally that the general tax fund shall pay the post office deficit. Today, if you vote for this bill, you change that traditional policy and you assess $299 million of the total deficit on the people who use 3-cent letters; not on those who incur the deficit but you put it on the people who are already paying their way in the first-class mail plus a $62 million profit, and you concentrate the charge of the deficit on those people rather than on the general tax fund of the United States.

Now, let us consider who is paying what. Here are 37 letters in franked envelopes from my office; 17 have 2 sheets in them and 20 have 1. At 3 cents apiece, this would bring in revenue of $1.11 a pound. Here is a Sears, Roebuck catalog. It weighs 4⅓ pounds. It now pays 40 cents to go through the mails. If this Sears, Roebuck catalog paid the same rate as the 3-cent letter mail—and I realize that it takes a little longer to get it through the mails—but if it paid the same rate, it would pay $4.81 to send it through the mails instead of 40 cents.

Here are 4 magazines. They happen to be Life magazine, Ladies Home Journal, the Saturday Evening Post, and House Beautiful. I just asked the Library to send over 4 national magazines. Those 4 magazines weigh 7 pounds. If they returned to the Government the same $1.11 per pound that the 37 average first-class letters yield, they would return $7.77. What do they pay? They pay a total of 60 cents for the 4 magazines in place of $7.77. So your Sears, Roebuck catalog at $1.11 a pound would pay $4.81 and your 4 magazines, instead of paying 60 cents, would pay $7.77.

There is where your subsidy is. If the advocates of H. R. 11380 really want each class of mail to pay its cost, let them charge the cost. These classes are incurring the deficit. That is the problem.

It happens that I have a list here that shows that the Saturday Evening Post receives $6 million in subsidy, or did last year, which is the amount they did not pay for sending their magazine through the mails. That is what it cost Uncle Sam. The Ladies Home Journal received $2 million worth of subsidy. Collier's magazine received $3 million worth of subsidy and Life magazine received $9½ million worth of subsidy.

Let some of you folks who are so anxious for the Post Office Department to pay its way get up and advocate that the classes of second- and third-class mail pay for the services they receive.

I want the Members to enjoy this because this is the truth. I challenge any of the Members to dispute the figures that I am giving here today. So what we are talking about here is saddling on the 3-cent-mail user $299 million worth of subsidy to commercial enterprises.

This is a subsidy to private industry—private industry which decries subsidy unless they are receiving the subsidy. They are supposed to pay their own way without Government subsidy. But here is what you folks are doing: I know you are saying that you are going to raise those rates a little bit. I know that private industry says that they are glad to pay a little increase in rates. Of course, they would rather pay 10 cents more; Sears, Roebuck would rather have its rate raised from 40 cents to 50 cents, a 10-cent raise, than to pay what they ought to pay for sending their catalog through the mails.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I cannot yield. I want the gentleman to enjoy this. He is going to vote for this bill.

They say this is not politics. I will tell you what it is. This is part and parcel of the Republican policy of helping the big-business man at the expense of the small taxpayer who uses the 3-cent mail.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. Oh, it hurts because it is the truth.

Mr. CURTIS of Missouri. Why does not the gentleman yield?

Mr. HOLIFIELD. The gentleman can deny my statements in his own time.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. REES of Kansas. Mr. Chairman, I yield 6 minutes to the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Chairman, the statements that were just made by the gentleman from California, of course, were for political effect, and for no other reason, because the gentleman knows full well that as a member of the committee he did not offer any amendment to do anything about the very subject he talked about here on the floor; and I will predict this: That he will not offer an amendment to this bill to take care of the very thing that developed for 20 years under his Democratic administration. They did nothing.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. No; I will not yield.

Those are the facts. As a matter of fact, your former Postmaster General, Mr. Donaldson, came before the Post Office Committee and requested an increase time after time, and committees under your jurisdiction refused him time after time. I think we ought to set the record straight.

I also was interested in the remarks of the gentleman from California [Mr. Moss]. He is telling everybody about some of the problems in the Post Office Department, but I did not hear one sentence where he suggested anything as to what he was going to do about them.

The facts are just very simple: We have a $500-million deficit that is being accumulated every year in the Post Office, and the interest on the deficit since 1945 is $100 million a year. Before the sun sets tonight it will be $1 million or more for today.

Mr. HOLIFIELD rose.

Mr. CEDERBERG. The gentleman can correct the matter that he talks

about by an amendment later on. I will not yield.

Mr. HOLIFIELD. I am not asking the gentleman to yield.

Mr. CEDERBERG. Let me say further that the very policy statement the gentleman from California [Mr. Moss] was talking about stated that first-class mail ought to pay more than its own way. There is a difference between cost ascertainment and rate ascertainment, and the rate ascertainment policy states that it ought to pay more than its own way because of the preferential treatment and other services given to first-class mail.

The gentleman states that in the present fiscal year there will be from a $2- to $7-million profit in the first-class mail. I differ with those figures because I am confident that they are not correct. However, let us assume that they are correct. From 1932 to 1956 we did not do anything about first-class mail. I say to you that if we pass an increase in this session of Congress it will be some time before it is again increased. We have pending before us a $70-million request from the railroads for a rate increase for carrying the mail, including first-class. If even a portion of that is granted and is charged to the first-class mail in the cost ascertainment, then first-class mail next year will not pay its way.

Let us be realistic. I have a 12-year-old boy who knows that you cannot do business in 1956 on 1932 costs. There just is not any question about that.

The gentleman from California [Mr. HOLIFIELD] said something about the 165-year policy of carrying the deficit of the Post Office Department by the average taxpayer himself. The simple facts are that there was no deficit in the Post Office Department for the 165 years until 1945, if you remove franked mail, penalty mail, and the air-mail subsidy. The record is clear on that. The deficit in the Post Office Department is something that has taken place since World War II. I think it is just about time that we in this Congress refuse to pass on to future generations the deficit of the Post Office Department. We ought to face up to the responsibility that is ours.

It seems to me that with all of those who have testified before our committee who know something about the Post Office problems—and I may say that the gentleman from Tennessee, our chairman, who is a distinguished member of our committee, sat every day and listened to the testimony, and some other members spent very little time in the committee room; practically none, I might say and now they appear as experts on postal rates. Furthermore, the gentleman who handles the appropriations from that side is for the increase. The two former Postmasters General are for it. Postmaster General Farley said this in substance:

> If when I was Postmaster General I was faced with the deficit that the Post Office Department is faced with at this time, I would feel bound by conscience to come before the Congress of the United States and request a rate increase.

Former Postmaster Donaldson requested rate increases. This Congress has been negligent in not granting it under the previous administration, and it will be negligent if it does not do it at the present time. Let us face the fact, and we are going to have to face this issue head-on. We might as well do it now.

As far as political implications are concerned, I want the constituents of the 10th Congressional District of Michigan to know where I stand on this issue, because as long as I represent them I am not going to pass on the continuing deficit of the Post Office Department to the future constituents of that congressional district, not as long as I represent them.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Connecticut.

Mr. MORANO. Can the gentleman tell us what testimony, if any, we had from the various postal union representatives?

Mr. CEDERBERG. The representatives of the postal organizations did not testify, but I have been reading in the papers recently where they have come out in behalf of the rate increase. I will say to you I do not think anyone who studies the hearings of our committee can possibly be against this rate increase. I would like to have the opposition to it come up with some suggestions. I have not heard any yet.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. LESINSKI].

Mr. LESINSKI. Mr. Chairman, in the 82d Congress, the committee reported a postal rate bill out of 60-percent increase. It was 20/20/20 and, of course, the Republicans cut it down to 10/10/10. So, let us get that straightened out now once and for all.

I would like to leave one impression on the Members of the House and that is the figures I am using are for the years between 1952 and 1955, inclusive. I am not using any projected figures for 1956 or 1957.

First. There is an increase of income in the Post Office Department for 1952 to 1955 of $375 million. Of course, since then there have been various increases of expenses and so forth. I would like once and for all to do away with the myth of the Postmaster General saving $400 million for the Post Office Department. I have a copy of a statement of his in which he has an error here. He states it was $727 million in 1952. Actually, it was $720 million.

REDUCTION OF EXPENDITURES

The measure of the Department's success can be found in the extent to which dollars of spending have been reduced and improvements made in the caliber of the mail service.

The efforts to increase efficiency, with other moves the Post Office Department has made, have had a real impact on its annual deficit.

In 1952, the postal deficit was $727 million.

In 1953, the new management of the Post Office Department had only half the fiscal year to work in, since it took office in January, and the year ends on June 30, but still it was able to reduce the deficit to $650 million.

In 1954, the first complete fiscal year for the present postal management, the postal deficit was $399 million.

In 1955, the deficit was cut still further down to $363 million, despite a wage increase that added $40 million to the Department's expenses.

This statistical fact measures the Post Office Department's performance in reducing expenditures, in fiscal 1955, mail volume was 8½ percent greater than it was in 1953, and Post Office Department costs were lower in comparison. In other words, the Post Office Department handled 8½ percent more mail nationally in 1955 than in 1953, and handled it for less money.

The Congress has authorized by transfer of expenses and postal rate increases total reduction of $411 million from the original postal deficit. Projecting the deficit of $362 million in 1955 and adding on the $411 million that Congress has authorized the Postmaster General to transfer, and the increases in the postal rates and one thing and another that Congress has authorized, the deficit today would have been $773 million and not $719 million in 1952.

Comparison of postal deficit, fiscal years 1952–57

	1952	1953	1954	1955	1956	1957
Deficit	$719,544,091	$650,412,299	$399,146,766	$362,673,686	$440,590,000	$470,000,000
Add:						
1. Air-mail subsidy transferred to Civil Aeronautics Board			80,655,000	80,655,000	80,655,000	80,655,000
2. Increased parcel post (ICC), Oct. 1, 1951		23,925,000	23,925,000	23,925,000	23,925,000	23,925,000
3. Increased rates, Public Law 233, Jan. 6, 1952		61,977,500	61,977,500	61,977,500	61,977,500	61,977,500
4. Administrative rate adjustments, various		8,086,000	208,319,000	208,455,000	208,455,000	208,455,000
5. Reimbursements for penalty mail, Public Law 286, Aug. 15, 1953			36,000,000	36,000,000	36,000,000	36,000,000
Subtotal, additions		93,889,500	410,876,500	411,012,500	411,012,500	411,012,500
Deduct:						
1. Adjust sick and annual leave, Public Law 233, Jan. 6, 1952		25,000,000	25,000,000	25,000,000	25,000,000	25,000,000
2. Federal Employees Group Life Insurance, Public Law 598, Sept. 1, 1954				6,609,500	6,609,500	6,609,500
3. Employee Uniforms, Public Law 763, Sept. 1, 1954				13,600,000	13,600,000	13,600,000
4. Pay increase, Public Law 68 and 94, Mar. 1 and Mar. 13, 1955				45,159,250	150,179,500	180,637,000
5. Travel expense act, Public Law 189, July 28, 1955					622,000	622,000
Subtotal, deductions		25,000,000	25,000,000	90,368,750	196,011,000	226,468,500
Net comparable deficit	$719,544,091	719,400,799	785,023,266	683,317,436	655,591,500	654,544,000

Source: Hearings, Post Office Appropriations, 1957, pp. 27, 66, and 225.

According to this chart we have an increase in expenses of $54 million right there. Of course, the Congress also authorized a total of $90 million which includes $45 million for salaries plus sick leave and annual leave and so forth. So the deficit in that respect as compared to the 1952 figure the deficit is $683 million. Of course, we have to consider that the fact that there was an additional $375 million in income. The chart below shows how the volume of mail in proportion to employees has constantly increased.

Post Office Department—Mail volume, revenues, and employment, fiscal years 1952–57

	1952	1953	1954	1955	1956 estimate	1957 estimate
Mail volume (thousands of pieces):						
First class	26,502,325	27,256,993	27,085,308	28,713,340	29,923,890	31,015,473
Domestic air mail	1,390,730	1,429,680	1,470,338	1,467,482	1,463,800	1,478,438
Second class	6,956,426	6,762,475	6,483,489	6,739,803	6,808,300	6,876,383
Third class	11,630,346	12,003,642	13,865,589	15,049,722	15,341,580	15,624,382
Fourth class	1,256,866	1,244,505	1,195,055	1,135,550	1,115,680	1,135,204
All other mail	2,169,182	2,250,861	2,113,391	2,127,667	2,146,750	2,170,120
Total all mails	49,905,875	50,948,156	52,213,170	55,233,564	56,800,000	[1] 58,300,000
Revenues (thousands of dollars):						
1st class	$842,695	$908,521	$908,398	$967,842	$1,028,293	$1,082,865
Domestic air mail	120,650	121,270	127,449	130,264	134,978	136,483
2d class	51,372	57,896	61,655	65,693	69,412	71,771
3d class	170,526	217,553	252,351	269,475	281,481	292,801
4th class	484,529	491,462	587,417	595,064	590,868	607,893
All other mail revenue	70,768	77,582	85,605	87,760	94,247	93,357
Total revenue, all mails	1,740,540	1,874,284	2,022,875	2,116,098	2,199,279	[2] 2,285,170
Employment (man-years)	489,992	510,440	507,810	512,047	517,981	526,040
		489,992	510,440	507,810	512,047	517,981
		+20,448	−2,630	+4,237	5,934	[3] 8,059

[1] Since 1951, 16.83 percent increase.
[2] Since 1951, 31.3 percent increase.
[3] 7.79 percent increase since 1951.

NOTE.—Estimates for 1956 and 1957 are from 1957 budget submission to the Congress. Revenues 1954–57 are exclusive of reimbursements for penalty and franked mail and for air mail transportation.

Source: Bureau of Finance, Division of Cost Analysis, May 21, 1956.

Now, another myth I would like to destroy and this is out of the Time magazine issue of April 23, 1956:

Robert Heller and Associates' reorganization of the Post Office Department into 15 regions and the regions into many districts, eliminated so much duplication that the Postmaster General also saved many millions.

Here they claim that 15 regional offices eliminate so much duplication that the Postmaster General saved many millions of dollars. I have an exact copy of that here. It caused an increase of 1,446 employees as of July 1, 1955, and an increase in expense of $15 million. Of course, when you used to write to the Post Office Department down here, they would give you an answer pretty quickly. As it is now, you write to the Post Office Department here and they refer it to the regional office and the regional office kicks it around and many times you do not hear anything from them. If you write to the regional office, the same thing happens. You get no direct answer. So, if they have cut down on the duplication, by golly I cannot see where because it is just a waste of time.

REPORT ON GENERAL AND FINANCIAL MANAGEMENT, DECENTRALIZATION, AND REORGANIZATION OF THE POST OFFICE DEPARTMENT OF THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, HOUSE OF REPRESENTATIVES, FEBRUARY 2, 1956, HOUSE REPORT NO. 1741, 84TH CONGRESS, PAGE 16

COST OF REORGANIZATION

Under the old plan of organization, on July 1, 1953, there were 1,761 officers and employees in the Post Office Department headquarters in Washington, and 2,485 officials and employees in the 12 regional accounting offices and in the 15 transportation regional and district headquarters, a total of 4,246 people.

Under the new organization, on July 1, 1955, there were 1,530 officers and employees in the Department and 4,162 in the regional and district offices, a total of 5,692 people.

This is an increase of 1,446 as of July 1, 1955.

The totals for both 1953 and 1955 include the personnel assigned to the district transportation managers' offices. It should be pointed out that while this group is included in the general management setup, they are actually operating officials who function in a manner somewhat similar to postmasters.

The cost of operating the Department headquarters, including the Inspection Service, increased from $18,039,000 in 1953 to $19,546,000 in 1955, and the cost of the general administration functions, including the field management of the Postal Transportation Service, increased from $24,691,000 in 1953 to $33,231,000 in 1955. The estimated cost for this general administration function for the fiscal year 1956 is $42,315,000. The latter figure includes approximately $2,500,000 as the cost of salary increases under Public Laws 68 and 94. Therefore, the net cost on a comparable basis would be $39,815,000, or approximately $15 million more than the cost for general administration in the fiscal year 1953.

Now, on these comparative figures, I have some other very interesting information here which I would like to reveal to the Committee at this time. The Postmaster General attempts to take away the rate-fixing authority from the Congress, which I think is completely wrong, as shown in an article here in the Detroit Times which I am going to insert in the RECORD at this point:

POSTAL BILL HAS HIDDEN "CATCH"

(By George R. Brown)

WASHINGTON, March 23.—Buried obscurely in Postmaster General Summerfield's bill to increase all postal rates across the board, except parcel post, is a section which, if adopted, would take the mail ratemaking power away from Congress, where it has always been, and give it to a bureaucratic commission in the executive branch of the Government.

This would be one of the most far-reaching encroachments on congressional authority ever attempted.

THREE-MAN BODY

The effect of this provision, if Congress should fall for it, would be to give a body of three men, the power to put out of business any commercial enterprise, through the imposition of drastic increases in postal rates, with constant fluctuations that would keep business in a continuous state of harassment and uncertainty.

It is proposed in the Summerfield bill Congress would not even retain the power of veto over post office rates imposed by this new bureaucratic setup.

Theoretically this proposed new ratemaking commission would be appointed by the President and the persons nominated would be subject to confirmation by the Senate.

APPOINTS BOARD

Actually what would happen would be that the selections for the commission would be made by the Postmaster General and thus, in the end, the ratemaking power would really pass from Congress into the hands of the head of the Post Office Department.

Summerfield touched very lightly on this proposed extraordinary invasion of congressional power when he appeared as a witness in favor of the passage of his bill to increase postal rates before the House Post Office Committee.

There has been a suspicion Summerfield might be willing to trade this title of the pending bill for the rate increase he has recommended.

Postal ratemaking has been a headache for a long time, to the Post Office Committees of both Senate and House, and to Congress as a whole.

DIFFICULT TASK

It is a difficult task and the proposition to relieve Congress of this duty and responsibility has a certain element of attractiveness.

But it is certain that if this power were once surrendered by Congress and this system of ratemaking turned over to a permanent nonlegislative commission, Congress would have great difficulty in ever regaining it.

One of the arguments against establishing such a rate-fixing commission is that its members, looking after postal rates on a day-to-day basis, might be inclined to make

frequent changes in rates to justify their own jobs.

AGAINST PLAN

The hearings before the House committee thus far have revealed that the greatest opposition to the Summerfield bill is coming from the spokesman for small businesses.

There are thousands of these too small to use newspaper or radio advertising, which depend almost wholly on promotion by mail or direct mail advertising.

This proposal was an attempt by the Postmaster General to take away the responsibility of the Congress in the matter of postal rates. Of course the committee struck this portion of the bill out.

Here is another thing I would like to show the members of the committee. Here is a copy of the second of two copies put into the envelopes and paychecks of postal employees to support the postal pay raise. I was unable to get the first one because it was destroyed.

THREE POSTMASTERS GENERAL SUPPORT POSTAL RATE INCREASES—SO DO POSTAL EMPLOYEE ORGANIZATIONS

(Because postal employees are naturally interested in any matter that affects their working conditions and the welfare of the Post Office Department generally, this folder has been prepared for the information of all. Post Office Department Information Service.)

"Their public-spirited comments before this committee are dramatic proof that this question of adequate postal increases is, and should be, a nonpartisan matter."

That is what Postmaster General Arthur E. Summerfield said in his closing testimony regarding the support given postal rate increases by former Postmasters General James A. Farley and Jesse M. Donaldson.

Further highlights of Mr. Summerfield's concluding testimony on April 25, 1956, follow:

In these concluding remarks, I want to reemphasize several major aspects of this problem, which are, in my judgment, of the greatest importance.

One question has been raised repeatedly by those opposing postage rate increases: Why should the Post Office Department pay its way when other Government departments are supported by taxation?

It is the sense of the Congress, incorporated in Public Law 137, 82d Congress, that measurable services performed by any Federal agency for identifiable individuals or organizations shall be—and I quote "self-sustaining to the fullest extent possible."

The Post Office differs from the other agencies only because practically all of its services are of measurable value and are performed for identifiable patrons.

Obviously, charges for postal services are not a tax in any sense of the word, but simply payment made by consumers for the services which they purchase from the Post Office Department.

The extent of the preferential service given first-class mail is usually taken for granted without proper appreciation either for its value or its cost.

In all the postal services of the world, the handling of sealed first-class letters is the prime service.

This handling accorded first-class mail is obviously costly, but it is essential to the preferential treatment to which this mail is entitled and receives.

In fact, charging first-class mail users anything less than 5 cents still leaves a part of the actual costs charged to the taxpayers.

A 7-cent airmail letter rate and 4-cent surface rate would retain the 3-cent differential that now exists.

Airmail is one of the top premium services. An airmail stamp serves as a trigger mechanism to set into motion the most expeditious handling the Department can provide.

STILL NOT PAY ITS WAY

If all of the costs are included and an allowance is made for the preferential treatment accorded this mail, airmail would still not pay its way at 7 cents per ounce.

The basic question involving third-class mail is the extent of the discount this type of mail should be given because it receives deferred service.

A discount of 26 percent, after the proposed increases become effective, seems an adequate concession for the relatively slightly deferred service customarily accorded third-class mail.

Any rate differential between local and nonlocal first-class letter mail would be discriminatory, costly, and extremely difficult to administer.

The smaller the community, the less significant is the local rate.

Public confusion would be widespread. As a result of public confusion, there would be a sharp increase in "postage due" mail, which costs the Post Office an additional 5 cents to deliver and is extremely annoying to the recipient.

I believe H. R. 9228 is a good bill. It has the support of the President. It has the endorsement of the Bureau of the Budget.

The Committees on Appropriations of the House and the Senate endorsed the need for increases in postal rates and urged prompt action.

The Secretary of the Treasury and the Secretary of Commerce have approved.

So, too, have two former Postmasters General, the Honorable James A. Farley and Jesse M. Donaldson.

The executive committee of the Chamber of Commerce of the United States and the National Association of Manufacturers endorse the efforts of the Post Office Department to raise its revenues through increased postage rates.

From January 1954 to April 18, 1956, newspaper editorials on postal rates have favored postal rate increases by a ratio of 4 to 1.

CONGRESSMEN POLL OPINIONS

Many Members of the Congress have conducted public opinion polls among their constituents on this rate question. These have shown widespread public support for rate increases by majorities of better than 2 to 1.

It has been heartening to me to have had so many representatives of business testify to their ability and willingness to pay increased postage rates.

In closing, I want to express once again, Mr. Chairman, our most sincere thanks for this committee's obvious determination to serve the public well.

Postmaster General Arthur E. Summerfield, and his predecessors, James A. Farley and Jesse M. Donaldson, who were Postmasters General in the periods 1933–40 and 1947–53, respectively, endorsed postal rate increases in the March 13–April 25, 1956, hearings before the House Post Office and Civil Service Committee.

Representatives of the postal employee organizations listed below, recognizing the need for improved working conditions and for equitable adjustments in postage rates so that the actual users of the mails pay more of their postage bills rather than transferring the costs to taxpayers, joined Messrs. Donaldson, Farley, and Summerfield in testifying favorably at the rate hearings.

National Association of Postmasters of the United States: John F. Fixa, president, postmaster, San Francisco, Calif.; Raymond V. McNamara, immediate past president, postmaster, Haverhill, Mass.; Edward J. Quigley, chairman, public relations committee, postmaster, Brooklyn, N. Y.; Charles E. Puskar, secretary-treasurer, postmaster, Imperial, Pa.; Bernard F. Dickman, past president, postmaster, St. Louis, Mo.

National League of Postmasters of the United States: William E. Massie, president, postmaster, Tyro, Va.; C. B. Gravitt, Jr. secretary and legislative representative.

National Association of Postal Supervisors: M. C. Nave, president, general superintendent, finance, Chicago, Ill., Post Office.; John W. Swygert, secretary, general foreman, Columbia, S. C., Post Office.

National Rural Letter Carriers Association: Warren B. Bledsoe, president, rural carrier, Georgetown, Ga.; John W. Emeigh, secretary, rural carrier, Roaring Spring, Pa.

National Association of Post Office and General Service Maintenance Employees: Ross A. Messer, legislative representatives, on leave from Tyler, Tex., Post Office, where he is superintendent engineer.

Of course, if a Democratic Postmaster General pulled that, he would be crucified to high heaven for wasting the taxpayers' money and for using the postal service for political purposes.

Let us also look to the way people will pay for these increases. Big business deducts this expense from taxes, which means that they pay only one-half as much, for under the income-tax provision they pay approximately one-half of the total net income; small companies with low income, the cost of this bill will come out directly from income or even from surplus.

Of course, the rank and file cannot take their postal expenses as a deduction from income tax.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. LESINSKI] has expired.

Mr. REES of Kansas. Mr. Chairman, I yield 7 minutes to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, most of the balloons of opposition which have been heard thus far this morning were burst during the committee. They have been revulcanized and brought out again and will again this afternoon be burst.

The Federal Government can continue to operate the Post Office in the red. We have learned in the past 20 years that we can operate our entire country in deeper and deeper shades of red ink. But I am sure we are all agreed that neither of these practices is desirable. We can even reduce postal rates if we as a responsible body would desire to do so. But I am sure that if we were to take such irresponsible action as that, that shortly we would be hearing from the people at home.

I would like to say here and now that as a member of the House Post Office and Civil Service Committee and as a member who receives many, many letters, not only from his constitutents, but from people interested in postal matters throughout the United States, that I have received only one letter from a private individual—a letter writer—requesting that the Congress not raise the first-class mail from 3 to 4 cents. If this were the great and controversial matter which some of our colleagues lead us to believe it is, would we not have received thousands and thousands of letters from the people back home?

In fact, in order to get a good reaction on this matter, numerous of our colleagues have found it desirable to include a question concerning postal rates

in questionnaires distributed to their congressional districts. Congressman J. HARRY MCGREGOR, of Ohio; Congressman WILLIAM E. MINSHALL, or Ohio; Congressman RALPH GWINN; Congressman STUYVESANT WAINWRIGHT; Senator THOMAS MARTIN; Congressman WILLIAM MAILLIARD; Congressman JOEL T. BROYHILL; Congressman S. J. CRUMPACKER; Congressman A. L. MILLER; Congressman P. J. HILLINGS; Congressman L. H. SMITH, of Wisconsin; Congressman BALDWIN, of California; Congressman ALGER, of Texas; Congressman CORBETT, of Pennsylvania; Congressman BENTLEY, of Michigan; Congressman HARRISON, of Virginia; Congressman OSTERTAG, of New York; Congressman CEDERBERG, of Michigan; Congressman RHODES, of Arizona; Congressman SHEEHAN, or Illinois; Congressman THOMPSON, of New Jersey; have all conducted polls within their districts upon this particular question. Each one of them has received a favorable response on this question. A majority of those persons answering the questionnaires has advocated and requested that Congress increase postal rates.

I might mention in passing that Congressman BILL MINSHALL, of Ohio, conducted 2 polls, 1 in 1955 and 1 in 1956. Senator MARTIN of Iowa, conducted two polls. Congressman BROYHILL, of Virginia, conducted a poll in 1954 and 1956. Congressman CRUMPACKER, of Indiana, conducted a poll in 1955 and 1956. In a public opinion poll of the 15th District of Ohio, I have asked the same question. In fact, I asked it more narrowly—in the 15th District of Ohio. I asked the specific question whether or not postage should be increased from 3 to 4 cents on first-class mail and the response of the majority was in favor of such an increase.

I do not believe that the people who answered this question affirmatively necessarily want to pay more for this postal service. I do believe that they know that the postal deficit is mounting and that the cost of the postal service must be paid either from the general fund or by those who use the service.

Yes, we could go along and leave postal rates just as they are and continue to contribute Federal funds for the maintenance of this specific service to the people of the United States. The Postmaster General, Arthur Summerfield, who has been a crusader for an increase in postal rates, could have, had he desired to adopt the policy of some of our colleagues not to touch this matter, saved himself much heartaches and many headaches. He could have continued to request additional funds from Congress. But he is convinced that is not the proper way to run the Postal Department. He is joined in this determination by two of his predecessors—Postmasters General in previous administrations who appeared before the House Post Office and Civil Service Committee and who stated unequivocably that they believe postal rates should be increased in view of the Department's present fiscal problem.

Now, speaking specifically of first-class mail, I believe that an attack is going to be made upon the justification for increasing first-class mail from 3 to 4 cents and from 6 to 7 cents in the case of first-class airmail. The effect of this increase will be to raise the bulk of the funds which are going to be secured by this legislation. If the increase from 3 to 4 cents and from 6 to 7 cents is not agreed to, this bill will not come anywhere near meeting the Post Office deficit.

It has been pointed out and argued by some that first-class mail, if the increase is from 3 to 4 cents, will more than pay its own cost. This argument is true in one method of cost allocation and it is false in another. But let me point out to you that Congress has traditionally and always made first-class mail pay a little more than its cost. That certainly was true in 1933 when postal rates were increased from 2 to 3 cents.

The fact remains that first-class mail is not paying its way now and it follows that it should be increased.

Because of the habits which we have built up over the years, we have discarded fractions of a cent. It is obviously not feasible to increase postal rates from 3 cents to anything less than 4 cents.

Secondly, there is the matter of allocating the cost of our mails to the people who are using the mails. First-class mail's present loss is made up by the taxpayers of the Nation—your constituents and mine—the private citizens who write occasional letters. Today, 75 percent of the first-class mail in the United States is used by business firms.

Now, if first-class mail is increased from 3 cents to 4 cents, the effect will be to place the burden of the cost upon the persons who use the mail. Twenty-five percent of the increase will be placed upon the shoulders of the individual taxpayers who use the mails for nonbusiness purposes. The remaining 75 percent will be paid by those who use the mail for business purposes.

Let us look just for a moment at what you get when you send a first-class letter for 4 cents. You get a letter sent not just across the street, but sent from one end of our Nation to another. It is the world's greatest bargain. How much do you think it would cost to have a delivery boy to take a letter from your house to the neighbor across the street? If you paid him on an hourly basis it would cost you well more than 4 cents. And I am sure that if he had to stop for a red light before getting to cross the street he would run up the bill another couple or 3 cents for you. A 4-cent stamp, if this bill is enacted, will take your letter from Washington, D. C., to Dallas, Tex. It will take an airmail letter at 7 cents.

A telephone call to Dallas, Tex., station to station, during the day would cost $2.09. For a night call, the cost would be $1.65. For you to call person to person, which is what a letter is, it would cost you $2.92. For you to call person to person at night, you would have to pay only $2.48. A 15-word straight telegram would cost you $1.71. A 50-word day letter would cost you $2.31 and a 50-word night letter would cost you $1.32.

Other countries in the world have also faced this problem—the same problem that is before the Congress now. Other nations have found it necessary to increase postage rates. Let me just recite what it costs in United States currency to mail a letter in some of the other countries in the world. Let me remind you that many of those countries are far smaller than this great nation of ours. In Albania, the cost is 5 cents; in East Germany, it is 7.2 cents; in West Germany, 4.8 cents; in Austria 5.8 cents; Belgium, 4 cents; Belgian Congo, 6 cents; Canada, 5 cents; Denmark, 4.3 cents; the Dominican Republic, 7 cents; France, 4.3 cents; Hungary, 4.9 cents; Norway, 4.2 cents; Netherlands, 5.3 cents; Sweden, 4.8 cents; Switzerland, 4.6 cents. In these countries, the ruling bodies have had the fortitude to charge the people for the service actually rendered. Here in the United States, we can send a letter from the Atlantic seaboard to the Pacific coast for 3 cents. This service costs our taxpayers more than that, but some of us are reluctant to be realistic enough to authorize the increased cost to the man who buys the stamp.

This Congress has already in this session found it desirable to place an additional tax directly upon the user of a service. I point to the highway bill that we have enacted. Only this week, an additional 1-cent tax was added to the cost of each gallon of gasoline.

It would have been possible to have financed our Nation's needed new highways not from a tax upon those persons and business firms who are using them. We could have added additional billions to our public debt. If this was not feasible without increased taxes we could have levied a general tax, just as we will have to do if the Post Office deficit continues. We did not choose this course. Instead, we added a penny to the cost of each gallon of gasoline.

What is proposed here today is no departure from that same policy. We hear the argument that in addition to 4 cents being more than is necessary to pay the cost of a first-class letter—that we have not increased second- and third-class mail to the extent that it should be in this bill.

We are dealing in realities, or we should be, as responsible Members of Congress. We know that there are some things that we can do and some things that we simply cannot do. We have increased second- and third-class mail very substantially in this bill. Again, we are following our traditional pattern of having those classes of mail pay only a portion of their cost. That portion is certainly increased in this bill. Admittedly, those classes of mail do not pay their way. I, for one, would be just as happy as the other Members of this House if it were possible. But let us look toward realities. We are a Nation which has long advocated the dissemination of information, and have, in effect, subsidized that policy. Of course, at that point someone is going to point to some of the more questionable information which has been disseminated through the mails—reading matter which is bordering upon the subversive; reading matter which has tended to shock the moral values of some persons. Yet, I would want to remind the Members of this House that we have always moved very cautiously along any path toward

censorship. It is the better part of wisdom not to permit censorship to begin in the Post Office Department.

I am sure that none of us would want to impair the dissemination of information by newspapers or deprive them of the use of the mails. Under the bill as written, 64 percent of the weeklies will not be affected by this amendment. Newspapers generally will not suffer greatly through this increase, and what additional costs are involved will be absorbed as other increases in production costs are absorbed.

Were we to increase the rates to the point where this type of mail would be self-sufficient it would be necessary for the newspapers to look to other methods of distribution. Such prohibitive increases are, of course, not contemplated.

What I say of newspapers is also true of magazines. You and I, each of us, are shocked by the subsidy which our magazines receive at the expense of the Government in being sent through the mails at low rates. And I have the same attitude that many of my listeners have—that those magazines should be required to pay their way completely, because, after all, they are making a profit on their magazines at the taxpayers' expense. Still, we recognize the necessity for stimulating the dissemination of information as a cardinal principle of our way of life.

Our first small efforts into this area at the hearings on this bill brought forth cries of persecution, or practically that, as we proposed increasing rates for magazines. I would like to say at this time that their pleas were carefully considered on their merits, but in most instances were not found substantial.

It was the considered opinion of the majority of the members of our committee that magazines, even though they were facing an increase in postal rates, were being treated fairly in this bill. I do think that increased rates greatly in excess of what is being proposed in this bill would put some of the smaller magazines out of business. And that, of course, is not desirable. I am convinced that an increase in rates to the extent that magazines would pay their way would not put the larger magazines out of business. They would just find other methods of distribution.

And that brings me to the main reason why the rates that this committee has recommended in this bill were selected. You, who wish to place the entire burden upon the users of second- and third-class mail, listen to this: By increasing to the point of fully paying their way, weekly newspapers would be seriously endangered. I think that there is no greater backbone in the United States than our weekly and local newspapers. Without question, they perform a most valuable public service. Secondly, our religious periodicals, which have not been affected by this bill, if they were required to pay their way would, of course, be put out of business completely or substantially curtailed. And our smaller magazines, many of them highly literary in nature, would be forced to cease publication or be greatly impaired. The larger magazines would be scarcely hurt because of the resources at their command.

The result would be that second- and third-class mail volume would be reduced to the point—now, listen to this—would be reduced to the point that it would be necessary to increase the rates of first-class mail to 5 cents or beyond in order to run the Post Office Department on any kind of an acceptable fiscal basis.

A lot has been said about junk mail, or so-called junk mail. This is an ambiguous term with little meaning. Mail which we receive and do not like, we call junk mail. Mail which we receive and find some use for, we simply call by its more general designation third-class mail.

Certainly, third-class mail has its place in America. For a small business which cannot afford any other medium of contacting customers at distant points, it is a vital part of doing business. Our mail-order firms, of which so many have sprung up in recent years, use this class of mail to good advantage. There, businesses have their place.

This bill has increased postal rates for third-class mail substantially. But it was not the intention and properly should not be the intention of the Post Office Department or of the Congress, to increase the rates to such a point that any legitimate line of business would be curtailed. We feel that in this bill as written, third-class mail will more nearly bear its own weight, keeping in mind the fact that it is a deferred class of mail.

At this point I would like to say one thing more with reference to first-class mail. Were we to enact this legislation without increasing first-class postage from 3 cents to 4 cents, we would end up in the ridiculous situation of having increased third-class mail from 2 cents to 3 cents, the same rate which first-class mail is now paying. If we are going to increase a deferred class of mail to 3 cents, it stands to reason that we must also increase the preferred class mail to 4 cents.

Going back to my original proposition, why increase postage rates at all? The answer is very simple. Because it is poor management not to do so. The Post Office Department is operating in the red with an accumulated postwar deficit of $4.6 billion. That is not a wholesome predicament for a service branch of the Government which is giving specific benefits to individuals wishing to avail themselves of its service.

Before the inflationary spiral of the 1940's, if we had had the economies of operation which Postmaster General Summerfield has exercised in the Post Office Department; if we had allocated the cost of Government mail to the branch of Government being served as had been done under Postmaster General Summerfield's administration, there may have been less of a postal deficit. So we cannot say that huge postal deficits are traditional in America unless we say that our traditions have been created since 1933. American traditions are made of better stuff than that.

Costs have increased. I will not dwell on the figures because I am sure that someone else will bring them out. But the labor costs have increased in the Post Office Department by leaps and bounds. And certainly none of us here will say that these additional costs were not necessary and that every step within the administrative discretion of the Department has not been taken to meet the added costs.

Much more in the way of capital expenditure needs to be done. How long has it been since a postoffice building was constructed in your town? The post office building in my town of Cambridge, Ohio, was erected in 1912. The town has grown into a city. The mail volume has increased greatly. We need a new post office there. We need new post offices in other places in the 15th district of Ohio.

The needs in your districts are the same. We need better lighting. We need new equipment. We need to get rid of some of the antiquated furniture and finishings which make our post offices museums of the past rather than facilities reflecting the activities of a progressive government.

We are going to have additional costs in many postal fields. It is almost assured that there will be an increase in the cost of transportation in the near future. We, as a responsible Congress must meet these contingencies and we must meet them now.

There have been statements that a postal rate increase in an election year is bad politics. It seems to me that bad administration is bad politics and to close our eyes any longer to this deficit is forcing unsatisfactory administration upon the Post Office Department.

There is no more so-called political dynamite in this proposition than there was in the 1-cent gas tax that we so cheerfully voted. This is a bipartisan problem. Former Postmasters General Donovan and Farley both were specifically asked if they believed there were any political implications in bringing out a bill of this type in an election year. They were convinced that there are not. In any case, what difference does politics make if we are satisfied that we are discharging our duty and working for the best interests of our country?

I am convinced that we are not idly acting on this bill and that as soon as we can send it to the other side of the Capitol, hearings will commence promptly and that the bill will be brought to the floor of the Senate.

Organizations of postal employees have advocated this increase. Organizations, large and small, have stated that it is for the best interests of our Nation. The editorial policy of many of the great newspapers of our cities, our towns, and villages have gone on record in favor of this legislation. What is wrong with us if we fail to follow what we know to be sound policy? Why does the President of the United States include this as an essential part of his program? Why has the Postmaster General given so many, many hours of time and devoted study to it? They and other Postmasters General are convinced that this must be done if we are to operate this essential department properly.

Let the country bear the burden, it might be suggested. In this attitude we can hear the ghosts of more deficit-

financing dragging their chains through this Chamber. We do not have to act at all unless we want to be responsible legislators in the performance of our duties for our people. We can now take a small step forward in the realization of that dream that some day the unnecessary expenditures of government, the wastefulness, and the needless expense, can be somehow reduced so that the tax burden itself can be reduced. We are not increasing taxes when we add a penny to the cost of postage for first-class mail. We are actually telling the taxpayers that by paying an additional cent on the letters they send they are not going to have to pay the burden of the deficit incurred in the thousands of millions of letters that are sent for business purposes every year.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 4 minutes to the gentlewoman from Idaho [Mrs. PFOST]

Mrs. PFOST. Mr. Chairman, I voted against this legislation in committee because, in my opinion, the first-class postage increases it provides are excessive and unwarranted. I favor the increases in second-class, or publishers' mail, and in third-class mail, which is predominately advertising.

I can find nothing in the record of the hearings that justifies a raise in letter mail postage from 3 to 4 cents, and air mail from 6 to 7 cents. I understand that amendments are to be offered to hold letter mail postage at its present 3-cent level, and air mail at 6 cents. I shall support both of these amendments.

Proponents of first-class and air-mail postage increases have argued that 75 percent of the raise will be paid for by business and that business favors the raise. But that is not the whole story and neither is it surprising because the major share of any increase in first-class postage paid by business can be deducted from income taxes. In some corporations, the deduction runs as high as 52 percent.

This loss in taxes will have to be paid by someone. You and I know who that is going to be. It will be the individual taxpayer, the salaried worker, the family man, the 47 million homeowners in the country. They are the people who are unorganized and have no voice to protect their interest.

But even that is not the whole story. Most of the businesses that use first-class mail are department stores, insurance companies, public utilities, and banking concerns. When their operating costs rise, the natural thing to do is to pass those additional costs on to their clients. So the rise in costs that results from postage increases, just like the loss in taxes, will be paid in the end by the average man, the family man, the householder.

I haven't mentioned who will pay the other 25 percent of the increase in first-class postage—but you know. Again it will be the average American citizen who will pay directly every time he writes a letter to his relatives or friends in Idaho or California or New York or Florida. The average American citizen is again the fall guy, he catches it all down the line.

One glaring inconsistency stands out above all others in the arguments made by the Post Office Department favoring the first-class postage increase. The Department insisted that its cost ascertainment system is an accurate and proper basis for determining postage rates on second, third, and fourth-class mail, but opposed using it for first-class mail.

Post Office officials tried to explain this contradictory stand, in a last-minute about face, by bringing up some alleged "intangibles." In my mind, they only succeeded in attacking the validity of their cost ascertainment system as a ratemaking tool. This example of blowing hot and cold in one breath can only mean that one position or the other—is faulty.

Mr. Chairman, the only mail which showed a clear profit in the cost ascertainment report for the last fiscal year was first-class mail, which showed a profit of $62,300,000, and air mail, which showed a profit of $20,266,000. This same report shows a debt loss of $219,500,000 in second-class mail and of $172,- million in third-class mail.

The bill before us would gouge an additional $296 million from the users of first-class mail and $16 million from the users of air mail, the very users who are already yielding a net profit to the Post Office Department. Is it fair to expect these first-class users to pay for the losses in second- and third-class mail? I do not think so.

The first-class and airmail profit does not reflect the recent, and well-deserved, pay raises for postal employees. But according to the cost ascertainment system, only about 40 percent, or some $66 million, of their pay raise should be charged to first-class mail, and a smaller percentage to air mail. These charges would leave first-class mail with about a $4 million deficit and airmail still with a profit.

Since the bill before us increases revenues on second-class mail only $45 million, and third-class mail only $77 million, the plain fact of the matter is that the users of first-class mail, and to a lesser extent, the users of airmail, are being saddled with subsidies given to users of the two other classes of mail.

As we all know, there are important public service aspects to second-class mail which Congress has recognized in granting these subsidies. Many small newspapers, particularly county weeklies, would have hard sledding without subsidies, and I am very much in sympathy with their plight. However, latest figures available show a yearly subsidy to Life magazine of over $8½ million, to the Saturday Evening Post of $6½ million, and to Collier's of almost $5 million. Similar large subsidies are being paid to other popular publications.

These subsidies have historically been granted as benefits to the public because of educational and cultural value. If they are to be continued, they should rightfully be charged to the general revenue, certainly not to the individual users of first-class mail.

This bill carries a declaration of policy that promises to provide a clear guide to the users of mails as to what rates will be imposed on them. This statement will be nothing more than lip service unless it is firmly implemented. It is impossible to carry on a business without having the assurance that mailing costs will not be doubled or trebled.

The studies of our committee show that many operational changes made in the postal service have been far from satisfactory. The Department's decentralization program, for example, has resulted in a $15 million increase in the cost of top-level management. On the other hand, costs continue to mount despite the cutting off of many needed services. The indiscriminate closing and consolidation of fourth-class post offices and rural routes, regardless of the wants of the patrons and often without the courtesy of considering the views of Members of Congress, has been particularly ill-advised. I have received hundreds of letters and petitions from the congressional district I represent in protest.

We all know about the serious discrimination against various segments of the population resulting from the experiment of carrying regular letter mail by air, to say nothing of the added costs to the Post Office Department.

Mr. Chairman, in my opinion, the postal authorities would do well to adopt the recommendations in the report of the House Post Office and Civil Service Committee, and devote their efforts toward making more economies before we approve an arbitrary surcharge of $300 million a year on our average citizens.

Let us make no mistake about it. The burden of this postage increase in first-class and airmail will be felt in every American home. And the Congress is going to hear about it.

Mr. REES of Kansas. Mr. Chairman, I yield 8 minutes to the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Chairman, it is salient at this point that I state that with the exception of two of the Members to my right I have served on the Committee on Post Office and Civil Service longer than any Member of the House. During all of those years we have had long and lengthy hearings, discussions, and debates on postal rates. The reason I state that today is because as I move about the floor and talk to Members, I am amazed at how simple this complex question has become in the minds of many Members.

I say to the committee that postal rates are one of the most complex subjects that this Congress is called upon to treat with. Not only do they all have to be tailored to fit into a pattern so that they do not overlap on other items but after we have adjusted all of them there has to be a very serious consideration of the financial impact on the users of the mail. There also has to be taken into consideration the transportation costs and there has to be taken into consideration the volume of the mail, and so on and so on, to the point where I simply state to you Members that we are dealing with a very complex question, not a simple one.

When I hear Members get up here and say that we ought to do this about second-class mail, we ought to do that about third-class mail, and this and that adjustment is demanded, with very few

exceptions, those being members of the committee, I am fearful they do not know what we are dealing with.

I am going to try to sumarize on these various classes of mail. Obviously, as has been made clear, if the first-class rate is not increased, then there is simply no reason for further proceeding with this legislation.

Obviously first class places a ceiling particularly on third-class rates. Likewise it is the only increase that is herein proposed that budgetwise really makes much difference. We can thus fume as much as we please about the so-called deficit in second class and third class, but the money is simply not available from those classes of mail to make up for even the real deficit, let alone the exaggerated deficit that has been discussed since the beginning of the year. We must recognize that in dealing with second-class rates and third class as well if we eliminated those types of mail entirely from the service, you would have a greater loss in the service than you do presently. Certainly, in a department store that overall is making money, you do not necessarily eliminate those phases or units of it which might be losing money, because your rent would go on just the same, your taxes would go on just the same; you have your space there to utilize, and while perhaps the analogy is not as clear as it is in the postal situation, I believe the facts cannot be disputed that if we drove second- and third-class mail out of the service, we would still have the same personnel, the same facilities, and much of the same transportation cost, and we would simply increase the deficit in the Department. So, when we look at the impact of these increases on second-class mail, I am forced to say that the second-class amendment which was passed by this committee is absolutely punitive. I think it is unjust, it is unfair, it pays no attention whatsoever to the ability of the user to pay. Oh, yes, it is very easy to look at second class, to look at these magazines that the gentleman displayed, and say they ought to be charged more money. Somewhere along the line we have lost all thought of the public service performed.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. CORBETT. Not at this time. I want to get this point across. The gentleman was at the committee so seldom, maybe he can absorb it here.

The situation is simply this: I was on the point of saying there is still a matter of dissemination of public information. There is still something to be said for the subsidy that is not going any more to the publisher than to the receiver of the magazine. If these costs can be absorbed by the magazine, as the gentleman indicated, they are going to be absorbed by charging the reader and the receiver of the magazine, not the publishing company. But, on second class, let us remember very definitely that when you start putting in an increase of 120 percent and then complain about an increase of 33⅓ percent on first-class mail, you have really got a hard position to justify.

Now, on third-class mail, I heard that referred to here as junk mail today, which is a rather common term. Let us not forget that in handling this rate business we are legislating, giving advantages or disadvantages to the various competitors for the advertiser's dollar, and we ought to recognize a bit what we are doing. If we drive certain things out of the mail, why, we are going to help TV or radio a whole lot, or we are going to help the magazines or we are going to help direct mail, but in reference to these hardheaded businessmen who have been spoken about, I find here that third-class mail is now generating approximately $15 billion worth of private business, and I find very interestingly that the use of this type of mail has been increasing, and most interestingly.

If this type of mail is of no value, I am wondering why this spring, 1956, General Motors, for example, increased their direct mail advertising by 20 percent, to the point where they are putting out 23 million pieces of direct mail through the post office every month; that Ford, Chrysler, Plymouth, and the rest, are putting another 25 million pieces of direct mail into the post office. That would make approximately 50 million pieces a month.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. REES of Kansas. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. CORBETT. Mr. Chairman, I am going to conclude in 1 minute and I hope there will be time under the 5-minute rule to summarize a great many other points. I am supporting this bill. If the second-class rate is put at a reasonable figure and if the third-class rate can be adjusted at some later time, I hope that will be done, because I am sincere in my belief that we are only correcting inflationary changes, and that the American public is not opposed to this bill. I believe that in the long run, by improving the fiscal situation of the Post Office Department we can get better service which the public wants, we can get better facilities, we can more adequately compensate our employees; and while I hate twinning those factors together, the fact is they are twinned in people's minds. So I am advocating the passage of this bill providing we can make reasonable adjustments as we go through the amending process.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. TUMULTY].

Mr. TUMULTY. Mr. Chairman, it takes about 2 minutes to clear your throat, and I do not feel I can say a great deal in the short time allotted to me, except to say that I voted against all the proposals in the bill now before us.

Fundamentally, this is nothing more nor less than a sales tax. It is a sales tax being levied at a time when it will come in very handy to balance the budget. I might call it the Stamp Act of 1956 or, better still, a good subtitle would be, the Summerfield Raid on the Piggy Banks of America, because that is where the pennies are going to come from.

Evidence in the committee revealed that the average man is going to have to cough up the extra penny. Not only will he have to do it, but his wife, who subscribes to the women's magazines will have to expend more money; his daughter and his other children will have to expend more money, because the magazines naturally will pass their costs on to the general public. The testimony was, for example, that Reader's Digest would go up to 35 cents, if not more. So that this is nothing more nor less than a raid on junior's piggy bank, conducted by the Postmaster General in his military capacity.

I am going to suggest, if the bill passes, that we have a new stamp, and that it be designed as follows: That it have on it an elephant rampant, stampeding over a prostrate series of piggy bank holders, trumpeting forth the fact that the elephant is the rate raiser for 1956.

The gentlemen of the opposition say that we have no suggestions, those of us who are opposed to this measure. Mr. Chairman, I have a very good suggestion, forget the whole thing.

Mr. REES of Kansas. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Chairman, I have listened with a great deal of interest to the arguments propounded here in support of H. R. 11380. The proponents of this bill urge an increase in our postal rates, because they claim that the present rates are inadequate, that these rates are producing postal deficits and thereby increasing our national debt.

Now, if all of that were true—if those were the accurate facts, I would have little reluctance in supporting this legislation. But we know that we are not being given a clear and true picture of this whole problem; at least, not as far as the first-class mail is concerned.

We know that the 3-cent letter rate has always paid the Government a very handsome profit; as a matter of fact, a net profit of over $87 million for the fiscal year ending 1955. This represented an increase of over $4 million over the net profit of the year before. Therefore, we are not presenting an honest picture to the American people when we say that all postal rates must be increased because they are currently producing a postal deficit.

On the other hand, we would be speaking the truth when we say that our second-, third-, and fourth-class mail is running up a postal deficit. And if anyone should pay the increased rate, it ought to be these types of mailers.

Why should the first-class mail user be penalized and required to subsidize other mail users?

Why should the people of this country, more particularly the small-business people—be compelled to pay increased postage rates to help the users of second-, third-, and fourth-class mail? It is not fair; it is not equitable.

If we are to assume that the Post Office Department is in business, which I seri-

ously doubt, then it should operate its postal functions as such. If it is in business, then all mail should be so classified that it will make its handling self-sustaining. I am sure that such a business-like system would produce the kind of result that will wipe out the losses of our Post Office Department, and result in the operation of its service at a profit.

On the other hand, if the postal service is not a business, but a service to the people—which I believe it should be—then the people are entitled to better treatment. The American taxpayers are paying heavy taxes to our Government and are entitled to some consideration. Those using our first-class mail are now paying the necessary cost for its handling. The Government should not make a profit from its taxpayers. By the same token, the users of our second-, third-, and fourth-class mail should be made to pay the cost of handling that type of mail.

To single out one group of mail users who are paying their just share of their mail-handling costs and say that they must subsidize the other users who are not paying their share is unfair and unjust.

I am sure that the Members of this Congress want to do the right thing for the people, and the right thing to do is to place the burden where it belongs. Whoever uses the mail service should pay the cost of such service. If the second-, third-, and fourth-class users are not paying their fair share, then they must be made to do so. This bill does not accomplish that purpose.

Mr. REES of Kansas. Mr. Chairman, I yield 8 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Chairman, I should like to say at the very outset that I hope some of the attempted buffoonery that has been perpetrated here on the floor today does not give the members of this committee the impression that that is the spirit or the attitude in which this committee proceeded for more than 22 days that it discussed, considered, weighed, and held hearings on this complex and difficult problem. I should like to assure the members of the committee on that score.

By way of further lending some dignity, I hope, to the seriousness of the problem under consideration, I should like to read two sentences from the testimony that was presented before the committee:

> With respect to my position on postal-rate increases, I can say just this. If my staff had presented me with the figures and the evaluation of what is developing in the Postal Service demonstrating that I would be faced with a $500 million deficit annually, I would have been greatly concerned. If I had spent as much time and energy in trying to work out improvements in the Postal Service as has Postmaster General Summerfield, General Donaldson, and their predecessors, only to see it absorbed in dispensing much deserved higher salaries and fringe benefits to employees without commensurate rate increases, I would be deeply discouraged.

I think that statement by former Postmaster General James A. Farley, who at least once upon a time used to be held in honor on the majority side of the aisle, sets in proper perspective the problem we are considering and the efforts of the present distinguished Postmaster General, under his responsibility and under his oath of office, to cope with it.

I hope that we will do Postmaster General Farley the honor, if some are not disposed to do Postmaster General Summerfield the honor, of recognizing a serious effort to deal with a serious problem.

Let us see what a few of the basic facts are. One is that we have a substantial and a substantially increasing postal deficit. The facts are that the deficit is due, as Mr. Farley pointed out, to increased costs of Government for which costs some of the very people who now indulge in the tactics they do against this bill pleaded and begged and voted here last year.

Another basic fact is that we are still paying a 1932 postal rate, a postal rate of 3 cents for first-class mail, in the face of 1956 costs.

I want to address myself particularly to one fact and to one implication that has been developed here in the debate today. There seems to be a suggestion that the proposal for an increase in the first-class postal rate from 3 to 4 cents involves some revolutionary principle, that it involves a complete departure from past pattern and past practice in that it will yield revenue some percentage points higher than the allocated cost for that service.

The fact is that there is nothing new about this. There is nothing unprecedented about this. The fact of the matter is that in 1947, which is the year in which the 3-cent rate was made permanent, the ratio of revenues from first-class postage to expenses was 126 percent.

As is pointed out so very ably on page 12 of the committee report, in a chart which, by the way, was originally placed in the record of the hearings at my request, you will find the history of this ratio of revenues to expenditures, a historic record that the revenue always did exceed actual expenses by at least 12 percent and as high as 50 percent. You will find on this page this significant statement, that during no part of the 30-year period covered by this chart "has there been any indication on the part of those using the first-class service that this was an overcharge." Yet, we are confronted here today with the repeated allegation that we are suddenly about to engage—I believe gouge is the word which was used—in a gouge of the first-class rate payers and the users of the first-class mail. If it is a gouge today and if it is a gouge next year, it has been a gouge for the past 30 years. Let me just call attention to a few of the facts with respect to this excess of revenues over income in the first-class rate. The average ratio of income from first-class mail over expenditures from 1926 to 1941 was 140 percent. The average ratio for the years 1945 to 1954 dropped down to 117 percent. This chart, which I am referring to, which is on page 12 of the committee report, shows that the ratio had dropped in 1955 to 105.4 percent. It also showed that if for 1955 there were added to the expenditures the total cost of the pay raises voted last year, that ratio would have dropped to 99.1 percent, the first time in the 30-year period that it had dropped below the 100 percent mark.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield.

Mr. JOHNSON of California. I want to congratulate the gentleman for the very informative and constructive statement the gentleman is making. It reveals that the gentleman has made a tremendous study of this problem and I am very much impressed with his reasoning and his conclusions as to what we should do.

Mr. JOHANSEN. I thank the gentleman.

The chart also shows that with the adoption of the 1-cent increase in the first-class mail the ratio will be restored for the first-class mail to 1.29 percent. I would like to point out a very interesting fact, that that ratio of 1.29 percent is exactly 1 percent less than it was in 1948—1 year after the first-class rate of 3 cents was made permanent. Moreover, this 1.29-percent ratio is identical with the percentage in 1926.

Mr. Chairman, there has come to my desk a 138-page booklet prepared by Readers' Digest, listing detailed circulation data for that publication, broken down by States, counties, cities, and metropolitan areas. Perhaps other Members also received this booklet.

This is interesting information and unquestionably reflects the popularity of this generally excellent publication. I cannot speak in equally complimentary language with respect to the covering letter which accompanied this brochure.

This letter, which obviously represents a lobbying effort with respect to the proposed postal rate increase now before the House Committee on Post Office and Civil Service, is signed by a Mr. Willard R. Espy, of the public-relations department of the Reader's Digest.

The opening paragraph of the letter is as follows:

> When one of our good friends in Congress saw the figures in the booklet herewith his comment was, "The people who buy the Digest are enough to swing every election that will be held this fall." That is no doubt an exaggeration, but you may be surprised, as he was, to note the size of the Digest's circulation in each State.

The letter proceeds to discuss the historic congressional policy of preferential postal rates for magazines and other publications, and states that "there is a direct connection between the Government's postal policy and the public's ability to stay well informed through good magazine reading."

And it closes with the very generous offer:

> If you would like more information on this connection, we shall be glad to get it to you.

Now I have no objection to being advised by Reader's Digest as to its remarkable circulation accomplishments. And I have no objection to being advised as to the views of its publishers on the proposed postal rate increase for second-class mail.

But I must say in all candor that when the two items of information are presented to me as a Member of Congress along with an oblique reference to the

numerical capacity of readers of this magazine to swing "every election that will be held this fall," I find it difficult to interpret the association of ideas as anything other than a crude and inept attempt at pressure tactics.

Undoubtedly the 30,980 readers claimed for the Reader's Digest in the Third Congressional District of Michigan are an adequate number to swing the election in that congressional district. I am convinced, however, that they are not going to swing the election on the basis of exempting Reader's Digest from a reasonable increase in postage costs to help reduce the unconscionable postal deficit.

I am particularly certain of this in view of the admission before our committee by a representative of the Reader's Digest that if the proposed rate increase for second-class mail is voted by Congress—involving a maximum additional cost of 4⅓ cents per year per subscriber—the annual subscription rate would probably be increased $1 or $1.20 a year per subscriber. Moreover, I am sure the voters of my district would be interested to know that Reader's Digest pays 1 cent a copy for sending that publication through the mails, compared to 3 cents which the citizen pays for a first-class letter.

In any event, I must say that the reference by the Reader's Digest public-relations expert to the potential voting power of its readers in juxtaposition to its self-serving offer to enlighten Members of Congress on the postal-rate issue is not a model example of either good public relations or good congressional relations.

Under leave to extend my remarks, I include the full text of the letter from which I have quoted:

THE READER'S DIGEST,
Pleasantville, N. Y., April 19, 1956.

MY DEAR CONGRESSMAN JOHANSEN: When one of our good friends in Congress saw the figures in the booklet herewith his comment was, "The people who buy the Digest are enough to swing every election that will be held this fall." That is no doubt an exaggeration, but you may be surprised, as he was, to note the size of the Digest's circulation in each State.

More important than that, however, is the true, national coverage of the Digest. More than 10 million Americans buy the magazine each month, and nearly four times that many are estimated to read it. In no other magazine is it possible to address so many people at once.

One reason for the Digest's universal popularity is that it can be offered everywhere at a price that people will pay, willingly and repeatedly, for it.

The Digest and other magazines are the chief source of self-education available to the American people. It is the reading we do after our schooling has ended—reading of technical and professional and business publications, of general and service and news magazines—that permits us to continue informally the education that was provided for use in our childhood and teens.

Congress recognized this need to educate, and this opportunity to serve, when it created the preferential postal rates for second-class mail. If it was important to establish this national unifying force in the 19th century—when this policy was forged—then it is important to maintain it today. There is a direct connection between the Government's postal policy and the public's ability to stay well-informed through good magazine reading.

If you would like more information on this connection, we shall be glad to get it to you.

Cordially,

WILLARD R. ESPY,
Public Relations Department.

The CHAIRMAN. The time of the gentleman has expired.

Mr. REES of Kansas. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Chairman, the purpose of the bill (H. R. 11380), now under consideration, is to readjust our postal rates so that the annual deficit in the Post Office Department may be eliminated, or at least, to a large extent.

The report of the House committee, which has legislative jurisdiction of matters concerning the operation of the post-office system, has rendered a very complete report after long hearings on the subject of ways and means to eliminate the deficit that exists each year in the operation of the Post Office Department.

URGENT NEED FOR RATE INCREASES

The deficit has existed each year for many years. The committee has reported to the House that never before in the long history of the postal service has there been so pressing a need for rate adjustments. Since 1946 the aggregate postal deficit has reached $4.6 billion. This is five times as great as the total losses over the same number of years prior to World War II.

From the turn of the century to the beginning of World War II the average annual postal deficit was about $33 million. Since World War II the average annual deficit has increased to about $460 million—almost 14 times as great as the prewar average. It is hard for most of us to realize what so large a sum of money really means. The fact is we are losing $1,000 a minute. Every hour our taxpayers have to put up another $60,000 for someone else's postage.

Unless the Congress enacts rate increases now the deficit in the next fiscal year will exceed the average of the postwar years and the trend in postal deficits will continue to rise. It is a sobering fact that if postal costs and revenues maintain a continuing relationship over the next 10 years the deficit in 1965 may be more than a billion dollars.

Seldom has postal-rate legislation had the support of so many of the recognized experts in the field of postal operations and Government finance and so many large users of the mail.

The hearings on this legislation represent nearly a thousand pages of printed testimony, cover 22 sessions, and contain the testimony and statements of 152 witnesses. The witnesses represent every type of user of the mail that will be affected by the rate increases. Nearly all of these witnesses acknowledged the need for postal-rate adjustments.

STRONG SUPPORT FOR RATE INCREASES

The Postmaster General's proposed rate increases are strongly supported by the present administration and former Postmasters General Jesse M. Donaldson and James A. Farley, other noted authorities in postal operations and Government finance, and representatives of many large users of the mail.

In a report submitted to the Congress by the President, the Postmaster General said:

An increase of 1 cent per ounce for first-class mail is essential to any sizable cut in the postal deficit. Because 75 percent of all letter mail originates with business, the increase would directly cost the average family only about 10 to 12 cents a month, and yet it would bring in $295 million each year in new revenue.

FORMER POSTMASTER GENERAL JAMES A. FARLEY RECOMMENDS BILL

Former Postmaster General James A. Farley unqualifiedly recommended this legislation when he testified before the committee.

With respect to the first-class letter mail increase on which concern has been expressed from some quarters, Mr. Farley said:

I think people who use first-class mail get preferential treatment. You mail a letter in New York today and expect it to be delivered in Chicago tomorrow, or delivered to any other point of destination. If the records I look at are correct, they show that about 75 percent of the first-class mail is paid for by business users of the mail, and only approximately 25 percent of the users are what might be called personal mail. I see no reason why large corporations and business houses and businessmen should not be willing to pay at least 4 cents. I think it should be 4 cents.

Two principal factors have contributed to this state of affairs. The first is that the Post Office Department has been doing business at an increasing cost level with revenues at the level of 1932. The second factor is the series of six wage increases which have aggregated more than a billion dollars in the last few years. It is quite evident that if the Post Office Department is to provide a high level of service to the public it must have adequate and modern facilities and equipment, high morale among the employees, and adequate compensation. Congress has approved the various pay increases, and these, together with the needs of the Department for modernization and new buildings, present the need for additional revenues if the Department is expected to hold down the recurring deficits.

I think the deficit is so large that it demands immediate action on the part of the Congress to reduce it.

The Department has recommended a 1-cent increase in letter postage per ounce, a 1-cent increase in the airmail charge per ounce, increases in second-class rates aggregating at least 30 percent, and an increase in third-class mail of approximately 30 percent.

These increases are all set as low as it would be possible to set them and still provide revenue enough so that the Department could come out with adequate revenues.

It seems to me that it is the responsibility of Congress to charge the users and the patrons of the post office enough to meet its obligations from year to year.

I feel that the Congress should meet its responsibility. Postal deficits are one of the reasons why we have such large income taxes on the farmer, on the wage

earner, and on the other classes of our people.

Why we should keep larger taxes on these people in order to operate the Post Office Department at a deficit is beyond my understanding.

OVERWHELMING ENDORSEMENT

There is indeed an impressive and overwhelming endorsement of this legislation on the part of men of many years of experience—Members of the House and Senate of long standing and present and former officials of the Government whose knowledge of the subject and sincere interest in Government affairs is unchallenged.

FIRST-CLASS MAIL HAS NOT PAID ITS SHARE OF INCREASED COSTS

It is significant that the $1,689 million in recently increased cost includes more than a billion and a quarter dollars for employee benefits alone—but the users of first-class letter mail have not been called upon to stand any increase in rates in order to pay their share. Meanwhile, other classes of mail have borne rate increases, some substantial.

Fourth-class mail has been increased by more than 110 percent. Postal cards and drop letters have been increased by 100 percent. Other classes of mail, such as third class, if this legislation is adopted, will have had increases of over 100 percent in certain categories. The advertising portion on magazines and newspapers will have been increased by over 185 percent if this bill is approved, while first class will only be increased by 33⅓ percent.

There has been only one increase in the rate for first-class mail since 1885. It is clear to anyone familiar with the pressure and the need for an increase in the first-class mail rate that the problem will be with us from here on until the correction proposed is made. It therefore calls for immediate action by the Congress to increase the revenue of the Post Office Department as provided for in the pending bill.

I am in favor of the bill reported by the committee. I am fearful, and, regret however, that it may not reach a vote before it is necessary for me to leave to attend my brother's funeral.

Mr. REES of Kansas. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut [Mr. CRETELLA] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CRETELLA. Mr. Chairman, my remarks are going to be brief and to the point. Congress should approve this bill.

For the last 10 years the cost of operating the Post Office Department has zoomed upward, mainly because of the 6 pay increases and the employee benefits which Congress has granted. These pay increases were necessary to maintain a decent standard of living for deserving postal workers. But because Congress has failed to act on postal rates, the Post Office Department has lost almost $5 billion in the last 10 years. Let this trend continue and we will soon be faced with postal deficits of a billion dollars—or more. And may I ask for what good reason?

This bill will stop the nonsense of passing on to our children the cost of carrying today's letter mail. When all Government costs are considered, the loss in first-class mail is so obvious that only those who are unwilling to look can fail to see it. Gentlemen, not only is there no profit in first-class mail but the Government is actually losing over 1 cent on each piece of first-class mail carried. The American citizen is not asking for a subsidy on his letters, especially when he knows that he will be paying for the subsidy in the form of taxes plus interest.

Let us not forget one additional fact here as far as first-class mail is concerned. Back in 1947 when the 3-cent rate was made permanent by unanimous resolution, this mail was paying almost 30 percent above its allocated costs. The record shows that not a single Member of this House was concerned about a so-called profit in first-class mail at that time. And yet today, when letter mail is actually losing money, we hear the word "profits." These profits do not exist. They are a political fantasy.

The arguments against an increase in second-class rates are equally fallacious and inspired by politics. Opponents of this bill would have us believe that low second-class rates are a subsidy to the people and not to the private profit-making firms of the printing and publishing industry. It seems to me that it makes more sense to call the losses sustained by the Government from handling newspapers and magazines an outright gift to the publishers. It is incredible to me how anybody can contend that the losses from second-class mail, which must be recovered from the people through taxation, can be logically called a subsidy to the people.

The publishers' claim that they seek low rates only in the interest of the public was clearly discredited during the hearings on this bill. When a spokesman for one of the largest publications in the United States was asked how rate increases would affect his postage costs he stated that the increase would be less than 2 cents per copy. And yet when asked how he would meet that increase he stated that it would be met by increasing the newsstand price of his magazine by 10 cents per copy—a calculated profit of 8 cents per copy without adequate justification. Does this reflect the concern of publishers for the American public?

Magazine publishers have always contended that low postal rates were necessary to keep the prices of their publications within reach of the common man. The truth is that while rates of postage are virtually the same today as they were in 1932, almost all major publications have increased their prices—some as high as 300 percent since the 1930's. Obviously there has been no reluctance on the part of publishers to pass along other cost increases, yet, for some mysterious reason they constantly maintain that their postal costs should be paid by the general taxpayer. Magazine publishers cannot contend that the increase in the selling price of magazines has been a deterrent to magazine circulation since total circulation is now at a record high. Nor, in view of the increases in per copy prices they have made, can publishers truthfully maintain that their motive in seeking low postal rates is wholly in the interest of the reading public.

This bill also makes moderate adjustments in rates for third-class advertising matter. This is the material that fills your mailboxes every day and I am sure that all of you have from time to time received complaints from your constituents concerning the number of advertising folders which reach them every day. I am not criticizing the use of the mails for advertising purposes, but it is clear that the present heavy volume of unwanted circulars is a direct result of subsidized postal rates. And I, personally, do not want to go back home and have to tell my constituents that the Congress has refused to relieve them of paying part of the postage for this advertising mail which they do not want but must support through taxation.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Chairman, it is rare, indeed, that I come into the well of the House to speak on a matter in which I do not have a direct interest or in which my committee does not have a direct interest. I am the ranking majority member of the Treasury and Post Office Appropriations Subcommittee. Our committee is charged with the responsibility of handling the Post Office Department money request. I want to be just as realistic as I can be in my presentation at this time. I should like to reiterate a few facts.

Mr. TUMULTY. You are not a member of the committee; are you?

Mr. PASSMAN. I am a member of the Committee on Appropriations handling the requests of the Post Office Department.

Mr. TUMULTY. But, you are not a member of the Post Office and Civil Service Committee.

Mr. PASSMAN. No; I am not on that committee.

Mr. TUMULTY. I was just inquiring. I thank the gentleman.

Mr. PASSMAN. I am on the committee that has to deal with the request for approximately $3 billion annually to operate the Post Office Department.

Mr. TUMULTY. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. TUMULTY. Did you attend any of our hearings?

Mr. PASSMAN. No.

Mr. TUMULTY. Did you attend our hearings?

Mr. PASSMAN. May I say to the gentleman that my intention is to discuss some of the phases of the money requirements of the Post Office Department, and not necessarily the technicalities and controversies and misunderstandings in the legislative committee.

Mr. TUMULTY. I take it the answer is "No"?

Mr. PASSMAN. I have not attended any of your committee hearings. Have

you, incidentally, attended any of the hearings on the Post Office and Treasury Department Subcommittee on Appropriations, which handles the money for the Post Office Department?

Mr. TUMULTY. I would be glad to attend if I were invited.

Mr. PASSMAN. What I hope to discuss presently is the money angle of this matter.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. HALLECK. The gentleman happens to be a member of the subcommittee that has the initial responsibility for making up these recurring deficits.

Mr. PASSMAN. I thank the gentleman.

Mr. HALLECK. And the gentleman knows as well as I that that deficit figures in the whole fiscal situation of the Government.

Mr. PASSMAN. Certainly. Now let us be as realistic as we can about this. The postwar deficit in operating the Post Office Department amounts to approximately $5 billion. The interest alone on the postal deficit is in excess of $100 million annually, and the present postal deficit is approximately one-half billion dollars annually. The annual average deficit from 1900 to 1940 was only $33 million.

In 1932 we were paying 3 cents to mail first-class letters. Some 25 years later we are still mailing the same letters for 3 cents. In 1932 the Members of Congress were receiving salaries of $10,000 a year. The salary now is $22,500. Since I came to Congress, 10 years ago, the annual pay of postal employees has been increased approximately $1 billion. Have means been provided, except through additional appropriations, to pay for that increase? The answer, of course, is "No."

It costs a certain amount of money to handle the mails. What is not collected from the users of the mails has to be paid by the taxpayers. So it all comes out of the pocket of the taxpayers, either directly or indirectly.

You know and I know that a lot of businesses have unprofitable ventures. In my own business, for example, I have two departments where I lose money, but I make the deficit up in other departments, because I am in business and I intend to make money. As another example, many railroad companies lose money on their passenger rates, but the rates for the freight hauls are sufficient to offset any loss they may sustain in handling passengers.

There is really no valid reason why we should not relieve the Post Office Department deficit.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. PASSMAN. I yield.

Mr. HALLECK. Has the gentleman been a little disappointed, as I have been, at the action of some of our Members who are the quickest to want to vote for all increased costs in the Post Office Department, particularly having to do with salary adjustments, and then when the time comes to raise the money to pay the bills are either conspicuous by their absence or crying out that it is awful to raise the revenues of the Post Office Department?

Mr. PASSMAN. I agree with that statement.

Mr. TUMULTY. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. No; I do not have the time.

Mr. TUMULTY. I simply wanted to get a straight picture of it.

Mr. PASSMAN. So do I. What is the straight picture?

Mr. TUMULTY. The proposition that every time there is a pay raise there should be a service charge attributed to the department involved so that that pay raise is paid for? Is that the gentleman's proposition?

Mr. PASSMAN. I do not follow the gentleman's thinking on that particular statement. The gentleman knows as well as I do that in the past 10 years postal workers' salaries have been increased by $1 billion and there has been no increase of postal rates in the first-class category, nor has there been an attempt to make up the deficit.

Mr. TUMULTY. We have to pay a living wage, regardless.

Mr. PASSMAN. Do you agree that it takes a certain amount of money to carry the mails, to pay for the services?

Mr. TUMULTY. And also to pay the salaries of the men who do the work.

Mr. PASSMAN. To carry the mails and pay for the services? Is that true?

Mr. TUMULTY. You have got to pay everybody.

Mr. PASSMAN. From where do you get the amount of money you do not collect from the people who use the mails?

Mr. TUMULTY. Do you provide a service charge for every department?

Mr. PASSMAN. I do not think my friend is interested in discussing this matter on a business basis.

You want to bring politics into this; that is your purpose. I want to say that, as far as I am concerned, Postmaster General Summerfield is a fine man and administrator. I want to extend him the credit which is his due, and I will gladly support his recommendation. I want to help take a load off the back of the American taxpayers; and anyone who knows anything about the operations of the postal service, or of any other Federal service, knows that if the fees you collect for the service do not pay the costs, the balance has to be made up by the taxpayers. As the taxpayers have to pay for it, why not put it on a business-like basis?

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from California.

Mr. HOLIFIELD. I will talk with the gentleman on a businesslike basis; he and I are both businessmen, and if it comes to assessing the cost of mail does the gentleman think we have assessed first-class mail according to cost?

Mr. PASSMAN. I may say to the gentleman that I, personally, would vote this afternoon to do away with all subsidies for all users of mail.

Mr. HOLIFIELD. Let me ask the gentleman: Would that be the fair way? Because if the gentleman has one business that is not making money he tries to make the other business make up.

Mr. PASSMAN. I answered the gentleman's question satisfactorily, I think. The gentleman knows that for a hundred years the proposition he suggests has been turned down.

Mr. HOLIFIELD. That is true.

Mr. PASSMAN. The gentleman knows that the subsidy inequity is not going to be substantially corrected.

Mr. HOLIFIELD. I agree with the gentleman as to what the policy of Congress has been, but I am asking the gentleman now that the issue is again before Congress if the fair way is not to assess the true cost against each class of mail and charge rates accordingly.

Mr. PASSMAN. I would vote to remove all subsidies, but I know we are not going to do so; so why not equalize the burden of carrying the mail? If over the past 25 years an attempt had been made on the basis the gentleman asks, the rate for first-class mail would be 6 cents, instead of the 4 cents proposed in this bill. This increase in cost is apparent all along the line. Consider the matter of our own stationery allowance. Not so many years ago it was $200; now it is $1,200. It is similarly true as to mileage to and from a Member's home. First it was once a year; now you know what it is. A similar situation applies for all salaries, and for transportation costs. Would you ask the railroads to perform service today at the same rates they performed the same service 25 years ago?

We should not be so inconsistent. Over the past 25 years we have voted postal salary increases of a billion a year, yet we have not been disposed to increase rates to offset the increased costs.

Mr. Chairman, I assure you that I am here this afternoon, not for pleasure, but because of a sense of duty. I am a member of the subcommittee handling funds for the Post Office Department, and every year the appropriation has been going up, up, up. The Department has done a sound job of justifying the increased requests, and the Postmaster General is obviously interested in placing the Department on more nearly a self-supporting basis.

In the light of statistics and cost-ascertainment figures available to me, it is evident that if first-class postage should be increased even as much as 75 percent, the postage would be paid by the same people who are being subsidized today; and I think they would prefer it that way.

Mr. GUBSER. Will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. GUBSER. Is the gentleman familiar with the fact that the present Deputy Postmaster General in private life was one of the foremost accountants of this country, and that he has said that while the 1956 figures are not completely available, but it represents the first full year in which the salary raises were in effect, that there will be an absolute loss on first-class mail?

Mr. PASSMAN. Yes. What else could we expect? We gave the employees a billion dollars annual increase in salary over the past 25 years. To meet that cost

on a realistic basis, the rate would actually have to be 6 cents, instead of the 4 cents asked this afternoon.

Let me repeat that I think this is sound legislation, and I wish we could leave politics out of it. The Postmaster General and his staff are carrying on under a tremendous handicap, running what we should treat as a business that should be self-supporting. But the setup we provide for the Department causes that business to operate at a half-billion dollar annual loss.

I hope the membership of the House will support the chairman of this committee as well as the ranking minority member, in the passage of this bill.

Mr. REES of Kansas. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, since 1945 I have been a member of the House Subcommittee on Treasury Department-Post Office Department appropriations concerned each year with the ever-recurring deficit in postal operations. Year after year we have complained about the woefully inadequate rates to compensate for necessary expenditures. The chairman of our committee, the distinguished gentleman from Virginia [Mr. GARY] reemphasized our concern in our committee report this year and Mr. GARY was a witness in behalf of our subcommittee before the legislative committee considering this bill.

I do not like to have it said that the United States is the only major Nation on the face of the earth, excepting Argentina, that yearly goes in the red in its postal operations. Back in 1951, the Senate with no member raising pointed objections on the Senate floor passed a bill which, among other things, raised the rate on first-class mail from 3 cents to 4 cents. I am for this increase—with others in the bill before us—because I believe it is definitely in the interest of the taxpayers of our country, particularly the so-called little man, if you please, and I shall tell you why.

Increasing the letter rate to 4 cents would cost the average family only $1.80 yearly while, it is estimated the average family pays approximately 3½ times that amount in general taxation to pay for hidden postal costs.

The 3-cent first-class letter rate—unchanged since 1932—does not now meet doubled costs. There has been no increase in the 3-cent rate to meet over $1.3 billion in payroll increases since 1932. Every Gallup poll shows that postal patrons overwhelmingly approve the increase to reduce the postal deficit and no fewer than 23 polls have been taken by Members of this House, all show our people—by a more than 2-to-1 vote—want us to meet this problem by realistic rates.

Currently, the 1-cent increase is approved by 2 former Postmasters General, both Democrats, and the now Republican Postmaster General, Mr. Summerfield. William C. Doherty, president of the National Association of Letter Carriers and one of the now vice presidents of the AFL-CIO strongly supports this increase. He has been urging it since 1951 when he declared that—

> The 3-cent postage stamp in my estimation is the greatest bargain on the face of the earth today. It will carry a letter from Bangor, Maine, to San Diego, Calif., and back again and it will carry a letter from Puerto Rico to Honolulu and back again for 3 cents. Nowadays you buy very little for a nickel—take your subways in New York, your telephone costs.

About the same time he was making this statement, J. T. Sanders, legislative counsel to the National Grange, called for a 1-cent increase in first-class mail to meet the deficit. Back in 1949, President Truman asked Congress to bring postal rates in line with postwar costs and declared:

> It is unsound and unnecessary for the postal operation to continue as a growing burden on the general taxpayer.

Summing up—the case for postal rate increases has been itemized as follows: Postwar postal deficit approximates $5 billion. Interest alone on postal deficit is $100 million yearly. Present postal deficit, $500 million yearly. Huge postal deficits are postwar development. From 1900–40 deficits averaged only $33 million. If rates not increased, annual deficit may soon be $1 billion.

Summing up further—what postage rate increases will do has been briefed as follows:

Relieve individuals of disproportionate share of postal costs.

Make better postal service possible.

Reduce subsidies to large mailers.

Contribute to tax relief or Federal debt reduction.

End drain of huge postal deficits on Treasury.

Assure sound pay-as-you-go fiscal policy.

Avoid unconscionable habit of passing postage bills on to future generations.

Mr. Chairman, I am sure those who speak out against this bill today have not talked to the letter carriers of the United States who tote that mail.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Massachusetts.

Mr. BATES. I want to compliment the gentleman, Mr. Chairman, on his very persuasive remarks. If there was any doubt in my mind as to what I should do on this bill, I know the gentleman has removed it.

Mr. CANFIELD. I thank the gentleman.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, if you want to find reasons to vote against this bill, it is not very hard to do. All you have to do is to say "I am against a rate increase," period, and you could justify your vote. I want to try to find some reasons why I should vote for this bill, and that is the way I will address my remarks, because I intend to support it today.

At this point let me see if I can analyze some facts.

Fact No. 1. The minority and the majority are agreed that we are operating at a deficit, and we can both refer to the same bible, which is this cost-ascertainment system. It points out very specifically that in fiscal 1955 we were losing $362,673,652. Nobody has any argument about that. We also have no argument about the fact that in order to operate the entire Post Office Department we had to spend $2,712,150,181 for fiscal 1955. And, there is not much argument about the fact that from now on out the cost of operating the Department is going to go right on up. So, that raises a question: How do you want to pay for it?

Fact No. 2. We have no argument about the reliability of the cost-ascertainment system which made these figures possible. The minority in their report said very frankly and truthfully:

> It is well established that the system is reliable as a means of allocating the cost of the postal service.

So, everybody is agreed on that.

Fact No. 3. We are all agreed that first-class mail should pay more than its proportionate allocated cost. That fact is borne out by the minority in their report in which they say that you should take the allocated cost into consideration in arriving at the mail rate on first class plus the fair value of certain intangibles. At this point we get into a big discussion about that. The question is how much are you going to allocate for the intangibles.

Now, let me read from the testimony:

> Cost ascertainment is no more and no less than an effort to measure, by accounting and statistical means, (1) the revenue realized from each class of service; (2) the incurred costs chargeable to each class of service; (3) the difference between revenues and allocated costs for each class of service.

That is from the testimony of Maurice H. Stans, Deputy Postmaster General.

Here is the problem. The cost-ascertainment system does not of itself provide an automatic and infallible formula for fixing postal rates. It was not intended to do so. No business can fix its price solely with reference to cost, neither can the Post Office Department. The reason is clear, and that is because we have to take into consideration certain intangible factors.

Now, that very principle was recognized by the minority in their report, because they say there is no known yardstick or device to accurately determine these intangible values. So, what are we really arguing about? Everybody agrees that you ought to allocate the cost to the various classes of mail as determined by the cost ascertainment system; that is just good business. But, when we get into a discussion of placing a value on these intangible factors, then you get a whole variety of opinions running the gamut from A to Z. Proof of the pudding is that a great many of the minority would have been willing to compromise at 3.5, not 4 for first-class mail. As far as I am concerned, I am for 4 cents over all, because if you pass this bill, you increase the first-class rate 33⅓ percent; for second-class mail, the reading portion 30 percent; second-class mail, advertising portion 120 percent. And we had to spread that over a period of 5 years, because we felt the impact could not be absorbed at one time.

Granted there is a disparity between first, second, and third; granted that second and third will not carry the full allocated cost; granted that perhaps they should. But let me ask you, Can you stand here in 1 hour and completely remove a disparity that has existed for 50 or 100 years and will probably exist for another 50 years? The answer is "No." You must try to do something that is reasonable to pick up the disparity; to bring revenue into the Government which you must have in order to finance a $3 billion operation. I do not know of an easier way than to do it here by spreading out the cost of this system over the users of the mail as reasonably as you think you can.

I am supporting this bill because it represents a reasonable apportionment of the post office cost among the users of the mail.

Mr. REES of Kansas. Mr. Chairman, I yield 7 minutes to the gentleman from Wisconsin [Mr. WITHROW].

Mr. WITHROW. Mr. Chairman, I am supporting the raise in first-class postage because I believe it is very necessary. I believe that the public feels it is justifiable and they, too, feel that it is very necessary.

However, I do feel that the recommendations of the committee in regard to second-class rates are entirely out of reason. We have a very peculiar situation here. The Postmaster General, as I understand, recommended that the increase in second-class rates be 30 percent, 15 percent annually for 2 years. Notwithstanding the fact that the Postmaster General made this recommendation, a majority of the committee recommended that these rates be increased to 120 percent on the advertising and 30 percent on the reading material.

I would support wholeheartedly the recommendation of the Postmaster General because I believe that that is reasonable and I believe that the small magazines and newspapers, in which I am particularly interested, could live with that.

Mr. Chairman, it was my privilege to serve on the Committee on Post Office and Civil Service for 6 years. So, I am somewhat familiar with the difficulties involved in trying to prescribe equitable postal rates. It seems to me that the whole postal rate structure is full of inequities and contradictions. Here is one of them: While it is Life and Saturday Evening Post that we may talk about, there are many smaller magazines and newspapers which will be seriously injured if this bill, in its present form, becomes law.

There are supposed to be about 25,000 second-class publications, half newspapers, half magazines. Of the more than 12,000 magazines, less than 100 have mail circulations over 250,000 copies and less than 30 have mail circulations over 1 million copies. This means that thousands of publications are small, small business, and that it is small business which will be most seriously hit by this bill.

Smaller magazines, the great bulk of all those published, cannot be distributed by newsboys. They cannot ship some copies by freight to distant points from where they are published in order to cut down the zone rate which they are charged. Many of them, because they pay zone rates on their advertising portions, are already paying their way, based upon what the post office says it costs to carry one piece of second-class mail. While we may intend to raise postage for the Saturday Evening Post, we may be striking out those small magazines published all over America.

Here is how this bill will help the large publishers: All publications will try to raise their advertising rates. There is no certainty that those who buy advertising will increase their budgets to accommodate these rate increases. I understand that it costs less per reader to advertise in big magazines than in small ones. So if postal rates go up and advertising budgets do not increase, then those who are advertisers will eliminate smaller magazines from their advertising budget, continue their expenditures in big magazines and big newspapers, and centralize even more bigness in publishing. Certainly this House does not want this result from this rate bill. But it will happen, because many smaller publications will be driven to the wall.

There is another major inequity in this bill to which I want to refer.

The post office made a big point of the fact that publications published not for profit by religious, scientific, educational, and philanthropic organizations will not have their rates increased by this bill. We did not increase these rates the last time we raised second class. Yet the Department, in presenting its buildup of statistics, stated that $44,269,647 worth of deficit was created by these exempt publications. That is why in the last Congress, and in this Congress, I introduced H. R. 311 which establishes fifth-class mail and puts all the exempt publications which travel at preferred rates in this brand new mail category. It is not fair to charge other publishers the cost of carrying these preferred publications when we in Congress authorized this low-rate carriage. Incidentally, all these exempt publications are not small. The National Geographic is one of them; its circulation is in excess of 2 million copies per month. This is big business—and it is exempt.

I have been impressed by the fact that despite the great hardship it will work on many of them, publishers of small magazines generally have not objected to reasonable rate increases. They have taken the position that a low-rate structure has been part of publishing since 1879, and that it cannot be changed in a day. Any rate increase for them must be spread out over a long term of years and at a low rate of increase if they are not to be seriously injured. If 120 percent is to pass, I will submit an amendment to exempt the first 100,000 mail circulation of any magazine, large or small, from this increase, and to similarly exempt the first 10,000 of any newspaper. This is the only way I know to protect small business, small newspapers, and small magazines, if they are to compete with the Goliaths of publishing, which this bill will only serve to make even bigger Goliaths.

The amendment which I may introduce is as follows:

On page 3 of H. R. 11380 after the chart appearing between lines 5 and 6, insert the following:

Provided, however, That the rates in effect on April 1, 1954, shall apply to the first 10,000 mailed copies of any newspaper and the first 100,000 mailed copies of any magazine and the rates set forth in this section 104 shall apply only to that portion of any publication's mail circulation exceeding 10,000 and 100,000 copies as set forth herein.

I feel that we are continuing to make piecemeal attacks on the postal-rate problem. This bill is no total solution. In view of the continuance of this approach, I certainly am going to put the big-business versus small-business issue squarely before the House if such drastic rate increases are to pass. It is one thing to raise postal rates; it is something else again to make big business bigger and to increase the competitive disadvantage faced by smaller businesses, in this case magazines and newspapers.

Mr. Chairman, I urge this House to defeat the 120-percent increase provision in this bill for smaller magazines and newspapers.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. ROBESON].

Mr. ROBESON of Virginia. Mr. Chairman, having acquired that privilege, I will read a statement, because I think most of my personal remarks will have very little effect in influencing the attitude of any Member toward this bill because the Members probably know how they are going to vote to start with.

I should like to get back on the track so that I know what it is we are talking about and what it is we are going to vote on, so what I have here to present may be a little repetitious in some respects but I think it brings back again the facts of the situation and presents a problem that this Congress needs to do something about.

Unless this Congress enacts postal-rate increases, the deficit in the next fiscal year will be more than $500 million. Almost every other country in the world requires their postal services to be operated on a pay as you go basis. It seems to me that it is just good commonsense to place our service on a pay as you go basis, too. The committee has made careful study and analysis of the question and recognizes that continued delay will not solve the fiscal problems of the Post Office Department.

Extensive hearings have been held. The printed record covers 22 sessions and contains the testimony and statements of 152 witnesses. These witnesses include recognized experts on postal operations, Government finance, and many large users of the mails who support the rates recommended in this bill. In fact, with few exceptions, the witnesses before the committee agreed that there was need for the adjustment of postal rates. Some, however, suggested that the increases be applied to the other fellow rather than to themselves. On the whole, there was little more than token opposition to the proposed increases in the rates for letter mail and air mail. First-class letter mail and air

mail in total number of pieces account for more than half of the volume handled by the Department and more than 40 percent of the revenues. It seems perfectly clear, therefore, that unless these rates are increased, it will not be possible to secure the necessary additional revenue to wipe out the deficit.

The bill provides for substantial increases in second- and third-class rates, but the amount of money that will be derived from those classes is relatively small. To illustrate, if this bill passed, the increased revenues provided will be:

	Million
First-class and airmail	$312
Second-class mail	45
Third-class mail	77

The burden of the increases in first-class and airmail rates will not bear heavily on the individual users of the mail—not more than a few cents a month. It is estimated that 75 percent of all such mail originates with business. None of the national organizations representing business have objected to the increases. On the contrary, some representatives of large business have supported the proposed rates.

The 3-cent letter rate has been in effect since 1932, and until the fiscal year 1945, such a rate was adequate. Since 1946, there have been increases in transportation costs and in employees compensation amounting to more than $1,600,000,000 annually. Increased salaries and other benefits which the Congress has provided in 22 separate pieces of legislation since 1946 have increased the cost by $1,300,000,000 annually. Yet, we have not increased the letter rate to help pay these additional expenses. Since 1946, we have doubled the rate on postal cards from 1 cent to 2 cents. We have increased the rate on second-class mail 30 percent. We have increased the rate on third-class mail 38 percent. But, I repeat, we have not increased the letter and airmail rates at all.

If the provisions of this bill are adopted, we will increase the rates on:

	Percent
Letter mail	33
Airmail	16
Second-class mail	72
Third-class mail	29

The increases since 1946 including those provided in this bill will be:

	Percent
Letter rates	33
Postal cards	100
Second-class	120
Third-class	74

Fourth-class mail—parcel post—has been maintained on a break-even basis by direction of the Congress as the result of rates fixed by the Postmaster General with approval of the Interstate Commerce Commission. These rates have been increased 115 percent since 1946.

Under the reported bill, there will be no rate increase on publications addressed for delivery within the county of publication or on publications maintained and in the interest of nonprofit, religious, educational, veterans, and fraternal organizations. Likewise, there will be no rate increase on mailings of third-class matter by these organizations.

The publishers of the daily newspapers and magazines of wide circulation will find considerable increases in their postage bill under the provisions of this bill. But, they usually pass such increases on to the advertiser by charging a little more per page for display advertising.

The large mailers of third-class matter who use this medium for promoting the sale of their products will, undoubtedly, pass on to the consumer the additional cost of doing business.

In all instances, however, the postage costs are spread over such a wide area affecting so many millions of customers that the effect on the pocketbook of the individual is negligible.

I think the people of this country want a good postal service and they want postal employees paid good wages. I certainly believe they are willing to pay for it. I also sincerely believe that the vast majority of our citizens would prefer to pay directly their proportionate share of the cost of maintaining the Post Office Department, rather than to have a huge deficit financed from the general funds of the Treasury which, in effect, saddles them with a disproportionate share of the cost.

For these reasons, I hope the bill will pass.

Mr. REES of Kansas. Mr. Chairman, I yield 7 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I am over on the Democratic side because I think the gospel as preached by Noah is badly needed on this side, judged by the debate that has been carried on so far. Therefore, I want to give the full benefit of any arguments that I may have to this side, which needs it so much.

When the rule which placed in order this bill was before us a few days ago, I made a speech giving just two reasons why these postal increases should be made.

One was that we ourselves were responsible for the increased cost, and therefore we should be in duty bound to see that those increased costs were made up. A mathematician would say that is a self-evident fact, because most of us were here and voted for those increased costs.

The second argument I made was that if we change this deficit, whatever it is, $450 or $500 million, from paying it out of the taxes of the Government to the rates charged, it would relieve the individual, the little man, the family, of practically one-half of what he is now paying, that he will pay practically one-half less on his mail in postal rates than he is now paying in taxes.

Both of those points have been elaborated upon since that day. I do not think I need to elaborate at all only on the second point, and the only thing I took the floor for now is to substantiate the figures that I used that day, and I want to do it by reading a small part of a letter I wrote to the Secretary of the Treasury, who is held responsible for the deficits in the Treasury, and his response to me. I am quoting now from my letter of June 11 to Secretary Humphrey:

> One of the important questions which arise is the impact of higher postage rates on the individual and his family. It has been stated by opponents of the bill that an increase in postage is 'a tax on the individual.'
>
> In his testimony before the committee, the Postmaster General has made the statement that more than 75 percent of postage on letter mail is paid by business and less than 25 percent is paid on mail sent by individuals. This statement is supported by a report of the National Industrial Conference Board, prepared in 1953, to the effect that "existing data indicate that business may account for as much as three-fourths to four-fifths of all postal revenues."

I used the figure 80 percent. That is half way between three-quarters and four-fifths.

In response to my letter this is what the Secretary of the Treasury gave me. This is part of his letter:

> It is apparent that individuals and their families would pay considerably less than half as much of a postal-rate increase as they would pay through the taxes necessary to cover their share of an equivalent postal deficit.

So there you have the statement of the Secretary of the Treasury.

I want to give one or two other facts concerning this.

The cost of hauling each letter is up 79 percent since 1932. I repeat: The cost of hauling each letter, first-class mail, has gone up 79 percent since 1932. In 1932 the Federal Government collected approximately $3 billion in Federal taxes. Today the Federal Treasury is collecting something like $66 billion in taxes.

In 1932 the dollar was supposed to be worth 100 cents; today the dollar is figured at 51 cents; it has been cut in half. That is the reason that you have heard the statement that if the increased cost should be charged it should not be 4 cents; it should be 6 cents, or double the 3 cents in 1932.

These are facts that you just cannot get around, and they are facts that make absolutely justified the increase in first-class-mail rates from 3 cents to 4 cents; you just cannot get around that.

The United States postal deficit is twice as much as the combined deficits of all the postal systems of the free world. In the last 4 years alone, 44 nations have increased their domestic letter rates to meet increases in the cost of service. Canada now charges 5 cents for her first-class mail. Other nations have had to raise their rates. We have made it absolutely necessary to do it by our votes in this House over the last 10 years. Why, then, all this fuss today? We are just proposing to do what should have been done several years ago.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield.

Mr. REES of Kansas. I want to commend the gentleman upon his giving us a very instructive statement on this subject matter. The gentleman was a member of the House Committee on the Post Office and Civil Service for a number of years and has given this matter a great deal of study. We do appreciate very much his views with respect to this problem.

Mr. MASON. I thank the gentleman.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Chairman, when I came to this House in 1945 there was only one vacancy on a congressional committee, and that was on the Committee on the Post Office and Civil Service. Although a Virginian was chairman of that committee at that time, I was appointed to fill that vacancy. I served for a year and a half on the committee and then I was appointed to the Appropriations Committee. One of the first assignments I had as a member of that great committee was on the Treasury and Post Office Subcommittee. For the past 8 years my very esteemed friend, the gentleman from New Jersey [Mr. CANFIELD], and I have alternated as chairman of that subcommittee.

In this way I have been identified with the work of the Post Office Department during the entire 11 years of my service in the Congress.

I remember several years ago, particularly just after the release of the first Hoover Commission report, an impression was rather general in this House and throughout the United States that if we would only adopt modern methods and greater efficiency in the Post Office Department we could eliminate the deficit, and operate on a sound financial basis without any increase in the postal rates. I knew that could not be done. I realized that the Post Office Department was subject to criticism and certainly no group in this Congress has worked any harder to obtain modern methods and improvements in the postal service than has our subcommittee. But I knew that those alone would not take care of the postal deficits.

We started several years ago on this matter of improvement. And let it be said here and now that the Post Office Department has made tremendous strides in modernizing the Department. It is a program for which neither Democrats nor Republicans can take full credit. It was started under a Democratic administration. We had great difficulty in convincing the Post Office Department that they should use more efficient and more modern methods; but finally they embarked upon a great program. I am glad to say that when the Republicans came into power they continued that program in the Department and it has resulted in very substanial savings.

But let us face the facts. The Post Office Department is a business. The Government is undertaking to render a service to the people of this country. Do you know of any business in the entire United States that is rendering the service today at the same cost that it rendered that service in 1932, 24 years ago? Of course not. In view of the increased costs of operation and the inflated dollar, any business in the United States which tried to render the service at the same rates that it did 24 years ago would be a bankrupt concern today. It would be running in the red, just as the Post Office Department is today. The only difference is they would have to close up because they would have no taxpayers to carry the burden.

I well remember when I came to Congress in 1945 the postal employees had not had an increase in salary for over 20 years and, although I had campaigned on a program of economy, the first speech I made on the floor of this House was in behalf of an increase in salaries for the postal employees, which I thought was well deserved and long overdue.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield the gentleman from Virginia 5 additional minutes.

Mr. GARY. Mr. Chairman, since that time salaries have been increased 4 or 5 times and the increases which have been made since 1945 total annually more than the entire operating costs of the Post Office Department in 1945. In addition, the Department has suffered increased costs in equipment, it has had several increases which must be paid to the railroads and to the other transportation agencies for transporting the mail. It has had increases in rents, and increases in supplies.

How can we expect any department to sustain those increases and operate without any increase in rates and at the same time operate without a deficit? I have never been one of those who felt that the Post Office Department should not have any deficit. Particularly was this true when we had in the accounting system of the post office a lot of charges with which they should not have been charged. One was that of franked mail, another penalty mail, and the airlines' subsidies were also in the Department's budget.

Those were items which should not have been charged to the users of the mail. But, tremendous improvements have been made in the accounting procedure since then, and we have transferred the franked mail to the proper department; we transferred the penalty mail to the proper department. We now have in the post-office budget only a few minor items totaling $30 million for which the Department should not be charged.

Frankly, I am one of those who hopes that we will soon rid the post office of that charge and make appropriations for the items and place the charge where it belongs. But now that we have rid the post office of most of these improper charges which had been carried for years, the time has come when we should balance their operations, when we should make the users of the mail pay for the service they receive. Why should the taxpayers of this Nation be called upon to pay for special services that certain people who are operating for profit receive from the United States Government? It is subsidy pure and simple, and there is no reason why the United States should subsidize those users of the mail, and if we do, then we ought to subsidize them directly and not with postal rates which conceal from the taxpayers of the United States the fact and amount of the subsidy.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New Jersey.

Mr. CANFIELD. I wonder if the distinguished gentleman handling post-office appropriations, before he closes, would discuss what the Congress has done respecting the mandate on parcel-post rates.

Mr. GARY. When the Congress of the United States first passed the parcel post bill some 25 years ago, it wrote into that law the provision that the Postmaster General should—it did not say "may" but that the Postmaster General "shall"—fix such rates and adopt such regulations with reference to size and other matters pertaining to the handling of parcel post that parcel post would be self-sustaining. For years that section was not enforced. I remember very well when the former Postmaster General came before our committee and we asked him why he did not enforce the provision. He said, "I think the Congress should fix the rates on parcel post, just like the other rates." We said, "The Congress has directed you to fix these rates so that the service shall be self-sustaining." He indicated that he was not going to do it. So, we just put a little provision in the appropriation bill saying that he could not get any money out of the Treasury until he did what the Congress had directed him to do in the general law. The law required that he fix these rates subject to the approval of the Interstate Commerce Commission. Since that time on two occasisons the Postmaster General has determined those rates, which have been approved by the Interstate Commerce Commission, and today parcel post is paying its way.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from California.

Mr. MOSS. Is it not true that in setting the fourth-class rate, the parcel post rate, the Postmaster General must use the cost as determined by the cost ascertainment system of the Post Office Department?

Mr. GARY. No, I do not think so. I think it is entirely up to him. He can use any method. All the law says is that, with the approval of the Interstate Commerce Commission, he shall fix such rates as may be necessary to make the fourth-class mail self-sustaining.

Mr. MOSS. The Interstate Commerce Commission has ruled that the cost ascertainment system is an adequate and proper basis for determining the cost of fourth-class mail.

Mr. GARY. That is right, but not the only basis.

Mr. MOSS. But the basis employed at this time.

Mr. GARY. It is the basis employed at this time, but it is entirely within the discretion of the Postmaster General.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from California.

Mr. HOLIFIELD. I agree with the gentleman that we are subsidizing the Post Office Department to the tune of, let us say, $362 million.

Mr. GARY. I think it will be nearer $500 million next year.

Mr. HOLIFIELD. Possibly. And, I agree also that something should be done

about it. But, the gentleman stated, and truly, that the taxpayers of the United States have subsidized the Post Office Department as a matter set by the policy of the Congress to make up the deficit. Why should we charge one set of users of service, concentrate on them, this subsidy rather than let the general taxpayers carry out the policy of the Congress which has been to admit that certain classes of mail must be carried at less than the cost of service? Why should we just concentrate on the 3-cent user in place of allowing this to be spread over the whole taxpaying public?

Mr. GARY. I do not think we are concentrating on that one group. As I said before, we now have fourth-class mail on a paying basis.

Mr. HOLIFIELD. That is right.

Mr. GARY. There are increases in this bill for first-, second-, and third-class mail. Frankly, I would rather not see first-class mail increased. But in view of the recent increases in salaries and other costs, I do not believe that first-class mail is paying its full way at the present time. The service is being rendered today at the same price at which it was rendered 25 years ago and everyone knows of the increases in costs that have taken place since that time.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman.

Mr. BYRNES of Wisconsin. And we have been told about these cost ascertainment tables, and so forth and have assumed that those covered all the costs of operating the Department. Yet I understand they do not take into consideration, for instance, the cost of the post office buildings or any amortization of them; is that correct?

Mr. GARY. I think there are other costs; yes.

Mr. BYRNES of Wisconsin. They do not take into consideration the cost of pensions to retired employees. Should not all those be taken into consideration if we are going to be accurate and should not charge those costs against the users, if we are going to be completely accurate?

Mr. GARY. That is a matter for the legislative committee to determine, not the Committee on Appropriations. And I am perfectly willing to rely upon them.

The CHAIRMAN. The gentleman from Tennessee [Mr. MURRAY] has 7 minutes remaining and the gentleman from Kansas [Mr. REES] has 3 minutes remaining.

Mr. REES of Kansas. Mr. Chairman, I reserve the balance of my time.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield myself the balance of the time on this side.

Mr. Chairman, the debate has been interesting, informative, and instructive. I sincerely hope that the majority of the Committee will go along with the Committee on Post Office and Civil Service and approve this bill. I said in my opening remarks that if the 3-cent first-class letter-mail rate is not raised to 4 cents, we might just as well forget about this whole bill, because that is where the revenue is coming from. There has been no increase in first-class mail since 1932. And during the past 10 years there has been an increase of $1,689,000,000 in the cost of running the Post Office Department. There have been 22 employee-benefit bills passed during this time. Yet first-class mail is the only class of mail that has not been raised during this time to help pay for the heavily increased costs. Second class, third class, special services, and parcel post have all been increased. Parcel post has been increased 115 percent. Second-class mail has been increased 30 percent and third-class mail has been increased over 30 percent.

As I said before, over 75 percent of all first-class mail is generated in businesses and corporations. We had business leaders come before our committee and approve the proposed increase. Mr. John C. Allen, traffic manager of Sears, Roebuck & Co., came before our committee and said this increase in first-class mail would cost them $1 million, but they were willing to pay it. He said he thinks first-class mail ought to be increased.

The president of the Burroughs Adding Machine Co. came before our committee and said:

> The increase will cost us $500,000, but we think that first-class mail should be raised and we will pay it.

The National Chamber of Commerce and the National Association of Manufacturers also came before our committee and approved this measure.

If an effort is made to reduce the section on first-class mail from 4 cents to 3 cents, I will present a letter from the Postmaster General dated July 5, showing that first-class mail is not paying its way. I also have a letter from the Comptroller General dated July 3, 1956, showing that the allocated expenses for first-class mail exceed the revenues for it.

I do not know how the gentlemen who claimed to be such big fiscal experts can come here and say that first-class mail is paying its way. We have a great Postmaster General, one who is doing all in his power to improve the service of the Department. We have one of the top-notch accountants as Deputy Postmaster General, Maurice Stans. They tell you that first class is not paying its way today and give statistics on it. Are we going to believe them? They are truthful men; they are reliable men; they would not deceive us. Are we going to believe them or the gentleman from California [Mr. MOSS], the gentleman from Pennsylvania [Mr. RHODES], or the gentleman from Michigan [Mr. LESINSKI]?

The gentleman from Pennsylvania [Mr. RHODES] referred to me as being too conservative. I am proud of the fact that I am conservative. My name is THOMAS JEFFERSON MURRAY. That was my father's name. That was my grandfather's name. It has been a family name for years, and I am a Jeffersonian States rights Democrat.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Tennessee. I yield to the gentleman from Ohio.

Mr. HENDERSON. I take this opportunity to express my personal appreciation for the fine effort the chairman of the Committee on Post Office and Civil Service has given to this matter and to all other matters which have come before his committee. He has worked tirelessly in behalf of this legislation and has been a stalwart, forward-moving force in behalf of good postal legislation.

May I say further that the ranking minority member on the committee, the gentleman from Kansas [Mr. REES], has likewise given untiring service in behalf of this legislation.

Mr. MURRAY of Tennessee. I thank the gentleman.

As I understand, the gentleman from Mississippi [Mr. COLMER] is going to offer an amendment providing that the increase on second-class mail shall not apply to weekly, semiweekly, or daily newspapers with a circulation of 5,000 or less. While this bill makes very little increase in the rates charged small newspapers, I am going to support the amendment to be offered by Mr. COLMER. I believe the little newspapers are having a difficult time, the small county weekly newspapers. Of course, in this bill we do not raise any rates within counties because they are still free within the counties, but regardless of that, I am going to support the amendment to be offered by Mr. COLMER.

Also, I am going to offer an amendment that the rates in this bill shall not become effective until January 1, 1957. The bill provides July 1, 1956. That date has already passed. I think it only fair that these rates take effect on January 1, 1957.

The CHAIRMAN. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.—

General statement

In the light of the findings in title II of this act and information received by the Congress during the 83d and 84th Congresses with respect to postal activities, revenues, and expenses, the Congress recognizes that—

(1) adjustments in presently existing postal rates and fees are necessary and desirable in order that, to the extent consistent with the public interest and the policies in title II of this act, postal revenues will more nearly equal postal expenses; and

(2) it is necessary and desirable in the public interest that the Congress establish a definite, affirmative, and integrated policy with respect to postal activities, revenues, and expenses which will serve as a guide in the determination and adjustment by the Congress, from time to time, of the postal-rate structure.

Mr. DAVIS of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I had 6 minutes in the general debate on this bill and in that time I did not have the opportunity to say all that I wanted to say about this bill. I am not emotionally disturbed about it, but there are some facts about this legislation which I think everyone should know in order to be able to vote realistically upon it. I have listened with a great deal of interest to the debate on this measure by people who are not on this committee. I certainly have no objection to Members who are not on the committee expressing their views about it, but the burden of their argument has been that inasmuch as the rate on first-class mail has not been increased since 1932, why object to it now? Well,

that is not a sound argument. The reason it has not been raised in the meantime is that the rate was sufficient to pay the cost of first-class mail and to pay a profit. It has paid a profit. Our distinguished chairman of the committee, the gentleman from Tennessee, just asked where these fiscal experts get their figures that they have presented here today. I am going to make the statement now that I made before and I will let the gentleman say if he doubts its correctness. I said before that in the fiscal year 1955, first-class mail paid its way and paid a profit of $62,300,000. Those figures are from the Post Office Department itself. If that is not correct, I am ready to be corrected.

Mr. MURRAY of Tennessee. I will be glad to answer the gentleman. You are talking about something in the past—something that happened over a year ago.

Mr. DAVIS of Georgia. I am going to talk about something that happened now too.

Mr. MURRAY of Tennessee. The great part of the cost of the last salary increases bill was not in that fiscal year. They are in the present fiscal year which just ended June 30, 1956.

Mr. DAVIS of Georgia. I asked the gentleman to state if my statement was correct?

Mr. MURRAY of Tennessee. Insofar as it is a year old, it is.

Mr. DAVIS of Georgia. I am making the statement as of the year 1955. Now, I make this further statement, that with that profit of $62,300,000 the cost ascertainment figures furnished by the Post Office Department show that some $64 million extra should be added to the cost of handling first-class mail as the result of these things that the chairman has just mentioned, the increase in salaries, and so forth; is that not correct?

Mr. MURRAY of Tennessee. Certainly, it is.

Mr. DAVIS of Georgia. Yes, it is. Now that is correct and it is conceded.

Further, there has been a normal increase in the collection of revenue from first-class mail and, I say, with that profit of $62,300,000 plus the normal increase in the revenue from first-class mail, there was no deficit in the cost of handling first-class mail in the fiscal year 1956.

The distinguished gentleman from Virginia [Mr. GARY] says, "Why should not rates be increased when costs have been increased?" That is a simple question to answer. Rates should not be increased merely because costs have increased on first-class mail. Up to now the costs have not caught up and exceeded the profits that first-class mail has been bringing in. That is a simple answer to that question. Would it be logical to say that the Coca-Cola Co. ought to increase the cost of a bottle of Coca-Cola from 5 cents simply because the price has not been increased since 1932 or since 1920? If they are still able to bottle it and sell it and come out with a profit, there is no reason to say it ought to be increased simply because other things have been increased.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RHODES of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to take advantage of this time to say to my distinguished chairman that I am never angry with him if we happen to be in disagreement. I think it is perfectly right for Members to have an opportunity to disagree.

Furthermore, I want to say if there is so much merit to this legislation then why all this unfair pressure? Why all this deceptive propaganda for this bill all over the Nation? Why this effort to limit the opposition to speak on this legislation today? If there is so much merit to this bill there would be no hesitancy in listening to what the opposition has to say about the bill, and giving us equal time.

There is a provision in this bill which I feel would cause serious hardship to small publications. I refer to lines 7 and 8 on page 3. Under this proposal certain small publications would suffer a 100-percent increase in postage rates. Religious publications, such as Signs of the Times, My Bible Story, to name only a few that would be seriously affected by this provision.

It would put some small publications out of business. Furthermore, there is serious danger that the Post Office Department may interpret this provision, if the bill is enacted, to increase by 100 percent the postage costs of many nonprofit publications. This is truly a big-business bill. The best evidence of this fact is that representatives of giant industries, the United States Chamber of Commerce, the National Association of Manufacturers have favored this administration bill. But small publishers and editors and small business generally have voiced strenuous objection to this legislation.

Once again we see administration support being given to big business and monopoly interests at the cost and sacrifice of small business and the average citizen.

Mr. MURRAY of Tennessee. Mr. Chairman, I ask unanimous consent that the bill be considered as read, and open to amendment at any point.

The CHAIRMAN. Is there objection?

There was no objection.

The bill is as follows:

TITLE I—POSTAL RATE INCREASES

Short title

SEC. 101. This title may be cited as the "Postal Rate Increase Act, 1956."

First-class mail

SEC. 102. That part of the first section of the joint resolution of June 30, 1947 (61 Stat. 213), as amended (39 U. S. C., sec. 280), which precedes the proviso, is amended by striking out "3 cents" and inserting in lieu thereof "4 cents."

Domestic airmail

SEC. 103. The first sentence of section 201 of the Postal Rate Revision and Federal Employees Salary Act of 1948 (62 Stat. 1261; 39 U. S. C., sec. 463a) is amended by striking out "6 cents" and inserting in lieu thereof "7 cents."

Second-class mail

SEC. 104. (a) Section 2 (a) of the act of October 30, 1951 (65 Stat. 672; 39 U. S. C., sec. 289a), is amended by inserting immediately before the colon which precedes the first proviso the following: ", and (4) such postage is further adjusted to the amounts set forth in the following table, on the dates specified:

	Effective July 1, 1956 (cents per pound, or fraction thereof)	Effective July 1, 1957 (cents per pound, or fraction thereof)	Effective July 1, 1958 (cents per pound, or fraction thereof)	Effective July 1, 1959 (cents per pound, or fraction thereof)	Effective July 1, 1960 (cents per pound, or fraction thereof)
A publication having not more than 5 per centum of its space devoted to advertisements, and that portion of other publications devoted to matter other than advertisements	2.1	2.2	2.3	2.4	2.5
Advertising portion of a publication having more than 5 per centum of its space devoted to advertisements:					
First and second zones	2.4	2.9	3.4	3.8	4.3
Third zone	3.2	3.8	4.4	5.0	5.6
Fourth zone	4.8	5.8	6.7	7.6	8.6
Fifth zone	6.4	7.7	9.0	10.2	11.5
Sixth zone	8.0	9.6	11.2	12.8	14.4
Seventh zone	9.7	11.5	13.4	15.2	17.0
Eighth zone	11.2	13.4	15.6	17.8	20.0"

(b) Section 2 (c) of such act of October 30, 1951, is amended by striking out "one-eighth of 1 cent" and inserting in lieu thereof "one-fourth of 1 cent, except that (1) the postage on each individually addressed copy mailed by the organizations listed, and for the purposes prescribed in the second and third provisos of subsection (a) of this section, and each individually addressed copy of a publication of the second class addressed for delivery within the county and not entitled to the free-in-county mailing privilege, shall not be less than one-eighth of 1 cent, and (2) the per copy rates prescribed for publications covered by section 25 of the act of March 3, 1879, as amended (39 U. S. C., sec. 286), are continued."

(c) Section 2 (d) of such act of October 30, 1951, is amended by striking out "1 cent" and inserting in lieu thereof "1½ cents."

Controlled circulation publications

SEC. 105. The rates of postage prescribed for the mailing of periodical publications defined in section 203 of the Postal Rate Revision and Federal Employees Salary Act of 1948 (62 Stat. 1262; 39 U. S. C., sec. 291b), shall be the same as prescribed in such section 203, regardless of the weight of the individual copies, and shall remain in effect until otherwise provided by Congress.

Third-class mail

SEC. 106. Section 3 of the act of October 30, 1951 (65 Stat. 673; 39 U. S. C., sec. 290a–1), is amended—

(1) in that part of such section which precedes the first proviso—

(A) by striking out "2 cents" wherever appearing therein and inserting in lieu thereof "3 cents";

(B) by striking out "1 cent" and inserting in lieu thereof "1½ cents"; and

(C) by striking out "1½ cents for each additional 2 ounces or fraction thereof" and inserting in lieu thereof "1 cent for each additional ounce or fraction thereof";

(2) in the first proviso contained in such section, by striking out "$10" and inserting in lieu thereof "$20";

(3) in the second proviso contained in such section—

(A) by striking out "14 cents" and inserting in lieu thereof "16 cents";

(B) by striking out "1 cent" wherever appearing therein and inserting in lieu thereof "2 cents"; and

(C) by striking out "10 cents" and inserting in lieu thereof "12 cents";

(4) by striking out the third proviso contained in such section; and

(5) in the fourth proviso contained in such section, by striking out "3 cents" and inserting in lieu thereof "5 cents."

Fourth-class mail

SEC. 107. Sections 204 (d) and (e) of the Postal Rate Revision and Federal Employees Salary Act of 1948 (39 U. S. C., sec. 292a (d) and (e)) are amended to read as follows:

"(d) The following materials when in parcels not exceeding 70 pounds in weight may be sent at the postage rate of 10 cents for the first pound or fraction thereof and 4 cents for each additional pound or fraction thereof, and this rate shall continue until otherwise provided by the Congress: (1) books permanently bound for preservation consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for students' notations and containing no advertising matter other than incidental announcements of books; (2) 16-millimeter films and 16-millimeter film catalogs except when sent to commercial theaters; (3) printed music whether in bound form or in sheet form; (4) printed objective test materials and accessories thereto used by or in behalf of educational institutions in the testing of ability, aptitude, achievement, interests, and other mental and personal qualities with or without answers, test scores, or identifying information recorded thereon in writing or by mark; and (5) manuscripts for books, periodical articles, and music.

"(e) (1) The following materials when in parcels not exceeding 70 pounds in weight when loaned or exchanged between (A) schools, colleges, or universities and (B) public libraries, religious, educational, scientific, philanthropic, agricultural, labor, veterans, or fraternal organizations or associations not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, or between such organizations and their members or readers or borrowers, shall be charged with postage at the rate of 4 cents for the first pound or fraction thereof and 1 cent for each additional pound or fraction thereof, and this rate shall continue until otherwise provided by the Congress: (a) books consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for students' notations and containing no advertising matter other than incidental announcements of books; (b) printed music, whether in bound form or in sheet form; (c) bound volumes of academic theses in typewritten or other duplicated form and bound volumes of periodicals; and (d) other library materials in printed, duplicated or photographic form or in the form of unpublished manuscripts.

"(2) The rate provided in paragraph (1) for books may apply to 16-millimeter films, filmstrips, projected transparencies and slides, microfilms, sound recordings, and catalogs of such materials when sent in parcels not exceeding 70 pounds in weight to or from (A) schools, colleges, or universities and (B) public libraries, religious, educational, scientific, philanthropic, agricultural, labor, veterans, or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual.

"(3) Public libraries, organizations, or associations, before being entitled to the rates specified in paragraphs (1) and (2) of this subsection, shall furnish to the Postmaster General, under such regulations as he may prescribe, satisfactory evidence that none of their net income inures to the benefit of any private stockholder or individual."

Determination of class of post office and compensation of postmaster and certain employees

SEC. 108. On and after July 1, 1956, 85 percent of the gross postal receipts of all classes of post offices shall be counted for the purpose of determining the class of the post office or the compensation or allowances of postmasters or other employees whose compensation or allowances are based on the annual receipts of such offices. Nothing contained in this section shall operate to decrease the compensation or allowances in effect immediately prior to July 1, 1956, for postmasters and other employees in the postal field service on such date whose compensation or allowances are based on the annual receipts of such offices.

Effective dates

SEC. 109. (a) The rates of postage prescribed by this title, except those prescribed in section 104 (a), shall become effective on July 1, 1956.

(b) The rates of postage prescribed by section 104 (a) of this title shall become effective as provided in such section 104 (a).

(c) The fee prescribed by section 106 (2) of this title shall become effective on January 1, 1957.

TITLE II—POSTAL RATE POLICY

Short title

SEC. 201. This title may be cited as the "Postal Rate Policy Act."

Findings

SEC. 202. The Congress hereby finds that—

(1) the postal establishment was created to unite more closely the American people, to promote the general welfare, and to advance the national economy;

(2) the postal establishment has been extended and enlarged through the years into a nationwide network of services and facilities for the communication of intelligence, the dissemination of information, the advancement of education and culture, and the distribution of articles of commerce and industry;

(3) the development and expansion of these several elements of postal service, under authorization by the Congress, have been the impelling force in the origin and growth of many and varied business, commercial, and industrial enterprises which contribute materially to the national economy and the public welfare and which depend upon the continuance of these elements of postal service;

(4) historically and as a matter of public policy there have evolved, in the operations of the postal establishment authorized by the Congress, certain recognized and accepted relationships among the several classes of mail. It is clear also, from the continued expansion of the postal service and the authorization of certain services rendered or facilities provided at a calculated loss to the Government, that the postal establishment performs some functions in which the public interest outweighs the profit and loss factors which would prevail if the postal establishment were operated solely as a business enterprise;

(5) the postal establishment should be operated in a businesslike manner but clearly is not a commercial enterprise conducted for profit and it would be an unfair burden upon any particular users or class of users of the mails to compel them to underwrite those expenses incurred by the postal establishment which are not related to the service they receive;

(6) notwithstanding the need for all users of the mails to be informed with reasonable certainty of the postal rates and fees which will be imposed upon them, the Congress heretofore has not laid down a firm policy (except for fourth-class mail matter and certain special services authorized by law) with respect to the identification and evaluation of those services rendered by the postal establishment in whole or in part for the benefit of the general public and those services which inure in whole or in part to the benefit of certain users of the mails; and

(7) the public interest and the increasing complexity of the social and economic fabric of the Nation require an immediate, clear, and affirmative declaration of congressional policy for the creation and maintenance of a sound and equitable postal-rate structure which will assure efficient service, produce adequate postal revenues, and stand the test of time.

Declaration of policy

SEC. 203. (a) The Congress hereby emphasizes, reaffirms, and restates its function under the Constitution of the United States of forming postal policy.

(b) It is hereby declared to be the policy of the Congress, as set forth in this title—

(1) to provide a more stable basis for the postal-rate structure through the establishment of a general principles, standards, and related requirements with respect to the determination and allocation of postal revenues and expenses; and

(2) in accordance with these general principles, standards, and related requirements, to provide a means by which the postal-rate structure may be fixed and adjusted by action of the Congress, from time to time, as the public interest may require, in the light of periodic reviews of the postal-rate structure, periodic studies and surveys of expenses and revenues, and periodic reports and recommendations, required to be made by the Postmaster General as provided by section 206 of this title, on the basis of the cost ascertainment system.

(c) The general principles, standards, and related requirements referred to in subsection (b) of this section are as follows:

(1) In the determination and adjustment of the postal-rate structure, due consideration should be given to—

(A) the preservation of the inherent advantages of the postal service in the promotion of social, cultural, intellectual, and commercial intercourse among the people of the United States,

(B) the development and maintenance of a postal service adapted to the present needs, and adaptable to the future needs, of the people of the United States,

(C) the promotion of adequate, economical, and efficient postal service at reasonable and equitable rates and fees,

(D) the effect of postal services and the impact of postal rates and fees on users of the mails,

(E) the requirements of the postal establishment with respect to the manner and form of preparation and presentation of mailings by the users of the various classes of mail service,

(F) the value of mail,

(G) the value of time of delivery of mail, and

(H) the quality and character of the service rendered in terms of priority, secrecy, security, speed of transmission, use of facilities and manpower, and other pertinent service factors.

(2) The acceptance, transportation, and delivery of first-class mail constitutes a preferred service of the postal establishment

and, therefore, the postage for first-class mail should be sufficient to cover (A) the entire amount of the expenses allocated to first-class mail in the manner provided by this title, and (B) an additional amount representing the fair value of all extraordinary and preferential services, facilities, and factors relating thereto.

(3) Those services, elements of service, and facilities rendered and provided by the postal establishment in accordance with law, including services having public service aspects, which, in whole or in part, are held and considered by the Congress from time to time to be public services for the purposes of this title shall be administered on the following basis:

(A) the sum of such public service items should be assumed directly by the Federal Government and paid directly out of the general fund of the Treasury and should not constitute direct charges in the form of rates and fees upon any user or class of users of such public services, or of the mails generally, and

(B) nothing contained in any provision of this title should be construed as indicating any intention on the part of the Congress (i) that such public services, or any of them, should be limited or restricted, or (ii) to derogate in any way from the need and desirability thereof in the public interest.

(4) For the purpose of the determination and adjustment of the postal-rate structure in the manner provided by this title and by section 207 of the act of February 28, 1925, as amended (39 U. S. C., sec. 247) and section 12 of the act of October 30, 1951 (39 U. S. C., 246f), the postal rates shall be adjusted from time to time so that the total amount of the adjusted revenues shall be approximately equivalent to the total amount of the expenses, both as determined in the manner provided by this title.

Authorization of appropriated funds

SEC. 204. There is hereby authorized to be appropriated to the revenues of the Post Office Department for each fiscal year from any money in the Treasury not otherwise appropriated an amount equal to the sum of the public service items referred to in section 203 (c) (3). Such appropriations shall be available to enable the Postmaster General to pay in to postal revenues at quarterly or other intervals such amounts as he shall determine to be necessary to reimburse the Post Office Department for such expenses and losses of revenue.

Application of cost ascertainment system

SEC. 205. (a) For the purposes of this title, revenues and expenses shall be determined and ascertained, and each allocation and apportionment with respect thereto shall be made, upon the basis of the cost ascertainment system, to the extent not otherwise indicated in this title.

(b) Nothing in this title shall be construed to affect the cost ascertainment system or any authority, power, duty, or procedure of the Postmaster General or of the postal establishment generally, except to the extent necessary to carry out this title.

Reviews, studies, surveys, reports, and recommendations of Postmaster General

SEC. 206. (a) The Postmaster General is authorized and directed to initiate and conduct, through the facilities of the postal establishment, either on a continuing basis or from time to time, as he deems advisable, but not less often than every 2 years, a review of the postal-rate structure and a study and survey of the expenses incurred and the revenues received in connection with the several classes of mail, and the various classes and kinds of services and facilities provided by the postal establishment, in order to determine, on the basis of such review, study, and survey for each class and kind of service or facility provided by the postal establishment, the need for adjustment of postal rates and fees in the manner provided by this title.

(b) The Postmaster General shall submit to the Senate and the House of Representatives not later than April 15 of each alternate fiscal year, beginning with the fiscal year ending June 30, 1959, a report of the results of the review, study, and survey conducted pursuant to subsection (a) of this section. Such report shall include—

(1) information with respect to expenses and revenues which is pertinent to the allocation of expenses and the determination and adjustment of postal rates and fees in the manner provided by this title.

(2) such other information as is necessary to enable the Congress to carry out the purposes of this title, and

(3) such recommendations as the Postmaster General deems appropriate.

Congressional action prerequisite to adjustments in postal rates and fees

SEC. 207. Except as otherwise provided by law, nothing in this title shall be construed to authorize any change, adjustment, or revision with respect to any postal rate or fee, except by further action of the Congress.

Definitions

SEC. 208. (a) For the purposes of this title, the term—

(1) "cost ascertainment system" means the cost ascertainment system (including the principles and standards thereof) utilized by the Post Office Department (39 U. S. C., sec. 826) for the ascertainment and allocation of expenses and revenues of the postal service, as in effect from time to time, to the extent consistent with this title;

(2) "revenues" and "costs," whether applied to the total postal operation or to the mail classes or services, shall have the same meaning as when used in the Cost Ascertainment Report, and the terms "costs" and "expenses" shall be synonymous; and

(3) "adjusted revenues," whether applied to the total postal operations or to the mail classes and services, shall mean the revenues, increased by the sums authorized under section 204 to be appropriated to the Post Office Department for the public-service items referred to in section 203 (c) (3).

(b) Whenever reference is made in this title, or in any other law or regulation in connection with this title, to any of the several classes of mail and services, such reference shall have the same meaning as when used in the Cost Ascertainment Report, except that first-class mail shall include domestic airmail other than air parcel post.

Mr. MOSS. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MOSS: Beginning at page 2, strike out lines 13 through 18, and renumber sections 103 through 109 as sections 102 through 108.

Mr. MOSS. Mr. Chairman, I wonder if I may ask unanimous consent to stand aside on this amendment briefly, to permit the gentleman from Mississippi [Mr. COLMER] to present an amendment, and then have the right to take up my amendment following that.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. COLMER. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COLMER: Page 3, immediately after the table following line 5, insert the following sentence: "The adjustment in postage contained in the amendment made by this subsection shall not apply to any issue of any weekly, semiweekly, or daily newspaper with respect to which issue the entire press run consists of 5,000 copies or less and the rate or rates of postage, as in effect immediately prior to the date of enactment of this act, for the mailing of any issue of any newspaper to which this sentence applies shall remain in effect until otherwise provided by Congress."

Mr. REES of Kansas. Mr. Chairman, I also have a similar amendment, and I agree.

Mr. COLMER. I appreciate that action on the part of the distinguished gentleman from Kansas. I also thank my friend the gentleman from California [Mr. Moss] for his courtesy, since I have an important committee engagement.

Mr. Chairman, as the reading of the amendment by the Clerk indicates this is a simple amendment. It has for its purpose the exemption from the increased revenue provided on second-class matter small newspapers having a circulation of less than 5,000. In other words, if this amendment is adopted newspapers with less than 5,000 circulation will remain in a status quo.

I am sure that we all want to see the small country newspaper continue to exist and flourish. They are the medium of disseminating news to many rural people. In many cases they are the only newspapers received by the citizens of the rural communities. They serve a splendid purpose in the small towns and communities where they exist. Moreover the country newspaper editor is a great asset to the local community. Therefore, I do not want to do anything—and I am sure that my colleagues here feel the same way about it—that would jeopardize the existence of this community asset.

I understand that the gentleman from Tennessee [Mr. MURRAY], chairman of the committee, also is agreeable to this amendment, and I shall not take the time of the committee to discuss it further unless someone wants to ask a question.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Iowa.

Mr. JENSEN. I appreciate very much the fact that the gentleman from Mississippi has offered this amendment. In discussing this matter with Members on both sides of the aisle I have found that everyone is favorable to such an amendment, so I hope it will pass by unanimous consent.

Mr. COLMER. I appreciate the gentleman's statement.

Mr. MURRAY of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield.

Mr. MURRAY of Tennessee. I appreciate the gentleman's yielding to me. Let me state that I heartily favor the gentleman's amendment.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Mr. Chairman, I am personally in full accord with the amendment offered by the gentleman from Mississippi. The bill before us proposes to adjust certain postal rates to help the Post Office pay its own way. That, in my judgment, is a very desirable

objective and is in keeping with my own strong feelings against deficit financing. Financial integrity in the departments of Government is essential to the best interests of the American people, and that is certainly true of the Post Office Department.

Even with the efficient and economical administration we now have in the post offices of this Nation, we find that the postal system is unable to pay its own way. I believe the American people share our view that rate adjustment is in order, but I do not believe that adjustments should be made in such a manner as to ultimately harm the public interest rather than help.

Personally, I am of the opinion that the proposed amendment to help small newspapers of less than 5,000 circulation stay in business is definitely in the public interest. Most of the small newspapers which would benefit from the amendment are located in rural areas. They are really public institutions. In conversations with several such publishers in recent months I am convinced that they are barely getting by under the present rates. As a matter of fact, many of them would, today, have to close their editorial doors if their printing plants were not engaged in job printing aside from the newspapers.

If this amendment is not adopted, I fear that many of our country newspapers will be forced to cease publication. Their numbers are shrinking all the time as it is. As a minimum, they would have to raised subscription rates and that would certainly reduce circulation in the rural areas with depressed farm incomes. Reduced circulation would, in turn, bring smaller advertising rates and when publication becomes a losing proposition no man, no matter how dedicated to the fourth estate, can afford to subsidize for long his cherished newspaper.

Our rural economies are depressed by recent declines in farm income. Publishers of small newspapers are caught in a cost-price squeeze of their own with unconscionable increases in newsprint prices accompanied by other rising production costs.

I am equally concerned with the best interests of the people living in rural areas who are the subscribers to these little country newspapers. Their newspaper is one of the last remaining purely local institutions and it is their main connecting link with their community. I do not believe, for the relatively small revenue that would be involved, that we want to risk the destruction of our rural news media. I hope the gentleman's amendment will be adopted.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman's amendment strike out the amendment adopted in the committee providing for a rate increase of 24 percent a year over a 5-year period? Is that correct?

Mr. COLMER. It applies only to those small publications, permit me to say to my friend, that have a circulation of less than 5,000. As the gentleman knows, there are many small newspapers throughout the country struggling for an existence, and, to be perfectly frank, this is a little bit of encouragement to them to continue in business.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. COLMER. I yield to my friend.

Mr. GROSS. This amendment, however, leaves the increase upon all publications above 5,000 circulation regardless of advertising or reading content; leaves the 24-percent increase over a 5-year period upon those publications. Is not that correct?

Mr. COLMER. The gentleman has stated it correctly.

Mr. GROSS. And the chairman of the committee and the ranking minority member have accepted this amendment although they voted for the 120-percent increase in the committee. Is that correct?

Mr. COLMER. Let me say to my friend further that I do not know what occured in the committee. I have information to the effect, however, that no such amendment was offered in the committee; and, therefore, the committee had no opportunity to pass on it.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield.

Mr. COOLEY. Let me say to my friend from Mississippi that I am in complete accord with his views concerning the small newspapers, and I am in favor of his amendment. I wish to put him on notice, however, that I have an amendment to the same section which would strike out all of section 104, to which the gentleman's amendment has been offered. I do not want the gentleman's amendment to become lost, so in the event my amendment is adopted it might become necessary for the gentleman to offer another amendment to protect his own.

Mr. COLMER. The only thing I can say to my friend is that we have to live from amendment to amendment as we go along. But I am grateful to him for pointing out the effect of his amendment. I shall govern myself accordingly.

Mr. COOLEY. I just wanted to put the gentleman on notice as to what might happen.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. DAVIS of Georgia. Mr. Chairman, I ask unanimous consent that the gentleman from Mississippi may proceed for 1 additional minute.

Mr. MASON. Mr. Chairman, I object.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time primarily to yield to the gentleman from Georgia [Mr. DAVIS], a member of the committee, who was seeking recognition but was denied it.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I shall be pleased to.

Mr. DAVIS of Georgia. During the remarks of the gentleman from Mississippi the statement was made that a similar amendment had not been offered to that which he now offers. Let me state that in the committee I offered an amendment to except from the provisions of this bill newspapers having a circulation of less than 10,000 and magazines having a circulation of less than 75,000, so that the small newspapers and these small magazines would not be so seriously injured by this 120 percent increase in their mail rates. My amendment, which I think was a good amendment, and which would have under its terms required these large magazines such as Life, Look, Time, and the Saturday Evening Post to pay their own postage, yet would relieve these smaller newspapers and magazines. That amendment was rejected by the committee. Those are the facts.

Mr. HOLIFIELD. I am glad to have the gentleman state the facts before the committee because I was aware of his amendment and was in favor of it. In fact, I am in favor of the amendment which the gentleman from Mississippi [Mr. COLMER] has offered. I want to emphasize at this point that I do not have any of these types of newspapers in my congressional district, but it does indicate the fact this Congress, over the years, has not handled the post office rates on a strict financial accounting type or basis. In other words, we have felt, I think rightly, that we should extend to certain religious papers and to certain classes of mail a subsidy from the Government on the basis of the public interest. I certainly believe that keeping these small papers in the country districts going and not putting a burden upon them is of a great deal of importance. I am glad to support the pending amendment. Again I say it indicates the fact that you cannot put the post office service on a strictly financial basis any more than you can the Department of Commerce, the Department of Agriculture or the Department of the Interior.

I have been somewhat amazed at the arguments that have been made today in the committee by gentlemen whom I respect very highly that we are obligated in some way or other to balance the budget of the Post Office Department. One gentleman even rose on the floor and said that we should charge off depreciation on the post-office buildings. Another said that the Government's contribution to pensions of its postal employees should be included as a part of the cost of the Post Office Department. It is an amazing thought, it is revolutionary. Do we apply that kind of thinking to the employees of the Department of Commerce, to the services of the Department of Commerce to business, to the services of the Department of the Interior, in taking care of the natural resources of our Nation? I do not know of any department of Government that must be put on a financial repayment basis for the services that have been rendered by that department. These services are rendered in the nature of a public-interest service for the general welfare of the Nation. I am amazed at some of this thinking to justify what I call a phony cost ascertainment figure which is being used for the first time this year to justify a postal rate increase.

This so-called cost ascertainment under the formula that has been brought

up is not based on generally accepted accounting practices. The General Accounting Office will not recognize intangible things such as are included in this formula. So what we have is a phony cost ascertainment formula which has been worked up from an expedient standpoint to justify placing on the 3-cent mail user the expenses of all departments of the Post Office Department which are being subsidized.

Mr. MOSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, the pending amendment is an excellent one as far as it goes. I am pleased that both the chairman and the ranking minority member of the committee have indicated their ready acceptance of the amendment.

I would like to point out to the members of the committee, however, that by their ready acceptance of the amendment they clearly acknowledge that this is not an equitable bill, but rather a bill which can do harm to many in this country. I point out that consideration was not given to the impact that would be made upon many types of business by this bill.

There is another problem involved here, one which should be given serious consideration by this committee, one touched upon by my colleague from California [Mr. HOLIFIELD].

We have over a period of about 170 years adopted special rates to meet special conditions. We have ended up with departmental operations which defy all the rules of business. It is not a business operation. It cannot be a business operation. Any business seeking to operate as the post office operates under the clear mandate of the Congress would go bankrupt overnight. It is a public service which charges a rate for some and only for some of its services, and only to that extent is it a business. And, it is this determination of policy as to how much is business, how much is public service, which I have repeatedly argued for in the committee itself. But, it is an unpleasant assignment and a complicated task which the committee has chosen to shunt aside, to disregard, and to come back here again as they have for far too many years with a bill which is only based on expediency.

You are going to be told that the polls conducted in Members' districts show that the people would be happy to pay the increased rate. What a ridiculous method to determine a rate, a popularity contest determined by polls. What would happen if any of the independent agencies charged with the regulation of commerce by this Congress itself should undertake the setting of rates by polls? The courts would throw out the rates, and the Congress would take steps immediately to see that the law was changed to require a more responsible approach.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from California.

Mr. HOLIFIELD. If a questionnaire was sent out to our constituents saying that Life magazine is subsidized by the Government for $9 million a year and asking, "Would you like to have your 3-cent letter raised to 4 cents to help carry that subsidy," what would the answer be?

Mr. MOSS. I think the gentleman knows that it would be overwhelmingly in opposition.

Mr. HOLIFIELD. I doubt if the people that answered those questionnaires knew that fact.

Mr. MOSS. I imagine that those sending out the questionnaires took great pains to fashion the question to bring forth the response they desired. I know when I sent out my questionnaire I very carefully informed the people that the current cost ascertainment showed that first-class paid its own way and on that premise asked them if they wanted to increase the rate, and an overwhelming majority said, "No; we do not want you to increase it." More than 80 percent said they did not want it increased. You get the type of result you aim for in any questionnaire.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from North Carolina.

Mr. COOLEY. Was any consideration given in the committee to the effect that these rates would have on farm magazines?

Mr. MOSS. Mr. COOLEY, I regret to say that in my humble opinion the committee gave no attention at all to the impact that any of these rates would have on business, large or small.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. COLMER].

The amendment was agreed to.

Mr. MOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moss: Beginning at page 2, strike out lines 13 through 18 and renumber sections 103 through 109 as sections 102 through 108.

Mr. MOSS. Mr. Chairman, this amendment is the heart of the bill. If adopted, it will retain the 3-cent rate on first-class mail. It should retain that rate. That rate currently produces under the Department's own cost-ascertainment system—and I hope that the chairman is watching so that he knows wherefrom comes the information used by me and by the distinguished gentleman from Georgia [Mr. DAVIS]; this is a Departmental publication, and it shows that on the 1955 fiscal year first-class mill returns a $62 million excess of revenue over cost. Projecting the cost of salary increases and other benefits such as uniform allowances, an additional $60 million would be added to that figure of cost for 1956 fiscal year. The rate will continue even under those conditions to return an excess of revenue over cost.

It has been stated by the distinguished gentleman from Virginia [Mr. GARY], that he knows of no business in this Nation charging today the same rates it charged in 1932. I should like to point out that there are some of the largest business enterprises in this Nation doing precisely that. You are all familiar with the utilities which service the American people with electricity. A great many of them are charging rates below their figure of 1932, and they are doing it because they have had increased efficiency, because they have had increased volume. We have had a tremendous increase in the volume of first-class mail, and it has kept pace with the requirements of the service to underwrite its cost. It is doing it today. If you at this time vote to increase its rate, understand that you are openly and justifiably laying yourself open to the public charge that you favor imposing a 1-cent tax on each and every piece of first-class mail which will be dropped into the mailbox.

In this matter of preferential services for first-class mail, those unmeasured items, I queried Mr. Maurice Stans, the Deputy Postmaster General, a most competent man in his field of accounting, as to whether or not the cost ascertainment studies of the Department reflected the use of facilities and manpower as they were employed in handling first-class mail. I was assured that the cost ascertainment did reflect accurately the use of manpower and facilities. That then proves conclusively that practically every measurable factor in the handling of first-class mail is included in the cost ascertainment.

As to the adequacy of cost ascertainment, I might point out that every parcel-post package, every item of fourth-class mail, pays a rate determined by cost ascertainment, because that is the yardstick used by the Postmaster General in petitioning the Interstate Commerce Commission for approval of the rate increases which he recommends. That cost-ascertainment system has been administratively defended by the Interstate Commerce Commission. If it is fair in the case of fourth-class mail then by all the rules of logic it must be fair in the other classes of mail, because if it fails adequately to reflect the cost of first and second, how in the name of commonsense and fairness can we insist, as we do insist, that it be used to determine the cost on fourth-class mail?

No, this proposal to increase the first-class rate is simply stated—a tax on first-class. If you want to impose that tax by all means vote against my amendment.

Mr. MURRAY of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment offered by the gentleman from California [Mr. Moss] would cut the very heart out of this bill. If first-class mail is not increased to 4 cents then you cannot increase justifiably airmail and you cannot increase third-class mail, because the bill provides that third-class mail, individual mailings, shall be 3 cents. If you keep first-class mail at 3 cents, of course it would be unfair to make third-class mail pay the same rate as first-class mail.

I do not know where these great fiscal experts and statisticians from California and Pennsylvania who have spoken here this afternoon in opposition to this bill get their data.

Here is a letter from the Postmaster General written July 5, 1956. He says:

DEAR CONGRESSMAN MURRAY: In our statements before your committee, in the hearings on postal rates, we stated that first-class mail loses money. We understand that this state-

ment has been challenged, and that it is contended by some that first-class mail is being handled at a profit.

First-class mail is losing money. Those who say that it is making a profit are referring to figures which are incomplete and out of date, and taken out of context from our 1955 cost-ascertainment report * * * the loss per piece of first-class mail is presently about 1.3 cents. A 4-cent letter rate would not fully compensate us.

The loss on the 1-ounce letter, taken alone, is even greater. A large part of our first-class revenue comes from business letters weighing more than 1 ounce. If our present costs are broken down, it is established that a 1-ounce letter now costs 3.56 cents to handle, without any charge for preferential service.

Are you going to take the word of the Postmaster General and the Deputy Postmaster General, who is one of the outstanding accountants in the Nation today, when they tell you that first-class mail is not paying its way today, or will you take the word of the distinguished fiscal experts, the gentlemen from California [Mr. Moss and Mr. HOLIFIELD]?

I have here also a letter from the Comptroller General dated July 3, 1956, showing that the cost of handling first-class mail is more than the revenues.

Now, are you going to take the word of our distinguished Comptroller General, Joseph Campbell, who is an arm of the Congress, or are you going to take the word of my distinguished friends, the gentlemen from California [Mr. Moss and Mr. HOLIFIELD]?

I have been in favor for a long time of Congress establishing an independent commission to adjust postal rates from time to time, as the Interstate Commerce Commission fixes the rates for the railroads and trucks and as the Civil Aeronautics Board fixes the rates for the airlines. Congress has no business fixing postal rates. We ought to have an independent body free from political influence to fix these postal rates. But I have been unsuccessful in my efforts to get such a body established.

Mr. Chairman, I have worked long and hard on this legislation. I have never been more intensely interested in any legislation. I know it is fair, it is just, and it is right. We spent 6 weeks on this legislation. If you adopt the amendment which is now before you it will practically kill this bill. Please have some pity, some mercy, and some sympathy for our committee. Do you want us to take this bill back and spend 6 weeks next year considering postal rates again? You know that next year there will be further increases in the costs of operation of the Post Office Department. As I said before, the railroads are asking for a 30-percent increase, which will mean $100 million more. Postal salaries will be increased. And let me say that our friends the gentlemen from California [Mr. Moss and Mr. HOLIFIELD] and our friend the gentleman from Pennsylvania [Mr. RHODES] will be the first ones here advocating the highest kind of salary increase for postal employees, yet they are no help today in trying to get some revenue to pay for those salary increases.

Mr. RHODES of Pennsylvania. Mr. Chairman, I rise in support of the Moss amendment.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Pennsylvania. I yield.

Mr. MOSS. I would just like to take this moment to inform the distinguished chairman of the committee that I resent rather deeply the implication that I have used false figures or that I have taken them improperly from context. I want to point out that if they are improperly taken from context, and if they are incomplete or inaccurate, it is the responsibility of the Postmaster General and not the responsibility of this Member of the House because this is an official document entitled "Cost-Ascertainment Report for the United States Post Office Department, 1955" and it is replete with a considerable number of graphs, charts, and statistical data constituting an official report to the Congress. Secondly, I would like to make just this notation. That the Comptroller General in a letter of March 16, 1956, had this to say:

In the absence of a definitive policy on the part of the Congress, we are unable to express an opinion as to the validity and soundness of the approach of the Post Office Department in terms of a predetermined legislative standard. For example, if the Congress were to adopt the premise that the postal service is to be self-supporting, then ability to pay becomes a basic factor for its consideration. Whether this factor should be treated separately or be included along with other intangible factors in arriving at a composite allowance for intangible factors, as shown in the 1955 cost-ascertainment report, is still another matter for congressional consideration.

There is much more to the letter, and I would commend it to the Members. It is in the hearings.

Mr. RHODES of Pennsylvania. I want to join with my colleague, the gentleman from California. I am in accord with his views.

The effort of the Post Office Department to translate profit in first-class mail to a loss is a challenge to the good sense of this Congress. They would have us believe that black is white.

Mr. Chairman, I believe this amendment offered by the gentleman from California [Mr. Moss] should be passed.

Proponents of 4-cent letter postage have been relying on certain arguments made before our committee by witnesses from the Post Office Department. These arguments demonstrate the flimsy case which has been built for this proposed increase. As yet on the floor today I have not heard a sound and logical argument for this letter postage increase.

They argue that the 3-cent postal rate for first-class mail has been in effect since 1932, while other costs have risen since that time. By Post Office Department reasoning this means that first-class rates are behind the times and should be raised just because the cost of living and other economic statistics have shown increases.

First-class mail has been and is now paying more than its own cost. The cost-ascertainment figures of the Post Office Department for fiscal year ending July 1, 1955, show that first-class letter mail made a handsome profit of $87,371,144. Airmail made a profit of more than $20 million. Even after deducting the losses incurred in handling post and postal cards, all first-class mail showed a profit of $62,300,000.

To base the need for a 4-cent letter on the rising prices since 1932 is to ignore the facts of our economic life. Many items in our daily lives are at the same price levels as 1932; some others are even lower. For example, long-distance telephone calls are cheaper today than they were in 1932. Radios are also cheaper. So are numerous other items. It is not difficult to understand that increased costs of production can be more than offset by increased business and consumption. While the costs of handling first-class mail have increased over the 1932 levels, so has the volume of first-class mail. We have many more millions of people in this country than we had in 1932. They are writing many more letters, making time payments by mail, banking by mail. They are even writing their Congressmen more. As the costs have increased so has the volume so that a healthy profit is still being made by first-class mail.

Little attention was paid to testimony of witnesses representing small businesses, many of whom are already operating on a shoestring margin. The additional burden of higher first-class postal rates could put many of them out of business.

The fantastic attempt by the Post Office Department to translate the $62.3 million profit made by first-class mail in the last fiscal year, under its own cost-ascertainment figures, into a $292 million first-class deficit, shows how weak their case is and the little respect that is shown for the good sense of the Members of the Congress. To explain this sudden departure from time-honored accounting practices and justify the need for a 4-cent letter to bring in $296 million in additional revenue, the Post Office Department came up with a "gimmick" called the intangible factors. What this means is that the bulk of the deficit in second- and third-class mail should somehow be charged to first-class mail users because of such vague reasons as the priority given first-class mail, and something called the relative intrinsic value of the items handled. This somehow, according to Post Office Department logic, adds more than $78 million to the so-called deficit chargeable to first-class mail.

This ridiculous effort of the Post Office Department to justify the 4-cent letter by juggling its own figures and manufacturing something called intangible factors is not worthy of our serious consideration.

Mr. Chairman, I urge the adoption of the Moss amendment.

Mr. HALLECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am certain that for many of us who have been here for some time, this situation today is not altogether unusual. We have had difficulties before in the House of Representatives over the matter of postal rate increases. I must say again, as I said a time or two in the debate up to this point, that I just cannot quite follow the actions of those Members who are

in the forefront among those who want to raise salaries, not four or five hundred dollars a year but a thousand dollars a year for everybody, adding to all the costs in the Post Office Department, but when the time comes to stand up and be counted to raise the money to take care of those additional costs, we find them in violent opposition.

We have heard much in recent years about responsibility. I think this issue just comes down to that—a matter of responsibility—responsibility to the taxpayers of this country to enact this legislation.

This is not new to me. When I was majority leader in the 80th Congress in 1947 the then Democratic President asked us to do certain things in respect to rates, among others to make the temporary 3-cent rate permanent, and we responded to that. Also, in the 2d session of that 80th Congress we were urged to raise the pay of the postal workers in the Post Office Department. We responded favorably. We gave them about the biggest pay raise they ever had, but we put with it a rate increase on mail to offset at least a part of the costs. That bill was passed without any particular objection.

In the 82d Congress, a Democratic Congress, I was happy to cooperate with the majority leadership in enacting another rate increase bill. We raised the rate on post cards from 1 cent to 2 cents. Some said that action meant political extinction for everyone who voted for it. I never heard a complaint about it.

Now referring to the gentleman from California [Mr. Moss] for whom I have the highest regard, he has complained about the polls that some Members have carried on to find out how the people feel. That is not fixing rates by polls. That is enabling us as representatives of the people to balance our judgment with the considered opinion of the people they represent. If that is not right, I am unfamiliar with what is right.

Much has been made of the fact that the rate raise was not recommended, but may I say to you we crossed the bridge on this rate bill then. We passed, under suspension of the rules, a bill to raise the salary of workers, and we coupled with it almost the identical provisions that are contained in this rate bill.

On my side that bill was overwhelmingly supported, because we wanted to meet our responsibility. And may I say to many of my friends on the Democratic side, who joined with us in that effort, I commend you for seeking to do what needed to be done. I certainly hope as we come to this amendment we can get some of that same kind of support over there.

Much has been said about cost accounting. I had one magazine publisher come to me and say, "You should not charge the magazines any more." As a matter of fact, he indicated you should not charge them anything because he said, "The carriers have to go on all these routes to deliver the first-class mail, so what difference does it make if they carry a few magazines along?" That was his way of balancing out matters of cost accounting.

We heard a lot of talk about the Post Office Department being a service department, and it is a service department. But if you carry that statement to its logical conclusion, then you should not charge anybody a cent for sending anything through the mail.

There will be plenty of deficit even if you pass this bill.

May I remind you that many of the facilities of the Post Office need to be improved. You cannot improve them if you are running at a huge deficit every year, and you know it. I do not think it is fair to the taxpayers and I do not think it is fair to the Post Office Department. Certainly I do not think it is responsible government.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

(By unanimous consent Mr. HALLECK was allowed to proceed for 5 additional minutes.)

Mr. HALLECK. I know there are some objections to the second-class increases that are carried in this bill. I have heard some of my good friends on the right side of the aisle say that practically all of this deficit ought to be made up out of second- and third-class rate increases. Many people are against any increase in the second-class rate; in fact the gentleman from North Carolina has indicated, as I understand, that he was going to offer an amendment to eliminate all the second-class increase. May I say at this juncture, because I shall not ask time to talk on his amendment, that I am going to vote against it.

Mr. COOLEY. I did not say I was going to strike out all; I said I was going to offer an amendment to that section of the bill.

Mr. HALLECK. The gentleman said he was going to offer an amendment which would have the effect of striking out the amendment offered by the gentleman from Mississippi, [Mr. COLMER], and that is the only way it could be done.

Actually, the second-class rates contained in this bill are greater than those recommended by the Department, but the committee in its wisdom felt that that was the thing to do.

I have been a little put out by some of the things I have seen circulated by some of the users of second-class mail that the way to defeat this bill is to make the fight on the 1-cent increase and then the whole bill will be defeated. They are not particularly concerned about the 1-cent increase if they are interested only in killing the whole bill.

I do not want the bill killed, Mr. Chairman; I would like to see this bill adopted. I would like us to stand up and be counted at this time and I think there are going to be enough of us to get it done.

Some people say this is bad politics in an election year to revise rates on first-class mail 1 cent. I happen to believe, as I have always believed and have tried to practice, that the best politics is to do right, and as far as political consequences are concerned we will just take our chance on that.

The administration, as everyone certainly knows, has been urging the enactment of this legislation for a long, long time. The President, as recently as February 8 in a press conference, said, referring to this proposed rate increase:

> I don't know where are all the interests that are in opposition but I do believe this: If we are trying to pay for such services as we get as we go along, it seems to me almost that self-respect demands a raise in postal rates.

May I say I agree with the President on that score.

And then on June 6, just a few days ago, the President, at a press conference, said this:

> I regard it high time that the postal service was getting somewhere near a self-supporting agency.

In the budget message for 1955, the President said—and I say this makes sense:

> Most important, prompt and favorable action by the Congress is needed to increase postal rates. I am recommending increases in rates sufficient to yield as a minimum an additional $240 million in revenues in the fiscal year 1955. These revenues would reduce the 1955 postal deficit to $90 million. Adequate rates, together with further major economies in postal operations, are expected to put the postal business on a self-supporting basis. This will continue to be our policy.

Then in the state of the Union message on January 7 of this year the President said:

> The Post Office Department faces two serious problems: First, much of its physical plant—post offices and other buildings—is obsolete and inadequate. Many new buildings and the modernization of present ones are essential if we are to have improved mail service. The second problem is the Department's fiscal plight. It now faces an annual deficit of one-half billion dollars.
>
> Recommendations on postal facilities and on additional postal revenues will be submitted to the Congress.

And those were subsequently submitted all along as the proposals of the President and the administration.

So we come down to this: We have a half-billion-dollar deficit in the Post Office Department. It has been established, and I do not think anyone can deny it, that the average user of the mail pays more in taxes to make up that deficit than he would pay if he paid the 1 cent additional. It has been estimated that the average family would pay from $1.50 to $1.80 more if this 1-cent increase went into effect. Certainly the part of the taxload as distinguished from the business taxload would be greater to make up the $500 million deficit through taxes.

So I urge that the pending amendment be defeated and that we go on to the passage of this bill.

Mr. McCORMACK. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, there are certain facts that cannot be denied.

First, the Post Office Department is a service agency.

Second, our newspapers play a very important part in a democracy. Throughout our entire history there has been a certain subsidy given to them, not in dollars and cents for our newspapers, but because of the important part they play in the molding of public

opinion. While they have strayed somewhat politically in recent years, nevertheless the newspapers do play a very important part in a free society.

Third, the first-class mail is more than paying its way.

Fourth, the proponents of this bill admit that if the pending amendment is adopted, for all practical purposes the bill is defeated. So that means they are trying to pass the burden on to the first-class mail that is already making a profit for the Post Office Department and for the Federal Government.

Another objection to the bill is the effect upon small and independent businessmen. The big corporations are not going to suffer so much from this increase because with the 52-percent corporation tax they simply deduct it as a business expense and the net cost to them, therefore, is at least 50 percent less than the actual increase in the first-class rate. So it is the small and independent businessmen of America who are going to be primarily affected by an increase in the first-class mail so far as business is concerned.

Furthermore, there are countless millions of Americans who use the first-class mail. A user's tax increase of 33⅓ percent is put upon them when they are already paying for stamps that bring a profit to the Post Office Department.

Mr. Chairman, the argument is made that in other countries the Post Office Department is self-supporting, but in other countries, let me point out, the Post Office Department usually conducts the telephone and the telegraph business. They make their money out of the telephone and telegraph end of it.

The gentleman from Indiana said: "Stand up and be counted." He did not stand up to be counted, he had his party, in the second session of the 83d Congress. He could not get away with suspension of the rules when the rate increase bill was coupled with a pay increase. The pay raise bill was opposed by many Members because it was not a sufficient increase and on the Republican side there were Members who voted against suspension of the rules because the postal increase provided was not sufficient. As a result of the fight made, there was a bill put through that provided a much larger pay increase for the postal employees and other Federal employees.

On February 25, in the 2d session of the 83d Congress, an election year, a bill was reported out of the Committee on Post Office and Civil Service, controlled by the Republicans, and it lay there until Congress expired in August of 1954. A rule was not even applied for, with 8 Republican members on the Committee on Rules and 4 Democratic members, in order to bring the postal increase bill up under the regular rules of the House. Now, with the Republicans in the minority, as the distinguished minority leader said the other day, my very dear friend from Massachusetts, when I asked him as to why the bill had not been brought up, said, "Probably because we did not have the votes." And, I admired him for his frankness. They did not have the votes in the Republican-controlled Congress, but now they feel that they have the votes. Well, that means they are going to look to enough votes on the Democratic side in order to put this bill over.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to my friend from Massachusetts.

Mr. MARTIN. I just want to call the attention of my good friend from Massachusetts to the fact that this bill is brought here by a Democratic committee, under Democratic sponsorship, and brought up by a Democratic leader.

Mr. McCORMACK. Oh, not the latter. Wait a while. Wait a while, my dear friend. I wonder if my friend from Illinois will object to 5 additional minutes.

Mr. MASON. Mr. Chairman, reserving the right to object, of course I will not object, because I certainly believe in fair play.

Mr. McCORMACK. Do not make fish of one and flesh of another. Do not show me any preference that you will not show any other Member.

Mr. MASON. From this time on there will be no more extensions because this extension will be permitted.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Might I say with all due respect to my friend from Illinois that I think we are all Members here. The gentleman would have been more consistent and would not have been misunderstood if he had objected to the 5 minutes for my friend from Indiana, and I certainly would not object to him or anyone else. I certainly do not want any special privileges. But, my friend, if somebody else asks for some time, you are now putting yourself in a very untenable position, and I am talking for the consideration other Members of this body are entitled to on both sides of the aisle.

Mr. MARTIN. Mr. Chairman, if the gentleman will yield further, I want to remind the gentleman that this bill was brought in here by the chairman of a Democratic committee, and I consider the chairman of a committee one of the leaders of the Congress.

Mr. McCORMACK. That is true. I will accept that. I will agree to that. Might I say that I thoroughly respect the views of my friend from Tennessee. We all respect his views. The bill came out with a majority of the Democrats opposed to it. So far as the Democratic leadership is concerned, I said that I could not in the foreseeable future see when I would program the bill, and a Republican member of the Committee on Rules was the one that brought it up, which he could do under the rules of the House. So, the responsibility rests upon the Republican Party leadership for the bill being up in the House today.

Mr. MURRAY of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Tennessee.

Mr. MURRAY of Tennessee. This is a nonpartisan, nonpolitical bill.

Mr. McCORMACK. I am always nonpartisan, bipartisan, but I love the Democratic Party, and I know that my friend from Tennessee does.

Mr. MURRAY of Tennessee. I am a lifelong Democrat.

Mr. McCORMACK. Of course you are.

Mr. MURRAY of Tennessee. I am a conservative Democrat.

Mr. McCORMACK. Well, I consider myself more conservative than my friend, because I consider a real conservative is a sound progressive.

Mr. MURRAY of Tennessee. Let us not inject any politics into this.

Mr. McCORMACK. I am not doing that.

Mr. MURRAY of Tennessee. I worked hard and long on this.

Mr. McCORMACK. Of course you have.

Mr. MURRAY of Tennessee. I am the Democratic chairman.

Mr. McCORMACK. Sure.

Mr. MURRAY of Tennessee. And you asked whether I expect Democratic support. Sure I expect support of the Democrats who believe in sound Government and in balancing the budget, and all those Democrats who believe in reducing this tremendous deficit of $5 billion in the Post Office Department over the past 10 years.

Mr. McCORMACK. Yes; but the gentleman believes in reducing it at the expense of the very users that should not be affected.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. I am sure the gentleman will remember that when we were in the majority, we responded to requests from the President of the United States who was of his party. I agree with the gentleman that these matters should not be partisan. I want only to make this one further observation. When we had that matter under suspension, and it did involve great increases, the heart of the bill, the gentleman referred to the Republicans voting against it. I have not checked the record——

Mr. McCORMACK. I said some.

Mr. HALLECK. My recollection is that all but 2 Republicans voted for that motion to suspend the rules and pass the bill, which means that we voted almost unanimously for a rate increase at that time.

Mr. McCORMACK. I shall not argue with the gentleman on that. But the question here is not a question of a rate increase, but a question of a fair one. And certainly, imposing the total obligation upon the users of first-class mail is not presenting an equitable case, a case that is fair and just.

The opponents of this amendment frankly admit that the adoption of this amendment means that the bill for all practical purposes is defeated. That is an admission on their part that they are trying to put the burden upon the class of users of mail who are paying the price, who are already, as a result of their purchase of first-class mail bringing to the Post Office Department a substantial profit. To me that is inequitable. To

me that is unfair. I hope the amendment of the gentleman from California is agreed to.

Mr. MURRAY of Tennessee. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. LESINSKI] for 2 minutes.

Mr. LESINSKI. Mr. Chairman, I rise for the specific purpose of giving to the Committee a breakdown of the Bureau of Finance of the Post Office Department.

From 1952 to 1957, there was a projected 16.83-percent increase in the mail.

From 1952 to 1957, there was a projected 31.3-percent increase in the revenue.

From 1952 to 1957 the projected increase in the number of employees was 7.79 percent.

I am for the amendment and against an increase in the first-class mail rate.

Mr. Chairman, I am opposed to the increase in first-class mail rates from 3 to 4 cents for the specific reason that the Post Office Department did not make a good case as far as the projected expenses were concerned.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Chairman, I do not want to add further to the confusion, but I think there are certain things that are pretty clear here. One is, it cannot be denied in any way, shape, or form that first-class mail will be making a profit if this amendment is defeated and the bill is passed. Obviously, if we are going to get close to balancing the budget, we are going to be getting the money from somewhere.

On the other hand, it is equally true and the argument has been made that if we do not raise this rate to 4 cents there is no sense in going further with the bill.

This measure is designed to reduce the deficit in the Post Office Department and it is designed to do it according to ability to pay and with the least possible financial impact on the economy.

Therefore, I believe that this amendment must be defeated or the bill is defeated. Certainly the gentleman cannot successfully argue that the punitive increases asked for in the second class and the very heavy increases asked for in the third class can be justified if we are not going to raise the ceiling on first-class mail.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Chairman, I would merely like to call the attention of the House to certain facts. One of these facts is that first-class mail when it was paying its way far better and far more than it is today, if it is today, and that I deny emphatically, was raised to 3 cents. That was a 30-percent increase. Nobody quarreled with it then. It has always been the policy for first-class mail to more than pay its way for the simple reason that it is the most painless way of raising the revenue.

We have heard all this talk about deficits and balances. Of course this deficit will be made up, and who do you think is going to pay for it? Why, of course, the poor old taxpayer of the United States, and every man and woman in this House knows it.

What is the use of talking as though because we do not raise the first class 1 cent somebody is going to give the taxpayers a handsome present? You are not going to give them a thing. You are simply going to allow them to go on paying more of the deficit than they would pay if they had a more realistic rate. There is absolutely no question about that.

When we compare what our Department is doing compared to other post offices in the world, someone made the statement that some of these ideas were revolutionary. Let me tell you that in England, first of all, the telegraph and telephone services both lose money, and the revenue comes entirely from the post office department.

Second, in England they not only pay for the upkeep of their buildings but they also pay the regular tax rate on them, and that is done out of the revenue from the post office.

So when we talk about revolution, there is no revolution about this. Those who think so are just giving one more proof that the House of Representatives is not capable of making rates realistically.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Chairman, I want to use the brief time allotted to me to talk about something that has not been talked about here today. I want to talk about the service that the American people are receiving from the Post Office Department. There has been one Member after the other come to this microphone and speak out in behalf of Mr. Summerfield and the Post Office Department. But, how many have come and talked about the three basic segments of our American economy, namely, the small-businessman, the workingman, and the farmer? I am bitterly opposed to this bill because those three classes of people in my district are against it. One reason is because of the service they are receiving. When I came to the Congress in January 1955, one of the first letters on my desk was from the Post Office Department. It says:

> DEAR CONGRESSMAN GRAY: Investigation has disclosed that the fourth-class post office in Sora, Ill., may probably be discontinued at an annual saving of $1,700, or $17,000 over a 10-year period.

Very frequently thereafter, I received one of these letters telling me of a post office closure. There have been numerous fourth-class post offices closed in my congressional district, forcing many inconveniences upon the people including receiving their mail a day late. That is one of the reasons they are against this postal rate increase. They do not mind paying for something that they are getting, but they are not getting much.

I wish my friend, the distinguished gentleman from Tennessee, the chairman of the committee, was here because he talked about the extensive hearings that were held on this bill. Sure, they were held. I know because the committee room is just down the hall from my office. Yes; but how many days were spent talking about the service that the American people are getting from the Post Office Department? I have not read the hearings, but I dare say that there was not 1 day spent to see why we are getting less service at higher costs.

Each time the Post Office Department closes a post office, ignoring the service curtailed, they brag about how much saving is being effected, but I would like to know where all this money is going that is being saved? In my district since I took office less than 2 years ago, the alleged savings would amount to several thousand dollars. In the name of economy they are closing post offices not only in my district but throughout the country. This should amount to several hundred thousand dollars in savings. Service certainly is not being considered in this economy drive. I was particularly interested to listen to the remarks of the gentleman from Indiana [Mr. HALLECK] when he said:

> You vote the postal employees a pay raise but don't want to raise the revenues with which to take care of the increased cost.

It is my opinion that more than enough has been saved in the closing of post offices to more than take care of the small raise voted the employees.

In each instance of a post-office closure, the residents residing in the community affected petitioned the Post Office Department to keep the facility open. I have always believed that this is a government of, for and by the people; however, in the case of the Post Office Department, the demands of the people are ignored. In addition to the post-office closures, I have had absolutely no success whatsoever in getting rural mail routes extended. I have had numerous petitions by farmers in my district requesting service. I realize that there is a necessary departmental requirement of three families per mile of extension, however, the Department uses no commonsense in interpreting the regulation. One particular case recently where 5 families were without mail service because of a 1-mile extension and the Department said they could not comply with the request to extend mail service to these five families because it would require a two-tenths-of-a-mile extension farther than the established regulation. As a result, the five families in question are still without mail service. How do you think they feel about this proposed rate increase? How do you think the thousands of families who were once able to go to their local post office and buy stamps and send packages and receive their mail as soon as it was brought in who are now forced to drive many miles where a post office is located in order to get service immediately feel? In many instances their mail is a day late because the rural carrier leaves the post office early in the morning and subsequent de-

liveries to the main post office are not delivered until the following day. How do you think these thousands of people who are affected by this rate increase feel? I can tell you how they feel. They feel that they are not getting adequate service at the present rates, much less being shouldered with an extra tax that is not justified.

Mr. Chairman, I have several weekly and daily newspapers in my district. Due to economic conditions of southern Illinois, we have lost considerable population. This has forced a hardship on these newspapers. This unfair tax will will be a burden very hard to bear. I have talked personally with many of them and they too feel the post-office service is grossly inadequate. One publisher in my district informed me that in order to get his newspapers in the mail the day they are printed, he is forced to drive to the Post Office Department with the papers himself in order to meet outgoing mails. Mr. Chairman, do you think with that kind of service we are justified in imposing an extra tax on those people.

The post-office employees are doing a good job under the conditions in which they are forced to work by the complicated and lengthy regulations handed down by the bureaucrats in the Post Office Department. Mr. Chairman, I cannot in good conscience vote for this rate increase. My people do not mind paying a greater tax if they are getting adequate service, but mail service in southern Illinois in general is wholly inadequate. Instead of improving the service under Postmaster General Summerfield, we have received nothing but sad news concerning closures, failure to extend rural routes and curtailment of incoming, and outgoing mail to most of the larger towns, including my hometown of West Frankfort, Ill. If the Post Office Department's foresight isn't any better than its hindsight concerning the service they are rendering, I cannot see any possibility of a justification for an extra tax burden upon the workingman, the small-business man and the farmer from my congressional district who is already paying far more to the Post Office Department than he is receiving in service.

I urge my colleagues to vote against this unfair and unwarranted rate increase, at least until such time as service has been adequately restored.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, I am not a member of this committee that has spent such a long time and so much effort in studying this problem. I therefore hesitate to inject my views into this matter. But, I have been here constantly today, listening to the debate. It seems to me that the controversy comes down to two points. The opponents of this bill and the proponents of this amendment, which would strike out the increase in the first-class mail, seem to rest their case on two contentions. First, that mail should be subsidized; that there should be a deficit in the postal service. Now, to me, that is a new concept because if you study the history of the Post Office Department, it carried its own way at least into the 1940's and in fact the Post Office Department more than carried its own way, if you recognize that during that period they were charged with a lot of things for which they had no responsibility such as penalty mail, frank mail, and airline subsidies. This bill by raising rates in order to eliminate the present deficit, is consistent with our historic policy that the mail should carry its own way.

The second point the opponents make is that first-class mail should not do more than just pay its bare cost as determined by the cost ascertainment table that they constantly refer to.

May I call your attention to the fact that if that is a sound policy, why then did we overcharge the first-class mail all during the 1930's and all through the 1940's? If the first-class mail is today paying its way then it has been more than paying its way ever since 1932 when the present 3-cent rate was set.

I cannot make myself come to believe that with the general increase in costs which have occurred between 1932 and 1956, that the cost of handling first-class mail has not increased likewise. If a 3-cent rate was reasonable in 1932 or 1940 or 1947, then, Mr. Chairman, a 4-cent rate beginning next year is certainly reasonable.

I suggest that this pending amendment should be defeated and the bill passed.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. TUMULTY].

Mr. TUMULTY. Mr. Chairman, when I listened to that stirring appeal by the gentleman from Indiana who has grown gray and artful in service in this House, I realized there is an essential difference between our side of the House and the other side. Apparently, when you are elected to his side of the House, you are elected to the state of a seraphim or a cherubim. You are elected to an unusual state where it is unknown to do anything for a purely political purpose.

As I listened to this idealistic argument, I recognized what happened the other day to the school aid bill. I wondered where these people came from to destroy that piece of legislation. The heart of the argument is on this question of the 3-cent stamp, if it is raised 1 cent that is a margin of profit that will end, to a certain extent, the so-called deficit. But the fact of the matter is the figures obtained from the Post Office Department itself reveal that first-class 3-cent mail is paying its own way. Why soak the fellow who is doing the job as he is. These are figures ascertained from the cost ascertainment system. This is a raid on the piggy bank of America. The money is coming from John Doe, because big business corporations will pass their costs on to the little fellow.

It may seem a little paradoxical that I am speaking for the little fellow, but he certainly needs help from somewhere, and where could he get larger aid than from me? I am glad somebody who is big on this side will lend some help. The proponents of this measure are a stampeding elephant trampling prostrate the piggy banks of America and taking the money from those who can least afford to spend it.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

The Chair recognizes the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, the statement has been repeatedly made that first class is today paying its way. This is made in direct contradiction to the letters from the Postmaster General and from the Comptroller General read by the gentleman from Tennessee [Mr. MURRAY]. Those are responsible public officials, and I do not think they would lie to the Congress of the United States. I never would believe that President Truman, President Roosevelt, Postmaster General Farley, or Postmaster General Donaldson would tell a lie. And I do not believe that Postmaster General Summerfield and the Controller General would deliberately lie to the Congress of the United States. First-class mail is not paying its way as of today.

One thing has been repeatedly offered by the gentleman from California [Mr. Moss]. I have great respect for him. I sat with him in the California Legislature. I admire his integrity and his ability. I disagree with his amendment, but agree with his statement of policy. He has offered a statement of policy which says, "Acceptance, transportation, and delivery of first-class mail constitutes a preferred service." In essence, his statement further states that postage for first-class mail should be sufficient to cover the cost of this preferred service.

He admits that first class is a preferred service and he admits in his published statement, which he authored, that there should be an increase. His own argument is sufficient evidence that this amendment should be soundly defeated.

The CHAIRMAN. The time of the gentleman from California has expired.

The Chair recognizes the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, you cannot brush off facts. You cannot laugh off facts. The facts are that first-class mail is paying its way. I have made that statement and given the figures supporting it, and I have asked the chairman of the committee if there was any inaccuracy to state it. He rose to his feet and stated that the figures I quoted are correct. And they are correct, and you cannot laugh off facts and figures.

He read a letter from the Postmaster General dated today, July 6. The Postmaster General was before us when we were considering these facts which have been quoted to you here, and at that time he did not deny that first-class mail paid a profit of $62 million in 1955. With the proper allocation of these additional costs to first-class mail of $64 million, under these figures it is still paying its own way when normal increase in revenue is considered. The question is, Do you want to balance the budget by adding another burden onto those mail users who are paying their way? I say that if balancing the budget is the most important matter we are thinking of today,

it could have been served better by cutting down on foreign spending. We could have made some real cuts there which would have helped more than this in balancing the budget.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, first-class mail is not paying its way. That is the testimony before the House subcommittee on appropriations for this department, and the Post Office Department has repeatedly documented that statement.

The Scripps-Howard chain of newspapers is supporting this increase bill today, and that chain contends in editorial comment that this increase from 3 cents to 4 cents in first-class mail is really beneficial to the average family, yes, the little fellow in the United States, because it means considerably more to such in tax savings than they will pay in increased cost of mail.

The distinguished gentleman from California contends that this is a tax against the little fellow. If this were to be a tax against the little fellow, may I ask the gentleman from California why it is that not one leader of labor in the United States appeared before the committee in its postal revision hearings and contended just that? Not one appeared. There was only one witness who appeared before the legislative committee against the 1-cent increase, only 1 witness, a representative of a collection agency, and that was a brief statement. I have that from the lips of the chairman and the ranking minority member of this committee.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Chairman, I am always in favor of reducing a deficit. I have reluctantly accepted the figures that 3-cent mail is not paying its way. I accept that reluctantly in view of some of the other statements that have been made here.

I want to say, however, that there can be some other improvements made in this bill that will further reduce the deficit. I intend to offer one such amendment a little later.

I want to say also that I voted for the Colmer amendment a minute ago because I thought it was in line with the policy that we have had for many years of extending a subsidy to the newspapers that were carrying news and information, particularly the small town weeklies. However, I do not think that the committee has given proper consideration to the question of perhaps inaugurating another class of mail. The second-class mail today includes, in my opinion, two distinct classes. One is that class of mail that carries the news and information. I do not think we intended to include a subsidy to the entertainment magazines and to the other types of publications.

I believe the committee could also have included the elimination of some of the services that are not necessary, such as postal savings. That requires considerable time and I think it could have been eliminated in this bill.

As I said before, I intend to offer an amendment a little later when opportunity offers to reduce some of the franked mail, and I hope those who are in favor of economy will support that amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Chairman, the question which faces each Member of Congress today is whether the users of our Post Office Department should pay part of our $500 million post office deficit or whether the income taxpayer should be required to finance all of this deficit. At the present time 60 percent of our postal deficit is paid by individual income taxpayers and 40 percent of our postal deficit is made up from corporation income taxes. The hearings before the Post Office and Civil Service Committee show that 75 percent of the mail carried by the Post Office Department is mailed by large users of the mails.

The legislation we are considering today will not place the Post Office Department on a self-financing basis, but will go a long way in reducing the current deficit in this Department.

I have always opposed deficit financing wherever it exists. It seems only fair to me that the users of the mails should help eliminate part of our present postal deficit. Under existing postal rates, the individual taxpayer is charged with 60 percent of this postal deficit. If this bill passes, less than 30 percent of the postal deficit will be charged directly against the individual.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Chairman, in spite of all you have heard heretofore today, first-class mail is paying its own way and making profit. That is not what I want to talk about, however. It seems to me that if there is anything to the old exclamation: "Consistency, thou art a jewel," there are a lot of people on the other side who do not like jewels. I make that statement because I have gone back to the votes in 1950 when we had a postal raise bill before us for consideration. There was a Democratic administration in power at that time. I voted against it then, and I feel I can afford to vote against it today. I notice that several of those who have been down here pleading for this postal increase today voted at that time to recommit the bill. I could put the names in the RECORD, but I do not like to do that. One member of the committee on the minority side voted at that time to recommit and voted against an increase. Another member of the committee who made a very eloquent speech not long ago in favor of this increase and pointed out the fact it was not so much an increase as it was an equitable readjustment not only did not vote to increase it in 1950 but that member was not present and voting and did not bother to get paired.

I think before a lot of people vote on this increase, in order to be consistent, it might be well for them to go to the library and look at the debates in 1950 and read the RECORD of that time.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Does the gentleman believe in recognizing and honoring sincere repentence for past sins?

Mr. HAYS of Ohio. If the gentlemen will come down here and say they sinned, we will try to give them a penance.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, apparently the popular way to begin this debate seems to be to make a very positive statement. So I will start out by saying as forcefully as I can, that first-class mail is more than paying its way. As a matter of fact, that is what the Post Office Department tells us in the cost-ascertainment report. When I was on the Committee on the Post Office and Civil Service I used to question cost-ascertainment figures, and the post office people were always pounding into my head the fact they were as correct as any system that could be devised, that you could not get a better system.

I am disturbed today by the fact that some people have tried to tie the modest raises we have given post office workers to postal rates. This is a fallacy. Let me point out to you that while we did raise the salaries of postal workers during the years here spoken of, each time we also raised the salaries of classified workers who were not in the Post Office Department, each time we raised the salaries of our military personnel. You certainly would not set apart one group of people who work for the Government and say: "Your salary is dependent on whether or not the agency for which you work returns a profit to the Government."

Mr. Chairman, this is a service. It is foolish for 435 Members of this Congress to try to write postal rate legislation. The gentlewoman from New York has long had a bill in for consideration that would set up a commission like the CAB or ICC to set postal rates. It should be done in that way. It is a transportation problem and it should be solved in an orderly manner, giving those affected a day in court—something they are denied now.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HOLIFIELD].

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from California.

Mr. MOSS. Mr. Chairman, I just want to say that my good colleague from California [Mr. GUBSER] went to a great deal of trouble to read the policy statement which he correctly attributed to me. I might add the gentleman from Pennsylvania [Mr. CORBETT] shares part of the glory for having drafted that statement. I again reiterate for the benefit of the gentleman from California [Mr. GUBSER] who was absent from the Chamber at the time I made the statement, the fact that the policy statement is a most excellent one, had the committee then proceeded to implement it through the adoption of appropriate

rates and through the making of appropriate evaluations.

Mr. HOLIFIELD. Mr. Chairman, I hold in my hand the cost ascertainment report of 1955 by the United States Post Office Department which was furnished to members of the committee. Chart No. 7 on page 80 shows clearly that the revenues from first-class mail were $967.8 million while the expenditures were $905.5 million, giving a profit of sixty-two plus million dollars to that particular class of mail. I am going by the Post Office Department figures on that, not by letters or any other extraneous material that may have suddenly arisen from out of nowhere.

Mr. Chairman, we are faced with the problem of who pays the deficit of the Post Office Department if we decide that it should be paid. Apparently the chairman of the committee, the Republican majority and a few of the Democratic members have decided that the deficit shall be paid.

Now, if that is the decision of the Congress, that is all right with me, and I will vote my own position which is one of being against the bill.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HOLIFIELD. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. HOLIFIELD moves that the committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. HOLIFIELD. Mr. Chairman, it is very seldom that I offer such a motion, and I offer it in good faith, because I am against the bill and I intend to vote against it. I use this method to explain why I think the enacting clause should be stricken out of the bill. I hold in my hand 37 letters; 17 of them have 2 sheets of bond paper in them and 20 have 1 sheet. They weigh 1 pound. The income from those letters to the Post Office Department is $1.11, based on 3 cents per letter.

I now hold in my hand a Sears, Roebuck catalog, brought over from the Library of Congress, which weighs 4⅓ pounds. If this catalog paid the same rate of return to the post office that the 37 letters pay, Sears would be charged $4.81 for sending it through the mail. Now, that means that on second-class mail, which includes catalogs and books of more than 24 pages, there is a deficit of $172 million.

Now I hold in my hand 4 magazines, also from the Library of Congress, the Saturday Evening Post, Ladies' Home Journal, Life magazine, and House Beautiful. These 4 magazines weigh 7 pounds. They now pay a total of 69 cents to go through the mail. If they paid the same rate that the 37 letters pay, they would have to pay $7.77 to go through the mail, and second-class rate under which they are mailed runs a deficit of $212 million. That is a total for the second- and third-class mail of a deficit of $384 million.

Now, what you seek to do by this bill is to place upon the users of first-class mail that deficit to the tune of $262 million. If that is the way you want to whip the deficit of the Post Office Department, then you vote for this bill. If you do not want to whip it that way, you vote for the amendment offered by the gentleman from California [Mr. Moss], and then we proceed to handle the deficit of the Post Office Department as we have handled it before, by making it up from the general funds, which spreads it over all the people of the United States, not just the users of the 3-cent stamp. Now, I think that is the equitable way to do. I do not see why we should pick upon the users of the 3-cent stamp who are already paying more than their share, and heap upon them another $290 million worth of charges just because they are unorganized and we can get away with it. Of course, the people that use the second- and third-class mail, the big commercial users, come in and say, "We will take a 10-cent raise on a 40-cent rate," whereas if they paid the full amount they would pay $4.81. They are glad to pay 10 cents more. They know that if you put this burden on the 3-cent users they will never again be bothered by complaints against the huge subsidies which we are throwing into their coffers every day. If you want to put their postal service on a paying basis and do justice to the users of mail, you charge them just like you charge a man going into a gasoline station and buying 10 gallons of gas. You charge him for 10 gallons; you do not charge him for 20 because his neighbor may want to buy some gasoline, too, some day. Let us be fair about this thing. Let us face it. You are using the 3-cent-stamp users to pay the deficit caused by the big commercial-mail users of the United States. That is all there is to it. It is just as clear as it can be. If you want it that way, vote for the bill as brought out by the committee. If you want to change it and let justice prevail and let each tub sit on its own bottom, as the saying is, then vote for the amendment offered by the gentleman from California [Mr. Moss].

Mr. REES of Kansas. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, it is rather interesting that the distinguished gentleman from California [Mr. HOLIFIELD], who is a member of the committee which brings this bill to the floor of the House and who has spent his time telling you what you should or should not do with respect to this bill, did not ask for the legislation he is submitting today. He did not get into the discussion and debate on this question. All this seems to have occurred to him since our hearings closed. We held hearings over a period of many days. I know he is a busy man and I know he has had a lot to do, just as many others do. So, unfortunately, the committee did not have the benefit of what you have heard this afternoon in respect to this problem. It is difficult to know how much he might have swayed the opinion of the committee if he had performed before that committee as he has in the last few minutes. He says that he is serious about this matter. I hardly feel he is quite as serious as he appears. Of course, he has a right to oppose this legislation. Nobody should support this legislation if he thinks it is not right.

I have great respect for the opinion of all Members of this House concerning this legislation, whether they agree with me or not.

Now, with respect to this bill. There has been much discussion about whether first-class mail pays its way. It did pay its way at one time and, according to the figures you heard this afternoon, it came somewhat more nearly paying its way in 1955. But it has been slipping pretty fast, as you heard during the day.

Transportation has increased some $300 million in the last year. We know about these other costs that have been discussed. There are 2 or 3 items that have not been discussed very much. I am told that $175 million is the cost merely to keep these post office buildings in good order. There are other expenses, including retirement, amounting to several millions. The fact remains that there is a half billion dollar deficit, and the question is, Are you going to try to make up a part of it or just forget the whole thing and charge it all to the taxpayers?

My distinguished friend from Massachusetts, the majority leader, says he does not want the first-class rate raised. He says that the second-class mail is entitled to have a preferential rate because of the information that is contained in second-class mail matter. That is good. What about the third-class mail? I am assuming that he would not want to raise third-class mail too much; I do not know about that. But if you vote for this bill, you are supporting not only the present administration and its Postmaster General; you are supporting the Postmaster General who preceded him and who came before our committee while he was Postmaster General and asked for similar legislation and then came again this year and testified for this legislation we have before us today. You will, if you support this bill, be supporting former President Truman, who asked for similar legislation when he was President. You will also be supporting President Roosevelt in the last part of his administration. You will also be supporting other Postmasters General. There has been a lot of talk on that side of the aisle about the great General Farley. He is a great man, a great American. You will be supporting his views, too.

This is not political, as the gentleman from Massachusetts [Mr. MCCORMACK] tried to explain to you in his own way. Of course, he is right when he says it is not political. It happens that he personally is against the bill, and he has the right to be against it, just as anyone else has that right. He really did not want this bill to come to the floor of the House. He thought it was not good to bring it to the House at this particular time.

The question is whether the users of the mail are to pay only a part of the $500 million deficit, or charge it up to the taxpayers of this country.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

The question is on the preferential motion offered by the gentleman from California [Mr. HOLIFIELD].

The motion was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. REES].

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Illinois.

Mr. MASON. I just want to make this point very clear: The gentlemen who have been saying that the first-class mail is paying its way are not correct. If they had said the first-class mail was paying its way, then the figures of the Postmaster General would back them up. But "was paying its way" and "is paying its way" are two different things.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from New Jersey.

Mr. CANFIELD. I have before me the hearings on the postal-rate-revision bill, and I note only one witness appeared against the increase of 1 cent in the first-class-mail rate. Is it not true, and I made the statement a few moments ago, that no leader of organized labor appeared before the gentleman's committee to argue against that increase?

Mr. REES of Kansas. The gentleman is correct.

Mr. CANFIELD. Is it not a fact that Bill Doherty, president of the National Association of Letter Carriers and a vice president of the AFL–CIO, is now supporting the bill?

Mr. REES of Kansas. He has expressed his opinion in favor of the bill.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from California, and I respect his opinion even though I do not always agree with him.

Mr. MOSS. May I say to the distinguished and articulate gentleman from Illinois that the statement I have made that first-class is currently, immediately, paying its way is a supportable statement of fact based on cost-ascertainment records.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. MURRAY] to close debate.

Mr. MURRAY of Tennessee. Mr. Chairman, I appeal to the members of the committee to vote down this amendment. If this amendment should be approved, it would destroy the bill. Our committee has spent 6 weeks in holding hearings on this bill. If you support this amendment it will mean the end of this bill. Do you want the committee next year to go through 6 weeks of hearings? Next year there will be further increases in costs, increases in the cost of transportation of mail and salary increases. I appeal to you to have some sympathy for the committee and go ahead and vote this amendment down.

The CHAIRMAN. The time of the gentleman from Tennessee has expired. All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. Moss].

Mr. MURRAY of Tennessee. Mr. Chairman, on that I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Moss and Mr. MURRAY of Tennessee.

The Committee divided; and the tellers reported that there were—ayes 114, noes 182.

So the amendment was rejected.

Mr. COOLEY. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: Page 2, beginning on line 25, strike out all of section 104, through and including line 7 on page 4, and substitute the following:

"SEC. 104. Section 2 (a) of the act of October 30, 1951 (65 Stat. 672; 39 U. S. C., sec. 289a), is amended by striking out the colon which precedes the first proviso and inserting a comma and the following: 'and (4) such postage shall be further increased by (a) an additional 10 percent, based on the rates in force as of October 30, 1951, beginning on January 1, 1957, (b) by an additional 10 percent, based on the rates in force as of October 30, 1951, beginning on January 1, 1958, and (c) by an additional 10 percent, based on the rates in force as of October 30, 1951, beginning on January 1, 1959'."

Mr. COOLEY. Mr. Chairman, the proposed increase in postal rates on second-class mail is unreasonable and unwarranted. The rates contained in the bill before us are greatly in excess of the recommendations of the administration. The administration recommended an increase of 15 percent each year for a period of 2 years, making a total of 30 percent. The effect of my amendment would be to provide the 30 percent increase, but not at the rate of 15 percent a year for 2 years as recommended by the administration, but rather at the rate of 10 percent each year for a period of 3 years. Under my amendment, there would be an increase of 10 percent in each of the years 1957, 1958, and 1959.

When a similar bill was before the House 3 or 4 years ago I supported an amendment which provided an increase of 10 percent each year for a 3-year period. I am proposing to do the same thing now. If my amendment is adopted, the rates on second-class postage will, at the end of 3 years, amount to an overall increase of 60 percent. While these increases are substantial, I feel certain that such increases can and will be absorbed even by the publishers of some of the smaller magazines. Unless my amendment or some other modifying amendment is approved, the increase under this proposed bill will amount to 120 percent. This is, in my opinion, a devastating proposal. Perhaps some of the really big magazines and publications can bear this burden and absorb this increase. It is not my purpose to protect the profits of the big commercial magazines. I am quite certain that some of the companies publishing such magazines are now making enormous profits and no doubt the postal rates should be increased on such publishers. I have in mind the magazines known as farm magazines and publications. These publishers cannot possibly absorb this enormous increase in postal rates. If the rates proposed in this bill are finally approved, no doubt many of the publishers will stop using the mails and will deliver their magazines and publications by truck wherever such an operation is possible and profitable. Should this happen, the effect of the bill will be to reduce revenue for the Department rather than to increase the overall income. I do not pretend to be an expert in this field, but I am anxious for the publishers of farm magazines and other publications to continue in business to the end that our farm population may be benefited by reading the many splendid farm magazines and publications which are now being delivered to the farm homes of our country. A well-conducted survey indicates that the farmers of America receive twice as much vital and valuable information from farm magazines as they do from the United States Department of Agriculture. All you have to do is to look at some of these magazines to realize the great value of the service which is now being rendered by the publishers.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. LESINSKI. Let us see if we can clarify this a little. There is an increased rate of 120 percent where the advertising exceeds a certain amount, but only 30 percent over a period of 5 years where advertising is 5 percent or less. So the rate of increase for that class of magazine is 6 percent a year.

Mr. COOLEY. Of course, farm magazines cannot stay in business and subsist and survive on subscriptions only. Usually the subscription cost for such magazines is very low. The publication of such magazines must depend upon advertising. In this connection, may I point out the fact that advertising rates cannot be very quickly and readily changed. Actually, such rates cannot be changed without first giving a 90-day notice. Usually, 6 months' notice is given before a change in advertising rates goes into effect.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. JENSEN. I think the gentleman has raised a very important question. I think everyone knows that farm magazines play a very important part in the agricultural picture today, because farming is a scientific job and these magazines certainly assist farmers in every way possible. Let me ask the gentleman this question: Is it not a fact also that most catalogs from mail-order houses fall within this category?

Mr. COOLEY. I think the gentleman is correct in his belief that catalogs from mail-order houses fall within this same category. While I am not quite certain, I am under the impression that catalogs are not usually delivered by mail, certainly not at great distances.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. JENSEN. Mr. Chairman, I ask unanimous consent that the gentleman from North Carolina may proceed for 1 additional minute.

Mr. MASON. Mr. Chairman, I object.

Mrs. ST. GEORGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. ST. GEORGE as a substitute for the amendment offered by the gentleman from North Carolina [Mr. COOLEY]: Page 3, strike out the table immediately following line 5 and insert in lieu thereof a new table as follows:

	"Effective January 1, 1957 (cents per pound, or fraction thereof)	Effective January 1, 1958 (cents per pound, or fraction thereof)	Effective January 1, 1959 (cents per pound, or fraction thereof)	Effective January 1, 1960 (cents per pound, or fraction thereof)	Effective January 1, 1961 (cents per pound, or fraction thereof)
A publication having not more than 5 per centum of its space devoted to advertisements, and that portion of other publications devoted to matter other than advertisements	2.1	2.2	2.3	2.4	2.5
Advertising portion of a publication having more than 5 per centum of its space devoted to advertisements:					
First and second zones	2.2	2.5	2.8	3.0	3.3
Third zone	3.0	3.4	3.8	4.2	4.6
Fourth zone	4.4	5.0	5.5	6.0	6.6
Fifth zone	5.9	6.6	7.4	8.1	8.8
Sixth zone	7.4	8.3	9.3	10.2	11.1
Seventh zone	8.9	10.0	11.2	12.3	13.4
Eighth zone	10.4	11.7	13.1	14.4	15.7"

Mrs. ST. GEORGE. Mr. Chairman, the amendment I have offered will make the reading or editorial matter in newspapers and magazines pay a 30-percent increase and the advertising matter a 70-percent increase. That will mean a reduction from the 120-percent advertising increase proposed in this bill, bringing it back to what Postmaster General Farley recommended when he appeared before our committee.

This will be spread over a period of 5 years, which will mean an increase of roughly 14 percent per annum. Although I would like, of course, to see second class carry more of its weight, it seems to me we must realize that through our own negligence we have allowed the amount to accumulate to such a huge proportion it is impossible to ask these publications at the present time to pay their way. They are too far behind to do that. We must, therefore, provide a gradual increase.

Mr. AVERY. Mr. Chairman, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Kansas.

Mr. AVERY. I wonder if the gentlewoman could tell the House if the amendment offered by the gentleman from Mississippi applied to magazines as well as to newspapers, or was that amendment just applicable to newspaper publications?

Mrs. ST. GEORGE. It is my understanding it was applicable to newspapers only; that is, to newspapers with a circulation up to 5,000.

Mr. AVERY. But not to magazines?

Mrs. ST. GEORGE. But not to magazines. My amendment would apply to both.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Does this amendment affect in any way the Colmer amendment?

Mrs. ST. GEORGE. No, sir. It has no effect on the Colmer amendment.

Mr. COOLEY. Mr. Chairman, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from North Carolina.

Mr. COOLEY. Do I understand the 30 percent that the gentlewoman referred to would apply over a period of 5 years?

Mrs. ST. GEORGE. Yes.

Mr. COOLEY. The 70 percent would be achieved over a period of 5 years?

Mrs. ST. GEORGE. Yes.

Mr. MORANO. Mr. Chairman, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Connecticut.

Mr. MORANO. I wish to associate myself with the remarks of the gentlewoman from New York. I think her amendment is a fairer way to deal with the problem of second-class mail than the proposal contained in the bill.

Mrs. ST. GEORGE. I thank the gentleman for his contribution.

Mr. REES of Kansas. Mr. Chairman, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Kansas.

Mr. REES of Kansas. By way of compromise between those who feel the charges are too high, the 120 percent, and those who advocate the 30 percent, this is a fair compromise between the two, the 120 on the one hand and on the other hand the 30. It is a good compromise.

Mrs. ST. GEORGE. We must be prepared to make some compromise on this matter. Many of us would like to see the 120. But that seems a little excessive at this time.

Mr. REES of Kansas. I agree the 120 should stay in, but to compromise we probably ought to accept this amendment.

Mr. MOSS. Mr. Chairman, it is with great reluctance I rise to oppose this amendment and all similar amendments. It seems to me the height of inconsistency that a committee which has by its action imposed a tax of one-third, amounting to $299 million on the users of first-class mail, can now withhold the rate increase on second-class which the committee in its wisdom reported to this House.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Connecticut.

Mr. MORANO. The gentleman says he is going to oppose every amendment similar to this one that may be offered?

Mr. MOSS. I am opposing this amendment and any amendment affecting second-class matter.

Mr. MORANO. If the amendment is defeated, will the gentleman vote for the bill?

Mr. MOSS. I expect to vote against the bill regardless of what happens. I would be less than candid to tell you otherwise. But, I think that even though I am opposed to it, and while I will probably not be on the side that prevails here, it is the duty of this committee to act at least with some semblance of consistency and that, as it has now determined to impose a tax, it should here at least determine to impose a minimum of increase. You are dealing now with a class of mail which produces about a quarter of a billion dollars of annual loss, second-class mail.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman speaks of consistency. Do you think it is consistent to do what we have done in regard to first-class mail and then put a burden of 120 percent increase on second-class mail and in the second-class mail come these farm publications that are rendering such great public service? It seems to me that the committee could very well have taken time enough to have drafted a provision with regard to these public service magazines which I referred to as agricultural publications, which the survey shows do result in great benefit to the farmers and therefore to all of our people. When you put them all together, you are taxing the farm magazines just like you do Look and Life and all the other publications.

Mr. MOSS. I firmly believe that the entire question of the impact should have been examined by the committee before reporting the bill to the House. That was not done. Now we are dealing with the facts as they develop in the Committee of the Whole, and in this Committee of the Whole we have imposed a tax on the users of first-class mail, and I am therefore in favor of reducing the amount of the rate for second-class. Let me point out how insignificant this is in the total picture of second-class losses. Second-class loses approximately a quarter of a billion dollars a year. The 120 percent rate proposed by the gentleman from Michigan, [Mr. LESINSKI], would in its ultimate have returned $47 million of revenue. That is approximately one-sixth of the total loss. The gentlewoman from New York has offered an amendment now which will produce about $38 million of revenue.

Mr. COOLEY. Mr. Chairman, will the gentleman yield further?

Mr. MOSS. I yield.

Mr. COOLEY. Did I understand the gentleman to say that he was not even willing to accept the gentlewoman's amendment to my amendment?

Mr. MOSS. That is correct.

Mr. COOLEY. And all because you want to put the Post Office Department in business so that they will make a

profit. Now, what other department of the Government makes any profit? Does the Department of Agriculture make any profit? Does the Department of Commerce?

Mr. MOSS. I did not decide that was the case. But, I want this committee to act consistently. It has imposed a tax now which takes care of one-sixth of the loss incurred in the handling of another class of mail, which has over the years produced substantial losses and has been responsible for the largest accumulation of deficit. If we had not put this on the first-class mail user, then I think we could have examined, in light of a different policy, the question of second-class rates. That decision has been made.

Mr. LESINSKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment and to explain what happened in the committee so we all know what we are doing. The present proposal on the second-class mail allows only a $44.5 million increase in the second-class mail. The deficit today is $212 million. So, you are still going to have a deficit in the second-class mail that will be rather large. In my original amendment proposed in committee I had the same figure broken in half; in other words, not extended for 5 but the full 10 years. The committee felt that to obligate the Congress for 10 years was too long, so I cut it down to 5. The contents of the figures are here in the bill. The object of the amendment I presented was nothing new for a similar schedule is in effect now. The provision was that the reading material in the magazine, the material for the dissemination of information would have its rate raised 30 percent in 5 years and that part of the magazine which was for business or advertising 120 percent. According to the schedule, the big publishers that send magazines across the country will be hit somewhat harder than the small publications because, in the first and second zones it is only 2.4 for the first year and then it goes up in future years, to 4.3 in 1960. The purpose of the original amendment in the committee was to protect the small magazines especially those with very little advertising.

Mr. MURRAY of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

Mrs. ST. GEORGE. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Tennessee. I yield to the gentlewoman.

Mrs. ST. GEORGE. I should like to ask my chairman a question. Is he opposed to this amendment, the substitute amendment?

Mr. MURRAY of Tennessee. I regret to advise my good friend, the gentlewoman from New York, that I am opposed to the amendment. I have been attempting to defend this bill all this afternoon. I have said that I thought it was a good, fair, and equitable bill. I cannot, therefore, support any amendment which would weaken the bill.

Mrs. ST. GEORGE. Mr. Chairman, in that case, in deference to my chairman who I think has done a marvelous job on this bill, I ask unanimous consent to withdraw my substitute amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mr. MURRAY of Tennessee. I thank the gentlewoman.

Mr. Chairman, I am opposed also to the amendment offered by the gentleman from North Carolina [Mr. COOLEY]. Our committee went into this question of second-class mail very carefully and very fully. We felt that the amendment offered by the gentleman from Michigan [Mr. LESINSKI] was fair and proper. The amendment provides for a 30-percent increase on reading matter, over a period of 5 years; that is, a 6-percent increase per year. It further provides a 120-percent increase on advertising matter. Certainly advertising matter should pay more for being transported than reading matter. Under the amendment I have referred to, advertising matter would pay four times as much as reading matter.

Let us consider for a moment the amounts of subsidy being paid today by our taxpayers to large publications such as the Saturday Evening Post; there the subsidy is over $5 million; to the Reader's Digest, approximately $5½ million; the Ladies' Home Journal, approximately $2 million; Collier's magazine, $3 million; Life magazine about $9½ million; Look magazine, a subsidy of $3½ million.

If this amendment is approved it will weaken the bill and will reduce the rate on advertising. Mr. Chairman, do you not know that ultimately the advertisers will bear the cost of this increase in postage? We had before the committee Mr. James H. S. Ellis, president, the Kudner Agency, of New York, and he said:

> Why, of course, the advertiser would eventually pay this increased rate for advertising.

So I think it is fair for the advertiser to pay 120 percent over a period of 5 years, while the reading matter pays only 30 percent.

I appeal to you to vote this amendment down.

Mr. WITHROW. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise at this time in support of the amendment offered by the gentleman from North Carolina. The chairman of the committee has again brought into prominence the fact that we are after the magazines like Look, Life, and the other large magazines. I agree with you they are able to pay their way and pay a great increase, but I do want to remind you that there are over 12,000 magazines published in the United States and only 100 of them publish more than 250,000 copies. Although Life and those large magazines can afford to bear the freight, there are a great many of the other ones that cannot bear it.

I am perfectly willing to go along with you in taxing those magazines that can afford it, but I warn you that we are pushing to the wall a great many of the small publishers.

This is most unusual. The Postmaster General, for whom the chairmen of both committees say they have a great and high regard, did not recommend anything like this. He recommended 15 percent for 2 years. But what are you doing? A majority of those present in the committee upped that until today you are charging 120 percent on advertising and 30 percent on reading. I have an interest only to do the right thing by these people who are publishing and doing a real service.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WITHROW. I yield to the gentleman from North Carolina.

Mr. COOLEY. The chairman of the committee called attention to the great subsidy that is being enjoyed by Look and Life, and these great magazines. He did not mention the fact that the Farm Journal, the Progressive Farmer, the Successful Farmer, the Ohio Farmer, the Southern Planter, the Minnesota Farmer, and the Wallaces' Farmer, and all of these magazines, are not enjoying any such subsidy as he referred to. As the gentleman pointed out, this 120 percent will probably bankrupt a lot of these publishers.

Mr. WITHROW. And will reduce the revenue you are receiving in the Post Office Department.

Mr. COOLEY. Certainly.

Mr. WITHROW. You are making a great mistake here. You are doing what the Postmaster General did not recommend to the committee. I never heard of it before, and I served for 6 years on the Committee on Post Office and Civil Service.

Mr. COOLEY. As pointed out by the distinguished gentlewoman from New York, this deficit did not occur overnight. It was accumulated over years of operation. Yet this committee comes in here in an effort to do away with the deficit in the brief space of 3 or 4 years. It seems to me we should approach this problem with reason and that we should apply reasonable rates where reasonable rates should be applied, and should not do anything that is prejudicial to the publishers of these magazines just because somebody else happens to be enjoying a big subsidy.

Mr. GWINN. Mr. Chairman, will the gentleman yield?

Mr. WITHROW. I yield to the gentleman from New York.

Mr. GWINN. Is it not a fact that the committee held hearings on the basis of 30 percent, and testimony has been given on the basis of a rise of 30 percent on printed matter, therefore, the industry has had no opportunity to be heard on the effect of these very much larger rates that are now proposed?

Mr. WITHROW. I cannot answer that, as I am not a member of the Committee on Post Office and Civil Service, but I presume that was so.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. WITHROW. I yield to the gentleman from Michigan.

Mr. LESINSKI. The original recommendation of the Postmaster General was for 15 percent and 15 percent, but this makes it 15, 15, 15, 15, and 15—5

times 15. In other works, that is 75 percent in 5 years' time; 120 on advertising and 30 on reading is 150, which, divided by 2, is 75.

Mr. FASCELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment would not accomplish what the proponent seeks to do, because his reduction in rate is across the board. These rates would affect all publications in the same regard. We are talking about a reduction of $45 million a year under the proposal in the bill. I do not have any idea how much it is reduced by the amendment. But, he says that he was going to cut it down from 120 percent to 30 percent. Now that is for all publications. I do not have the ability to judge each individual publication that the proponent of the amendment is speaking of, but I think it is poor legislation in order to take care of the case he proposes; and furthermore, it is the first time I have ever heard the matter discussed. All of the hearings applied to legislation across the board and applied the same standard to everybody. Now, I do say this, that we started out with a disparity between first class and second class of 3 to 1.95. Under this proposal, after 5 years goes by, you change that disparity from that original ratio to 4 to 4.3 and bring them more in line. That is the purpose of the bill itself. The amendment would have the tendency to continue to hold the present disparity and never give us a chance to catch up.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. COOLEY. You brought in a bill here and you say you did not give any consideration to the problems of the publishers of these farm magazines and that you legislated across the board. The only thing I can do is to legislate across the board. You took action prejudicial to these publishers just because you wanted to get at these big publishers who are now enjoying these great subsidies. Why did not your committee take into consideration these problems?

Mr. FASCELL. We did take into consideration certain problems.

Mr. COOLEY. Why did you not consider that in committee?

Mr. FASCELL. That was one of the things. We considered all publications.

Mr. COOLEY. You said you did not consider them.

Mr. FASCELL. I said we did not consider the specific ones you mentioned. Just let me answer the question.

Mr. Chairman, I refuse to yield further. Let me add to my statement in answer to the gentleman that we have applied this standard for all publications and to say that there is some discrimination applied to these particular publications is in error because they are getting exactly the same subsidy that everybody else is getting.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. LESINSKI. The reason I have asked the gentleman to yield is this: The reason for the amendment I have proposed is that the large publishers get approximately 75 percent of advertising and sometimes more than that. The small publishers do not have that much advertising.

Mr. FASCELL. There is no question about that. The gentleman is correct. This takes care of those magazines which do not have the advertising and the tax rate does not apply to them and the differential is applied automatically on the basis of advertising and that is where the great bulk of this increase is.

Mr. HOFFMAN of Michigan. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN of Michigan. Will all these calls for "vote" help us to finish any quicker?

The CHAIRMAN. The Chair is afraid that it is only delaying matters. The Chair will further inform the gentleman he is not sure that that is a parliamentary inquiry.

Mr. MURRAY of Tennessee. Mr. Chairman, can we not come to some agreement on the time? I ask unanimous consent that debate on this amendment close in 10 minutes with 5 minutes to be granted each side.

Mr. CORBETT. Mr. Chairman, reserving the right to object, how would that time be divided? Both of us were on our feet asking for recognition.

Mr. MURRAY of Tennessee. We would have 5 minutes each.

Mr. CORBETT. That is satisfactory to me.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

Mr. H. CARL ANDERSEN. I object.

Mr. MURRAY of Tennessee. Mr. Chairman, I move that all debate on this amendment conclude in 10 minutes with 5 minutes to be given to the gentleman from South Carolina and 5 minutes to the gentleman from Pennsylvania [Mr. CORBETT].

Mr. H. CARL ANDERSEN. Mr. Chairman, the gentleman from Texas [Mr. POAGE] has a substitute amendment to offer dealing only with agricultural publications. Will that shut off debate entirely on his substitute? If so, I renew my objection.

Mr. HOFFMAN of Michigan. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN of Michigan. Does not the record show that we passed a farm bill some time ago?

The CHAIRMAN. The Chair is not sure that that is a parliamentary inquiry.

Mr. DAVIS of Georgia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DAVIS of Georgia. Mr. Chairman, what is the motion pending before the committee?

The CHAIRMAN. The gentleman from Tennessee has moved that all debate on the pending amendment, and all amendments thereto, close in 10 minutes.

The question is on the motion.

The motion was agreed to.

Mr. COOLEY. I understood the chairman proposed to close debate in 10 minutes, 5 minutes to Mr. POAGE and 5 minutes to Mr. CORBETT, a member of the committee. That is what we voted on.

The CHAIRMAN. That was the understanding of the Chair, but it was objected to. The motion that the debate be limited to 10 minutes was agreed to.

Mr. COOLEY. I was also on my feet, Mr. Chairman.

The CHAIRMAN. There can be no agreement with respect to division of time on a motion.

Mr. COOLEY. May I ask the Chairman whether I was not standing at the time?

The CHAIRMAN. The Chair so understands. Also the gentleman from Pennsylvania [Mr. CORBETT], and the gentleman from Texas [Mr. POAGE].

Mr. DAVIS of Georgia. And I was standing, Mr. Chairman.

The CHAIRMAN. The Chair will recognize the following Members: The gentleman from Tennessee [Mr. MURRAY]; the gentleman from Texas [Mr. POAGE]; the gentleman from Pennsylvania [Mr. CORBETT]; the gentleman from North Carolina [Mr. COOLEY]; and the gentleman from Georgia [Mr. DAVIS].

Mr. POAGE. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE as a substitute for the Cooley amendment: Page 4, line 7, add a new subsection (d), reading as follows:

"In the case of publications devoted to agriculture the rate of postage shall be increased by 15 percent in 1957 and by 15 percent in 1958."

The CHAIRMAN. The gentleman from Texas [Mr. POAGE] is recognized.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I cannot yield in a minute and a half.

Mr. COOLEY. I was going to yield you my time.

Mr. MASON. I will object to any yielding of time.

Mr. POAGE. Mr. Chairman, I would like to make plain what this amendment does is what everybody has been talking about wanting to do but nobody has offered an amendment to do it. This relates only to farm magazines. It is obvious that no farm magazine that has a subscription rate of about 50 cents a year, which is what most of them have, can possibly charge the subscribers enough to pay any appreciable part of the cost of producing the magazine. Their cost must all come out of advertising. That is not true of some of the great metropolitan publications that charge three or four dollars a year for the magazine. The result is that unless you give to these farm magazines some consideration, you are going to close down a source of information that is just as valuable to our farmers as all of our extension service publications. Actually, these farm magazines publish and distribute more valuable information than most of the extension bulletins of this country.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield briefly.

Mr. JENSEN. I am in thorough accord with the gentleman's amendment and will support it.

Mr. POAGE. Very well. I hope everybody else feels the same way.

The CHAIRMAN. The time of the gentleman from Texas [Mr. POAGE] has expired.

The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, as the author of the original amendment, I am prepared to accept the substitute offered by the gentleman from Texas [Mr. POAGE], because originally I had in mind trying to relieve the terrific burden that will be thrown on the publishers of these farm magazines. Now that his substitute is limited to farm magazines, I hope it will be adopted. It will not materially reduce the revenue, and that is exactly what the administration asked for.

Why this committee went far beyond the administration's request is difficult for me to understand. Obviously they did not give any consideration to these magazines to which I have referred and which are rendering a great service to the farmers of this Nation, and I hope that friends of farmers on both sides of the aisle will support the Poage substitute.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. REES of Kansas. I wonder how you are going to administer the amendment, how you will classify a farm magazine as different from any other.

Mr. COOLEY. Just exactly like we did back in 1951 when Mr. MCCARTHY, of Minnesota, introduced an amendment that read this way—and I shall not read all of it:

> In the case of any publication devoted to agriculture, in the case of religious, educational, and scientific publications—

And so forth. We would classify them now as we did then and as we are now.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Chairman, this situation recalls to my mind a similar situation a couple of years ago when we had worked very hard all day and had gotten confused, uneasy, and mixed up; the genial seer from North Dakota, our colleague, USHER BURDICK, managed to get a minute's time here—It was in August—and he said to the House:

> I am going to avail myself of this opportunity to wish you all a Merry Christmas.

Well, here we have reached a state of confusion so great that we cannot legislate intelligently, a state at which amendments cannot be offered and considered properly.

I apologize for wasting another minute and a half of your time.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I would like to ask the chairman of the committee a question.

Mr. Chairman, the amendment which is offered by the gentleman from North Carolina increased the rate 30 percent over a 3-year period. Is that not the same amount that was asked by the Postmaster General, 30 percent?

Mr. MURRAY of Tennessee. The Postmaster General asked for a 30-percent increase over a 2-year period rather than 3.

Mr. DAVIS of Georgia. That was my recollection. And I would like to say that while I do not intend to oppose the substitute offered by the gentleman from Texas, I think that justice and equity would be done much better so far as small magazines are concerned to let the Cooley amendment apply to all of them. I offered an amendment in the committee which would have saved these small magazines and newspapers, but it was rejected. I have not offered it here again today; because of the temper of the House I am sure it would not be enacted.

I just want to state for the record that I think the Cooley amendment is better than the Poage amendment.

The CHAIRMAN. The gentleman from Indiana [Mr. HALLECK] is recognized.

Mr. HALLECK. Mr. Chairman, again I want to commend the committee for the very fine service it has rendered in the consideration of this bill. A bill of this sort is always a difficult matter and, of course, it affects many people in many different ways. A look at the table in section 104 of the bill shows that there are some very complicated figures, that there is some fine, small print.

The thing that occurs to me is simply this: This is the beginning of the legislative process. The bill is complicated. It will go to the other body and be considered and acted on over there. What will happen there with respect to the measure nobody knows, but certainly there will be opportunity in the other body for a reconsideration of these various items.

Because the committee has done such a good job and because I believe I can feel something of the temper of the House at this point, I am convinced these amendments should be voted down and the bill passed. This measure is greatly needed and I am certain it will be supported overwhelmingly by the membership. I think we should speed it on its way to final passage.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. MURRAY].

Mr. MURRAY of Tennessee. Mr. Chairman, I ask that the substitute offered by the gentleman from Texas [Mr. POAGE] be voted down and that the amendment offered by the gentleman from North Carolina [Mr. COOLEY] also be voted down. These amendments would favor certain farm magazines in preference to others.

Mr. Chairman, there are also involved the big farm magazines. You have the Farmer, you have the Farm Journal, with a circulation of 3,721,345. You have the Progressive Farmer—that is Mr. COOLEY's paper—with a circulation of 1,265,530. There are many others.

Mr. Chairman, I ask that the substitute and the original amendment be voted down.

Mr. COLMER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COLMER. Mr. Chairman, if the pending amendment is adopted, is it not a fact that the amendment which I have offered earlier would be wiped out?

The CHAIRMAN. Without objection, the Clerk will report again the amendment offered by the gentleman from North Carolina [Mr. COOLEY].

The Clerk reread the Cooley amendment.

The CHAIRMAN. In response to the inquiry of the gentleman from Mississippi, the Chair will say that if the Cooley amendment is adopted, the amendment which the gentleman from Mississippi offered earlier would be wiped out of the bill.

Mr. COLMER. Mr. Chairman, if the Cooley amendment or the substitute offered by the gentleman from Texas [Mr. POAGE] is adopted, and the Chair having ruled that the amendment which I have offered would be wiped out, then will I have an opportunity to reoffer the amendment which the committee has previously adopted? That is, if either of those amendments are adopted?

The CHAIRMAN. The gentleman certainly would not be able to offer his amendment to this section. He might see if he could offer it to some other section. The Chair cannot rule on that at this time.

Mr. COLMER. Mr. Chairman, as I understand it, either of these amendments, if adopted, would strike out all of section 104.

The CHAIRMAN. The Chair is not sure he understands the question that the gentleman from Mississippi is propounding at this time.

Mr. COLMER. Mr. Chairman, I want to know, and I submit the inquiry further, if I will be able to offer that amendment which the committee previously adopted, to another section of the bill?

The CHAIRMAN. The gentleman will have to explore that situation after we have disposed of the pending amendments.

Mr. POAGE. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POAGE. The question was asked if the Cooley amendment or the Poage substitute were adopted if it would not destroy the amendment previously offered by the gentleman from Mississippi. Is it not a fact that the Chair has overlooked the fact that the Poage substitute does not take one word out of the present bill and does not in any way impair the amendment offered by the gentleman from Mississippi?

The CHAIRMAN. That would be correct. If the Poage substitute is adopted that would replace the Cooley amendment. If then the Cooley amendment as amended by the Poage substitute were adopted, it would not affect the Colmer amendment.

Mr. POAGE. I thank the Chairman.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Texas [Mr. POAGE].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. COOLEY].

The amendment was rejected.

Mr. RHODES of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RHODES of Pennsylvania: On page 2, strike out beginning with line 19 and all that follows down through line 23; beginning on line 25, on page 2, renumber sections 104, 105, 106, 107, 108, and 109 as sections 103, 104, 105, 106, 107, and 108, respectively.

Mr. RHODES of Pennsylvania. Mr. Chairman, the amendment I am offering would eliminate the proposed 7-cent airmail rate by striking out section 103. There are arguments against 7 cents airmail postage in addition to the fact that airmail is making a fair-sized profit, amounting to $20,266,000 in fiscal 1955. Again it seems to me that it is unfair and discriminatory to force those persons who must use airmail to pay more in order to reduce the deficits caused by other classes of mail.

Let there be no doubt about it. Airmail, like first-class mail, is making a profit. It is more than paying its own way. Even after allocating the additional costs of the postal pay raise which we enacted last year, the estimated profit from airmail will still total more than $5 million for the fiscal year. This figure is based on the volume of airmail for the last fiscal year, so that normal increases in volume will make this airmail profit figure even higher.

In addition the proposed increase in airmail rates from 6 cents to 7 cents would be inconsistent in view of the experiments that have been carried on by the Post Office Department for several years, by which ordinary 3-cent letter mail has been transported by air. These experiments have resulted in the transportation of a volume of 3-cent letters by air almost equal to the volume of regular airmail letters at the 6-cent rate.

It would seem illogical to charge 7 cents for an airmail letter when the Post Office Department has been transporting ordinary 3-cent letters by air between such cities as New York, Washington, and points in Florida; New York, Washington, and Chicago, and on the west coast between Seattle, Portland, San Francisco, Los Angeles, and San Diego.

Is there any reason why citizens not living in these cities should pay 7 cents to have their letters receive airmail preference when other citizens in big metropolitan areas pay only 3 cents for the same air priority for their letters?

Mr. Chairman, the 7-cent airmail rate is unnecessary, it would be discriminatory, and is completely inconsistent with present policies of the Post Office Department in the shipment of regular mail by air between certain large cities. I urge adoption of my amendment for these reasons.

Mr. Chairman, I should like to refer to a remark made by our chairman. It is quite true, as he stated, that I have supported legislation for postal pay increases. I believe it is important that we give serious thought to legislation to lift the level of living of the average citizen. I do not think it is fair to use the word "irresponsible." I would not use it against any Member of this House. Our chairman has also introduced pay-raise legislation but for executives receiving $15,000 and more. I think that is his right. I think we have a right to differ, but I believe the differences should be held on a high plane. Furthermore, Mr. Chairman, I am not opposed to raising postal rates. What I am opposed to is this kind of an increase, a proposal that smacks of discrimination and is most unfair.

I hope, Mr. Chairman, that amendment is adopted.

Mr. MURRAY of Tennessee. Mr. Chairman, since the Committee by an overwhelming majority has approved the 4-cent rate for first-class mail, and since there has always been a differential of 3 cents between first-class mail and airmail, it is only right and fair that we increase the airmail rate to 7 cents to maintain the differential.

I ask that the amendment be voted down.

Mr. MOSS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I fail to see the logic of the statement of the chairman that because we have determined to levy a tax on the first-class letter that we should then proceed to levy an equally unjustifiable tax on an airmail letter. This happens to be a type of service where we have a little experience. I recall once before when the Congress in its wisdom imposed an increase on airmail, the Government was somewhat embarrassed and took steps to lower the rate. Here is a type of mail that is paying today a very substantial fee for preferential service—or it was a preferential service. It was supposed to be a short-lived experiment. At least that is what we were told, that it was to be a short-lived experiment. But now it is over 2 years old, an experiment by the Post Office Department of flying first-class mail.

If you lived in New York and receive mail from Washington it probably goes by airmail at the first-class rate. Of course, if you live out in my district or in any other district in California and you write to Washington and want to send it by air, you pay 6 cents, and in paying 6 cents you are paying every penny that the service requires.

This is also a type of service where the Government negotiates for space on an apparently unrealistic basis. Again I refer you, as I did earlier, to the statement of the Comptroller General of the United States in a recent appearance before a subcommittee of the Committee on the Judiciary. He made a definite recommendation.

In our report we have recommended that in any future review of service mail rates the board study the comparability of airmail to airfreight and that any service rates then established take into account this comparison.

Here is a case where the Department cannot contend as it does in first-class mail and in the other class of mail that there is a probability of an immediate increase in the cost of transporting the mail; because here is a case where there is every probability of a decrease in the cost of transporting the mail.

I caution the Committee against increasing this because you have increased first-class mail. Consider it on its merits. Evaluate very carefully the proposal and recognize that it is not needed to insure the solvent operation of this type of mail. It pays its way and returns a profit. It will continue so to do even after the increased costs of salaries are applied against it.

Mr. MURRAY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield.

Mr. MURRAY of Illinois. In considering increasing the airmail rate 1 cent, was any consideration given to the law of diminishing returns, as to whether or not the increase will actually produce a decrease in revenue?

Mr. MOSS. I cannot speak for the individual thought processes of the committee but there was no audible consideration given to that fact.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. MURRAY of Tennessee. Mr. Chairman, I should like to see if we cannot agree on a limitation on debate on the bill. I ask unanimous consent that all debate on the bill and all amendments thereto close in 15 minutes.

Mr. JONES of Missouri. I object, Mr. Chairman.

Mr. MURRAY of Tennessee. Mr. Chairman, I move that all debate on the bill and all amendments thereto close in 15 minutes.

The motion was agreed to.

Mr. JONES of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Missouri: On page 14, line 22, strike out the period at the end of line 22 and add a comma, followed by the word "except", and add a new subsection to read as follows:

"(C) The CONGRESSIONAL RECORD, or any part thereof, or speeches or reports contained therein, shall, under the frank of a Member of Congress, or Delegate, or Resident Commissioner from Puerto Rico, be carried in the mail free of postage under such regulations as the Postmaster General may prescribe, only if directed to addresses within the State, Territory, or Commonwealth served by such Members, Delegates, or Resident Commissioner."

Mr. JONES of Missouri. Mr. Chairman, this amendment would have a threefold effect. It states that the policy would be that the frank would not apply to the mailing of reprints from the CONGRESSIONAL RECORD outside the district the Member represents or, in the case of Puerto Rico and the Territories, the particular areas the Commissioner or Delegates represent. It would not affect any first-class mail. It would prevent these bulk mailings that go out all over the United States, and which sometimes reach as high as a million copies at one time. It would put us on record here as being in favor of economy, and we are not interested in trying to flood the United States with mail. We receive our

franking privilege to serve our constituents. I think this should be included for that one privilege. If you adopt this amendment, you will not only be cutting out material that goes in the RECORD, but you will be cutting out a lot of work in the folding room, and you will be cutting out a lot of postage and save millions of dollars a year.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield.

Mr. HOLIFIELD. There are approximately seven Congressmen in the city of Los Angeles. Our district lines are intermingled and we are served by the same post office. In my opinion, this would put an impossible burden on Members from any of the large cities.

Mr. JONES of Missouri. The Postmaster General would have the authority to work out some regulations, and I do not think any Member will be discriminated against.

The CHAIRMAN. The question is on the amendment of the gentleman from Missouri [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES of Missouri) there were—ayes 104, noes 110.

Mr. JONES of Missouri. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. JONES of Missouri and Mr. MURRAY of Tennessee.

The Committee again divided; and the tellers reported that there were—ayes 81, noes 162.

So the amendment was rejected.

Mr. McCARTHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCARTHY: On page 4, after line 7, add a new paragraph (d): *"Provided, however,* That no increases provided in this section shall apply on the first 20,000 subscriptions of a given publication distributed through the mail."

Mr. FASCELL. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. FASCELL. Mr. Chairman, is this amendment not in the second degree in that the Committee has adopted an amendment, the Colmer amendment, which places a circulation restriction on rates?

Mr. McCARTHY. This is on magazines. That was on newspapers.

The CHAIRMAN. The Chair thinks the amendment is in order at the place where it is offered and overrules the point of order.

Mr. McCARTHY. Mr. Chairman, this amendment undertakes to do for the small magazines what the Colmer amendment does for the small newspapers. It provides none of the increases in this section shall apply to the first 20,000 of mailing subscriptions of magazines. It would, of course, apply to over 20,000 mailings of magazines.

The amendment is intended to benefit the new magazines and small magazines. There are several reasons for this special treatment. First of all, these small magazines carry very little advertising and what they do carry must be carried at low rates. In the second place, they do not have available to them distribution through the newsstands. So almost the entire cost of distribution by them is the mailing cost. They do not have multiple points for delivery and, finally, of course, the principal advantage and objective is that it would encourage diversity in our magazine publications in informing and educating the people of the United States of America.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Michigan.

Mr. LESINSKI. Does the gentleman's amendment cover weekly, monthly, or yearly publications?

Mr. McCARTHY. If published weekly, it would be on an annual basis, the first 20,000, whether weekly, monthly, or biweekly, however they might be published.

Mr. MURRAY of Tennessee. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Minnesota [Mr. McCARTHY].

Mr. Chairman, I ask that the amendment be voted down. It gives preference to magazines having a circulation of 20,000. The small magazine that does not have much advertising is not hurt because it does not have anything in it but reading matter.

Mr. Chairman, I ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. McCARTHY].

The amendment was rejected.

Mr. MURRAY of Tennessee. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MURRAY of Tennessee:

Page 3, immediately following line 5, change the headings in the table to read as follows:

"Effective January 1, 1957 (cents per pound, or fraction thereof)	Effective January 1, 1958 (cents per pound, or fraction thereof)	Effective January 1, 1959 (cents per pound, or fraction thereof)	Effective January 1, 1960 (cents per pound, or fraction thereof)	Effective January 1, 1961 (cents per pound, or fraction thereof)"

Page 8, line 12, and lines 19 and 20, strike out "July 1, 1956" and insert in lieu thereof "January 1, 1957";

Page 9, line 2, strike out "July 1, 1956" and insert in lieu thereof "January 1, 1957."

Mr. MURRAY of Tennessee. Mr. Chairman, this is the amendment I spoke about previously. It changes the effective date from July 1, 1956, to January 1, 1957.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. MURRAY].

The amendment was agreed to.

Mr. GROSS. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. GROSS moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. GROSS. Mr. Chairman, the Committee has just adopted an amendment which is the best indication that I can think of that this deficit in the Post Office Department is not the urgent problem that some people think it is. Now, instead of putting it into effect upon the enactment of this legislation, or a reasonable time thereafter, you are going to wait until the 1st of January to put it into effect. Of course, there is no politics in that.

Mr. MURRAY of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Tennessee.

Mr. MURRAY of Tennessee. It takes time to perfect new stamps and put in this new machinery for second-class mail. It cannot be done overnight.

Mr. GROSS. The gentleman understands that when this bill was reported out of committee only a comparatively short time ago, there was no suggestion of a change to January 1, 1957. Now, either this deficit is present and bearing down or it is not.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. MOSS. I agree with the gentleman. It would seem that such a pressing problem should be gotten to immediately. Do you suppose that the intervening election in November has any bearing upon the postponement to January?

Mr. GROSS. I do not know about that, but I do know that much has been said about the deficit in the Post Office Department this afternoon. Now, if I were a good joiner I would be seeking membership here and now in this new society of deep concern for deficit and debt. Some of you who spoke this afternoon expressing so much concern about the Federal deficit and debt are going to have your opportunity on Monday, if the present schedule is followed, to show how deeply you are concerned when the foreign giveaway bill comes up for your approval. Let us see how much you want to cut that.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. ARENDS. Well, some of us are going to approach the problem with the national interest of the United States at heart, as well as anything else.

Mr. GROSS. Yes. And I am thinking of this bill in terms of the national interest and the welfare of the people of the United States of America. I do not know of a single public service rendered by this Government of more benefit, almost from the cradle to the grave, than the ability to mail and receive first-class letters. If you can think of any other public service available to so many people, you tell me what it is. Yes, I want to see the color of their hair when they come down here Monday on the foreign giveaway bill. Oh, yes, they say that this is the only country that goes in the red in the operation of its Post Office Department. When the British take a billion and a half dollars, or approximately that amount, of our counterpart funds to retire their debt and balance their budget, they ought to be out of the red in their postal operation. And, we are giving billions of dollars all over the world. If we give them military aid, it is in effect economic aid. That in turn

helps balance the budgets in their post office departments. Do not talk to me about this business. I want to see what you do here Monday when the foreign giveaway bill is before you and you have an opportunity to slice it down to size. Let us see whether you trim it below $2.7 billion, where it was last year, or whether you follow the Appropriations Committee recommendation and add about another billion dollars. Let us see where the big savers are. You want this budget balanced in the Post Office Department, and you are going to have people licking 4-cent stamps, after the election, mind you, in order to balance that budget. Let us see how many are in favor of a balanced budget for all the Federal Government. Let us hear then from the same speakers the statements we heard today about responsibility to the taxpayers of this country.

When you are ready to balance the books on this foreign handout program, then I am ready to join you in balancing the books in the operations of the Post Office Department.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Iowa [Mr. GROSS].

The motion was rejected.

Mr. MURRAY of Tennessee. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MURRAY of Tennessee: On page 17, line 6, immediately following the word "Congress", insert "or as may be required by the Congress or an appropriate committee thereof."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. RHODES of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RHODES of Pennsylvania: Page 6, line 5, strike out "10 cents" and insert in lieu thereof "8 cents."

Mr. RHODES of Pennsylvania. This amendment will strike out the book and educational film rate increase in the bill from 8 cents to 10 cents on the first pound. In my opinion, this is a meritorious amendment. I should like to point out, particularly to Members on the other side, that Post Office Department spokesmen stated specifically in testimony that it did not propose this increase in the book and educational film rate for revenue purposes.

I hope the Committee will support this very important amendment.

Mr. MURRAY of Tennessee. Mr. Chairman, I hope this amendment will be voted down. It was fully considered by the committee and I appeal to the Members to stay with the committee on this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. RHODES].

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. GUBSER] to offer an amendment.

Mr. GUBSER. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DIGGS].

Mr. DIGGS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DIGGS. Mr. Chairman, for the record, I would like to state that I am opposed to the increase in postal rates which we are discussing in H. R. 11830. There have been some very worthy arguments to the effect that the Post Office Department should operate on an income rather than deficit basis and to the effect that it is the taxpayer who is subsidizing the declared $460 million average loss per year.

I am sure that every thinking citizen deplores the fact that the Post Office loss is so high, even though a large part of the deficit is certainly due to the public service aspect of operations. However, in determining whether or not rates should be increased to overcome the deficit subsidized by taxpayers, the extremely important question arises: Does the administration desiring this increase contemplate action with respect to the tax burden which the individual carries? I think it is a question which ought to be viewed in the light of present realities. Will the individual mail user paying the cost of first-class and airmail service direct find corresponding relief in his tax burden or will the increase simply result in a form of double taxation? The goal to balance the budget and the record of last year when the present administration voted against a tax cut for the individual taxpayer declaring the proposal fiscal irresponsibility would indicate certain opposition to tax relief for the individual.

According to Post Office spokesmen, 1954 was the peak year for volume advertising at third-class rates. Yet, with knowledge of the average $460 million Post Office deficit and knowledge that the prime users of third-class mail were large corporations, such as breakfast food companies, department stores, and mail order houses, it was corporations which received 64 percent of the total tax cut while individual taxpayers with income of less than $5,000 received a 6 percent cut of the total reduction.

The national debt is of as great concern to those of us who oppose this measure as to those who advocate the measure arguing that these deficits become a part of the national debt, accruing interest charges which must be paid off somewhere down the line when this mail is forgotten. But the question is, Can this increased cost be heaped on the burden of high cost the taxpayer-consumer is already bearing? It is as regrettable that we pass on to our children this financial burden as much as it is regrettable that we pass on to them problems in world affairs which they will be resolving in years to come.

I agree with the members of the Committee on Post Office and Civil Service who said in their minority report:

It would be inconsistent to require higher rates from the users of first-class and airmail service obviously for the purpose of overcoming the deficit resulting from the handling of second- and third-class mail and the special services.

It is even more inconsistent when we recall with tax benefit that the largest users of second- and third-class mail service may legitimately deduct this cost as a business expense, eliminating that portion of income from taxation. In addition, increased business costs are generally passed on to the consumer and there is little reason to suppose that this pattern will be changed should the increase in postal rates be approved. It amounts to this—the individual citizen will pay the cost of postal rate increase in direct form to the Post Office when he buys stamps to mail in payments on his outstanding bills and when he sends periodic greetings to family and friends; he will pay it in a continued high tax burden; and he will pay it in increased costs for consumer goods.

In reality, the burden of increased postal rates will rest upon those who can least bear it—individual taxpayers like those in my congressional district and the city of Detroit at large who are now facing a situation of critical unemployment and the small-business man who is steadily going under now in the face of increased business cost and who cannot pass the cost on to the consumer because of his necessarily higher price on consumer goods.

Mr. HAYS of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAYS of Ohio: On page 2, line 18, after "cents" insert: *"Provided,* That the new 4-cent stamp carry an engraving of an elephant with a dollar sign on its side."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken and the Chairman announced that the "ayes" appeared to have it.

Mr. MURRAY of Tennessee. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. HAYS of Ohio and Mr. MURRAY of Tennessee.

The Committee divided, and the tellers reported that there were—ayes 3, noes 9.

So the amendment was rejected.

LEGISLATIVE PROGRAM FOR TOMORROW AND NEXT WEEK

Mr. MARTIN. Mr. Chairman, may I ask the majority leader if he can give us at this time the program for tomorrow and next week?

Mr. McCORMACK. On tomorrow there are two bills to be considered. There was a bill relating to the Longshoremen's and Harbor Workers' Compensation Act that was programed for tomorrow, but it will not come up. The two bills that will be taken up tomorrow are H. R. 11695, extending the school-construction program in impacted areas,

and H. R. 11132, to increase the borrowing power of the Commodity Credit Corporation. I am bringing them up tomorrow because we have many bills to consider, and it will be very helpful if we can get as many of them out of the way as promptly as possible, particularly in the next 2 or 3 weeks. If there are any rollcalls tomorrow, in view of the convention in Connecticut the rollcalls will go over until Monday.

On Monday there will be the conference report on the mutual-security bill and also on the narcotics bill. The latter was supposed to come up today, but it will be called up on Monday.

As for next week, Monday is District day. There are 10 bills on the program, as follows:

S. 2568, Potomac River Bridge, construction, Theodore Roosevelt.

H. R. 10947, George Mason Memorial Bridge, near 14th Street.

H. R. 11967, National Memorial Stadium, site and design.

H. R. 7538, longevity increases for policemen.

S. 2896, licenses for cemetery associations.

S. 2895, construction of railway-highway grade-elimination structures.

S. 2705, construction of a branch track or siding near Second Street SE.

S. 2704, authorization for funds, construction of highway-railroad grade separations.

H. R. 11090, securities relating to gifts to minors.

House Joint Resolution 667, relating to maintenance of public order at inaugural ceremonies.

Thereafter the mutual-security appropriation bill for 1957 will be in order, and after the disposition of that bill the supplemental appropriation bill for 1957 will be in order.

To continue with the program for the entire week, thereafter we will take up H. R. 10765, the Longshoremen's and Harbor Workers' Compensation Act.

Following that, H. R. 11947, the extension of the Renegotiation Act of 1947. This is from the Committee on Ways and Means, and I understand they have agreed to consider the bill in the House as in Committee of the Whole.

S. 3246, relating to the National Institute of Dental Health.

S. 898, the trip-lease bill.

S. 3958, the health amendments of 1956.

S. 849, research facilities for crippling and killing diseases.

H. R. 4054, marketing facilities, agriculture, perishable commodities.

H. R. 10643, Washoe reclamation project—Nevada and California.

H. R. 11613, that is a bill relating to vessels loaned by the Navy to foreign governments.

H. R. 7992, legislative authorization bill. That is the Department of Defense. I think that is the bill known as the point of order bill.

It has been agreed that the civil rights bill will be brought up a week from Monday. The reason for that is that after the disposition of the mutual security appropriation conference report and the supplemental appropriation bill, it probably would not be reached much before Thursday and rather than take it up then when it would not be disposed of during the week, it will be taken up a week from Monday definitely and continued through until the bill is disposed of.

Of course, there are the usual reservations—conference reports may be brought up at any time and any further program will be announced later.

Mr. MARTIN. One of the Members would like to know what has happened to the wildlife bill that was supposed to be called up under suspension of the rules, and which was not called up the other day.

Mr. HOSMER. That is the one relative to the reorganization of the Fish and Wildlife Service. It was scheduled to be called up under suspension of the rules and along with several other bills, we did not get to it. I wonder when it is going to be called up.

Mr. BONNER. Due to the lateness of the hour, we thought best not to ask unanimous consent to take that bill up this afternoon, but it will be considered either tomorrow or sometime next week at the pleasure of the Speaker.

Mr. NICHOLSON. I have been asked by 2 or 3 people when we are going to get through here and not being able to answer, I thought perhaps the gentleman might be able to tell us.

Mr. McCORMACK. That is a very serious question and I wish I could answer it. It is uncertain. I would say so far as the House is concerned, if we put in an hour or two extra at night, we ought to be able to get through with the necessary program in the House within the next 3 weeks. At least, I hope so. Of course, I cannot be bound by that. I am one of those who has always said that we would not get through before July 15 and that was way back last January when I said we would be through sometime between July 15 and July 25. I am hopeful that we may be able to get through with our program within the next 3 weeks. Beyond that I cannot say anything because no one knows what is going to happen in the other body so far as the adjournment of the Congress itself is concerned.

Mr. MARTIN. Will any effort be made to call up the Private Calendar in the next 2 weeks?

Mr. McCORMACK. The next call of the Private Calendar is a week from Tuesday. I can assure the membership that thereafter every cooperation will be given by the leadership, and I know my friend, the gentleman from Massachusetts, will agree with me to have private bills called up, which may be reported out after a week from Tuesday, and to bring them up before the end of the session.

Mr. MARTIN. The gentlewoman from Massachusetts would like to know about the veterans bill which has been reported.

Mr. McCORMACK. I talked with the gentleman from Massachusetts [Mr. MARTIN] today and I am going to contact my friend, the gentleman from Texas [Mr. TEAGUE].

The Speaker has been consulted, and the leadership has agreed that the bill may be called up under a suspension of the rules. The gentleman is probably aware that we had a discussion earlier today. I have not been able to discuss it with the gentleman from Texas, Mr. TEAGUE, but if it is agreeable to him we can arrange to have it considered under a suspension some day next week.

GENERAL LEAVE TO EXTEND

Mr. REES of Kansas. Mr. Chairman, I ask unanimous consent that those who have spoken on the bill may have the privilege of revising and extending their remarks and that those who so desire may extend their remarks at this point in the RECORD on the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DAWSON of Utah. Mr. Chairman, I voted for this measure more than 2 years ago. We, unfortunately, were defeated. Since that time almost $1 billion has been added to the debt our children must pay for mail we all have read and thrown away during 1954 and 1955—$1 billion upon which we are paying interest for services long since rendered and forgotten.

Had we faced up to this increase 2 years ago, this Nation would be $1 billion richer. More than enough to finance the entire cost of the upper Colorado River project would have been saved had enough of us acted at that time. We must take this action now.

I think the people of Utah want their Government run in the black. The Post Office is a Department which—up until the middle forties of this century—operated in the black. During the depression of the thirties when the revenue of the Post Office failed to cover the cost, Congress recognized its responsibility and increased first-class postage rates by 50 percent to 3 cents. And a penny, gentlemen, in 1932 was a coin that had a value other than as a convenient, Government-issued token used mostly for paying sales taxes as it is now.

I am confident that the average family can afford to pay in this prosperous year of 1956 the additional $1.80 per year that this increase will cost them. I don't think the average mother and father want to pass on to their children part of the cost of a letter they received from a department store, or part of the cost of a letter they sent last week to Aunt Mary.

It is about time, also, that Congress took cognizance of the fact that our large magazines are being heavily subsidized by the average taxpayer. Let the advertisers and the subscribers to Fortune pay for the magazine. Why should a workingman help subsidize the price of a magazine that is subscribed to by persons who think the $1 per issue it costs is well invested.

This bill is equitable, just, and sound. It is about time we voted it through.

Mr. VANIK. Mr. Chairman, I want to take this opportunity to oppose the postal-rate-increase bill in the form it has been reported out by the committee. After all of the discussion today on this measure, I am convinced that first-class-postage operations have been conducted at a profit. Statements have been made

establishing a profit in excess of $87 million for 1955.

The 3-cent stamp is not responsible for the postal deficit. Seventy-five percent of the deficit has been brought about by losses in operating the second- and third-class mail services—primarily for the benefit of publishers. Why then should the greatest portion of the postal increase be passed on to first-class-mail users who have not contributed to the deficit? This bill places the burden of postal subsidy upon the users of first-class mail.

The postal rates should be equitably based on the factors of weight, distance, and time. It is contended that first-class mail receives handling preference. Nothing is further from the truth. My magazines always arrive at the time the publisher desires I should receive them. I can rarely predict the delivery date of a first-class letter.

If the postal-rate increase gave promise of better postal service it would have merit notwithstanding the inequities in rates. But better service is not promised. Postal services are suffering a constant reduction and the prospects are indeed discouraging.

If this bill provided an adjustment upward of the current rates on second-, third-, and fourth-class mail compatible with the cost of handling, an increase in first-class rates would not be required.

Mr. O'HARA of Illinois. Mr. Chairman, the gentleman from the Second District of Illinois has been listening to this debate with an open mind. The issue to him seemed very simple. If first-class mail at the present 3-cent rate was being handled at a substantial loss to the Government, then a proper sense of fiscal responsibility would call for a higher readjustment sufficient to lift in large part the deficit. If on the other hand the Government was receiving a profit from the handling of first-class mail, there could be no possible justification either in sound fiscal management or in good morals to raise the first-class rate to get the money to lift a deficit occasioned by the loss in handling mail in the other classes.

The gentleman from California [Mr. Moss], and other Members have produced the official findings of the post office itself that first-class mail in 1955 and in every preceding year made a handsome profit. This constituted evidence that by the accepted rules of evidence in an American court of justice could have been combated only by the strongest presentment of conflicting evidence of equal quality. The finding by the post office that it was in fact making a profit was as far as the issue presented here similar to a confession of guilt by the defendant in a criminal case. The evidence required of the defendant successfully to meet a confession of guilt offered by the prosecution would have to show that he did not make the confession, or that he made it under duress or the inducement of a promise, or that it was an untrue statement made at a time when he was not mentally responsible.

I have remained in the Chamber all day, listening patiently and expectantly, for some competent evidence to combat the official finding of the post office that it was making a profit on first-class mail. The gentleman from California put that in the record. As a member of the committee, sitting as it were as a juror, I would have to accept that as conclusive of the fact that first-class mail is showing a profit unless it were shown that the post office had never made such finding, or that the persons responsible for the finding were of unsound mental health at the time or were incompetent or corrupt.

I listened all afternoon and not 1 word did I hear that questioned the authenticity of the finding of the Post Office put in the RECORD by the gentleman from California. Not 1 word did I hear suggesting the insanity, the inefficiency, or the corruption of the persons responsible for the Post Office finding that it was making a profit on first-class mail. All that I heard was the repeated crying out that the Post Office was as poor as a church mouse by reason of first-class mail. Again and again and again the proponents of this bill shouted in loud voices their denial of the truth of the Post Office's own official finding, but not once was there even the faintest denial that the Post Office did make the findings, that it was based upon the actual figures and that the persons responsible were sane, competent, and upright. The proponents of the bill rested their case on a letter from the dear Postmaster General himself, a letter dated today and presumably hot off the typewriter and rushed pell mell to the battlefront.

Does the Postmaster General expect the committee to give more weight to a letter pounded from a typewriter on the day of this debate than to the findings of the expert accountants of the Post Office showing that the actual figures of the Post Office, allowing for all income and all proper expenditures, showed a continuing profit on first-class mail?

I do not think the Postmaster General expects anything of the sort. Certainly he cannot expect all Members of the Congress to be that gullible. The answer, I imagine, is that he wants all the Members on the other side of the aisle to know that he means business. This is election year and it behooves the Members on the other side of the aisle to be regular if they want a little help in patronage and other ways. Judging by the uniformity with which our colleagues are performing, that letter from the Postmaster General is proving the crackingest whip on record.

The proponents of the bill have failed completely to dent the evidence furnished by the post office's own figures that it is making a handsome profit on first-class mail. In the face of that the minority whip calls upon the committee in the name of fiscal responsibility to sock the users of first-class mail to make up the deficit caused by the tremendous losses in handling big magazines with endless pages of advertising. If that is fiscal responsibility then papa is, indeed, a fiscal giant when he robs the baby's bank to go on a tear.

Mr. Chairman, I have listened to the debate with an open mind. I have old-fashioned ideas on one's responsibility for his own debts. If John is running into debt by reckless and riotous living, it is a miserably depraved way of balancing the family budget by picking Jim's pockets and snitching Nellie's pennies.

The evidence is clear. First-class mail is making a profit. The big magazines are enjoying a lush subsidy. The rates they are enjoying is the cause of the staggering postal deficit. It would be simple and fair to make every class of mail service pay its own way. That would be the equitable way to get rid of the deficit. That policy would conform to the rule of propriety and sense in the exercise of fiscal responsibility.

The present bill puts the burden on the users of first-class mail to pay the big fellow's bills. I respectfully suggest, Mr. Chairman, that the title be amended to read "A bill to establish pickpocketing as the standard of fiscal responsibility."

It would seem to me, Mr. Chairman, that it is high time we took a new look at the post office. Morale among the postal workers is at an all-time low. And now the most numerous class of postal users, the people who write letters to family and friends, and whose patronage always has made a profit for Uncle Sam are getting it in the neck.

The Postmaster General in the interest of so-called economy and efficiency has divided the country into postal regions with a high-salaried director and a hierarchy of assistants and managers in each. Chicago has one.

Late in February last, the Southeast Kiwanis Club, representing business and professional people in the southeast area of Chicago, presented to me, their Representative in Congress, the area's need of a postal station on Stony Island Avenue between 67th and 69th Streets. Stony Island Avenue is a street of stores, offices, and banks serving a thickly populated area.

The Kiwanians pointed out that there is no postal service within 3 or 4 miles' radius, a source of great inconvenience to them and the residents they serve. They pointed out further, that during a period of 35 years, local merchants, seeking to accommodate their neighbors, had attempted to combine postal service with their own business but always had given it up. They specified that they wanted and needed an independent postal unit.

As their Representative, I presented the postal needs of my constituents to the Chicago regional director. He promised an investigation. After 3½ months, the Chicago regional director came up with a plan. He would advertise for bids for merchants to provide postal services in their stores. Thus, in the name of economy and efficiency and with the aid of a regional director, the business and professional people on Stony Island Avenue are, as far as postal service is concerned, right back where they were 35 years ago.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 11380) to readjust postal rates and to establish a congressional policy for the determination of postal rates, and for other purposes, pursuant to House Resolution 527, he reported the bill back

to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not the Chair will put them en grosse.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion.

The Clerk read as follows:

Mr. GROSS moves to recommit the bill H. R. 11380 to the Committee on the Post Office and Civil Service for further study.

Mr. MURRAY of Tennessee. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. RHODES of Pennsylvania. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 217, nays 166, answering "present" 5, not voting 44, as follows:

[Roll No. 94]

YEAS—217

Abbitt	Cole	Holland
Abernethy	Colmer	Holmes
Adair	Coon	Holt
Alger	Corbett	Hope
Allen, Calif.	Cramer	Horan
Allen, Ill.	Crumpacker	Hosmer
Andersen, H. Carl	Cunningham	Hyde
Arends	Curtis, Mo.	Jackson
Ashmore	Dague	James
Auchincloss	Davis, Tenn.	Jarman
Avery	Dawson, Utah	Jenkins
Ayres	Derounian	Jensen
Baker	Devereux	Johansen
Baldwin	Dondero	Johnson, Calif.
Bass, N. H.	Dorn, N. Y.	Jonas
Bates	Durham	Jones, N. C.
Baumhart	Ellsworth	Judd
Beamer	Fascell	Kean
Becker	Fenton	Kearns
Belcher	Fisher	Keating
Bennett, Fla.	Fjare	Kilburn
Bentley	Ford	King, Pa.
Berry	Frelinghuysen	Knox
Betts	Fulton	Krueger
Boland	Gamble	Laird
Bolton, Frances P.	Gary	Latham
Bolton, Oliver P.	Gathings	LeCompte
Bonner	Gavin	Lipscomb
Bosch	Gentry	Lovre
Bow	George	McCulloch
Boykin	Gregory	McDonough
Bray	Gubser	McGregor
Brownson	Gwinn	McIntire
Broyhill	Halleck	McMillan
Budge	Hand	McVey
Bush	Harden	Mack, Wash.
Byrnes, Wis.	Hardy	Mailliard
Canfield	Harrison, Nebr.	Martin
Carrigg	Harvey	Mason
Cederberg	Hays, Ark.	Matthews
Chase	Henderson	Meader
Chatham	Herlong	Miller, Md.
Chenoweth	Heselton	Miller, Nebr.
Chiperfield	Hess	Miller, N. Y.
Church	Hiestand	Mills
Clevenger	Hill	Minshall
Cole	Hillings	Morano
Colmer	Hoeven	Mumma
Coon	Hoffman, Ill.	Murray, Tenn.
Corbett	Hoffman, Mich.	Nicholson
Cramer	Norblad	St. George
Crumpacker	O'Konski	Saylor
Cunningham	Osmers	Schenck
Curtis, Mo.	Ostertag	Scherer
Dague	Passman	Schwengel
Davis, Tenn.	Patterson	Scott
Dawson, Utah	Pelly	Scrivner
Derounian	Phillips	Seely-Brown
Devereux	Pillion	Sheehan
Dondero	Poff	Short
Dorn, N. Y.	Prouty	Siler
Durham	Radwan	Simpson, Ill.
Ellsworth	Ray	Simpson, Pa.
Fascell	Reece, Tenn.	Smith, Kans.
Fenton	Reed, N. Y.	Smith, Miss.
Fisher	Rees, Kans.	Smith, Va.
Fjare	Rhodes, Ariz.	Smith, Wis.
Ford	Richards	Springer
Frelinghuysen	Riehlman	Taber
Fulton	Riley	Talle
Gamble	Robeson, Va.	Teague, Calif.
Gary	Robsion, Ky.	Thomas
Gathings	Rogers, Fla.	Thompson, Mich.
Gavin	Sadlak	Thomson, Wyo.
Gentry	Saylor	Tollefson
George	Schenck	Trimble
Gregory	Scherer	Tuck
Gubser	Schwengel	Utt
Gwinn	Scott	Van Pelt
Halleck	Scrivner	Van Zandt
Hand	Seely-Brown	Velde
Harden	Sheehan	Vorys
Hardy	Short	Vursell
Harrison, Nebr.	Siler	Weaver
Harvey	Simpson, Ill.	Westland
Hays, Ark.	Simpson, Pa.	Wharton
Henderson	Smith, Kans.	Whitten
Herlong	Smith, Miss.	Widnall
Heselton	Smith, Va.	Wigglesworth
Hess	Smith, Wis.	Williams, N. Y.
Hiestand	Springer	Wilson, Ind.
Hill	Taber	Winstead
Hillings	Talle	Withrow
Hoeven	Teague, Calif.	Wolcott
Hoffman, Ill.	Thomas	Young
Hoffman, Mich.	Thompson, Mich.	Younger

NAYS—166

Addonizio	Fountain	Natcher
Albert	Frazier	Norrell
Andrews	Friedel	O'Brien, Ill.
Ashley	Garmatz	O'Brien, N. Y.
Aspinall	Gordon	O'Hara, Ill.
Bailey	Grant	O'Neill
Barrett	Gray	Perkins
Blatnik	Green, Oreg.	Pfost
Blitch	Green, Pa.	Philbin
Boggs	Griffiths	Poage
Bolling	Gross	Polk
Bowler	Hagen	Powell
Boyle	Haley	Preston
Brooks, La.	Harrison, Va.	Price
Brooks, Tex.	Hays, Ohio	Priest
Brown, Ga.	Hayworth	Quigley
Burdick	Healey	Rabaut
Burnside	Hébert	Rains
Byrd	Holifield	Reuss
Byrne, Pa.	Holtzman	Rhodes, Pa.
Cannon	Huddleston	Rivers
Carlyle	Hull	Roberts
Carnahan	Jennings	Rodino
Celler	Johnson, Wis.	Rogers, Colo.
Chelf	Jones, Ala.	Rogers, Mass.
Christopher	Jones, Mo.	Rooney
Chudoff	Karsten	Roosevelt
Clark	Kee	Rutherford
Cooley	Kelly, N. Y.	Selden
Cooper	Kilday	Shelley
Davidson	Kilgore	Sheppard
Davis, Ga.	King, Calif.	Shuford
Dawson, Ill.	Kirwan	Sieminski
Deane	Kluczynski	Sikes
Delaney	Knutson	Sisk
Dempsey	Landrum	Spence
Denton	Lanham	Staggers
Dies	Lankford	Steed
Diggs	Lesinski	Sullivan
Dingell	Long	Thompson, La.
Dollinger	McCarthy	Thompson, Tex.
Donohue	McCormack	Tumulty
Donovan	McDowell	Udall
Dorn, S. C.	Machrowicz	Vanik
Doyle	Mack, Ill.	Vinson
Edmondson	Madden	Walter
Elliott	Magnuson	Watts
Engle	Mahon	Wier
Fallon	Marshall	Williams, N. J.
Feighan	Metcalf	Willis
Fernandez	Miller, Calif.	Wright
Fino	Mollohan	Yates
Flood	Morgan	Zablocki
Fogarty	Moss	Zelenko
Forand	Multer	
Forrester	Murray, Ill.	

ANSWERED "PRESENT"—5

Brown, Ohio	Curtis, Mass.	Thompson, N. J.
Coudert	Ikard	

NOT VOTING—44

Alexander	Eberharter	Moulder
Andresen, August H.	Evins	Nelson
Anfuso	Flynt	O'Hara, Minn.
Barden	Hale	Patman
Bass, Tenn.	Harris	Pilcher
Bell	Hinshaw	Rogers, Tex.
Buckley	Kearney	Scudder
Burleson	Kelley, Pa.	Taylor
Cretella	Keogh	Teague, Tex.
Davis, Wis.	Klein	Thornberry
Dixon	Lane	Wainwright
Dodd	McConnell	Wickersham
Dolliver	Macdonald	Williams, Miss.
Dowdy	Merrow	Wilson, Calif.
	Morrison	Wolverton

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Coudert for, with Mr. Bell against.

Mr. Patman for, with Mr. Ikard against.

Mr. Curtis of Massachusetts for, with Mr. Dodd against.

Mr. Wainwright for, with Mr. Thompson of New Jersey against.

Mr. Harris for, with Mr. Macdonald against.

Mr. Taylor for, with Mr. Flynt against.

Mr. Hinshaw for, with Mr. Kelley of Pennsylvania against.

Mr. Cretella for, with Mr. Keogh against.

Mr. Alexander for, with Mr. Anfuso against.

Mr. Pilcher for, with Mr. Klein against.

Mr. Wilson of California for, with Mr. Merrow against.

Mr. Wolverton for, with Mr. Morrison against.

Mr. Dixon for, with Mr. Eberharter against.

Mr. Hale for, with Mr. Rogers of Texas against.

Mr. Dolliver for with Mr. Buckley against.

Mr. Scudder for, with Mr. Dowdy against.

Mr. McConnell for, with Mr. Moulder against.

Until further notice:

Mr. Wickersham with Mr. Kearney.

Mr. Williams of Mississippi with Mr. O'Hara of Minnesota.

Mr. Teague of Texas with Mr. Davis of Wisconsin.

Mr. Burleson with Mr. August H. Andresen.

Mr. IKARD. Mr. Speaker, I have a live pair with the gentleman from Texas, Mr. PATMAN. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. THOMPSON of New Jersey. Mr. Speaker, I have a live pair with the gentleman from New York, Mr. WAINWRIGHT. Had he been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. COUDERT. Mr. Speaker, I have a live pair with the gentleman from Texas, Mr. BELL. I voted "yea." If he had been present he would have voted "nay." I withdraw my vote and vote "present."

Mr. CURTIS of Massachusetts. Mr. Speaker, I have a live pair with the gentleman from Connecticut, Mr. DODD. Were he here, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. FERNANDEZ changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MUTUAL SECURITY APPROPRIATIONS, 1957

Mr. PASSMAN, from the Committee on Appropriations, reported the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes (Rept. No. 2636), which was read a first and second time and, with the acccmpanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. TABER reserved all points of order on the bill.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent to have until midnight tonight to file a privileged report on the mutual security appropriations bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

MUTUAL SECURITY ACT OF 1954

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tomorrow, Saturday, to file a conference report on the bill H. R. 11356.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PROVIDING APPOINTMENT OF DOCTORS OF OSTEOPATHY

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 483) to amend the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy, with Senate amendments thereto, disagree to the Senate amendments and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. BROOKS]? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. VINSON, BROOKS of Louisiana, KILDAY, SHORT, and ARENDS.

AMENDING CIVIL DEFENSE ACT

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 10432) to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Administrator to pay travel expenses and per diem allowances to trainees in attendance at the National Civil Defense Staff College, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection 201 (e) of the Federal Civil Defense Act of 1950 (64 Stat. 1245), as amended, is amended by striking out the words "including the furnishing of subsistence and quarters for trainees and instructors subject to reimbursement on terms prescribed by the Administrator," and substituting the following therefor: "including the payment of travel expenses, in accordance with the Travel Expenses Act of 1949, as amended, and the Standardized Government Travel Regulations, and per diem allowances, in lieu of subsistence for trainees in attendance or the furnishing of subsistence and quarters for trainees and instructors on terms prescribed by the Administrator."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. DURHAM] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DURHAM. Mr. Speaker, the purpose of this bill is to expressly authorize the Federal Civil Defense Administration to pay travel expenses and per diem allowances in lieu of subsistence for students in attendance at civil-defense training courses conducted at the Federal Civil Defense Staff College at Battle Creek, Mich., and the rescue training course at Olney, Md.

Students comprising the classes in these courses are drawn from the staffs of local and State civil-defense organizations, from industrial and business sources and from patriotic volunteers who are a part of local civil-defense organizations. The necessary training of volunteer, uncompensated students is often retarded or eliminated by the lack of financial ability on the part of the volunteers to undertake or complete these courses.

The minimum period of the regularly scheduled course is usually 1 week, and a combination of these courses often results in an attendance of 3 weeks. More than 50 percent of the 13,000 individuals who have already attended these courses are civil-defense volunteers who pay their own expenses. Thus, attendance has, to a great extent, been determined by the financial ability of the students to pay their own expenses.

In the case of State and local civil defense, paid staff budgetary limitations frequently prohibit the necessary civil-defense training, whereas if their travel and subsistence expenses could be deferred the State or local governments are most anxious to have them take the training.

Industries or business concerns are often willing to send their employees to classes at no loss of pay to the employee, but they cannot or will not pay the necessary travel and subsistence expenses for attendance at the schools.

The Civil Defense Administration expects to offer a graduate course during fiscal year 1957 for civil-defense command and staff personnel. The course will be about 3 months in length. Completion of this course will prepare graduates to function effectively in an operational capacity during a civil-defense emergency, and additional benefits will be the availability of this trained civil-defense leadership during major national disaster.

From experience during the last 5 years it appears to be a foregone conclusion that State and local defense officials who would like to take this graduate course will not be able to do so unless this bill is enacted. Consequently, this valuable training would not be received by the very persons who should have it because of their inability to meet their travel and living expenses out of their own pocket.

Other countries pay student expenses for training. For instance, England, Canada, Denmark, Norway, and Sweden all furnish government aid in order to assist in defraying expenses for the training of their civil-defense workers.

If this bill is enacted students for the graduate course which the Civil Defense Administration will set up will be carefully selected from among State and local civil-defense directors and the chiefs of the various services; industrial civil-defense coordinators, leading educational officials; and various national organizations such as labor, women's groups, and veterans' organizations.

It is imperative that the necessary civil-defense leadership at the State and local level be taken from all the volunteers and not from just those exclusively who are financially able to meet the necessary expenses to travel from their homes to Battle Creek, Mich., or Olney, Md., and pay their own living expenses in order to receive the necessary training.

This bill would not result in any additional budgetary requirements for fiscal year 1957, because the Civil Defense Administration already has $80,000 in their budget in order to pay expenses for this program. What is needed by this legislation is the authorization for such expenditures.

In the event of an enemy attack in this nuclear age, the survival of the Nation will require a strong, well-trained civil-defense organization. The cornerstone upon which such a civil-defense organization must be built is civil-defense leadership at the State and local level.

Mr. Speaker, I urge favorable consideration of H. R. 10432.

PRESIDENT EISENHOWER AND SCHOOL CONSTRUCTION

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, the following exchange of correspondence between various Members of Congress and the President's office should be made part of the record pertaining to the death of the school-construction bill.

The first letter, from various Congressmen to the President and dated February 10, 1956, follows:

FEBRUARY 10, 1956.

The PRESIDENT,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: We are deeply concerned that the bill to provide Federal aid for school construction will fail because of the proposed inclusion of an antisegregation amendment.

Your minority leader, the gentleman from Massachusetts [Mr. MARTIN], has announced his support of an antisegregation amendment. There is strong reason to believe that such an amendment would win enough votes in an unrecorded teller vote in the Committee of the Whole so as to insure its inclusion in the bill as presented to the House for a final vote. And there is equally strong reason to believe that the bill, as amended, will

either be defeated in the House, or filibustered to death in the Senate—by a combination of foes of integrated schools and of Federal aid for school construction. Indeed, the press has reported that many who are not known for their past support of civil-rights measures intend to cast an unrecorded teller vote for the antisegregation amendment—for the sole purpose of transforming the school-aid bill so that it becomes politically unacceptable to other Members of Congress. With such an amendment the school-aid bill could never muster the 64 votes required under Senate rule 22 to invoke cloture and end a filibuster that would kill the bill.

Defeat of the school-aid bill would be a tragic outcome for those who believe both in Federal aid for school construction and in the antisegregation decision of the Supreme Court. We believe that Federal aid for school construction is necessary. But so is some assurance that Federal funds will not be used to aid school systems which openly violate the Supreme Court's antisegregation decree.

Such assurance does not now exist. There have been expressions from members of your administration that enforcing compliance with the Court's decree is not the responsibility of the Executive. Consequently, there is doubt whether you would conceive it to be your constitutional duty to see that the minimum requirements of the Court's decree are observed. Unhappily, if your Administration should see fit to allocate school-construction funds to school systems which are defying the Supreme Court's decree, a taxpayer could not effectively stop such allocation by the Federal Government. In *Massachusetts* v. *Mellon*, the Supreme Court held that a taxpayer lacked standing to enjoin the Federal executive from using funds in an unconstitutional manner. Hence, such allocations could be made to school systems which are openly defying the Supreme Court's mandate, because in practical terms nobody could stop the allocation in time.

Defiance of the Supreme Court's decree is no imaginary danger. Despite heartening progress in some States, several States have already openly proclaimed their opposition to taking any steps whatever toward integrating their schools in compliance with the decree. This defiance of the law of the land must not be fed and encouraged by allocating to its support Federal funds. For the defiance will grow like a cancer in a nation which prides itself on its equal justice under law.

We believe, Mr. President, that the vexing moral and political problem posed by the antisegregation amendment can be solved quite simply by your declaring publicly that you will not allocate funds to any school system which you find is not in good faith compliance with the minimum requirements of the Court's decree to "make a prompt and reasonable start" toward integration; and that where any doubt exists in your mind whether a particular school system is complying with the Court's decree you will direct the Attorney General to submit the matter for a declaratory judgment or some similar procedure by the appropriate Federal court. As is plain from the foregoing, we are not asking you to assume a judicial function, but simply the executive function of insuring that Federal funds are not spent to further an unconstitutional purpose.

If you will make a declaration along these lines, Mr. President, there will be no necessity for an antisegregation amendment in the law itself. Indeed, Mr. POWELL has indicated that he himself will not under such circumstances offer his proposed antisegregation amendment.

It is clear that a school construction bill without an express antisegregation amendment would be acceptable to a number of Congressmen who could not accept the bill if it contained such an amendment. This number may well be just sufficient to make possible passage of the school aid bill in both House and Senate.

A declaration by you along the lines suggested will clarify the real issue, Should there be Federal aid for school construction? With such a declaration Federal aid for school construction will have an excellent chance of passage. Without such a declaration it will surely fail.

Sincerely,

THOMAS LUDLOW ASHLEY, CHARLES A. BOYLE, JAMES M. QUIGLEY, EDITH GREEN, DON HAYWORTH, HENRY S. REUSS, GEORGE M. RHODES, Members of Congress.

The first reply is contained in the following letter dated March 1, 1956, addressed to the signers of the February 10 letter:

THE WHITE HOUSE,
Washington, March 1, 1956.

The Honorable ——— ———,
House of Representatives,
Washington, D. C.

DEAR MR. ———: This is in reference to your and your colleagues' letter of February 10 concerning the pending school-construction legislation. You state your concern that the bill will fail because of the proposed inclusion of an antisegregation amendment and suggest a statement by the President to the effect that he "will not allocate funds to any school system which he finds is not in 'good faith' compliance with the minimum requirements of the (Supreme) Court's decree to 'make a prompt and reasonable start' toward integration; and that where any doubt exists in (his) mind whether a particular school system is complying with the Court's decree, (he) will direct the Attorney General to submit the matter for a declaratory judgment or some similar procedure by the appropriate Federal court.

In its decision in the school segregation cases, the Supreme Court specifically stated: (1) that full implementation of the constitutional principles announced by the Court might require solution of varied local school problems; (2) that it is the primary responsibility of school authorities to elucidate, assess, and solve these problems; (3) that courts will have to consider whether the action of local school authorities constitutes good faith implementation of the governing constitutional principles; and (4) with particular reference to the cases under consideration, that, because of proximity to local conditions and the possible need for further hearings, the courts which originally considered the school segregation cases (i. e., the district courts) can best perform this judicial appraisal.

The Supreme Court indicated that the district courts, in fashioning and effectuating decrees to carry out the constitutional principles, might properly take into account a number of factors. Among those specifically mentioned by the Supreme Court are: (1) the public interest in the elimination, during the transition period, of obstacles in a systematic and effective manner; and (2) any proven need, once a prompt and reasonable start toward full compliance is made, for additional time to carry out the Supreme Court's decision in an effective manner, taking into consideration problems related to administration arising from the physical condition of the school plant, the school transportation system, personnel, revision of school districts and attendance areas, and revision of local laws and regulations.

It is thus apparent that under the Supreme Court decision, the Federal judiciary, not the executive branch of the Federal Government, is to determine how compliance with the Supreme Court mandate is to be brought about and what constitutes compliance in good faith. The course of action you request the President to take would be, therefore, inconsistent both in act and in spirit with the decision of the Supreme Court.

Your interest in furthering the school-construction legislation, which the President has earnestly urged be passed without delay, is greatly appreciated. It is still his view that many of the problems of the type to which you refer could be eased through the establishment of the bipartisan civil rights commission he recommended last January to the Congress. He is hopeful that you and your colleagues can find your way clear to help advance this legislation in this session.

Sincerely,

BRYCE N. HARLOW,
Administrative Assistant to the President.

This led to a further letter to the President dated March 6, 1956:

MARCH 6, 1956.

The PRESIDENT,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: The reply of March 1, 1956, signed by Mr. Bryce N. Harlow, your administrative assistant, to our letter of February 10, concerning the pending school construction legislation seems to us inadequate to indicate your position for two reasons:

1. Mr. Harlow apparently misunderstands the kind of assurance we seek. He points out that "under the Supreme Court decision, the Federal judiciary, not the executive branch of the Federal Government, is to determine how compliance with the Supreme Court mandate is to be brought about and what constitutes compliance in good faith." He argues therefore that the action we request of you would be inconsistent with the Supreme Court's decision.

This misses the whole point of our request to you. We recognize and applaud the moderate and gradual approach of the Supreme Court's decision—one requiring not immediate desegregation, but only a prompt and reasonable start toward integration, and one that leaves determination of the timing of compliance to the judicial branch. The only assurance we seek, Mr. President, is that you will take the necessary steps to make possible judicial consideration, in order to determine whether the Supreme Court's mandate is in a specific case being met.

2. Without being in any way disrespectful toward Mr. Harlow, we nevertheless think that on this, perhaps the most vital domestic issue of our time, the responsibility to speak out is yours alone. You have expressed yourself on this issue in the past. For instance, when asked about segregation in schools on military posts in your press conference of March 19, 1953, you said that you could "not see how any American can justify legally or logically or morally a discrimination in the expenditure of those funds as among our citizens or our willingness to provide those funds. If there are benefits to be derived from them * * * they should all be shared regardless of such inconsequential factors as race or religion."

If you still feel that no American can "legally, logically or morally" justify discrimination in the expenditure of Federal school aid funds, we hope that you will not let silence imply your agreement with the statement of Mr. Harlow.

Therefore we shall deeply appreciate your public answer to this very important question:

"If the pending school construction legislation (which contains no specific antisegregation amendment) is enacted, and if a State whose governor and legislature have publicly proclaimed their defiance of the Supreme Court decision and their intention never 'to make a prompt and reasonable start toward integration' requests funds to build further segregated schools and thus perpetuate

segregation, would you direct that Federal school construction funds be paid over to that State, or would you (as we urge) reserve such payments in order to permit a ruling by the appropriate Federal district court, in a declaratory action brought by the Federal Government or in an action brought by the State, to detemine whether it was in compliance with the Supreme Court's decree and hence eligible for funds?"

Your answer to this question will be vital in determining the fate of the school construction bill.

Respectfully,

THOMAS LUDLOW ASHLEY, CHARLES A. BOYLE, EDITH GREEN, DON HAYWORTH, JAMES M. QUIGLEY, HENRY S. REUSS, GEORGE M. RHODES, FRANK THOMPSON, Members of Congress.

The second reply is contained in the following letter of March 15, 1956, addressed to the signers of the March 6 letter:

THE WHITE HOUSE,
Washington, March 15, 1956.

DEAR MR. ———: This is in reply to your and your colleagues' letter of March 6 with further reference to the pending school construction legislation. You again ask the President whether, under such legislation, he would withhold or reserve funds from States which have publicly announced an intention not to comply with the Supreme Court's decision in the school segregation cases, but which have not been held by any court to be in noncompliance.

Your question seems to involve an assumption that the judicial branch of the Government is incapable of implementing the Supreme Court decision. The President will not make such an assumption, and as Mr. Harlow stated in his letter to you of March 1, views the use of extrajudicial remedies such as suggested by you as inconsistent with the philosophy of the Supreme Court decree which set forth the manner in which the Court's decision was to be implemented.

The President believes that judicial implementation of the Supreme Court decision, in the manner charted by the Court in its decree, and the building of urgently needed schools, can go forward at the same time. He will not assume that it is essential, in order that progress may be made in the former, to reserve or withhold funds necessary to progress in the latter.

Sincerely,

GERALD D. MORGAN,
Special Counsel to the President.

RAPID VALLEY UNIT, SOUTH DAKOTA, MISSOURI RIVER BASIN PROJECT

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent that the conference report on the bill (S. 1622) to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes, be recommitted to the committee on conference.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

SERVING OF ALCOHOLIC BEVERAGES ON DOMESTIC AIRPLANES

Mr. BYRD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BYRD. Mr. Speaker, an item which appeared in the Washington Post and Times Herald on July 4, 1956, states that commercial airlines have agreed to limit the serving of alcoholic beverages on flights in this country. It is encouraging to note that the airlines are recognizing the necessity for taking some action in this matter. It indicates that airline officials are aware of the additional hazards which alcoholic beverages create on planes in flight.

However, as I understand the agreement which the airlines have adopted, it is a mere subterfuge and an effort to stall off congressional action on H. R. 8000, which is already on the House Calendar and which may come up for action at any time. The airlines agreement, in effect, would simply continue present practices. It would permit two drinks per passenger. If airline passengers have been in the airport cocktail lounge before boarding the plane, the effects of their drinking may not be evident at flight time, but two more cocktails in flight may cause them to act obnoxiously or in a manner to threaten the comfort and safety of passengers or crew. Certainly airline pilots and stewardesses who are responsible for the welfare of passengers in flight would not support such legislation as the Williams bill if they did not believe it essential for the comfort and safety of the travelling public.

Beer and wine could be served freely without restriction, according to the airlines' agreement, although the average drink of these beverages may contain as much alcohol as a cocktail or highball. The notorious "champagne flights" on the west coast where free champagne is served to passengers would not be touched by this agreement at all. The agreement merely freezes the status quo.

Air safety is a terribly important matter. The recent collision of two great airliners over the Grand Canyon, with tragic loss of the lives of all on board both planes, points up the constant peril of air travel. Alcoholic beverages on planes, no matter how carefully controlled or safeguarded, are always a potential hazard to the safety of the flying public. It is for this reason that I introduced my own bill, H. R. 9902, similar in intent to H. R. 8000. I hope that the Members of Congress will not be misled by the meaningless agreement the airlines have adopted and will be ready to support H. R. 8000 whenever it comes before us for action.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Messrs. BARRETT, BYRNE of Pennsylvania, CHUDOFF, and GREEN of Pennsylvania, to attend the funeral of former colleague, Francis J. Myers.

Mr. WOLVERTON, for 3 days, on account of death in his immediate family.

Mr. TEAGUE of Texas (at the request of Mr. BROOKS of Texas) for July 6 and 7, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered was granted to Mr. BAILEY, for 15 minutes on Monday, July 9.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. QUIGLEY (at the request of Mr. REUSS) and to include extraneous matter.

Mr. REECE of Tennessee and include extraneous matter.

Mr. YOUNG (at the request of Mr. GAVIN).

Mr. SCOTT and to include extraneous matter.

Mrs. KEE.

Mr. MACDONALD.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3419. An act to provide for the establishment of a Federal Advisory Council on the Arts, and for other purposes; to the Committee on Education and Labor.

S. 3458. An act to grant leaves of absence to homestead entrymen and to permit suspension of cultivation and improvement operations on homestead land and desert land entries, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3350. An act to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired;

H. R. 3351. An act to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired;

H. R. 3897. An act to relieve the Secretary of the Interior of certain reporting requirements in connection with proposed National Park Service awards of concession leases and contracts, including renewals thereof;

H. R. 6025. An act to amend the shipping laws, to prohibit the operation in the coastwise trade of vessels rebuilt outside the United States, and for other purposes;

H. R. 7663. An act to provide for settlement in part of certain claims of the Uintah and White River Bands of Ute Indians in Court of Claims case No. 47568, through restoration of subsurface rights in certain lands formerly a part of the Uintah Indian Reservation;

H. R. 9660. An act to direct the Secretary of the Army or his designee to convey an 11¼-acre tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia;

H. R. 11926. An act to amend the Atomic Energy Act of 1954, to permit the negotiation

of commercial leases at atomic energy communities, and for other purposes; and

H. J. Res. 501. Joint resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2772. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in England in 1957; and for other purposes; and

S. 3272. An act to amend section 205 of the Flood Control Act of 1948 to increase and make certain revisions in the general authorization for small flood-control projects.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on July 5, 1956, present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 877. An act for the relief of Mrs. Rose Amoresano and her children;

H. R. 1072. An act for the relief of Clyde M. Litton;

H. R. 2267. An act for the relief of Morton J. Krakow;

H. R. 3960. An act for the relief of Maria del Carmen Gago Santana;

H. R. 4031. An act to consider residence in American Samoa or the Trust Territory of the Pacific Islands by certain employees of the governments thereof, and their dependents, as residence in the United States for naturalization purposes;

H. R. 4141. An act for the relief of Vivencio Fernando Raymundo, Bienvenida Raymundo, Lolita Raymundo, Agnes Raymundo, Henry Raymundo, and Fred Raymundo;

H. R. 4652. An act to authorize the Secretary of the Treasury to transfer certain property to the Panama Canal Company, and for other purposes;

H. R. 4851. An act for the relief of the Kelmoor Fox & Fur Farm, Inc.;

H. R. 5041. An act for the relief of Mrs. Margaret Dows Thyberg;

H. R. 5147. An act to change the distribution of Coast and Geodetic Survey charts;

H. R. 5522. An act for the relief of the Florida State Hospital;

H. R. 5526. An act for the relief of Mrs. Kathryn M. Baker;

H. R. 5635. An act for the relief of Dr. Wolodymyr Fadyniak and others;

H. R. 5657. An act to allow the use of certain property in Volusia County, Fla., for civil-defense purposes without payment of compensation to the United States;

H. R. 5690. An act for the relief of Camp Kooch-i-ching;

H. R. 6029. An act for the relief of Robert D. Grier (individually, and as executor of the estate of Katie C. Grier) and Jane Grier Hawthorne;

H. R. 6245. An act to authorize the Panama Canal Company to convey to the Department of State an improved site in Colón, Republic of Panama;

H. R. 6643. An act to amend the reclamation laws to provide that excess lands acquired by foreclosure or inheritance may receive water temporarily for 5 years;

H. R. 6850. An act to create an academic advisory board for the United States Merchant Marine Academy;

H. R. 7426. An act to ratify and confirm Act 249 of the Session Laws of Hawaii, 1955, as amended, and to authorize the issuance of certain highway revenue bonds by the Territory of Hawaii;

H. R. 7732. An act to amend section 402 (c) of the Federal Food, Drug, and Cosmetic Act, with respect to the coloring of oranges;

H. R. 7811. An act to amend the Canal Zone Code by the addition of provisions relative to the registration of architects and professional engineers, and the regulation of their practice;

H. R. 8385. An act to transfer certain responsibilities of the Secretary of the Interior to the Public Housing Commissioner and the Secretary of Agriculture, and for other purposes;

H. R. 8452. An act to authorize and direct the conveyance of certain tracts of land in the State of Mississippi to Richard C. French, Lewis M. French, and Ruth French Hershey;

H. R. 8552. An act to authorize the Secretary of the Navy to grant to the town of Chincoteague, Va., permanent easements on certain lands for the purpose of taking subterranean water;

H. R. 9768. An act relating to general obligation bonds of the Territory of Hawaii amending Public Laws 640 and 643 of the 83d Congress (68 Stat. 782, ch. 889, and 68 Stat. 785, ch. 892), and ratifying certain provisions of Act 273, Session Laws of Hawaii, 1955, which authorizes issuance of public improvement bonds for schools in the city and county of Honolulu and the county of Hawaii;

H. R. 9769. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue general obligation bonds;

H. R. 9828. An act to transfer 600 acres of public domain to the Kanosh Band of Indians, Utah;

H. R. 10230. An act to amend sections 3526 and 3528 of the Revised Statutes relating to the coinage of subsidiary silver coins and minor coins of the United States;

H. R. 10441. An act to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to restrict its application to insurance which has been in effect 6 months at the time benefits are sought under such act;

H. R. 10504. An act to allow a homesteader settling on unsurveyed public land in Alaska to make single final proof prior to survey of the lands;

H. R. 10535. An act to include the present area of Zion National Monument within Zion National Park, in the State of Utah, and for other purposes;

H. R. 11027. An act to amend title VII of the Merchant Marine Act, 1936, as amended, to provide for experimental operation and testing of vessels owned by the United States;

H. R. 11127. An act to clarify the law relating to the grant of certain public lands to the States for school purposes;

H. R. 11499. An act to amend the Texas City Disaster Claims Act;

H. R. 11558. An act to relinquish any right, title, and interest which the United States may have in and to certain land located in Forrest County, Miss., in order to clear the title to such land;

H. R. 11802. An act to continue the effectiveness of the act of December 2, 1942, as amended, and the act of July 28, 1945, as amended, relating to war-risk hazard and detention benefits until July 1, 1957;

H. J. Res. 592. An act for the relief of certain aliens;

H. J. Res. 605. An act for the relief of certain aliens; and

H. J. Res. 611. An act for the relief of certain relatives of United States citizens.

ADJOURNMENT

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 49 minutes p. m.) the House adjourned until tomorrow, Saturday, July 7, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2040. A communication from the President of the United States, transmitting a proposed appropriation in the amount of $964,200 for the fiscal year 1957 for the Department of State (H. Doc. No. 440); to the Committee on Appropriations and ordered to be printed.

2041. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders entered in the cases where the authority contained in section 212 (d) (3) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to section 212 (d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2042. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, relative to a letter dated June 6, 1956, relating to the case of Irving Wayne, or Izzy Wayne, for consideration of application for advance permission to enter the United States under section 212 (d) (3) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2043. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders entered in cases of aliens who have been found admissible into the United States, pursuant to section 212 (a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2044. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Farm Credit Administration for the fiscal year ended June 30, 1955, pursuant to Budget and Accounting Act, 1921 (31 U. S. C. 53), the Accounting and Auditing Act of 1950 (31 U. S. C. 67), the Government Corporation Control Act (31 U. S. C. 841), and the Agricultural Marketing Act (12 U. S. C. 1141i) (H. Doc. No. 441); to the Committee on Government Operations and ordered to be printed.

2045. A letter from the Comptroller General of the United States, transmitting a report on the audit of Federal National Mortgage Association for the fiscal year ended June 30, 1955, pursuant to the Government Corporation Control Act (31 U. S. C. 841) (H. Doc. No. 442); to the Committee on Government Operations and ordered to be printed.

2046. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Army industrial fund, Picatinny Arsenal, Ordnance Corps, Department of the Army, for the fiscal years ended June 30, 1954 and 1955; to the Committee on Government Operations.

2047. A letter from the Comptroller General of the United States, transmitting a report on the Army industrial fund, Pine Bluff Arsenal, Pine Bluff, Ark., Department of the Army, for the period July 1, 1952, to June 30, 1955; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRAZIER: Committee on the Judiciary. House Joint Resolution 546. Joint resolution to amend the act of August 20, 1954, establishing a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton; with amendment (Rept. No. 2631). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURLESON: Committee on House Administration. H. R. 12119. A bill relating to clerk hire of Members of the House of Representatives; without amendment (Rept. No. 2632). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H. R. 525. A bill to amend section 22 of the Interstate Commerce Act, as amended, and for other purposes; without amendment (Rept. No. 2633). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS: Committee on Interstate and Foreign Commerce. H. R. 11969. A bill to require certain safety devices on household refrigerators shipped in interstate commerce; with amendment (Rept. No. 2634). Referred to the House Calendar.

Mr. BLATNIK: Committee on Public Works. H. R. 11477. A bill to authorize the construction of certain works of improvement in the Niagara River for power and other purposes; without amendment (Rept. No. 2635). Referred to the Committee of the Whole House on the State of the Union.

Mr. PASSMAN: Committee on Appropriations. H. R. 12130. A bill making appropriations for Mutual Security for the fiscal year ending June 30, 1957, and for other purposes; without amendment (Rept. No. 2636). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 583. Resolution for consideration of H. R. 12130, a bill making appropriations for Mutual Security for the fiscal year ending June 30, 1957, and for other purposes; without amendment (Rept. No. 2637). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HALEY:

H. R. 12127. A bill to authorize the Secretary of the Interior to charge for special services to purchasers of timber from Indian lands; to the Committee on Interior and Insular Affairs.

By Mr. PELLY:

H. R. 12128. A bill to establish a system for the classification and compensation of scientific and professional positions in the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of New Jersey:

H. R. 12129. A bill to provide for the establishment of a Federal Advisory Council on the Arts, and for other purposes; to the Committee on Education and Labor.

By Mr. PASSMAN:

H. R. 12130. A bill making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

By Mr. REED of New York:

H. R. 12131. A bill to amend the definition of head of household for Federal income-tax purposes; to the Committee on Ways and Means.

By Mr. DAVIDSON:

H. J. Res. 674. Joint resolution to establish the 12th day of April as National Health Day; to the Committee on the Judiciary.

By Mr. PRIEST:

H. J. Res. 675. Joint resolution designating the period beginning October 22, 1956, and ending October 27, 1956, as National Transportation Week; to the Committee on the Judiciary.

By Mr. RAY:

H. J. Res. 676. Joint resolution to authorize the Secretary of Commerce to sell certain warbuilt vessels; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COUDERT:

H. R. 12132. A bill for the relief of Drake America Corp.; to the Committee on the Judiciary.

By Mr. FINO:

H. R. 12133. A bill for the relief of Mrs. Rosario Greco Garritano; to the Committee on the Judiciary.

By Mr. HALLECK:

H. R. 12134. A bill for the relief of Efmorphia Nikolaidou; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 12135. A bill for the relief of Mr. Moisze Karp; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 12136. A bill for the relief of Ding Lee; to the Committee on the Judiciary.

By Mr. SISK:

H. R. 12137. A bill for the relief of Toshitaka Yamauchi; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

1188. Mr. BRAY presented a petition of 40 persons of Monroe County, Ind., in support of H. R. 4627, a bill to to prohibit the advertising of alcoholic beverages in interstate commerce, which was referred to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Better Living Under President Eisenhower

EXTENSION OF REMARKS

OF

HON. CLIFTON (CLIFF) YOUNG

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 6, 1956

Mr. YOUNG. Mr. Speaker, partly as an outgrowth of the great depression, the Federal Government—and, in fact, government at all levels—has assumed a degree of responsibility for the economic and social well-being of the individual not envisioned by our Founding Fathers. The Eisenhower administration has placed this enlarged responsibility in proper balance and focus and has given it life through a program of action.

The most significant landmark of action in the changed concept of the Federal Government's role in the field of social welfare was the establishment of the Department of Health, Education, and Welfare, one of the first accomplishments of the Eisenhower Republican administration. By this action the everyday human problems of health, education, and welfare were given Cabinet status. Significantly, this was the first new executive department to be created in 40 years.

The Eisenhower administration's emphasis on people and human values has been marked by a concentrated drive to strengthen and expand Federal-State activities for the improvement of the health, education, and the social and economic security of the individual. This has been done in a manner which has sought to encourage individual self-reliance without fostering a spirit of dependence on government.

From the earliest days of the Eisenhower administration, a persistent effort has been made to secure more funds for the most important activities which were brought into the new Department of Health, Education, and Welfare. In fiscal 1957 the administration sought a 24 percent increase in the Department's appropriations. This included $450 million for programs provided for by new legislation. The Department sought these additional funds in order to strengthen its activities and provide for new or improved research in every field within its responsibility.

The Eisenhower administration has asked Congress for the largest increase in funds for medical research ever recommended in any one year—some $27 million. Much of this money will be used to expand the activities of the National Institutes of Health, the principal medical research activity of the United States Government. Another goodly portion of these additional funds will increase the Federal Government's grants to medical schools, hospitals, health agencies, and skilled scientists for the conduct of medical research.

The administration has proposed a new program of Federal grants-in-aid to medical schools and other nonprofit research institutions for the construction of additional research and teaching facilities. This proposed program would cover a 5-year period and calls for Federal grants totaling $250 million. These grants would have to be matched by the recipient institutions.

Passed by the Senate and still pending in the House is the Eisenhower administration's request for legislative authority to expand and improve its programs for the training of practical nurses, professional nurses, and public health personnel. This authority, if granted, would set in motion a procedure to provide more personnel in the nursing field, and to release doctors and other skilled

medical personnel to duties which more efficiently use their higher skills.

The administration has opened a determined attack on mental illness by its request for authority from the Congress to establish a system of grants-in-aid to finance special demonstration projects to develop improved methods for caring for the mentally ill. This program will set in motion a new Federal-State assault on one of the Nation's most vexing health problems.

In the field of education, the Eisenhower administration sought $6 million for operating expenses for the Office of Education in fiscal 1957—an increase of about $3 million over fiscal 1956. These additional funds would expand the services of the Office of Education and would provide a far-reaching program of cooperative educational research. The objective is to throw light on the problems which have been retarding the progress of education in America.

The Eisenhower administration has proposed that the Congress authorize a program of Federal assistance for school construction. This program is one which would encourage greater school building efforts by States and local communities. It would distribute Federal funds where the needs are greatest and the financial resources are weakest. The program guarantees against Federal interference in the conduct of our public school system. It would authorize the use of Federal funds in such a manner as to avoid creating a political pork barrel.

In the area of social security, the Eisenhower administration requested and received from the Congress in 1954, an increase in social-security benefits for everyone covered by the system. In addition, social-security protection was extended to some 10 million workers not theretofore covered. The system is being operated with commendable efficiency and further expansion and improvement in the program that is being sought by the Eisenhower administration.

The Eisenhower administration, from its first days in office, has sought ways and means of reducing the cost of medical care to the individual. A request for legislative authority designed to encourage the expansion and improvement of private voluntary health insurance programs is pending before the Congress. This proposal seeks to improve the benefits of private health insurance and thus to encourage more individuals to secure such coverage. It proposes to do this without putting the Government in the insurance business.

The Eisenhower administration has been seeking authority to authorize a system of grants to strengthen and improve State and local programs to control and reduce juvenile delinquency. A concerted Federal-State-local attack on this problem is envisioned.

An increase in funds has been recommended for enlarged Federal grants for basic child-welfare services. This request includes a suggestion that the law be amended to allow the use of child-welfare funds wherever they are needed. The law, as it now stands, restricts the use of such funds largely to rural areas.

The vocational rehabilitation amendments sponsored by the Eisenhower administration, which became law in 1954, expanded and improved the Federal vocational rehabilitation program and provided more funds, more facilities, more research, and more training for skilled personnel. This new emphasis is already bringing about a steady increase in the number of persons who are conquering physical handicaps and returning to productive lives.

The Eisenhower administration is sparking a national "employ-the-older-worker" program. In 1954, there was created in the Department of Labor, a "Committee on the Older Worker." On April 2, 1956, President Eisenhower established a Federal Council on Aging to coordinate the interdepartmental policies and programs of the Federal Government concerned with the problems of older people. A Federal-State Conference on Aging was held in June 1956, to bring together some 250 State and Federal officials concerned with the problems of older people. Thus, the Federal Government, through a program of cooperation with the States and with private individuals and institutions, is leading an assault on age barriers to employment and the other special problems of older persons, including health and housing.

The healthy economic climate, which has been fostered by the Eisenhower administration, has produced a rising level of life in America. This, when added to sincere interest in the social well-being of the individual, is providing a more satisfying life for the American people.

The Late Harley M. Kilgore

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, July 6, 1956

Mrs. KEE. Mr. Speaker, Monday the Members of the United States Senate will pause from their important legislative duties to pay fitting, appropriate, and justly due tribute to the memory of two outstanding late Members of the United States Senate—former Vice President Alben Barkley, and the late United States Senator, Harley M. Kilgore, of West Virginia.

On February 28, 1956, our dearly beloved and highly respected counselor and friend, Harley Kilgore, was called to join his Father in the land of rest and peace.

While I am not capable of adequately paying just tribute to the memory of this illustrious West Virginia son, who has done so very much for all of us, I pause for this moment of respect to our tried and true friend.

Time being the great healer it is, the first shock of grief has passed since Harley Kilgore raised his voice for the last time in the United States Senate Chamber. However, the emptiness is still here. Every true son and daughter of West Virginia still feels a great sense of loss at the passing of this great American. The word "great" is used advisedly, for no man has labored more valiantly for the principles of this Nation than our late beloved friend, Harley Kilgore. His outstanding leadership and his accomplishments were a tremendous source of inspiration to all who new him.

Because of his proven ability, the senior statesmen of our country often turned to Harley Kilgore for sage counsel. Now that leadership and counsel are missing, never to be completely replaced.

While our personal loss has been overwhelming, while the loss to our home State of West Virginia, our Nation and the freedom loving people the world over has also been great, I know that we are each and every one better off because of the life and work of Harley Kilgore. He was extremely fortunate in that he enjoyed the comfort of a wonderful wife who did so much to help him along the way. Mrs. Kilgore is a lovely, charming, intelligent, and understanding lady who was always by Harley's side and anxious to do everything possible to help him.

Senator Kilgore's son Bob, and his daughter Eleanor, were the most loyal children a man could have. Their children, the Senator's grandchildren, were the refreshing joy of his life.

Equally comforting for us to know, the Senator had the satisfaction of knowing the full meaning of the words, "Well done, thou good and faithful servant."

Harley Kilgore was a modest man, never one for too much talk. He believed that a man was as he did, not as he said. There stand many monuments to him today in our home State of West Virginia. They are not of marble nor of bronze. These monuments are living flesh and blood—young men and women whom he helped to find their way into a productive role in society. As long as he lived, he believed that the greatest gift of mankind was its youth, and with that thought as his guide, he lived a full and useful life under God with His Divine help and inspiration.

When Harley Kilgore passed away, the world lost a leading statesman, the Congress lost an outstanding Senator of experience and proven ability, and West Virginia lost a great Christian leader, an impartial jurist, a powerful spokesman and a compassionate son.

In closing, Mr. Speaker, may I say that I strongly feel that it is up to us to redouble our efforts, to do our job better, in order to justify the friendship Harley Kilgore so generously gave to each of us.

Educational Benefits to World War II and Korean War Veterans

EXTENSION OF REMARKS
OF
HON. TORBERT H. MACDONALD
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, July 6, 1956

Mr. MACDONALD. Mr. Speaker, on June 26, 1956, I introduced a bill to amend Public Law 346, 78th Congress, and Public Law 550, 83d Congress, which

laws grant, among other things, educational benefits to World War II and Korean war veterans.

I stated at the time that certain deficiencies in these two laws should be corrected at once. Also, I pointed out that these deficiencies came to light early this year when a Senate subcommittee investigating the Communist ownership of GI schools, discovered that under existing provisions of these laws the Veterans' Administration was required to expend Federal funds for tuition of veterans attending schools which are Communist-owned. In fact, over $3 million was paid out by the Veterans' Administration to four schools, which were the subject of the subcommittee hearings, and which, because of Communist connection, should be ineligible to participate in the veterans' training program.

The bill I introduced—H. R. 11955—was a companion bill to S. 4078 introduced by Senator McCLELLAN and all the members of his Senate Permanent Subcommittee on Investigations.

In essence, the bill would require private schools, below the college level, which are training veterans or seeking approval to train veterans, to submit to the Administrator of Veterans' Affairs affidavits signed by the owner or owners and by the members of the governing body that he is not and never has been a member of the Communist Party or any organization that believes in or teaches the overthrow of the United States Government by force or by illegal unconstitutional methods.

Mr. Speaker, I would like to take this opportunity to bring to the attention of my colleagues a very illuminating editorial which appeared in the Washington Evening Star, under date of July 2, 1956, written by one of the very distinguished journalists, Mr. David Lawrence. As is customary with Mr. Lawrence, he not only expresses his thoughts in a clear and persuasive manner, but documents his observations with facts.

Mr. Lawrence's editorial should be read by every Member of Congress. It will remind us of our responsibilities in the field of education. It will also call to our attention what I believe to be a dereliction of duty on the part of the Veterans' Administration. For a period of 9 years the Veterans' Administration failed to recommend corrective legislation or at least apprise Congress of the deficiencies of these laws. It resulted in an inexcusable expenditure of Federal funds in support of Communist-owned schools. It is for this reason that I joined Senator McCLELLAN and his colleagues in introducing legislation to correct this situation.

The editorial follows:

VETERANS' ADMINISTRATION INACTION—$3 MILLION OF TAXPAYERS' MONEY PAID TO COMMUNIST-OWNED SCHOOLS

(By David Lawrence)

The United States Government used more than $3 million of taxpayers' money from 1946 to 1952 to pay for the education of war veterans in four schools owned wholly or in part by members of the Communist Party.

This conclusion was reached by the Senate's Permanent Subcommittee on Investigations, of which Senator McCLELLAN, of Arkansas, is chairman.

Clumsy administration in the veterans' agency in those years and, to some extent, lack of alertness on the part of State agencies which had approved the schools were responsible for the situation.

More than $2 million in Federal funds were expended to a private high school in New York City that had in it many pro-Communist teachers, but the bulk of the veterans were trained at the school even after the Veterans' Administration was aware that it was Communist-dominated.

The Senate committee has called for new legislation by Congress to prevent any further Federal support of Communist-owned schools. It is apparent that some of the existing laws are inadequate to take care of the situation.

Most significant in the subcommittee's report—which, incidentally, is unanimous—is the statement made concerning the importance of confidential informants. The subcommittee does not reveal just what handicaps the investigating agencies of the Government may have been under in connection with the ascertainment of the facts concerning the influence of the Communists in the schools, but the subcommittee says:

"These hearings have served to re-emphasize to this subcommittee the important contributions that may be made by confidential informants to the exposure of the Communist conspiracy before the courts and congressional committees. To this end they have made extreme sacrifices of which the American public generally is unaware.

"It is to be expected that Communists and Communist sympathizers will lauch smear campaigns against these former party members who have a unique knowledge of the real purposes of the Communist Party, U. S. A. However, the subcommittee is particularly disturbed by a recent increase in similar unjustified attacks from misguided quarters avowedly anti-Communist. By such activities they are either unwittingly or deliberately promoting Communist causes.

"The result of such attacks has been an increasing reluctance on the part of former members of the Communist Party or undercover agents to testify in courts or before congressional committees. This Government is thus being deprived of its best source of facts concerning an organization dedicated to its overthrow by unconstitutional means.

"It is of interest that those groups attacking informants are not heard from when informants on non-Communist matters are involved.

"The very nature of the Communist conspiracy has always rendered its exposure exceedingly difficult. Now that the party has gone underground, that difficulty has greatly increased, necessitating an even greater dependence on confidential informants within the party in order to keep abreast of its activities and at appropriate times to publicly expose its real objectives.

"Reckless and unjustified attacks against all confidential informants and their use by our Government are strongly condemned by this subcommittee. They accomplish nothing except the rendering of assistance to the Communist Party.

"This subcommittee is firmly opposed to the expenditure of Federal funds for institutions owned or controlled by Communists."

Maybe the Justices of the Supreme Court who inveighed against confidential informants in one of their decisions recently will read what the Senate subcommittee has just said on the subject.

The subcommittee, incidentally, points out that, under existing laws, the Veterans' Administration "did not have and does not have legal authority to discontinue payment of Federal funds to schools reliably reported as Communist owned." But the Senators point out nevertheless that the Veterans' Administration "was on notice as early as 1946 of the deficiencies in this area" of public law.

The criticism of the Veterans' Administration is phrased this way:

"For a period of over 9 years, the Veterans' Administration failed to recommend corrective legislation or at least apprise Congress of the deficiencies of these laws. Such inaction is strongly condemned by this subcommittee. It resulted in an inexcusable expenditure of Federal funds in support of Communist-owned schools."

It is interesting to note that the new bill to correct the situation is sponsored by the full membership of the subcommittee, which means Democrats as well as Republicans.

Excerpts From Speech of Representative Hugh Scott, of Pennsylvania, Present General Counsel and Former Chairman, Republican National Committee, at the 47th Annual Convention of the National Association for the Advancement of Colored People, San Francisco, Calif., June 29, 1956

EXTENSION OF REMARKS

OF

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 6, 1956

Mr. SCOTT. Mr. Speaker, under leave to extend my remarks I would like to insert the following speech in the RECORD:

EXCERPTS FROM SPEECH OF REPRESENTATIVE HUGH SCOTT, OF PENNSYLVANIA, PRESENT GENERAL COUNSEL AND FORMER CHAIRMAN, REPUBLICAN NATIONAL COMMITTEE, AT THE 47TH ANNUAL CONVENTION OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, SAN FRANCISCO, CALIF., JUNE 29, 1956

I intend here to contrast the Republican record of 3 years of promises kept with 20 years of Democrat deceit, doubletalk, and demagoguery.

Just the facts, ladies and gentlemen, just the facts.

The Republican Party of 1956—the party of peace, prosperity, and progress—is also the party of performance within the area of its pledges.

As Americans we are blessedly fortunate to be living in peaceful, prosperous days—days that are better than the "good old days" that never really were—and we are living in days when the last barriers to the fullest freedom for every single American are crumbling away, are falling down.

How did this happen? What happened to one of the political parties—the Republican Party—where in the past on the Washington level both parties had looked the other way in the face of injustice, discrimination and second class citizenship?

What happened? The times cried out for a man to really lead us all to face the facts: that freedom isn't freedom unless it's freedom all the way—for everybody. We found that man in President Eisenhower.

He said in 1952: "In a time when America needs all the brains, all the skills, all the spiritual strength and dedicated service of its 157 million people, discrimination is criminally stupid. I pledge to devote myself toward making equality of opportunity a living reality for every American. There is no room left in America for second-class citizenship for anybody."

Nearly 4 years have passed. The Republican Party has quickened its pace, faced its

responsibilities, kept its promises, and became the first political party in this century to do important things as a united party to roll up a genuinely good record of things done in the area of civil rights.

The Democratic Party is still split hopelessly—its candidates frantically wearing two faces for purposes of geographical interchangeability, its Congress in control of the southern Do-Naught-Crats. Some of its committees, such as Education and Labor, do not dare to hold meetings for fear of the specter of civil rights. And when such meetings are held, on rare occasions, civil-rights proposals are filibustered to extinction by southern Democrats.

Their candidate, Mr. Stevenson, is so afraid of losing the vital support of the Talmadge-Eastland bloc in the Democratic committee that he proposed on February 12 (Lincoln's Birthday) in Portland, Oreg., that the desegregation issue be removed from the campaign. He was already in hot water for pussyfooting in California, where on February 7 he told a Negro audience in Los Angeles that if he became President he would not deprive segregated schools of Federal funds. He also ducked interposition by saying he didn't understand it. He then topped off his speech by offering a target date for integration of January 1, 1963. I quote him: "Government power should be used only to the extent that the public will support such use. I favor a cautious temperate approach to the whole problem."

Instead of helping him, these and other west-coast statements of Stevenson drew the fire of Roy Wilkins, your executive secretary, who felt Mr. Stevenson had already put the question of civil rights into the campaign himself by calling for gradualism and a target date of January 1, 1963, for its termination.

So at Timberline Lodge, Oreg., on February 13, Mr. Stevenson was very hurt and registered surprise that Roy Wilkins or any Negro leader would charge him with advising Negroes not to claim their rights or to do so gradually. This is what he said: "I have never suggested * * * I agree with Mr. Wilkins that 'this problem can be solved by good will, good deeds, and with understanding and forbearance.' That is exactly what I have been saying." Mr. Wilkins used those words in his comment, but he also called for "determination to obey the law." Mr. Stevenson very adroitly left this part of the Roy Wilkins statement out. Nor did he comment on this part of Mr. Wilkins' speech: "The Negro himself is American enough to resent and reject the suggestion that any American should refuse to claim those rights which have been declared to be his under the Constitution."

George Meany, president of the new AFL-CIO joined with Mr. Wilkins. He felt Mr. Stevenson is running away from the school segregation question. Meany said he favored patience in letting States gradually desegregate so long as they made continuing planned progress in that direction, but Stevenson's position seemed to favor "postponing things forever, and that's nonsense to me." I might note that Mr. Meany's position is that of the Supreme Court. It is also the position of President Eisenhower and the only lawful way under the Court's decision.

Mr. Stevenson, whose solution for ending the Korean war was: Patience and negotiation and whose solution for civil rights is to postpone the whole thing for 7 years (that is, until the eve of the 1964 presidential campaign) hopes to befuddle the whole problem of civil rights until he can plump into his basket the delegates from northern cities and southern citizens councils.

With this odd combo he plans to skid by the hard issues, doubletalk himself out of the tough question of what he would do, and hopes to come across the line first.

If he should—which God forbid—who would he owe his election to, if not to the southern governors and their delegations who alone can now make possible his selection as nominee?

Would Stevenson, as President, do anything for the Negro citizen? Anything for civil rights? Or would he keep his promise to you to postpone the whole problem for 7 years until July 4, 1963?

Stevenson counts on you to lie down and take it while he gets in bed with those who would deny you the full rights of free citizenship. He figures that you voted for him before and that you will again—so he dares to risk a virtual sellout to the segregationists.

Paraphrasing Mr. Churchill: "What kind of people does he think you are?"

Now, let's turn to a much brighter picture.

While Stevenson was forgetting you for 4 years and postponing you for 7 more, what was the record on civil-rights progress in Washington?

There President Eisenhower and the Republicans blazed new trails, set up new recognition for you and for all Americans, regardless of color.

Here are some of the things we Republicans achieved which had never been accomplished by the Democrats:

The first action of the President of the United States was to put his own immediate house in order, by which I mean the executive department. There, by precept and example he showed the way to others responsible for decent government. He established a long series of firsts, including the first Negro administrative assistant to the President, the first Negro secretary in the office of the Assistant to the President, the first invitations to stag dinners of Negroes in substantial numbers. These may seem to be small things in themselves, but they had not happened before, and they set the climate and the atmosphere and indicated the direction in which the new administration intended to move.

Moreover, in the armed services the abolition of practices of segregation were completely eliminated, a process which had begun in an earlier administration but the vast burden of which had been assumed by the present administration in carrying to completion provisions for the elimination of all segregated responsibilities involving the difficult problems in human relations concerned in the integration of such areas as the Norfolk and Charleston, S. C., Naval Bases, which bases are the principal industries in those communities. The impact of this action and of similar action elsewhere has been tremendous in its effect on community relations. This administration has also abolished segregation in all Federal facilities, and in the District of Columbia a notable example is found in the Thompson Restaurant case which opened up the restaurants and hotels upon a completely integrated base. The nature of the job involved in ending segregation in the District of Columbia may be illustrated by the fact that 84 separate executive operations were required in order to end segregation in each and every separate branch and subdivision of the District Government. This was a monumental task which had never before been even attempted.

Furthermore, this administration found 2½ years ago that 47 hospitals operated by the Veterans' Administration were segregating veterans according to color. Today not one hospital under the Veterans' Administration is segregated. And this administration believes and has put into practice its belief that those who fought in our wars together are entitled to equal medical and hospitalization facilities wherever Federal moneys are spent.

Today, under this administration no new construction can take place on airports if such contracts have been placed on a segregated basis. The President's Committee on Government Contracts has functioned as an action committee under the leadership of Vice President NIXON, Secretary of Labor Mitchell, John Roosevelt, and with the cooperation and guidance of such prominent figures as George Meany and Walter Reuther. This Committee enforces the nondiscrimination clauses in Government contracts. In addition the President's Committee on Government Employment Policy is actively operating to end discrimination and discriminatory practices in Government itself. The good faith shown by the Department of Justice in the prosecution of cases for the Government such as the Thompson Restaurant case and the school segregation case for both of which the NAACP worked tirelessly, are the direct result of the announced policy of President Eisenhower.

We Republicans are proud, too, of the request of Attorney General Brownell for workable civil-rights legislation. This legislation provides for the establishment of a bipartisan Commission on Civil Rights, with power of subpena, to investigate racial tensions and the establishment of a separate Civil Rights Section in the Department of Justice under a full-time Assistant Attorney General.

The bill (of which I am one of the three authors in the House of Representatives) also provides for important changes in "right to vote" laws:

1. Addition of a section which will prevent anyone from threatening, intimidating, or coercing an individual in the exercise of his right to vote, whether claiming to act under authority of law or not, in any election, general, special, or primary, concerning candidates for Federal office.

2. Authorization of the Attorney General to bring injunction or other civil proceedings on behalf of the United States or the aggrieved person in any case covered by the statute.

3. Eliminate the requirement that all State administrative and judicial remedies must be exhausted before access can be had to the Federal courts.

That legislation has been delayed, first by Democrat filibustering in the Judiciary Committee, then by Democrat delays in the Rules Committee (where all Republicans favor the bill and one-half the Democrats oppose it bitterly).

This is in keeping with the Democrat record; although in control of Congress for 22 out of the last 26 years, they never acted on a single civil-rights bill—not even in the 75th Congress where northern Democrats greatly outnumbered southern Democrats.

In very sober truth, remember this: A vote for the Democrats this year in San Francisco, Los Angeles, Chicago, New York, Philadelphia is a vote for a southern Democrat control of Congress, it's a vote for the Democrat control of the House Rules Committee where civil rights bills get the suffocation treatment.

And a vote for any Democrat in a Federal election is a vote for EASTLAND.

Your votes furnished the margin in 1954, in all probability, which put the southern Democrats in control of the committees where the laws you want die on the vine.

You forged the iron for the very beartraps set out to slow you down.

Will you do it again?

Will you vote to keep EASTLAND on top of the Judiciary Committee?

A vote for Stevenson will fix your feet for 4 years more.

Will you do it?

I sincerely hope you won't.

If you cast a Democrat ballot, that choking sensation you feel will be you strangling yourself.

I hope you will turn to the party which, at this time in our history, has advanced your progress and the progress of all Americans, economically to new heights, politically to new horizons.

These words of President Eisenhower on April 17, express our position in this day of stress. "* * * The Republican Party must

be inspired by a concern that comprehends every American; that sets up no walls of birth or creed or party; that ranks all men and women of decency and good will equal in their dignity. Under God, we espouse the cause of freedom and justice and peace for all people."

Thanks to the decency and the inherent goodness in the character of President Eisenhower, his administration has registered the greatest advance for the rights of racial minorities since the Emancipation Proclamation itself. Nor has his administration sought to postpone consideration of this question or of its many difficult phases. The time to meet injustice is not on July 4, 1963 because it happens to be the 100th anniversary of the Emancipation Proclamation. The time to meet injustice, the time to oppose evil with good, constructive, honest legislation is not at any time in the future.

The time is now.

Memorial Day Address by Hon. George A. Dondero, of Michigan

EXTENSION OF REMARKS
OF
HON. JAMES M. QUIGLEY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, July 6, 1956

Mr. QUIGLEY. Mr. Speaker, under leave to revise and extend my remarks I include the text of a speech made by our colleague, the Honorable GEORGE A. DONDERO, at the annual Memorial Day ceremonies at Gettysburg National Cemetery:

MEMORIAL DAY AT GETTYSBURG 1956

This is Memorial Day. It is a day of memories.

Americans everywhere around the world gather reverently as we do here at Gettysburg today, to honor the Nation's dead. Their dust remains an inspiration to their countrymen.

Because of their sacrifice, on the Capitol Building at Washington—kissed by the sun of day and watched by the stars at night—waves the unconquered flag of your land and mine.

The struggle for freedom never ends. It was purchased with blood. It must be preserved by devotion. So Memorial Day is a day of honor, a day of remembrance, a day of reckoning, a day of accounting and above all a day of high resolve. We resolve anew today "that these dead shall not have died in vain" and with the help of God, who has never foresaken this favored land, we shall maintain our high resolve through future generations.

If the time should ever come when we no longer remember what brave men and women, living and dead, have done for us, in that day our Republic will no longer deserve preservation.

No one can stand on the battlefield of Gettysburg, on this spot, on this day and in this hour of history without a deep sense of humility. Here was fought one of the greatest and most significant battles of all time. Here were spoken from a page and a half of ordinary ruled paper the lines of an address that has never been surpassed on American soil. To me it has always seemed a near miracle that a man with President Lincoln's limited education, whose invitation to come here to make "a few appropriate remarks" was an afterthought, and whose educational opportunities were so meager, could produce such a gem of English literature as the Gettysburg Address. Many years ago I asked Robert Lincoln, the President's son, the extent of his father's education, and he replied: "Father did not have anything to start with and hardly went to school at all." Lincoln's lines not only gave mankind the essence of the meaning of the struggle then being waged but also serve in this hour and for all ages as a prayer of deliverance for all people.

Abraham Lincoln the man, Gettysburg the place, and the soldier dead were the occasion for the ceremony on November 19, 1863. These combined to create for the free world an eternal light in man's unending struggle for the happiness God intended him to possess. Here at Gettysburg representative government ceased to be an experiment of 4 score and 7 years. The battle and the speech gave it the stature of perpetuity. Today, 4 score and 13 years later, Lincoln's question, "whether this Nation or any nation conceived in liberty can long endure," has again been tested in the crucible of war and answered affirmatively at least for our day.

The circumstances dedicating this burial ground take on a shining luster and a sublime grandeur from the complete absence in the spirit of Lincoln's Address of any note of hostility. It is weighted with the tragedy of the event and the whole war. It broods over the hero dead as though on both sides they had fought for the clarification of a great deal and perished to realize it.

Great utterances have been delivered in many places down through the centuries. This one had the singular gift of expressing the basic meaning of the United States, in the noblest language, at a moment of deep national bereavement, by an American President forever stamped as typical, and whose entire life work is summed up in these compactly beautiful sentences of that short oration. Never in the history of literature was so much said, so wisely, in so few words.

We know now that the address was not written on the back of an envelope, nor was it the inspiration of the moment. We know it represented the deepest soul searching of a profound and thoughtful President putting into 3 minutes of the spoken word what he had been thinking about for many years. The longer he lived the greater was his faith in the freedom of man and the stronger his conviction that it must be preserved.

What we have in the Gettysburg Address is deep thinking expressed in simple language. Its infinite compassion, its dedication and its hope that "this Nation under God shall not perish from the earth" place it with the most sublime literature of the Hebrew prophets.

Whatever part of this Republic might be destroyed in a physical sense, its spiritual foundations, with these words, remain imperishable.

The real headline or top attraction of the Gettysburg dedication 93 years ago was not Abraham Lincoln at all, but perhaps the greatest of the great orators of that day. He was a former Member of Congress, former president of Harvard College, former Minister to Great Britain, former Secretary of State, former Governor of Massachusetts, and former United States Senator—the matchless Edward Everett. Yet the purest and most perfect prose was spoken not by the most educated American of his time who had attended temples of learning on two continents but by a most uncommon commoner from Illinois whose hands knew the feel of an axe handle and who hardly went to school at all. Yet the few "appropriate remarks" he was invited to deliver here stand forever as the symbol of our American philosophy of government.

There is still another circumstance equally challenging that holds us here today in this reverent hour of recollection and memorial.

"The world," said Lincoln with the humility of the lonely and the great, "will little note nor long remember what we say here, but it can never forget what they did here." Now 93 years after we find the Gettysburg Address as well as "what they did here" as much the living tradition of our country as the Declaration of Independence and the Constitution of the United States. Indeed I venture to suggest that we have to turn to the Bible and to our books of prayer to find words better remembered, more frequently quoted or vested with such moving spiritual force.

It was because of what was done here and precisely because of what was said here that we gather today to add our homage to the generations that before ours paid their tribute as will the generations that are to come after. Where we now stand is holy ground, a shrine as durable as man's love of freedom and as precious as his willingness to sacrifice life to maintain it.

We are rightly humble before the presence that watches over these sacred acres, and we should take as much as we can of inspiration from these surroundings for the tasks destiny has thrust upon us in an age where again freedom and slavery face each other in a world divided.

It may be that another American will in the decades to come add to the luster Abraham Lincoln gave to the American dream. It may be that another American taking his fire from the eternal light brought forth here will help mankind of a future day march to its hour of victory over the enemies of liberty. Perhaps we had less than 2 short years ago an approach to the Lincoln tenets of faith in the words of President Eisenhower, who stated on July 7, 1954, "I will not be a party to any treaty that makes anybody a slave."

Freedom has its life in the hearts, the actions and in the spirit of men. This we know as we meet today in commemoration and communion; a weapon touched by the finger of God was forged here by Abraham Lincoln, a weapon of the soul and of the heart that cannot be vanquished by any force so long as man lives.

We have been obliged to forge some dreadful weapons to preserve our heritage. But no weapon we have forged is as enduring, no weapon is as strong, no weapon so grips our inmost conscience as that weapon of the mind that Lincoln tossed to man, like a torch, on the field of Gettysburg in 1863.

Mr. Quinn Rides Again

EXTENSION OF REMARKS
OF
HON. B. CARROLL REECE
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Friday, July 6, 1956

Mr. REECE of Tennessee. Mr. Speaker, on June 16, 1955, I reviewed the writings of Mr. T. K. Quinn, who has frequently appeared before congressional committees dealing with the problem of monopoly and concentration of economic power—see CONGRESSIONAL RECORD, volume 101, part 7, page 8552.

My only concern with Mr. Quinn's economic theories stemmed from the fact that he has been a frequent witness before congressional committees, where he described himself as a former big business executive. He was supposedly giving the committees of the Congress an inside look behind the scenes. Accordingly, I wanted my colleagues to be in a position to properly evaluate his testimony. Whenever anyone presents proposals for changes in public policy he

must expect that they will be reviewed against his previous stated positions. I hold no personal animosity toward Mr. Quinn. My only concern is to protect our economy from unsound proposals.

I stated that Mr. Quinn's present dislike of large corporations arose from the failure of the Monitor Corp., which he formed after World War II. In reviewing his book, entitled "Giant Business: Threat to Democracy—the Autobiography of an Insider," I said:

This book for the first time reveals the basis for his present animosity toward big business. Immediately following the war, Mr. Quinn formed the Monitor Corp. to merchandise and distribute a diversified line of household appliances. The firms from whom he expected to purchase these appliances were unable to obtain sufficient steel, and it was necessary for the Monitor Corp. to be completely reorganized as a result of the failure of its suppliers to deliver appliances to it. I find that it was only after this occurred that Mr. Quinn remembered that he left General Electric 8 years before because of the reasons set forth in "I Quit Monster Business."

Mr. Speaker, the Monitor Corp., headed by Mr. Quinn, was not organized to be a small business. In an advertisement which appeared in the Saturday Evening Post of November 17, 1945, the Monitor Corp. described itself as "Sixty men and—the boy in the 7-league boots." "They selected not just one plant to build a whole line, but 24 plants each particularly suited to make one appliance.—They enlisted not just 1 but 24 research staffs, comprising a total of 148 engineers." The advertisement also stressed that the 24 plants employed 32,000 workers.

Fortune magazine in its issue of October 1945 described the formation of the Monitor Corp. as follows:

Next month a double-page 4-color splash in the Saturday Evening Post will signalize the launching of a new type of enterprise into the home-appliance field—a distributors' cooperative marketing a line of appliances produced to their order by 30 anonymous manufacturers. Whatever the venture's fate, it will add another lively episode to the history of its volatile organizer, Theodore Kinget Quinn, man of enthusiams, onetime youngest vice president of General Electric, erstwhile director-general of WPB's labor-management production drive (p. 279).

Last December Quinn announced the formation of Monitor Equipment Corp., to be served by Quinn as president and to be owned in equal parts by 60 home-appliance distributors. The company will sell, under the brand name Monitor, a new high-quality line of appliances complete from refrigerators to steam irons, from toasters to television sets, supplied under contract by a number of medium-sized manufacturers. The 60 participants whose combined territories blanket the United States include many for whom the word Monitor has pleasant associations: former General Electric distributors Rex Cole, of New York; L. H. Bennett, of San Francisco; L. H. Driscoll, of Charlotte; Beckett Electric, of Dallas. Quinn confidently predicts a sales volume of more than $100 million. His own hold on the project is insured through 51 percent stock ownership of T. K. Quinn Co., management consultants, to whom Monitor will pay one-half of 1 percent of the distributors' purchases for 20 years (p. 280).

Certainly Mr. Quinn expected to be operating a big business. According to Fortune, the T. K. Quinn Co.,, of which 51 percent was owned by Mr. Quinn, was to receive one-half of 1 percent of the distributors' purchases for 20 years. If a sales volume of $100 million had been achieved, Mr. Quinn's annual personal income, according to the Fortune article, would have been $255,000. The failure of the Monitor Corp. and the loss of this anticipated income, I still maintain, is responsible for Mr. Quinn's repeated attacks on not only big business, but our entire social structure.

In the Fortune story on the formation of the Monitor Corp., the article also said of Mr. Quinn:

Quinn, the economist, assails existing antitrust legislation as "mental windmills of outmoded competition" thoughtlessly designed to "prevent our economy from evolving naturally," and defends the "self-regulation" of industry as most important to the public interest. He talks a great deal about teamwork, fair dealing, and goodwill, and he is convinced all men must avoid hasty conclusions (p. 280).

Mr. Quinn's present insistence that the antitrust laws must be rewritten to curb big business obviously represents a complete change from the position he took when he wrote "Liberty, Employment, and No More Wars."

Mr. Speaker, Mr. Quinn has just written a new book entitled "Giant Corporations—Challenge to Freedom" published by the Exposition Press. Mr. Edward Uhlan, the president of the Exposition Press, Inc., in the publisher's foreword to Mr. Quinn's latest book said:

A publisher can judge books; he cannot stand in judgment of issues. But as Mr. Quinn's publisher and editorial adviser, I have become involved and find myself identified with the cause that he espouses. T. K. Quinn, an unusual combination of scholar and practical businessman who has observed and participated officially in the workings of both very large and small operations from the inside, is recognized as America's most knowledgeable critic of giant business and is an outstanding champion of the independents. Like any ardent critic who writes from a deep faith in the American way, he has become a controversial figure because of his forthrightness, penetrating analyses, and especially his definite proposals to create greater free enterprise for the many as distinguished from the few.

Later attacks have centered around Congressman CARROLL REECE, former chairman of the Republican National Committee, who undertook to show that Mr. Quinn had tried to profit personally from wartime associations. This charge was based on old allegations of Congressman Jerry Voorhis of California, who later reexamined the evidence, declared frankly the information was false, withdrew the accusations, and publicly commended Mr. Quinn and his work. Mr. Reece's subsequent vague charge that Mr. Quinn has been "inconsistent"—that statements in a book written many years ago contradict his present position—were answered both in later committee testimony and in a direct reply printed in the CONGRESSIONAL RECORD—though opponents still quote only the original charges (pp. 7–8).

Mr. Speaker, I have reviewed the direct reply by Mr. Quinn to my detailed documented review of his writings which appeared in the CONGRESSIONAL RECORD of July 28, 1955. Mr. Quinn supplies no information in his statement to refute any of the quotations which I used from his first book Liberty, Employment, and No More Wars." He supplied 4 quotations, 3 paragraphs from 1 chapter, and the fourth from another, which in no way refute the many quotations I inserted which were taken from numerous chapters in his several books.

Mr. Speaker, specifically Mr. Quinn in his book Liberty, Employment, and No More Wars said:

Monopoly was seen to be an evil and as an antidote the antitrust laws were passed to enshrine the old competitive order and fix it on the future, regardless of growth, progress, or evolution. Then natural law proceeded to make cynical jokes of our man-made antitrust laws. Within the past 40 years there has been a veritable slaughter of small-independent business men. Corporations and combinations of them have grown by leaps and bounds, until the independent is the exception and the huge organization is the rule. Officially we have not yet recognized the immutability of the natural law. Instead, we continue to fight it, superficially and hopelessly, of course; but the fight is kept up at tremendous and useless, legal expense. I hasten to say that it is not all wasted. Some combinations and artificial price-boosting agreements and practices are clearly antisocial, as mere forms of commercial larceny. But the overall trend toward big business within limits which have not yet been set, and a constantly higher and further division of labor means lower factory costs and is inevitable in the progress of civilization. The fact that we have badly handled the accompanying social developments does not change, one whit, the inevitable trend (pp. 85–86).

When we speak of the United States, its resources, abilities and accomplishments, then Ford, General Electric, General Motors, A. T. & T., U. S. Steel, Dupont, et cetera, are sources of American pride and strength as much as our great battleships, the George Washington and Golden Gate Bridges, the Smithsonian Institution, or the Merritt Parkway. They are a part of this great country. Where would we be in this war without them?

Our "Sherman Antitrust Act" and the "Clayton law" were belated attempts to enforce the old competition. Both Federal laws were based upon the assumption that competition was still the beneficent force that it was in the early days of industrial development. Their authors saw competition vanishing before cooperation and consolidation and attempted by legal enactment to resurrect and revitalize it. They sought to break up trusts and combinations by law, as if legal enactments could change natural, economic laws. By prosecution and persecution industries may indeed be destroyed, the whole Nation may be plunged into disaster, but the old rugged individualism and unrestricted competition cannot be restored in this new age (pp. 83–84).

These statements are so completely at variance with the theme of his new book that once again I shall set the record straight.

In Liberty, Employment, and No More Wars Mr. Quinn stated the trend toward big business was inevitable—that it could not be changed by legislative action. In Giant Corporations Mr. Quinn takes a diametrically opposite position. He says:

To the confirmed evolutionist, elephantine organization is an inevitable, unavoidable development incident to the machine age. Karl Marx considered it a collectivism that would captivate mankind. And to the extent that we have accepted his doctrine, he has appeared to be a prophet. The advocates of mergers, combinations and superorganizations, not their opponents, are following in the philosophic footsteps of the

father of communism. We see in the development of mass forces a gravity impact that is sacrificing individuality in favor of material welfare and an illusory security. Noble-spirited thinkers and writers like Thoreau and Emerson and the liberal-minded of our time uphold the human and spiritual values of the individual against super organization. They would have us take hold of organization and mechanization and make the white elephants subordinate to, rather than masters of, spiritual man. They would say with Samuel Johnson, "Sir, I know my will is free." The practical question, then, is whether or not we choose to accept the doctrine of inevitability and with it the continuing reign of constantly bigger and bigger elephants or, on the other hand, to force them under the control of the people, where they belong (pp. 191–192).

Mr. Quinn denies that he is a Socialist, but yet repeatedly suggests socialist solutions to industrial problems. In Giant Corporations he says:

The expression "creeping socialism" can be used in such a way so often that we come to assume without the slightest warrant that there is something wrong or dangerous in it. It can be used by backward, selfish men to stop health insurance or the public building of roads or schools. The truth becomes lost in the propaganda campaign. I am not a socialist, but if I am forced to choose between government by a few, private, giant businesses, economic rulers with selfish, often shortsighted motives, on the one hand, and democratic socialism on the other, I shall unhesitatingly choose the latter, under which at least I have an effective vote (pp. 98–99).

Mr. Quinn proposes that the Government should enter into any business field in order to promote inventions. He says:

The cost of securing a patent, the long time required, the need to secure financing and to build an organization to produce and market the product and the cost of defending the patent against able lawyers, most of whom represent the big companies, is quite beyond the ability and means of the individual inventor.

Still, as we have seen, he is the one most likely to have original, basic ideas. We have come now to the point where the Government itself must establish means of encouraging the independent inventor. A Federal agency could undertake the responsibility, as agent of the inventor, to ascertain the value of the invention and then to see that remunerative licenses are issued to avoid monopoly and at the same time to compensate the inventor fairly. When necessary, in unusual circumstances the agency could be empowered to launch the product itself. Its power to do so would make the exercise of the power unnecessary in 99 percent of the cases, perhaps all of them. In answer to those who may raise the cry of socialism against this suggestion we should ask: What else can be done? Must we stand by and witness the further suffocation of American creative ability (pp. 178–179)?

Mr. Speaker, certainly if we establish a Federal agency to ascertain the value of inventions and then engage in the production of new products as Mr. Quinn proposes, we will have embarked upon socialism with a vengeance.

The above quotation is not the only instance in his new book Giant Corporations—Challenge to Freedom, in which Mr. Quinn proposes the Government enter into competition with private business. He believes that the Government has a responsibility to promote full employment. He says:

Government insistence on full employment is about the strongest force we have to prevent monopolies from holding prices up to the point at which production may be dangerously restricted and the machinery of business slowed down, although we suffer now more from over- than from underproduction. Let the Government stand by ready to go into business, any and every business, that may be necessary to maintain full employment, or at least to provide somehow the indispensable purchasing power. Shorter work hours will follow if they become practical and the retirement and pensioning of the senior citizens sooner is indicated in the interests of a wholesome economy. The only danger then would come from inflation, because the Government would have to borrow for the purpose and the debt, credit, and money supply could get out of hand (p. 122).

This too, is socialism and nothing else. Mr. Quinn's statement that the credit and money supply could get out of hand is the understatement of the year.

Mr. Quinn objects to programs to keep subversives from working in defense plants. He said:

There are many instances now of private corporations performing work on Government contracts for war material. Tens of billions of dollars are necessarily going into guns and tanks and planes. Where the work is of a secret nature, a new and strange personnel situation is created. Private corporations are assuming the authority to determine whether or not employees are loyal to the country. When an employee is discharged for disloyalty or because he pleads the fifth amendment, the employer assumes a political role that may deprive the employee of his livelihood and of his civil rights in direct violation of the Constitution of the United States. It is wrong and it is illegal, but it is being done. Only by a public court trial may an American citizen be found legally guilty of disloyalty to the country. He is within his constitutional rights if he pleads the fifth amendment or any other law of the land, despite any inferences or assumptions that may be drawn. Any lesser treatment is a feudalistic type of inquisition, however popular it may be momentarily. The corporation is not necessarily at fault. The point is that our society has so developed that the system itself assumes feudalistic characteristics and the individual tends to become inconsequential. His rights are lost in huge organizations in which numbers rather than individuals count (p. 105).

Mr. Speaker, keeping subversives and spies out of defense plants does not violate the constitutional rights of anyone. Throughout the operation of our security program no individual has been convicted of disloyalty by a private employer as Mr. Quinn suggests. Most unions, employers, and fair-minded citizens agree that the national security demands the exclusion of any security risk from a sensitive defense plant.

Mr. Quinn believes that the antitrust laws have not been properly enforced under the present administration. He says:

It is scarcely coincidental that under the present 1952–56 administration there have been a minimum of vigorous prosecutions under the antitrust laws (p. 122).

Many students of the antitrust laws, who have no reason to praise the record of the present administration, disagree with Mr. Quinn. Judge Stanley Barnes, who is retiring as the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice, has aggressively enforced the antitrust laws. Our colleague, the distinguished gentleman from New York, Mr. CELLER, who is the chairman of the House Judiciary Committee, said:

I have been in Washington many years and have followed the activities of the Antitrust Division of the Department of Justice most assiduously. I know of no one who has given so much of his effort and so effectively to the work of that Department as Judge Barnes.

Our colleague, the distinguished gentleman from Texas, Mr. PATMAN, who is chairman of the House Small Business Committee, said:

I have been impressed with the type of effort he has put forth * * * and I hope that he is successful in what he is trying to do.

In the other body, the distinguished senior Senator from Illinois, PAUL H. DOUGLAS, said:

I have a very real respect for him, and I think he is one of the best officials in the present administration.

Our former colleague, the distinguished junior Senator from Alabama, JOHN SPARKMAN, who is chairman of the Senate Small Business Committee, said to him:

I think you and your Division are doing a very fine job.

Thurman Arnold, the Assistant Attorney General in charge of the Antitrust Division during the New Deal years, said:

I have watched some of the cases he has brought, and I have been very much impressed with his integrity and his vigor in antitrust enforcement.

Mr. Speaker, I believe that the statements by Members of Congress and Thurman Arnold are more representative of the effectiveness of the prosecution of the antitrust laws under this administration than the opinions of Mr. Quinn.

Mr. Quinn believes that the whole world is out of step and only the liberals are right. This insight into his approach to the complex problems of our industrial society is afforded by his comments on the objectivity of the press. He is opposed to one-sided presentations of any subject. He believes that "the other side" and the truth may be found in the left-wing press. He said:

We should look with suspicion upon every one-sided presentation of any subject. For "the other side" and the truth about vital public questions, I have found invaluable over a period of many years such publications as the Progressive, the New Leader, the New Republic, the Nation, and the Reporter. Significantly, these publications carry a minimum amount of advertising. Their editorial policies are not for sale to anyone, but this freedom is purchased at a price which may make it financially difficult for them to continue (pp. 132–133).

I believe it will help my colleagues to evaluate Mr. Quinn's proposals if they know that "the truth" is what the editors of the New Leader, the New Republic, the Nation, and the Reporter say it is.

Mr. Quinn is fighting to turn the clock back to a simpler society without any

impersonal complex organizations. I am sympathetic with his desire to achieve better communication between management and workers and between the various levels of management, itself. However, the problems of communication are just as serious in a $50 million business as they are in a billion dollar business. Fortunately, great progress has been made in integrating management and the worker into a harmonious whole in our large corporations. Mr. Quinn, himself, in Liberty, Employment, and No More Wars said:

Our large corporations have worked out better than Government, practical ways and means of getting men to work together in a common cause. Indeed, they have done such a good job of it that human adjustments, an equilibrium of desires and loyalties beyond anything attained by Government have been achieved by private industry (p. 83).

Mr. Speaker, let me contrast this statement with the following which is taken from his new book, Giant Corporations—Challenge to Freedom:

The pressure is on each one to stay where he is, however hopeless his prospects, and to dry up, if necessary, as somebody's man—the corporations,' the Government's, or the Army's. This is what modern giant organization is doing to the individual—making of him a supine dependent whose outlet, like the serf's, too easily becomes self-indulgence. Human nature learns to accept or tolerate failure that each one can charge to himself, but failure chargeable to others who may not even be identifiable can never be accepted by men of spirit (p. 106).

If we are to operate with the only kind of economy which will produce the weapons to maintain our military strength against the Communists, we must maintain large organizations including organized groups within the Government and within the Army, to which Mr. Quinn also seems to take exception. His aversion toward organizations is so great that he says:

Any comparison between the way we do things in this country and the way they are done in Russia may be quite unpopular just now. But the plain truth is that there is little, if any, difference organizationally between Russian economic totalitarianism and economic totalitarianism of General Motors or the United States Steel Corporation (p. 97).

General Motors and the United States Steel Co. undoubtedly have their faults, but the difference between them and Russian economic totalitarianism is so great that very few would venture such a comparison. American corporations must deal with independent unions. They are in competition with other firms in the same industry and with other industries for the consumer's favor, and the Government, through the antitrust laws, prevents them from enjoying a monopoly. The management of any American corporation must act as a trustee for the interests of the stockholders, the consumer, and the employees. Any of these groups are free to bring pressure to bear upon the management and each of them has access to the Government. In Russia, the steel trust and the automobile trust are the government. Mr. Quinn's comparison shows how far he has been carried away by his emotional antipathy toward big business since 1945.

Mr. Quinn attacks the system of industrial development which has made this country great in which the manufacturer of a complex industrial product, the prime contractor, uses countless subcontractors to manufacture parts within their capabilities. He says:

Now, it happens that the reputation for quality, performance, and service of almost all completed products is made up of many parts, elements, and contributing services. A producer of piston rings, for example, for an automobile manufacturer loses his identity in the completed end product. Although he contributes proportionately to the final product, he never shares in its reputation. He may devote years of creative work to the production of the best piston rings imaginable and still remain always in the precarious position of being wholly at the mercy of the will or whim of the end product assembler—who, in the case of defense products for the Government, is called the prime contractor. The parts or subcontracting manufacturer does not participate as a part owner of the reputation of the completed product to which he contributes. The plus value which he helped to create is lost to him. Because he has no known identity, he is liable to be forced out of business or taken over at any time by the buyer of his parts product. As the number of potential buyers decrease (it is down to six in the automobile industry) the chances for any parts producer to sell to others diminishes. Moreover, the requirements of giant manufacturers—that is, assemblers of completed products—are so great in volume that the small-parts manufacturer tends to concentrate on the business of one primary company. Increasingly, therefore, he is at the mercy of his one big customer. The result is that the big buyer, not the small supplier, dictates the price and the specifications. They can be so difficult or impossible to meet that the little fellow is driven out of business or forced to merge or sell out to his big buyer at a sacrifice price. Under such conditions, without governmental regulations, the tendency is for the big fellow to get bigger and the little fellow smaller, if he lives at all. The fault in the arrangement is that the big fellow is always in the dominant position and he is permitted legally to grab the plus values, which belong, in proportion, as much to the suppliers as to him (pp. 155–156).

In the first place, the prime contractor must be responsible for maintaining exacting production standards, to which Mr. Quinn objects, as it is his responsibility to see that the parts supplied by the several subcontractors assemble into a satisfactory end product. The facts completely belie Mr. Quinn's thesis that the producer of components is at the mercy of the prime contractor. He specifically cited the manufacture of automobile piston rings. It so happens that most of the piston rings used on American cars are manufactured by one of the smaller companies, the Perfect Circle Co., with total assets of less than $20 million. This company, small thought it be, through aggressive engineering and high quality of product, has maintained its integrity and independence. There is still ample opportunity for the subcontractor who can deliver the goods and do a satisfactory job.

Mr. Quinn proposes a graduated corporate income tax in order to encourage the distintegration of large companies. He says:

If an average of 52 percent on corporate profits is required for revenue, there is no good reason of policy why corporation tax rates should not be graduated. They could be as low as 10 percent on $10,000 of gross profit and as high as 75 percent when gross profits exceed a billion dollars. The 75 percent rate would of course bring a storm of protest from a score or so of giant corporations, because it would result in a decentralization move, which is exactly what we want. The Frigidaire Division of General Motors, for example, could easily become a separate corporation, as it should be, since there is no relation between automobiles and electrical home appliances. The separation would be accomplished by the incorporation of Frigidaire and the separation of the book value of the investment in this division. Shares in the new company would then be distributed to present shareholders of General Motors in proportion to the book value of their holdings. In this same way the trucking business, coach business, diesel-engine business, etc., could easily be decentralized without damage to anyone, except those who wish to hold intact the predominant market and capital power of monster General Motors, regardless of the effect on the country. United States Steel could thus be decentralized into dozens of separate companies and the opposition of the Attorney General to the proposed Bethlehem-Youngstown and other steel mergers would begin to make sense. In this same way other giant corporations could be separated into several companies without fragmentizing them or damaging any property right (pp. 170–171).

The difficulty with this proposal is that a profit of $1 million in some lines might represent monopoly profits, and in others, where the capital investment per worker is higher, might represent a totally inadequate return.

Mr. Quinn categorically states that there is no relation between automobiles and electrical home appliances. Therefore, any company which happens to make both should have these functions divorced. It is true the two products are not made on the same assembly line, but both manufacturing operations draw on the same fund of scientific and engineering knowledge. Mr Quinn says:

General Motors is much too big and powerful. The fact that its management personnel are attractive men, socially minded, according to their lights, is beside the point. The corporation should certainly be restricted to the automobile industry and then further decentralized if we are to maintain a healthy economy and check our totalitarian trend (p. 182).

Mr. Quinn's efforts to restrict firms to a single industry would make it impossible for companies to operate the vast new technical centers which hold such promise for our future economic development. What is more important, they are a necessity in the race for military supremacy with the Soviets.

Since the war American industry has invested billions in new research facilities. According to Mr. Quinn, these are probably unnecessary. He says:

Mr. Slichter's confidence in the creative ability of the giant corporations appears unlimited. I wonder how he would explain the fact that in the electrical-appliance business, to which he refers, not a single product now in use—refrigerators, lamps, washing machines, vacuum cleaners, fans, irons, broilers, ranges, shavers, mixers, etc.—36 in all, was ever created or invented by any of the giant corporations in that field—General Motors, General Electric, or Westinghouse. What has Mr. Slichter to say about this? Mr. H. Staf-

ford Hatfield in his excellent book The Inventor and His World states, "It is frequently said * * * that advance in the future will come exclusively from the magnificently equipped research laboratories of the great trusts and corporations. There is no evidence of this except the ipse dixit of the corporations themselves." Mr. Hatfield lists the following inventions which have not come from great research laboratories but from the independent work of individuals—monotype, casehardening of steel, photogravure, moving pictures, the dial telephone, the diesel engine, carborundum, the telegraph and telephone, electric train control, the submarine, the safety razor, the airplane, bakelite, the gyrocompass. "The very latest example of the victory of individualism in invention," he adds, "is television, worked out by a young Scotsman with the slenderest resources in a cellar in Soho" (pp. 68–69).

I do not doubt that it is possible to design washing machines, vacuum cleaners, fans, and irons without technical centers. However, the fundamental knowledge necessary to produce guided missiles, nuclear weapons, and the electronic equipment for our aircraft warning systems can only be produced with the assistance of the best research facilities industry can secure. To be sure, the individual scientist will always be the key to each new development, but he no longer can operate in isolation. The engineering work behind the development of the H-bomb by DuPont required a series of more than 2 million blueprints. A new jet interceptor now being designed requires more than 370 engineers working on the drawings for just that 1 plane. In 1940 a typical fighter plane required only 17,000 engineering man-hours. Today a modern fighter requires 1,400,000 engineering man-hours. The planes that will be flying in 1960 will require more than 2 million engineering man-hours to design. The computations necessary to design modern aircraft require electronic computers which can make literally thousands of computations in a second. The rental cost on these machines, I am told, is $40,000 a month. These are the reasons why technical centers are necessary.

Recently a great new technical center was dedicated by the General Motors Corp. in Detroit. The research activities of this corporation have already had an impact far beyond the motor vehicle. It developed the first successful mechanical heart which will save the lives of many patients where heart surgery is necessary. It produced the new centrifilmer for purifying vaccines such as the Salk vaccine. If we followed Mr. Quinn's premise that this organization should confine its efforts to automobiles, these humanitarian projects would not have been undertaken.

President Eisenhower participated in the dedication of this great research center. He said:

> It is truly an honor to participate with you today in this dedication of this new and great research center of America. It is a new adventure for frontiersmen. The history of America is a history of frontiers, and each frontier has been a challenge to Americans to dare more, to do more, to go forward faster and on a broader front.
>
> We had geographical frontiers; always lying out there in the West and the Appalachians, challenging every person that was an inhabitant of those first Thirteen Colonies. And so we had Lewis and Clark, and Pike, and all the rest opening up that great country. Even today some of those frontiers still remain. And we have great and gallant Americans exploring the Antarctic and the Arctic. Always a frontier—the challenge—and the response.
>
> We had our economic frontiers. We started as a Nation of small farms and little shops when the fur trade was in its infancy. And we learned about the gold in California; we learned about the great expanse of the West where we could raise cattle and produce our food. Frontiersmen went into them. We built roads and railroads to open up all those lands. Inventors came along and we had great machines to meet our needs. And so we had the great economic revolution of the 19th and 20th centuries that has so changed our lives.
>
> We were a Nation of political frontiersmen. The reason that today we so admire Franklin and Washington and Patrick Henry—Jefferson, Lincoln, is because they dared to think new thoughts about the way that men should govern themselves—the institutions and the procedures they should set up—and devised a scheme that has stood the test of time and has met our need for progress, with men enjoying equal justice, rights, and the great opportunities.
>
> So it might be said that the frontiersman is symbolic of the United States. General Motors was founded by frontiersmen, people who were not satisfied with what we had and were determined to make it possible for men to travel faster and better and in greater comfort. Among those frontiersmen, two of your greatest were, of course, Alfred Sloan, Jr., and Mr. Kettering. Their accomplishments were so great in the technological field that today their names are household words in our country. Even though they have at least partially laid aside their work in that regard, they are still frontiersmen, showing us all how duties and citizenship can better be performed, how men can better discharge their duties in this country as citizens.
>
> Here with me today is another frontiersman. I have just had lunch with him—the President of the great country of Indonesia. America is honored that President Sukarno has come to visit us. He wants to see, among other things, this great research center you are establishing, and he is going to visit you on May 28.
>
> This particular center is a place for leadership in furthering new attacks on the technological frontier. Beyond that frontier lie better and fuller employment, opportunities for people to demonstrate yet again the value of a system based on the dignity of the human being, and on their free opportunities in life. Beyond it lie people, better capable of working with others and so that they may share what they learn with our friends in the world.
>
> We hope that we will be fortunate enough to be able to give President Sukarno something that he may carry to his people. We would be very proud indeed if he should find something here worthwhile carrying back.
>
> So in this technological center, we have this development of new machines responding in their efficiency to the constantly inquiring mind of the technician, that they in turn will produce yet broader freedoms and richer dignity for human beings, more rewarding lives, for all America and we hope through all the world.

Mr. Speaker, on previous occasions I have expressed my concern with the misuse in United Nations debates of statements made for political purposes within the United States. The Communist bloc in the United Nations assiduously read every attack upon our Government and our business institutions. The May 26, 1956, issue of the Nation carried an article by Mr. Quinn entitled "Sovereign State of GM, World's Biggest Corporation." He attempts to identify General Motors with the Eisenhower administration. He says, "The corporation has had three of its representatives in President Eisenhower's Cabinet." I presume that the three Cabinet members to whom Mr. Quinn refers are Secretary of Defense Wilson, the Postmaster General, Arthur Summerfield, and the former Secretary of the Interior, Douglas McKay. In order to set the record straight, it should be pointed out that Secretary McKay and Postmaster General Summerfield never worked for General Motors, but were automobile dealers. The theme of Mr. Quinn's article Sovereign State of GM was that the corporation and its dealers were at odds with one another. If that is so, it is difficult to see how the presence of two General Motors dealers in the Cabinet could be of advantage to General Motors. Mr. Quinn can't have it both ways.

My particular concern with the article in the Nation is the following statement: "GM constitutes a privately-owned economic world state empowered to make agreements with foreign governments and interests which the political state that chartered it could not legally make." Mr. Speaker, this statement will be thrown back at us in the debates within the United Nations to embarrass us. If we are to expand foreign investment and to lift the burdens of foreign aid from the backs of the American taxpayer, we must encourage foreign investment by American business. The Congress has ample power to deal with any American corporation which may make any agreement with a foreign government contrary to national policy. It is true that when the Federal Government was formed the States relinquished their authority to conduct foreign relations. Private corporations are not conducting the foreign relations of the States which chartered them nor of the Federal Government. They are engaging in worldwide commercial transactions which must be carried on by private corporation unless we wish to see the Federal Government engage in State trading. Again, Mr. Speaker, such a course would be socialism to which I am unalterably opposed.

Mr. Speaker, the Congress has a responsibility to secure the benefits of big business for all of our citizens without condoning abuses of economic power which may restrict the opportunity of anyone. We must constantly review all of the laws to make sure that we retain the good and reject the bad. This cannot be done with a meat ax which would destroy the technological base of our modern society. Whatever is evil must be exorcized with a scalpel. The task before the Congress requires the knowledge and skill of the surgeon, not the approach of a butcher.

HOUSE OF REPRESENTATIVES

SATURDAY, JULY 7, 1956

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal God, who hast given our beloved country a great and glorious mission, may we daily be more conscious of our duty and destiny therein.

Inspire us with a vivid sense of the worth and dignity of life and may we make a significant and distinct contribution to the wealth of human ideals and the blessedness of all mankind.

Grant that our Republic may be rich in the virtues and gifts of enterprise and adventure, of good will and generosity, and may we be guided by Thy spirit in helping humanity find its true and better self.

Unite us in faith and hope, in longing and aspiration, with our fellow men everywhere who are striving to build the temple of peace and a nobler civilization.

Hear us in the name of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 6218. An act to authorize payment by the Federal Government of the cost of making certain studies necessary to assist the Menominee Tribe of Indians to prepare for the termination of Federal supervision;

H. R. 9280. An act relating to the plan for control of the property of the Menominee Indian Tribe, and for other purposes; and

H. R. 9974. An act to amend section 1 of the act entitled "An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin," approved March 28, 1908, as amended.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5566. An act to terminate the existence of the Indian Claims Commission, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3227. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Little Wood River reclamation project, Idaho;

S. 3556. An act to amend Public Law 551, chapter 616, 83d Congress, 2d session;

S. 3658. An act to amend the act of May 11, 1938 (52 Stat. 347) so as to authorize, by agreement, the subsurface storage of oil or gas in restricted Indian lands, tribal or allotted;

S. 3926. An act to authorize the Secretary of the Interior to charge for special services to purchasers of timber from Indian lands; and

S. 3927. An act to authorize the Secretary of the Interior to convey to Indian tribes certain federally owned buildings, improvements, or facilities on tribal lands or on lands reserved for Indian administration.

READJUSTMENT OF POSTAL RATES

Mr. HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, on the floor of the House yesterday we experienced something that was very unfortunate. On an amendment offered by the gentleman from Ohio [Mr. HAYS]—I might say that we had under consideration a bill of national importance—a teller vote was demanded, and on a division of the question there were 9 noes and 3 ayes, which would indicate, Mr. Speaker, that there were only 12 Members on the floor of the House at that time.

Mr. Speaker, I do not believe any man here is better qualified to judge a group of people than I am. I know, and the RECORD will so indicate, that there must have been at least 350 or 375 Members on the floor at that time. As a matter of fact, on rollcall No. 94 immediately thereafter, the RECORD shows that there were 382 Members on the floor, and answered their name on a recorded rollcall.

THE SMALL BUSINESS ADMINISTRATION LOAN PROGRAM

Mr. AVERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. AVERY. Mr. Speaker, under leave to revise and extend my remarks, I would like to bring to the attention of the Members of Congress excerpts of a letter I received from the president of a small manufacturing company located in Manhattan, Kans. This letter was not solicited. I feel certain that after the excerpts, which I will quote below, have been read everyone will note the sincerity of purpose on the part of the writer of the letter. It is for this reason that I desire to bring the contents of such to the attention of all Members of Congress.

The following are excerpts from the letter:

In reflecting over the many negotiations which were necessary to bring this loan to a place where the money was available for our use I am most impressed with the fact that the negotiations in Washington were the most speedily processed and actually were the most pleasantly conducted.

For your information I am going to list below some of the steps that were necessary from our standpoint to complete this transaction, and while it covers a long period of time I can't honestly say that there are any shortcuts which I could recommend that Congress might authorize to assist SBA in processing these loans any faster. We do know that the personnel at the Kansas City office of SBA worked hard and long hours to process the requested information which we submitted, and the fact that this loan was probably the largest and most complicated loan that has been disbursed from that office would account for the great share of the time involved.

In my opinion, the Small Business Administration is to be highly commended on the fine job they are doing in carrying out one of the principal responsibilities assigned to them by Congress. This is to assist small firms in obtaining adequate credit on reasonable terms when it is found that private lenders are limited in their ability to meet the financial need of small firms.

TARIFF ON WATCHES

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, on June 19, 1956, on page 10596 I called the attention of the Members of the House to a very serious loophole in the law through which watches are entering the United States without the payment of the full tariff. One by one our American watch factories are being destroyed. The flood of watches now entering the United States will soon further weaken our national defense. The precision workers in our watch industries are essential to our defense, yet by the failure of the Ways and Means Committee to act, there will soon be the loss of these technicians so essential to the security of our Nation.

Imports of watches are entering the United States in great volumes from Switzerland. Yet it was the Swiss watch industry that furnished Hitler with the necessary precision instruments during the late World War II.

We hear much on the floor of the House concerning national security, yet not a legislative move has been made to consider H. R. 11437, which I introduced on May 24, 1956, to close a serious loophole in the Tariff Act provisions relating to duties on imported watch movements. As I pointed out on June 19 on the floor of the House my bill H. R. 11437 is supported by all of the members of the ODM advisory committee of the watch industry, namely the Office of Defense Mobilization, the Departments of State, Treasury, Defense, Commerce, and Labor.

With the experience of the textile industry facing annihilation at the hands of foreign imports of cotton goods, there ought to be some interest in saving other essential industries from destruction by foreign competition. It is to be hoped that the Democratic Party, in the light of its present textile experience, will abandon its free-trade policy which has heretofore persistently plunged the United States into one depression after another, with its resultant loss of revenue and widespread unemployment.

SUPPLEMENTAL APPROPRIATION BILL, 1957

Mr. CANNON, from the Committee on Appropriations, reported the bill (H. R.

12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes (Rept. No. 2638), which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. FORD reserved all points of order on the bill.

IMMIGRATION AND NATIONALITY ACT

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's dcsk the resolution (H. J. Res. 606) to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, after "(9)", insert "and (12)."

Page 2, line 7, after "act", insert ": *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of that act."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GRANTING OF THE STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. Con. Res. 221) favoring the granting of the status of permanent residence to certain aliens, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the resolution.

The Clerk read the Senate amendment, as follows:

Page 5, after line 9, insert "A-9687099, Yiu, Leung."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GRANTING OF THE STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. Con. Res. 228) approving the granting of the status of permanent residence to certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the resolution.

The Clerk read the Senate amendments, as follows:

Page 3, strike out line 3.

Page 6, line 2, strike out "Yung Ling" and insert "Yung-Ying."

Page 12, strike out line 9.

Page 13, line 9, strike out "Gfeliner, Theresa (nee Deri)" and insert "Deri, Theresa (nee Gfellner)."

Page 22, line 6, strike out "Deszo" and insert "Dezso."

Page 29, strike out line 2.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TRANSFERS OF DISTILLED SPIRITS

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11714) to extend for 3 years the existing authority of the Secretary of the Treasury in respect of transfers of distilled spirits for purposes deemed necessary to meet the requirements of the national defense, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 5, strike out "1959" and insert "1958."

After line 5, insert:

"SEC. 2. (a) Section 852 (b) (3) of the Internal Revenue Code of 1954 (relating to method of taxation of capital gains of regulated investment companies) is amended by adding after subparagraph (C) thereof the following new subparagraph:

"'(D) Treatment by shareholders of undistributed capital gains:

"'(i) Every shareholder of a regulated investment company at the close of the company's taxable year shall include, in computing his long-term capital gains in his return for his taxable year in which the last day of the company's taxable year falls, such amount as the company shall designate in respect of such shares in a written notice mailed to its shareholders at any time prior to the expiration of 30 days after close of its taxable year, but the amount so includible by any shareholder shall not exceed that part of the amount subjected to tax in subparagraph (A) which he would have received if all of such amount had been distributed as capital gain dividends by the company to the holders of such shares at the close of its taxable year.

"'(ii) For purposes of this title, every such shareholder shall be deemed to have paid, for his taxable year under clause (i) the tax of 25 percent imposed by subparagraph (A) on the amounts required by this subparagraph to be included in respect of such shares in computing his long-term capital gains for that year; and such shareholder shall be allowed credit or refund, as the case may be, for the tax so deemed to have been paid by him.

"'(iii) The adjusted basis of such shares in the hands of the shareholder shall be increased by 75 percent of the amounts required by this subparagraph to be included in computing his long-term capital gains.

"'(iv) In the event of such designation the tax imposed by subparagraph (A) shall be paid by the regulated investment company within 30 days after close of its taxable year.

"'(v) The earnings and profits of such regulated investment company, and the earnings and profits of any such shareholder which is a corporation, shall be appropriately adjusted in accordance with regulations prescribed by the Secretary or his delegate.'

"(b) The amendment made by this section shall apply only with respect to taxable years of regulated investment companies beginning after December 31, 1956."

Amend the title so as to read: "An act to amend sections 5217 (c) and 852 (b) (3) of the Internal Revenue Code of 1954."

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, it will be recalled that this legislation, as it passed the House, would have extended for 3 years the authority of the Secretary of the Treasury with respect to transfers of distilled spirits for purposes necessary to meet the requirements of the national defense.

Section 5217 (a) of the Internal Revenue Code of 1954 authorizes the transfer of distilled spirits between alcohol plants and registered distilleries or internal revenue, or industrial alcohol, bonded warehouses under certain circumstances. Subsection (b) of this section also permits the Secretary of the Treasury or his delegate temporarily to waive the application of any of the internal revenue laws relating to distilled spirits, except those imposing tax under certain circumstances. Under present law the authority of the Secretary or his delegate to permit these transfers, or to waive the application of these internal revenue laws expires as of July 11, 1956.

The Senate acted to amend the House bill to provide for a 2-year extension instead of a 3-year extension. The Senate added another amendment to this legislation relating to regulated investment companies and the tax treatment of distributions by such companies of long-term capital gains from the sale of stock or securities. Under present law a distribution by a regulated investment company of long-term capital gains from the sale of stocks or securities is taxable to the individual shareholders and the distributor company pays no tax. Where the company does not distribute such long-term capital gains to its shareholders, but withholds them for future investment in other securities, the company is required to pay a long-term capital gains tax of 25 percent. The effect of present law imposes a hardship on the regulated investment company shareholders who, if such long-term capital gains had been distributed to them, would in many cases be taxed at a lower rate than 25 percent. In addition, where the gains are retained by the regulated investment company these gains may be reflected in the value of the company's shares and thus produce a second and duplicate capital gains tax liability whenever the shareholder sells his stock.

There are approximately 2,200,000 shareholders of record in these regulated investment companies, and the average individual holding is approximately $4,000. Thus, these long-term capital gain distributions are likely to be small when distributed among the various shareholders.

The amendment approved by the Senate would change existing law so that a regulated investment company, which does not distribute all or any of its long-term capital gains, is permitted to pay to the Treasury, for the account of the shareholder, the regular long-term capital gains tax of 25 percent on that portion of the long-term capital gains which is not distributed to the shareholders. The shareholder would then be required to include in his return for his taxable year in which the last day of the company's taxable year falls, the amount of such long-term capital gain. If the 25 percent tax paid by the company is greater than the tax the shareholder would have paid if the gain had been distributed to him, he will receive a credit or refund for the excess tax paid. The net effect would be the same as if the company had distributed all the realized long-term capital gain for the year. The taxpayer's cost of his stock would be increased by 75 percent of the gains which remain in the company after payment of the tax.

I have been advised that the Treasury has no objection to this Senate amendment.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, H. R. 11714 as it passed the House extended for 3 years the existing authority of the Secretary of the Treasury in respect of transfers of distilled spirits for purposes deemed necessary to meet the requirements of the national defense. The other body has amended the bill to limit the extension to 2 years. I have no objection to this amendment. In addition, Mr. Speaker, another amendment was added in the other body relating to the distribution of long-term capital gains by regulated investment companies. This amendment has already been explained in detail. It is my understanding that it has the concurrence of the Treasury Department, and there is no objection on this side to the amendment.

RELIEF OF CERTAIN VETERANS FROM LIABILITY

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1761) an act to relieve certain veterans who relied on an erroneous interpretation of the law from liability to repay a portion of the subsistence allowances which they received under the Servicemen's Readjustment Act of 1944, together with a Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, lines 20 and 21, strike out "for the payment of any one claim in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MARTIN M. SORENSEN

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1876) for the relief of Martin M. Sorensen, with a Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, lines 1 and 2, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ENSIGN CHARLES A. BINSWANGER

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6190) for the relief of Ensign Charles A. Binswanger, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 9, strike out "(1)."

Page 2, line 1, strike out all after "1949" down to and including "Maryland" in line 3.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

JOHN R. HENRY

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9371) for the relief of John R. Henry, together with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 2, after "wages", insert ": *Provided*, That no part of any amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

INCREASING THE BORROWING POWER OF THE COMMODITY CREDIT CORPORATION

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 559 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11132) to increase the borrowing power of the Commodity Credit Corporation, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and at this time I yield myself such time as I may consume.

Mr. Speaker, House Resolution 559 makes in order the consideration of H. R. 11132, to increase the borrowing power of the Commodity Credit Corporation. The resolution provides for an open rule and 2 hours of general debate on the bill.

The purpose of the bill is to increase the borrowing authorization of the Commodity Credit Corporation from $12 billion to $14 billion to enable the Corporation to carry out its approved programs of which price support operations on farm commodities is the major program. The Commodity Credit Corporation also conducts a storage facilities program, a supply and foreign purchase program, and a commodity export program.

According to the committee report, it is expected that the present borrowing power will be exhausted in November of this year. The Department of Agriculture representatives in their testimony to the Committee on Banking and Currency stated that it was necessary for the Corporation to have sufficient borrowing power to cover its investment in commodity loans and inventories resulting from price-support operations with respect to 1955 and prior crops; to cover the amount of realized losses and other reimbursable costs incurred by the Corporation, but not yet reimbursed by appropriations, and to cover an additional investment which will result from carry-

ing out existing commitments for price supports on 1956 crops.

Section 2 of the original bill was stricken by the committee and section 3 was renumbered section 2. This section provides that willful thefts or conversion of loan collateral on property held by or owned by the Commodity Credit Corporation of a value less than $500 will be punishable as a misdemeanor rather than as a felony. Experience of the Government indicates that by reducing these minor violations to a misdemeanor, the prosecution of such cases will be facilitated and thus better protect the financial interest of the Government.

Mr. ALLEN of Illinois. Mr. Speaker, I know of no objection to this bill.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SCHOOLS IN AREAS AFFECTED BY FEDERAL ACTIVITIES

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 560 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11695) to extend until June 30, 1958, the programs of financial assistance in the construction and operation of schools in areas affected by Federal activities under the provisions of Public Laws 815 and 874, 81st Congress, and to make certain other changes in such provisions. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may consume.

Mr. Speaker, House Resolution 560 makes in order the consideration of H. R. 11695, to extend until June 30, 1958, the programs of financial assistance in the construction and operation of schools in areas affected by Federal activities under the provisions of Public Law 815 and 874 of the 81st Congress. The resolution provides for an open rule and 2 hours of debate on the bill.

The program of military family housing enacted in the first session of this Congress, which authorized the construction of 100,000 military housing units, is the main justification for the extension of Public Law 815 for 2 years. In addition, under the provisions of this bill, the school districts serving the Air Force flight-training installations are made eligible for the benefits of Public Law 815.

The bill contains several amendments to Public Law 815 which would liberalize the eligibility requirements for Federal aid for school districts in the areas affected by Federal activities.

In view of the sale by the Government of many Federal housing projects, an amendment to the act provides that children who resided in Federal housing units will no longer be considered as being federally connected when the property is sold by the United States.

Public Law 874 is extended for 1 year.

One of the principal amendments to this act will eliminate the so-called 3-percent absorption requirement, and eligibility will be determined under the provisions provided in the original law. Provision is also made for the determination of payments on the basis of a count of the children in average daily attendance during the year for which the payment is to be made, rather than on the average daily attendance during the preceding year.

A new minimum local contribution rate is set up in the bill. For the purposes of the act, another amendment provides that Federal housing property will continue to be considered as Federal property for 1 year after the date of the sale of the property to a private owner.

All amendments to the law are to become effective after July 1, 1956.

The total cost of the extension of Public Law 815, including the cost of the amendments, is $146 million for the 2-year period. The total estimated cost of the extension of Public Law 874 is $113 million for 1957 and $119 million for 1958.

Mr. ALLEN of Illinois. Mr. Speaker, I know of no objection to the rule or the bill itself.

Mr. SMITH of Virginia. Mr. Speaker, I yield such time as he may desire to the gentleman from Massachusettts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, in announcing the program yesterday in connection with bills reported from the Committee on the District of Columbia that will be considered on Monday, I omitted including therein the bill H. R. 4697, to amend the Alcoholic Beverage Control Act of the District of Columbia of 1934. The chairman of the Committee on the District of Columbia wants to have that bill programed for consideration on Monday, so I make the announcement now that that bill will be one of those in order for consideration on Monday next.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. MCCORMACK. I yield.

Mr. MILLER of Nebraska. Is that the bill that deals with the granting of licenses to all the small stores to sell beer?

Mr. MCCORMACK. Chain stores.

Mr. MILLER of Nebraska. It is rather controversial, I may say to the gentleman.

Mr. MCCORMACK. I prefer not to get into that. My limited purpose is to announce that I overlooked including it in the program for Monday and that it will be in order to consider it with other District bills on Monday next.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON PUBLIC WORKS

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that the House Committee on Public Works may have until midnight tonight to file a report on the bill H. R. 12080, the omnibus public works bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

FEDERAL AID FOR SCHOOLS IN AREAS AFFECTED BY FEDERAL ACTIVITIES

Mr. BARDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11695) to extend until June 30, 1957, the programs of financial assistance in the construction and operation of schools in areas affected by Federal activities under the provisions of Public Laws 815 and 874, 81st Congress, and to make certain other changes in such provisions.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 11695, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BARDEN. Mr. Chairman, I yield myself 10 minutes.

This bill, H. R. 11695, embodies amendments to Public Law 815 and Public Law 874. For several years these two acts have been in effect, and I am frank to say I think the laws have done a wonderful amount of good and have, to some extent, taken care of what I regard as a very direct obligation of the Government. I do not think you will find very many changes in the amendments which are, as stated previously, incorporated in H. R. 11695. Briefly, I will discuss the contents. The amendments to Public Law 874 extend the law for 1 year in order that both laws will expire at the same time. It eliminates the 3-percent absorption provision which was incorporated when Public Law 874 was amended in 1953. Each year we suspended the operation of this provision so that, as a matter of fact, the 3-percent absorption requirement has never been in effect. But, unless it is eliminated, it will go into effect this coming school year. So the committee decided to eliminate the provision entirely.

The bill provides for continued payments for children of members of the Armed Forces assigned overseas or elsewhere.

The need for this was brought to the attention of the committee because there

were thousands of instances where the head of the family was assigned overseas and the children continued to attend the same school. Of course, the school district had the same problem so the committee decided that the practical thing to do was to regard these just as they had been before the parent was transferred and to count them as eligible for payments.

Then the problem came up of where Federal housing projects were being sold, and creating a problem with local school districts. Local authorities need time to adjust themselves and get the property on the tax rolls for the collection of taxes. So, we provide for 1 year after the sale of the housing project the children residing in these housing projects would be counted as federally connected.

I understand an amendment will be offered by the gentleman from Georgia [Mr. BROWN] providing that one calendar year after the beginning of the fiscal year be substituted for the 1 year provided in the bill. Personally, I have no objection to it. While I am not in a position to accept the amendment, because I have not conferred with the other members of the committee, I cannot say at this time anything against it. I am not so sure but what it is an improvement.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. WIER. May I say on that point I do not think you will find any objection among the members of the subcommittee to that proposal.

Mr. SMITH of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. SMITH of Wisconsin. This bill, as I understand it, deals only with the matter of school construction, or does it deal with the whole problem of impacted areas?

Mr. BARDEN. I was discussing Public Law 874. Public Laws 874 and 815 deal with both problems, construction, and maintenance and operation. Both of those problems are dealt with in the bill before you.

Mr. SMITH of Wisconsin. My problem is this: There will be constructed in my district the new bomb airbase. Undoubtedly we will have an impacted school problem there. One problem that has not been resolved, and we are informed there is no law to take care of it, is this matter of assumption of bonded indebtedness which is presently a lien upon the real estate, and which the Government says when it acquires it, it cannot reimburse the school district for their prorated share of those school-bond obligations. I am wondering if the gentleman's committee has considered that problem in connection with this legislation.

Mr. BARDEN. I will say to the gentleman we did not consider it, but I am most sympathetic with the gentleman for this reason: While it did not affect my district, I was well aware of the situation which the transaction presented. That was in connection with the parkway. The total purchase made by the Federal Government virtually absorbed some of the counties out there in the West. The result was that it took their lands which was one source of their income. It, at that time, made no provision for taking care of the obligations that were secured by the land. I do not know how Mr. Bob Doughton took care of that, and about the only solution I could offer to the gentleman at this time would be to check into that plan, for I doubt very seriously if we could handle it here; I doubt if the gentleman would have quite the detailed information that would be necessary, but I do believe that something should be done in that situation.

I have one instance where 109,000 acres was taken out of 1 county, but it so happens that it was a tremendous county and it left enough to support its bond issue, although that same county is now receiving assistance under this law which does materially help it. I am not so sure but what if the gentleman would gather the necessary figures he would find that this very act would to a large extent correct the situation about which the gentleman very rightly complains.

Mr. SMITH of Wisconsin. In this particular project there will be some 8,000 acres taken out of this particular bond issue which means under the present holding by the Air Force people that they have no right to say that there is going to be a shifting of responsibility for the grant of land that is taken out; and I wanted to raise the question which the gentleman has been discussing here as to whether or not it would not be germane to offer an amendment to cover that situation in this bill.

Mr. BARDEN. I do not recall any precedent for that unless it rests in the development of the park area situation, but I do believe that if the gentleman would gather the data that will be available if this bill passes he might find some assistance in this law, because, of course, if funds are made available to take care of schools, which are the obligations of the people, that, in effect, is just as good as paying the money directly on the bonds and then the people paying the money for their schools.

It bears on the entire situation that we are attempting to take care of in this bill. I think there are some 150 cases in the United States where, under the present law it would take until about December or January to obtain estimates on which payment could be made.

We set up in this bill a provision whereby the military can now give estimates to the Department of Education and the work started immediately to take care of the situation. So I think that will relieve your situation tremendously.

Mr. SMITH of Wisconsin. I thank the gentleman.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Kansas.

Mr. AVERY. I want to take this opportunity to thank you, Mr. Chairman, for bringing this bill to the floor. It has been very important to my congressional district, and the eliminating of the 3-percent absorption clause that has hung like a cloud over every school board is something of great importance to all of us.

Mr. BARDEN. The gentleman has used a very appropriate expression; it did hang like a cloud, and yet it never rained, nothing ever happened under the cloud, but we just decided to do away with the cloud.

Mr. AVERY. I quite agree with you, Mr. Chairman, but I think we should give consideration to this matter of how long the law should be extended. Extending it 1 year is another cloud that hangs over school boards, although it has never rained under that cloud either.

Mr. BARDEN. Public Law 815 is extended for 2 years.

Mr. AVERY. And 874 for 1 year.

Mr. BARDEN. Public Law 874 goes 1 year longer than 815 now goes, so we arranged for both to expire at the same time.

Mr. AVERY. Now they will expire simultaneously, is that correct?

Mr. BARDEN. Yes.

Mr. AVERY. Then, of course, you do not project them past that point. Is there a possibility these could become projected on a 5-year basis so that a district would have some sound basis on which to project their longtime planning?

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. I would like to say to the gentleman that in the subcommittee we considered extending these laws further than we did before. The Department of Health, Education, and Welfare was not favorable to that idea because of the fact they are now conducting a long-range study of this very program. It was their thought and their hope we would extend the law only so far as we have in the hope that their study would be completed before it became necessary to extend the law again.

Mr. AVERY. I would like to ask the gentleman from Arizona if he does not feel these two laws pretty well take care of the Federal Government in the field of education?

Mr. RHODES of Arizona. Of course, the gentleman from Kansas is asking a question that perhaps I better not answer.

Mr. BARDEN. I am very much in favor of questions and answers.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. From a casual glance I have had of the bill it does not go far enough to educate folks in the Federal Government. I want to comment on that if I can get time and I hope there will be time today. There was not any yesterday on the other bill or the day before on the bill the gentleman was temporarily in charge of.

Mr. BEAMER. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Indiana.

Mr. BEAMER. I want to commend the committee on bringing out this bill which is urgently needed. I would like to ask a question, and I am sorry I was not here when the gentleman from North Carolina began his discussion.. This

question has arisen in connection with a particular Air Force base in the district I have the privilege to represent and I presume it has happened in other cases. I notice here, and especially in previous legislation, that the figure is taken for the whole school year. The school to which I refer closed on June 1. In the meantime the personnel of this particular Air Force base has been augmented so that there will be a large number of pupils there in September. I am wondering if the gentleman could not provide in this legislation some flexibility so that they would not have to make their estimate on the basis of the school year enumeration. In this instance if we could have the estimate on the basis of the September anticipated registration, it will help very much. Do I present the question clearly?

Mr. BARDEN. Yes. I may say to the gentleman that I have just covered that. The committee attempted to meet that very problem because, as I said, there were some 100 to 150 situations of that kind. It will be possible under this bill for the Defense Department to give the Department of Education its estimates and the Department of Education can then proceed as though the children were there.

Mr. BEAMER. Do I understand that if this law becomes effective and when it becomes effective, these school boards or school corporations can immediately make a new application on the basis of the new law?

Mr. BARDEN. That is right.

Mr. BEAMER. And receive their benefits within a reasonable length of time?

Mr. BARDEN. That is correct.

Mr. BEAMER. I think that will answer the problem for many impacted areas.

Mr. BARDEN. It has grown to be a real problem. The committee anticipated it and made provision for meeting it.

Mr. BEAMER. I think that is a very admirable attitude and I appreciate it.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I want to commend the distinguished chairman of the Committee on Education and Labor for the effort he has put forth in bringing this legislation to the floor of the House at this time, and I want to commend him, too, for his interest in the subject matter and his familiarity with the subject matter. He has given it a lot of study, it has meant a lot of work on his part, and I congratulate him for the fine things he has done in this respect.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. I would like to commend the gentleman and the committee for bringing this very needed legislation to the floor. I would like to ask the gentleman if he intends to comment during his remarks on the effect of this amendment to section 305 (d) which has to do with the percentage of children who would be counted in the average daily membership in a school year. This bill reduces it, I believe, from 10 to 7 percent. It is on page 19 of the report.

Mr. BARDEN. Let me say to the gentleman that I will check on that and try to get the information for him.

Mr. DAVIS of Georgia. I thank the gentleman.

Mr. BARDEN. But I think the gentleman will find this: The reason it was changed from 10 to 7 is because the average has been 7, so since we were in possession of fairly accurate figures which showed that the average was 7, the committee thought that it was much wiser to accept 7 than to guess at 10.

Mr. DAVIS of Georgia. I thank the gentleman very much.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I want to congratulate the gentleman and his committee on bringing up for the consideration of the House H. R. 11695, which would extend the provisions of Public Law 815 and Public Law 874 in relation to the Federal Government's obligation and responsibility in certain federally impacted school areas. I think this is the type of legislation in which the Federal Government undoubtedly has not only a direct interest but a direct responsibility, regarding situations such as this. It is the type of legislation which we can all vote for. It will be very helpful; not only helpful but it will meet a condition which was created by the Federal Government.

Mr. BARDEN. I thank the gentleman.

I may say this in that connection: There may be some differences of opinion as to the proper approach to this problem, but certainly I do not think there could be any differences of opinion over the fact that it is very definitely a Federal responsibility and should be dealt with.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Florida.

Mr. CRAMER. I, too, want to congratulate the chairman and the committee for its work insofar as Public Law 874 is concerned, in eliminating the 3-percent absorption feature. I had the privilege of appearing before the subcommittee considering this matter, at which time I called the attention of the subcommittee to the fact that in my district, as an example, in which we have about 2.9 percent of absorption, it would have meant the loss of approximately $100,000 in the overall accounting. I am happy to see that the committee has acquiesced in accepting the request of many of the districts involved, such as the gentleman from Kansas, and have eliminated that feature of the bill.

Mr. BARDEN. I thank the gentleman.

I would like to say this: At the outset the committee had a pretty difficult problem in trying to visualize or even gather information on the existing conditions throughout the United States. But, as the bill has been extended from time to time, just such problems as have been brought to my attention in the last few minutes here presented themselves to the committee, and the committee tried to adjust the bill to meet the problems. So, that accounts for some of the changes.

Without absorbing all the time, I want to mention another thing we have done in this bill. There are a number of private flight training schools in the country, where the Government pays for the flight training on contract basis. It is, in effect, a military base, operated like a military base, and operated in connection with the Air Force. So, they were taken under the law, and very properly so. The bill provides that these schools be considered as Federal property for purposes of the bill. In some situations the law requires the Office of Defense Mobilization to make a finding as to whether or not a Federal contract existed, the Labor Department to determine whether or not there had been any unusual labor impact upon the area, and the Office of Education to determine whether or not the schools were affected. In most cases it has taken 5 or 6 or 7 months to come up with the finding. The committee thought that in dealing with situations of the nature there should be a time limit, and therefore we inserted a limitation of 90 days. I do not think there is any question in the world that any one of these departments could make its findings in much less time, but 90 days is long enough to hold up the beginning of a procedure which is designed to give educational facilities to these children.

I have touched on the high points and the chairman of the subcommittee can pick up where I left off or can set the House straight after my confusion, whichever is necessary; so I shall not take much more time. But I should like to say this. I think the bill is in good shape. I believe it will do the best job of any bill that we have had up to this time. We have tried to take care of these new conditions that have developed.

I hope the House will accept this bill and will not attempt to rewrite the bill on the floor, because I think you can see from the inquiries that have been made here how many different situations exist throughout the country in which the Federal Government is involved and in which certainly it has a very definite responsibility.

We have adopted a policy in the House, and I think very properly so, that in these school districts where there are defense establishments, or where there are Government contracts operating, an intolerable situation can be brought about simply by loading children on a community which is already struggling to carry on its schools. So, since we have adopted that policy, I believe that while the bill is expensive, anything dealing with all of the United States would be expensive. I think this is a wise expenditure and a necessary expenditure and one that will give a sound return dollar-for-dollar.

Mr. RHODES of Arizona. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as the chairman of the Education and Labor Committee has so ably explained, this has been a very good piece of legislation and one which should

be continued. Since the time that this legislation first came into being to the end of the fiscal year 1956, the Government has spent $891 million on this program. Through the combined program of Public Laws 815 and 874 more than 3,000 school districts have benefited. These are school districts which without the aid given under this law would have found it very difficult to educate the children who are in those districts because of Federal activities.

This, then, is a bill under which the Federal Government undertakes a responsibility which it should undertake because its activities have caused the situation which we seek to remedy. This is a situation in which the Federal Government steps into a State or a school district as a taxpayer. The thesis of this program is that the Federal Government by its activities has either denied the school district tax revenue which it otherwise would have or, because of its activities, has caused an impact or an influx of children who would not be there unless it were for some defense activity. So I think that the basis is sound, and I am sure the majority of the House is in favor of this type of legislation.

I hope you will indulge me just a minute because I cannot fail to point out a certain situation which exists. During the last 3 days we debated a bill which would have provided Federal aid to school construction on a more general basis. Those of you who were here during the time that debate took place will remember a lot of talk about Federal control of education, which was supposed to be inherent in that particular bill.

I merely want to point out to you that under this very popular law, Public Law 874, which has been on the books for 6 years, the Federal Government deals directly with school districts. It pays money to the school districts for the operation and maintenance of schools. It pays, in effect, teachers' salaries. In effect, it buys books. But I have never yet heard anybody talk about any Federal control of education as the result of Public Law 874.

In my opinion, potentially Public Law 874 is a much more dangerous bill than was the Kelley bill in which the Federal Government dealt only with the States. However, the House in its wisdom has seen fit to bury the Kelley bill. In spite of pronouncements to the contrary, I do not believe it will be on the floor of this House again during this session of Congress. I do not intend to resurrect an old fight. However, I should like to ask those of you who saw some Federal control in the Kelley bill to reflect just a minute on what could possibly have happened under Public Law 874 but which did not happen and which will not happen.

The chairman of the committee mentioned the 3-percent absorption clause which has been in the law since 1953 and which, as he says, has been a cloud which has never rained. I do not know why the 3-percent absorption clause was put in the bill in the first place. It has never made any sense to me. The absorption clause would require a school district to absorb a number of federally connected pupils equal to 3 percent of the nonfederally connected pupils who go to school in that district. That is very similar to saying that because you have so many rabbits you must absorb so many horses. The comparison is just about that appropriate.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. ROGERS of Colorado. The gentleman talks about the 3-percent absorption. Does the gentleman realize that on page 9, line 12, of the bill there is a further inhibition, that is, that if you had 35,000 pupils in school on June 30, 1939, you would have to absorb 6 percent instead of 3? Is there any logical reason why you would compel a school district to absorb 6 percent just because it happened to have 35,000 pupils on June 30, 1939?

Mr. RHODES of Arizona. The reason which has been given me is that a large school system is more able to integrate and assimilate an added group of pupils than is a small school district. In other words, when the district is geared to take care of a lot of pupils it can absorb a larger percentage of pupils and also a larger number of pupils without causing it any great amount of damage.

May I say for the benefit of the gentleman that one of the members of the subcommittee who has been strongest in favor of this particular provision is the gentleman from Minnesota [Mr. WIER], who comes from the city of Minneapolis. It has always been his pronouncement and his feeling that the city of Minneapolis can take care of its own pupils.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. FRELINGHUYSEN. In further clarification of that particular requirement, I think it should be pointed out that this language has been in the bill since the outset of the program in 1950. As the gentleman from Arizona has pointed out, it has been included because it was felt that a large school district in a metropolitan area does not have a sufficient Federal impact to get recognition unless it meets this requirement. In other words, in a small district a smaller number of children create a considerable impact, but in a large school district it might well be expected to absorb a larger number of schoolchildren.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. ROGERS of Colorado. May I point out that while the reason may be that you based it upon an enrollment of 35,000 as of the date of December 30, 1939, I would like to point out that the school district in the city and county of Denver was just a little above that, and since that time we have had established many Federal agencies in the area and with families living in the school district. Even under that setup, we have had in excess of 6 percent and they have been able to get some money. On the other hand, the people in the city and county of Denver have, on two different occasions, authorized bond issues to take care of the increased population, but so long as we confine it to this 6 percent and put on an arbitrary figure of 35,000, why could you not put it at 50,000 or 60,000 as well?

Mr. RHODES of Arizona. Of course, I sympathize with my friend, the gentleman from Colorado as I always do when he brings his problems to the floor. I do not know why the figure 35,000 was put in. Certainly that figure has no magic as far as I am concerned. I understood or assumed that it came from the department as a logical figure with which to begin.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. BALDWIN. I want to join with those who have already stated their commendation to the committee for bringing this bill to the floor. I am particularly thankful to the committee for your inclusion of the provision that deals with members of the Armed Forces who are assigned overseas and provides that they receive credit under this bill. In my own district in California, we have Travis Air Force Base, which is one of the largest Air Force installations on the west coast. A great number of people who are assigned there are later assigned overseas, particularly to the far eastern regions. This particular change in the bill will be of tremendous benefit to the local school districts which very frequently have left in their communities the families of those men who go overseas for a term possibly of 3 years. I certainly want to extend my thanks on behalf of this district for this amendment. I urge approval of the bill.

Mr. RHODES of Arizona. I thank the gentleman.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from South Carolina.

Mr. RIVERS. I should like to ask the gentleman if this is not a further implementation of a policy established by the Congress placing the responsibility on the Federal Government to provide financial aid for schools in areas that have been overrun by military and other attached personnel to some military or defense or Federal activity whereby these areas have become impacted by this influx and thereby making it impossible for these areas to manage the things which they have heretofore managed and carried on as a local proposition. This bill today is a further implementation of this after a long study by your distinguished committee.

Mr. RHODES of Arizona. I think the gentleman is absolutely right. In other words, Uncle Sam feels he should be a good citizen and a taxpayer of these school districts as well as the average individual who may live in these school districts.

Mr. RIVERS. That is right. In other words, Uncle Sam stands in lieu of the taxpayer who has been taken off the land as a result of the Government coming in and taking this land.

Mr. RHODES of Arizona. That is substantially correct.

Mr. RIVERS. This is an implementation of a policy written by us here as a result of the fine work done by your committee.

Mr. BROYHILL. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. BROYHILL. As the gentleman knows, I was before the committee in support of this legislation and offered an amendment to change the formula computation of repayment to the community suggesting that the formula be based on the cost to the community to educate children in that community rather than in comparable school districts or the State as a whole.

Can the gentleman tell me if the committee gave any consideration to that proposal in their executive session?

Mr. RHODES of Arizona. I would say to my friend that the committee gave a great deal of consideration to his proposal, and many of them liked the proposal very much. I would like to say also that the studies indicate that the people who live in the gentleman's district should thank him for it, because it would have been very good for that particular district. Whether it would have been that good for other districts in the United States is problematical. Also it appeared that the cost of the gentleman's proposal would be about $30 million a year, which we considered to be a little too much for us to go into at this time. But I compliment the gentleman for bringing the matter to the attention of the committee.

Mr. McINTIRE. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. McINTIRE. I have three projects in my district. I note with interest on page 7 of the report the reference which is made to the connection on the part of nonfederally connected children. These bases have been under construction quite a long time. It is my understanding that this legislation will assist somewhat in meeting this problem of those connected with the base, but not necessarily Federal children, you might say, or those whose parents are federally connected. Am I correct?

Mr. RHODES of Arizona. The particular provision to which the gentleman refers is one which states that for the purposes of Public Law 815, the increase required in nonfederally connected children shall be only 7 percent instead of 10 percent, as in the present law. I imagine that will have some effect upon the area that the gentleman is speaking of, because probably the large amount of increase will be in federally connected children and not in nonfederally connected children. The result of this situation is that if you do not have a percentage increase in nonfederally connected children, then enough federally connected children to make up the difference must be not paid for, so you meet this percentage requirement. So it actually results in a loss to the district.

Mr. McINTIRE. I commend the committee for this legislation. It has been most helpful in my district.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. RHODES of Arizona. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, it has been pleasing to hear such unity of opinion about the bill which our committee has up for discussion today.

As a member of the subcommittee which considered this legislation, I am naturally anxious to see it passed. The bill does not require any detailed discussion. I think the chairman of the committee, the gentleman from North Carolina has already explained the major amendments in it.

We all recognize that the 6-year program which we have had of Federal assistance in the construction of schools and in their operation and maintenance has been helpful to a great many school districts affected by the activities of the Federal Government. In the field of public housing, defense contracts, military bases, reclamation projects, Indian residents in various communities, and Government employees, all these generally have created an impact which is met, in part at least, by these two programs.

I think it is somewhat ironic that we should be so favorably inclined to accept Federal responsibility in this field, and yet apparently at the same time do nothing to accept Federal responsibility for assisting in the general construction program of classrooms. In my opinion, emergencies exist to justify reasonable Federal participation in both fields.

President Eisenhower in his budget message last January recommended the extension of Public Law 815 in the following language:

> In continued recognition of the special school enrollment problems created in many communities by military and civilian activities of the Federal Government, I am recommending extension for 2 years of the authority for providing assistance in paying for new school buildings in federally affected areas. Under present law no applications can be received after June 30, 1956. An additional appropriation of $88 million for the fiscal year 1957 is recommended for the proposed extension. With the enactment of legislation to authorize general Federal assistance for school construction, the necessity for the further extension of special Federal aids for construction and for maintenance and operation in these school districts will require reconsideration.

Mr. Chairman, you will note that the President was assuming that a general assistance program would be enacted. You will find that the President did not actually recommend an extension of Public Law 874. However, our committee felt that we should also have a continuation for 1 year of Public Law 874 so as to have the 2 programs end 2 years from now.

I feel it important to point out that the Department of Health, Education, and Welfare, and United States Commissioner of Education Brownell in particular, suggested that in view of the fact that there was an advisory committee looking into the whole subject, no major revisions or amendments should be made in this legislation. Until their recommendations were available, it was felt, the programs should be extended without modifications.

I am not suggesting that the amendments which we have incorporated in the bill are major amendments. They are aimed at specific problems which were brought to our attention. They do not represent, I feel, any radical new developments in the field. For that reason I think we need have no particular concern over what we are doing. It is a temporary extension of a program which has proved its value.

The amendments, and the problems which Members have brought up today, show that there are many unsolved problems in connection with the construction of schools. We have had demonstrated that there is need for the Federal Government to take cognizance of growing problems in other areas, besides districts directly affected by the activities of the Federal Government. The national shortage of classrooms for example, shows that there are problems which are beyond the capacity of local communities as promptly as desirable. For that reason I think that, while we are considering this bill, we should remember that there is still a very direct need and a broader responsibility of the Federal Government in the general school construction field. In answer to those needs the Federal Government can surely develop a reasonable program free from undue Federal controls, and aimed at supplementing present efforts.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield.

Mr. CRAMER. On page 14 of the report is a table which as I understand indicates the increase which will result from using the 1955 figures for school attendance and local contribution rates. In referring to Florida I see according to the table an increase—and I want to have this on the record—an increase of 43.3 percent in our rate. Does that mean, then, that in effect in this fiscal year Florida will receive approximately a 43 percent increase in the Federal contribution for federally-impacted areas?

Mr. FRELINGHUYSEN. That is my understanding of the case, I will say to the gentleman from Florida.

I would like also to point out, as you will see from page 15 of the report, that the overall cost for 2 years of this program will be approximately $378 million for construction, and for maintenance and operation. This is a substantial program to meet continuing needs.

Mr. RHODES of Arizona. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, permit me to ask the gentleman in charge of the bill for the minority a question, please. I notice in the bill the phrase "financial assistance in the construction and operation of schools" occurs. What does "operation" mean?

Mr. RHODES of Arizona. Of course I do not have a legally valid definition before me, but I would say that "operation" is anything that has to do with the everyday maintenance and running of the schools, including salaries.

Mr. HOFFMAN of Michigan. Nothing about the system of education, or selection of teachers?

Mr. RHODES of Arizona. Yes, teachers.

Mr. HOFFMAN of Michigan. Would it have anything to do with what the educators should teach?

Mr. RHODES of Arizona. With the selection of teachers, you ask?

Mr. HOFFMAN of Michigan. Yes.

Mr. RHODES of Arizona. Nothing except as far as pay is concerned.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. BARDEN. I think I can clear that up. The United States Commissioner of Education has absolutely nothing to do with one dollar of that money when it is paid to the school authorities.

Mr. HOFFMAN of Michigan. Am I correct then in thinking that there is no chance for the Federal Government to select the teachers or to determine the course which the educational program shall follow? This is just the building and mechanical operation of schools in certain cases?

Mr. BARDEN. Not one thing in the world can he have to do with that, because when the money is sent to the local school authorities they handle it; they ask him no question about what they shall do, and he tells them nothing.

Mr. HOFFMAN of Michigan. That is what I understood.

Mr. BARDEN. And if they did have, I would be against it.

Mr. HOFFMAN of Michigan. I wanted to be sure I was right about the gentleman's attitude. Is there anything in here about educating any Federal employees or officials?

Mr. BARDEN. What is that?

Mr. HOFFMAN of Michigan. Is there anything in this bill, anything proposed here, to provide for the education of Federal employees or officials.

Mr. BARDEN. It makes available a school if they want to go to it. This goes from the Commissioner to the school authorities just as though it came from a tax check of the Standard Oil Co. or someone else. They have absolutely nothing to do with that money after the check arrives at either the county superintendent, the county government or the city government or the school district.

Mr. HOFFMAN of Michigan. Let me go a little further. Can a Federal official get the benefit of this? For instance, could Secretary of Defense Wilson attend one of the schools which might be constructed and be educated in it?

Mr. BARDEN. The gentleman is presupposing that he needs education.

Mr. HOFFMAN of Michigan. No; I do not think he does, except as it appears he is not familiar with the backbiting, nagging, petty methods of some politicians but there are several or many, including some newspaper publishers, who believe his education may be improved upon. In truth, they need education—in fairness, in decency, and several other characteristics which most of us possess. I think Wilson is tops as to ability, patriotism and practically everything that makes for successful citizenship. From the way they are trying to educate him, it seems to me there should be something in some of these bills so that when an honest, decent, patriotic, capable, and you may add here all the rest of the words that will describe everything that is good in an individual, comes to the Federal Government, to serve it and renders exceptional outstanding service, those who are finding fault all the time ought to be educated. That is what I am getting at.

Mr. BARDEN. I think I can answer the question briefly.

Mr. HOFFMAN of Michigan. Very briefly. I only have 10 minutes. May I ask the gentleman to give me 5 minutes?

Mr. BARDEN. Let me say to the gentleman that this will not help or hurt Secretary Wilson's education.

Mr. HOFFMAN of Michigan. I do not think you can do either. But I do think he has learned that even if the service rendered his Government was perfect and to that he makes no claim—the better the service the more severe the unfair criticism of politicians who hope by sending up a smokescreen to destroy his good work. I was not thinking of Secretary Wilson.

I am thinking of these folks who are ranting and yelling around about something they do not know anything more about than I do, which is comparatively nothing. Then try to tell the Secretary how to get an education in the necessity and methods of production of which he has an opportunity to have the advice of experts and of which he has long been a master.

Mr. BARDEN. This is designed to try to make provision for Uncle Sam to do his part as a taxpayer, so to speak, or in lieu of taxes for the children of the Armed Forces who come to fill the camps, thus creating an impact on the school districts. It is for the children.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. Briefly.

Mr. GAVIN. I heard the name of Secretary Wilson mentioned. To my way of thinking, any man who handles the spending of $35 billion a year for our national defense as ably and as well as he has—he has turned in a magnificent performance—should not only receive the hearty commendation of the Congress but of the people of America as well.

Mr. HOFFMAN of Michigan. The gentleman may extend that in the RECORD as far as he wants to go. I agree with him. But back to my original thought. What I am trying to get at now is a little light on the motives of those who misuse him. They themselves ought to be educated a little and that is true even if they belong to the other body.

Here is something else. There is nothing in this bill about mental health? I notice on page 15 of the Washington Post this headline: "GORE Says Ike Lacks Physical, Mental Vigor."

The next paragraph reads:

HARTFORD, CONN., July 6.—Senator ALBERT GORE, Democrat, of Tennessee, charged tonight that President Eisenhower lacks the "physical and mental vigor and will to make decisions."

Then this:

In one of the bitterest attacks ever made on the President by a United States Senator, GORE said neither Mr. Eisenhower nor Vice President RICHARD M. NIXON is qualified to lead the country in the next 4 years.

The news story continues:

He said these years will be "a substantially more difficult period" than the past 4, bringing problems "of the greatest magnitude."

GORE declared in a speech prepared for a Connecticut Democratic convention in Hartford: "Neither a pleasant personality, knowledge of history, nor political organization, however good, can be a substitute for the physical and mental vigor to make decisions."

GORE charged that presidential powers are being dangerously delegated to lesser officials, who often, he said, "take off in opposite directions." He added: "The people have a right to know who is using the name of Dwight D. Eisenhower and who is using the prestige of the Office of the President of the United States."

For lack of "virile and aggressive leadership," GORE charged, the United States is falling behind in world prestige, airpower, atomic power, intercontinental ballistics missiles, development of natural resources, and social progress.

The Tennessean has been mentioned as a possible Democratic vice-presidential nominee in 1956.

I can understand how the President has had some question raised about his health, but I thought NIXON was all right physically, though his political opponents do not like his mental equipment. It might be helpful to have some expressions or ideas about NIXON's condition and ability from the opposition indicating that at least he was alive and aware of what he was doing so I could go along with my colleagues on the other side.

But Wilson does not satisfy the opposition; Eisenhower does not satisfy you, no and not even NIXON. Apparently his political opponents hate him because of his ability, courage, and patriotism. What in the world is the matter with NIXON except that he tells you off once in a while when you should be? Give us a bill of particulars of his faults. Put it in the RECORD. Then the people will know what you are griping about. He does not satisfy you. You complain about the policy committee staff of the Republican Party in the Senate criticizing you. Somebody said that a staff member got down in the gutter and criticized the Democratic Party. Well, over in the other body they returned the compliment in practically the same language, but we did not take offense. A Member of the other body complained of mudslinging, then threw a truckload of his own. At least, I did not. I do not know what the other Republican Members did. What can we do to please you? Just withdraw all candidates for the presidency or for any other State or Federal office? Would that satisfy you?

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. I think the gentleman's point is well taken. I believe the gentleman meant to indicate that this bill does not go far enough to educate those people who, by their actions, have demonstrated that they obviously need education along certain lines.

Mr. HOFFMAN of Michigan. You are right. Along the lines of truthfulness, of accuracy, or decency. But you do not have it all. I do not believe there is any

legislation that the House could enact or the executive department enforce that would cure the habit of, without cause, the vilifying of good citizens by some of these who seek political advantage. What shall we do? Are we lacking in good judgment or whatever it may be? When they get around so that they say that a man like NIXON is not physically qualified for his job—and that after the record he has made perhaps nothing can be done. What do you want him to do? Dig a ditch or something? I think he could do that. He has dug some that buried Hiss and other Commies, and some candidates in years gone by. But that is not his present job. Now, this thing is getting so you have an old man worried. Seriously, I am worried about it, because there does not seem to be any reason any more why any decent, respectable, patriotic, able citizen, who has made a success in civilian life, should come down here and accept a position in the Federal Government, submit to the abuse which is thrown at him, unless it be that he has an exceptionally high degree of willingness to sacrifice himself to serve his country. To me it seems an outrage that a man like Wilson should be criticized as he has been; that the President should have been falsely charged with reprehensible action by an employee of a Senate committee without rebuke. Do you remember when a staff member of a Senate committee over there awhile ago came out with a statement in the paper, and he also testified to it in a public hearing over in the other building, that the President had, in his own handwriting, written across a note a request that the Secretary of the Interior should do a certain act? Have you forgotten that? I wonder. And that was a falsehood. The gentleman himself came in and he had to admit it was false. But, the committee of the other body never uttered so far as I know publicly a word of criticism of their staff member. By their silence they gave approval to that false charge.

Mr. SMITH of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. Would the gentleman say that Mr. NIXON succeeded in burying Alger Hiss?

Mr. HOFFMAN of Michigan. He sure did; and Hiss was the darling for a time, of another administration. I will take just a second to say that I know about that and I know about the other good work that Vice President NIXON did, when he was a Member of this body. He was an exceptionally fine, capable, and effective Member of this House, Mr. Chairman and that no one will deny.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield, but I do not want any trouble.

Mr. HALEY. Would the gentleman agree that probably the recent statement in the newspapers that Mr. NIXON was carrying a physician along with him on this trip——

Mr. HOFFMAN of Michigan. Was carrying a what?

Mr. HALEY. A physician, a doctor—along with him on this trip that he is making raises some doubt in his mind about his physical condition?

Mr. HOFFMAN of Michigan. I hope he did take a doctor along. That shows good sense. That shows good judgment. No doubt he took a few shots before he went. I remember going out here in the West not so long ago on a committee hearing and I got stuck in a fine, beautiful little city. They had to send a plane to get me out. One of the committee told me: "Yes, we have a reservation for you." Perhaps they did not want me in San Francisco on Monday for the hearing. This was Saturday. Oh, he had a reservation all right, and when I went to pick it up the airport man said it was a standby reservation. Do you know what they did then? They found I was 80 years old and they sent a doctor along to see that I rode through all right. That doctor helped pick up my handbag and put it on the plane. He took my arm to assist me on the plane. He worried all the way because he feared I would not be able to make it. Some folks worry too much about their neighbors. I think some of the critics of Ike and NIXON might do well to get another kind of a doctor, a doctor of divinity, or one who might advise a course of treatment which would correct whatever is wrong in their heads.

In answer to the chronic critics who think Wilson does nothing about defense production—that, is, how much of what is needed for our defense—permit me to read, for what it is worth, an editorial from the Detroit Times with quotes from "Give Them Heck" Harry. I read:

HOW ABOUT IT?

There is need for agonizing reappraisal in a new field, in consequence of Harry Truman's forthright evaluation of the manner in which the free world capacities for defense have prospered under the foreign policies of the Eisenhower administration.

Since several leading Democratic aspirants for the presidential nomination of their party have indicated an intention to criticize those policies, Mr. Truman has cut the ground from under them more effectively than any Republican could have done.

At the conclusion of his European tour, Mr. Truman wrote in the Hearst newspapers:

"I leave Europe convinced that the free nations of the West are in a much better position today to meet the threat of the Russians than they have been at any time since the war.

"They are in a far better position, actually and relatively, than they were when the Korean affair began just 6 years ago."

Mr. Truman had the candor to include the years of his own administration in that period of appraisal, and had the factual integrity to let the light of advantage fall to the credit of the Eisenhower administration.

In the light of what already has happened in the presidential campaign just starting, in the way of disparagement and even downright undermining of national foreign and defense policies, it is to be wondered if the Democratic presidential aspirations will be pursued with the same candor and integrity.

As W. R. Hearst, Jr., remarked in his Editor's Report in the Hearst Sunday newspapers:

"How about that, Adlai, Averell, and Estes?"

Get together, boys, you may continue to try to kick Wilson but watch Harry, at least until after your convention.

Mr. BARDEN. Mr. Chairman, I yield 9 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, the subcommittee which considered the necessity for extending Public Laws 815 and 874, 81st Congress—assistance to Federal affected school districts—reported favorably to the full Committee on Education and Labor. The subcommittee consisted of Congressmen WIER, Minnesota; METCALF, Montana; THOMPSON, New Jersey; UDALL, Arizona; GWINN, New York; RHODES, Arizona; WAINWRIGHT, New York; FRELINGHUYSEN, New Jersey; and myself.

We also approved several amendments that we believed would make the legislation more equitable and just. We conducted hearings for 8 days and tried to give everybody an opportunity to be heard that desired to be heard on this particular legislation. After we reported the legislation to the full committee, the Committee on Education and Labor considered the legislation for approximately 3 days before reporting out H. R. 11695.

The necessity for extending this legislation is best expressed in the last paragraph on page 2 of Report No. 2357 to accompany H. R. 11695, which is as follows:

The committee received testimony from the Department of Health, Education, and Welfare to the effect that the substantial program of military family housing which was enacted by the 1st session of the 84th Congress and which authorizes the construction of some 100,000 military housing units on Federal property will result in continued impacts on Federally affected school districts. The committee is informed that 70,000 of these family housing units have thus far been allocated by the Secretary of Defense and that by September 30, 1956, the Secretary will have committed the entire program of approximately 100,000 units. In addition, there are some 27,000 housing units authorized to be constructed on Federal property from funds appropriated directly to the Department of Defense.

Large allocations of housing units have already been made on several new and reactivated military bases. When these units are completed and occupied, it will be essential to have available school facilities in the adjoining school districts to accommodate the children of the military personnel. It is also evident that increases in Federal activities not involving new housing projects are taking place in many areas of the country which will require the provision of school facilities for the children of federally connected parents.

H. R. 11695 proposes a continuation of Public Laws 815 and 874, 81st Congress, to June 30, 1958. This is a program of Federal assistance to the schools with excessive increases of pupil enrollment due to Federal activities being located in or near these school districts. During the past 6 years this legislation has been in effect, it has come to be very popular legislation with Members of this body, quite different from other school legislation recently killed. This popularity, of course, stems from the tremendous value it has proved to be in meeting the additional need in these various communities throughout the Nation. To realize this value, we need only consider the report of the Department of Health, Education, and Welfare on the

school assistance program dated January 3, 1956. This report discloses that under Public Law 815, 2,970 projects have been processed, constructing 801 new elementary schools and 255 new secondary schools. It also showed that there have been 1,160 additions to existing elemenary and secondary schools, together with 145 other construction projects.

Under Public Law 874, 2,800 school districts have been assisted in meeting the current operating cost, many of which would have been unable to maintain even a subnormal school program without this assistance.

It is obvious that this Federal assistance must be continued when we realize the continuation of the Federal activities which cause the pupil impact.

Many school superintendents appeared before the Education Subcommittee during the hearings and pointed out some inequities shown by the experience in the administration of Public Laws 815 and 874. The bill under consideration at this time is designed to correct some of these inequities. One of the greatest inequities in the present law is the 3-percent absorption provision in Public Law 874. We heard from witnesses all over the Nation, and practically all of them requested that we remove this provision from the bill.

You will note that section 204 of the bill eliminates the 3-percent absorption which the Congress has made inoperative during the last 2 years. Should this provision be allowed to go into effect, approximately 20 percent of the school districts would become ineligible and receive no assistance, while others would have their assistance reduced materially.

In the State of Kentucky which had 46 applicant schools, we find 7 schools would be completely eliminated from the program and the 46 applicants would lose approximately 45 percent of the entitlement under Public Law 874. This State only serves to illustrate the serious need for permanently eliminating this feature of the legislation.

We also shifted in counting the children to the current year attendance basis. On page 9 of the report you will find this statement which I feel explains the necessity for this shift:

> The principal effect of this amendment is to permit local educational agencies to claim section 3 payments immediately for increased numbers of federally connected children newly attending their schools, instead of claiming payments on such children under section 4 (a) where they have to meet a higher eligibility condition and must prove actual need for Federal assistance.
>
> Evidence presented to the subcommittee indicated that the benefits that resulted from considering eligibility and making payments on the preceding year's average daily attendance were more than offset by the hardship created for a number of school districts having substantial increases in school enrollments of federally connected children.

The subcommittee felt that consideration should be given to hardships created for a number of school districts having substantial increases in school enrollment at the present, but under the present law were unable to count those children. For instance, in Greenup County, Ky., which is located in the congressional district that I am privileged to represent, the Federal Government is constructing Greenup Dam, which has caused pupil increase in a number of school districts in that area. This county is unable to meet the additional educational cost resulting from this increase. It is estimated that during the next school year, 631 pupils, or approximately 20 percent of the pupil load will result directly from the Federal activity. The per pupil cost of these children is slightly more than $160. Certainly we cannot expect this county to provide all of the $100,000 necessary to meet the education cost of these children.

Another amendment applicable to both Public Laws 815 and 874 concerns children of members of the Armed Forces where the parent has been assigned overseas or beyond reasonable commuting distance from the military installation, leaving his schoolchildren behind. We find that, under the terms of existing law, the children can no longer be counted as federally connected.

We were of the opinion that the Federal obligation did not cease for these children simply because the parent is sent on military orders to a distant base and is unable for a period of time to take his family with him. Transfer of the parent while the children remain behind does not reduce the cost to the school district, nor does it increase the tax income. Quoting from the report on page 5:

> Thus the committee felt that this inequity in the present law should be corrected by permitting the school district to continue to count children after the parent has been transferred overseas.

Several witnesses testified concerning this inequity before the subcommittee. This amendment will be of great assistance to hundreds of school districts throughout the Nation, particularly in the Fort Knox area. In Muscogee County, Ga., there were 1,058 children in attendance during the 1954–55 school year whose military fathers had been transferred overseas or to other military establishments outside of the State of Georgia, and beyond a reasonable commuting distance. Under the present legislation, these children became ineligible for Federal assistance on the day their fathers were transferred, even though the family remained in the school district. The legislation under consideration today provides that these children remain eligible so long as they remain in the school district and the parent is in the military service.

The committee heard considerable evidence concerning payments under Public Law 874 and we felt that we should amend the floor thereby increasing the amounts payable to the lower income States while not interfering with the payments made to the wealthier States. In the report on page 10, basing section 3 payments on national average per pupil local contribution rate, we find the following statement:

> The bill would set a new minimum local contribution rate—in addition to that already in the law of one-half the average per pupil expenditure in the State—which would be based on the average per pupil local contribution rate in the continental United States but not to exceed in the case of any school district the average per pupil expenditure in the State in which the school district is located. The net effect of this amendment is to provide for any local educational agency a local contribution rate (on which section 3 payments are based) which is the highest of the following three: (a) the local contribution rate in comparable school districts in the same State, (b) one-half the average per pupil expenditure in the State (counting expenditures from whatever source), or (c) the national average per pupil local contribution rate but not to exceed the average per pupil expenditure in the State.

Under this amendment, payments to the State of Alabama will be increased approximately 100 percent. There is a limitation upon using a national average rate as a new minimum, in that the national average cannot exceed the State average per capita expenditure.

The committee made other changes that we felt improved the legislation which I will not take time to discuss here.

The Department estimated the cost of Public Law 815 over the next 2-year period to be $146 million; and the cost of Public Law 874 for the same period, including the proposed amendments, to be $232 million.

Mr. Chairman, the amendments have been discussed by various members of the committee here today. But, concerning section 102 I feel that I should mention that we amended the definition of Federal property to make any school eligible which is providing flight training to members of the Air Force under a contractual arrangement with the Department of the Air Force at an airport which is owned by a State or political subdivision of the State.

When we were conducting hearings, the gentleman from Missouri [Mr. JONES], the gentleman from Georgia [Mr. PILCHER], the gentleman from Texas [Mr. KILGORE], and perhaps others came before the committee and we felt make a good case. We first passed over their suggestions because the Department felt that inasmuch as it was not Government property we should not give consideration to some eight schools over the Nation which were affected. But when we propounded questions to the Department and found that the Air Force was saving money by this contractual arrangement with these various corporations that were conducting these flight training schools over the Nation, we felt that those children should be counted.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Mr. Chairman, I want to commend the chairman of the subcommittee and the other members of the committee for the consideration which they gave to this problem. I am very sorry that our colleague, the gentleman from Georgia [Mr. PILCHER] is not here today because he had introduced a bill to take care of this very matter. The others of us who were interested in a similar situation cooperated in every way that we could. I do want to express my appreciation to the com-

mittee for taking care of this vital problem.

Mr. KILGORE. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Texas.

Mr. KILGORE. I should like to express my appreciation and congratulations to the chairman of the subcommittee and the committee for the inclusion of this particular redefinition of Federal property. As the gentleman said, it was very much the opinion of many of us that it came in the same category as other Federal installations and inasmuch as this activity was saving the Government money it was properly included.

Mr. PERKINS. I feel I should say in addition to what both the gentleman from Missouri and the gentleman from Texas have stated that the gentleman from Georgia [Mr. PILCHER] made a very persuasive case before the committee for this change in the law.

Mr. ROBERTS. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Alabama.

Mr. ROBERTS. I should like to express my personal appreciation to the distinguished chairman of the committee, to the distinguished gentleman from Kentucky, who served as chairman of the subcommittee, to the members of the subcommittee, and to the members of the full committee, for bringing out this fine piece of legislation. My people are deeply appreciative of the efforts of all who make it possible for us to vote for this bill today. It is my hope that it will remain in its present form, because I think it is the best vehicle I have seen for permanent legislation on this subject.

Mr. PERKINS. We felt the 2 years' extension was necessary in order to lend some stability to the program.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I want to express my appreciation to the gentleman for his leadership in the field of education, and to the distinguished chairman of this committee and the other members of the committee for bringing to the floor an outstanding report and an outstanding piece of legislation. I certainly could not agree more heartily with any conclusion than that the need for the extension of titles III and IV of Public Law 815 is extremely urgent. I have seen the fine work that is being done under this program at first hand in some of our Indian communities. I know it is really bringing about a remarkable improvement in the Indian education picture, and in our State's school-building situation. I congratulate the committee for extending the program, and am glad to have the opportunity to support this bill.

Mr. PERKINS. The subcommittee and also the full committee well realize the fine work that has been accomplished on Government property in building schools for the Indians where no taxes are paid. We realized the $20 million was inadequate, and for that reason we raised the authorization to $40 million.

There was much discussion before our subcommittee concerning the variance in payments to the various States in the maintenance and operation of the impacted schools. For instance, in connection with the payments to the State of Alabama, their local contribution rate averaged $65, while the State of Wisconsin averaged $269.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Chairman, I appreciate the opportunity of appearing before the Congress today in support of H. R. 11695. I would especially like to pay a tribute to the distinguished members of the Committee on Labor and Education and especially to members of the subcommittee who held long and thorough hearings on this important legislation.

I think that all of us realize that this legislation is probably the most important in the field of education that may come before Congress at this session. I think, too, that there are many aims which would be accomplished by the Perkins bill, H. R. 11695, but in an entirely different light from the Kelley bill. In the first place, there is no question of interference with States rights presented by the extension of these laws. The situation that has been created is entirely a situation that has come about by Federal activity. It occurs in every case where a military installation is placed in a community, where there is an expansion of an existing installation or a military activity, and where soldiers, sailors, marines or airmen are sent into a community and these servicemen have families with children in school. I suppose that all of us are more acquainted with the situation in our own particular districts and I will try to be brief on this point as I realize that my situation is perhaps no different from that of many other members who are supporting this legislation. I have 8 counties in my district which has a population of over 300,000 people. In Calhoun County is located Fort McClellan, which is the permanent home of the WAC's, the home of the Chemical Corps Training School, and is also used as a training base for National Guard in the Southeastern States. A great deal of expansion has taken place at this installation. Nearby is located Anniston Ordnance Depot which has been undergoing great expansion and employs many hundreds of civilians in defense work. Within the past 2 years there has been another great expansion in my district at Childersburg, Ala., which is the center of the Alabama Ordnance Works and this installation is undergoing a $40 million rehabilitation program. At Selma, Ala., is located Craig Air Force Base which is an important jet training center. I also have two counties which are located near Gunter Field and Maxwell Air Force Base; namely, the counties of Elmore and Autauga, where the families of many airmen live and continue to live while the airmen are overseas. I mention these matters to show that this legislation vitally affects the district which I have the honor to represent. In fact, 6 counties of the 8 which comprise my district have students that are federally connected.

Earlier in my talk I mentioned the fact that I feel that there is a great difference in this legislation and in the legislation which we considered earlier this week. In the first place, this is entirely a Federal matter as the situation which we are attempting to reach with these Federal funds was created by the Federal Government when it placed installations in certain congressional districts. It has been further made a Federal problem by the fact that we are engaged in a cold war and that the defense of our country is all important. It is also to be considered that in most cases the parents of the children who are receiving these State services, do not contribute anything in the way of taxes for school purposes. Very few of them are stationed at an installation long enough to buy and pay taxes on a home, or other real estate, and in most cases they do their shopping for groceries and other essentials at the PX or military commissary which is not subject to any State, county, or school district taxes. And, then in the third place, the Federal installation itself, or rather the property and buildings, are not subject to any State or local ad valorem taxes and the property has been taken off the tax rolls. This means that the State is performing a function for which it has no way of receiving any value other than by a direct Federal grant such as is contemplated in 874 and 815. And finally, I would like to make the point that this legislation is quite a bit different from ordinary Federal aid in that most of, or I might say, many of the school districts that will be affected by this bill have already performed the services. The State and local communities have provided for buildings and for the education of children involved, but in many cases have not been paid for these services. We, therefore, feel that any attempt to place a restriction or to treat this legislation as being a fit subject for integration purposes would not be fair to those who have already performed these services. I submitted a table in the hearings at page 286 which very well illustrates the problem as I see it. I have not attempted to break down this table to show the funds or amount of entitlements that have not been honored by the Federal Government in my particular district. This shows the State at large and let me say that this table was made up by the Commissioner of Education and shows that as of July 1, 1953, Alabama was entitled to the sum of $16,649,934, and that out of this total the funds reserved amounted to $8,996,289, leaving Alabama in the red, so to speak, as far as the Federal Government is concerned in the sum of $7,531,682. As I say, these services have already been performed by the school officials and by the taxpayers of the State of Alabama for federally connected children and the bill should be paid in full.

It has always been my understanding that under the common law, if a man came to my home and performed certain work, such as mowing the lawn or other work around the house, and I sat by and observed in silence the performance of this work, I would still be obligated to pay the man the reasonable amount due for his services. This is the same situation that the States are in as to these educational services. The States have not failed to provide services even though in many cases it represented an undue burden on the local communities involved. The children were there, they had to be educated and none have been turned away as far as I have been able to find out. They undoubtedly required additional teachers, they required additional heating and lighting facilities, they in many cases required construction of many new buildings. I think it is to the everlasting credit of the people in the States that they have recognized the fact that children must be educated whether or not the Federal Government recognizes its full responsibility. The States have not shirked their duties in this connection and they have educated these children knowing in many cases that they would not be compensated at the time the services were performed.

Again let me take this opportunity to thank the distinguished chairman of the Committee on Labor and Education and the members of the Perkins subcommittee for bringing out what I consider to be one of the monumental pieces of legislation of the 84th Congress. To show the tremendous interest in this legislation, I note that over 26 Members of the House of Representatives appeared in support of this bill before the subcommittee as well as many State and county school superintendents. While it is true that something may be gained by extending this legislation every 2 years, it is my feeling that at last we have a bill which should take the form of permanent legislation. I realize that being able to look at this legislation every 2 years gives the committee the advantage of ironing out many of the rough spots and presenting good legislation to the Congress. However, it is my firm belief that as long as we are in the cold war, which has undoubtedly become a long term matter, it is my feeling that if we decide on permanent legislation we could do no better than to use the Perkins bill, H. R. 11695, as that vehicle of permanent legislation. I would also like to thank the members of the subcommittee for the courtesy which they extended me when I appeared before them in support of this legislation. I wish to congratulate each and every member of the Committee on Labor and Education for giving us the opportunity to support legislation which will be beneficial to every section which is burdened by Federal activities. I hope that the House will adopt this legislation and I sincerely believe that no finer bill has come before the 84th Congress. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

Mr. RHODES of Arizona. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. TEAGUE].

Mr. TEAGUE of California. Mr. Chairman, I, too, want to join those who have congratulated and thanked the subcommittee and the full committee for bringing out this legislation. Furthermore, I want to express my complete agreement with the sentiments expressed by the distinguished chairman of the committee, that there is a very important distinction between this type of legislation and the bill we rejected the other day. In my own district of California, I have 7 military installations active and 3 or 4 inactive. In those areas there are literally hundreds of thousands of acres which are off the tax rolls. Furthermore, we have, of course, thousands upon thousands of children to educate, and we are able to do so partly through assistance rendered by this type of legislation.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of California. I yield.

Mr. HIESTAND. I want to compliment the gentleman on his position on this bill. He makes the distinction between general Federal aid to education to communities whether they need it or not and that which entails a definite Federal responsibility. I think it is a good distinction, and I am glad the gentleman expressed it that way. I am in hearty support of this bill.

Mr. RHODES of Arizona. Mr. Chairman, I have no further requests for time.

Mr. BARDEN. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, I have no desire to take up the time of the committee to discuss this legislation. Let me say to you as a sponsor of this legislation since 1950, in the 81st Congress, I have naturally kept in close touch with the administration of the legislation. It has been doing a wonderful thing for about 2,800 school districts in the Nation impacted by the activities of the Federal Government. I shudder to think what the situation would be in the Nation today in the matter of the shortage of classrooms, if we had not spent over a billion dollars under the provisions of Public Law 815 to meet that situation. It is still not what it should be. But this legislation has gone a long way toward meeting a national problem. I want to compliment the members of the committee and Chairman PERKINS and the capable members of the subcommittee. It is good legislation. It was good in 1950 and it is good in 1956.

Mr. BARDEN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I, too, want to express my appreciation to the members of the committee, to its chairman and the ranking minority member, and to Congressman BAILEY and to Congressman PERKINS for the fine work they have done on this legislation. I know from personal experience that an intolerable condition would have existed were it not for the theory expounded in this type of legislation. The only thing that concerns me now is the Federal Government is liquidating much of its wartime housing. The transition period is going to be a hard one for some of the school districts that are going to have to pick up this load because of the lag that will take place in getting the former Federal property back on the tax rolls of the local political subdivisions. I know provision is being made here in anticipation of the problem, but from the studies I have made and the conversations I have had with school administrators, they estimate a lag in California of about 3 years before this can come into orderly effect. Surely, we can work it out here and talk about this year and that year, but local laws and practices come into the picture—limitations that are going to make for a longer period of adjustment in many of the school districts. They are going to feel that pinch during that period of adjustment. There is no question but that this legislation has done a great deal for the children of America in those districts which were so badly hit as a result of the war effort.

Mr. BARDEN. Mr. Chairman, I yield 7 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, as a member of the subcommittee studying this legislation, I believe I voted for almost all the amendments that were adopted. I believe this is a sound bill and I intend to support it.

I rise this afternoon, however, to tell you about an amendment to this bill that I am not going to offer. During the debate 2 days ago on the Kelley bill, I gave a rather hurried speech in support of an amendment which I offered at that time to apply the federally impacted principle to the problem of school integration. This subcommittee held hearings on this proposal and voted it out, not as a part of this bill, but as separate legislation. It was the feeling of the majority of the committee that this amendment would jeopardize the bill, much as it was argued that the Powell amendment would jeopardize the Kelley bill.

The House 2 days ago, having rejected my amendment, I accept that as an index of the mind of the House at the moment. I simply set forth now to educate the Members as to the purpose and wisdom of this proposal.

Perhaps all of our programs for Federal aid to education are endangered and jeopardized as a result of the school integration decisions of the Supreme Court. One need only read the minority report on this legislation filed by the gentleman from New York to appreciate this fact. He states he is going to allow a "grace period," and when this legislation comes up again for renewal, an amendment similar to the amendment he successfully proposed Thursday will be offered.

It seems to me that as far as this whole problem of school integration is concerned those of us who call ourselves moderates—and I dare say most Members consider themselves such—should

begin to think about middle ground proposals which will implement, in a moderate way, the Court's decisions. I believe we have to have some compromising on this problem and break down the rigidity of some southern Members or we are going to have much of our legislation jeopardized in the future. I think a moderate should be willing not only to give free advice to all concerned, but should turn creative efforts toward designing a moderate program.

Perhaps this idea expressed in H. R. 11263—that would apply the Federal impact principle to school integration—is not the answer, but I say the Congress and the administration—and whatever administration is in power next year—should be giving thought to moderate programs of action. I think we are going to find that unless we can define and carve out middle ground programs much of our good legislation will run aground on the rock of dispute that defeated the Kelley bill Thursday. I think the Congress can and should do something in a positive way to strengthen and help those people who are trying to solve this problem.

If you do not think the Supreme Court decision created an impact on those States, as far as their school facilities are concerned—I am not talking about the human relations problems that beset the people in the South, but I am talking about schoolhouse problems—let me read to you a statement made to our committee. This is from the testimony of the supervisor of school plant services of Arkansas. I asked him a hypothetical question about what would happen when Arkansas proceeds with integration programs, and this was his reply to the committee:

> In a number of our districts which operate dual programs, they are already bonded, to a maximum of 15 percent of the assessed valuation.
>
> Now, where it becomes necessary in a reorganization program to build additional facilities they have no means of their own that they can reach out and get to provide the facilities that they have to have.

The State superintendent of Kentucky wrote to me:

> One of the greatest difficulties we have had with our program of integration is due to the lack of facilities.

When the Supreme Court said to these States that they must reorganize their school plants and do away with their dual systems, it threw a great additional burden onto them, greater by far than the impact created by the location of a defense plant or an airbase next to a community. Except that in the case of defense plants and airbases the people who come into the community pay sales taxes, build homes, and eventually their property goes on the tax rolls. And there are other compensating factors.

But as far as the school integration problem is concerned there are no compensating factors; and I say to you that the Supreme Court decision, although it is action by the judicial arm of the Government rather than the executive arm of the Government, is just as much Federal action and a Federal impact as these defense activities. We should not expect these communities affected to level down their school systems, yet that is just what is happening, for overcrowding is taking place in their schools where the pupil load in a classroom runs as high as 35 or 40 students. There is a direct responsibility on the Federal Government that we must assume, for it is occasioned by Federal action.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield.

Mr. FRELINGHUYSEN. Does not the gentleman feel that Federal aid to those school districts where they have integrated their schools could be incorporated more fittingly into a general construction assistance program than in a special program of this kind where, in effect, the Federal Government is standing in lieu of the local taxpayer because it has taken so much land from the tax rolls? In other words, is it not basically different than the Federal impact situation, even though integration may be responsible for a lack of school facilities?

Mr. UDALL. I regret that I do not agree with the gentleman on that point. It seems to me that the key to the situation is Federal action, whether the action causing the situation is by the legislative branch of the Government or the executive or judicial branch. Cognizance should be taken of that action, and I believe this legislation, should be passed by the Congress.

The CHAIRMAN. The time of the gentleman from Arizona his expired.

Mr. UDALL. Mr. Chairman, will the gentleman from Arizona yield me 2 minutes?

Mr. RHODES of Arizona. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona.

Mr. UDALL. I thank the gentleman.

Mr. Chairman, I was distressed 2 days ago when I presented my proposal, admittedly in a rather hurried fashion, that there was not a better response from Members of the House, particularly on the Republican side. I attribute that response not to indifference to this problem but to the fact that the proposal is new and that perhaps I have not done enough to explain the concept and convince Members of the House. I asked for this time today to discuss this matter further and to further inform and educate my colleagues. I do not want to jeopardize the legislation, but I do think we have got to come up with some type of middle-ground programs if we are not going to find ourselves further enmeshed in the controversy that sidetracked the school construction bill 2 days ago.

I see no reason why such legislation should create any feeling of embarrassment on the part of Members of Congress from Georgia, Alabama, or those States where no action at all is being taken to implement the Supreme Court decision, for no one can call it punitive in nature. It simply helps people in Kentucky, Maryland, Oklahoma, and the other States that are going ahead; and there is nothing about it which could make them consider it as punitive or obnoxious.

So I hope the Members of Congress will, in the months to come, give further thought to this problem. I think the Congress can do something constructive to help the people who are trying to implement and carry out the Supreme Court decision. It is my hope that some type of constructive proposals will be formulated by the administration and by the committees of the Congress and that we can do something positive next year.

Mr. RHODES of Arizona. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. KNOX].

Mr. KNOX. Mr. Chairman, I support the legislation which is before the House today; however, there are some questions I have relative to the procedures which have been followed in the past in connection with this legislation requiring the school districts to file their applications for funds in an impacted area. The filing dates have been set. The applications have been received by the State Department of Education and returned back to the school district informing the school district that the date has expired from the filing of applications, therefore they are not eligible. Then in turn the Federal Department of Education extends the date, but the information never gets back to the local level. I have three applications that are in this category and it has worked a terrific hardship upon the particular school district because of the heavy impact brought on new construction. I have introduced legislation which would make it retroactive for these applications that had been filed but have been denied because they did not meet the expiration date.

I would like to inquire of the chairman as to whether any consideration was given to this problem while considering this legislation.

Mr. PERKINS. I may say to the gentleman that ample consideration was given to that problem by the subcommittee. The subcommittee a year ago voted down retroactive payments and this year a majority of the subcommittee were against retroactive payments.

Mr. KNOX. Will the gentleman please inform me as to your justification for being opposed to the retroactive provision?

Mr. PERKINS. May I say the Department most vigorously opposed retroactive payments because it would add many millions of dollars in additional cost. I realize there is some merit because there are a lot of those applications that are meritorious and should be paid. A line had to be drawn somewhere and the committee drew the line some years ago. This year the majority of the subcommittee refused to go along with retroactive payments.

Mr. KNOX. That was regardless of the merit of the case pending, especially in some cases where the application was received only 1 or 2 days late.

Mr. FRELINGHUYSEN. I may say that many of those applications do have merit. The gentleman from Kentucky has pointed out the basic problem involved. There has to be a line drawn somewhere. The fact that the school district does not have knowledge of a law is not a responsibility of the Government. If they fail to take advantage within a deadline time, it does not seem wise to keep opening up for retroactive consideration these applications. We did make additional funds available for entitlements on which no funds had been provided, but still there is a time limit and if a school district is not sufficiently aware of the opportunity or of the renewed opportunity, it does not seem inequitable for the Federal Government to say that the door is closed, you are no longer entitled to take advantage of a particular program which is presented.

Mr. KNOX. Well, now, in regard to the statement the gentleman just made, it is true that there has been a deadline. However, that deadline has been extended.

Mr. FRELINGHUYSEN. There is no need to extend it still further or to make it retroactive. The individual school district, in other words, has been given two opportunities, and it has failed both times to take advantage of those opportunities.

Mr. KNOX. But it does not seem just to extend the time for filing the application and the school district not be informed of the extension.

Mr. FRELINGHUYSEN. Who should inform the district? Should the Federal Government inform each school district that the application time has been extended?

Mr. KNOX. It seems to me that when the Federal Government extends the time, at least they ought to notify the State department of education of the extension.

Mr. FRELINGHUYSEN. It seems to me there is also an obligation on the State department of education and the individual school district to keep informed of the legislation under which they hope to benefit. Again, it has nothing to do with the merits of the application. The hardship results from failure to meet the statutory requirements. The line must be drawn somewhere.

Mr. KNOX. In many cases these applications were filed in time, but due to the fact that they were not complete they were returned back to the school districts, which takes considerable time.

Mr. FRELINGHUYSEN. Well, that is a different question than that raised previously. If an application has been received, I should think they would be eligible to receive the funds even though there was a technical flaw in the application. I understood the gentleman to say that the school district had not formally applied.

Mr. KNOX. In many cases the school districts have applied, sent their applications to the State department for approval, and the State department returned the applications back to the school districts, and during that transfer of communications the time expired. Now, it was filed with the State department but did not get to the Federal department in time.

Mr. FRELINGHUYSEN. The fault does not lie with the Federal Government but with the State or local district, and I do not think that is any reason why the Federal Government should change the rule to help out individual school districts, as much as I regret the fact that they are no longer able to qualify.

Mr. BARDEN. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, I desire to take this opportunity to express the appreciation which I am sure all of us feel for the very wonderful job accomplished by the gentleman from Kentucky [Mr. PERKINS], the chairman of the subcommittee, that drafted this bill, and those who served with him in and about getting it here to the floor today. I think this is the best of all the 815 and 874 bills or their extensions. It provides roughly for about $378 million to be spent over the period of the next 2 years for construction of classrooms in federally impacted areas and for maintenance and operation of schools in those areas.

Mr. Chairman, I cannot pass this opportunity by without paying my compliment and commendation to the gentleman from West Virginia [Mr. BAILEY], the father of this school legislation for impacted areas. He was the sponsor of the original bills which became Public Laws 815 and 874. These bills have meant much to all the States in helping them to build, maintain, and operate their schools in areas where the Federal Government had placed an undue burden on them. It was under Public Law 815 that we provided in the 81st Congress for a survey of school-building needs throughout the country. It was under this law that we found how far behind we are in providing school classrooms for America's boys and girls. Today, Mr. Chairman, that problem of providing adequate classrooms looms as the foremost domestic problem of our time.

Mr. Chairman, at this point, I want to call the attention of the membership of the House to the minority report filed with this bill. It was filed by the gentleman from New York, who on Thursday of this week successfully sponsored what is commonly known as the Powell amendment to the bill for Federal assistance to States for school construction. I warned the House at the time that the adoption of the Powell amendment to the general school construction bill would have the effect of killing the bill. This amendment operates in a very sensitive field where we should not legislate at this time.

Here is what the gentleman from New York [Mr. POWELL] says in his minority report:

> I am, therefore, voting "present" on this particular legislation, but desire to state that when this matter does come before the committee and the House of Representatives again within the next 2 years, I will then present an amendment designed to withhold all Federal funds from aiding any school in any impacted area which does not follow the Supreme Court decision of integration in public education.
>
> I also will introduce the necessary amendments to appropriation bills for the Department of Health, Education, and Welfare which cover not only this project, but other projects in the field of Federal aid to education.

Mr. Chairman, I think this minority report should be read and understood by the membership of this House. I am very fearful that it means the end of this very beneficial legislation on June 30, 1958.

Also, I think it should be pointed out that when the general school construction bill was before the House this week, many Members expressed themselves as being fearful that the Department of Health, Education, and Welfare might, of its own motion, withhold funds under that bill from those areas that continue to practice segregation in their schools. Based upon my own study, I came to the conclusion that the Department would not so withhold funds of its own motion. President Eisenhower indicated that he would not do so when he said on January 25, 1956, with reference to the Powell amendment:

> The need of the American children for schools is right now, immediately, today. So I think there should be nothing that is put on this thing that delays construction.

The Secretary of Health, Education, and Welfare urged that school construction not be delayed by the issue of racial segregation. Noting that President Eisenhower had taken the same position, the Secretary said on June 24, 1956:

> We think that the integration issue can be decided through the court procedures and we think the school construction bill * * * should be decided on its own merits.

So, Mr. Chairman, I do not believe, on the same reasoning, that the Secretary of Health, Education, and Welfare will withhold the funds, under this bill, for classroom construction, or the funds for maintenance and operation of schools in federally impacted areas, from those areas that continue to practice school segregation. I raise the point only that those who felt that the Department would withhold funds under the general school construction bill might ponder the situation under the bill now before us.

I should like to say to the membership of the House that under the bill as now written no State will suffer any reduction in the amount of money available to it on the same student load as carried in the present law, and most of the States, at least a large number of them, will receive an increase of the funds available under this bill.

To illustrate this point I submit for inclusion with my remarks the table from page 14 of the committee report. As you will note it gives, among other things, the estimated effect of the new minimum rate on the entitlement to funds under this bill to the various States, and in the last column shows the percent increase in rate for each State.

Estimated increase in sec. 3 local contribution rate and entitlement resulting from using national average rate as a new minimum rate (not to exceed State average per capita cost)

[Based on fiscal year 1955 data as of annual report]

State	Actual payments, fiscal year 1955			Estimated effect of new minimum rate			
	Funds received	Average daily attendance [1]	Average local contribution rate	Revised entitlement, new minimum rate	Revised average local contribution rate	State average per capita cost [2]	Percent increase in rate
Total	$68,220,807	470,639	$145.00	$76,973,641	$164.00		13.0
Alabama	885,857	13,609	65.09	1,765,359	129.72	$129.72	99.3
Arizona	600,130	3,703	162.07	635,918	171.73	256.69	6.0
Arkansas	442,644	5,285	83.75	676,866	128.07	136.30	52.9
California	14,804,088	90,696	263.23	15,012,290	165.52	285.42	1.4
Colorado	1,618,308	7,760	208.54	1,620,727	208.86	282.49	.2
Connecticut	1,475,903	6,506	226.85	1,475,903	226.85	289.42	0
Delaware	19,415	118	164.53	19,415	164.53	329.07	0
Florida	1,405,466	13,608	103.28	2,013,910	147.99	201.56	43.3
Georgia	1,349,776	15,740	85.75	2,329,520	148.00	166.02	72.6
Idaho	317,848	2,272	139.90	352,073	154.96	207.52	10.8
Illinois	1,604,006	6,501	246.73	1,604,006	246.73	297.06	0
Indiana	892,542	6,870	129.92	1,067,892	155.44	250.49	19.6
Iowa	318,383	1,462	217.77	318,383	217.77	269.35	0
Kansas	2,913,277	15,862	183.66	2,913,277	183.66	273.96	0
Kentucky	879,186	7,629	115.24	1,022,600	134.04	145.25	16.3
Louisiana	437,817	3,841	113.99	568,394	147.98	228.00	29.8
Maine	552,740	3,494	158.20	570,483	163.28	179.10	3.2
Maryland	2,978,669	24,109	123.55	3,568,132	148.00	238.14	19.8
Massachusetts	1,001,066	4,536	220.69	1,003,398	221.21	253.17	.2
Michigan	713,011	4,942	144.28	780,974	158.03	259.83	9.5
Minnesota	123,375	845	146.01	125,506	148.53	290.40	1.7
Mississippi	418,099	4,178	100.07	442,397	105.89	100.81	5.8
Missouri	720,830	4,897	147.20	772,347	157.72	223.47	7.1
Montana	256,210	1,558	164.45	256,210	164.45	314.43	0
Nebraska	890,149	3,780	235.49	890,149	235.49	245.31	0
Nevada	546,127	3,424	159.50	571,998	167.06	253.18	4.7
New Hampshire	370,789	1,505	246.37	370,789	246.37	240.55	0
New Jersey	1,090,377	5,532	197.10	1,090,377	197.10	296.06	0
New Mexico	1,032,938	8,119	127.22	1,201,612	148.00	255.07	16.3
New York	1,537,478	7,382	208.27	1,537,478	208.27	353.93	0
North Carolina	500,787	5,418	92.43	801,864	148.00	184.86	60.1
North Dakota	176,475	911	193.72	176,475	193.72	253.08	0
Ohio	2,809,841	17,351	161.94	2,970,346	171.19	251.78	5.7
Oklahoma	2,501,145	15,041	166.29	2,633,883	175.11	215.00	5.3
Oregon	446,945	2,256	198.11	446,945	198.11	307.06	0
Pennsylvania	1,315,375	8,666	151.79	1,416,032	163.40	260.52	7.6
Rhode Island	645,247	2,839	227.28	645,247	227.28	266.09	0
South Carolina	858,436	11,910	72.08	1,695,406	142.35	144.16	97.5
South Dakota	571,285	2,872	198.92	571,345	198.92	261.28	0
Tennessee	850,780	10,656	79.84	1,380,177	129.52	140.56	62.2
Texas	4,119,510	35,742	115.26	5,289,742	147.99	223.91	28.4
Utah	786,913	7,525	104.57	1,113,626	147.99	209.15	41.5
Vermont	55,380	252	219.76	55,380	219.76	209.22	0
Virginia	6,691,055	43,542	153.67	7,155,687	164.34	170.98	6.9
Washington	3,103,507	22,406	138.51	3,330,925	148.66	275.42	7.3
West Virginia	44,786	442	101.33	65,342	147.83	180.18	45.9
Wisconsin	421,135	1,703	247.29	421,135	247.29	277.87	0
Wyoming	225,701	1,344	167.93	225,701	167.93	321.19	0

[1] Sec. 3 (a) pupils plus ½ sec. 3 (b).
[2] Ceiling limitation on new minimum rate.

Passage of the bill H. R. 11695 to extend and revise Public Laws 815 and 874 would be highly beneficial to the State of Alabama. Of course, Federal assistance to federally affected school districts has, since its inception, meant a great deal to the State. However, the present amendments to the aforementioned laws make them much more beneficial than before.

At this point, Mr. Chairman, I offer a table which shows that 20 school districts in Alabama, with a total of 94 construction projects, have been aided by nearly $13½ million. The law which we seek to extend here has meant much to Alabama. The table follows:

Reservations for applicants in the State of Alabama under Public Law 815, as amended as of June 12, 1956

School district	Number of projects	Funds reserved
Huntsville City Board of Education	5	$1,018,650
Montgomery County Board of Education	10	2,525,100
Baldwin County Board of Education, Bay Minette	2	331,806

Reservations for applicants in the State of Alabama under Public Law 815, as amended as of June 12, 1956—Continued

School district	Number of projects	Funds reserved
Selma City School Board	3	$199,097
Anniston City Board of Education	4	429,313
Macon County Board of Education, Tuskegee	2	433,419
Calhoun County Board of Education, Anniston	13	1,106,522
Madison County Board of Education, Huntsville	2	309,234
Sylacauga City Board of Education	5	250,278
Ozark City Board of Education	6	684,475
Enterprise City Board of Education	4	440,529
Talladega County Board of Education	5	584,754
Troy City Board of Education	1	80,230
Tuscumbia public schools	3	99,404
Mobile County Board of School Commissioners	17	4,247,039
Talladega City Board of Education	5	284,613
Jacksonville city schools	4	214,049
Sheffield City Board of Education	1	48,353
Phenix City Board of Education	1	193,416
Florala Board of Education	1	15,300
Total	94	13,495,581

Public Law 815 was enacted in 1950 primarily to deal with the Federal Government's responsibility for aiding school construction in communities that had been burdened with substantial increases in school attendance from June 30, 1939, to June 30, 1952, as a result of defense and Federal activities. Further authorization of this assistance was extended to June 30, 1954, and June 30, 1956. This was attributable to new and increased Federal activities. The date of June 30 each year was specified as the cutoff date; that is, no applications for Federal assistance could be accepted after that date in each succeeding 2-year period. Yet federally caused impacts continued to occur, thereby necessitating extension of the law until June 30, 1958.

The Capehart housing projects allocated to bases in Alabama exemplify the steady increase of Federal activity which is presently taking place. As a result of this increase in activity, Fort McClellan will have 300 housing units, Redstone Arsenal, 670 units, and Fort Rucker, 600 units. Thus, as of May 1, 1956, these three installations may qualify three school districts for financial aid under Public Law 815 during the 1956–58 period. The counties referred to are Calhoun, Madison, and Dale, in that order. With these large allocations of housing units, it will be essential to have available school facilities to accommodate the children of military personnel. It is estimated that these three projects alone will have approximately 1,200 more federally connected children next year. Their parents will reside and work on Federal property, thereby making the children eligible for Federal aid under subsection 305 (a) of Public Law 815. This figure is arrived at by multiplying the national average of children per family 0.7 times the total number of housing units in the project.

Most of the figures with which I am dealing are for the administration of Public Law 815 during the 1954–55 period. For those years the estimated State per pupil cost of constructing minimum school facilities under Public Law 815 was $900. The maximum allowable grant under section 305 is determined by multiplying the number of eligible federally connected children for subsection 305 (a) (1) by 95 percent of the average per pupil cost of constructing minimum school facilities in Alabama. Using this method of computation the school districts qualified by the Capehart housing projects would receive $1,030,800. However, to insure that districts will not be eligible for assistance unless they have more than a normal increase in school membership, Public Law 815 imposes an additional requirement of growth in the number of nonfederally connected children. If the membership of the nonfederally connected children in June 1958, is less than 107 percent of the average daily membership of these children in 1955–56, the difference must be deducted from the total number of all children who would otherwise be eligible for payment under subsection 305 (a) (1). There is no possible way of calculating the growth in nonfederally connected children. Hence the full effect of the Capehart project and other Federal activities in Alabama cannot be accurately predicted. Here also

can be seen the effect of another proposed amendment. Under the existing law if the educational agency experiences less than a 110-percent increase the number of federally connected children it can count would be reduced. The amendment to this section requires a 107-percent increase over a 2-year period. This is closer to a national average and approaches more closely the ratio Alabama could expect to profit by with regard to the large increase in federally connected children.

That this situation involves urgent needs for new schools is readily seen. In connection with the increased school enrollments occasioned by housing projects such as Capehart in Alabama is an amendment which would allow the Commissioner of Education to give advance approval and payment on certain applications. There is a heavy impact on those school districts affiliated with Fort McClellan and Fort Rucker and Redstone Arsenal. In the near future the situation in these and other areas would become critical. Section 303 of the law establishes cutoff dates for priority cases but the new amendment would enable payments to be made in advance of the cutoff date if the situation warrants this action.

As of June 12, 1956, there were 94 Federal projects in the State of Alabama. Reservations for applicants in the State under Public Law 815 since 1950 totaled $13,495,581. Mobile County School District has the greatest number of projects—17—and the highest appropriation—$4,247,039. Other school districts in the same category are: Calhoun County Board of Education, Anniston, 13 projects, $1,106,522; Montgomery County Board of Education, 10 projects, $2,525,100; and Huntsville City Board of Education, 5 projects, $1,018,650. On August 31, 1955, there were 85 approved projects in Alabama. Eight hundred and forty-six classrooms were to be provided and 23,875 children to be housed. Nine additional projects have since been added.

One of the proposed amendments which is particularly advantageous to the State of Alabama is that which retains eligibility for children of those members of military personnel who are transferred to other bases. As commonly happens in Alabama, airmen from Maxwell and Gunter Air Force Bases receive 1 year's training at these points and are then sent overseas. The family is located and continues to remain in or around Montgomery, or other cities as the case may be, until the return of the father. Heretofore the children would not have been counted under Public Law 815 or Public Law 874. Such a transfer neither reduces the cost to a school district nor does it cause a cessation of Federal obligation. The amendment proposes that these children be counted both in the base year and the 2-year estimate period, regardless of an increase or decrease in number.

I believe that these examples evidence the need for extending Public Law 815 for an additional 2 years, and set forth the usefulness of its new amendments to the State of Alabama. There is no foreseeable end to Federal activities within the State. It is my opinion that further extension of the law will be necessary.

The history of Public Law 874 is identical to that of Public Law 815. This bill would extend Public Law 874 for 1 year so that it will expire June 30, 1958, instead of June 30, 1957. In order to assure affected school districts additional payments under the law and to conform to sound budget practices this extension is necessary.

I believe that the various amendments offered to Public Law 874 are of a greater magnitude than those offered to Public Law 815. Elimination of the absorption requirement is certainly one of the most important. As originally passed, under section 3 of Public Law 874, payments were made on the basis of the number of children who reside on Federal property with a parent employed on Federal property—the A children. Payments were also made on the basis of the number of children who reside on Federal or non-Federal property with a parent employed on Federal property—the B children. In each category the number of children had to meet a 3 percent eligibility requirement. Cities with 35,000 or more children in average daily attendance in 1939 had a 6 percent eligibility to meet. Each eligible school district was paid the per pupil cost of school maintenance and operation—the local contribution rate—for each A child and one-half this amount for each B child attending its schools. School districts that met the eligibility requirement received payment for all their federally connected children while those that did not meet it got no Federal payment.

The 83d Congress amended the law, bringing about a different computation, the 3 percent absorption requirement. The number of A children would have been added to one-half the number of B children. If this totaled 10 or more the school district would be entitled to the local contribution rate multiplied by the obtained total, minus 3 percent of the total number of nonfederally connected children attending its schools.

This amendment was twice postponed in order to allow the school districts to make the necessary adjustments. It was scheduled to go into effect for the 1956–57 school year. The present amendment would eliminate this 3 percent absorption entirely by substituting the original provisions. Why will this benefit Alabama? Because of the reduction of payments to so many Alabama school districts with substantial numbers of federally connected children, and the outlook for more of the same, elimination of the absorption requirement is a necessity. If 3 percent absorption went into effect it would work a great hardship on systems with a fairly large average daily attendance. Montgomery County alone would experience a 40 percent reduction in Federal funds. Montgomery County approximates an average daily attendance of 25,540 non-Federal pupils for the coming school year. Three percent of this would be 736 pupils. That times the local contribution rate would mean a loss of over $50,000 out of an entitlement of $135,452.17 for the year. An overall estimate shows that Alabama would have taken about a 25 percent decrease in original entitlements for the 1954–55 period if the absorption requirement had gone into effect. Virtually all Alabama school districts would have had some reduction in Federal funds. Thirteen percent or three school districts, would have been wholly eliminated. Thirty percent would have lost over 50 percent of their entitlements.

Another amendment which should be to the advantage of Alabama is the shift to current-year attendance basis. This amendment would change the computation of entitlement from the previous year's average daily attendance to that of the current year. It would permit local educational agencies to claim section 3 payments immediately for increased numbers of federally connected children newly attending their schools instead of claiming payments on such children under another more exacting section. This other section is 4 (a) which requires that the increase in federally connected children be at least 5 percent of the non-Federal average daily attendance.

In the present school year, for example, Montgomery County had an increase of 729 federally connected children over last year. This meant an addition of 24 new teachers to take care of the load. But 5 percent of Montgomery County's non-Federal average daily attendance is 1,075, which does not enable it to qualify. The method of paying on the basis of current attendance then, will aid Alabama immeasurably. The Office of Education of the Department of Health, Education, and Welfare predicts an increase of 5 percent in federally connected children for the next 2 years in Alabama. Without the proposed amendment very few of these children would bring Alabama any Federal aid. In essence the shift to the current year's attendance computation means that Alabama can readily absorb the growth of federally connected children and get paid for it.

In the order of appearance of these amendments, it might be stated at this point that Public Law 874 is also amended to provide for children of members of the Armed Forces assigned overseas or elsewhere. This amendment is the counterpart of the amendment to Public Law 815. The relation of this provision to the State of Alabama has been previously explained.

Finally, and most important to Alabama, is the amendment basing section 3 payments on a national average per-pupil contribution rate. H. R. 11695 would add a new minimum rate which any school district is entitled to receive of not less than the national average per pupil contribution rate paid under the act the second preceding year from the one for which the computation is being made. The present national average is computed to be approximately $144.25. The bill would then set a new minimum local contribution rate in addition to that already in the law of one-half the average per pupil expenditure in the State. The new rate would be

based on the average per-pupil contribution rate in the United States, but not to exceed the average per pupil expenditure in the State where the school district is located.

The State per capita cost of education for Alabama is $135.22 per pupil. Under the existing law each Alabama school district could obtain one-half of this or $67.61 per pupil. An exception to this is the Montgomery County school district which receives $68.74 or $1.13 more than one-half of the State per capita cost per pupil. The per pupil payment in Alabama under Public Law 874 has been the lowest in the Nation. Nor did the other alternative under the old law improve the lot of Alabama in this regard. Section 3 payments to school districts could be based on the amount of funds spent by comparable districts from local sources.

In order to compensate for its burden the Federal Government agreed to pay its share of the school maintenance and operation costs borne from local taxation. The amount of payment is determined by reference to the rate of expenditure for school purposes from local tax revenues in comparable communities in the State. However, the definition of local taxes has caused much confusion and hardship, especially for Alabama. In this State the sales tax is collected locally in stores throughout the State, is sent to the State capital and is distributed back to the local systems. Thus if the money had not gone to Montgomery and back it would still be local revenue. Here we have a plan financed by State revenues for equalizing educational opportunities throughout Alabama. When the local contribution rate is low, as in Alabama, the children are deprived of an increased level of education.

In addition, purchases made by military installations or military personnel at local posts in Alabama are exempt from State tax. But this tax is a major source of school funds. Therefore, the military does not contribute very much directly to school support in Alabama.

These are incidents which warranted a floor to be used as the minimum rate per child in the computation of the Federal payment. But there is still a wide margin between amounts received for each federally connected child in States with high State aid systems and those States with very little State aid.

A limitation is also included that no school district can receive a local contribution rate which is higher than the average per pupil expenditure of the State. Montgomery County school district is the only one to use the local contribution rate in comparable school districts. The others use one-half the average per pupil expenditure in the State. Alabama's per pupil expenditure is currently $135.22. Percentagewise, then, Alabama's per pupil payment increase would be the highest in the Nation. It would almost attain the national average by doubling from $67.61 to $135.22. For the fiscal year 1956 Alabama's 39 school districts have a total of 15,280 federally affected children eligible for payment in average daily attendance. Their local contribution rate, counting Montgomery County's higher scale, averages $67.64. The gross estimated entitlement for these school districts would be $1,033,539. Final average daily attendance figures, however, show total deductible funds from section 3 (c) (1) for the State of Alabama to be $40,826. This would make Alabama's entitlement $992,913. With the new amendment enabling Alabama's local contribution rate to double, the State would receive an entitlement of approximately $2,015,535. This figure represents the gross entitlement even after funds have been deducted for erroneous estimation of the average daily attendance. Of all the proposed amendments to Public Law 815 and Public Law 874, I would say that the increased rate per child is the most significant one to the State of Alabama.

The data included here is the latest obtainable. This brings to light the greater effect Public Laws 815 and 874 have now and will have in the future. In 1955 Alabama was entitled to $855,554 under Public Law 874 and had $27,467,534 in current expenditures. What would the result be in the years to come if Federal activity continued in Alabama and Federal payments did not? In 1955, 27 school districts had ninety 3 (a) children and 27,038 3 (b) children in average daily attendance. That these totals will increase is obvious. The total average daily attendance for the whole of Alabama approximates 150,000 pupils. This is bound to grow from 5 to 10 percent in the next 2 years. Of the average current expenditure per 3 (a) child in Alabama, the Federal payment is 50.8 percent, as compared with the national average of 59.9 percent. Of the average current expenditure per 3 (b) child the Federal payment is 25.4 percent, as compared with the national average of 29.9 percent.

In spite of these hardships only one Alabama project was forced to apply for current expenditure payments during 1955 where the local educational agency was unable to provide such education. This was the Craig Air Force Base elementary school. It had an average daily attendance of 290 pupils and expended $45,708.

It is hoped that Congress will take immediate action on extending and approving the amendments of Public Laws 815 and 874. Alabama has succeeded in maintaining a good educational level. Our schools are supported both locally and on a statewide basis. Alabama, although a low-income State with a per capita income average of $1,091 in 1954, ranked 18th in the percentage of income spent on education—Bureau of Internal Revenue Report for 1954. Alabama's contribution toward its cost of education, as compared with all other States, has consistently remained at or near the national average. But we cannot continue to maintain this level of education alone. Much of Alabama is affected by Federal activity. The Federal Government has taken upon itself the responsibility of sharing the educational burden created. I believe that through the extension and revision of Public Laws 815 and 874, as embodied in H. R. 11695, can the Federal Government most properly fulfill its obligation.

Mr. Chairman, I submit a table showing Capehart housing projects allocated to bases in Alabama as of May 1, 1956:

Capehart housing projects allocated to bases in Alabama as of May 1, 1956, which may qualify school districts for Public Law 815 aid during 1956–58

Installation	Housing units	School district
Fort McClellan	100	Calhoun County.
Redstone Arsenal	670	Madison County.
Fort Rucker	120	Dale County.

Mr. Chairman, I submit a table showing summary of section 3 (C) (1) ADA, rate and gross entitlement for State of Alabama, under Public Law 874, as amended for fiscal year 1956:

Summary of sec. 3 (C) (1) ADA, rate and gross entitlement for State of Alabama under Public Law 874, as amended, for fiscal year 1956

Applicant	3 (C) (1) ADA (3 (a)+½3 (b))[1]	Local contribution rate	Gross estimated entitlement 3 (C) (1)	Applicant	3 (C) (1) ADA (3 (a)+½3 (b))[1]	Local contribution rate	Gross estimated entitlement 3 (C) (1)
Huntsville City Board of Education	667.0	$67.61	$45,095	Troy City Board of Education	36.0	$67.61	$2,433
Montgomery County Board of Education	2,242.0	68.74	154,115	Decatur City Board of Education	59.5	67.61	4,022
Selma City School Board	252.0	67.61	17,037	Tuscumbia Public Schools	166.0	67.61	11,223
Sylacauga City Board of Education	38.0	67.61	2,569	Mobile County Board of School Commissioners	4,141.0	67.61	279,973
Talladega City Board of Education	84.5	67.61	5,713	St. Clair County Board of Education	190.0	67.61	12,845
Ozark City Board of Education	221.5	67.61	14,975	Dothan City Board of Education	73.5	67.61	4,969
Anniston City Board of Education	477.0	67.61	32,249	Sheffield City Board of Education	365.0	67.61	24,677
Macon County Board of Education, Tuskegee	329.5	67.61	22,277	Russellville, city schools	56.0	67.61	3,786
Calhoun County Board of Education, Anniston	931.0	67.61	62,944	Florence City Board of Education	447.5	67.61	30,255
Enterprise City Board of Education	151.5	67.61	10,242	Dale County Board of Education, Ozark	80.5	67.61	5,442
Baldwin County Board of Education, Bay Minnette	420.0	67.61	28,396	Jacksonville City Board of Education	195.0	67.61	13,183
Talladega County Board of Education	436.5	67.61	29,511	Piedmont Board of Education, Calhoun County	45.5	67.61	3,076
Madison County Board of Education, Huntsville	1,156.5	67.61	78,190	Dallas County Board of Education, Selma City Board of Education, Florala	135.0	67.61	9,127
					32.5	67.61	2,197

Summary of sec. 3 (C) (1) ADA, rate and gross entitlement for State of Alabama under Public Law 874, as amended, for fiscal year 1956—Continued

Applicant	3 (C) (1) ADA (3 (a)+½ 3 (b))[1]	Local contribution rate	Gross estimated entitlement 3 (C) (1)	Applicant	3 (C) (1) ADA (3 (a)+½ 3 (b))[1]	Local contribution rate	Gross estimated entitlement 3 (C) (1)
Lauderdale County Board of Education, Florence	412.5	$67.61	$27,889	Morgan County Board of Education, Decatur	136.0	$67.61	$91,194
Shelby County Board of Education, Columbiana	112.0	67.61	7,572	Athens Board of Education	69.5	67.61	4,698
Colbert County Board of Education, Tuscumbia	243.0	67.61	16,429	Scottsboro City Board of Education	34.0	67.61	2,298
Marshall County Board of Education, Guntersville	209.0	67.61	14,130	Jackson County Board of Education, Scottsboro	112.0	67.61	7,572
Cleburne County Board of Education, Heflin	100.0	67.61	6,761	Limestone County Board of Education, Athens	91.0	67.61	6,152
Phenix City Board of Education	311.5	67.61	21,060	Oneonta City Board of Education	19.5	67.61	1,318
				Total	15,280.0	67.64	1,035,594

[1] 1956 payments made on ADA for 1954–55 school year. Total deductible funds from sec. 3 (C) (1), State of Alabama, $40,626.

Mr. Chairman, I submit a final table showing entitlements to applicant school districts, by fiscal year, under Public Law 874, as amended, compiled as of June 12, 1956:

Entitlements to applicants in the State of Alabama under Public Law 874, as amended as of June 12, 1956

School district	Entitlement by fiscal year					
	1951	1952	1953	1954	1955	1956
Huntsville City Board of Education	$12,924	$43,458	$26,395	$54,740	$36,322	$45,096
Montgomery County Board of Education	21,168	83,869	120,808	161,261	106,241	154,115
Selma City School Board	4,493	6,917	9,545	12,219	12,323	17,038
Sylacauga City Board of Education	20,548	13,782	8,355	4,177		2,569
Talladega City Board of Education	26,728	29,922	17,223	12,275	6,162	5,713
Ozark City Board of Education	27,529	18,918	27,870	37,952	24,110	15,074
Anniston City Board of Education	21,914	42,659	44,491	29,551	29,965	32,250
Macon County Board of Education, Tuskegee	6,909	7,574	7,314	21,012	21,195	22,217
Calhoun County Board of Education, Anniston	15,056	45,875	82,676	60,031	59,890	62,192
Enterprise City Board of Education	30,540	22,584	15,066	15,978	7,681	10,238
Baldwin County Board of Education, Bay Minnette	3,013	9,069	13,585	26,625	23,917	28,129
Talladega County Board of Education	39,180	41,267	44,141	55,835	45,953	28,362
Madison County Board of Education, Huntsville	30,581				56,314	64,420
Troy City Board of Education	1,792	3,238	4,197		2,270	2,434
Tuscumbia public schools	4,597	13,334	6,728	8,715	8,494	10,706
Mobile County Board of School Commissioners	86,208	203,831	303,702	360,024	287,038	243,750
St. Clair County Board of Education, Ashville	5,457	2,931	3,098			13,285
Dothan City Board of Education	6,674	4,920	3,000	5,563	5,740	4,969
Sheffield City Board of Education	14,620	33,098	16,153	18,696	19,161	24,182
Russellville city schools		10,014	3,692	3,216	3,243	3,786
Florence City Board of Education		43,289	19,232	24,851	25,201	30,066
Dale County Board of Education, Ozark		15,011	6,741	6,052	6,903	5,443
Jacksonville City Board of Education			8,421	9,325	9,405	13,184
Piedmont Board of Education, Calhoun County				4,304	3,535	3,076
Dallas County Board of Education, Selma				25,550	11,387	7,996
City Board of Education, Florala				$1,897	$1,913	$2,197
Lauderdale County Board of Education, Florence					23,101	25,310
Shelby County Board of Education, Columbiana					7,037	7,572
Colbert County Board of Education, Tuscumbia					12,283	15,285
Marshall County Board of Education, Guntersville						10,701
Cleburne County Board of Education, Heflin						6,761
Phenix City Board of Education						21,061
Jackson County Board of Education, Scottsboro						13,725
Athens Board of Education						5,680
Total	379,931	695,560	792,433	959,849	856,784	958,582

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent that all Members have the privilege of extending their remarks at this point in the RECORD on the bill now under consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BENNETT of Florida. Mr. Chairman, I rise in support of this legislation. Federal aid to schools in communities burdened by the impact of the Federal Government is not only justified but is an absolute necessity in some areas if even the minimum standards of educational opportunity are maintained. Although it is only just and fair that the Federal Government should furnish this aid, nevertheless, I feel that my chief sentiment on this occasion is one of gratitude and appreciation to our Federal Government for its help, so greatly needed. In expressing my gratitude personally, I am sure I also express the gratitude of all of Florida and of its Second Congressional District.

Mr. KILDAY. Mr. Chairman, during the debate earlier this week on the Kelley bill to provide Federal aid for school construction, the impression would be gained that no schools are now receiving Federal aid. We know that under Public Law 874 and Public Law 815 schools in districts held to be impacted by Federal activities have been receiving Federal aid since 1951.

It is right and proper that local school districts, whose facilities are taxed by reason of persons coming into their areas as military personnel or civilian employees of the Government, should be assisted by the Federal Government in providing education for these additional pupils.

I favor H. R. 11695, to extend the school program in federally impacted areas.

Schools in federally impacted areas, including my district of Bexar County, Tex., have received substantial assistance with this problem from 1951 to the present time. Still it appears as if the people generally, including the residents of the school districts assisted, have little knowledge of the receipt of this assistance nor the amount thereof. It should also be pointed out that this program has operated smoothly and efficiently without complication from the extraneous issues which beset H. R. 7535, Federal aid for school construction, which we considered earlier this week.

For the 5 years from 1951 to 1955, both inclusive, schools in Bexar County, Tex., received a total of $4,730,535 for school construction projects under Public Law

815. During that same period schools in Bexar County, Tex., received a total of $4,704,862 for maintenance and operation under Public Law 874. This is a total for both purposes received by schools in Bexar County for the 5 years from 1951 to 1955 of $9,435,397.

There have been additional allocations in very substantial amounts during 1956.

I include the following tables which show the school districts which have received this aid and the amount received by each school district during each year:

Maintenance and operation—Entitlements made to applicants in Bexar County, Tex., under Public Law 874, as amended

Applicant	Entitlement by fiscal year				
	1951	1952	1953	1954	1955
Harlandale Independent, School District, San Antonio	$86,467	$119,958	$83,513	$125,241	$105,522
South San Antonio Independent School District	39,562	61,925	42,949	49,728	49,542
Southside Rural High School District No. 17, San Antonio	2,968	6,632	5,651	6,937	7,837
Edgewood Independent School District, San Antonio	19,459	86,724	59,538	118,145	82,179
Southwest Rural High School District, Atacosa	2,679	8,753	5,644	6,617	6,942
East Central Rural High School District No. 20, San Antonio	2,731	13,018	6,134	6,830	7,165
San Antonio Independent School District	208,368	667,085	435,743	454,843	464,578
Northeast Rural High School District No. 6, San Antonio	10,150	23,851	13,961	38,258	67,101
Randolph Field Independent School District	----------	66,038	87,174	113,160	113,960
Lackland Independent School District, San Antonio	----------	15,225	51,193	53,764	62,888
Northside Rural High School District No. 1, San Antonio	----------	16,254	6,584	10,317	9,573
Somerset Independent School District	----------	4,503	7,204	5,816	6,102
Fort Sam Houston Independent School District	----------	----------	102,875	129,440	130,240
Converse Community School District No. 12	----------	----------	----------	----------	1,008
Kirby Community School District No. 49, Converse	----------	----------	----------	----------	616
Total	372,384	1,089,996	908,163	1,119,096	1,115,253

Total received for maintenance and operation by schools in Bexar County for the 5 years from 1951 to 1955, $4,705,862.

School construction—Reservations made to applicants in Bexar County, Tex., under Public Law 815, as amended

Applicant	Number of projects	Reservation amounts
Edgewood Independent School District, San Antonio	8	$1,657,872
South San Antonio Independent School District	4	755,783
Harlandale Independent School District, San Antonio	6	1,842,045
Southside Rural High School District No. 17, San Antonio	1	39,975
Northside Rural High School District No. 1, San Antonio	5	70,177
Southwest Rural High School District, Atascosa	1	71,263
East Central Rural High School District No. 20, San Antonio	1	112,420
Northeast Rural High School District, San Antonio	1	181,000
Total	27	4,730,535

Mr. BROYHILL. Mr. Chairman, the Government's aid program to schools in federally impacted areas is a direct responsibility of the National Government. This has been confirmed and declared by the Congress in its several extensions of Public Laws 815 and 874. Recognition of the need to continue this policy likewise has been declared by the Commission on Intergovernmental Relations, the White House Conference on Education, and the esteemed United States Commissioner of Education, Dr. Samuel M. Brownell.

The Federal Government should continue the grants for school construction and operation in federally affected areas during such time as the need exists. This was the recommendation of the Commission on Intergovernmental Relations. Following considerable study of the program by a special committee, the Commission declared that the current legislation properly recognizes the National Government's obligation to support education in areas where the activities and operations of the Federal Government have caused an increased school enrollment which places a substantial and continuing burden on local school districts.

As you know, the legislative intent of this program, since its inception in 1950, has been to recognize officially Federal responsibility for education in areas where, first, Federal ownership of tax-exempt property reduces the local income for schools; second, the Federal Government has a particular obligation respecting the education of children residing on Federal property whose parents are employed on Federal property; and third, Federal activity in communities may cause an influx of population for which the community may be unable to provide necessary facilities and services.

These factors continue to cause abnormal school conditions in local areas; therefore, the Federal compensation program must be extended. The program clearly will remain a Federal obligation until the time when its activities no longer impose a special burden upon local communities all over the country. It is of paramount importance that this Congress extend both of these laws. The Congress cannot afford not to extend this assistance for federally impacted areas which are a direct obligation of the National Government. There continues to be a backlog of school construction projects piled up in districts where the need has been demonstrated.

Should the Congress fail to pass a general bill for Federal aid to school construction, the many federally impacted districts all over the country at least would receive this much needed help.

I know, for example, that in my district there has been a continued expansion of school-age population. We are advised by school authorities that there are 3,000 to 4,000 new school-age children a year in Arlington and Alexandria, and in Fairfax County there will be close to 15,000 new children the next school year. A large majority of these children are federally connected. Although the people in these areas have accepted large school bond programs, we continue to need Federal help. The extension of Public Law 815 would mean that the impacted school districts would receive assistance for the continuing increases of federally connected children. Extension of this help is imperative if these local districts are to be able to meet the schools' expanding responsibility. We must have this Federal assistance. Our school districts have been barely able to keep ahead of the rapidly increasing number of school-age children. In spite of all the classroom construction programs in my district, I am advised that many makeshift arrangements will still have to be devised for our elementary schoolrooms next fall. Even many converted classrooms now in use will have to be used again next year. The Congress has no alternative but to extend both Public Law 815 and Public Law 874. The continued growth of the number of children whose parents are connected with the Federal Government and live in my district makes this extension an emergency measure requiring prompt congressional action.

The financial burdens of most of this Nation's school systems are heavy; they are increasing and they will continue to increase. Clearly, where the National Government's operations have imposed an additional burden on the school system, that Government must accept responsibility for financing its share of the burden.

I know of no other cause which deserves as much consideration and concern as the education of our children. The Federal Government can be taken to task by irate citizens for an improper attitude toward its obvious responsibility—unless the Congress faces up to the importance of these measures. Fine words and catch phrases describing the National Government's interest in the education of our young people will mean absolutely nothing unless we undergird our school systems where they need financial help due to expansion of Federal activities.

Mr. BARDEN. Mr. Chairman, this being Saturday, I hope we can make short work of this bill and not attempt to argue it too much after we get into the amendment stage.

I yield back the balance of my time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.—

TITLE I—AMENDMENTS TO PUBLIC LAW 815, 81ST CONGRESS

SEC. 101. Subsection (e) of section 209 of the act of September 23, 1950 (Public Law 815, 81st Cong.), as amended, is amended by striking out "1957" and inserting in lieu thereof "1959."

SEC. 102. The third sentence of paragraph (1) of section 210 of such act is amended by inserting "(A)" after "includes" and by inserting immediately before the period at the end thereof a comma and the following: "and (B) any school which is providing flight training to members of the Air Force under contractual arrangements with the Department of the Air Force at an airport which is

owned by a State or a political subdivision of a State."

SEC. 103. Section 301 of such act is amended by striking out "three" and inserting in lieu thereof "five."

SEC. 104. The first sentence of section 303 of such act is amended by striking out "1956" and inserting in lieu thereof "1958."

SEC. 105. (a) The first sentence of section 304 (a) of such act is amended by striking out "1955–1956" and inserting in lieu thereof "1957–1958."

(b) The last sentence of section 304 (a) of such act is amended by striking out clause (A) and inserting in lieu thereof the following new clause: "(A) are built or under contract as of the date on which the Commissioner set, under section 303, the earliest date on or before which the application for such project is filed, or".

SEC. 106. (a) Subsection (a) of section 305 of such act is amended—

(1) by striking out "1953–1954" each time it appears therein and inserting in lieu thereof "1955–1956";

(2) by striking out "1955–1956" and inserting in lieu thereof "1957–1958";

(3) by inserting in paragraph (2) immediately after "such agency is situated" a period and the following: "A child of a parent who commenced residing in or near the school district of such an agency while assigned to employment, as a member of the Armed Forces on active duty, on Federal property (situated in whole or in part in the same State as the school district of such agency or within reasonable commuting distance from such school district) and who was subsequently assigned elsewhere on active duty as a member of the Armed Forces, shall continue to be considered as residing with a parent employed on such Federal property, for purposes of this paragraph and paragraph (1) of this subsection, for so long as the parent is so assigned";

(4) by striking out all of the first sentence of paragraph (3) thereof which follows "such agency is situated" and inserting in lieu thereof the following: "; but this paragraph (3) shall not apply if, within 90 days following the filing by such agency of an application in accordance with regulations prescribed under section 306 (a), the President finds (A) that no portion of the school district is in an area in which a defense plant or installation has been or is to be provided, or an existing defense plant or installation has been or is to be reactivated or its operation substantially expanded, or (B) that no substantial in-migration of defense workers or military personnel is required to carry out activities at any such plant or installation, or (C) after consultation with the Commissioner, that the minimum school facilities required for the free public education of the children of such defense workers or military personnel are available."; and

(5) by inserting immediately before the period at the end thereof a colon and the following: *"Provided,* That if the Commissioner finds, with respect to a number of such children who during the regular school year 1955–1956 attended school facilities owned by the Federal Government and used by such agency, (A) that such school facilities used for such children can be more appropriately used for different school purposes or are no longer available for school purposes, and (B) that such agency will submit with its application under this title a project to provide school facilities for such children, such children shall be counted as an increase under paragraph (1) or (2) of this subsection as the case may be, and shall be deemed to be without school facilities at the close of the regular school year 1957–1958 for purposes of section 304 (a)."

(b) Subsection (c) of section 305 is amended by striking out "1953–1954" and inserting in lieu thereof "1955–1956" and by inserting immediately before the period at the end thereof the following: ": *Provided,* That children residing on any housing property which, prior to sale by the United States, was considered to be Federal property for the purposes of this act, shall not be considered as having been federally connected in determining the eligibility of the local educational agency under this subsection."

(c) Subsection (d) of section 305 is amended (1) by striking out "regular school year 1955–1956" and inserting in lieu thereof "regular school year 1957–1958," (2) by striking out "110 percent" and inserting in lieu thereof "107 percent," (3) by striking out "regular school year 1953–1954" and inserting in lieu thereof "regular school year 1955–1956," and (4) by striking out "1953–1954 and 1955–1956" and inserting in lieu thereof "1955–1956 and 1957–1958."

SEC. 107. Subsection (b) of section 306 of such act is amended by inserting immediately before the period at the end thereof the following: ": *Provided,* That the Commissioner may approve any application for payments under this title at any time after it is filed and before any priority is established with respect thereto under section 303 if he determines that—

"(1) on the basis of information in his possession, it is likely that the urgency of the need of the local educational agency is such that it would have a priority under section 303 which would qualify it for payments under this title when such priorities are established, and

"(2) the number of children in the increase under section 305 (a) is in large measure attributable to children who reside or will reside in housing newly constructed on Federal property."

SEC. 108. Section 310 of such act is amended by striking out "1956" and inserting in lieu thereof "1958."

SEC. 109. Subsection (b) of section 401 of such act is amended (1) by striking out "two succeeding fiscal years" and inserting in lieu thereof "four succeeding fiscal years," (2) by striking out "$20 million" and inserting in lieu thereof "$40 million," and (3) by striking out "1956" and inserting in lieu thereof "1958."

SEC. 110. The amendments made by this title shall become effective July 1, 1956.

TITLE II—AMENDMENTS TO PUBLIC LAW 874, 81ST CONGRESS

SEC. 201. Subsection (a) of section 2 of the act of September 30, 1950 (Public Law 874, 81st Cong.), as amended, is amended by striking out "6 succeeding fiscal years" and inserting in lieu thereof "7 succeeding fiscal years."

SEC. 202. Subsection (a) of section 3 of such act is amended (1) by striking out "1957" and inserting in lieu thereof "1958" and (2) by striking out "the preceding fiscal year" and inserting in lieu thereof "such fiscal year."

SEC. 203. Subsection (b) of section 3 of such act is amended (1) by striking out "the preceding fiscal year" and inserting in lieu thereof "such fiscal year," (2) by striking out "(other than those specified in subsection (a) hereof," and (3) by adding at the end thereof the following new sentences: "A child or a parent who commenced residing in or near the school district of such an agency while assigned to employment, as a member of the Armed Forces on active duty, on Federal property (situated in whole or in part in the same State as the school district of such agency or within reasonable commuting distance from such school district) and who was subsequently assigned elsewhere on active duty as a member of the Armed Forces, shall continue to be considered as residing with a parent employed on such Federal property for so long as the parent is so assigned elsewhere. If both subsection (a) and this subsection apply to a child, the local educational agency shall elect which of such subsections shall apply to such child."

SEC. 204. (a) Subsection (c) of section 3 of such act is amended by striking out paragraph (1) thereof and inserting the following new paragraphs in lieu thereof:

"(c) (1) The amount to which a local educational agency is entitled under this section for any fiscal year ending prior to July 1, 1958, shall be an amount equal to (A) the local contribution rate (determined under subsection (d)) multiplied by (B) the sum of the number of children determined under subsection (a) and one-half of the number determined under subsection (b).

"(2) No local educational agency shall be entitled to receive any payment for a fiscal year with respect to a number of children determined under subsection (a) or subsection (b), as the case may be, unless the number of children who were in average daily attendance during such year and to whom such subsection applies—

"(A) is 10 or more; and

"(B) amounts to 3 percent or more of the total number of children who were in average daily attendance during such year and for whom such agency provided free public education.

Notwithstanding the provisions of clause (B) of this paragraph, the Commissioner may waive the 3 percent condition of entitlement contained in such clause whenever, in his judgment, exceptional circumstances exist which would make the application of such condition inequitable and would defeat the purposes of this act.

"(3) Notwithstanding the preceding provisions of this section, where the average daily attendance at the schools of any local educational agency during the fiscal year ending June 30, 1939, exceeded 35,000—

"(A) such agency's percentage requirement for eligibility (as set forth in paragraph (2) of this subsection) shall be 6 percent instead of 3 percent (and those provisions of such paragraph (2) which relate to the lowering of the percentage requirement shall not apply); and

"(B) in determining the number of children under subsection (a) or (b) with respect to whom such agency is entitled to receive payment, the agency shall be entitled to receive payment with respect to only so many of the number of children whose attendance serves as the basis for eligibility under such subsection, as exceeds 3 percent of the number of all children in average daily attendance at the schools of such agency during the fiscal year for which payment is to be made."

(b) Paragraph (2) of subsection (c) of section 3 of such act is amended (1) by redesignating such paragraph as paragraph (4), (2) by striking out "1957" and inserting in lieu thereof "1958", (3) by striking out "the preceding fiscal year" and inserting in lieu thereof "such fiscal year", (4) by striking out "succeeding fiscal year" and inserting in lieu thereof "two succeeding fiscal years", (5) by striking out "the preceding year" and inserting in lieu thereof "such year", and (6) by striking out "such preceding year" and inserting in lieu thereof "such year."

(c) Subsection (c) of section 3 of such act is amended by adding at the end thereof the following new paragraph:

"(5) The determinations whether a local educational agency has met the percentage requirements for eligibility under paragraphs (2), (3), or (4) of this subsection for any fiscal year shall be made on the basis of estimates by the Commissioner made prior to the close of such year, except that an underestimate made by the Commissioner pursuant to the foregoing provisions of this sentence shall not operate to deprive an agency of its entitlement to any payments under this section to which it would be entitled had the estimate been accurate."

SEC. 205. Subsection (d) of section 3 of such act is amended (1) by striking out "generally comparable" and inserting in lieu thereof "most nearly comparable" and (2) by amending the next to the last sentence thereof to read as follows: "In no event shall the local contribution rate for any local educational agency in any State in the continental United States for any fiscal year be less than (i) 50 percent of the average per pupil expenditure in such State or (ii) the national average per pupil local contribution rate but not to exceed the average per pupil expenditure in such State. For purposes of the preceding sentence 'average per pupil expenditure in such State' means the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies in such State (without regard to the sources of funds from which such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year; and 'national average per pupil local contribution rate' means the aggregate amounts to which local educational agencies in the continental United States became entitled under section 3 (c) (1) for such second preceding fiscal year, divided by the aggregate number of children used under section 3 (c) (1) in computing such amounts (counting children under section 3 (b) as one-half those under section 3 (a))."

SEC. 206. Section 3 of such act is amended by adding at the end thereof the following new subsection:

"ADJUSTMENT FOR CERTAIN DECREASES IN FEDERAL ACTIVITIES

"(f) Whenever the Commissioner determines that—

"(1) a local educational agency has made preparations to provide during a fiscal year free public education for a certain number of children to whom subsection (a) or (b) applies;

"(2) such preparations were in his judgment reasonable in the light of the information available to such agency at the time such preparations were made; and

"(3) such number has been substantially reduced by reason of a decrease in or cessation of Federal activities or by reason of a failure of any of such activities to occur,

the amount to which such agency is otherwise entitled under this section for such year shall be increased to the amount to which, in the judgment of the Commissioner, such agency would have been entitled but for such decrease in or cessation of Federal activities or the failure of such activities to occur, minus any reduction in current expenditures for such year which the Commissioner determines that such agency has effected, or reasonably should have effected, by reason of such decrease in or cessation of Federal activities or the failure of such activities to occur."

SEC. 207. Subsection (a) of section 4 of such act is amended (1) by striking out "1957" both times it appears therein and inserting in lieu thereof "1958", and (2) by striking out "section 2 of."

SEC. 208. Subsection (c) of section 4 of such act is amended to read as follows:

"COUNTING OF CERTAIN CHILDREN

"(c) In determining under subsection (a) whether there has been an increase in attendance in any fiscal year directly resulting from activities of the United States and the number of children with respect to whom payment is to be made for any fiscal year, the Commissioner shall not count—

"(A) children with respect to whom a local educational agency is, or upon application would be, entitled to receive any payment under section 3 for such fiscal year, and

"(B) children whose attendance is attributable to activities of the United States carried on in connection with real property which has been excluded from the definition of Federal property by the last sentence of paragraph (1) of section 9."

SEC. 209. Subsection (c) of section 5 of such act is amended by striking out "subsection (c) of (2)" and inserting in lieu thereof "subsection (c) (4)."

SEC. 210. Subsection (d) of section 8 of such act is amended by striking out "1957" and inserting in lieu thereof "1958."

SEC. 211. The third sentence of paragraph (1) of section 9 of such act is amended by inserting "(A)" after "such term includes" and by inserting immediately before the period at the end thereof a comma and the following: "(B) for 1 year following the sale thereof by the United States, any housing property considered prior to such sale to be Federal property for the purposes of this act, and (C) any school which is providing flight training to members of the Air Force under contractual arrangements with the Department of the Air Force at an airport which is owned by a State or a political subdivision of a State."

SEC. 212. Subsection (a) of section 10 of such act is amended by striking out "either of the two" and inserting in lieu thereof "any of the three."

SEC. 213. The amendments made by this title shall become effective July 1, 1956.

Mr. BAILEY (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that the bill be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. BAILEY: Page 14, after line 25, insert the following:

"TITLE III—PAYMENTS TO STATE EDUCATIONAL AGENCIES

"Authorization of appropriations

"SEC. 301. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1956, and the four succeeding fiscal years, such amounts, not to exceed $300 million in any fiscal year, as may be necessary for making payments to State educational agencies under this title.

"Allotments to States

"SEC. 302. From the total funds appropriated for any fiscal year pursuant to section 301, the Commissioner shall allot to each State an amount which bears the same ratio to the total funds so appropriated as the school-age population of the State bears to the total of the school-age populations of all the States. As used in this section, the term 'school-age population' means that part of the population which is between the ages of 5 and 17, both inclusive, as determined on the basis of the most recent estimates certified by the Secretary of Commerce.

"Payments of State allotments

"SEC. 303. The Commissioner shall pay the State allotment for any fiscal year, or so much thereof as the State educational agency requests, to the State educational agency upon certification by it that the amount to be paid does not exceed one-half of the cost of constructing the school facilities for which such funds are to be expended. Funds paid to a State educational agency under this section shall be expended solely for construction of school facilities in the State, and shall be used to pay not more than one-half of the total cost of constructing all school facilities in the State which are assisted under this title.

"Judicial remedy

"SEC. 304. (a) The district court of the United States for any district in which the capital of a State is located shall have jurisdiction, as provided in this section, to grant appropriate relief in any case where any funds paid to the State under this title have been or are about to be expended in violation of this title.

"(b) An action under this section shall be brought in the name of the United States by the United States attorney for the district involved, and shall be brought against the State. The Federal rules of civil procedure shall apply.

"(c) The court may grant such temporary relief or restraining order as it deems appropriate pending final disposition of any action under this section. If in any such action it is determined that any funds paid to the State under this title have been or are about to be expended in violation of section 303, the court shall grant a permanent injunction or other appropriate relief, including restitution of any funds so expended, or such part thereof as may be just and equitable under the circumstances of the case.

"Labor standards

"SEC. 305. (a) The Commissioner shall not make any payments under this title to assist in financing the construction of any school facilities project, except upon adequate assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on such project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U. S. C. 276a–276a–5), and will receive compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in any workweek in excess of 8 hours in any workday or 40 hours in the workweek, as the case may be.

"(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a) of this section, the authority and functions set forth in Reorganization Plan No. 14 of 1950 (15 F. R. 3176; 64 Stat. 1267), and section 2 of the act of June 13, 1934, as amended (40 U. S. C. 276c).

"DEFINITIONS

"SEC. 306. For purposes of this title—

"(1) The term 'Commissioner' means the (United States) Commissioner of Education.

"(2) The term 'State' means a State, Alaska, Hawaii, Puerto Rico, Guam, the Virgin Islands, the District of Columbia, American Samoa, and the Canal Zone.

"(3) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the governor or by State law.

"(4) The term 'school facilities,' except as otherwise provided in this paragraph, means classrooms and related facilities, including initial equipment, machinery, and utilities necessary or appropriate for school purposes), for education which is provided as elementary or secondary education, in the applicable State, at public expense and under public supervision and direction; and interests in land (including site, grading, and improvement) on which such facilities are constructed. Such term does not include athletic stadia, or other structures or facilities, intended primarily for events, such as athletic exhibitions, contests, or games, for which admission is to be charged to the general public. Such term does not include interests in land, off-site improvements, or structures or facilities designed to be used

exclusively for special activities, such as single-purpose auditoriums and gymnasiums.

"(5) The terms 'constructing' and 'construction' mean the preparation of drawings and specifications for school facilities; erecting, building, acquiring, altering, remodeling, improving, or extending school facilities; and the inspection and supervision of the construction of school facilities.

"Assurance against Federal interference in schools

"SEC. 307. In the administration of this title, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system."

Mr. MASON. Mr. Chairman, I make the point of order that the amendment offered by the gentleman from West Virginia is not germane to the bill, is beyond the scope of the bill, and so is out of order.

The CHAIRMAN. Does the gentleman from West Virginia desire to be heard on the point of order?

Mr. BAILEY. Yes, Mr. Chairman.

Mr. Chairman, I insist that this proposed amendment is germane to the legislation under consideration, H. R. 11695. I call the Chair's attention to the fact that title I of the legislation now pending provides for the construction of school classrooms. It applies, of course, to impacted districts. Nevertheless it applies to the construction of classrooms.

Title III, which I am offering as an amendment to H. R. 11695, provides for the construction of classrooms. At least we will say they are consistent in that the objectives of both are the same, the construction of classrooms.

Now let me argue the main point of germaneness.

Public Law 815, which was passed in 1950, in the 81st Congress, has a provision in it which I should like to read. It is part of title I:

In order to assist the several States to inventory existing school facilities, to survey the need for the construction of additional facilities in relation to the distribution of school population, to develop State plans for school-construction programs, and to study the adequacy of State and local resources available to meet school-facilities requirements, there is hereby authorized to be appropriated the sum of $3 million, to remain available until expended. The sums appropriated pursuant to this section shall be used for making payments to States whose applications for funds for carrying out such purposes have been approved.

This was authorized and was part of Public Law 815 as carrying into effect Senate bill 2317 of the 81st Congress.

Mr. Chairman, I insist that if the question was germane in 1950 in the 81st Congress under Public Law 815 it is germane as an amendment to this legislation today.

What happened? Those surveys were made. There was a preliminary report made in 1953. In April of this year, 1956, after the White House Conference on Education, the Federal Commissioner of Education reported to the Congress, and I have a copy of that report, recommending that we go ahead and implement the result of the national survey. It is tied into Public Law 815 originally as passed 6 years ago. I insist it is germane. Authorization was made in that legislation for just what I am proposing today.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. MASON. Yes, Mr. Chairman.

Mr. Chairman, the legislation before us is specific—it is limited. It definitely covers certain spots in our body politic which are in trouble. It provides for the kind of help that these particular spots need and require. The amendment offered by the gentleman from West Virginia is general in its nature. The scope of his amendment is the entire Nation and not the particular spots that we are trying to help. The amendment is too general to be applied to these particular spots. Mr. Chairman, it is just like saying that because this Congress, acting as a doctor, diagnosed certain spots in the body politic which were in need of care and medicine and through those two laws, Public Laws 815 and 874, applied that medicine that now that same doctor is to be asked to apply the medicine that covers the entire body politic and should cover spots whether they are in trouble or not. I say the gentleman's amendment is absolutely too broad and too general to apply to legislation which is specific and limited in its scope.

The CHAIRMAN. Does the gentleman from Ohio [Mr. BROWN] desire to be heard on the point of order?

Mr. BROWN of Ohio. I do, Mr. Chairman.

Mr. Chairman, I wish to be heard in support of the point of order. The bill, H. R. 11695, as can easily be ascertained by reading its title, applies only to financial assistance from the Federal Government in the construction and operation of schools in areas affected by Federal activities under the provisions of Public Laws 815 and 874 of the 81st Congress, and to make certain other changes in such provisions. It is my contention, Mr. Chairman, that this amendment is not germane inasmuch as it does not apply to the provisions of either of these Public Laws, Public Law 815 or Public Law 874. The gentleman from West Virginia has pointed to one provision in one of those laws which simply provides for a survey of school needs, but in no way provides for general legislation to furnish Federal aid for general public-school construction which will apply outside of impacted school districts. Therefore, this bill goes far beyond the scope or the coverage of either Public Law 815 or Public Law 874, and in my opinion, therefore, is not in order.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. BAILEY. Is there anything in Public Law 815 to limit the scope of its application?

Mr. BROWN of Ohio. There certainly is. There are the restrictions which the gentleman and I both helped to write into that law because in both of these laws we defined very definitely just what can and what cannot be done.

Mr. BAILEY. I would like to ask the gentleman if there is a single State in the Union that does not have some Federal installation.

Mr. BROWN of Ohio. I do not know. But that has no bearing on the point. In order to get benefits under Public Law 815 or Public Law 874, they have to be federally impacted school districts where the Federal Government by its own action and by its own activities has created a problem in those school districts and where the Federal Government has the responsibility to either make some contribution to the support of the schools or pay taxes on the Government property as other people would have to do if private interests owned these installations.

The CHAIRMAN. Does the gentleman from North Carolina desire to be heard on the point of order?

Mr. BARDEN. Just briefly, Mr. Chairman.

I did not hear the gentleman's argument against the point of order. I believe the gentleman used as a basis for his amendment title I.

Mr. BAILEY. That is correct.

Mr. BARDEN. Title I expired in 1953 and was never renewed.

Mr. BAILEY. But it set a precedent. If it was germane in 1950, it is germane in 1956. It is the same kind of legislation.

Mr. BARDEN. The argument might prevail if the law had not expired in 1953 and we never renewed that section.

Mr. BAILEY. You are renewing Public Law 815 as enacted in 1950 now. You did not renew the subsequent bill. You are renewing 815. If it was germane then, it is germane now.

Mr. BARDEN. I understood the gentleman was basing his amendment on title I. If title I has expired, it is not germane.

The CHAIRMAN (Mr. PRICE). The Chair is ready to rule. The Chair has listened to the discussion between the gentleman from North Carolina [Mr. BARDEN] and the gentleman from West Virginia [Mr. BAILEY]. The Chair does not feel that the latter part of the discussion had much bearing on the matter under consideration.

The Chair would like to point out to the gentleman from West Virginia that in the section from which he was reading, Public Law 815, 81st Congress, there is a proviso which reads as follows:

Provided, That the making of grants under this title shall not in any way commit the Congress to authorize or appropriate funds to undertake the construction of any public works so planned.

The bill under consideration, in the opinion of the Chair, is one limited to financial assistance for the construction of schools in impacted areas. The subject matter of the bill has been handled separately on that basis. The Chair mentioned that fact solely for the purpose of giving the historical background of this type of legislation.

The amendment offered by the gentleman from West Virginia [Mr. BAILEY] has for its purpose an authorization for school construction generally. Members will recall that we had a form of this type of legislation under consideration last Thursday. It is a well-recognized principle of the parliamentary law of the House that a measure relating to a limited and specific matter may not be amended to include matters general in

character and scope. The Chair will cite a few precedents bearing on that point:

A specific proposition may not be amended by a general provision.

This citation is found in volume VIII, section 2997, of Cannon's Precedents of the House.

Another citation is found in volume VIII, section 2998, Cannon's Precedents of the House, as follows:

A general provision is not in order as an amendment to a specific proposition.

Accordingly, the Chair is of the opinion that in view of the precedents heretofore cited, the amendment offered by the gentleman from West Virginia is not germane, and the Chair sustains the point of order.

Mr. SEELY-BROWN. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SEELY-BROWN: On page 14, line 14, after the word "year", insert the following phrase: "beyond the end of the fiscal year."

Mr. SEELY-BROWN. Mr. Chairman, I do congratulate the committee for reporting this bill, H. R. 11695, which I hope will receive the wholehearted support of the Members of Congress. The need for and the value of the programs presently under discussion are well recognized by those of us whose districts include schools affected by Federal activities. It is my hope that when the bill is being read for amendment a proper amendment may be added to the bill on page 14, line 14, by inserting after the word "year" the following phrase: "beyond the end of the fiscal year."

I am most anxious to extend the federally connected residential status of children who reside in federally owned housing for a period of 1 year following the fiscal year during which the Federal housing is sold.

I am vitally concerned about this matter because of the very real problem it presents in my district and in districts similar to mine.

To give a specific example, I refer to the situation presently faced by the town of Groton. There are some 1,640 housing units presently scheduled for disposal. Under the best of conditions, there will be an inevitable lapse of time before there is a local tax yield from these residences after their sale by the Federal Government. This one town stands to lose an estimated $99,511 during the fiscal year when the children from these projects to an estimated total of 1,454 in average daily attendance are no longer counted. This is in addition to $105,896 which the town stands to lose from its payments in lieu of taxes. As a result the town would have to take over the Federal responsibility in connection with these housing projects to the amount of 5 mills in taxation until the uncertain time when the tax revenue would catch up with the loss.

I believe that 1 year is too short a time to allow for all the property involved to get on the town's grand list of taxable property, especially since the grand list is made up on the basis of property ownership status as of just one particular date each year.

Secondly, if the sale takes place some time between September and June during the school year, the effective date when the pupils involved will no longer be federally connected by residence will occur during the following year, requiring partial attendance calculations for all of them—a task which it is true is not too difficult if the date is the same for all, but it is an added complication.

Thirdly, if the sale should be piecemeal and during the school year, either one or the other of two very difficult problems would be presented—(a) to determine what was the actual date of sale of the property as a whole, or (b) if it was separate for each parcel of property as sold, to secure and apply the data for separate partial attendance calculations for the children of each family involved.

Fourth, these considerations are especially pertinent in the light of the change in Public Law 874 as made in section 202 of the bill on page 7, going back to the original basis of paying on the average daily attendance of federally connected pupils for the current year instead of that of the preceding year as has been the case since July 1, 1954.

If attendance during the preceding year had continued to be the basis of payment, the provision continuing the Federal connection of pupils on former Federal housing properties for a year after their sale would have in effect given a 2-year period of adjustment.

I am indeed grateful to the committee for their very conscientious work and study of these laws. I am sure they have already provided assistance to communities in helping bridge the gap during the transition from Federal to private ownership of the housing properties involved. I do believe that the addition of the amendment I have suggested, or such better language as the committee itself may draft, would give the longer breathing spell needed, with fewer complications.

Mr. RHODES of Arizona. Mr. Chairman, there is no objection to the gentleman's amendment from this side; we are perfectly willing to accept it.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield.

Mr. BARDEN. Can the gentleman stand another statement like that?

Mr. SEELY-BROWN. I certainly can.

Mr. BARDEN. I have heard no expression of objection over here. I certainly have no personal objection to it.

Mr. SEELY-BROWN. I thank the gentleman.

The CHAIRMAN. Without objection the amendment is agreed to.

There was no objection.

Mr. RHODES of Arizona. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Page 5, line 13, correct the spelling of "subsction" and "sction" to read "subsec-" tion" and "section."

The amendment was agreed to.

Mr. ROGERS of Colorado. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: Page 9, line 12, after "exceeded", strike out "35,000" and insert "45,000."

Mr. ROGERS of Colorado. Mr. Chairman, this is to correct what I think is an inequity in this law which has existed since its inception. When it was adopted, it provided that no school district that had as many as 35,000 pupils in the district on June 30, 1939, would be required to absorb 6 percent.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. PERKINS. The gentleman's idea in raising the figure from 35,000 to 45,000 is to bring in Denver, so it will not have to absorb the 6 percent.

Mr. ROGERS of Colorado. The gentleman's presumption is correct. I may point out that when this legislation was adopted previously they purposely set about to discriminate against large school districts. I think that the record will show there were at least 40 school districts that they intended to exclude; yet, in spite of that, 40 school districts have to absorb 6 percent instead of 3 percent.

If you want this to apply fairly and equally why not apply 3 percent across the board in every instance? That is the reason why I say it is discriminatory. If you apply the formula equally, as I think it is the intention of this committee to do, then you should require them to absorb only 3 percent, because the school district must absorb 3 percent before it is eligible for participation. Why should that not be the measure?

In a school district with 10,000 pupils absorption of 3 percent would mean 300 pupils; a school district with 40,000 pupils would have to absorb 1,200. Why add a burden to the larger schools making them absorb a larger percentage than schools with a lesser enrollment?

For this reason I feel that my amendment should be adopted so that all could be treated equally.

It is true that I offered this amendment when this legislation was being considered in 1953; and I offered it in fairness to all school districts, for I felt that all should be treated on the same equal basis.

For that reason I ask that you adopt this amendment.

Mr. BARDEN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Colorado [Mr. ROGERS].

Mr. Chairman, this presents the same type of problem that we met in some other instance. The gentleman asks, Why should we stop at 35? That poses exactly the same question to him. Why does he want to stop at 45? Somewhere, to get it out of the realm of a general Federal aid bill, we had to take the population of the cities all over the country and work out what in the plain application of figures would be a fair number to fix. That is what the committee agreed to do.

If you move the school population, for instance from 35 to 45 thousand, we have no figures. I cannot even guess what it would cost, but I assure you it would be a tremendous sum. Then we tried to take into consideration the element of fairness and the practical situation existing. We felt that an absorption of 6 percent was not at all unrealistic or unfair in a

city with a school population of over 35,000. When you begin to go beyond that you are met with exactly the same question, Why should you stop at 45? Why should you stop at 55? Why should you stop? You would run into quite large figures which I do not believe the House would want to indulge in.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. If that is the argument, why not strike out 6 percent altogether and make it 3 percent equally across the board?

Mr. BARDEN. I would not want to get into that argument late Saturday evening. There are volumes of information that would have a bearing on the gentleman's views if he would take the time to review them.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from New York.

Mr. KEATING. May I ask the gentleman a question? I note that under the provisions of this legislation the Commissioner has the power to waive the 3 percent condition of entitlement where he thinks it would be inequitable to apply it. My question is, Whether it is the judgment of the gentleman and his committee that if the Commissioner deemed it inequitable he could on a district that exceeds 35,000 waive 6 percent and make 3 percent applicable? If he did have that power, it would seem to me that might meet in part at least the point made by the gentleman from Colorado.

Mr. BARDEN. I may say to the gentleman that, in the first place, you would make the office of Commissioner of Education the hottest seat in America. He would face some very great problems in trying to gather all of the data in order to make that determination.

Mr. KEATING. He has that now.

Mr. BARDEN. I understand that. You will see how strong we made that language. We did that, I will say to the gentleman, in an effort to give every possible opportunity for the administration of this act to be fair and to take care of those situations. The committee argued this long, and at times loud, but finally determined that the 6 percent absorption was fair and reasonable. On that the committee is pretty well agreed.

Mr. KEATING. But the gentleman does feel if a district is in excess of 35,000, it would require a 6 percent absorption, and the Commissioner would not have the discretion?

Mr. BARDEN. No; I do not think he would have that discretion. I do not think he would want it, to be frank with you.

Mr. KEATING. I was just trying to get information. That is all.

Mr. BARDEN. I understand.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. ROGERS].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 11695) to extend until June 30, 1958, the programs of financial assistance in the construction and operation of schools in areas affected by Federal activities under the provisions of Public Laws 815 and 874, 81st Congress, and to make certain other changes in such provisions, pursuant to House Resolution 560, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

MILITARY CONSTRUCTION ACT OF 1956

Mr. VINSON submitted a conference report and statement on the bill (H. R. 9893) to authorize certain construction at military installations, and for other purposes.

INCREASING THE BORROWING POWER OF THE COMMODITY CREDIT CORPORATION

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11132) to increase the borrowing power of the Commodity Credit Corporation, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 11132, with Mr. WILLIS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SPENCE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill would increase the borrowing authority of the Commodity Credit Corporation from $12 billion to $14 billion. The Commodity Credit Corporation had used of its available borrowing capacity, as of the 31st of March, $11,400,000,000. On that date it had authority to borrow $600 million. It had outstanding in loans $3,100,000,000. Its inventory in commodities was $5,600,000,000. So it had at that date assets of $8,700,000,000. It had realized losses of $1,800,000,000.

The money which we are authorizing it to borrow will not be a loss. The fund will be used to carry out the Corporation's loan and purchase program.

The farming industry is the most unstable industry of all. When the farmer plants, he does not know what will be his yield. He may plant less and reap more. He may plant more and reap less. When primitive man first learned that he could make the earth yield his food, he came into this great basic industry. Food is life. Without it we cannot exist and without the farmer we would not have food.

It has been said that if you destroy the cities they would all rise again, but if the farms were destroyed grass would grow in the city streets. So it is essential to stabilize this great industry, the first great industry of mankind. It has always been an unstable industry, and that is the justification for the activities of the Commodity Credit Corporation.

The industrialist can produce for the market. He knows what the market will absorb. He knows what will be profitable for him to produce. But the farmer can have no such assurance. He is the victim of the frost, of the drought, of the destructive insects. And if we do not provide an assurance to the farmer of an income he probably will leave the farm. To you of the city I can say there are just two things that might happen. You might not be fed and you might find him in competition for employment with your own people. So you should never make the question that is now presented an issue between the country and the city.

This program has assured the farmer that he will receive a return that will enable him to properly support his family and educate his children. In my own State I can remember when tobacco sold for 7 cents a pound. Under the beneficent program of the Commodity Credit Corporation the tobacco farmer now gets a fair profit for his product. So I say, without going into details as to what the Commodity Credit Corporation has done, that it has rendered a great service to the American people. The immense sum we have authorized, $12 billion, was essential to stabilize this great industry and to keep it operating as it should for the benefit of our country and the rest of the world. Of this authorization, $600 million was not used on March 31, 1956, and in addition thereto there was an aggregate investment of $8.7 billion. I hope we can pass this bill without amendment. The administration wants it, the farm industry wants it, and I know the people want it because of the great service the Commodity Credit Corporation has rendered in the past and the potential it has for carrying out its program in the future.

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MCVEY].

Mr. McVEY. Mr. Chairman, the Congress has before it today H. R. 11132, a bill to increase the borrowing power of the Commodity Credit Corporation, and for other purposes. The main feature of this legislation is concerned in section 1, item B, amending the act of March 8, 1938, by striking out $12 billion and inserting in lieu thereof $14 billion. This additional amount represents a large sum of money and is needed by the Commodity Credit Corporation to finance the farm program enacted by this Congress.

This agency was originally voted, in October 1933, the sum of $3 million. Let us look at the increase in the responsibilities of this Corporation in recent years. The Banking and Currency Committee has been called upon to increase the authorization for sums to be used by this agency as follows:

Mar. 8, 1938	$500,000,000
Mar. 4, 1939	900,000,000
Aug. 9, 1940	1,400,000,000
July 1, 1941	2,650,000,000
July 16, 1943	3,000,000,000
Apr. 12, 1945	4,750,000,000
June 28, 1950	6,750,000,000
Mar. 20, 1954	8,500,000,000
Aug. 31, 1954	10,000,000,000
Aug. 11, 1955	12,000,000,000
Apr. 23, 1956	14,000,000,000

These amounts of money have been needed by this Corporation to finance the programs of the farm crops enacted at various times by the Congress. When representatives of the Commodity Credit Corporation appeared before the Banking and Currency Committee recently, they stated that the increase to $14 billion as requested does not include provision for financing the soil bank by the Commodity Credit Corporation as proposed in recent legislation, except insofar as the margin of available borrowing power may permit initiation of the program. At the hearings on this subject, it was further stated by representatives of the Commodity Credit Corporation that the Corporation will have obligations outstanding totaling $13,552,000,000 by June 30, 1957. Additional authorization is requested, as a margin of safety, in the amount of $448 million which it is felt is necessary in order to make certain that all responsibilities can be met before the end of the next fiscal year, unless additional funds are required to support the soil-bank program.

The Commodity Credit Corporation has estimated the value of its inventory of corn, cotton, and wheat as of March 31, 1956, as follows:

Corn	$1,910,615,000
Cotton	2,275,499,000
Wheat	2,820,523,000

These three crops have been listed because of the rather extensive supply on inventory. The grand total of all commodities reaches the staggering sum of $8,731,498,000. The storage costs of these inventories amount to $800,000 per day.

We hear it stated frequently on the floor of the House that the cost of price supports has been a very low figure. It has been mentioned that these supports have cost us an average of about $1 million per year for the last 20 years. Statements of this character are entirely fallacious. No one can even estimate what the final loss is going to be when these products are finally disposed of—if that event should come to pass. In recent years we have been piling inventory upon inventory and billions upon billions under the assumption by many, that this program has cost the Government very little. The fact that the Commodity Credit Corporation has requested total authorization of $14 billion should be ample evidence of the fact that the probable loss to be sustained reaches a very large figure.

It is certain that neither the rigid price support nor flexible price supports will solve this situation entirely. It is the belief, however, that the combination of flexible price supports and the soil bank will enable the Government to liquidate most of this inventory and give the farmer once more an opportunity to enjoy the operation of supply and demand. Certainly that is the result which it is firmly hoped will be reached within a reasonable period of time. Anyone who maintains, however, that rigid price supports will solve our surplus problem, is either politically motivated or just does not understand the most elementary principles of economics.

I can see no course for the Congress to follow today but approve the authorization to extend to the Commodity Credit Corporation an additional $2 billion. Its function is to carry out the will of the Congress, and that body has already passed legislation making further expenditures necessary. Those who favor high rigid price supports have much to ponder over in this situation. The trouble we face today is unquestionably due to the high supports for basic commodities which have been voted by this Congress. The whole situation is alarming and presents a problem for deepest thought and study.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. McVEY. I yield.

Mr. BOW. The gentleman has pointed out the number of times we have had to increase this loan authorization. Has the gentleman checked the RECORD to see how many times the House has been told that that would be the last time an increase would be requested?

Mr. McVEY. I am sorry I do not have a record of that. Do you have any information on it?

Mr. BOW. I understand each time we were told that we would never be asked again to increase the amount of this loan authority.

Mr. McVEY. I have no recollection of that.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, on October 17, 1933, the Commodity Credit Corporation was created with an initial capital of $3 million. Through the years it has been my privilege to observe and in some measure assist in the development of this Corporation into the powerful instrument that it is today for assisting the stabilization of American agriculture.

The Commodity Credit Corporation cut its eyeteeth on cotton. In its first 2 years of operation, cotton loans accounted for 76 percent of its total activities. Throughout the years the Commodity Credit Corporation loan and purchase activities in cotton have covered 64½ million bales. That is equivalent to approximately 4½ years production at the present annual rate of approximately 15 million bales per year.

From inception up through April 30, 1956, the price support operations of the Commodity Credit Corporation in cotton have resulted in a net profit to the Corporation of $179,158,551. Over this period the investment of the Commodity Credit Corporation in price support operations for cotton has aggregated $8.3 billion. The profit on cotton transactions therefore amounts to 2.2 cents for every dollar of CCC total investment in price support operations in cotton.

From a cotton and corn program at the inception of the Commodity Credit Corporation, price support operations have been expanded beyond the six basic agricultural commodities—corn, cotton, peanuts, rice, tobacco and wheat—to include a wide variety of other farm commodities, the production of which embraces all areas of the country. The total investment of the Corporation in price support operations for all commodities over the life of the Corporation aggregates $31.8 billion. The loss suffered by the Corporation on its price support operations in the aggregate amounts to only 2.5 cents per dollar of investment for the basic commodities and 9.7 cents per dollar of investment for all commodities, including the basic commodities. Thus when the loss of the Corporation over the years is viewed in the light of the tremendous volume of overall operations, I believe you will agree the price support assistance afforded to agriculture is a small price to pay for insurance of an economy of plenty.

Sometimes our good friends from the urban areas are somewhat critical of the Commodity Credit Corporation losses but I would remind them the figure is only slightly larger than the losses which the Corporation, at the direction of the Congress, suffered on consumer subsidies during the few years of World War II when such subsidies were in effect.

There are still other ways in which the Corporation over the years has proved to be a useful mechanism of the Congress. It has engaged in procurement of agricultural products to meet the needs of other United States Government agencies, cash-paying foreign governments, and international relief organizations. It has engaged in the purchase abroad of commodities to meet domestic and foreign requirements. It has engaged in emergency feed programs for stricken areas. It has a commodity export program under which it has exported commodities, not in short supply, at competitive world prices. It administers American operations under the International Wheat Agreement. It has engaged in a storage facilities program including the making of loans to farmers for the construction or expansion of farm storage facilities. Put another way, Commodity Credit Corporation has

become a most important factor in the farm sector of our economy and it conducts its operations in such a manner as to utilize, to the maximum extent practicable, private trade facilities such as banks, cooperatives, commercial warehouses, handlers, and others.

The bill under consideration would increase the borrowing authority of the Corporation by $2 billion over the existing authorization of $12 billion. It is estimated the present borrowing authority will be exhausted by November of this year. An increase is needed in the borrowing authority to enable the Corporation to carry out the statutory requirements placed upon it by the Congress. The $2 billion increase proposed will enable the Corporation to carry forward its programs.

The bill would make some changes in the penal provisions of the act, one of which would reduce from a felony to a misdemeanor, offenses involving property of a value of $500 or less in order to facilitate the prosecution of relatively minor violations and thus facilitate the policing of such violations.

Mr. Chairman, I know there are many other Members who will want to add their words of praise and support for the Commodity Credit Corporation and I feel sure this measure will receive the overwhelming support of the Members of this body.

Mr. WOLCOTT. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. HESELTON].

Mr. HESELTON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include certain tabulations.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. Mr. Chairman, I did not intend to take any of the time of the Committee today. But I do want to express my opinion briefly of the wisdom of this legislation.

Before doing so, I want to add that I intend to renew the point of order I made, but withdrew some time ago, of no quorum, if we have any repetition of irrelevant speeches while this bill is being considered. I do not propose to stay here this entire Saturday afternoon so that such speeches can be made at the expense of the few of us who are here, and I do not think most of you came here for that purpose or enjoy that sort of a thing either.

I shall vote against this bill, as I have previously when such increases in borrowing authority for the Commodity Credit Corporation have been before us.

I shall not ask for a rollcall because I concede that a case can be made once again for the necessity of some increase and I realize that a rollcall would be futile and an imposition upon the entire membership of the House. However, I shall attempt to outline my reasons for opposing the suggested increase.

It calls for an increase from the existing authorization of $12 billion to $14 billion.

If I recall correctly, this originally started with an authorization in the amount of $3 million. Over the years it has been increasing steadily. Some thought that when it was raised to $4,000,500,000 that involved a considerable amount of public credit and money. There was even more concern when it went up to $7,850,000,000. Then when it reached $10 billion, at least a few thought that was the limit. But another $2 billion was added, and we now find a further request for an additional $2 billion.

In my judgment, it is clearly evident that whoever may be in charge of this program has not started to reduce these gigantic surpluses in any really effective manner and cannot be expected to do so so long as Congress repeatedly yields to requests for further increases. And I refer as an excellent authority for that opinion to a former colleague of ours, who was one of the best Secretaries of Agriculture this country ever had and who is a respected member of the Democratic Party. For the record, in case of any future similar requests for a further increase, I suggest that those who are concerned about this problem of gigantic surpluses look at the CONGRESSIONAL RECORD of July 3, last, beginning at page 11715.

Cotton supplies have been increased from 1 million bales to 14 billion bales; corn supplies have been doubled; wheat supplies have been doubled; supplies of rice have been increased substantially; and anyone who takes the trouble to read the monthly reports of the Commodity Credit Corporation can go on and on indefinitely. I had supposed that we had reached the point where is was recognized that the Commodity Credit Corporation was not a creation of a governmental unit to hoard commodities forever but the main emphasis had been changed in recent years to finding means of disposing of what has been accumulated to the extent of what may not be necessary as a reserve supply. Apparently, I have been in error, at least to some extent. But I do hope that someone connected with the Commodity Credit Corporation will really begin to exert himself to the end that these surplus hoards can be reduced, rather than forever increased.

There is one other point which should be of some concern to any who may be lending themselves to the idea that this country can and will tolerate indefinitely the proposition of producing certain agricultural commodities in excess of demand or reasonable reserve stocks, with the idea that a Government agency must buy and store them. It is my understanding that the storage charge alone amounts to something like $800,000 a day. To a substantial degree, this is a sheer waste and an open invitation for a revolt on the part of those who are already overburdened with enormous taxes and for other far more important purposes.

There is a contrast as to the recent citrus crops in Florida, California and other parts of the country where those fruits are raised. Those people found themselves with tremendous surpluses but rather than taking the easy way of turning to the Treasury of the United States, they had the spunk and initiative to work together and to develop remarkable merchandizing methods by which they were successful in dealing with their difficult problem.

I realize that someone may well point to aid which has been granted to war industries, to the merchant marine, to the airlines and to scores of others who, undoubtedly, have drawn heavily upon the Treasury of the United States. But I submit that is only begging the question and avoiding the issue. Possibly, even probably, much of that type of Government aid is subject to legitimate criticism, but those who represent so effectively here the production of cotton, wheat, corn, barley, oats, rice, soybeans and other commodities in Government surpluses may be bringing upon themselves the justifiable wrath of the consumers and taxpayers of this country if they insist upon the indefinite continuation of this program, irrespective of justifications that may exist for holding reasonable stocks. I have said before, and I repeat now, that someday these taxpayers and consumers are going to reach the limit of their endurance. When they do, the revolt may be unfortunate but it will be a very real thing. All of us know that the chairman of the committee and others who urge this $2 billion extension are entirely right in saying that agriculture is an important, an essential and a vital part of our economy. We all want to do everything we can to be of real assistance. But, in my judgment, it is a very poor service to agriculture itself to assume that the taxpayers and the consumers of this country are going to carry this back-breaking burden on indefinitely. If they do not feel that there is a real effort being made to really solve this problem, they can well come in here and demand that all agricultural legislation be wiped off the books. If they do, that will certainly happen. Personally, I would regret that development keenly and, consequently, I hope that what I have tried to say may be of some small value in preventing such a result. But it will take a lot more than passive acceptance of the alleged inevitability of this interminable hoarding of unnecessary agricultural surpluses, and I do hope that some few of our colleagues on our Committee on Agriculture and on our appropriations subcommittee and some persons in a position to take effective action within the Commodity Credit Corporation will recognize what may face them quite starkly if they let this situation continue. A day of reckoning will come if they do and some folks will wish they had done something to avoid it.

Mr. SPENCE. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, in view of the statement just made I would like to point out certain pertinent facts in connection with the Commodity Credit Corporation.

In the first place, the gentleman is wrong with regard to citrus and the perishable commodities. The gentleman stated the producers took care of their own surplus. As a matter of fact, Congress has been providing section 32 funds, which means 30 percent of all import taxes collected have been set

aside and used to support and export these commodities, such as citrus. Formerly such funds were equally available for basic commodities.

The other thing I want to point out, as I have very many times, is that all during that period when they were accumulating these huge surpluses, the Commodity Credit Corporation did not even have a sales manager. We directed the appointment of one last year. They had no real sales organization nor sales program.

Had the Department sold its commodities, funds received would have been available for financing CCC operations and we would not need to be increasing the borrowing authority of CCC as we are doing today.

While the Department of Agriculture refused to offer our farm commodities in world trade through normal channels at competitive prices for dollars, let us see what happened to CCC inventories.

In December 1952, when Secretary Benson came in, CCC inventories totaled a little over $1 billion. In December 1955 these holdings had increased to over $6 billion—and they are still increasing. With respect to a few of the major commodities, the increases are as follows:

[In millions]

	Dec. 31, 1952	Dec. 31 1955
Corn	$447.0	$1,300.0
Cotton, upland	32.5	1,437.0
Rice	.2	175.9
Wheat	352.4	2,399.0
Dairy products	8.4	281.3
Nonbasics	198.9	270.7

Since, under present law, quantities of commodities in CCC inventories must be considered in determining acreage allotments, these increases have resulted in substantial reduction in crop acreage each year in the United States.

Between 1952 and 1955, total planted acreage has been reduced about 2 percent. Cotton acreage has been cut by nearly 10 million acres, a reduction of over 35 percent. Similarly, wheat acreage has been cut 20 million acres during this period, a decrease of over 25 percent. In 1955 alone, reductions in cotton acreage in the South put 55,000 farmers out of production and off their farms.

INCREASED FOREIGN AGRICULTURAL PRODUCTION

While the United States farmer's acreage has been severely curtailed each year, agricultural production in other parts of the world has increased in about the same amount as United States production has decreased. While United States commodities have been held off world markets at competitive prices, foreign production has been increased to supplant reductions in United States production. As a result, world supplies have increased despite reduction by United States farmers.

During the 4-year period ending with the crop year 1955, foreign countries increased production of all the basic commodities over 1951 levels. Based on the most recent information available for the crop year 1955, the increase was approximately as follows: Cotton, 5.1 million bales, 28 percent; wheat, 329 million bushels, 6 percent; corn, 403 million bushels, 19 percent; rice, 29 billion pounds, 13 percent; tobacco, 457 million pounds, 9 percent; and peanuts, 1,360,000 tons, 14 percent. These increases are substantial. The increase of 28 percent in cotton production is particularly significant when it is realized that production in the United States declined 16 percent during the past 2 years.

While it is impossible at this time to accurately forecast the world's 1956 crops, such information as is available indicates a further substantial increase over 1955 for at least two of the major basic commodities—cotton and wheat. This increase may possibly be as much as 1.5 million bales of cotton—6 percent—and 440 million bushels of wheat—7 percent. Land devoted to production of these 2 commodities in 1956 is expected to be substantially more than in 1955, nearly 2 million acres for cotton and 15 million acres for wheat. This is in addition to the increase in world production of almost 10 million acres of cotton and 46 million acres of wheat in the past 4 years, during which time United States acreage has been reduced for both commodities.

COMPETITIVE SALES ABROAD

This shifting of American production abroad is largely the result of the failure to keep United States commodities offered competitively in foreign markets. Our committee has been urging the Department for 3 years to sell its commodities in world trade through normal channels for dollars. Until 1954, the Department would not take such action, despite the fact that the CCC Charter Act authorizes and contemplates such sales.

In its report last year, the committee noted again that such authority existed. It pointed out the fact that the CCC, then a $10 billion corporation, had no sales manager or sales organization. It also concluded that the Department had insufficient information on foreign agriculture to know what other countries were doing to expand production and increase exports.

Accordingly, the committee set aside funds in last year's bill to develop such information and to establish an aggressive sales program in the Department. Congress supported such action and the committee is pleased to note that the Department has taken some action along these lines.

In 1954, the Department offered a few commodities in world trade and sold them for dollars. These included small amounts of peanuts, cottonseed oil, linseed oil, and flaxseed. In 1955, limited amounts of other commodities were added to competitive export sales, including: Butter, dried milk, whey, corn, rice, wheat, barley, grain sorghums, oats, rye, and soybeans. These were all sold for dollars.

On January 1, 1956, for the first time, 1 million bales of short-staple cotton were offered for sale in foreign trade. In the month of January 600,000 bales were sold. By the end of February, the balance was sold. While it was expected that 7 months would be required to complete the sale, the entire amount was sold in 60 days.

I have before me the most recent report on what has happened since the Secretary of Agriculture, finally on January 1, 1956, got around to doing what I have urged, insisted and, through our committee, directed that he do, offer for sale through normal channels for dollars at competitive prices. On July 5, the Department advises they have sold 3,471,736 bales of cotton for dollars since the 1st of January 1956.

You can clearly see our trouble has come from refusal to sell. Had they sold through the years, our farmers would still be in business, CCC investments would have been very low and foreign production would have expanded very little.

I say to you that nine-tenths of the holdings of the Commodity Credit Corporation is in the hands of the Government, where we are paying huge storage charges because during that period the Department of Agriculture would not do as any normal man would have done, offer such commodities for sale through normal channels at competitive prices for dollars. If you want proof of that read what they have done in the brief period they have been offering some commodities for sale, 3,471,736 bales of cotton sold in 6 months. Would it not have been fine if Secretary Benson had not waited 3 years to start?

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Why do they come in then and ask for $3 billion more when they have got an outlet now which they should have had 15 years ago?

Mr. WHITTEN. They did have the outlet but they refused to use it for a number of years. One reason they are asking for this increase is because they have not yet moved in as fast as they could with regard to other commodities. They have held these essential commodities and have built the supply up so high they cannot move it all at once. Another cause of this increase is the soil bank. We provided in the soil bank, recommended by the President, the Congress approving, that the soil bank be financed by the Commodity Credit Corporation. That requires $1,200,000,000 of the increase. We have given this Corporation the job of price supports which requires a certain borrowing capacity on the part of the corporation today. If they had done as they are beginning to do now in connection with cotton, they would not have had to have this increase. The corporation has two sources of money. One is that money they collect on commodities sold as this cotton, will be available to them for further use on a revolving basis. If they had been offering these commodities and if they had sold them as they had the authority to do, and could have done, they would have had the money, but unfortunately they did not do that until far too late, and we have to help them until such time as we can get back into the world markets where they should have been all the time.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. First I want to say I am in favor of the bill.

Mr. WHITTEN. The bill is absolutely essential under present conditions but it should not have been necessary.

Mr. McCORMACK. In relation to cotton, what is the surplus of cotton that we have at the present time in storage?

Mr. WHITTEN. I do not have the exact figures but it is my recollection we will have about 8 million bales of cotton.

Mr. McCORMACK. With this year's production?

Mr. WHITTEN. At the end of this year when we close out we will have a surplus to domestic needs. It has not been surplus to world needs if we have offered regularly through the years. We have held our commodities off the world markets and we have spent billions of dollars in increasing production in foreign lands while our Government held our commodities off the world markets. Last year this cotton was counted under the law and 55,000 United States cotton farmers were put out of business under acreage restrictions while this cotton, counted by order of the Secretary, to cause this acreage reduction, had not even been offered for sale.

Mr. McCORMACK. Would the gentleman like me to help him and others interested get rid of 750,000 bales of cotton a year?

Mr. WHITTEN. Yes; however, I would like to sell it. Merely getting rid of the commodities is not near so important as getting back in business in world trade through normal channels.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SPENCE. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. McCORMACK. What I have in mind is this: It has been suggested to me, and it appeals to me—I have no textiles in my district—that if the Secretary of Agriculture were authorized by law to sell not more than 750,000 bales of cotton a year to American textiles, having in mind the problem they have of competition abroad, at a price where they could fabricate that for export alone, it seems to me that that would be a very desirable objective.

Mr. WHITTEN. It is much more important that we keep our cotton and other commodities offered in world trade channels on a competitive basis than that we just get rid of what we have on hand. It is staying in business that is important. The present law authorizes protection for our cotton mills. The Agricultural Adjustment Act enables the President to place import duties up to 50 percent of the value or he can limit the amount of imports competing with our textile mills. He has not used such authority. Personally, I think we should sell textile mills an amount of cotton at the world price equivalent to their exports, which is what the gentleman is expressing in a different way. If we sell to these mills at the world level an amount of raw cotton equivalent to their exports, they would have a source of supply to compete in world trade.

Mr. McCORMACK. The proposition I addressed to the gentleman is the sale of a certain amount of cotton to our textile mills in order to enable them to meet the competition from abroad; for manufacture, not for sale within the United States but abroad.

Mr. WHITTEN. The gentleman and I are in agreement as to the need, and, pending that change, they do have ample authority to protect them under the present law.

Mr. McCORMACK. I notice that a distinguished former Member of this House, the distinguished lady Senator from Maine, and other Senators, have joined in a bill to that effect, and it attracted my attention. I think it would be a very good thing to do. I hope that when the agricultural bill for sale abroad, embargoing Communist countries, comes up, that the committee will accept an amendment along that line.

Mr. WHITTEN. I would support a directive to sell domestic mills cotton equal to their exports at world prices.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, I wish to take time only to call the attention of the committee to the fact that this increase in the authorized borrowing power of the Commodity Credit Corporation is not in any sense passing upon the merits or the demerits of the farm program or on the merits or demerits of the present administration of the Commodity Credit Corporation. It is merely that under existing law certain commitments have been made, and it becomes the moral responsibility of the Congress to provide the money to meet those commitments.

In order to make that crystal clear, when Mr. Morse was before our committee I asked him two questions which you will find on page 65 of the public hearings:

> Mr. O'HARA. Mr. Morse, isn't it true that the Nation's agricultural price-support program has already been determined by law and what we are called upon to do is to supply money so that the Government can carry out commitments it has already made to the farmers?
>
> Mr. MORSE. Yes, Mr. O'HARA. That is quite true.
>
> Mr. O'HARA. Mr. Morse, isn't it true that the $2 billion provided for in this bill will be needed even if the present flexible agricultural price-support law is retained?
>
> Mr. MORSE. That is correct.

I think I should point out to the committee that it was only a year ago that we raised the Corporation's authorized borrowing power by $2 billion, and this bill would raise the limit another $2 billion. Mr. Morse quite frankly told us he expected to be before the Congress in a few months or within the next year, anyway, asking for a higher authorization. But, whenever legislation of this character is presented, it becomes the moral duty of the Congress to enact it, because it is merely meeting the commitments made in good faith to the farmers under existing law. If any change is needed in the program of the Commodity Credit Corporation, it must come at another time, through the Committee on Agriculture, and reach the House through a different type of legislation than this.

Mr. WOLCOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. TALLE].

Mr. TALLE. Mr. Chairman, I shall be brief. I desire to make only 2 points. One, the Commodity Credit Corporation is like the hub of a wheel. The activities of our farm program are like the spokes of the wheel.

I am for the Commodity Credit Corporation. It is the heart of our farm-marketing program.

Secondly, agriculture is more highly competitive than any other industry in our country. Because of the fact that agriculture is so highly competitive we need an agency like the Commodity Credit Corporation through which it is possible to carry on orderly marketing, so that farm products may be sold, without the price-depressing effect of dumping large quantities on the market immediately after harvest seasons—but held in storage and sold throughout the year. The CCC is serving an excellent purpose.

Mr. Chairman, I want everyone to know that I am strongly in favor of this legislation.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield for a question?

Mr. TALLE. I am very glad to yield to the gentleman from Ohio.

Mr. McGREGOR. Mr. Chairman, I am sure we all appreciate the statment made by the gentleman, but some of us are beginning to wonder whether now that we have a law which permits the Commodity Credit Corporation to sell cotton on the open market, there will be enough sales of these commodities to balance approximately the size of the incoming crop, so that we will not have to continue increasing our surpluses.

Mr. TALLE. The able gentleman from Ohio has mentioned an important matter. It is referred to in the report which accompanies this legislation. The gentleman from Ohio [Mr. McGREGOR] may take the same comfort from current information that I take, and that is that the Department of Agriculture is traveling along the right road, as was pointed out by the gentleman from Mississippi [Mr. WHITTEN]. Our farmers are most remarkable in their ability to produce. The severe problem is successful marketing and there is encouraging evidence of improvement in that important field.

Mr. SPENCE. Mr. Chairman, I yield the gentleman from Ohio [Mr. VANIK] 1 minute.

Mr. VANIK. Mr. Chairman, there is not a single farm in my district, there is not a single Commodity Credit Corporation warehouse or facility in my district. I am nevertheless in support of this legislation which is essential to the administration of our farm program. I certainly hope that the Representatives whose areas will be benefited by this legislation will remember that we have a housing bill lodged in the Committee on Rules which we would like to have voted upon by this House before Congress adjourns. I hope there will be some reciprocity by way of support for the housing bill in this Congress on the part of those people who may not have any great housing needs in their districts. I hope they realize that people in other parts of the country, particularly urban

areas, need help in the important field of housing.

Mr. SPENCE. Mr. Chairman, I did not inspire that comment, but I go along with it.

Mr. Chairman, we have no further requests for time.

Mr. WOLCOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, we are today debating a proposal to increase the capitalization of the Commodity Credit Corporation. This increase in borrowing authority for CCC is absolutely essential to the operation of the price support program. Commodity Credit is the very heart of that program.

In recent years we have materially expanded and strengthened our research, educational, and extension programs under the United States Department of Agriculture to develop and bring to our farm people the knowledge that will enable them to improve their farming operations. We are spending a great amount of money on these programs and I believe it is well spent, but if we do not receive parity and a fair market price for our farm-produced commodities nothing else will be of any real value. Farmers must have a fair return for what they produce or in the final analysis all of our research and extension work becomes meaningless.

The price support program was expressly designed to help farmers secure full parity out of the market. To do its job properly, the Commodity Credit Corporation must have adequate capitalization so as to be able to make whatever loans are necessary to protect our farm price level.

EVERYBODY BENEFITS

The primary beneficiary of the price support program is, of course, the farmer who produces the commodities affected. However, as we strengthen the farm economy we directly advance the economic interests of all the merchants, business and professional men, and the people they employ, in the rural communities doing business with farm people. Yes, this means prosperity for all people in those areas.

If our farmers do not profit in their operations they have no spendable income and then it is the small town people who really suffer. Our farmers have demonstrated their ability to weather some pretty severe economic storms, but in these times of high prices and high overhead the small town merchant is soon crowded to the wall if his rural customers quit spending money in his establishment.

ALL GROUPS ARE PROTECTED

There has been some criticism of the price support program here today. Questions as to reciprocity have been asked. While we are talking about that, let us remember this: Following World War II industry was given, directly or indirectly, over $40 billion in amortizations and in tax writeoffs. Also, remember that during World War II there were subsidies to consumers amounting to several billions of dollars so the public could buy food cheaper than would have been possible otherwise.

Whether we like it or not, our economy is subsidized from one end to the other. By law, we guarantee minimum wages for working people. We subsidize the shipping industry. We subsidize the airlines. The Army Engineers have spent billions of dollars on our navigable rivers. We have necessary tariffs on foreign goods to protect American working people and their employers from foreign competition. This is an indirect subsidy because the higher prices our people pay go to protect domestic industry. My farmers have not protested against this action of our Government in helping these Americans.

By operating our postal system at a loss, we subsidize all the people who use the mails. The administration wisely asked for adjustments in postal rates to help the post office pay its own way and just last week I noted the large number of our colleagues who voted against us on that bill. They wanted to keep their postal subsidies and yet many of them object most strenuously to so-called agricultural subsidies, and to a fair price floor beneath what the farmer produces.

There are a host of subsidies in our economy too numerous to mention. We in our Seventh District pay our share of all of these subsidies. Somehow, it is the price support program which is held up as the horrible example of the evil of subsidies—and yet all groups are protected in some way through Government assistance.

WE HAVE INDUSTRIAL SURPLUSES TOO

Critics of the price support program are constantly raising the question of surpluses. They say nothing of the billions of dollars of surplus war material we dumped and destroyed all over the world following World War II rather than sell it in our own markets and thus injure the potential industrial market.

Reference is often made to the great quantities of food and fiber in storage, but similar questions are seldom raised as to our multi-billion-dollar stockpile of so-called strategic materials. A cloud of secrecy hangs about the millions of tons of raw materials we have stored away at Government expense for our industries, but everyone seems to have something critical to say about our stores of agricultural commodities which would be equally vital in event of war or any other national disaster. No one questions the fact that our strategic stockpile has been used to remove price depressing surpluses of an industrial nature, but the beneficiaries of that program are not at all reluctant to attack the agricultural commodity program.

BLESSINGS OF ABUNDANCE

These critics forget how fortunate we are to be blessed with a surplus of food rather than cursed with a shortage as is true in most of the world. They should see for themselves the starvation condition existing among hundreds of millions of human beings. I believe they would change their minds.

Instead of condemning this surplus of food, we should make it an important instrument of our foreign policy. I have talked to hungry people in the Near East and have come home convinced that our food is far more attractive to them than our dollars devoted to foreign aid of an industrial nature.

COSTS ARE RELATIVE

Another criticism refers to the cost of the price support program. Yes, the Government has suffered some losses. That is to be expected. One of the primary purposes of the program is to have the Government share to a degree the market risks of our farmers. Our people, in turn, are assured an ample supply of food at a reasonable price. Create a food scarcity and the poor people of our Nation suffer in direct proportion.

It is possible that in the 25-year period of operation since 1933 we might balance out the books and find that the Commodity Credit Corporation had lost as much as $5 billion. But surely we are justified in expending $200 millions annually to hold farm income up to a parity level. That is a modest investment for so much return.

No one likes to see our Federal Government do business at a loss. I have fought deficit financing throughout my 18 years in the Congress, and I am happy to see that my administration has kept its pledge of fiscal responsibility and has balanced the Federal budget. In my opinion, this is one of the truly great accomplishments of the Eisenhower Administration. The substantial surplus on the books this year was a moral victory, at least, for those of us who have fought the rising national debt all these years.

WHY HELP EVERYONE BUT AMERICANS?

Actually, what could the price support losses possibly be in comparison with about $55 billion of foreign aid money we have distributed with such generosity throughout the world since World War II? On next Monday there will be coming up on this Floor an appropriation of $3.6 billion to subsidize the economies of people in other countries. This money will be given to them by our American taxpayers with no prospect of any return on our investment. The most we can expect is their friendship, and even that is questionable. At least, with the price support program for American Agriculture we are helping our own people, our own economy, and we end up owning any surpluses that may develop. Such surpluses are storable. They have market value. They are valuable reserves. They are part of the material wealth of this Nation.

FARM PROSPERITY MEANS NATIONAL PROSPERITY

The most critical questions are raised here today by our colleagues from the industrial East. It is understandable that they should ask these questions and they are entitled to an answer. They ask what this investment of Federal funds in agricultural price support means to their constituents who are not farmers.

The answer is simple. It is improved farm markets for the commodities produced by their working people in their mills and factories. It is farm markets for the thousands of different articles flowing through the commercial arteries of this great Nation which makes us the richest and best-living people in the

world. Above all, it is assurance of ample food at a price their people can afford to pay.

The greatest single market in this Nation for industrial goods is the farm market. Farms are highly mechanized and they require vast quantities of the things made in our industrial centers and distributed through our commercial channels. Cut off that farm market and we paralyze the industrial East.

Perhaps some of my colleagues have grown weary of hearing my constant pleas through the years for parity for Agriculture. Those who hail from nonfarming districts, and they are in the considerable majority in the House today, have probably thought in terms of only 13 percent of our people being involved because that is about all we have on farms today. They may have thought that the serious economic problems of these farm people growing out of falling farm income was no real concern of theirs.

The fight we from the great agricultural Midwest have made for a fair share of our otherwise booming national economy is not for our farm people alone. We have made this fight equally for the merchants, the professional and business men, and all the other people in our Districts who are dependent upon the state of the agricultural economy for their own economic well-being. We are fighting for a healthy economy in our areas for the good of the entire Nation.

Let me show you by responsible facts and figures what this slump in the agricultural Midwest means to nonfarm people. I believe you will agree that our colleagues from the industrial and commercial centers of the Nation have a big stake in our economy.

When you get back to your District and your constituents in the manufacturing, wholesale, brokerage, or similar businesses speak about sales tapering off or slumps in their markets—you can refer to what I say today as one of the major causes of the difficulty. When working people in the automobile and other plants come to you to complain about layoffs, you can refer to what I say today to find the lost markets that cost them their jobs.

FORTY-FIVE-MILLION-DOLLAR MARKET POTENTIAL LOST

In my congressional District alone, lost retail markets due to the slump in our farm income total at least $45 million this year. That is a very conservative figure based on the trend in retail sales from 1948 to 1954, and our general area saw a further decline in net farm income of 21 percent from 1954 to 1955. That is spendable income, and that income decline means just that much less in the way of local markets in my District.

Think how many automobiles, tractors, combines, washing machines, or other goods which that lost market in my District alone would buy. In the last 6 years, farmers in our Nation spent around $16 billion for farm machinery. They own over 2½ million trucks—almost 30 percent of all the trucks in the Nation.

Farm income is down and we see layoffs in the farm implement and automobile industries. Think how many laid-off working men and women would have never lost a day if you had not lost that potential farm market.

I represent the most intensely agricultural District in America, so it offers a good illustration. From 1948 to 1954, retail sales in our District rose from $285 million to $326 million—a total of 14 percent. In some purely agricultural counties we had no gains and even some declines in that period, according to Department of Commerce reports.

In that same period, retail sales in the State of Minnesota rose 20 percent on an average—and nationally they rose 30 percent. Those sales were the lifeblood of our booming national economy. Without that 30 percent national increase in retail sales we would have stagnated instead of expanding. Now think what the national economy would have done if retail sales in our agricultural areas had kept pace with the national average. But how could our retail sales expand when the net farm income in our area declined 21 percent in just 1 year from 1954 to 1955?

If retail sales had risen in my District by 30 percent as they did nationally, instead of only 14 percent, it would have meant an additional retail market in my District alone of $45 million a year which did not exist because of the drop in farm income. In 1955 this situation became even worse. The lost retail market in rural America, the lagging behind of Agriculture in its relationship to the rest of our economy, accounts in large measure for the lay-offs in industry today. The merchants and businessmen in the Seventh Congressional District of Minnesota felt the pinch last year, and Detroit is feeling it this year. Yes, Detroit, at last report had 900,000 unsold new cars.

I advise you to think this over while you are home. Discuss it with your constituents who look to our markets for their own prosperity. Explain these facts to them and then ask them whether they have any real interest in our prosperity, or the lack of it, in the farming areas. I am sure I know what their answer will be.

SOIL BANK WILL HELP

I believe we will overcome this problem of a falling farm economy. I have great hopes for the Soil Bank Program enacted at this session of the Congress. It is not perfect by any means, but it can be perfected. As the first Member of Congress to propose this forwardlooking program which was later adopted by President Eisenhower as the No. 1 point in his 9-point Program, I feel that I have made a major contribution to the solution of this all-important problem of surpluses and low commodity prices. By the voluntary retirement from production of surplus-producing areas into conservation status, we have as our goal a reasonable balance between production and consumption. Having once reached that goal, the price support operation will function more as an orderly marketing device and will be of little or no cost to the public generally. The ultimate result should be a farm economy on a parity with the balance of our economy and that will be good for everyone.

Remember, it is not just the 5 million farm families who are involved. It is the merchants in the rural areas who sell the goods produced in the industrial and commercial sections of this Nation. It is the men and women who work in the retail stores, on the railroads and trucks, in the warehouses and factories throughout the land. It is the entire Nation which ultimately feels the effects of a rising or falling farm economy.

The President of the United States employed forceful language in describing the problem of our declining farm economy. Let me quote the opening paragraph of President Eisenhower's farm message of January 9, 1956:

> In this session no problem before the Congress demands more urgent attention than the paradox facing our farm families. Although Agriculture is our basic industry, they find their prices and incomes depressed amid the Nation's greatest prosperity. For 5 years their economy has declined. Unless corrected, these economic reversals are a direct threat to the well-being of all our people.

We will be back next year, most of us, and this same question of prosperity in rural America will once again be before us. I feel confident that we are approaching a real solution to these problems, but we will need the sympathetic attention and the full understanding of the Congress to perfect the programs we have begun. We should and must agree that full parity for Agriculture is a national objective.

Mr. WOLCOTT. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. NICHOLSON. Mr. Chairman, I do not want to take any more time. I think enough has been taken. But I would like to know where the write-offs were in Massachusetts. I do not remember any big firms coming in there and manufacturing things so that they had to expand their business. The business was in your so-called West and Middle West.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield to the gentleman from Iowa.

Mr. GROSS. It was only about a week ago that we got an extension of daylight saving time at the request of the gentleman because he wanted more light in Massachusetts.

Mr. NICHOLSON. Yes, you wanted more light.

Mr. GROSS. I am sure you have all the light you need on that subject.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.—

INCREASE IN BORROWING AUTHORITY

SECTION 1. (a) Section 4 (i) of the Commodity Credit Corporation Charter Act, as amended (15 U. S. C. 714b (i)), is amended by striking out "$12,000,000,000" and inserting in lieu thereof "$14,000,000,000."

(b) Section 4 of the act of March 8, 1938, relating to the Commodity Credit Corporation, as amended (15 U. S. C. 713a–4), is amended by striking out "$12,000,000,000" and inserting in lieu thereof "$14,000,000,000."

Mr. HOLLAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLLAND: Immediately after section 1, page 2, after line 2, insert the following new section:

"REIMBURSEMENT OF STORAGE EXPENSES

"SEC. 2. (a) Section 5 of the Commodity Credit Corporation Charter Act, as amended, is amended by adding at the end thereof the following new paragraph:

" 'The Corporation shall reimburse States and their political subdivisions for reasonable expenses incurred by them in storing agricultural commodities which have been donated to them by the Corporation, but such reimbursement shall not be at a rate in excess of the current rate being paid by the Corporation for storage of like commodities owned by it.'

"(b) Section 407 of the Agricultural Act of 1949, as amended, is amended by inserting after 'Except on a reimbursable basis' the following: 'and except as provided in the last paragraph of section 5 of the Commodity Credit Corporation Charter Act.' "

And renumber section 2 as section 3.

Mr. WOLCOTT. Mr. Chairman, I make the point of order that the amendment is not in order, but I shall reserve the point long enough for the gentleman to proceed.

Mr. HOLLAND. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HOLLAND. Mr. Chairman, H. R. 11132 increases the borrowing power of the Commodity Credit Corporation from $12 million to $14 million.

This large amount of money is used to stabilize and protect the agricultural industry of our country.

In other words, every farmer in the United States shall receive relief from this huge sum of money.

Members of this House from industrial districts have supported and voted for this support for the farmer as we realize that the prosperity of the farmer is necessary to the prosperity of our workers in our industrial districts.

Today, I am going to ask those from the agricultural districts to reciprocate to those in the distressed industrial areas by their vote.

In addition to purchasing the surplus foods produced by the farmer, this $14 billion will be used to pay for the railroad freight, the ocean freight and the storage of surplus commodities given away to people of foreign countries who are hungry and without work.

We like to boast of our feeding the world.

I must confess I approve of it as I believe food is essential to the hungry and the unemployed, because without it they are the prey of the demagogs of communism or fascism.

Now gentlemen of the House, we in America have similar problems of the hungry right here in our own country, and I believe they, too, should be taken care of just as those across the seas.

I am offering an amendment to H. R. 11132, asking the Commodity Credit Corporation to do the same for every 1 of the 48 States as they do for our friends in foreign lands.

In my own State of Pennsylvania, we have at the present time many distressed areas.

There is no work to be had, and if so, the hours worked are not sufficient to secure ample wages to feed one's family.

You would think that under these conditions the CCC would treat these areas just the same as they treated the areas in foreign countries, but, oh, no, the taxpayers of those distressed areas must pay for the storage of the surplus foods.

This is the most asinine ruling ever made by any bureaucrat in Washington.

The CCC must store the surplus products they buy. If they do not move the surplus food they have stored—then they must rent new storage places.

Therefore, why not store this surplus in the distressed district where free distribution is given to needy and hungry Americans.

They would do it in foreign lands—why not right here at home, where American taxpayers are paying the bill.

And that is what my amendment does.

Why should we force on every State the paying of local storage—while at the same time the Federal Government is paying for Federal storage?

Why double storage bills?

Let me read a letter from a nonpolitical organization on this subject:

APRIL 23, 1956.

HON. ELMER J. HOLLAND,
House of Representatives,
Washington, D. C.

DEAR ELMER: I am writing to confirm our discussion with you at the hearing before the county commissioners on April 19 in regard to the importance of the surplus foods program in Allegheny County. As a major voluntary social welfare agency, we carry on a year-round program working with Allegheny County families in regard to family difficulties and personal trouble. Many of these families are living on limited incomes and some of them are supported by the board of public assistance. Therefore, we have direct knowledge of the importance of these surplus foods to many of these persons.

As you know, about one-fourth of all the persons receiving such food under the present plant are persons supported by the board of public assistance. These 36,000 people are the most helpless group in our community in that they are children, or people too old to work, or people with serious handicaps of various kinds. It is the unhappy fact that the present standards of food allowances by the assistance program are substantially below the standards for adequate nutrition and balanced diets. The fact that the surplus foods presently distributed include meat, cheese, and butter make them of particular value in enabling this group to have a much sounder and better balanced diet than would otherwise be possible. In the long run such an improved diet should assist in preventing the development of illnesses. We also know that this must be true for many people of low income from other sources, such as those dependent upon social-security benefits or private pensions.

We feel that it is in the interest of the welfare of the low-income section of our community that this program be continued. You are aware of the burden of finances placed upon the county commissioners by the inability of the Commonwealth of Pennsylvania to assume its responsibilities in this matter. A substantial part of this burden is due to storage costs. The Federal Government maintains storage facilities in other centers of population and transportation, particularly where foods are processed. It can just as economically provide some storage facilities in such a center of consumer population and of transportation facilities as Allegheny County. We, therefore, join with the county commissioners in respectfully urging the Federal authorities to establish storage facilities here.

We are deeply appreciative of your interest in helping the community to work out plans to continue this program. We will be glad to be of any assistance possible as plans develop.

Sincerely yours,

MALCOLM HAY, *President.*

Although I am speaking of Pennsylvania, this applies to your State.

Michigan has hundreds of thousands unemployed. Remember this—the slowing up of auto manufacturing means that the overall economy shall feel its impact.

The dispute in steel will bring layoffs on the railroads, building, and many kindred industries—and judging from the great stockpiling of steel, the steel industry is due for a recession on account of the present industrial dispute.

All of this means many States are going to be forced to distribute surplus foods.

Your States have budgets that do not include the cost of storage of surplus foods.

They do not have the money as it is not appropriated.

All my amendment does is to reimburse the States and their political subdivisions for the cost of storage at the current rate being paid by the CCC for storage of like commodities owned by it.

We are not asking for more money, we are only asking that the CCC store the surplus food where it will be used for feeding Americans who are hungry.

It has to be stored somewhere—why not in an appropriate place?

I am asking you, as Americans, to do for Americans the same thing you do for those in foreign countries.

It is our money—raised by taxes—let us get some benefit from our tax dollar for our own people.

I now yield to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. You say you have widespread unemployment. What distribution is being made of processed flour and corn into meal under the provisions of the Surplus Property Act?

Mr. HOLLAND. We do not have distribution of either flour or corn.

Mr. BAILEY. Cornmeal?

Mr. HOLLAND. Because of the cost of the storage.

Mr. BAILEY. It seems to me that we are getting it in West Virginia. If your man handling the commodities in Pennsylvania asked for it, he could probably get it.

Mr. HOLLAND. Well, we have it distributed.

Mr. BAILEY. What you are proposing to do is to have it shipped in there and stored?

Mr. HOLLAND. In other words, to have a storehouse in the district where there is need for the surplus food. Instead of having to go somewhere out to the Middle West where it is now stored, why not take that food surplus to the community where it will be used, so that they will not have a double storage cost?

Mr. BAILEY. If you could save the cost of storage in some city in the West, it might help, but if you have double storage——

Mr. HOLLAND. We do not have double storage.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Does the gentleman from Michigan withdraw his point of order?

Mr. WOLCOTT. Mr. Chairman, I withdraw the point of order.

Mr. BROWN of Georgia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the Government donates the surplus food. The gentleman's amendment asks that the Government pay the storage charges. In other words, the Government would be paying the States and localities to accept the gift.

If we have to provide the storage place we, in effect, are required to pay a penalty for making the donation. It will cost the Government millions of dollars.

This reminds me of charging Santa Claus for coming down your own chimney.

Mr. Chairman, I yield back the balance of my time.

Mr. CORBETT. Mr. Chairman, I rise in support of the amendment, and I think the reasons are quite obvious why it is a desirable and proper amendment.

On this matter of paying Santa Claus for making a visit, it so happens that over a long period of years these surpluses of food were mounting in ever-enlarging quantity until a couple of years ago someone came out with the bright idea of letting the needy people of America eat the surplus and thus reduce it.

The program has been established, it has been expanding very rapidly during the past year and a half, and now it has reached the situation where those localities which have the greatest need for free food, are the very areas where they have the least money to pay for the distribution of the food. This food has to be stored some place, it has to be transported to the place of final distribution to the needy. When it gets there it has to be stored until the time it is finally delivered to the ultimate consumer. Granted that there might be some small increase in cost because of restorage, my point is simply this, that we are reducing the total storage bill by this distribution in the free-food program; we are reducing the need for new storage facilities; we are placing the burden of the Federal program on the States and localities when they cooperate with the Federal Government in a proper reduction of these surpluses.

If it does not make as much sense to pay for storage at a distribution point as it does to pay it at the point of production, then 2 and 2 do not make 4.

Mr. FULTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in order to explain the food surplus distribution program under the United States Department of Agriculture to some of the people who do not know all the circumstances.

I am one of those people who have been interested in the surplus food program for needy people, and I believe that it is a good program because the United States helps to get rid of the billions on billions of dollars of rotting agricultural surpluses for a constructive purpose.

Anything that can be done to dispose of the agricultural surpluses helps not only the needy consumers of this country, and as long as it does not interfere with the ordinary commercial channels, it likewise helps the farmers and food distributors.

I represent an industrial district but likewise have a small farm and am interested in farming and farm problems.

I believe one of the greatest problems of the farmers of today is the mounting problem of surplus agricultural products. It is the fact of the $7 billion farm surplus hanging over the market which keeps prices down and makes more price support necessary. For example, if we in the steel business in Pittsburgh had steel lying around the way farmers have crop surpluses lying around, we would be having troubles, too. That is what happened in the coal industry for a long long time, and caused continued depression.

The point of it is this: We have in the city of Pittsburgh, and Allegheny County, incredible as it seems in the time of greatest prosperity we have ever had, 165,000 people who do not have the purchasing power to buy food. I hope the Democratic majority in this House will not deprive these people of this surplus food distribution program by forcing large storage costs on the local government, which it does not feel it can continue to pay. I hope my Republican colleagues will cooperate on this program, too.

In Allegheny County, Pa., there are now 165,000 people receiving assistance on a Federal free food surplus program. The food is distributed from warehouses at the expense of the local community. We locally have been issuing 4 to 5 to 6 commodities that are being distributed and we have a screening system of 150 local boards set up consisting of volunteer workers, to determine eligibility and need. So that we are doing our share locally. The commissioners of Allegheny County have been paying on storage costs averaging from eight to fifteen thousand dollars a month. The Federal Government will have to store this food some place, so why not have a storage warehouse in our western Pennsylvania area to fulfill this function?

I would like to ask the gentleman from Georgia, Why? Simply because so far under our United States agricultural policy, all of these storage warehouses for surplus products have been set up in the agricultural districts. There is not any in the State of Pennsylvania that you can point to, and yet we Pennsylvanians are paying the high price supports in the food we buy, and pay our United States taxes for warehouses and the whole agriculture program as well. Because of the present setup of the Department of Agriculture, in order to move this surplus agricultural food to the point of distribution, we have to get it through the New York office of the Department of Agriculture. They then tell Cincinnati or Columbus, Ohio, to ship it. It is shipped from Wisconsin, dairy products in many cases, which must be collected some place. It is not our fault in Pittsburgh and Allegheny County that the Department of Agriculture is set up with its policy reflected to the farmers and not to the city people at all. And it always has been. So it costs us money. Secondly, because the surplus products have to come from widely separated points, I do not think that the expense of holding the products prior to distribution should be put on the local community but should be an expense of the Department of Agriculture; therefore I am for the pending amendment.

Under this amendment we are by our action actually reducing the total Federal cost of storage of surplus agricultural commodities because we have now in Pittsburgh, Pa., used up 17 million pounds of surplus food for people who are needy and unable to purchase food at this time. For example, on our local public-assistance programs, people are trying to live on $36 a month on an average, and on our United States social-security programs they are trying to live on $58 a month on an average. In a great industrial area that cannot be done, as it is below the minimum standards for decent subsistence. Our merchants in Pittsburgh have not complained, because we are not interfering with commercial channels, as these needy people have deficient purchasing power.

Let me tell you, Mr. Chairman, in many cases, we are saving the family that is almost on the edge of disaster and relief. Our good churches and welfare organizations, together with these many local boards, 150 of them set up voluntarily, are screening these programs and seeing that this food is given out where it ought to go.

That is the kind of agricultural program I like, one that helps the farmers help themselves, and, second, with the people who can buy, to pay fair prices for food, and, three, the people who do not have the purchasing power are remembered, both in our agricultural and industrial areas. Remember, even these needy people have helped pay for this agriculture program and surplus United States Government commodities.

I say, in conclusion, if we in Pittsburgh and western Pennsylvania could have a warehouse program that set up surplus food and agricultural commodities at or near these great industrial areas it would be a great help. We will cooperate with you people in the agricultural areas.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

(By unanimous consent Mr. FULTON was allowed to proceed for 2 additional minutes.)

Mr. FULTON. Mr. Chairman, we will cooperate with the agricultural people to set up strategic area reserves of food all around this country that will not be considered as Federal agricultural surplus commodities. It will take these agricultural commodities off the market, and also we will then be protected in case of atomic or nuclear attack in

these industrial areas. The Pittsburgh area is 1 of the 5 or 10 prime targets in this country. If we could have a surplus ship sent up there by the Federal Government and just moored so we could use it as a warehouse, it would save us the public-warehouse cost which costs from $8,000 to $15,000 a month. Why is Allegheny County paying these large storage costs each month? Largely because of the poor storage facilities of the Department of Agriculture in relation to distribution of surplus commodities in the United States. So far the Department's policy has merely been to store the surplus where the products are produced. But there should be some emphasis on a policy of storage for the purpose of distribution to needy people instead of the whole policy being aimed at storage for no purpose whatever, but simply to store for no useful purpose. And, I say to the farm areas, one of the best things we can have in this country is for the urban members to be voting with you instead of against your proposition, which could be done on the ground that we are taking care of the unfortunates in the industrial areas while we are taking care of the farmer in helping maintain his purchasing power. I think that is a good working together, and I hope this amendment is adopted.

Mr. BURDICK. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from North Dakota.

Mr. BURDICK. How do you account for such widespread distress in Pennsylvania? What is the cause of it?

Mr. FULTON. It is not distress. We have the steel mills and general industry going strong, we have many industries going strong, but as always there has been the problem of continued unemployment in these large industrial areas, for example, in the coal mines. I hardly need say to you that in the coal areas, with the change of fuel from coal to oil and gas, it has meant distress.

Mr. MURRAY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Illinois.

Mr. MURRAY of Illinois. Is it not a fact that under the present program the State does not pay the cost of this warehousing but, rather, the particular local community that utilizes it?

Mr. FULTON. It is the local community that pays these storage costs, and we in our county have been doing a good job of united community action on this program.

Mr. MURRAY of Illinois. Actually, the community has to pay for it at the local level rather than at the State level.

Mr. FULTON. I want to congratulate a former Member, now dead, Mrs. Vera Buchanan, as well as the gentlemen from Pennsylvania [Mr. ROBERT CORBETT and Mr. HERMAN EBERHARTER], as well as the Central Labor Union of Pittsburgh, who, together with my own efforts, on a nonpartisan basis, worked up this successful surplus food program for our county that has been giving surplus food to 165,000 people in need.

Our county commissioners of Allegheny County, Commissioners John J. Kane, John M. Walker, and Howard Stewart, are to be complimented for their public spirit in working on this program, and I wish to thank them for their civic interest.

Congressmen THOMAS MORGAN, of Washington County, Pa., and AUGUST KELLEY, of Westmoreland County, Pa., have likewise cooperated well on the surplus food distribution program for their respective areas.

I hope that the Congress will assist these local communities in meeting these difficult problems which they are trying to meet with a fine civic-minded approach.

Mr. SPENCE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think we ought to understand just what this amendment does. I deeply sympathize with the condition that prevails in Allegheny County. They have a high level of unemployment and have asked the Government to donate food. The Government did that. The Corporation donated many tons of food to the county. The Federal law required the food to be crated and delivered to the point of distribution. When it arrived there it was delivered by the donor to the donee. The delivery of this food conveyed the title to it to the county. The property was then owned by Allegheny County. The Commodity Credit Corporation had no further ownership or control. Now the county asks the Commodity Credit Corporation to pay the storage charges on foods it does not own, but which it gave to the county for a very worthy purpose. This program of distribution of food is a national program and under the present law the Commodity Credit Corporation would have no authority to pay for storage after the delivery of the goods. If this amendment is passed the same treatment must be accorded to all other receivers of Government food as would be accorded hereunder to Allegheny County.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Pennsylvania.

Mr. FULTON. The question of the passing of title, of course, is a question of intention between the two Government agencies. It is not automatic under a sales act at just the point of delivery. It is when the title intends to pass. So, that can be done by agreement. Secondly, on this particular program, the gentleman thinks that a city that is poorly situated in relation to the agricultural setup should then be penalized because it cannot get adequate deliveries quickly. We do not want to have to store the food. I might say in conclusion that this is not just for Pittsburgh alone, as the program has developed in other cities. It is a situation which the Commodity Credit Corporation could easily adjust.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. HOLLAND].

The question was taken; and on a division (demanded by Mr. HOLLAND) there were—ayes 11, noes 60.

So the amendment was rejected.

Mr. TOLLEFSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hesitate to take this time, because I am in no sense an agricultural expert. I know a little bit more about fish and ships, and I should like to talk about those some other time. But it seems to me this is a good point to bring to the attention of the Members of the House a practice of the Commodity Credit Corporation which I think should be corrected or revised. I have called the attention of the Commodity Credit Corporation to the practice, both in this administration and the previous one.

I have reference to the method by which the Commodity Credit Corporation handles a part of its export program. Under the surplus agricultural commodity disposal program, as the Members of the House know, the Corporation now has authority to sell to foreign nations some $1.5 billion worth of surplus agricultural products for their soft currencies. The manner in which some of those sales are handled brings about iniquitous results, it seems to me, and I should like to describe it to you very briefly.

These foreign sales are handled through commercial channels, pursuant to the legislation which Congress passed. An exporter in this country arranges to sell to a country like Yugoslavia, for instance, 10 million bushels of wheat. That sale should be made, or theoretically is designed to be made, out of surplus agricultural stocks held by the Government. However, all the exporter does is to say to the CCC, "Instead of selling the grain that you have in surplus, let me sell the grain that I am holding down in Mobile, in the gulf area." The CCC says, "Okay, go ahead and sell your wheat, but you will have to replace it with 10 million bushels of our surplus wheat."

Fine and dandy; he arranges to sell to the foreign nation 10 million bushels of wheat which he holds down in the gulf area. Then he has an agreement with the Commodity Credit Corporation to purchase 10 million bushels of its stocks, up in Kansas City, for example. The purchase price of that is to be the low-market price on a given day. On that given day the exporter dumps about 2 million bushels of wheat on the Kansas City Board of Trade market and deliberately knocks down the price as far as 5 cents a bushel. This is an illegal procedure to which the CCC closes its eyes. He loses about $100,000 on that transaction but, under his agreement with CCC, he buys 10 million bushels of surplus products held by the Commodity Credit Corporation and he makes himself a profit of $500,000. So in the net he makes a profit of $400,000. I say that is an undue profit made by the exporter at Uncle Sam's expense. But in addition to that, he does one other thing. He has knocked down the market price 6 cents a bushel, which has an upsetting effect upon the market and, in turn, has an effect upon the price the farmer gets for his wheat. It has a third bad effect, because in buying the 10 million bushels of wheat stored in Kansas City, the exporter then has that amount of wheat which he again, at some future time, runs through

the Kansas City Board of Trade market and further upsets the market. A part of the transaction is illegal. The whole transaction is unconscionable and should not be permitted.

I see no reason at all why the Commodity Credit Corporation could not arrange so that all of its sales to foreign nations under the Surplus Disposal Act should be made out of its own stocks in port cities. It would do away entirely with the kind of transaction I have described. It would not have the bad effect on the market that it has had.

I bring it to your attention simply to urge you to join with me and others in requesting the Commodity Credit Corporation to revise its method of handling its export business under the Surplus Disposal Act.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Chairman, a few weeks ago, during a hearing of the Special Subcommittee on Donable Property, my friend from North Carolina, Congressman JONAS, asked that there be placed in the RECORD an indication of the amount of property transferred during the past year to educational and health institutions under Public Law 61.

I am pleased that my friend made the request as I have been thinking for some time that a short progress report is in order from me on the subject since I introduced H. R. 3322 which was enacted as Public Law 61 on June 3, 1955.

By way of comparison I wish to advise that the transfers of good, usable surplus property for educational and health purposes had shrunk to almost a trickle in many States owing to the fact that the Defense Department chose to sell the property and put the proceeds in a stock fund.

During the calendar year 1954 the amount of property transferred was $137 million and was decreasing rapidly. During calendar year 1955 it was $183 million, an increase of $46 million.

During the period 1955 through May 1956, 11 months, the value of property transferred was $196,221,179. For May 1956, the amount was over $17 million so we may expect over $210 million for the full current fiscal year.

Of perhaps more importance is the fact that the property has been of much better quality and usefulness according to officials in the Federal and State agencies who are rendering wonderful service in connection with the program. I find that most States have been improving their surplus property organizations in many ways to improve the quality of their programs. Some have added personnel, more warehouse space and other facilities. I may also state that very little objective criticism has been pointed at the program though it is very extensive in nature and involves thousands of people.

As to the future of the program, I am advised that the Department of Defense alone expects the annual disposal of some $3 billion worth of property for several years to come.

In reviewing the statistics issued by the Department of Health, Education, and Welfare during the period I have noted with interest that every State in the Union except Idaho participated in the program. Those of us who have been interested in this legislation regret that every State has not participated since the taxes which paid for the property have been levied throughout the entire Nation and the ownership of all the property is in the people of the United States and the institutions in every State need help.

Mrs. PFOST. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentlewoman from Idaho.

Mrs. PFOST. Mr. Chairman, I note with interest what the gentleman has stated concerning the fact that the State of Idaho is the only State not participating in the donable surplus-property program. I have received many inquiries from institutions in my district concerning the possibility of obtaining surplus materials and real property under this program. Because of these many inquiries, I sent out a questionnaire to find out exactly what the sentiment is on this important subject. The questionnaire went to all county school superintendents, to principals or heads of tax-exempt private schools, and to all superintendents of hospitals in the State.

The questionnaire reads:

> Do you favor making Idaho educational and public-health institutions eligible for participation in the surplus property disposal program under Public Law 152, 81st Congress?

Out of a total of 178 questionaires sent out, 128, or approximately 72 percent, were returned. One hundred and twenty-six of those returning the questionnaires were unanimously and enthusiastically in favor of making Idaho eligible to participate in the program. One dissenter—a county school superintendent—wrote on the bottom of his questionnaire that he might be interested if all schools were given an even break on the materials, but it had been his experience that State schools and favorite schools usually got first choice under such a program, and the rest got what was left. So he isn't really opposed to making the State eligible to participate in the program—he is just afraid his school district will not get a fair share of what there is to distribute.

I think these returns indicate that without question they want this program in Idaho.

I wrote Gov. Robert E. Smylie over a year ago calling attention to the fact that Idaho is the only State in the Union not participating in the donable surplus property program, and he replied that he had asked several people around the State for comment, and would write me again when he heard from them. I have had no further word from the Governor on the matter.

Since our legislature does not meet until 1957, is there anything we can do so the State of Idaho may legally participate in the program pending action by the Idaho Legislature?

Mr. McCORMACK. The answer to the question is "Yes."

In drafting the bill, the situation which you describe and which I believe existed in 1 or 2 other States came to our attention. Accordingly, section 1 (b) contains the provision that:

> No property shall be transferred (except surplus property donated in conformity with paragraph (3) of this subsection), until the Secretary of Health, Education, and Welfare has received from an appropriate State agency or official a certification that such property is usable and needed for educational or public health purposes in the State, and no property shall be transferred pursuant to this paragraph until the Secretary of Health, Education, and Welfare has determined that such agency or official has conformed to minimum standards of operation prescribed by the Secretary for the disposal of surplus property.

Accordingly, it is possible for the governor to designate, if he chooses, an appropriate State agency or official to conduct the program within the meaning of the statute. As a matter of fact, the Governor of Arizona, faced with a similar situation designated an agency in his State in August 1955 pending action by the legislature. After the agency has been established or the official designated, the next step would be to contact the responsible people in the Department of Health, Education, and Welfare. I am also sure that the National Association of State Agencies for Surplus Property will be pleased to help your State become a participant in the program.

In concluding these remarks, I should be remiss if I did not laud the invaluable assistance rendered by the Honorable JOHN E. MOSS and CHARLES R. JONAS who serve with me as members of the Special Subcommittee on Donable Property which was established by the chairman of the Committee on Government Operations, the Honorable WILLIAM L. DAWSON who has always supported the program 100 percent, as well as the other members, Democratic and Republican, of the House Committee on Government Operations.

But the answer is that pending the meeting of your legislature in 1957, the bill that came out of the special subcommittee consisting of myself as chairman, the gentleman from California [Mr. Moss] and the gentleman from North Carolina [Mr. JONAS] specifically anticipated that situation and inserted in the bill language which would take care of such a situation when a State legislature was not in session.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I am glad to yield to my colleague.

Mr. JONAS. Will the gentleman from Massachusetts not tell the House that we have worked hard on this program and that we think we have it adequately safeguarded now and that it is worth a tremendous amount to the various States that do participate in it.

Mr. McCORMACK. I thoroughly agree. The gentleman from North Carolina [Mr. JONAS] and the gentleman from California [Mr. Moss] were of invaluable assistance to me and I might say that our special subcommittee is

following through to see that there is no encroachment by any other agency and that the law is carried out fully and completely.

The statement which I will include as part of my remarks gives valuable information to all the Members as to what their States have obtained during the past year.

Mrs. PFOST. If the gentleman will yield further I would like to say, based upon this information, I am going to contact the Governor of the State of Idaho and ask him to designate either an appropriate State agency or an official to conduct the Federal surplus-property program in Idaho. I thank the gentleman from Massachusetts for the information he has given me.

Mr. McCORMACK. This program has been one of the most beneficial programs for hospitals, colleges, and schools in every State of the Union. Of course, I am not fully acquainted with the situation in the State of Idaho, but it does seem to me that there must be many colleges, hospitals, and schools that could benefit materially if Idaho could take advantage of this splendid program which is doing so much good.

The table referred to is as follows:

Department of Health, Education, and Welfare—Personal property made available for distribution to and real property disposed of for educational and public health institutions July 1 through Sept. 30, 1955

[ACQUISITION COST]

States	Personal property	Real property	Total
Total	$54,133,736	$2,533,491	$56,667,227
Alabama	1,174,892	25,358	1,200,250
Arizona	32,329		32,329
Arkansas	449,307	98,100	547,407
California	5,493,933	725,565	6,219,498
Colorado	1,017,369		1,017,369
Connecticut	962,840		962,840
Delaware	318,362		318,362
Florida	1,753,490	7,620	1,761,110
Georgia	844,647		844,647
Idaho			
Illinois	1,783,044	42,608	1,825,652
Indiana	793,322		793,322
Iowa	815,802		815,802
Kansas	832,691		832,691
Kentucky	1,049,507	260,611	1,310,118
Louisiana	623,519	1,503	625,022
Maine	367,103		367,103
Maryland	1,214,185		1,214,185
Massachusetts	2,558,355	3,500	2,561,855
Michigan	1,173,749	32,921	1,206,670
Minnesota	1,244,513		1,244,513
Mississippi	1,013,894		1,013,894
Missouri	1,451,699	46,475	1,498,174
Montana	94,016	13,590	107,606
Nebraska	1,615,588		1,615,588
Nevada	113,842		113,842
New Hampshire	209,710		209,710
New Jersey	1,179,953		1,179,953
New Mexico	232,577	139,077	371,654
New York	3,506,972		3,506,972
North Carolina	1,249,094		1,249,094
North Dakota	103,390		103,390
Ohio	1,721,176	20,416	1,741,592
Oklahoma	858,730	65,960	924,690
Oregon	1,106,460		1,106,460
Pennsylvania	3,301,563		3,301,563
Rhode Island	431,698		431,698
South Carolina	1,235,899		1,235,899
South Dakota	315,917		315,917
Tennessee	1,266,752	404,165	1,670,917
Texas	2,388,019	383,696	2,771,715
Utah	954,558		954,558
Vermont	225,509		225,509
Virginia	976,827	5,000	981,827
Washington	1,035,051	133,000	1,168,051
West Virginia	570,831		570,831
Wisconsin	1,189,517		1,189,517
Wyoming	88,101		88,101
Alaska		18,091	18,091
District of Columbia	445,908	53,935	499,843
Hawaii	154,204	52,300	206,504
Puerto Rico	593,322		593,322

Department of Health, Education, and Welfare—Personal property made available for distribution to and real property disposed of to educational and public health institutions Oct. 1 through Dec. 30, 1955

[ACQUISITION COST]

(In accordance with sec. 5, Public Law 61, 84th Cong.)

States	Personal property	Real property	Total
Total	$45,656,783	$3,519,994	$49,176,777
Alabama	1,117,222	123,052	1,240,274
Arizona	474,401		474,401
Arkansas	484,782	10,900	495,682
California	4,425,161	224,384	4,649,545
Colorado	481,432		481,432
Connecticut	336,637		336,637
Delaware	292,219		292,219
Florida	1,050,397		1,050,397
Georgia	895,878	6,190	902,068
Idaho			
Illinois	1,852,795		1,852,795
Indiana	1,457,576	11,424	1,469,000
Iowa	673,781	34,344	708,125
Kansas	495,183		495,183
Kentucky	752,769	25,480	778,249
Louisiana	1,534,639		1,534,639
Maine	302,712		302,712
Maryland	1,088,074	799,233	1,887,307
Massachusetts	1,437,449		1,437,449
Michigan	1,164,253	109,622	1,273,875
Minnesota	992,985		992,985
Mississippi	804,427	647,375	1,451,802
Missouri	1,497,289	48,438	1,545,727
Montana	156,238	120	156,358
Nebraska	585,745	100,256	686,001
Nevada	638		638
New Hampshire	354,570		354,570
New Jersey	483,645	2,057	485,702
New Mexico	234,888	140,761	375,649
New York	2,642,181		2,642,181
North Carolina	1,819,678		1,819,678
North Dakota	109,389	142,903	252,292
Ohio	1,677,769	37,185	1,714,954
Oklahoma	640,938	151,218	792,156
Oregon	995,805		995,805
Pennsylvania	1,215,628		1,215,628
Rhode Island	189,927		189,927
South Carolina	579,249		579,249
South Dakota	402,985	598,231	1,001,216
Tennessee	1,255,283	180	1,255,463
Texas	1,940,332	129,626	2,069,958
Utah	605,715		605,715
Vermont	176,255		176,255
Virginia	1,650,380		1,650,380
Washington	1,017,851	176,515	1,194,366
West Virginia	930,189		930,189
Wisconsin	966,701		966,701
Wyoming	132,795		132,795
Alaska	203,571	500	204,071
District of Columbia	252,840		252,840
Hawaii	366,232		366,232
Puerto Rico	454,506		454,506
Virgin Islands	2,799		2,799

Department of Health, Education, and Welfare—Personal property made available for distribution to and real property disposed of to educational and public health institutions Jan. 1 through Mar. 31, 1956

[ACQUISITION COST]

(In accordance with sec. 5, Public Law 61, 84th Cong.)

States	Personal property	Real property	Total
Total	$54,716,724	$3,006,998	$57,723,722
Alabama	1,327,895		1,327,895
Arizona	659,147	53,567	712,714
Arkansas	487,735	3,538	491,273
California	5,016,531	193,715	5,210,246
Colorado	557,238	14,805	572,043
Connecticut	543,558		543,558
Delaware	355,633		355,633
Florida	2,687,350	800	2,688,150
Georgia	1,269,436	3,100	1,272,536
Idaho			
Illinois	2,927,273		2,927,273
Indiana	1,294,709		1,294,709
Iowa	1,260,609		1,260,609
Kansas	537,102		537,102
Kentucky	1,012,276		1,012,276
Louisiana	1,121,102		1,121,102
Maine	260,877		260,877
Maryland	1,349,571		1,349,571
Massachusetts	1,328,471		1,328,471
Michigan	1,435,454	10,512	1,445,966
Minnesota	1,110,240		1,110,240
Mississippi	805,037	185,801	990,838
Missouri	1,584,471		1,584,471
Montana	186,012		186,012
Nebraska	619,542		619,542

Department of Health, Education, and Welfare, etc.—Continued

States	Personal property	Real property	Total
Nevada	$72,666		$72,666
New Hampshire	176,083		176,083
New Jersey	868,271		868,271
New Mexico	264,454		264,454
New York	2,547,389		2,547,389
North Carolina	1,405,932		1,405,932
North Dakota	148,194	$111,630	259,824
Ohio	2,254,359	1,895,408	4,149,767
Oklahoma	705,587	128,373	833,960
Oregon	747,807	14,528	762,335
Pennsylvania	2,241,587		2,241,587
Rhode Island	564,552		564,552
South Carolina	584,929		584,929
South Dakota	652,791	75,582	728,373
Tennessee	1,277,462		1,277,462
Texas	2,821,068	265,677	3,086,745
Utah	402,230		402,230
Vermont	239,417		239,417
Virginia	1,678,502		1,678,502
Washington	1,551,298	39,854	1,591,152
West Virginia	950,079		950,079
Wisconsin	1,194,820	2,308	1,197,128
Wyoming	143,197		143,197
Alaska	107,494		107,494
District of Columbia	367,070		367,070
Hawaii	275,846	7,800	283,646
Puerto Rico	736,371		736,371
Virgin Islands			

The Clerk read as follows:

PREVENTION OF WATERFOWL DEPREDATIONS

SEC. 2. (a) For the purpose of preventing crop damage by migratory waterfowl, the Commodity Credit Corporation shall make available to the Secretary of the Interior such wheat, corn, and other grains, acquired through price-support operations and certified by the Commodity Credit Corporation to be available for the purposes of this section or in such condition through spoilage or deterioration as not to be desirable for human consumption, as the Secretary of the Interior shall requisition pursuant to subsection (b) of this section. With respect to any grain thus made available, the Commodity Credit Corporation may pay packaging, transporting, handling, and other charges up to the time of delivery to one or more designated locations in each State.

(b) Upon a finding by the Secretary of the Interior that any area in the United States is threatened with damage to farmers' crops by migratory waterfowl, whether or not during the open season for such migratory waterfowl, the Secretary of the Interior is hereby authorized and directed to requisition from the Commodity Credit Corporation and to make available to Federal, State, or local governmental bodies or officials, or to private organizations or persons, such grain acquired by the Commodity Credit Corporation through price-support operations in such quantities and subject to such regulations as the Secretary determines will most effectively lure migratory waterfowl away from crop depredations and at the same time not expose such migratory waterfowl to shooting over areas to which the waterfowl have been lured by such feeding program.

(c) With respect to all grain made available pursuant to subsection (b) of this section, the Commodity Credit Corporation shall be reimbursed by the Secretary of the Interior for its expenses in packaging and transporting such grain for the purposes of this section. There are hereby authorized to be appropriated such sums as may be necessary to reimburse the Commodity Credit Corporation for its investment in the grain transferred pursuant to this section.

AMENDMENT TO PENAL PROVISIONS

SEC. 3. Subsection (c) of section 15 of the Commodity Credit Corporation Charter Act, as amended (15 U. S. C. 714m (c)), is amended to read as follows:

"LARCENY; CONVERSION OF PROPERTY

"(c) Whoever shall willfully steal, conceal, remove, dispose of, or convert to his own

use or to that of another any property owned or held by, or mortgaged or pledged to, the Corporation, or any property mortgaged or pledged as security for any promissory note, or other evidence of indebtedness, which the Corporation has guaranteed or is obligated to purchase upon tender, shall, upon conviction thereof, if such property be of an amount or value in excess of $500, be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both, and, if such property be of an amount or value of $500 or less, be punished by a fine of not more than $1,000 or by imprisonment for not more than 1 year, or both."

Committee amendment: Strike out section 2 and renumber section 3 as section 2.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WILLIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 11132) pursuant to House Resolution 559, had reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. FULTON. Mr. Speaker, a point of order. I object to the vote on the ground that a quorum is not present.

The SPEAKER. Does the gentleman insist on the point of order?

Mr. FULTON. I withdraw the point of order, Mr. Speaker.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3820) to increase the borrowing power of the Commodity Credit Corporation, strike out all after the enacting clause, and insert the provisions of the bill H. R. 11132 as passed.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4 of the act approved March 8, 1938 (52 Stat. 108), as amended, is amended by striking out "$12,000,000,000" and inserting in lieu thereof "$14,500,000,000."

SEC. 2. Section 4 (1) of the Commodity Credit Corporation Charter Act (62 Stat. 1070), as amended, is amended by striking out "$12,000,000,000" and inserting in lieu thereof "$14,500,000,000."

Mr. SPENCE. Mr. Speaker, I move to strike out all after the enacting clause in S. 3820 and insert the provisions of H. R. 11132 as passed by the House.

The Clerk read the amendment.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed and a motion to reconsider was laid on the table.

A similar House bill, H. R. 11132, was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection? There was no objection.

FISHERIES AND WILDLIFE

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3275) to establish a sound and comprehensive national policy with respect to fisheries; to strengthen the fisheries segment of the national economy; to establish within the Department of the Interior a Fisheries Division; to create and prescribe the functions of the United States Fisheries Commission; and for other purposes.

The Clerk read the title of the bill.

Mr. BONNER. Mr. Speaker, I desire to state that if this request is granted I intend to offer an amendment.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Fisheries Act of 1956."

DECLARATION OF POLICY

SEC. 2. The Congress hereby declares that fish and shellfish resources make a material contribution to the food supply, health, recreation, and well-being of our citizens. They are a living, renewable form of national wealth, capable of being maintained and greatly increased with proper attention, but equally capable of destruction if neglected. The fisheries dependent upon them have occupied an important place in the economy of the Nation since its colonial beginnings. They give employment, directly or indirectly, to a substantial number of citizens. They attract all segments of the citizenry to outdoors, healthful, stimulating recreation in every part of the Nation. They furnish a large quantity of protein food. Their by-products have a wide variety of essential uses in the arts, industry, and agriculture. They strengthen the defense of the United States through the provision of a trained seafaring citizenry and action-ready fleets of seaworthy vessels. Properly developed, the fisheries are capable of steadily increasing these valuable contributions to the life of the Nation. The Congress further declares that the provisions of this act are necessary in order to accomplish the objective of such proper development and that this act shall be administered with due regard to the inherent right of every citizen and resident of the United States to engage in fishing for his own pleasure, enjoyment, and betterment, and with the intent of stimulating the development of a strong, prosperous, efficient, and thriving fishery and fish processing industry.

FISHERY REORGANIZATION WITHIN THE DEPARTMENT OF THE INTERIOR

SEC. 3. (a) There is hereby established within the Department of the Interior a division of such department to be known as the Fisheries Division of the Department of the Interior. The administrative functions of such Division shall be administered under the direction and supervision of the Secretary of the Interior (hereinafter referred to as the "Secretary") by the Chairman of the United States Fisheries Commission created by section 4 of this act in his capacity as Assistant Secretary of the Interior for Fisheries.

(b) (1) All functions, powers, duties, and authority of the Fish and Wildlife Service of the Department of the Interior as are determined by the Secretary to relate primarily to fish, fisheries, and related matters, together with those funds, liabilities, commitments, authorizations, allocations, personnel, and records of the Fish and Wildlife Service which the Secretary of the Interior shall determine to be primarily related to and necessary for the exercise of such functions, powers, duties, and authority, are hereby transferred to the Fisheries Division of the Department of the Interior, established by this section. There are also transferred to such Fisheries Division the functions of the Secretary relating to the protection of fur seals and to the supervision of the Pribilof Islands and the care of the natives thereof, relating to the Whaling Convention Act of 1949, and relating to hair seals, sea lions, whales, and other marine mammals.

(2) In addition to the functions, powers, duties, and authority transferred to the Fisheries Division under paragraph (1) of this subsection, the Secretary shall exercise through such Division all functions, powers, duties, and authority conferred upon him under the provisions of this act.

(c) The Fish and Wildlife Service of the Department of the Interior shall hereafter be known as the Wildlife Service of the Department of the Interior. The Director and Assistant Directors of the Fish and Wildlife Service shall hereafter be known, respectively, as the Director and Assistant Directors of the Wildlife Service.

(d) The Secretary shall conduct continuing investigations, prepare and disseminate information, and make periodical reports to the public, to the President, and to Congress, with respect to the following matters:

(1) The production and flow to market of fish and fishery products domestically produced and also those produced by foreign producers which affect the domestic fisheries;

(2) The availability and abundance of the living resources which support the domestic fisheries;

(3) The competitive economic position of the various fish and fishery products with respect to each other, to competitive foreign-produced commodities, and to other competitive commodities;

(4) The collection and dissemination of statistics on food and recreational fisheries; and

(5) Any other matters which in the judgment of the Secretary or the United States Fisheries Commission created by section 4 of this act are of public interest in connection with any phases of fisheries operations.

(e) There are hereby transferred to the Secretary all administrative functions of the Secretary of Agriculture, the Secretary of Commerce, and the head of any other department or agency as are determined by the Director of the Bureau of the Budget to relate primarily to the development, advancement,

management, conservation, and protection of fisheries; but nothing in this section shall be construed to modify the authority of the Department of State or the Secretary of State to negotiate or enter into any international agreements or conventions with respect to the development, management, or protection of any fisheries resources or with respect to international fisheries commissions operating under conventions to which the United States is a party.

(f) There are hereby transferred to the Department of the Interior so much of the personnel, property, facilities, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available) as the Director of the Bureau of the Budget determines to be necessary in connection with the exercise of the functions transferred to the Secretary by subsection (e) of this section.

(g) The Secretary may request and secure the advice or assistance of any department or agency of the Government in carrying out the provisions of this act, and any such department or agency which furnishes advice or assistance to the Secretary may expend its own funds for such purposes, with or without reimbursement from the Secretary as may be agreed upon between the Secretary and the department or agency.

UNITED STATES FISHERIES COMMISSION

SEC. 4. (a) There is hereby created within the Department of the Interior, and responsible directly to the Secretary, an agency of the Government to be known as the United States Fisheries Commission (hereinafter referred to as the "Commission") which shall be composed of five members to be appointed by the President, by and with the advice and consent of the Senate. One of such members shall be designated at the time of nomination as Chairman of the Commission, and shall also administer the Fisheries Division as Assistant Secretary of the Interior for Fisheries. Each such member shall hold office for a term of 5 years, except that the terms of office of the members first appointed shall expire, as designated by the President at the time of nomination, as follows: One on January 1, 1957, one on January 1, 1958, one on January 1, 1959, one on January 1, 1960, and one on January 1, 1961. At least two members of the Commission shall be appointed from the area east and two from the area west of the Mississippi River. A vacancy in the membership of the Commission shall not affect the power of the remaining members to exercise the functions of the Commission, and shall be filled in the same manner as in the case of the original appointment, except that any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor. Not more than three members of the Commission shall be members of the same political party. Three members of the Commission shall constitute a quorum. The Chairman of the Commission shall receive compensation at the rate of $20,000 per annum and each member of the Commission other than the Chairman shall receive compensation at the rate of $18,000 per annum.

(b) Not less than three members of the Commission shall have practical knowledge of fishing conditions and of the problems confronting the fisheries.

(c) The primary responsibility of the Commission shall be the formulation of all policies necessary in the administration by the Department of the Interior, including the Fisheries Division created by section 3 of this act, of the laws relating to fishing and fisheries. The Commission shall also—

(1) develop and recommend measures which are appropriate to assure the maximum sustainable production of fish and fishery products and to prevent unnecessary and excessive fluctuations in such production;

(2) on the basis of reports prepared by the Secretary in the exercise of his functions under this act and other information available to the Commission study the economic condition of the industry, and whenever it determines that any segment of the domestic fisheries has been seriously disturbed either by wide fluctuation in the abundance of the resource supporting it, or by unstable market or fishing conditions from any cause, the Commission shall make such recommendations to the President and the Congress through the Secretary with respect to credit relief and other measures as it deems appropriate to aid in stabilizing the domestic fisheries;

(3) develop and recommend to the Secretary special promotional and informational activities with a view to stimulating the consumption of fishery products whenever it determines that there is a prospective or actual surplus of such products; and

(4) keep under continuous review the activities of the Fisheries Division with regard to development, advancement, management, conservation, and protection of the fisheries and recommend changes, modifications, or variations in such activities to conform to policies developed by the Commission.

(d) The Commission shall cooperate to the fullest practicable extent with the Secretary of State in providing representation at all meetings and conferences relating to fisheries in which representatives of the United States and foreign countries participate. The Secretary of State shall designate at least one member of the Commission to the United States delegation attending such meetings and conferences, and to the negotiating team of any such delegation.

(e) The Secretary of State and all other officials having responsibilities in the fields of technical and economic aid to foreign nations shall consult with the Secretary and the Commission in all cases in which the interests of fisheries are involved, with a view to assuring that such interests are adequately represented at all times.

(f) Notwithstanding any other provision of law, the Commission shall be represented in all international negotiations conducted by the United States pursuant to section 350 of the Tariff Act of 1930, as amended, in any case in which fishery products are directly affected by such negotiations.

(g) The Commission may request and secure the advice or assistance of any department or agency of the Government, and any such department or agency which furnishes advice or assistance to the Commission may expend its own funds for such purposes, with or without reimbursement from the Commission as may be agreed upon between the Commission and the department or agency.

(h) The Commission shall consult periodically with the various governmental, private nonprofit, and other organizations and agencies which have to do with any phase of fisheries with respect to any problems that may arise in connection with such fisheries.

(i) The Commission shall make an annual report to the Congress with respect to its activities under this act, and shall make such recommendations for additional legislation as it deems necessary.

(j) The Commission is authorized to make a report to the President and the Congress through the Secretary concerning the following matters with respect to any fishery product which is imported into the United States, upon a request from any segment of the domestic industry producing a like or directly competitive product—

(1) whether there has been a downward trend in the production, employment in the production, or prices, or a decline in the sales, of the like or directly competitive product by the domestic industry; and

(2) whether there has been increase in the imports of the fishery products into the United States, either actual or relative to the production of the like or directly competitive product produced by the domestic industry.

(k) There are hereby transferred to the Commission all policy functions of the Secretary of Agriculture, the Secretary of Commerce, and the head of any other department or agency as are determined by the Director of the Bureau of the Budget to relate primarily to the development, advancement, management, conservation, and protection of fisheries; but nothing in this section shall be construed to modify the authority of the Department of State or the Secretary of State to negotiate or enter into any international agreements or conventions with respect to the development, management, or protection of any fisheries resources or with respect to international fisheries commissions operating under conventions to which the United States is a party.

(l) There are hereby transferred to the Commission so much of the personnel, property, facilities, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available) as the Director of the Bureau of the Budget determines to be necessary in connection with the exercise of the functions transferred to the Commission by subsection (k) of this section.

RELATIONSHIP BETWEEN FISHERIES DIVISION AND THE UNITED STATES FISHERIES COMMISSION

SEC. 5. The Fisheries Division shall be an administrative organization and the Commission shall be a policymaking body. Both agencies shall work in close cooperation and the personnel and facilities of the Fisheries Division shall be available for the requirements of the Commission.

THE RIGHTS OF STATES

SEC. 6. Nothing in this act shall be construed (1) to interfere in any manner with the rights of any State under the Submerged Lands Act (Public Law 31, 83d Cong.) or otherwise provided by law, or to supersede any regulatory authority over fisheries exercised by the States either individually or under interstate compacts; or (2) to interfere in an manner with the authority exercised by any International Commission established under any treaty or convention to which the United States is a party.

AUTHORIZATION FOR APPROPRIATION

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Mr. BONNER. Mr. Speaker, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BONNER: Strike out all after the enacting clause of the bill S. 3275 and insert in lieu thereof the provisions of H. R. 11570 as reported by the Committee on Merchant Marine and Fisheries, as follows:

"That this act may be cited as the "Fisheries and Wildlife Act of 1956."

"DECLARATION OF POLICY

"SEC. 2. The Congress hereby declares that the fish, shellfish, and wildlife resources make a material contribution to the national economy and to the food supply, health, recreation, and well-being of our citizens. They are a living, renewable form of national wealth, capable of being maintained and greatly increased with proper management, but equally capable of destruction if neglected or unwisely exploited. They afford outdoor recreation throughout the Nation and provide employment, directly or indirectly, to a substantial number of citizens. The fishing industries strengthen the defense of the United States through the provision of

a trained seafaring citizenry and action-ready fleets of seaworthy vessels. The training and sport afforded by fish and wildlife resources strengthen the national defense by contributing to the general health and physical fitness of millions of citizens.

"Properly developed, the fish and wildlife resources are capable of steadily increasing these valuable contributions to the life of the Nation.

"The Congress further declares that the fishing industry in its several branches, can prosper and thus fulfill their proper function in national life only if certain fundamental needs are satisfied by means which are the recognized and constitutional functions of governments. Among these needs are:

"(1) Freedom of Enterprise—freedom to develop new areas, new methods, new products, new markets in accordance with sound economic principles, and freedom from detailed administrative and legal restrictions which ignore economic needs;

"(2) Protection of Opportunity—maintenance of an economic atmosphere in which domestic production and processing can prosper; protection from subsidized competing products; protection of opportunity to fish on the high seas in accordance with international law;

"(3) Assistance—assistance of Government provided for industry generally, such as is involved in promoting good industrial relations, fair trade standards, harmonious labor relations, better health standards and sanitation; and assistance of Government for the fishing industry, specifically including—

"(a) services to provide current information on production and trade, market promotion and development, and an extension service,

"(b) research services for economic and technologic development and resource conservation, and

"(c) resource management to assure the maximum sustainable production for the fisheries.

"The Congress further declares that the provisions of this act are necessary in order to accomplish the objective of proper resource development, and that this act shall be administered with due regard to the inherent right of every citizen and resident of the United States to engage in fishing for his own pleasure, enjoyment, and betterment, and with the intent of stimulating the development of a strong, prosperous, and thriving fishery and fish processing industry and of maintaining and increasing the public opportunities for recreational utilization of the fish and wildlife resources.

"REORGANIZATION WITHIN THE DEPARTMENT OF THE INTERIOR

"SEC. 3. (a) There is hereby created and established within the Department of the Interior the office of Assistant Secretary for Fisheries and Wildlife, and the office of Commissioner of Fish and Wildlife. There is further hereby created and established the United States Fish and Wildlife Service, consisting of two divisions thereof to be known as the Bureau of Commercial Fisheries and the Bureau of Wildlife, respectively. The administrative functions of the United States Fish and Wildlife Service shall be administered under the direction and supervision of the Assistant Secretary for Fisheries and Wildlife by the Commissioner of Fish and Wildlife. There shall be a Director for each of said Bureaus.

"(b) All functions, powers, duties, and authority of the Fish and Wildlife Service of the Department of the Interior as are determined by the Secretary to relate primarily to fish, fisheries, whales, and related matters, together with those funds, liabilities, commitments, authorizations, allocations, personnel, and records of the Fish and Wildlife Service which the Secretary of the Interior shall determine to be primarily related to and necessary for the exercise of such functions, powers, duties, and authority, are hereby transferred to the Bureau of Commercial Fisheries of the United States Fish and Wildlife Service created and established by this section.

"(c) All functions, powers, duties, and authority of the Fish and Wildlife Service of the Department of the Interior as are determined by the Secretary to relate primarily to migratory birds, game management, and wildlife refuges, their acquisition, management and development, game fish, sea mammals (except whales), and related matters, together with those funds, liabilities, commitments, authorizations, allocations, personnel, and records of the Fish and Wildlife Service which the Secretary of the Interior shall determine to be primarily related to and necessary for the exercise of such functions, powers, duties, and authority, are hereby transferred to the Bureau of Wildlife of the United States Fish and Wildlife Service, created and established by this section.

"(d) In the administration and performance of related functions pertaining both to fisheries and wildlife, and for such other functions as he deems appropriate, the Secretary may establish a Division of Technical Services and require a single operating branch or unit to perform the services relating both to fisheries and wildlife. The Secretary may also establish a single division, branch, or unit to perform such administrative services as information, budgeting, personnel management, finance, and procurement for the entire United States Fish and Wildlife Service.

"(e) The Secretary is authorized under rules and regulations and under terms and conditions prescribed by him, to make loans for financing and refinancing of operations, maintenance, replacement, repair, and equipment of fishing gear and vessels, and for research into the basic problems of fisheries.

"(f) Any loans made under the provisions of this section shall be subject to the following restrictions:

"(1) Bear an interest rate of not less than 3 percent per annum;

"(2) Mature in not more than 10 years;

"(3) No financial assistance shall be extended pursuant to this section unless reasonable financial assistance applied for is not otherwise available on reasonable terms.

"(g) There is hereby created a fisheries loan fund, which shall be used by the Secretary as a revolving fund to make loans for financing and refinancing under this section. Any funds received by the Secretary on or before June 30, 1965, in payment of principal or interest on any loans so made, shall be deposited in the fund and be available for making additional loans under this section. Any funds so received after June 30, 1965, and any balance remaining in the fund at the close of June 30, 1965 (at which time the fund shall cease to exist), shall be covered into the Treasury as miscellaneous receipts. There are hereby authorized to be appropriated to the fund the sum of $10 million to provide initial capital.

"(h) The Secretary shall, with respect to the financial operations arising by reason of this section—

"(1) prepare annually and submit a business-type budget as provided for wholly owned Government corporations by the Government Corporation Control Act;

"(2) maintain an integral set of accounts, which shall be audited annually by the General Accounting Office in accordance with principals and procedures applicable to commercial corporate transactions, as provided by section 105 of the Government Corporation Control Act;

"(3) determine the character and necessity of expenditures under this section and the manner in which such expenditures are incurred, allowed, and paid, subject to the provisions of law specifically applicable to wholly owned Government corporations.

"(i) The Secretary, subject to the specific limitations in this section, may consent to the modification, with respect to the rate of interest, time of payment of any installment of principal, or security, of any loan contract to which he is a party.

"SEC. 4. (a) In addition to the functions, powers, duties, and authority transferred to the Bureau of Commercial Fisheries and the Bureau of Wildlife under section 3 the Secretary shall exercise through the Assistant Secretary for Fisheries and Wildlife all functions, powers, duties, and authority conferred upon him under the provisions of this act.

"(b) The Secretary shall conduct continuing investigations, prepare and disseminate information, and make periodical reports to the public, to the President, and to the Congress with respect to the following matters:

"(1) The production and flow to market of fish and fishery products domestically produced, and also those produced by foreign producers which affect the domestic fisheries;

"(2) The availability and abundance and the biological requirements of the fish and wildlife resources;

"(3) The competitive economic position of the various fish and fishery products with respect to each other, to competitive foreign-produced commodities, and to other competitive commodities; and

"(4) The collection and dissemination of statistics on food and recreational fisheries;

"(5) Collection and dissemination of statistics on the nature and availability of wildlife, progress in acquisition of additional refuges and measures being taken to foster a coordinated program to encourage and develop wildlife values;

"(6) The improvement of production and marketing practices in regard to commercial species and the conduct of educational and extension services relative to commercial and sport fishing, and wildlife matters;

"(7) Any other matters which in the judgment of the Secretary are of public interest in connection with any phases of fisheries and wildlife operations.

"SEC. (5) There are hereby transferred to the Secretary all administrative functions of the Secretary of Agriculture, the Secretary of Commerce, and the head of any other department or agency as are determined by the Director of the Bureau of the Budget to relate primarily to the development, advancement, management, conservation, and protection of fisheries and wildlife; but nothing in this section shall be construed to modify the authority of the Department of State or the Secretary of State to negotiate or enter into any international agreements, or conventions with respect to the development, management, or protection of any fisheries and wildlife resources or with respect to international commissions operating under conventions to which the United States is a party.

"(b) There are hereby transferred to the Department of the Interior so much of the personnel, property, facilities, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available) as the Director of the Bureau of the Budget determines to be necessary in connection with the exercise of the functions transferred to the Secretary by subsection (a) of this section.

"(c) The Secretary may request and secure the advice or assistance of any department or agency of the Government in carrying out the provisions of this act, and any such department or agency which furnishes advice or assistance to the Secretary may expend its own funds for such purposes, with or without reimbursement from the Secretary as may be agreed upon between the Secretary and the department or agency.

"SEC. 6. It shall be the responsibility of the Assistant Secretary of Fisheries and Wildlife to formulate all policies necessary in the administration by the Department of the Interior of the laws relating to fisheries and wildlife. The Assistant Secretary shall also—

"(1) develop and recommend measures which are appropriate to assure the maximum sustainable production of fish and fishery products and to prevent unnecessary and excessive fluctuations in such production;

"(2) study the economic condition of the industry, and whenever he determines that any segment of the domestic fisheries has been seriously disturbed either by wide fluctuation in the abundance of the resource supporting it, or by unstable market or fishing conditions, he shall make such recommendations to the President and the Congress through the Secretary as he deems appropriate to aid in stabilizing the domestic fisheries;

"(3) develop and recommend to the Secretary special promotional and informational activities with a view to stimulating the consumption of fishery products whenever he determines that there is a prospective or actual surplus of such products;

"(4) take such steps as may be required for the development, advancement, management, conservation, and protection of the fisheries resources; and

"(5) take such steps as may be required for the development, management, advancement, conservation, and protection of wildlife resources through research, acquisition of refuge lands, development of existing facilities, and other means.

"SEC. 7. (a) The Secretary shall cooperate to the fullest practicable extent with the Secretary of State in providing representation at all meetings and conferences relating to fisheries and wildlife in which representatives of the United States and foreign countries participate.

"(b) The Secretary of State and all other officials having responsibilities in the fields of technical and economic aid to foreign nations shall consult with the Secretary in all cases in which the interests of fisheries are involved with a view to assuring that such interests are adequately represented at all times.

"(c) Notwithstanding any other provision of law, the Secretary shall be represented in all international negotiations conducted by the United States pursuant to section 350 of the Tariff Act of 1930, as amended, in any case in which fishery products are directly affected by such negotiations.

"(d) The Secretary shall consult periodically with the various governmental, private nonprofit and other organizations and agencies which have to do with any phase of fisheries and wildlife with respect to any problems that may arise in connection with such fisheries and wildlife.

"SEC. 8. (a) The Assistant Secretary shall make an annual report to the Congress with respect to activities of the United States Fish and Wildlife Service under this act, and shall make such recommendations for additional legislation as he deems necessary.

"(b) The Assistant Secretary is authorized to make a report to the President and the Congress through the Secretary concerning the following matters with respect to any fishery product which is imported into the United States, upon a request from any segment of the domestic industry producing a like or directly competitive product:

"(1) Whether there has been a downward trend in the production, employment in the production, or prices, or a decline in the sales, of the like or directly competitive product by the domestic industry; and

"(2) Whether there has been an increase in the imports of the fishery product into the United States, either actual or relative to the production of the like or directly competitive product produced by the domestic industry.

"THE RIGHTS OF STATES

"SEC. 9. Nothing in this act shall be construed (1) to interfere in any manner with the rights of any State under the Submerged Lands Act (Public Law 31, 83d Cong.), or otherwise provided by law, or to supersede any regulatory authority over fisheries exercised by the States either individually or under interstate compact; or (2) to interfere in any manner with the authority exercised by any international commission established under any treaty or convention to which the United States is a party.

"AUTHORIZATION FOR APPROPRIATION

"SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

"SEC. 11. (a) The authorization for the transfer of certain funds from the Secretary of Agriculture to the Secretary of the Interior and their maintenance in a separate fund as contained in section 2 (a) of the act of August 11, 1939, as amended July 1, 1954 (68 Stat. 376), shall be continued for the year ending June 30, 1957, and each year thereafter, and such transferred funds shall be available for all the purposes of this act.

"(b) Subsection (e) of section 2 of the aforesaid act of August 11, 1939, as amended, is hereby amended to read as follows:

"'(e) The separate fund created for the use of the Secretary of the Interior under section 2 (a) of this act and the annual accruals thereto shall be available for each year hereafter until expended by the Secretary.'"

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

Mr. TOLLEFSON. Mr. Speaker, H. R. 11570 is a measure which has given rise to a tremendous amount of interest, not only amongst the commercial fishermen of the entire Nation but amongst all sports fishing groups, wildlife groups, and conservation organizations throughout the country as well. Fish and game departments of the various States have also expressed their interest and views. To my knowledge, all groups are now in accord in their support of the measure.

At the outset of our hearings there was great controversy over the provisions of the bill as originally introduced. The controversy extended to many similar bills which were introduced by Members of the House. It seemed for a time that it would be almost impossible to vote out a bill from the Merchant Marine and Fisheries Committee which would have the support of the different organizations which were interested. But the impossible was accomplished. In addition to the hearings, many consultations and conferences were held by the chairman and others on the committee with interested groups. We sought the views of everyone, including those of the White House, the Secretary of the Interior, the United States Fish and Wildlife Service, and several of the State fish and game departments. In the final analysis, the committee was able to draft a bill which was acceptable to all contending groups, so far as we were able to ascertain. Some question remains as to the views of importers of foreign fish products, but the committee feels that the bill does no injury to their business.

Briefly, the bill does several important things. Most importantly, it raises the status of all fisheries in the organization of Government. It creates the position of an Assistant Secretary for Fish and Wildlife in the Department of the Interior. Where other nations have Ministries of Fisheries—and similar positions—our Nation heretofore has never had anyone in similar status. As a consequence, our negotiators with foreign governments on fishery matters were at a distinct disadvantage. Under H. R. 11570 we will have a person of higher governmental status than ever before to handle our fishery negotiations with foreign nations.

Under the Assistant Secretary there will be created a United States Fish and Wildlife Service headed up by a Commissioner. Under this Service there will be a Bureau of Commercial Fisheries and a Bureau of Wildlife, each headed up by a Director. The Bureau of Commercial Fisheries will have jurisdiction over all commercial fishery matters and problems. The commercial fishermen and the commercial industry, generally, will have a single and separate agency to which they may bring their problems with the knowledge that they will receive sympathetic understanding and help.

The Bureau of Wildlife will have jurisdiction over all wildlife matters, including the administration of the Pittman-Robertson Act, the Dingell-Johnson Act, and the Basin Studies program. And while there will be two distinct bureaus they will be under the Fish and Wildlife Commissioner who will have the authority to coordinate the activities of each. Thus, there will be no separation of the fish and wildlife services in the sense that the wildlife organizations feared.

It is to be distinctly understood that the Secretary of Interior has the general authority to reorganize the fish and wildlife functions of his Department. The bill does not spell out all the things that he should do to carry out the objectives of the bill. The measure was necessary to create the Assistant Secretary and possibly the United States Fish and Wildlife Service with its Commissioner. Beyond that, reorganization could be done administratively.

However, the bill sets out a national fishery policy and directs the Secretary of Interior to do certain things. The committee believes that if put into effect the bill will do much, not only for the commercial fishing industry, but for sports fishing, wildlife activities and conservation programs as well. I hope that Congress will give its unanimous approval of the measure.

Mr. CRAMER. Mr. Speaker, I am delighted to see that this House is about to take action on this all-important legislation. I introduced a similar bill, H. R. 10374, earlier this year and it was one of the bills considered by the Committee on Merchant Marine and Fisheries.

I am glad to note that it has been indicated that this matter has been worked out amicably, to the best interests and with the approval of the commercial, sports, and conservation interests and that the bill reported out is backed strongly by all groups whose interests might conceivably be affected.

Undoubtedly, this will prove to be a wise step on the part of Congress in providing for the establishment of an Assistant Secretary of Interior for Fisheries and Wildlife, and the creation of the United States Fish and Wildlife Service within the Department, to consist of two divisions thereof, the Bureau of Commercial Fisheries and the Bureau of Wildlife.

This new division of authority and the establishment of an assistant secretaryship will provide for the fishing interests throughout the country assurances that their problems will receive adequate and much deserved attention—and still on a fully coordinated basis.

The commercial fishing and sports fishing industries of Florida have contributed much to the economic stability, the phenomenal growth, and the attractiveness of our great State. This legislation will give this segment of our economy and recreation, both nationally and in Florida, the position of prominence in the executive family to which it is entitled, will aid administratively and will be a great general benefit to all.

Mr. BATES. Mr. Speaker, this bill is the most important and most urgently needed legislation for the fishing industry that has ever been presented to the House. It represents, in a large measure, the decision of whether this great and historic industry will survive.

There has been no authoritative agency in Government, properly equipped with an adequate staff, to consider its problem. The history of the industry has been of Government neglect and international problems have excluded any consideration of its problem.

The President of the United States has recommended that a bill along these lines be designed to alleviate in some measure the many and complex problems that it faces. The defeat of the bill will mean the despair of the industry; its passage will open the avenue of hope. I strongly urge its approval.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to establish a sound and comprehensive national policy with respect to fisheries and wildlife; to strengthen the fisheries and wildlife segments of the national economy; to create and establish within the Department of the Interior the office of Assistant Secretary for Fisheries and Wildlife, a United States Fish and Wildlife Service; and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H. R. 11570) was laid on the table.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Has the bill been passed?

The SPEAKER. The bill was passed.

Mr. GROSS. I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection?

There was no objection.

Mr. GROSS. Mr. Speaker, it is apparent that some reorganization in the Federal Fish and Wildlife Service should be undertaken but I question the necessity for creating the office of an Assistant Secretary under whom will be created two bureaus with Directors for each.

While there can be no doubt that this will lead to the upgrading of some employees, I trust that those who have sponsored this legislation will keep a careful check on this reorganization to hold upgrading and additional employment to the absolute minimum.

I am also deeply concerned that under this reorganization emphasis will not be put upon the commercial fishing industry to the detriment of noncommercial fishing in inland waters, the propagation and protection of migratory waterfowl and all other upland wildlife and conservation programs in which the Federal Government is presently interested and in which the average sportsman is vitally interested.

The sponsors of this legislation can do no less than make sure that there is a proper balance between all these programs. I hope that whatever fears I may entertain at the moment will not be justified by performance in the future, and I trust that the leaders of those conservation organizations which have endorsed this legislation will make it a matter of prime concern that administration under this reorganization is efficient and equitable.

Mr. BONNER. I agree wholeheartedly with what the gentleman has said.

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent that I may extend my remarks preceding the passage of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. TOLLEFSON. I ask unanimous consent that all Members desiring to do so may have the same privilege.

The SPEAKER. Is there objection?

There was no objection.

Mr. FULTON. Mr. Speaker, may I ask the gentleman from North Carolina a question? At the time the bill was passed there were several of us on our feet wanting to know whether this bill had received any objection from the conservation groups.

Mr. BONNER. I can assure you that all Members interested in this reorganization of the Fish and Wildlife Service are unanimous on the amendment that was adopted to the Senate bill.

Mr. FULTON. So that the previous defects have now been cured by the gentleman's amendment?

Mr. BONNER. Commercial fisheries, the sporting fishermen, and hunters, are all unanimous in the House bill.

Mr. FULTON. I thank the gentleman.

Mr. BURDICK. Mr. Speaker, a parliamentary inquiry. I thought the bill had already passed.

The SPEAKER. The bill has already passed.

Mr. BURDICK. What is this, a post mortem?

The SPEAKER. The Chair hears no objection to the post mortem.

Mr. BONNER. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks immediately prior to the passage of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that I may insert my remarks in the RECORD on this bill and include a statement from the conservationists listing the number of conservation organizations that have supported the present bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, H. R. 11570, as amended, has full public support.

Conservationists and commercial fishing industry urge prompt passage of new, amended Bonner bill, H. R. 11570 dated June 28.

New, amended version of H. R. 11570, reported by House committee on June 28, does what we want, says the undersigned 13 national conservation organizations.

New, amended Bonner bill, H. R. 11570, will keep the United States Fish and Wildlife Service together as one agency in the Department of the Interior.

New, amended version of H. R. 11570 will provide immediate relief to distressed commercial fishing industry, and has industries' support—see provisions below.

Reorganization plan of the Fish and Wildlife Service in amended H. R. 11570 has approval of Secretary of Interior Fred A. Seaton—see Interior press release of July 3.

New, amended H. R. 11570 has the support of the State fish and game directors who also are insisting that the Fish and Wildlife Service be kept together as now agreed.

New, amended H. R. 11570, dated June 28, when passed by the House, will be a satisfactory substitute for S. 3275, which already has passed the Senate.

Senator KUCHEL, of California, coauthor of S. 3275, says:

> I am pleased to hear that apparently all interested groups have composed their differences and that the House bill, H. R. 11570, has their approval. Under these circumstances, it will have mine.

Provided that the House committee approved version of H. R. 11570 is not amended contrary to the principles agreed to by the conservationists, here is what the new Bonner bill will do:

First. Elevate fish and wildlife to sub-Cabinet status by establishing an Assistant Secretary for Fisheries and Wildlife.

Second. Establish the United States Fish and Wildlife Service, headed by a single administrator with the title of "Commissioner," and create two bureaus within the Service, a Bureau of Commercial Fisheries and Bureau of Wildlife, each administered by a Director.

Third. While the directives for sport fisheries and wildlife are not spelled out

in as great detail as they could be, the bill will put game fish and sea mammals—except whales—in with wildlife; and such inseparable operation as Federal aid, river basin studies, and those innumerable administrative and fiscal functions will be kept together and will not be divided as proposed in the many other bills pending before Congress, and in the White House release of June 4, which stated that a separate Bureau of Fisheries would be created on July 1 by Executive order.

Fourth. Remove the limitation on the use of the annual receipts under the Saltonstall-Kennedy Act, so that nearly $2 million more will be made available to the commercial fishing industry each year for authorized activities.

Fifth. Establish a loan revolving fund of $10 million for commercial fishermen for operations, maintenance, replacement, repair, and equipment of fishing gear and vessels, and for research into the basic problems of fisheries.

Every Member of Congress should understand that the new, amended H. R. 11570, dated June 28, has the endorsement of the sportsmen, the commercial fishing industry, the Secretary of Interior, and all of the following conservation organizations that have signed this press release, provided that the substance of this bill is not changed materially by amendment on the floor or in conference:

Citizens Committee on Natural Resources, Spencer M. Smith, secretary.

Forest Conservation Society of America, Charles H. Stoddard, executive director.

International Association of Fish, Game, and Conservation Commissioners, Bruce F. Stiles, president.

Izaak Walton League of America, Joseph W. Penfold, national conservation director.

Midwest Association of Fish, Game, and Conservation Commissioners, Glen D. Palmer, president.

National Parks Association, Fred M. Packard, executive secretary.

National Wildlife Federation, Charles H. Callison, conservation director.

Outdoor Writers Association of America, Michael Hudoba, conservation director.

Public Affairs Institute, Dewey Anderson, executive director.

Sport Fishing Institute, Richard H. Stroud, executive vice president.

Western Association of State Game and Fish Commissioners, Thomas L. Kimball, president.

The Wilderness Society, Howard Zahniser, executive secretary.

Wildlife Management Institute, C. R. Gutermuth, vice president.

Mr. BONNER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. I would like to state to the House that the gentleman from Iowa [Mr. GROSS] has been tremendously interested in this bill, and I regret the fact that he did not have an opportunity to ask such questions as he may have desired to ask pertaining to the bill. The gentleman from Iowa as well as I myself are concerned with the additional personnel that may be employed or added to the present personnel of the Fish and Wildlife Service to carry out the reorganization authorized under this bill. I have assured both Mr. GROSS and the gentleman from Georgia [Mr. DAVIS] that I see no reason for more than 10 or 12 additional personnel, including the Assistant Secretary and the Commissioner.

Mr. GAVIN. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield.

Mr. GAVIN. I am tremendously interested in the bill also and I wanted to state that the bill as amended has been approved by the Izaak Walton League, the Outdoor Writers Association, the National Parks Association, the Wilderness Society, and the Wildlife Management Association.

Mr. BONNER. The gentleman is correct; and I wish to advise him and the other Members of the House that we, and the committee, have had a difficult time working this bill out so that it would receive unanimous support of both the commercial fishing interests and the sportsmen of the Nation, which the amendment I have added to the Senate bill does. As well as the interested parties, this bill has the full endorsement of the Secretary of Interior.

PENNSYLVANIA'S SCHOOL BUILDING PROGRAM

Mr. MUMMA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MUMMA. Mr. Speaker, while we have heard a lot of talk this week about schools, an article came to my attention this morning from the Lebanon Daily News which shows what Pennsylvania has done for its school system insofar as it relates to schools by way of a school authority. We have already borrowed $4 million, and there will be additional funds for the coming year. I thought it would be interesting for the Members of the House who do not have a similar system to look this article over. It may give you some food for thought.

The article is as follows:

SCHOOL AID POSES PROBLEM FOR DISTRICTS

(By Mason Denison)

HARRISBURG.—Pennsylvania's school-building program—moving into high gear at a $300 million clip after lying virtually dormant for 2 years during a legislative haggle—threatens to pose a series of problems for school districts throughout the State.

Inflated financial costs form the nub of the problems. This is what has happened:

Back in October of 1954 the State public school building authority exhausted the $425 million set up by the 1953 legislature to help local school districts finance badly needed new buildings.

At that time plans were in the ready stage based on cost estimates then prevailing.

With the reaching of the $425 million State assistance ceiling, new school building throughout the State ground to a virtual halt—awaiting the raising of the ceiling by the 1955 legislature.

The record-long 1955 session finally acted—the latter part of March 1956.

When the legislature finally came to life on the subject it raised the ceiling an additional $200 million for the current fiscal year, plus $100 million in the next fiscal year and another $100 million in the following fiscal year.

The current fiscal year ended a week ago on May 31, which meant $200 million between March and May 31. On Monday of this week the new or next fiscal year began which means that an additional $100 million is now available.

Just what this means can be seen from the fact that the department of public instruction estimates that by September or October of this year the $300 million will have been allocated.

That is a sizable chunk of projects to be dumped on the market. Architectural and engineering firms handling much of the school-building work throughout the State confess concern over what they fear will be skyrocketing construction costs.

They point out that up to this time construction firms in many areas of the State that handle such projects—public buildings—have been looking for contractual work. Costs have been down.

The dumping of this tremendous volume is expected to have the opposite effect now. Unable to absorb the volume in many areas of the State, cost is expected to go up as suddenly busy contractors become engulfed in the first wave of new projects.

Increased costs resulting from an influx of available projects is expected to be one cause for ultimate revamping of plans on the part of local school districts to stay within financial limitations.

Another factor is the change in costs within the past 2 years from the standpoint of the time interval alone.

Virtually all plans ready to go 2 years ago must be updated in light of present-day costs, which in some cases will mean revamping of once-cleared plans.

It all adds up to more delay, increased costs, and in some cases drastic changes from once hopeful plans.

The fault can hardly be found with either the department of public instruction or the State public-school building authority. Neither agency could act until the legislature authorized the raising of the fund availability.

This can be added to the laurels of the 1955 legislature, which took from January 1955 to March 1956 to move. For local school districts it may prove quite costly.

THE ASTONISHINGLY IMPRESSIVE FACTS AND FIGURES ABOUT THE 1956 FEDERAL AID HIGHWAY ACT AND ITS IMPACT ON THE UNITED STATES AND THE STATE OF FLORIDA

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, Congress has just passed and the President has signed the 1956 Federal Aid Highway Act providing for the greatest public-works program in the history of the world, authorizing the spending of $46.2 billion for roads in the next 13 years.

In addition to providing for this authorization, many new beneficial provisions were written into the new road code that assure better administration, cheaper and more timely acquisition of rights-of-way, safety studies, minimum standards of construction, usage regulations on heavy road users, consultation with the State road boards on prevailing wages, and the sharing in costs of relocation of utilities—just to mention a few.

HOW DID THIS ROAD PROGRAM GET STARTED?

This dynamic program was envisioned by President Eisenhower in his second year in office, was studied by the Clay committee appointed by the President on instructions from the 83d Congress, was heard and debated by the Roads Subcommittee and the full Committee on Public Works, and was authorized by the 84th Congress, after careful scrutiny by the Ways and Means Committee of the financing provisions. No one can contend successfully that this is a hurriedly or ill considered program.

The Roads Subcommittee considered this bill for 2 years, presenting a bill to the House in 1955 that was defeated because of the inequitable financing provisions. Agreement was reached in 1956 on financing and the size of the program and a new bill received overwhelming acclamation. This bill demonstrates fiscal responsibility by providing pay-as-you-use taxes to support roadbuilding and it demonstrates fairness in financing by imposing the taxes on the highway users according to degree of usage. The final bill had almost unanimous support—from the American automobile, truckers, roadbuilders, road boards, governors, and safety associations—as well as the people in general.

WHAT DOES THE ROAD PROGRAM ACCOMPLISH

The bill assures completion of the 41,000 mile interstate system of superhighways networking the Nation, connecting 42 of the 48 State capitals, 90 percent of all cities with a population in excess of 50,000 and each of the 48 States. In addition, all other Federal-participation highways are accelerated by $175 million in 1957 and an additional $25 million yearly thereafter.

HOW IS THE PROGRAM JUSTIFIED?

On the grounds of greater safety it was estimated that at least 10 percent of the estimated 42,000 deaths estimated to take place on the highways of America in 1956 could have been saved if the system were completed. Annual savings in damages, medical and hospital costs, insurance costs, and so forth, was estimated at $2.4 billion per year upon completion, which incidentally, is more than the yearly cost of the project. National defense will be strengthened by providing adequate internal highway arteries for the transport of war materiel in time of emergency and for civil defense and evacuation in case of attack. Future highway congestion caused by the estimated 85 million cars to be using the highways in 10 years, as compared to 62 million cars today, will be avoided. These are just some of the reasons advanced.

HOW MUCH MONEY IS AUTHORIZED FOR THE NATIONAL ROAD PROGRAM?

Assuming that Congress continues to accelerate other than interstate systems by $25 million per year and retains the $125 million increase for 1957, the total Federal participation will be $37.465 billion for the 13 years, $25 billion for the Interstate System and $12.465 billion for other systems. On the interstate 41,000-mile system the costs range from $1.2 billion in 1957—fiscal year beginning July 1, 1956—to $2.3 billion in 1964 and 1965 down to $1 billion in 1969. On the primary, secondary, and urban systems, the amount starts at $825 million in 1957, accelerating at the rate of $25 million per year, to $1.125 billion in 1969.

HOW DOES THIS COMPARE WITH THE PREVIOUS NATIONAL PROGRAM?

The 83d Congress was road conscious too, because it voted the largest program for 1956 and 1957 known to that date, $175 million for interstate and $700 million for other systems per year. Thus, on the average, the new program means a thousand percent increase in Interstate System funds and a 30 percent increase in other systems.

HOW MUCH IN FEDERAL ROAD FUNDS DOES THIS MEAN TO FLORIDA?

In 1957, Florida was to receive under the previous legislation, $14,559,885. Under the 1956 bill this will be increased to $33,659,885, in 1958 to $42.99 million, in 1959 to $48.4 million, for a total of $125,049,885 for the next 3 years. For the balance of 10 years, the amount approximates an average of $50 million per year. Thus, by 1970, Florida's Federal share will be increased by about 235 percent. For the 13 years, it will mean about $625 million, as compared to about $164 million under previous laws. This clearly demonstrates the magnitude of the program, and the great impact it will have on roadbuilding in Florida.

Broken down into systems, for Florida, in round figures, it means: On the Interstate System, $20 million in 1957, $28.9 million in 1958, $34 million in 1959. On all other systems, for primary roads, $6.15 million in 1957, $6.2 million in 1958, and $6.3 million in 1959; for secondary roads, $3.96 million in 1957, $4 million in 1958, and $4.1 million in 1959; and for urban roads, $3.6 million in 1957, $3.8 million in 1958, and $4 million in 1959. Thus, improvement on all systems are to be accelerated to supplement the completion of the Interstate System.

WHAT HIGHWAY ROUTES WILL BE COMPLETED IN FLORIDA ON THE INTERSTATE SYSTEM?

The Clay report established terminal points between which superhighways are to be constructed. The exact alinement and location of these roads are to be determined by the State road boards. The terminal points in Florida are, Jacksonville to Miami, Jacksonville to Daytona Beach to Orlando to Tampa-St. Petersburg, Jacksonville to Lake City to Tallahassee to Pensacola to Alabama, and Georgia to Lake City to Ocala to Tampa-St. Petersburg. Already announced as a part of the Interstate System has been a third bay bridge over Tampa Bay connecting Tampa and St. Petersburg. Under study is an additional link from Tampa-St. Petersburg to Miami which is more possible since Congress added 1,000 miles to be allocated later according to need by the Bureau of Public Roads. These roads connect with other superhighways throughout the country.

HOW IS ROAD RIGHT-OF-WAY ACQUISITION AIDED FURTHER UNDER BILL?

One significant new feature of the 1956 road bill is section 110 which authorizes the advance purchase of rights-of-way, a maximum of 5 years in advance of construction. It is estimated that as much as $1.5 billion can be saved by the provision and I was pleased to be the author of this section. To Florida this means much because of the rapidly increasing value of real estate and advance purchase of rights-of-way will avoid pressures created by rush acquisition procedures and permit acquisition at the most favorable times.

WHAT ARE STATE MATCHING FUND REQUIREMENTS?

Under the new bill, the Federal contribution to the Interstate System is increased from 60 percent to 90 percent and the State share is thus decreased from the present 40 percent to 10 percent. This will mean that Florida can spend more of its money on other systems which was previously required for interstate construction. This also will have the effect of accelerating State road construction by making more money available for State road purposes. On other systems, State matching funds remain at 50 percent of the cost. Thus, for the Interstate System, nationally, State contributions will be $2.5 billion over the 13 years, and for other systems, $9.925 billion. This makes the total program a $46.2 billion highway construction project over the 13 years.

HOW DOES THIS NEW MATCHING FORMULA FAVOR THE STATES?

Under previous law, Florida must match yearly the $14,558,885 Federal funds with $6,486,025.80 of State funds, while under the 1956 road bill Florida must match $33,659,885 with only $8,354,275.70. Thus, it can readily be seen that under the new program, by contributing only about $1.9 million more in State funds, Florida receives about $19.1 million more in Federal matching funds. On the Interstate System alone, by contributing only about $0.8 million more, Florida receives about $17 million increase under the 90 to 10 formula as compared to the previous 60 to 40 formula.

These statistics clearly demonstrate that Florida will be able to accelerate tremendously its road-building program with little increase in Florida matching funds. This was specifically planned in considering the bill in order to assure that every State could meet its obligations under the bill, and that the entire 41,000-mile Interstate System would be completed at about the same time and on a basis equal to the yearly percentage a States mileage bears to the total national mileage to be completed yearly to finish the total project in 13 years. Thus, Florida is assured that the total 1,173 miles of Interstate System will be four-laned by no later than 1971, there being about a 2-year construction lag behind

appropriations. Of equal significance, these 1,173 miles in Florida will connect with nearly 40,000 miles of other superhighways throughout America.

WHAT IS THE IMPACT OF THIS ROAD PROGRAM?

What a challenge this offers to the American people, what a challenge to the road-building industry. What an impetus to our national economy and to full employment. What a future is offered for all industrial, agricultural, tourist, fishing, sports, and other facets of Florida economy. In years to come I believe this will be heralded as the most significant single contribution through the Federal Government to the phenominal growth of our dynamically progressive growth in Florida.

Needless to say it was a distinct privilege to be a part of the legislative process in Congress that brought the 1956 Federal-Aid Highway Act into reality.

MY REPORT TO THE PEOPLE

The SPEAKER. Under the previous order of the House, the gentleman from Louisiana [Mr. MORRISON] is recognized for 60 minutes.

Mr. MORRISON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MORRISON. Mr. Speaker, during the 7 consecutive terms or the 14 years that I have had the distinguished and great honor to serve the people of the Sixth District of Louisiana, I have done my utmost to give to them the representation they truly deserve.

Not only have I endeavored to represent these people as they wished me to, and to vote for all constructive legislation; but I have also endeavored to help and assist each and every person, regardless of their political faith; regardless of their walk in life, or whether their problems were large or small.

During these 14 years the schools and colleges of the sixth district have received in Federal grants and surplus properties an amount of over a million dollars.

The Pearl River navigation project was completed at a cost of about $10 million.

Just recently $4 million was appropriated for the port development of Baton Rouge and the Port Allen-Indian Village cutoff of the intercoastal waterway. This makes a total to date of $5,800,000 in Federal funds for this project.

Also for flood relief for the parishes of Ascension, Iberville, Livingston, and East Baton Rouge, $400,000 of Federal funds will be made available to be used in conjunction with local appropriations.

In the past 14 years, $6,355,473 of Federal funds have been given for the hospitals in Bogalusa, Mandeville, Hammond-Ponchatoula, Plaquemine, and Covington. The Federal funds, likewise, were used in conjunction with local and State funds in building these hospitals which are so vitally needed.

Mr. Speaker, I wish to point out that this Congress will appropriate approximately $7 million for the old river control structure north of Morganza.

Besides the above millions, many more millions have been appropriated for levee work along the Mississippi River in the Sixth District of Louisiana.

All of the above did not just happen, but took an enormous amount of time, planning and effort and quite naturally I am proud of the part that I played in helping to secure the above-named projects.

I would like, at this point, to read a letter from the president of the Greater Baton Rouge Port Commission, Mr. Ernest D. Wilson:

GREATER BATON ROUGE
PORT COMMISSION,
Baton Rouge, La.

Hon. JAMES H. MORRISON,
Member of Congress,
House Office Building,
Washington, D. C.

DEAR JIMMY: I wanted to let you know that the rest of the commission and I most sincerely appreciate the wonderful cooperation we have had from you during the recent fight on the appropriation for the Post Allen-Indian Village cutoff canal.

If it weren't for good friends like you in the House, I am afraid that the splendid work of our Senators might have been to no avail.

We appreciate your continued cooperation on all matters affecting the greater Baton Rouge port.

Sincerely yours,
ERNEST D. WILSON,
President.

When news of this appropriation became known, I received the following wire:

BATON ROUGE, LA.

JIMMY, you did it again. Congratulations.
ANDREW BAHLINGER.

I call to your attention another letter concerning this project:

GREATER BATON ROUGE
PORT ASSOCIATION,
Baton Rouge, La.

Hon. JAMES H. MORRISON,
Member of Congress,
House Office Building,
Washington, D. C.

DEAR MR. MORRISON: On behalf of the directors of the Greater Baton Rouge Port Association, I wish to express our appreciation for your efforts on behalf of the passage by the House of the amendment pertaining to our Port Allen-Indian Village cutoff canal. We certainly feel that you and the entire Louisiana delegation have done a very fine piece of work.

With best personal regards.

Sincerely yours,
P. CHAUVIN WILKINSON,
President.

When further action on this project became necessary, and when favorable results were had here in Congress, I received another letter from Mr. Ernest D. Wilson, which I quote:

GREATER BATON ROUGE
PORT COMMISSION,
Baton Rouge, La.

Hon. JAMES H. MORRISON,
Member of Congress,
House Office Building,
Washington, D. C.

DEAR JIMMY: I have been so extremely busy that I have neglected up until now to express my most sincere appreciation of your wonderful leadership on the House floor during the successful fight to restore the funds to the Port Allen-Indian Village cutoff canal project.

We know that you spent your entire time during the critical period whipping up the necessary support for this restoration, and we feel that if it had not been for your ability and efforts, the result might have been far different.

As soon as I can manage to do it, I want to thank the other members of the Louisiana delegation in the House for their assistance also, but I wish to convey my special thanks to you because I know that yours was the principal effort.

With best wishes.

Sincerely yours,
ERNEST D. WILSON,
President.

When the devastating floods to the parishes of East Baton Rouge, Ascension, Iberville, and Livingston were causing severe damage, I helped secure an authorization and appropriation for flood control funds that would remedy this, known as the Amite-Comite project. The following letter and telegram are from some of my constituents in regard to this project:

STATE-TIMES AND MORNING ADVOCATE,
Baton Rouge, La.

Hon. JAMES H. MORRISON,
Member of Congress.

DEAR JIMMY: I see by the Advocate that the Amite-Comite flood-control project has been approved by Congress and has been sent to the President's desk for signature.

I want to say the work that you have done on this bill, and the work of the other members of the Louisiana delegation, will result in inestimable value to this part of Louisiana. The flood situation on the Amite River costs taxpayers a great deal of money annually as well as inconvenience and even brought disaster. The control of this waterway will mean a great deal to this part of the State.

Please accept my personal thanks for your part in the passage of this bill, and I would appreciate your expressing to others of the delegation who have assisted you my thanks also.

With kindest personal regards, I remain

Sincerely yours,
CHARLES P. MANSHIP, Jr.

BATON ROUGE, LA.

Congressman JAMES H. MORRISON,
Washington, D. C.:

On behalf of the people of East Baton Rouge Parish and those in the Sixth Congressional District, I wish to take this opportunity to thank you and congratulate you on a job well done.

Sincerely yours,
W. W. DUMAS,
Parish Councilman, Sixth District Executive Board Member of the Louisiana Police Jury Association.

I would also like to quote at this time a letter from Mr. C. O. Watts, president of the Atchafalaya Basin Levee District:

ATCHAFALAYA BASIN LEVEE DISTRICT,
Port Allen, La.

Hon. JAMES H. MORRISON,
Member of Congress From State of Louisiana, Washington, D. C.

DEAR SIR: The commissioners of the Atchafalaya Basin Levee District Board of Port Allen, La., wish to take this method of expressing their appreciation for your efforts in assisting to have the $4,210,000 restored in the budget estimate of $50,885,000 for the lower Mississippi Valley flood-control bill for the coming fiscal year. Each and every member of the congressional delegation who worked and cooperated in the effort to restore this cut certainly deserves the thanks not only of the members of this board but of all the people of the lower Mississippi River Valley. Since so much remains to be

done to complete the flood-control program of the lower Mississippi River Valley, it is gratifying to know that we have such able representation in the Congress to carry on the fight to secure the necessary funds to expedite this work to an early conclusion.

Yours very truly,

C. O. WATTS,
President, Board of Commissioners for the Atchafalaya Levee District.

P. S.—DEAR CONGRESSMAN MORRISON: Please accept my personal thanks for your services in securing this increase in the appropriation as it is badly needed in this basin.

C. O. WATTS.

Not only have I helped the people on projects in this area, but I have tried to help the people all over my district, and cite you as another example the harbor at Mandeville, La. The following letter is in regard to that project:

STATE OF LOUISIANA,
DEPARTMENT OF PUBLIC WORKS,
Baton Rouge, La.

Congressman JAMES H. MORRISON,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN MORRISON: The department of public works has received the necessary priority papers in connection with the proposed improvement of Bayou Castine and the harbor facilities off the mouth of that bayou at Mandeville, St. Tammany Parish. This priority was obtained entirely as a result of the efforts of your office and we should like for you to know that your interest in this matter is much appreciated.

Thanking you again for your kind assistance in this matter, I am

Sincerely yours,

C. C. WOOD, *Attorney.*

Various cities and towns throughout the Sixth District have called on me from time to time, and I have done my best to aid them on every occasion. The following letters are from mayors from some of these communities:

CITY OF COVINGTON,
Covington, La.

Hon. JAMES H. MORRISON,
Member of Congress,
Washington, D. C.

DEAR JIMMY: This will acknowledge receipt of, and thank you for, telegram May 29, 1956, relative to the approval of our application for city planning assistance.

The members of my city council join me in thanking you for your assistance and interest in this matter.

With kindest personal regards, I remain

Very truly yours,

EMILE L. MENETRE,
Mayor.

TOWN OF PLAQUEMINE,
Plaquemine, La.

Hon. JAMES H. MORRISON,
Member of Congress,
Washington, D. C.

DEAR CONGRESSMAN: Please accept my apologies for not having acknowledged your recent services to the town of Plaquemine.

It is very encouraging to know that we have someone like yourself that we can depend on to attend to matters that reached beyond our control.

With very best wishes and kind personal regards,

Sincerely yours,

CHARLES P. SCHNEBELEN,
Mayor.

TOWN OF INDEPENDENCE,
Independence, La.

Hon. JAMES H. MORRISON,
Member of Congress,
Washington, D. C.

DEAR JIMMY: As mayor of the town of Independence I wish to congratulate you and thank you for the very excellent cooperation that you have given our community on every occasion when we have called on you.

With kindest regards,

Sincerely yours,

CHARLES SINAGRA, *Mayor.*

CITY OF HAMMOND,
Hammond, La.

Hon. JAMES H. MORRISON,
Member of Congress,
Washington, D. C.

DEAR JIMMY: On behalf of the people of Hammond, I wish to express deep appreciation for the very fine cooperation that you recently gave us.

It is wonderful to have a person like yourself in Congress that we know we can call on and get results.

Yours truly,

JAMES A. STIRE, *Mayor.*

I have at all times tried to help and aid all the farmers by not only voting for all helpful farm legislation, but by putting forth every effort in their behalf.

My efforts several years ago in removing the ceiling price on strawberries; thus raising the price much higher—when many said it couldn't be done—is well known to every grower in Louisiana's colorful strawberry belt. I have aided the strawberry, cotton, tung, vegetable, potato, corn, rice, sugarcane, and all other farmers of my district. I have helped the cattlemen every way I could.

I would like to quote a few of the letters that I have received from various farmers and organizations:

AMERICAN SUGAR CANE LEAGUE,
New Orleans, La.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN: Many thanks for sending me a copy of the proposal by the Farmers Home Administration to make disaster loans in Louisiana.

Your splendid work in this behalf is sincerely appreciated by the members of the American Sugar Cane League.

With kindest regards, I am

Sincerely yours,

JOSIAH FERRIS, *Manager.*

LOUISIANA DEPARTMENT OF AGRICULTURE AND IMMIGRATION,
DIVISION OF AGRICULTURAL CHEMISTRY,
Baton Rouge, La.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR MR. MORRISON: Thank you very much for your courtesy and promptness in providing publications on hay grading and grain grading. These will be very useful. It is good to know that we have such a helpful representative in Washington.

Very truly yours,

E. A. EPPS, Jr.,
Chief Chemist.

THE NATIONAL TUNG OIL MARKETING COOPERATIVE, INC.,
New Orleans, La.

Congressman JAMES H. MORRISON,
House Office Building, Washington, D. C.

DEAR MR. MORRISON: The enclosed first issue of the monthly technical bulletin directed to some 3,000 staff members of the paint and varnish industry will serve as an example of what the tung industry is doing for itself.

The National Tung Oil Marketing Cooperative is newly organized and is an effort on the part of tung growers to pull their industry up by its own boot straps through research and aggressive merchandising.

We appreciate your past support of American tung growers and hope to have your continued assistance in keeping tung nuts within the mandatory provisions of any future price support legislation.

With all good wishes, I remain

Sincerely yours,

FRANK M. CROWELL, Jr.,
Manager.

IRION POULTRY FARM,
Hammond, La.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR SIR: We received your letter of May 6 regarding our application for extended rural mail service which has been granted by the Post Office Department. We wish to thank you very much for your help in securing this more convenient delivery service for us. It will be greatly appreciated by all the families concerned.

Sincerely yours,

ROBERT R. IRION, Jr.

THE RICE MILLERS' ASSOCIATION,
New Orleans, La.

Hon. JAMES H. MORRISON,
Member of Congress, House Office Building, Washington, D. C.

DEAR MR. MORRISON: This is to acknowledge your letter of recent date and to express to you our wholehearted appreciation for the splendid contributions which you made in urging the State Department to permit the CCC to affect sales in Asia of United States rice.

Sincerely,

W. M. REID, *President.*

AMERICAN TUNG OIL ASSOCIATION, A. A. L.

Hon. JIMMY MORRISON,
House Office Building,
Washington, D. C.

DEAR MR. MORRISON: Just a line to thank you very much for your telegram of October 21 to President Eisenhower urging him to invoke quotas on imports of foreign tung oil under authority of section 22 of the General Agricultural Adjustment Act.

Your help on this score is very much appreciated.

With kindest personal regards and all good wishes, I am,

Sincerely,

MARSHALL BALLARD, Jr.

Mr. Speaker, when it comes to trying to aid the men and women in our Armed Forces, I believe I could fill this whole CONGRESSIONAL RECORD by reading the thousands of letters that I have received from them, not only in the United States but from all over the world. However, I would like to read a few of the various types of these letters that I have received.

TOKYO.

Congressman JAMES H. MORRISON,
Washington, D. C.

DEAR SIR: This is only a small way that I can show my appreciation to you. Although I am late in thanking you, it is only because I have been traveling the last month in the most worse possible way and unable to write. I am located down in Tokyo and am in a billeting section under General Lolfe.

If there is any way that I can be of service to you, it will be my honor.

Thanking you.

FALCON P. OURSO.

U. S. S. "MARIETTA" (AN–82),
Fleet Post Office, New York, N. Y.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

MY DEAR MR. MORRISON: The officers and men of the U. S. S. *Marietta* wish to thank

you for your assistance in getting sea pay granted.

With kindest personal regards, I remain

Very truly yours,

W. L. OULLIBER,
Lieutenant, United States Naval Reserve.

ST. GABRIEL, LA.

Congressman JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN MORRISON: Last week I received my check from the War Claims Commission for inhumane treatment as a prisoner of war. I know it would have taken 2 or 3 months longer under the normal process if you had not contacted the proper parties as you did. Its these kind of results on behalf of your constituents which keep sending you back to our National Capital every 2 years to represent the sixth district of our State.

With my heartfelt thanks and best personal regards, I am

Sincerely yours,

GERALD LA PLACE.

BATON ROUGE, LA.

DEAR MR. MORRISON: Thanks to you. I received my combat paycheck on the 25th of September.

As I needed this money very badly, I will always be grateful to you. I believe that you are doing a great job representing the people of Louisiana. You will continue to have my support.

Thank you,

MARSHALL S. ALGER.

RANDOLPH FIELD, TEX.

Hon. JIMMY MORRISON,
House of Representatives,
Washington, D. C.

DEAR SIR: My wife and I want you to know that we both deeply appreciate the help you gave us in getting the 30-day extension on my overseas shipping date. Your help has enabled me to stay with my wife until she graduates. I assure you that we will not forget what you have done for us.

Thank you again for your assistance in this matter.

Sincerely,

A2c. and Mrs. H. K. MARTIN.

VARNADO, LA.

DEAR SIR: We sure appreciate your kindness in helping find my son. We received a letter from David Saturday. We will return help back some way.

Yours truly,

Mrs. DAVE THOMAS.

BATON ROUGE, LA.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR MR. MORRISON: Words cannot express how much I do appreciate what you did to get my allotment checks straightened out. I do thank you from the bottom of my heart as I feel that without your help I wouldn't have got them. I just wish there were more JIMMY MORRISON's. Best of luck to you.

Sincerely,

Mrs. JULIA D. JOHNSON.

BATON ROUGE, LA.

Mr. JIMMY MORRISON,
Congressman.

DEAR SIR: Am sending this letter to thank you for the wonderful cooperation I received concerning the whereabouts of my son during the explosion on the *St. Paul* in Korea.

S. N. Reginald Meyers is my only child and I was a widow during his younger years and he stayed with his grandfather and grandmother in Tickfaw. We were all nearly crazy the morning we heard the news over the radio.

I'm again thanking you a million times and wishing you the best of luck in everything you undertake in doing. Thanks again.

Yours truly,

Mrs. ALMA HUGHES.

HEAD OF ISLAND, LA.

DEAR MR. MORRISON: I would like to thank you very much for your assistance in my allotment case. Your services were greatly appreciated.

Sincerely yours,

JOHN C. BELL.

BATON ROUGE, LA.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR MR. MORRISON: I wish to thank you for your time and interest in writing to Japan for information about my son's condition.

Just after our talk with you in Baton Rouge, we received a letter from Roland telling us his doctor had said he would have to come back to the States for further treatment. He has a bad leg wound and the nerves were shattered causing him to have a drop foot. He will be in the hospital for a long time and we are thankful that he is back in the States where we can visit him occasionally.

We are indeed grateful to you for all you have done. If we or our families can ever be of help to you, we shall be very glad to do so.

Sincerely yours,

Mrs. H. B. FLOYD.

AMITE, LA.

JAMES H. MORRISON,
Member of Congress.

DEAR FRIEND: Am writing to thank you for the prompt and kind attention given us in regard to our son, Dallas, after the explosion on the *Bennington.*

It is a great honor and privilege to be a citizen of a great Nation whose high officials, like yourself, take such kindly care of their most humble constituents.

Thanking you again,

Very truly yours,

Mr. and Mrs. HOMER ALFORD.

BATON ROUGE, LA.

JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR MR. MORRISON: I wish to express my sincere appreciation for the help you gave me in getting my wife to the United States. She is here now, sir, and I am very happy. I'm sure, sir, she will make a good citizen. And rest assured, sir, that any office you ever run for you certainly will have my vote, sir. Again I wish to say thanks a million.

Sincerely yours,

PAUL B. EVANS.

KENTWOOD, LA.

Congressman JIMMY MORRISON,
House of Representatives,
Washington, D. C.

DEAR MR. MORRISON: I just want to thank you for what you did to enable me to get my check for labor while a prisoner of war.

I received it the last day of November, and was able to pay my note on my cows in time. But without your help I know this wouldn't have been possible.

Thanking you again for what you did for me.

Sincerely,

WALTER L. GRICE.

FRANKLINTON, LA.

Mr. JIMMY MORRISON.

DEAR CONGRESSMAN: I want to thank you for the quick and courteous action you took in finding out about my nephew, Reginald A. Brunfield. It's swell to know we have a Congressman who has the interest of the people at heart. I want you to know that I appreciate what you have done very much and I sincerely hope you will be our Congressman for as long as you so desire. Thanks again.

Yours sincerely,

Mrs. J. E. SMITH.

HAMMOND, LA.

DEAR MR. MORRISON: Am writing to thank you for helping me get my allotment for my husband who is in the Marine Corps.

I know that I would not have received my allotment if it had not been for your work and kindness.

With best regards.

Mrs. J. E. MCKINNEY.

BATON ROUGE, LA.

DEAR SIR: I am writing this following up my last letter I wrote you last Saturday as to helping me find my boy that was in Korea. Well, thank God, he is safe and sound.

Thanking you from the bottom of my heart; it is always good to know that I can call on you when I need help. If at any time I can do the same thing for you, please call on me.

Sincerely,

Mrs. ROBERT LEBLANC.

P. S.—May God bless you and take care of you always.

DEAR MR. MORRISON: I want to take this time to write and tell you that I am grateful to you for your help in getting our allotment fixed up. You will never know how much we appreciate it and how thankful we are to you. We have five boys in the service and Mr. Landry has been in bad health. So again, Mr. MORRISON, I thank you and I will pray every night for you and your family.

With best regards.

Mrs. J. T. LANDRY.

While I have attempted to help each and every member of the Armed Forces in every way that I could, I have not overlooked veterans of all wars and I have done everything I could to aid and help them in every possible way. I would like to at this time quote some of the letters that I have received from veterans and veteran organizations:

NATIONAL HEADQUARTERS,
UNITED SPANISH WAR VETERANS.

Hon. JAMES H. MORRISON,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN: Now that President Eisenhower has signed H. R. 9020 and H. R. 9962, I wish to extend to you the sincere thanks of our organization for your splendid support in our behalf.

While our organization realizes that considerable pressure was used against this legislation, I wish to commend you for your tenacity in doing something for our widows. While the amount granted was trifling when we compare this legislation with the amounts that were given to foreign countries, yet we realize that you sat steadfast despite all the pressure put upon you.

Sincerely yours,

JOHN U. SHROYER,
Commander in Chief.

HIGHER-TANE GAS CO.,
Independence, La.

Congressman JAMES H. MORRISON,
Congress of the United States,
House Office Building.

DEAR CONGRESSMAN: We received the very good news a few days ago that Albert J. Goss, of Loranger, had been admitted to the veterans' hospital in New Orleans.

We would like to at this time extend our most sincere appreciation for your wonderful cooperation in aiding this unfortunate man in his time of need. I am sure he will never forget your helping him when he needed it most.

I hope, also, at this time you are enjoying the best of health and your work in the Congress is progressing.

Sincerely yours,

FRANK L. ANZALONE.

WOMACK AGENCIES, INC.,
Hammond, La.

Hon. JAMES H. MORRISON,
Member of Congress,
Washington, D. C.

DEAR CONGRESSMAN MORRISON: I have been advised that my uncle, Sidney Kirk Womack, is this day being transferred to the veterans' hospital in Gulfport. Please accept my sincere thanks for the assistance you gave us in this case. I can assure you that all members of his family appreciate your many courtesies.

Yours sincerely,

T. G. WOMACK, Jr.

STATE OF LOUISIANA,
DEPARTMENT OF VETERANS' AFFAIRS,
Greensburg, La.

Re: Conklin, Edd Charles.

Hon. JAMES H. MORRISON,
Congressman, Washington, D. C.

DEAR MR. MORRISON: Due to your fine cooperation and assistance, we have just completed the case of the above-listed deceased veteran on behalf of the widow, Mrs. Gertrude Conklin.

May we take this opportunity to thank you for the fine work you have done in assisting us. Mrs. Conklin, who plans to make Greensburg her home, has asked me to convey her gratitude for your assistance in her behalf.

Again may I say that the help you have given the veterans of St. Helena Parish is appreciated and will be long remembered.

Yours truly,

SAM R. MCNABB,
Parish Service Officer,
St. Helena, Parish.

CLINTON, LA.

Hon. JAMES H. MORRISON,
Louisiana Congressman,
Washington, D. C.

DEAR MR. MORRISON: I just want to write a note to tell you how much we appreciate everything you did for us.

The help was much needed by our family.

Thanks again.

Sincerely yours,

Mrs. RONALD G. WHITE.

MADISONVILLE, LA.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN MORRISON: I have your letter of recent date in which you forwarded me a copy of the report from the Veterans' Administration regarding my claim. You have my deepest appreciation and support for the aid that you extended me in Washington. I am sure that it was due to your efforts that my claim, even in part, was granted.

I assure you that I shall call on you again if the need arises, and once again I say "Thanks."

Yours sincerely,

CARL BOURGEOIS.

DENHAM SPRINGS, LA.

Hon. JAMES H. MORRISON.

DEAR MR. MORRISON: I could never tell you just how much I appreciate what you did to help me.

Many, many thanks.

Respectfully,

CHARLES D. FELDER.

LACOMBE, LA.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR MR. MORRISON: I'm sorry for delaying in thanking you for your help in my obtaining my compensation for my service-connected disability.

That was the second time that you helped me in obtaining help in my past life. And, therefore, you have proved to me that you are willing to help the citizens of your district even though you don't know us personally.

You can depend on me in helping you in any way that I can in this community.

Let me express my thanks again, and wish you the best of luck in the future.

Very truly yours,

DANIEL J. HAYDEL.

Mr. Speaker, in representing the people of the Sixth District, I have at all times tried to assist the workingman better his condition, and I have voted for all constructive legislation in his behalf. I have had labor organizations and individual working men and women call upon me for assistance on many occasions and I would like to present the following letters showing some of my efforts in their behalf:

LOUISIANA STATE FEDERATION OF LABOR,
Baton Rouge, La.

Hon. JAMES H. MORRISON,
Congressman, Sixth Louisiana District,
House Office Building,
Washington, D. C.

My DEAR CONGRESSMAN: I wish to express thanks and appreciation for the interest and assistance rendered in behalf of Mr. P. L. Bauer, employee of the United States Post Office Department, Baton Rouge.

In accordance with the decision of the United States Civil Service Commission, as contained in the report submitted to Mr. Bauer by you, it is very pleasing to note his restoration to duty status and pay in the position from which he was demoted.

The satisfactory adjustment of the grievance as provided in the decision rendered in favor of Mr. Bauer was due, in no small part, to the activities of your office in his behalf. It merits our humble thanks and appreciation.

With best wishes, I am

Sincerely,

E. J. BOURG,
Secretary-Treasurer.

NATIONAL ASSOCIATION OF
RETIRED CIVIL EMPLOYEES,
Washington, D. C.

Hon. JAMES H. MORRISON,
Member, Post Office and Civil
Service Committee,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN MORRISON: I wish to take this opportunity to express the sincere gratitude of our officers, our executive committee, and our 73,000 members for the cooperation and invaluable assistance you rendered us in promoting our legislative program during the 2d session of the 83d Congress. We have received innumerable telegrams, telephone calls, and letters expressing deep appreciation of our members in the 48 States.

Today we received advice that H. R. 7785, which makes the temporary annuity increases permanent, has been signed by the President. It will be a great help, especially to those retirees who receive small annuities. We are grateful to you, as a member of the Post Office and Civil Service Committee, for your continued interest in the welfare of civil-service retirees.

Our legislative committee, Marcellus C. Sheild, Addison T. Smith, and Thomas J. Fitzgerald, join me in extending our sincere thanks.

Sincerely,

FRANK J. WILSON,
President.

N. A. L. C., No. 4222,
Baton Rouge, La.

Hon. JIMMY MORRISON,
House of Representatives,
Washington, D. C.

DEAR MR. MORRISON: Please accept this expression of sincere gratitude as coming from local No. 4222, National Association of Letter Carriers, AFL affiliated, for the very and most helpful role you played in securing the full appropriation for the Baton Rouge Post Office.

In behalf of such action we are eager to assist and cooperate when and where possible.

Yours truly,

SHERMAN E. JACKSON,
President.

WOMEN'S AUXILIARY TO NATIONAL
FEDERATION OF POST OFFICE CLERKS,
Monroe, La.

Whereas Hon. JAMES H. MORRISON worked so diligently to defeat the Fry report and secured other benefits for the post office employees: Therefore be it

Resolved at this 12th Annual Convention of the Woman's Auxiliary to the Louisiana State Federation of Post Office Clerks, That we go on record as of this 29th day of May 1954, thanking Mr. MORRISON for his participation in the committee's recommendation of H. R. 9245.

Mrs. BETTY HOFFMAN,
President.

Mrs. HELEN BOGUE,
Secretary.

INDEPENDENT INDUSTRIAL
WORKERS' ASSOCIATION,
Baton Rouge, La.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR JIMMY: We are happy to inform you that we now have phone service in our union hall. We wish to thank you for helping us to secure this service. Our phone was installed July 25, 1955. Let us again say we appreciate the prompt way you approached this problem.

Yours truly,

LAWSON C. LOTT,
President.

NATIONAL ASSOCIATION
OF LETTER CARRIERS,
Washington, D. C.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN MORRISON: On behalf of the National Association of Letter Carriers, we want to extend our thanks to you for your vote against suspension of the rules to pass H. R. 4644, the postal pay bill, on Monday, March 21. We believe that the House bill requires a few modest amendments to make it equitable. Your vote on March 21 will make it possible for Members of the House to offer amendments to improve the bill.

The postal employees could not accept the original bill, but the bill has been considerably improved in committee, and we believe, with the favorable consideration of the Moss amendments that will be offered on the floor of the House of Representatives, the legislation should be acceptable to everyone.

We appreciate very much your splendid support and can assure you that all the members of the National Association of Letter Carriers realize the fact that your vote was in favor of a proper pay increase. You are

certainly one of the best friends the letter carriers have.

Sincerely,

W. C. DOHERTY,
President.

THE SEAFARERS INTERNATIONAL UNION,
New Orleans, La.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

SIR: My absence from the port of New Orleans has not allowed me to contact you at an earlier date, but I would like to take this opportunity to thank you for your splendid cooperation in the matter of the United States Public Health Service hospitals' appropriation.

My sincerest thanks is extended.

Very truly yours,

LINDSEY J. WILLIAMS,
Atlantic and Gulf District Representative.

RETIRED FEDERAL EMPLOYEES ASSOCIATION OF NEW ORLEANS,
New Orleans, La.

Hon. JAMES MORRISON,
Member of Congress,
House Office Building,
Washington, D. C.

MY DEAR CONGRESSMAN: At the last regular meeting of the Retired Federal Employees Association of New Orleans, I was instructed to convey to you the thanks and appreciation of the entire membership, for your untiring work in obtaining the legislation which will give an increase in the annuities paid to retired Federal employees. We feel that it was your timely action in introducing your bill, which finally led to Congress granting the increase.

I also add my thanks and appreciation, personally, for your action in this matter, and for favors granted.

Wishing you health and prosperity, I am

Yours very sincerely,

H. G. RICHEY,
Chairman, Legislative Committee.

Mr. Speaker, as I have shown previously, the various individuals and groups that I have helped, I would like to point out the fact that I have helped all groups and any and all individuals who have called on me from the Sixth District for my aid and assistance as their Congressman. The following letters will give you somewhat of an idea of the varied and different kinds of requests that I have received:

THE CITY OF BATON ROUGE AND PARISH OF EAST BATON ROUGE,
Baton Rouge, La.

Congressman JAMES H. MORRISON,
House Office Building
Washington, D. C.

DEAR JIMMY: Acknowledgment is made of your telegram informing us of the pleasant decision rendered by the Federal Communications Commission.

The actual construction permit was received from them this date. The only thing that now remains for us to do is to get our equipment in operation as soon as it has been received.

Again, may I say many, many thanks, Jimmy, for the assistance that was performed in a normal Morrison manner and, among others, one reason you have so many friends worldwide. Needless to say that if and when you need assistance on this end, I'll give it to the limit of my ability.

With best personal regards to you and your family, I am

Sincerely yours,

BURREL S. FRIDGE,
Assistant Director, Department of Public Works.

HOLDEN, LA.

Hon. JAMES H. MORRISON,
Congressman,
Washington, D. C.

DEAR MR. MORRISON: Our Holden rural delivery route 1 is now in operation and all of us who receive its service are very glad to have it.

We feel that had it not been for your efforts in our behalf we might not now have the route and might never have got it.

All of us send you our hearty thanks for these efforts on your part.

With best regards and good wishes,

Sincerely yours,

J. H. RUSSELL.

LOUISIANA NATIONAL BANK,
Baton Rouge, La.

Hon. JAMES H. MORRISON,
Member of Congress,
House Office Building,
Washington, D. C.

DEAR MR. MORRISON: Thank you for your very nice letter of October 21 along with the enclosures attached thereto.

Your kind assistance and cooperation in this matter is very greatly appreciated by the Baton Rouge chapter of American Institute of Banking.

Very truly yours,

C. S. GAIENNIE, Jr.,
Manager, Personal Loan Department.

FRANKLINTON, LA.

Hon. JAMES H. MORRISON,
Congressman, Sixth District,
Hammond, La.

DEAR MR. MORRISON: I wish to take this opportunity to again thank you for the favor I recently asked of you, and you so promptly and graciously obliged. This favor meant a lot to me, and I hope I will be able to return this favor to you at some future date. I will assure you that I will support you in any future political campaigns as I have in the past, except more vigorously.

Again thanking you, I am

Very truly yours,

RUFUS W. BREEDEN.

BOGALUSA, LA.

Congressman JIMMY MORRISON,
Washington, D. C.

DEAR CONGRESSMAN MORRISON: I want to take this means of thanking you for your efforts in assisting me in getting a job as a teacher overseas. On May 24, I was notified of this appointment. The place of duty is Japan.

This act of service you rendered shall always be remembered.

Trusting that you shall be a successful candidate in the forthcoming election, I remain

Yours truly,

CARRIE L. TEEL.

MAGAZINE LUMBER CO.,
Bogalusa, La.

JAMES H. MORRISON,
Member of Congress, House of Representatives, Washington, D. C.

DEAR MR. MORRISON: we have your letter of April 28, sending us a list from the Glass Manufacturers Association, for which please accept our thanks.

Your cooperation in this matter is greatly appreciated, and with kind personal regards, we are,

Yours very truly,

WILLIAM DENNIS.

STATE OF LOUISIANA,
DEPARTMENT OF REVENUE,
Baton Rouge, La.

Hon. JAMES H. MORRISON,
Member of Congress, House Office Building, Washington, D. C.

DEAR REPRESENTATIVE MORRISON: I am pleased to be able to advise you that I have been notified by the postmaster here that mail collections for the Capitol Annex Building will be continued as in the past.

Your efforts in this matter are sincerely appreciated.

With kindest regards, I am,

Respectfully,

RUFUS W. FONTENOT,
Collector.

BATON ROUGE, LA.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.:

Re E. D. Brewington. Due to illness am late in expressing my sincere gratitude for favor granted. He seems to be the man for the job. You, as always, never failed again. Thanks a lot. You literally kept the wolf from our door and paved our way to happiness. I hope some day we may be able to tell you just what your help meant to us.

Sincerely,

BEULAH OLIVIER BREWINGTON AND HUSBAND.

POLICE TRAINING ACADEMY,
POLICE DEPARTMENT,
Baton Rouge, La.

Congressman JAMES H. MORRISON,
Sixth District, Hammond, La.

DEAR CONGRESSMAN MORRISON: This is to acknowledge receipt of your letter and the copy of your telegram to Maj. Gen. Raymond H. Fleming in reference to the use of Army surplus rifles in the police academy. General Fleming's aide telephoned me and assured me that he would do everything possible to secure these rifles for us.

Both Chief Arrighi and I are deeply appreciative of your prompt response to our request for assistance in this matter. I would like at this time to extend a personal invitation to you to visit the police training academy on your next trip to Baton Rouge. If you will let me know when you are coming, I would like to have you visit us and talk to our cadet trainees on a subject of your own choosing.

Thanking you again for your assistance and with kindest personal regards, I am

Sincerely yours,

JAMES M. BANNISTER,
Captain.

Rougon, La.

Hon. JAMES H. MORRISON,
House Office Building, Washington, D. C.

DEAR MR. MORRISON: In December, I wrote you concerning back pay on Army allotment from Sfc. William M. Harris, RA338466825. Today, I received a check from the United States Army Finance Center, Indianapolis, Ind., for $366.30 (March through July).

I had requested this pay in one form or another for 8 months. I am extremely grateful to you for this immediate action from the Army. I also appreciated your prompt and understanding reply to my letter. I thank you most sincerely for all you have done for me.

With best wishes always, I remain,

Very truly yours,

BEATRICE R. HARRIS.

WINKLER MANUFACTURING CO., INC.,
Baton Rouge, La.

Congressman JAMES H. MORRISON,
Sixth District, Louisiana, House Office Building, Washington, D. C.

DEAR CONGRESSMAN MORRISON: Please accept our sincere thanks for your quick response to our request for a map showing the location of all permanent-type service bases in the United States.

We received the map this date and it will be of great help to us in that we now sell our products to many of these bases and hope to contact the remaining installations.

We are grateful to you for your immediate action.

Again, many thanks.

Very truly yours,

WINKLER MANUFACTURING CO., INC.

WINBOURNE AVENUE BAPTIST CHURCH,
Baton Rouge, La.,

Congressman JIMMY MORRISON,
House of Representatives,
Washington, D. C.

DEAR JIMMY: In behalf of the church, I am taking this privilege of saying "Thank you" for helping us in securing the steel for the building of our church.

I have enjoyed the privilege of coming to know you and that of having fellowship with you. In the future I hope to be meeting you again on different occasions.

Again I would like to say that we certainly appreciate the help you gave us.

Sincerely,

R. P. BUTLER.

LOUISIANA STATE MEDICAL SOCIETY.

Hon. JAMES H. MORRISON,
House Office Building,
Washington, D. C.

DEAR REPRESENTATIVE MORRISON: We wish to thank you for your interest in our behalf as regards the reinsurance bill, H. R. 8356, and to assure you we appreciate your cooperation at all times.

Again thanking you, and with my kindest personal regards, I am,

Very sincerely,

C. GRENES COLE, M. D.

STATE OF LOUISIANA,
STATE FIRE MARSHAL,
New Orleans, La.

Hon. JAMES H. MORRISON,
House Office Building, Washington, D. C.

DEAR JIMMY: I have your letter of May 18 and want to thank you very much for your fine support in getting Maj. Gen. Joseph F. Carroll to be a speaker at our arson and fire prevention conference here July 13–16.

We received a telegram from the general last week accepting our invitation and saying that he would be away from his office for about 2 weeks, but would get in touch with us as soon as he returns. We have scheduled him on our program for 9 a. m. Friday, July 16.

Again, many thanks for your fine help.

Sincerely,

SIDNEY S. BOWMAN,
State Fire Marshal.

BATON ROUGE, LA.

Hon. JAMES H. MORRISON,
Member of Congress,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN MORRISON: Thank you very much for your letter of September 8.

Your interest and assistance with reference to my problem are most sincerely appreciated.

Respectfully yours,

HUGH REYNOLDS,
LSU Student.

ST. THERESA CHURCH,
Gonzales, La.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN MORRISON: This is to thank you for mailing to us the list of building projects for which application has been approved for immediate construction with allotment of controlled materials. In the meantime, we have now received from the United States Department of Commerce, National Production Authority, the necessary certificates.

We are grateful for the interest you have given to this matter and shall appreciate your continued help and assistance during the construction period.

With best wishes, I am

Sincerely yours,

REV. EDMUND GAULRAPP,

LOUISIANA BANKERS' ASSOCIATION,
Lake Providence, La.

Hon. JAMES H. MORRISON,
House of Representatives,
Washington, D. C.

DEAR MR. MORRISON: Please let me extend the sincere thanks of this association for the work you have done in connection with the omnibus public-works bill which includes the old river closure project. This legislation is most important to our State; accept our congratulations for a job well done.

With all good wishes, I am

Sincerely yours,

C. RUPERT EVANS,
President.

TANGIPAHOA PARISH LIBRARY,
Amite, La.

Hon. JAMES H. MORRISON,
House Post Office and Civil Service Committee, Washington, D. C.

DEAR SIR: I would like to thank you very much for your action in striking from the postal-rate-increase bill section 5, which would have increased the postal rate on books. The proposed increase would have affected library service and public enlightenment to no small degree.

Sincerely,

ADELE BODKER,
Librarian.

LOUISIANA VOCATIONAL ASSOCIATION,
Baton Rouge, La.

Hon. JAMES H. MORRISON,
House Office Building,
Washington, D. C.

DEAR SIR: I wish to convey to you the appreciation of our members for the excellent job you did in Washington in our behalf for vocational education.

Very sincerely yours,

ONA SMITH, *President.*

STATE OF LOUISIANA,
BATON ROUGE TRADE SCHOOL,
Baton Rouge, La.

Hon. JAMES H. MORRISON,
Congressman from Louisiana,
Hammond, La.

DEAR SIR: I wish to express my deep gratitude and admiration for the wonderful assistance you gave to the cause of vocational education last spring when the George-Barden Act appropriation was under threat of being cut by Congress. It is a source of great satisfaction to the vocational education people all over the Nation to know that we have such a capable Representative in Congress on the alert to defend the cause of vocational education. It has been possible to maintain the former level of training for large numbers of industrial workers, thereby conserving talents and the ability to efficiently use our natural resources.

The prompt and personal attention you gave this matter in response to our request exhibits the highest ability and integrity of which the people of our lovely State are justly proud.

Yours very truly,

JEROME BOWLING, Jr.,
Director.

Mr. Speaker, I say again, as I said before, that it is a great honor and privilege to represent the people of the Sixth District of Louisiana, here in the Nation's Capital. The fact they have elected me each time by a larger majority when I was opposed and having been honored by being unopposed for 2 terms, I feel that I am most fortunate in representing them as their Congressman. Perhaps, the faith that these people have in me has given me the incentive and determination to accomplish the things that I have outlined here. This is more or less a report to the people. I certainly hope that I will have the honor and privilege of continuing to represent the people of the Sixth District of Louisiana because deep down in my heart I know there are no more worthy or finer people in the whole world.

MUTUAL SECURITY ACT OF 1954

Mr. RICHARDS submitted a conference report and statement on the bill (H. R. 11356) to amend further the Mutual Security Act of 1954 and for other purposes.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered, was granted to Mr. MORRISON, for 1 hour, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MORRISON and to include a letter from a constituent.

Mr. KILDAY and to include certain tables in remarks he expects to make today in the Committee of the Whole.

Mr. JOHNSON of Wisconsin.

Mr. GENTRY and to include extraneous matter.

Mr. BOW in three instances and to ininclude extraneous matter.

Mr. HESELTON and to include extraneous matter.

Mr. THOMPSON of Louisiana (at the request of Mr. PRIEST) and include a letter.

Mr. ELLIOTT to revise and extend the remarks he made in the Committee of the Whole on the bill H. R. 11695, and include extraneous matter and tables.

Mr. MCCORMACK to revise and extend the remarks he made in the Committee of the Whole this afternoon and include extraneous matter and tables.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3556. An act to amend Public Law 551, chapter 616, 83d Congress, 2d session; to the Committee on Interior and Insular Affairs.

S. 3658. An act to amend the act of May 11, 1938 (52 Stat. 347) so as to authorize, by agreement, the subsurface storage of oil or gas in restricted Indian lands, tribal or allotted; to the Committee on Interior and Insular Affairs.

S. 3926. An act to authorize the Secretary of the Interior to charge for special services to purchasers of timber from Indian lands; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 6218. An act to authorize payment by the Federal Government of the cost of making certain studies necessary to assist the Menominee Tribe of Indians to prepare for the termination of Federal supervision;

H. R. 9280. An act relating to the plan for control of the property of the Menominee Indian Tribe, and for other purposes; and

H. R. 9974. An act to amend section 1 of the act entitled "An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin," approved March 28, 1908, as amended.

ADJOURNMENT

Mrs. PFOST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 6 minutes p. m.) the House adjourned until Monday, July 9, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2048. A letter from the chairman, National Labor Relations Board, transmitting the 20th Annual Report of the National Labor Relations Board for the fiscal year ended June 30, 1955, pursuant to section 3 (c) of the Labor Management Relations Act, 1947; to the Committee on Education and Labor.

2049. A letter from the chairman, National Labor Relations Board, transmitting a list containing the names, salaries, and duties of all employees and officers in the employ or under the supervision of the National Labor Relations Board for the year ended June 30, 1955, pursuant to section 3 (c) of the Labor Management Relations Act, 1947; to the Committee on Education and Labor.

2050. A letter from the director, Bureau of the Budget, Executive Office of the President, transmitting a plan for works of improvement which has been prepared, pursuant to section 5 of the Watershed Protection and Flood Prevention Act, Public Law 566, 83d Congress, and Executive Order No. 10654 of January 20, 1956; to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON: Committee on Appropriations. H. R. 12138. A bill making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes; without amendment (Rept. No 2638). Referred to the Committee of the Whole House on the State of the Union.

Mr. BUCKLEY: Committee on Public Works. H. R. 12080. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; without amendment (Rept. No. 2639). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 11833. A bill to amend the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938 to provide for a Great Plains conservation program; without amendment (Rept. No. 2640). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee of conference. H. R. 9893. A bill to authorize certain construction at military installations, and for other purposes (Rept. No. 2641). Ordered to be printed.

Mr. BONNER: Committee on Merchant Marine and Fisheries. House Joint Resolution 614. Joint resolution to authorize the construction of two prototype ships, and the conversion of one Liberty ship, by the Maritime Administration, Department of Commerce; with amendment (Rept. No. 2642). Referred to the Committee of the Whole House on the State of the Union.

Mr. RICHARDS: Committee of conference. H. R. 11356. A bill to amend further the Mutual Security Act of 1954, as amended, and for other purposes (Rept. No. 2643). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON:

H. R. 12138. A bill making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

By Mr. HARRISON of Nebraska:

H. R. 12139. A bill to amend the Soil Bank Act so as to permit payment in kind as soon as the producer has qualified therefor; to the Committee on Agriculture.

By Mr. THOMPSON of New Jersey:

H. R. 12140. A bill to encourage the extension and improvement of voluntary health prepayment plans or policies; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYLE:

H. R. 12141. A bill for the relief of the Aetna Casualty & Surety Co.; to the Committee on the Judiciary.

By Mr. YATES:

H. R. 12142. A bill for the relief of Dr. John W. Gruen; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Galloway Calhoun

EXTENSION OF REMARKS
OF
HON. BRADY GENTRY
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 7, 1956

Mr. GENTRY. Mr. Speaker, the Honorable Galloway Calhoun, of Tyler, Tex., past Grand Master of Masons of the State of Texas, past Imperial Potentate of the Shrine of North America, President and Chairman of the Board of Trustees of the Shriners Hospitals for Crippled Children, was elected by the board of directors of Indiana Technical College, Fort Wayne, Ind., to receive an honorary degree of Doctor of Humanities which was to have been conferred upon him in person at the commencement on May 20, 1956, when the eminent scientist, Charles F. Kettering, was the speaker.

Because of illness Dr. Calhoun could not attend. His friend, Dr. George E. Stringfellow, of West Orange, N. J., longtime business associate of the late Thomas Alva Edison, member of the imperial divan of the Shrine and a member of the board of the college, received the citation in behalf of Dr. Calhoun. Dr. Stringfellow was authorized by the board to present the citation to Dr. Calhoun at the annual meeting of the Texas All State Shrine Association in Houston on May 26, on the assumption that Dr. Calhoun would be able to be present. Dr. Calhoun had not sufficiently recovered, and the Governor of Texas received the citation from Dr. Stringfellow for Dr. Calhoun.

In presenting the citation, Dr. Stringfellow read the following message from Dr. Archie T. Keene, president of Indiana Technical College:

Mr. Calhoun, because you realize that to be effective, any efforts in behalf of humanity must be rooted in unflinching personal integrity; because you know that prosecution of the evil-doer should be undertaken only by the pure of heart and that the strength for such efforts comes from rectitude and simplicity; because you realize that the sick and the weak give to the strong and the able an opportunity to develop gentleness, humility, and gratitude; and because your own concern and love for the physically unfortunate have grown to the place where you are willing to sacrifice your own vitality and talents for their welfare—which is the ultimate in unselfishness—Indiana Technical College, upon the approval of its board of directors, is honored to pay tribute to you and through the authority in it vested by the State of Indiana confers upon you the degree, doctor of humanities (honoris causa), with all of the rights, titles, privileges, and obligations appertaining thereto.

ARCHIE T. KEENE,
President.

In receiving the citation for Dr. Calhoun, Governor Shivers said:

Thank you, George Stringfellow, President Kendall Baker, of the Texas Shrine Convention, imperial sirs of the Imperial Council of the Shrine for North America, distinguished guests, ladies and nobles of the Mystic Shrine.

It is a proud moment for me that I have been selected to receive this honorary degree of doctor of humanities from Indiana Technical College, on behalf of our great and good friend, Galloway Calhoun, who cannot be with us this evening because of illness.

We can say to all of you that we truly love Galloway Calhoun, and in his behalf we express our gratitude for this recognition. No citizen of Texas has been more interested

in his fellow man than has Galloway Calhoun. He has contributed generously of his time and talents, as well as his economic resources, to make this Nation secure in its freedoms, more able to cope with its ever increasing problems, and to create a better feeling among all people. I know I can express his deep regrets because of his inability to be with us here tonight. His contribution to the great humanitarian work of the Shrine for North America has been invaluable.

His legion of friends are saying a prayer for his speedy recovery, and in his behalf I am privileged to say thanks many times over to you, and to the members of the board of Indiana Technical College and all its faculty, for this additional honor which has come his way.

Mr. Speaker, the people of all walks of life in my congressional district and the State of Texas feel that they themselves are honored through this award to a great American citizen by one of our country's outstanding educational institutions. We who know Galloway Calhoun intimately realize full well that it is a worthy and most deserved tribute to one who, throughout his life, has given his utmost in service to humanity.

Status of Forces Agreements

EXTENSION OF REMARKS
OF
HON. FRANK T. BOW
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 7, 1956

Mr. BOW. Mr. Speaker, the defenders of the NATO Status of Forces Agreement and similar agreements repeatedly point to the reciprocal features of the agreements as justification for their term. They ignore the fact that without some measure of equality there can scarcely be complete reciprocity. This means equality in the number of men affected, equality of justice, equality in the facilities available for use and other physical assets.

I have pointed out before that we are not interested in having the right to try foreign servicemen in our courts. The only ones who consider this an advantage are those who picture a serviceman from another nation committing a terrible crime. Only three foreign servicemen have been subjected to any charges in our courts, whereas over 10,000 of our men have been accused in foreign courts. That number has been increased since last November when the count was made, but recent statistics are not yet available. We know that there are only a few thousand foreign servicemen affected by the agreements, whereas hundreds of thousands of Americans are deprived of important rights through the surrender of criminal jurisdiction to foreign nations.

Little attention has been paid to the failure of the reciprocal provisions in other respects, such as who furnishes offices, or pays for such offices and office supplies and equipment in NATO offices here and abroad, who is paying for the use of buildings, grounds, facilities, or services by our troops abroad, who is the prime target for claims of damage by civilians in foreign countries.

Under article IX of the NATO Status of Forces Agreement a member of a foreign force or a civilian component thereof, whose country did not have adequate medical or dental facilities here, would be entitled to receive medical and dental care, including hospitalization, comparable to that furnished to our own personnel and dependents. On June 19 of this year we passed a bill to indemnify M. Sgt. Harold LeRoy Allen for the cost of medical services and hospitalization amounting to $672.25 for his dependent daughter during her illness in Canada. Although Sergeant Allen had been assured by Canadian authorities at the time of the illness of his daughter that the services would involve no expense to him it was later determined that the Status of Forces Agreement did not relieve him of these charges. The Queens Regulations governing the Canadian Army provide that dependents shall not be provided medical care at public expense, and Canada was not obliged under the status agreement to give more to an American dependent than was given to a Canadian dependent. Of course a Canadian dependent would receive such service and hospitalization here without question.

The United States furnishes complete medical and hospital care for the dependents of servicemen stationed in numbers in foreign countries and, if dependents of servicemen are in need of medical care beyond the scope of the facilities, they are ordinarily returned to this country for treatment in a service hospital. If this were not the case, the failure of the agreement to carry out its claimed reciprocal features would be even more obvious.

Status of Forces Agreements

EXTENSION OF REMARKS
OF
HON. FRANK T. BOW
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 7, 1956

Mr. BOW. Mr. Speaker, the perils of double jeopardy to which our servicemen may be subjected in foreign courts by reason of the various status of forces agreements have not generally been noticed. We know that convicted servicemen have been reluctant or fearful to prosecute an appeal because of the possibility that thereby they may have greater punishment imposed by the higher court, but it has not been considered that under the guise of appeal the accused servicemen is actually subjected to a second trial for the same offense.

Under the common law a second trial for an offense was forbidden whether or not the accused had suffered punishment, or had been acquitted or convicted. This rule was carried into the fifth amendment to our Constitution which provides that no person shall be twice put in jeopardy of life or limb for the same offense. Many years ago the Supreme Court held that the protection against double jeopardy prevented an appeal by the Government after a verdict of acquittal.

It is true that there have occasionally been appeals in the courts of some States after an acquittal in a criminal trial, but these have been primarily to clarify or establish some rule of law that was in question. It is only in foreign courts where we have appeals of convictions by the prosecution which obviously arise out of caprice or prejudice of the prosecutor. These officials think they are better qualified to assess punishment than the court.

Last April in France an airman was sentenced to 2 months' imprisonment and 20,000 francs' fine for assault and battery. The public prosecutor almost immediately notified the Staff Judge Advocate that he had filed an appeal because in his opinion the sentence was not severe enough. It has already been demonstrated that the higher courts of France construe any appeal by the prosecutor as an official demand for increased penalty.

The Japanese are also addicted to this practice, since generally their system of law follows the civil code. It has recently been disclosed that 2 marines who were earlier sentenced, respectively, to 2 and 3 years' imprisonment, which was suspended, were tried again because the prosecution was dissatisfied with these sentences and appealed the convictions. Fortunately for them the same sentences were pronounced by the second court.

An appeal in Japan amounts to a second trial. The court has considerable latitude in reopening the case and considering new evidence. The court may impose a different sentence. This is double jeopardy. It is pure subterfuge to say that the proceedings from the indictment and trial through the last appeal is only one trial.

Even though a serviceman has been tried for an offense in a foreign court the military authorities, under the NATO Status of Forces Agreement, may try him also for any violation of rules of discipline arising from the same acts. This is an apparent double jeopardy which would be avoided if the accused had been tried in the first instance by court-martial and all degrees of the offense had been considered at one trial.

Status of Forces Agreements

EXTENSION OF REMARKS
OF
HON. FRANK. T. BOW
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 7, 1956

Mr. BOW. Mr. Speaker, the Federal Republic of Germany became a member

of the North Atlantic Treaty Alliance on May 5, 1955. This was coincident with the ratification of the agreement restoring sovereignty to West Germany. The NATO Status of Forces Agreement provides that it shall be open to accession on behalf of any state which accedes to the North Atlantic Treaty. Notwithstanding this, the status of troops in West Germany is determined by agreements which were in effect prior to May 5, 1955, were then extended by agreement for 1 year, and which have been again extended pending agreement among the countries most concerned.

The negotiations which are said to be continuing are clothed in security, but it is not difficult to speculate why the various countries may be reluctant to submit their troops to the criminal jurisdiction of the others. They know the systems of laws of those countries and the dungeons used to imprison culprits. They have observed the procedures in trials. They are aware of the animosities that frequently motivate prosecutions. They are exhibiting a degree of caution which unfortunately our own diplomatic representatives did not exercise in negotiating the original NATO Status of Forces Agreement, the Japanese agreement and many similar agreements affecting our servicemen.

The hearings before the House Foreign Affairs Committee disclosed that neither the State Department or the Defense Department in their negotiations had given any thought to the laws, procedure or penalties imposed in other countries. No heed was paid to the centuries old dungeons that might be the place of imprisonment of an unfortunate culprit. The blithe way in which our diplomats surrendered the constitutional rights of our servicemen, while maintaining their own immunity, will always remain a blot on the escutcheon of diplomacy.

The representatives of those countries now marking time in extending the NATO Status of Forces Agreement to Germany were not unwilling to enter into the original agreement. They knew perfectly well that in spite of the pretended reciprocal features of the agreement that the United States servicemen would be the only ones to suffer. The fact that this surrender of criminal jurisdiction is really a one way street as far as we are concerned is now confirmed by the unwillingness of the countries concerned to expose their own men to the perils of such reciprocity.

I trust that this reluctance of the countries concerned to submit to each others' style of justice will persevere so that we may thereby continue to retain the jurisdiction over our own servicemen in Germany that we now have. I recall the statment of a former attorney for the courts of the Allied High Commission in Western Germany, which appeared in the December 1954 issue of the American Bar Association Journal, as follows:

One must visit a German courtroom to understand how different their procedure is from ours. The state's attorney sits at the bench with the three judges while the defense attorney has little participation except to take notes of the proceedings for possible appeal. All questioning is done by the judges who have before them the police dossier of investigation and interrogation. This in itself is a predetermination of guilt by a police magistrate. There is no right against self-incrimination and hearsay evidence is admissible. It is much easier to convict in a German court than in an American because of the difference in procedure and theory which boils down to a presupposition of guilt rather than innocence.

A Letter to My Constituents

EXTENSION OF REMARKS
OF
HON. T. A. THOMPSON
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 7, 1956

Mr. THOMPSON of Louisiana. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter to my constituents:

HOUSE OF REPRESENTATIVES,
Washington, D. C., July 23, 1956.

MY DEAR FRIEND: I am taking this means of asking you for your vote and support in my reelection. During the past 4 years I have worked for you in Congress on a full-time basis. I have found the experience gained in my 18 years' service in State government prior to coming to Congress of much help in my duties here. I have worked closely with our Louisiana delegation in Washington and sincerely believe that the last 4 years have been years of accomplishment.

Our district has received millions of dollars for flood control, soil conservation, watershed programs, and development of our rivers and harbors. Many new industries have come into our district because of our vast resources and friendly treatment by our people, and more industry will come. This means more and more jobs for our young men and women who will be able to remain at home instead of being forced to go to other places for employment.

I am happy to have had a part in development of a permanent Air Force base in our district. Lake Charles Air Force Base brings more money into the district than all of the industry in Lake Charles combined. This helps to raise the economy of our people. Also, Fort Polk has been reopened and made a permanent installation, and this has greatly helped the economy in the district. Increased acreage allotments have been accomplished for our farmers, as well as assistance in disposing of their surplus products.

Southwest Louisiana is one of the great areas of the United States. In the years ahead we will see developments that will astound the Nation. Sometimes it is difficult for our people to receive the attention from our Federal Government that is due them. I have spent my full time protecting your interests, and I assure you I shall continue to do so. We must continue to fight against those in Government who would rob us of our rights and privileges as a sovereign State.

There are many things to be done. Soon, under my recently enacted bill, the Government will begin a 5-year program to eradicate the water hyacinth from our streams. I have programs planned for disposal of surplus cotton and rice and other programs which will benefit all the people of our district.

As long as I am your Congressman your problems will be mine and you may be assured that my services will be available to you at all times. With our combined efforts, the Seventh District will flourish and its people will prosper.

I will never forget your help and your vote for me on election day, July 31.

Sincerely, your Congressman,
T. A. THOMPSON,
Member of Congress.

H. R. 11375 Will Boost Milk Consumption

EXTENSION OF REMARKS
OF
HON. LESTER JOHNSON
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 7, 1956

Mr. JOHNSON of Wisconsin. Mr. Speaker, since the passage of my bill, H. R. 11375, by the House, I have received some additional information on how my bill will increase the consumption of milk under the special school milk program.

Before I present this information, I wish to point out that under the present authority many agencies and institutions are not eligible to receive school milk unless the children are underprivileged and are on a public-welfare or charitable basis. We do not apply this discrimination to the milk received by elementary and secondary schools; therefore, I believe that the law should be amended to remove this discrimination from child-care centers, nursery schools, settlement houses, and other youth programs of a nonprofit nature such as summer camps, and so forth.

I have been informed that comparatively few child-care organizations in all of our States are eligible to receive milk under the present authority. For example, small-population States, such as Vermont, Utah, Wyoming, and Nevada, report that less than six organizations are eligible to receive milk under the present authority.

In the southeast States of North Carolina, Kentucky, Georgia, and Alabama the number of child-care agencies, organizations, programs that are eligible is estimated to be from 15 to 30.

Michigan estimates that only about 50 organizations—serving about 2,500 children—are eligible now to receive school milk. Minnesota estimates that it has only 25 organizations—serving 2,000 children—eligible under present authority.

Wisconsin, which has demonstrated considerable interest in the extension of the milk program to organizations other than schools, recently made a survey to determine the number of programs eligible under the present law. The results of the Wisconsin survey show that only 31 child-care institutions serving 4,600 children are presently eligible.

On the other hand, under my bill—H. R. 11375—it is estimated that 279 organizations or programs, serving approximately 85,000 children, will be eligible for school milk.

The present legislation excludes many organizations serving a very substantial number of children. These include the Boy Scouts, Girl Scouts, Camp Fire Girls, 4–H Clubs, WMCA, church groups, and summer camps operated by city recreation departments or park commissioners.

For example, 270 camps in Massachusetts now receive surplus foods; however, only 20 to 25 of these camps can qualify for the milk program under present authority. In the greater Boston area summer recreation programs serve some 50,000 children daily. While certain units in this Greater Boston program may qualify, the State agency does not wish to participate in the program except on a communitywide basis.

The same reaction is reported from Philadelphia where extensive recreation programs are operated for children from late spring through early fall.

Under H. R. 11375 all of these programs, agencies, organizations, and institutions would be eligible to participate in the special school-milk program.

I certainly must emphasize the fact that children are very active during the summer months. This is one time when they should have all the milk they can use for nutritional purposes. The broader authority for extension of the school-milk program under H. R. 11375 will certainly increase the consumption of milk, and it will provide children with nutritional food at a time when they need it the most.

Letter to My Constitutents

EXTENSION OF REMARKS
OF
HON. JAMES H. MORRISON
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 7, 1956

Mr. MORRISON. Mr. Speaker, under leave to extend my remarks in the RECORD I include a letter which I am sending to my constituents:

HOUSE OF REPRESENTATIVES,
Washington, D. C., July 1956.

MY DEAR FRIEND: I am writing this letter to ask for your vote and support in my reelection. Election day, as you know, is July 31 and your support will be deeply appreciated by me. I will also be deeply grateful if you can contact your friends, neighbors, and relatives and urge their support of my candidacy for reelection.

It has been my privilege and honor to be your Congressman for the past 14 years or 7 consecutive terms. I am extremely appreciative of the confidence that you have placed in me and also of the fact that you have elected me by a larger vote each time that I have come for reelection. With your generous support in the past, you were responsible for me being unopposed for the past two terms.

I have certainly tried in every way to justify your confidence by trying to assist each and every person who called on me regardless of their walk in life or political alinement. No problem has been too small nor none too large to receive my urgent attention. I think you will agree with me that I have tried to be one of the best Congressman that ever served the Sixth District.

I do not want to appear boastful as to my efforts but I do feel that by writing you this letter that it will enable me to let you know how extremely grateful I am to serve as your Congressman.

Your Congress has faced a multitude of difficult issues and problems during the past years. I have consistently voted for all measures that would aid the farmers, the old folks, the businessmen, the laboring man and the veterans and for the various bills that improve our security and standards of living.

I pledge to do everything within my power to continue to help you to remedy the troubles that beset you at this time and to improve your working and living conditions. You may therefore, rest assured that I shall continue to put forth my best efforts in your behalf.

I trust that my legislative experiences for the past 14 years and my record as your Congressman in these 14 years will warrant your continued consideration for your vote for my reelection July 31.

With kindest personal regards and best wishes, I am

Sincerely yours,

JIMMY MORRISON,
James H. Morrison,
Member of Congress.

P. S.—As I have said in the past, I want you to feel that at any time I can ever serve you in my capacity as Congressman, please do not hesitate to call on me. I am enclosing my remarks from a speech I made on the floor of Congress and hope that it will be of interest to you.

Best regards.

J. H. M.

Poliomyelitis Vaccination

EXTENSION OF REMARKS
OF
HON. JOHN W. HESELTON
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 7, 1956

Mr. HESELTON. Mr. Speaker, recent developments as to the increased production of the Salk vaccine has been most encouraging. And the results of vaccinations seem to be equally encouraging.

I hope very much that Secretary Folsom will be justified fully in his apparent opinion that no other legislation by Congress is required beyond the extension of authority already granted to June 30, 1957.

However, I think it is advisable to take this opportunity to make the record clear at a time when everyone anticipates an adjournment of Congress soon.

I quote the following paragraph from the report of the Committee on Interstate and Foreign Commerce on January 30, 1956:

The highest incidence of paralytic poliomyelitis for the United States as a whole occurs in the age groups below 20 and in pregnant women. These are the groups which are eligible to receive vaccinations with funds authorized in the act. Your committee is recommending no change in this limitation at the present time. Your committee has received information, however, which indicates that in some States the incidence of paralytic poliomyelitis and the severity of the cases is as great or greater in some age groups above 20 years. Your committee trusts that the Surgeon General and others responsible will review from time to time the voluntary national priority system now in effect in relation to experiences in the various States to determine whether the priority groups should be modified to include individuals in selected age groups above 20 years, and advise the Congress of any corresponding changes in this legislation which might be desirable.

The following is a release from the Department of Health, Education, and Welfare of July 2, 1956:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D. C., July 2, 1956.

Release of a total of 17,172,396 cubic centimeters of poliomyelitis vaccine during June, almost twice as much as ever before released in a single month, was announced today by the Public Health Service.

Of this amount, 6,192,891 cubic centimeters were released last Friday, June 29. Altogether 79,058,460 cubic centimeters have been released to date.

Commenting on the record production in June, Marion B. Folsom, Secretary of Health, Education, and Welfare, said:

"I am very pleased with the rapid increase in vaccine production in recent months, and with what this means in increased protection for children against polio.

"I am advised that there are 53 million persons in the top priority group of children under 15 and expectant mothers. Enough vaccine has now been released to provide two injections for three-fourths of this group.

"The period of acute shortage of vaccine now appears to be over in many parts of the Nation. In areas where demand still exceeds supply, we may look forward to an easing of the shortage soon if production continues at the present rate.

"I urge parents, physicians, and health officials to cooperate in making maximum use of the increasing supply of vaccine as it becomes available. We should all remember that vaccination in July may prevent polio in August or September, the months when the danger is greatest."

The record production in June increased the total released during the past 3 months to 35,249,256 cubic centimeters. This compares with slightly less than 14 million cubic centimeters released during the previous 3 months of January, February, and March, and less than 30 million cubic centimeters released during the 9 months of 1955 after the program started in April 1955.

Dr. Leonard A. Scheele, Surgeon General of the Public Health Service, recommended that States extend their priority groups for the vaccine to include all children under 20 as soon as the supply of vaccine in the State warrants such action.

"In States where demand for vaccine for the 0 to 15 age group continues high, it is important to satisfy that demand before broadening the priority group," he said. "However, in States where there is a lag in demand for this group, every effort should be made to obtain maximum use of the vaccine before the peak of the polio season by extending priorities."

Dr. Scheele pointed out that this procedure was recommended by the National Advisory Committee on Poliomyelitis Vaccine last April. The committee at that time recommended that States concentrate their polio programs on children under 15 and expectant mothers until maximum coverage of this group has been achieved. The Public Health Service, in accepting the committee's recommendation, said that the States should immediately broaden their priority group when this goal was reached. There are about 53

million persons in the priority group of 0 to 15 and pregnant women, and about 65 million persons would be included as the age limit is extended to 20.

Of the 6,192,891 cubic centimeters of vaccine released June 29, the Public Health Service reported that Eli Lilly & Co. had produced 4,143,501 cubic centimeters and 2,049,390 cubic centimeters were produced by the Pitman-Moore Co. Except for 882 cubic centimeters which are licensed for export, all of this supply goes to States and Territories for distribution through public agencies and commercial channels to private physicians.

The Public Health Service also reported that it is reallocating 744,192 cubic centimeters which had not been used by the States to which they were originally assigned. The areas and the amounts they turned back are: Alabama, 147,402 cubic centimeters; Arkansas, 33,300 cubic centimeters; American Samoa, 306 cubic centimeters; Canal Zone, 1,026 cubic centimeters; Idaho, 5,805 cubic centimeters; Mississippi, 33,138 cubic centimeters; Missouri, 146,844 cubic centimeters; North Carolina, 149,940 cubic centimeters; Puerto Rico, 135,945 cubic centimeters; Tennessee, 41,913 cubic centimeters; Texas, 44,892 cubic centimeters; and the Virgin Islands, 3,681 cubic centimeters.

Altogether, States and Territories have now been allotted 64,747,305 cubic centimeters; the National Foundation for Infantile Paralysis has received 13,732,134 cubic centimeters; 16,281 cubic centimeters have been licensed for export; and 562,740 cubic centimeters went into commercial channels before controls were established.

The attached table shows how much of the new and reallocated supply released June 29 will go to each State and Territory.

Distribution No. 33: Number of cubic centimeters (doses) of poliomyelitis vaccine available by States

	Number of cubic centimeters
Alabama	149,409
Arizona	45,639
Arkansas	88,155
California	479,637
Colorado	59,238
Connecticut	79,281
Delaware	14,364
District of Columbia	30,447
Florida	136,710
Georgia	171,324
Idaho	28,989
Illinois	345,492
Indiana	173,052
Iowa	108,756
Kansas	81,369
Kentucky	134,766
Louisiana	140,526
Maine	39,114
Maryland	105,714
Massachusetts	178,461
Michigan	298,809
Minnesota	134,145
Mississippi	111,609
Missouri	158,283
Montana	28,647
Nebraska	54,450
Nevada	8,388
New Hampshire	20,664
New Jersey	192,618
New Mexico	40,437
New York	538,182
North Carolina	198,999
North Dakota	29,826
Ohio	348,471
Oklahoma	93,501
Oregon	67,905
Pennsylvania	413,334
Rhode Island	28,926
South Carolina	112,302
South Dakota	30,384
Tennessee	148,365

Distribution No. 33: Number of cubic centimeters (doses) of poliomyelitis vaccine available by States—Continued

	Number of cubic centimeters
Texas	370,602
Utah	37,107
Vermont	15,957
Virginia	151,839
Washington	105,228
West Virginia	89,694
Wisconsin	151,488
Wyoming	13,527
Alaska	6,588
Hawaii	22,473
Puerto Rico	141,426
Virgin Islands	1,314
Canal Zone	1,800
Guam	2,358
American Samoa	1,521
Department of Defense	174,591
Total	6,936,201

I call particular attention to the sound recommendation by Dr. Schule that States extend their priority groups for the vaccine to include all children under 20 as soon as the supply of vaccine in the State warrants such action. I hope that the Department will use every effort immediately to assist the States and local communities in working out a satisfactory program and that it will not content itself with simply issuing bulletins and releases. I believed last January that its simple request for a blanket extension of time left a great deal to be desired. During the 4 months since then events have led me to believe that the Department should have requested by now an opportunity to report to Congress and advise the legislative committees as to what, if anything, should be done further by Congress before its adjournment. There is still time for that but it is running out fast. I hope the Department will take such action soon as may be satisfactory to itself, to the Congress, and to the American people in the weeks between adjournment and next January.

I include the additional views I submitted on H. R. 8704:

ADDITIONAL VIEWS ON H. R. 8704

I did not vote to report this bill favorably.

I am convinced that Public Law 377 of this Congress, the Poliomyelitis Vaccination Act of 1955, should be extended beyond the terminal date, February 15, 1956. But I am not convinced now that it should be extended to July 1, 1957, without more consideration of certain facts. Since I have no doubt that it will be extended to that date, I believe I should state briefly the matters I think should be considered further by the Department, this committee, and Congress prior to July 1, 1957. I know that this committee has every intention of continuing its interest in the administration of the program and I understand that reference will be made to that in the report.

This committee and Congress wisely set the present terminal date at February 15, 1956, so that this new and vitally important program would be reviewed early in this session. The Secretary of Health, Education, and Welfare recognized this in his letter transmitting the draft of this bill stating that it was the congressional intention "to provide an opportunity for reviewing program developments early in the second session of the Congress before completely implementing the Federal grant provisions of the act."

The Department reported its estimate that there would be sufficient vaccine available by December 31, 1956, to provide for 3 injections for each of the 65 million children under age 20 and expectant mothers, but added that this was based upon 100-percent demand which it conceded was unlikely. It based its request for the extension to July 1, 1957, on the recommended 7-month interval between second and third injections.

It seems to me that this committee should have been given evidence of any departmental plans as to adjustments which should be made as soon as production of the vaccine permits, to make additional vaccinations in the older age groups possible.

Undoubtedly such adjustments will be made and I hope they will prove satisfactory to all concerned. However, without intending any reflection upon anyone, it seems to me that this committee should not be asked to approve a blanket extension of such duration in the absence of the most complete information available as to possibilities during that period.

This committee recommended, and this Congress accepted the recommendation, of an upper age limit of 19 years, with the addition of "any expectant mother," in the definitions under the act (sec. 10 (b) (1), and see also sec. 4). I believe that recommendation was sound. But I cannot accept the argument that it should necessarily be continued to June 30, 1957. It constitutes an important limitation and I hope it will be considered fully long before that date.

Last year this committee had before it the clear and sound warning that it would not discharge its full responsibilities by confining its thinking to the admittedly vital problem of prevention among those under 21 years of age.

At its hearings (pt. 2, pp. 134, 136, 137) Dr. Albert B. Sabin, of the Children's Hospital Research Foundation, Cincinnati, Ohio, testified in part as follows:

"It is important to stress that this is no longer a disease we should call infantile paralysis, because the disease occurs with great frequency in young adults and, furthermore, is much more severe in those in later life than in earlier years * * *. I submit, gentlemen, that these in the third decade (age 21 to 30) are just as much in need of preventive measures as are all the others * * *. To summarize this, then, the problem in the United States is to prevent paralysis in young adults in whom it is most severe, as well as in children in whom it is more frequent."

Last year, and mostly subsequent to the passage of this law, Massachusetts suffered its worst epidemic of poliomyelitis. At the suggestion and with the financial assistance of the National Foundation of Infantile Paralysis a special study was made.

It appears that of 3,819 cases, there were 675 in the age groups between 10 and 20. However, there were 574 in the age groups from 20 to 30, 232 in the age group from 30 to 35, and 104 in the age group from 35 to 40.

It is my recollection that a great many of the cases among the young adult groups were most severe.

Any instance of this disease is tragic. All who have contributed toward its prevention are richly entitled to the gratitude of this Nation.

But the responsibilities of this Congress toward insuring the best possible program are great. I do not believe they will be discharged completely by a simple extension of the date. For emphasis, I repeat my appreciation of and agreement with the contents of what I understand will be in the committee report on this point.

JOHN W. HESELTON,
Member of Congress.

SENATE

MONDAY, JULY 9, 1956

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Blessed be Thy name, most gracious God and Father of mankind, Thou who once again hath brought light out of darkness and, opening the gates of the morning, dost send us forth with powers of mind and body to front the duties and responsibilities of another day and another week. Go with us, we beseech Thee, through all the toiling, sunlit hours, and so protect us from every evil way that when evening comes we may have no stain of shame on our record. To this end give us this day the grace of a grateful heart and uncomplaining spirit—the grace of courage to stand for what our conscience tells us is the right; the grace of silence that we may refrain from unkind speech; the grace of charity that we may not give way to hasty judgment; the grace of refusing to conform rather than to crucify our convictions; and, in all, the calm confidence that—

We steadier step
When we recall
That though we slip
Thou dost not fall.

We ask it in the name of that One who is able to keep us from falling and to lead us on from strength to strength. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, July 6, 1956, was dispensed with.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of July 6, 1956,

The following reports of committees were submitted on July 7, 1956:

By Mr. McCLELLAN, from the Committee on Government Operations, without amendment:

H. R. 9774. A bill to provide for the conveyance of certain lands of the United States to the board of commissioners of Volusia County, Fla. (Rept. No. 2429); and

H. R. 10204. A bill authorizing the Administrator of General Services to transfer certain land to Richard M. Tinney, and John T. O'Connor, Jr. (Rept. No. 2431).

By Mr. McCLELLAN, from the Committee on Government Operations, with an amendment:

H. R. 8817. A bill to provide for the conveyance of certain property of the United States to the city of Corbin, Ky. (Rept. No. 2430).

By Mr. WATKINS, from the Committee on Interior and Insular Affairs, without amendment:

S. 3779. A bill amending the act of August 27, 1954 (68 Stat. 868), with respect to the Uintah and Ouray Reservation in Utah (Rept. No. 2432).

By Mr. GREEN, from the Committee on Rules and Administration; without amendment:

S. Res. 286. Resolution providing for an additional extension of time for filing a report by the Subcommittee on Disarmament;

S. Res. 293. Resolution to print, with additional copies, a revision of House Document 210, "How Our Laws Are Made";

S. Res. 294. Resolution extending further the time for a study of the Government employees security program;

S. Res. 297. Resolution extending the time for making a report and providing additional funds for the Special Committee on the Senate Reception Room;

S. Res. 299. Resolution to print additional copies of the Senate Judiciary Subcommittee hearings on juvenile delinquency in the United States;

H. Con. Res. 242. Concurrent resolution providing for 10,000 additional copies of the report entitled "Special Study Mission to the Middle East, South and Southeast Asia, and the Western Pacific";

H. Con. Res. 243. Concurrent resolution authorizing the printing as a House document of the Constitution of the United States together with the Declaration of Independence, and providing for additional copies;

H. Con. Res. 245. Concurrent resolution authorizing the printing of additional copies of House Report No. 2189, 84th Congress, 2d session;

H. Con. Res. 248. Concurrent resolution authorizing the Joint Committee on Atomic Energy to print 30,000 additional copies of the hearings of the Research and Development Subcommittee on shortage of scientific and engineering manpower, and

H. Con. Res. 251. Concurrent resolution authorizing reprinting of House Document 210 of the 83d Congress.

By Mr. GREEN, from the Committee on Rules and Administration, with amendments:

S. Res. 285. Resolution arranging for exhaustive studies to be made regarding foreign assistance by the United States Government (Rept. No. 2434).

ADDITIONAL FUNDS FOR COMMITTEE ON RULES AND ADMINISTRATION (S. REPT. NO. 2433)

Mr. GREEN, from the Committee on Rules and Administration, reported an original resolution (S. Res. 306) providing additional funds for the Committee on Rules and Administration, which was placed on the calendar, as follows:

Resolved, That Senate Resolution 176, agreed to February 17, 1956, is hereby amended as follows:

In section 4, strike out "$50,000" and insert in lieu thereof "$150,000."

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed the bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 3275) to establish a sound and comprehensive national policy with respect to fisheries; to strengthen the fisheries segment of the national economy; to establish within the Department of the Interior a Fisheries Division; to create and prescribe the functions of the United States Fisheries Commission; and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 483) to amend the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON, Mr. BROOKS of Louisiana, Mr. KILDAY, Mr. SHORT, and Mr. ARENDS were appointed managers on the part of the House at the conference.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 1761. An act to relieve certain veterans who relied on an erroneous interpretation of the law from liability to repay a portion of the subsistence allowance which they received under the Servicemen's Readjustment Act of 1944;

H. R. 1876. An act for the relief of Martin M. Sorensen; and

H. R. 9371. An act for the relief of John R. Henry.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 6190. An act for the relief of Ensign Charles A. Binswanger; and

H. R. 11714. An act to extend for 3 years the existing authority of the Secretary of the Treasury in respect of transfers of distilled spirits for purposes deemed necessary to meet the requirements of the national defense.

The message also announced that the House had agreed to the amendments of the State to the joint resolution (H. J. Res. 606) to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message further announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 221) favoring the granting of the status of permanent residence to certain aliens.

The message also announced that the House had agreed to the amendments of the Senate to the concurrent resolution (H. Con. Res. 228) approving the granting of the status of permanent residence to certain aliens.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 10432. An act to amend further the Federal Civil Defense Act of 1950, as amend-

ed, to authorize the Administrator to pay travel expenses and per diem allowances to trainees in attendance at the National Civil Defense Staff College, and for other purposes;

H. R. 11380. An act to readjust postal rates and to establish a congressional policy for the determination of postal rates, and for other purposes; and

H. R. 11695. An act to extend until June 30, 1958, the programs of financial assistance in the construction and operation of schools in areas affected by Federal activities under the provisions of Public Laws 815 and 874, 81st Congress, and to make certain other changes in such provisions.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 2772. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in England in 1957; and for other purposes;

S. 3272. An act to amend section 205 of the Flood Control Act of 1948 to increase and make certain revisions in the general authorization for small flood-control projects;

H. R. 3350. An act to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired;

H. R. 3351. An act to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired;

H. R. 3897. An act to relieve the Secretary of the Interior of certain reporting requirements in connection with proposed National Park Service awards of concession leases and contracts, including renewals thereof;

H. R. 6025. An act to amend the shipping laws, to prohibit the operation in the coastwise trade of vessels rebuilt outside the United States, and for other purposes;

H. R. 6218. An act to authorize payment by the Federal Government of the cost of making certain studies necessary to assist the Menominee Tribe of Indians to prepare for the termination of Federal supervision;

H. R. 7663. An act to provide for settlement in part of certain claims of the Uintah and White River Bands of Ute Indians in Court of Claims case No. 47568, through restoration of subsurface rights in certain lands formerly a part of the Uintah Indian Reservation;

H. R. 9280. An act relating to the plan for control of the property of the Menominee Indian Tribe, and for other purposes;

H. R. 9660. An act to direct the Secretary of the Army or his designee to convey an 11¼ acre tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia;

H. R. 9974. An act to amend section 1 of the act entitled "An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin", approved March 28, 1908, as amended;

H. R. 11926. An act to amend the Atomic Energy Act of 1954, to permit the negotiation of commercial leases at atomic energy communities, and for other purposes; and

H. J. Res. 501. Joint resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 10432. An act to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Administrator to pay travel expenses and per diem allowances to trainees in attendance at the National Civil Defense Staff College, and for other purposes; to the Committee on Armed Services.

H. R. 11380. An act to readjust postal rates and to establish a congressional policy for the determination of postal rates, and for other purposes; to the Committee on Post Office and Civil Service.

H. R. 11695. An act to extend until June 30, 1958, the programs of financial assistance in the construction and operation of schools in areas affected by Federal activities under the provisions of Public Laws 815 and 874, 81st Congress, and to make certain other changes in such provisions; to the Committee on Labor and Public Welfare.

LEAVE OF ABSENCE

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the senior Senator from Michigan [Mr. POTTER] may be excused from further attendance on the Senate at this session of Congress, as he is on a trip to Europe on official business.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

MEETING OF CONFEREES DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Senate conferees on Senate bill 3073, to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia and its environs; to create and establish a public body corporate with powers to carry out the provisions of this act; and for other purposes, were authorized to sit during the session of the Senate today.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. CLEMENTS, and by unanimous consent, the Special Committee To Investigate Lobbying was authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be a morning hour, and I request unanimous consent that statements made in connection with the transaction of routine business be limited to 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION—DEPARTMENT OF COMMERCE (S. DOC. NO. 138)

A communication from the President of the United States, transmitting a proposed supplemental appropriation for the Department of Commerce, in the amount of $34,700,000, for the fiscal year 1957 (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

PLAN FOR WORKS OF IMPROVEMENT ON WATERSHED PROTECTION AND FLOOD PREVENTION

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a plan for works of improvement of watershed protection and flood prevention (with accompanying papers); to the Committee on Agriculture and Forestry.

AUDIT REPORT ON FARM CREDIT ADMINISTRATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Farm Credit Administration, for the fiscal year ended June 30, 1955 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON ARMY INDUSTRIAL FUND, PICATINNY ARSENAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Army Industrial Fund, Picatinny Arsenal, Ordnance Corps, Department of the Army, for the fiscal years ended June 30, 1954 and 1955 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON ARMY INDUSTRIAL FUND, PINE BLUFF ARSENAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Army Industrial Fund, Pine Bluff Arsenal, Chemical Corps, Department of the Army, for the period July 1, 1952 to June 30, 1955 (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON FEDERAL NATIONAL MORTGAGE ASSOCIATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal National Mortgage Association, a constituent Agency of the Housing and Home Finance Agency, for the fiscal year ended June 30, 1955 (with an accompanying report); to the Committee on Government Operations.

REPORT OF IMMIGRATION AND NATURALIZATION SERVICE

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a report of that Service, for the year ended June 30, 1955 (with an accompanying report); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT OF NATIONAL LABOR RELATIONS BOARD

A letter from the Chairman, National Labor Relations Board, Washington, D. C., transmitting, pursuant to law, a report of that Board, for the year ended June 30, 1955 (with an accompanying report); to the Committee on Labor and Public Welfare.

REPORT OF EMPLOYEES AND OFFICERS, NATIONAL LABOR RELATIONS BOARD

A letter from the Chairman, National Labor Relations Board, Washington, D. C., transmitting, pursuant to law, a report containing the names, salaries, and duties of all employees and officers in the employ or under the supervision of that Board, for the year ended June 30, 1955 (with accompanying papers); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by American citizens of Slovak descent, at Columbia University in the city of New York and elsewhere, favoring the enactment of House concurrent resolutions 231, 235, 237, and 239, relating to free elections in the Slovak nation; to the Committee on Foreign Relations.

A resolution adopted at a convention of District Grand Lodge No. 3, B'nai B'rith, Philadelphia, Pa., relating to Government contracts; to the Committee on Labor and Public Welfare.

RESOLUTIONS OF DAIRYLAND POWER COOPERATIVE, LA CROSSE, WIS.

Mr. WILEY. Mr. President, one of the great forces for the welfare of the farmers of my State is the Dairyland Power Cooperative. On June 7, it held its 15th annual meeting at La Crosse.

There, it adopted certain important resolutions, which I have in my hand now, and which were conveyed to me by Mr. John P. Madgett, Dairyland Power's general manager.

On a good many occasions, I have commented on the floor of the Senate on the subjects raised in several of these resolutions.

For example, I have referred to the vital importance of permitting our rural power cooperatives to participate in prompt expansion of America's nuclear development program.

I have referred, too, to the need for expanding electricity output in our country, on a sound competitive basis so as to meet the vast economic opportunities which we must capitalize upon, and so as to assure a higher standard of living for our people.

I have referred, furthermore, to meeting the needs of our people through improved but economical transportation—rail, air, and water.

I present the resolutions, and ask unanimous consent that they be printed at this point in the RECORD, and be thereafter appropriately referred, for consideration during the remaining weeks of this session of the Congress.

There being no objection, the resolutions were ordered to be printed in the RECORD and referred as indicated:

To the Joint Committee on Atomic Energy:

"RESOLUTION NO. 1. EXPEDITE DEVELOPMENT OF NUCLEAR ENERGY FOR POWER PRODUCTION

"Whereas our Federal Government has created an invaluable national resource after investing $15 billion in the development of atomic energy to the point that a relatively smaller effort remains necessary to find practical application to peacetime use of the atom; and

"Whereas no substantial progress to date has been realized as a result of passage of the Atomic Energy Act of 1954 wherein it was the intention of the Congress to achieve through private enterprise the rapid development of the use of the atom, and we are falling behind nations which started later, and such progress we have thus far achieved has resulted primarily from further taxpayer subsidy of costs; and

"Whereas the Congress is now considering the Gore bill, which makes clear the intent of Congress that a Federal atomic power program shall be undertaken as one of the major objectives of Government policy and directs the Atomic Energy Commission to pursue the only feasible program for the practical application of atomic power by constructing six large experimental demonstration plants of different types, and to be geographically located to greatest advantage to power-hungry areas; and

"Whereas nuclear fuel generation can prove particularly advantageous to rural power cooperatives such as Dairyland Power Cooperative in its efforts to reduce the cost of power on the farm in order that electric power may contribute more fully as a tool of production: Now, therefore, be it

"*Resolved*, That in addition to whatever may be done by private enterprise, that we urge the Congress to take all practical steps in support of legislation which will keep the Atomic Energy Commission pushing ahead as rapidly as possible in the development of nuclear fuel generation for peacetime uses."

To the Committee on Interstate and Foreign Commerce:

"RESOLUTION NO. 3. TRANSPORTATION AMENDMENTS ACT OF 1955, H. R. 6141

"Whereas during 1956 Dairyland Power Cooperative will purchase one-third of a million tons of coal to fuel its steam powerplants, and whereas our projected load growth studies show that within a decade these purchases will triple, and whereas because of these purchases Dairyland has a vital stake and interest in any new proposed national transportation policy, particularly when it affects the transportation of coal on the Mississippi Waterway; and

"Whereas the Congress of the United States is now considering H. R. 6141 entitled 'Transportation Amendments Act of 1955' which among other provisions would extend the full regulatory powers, including ratemaking, of the Interstate Commerce Commission to inland waterway transportation of bulk commodities, and which we believe would result in undesirable restrictions of competition and unhealthy limitations on the ability of small operators to enter and operate successfully in the transportation field with a consequent growth in monopolistic control of transportation and undesirable and unnecessary increase in costs to the detriment of commerce in the United States; and

"Whereas if this legislation should become law it would result in an unnecessary extension of Federal authority and an attempt to legislate higher transportation costs to evade our traditional free enterprise concept of competition to provide the greatest service at the lowest cost by forcing a Federal agency into the role of guaranteeing a profit to operators regardless of whether they operate with efficiency; and

"Whereas the effect of this legislation would result in an increase in Dairyland Power Cooperative's price of coal from 25 to 40 cents per ton when fuel is already the largest factor in our production costs: Now, therefore, be it

"*Resolved*, That we the delegates, at this 15th annual meeting of Dairyland Power Cooperative, representing 93,000 farm families in Wisconsin, Illinois, Iowa, and Minnesota do respectfully urge our United States Senators and Congressmen to oppose H. R. 6141 in the Congress as an unnecessary extension of Federal authority, deleterious to healthy competition in our free enterprise economy and which can only result in unfair and discriminatory increases in operating costs to American industry in general and to Dairyland Power Cooperative specifically."

Ordered to lie on the table:

"RESOLUTION NO. 2. FEDERAL PUBLIC POWER POLICY

"Whereas the Federal public power policy adopted a half century ago and pursued in some instances with vigor has proven a sound method of developing those national resources historically recognized by the Constitution as belonging to all of the people in such manner as to develop economically large geographical areas which in turn have contributed to the welfare of the whole country, particularly in times of national defense; and

"Whereas the Federal public power policy has, in addition to providing power as the economic lifeblood of large areas, also provided a fair and equitable yardstick of the true cost of power production, thereby creating a relatively small (12½ percent) but nevertheless effective element of competition by comparison in the critical field of power production which is inherently monopolistic, and extremely difficult, if not impossible, to effectively regulate; and

"Whereas there are only a few remaining power sites available which could and should be developed by and for the people as an absolute necessity to our continually expanding economy under the sound Federal power policy of first availability of power to public agencies and other nonprofit organizations for the wholesome overall benefit of the entire public: Now, therefore, be it

"*Resolved*, That we urge the Congress of the United States to take immediate action to pass the Hells Canyon bill, and the Niagara bill for the development by the New York Authority."

RESOLUTION OF RACINE (WIS.) LITHUANIAN-AMERICAN COUNCIL, INC.

Mr. WILEY. Mr. President, the free world is keenly aware of the fact that the courageous demonstration of the Polish people in Poznan is a symbol that the flame of liberty is far from extinguished in the breasts of the oppressed peoples of Eastern Europe.

So, too, the flame burns particularly brightly in the hearts of all Americans who trace their ancestry from the same lands as those where freedom unhappily has been trampled under the Reds' heel.

Evidencing that fact is a resolution which was conveyed to me by Stanley P. Budrys, secretary of the Racine Lithuanian-American Council, Inc. This resolution was adopted at a meeting at St. Casimir Parish hall early last month under the auspices of the local branch of the council.

At that time, Estonian, Latvian, and Lithuanian Americans expressed themselves anew on the importance of firm American leadership to maintain high the hopes for freedom in the hearts of the enslaved people behind the Iron Curtain.

The resolution particularly pointed out one phase of current Soviet intrigue in collecting vast sums of money on the basis of high tariffs placed on relief packages going from generous Americans to their relatives and friends behind the Iron Curtain.

This phase, like other phases of Soviet trickery and knavery, commands the deep attention of the American people and our leaders.

I submit the resolution and ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Soviet Union having, in June of 1940, forcibly occupied the Baltic Republics: Estonia, Latvia, and Lithuania; and

Whereas during this occupation the people in these countries have been and still are being threatened and victimized by the chains of misery, terror, murder, and mass deportations; these chains having been forged by those who have been and are the men of the power in the Kremlin; and

Whereas the same rule is being applied to all nations who have been engulfed into the torrent of communistic madness and bestiality; and

Whereas it is our sacred duty and great privilege to help those in misery and in oppression; and

Whereas their fate of today may be ours of tomorrow, if we do not stand firmly for and fight eagerly for, home and abroad, in behalf of these principles which gave birth to our great Republic: Therefore, be it

Resolved, That this mass meeting appeal to the executive and legislative branches of our Government asking to provide a firm and coherent leadership for free peoples of this Nation and other nations; which is necessary to combat the evil forces of international conspiracy; and be it further

Resolved, That we urge our Government to expose Communist crimes against human race on every occasion in all international meetings and institutions in which the United States takes part; and be it further

Resolved, That we strongly oppose every change in the policy of our Nation toward the Soviet Union, whenever and wherever such changes should occur unless such changes bring about more freedom and the bettering of present living conditions of those enslaved peoples who are behind that curtain of iron; and be it further

Resolved, That we find it necessary that our Government should invoke all possible measures to plug up a drainage hole through which the Communist world is drawing millions of dollars from our country while taking incredibly high tariffs for disaster packages sent by the American people to their relatives or friends in the captive countries; and finally be it

Resolved, That this meeting go on record as expressing gratitude to our Government for its steadfast adherence to those American principles which do not recognize the forcible annexation of any free nation and free peoples.

PETRAS PETRUSAITIS,
Chairman, Lithuanian American Council, Racine, Wis., Branch.
VALENTIN JAUNKALNIETIS,
Representative, Latvian Americans, Racine, Wis.
OLGA MALBE,
Representative, Estonian Americans, Racine, Wis.

RACINE, WIS., *June 10, 1956.*

RESOLUTION OF BROWN COUNTY FARMERS UNION, WESTPORT, S. DAK.

Mr. HUMPHREY of Minnesota. Mr. President, I have just received a resolution from the Brown County Farmers Union of Westport, S. Dak., requesting that the soil-bank program be expanded and liberalized because of recent drought-stricken conditions. I should like to say, Mr. President, that I have discussed this matter with the Senators from South Dakota as well as with the Senators from other States in the upper Midwest, and I can think of no subject of more immediate current importance to our American farmers than the subject in this resolution.

I ask unanimous consent that the Brown County Farmers Union resolution be printed at this point in my remarks, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

WESTPORT, S. DAK., *July 2, 1956.*

Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The following resolution was passed at the meeting and rally of the Brown County Farmers Union held on July 1, 1956:

"Since all small grains as well as wheat has been stricken by the drought in South Dakota and since the operating cost of the farmers have not been materially reduced by the drought, and the farmers of South Dakota, because of low prices for the commodities they produced are already in financial distress.

"Therefore we request that the soil bank program be expanded and liberalized.

"First more liberal payments in the acreage reserve program for drought stricken farmers using the average wheat yields as Congress intended, instead of the $6 maximum set by the Secretary of Agriculture.

"Second put into operation the conservation acreage plan of the soil bank for drought stricken farmers of South Dakota without reducing the payment intended for farmers by Congress."

Sincerely yours,

ALBERT BUSSIAN,
President, Brown County Farmers Union.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERR, from the Committee on Finance, without amendment:

H. R. 10269. A bill to provide for the temporary suspension of the duty on certain alumina (Rept. No. 2435).

By Mr. BYRD, from the Committee on Finance, without amendment:

H. R. 11995. A bill to provide that the 1955 formula for taxing income of life insurance companies shall also apply to taxable years beginning in 1956 (Rept. No. 2436).

By Mr. BYRD, from the Committee on Finance, with amendments:

H. R. 6595. A bill to amend certain provisions of law relating to the estate tax (Rept. No. 2437); and

H. R. 9083. A bill to amend the Internal Revenue Code of 1954 to extend the period for amortization of grain-storage facilities (Rept. No. 2438).

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

H. Con. Res. 244. Concurrent resolution to provide for a joint committee of the Congress to represent the Congress at the unveiling of the Commodore John Barry Memorial at Wexford, Ireland, on September 16, 1956 (Rept. No. 2439).

By Mr. O'MAHONEY, from the Committee on the Judiciary, with amendments:

H. R. 7049. A bill to revise, codify, and enact into law title 10 of the United States Code entitled "Armed Forces" and title 32 of the United States Code entitled "National Guard" (Rept. No. 2484).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 579. A bill for the relief of Giuseppe Scalia (Rept. No. 2451);

S. 1407. A bill for the relief of Guillermo B. Rigonan (Rept. No. 2452);

S. 1626. A bill for the relief of Rachid Abdallah (Rept. No. 2453);

S. 3068. A bill for the relief of Arsene Kavoukdjian (Arsene Kavookjian) (Rept. No. 2454);

S. 3103. A bill for the relief of Eldur Eha (Rept. No. 2455);

S. 3127. A bill for the relief of Karl Eigil Engedal Hansen and his wife, Else Viola Agnethe Hansen, and their minor child, Jessie Engedal Hansen (Rept. No. 2456);

S. 3155. A bill for the relief of May Ping Lee (Rept. No. 2457);

S. 3182. A bill for the relief of Dr. Cheng-en Lu (Rept. No. 2459);

S. 3188. A bill for the relief of Stephen Kuang-Tao Hsu (Rept. No. 2460);

S. 3193. A bill for the relief of Natalia Kozlov Kavazov Kolubaev (Koljubajer Kolubajev) (Rept. No. 2461);

S. 3257. A bill for the relief of Georgiana Ching Hsien (Liang) New (Rept. No. 2462);

S. 3258. A bill for the relief of Margaret Kwei Chang (Margaret Hua-Chen Kwei) (Rept. No. 2463);

S. 3354. A bill for the relief of Jelena Simicevic (Rept. No. 2464);

S. 3358. A bill for the relief of Hewey Malachi Mackey (Rept. No. 2465);

S. 3370. A bill for the relief of Paul Yen-Hsiung Feng and his wife, Mary Stella Pao-Ching Feng, and their minor child, Joseph Shao-Ying Feng (Rept. No. 2466);

S. 3440. A bill for the relief of Vincent Lee Lao (Rept. No. 2467);

S. 3487. A bill for the relief of Lucy Lin and her minor child, Peter Lin (Rept. No. 2468);

S. 3521. A bill for the relief of Athanasios Nicholas Prittes (also known as Thomas Prites, or Tom N. Phillips) (Rept. No. 2469);

S. 3657. A bill for the relief of Nelson Shu-Yung Chuang (Rept. No. 2470);

S. 3813. A bill for the relief of Dr. James R. P. Wong (Rept. No. 2471);

S. 3814. A bill for the relief of Guiseppina Coppola (Rept. No. 2472);

S. 4015. A bill for the relief of Antonietta Aurora Mattera Berg (Rept. No. 2473);

H. R. 9137. A bill to waive section 142, of title 28, United States Code, with respect to the United States District Court for the Western District of North Carolina holding court at Bryson City, N. C. (Rept. No. 2485);

H. J. Res. 621. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 2440);

H. J. Res. 626. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 2441);

H. J. Res. 627. Joint resolution for the relief of certain aliens (Rept. No. 2442); and

H. J. Res. 638. Joint resolution to facilitate the admission into the United States of certain fiancees of United States citizens (Rept. No. 2443).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 3179. A bill for the relief of Redentor Ligot Romero (Rept. No. 2458);

S. 3191. A bill for the relief of Jose Maria Arias-Ortega (Rept. No. 2474);

S. 3306. A bill for the relief of Sergius Kusmin and his wife, Irene Kusmin (Rept. No. 2475);

S. 3364. A bill for the relief of Roberto Mario Bettinzoli (Rept. No. 2476);

S. 3537. A bill for the relief of Manuel Souza Novo (Rept. No. 2477);

S. 3557. A bill for the relief of Stylianos Lecomples (Rept. No. 2478);

S. 3660. A bill for the relief of Panagiota Paganis (Rept. No. 2479);

S. 3713. A bill for the relief of Elizabeth Cacavas (Elisavet Ioannou Kakava) (Rept. No. 2480);

H. R. 5808. An act for the relief of Judith Kao (Rept. No. 2481);

H. J. Res. 620. Joint resolution for the relief of certain aliens (Rept. No. 2446);

H. J. Res. 637. Joint resolution to waive certain subsections of section 212 (a) of the

Immigration and Nationality Act in behalf of certain aliens (Rept. No. 2445); and

H. J. Res. 639. Joint resolution for the relief of certain aliens (Rept. No. 2444).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 3285. A bill for the relief of Oey Giok Po (Rept. No. 2482);

H. J. Res. 617. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 2448);

H. J. Res. 618. Joint resolution to waive the provision of section 212 (a) (6) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 2449);

H. J. Res. 636. Joint resolution for the relief of certain aliens (Rept. No. 2450); and

H. Con. Res. 246. Concurrent resolution approving the granting of the status of permanent residence to certain aliens (Rept. No. 2447).

INTERNATIONAL CONTROL OF NARCOTIC DRUGS

The PRESIDENT pro tempore. As a Senator, and chairman of the Committee on Foreign Relations, the present occupant of the chair reports favorably from that committee, Senate Resolutions 287, 288, 289, and 290. Without objection, the report will be received and the resolutions will be placed on the calendar.

The resolutions were placed on the calendar, as follows:

S. Res. 287. Resolution requesting that reports of results of tests of samples of opium seized in illicit traffic be communicated to the Commission on Narcotic Drugs of the United Nations; without amendment (Rept. No. 2483);

S. Res. 289. Resolution to commence negotiations with the Mexican Government in order to secure a more effective control over illicit narcotic drugs; without amendment (Rept. No. 2483);

S. Res. 290. Resolution urging certain countries to ratify or accede to the Protocol of 1953 for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium; with an amendment (Rept. No. 2483); and

S. Res. 288. Resolution urging certain countries to proscribe heroin; with amendments (Rept. No. 2483).

ADDITIONAL FUNDS FOR COMMITTEE ON THE JUDICIARY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 309), which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on the Judiciary is hereby authorized to expend from the contingent fund of the Senate, during the 84th Congress, $10,000 in addition to the amount, and for the same purposes specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946.

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation two lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon, pursuant to law.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. O'MAHONEY, from the Committee on the Judiciary:

Victor R. Hansen, of California, to be Assistant Attorney General, vice Stanley N. Barnes, resigned.

EXECUTIVE REPORT OF COMMITTEE ON FOREIGN RELATIONS

The PRESIDENT pro tempore. As in executive session, as a Senator and chairman of the Committee on Foreign Relations, the present occupant of the chair submits a report from that committee on certain commercial treaties. Without objection, the report will be received, and the treaties will be placed on the Executive Calendar.

The treaties were placed on the Executive Calendar, as follows:

Executive E, 84th Congress, 2d session: Treaty of amity, economic relations, and consular rights between the United States of America and Iran, signed at Teheran on August 15, 1955 (Ex. Rept. No. 9);

Executive G, 84th Congress, 2d session: Treaty of friendship, commerce, and navigation with the Republic of Nicaragua, and a protocol relating thereto, signed at Managua on January 21, 1956 ((Ex. Rept. No. 9); and

Executive H, 84th Congress, 2d session: Treaty of friendship, commerce, and navigation between the United States of America and the Kingdom of the Netherlands, together with a protocol and an exchange of notes relating thereto, signed at The Hague on March 27, 1956 (Ex. Rept. No. 9).

The PRESIDENT pro tempore. May the Chair give notice that since we expect to take up one treaty on Wednesday, namely, the wheat agreement, the Chair may also wish to call up the three treaties which I have just reported today, and which are noncontroversial. They are ordinary treaties on trade and commerce.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 4184. A bill to incorporate the Boys' Clubs of America; to the Committee on the Judiciary.

By Mr. DUFF:

S. 4185. A bill for the relief of Sil Heung Lee; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 4186. A bill to consolidate and revise certain provisions of law relating to additional compensation of civilian employees of the Federal Government stationed in foreign areas and to facilitate recruitment, reduce turnover, and compensate for extra costs and hardships due to overseas assignments; to the Committee on Post Office and Civil Service.

S. 4187. A bill for the relief of Ugo Gagliardi; to the Committee on the Judiciary.

By Mr. MORSE:

S. 4188. A bill for the relief of Yumi Yamaguchi; to the Committee on the Judiciary.

By Mr. BEALL:

S. 4189. A bill to establish the Chesapeake and Ohio Canal National Historical Park and to provide for the administration and maintenance of a parkway, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DUFF:

S. J. Res. 190. Joint resolution to authorize the Secretary of Commerce to sell certain coal burning vessels to certain citizens of the Federal Republic of Germany; to the Committee on Interstate and Foreign Commerce.

RESOLUTIONS

The following resolutions were submitted, considered, and agreed to:

By Mr. NEELY:

S. Res. 307. Resolution providing for memorial addresses on the late Senator HARLEY M. KILGORE, of West Virginia.

(See the remarks relating to the above resolution, which appear under a separate heading.)

By Mr. CLEMENTS:

S. Res. 308. Resolution providing for memorial addresses on the late Senator ALBEN W. BARKLEY, of Kentucky.

(See the remarks relating to the above resolution, which appear under a separate heading.)

The following resolution was reported by Mr. EASTLAND, from the Committee on the Judiciary, and was referred as indicated:

S. Res. 309. Resolution providing additional funds for the Committee on the Judiciary; referred to the Committee on Rules and Administration.

(See reference to above resolution, which appears under the heading "Reports of Committees.")

SOCIAL SECURITY AMENDMENTS OF 1956—AMENDMENT

The PRESIDENT pro tempore. As a Senator, the Chair, on behalf of himself, the Senator from Louisiana [Mr. LONG], the Senator from Illinois [Mr. DOUGLAS], and the Senator from Missouri [Mr. HENNINGS], submits an amendment, intended to be proposed by us, jointly, to House bill 7225, the social security bill. It is a lengthy amendment, and the Chair asks that it be printed and lie on the table. The length, however, is due entirely to one fact, namely, that the amendment sets up a special reserve fund for the totally and permanently disabled. In other words, such persons will not be paid benefits out of the general social security reserve fund.

Without objection, the amendment will be received, printed, and lie on the table.

AMENDMENT OF ACT OF SEPTEMBER 3, 1954—AMENDMENTS

Mr. WATKINS. Mr. President, I submit a series of six amendments, intended to be proposed by me, to Calendar No. 2249, the bill (H. R. 6888) to amend the act of September 3, 1954. I ask unanimous consent that the amendments be printed and lie on the table, to be called up by me at the appropriate time.

The PRESIDENT pro tempore. The amendments will be received, printed, and lie on the table.

Mr. WATKINS. Mr. President, by way of explanation, I would like my colleagues in the Senate to know basically what these amendments are. Amendment No. 1 is designed to provide a method of determining for a certainty that those individuals who enter the United States under special legislation as sheepherders do intend, and are qualified, to act as sheepherders.

The amendment is drawn in conformity with the language presently existing in other statutory provisions providing for the temporary admission to the United States of certain workers. The proposed amendment would permit the temporary admission as agricultural workers those persons trained in all phases of animal husbandry.

Their admission will be temporary for 3 years, at the end of which they may apply and the Attorney General may grant change of status from nonimmigrant to that of a permanent immigrant after making the proper charge against the quota of the area to which the alien is chargeable. During the 3-year period, should the alien prove to be untrained or should the alien change his employment from that for which he gained admission, he shall be subject to deportation under provisions of existing law.

It is my intention in proposing this amendment to assist the sheep and cattlemen of the Nation in obtaining qualified herders. However, at the same time I seek to prevent the circumvention of the law by many who enter this country for the specific purpose of practicing the sheepherding trade only long enough to locate other employment.

Amendment No. 2 consists of 5 sections, each of which amends the Refugee Relief Act of 1953. This amendment comprises the administration's program on extension of the refugee-relief program and reallocation of the unused quota numbers.

It is apparent to me that H. R. 6888 is the only immigration and refugee legislation which Congress will have an opportunity to consider, and, therefore, I intend to propose the administration's program on refugees as an amendment to the sheepherder bill.

Earlier I announced that I would not seek to tack amendments to this sheepherder bill if we were to have an immigration bill to consider. Since none has been forthcoming, it is imperative that the Senate be given an opportunity to consider these amendments as part of the only piece of general immigration legislation to be presented to the Senate during this Congress.

As I have pointed out above, this amendment No. 2 would provide for a reallocation of the unused quota numbers. It further provides for an increase of 5,000 visa numbers for orphans, as well as a raising of the age limitation from 10 to 14 years and extending the time for issuance of such visas until December 31, 1959.

The amendment further provides an extension of the Refugee Relief Act by providing that no visa shall be issued unless the assurances on his behalf have been filed with the administrator on or before December 31, 1956, and the visa will not be issued after December 31, 1957. This machinery will provide for emptying the pipeline of those who have qualified for admission under the act.

Amendment No. 3167 conforms to S. 3167 as introduced by me February 8, 1956, in response to President Eisenhower's statement calling for amendments in the Immigration and Nationality Act of 1952.

This bill is designed to relieve Congress of the burden occasioned by the undue increase in private legislation for the relief of individual aliens.

Amendment No. 3168 conforms to S. 3168, with the exception that section 7, which deals with the relief granted to persons who entered the United States under the Displaced Persons Act of 1948 but who are deportable because they obtained their visas by misrepresenting their name, place of birth, and so forth. These persons who obtained their visas by this fraud and who did so because of fear of persecution are entitled to relief. However, a section providing this relief is presently included in H. R. 6888 as reported by the Senate committee, and, therefore, that portion of S. 3168 is deleted from this amendment as I proposed it.

This amendment consists of 23 administrative technical changes which I shall not try to individually describe. It includes such things as allowing persons to come to the mainland from Hawaii and Alaska without undergoing the same inspection as if they were aliens traveling to the United States from a foreign nation.

The amendment would allow discretion to the Secretary of State and the Attorney General to waive certain fingerprinting requirements, as well as to waive documentary requirements for certain aliens traveling in international travel but who must because of their travel route pass through the United States.

It also provides a remedy for the so-called petty offense cases and liberalizes the provisions under which an American may obtain visas for children adopted abroad.

Amendment No. 3169 conforms to S. 3169 introduced on the same day as the two bills mentioned above, and provides for a uniform method of review applicable to aliens subject to deportation.

Amendment No. 3170 conforms to S. 3170 introduced earlier which would amend the existing quota provisions of the Immigration and Nationality Act using the 1950 census date in place of the 1920 census date, thus increasing the yearly quota by 64,804.

Hearings on all these amendments have been held by the proper subcommittees of the Judiciary Committee. The bills were introduced early. Hearings have been held, but up to date we have been unsuccessful in having anything reported to the Senate, although the subject has been brought up several times.

I recall that the majority leader stated late last year, before the present session of the Congress convened, that the majority would have a program. The President has submitted a very moderate program, I believe, yet it is substantial in character. It is a much needed program. I have not been able to understand why the majority has not come forward with a program of some kind. So far as I know, this is the only program that is before us. It will be on the floor of the Senate. The House has already passed the bill to which these amendments would apply. So there should be no great difficulty in formulating the program and having the amendments adopted, if the majority wishes to follow some reasonable immigration program.

I assume the majority leader was acting in good faith. He is a distinguished Senator, and I believe he really meant what he said.

This bill is on the calendar. It can be called up, and these amendments can be offered, and we can have an administration program. The majority leader said that the majority was to have a program. It has not submitted any to date. I think this is a program which the majority might well adopt.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. HUMPHREY of Minnesota. While I can not speak for the majority leader, I will say that there will not be any dearth of amendments to the socalled sheepherders bill. There will be just about as many amendments as there are sheepherders.

Mr. WATKINS. Then there would be some 350 amendments to the bill.

Mr. HUMPHREY of Minnesota. I have been informed by some of my colleagues on this side of the aisle that they intended to offer such amendments. I assume there would be an opportunity to consider amendments offered by the Senator from Utah, as well as those offered by other Senators.

Mr. WATKINS. I know of the Senator's interest in immigration. I hope the majority leader will schedule this particular measure for consideration, so that we can get at these amendments, and get some kind of an immigration program.

Mr. HUMPHREY of Minnesota. I share that feeling.

OPPOSITION TO DISCRIMINATORY ACTION AGAINST CERTAIN CITIZENS—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. LEHMAN. Mr. President, I ask unanimous consent that the names of the Senator from Wyoming [Mr. O'MAHONEY] and the Senator from Maryland [Mr. BEALL] be added as additional cosponsors of the resolution (S. Res. 298) opposing discriminatory action against United States citizens because of religious faith or affiliation, which was submitted by me, for myself and other Senators, on June 27, 1956. This brings the total number of cosponsors of the resolution to 22.

The PRESIDENT pro tempore. Without objection, it is so ordered.

INTERCORPORATE RELATIONS BETWEEN GENERAL PUBLIC UTILITIES CORPORATION AND MANILA ELECTRIC CO.—CHANGE OF REFERENCE

Mr. JOHNSON of Texas. Mr. President, on June 13, 1956, the bill (S. 4048) relating to intercorporate relations between the General Public Utilities Corp., a corporation organized and operating in the United States, and the Manila Electric Co., was referred to the Committee on the Judiciary.

A study of this bill discloses that it concerns the Public Utility Holding Company Act which comes within the jurisdiction of the Committee on Interstate and Foreign Commerce.

Accordingly, Mr. President, I ask that the Committee on the Judiciary be discharged from further consideration of S. 4048, and the bill be referred to the Committee on Interstate and Foreign Commerce.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORT ON KANAWHA RIVER, WEST VIRGINIA, VIRGINIA, AND NORTH CAROLINA (S. DOC. NO. 137)

Mr. McNAMARA. Mr. President, on behalf of the Senator from New Mexico [Mr. CHAVEZ], I present a letter from the Secretary of the Army, transmitting a report dated May 17, 1956, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of report on the Kanawha River, West Virginia, Virginia, and North Carolina, requested by resolution of the Committee on Public Works of March 9, 1948. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORT ON PLATTE RIVER, COLORADO, WYOMING, AND NEBRASKA (S. DOC. NO. 139)

Mr. McNAMARA. Mr. President, on behalf of the Senator from New Mexico [Mr. CHAVEZ], I present a letter from the Secretary of the Army, transmitting a report dated April 26, 1955, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations on a review of report on the Platte River, Colorado, Wyoming, and Nebraska, requested by the Committee on Public Works resolution of October 8, 1948. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GREEN:

Address delivered by him at commissioning of the research vessel *Crawford* at Woods Hole, Mass., on June 30, 1956.

By Mr. WILEY:

Address delivered by him in Menomonee Falls, Wis., on the subject of the Great Lakes-St. Lawrence Seaway, its past, present, and future, together with a resolution adopted by the Wisconsin Federation of Business and Professional Women's Clubs, relating to the same subject.

By Mr. BUTLER:

Address entitled "Jungle of Tax Confusion," delivered by him on July 5, 1956.

By Mr. ROBERTSON:

Newsletter issued by Representative BURR P. HARRISON, of Virginia, on the subject of the so-called civil rights bill.

CITATION OF SENATOR GEORGE AS "AMERICAN OF THE YEAR"

Mr. MANSFIELD. Mr. President, the New York Times of this morning carries a news story headed "Senator GEORGE Cited." This story is from Chicago. It carries the information that "The Eighth Armored Division Association voted today to Senator WALTER F. GEORGE, chairman of the Senate Foreign Relations Committee, the title of 'American of the Year'," because of the efforts he has made in behalf of world peace. I am glad that citation has been awarded by a fighting outfit like the Eighth Armored Division Association, which saw fit to honor our President pro tempore on that occasion.

I ask unanimous consent that the news article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR GEORGE CITED—UNIT OF VETERANS VOTES HIM TITLE "AMERICAN OF YEAR"

CHICAGO, July 8.—The Eighth Armored Division Association voted today to Senator WALTER F. GEORGE, chairman of the Senate Foreign Relations Committee, the title of "American of the Year."

In the action, at the closing session of the association's 3-day reunion, the Georgia Democrat, in "guiding the foreign policy of the United States," was credited with having contributed the most toward the cause of world peace. Five others were nominated for the title. They were Vice President Richard M. Nixon, Secretary of State John Foster Dulles, former Presidents Truman and Hoover and Henry Cabot Lodge, Jr., Ambassador to the United Nations.

The association elected Alexander J. Woehrle of Delmar, N. Y., president and chose Philadelphia for next year's convention.

New vice presidents are Albert J. Bremer of Meriden, Conn.; W. Melvin Street of Syracuse, executive secretary of the New York Publishers Association, and Capt. Charles R. Leach of Circleville, Ohio.

ANNOUNCEMENT BY ATTORNEY GENERAL OF ANTITRUST SUIT AGAINST GENERAL MOTORS

Mr. MANSFIELD. Mr. President, during the past week I have made a number of public statements criticizing Attorney General Herbert Brownell's method of announcing the Department of Justice's antitrust suit against General Motors for monopolizing the manufacture and operation of buses in this country. As my colleagues in the Senate know, this announcement was made at the beginning of a new commercially sponsored TV program called Press Conference.

In view of the Attorney General's previous attitude toward press conferences and releases, it would appear that this approach of favoring one medium of publicity could set an undesirable precedent.

An announcement of such great importance and general news interest, with obvious political overtones, should have been released to all news media at a more opportune time. It is now my understanding that the announcement was released to the press approximately half an hour before the TV program went on the air at 8 o'clock in the evening. As we in the Senate know, a 7 or 8 o'clock release is not an hour to get good news coverage. This action is a flagrant use of an official position to hoard an item of vital news to aid one company in selling its products. Attorney General Brownell has not held a press conference where he would be open to comprehensive questioning since October 1955. In the future the Attorney General would do well to increase the number of press conferences and to keep the people more fully informed on the activities of the Justice Department. This would also insure a more equitable distribution of the news.

Criticism of Mr. Brownell in this matter is thoroughly justified. However, his action should not cast any reflection on the NBC television program or its moderator, Martha Rountree. Miss Rountree is to be commended for her distinguished career in journalistic work. Press Conference is a credit to the number of TV panel shows now on the air.

In fairness to all, I feel that Miss Rountree's reply to criticism of the Attorney General's action should be made part of the RECORD.

I ask unanimous consent that Martha Rountree's release of July 6 be printed at this point in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

MARTHA ROUNTREE DENIES BROWNELL STATEMENT ON TV WAS EXCLUSIVE

Martha Rountree said today there was nothing exclusive about the announcement of the antitrust suit against General Motors Corp. by Attorney General Herbert Brownell, Jr., on the premier of her television program Press Conference over the NBC network on Wednesday evening.

"Mr. Brownell's statement was released to the press nearly half an hour before we went on the air at 8 o'clock," said Miss Rountree, who is coproducer of the program with her husband, Oliver Presbrey.

"All the accredited members of the press in Washington were invited to attend our Press Conference," she said, "and about 50 members of the Washington press corps attended, in addition to the 16 who participated on the program. We even went so far

as to invite the news staffs of the rival networks. As far as we know this is the first time in the history of broadcasting that this has been done.

"There was nothing to prevent any member of the press from leaving the room and telephoning our news to his paper or press association. Actually, the correspondent present for the Associated Press did just that, as the AP story stated.

"But, if we did have a beat I don't see what all the hollering is about. There is nothing so fiercely competitive as the daily press. Any newspaper or press association that is able to scoop its rivals is never modest about ballyhooing the event.

"If our Press Conference was able to scoop its competitors I'm proud of the beat, but since the news was released to all media simultaneously I don't see how we can claim the credit of a beat.

"It seems to me that the whole controversy boils down to the question of whether or not radio and television are part of the press media of the Nation. I thought they were supposed to be.

"Considerable editorial criticism is also being made over the fact that Mr. Brownell made the announcement on a sponsored program. Will anybody deny that our newspapers are supported by advertisers?

"Some comment was also made that members of the press corps who appeared on Press Conference were paid. Of course, they were paid just as they are on all other programs of similar vein on which they appear."

SENTIMENT FAVORING DISARMAMENT

Mr. SPARKMAN. Mr. President, during the past year a special subcommittee of the Committee on Foreign Relations has been conducting an inquiry into the complex question of disarmament. I am privileged to serve on this subcommittee, which has as its chairman the able Senator from Minnesota [Mr. HUMPHREY].

I ask unanimous consent to include in the RECORD a sampling of the correspondence which the subcommittee has received during the course of its study. These letters reflect great credit on the careful, nonpartisan manner in which the work of this subcommittee is proceeding.

There being no objection, the correspondence were ordered to be printed in the RECORD, as follows:

MINNEAPOLIS, MINN., *May 24, 1956.*

Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: Your fine work in bringing to the people of the United States the opportunity to participate in public hearings on disarmament is commendable. As chairman of the Special Disarmament Committee of the Foreign Relations Committee, you have a great privilege and great responsibility in serving—not only the people of the entire United States—but the world as well. It is your opportunity to help—not as a representative of one area or one political body—but as a leader in the much broader area of our entire world community.

I hope that you will continue to work in this bipartisan manner on our No. 1 problem—peace—through enforced, universal disarmament under limited and specific world law established through the United Nations. We need so desperately to set up other means of settling conflicts between nations—other than recourse to war.

I would appreciate receiving transcripts of the hearings on disarmament, and also the analytical studies of disarmament. (Your Newsletter April 7, 1956.)

Sincerely yours,

ADA HANSON.

CHESTERFIELD, N. H., *May 15, 1956.*

Senator HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: Last month it was my pleasure to attend the disarmament hearings you conducted in Cambridge. It is my hope that your committee is hearing testimony as illuminating as that given that day.

The morning session seemed to be bringing out really novel and challenging ideas. It is my feeling that if some of these ideas were put together they would form a policy which if put into effect could bring about the conditions necessary to establish peace.

One of the present stumbling blocks seems to be the fear that no inspection plan would be adequate. In view of this I wonder if anything came of Dr. Charles Coryell's idea of developing inspection technology with our friends so that we would be ready to start a really effective inspection program with our potential enemies when they are ready to accept the idea. Could you advise me on this?

Also please place me on your mailing list for all testimony and any staff studies that may be published.

Thank you for your cooperation in this matter.

Very truly yours,

THOMAS C. O'SULLIVAN, Jr.

EVANSVILLE, IND.,
June 15, 1956.

Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: You are to be commended for your leadership in the Special Disarmament Subcommittee.

Surely I speak as one among many when I say that it is to be hoped that your committee will hold more hearings and that you will urge this committee to continue its work.

The people of the world are longing for an end to the armaments race that there might be bread for the two-thirds of the world's population in need of more food.

Sincerely yours,

(Mrs.) RUTH L. STAHL.

FEDERATION OF AMERICAN SCIENTISTS,
Washington, D. C., June 11, 1956.

Hon. HUBERT H. HUMPHREY,
Chairman, Senate Foreign Relations Subcommittee on Disarmament, Senate Office Building, Washington, D. C.

DEAR SENATOR HUMPHREY: I should like to tell you that we appreciated very much the opportunity to present testimony on disarmament to your subcommittee on Friday, June 8.

It is our hope that further hearings and other efforts of your subcommittee will contribute to a more thorough understanding of these problems, and that this will lead to more enlightened attitudes on the part of all who influence United States policies in this area.

We are most favorably impressed with the careful attention you have devoted to this subject which, we are convinced, is of paramount importance to our survival.

With best regards,

Sincerely yours,

CHARLES C. PRICE,
Chairman.

WEST HARTFORD, CONN., *June 8, 1956.*

Hon. HUBERT H. HUMPHREY,
Chairman, Subcommittee on Disarmament, Senate Foreign Relations Committee, Senate Office Building, Washington, D. C.

DEAR SENATOR HUMPHREY: I had the good fortune to be present at your subcommittee hearings in Cambridge, Mass., on April 9. I was very much impressed at the way in which you conducted the hearing, with your courtesy to witnesses, with your rapt attention throughout a long day, and with the high caliber of the questions that you and Senator PASTORE put to the various experts.

I feel that a universal system of enforceable, and eventually total, disarmament is so absolutely essential to a peaceful world that I naturally hold the work of your subcommittee and its staff as being of the highest importance.

I was much concerned to note in your interim report that you were requesting continuation of the subcommittee until only July 1, 1956, to complete its studies. I hope that your work will be continued for at least another year. I have just learned for instance that the World Affairs Council of Rhode Island, which is the most powerful international organization in that State I believe, wants to sponsor your subcommittee's coming to Providence next fall for hearings. I would imagine that this would be the case in many other areas around the country. If your subcommittee ceases to exist as of July 1 while Mr. Stassen's office goes on, won't many people feel that the United States Senate has discontinued its active interest in the foremost question of our time?

As one citizen who tries hard to keep the important and the less important in proper perspective, I urge you strongly to do all that you can to see that the Subcommittee on Disarmament is continued for at least another year.

Respectfully,

SANDFORD Z. PERSONS.

ELMHURST, ILL., *March 5, 1956.*

DEAR SENATOR HUMPHREY: This is to let you know we believe your Subcommittee on Disarmament to be the most important committee or project in operation today.

If the naval disarmament agreement of 1921 involving Japan was successful, perhaps something else along these lines would be possible.

You have our wholehearted support.

Yours very truly,

HART and DOROTHY ROSDAIL.
Mr. and Mrs. J. H. Rosdail.

CAPE ELIZABETH, MAINE, *May 7, 1956.*

MY DEAR SENATOR HUMPHREY: I was fortunate enough to attend the initial hearing of your Subcommittee on Disarmament in Boston last month.

I was deeply impressed by that experience; by the quality and competence of the witnesses, by the tremendous amount of thought and study that you and Senator PASTORE had obviously given to the subject, and most especially by the deep urgency of the question itself—disarmament. Surely it is the most vital question facing human beings today.

That hearing gave me more hope than I have felt for a long time. To see men of such intelligence and good will grapple with the problem is heartening. Perhaps we will be able to find a way out of this impasse we are in. It seems to me that your committee has taken a long step in the right direction.

I wish the Subcommittee on Disarmament all success. May I add my personal good wishes to you, Senator HUMPHREY. Minnesota should be proud of you.

Most sincerely,

LAURA ALEXANDER.

CARLSBAD, CALIF., *June 16, 1956.*

Senator HUBERT H. HUMPHREY,
Senate Office Building, Washington, D. C.

DEAR SENATOR HUMPHREY: Thank you very much for the leadership you are giving to the special Disarmament Subcommittee. This is a most important, yes, vital responsibility we have given you and you deserve commendation for the way you are carrying it.

Until the world is disarmed, however, I encourage you to continue these efforts untiringly. Could you not hold more hearings

of the subcommittee to good advantage? We must not let any chance go by to set the world at peace. All the peoples want it, and we look to our leaders, such as yourself, to help us get to that goal.

Thanking you again.

Sincerely yours,

GRETCHEN TUTHILL.

FAYETTEVILLE, ARK., *March 11, 1956.*

The Honorable HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR HUMPHREY: This is to thank you for your efforts on behalf of a sound disarmament program, especially your bill to establish a special committee of the Senate to investigate this all-important issue. I think merely the fact that such a committee was established will tend to show that there are men of good will in the United States seriously interested in the cause of peace, a fact which sometimes gets hidden in the kinds of news which appear about our policies.

I sincerely hope, however, that the establishment of this committee will prove to be more than a gesture. I hope that the committee can do some really creative thinking on the problem.

I do not presume to know the solution to the problems surrounding disarmament but my thinking leads me to the following conclusions: (1) that if America takes a strong moral position in the matter the good which will flow from such a stand will more than overcome the military risk involved; (2) that disarmament is possible only as our State Department evolves a foreign policy which reduces tension between East and West on matters such as German partition; and (3) that the question of which comes first, inspection or reduction of arms, is not insoluble if there is good faith; this could be negotiated in such a way that both would go into effect at the same time.

Yours very sincerely,

LITA M. ADLER.
Mrs. Franz Adler.

SANTA MONICA, CALIF., *June 14, 1956.*

Senator JOHN J. SPARKMAN,
Member, Special Disarmament Subcommittee, Senate Office Building,
Washington, D. C.

DEAR SENATOR SPARKMAN: I find that you are a member of the special Disarmament Subcommittee and want to let you know that I follow the work of the subcommittee and very much appreciate the spade work which you are attempting to do. But I realize also that so far the work has only been a beginning and I confidently hope that in the coming months considerably more time and energy can be spent on this work which is of such decisive importance if the survival of civilization as we know it is to be given a chance. I am hopeful that after the end of the congressional session and the party conventions, when the pressure of routine work should ease to some extent, the work of the committee can be speeded up and further hearings in various parts of the country scheduled. For much groundwork has to be done, I think, to prepare Congress as well as the general public for the acceptance, in principle, of concrete and comprehensive disarmament agreements. This is all the more urgent since a report about the recent London disarmament conference which I received showed that the progress made was far greater and the areas of agreement much more substantial than the reports published in the daily press would have the public believe. It seems quite possible, therefore, that preliminary agreements can be reached sooner than it appears today, but such agreements cannot be consummated if public opinion is not ready for their acceptance. This is one reason why I believe that the work of your committee should proceed as rapidly and with as much thoroughness as possible.

Thank you for the efforts which you expend on this work.

Sincerely,

Miss IRMGARD LENEL.

P. S.—I wished I could write to all the members of your committee, but my time does not permit this. Would it be possible that you circulate this letter among other members of your committee?

ATTITUDE OF COMMUNIST PARTY ON APPROACHING ELECTION—PAMPHLET BY STAFF OF SENATE REPUBLICAN POLICY COMMITTEE

Mr. LEHMAN. Mr. President, recently, under the imprint of the Senate Republican policy committee, a pamphlet was released by the staff of that committee, claiming that the Communist Party in the United States wants "the Republicans defeated" and hopes for "a Democratic victory" this fall.

This was an inexcusable and shabby thing to do.

The staff of the Republican policy committee is hired and fired by the Republican policy committee, and is completely under its control, The salaries and expenses of the members of the staff are paid for out of public funds, and it is housed in the Senate office building.

On July 5 the noted columnist and author, Roscoe Drummond, wrote a very interesting article on this pamphlet which appeared in the New York Herald Tribune. Mr. President, I ask unanimous consent to have the article printed in the body of the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit A.)

Mr. LEHMAN. At this point I merely wish to quote very briefly from this article by Mr. Roscoe Drummond:

This is a tricky, dishonest and dishonorable thing. No wonder it was coldly and angrily condemned by leading Democratic Senators on the floor this week and that Senator WILLIAM F. KNOWLAND, Republican leader, had the good grace—man of integrity that he is—to repudiate it unreservedly.

But this kind of carefully circulated insinuation has been made before and, after its sponsors think it has done its dirt, withdrawn. It will take more than Senator KNOWLAND'S and Senator ALEXANDER SMITH'S disavowals to free the Republican Party from the taint of very shoddy tactics.

He concluded his article with the following words:

I would hope that at his next press conference President Eisenhower would use his great moral influence to strike these un-American tactics from the hands of his party as un-Republican.

I share the hope that has been expressed by Mr. Roscoe Drummond.

EXHIBIT A

LOW BLOW POLITICS

(By Roscoe Drummond)

Really now, in the kind of world we are living in today, hasn't the time come when American national politics ought to get up out of the mud puddle and shed the low-blow, un-American tactics of trying to smear your political opponent with the innuendo that he is enmeshed with the Communists?

I am convinced that United States voters distrust these smear-the-whole-landscape, mud-pack charges, disbelieve them, are bored by them and will in the end penalize the politicians who think they can survive by feeding on them. They did in the 1954 congressional elections.

But it is a trade still plied by some and the latest example is a memorandum released by the staff of the Senate Republican policy committee proclaiming that the Communist Party in the United States wants "the Republicans defeated" and hopes for "a Democratic victory" this fall.

This is a tricky, dishonest and dishonorable thing. No wonder it was coldly and angrily condemned by leading Democratic Senators on the floor this week and that Senator WILLIAM F. KNOWLAND, Republican leader, had the good grace—man of integrity that he is—to repudiate it unreservedly.

But this kind of carefully circulated insinuation has been made before and, after its sponsors think it has done its dirt, withdrawn. It will take more than Senator KNOWLAND'S and Senator ALEXANDER SMITH'S disavowals to free the Republican Party from the taint of very shoddy tactics.

There can be no doubt that the staff of the Senate Republican policy committee knew what it was up to. It attached a cagily worded disclaimer to its release. The disclaimer read:

"NOTE.—Neither the members of the Republican policy committee nor other Republican Senators are responsible for the statements herein contained, except such as they are willing to endorse and make their own."

There are only two things wrong with such a half-hearted disclaimer. Republican Senators may not be responsible for staff statements they do not themselves endorse, but they are responsible for actions of the policy committee staff. Second, the staff must think there are Republican Senators who will want "to endorse" these statements and "make them their own" or the staff wouldn't prepare them. Is the staff of the Republican policy committee employed to publicize statements so their superiors can repudiate them?

Actually this Republican staff memorandum does not bear out its own assertions. It puts a title on its release which asserts that the "Communist Party pleads for Democrats to win" and in the first paragraph it claims that "the official Communist line has now been announced" and that the Communists consider "a Democratic victory is essential."

The fact is that the official Communist Party line has not been announced and the Republican memorandum quotes just one State Communist functionary who suggests that Communists pursue "an independent course which influences the direction of the Democratic Party."

Finally, how do Republicans think they are serving the Nation or themselves by suggesting that the Communists are to be believed or that they say what they are going to do or do what they have been saying? Communists are required to be liars and I shouldn't think that Republican Senators would want to pay their staff to persuade us that they are not.

The Republican committee staff seems entranced by the syllogism which they suggest but do not prove: The Communists want to hurt the United States; the Communists—so they claim—support a Democratic victory; therefore a Democratic victory would hurt the United States. Let us see where that kind of reasoning carries them.

The Communists have imprisoned and liquidated more Socialist leaders than they have capitalist leaders. Is this Republican staff trying to persuade us that because the Communists hate Socialists we ought to approve socialism?

The Communists endorsed the Supreme Court's public school desegregation verdict and Vice President NIXON described Earl Warren, after delivering the verdict, as a "Great Republican Chief Justice." Is this Republican staff trying to call Mr. NIXON pro-Communist?

They are doing all these things if their logic in the first instance is to be accepted.

I would hope that at his next press conference President Eisenhower would use his great moral influence to strike these un-American tactics from the hands of his party as un-Republican.

Mr. NEUBERGER. Mr. President, I am glad the Senator from New York has referred to the action of the staff of the Republican policy committee. A few days ago I called the attention of the Senate to a memorandum of the Senate Republican policy committee, which relied on the statement of a convicted Communist conspirator as the basis for the discredited smear that "a Democratic Party victory is essential" to foster the ends of the Communist Party.

I do not intend to comment further on the irresponsible action which caused the statement to be circulated. At the time of my original comment, a distinguished member of the Republican Party indicated his distaste for the low-level political demagoguery which the memorandum represents. Since then, press comments on the minority staff's memorandum have reflected similar views. Suffice it to say that I have seen no editorial or commentary which defends the staff report.

Mr. President, I ask consent to have printed in the RECORD several newspaper editorials and the comments of outstanding columnists, all of which add to the apparent unanimity for repudiation of the staff memorandum. I refer to an article by Marquis W. Childs, in the Washington Post and Times Herald of July 6, 1956; an editorial in the Evening Star of July 4, 1956; an editorial in the Christian Science Monitor of July 5, 1956; an editorial in the Washington Post and Times Herald of July 4, 1956; and an article by Roscoe Drummond, in the Washington Post and Times Herald of July 6, 1956.

Mr. Drummond's article has been ordered to be printed in the RECORD on request of the Senator from New York. So I ask that the other items mentioned by me be printed in the RECORD.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of July 6, 1956]

FOREIGN-AID POLICY APPROACHES CRISIS

(By Marquis Childs)

It is becoming increasingly evident that the election campaign this fall will be a make-or-break test for the foreign policy of the United States and the bipartisan support that during the past decade has sustained a policy of aid for and cooperation with the free and the neutral nations of the world.

How important this test is likely to prove is obscured momentarily by the dispute over President Eisenhower's availability and capacity. But those who have studied the record of the debate and the rollcalls on the foreign-aid bill in the Senate are aware that with the new Congress in January there may well come a sharp reversal.

On several rollcalls, conspicuously on the issue of continuing aid to Yugoslavia, a majority of Democrats supported the position of the Eisenhower administration while a majority of Republicans voted against the administration. In so doing, many Democrats up for reelection felt they were sticking their necks out dangerously far.

If in October Vice President RICHARD M. NIXON conducts the kind of campaign he conducted in 1954, accusing the Democrats of being soft to communism, if anti-Eisenhower Republicans charge these same Democrats with disloyalty to Ike and call for a Congress to back the President, then an Eisenhower administration in a second term will find itself in grave trouble.

Senator WALTER GEORGE, of Georgia, who has so often raised his powerful voice decisively in favor of administration policy will no longer be in the Senate and what influence he can exert will be at second hand.

This is the stern political reality which responsible persons in the administration—if they are capable of exercising their responsibility—must reckon with. They cannot, of course, control the irresponsibles, such as Senator JOSEPH MCCARTHY, of Wisconsin, who has been pretty thoroughly disclaimed by the Eisenhower party in any event.

The memorandum of the Republican policy committee of the Senate, quoting a convicted Communist to try to show that the Communists favor the Democratic Party, is an unhappy portent.

Secretary of State John Foster Dulles had put extraordinary stress on continuation of aid to Yugoslavia, and he said his concern was shared by the President. Yet what happened in the Senate? The Republican leader, Senator WILLIAM F. KNOWLAND, of California, led the fight for the amendment of Senator STYLES BRIDGES, of New Hampshire, chairman of the Republican policy committee, to strike out aid for Yugoslavia.

Virtually the only Republican voice raised for the President was that of Senator ALEXANDER SMITH, of New Jersey, who has loyally supported administration policy even on the touchiest issues.

On the vote the Republicans split 23 to 21 against the administration, while the Democrats divided 29 to 15 for the policy that Dulles had urged as vital to America's position.

Both Democratic Senators from Oregon, RICHARD NEUBERGER and WAYNE MORSE, voted for aid to Yugoslavia.

Afterward NEUBERGER recalled that in his hard-fought campaign 2 years ago Senators HERMAN WELKER, of Idaho, and GEORGE MALONE, of Nevada, had come into Oregon to campaign for former Senator Guy Cordon on a "support Ike" appeal. Both WELKER and MALONE voted against the administration on the Yugoslavia issue. MORSE, who switched from Republican to Democrat in 1952, is up for reelection in a contest into which the GOP national organization is planning to put large sums of money.

NEUBERGER voted four times for the administration on reciprocal trade. Yet, because of his stand on this issue, he has got more hostile mail than on anything else during his 2 years in the Senate, with Oregonians protesting angrily about imports of Japanese tunafish and Italian cherries.

It is this kind of risk which Democrats will no longer take if at election time it is to be turned around to help defeat them. Nor will Republicans take risks either, since the example of Senator ALEXANDER WILEY, of Wisconsin, a consistent supporter of the Eisenhower foreign policy, has been written large in the sky. WILEY has been given the brush-off treatment by the White House, while the Old Guard in Wisconsin has maneuvered to knock him out in the primary.

This question is much larger than party, involving as it does the future of America in the struggle with communism. But in a presidential year the chips will fall strictly on party lines.

[From the Washington Evening Star of July 4, 1956]

SMEAR SHEET

It looks as though the Democrats, if they will just be patient, may have their campaign issues handed to them on a silver platter by the GOP opposition.

Let us take, for example, the case of the memorandum which has just been put out by the staff of the Senate Republican Policy Committee. This little gem—a really monumental piece of stupidity—calls as its main witness one Claude Lightfoot, a Communist who has been convicted under the Smith Act. The memo, relying on this convicted conspirator as its authority, says: "The official Communist line has now been announced: The Republicans must be defeated and all support thrown to the Democrats. A Democratic Party victory is essential."

A spokesman for the committee staff says these memos are sent out for such use as Republican Senators may see fit to make of them in their speeches, etc. This particular memo also noted that Republican Senators were not responsible for the statements in it "except such as they are willing to indorse."

The hoped for effect of this is to put the Communists in the same political camp with the Democrats, while leaving an escape route open for Republican Senators with sense enough to use it. It is a shabby piece of business, and it seems to us that the Republican leadership, if smart, will move in fast and put a stop to it.

What is a little hard to understand is the uproar on the Democratic side of the aisle. Why are Senators SPARKMAN, NEUBERGER, and HUMPHREY trying to choke off, in its infancy, this abundant source of ammunition? Certainly the voters are not going to pay any attention to Communist Lightfoot. But the staff of the GOP policy committee, given time, might come up with some more boners—all of which the Democrats could convert to their own uses.

[From the Christian Science Monitor of July 5, 1956]

FOR FULL REPUDIATION

"It is shameful," declared Republican Senator H. ALEXANDER SMITH from the Senate floor. He was speaking of the staff document emanating from the Senate Republican policy committee which asserts it is the official Communist line that all supports must be thrown to the Democrats and the Republicans be defeated.

Senator SMITH went on:

"I am overwhelmed with regret. As a member of the Republican Party I cannot tolerate this. * * * I think I can assure you that this kind of thing will stop."

One Democratic Senator after another had denounced this piece of campaign literature which clumsily tried to relieve Republican Senators from responsibility for it except those who chose to make it their own. But what was called for was a Republican repudiation. And that came first not from a party spokesman although from a respected voice. Senator KNOWLAND, party floor leader, indirectly disassociated himself also.

It would be well were he to follow up positively. For this sort of thing belongs outside the democratic process entirely. The acid test of a democracy is the willingness to accept the genuineness of a loyal opposition and to debate with it, not attempt to destroy it—either by force or by the poison of defamation.

In the United States allegation of Communist taint has become a tool for at least attempted destruction, certainly not one for rational debate. It sets ill for even the staff,

prompted presumably by even a small minority of but one of a great party's several policymaking bodies, to introduce such devil's brew into the campaign.

[From the Washington Post and Times Herald of July 4, 1956]

WHO'S IN CHARGE?

The Senate Republican policy committee's staff memorandum insinuating that the Communists want a Democratic victory is not the committee's first venture in gutter politics. Nor, judging from past performance will it be the last—unless Republican Members of the Senate assume a more conscientious sense of responsibility for actions of the committee.

Only last November, you may remember, the committee staff engaged in a similar bout of mire wallowing when it charged that Dean Acheson and Alger Hiss were together again because each had written an article that appeared in wholly different magazines. Now the committee staff, in a broadside entitled "Communist Party Pleads for Democrats To Win," quotes the chairman of the Communist Party in Illinois as saying that support should be thrown to the Democrats. This is about as meaningful, as Senator HUMPHREY noted in reply, as an assertion that the Russians prefer a Republican victory because they find it easier to deal with President Eisenhower. Besides, the way the party line is standing on its head these days, no endorsement is good for more than 24 hours.

It is a shoddy excuse to say that the memorandum prepared by the staff had not been cleared with individual Senators. What business has the committee staff issuing memoranda without the express consent of members? And what business, really, does a legislative policy committee have foraying into a field that has nothing to do with legislation? Individual Republican Senators have properly voiced indignation at this transparent exercise in labeling. But the responsibility for the actions of the staff and its seemingly singularly insensitive director, Lloyd W. Jones, goes right back to committee members and particularly to the chairman, Senator STYLES BRIDGES. That is where the real onus for the smear lies, and that is where the apology and corrective measures ought to come from.

THE ATTACK ON THE NATIONAL LABOR RELATIONS BOARD BY SENATOR MORSE, ON MARCH 23, 1956

Mr. SMITH of New Jersey. Mr. President, on March 23, 1956, the senior Senator from Oregon [Mr. MORSE] delivered on the floor of the Senate a lengthy denunciation of the National Labor Relations Board, as presently constituted. He charged that the Board has deliberately perverted the provisions of the National Labor Relations Act to the advantages of management and to the serious detriment of labor. He contrasted this allegedly improper administration of the law on the part of what he termed "the Eisenhower Board" with what he claimed were the completely fair, impartial, and judicial policies and decisions of its predecessors, the "Truman Labor Boards."

Mr. President, this attack and the serious charges contained therein cannot be allowed to remain unanswered and unchallenged.

As the ranking Republican member of the Committee on Labor and Public Welfare, and in cooperation with our minority leader, the senior Senator from California [Mr. KNOWLAND], and other Senators, we have had a thorough and carefully documented report prepared, replying to this attack on the present National Labor Relations Board.

The report is an important contribution to the subject of management-labor relations; and I hope that all Senators, including especially the Senator from Oregon, will give it serious study. It is a carefully considered review of certain decisions of the National Labor Relations Board and relevant decisions of the Federal courts, including the Supreme Court of the United States.

Mr. President, it is not my purpose to take the valuable time of the Senate by reading this lengthy statement into the RECORD.

I ask unanimous consent that the report, together with certain exhibits referred to in the report, be inserted in the body of the RECORD at the conclusion of my remarks.

The exhibits referred to are:

Exhibit 1: Letter dated April 9, 1956 from the Honorable Boyd Leedom, Chairman of the National Labor Relations Board, to the Honorable LISTER HILL, chairman of the Senate Committee on Labor and Public Welfare.

Exhibit 2: Letter dated April 11, 1956, from the Honorable T. C. Kammholz, General Counsel of the National Labor Relations Board, to the Honorable LISTER HILL, chairman of the Senate Committee on Labor and Public Welfare.

Exhibit 3: Letter dated April 24, 1956, from the firm of Seyfarth, Shaw & Fairweather, of Chicago, signed by John T. VanAken of that firm, and addressed to the Honorable WAYNE MORSE.

Exhibit 4: Digests of cases referred to by Senator MORSE in the Senate on March 23, 1956.

Exhibit 5: Digests of selected cases decided in favor of unions by the present National Labor Relations Board.

There being no objection, the report, letters, and digests were ordered to be printed in the RECORD, as follows:

REPORT PREPARED UNDER THE DIRECTION OF THE MINORITY LEADER OF THE SENATE, MR. KNOWLAND OF CALIFORNIA, AND THE RANKING REPUBLICAN MEMBER AND FORMER CHAIRMAN OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, MR. SMITH OF NEW JERSEY, IN ANSWER TO CHARGES ON THE FLOOR OF THE SENATE ON MARCH 23, 1956, AGAINST THE NATIONAL LABOR RELATIONS BOARD

On March 23, 1956, the distinguished Senator from Oregon in an address delivered in the Senate, leveled a series of accusations against the present National Labor Relations Board which, it is submitted, are not supported by the facts. There exists a number of documents and letters which contain data amply refuting the charges of the Senator from Oregon. These are referred to in this report, but it is impossible to mention them all and simultaneously limit this report to a reasonable length.

I. POLICY OF THE PRESENT ADMINISTRATION

The Senator from Oregon asserts:

"On the floor of the Senate, back in 1947, I warned that, unless we modified the injunctive procedures of the Taft-Hartley law, it would lead to government by injunction, and to antilabor procedures in the States, and that labor would be ground down again by government by injunction. All one has to do is study the injunctive record which has been made under the Taft-Hartley law. The evidence amply supports the position I took in 1947.

"Even President Eisenhower has conceded that the law has union-breaking provisions and should be amended—although I hasten to add that this admission, like the promise of 100 percent parity, was made in the 1952 campaign, and has been contradicted in every way by the Eisenhower administration's actions since it took office."

These two statements, as this report indicates, have little or no foundation. The Senator from Oregon has not produced one iota of evidence that the injunctive procedures of the Taft-Hartley law have any casual or other connection, even the remotest, with what he refers to as "antilabor procedures in the States." He cannot adduce such proof because none exists.

But that is not all. The distinguished Senator omits an essential part of the record from the foregoing statements. Whether or not one agrees that the Taft-Hartley Act contains union-breaking provisions or has given rise to government by injunction is not the issue. The question as posed by Senator MORSE concerns the attitude of the Eisenhower administration on these matters. And as the record clearly demonstrates, the President and the Republican Party have taken positions backed by proposed legislation which are precisely the reverse of those attributed to them by the Senator from Oregon.

Thus, in mentioning the union-breaking provisions of the Taft-Hartley Act during his campaign in 1952 the President referred specifically to the prohibition against voting in Labor Board elections by economic strikers who had been replaced. The President, in his labor message to the Congress of January 11, 1954, recommended that the Taft-Hartley Act be amended to prevent any possibility of "union-busting" arising from that prohibition.

In the same message the President recommended the repeal of section 10 (l) of the National Labor Relations Act, the so-called mandatory injunction provision. This is the section which requires the Labor Board to seek an injunction from a Federal district court against a labor union which the Board alleges is violating the secondary-boycott prohibitions of the law. Despite the mandatory nature of this provision, the Labor Board has to date sought such injunctions in only 330 of the more than 20,000 cases which it has processed since Taft-Hartley became effective and many of these were never actually issues. This scarcely supports the contention that labor has been living under "government by injunction," to use the phrase of the Senator from Oregon.

If the President's recommendations had been enacted into law, the only injunctive procedures remaining under the Taft-Hartley Act would have been those provided for in section 10 (j). This merely authorizes the Labor Board, in its discretion, to seek an injunction in connection with any unfair labor practice proceeding which it initiates. Under this provision the Board up to the present, a period covering almost 9 years, has sought injunctions in a mere 26 out of the thousands of cases it has processed. Of these, 17 were sought against unions, 7 against employers, and 2 against both. These minuscule figures are a clear indication of how reluctant the Labor Board, the present Board included, has been to invoke the injunctive processes of the law where doing so is left to its own discretion. Again, it scarcely supports the contention of a "government by injunction" or of an agency marked by an antilabor bias. As a matter of fact, this discretionary injunctive procedure was invoked by the Board for the first time at the instance of Walter Reuther, and not against a union, but against an employer.

As has been indicated, the President in his labor message to the Congress, recom-

mended the elimination of the mandatory injunction provision, section 10 (l), and a modification of the law to eliminate the danger of "union busting" allegedly implicit in the ban on voting by replaced economic strikers. Pursuant to the President's recommendations, Senator SMITH of New Jersey, as Chairman of the Committee on Labor and Public Welfare, at that time, introduced S. 2650 containing provisions designed to effectuate, among others, these recommendations of the President. The bill was favorably reported from the committee with the Democrat members writing a minority report urging that the bill be recommitted. On the floor a motion to recommit was made by the Democrats and debate took place on that motion, never reaching the stage of dealing with the bill's merits.

The senior Senator from Oregon not only ignores these developments but fails to mention that the motion to recommit was carried by a solid, defectionless, party line vote of the Democratic Members of the Senate, thereby effectively killing the bill in the 83d Congress. Thus it is clear that if the Senator is correct in charging that the Taft-Hartley Act permits "government by injunction" and "union busting," the responsibility for the continued existence of these alleged evils rests squarely on the Democratic Party in the Senate, a responsibility which the Senator from Oregon must share as he is one of those who voted to recommit the bill which would have remedied these alleged defects in the existing law.

II. COMPOSITION OF LABOR BOARD DURING PRESENT ADMINISTRATION

Having completed this attack on the President and his administration, the senior Senator from Oregon moves on to his charge that the incumbent three-member majority of the present National Labor Relations Board is promanagement and antilabor. In launching this charge the Senator again ignores certain relevant facts and gives less than the full story on others.

He gives the impression that the Labor Board has been under Republican control from the moment the present administration took office in January 1953 and that all of its appointees to that agency have been Republicans. What are the facts? The first appointee of President Eisenhower, Mr. Guy Farmer, as chairman of the Board, was not a Republican. Mr. Farmer, both before and after his service as a Board member, was and is a law partner of Mr. Louis Johnson, formerly Secretary of Defense in the Truman Cabinet. The third Eisenhower appointee to the 5-man Board, Mr. Beeson, did not take office until late in February 1954. Thus for the first 14 months of the present administration, the Board had a majority of Truman appointees, and even during the 10 months of Mr. Beeson's incumbency (until December 1954), there were still only 2 Republican members. This state of affairs continued until the appointment of Mr. Bean in the fall of 1955. In other words, although Eisenhower appointees have constituted a 3 to 2 majority on the Board since March 1954, there has not been an actual Republican majority until the fall of 1955, a period covering more than the first 2½ years of the present administration.

Similarly with the office of the General Counsel of the National Labor Relations Board to which the Senator from Oregon rightfully attaches so much importance. The present incumbent, Mr. Kammholz, appointed by President Eisenhower, did not take office until March 1955, little more than a year ago. His predecessor, Mr. Bott, a Truman appointee, held the office until December 1954 covering the first 2 years of the present administration. It is well to keep these chronological facts in mind in examining the Senator's charges of alleged derelections by the Labor Board appointees of President Eisenhower. Because it is clear that many of these charges concern events and proceedings which arose prior to the date when it could accurately be said that Republicans held an actual majority of the controlling positions on the Labor Board.

Before launching his detailed attack on the present Board's decisions and policies, the Senator from Oregon declared:

"Those who would justify the Eisenhower Board say that the Board is fair and has moved in an antilabor direction only because the Truman Board was excessively prolabor, and that the Eisenhower Board is simply correcting the prolabor mistakes of the Truman Board."

He then asserts that the Truman Board fairly and impartially administered the Taft-Hartley Act during its early years and bases this contention on a similar conclusion reached by a special joint committee of the Congress under the chairmanship of Senator Ball which so reported during the 2d session of the 80th Congress in 1948.

Again emphasis should be given to what the Senator has failed to explain in connection with this report of the joint committee headed by Senator Ball. The committee's conclusions were based on observation of the Board's activities during only the first year or so of the Taft-Hartley Act, that is, from September 1947 to the latter part of 1948. In that interval it is true that the Truman Board conducted itself in a relatively impartial manner. But it must be remembered that during that period the Republican 80th Congress was still in office and that it was generally expected that the Republicans would capture the presidency as well in the impending elections of November 1948. The Board's policies and decisions subsequent to those elections, in the opinion of highly qualified observers, do not show the same freedom from bias that had to some degree prevailed in the preceding year. As an example of this critical view of the Truman Board's attitudes reference is made to the testimony presented to the Senate Committee on Labor and Public Welfare on April 30, 1953, by Mr. Joseph C. Wells, formerly Associate General Counsel of the Truman Labor Board.

The Senator from Oregon devotes considerable space to catstigating the incumbent Board and General Counsel. The detailed answer to these charges are contained in the replies written by Board Chairman Leedom and General Counsel Kammholz in response to letters from the Chairman of the Senate Labor Committee, Mr. HILL, of Alabama. (See exhibits 1 and 2.)

Suffice it to say here that every personnel action taken by the present Board and general council was in full compliance with the laws and civil-service regulations applicable to employees of the National Labor Relations Board, and that contrary to the contentions of the Senator from Oregon there were no discharges of career civil-service employees. By way of illustration, the Senator refers to the removal of Mr. William O. Murdock, former Associate General Counsel (whom he terms a career employee) and to former Assistant General Counsel William Feldesman. Neither of these was a career employee; neither had competitive civil service or veteran's status, and both were permitted to stay on until they succeeded in securing other desirable employment.

III. POLICY OF THE GENERAL COUNSEL

The Senator from Oregon goes on to imply that there is something wrong in a Board field examiner telling a union against whom charges of unfair labor practices have been filed that "the new General Counsel of the Board has taken the position that in all cases of doubt, relating to possible new unfair labor charges were not to be dismissed by regional directors but instead were to be brought to his attention for possible decision in favor of issuing complaints in circumstances that had not heretofore been regarded as unfair labor practices."

Assuming the accuracy of this quotation attributed to the unnamed field examiner, what is wrong with such an attitude on the part of the General Counsel? It is a matter of general practice among administrative agencies whose determinations are subject to judicial review to resolve doubtful cases in favor of proceeding rather than of dismissal. It is only in this way that an administrative agency can learn, through the decisions of the courts, just what are the boundaries of its jurisdiction and the limits of its authority under the statute it administers. The judicial decisions spell out, on a case by case basis, these limits and boundaries, and ultimately result in a well-defined body of law which acts as a guide to potential litigants and practitioners in that particular field. To refuse to proceed in these doubtful or borderline cases is to leave the law itself doubtful, confused, and incapable of furnishing guidance to those who may be subject to the statute's jurisdiction.

The present General Counsel from the beginning has been fully aware of his responsibility in this respect. When he appeared before the Senate Labor Committee on January 24, 1955, in connection with his nomination to the office he now holds, he stated to the committee:

"I think it should be the obligation of the General Counsel, if there is a borderline case and if there is a question as to whether or not a complaint should issue, to issue the complaint and have the Board decide. The Board makes policy, and the General Counsel does not."

Yes, Mr. Kammholz is fully aware of his responsibility, a responsibility much greater in this respect than that resting upon other administrative agency officials. Unlike the latter, the decision of the General Counsel on the issuance of unfair labor practice complaints is final and not reviewable either by the Board or the courts. When he refuses to issue a complaint, the case is closed, the issues remain unresolved, the litigants are disappointed at not having had their day in court, and if the case is a borderline one, the law remains doubtful, confusing and sometimes misleading. A policy of issuing complaints in cases where the law is not absolutely clear is not only desirable but essential if labor relations law is to be clearly defined. Instead of reproaching Mr. Kammholz on this score, the senior Senator from Oregon, distinguished lawyer that he is, should compliment him on the soundness of his policy in this respect.

IV. PRESENT LABOR BOARD CONFORMS TO JUDICIAL DECISIONS

The Senator from Oregon accuses the present Board of making determinations flagrantly contravening decisions issued by the courts dealing with the same questions. He then adds, by way of contrast, the following statement:

"The record of the old Board is a record of a Board which bowed to the supremacy of the court decisions which overruled the Board."

A few examples will suffice to show how without foundation are both of these assertions, as well as to demonstrate that it was the Truman Board which flouted the courts and the present Board, which in overruling its predecessor brought its policy into conformity with judicial holdings.

Thus, the Truman Board in numerous decisions of which the leading one is *Standard-Coosa-Thatcher Co.* (85 NLRB 1358), held that an employer is guilty of an unfair labor practice per se, when he asks an employee any question concerning the union even if the question is wholly free from any threat or promise of benefit. Of the 10 Federal circuit courts of appeal, 6 reversed the Board on this rule and the Supreme Court has refused to review their decisions, the citations

being set forth in the statement of Mr. Wells referred to earlier herein. It remained for the present Board to rectify the situation and to place its policy in conformity with the judicial holdings which the three Eisenhower appointees did in July of 1954 in the *Blue Flash Express, Inc.* case (109 NLRB No. 85). An interesting footnote to this decision is that the two Truman appointees, Board members Murdock and Peterson, whom the Senator from Oregon specifically excludes from his charges of perverting the law, dissented, supporting what in effect would amount to a continuation of the previous Board policy of flouting the decisions of the courts on this issue.

Again, in the area falling under section 8 (c), the so-called free speech provision of the Taft-Hartley Act, the incumbent Board is now applying the law in accordance with judicial decision, thereby rectifying a perversion of the statute practiced by the Truman Board.

Much has been said about the notorious Bonwit-Teller doctrine, and for some strange reason the present Board has been severely criticized in some quarters because it has allegedly been engaged in tearing down the old Board's salutary rule. It is time, once and for all to lay this myth to rest. In the *Bonwit-Teller* case (96 NLRB 608) (decided late in 1951), the old Board in flat contradiction to the legislative history of the Taft-Hartley Act held that an employer violated the law by failing to grant the union's request for a chance to speak to his employees under conditions similar to those attending the employer's antiunion speech delivered on his premises 6 days before the election. The rule was laid down that an employer who chose to use his premises to assemble his employees and speak against a union may not deny the union's reasonable request for the same opportunity to present its case.

When this decision reached the Court of Appeals for the Second Circuit, the court severely limited the Board's holding. It ruled that an employer who imposed a no-solicitation rule on his employees, thereby prohibiting all solicitation in behalf of the union on company property, violated the law when he discriminatorily violated his own no-solicitation rule by convening, on company time and property, a captive audience of his employees to hear an antiunion speech.

But the old Board, instead of remaining within the limitation of the court's rule, ignored it to hold in subsequent cases that an employer violates the law under such circumstances even if he has not imposed a no-solicitation rule and his employees have ample opportunity freely to solicit for the union on company property. The Board, in these cases, laid down the rule that an employer who delivers an antiunion speech on company time and property to his employees commits an unfair labor practice per se if he denies a similar opportunity to the union, *Metropolitan Auto Parts* (102 NLRB No. 71), *Seamprufe, Inc.* (103 NLRB No. 17). The Eisenhower Board, in *Livingston Shirt Corp.* (107 NLRB No. 109), reverted to the rule established by the Second Circuit. Again it was the Eisenhower appointees who voted to conform to judicial decision while Truman appointee Murdock dissented in part, and Truman appointee Peterson, while concurring in the result disagreed with some aspects of the majority's opinion.

And while on the subject of free speech, it would be well to point out how unjust the Senator from Oregon has been in his criticism of the present Board. Thus, in discussing the *Morganton Full Fashion Hosiery* case (107 NLRB, 1534), the senior Senator from Oregon acknowledges that the Board would not permit the employee mandate determined in a secret election to be lightly set aside because of normal and expected plant discussion. But, in the face of contrary court authority he alleges the real reason was that it " * * * wanted to save an obviously antiunion employer." Why would the Senator wish the Board to ignore the Federal courts in the light of his own condemnation of the Board for allegedly doing just that?

Sixteen years ago in 1940, Judge Simons, speaking for the Sixth Circuit in *Ford Motor Co.* (114 F. 2d 905), and commenting upon the Board's argument that any employer influence might easily become coercive, said (114 F. 2d 914):

"If the concept that an employer's opinion of labor organizations and organizers must, because of the authority of master over servant, nearly always prove coercive, ever had validity, it is difficult now to say * * * that the concept is still a sound one. The servant no longer has occasion to fear the master's frown of authority or threats of discrimination for union activities, express or implied."

Thirteen years ago in 1943, Judge Learned Hand, speaking for the Second Circuit in *American Tube Bending* (134 F. 2d 993), held that an employer did not violate the Wagner Act when, on the eve of an election, he addressed his employees in opposition to the union without threat of reprisal. Twelve years ago in 1944, the Supreme Court cited these two cases with approval in *Thomas* v. *Collins* (323 U. S. 516), wherein it held that the right to discuss, and inform people concerning the advantages and disadvantages of unions and joining them is protected not only as part of free speech, but as part of free assembly. In a separate concurrence Mr. Justice Jackson said (p. 547):

"Free speech on both sides and for every faction on any side of the labor relation is to me a constitutional and useful right. Labor is free to turn its publicity on any labor oppression, substandard wages, employer unfairness, or objectionable working conditions. The employer, too, should be free to answer, and to turn publicity on the records of the leaders or the unions which seek the confidence of his men. And if the employees or organizers associate violence or other offense against the laws with labor's free speech, or if the employer's speech is associated with discriminatory discharges or intimidation, the constitutional remedy would be to stop the evil, but permit the speech, if the two are separable; and only rarely and when they are inseparable to stop or punish speech or publication."

These cases then are the parental authority for the Board's rules in this area of free speech.

Nor does the Senator refer to the most recent decision of the court in *Shirlington Supermarket* (224 F. 2d 649), decided last July 1955 by the Fourth Circuit. In the Shirlington case the Board ordered the employer to bargain with the union which the employees selected in the second election of representatives ordered held by the Board. The first election (lost by the union) was held invalid and set aside because last-minute, one-sided appeals to employees by the employer on company time and property were held to be prejudicial to a fair election. This Shirlington case was enforced by the Fourth Circuit with Judge Soper dissenting, contending that the Board exceeded the constitutional limits of its power. The Senator does not attempt to reconcile this case with his allegations.

From the foregoing instances, it is plain to see which Board conforms its policy to the decisions of the courts, which has been most concerned to protect the free speech guaranties of both the act and the Constitution as construed by the courts. Nor is it surprising that in this respect the so-called Eisenhower Board has more consistently adhered to the language and intent of the statute than had its predecessors. For the Republican appointees have all been men who believe in the law they have been called upon to administer in apparent contrast with the members of the Truman Board, who are publicly on record as substantially opposing the changes which Congress made in the Wagner Act when it adopted the Taft-Hartley law in 1947.

During the hearings preceding the passage of the latter statute, Mr. Paul Herzog, then Chairman of the Board, appeared as a witness before the Senate Committee on Labor and Public Welfare, and speaking on behalf of the entire Truman Board opposed many of the most important proposals to amend the Wagner Act, proposals which were to become part of the Taft-Hartley Act. Again in 1949, during hearings to amend that act before the same committee, Chairman Herzog, again appearing as spokesman for the Board, all of whose members were Truman appointees, indicated disapproval of various provisions of the Taft-Hartley Act. Can it be that those who attack the present Board are most disturbed because that Board, unlike its predecessors, thinks that the Taft-Hartley Act is a good law and endeavors to apply it in accordance with the intent of Congress?

V. JURISDICTIONAL POLICY OF PRESENT LABOR BOARD

Again, the Senator from Oregon asserts that the recent policy of the incumbent Board, narrowing the jurisdiction it will assert, is politically motivated and antilabor. He ignores the fact that this policy applies not only to charges of law violation filed by labor unions against employers, but also to those filed by employees or employers against labor unions as well. Nor does the distinguished Senator inform us that for many years prior to Taft-Hartley, the Labor Board refused to assert jurisdiction over either the hotel industry or the building construction industry regardless of the volume of interstate commerce involved in a particular case within those industries. Moreover, this refusal to assert jurisdiction over an entire industry, the hotel industry, continued to be the policy of the Truman Board even after the enactment of Taft-Hartley because that Board believed these industries despite their legal coverage by the act in many instances were "essentially local" in character.

In this connection, it is interesting to point out that the international union representing hotel employees which has been most emphatic in insisting that the present Board assert jurisdiction in the hotel industry and most severe in castigating the Board for its refusal to do so, took a directly contrary position during the incumbency of the Truman Board, strongly supporting the latter's refusal to handle any case involving hotels. One can only wonder whether this complete about-face on the part of the union may not have political motivations designed to harass the present Board for adopting a policy which the union was willing to support when it was promulgated by the Truman Board.

In any event, the jurisdictional criteria which the Board established relatively recently and which have aroused the wrath of the senior Senator from Oregon have been sustained judicially in every case which has thus far reached the courts. As a matter of fact, in the many years since the Board first claimed a discretion to refuse to exercise its jurisdiction it has been, with only a single exception, upheld by the courts both as to the possession of such discretion and the propriety of its exercise.

Ironically enough, the one instance in which a court differed with the Board on this issue arose before the Truman Board in a case in which that Board took a position which the Senator from Oregon approves but was compelled by the court to adopt the position which the Senator criticizes.

Thus, in the course of his attack, the Senator from Oregon castigates the present Board because in the *McAllister Transfer* case (110 NLRB 1769), it found the union guilty of an unlawful secondary boycott even though the volume of interstate business done by the primary and secondary employers when taken separately would have been insufficient with respect to either employer to meet the Board's standards for asserting jurisdiction. The Senator regards this as a demonstration of the Board's anti-labor bias declaring, "But the Eisenhower Board knows no limits. It says that in such a case it will lump together the interstate business done by both employer A and employer B and proceed against the union" even though it would refuse to entertain a proceeding involving either employer alone.

This allegedly heinous policy of the Board should be carefully examined. Did it develop this policy for the deliberate purpose of harassing and maltreating unions? The Senator from Oregon would surely withdraw this charge if he were more familiar with the background of this particular Board policy. In 1950, the Truman Board refused to assert jurisdiction against a union charged with conducting an illegal secondary boycott because the volume of interstate business of the primary employers involved was insufficient to meet the Board's then existing jurisdictional standards, *Joliet Contractors Association* (90 NLRB 542). Despite the urging of the charging party the Board refused to include the volume of interstate business done by the secondary employers affected by the union's boycott which would have given a total sufficient to meet the Board's standards. Thus the Board took the position which the Senator from Oregon believes should be adopted by the present Board if it is to be fair to labor.

But the Senator fails to point out that the United States Court of Appeals for the Seventh Circuit set aside the Board's jurisdictional dismissal of the complaint and ordered the Board to take jurisdiction precisely because the total volume of interstate business done by both primary and secondary employers was so substantial as legally to require the Board to handle the case, *Joliet Contractors Association* v. *National Labor Relations Board* (193 F. 2d 833). Did the Truman Board take this reversal to the Supreme Court of the United States as it could have done? It did not. It accepted the ruling of the court of appeals, asserted jurisdiction, and disposed of the case on the merits.

VI. SECONDARY BOYCOTTS

The Senator from Oregon is also extremely critical of the manner in which the present Board has construed and applied section 8 (b) (4) (A) of the National Labor Relations Act, the provision which outlaws some forms of the secondary boycott. He asserts that the Eisenhower Board has deliberately distorted and misconstrued section 8 (b) (4) (A) by "cutting to ribbons" and overruling the prior decisions of the old Board interpreting said section. This statement cannot withstand analysis; in fact, even a cursory examination of the material upon which the distinguished Senator relies to uphold his assertion demonstrates that the present Board has been scrupulous in following applicable old Board and court precedents in this area. Critical dissection of the pertinent authoritative guides discloses that the Board, contrary to the Senator's contention, has faithfully executed the task imposed upon it of executing the congressional will. A summary review will make clear the soundness of the Board decisions which the Senator attacks.

In the formative period of the act, i. e., under the so-called old Board, section 8 (b) (4) (A) was construed to condemn any inducement or encouragement to strike of the employees of any employer alien to a dispute between a union and another employer (*Sealright Pacific* (82 NLRB 271); *Wadsworth* (81 NLRB 802)) but to permit such inducement or encouragement of the employees of a primary employer (*Di Giorgio Fruit Co.* (87 NLRB 720); *Ryan Construction Co.* (85 NLRB 417)). The employer having the dispute was called the primary employer, while the neutral employer has been denominated as the secondary employer. These decisions, which have received the sanction of the Supreme Court (*NLRB* v. *Denver Building and Construction Trades Council* (341 U. S. 675); *NLRB* v. *International Rice Milling Co.* (341 U. S. 665); *International Brotherhood of Electrical Workers* v. *NLRB.* (341 U. S. 694)), have been consistently followed by the Board, regardless of its composition, to date. *Stover Steel Co.* (108 NLRB 1575); *Jay K. Lumber Co.* (108 NLRB 1323).

However, the Board was soon confronted with the problem of delineating the relative rights of a union to inflict intentional loss upon a primary employer and those of a secondary employer to be free of involvement in a labor dispute not his own when he harbored the situs of a primary dispute. Such harboring arose in 1 of 2 ways: (1) The secondary and primary employers were engaged in business, either permanently or temporarily, at a common situs, i. e., at the same geographical location, or (2) the subject of a primary dispute, such as a truck or ship (often called a roving situs), was to be found at the secondary employer's premises. Recognizing that neither right was absolute, the "old Board" made an accommodation by laying down specific rules permitting picketing (which is one form of inducement or encouragement) at the premises of a secondary employer harboring a dispute not his own. Such rules, set forth in *Moore Dry Dock Co.* (92 NLRB 547), have received judicial approval, *NLRB* v. *Service Trade Chauffeurs* (191 F. 2d 65 (C. A. 2)); *NLRB* v. *Chauffeurs, Teamsters, Warehousemen & Helpers Local No. 135* (212 F. 2d 216 (C. A.)). Succinctly stated, the Moore Dry Dock case permits a union to picket a secondary employer when—

"(a) The picketing is strictly limited to times when the situs of dispute is located on the secondary employer's premises;

"(b) At the time of the picketing the primary employer is engaged in its normal business at the situs;

"(c) The picketing is limited to places reasonably close to the location of the situs; and

"(d) The picketing discloses clearly that the dispute is with the primary employer." (92 NLRB at 549.)

Condition (a) had been previously held to be applicable only if "there was no other place in [the State where the dispute arose] where [the union] could give adequate notice of its dispute [with the primary employer]," *Schultz Refrigerated Service* (87 NLRB 502). This was held to mean that common situs picketing was unlawful if the primary employer had a separate place of business which could be picketed. *Washington Coca-Cola Bottling Co.* (107 NLRB 299, enforced 220 F. 2d 380 (C. A. D. C.)).

Decisions like *N. L. R. B.* v. *General Drivers* (225 F. 2d 205 (C. A. 5), cert. denied 350 U. S. 914); *Douds* v. *I. L. A.*, (224 F. 2d 455 (C. A. 2), cert. denied 350 U. S. 873); *Sales Drivers* v. *N. L. R. B.*, 37 LRRM 2166 (C. A. D. C.); and *N. L. R. B.* v. *Electrical Workers*, 37 LRRM 2219 (C. A. 2), although decided adversely to the Board by the Courts (certiorari to be applied for), do not represent any departure by the Board from the rule expressed in the Moore Dry Dock case. In each case (other than *Douds* v. *I. L. A.*, which is discussed hereinafter) the Board found a violation of section 8 (b) (4) (A) because the union charged had failed to comply with one or more of the criteria recited in the Moore Dry Dock case rendering such picketing lawful. Upon review, the courts did not overturn the Board's determination that, as a matter of law, the cases were governed by the standards set forth in the Moore Dry Dock case; indeed, the courts expressly reaffirmed the Board's pronouncement in that respect. The courts differed with the Board solely in the latter's judgment that such standards had not been satisfied.

Indeed, in the General Drivers case, cited by the Senator from Oregon as an example of a decision in which the Court castigated the Board, the Court not only reaffirmed the "old Board's" Moore Dry Dock doctrine (which the "Eisenhower Board" adopted), but also "commended" the Board in formulating such a doctrine. (See 225 F. 2d 205, at 209.) And the Electrical Workers case, which the Senator points out as a reversal of the Board, is in direct conflict with another decision in that same circuit upholding the Board on substantially the same facts, *N. L. R. B.* v. *Associated Musicians* (226 F. 2d 900 (C. A. 2)). In this last case the union has petitioned for certiorari, and the Board has informed the Supreme Court that it acquiesces in granting the same on this issue. Certainly such acquiescence does not display antiunion motivation.

The Board's role in the I. L. A. case was quite different. No formal order or decision was made by the Board therein. The case was originally instituted by the General Counsel by his petition to a Federal district court for an injunction under section 10 (1). Although the injunction was granted, the union, in flagrant violation thereof, tied up the port of New York for about a month, thereby inflicting a loss of millions of dollars to employers and employees alike in the port. As a result the Board, with the approval of public officials who were concerned about the port-wide strike, authorized the institution of contempt proceedings, and a jury found all 12 respondents guilty. Upon appeal, the conviction was reversed on the ground, erroneously the Board believes, that the injunction did not forbid the conduct complained of.

Nor has the Board "attempted to transform the meaning of section 8 (b) (4) (A) by substituting a conclusive presumption of union guilt for the necessity of proving by evidence that the union's object is one which section 8 (b) (4) (A) outlaws," as the Senator from Oregon alleges. He cites the I. L. A. and Electrical Workers cases, previously mentioned, to support his thesis. But he overlooks the fact that the Board in the cases referred to was merely following binding adjudications or precedents announced years before by the "old Board" establishing such presumptions. In *Schultz Trucking Co.* (87 NLRB 502, at 505), the "old Board," for which the Senator evinces such a high regard, held that—

"Plainly the object of all picketing at all times is to influence persons to withhold their business or services from the struck employer. In this respect there is no distinction between lawful primary picketing and unlawful secondary picketing proscribed by section 8 (b) (4) (A)."

Similar remarks may be found in the concurring opinion of Chairman Herzog in *Wadsworth Bldg. Co.* (81 NLRB 802, at 821).

Finally, the *Swift* case (113 NLRB No. 31) does not represent a departure from the "old Board's" precedents. In that case the Board followed *Washington Coca-Cola Bottling Co.*, (107 NLRB 299) (which was endorsed in full by the District of Columbia Court of Appeals (220 F. 2d 380)), and *Western, Inc.* (93 NLRB 336) in an effort to balance the dual congressional objectives of preserving the right of a labor organization to bring pressure on primary employers and to shield unoffending employers and others from pressures in controversies not their own. This accommodation by the Board has been praised as commendable by the court in the

General Drivers case cited by Senator MORSE (225 F. 2d 205, at 209 (C. A. 5)). Oddly enough, another facet of the Swift case convincingly demonstrates the Board's fairness and impartiality and effectively destroys the Senator's accusation that the Board is anti-union. Mr. Ratner, counsel for the union in the Swift case, requested the Board to file in the Federal court a petition for an injunction preventing Swift from enforcing a Missouri State court injunction which it obtained against the union. The State court injunction was much broader than the Board's cease and desist order against the union. Such a petition was filed. When the Federal judge dismissed the petition, Mr. Ratner requested the Board to appeal that decision. The Board did appeal, and the appeal is now awaiting decision by the Court of Appeals for the Eighth Circuit.

Nor is the Senator justified in condemning the Board's decision in one *Swift* case (113 NLRB No. 31) as inconsistent with its decision in another *Swift* case (115 NLRB 105). In the first *Swift* case (113 NLRB No. 31) the persons found by the Board to be employees under the act were buyers in retail meat markets who bought meats for the market, and Board Member Peterson, a Truman appointee, concurred in that conclusion. In the other case (115 NLRB No. 105) the persons found not to be employees, but rather representatives of management, were "procurement route drivers * * * who call on independent poultry and egg dealers every other day and buy produce from them" for Swift. The Swift cases involved different categories of workers, and, therefore, it is perfectly plain that the decision characterizing one group of workers as employees is not at variance with another decision referring to different personnel as representatives of management.

Hence it is manifest that the Senator's accusation as to the Board's secondary boycott decisions is without substance. The evidence is overwhelming that the present Board has acted as an impartial judicial body. It has faithfully performed the congressional mandate to administer the law entrusted to it with a watchful eye and guiding hand.

VII. RIGHTS OF EMPLOYEES

In the course of his remarks, the distinguished Senator from Oregon betrays, perhaps unconsciously, where his own prejudices lie as well as his unawareness that these prejudices result in a prounion rather than a prolabor or more accurately, a pro-employee concern. He makes the mistake of identifying the labor force or wage workers as a whole with the trade-union movement which, in fact, includes not more than 30 percent of the total number of employees in the country working for wages. The Senator reveals this attitude when he declares, in discussing a case involving the discharge of employees (*B. V. D.* (110 NLRB 1412)), that "The result is to deny a union which complied with the law its rights under the law (Taft-Hartley Act)."

The Senator from Oregon is mistaken when he implies that the law, meaning the Taft-Hartley Act, confers any rights on unions. The only rights conferred by the act are to be found in section 7. The rights there guaranteed are the rights of employees and not the rights of unions, although the Senator, illustrating the point made here, seems to believe that these two terms are identical. In fact, the rights guaranteed to employees in section 7 include not only the right to form and join unions and to engage in concerted activities for purposes of mutual aid or protection, but the right not to join a union and to refrain from engaging in such activities. What clearer proof could there be that Congress in legislating was establishing employee rights, not union rights?

In this connection the senior Senator from Oregon has misapprehended the intent of the Congress and the meaning of the statute. Thus, he states that section 7 "is basic to the entire statute for it contains the guaranties to workers of the right to organize and form unions, to engage in collective bargaining, and peaceful concerted activities like strikes and picketing for mutual aid and protection. The language of section 7 came from section 7 of the Wagner Act. In passing Taft-Hartley, Congress did not alter the words of that guaranty one jot or tittle."

Even on its face, it is apparent that this statement contains not the remotest reference to the rights of unions. But even more significant is the Senator's inaccuracy in describing what Congress did with section 7 when it enacted Taft-Hartley. He claims that not "one jot or tittle" of that section was changed. But in fact it was. For Taft-Hartley added to the affirmative rights enumerated by the Senator as contained in section 7 of the Wagner Act, the equally weighty parallel guaranty of the right of employees not to join a union and to refrain from engaging in concerted activities. This omission speaks volumes in its illumination of the fundamentally partisan attitude of the senior Senator from Oregon.

VIII. DECISIONS IN FAVOR OF UNIONS BY PRESENT BOARD

Enough has been said to demonstrate the unfairness as well as the inaccuracies of the charges levelled against the Board by the Senator from Oregon. But this report should not be terminated without pointing out the method which underlies the attempt of the Senator from Oregon to convict the present Labor Board of an antilabor bias. The attempt is based on a small number of Board decisions deliberately selected from the many thousands of cases decided by the Board in the last few years to create the impression of a Board prejudiced against labor unions. In these few cases the union lost. In countless others issued during the same period, employers were the losers. There are many other important decisions issued during the past 3 years in which the Board decided important questions, either not previously considered or previously going the other way, aiding organizational activities of unions and protecting the rights of employees. A few examples follow:

1. In a series of three cases—*Ranco, Inc.* (109 NLRB 998), *Seamprufe, Inc.* (109 NLRB 24), and *The Babcock and Wilcox Co.*, (109 NLRB 485), the Board for the first time clearly established the right of unions to distribute organizational pamphlets and other literature on the employer's parking lot premises, even using nonemployees to do so. The 6th Circuit Court sustained the new Board on this new principle. The 5th and 10th Circuit Courts held that the new rule favored unions unduly. These cases are now in the Supreme Court.

2. In the *Richfield Oil Corp.* case (110 NLRB 356), the new Board for the first time held that a company is obligated under the law to discuss with the union any stock purchase plan it cares to offer the employees. A company which refused to accord this privilege to its union was found to have violated the law. The District of Columbia Circuit Court sustained the new Board's decision on this question.

3. In *Boston Herald-Travelers Corporation* (110 NLRB 2097), the Board considered the kind and quality of business information which companies are required by law to furnish unions in the course of collective bargaining. In this case the Board broadened the obligations of the company and established the new rule that all information which relates to the wages or fringe benefits of the employees must be revealed. This case, too, was enforced in the First Circuit Court.

4. In *Regal Shoe Co.* (106 NLRB 1078), the Board considered whether to protect a union's contract or to ignore it because of some possibility that the union security provision might be too broad. It decided in this case for the first time that a union's contract should not be cast aside merely because of some ambiguity on the question of required union membership, or because of some slight deviation in the contract from the express language of the statute.

5. In *Peerless Plywood Co.* (107 NLRB 427), the Board for the first time established a rule that during the 24-hour period before elections among the employees as to their union desires, there could be no speeches inside the plant. This put an end to the previously recognized prerogative of the employer to urge the employees to reject the union at the last moment before the election.

6. In *Boeing Airplane Co.* (110 NLRB 147), the Board for the first time recognized the right of union officers or representatives to seek employment elsewhere for fellow employees who are dissatisfied with their current wages in their present jobs. The Boeing Airplane Co. discharged such a union representative, claiming that his union activity hurt the company. The Board ordered this man's reinstatement on the ground that the right of employees, within their union, to help themselves must not be sacrificed to the employer's right to run his business.

These specific cases, viewed as a group in isolation from the vast number of other decisions made during the same period, might give rise to an inference of favoritism toward unions generally. The charge would be baseless, however, because any discriminatory selection of a few cases out of many always creates a false impression. No more warranted is the Senator's outright charge of antilabor bias because it, too, rests on less than 1 percent of the number of cases issued in any one year. Indeed, appreciation of all the decisions of this Board belies any preconceived notion of favoritism in any direction. Interestingly enough, this view of the present Board's fairness is shared by an observer whose testimony must be given great weight. He is the Honorable J. Warren Madden, judge of the United States Court of Claims, and the first Chairman of the National Labor Relations Board who served in that capacity from 1935 to 1940. Judge Madden was a strong believer in the Wagner Act, and as far as can be discovered has never been accused of being unfriendly to organized labor or prejudiced in favor of management. In an article in the Ohio State Law Journal in the summer of 1955, Judge Madden concluded as follows:

"I congratulate the [National Labor Relations] Board upon its approaching 20th birthday. In my opinion, the Board and its staff have administered the law with unusual skill and diligence, and, under this administration the law has achieved its declared purpose to a greater degree than any other important statute of which I am aware."

IX. JUDICIAL CRITICISMS OF THE OLD BOARD

It is appropriate at this time to call attention once more to the inaccuracy of the implication left by the Senator from Oregon that the old Labor Board, the so-called Truman Board, was a paragon among quasi-judicial administrative agencies. On June 4, 1951, on the floor of the Senate, the illustrious Senator from Ohio, the late Robert A. Taft, declared:

"I am even more concerned today by the attitude of the present National Labor Relations Board. The general effect of their decisions since the 1948 election has been to whittle away some of the basic principles of the law."

Again, on December 22, 1953, Representative SAMUEL K. MCCONNELL, JR., then chairman of the House Committee on Education and Labor, in a speech in Chicago discussing the findings of his committee after its extensive hearings earlier that year, stated:

"If there is one major theme which runs throughout the millions of words of testi-

mony last spring, it is dissatisfaction with the National Labor Relations Board and its regional and field offices. Management and labor spokesmen were both vocal in condemning them."

Even the Federal courts, when called upon to enforce or review the orders and rulings of the old Labor Board, have frequently felt impelled to comment on that Board's administration of the Wagner and Taft-Hartley Acts. A few examples will suffice:

"Shocking injustices" in the Board's rulings; and its findings of fact "opposed to the overwhelming weight of the evidence," *Wilson & Co.* v. *NLRB* (126 F. 2d 114, 117 (C. A. 7), 1942).

Describing action of the Board as "arbitrary and capricious," *NLRB* v. *Sidran Sportwear* (181 F. 2d 671, 674 (C. A. 5) 1950).

No basis for the Board's order at all except "suspicion and conjecture and a kind of cloak and dagger process of reasoning," *NLRB* v. *Mac Smith Garment Co.* (203 F. 2d 868, 871 (C. A. 5) 1953);

In ruling against the Board, the Supreme Court stated: "The Court of Appeals said, 'We cannot follow the Board's reasoning.' Nor can we * * * Substantive rights and duties in the field of labor-management do not depend on verbal ritual reminiscent of medieval real property law," *NLRB* v. *Rockaway News Supply Co.* (345 U. S. 71, 75 (1953));

"The Board itself is a mere creature of the law. It is no 'Pooh Bah' to loose or bind at will. In attempting to put at loose a matter which employees and employer have by lawful procedures put at rest, the Board, we think, exceeds its authority, goes beyond its powers, and doing so, it sets a pattern of profiting by one's own wrong, which is just as immoral and inequitable in labor as in any other human relations," *NLRB* v. *Dorsey Trailers* (179 F. 2d 589, 592 (C. A. 5) 1950);

"Our only duty is to see whether there was any substantial evidence to support that finding. Though it may strain our credulity, if it does not quite break it down, we must accept it; and in the case at bar, regardless of what might have been our own conclusion, we are not prepared to say that no rational person could have come to the same conclusion," *NLRB* v. *Columbia Products Corp.* (141 F. 2d 687, 688 (C. A. 2) 1944);

"Based on these inferences, the Board found he was fired for union activities. However, it is well established that inference piled on inference is not a substitute for evidence," *Indiana Metal Products Corp.* v. *NLRB* (202 F. 2d 613 (C. A. 7) 1953);

"In arriving at the conclusion that these drivers were discharged contrary to the act the Board relies to a large extent upon what it terms background. In developing this perspective the ordinary judicial approach to the consideration of evidence is abandoned and a novel method invoked by which statements made by dissatisfied employees upon their examination in chief are quoted to support some of the findings of the Board, although, in specific instances, this evidence was modified or eliminated by admissions made on cross-examination. On the other hand, testimony of company officials which disputed the charges, even where apparently corroborated, was invariably disregarded wherever there was a conflict in the evidence. True, there may have been something in the demeanor or appearance of these witnesses for respondent which may have influenced the report of the examiner and accounted for this remarkable discrimination, but no apparent reason is manifest from the record itself.

"That this 'background' upon which the Board so strongly relies to support its order to reinstate the discharged employees presents a somewhat distorted picture of the activities of respondent, a limited scrutiny of the findings will serve to reveal," *NLRB* v. *Union Pacific Stages, Inc.* (99 F. 2d 153, 158 (C. A. 9) 1938).

X. CONCLUSION

In approaching the termination of this statement, it is proper to deal with the assertion by the senior Senator from Oregon that it is the duty of the Congress carefully and painstakingly to examine the charges against the Board which he set forth in his lengthy statement of March 23 and to determine for itself whether the Board is faithful to the trust which Congress has placed in it. He said, "Senators are under particularly heavy obligation to do this when the charge of usurpation of legislative function and political motivation is levied at the Board." In another place in his speech the Senator states, "Insofar as these cases uphold the Eisenhower Board's new rule, they rely on the supposedly expert and unbiased character of the Board—a supposition which we as the Congress are surely entitled to question." The Senator then concludes that an investigation of the Board's policies should be made by the Senate Committee on Labor and Public Welfare. In this connection, the Senator from Oregon, in his speech of March 23, stated:

"Mr. President, I opened this speech by charging that the Eisenhower Board has rewritten the Taft-Hartley Act to make it more intensely antilabor, and that it has perverted the act's administrative machinery for the same purpose. The cases and examples I have given amply support this charge and they only scratch the surface. For every case I have cited there are additional ones.

"Also, there are many cases which the Board may have decided unfairly and unjustly by abusing its enormous factfinding powers. In biased hands, factfinding can be a weapon of injustice. Every lawyer knows the cliche: 'Let me find the facts and I care not what the law may be. I will achieve whatever results I please.'

"For every instance of administrative unfairness in the day-to-day handling of cases by the general counsel and by the field of offices which I have been able to cite, I suggest there are many unknown and unreported similar instances which only an investigation could reveal.

"What I have given, however, is enough to show the pattern. It is enough, I believe, to make it clear that a thorough investigation of the policies of the General Counsel's Office and of the Board should be made by the Senate Committee on Labor and Public Welfare.

"I call for a complete investigation by Congress in defense of its own prerogatives which are presently invaded by the Board's and General Counsel's usurpation of legislative power."

It is surprising to find so distinguished a lawyer as the senior Senator from Oregon implying, without proof, that "there are many cases which the Board may have decided unfairly and unjustly by abusing its enormous factfinding powers." If he knows of such cases why did not the Senator name them? What is even more surprising is his assertion that there are "many unknown and unreported instances" of unfairness by the General Counsel and his field offices. If they are unknown and unreported how can the Senator assert that they exist? And if he knows, why does he not disclose the source of his information?

But more important than these considerations is the question of the propriety of the Senator's demand for a congressional investigation of the Board and its General Counsel. At this point it must be emphasized that the present Board does not stand accused of corruption, venality, bribery, or any form of criminal abuse of its office. The sole charge is that the Board has a strong antilabor bias which is politically motivated and the only evidence to support this charge adduced by the Senator from Oregon is a sort of psychoanalysis of a number of the Board's decisions and policies. Thus, what the Senator is asking for is an investigation into the factors, ultimately subjective, which enter into the Board's actions; in other words, an inquiry into the process by which this quasi-judicial agency reaches its conclusions.

One viewpoint on the propriety of such an investigation of the Labor Board is the attitude of the ranking Republican member of the Senate Labor Committee, the senior Senator from New Jersey, Mr. SMITH. In 1949, in the course of hearings on proposed revisions of the Taft-Hartley Act, the Senator from New Jersey took the position that the Congress had no right to investigate or question the decisions of the Board, past or pending, no matter how strongly it disagreed with those decisions.

In January 1953 the senior Senator from New Jersey became chairman of the Senate Labor Committee and in the spring of that year presided over extensive hearings concerned with possible amendments of the Taft-Hartley Act. Charges were made by witnesses during those hearings that the Truman Board was prejudiced, biased, prolabor and antimanagement. Demands were made that the Board be investigated by the committee, and evidence, similar in character to that set forth by the Senator from Oregon, was adduced from the Truman's Board's policies and decisions in support of these charges and demends. But the chairman of the committee, consistent with his previously expressed views, did not yield to these demands, and neither he nor the Republican majority of the committee entertained, even for a moment, the idea of such an investigation. When the then Chairman of the Board and the then General Counsel appeared before the committee, they were received not only with the utmost courtesy, but not one single hostile question was addressed to either in an attempt to determine the motivating factors behind their decisions and policies despite the criticism to which these were being subjected.

When, in 1949, the senior Senator from New Jersey expressed his consistently held view that Congress had no right to investigate the decisional processes of the Board, he was expressing complete agreement with a distinguished colleague in the Senate, then also a fellow member of the Labor Committee. At the very same time during those hearings in 1949, that committee member expressed himself as follows:

"I happen to think that this trend in the Congress of the United States, to place this type of restriction [a congressional watchdog committee] on quasi-judicial tribunals, is threatening the separation-of-powers doctrine in this country and is always going to be a threat to the exercise of the truly judicial function in respect to those issues which are given over to the jurisdiction of a quasi-judicial tribunal. I want to say that as far as I am concerned I shall always be heard to protest calling of the National Labor Relations Board before any congressional committee, watchdog or not, for the purpose of discussing with that Board the reasons that may have caused it in its judicial capacity to reach a decision. I think it threatens to undermine this whole notion of decisions by an administrative law board being reached judicially, and it adds up, in my judgment, to a threat of political pressure being placed upon administrative tribunals." (Hearings before the Committee on Labor and Public Welfare, U. S. Senate, 81st Cong., 1st sess., on S. 249, pt. 1, p. 201.)

This strong statement was made by none other than the distinguished senior Senator from Oregon [Mr. MORSE] who thus appears as the most persuasive witness against his own request that the Labor Board be investigated by Congress.

It is submitted that the case against the National Labor Relations Board as made by

the distinguished senior Senator from Oregon [Mr. MORSE] is not sustained by either the facts or the law.

EXHIBIT NO. 1

NATIONAL LABOR RELATIONS BOARD,
Washington, D. C., April 9, 1956.

Hon. LISTER HILL,
United States Senate,
Washington, D. C.

DEAR SENATOR HILL: I regret the delay in this response to your letter of March 29 requesting comments on the speech of Senator MORSE, of Oregon, delivered in the Senate on March 23.

I feel you will agree that the Board, as a quasi-judicial tribunal whose decisions are reviewable by the Federal circuit courts, should not enter upon a discussion of the merits of its decisions or in debate with any who may differ with its opinions.

The merits of adjudications apart, however, it is, of course, appropriate, in response to your request, briefly to comment upon the general aspects of the criticism which has been directed against the Board. This letter is apart from any views which other members might express.

Aside from the broad area for disagreement with Senator MORSE'S contentions, conclusions, and inferences, it appears that his speech is not free of actual inaccuracies. Not because these illustrations are particularly significant in themselves, but rather to bring into focus the fact that the address may not have been prepared with great care, I call attention to certain of these errors appearing in the text. (1) The Senator said that each member appointed to the Board by this administration has been Republican. As a matter of fact, it is common knowledge that Mr. Guy Farmer, appointed chairman by President Eisenhower, was not a Republican. (2) The Senator includes within the examples he uses to prove that the "Eisenhower Board" "perverted" the law, the case of New York Stock Exchange. This case was decided in 1944. (3) The Senator makes the allegation that the "Eisenhower Board" established a "highly vindictive" rule with respect to filing of non-Communist affidavits under section (9) of Taft-Hartley and in so doing emasculated the statute and prior precedent. He cites as support for this claim the Board's Monsanto Chemical decision. But this decision was unanimous, joined in by both Members Murdock and Peterson. (4) The Senator lauds the principle of Fawcett-Deering as "the policy under the old Board," which he claims the "Eisenhower Board" overruled in the Monsanto Chemical decision mentioned above. Actually, Fawcett-Deering was the unanimous decision of the three-member panel composed of Member Peterson, and Eisenhower appointees Chairman Farmer and Member Rodgers.

The Senator said that the Republican administration has intended to turn the Board from a quasijudicial into a political agency, and has ruthlessly discharged a substantial number of professional career people and replaced them with political incompetents. The second attack is on the Board's decisions. Thus the speech is two pronged.

With respect to the hiring and firing of employees, I believe these figures are significant: The Eisenhower majority dates from March 1954 when Mr. Albert Beeson, no longer on the Board, assumed office. At that time the agency had 1,258 employees. Since then, in line with a policy of economy and efficiency and keeping employment within budgetary limits, there generally has been no replacement of normal attrition. As a result, by April 1956 employment has dropped to a total of 1,106. During this period of over 2 years there have been only 6 involuntary terminations in the entire agency, none of which was even remotely related to partisan politics, and only 27 new professional people have been hired. Some of these came from within Government service. To further quickly refute the Senator's charges, our records show that 209 professional career people have been promoted, and only 7 have been demoted throughout this same time of the Eisenhower majority.

As for the second phase of Senator MORSE'S speech, his attack on certain Board decisions, he relies primarily upon information supplied by Mr. Mozart Ratner, a former Labor Board employee now working for unions. Since Mr. Ratner represents unions it seems a fair assumption that his inclination would be to take the partisan rather than the purely objective viewpoint, and would tend to color the total factual picture to favor labor organizations in an issue between unions and management. It thus seems that in grounding his speech on Mr. Ratner's viewpoint the Senator has departed from the position of an impartial observer and critic. That he has a biased view seems to be illustrated in his criticism of the Board's decision in the Swift case, in which Mr. Ratner was the losing union attorney. An objective report of that proceeding will reveal that the Labor Board instituted a collateral action in the Federal courts to relieve the union involved of an improperly burdensome State court injunction.

According to a count I have had made, the Senator specifically criticizes in his speech 34 Board decisions and makes his case against the Eisenhower Board out of these. One, New York Stock Exchange, mentioned above, was decided in 1944, reducing the significant number to 33. In 9, both of the members appointed by President Truman joined in the majority opinion, and one or the other joined the majority in 15 more, reducing to 9 the cases in which both Truman members disagreed with the Eisenhower members. Thus, of the decisions on which Senator MORSE rests his case, only 9 represents a strict division between Eisenhower and Truman appointees. These 9 comprise less than 2/10 of 1 percent of the whole body of 4,615 decisions in contested cases rendered during a period that approximates that of the Eisenhower majority, fiscal years 1954, 1955 and the first half of 1956. Admittedly, two-tenths of 1 percent is a rather small area for purposeful distortion of the congressional intent.

The charge of prejudice and perversion of the act by the Eisenhower Board is based on this small number of decisions selected from several thousands. The charge is then articulated either in the language of a dissenting opinion, or, where the Board was unanimous, in the language of the losing party's brief. In these few cases the union lost. In countless others issued during the same period, employers were the losers. There are many other important decisions issued during the past 3 years in which the Board decided important questions, either not previously considered or previously going the other way, aiding organizational activities by employees and protecting the rights of unions. These cases include:

Renco, Inc. (109 NLRB 998).
Seamprufe, Inc. (109 NLRB 24).
Babcock and Wilcox Company (109 NLRB 485).
Richfield Oil Corporation (110 NLRB 356).
Boston Herald-Travelers Corporation (110 NLRB 2097).
Regal Shoe Company (106 NLRB 1078).
Peerless Plywood Company (107 NLRB 427).
Boeing Airplane Company (110 NLRB 147).
Truitt Mfg. Co. (110 NLRB 856).
Borg-Warner (113 NLRB 120).
Whitten Machine (108 NLRB 1537).

These specific cases, viewed as a group in isolation from the vast number of other decisions made during the same period, might give rise to an inference of favoritism toward unions generally. The charge would be baseless, however, because any discriminatory selection of a few cases out of many always creates a false impression. No more warranted is the Senator's outright charge of antilabor bias.

Since I am a comparative newcomer to the Board and therefore involved in only a few of the matters and cases Senator MORSE criticizes, I feel I can say with propriety that all my colleagues are men of the highest integrity. Decisions by all courts and quasi-judicial agencies necessarily reflect to a degree the economic and political views of the members. Therefore some change constantly takes place in the interpretations of the law, not inconsistent with the statutory scheme of continuous change in the personnel comprising the tribunal. But there is no merit whatever to the charge that any member or group of members of this Board, within my experience, ever set out to pervert the congressional intent, as expressed in the statute.

I appreciate this opportunity you have given me to state these views.

Very sincerely yours,

BOYD LEEDOM,
Chairman.

EXHIBIT NO. 2

NATIONAL LABOR RELATIONS BOARD,
OFFICE OF THE GENERAL COUNSEL,
Washington, D. C., April 11, 1956.

Hon. LISTER HILL,
United States Senate,
Washington, D. C.

DEAR SENATOR HILL: I am replying to your letter of March 29, inviting my comments upon Senator MORSE'S March 23d speech on the floor of the Senate, in which he expressed some criticism concerning the administration of the Taft-Hartley Act.

Insofar as the Senator's speech relates to decisional matters within the province of the Board itself, I shall make no observations. I understand that Chairman Leedom has written to you concerning these aspects of the speech. There are a number of matters touched upon by the Senator, however, which concern me personally or the operation of my office. I have no desire to discuss every point raised but I am afraid that I shall have to impose upon you to the extent that I find it necessary to comment upon a few of them.

I should like to direct your attention first to a consideration of the cases with respect to which the Senator has raised questions.

1. CASE NO. K–42: ADMINISTRATIVE DECISION OF THE GENERAL COUNSEL

Senator MORSE charges that a complaint was not issued in this case only because there was no corroboration of the statements of five employees that the company had separately offered each of them benefits to induce them to abandon a strike and return to work.

One would not know, from the speech, that only a small part of an intricate situation was being reported. Actually, however, the case involved complex allegations of a refusal to bargain, a long strike and allegations of discrimination against 25 individual employees. On August 9, 1954, the regional director, acting on behalf of my predecessor as General Counsel, dismissed the charges on the ground that the evidence of violations was insufficient to warrant further proceedings. This occurred more than 7 months before I assumed the office of General Counsel.

The director had concluded that section 10 (b) of the act, which provides that a charge must be filed within 6 months of the occurrence of an alleged unfair labor practice, barred the issuance of a complaint with respect to 15 of the 25 alleged discriminatees, without regard to possible merit. The evidence disclosed that 2 of the remaining 10 employees had actually quit; 1 had re-

fused to be interviewed by our regional personnel; 1 never requested reinstatement; and 1 clearly was not discriminatorily discharged, as alleged. The evidence concerning the five remaining employees, the director concluded, was insufficient to warrant issuance of a complaint.

Before I became General Counsel, analysis of the case on appeal had indicated that reversal of the director's action was not warranted. The case was one of many awaiting my attention when I took office several months later. After consideration of the facts as reported to me, viewed in the context of the entire case, I affirmed this analysis and the appeal was denied on June 23, 1955.

Senator MORSE misconceives the scheme of the act when he asserts that it is not the business of the General Counsel, but of the trial examiner and the Board, to weigh conflicting evidence under the circumstances present here. On the contrary, it is very much the business of the General Counsel, and of his field representatives, for only by so doing can it be determined whether there is reasonable cause to believe that a violation of the act has occurred and whether the available evidence is sufficient to meet the burden of proof. On balance, the evidence in this case, assessed in the light of all the facts, failed that test.

2. NATIONAL ORGANIZATION MASTERS, MATES, AND PILOTS OF AMERICA, INC., AFL, ET AL. (J. W. BANTA TOWING COMPANY) CASE NO. 14–CB–291

The Senator says that in the factual situation presented here a complaint should have issued against the employer rather than against the union. He contends that peaceful organizational activity was thwarted by the employer's unfair labor practices but that nevertheless a complaint was issued against the union.

The Senator correctly states that a trial examiner of the agency has issued an intermediate report recommending that the complaint be dismissed by the Board. However, the regional office could not agree, upon review, that his analysis of the situation was in accord with the true facts as reflected in the record. Counsel for the General Counsel therefore filed exceptions with the Board to the trial examiner's report, and the matter is now before the Board for decision.

So that this matter may be in proper focus, I should like to point out that the complaint was issued against the union on the basis of the following information revealed by our field investigation: On November 3, 1954, four union representatives came aboard a towboat without the permission of the captain. When the towboat captain, a middle-aged man, 5 feet 6 inches tall and weighing approximately 145 pounds, ordered them to leave, the union representatives, led by a young man 6 feet tall weighing approximately 200 pounds, forced the captain into a corner of the galley and there held him prisoner for approximately one-half hour. Subsequently the captain was able to escape from the galley to the pilot house, but there he was forced to barricade himself. As a result of these actions, the boat came under the complete control of the union representatives and the captain was intimidated and stripped of his authority.

Later the captain attempted to release the lines so that he could move his boat. However, he was restrained from doing so by the union representative and finally, on the following morning, it was necessary for the captain to be escorted ashore by the police. Our field investigation further revealed that, after finally succeeding in moving the tugboat, the captain returned with the boat on November 6, 1954 to pick up the barges he had left behind. Upon arrival he found that the union representatives had deployed approximately 20 pickets armed with iron bars and clubs on these barges. As the towboat approached, the union organizer who had previously led the assault on the captain shouted that the pickets were going to prevent the taking of the barges and others shouted that they would break the skulls of anyone who tried. After repeated warnings to the men on the barges, some shots were fired from the towboat, with the result that the young union representative was wounded in the arm.

Following this series of events the employer filed an unfair labor practice charge against the union and the union in turn filed a charge against the employer. The union's charge alleged, in part, that the employer violated the act by the use of gunfire on November 6, 1954. The use of force under any circumstances is certainly not condoned by the General Counsel, the Board, or the regional office. However, the shooting which occurred here, although a possible criminal violation and the subject of criminal proceedings before a State tribunal, was not deemed to be a violation of the Taft-Hartley Act under these limited and particular circumstances. Accordingly, the charge against the employer was dismissed by the regional director. Significantly, no appeal from the regional director's dismissal was ever filed with the General Counsel. Complaint was issued against the union respondents alleging that they had restrained and coerced the employees of the company on November 3, 1954, by the use of force upon the property of the company in the presence of the employees and, on November 6, 1954, by massing armed pickets and threatening to prevent employees of the company from picking up certain barges.

3. TEAMSTERS LOCAL 688 (COCA-COLA BOTTLING COMPANY OF ST. LOUIS) CASES NOS. 14–CC–88; 14–CC–53; 14–CB–363

Senator MORSE charges here that a complaint alleging a violation of section 8 (b) (4) (c) of the act was issued in a situation involving no more than recognition picketing.

At the outset, it should be noted that a United States district court, after a contested trial, has granted the Board's petition for injunctive relief in case No. 14–CC–93 wherein it was charged that local 688 was engaging in secondary boycott activities in violation of section 8 (b) (4) (A). In case No. 14–CC–88, a trial examiner has concluded, after careful analysis of all material facts and evidence, that local 688 has violated and is now violating section 8 (b) (4) (C) of the act. Another trial examiner has concluded, in cases Nos. 14–CC–93 and 14–CB–363, that local 688 violated sections 8 (b) (1) (A) and 8 (b) (5) (A) of the act. Both cases are now pending before the Board for decision.

The facts of these cases are relatively simple. The drivers of the Coca-Cola Bottling Company of St. Louis formed an independent association which was certified by the Board in July 1953. In that same month this association and the company executed a contract which was to expire November 1, 1955. On September 2, 1955, Teamsters Local 688 filed a petition with the Board seeking certification as collective bargaining representative for the company's employees then represented by the association. (Senator MORSE charges delay in processing this case in that the hearing on this petition was twice postponed. The fact, is however, that in each instance postponement was granted only with the agreement of the attorney for Teamsters Local 688.) On October 24, 1955—contrary to Senator MORSE'S statement that the total membership particpated in a unanimous vote—most, but not all, of the association's membership voted to dissolve the association and to affiliate with Teamsters Local 688. On November 8, 1955, the representation hearing opened. It was completed that same day. That night, Teamsters Local 688 demanded immediate recognition from the company. Recognition under these circumstances was refused on November 9, 1955.

Teamsters Local 688 called a strike on November 9 and began picketing the company's plant. On that same day the company filed a charge (14–CC–88) against local 688 under section 8 (b) (4) (C) of the act. After thorough investigation, it was concluded that there was reasonable cause to believe that the company's charge had merit and, therefore, issuance of a complaint alleging a section 8 (b) (4) (C) violation was authorized. Also, in accordance with the mandatory provisions of section 10 (1) of the act, application was made to the appropriate United States District Court for injunctive relief. The Court denied this relief on January 17, 1956.

The denial of the temporary injunctive relief by the Court did not terminate the matter, of course, since an application for such relief is merely ancillary to the complaint proceedings before the Board, which has the exclusive authority to determine the merits of the case. Accordingly, the matter was submitted to a trial examiner of the Board on the basis of a set of facts stipulated by the parties. On March 9, 1956, the trial examiner issued his intermediate report, as noted above, in which he concluded that local 688 had violated section 8 (b) (4) (C) of the act, as alleged. As noted above, the matter is now pending before the Board.

Meanwhile, on January 18, 1956, the company filed new charges (Case No. 14–CB–363) alleging that Local 688 was coercing and intimidating the company's employees in violation of section 8 (b) (1) (A) and on January 27, 1956, charged (Case No. 14–CC–93) that local 688 was engaging in secondary boycott activities against the company in violation of section 8 (b) (4) (A). Issuance of a complaint in each of these cases was authorized when the facts as revealed by a careful investigation caused us to believe that violations of the act had occurred. As previously noted, a petition for injuncture relief in Case No. 14–CC–93, filed pursuant to the mandatory provisions of section 10 (1) of the act, was granted by the appropriate United States District Court on February 28, 1956, after a contested trial.

Since it remained for the Board to determine finally the merits of this case and of Case No. 14–CB–363, a hearing on the complaints was held in St. Louis before a trial examiner on March 6, 7, and 8, 1956. At this hearing all parties were accorded an opportunity, under proper judicial safeguards, to adduce evidence in support of their positions. As noted above, on March 30, 1956, the trial examiner found that local 688 had violated sections 8 (b) (1) (A) and 2 (b) (4) (A) of the act, and these cases are also now pending before the Board for decision.

Senator MORSE appears to be interested only in that aspect of these cases pertaining to section 8 (b) (4) (C) of the act. This section prescribes a strike which has as an objective the forcing of an employer to organize or bargain with a particular labor organization if another has been certified by the Board as the representative of his employees. A United States district court judge has found that the purpose of Local 688's November 9 strike was "to force or require Coca-Cola to recognize or bargain with respondent Local 688 as the representatives of its employees in the certified unit."

What are the facts with respect to this certified unit? Simply this. The certification issued by the Board to the association in 1953 has never been revoked or rescinded. Nor was the certified association defunct or dissolved when the strike began on November 9, 1955. Indeed, according to the trial examiner who later decided the case on the basis of facts stipulated by all the parties, the proceedings in which the association was

allegedly dissolved and in which affiliation with the teamsters was voted "were highly irregular and if the trial examiner was called upon to decide, illegal." Since the investigation thus revealed a strike for recognition in the face of an outstanding certification of an existing, functioning labor organization, issuance of a complaint was deemed warranted.

It is urged that a violation of 8 (b) (4) (C) cannot properly be found if the certification is more than 1 year old. But in this connection I call to your attention the Board's decision in Teamsters Local 626 (Lewis Food Co.), 115 NLRB No. 136, based on a complaint issued by my predecessor as general counsel, in which the Board unanimously found picketing to force Lewis to recognize a union in the face of a 2-year-old certification to be in violation of section 8 (b) (4) (C) of the act.

4. MISSOURI TRANSIT CO., CASE NO 17–CA–841

The Senator complains that in this case the processing of the charge against the employer was accompanied by grave delays while the charge against the union was handled altogether expeditiously.

The employer's charge was filed July 23, 1954, and the complaint against the union based on this charge issued August 26, 1954. The union's charge was filed August 31, 1954. When my predecessor as General Counsel left office nearly 4 months later on December 20, 1954, complaint had issued against the union, but not against the employer.

While the Office of the General Counsel was vacant for a period of more than 3 months, no complaints could be issued. When I took office on March 29, 1955, a great number of matters had accumulated and were urgently awaiting attention. As soon as it could be reached, a review of the Missouri Transit case reflected that the original charge and the two amended charges filed against the employer involved complex legal and factual issues which required further investigation. This additional investigation resulted in further delay, but the final result has been that a complaint was issued against the employer and the case has now been successfully tried before a trial examiner.

5. VOLNEY FELT MILLS, DIVISION OF LLOYD A. FRY ROOFING CO., CASE NO. 4-CA-1322. TEXTILE WORKERS UNION OF AMERICA, CIO, CASE NO. 44–CC–66

Senator MORSE charges that a field examiner of this agency succeeded, where the employer had failed in State court actions, in getting the union to withdraw a picket line by threatening use of the injunctive processes of the act.

An inquiry into this matter revealed the following information which has been reported to me. Following investigation of the union's charge against the employer in case No. 4–CA–1322, the regional director concluded that there was insufficient evidence of violations of the act to warrant further proceedings. The union was so notified and was asked to withdraw its charge. Before the union had made final determination of its position with respect to withdrawal, the employer filed the charges in case No. 4–CC–66 alleging violations of 8 (b) (1), (2), and (4) of the act. Subsequently, on December 16, 1955, the regional office was advised that the union wished to withdraw its charge against the employer.

I am advised that at a meeting between the field examiner and the representative of the union on December 20, 1955, in which Chief Field Examiner Bernard Samoff also participated, the union representative indicated that the union was interested in disposing of the employer's charge. In this context the union representative placed a telephone call to William Englander, attorney for the union. After a few comments the union representative requested Samoff to speak to Englander. The ensuing telephone conversation covered a wide range of discussion concerning various Board and Court precedents bearing upon the matter of the employer's charge against the union. It appears from the statements imputed to Mr. Samoff that a jumbled and inaccurate report of this conversation was given to Senator MORSE. At no time during this conversation, I am advised, was any suggestion made that the union should withdraw its picket line, nor were any statements made which could support the ridiculous and unfounded charge that his General Counsel has a policy "of filing unfair labor practice charges against unions wherever possible."

Before the two Board agents left this meeting the union representative reiterated that he would like to clear up the entire situation. Subsequently, on December 27, 1955, the union withdrew its charge against the employer. Thereafter, on or about January 6, 1956, the union withdrew its picket line and on that date the employer submitted a request to withdraw its charge. It was approved by the regional director on January 9, 1956.

6. UNITED STEELWORKERS OF AMERICA, CIO (METAL FABRICATORS AND FINISHERS, INC.) CASES NOS. 10–CB–289, 10–CC–90

Senator MORSE criticizes the manner in which the regional director in Atlanta handled two cases involving the United Steelworkers of America.

Briefly, the facts are as follows. After the steelworkers union was certified as bargaining representative of the employees of Metal Fabricators and Finishers, Inc., in January 1955, a strike was called by the union to secure certain economic benefits. The employer continued to operate his business and permanently replaced the striking employees. The strikers, including a representative and agent of the union, thereupon embarked on a campaign of threats and violence against the nonstrikers.

After the conclusion of the strike, the employer's request for permission to withdraw its charges that the union had engaged in secondary picketing in violation of section 8 (b) (4) (A) of the act was granted by the regional director. The regional director, however, refused to permit a withdrawal of the charge which had been filed by an individual employee, because he felt that it would not effectuate the policies of the statute to permit the coercive and intimidating acts alleged in this charge to go unremedied.

Senator MORSE says that the regional director persisted in a hearing before a trial examiner although the union would agree in any form requested that neither it nor its agents would engage in further coercive action at the company's plant. The facts are that the union had persistently declined to enter into a formal settlement agreement in this case and reiterated its refusal to do so before the trial examiner at the hearing. The regional director refused to accept an informal settlement, to which the union was amenable. In so doing, the regional director was acting in accordance with customary procedures established long before I took office, and which have not been revoked. These procedures are applicable to settlement agreements with employers as well as with unions. A formal settlement was insisted upon in a recent case in the same regional office involving violence by an employer and the case is now before the Board on a stipulated order for Board approval.

There is nothing unusual in the region's filing of exceptions to the trial examiner's failure to find certain violations in his intermediate report. This was done in an effort to preclude the establishment of any erroneous legal precedents in the case. When the Board refused to rule upon the incidents mentioned in the exceptions, the rulings of the trial examiner concerning those incidents were precluded from establishing any legal precedents whatsoever.

The above observations, it seems to me, answer the Senator's criticism of the handling of the cases in question. There remain for brief comment, if you will bear with me a little further, the matter of personnel changes and the very personal matter of how I use my time in performing the obligations of my office.

The complaint with respect to personnel changes seems to be that any changes were made at all.

In any organization, the question of whether or not there is a need for such action is a matter of judgment. In the case of the employees under my supervision, some reassignment of present personnel and introduction of new blood has been necessary, in my judgment, in order to secure a more efficient operation. These changes were made, however, solely to strengthen the agency and to improve performance. The negligible number of personnel changes effected is clearly shown, I think, by the data set forth on page 2 of Chairman Leedom's letter to you.

The grossly exaggerated "report" that the General Counsel spends less than 50 percent of his time at his desk is linked to the statement that too much time has been devoted to "speechmaking before various employer groups throughout the length and breadth of the land." It is my view—and I think undeniably a valid one—that proper attention to his "business" on the part of the General Counsel requires that he spend a part of his time away from his desk. The General Counsel has under his supervision 21 regional offices and 7 subregional offices scattered throughout the length and breadth of the land. These offices represent the frontline operation of the agency in its contact with the public. In many important respects each regional director functions as an "alter ego" of the General Counsel. I consider it a part of the General Counsel's job to know firsthand something about these offices and the people who run them. I consider it also a part of the General Counsel's job to spend some time and effort in acquainting the public, for whose benefit the statute was enacted, with the general operation of the agency whose job it is to make the statute work. As for the notion that my speeches constitute propaganda for the Republican Party, I suggest only that one read them.

I wish to thank you for this opportunity to present my views in this matter.

Sincerely yours,

T. C. KAMMHOLZ,
General Counsel.

EXHIBIT NO. 3

CHICAGO, ILL., *April 23, 1956.*

Hon. WAYNE MORSE,
United States Senate, Senate Office Building, Washington, D. C.

DEAR SENATOR MORSE: We have read with considerable interest your remarks to the Senate concerning the functioning of the National Labor Relations Board under the Eisenhower administration and, particularly, that portion dealing with the Personal Products Corp. case (at pp. 5470–5471 of the CONGRESSIONAL RECORD), since our law firm represented the employer in that case.

We feel that many of your statements were based on an inadequate analysis of the facts and the law involved in the case. They also incorrectly imply that the case was instigated and decided by Eisenhower appointees to the Labor Board. We are therefore setting forth below facts which we feel you should consider in the hope that you will correct the statements which you made on March 23.

1. THE ALLEGED UNREASONABLE ATTITUDE OF PERSONAL PRODUCTS CORP. IN COLLECTIVE BARGAINING

You stated that "although the company admitted that it could afford to increase wages, and although other companies across

the Nation were granting wage increases, this company refused to offer any wage increase at all." Undoubtedly this statement was intended to convey the impression that the company approached the bargaining table in a complete arbitrary and unreasonable frame of mind. Both your facts and conclusions are wrong.

During the negotiation, the company did make at least two separate and substantial proposals for increasing the wages of their employees and improving their fringe benefits. These proposals were made despite the fact that the wages and fringe benefits paid by this company were already far above the average in the State of Illinois and in the country as a whole. These proposals were also made in the face of union demands totaling about 70 cents per hour in cost and an announced position of the union representatives that "fairness is out" insofar as bargaining was concerned. Early in the negotiation, the union negotiator announced that wages would be established at this company solely on the basis of the "the driving force of the bargaining agent." You may verify these facts by examining the NLRB hearing transcript which we will be happy to make available to you. We call your attention particularly to page 1310 of this transcript.

2. THE UNION DID NOT STRIKE, BECAUSE THE PLANT WAS LOCATED IN A PRIVATE INDUSTRIAL AREA WHERE THE UNION WOULD NOT BE PERMITTED TO PICKET

You stated that one of the reasons why the union did not call a full-fledged strike was because the company's plant was located in a private industrial district where the union could not even engage in peaceful picketing. On September 1, 1953, the union did call a strike and did picket the company premises. The company made no attempt to halt peaceful picketing. Only when violence later erupted did the company seek an injunction to restrain the violence.

3. THE COMPANY FILED ITS UNFAIR LABOR PRACTICE CHARGE WITH THE "EISENHOWER BOARD"

You stated that the company "filed a charge with the Eisenhower board." This remark was undoubtedly intended to convey the impression that Eisenhower appointees were employer-biased and responsible for issuance of the complaint and the decision. Again both your facts and your conclusions are wrong. The facts in this regard are as follows:

(a) The unfair labor practice charge was filed on February 16, 1953, and the complaint was issued on June 5, 1953. All of the personnel involved with processing of the charge and issuance of the complaint were appointees and hirees of the prior Democratic administrations. We are referring in particular to the field examiner, the chief field examiner, the regional director, and the General Counsel himself. Even the five members of the board itself were still Democratic appointees at the time the complaint was issued.

(b) The attorney who tried the case before the trial examiner was hired by the Board during the Democratic Truman administration.

(c) The trial examiner who heard the case was hired under the Democratic administration.

(d) The decision of the Board, finding the union guilty of bad-faith bargaining, was a unanimous decision by 2 Democratic appointees and 2 Eisenhower appointees. Incidentally, one of the concurring members was Mr. Peterson, who, we understand, was associated with you prior to his appointment to the Labor Board.

(e) The decision of the Board was based on a prior decision of the Board in *Phelps-Dodge Copper Products Corp.* (101 NLRB 360 (1952)), wherein the Board had stated that slowdowns and intermittent stoppages were "irreconcilable with the act's requirement of reasoned discussion in a background of balanced bargaining relations upon which good-faith bargaining must rest." This decision was issued before President Eisenhower was even inaugurated by a Board composed entirely of members appointed by Democratic Presidents.

4. IT IS CLEAR THAT A SLOWDOWN IS NOT A VIOLATION OF THE NATIONAL LABOR RELATIONS ACT

You stated, "Now if there is one thing that is clear in the act it is that a slowdown is not a violation of the act." You thus cavalierly disposed of a question which the United States Supreme Court recently decided to review. (*NLRB* v. *Textile Workers Union of America,* Case No. 690, April 2, 1956.) In your argument on this point you state that the National Labor Relations Act "legalized the so-called slowdown as a strike weapon," and you concluded that slowdown cannot be enjoined or restrained. In support of your conclusion, you cite the United States Supreme Court decision in *United Automobile Workers* v. *Wisconsin E. R. B.* (336 U. S. 245). The case you have cited actually refutes your argument. There the union contended that slowdowns and "quickie" stoppages were protected as lawful strike action under section 13 of the act, which you have cited. The Supreme Court ruled that section 13 conferred no such immunity. The Court stated:

"If we were to read section 13 as we are urged to do, to make the strike an absolute right and the definition to extend the right to all other variations of the strike, the effect would be to legalize beyond the power of any State or Federal authorities to control not only the intermittent stoppages such as we have here but also the slowdown and perhaps the sit-down strike as well. [Citing cases.] And this is not all; the management also would be disabled from any kind of self-help to cope with these coercive tactics of the union except to submit to its undeclared demands. To dismiss or discipline employees for exercising a right given them under the act or to interfere with them or the union in pursuing it is made an unfair labor practice and if the rights here asserted are rights conferred by the Labor Management Relations Act, it is hard to see how the management can take any steps to resist or combat them without incurring the sanctions of the act. It is certain that such a result would be inconsistent with the whole purpose disclosed by the Labor Management Relations Act amendments to the Labor Relations Act. Nor do we think such is the result of any fair interpretation of the text of this act."

You have lifted from context the statement of the Supreme Court that the Labor Board has no authority to deal with the problem of slowdowns and "quickie" stoppages. We are enclosing a copy of the amicus curiae brief that we filed with the Supreme Court in support of the Board's petition for writ of certiorari in the Personal Products case. We feel that the argument which we presented in this brief should be considered by you before you conclude erroneously that the Automobile Workers' case stands for the proposition you have pronounced. Certainly the mere fact that the Supreme Court has granted review in the case should cast considerable doubt on the logic of your position.

In the light of the granting of certiorari by the Supreme Court and in the further light of the facts we have set forth herein, we hope that you will review and correct the remarks which you made concerning the Personal Products case.

Respectfully,

SEYFARTH, SHAW & FAIRWEATHER,
By JOHN T. VANAKEN.

EXHIBIT No. 4

DIGESTS OF CASES REFERRED TO BY SENATOR MORSE IN HIS STATEMENT OF MARCH 23, 1956, ON THE SENATE FLOOR

1. *American Iron and Machine Works* (115 NLRB No. 121), issued March 15, 1956, by Leedom, Rodgers, and Bean; special concurrence by Rodgers; Murdock and Peterson dissenting.

Complaint alleged violations of 8 (b) (4) (A) and (1) (A). The majority affirmed the TX who found the violations as alleged. Facts involved (1) Teamsters encouraged their members, who were employees of a common carrier, not to handle under a hot cargo clause with their employer, goods of American Iron, then being struck by the IAM and (2) picketing by IAM at docks of the common carrier of American Iron trucks and oral appeal by IAM of carrier's employees not to handle American Iron goods. The Board found the teamsters' conduct illegal because its appeals to abide by the hot cargo clause were directed to its member employees and not to the common carrier employer, citing *Sand Door and Plywood Co.,* (113 NLRB No. 123). Rodgers concurred on the ground that a hot cargo clause is never a good defense. Murdock and Peterson dissented on the ground that inducing employees to abide by a hot-cargo clause is permissible, relying primarily on *Conway's Express* (87 NLRB 972). The majority found the IAM's roving situs picketing bad because American Iron's primary premises were available for such purposes and because the pickets failed to disclose their dispute was with American Iron only. The oral appeals were held illegal because the hot cargo was no more a defense to the IAM, than to the Teamsters. The minority concluded that the IAM could properly appeal to the common-carrier employees to abide by the hot-cargo terms of their contract.

2. *B. V. D. Company* (110 NLRB 1412), decided December 14, 1954, by Farmer, Rodgers, and Beeson; Murdock and Peterson dissenting in part.

The strike was accompanied by widespread violence and threats of violence and destruction of property, engaged in by strikers and outside strike sympathizers; the Governor of the State sent the National Guard to keep order, and a State court issued a permanent injunction against violence and threats of violence. Because of the widespread nature of the violence, and the absence of evidence that strikers who continued to picket attempted to discourage or disassociate themselves from violence from which they benefited, majority inferred that all such strikers invited, approved and ratified violence and denied them reinstatement and back pay. However, strikers who did not picket or lend affirmative aid to strike were ordered reinstated and awarded back pay. Murdock argued that by holding strikers responsible for misconduct with which they were not specifically identified, majority had ignored precedent and established a new policy; Peterson argued that the majority had misapplied precedent. C. A. D. C.—argued February 3, 1956, no decision.

3. *Better Monkey Grip Co.* (113 NLRB No. 110), decided February 28, 1955, by Farmer, Rodgers, and Leedom; Murdock and Peterson dissenting.

Board majority remanded case for a new hearing because trial examiner cut off lines of inquiry, limited witnesses in testimony, and made gratuitous statements better omitted. He gave appearance of not granting a fair and impartial hearing. Murdock and Peterson dissented on the ground that no one was prejudiced, there was not partisanship shown and no confusion was injected into the hearing by the remand order. The dissent concludes that the unfair labor practices complained of were proved.

4. *Breeding Transfer Co.* (110 NLRB 493), decided October 26, 1954, by Farmer, Rodgers,

and Beeson; Murdock dissented; Peterson filed a "separate opinion."

This is one of the lead cases in which the Board modified the 1950 jurisdictional plan to limit the exercise of its jurisdiction to enterprises or labor disputes having a pronounced impact on the flow of commerce. The employer here performed $8,400 worth of local hauling services for interstate railroads. Jurisdiction would have been asserted under the 1950 plan, which applied only a de minimum test to the assertion of jurisdiction over instrumentalities of commerce and their essential links. In this case the majority set a $100,000 test for local links in the chain of commerce. Peterson thought the figure should be set at $50,000. Murdock criticized the modifications of the 1950 plan, asserting that the additional restrictions on the assertion of jurisdiction were not motivated by considerations of funds and staff, as the majority stated, but by desire to transfer authority to the States, an assertion which the majority denied.

5. *J. S. Brown—E. F. Olds (United Association of Journeymen of Plumbing Industry)* (115 NLRB No. 90), decided February 28, 1956, by Leedom and Rodgers; Peterson concurred in part and dissented in part; Murdock not participating.

Board found 8 (b) (1) (A) and 8 (b) (2) against respondent. Board disagreed with trial examiner that general counsel failed to establish that respondent had discriminated against Bryant in violation of 8 (b) (2). The Board found that Speaker's action in calling respondent union after welder Bryant's request for job, and accepting respondent's veto of Bryant, and agreeing to take another welder was proof of violation. Board did not credit Speaker's self-serving testimony, which trial examiner had credited, that Bryant would have been hired, had he subsequently applied. Board credited Bryant's testimony. Peterson concurred in these findings. In its remedy, in addition to making Bryant whole, Board required respondent to cease enforcing its unlawful closed-shop agreement with Brown-Olds and four other employers, specifically named, and any others with whom it had such agreement. Board also found that respondent's constitution and bylaws, made a part of the contract, required illegal direct assessments and directed that such moneys be returned to employees of Brown-Olds only.

Peterson dissented from the facts as found by the Board and the law on which it was based, and would not require respondent to make reimbursement on ground that (1) the matter was not litigated and (2) its collection of dues was not violative of the act.

6. *Campbell Coal (sales drivers)* (110 NLRB 2192), decided December 30, 1954, by Farmer, Murdock, and Rodgers; no dissent—Peterson not participating.

Allege violation of 8 (b) (4) (A). Facts were stipulated. The Board found that teamsters from June 9, 1954, to September 8, 1954, had been on strike against Campbell. In addition to picketing it, respondent followed Campbell trucks from its plant to various construction sites, where they picketed along trucks near the sites. The complaint alleges that by picketing the sites, respondent induced employees of neutral employers to cease work and compel neutral employers to discontinue business with primary employer (Campbell). Board, relying on Washington Coca Cola and Thurston Motor Lines, found that respondent picketing of the construction sites was conducted to force secondary employers to cease doing business with Campbell in violation of 8 (b) (4) (A). CADC December 8, 1955, decree entered setting aside Board order and remanding case to Board for its further consideration, if desired—unanimous. March 23, 1956, Board's petition for certiorari filed.

7. *Chicoper Manufacturing Corp.* (107 NLRB 106), issued November 18, 1953. Unanimous decision, Farmer, Murdock, Peterson, and Rodgers.

Issue: Whether employer statements interfered with an election. Facts: In two separate conversations, employer representatives told one employee that employer could not pay some wage scales as petitioning union had obtained from another employer and that "if the union won, they would be forced to move the plant," and to another employee, that the employer "could move the plant if they desired." Holding: Petitioning union's objections to election overruled as statements were not coercive. Rationale: "We view these statements, under the circumstances, as nothing more than predictions of the possible impact of wage demands upon the employer's business. A prophecy that unionization might ultimately lead to loss of employment is not coercive where there is no threat that the employer will use its economic power to make its prophecy come true."

8. *Deming Co.* (107 NLRB 1100), issued February 9, 1954, unanimous decision, Farmer, Murdock, Peterson, and Rodgers.

Issue: Whether a foreman's statement to an employee was coercive and thus violative of section 8 (a) (1). Facts: A foreman stated to an employee: "Jim, I understand that the union means 40 hours." Holding, the statement was not an unlawful threat as it was no more than a prediction of the possible impact of unionization upon the employee's working hours, unaccompanied by any threat that the employer would use its economic power to make the prediction come true.

9. *East Newark Realty Corp.* (115 NLRB No. 75), issued February 17, 1956, by Leedom, Rodgers, and Bean; Murdock and Peterson dissenting.

Majority dismissal of petition for failure to meet jurisdictional standards. Employer owned and leased industrial floor space, selling water, steam, and electricity to tenants. The majority held that considerations underlying the *McKinney* case (110 NLRB 547) should apply to industrial building enterprises where the employer is also engaged in the essentially local operations of furnishing no more than space for the use of others. As for the sale of water, steam, and electricity, the 3 million standard of *Greenwich Gas* (110 NLRB 564) would be applied if this were to be considered a public utility, and the employer did not meet this standard. The minority held that McKinney should be restricted to office buildings. It contended that the Jonesboro standard should be applied here. Jurisdictional facts: Fuel purchases $100,000, 15 percent from out of State; revenue exceeded $1 million with $725,000 rentals and balance from sale of steam, water, and electricity.

10. *Esquire, Inc.* (107 NLRB 1238), issued February 23, 1954, by Farmer, Peterson, and Rodgers; Murdock dissented.

Issue: Whether employer's letters interfered with an election. Facts, holding, and rationale: Employer did not interfere with election by sending employees preelection letters stating employer's belief that Board's unit determination was illegal, that his only redress would be through refusal to bargain with the union if it won, and that court review of a Board order to bargain would take a year or two, as such statements were proper expressions of employer's legal position. The employer had a right to litigate the unit issue; and if he had the right to do it, he had the right to say that he would.

11. *Hogue and Knott Supermarkets* (110 NLRB 543), decided October 26, 1954, by Farmer, Rodgers, and Beeson; Murdock and Peterson dissented.

Like Breeding Transfer, this is another of the lead cases in which the Board modified the 1950 jurisdictional plan by adopting separate standards for retail stores, such stores having previously been governed by the same standards as nonretail establishments. The standards adopted, which were double the new nonretail standards, were single stores, $1,000,000 direct inflow, $2,000,000 indirect flow, $100,000 direct outflow; intrastate chain, assert over all or any part if totals for chain satisfy single store standard; interstate chain, assert over all or any part if gross business is $10,000,000, otherwise only over individual stores which meet single store standard. Jurisdiction was not asserted here over a two-store intrastate chain with direct inflow of $224,000, and indirect of $1,250,000; jurisdiction would have been asserted under the 1950 plan. The dissent attacks the standards as being complex and internally inconsistent.

12. *Livingston Shirt Corp.* (107 NLRB 400), decided December 17, 1953, by Farmer and Rodgers; Peterson agreed with result; Murdock dissented.

On basis of indication of congressional intent in enacting 8 (c) to overrule Board's "captive audience" doctrine (*Clark Bros.* (70 NLRB 802)), and the decision of C. A. 2 in *American Tube Bending* (205 F. 2d 45), in which court pointed out that it was unfair labor practice to enforce a no-solicitation rule discriminatorily, but indicated it would not be unlawful to deny a union the right to equal opportunity to speak to a captive audience if there were no such rule, majority overruled Board's Bonwit Teller line of cases and held denial of equal opportunity to speak to employees no violation in absence of Board no-solicitation rule. Peterson relied only on American Tube Bending. There was no dissent from majority finding that respondent did not engage in other alleged unfair labor practices.

13. *McAllister Transfer, Inc.* (110 NLRB No. 224), decided December 16, 1954, by Rodgers and Beeson; Farmer concurring; Murdock and Peterson dissenting.

Case resolves about decisions in Conway and Pittsburgh Plate Glass, on which the trial examiner relied in finding no violation of 8 (b) (4) (A) and (B) or 8 (b) (1) (A). The Board found that section 8 (b) (4) (A) and (B) are intended by Congress to protect the public interest and that secondary employers could not waive the provision of the act. They found merit in the General Counsel's (George Bott) contention that Congress was concerned with public interest and not private rights and that the hot cargo contract itself amounts to an inducement contrary to the act. Board reversed the Conway doctrine. Farmer concurred in result but found it unnecessary to overrule Conway as the company did not acquiesce here. Disagrees with public policy argument of majority but would not agree with dissent in giving the agreement the effect of validating the conduct of the parties. Peterson and Murdock—denies that legislative history forbids hot cargo contract. States that court and Board decision contrary. Dissent asserts that majority premise was raised and rejected in Conway. Board held that in secondary boycott situations the entire volume of business or secondary employers at each of the terminals involved should be added, in accordance with Jamestown Builders, and asserted jurisdiction.

14. *McKinney Avenue Realty Co.* (110 NLRB 457), issued October 26, 1954, by Farmer, Rodgers, and Beeson; Murdock dissenting; Peterson joining in Murdock's dissent and dissenting separately.

Dismissal on jurisdictional grounds. "Board will assert jurisdiction over an office building operation only where the employer which owns or leases and which operates the office building is itself otherwise engaged in interstate commerce and also utilizes the building primarily to house its own offices." Murdock dissents on grounds that (1) test here not related to effect of activity on commerce and (2) the standard is ambiguous. Peterson separately agrees and both dissenters refer to their Breeding Transfer opinions.

15. *Mast Lumber Co., Inc.* (111 NLRB 18), decided January 3, 1955, by Farmer, Murdock, Peterson, and Rodgers.

Respondent's sales were $900,000, all concededly local except (1) $11,700 "one-shot" direct shipment out of State; (2) $38,500 indirectly outflow, and (3) $39,600 sales to 3 out-of-State companies who picked up lumber at respondents' plant in their own trucks, there being no evidence as to this lumbers' destination. Citing *Homer Chevrolet* (110 NLRB 825), Board dismissed complaint on jurisdictional grounds, holding that (3) could not be counted as direct outflow because in any event it was not shipped out of State by respondent. Murdock and Peterson noted they had dissented in Homer Chevrolet, but deemed themselves bound by that decision.

16. *Metal Ware Corp. (Aluminum Workers International Union, Local No. 135, AFL)* (112 NLRB 619), issued May 6, 1955, by Murdock, Farmer, Peterson, and Rodgers; Leedom not participating.

C case involving section 8 (b) (1) (A) and (2) in which respondent union had complainant discharged for failure to pay dues and reinstatement fee. Valid union security clause in effect. The respondent union requested, on October 27, 1953, complainant's discharge for failure to pay dues. (1) The respondent on September 9 had tendered her dues but they had been rejected as not tendered at a regular union meeting. The Board held this tender sufficient. The respondent contended that complainant had to also tender a reinstatement fee. The Board disagreed because complainant had no knowledge of a specific reinstatement fee, the amount of which had not been determined or brought to her attention. (a) Assuming September 9 tender invalid, complainant made valid tender with reinstatement fee on November 6. The October 27 request by respondent for complainant's discharge was not, held the Board, a cutoff date as to time for valid tender, thus the respondent's request on November 19, for, and the employer's discharge of complainant were not protected by the rule that "a belated tender does not forestall a valid discharge." As a valid tender had been made before the actual discharge—even though the first request for discharge antedated the tender, the complainant was protected against the discharge. (C. A. 7.) Decree entered March 30, 1956, enforcing Board's order.

17. *Mid-West Pool Car Association* (114 NLRB No. 110), issued October 27, 1955. Majority composed of Rodgers, Peterson, and Leedom; Murdock dissented.

Issue: Whether jurisdiction should be asserted over a nonprofit organization engaged in loading and distributing freight for members. Facts: The members of the organization included retail and wholesale establishments and manufacturers located in Denver, Colo. The employer made no out-of-State purchases, and at no time had title to the merchandise it handled for its members. Goods purchased by the individual members were delivered by the vendors to United States Packing & Shipping Co. in New York City for consolidation into carload lots and delivery to the railroad. The cars were sent to the employer in Denver, which was responsible for the freight charges. Upon their arrival, the employer unloaded the cars and delivered the shipments to its members. All deliveries were made within Colorado. Each member of the organization was assessed for its proportionate share of the freight charges and for expenses of the employer's operations. From May 1, 1954, through April 30, 1955, the total amount of such assessments was $356,122.01. Of this amount, $268,375.69 was for freight charges. The assessments were collected by the employer from its members before billing by the railroad, and the amount for freight was put in an escrow fund until payment to the railroad was due. Holding: Representation petition dismissed, as the employer's operations did not meet the Board's jurisdictional standards. Rationale: In collecting the freight charges from its members, the employer was merely acting as their agent and the money collected did not represent revenue to the employer. The employer's other receipts amounted to less than the $100,000 a year required for assertion of jurisdiction.

18. *Modern Linen and Laundry Service, Inc.* (114 NLRB No. 41), issued on October 21, 1955, by Leedom, Peterson, and Rodgers; Murdock dissented.

In case No. 1–RC–3562 (unpublished decision on short form) the Board decided that the company did not meet the Jonesboro jurisdictional standards. Thereafter, an individual allegedly was discharged in violation of section 8 (a) (4) for his participation in the hearing in case No. 1–RC–3562. This charge was the subject matter of case No. 1–CA–1648 which was dismissed on jurisdiction grounds following the precedent of the earlier decision. The merits of the case were not reached. (See 110 NLRB 1305, Farmer, Peterson, Rodgers, and Beeson with Murdock not participating.) On October 21, 1955, in 114 NLRB No. 41, Leedom, Peterson, and Rodgers, with Murdock dissenting, denied a motion for reconsideration of the Board decision in the above complaint case on the ground that nothing new had been presented. The merits of the case again were not reached. C. A. 2. Argued, March 14, 1956.

19. *Monsanto Chemical Co.* (115 NLRB No. 102), issued March 7, 1956. Unanimous decision, Leedom, Murdock, Peterson, Rodgers, and Bean.

Issue: Effect of lapse of compliance by petitioner with filing requirements of section 9 (g) during pendency of petition. Facts: During pendency of union's representation petition, on September 30, 1955, union fell out of compliance with 9 (g), which required furnishing of data with respect to union affairs to Secretary of Labor, including financial statements which are to be made available to union members. Petitioner filed a certificate of intent to renew compliance; regional director granted a 90-day extension to December 29, 1955, in which to comply. The union did not comply within the 90-day extension period, asserting that it could not give its members the financial information except at a union meeting scheduled 3 weeks after the end of the grace period.

The object of section 9 (g) is "to insure the responsible administration of union funds by requiring that labor organizations made a periodic accounting to their members of their financial stewardship. If the Board were to permit excessive delays in making such accounting, the efficacy of section 9 (g) would be substantially impaired in carrying out the congressional purpose." Accordingly, the Board here overruled a prior decision, Fawcett-Deering Printing Co. (106 NLRB 1249) (Farmer, Peterson and Rodgers), which limited the sanction in such cases for noncompliance to withholding a certificate from such unions pending renewal of compliance, and adopted the following revised policy:

More than 90 days' time will be granted only where circumstances beyond the union's control prevent timely compliance; and failure to comply will result in dismissal of a petition or immediate denial of the use of Board processes, and revocation of any Board action taken on behalf of the noncomplying union during the 90-day grace period.

20. *Morganton Full Fashioned Hosiery Co.* (107 NLRB 1534), issued March 11, 1954. Majority composed of Farmer, Peterson, and Rodgers; Murdock dissented.

Issue: Whether statements of minor supervisors interfered with an election. Facts: Prior to the election, 2 supervisors stated, each to 1 employee, in effect that the plant could close down in the event of a union victory in the election. The election involved about 639 employees. Of 558 valid ballots cast, 324 ballots were cast against the union and 4 were challenged. Holding: These two coercive remarks were too isolated in nature to constitute substantial interference and thus warranted setting aside an election involving 639 employees. Rationale: The "laboratory" for election purposes is usually an industrial plant where vigorous campaigning and discussion normally take place, and where isolated deviations from the abovementioned standard (i. e., a "laboratory atmosphere") will sometimes arise, notwithstanding the best directed efforts to prevent their occurrence. In view thereof, we are of the opinion that an employee mandate cannot lightly be set aside merely because the normal and expected plant discussion happens to include a few isolated threats by overzealous minor supervisory personnel.

21. *National Furniture Manufacturing Company, Inc.* (106 NLRB 1300) October 22, 1953.

The unanimous panel (Farmer, Peterson, and Rodgers, with Murdock, not participating), in a supplemental decision overruling objections to an election, found that letters distributed by the employer to the employees were protected by 8 (c) and did not interfere with the election. The letters stated that meeting demands published by the union of $5 an hour would force the company to close or relocate; and described strikes and violence at other plants where the union was recognized and how the union was either ineffective or forced other plants to close. The Board also found the employer's statement that it would not recognize the union even if it won the election was merely an expression of the employer's legal position; and refused to consider, as remote, an allegedly coercive statement made by the employer's president nearly 3 months before the election.

22. *New York Stock Exchange, et al.* (58 NLRB 911), issued on October 11, 1944. Unanimous decision: Millis, Reilly, and Houston.

Directing elections among employees of the New York Stock Exchange and four wholly owned subsidiaries, the Board found that the exchange and its affiliated companies are a single employer entity and that they are engaged in commerce within the meaning of the act.

(There was nothing said in the decision as to whether assertion of jurisdiction effectuated the policies of the act.)

23. *Nutone Incorporation* (112 NLRB 1153), issued June 13, 1955, by Farmer, Peterson and Rodgers; Murdock concurring in part and dissenting in part; Leedom not participating.

A complaint case alleging in part violation of 8 (a) (2) and (1) through respondent's discriminatorily enforcing its plant rules prohibiting posting, solicitation, and distribution of literature on company time and property. The respondent, while denying the union the opportunity, repeatedly distributed antiunion leaflets, bulletins, and letters in the plant. The trial examiner found that in so violating its own nondistribution rule the respondent violated section 8 (a) (2)—in effect, helped a plant committee—and 8 (a) (1). The majority reversed stating: "Valid plant rules against solicitation and other forms of union activity do not control an employer's actions. Management prerogative certainly extends far enough so as to permit an employer to make rules that do not bind himself." The majority relied on the 8 (c) part of *Livingston Shirt*, 107 NLRB 400. Further the Board refused to find the "unlawful" distribution of the noncoercive literature illegal because the respondent engaged in other conduct found illegal. Murdock dissented on grounds that (1) *Livingston Shirt* was not applicable as written notices

involved, (2) and an employer cannot "violate" own rules against distribution of union literature, especially under circumstances here, where it engaged in extensive other illegal antiunion conduct. C. A. D. C. Argued March 2, 1956.

24. *Otis Massey (General Drivers, Warehousemen and Helpers, Local 968)* (109 NLRB 275), decided July 22, 1954, by Farmer, Murdock, Rodgers, and Beeson; Peterson not participating.

Board held common situs picketing violated 8 (b) (4) (A) when Otis Massey employees at common situs were not involved in a dispute being between Otis Massey and union, employees involved in a dispute being employed at warehouse which union also picketed. Board inferred inducement and encouragement of employees of secondary employers from fact that union could picket at situs of primary dispute, citing *Washington Coca Cola* (107 NLRB 299), and distinguishing *Moore Drydock* (92 NLRB 547). The court (225 F. 2d 205 (C. A. 5) cert. denied, 350 U. S. 914), set aside the Board's order on the ground that since the Otis Massey employees at the common situs, who rarely if ever went to the warehouse, could be appealed to only at the common situs, picketing there was not evidence of an unlawful purpose. C. A. 5—Enforcement denied August 2, 1955—unanimous. Decree entered September 22, 1955. Board's petition for certiorari denied, December 5, 1955.

25. *Pacific Intermountain Express* (107 NLRB 837), decided January 14, 1954, by Farmer, Peterson, and Rodgers; Murdock not participating.

Board reversed *Firestone Tire and Rubber* (93 NLRB), and held unlawful contract clauses delegating to union authority to determine disputes over seniority. Violations were also found in discriminatory enforcement of contract seniority clauses. Respondent union (Teamsters) was also found to violate the act. The Court (225 F. 2d 343 (C. A. 8)), upheld the Board's change of policy as a valid rule for the future, but declined to apply it to the case at bar because of the existence of the contrary policy as previously set forth in *Firestone* (C. A. 8). August 26, 1955, opinion issued enforcing as modified—unanimous.

26. *Personal Products (Textile Workers of America)* (108 NLRB 743), decided May 5, 1954, by Farmer, Murdock, Peterson, and Rodgers; Beeson not participating.

The Board held that by engaging in various unprotected harassing tactics during negotiations, without informing the company of what demands they were designed to enforce or what it could do to avoid them, the union evidenced its failure to bargain in good faith. These harassing tactics included organized refusal to work overtime, unauthorized extension of rest periods, refusal to work special hours, slowdowns, unannounced walkouts and inducing employees of a subcontractor not to work for the employers. The Board also found 8 (b) (1) (A) conduct. The Court (227 F. 2d 409 (C. A. D. C.)), one judge dissenting, found no refusal to bargain, relying on *UAW* v. *Wisconsin Board* (336 U. S. 245) holding that similar conduct was subject to State regulation because it was not covered by the NLRA; the Board had stated that in the UAW case the Court was not concerned with whether such conduct evidenced lack of good faith in bargaining. Cert. granted by Supreme Court April 2, 1956.

27. *Royal Typewriter (Business Machine & Office Appliance Conference Board* (111 NLRB 317)), decided June 27, 1955, by Farmer, Murdock, and Rodgers; Peterson dissented in part.

Trial Examiner found violation of 8 (b) (4) (A) in picketing 2 typewriter companies, and rejected contention that the 2 companies were allied with primary employer. Board held that after General Counsel presented prima facie case, it was incumbent on respondent to show special circumstances which would remove the independents from the protection given employers under 8 (b) (4) (A). The respondent failed to show such special circumstances. Peterson would find that the two independents were sufficiently allied with the primary employer to render picketing permissible. Would find as a fact that relationship between primary and secondary employers were such as to remove latter from protection of 8 (b) (4) (A) and would find that the General Counsel did not establish by preponderance of evidence that the two concerns were neutrals. C. A. 2. Enforcement denied December 22, 1955; decree entered January 12, 1956 denying enforcement of Board's order by Lumbard, Hand, and Medina concurring separately. Board's petition for cert. filed February 23, 1956, Sup. Ct. No. 791.

28. *George Secor Logging Co.* (19–RM–149) (reported sub. nom. *W. A. Swanson Logging Co.* (112 NLRB 495)), decided February 2, 1955, by Farmer, Murdock, Peterson, and Rodgers.

Relying on *Brooks Wood* (107 NLRB 237), and *O. B. Brown* (110 NLRB 1912) (Murdock noted he had dissented in these cases), the Board held that Secor was twice removed from commerce and refused to assert jurisdiction. Secor cut logs for Albion and delivered them to Albion's customers, including Nettleton, within the State. Nettleton shipped over $1 million worth of lumber out-of-State. There was no evidence that Albion, which is owned 50–50 by Nettleton and an individual, made any out-of-State sales.

29. *Sparkletts Drinking Water Corp.*, (107 NLRB 1462), issued March 4, 1954, by Murdock, Peterson and Rodgers; Beeson not participating.

Alleged 8 (2) (1) violation through unilateral wage increase and through speech given on company time and premises within 20 hours of Board election. The Board affirmed the trial examiner's findings of no violations on either point. (1) The wage increase. The respondent gave a 5-cent wage increase on July 27, 1951, promising another when WSB changed its rules. During October a representation hearing was held—election on December 28, 1951. On the previous October 8, the respondent gave a wage increase pursuant to its own wage study and permissible within WSB rules laid down on August 23. The Board found the increase proper as made pursuant to, and within a reasonable time of, its promise of July 28 to make such an increase and as it was made without reference to the union organizing situation. Thus the majority concluded the increase was made in fulfillment of a promise and not to induce employees to forsake the union. (2) The Board found that a noncoercive speech on company time and property and within 24 hours of an election, though sufficient basis to set election aside, did not violate 8 (a) (1), citing Livingston Shirt (107 NLRB 400).

30. *The Spirella Co., Inc.* (3–RC–1636). Appeals case unanimously decided January 23, 1956, by Leedom, Murdock, Peterson, Rodgers, and Bean; motion for reconsideration denied February 23, 1956, by same.

The regional director dismissed the petition on the ground that the petitioner's actions indicated it was not prepared for an election and was unwilling that an immediate election be held. The petitioner contended that it refused to sign a consent election agreement only because it would not agree to an election on company property, in view of the employer's alleged favoritism to the incumbent independent. The Board sustained the regional director, holding that the petitioner had unduly sought to delay proceedings and that its refusal to agree to an election was not supported by reasons warranting a departure from usual Board practice. The motion for reconsideration, based on a present willingness to sign an agreement, was denied as lacking in merit. The Board's actions in this case, sustaining dismissal of a petition when petitioner (one who is seeking an election) initially refuses to sign an election agreement in a "no issue" case, are supported by Nassau Smelting & Refining (2–RC–7104), decided June 7, 1955, and Vulcan Steel Container (10–RC–2894), decided December 9, 1954.

31. *Swift & Co. (Amalgamated Meat Cutters)* (113 NLRB No. 31), decided July 26, 1955, by Farmer, Peterson, and Rodgers; Murdock dissenting.

Issue—whether respondent engaged in 8 (b) (4) activity when they appealed to meat buyers at retail stores not to make purchases from salesmen of Swift & Co. Respondent says action not proscribed because "not to buy" a product is not enumerated in the proscriptive language of the statute. Board held that inducing employees not to perform a service with respect to Swift is proscribed by 8 (b) (4). Board further found the people induced were employees. C. A. D. C. Argued March 14, 1956. No decision.

32. *Swift & Company* (115 NLRB No. 105), issued March 9, 1956, by Leedom, Murdock, Rodgers, and Bean; Peterson dissenting.

"Procurement drivers" held to be representatives of management and, thus, may not be accorded bargaining rights under the act. The drivers acquire poultry and eggs for the employer from independent dealers. Price paid by the drivers is set normally by the employer. Drivers are responsible for finding adequate sources of supplies; they weigh, grade, and pay for poultry. If a competitor is cutting in, the driver may raise the prices offered to keep the supplier. The Board found that the drivers were "representatives of management" as they spend a substantial part of their time making purchases for the employer's account, thus exercising managerial prerogative. Being representatives of management, they cannot be accorded bargaining rights under the act. Peterson concluded that as the discretion exercised by the drivers is restricted to a very small area (changing prices to meet competition) they were not so closely allied to management as to require their exclusion from the requested unit.

33. *Terry Poultry Co.* (109 NLRB 1097), decided August 31, 1954, by Farmer, Rodgers, and Beeson; Murdock and Peterson dissenting.

Majority held that in absence of antiunion motivation, employer may discharge employees who leave production line without complying with plant rule requiring notice to foreman or fellow employees, even though purpose of leaving line was to present grievances. Majority pointed out that reasonable rules limiting concerted activities on company time have received court approval, and that rule in issue was reasonable effort to control absences from production line. Employees' action here made it necessary for certain work to be redone. Dissent argues that majority ignores court-supported precedent sanctioning right of employees to leave work suddenly to present grievances.

34. *Tuttle Logging Co.* (19–RC–1584 (unpublished)), short form decided February 7, 1955, by Farmer, Peterson, and Rodgers; motion for reconsideration denied March 11, 1955.

Relying on *Brooks Wood* (107 NLRB 237), and *McDonald, McLaughlin* (110 NLRB 1340), Board held employer, who sells timber valued at $125,000 annually, locally to National and delivers locally to National's customers, who process and ship out of State, was twice removed from commerce and declined to assert jurisdiction. Also held that fact that employer, an individual, was 1 of 3 officers of National, did not make National and employer a single employer, citing *Consolidated Gas* (107 NLRB 148).

EXHIBIT No. 5

DIGESTS OF SELECTED CASES DECIDED IN FAVOR OF UNIONS BY PRESENT NATIONAL LABOR RELATIONS BOARD

Babcock & Wilcox Co. (109 No. 82 (16–CA–671; July 28, 54)):

Interference. Section 8 (a) (1). Employer violated act by refusing to permit nonemployee union representatives to distribute union literature on employer's parking lot during nonworking time, since distribution of union literature cannot readily be conducted away from plant premises, and there are no special circumstances to show that the rule prohibiting distribution on company property was necessary in order to maintain production or discipline. (5-man decision: Farmer, Murdock, Peterson, Rodgers, Beeson). C. A. 5. May 10, 1955, opinion issued denying enforcement of Board's order—unanimous. July 21, 1955, Board's petition for certiorari filed S. Ct. No. 250. January 25, 1956, argued in Supreme Court.

Boeing Airplane Co., Seattle Division (110 No. 22, D–8497 (19–CA–806, September 30, 54)):

Protected activities—generally. Overruling a trial examiner, a Board majority finds that an employee was protected in attempting to strengthen his union's bargaining position by spearheading a union-sponsored Manpower Availability Service (licensed and bonded employment agent). The purpose of this Service was to secure other employment for the employees after wage negotiations with the employer had reached an impasse. (*Jefferson Standard Broadcasting*, 94 NLRB 1507, affirmed 346 U. S. 464 and *The Hoover Co.* v. *N. L. R. B.*, 191 F. 2d 380 are distinguished.) (Majority: Farmer, Murdock, Peterson.) (Dissenting in part: Rodgers and Beeson.) C. A. 9—Review. June 8, 1955—Argued in C. A.

Borg Warner Corp. (113 No. 18, D–9305 (13–CA–1685; July 13, 1955)):

Extension of a union security agreement to prospective employees of a newly established department is held not to have constituted a violation of section 8 (a) (1) or 8 (a) (2) by the employer because, in the Board's view, the newly hired employees of the department constituted an accretion to the established production and maintenance unit. (Four-man decision: Farmer, Murdock, Peterson, Rodgers.) (Not participating; Leedom.) C. A. 7—Review. March 20, 1956—Court denied petition to review—unanimous. April 6, 1956—union's petition for rehearing filed.

Boston Herald-Traveler Corp. (110 No. 261, D–8763 (1–CA–1669; December 21, 1954)):

Refusal to furnish information. The Board reaffirms the employer's obligation to furnish the employees' bargaining representative information linking the name and earnings of each employee in the unit, even though the precise relevancy of the information is not immediately shown (*Whitin Machine Works*, 108 NLRB No. 223). As to the asserted desire of some employees for financial anonymity, the Board observes that such individual desires must yield to the interests of the great majority. Nor, according to the Board, may an employer refuse to furnish wage information because of a risk that competitors might engage in piracy of key employees. (Three-man decision: Farmer, Murdock, Peterson.) (Not participating: Rodgers.) C. A. 1—Review. June 6, 1955—opinion and decree issued enforcing Board's order—unanimous.

Peerless Plywood Co. (107 No. 106, D–7727 (11–RC–517; December 17, 1953)):

Employer interferences, addressing employees. Refusing union equal opportunity to address employees. Board majority announces new rule prohibiting employers and unions alike from making preelection speeches on company time to assemble employees within 24 hours of election. Rule does not prohibit speeches on or off premises during the 24-hour period, if attendance is voluntary and on employees' own time. Election is set aside on basis of new rule since new election likewise would have been required under Bonwit-Teller rule in effect at time of election. (Majority: Farmer, Peterson, Rodgers.) (Dissenting in part and concurring in part: Murdock.)

Ranco, Inc. (109 No. 149, D–8472 (8–CA–847; Aug. 25, 1954)):

Board majority holds that the employer violated section 8 (a) (1) by refusing to permit nonemployee union organizers to distribute literature on the employer's parking lot. (Five-man decision: Farmer, Murdock, Peterson, Rodgers, Beeson.) (Concurring: Farmer and Peterson.) (Dissenting in part: Beeson.) C. A. 6. Order entered April 27, 1955, enforcing Board's order—unanimous. Company petition for certiorari filed May 26, 1955. Supreme Court No. 422. Argued in Supreme Court on January 26, 1956.

Regal Shoe Company (106 No. 165 (1–RC–3148; Aug. 28, 1953)):

Representation section 9 (c) (1). Contract is a bar to an election even though it does not explicitly grant to all employees who were not union members when contract was written the 30-day statutory grace period for acquiring union membership, since there were no nonunion members employed when contract was written. Decision in *Hess, Goldsmith and Co., Atwater Division* (101 NLRB No. 173) is overruled to extent that it is inconsistent with finding herein. (Panel of Farmer, Styles, and Peterson.) (Not participating: Murdock and Rodgers.)

Richfield Oil Corp. (110 No. 54, D–8627 (21–CA–1685; Oct. 16, 1954)):

Subject matter of collective bargaining—stock purchase plan. A Board majority holds that a stock purchase plan to which the employer contributes is a mandatory subject of collective bargaining and that the employer's refusal to bargain regarding the plan violates section 8 (a) (5). (Majority: Farmer, Rodgers, Peterson.) (Dissenting: Beeson.) (Not participating: Murdock.) Review in C. A. D. C., January 16, 1956—opinion issued enforcing Board's order—div. court February 29, 1956. Company petition for certiorari filed. Supreme Court No. 719.

Seamprufe, Inc. (109 No. 2 (16–CA–677; July 1, 1954)):

Interference. Employer engaged in interference by maintaining and enforcing rule prohibiting distribution of union literature and solicitation of union membership in and around plant parking lot and employees' entrance during employees' nonworking time, since such distribution and solicitation are virtually impossible off employer's property, and there was no showing that the rule was necessary in order to maintain production or preserve discipline. It is immaterial that the union solicitors were not employees of employer. (Five-man decision: Farmer, Murdock, Peterson, Rodgers, Beeson.) C. A. 10. May 4, 1955—opinion issued denying enforcement of Board's order—unanimous. July 21, 1955—Board's petition for certiorari filed in Supreme Court, No. 251. January 26, 1956—argued in Supreme Court.

Truitt Manufacturing Co. (110 No. 143, D–8715 (11–CA–670, Nov. 15, 1954)):

Nature and extent of duty to bargain—generally. Indicia of bad faith. Refusal to make concessions. The Board finds a violation of section 8 (a) (5) because "it is settled law that when an employer seeks to justify the refusal of a wage increase upon an economic basis, as did respondent herein, good faith bargaining under the act requires that upon request the employer attempt to substantiate its economic position by reasonable proof." The Board, however, does not adopt the Trial Examiner's conclusion that failure to substantiate its economic position as to wages obligated the employer to accede to the union's wage demands. (Five-man decision: Farmer, Murdock, Peterson, Rodgers, Beeson.) Fourth C. A.—denied and set aside July 30, 1955—unanimous. December 12, 1955, Board petition for certiorari granted. Supreme Court No. 486. March 28, 1956—argued in Supreme Court by Findling.

Whitin Machine Works (108 No. 223, D–8310 (11–CA–494; June 28, 1954)):

Acts in derogation of duty to bargain—refusal to furnish information. A Board majority holds that an employer violated section 8 (a) (5) by refusing to furnish the names of employees together with their individual wage rates which a union requested for the purposes of collective bargaining generally. According to the majority, "it is sufficient that the information sought by the union is related to the issues involved in collective bargaining * * * no specific need as to a particular issue must be shown." (Majority: Murdock, Peterson, Rodgers.) (Concurring: Farmer.) (Dissenting: Beeson.) C. A. 4. Opinion and order December 8, 1954, enforcing Board's order—unanimous. March 7, 1955, company petition for certification filed—Supreme Court, No. 641. April 11, 1955, certiorari denied.

HIGH DAM AT HELLS CANYON, AND POSITION OF THE GOVERNOR OF OREGON

Mr. NEUBERGER. Mr. President, the minority views from the Senate Committee on Interior and Insular Affairs on the Hells Canyon high-dam bill (S. 1333) contains this sentence:

> The Governors of Idaho, Oregon, and Washington, speaking for their States, are unalterably opposed to S. 1333.

I challenge the minority of the committee to make good this statement or to retract it, prior to the start of debate on the most vital water-resource issue to face the Senate in many years.

What is the stand of Gov. Elmo Smith of Oregon on S. 1333? I do not know it. The press does not know it. How does the minority of the Senate Interior Committee know it?

On June 29, 1956, I addressed an air-mail letter to the Governor of Oregon, asking his position on S. 1333. I have not yet had a reply to that letter.

It is up to the committee minority to do one of two things immediately: First, either produce a flat statement from Gov. Elmo Smith, opposing S. 1333; or, second, withdraw the claim in the minority report that the Governors of Idaho, Oregon, and Washington all oppose S. 1333.

Mr. President, let me state emphatically that, as of this moment, Governor Smith has yet to declare himself on this vital issue. Indeed, one of the leading editors in our State has expressed indignation over the Governor's pussyfooting and evasive stand on the Hells Canyon issue. In fact, Charles A. Sprague, editor of the Salem, Oregon, Statesman, and himself an ex-Republican Governor of Oregon, published an editorial on July 5, urging Governor Smith to speak his piece one way or another concerning the question of a high dam at Hells Canyon.

I do not subscribe to the notion that Governors speak for their States any more than do United States Senators. The Governor of Washington State, for example, may be opposed to a high dam at Hells Canyon, but both Senators from Washington favor the great project.

The same is true of the two Senators from Oregon. My distinguished senior colleague [Mr. MORSE] and I will fight for this worthwhile power and flood-control undertaking, regardless of the stand eventually taken by Governor Smith—if he ever ceases to straddle the fence on the question. But, at least, the Senate is entitled to know when that straddling will be ended, particularly inasmuch as the minority of the Interior Committee has taken the initiative in claiming that the Governor of Oregon opposes the high dam. Perhaps the minority has had advance notice from enemies of the high dam that this is where Governor Smith will ultimately be found taking his position.

Mr. President, in conclusion, I ask unanimous consent to have printed in the RECORD my letter to Governor Smith, dated June 29, 1956; an article from The Oregonian of Portland, Oreg., for July 3, 1956; and an editorial from the Salem Statesman of July 5, 1956.

There being no objection, the letter, article, and editorial were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS,
June 29, 1956.

HON. ELMO SMITH,
Governor of Oregon,
Salem, Oreg.

DEAR GOVERNOR SMITH: As you know, the Interior Committees of both the Senate and the House of Representatives have reported favorably on bills to authorize Federal construction of the high Hells Canyon Dam and have recommended enactment of this authorization by the Congress.

In dissenting from this recommendation, the minority of the Senate Interior Committee stated, as one reason for opposition to the project, that "the Governors of Idaho, Oregon, and Washington, speaking for their States, are unalterably opposed to S. 1333," the Senate Hells Canyon bill sponsored by Senator MORSE and me along with 28 other Senators.

I do not recall that you have had occasion, since your succession to the governorship of Oregon, to state your position on the Hells Canyon issue. I wonder whether it is accurate that, as governor of one of the States which would be primarily benefited by the addition of Hells Canyon Dam to the Columbia River power system, you are "unalterably opposed to S. 1333."

In view of the fact that this statement has now been circulated by the minority of the Interior Committee to the entire Senate, which will soon take up this bill, I would appreciate your letting me know at your earliest opportunity whether or not you are indeed "unalterably opposed to S. 1333," the bill which would bring about Federal construction of high Hells Canyon Dam as a key project in the Columbia River system.

Respectfully,

RICHARD L. NEUBERGER,
United States Senator.

[From the Oregonian of July 3, 1956]

SMITH HOLDS DAM REPLY

SALEM.—Gov. Elmo Smith said Monday he was not going to declare his position on Hells Canyon Dam proposal until he has received a copy of the letter Senator RICHARD NEUBERGER, Democrat, of Oregon, has written him.

In the letter, which NEUBERGER made public in Washington, D. C., NEUBERGER asked whether it was true that Smith joined the governors of Washington and Idaho in opposing the bill for a high Federal dam in Hells Canyon.

The Governor said he has not had a chance to read the bill, S. 1333, to authorize the Federal dam, and would have no comment until after reading NEUBERGER'S letter.

[From the Oregon Statesman of July 5, 1956]

GOVERNOR SMITH AND HELLS CANYON

Gov. Elmo Smith was quite unresponsive to Senator NEUBERGER'S inquiry on how he stood with respect to the Hells Canyon bill pending in Congress. Smith told inquiring reporters that he hadn't read the bill, and hadn't got NEUBERGER'S letter yet. That's a lame rejoinder.

NEUBERGER'S inquiry was prompted by the statement made by the Republican minority of the Senate Committee on Interior and Insular Affairs, which declared: "The Governors of Idaho, Oregon, and Washington, speaking for their States, are unalterably opposed to S. 1333." Either these Senators were correct as to the Governor of Oregon or they were incorrect. The best source of information is from Governor Smith himself. He should make up his mind, if he hasn't already, and declare himself. We are quite sure that Smith opposes the Hells Canyon bill whether he has read it or not; and he ought to say so.

Dodging issues has become something of an occupational disease among Oregon governors. We hope that Smith will not become another of its victims.

VISIT TO THE SENATE BY LORD FORBES, OF SCOTLAND

Mr. SMITH of New Jersey. Mr. President, I rise to a matter of personal privilege.

We have with us today, on the floor of the Senate, a distinguished member of the House of Lords of Great Britain. I wish to introduce him to the Senate, so that all Members of the Senate may have an opportunity to greet him.

Mr. President, I take great pleasure in introducing Lord Nigel Ivan Forbes, the 23d Baron of Forbes, a barony created about 1442. He is the Premier Baron of Scotland and the Representative Peer of Scotland in the House of Lords.

Educated at Harrow and the Royal Military Academy at Sandhurst, he served in World War II, and was wounded in action.

From 1941 through 1946, he served as adjutant, Grenadier Guards, Staff College; and in 1947 and 1948, he was the military asssitant to the High Commissioner for Palestine. He now holds the rank of major, retired, Grenadier Guards.

Lady Forbes, the former Hon. Rosemary Katherine Hamilton-Russell, is accompanying her husband on their visit to this country.

Mr. President, I have just been informed that Lady Forbes is now in the balcony of the Senate.

I am sure that all Members of the Senate join in extending greetings to both Lord Forbes and Lady Forbes.

[Applause, Senators rising.]

THE SCHOOL-AID BILL

Mr. MCNAMARA. Mr. President, I cannot help but feel that our flags should be at half-mast in bitter memory of the apparent death of the school-aid bill.

The death of this bill will not be forgotten. It will be seen mirrored in the eyes of every parent of every child. It will be a dark cloud over every crowded, dilapidated school in the Nation where our young citizens are literally jammed into classrooms, and have to attend half-day sessions in order to make room for a new shift. We will reap the sorry gains from this action for years to come, as our children grow up with a background of piecemeal, inadequate education.

It is not enough to say that we can try again next year. Next year will mean another million or more children entering our schools. And we can never make up for the lack of proper schooling on the part of the current millions of pupils.

Blame for the death of the school-aid bill can be fixed in a number of places. There were those Republicans who voted against education on the flimsy political ground of pride of authorship.

In both parties there were those with narrow, selfish interests, who contributed to the death of the education bill, ignoring completely the more than 35 million schoolchildren.

The schoolroom, Mr. President, is more vital to the defense of our Nation than the largest Army, Navy, and Air Force in the world. The schoolroom produces the young men and women who will be called upon to defend and strengthen our country, internally as well as at its borders. They are our future citizens, our doctors, our lawyers, our workers. If we ignore them, we ignore and damage the future of America.

It is incomprehensible to me that the Congress can appropriate millions of dollars for the worthy cause of foreign aid, can decide that the Nation needs a larger Air Force, and can vote for the building of highways; but every time we seek to do something really beneficial for all the people and the future of America, we meet defeat or our efforts are watered down.

To those who join in an unholy alliance to stifle progress, I should like to say that their "victory" on the school-aid bill was a tremendous disservice to their country.

I am still hopeful that at this session of Congress we can accomplish something in this field. We can have a school-aid bill if private quarrels are forgotten and the welfare of the children and of the country is substituted.

MOTION PICTURE HERALD CRITICIZES FUND FOR THE REPUBLIC FOR ITS UNREALISTIC CRITICISM OF EFFORTS TO RID MOVIES AND TELEVISION OF COMMUNIST TALENT

Mr. MUNDT. Mr. President, the recent attack made by a report sponsored by the Fund for the Republic against efforts of the motion-picture industry and the television-broadcasting industry to eliminate Communists seeking to gain employment in these opinion-molding industries has come in for some well-merited criticism from those familiar with the true purpose of the Communist conspiracy within our midst.

While the American Legion is yet to be heard from in response to the Fund for the Republic's snide references to the Legion's great work in helping to curb communism in these areas, I am sure it will speak out forcefully and effectively in the next issue of its monthly magazine or through some other appropriate medium.

I call attention at this time to an editorial by Martin Quigley, written in his widely read Motion Picture Herald, published June 30, 1956, which I ask to have printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SHADES OF NEUTRALITY

During the war the Irish practiced official neutrality but they took steps to make clear that "they were neutral against the Nazis." In our day the word "neutrality" also often cloaks a bias. This unsatisfactory state of affairs has spread from the political into the industrial and educational fields. A typical example is the report of the Fund for the Republic issued June 25, 1956, called Report on Blacklisting, in two volumes: I—Movies and II—Radio and Television.

The publication of these studies by John Cogley caps a 2-year study financed by the Fund for the Republic for a reported $60,000. The foreword by Jaul G. Hoffman, chairman of the fund's board of directors, says that the author accepts all responsibility for the report. However, the board praises Mr. Cogley's "calm deliberation" and "thorough job."

The Report on Blacklisting—I. Movies for the most part consists of purported historical accounts. Appendixes includes studies of The Legal Aspects and Film Content. The report confirms—if additional confirmation is necessary at this late date—what has always been maintained on this page: the Communist attempts to influence film content never made any substantial progress in Hollywood. The reason, of course, was not for want of trying but because the responsible executives of the industry there, in New York, and the exhibitors and public throughout the country never felt any sympathy with Communists or their special causes.

The Fund for the Republic and some other "liberal" organizations and individuals are disturbed at the American motion-picture industry because individuals and companies have been opposed to the hiring for creative work in pictures Communists or those who continue to give sympathetic adherence to communism. On the other hand the Fund for the Republic has been widely criticized for seeming more against anti-Communists than Communists.

The Cogley report is not going to make any change in the situation. Hollywood has handled a difficult job with considerable skill. The courts thus far have upheld what has been done. Moreover, public opinion of the country certainly has backed Hollywood in its anti-Communist position. In fact, it might be said that fears of economic repercussions at the box office were contributing factors making necessary a thorough job of eradicating Communist penetration of the studios.

Fortunately there are few people so politically naive as to believe with the Fund for the Republic and Mr. Cogley that communism is essentially a political belief and that its adherents are entitled to the same rights as a Democrat or Republican or other legitimate political party member.

Mr. Cogley's report in many instances is neutral against what the industry has done and is doing. His views were known when he was selected for the job for which he had no other noteworthy qualifications. Repeated attempts are made to arouse sympathy for the plight of the unfriendly ten and ridicule anti-Communists such as Roy Brewer. The report makes no recommendations on what the industry should have done. It must be assumed that the Fund for the Republic maintains that any Communist who is not known to be a convicted spy for the Soviet Union should be hired for any job for which he may be otherwise qualified. The American motion-picture industry and the American public do not agree. Anyone who is giving conscious help to the Communist conspiracy does not belong in a creative post in such a vital and influential industry as the entertainment business.

Mr. MUNDT. Mr. President, in the same issue of the Motion Picture Herald, Mr. Quigley, Jr., has an interesting and informative factual analysis of the recent report which the Fund for the Republic employed a little-known journalist by name of Cogley to prepare for it despite the fact that Mr. Cogley's bias on the subject was easily obvious before he was engaged to prepare what the public was supposed to accept as an objective study. I ask that it be printed in the RECORD at this point. It also includes some relevant observations by Frederick Waltman and by the senior Senator from South Dakota.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REPORT OF FUND FOR THE REPUBLIC SCORES INDUSTRY'S STAND ON REDS

(By Martin Quigley, Jr.)

The entertainment industries were sharply criticized this week in a 600-page Report on Blacklisting by John Cogley, sponsored by the Fund for the Republic, Inc. That organization, established by a $15 million grant of the Ford Foundation, has itself been repeatedly and sharply criticized for its tolerant attitude toward communism and Communists.

According to Mr. Cogley, "the characteristic attitude of industry people in Hollywood or on Madison Avenue is compounded of fear and shame * * * for the way the Communist problem has been handled." This will be news to most people.

LITTLE ELSE NEW

There is little else new in the two volumes of the report. Their tone could have been accurately forecast from the spirit of the original announcement of the project by the Fund for the Republic and the selection of Mr. Cogley to find documentation to support the preconceived idea that the industry had handled the Communists in a shameful way.

Initially the managers of the Fund for the Republic and Mr. Cogley assumed that there is blacklisting in the entertainment industry: that blacklisting is necessarily a bad practice; that only the innocents are hurt by the policies of trying to keep Communists out of motion pictures, television, and radio. Moreover, the Fund for the Republic apparently believes that most of those who have been conspicuous in anti-Communist work are vain, ambitious, self-seeking, cruel, and un-American.

In view of the fact that the fund itself has become controversial for its allegedly soft attitude on Communists and hard viewpoint on anti-Communists, it is not surprising that in identical introductions to the two volumes the fund attempts to deny its basic responsibility for the reports. Paul G. Hoffman, chairman of the board of directors, says that Mr. Cogley was given a free hand and "accepts responsibility for this report." The Fund for the Republic pats Mr. Cogley on the back as it shifts to him full responsibility. * * * "The board of the fund wishes to state its full confidence in the calm deliberation which he has given to its preparation. We believe he has done a thorough job."

The fundamental trouble is that while Mr. Cogley convinced his sponsors that he shared the fund's viewpoint on the subject before getting the assignment, his previous record includes no special experience or proven aptitude for the work. Not having a personal background of knowledge of the subject, Mr. Cogley and his research staff had to be guided by what people told him. Individual recollections of past actions and events are not always the surest guide to the whole truth. Moreover much of the research consisted in asking Mr. A what he thought of Mr. B and what Mr. B had been doing.

Mr. Cogley describes himself as a journalist. He is 40 years old. Born in Chicago, he received a Ph. D. degree there from Loyola University. He pursued advanced studies in philosophy and theology at the University of Fribourg in Switzerland after serving the whole of World War II in the United States Army Air Force. He joined Commonweal, a weekly edited by Catholics who pride themselves on maintaining a liberal viewpoint, in 1949 as feature editor. Later he became managing editor.

ABOUT HISTORICAL MATTERS

The Cogley report on movies is largely concerned with historical matters. The first chapter, "The 1947 Hearings," takes up the excitement in the industry generated by the hearings before the House Un-American Activities Committee in 1947 under J. Parnell Thomas. At that time Eric Johnston for the industry engaged Paul V. McNutt to head the defense. The effort miscarried and the industry position shifted rapidly when the stand taken by the "Unfriendly Ten" witnesses stirred up indignation not only among the theater patrons but also by many of the Hollywood associates of the witnesses.

Dore Schary is quoted in answering a question of the House committee about rehiring a Communist as follows: "I would not hesitate to rehire him if it was not proven that he was a foreign agent." This is the viewpoint that Mr. Cogley and the Fund for the Republic have adopted although Mr. Schary dropped it. They apparently think if an individual is not proved personally guilty of subversion or espionage, he should be hired for any position in the entertainment industries. This viewpoint, of course, assumes that communism is only one of several divergent but legitimate political philosophies.

JOHNSTON STATEMENT

The first chapter ends with the statement issued by Mr. Johnston following the meeting November 24, 1947, at the Waldorf-Astoria. It was then that the industry adopted the position it has since maintained, "We will not knowingly employ a Communist or a member of any party or group which advocates the overthrow of the United States by force or by any illegal or unconstitutional methods." Mr. Cogley's uninformed approach is indicated on this important action when he cites the columnist Ed Sullivan in an assertion that Wall Street had "jiggled the strings" and forced the industry to act.

The chapter Communism in Hollywood is one of the best in the book. It points out well how the party there sought an elite corps and explained what the purposes of the Communist activity were. Mr. Cogley, however, allows himself to be dogmatic in making flat statements about the small number of Communists and the ignorance of the Hollywood Communists about the nature of the party. Since communism is a conspiracy, it is not possible to learn details of its workings except by informers, those who, for one reason

or another, part company with their coconspirators. It is not possible to know now, or ever, exactly what the hard core of communism activity amounted to or to accurately weigh the motives of those who joined or gave support as sympathizers.

PROPAGANDA CHARGE

The report makes the statement that it was widely held that there was extensive Communists propaganda in Hollywood films. Widely held by whom? it may be asked. Certainly a few loose charges were made by uninformed persons but as the records of Motion Picture Herald show, released films did not further the cause of communism in any way.

Mr. Cogley is in rather unsure field for himself when he gets down to the chapter on Labor in Hollywood. He and his staff apparently made an attempt to get the facts and be objective but they seem to view developments of the past in the light of their present notions. There is a thinly veiled attempt to smear Roy Brewer by trying to implicate him in bribery and corruption as practiced by Willie Bioff and George Browne of the IATSE. Richard F. Walsh, Browne's successor as president, also receives less than his due by the inference that being a vice president under Browne he perhaps was involved in sinister practices. The relationship of Herb Sorrell to the Communist Party has long been a matter of controversy. The Cogley report throws no new light on the situation.

HOLLYWOOD STRIKES

The chapter on Hollywood strikes attempts to minimize all possible Communist aspects and plays up organized labor's struggle for power. Undoubtedly labor union policies had marked influence but one may wonder how the situation would be today if the IATSE with the anti-Communist policy of Mr. Walsh and Mr. Brewer had been supplanted by opponents of varying shades of Red.

In considering clearance in Hollywood passing reference is made to the difficulties encountered by persons active in anti-Communist work and also those who were friendly witnesses. The so-called system of clearances is treated by Mr. Cogley in a negative way. It is criticized because it was informal and unofficial. Nothing is said of the positive benefits of the system. Over 200 creative workers in Hollywood were under public attack for their past records of Communist activity or membership in groups found to be allied with the Communists. As a result of the various clearance arrangements over 85 percent of the group have been able to resume their careers in films. Nowhere does Mr. Cogley consider the problem and the implications of the stand of the 30 individuals, including some of the unfriendly 10, who persist in failing to make clear their present position.

MASS HEARINGS

While the possibility exists that some unfriendly witnesses may still be proceeding under a misguided idealism that communism is a legitimate form of political belief and that the Congress has no business inquiring into it, most of the group must now be considered followers of the pernicious Communist Party line. Their refusal to stand up and be counted now must be interpreted as an action taken to advance Communist policies.

"The Mass Hearings" is the title of the section for the 1951 hearings under Congressman John S. Wood. The next chapter tells inadequately the role played by the American Legion in encouraging motion-picture companies to make films without the services of Communists and those following the Communist Party line. Mr. Cogley overlooks entirely the question of the American Legion as a reflector of American public opinion on a wide scale. Mr. Cogley also sometimes forgets that motion pictures are made to be seen by millions—they must be to make a profit. The psychological factor is of great importance in theater attendance. If a few million people stay away from a film because they deplore the reputation of a performer, the producing company would have a financial failure.

The difficulties individuals have had in writing letters to obtain clearance and renewed employment at the studios are outlined. No attention is given to the fact that there may be some who even at a late date are unwilling to speak the whole truth. A person who innocently became involved in communism or communistic causes does not like to have his mistakes publicized—no one does. At the other extreme a few in Hollywood may have been too closely connected with the Communist apparatus to wish or dare tell all they know.

"BLACKLISTING: AN INSTITUTION"

The final chapter of Mr. Cogley's work headed, "Blacklisting: An Institution" recites activities that some of the studios have carried on independently of any urging by outside individuals or organizations. It is never made quite clear whether Mr. Cogley believes that all named as Communists were not Communists or whether being a Communist or not makes no difference.

The first appendix is a long article on The Legal Aspects by Harold W. Horowitz, a member of the law faculty of the University of Southern California. Mr. Horowitz' conclusions are that generally the employee has no legal redress against an employer or prospective employer in matters of alleged "blacklisting." Self-restraint of the employers and public opinion are considered by the writer as providing the best available controls.

The second appendix is an article "Communism and the Movies—A Study of Film Content" by Dorothy B. Jones, identified as chief of film reviewing and analysis section of the OWI during World War II. Miss Jones has assembled a great deal of data to show what has been generally accepted; i. e. that the efforts to get Communist propaganda on the screen through Hollywood pictures were unsuccessful.

The final sections of the Cogley report include lists which may be of interest to film historians—films in which the "Unfriendly Ten" worked and films in which those who later admitted Communist Party affiliation worked. There are other tables to show the nature of film content during the period. The list of box office champions from FAME are listed for the years from 1947 through 1954.

In the final paragraph of the second volume which would seem to sum up his views Mr. Cogley says, "The result is that the theater has a better conscience: it is freer. The characteristic attitude of industry people in Hollywood or on Madison Avenue is compounded of fear and shame."

SENATOR MUNDT AND FREDERICK WOLTMAN SEE REPORT AS BRINGING JOY AND COMFORT TO REDS

The two-volume report of the Fund for the Republic on blacklisting in the radio-television and motion-picture industries aroused a storm of protest, especially among those who have long been leaders in the anti-Communist cause. This week two such leaders, in separate statements, agreed in almost the same phraseology that the reports "while not pro-Communist, cannot help but bring joy and comfort to the Reds."

These were the words of Frederick Woltman, Scripps-Howard feature writer and a specialist in Communist activities, in a page one article in the June 25 New York World-Telegram and Sun. The following day, Senator KARL MUNDT, Republican, South Dakota, put into the CONGRESSIONAL RECORD a statement in which he characterized the reports as "still another effort to give aid and comfort to the Communists, both here and abroad."

Referring specifically to the report on the radio-TV industry, Mr. Woltman said that it left three major conclusions:

"It can only add confusion to a major problem of the industry which has already been straightening itself out. That is, what to do with the actors, writers, and directors who are Communist backers or who have aided the Communist cause in the past without clearing their records.

"By the use of loaded expressions throughout and the selection and grouping of some facts and the omission of more salient facts, it gives a distorted and often false picture.

"Because its author, John Cogley, rubberstamps the basic philosophy of the fund's own president, Robert M. Hutchins, the slant of the report runs counter to the mainstream of American thought."

Senator MUNDT praised both the motion-picture and broadcasting industries for "very important strides" in cleaning out Communists. Recalling that he was a member of the House Un-American Activities Committee during the hearings on Communist activities in Hollywood, he said that the Motion Picture Association of America had been most helpful.

The Senator said that Hollywood producers and "to a lesser but to a substantial degree," the broadcasting industry have done their best to clean out the Communists. "It is disquieting and disillusioning, therefore," he said, "when the Fund for the Republic now levels the guns of its vast tax-exempt funds against the efforts to keep Communists out of the entertainment world."

Senator MUNDT'S praise for the film industry was not unqualified. He said "millions of Americans would like to see the motion-picture industry complete its job—because it is still unfinished business—of cleaning the Reds out of Hollywood." The Legion of Decency also was praised by the Senator for "apprising their people as to some of the Communist films."

INCREASE OF BORROWING POWER OF COMMODITY CREDIT CORPORATION

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation, which was to strike out all after the enacting clause and insert:

INCREASE IN BORROWING AUTHORITY

SECTION 1. (a) Section 4 (i) of the Commodity Credit Corporation Charter Act, as amended (15 U. S. C. 714b (i)), is amended by striking out "$12,000,000,000" and inserting in lieu thereof "$14,000,000,000."

(b) Section 4 of the act of March 8, 1938, relating to the Commodity Credit Corporation, as amended (15 U. S. C. 713a-4), is amended by striking out "$12,000,000,000" and inserting in lieu thereof "$14,000,000,000."

AMENDMENT TO PENAL PROVISIONS

SEC. 2. Subsection (c) of section 15 of the Commodity Credit Corporation Charter Act, as amended (15 U. S. C. 714m (c)), is amended to read as follows:

"LARCENY; CONVERSION OF PROPERTY

"(c) Whoever shall willfully steal, conceal, remove, dispose of, or convert to his own use or to that of another any property owned or held by, or mortgaged or pledged to, the Corporation, or any property mortgaged or pledged as security for any promissory note,

or other evidence of indebtedness, which the Corporation has guaranteed or is obligated to purchase upon tender, shall, upon conviction thereof, if such property be of an amount or value in excess of $500, be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both, and, if such property be of an amount or value of $500 or less, be punished by a fine of not more than $1,000 or by imprisonment for not more than 1 year, or both."

Mr. ELLENDER. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House of Representative thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. AIKEN, and Mr. YOUNG conferees on the part of the Senate.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO WEDNESDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 12 o'clock noon on Wednesday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, in order that all Senators may have information and be on notice, I announce that on Wednesday next the leadership expects a yea-and-nay vote, as is customary in connection with all treaties, on the International Wheat Agreement of 1956. That treaty will be called up Wednesday.

Consideration of Calendar No. 2000, Senate bill 3410, a bill to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges is being postponed because it is impossible for the Senator from Missouri [Mr. HENNINGS] to be present to handle that bill today. We expect to proceed to consider it in the Senate on Wednesday next, so it is very likely that there will be some yea-and-nay votes on Wednesday.

CONTRIBUTIONS TO NATIONAL HELLS CANYON ASSOCIATION

Mr. GORE. Mr. President, on last Friday the distinguished and able junior Senator from Arizona [Mr. GOLDWATER] inserted in the RECORD a compilation of contributions made to the National Hells Canyon Association.

There must have been some misprint or error made in the compilation of the list which the junior Senator from Arizona placed in the RECORD at page 11928, because the list contains the name of the Tennessee Valley Authority. TVA has no authority to make any such contribution. I have made inquiry of TVA and have found that no such contribution was made. I am sure that this error occurred because there is an association of distributors of TVA power, as there are other such associations in other regions of the country, and that association made a contribution.

I am sure that the distinguished junior Senator from Arizona will be glad to correct the RECORD to that extent.

Mr. GOLDWATER. Mr. President, the insertion to which the distinguished junior Senator from Tennessee refers was supplied to me in the form of a photostatic copy of a statement issued by the National Hells Canyon Association. It showed contributions received by that association from June 1953 through August 12, 1955. It came to me through the American Federation of Labor of Oregon, whose president, I understand, is interested in this particular project.

In concluding my remarks on Friday I said:

> An explanation of TVA's activity in this field would be very interesting.

I said, as the Senator from Tennessee has suggested, TVA has no authority to make such a contribution, and I thought it was rather unusual for a public body to contribute to this fund.

However, I am perfectly willing to accept the explanation of the Senator from Tennessee, because I believe, as he does, that there must be some mistake. Certainly TVA, a public body, would not violate the intent and purpose of the law to that extent.

Mr. GORE. I thank the able Senator from Arizona. I was sure he had no intention of misrepresenting the facts, and I was sure that he would willingly accept the explanation.

I am informed that a contribution to the association was made by the Tennesee Valley Public Power Association, which is a trade association representing about 95 percent of the rural-electric cooperatives and municipal electric systems distributing TVA power. I thank the Senator for the opportunity to correct the RECORD.

Mr. GOLDWATER. I believe that what the Senator has said has done both sides of the question a favor, because neither side wishes to misrepresent the other. I suggest that the Senator get in touch with the organization in Tennessee and ask it to make a similar correction, because unquestionably this material will be used in other parts of the United States.

Mr. GORE. I hope the Senator from Arizona will make the correction in the permanent RECORD, so that the information will not be used erroneously.

Mr. GOLDWATER. The Senator from Arizona, after consultation with the Senator from Tennessee, will be very happy to do so.

THE ATTEMPT OF CERTAIN LABOR BOSSES TO TAKE OVER THE DEMOCRAT PARTY

Mr. GOLDWATER. Mr. President, several times in the past I have pointed out the attempt by certain labor bosses to take over the Democrat Party. From all the evidence, this has succeeded more than many on the other side of the aisle would like to admit, especially in such States as Michigan.

Today, I should like to add some new evidence, some of which might also be embarrassing to one of my party's best friends, Mr. Paul Butler. I might add that I am happy to see that he is still Democrat national chairman.

Mr. President, I do not believe in third parties, and I do not think many persons in our Nation do any more, not even the labor bosses who from time to time have dreamed of a Labor Party. Their thoughts have turned toward a new goal—the capture of the Democrat Party—a movement in which they have made a great deal of progress, if one is to judge by the control which they exert at national conventions by vetoing national candidates for office.

One example of the close tie-in between the top leadership of organized labor and the Democrat National Committee is the 18-member Advisory Committee on Labor, announced by Chairman Butler on May 20. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a press release from the publicity division of the Democrat National Committee.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

An 18-member Advisory Committee on Labor, to work with the Democratic National Committee's labor division throughout the 1956 campaign, was announced today by Paul M. Butler, national chairman.

George M. Harrison, president of the Brotherhood of Railway Clerks, has been named chairman of the newly appointed committee of prominent labor leaders, who represent some seven million workers in the AFL–CIO and independent unions. Most of the members are on the executive committee and executive council of the AFL–CIO.

Chairman Butler has called the first meeting of the Advisory Committee on Labor, Tuesday, May 22, at 12:30 p. m., in the Mayflower Hotel to discuss the broad policies for the campaign.

In announcing the members of the committee invited by Mr. Butler to serve throughout the coming campaign, the national chairman emphasized that the committee is still incomplete, with plans to expand its membership considerably between now and November. Executive director of the committee is Thomas R. Byrne, appointed by Mr. Butler last month.

The functions of the committee, Mr. Butler said, include making recommendations for the party's 1956 platform.

Consideration will be given to the various ways the members can actively participate in the campaign. The committee will also work closely with the labor leaders now being recommended by the Democratic State chairmen to organize labor activities at the grassroots level in the States.

Following is the list of members who have accepted Chairman Butler's invitation to serve on the Advisory Committee on Labor:

Mr. George M. Harrison, chairman, president, Brotherhood of Railway Clerks, AFL–CIO.

Mr. J. A. Beirne, president, Communication Workers of America, AFL–CIO.

Mr. J. A. Brownlow, president, Metal Trades Department, AFL–CIO.

Mr. James B. Carey, president, International Union of Electrical, Radio, and Machine Workers, AFL–CIO.

Mr. T. C. Carroll, president, Brotherhood of Maintenance of Way Employees, AFL–CIO.

Mr. William C. Doherty, president, National Association of Letter Carriers, AFL–CIO.

Mr. H. E. Gilbert, president, Brotherhood of Locomotive Firemen and Enginemen.

Mr. Joseph D. Keenan, interntional secretary, International Brotherhood of Electrical Workers, AFL–CIO.

Mr. Thomas Kennedy, vice president, United Mine Workers of America.

Mr. W. P. Kennedy, president, Brotherhood of Railroad Trainmen.

Mr. O. A. Knight, president, Oil, Chemical, and Atomic Workers International Union, AFL–CIO.

Mr. Charles J. MacGowan, president emeritus, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, AFL–CIO.

Mr. David J. McDonald, president, United Steelworkers of America, AFL–CIO.

Mr. Anthony E. Matz, president, International Brotherhood of Firemen and Oilers, AFL–CIO.

Mr. James C. Petrillo, president, American Federation of Musicians of the United States and Canada, AFL–CIO.

Mr. Emil Rieve, chairman, executive board, Textile Workers Union of America, AFL–CIO.

Mr. A. L. Spradling, president, Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, AFL–CIO.

Mr. Leonard Woodcock, vice president, International Union, United Automobile, Aircraft and Agricultural Implement Workers, AFL–CIO.

Mr. GOLDWATER. Mr. President, it will be readily seen from this release that the close relationship between many top labor leaders and the Democrat National Committee is an open and accomplished fact. This advisory committee consists of 13 union presidents, 1 president emeritus, 2 union vice presidents, 1 international secretary, and 1 union executive board chairman. Fifteen of the eighteen unions represented on the advisory committee are AFL–CIO affiliates. The other three are the United Mine Workers, largest of the independent unions; the Brotherhood of Railroad Trainmen, and the Brotherhood of Locomotive Firemen and Enginemen.

Noticeably absent are representatives of the building trades department and the Teamsters International. Also conspicuously absent are representatives of the Brotherhood of Sleeping Car Porters and the United Transport Service Employees. The presidents of these two unions, who are also vice presidents of the AFL–CIO, are colored. It should be noted here and now that two of the unions represented on the advisory committee have provisions in their constitutions barring racial minorities from membership.

Nevertheless, Mr. President, the interesting thing about this release of May 20 was to see the name of Mr. James C. Petrillo, president of the American Federation of Musicians of the United States and Canada, AFL–CIO. It was especially interesting when I read on June 14, less than 1 month later, that Mr. Petrillo had, according to the New York Times, strongly suggested that he might back President Eisenhower for reelection.

In this connection, Mr. President, I ask unanimous consent that this article from the New York Times be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EISENHOWER GETS PETRILLO PRAISE—MUSICIAN'S LEADER INDICATES HE WILL BACK PRESIDENT—PARLEY HEARS MITCHELL

(By Stanley Levey)

ATLANTIC CITY, June 13.—James C. Petrillo suggested strongly here today that he might back President Eisenhower for reelection.

The head of the 25,000-member American Federation of Musicians—a life-long Democrat—predicted at the union's annual convention that General Eisenhower would be reelected.

Mr. Petrillo made his pronouncement in introducing Secretary of Labor James P. Mitchell to the convention. After speaking warmly of Mr. Mitchell as a friend of labor, he declared.

"I believe you all know my politics. I have been a Democrat all my life. As a Democrat I voted against President Eisenhower. But I want to say I have never talked to any man as friendly and understanding about our problems as President Eisenhower.

"He has listened to our side of the musicians' case sympathetically. He has never turned me down for an appointment. If we ever had a friend in the White House we have one now.

"If Eisenhower is reelected—and it looks like he's going to be reelected—I hope he reappoints Jim Mitchell for another 4 years as Secretary of Labor."

Later Mr. Petrillo was asked if his remarks had constituted an endorsement of General Eisenhower. His answer was: "What difference does it make who's in the White House as long as he's a good President?"

WILL AWAIT PLATFORM

Mr. Petrillo was asked if he would vote for General Eisenhower.

"Let's wait and see what the platform is," he replied. Mr. Mitchell, a bystander at the informal corridor interview, grinned broadly at Mr. Petrillo's remarks.

The union president estimated that about half of the 1,300 delegates at the convention were Republicans. The federation has an overall membership of 256,000. Of that number 30,000 are in New York, 16,000 in Los Angeles, and 11,500 in Chicago.

Mr. Mitchell, in his speech, said "everyone in Washington" had the "highest regard" for Mr. Petrillo. Mr. Mitchell promised the union his support in its campaign to abolish the 20-percent amusement tax in places providing entertainment. The federation asserts this levy is costing its members jobs.

He commended the union for the unique way it had attacked the problem of technological unemployment without standing in the way of progress. He called the performers trust funds one of the most dramatic, forward-looking union movements in history.

MESSAGE FROM PRESIDENT

The political nature of the session was further emphasized by a message of greeting from President Eisenhower. The President said:

"Members of your organization provide needed and welcome entertainment and relaxation for millions of Americans. In recent years many of you have become good will ambassadors displaying our country's artistic achievement to the peoples of the earth.

"And throughout the past 60 years the federation has been vigilant and effective in promoting the welfare and security of American musicians and in thus contributing to the well-being of all Americans."

Mr. Petrillo completed his rout of an insurgent group from local 47 in Los Angeles. Yesterday, 11 members of the local were disciplined for fighting the union president; today 15 resolutions offered by the opposition faction were rejected unanimously by the convention.

The resolutions attempted to strike at Mr. Petrillo's sources of power in the union constitution and sought to revise the administration of the musicians' performance trust funds. These amass royalties from employers for the support of unemployed union members.

The convention ends tomorrow.

Mr. GOLDWATER. Mr. President, I might also point to another significant sentence in that article, which reads:

The union president estimated that about half of the 1,300 delegates at the convention were Republicans.

This certainly bears out the trend shown by a recent Gallup poll in which 56 percent of labor-union members favored the Republicans in the coming presidential campaign.

Another point should be made concerning the publicity release by Mr. Butler. That concerns the executive director of the labor advisory committee, Thomas R. Byrne. Here is another excellent example of the almost identical nature of the Democrat National Committee headquarters and labor bosses. Mr. Byrne, a full-time paid functionary, is the son-in-law of James McDevitt, one of the codirectors of COPE, the political arm of the AFL–CIO. Does this mean that COPE will continue to spout the ADA–CIO-wing Democrat political line, to the exclusion of the views of those union men who are Republicans or, equally as important, are constructive Democrats?

I was a bit surprised, Mr. President, not to find the name of Walter Reuther on the advisory committee, but perhaps that would have been a bit too obvious to the rank and file union member whose vote is being bartered for political power. Actually, that vote will go for the best candidate, as I know of no more thoughtful voter or citizen than the American working man or woman. His or her vote will not be delivered by a labor boss, as was threatened in the case of our late colleague, Senator Taft; neither will it be bartered through an advisory committee which was proven false almost before it got started through the statements of one of its members.

Mr. President, I ask unanimous consent to have one final article printed in the RECORD, namely, a column by Holmes Alexander analyzing the attempts by labor bosses to take over the Democrat Party. I call attention to this final sentence:

Most union members and most Democrats don't know what their leaders at the summit are getting away with.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE DEMOCRATIC-LABOR PARTY IS TAKING SHAPE

(By Holmes Alexander)

In underwater work, like pearl diving and studying laborite trends in American poli-

tics, you sometimes come up with a handful of impressions that later must be tested for validity. The following are impressions which, I think, are provable in fact:

1. Labor chiefs are trying to capture the Democratic Party.

2. Party chiefs of the Democratic National Committee are willing to sell their body politic for laborite support.

3. The Democrat-Laborite merger is at the summit and ignores the rank and file Democrats and union members alike.

4. Labor chiefs are mostly AFL–CIO officers, and many other unions are excluded from the leadership.

The following—all top officers of union organizations—were appointed on May 18, 1956, by Democratic Chairman Paul Butler:

President, United Steelworkers of America, David J. MacDonald.

President, International Union of Electrical, Radio & Machine Workers, James B. Carey.

President, American Federation of Musicians of the United States and Canada, James C. Petrillo.

Chairman, executive board, Textile Workers of America, Emil Rieve.

Vice President, United Mine Workers, Thomas Kennedy.

President, Railroad Trainmen, W. P. Kennedy.

President, Locomotive Firemen & Enginemen, H. E. Gilbert.

Chairman-president, Brotherhood of Railway Clerks, George Harrison.

President, Communications Workers of America, J. A. Beirne.

President, Metal Trades Department in AFL–CIO, J. A. Brownlow.

President, Brotherhood of Maintenance of Way Employees, T. C. Carroll.

President, National Association of Letter Carriers, William C. Doherty.

International secretary, International Brotherhood of Electrical Workers, Joseph Keenan.

President, Oil, Chemical & Atomic Workers International Union, O. A. Knight.

President emeritus, International Brotherhood of Boilermakers, Charles MacGowan.

President, International Brotherhood of Firemen and Oilers, Anthony Matz.

President, Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, A. L. Spradling.

Vice president, International Union, United Automobile, Aircraft, and Agricultural Implement Workers, Leonard Woodcock.

This may seem a long, cumbersome list, but a closer analysis will yield some pearls of information about the labor movement. Note that only three—W. P. Kennedy, Thomas Kennedy, H. E. Gilbert—are not affiliated with AFL–CIO, the royal house of labor. Note that missing from the list are two independent-minded labor leaders. They are Richard Gray, president of the Building Trades Department of AFL–CIO, and Dave Beck, president of the Teamsters Union. These are significant omissions because they indicate that royalists in the house of labor brook no independent thinking among the peerage.

Before leaving the subject of significant omissions from the labor advisory group to the Democratic National Committee, a much larger cadre of forgotten persons should be mentioned. There is no representation for the 1.3 million members of Dave Beck's teamsters, for the 3.5 million of Dick Gray's construction workers, for the 6 million members claimed by the independent unions of the Nation.

Much more can and will be said about the laborite attempt to capture the Democratic Party. But the heart of the whole matter is this: Most union members and most Democrats don't know what their leaders at the summit are getting away with.

HONEST ELECTIONS BILL FOR FULL PRIMARY AND GENERAL ELECTION PUBLICITY

Mr. WILEY. Mr. President, there are perhaps 3½ weeks or so remaining in this 2d session of the 84th Congress.

One of the significant undone tasks is the enactment of legislation known as the honest elections bill, the vital legislation which 84 of my colleagues and I have cosponsored.

I well realize that a number of internal, technical problems have arisen in connection with this proposed legislation. But it seems to me that the Congress should certainly be able to iron out those problems before it quits. The bill should be enacted and it should be amended to cover primaries in addition to general elections. The full spotlight of publicity must be shed on the whole shadowy question of United States campaign contributions. For too long, campaign money has been a veiled subject, for too long United States election laws have been full of more loopholes than a Swiss cheese—far too many loopholes to do the slightest good in identifying campaign money, particularly in crucial primaries.

On Saturday, I returned from an extensive speaking tour all over my State. I found a deep interest among my people in the making of necessary reforms in Federal elections statutes.

All over Wisconsin the people, in particular, are talking about the mysterious $150,000 campaign fund reportedly pledged to my opponent at the GOP State convention for the primary campaign which will be climaxed on September 11.

Wisconsinites are asking:

First. Who will actually contribute the fund, and how; from inside or outside the State?

Second. Will the contributions be in violation of the letter and spirit of the Federal and State corrupt practices acts?

Third. Was the $150,000 pledge the determining factor in bringing back into the primary race my opponent, who had voluntarily withdrawn from the race weeks previously?

A vast mystery surrounds this $150,000 pledge. It was first reported publicly in print in the Milwaukee Journal on May 27, the day after the State Republican convention.

It was not denied in the slightest by either the individual who had first mentioned it, or by the three individuals who he quoted as having made the pledge or by anyone else.

Then passed 10 days of silence from those individuals, during which time they did not have a single word to say, either by way of confirmation or denial.

And then, finally, as if by a signal, came the expected denials from all concerned and from their political cohorts—and to only 1 reporter, 10 days late.

It seems almost impossible that a bombshell story, which they later piously alleged to be without foundation, a story which came from an experienced reporter, should have been treated in this fashion by the people so directly involved and by allied politicians.

Mr. Miles McMillin, writing in the Madison Capitol-Times subsequently referred to the original report in the Milwaukee Journal as "one of the most explosive pieces of information published about the convention."

He described the reporter of the story as "a serious, thorough, and extremely alert worker."

Mr. McMillin wrote:

> As between Bill Becktel (the reporter) and the politicians, who are now saying that he made the figure up, I know where I would put my chips.

Every realist knows that the reporter neither made up the figure, nor made up the story—a story which had been discussed in political circles for days and days without the slightest refutation.

But I say that this $150,000 mystery is but a symptom of something even more serious—deep behind the scenes—the arrogant grabbing for power on the part of a few reactionary would-be bosses, would-be kingmakers, who are determined to sabotage Dwight D. Eisenhower and his team.

Today, in Milwaukee, within the next few hours, at 4 p. m., one of the individuals involved in this story is holding a finance meeting at the Wisconsin club. Of course, this individual or any other individual has the right to help collect funds for any candidate or any faction of the party that he may desire. But the people of Wisconsin have a right to ask: Will steps be taken in which the election laws may be violated in letter or in spirit?

Tomorrow, another of the individuals involved in the story has invited prominent Republicans to a stag picnic. The people of Wisconsin have a right to ask, What will be going on there as well?

Apparently the would-be kingmakers, rudely shaken by the reaction thus far, are desperately trying to fulfill their attempted purge of me. The would-be political bosses, are still trying to pull the strings for their captive candidate, their puppet candidate, in the September 11 primary.

But, I say, having now visited once again extensively all over my State, I am more confident than ever that the bosses are due for a complete shock—a complete rout.

The September 11 primary in Wisconsin is a free primary; it is an open primary. It is a primary in which the people—not the bosses—choose the candidate.

From every sign, the people of Wisconsin will once more, in accordance with their tradition, show the bosses that they, the people, will not be dictated to. The people will not stab Ike Eisenhower in the back. The people will not be tricked by the bosses into deserting the Eisenhower team.

I send to the desk the text of an address, along this very theme, which I delivered in Sharon in my State. The occasion was the dedication of a park in honor of Wisconsin's late beloved Governor, Walter S. Goodland. He was a man who successfully defied the bosses, a man whom the bosses could not purge, a man who lives on in the hearts of the people of my State.

I append to it the text of an editorial from a great newspaper, the Racine Journal-Times, a newspaper, which has fearlessly crusaded for right actions at home and abroad. The editorial, subsequently reprinted in the Milwaukee Journal, is entitled "The $150,000 Question."

I ask unanimous consent that the texts of both items be printed in the body of the RECORD at this point.

There being no objection, the address and editorial were ordered to be printed in the RECORD, as follows:

SENATOR WILEY SAYS WISCONSIN "NEEDS A GOODLAND-TYPE CRUSADE" TO REVIVE INDEPENDENCE AND MORALITY

(Excerpts of address by Hon. ALEXANDER WILEY at Sharon, Wis., July 2, 1956, at Grange Hall luncheon in honor of Governor Goodland)

DENOUNCES "SLUSH FUNDS," "BOSS-MANIPULATION"

It is a deep joy to be present with you today—and for a great many reasons which I will be pleased to set forth.

During the 5 day celebration which began last Saturday, we have gathered to honor the first 10 decades of Sharon. With pleasure, we "blow out the candles" in Sharon's proud birthday cake. And we wish for it and for all the folks of this area the happiest returns and the finest years up ahead.

KEEPING "GREEN"—GOVERNOR GOODLAND'S MEMORY

In particular, however, we honor today a great son of Sharon, a great son of Wisconsin, Walter S. Goodland.

It is most appropriate that now we dedicate Goodland Park in his honor—Goodland Park where his name and his memory will be forever green, forever alive and growing in our hearts.

We need such a symbol not just here in the village he knew and loved, but throughout the entire State which he served so well.

Why is the symbol—this living symbol—so important?

THE EVIL FORCES HAVE REEMERGED

Because some of the same evil forces that Goodland successfully opposed have unfortunately emerged once more from their dark places.

And I shall spell out precisely what I mean by "evil forces," in just one moment.

So, we need Walter Goodland's living memory, and we need a Walter Goodland-like crusade in Wisconsin and in a great many other States of the Union. We need it particularly at primary time and at election time. Why? Because it is then that the people—all the people—can strike the best blows—in the truest democratic fashion, at the ballot box—for Goodland-like ideals.

I AM SPEAKING FOR THE PRINCIPLE OF PUBLIC SERVICE

In referring to the primary and general election challenge, I say to you very frankly that I am not speaking on behalf of the political future of any specific candidate in Wisconsin or anywhere else, yes, including myself.

I am speaking not for any personality, but for a principle of genuine public service—not for a party, not for a candidate, not for any man, but for sacred ideals which Walter S. Goodland symbolized.

Goodland was the champion of spotless integrity. He was a warrior for honesty. He was a symbol of rugged independence who "wore no man's collar." He was a soldier in the great fight for a sound, healthy Wisconsin.

THE "PUBLIC BE DAMNED FORCES"

So, why do we need a Goodland crusade? Because the same evil forces to which I have referred are once more about to ride high.

These evil forces are not the crude type such as prevail in some graft-ridden States, whose politics is so severely tarnished. They are not the evil forces which you see in some shameful big cities with their utterly corrupt machines and gangland alliances.

No, fortunately, the Badger State is too clean for that. Its decent citizens are too alert, its traditions too respectable, its civil service too efficient, to permit such crudely vicious influences to get started.

No, the evil forces to which I refer in our own State are much more subtle, much more polished and refined and respectable and law-abiding.

They would probably self-righteously deny the slightest impropriety.

But the whole tone of their intrigue is so obvious that we cannot hear their self-righteous denials.

They are dangerous. They are anti-democratic; they are anti-Goodland. They are anti the spirit of Wisconsin.

And who are they? What are they?

The are the forces of selfish arrogance, the forces of back-room conspiracy, the forces which sneer "the public be damned," the forces which presume they can dictate to a whole State.

They are the behind-the-scenes manipulators, the wise guy string pullers, the professional tricksters, the convention-stampede artists who think that by their sneaky maneuvering, they can hoodwink the people.

KINGMAKERS HOLD PARTY IN CONTEMPT

They are the would-be bosses, the arrogant "kingmakers." They hold their own party membership in deep contempt and the public in contempt. They really think so little of party and public, that they think they can "slip over" any name, any obscure candidate at the last minute and force the public to "kow tow."

They think that by raising huge campaign slush funds they can defeat the public's real will and force on the public—an otherwise unworthy and unacceptable candidate.

But they are wrong. Walter Goodland especially in his most advanced years—dramaticaly proved them wrong. And the people of Wisconsin will prove them wrong—again and again.

The farmers who revolted in Wisconsin in the early 1900's—revolted against powerful predatory interests—proved the bosses wrong, and will do so again.

Walter Goodland successfully overcame the bosses' efforts and it is necessary for the people of Wisconsin to continue to do likewise.

COURAGE COULD WIN AGAINST ODDS

Goodland proved that a man of courage could win against odds, could win against every conceivable entrenched interest, however strong—so long as the public conscience were aroused.

HIS BATTLE AGAINST GAMBLING FORCES

There were powerful forces in our State ranged against him. Interests favorable to gambling were exceedingly potent, but Goodland smashed them.

You will remember that Wisconsin had had the dubious distinction of being ranked on top among the States in the number of "one-arm bandits" slot machines, registered under Federal tax laws.

But thanks to Goodland and others, we later gained the real distinction of having the registration of "one-arm bandits" drop in the summer of 1945 to exactly zero.

And with the end of gambling, our tourist business, instead of dropping (as some pro-slot machine forces had gloomily predicted)—our tourist business soared.

And Goodland fought other intrenched interests as well, and won resoundingly.

He knew—from his long experience particularly in journalism—that the people of our State have a deep instinct for the right, which has but to be alerted.

COURAGEOUS VETOES OF ACTS

Threats could never succeed against Goodland. He vetoed act after act of the legislature, because the acts did not square with his concept of what was right.

Thirty-two acts alone were vetoed by him in 1945. And one was the controversial bill which would have prevented Progressive Senator Bob La Follette, Jr., from running as a Republican in 1946.

This bill, said Walter Samuel Goodland, violated "the fundamental principle of freedom of choice to run for public office on any party ticket."

And the legislature made no attempt to override his veto.

FREE AND OPEN PRIMARY ESSENTIAL

A free and open primary—that was Goodland's concept and it was and is Wisconsin's concept. A party convention could serve a useful purpose, but not if it allowed itself to be duped by bosses into endorsing a candidate against the party's own will, the people's own will.

Time after time, a so-called endorsed candidate, handpicked by the bosses—was overwhelmingly rejected by Wisconsin at the primary polls.

Why? Because Wisconsin will not accept political puppets. It will not accept the captive candidates of string-pulling bosses.

HIS INSISTENCE ON CLEAN POLITICS

This big man—big in stature, big in heart—6 feet 2, 245 pounds—had a big, broad concept of Wisconsin.

He rejected the narrow minded, the selfish, the greedy influences. He rejetced absolutely the slightest concept that in government there had to be a "take" for some one.

If there is anything that Walter Goodland could not stand, it was illegality, criminality, violation in letter or spirit of the law.

There wasn't a dishonest bone in the man's body or a dishonest thought in his mind. There was never the slightest breath of scandal about him.

HE TAUGHT LOTS TO THE PRACTICAL POLITICIANS

He did not hold himself before men as perfect, as infallible, as a so-called angel. He was a good practitioner of the art or science of politics—but he was a man of principle.

And he taught lots of lessons to other politicians—who allegedly were more practical than he, cynical politicians who thought that elections could be manipulated and bought.

Unfortunately, today once more, a handful of so-called practical politicians, a handful of men of wealth apparently have the idea that money alone can swing an election.

This situation is part and parcel of a pattern of cynicism which prevails in many, many places.

DISTURBING STORIES ABOUT HUGE CAMPAIGN FUNDS

What do we find as we look all about us? Wherever you look, wherever you turn, there are reports and rumors about questionable influences at work. We see newspaper stories, based on strong, credible reporting concerning huge campaign funds being pledged by a handful of people, possibly in violation of Wisconsin law and of the Corrupt Practices Act—in letter and in spirit.

Such stories go strangely undenied for days and days until all at once, as if on signal they are belatedly but unconvincingly denied. But the people can judge for themselves the truth of the tardy denials.

THE $2,500 NATURAL GAS CONTRIBUTION

Then, too, we see serious charges filed officially against a prominent candidate regarding alleged unethical dealings.

In Washington, we see an investigation hardly fully pursued as yet in all its impli-

cations—an investigation of $2,500 in cash, left in a legisaltor's office. That sum was allegedly used to influence a vote on a crucial public issue—the natural gas gouge—which involved literally billions of dollars to powerful private interests.

You and I know how Walter Goodland would have acted or voted on the natural gas issue, particularly when as Dwight D. Eisenhower said in his veto message, the bill's lobbyists acted with such "arrogance"—arrogance which would almost sicken the stomachs of decent Americans.

You and I know, too, how Goodland would have acted on the tidelands quit-claim bill, which stripped 48 States of a multibillion dollar oil resource and deposited it in the hands of but 3 States. It is not surprising that Wisconsin's would-be bosses are pushing now so hard for a candidate who voted against Wisconsin's interests—voted to deprive us of that resource.

HONEST ELECTIONS BILL MUST NOT DIE

And what else do we find in Washington itself? Is there a powerful movement to clean up nationwide politics? Well, we thought and hoped there was.

Eighty-five United States Senators, including myself, joined in cosponsoring a so-called honest-elections bill. Eighty-five out of 96 Senators. But according to all reports about this bill, is it going to pass? Apparently not; it is going to be allowed to die. This is an incredible state of affairs when 85 Senators are lined up for legislation and yet the bill doesn't even get beyond second base.

Of course, there are imperfections in the bill.

I personally have criticized the bill on several counts. For example, it does not cover primaries, which in the South, as in Northern States, including our own, can often be far more crucial than a general election.

We need clean primaries, just as we need clean general elections. And from a good many signs, some of the most brazen influences in America are being used in crucial primary contests, rather than basically in the November struggles.

So I say that the honest-elections bill must be revived. Imperfections in it must be ironed out. Labor, management, agriculture, and every other group must work together as a team to enact it.

ENCOURAGE LITTLE FELLOWS TO MAKE CAMPAIGN CONTRIBUTIONS

The bill must be strengthened, so as to permit every American—laboring man, professional man, housewife, farmer, and everyone else to contribute cleanly to clean politics, clean primaries, clean elections. Give the average man under this bill a $50 or $100 tax exemption if he makes contributions to a political campaign—that exemption will help lessen party dependence on a handful of big contributors.

So, this bill must be enacted before Congress quits.

Otherwise, what will happen? There will be a wave of still more cynicism among our people. More Americans will say among themselves: "You can't trust those people in Washington They almost all pledge support for a bill, and then they bury it" I don't want that cynicism to develop.

I don't want Americans to think that the Members of Congress are untrue to their word.

I want the Congress to fulfill its pledges to the people. I want the American people to have faith in its Congress—in its great legislative branch, and I want that faith to be absolutely justified, as by and large, it is.

A Goodland-type crusade such as I have proposed will help achieve this spirit.

And what else should the crusade entail?

WE MUST RALLY TOGETHER AS AMERICANS

It should rally around to its banner—all Americans irrespective of political party.

In 2 days, we will celebrate the Fourth of July. What difference does it make whether the men who died at Bunker Hill for Old Glory, the men who later died at Gettysburg, and San Juan Hill, and the Argonne Forest, and Iwo Jima and Pusan—what difference did it make if those boys were Whigs or Federalists, Democrats or Republicans or Progressives or ex-Progressives.

What difference does the political party make on an issue which transcends a party?

What difference does partisan politics make say, to a dairy farmer who is getting 8 cents for a quart of milk which it may cost him 8 or 7¾ cents to produce?

What difference does it make to an elderly citizen, say 68 years old, who cannot find a job, is practically destitute, and is trying to live on an old-age pension of $30 a month?

Are these partisan issues? Of course not. The farmer, the old folks, the veteran, or any other group in our population are entitled to justice, not to political shenanigans.

GOODLAND FOUGHT, AS LINCOLN FOUGHT, FOR THE REPUBLIC

Of course, there will be party differences. Of course, there will be party charges and cross-charges and maneuvering. That is a part of the American political system.

But there are some things, particularly the survival of this Republic which should be 100 percent above and beyond party politics.

Walter Goodland understood what it meant to work on great issues, in nonpartisan ways. Walter Goodland knew, and so did a great son of our neighbor State know, Abe Lincoln, the man from Springfield.

May we ever be inspired by their deeds.

CONCLUSION

It has been a great privilege to be with you today. And I hope that as we go forth from this ceremony, we will be refreshed and inspired.

I hope that, as the green leaves in this park grow under the sunlight of divine providence, that same great power will enable us to go forth to live as Walter Goodland lived—to work as he worked, and to win for Wisconsin and for America, as he did.

[From the Milwaukee Journal of June 18, 1956]

THE $150,000 QUESTION

The $150,000 question: Did several State industrialists promise GLENN DAVIS that amount to run against ALEXANDER WILEY in the Republican senatorial primary?—is shaping up as one of the issues of that primary campaign.

To anyone with a nodding acquaintance with costs of a modern political campaign, the question is a bit moot. It will cost $150,000 and then some to nominate and elect GLENN DAVIS, regardless of where he gets the money. He may be well known in the Second District, but he will be just another name on the ballot in nine other congressional districts of the State unless he is given a big and expensive preelection promotion.

However, the $150,000 campaign pledge is of interest right now because Senator WILEY points to it as proof that DAVIS is the candidate of a group of anti-Eisenhower industrialists who control the machinery of the State Republican Party. The organization leaders finally have made a flat denial that anyone ever mentioned such an amount at the Milwaukee convention.

(The only denial the Milwaukee Journal has seen printed was one belatedly made by Robert Dalton, of Brookfield, to political columnist John Wyngaard 10 days after the Milwaukee Journal reported the promise of the $150,000 campaign chest for GLENN DAVIS.—Milwaukee Journal editor.)

The $150,000 originated with a Milwaukee newspaper reporter who sat in a convention caucus and heard a Davis leader tell a group of delegates that the sum had been pledged by three or four industrialists who can talk in six figures and who were out to get WILEY at that cost or any other cost.

We prefer to believe the newspaper reporter. The denial by State Republican leaders came too late to be convincing. The story concerning the $150,000 pledge circulated widely on the weekend of the convention. It was printed in newspapers in Wisconsin and throughout the country. It was repeated by word of mouth among delegates who had attended the Milwaukee meeting. Yet not until 10 days later did the Davis leaders come out with a flat denial. If the story was so blatantly false, why wasn't it denied or explained earlier?

More evidence that lends credence to the $150,000 report comes from Washington. Congressman DAVIS, who had been suggested as a candidate earlier this year and had dropped out of the campaign in the spring, is reliably reported to have told colleagues in Congress before the Milwaukee convention that if funds were available he would reconsider and get back into the race. At Milwaukee the funds were made available. On very short notice—while the delegates were balloting—DAVIS was a candidate again.

The people of Wisconsin have enough political sophistication to know that it takes money to run political campaigns, and that the money must come from private sources. But they are interested in knowing where that money comes from, in what amounts, and whether the State's corrupt practices laws are being violated. In this specific case they are most interested in knowing whether one clique is obtaining so much money for a candidate that they would be able to influence his conduct in office.

That's why the $150,000 for Congressman DAVIS' campaign coming from a group of men with definite and known political convictions, will be an issue in the coming primary election. (The Racine (Wis.) Journal-Times.)

MEMORIAL ADDRESSES ON DECEASED SENATORS

The PRESIDENT pro tempore. If there is no further morning business, morning business is closed. Under the order previously entered, the next order of business is memorial addresses on the life, character, and public service of the late Senator HARLEY M. KILGORE, of West Virginia, and the late Senator ALBEN W. BARKLEY, of Kentucky, respectively.

HARLEY M. KILGORE OF WEST VIRGINIA

Mr. NEELY. Mr. President, I request the present consideration of a resolution which has been sent to the Clerk's desk.

The resolution (S. Res. 307) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the legislative business of the Senate be now suspended in order that memorial addresses may be delivered on the life, character, and public service of Hon. HARLEY M. KILGORE, late a Senator from the State of West Virginia.

Mr. NEELY. Mr. President, by request, I ask unanimous consent to have printed in the RECORD as a part of the present proceedings a memorial of the Raleigh County Bar Association of West Virginia to Senator HARLEY MARTIN KILGORE.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

MEMORIAL OF THE RALEIGH COUNTY BAR ASSOCIATION TO HARLEY MARTIN KILGORE

HARLEY M. KILGORE was born January 11, 1893, and died February 28, 1956. A native of Harrison County, he was educated in the schools of Marion County and at West Virginia University, from which he graduated in 1914 with degree of LL. B. Admitted to the Raleigh County bar, September 10, 1915, he began practice in Beckley, pursuing his profession with marked success until his elevation to the bench, during which time he served as commissioner of accounts, commissioner in chancery and divorce commissioner. He was elected judge of the Criminal Court of Raleigh County in 1932, and reelected in 1938; elected to the United States Senate in 1940, and reelected in 1946 and 1952, where he attained the chairmanship of the Senate Judiciary Committee. With one exception, that of Stephen B. Elkins, he was the only person ever elected Senator from West Virginia for three consecutive terms.

In April 1917, he answered the call to arms, attending the first officers training school, and was commissioned a second lieutenant and later to captain. He was largely instrumental in the reorganization of the West Virginia National Guard in 1922. His first assignment was that of major and placed in command of headquarters of the Second Battalion. In 1932 he was promoted and transferred to the State staff as judge advocate general. During his terms of office as judge and Senator, he continued to stay in the inactive service of the United States Army and held the rank of colonel at the time of his death.

In the practice of his profession he was careful and thorough to the last detail, and was zealous in protecting the rights and interests of his client. The judicial temperament was his in a marked degree, and his tenure of the bench constitutes a splendid record of able service and conscientious devotion to duty. It was characterized by courtesy, patience, and good nature, a ready grasp of legal points, and, above all, a keen sense of justice and a sympathetic consideration for the unfortunate. As a judicial executive he was without a peer, conducting the proceedings of his court with dignity and decision. The best testimony, however, of his ability as a jurist is found in the fact that during the long period fo his judicial career, his rulings and decisions were rarely reversed by the appellate court.

On the personal side, he was unusually charming and a delightful and entertaining companion. He loved people, and there was nothing he enjoyed more than the society of his friends or doing a friendly service. His life was filled with countless examples of this gracious and obliging spirit. He was a man of generous impulses and kindly sentiment, remarkably free from enmities and animosities. To forgive and forget were his nature and policy. Intending no evil, he was not swift to impute evil motives to others. But united with this gentle nature was a firmness of purpose that was unyielding. In his adherence to right and duty he hewed to the line, and could not compromise a principle. He is gone, but in his noble and beautiful life he has left a monument more enduring than loving hands can build for him: Be it

Resolved, That the members of the Raleigh County Bar deplore the death of Senator HARLEY MARTIN KILGORE as a loss to the Nation, his family, friends, community, and his profession.

That a copy of this memorial be forwarded to his widow, his son, and his daughter, and to the newspapers of Beckley, and that the same be presented for record to the Circuit Court of Raleigh County, the Criminal Court of Raleigh County, the Supreme Court of Appeals of West Virginia, and to the Clerk of the Senate of the Congress of the United States of America.

Respectfully submitted.

DAVID D. ASHWORTH,
W. H. MCGINNIS,
W. A. RIFFE,
Committee.

Unanimously approved and adopted by the Raleigh County Bar Association, Beckley, W. Va., February 29, 1956.

CLAY S. CROUSE,
President.
WARREN A. THORNHILL III,
Secretary.

Mr. NEELY. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of a telegram sent to Mrs. Harley M. Kilgore in behalf of the West Virginia State Bar, and also a copy of a resolution adopted by the Rules Committee of the West Virginia House of Delegates, concerning the death of HARLEY M. KILGORE.

There being no objection, the telegram and resolution were ordered to be printed in the RECORD, as follows:

Mrs. HARLEY M. KILGORE,
Washington, D. C.:

With an increasing sense of the loss suffered, on behalf of the West Virginia State Bar we desire to record our deep sorrow at the death, on February 28, 1956, of Senator KILGORE. As a lawyer, judge and United States Senator, he exemplified a high type of public service, and his career as a practicing attorney and judge was in the best traditions of the legal profession. He had a deep and abiding interest and love for the underprivileged, and his concern for others was always apparent. It was a way of life with him. Because of his many acts of kindness in befriending and helping others, Senator KILGORE will be missed in many places by many people.

We extend our sincerest sympathy to you and the other members of the family, and the hope that our appreciation of Senator KILGORE'S useful life and outstanding service to his State and Nation, as well as to the bench and bar, may, in some degree, lighten the burden of your bereavement.

THE WEST VIRGINIA STATE BAR,
WILLIAM P. LEHMAN,
President.
OSHEL C. PARSONS,
Secretary.

IN MEMORIAM

With deep sorrow the committee on rules of the West Virginia House of Delegates records the death on February 23, 1956 of the Honorable HARLEY M. KILGORE, senior United States Senator from West Virginia, and, on behalf of the West Virginia House of Delegates, extends heartfelt sympathy to Mrs. Kilgore and the other members of his family. Since 1941 Senator KILGORE has represented the State of West Virginia in the United States Senate and at the time of his death was Chairman of the important Judiciary Committee of the Senate. As an attorney, judge and Member of the Congress, Senator KILGORE exemplified a high degree of public service. He was accommodating and friendly, and throughout his life was actively interested in the welfare of his State and Nation, and ably championed all undertakings designed to help his fellow citizens. A rare sense of human needs and values, particularly fitted him for public service in the United States Senate, and his service in that body was marked by clear insight, keen wisdom, and unswerving loyalty to his State and Nation. His death deprives the State of West Virginia of a courageous and trusted leader.

Mindful of the great loss to the State of West Virginia in the death of Senator KILGORE, and in recognition of his outstanding public service, this committee gratefully records its appreciation of him by adopting the following:

"Resolved, That this committee, on behalf of the membership of the West Virginia House of Delegates, attest to the useful life of Senator KILGORE and to his outstanding service to his State and Nation; and

"Resolved further, That a copy of this resolution be incorporated in the Journal of the House of Delegates, and that a copy thereof be sent to Senator KILGORE'S family as a testimonial of our sincere appreciation of his usefulness, not only as a Member of the United States Senate, but also as a citizen of West Virginia."

Mr. NEELY. Mr. President, I ask unanimous consent to have printed in the RECORD a tribute to Senator KILGORE in the nature of a resolution, adopted by the American Federation of the Physically Handicapped, Inc.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

AMERICAN FEDERATION OF THE PHYSICALLY HANDICAPPED, INC.,
Washington, D. C., March 16, 1956.

Hon. MATTHEW M. NEELY,
United States Senate,
Washington, D. C.

DEAR MATT: I respectfully call this to your attention.

"Whereas the Honorable HARLEY M. KILGORE, late a Senator from West Virginia, during his entire service in Congress always gave strong support to programs in behalf of our millions of handicapped citizens; and

"Whereas Senator KILGORE was the Senate sponsor of National Employ the Physically Handicapped Week, a resolution designed by the American Federation of the Physically Handicapped which, since its enactment, has been primarily responsible for suitable employment of more than 3 million handicapped; and

"Whereas the untimely death of Senator KILGORE has taken from us a real friend and counselor: Now, therefore, be it

"Resolved, That the National Executive Committee of the American Federation of the Physically Handicapped, meeting in Washington, D. C., on March 8–9, 1956, does hereby express its sorrow over the passing of Senator KILGORE, and extends its condolence and sympathy to the family of the late Senator; and be it further

"Resolved, That copies of this resolution shall be sent to the widow of Senator KILGORE, the President of the United States Senate, and to Senator MATTHEW M. NEELY, colleague of our departed friend."

Sincerely,

PAUL A. STRACHAN,
President.

Mr. NEELY. Mr. President, I ask unanimous consent to have printed in the RECORD a eulogy of Senator KILGORE, delivered by Mr. Joseph J. Wagner for the Democratic Executive Committee of Ohio County, W. Va., on the 13th day of last March, which was subsequently adopted by the committee.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

EULOGY FOR SENATOR HARLEY M. KILGORE

On February 28, 1956, Almighty God, in His infinite power and wisdom, laid a heavy hand upon us, and removed from our midst Senator HARLEY M. KILGORE.

And so, with bowed heads and heavy hearts, let us take a few moments of our

time to pay our respect to, and in memory of, Senator KILGORE, who was an active, able, outstanding, and respected citizen of the State of West Virginia.

His life was an asset to the community in which he lived, and his death a distinct loss to the county, State, and Nation, and his place will not be easy to fill.

From a very humble beginning, HARLEY M. KILGORE, through his strict application to duty, his untiring efforts, his great leadership, and his unusual ability to make and retain friends, rose to one of the most outstanding and illustrious sons the State of West Virginia ever produced.

He was a high school principal, an able attorney, a judge of Raleigh County, and he was elected a United States Senator for three terms. He was chairman of the powerful Senate Judiciary Comittee, which handles nearly half of the Senate bills. Needless to say, he filled all of these offices of honor and trust with ability and distinction, and to the everlasting credit of the State of West Virginia which he so ably represented.

Senator KILGORE was an ideal family man, a good husband, a loving father, a faithful friend, and his life was of a high character.

It may be well said that HARLEY M. KILGORE was a self-made, self-respecting, and self-controlling man, rich in intellect, great in heart, and grand in soul.

Since we loved, admired, and honored him in life, we revere him in death, cherish his memory, and strew the brightest of flowers upon his grave.

Let our coming to this meeting not have been in vain, but may this brief eulogy on the death of HARLEY M. KILGORE, be a constant reminder to us of the true meaning of that Sublime Decree, "Man Is Born To Die."

And so, while we struggle for fortune, and strive for fame, and while we endeavor to lay up for ourselves earthly possessions and treasures, let us not be unmindful of the fact that every fleeting breath brings us closer to Eternity, and we ought to therefore make timely preparation for the coming of that inevitable hour when every man must surrender up his own soul.

For—

"When earth's last picture is painted, and the tubes are twisted and dried,
When the oldest color has faded, and the youngest critic has died,
We shall rest, and, faith, we shall need it—lie down for an eon or two,
Till the Master of all good workmen shall set us to work anew;
And those that were good will be happy; they will sit in a golden chair;
They shall splash at a ten-league canvas with brushes of comet's hair;
And they shall find real Saints to draw from—Magdalene, Peter, and Paul;
They shall work for an age at a sitting, but never grow tired at all;
And only the Master shall praise us, and only the Master shall blame;
No one shall work for money, and no one shall work for fame;
But each for the joy of the working, and each, in his separate star,
Shall draw the thing as he sees it for the God of Things as They Are."

May the passing of Senator KILGORE also remind us that:

"The Angel of Death may come like a thief in the night,
Or He may come under the noon's bright sun,
If he comes with a crawl, or he comes with a pounce,
And whether he is slow or spry,
It isn't the fact that you're dead that counts,
But only, how did you die?

"And when the Angel of Shadow
Shall rest his foot on wave or shore,
And our eyes grow dim from watching,
And our heart faints at the oar,
Happy is he who heareth
The signal of his release,
In the bells of the Holy City,
The chimes of Eternal Peace."

Be it resolved, That in meeting assembled on the 13th day of March 1956, the Democratic Executive Committee of Ohio County, W. Va., at Wheeling, W. Va., does hereby adopt unanimously the above Eulogy as its Resolution of Respect to the memory of Senator HARLEY M. KILGORE, of West Virginia, who departed this life on the 28th day of February 1956.

CHARLES L. IHLENFELD, *Chairman.*
ESTHER HEIL, *Secretary.*

Mr. NEELY. Mr. President, the melancholy truth of the aphorism that death loves a shining mark was distressingly attested on the 28th day of last February, when the monarch of human destroyers ended the earthly career of the eminent Senator HARLEY KILGORE, one of West Virginia's most famous, honored, and beloved native sons, and one of the outstanding men of the Nation. The announcement of the Senator's death hung crape on countless West Virginia doors. It caused sorrow in tens of thousands of West Virginia homes and grief in the hearts of more than a million West Virginia men and women who considered him not only their peerless friend but also the vigilant guardian of their liberty, the dauntless champion of their rights, and the never failing depender of their faith.

Senator KILGORE, after his graduation from the West Virginia University, promptly became an active and successful practitioner of the law. Later he was elected and subsequently reelected judge of the criminal court of Raleigh County.

As a result of his notable service as a judge, he was, in 1940, nominated for the United States Senate by a decisive majority. In his ensuing campaign for election, he made the acquaintance of practically all the voters of his State. In November 1940 he was elected United tates Senator—an office which he highly honored and the duties of which he faithfully discharged with a degree of satisfaction to his constituents rarely achieved by a member of a legislative body.

From the day he entered upon his senatorial duties until the day of his passing away, he was known from coast to coast not only as one of the outstanding progressives of the Senate, but also as one of the leading, aggressive, and loyal liberals of the land. His entire official life was dedicated to the service of the people in strict accordance with the Ten Commandments, the Sermon on the Mount, and the Consitution of the United States.

Only a few short weeks ago he was a commanding figure in this body. It seems but yesterday that he was with us in the full strength of manhood, endowed with joyous life and peace and sweet content and as happy as "fancy ever feigned." Now, we call his name in vain. His lifeless lips are as silent as the tomb. This faithful friend will nevermore be seen through the illusions of love, the telescopes of science or the tears of grief. These realizations fill our hearts with grief and regret. Thoughts of the last bitter hour come like a blight over our spirits. But even now, when earthly help and sympathy seem vain, we look beyond the cloud that hangs over us like a pall, and there, through faith, we see the star of hope still shining on. In the lustrous light of that constant star, we read the assuring promise of the Saviour of the world:

I am the resurrection, and the life: He that believeth in me, though he were dead, yet shall he live: And whosoever liveth and believeth in me shall never die.

In this promise let us put our trust. While dogmas perish and creeds crumble, while agnosticism decays and atheism dies, we shall continue to lean upon the everlasting arm, believing that the twilight here is but the dawn of a grander day upon some other shore, believing that the feeble flame that flickers here for a little while will at last leap into a bright and shining light when the spirit of man has winged its flight back to Him that gave it birth. God pity the man who doubts the existence of another life in another land—

Who hopeless lays his dead away,
Nor looks to see the breaking day
Across the mournful marbles play
Who hath not learned in hours of faith
The truth, to flesh and sense unknown,
That life is ever lord of death,
And love can never lose its own.

Fortunately for us, an unbeliever such as this, if such there be, is not among those who mourn the beloved HARLEY KILGORE'S passing into the silent land.

No one knows, nor would it be well to know what takes place between the great Creator and His insignificant creature in the last sad moment of life on earth. But we do know beyond the peradventure of a doubt that the dying thief, while suffering on the cross, received absolution from his sins, and was promised a triumphant entrance into paradise with the Saviour of the world.

It is our fervent hope and devout prayer that the same unfailing mercy, the same loving kindness, and the same boundless charity that gave to the malefactor a heritage in that House not made with hands have long since been extended to HARLEY KILGORE, and that he is, at this hour, walking the streets of paradise that are paved with stars.

It is our further hope that Senator KILGORE'S devoted, loved, and loving wife, and all the other members of his family, and all the members of this body may eventually be united with him in that better land—

Where it will be ours to see the whole
Of what on earth we see a part;
Where time shall ne'er surcharge the thought,
Nor hope deferred make sick the heart.

With an abiding faith that everything in this vast universe was ordained by an unerring Architect for some ultimate good, with an abiding faith that all who earnestly strive shall eventually wear perfection's crown, let us go forth with hope in our hearts and courage in our

breasts, to fight the good fight, to finish our course and unqualifiedly keep the faith.

And when the Angel of Shadow
Rests his feet on wave and shore,
And our eyes grow dim with watching
And our hearts faint at the oar,
God grant we all may hear
The signal of our release,
In the bells of the Holy City,
The chimes of eternal peace.

Mr. LAIRD. Mr. President, our Nation lost a great man in the passing of Senator HARLEY MARTIN KILGORE.

His death came as a profound shock to his thousands of devoted friends not only in his native West Virginia, but, also throughout our great land.

No words of mine can adequately pay tribute to this fine, sensitive man who so ably served his State and Nation during one of the most crucial periods in our history.

Senator KILGORE was a big man in the finest and truest sense of the word, and his passing was mourned by the great leaders of our Nation who knew of his deep devotion to duty.

But that was only part of the proud record of achievement of this distinguished West Virginian. During all his life Senator KILGORE fought for the underdog, and when he passed on, one could read the heartache, the loss of a true friend, in the faces of countless people he had helped.

Mr. C. E. Smith, the distinguished editor of the Fairmont Times, wrote a moving editorial about Senator KILGORE. I wish to quote a few words:

To say that the death of Senator KILGORE is being deeply mourned in West Virginia is no exaggeration.

For the 16 years that he has represented our people in the upper house of Congress he has become a symbol of the aspirations of our people who dwell in our valleys and mountains.

These people, great and small, were at home with him, as he was with them.

Yes; Senator KILGORE was at home with our people because he understood their hopes and aspirations. And he was never too busy to pause and try to offer them a helping hand in a time of need.

Shortly after Senator KILGORE passed on, Mr. Tris Coffin, the distinguished radio commentator and author, delivered an eloquent tribute to this great man.

In Mr. Coffin's words:

When I think of my friend, I see his big head and sensitive eyes. They were not really the eyes of a politician, because they showed too plainly the spirit could be bruised.

He would talk to me in his rich voice of many things, of what Plato said, "The penalty that man pays for not being interested in politics is to be governed by people worse than himself."

He liked to talk of people who lived up in the mountains where only dirt roads lead, or lived in small towns and went to tidy little churches. Senator KILGORE did not want them pushed around or uprooted or their troubles ignored.

Everyone who knew Senator KILGORE was deeply impressed with his simplicity and great human understanding.

The Committee on Rules of the West Virginia House of Delegates, spoke for our State when it adopted a resolution containing these words:

A rare sense of human needs and values, particularly fitted him for public service in the United States Senate, and his service in that body was marked by clear insight, keen wisdom, and unswerving loyalty to his State and Nation. His death deprives the State of West Virginia of a courageous and trusted leader.

Senator KILGORE did have a rare sense of human needs and values. As Mr. Alfred Steinberg, the distinguished writer, pointed out in a profile of Senator KILGORE in 1952:

The golden cord that runs insistently throughout his legislative efforts is his determination to better the well-being of ordinary folk.

This golden cord bound Senator KILGORE to the people he so deeply loved, and so ably served during his long and distinguished career.

The eloquent words of the Honorable Harry E. Watkins, judge of the United States District Court for the Northern and Southern Districts of West Virginia, spoken in Federal district court at Fairmont on March 1, bear tribute to Senator KILGORE's greatness:

There is no better measure of a man's worth than the character and extent of his influence over men. Judged by such a standard the value of HARLEY KILGORE to those among whom he lived and worked cannot be overestimated. The influence that he exerted was quiet and unconscious. He stimulated others by example rather than precept.

Judge Watkins spoke of Senator KILGORE's intense interest in the Federal courts, his constant efforts to improve the administration of justice, and the many important laws that bear his name. Then he added these words:

Neither the honors which came to him nor the duties of high position ever abated his love of his native State and its people—an affection which was returned in kind.

We can confer on him the greatest and simplest of all accolades—the Master's "Well done, thou good and faithful servant."

West Virginia lost a true and devoted friend in the passing of Senator HARLEY MARTIN KILGORE.

Thousands of people from all walks of life and all sections of our State journeyed to his home in Beckley to pay final tribute to this great man.

The next day he was buried with full military honors at Arlington National Cemetery. A light drizzle of rain fell as the caisson slowly carried his body to its final resting place.

As taps were played the sun broke through as if to signify that our lives were richer for having known a truly great man.

This great soldier, statesman, and humanitarian devoted his life to the enrichment of his fellow man.

Our hearts go out to his devoted family, and we know that no words of ours can ease the pain in their hearts.

There is, however, the great consolation that his deeds stand as the finest monument man can ever have; a monument of devotion in the hearts of a grateful people.

Mr. President, I ask unanimous consent to have printed as a part of this memorial service several moving tributes to the late Senator HARLEY MARTIN KILGORE, a true friend and devoted servant of humanity, and a few of the thousands of letters and telegrams which came from all over the world to HARLEY KILGORE's family—old friends and colleagues from the Senate, the Army, the bar, and friends.

There being no objection, the prayer, tributes, letters, etc., were ordered to be printed in the RECORD, as follows:

PRAYER FOR THE FUNERAL
OF
SENATOR HARLEY MARTIN KILGORE
By
The Rev. E. C. Reckard, Jr., Chaplain of Brown University, Providence, Rhode Island

Our help is in the name of the Lord, who made Heaven and earth.

Like as a father pitieth his children, so the Lord pitieth them that fear Him.

God is our Refuge and Strength, a very present help in trouble. Therefore will not we fear.

Let us pray.

Eternal God, our heavenly Father, who lovest us with an everlasting love, and canst turn the shadow of death into the morning: Help us now to wait upon Thee with reverent and believing hearts. In the silence of this hour speak to us of eternal things, that through patience and comfort of our faith we may have hope and be lifted above our darkness and distress into the light and peace of Thy presence.

It is from Thee, O God, we come; unto Thee we return; and in Thee we live and move and have our being. We praise Thee for Thy good gift of life, for its wonder and mystery, its friendships and fellowships. We thank Thee for the ties that bind us one to another. We bless Thee for Thy loving and patient dealings with us, whereby Thou dost ever teach us Thy way; for the meaning that lies hidden in the heart of sorrow, disappointment, and grief; and for Thy guiding hand along the way of our pilgrimage.

We give thanks unto Thee for this, Thy servant, recalling in him all that made others love him. We bless Thee for the good and gracious influences of his home and training, and for all that ministered to his best life. We thank Thee for the goodness and truth that have passed from his life into the lives of others, and have made the world richer for his presence.

We beseech Thee, who art the Father of mercies, to look in Thy tender love and compassion on his sorrowing family and friends. Enable us to find in Thee our refuge and strength, a very present help in trouble, and to know the love of Christ which passeth knowledge. Grant unto us faith and hope in Him who by death hath conquered death and by rising again hath opened the gates of everlasting life, Jesus Christ our Lord.

We bless Thy name for the revelation of Thyself and of Thy love in our Lord Jesus Christ, and for the hope set before us in the gospel. We thank Thee that deep in the human heart is an unquenchable trust that life does not end with death; that the Father who made us, will care for us beyond the bounds of vision, even as He has cared for us in this earthly world. We praise Thy name that our hope has been so wondrously confirmed in the life and words and resurrection of our Lord and Saviour, Jesus Christ.

Grant us, we beseech Thee, the comfort of Thy presence and the ministry of Thy Holy Spirit. Renew within us the gifts of faith, patience, and enduring love. Help us to walk amid the things of this world with eyes open to the beauty and glory of the eternal; and grant to us a renewed dedication to those good purposes Thy servant loved, in this community and Nation, that our lives may be an honor to his memory

and to Thy graciousness. Give us grace that, among the sundry and manifold changes of this life, our hearts may be surely fixed where true joy and hope is to be found, through Jesus Christ our Lord. Amen.

(Adapted from the Book of Common Worship.)

STATEMENT OF JUDGE HARRY E. WATKINS, IN UNITED STATES DISTRICT COURT, AT FAIRMONT, ON THURSDAY, MARCH 1, 1956

SENATOR HARLEY M. KILGORE

There is no better measure of a man's worth than the character and extent of his influence over other men. Judged by such a standard the value of HARLEY KILGORE to those among whom he lived and worked cannot be overestimated. The influence that he exerted was quiet and unconscious. He stimulated others by example rather than by precept.

He was intensely interested in the Federal courts, and was known among the Federal judges of the United States as a "friend of the courts."

As chairman of the powerful Senate Judiciary Committee, and as a member of the Appropriations Committee, he strived constantly to improve the administration of justice. The Federal Youth Corrections Act and many other important laws bear his name.

Neither the honors which came to him nor the duties of high position ever abated his love of his native State and its people—an affection which was returned in kind. We can confer on him the greatest and simplest of all accolades—the Master's "Well done, thou good and faithful servant."

FROM BROADCAST BY TRIS COFFIN, MARCH 7, 1956

A friend of mine died the other day, and his body lies resting on a hill where the dogwood soon will bloom.

He was a fighter. Not a fighter who goes into a ring crouched and wearing padded gloves. No, he was a fighter for little people. He loved and understood them as a mother does her children. He wore himself out protecting them and fighting what he called cartels. These were combinations of big companies which, he felt, had no faith in the little man.

My friend's name was HARLEY KILGORE, and he was the Senator from West Virginia. He died early in the morning, and when his secretary came to the still slumbering Senate Office Building at 6 in the morning, she was stopped by a little man.

He was one of those shabby, unnoticed men who sweep the dust out of corridors early in the morning. The little man was crying, and he told her, "My God, the Senator was my best friend."

When I think of my friend, I see his big head and sensitive eyes. They were not really the eyes of a politician, because they showed too plainly the spirit could be bruised. He would talk to me in his rich voice of many things, of what Plato said "The penalty that people pay for not being interested in politics is to be governed by people worse than themselves."

He liked to talk of people who lived up in the mountains where only dirt roads lead, or lived in small towns and went to tidy little churches. Senator KILGORE did not want them pushed around or uprooted or their troubles ignored.

Not long ago, he helped a little man who was sick. He was so little, no one paid any attention to him. Bureaucrats were too busy writing memos or powdering their noses. But Senator KILGORE said this was wrong, and he made the Veterans' Administration listen and take care of the little man.

Later, the man's wife, an old woman dressed in a clean but ragged dress came to the Senator's office. She carried an old cardboard suit box and explained, "I want to thank the Senator, but I have nothing. My friends gave me seeds for flowers, and I plant them in my garden. I call it my friendship garden. Today, I cut the flowers, because they were all I had to thank the Senator."

This meant more to him than 50 speeches of praise on the Senate floor.

When I saw him, he would chew or smoke, drawing big puffs from his cigarette, and think and talk. We rarely ever talked of what was in the headlines of the noon edition. He thought way ahead of that or way back. Life was not a series of frantic bulletins to him. It was a long and endless river.

All the causes that HARLEY KILGORE fought and bled for—because you cannot fight for a cause without bleeding, too—would take a list a mile long. When he was a judge in West Virginia, he fought for lonely neglected kids, and helped them get a new start, and he fought for them in Congress, too. Other creations of his were the GI bill of rights, the National Science Foundation, the defense mobilization setup, broadening the Displaced Persons Act, and scores of bills on labor and education and welfare. He did all this with a shy objectivity. HARLEY KILGORE was never a shouter.

It is easy to forget, because life passes swiftly like a movie film run too fast. But Senator KILGORE was the inspiration and guiding genius of the Truman committee. It was his idea, and he steered the peppery Senator from Missouri who dug into the defense program and found out who was making high profits from the sweat and blood of little men fighting in strange lands. It was the kind of thing HARLEY KILGORE liked to do, to lose himself in fighting greed and injustice.

One of his latest acts for the little man was to help save a steel company at Follansbee, W. Va., from being torn down and carted away, piece by piece, to a giant steel company.

On the wall of his office is a poem written by a friend. When the Senator was tired and troubled, he would look at it, and see more clearly. This poem was:

"Might not it be
That immortality
Is in everything
That grows
And gives itself
To something else
That will, in turn
Give back itself
To something else
To grow again."

HARLEY M. KILGORE: UNCOMMON SENATOR WITH A COMMON TOUCH

(By Alfred Steinberg, written in 1952; contributor to Saturday Evening Post, Reader's Digest, Harper's Magazine, Nation's Business, Collier's, New York Times, etc.)

HARLEY MARTIN KILGORE, a heavy-browed thick-set, full-hearted man from West Virginia, is one of the few Senators whose names are wrapped in a legislative mantle. It stands for a passion for humanity, especially the underdog. In the years he has occupied his Senate post all the legislation he has fought for has borne this stamp.

To see him ambling about the Capitol of the United States in his loose, wrinkled suit and chewing a wad of gum, one might mistake him for a county judge come to watch the sights. But he does far more than watch.

Almost all his opponents own up privately that KILGORE is a particularly honest, effective, and likable person with a wizardry for bringing an issue down to its humane elements and winning friends and converts on this basis. They usually preface any criticism of him with, "Now don't get me wrong; I have a high regard for Harley personally, but * * *."

Most of the respect they have for him is based on their eerie feeling that if they oppose him they are likely to wind up on the selfish, personal side of an issue. The golden cord that runs insistently throughout his legislative efforts is his determination to better the well-being of ordinary folk.

Although he rarely takes personal credit for legislation, KILGORE's senatorial record is impressive. "It takes a big crew to put the train on the road," he says. Nevertheless, his name is associated with a stupendous amount of legislation in the fields of labor, agriculture, small business, education, youth, housing, antimonopoly, and defense mobilization. Among other legislation, he sponsored the GI bill of rights for World War II veterans and was instrumental in extending these benefits to Korean veterans. He also played a key role in getting the mobilization program under way during the last war and in guarding it against fraud and mishaps by on-the-spot senatorial investigations.

Part of the respect friends—and even opponents—pay him stems from his personal simplicity. He looks and acts so little like the proverbial Senator with the silvery mane, silver tongue, and majestic sweep to his walk that his lack of vanities is refreshing. He never toots his own horn. KILGORE is a good-sized man with gray hair, shy, friendly smile, soft, earnest voice, twinkling blue eyes, and the beginnings of a paunch accentuated by the papers, colored pencils, stopwatches, and good-luck horse chestnut he carries in his pockets.

Sometimes his careless attire and lack of pomp have their disadvantages. Not long ago a lady tourist in the Capitol Building singled him out alongside the Senate Chamber as the man most likely to be a sightseeing guide. He answered all her questions with full comments before the Senate bells rang for a rollcall. "Oh, migosh," she cried, as he politely excused himself, "why, you must be a Senator."

When Senator KILGORE leaves his Washington residence for the Senate Office Building early each morning, he has already raised the phone receiver next to his bed for a dozen or so incoming calls. The walls of his office are stacked high with pictures of friends—some world famous, some neighbors—and he sprawls comfortably in his chair, soft lounging shoes on his feet, asking questions of an endless stream of visitors. On the rare occasions when he is angry, he furrows his brows and pens blistering letters, none of which he ever mails. The Judiciary Committee, handling half the Senate's business, and the Appropriations Committee, deciding the fate of the national budget, take up most of KILGORE's day when he is not on the Senate floor.

Senator KILGORE has no streak of the thespian in him. He doesn't flavor his speeches with lumps of coal. But he can make devastating analogies of opposition arguments. On one occasion, recently, a Senator argued for a drastic cut in the defense program in order, as he put it, to make the program more effective. "It reminds me of the farmer who lived near a sawmill," Kilgore told his colleagues. "This farmer's cows were eating such high-price grain that he began substituting some of the sawdust for part of their feed. He fooled them so well that every day he increased the proportion of sawdust. Finally, they were eating 100 percent sawdust. It was a great success, only the cows died."

KILGORE has the knack of winning legislation that has little initial chance of passing. His record is 5 years of prodding his colleagues before they passed the National Science Foundation. His biggest fight was over revising the original Displaced Persons Act, which he found was working a harsh discrimination on those who had fled the Soviet tyranny after the war, and on European minority groups and farmers. When he dropped his corrective measure in the

hopper, he discovered he had a lonely proposition on his hands. But he started off on a man-after-man buttonholing job. In the end, he picked up such overwhelming bipartisan support from both Democrats and Republicans that the once cocksure majority of Senators in opposition disintegrated.

The rush of business which he considers of vital concern to him has made KILGORE a late eater. On the Taft-Hartley Act fight, he sat through entire night sessions without respite trying to defeat it. Generally, he lunches at 2:30 p. m., a meal which always includes iced tea. His favorite dish consists of raw tomatoes, cooked stringbeans, and corn.

Whatever spare time he has, KILGORE and his family head for the camp he built at Largent, on Cacapon River in the eastern panhandle of West Virginia. Here he puts on knee-high laced boots and a lumber jacket and spends his time fishing and puttering in the garden. Many a tired and jaded Senate colleague has been badgered by KILGORE to rush to West Virginia to regain his optimism and health. One time, when KILGORE dropped in at the White House office of President Truman, he noticed that Mr. Truman looked tired. He insisted that the President call off his evening schedule and accompany him to a party being given by the West Virginia State Society. "You know I'd love to go, Harley," Truman said sadly, "but they'd only throw five platoons of secret service men all over the place and nobody would have any fun."

One quality that distinguishes Senator KILGORE from most of his senatorial colleagues is that he has been a good friend of Presidents. It was to Senator KILGORE that Franklin Roosevelt first confided that "the detail of this job is killing me." KILGORE fathered the idea of an Office of War Mobilization to direct the defense effort in World War II.

Senator KILGORE's close relationship with Mr. Truman dates back to 1941. On the return trip to Washington from Senator MATTHEW NEELY's inauguration as Governor of West Virginia, the two discovered a mutual interest in American history, especially the Civil War period. Before the train came to a halt in Union Station in Washington, Senators KILGORE and Truman hit upon the plan for a congressional war investigations committee, somewhat similar to the Civil War period Joint Committee on the Conduct of the War. First they tried to get into active military service, but President Roosevelt discouraged this. Failing this, they established their committee, whose work led Truman directly into the White House in 1945. After Truman left the Senate, KILGORE took over the management of the committee.

If a man as busy as Senator KILGORE has a hobby, it is young people. As a West Virginia county judge, he saw too many errant youths turn pale and swallow hard when sentenced to prison. And he has been physically sickened by the case histories of their deterioration in prison and the unwillingness of society to reclaim them later. In his spare time, he has personally helped many youth offenders get off to a new start. "The kids are our greatest asset," he says.

He is proud of the National Science Foundation he sponsored in the Senate, which makes grants and fellowships available to talented young people, regardless of their financial status. He also takes fatherly pride in the Youth Corrections Act, which permits judges to assign youthful offenders to a special board for study and treatment to rehabilitate them. Federal Judge Bolitha J. Laws calls the Kilgore Youth Corrections Act "one of the greatest steps forward in criminal justice."

HARLEY KILGORE comes naturally by his championing of the underdog. Of Scotch ancestry, he is a current edition of the Kilgore clan who settled in Pennsylvania in colonial time and came down the valley to West Virginia. HARLEY KILGORE was born in Brown, W. Va., on January 11, 1893, the son of a wildcatter in the oil fields.

Young Harley's ambition was to become a doctor and reduce suffering, but his mother urged him to become a lawyer like her father. Although he took mostly premedical courses during his first year at West Virginia University, he accepted his mother's wish and graduated in law in 1914. That same year he ran for clerk of the circuit court, and though only 21, the voters almost elected him. He began law practice at Beckley, a long uphill process which was interrupted by World War I. He got to be a captain before his discharge and he resumed his practice in 1920.

At college Harley thought of joining the National Guard in West Virginia, but his father dissuaded him. "In West Virginia it is used against the working people and you come from working people," his father told him. At that time it was true. Coal firms employed a miner guard system to enforce their will in the company towns to prevent the miners from joining unions. When things got out of hand, the National Guard was sent in to break strikes and restore company order.

After returning to Beckley in 1920, KILGORE decided it was time to revamp the National Guard and he helped organize a regiment with the understanding that troops would not be used as strikebreakers. So successful was this venture, that the West Virginia National Guard has never since been employed for this purpose. Senator KILGORE served in it for many years, becoming a colonel in its judge advocate general department.

Once he got the National Guard on this road inthe early twenties, KILGORE turned his guns on the State's Democratic Party. It was leaderless and without a positive program. He and other young persons set out to reorganize the party. In 1928, the year of the Hoover landslide, they shocked even themselves when they carried Raleigh County. In 1932, with the help of unemployed miners who were no longer under company domination, they swept into office throughout the State.

KILGORE that year became judge of the criminal court of Raleigh County, a post he held until elected to the United States Senate in 1940. As judge, his decisions and his rehabilitation work with youthful offenders gained him statewide attention. During his first year as United States Senator, he plunged into so many areas of social legislation that even President Roosevelt was stunned by his blitzkrieg. "Don't you know that a freshman Senator isn't supposed to do any work, Harley?" Roosevelt chided him.

Senator KILGORE wears the same old hat during his campaigns. He claims it brings him good luck. This may be so. But the chances are that his record of reducing inequalities, raising living standards and providing opportunities does the job for him. Not long ago, a friend of his remarked, "As long as Harley is in the cab or caboose, the train will be on the right track."

[From the Fairmont (W. Va.) Times of February 29, 1956]

A GIANT FALLS

To say that the death of Senator HARLEY M. KILGORE is being deeply mourned in West Virginia, is no exaggeration. For the 16 years that he has represented our people in the Upper House of Congress he has become a symbol of the aspirations of our people who dwell in our valleys and mountains. These people, great and small, were at home with him as he was with them.

During his long tenure in the Senate he became a man of great power and influence, but he was more prone to give others the credit for his achievements than to even intimate that the credit belonged to him. Probably every student of World War II knew that he was a member of the famous Truman committee which supervised the construction of every machine used in the war effort, but few knew he was Mr. Truman's right hand man on the committee and had, in fact, conceived the plan for the creation of the committee, as well as that of originating the idea of establishing the Office of War Mobilization in the same war. The credit for many other achievements belonged to him in his long tenure in the Senate.

His service on the Truman committee never really came to an end, because once a week, during Mr. Truman's Presidency, he paid a visit to the Chief Executive, which were not on the official agenda but were charged off as pleasant interludes in otherwise busy weeks. Matters often arose in the Senator's office that needed the attention of the President, but they were seldom if ever attended to during one of their meetings, the Senator's explanation being that, in the press of other matters, he had simply forgotten to bring them up.

On the night before Mr. Truman won the vice presidential nomination at Chicago in 1944, he spent hours alone with Senator KILGORE. The latter, who was chairman of our State delegation, never mentioned that fact to his delegation when they assembled the next day. He did volunteer the prediction that during the balloting, which was about to begin, "Harry Truman would show some strength."

Senator KILGORE was something of a master of understatement in practically everything we ever recorded of him except the Mannington baseball team of 1914, of which he was manager, and the West Virginia National Guard, of which he was a colonel to the end of his life. If recollection serves, the Mannington team soundly defeated Fairmont during the days of his management, an achievement he greatly cherished.

As a Senator representing his constituents, he was never a promiser, but never showed a lack of interest in any matter presented to him. As a Member, his political philosophy was clear and defined. It was said of him that they always knew where he stood.

During the last few years of his life he was plagued by bad health, but those closest to him probably never realized how sick he was. In fact some of his intimates believed almost to the last that he was getting better. The stroke he suffered, which followed a prolonged paroxysm of coughing, was not anticipated.

HARLEY KILGORE was the only West Virginian to be elected three consecutive times to the Senate. His popularity with the people had its best test 4 years ago when he breasted the Eisenhower tidal wave and won a resounding victory over his Republican opponent. In the same year his resounding primary election victory over a strong opponent, was also a test of the love and affection in which he was held by the people. His November triumph merely proved it.

FIRST BAPTIST CHURCH, ALVIN J. COOK, TH. D., PASTOR, BECKLEY, W. VA., MARCH 1, 1956

REMARKS AT THE FUNERAL OF SENATOR HARLEY M. KILGORE

Senator HARLEY M. KILGORE brought honor to his native State of West Virginia, as well as to his Nation, and it is fitting that we honor his memory today in this service.

As a judge presiding in his home city and county Mr. KILGORE showed tremendous growth in personality and potentiality. In his deep personal interest in man as man, in his effective and intelligent handling of the problems of juvenile and adult delinquency, and in many other ways he gave outward expression to a life-shaping philosophy which we would do well to pause and notice.

May I read this brilliant little gem of old English from one of the Senator's favorite authors, John Donne, British poet and clergyman, who died in the year of our Lord 1631:

"No man is an Iland, intire of itselfe; every man is a peece of the continent, a part of the maine; if a Clod bee washed away by the sea, Europe is the lesse, as well as if a Promontorie were, as well as if a Mannor of thy friend or of thine owne were; any man's death diminishes me, because I am involved in Mankinde; and therefore never send to know for whom the bell tolls; It Tolls for Thee."

It is needless to point out, especially for you who knew him best, how marvelously this ideal was realized in the great life and career of Senator HARLEY M. KILGORE. This basic philosophy of life helped to build him into a walking embodiment of our American democracy. He was so "involved in Mankinde" that nothing that deeply concerned you or any other person could fail to elicit interest and action on his part.

An illustration comes to mind from the busy and anxious days of World War II. Joel Darby, vice president of the New York State organization of Gideons, International, asked me to write to Senator KILGORE in regard to a paper shortage which threatened the supply of New Testaments being sent to our servicemen. It seems that the priority given to the paper used in the manufacture of cigarettes was closely involved in the matter. I wrote the letter somewhat hesitantly, in view of the terrific strain under which the Senator was working. The response was prompt and effective, proving that he was a man of perspective and of keen penetration into the relative values of the things that are merely temporal and those that are eternal.

There are vast resources available to all in the eternal verities set forth in the Bible. God offers us the needed help and strength in the dark hours of bereavement. May the Holy Spirit of God enable each of us to partake of the strong consolation to be found in the glorious facts of the Gospel. Among these facts we find first the preeminent person, the promise, and the believer's perfect prospect.

The preeminent person is Christ Jesus, "who for the joy that was set before Him endured the Cross, despising the shame, and is set down at the right hand of the throne of God." He is the one whose mind and attitudes we are to imitate, not as the means of obtaining salvation but as the evidence and fruit of it. "Let this mind be in you which was also in Christ Jesus; who being in the form of God thought it not robbery to be equal with God; but made Himself of no reputation, and took upon Him the form of a servant, and was made in the likeness of men: and, being found in fashion as a man, He humbled Himself, and became obedient unto death, even the death of the Cross. Wherefore God also hath highly exalted Him, and given him a name which is above every name: that at the name of Jesus every knee should bow, of things in heaven, and things in earth, and things under the earth; and that every tongue should confess that Jesus Christ is Lord, to the glory of God the Father."

The promise is to all who by faith lay hold of Christ as personal Savior and Lord. To such the Lord Jesus gives His sure and sacred word: "Because I live, ye shall live also." To Martha, in her hour of bitter loss, He said, "Thy brother shall rise again." Martha said, "I know that he shall rise again in the resurrection at the last day." Jesus said unto her, "I am the resurrection and the life: He that believed in me, though he were dead, yet shall he live; and whosoever liveth and believeth in me shall never die."

And, finally, what is the prospect of the believer? We have the unbreakable word of our Lord and Savior: "In my father's house are many mansions: if it were not so, I would have told you. I go to prepare a place for you. And if I go and prepare a place for you, I will come again, and receive you unto myself; that where I am, there ye may be also." That is all we really need to know about the heavenly home.

May God enable us gratefully to receive the blessed comfort from the preeminent person, Christ Jesus, from His precious promise and from the believer's glorious prospect.

THE WHITE HOUSE,
Washington, February 28, 1956.

DEAR MRS. KILGORE: Mrs. Eisenhower joins me in heartfelt sympathy for you and your family in this hour of bereavement. Although your loss is in a true sense shared by many thousands of your husband's friends in Washington, in West Virginia, and throughout the country, we know that for you and those close to you Senator KILGORE's death is a personal tragedy. No words of ours can give you consolation at this time.

But we hope that all of you will find in the memory of a husband, father, and friend, who well served his country and State, strength to endure this trial.

Sincerely,

DWIGHT EISENHOWER.

AMERICAN EMBASSY,
Madrid, Spain, March 8, 1956.

Mrs. HARLEY KILGORE,
Care of Senate Office Building,
Washington, D. C.

DEAR MRS. KILGORE: My wife and I were so distressed to read the sad news.

We did enjoy your visit to Madrid and my talk with the Senator, who showed a fine insight into foreign relations and a sympathetic understanding of our problems.

I know how much he will be missed by his many friends.

My wife joins me in sending you and yours our expressions of deepest sympathy.

Sincerely,

JOHN DAVIS LODGE,
Ambassador.

PITTSBURGH, PA., *February 29, 1956.*

Mrs. H. M. KILGORE,
Beckley, W. Va.:

The passing of Senator KILGORE brings a sense of deepest personal loss to me. Have been friends since his boyhood in the Mannington oilfields, and no one watched with more pride than I his rise to leadership on the national scene. His death is an irreparable loss to you, your children, West Virginia, and the Nation, and to thousands like myself, who enjoyed his warm and inspiring friendship. I extend my deepest sympathy to you.

M. L. BENEDUM.

WASHINGTON, D. C., *February 29, 1956.*

Mrs. HARLEY M. KILGORE,
Calfee Funeral Home,
Beckley, W. Va.:

We have learned with deep regret the sad news of the untimely death of your distinguished husband. As a result of his passing, you and the members of your family have sustained a deep personal loss which mere words could not possibly atone for. In addition, Senator KILGORE's death has removed from the citizenry of the State of West Virginia one of its outstanding leaders and public servants and the Nation has lost one of its most eminent statesmen. Down through the years Senator KILGORE has built up a magnificent reputation as a result of his willingness to at all times serve all Americans on a fair basis, and his demise has created a void in our population which will be very hard to fill. On behalf of every member of the United Mine Workers of America, we extend to you and your family our sincere expression of sympathy and condolence in your sad bereavement.

UNITED MINE WORKERS OF AMERICA,
JOHN L. LEWIS,
President.
THOMAS KENNEDY,
Vice President.
JOHN OWENS,
Secretary-Treasurer.

COLLEGE OF THE HOLY NAMES,
Oakland, Calif., March 6, 1956.

DEAR MRS. KILGORE: Less than 2 years ago your late husband, the esteemed Senator from West Virginia, came to Reno for the funeral of my father, Senator Pat McCarran. I am sorry that you have lost him and I pray for the happy repose of his soul.

No doubt you have had a message from my mother, Mrs. Harriet McCarran. She was always fond of you. It would be nice if you could help each other to bear the loneliness which does not wear off quickly after so many years of marriage.

God love you and comfort you.

Sister M. MARGARET PATRICIA MCCARRAN.

MRS. HARLEY KILGORE:

May I offer you my deepest sympathy personally and for the Second United States Army.

Senator KILGORE's services to his country and to the State of West Virginia both as a citizen and a soldier have been immeasurable through many years. His service in World War I and later in the National Guard gave him a keen perception of the needs of national defense and enabled him to be of great assistance to the Army.

We mark his passing with deep sorrow and with a keen appreciation of our loss.

PARKS,
Commanding General, Second Army,
Fort George G. Meade, Md.

WASHINGTON, D. C.

Mrs. HARLEY KILGORE:

My sister, Mrs. Miller, joins me in deepest sympathy in the great loss you and our country have suffered at the death of your devoted husband, my loyal friend, HARLEY KILGORE.

JOSEPH F. GUFFEY.

WASHINGTON, *February 28, 1956.*

DEAR MRS. KILGORE: I am very sad. Our country and his family have met with a terrible loss. I offer to you my condolences in your bereavement.

With deep sympathy.

Sincerely yours,

HENRY FOUNTAIN ASHURST.

TALLAHASSEE, FLA., *February 28, 1956.*

Mrs. HARLEY M. KILGORE AND FAMILY,
Senate Office Building,
Washington, D. C.:

Your immeasurable loss in the passing of your husband and father and our beloved friend, Harley, shocks and grieves us beyond expression. He was one of the noblest and best who ever sat in the Senate. He was dedicated to public service and devoted to all that made a greater America and a better world. We share the burden of your sorrow and want you to know that we are thinking of you with full hearts.

CLAUDE AND MILDRED PEPPER.

UNITED STATES SENATE,
Washington, D. C., March 5, 1956.

MY DEAR MRS. KIILGORE: I cannot tell you how much we shall all miss your wonderful husband.

He was so kind to me, not only in the Senate but when I was in the executive branch.

I send you and yours my deepest sympathy in your great loss.

Sincerely,

STUART SYMINGTON.

WASHINGTON, D. C., *February 29, 1956.*
Mrs. HARLEY M. KILGORE:

Please accept the heartfelt condolences of the officers and members of the industrial union department of the AFL–CIO at your grievous loss. HARLEY KILGORE, during his lifetime of public service, served well the common people. He could always be counted upon to support legislation designed to enhance the welfare of the Nation and its people, and to resist proposals which would do harm to the fundamental economic and social rights of Americans. The men and women of labor recognized in HARLEY KILGORE, a true champion of our democratic cause. We will never forget his great contributions to the progress of humanity.

INDUSTRIAL UNION DEPARTMENT, AFL–CIO.
WALTER P. REUTHER,
President.
JAMES B. CAREY,
Secretary-Treasurer.
ALBERT WHITEHOUSE,
Director.

PHOENIX, ARIZ., *February 28, 1956.*
Mrs. HARLEY M. KILGORE:

Edna and I deeply grieved to learn of passing of Harley. We are both thinking of you and of the friendship which has existed among us through these many years. Our hearts are with you tonight.

Regards,
ERNEST W. MCFARLAND.

WASHINGTON, D. C., *February 28, 1956.*
Mrs. HARLEY H. KILGORE:

Please accept our heartfelt condolences on the passing of your husband. Throughout his long career in the public service, Senator KILGORE made an outstanding record as a faithful champion of the common man and a courageous foe of predatory interests. In the Senate he could be counted upon to support progressive legislation and oppose measures injurious to the public interest. We feel that we have lost a true and devoted friend. The entire labor movement shares your loss.

GEORGE MEANY,
President.
WM. F. SCHNITZLER,
Secretary-Treasurer, AFL–CIO.

CHARLESTON, W. VA.
Mrs. HARLEY M. KILGORE:

With an increasing sense of the loss suffered on behalf of the West Virginia State Bar, we desire to record our deep sorrow at the death on February 28, 1956, of Senator KILGORE. As a lawyer, judge, and United States Senator, he exemplified a high type of public service and his career as a practicing attorney and judge was in the best traditions of the legal profession. He had a deep and abiding interest and love for the underprivileged, and his concern for others was always apparent. It was a way of life with him. Because of his many acts of kindness in befriending and helping others, Senator KILGORE will be missed in many places by many people.

We extend our sincerest sympathy to you and other members of the family, and the hope that our appreciation of Senator KILGORE's useful life and outstanding services to his State and Nation, as well as to the bench and bar may in some degree lighten the burden of your bereavement.

THE WEST VIRGINIA STATE BAR,
WILLIAM P. LEHMAN, *President.*
OSHEL C. PARSONS, *Secretary.*

WASHINGTON, D. C., *February 28, 1956.*
Mrs. HARLEY M. KILGORE,
Senate Office Building,
Washington, D. C.:

My sincerest sympathies are with you and other members of your family during your bereavement. Words are inadequate to express my sentiments in the loss of one of my close personal friends. May God sustain in this hour of darkness.

HARRY SEE,
National Legislative Representative, Brotherhood of Railroad Trainmen.

WASHINGTON, D. C., *February 28, 1956.*
Mrs. HARLEY M. KILGORE:

I am greatly saddened to learn of the passing of your beloved husband. On behalf of the officers and airmen of the United States Air Force, I extend to you our deepest sympathy.

N. F. TWINING,
Chief of Staff, United States Air Force; Headquarters, United States Air Force, Washington, D. C.

WASHINGTON, D. C., *February 28, 1956.*
Mrs. HARLEY M. KILGORE AND FAMILY:

My sincerest sympathy to you and your family in your great loss. Senator KILGORE's services to his country through the instrumentality of the Democratic Party have earned for him the respect and admiration of all who knew him. His untimely passing leaves a void which will be difficult to fill.

PAUL M. BUTLER,
Chairman Democratic National Committee.

NEW YORK, N. Y., *February 28, 1956.*
Mrs. HARLEY M. KILGORE:

National Association for Advancement of Colored People extends its condolences on untimely death of your distinguished husband, Senator HARLEY M. KILGORE. The Senator's enlightened and intelligent approach to domestic and foreign matters was apparent during his 15 years in the Nation's highest legislative body. May you take comfort in your knowledge of your husband's contributions to our society.

ROY WILKINS,
Executive Secretary.

DEAR MRS. KILGORE: I was deeply shocked and grieved to learn of the passing of your dear husband and my warm personal friend. I sincerely hope that if there is anything in the world you think I can do to help lighten your burden in your hours of sorrow, you will not hesitate to let me know.

May a kind providence shower you with His blessings.

Sincerely,
LESLIE L. BIFFLE.

AMERICAN BAR ASSOCIATION,
February 29, 1956.

DEAR MRS. KILGORE: In behalf of the Standing Committee on Federal Judiciary of the American Bar Association I want to express to you our deep sense of loss through the death of Senator KILGORE. Through his cooperation with our committee, we all held him in great respect and with a real sense of friendship and affection. The Senator was always available for consultation with us. I wanted you to know that our committee share with the rest of the country the sadness which is now felt over the passing of someone who was willing to work so hard for the good of our Nation.

Very sincerely yours,
FRANKLIN E. PARKER, Jr.

FULTON, WALTER & HALLEY,
New York, N. Y.

DEAR LOIS: Despite the information you gave me yesterday, I was very shocked to hear of Harley's death this morning.

He was a truly great American, and his death is a heavy blow to his State and country. He never spared himself and worked always for what he believed in.

It was a very great privilege to know him and to be counted among his friends.

Last fall I suggested to Truman that he attend a party I wanted to give in honor of Harley as the last of the Truman committee to retain his seat in the Senate. Truman agreed but postponed the timing because he was ill.

It is too bad, for I know Harley would have enjoyed it, and it would have been a unique occasion for his old colleagues to have honored him.

Jessie joins me in hoping that you will be able to visit us in New Jersey any time that will be convenient to you.

With deepest sympathy and regard,
HUGH FULTON.

NEW YORK, *March 2, 1956.*

MY DEAR MRS. KILGORE: Like all other citizens of this country, I was greatly shocked when I heard the announcement of Senator KILGORE's death, and I offer you and your daughter my heartfelt sympathy in your loss and sorrow.

I had the good fortune to know your husband well, and I not only esteemed and admired him, but held him in warm liking. He was a fine citizen, and a great American statesman. I know that you will find comfort in the memory of his outstanding achievements.

Sincerely yours,
JAMES A. FARLEY.

KANSAS CITY, MO.
Mrs. HARLEY M. KILGORE:

I have just been informed the Senator passed away. You have the sincere sympathy of Mrs. Truman and myself.

HARRY S. TRUMAN.

NEW YORK, N. Y., *February 28, 1956.*
Mrs. HARLEY M. KILGORE:

Am shocked and saddened by the news. He was a good friend and a great and courageous public servant and the Nation is richer for him. My thoughts are very much with you and your family.

ADLAI E. STEVENSON.

DES MOINES, IOWA, *February 28, 1956.*
Mrs. HARLEY M. KILGORE:

I'm grief stricken to learn of Harley's passing. He was a wonderful servant of the people and great and fine man. I send my deepest sympathy.

ESTES KEFAUVER.

ALBANY, N. Y., *February 28, 1956.*
Mrs. HARLEY M. KILGORE:

Deeply saddened to learn of Senator KILGORE's death. As a farseeing liberal legislator he has made a record of serving to the country and to the Democratic Party that will long survive. I mourn the loss of a close and valued friend, and I send you and the members of your family my heartfelt sympathy.

AVERELL HARRIMAN.

CHARLESTON, W. VA., *April 11, 1956.*
Mrs. HARLEY KILGORE,
Beckley, W. Va.

DEAR MRS. KILGORE: As you no doubt know, Senator KILGORE was one of the most distinguished members of the West Virginia Society of the Sons of the American Revolution.

Therefore, the Daniel Boone chapter is most anxious to have the opportunity of placing a marker in his honor in Arlington Cemetery. In this regard we will have the cooperation of the national society, but are most hesitant to take any action whatsoever without your prior knowledge and approval. Therefore, the purpose of this letter is to ascertain your feelings concerning our contemplated action. Needless to say we all realize the Senator's passing was a great loss to this State and to the country.

Very truly yours,
F. WITCHER MCCULLOUGH.

HUNTINGTON, W. VA., *February 28, 1956.*
MRS. HARLEY KILGORE AND FAMILY,
Beckley, W. Va.:

Our deepest sympathies. From the highest councils of statesmen to the humblest huts in some backward country the peoples of the world have lost a friend.

HARRY J. FALLON,
President, B'nai B'rith Lodge 795,
Huntington, W. Va.

AMERICAN EMBASSY,
Wellington, New Zealand, March 12, 1956.
MRS. HARLEY KILGORE,
Senate Office Building,
Washington, D. C.

MY DEAR LOIS: I have just received the shocking news of Harley's passing. Knowing something of his devotion to his family I can understand the great cross which you have to bear, and so Olga and I send our deepest sympathy—indeed, we regret that we cannot be home to bring you some measure of comfort in a more personal way.

As you will remember, Harley and I were neighbors together in the Senate Office Building for a number of years and those daily associations will always be happy memories to me.

If there should be any way in which we can at this great distance bring you or any members of the family some degree of solace, we want you to feel free to call upon us. I hope that you will take comfort in the thought that Harley was a great American who served his country well.

ROBERT C. HENDRICKSON,
American Ambassador.

NEW YORK, N. Y., *February 28, 1956.*
MRS. HARLEY M. KILGORE,
Beckley, W. Va.:

My deepest sympathies to you and your family on the untimely passing of your dear husband. His contributions to our Nation are immortal symbols of his long years of dedication and service, and his passing will be sorely felt by all those who love democracy and freedom.

Sincerely,

ROBERT F. WAGNER,
Mayor, New York City.

WASHINGTON, D. C., *February 28, 1956.*
MRS. HARLEY M. KILGORE:

Please accept the deepest sympathy of the American Legion in your hour of grief. The American Legion has lost a revered and loved comrade and the Nation an outstanding statesman and a dedicated public servant with the death of your husband. We shall remember him always and shall forever be grateful for his service to the American Legion and to America.

J. ADDINGTON WAGNER,
National Commander.

UNITED STATES CIRCUIT COURT OF
APPEALS, NINTH JUDICIAL CIRCUIT,
San Francisco, Calif., March 30, 1956.

DEAR MRS. KILGORE: I was deeply distressed to learn of the death of Harley. I have had occasion many times to recall my pleasant associations with him during the years I served in the United States Senate and it was a consolation to me to regard myself as his friend.

There is little one can say at a time like this that will serve to diminish the grief of one in your position. I know full well what the loss of a loved one means because my wife died September 1 of last year. I do want you to know that I feel the greatest compassion and sympathy for you in this your hour of deep trouble.

Sincerely yours,

HOMER T. BONE,

INTERNATIONAL UNION, UAW-CIO,
SOLIDARITY HOUSE,
Detroit, Mich., March 1, 1956.

DEAR MRS. KILGORE: It is with deep sorrow we have learned of the death of Senator HARLEY M. KILGORE, a devoted public servant and a dedicated liberal voice in the Senate of the United States for nearly 15 years.

Throughout his career in public life, he never hesitated to speak out in defense of working people and to support measures designed to protect and aid them. He made a well-recognized contribution to the implementation of the liberal New Deal and Fair Deal policies of Franklin D. Roosevelt and Harry S. Truman.

Liberal causes made historic headway, sometimes against tremendous odds, during the period Senator KILGORE served the people of this Nation. As one of the leading liberal spokesmen of the period, much of the credit belongs to him.

While his vocal and concrete voting support of liberal philosophies naturally endeared him to working people, perhaps the most important vote Senator KILGORE ever cast was his against the Bricker amendment, a vote which was the deciding one in killing this measure which would have seriously restricted the President in the handling of foreign policy.

Your sorrow in the passing of your husband is shared by working people in West Virginia, in the United States—in fact, by liberals everywhere. I trust that the knowledge that countless of thousands of Senator KILGORE's friends and admirers share your sorrow will lighten your burden in these trying hours.

Sincerely yours,

WALTER P. REUTHER.

GEORGETOWN, DEL., *March 1, 1956.*
MRS. LOIS KILGORE,
Senate Office Building,
Washington, D. C.

DEAR MRS. KILGORE: Mrs. Tunnell and I were anxious to write you a letter of sympathy with reference to the loss of your husband. He was a great friend of mine during the whole of my stay in Washington. My recollection is that he went to the Senate at about the same time I did, but was able to stay longer. I had not seen him since I left the Senate.

I remember of seeing your son in Manila.

Occasionally I get to Wheeling, W. Va., because there is a trustee of Muskingum College who lives in Wheeling.

I see that Senator KILGORE was very much younger than I, although I did not realize it at the time I was associated with him.

If you are ever in this neighborhood, don't hesitate to call on us.

With every assurance of a kind feeling of sympathy, we remain,

Very sincerely yours,
JAMES M. TUNNELL.
Mr. and Mrs. James M. Tunnell.

UNITED STATES DEPARTMENT
OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, D. C., February 28, 1956.
MRS. HARLEY M. KILGORE,
Washington, D. C.

DEAR MRS. KILGORE: I learned with deep regret of the death of your husband and wish to offer my heartfelt sympathy.

The memory of his many outstanding accomplishments will long remain in the minds of his many friends; and while I realize words are of little comfort at a time like this, I do want you to know that my associates and I are thinking of you. Please let us know if we can be of help to you or your family in any way.

Sincerely yours,

J. EDGAR HOOVER.

STATE OF WEST VIRGINIA,
ADJUTANT GENERAL'S DEPARTMENT,
Charleston, February 28, 1956.
MRS. HARLEY M. KILGORE,
Senate Office Building,
Washington, D. C.

DEAR MRS. KILGORE: The shocking news I received this morning announcing the untimely departure of your distinguished husband was received with deepest sorrow. I counted the Senator among my most valued friends and looked up to him for counsel and advice on problems relating to the National Guard. He gave so many years of valuable service to the West Virginia National Guard we feel that to him is due much of the credit for the outstanding organization it has become. He was never too busy, in spite of very heavy responsibilities, to see me personally, talk on the telephone, or answer correspondence, when help was needed on National Guard matters. I have said many times publicly and still believe that he was probably the Nation's outstanding authority on military law.

We in the West Virginia National Guard have lost a great and valued friend. If we can be of any assistance to you, it would be a privilege to do our very best.

Anything I could say would not be adequate to express my deep sympathy. I know he was a great and good man and should appear high on the list of those who loved his fellow man. I pray that your faith will encompass the great promises of the Scripture which include a happy eternal existence with loved ones for those whose faith was so dedicated to God. The things we see and understand do not require faith but only those things which are unseen are eternal and are possessed through faith. Life is so short at best, but your heart should be proud of the great record of service Harley has left to inspire all of us.

With prayerful sympathy, I am,

Yours truly,

CHARLES R. FOX,
Major General, the Adjutant General.

WASHINGTON, *D. C., March 1, 1956.*
MRS. HARLEY M. KILGORE,
Washington, D. C.

MY DEAR MRS. KILGORE: I am shocked and saddened by the news of the death of your distinguished husband. I know how little mere words can do to ease the pain of the loss of a husband and father, but I want you to know that you and your family have my deepest sympathy.

In Harley's passing I have lost a good friend, the State of West Virginia has lost a strong champion, and the Nation has lost a statesman.

Yours most sincerely,

SCOTT W. LUCAS.

KANAWHA FALLS, W. VA.,
February 28, 1956.

MY DEAR MRS. KILGORE: Nothing for years has moved me so deeply as the Senator's transition. Our association over the years has meant more to me than words can express. He has performed many gracious deeds of friendship, with never a thought of expecting anything in return.

You might be surprised to know how many people share my feeling. The Senator really represented his constituents over the years and at the same time never failed to give legislative concerns the full benefit of his generous and mature wisdom.

Our national affairs have benefited immeasurably from his participation and his place will be hard to fill.

Deep as my sense of loss is, I know yours must be in great excess of mine. This brief message will convey my profound concern. Command me if I can be of use in any way.

Faithfully yours,

WILLIAM R. LAIRD.

UNITED STATES ARMY,
THE CHIEF OF STAFF,
February 29, 1956.

DEAR MRS. KILGORE: I was deeply distressed to learn of the untimely passing of Senator KILGORE and should like to express my heartfelt sympathy to you in your bereavement. He had many friends in the Army who will miss him sorely.

Sincerely,

MAXWELL D. TAYLOR,
General, United States Army, Chief of Staff.

THE SECRETARY OF STATE,
Washington, February 28, 1956.

DEAR MRS. KILGORE: I was shocked to learn of the sudden passing of your husband. I want to express to you personally my own very deep sorrow in this loss.

As I said at my press conference today, your husband was associated with the Department of State in many ways. We always found him sympathetic and understanding of the needs of the Department.

In the Senate he was a leading figure with a variety of interests. I am proud to have served with him in that body. In his passing the country has lost one of its finest leaders and I have lost a real friend.

Mrs. Dulles and I extend our deepest sympathy to you in your sorrow.

Sincerely yours,

JOHN FOSTER DULLES.

DEXTER, MAINE, *March 1, 1956.*

DEAR MRS. KILGORE: Dorothy joins me in deepest sympathy to you in the passing of Harley from this earthly scene.

While we have seen little of you both in recent years we have always treasured the happy and close associations of the war years.

Only this last week we were visiting mutual friends and spoke several times of Harley and I planned to call him up the next time I was in Washington and have a little visit to talk of old times.

We were deeply shocked to learn of his going so suddenly.

All pay tribute to the sweetness of his character and the purity of his interest in the public welfare.

Most sincerely,

OWEN BREWSTER.

CLEVELAND, OHIO, *February 28, 1596.*

Mrs. HARLEY M. KILGORE AND FAMILY,
Senate Office Building,
Washington, D. C.:

It was with deep regret that I learned today of the passing of Senator KILGORE. He was not only a friend of labor in his home State of West Virginia, but all members of labor throughout the entire United States. His death will be mourned by the thousands who were privileged to know him, including myself.

W. P. KENNEDY, *President.*

[From the New York Times of February 29, 1956]

SENATOR KILGORE, NEW DEALER, DIES—WEST VIRGINIA DEMOCRAT, 63, WAS AN ALL-OUT SUPPORTER OF ROOSEVELT'S POLICIES—SERVING HIS THIRD TERM—HEAD OF JUDICIARY COMMITTEE, AN ARDENT BACKER OF LABOR—HAD STROKE SATURDAY

WASHINGTON, February 28.—Senator HARLEY MARTIN KILGORE, Democrat, of West Virginia, one of the few remaining New Dealers in the upper House, died early today of a cerebral hemorrhage. He was 63 years old.

Senator KILGORE had been a patient in Bethesda (Md.) Naval Hospital for 2 weeks for treatment of high blood pressure, and had been seriously ill since last Saturday, when he suffered a minor stroke. He was fatally stricken at 2:23 a. m.

At his death, Senator KILGORE was the senior Democratic Senator from his State—MATTHEW M. NEELY is the other Senator from West Virginia—and chairman of the powerful Senate Judiciary Committee.

Senator KILGORE's death temporarily cut the Democratic margin in the Senate to 48–47. But West Virginia's Democratic Governor, William C. Marland, is expected to appoint another Democrat to succeed Mr. KILGORE until a special election is held in November to fill the uncompleted term, which will end in 1958.

FIRST ELECTED IN 1940

Senator KILGORE, first elected in 1940, was the only man in West Virginia history to be elected to three consecutive terms in the Senate.

A rotund, round-faced, gum-chewing man with a genial expression and a friendly manner, Senator KILGORE was famed for his espousal of all liberal causes, sometimes without regard for their sponsors. He could always be counted on to fight earnestly for anything proposed by labor, and was a consistent critic of monopolies and other business practices he deemed dangerous to the country.

Although a friendly and outgoing man himself, the Senator was ranked by newsmen as one of the most difficult in Washington to see in his office, largely because aides tended to keep him isolated from the press. His natural good nature, however, was much in evidence on the Senate floor.

A funeral service will be held at 2 p. m. Thursday at the First Baptist Church in Beckley, W. Va. The body will be returned to Washington Thursday night for a second service at 10 a. m. Friday at the Chapel at Fort Myer, Va. Burial will be in Arlington National Cemetery.

TIRELESS IDEA MAN

HARLEY MARTIN KILGORE was one of the most tireless idea men in the Senate.

There was hardly a major national problem during his years in office for which he did not offer his own special solution. The fact that his solutions were almost unanimously ignored by his colleagues never seemed to daunt him. He always offered more.

Born on January 11, 1893, in Brown, W. Va., the future Senator attended the public schools there and then entered West Virginia University to study law. He was graduated from the university in 1914, and in the same year was admitted to the West Virginia bar. Then followed 3 years as a practicing attorney, interrupted by 3 years' service in the Army during World War I, starting May 1917 and running until March 1920. After that he returned to law in West Virginia.

In 1932 Mr. KILGORE was elected judge of the Criminal Court of Raleigh County. He took office on January 1, 1933, and served until November 1940, when he was elected to his first term in the Senate. He was elected to a second term in 1946, and to his third in 1952.

From 1921 to 1953 he was a member of the West Virginia National Guard. He was placed on the honorary retired list with the rank of colonel at the end of his service.

SUPPORTED F. D. ROOSEVELT

In the Senate, Mr. KILGORE soon became marked as an all-out supporter of the late President Franklin D. Roosevelt and the New Deal. He was one Democrat who could always be counted upon to vote the straight Roosevelt line, and he continued to do so long after many of his more conservative Democratic colleagues began to break away from the administration.

In time, Senator KILGORE became one of a tiny handful still loyal to the Roosevelt policies. Along with former Senator Claude Pepper, of Florida, Senator James E. Murray, of Montana, and Senator Lister Hill, of Alabama, he was referred to as being among "the list of the New Dealers." A close friend of former President Harry S. Truman, he supported him faithfully also.

Throughout his career, Senator KILGORE had the virtually unanimous backing of West Virginia's powerful labor unions. His critics charged that much of the liberal voting record could be traced to this fact, arguing that, without union pressure, he might have been much more conservative.

However, the Senator always denied this. He said he believed in a liberal philosophy as the only answer to the Nation's economic problems.

Senator KILGORE's widow is the former Lois E. Lilly, of Bluefield, W. Va. They had a son, Robert Martin Kilgore, and a daughter, now Mrs. Albert T. Young, Jr.

HARLEY KILGORE—THE PERSON

The late Senator's achievements, ability, and stature as an important political figure on the national scene are well-known. But what sort of a man was he personally, in his private life when not appearing in his national role in our history? What were his interests, his hobbies, the things he was proud of? Let us reflect a moment.

The one great, lasting love and interest of his life was people. Not people in a mass, not people in a theoretical sense but people, as individuals, as human beings. He was not interested in people for what they might do for him, politically or financially. Nor was he interested in them because of their status in life. He simply liked to talk to people about their problems, histories, and lives. He had an unlimited capacity for sympathy and he truly loved to talk to people and to try to help them with their problems. In trying to assist people, although he tried to maintain a gruff front he rejoiced with them if success was obtained and took each defeat as a personal one.

The great sermon and poem of John Donne, which HARLEY KILGORE in his later life chose as his personal credo, begins, "No man is an island, entire of itself; every man is a piece of the continent, a part of the main, * * * any man's death diminishes me, because I am involved in mankind," and ends with the well-known lines: "Never send to know for whom the bell tolls, it tolls for thee."

This theme seemed tailored for him, so well did it fit his philosophy of life. Indeed, so well did it suit his life, as he lived it, that it might well be his epitaph. After his death was announced many of the letters which came flooding in from all over the world from the people who knew him, were to the effect and some expressly stated, "Today I felt a part of me had died."

He dearly loved to talk to people, to help people. His friends were legion both with the great people and the little people of this earth. But his personal inclinations and their needs led him almost always to be the champion of the common man. He did not care to attend large social functions and went only seldom. But when he did, he always enjoyed himself for he always found interesting people to talk with. It was a mean and petty man indeed who walked away from a conversation with the Senator without a strong conviction as to his sincerity and friendliness and without being impressed by his unassuming manner.

This interest in people and his easy approachability were often a matter of despair for his aides and staff, and for embarrassment to a tight speaking or working schedule. He would often be found, late for an engagement, sympathetically listening to the troubles of a farmer or an elevator operator or talking things over with a waiter or a judge or a miner.

In person he had a very easygoing manner. His suits were usually somewhat rumpled in appearance. He chewed gum and

usually had a few sticks of gum in his pocket for any child he happened to meet. This habit he picked up while a judge, when he could not smoke in the courtroom. He lost the hearing in his left ear in an automobile accident in 1927. This sometimes caused difficulty in conversation. He had a full line of jokes and personal anecdotes, principally about the mountain folk in his native State. He suffered a great deal from the heat and was much addicted to sports clothes when not at the Capitol.

HARLEY KILGORE's personal interests covered everything human. He was a tremendous reader on a wide range of topics. He tended to favor biographical and historical works, particularly those dealing with American history. The common interest he shared with the then Senator Truman in conduct of the War Between the States, especially with reference to Congress, resulted in the formation of the well-known Truman committee during World War II.

He had considerable interest in athletics. In college the Senator was a basketball and baseball player of some renown and managed the football team. His first jobs after finishing college were as a high-school teacher and principal in which he also coached the ball teams. He carried his interest in athletics from college until his death.

He often considered writing a book. He wanted to write about his experiences and ideas on government. Also he wanted particularly to write a comprehensive book on cartels and monopolies on which he was a recognized authority. In fact in collaboration with his son, Bob Kilgore, who is also a lawyer and shared his interest, a considerable amount of time was spent in preparation for writing such a book. But the demands on his time by his position in the Senate were such that the book was never written. His writing efforts were limited to a few magazine articles.

He was inordinately fond of a summer cabin he had on the Capon River in the mountains of West Virginia. Actually, his Senate duties left him little time to enjoy it, but he loved to plan and work out things at camp. In his later years his happiest days were spent there, surrounded by his grandchildren. Recently, when questioned about his hobbies, he replied, rather pathetically, "My hobby is trying to go fishing."

While a simple and unassuming man, HARLEY KILGORE had several things he was proud of. Principally, they were his native State, his Scotch ancestry, and his military service. His love for his State was as big as its mountains and he was only too ready to point out the accomplishment of a fellow citizen whenever the opportunity presented itself. He was quietly proud of his ancestry, the Kilgores having left Scotland with the Stuarts, and, after staying in Ireland for about a century, settled in the mountains in this country about 1720 with many other Scotch-Irish pioneers. He was a member of the Sons of the American Revolution. Inasmuch as he and his son Bob were the only male members remaining of his particular line of the Kilgores, when Bob and his wife's (Shirley) firstborn was a son, Scott Roderick Hugh, his elation was unrestrained. However he never let his pride of ancestry come before his love of all men. Many high tributes and honors were paid him by Catholic, Jewish, as well as Protestant organizations, and organizations representing peoples of other races, languages, and origins for his fairmindedness and helpfulness. Lastly, he had a great love for the Army in which he served faithfully for almost 37 years as a Regular officer, a National Guard batallion commander, and finally as judge advocate General on the State staff, retiring as a full colonel only 2 years before he died.

Lastly, he was very proud of his family. He was devoted to his wife, Lois, and their children, Bob and Elinor. He greatly enjoyed playing with his grandchildren, Elinor's Albert (Butch), Ellen, and Bonnie Jo, and Bob's Scott and Candy. For each of them he always carried the inevitable stick of gum. He also visited often with his sister Helen.

CREDO

Finally, what were HARLEY KILGORE's ideas as to his senatorial position? As he once explained to his son, Bob, "Aside from the cloth, I believe that to represent my fellow citizens in their Government is the highest calling a man may have. Further, until people throughout the country recognize and restore politics, the art of governing one's fellowmen, to the high place which it deserves, the Government of our land too often will necessarily be controlled by expediency. I believe that the true purpose of our Government is the uplifting of its citizens, materially and spiritually, while maintaining for them certain rights and guaranties. I do not believe that this is necessarily achieved by a larger government, it is not so much the quantity of government as the quality of government which will affect this result." It might well be said that he was obsessed with the idea of good government.

His trust and loyalty when given were not easily taken away. His personal loyalty to Presidents Roosevelt and Truman in the face of many obstacles and disappointments was unwavering and unusual in the annals of our Capitol. This loyalty, aside from his warm human interest, was probably his most outstanding personal trait.

His preoccupation with people is often to be noted in the records of hearings he conducted or floor debates. He had the uncommon ability of reducing rather complicated, technical, legal, or parliamentary problems into human, down-to-earth terms. Although he rose to be chairman of the Committee on the Judiciary, he never lost the common touch. His compassion for the common man was inexhaustible. And while he accepted Lincoln's maxim that some of the people can be fooled some of the time, he, like Lincoln, had unlimited faith that over the long pull, men, if they are free, will always do the right thing.

ECCE HOMO

HARLEY KILGORE, during his lifetime of service, rose to be a giant in stature, and it can be said that since he fell there is a void in the sky. Yet we think because he was so "involved in mankind" that he would prefer it, if, on his death, we told one another: Ask not for whom the bell tolls, it tolls for thee.

Mr. CLEMENTS. Mr. President, I rise to add my voice to those of my colleagues in honoring the late Senator from West Virginia, HARLEY M. KILGORE.

It was my great privilege to know Senator KILGORE well, to know his work, to know his objectives. I shared many of those objectives, for our two States had many a problem in common.

Today I recall the great battles he fought for the workingman, the miner, the white-collar worker.

Today I recall, and with special clarity because of recent events, his devotion to the youth of the Nation. If there was one thing that set Senator KILGORE apart, it was his lifelong devotion to youth. He thought in terms of young people as the future of the Nation. During his career as a public servant, he asked one question of all legislation: "Is it good for the youth of this country?" Unless HARLEY KILGORE was sure that a given piece of legislation was good for America's youth, he would not be a party to it.

His interest in young people stemmed perhaps, from his first profession, that of a schoolteacher. It was continued as a judge, and that interest was so real, so profound that as a judge he would not sentence a boy to an industrial school until he had made a thorough study of the school and brought about reforms improving the juvenile system in his native State.

West Virginia's schools and schoolchildren, parents and teachers had no better friend in the United States Senate than HARLEY KILGORE.

He served his State and his Nation as a member of two of this body's most important committees, the Committee on Appropriations and the Committee on the Judiciary.

Senator KILGORE came to the Senate in 1941, and a year later, he pioneered the movement to unite the armed services. The efforts of Senator KILGORE in behalf of the principle of unification later paid great dividends.

Senator KILGORE was a man who took to causes—great or small. If he thought a cause was worthwhile, he lent his great abilities to it with a vigor and a devotion seldom equaled.

It was a great experience for me and a high honor to have known West Virginia's distinguished son, HARLEY M. KILGORE.

Mr. JOHNSON of Texas. Mr. President, it was a sad and tragic day for all of us when our colleague, HARLEY KILGORE, passed away.

Senator KILGORE was a man of deep convictions. They were based upon a strong desire to help his fellow man, and that desire remained with him throughout his life.

Those of us who knew him realized that this was at the basis of his abiding interest in our laws and our legal institutions. HARLEY KILGORE looked upon the law as an instrument designed to insure justice to humanity, and this was always his guiding star.

I worked with HARLEY KILGORE for many years. We frequently disagreed, but at all times he was willing to cooperate. He followed the philosophy that it is possible for men of good faith to disagree.

HARLEY KILGORE dedicated the most important part of his life to his country. In his native West Virginia he served as a judge. In the United States Senate, he served as a key member of the Committee on Military Affairs during World War II. In the closing days of his life, he served as chairman of the powerful Committee on the Judiciary.

Senator KILGORE was loyal to his country and loyal to the people whom he served. Our hearts today are with those he has left behind. May they find comfort and solace in the thought that he lived and died in the service of a great Nation.

Mr. HILL. Mr. President, amid the sadness of this hour we are gratified at the return to the Senate of the senior Senator from West Virginia [Mr. NEELY], who comes back to us after several weeks of illness apparently fully recovered and strong of body and of mind. He and his colleague [Mr. LAIRD] have so eloquently

and so completely told the story of our late friend and colleague, HARLEY KILGORE, that they have left little for us to add to their beautiful and moving tributes.

I may say, however, that I was saddened by the death of HARLEY KILGORE. For some years Harley was my good neighbor here in Washington. He had trained in World War I in my home city of Montgomery, Ala., and we had many mutual friends. During the trying days of World War II we served together on the old Senate Committee on Military Affairs, and in more recent years we worked in close cooperation as members of the Senate Committee on Appropriations. His humanity and his devotion to the welfare of the people and the principles and ideals of democracy bound me to him.

HARLEY KILGORE was outstanding in the exceptionally able service he rendered as a member of the Truman War Investigating Committee in the years of World War II. He labored and fought tirelessly to curb business monopolies which work to the disadvantage of the consumers throughout the Nation and threaten our free enterprise system. As chairman of the Senate Committee on the Judiciary, he occupied a position of great power and influence, and yet, as was truly said of him, he never once abused the privileges of his high office.

HARLEY KILGORE was a student and a scholar who used with singular effectiveness his rich storehouse of information to advance the cause of truth and justice and freedom. He was a loyal friend, who needed no assurances and made no demands; a patriot who long and well served our country in war and in peace; a great American who will be sorely missed; and a statesman whose life was an example of how strangely high endeavor may be blest where faith and valor jointly go.

Mr. President, the West Virginia Council of B'nai B'rith lodges awarded HARLEY KILGORE a citation for distinguished service in these words:

In his 14 years in the United States Senate, HARLEY M. KILGORE has worked consistently to safeguard the American tradition of freedom and equality for all. He has promoted respect for the personal dignity of every American of whatever religion, race, or economic status. He has worked to make a reality of the great American dream for the millions of underprivileged Americans. He has helped to preserve and strengthen the American humanitarian principle in legislation by providing a refuge for the hopeless victims of tyranny abroad.

Thus, he has contributed greatly to the enrichment of America's democratic legacy, and in recognition thereof, the West Virginia Council of B'nai B'rith lodges presents this citation, and in appreciation pays this public tribute to an American Senator, who has served his State and his Nation with honor and distinction.

That citation is signed by Bernard Gottlieb, president, and Donald Berman, secretary, and is dated May 1, 1955.

Mr. EASTLAND. Mr. President, this Nation suffered a deep and grievous loss in the death of my good friend and oft-time collaborator, HARLEY KILGORE, who served his State of West Virginia in the United States Senate since 1941. He acquitted himself with honor and distinction in positions of the highest possible trust and responsibility.

I first met Senator KILGORE in 1941, when I was serving a short time in the Senate following the death of Senator Pat Harrison. We were both new Senators at that time, and the spirit of friendship between us which developed from those early days continued until his lamented death.

For many years I was intimately associated with him on the Senate Judiciary Committee, and for the past 2 years he served as an able and aggressive chairman of the committee. Better than anyone else, I realize and appreciate the void that is left in the Senate and on the Judiciary Committee. Not only has he served well and faithfully the State of West Virginia, but the entire Nation.

Senator KILGORE's tenure in the United States Senate has embraced the most crucial period in the history of our country. His yeoman's service during the years of World War II and the Korean war contributed to the strains and stresses that led to his early demise. I know from personal experience that no man ever served more faithfully, more diligently, and more competently in one of the most arduous assignments in the United States Senate. He possessed a genius for organization and the judicial temperament that permitted him to resolve the many and varied conflicting interests that are an integral part of legislative activity.

My colleagues will recall that Harley succeeded Senator Mead as chairman of the Special Senate Committee To Investigate the National Defense Program. There, as on every other committee upon which he was called to serve, he rendered valiant and faithful service to his country.

Mr. President, I know that all the members of the Senate Judiciary Committee join with me in the expression of a deep sense of personal loss because of the death of our past illustrious chairman. As indicative of their sentiments, I ask unanimous consent to have printed in the RECORD the resolution adopted by the Committee on the Judiciary on the death of Senator KILGORE.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE OF THE UNITED STATES,
COMMITTEE ON THE JUDICIARY.

Whereas the Honorable HARLEY M. KILGORE, late a Senator from the State of West Virginia, became a Member of the United States Senate on January 3, 1941, and a member of the Senate Committee on the Judiciary on January 21, 1941; and

Whereas his lovable character, leadership, and outstanding abilities were manifested to the membership of the committee and the United States Senate throughout the course of his service which culminated in his becoming chairman of the Senate Committee on the Judiciary, a post he held with distinction until his untimely passing; and

Whereas by reason of his sincerity, honesty, integrity, his judicial attitude, sympathetic understanding, and unflinching devotion and adherence to duty and principle, Senator HARLEY M. KILGORE was respected and loved by all; and

Whereas the committee is keenly aware of the great loss to the people of the United States, the citizens of the State of West Virginia, the Congress of the United States, and the Committee on the Judiciary in particular, occasioned by the passing of this statesman, legislator, and patriot who was so dedicated to his country and his God; and

Whereas the committee desires to express its deep feeling to the family of the Honorable HARLEY M. KILGORE, late a Senator of the United States from the State of West Virginia: Therefore be it

Resolved, That we, the members of the Senate Committee on the Judiciary, do hereby voice to his loved ones our deep sense of sorrow at his passing and our heartfelt sympathy in the loss of a beloved husband and father; and that a copy of this resolution be transmitted to the family of the late Senator HARLEY M. KILGORE; and be it further

Resolved, That this resolution be made a part of the records of the Committee on the Judiciary.

JAMES O. EASTLAND, ESTES KEFAUVER, OLIN D. JOHNSTON, THOMAS C. HENNINGS, JR., JOHN L. MCCLELLAN, PRICE DANIEL, JOSEPH C. O'MAHONEY, MATTHEW M. NEELY, ALEXANDER WILEY, WILLIAM LANGER, WILLIAM E. JENNER, ARTHUR V. WATKINS, EVERETT M. DIRKSEN, HERMAN WELKER, JOHN MARSHALL BUTLER.

Mr. EASTLAND. Mr. President, I also ask unanimous consent to have printed in the RECORD the resolution adopted by the national executive committee of the American Legion expressing their grief on the death of Senator KILGORE.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE AMERICAN LEGION RESPECTING SENATOR HARLEY M. KILGORE, OF WEST VIRGINIA

Whereas it has pleased Almighty God, the Great Commander, to summon to His immortal legions our beloved comrade, Senator HARLEY M. KILGORE, West Virginia, who, for many years, has been a member of our distinguished guest committee, and who, during his term as United States Senator, has been most helpful to the American Legion; and

Whereas we humbly bow to the will of divine providence, while ever cherishing in our hearts the memory of his distinguished service to our country and his outstanding contributions to American Legion comradeship: Now, therefore, be it

Resolved, That the national executive committee of the American Legion, in regular meeting assembled on this 2d, 3d, and 4th of May, in the year of our Lord 1956, does mourn the passing of our distinguished Legionnaire, Senator HARLEY M. KILGORE, that we commend to all men his works, and to God his spirit; and be it further

Resolved, That in token of our common grief a copy of this resolution be presented to his family.

J. ADDINGTON WAGNER,
National Commander.

Attest:

HENRY D. DUDLEY,
National Adjutant.

Mr. MURRAY. Mr. President, the rank and file of American citizens lost a great leader and a great friend when Senator HARLEY KILGORE, of West Virginia, passed on.

HARLEY KILGORE'S committee work in the United States Senate involved him in armed services, defense mobilization, preparedness, judiciary, and appropriations affairs.

It was never my privilege to serve with him on a major committee assignment,

But whenever there was legislation pending that affected the economic security of our citizens, education, health, or the rights of labor, the distinguished Senator from West Virginia was always a pillar of support for those measures which would benefit the mass of our citizens and build a better, happier Nation.

I shall always remember a dozen different struggles for liberal labor measures, for the reconversion program following World War II, for the Full Employment Act of 1946, for health insurance—yes, and for development of our Western States—in which HARLEY KILGORE was a stanch ally. He was never too preoccupied with matters involved in his own committee work, or his own State's affairs, to lend a strong hand and take a leading role in those legislative matters which he felt important for economic growth and the welfare of all our citizens.

HARLEY KILGORE was intimately familiar with the detail of labor, social security, and economic measures. His energy, his assistance, and his encouragement are already being missed by all of us.

But if we miss his presence, we also feel the effects of the great works he accomplished while he was with us. Many wise policies flowed from his mind. Many beneficial laws which are no longer debated, but accepted as wise policy, bear the indelible imprint of HARLEY KILGORE's contribution to their enactment.

It is with deep sadness that we mark today the passing of the distinguished jurist and legislator from West Virginia, but I am thankful for the privilege of 15 years of close association with him when he was helping to build a better America.

Mr. KEFAUVER. Mr. President, I rise to pay a brief word of tribute to the life, the character, and the public service of the late Senator HARLEY KILGORE.

I had the pleasure of becoming acquainted with Senator KILGORE when he first came to the United States Senate. He soon became a member of the Truman committee, later the Mead committee; and in that capacity he rendered one of the finest public services of which I have ever known.

For a number of years I had the pleasure of being a neighbor—living just across the street—of Senator KILGORE's. I was always impressed with the vast store of knowledge and information he possessed.

He had a firm determination always to help the little fellow, and would stand up against any influence or pressure, in order to do so.

As chairman of the Judiciary Committee, he was responsible for many noteworthy and outstanding achievements in the field of legislation. He always fought strongly for civil liberties, for small-business people, for working men and women. He was a delightful man to serve under, as chairman of a committee.

We miss him very greatly; and I wish to express my sympathy to his wife and his family, whom my wife and I know well, and with whom we are very closely associated.

Mr. JOHNSTON of South Carolina. Mr. President, I like to think that when we eulogize our deceased colleagues, we pay tribute not only to them but also to the ideals and principles by which they lived and for which they died.

HARLEY M. KILGORE was my friend and counselor from the time when I arrived in this body until the day he died. In remembering him, I think of his battles for good government and for the working people of America. No greater ally had the struggling coal miner or the humblest white-collar worker than HARLEY KILGORE. It has been said of him that his heart was as big as the mountains on his home State he served so well. Certainly his heart radiated love for his fellow men and for his country as brightly as does the sun that sets on the mountains he had loved all his life.

Great men sometimes are best loved for the seemingly unimportant achievements of their lives. HARLEY KILGORE devoted much time, money, and effort to the struggle to uplift the less fortunate youth of this country from delinquency to usefulness. The minds and bodies of the youths he helped live on as monuments to HARLEY KILGORE's great love of fellow humans and his Christian way of life.

It was only after the death of this distinguished servant that his family and intimate friends learned he had been working in the Senate and for his people against the strongest of medical advice. He was so dedicated and obsessed with good government and the welfare of his Nation that he forgot his own welfare and health. If any man ever died in the service of his country, HARLEY KILGORE did.

HARLEY KILGORE was human. Like all men, he had his frailties; but, unlike so many men, he was no hypocrite, for he was consistently tolerant of others and their weaknesses. This virtue gained him additional respect from many of us who learned from him so much concerning the daily association with our fellow men.

HARLEY KILGORE, a natural humorist and an earnest student of American history, planned someday to retire and write books of humor and history. That someday never arrived for Senator KILGORE, and I do not believe it would have ever arrived. He simply could not pull himself away from his duty, which he had always placed before all other matters and concerns. Regardless, he left us his humorous stories; and beyond all doubt, he wrote history—even though it was in a legislative way, and not in history books.

It would be impossible to list, here in the Senate, HARLEY KILGORE's accomplishments for America. But he shall be forever remembered by millions of GI's who own homes, have been educated, or otherwise have benefited by his GI bill of rights. Thousands more will never forget his memorable work for lonely neglected children, both when he was a judge in West Virginia and when he was a distinguished Senator.

I believe it fitting that we record here the creed of HARLEY KILGORE—a creed by which he certainly lived:

No man is an iland, intire of itselfe; every man is a peece of the continent, a part of the maine; if a clod bee washed away by the sea, Europe is the lesse, as well as if a promontorie were, as well as if a mannor of thy friends or of thine owne were; any man's death diminishes me, because I am involved in mankinde; and therefore never send to know for whom the bell tolls; it tolls for thee.

Some time ago someone asked HARLEY KILGORE what his hobby was. The late Senator replied: "Trying to go fishing." I believe this expresses fully how busy he always kept himself in looking after the needs of others.

We would be remiss today if we did not recount how he was among the first of West Virginia's volunteers for service in behalf of his country in both World War I and II. In the latter war, however, the late President Roosevelt prevailed upon HARLEY KILGORE to remain in the Senate where he could, and did, best serve his country.

HARLEY KILGORE admired the well-known fisherman's prayer:

Lord grant that I may love to fish until my dying day
And when I've made my final cast most humbly do I pray
That when in God's safe landing net I'm peacefully asleep
That in His mercy I'll be found good enough to keep.

I believe that all of us are assured that HARLEY KILGORE certainly was "good enough to keep", and that God in his infinite wisdom has merely returned to his side one of us who truly was a disciple of Christianity and whose life was an example of how a man should live in the service of mankind.

Mr. LEHMAN. Mr. President, when I first came to the Senate, one of the first men with whom I worked closely was HARLEY M. KILGORE. Under his leadership I was one of a group of Senators who fought for many days for sorely needed amendments to the Displaced Persons Act—a fight which finally ended in success.

As a freshman Senator, and in the years that have passed since I first came to the Halls of Congress, I have greatly valued HARLEY KILGORE's encouragement, his help, and his counsel. He was a fighting liberal. He always looked ahead, never backward. He refused to be discouraged by temporary defeat or to give up the good fight, even when the outlook was the darkest. He was a wise man, a man of great courage and of absolute integrity. I was privileged to call him my friend and was greatly honored to have had his warm friendship in return. He was one of the most considerate, kindly men I have ever known. I am sure that he never knowingly did a mean thing in his life. I mourn loss of a fine Senator and a good and dear friend.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point various editorials, articles, and excerpts from the CONGRESSIONAL RECORD.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

[From the Clarksburg Exponent of February 25, 1956]

A STATESMAN IS DEAD

West Virginians are unanimous in their praise of United States Senator HARLEY M. KILGORE, who died Tuesday in Bethesda

Naval Hospital after a period of Senate service which in consecutive years set a record for service from the Mountain State.

The word "statesman" is the one which we consider as best describing the position which Senator KILGORE filled in the Federal Government as a special representative of the West Virginia people.

The voters of West Virginia chose Senator KILGORE for Senate service in 1940 and they returned him to office in 1946 and 1952. His present term would have continued through 1958 had he survived.

We recall the first Harrison County speech of his 1940 campaign, when he addressed a group of well-wishers at the Masonic Temple here. He was a native of Harrison County and several neighbors and relatives from Brown, the community of his birthplace, were in the first audience.

The 1940 campaign was successful and from that time on Mr. KILGORE took the post of United States Senator in a serious way, determined to do his very best for West Virginia and the Nation.

He was a friend of the late former President Franklin D. Roosevelt and of former President Harry S. Truman. He had served on Senate committees with the latter and after President Truman entered the White House Senator KILGORE was a regular visitor there. When the Republican administration took over, he didn't curtail his efforts for good government but continued to do his utmost for world peace and for major Government measures. In the present Congress he held very important committee assignments, being chairman of the Senate Judiciary Committee and a member of the Senate Appropriations Committee at his death.

Senator KILGORE was known in America and abroad as a man of wise judgment and great initiative. The operation of the Federal Government meant much to him and he was an important figure in helping to make the wheels of Government spin.

The innumerable accomplishments of Senator KILGORE have left a lasting imprint and the American history books will advise children of future generations about his efforts for good goverment.

A quiet, unassuming man, Senator KILGORE seldom spoke out unless he had an important message. His fellow Senators liked him and they respected his precisely correct judgment and his exceptional diligence while in office.

In Washington, HARLEY M. KILGORE looked out especially for the interests of West Virginia and during his years as a Senator he had an especially warm spot in his heart for the citizens of Harrison, his native county. Their special wishes received prompt attention at his Washington office.

Senator KILGORE has answered the final call and after his name go the words "well done." Behind him he leaves thousands of West Virginians who mourn his passing; in Harrison County many who remember him as a kind neighbor; and in the Nation hundreds of thousands who respected his wise counsel and who will remember his good work.

[From the CONGRESSIONAL RECORD of May 21, 1956]

WEST VIRGINIA HONORS A STATESMAN—REMARKS OF HON. ROBERT C. BYRD BEFORE THE WEST VIRGINIA SOCIETY HONORING THE MEMORY OF THE LATE SENATOR HARLEY M. KILGORE

(Extension of remarks of Hon. CLEVELAND M. BAILEY, of West Virginia, in the House of Representatives, Monday, May 21, 1956)

Mr. BAILEY. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I wish to have included the following tribute to the late Senator HARLEY M. KILGORE, of West Virginia, delivered by my colleague the Honorable ROBERT C. BYRD before the West Virginia Society on the occasion of their paying tribute in absentia to a great statesman:

"My fellow West Virginians:

" 'Near a shady wall a rose once grew,
Budded and blossomed in God's free light,
Watered and fed by the morning dew,
Shedding its sweetness day and night.

" 'As it grew and blossomed fair and tall,
Slowly rising to loftier height,
It came to a crevice in the wall,
Through which there shone a beam of light.

" 'Onward it crept with added strength,
With never a thought of fear or pride.
It followed the light through the crevice's length
And unfolded itself on the other side.

" 'The light, the dew, the broadening view
Were found the same as they were before;
And it lost itself in beauties new,
Breathing its fragrance more and more.

" 'Shall chaim of death cause us to grieve,
And make our courage faint or fall?
Nay! Let us faith and hope receive;
The rose still grows beyond the wall.

" 'Scattering fragrance far and wide,
Just as it did in days of yore,
Just as it did on the other side,
Just as it will for evermore.'

"Tonight we honor the life and memory of one of West Virginia's greatest men. The late Hon. HARLEY M. KILGORE was born in Harrison County and reared in Marion County. He was a graduate of the West Virginia University law school, and he moved to Beckley in 1915 and established a law practice. There he married Lois Lilly. He served in the United States Army during and after the First World War. He was elected Judge of the Criminal Court in Raleigh County, and he served 8 years in this office until he was elected to the United States Senate in 1940. Senator KILGORE served with distinction in the United States Senate, and he became known, respected, and loved, not only by his fellow Americans but also by the people of many nations.

"The Scriptures say, 'A man that hath friends must show himself friendly.' HARLEY KILGORE had a multitude of friends. Someone has said, 'There can be no true greatness without humility.' HARLEY KILGORE possessed this virtue. In him the elements of love and humility and kindness and brillance were so mixed that it truly can be said: Here was a man. 'When comes such another?'

"He was the kind of man Emerson had in mind when he wrote:

" 'Not gold, but only men, can make
A nation great and strong,
Men, who for truth and honor's sake,
Stand fast and suffer long.

" 'Brave men who work when other men sleep,
Who dare while others fly,
They build a nation's pillars deep,
And lift them to the sky.'

"I am told that Benjamin Franklin's favorite Scripture quotation was a passage from Proverbs: 'Seest thou a man diligent in his business? He shall stand before kings.' HARLEY KILGORE was diligent in his business, and he walked with kings and presidents and the great men of the earth; yet he never lost the common touch, and perhaps it was this that so endeared him to the people of our own State. They thought of him as a true son of the mountains; one who had breathed the fresh air of liberty; one who had traced the greatness of his Creator in the stars of West Virginia heavens; one who had known the pain and sweat of honest toil; one who had experienced the joys, the sorrows, and the sufferings that crowd the common way of life.

"It is not the privilege of every man to build for himself a great shaft of granite or to engrave his name upon a plate of bronze, but it is within the power of each of us to so live as to plant an everblooming flower within the bosom of all whom we meet. HARLEY KILGORE so lived, and the fragrance of the flower of his life will never cease to shed itself within the lives of those who knew him. It was Tennyson who said, 'I am a part of all that I have met.' Each of us is a part of HARLEY KILGORE.

"He seemed to be dedicated to the task of serving others, and this could well have been the secret of his greatness.

" ' "How far away is the temple of fame?"
Said a youth at the dawn of the day;
He toiled and dreamed of a deathless name;
And the hours went by, and the evening came,
Leaving him feeble, and old, and lame,
To plod on his cheerless way.

" ' "How far away is the temple of good?"
Said a youth at the dawn of the day;
And he strove in the spirit of brotherhood
To help and succor as best he could,
The poor and unfortunate multitude,
In their hard and dreary way.

" 'He was careless alike of praise and blame,
But after his work was done,
An angel of glory from heaven came,
And wrote on high his immortal name,
To proclaim this truth that the temple of fame,
And the temple of good are one.

" 'For this is the lesson that history
Has taught since the world began;
That those whose memories never die,
But shine like stars in the human sky,
And brighter grow as the years roll by,
Are men who live for man.'

"Several months ago the West Virginia Society decided to honor Senator HARLEY M. KILGORE as West Virginia's most outstanding, most noteworthy, most deserving son of the year, and so it was planned to present him with a token of appreciation and esteem upon this occasion. But the Creator and Giver of life altered these plans, and so this evening we pay tribute to one who is no longer with us but the memory of whom will always live in our hearts. His companion is with us, and so we have chosen to present to her that which we had intended to give to him. With Mrs. Kilgore here tonight are her son and daughter and Senator KILGORE'S sister. We are happy that all of them could be present.

"As I prepare to present the plaque to Mrs. Kilgore, may I say to this audience that Senator KILGORE was my neighbor. Raleigh County was our home. I had an opportunity to observe his life, and mine has been enriched thereby.

" 'The roses red upon my neighbor's vine
Are owned by him, but they are also mine.
His was the cost, and his the labor too,
But mine, as well as his, the Joy—their loveliness to view.

" 'They bloom for me, and are for me as fair
As for the man who gives them all his care.
Thus I am rich because a good man grew
A rose-clad vine for all his neighbors' view.

" 'I know from this that others plant for me,
That what they own, my job may also be.
So why be selfish, when so much that's fine,
Was grown for me upon HARLEY KILGORE'S vine.'

"Mrs. Kilgore, we were proud of your husband, and we are proud of you and your family. I know that I speak the thoughts of every person present. On behalf of the West Virginia Society, I present you with this plaque as a token of the love and the pride possessed by all West Virginians whose hearts have been warmed and made glad by the services of your illustrious husband.

May you cherish it forever, and may it not only recall to your memory the many good things he did for all of us but also may it constantly remind you of the way we feel toward West Virginia's great statesman and great son."

[From the Fairmont (W. Va.) Times of February 29, 1956]

A GIANT FALLS

To say that the death of Senator HARLEY M. KILGORE is being deeply mourned in West Virginia is no exaggeration. For the 16 years that he has represented our people in the Upper House of Congress he has become a symbol of the aspirations of our people who dwell in our valleys and mountains. These people, great and small, were at home with him as he was with them.

During his long tenure in the Senate he became a man of great power and influence, but he was more prone to give others the credit for his achievements than to even intimate that the credit belonged to him. Probably every student of World War II knew that he was a member of the famous Truman committee, which supervised the construction of every machine used in the war effort, but few knew he was Mr. Truman's right-hand man on the committee, and had, in fact, conceived the plan for the creation of the committee, as well as that of originating the idea of establishing the Office of War Mobilization in the same war. The credit for many other achievements belonged to him in his long tenure in the Senate.

His service on the Truman committee never really came to an end, because once a week during Mr. Truman's Presidency he paid a visit to the Chief Executive, which were not on the official agenda, but were charged off as pleasant interludes in otherwise busy weeks. Matters often arose in the Senator's office that needed the attention of the President, but they were seldom if ever attended to during one of their meetings, the Senator's explanation being that, in the press of other matters, he had simply forgotten to bring them up.

On the night before Mr. Truman won the vice presidential nomination at Chicago in 1944 he spent hours alone with Senator KILGORE. The latter, who was chairman of our State delegation, never mentioned that fact to his delegation when they assembled the next day. He did volunteer the prediction that during the balloting, which was about to begin, "Harry Truman would show some strength."

Senator KILGORE was something of a master of understatement in practically everything we ever recorded of him except the Mannington baseball team of 1914, of which he was manager, and the West Virginia National Guard, of which he was a colonel to the end of his life. If recollection serves, the Mannington team soundly defeated Fairmont during the days of his management, an achievement he greatly cherished.

As a Senator representing his constituents he was never a "promiser," but never showed a lack of interest in any matter presented to him. As a member his political philosophy was clear and defined. It was said of him that they always knew where he stood.

During the last few years of his life he was plagued by bad health, but those closest to him probably never realized how sick he was. In fact, some of his intimates believed almost to the last that he was getting better. The stroke he suffered, which followed a prolonged paroxysm of coughing, was not anticipated.

HARLEY KILGORE was the only West Virginian to be elected three consecutive times to the Senate. His popularity with the people had its best test 4 years ago when he breasted the Eisenhower tidal wave and won a resounding victory over his Republican opponent. In the same year his resounding primary election victory over a strong opponent, was also a test of the love and affection in which he was held by the people. His November triumph merely proved it.

[From the Fairmont Times of March 2, 1956]

STATE PAYS KILGORE ITS FINAL RESPECTS—HUNDREDS STAND OUTSIDE BECKLEY CHURCH DURING SERVICE ATTENDED BY OFFICIAL SENATE GROUP

BECKLEY, W. Va., March 1.—The State of West Virginia, which he served for 15 years in the United States Senate, paid its last respects today to the late HARLEY M. KILGORE.

The large First Baptist Church here was crowded and several hundred persons were forced to stand outside during funeral services for the 63-year-old Senator, who died Tuesday in Washington of a cerebral hemorrhage.

Burial will not take place until Friday, after the body is returned to Washington for a military funeral at the Fort Myer chapel and interment in Arlington National Cemetery.

Included among the mourners were Gov. William C. Marland, Senator M. M. NEELY and an official party of 12 other Senators, the State's entire congressional delegation and many other persons prominent in public life.

Eulogies of KILGORE, the only West Virginian ever elected to three consecutive Senate terms, were given by the Reverend Alvin J. Cook, pastor of the First Baptist Church, and the Reverend Shirley Donnelly of nearby Crab Orchard, who was associated with KILGORE in National Guard affairs for many years.

The Reverened E. C. Eckard, chaplain of Brown University in Providence, R. I., also offered a prayer.

Dr. Cook quoted from the John Donne poem "No Man Is an Island," which he said was the Senator's favorite and represented the philosophy around which he shaped his life.

Both ministers said that while KILGORE rose to great heights in politics, he remained a humble man—one whom the people knew would understand their problems and whom they could trust.

Seated at the front of the church were the Senator's widow, Mrs. Lois Kilgore; his son, Robert, of Washington, and daughter, Mrs. Albert T. Young Jr., of Falls Church, Va., and a sister, Mrs. C. R. Turner of Cleveland, Ohio.

West Virginia National Guardsmen served as pallbearers, while the honorary pallbearers included the State's congressional delegation and the official Senate delegation, including Senator EASTLAND of Mississippi, who succeeds him as Judiciary Committee chairman, and Minority Leader WILLIAM KNOWLAND of California.

Following the hour-long service, the flag-draped casket was taken to the railroad station at Prince to be sent back to Washington, where the train was to arrive about 4 a. m. Friday. The body will be taken to the Fort Myer chapel at 7:3 a. m., with the military funeral scheduled at 10 a. m. The services will be conducted by Senate Chaplain Frederick Harris and the Fort Meyer post chaplain. Burial will be in a plot near the grave of President William Howard Taft.

[From Labor's Daily of March 6, 1956]

SENATOR HARLEY M. KILGORE

Because organized labor and the common people of America have such few unswerving champions in the United States Senate, the death of Senator HARLEY KILGORE, of West Virginia, will be the more keenly felt.

Senator KILGORE'S vote could always be counted on the side of legislation for the social and economic betterment of the people. Trade unionists considered him one of their most consistent supporters.

As a judge in West Virginia before going to the Senate, Senator KILGORE early evinced a keen interest in juvenile problems. He was responsible for many reforms calculated to remove the causes of juvenile delinquency, and as a Senator he championed a fair break for American youth.

His sound knowledge of law, his profound humanness and his strong social conscience stood him in good stead as chairman of the Senate Judiciary Committee.

Senator KILGORE was a member of that small but powerful liberal bloc in the Senate which always stood so resolutely for the general welfare of the people.

His passing is a great loss to all America.

[From the Fairmont Times of March 2, 1956]

WATKINS CLOSES COURT IN HONOR OF SENATOR KILGORE

The United States district court judge's office and that of the district clerk were closed following court adjournment yesterday by presiding Judge Harry E. Watkins in tribute to the late United States Senator HARLEY M. KILGORE.

The text of a memorial by Judge Watkins presented in court yesterday follows:

"There is no better measure of a man's worth than the character and extent of his influence over other men. Judged by such a standard, the value of HARLEY KILGORE to those among whom he lived and worked cannot be overestimated. The influence that he exerted was quiet and unconscious. He stimulated others by example rather than by precept.

"He was intensely interested in the Federal courts, and was known among the Federal judges of the United States as a friend of the courts.

"As chairman of the powerful Senate Judiciary Committee, and as a member of the Appropriations Committee, he strived constantly to improve the administration of justice. The Federal Youth Corrections Act and many other important laws bear his name.

"Neither the honors which came to him nor the duties of high position ever abated his love of his native State and its people, an affection which was returned in kind. We can confer on him the greatest and simplest of all accolades—the Master's 'Well done, thou good and faithful servant.'"

[From the West Virginian of February 28, 1956]

KILGORE POLITICAL ACTIVITIES VARIED

HARLEY MARTIN KILGORE, United States Senator was born in Brown, Harrison County, January 11, 1893, son of Quimby Hugh and Laura Jo (Martin) Kilgore.

He was a decendant of John Kilgore, who emigrated from Ireland in 1730 and settled in Chester, Pa. His father was an oil well driller and contractor.

Senator KILGORE attended West Virginia public schools and was graduated with a bachelor of law degree at West Virginia University in 1914. In 1914–15 he taught public school in Hancock County, and in 1915 organized the first high school in Raleigh County, serving for a year as its principal. In 1916 he began the practice of law in Beckley.

When the United States entered the first world war he enlisted in Raleigh County and served from May 15, 1917, to March 13, 1920, being discharged as a captain of infantry. After the war he was a member of the West Virginia national guard from 1921 until 1940, attaining the rank of lieutenant colonel; and from 1922 to 1932 he was commander of its second battalion.

Having resumed the practice of law in Beckley in 1920, he continued to practice until January 1, 1933, when he become judge of the criminal court of Raleigh County.

He was reelected to the judgeship in 1938, and served until his election, as a Democrat, to the United States Senate November 5, 1940.

In the fall of 1940, while campaigning for the Senate, he was called into military service as judge advocate with the State Selective Service System of West Virginia.

During his first 6 years in the Senate, he rose to a position of national prominence as a leader of the liberal Democratic forces.

Throughout the crucial war years he was chairman of the Special Subcommittee on War Mobilization of the Senate Committee on Military Affairs. As a special investigating arm of the Committee on Military Affairs, created in 1942 by Senate resolution and continued through the 79th Congress, the subcommittee was active in three major areas of investigation.

The first of these was the better overall organization of the war effort. In this field subcommittee studies led first to the creation by executive order of the Office of War Mobilization, of which James F. Byrnes served as administrator, and later to the creation by Congress of the Office of War Mobilization and Reconversion.

The second area of investigation was the progress of science and technology. Subcommittee studies led to a number of recommendations for the improvement of the war effort through the fuller mobilization and better use of the scientific and technological resources of the Nation. It perfected a bill (S. 1850 of the 79th Congress) for the promotion of full peacetime use of science, a bill which received the support of all major scientific groups in the United States and was passed by the Senate in July 1945, but failed to reach a vote in the House of Representatives.

The third major field of the subcommittee's investigations included cartels and German resources for war. Under Senator KILGORE'S leadership the subcommittee made a thorough investigation and exposed the cartel relationships among German monopolies, which were the backbone of the Nazi war effort, and American, British, and other monopolies.

These investigations showed how cartels were jeopardizing the national defense and hindering the war effort of the United States, and they proved useful in shaping governmental attitude and public opinion against the resumption by American firms of cartel or world monopoly agreements.

The subcommittee also made a detailed analysis of newly captured German documents and published reports warning Congress and the Nation of German plans and resources for a third attempt at world conquest, and it exposed the network of Nazi espionage throughout the world, publishing captured Nazi lists of party members in the United States and other countries.

As a member of the full Committee on Military Affairs, Senator KILGORE successfully led the fight against various compulsory labor bills which were introduced in the Senate during the war. He insisted that voluntary labor in America under a coordinated manpower program would do a job of war production superior to that of forced labor.

In the Committee on Military Affairs, long before it became a popular issue, Senator KILGORE in 1941 sponsored legislation with Senator Edwin C. Johnson, of Colorado, for the unification of the War and Navy Departments.

War contract termination and surplus property legislation introduced by this committee and enacted in 1944 embodied features which were sponsored and strongly advocated by him, including priorities to veterans and favorable terms for the disposal of surplus property to State and local governments.

Senator KILGORE also took an active part in the work of the Senate Committee on the Judiciary. He was a member of the subcommittee which favorably reported the bill to abolish the poll tax as a limitation on the franchise in Federal elections, and was a leader in the fight to have this bill reported by the full committee and brought to a vote in the Senate in the face of a threatened filibuster by Members of the Senate from poll-tax States.

Senator KILGORE was named a member of the Special Senate Committee to Investigate the National Defense Program in November 1941, serving first under the chairmanship of Senator Harry S. Truman and then under Senator James M. Mead. When Senator Mead resigned the chairmanship on becoming a candidate for the governorship of New York, Senator KILGORE was unanimously elected chairman of the committee on October 1, 1946.

In his investigations as a member of this committee he traveled more than 100,000 miles, holding hearings, inspections, and conferences in all parts of the United States, in Alaska and in Germany.

He served as subcommittee chairman or otherwise took an active part in the committee investigations of steel, aluminum, rubber, shipping and shipbuilding, oil, aviation, manpower, domestic surpluses, the Canol project, Erie Basin Metal Products, Curtiss-Wright engines, and the Pan-American highway.

The major objectives of all these investigations were the same: To protect the lives of soldiers by providing them with superior equipment, to break bottlenecks of production, and to expose and correct waste and inefficiency.

Before the end of the war Senator KILGORE took the lead in the Senate in sponsoring a broad program for the reconversion of the United States from war to peace. The program, embodied in what became known as the Kilgore bill, called for an orderly transition to full peacetime production, with provisions for an adequate wage level, security for war veterans, Federal aid to education, a long-range housing program, broad health and social-security measures, and guaranties against inflation.

After a long Senate battle some parts of the program were enacted but in large measure it was defeated by the votes of conservative members of both the Democratic and Republican Parties.

Senator KILGORE was reelected on November 5, 1946, in the face of widespread Republican gains in other States, for the term ending January 3, 1953. In a hard-fought campaign for reelection he had the support of all groups of organized labor except the leadership of John L. Lewis' United Mine Workers who on the eve of the balloting announced their support of his Republican opponent.

In spite of this stand, he received the support of the overwhelming majority of the rank and file members of the United Mine Workers.

In the closing days of the 79th Congress, as chairman of the Committee to Investigate the National Defense Program, he appointed a subcommittee which was active in the exposure of the relations between certain war contractors and Senator Theodore G. Bilbo, of Mississippi.

Senator KILGORE has published articles in a wide range of periodicals, has made many radio addresses, and has been in demand throughout the United States as a public speaker.

He was married in Huntington, May 10, 1921, to Lois Elaine, daughter of David Green Lilly, a teacher and businessman of Bluefield. They had two children, Robert Martin, and Elinor Stuart Kilgore, who married Albert Thomas Young, Jr.

[From the Raleigh Register of March 1, 1956]

LOCAL FUNERAL CONDUCTED FOR SENATOR KILGORE—30 CONGRESSMEN PAY RESPECTS AT AFTERNOON RITES

Funeral services were held at 2 p. m. today at the First Baptist Church for United States Senator HARLEY M. KILGORE, who died Tuesday in a Bethesda, Md., hospital from a brain hemorrhage.

At 63, he was the first West Virginia elected to three consecutive terms in the Senate.

Some 30 Members of Congress joined his hometown friends in paying their last respects to the man who rose from a Raleigh County judgeship to become chairman of the Senate's powerful Judiciary Committee.

Before the 2 p. m. funeral services at which Dr. Alvin J. Cook, church pastor, presided, he told newsmen his sermon would be brief. He said portions of the message which he had prepared at that time—some 5 or 6 minutes in length—may be omitted later.

The eulogy began with a tribute to Senator KILGORE and the message was to be one of hope and promise for the future and of consolation to the family and friends.

Dr. Cook was to be assisted by the Reverend C. Shirley Donnelly, of the Crab Orchard Baptist Church.

In Charleston today, the State capitol was closed out of respect to Senator KILGORE. Here in his hometown, city and county offices, banks, and most stores were closed during the afternoon or funeral hour.

Statements of sympathy to Mrs. Kilgore included one from President Eisenhower, stating "your loss is in a true sense shared by many thousands of your husband's friends in Washington, West Virginia, and throughout the country."

The Washington dignitaries arrived in Raleigh County today by train and airplane.

Five United States Senators and other governmental people arrived at the Prince train station at 7:50 a. m. today from Washington.

A caravan of 6 cars driven by Beckley businessmen and escorted by 2 State Police cars met them. Within a few minutes the party, which included West Virginia Senator MATTHEW M. NEELY, had been escorted to the waiting cars, and the small procession moved swiftly up the mountain towards its destination.

Frost and snow clung to the branches of the trees, and the sun burst forth from a blue sky—giving the visitors an awe-inspiring scene at which to gaze as they were being transported to the hometown of their late fellow Congressman.

Two airplanes carrying passengers from the Nation's Capital arrived at Memorial Airport shortly after 11 a. m., and also was met by local business people.

Arriving in this group of 18 were members of the late Senator's office staff.

His administrative assistant, Harold Miller, accompanied the body which arrived at Prince Wednesday night. Also on the same train was the Senator's family, including a sister, the former Helen Kilgore, now Mrs. Russell Turner, of Cleveland, Ohio.

Scheduled to come by air were Senators J. ALLEN FREAR, Jr., Delaware: HENRY C. DWORSHAK, Idaho; and GORDON ALLOT, Colorado.

Among State officials present were Attorney General John Fox and his party; J. Howard Myers, chairman of the State Democratic executive committee; and Albert D. Viller, Clarksburg.

A member of the party said Indiana Senator WILLIAM E. JENNER would not be able to attend.

The out-of-town people were guests at a luncheon today at the Beckley Hotel arranged by E. E. Bibb on behalf of National Democratic Committeeman Arthur B. Koontz.

Miller said that former President Harry S. Truman told him that illness in his family would prevent him from attending the funeral services.

The Senator's family is staying with Mrs. Kilgore's sister, Mrs. W. W. Wilkes, while they are in town. The remainder of the group is at the Beckley Hotel.

The body will be returned to Washington tonight for a military funeral Friday at Fort Myer, Va. Burial will be made in the Arlington National Cemetery, possibly near the burial place of President William Howard Taft.

Several hundred people were present at Prince when the body arrived, and a representative from Calfee Funeral Home, where the body remained overnight, said some 2,000 persons had filed past the open casket there and at the church, where it was moved at 10 a. m.

[From the Raleigh Register of March 2, 1956]

BUG DUST

(By C. J. "Needy" McQuade)

The death and events leading up to the funeral services and final departure from Beckley of Senator HARLEY M. KILGORE inspired hundreds of expressions of regret and respect from the local to the national level.

In like manner, much reminiscing resulted as his personal and political friends weighed the man and his career, and considered whether their lives had been enriched by his friendship.

KILGORE'S record of election to three consecutive terms to the United States Senate—a mark not equaled in West Virginia's political history—will stand as a monument to his service.

Many hundreds of Raleigh Countians will not be unduly concerned with history's eventual evaluation of HARLEY KILGORE, the Senator and the politician.

Instead, they will remember him—kindly and sincerely—as HARLEY KILGORE, their departed friend and good neighbor. These people will remember him long after his feats and failures of the political world have been tossed aside to gather dust while awaiting the final evaluation by the historians.

Politically, HARLEY KILGORE had his friends and his foes. Like every other public figure whose life is as private as a fish bowl, his faults and failures were magnified and multiplied by those who disagreed, those who didn't know all the reasons and the answers, and by those who didn't want to know.

Many of Raleigh County's oldtimers will remember him only as assistant principal and basketball coach at Eccles. Others will remember him best for his affiliations with the old Beckley Institute—its educational work, its sports and its social activities.

A goodly number will recall his service in World War I when he was mustered out as a captain; the oldline National Guardsmen know that HARLEY KILGORE was their friend, and many will best remember him as the amiable judge of the Raleigh County Criminal Court.

It followed as night follows the day that he lost the personal touch with Raleigh Countians when he moved into the national spotlight as a United States Senator. From that point until his death much of his following and support came through political channels. To the younger generations he was a person removed, a headline, or a story in the newspaper.

Political friendships are shallow, meaningless, sometimes ugly. This was proved emphatically in Beckley on Wednesday night and Thursday. The different methods by which real friends and political friends pay their last respects was never more pointed.

At the flower-bedecked chapel at the Calfee Funeral Home Wednesday night HARLEY KILGORE'S friends—his former neighbors and associates—called to pay respects which came from saddened hearts. These were the people "who knew him when," and they still admired and loved him.

Thursday at noon the political friendships were exposed to the test and they didn't look too wholesome. Many of the political leaders who came to pay their respects completely lost sight of their missions in the heat of a campaign year. At a buffet luncheon the major concern about HARLEY M. KILGORE was who would be named to the seat he formerly held in the Senate.

That friendship will not continue to the end which is begun for an end.

This writer's first impression and admiration of HARLEY M. KILGORE came many, many years ago before he was affiliated with things political. It became a friendship nurtured by mutual respect that could not be lessened by human failures, or lost in the glamor of titles and high places.

Truly, "the light of friendship is like the light of phosphorus, seen plainest when all around is dark."

[From Beckley Post-Herald of March 3, 1956]

FROM DAY TO DAY

(By Eugene L. Scott)

KILGORE ALMOST BECAME PRESIDENT

West Virginians paid final tribute yesterday to one of the Mountain State's native sons who might have become President of the United States.

We picked up the story of how Senator HARLEY M. KILGORE turned down the offer of the vice presidency in 1944, stepping aside in favor of his close friend, Harry Truman.

It happened in New York, early in 1944, after President Franklin D. Roosevelt had made up his mind to seek a fourth term and was already giving some thought to his running mate. The meeting included several officials of the Roosevelt administration and one of Roosevelt's aides. KILGORE was present, along with our informant, who asked to remain anonymous. We have no reason to doubt the authenticity of his account. He told it this way:

Roosevelt's aide asked Senator KILGORE if he would be receptive to the vice presidential nomination. He said the President had made up his mind to have Vice President Henry A. Wallace replaced on the ticket that fall, and FDR had suggested that KILGORE be his running mate.

KILGORE was silent for a few moments and then spoke in this fashion: "Naturally I consider it a great honor to be considered for the vice presidency, but I can think of a more logical candidate—Senator Truman. He's from the Midwest, is chairman of the Senate War Investigations Committee. I think he is a more logical candidate than myself, and I would prefer to see him on the ticket."

That, briefly, was the substance of what went on in the smoke-filled room in New York early in 1944 when the fourth-term plans began to take shape.

This incident ties in with the political story that was later to unfold, and which since has become history. FDR did ditch Wallace; he did give the nod to Truman; and the Missourian became President.

Newspaper accounts of the political maneuvering that preceded the 1944 Democratic convention listed Senator KILGORE among the possible vice presidential candidates. Moreover, Truman and KILGORE, friends before all this took place, seemed to become closer after Truman was elevated to the Presidency. In all probability Truman was aware that KILGORE'S recommendation at the New York meeting had much to do with Roosevelt's decision to select him as his running mate in 1944.

On such decisions, seemingly unimportant at the moment, hang the destiny of men—which brings to mind the lines from Shakespeare:

"There is a tide in the affairs of men,
Which, taken at the flood, leads on to fortune,
Omitted, all the voyage of their life
Is bound in shallows, and in miseries."

It is easy to imagine that some Democratic politicians were thinking such thoughts yesterday when they came here to pay final tribute to Senator KILGORE. Had his death occurred 6 weeks ago, the whole political picture might well have been changed in West Virginia. Three or 4 men who made political decisions since then that virtually ruled themselves out as successor to Senator KILGORE'S seat. And so it goes.

We erred the other day when we said that if Governor Marland should appoint Representative ROBERT O. MOLLOHAN or Representative ROBERT C. BYRD to the Senate vacancy, it would give him an opportunity to make a second appointment to the Congressman's seat. Half-a-dozen authorities on the Constitution quickly called our hand, pointing out that no vacancy in the House of Representatives can be filled by appointment. If a Member dies or resigns, the governor of his State must call a special election to fill the vacancy.

Senator KILGORE'S final rites drew probably the largest funeral audience in Beckley's history. Certainly there were more national and State political figures, both Democrats and Republicans, present than on any previous occasion.

United States Senate representatives spoke highly of the cordial and courteous manner in which they were welcomed in Beckley. One said he had attended half-a-dozen such occasions, resulting from the death of a Member of the Senate, and none of them had been conducted more reverently or in a more gentile manner than yesterday's luncheon for the visiting magistrates.

West Virginia has sent only 26 men to the United States Senate during the State's history. Four of these died in office—Allen T. Caperton, of Monroe County; John E. Kenna, of Kanawha County; and Stephen B. Elkins, of Randolph County; and Harley M. Kilgore.

Others who have represented West Virginia in the Senate are Peter G. Van Winkle, Waitman T. Willey, Arthur I. Boreman, Henry G. Davis, Samuel Price, Frank Hereford, Johnson N. Camden, Charles J. Faulkner, Nathan B. Scott, Davis Elkins, Clarence W. Watson, William E. Chilton, Nathan Goff, Howard Sutherland, Matthew M. Neely, Guy D. Goff, Henry D. Hatfield, Rush D. Holt, Joseph Rosier, Chapman Revercomb, and Hugh Ike Shott, who served the briefest time of them all. Mr. Shott served from the November election in 1942 until Senator Revercomb took office in the beginning of 1943.

[From the Beckley Post-Herald of March 2, 1956]

KILGORE'S BODY OFF AFTER CITY FUNERAL—ONE THOUSAND FIVE HUNDRED PERSONS CROWD CHURCH

Senator HARLEY M. KILGORE left his home town last night for the last time.

His flag-draped casket was loaded aboard an east-bound train at the Prince railroad station shortly before 7 p. m. At 7: 08 the train began its journey to Washington and final funeral services for the 63-year-old Beckleyan, who died Tuesday.

Today's services will be conducted at Ft. Myer, Va., burial will follow in Arlington National Cemetery.

An estimated 1,500 crowded the First Baptist Church here yesterday afternoon for the first of the two funerals. Another 1,500 lined Neville Street outside the church, awaiting the funeral's end and a look at the casket.

The 40-minute service, which began shortly after 2 p. m. was conducted by Rev. Alvin J. Cook, church pastor, and Rev. Shirley Donnelly, pastor of the Crab Orchard Baptist Church. KILGORE was a member of the First Baptist Church.

Describing KILGORE as a Senator of renown Mr. Donnelly said he was one of 26 men whom West Virginia has sent to the Senate since becoming a member of the Union, and 1 of 4 West Virginia Senators to die while in office.

"Why one so eminently useful" should die "is a secret that will remain locked in the bosom of God," said Mr. Donnelly, adding:

"We knew Senator KILGORE as a man of ability * * * this man of the mountains that never lost the common touch."

HAD COMMON TOUCH

Mr. Donnelly said the common people trusted KILGORE "and their faith was not misplaced. We always knew he would do the right thing, and not follow the path of expediency."

As the Senator's widow, son, and daughter listened, Mr. Donnelly continued:

"He was easy of approach. Because he was true to himself, he could not be false to anyone."

But the Senator "would be the last to leave the impression he was without faults: his feet were made of clay." Nevertheless, said the minister, "If those he helped would drop but one petal on his body, he would sleep among a wilderness of flowers."

KILGORE brought great honor to his State and Nation, said Mr. Cook. He said that he had told one of the United States Senators, here for the funeral, that it was a real tribute that so many Congressmen had come to pay their respects.

The Senator's reply, according to Mr. Cook: "He deserves every bit of it; he richly deserves it."

LEADERSHIP SHOWN EARLY

In bygone days, when KILGORE was a Raleigh County judge, "he already began to show the qualities of leadership, the results of a life-shaping philosophy," said Mr. Cook.

As an illustration of that philosophy, the minister said that during World War II the vice president of New York State's Gideon Society came to Mr. Cook and said that because of the shortage of paper, the printing of New Testaments for soldiers overseas had been curtailed.

Would Mr. Cook write KILGORE a letter asking him to see what he could do? Mr. Cook would and did, although "I knew under what strain he was working." The paper, thanks to KILGORE, was forthcoming.

"This philosophy helped to build him into a walking embodiment of our American democracy," said Mr. Cook. "Nothing that concerned you could fail to enlist his interest."

Congressmen here for the funeral arrived by both train and plane. A train which reached Prince at 7:50 a. m. brought some, while a Coast Guard plane landed at the memorial airport at 11:05 a. m., with others.

NINE SENATORS HERE

The Senators here were MATTHEW NEELY, of West Virginia; JAMES O. EASTLAND, of Mississippi; DENNIS CHAVEZ, of New Mexico; J. ALLEN FREAR, Jr., of Delaware; JAMES E. MURRAY, of Montana; PAT MCNAMARA, of Michigan; GORDON ALLOTT, of Colorado; HENRY C. DWORSHAK, of Idaho; and HERMAN WELKER, of Idaho.

Four candidates for Governor were here to pay their respects. They were Howard Myers, Representative Robert Mollohan, Albert D. Viller—all Democrats—and Charleston's Mayor John T. Copenhaver, Republican.

Other dignitaries present:

United States Representatives ROBERT C. BYRD, HARLEY STAGGERS, CLEVELAND BAILEY, Mrs. ELIZABETH KEE, M. G. BURNSIDE.

Former United States Senator Chapman Revercomb, a Republican; Walter Hallanan, Republican national committeeman, and his secretary, Sam Mallison.

Governor Marland, Attorney General John Fox, State Tax Commissioner William Laird III, State Superintendent of Schools W. W. Trent, Commissioner of Agriculture J. T. Johnson.

State Auditor Edgar B. Sims, State Treasurer William H. Ansel, Jr., Adjutant General Charles R. Fox.

More than 20 members of the State senate and house of delegates attended the funeral.

A buffet luncheon for KILGORE's friends and colleagues began at 12:30 p. m. in the ballroom of the Beckley Hotel.

[From the Congressional Record of March 2, 1956]

SENATOR HARLEY M. KILGORE

(Extension of remarks of Hon. ELIZABETH KEE, of West Virginia, in the House of Representatives, Friday, March 2, 1956)

Mrs. KEE. Mr. Speaker, the late Honorable HARLEY M. KILGORE was beloved by the people of our State of West Virginia for his qualities of greatness and for his fairness and concern for the welfare of all of our people. He was also greatly loved and honored by others outside of our State. Among the many tributes paid him is the following telegram of sympathy sent to Mrs. Kilgore on behalf of the United Mine Workers of America by President John L. Lewis, Vice President Thomas Kennedy, and Secretary-Treasurer John Owens:

"We have learned with deep regret the sad news of the untimely death of your distinguished husband. As a result of his passing, you and the members of your family have sustained a deep personal loss which mere words could not possibly atone for. In addition, Senator KILGORE's death has removed from the citizenry of the State of West Virginia one of its outstanding leaders and public servants, and the Nation has lost one of its most eminent statesmen. Down through the years, Senator KILGORE has build up a magnificent reputation as a result of his willingness at all times to serve all Americans on a fair basis, and his demise has created a void in our population which will be very hard to fill. On behalf of every member of the United Mine Workers of America we extend to you and your family our sincere expression of sympathy and condolence in your sad bereavement."

The United Mine Workers Journal also paid tribute to Senator KILGORE in the following article published in the issue of March 1, 1956:

"SENATOR HARLEY M. KILGORE, 63

"Officials and members of the United Mine Workers of America joined with thousands of others in paying tribute to Senator HARLEY M. KILGORE, Democrat, West Virginia, 63, who died February 28 at the United States Naval Hospital at Bethesda, Md.

"Senator KILGORE, who always worked and voted for the best interests of the Nation's coal miners, entered the hospital February 13 for a physical checkup and treatment for high blood pressure. He suffered a stroke on February 25, after which he recovered slightly, only to succumb to a cerebral hemorrhage early in the morning of February 28.

"Senator KILGORE was born January 11, 1893, in Brown, Harrison County, W. Va. He attended West Virginia public schools and graduated from West Virginia University in 1914. Although he had studied law, he first entered the teaching profession and, in 1916, organized the first high school in Raleigh County, W. Va., serving for a year as its principal.

"He practiced law at Beckley, W. Va., from 1916 to 1933, interrupted only by 3 years' service in the Army during World War I from which he emerged with the rank of captain. He helped organize the National Guard in West Virginia and was one of those who saw to it that the guard was never used to break strikes in the Mountain State during the turbulent period of industrial strife in the 1920's. He retired from the guard in 1953 with the rank of colonel.

"When the Democratic Party swept State and national elections in 1932, Senator KILGORE, then one of the leaders of the Young Democrats in West Virginia, was elected judge of the criminal court of Raleigh County, W. Va., a post he held until his election to the United States Senate in 1940. As a judge he won a statewide reputation for his deep concern with the problems of youthful offenders.

"He was first elected to the United States Senate in 1940, defeating an old and bitter enemy of the UMWA—Rush Holt—in the Democratic primary, and the Republican candidate, Thomas Sweeney, in the general election. He again defeated Sweeney in the 1946 election in spite of widespread Republican gains in the rest of the country. He was reelected in 1952, defeating former Senator Chapman Revercomb, the Republican candidate, thus becoming the first person ever elected to three successive Senate terms by the voters of West Virginia.

"At the time of his death, Senator KILGORE was chairman of the powerful Senate Judiciary Committee and also chairman of that committee's Subcommittee on Monopoly and Immigration. He had previously served on the Armed Services Committee, and the former Senate Committees on Privileges and Elections, Mines and Mining, Military Affairs, Claims, and the special (Truman) committee to investigate the national defense program. Senator KILGORE said that the idea for formation of the famous Truman committee was hit upon when he and Truman rode back to Washington together from the inauguration of Senator MATTHEW M. NEELY as Governor of West Virginia in 1941. The discussion on that train ride led both Senators to agree that a committee similar to the congressional war investigation committee during the Civil War period was needed to protect the public during World War II. The Truman committee was formed, and its activities were carried on by Senator KILGORE when Truman was elevated to the Vice Presidency.

"But perhaps Senator KILGORE's greatest contribution as a Senator was his sustained effort as a voting Member of the Senate for betterment of conditions for America's working people. His work on behalf of prolabor legislation, such as the Federal mine safety laws, and his battle against reactionary laws, such as the Taft-Hartley Act, add considerably to his stature as a servant of the people of West Virginia and the United States.

"The body was taken to Beckley, where funeral services were to be held at 2 p. m., March 1, at the First Baptist Church. A burial ceremony, with full military honors, was scheduled for 2 p. m., March 2, at the chapel at Fort Myer, Va. Interment will be at the Arlington National Cemetery, Va., across the Potomac River from Washington, D. C.

"Senator KILGORE is survived by his widow, Mrs. Lois Kilgore; two children, Mrs. Albert T. Young, Jr., of Falls Church, Va., and Robert Martin Kilgore, of Washington, D. C.; a sister, Mrs. C. Russel Turner, of Cleveland, Ohio; and five grandchildren."

Another splendid tribute to Senator KILGORE was published in the current issue of the newspaper, Labor. This is as follows:

"WORKERS LOSE GREAT FRIEND IN DEATH OF SENATOR KILGORE—FOUGHT FOR PEOPLE AND AGAINST MONOPOLY

"Railroad workers and all labor lost a time-tried friend this week when Senator HARLEY M. KILGORE, Democrat, of West Virginia, died

suddenly at 63, at Bethesda Naval Hospital after a mild stroke that was followed by a cerebral hemorrhage.

"From the very first day he entered the Senate over 15 years ago, KILGORE proved himself the kind of man who understood the needs of the plain people. He fought for the public interest against selfish special interests, and won extraordinary respect and influence among his colleagues in Congress. The rail union chiefs endorsed him wholeheartedly, and Labor supported him with a special edition when he ran for reelection in 1952.

"INSPIRING STORY

"KILGORE'S life is an inspiring American story. Son of a pioneer West Virginia oil and gas driller and contractor, KILGORE while still a boy stabbed pipe in the oilfields. During high-school vacations, he dug ditches, worked on pipelines, and did other hard jobs.

"Young KILGORE went on to study law at the University of West Virginia, and was a leader in student activities. He developed a deep belief that every American should have a chance to get a good education. As a result, he was a Senate leader in improving educational opportunities for boys and girls whose parents are not rich.

"After graduating, KILGORE took a teaching job in a county where there were no schools beyond the elementary grades. He organized the first high school there, and became its first principal.

"SERVED AS SOLDIER

"KILGORE opened a law office, but left it when Uncle Sam entered World War I. He volunteered as an enlisted man and came out a captain. In the years since then, he deeply studied military history and science, particularly supply problems, and acquired knowledge which enabled him, as a Senator, to make great contributions to the winning of World War II.

"In 1932, KILGORE was elected judge of the criminal court of Raleigh County. He won a reputation, particularly among the coal miners, as a judge who tempered justice with wisdom and mercy.

"With this rich and broad background of experience, KILGORE came to Washington after he was elected to the Senate in 1940. An unusual honor was conferred on him as a freshman Senator. He was appointed to the famous Senate Defense Investigating Committee, then called the Truman committee because its chairman was the Senator who later became President. Later KILGORE succeeded Truman as chairman.

"That committee saved the American people billions of dollars by exposing waste, inefficiency, and graft in the vast defense program preparing for World War II. But KILGORE saw it was even more important to prevent misdeeds than to expose them after they happened. He led in setting up new Government machinery for that purpose. The Senate recognized his good work by making him chairman of a war mobilization subcommittee, which became famous as the Kilgore committee.

"FOUGHT CARTELS

"Also, KILGORE exposed and defeated international cartels which were weakening Uncle Sam and strengthening his enemies.

"As chairman of the powerful Senate Judiciary Committee and of its Antitrust Subcommittee, KILGORE in recent months has again been following the trail of the international cartels, to see that they do not misuse America's vast public and private investments abroad to strengthen old monopolies and create new ones.

"It would take a big book to tell all KILGORE has done. The railroad workers hope West Virginia will send to the Senate a worthy successor."

[From the CONGRESSIONAL RECORD of July 6, 1956]

THE LATE HARLEY M. KILGORE

(Extension of remarks of Hon. ELIZABETH KEE, of West Virginia, in the House of Representatives, Friday, July 6, 1956)

Mrs. KEE. Mr. Speaker, Monday the Members of the United States Senate will pause from their important legislative duties to pay fitting, appropriate, and justly due tribute to the memory of two outstanding late Members of the United States Senate—former Vice President ALBEN BARKLEY, and the late United States Senator, HARLEY M. KILGORE, of West Virginia.

On February 28, 1956, our dearly beloved and highly respected counselor and friend, HARLEY KILGORE, was called to join his Father in the land of rest and peace.

While I am not capable of adequately paying just tribute to the memory of this illustrious West Virginia son, who has done so very much for all of us, I pause for this moment of respect to our tried and true friend.

Time being the great healer it is, the first shock of grief has passed since HARLEY KILGORE raised his voice for the last time in the United States Senate Chamber. However, the emptiness is still here. Every true son and daughter of West Virginia still feels a great sense of loss at the passing of this great American. The word "great" is used advisedly, for no man has labored more valiantly for the principles of this Nation than our late beloved friend, HARVEY KILGORE. His outstanding leadership and his accomplishments were a tremendous source of inspiration to all who knew him.

Because of his proven ability, the senior statesmen of our country often turned to HARLEY KILGORE for sage counsel. Now that leadership and counsel are missing, never to be completely replaced.

While our personal loss has been overwhelming, while the loss to our home State of West Virginia, our Nation, and the freedom-loving people of the world over has also been great, I know that we are each and every one better off because of the life and work of HARLEY KILGORE. He was extremely fortunate in that he enjoyed the comfort of a wonderful wife who did so much to help him along the way. Mrs. Kilgore is a lovely, charming, intelligent, and understanding lady who was always by HARLEY'S side and anxious to do everything possible to help him.

Senator KILGORE'S son Bob, and his daughter Eleanor, were the most loyal children a man could have. Their children, the Senator's grandchildren, were the refreshing joy of his life.

Equally comforting for us to know, the Senator had the satisfaction of knowing the full meaning of the words, "Well done, thou good and faithful servant."

HARLEY KILGORE was a modest man, never one for too much talk. He believed that a man was as he did, not as he said. There stand many monuments to him today in our home State of West Virginia. They are not of marble nor of bronze. These monuments are living flesh and blood—young men and women whom he helped to find their way into a productive role in society. As long as he lived, he believed that the greatest gift of mankind was its youth, and with that thought as his guide, he lived a full and useful life under God with His devine help and inspiration.

When HARLEY KILGORE passed away, the world lost a leading statesman, the Congress lost an outstanding Senator of experience and proven ability, and West Virginia lost a great Christian leader, an impartial jurist, a powerful spokesman and a compassionate son.

In closing, Mr. Speaker, may I say that I strongly feel that it is up to us to redouble out efforts, to do our job better, in order to justify the friendship HARLEY KILGORE so generously gave to each of us.

Mr. MARTIN of Pennsylvania. Mr. President, I joint in tribute to the honored memory of our departed colleague, Senator HARLEY MARTIN KILGORE.

In my own State of Pennsylvania we proudly claim kinship with this distinguished son of West Virginia.

Senator KILGORE was descended from a pioneer family which came into Penn's Woods in 1730 and settled in Chester County.

From his sturdy and courageous colonial ancestors Senator KILGORE inherited the many spendid qualities of heart and mind which contributed so much to his outstanding success in the service of his State and the Nation.

Although we were not of the same political party we had a great many interests in common, involving the joint welfare of Pennsylvania and West Virginia. It was a great privilege to be associated with Senator KILGORE in these matters and to have had the benefit of his broad-minded and brilliant leadership.

Pennsylvania joins with the Mountain State of West Virginia and the Nation in mourning the untimely passing of this great American patriot and statesman. His illustrious career as a soldier, jurist, and legislator will long be remembered in praise and gratitude. His memorable record of achievement will serve as an example and an inspiration for many generations of Americans, far into the future.

Mr. SMITH of New Jersey. Mr. President, on my arrival at the Capitol Tuesday morning, February 28, I learned to my deep sorrow of the sudden passing of our beloved colleague, the senior Senator from West Virginia, HARLEY KILGORE.

Ever since I came to the Senate in 1944 I have considered the Senator from West Virginia a warm friend of mine.

Although I did not have the honor of sitting on either of his important committees, nevertheless I have dealt with the Senator from West Virginia on many occasions.

His thoughtful cooperation, his earnest desire to be fair, and his long and unceasing efforts for me with respect to many private bills were one of the many indications of his devotion to the Senate and to its legislative work.

On several occasions I have appeared before Senator KILGORE'S appropriations subcommittee with respect to funds for our student-exchange programs. I always found him sympathetic, understanding, and cooperative. This was typical of him.

With his passing, we have all lost a valued friend. The Senate and the Nation have lost a devoted public servant whose record of service and of contribution to the welfare of America will not soon be forgotten.

Mrs. Smith joins me in sending our deeply sincere sympathies to Mrs. Kilgore and to their two children.

Mr. HUMPHREY of Minnesota. Mr. President, it is a sad experience for me to try to find appropriate words to say about a dear and personal friend who was taken from us in the full vigor of his life.

I refer to our late beloved friend, Senator HARLEY KILGORE, of West Virginia. HARLEY KILGORE will be remembered by his friends and associates as a kind and patient man. He was generously kind to friend and foe alike on the political scene. He was particularly kind and good to his family and to his close associates. Moreover, Mr. President, he was patient. His patience was the masterful and wholesome patience which comes to a man who has confidence in his purposes and in his cause.

Senator KILGORE made a record of service to his country which will endear him to people everywhere for generations to come. He served his country valiantly in war and in peace. He served his country as a statesman, an officeholder, a Member of Congress, and as a citizen. He brought distinction to himself and to his family.

Senator KILGORE was elected in that very important election of 1940, and came to the Senate in 1941. The Members of the Senate who were serving at that time will recall that he was a member of the famous Truman committee, the committee of the Senate which did so much to advance our national security in World War II, to make certain that the policies of our Government were effective and constructive in the prosecution of the war, and also to assure the American people that everything was being done, within the bounds of human resources, to achieve our final victory.

Senator KILGORE was not merely a member of the Truman committee; he was an active, important, and forceful member of it. We recall that Senator KILGORE was reelected in 1946, and again in 1952. Those 2 election years were difficult years for members of Senator KILGORE's party. Yet this fine man and great Senator won overwhelming victories in both elections.

He was respected, loved, and trusted by his constituents. The people of the State of West Virginia exemplified their respect and trust by their votes of confidence in his stewardship and in his political responsibility.

We recall that above all Senator KILGORE had a wide knowledge of military matters. He interested himself in the improvement of our Armed Forces and in the strengthening of our defenses. That was particularly true during World War II and during the Korean action. I recall that Senator KILGORE made special contributions to our country during the postwar years, the period of reconversion from wartime production to peacetime production.

He was an active participant in the passage of the Employment Act of 1946. He also took a personal interest and played a very effective role in the enactment of legislation which protected the rights of our working people. If ever there was in Congress a friend of the men and women who toil and work in our shops and factories and mines and forests, that man was Senator KILGORE.

He exemplified at all times and demonstrated by his argument and votes a keen respect for, and interest in, the welfare of our farm people. We could always be assured, when farmers needed the helpful hand of their Government, that Senator KILGORE would be there to extend his hand of strength and fellowship.

His active participation in legislation for small business is another chapter, and a very effective one, in the life of Senator KILGORE. His keen interest in conservation and in natural resources development, brought him the praise and the commedation of conservationists throughout the Nation. But, I recall, above all, that Senator KILGORE loved people. I think one of the best ways one can measure this is by the number of little things he did for people. His office was always open to those who were in need of help. His work in the field of refugee, displaced persons, and immigration legislation was a further indication of his genuine affection and respect for people, regardless of their race, their color, their creed, or their national origin.

Mr. President, Senator KILGORE had a big heart, and that big heart of his was fortified by a keen and analytical mind. Those qualities of mind and heart, Mr. President, were dedicated to the welfare of the American people, and this dedication was exemplified in a host of legislative policies to which he made his contribution. I am indebted to Senator KILGORE for his many kindnesses to me personally and to the State which I in part am privileged to represent. He always went the extra mile, Mr. President, if he was called upon to be of help to the people of Minnesota. In behalf of my State I wish to express my sincere gratitude and appreciation for that assistance and generous treatment.

Mr. President, I wish to extend to the family of Senator KILGORE, particularly to Mrs. Kilgore, my sincere condolences, respect, and affection.

Mr. MONRONEY. Mr. President, I should like to express my appreciation for the service of HARLEY KILGORE. Every young Member of the United States Senate knows the help he was always glad to extend, no matter how busy his day with the manifold jurisdictional problems of the Judiciary Committee. We were all impressed by his faithfulness in considering the problems of the little man. I never failed to meet with a cordial reception whenever I went to Senator KILGORE with a problem involving the difficulties of a private individual, or a situation in which legislative relief was needed to meet a problem which affected only a small segment of our economy. I always found HARLEY KILGORE ready to help and never too busy to espouse the cause of the little man in his difficulties.

HARRY KILGORE was a fighter for the common man. He believed that the duty of a Member of the United States Senate was to consider all the facts and all the issues in connection with legislation, and thoroughly to inform himself on the legislation before his committee. His many long nights of labor in perfecting the program of legislation which was before his committee did not bring him into the limelight or gain for him great publicity. However, he was always on the job. He was desirous that, as a result of the work of his great committee, he would be able to contribute toward the cause of justice and the preservation of the freedoms and equities of all Americans, not merely a few.

America and the world will miss the outstanding and distinguished services in the cause of democracy of our late colleagues, Senators KILGORE and BARKLEY.

Mr. CURTIS. Mr. President, I wish to join my colleagues in paying tribute to the late Senator KILGORE who was my neighbor in an adjoining office in the Senate Office Building. He was always kindly. He was always helpful. Those of us who were interested in legislation before the committee which he served so well as chairman will always remember his kindliness and helpfulness.

We remember the two Senators, in respect for whom these services are being held, with a sense of appreciation for the contributions they made to their country, and with mindfulness of the hope of life eternal.

Mr. WELKER. Mr. President, on that tragic and sorrowful day on which Senator HARLEY KILGORE's funeral was held in Beckley, W. Va., that very fine little city, I paid my respect to a man whom I cherished very deeply. I worked with him for about 4 years as a member of the Committee on the Judiciary. I confess I was astounded to see the thousands and thousands of people, of all walks of life, who paid tribute to Senator KILGORE in his home town.

Few of my colleagues knew how wonderful he was to work with in the Committee on the Judiciary, which is one of the hardest working committtees of the Senate.

His kindliness and his inspiration will always be remembered.

His great legal ability, demonstrated by his rise from country lawyer to great statesman, was many times evidenced in the Committee on the Judiciary. He was a great trial lawyer. He was profound in the knowledge of the law. He loved the law. He loved justice.

As I say farewell to HARLEY KILGORE, I know he will be sorely missed because of the great work he did for his country.

Mr. O'MAHONEY. Mr. President, I served with Senator KILGORE on both the Appropriations Committee and the Committee on the Judiciary. Possessing great ability as a lawyer, he was a man of simple faith. He gave us his utmost strength and energy to the measures which came before him. But, more than that, Mr. President, he was a leader, and he was able, both in the Appropriations Committee and in the Judiciary Committee, to point the path down which both of those committees should proceed. His death was a great loss to this body. I counted him among my friends.

Mr. WATKINS. Mr. President, during his service as chairman of the Judiciary Committee—on which I had the privilege to serve with him—I became very appreciative of the many fine qualities of our esteemed Senator HARLEY MARTIN KILGORE. We were also brought closely together through his chairmanship of the Subcommittee on Immigration and Naturalization, of which I was also a member.

The long experience that HARLEY KILGORE possessed in the study and practice of law, and his years as a jurist, both tempered his wisdom and added merit

to his decisions. He was ever one who wished to know all of the facts available, and from these to move wisely to a positive judgment.

Senator KILGORE passed quietly through the Halls of Congress, and without fanfare and ostentation accomplished his tasks. For the State of West Virginia—where he was born, reared, studied, and entered the practice of law—he had an abiding love that was evident in the frequent references he made to his home. That he as United States Senator so ably served the people of West Virginia as he saw the light, therefore is completely understandable.

His presence here will be missed and long remembered. Among the people of West Virginia the name of HARLEY MARTIN KILGORE will always be spoken with reverence and affection.

Mr. LAIRD. Mr. President, I ask unanimous consent to have printed in the RECORD, for inclusion among the memorial tributes to the late Senator HARLEY M. KILGORE, of West Virginia, an evaluation of his public service made near the end of his first term in the Senate in 1946.

There being no objection, the evaluation was ordered to be printed in the RECORD, as follows:

SENATOR HARLEY M. KILGORE: A 1946 ESTIMATE

Six short years ago a tall, studious county judge stepped down from the bench of the criminal court in Raleigh County, W. Va., waved goodby to his many friends and departed for Washington, D. C., to take a seat in the Nation's highest legislative body.

Official as well as unofficial Washington greeted the new United States Senator, HARLEY MARTIN KILGORE, with a feeling marked more by relief than by enthusiasm. They were tired of Rush D. Holt, the boy Senator from West Virginia.

Few in the Nation's Capital personally knew the new Senator and none of them expected him to gain the limelight, but the folks back in the hills of West Virginia knew HARLEY KILGORE as a level-headed judge, and they felt confident that he would occupy his new position with dignity sans publicity schemes that cast reflection on the entire Mountain State.

It is impossible to crowd the whole story of the past 6 years in a few paragraphs; so much has been accomplished by the energetic, straight-shooting ex-judge that it seems as if it would have been impossible for one man to do so much in such a short period of time.

Last spring Life magazine, in a candid review of all Senators up for reelection this fall, pointed to Senator KILGORE's rapid rise from a county judgeship to an outstanding position in the United States Senate. It cited his connection with vital legislation and closed with "Opinion: one of the able Senators on the Democratic side."

Life's survey was not so kind to the majority of the other Senators up for reelection, but this praise, and other which has been voiced by countless newspapers, came as no surprise to official Washington which has watched the West Virginian step into national prominence with solid constructive legislative work, not to overlook an abundance of courage to move ahead despite the objections of the well-financed, powerful pressure groups.

When the history of the past 6 years is written few names will appear more prominent than that of the forwardlooking, visionary 53-year-old legislator from the hills of West Virginia who has taken the initiative with amazing foresight in many cases on almost every major issue affecting the destiny of this Nation and the welfare of its people. A Hollywood writer could use a book of adjectives describing this friendly, down-to-earth legislator who believes in legislating for the good of mankind rather than special groups, but the real test is to pick out the important pieces of constructive legislation of the past 6 years. In virtually every case you'll find KILGORE's name in the foreground.

He has fought for a better America, a land of real opportunity with full employment for all who want to work, a land of adequate housing for all, a land without fear and hunger, a land where free men can work and live in a society governed for the many rather than for the selfish few.

When he came to Washington early in 1941, the tall, bespectacled man who had presided over the Raleigh County criminal court for 8 years with a feeling of understanding and fairness for all, was forcibly struck by the slowness and confusion of our defense program. A veteran of World War I, he knew the horrible price we paid for confusion in that earlier day and he was determined to do everything possible to assure his folks back home that they did not have to pay again for the same mistakes.

Although a freshman Senator, he was appointed to the Truman committee, the famous special committee investigating the national defense program, where he earned the reputation of being a fearless investigator and leader. Brushing aside the one-sided reports of the brass hats, who had been trying to conceal errors, KILGORE and other members of the special committee went to the scene to get the true facts.

Long a student of military supply problems, KILGORE was able to make quick, accurate decisions, adding measurably to the committee studies which, according to conservative estimates, saved the Government millions of dollars in war costs by exposing inefficiencies and irregularities. But he was not satisfied. On October 13, 1942, the Senate gave him the go-ahead signal on his resolution calling for an investigation of the mobilization of technological resources for war, and the now famous Kilgore committee was born. Immediately it plunged into its huge task, and in the spring of 1943 the first report was issued. It was a hard hitting, tough report, citing the urgent need for basic policy integration, to replace the tragic muddled confusion of that day.

KILGORE wanted an overall agency to plan and supervise the gigantic production job. He held lengthy conferences with President Roosevelt who later issued an Executive order establishing the Office of War Mobilization. The West Virginia Senator was on his way to national prominence.

But, instead of resting on his past laurels, he fought on to establish the rights of the veterans who were caught up in a hodgepodge created by brass hats, and to speed war production.

The heads of major war agencies were called in and quizzed closely at length, then he sat down with his coworkers and drafted clear-cut plans to speed up the war program. At the same time he showed great courage by denouncing big businesses which in the early war days were reluctant to convert to the production of war material because they were reaping rich rewards by manufacturing civilian products.

While unsnarling redtape and speeding the flow of materials so vital to the prosecution of the war effort, KILGORE and his colleagues ran into monopolies and cartels which had tied up and, in many cases, virtually stifled production through devious world agreements that benefited a few men but kept other areas virtually in bondage.

Vitally interested in technological studies since his boyhood days in the oilfields of north central West Virginia, the freshman Senator launched a widely acclaimed probe of monopolies and world cartels which, as KILGORE's exposure clearly showed, had placed artificial restrictions on the use of the resources of the world and produced waste and want and war.

This work on cartels saved America millions of dollars. The huge cartels in drugs, synthetic rubber, aviation gasoline, and others, could not escape his scrutiny. He shocked the Nation when he exposed the gasoline cartel which enabled Japan, an enemy, to get technological secrets unavailable even to our own Government. He saved the folks at home untold sums of money when he brought out the facts about the Argentine-Britain leather cartels which kept shoe prices at artificially high levels.

Before V–E Day his committee unearthed conclusive evidence that the "German aggressors have begun to pursue a strategy which they found successful a quarter of a century ago; they are already deploying their economic reserves throughout the world in preparation for a third attempt at world domination." Calling for world cooperation based on good faith, the West Virginian reminded his colleagues that it could not be accomplished until we established a clear-cut policy of denazification, political and economic. The fight has not been won, but major steps have been taken in the right direction because KILGORE had the ability and courage to speak up.

Senator Claude Pepper summed up this work in a speech on the floor of the Senate in which he declared:

"The able Senator from West Virginia has rendered an immeasurable service to his country and to democracy and free enterprise in the world by the splendid work which he has done in respect to international cartels."

While carrying on his battle for international peace, he was not unmindful of the problems of the working people at home. He fully realized that they would suffer most in the postwar period unless we had a clear, workable plan for reconversion, and after weeks of study he drafted the reconversion bill, the only overall measure to "fully utilize our manpower and materials in the war effort" and direct their return to our civilian economy in a sane, well-planned manner.

Advocates of speedy termination of all war controls, as well as production contracts, virtually sabotaged his measure. Unable to kill its lofty purposes, because of strong public support, they eliminated the means of attaining these goals, and today we are reaping the seeds of destruction and unrest planted by those more interested in "fat profits" than the welfare of the average worker.

Recently, during a lull in a heated Senate debate, a Senator remarked that if "Congress had listened to HARLEY KILGORE back in 1944 we might not be facing the controversial problems of controls, housing, wages, working conditions, and social security in this unrestful reconversion era."

The housing industry is following outdated procedures, KILGORE told leaders in that field, and "it should modernize, utilizing production techniques developed during the war, to speed the construction of the homes so badly needed in America today." Slowly his suggestions are becoming realities, but in too many cases the progress is painfully slow.

In this field of technological study, the West Virginian pointed out that railroads should adopt radio devices for speed and safety. When the railroad owners replied that they did not have radio frequencies, KILGORE, a man of action, induced the FCC to grant the channels and within 3 months from that date more applications for radio channels had been filed with the FCC by the railroads than during the past 17 years. This is a small but typical example of the constructive work performed by this capable West Virginian.

The former high-school principal, who received his law degree from West Virginia University 32 years ago, sold the scientists

of the Nation on the idea of working together and planning for full utilization of the sciences for the national benefit, and he is the father of the National Science Foundation measure to promote scientific research so badly needed in this atomic age.

How could one man accomplish so many things? Mrs. Lois Kilgore, the Senator's charming wife, supplies the answer: "By working 16 and 18 hours a day, 7 days a week." Those who have worked with KILGORE concur with her, but they still can't understand how he keeps up his grueling pace which has worn out many younger men.

A son of a pioneer oil and gas driller in West Virginia, KILGORE grew up in the rugged pioneer oil and gas fields. After receiving his law degree from West Virginia University he taught school, then moved to Raleigh County to practice law. Later his friends induced him to seek the Democratic nomination for judge of the Raleigh County criminal court.

He won the nomination and was elected in 1932 and reelected in 1938.

Deeply interested in youth problems, KILGORE was one of the leaders in establishing Boys State in West Virginia, and time and time again he advocated the establishment of industrial trade school for boys. Hobbies include his great love for the history of the Civil War, on which he is considered an expert, and military supply problems. He is an omnivorous reader.

Today he lives with his wife in a quiet suburban section of Washington. Their daughter, Elinor, is married, and their son, Robert, is just home from duty with the Army in the Philippines. Mrs. Kilgore personally manages the household and tries without success to make her husband slow down.

The folks back home in West Virginia are deeply proud of their great Senator. Last fall Gov. Clarence W. Meadows voiced their sentiments in these well-chosen words:

"When the people of West Virginia sent HARLEY KILGORE to the United States Senate we who knew him best and most intimately felt deep down in our hearts that he possessed innate ability and a wealth of human understanding; but his outstanding accomplishments as United States Senator have far transcended even our fondest hopes."

ALBEN W. BARKLEY, OF KENTUCKY

Mr. CLEMENTS. Mr. President, I send to the desk a resolution with reference to the death of the late Senator BARKLEY, which I ask to have stated and considered.

The resolution (S. Res. 308) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the legislative business of the Senate be now suspended in order that memorial addresses may be delivered on the life, character, and public service of Hon. ALBEN W. BARKLEY, formerly Vice President of the United States, and late a Senator from the State of Kentucky.

Mr. CLEMENTS. Mr. President, on May 7 of this year a number of Members of the Senate expressed their sentiments upon the loss of a great American, a very distinguished son of Kentucky, ALBEN W. BARKLEY. On that occasion I expressed my own sentiments with respect to this great son of Kentucky. Today I should like to add briefly to those expressions.

Throughout his life Senator ALBEN W. BARKLEY was a man who always valued the deed higher than the word. To this great man, master of the spoken word though he was, actions—affirmative actions—always spoke louder than words.

His life was a life of action and his actions were taken in the name of democracy. He believed "What was good for the greatest number of people was best for the whole people."

Today, as we, his colleagues, honor his memory, I am proud that we in this Chamber and in this Congress have honored him with an affirmative action. By designating that the multipurpose dam on the lower Cumberland River near Kuttawa shall be called Barkley Dam, and that the reservoir created by this dam shall be called Lake Barkley, we have provided our beloved colleague with a living memorial.

Throughout his unparalleled career, Senator BARKLEY had a profound interest in this project. Every Kentuckian familiar with his lifelong devotion to the development of Kentucky's waterways, will realize, as I do, how much this gesture would have meant to our favorite son. I am glad the Congress appropriated the funds to commence this great project, for this was action which speaks more loudly than words ever could of the esteem we felt for him.

I will always count it as one of the great privileges of my life that I had the opportunity to work closely with Senator BARKLEY during the last year and a half of his life, following his return to the Senate in 1955. Our discussions about the problems of Kentucky and of the Nation, both on and off the floor, were frequent. It was my privilege to be closely associated with him since the time he first made a statewide race in Kentucky in the year 1923.

Though time has passed, our sense of loss at Senator BARKLEY's passing has not lessened. We here today can take comfort in the fact that though the body of a man may perish his work lives on.

As Representative, Senator, and Vice President he helped clear the frontiers of an adult America—frontiers dark with economic, social, and humanitarian problems. He was one of those who made our recent past a Golden Age in American development. Between 1937 and 1947, he was the majority leader of this great body, and guided into being much of the great legislation of that historic decade. Following the war his powerful, tireless voice was raised in a call for responsibility and America met her responsibilities as a great world power.

Yes, Mr. President, the work of ALBEN BARKLEY lives on.

Today, as on the day when this great man fell—a prayer on his lips—I find some comfort in the thought that the last sound ALBEN BARKLEY heard was the sound of the American people applauding. The young Americans attending a student political convention in Lexington, Va., had just applauded his words when he fell. The sound of their applause still hung in the air, and I like to think that the applause of the American people, which he deserved so well, was the sound that ALBEN BARKLEY carried with him into eternity.

None of us will ever forget his deeds. None will ever forget his last words:

I would rather be a servant in the House of the Lord than sit in the seats of the mighty.

Mr. President, under date of June 27, 1956, the supreme lodge of B'nai B'rith addressed to me the following letter:

B'NAI B'RITH,
Washington, D. C., June 27, 1956.

Hon. EARLE C. CLEMENTS,
United States Senate, Washington, D. C.

DEAR SENATOR CLEMENTS: It is with a deep sense of solemn gratification that I enclose a copy of a resolution passed by the supreme lodge of B'nai B'rith at its 21st general convention held in Washington, D. C., May 5-9, 1956.

As you will note, the resolution has been commended to you for presentation to the United States Senate, and it is respectfully requested that you do so.

Sincerely,

MAURICE BISGYER,
Executive Vice President.

Mr. President, the resolution relating to ALBEN W. BARKLEY, adopted at the 21st general convention of the supreme lodge of B'nai B'rith on May 5–9, 1956, is as follows:

RESOLUTION ON ALBEN W. BARKLEY

(Passed at 21st general convention of supreme lodge of B'nai B'rith, May 5–9, 1956)

On April 30, 1956, America lost one of its most beloved sons. ALBEN W. BARKLEY, in a long life filled with solid achievements, attained greatness as an American, as a statesman, as a humanitarian, and—as important as any of these—as a man.

His sense of dedication to his country and mankind was manifested from the beginning of his career to his awe-inspiring last words: "I would rather be a servant of the Lord than sit in the seats of the mighty." It was given to him to do both.

He never failed to answer the call of service. Even at the height of his career, when he was Vice President of the United States, and later, when he was the acknowledged dean of the Senate, he responded to such calls with typical energy, imagination, and the sparkling wit that characterized his lovable personality. He aided innumerable good causes, among them agencies of prime importance to the welfare of the Jewish people, here and abroad.

We of B'nai B'rith will never forget the inspiring address he delivered to our supreme lodge convention of 1950, here in the Nation's Capital. In it he expressed his special pride in B'nai B'rith because it "sought to break down the barriers of bigotry and intolerance and hatred, and teach the brotherhood of man." He also hailed the order because it helped teach Americans of different backgrounds, religions, and economic and political status that they could "live together as neighbors and as friends and as Americans."

That was the kind of human being ALBEN BARKLEY was himself. His like will not soon be found again. Of him we say, as we do of our own Jewish sages, "His memory will be for a blessing."

It is directed that a copy of this resolution be sent to Mrs. Alben W. Barkley and to Senator EARLE C. CLEMENTS for presentation to the Senate of the United States.

Mr. HUMPHREYS of Kentucky. Mr. President, I probably knew ALBEN BARKLEY over a longer period of time than did any of other Members of this body. I knew him long before I was old enough to vote, in 1912. I was active in his campaign, and in getting the voters to the polls when he first ran for Congress. Although today, for a few brief weeks, I sit in his seat, no one can fill it. For a few very brief weeks I occupy his seat until someone more worthy can be elected.

I pay tribute today to ALBEN W. BARKLEY as the greatest citizen and man I have been privileged to know during my lifetime. All the Nation mourns his passing. We pay tribute to his magnificent leadership, and the fine influence he had on his State and Nation. I testify to his great service.

Mr. HILL. Mr. President, ALBEN BARKLEY in his autobiography, That Reminds Me, written some 3 years ago, declared:

Looking back on my three-quarters of a century—47 years of which have been spent in public service—I am bound to say it has been a good life. A good life and a full one. I have had my moments of sorrow and disappointment, as have all who are born on this earth, but there has been no prolonged period when I have not found life filled with joy and zest. I have been proud, too, of the opportunities given me to serve my country.

It was in an hour of joy and zest that ALBEN BARKLEY passed out of the company of living men, for nothing pleased him more than to stand before his fellow men, to speak to them, to illustrate with his inimitable stories, to expound the gospel of the Democratic Party which he loved so well, and to proclaim the faith by which he lived. We know how powerful, how persuasive, how compelling was his logic and his eloquence, how withering his sarcasm, how devastating his wit, all combining to make him the Nation's foremost political orator. Who that heard him can ever forget his memorable speech in the late evening at the Philadelphia 1948 Democratic Convention that lifted the discouraged and disheartened delegates, moved and inspired them, and sent them forth with fire in their eyes and resolution in their hearts to win the victory? After the speech there was no longer any question as to who the nominee of the convention for Vice President would be. All eyes and all hands had turned to ALBEN BARKLEY.

Proud of the opportunities given to him to serve his country, he met them, he gloriously measured up to them—from log cabin, county prosecutor, county judge, Congressman, Senator, to Vice President. Vice Presidents have come and gone, many of them, but we have had only one so outstanding in personality, in leadership and in service to our country, and so strong in the appreciation and affections of the American people as to become "Mr. Veep." Like that other immortal Kentuckian, Henry Clay, his name and fame outshone even many of those who have held the great office of President of the United States.

ALBEN BARKLEY was majority leader of the Senate longer than any man in American history. It was my honor and privilege to be his assistant as Democratic whip of the Senate for 6 years. He tells us in his autobiography that in the extremely close contest between him and another great American, the late Pat Harrison, of Mississippi, when he was first elected majority leader, he solicited no votes. ALBEN BARKLEY did not solicit votes. He led men by the example of his life, the influence of his character, his courage, his devotion to principles and his steadfast adherence to his convictions, and by his masterful and eloquent presentation of the issues. ALBEN BARKLEY led men by the force of his genius. And if he lost he never complained, and his sense of justice and of the eternal fitness of things never failed him. There was no vanity in him. There was no retribution in his spirit. There was no littleness in the man. There was so tempered in the heart and soul of ALBEN BARKLEY elements of tolerence, patience, and sympathy that he drew to him the ungrudging regard and affection of all men who came within the radius of his genial influence.

In his autobiography he refers to the honors that were accorded him, and then he declares:

If I had to choose the phrasing of any particular commendation as words that I would like to be remembered by, I think I might lean toward the citation which accompanied the Collier's award, which I received in May 1948. In naming me as the outstanding Senator during the previous year, when the opposition party was in power and I had stepped down from majority to minority leader, the awards committee was quoted as saying:

"Under conditions that would have caused a less determined man to walk out and rest, he continued to work for his country through the party. * * * His good temper was as always a good influence in the Senate. * * * His ability in rough and ready debate, his remarkable capacity to argue powerfully on many and diverse issues, and his acceptance of demotion without a trace of venom, made him the Grand Old Man of the Senate last year. As his position came down he seemed to grow in stature."

Is it surprising that the last words to fall from the lips of such a man were, "I would rather be a servant in the house of the Lord than sit in the seats of the mighty"? We know that ALBEN BARKLEY served nobly and well in the house of the Lord.

We shall ever miss ALBEN BARKLEY. We shall ever miss the laughter of his rich humor and inimitable stories, the sunshine and warmth of his friendship, the joy of his companionship, the gold of his wisdom, and the inspiration of his leadership.

ALBEN BARKLEY as a young man attended for a short period Thomas Jefferson's university, the University of Virginia. There he breathed deep the air of Jefferson's philosophy, found and nurtured his spiritual kinship with the immortal author of the Declaration of Independence, and was ever the disciple and prophet of Jeffersonian democracy. He recognized that great forces were loose in America and that great changes were taking place. He knew that when a nation grows rich and powerful it can become careless and forget its ideals.

ALBEN BARKLEY labored and fought for the preservation and the perfecting of American democracy. He fought against special privilege, monopoly, the mastery of the many by the few. He fought to open wide the door of economic opportunity, to redress social wrongs, to correct political abuses. He was on the side of the underprivileged, the less fortunate, the little folks. He was the champion of the people and a mighty warrior for peace for ourselves and for all nations. In the closing words of his autobiography he declares:

I believe there are certain things which are still crying for accomplishment in this country. I shall continue to raise my voice for them.

And then he concludes:

I should like to live to see every American family living in a comfortable home, and every American child born and reared in an atmosphere sufficiently wholesome to guarantee an even chance for health and intellectual and moral development consonant with the responsibilities of American citizenship. I should like to live to see the world at peace, where the inventive genius of man would be utilized to improve the conditions of life throughout the world. I should like to live to see the pledge of every nation respected by every other nation because it was made in good faith and observed to the letter.

So long as America shall stand in history, the example of the life and character and services of ALBEN BARKLEY will be remembered—will challenge and inspire men and women to carry on and fight on for the ideals and the principles that have made our America great. As was said of that other native son of Kentucky, that towering figure and great American, Abraham Lincoln, it may be said of ALBEN BARKLEY:

He held his place—
Held the long purpose like a growing tree
Held on through blame and faltered not at praise
And when he fell in whirlwind, he went down
As when a lordly cedar, green with boughs,
Goes down with a great shout upon the hills
And leaves a lonesome place against the sky.

Mr. EASTLAND. Mr. President, the State of Kentucky has given to this Nation many great and illustrious sons to serve in the Halls of Congress and high positions of Government. No jewel in this State diadem of honor and devotion shines brighter than the one bearing the name ALBEN WILLIAM BARKLEY. From his earliest youth, Senator BARKLEY dedicated himself to a career of public service that extended over a period of more than 50 years as a lawyer, a prosecuting attorney, a judge, a Member of the United States House of Representatives, United States Senator, and Vice President of this country. He more than fulfilled the tasks assigned to him and grew each day in stature and understanding.

ALBEN BARKLEY was a man of the people and never lost that gracious and humane quality that made him both loving and loved. His wit, humor, and human understanding were of a character that had never been equalled in contemporary time.

When duty called, ALBEN could always be counted on as the first to answer the summons. His fine and capable hands played a great and important part in the piloting of the State through the travail of the great economic depression that beset us, and, later, through two wars of awe-inspiring proportion.

ALBEN'S sense of honor and duty were so deeply ingrained that he always asked himself but one question, "What course of action should I adopt consistent with the interests and needs of the people of

this country?" When his course was set on this standard he was an immovable rock, impervious to the stresses and strains of expediency.

In the long history of this Senate few Members have ever been called upon to serve in more different and responsible positions than has he. As majority leader through the entire period of World War II, he bore responsibilities almost comparable to those of the President himself. It was most fitting and proper that he should have been promoted to the Vice Presidency and there also he acquitted himself in the same superlative fashion throughout another critical period in our history. No man ever received a more hearty "Welcome back" than did ALBEN when he returned to the Senate.

Mr. President, I say this with all the sincerity of my heart—that I do not know of any man who was ever more loved and respected by his colleagues in this body than was ALBEN BARKLEY. Neither time nor new faces can ever replace the void that is left by his passing. He was a giant among men and I know that if he had been permitted to dictate to the all-powerful Creator the time and moment of his passing he would not have chosen a course different from that which his life took; a worker in the vineyard, active and diligent to the very end.

Mr. SMITH of New Jersey. Mr. President, it was with profound sorrow that we all heard on April 30 of the sudden passing of our beloved colleague, ALBEN BARKLEY. All during the 12 years I have been a Member of the Senate I have looked upon ALBEN BARKLEY as one of my close friends. When those of us who came here in 1944 were freshmen it was ALBEN BARKLEY who was then majority leader, who offered a hand of warm welcome, and he was the first to give me that understanding and fellowship which is so strong here in the Senate between all of us on both sides of the aisle.

After being here a few years I had the great privilege of traveling with Senator BARKLEY in 1947 with a special senatorial committee to study the development of what came to be the USIA program. This is the so-called Smith-Mundt bill, which we all collaborated in developing and having passed in the Senate and House shortly after our return from that memorable trip. It was my privilege to get to know Senator BARKLEY well on that trip through the close contacts we had in our travels. In a number of places I had the good fortune to room with him when accommodations were scarce, and, of course, I had the high privilege of learning firsthand some of those wonderful anecdotes with which he always illustrated his thinking.

Since that time, of course, we had him with us as Vice President, and then last year he came back to us as a Member of the Senate after his vice presidential term had come to a close. Knowing ALBEN BARKLEY is one of those treasured recollections that come to us and will always remain with us.

He was one of the leaders of his party. He had great and vigorous talent in debate, and especially in summing up the administration's position when he was majority leader. He was unmatched by anyone in his good humor and his wit in illustrating his points with pertinent anecdotes.

Beyond all these qualities, however, we loved him for himself and for what his unfailing friendship meant to us as one of us.

Mrs. Smith and I extend to his wife and all the other members of his family our deepest sympathies and warm affections.

Mr. NEELY. Mr. President, in this Chamber on the 4th of March, 1952, when Vice President BARKLEY was presiding, I attempted to pay him a tribute of appreciation and love. Let me now repeat that tribute as my contribution to the eulogies of this matchless and inimitable patriot, statesman, husband, father, and friend:

Mr. President, to endeavor to add anything of value to the glowing tributes which have been most eloquently paid the greatest of all Vice Presidents in the Senate this afternoon, would be an undertaking as futile as an attempt—

"To paint the lily,
Throw a perfume on the violet,
Or add another color to the rainbow's gorgeous hues."

To eulogize Vice President BARKLEY, in accordance with his merits, is a task as impossible of performance as was that of the vestal virgin who, in order to prove her innocence, was required to carry water in a sieve from the banks of the Tiber to the top of the Capitoline Hill. Nevertheless it is impossible for me to resist the temptation to borrow a few expressions from certain immortals and, subject to slight change, utilize them in behalf of the preeminently useful, eloquent, and beloved ALBEN W. BARKLEY, who habitually dispenses justice in the Senate as Solomon administered it from his throne.

In anticipation and spirit, the world's greatest dramatist said of you, Mr. President, long ago, and one of your most devoted friends says of you and to you now:

"When, in disgrace with fortune and men's eyes,
I all alone beweep my outcast state,
And trouble deaf Heaven with my bootless cries,
And look upon myself, and curse my fate,
Wishing me like to one more rich in hope,
Featured like him, like him with friends possess'd,
Desiring this man's art and that man's scope,
With what I most enjoy contented least;
Yet in these thoughts myself almost despising,
(President BARKLEY) Haply I think on thee, and then my state,
Like to the lark at break of day arising
From sullen earth, sings hymns at Heaven's gate;
For thy sweet love remember'd such wealth brings
That then I scorn to change my state with kings."

Mr. President, you first came to the House of Representatives on the 4th of March 1913. As the result of a special election, it was my honor and privilege to become your colleague and make your acquaintance in that great legislative Chamber on the first day of the following November. The warm friendship between us that then and there leaped into life has never, so far as I am concerned, lost a single trace of its vigor or a single scintilla of its value.

During the intervening years, by virtue of unsurpassable public service as a Congressman, a United States Senator, majority leader of the Senate, and Vice President of the United States, you have won international fame, bestowed deathless blessings upon humanity and inscribed your name in the golden book of immortality. For your surpassing patriotism we extol you, for your matchless eloquence we laud you, for your unfailing humanitarian service we love you.

Kentucky—one of the Nation's most prolific progenitors of immortality—has given the world none nobler, greater, or grander than you. To the hosts who intimately know you and the millions who dearly love you, you are—

"A spring of ice-cold water to the parched and burning lips of thirst;
A palm that lifts its cornet of leaves above the desert sand;
An isle of green in some far sea;
The purple light of dawn above the eastern hills;
A cloud of gold beneath the setting sun;
A fragrance wafted from an unseen shore;
A silvery strain of music heard within some palace wrought of dreams."

Mr. President, we sincerely wish you very much longer life, perfect health, and unlimited success, prosperity, happiness, and peace. Our fond recollections of you and of the inspiration, the friendship, and the kindness with which you have infinitely enriched our lives will be to the end of our days:

"The rainbow to our storms of life,
The evening beam that smiles the clouds away,
And tints tomorrow with prophetic ray."

Mr. JOHNSTON of South Carolina. Mr. President, a man I loved—the great warrior and servant of the people—has died.

The void that is left in our lives, in this Chamber, and in the Democratic Party will never again be adequately filled. The great ALBEN BARKLEY will never be replaced, for when God makes men such as he they live only once.

But we who knew ALBEN BARKLEY, and those of this generation who write history, know that ALBEN BARKLEY will never be forgotten. His imprint upon the history of America will be here for as long as this Nation survives.

When I was returning to Washington on the train the day he died, a hundred images of ALBEN BARKLEY passed through my mind. I saw him as the tireless warrior of the people who spent his adult lifetime fighting for the principles that serve the common everyday people of this great land. I saw him as the champion of the democratic people of this Nation. When any battle of the Democratic Party seemed faltering, whether it was in my native State of South Carolina or in some farflung corner of the land, without fail "Dear Alben" answered the call for help.

I saw ALBEN BARKLEY as the true Kentucky southern gentleman that he was—always as kindly and as neighborly to a stranger as he would be to the mightiest of the world. I remember well when in 1952 he came to aid the Democratic Party in South Carolina with his eloquent command of the English language. Many a farmer and many a cotton mill worker came up to shake his hand. With the same warmth and fervor he would use to greet his colleagues in the United States Senate, ALBEN BARKLEY, the Vice President, met my people.

I saw ALBEN BARKLEY, too, as he delivered his last nationwide address at the Woodrow Wilson testimonial dinner in Washington. I saw his upraised hands, I heard his strong voice, his determined diction, his logical reasoning—and, yes, I saw his trademark, the flinching of his shoulders to adjust his coat—as he paid tribute to the great figures of the Democratic Party of the past half century.

Perhaps I should not mention partisanship at a time like this; but ALBEN BARKLEY was a partisan man as well as a statesman. He believed in the Democratic Party, he fought for the democratic processes, and he died fighting for the same causes with unsurpassed loyalty and devotion. Certainly no man of partisanship in our generation was ever admired, loved, and held in such great esteem by men of all parties as was ALBEN BARKLEY. This, alone, is a tribute to this man's greatness.

As we well know, with all his partisanship, ALBEN BARKLEY never once faltered in determining first that whatever he decided to fight for would be in the best interest of this Nation which he loved above all else. By human custom we are politicians today, and statesmen only in the retrospect of those who survive us. But I believe ALBEN BARKLEY was judged a statesman by people everywhere, long before anyone conceived of his passing.

Mr. President, the mightiest of the oaks of the forest has fallen. A giant among the characters of this generation has departed. Certainly nothing that any of us can say will adequately testify to what stirs within us when we think of the death of ALBEN BARKLEY.

As in all things, we must go on. Our Nation will continue to progress. We will continue in our search for perpetual peace and freedom for this world. But none of us—no, not one—will go on in these endeavors without having first benefited because ALBEN BARKLEY lived. As we go forward together, ALBEN BARKLEY shall continue to live through us and those that succeed us by the things he said, taught, and did when he was among us.

It is ironic, but no testimony from anyone on earth could more competently describe the life of ALBEN BARKLEY than the very last words which he, himself, uttered as he left us to join God:

I would rather be a servant in the House of the Lord than to sit in the seats of the mighty.

Mr. LEHMAN. Mr. President, with the untimely passing of ALBEN W. BARKLEY the Congress of the United States lost one of its most distinguished and most beloved Members and the Nation lost one of its greatest sons.

The Veep was an extraordinary man—kindly, wise, and experienced beyond most men, and ever devoted to the interests of his country, without regard to partisanship. He had the unique ability to inspire and move his fellow citizens to action, and to reflect their views and their high ideals.

I was honored by his friendship long before I came to the Senate. There was no man in public life for whom I had greater admiration and affection. He was unquestionably one of the greatest men of our times. Few men have equaled his record of useful achievement and service. I know of no man living today who has excelled that splendid record. I shall always be thankful that I had the opportunity of serving with him for nearly 7 years in this great body and of observing and benefiting from his wise counsel, his forbearance, and his unending patience.

We in the Senate have greatly missed him as a great leader whose place in history is assured. Above all things, however, we miss him and shall continue to miss him as a beloved friend who had earned and held our respect and our deep love. ALBEN BARKLEY will never be forgotten.

Mr. JOHNSON of Texas. Mr. President, every once in awhile as we travel the highways of life, we meet a man who sums up in his own character the heart and the soul of a whole nation.

Such a person was our dearly beloved colleague, the late ALBEN W. BARKLEY, of Kentucky.

There are many things that can be said about ALBEN BARKLEY, because his life was rich and full of meaning. They are things that have been said in the past and will be said again in the future, so long as historians concern themselves with this period of our history.

He was a wise man. He was a patriotic man. He was a courageous man. He was a man of conviction who dedicated his enormous talents to the service of our country.

The American people recognized these qualities, and they responded by awarding him high office and great trust. He sat in the highest councils of our land, and his words were heeded by chiefs of state throughout the world.

But he had one other quality which endeared him to our people and made his name a household word throughout our land. It was the quality of humanity—a rare blend of kindly humor and sympathetic understanding of his fellow mortals.

Americans everywhere looked upon him with an affection that was not only deep but personal. In households from his native Kentucky to the borders of our land he was regarded as a family friend that everyone hoped would soon drop in for a visit.

The years we spent with him were rewarding.

He had a genuine and unaffected interest in the problems of others. He was gentle—and it was the gentleness of a strong man who had no need to cover up weakness. He was witty—and it was a kindly wit that carried not a trace of malice.

As a result, people rejoiced with him when he was happy, mourned with him when he was sad. And at all times they reposed in him the trust and the confidence that are accorded only to very close and very dear friends.

He was known as the Veep, a nickname that summed up both the respect and the affection in which he was held. It was, in a very real sense, an accolade.

We shall miss ALBEN BARKLEY. There is no one who can quite take his place. We shall miss his warm humor and his gentle philosophy. We shall miss his wise counsel and prudent advice. We shall miss the zest with which he sallied forth to battle, and the equanimity with which he accepted victory or defeat.

But there is one consolation for his family and his friends. No one could know ALBEN BARKLEY without finding life a little better and a little more kindly.

And since his friends were practically all of our people, it can truly be said that he made this a better world.

Mr. HOLLAND. Mr. President, I am sure that the passing of Senator ALBEN W. BARKLEY, of Kentucky, brought sincere sorrow to every person who served with him in the United States Senate, both those who were here at the time of his death and that considerable number who were here during the earlier years of his service as a Senator and as Vice President. The Nation lost in Senator BARKLEY one of its most devoted and effective public servants, and one of the most colorful and best beloved public figures who has ever played an important part on the stage of American politics and government. Expressions of sincere admiration, unlimited confidence, and deep affection have come from people of all walks of life and in all parts of our Nation. I join wholeheartedly in those expressions, though I shall not attempt to reiterate or enlarge upon them.

I wish, however, to speak as one who attended Emory College, at Oxford, Ga., several years after Senator BARKLEY was a student there. Emory College, now Emory University, has for years regarded Senator BARKLEY as its most distinguished alumnus. His death brought expressions of high respect and affection from the student body, the faculty, the alumni, and the trustees.

Rather than attempt to make a statement of my own on behalf of Emory and sons of Emory, I shall read into the RECORD the article about him which appeared in the June 1956 issue of the Emory Alumnus. The title of the article is, "He Was a Servant in the House of the Lord," with this subtitle, "But ALBEN BARKLEY Also Sat in the Seats of the Mighty." I quote the article, as follows:

It already has been reported from one end of the world to the other that Emory's most famous and most widely loved alumnus, ALBEN WILLIAM BARKLEY, 1900, 1949H, died on April 30 at the age of 78 while addressing students at Washington and Lee University, and that his last words were: "I would rather be a servant in the House of the Lord than sit in the seats of the mighty."

It already has been recorded thousands of times and thousands of places that Mr. BARKLEY has been: A Representative to Congress from the First Kentucky District in 1913–27; a Senator from his State in 1927–49, and in that period both majority leader and minority leader of that body; Vice President of the United States in 1949–53; "Mr. Democrat" himself, by virtue of being a delegate to every Democratic National Convention from 1920 on, a key figure in most of them and a man of unparalleled party loyalty; and junior Senator from 1955 to the time of his death.

These and many more things about the beloved "Veep" have been chronicled: The fact that he narrowly missed on at least one occasion being President of the United States; his oratorical ability; his wit and his story-telling prowess. It remains, then, for

his alma mater's magazine to give just a few facts about his connections with Emory:

Born in Lowes, Ky., Mr. BARKLEY entered Marvin College, a small institution in Mayfield, Ky., at the age of 14 and worked his way through, receiving an A. B. in 1897. Two officials at Marvin—Mr. BARKLEY referred to them as copresidents—were Emory alumni, J. C. Speight and J. C. Dean, both of the class of 1886. On completing his work at Mayfield, Mr. BARKLEY decided to continue his formal education.

He selected Emory College, then located in Oxford, Ga., but later to become Emory University in Atlanta, "because it was one of the outstanding colleges in the country, because it was connected with one of the foremost churches, because it had graduated an impressive group of citizens—and because it had a loan fund."

Actually, the Veep-to-be spent only 1 academic year, 1897–98, at Emory. Since he entered as an advanced student in 1897, he was then and has since been classified as a member of the class of 1900. About 30 members of that class are still living, and their class councilman is Judge Jesse M. Wood, 1900, of Fulton Superior Court.

Mr. BARKLEY has since referred to Oxford as "this sacred old spot where I played and cantered as a boy and where I debated the great issues of the day." In one such debate, as a member of Few Literary Society debating Phi Gamma Literary Society, the man who was later to become the symbol of Democratic Party loyalty took the affirmative side of the question, "Resolved that independent action in politics is more desirable than party politics."

Years later he explained, "I convinced myself I was arguing the right side, but I soon learned better."

In his year at Old Emory, Mr. BARKLEY made 99 in punctuality, 100 in physical education, 95 in deportment, and between 85 and 95 in such subjects as geometry, Bible, Latin, Greek composition, trigonometry, geography, declamation, and English grammar. He won recognition for his speaking and debating talents, and was elected a member of Delta Tau Delta social fraternity. But he was not enrolled long enough to become a real campus leader. The student yearbook, the Zodiac, of 1898, even misspelled his first name by running it "Allen."

A profound and lasting impression on the Kentucky farm boy was made by Warren A. Candler, 1875, 1878H, who was then in the last year of his 10-year term as president of Emory. Throughout his later life Mr. BARKLEY quoted his Emory president. The two left Oxford at the same time, for President Candler was elevated to the Methodist episcopacy in the spring of 1898.

Mr. BARKLEY left Emory to study at the University of Virginia law school, read law in Paducah, Ky., practiced law, and became a prosecuting attorney and judge before being elected to Congress for the first time. He visited Atlanta and Emory on several occasions thereafter, but the real visit was in June 1949, a few months after he had become Vice President.

On that occasion Vice President BARKLEY delivered the commencement address to the undergraduate divisions, was awarded the honorary doctor of laws degree, was initiated by the Emory chapter of Phi Beta Kappa, made an informal talk at Emory-at-Oxford, and spent a night as the guest of Emory president and Mrs. Goodrich C. White.

Emory's opinion of its best known alumnus was summed up by the politician who was asked if he liked Mr. BARKLEY.

"Anyone who doesn't like "ALBEN BARKLEY," he said, "doesn't like the human race."

Mr. McCLELLAN. Mr. President, I can add very little to the very eloquent and fully deserved tributes which have been paid to our departed colleague, Senator BARKLEY, whom all of us loved. I wish to associate myself with all that has been said about him here this afternoon.

Mr. President, it was never my privilege or opportunity since I have been a Member of the Senate to serve on a committee with Senator BARKLEY. Quite often it is in the course of committee service, in working together, particularly in the consideration of highly controversial legislation, that one comes to know the real qualities of statesmanship his colleagues possess.

However, it has been my privilege, and one I shall always cherish, to serve with Senator BARKLEY in the United States Senate and to serve here when he was the President of this body.

Senator BARKLEY will long be remembered, of course, for his marvelous achievements and his outstanding success in politics and in the affairs of state of our country. All those admirable accomplishments give him a place in history which will remain so long as our Nation survives.

In my associations and contacts with Senator BARKLEY, I knew him as one who was affable, friendly, kindly, and always considerate. I also knew him as one whose arguments and persuasion were forceful and convincing in debate.

Senator BARKLEY made a record of able and constructive service, one that will seldom be equaled by any other American statesman of our time or in the future.

Mr. President, these great qualities, and others of outstanding leadership, commanded the admiration and esteem of all the American people, regardless of political or partisan affiliation. Senator BARKLEY will be greatly missed.

I had a good many rather private conversations of a confidential nature with Senator BARKLEY.

Mr. President, my father, who now is 85 years old, and is retired, has long been a great admirer of Senator BARKLEY's. My father's mind is still alert, and his interest in national affairs and national politics is just as keen as it ever has been. He frequently wrote to Senator BARKLEY.

I recall that one day after Senator BARKLEY became Vice President, and when he was presiding over the Senate, he sent a page to ask me to come to the rostrum. I did so, and there Senator BARKLEY showed me a letter he had received that day from my father, and he expressed his appreciation for the sentiments my father had written in the letter.

The day following Senator BARKLEY's passing, my father wrote me a letter in which he told of his deep sorrow and grief at the loss of this great statesman. In the course of the letter, he made many comments, and closed his references to Senator BARKLEY by expressing a sentiment which I think is shared by all Members of the Senate and by millions of other Americans all over the country. Therefore, Mr. President, I know of no better thought to express, no finer sentiment to voice at this moment, as I close these remarks, than the one my father stated in closing his letter to me:

His place in history is a bright spot on our Nation.

Mr. MARTIN of Pennsylvania. Mr. President, I join in the tributes to our great and beloved friend and colleague, ALBEN W. BARKLEY.

I shall always cherish the memory of my last meeting with Senator BARKLEY. It was on the Sunday before the Nation was plunged into sorrow by the tragic loss we have sustained in his untimely death. It was my privilege to be one of a group who chatted with Senator BARKLEY as the guests of Senator BYRD, on his Virginia farm. Senator BARKLEY's wonderful sense of humor and his sparkling wit made the occasion one which I shall always recall with fondest memories of a kindly, gracious, courteous gentleman who endeared himself to everyone who knew him.

Few men in public life have been so highly esteemed. Few men have held such a warm place in the affections of the whole Nation. His memory will be enshrined forever in the hearts of his fellow Americans.

With a profound sense of personal loss, I extend to his wife, his children, and his grandchildren my deepest sympathy in their bereavement.

Mr. HUMPHREY of Minnesota. Mr. President, I wish to join my colleagues in the Senate today with a few words of tribute in respect to our dearly beloved friend, the late Senator BARKLEY.

It is very difficult to find adequate or appropriate words to express one's heartfelt emotions concerning this magnificent man. Earlier in the proceedings of the Senate, immediately following the passing of Senator BARKLEY, I made a few remarks which indicated the immediate feelings I had over the loss of this dear friend and wonderful citizen.

Senator BARKLEY passed away as he was addressing a group of young people at Washington and Lee University. This was typical. He liked young people, because he was young of spirit and young of mind. He saw in the young the hope of the future. Senator BARKLEY always saw in young Americans an opportunity to interest young minds and hearts in the welfare of their country. As a true patriot, he went to that great source of patriotism, which is the enthusiastic spirit and idealism of young men and women.

I think we shall always remember the parting words of our late beloved friend, words which were so characteristic of every aspect of his life. "I would rather be a servant in the House of the Lord than to sit in the seats of the mighty."

ALBEN BARKLEY was a servant in the House of the Lord, because he was the kind of man who was constantly doing good. When I say that he was a good man, doing the work of the Lord, I mean that Senator BARKLEY was kind to everyone; that he was considerate to people of different points of view and different backgrounds; that he was always understanding; and that, above all, he was always helpful, willing to assist others at all times.

If ever there was a man in public life who was a true Christian and who practiced his religious ideals, it was ALBEN BARKLEY. His religion was more than mere pronouncements. It consisted in doing good work and good deeds for his fellow men, recognizing at all times that God's greatest creation is the individual created in the image of his Maker. It was to the individual, his fellow man, that ALBEN BARKLEY dedicated his great resourcefulness, his fine talents, and his rare ability.

The death of Senator BARKLEY was a shock to every American because he seemed almost indestructible. He surely was indefatigable. He was always irrepressible. He was always constructive. I shall long remember—and I am sure that the pages of history of our time will record—that ALBEN BARKLEY was a perpetual optimist. His optimism was not based upon fanciful thinking. Rather it was an optimism based upon a basic understanding of the strength and the great resourcefulness of the United States of America and its people.

We shall always miss Senator BARKLEY. We miss his words of counsel and advice. I am sure that those of us who are the younger Members of Congress will always remember the helpful advice and counsel which, upon request, was so generously given by this great American statesman. We shall miss his friendly words of encouragement. Senator BARKLEY seemed to have a propensity for understanding when his friends and colleagues needed a word of encouragement.

Above all, Mr. President, we miss his warm humor—not a synthetic humor, nor one created for the purpose of laughter alone, but rather a humor which arose from Senator BARKLEY's understanding of the great life of the American Republic. It was always timely, and it was always meaningful; yet it was always refreshing and invigorating.

In his character, his demeanor, and his career, Senator ALBEN BARKLEY was truly representative of the United States of America. If any one man in our history ever really deserved the title of "Mr. America," it was the late Senator ALBEN BARKLEY. He rose from humble beginnings to positions of honor, respect, responsibility, and power; and in all his greatness he possessed a sense of humility and kindness which endeared him to everyone.

We know of his record as a Representative in Congress, as a United States Senator, as majority leader, and as Vice President of the United States, bringing new dignity and new responsibility to that great office. Then, Mr. President, he climaxed his career by returning to the Senate, this parliamentary body which he loved with every fiber of his being. He came back to contribute from his great experience and wisdom to our deliberations and to the formulation of the policies of our Government.

I believe that above all ALBEN BARKLEY glorified the word "citizen." There is no greater title for a free man than citizen. ALBEN BARKLEY was a citizen in the fullest sense of the word. He was a participating citizen, active in the political life of his country.

He loved and honored his country by his works and by his words. He so loved and honored his hometown of Paducah, Ky., that today every American upon hearing the name Paducah thinks of it as being the home of the Veep, the home of ALBEN BARKLEY. He surely loved and brought great fame to the great State of Kentucky.

He brought honor to the term "politician." Senator ALBEN BARKLEY was proud to be called a politician, because he saw in the term its true meaning, the science and study of government. ALBEN BARKLEY was a politician who had studied government and who knew government. He also knew that government in a free country was essentially the art and science of human relationships. He knew that for free government to be effective, it was necessary for those in positions of responsibility to have the ability to work together, cooperatively, and in that spirit ultimately to make decisions.

Senator BARKLEY was an impressive debater. He was able to muster all the facts for his argument and to base his cause upon sound logic, coupled with persuasive talents. He was one of the greatest orators of our century; indeed, he was one of the great political orators of all time.

Best of all, Mr. President, he was an advocate; he believed in things, and he made his beliefs and his conclusions crystal clear. He was willing to argue his case, without any bitterness or rancor or arrogance or intolerance.

Mr. President, our late beloved friend will always be remembered as a distinguished American statesman. But above all, in my mind, he will be remembered as a great statesman of the world, who made lasting contributions to human freedom which will bring to his name the fond remembrances of little people and of great people for centuries yet to come.

Mr. MURRAY. Mr. President, some weeks ago a member of the Senate made a highly appropriate observation concerning the late Senator BARKLEY. He said Senator BARKLEY was the best-loved Member of the Senate.

Certainly no man ever endeared himself to his colleagues to a greater degree than the late Senator BARKLEY.

But ALBEN BARKLEY was more than the best-loved Member of this body. He was a great American and a friend of all mankind.

He had the high respect and admiration even of those with whom he disagreed. While he could devastate an opponent in debate he could also heal the wounds of controversy with the balm of his irrepressible good humor and boundless supply of delightful and appropriate stories.

Under the leadership of Senator BARKLEY, during his tenure as our majority leader, the Senate passed some of its most historic legislation of the Nation. During his term as Vice President of the United States he presided with skill and dignity over the deliberations of this body. Later he returned to the Senate determined to do all he could to carry forward the principles and programs he espoused. He passed on while doing one of the things he loved best, speaking to young Americans on his philosophy of government.

We have all lost a treasured friend. His memory shall be cherished by every American who had the privilege of knowing ALBEN BARKLEY. He has left his imprint on the Nation. His place in history is assured.

Mr. KEFAUVER. Mr. President, the passage of time has softened the shock we felt in company with other citizens throughout the Nation when we first learned of the death of Senator ALBEN BARKLEY.

Looking about this Chamber even today, however, I find it difficult to realize that he has irrevocably gone from us.

This body and the 48 States which it represents are poorer today for his absence.

ALBEN BARKLEY's was a voice of sanity. He raised it often and well. He helped guide us through dark days which he brightened with the humor which reduced complicated issues to their basic essentials—expressed in warm and generous human terms. His loss is a loss to free men everywhere. He had no enemies. He hated only oppression, arrogance, and sham. He was ever a champion of the underprivileged and the depressed of no matter what creed or color or nationality.

ALBEN BARKLEY was not only a great American; he was a respected and loved citizen of the world. He was, indeed, as he said in his last statement "a servant of the Lord."

Although the place of ALBEN BARKLEY may be taken in this Chamber by good men, his place in our hearts, in our esteem, and in our memories can never be filled.

Mr. ROBERTSON. Mr. President, it would be futile for me to attempt to add to the tributes already paid to the outstanding accomplishments of our departed friend and colleague, Senator BARKLEY, but, based upon a friendship and mutual service in the Congress for a period of 23 years, I can say of him as Webster said of Chief Justice Jay:

> His character was a rare jewel in the Nation's treasure house of reputation, and the spotless ermine draped upon his shoulders touched nothing less spotless than itself.

Mr. President, it was a gala day for my hometown of Lexington, Va., when Senator BARKLEY arrived there to make the keynote speech at the mock convention at Washington and Lee University. The people of Lexington acclaimed him and the students of Washington and Lee acclaimed him. It was, for him, a familiar setting and a very stimulating one. When he was suddenly stricken by the hand of death everyone in that audience was shocked. They felt they had witnessed an unforgettable tragedy. Indeed, for them it was a tragedy and, likewise, it was a tragedy for the United States Senate, for the State of Kentucky, and for the entire Nation. But to our friend it was not a tragedy, because he

endorsed the philosophy of Robert Louis Stevenson who said:

And does not life go down with a better grace to foam in full charge over the precipice than miserably struggling to an end in sandy deltas.

Senator BARKLEY had had a rich career. He aspired to no future honors above those he already held.

Mr. President, I read from the transcript of the speech he delivered at Lexington on the occasion to which I have referred, the very last words he was ever heard to utter:

But I have no longer any personal interest. I have served my country and my people for half a century as a Democrat. I went to the House of Representatives in 1913 and served 14 years. I was a junior Congressman, then I became a senior Congressman, then I went to the Senate and became a junior Senator, and then I became a senior Senator, and then a majority leader of the Senate, and then Vice President of the United States, and now I am back again as a junior Senator.

And I am willing to be a junior. I am glad to sit on the back row. For I would rather be a servant in the House of the Lord than to sit in the seats of the mighty.

That, Mr. President, was the end of a great career, the end of a great statesman, and the end of a beloved friend of us all.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks the text of Senator BARKLEY'S extemporaneous remarks as taken down by a reporter on that occasion at the Washington and Lee mock convention.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SENATOR ALBEN W. BARKLEY'S LAST SPEECH, WASHINGTON AND LEE UNIVERSITY, APRIL 30, 1956

Governor Stanley, my fellow Americans, and, by the same token, my fellow Democrats, I feel very highly honored, of course, by being chosen as your keynoter and your temporary chairman. I hope my remarks and my appearance and my chairmanship may receive the same approval after I finish that I have had before I start.

It may be that I owe an explanation to Washington and Lee for having attended the law school of the University of Virginia. I have one to give you; I was nurtured in the cradle of Jeffersonian democracy.

I grew up in the same sort of atmosphere in the memory of Andrew Jackson. And I really studied democracy at the feet of Woodrow Wilson. Mrs. Barkley and I are very happy to be here today to be your guests and to be allowed to say a few words on this occasion. As the Governor has said, I have been a delegate at large from the State of Kentucky from 1920 until this hour. I have been temporary chairman of 3 of them (conventions), permanent chairman of 1 and took some part in all of them. And I have about concluded that maybe I have gone to enough conventions and I would not go to the one in Chicago this year. But since arriving in Lexington and since arriving in this hall, the old fire horse hears the bell.

And whomever you may nominate here today, I'll be on my way. It is not easy to draw a picture of a great political party that has existed during the entire history of the United States as has the Democratic Party.

Perhaps there has never been an election since 1800, when the author of the Declaration of Independence, the author of Virginia's statute for religious liberty, and the founder of the University of Virginia was elected President—there has never been a year or election since that time when the Democratic Party was not the voice of the people crying from the wilderness in behalf of these same people and the cause which they represent.

Somebody asked me the other day, What is the difference between the Democratic and Republican Parties? And my answer is, The difference between progress and stagnation.

In 1912 Woodrow Wilson stated that the Republican Party had not had a new idea in 40 years. That was 44 years ago, making 84 years in all.

Why do I say that? I say it, because I can with truth ask you here today—or any other convention of either Democrats or Republicans—to name one single great constructive statute that's on the books of the law today that was initiated or inaugurated by the Republican Party.

And as we approach the presidential campaign of 1956, we know you know—the American people know, and the Republican Party knows, it must run on its own record now, and not on the record of someone else.

It was under the administration of Grover Cleveland that the first rural-mail route in America was established. It was under Grover Cleveland that the first act to regulate commerce creating the Interstate Commerce Commission was enacted into law.

I have gone a long way back, but you want the foundation, don't you—for what I said a moment ago.

You don't want me to say anything here today that I can't prove, do you? All right: it was under the administration of Woodrow Wilson that the great Federal Reserve System was established, which enabled us to finance two great wars in the last generation.

It was under the administration of Woodrow Wilson that the Federal Trade Commission was set up, to give a forum where business, large or small, might find a redress for its grievances. I might say that a great Virginian who served in the House and in the Senate and in the Cabinet, of whom I was fond indeed, was one of the constructors of that great economic and financial legislation, the honorable Carter Glass.

It was under the administration of Woodrow Wilson that the greatest tariff law ever enacted in our history was enacted in the Underwood-Simmons tariff law of 1913, which was described as the fairest tariff ever enacted in the history of this Nation.

And it is the only one of the great record of Woodrow Wilson's enactment that the Republicans have ever repealed.

And when they repealed that, they brought on a worldwide, nationwide panic from which it took a Democratic Party to rescue this Nation in 1933.

It was a Democratic Party that enacted the Clayton antitrust law bringing down to date and up to date the antitrust laws of our country to protect the American people against monopolies and trusts.

It was the Democratic Party that first enacted the highway law, to give aid by the Government of the United States to our States and counties to the building of highways, and that law has been in effect from 1916 until now and now all the Eisenhower administration has been able to do has been to ask us to extend that law and build more highways and we're going to build more than he asks us to build.

It was a Democratic Party that established the Department of Labor, and formed the first Secretary of Labor in the Cabinet of the President of the United States. It was under the leadership of Woodrow Wilson and the Democratic Party that the amendment to the Constitution giving the women of this Nation the right to vote came into effect.

Now, I never thought that women suffrage would bring the millennium. But it couldn't have made it any worse than it was before.

Then came World War I. Following World War I, it was the great President of the United States who tried to bring about peace to the world and to organize mankind in peace instead of war. He gave his life for that cause. And our great domestic program was interfered with by war. And then came the Republicans, which were worse than war. Harding, Coolidge, and Hoover. Now I don't mention those names through any disrespect, for I have respect for anybody elected President of the United States, but I do have to mention them because they did live and were Presidents.

At the end of their 12 years, the American people were in the depths of the greatest economic and social and moral depression in the history of this Nation.

And then what happened? The American people did what they always do when they get in trouble. They called on the Democratic Party to relieve them (from their posts).

Franklin D. Roosevelt became the President of the United States. During his administration more laws were enacted for the benefit of the American people than were ever enacted in any 50 years of our history prior to that time.

I need not here recite them, but I mention merely the Agriculture Adjustment Administration, known as the triple A, which lifted the farmer out of the ditch, and put his feet on solid ground and it is a strange similarity that today that same farmer is in the same ditch, and the Democrats are going to have to lift him out and put him on solid ground again.

It was the same Democratic Party that enacted the law guaranteeing bank deposits of the people of the United States. During the 12 years to which I've just referred, bank failures were occurring everywhere all over the Nation.

Due to our foresight, due to our courage, due to the constructive ability of the Democratic Party, we enacted a new banking law and guaranteed the deposits of our people so that they now have faith in their banks and so long as they have faith in their banks there'll be no runs on their banks and no bank failures.

It was the Democratic Party that gave to the Nation and to the world and particularly to the Western Hemisphere the good neighbor policy of Cordell Hull, one of the greatest Secretaries of State in the history of the United States.

Under former Republican administrations we had what we called dollar diplomacy by which was meant our ambassadors,

(At this point one of the mikes in the hall tipped over with a crash. Senator BARKLEY stopped, smiled, and said "that's only a symbol of what is going to happen to the Republicans this fall." This quip brought a roar of laughter and when it subsided the Senator resumed his speech.)

During previous Republican administrations we've had what was called dollar diplomacy which meant that our ambassadors to our neighbors in South and Central America were sent there largely to exploit those people for the dollars of American investors and American businessmen. Cordell Hull, Tennessee, married a Virginia girl, brought about the good neighbor policy with our neighbors to the south. To show you that the Republicans are trying to keep the same thing but give it a different name, a couple of weeks ago, they unveiled a bust of Cordell Hull in the Pan-American Union Building in Washington. The distinguished gentleman who unveiled him made a speech about

him, was unwilling to call it the good neighbor policy because it was Democratic. He renamed it the good partner policy.

They've renamed everything, but they've kept it. Now we have the good neighbor policy with our Central and South American neighbors and when we were a second time gone into a World War which we had not caused, against our will, every one of these American Republics joined us in our fights, to preserve democracy, freedom, and the dignity of man. Every great constructive legislative enactment that has found its way to the statutes of American Congress in the last 50 years was put there by the Democratic Party, recommended by Democratic Presidents.

Therefore, I say without any equivocations that the Democratic Party has been the forward-looking, progressive, constructive party in the history of our Nation. It will be as the world goes on now in this great economical struggle to preserve democracy, to hand our Nation down to those who are to come after, the generations to come free and strong, as it was when it came to us, it will be the Democratic Party fighting for the rights of the great masses of our people and not for any particular group of our people.

The great founder of our party was an apostle of equal rights to all, and exclusive privileges to none.

We're for all kind of business so long as it's honest, big or little. We are those who feel that after all in our economic struggle and in the complexity of our lives, Government cannot be indifferent to the welfare of all classes of our people. Therefore, we have a foreign policy, we have a domestic policy, we have a farm policy, we have a labor policy, we have our old-age policy, we have a youth policy. We're not like the Republicans who only have one policy and that's an insurance policy that insures you for what you need and pays you off in everything you got more of than you need.

(One minor sentence was lost at this point due to transmission difficulties.)

But I do know we have an amplitude of worthy material. Half a dozen or more, any one of whom would grace the White House and honor the American people with his service.

So, my friends, I'm not going to test your patience by holding you off much longer from the real business of this convention. I want to announce to you that if I had not known it in advance I would have known it when I saw all the floats in the great parade which you put on, but I am myself not a candidate. I have been in years gone by.

I think that I am sufficiently alert to present conditions to know that all fire apparatus are now automotive and not horse drawn.

I have seen the time when I was like old Thomas B. Reed, a man who was Speaker of the House of Representatives back in 1896 when William McKinley was nominated, and he was a candidate. He was known as Czar Reed. He became known as Czar Reed because he was so arbitrary and ruthless in his rulings as a Speaker of the House of Representatives. He was a candidate for the Republican Party for President in 1896. He was getting a very good vote but not enough. Finally a Member of the House came up to the stand and said, "Mr. Speaker, do you think they're going to nominate you out there?" "Well," he said, "my friend, by George, they can go further and do worse and I'm afraid they will."

But I have no longer any personal interest. I have served my country and my people for half a century as a Democrat. I went to the House of Representatives in 1913 and served 14 years. I was a junior Congressman, then I became a senior Congressman, then I went to the Senate and became a junior Senator, and then I became a senior Senator, and then a majority leader of the Senate, and then Vice President of the United States, and now I am back again as a junior Senator.

And I am willing to be a junior. I'm glad to sit on the back row. For I would rather be a servant in the House of the Lord than to sit in the seats of the mighty. (At this point, Senator BARKLEY hesitated, took one step backward, collapsed, and died.)

Mr. NEUBERGER. Mr. President, one of the real privileges which have come to me in the short time I have been been a Member of the Senate has been to sit in the back row, over in the corner of the Chamber, near ALBEN W. BARKLEY.

A new Senator or a new locomotive engineer or a new forest ranger is very often dependent on the assistance and counsel of persons having far greater experience and wisdom than himself. I do not believe that any veteran Senator could have been more kind or generous or understanding to a new Senator than ALBEN BARKLEY was to me.

There were many times when I asked him for advice and counsel. He always gave it with unstinted generosity. He was never stingy about his time, although I know there were far more demands upon his time than he could possibly recognize. Yet he often went out of his way to illustrate a point he was making about some particular issue before the Senate with some little episode or epigram or metaphor, which seemed to point up his thought. I always marveled at the way he could stand on the Senate floor without a single note or piece of paper in his hand and discuss the most complicated, detailed kind of legislation.

In my memory today is one particular occasion when Senator BARKLEY discussed a tariff bill. We all know how technical tariff legislation can be. Yet on that specific occasion Senator BARKLEY went to the very heart of the matter. He discussed import duties, tonnages, and values relating to the particular product which was at issue. I do not recall that he ever consulted a piece of paper or had a note before him.

Senator BARKLEY, I think, illustrated a phrase which the late President Roosevelt once used in referring to Senator George W. Norris, of Nebraska. President Roosevelt said that Senator Norris was a man old in years but young in heart. Certainly that was true, in my opinion, of Senator ALBEN W. BARKLEY.

I hearken back to an episode which involved not only Senator BARKLEY but also another man to whom the Senate is paying tribute today—the late Senator HARLEY M. KILGORE, of West Virginia. On the occasion to which I have reference, Senator KILGORE, who sat in the front row of the Senate, had offered Senator BARKLEY his chair. The story goes that Senator KILGORE felt it was not quite appropriate that a man who had been for so long a Member of both Houses of Congress, who had been the majority leader, and who had been the Vice President of the United States—that a man having such an outstanding record as that should occupy a seat in the back row. Therefore, Senator KILGORE had offered to exchange his seat in the front row for Senator BARKLEY'S seat in the back row.

Senator BARKLEY came back and told Senator PATRICK MCNAMARA and me about Senator KILGORE'S very kind offer. Then Senator BARKLEY said, "I told Harley that I like it back there so well with the freshman Senators, Pat and Dick, that I think I will just stay back there with them."

No matter how long or how brief may be my tenure in the Senate, I think that is one of the best compliments I shall ever receive. I feel certain that Senator MCNAMARA also will agree that it will rank at the top of any accolades he may collect.

Mr. President, I think Senator BARKLEY died as he would have wished to die. He was standing in a great forum at a great, traditional college in the South. He was addressing young persons whose futures were still before them. He was talking about the glories of our country and the glories of the Democratic Party. In that instant death overtook him. The exact episode of his passing and the atmosphere of his passing were recalled to Mrs. Neuberger and me a few days later, when we attended the funeral of Senator BARKLEY at Foundry Methodist Church, where a most eloquent and moving eulogy in tribute to Senator BARKLEY was delivered by our beloved friend, the Chaplain of the Senate, the Reverend Dr. Frederick Brown Harris.

Sitting in the row directly in front of Mrs. Neuberger and me was Senator THEODORE FRANCIS GREEN, who only a few days ago became the oldest Member of the United States Senate in the entire history of our country. As we walked out of the church I remarked to Senator GREEN, "This must be a sad day for you, Senator GREEN, because you and Senator BARKLEY were friends for so long a time and served so long together in the Senate."

Senator GREEN looked at us, smiled, and said, "No; this is not a sad day; it is a glorious day." He added, "Is it not fine that Senator BARKLEY died on the stump, on the rostrum, while he was still in the full possession of all his powers of intellect and physique, and that he did not waste away agonizingly in some hospital bed?"

As Mrs. Neuberger and I walked away from the church after leaving Senator GREEN, we commented on how descriptive was that remark, not only of ALBEN W. BARKLEY, but also of Senator GREEN, our colleague.

Mr. President, it has been a great privilege for me, a new Member of the Senate, to have served, if only for a brief time, with a person so distinguished, so kind, and so wise as ALBEN BARKLEY. Fortunate, indeed, is that country which has representatives who served without selfishness and without fear.

Mr. GEORGE. Mr. President, I rise to pay an unstudied tribute to my friend, ALBEN BARKLEY. He was in Georgia, in college, during my college years, although we were not at the same school nor in the same town.

When I came to Washington, he was a Member of the House, and had been for a number of years. About 5 years after I entered the Senate, the then Representative BARKLEY was elected to the Senate. I served with him when he was the majority leader and the minority leader of his party. I had a close association with him as a member of the

Committee on Finance. I was a member of the Committee on Finance when ALBEN BARKLEY came to the Senate, but I soon learned to know him much better as a fellow committeeman. Our relationships were always pleasant and cordial.

A little later, he became a member of the Committee on Foreign Relations, and as a member of that committee he was always quite willing to assume his full responsibilities. He did not duck issues; he always voted his convictions.

Senator BARKLEY was not deceived by temporary changes in the currents, the tides, or the winds, because he seemed to have an appreciation of something far more fundamental and far more enduring. As a member of the Committee on Finance and also of the Committee on Foreign Relations, he was always diligent in the discharge of his immediate duties, and was always highly honorable in his appreciation of the great issues which came before those two committees.

It is significant, because it serves to teach us how fleeting a thing is life itself, to realize that today we are paying tribute to two honorable men who served in this body but a little while ago—HARLEY KILGORE, of West Virginia, a kindly disposed man, cordial in his relationships with his fellows here; and ALBEN BARKLEY, who had a due, fine, and high appreciation of life.

I think I may be pardoned for saying that what always impressed me most about ALBEN BARKLEY—and my association with him was close, so close that almost daily we had lunch together during the present session of the Congress—was his lack of malice. ALBEN BARKLEY was incapable of malice. He bore no malice toward any man. He bore no malice toward any political party, although he was in sharp disagreement with the policies of parties other than his own. But he was wholly incapable of possessing the uncomfortable, unhappy attribute which we describe as malice. He did not agree, and made no pretense of agreeing, to things in which he did not believe. He was outspoken, he was strong in the assertion of his own political faith, but he lacked malice; and nothing petty, nothing trifling, nothing ignoble ever darkened his mind or his heart.

ALBEN BARKLEY was a man who deserved greatly of his day and his generation. He served his State well. He served his country well. He was almost universally beloved through the Nation, because everyone knew intuitively that littleness of soul and malice of heart were utterly foreign to his nature.

And so, Mr. President, I simply pay my unstudied tribute to the live, vibrant human soul who so lately was here among us. I do not forget the last moment when I parted with ALBEN BARKLEY at the home of Senator HARRY BYRD, in Virginia, from which home he went to the last engagement he had. And I do not forget that he told me he would be out of Washington on Monday, but that he thought he would get back on Tuesday. But he did not come back. A little more than a month before his going, he had promised to accompany me to Georgia. He promised to go with me to the beautiful queen city of northeast Georgia and to make a speech at what has been called the poultry festival of the southeast, in that community and in that area of the State. We discussed it on more than 1 day. I anxiously awaited the time when he would make that trip, because he would be talking to people very much like his people in Kentucky. He would be talking to the hill people and the mountain people of northeast Georgia. He would be talking to friends, because some of them had gone to college with Senator BARKLEY in Georgia, and vast scores had met him in after life.

ALBEN BARKLEY presented, on the whole, a man whose likeness we do not see now in our Chamber, nor will we be likely to see it for many, many days to come. He loved his State, as I have said. He loved his country. He loved his party, but in no spirit of narrowness. He loved his party because he thought his party represented the best interest of his country and the best interest of humanity.

O course, men do not always agree in this body, but on the two committees to which I have referred, where he was serving even at the time of his death—although on his return to the Senate he had been passed over for men who had the claim of seniority to those committee places—I do not recall any occasion, however sharp the issue, when there was any disagreement or difference of viewpoint that meant any estrangement or even straining of cordial personal relations between us.

I early learned that ALBEN BARKLEY viewed all mankind with the sort of deep and abiding and universal love that men feel for their fellow men when their own hearts are right. I listened to his stories by the hour. I listened to his wisdom with great profit. I know he made a great contribution to his day and to his generation.

In point of years, ALBEN BARKLEY was but a few months older than the senior Senator from Georgia. In point of wisdom and experience, he was very much my senior. In point of deep affection and feeling, I shall always he happy until the end that we shared a friendship which was unselfish and which was mutually helpful. However, I was the chief beneficiary of that happy friendship, which began many, many long years ago, and which lasted down to the end. I revere ALBEN BARKLEY'S memory, I esteem his friendship as one of the most precious possessions in my life and in my experience. I esteem his kindly and his gentle feeling. I esteem the indulgence that a great man can always show to any of his fellow men, however weak. I think of him in times when we were in disagreement and in times when we were in agreement; but I always think of him as a genuine American who loved his country well.

Mr. President, let me quote the words of a distinguished Georgian, who once served with great honor in this body, before I came to it:

> He who saves his country saves all things, lives nobly, and all things saved bless him.
>
> He who lets his country die, lets all things die, dies himself ignobly, and all things dying curse him.

ALBEN BARKLEY lived well—lived well with his country, with his family, with peace, and with his God—because he always sought to save his country. Regardless of whatever the cost might have been to him at the moment, he sought to save his country and to preserve it.

He has left a legacy which those who bear his name may always regard with the pride of generations who have followed great men who served and who loved their country.

Mr. ERVIN. Mr. President, I should like to associate myself with the very beautiful remarks made by the beloved and distinguished senior Senator from Georgia [Mr. GEORGE] in reference to our departed colleagues, whom we remember today.

I should like to add only a word or two. Senator ALBEN W. BARKLEY was undoubtedly one of the most remarkable men in the history of our Nation. He alined himself in a positive fashion on the issues which confronted the Nation during his day. I think we can say of him, as the poet said of his friend:

> Green be the grass above thee, friend of our better days;
> None knew thee but to love thee, nor named thee but to praise.

That certainly applies to Senator BARKLEY.

As the distinguished senior Senator from Georgia has pointed out, everyone who knew Senator BARKLEY loved him. Although Senator BARKLEY lived in the center of great controversies, no one ever spoke of him except in terms of the highest praise.

Mr. MONRONEY. Mr. President, it is an honor to be allowed to associate one's self with the remarks made here today in memory of the great public service rendered by the beloved ALBEN W. BARKLEY, to whom I shall always refer as Vice President ALBEN BARKLEY, and by the distinguished Senator HARLEY KILGORE, of West Virginia. As a younger Member of the United States Senate, it was a privilege to know these men and to know that in the midst of the heavy workload that was upon them—in Senator BARKLEY'S case, as Vice President of the United States; and in the case of Senator KILGORE, as chairman of the powerful and overworked Judiciary Committee—they always had time to extend a helping hand to a young man who was trying to adjust himself to the troubles and perplexities of service in this great legislative body.

Mr. President, often when I am showing young people from Oklahoma about the Capitol—for instance, today I had the privilege of escorting in the Capitol Building two representatives from the Girls Nation—I take occasion to take them into the old Senate Chamber, in the old part of the Capitol Building, and show them the desks of Calhoun, Webster, and the other greats of past years, who have made their imprint upon the security and the very existence of our Nation. I often wonder whether any of those "giants" who once walked the floor of the United States Senate, would have been able to write a record any greater, if as great, as that written by ALBEN W. BARKLEY during his service in the legis-

lative halls of the Nation from 1912 until this year of 1956.

ALBEN W. BARKLEY was a man with great good humor, with great competence, with deep and abiding respect for the intelligence of all the people of the United States, and for our system of representative democracy. I wonder whether any of the "giants" of the past could have exceeded the contributions and accomplishments of ALBEN W. BARKLEY, in solving the problems of their day; whether they could have contributed to the welfare of the Nation in greater degree than did ALBEN W. BARKLEY, during his magnificent service in World War I, as a Member of the House of Representatives, and subsequently as a Member of the United States Senate; and, during the postwar period, when efforts were made, under the great Woodrow Wilson, to establish a world organization—the League of Nations—and then in helping, as Senator BARKLEY did so greatly, to bring the Nation from its lassitude during peace to a posture of greater defense efforts before the outbreak of World War II, and the subsequent bombing of Pearl Harbor; and then, during the war, in helping to bring about the strengthening of our Nation and its defense; and, following that, in his strong leadership, as majority leader, in connection with the passage of measures which made possible our adherence to the United Nations and our contributions in that field; and subsequently, during the postwar period, in his outstanding service as Vice President of the United States.

I doubt that any man outside of the Presidency or the position of Secretary of State could have done more than did Senator ALBEN BARKLEY to bring about the influence that America enjoyed during the postwar period. In that connection, let me refer to the Marshall plan, the Greek-Turkish aid program, and all the other things which Senator BARKLEY, as majority leader of the United States Senate, helped to bring to reality.

Senator BARKLEY's great good humor made him appreciated, honored, and respected by all America. All Americans followed him day by day because he had the gracious gift of good humor, because he always had a "homey" story to illustrate the issues facing the Nation.

I shall never forget the untiring work he performed. I had the good fortune of serving with him on several conference committees, while I was a member of the House of Representatives and while he was majority leader of the Senate. I also served with him on 1 or 2 other committees, including the Senate Committee on Banking and Currency. I well remember that during the long conferences over inflation-control legislation, Senator BARKLEY would meet with us from 10 o'clock in the morning until perhaps 4 o'clock in the afternoon, and then often would express his apologies for having to fulfill an important speaking engagement—perhaps in Chicago or in Buffalo—that evening. He would fly all night, to return to his post of duty early next morning in the committees and also in the Senate Chamber, where he was always prepared to exercise his splendid abilities as majority leader. I constantly marveled at his endurance, his breadth of vision, his capability, his accumulation and use of information. I constantly admired the great ability he had, which permitted him to make such outstanding contributions to the Congress and to the Nation during those years of his notable leadership in this body.

I trust that the tradition of ALBEN BARKLEY will continue to be one of the guiding lights of the United States. He was a man who could disagree without being disagreeable; a man who could always find a point in any situation, no matter how tense, at which to break out the good humor which is native to the American spirit of fair play and commonsense.

I am grateful for the opportunity of expressing my appreciation of the distinguished service of ALBEN W. BARKLEY.

Mr. CURTIS. Mr. President, I could not hope to make any considerable contribution to the tributes which have been paid to two departed Senators by those who served with them for so long. Nevertheless, I wish to join in expressing my appreciation for the service which they rendered. Throughout the greater portion of my lifetime the late ALBEN W. BARKLEY has been a prominent figure in American public life. He has brought distinction and honor to this body, and we shall always cherish his memory.

Mr. WELKER. Mr. President, no word I might say could match the beautiful tributes which have been paid to the distinguished late Vice President and our colleague, ALBEN W. BARKLEY. So, I wish to join my colleagues, and associate myself with their remarks.

Aside from the sacred things in my life, ALBEN W. BARKLEY bestowed upon me the greatest honor it has been my privilege to receive. He administered to me the oath of office as a United States Senator. My heart, like those of my colleagues assembled here today, is full of memories of ALBEN W. BARKLEY. There is nothing human hands or human minds can do to alleviate the suffering caused by the departure of that great statesman.

I shall never forget his manifold kindnesses to me as a new Senator, even though I was of the opposite political faith. At times I served as acting minority leader, when he was Vice President or President pro tempore. He was very kind about helping those of us who knew little about parliamentary procedures. Many times he would step down from the Vice President's chair and come to my desk to talk with me and help me in connection with problems about which I knew very little.

I can say with the utmost confidence that the memory of the great ALBEN W. BARKLEY will be cherished by Republicans as well as Democrats. He was dedicated to a cause which he thought was right. No greater tribute could be paid to any man. He was truly a statesman, even though at times I disagreed with him. If we always agreed upon every question, this would not be much of a legislative body.

ALBEN W. BARKLEY was a statesman. As has been previously stated, he served his country through some of the most trying times of the Republic—through World War I, World War II, the Korean war, and many other difficult periods. He leaves to us as Senators a heritage which I hope we can appreciate. He leaves to us an example which we can try to follow. In my opinion, no Member of this body could do better than to try to emulate the example of the great ALBEN W. BARKLEY in his service to his country and to his State.

I shall never be convinced that ALBEN W. BARKLEY is dead. He is only away.

Mr. MORSE. Mr. President, I know that every Senator who has paid tribute to HARLEY KILGORE and ALBEN BARKLEY today is filled with a deep sense of humility, and also with a deep sense of debt and gratitude for the opportunity which has been ours of association with these two great statesmen.

I use the term "statesmen" advisedly, although I recognize that in our time too frequently it is used loosely.

These men, judged by their records, by their lives, and by their services—which, after all, constitute their historic monuments—in my judgment met the three criteria of statesmanship. There are three essential elements which must exist before one can possibly qualify as a statesman.

The first is integrity, character which meets the fiery test of temptation.

The second is courage. These men lived it and exemplified it.

The third is brains; and there is no substitute for brains in public service.

These two statesmen evidenced time and again the indispensable attribute of high intelligence.

I recognize, Mr. President, that political labels can become meaningless as the result of careless use. However, I believe here we have two statesmen to whom the term "liberal" can be properly applied if the term be used in the definitive sense in which I use it. They were men who by their legislative endeavors sought to promote the welfare of the people of our country. That is the legislative objective of liberals. Liberals recognize the superiority of human values over materialism. They recognize the importance of promoting the welfare of the people rather than of enhancing the profits of economic groups, motivated by selfishness.

One needs only to turn to the legislative record of HARLEY KILGORE and ALBEN BARKLEY to see how inescapable the conclusion I now submit really is. These men worked for the people. They recognized that that is the primary obligation of a Senator.

Their footprints are so deeply imprinted on the floor of the Senate that they will never be eroded, no matter how long the passage of time.

I remember the last day that the great BARKLEY served in this Chamber. During that afternoon he came over and sat alongside of me, and his wit and good humor were at their best. He said, "Wayne, what are you doing here? I never learned how to win elections in Kentucky by staying in Washington."

It happened that at the time I had a contest in the primary in the State of Oregon. We had a good laugh about it. I pointed out to him that there chanced

to be pending in the Senate some legislation to be considered in the near future, which was of vital concern to my State, and I was remaining in the Senate to participate in the discussion of it. The RECORD will show that I did. That explanation Senator BARKLEY was willing to accept for my presence in the Senate at the time, even though he felt I ought to be taking part in the campaign in my State.

I wonder how many people fully appreciate the fact that ALBEN BARKLEY was a keen student of the Scriptures. On various occasions I heard him discuss with great scholarship Biblical history. It was in one of those discussions that I learned that one of his favorite passages in the Book of Life was the psalm which I shall read as my closing tribute to this great statesman and this good Christian. ALBEN BARKLEY was particularly fond of the Twenty-third Psalm. The Twenty-third Psalm is a particularly fitting tribute to the life of this great American. I read it in memory of ALBEN BARKLEY:

The Lord is my shepherd; I shall not want.
He maketh me to lie down in green pastures: He leadeth me beside the still waters.
He restoreth my soul: He leadeth me in the paths of righteousness for His name's sake.
Yea, though I walk through the valley of the shadow of death, I will fear no evil: for Thou art with me; Thy rod and Thy staff they comfort me.
Thou preparest a table before me in the presence of mine enemies: Thou anointest my head with oil; my cup runneth over.
Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord for ever.

Mr. O'MAHONEY. Mr. President, recognizing, as I do, my inability to pay adequate tribute to either of the great statesmen whom we memorialize today, I nevertheless cannot allow the hour to pass without adding a word to what has been said.

I remember well when Senator BARKLEY was elected majority leader of the Senate. I know that history will record the fact that he served as majority leader of the Senate longer than any other man. That service came during one of the gravest and most critical periods of our Nation's history. I served with him during that entire period, and from my place upon the floor I observed his work. I marveled at his ability to acquaint himself with all essential knowledge respecting every measure which came under his leadership.

Mr. President, he was a man who had a masterly grasp of the facts and a clear understanding of law and of logic. His equal, I am sure, certainly, his superior, never walked the floor of the Senate of the United States. This I say because I saw Senator BARKLEY at work. I saw him at work as Vice President. He will be recorded among the great men of our Nation's history. I am proud to be able to say that he was my friend. I deeply regretted his passing. The Senate and the Nation have lost a magnificent public servant.

Mr. WATKINS. Mr. President, no man who has sat in this Hall of Congress in recent years can think back on the late distinguished Senator ALBEN WILLIAM BARKLEY without a smile and a tear. In his high and constant good humor, in his joy in the story well told, the junior Senator from Kentucky was a constant delight. Yet Senator BARKLEY was not just a teller of tales, but a man of understanding and discernment whose practical wisdom and well-considered judgment were of ever-sought value to the Senate and the people.

In a sense, in Senator BARKLEY a chapter of American life was represented. He came into the practice of law in the first months of the new century, and rose successively through local offices to the Congress, where more than 20 sessions ago his voice was first heard. Through the twenties, thirties, forties—those memorable years—he sat in these Halls of Congress, an eager participant in the debate of those days. In him, then, the first half of the 20th century has a congressional counterpart.

There is no doubting Paducah's love for her native son, and the affection in which he was held by his State of Kentucky. America, too, shares this affection, for no matter how hard the fray, how embattled the issues, Senator BARKLEY remained a kindly force, working for the right as he saw it.

Now that he has gone home—to his last rest—we may be sad. But not for long would ALBEN BARKLEY have seen us this way. His joyful spirit could not long contain the spirit of sadness.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11356) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11619) to amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9893) to authorize certain construction at military installations, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HALEY, Mr. SHUFORD, Mr. EDMONDSON, Mr. WESTLAND, and Mr. UTT were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H. R. 1761. An act to relieve certain veterans who relied on an erroneous interpretation of the law from liability to repay a portion of the subsistence allowances which they received under the Servicemen's Readjustment Act of 1944;

H. R. 1876. An act for the relief of Martin M. Sorensen;

H. R. 6190. An act for the relief of Ensign Charles A. Binswanger;

H R. 9371. An act for the relief of John R. Henry;

H. R. 11714. An act to amend sections 5217 (c) and 852 (b) (3) of the Internal Revenue Code of 1954; and

H. J. Res. 606. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

REINVESTMENT BY AIR CARRIERS OF PROCEEDS FROM SALE OF CERTAIN OPERATING PROPERTY

The PRESIDING OFFICER. Pursuant to the special order entered on Friday, July 6, 1956, the Chair lays before the Senate the unfinished business.

The Senate proceeded to consider the bill (S. 3449) relating to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment.

COMMISSION FOR CELEBRATION OF 100TH ANNIVERSARY OF BIRTH OF THEODORE ROOSEVELT

Mr. CLEMENTS. Mr. President, the Senator from Wyoming [Mr. O'MAHONEY] has 2 or 3 privileged items to present to the Senate. I hope he will do so now.

Mr. O'MAHONEY. Mr. President, I ask the Chair to lay before the Senate the amendment of the House to Senate bill 3386.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3386) to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 100th anniversary of the birth of Theodore Roosevelt," approved July 28, 1955, which was on page 1, line 8 to strike out "$461,000" and insert "$100,000".

Mr. O'MAHONEY. Mr. President, I move that the Senate disagree to the House amendment, request a conference with the House thereon, and that the Chair appoint conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Presiding Officer appointed Mr. O'MAHONEY, Mr. DANIEL, and Mr. WATKINS conferees on the part of the Senate.

TERMINATION OF INDIAN CLAIMS COMMISSION

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 5566) to terminate the

existence of the Indian Claims Commission, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. O'MAHONEY. Mr. President, I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. O'MAHONEY, Mr. ANDERSON, Mr. NEUBERGER, Mr. WATKINS, and Mr. GOLDWATER conferees on the part of the Senate.

NARCOTIC CONTROL ACT OF 1956—CONFERENCE REPORT

Mr. O'MAHONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11619) to amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 9, 1956, pp. 12160–12165, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. O'MAHONEY. Mr. President, I trust that the Senate will agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. WELKER. Mr. President, having worked on the Committee on the Judiciary with the great and outstanding Senator from Texas [Mr. DANIEL] and the distinguished Senator from Wyoming [Mr. O'MAHONEY], let me pay tribute to those two Senators for the outstanding work they did, in which I had a small part, on the antinarcotics bill. America will be stronger as the result of the fine work done by the committee; and I know that, as a result of the adoption of the conference report, there is not a narcotic peddler or a heroin peddler in this Nation who is not afraid of his future.

In my judgment the most outstanding feature of the bill as agreed to in conference is the provision which makes it discretionary on the part of a jury to impose the death penalty on a person over the age of 18 who sells heroin to anyone under the age of 18.

Heroin is the most dreaded drug known to mankind. Those who are addicted to its use are incurable. Never in the history of our country has a heroin addict been cured. I think the Senator from Texas [Mr. DANIEL], the chairman of the subcommittee, and the Senator from Wyoming [Mr. O'MAHONEY] deserve outstanding credit for their splendid work.

Mr. O'MAHONEY. Mr. President, the Senator from Idaho is very kind and gracious. On behalf of the Senator from Texas and myself, I thank him for his kind words. I want it to be understood, however, that the Senator from Idaho also labored very diligently to secure the enactment of the measure.

Furthermore, I see the distinguished Senator from Maine [Mr. PAYNE] upon the floor. The Senator from Maine introduced one of the first bills to bring the arm of the law into a position to control and, if possible, to suppress the narcotics traffic. The Senator from Maine also performed yeoman service in bringing about this result, which all of us on the Subcommittee on Narcotics and on the Committee on the Judiciary itself believe will be of untold benefit to the rising generation in America.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MUTUAL SECURITY ACT OF 1956—CONFERENCE REPORT

Mr. GEORGE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11356) to amend further the Mutual Security Act of 1954, as amended, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 9, 1956, pp. 12150–12154, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GEORGE. Mr. President, I have prepared a brief statement and, unless some Senator wishes to ask some questions about the report, I shall ask unanimous consent to have the statement printed in the RECORD, together with two supplementary statements.

First, I ask unanimous consent to have printed at this point in the RECORD a statement concerning the conference report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GEORGE

The conference report on H. R. 11356, the mutual security bill, carries a total authorization of $3,927,575,000. This is $382,500,000 less than the Senate bill and $360,100,000 more than the House bill. On most money items, the conferees split the difference between the two Houses.

In general, the Senate has cause to be satisfied with the results of the conference. Personally, I would have preferred a higher authorization, particularly for military assistance, but the House conferees steadfastly refused to meet us more than halfway. In its substantive provisions, the bill represents a fair compromise of the differences between the two Houses. It is a good bill, and one which goes pretty far toward meeting the Senate's point of view in matters other than the amounts authorized.

The two biggest items of difference had to do with military assistance and development assistance. For military assistance, the House had authorized $1,925 million, of which not less than $48 million was for Spain and not more than $402 million was for Europe. The Senate had authorized $925 million plus $1,600 million more replacing American equipment and materiel used in the military assistance program. The conferees agreed on a lump sum of $2,225 million without earmarking any for Spain or Europe. In regard to Spain, it is the intention of the conferees that the full amount programed for that country be furnished. In regard to Europe, the Senate conferees were most insistent that there be no limitation which might interfere with our participation in NATO, and the House conferees receded on this point.

The provisions of the two bills concerning development assistance were rather more complicated. The House had authorized $243 million in a lump sum, subject to a number of conditions, and had, at the same time, repealed the unappropriated authorization of $100 million remaining from last year in the President's Fund for Asian Economic Development. The Senate had likewise authorized $243 million, but had divided it among areas and had attached somewhat different conditions from those in the House bill. The Senate had also left undisturbed the Asian Economic Development Fund.

The conference committee agreed on a figure of $293 million for development assistance. This has the effect of reauthorizing half of the $100 million remaining in the Asian development fund. That fund itself is repealed.

The House had specified that all development assistance be in the form of loans, except when it was used for regional projects or to finance the sale for foreign currency of surplus agricultural commodities. The Senate had required that 75 percent of development assistance be on a loan basis, with the same two exceptions. The conferees agreed on a figure of 80 percent. The conferees also agreed to the House limitation of 25 percent of development assistance in any one country, but with an amendment to make it clear that a country's proportionate share of assistance to regional projects is not to be counted against this limitation. The increase in the total amount from $243 million in the House bill to $293 million in the conference report makes it possible for this limitation to be in the law without seriously interfering with any country program.

The conferees also agreed to a House provision making development assistance funds available until June 30, 1960.

The conferees also agreed to delete a House provision limiting development assistance to countries who had signed agreements with the United States for the participation of private enterprise in furthering the policies of the Mutual Security Act. This was one of the most contentious and most important points in conference. There is already in the law, in section 413, adequate provision for the participation of private enterprise, and certainly the letter and spirit of that provision should be followed. But to have limited

assistance to countries which had signed written agreements on this point would have been self-defeating.

Mr. GEORGE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement explaining in more detail the actions of the conference and also a table showing the amounts requested by the administration, the amounts authorized by the House, the amounts authorized by the Senate, and the amounts approved by the committee of conference.

There being no objection, the statement and table were ordered to be printed in the RECORD, as follows:

OTHER ACTIONS OF MUTUAL SECURITY CONFEREES

Statement of policy: In the statement of policy of the bill, there was added in the Senate an amendment sponsored by the distinguished Senator from Wyoming [Mr. O'MAHONEY] having to do with the development of airpower and the construction of nuclear weapons. This was deleted by the conferees.

The statement of policy in the Senate bill also contained a statement that assistance to the newly independent states in Africa "should be furnished in the same manner as in the case of other independent states." This was likewise deleted by the conferees on the grounds that it was unnecessary. The conferees expect aid to independent states in Africa and elsewhere to be administered in this manner in any case.

Latin America: The Senate bill contained an amendment sponsored on the floor by the Senator from Florida [Mr. SMATHERS] creating an economic development fund of $35 million for Latin America. The conferees were most sympathetic to the purpose of the amendment, but they were reluctant to create a new regional fund. (In this connection, it should be noted that in other actions, the conferees repealed the Asian fund in existing law and struck out the Middle East fund in the Senate bill; so that there are now no regional funds of this character.) In the conference report, the authorization of defense support for Latin America is increased by $15 million (from $37 million to $52 million), and language is added making that $15 million available until expended for the purposes stated in the Smathers amendment—namely, health, education, and sanitation projects. The conferees added a further purpose—that is, land resettlement programs which will contribute to the resettlement of foreign and native migrants. As in the Smathers amendment, 75 percent of these funds are to be used on a loan basis. In view of the reduction of the total amount from $35 million to $15 million, however, the conferees deleted the provision of the Smathers amendment limiting the amount which can be used in any one county to 25 percent of the total.

In connection with Latin America, I should also point out that it is the intention of the conferees that $10 million should be used for Guatemala.

Yugoslavia: The provisions on aid to Yugoslavia were retained in the bill substantially in the form approved by the Senate, including the language which was added by the Senate on the motion of the able Senator from Wyoming [Mr. O'MAHONEY]. The Senate will recall that the O'Mahoney amendment required the President to find, among other things, that "Yugoslavia does not adhere to any policy for the Communist conquest of the world." The conferees changed that to read that "Yugoslavia is not participating in any policy or program for the Communist conquest of the world."

Enslaved peoples: The Senate added 2 amendments, 1 sponsored by the senior Senator from Illinois [Mr DOUGLAS] and 1 sponsored by the junior Senator from Illinois [Mr. DIRKSEN], each having to do with keeping alive the hope of freedom among enslaved peoples. The Dirksen amendment authorized an appropriation of $5 million for this purpose and also increased from $50 million to $55 million the amount of funds available to the President on an unvouchered basis. The Douglas amendment authorized use of $20 million otherwise authorized by the act as well as the use of foreign currencies.

The conferees combined these two amendments in a form which authorizes the use of the President's special fund under section 401 "for programs of information, relief, exchange of persons, education, and resettlement, to encourage the hopes and aspirations of peoples who have been enslaved by communism." No additional funds are authorized for this purpose, nor are any funds specifically earmarked. The President has available a separate authorization of $100 million under section 401 (b) plus authority under section 401 (a) to use up to $150 million of funds otherwise made available under the act. This is certainly ample money for the purpose.

Investigate guaranties: The House and the Senate differed in two respects in regard to the investment guaranty program. The House had directed that this program be administered through the International Cooperation Administration, while the Senate had left this in the discretion of the President. The conferees agreed to administration through the agency primarily responsible for administering nonmilitary assistance. This is now, of course, ICA.

The House had also expanded the coverage of investment guaranties to include losses from war, revolution, or insurrection. The Senate conferees agreed to include losses from war, but would not agree to include losses from revolution or insurrection and the House receded on those points.

Contract authority: The Senate bill contained a second amendment sponsored by the junior Senator from Illinois [Mr. DIRKSEN] authorizing the granting of contract authority in appropriation acts so that obligations may be created in advance of appropriations. This amendment was retained in conference.

Use of foreign currency: The Senate bill had two amendments regarding the use of foreign currencies accruing as the result of sales of surplus agricultural commodities under title I of Public Law 480, the Agricultural Trade Development and Assistance Act. One of these amendments, sponsored by the distinguished Senator from Arkansas [Mr. FULBRIGHT], earmarked not less than 5 percent of these currencies for the educational exchange program. It further provided that in the allocation of funds as among the various purposes set forth in Public Law 480, a special effort was to be made to provide for the exchange program in regard to countries where adequate funds for that program were not otherwise available and countries where agreements could be negotiated to establish a fund with interest and principal available over a period of years for the exchange program.

The conferees deleted the requirement that at least 5 percent of all Public Law 480 currencies be used for this purpose, but they retained the statutory directive that a special effort be made to provide for the exchange program, particularly with regard to the 2 classes of countries to which I have referred. The conferees were impressed with the position of the executive branch that a rigid 5 percent requirement would be difficult to administer. The conferees are, however, strongly of the opinion that there should be a very substantial increase in the use of Public Law 480 currency for the exchange program. During the course of its hearings on the mutual security bill, the Foreign Relations Committee received information that only eight-tenths of 1 percent of Public Law 480 currency has heretofore been used for this purpose. The conferees expect the administration to take seriously the new statement in the law that a special effort be made to provide for this program. When the Foreign Relations Committee holds hearings on this matter next year, it expects to see a very much higher figure than eight-tenths of 1 percent used for this purpose.

The second amendment having to do with Public Law 480 currency was sponsored by the distinguished Senator from Minnesota [Mr. HUMPHREY] and authorized the use of up to $5 million a year of such currency for financing the translation, publication, and distribution of books and periodicals abroad. This amendment was retained in conference as it passed the Senate.

Obligational authority: The Senate bill limited the carryover of unobligated funds to $200 million plus balances in the Asian development fund and in the appropriation for Palestine refugees. The House bill put no limitation on the authorized carryover. The Senate conferees receded on this point.

The Senate conferees also receded in regard to a provision in the House bill, not found in the Senate bill, authorizing a 15-month availability for 25 percent of the funds for defense support, technical assistance, and assistance to joint control areas.

In both instances, the Senate conferees acted with some reluctance. The House felt rather strongly on these points, and argued that a too strict limitation on the availability of funds is more likely to result in waste than economy.

Food and raw materials reserve: The Senate bill contained an amendment sponsored by the Senator from Minnesota [Mr. HUMPHREY] that the President should explore with other nations the establishment of an international food and raw materials reserve. This amendment was based on Senate Resolution 85 and Senate Resolution 86 upon which hearings have been held by a subcommittee of the Foreign Relations Committee. These Senate resolutions were intended to convey to the President advice of the Senate's favorable view toward a world food and raw materials reserve. They were drafted as Senate resolutions because section 2 of article II of the Constitution provides that the Senate alone shall give advice and consent to treaties. The Senate's adoption of this provision of the bill has made clear its views and wishes in the matter, and the objectives of the Senate resolutions have been achieved. The House conferees felt that if this was a matter to be acted upon by the House, it should go to that body in a form permitting separate consideration. The Senate conferees therefore feel justified in recommending that the Senate recede.

Transfer to exchange program: The Senate bill also contained an amendment, sponsored by the Senator from Arkansas [Mr. FULBRIGHT] expressing the sense of Congress that $11 million of mutual security funds should be transferred, in the discretion of the President, to the Department of State for international educational exchange activities. The purpose of this amendment, as explained in the Senate committee report on the bill, is to provide the full $31 million recommended for the exchange program in fiscal 1957 by the Advisory Commission on Educational Exchange. The budget request for this purpose was only $20 million, all of which was appropriated by Congress; so $11 million more is necessary.

The conferees agreed to the amendment, with an amendment adding the words "not to exceed" before the sum of $11 million. This simply makes it conform to other items in the bill, all of which are stated in terms of "not to exceed" a given amount. The amendment makes the transfer authority discretionary with the President, but the

conferees are strongly of the opinion that he should use the authority to the full extent of $11 million.

Emphasis of future programs: Finally, Mr. President, the Senate bill contained an amendment sponsored by the Senator from Minnesota [Mr. HUMPHREY] expressing the sense of Congress that in the preparation of the mutual security program, the President should take fully into account "the desirability of affirmatively promoting the economic development of underdeveloped countries." With one minor technical change, this amendment was approved by the conferees.

Mutual security authorizations

	Administration request	House	Senate	Conference
TITLE I				
Military assistance	$2,925,000,000	$1,925,000,000	$925,000,000	$2,225,000,000
Spain	(1)	(48,000,000)	(1)	
Other European countries	(1)	(402,000,000)	(1)	
Replacement purchases for United States forces	(1)	(1)	1,600,000,000	
Subtotal	2,925,000,000	1,925,000,000	2,525,000,000	2,225,000,000
Defense support:				
Europe	78,700,000	63,700,000	78,700,000	71,200,000
Near East and Africa	170,000,000	170,000,000	170,000,000	170,000,000
Asia	882,000,000	882,000,000	882,000,000	882,000,000
Latin America		37,000,000	37,000,000	52,000,000
Subtotal	1,130,700,000	1,152,700,000	1,167,700,000	1,175,200,000
Total, title I	4,055,700,000	3,077,700,000	3,692,700,000	3,400,200,000
TITLE II				
Development assistance:				
Near East and Africa	63,000,000		63,000,000	
Asia	80,000,000	243,000,000	80,000,000	293,000,000
Latin America	27,000,000			
Total, title II	170,000,000	243,000,000	143,000,000	293,000,000
TITLE III				
Technical cooperation:				
Bilateral	140,500,000	140,500,000	140,500,000	140,500,000
Multilateral:				
U. N.	15,500,000	15,500,000	15,500,000	15,500,000
OAS	1,500,000	1,500,000	1,500,000	1,500,000
Total, title III	157,500,000	157,500,000	157,500,000	157,500,000
TITLE IV				
Other programs:				
Special fund	100,000,000	100,000,000	100,000,000	100,000,000
Encouragement of enslaved peoples			5,000,000	
Joint control areas	12,200,000	12,200,000	12,200,000	12,200,000
U. N. refugee fund	2,300,000	2,300,000	2,300,000	2,300,000
Escapees	7,000,000	7,000,000	7,000,000	7,000,000
U. N. children's fund	10,000,000	10,000,000	10,000,000	10,000,000
Ocean freight:				
(1) Voluntary agencies	1,400,000	1,400,000	3,000,000	3,000,000
(2) Surplus agricultural commodities	14,000,000	14,000,000		
Control Act expenses	1,175,000	1,175,000	1,175,000	1,175,000
Administrative expenses	35,250,000	35,250,000	35,250,000	35,250,000
Special authorization, Middle East and Africa	100,000,000		100,000,000	
Latin American Economic Development Fund			35,000,000	
Foreign reactor projects	5,950,000	5,950,000	5,950,000	5,950,000
Total, title IV	289,275,000	189,275,000	316,875,000	176,875,000
Total	4,672,475,000	3,667,475,000	4,310,075,000	4,027,575,000
Deduct: Repeal of unappropriated authorization, President's fund for Asian economic development		−100,000,000		−100,000,000
Net total	4,672,475,000	3,567,475,000	4,310,075,000	3,927,575,000

[1] Not separately identified.

NOTE.—The conference agreement: $360,100,000 more than House bill, $382,500,000 less than Senate bill.

NOTE.—The House bill also authorizes an increase from $2 million to $3 million in the ceiling on annual United States contributions to the Food and Agriculture Organization. The Senate bill likewise authorizes the increase, with a proviso that United States contributions cannot exceed 31.5 percent of total contributions.

The House bill authorizes appropriations "of such suns as may be necessary" for State Department administrative expenses in connection with the act. The Senate bill authorizes not to exceed $7 million a year for this purpose.

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement I have prepared in connection with the conference report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BENNETT

I desire to make a brief statement with regard to the conference report on mutual security. I supported the committee's recommendations when the Senate considered this measure. I did so out of my convictions that the money being authorized would be spent in the national interest.

I was mindful that the bill was primarily one of military assistance. Fifty-six percent of the money is for direct military assistance. Of the $2.2 billion for direct military assistance, the great preponderance will be spent to replace equipment and materials of the United States Armed Forces which have been used for military assistance to friendly nations. Much of the remainder will be spent to maintain the armed forces of Korea, NATO, and Formosa, and to supply advanced weapons to our allies. I feel that American people are getting their money's worth out of this program. It should be remembered that while in 1954 it cost our Nation about $5,900 to maintain one of our own soldiers, it cost us only $747 to maintain an allied soldier. It is because of the favorable economics of this military assistance to our allies that we have been able to maintain NATO. Had America tried to maintain NATO alone, it could have ruined our Nation. It has been the combination of NATO and our air-nuclear power which have kept the Russians at bay in recent years, and, if we have thereby spared the world and ourselves the blood and anguish of war, the money has been well spent.

I am one of those who believe it was our determination to "stay with it" in Europe and elsewhere which paved the way for the relaxation of Soviet control over her satellites. Tito could not have stood alone if it had not been for NATO and the military assistance he has received from the Western World. Now Mr. President, we see the rumblings of other satellite countries—rumblings which have yet to spend themselves. Hungary has just ventured to serve notice of her thirst for more freedom. Poland has written her determination in the blood of patriots. How can we back away now when we may be on the threshold of an era of relative insecurity behind the Iron Curtain. To back away now would break the back of the resistance movements.

The stirrings of the satellites may be due to many things, and the Soviets may have some schemes at work, but I am sure that had America abandoned Europe to the Soviets in the postwar world there would be no free Europe, nor would there be hope for that freedom to be rekindled behind the Iron Curtain. If we abandon Europe now, these stirrings will cease.

If America were to abandon the leadership of the free world and isolate itself, Russia would then control 94 percent of the world's population and stand astride the great bulk of the earth's resources. Those

who would so quickly leave our friends to sink or swim should remember that the United States obtains 100 percent of its natural rubber abroad, 95 percent of its manganese, 99 percent of its chromite, 72 percent of its tungsten, 100 percent of its tin, and 92 percent of its cobalt. The senior Senator from Georgia was correct when he said that if we retreat to isolationism we will trade as traders at sufferance and as tenants.

Over a year ago in Utah I spoke on Soviet power. My speech was given following the Quemoy-Matsu crisis. It was a spring in which many foresaw war. I said there would be no war in the foreseeable future. I said further that internal politics in the Soviet Union would keep the Russian bear off balance and that the problem of succession following Stalin's death would not be conducive to the Soviet's launching a struggle for survival. I cite this talk not because it was singular but because it reflected the optimism some of us felt, a feeling that if the free world lived up to its obligations, time would work with us.

Students of tyranny say the moment of greatest danger for a dictatorship is when reforms are instituted and in the matter of succession to leadership. The Soviets are now passing through the throes of those problems. The Russians are still faced with striking disparity between their progress in such fields as air power and consumer goods. The stark contrast between their accomplishments for war and their standards of living will continue to plague them. The Soviet citizen who gapes in awe at May-day air power demonstrations may feel for a moment a sense of national pride and a sense of security, but almost as the sounds of these planes fade away he is left to face his role in a society which depresses his standard of living to levels unheard of here. You can't eat engine thrust an you can't wear guided missiles. The Soviet people may never revolt but the pressure will be felt by their leaders just as it has been felt elsewhere behind the Iron Curtain.

I have no illusions about being able to buy friends, and I did not support this measure for this reason. I am supporting it because it is in the interests of our national security and because I believe the benefits America derives from the mutual-security program make the expenditures worthwhile and sound. I do not say, of course, every project or undertaking is sound. I am sure that could not be so in a program of this scope. But I know that because of this program Turkey is able to maintain more divisions in being than we have in our own country, and that this is also true for the Republic of Korea. The same stiffening of the free world at other points along the Soviet periphery has taken place as a result of our assistance. The Soviet shift to an economic instead of a military offensive is due in part to the armed strength of the free world. We must not falter now—now that we have successfully turned the Soviets from military adventures to economic ones. The cacophony of competitive trade in the world market place is better to hear than the rattling of swords. The free world is stronger economically than the Soviet bloc, and it will remain strong if we can meet this new challenge successfuly.

Because they seem appropriate, I read in closing the words of a 19th century King of Siam who found the world a puzzlement:

"Shall I join with other nations in alliance?
If allies are weak am I not best alone?
If allies are strong with power to protect me,
Might they not protect me out of all I own?
Is a danger to be trusting one another
One will seldom want to do what other wishes.
But unless someday somebody trust somebody
There be nothing left on earth excepting fishes."

These words from the King and I catch the spirit of uncertainty abroad in much of the world today. As the leader of the free world the United States can set a tone for the non-Communist world which would resolve such puzzlements and give to all mutual security.

I urge the Senate to adopt the conference report on mutual security with the hope that we can bring the appropriations more nearly to the level required.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The question is on agreeing to the conference report.

The report was agreed to.

REIMBURSEMENT OF POST OFFICE DEPARTMENT FOR THE TRANSMISSION OF OFFICIAL GOVERNMENT-MAIL MATTER

Mr. JOHNSTON of South Carolina. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to Senate bill 1871. I have cleared the matter with the majority and minority leaders.

The House made some minor amendments to the bill as passed by the Senate. I ask that the House amendments be now considered.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1871) to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614), and for other purposes, which were to strike out all after the enacting clause and insert:

That the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter," approved August 15, 1953 (67 Stat. 614; Public Law 286, 83d Cong.), is amended by adding at the end thereof the following new sections:

"SEC. 3. There shall be paid to the Post Office Department, as postal revenue, out of any appropriations or funds available to each department, agency, establishment, or Government corporation concerned and as a necessary expense of such appropriations and funds and of the activities concerned, the equivalent amount of postage or registry fees, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails, without prepayment of postage or without prepayment of registry fees, by or to such department, agency, establishment, or corporation, for which the Post Office Department does not otherwise receive compensation, under authority of the following provisions of law:

"(1) Section 3932 of the Revised Statutes (39 U. S. C., sec. 385);

"(2) The proviso added by section 2 of the act of May 1, 1928 (45 Stat. 469; 39 U. S. C., sec. 321a), to section 29 of the act of March 3, 1879, as amended (20 Stat. 362; 23 Stat. 158; 28 Stat. 412; 29 Stat. 590);

"(3) Section 10 of title 13 of the United States Code;

"(4) The second sentence of section 306 of the Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C., sec. 321n); and

"(5) Section 345 of the Immigration and Nationality Act (66 Stat. 266; 8 U. S. C., sec. 1456).

"SEC. 4. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Department of Agriculture for such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of the following provisions of law:

"(1) Section 6 of the act entitled 'An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' approved March 2, 1887, as amended (69 Stat. 673; 7 U. S. C., sec. 361f);

"(2) Section 3 of the act entitled 'An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1862,' approved August 30, 1890 (26 Stat. 418; 7 U. S. C., sec. 325); and

"(3) The proviso contained in the third paragraph under the heading 'General Expenses, Office of Experiment Stations' under the caption 'Office of Experiment Stations' in the act entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915,' approved June 30, 1914 (38 Stat. 438; 39 U. S. C., sec. 330).

"SEC. 5. There shall be paid to the Post Office Department, as postal revenue, out of appropriations made to the Library of Congress for such purpose, the equivalent amount of postage, as determined pursuant to regulations prescribed by the Postmaster General, for matter sent in the mails without prepayment of postage under authority of section 15 of title 17 of the United States Code."

SEC. 2. (a) The first sentence of section 306 of the Penalty Mail Act of 1948 (62 Stat. 1049; 39 U. S. C., sec. 321n), is amended by striking out ", free of postage," and inserting in lieu thereof "as penalty mail."

(b) The second sentence of such section 306 is amended to read as follows: "Nothing contained in this section shall be construed to prohibit (1) the transmission in the mail, as penalty mail, of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions, to public libraries, or to Federal, State, or other public authorities and (2) the transmission in the mail, as penalty mail, of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, Government Printing Office, or announcements of publications of maps, atlases, and statistical and other reports offered for sale by the Federal Power Commission under authority of section 312 of the Federal Power Act (16 U. S. C., sec. 825k)."

SEC. 3. The amendments made by this act shall take effect on July 1, 1956.

And to amend the title so as to read: "An act to amend certain provisions of law in order to provide for the reimbursement of the Post Office Department by Government agencies in certain additional cases for the transmission of mail matter."

Mr. JOHNSTON of South Carolina. Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills of the Senate:

S. 2704. An act to authorize the appropriation of funds for the construction of certain highway-railroad grade separations in the District of Columbia, and for other purposes;

S. 2705. An act to authorize the Philadelphia, Baltimore & Washington Railroad Co. to construct, maintain, and operate a branch track or siding over Second Street SE., in the District of Columbia; and

S. 2896. An act to amend the act relating to cemetery associations.

REINVESTMENT BY AIR CARRIERS OF PROCEEDS FROM SALE OF CERTAIN OPERATING PROPERTY

The Senate resumed the consideration of the bill (S. 3449) relating to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Delaware to recommit the bill to the Committee on Interstate and Foreign Commerce.

The Chair may state that on the pending motion there is a time limitation of 30 minutes, 15 minutes to be controlled by the mover, the Senator from Delaware [Mr. WILLIAMS], and 15 minutes to be controlled by the majority leader, in this case the acting majority leader, the Senator from Nevada [Mr. BIBLE].

Mr. WILLIAMS. Mr. President, on the motion to recommit, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. As I understand the yeas and nays have been ordered on the motion to recommit.

The PRESIDING OFFICER. The yeas and nays have been ordered on the motion to recommit.

Mr. WILLIAMS. Mr. President, it was my understanding that I would have the privilege of having 1 hour on an amendment to be designated by me. I ask unanimous consent that I may have the 1 hour on the motion to recommit rather than on the amendment which would be offered in the event the motion failed.

Mr. BIBLE. Mr. President, I certainly have no objection to that. There is no disposition on the part of the majority leader or the acting majority leader to cut off debate in any way. I have no objection to the request of the Senator from Delaware being granted. I do not think it will take that much time, certainly on this side of the aisle.

Mr. WILLIAMS. I do not think it will take an hour, but I think it would be well to debate it at length, because it is the heart of the whole issue.

Is my understanding correct that I may designate the motion instead of the amendment for the purpose of utilizing the 1 hour.

The PRESIDING OFFICER. It is the understanding of the Chair that the proposition as stated by the Senator from Delaware is correct, and that in lieu of designating 1 amendment on which there would be a limitation of 1 hour, he may designate the motion to recommit, and that he does designate this particular motion for that purpose.

With that understanding, the Senator from Delaware has control of 30 minutes, and the Senator from Nevada has control of 30 minutes.

Mr. WILLIAMS. I yield to the Senator from Nevada at this time.

Mr. BIBLE. Mr. President, this particular bill was debated at some length several days ago. I am going to be brief. I shall yield myself 10 minutes.

The purpose of the proposed legislation is to change section 406 (b) of the Civil Aeronautics Act so as to provide in effect that in determining the subsidy elements of rates to be charged by air carriers for the transportation of mail, the Civil Aeronautics Board shall not take into account the capital gains realized by the air carriers from the sale or other disposition of depreciable property used or useful in the carrier's normal operations, provided that the net gain, after capital gains taxes realized from the sale or other disposition, is reinvested in similar property—that is, reinvested in aircraft.

Section 406 (b) of the Civil Aeronautics Act of 1938 provides in effect that in fixing the subsidy element of airmail rates, the Civil Aeronautics Board is to consider, among other things "the need of each air carrier for compensation for the transportation of mail sufficient to insure the performance of such service, and, together with all other revenue of the air carrier, to enable such aircraft under honest, economical, and efficient management, to maintain and continue the development of air transportation to the extent and of the character and quality required for the commerce of the United States, the Postal Service, and the national defense."

The Civil Aeronautics Board, in administering this provision, has construed the words "all other revenue" to include profits realized on the sale of flight equipment and other tangible capital assets, and on the basis of that interpretation, has adopted the policy of deducting from the amount of subsidy otherwise needed any capital gains realized during the period. As a result of this construction of the Civil Aeronautics Board, in so construing "all other revenue" as to deduct the amount of the net capital gains from the sale of aircraft, the subsidy has been accordingly reduced, and as a result air carriers face the prospect of having the capital gains applied as an offset to such subsidy.

Under the present ruling, that happens only during the period of an open rate case. It does not apply during the period of a closed rate case.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. BIBLE. I am happy to yield.

Mr. WILLIAMS. It applies to the closed rate cases in this instance in that in recomputing the formula as applied to the closed rate case, there is a reopening of the case.

Mr. BIBLE. That is true. Under this policy, subsidized carriers are in effect prevented from purchasing new and more efficient equipment, and are forced to utilize capital assets to pay for day-in-and-day-out operating expenses.

Since the policy declared by the Civil Aeronautics Act quite clearly calls for the operation of American-flag carriers of the finest equipment available, the Interstate and Foreign Commerce Committee does not believe that Congress, in enacting this particular section, intended that book profit from the sale of aircraft should be considered as other revenue. Consequently, in view of the policies adopted by the Board, as well as the support of those policies by the decision of the Supreme Court in the Western Air Lines case, the intent of the law must be clarified, or subsidized air carriers will be handicapped when they attempt to buy new and modern equipment necessary to meet the need for rapid air transportation.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. BIBLE. I am happy to yield.

Mr. WILLIAMS. Is it not a fact that throughout all the years in which we have been paying airmail subsidies, formulas have been computed whereby the salvage value of the equipment is taken into consideration in the computation of the formula? Therefore, the Supreme Court decision was nothing new other than to uphold what the Civil Aeronautics Board had been doing for years, and that which Congress intended them to do.

Mr. BIBLE. I think the Western Air Lines case of the Supreme Court was a reaffirmation of the policy of the CAB. I may point out that in the hearings, as the Senator very well knows, the CAB itself had differences of opinion on this particular question, 2 members being for the bill and 2 being opposed to the bill.

New and more efficient equipment is needed to effectuate the air transportation policy of the Civil Aeronautics Administration.

I should like to point out, first, that the Senate Committee on Interstate and Foreign Commerce conducted full hearings on the bill.

Secondly, it unanimously and favorably reported the bill to the Senate.

Third, all classes of subsidized carriers—local service, international, territorial, helicopters, and domestic trunklines—have impressed upon the committee the urgency of retaining capital gains to reinvest in new equipment.

The bill contains adequate safeguards, in the opinion of the committee, to assure the use of capital gains for the intended purpose of reinvestment in new equipment, and for no other purpose. If they are not so used within a reasonable time, to be determined by the Board, such gains would be included as revenue.

The effect of the bill, in the opinion of the committee, is to give aid to various airline services. These include local airlines; 2 domestic airlines, as I recall; 3 international carriers, which are now on subsidy; 2 territorial and Alaska carriers; and I think likewise helicopters.

We are on the threshold of the jet age, and the ability of many of these carriers to purchase new equipment is definitely going to be seriously interfered with, or hamstrung, unless legislation of this kind is enacted.

The bill—and I emphasize this point—does not in any way deprive the CAB of its ultimate control over subsidy payments to air carriers.

Likewise, I think it has been very fairly and fully developed by our colloquy on this particular bill that the capital gains tax is not adversely affected. It simply affects the formula for the computation of the subsidy.

It avoids the loss of incentive on the part of carriers to reequip with the most modern and economical aircraft.

It enhances the possibilities of ultimate reduction in subsidy requirements, as indicated by the experience of the industry in lowering costs as new and more economical equipment has been introduced into service.

It assists in strengthening and improving the air transport system to meet the obligations imposed on it by the Civil Aeronautics Act, including the national defense, commerce, and postal needs of the United States.

For these reasons, among others—all of which are detailed in the report filed with the Senate by the Committee on Interstate and Foreign Commerce—it is believed that this particular bill should be enacted.

Mr. President, I see the distinguished Senator from Maine [Mr. PAYNE] on the floor at this time. I am very happy to yield 10 minutes to him.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The Senator from Maine is recognized for 10 minutes.

Mr. PAYNE. Mr. President, I prefer, if my distinguished colleague, the Senator from Nevada, is willing, not to use at this time the 10 minutes the Senator from Nevada has yielded to me, but to permit the Senator from Delaware [Mr. WILLIAMS] to proceed with whatever statement he may care to make. Later, I shall be glad to take advantage of the opportunity the Senator from Nevada has very kindly afforded me.

Mr. BIBLE. Very well; that will be quite satisfactory.

Mr. WILLIAMS. Mr. President, at this time I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 10 minutes.

Mr. WILLIAMS. First, Mr. President, I wish to point out that this bill will not in any way prevent the nonsubsidized airlines from using the capital gains tax-feature of the present law in computing their tax liability in connection with the salvage value they are able to obtain from old equipment.

The bill does propose to establish an entirely new formula, the effect of which will be to increase the subsidy payments made to the presently subsidized airlines.

Under existing law, the subsidized lines are guaranteed an 8 percent return on their invested capital. If such a line loses 3 percent or 4 percent on its capital in normal operations the subsidy paid to it is increased sufficiently to enable it to obtain an 8 percent return on its invested capital.

However, under the present law, the salvage value of old equipment is included in determining the cost of operation and the amount of subsidy due the airlines. Account is taken of the salvage value of old equipment either sold or when it is traded in.

The pending bill proposes that the salvage value of old equipment shall not be used as the basis for the establishment of the amount of subsidy; and, as a result, the airlines will receive a subsidy which will be increased to that extent. The companies will continue to receive an 8 percent return on their invested capital without taking into consideration at all the salvage value of old equipment which has been traded in. That will be an extra bonus.

It is true, Mr. President, that the airlines have to use these funds to buy new equipment. However, under the provisions of this bill, if it is enacted, they would use the $1 million to $5 million they would obtain as salvage value of old equipment, to buy new equipment; and then they would take $1 million to $5 million out of the general fund, and distribute it to their stockholders as extra bonus. As a result, they could easily increase their present subsidy rate of 8 percent to 12 percent or 15 percent. They would be able to do that at their own discretion and the Government will have to pay the bill.

Mr. President, if a farmer trades in a tractor and obtains $500 for it, when he computes his taxes he is required to take into consideration the salvage value of the old tractor. Every businessman has to do likewise. The salvage value of old equipment is always taken into consideration in computing loss or profit of any operation. But now, for the first time, it is proposed that these subsidized airline companies be permitted to treat the salvage value of second-hand equipment as an additional bonus, over and above the subsidy which normally is paid them.

Much has been said about the desire to help build up the small companies, the so-called feeder lines but this bill is not designed that way.

Mr. President, I have asked the Department of Commerce to compute what would have happened if the bill had been enacted 5 years ago. The Department estimates that if the bill had been placed on the statute books 5 years ago, it would have cost the Government, as a result of additional subsidies to the airlines, $21,900,790. Of that amount, Pan American Airlines would have received $17,288,000; three other airline companies would have received approximately $4,000,000; and all the other so-called feeder lines would have received $300,000 or $400,000. But approximately 95 percent of the benefits of the bill would have gone to 3 or 4 lines.

Let us not kid ourselves about this bill being designed for the benefit of the small companies.

It can be called nothing less than another unjustified giveaway program. And I will incorporate in the RECORD later a report from the Commerce Department and letters from the Budget Bureau to prove that point.

Mr. BIBLE. Mr. President, at this point will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. BIBLE. Simply for the sake of accuracy—and let me say that I am well aware of the table the Senator from Delaware placed in the RECORD at the time of our last colloquy on this matter—let me say that I believe it is also true that during the past 5 years, which is the period of time selected by the Senator from Delaware for the study to which he has referred, very little, if any, equipment was sold by the feeder lines, simply because during that period of time each of the feeder lines was using DC–3's. They were attempting to turn to the use of Fairchild F–27's, and also to the use of the Frye plane, which now is only on the designing boards.

So, Mr. President, simply for the purpose of clarification, let me say that during those 5 years, the feeder lines were not buying new equipment. Therefore, I do not believe the study to which the Senator from Delaware has referred proves the point he has made.

Mr. WILLIAMS. The Senator from Nevada is correct in saying that if a different 5-year period were used, an entirely different picture might be obtained; however, this is the best information available.

The Department of Commerce has estimated that although the bill, if enacted, would have cost the Government $21,900,790 during the past 5 years, its future effect could be to cost many, many times the $21 million, because the companies would now have an incentive to take advantage of the provisions of the bill. The bill would result in a substantial increase in the future subsidies going to Pan American Airlines and other large companies and I do not think this can be justified.

Mr. President, I think Congress has been very liberal in guaranteeing an 8 percent return on the investment of these companies. However, if the rate of return is to be increased that should be done in an open and above board manner, and not by means of a hidden subsidy as attempted here today.

Every Government agency has expressed opposition to the bill as it is now written. The Bureau of the Budget is vigorously opposed to the bill, on the basis that it provides a wholly unnecessary increase in the subsidy. The Department of Commerce, the Comptroller General, the Secretary of Commerce, and every other Government agency affected have said that the bill does not constitute sound proposed legislation. They have recommended to the committee against its enactment and I am confident the President will never sign any such legislation. Certainly under such conditions its passage cannot be justified.

Last week the House of Representatives passed the postal rate increase bill, under which it is proposed to increase by 1 cent the postage rate on airmail. This was done in order to help reduce the deficit of the Post Office Department. That 1-cent increase in the rate on airmail would, presumably, result in additional income of $16,250,000 a year. If this bill is enacted here today it would result in using practically all that increase to pay these increased subsidies

to the air lines. These subsidies should be reduced rather than increased. Furthermore, as I have previously stated, about 90 percent of all the benefits of the bill will go to one company.

Mr. President, I do not think Congress should be called upon to vote a postal rate increase for the purpose of increasing the subsidies to 2 or 3 airlines.

For years, Members on both sides of the aisle have been criticizing hidden subsidies.

It seems to me that the only reason why this measure is before us today, in the form of a hidden subsidy, is that the sponsors of the bill or those who favor its enactment would prefer not to have the hidden subsidy spelled out. However, Mr. President, I think it would be much fairer to all concerned if it were spelled out openly as an increase in the present formula, which now results in a return of 8 percent on the investment.

I do not think the Senator from Nevada will dispute that, to the extent that the airline companies take advantage of the benefits provided by the bill, the subsidy they will receive will be increased from the present 8 percent to 10, 12, or 15 percent, and such increases will occur pretty much at the discretion of the airlines.

Mr. BIBLE. Mr. President, at this point will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. BIBLE. I do not want the record to stand as showing that the committee believes that the bill is for the benefit of only one airline, because certainly that is not a fact and that is not the record.

The subsidized carriers today include, in general, 13 feeder lines operating in the United States, forming a great network of feeders using DC–3's. They go from our smaller cities, and furnish passengers for the large trunklines, 13 or 14 of them.

The subsidized carriers include the Alaska or territorial carriers. The subsidized carriers include, I believe, three international carriers, Pan-American, Panagra, and Braniff.

The subsidized carriers today include, I believe, two domestic carriers, Continental and Northeastern. The bill is designed to assist each of them.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. BIBLE. Mr. President, I yield myself 1 minute of my own time to complete my observations.

The PRESIDING OFFICER. The Senator from Nevada is recognized for 1 minute.

Mr. BIBLE. To complete the observation, I wish to point out that the total subsidy today covers each class of air carriers, namely, International, Alaskan, helicopters, and feeder service lines. This is by no stretch of the imagination a private bill for the benefit of one company.

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a report compiled by the Department of Commerce, which was submitted to the Committee on Interstate and Foreign Commerce, giving a breakdown showing where the benefit would have gone had the bill been in effect for the past 5 years.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Summary of capital gains used to reduce subsidy payments and capital losses underwritten with subsidy under final mail rate orders

	Calendar year					Total
	1951	1952	1953	1954	1955	
Braniff:						
Domestic	0	0	$1,373,000	$58,000	$84,000	$1,515,000
International	[1]	[1]	[1]	0	0	0
Capital	0	0	0	0	0	0
Chicago & Southern	0	0	0	[2]	[2]	0
Colonial	0	0	0	[3]	[1]	0
Continental	0	0	0	0	0	0
Delta	0	0	0	700,000	700,000	1,400,000
Inland	0	0	[4]	[4]	[4]	0
Mid-Continent	0	0	[5]	[5]	[5]	0
National	0	0	0	0	0	0
Northeast	$42,000	$254,000	0	0	0	296,000
Northwest	[1]	0	0	[1]	0	0
Western	0	0	0	0	0	0
Allegheny	0	0	0	0	[7]	0
Bonanza	170	0	0	0	[2]	170
Central	2,032	30	1,224	0	0	3,286
Empire	0	0	[6]	[6]	[6]	0
Frontier	0	0	0	0	0	0
Lake Central	43,604	28,242	450	0	0	72,296
Mid-West	0	0	[7]	[7]	[7]	0
Mohawk	0	0	0	0	[8]	0
North Central	24,037	0	0	0	0	24,037
Ozark	0	0	0	0	[3]	0
Piedmont	0	0	0	0	[3]	0
Pioneer	0	0	0	0	[3]	160
Southern	0	168	0	0	0	8
Southwest	0	16,083	0	0	0	16,083
Trans Texas	0	0	2,150	50	0	2,200
West Coast	0	0	[3]	[1]	[1]	0
Wiggins	0	0	0	[9]	[9]	[9]
Helicopter	−4,872	0	0	0	0	−4,872
Los Angeles	0	364	533	335	0	1,232
New York	0	−199	−1,067	−3,022	0	−4,288
Alaska Airlines	[1]	[2]	0	0	−2,231	−2,231
Alaska Coastal	−2,126	0	0	0	0	−2,123
Byers	2,242	724	0	0	0	2,966
Christensen	0	0	[10]	[10]	[10]	0
Cordova	−1,842	0	0	0	0	−1,842
Ellis	183	0	0	0	0	183
Northern Consolidated	−5,854	550	0	0	8,400	3,096
Pacific Northern	37	0	0	[2]	[1]	37
Reeve	215	1,410	0	0	0	1,625
Wien	−4,678	−1,769	0	0	0	−6,447
Hawaiian	2,071	0	−360	0	0	1,711
Trans-Pacific	0	0	−494	0	0	−494
Pan American	3,085,000	[11] 2,935,000	3,419,000	[12] 613,000	7,236,000	17,288,000
Trans World (International)	287,000	504,000	504,000	0	0	1,295,000
Caribbean	0	0	0	0	0	0
Panagra	0	0	0	0	[1]	0
Total	3,469,219	3,738,603	5,298,436	1,368,363	8,026,169	21,900,790

[1] Mail rate open for entire year.
[2] Merged into Delta May 1, 1953.
[3] Mail rate open for portion of year.
[4] Merged into Western Apr. 10, 1952.
[5] Merged into Braniff Aug. 16, 1952.
[6] Merged into West Coast Aug. 1, 1952.
[7] Ceased operations Apr. 15, 1952.
[8] Merged into Continental Apr. 1, 1955.
[9] Ceased operations Aug. 1, 1953.
[10] Ceased operations July 6, 1952.
[11] Mail rate for Latin American division open for calendar year 1952.
[12] Mail rate for Pacific division open for calendar year 1954.

Mr. WILLIAMS. Mr. President, the chart shows that 90 percent of the benefits would have gone to one company. Those are the only figures presented to the committee and must be accepted. The Department of Commerce is the agency which makes these payments. If it does not know where the benefits of the bill would go, then who does? The fact that there is a difference between the committee and the Department of Commerce in the effects of the bill is all the more reason why the bill should be recommitted.

Mr. BIBLE. I am happy now to yield 10 minutes to the Senator from Maine [Mr. PAYNE].

Mr. PAYNE. Mr. President, the objective which our distinguished colleague, the Senator from Delaware [Mr. WILLIAMS], seeks is one which I am sure every other Senator favors, namely, to reduce and eliminate as fast as possible subsidy payments as such. This question has plagued the Congress for a number of years, and Congress is desirous of getting rid of it.

The chart which the Senator from Delaware has just placed in the RECORD, which was prepared by the Department of Commerce, is predicated upon the assumption that the system which we are discussing would go into effect, with no compensating factors coming into play. Under such circumstances, the result would be an increase in subsidy.

The thing which the Department of Commerce did not spell out was the fact that from the time the airlines were able to obtain more modern equipment, with which they could operate more efficiently and cut down their costs per ton-mile, it has been possible for them to produce greater profits. The record is clear that subsidy payments have gone down in every such instance.

The bill merely provides help for the lines which need it. They are not all the lines which have been mentioned, so far as trunklines are concerned. The chart shows about 5 lines, whereas the truth of the matter is that today only 2 domestic trunklines receive any subsidy. One is Northeast Airlines, in my section of the country. It was one of the "grandfather clause" organizations certificated originally along with a number of others, but it has never been given an opportunity to expand. It has never been placed in such a position that it could obtain the type of equipment which it needed in order to do the job and eliminate the need for subsidy.

The other line, as the distinguished Senator from Nevada has pointed out, is Continental Airlines, which receives a subsidy merely because of the fact that it took over the local service route of a company with which it merged; namely, Pioneer.

The other line which has been mentioned is Pan American, which receives a subsidy because of the fact that it flies the foreign routes. If we are to operate domestic airlines on foreign routes and maintain supremacy so far as air carriers are concerned, we must recognize that they confront a difficult situation. They are at a great disadvantage, from the standpoint of labor costs, material, operating expenses, and other expenses. Many of the foreign-flag carriers are able to operate at lower costs. For that reason it is only natural that there should be a situation which would necessitate some subsidy being made available in such cases.

I wish to point out very clearly the fact that there has not been available to the feeder lines equipment of the type which they could finance and start to fly, which would cut down their overhead costs. Up until last year, feeder lines were never certificated on a permanent basis. Therefore, they were never in a position to go to the banks and offer the banks collateral of a tangible nature, as evidence that they were good risks as investments.

We are now entering a period when these lines will be able to get into the picture and obtain more modern equipment, equipment which has been developed and which is being developed. If those lines are to be able to operate in such a manner as to permit them to make a showing before those who extend lines of credit, they will have to show performance results. Performance results will be measured by what their balance sheets show in the way of profits and losses.

If anyone thinks that the Civil Aeronautics Board is relinquishing any prerogative it has at present, he is mistaken. The Civil Aeronautics Board still has the power of determining the rate of depreciation. The CAB still has the power to determine whether the companies are operating at a profit or at a loss, and to analyze and compute the operating expenses which enter into the picture. The CAB still has the right to determine whether profits are excessive, in determining the subsidy, if any, to which a company is entitled under the law in effect at the present time.

Finally, history has shown that every one of these domestic lines, when it has been able to obtain a more advanced type of aircraft, has been able to reduce the cost of subsidy to the American taxpayer. I think it is estimated that in the year 1957 subsidy payments will be about $20 million less than they were in 1955. There has been a definite showing along those lines, whenever better equipment was available.

The committee gave this measure very serious consideration. It was aware of the argument which is being made here, but it believes that this industry, which is one of the most important in the Nation today, is entitled to the opportunity for growth which it must have if we are to keep up with the last word in efficiency and good air transport, both in time of peace and in time of war. The aviation industry has made a great contribution to this Nation. It made a great contribution during World War II, and also during the Korean war. It is one of the outstanding components of the defense of our Nation.

The proposed legislation is fair. It is just. I am confident in my mind that by the computations and the valuations contained in the bill the American taxpayers will gain a great deal in the days ahead by way of lower subsidy payments, as a result of the lines being put in the position of being able to get the new type of equipment they must have in order to cut down their operating costs and increase their efficiency.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. PAYNE. I am happy to yield.

Mr. LANGER. How many feeder lines are there?

Mr. PAYNE. I believe the Senator from Nevada mentioned a number of feeder lines.

Mr. BIBLE. If I may answer the Senator's question, there are either 13 or 14 feeder lines.

Mr. PAYNE. There is only one domestic trunkline which, in effect, is now under subsidy, whereas several years ago there were a great many. The reason they are no longer receiving subsidy is that they have been placed in such a financial position that they are able to get more efficient equipment.

I hope the motion of the Senator from Delaware will not prevail and that the bill will be passed as reported by the committee.

Mr. WILLIAMS. Mr. President, I yield myself 5 minutes. The Senator from Maine has pointed out that even if the pending bill should be enacted into law the CAB would still have the authority to audit the books of the companies and to determine the amount of the subsidies to be paid. That is true, but the CAB would have that authority only as modified by the pending bill. The Government would now be forced to allow the airlines 8 percent on their invested capital without taking into consideration any amounts which are received by the company through the resale of their secondhand equipment. In other words, whatever they received by way of resale value for their secondhand equipment would be extra and over and above what they would be getting under the existing law.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. PAYNE. Is it not true that that money is available only without computation if it is invested within a reasonable period in brandnew equipment?

Mr. WILLIAMS. Oh, certainly; that is correct. I mentioned that point in my earlier remarks. But what difference does that make?

As I said before, the airlines can invest the money received from the sale of secondhand equipment in new equipment, taking from the general fund money which they would normally use for new equipment and use that money for some other purpose. Therefore, I do not believe that anything would be gained in that respect.

The point has been made that subsidies would be eventually reduced and that the Government would save by following the proposed procedure on the basis that as the companies buy newer and more modern equipment, thereby bringing about more efficient operation, the subsidy required from the Government would be reduced.

The committee report states that at the end of the second year there should be a 50 percent reduction in the subsidy requirements as the result of the benefit

of the greater efficiency which would result from the passage of the pending bill.

As I said, if that were true, the pending bill would be a good bill, and if the committee would accept an amendment which would spell out that at the end of 2 years there would be a 50 percent reduction in all subsidies I would vote for the bill. I would withdraw my motion to recommit if the sponsors of the bill would accept such an amendment.

The other day I even went further when I suggested to the Senator from Nevada that if he would accept an amendment which would do only half of what the committee said the bill would do—and they said the passage of the bill would reduce the subsidy by 50 percent—and cut the amount by only 25 percent at the end of 2 years, I would vote for the bill. They rejected the offer.

I again suggest to the sponsors of the bill that if they will accept an amendment doing only half of what the committee claims the bill will do and will spell out such a provision by way of an amendment I will withdraw my opposition to the bill immediately. The Department of Commerce said that the bill would cost more not less, and I agree with the Department.

However, I will join the Senator from Nevada if he will spell out such a provision in the bill. I challenge the committee to accept an amendment which will do one-half of what they said would be accomplished by the bill.

Mr. President, the fact that no Senator is rising on the floor to accept my offer is in itself the best answer to the question as to what the bill would accomplish along that line.

The Bureau of the Budget has proposed an amendment which if my motion fails, will be offered. Their amendment is even less restrictive than either a 25 percent or 50 percent amendment. However, with that modification the passage of the bill would not result in a windfall to the airline companies. It would spell out a new formula in the bill which would result in an ultimate recovery to the United States Government. The Budget Bureau's proposal is even less restrictive than the 25 percent amendment to which I have referred. I repeat my offer, Mr. President, to support the bill if the sponsors will accept the Budget Bureau's recommendation.

If they think their claim of projected savings is realistic how can they refuse?

If they will accept the amendment suggested by the Bureau of the Budget, which is a further modification of my offer, I will still withdraw my motion to recommit the bill, and I will vote for the bill. The fact is that the committee does not believe there will be a saving. Let us not fool ourselves; this is a little extra gravy for a special group that has already been riding the gravy train, and the American taxpayers will pay the bill for years to come.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield to the Senator from Vermont.

Mr. AIKEN. I should like to get a clear understanding of the pending bill. Assuming that there are 2 airlines, both subsidized at the present time and guaranteed 8 percent earnings, and that 1 of those airlines has no secondhand equipment to sell, but the other line sells secondhand equipment and makes $5 million profit. As I understand, the second airline may use its profit for the purchase of new equipment. However, my question is whether both lines would continue to get their guaranteed earnings through subsidies?

Mr. WILLIAMS. Assuming both lines were comparable and that both had the same invested capital, the company which had a $5 million windfall from the sale of secondhand equipment would have $5 million more than the other airline.

As I pointed out before, in no other business operation has it ever been proposed, either in Government or in private business, that the salvage value of secondhand equipment—whether it is traded in or sold—would not be taken into consideration of net operational results.

All that the Bureau of the Budget proposes is that if X company had bought $14 million worth of new equipment and had sold its old equipment for $5 million, the company would have either to depreciate the differential, which would be $9 million or use it in computing the amount of the subsidy.

Under the provisions of the pending bill, the airline would buy the new equipment for $14 million and sell the old equipment for $5 million. However, the company would take the $5 million and put it in a pocket, on the side, and start depreciating the $14 million, charging it to the Government, and have that money refunded to it in the form of a subsidy. This is assuming the old equipment had been fully depreciated.

I do not believe there is any justification for it.

Mr. President, unless some other Senators wish to address the Senate on the subject at this time, I shall ask unanimous consent that we may have a quorum call without the time being charged to either side. I believe we can then proceed to vote. I do not know whether the Senator from Illinois [Mr. DOUGLAS] wishes time on the amendment or not.

Mr. BIBLE. Mr. President, is the Senator prepared to yield back the remainder of his time?

Mr. WILLIAMS. I merely wish to retain a few minutes for a brief summary before the vote is taken.

Mr. BIBLE. Mr. President, how much time is available to each side?

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The Senator from Delaware has 14 minutes remaining; the Senator from Nevada has 10 minutes remaining.

Mr. WILLIAMS. I do not believe it will take much additional time to complete discussion of the motion. I would merely wish to retain a few minutes for a brief summary before a vote is had on it.

I ask unanimous consent that I may suggest the absence of a quorum and that the time taken in the calling of the quorum be not charged to either side.

Mr. BIBLE. I have no objection to that suggested procedure. There are other Senators who wish to speak briefly in behalf of the bill, and I shall be happy to yield part of my time to them.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and the Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Millikin
Allott	Hayden	Monroney
Anderson	Hickenlooper	Morse
Barrett	Hill	Mundt
Beall	Holland	Murray
Bender	Hruska	Neely
Bennett	Humphrey, Minn.	Neuberger
Bible	Humphreys, Ky.	O'Mahoney
Bricker	Jackson	Pastore
Bridges	Jenner	Payne
Butler	Johnson, Tex.	Purtell
Byrd	Johnston, S. C.	Robertson
Capehart	Kefauver	Russell
Carlson	Kerr	Saltonstall
Case, N. J.	Knowland	Schoeppel
Case, S. Dak.	Kuchel	Scott
Clements	Laird	Smathers
Cotton	Langer	Smith, Maine
Curtis	Lehman	Smith, N. J.
Douglas	Long	Sparkman
Duff	Malone	Stennis
Dworshak	Mansfield	Symington
Eastland	Martin, Iowa	Thye
Ellender	Martin, Pa.	Watkins
Ervin	McCarthy	Welker
Fulbright	McClellan	Wiley
George	McNamara	Williams
Goldwater		Wofford
Gore		

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Delaware [Mr. FREAR], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

Mr. SALTONSTALL. I announce that the Senator from Connecticut [Mr. BUSH], the Senator from Vermont [Mr. FLANDERS], and the Senator from New York [Mr. IVES] are necessarily absent.

The Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monument Commission.

The Senator from Illinois [Mr. DIRKSEN] and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The PRESIDING OFFICER. A quorum is present.

Mr. BIBLE. Mr. President, I am prepared to yield back the remainder of my time if the Senator from Delaware is agreeable to yielding back the rest of his time.

Mr. WILLIAMS. Mr. President, I yield myself 3 minutes.

I point out again that the net effect of the bill is to allow the subsidized lines to sell their secondhand equipment and to keep the proceeds in a separate fund, whereby the proceeds will not be included in the formula when the Government computes the subsidies of such airlines.

Under the existing law, the subsidized lines are guaranteed an 8-percent return on their invested capital. They will still be guaranteed 8 percent on their invested capital, but under the bill the amount received from the sale of old equipment will not be considered in computing the amount of subsidy due. It will be, in effect, an increase and will result in a boost in the subsidy rate of

from 8 percent to 12 percent or 15 percent for many of the airlines.

This bill is opposed by every agency of the Government. The Director of the Bureau of the Budget, the Comptroller General, the Civil Aeronautics Board, and the Department of Commerce have all written to the chairman of the committee opposing either this bill or a comparable bill. They are against the proposal on the basis that the bill will result in a new formula whereby the subsidies for this industry, which is already subsidized to a substantial degree, will be unnecessarily boosted.

Last Friday the House passed a bill proposing to increase airmail postage 1 cent. The enactment of this bill will wipe out completely the benefits of the House bill. Based on the averages of the last 5 years, 90 percent of the benefits to be received by this bill will go to only 1 or 2 companies.

The bill definitely should be recommitted for further study.

Mr. BIBLE. Mr. President, I yield myself 2 minutes.

The Senator from Delaware has moved to recommit the bill. A yea vote will be a vote in favor of recommitting the bill; a nay vote will be a vote against recommitting the bill, and will be tantamount to favoring the bill.

The bill was reported unanimously from the Committee on Interstate and Foreign Commerce. It has been argued, as the Senator from Delaware argues, that disregard of the capital gains in computing the needs of the airlines will result in a greater subsidy payment to the carriers affected. The committee agrees that this may be true, but we felt convinced that with the obtaining of new equipment now by 80 carriers the possibility of decreasing subsidy payments in the future would be enhanced. For that reason, the committee unanimously felt that in the long run the bill would insure advantages both to the industry and to the taxpayers.

I am prepared to yield back the remainder of my time.

Mr. WILLIAMS. Mr. President, I yield myself 1 minute.

The Senator from Nevada has pointed out that the committee believes the bill will result in more efficient operation and will thereby eventually reduce the amount of the subsidies.

In debate the other day, I think the Senator from Nevada stated that the committee had reached an agreement that the bill would ultimately result in a 50-percent reduction in subsidies at the end of 2 years. I said that if the committee would amend the bill so as to provide for a 50-percent reduction at the end of 2 years I would vote for the bill.

I went further and said that if the bill were amended so as to provide for one-half of the amount by which he and his committee said the subsidy will be reduced; namely, by 25 percent at the end of 2 years; I would vote for it. I said, also, that if the Senator from Nevada would accept an amendment proposed by the Bureau of the Budget which would reduce the subsidies to a lesser figure but which would provide that the Government would get its money back over a period of time I would vote for the bill.

In other words, if the bill will do one-half what its sponsors say it will do I will vote for it, if only they will spell out those provisions in the bill.

But I do not believe the bill will accomplish what its sponsors say it will. I do not believe it is so intended. I believe the agencies of the Government are correct when they say that if the bill is passed it will simply provide an additional windfall for certain airlines in the form of an increased subsidy at the expense of the taxpayers.

I am prepared to yield back the remainder of my time.

Mr. BIBLE. Mr. President, I yield myself a half minute.

The report did not indicate that the bill would complete the subsidy in 2 years. There are too many imponderable factors.

Second, I wish to clear up the point made by the Senator from Delaware that the CAB favored the bill. Four members of the CAB appeared before the Committee on Interstate and Foreign Commerce. Two of them were for the bill; two were against it. That is about as close a division as can be had.

I am prepared to yield back my time.

Mr. WILLIAMS. Mr. President, before I yield back my time, I point out that when I referred to the 50-percent cut, I was quoting the Senator from Nevada himself as he spoke in support of this bill last week. I think the RECORD will show that he was confident at that time that there would be a 50-percent reduction in the subsidy at the end of 2 years if the bill were enacted.

I said at that time that I would go along with half of that amount. That is a matter of record.

I am prepared to yield back the remainder of my time and to vote on the motion.

Mr. BIBLE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. BIBLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is ordered.

The question is on the motion of the Senator from Delaware [Mr. WILLIAMS] to recommit. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Delaware [Mr. FREAR], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

On this vote, the Senator from Texas [Mr. DANIEL] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from Texas would vote "nay" and the Senator from Massachusetts would vote "yea."

The Senator from Delaware [Mr. FREAR] is paired with the Senator from Washington [Mr. MAGNUSON]. If present and voting, the Senator from Delaware would vote "yea" and the Senator from Washington would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Connecticut [Mr. BUSH], the Senator from Vermont [Mr. FLANDERS], and the Senator from New York [Mr. IVES] are necessarily absent.

The Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Illinois [Mr. DIRKSEN] and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

On this vote, the Senator from Illinois [Mr. DIRKSEN] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Illinois would vote "yea" and the Senator from Vermont would vote "nay."

The result was announced—yeas 22, nays 62, as follows:

YEAS—22

Aiken	Knowland	Mundt
Bennett	Kuchel	Russell
Byrd	Langer	Smith, Maine
Case, N. J.	Lehman	Thye
Douglas	Mansfield	Watkins
Dworshak	Martin, Iowa	Williams
Hickenlooper	Martin, Pa.	
Jenner	McCarthy	

NAYS—62

Allott	Gore	Morse
Anderson	Green	Murray
Barrett	Hayden	Neely
Beall	Hill	Neuberger
Bender	Holland	O'Mahoney
Bible	Hruska	Pastore
Bricker	Humphrey, Minn.	Payne
Bridges	Humphreys, Ky.	Purtell
Butler	Jackson	Robertson
Capehart	Johnson, Tex.	Saltonstall
Carlson	Johnston, S. C.	Schoeppel
Case, S. Dak.	Kefauver	Scott
Clements	Kerr	Smathers
Cotton	Laird	Smith, N. J.
Curtis	Long	Sparkman
Duff	Malone	Stennis
Eastland	McClellan	Symington
Ellender	McNamara	Welker
Ervin	Millikin	Wiley
Fulbright	Monroney	Wofford
George		
Goldwater		

NOT VOTING—12

Bush	Flanders	Kennedy
Chavez	Frear	Magnuson
Daniel	Hennings	Potter
Dirksen	Ives	Young

So the motion of Mr. WILLIAMS to recommit the bill was rejected.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The bill is open to further amendment.

Mr. WILLIAMS. Mr. President, I call up my amendment which is at the desk.

The PRESIDING OFFICER. The amendment of the Senator from Delaware will be stated.

Mr. WILLIAMS. Instead of having the amendment read, Mr. President, I ask that it be printed at this point in the RECORD. This is the amendment which was suggested by the Bureau of the Budget.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment offered by Mr. WILLIAMS is as follows:

Insert at the end of the bill:

"That section 406 (b) of the Civil Aeronautics Act of 1938, as amended, is hereby amended as follows:

"(a) By redesignating section 406 (b) as section 406 (b) (1).

"(b) By adding the following paragraphs after paragraph (1):

"'(2) In determining all other revenue of the air carrier, the Board shall not take into account the net gains (after any losses and expenses resulting from the disposition of flight equipment) derived from the disposition of any flight equipment of such carrier, if (A) such carrier notifies the Board in writing that it intends to reinvest in other flight equipment the proceeds derived from such disposition, (B) such proceeds, less all applicable taxes, are placed by such carrier in a funded reinvestment reserve immediately upon the receipt thereof, and (C) within a reasonable period to be determined and fixed by the Board, such proceeds are actually reinvested in other flight equipment by such carrier.

"'(3) Hereafter in determining that portion of the carrier's mail rate which is payable by the Board (which portion is hereinafter referred to as "subsidy") the Board shall compute such carrier's depreciation expense and return on investment after first deducting the net gains not taken into account in determining all other revenue of such carrier from the original cost to such carrier of the flight equipment in which such net gains have been reinvested.

"'(4) In the event the Board determines that the carrier no longer requires subsidy, there shall be deducted from all subsidy to be paid to such carrier after the effective date of this amendment, or there shall be otherwise recovered from such carrier, an amount equal to the total net gains not taken into account in determining all other revenue of such carrier minus the total amounts by which such carrier's depreciation expense has been reduced on account of and solely by the application of paragraph (3) above. Such amount shall be determined as of the date the carrier no longer requires subsidy.'"

Mr. AIKEN. Mr. President, will the Senator from Delaware yield 1 minute to me?

Mr. WILLIAMS. I yield.

Mr. AIKEN. This amendment is an extremely important one. Mr. President, I ask for the yeas and nays on the question of agreeing to the amendment.

The yeas and nays were ordered.

Mr. WILLIAMS. Mr. President, I shall yield myself now only 5 minutes—to explain the amendment.

The amendment was suggested by the Bureau of the Budget. The purpose of the amendment is to prevent the bill from being a windfall for these companies.

Under the existing law the subsidized lines are guaranteed a return of 8 percent on their invested capital. The pending bill will, if this amendment is not adopted, allow the subsidized lines to continue to receive a return of 8 percent on their invested capital; and, in addition, these companies will be able to sell all their secondhand or old equipment on the side, and to put the money received from its sale into a special fund which will not be regarded as operating income and will not be taken into consideration at all by the Civil Aeronautics Board in the computations of the subsidy formula. As a result, whatever the companies obtain as salvage from their old equipment will be an increased bonus or subsidy for them.

The Bureau of the Budget and all other interested Government agencies point out that the bill as it now stands, without this amendment, could result in increasing the subsidy from 8 percent, as guaranteed under existing law, to 12 or 15 percent.

Mr. THYE. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. THYE. Which of the companies stands to receive the greatest amount of the windfall, so to speak, if the bill in its present form is passed?

Mr. WILLIAMS. I asked the Department of Commerce to compute the effect of the bill if it had been enacted 5 years ago. The Department submitted a report which I incorporated a few minutes ago in the RECORD. The report shows that if the bill had gone into effect 5 years ago, it would have cost the United States Government approximately $21,900,000 over and above the amount of subsidies which were paid.

Of that amount Pan American would have received $17,250,000, and three other companies would have received approximately $4 million. Those four companies would have received a total of approximately $21,500,000. But approximately 90 percent of the benefits, based upon operations during the last 5 years, would have gone to only one company.

We cannot tell what will happen in the future; but the Department of Commerce states that the only way to evaluate what will happen in the future is to use the experience of the past. Certainly this increase cannot be justified.

The proponents of the bill say its enactment would result in greater efficiency on the part of the companies and in a reduction of the subsidies paid by the United States Government in future years. The other day the Senator from Nevada said he thought that at the end of 2 years we might well expect a 50-percent reduction in the subsidies. I said that if the bill would result in only half of that it would be worthy of our support.

The amendment I now submit has been suggested by the Bureau of the Budget. It provides that the companies which will benefit from the provisions of the bill will ultimately turn back to the Federal Treasury the additional amounts they will now receive.

If a company received $3,500,000 for old equipment and if the company then proceeded to spend $14,000,000 for new equipment, the amount received for the old equipment above the depreciated value should be considered in computing its income.

But the proponents of the bill would permit the company to sell its old equipment for $3,500,000 and to keep that amount as an additional subsidy from the United States Government by having their net income figured on the basis of the cost of the new equipment but no allowance being made for the $3,500,000 salvage value of the old.

Mr. ELLENDER. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. ELLENDER. Do I correctly understand that the $3,500,000 would be considered as the depreciation?

Mr. WILLIAMS. The $3,500,000 would be the amount received as the proceeds from the sale of the old equipment above its depreciated value. The company would have to pay a capital gains tax on that amount. But under the provisions of the Budget Bureau amendment, the $3,500,000 would also be taken into account in computing the subsidy to be received by the company. That is also the present law. Under the bill, if this amendment is not adopted, every company would benefit over and above what they would receive under existing law to the extent of the amount it would receive from the sale of its old equipment.

Mr. LEHMAN. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. LEHMAN. Do I correctly understand that under the bill in the form in which it probably will be passed, if such a company spent $14 million for new equipment, and if it received $3,500,000 from the sale of its old equipment, none of the $3,500,000 would be applied against the $14 million? Or do I correctly understand that depreciation would be allowed in that connection?

Mr. WILLIAMS. Perhaps I was not clear in explaining the amendment.

The $14 million has been referred to by me as the amount presumably to be paid by one of the companies for new equipment. For purposes of illustration, I said that we might assume that such a company would sell its old equipment—presumably then fully depreciated—for $3,500,000. The bill as it is now written would let such a company start taking depreciation on the new equipment it would purchase for $14 million and would permit the company to keep the $3,500,000 but make no allowance toward reducing the cost of the new equipment.

Mr. LEHMAN. Do I correctly understand that such old equipment, when sold, would be completely depreciated?

The PRESIDING OFFICER. The time the Senator from Delaware has yielded to himself has expired.

Mr. PURTELL. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS. Mr. President, I yield myself 2 additional minutes.

Mr. PURTELL. Therefore, the $3,500,000 is entirely a capital gain?

Mr. WILLIAMS. That is correct. Assuming it has been fully depreciated it is a capital gain, but it would not be counted into the formula in computing the subsidy.

Mr. PURTELL. Capital gains would not be considered to apply against the purchase of the $14 million ship?

Mr. WILLIAMS. That is correct; nor would it be used to reduce the amount of subsidy the Government would give to this particular company. It would still pay it an 8 percent return on its $14 million investment.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS. I yield.

Mr. SALTONSTALL. As I understand the Senator's amendment, the net

gains from the sale of any flight equipment are not included in the other revenue of the air carrier if they are reinvested in a plane within 6 months; but the gain is not permitted to be included in computing the carrier's mail rate.

Mr. WILLIAMS. That is correct.

Mr. SALTONSTALL. Furthermore, if the carrier does receive any subsidy after these gains are figured in, that subsidy must be paid back. Is that correct?

Mr. WILLIAMS. Under the formula recommended by the Bureau and provided in my amendment, it would eventually go back into the Treasury.

If a company buys $14 million worth of new equipment and after fully depreciating its old equipment sells it for $3.5 million, the Budget Bureau proposes that only the difference, or $10.5 million, be used as a basis for depreciation in the future for computation of a subsidy. If we did not do that, the result would be extra income going to all the companies to the extent of the equipment sold. In private business, if a man trades in a tractor for $1,000, and buys a $3,000 tractor, he either depreciates the $2,000 differential, or he can depreciate the full $3,000, and pay a capital gains tax on the $1,000 for the tractor sold, assuming it has been fully depreciated. But it is always counted as income in his annual report.

Mr. SALTONSTALL. What would be the situation as of the date when a carrier no longer required a subsidy?

Mr. WILLIAMS. Neither my amendment nor the bill would affect an airline not being subsidized by the Government. The minute an airline goes off the subsidy it is no longer affected either by this amendment or the bill.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. HUMPHREY of Minnesota. Will the Senator tell us which of the large airlines are being subsidized at present?

Mr. WILLIAMS. As of the past 5 years, according to a report submitted by the Department of Commerce and incorporated in the RECORD a few minutes ago, 90 percent of all the benefits of the bill—had it been in effect during the past 5 years—would have gone to Pan American.

Mr. HUMPHREY of Minnesota. But which of the major airlines would be affected by the bill?

Mr. WILLIAMS. On the basis of the past 5 years—and that is the only basis on which we can make a computation—Braniff would have received a total of $1,515,000. By the way, during the past 5 years a total of $21,900,790 would have been paid in subsidies. Of that amount, Braniff would have received $1,515,000. Pan American would have received $17,288,000. Delta would have received $1,400,000; and TWA would have received $1,295,000, although it should be mentioned at this point that TWA went off the subsidy list as of last June and that while it would have received the amount mentioned during the past 5 years, that payment would not be in effect in the future.

Mr. HUMPHREY of Minnesota. What would be the effect of the Senator's amendment on the particular airlines the Senator has just mentioned, excluding TWA, which is no longer on subsidy? As I understand, the bill applies only to subsidized lines.

Mr. WILLIAMS. That is correct.

The effect of the amendment would be that those companies could still sell their secondhand equipment and compute the cost based upon capital gains. They could buy new equipment and use the money for the new equipment; however, in computing the formula for the subsidy the Government, which is guaranteeing an 8 percent return on invested capital, would figure, in invested capital, only the difference between the cost of the new equipment and the salvage value of the old equipment.

Mr. HUMPHREY of Minnesota. The salvage of the old equipment at fully depreciated value?

Mr. WILLIAMS. That is correct. Suppose a company sells its equipment at a price below the depreciated cost. Let us assume that the old equipment had been depreciated down to $5 million and that it was sold for $3 million, which would result in a $2 million loss instead of a profit. The bill provides that in such a case the company does not lose that difference. It charges the $2 million to the Federal Government and is reimbursed. The losses are to be counted in the formula, but all profits are ignored. It is a one-way street. The Government can lose, but it cannot win.

Mr. HUMPHREY of Minnesota. I have been concerned about the effect of the bill so far as the subsidized major airlines are concerned. I had some material looked up with reference to the costs of the bill. As the Senator has pointed out, the costs over the past 5 years, had the bill been law, would have been $21,900,790. What would be the effect, however, upon the small feeder lines? I am interested in their obtaining new equipment and getting the advantages of modernization. They have had a pretty tough time. What would be the effect of the Senator's amendment on them?

Mr. WILLIAMS. It would affect them in the same manner I have previously described. I do not believe that, based upon the past 5 years, those small companies would have received very much, although I think we should be realistic, and realize that they would be benefited in the future.

But if the formula is to be changed then do it openly and above board. Let the taxpayers know where their money is going.

This is just another hidden subsidy being painted as an imaginary savings.

The PRESIDING OFFICER. The Senator's 2 minutes have expired, and he has remaining only 1 minute.

Mr. WILLIAMS. Mr. President, will the Senator from Massachusetts yield me 5 minutes?

Mr. SALTONSTALL. I yield 5 minutes to the Senator from Delaware on the bill.

Mr. WILLIAMS. As I previously stated, I made the motion to recommit the bill because I thought it could be better drafted in committee. I fully agree that we ought to do something to help the small feeder airlines provide better equipment. I would go along with such a measure if the committee should report a bill which would accomplish that objective. But I do not believe that in order to help the small airlines we must give $17 million to Pan American, and two to four million to this, that, or the other company which does not need it. That is the reason why I said the committee should take the bill back and report a bill which would accomplish the purpose which the committee says it wishes to accomplish; namely, to help the small feeder lines. The Department of Commerce in opposing the bill made the point that it felt that the committee should give study to the question of helping feeder lines but that this was not the bill to do it. We do not help the small feeder lines by giving $17 million to one company, $4 million to another, $3 million to a third, and so forth, and then dividing up $300,000 among the small feeder lines. So let us stop talking about the small companies and call this bill what it is; namely, a handout.

Mr. HUMPHREY of Minnesota. I hold in my hand an amendment which I considered offering at the appropriate time. On page 1 of the bill, it would strike out all of line 6 and insert in lieu thereof the following:

> In determining during any calendar year all other revenue of any air carrier having total gross receipts (including amounts not included in all other revenue under the provisions of this paragraph) of less than $50 million during the previous calendar year.

In other words, by establishing a level of $50 million of gross receipts, we would chop off all the major airlines, most of which are not subsidized, and at the same time preserve the features of the bill as reported by the committee for the feeder airlines and the smaller airlines, which are very much in need of modernization of their equipment.

Mr. WILLIAMS. I do not know how the amendment would work, but I agree with the objective. I do not think there can be any possible justification for a company like Pan American, which, at the expense of the American taxpayer, is already guaranteed an 8 percent return on its investment and receiving $12 million to $15 million more. The other day the House passed a bill—and I assume the Senate will act upon it in the next few days—to increase postage rates on air mail by 1 cent a letter. Now it is proposed to give all of that increase to the airlines in the form of increased subsidies. Certainly that is not the reason why it is proposed to increase the postal rates.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. ROBERTSON. Mr. President, would the Senator's amendment bring the bill in line with the recommendations of the Bureau of the Budget?

Mr. WILLIAMS. It would; in fact the amendment was prepared by the Bureau of the Budget.

Mr. ROBERTSON. Mr. President, I should like to ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. WILLIAMS. The amendment was prepared by the Bureau of the Budget and is in line with its recommendations. The Bureau of the Budget believes such an amendment is necessary to protect the interest of the Government. Every agency of the Government supports this amendment, and if it is adopted I shall support the bill.

Mr. THYE. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. THYE. If the bill had been in effect as law for the years 1951 through 1955, it would have given to all the small airline companies of the United States $401,210 by way of a benefit. Therefore, the bill would benefit the four largest airlines. Pan American would stand to gain $17,288,000, as I understand.

Mr. WILLAMS. That is correct.

Mr. THYE. It is for that reason that I voted to recommit the bill, and it is for that reason that I shall vote for the amendment of the Senator from Delaware.

Mr. BIBLE. Mr. President, I rise to speak in opposition to the amendment offered by the Senator from Delaware. There are a few points which I should like to clear up in the RECORD. I yield myself 5 minutes for that purpose.

First, it has been constantly pointed out that this is a one-airline bill. Nothing is further from the truth. The present subsidized carriers total three international carriers—Pan American, Panagra, and Braniff. They total 14 feeder airlines. They total a number of territorial carrers in Alaska. They include the helicopters.

Mention was made by the distinguished Senator from Minnesota [Mr. THYE], when he asked his question, that if the bill had been in effect for 5 years, the big companies would have profited.

He made a point in that connection which has bothered me considerably. He says that it shows that the feeder lines would have received only a very infinitesimal proportion of the money. The answer is that in the past 5 years the feeder lines were unable to buy new equipment. New equipment was not available to them. They had not been permanently certificated. They were not permanently certificated until last year.

The statement that the total represented by the past 5 years is a correct view of the entire picture, is erroneous, because the large airlines are not on subsidy; that is, with the exception of the ones I have mentioned.

Much has been made of one of the international carriers, Pan-American. I merely wish to point out that with respect to competition from foreign airlines, all of us must recognize that the foreign governments actually operate the foreign airlines and actually own them; at least, that is true in most cases. In many other cases the foreign governments are majority stockholders.

Therefore I see nothing wrong with enacting legislation which will help to make American international air carriers the greatest in the world.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. BIBLE. I am glad to yield to my distinguished friend from Delaware.

Mr. WILLIAMS. Is it not a fact that each one of the international carriers is guaranteed an 8 percent return on its invested capital, even without the passage of the pending bill, and that the passage of the bill would give each one an additional bonus over and above the 8 percent return on its invested capital?

Mr. BIBLE. It has always been the theory of the Civil Aeronautics Board that the airlines should enjoy an income which would make it possible for them to expand. I believe the Senator from Delaware would be interested in figures which I have before me. The figures show the amount of return to the various subsidized carriers. It is very interesting to me that the latest published report of the Civil Aeronautics Authority, the quarterly report on air carrier operating factors for the year ending September 30, 1955, which is the last period available, indicates the following operating profits for the subsidized carrier groups:

Local service airlines, 5.7 percent; helicopter service, 5.4 percent; Alaska carriers, 4.8 percent; foreign and overseas operations, 6.4 percent.

These are relatively modest earnings, compared with 10.8 percent for domestic trunk airlines, most of which do not receive any subsidy.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. BIBLE. I am happy to yield to the Senator from Minnesota.

Mr. HUMPHREY of Minnesota. First of all, I should like to say to the Senator that I recognize that the bill, as perfected by the committee, does apply to the many airlines the Senator has referred to, namely, the feeder lines, the territorial lines, such as in Alaska, and, of course, to the subsidized international carriers.

Is it not true that under the present law the so-called international carriers are being given an ample subsidy so as to enable them to generate a rather good profit for themselves?

Mr. BIBLE. I believe the answer to that is that the international airlines are undertaking the acquisition of expensive new aircraft in order to operate in the jet age, which is just around the corner. It requires a terrific investment, and they need the same type of expansion which is available to nonsubsidized carriers. Nonsubsidized carriers certainly have a freedom of action which the subsidized carriers do not have.

Mr. HUMPHREY of Minnesota. Is it not also true that the market value of the existing aircraft, which may be sold at the time the new jet aircraft is purchased, is far above the book value, in light of the depreciation which has been taken on that aircraft?

Mr. BIBLE. I believe that is a correct statement. The study which was placed in the RECORD by the Senator from Delaware indicated that there was an increase in the book value as compared with resale value.

Mr. HUMPHREY of Minnesota. Is it not also correct to say that the subsidy formula which is worked out is related to the capital cost of the equipment?

Mr. BIBLE. The Senator is correct.

Mr. HUMPHREY of Minnesota. So that even though the new equipment may be very expensive, the Government of the United States, in an effort to preserve a reasonable profit for the airlines, is committed to guarantee an 8 percent return on the capital cost of equipment?

Mr. BIBLE. I believe that is a correct statement.

Mr. HUMPHREY of Minnesota. Actually, even in the present law there is nothing which would in any way hold back the modernization of an air fleet by the large companies, which have the credit and the advantage of capital gains treatment, with which to make expansion?

The PRESIDING OFFICER. The time of the Senator from Nevada has expired.

Mr. BIBLE. I yield myself 1 more minute. I say to my able friend from Minnesota that if we wipe out the base of capital gains, we will certainly cripple the airlines to that extent.

Mr. HUMPHREY of Minnesota. That is not wiped out under existing law, as I understand.

Mr. BIBLE. It is certainly deducted from the subsidy payment.

Mr. HUMPHREY of Minnesota. Yes; but the airlines still get capital-gains treatment in terms of the tax schedule on the property which is sold.

Mr. BIBLE. The Senator is correct; for purposes of subsidy treatment.

Mr. President, I yield 3 minutes to the Senator from Maine.

Mr. PAYNE. Mr. President, while the amendment offered by the Senator from Delaware purports to do something in line with what the Bureau of the Budget proposes, in order to straighten this matter out on an equitable basis, it does far from that. In effect, using the computation of the Senator from Delaware, it provides that if an airline buys new equipment for $14 million and receives a capital gain of $3½ million on equipment sold, the $3½ million shall be applied against the $14 million, and in that way start off with a depreciation based upon $10½ million.

That is very nice in theory, but that is not the way it works out in practice. It is very generous indeed, because it writes off $3½ million over a 7-year period, and it charges the airlines 8 percent interest for the privilege of using their own money, which they gained from the sale made during the period they are writing off that amount. That is the way it figures out on paper. If anyone will take the time to figure it out, he will see that that is true.

Reference has been made to a table from the Department of Commerce setting forth what they have said would have happened during the past 5 years. They have made the computation of what the increased subsidy would be based upon the sales which took place during those 5 years, and they have not given 1 ounce of weight to the increased efficiency and economy of operation of the new-type planes put into service, which have resulted in a cut in subsidies in the past 2 years of approximately $20 million of the taxpayers' money.

This bill, if enacted, will definitely tend to bring about a lowering of the

subsidies and not an increase of them. Every single line which has placed in operation good equipment, of the latest design, has found definitely that the costs per ton-mile of operation per passenger payload have gone down and not up. If that is the case, as history records, then, certainly, this amendment, if adopted, will be working in reverse.

Mr. THYE. Mr. President, will the Senator from Maine yield?

Mr. PAINE. I yield.

Mr. THYE. The Senator from Maine is one of the coauthors of the bill. Would he have any objection to an amendment providing that no company having a revenue in excess of $50 million annually shall receive any benefits under this bill? That would certainly give relief to the smaller companies and to the feeder lines which we are all endeavoring to assist.

Mr. PAYNE. Theoretically, yes, I would be for such an amendment as the Senator has mentioned, but I hold a reservation because the ability of a company cannot be determined, based upon its gross income. There are many other factors entering into the computation which have to be analyzed in arriving at a correct figure. There are companies which do an annual business of $100 million which do not wind up too well.

Mr. THYE. Mr. President, will the Senator from Maine yield for another question?

Mr. PAYNE. I shall be very happy to yield.

Mr. THYE. I am sure the Senator would not want to be a party to any legislation which would give one specific large company a decided advantage over smaller companies in competition with them. Most certainly, the figures I have obtained from the Department of Commerce indicate that four companies would definitely receive a great advantage. One company would have received more than $17 million had the bill been enacted into law.

Mr. PAYNE. I agree with my colleague from Minnesota that I do not want to see enacted legislation which will give sole benefits to one line. I am interested primarily in the feeder lines. The reason why they do not show up on this table—it is an unrealistic table, I think—is simply because those lines were not certificated during the period of the survey, and I know that a line which was not certificated had nothing with which to go to a bank and make an appeal for credit, because the bank would say, "What certainty is there that you are going to be flying tomorrow?"

Mr. THYE. We do not know but what the future will find many a young company in a situation identical with that which the history of the past 4 years shows other companies to have been in. So we are not only aggravating the situation, but are compounding our problems by letting three large companies share the benefit of a legislative windfall.

Mr. PAYNE. Let me say that history is replete with examples of companies which have been able to develop themselves; their equity capital has been such as to enable them to make the investment and to secure modern types of planes. Those are the companies which have been able consistently to move away from subsidies because of the increased efficiency of operation which they have been able to develop by having modern equipment. The costs have gone up tremendously and will continue to go up in the next few years, because we are moving rapidly into the jet type of propulsion, but the return will be substantial.

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

Mr. BIBLE. Mr. President, I am prepared to yield back the remainder of my time.

Mr. GOLDWATER. Mr. President, will the Senator from Nevada yield, in order that I may ask a question of the Senator from Delaware?

Mr. BIBLE. I am happy to yield for that purpose. I have 2 minutes left, I yield 1 minute to the Senator from Arizona.

Mr. GOLDWATER. Will the Senator from Delaware inform me whether in compiling the table he has submitted the Department of Commerce has counted on delivering aircraft on order?

Mr. WILLIAMS. I assume it has reference only to those transactions which have actually been carried through. This table was furnished to the committee by the Department of Commerce. I assume that in computing it they could take into consideration only those transactions which had actually been carried through.

Mr. GOLDWATER. I have been trying to believe that in compiling this report, the Department of Commerce has used aircraft on order, because I have some small knowledge of the aricraft industry, and I know that Pan American has not received modern equipment in the past several years.

The PRESIDING OFFICER. The time of the Senator from Arizona has expired.

Mr. BIBLE. Mr. President, I yield an additional minute to the Senator from Arizona.

Mr. GOLDWATER. Compared with companies like American, let us say, which do have on order large numbers of Boeing aircraft costing approximately $6 million. I should dislike to vote to stifle the airlines because of figures which are not complete, but are based merely upon assumed orders.

Mr. WILLIAMS. The American is not a subsidized line, and lines which are not susidized are in no way affected by the bill.

Mr. GOLDWATER. Would Braniff be included?

Mr. WILLIAMS. Braniff is subsidized and would be included.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. BIBLE. Mr. President, I suggest the absence of a quorum.

Mr. WILLIAMS. Mr. President, will the Senator from Nevada withhold his suggestion for a moment?

Mr. BIBLE. I shall be glad to do so.

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have incorporated in the RECORD at this point a letter dated May 16, 1956, from the Assistant Director of the Budget to the chairman of the committee, followed by one dated May 2, 1956, along with a communication of May 9, expressing opposition to this bill and recommending the pending amendment.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 16, 1956.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce,
United States Senate,
Washington, D. C.

MY DEAR MR. CHAIRMAN: It is understood that your Committee is considering S. 3449, a bill relating to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment.

The Bureau of the Budget has recently advised the House Interstate and Foreign Commerce Committee of its views on H. R. 8902 and H. R. 8903. These bills are similar in purpose to S. 3449. I believe the views of the Bureau of the Budget on this legislation may be of interest to your committee and, therefore, am enclosing herewith copies of our letters to the House committee.

Sincerely yours,

PERCY RAPPAPORT,
Assistant Director.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 2, 1956.

Hon. J. PERCY PRIEST,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives,
New House Office Building,
Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in reply to your letters of February 1, 1956, requesting the views of this office with respect to H. R. 8902 and H. R. 8903, identical bills, "To amend subsection 406 (b) of the Civil Aeronautics Act of 1938, as amended."

These bills provide that the Civil Aeronautics Board shall not take into account gains or losses resulting from the sale of property in determining all other revenue of an air carrier for subsidy purposes. The gains must, however, be reinvested in similar property within a reasonable period. The apparent objective of the bills is to assist subsidized carriers in buying new aircraft.

As has been pointed out in agency reports and testimony before your committee, these bills would in general require higher subsidy payments than under the Board's current ratemaking practices. Questions have also been raised as to whether the inducement to reequiping which the bills intend is actually needed or would apply equitably to all carriers; or stated another way, whether the Civil Aeronautics Act and the Board's present practices would not adequately provide for essential reequiping needs of subsidized carriers.

It is understood that the Board recently instituted a proceeding to develop a record on which to formulate a policy for dealing with the profits from retirement of equipment, and that the proceeding will take into account the reequiping problem. We believe it would be highly desirable to have the benefit of the record which will be developed in this proceeding in deciding what changes in the basic law may be needed.

In view of the foregoing the Bureau of the Budget does not favor enactment of this legislation.

If your committee wishes to take action at this time, however, we suggest that it explore alternatives which would protect the Government against higher subsidy

payments. For example, it might be possible to provide for the gradual offset of capital gains against subsidy by authorizing reinvestment of gains in appropriate cases, if the investment representing such gains were not thereafter recognized in allowing depreciation and return on investment for subsidy purposes, and if the Government's interests were fully protected should a carrier's subsidy need end before the reinvested amounts had thus been offset fully against subsidy.

Sincerely yours,

PERCY RAPPAPORT,
Assistant Director.

EXECUTIVE OFFICE,
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 9, 1956.

Hon. J. PERCY PRIEST,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, New House Office Building, Washington, D. C.

MY DEAR MR. CHAIRMAN: In our letter of May 2, 1956 this office replied to your request for views on H. R. 8902 and H. R. 8903, identical bills, "To amend subsection 406 (b) of the Civil Aeronautics Act of 1938, as amended." In our letter you were advised that the Bureau of the Budget does not favor enactment of this legislation. However, an alternative was suggested for the committee's consideration if it wished to take action at this time. In view of certain advantages of that alternative, it is believed that your committee may be aided by further elaboration of it.

In greater detail, the alternative would operate as follows:

(1) Carriers would be permitted to retain net capital gains on the sale of equipment, provided these were applied within a reasonable period to the purchase of like equipment.

This provision would accomplish the same objectives as H. R. 8902 and H. R. 8903.

(2) While retained for reinvestment, the capital gains would not be recognized as part of the carrier's investment base for subsidy purposes nor would these retained amounts be available for dividends.

This limitation may be regarded as implicit in H. R. 8902 and H. R. 8903, but it may be desirable to state it explicitly.

(3) After reinvestment of gains by the carrier, the Board should establish subsidy without recognizing the reinvested amounts.

The effect of this can be illustrated in terms of the two basic elements in a carrier's subsidy, break-even need and return on investment.

Break-even need: For subsidy purposes, depreciation expense is recognized in computing break-even need. Under the alternative suggested, depreciation expense would be computed as follows: Assuming a 7-year life for the new equipment purchased with the help of capital gains, the Board would allow the carrier, not one-seventh of the cost of the new asset, but one-seventh of an amount equal to the cost of the new assets minus the retained profits used in its purchase. To illustrate—if a carrier should purchase new aircraft at a cost of $14 million to which it has applied retained capital gains of $3,500,000, under the provisions of H. R. 8902 and H. R. 8903 it would be entitled for subsidy purposes to annual depreciation of $2 million (one-seventh of $14 million); under the suggested alternative, the annual depreciation in this connection would be $1,500,000 (one-seventh of $10,500,000 ($14 million minus $3,500,000)). It can thus be seen that over the 7-year life of the equipment the entire amount of the capital gain would be offset against subsidy otherwise payable in amounts of $500,000 per year.

Return on investment: In allowing the customary return on investment as part of subsidy, the value of the carrier's assets would be recognized net of reinvested capital gains. To illustrate—a carrier's investment base consists solely of equipment just purchased at a cost of $14 million with the help of capital gains of $3,500,000 and a return of 8 percent is allowed; under H. R. 8902 and H. R. 8903 subsidy would be as follows:

First year	
Investment (at cost)	$14,000,000
Subsidy (8 percent of $14 million)	1,120,000
Second year	
Investment (at cost less depreciation (one-seventh of $14 million))	$12,000,000
Subsidy (8 percent of $12 million)	960,000

This pattern would be followed until the asset is fully depreciated.

Under the suggested alternative, subsidy would be as follows:

First year	
Investment (at cost less capital gain)	$10,500,000
Subsidy (8 percent of $10,500,000)	840,000
Second year	
Investment (at net cost ($10,500,000) less depreciation (one-seventh of $10,500,000)	9,000,000
Subsidy (8 percent of $9 million)	720,000

This pattern would be followed until the asset is fully depreciated.

The savings to the Government on this basis would compensate it for the interest free retention by the carrier of its capital gains.

(4) If a carrier reaches unsubsidized status before its retained capital gains have been fully offset against subsidy, as indicated in (3) above, adequate provision should be made for the Government to recapture the balance of the capital gain.

The foregoing alternative is brought to the attention of your committee in the belief that it may make it possible to accomplish the desirable objectives of H. R. 8902 and H. R. 8903 without increasing the cost to the Government. As an additional benefit to both the carriers and the Government, the alternative would appear likely to minimize distortions in carrier earnings and air carrier subsidy totals which would coincide with the taking of capital gains, and which could serve to obscure the progress of the industry and individual carriers toward subsidy free status.

This office will of course be pleased to be of such further assistance as may be needed.

Sincerely yours,

PERCY RAPPAPORT,
Assistant Director.

Mr. BIBLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Delaware. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Delaware [Mr. FREAR], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

On this vote, the Senator from Texas [Mr. DANIEL] is paired with the Senator from Delaware [Mr. FREAR]. If present and voting, the Senator from Texas would vote "nay" and the Senator from Delaware would vote "yea."

The Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Washington [Mr. MAGNUSON]. If present and voting, the Senator from Massachusetts would vote "yea" and the Senator from Washington would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Connecticut [Mr. BUSH], the Senator from Vermont [Mr. FLANDERS] and the Senator from New York [Mr. IVES] are necessarily absent.

The Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a Member of the American Battle Monuments Commission.

The Senator from Illinois [Mr. DIRKSEN] and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

On this vote, the Senator from Illinois [Mr. DIRKSEN] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Illinois would vote "yea" and the Senator from Vermont would vote "nay."

The result was announced—yeas 37, nays 46, as follows:

YEAS—37

Aiken	Jenner	Robertson
Allott	Knowland	Russell
Bender	Kuchel	Saltonstall
Bennett	Lehman	Smith, Maine
Bricker	Mansfield	Smith, N. J.
Byrd	Martin, Iowa	Thye
Case, N. J.	Martin, Pa.	Watkins
Case, S. Dak.	McCarthy	Welker
Douglas	Morse	Wiley
Dworshak	Mundt	Williams
Gore	Murray	
Hickenlooper	Neuberger	
Humphrey, Minn.	O'Mahoney	
	Purtell	

NAYS—46

Anderson	George	Malone
Barrett	Goldwater	McClellan
Beall	Green	McNamara
Bible	Hill	Millikin
Bridges	Holland	Monroney
Butler	Hruska	Neely
Capehart	Humphreys, Ky.	Pastore
Carlson	Jackson	Payne
Clements	Johnson, Tex.	Schoeppel
Cotton	Johnston, S. C.	Scott
Curtis	Kefauver	Smathers
Duff	Kerr	Sparkman
Eastland	Laird	Stennis
Ellender	Langer	Symington
Ervin	Long	Wofford
Fulbright		

NOT VOTING—13

Bush	Frear	Magnuson
Chavez	Hayden	Potter
Daniel	Hennings	Young
Dirksen	Ives	
Flanders	Kennedy	

So Mr. WILLIAMS' amendment was rejected.

AUTHORIZATION FOR PRESIDENT PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. JOHNSON of Texas. Mr. President, I submit an order and ask that it be read.

The PRESIDING OFFICER. The order will be read for the information of the Senate.

The Chief Clerk read as follows:

Ordered, That, notwithstanding the adjournment of the Senate today until Wednesday, the President pro tempore be authorized to sign bills and joint resolutions passed by the two Houses and found truly enrolled.

The PRESIDING OFFICER. Without objection, the order is entered.

ADDITION OF SENATOR BEALL AS COSPONSOR OF SENATE RESOLUTION 298

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the junior Senator from Maryland [Mr. BEALL] be permitted to enter his name as a cosponsor of Senate Resolution 298.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may proceed for a half minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I should like to announce, for the information of the Senate, the legislative program for Wednesday of this week. The Senate will not be in session tomorrow.

Earlier I mentioned the fact that it was not possible to consider today, as had been planned, Calendar No. 2000, S. 3410, to provide annuities for the widows and dependent children of judges. It is expected that the Senate will dispose of that bill on Wednesday.

In addition, on Wednesday the Senate will consider the International Wheat Agreement, Executive I, 84th Congress.

Other bills to be considered on Wednesday, or later in the week, are as follows:

Calendar No. 2440, S. 147, relating to the transmission of executive agreements to the Senate Committee on Foreign Relations; and

Calendar No. 2458, Senate Resolution 285, providing for a foreign aid study by the Committee on Foreign Relations.

The leadership on both sides of the aisle have also cleared for consideration the following bills:

Calendar No. 2446, S. 3784, to provide for the striking of medals in commemoration of the 100th anniversary of the birth of the late Justice Louis Dembitz Brandeis.

Calendar No. 2447, House Joint Resolution 569, to provide for a medal to be struck and presented to each surviving veteran of the War Between the States.

Calendar No. 2449, H. R. 10075, to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.;

Calendar No. 2450, H. R. 10479, to authorize the Administrator of General Services to convey certain land to the county of Galveston, Tex.;

Calendar No. 2451, H. R. 9578, to provide for the conveyance of an interest of the United States in and to certain lands in Colorado;

Calendar No. 2452, H. R. 11520, to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine;

Calendar No. 2453, H. R. 9774, to provide for the conveyance of certain lands of the United States to the Board of Commissioners of Volusia County, Fla.;

Calendar No. 2454, H. R. 8817, to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.;

Calendar No. 2455, H. R. 10204, authorizing the Administrator of General Services to transfer certain land to Richard M. Tinney and John T. O'Connor, Jr.;

Calendar No. 2456, S. 3779, amending the act of August 27, 1954 (68 Stat. 868), with respect to the Uintah and Ouray Reservation in Utah;

Calendar No. 2457, Senate Resolution 306, providing additional funds for the Committee on Rules and Administration.;

Calendar No. 2459, Senate Resolution 286, providing for an additional extension of time for filing a report by the Subcommittee on Disarmament;

Calendar No. 2460, Senate Resolution 293, to print, with additional copies, a revision of House Document No. 210, How Our Laws Are Made;

Calendar No. 2461, Senate Resolution 294, extending further the time for a study of the Government employees security program;

Calendar No. 2462, Senate Resolution 297, extending the time for making a report and providing additional funds for the Special Committee on the Senate Reception Room;

Calendar No. 2463, Senate Resolution 299, to print additional copies of the Senate Judiciary Subcommittee hearings on juvenile delinquency in the United States;

Calendar No. 2464, House Concurrent Resolution 242, providing for 10,000 additional copies of the report entitled "Special Study Mission to the Middle East, South and Southeast Asia, and the Western Pacific;

Calendar No. 2465, House Concurrent Resolution 243, authorizing the printing as a House document of the Constitution of the United States together with the Declaration of Independence, and providing for additional copies;

Calendar No. 2466, House Concurrent Resolution 245, authorizing the printing of additional copies of House Report No. 2189, 84th Congress, 2d session;

Calendar No. 2467, House Concurrent Resolution 248, authorizing the Joint Committee on Atomic Energy to print 30,000 additional copies of the hearings of the Research and Development Subcommittee on "Shortage of Scientific and Engineering Manpower"; and

Calendar No. 2468, House Concurrent Resolution 251, authorizing reprinting of House Document No. 210 of the 83d Congress.

If these bills and resolutions are not reached on Wednesday or later in the week, they will be called up on motion at the earliest opportunity.

I wish to mention, also, that the majority policy committee will meet on Wednesday and will no doubt clear additional measures, including the atomic reactor bill, which it is hoped may come before the Senate sometime this week.

Conference reports, of course, as they come from the House will be taken up at any time they can be considered.

REINVESTMENT BY AIR CARRIERS OF PROCCEDS FROM SALE OF CERTAIN OPERATING PROPERTY

The Senate resumed the consideration of the bill (S. 3449) relating to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HUMPHREY of Minnesota. Mr. President, I send an amendment to the desk, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed, on page 1, to strike out all of line 6 and insert in lieu thereof the following: "In determining during any calendar year all other revenue of any air carrier having total gross receipts (including amounts not included in all other revenue under the provisions of this paragraph) of less than $50 million during the previous calendar year."

Mr. HUMPHREY of Minnesota. Mr. President, I shall take but a few minutes to explain my amendment. The purpose of the amendment is to set a ceiling on the benefits to be derived from the bill. In other words, when an airline earns $50 million or more in gross income, it falls into the class of the larger air carriers, and the benefits of the new formula which are provided in the bill developed by the committee will not apply. The benefits will apply, however, to those lines which are smaller, which have less capital, and which are presently receiving Government subsidy, but at the same time are not well equipped financially to expand their fleet operations.

I happen to believe that the case in this situation is a very unfortunate one. It so happens that the way the bill is written, the major benefits will go to one line. I want to make my position clear. I happen to have no personal complaints against Pan American. It is a good airline and has done a good job. I do not seek to penalize it one bit, but I regret to see the bill as it is designed—and it cannot be designed any differently unless a cut-off is applied—will result in Pan American's getting the lion's share of the subsidy payments, along with the lion's share of the new formula benefits as provided in the proposed legislation.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HUMPHREY of Minnesota. I yield.

Mr. ANDERSON. What does the Senator's amendment do? Will he explain it?

Mr. HUMPHREY of Minnesota. The amendment provides that only airlines whose gross income is below $50 million shall have the benefits of the formula as provided in the bill, namely, that the Board shall not take into account net gains, after any losses and expenses, resulting from disposition of fight equipment of the carrier. The amendment in effect means that the formula will apply only to airlines having an income under $50 million.

Mr. ANDERSON. Was it not represented that the bill was to help small feeder lines?

Mr. HUMPHREY of Minnesota. It was, and it will.

Mr. ANDERSON. A company which has $50 million is hardly a small feeder line. So the Senator from Minnesota is simply trying to keep companies of that size from receiving the benefits provided by the bill. Is that correct?

Mr. HUMPHREY of Minnesota. I am trying to prevent lion's share of the benefits of the bill from going to 1 or 2 large airlines.

Mr. ANDERSON. That is what I said.

Mr. HUMPHREY of Minnesota. That is correct.

Mr. ANDERSON. In other words, the Senator from Minnesota is trying to have the benefits of the bill go to the small feeder airlines; and he is trying to prevent all the benefits of the bill or the greater part of the benefits of the bill from going to the large airlines; is that correct?

Mr. HUMPHREY of Minnesota. I am saying that the smaller lines which are struggling, which are on their way up, and are trying to obtain routes, which for a long period of time did not have certification, and which have had uncertainty in that area, and need help if they are to modernize their equipment, should be the ones to benefit under the provisions of this bill, whereas the large continental or international airlines have received considerable amounts of Government subsidy over the years, and most of them now are operating without any subsidy, and have been able to make their domestic and their international operations sufficiently sound, so that they are operating on the basis of their own revenues, with the exception of one or two.

Mr. ANDERSON. I hope Senators will examine the schedule of payments which would have been set aside by the amendment previously offered. Let me say that I very nearly voted for the amendment, because under the bill, without that amendment, one airline would receive a tremendous amount of money. Would not the amendment of the Senator from Minnesota straighten out that situation?

Mr. HUMPHREY of Minnesota. It would. The amendment would exclude such a large airline—for instance, Pan-American; it would be totally excluded. It is possible that Braniff would also be excluded. However, I believe it falls under the amount stated in this amendment.

Mr. ANDERSON. Then I do not believe the Senator from Minnesota disagrees with my statement that his primary purpose is to help the smaller airlines or the feeder airlines.

Mr. HUMPHREY of Minnesota. That is true.

Mr. LANGER. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY of Minnesota. I yield.

Mr. LANGER. Would not the amendment help provide new feeder airlines all over the country, where they are badly needed?

Mr. HUMPHREY of Minnesota. The amendment would help feeder lines obtain new equipment, and also would make their services better available. Thus the large airlines would find that they were obtaining more customers, which would be developed by the feeder airlines.

Mr. LONG. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY of Minnesota. I yield.

Mr. LONG. I find merit in the purpose of the Senator from Minnesota to prevent one large airline from monopolizing the benefits which would be obtained from the provisions of the bill. However, it seems to me that even the large airlines should have an opportunity to participate to some extent, if they meet the same requirements.

Has the Senator from Minnesota considered the possibility of modifying his amendment so as to provide that any airline could receive a certain amount of benefit from the bill, but that a ceiling would apply to all airlines—for instance, to Pan American?

Mr. HUMPHREY of Minnesota. Let me say frankly that I am not happy about the bill as it has been reported to the Senate. I have not been very happy, either, about any of the amendments which have been proposed. I did not vote for the motion to recommit the bill, inasmuch as the committee has worked long hours on it.

I think the Senate bill is much less generous than is the House bill. I think the Senate committee has limited the benefits the bill would provide.

I was not particularly happy about the amendment submitted by the Senator from Delaware. However, I could not bring myself to vote for a bill by means of which a majority of the benefits would go to 1 or 2 airlines.

I favor a provision of the sort the Senator from Louisiana has suggested, but I could not arrive at proper language to cover that point.

Therefore, in an effort to do some equity, I thought we should provide for a cutoff at soime point, but should still make it possible for the small airlines to obtain new equipment.

Anyone familiar with the small airlines knows what I am talking about. They are still struggling, using old DC–3's. They should be given an opportunity to modernize their equipment.

Mr. LONG. If the amendment of the Senator from Minnesota is adopted, the conferees between the House and the Senate might arrive at a ceiling on the benefits of the bill, rather than to permit 1 or 2 large companies to more or less monopolize all the benefits.

So I shall vote for the amendment of the Senator from Minnesota.

Mr. HUMPHREY of Minnesota. Yes, I hope that from the conference following adoption of the amendment, such an arrangement could be obtained.

I may say that we did not wish to have the amendment provide for an exclusion. Instead, we wish to provide a limitation upon the benefits to be obtained; and at the same time we wished to preserve what I believe to be the very valuable working formula for the smaller lines. I think this is very important. I did not wish to have the bill recommitted, and thus sacrifice the benefits to be obtained by the smaller airlines.

Mr. SPARKMAN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY of Minnesota. I yield.

Mr. SPARKMAN. I think the suggestion the Senator from Minnesota has just made—namely, that perhaps a better formula can be worked out in conference—has considerable merit.

As I understand, the purpose of the bill is to help the smaller airlines, which have not been able to build up a sufficient base upon which to operate. I take it that the purpose of the amendment of the Senator from Minnesota is to help the smaller lines modernize their equipment. In other words, a company which has $50 million—the ceiling proposed in the amendment—has sufficient funds with which to obtain the equipment it needs, whereas a small feeder line does not have such ability. It may be that a better formula can be worked out; but it seems to me it would be better to work it out between now and the time when the conferees on the bill meet, rather than for us to try to reach arbitrarily here on the floor of the Senate, the exact language to achieve that result.

Mr. HUMPHREY of Minnesota. Yes; and certainly the debate we are holding will indicate such a desire—rather than now to suggest the specific language to be included. If the amendment is adopted, I think it will be adopted in light of the discussion which has just been had between the Senator from Alabama and myself.

Mr. President, on the question of agreeing to my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BIBLE. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Nevada is recognized for 1 minute.

Mr. BIBLE. Mr. President, the committee worked long and hard in attempting to solve the very difficult problem which has been referred to by the Senator from Minnesota. It was difficult for us to draw a line of distinction between the various carriers.

Much has been made of the benefits to be obtained by one carrier. I repeat that the bill is not for the benefit of any particular carrier. Today, the subsidy bill totals approximately $45 million. Of that amount, $26 million goes to the feeder lines. Approximately $2 million goes to the helicopters. A payment is made to the Alaska territorial airlines.

Payments are also made to two domestic carriers—Northeastern and Continental.

In the international field, we have only Pan American, Panagra, and Braniff.

It was impossible for us to arrive at any point of demarcation—in other words, to say that the bill would be good for one carrier, but not good for another.

Mr. President, at this time I yield 3 minutes to the Senator from Oklahoma [Mr. MONRONEY].

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 3 minutes.

Mr. MONRONEY. Mr. President, I must reluctantly oppose the amendment of the distinguished Senator from Minnesota. I do so because when we try to draw a line of demarcation on the basis of size, in the case of the modernization of airline equipment, I think we proceed on an entirely false premise. Either the bill is good for the small airlines, which fly a few hundred miles a day over prairie States, or it is not. If it is good for the feeder airlines, and they are in subsidy, the American flag lines which cross the ocean, fly the desert, and go around the world, have equal need for modernization of their planes, without being penalized for whatever profits may result from the inflationary prices of new planes, causing an increase in the value of old planes. The DC–3 would still be worth about $40,000, even if a modern plane did not cost $500,000. A DC–6, which used to cost $600,000, now costs about $1,200,000, so a used DC–6 would probably be worth $1 million, and would show a $400,000 profit if traded for a true jet, or a turbo-jet.

If the bill is good for the feeders—and I think it is—then it is good for the lines which fly to faraway places, and which, on a strict accounting basis, have not been able to serve enough passengers to work their way out of subsidies. The lines which have been able to work their way out of subsidies have been those which have been able to modernize their equipment.

A Convair with 50 passengers can be flown for almost the same cost per seat-mile of operation as a DC–3. By the same token a turbojet, although it may cost $2 million, can be flown for a cheaper per-seat-mile cost than a DC–4, or an old DC–6–A.

If we are to establish a cutoff at $50 million, we shall be saying that we do not want to modernize the equipment of the lines which carry the most passengers. It is just as silly as that. I do not think we should do that, and place a penalty on a line which, because of inflation, receives the benefit of a better value for its old aircraft than it had when it bought them.

I am ashamed of the situation of some of our flag lines overseas which are not government-operated, or not operated by a government corporation. Nevertheless, through free enterprise we are managing to give the best service in the world. We must pay some subsidy for it. We could wipe out Pan-American's subsidy tomorrow by giving it some domestic air routes. If we were to give it an air route to San Francisco and Los Angeles, we would not be talking about a subsidy. It could afford to buy the aircraft required.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. BIBLE. I yield an additional 2 minutes to the Senator from Oklahoma.

Mr. MONRONEY. The only reason we are paying subsidies is the differential represented by the routes presented to one line and withheld from another. Any feeder airline would be off subsidy today if it could go to Los Angeles, San Francisco, and New York. The feeder lines are just as good in operation as United or TWA. However, those lines are monopolies, or semimonopolies. We tell the feeders that they can fly only so far. We deny them access to the Civil Aeronautics Board, not wishing to create overcompetitive conditions at the air centers.

We have few lines in subsidy. Northeast is a good example. It flies through fog, ice, snow, and awful weather. But it has no terminal point except New York. Let it go into Florida, and it will no longer be under subsidy.

It is proposed to place a ceiling on a principle. If it is good legislation to subsidize the major airlines to enable them to keep up with the rest of the world in operation, then it is good for the feeders, and it ought to be good for Pan American, TWA, Braniff, Northeastern, or any of the others. But when we establish a $50 million gross revenue ceiling, on its face it bears no relationship to the profit position. One company might have $50 million gross revenue and be making money. Another might have $50 million gross revenue and losing money. If any kind of restriction is established, it ought to be on net operating revenue, and not on gross.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. ANDERSON. Did not the Senator from Minnesota [Mr. HUMPHREY] say that he did not know how to attack the problem, but that he hoped something could be arrived at in conference?

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. BIBLE. Mr. President, I yield 1 additional minute to the Senator from Oklahoma.

Mr. ANDERSON. The figures which I have seen indicate that if the bill had been in effect from 1951 to 1955, some $21 million in subsidies would have accrued, $17 million to Pan American, a million and a half to Braniff, a million to Delta, a million and a quarter to TWA, and so on. Seventeen million dollars is a pretty fair chunk of money.

Mr. MONRONEY. I can imagine no statistics which would be more useless. The period represented by the chart was the time when we were changing from DC–4's to DC–6's. Every line was buying equipment. Pan American had to buy some, and it was disposing of its old equipment.

The bill would not give the air carriers a windfall. The property involved is property which they own. The prices of new planes have gone up to such an extent that they cost many times the cost of the old planes. Consequently, the trade-in value of the old planes has also gone up. The bill would merely allow the airlines to reinvest their money in new airplanes. It would not permit them to declare dividends, or to spend the money for any other purpose except new aircraft. I do not know why we should object to modernizing our aircraft industry. I hold no brief for Pan American, TWA, or any other line. If it is good policy to modernize aircraft, and to allow the major companies to reinvest the trade-in value of old planes without being penalized by losing the subsidy, it ought to be good for the feeders as well as for the big lines. I do not see how we can make fish of one and fowl of the other.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. DOUGLAS. Is it not true that, with respect to the new equipment, whether it be jets or what not, the lines will be guaranteed an 8 percent return on domestic investment, and 9 percent on overseas investment?

Mr. MONRONEY. That is correct.

Mr. DOUGLAS. So they ought not to have any trouble whatsoever in obtaining capital with which to reequip themselves. The bill simply provides an extra bonus.

Mr. MONRONEY. If they make money, they work their way off the subsidy. If they do not have modern planes, they will not be able to work their way off subsidy.

Mr. BIBLE. Mr. President, I yield 1 minute to the Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, although I think the principle involved in the entire bill is wrong, and that the Williams amendment should have been adopted, I also believe that the cure recommended by the proposed amendment is as bad as the disease. If the bill is discriminatory, an amendment directed at one airline doing business in a certain part of the country—and, so far as that is concerned, over the entire world—is also wrong. I do not know why we should say that an airline doing $45 million worth of business in one part of the country should be entitled to the benefit of the bill, whereas another airline, doing $52 million worth of business in another part of the country is not entitled to the benefit of the bill. Therefore I cannot support the amendment, because it is just as bad and just as discriminatory as the bill itself.

Mr. HUMPHREY of Minnesota. Mr. President, I yield 1 minute to the Senator from Louisiana [Mr. LONG].

Mr. LONG. Mr. President, I shall vote for the amendment, not because I fully subscribe to it in its present form, but because I believe it may result in something desirable being brought out of conference.

Personally, I am not in favor of seeing one large airline hog all the benefits of the subsidy. There has been some criticism on that score in the past, and I believe there will be similar criticism in the future, unless we take some measures against it. I would be willing to see Pan-American receive millions of dollars in

benefits, but I believe it is unreasonable to give it 80 or 90 percent of the benefits.

The major difference between Pan-American and the small feeder lines which need the benefit of the subsidy, is that Pan-American was there first. It has the best air routes. Others could not fly the same routes, because Pan-American was first in the field, and the best air routes were assigned to it.

Through the years Pan American and other large carriers have received tremendous subsidies year after year. Subsequently, numerous small airlines entered the picture. It seems to me that they should have the opportunity to modernize their equipment, without 1 or 2 large carriers having a monopoly of the benefits available.

Mr. THYE. Mr. President, may I have 2 minutes yielded to me?

Mr. HUMPHREY of Minnesota. I shall be glad to yield 2 minutes to my colleague if I have that much time available.

The PRESIDING OFFICER. The Senator from Minnesota has 4 minutes remaining.

Mr. HUMPHREY of Minnesota. I yield 2 minutes to the senior Senator from Minnesota.

Mr. THYE. Mr. President, I shall support the amendment, even though it is not the proper approach to resolving the problem with which we are confronted. What we should have done, in my humble opinion, because some new facts were developed, was to have recommitted the bill. That motion failed.

The amendment offered by the Senator from Delaware [Mr. WILLIAMS] was by far the wisest approach to the problem. That amendment failed of adoption.

The amendment of the junior Senator from Minnesota is another step, and I believe it is a step in the right direction, because it will put the bill in conference, and in conference a bill can be worked out which will correct the situation as it exists among the airlines of the Nation, particularly with respect to the profits of 1 or 2 of the larger companies.

Therefore I shall support the amendment now pending before the Senate.

Mr. BIBLE. Mr. President, I yield back the remainder of my time.

Mr. HUMPHREY of Minnesota. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time for debate has been yielded back.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quoum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Louisiana [Mr. ELLENDER], the Senator from Delaware [Mr. FREAR], the Senator from Georgia [Mr. GEORGE], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from West Virginia [Mr. NEELY], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

On this vote, the Senator from Texas [Mr. DANIEL] is paired with the Senator from Delaware [Mr. FREAR]. If present and voting, the Senator from Texas would vote "nay," and the Senator from Delaware would vote "yea."

The Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Washington [Mr. MAGNUSON]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Washington would vote "nay."

I further announce that if present and voting, the Senator from Georgia [Mr. RUSSELL] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Connecticut [Mr. BUSH], the Senator from Vermont [Mr. FLANDERS], and the Senator from New York [Mr. IVES] are necessarily absent.

The Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monument Commission.

The Senator from Illinois [Mr. DIRKSEN] and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from Maryland [Mr. BEALL], the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. KNOWLAND], and the Senator from South Dakota [Mr. MUNDT] are detained on official business.

If present and voting, the Senator from Vermont [Mr. FLANDERS] and the Senator from South Dakota [Mr. MUNDT] would each vote "nay."

The result was announced—yeas 32, nays 43, as follows:

YEAS—32

Allott	Jackson	Murray
Anderson	Johnston, S. C.	Neuberger
Douglas	Kefauver	O'Mahoney
Dworshak	Kuchel	Robertson
Eastland	Langer	Scott
Fulbright	Lehman	Smith, Maine
Gore	Long	Sparkman
Green	Mansfield	Stennis
Hill	Martin, Pa.	Symington
Humphrey, Minn.	McNamara	Thye
	Morse	Williams

NAYS—43

Aiken	Ervin	McClellan
Barrett	Goldwater	Millikin
Bender	Hayden	Monroney
Bennett	Hickenlooper	Pastore
Bible	Holland	Payne
Bricker	Hruska	Purtell
Bridges	Humphreys, Ky.	Saltonstall
Butler	Jenner	Schoeppel
Capehart	Johnson, Tex.	Smathers
Case, N. J.	Kerr	Smith, N. J.
Case, S. Dak.	Laird	Watkins
Clements	Malone	Welker
Cotton	Martin, Iowa	Wiley
Curtis	McCarthy	Wofford
Duff		

NOT VOTING—21

Beall	Ellender	Knowland
Bush	Flanders	Magnuson
Byrd	Frear	Mundt
Carlson	George	Neely
Chavez	Hennings	Potter
Daniel	Ives	Russell
Dirksen	Kennedy	Young

So the amendment of Mr. HUMPHREY of Minnesota was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. AIKEN. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were not ordered.

Mr. AIKEN. Mr. President, I should like to have the RECORD show that I am emphatically opposed to this bill. I am as much opposed to it as I was to the amendment offered by the Senator from Minnesota.

SEVERAL SENATORS. Vote! Vote!

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Chair understands that all time has been yielded back.

Mr. JOHNSON of Texas. Mr. President, that is correct.

Mr. DOUGLAS. Mr. President, did the Chair rule that there was not a sufficient second to order the yeas and nays on the passage of the bill?

The PRESIDING OFFICER. That is correct.

Mr. DOUGLAS. Mr. President, I again ask that the yeas and nays be ordered.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Louisiana [Mr. ELLENDER], the Senator from Delaware [Mr. FREAR], the Senator from Georgia [Mr. GEORGE], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from West Virginia [Mr. NEELY], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

On this vote, the Senator from Texas [Mr. DANIEL] is paired with the Senator from Delaware [Mr. FREAR]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Delaware would vote "nay."

The Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from Washington [Mr. MAGNUSON]. If present and voting, the Senator from Massachusetts would vote "nay," and the Senator from Washington would vote "yea."

The Senator from Georgia [Mr. RUSSELL] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Georgia would vote "nay," and the Senator from Louisiana would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Connecticut [Mr. BUSH], the Senator from Vermont [Mr. FLANDERS], and the Senator from New York [Mr. IVES] are necessarily absent.

The Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monument Commission.

The Senator from Illinois [Mr. DIRKSEN] and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from Maryland [Mr. BEALL], the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. KNOWLAND], and the Senator from South Dakota [Mr. MUNDT] are detained on official business.

If present and voting, the Senator from Vermont [Mr. FLANDERS] and the Senator from South Dakota [Mr. MUNDT] would each vote "yea."

The result was announced—yeas 53, nays 22, as follows:

YEAS—53

Allott	Goldwater	Martin, Pa.
Barrett	Green	McCarthy
Bender	Hayden	McClellan
Bennett	Hickenlooper	Millikin
Bible	Hill	Monroney
Bricker	Holland	Pastore
Bridges	Hruska	Payne
Butler	Humphreys, Ky.	Purtell
Capehart	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Clements	Kerr	Smathers
Cotton	Kuchel	Smith, N. J.
Curtis	Laird	Sparkman
Duff	Long	Stennis
Eastland	Malone	Symington
Ervin	Martin, Iowa	Wiley
Fulbright		Wofford

NAYS—22

Aiken	Kefauver	O'Mahoney
Anderson	Langer	Robertson
Douglas	Lehman	Smith, Maine
Dworshak	Mansfield	Thye
Gore	McNamara	Watkins
Humphrey, Minn.	Morse	Welker
Jackson	Murray	Williams
	Neuberger	

NOT VOTING—21

Beall	Ellender	Knowland
Bush	Flanders	Magnuson
Byrd	Frear	Mundt
Carlson	George	Neely
Chavez	Hennings	Potter
Daniel	Ives	Russell
Dirksen	Kennedy	Young

So the bill (S. 3449) was passed.

DEVELOPMENT OF COASTWISE TRADE

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2426, S. 3877.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3877) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Interstate and Foreign Commerce with amendments.

Mr. JOHNSON of Texas. Mr. President, it is not proposed to discuss the bill until Wednesday; I merely wished to have it made the unfinished business.

I should like to announce, for the information of the Senate, that there probably will be a Saturday session this week. It is hoped that two appropriations bills may be reported this week, as well as other important measures.

We are in the closing days of the session. Saturday sessions have been avoided as much as possible, but I am fearful that we are likely to have one this weekend.

MILITARY CONSTRUCTION ACT OF 1956—CONFERENCE REPORT

Mr. STENNIS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9893) to authorize certain construction at military installations, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 9, 1956, pp. 12167–12177, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. STENNIS. Mr. President, I ask unanimous consent that a statement concerning the conference report be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR STENNIS

The report as agreed to by the conferees is substantially the same as the Senate version of the bill. The Army and Navy totals, representing new authorizations, remain the same. In the Air Force title, approximately $25 million was added to the amount previously approved by the Senate.

Section 301 of title III, the Air Force title, contains an authority in the amount of $37,760,000 for construction at various locations. This figure is $16,250,000 greater than that approved by the Senate. The Senate had reduced the original authority by eliminating the TALOS authorization. In conference, the Senate conferees agreed to reinstate the $16 million authorization with the understanding that the authority relating to the TALOS facilities should not be used until the Secretary of Defense has come into agreement with the Armed Services Committees of the Senate and House of Representatives with respect to the use of this authority. Behind this action lies the concern over the very large expenditures involved, the relative merits of the two systems, and the proper assignment of roles and missions of both the NIKE and TALOS programs. It is the understanding of the conferees that the respective merits of these two missiles will be the subject of detailed studies and tests to be made by an impartial board composed of professionally qualified members, who, on an unbiased basis, are competent to evaluate the two systems and produce a definite recommendation sufficient to provide guidance to the respective committees in the necessary future determinations.

In addition, the conferees included an increase of approximately $9 million for Strategic Air Command facilities in consonance with the dispersal policy.

Under Title IV of the bill, General Provisions, the House version authorized the construction of family housing for the Chairman of the Joint Chiefs of Staff and certain commissioned officers and enlisted personnel attached to his staff by the construction or rehabilitation of five sets of family housing, together with certain emergency communication facilities. Appropriations not to exceed $300,000, available to the military departments for military construction, were to be utilized in connection with this authority. The Senate version of the bill granted an authority relating to this matter which varied from the House language in that only one set of family housing was authorized and that was required to be constructed at Fort McNair, D. C. The Senate version permitted the expenditure of $180,000, which was specifically divided into $80,000 for the housing unit and $100,000 for special communication facilities. Inasmuch as it is possible that some misunderstanding existed as to the exact details of the construction of the housing and the communication facilities, the Senate language was modified by allocating $100,000 to the construction of the housing unit and $80,000 to the communication facilities.

As the bill passed the House, it contained authority for the acquisition of Wherry housing projects. The Senate struck this authority. The conferees agreed upon language which, while similar to that in the House version of the bill, will approach the problem of Wherry housing acquisition in a more realistic fashion. The conferees would like to reiterate the importance which they attach to the acquisition of Wherry housing because of the great savings which can be effected in this field. The new language appears as Section 420 of the bill. Under the language of this section, the Secretary of Defense or his designee is authorized to acquire by purchase, donation, condemnation, or other means, land, interest in land, or housing financed with mortgages insured under the provisions of Title VIII of the National Housing Act. The conferees specifically inserted the word "condemnation" in the language of this provision in order to insure that any acquisition accomplished under this authority will be consummated with regard to the due processes of existing law. It is the intent that in the event the Secretary of Defense or his designee is unable to acquire such property by purchase, donation, or other means of transfer, and if the Government and parties concerned cannot agree, then condemnation procedures will be applicable and the courts, will by due process, determine the purchase price just as in the case of other real property acquisitions on the part of the Government; and the formula recited in Section 420 would then have no application whatsoever.

Section 421 of the Senate-passed bill was deleted in conference. This provision would have authorized payments to landowners, the market value of whose property was decreased as a result of the establishment of military facilities adjacent to their properties. The conferees agreed that this matter presents a problem which finds examples in all parts of the country. It is one which is already the subject of study within the Department of Defense and is one which must be faced and solved. The problem does, however, contain so many elements of as yet undetermined nature, and is so fraught with complexities in individual application, that it is obvious it will require extended study before adequate legislation can be developed. The conferees urge that the Department continue its studies in this field in order that it may make appropriate recommendations to Congress without substantial delay.

As the bill passed the House, the authorities granted in the Army, Navy, and Air Force titles totaled $1,843,036,000. The corresponding authority granted in the Senate version

of the bill totaled $2,113,158,000, or $270,122,000 more than the House version. The total agreed to by the conferees for titles I, II, and III is $2,138,886,000.

Mr. WILLIAMS. Mr. President, when the bill was before the Senate, I offered an amendment to section 421, the purpose of which was to authorize the Government to pay compensating damages to property owners who owned property immediately adjacent to a proposed extended runway.

In the State of Delaware, the Government has proposed to extend the jet runway. While the Government will pay for the property in the immediate line of the extension, other property which is immediately adjacent and upon which some veterans have built their homes, will be seriously depreciated as a result of the proposed extension. However, under the existing law the owners will get no compensating payments.

The Senate adopted to the bill my amendment to remedy that situation. What did the conference do with respect to presuading the House to accept this amendment?

Mr. STENNIS. The office of the Senator from Delaware was advised that the Senator's amendment was not agreed to. It is not in the conference report. It raises a very serious question that must have the attention of the Congress and of the Air Force, and I think something positive must be done about it. That seemed to be the consensus of the opinion of the conferees. But it is such a complex and far-reaching matter that facts relating to it are being developed by the Air Force and at least one committee of the Congress. It contemplates a definite policy and legislation to carry out the policy.

Mr. WILLIAMS. I am disappointed it was not included in this bill which proposes to extend the authority to take the runway. I made a strong argument for it, and the Senate agreed by passing the amendment. My question now is, will the property owners be left out entirely under the committee proposal, or will new legislation be accepted by the committee which will take care of their problem retroactively?

In other words, legislation next year will not help these people unless it is retroactive. They have a good claim and are entitled to consideration. I cannot understand the reasoning behind the House's rejection of the proposal.

Mr. STENNIS. My thinking is that it will have to be worked out along the lines of what injury is being done, which is a matter of a continuing nature. The Senator had merit in his amendment. We regretted that we could not work out something. Frankly, it is a rather involved matter, and is going to require a precise formula.

Mr. WILLIAMS. I appreciate that, but will the Senator go along with the idea that when we get the formula worked out, the persons being affected by the pending bill will be included in the benefits of that formula? Some of these people will be seriously hurt unless something is done. They are American citizens and have the right of redress for damages caused by their Government. Will they be included in any new formula subsequently worked out?

Mr. STENNIS. I would think so, if the matter concerns an actual injury that is continuing. If the injury is remedied in some other fashion, there would not be any complaints.

Mr. WILLIAMS. But the point I want to make is that if damage can be shown to the property, there should be enacted a law which would give the property owners some form of remedy and which would be retroactive to take care of all situations affected by this particular proposed legislation.

Mr. CASE of South Dakota. If the Senator will yield, I should like to say that the nature of the damage claims to which the Senator from Delaware has directed our attention would be the kind of claims which would not be extinguished so long as the damage continued.

Mr. STENNIS. I do not think there is any danger in that.

Mr. WILLIAMS. I wanted the RECORD to show that it is recognized that when legislation is enacted it will have to be retroactive in order to take care of property owners affected by the pending bill.

Mr. STENNIS. If the injury continued, then the remedy provided would apply to such cases.

Mr. CASE of South Dakota. Mr. President, as one of the conferees, I ask unanimous consent to have printed in the RECORD at this point a brief statement on the conference report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE OF SOUTH DAKOTA

In connection with the discussion of the housing provisions of the bill H. R. 9893, as reported by the conferees, it occurs to me that the language of sections 419 and 420 should appear in the RECORD at this point:

"SEC. 419. Notwithstanding any other provision of this act or any other law, no contract shall be entered into by the United States for the construction or acquisition of family housing units by or for the use of military or civilian personnel of any of the military services of the Department of Defense unless the Department of Defense, in each instance, has come into agreement with the Armed Services Committee of the Senate and House of Representatives.

"SEC. 420. The first two sentences of section 404 of the Housing Amendments of 1955 are amended to read as follows: 'Whenever the Secretary of Defense or his designee deem it necessary for the purpose of this title, he may acquire by purchase, donation, condemnation, or other means of transfer, any land or (with the approval of the Federal Housing Commissioner) any housing financed with mortgages insured under the provisions of title VIII of the National Housing Act as in effect prior to the enactment of the Housing Amendments of 1955. The purchase price of any such housing shall not exceed the Federal Housing Administration Commissioner's estimate of the replacement cost of such housing and related property, not including the value of any improvements installed or constructed with appropriated funds) as of the date of final endorsement for mortgage insurance reduced by an appropriate allowance for physical depreciation, as determined by the Secretary of Defense or his designee upon the advice of the Commissioner: *Provided*, That in any case where the Secretary or his designee acquires a project held by the Commissioner, the price paid shall not exceed the face value of the debentures (plus accrued interest thereon) which the Commissioner issued in acquiring such project.'"

I invite attention to the formula for determining the purchase price of housing as it appears in section 420 and the provision for condemnation if necessary.

I also desire to allude to the difference between the House and Senate on the location of a base of the Air Defense Command in Michigan. The House conferees insisted on Manistee instead of Kalkaska, as the Senate had voted.

A majority of the Senate conferees reluctantly receded although some of us did not see our way clear to do so. In justice to the final position, acceptance of Manistee, it should be said that we were told there had been a record vote on the matter in the House and that its conferees could not recede.

Personally, I hope that the Air Force will restudy the situation and will not proceed with construction at Manistee if it has any serious doubts as to the relative military merits of Manistee when compared with Kalkaska. It is my conviction, shared by Senator Saltonstall, that on the evidence before the committee, the ADC base should be at Kalkaska.

Mr. BUTLER. Mr. President——

Mr. CLEMENTS. Mr. President, will the Senator from Maryland yield long enough for the Presiding Officer to put the question on agreeing to the conference report?

Mr. BUTLER. Yes.

Mr. SPARKMAN. Mr. President, before the question is put on the conference report, I desired to ask the Senator from Mississippi a few questions. I do not ask for that privilege while the Senator from Maryland has the floor, but I did not want the question to be put before I asked the questions.

ESTABLISHMENT OF NEW SHIPPING SERVICE BETWEEN CUBA AND MEXICO

Mr. BUTLER. Mr. President, as a Senator from one of the most important maritime States in the Union, and as a member of the Merchant Marine Subcommittee of the Committee on Interstate and Foreign Commerce, I am always interested in new developments which are of significance to the maritime world. There has come to my attention recently a most interesting plan for establishing a new shipping service connecting the shores of two of our good neighbors to the south, Cuba and Mexico. This service is intended to provide an ocean-transport link between these two countries via the Straits of Yucatan, that important water passage between the Gulf of Mexico and the Caribbean Sea. I need not stress the importance of these great bodies of water to the commerce of the United States.

This is a project of real importance, not only to the two countries immediately concerned but to the United States as well. Key to the entire project is the construction of a major port facility at Cape San Antonio, which lies at the extreme western tip of Cuba, facing the Yucatan Peninsula. Incredible as it probably seems to most North Americans, Cuba, and Mexico are about 125 miles apart at this point. The establishment of the proposed port at Cape San Antonio

will enable vessels to take the fullest advantage of the proximity of Cuba to Mexico. The institution of a combination ferry and cargo service across this passage, supplemented by the extension and expansion of such services already in operation between Cuba and Florida, will make possible a new short route for tourist and commercial traffic via Cuba between Mexico and the entire eastern half of the United States.

Mr. President, this is surely an exciting prospect for anyone interested in the commercial progress of the Americas. Not only may it well open new opportunities for the economic development of Cuba and Mexico, but it will provide modern port and terminal facilities which would benefit all shipping in these waters. The implications of this project for the interests of the United States are readily apparent, because of the possible economic and strategic advantages to this country of establishing such facilities at a crucial location, Cape San Antonio, which lies directly astride a vital water route of the Western Hemisphere. Vessel traffic between gulf ports and South America moves via the Yucatan Straits. Many members of this body will still recall vividly, as I do, how much of our merchant shipping was sunk by submarines in or near these waters during the last war.

I understand that both Cuba and Mexico are proceeding wth painstaking care in the preparation of the technical studies necessary for a project of this magnitude and importance, and have called upon several well-known consulting firms in the United States for economic and engineering investigations to establish its feasibility. Mr. President, I am sure that as this project develops, it will receive increasing attention from all those in the United States who are concerned with furthering and enhancing the economic and strategic position of international shipping.

YUGOSLAVIA AND FOREIGN AID

Mrs. SMITH of Maine. Mr. President, many of us were greatly disturbed by the provision in the foreign aid bill continuing aid to Tito and Yugoslavia—not only those of us who voted against such aid, but many who, with considerable misgiving, voted against shutting off such aid.

Therefore, I believe that all Members of this body will be interested in an editorial from the Bangor Daily News on the matter, and in a column written by Dorothy Thompson on "'Titoism' In Western Europe." I ask unanimous consent that these two expressions be printed in the RECORD.

There being no objection, the editorial and news column were ordered to be printed in the RECORD, as follows:

[From the Bangor Daily News of July 2, 1956]

IS OUR MONEY WELL SPENT?

Senator MARGARET CHASE SMITH lost her Senate battle to block further aid for Tito's Communist Yugoslavia, but she won plenty of friends among American voters. Of Tito, she said:

"We have poured out a billion dollars to a shrewd international blackmailer who was playing both sides against the middle, Russia and the United States against each other."

Now, as she pointed out, Tito has attended a love feast at the Kremlin. If there should be a shooting war, the money would come back to us in the form of bullets.

The American people are becoming increasingly critical of our foreign aid spending. They trust President Eisenhower's judgment but feel much less sure about the administration aides who are directing our overseas programs.

The people suspect the money isn't being spent wisely or too well. Tito is a current case in point. But there are others. Are Premier Nehru of India and President Nasser of Egypt with us or against us, for instance? Or are they, too, playing both sides against the middle?

Also in the field of foreign affairs is the matter of Iceland's recent "Yankees-go-home" vote. We don't blame Icelanders for wanting foreign troops off their soil. But our men don't enjoy being there. Nor do American taxpayers enjoy footing the bill. But Iceland is a strategic defense outpost for the free world. Iceland can't have its freedom without making some sort of sacrifice along with the rest of us. Has this been spelled out for the Icelandic people?

The American people are definitely concerned about the way our foreign affairs are being handled, especially in regard to foreign aid and telling the American story abroad. For all our helpfulness and good intentions there are times when we seem not to have a friend in the world.

The American people are not becoming isolationists but they are giving more thought to self-preservation. That is why debate has been so fierce in Congress over cutting foreign aid funds and boosting the United States Air Force budget.

[From the Washington Star of July 2, 1956]

"TITOISM" IN WESTERN EUROPE—WRITER SAYS IT HAS GOOD CHANCE TO WIN UNCOMMITTED NATIONS FOR COMMUNISM

(By Dorothy Thompson)

In his press conference Wednesday, Secretary of State Dulles claimed an American victory from recent developments within the Communist Parties, attributing these to the "unity and combined strength of the free world."

We wish we could agree with Secretary Dulles, but we distinctly do not.

"Unity and strength," an often-used phrase, is hard to find as an existent reality. Nothing that has happened since the "summit meeting" a year ago gives Stalin's successors additional reasons to fear the Western alliance.

We think that the reorganization now going on within the Communist Parties has been spurred by reduced fear rather than by increased apprehensions.

Secretary Dulles thinks the movement against Moscow's domination of the Western Communist Parties was let loose by the State Department's release of Nikolai Khrushchev's secret speech denouncing Stalin's crimes.

It did furnish the open occasion for subsequent recent developments in the Communist Parties, but we imagine that these parties, including the Russian, were seeking such an occasion.

Khrushchev certainly knew its contents could not be suppressed. Communist Party leaders throughout the world knew them within hours, and probably in advance of the speech's delivery.

Somebody passed the full text of the speech to American agents. Whoever did so certainly calculated that the State Department would publish it, and wanted it published. We suspect it reached us via Yugoslavia where references to the speech had already been made in the press.

As we see it, the publication of the speech created the moment to put into effect a policy that had been considered, and probably agreed upon, when Khrushchev and Nikita Bulganin paid their historic visit to Marshal Tito over a year ago. Then and since, Tito won the arguments. What were they?

Since Tito's views are well-known, they must have gone thus:

1. Communism can triumph in Western Europe only if it wins the support of other left-wing parties, and other "liberal" groups.

2. It cannot create such popular fronts unless it supports the national interests of each country, and ceases the attempt to Russify them.

3. No Communist country will ever join a war against the Soviet Union. But the interests of world communism lie not in attempting to tie Communist or uncommitted countries to a military alliance, but to dissolve their ties with the American-led military alliance, by diplomacy and cultural and economic penetration, meanwhile getting all possible American economic and military aid.

4. A Communist Europe can only be created by Europeans, recognized by non-Communists not to be Kremlin stooges. This must occur gradually without openly alarming the Anglo-Americans.

The ultimate program should be: A strong Soviet Union under Russian leadership; a Communist (or pro-Communist) Asia dividing leadership between the Chinese Reds and India, and a Communist-led continental European federation, with recognition of dominant Soviet military interest in Soviet frontier states.

5. This Europe should be military neutral, to prevent the Anglo-Americans from using it as a jumping-off ground against the Soviets.

If this is approximately the policy (advanced in collaboration with Chou En-lai and Mr. Nehru), everything now happening in the Western Communist Parties is understandable, even the questions raised by Western party leaders, "where were you, Messrs. K. and B, when Stalin's atrocities were being committed?"

Superficially, the question is absurd. Where were Signor Togliatti, M. Thorez, Herr Ulbricht, or Eugene Dennis of the American party, who, being beyond Stalin's reach, had less excuse for their slavishness than any Russian leader?

But if the line is to denounce the domination of the Kremlin as such (in conformity with a policy to which the Kremlin is party), such taunts are useless for analyitical purposes.

Promoting Titoism has been a main aim of American foreign policy, and under two administrations Tito has been the only Communist teacher's pet.

But Titoism has always had a far better chance to capture Western Europe and the uncommitted countries for communism than Stalinism ever had.

HOUSING LEGISLATION

Mr. SPARKMAN. Mr. President, I wish to speak for a minute on a subject which I think is of considerable interest. In fact, I have been waiting all day with the idea of putting these remarks in the RECORD.

I speak today out of considerable concern over the fate of the housing bill, S. 3855, which the Senate passed on May 24. My concern is heightened by the nearness of the date when Congress will adjourn.

The Senate bill was the product of extensive committee study and legislative consideration. We sought this year—as we have for many years—to meet

urgent housing needs of a broad and varied nature in a comprehensive way.

We included legislation to meet the human problems involved in clearing our slums and renewing our metropolitan areas. We adopted a long-range approach to meet the need for low-cost public housing.

We included a program designed to alleviate the housing needs of our elderly citizens. This was new legislation, and the culmination of studies of the housing needs of elderly persons which have been conducted for a number of years.

We extended and liberalized legislation for home improvement loans.

We extended FHA military housing, and increased FHA mortage insurance authority.

We provided for a 5-year farm housing program.

We provided additional funds for college housing.

And we extended the housing program for GI's.

The House Committee on Banking and Currency also considered housing needs, and reported favorably legislation similar in most respects to S. 3855. The House bill, unfortunately, was tabled by the House Rules Committee on June 29.

The housing provisions which I have outlined represent a balanced program, adopted after long and careful study, to meet the Nation's most urgent housing problems. Moreover, we attempted throughout our deliberations to give weight to the recommendations of the President in his state of the Union message of January 5. The proposed legislation which we passed included most of the President's recommendations. Indeed, the difference between us, even in public housing, is one of degree—for we both recognize the need for public housing.

I am extremely concerned over the fate of the housing legislation. And for this reason I restate my purpose to fight any attempt to foist upon Congress a barebones or watered-down resolution to extend certain aspects of housing on a piecemeal basis.

Our proposed legislation was considered with a view toward a balanced overall housing program. It contains new features which are greatly needed—such as housing for elderly persons.

It is not my purpose to lecture the House of Representatives, but simply to state my own position. I do not intend to retreat from a good and highly necessary housing bill, and I do not believe the majority of the Senate will, either.

It is important that we consider some of the reasons for the uncertain state of housing legislation. Only recently, the Housing Administrator, the administration's chief spokesman on housing matters, characterized the housing bill reported by the House Committee on Banking and Currency as "unrealistic, excessive and ill conceived." The occasion for this statement was the Administrator's feeling of his "responsibility as Housing Administrator to make clear what this administration considers to be good legislation."

He left no doubt that he was speaking for the administration when he made this sweeping indictment of the House bill which, as I have stated, is similar in most respects to the bill which we have passed. But the Administrator's statements are in sharp contrast to those of the administration for whom he purports to speak.

Any dispassionate point-by-point analysis of the President's recommendations and the Senate bill will reveal that the Senate and the House Committees on Banking and Currency have adopted a substantial portion of the President's recommendations. In the only area of important difference, the Senate, the House Banking and Currency Committee, and the President are committed to the need for public housing. The difference between Congress and the President on this point is simply one of degree.

The Administrator's criticism of our legislation is a buckshot barrage of meaningless clichés. He has hidden behind generalizations such as "realistic rate of public housing"; "illogical approach"; "stifling the flow of private funds by competition"; and other similar hackneyed phrases.

These words are familiar. We have heard them often from those who have condemned any Government legislation in the housing field.

The conclusion is inescapable: Those who oppose Federal housing legislation do so in the sure knowledge that they are not opposing the views of this Republican administration. There is no question in my mind that administration criticism of the House committee bill was a key factor in the Rules Committee vote to table the bill.

The administrator's indictment—even though it indicted the President's state of the Union message on housing—stands unqualified and uncontradicted by the White House.

Perhaps this is what the administration wants—warm recommendations for Federal housing legislation from the President in an election year, and parliamentary defeat of such legislation in the Congress. Certainly, the Housing Administrator furthered this possible result.

But speaking for myself, I say that we will not retreat from a sound and urgently needed housing bill. If soundly based housing legislation is to be subverted and if urgent housing problems go unsolved, the blame will lie with this administration, and not with the Senate of the United States.

In conclusion, Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Air Bases Hit By Defeat of Housing Bill," which was published in the Washington Star of yesterday. At this point I wish to read only the first paragraph of the article, as follows:

One of Gen. Curtis E. LeMay's major hopes for the future of his Strategic Air Command—housing for personnel at SAC bases—may have been dealt a death blow by House Republicans, Pentagon officials said yesterday.

Mr. President, I repeat my request to have the entire article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AIR BASES HIT BY DEFEAT OF HOUSING BILL

(By John A. Giles)

One of Gen. Curtis E. LeMay's major hopes for the future of his Strategic Air Command—housing for personnel at SAC bases—may have been dealt a death blow by House Republicans, Pentagon officials said yesterday.

The military housing program, calling for 73,000 sets of quarters, is contained in general housing legislation. Four Republicans joined two Democrats on the House Rules Committee in voting to table the bill.

Before the Senate Air Power Investigating Subcommittee recently, General LeMay testified at length about difficulty in getting and holding highly qualified men for strategic bombing crews. Lack of adequate housing for families was cited as one of the principal reasons for his personnel troubles.

FIFTY-SIX THOUSAND THREE HUNDRED FOR AIR FORCE

Of the 73,000 military units called for in the tabled bill, 56,300 would have been for the Air Force. Most of these would have been built at SAC bases where long-range bomber crews are on permanent moment's-notice alert to strike crippling retaliatory blows at any aggressor.

Like SAC, the Army is having trouble holding highly skilled men attached to the Nike antiaircraft batteries which ring the Nation's major cities. Housing is a problem with the Army, too, and under the housing bill the Army would have acquired a substantial number of quarters.

There was nothing in the military housing part of the bill that caused the Rules group to table the measure. The chief bone of contention is a public housing section.

HOPE TO SALVAGE BILL

At the Pentagon, officials were taking a never-say-die attitude this weekend. Although the housing bill is in the doldrums, they expressed hope that Members of Congress might find a way to salvage the military housing part of the measure.

The bill, as now constituted, allows private contractors to construct housing on Government reservations. Then the Government, using rental allowances allotted by law to personnel, pays off the mortgages on the property. But this means the Government does not have to put up appropriated funds for quarters.

This authority has been in effect for 1 year. Legislative authority will end on September 30 unless extended, and by that time it is estimated that only 2,000 housing units will have been approved for the Air Force.

TWO HUNDRED AND SEVENTY-FOUR THOUSAND UNITS NEEDED

Even the 73,000 homes provided in the military section of the now-dormant bill would be hardly more than a drop in the bucket, according to Pentagon officials. Defense Department testimony places the total military housing deficit at 274,000 units.

At present, only one contract has been awarded under existing law. This provides for 944 sets of quarters at Abilene (Tex.) Air Force Base.

The bill which the Pentagon hopes will be revived would almost double the aggregate amount of mortgages the military would be allowed to sign. An increase of $1.1 billion above the present authorization of $1.3 billion is provided. It also would increase the average maximum mortgage authorized per unit in any one project from $13,500 to $16,500.

Under existing law, competitive bids are taken on all projects, and mortgages cover 100 percent of the cost.

Mr. SALTONSTALL. Mr. President, will the Senator from Alabama yield?

The PRESIDING OFFICER (Mr. LAIRD in the chair). Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. SPARKMAN. I yield.

Mr. SALTONSTALL. Let me say that I am just as confident today as I was when he made it, that the President and his administration want a housing bill, and hope one can be passed at this session.

I am also confident that not only the administration but also many of the Members of Congress want to see provision made for additional military housing, which is today one of the prime needs of the military.

Mr. SPARKMAN. I appreciate the remarks of the Senator from Massachusetts, and I know he speaks in all sincerity. I, too, am hopeful that we shall get a housing bill. But I want to state a word of caution about the move, which has been suggested and has been rumored, to pass a particular part of the housing bill, or to bring forward a skeleton bill, and pass it. At several times in the past we have had experience with procedure of that sort.

The Senate has passed a good housing bill. The House committee bill is a good one, even though it is deficient in certain respects. I believe that in conference we could work out a bill which would be acceptable to both Houses, to the administration, and to the country, as well.

Mr. CASE of South Dakota. Mr. President, will the Senator from Alabama yield to me?

Mr. SPARKMAN. I yield.

Mr. CASE of South Dakota. I believe that the Senator from Alabama has developed a difficult situation. He says he wants more housing to be provided. The housing bill is stymied in the other body. The Senate has no control over that. All we can do is either bring out a new housing bill—which, from a parliamentary standpoint, would be rather difficult—or extend the present act or provide by direct appropriation for military housing.

Which course does the Senator from Alabama regard as the most likely to produce some housing?

Mr. SPARKMAN. As I have said, I am hopeful that action will yet be taken in the other body, so as to send us a housing bill, and thus permit a conference between the two Houses to work out a final solution by means of which we shall obtain an adequate overall housing bill.

Mr. CASE of South Dakota. If the deadlock in the other body continues, then what? Is the Senator from Alabama willing to have the Congress adjourn——

Mr. SPARKMAN. I do not wish to speculate on that. I do not like to have the situation develop to the point where we must choose between one bit or none at all. Let us deal with that when we get to it.

I am hopeful that a piece of proposed legislation will come to us. We cannot pass, one at a time, in the form of individual bills, the various portions of the housing program, and thus get a good housing program enacted into law during this session of Congress. There are many important parts of the housing program. College housing, farm housing, housing for the elderly, FHA, home improvement, and many other measures are included in the overall housing program. Some of them have expired, and some will soon expire.

So I do not wish to have Congress proceed on the basis of passing at this session a bill which will provide for only one phase of the housing program. Instead a comprehensive housing bill should be passed.

Mr. CASE of South Dakota. The Senator from Alabama referred to the testimony of General LeMay. Certainly the members of the Armed Services Committee had sufficient testimony regarding the need for improved and better housing for the dependents of members of the armed services—so much so that, so far as I am concerned, I am willing to try to do something about it.

If the bill is stymied in the other body, then I think the Senate should appropriate some money directly for military housing or, as a last resort, extend the present act.

Mr. SPARKMAN. Of course, we heard that testimony from General LeMay, too, and from the other branches of the armed services. We took note of it, and we recommended to the Senate a good housing bill in the case of military housing. So far as I recall, our committee was unanimous in recommending that bill, and the Senate accepted our recommendation—without a single change, I believe. So far as military housing is concerned, it is a good bill.

Whereas some persons are thinking only of housing for the military, we also heard testimony about the need for housing on the farms, and we approved a good farm housing bill. We heard about the need for home improvements throughout the country, and we provided for an extension of that program. We made provision for liberalizing the treatment in the case of certain types of housing; and we also made provision for a good slum-clearance program, for farm housing, for college housing, for a certain type of community facilities, and for a good many other housing programs. We provided for a 1-year extension of GI housing. That was done on the floor of the Senate.

My point is that our committee, which is responsible for housing legislation, has worked out an overall housing bill. So I do not like the suggestions that we pass one particular bill for one type of housing, and another bill for another type of housing. Instead, let us pass an adequate housing program bill before this session of Congress adjourns.

MILITARY CONSTRUCTION ACT OF 1956—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9893) to authorize certain construction at military installations, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. SPARKMAN. Mr. President, I should like to ask the Senator from Mississippi a few questions regarding the conference report presented by him.

I read the statement of the House managers relating to the conference agreement. I saw several provisions relating to housing, and particularly relating to the so-called Wherry housing, housing on various military posts, and so forth.

The question I wish to ask the Senator from Mississippi is this: My understanding is that there is no provision in the conference report relating to a continuation of any of the housing programs, such as the Capehart housing program, or any similar program.

Mr. STENNIS. The Senator is correct. There are no additional provisions for continuation of any housing program. There is merely a provision in the nature of an authorization for taking over Wherry housing projects which have already been constructed.

Mr. SPARKMAN. As I understand, that is more or less a continuing program.

Mr. STENNIS. It is a continuing authorization for existing projects. There is no extension of any present law involved.

Mr. SPARKMAN. The reason I am prompted to ask these questions is, as I stated a few minutes ago, that rumors have come to us from time to time with respect to certain proposals from the Armed Services Committee to move into the housing field. I wonder if the Senator from Mississippi, who is chairman of the subcommittee which handles construction, would agree with me that perhaps a good dividing line with reference to housing would be for the Armed Services Committee to handle housing which is built with appropriated funds as a part of the public construction program; but when we come to the insured or guaranteed housing, that should be handled by the regular committees which have jurisdiction over housing.

Mr. STENNIS. Mr. President, the belief of our subcommittee and also of the full committee—and this is virtually the unanimous belief—is that the best way to construct military housing is through appropriated funds. That is as a part of the military program, I mean.

Mr. SPARKMAN. I do not differ with the Senator in that statement.

Mr. STENNIS. I believe that is basic, and has been proven by the circumstances of past experience. The current policy, though, is to construct the housing through insured loans and other methods, such as the so-called Capehart housing provisions. What was the Senator's question?

Mr. SPARKMAN. My suggestion was that perhaps a good dividing line on the question of whether housing should be built with directly appropriated funds would be that that type of housing might very well come under the jurisdiction of the Committee on Armed Services as a part of its public construction program, and that insured housing or guaranteed housing should be handled by the

committees which have jurisdiction over that type of housing. I do not differ with the Senator from Mississippi in his statement with reference to appropriated funds. I believe it would be decidedly to the advantage of the Government to build this housing with appropriated funds. There is one thing about it, however. When we look at it closely, it is seen that it would require very heavy appropriations, but in the long run it would save money to the Government; there is no question about that.

Mr. STENNIS. Yes; I appreciate the Senator's comments.

Mr. SPARKMAN. I said so in the hearings before our committee when it was first brought up. I said I felt it would be better to build housing at military bases with appropriated funds on Government-owned land at military reservations.

Mr. STENNIS. I appreciate the Senator's remarks very much.

The PRESIDING OFFICER. The question is on agreeing it the conference report.

The report was agreed to.

APPOINTMENT OF DOCTORS OF OSTEOPATHY IN MEDICAL CORPS OF ARMY AND NAVY

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 483) to amend the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. STENNIS. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. STENNIS, Mr. SYMINGTON, Mr. SALTONSTALL, and Mrs. SMITH of Maine conferees on the part of the Senate.

FEDERAL AID TO EDUCATION

Mr. HUMPHREY of Minnesota. Mr. President, I had intended to speak earlier today on this subject. However, under the circumstances, it was impossible, first because of the memorial tributes which the Senate paid to our late departed colleagues, Senator KILGORE, of West Virginia, and Senator BARKLEY, of Kentucky, and, secondly, because of the unanimous-consent agreement to consider proposed legislation relating to air carriers.

Mr. President, the rejection by the House of Representatives last Thursday of the Kelley school construction bill was a black day for the children of America. I cannot convince myself that either the country or the Congress must accept this calamity and make no further effort to meet the drastic situation facing our Nation's school system. Nor do I think, Mr. President, that it is too early for us to attempt to assess some of the responsibility for the defeat in the House of Representatives last week.

I was interested to read last Friday that President Eisenhower's news secretary, Mr. Hagerty, said that the President would continue to "push Members of Congress for action on the bill this session."

The fact is that a majority of the Republicans in the House of Representatives killed the school-construction bill. That is a fact which is supported by statistical evidence, in the form of a tabulation of the vote.

It was probably this factor the legislative director of the National Education Association had in mind when he commented on Mr. Hagerty's statement that the President would continue to push for this legislation. The NEA spokesman said, "We will have to take it at face value, but it comes pretty late."

In his column in Sunday's New York Times, July 8, James Reston analyzed the President's lack of leadership on the education question. Mr. Reston said:

> While the President was against the Powell amendment to the school-construction bill, 148 Republicans voted for it. And while the President was for any bill that would "build more schoolrooms," only 75 Republicans voted for the Kelley bill that lost by only 30 votes.

The facts are pretty clear that when the President said he was against the Powell amendment, the majority of his partisans in the House voted for it; when he said he wanted any kind of school bill, to build schools, a majority of his partisans in the House voted against the bill.

Mr. Reston went on to make a pessimistic indictment of the President's inaction:

> Incidentally, the silence of the President during this week's debate is extremely interesting. Ever since his first inaugural address, he has talked about the urgent need for prompt action in this field, but with his own party divided and wavering on what to do, he did not send a single word to the Congress during this week's debate, though he had repeatedly and publicly urged the Congress to adopt his views on foreign-aid legislation the week before.
>
> When it was all over, word came from Gettysburg that the President would continue to press for school-aid legislation this session. But it is too late, and his intervention now will do no good.

I have just looked over the rollcall votes by Members of the House, first on the Powell amendment, which carried by 225 to 192, and then on final passage of H. R. 7535, which was defeated by 224 to 194. Mr. President, it is a shocking thing to relate, but there were 96 Congressmen who voted "Yes" on the Powell amendment and voted "No" on final passage. These 96 votes alone would have been more than enough—16 of them voting the other way would have been enough—to have passed the bill. Mr. President, every one of these 96 defectors was a Republican. None was a Democrat.

Mr. HUMPHREY of Minnesota. Mr. President, it is amazing to read belatedly in the press that the President now plans to urge Congress to pass a school construction bill before adjournment despite the defeat of such a measure in the House, and to read the declaration of Presidential Press Secretary Hagerty that "we're interested in schoolrooms" when asked whether the President would want the bill in the form in which the House rejected it.

Where was the President's support when the showdown came in the House? Where was the White House leadership and influence among Members of Congress from his own party? Where was there evidence of deeds to match the words that the President is really interested in schoolrooms?

If the President's health, or recuperation, or concern over personal political problems, prevented him from exerting some personal influence and leadership in behalf of school construction, where were those junior presidents, Sherman Adams and James C. Hagerty, who have always seemed able to assert White House leadership when they really want to? I recall, Mr. President, that they asserted it with great effectiveness and rapidity during the debate on the foreign-aid bill.

The truth is that the White House completely let down supporters of school construction and failed to rally Republican votes in its behalf.

I use the term "White House" in its broad sense, because there are many representatives and many assistants, all of whom seem to speak on occasion for the President. In addition, there are many others who speak for the President in and out of the White House.

The civil-rights issue was not the issue that killed the bill; it was merely used by those who wanted to kill the bill anyway.

No Member of the Senate, perhaps, has been any more dedicated to preserving the civil rights of all our people than I have. I like to feel that I have been dedicated to preserve the civil rights of all our people. Yet I say today that as responsible Senators we must face this education question on its own merits, and provide a school-construction bill upon which we can vote without the diversionary forces of civil-rights questions, as urgent and pressing as they are, clouding the real, basic issue.

Both President Eisenhower and former President Truman urged that civil-rights issues be acted upon separately from the school-construction issue. Many liberal Democrats in the House who have consistently supported civil-rights legislation and still want to see the rights of all individuals properly protected, voted against inclusion of the Powell amendment because they sincerely wanted to put education first of all—and wanted to get a school construction act passed. Yet a majority of Republicans turned against their own President's recommendation and first voted for inclusion of a civil-rights rider, and then flip-flopped to vote against the final bill.

Those of us who have been dedicated to the cause of civil rights must recognize that cynical opponents of school aid have been at work to use us, to split and divide us, and to kill the school construction bill.

Mr. President, I happen to think that civil rights are too important an issue to be bandied around as a means of killing

off good legislation. I want to see civil rights legislation voted on. I shall never be happy in this Chamber until it is. I want to see it voted on upon its merits, and I hope to see a resolution of the issue brought about. I say we must not let this issue be used by cynical forces or by other forces that seek to kill off other good legislation. We must not let that happen. We must not let the failure of the Eisenhower administration's leadership block the Nation from getting the additional school construction it needs.

I cannot help but think that if half as much effort had been exerted by the secretary of a department or by the President to get school construction as was exerted in this Chamber to get aid for Tito, we would have had the necessary school construction. I recall the Secretary of State coming before the Foreign Relations Committee, as I said in debate on the foreign-aid bill, literally pleading for aid to Tito, or at least giving the President the right to determine whether aid should be extended to Marshal Tito. All kinds of pressures were brought upon us, but when it came to schools for American children, the White House was silent. All parts of the White House were silent. The Secretary of Health, Education, and Welfare was silent. The administration was silent. And then, Mr. President, after the damage had been done, after the bill had been killed, in a very cynical manner the President, through his press secretary, Mr. Hagerty, said we should do something about it at this session of the Congress.

The needs, Mr. President, are still with us. The population of the country is rising at the phenomenal rate of almost 3 million a year. Education which was adequate for a predominantly agrarian and isolated country 50 years ago is not only inadequate now but has the most menacing implications for our future as an industrial Nation. If nothing else will bring our educational predicament home to us, perhaps the new Soviet technical and scientific challenge will.

We still need a total of 470,000 classrooms over the next 5 years. One hundred and eighty thousand of these are needed to replace worn out classrooms of questionable safety. Two hundred and ten thousand of these are needed to take care of estimated increases in school enrollment.

Last year alone the number of students increased by 1,600,000—from 38.1 million in 1954–55 to 39.7 million in 1955–56.

During 1956–57 the total figure of United States students is estimated to increase by 13.6 million or 36 percent. Enrollment in elementary schools will increase approximately 26 percent; in secondary schools 59 percent; in colleges 50 percent.

A minimum of $12 billion is needed at current construction costs to catch up with the most urgent, immediate classroom shortage.

Sixty thousand additional teachers are needed immediately—at least 500,000 over the next 10 years.

But only 87,000 persons qualified to teach in elementary schools graduate from our colleges each year.

This is less than the 95,000 teachers—about 9 percent of the total teaching force—who quit teaching each year.

About 70,000 teachers now teaching only hold temporary or emergency teaching certificates. Some estimates say as many as 141,300 teachers have less training that State regulations say they should have.

TEACHERS SALARIES ARE FAR TOO LOW

In 1953–54, the average salary of teachers was only 3,605 a year—ranging from $1,741 in Mississippi to $4,800 in California.

Too low to start with, teacher salaries fail to keep up with wage increases in most other fields.

A Ford Foundation Fund for the Advancement of Education study shows that in the period from 1904 to 1953, the purchasing power of the average outworker has increased by 140 percent; that of the average big city grade school teacher increased by only 60 percent.

STATE AND LOCAL SCHOOL DISTRICTS ARE AT THE END OF THEIR ROPE

The HEW fact sheet says State and local communities spent almost $2.5 billion in 1955 on school construction as compared to about $1 billion in 1949–50. Even those vastly increased efforts are not enough, however, to catch up with the classroom shortage. As Senator LISTER HILL said in May 1955:

> The States and local districts are about at the end of their rope. Many districts have reached their legal ceiling for selling school bonds, and most of them have raised the school taxes as much as local or State law permits.

FEDERAL AID IS FAIRER TO MAJORITY

There is no longer much argument about the needs of our schools. The argument is how much aid the Federal Government should give to help States and local communities.

If States and local governments have to carry most of the burden alone, a greater part of the load will fall on lower- and middle-income families which can afford it least. If the Federal Government collects part of the taxes for schools and turns the money over to the States, the tax burden will be more fairly distributed in line with ability to pay.

The reason is that the Federal Government collects a large part—nearly half—of its taxes by progressive income taxes which are based on ability to pay. State governments collect more than half of their taxes in regressive sales and excise taxes which fall most heavily on low- and middle-income families.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a comparison of Federal and State tax collections in 1954.

There being no objection, the comparison was ordered to be printed in the RECORD, as follows:

	Federal	State
	Percent	*Percent*
Income taxes	50	10
Sales and excise taxes	15	60
Other taxes	35	30

Here is the percentage contributed by each income group to the total taxes collected by the Federal Government as compared to that collected by the States and local governments:

	Federal	State
	Percent	*Percent*
Under $2,000	3.7	6.9
$2,000 to $3,000	5.6	8.5
$3,000 to $4,000	9.7	13.0
$4,000 to $5,000	10.9	13.9
$5,000 to $7,500	24.4	26.3
$7,500 to $10,000	10.7	10.1
Over $10,000	35.0	21.3

Source: Joint Committee on the Economic Report, Subcommittee on Tax Policy, November 9, 1955.

Mr. HUMPHREY of Minnesota. Mr. President, we heard a good deal about the classroom shortage during the 1952 campaign. Yet during its first 2 years in office, the Eisenhower administration did nothing for our schools but call a White House conference to discover school needs. These needs, of course, were already widely known. The United States Office of Education had published several surveys. The American Federation of Teachers and some 40 other groups have made studies and published them, too. The record leads us to think that President Eisenhower's position, despite his campaign promises, has not changed much since the time when he wrote to the House Committee on Education in 1949 that "I would flatly oppose any grant by the Federal Government to all States in the Union for educational purposes."

When the Eisenhower administration finally got around to proposing an aid to education measure to Congress in 1955, it would have provided only $66 million of direct Federal aid and was heavily laden with profits to bond brokers. The protests from school officials and other nonpartisan spokesmen was so strong that the 1955 Eisenhower school bill only helped to prevent Congress from adopting the much more feasible proposal of liberal Congressmen. It seems to me that the record chalked up by Republican Representatives in the House last Thursday has produced the same results for 1956, unless we make a new, determined effort.

Mr. President, I am deeply convinced that the Senate must now make an urgent attempt to try to produce some school legislation in the remaining days of this session, with or without the kind of support which we should be able to expect from the White House. We must proceed on our own to report out a Senate school construction bill and act on it this session. We must put schools first, recognizing the role education itself can and does play in making progress toward a more effective democracy and greater tolerance among all our people.

We do not have to consider school construction dead just because of the House action. We do not have to wait for the White House to give more than lip service to this urgent cause.

There are a good many bills pending before the Senate Labor and Public Welfare Committee which could provide a basis for action. Chief among them are S. 5, S. 480, and S. 686. All three of these bills have been pending before

the Senate since January 1955. Action on them was deferred last year at the insistence of the administration that we wait until after the White House Conference on Education. That conference did little more than agree with what the sponsors of these bills had claimed for some time—that we urgently needed more schools and that the Federal Government had a responsibility toward filling that need. S. 5 and S. 480 have bipartisan sponsors. I am proud to be among them. I would like to see one of these bills, or a variant of them, brought to this floor for a vote. I think we could mobilize solid Democratic strength behind such a measure and we could once more challenge the Eisenhower administration to show its good faith, or demonstrate its lack of good faith, by seeing what it does about getting Republican Members to support a new measure, both here and in the House.

BEN MILLARD, FATHER OF THE BADLANDS NATIONAL MONUMENT, SOUTH DAKOTA

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that I may have printed in the CONGRESSIONAL RECORD later in the week two articles, one of them devoted to a tribute to Ben Millard, who was the father of the Badlands National Monument, in South Dakota.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPROACHING CRISIS IN FOREIGN AID POLICY

Mr. HUMPHREY of Minnesota. Mr. President, many of us who are concerned about the future of our bipartisan foreign policy have been worried recently by certain renewed demonstrations of the refusal by the Republican Party in Congress to support the administration's leadership on foreign policy questions.

In this morning's Washington Post and Times Herald, Marquis Childs devoted to this question a column entitled "Foreign-Aid Policy Approaches Crisis." I ask unanimous consent that the article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOREIGN-AID POLICY APPROACHES CRISIS

(By Marquis Childs)

It is becoming increasingly evident that the election campaign this fall will be a make-or-break test for the foreign policy of the United States and the bipartisan support that during the past decade has sustained a policy of aid for and cooperation with the free and the neutral nations of the world.

How important this test is likely to prove is obscured momentarily by the dispute over President Eisenhower's availability and capacity. But those who have studied the record of the debate and the rollcalls on the foreign-aid bill in the Senate are aware that with the new Congress in January there may well come a sharp reversal.

On several rollcalls, conspicuously on the issue of continuing aid to Yugoslavia, a majority of Democrats supported the position of the Eisenhower administration while a majority of Republicans voted against the administration. In so doing, many Democrats up for reelection felt they were sticking their necks out dangerously far.

If in October Vice President RICHARD M. NIXON conducts the kind of campaign he conducted in 1954, accusing the Democrats of being soft to communism, if anti-Eisenhower Republicans charge these same Democrats with disloyalty to Ike and call for a Congress to back the President, then an Eisenhower administration in a second term will find itself in grave trouble.

Senator WALTER GEORGE, of Georgia, who has so often raised his powerful voice decisively in favor of administration policy, will no longer be in the Senate and what influence he can exert will be at second hand.

This is the stern political reality which responsible persons in the administration—if they are capable of exercising their responsibility—must reckon with. They cannot, of course, control the irresponsibles, such as Senator JOSEPH MCCARTHY of Wisconsin, who has been pretty thoroughly disclaimed by the Eisenhower party in any event.

The memorandum of the Republican policy committee of the Senate, quoting a convicted Communist to try to show that the Communists favor the Democratic Party, is an unhappy portent.

Secretary of State John Foster Dulles had put extraordinary stress on continuation of aid to Yugoslavia, and he said his concern was shared by the President. Yet what happened in the Senate? The Republican leader, Senator WILLIAM F. KNOWLAND, of California, led the fight for the amendment of Senator STYLES BRIDGES, of New Hampshire, chairman of the Republican policy committee, to strike out aid for Yugoslavia.

Virtually the only Republican voice raised for the President was that of Senator ALEXANDER SMITH, of New Jersey, who has loyally supported administration policy even on the touchiest issues.

On the vote, the Republicans split 23 to 21 against the administration, while the Democrats divided 29 to 15 for the policy that Dulles had urged as vital to America's position.

Both Democratic Senators from Oregon, RICHARD NEUBERGER and WAYNE MORSE, voted for aid to Yugoslavia.

Afterward, NEUBERGER recalled that in his hard-fought campaign 2 years ago Senators HERMAN WELKER of Idaho and GEORGE MALONE of Nevada had come into Oregon to campaign for former Senator Guy Cordon on a "support Ike" appeal. Both WELKER and MALONE voted against the administration on the Yugoslavia issue. MORSE, who switched from Republican to Democrat in 1952, is up for reelection in a contest into which the GOP national organization is planning to put large sums of money.

NEUBERGER voted four times for the administration on reciprocal trade. Yet, because of his stand on this issue he has got more hostile mail than on anything else during his 2 years in the Senate, with Oregonians protesting angirly about imports of Japanese tuna fish and Italian cherries.

It is this kind of risk which Democrats will no longer take if at election time it is to be turned around to help defeat them. Nor will Republicans take risks either, since the example of Senator ALEXANDER WILEY, of Wisconsin, a consistent supporter of the Eisenhower foreign policy, has been written large in the sky. WILEY has been given the brush-off treatment by the White House, while the Old Guard in Wisconsin has maneuvered to knock him out in the primary.

This question is much larger than party, involving as it does the future of America in the struggle with communism. But in a Presidential year the chips will fall strictly on party lines.

ASSESSMENT OF POLITICAL INNUENDOS

Mr. HUMPHREY of Minnesota. Mr. President, a few days ago there was an exchange on the Senate floor concerning an unfortunate memorandum released by the staff of the Senate Republican Policy Committee. I do not wish to reopen that controversy, but I do wish to invite the Senate's attention to an excellent article about it, entitled "GOP Innuendos on 'Reds' Assessed," which was published in this morning's Washington Post and Times-Herald. The article was written by Roscoe Drummond.

I had intended to ask unanimous consent that Mr. Drummond's article be printed at this point in the RECORD, but I am informed that earlier today the Senator from New York [Mr. LEHMAN] had it printed in the RECORD and that reference was also made to the article by the Senator from Oregon [Mr. NEUBERGER].

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that he presented to the President of the United States the following enrolled bills:

On July 6, 1956:

S. 220. An act conferring jurisdiction upon the United States Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande;

S. 449. An act for the relief of George Pantelas;

S. 584. An act to amend title 28, United States Code, relating to the Customs Court;

S. 977. An act to amend title 28, United States Code, with respect to duties of judges of the United States Court of Claims;

S. 997. An act to provide punishment for certain confidence game swindles;

S. 1178. An act for the relief of Mrs. Sylvia Simonson;

S. 1245. An act for the relief of Agnes V. Walsh, the estate of Margaret T. Denehy, and David Walsh;

S. 1542. An act to authorize an allowance for civilian officers and employees of the Government who are notaries public;

S. 1616. An act for the relief of Sumiko Ariumi Bilson;

S. 1688. An act to amend the Federal Seed Act;

S. 1739. An act to authorize the Commissioners of the District of Columbia to fix rates of compensation of members of certain examining and licensing boards and commissions, and for other purposes;

S. 1798. An act for the relief of Mrs. Charles C. Phillips;

S. 1961. An act to provide for the conveyance of part of Ethan Allen Air Force Base, Colchester, Vt., to the State of Vermont, and for other purposes;

S. 2008. An act for the relief of Winifred A. Hunter;

S. 2091. An act authorizing the reconstruction, enlargement, and extension of the bridge across the Mississippi River at or near Rock Island, Ill.;

S. 2169. An act for the relief of M. B. Huggins, Jr.;

S. 2210. An act to modify the project for the Saint Marys River, South Canal, in order to repeal the authorization for the alteration of the International Bridge as part of such

project, and to authorize the Secretary of the Army to accomplish such alteration;

S. 2240. An act for the relief of James Richard Hogan;

S. 2244. An act for the relief of Maria Novak;

S. 2352. An act for the relief of Maj. Luther C. Cox;

S. 2690. An act for the relief of William G. Jackson;

S. 2712. An act to authorize the charging of tolls for transit over the Manette Bridge in Bremerton, Wash.;

S. 2913. An act to extend for 2 years the Advisory Committee on Weather Control;

S. 2972. An act to punish the willful damaging or destroying of aircraft or motor vehicles, and their facilities, and for other purposes;

S. 3214. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Clark Hill Reservoir;

S. 3307. An act to amend section 9 (d) of the Universal Military Training and Service Act to authorize jurisdiction in the Federal courts in certain reemployment cases;

S. 3527. An act authorizing the State Highway Commission of the State of Maine to construct, maintain, and operate a free highway bridge between Lubec, Maine, and Campobello Island, New Brunswick, Canada;

S. 3547. An act to amend section 1 of the act of August 9, 1955 (69 Stat. 555), authorizing the sale of certain land by the Pueblos of San Lorenzo and Pojoaque;

S. 3674. An act to amend section 1343 of title 18, United States Code, relating to fraud by wire, radio, or television;

S. 3723. An act to authorize the Secretary of the Navy to convey certain land in the county of Alameda, Calif., and to accept other land in exchange therefor;

S. 3866. An act to facilitate the making of lease-purchase agreements by the Administrator of General Services under the Public Buildings Act of 1949, as amended, and by the Postmaster General under the Post Office Department Property Act of 1954, and for other purposes;

S. J. Res. 110. Joint resolution directing the Secretary of the Interior to conduct a study and investigation of Indian education in the United States;

S. J. Res. 163. Joint resolution granting the status of permanent residence to certain aliens; and

S. J. Res. 178. Joint resolution to authorize an appropriation to provide for certain costs of United States participation in the International Bureau for the Publication of Customs Tariffs.

On July 9, 1956:

S. 2772. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in England in 1957; and for other purposes; and

S. 3272. An act to amend section 205 of the Flood Control Act of 1948 to increase and make certain revisions in the general authorization for small flood-control projects.

HOUSE BILL REFERRED

The bill (H. R. 10624) relating to intercorporate relations between the General Public Utilities Corp., a corporation organized and operating in the United States, and the Manila Electric Co., was read twice by its title and referred to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT TO WEDNESDAY

Mr. HUMPHREY of Minnesota. Mr. President, in accordance with the previous order, I move that the Senate stand adjourned until 12 o'clock noon on Wednesday next.

The motion was agreed to; and (at 7 o'clock and 51 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until Wednesday, July 11, 1956, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, July 9, 1956:

IN THE ARMY

Gen. Alfred Maximilian Gruenther, O12242, Army of the United States (major general, U. S. Army), to be placed on the retired list in the grade of general under the provisions of subsection 504 (d) of the Officer Personnel Act of 1947.

The following-named officers under the provisions of section 504 of the Officer Personnel Act of 1947 to be assigned to a position of importance and responsibility designated by the President under subsection (b) of section 504, in rank as follows:

Maj. Gen. Emerson Leroy Cummings, O15500, United States Army, in the rank of lieutenant general.

Maj. Gen. Francis William Farrell, O12784, United States Army, in the rank of lieutenant general.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 9, 1956

The House met at 12 o'clock noon.

Rev. William L. Montgomery, assistant minister, Takoma Park Presbyterian Church, Takoma Park, Md., offered the following prayer:

Our Father, as we pray for the Members of this body, its officers, and all those who share in its varied labors, we remember Thy love for Thy people.

We know many times we have failed Thee. We have let our own desires run rampant, when it should have been Thy will being done. Teach us Thy will. Give us the strength and courage to do it.

We need Thy guidance in the trials of our labors. Refresh us in our weariness. We seek Thy comfort in times of sickness and sorrow. If there be one at this moment who needs Thy comfort and love, may it rest and abide with him.

We know our failings. We know in the heat and haste of debate, our words and actions often fail Thee. When we fail Thee, we fail those we love and those we represent. May we remember that Thou art never in a hurry. Give us the inner peace of knowing the wisdom of patience and understanding.

Remove the narrowness, the conceit, and the falseness in our lives. We ask Thee to cast from us bigotness and prejudice. We need to replace them with humility, compassion, and love.

Our God, we ask that this may be a good day with much done. We ask through Thy witness that it may be done well. These things we ask through Christ, who gives us hope and renewed daily strength. Amen.

The Journal of the proceedings of Saturday, July 7, 1956, was read and approved.

MUTUAL SECURITY ACT OF 1954

Mr. RICHARDS. Mr. Speaker, I call up the conference report on the bill (H. R. 11356) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2643)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11356) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Mutual Security Act of 1956'.

"SEC. 2. The Mutual Security Act of 1954, as amended, is further amended by redesignating section 549, a statement of Congressional policy, as section 2, by inserting it immediately after the first section of the Act and before title I, and by amending it to read as follows:

"'SEC. 2. Statement of policy: (a) The Congress of the United States, recognizing that the peace of the world and the security of the United States are endangered as long as international communism and the nations it controls continue by threat of military action, use of economic pressure, internal subversion, or other means to attempt to bring under their domination peoples now free and independent and continue to deny the rights of freedom and self-government to peoples and nations once free but now subject to such domination, declares it to be the policy of the United States to continue as long as such danger to the peace of the world and to the security of the United States persists to make available to free nations and peoples upon request assistance of such nature and in such amounts as the United States deems advisable compatible with its own stability, strength, and other obligations, and as may be needed and effectively used by such free nations and peoples to help them maintain their freedom.

"'(b) It is the sense of the Congress that inasmuch as—

"'(1) the United States, through mutual security programs, has made substantial contributions to the economic recovery and rehabilitation of the nations of Western Europe;

"'(2) due in part to those programs, it has been possible for such nations to achieve complete economic recovery and to regain their military strength; and

"'(3) certain other friendly nations of the world remain in need of assistance in order that they may defend themselves against aggression and contribute to the security of the free world,

those nations that have been assisted in their recovery should, in the future, share with the United States to a greater extent the financial burden of providing aid to those countries which are still in need of assistance of the type provided under this Act.

"'(c) It is the sense of the Congress that assistance under this Act shall be administered so as to assist other peoples in their efforts to achieve self-government or independence under circumstances which will enable them to assume an equal station among the free nations of the world and to fulfill their responsibilities for self-government or independence.'

"SEC. 3. Title I, chapter 1, of the Mutual Security Act of 1954, as amended, which relates to military assistance, is further amended as follows:

"(a) In section 103 (a), which relates to authorizations, add the following new paragraph:

"'(3) In addition, there is hereby authorized to be appropriated to the President to carry out the purposes of this chapter not to exceed $2,225,000,000, which shall remain available until expended.'

"(b) In section 105, strike out subsections (c) and (d), and strike out the reference to subsection (d) in section 513.

"SEC. 4. Title I, chapter 3, of the Mutual Security Act of 1954, as amended, which relates to defense support, is further amended by substituting a semicolon for the period after 'Asia' in subsection (c) of section 131 and inserting thereafter the following:

"'and for the fiscal year 1957 not to exceed—

"'(1) $71,200,000 for Europe (excluding Greece and Turkey);

"'(2) $170,000,000 for the Near East (including Greece and Turkey) and Africa;

"'(3) $882,000,000 for Asia; and

"'(4) $52,000,000 for Latin America.

"'Funds made available under paragraph (4) may be used to furnish assistance designed to sustain and increase military effort or political or economic stability, and may be used without regard to the requirements of sections 141 and 142 in the case of any nation which is a party to the Inter-American Treaty of Reciprocal Assistance and which has adhered to the resolution of 1954 entitled "Declaration of Solidarity for the Preservation of the Political Integrity of the American States against the Intervention of International Communism". Of the funds made available under paragraph (4), the sum of $15,000,000 shall remain available until expended, notwithstanding any other provision of this subsection, and in the utilization of such sum preference shall be given to (A) projects or programs that will clearly contribute to promoting health, education, and sanitation in the area as a whole or among a group or groups of countries of the area, (B) joint health, education, and sanitation assistance programs undertaken by members of the Organization of American States, and (C) such land resettlement programs as will contribute to the resettlement of foreign and native migrants in the area as a whole, or in any country of the area, for the purpose of advancing economic development and agricultural and industrial productivity: *Provided*, That assistance under this sentence shall emphasize loans rather than grants wherever possible, and not less than 75 per centum of the funds made available for assistance under this sentence shall be available only for furnishing assistance on terms of repayment in accordance with the provisions of section 505.'

"SEC. 5. Title I, chapter 4, of the Mutual Security Act of 1954, as amended, which contains general provisions relating to mutual defense assistance, is amended by adding at the end thereof the following new section:

"'SEC. 143. Notwithstanding any other provision of law, no assistance under this title or any other title of this Act, or under any provision of law repealed by section 542 (a) of this Act, shall be furnished to Yugoslavia after the expiration of ninety days following the date of the enactment of this section, unless the President finds and so reports to the Congress, with his reasons therefor, (1) that there has been no change in the Yugoslavian policies on the basis of which assistance under this Act has been furnished to Yugoslavia in the past, and that Yugoslavia is independent of control by the Soviet Union, (2) that Yugoslavia is not participating in any policy or program for the Communist conquest of the world and (3) that it is in the interest of the national security of the United States to continue the furnishing of assistance to Yugoslavia under this Act.'

"SEC. 6. Title II of the Mutual Security Act of 1954, as amended, which relates to development assistance, is amended by striking out sections 201 and 202 and substituting the following new section:

"'SEC. 201. AUTHORIZATION.—(a) In addition to the funds heretofore appropriated pursuant to the provisions of sections 201 and 418 of this Act as in effect prior to the enactment of the Mutual Security Act of 1956, which funds shall remain available for their original purposes in accordance with the provisions of law originally applicable thereto, there is hereby authorized to be appropriated to the President not to exceed $293,000,000, to remain available until June 30, 1960, for assistance designed to promote the economic development of free Asia, the Middle East, and Africa, based on self-help and mutual cooperation of friendly nations, and to maintain economic and political stability in these areas.

"'(b) The President is authorized to utilize the funds hereafter made available for purposes of this title to accomplish in these areas policies and purposes declared in this Act, and to disburse them on such terms and conditions, including transfer of funds, as he may specify: *Provided*, That eighty per centum of such assistance shall only be available on terms of repayment, except (1) when such funds are used to finance sales of surplus agricultural commodities under section 402, or (2) when granted for the purpose of a regional project involving two or more beneficiary nations: *And provided further*, That not more than 25 per centum of any funds hereafter made available for purposes of this title shall be used in furnishing bilateral assistance to any one nation.

"'(c) Funds made available under this title may be used for expenses (other than those provided for under section 411 (c) of this Act) to assist in carrying out functions under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U. S. C. 1691 and the following), delegated or assigned to any agency or officer administering nonmilitary assistance.'

"SEC. 7. Title III of the Mutual Security Act of 1954, as amended, which relates to technical cooperation, is further amended as follows:

"(a) In section 304 (b), which relates to authorization, after '$146,500,000', insert ', and for the fiscal year 1957 not to exceed $140,500,000,'.

"(b) In section 306, which relates to multilateral technical cooperation:

"(1) In subsection (a), which relates to contributions to the United Nations Expanded Program of Technical Assistance, strike out all following '1956' and substitute ', and $15,500,000 for the fiscal year 1957, for such contribution;'.

"(2) In subsection (b), which relates to contributions to the technical cooperation programs of the Organization of American States, strike out all following '1956' and substitute ', and $1,500,000 for the fiscal year 1957, for such contributions.'.

"(c) In section 307, which relates to advances, grants, and contracts, strike out all following 'Congress,' in the last sentence thereof and substitute 'extend at any time for not more than three years.'.

"SEC. 8. Title IV of the Mutual Security Act of 1954, as amended, which relates to other programs, is further amended as follows:

"(a) Amend section 401, which relates to special fund, as follows:

"(1) In the first sentence of subsection (a), strike out '$50,000,000' and substitute '$150,000,000'; and in the last sentence of such subsection strike out '$20,000,000' and substitute '$30,000,000'.

"(2) In the second sentence of subsection (a), strike out the words 'and Austria'.

(3) In subsection (b), after '$100,000,000', insert ', and for the fiscal year 1957 not to exceed $100,000,000,'.

"(4) Add to section 401 the following new subsection:

"'(c) It is the purpose of this Act to advance the cause of freedom. The Congress joins with the President of the United States in proclaiming the hope that the peoples who have been subjected to the captivity of communist despotism shall again enjoy the right of self-determination within a framework which will sustain the peace; that they shall again have the right to choose the form of government under which they will live, and that sovereign rights of self-government shall be restored to them all in accordance with the pledge of the Atlantic Charter. Funds available under this section may be used for programs of information, relief, exchange of persons, education, and resettlement, to encourage the hopes and aspirations of peoples who have been enslaved by communism.'

"(b) In section 402, which relates to earmarking of funds, after '$300,000,000', insert ', and of the funds so authorized for the fiscal year 1957 not less than $250,000,000,'.

"(c) In section 403 (b), which relates to special assistance in joint control areas, after '$21,000,000', insert ', and for the fiscal year 1957 not to exceed $12,200,000,'.

"(d) Amend section 405, which relates to migrants, refugees, and escapees, as follows:

"(1) In subsection (c), after '$1,400,000', insert ', and for the fiscal year 1957 not to exceed $2,300,000,'.

"(2) In subsection (d), after '$6,000,000', insert ', and for the fiscal year 1957 not to exceed $7,000,000,'.

"(e) In section 406 (b), which relates to children's welfare, after '$14,500,000', insert ', and for the fiscal year 1957 not to exceed $10,000,000,'.

"(f) In section 407 (b), which relates to Palestine refugees in the Near East, strike out 'for the fiscal year 1956'.

"(g) Amend section 409, which relates to ocean freight charges, by inserting in subsection (c), after '$2,000,000' in the last sentence thereof, the phrase ', and for the fiscal year 1957 not to exceed $3,000,000,'.

"(h) In section 410, which relates to Control Act expenses, after '$1,175,000,' in the first sentence thereof, insert 'and for the fiscal year 1957 not to exceed $1,175,000,'.

"(i) Amend section 411, which relates to administrative and other expenses, as follows:

"(1) In subsection (b), strike out all that follows '$35,225,000,' and insert 'and for the fiscal year 1957 not to exceed $35,250,000, for necessary administrative expenses incident to carrying out the provisions of this Act (other than chapter 1 of title I and section 124).'.

"(2) Redesignate subsection '(c)' as subsection '(e)', and insert after subsection (b) the following new subsections:

"'(c) Not to exceed $1,500,000 of funds made available under title II may be transferred in the fiscal year 1957 for necessary

administrative expenses not otherwise provided for incident to carrying out functions under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U. S. C. 1691 and the following), delegated or assigned to any agency or officer administering nonmilitary assistance, and the amounts so transferred shall be consolidated with funds made available pursuant to this section for said fiscal year.

"'(d) There are authorized to be appropriated to the Department of State such amounts, not to exceed $7,000,000 in any fiscal year, as may be necessary from time to time for administrative expenses which are incurred for normal functions of the Department which relate to functions under this Act.'

"(j) In section 413 (b) (2), after 'to encourage and facilitate the flow of private investment to', insert ', and its equitable treatment,'.

"(k) Amend section 413 (b) (4) as follows:

"(i) After 'may make', insert ', through the agency primarily responsible for administering nonmilitary assistance under this Act,'.

"(2) Substitute 'June 30, 1967' for 'June 30, 1957'.

"(3) In subparagraph (B) (ii), before the semicolon at the end thereof, insert 'or by reason of war'.

"(4) Amend subparagraph (F) to read as follows:

"'(F) the President is authorized to issue guaranties up to a total face value of $500,000,000 exclusive of informational media guaranties heretofore and hereafter issued pursuant to section 1011 of the Act of January 27, 1948, as amended (22 U. S. C. 1442), and section 111 (b) (3) of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1509 (b) (3)): *Provided*, That any funds allocated to a guaranty and remaining after all liability of the United States assumed in connection therewith has been released, discharged, or otherwise terminated, and funds realized after June 30, 1955, from the sale of currencies or other assets acquired pursuant to subparagraph (C), shall be available for allocation to other guaranties, and the foregoing limitation shall be increased to the extent that such funds become available. Any payments made to discharge liabilities under guaranties issued under this paragraph shall be paid out of fees collected under subparagraph (E) as long as such fees are available, and thereafter shall be paid out of funds realized from the sale of currencies or other assets acquired pursuant to subparagraph (C) and notes which have been issued under authority of paragraph 111 (c) (2) of the Economic Cooperation Act of 1948, as amended, and authorized to be issued under this paragraph by the Director of the International Cooperation Administration, when necessary to discharge liabilities under any such guaranty: *Provided*, That all guaranties issued after June 30, 1956, pursuant to this paragraph shall be considered for the purposes of sections 3679 (31 U. S. C. 665) and 3732 (41 U. S. C. 11) of the Revised Statutes, as amended, as obligations only to the extent of the probable ultimate net cost to the United States of such guaranties; and the President shall, in the submission to the Congress of the reports required by section 534 of this Act, include information on the operation of this paragraph: *Provided further*, That at all times funds shall be allocated to all outstanding guaranties issued prior to July 1, 1956, exclusive of informational media guaranties issued pursuant to section 1011 of the Act of January 27, 1948, as amended (22 U. S. C. 1442), and section 111 (b) (3) of the Economic Cooperation Act of 1948, as amended, equal to the sum of the face value of said guaranties. For the purpose of this paragraph the Director of the International Cooperation Administration is authorized to issue notes (in addition to the notes heretofore issued pursuant to paragraph 111 (c) (2) of the Economic Cooperation Act of 1948, as amended) in an amount not to exceed $37,500,000, and on the same terms and conditions applicable to notes issued pursuant to said paragraph 111 (c) (2);'.

"(l) Amend section 415, which relates to assistance to international organization, as follows:

"(1) Change 'Organization' in the title to 'Organizations'.

"(2) After 'the North Atlantic Treaty Organization', insert 'and the Organization for European Economic Cooperation'.

"(m) Repeal section 418, which relates to President's Fund for Asian Economic Development.

"(n) Add the following new section:

"'SEC. 421. Food and Agriculture Organization: Public Law 174, Seventy-ninth Congress, as amended by section 1 (b) of Public Law 806, Eighty-first Congress, is hereby further amended by striking out the figure "$2,000,000" in section 2 thereof and inserting in lieu thereof the figure "$3,000,000", and by inserting before the period at the end of such section a colon and the following: "*Provided*, That the percentage contribution of the United States to the total annual budget of the Organization shall not exceed 31.5 per centum".'

"SEC. 9. Title V, chapter 1, of the Mutual Security Act of 1954, as amended, which relates to general provisions, is further amended as follows:

"(a) In section 501, which relates to transferability of funds, strike out the last three sentences.

"(b) In section 502 (b), which relates to use of foreign currencies by committees of Congress, strike out 'Joint Committee on the Economic Report' and insert 'Joint Economic Committee and the Select Committees on Small Business of the Senate and House of Representatives'.

"(c) Amend section 507, which relates to availability of funds, to read as follows:

"'SEC. 507. Availability of funds: Except as otherwise provided in this Act, funds shall be available to carry out the provisions of this Act (other than sections 414 and 416) as authorized and appropriated to the President each fiscal year.'

"(d) In section 509, which relates to shipping on United States vessels, after 'this Act' in the last sentence thereof, insert 'or the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U. S. C. 1691 and the following),'.

"(e) Add the following new section:

"'SEC. 515. Authorization for grant of contract authority: Provisions in this Act authorizing the appropriation of funds shall be construed to authorize the granting in any appropriation Act of authority to enter into contracts, within the amounts so authorized to be appropriated, creating obligations in advance of appropriations.'

"SEC. 10. Title V, chapter 2, of the Mutual Security Act of 1954, as amended, which relates to organization and administration, is further amended as follows:

"(a) In section 521, which relates to delegation of authority by the President, after 'subsection (b)' in subsection (a), insert 'and section 413 (b) (4)'.

"(b) Amend section 522, which relates to allocation and reimbursement among agencies, as follows:

"(1) Add the following at the end of subsection (b): 'The Administrator of General Services is authorized to maintain in a separate consolidated account, which shall be free from fiscal year limitations, payments received by the General Services Administration for administrative surcharges in connection with procurement services performed by the General Services Administration in furtherance of the purposes of this Act. Such payments shall be in amounts mutually acceptable to the General Services Administration and the United States Government agency which finances the procurement, and these amounts shall be available for administrative expenses incurred by the General Services Administration in performing such procurement services.'

"(2) Add the following new subsection:

"'(f) Any appropriation made to carry out the provisions of this Act may initially be charged, within the limits of available funds, to finance expenses for which funds are available in other appropriations made under this Act: *Provided*, That as of the end of the same fiscal year such expenses shall be finally charged to applicable appropriations with proper credit to the appropriations initially utilized for financing purposes.'

"(c) In section 530, which relates to experts and consultants or organizations thereof, insert before the period at the end of subsection (a) the following: ': *Provided*, That contracts for such employment with such organizations may be renewed annually'.

"(d) In section 532, which relates to exemption of personnel from certain Federal laws, add the following at the end of subsection (a): 'Contracts for the employment of retired military personnel with specialized research and development experience, not to exceed ten in number, as experts or consultants under section 530 (a), may be renewed annually, notwithstanding section 15 of the Act of August 2, 1946 (5 U. S. C. 55a).'

"(e) Amend section 535, which relates to cooperation with international organizations, as follows:

"(1) Insert 'Nations and' after 'With' in the title.

"(2) Amend subsection (b) to read as follows:

"'(b) Whenever the President determines it to be in furtherance of the purposes and within the limitations of this Act, United States Government agencies, on request of international organizations, are authorized to furnish supplies, materials, and services, and on request of nations, are authorized to furnish nonmilitary supplies, materials, and services, to such organizations and nations on an advance of funds or reimbursement basis. Such advances, or reimbursements which are received under this subsection within one hundred and eighty days after the close of the fiscal year in which such supplies, materials, and services are delivered, may be credited to the current applicable appropriation or fund of the agency concerned and shall be available for the purposes for which such appropriations and funds are authorized to be used.'

"(f) Add the following new section:

"'SEC. 537. Provisions on uses of funds:

"'(a) Appropriations for the purposes of this Act (except for chapter 1 of title I and section 124), allocations to any United States Government agency, from other appropriations, for functions directly related to the purposes of this Act, and funds made available for other purposes to any agency administering nonmilitary assistance, shall be available for:

"'(1) rents in the District of Columbia for the fiscal year 1957;

"'(2) expenses of attendance at meetings concerned with the purposes of such appropriations, including (notwithstanding the provisions of section 9 of the Act of March 4, 1909 (31 U. S. C. 673)) expenses in connection with meetings of persons whose employment is authorized by section 530 of this Act;

"'(3) employment of aliens, by contract, for services abroad;

"'(4) purchase, maintenance, operation, and hire of aircraft: *Provided*, That aircraft for administrative purposes may be purchased only as specifically provided for in an appropriation or other Act;

"'(5) purchase and hire of passenger motor vehicles: *Provided*, That, except as may otherwise be provided in an appropriation or

other Act, passenger motor vehicles abroad for administrative purposes may be purchased for replacement only and such vehicles may be exchanged or sold and replaced by an equal number of such vehicles and the cost, including exchange allowance, of each such replacement shall not exceed $3,300 in the case of an automobile for the chief of any special mission or staff abroad established under section 526 of this Act: *Provided further,* That passenger motor vehicles may be purchased for use in the continental United States only as may be specifically provided in an appropriation or other Act;

"'(6) entertainment within the United States (not to exceed $15,000 in any fiscal year except as may otherwise be provided in an appropriation or other Act);

"'(7) exchange of funds without regard to section 3651 of the Revised Statutes (31 U. S. C. 543), and loss by exchange;

"'(8) expenditures (not to exceed $50,000 in any fiscal year except as may otherwise be provided in an appropriation or other Act) of a confidential character other than entertainment: *Provided,* That a certificate of the amount of each such expenditure, the nature of which it is considered inadvisable to specify, shall be made by an officer administering nonmilitary assistance, or such person as he may designate, and every such certificate shall be deemed a sufficient voucher for the amount therein specified;

"'(9) insurance of official motor vehicles in foreign countries;

"'(10) rental of quarters outside the continental limits of the United States to house employees of the United States Government (without regard to section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a)), lease, necessary repairs and alterations to quarters;

"'(11) actual expenses of preparing and transporting to their former homes in the United States or elsewhere, and of care and disposition of, the remains of persons or members of the families of persons who may die while such persons are away from their homes participating in activities carried out with funds covered by this subsection (a);

"'(12) purchase of uniforms;

"'(13) payment of per diem in lieu of subsistence to foreign participants engaged in any program of furnishing technical information and assistance, while such participants are away from their homes in countries other than the continental United States, at rates not in excess of those prescribed by the Standardized Government Travel Regulations, notwithstanding any other provision of law;

"'(14) expenses authorized by the Foreign Service Act of 1946, as amended (22 U. S. C. 801 and the following), not otherwise provided for;

"'(15) ice and drinking water for use abroad;

"'(16) services of commissioned officers of the Public Health Service and of the Coast and Geodetic Survey, and for the purposes of providing such services the Public Health Service may appoint not to exceed twenty officers in the regular corps to grades above that of senior assistant, but not above that of director, as otherwise authorized in accordance with section 711 of the Act of July 1, 1944, as amended (42 U. S. C. 211a), and the Coast and Geodetic Survey may appoint for such purposes not to exceed twenty commissioned officers in addition to those otherwise authorized;

"'(17) expenses in connection with travel of personnel outside the continental United States, including travel expenses of dependents (including expenses during necessary stopovers while engaged in such travel) and transportation of personal effects, household goods, and automobiles of such personnel when any part of such travel or transportation begins in one fiscal year pursuant to travel orders issued in that fiscal year, notwithstanding the fact that such travel or transportation may not be completed during that same fiscal year, and cost of transporting to and from a place of storage, and the cost of storing, the furniture and household and personal effects of any employee (i) for not to exceed three months after first arrival at a new post, (ii) when an employee is assigned to a post to which he cannot take, or at which he is unable to use, his furniture and household and personal effects, or (iii) when such storage would avoid the cost of transporting such furniture and effects from one location to another, under such regulations as an officer administering nonmilitary assistance, or such person as he may designate, may prescribe;

"'(18) payment of unusual expenses incident to the operation and maintenance of official residences for chiefs of special missions or staffs serving in accordance with section 526 of this Act.

"'(b) United States Government agencies are authorized to pay the costs of health and accident insurance for foreign participants in any exchange-of-persons program or any program of furnishing technical information and assistance administered by any such agency while such participants are en route or absent from their homes for purposes of participation in any such program.

"'(c) Not to exceed $12,000,000 of the funds available in the fiscal year 1957 for assistance in Korea under this Act may be used by the President to construct or otherwise acquire essential living quarters, office space, and supporting facilities in Korea for use by personnel carrying out activities under this Act.'

"SEC. 11. Title V, chapter 3, of the Mutual Security Act of 1954, as amended, which relates to repeal and miscellaneous provisions, is further amended as follows:

"(a) Amend section 544, which relates to amendments to other laws, by adding the following new subsections:

"'(c) In section 4 of the Act of May 26, 1949 (63 Stat. 111, 5 U. S. C. 151c), insert after the words "such functions" the following: ", including if he shall so specify the authority successively to redelegate any of such functions,".

"'(d) In the first sentence of section 32 (b) (2) of the Surplus Property Act of 1944, as amended (50 U. S. C. App. 1641 (b) (2)), after "any agency thereof", insert ", including amounts received in repayment of principal or interest on any loan made under section 505 (b) of the Mutual Security Act of 1954, as amended'.

"'(e) Section 933 of the Foreign Service Act of 1946, as amended (22 U. S. C. 1148), is hereby amended by inserting after "continental United States" where it appears in both subsection (a) and subsection (b) of that section ", its Territories and possessions,".

"'(f) Section 1441 (c) of the Internal Revenue Code of 1954 is hereby amended by inserting after paragraph (5) the following new paragraph:

"'"(6) Per diem of certain aliens: No deduction or withholding under subsection (a) shall be required in the case of amounts of per diem for subsistence paid by the United States Government (directly or by contract) to any nonresident alien individual who is engaged in any program of training in the United States under the Mutual Security Act of 1954, as amended."

"'(g) Section 1011 of the United States Information and Educational Exchange Act of 1948, as amended (22 U. S. C. 1442), is amended by inserting "(a)" before "The Director", by deleting everything after the words "national interests of the United States", by inserting a period at that point, and by inserting the following new subsections:

"'"(b) The Director is authorized to assume the obligation of not to exceed $28,000,000 of the notes authorized to be issued pursuant to subsection 111 (c) (2) of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1509 (c) (2)), together with the interest accrued and unpaid thereon, and to obtain advances from time to time from the Secretary of the Treasury up to such amount, less amounts previously advanced on such notes, as provided for in said notes. Such advances shall be deposited in a special account in the Treasury available for payments under informational media guaranties.

"'"(c) The Director is authorized to make informational media guaranties without regard to the limitations of time contained in subsection 413 (b) (4) of the Mutual Security Act of 1954, as amended (22 U. S. C. 1933 (b) (4)), but the total of such guaranties outstanding at any one time shall not exceed the sum of the face amount of the notes assumed by the Director less the amounts previously advanced on such notes by the Secretary of the Treasury plus the amount of the funds in the special account referred to in subsection (b).

"'"(d) Foreign currencies available after June 30, 1955, from conversions made pursuant to the obligation of informational media guaranties may be sold, in accordance with Treasury Department regulations, for dollars which shall be deposited in the special account and shall be available for payments under new guaranties. Such currencies shall be available, as may be provided for by the Congress in appropriation Acts, for use for educational, scientific, and cultural purposes which are in the national interest of the United States, and for such other purposes of mutual interest as may be agreed to by the governments of the United States and the country from which the currencies derive.

"'"(e) Notwithstanding the provisions of subparagraph 413 (b) (4) (E) of the Mutual Security Act of 1954, as amended (22 U. S. C. 1933 (b) (4) (E)), (1) fees collected for the issuance of informational media guaranties shall be deposited in the special account and shall be available for payments under informational media guaranties; and (2) the Director may require the payment of a minimum charge of up to fifty dollars for issuance of guaranty contracts, or amendments thereto.

"'"(f) The Director is further authorized, under such terms as he may prescribe, to make advance payments under informational media guaranties: *Provided,* That currencies receivable from holders of such guaranties on account of such advance payments shall be paid to the United States within nine months from the date of the advance payment and that appropriate security to assure such payments is required before any advance payment is made.

"'"(g) As soon as feasible after the enactment of this subsection, all assets, liabilities, income, expenses, and charges of whatever kind pertaining to informational media guaranties, including any charges against the authority to issue notes provided in section 111 (c) (2) of the Economic Cooperation Act of 1948, as amended, cumulative from the enactment of that Act, shall be accounted for separately from other guaranties issued pursuant to subsection 413 (b) of the Mutual Security Act of 1954, as amended (22 U. S. C. 1933 (b)): *Provided,* That there shall be transferred from the special account established pursuant to subsection (b), into the account available for payments under guaranties other than informational media guaranties, an amount equal to the total of the fees received for the issuance of guaranties other than informational media guaranties, and used to make payments under informational media guaranties.'"

"'(h) Section 104 (h) of the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 480, Eighty-third Congress; 7 U. S. C. 1704), is amended

by adding at the end thereof the following: "In the allocation of funds as among the various purposes set forth in this section, a special effort shall be made to provide for the purposes of this subsection, including a particular effort with regard to: (1) countries where adequate funds are not available from other sources for such purposes, and (2) countries where agreements can be negotiated to establish a fund with the interest and principal available over a period of years for such purposes'."

"'(i) Section 104 of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, Eighty-third Congress; 7 U. S. C. 1704), as amended, is further amended by adding after paragraph (h) the following new paragraph:

"'"(i) for financing the translation, publication, and distribution of books and periodicals, including Government publications, abroad: *Provided*, That not more than $5,000,000 may be allocated for this purpose during any fiscal year."'

"(b) Amend section 545, which relates to definitions, as follows:

"(1) Add at the end of subsection (h) the following: 'Notwithstanding the foregoing provisions of this subsection (h) and for the purpose of establishing a more equitable pricing system for transactions between the military departments and the Mutual Defense Assistance Program, the Secretary of Defense shall prescribe at the earliest practicable date, through appropriate pricing regulations of uniform applicability, that the term "value" (except in the case of excess equipment or materials) shall mean—

"'(1) the price of equipment or materials obtaining for similar transactions between the Armed Forces of the United States; or

"'(2) where there are no similar transactions within the meaning of paragraph (1), the gross cost to the United States adjusted as appropriate for condition and market value.'

"(2) Add the following new subsections:

"'(j) The term "agency administering nonmilitary assistance" shall refer to any agency to which authorities and functions under chapter 3 of title I, title II, title III, or title IV of this Act are delegated or assigned pursuant to authority contained in sections 521 and 525 of this Act.'

"'(k) The term "officer administering nonmilitary assistance" shall refer to any officer to whom authorities and functions under chapter 3 of title I, title II, title III, or title IV of this Act are delegated or assigned pursuant to authority contained in sections 521 and 525 of this Act.'"

"(c) In section 548, which relates to unexpended balances, strike out 'heretofore', substitute '1957' for '1956', and strike out the colon and the remainder of the sentence following 'Act' the second time it appears and insert a period.

"(d) Add the following new section:

"'SEC. 549. Special provision on availability of funds: An amount equal to 25 per centum of the funds authorized to be appropriated for any fiscal year for purposes of chapter 3 of title I, title III, or section 403 of this Act is authorized to be continued available for 3 months beyond the end of the fiscal year for which appropriated.'"

"FOREIGN RESEARCH REACTOR PROJECTS

"SEC. 12. (a) As one means of furthering peaceful uses of atomic energy on an international basis, there is hereby authorized to be appropriated to the President for the fiscal year 1957 not to exceed $5,950,000 for use by the President, on such terms and conditions as he may specify, for research reactor projects undertaken or authorized by foreign governments which shall have entered into agreements for cooperation with the Government of the United States concerning the peaceful uses of atomic energy.

"(b) Nothing in this section shall alter, amend, revoke, repeal, or otherwise affect the provisions of the Atomic Energy Act of 1954.

"(c) The United States share of the cost of any reactor made available to another government or to other governments under this section shall not exceed $350,000.

"(d) In carrying out the purposes of this section, the appropriate United States departments and agencies shall give full and continuous publicity through the press, radio, and all other available media, so as to inform the peoples of the participating countries regarding the assistance, including its purpose, source, and character, furnished by the United States. Such portions of the equipment furnished under this section as may be appropriately die-stamped as a product of the United States shall be so stamped.

"Sec. 13. It is the sense of Congress that not to exceed $11,000,000 of the funds made available pursuant to the Mutual Security Act of 1954, as amended, for the fiscal year 1957 be transferred, in the discretion of the President, to the Department of State to carry out international educational exchange activities. Such amount is authorized to be transferred to and consolidated with funds made available to the Department of State for the fiscal year 1957 for the activities authorized by the United States Information and Educational Exchange Act of 1948, as amended (22 U. S. C. 1431–1479), and by section 32 (b) (2) of the Surplus Property Act of 1944, as amended (50 U. S. C. App. 1641 (b)). The amount transferred pursuant to this section shall be in addition to funds otherwise appropriated for such activities, and not to exceed $500,000 of the amount so transferred may be used for administrative expenses.

"SEC. 14. It is the sense of Congress that in the preparation of the mutual security program, the President should take fully into account the desirability of affirmatively promoting the economic development of underdeveloped countries, both as a means of effectively counteracting the increased political and economic emphasis of Soviet foreign policy and as a means of promoting fundamental American foreign policy objectives of political and economic self-determination and independence."

And the Senate agree to the same.

JAS. P. RICHARDS,
THOMAS S. GORDON,
THOMAS E. MORGAN,
JOHN M. VORYS,
WALTER H. JUDD,
Managers on the Part of the House.

WALTER F. GEORGE,
THEODORE FRANCIS GREEN,
J. W. FULBRIGHT,
JOHN SPARKMAN,
H. ALEXANDER SMITH,
B. B. HICKENLOOPER,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11356) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for clarifying, clerical, and necessary conforming changes, the differences are noted below:

The committee of conference agreed on a total authorization of $3,927,575,000. This is an increase of $360,100,000 over the House bill and a reduction of $382,500,000 from the Senate amendment.

The following table shows the comparable figures for the various categories in the bill and the executive, House, Senate, and conference agreement amounts:

Mutual security authorizations

	Administration request (1)	House (2)	Senate (3)	Conference agreement (4)	Differences between House bill and conference agreement (5)
TITLE I					
Military assistance	$2,925,000,000	$1,925,000,000	$2,525,000,000	$2,225,000,000	+$300,000,000
Defense support:					
Europe	78,700,000	63,700,000	78,700,000	71,200,000	+7,500,000
Near East and Africa	170,000,000	170,000,000	170,000,000	170,000,000	
Asia	882,000,000	882,000,000	882,000,000	882,000,000	
Latin America		37,000,000	37,000,000	52,000,000	+15,000,000
Subtotal	1,130,700,000	1,152,700,000	1,167,700,000	1,175,200,000	+22,500,000
Total, title I	4,055,700,000	3,077,700,000	3,692,700,000	3,400,200,000	+322,500,000
TITLE II					
Development assistance:					
Near East and Africa	63,000,000	243,000,000	63,000,000	293,000,000	+50,000,000
Asia	80,000,000		80,000,000		
Latin America	27,000,000				
Total, title II	170,000,000	243,000,000	143,000,000	293,000,000	+50,000,000

Mutual security authorizations—Continued

	Administration request (1)	House (2)	Senate (3)	Conference agreement (4)	Differences between House bill and conference agreement (5)
TITLE III					
Technical cooperation:					
Bilateral	$140,500,000	$140,500,000	$140,500,000	$140,500,000	
Multilateral:					
U. N.	15,500,000	15,500,000	15,500,000	15,500,000	
OAS	1,500,000	1,500,000	1,500,000	1,500,000	
Total, title III	157,500,000	157,500,000	157,500,000	157,500,000	
TITLE IV					
Other programs:					
Special fund	100,000,000	100,000,000	100,000,000	100,000,000	
Encouragement of enslaved peoples			5,000,000		
Joint control areas	12,200,000	12,200,000	12,200,000	12,200,000	
U. N. refugee fund	2,300,000	2,300,000	2,300,000	2,300,000	
Escapees	7,000,000	7,000,000	7,000,000	7,000,000	
U. N. Children's Fund	10,000,000	10,000,000	10,000,000	10,000,000	
Ocean freight:					
Voluntary agencies	1,400,000	1,400,000	3,000,000	3,000,000	+$1,600,000
Surplus agricultural commodities	14,000,000	14,000,000			−14,000,000
Control Act expenses	1,175,000	1,175,000	1,175,000	1,175,000	
Administrative expenses	35,250,000	35,250,000	35,250,000	35,250,000	
Special authorization, Middle East and Africa	100,000,000		100,000,000		
Latin American economic development fund			35,000,000		
Foreign reactor projects	5,950,000	5,950,000	5,950,000	5,950,000	
Total, title IV	289,275,000	189,275,000	316,875,000	176,875,000	−12,400,000
Total	4,672,475,000	3,667,475,000	4,310,075,000	4,027,575,000	+360,100,000
Deduct: Repeal of unappropriated authorization, President's fund for Asian economic development		−100,000,000		−100,000,000	
Net total	4,672,475,000	3,567,475,000	4,310,075,000	3,927,575,000	+360,100,000

NOTE.—The House bill also authorizes an increase from $2,000,000 to $3,000,000 in the ceiling on annual United States contributions to the Food and Agriculture Organization. The Senate bill likewise authorizes the increase, with a proviso that United States contributions cannot exceed 31.5 percent of total contributions.

The House bill authorizes appropriations "of such sums as may be necessary" for State Department administrative expenses in connection with the act. The Senate bill authorizes not to exceed $7,000,000 a year for this purpose.

STATEMENT OF POLICY (SEC. 2)

The Senate amendment modified the statement of policy contained in the House bill in four respects. The House bill declared it to be the policy of the United States to provide assistance to other nations as long as the Soviet threat to the peace of the world and the security of the United States persists "of such nature and in such amounts as the United States is able to provide." The Senate amendment substituted for the words "is able" the words "deems advisable." The House accepted the words "deems advisable" as being a more satisfactory guide to United States policy.

The Senate amendment provided for combining the statements of congressional policy already set forth in section 549 of the Mutual Security Act with the statement of policy contained in the present bill. The House accepted this change in the arrangement of the bill.

The Senate amendment included a statement declaring it to be the policy of the United States to expand its own airpower through the construction of planes, guided missiles and other advanced weapons so as to be prepared at all times to resist any attack by the Communist powers. In addition, the Senate amendment contained a statement that the United States would furnish assistance to newly independent states in Africa in the same manner as in the case of other independent states. The Senate receded from its language pertaining to Africa not because Africa is unimportant but because authority and policy statements pertaining to newly independent states are included in previous legislation.

AUTHORIZATION FOR MILITARY ASSISTANCE (SEC. 3)

The House bill authorized $1,925 million for military assistance and included the limitation that no less than $48 million of this amount should be used to provide assistance to Spain and that not more than $402 million might be used to provide assistance to other European countries. The Senate bill authorized a total of $2,525 million for military assistance. $1,600 million of this amount was to be used only to purchase equipment and materials for the Armed Forces of the United States in replacement for equipment and materials of a corresponding value which the Secretary of Defense was authorized to furnish from Department of Defense stocks for the mutual security program.

The committee of conference agreed to a total authorization of $2,225 million for military assistance, an increase of $300 million above the figure approved by the House, and a decrease of $300 million of the figure approved by the Senate. The restriction on the use of $1,600 million contained in the Senate bill for the purchase of equipment for the Armed Forces of the United States was eliminated, as were the limitations imposed by the House on the funds for Spain and for other European countries. It was specifically agreed by the conferees that Spain should receive, and would be expected to receive, the full amount of military assistance which had been programed by the executive branch and included in its request for the authorization of military funds.

Although the managers on the part of the House opposed the provision of the Senate bill restricting the use of a portion of the military funds to procurement from the Department of Defense, they recognized the identity of purpose between our own Department of Defense budget and the funds authorized for the mutual-security program. They wish to reiterate the recommendation in the committee report that "while legislative policy authorization should continue to be coordinated and reviewed as at present, the executive branch carefully consider placing the military portion of the mutual-security program in the Department of Defense budget next year."

DEFENSE SUPPORT FOR EUROPE (SEC. 4 (1))

The House bill contained an authorization for $63,700,000 for defense support for Europe. The Senate amendment provided $78,700,000 for this purpose. The figure in the House bill represented a reduction of $15 million from the executive branch request. The report of the House committee stated that "the purpose of this reduction was to reduce the assistance which had been requested for Yugoslavia by 50 percent." The Senate figure represented an authorization of the full amount of the executive request for defense support for Europe, including Yugoslavia. The committee of conference agreed to an authorization of $71,200,000, an increase of $7,500,000 above the figure in the House bill, and a decrease of $7,500,000 below the Senate authorization.

DEFENSE SUPPORT FOR LATIN AMERICA (SEC. 4 (4))

Both the House bill, and the Senate amendment contained an authorization of $37 million for defense support to Latin America for fiscal year 1957. The House bill specified that such funds might be used to furnish assistance designed to sustain and increase "military or internal defense efforts," while the Senate amendment provided that such assistance could be used to sustain and increase "military effort or political or economic stability."

The conference agreement incorporates the language of the Senate amendment, which more clearly expresses the intent of the House.

The Senate amendment, in addition, contained a provision (sec. 8 (1)) authorizing the establishment of an "economic development fund for Latin American countries" and an appropriation of $35 million to remain available until expended, for this purpose. The Senate amendment required that such assistance shall emphasize loans rather than grants wherever possible, and not less than 75 percent of the funds appropriated shall be available only for furnishing assistance on terms of repayment in accordance with the provisions of section 505, and that not more than 25 percent of the funds may be allocated for assistance to any one country. The Senate amendment further specified that in utilizing the fund the President

should give preference to: (1) projects or programs that will clearly contribute to promoting health, education, and sanitation in the area as a whole or among a group or groups of countries of the area, and (2) joint health, education, and sanitation assistance programs undertaken by members of the Organization of American States. The House bill contained no such provision.

The conference agreement includes a modification of the Senate amendment with respect to the economic development fund. The amount of the fund is reduced to $15 million and is added to the defense support figure, making a total of $52 million for defense support for Latin America. The committee of conference points out that the additional sum of $15 million is to be used as a fund for basic economic development purposes in Latin America as specified in the conference agreement. The requirement contained in the Senate amendment that not more than 25 percent of the $15 million fund may be allocated for assistance to any one country is omitted. The conference agreement also adds to the list of preferential projects and programs under this fund a third category "such land resettlement programs as will contribute to the resettlement of foreign and native migrants in the area as a whole, or in any country of the area, for the purpose of advancing economic development and agricultural and industrial productivity." While preference is to be given to regional projects in the utilization of the $15 million authorized, this is not intended to exclude its use for bilateral projects.

PROHIBITION OF ASSISTANCE TO YUGOSLAVIA (SEC. 5)

Both the House bill and the Senate amendment contained a provision prohibiting assistance to be furnished to Yugoslavia unless the President makes certain findings with respect to Yugoslavian policies and the national security of the United States. The Senate amendment specified that the prohibition shall be effective after the expiration of 90 days following the enactment of the bill, added a third finding "that Yugoslavia does not adhere to any policy for the Communist conquest of the world" and required the President to report the findings to the Congress with his reasons therefor.

The conference agreement retains the Senate language, except that the third finding is modified by requiring the President to find "that Yugoslavia is not participating in any policy or program for the Communist conquest of the world." This modified language more nearly conforms to the intent inherent in both the House bill and the Senate amendment.

DEVELOPMENT ASSISTANCE AND REGIONAL FUND AUTHORIZATIONS (SEC. 6)

The House bill authorized a total of $243 million for development assistance for Asia, the Middle East, and Africa, and repealed an authorization of $100 million for Asian economic development which had been previously made but for which no funds had been appropriated. The language of the House bill provided for a single fund for development assistance instead of regional funds in particular areas. The funds authorized were made available until June 30, 1960. The House bill required that development assistance be provided on a loan basis, except when funds are used for financing sales of surplus agricultural commodities under section 402 or for regional projects involving two or more nations. The House bill also required that not more than 25 percent of the funds authorized could be allocated to any country and that development assistance could only be given to a nation which had entered into a written agreement to permit participation by private enterprise in the accomplishment of the purposes of the Mutual Security Act. Unobligated funds from prior authorizations for development assistance and the fund for Asian economic development were continued available for their original purposes in accordance with the provisions of law originally applicable.

The Senate bill authorized $143 million for development assistance, of which $63 million was made available for the Near East and Africa and $80 million for Asia. In addition, the Senate bill provided a special fund of $100 million for the Middle East and Africa and did not include a repeal of the authorization for Asian economic development. These authorizations made available a total of $343 million for purposes corresponding to those for which $243 million was authorized by the House. The Senate amendment required that 75 percent of all development assistance should be on a loan basis and 25 percent on a grant basis, except when funds are used for financing sales of surplus agricultural commodities under section 402 or for regional projects. No limitation as to the amount of assistance to be provided to any country was included.

The committee of conference accepted the concept of a single economic development fund for all the countries of Asia, the Middle East, and Africa, as provided in the House bill, and authorized $293 million for this purpose—a figure $50 million above that contained in the House bill and $50 million less than the Senate figure. The committee of conference agreed to require that 80 percent of development assistance be on a loan basis, except to the extent that funds are used for financing sales of surplus agricultural commodities under section 402 or for regional projects. Thus, 20 percent of the funds appropriated under this section or transferred to it may be used for bilateral dollar grant assistance, but additional grant assistance may be available solely for regional projects. The committee of conference further agreed to accept the limitation of 25 percent to any country contained in the House bill, with language to make clear that the 25 percent limitation applied only to bilateral assistance received by a country and did not include its share under any regional project in which it participated. The requirement of an agreement as to participation by private enterprise was omitted in the belief that the policy directives contained in section 413 as to the encouragement of free enterprise and private participation in administering the mutual security program were clear and should be vigorously observed and implemented by the executive branch.

STUDY OF TECHNICAL COOPERATION PROGRAM

The House bill contained a provision for a study to be made under the direction of the President on the technical cooperation program. The Senate amendment contained no such provision. The planned studies of the mutual security program by both the executive and legislative branches will include a study of technical assistance. It is expected that those making the studies will consider, among other proposals, the desirability of administering technical cooperation either by a new independent agency or Goverment corporation (sec. 6 (d) of the House bill).

The conference agreement omits the House provision.

REFERENCE TO AUSTRIA (SEC. 8 (a) (2))

The House accepted the Senate amendment deleting Austria from the nations listed in section 401 with reference to assistance to escapees. Since the Soviet occupation of Austria has ended, the reference to Communist-occupied areas of Austria is no longer accurate.

ADVANCING THE CAUSE OF FREEDOM (SEC. 8 (a) (4))

The Senate amendment contained two provisions authorizing funds for the relief and encouragement of persons who have been enslaved by communism. The House bill contained no such provision. The committee of conference agreed that the policy of the United States with respect to such peoples should be reiterated, particularly in view of the recent uprisings in Poland, but that the funds available to the President under the Kersten amendment and otherwise were entirely adequate for any expenditures that might be desirable in the next year.

The committee of conference agreed, therefore, to make explicit the authority for which section 401 funds may be used to include programs of information, relief, exchange of persons, education, and resettlement to encourage the hopes and aspirations of people who have been enslaved by communism.

In the policy statement the following sentence, originally proposed to Congress by the President in 1953, was included:

"The Congress joins with the President of the United States in proclaiming the hope that the peoples who have been subjected to the captivity of Communist despotism shall again enjoy the right of self-determination within a framework which will sustain the peace; that they shall again have the right to choose the form of government under which they will live, and that sovereign rights of self-government shall be restored to them all in accordance with the pledge of the Atlantic Charter."

OCEAN FREIGHT CHARGES (SEC. 8 (g))

The House bill contained two authorizations for the payment of ocean freight charges. The first was $1,400,000 for freight on gift packages shipped by voluntary nonprofit agencies; the second was $14 million for ocean freight on surplus agricultural commodities distributed by such voluntary agencies.

The Senate amendment increased the first authorization from $1,400,000 to $3 million and eliminated the second authorization of $14 million.

The managers on the part of the House accepted both Senate provisions. The $14 million for freight on surplus agricultural commodities is no longer necessary because provision has been made for paying such expenses out of Commodity Credit Corporation funds, under an amendment to the Agricultural Trade Development and Assistance Act of 1954, which was enacted after the mutual security bill passed the House. The House conferees accepted the Senate figure for freight on gift packages because of their belief that the volume of shipments anticipated by the voluntary agencies would require the use of the larger amount.

ADMINISTRATIVE EXPENSES OF DEPARTMENT OF STATE (SEC. 8 (l) (2))

The House bill authorized an annual appropriation to the Department of State of an unspecified amount for administrative expenses incurred by the Department in carrying out functions under the Mutual Security Act. The Senate amendment limited the annual appropriation to an amount not to exceed $7 million. The State Department's expenses have heretofore been met from ICA's administrative funds. The adoption of the Senate language will make possible a clearer identification of this portion of administrative expenses. To the extent that future appropriations for this purpose are in the State Department's budget, the administrative budget of ICA will be reduced by a corresponding amount.

THE INVESTMENT GUARANTY PROGRAM (SEC. 8 (k))

Broadening the coverage of investment guaranties (sec. 8 (k) (3)): The House bill contained a provision broadening the investment guaranty program to cover the risks of "war, revolution, or insurrection." The Senate amendment contained no such language.

The conference agreement retains the language of the House bill broadening the coverage to include the risk of war, but

omits the inclusion of the coverage of the risks of revolution or insurrection.

Retention of investment guaranty program in the International Cooperation Administration (sec. 8 (k) (1)): The House bill contained a provision making clear by express statutory provision that the investment guaranty program shall be retained by the ICA. The Senate amendment contained no such provision.

The conference agreement substitutes for the "International Cooperation Administration" the phrase "the agency primarily responsible for administering nonmilitary assistance under this Act". This function is the responsibility of the ICA. The committee of conference was agreed that the investment guaranty program is an important part of the private enterprise provisions of the Mutual Security Act and should be retained by the agency which handles the nonmilitary assistance aspect of the Mutual Security Act rather than transferred to a banking institution, the Export-Import Bank, which testimony before the House Committee indicated was being contemplated by the Executive Branch. The substitution conforms to the purpose of the House provision but refers to the function of ICA rather than mentioning ICA specifically, in keeping with the drafting technique contained in other provisions of the Mutual Security Act.

FOOD AND AGRICULTURE ORGANIZATION (FAO) (SEC. 8 (n))

Both the House bill and the Senate amendment authorized an increase in the ceiling in United States contributions to FAO from $2 million a year to $3 million, except that the Senate amendment contained a proviso that the percentage contribution of the United States to the total annual budget of FAO shall not exceed 31.5 percent.

The conference agreement retains the language of the House bill with the addition of the proviso contained in the Senate amendment.

The committee of conference was of the view that the figure of 31.5 percent should be included in the conference agreement to emphasize the desire of the Congress that, with the increased membership of most United Nations specialized agencies and with improved economic conditions of most members, the percentage of United States contributions to international organizations be reduced rather than increased.

TRANSFER OF FUNDS TO DEVELOPMENT ASSISTANCE (SEC. 9 (a))

The House bill included a provision that any funds transferred from other authorizations to the development assistance program should be available only within the same limits as to loans, surplus agricultural commodities, and regional grants as were contained in section 5 of the House bill (sec. 6 of the conference agreement). The Senate amendment did not include such a provision. The committee of conference omitted this provision because the revisions in the provisions of the bill dealing with development assistance made it no longer necessary.

USE OF FOREIGN CURRENCY BY CONGRESSIONAL COMMITTEES (SEC. 9 (b))

The House accepted the Senate language with an amendment. The amended language extends the use of foreign currencies by congressional committees to include the Select Committees on Small Business of the House and of the Senate and changes the present reference to the "Joint Committee on the Economic Report" to "Joint Economic Committee".

AVAILABILITY OF FUNDS (SEC. 9 (c))

Both the House bill and the Senate amendment contained provisions to make clear that the requirement of annual authorization and appropriation did not apply in cases where provisions of the act specifically authorized a different period of availability. The two bills were identical in substantive effect. The only difference was in drafting technique. The committee of conference accepted the language of the Senate amendment as being technically superior to that of the House bill.

AUTHORIZATION FOR GRANT OF CONTRACT AUTHORITY (SEC. 9 (e))

The Senate amendment included language to the effect that any provision of the act authorizing the appropriation of funds shall be construed to authorize the granting in any appropriation act of authority to enter into contracts, within the amounts so authorized to be appropriated, creating obligations in advance of appropriations. The House bill contained no such provision. The managers on the part of the House accepted this provision of the Senate amendment as being entirely consistent with existing law and legislative practice.

EXEMPTION OF PERSONNEL FROM CERTAIN FEDERAL LAWS (SEC. 10 (d))

The House bill permitted the employment of retired military personnel as experts or consultants for more than one year. The Senate amendments limit the employment of such individuals to not more than ten in number at any one time. Further, such individuals must have specialized experience in research and development.

COOPERATION WITH NATIONS AND INTERNATIONAL ORGANIZATIONS (SEC. 10 (e) (2))

Both the House bill and the Senate amendment contained authorization for furnishing supplies, materials, and services to foreign nations and international organizations on an advance of funds or reimbursable basis. The Senate amendment included the restriction that such assistance must be furnished "within the limitation of this Act." The House bill did not include this restriction.

The managers on the part of the House accepted this restriction because the language of the section was broad, and it was in their judgment desirable to make clear that this authority is subject to all of the limitations contained in the act.

POINT OF ORDER PROVISIONS (SEC. 10 (f))

Both the House bill and the Senate amendment provided a statutory basis for certain routine-type expenditures, most of which have been authorized in the past on a year-to-year basis in appropriation acts. This was included in order to prevent a possible basis for a point of order against mutual security appropriation bills and in order to eliminate the need for reenacting these provisions each year in appropriation bills. While worded differently, the House bill and the Senate amendment were essentially the same in substance, except that the House bill did not cover limited authorization for purchase of aircraft and payment of per diem to dependents of personnel during necessary stopovers while engaged in international travel.

The conference agreement incorporates the language of the Senate amendment, which is the form in which the provisions were originally submitted by the executive branch.

KOREAN HOUSING (SEC. 10 (f))

The Senate amendment contained an authorization to use $12 million of the funds authorized under other provisions of the bill to construct or otherwise acquire living quarters, office space, and supporting facilities in Korea for use by personnel carrying out activities under this act. The request for this authorization was not submitted to the House during its consideration of the mutual-security program by the executive branch because the program for this construction was not developed in time.

The managers on the part of the House are convinced that living quarters and office space are urgently needed by United States personnel stationed in Korea. The severe war damage in that country has resulted in a persistent housing shortage. As a consequence, it has been impossible, except in a very few instances, for the families of American military and civilian personnel stationed in Korea to be located there. These families are often housed in Japan, to the detriment of the morale of the personnel involved. Members of the Foreign Affairs Committee visiting Korea report that the quarters occupied by American civilian and military personnel fall far short of the minimum standards which such persons have a right to expect. In order to make clear that the funds authorized should be used only to meet the necessary standards for health and comfort, the committee of conference amended the Senate provision by limiting the use of funds to provide only "essential" living quarters, office space, and supporting facilities.

USE OF PUBLIC LAW 480 FOREIGN CURRENCIES FOR EDUCATIONAL EXCHANGE (SEC. 11 (a))

The Senate amendment contained a provision amending section 104 (h) of Public Law 480 to require that not less than 5 percent of the aggregate of the foreign currencies accruing from sales of surplus agricultural commodities under that act and from loan repayments under section 104 (g) shall be used for the financing of international educational exchange activities (sec. 104 (h)). It also required that a special effort be made to use such foreign currencies for the international educational exchange program in countries where other funds were not available for such purposes and countries where a fund can be established with interest and principal which will be available over a period of years for such purposes. The House bill did not contain such provisions.

The committee of conference agreed to delete the requirement that 5 percent of the foreign currency be set aside because it believed that such a mandatory requirement might make sales of surplus agricultural commodities more difficult. The committee of conference accepted the other Senate provisions with an amendment requiring the executive branch to increase its effort to use Public Law 480 foreign currencies in the international student exchange program. The committee of conference is convinced that it is possible to make a substantial contribution to United States foreign policy by increasing the use of foreign currencies in the international educational exchange programs in a number of countries, and it expects those responsible for the administration of Public Law 480 funds to carry out the policy set forth in this section.

USE OF PUBLIC LAW 480 FOREIGN CURRENCIES FOR A PROGRAM OF TRANSLATING BOOKS AND PERIODICALS (SEC. 11 (a))

The Senate amendment included an amendment to section 104 of Public Law 480 authorizing the use of $5 million equivalent of foreign currencies generated under that act for the financing of the translation, publication, and distribution of books and periodicals abroad. The House bill did not contain such a provision. The managers on the part of the House accepted this provision of the Senate amendment. It is important that the United States expand its translation, publication and distribution of books and periodicals in foreign nations in order to counteract the large-scale flow of Communist literature in such countries. The authorization does not set aside $5 million of foreign currencies for this specific purpose but merely permits the use up to the $5 million limit of such currencies if the funds are available and if those administering the program can use them effectively.

USE OF FOREIGN CURRENCIES UNDER THE INFORMATIONAL MEDIA GUARANTY PROGRAM (SEC. 11 (a))

Both the House bill and the Senate amendment contained a provision authorizing the sale of foreign currencies available after June 30, 1955, from conversions made pursuant to the obligation of informational media guaranties for dollars to be deposited in a special account and to be available for payments under new informational media guaranties. The Senate amendment, in addition, contained a provision permitting the use, as may be provided in future appropriation acts, of the local currencies generated by the informational media guaranty program for educational, scientific, and cultural purposes and other purposes which are in the interest of the United States.

The conference agreement retains the additional language of the Senate amendment. The need for this additional language was stated, in part, in a communication from the Honorable Robert C. Hill, Assistant Secretary of State for Congressional Relations, to the chairmen of the Foreign Relations and Foreign Affairs Committees, as follows:

"The informational media guaranty (IMG) program operates only in countries which have given their formal consent to it. A number of these countries have accepted the program only upon condition that the local currencies accruing to the credit of the United States under the program will be used for special and limited purposes which will avoid loss of dollar exchange. Generally such restrictions permit the use of the local currencies for 'educational, scientific, or cultural' purposes or for other purposes that may be specially agreed to by the two governments. The United States Government has found it expedient to accept such conditions in countries where, for reasons of policy, it has seemed especially desirable to introduce informational materials from the United States.

"As a consequence, however, the United States Government has accumulated certain foreign currencies under the IMG program which cannot be fully utilized under existing law. * * * The funds accruing in the IMG accounts in certain countries cannot be spent for general United States expenses because of restrictions contained in the bilateral agreements with those countries, and cannot be fully utilized for purposes acceptable to the other countries without broader legislative authority than presently exists."

UNITED STATES SHARE OF FOREIGN RESEARCH REACTOR PROJECTS (SEC. 12 (c))

The House bill and the Senate amendment contained a provision limiting the United States share of the cost of any one foreign research reactor project to $350,000. The Senate amendment included the words "under this section". The House accepted this amended language. The inclusion of the words "under this section" makes explicit that the limitation of $350,000 applies only to reactors furnished under section 12 and not to reactors which might be furnished under other authorizations in this or other act, such as the Asian Nuclear Center which will be carried out under funds made available from the Asian fund.

PUBLICIZING OF FOREIGN RESEARCH REACTOR PROJECTS (SEC. 12 (d))

The House bill and the Senate amendment contained a provision requiring that full publicity be given to United States assistance in the foreign research reactor projects program. Responsibility for publicity under the House bill and the Senate amendment was entrusted to the Director of the International Cooperation Administration, the Atomic Energy Commission, and "other United States departments and agencies". The committee of conference accepted a further Senate amendment which entrusts publicity to "the appropriate United States departments and agencies". Reorganization Plan No. 8 charges USIA with the primary responsibility for publicizing United States aid activities abroad. The new language is sufficiently broad to permit any agency deemed appropriate to publicize the assistance under this section.

AUTHORIZATION OF TRANSFER OF FUNDS FOR INTERNATIONAL EDUCATIONAL EXCHANGE (SEC. 13)

The Senate amendment contained a statement of the sense of Congress that $11 million of the funds made available pursuant to the Mutual Security Act for fiscal 1957 be transferred at the discretion of the President to the Department of State to carry out international educational exchange activities. The House bill did not contain such a provision.

The managers on the part of the House accepted the Senate provision with an amendment stating that "not to exceed" such an amount is authorized to be transferred in order to make clear that the President has discretion as to the amount to be so used within the $11-million limit. The provision gives the President complete discretion. He may use mutual security funds for international educational exchange purposes when, in his judgment, such use deserves a higher priority than the uses for which the funds were originally authorized. In the judgment of the committee of conference, it is important, in view of the uncertainty of the present world situation, to provide this additional element of flexibility and the conference committee felt that most serious consideration should be given to increasing substantially the international educational exchange program. The authority contained in this section would make available additional dollars for international educational exchange and would complement the authorization contained in section 11 (a) making available additional foreign currencies for this purpose.

POLICY STATEMENT ON ECONOMIC DEVELOPMENT (SEC. 14)

The Senate amendment included a section expressing the sense of the Congress that the desirability of affirmatively promoting the economic development of underdeveloped countries be taken into account in the preparation of the mutual security program both as a means of effectively counteracting the increased political and economic emphasis of Soviet foreign policy and as a means of promoting American foreign policy objectives of political and economic self-determination and independence. The House bill contained no such provision.

The managers on the part of the House accepted the Senate language with an amendment striking out the word "more" in the phrase "the President should take more fully into account" etc., thus removing any implication that prior consideration had been insufficient.

JAS. P. RICHARDS,
THOMAS S. GORDON,
THOMAS E. MORGAN,
JOHN M. VORYS,
WALTER H. JUDD,
Managers on the Part of the House.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I wish to congratulate the House conferees on their splendid work on this legislation and particularly on their success in including in the conference report an amendment submitted in the other body by the junior Senator from Florida [Mr. SMATHERS], with an amendment which, if enacted into law, would do more to relieve pressure on our immigration quotas than anything we can conscientiously do unless we want to let down the bars and open the floodgates.

As many of my colleagues in the House know, I have had some responsibility in erecting in Brussels, Belgium, in November 1951, the Intergovernmental Committee for European Migration.

Later this year, probably before the end of September, this organization would look with pride on its achievements when the 500,000th migrant will be moved from Europe to overseas lands where new opportunities permit to make a better livelihood and to bring up the migrant's children away from the war-ravaged, overcrowded countries in Europe.

It is good to see that ICEM which had 16 nations as its members at the start, has grown into an efficiently functioning organization with a membership of 26 independent nations. We keep the committee outside of the United Nations in order to prevent any Soviet interference and we excluded from it any nation under Communist domination.

Under the amendment now before the House, it will be possible to undertake a determined and sustained effort designed to explore and open up new vast areas of South America for the benefit of European migrants who should be resettled in larger numbers on farmlands and not in congested industrial areas.

To bring the unskilled surplus European manpower and families to unsettled lands where they could engage in agriculture, would serve a double purpose. In addition to providing the migrants with new opportunities, it will increase food production for the ever-hungry and now increasingly hungrier world.

The present world immigration-emigration picture is not healthy, and it is fraught with dangers. While skilled migrants—from college professors and atomic scientists to automobile mechanics and welders—represent coveted immigration material, the unskilled or semiskilled farmers and agricultural laborers are in vain looking for resettlement opportunities.

The pressure on United States immigration quotas is to a great extent attributable to the fact that the vast unsettled territories of Central and South Africa remain inaccessible for people who intend to engage in agricultural pursuits.

At the same time, several countries of Central and South America are in vain seeking to obtain outside assistance in their effort to provide employment for native unskilled laborers, mostly Indians.

In connection with current efforts to modernize the economy of undeveloped and underdeveloped countries of Central and South America, it is most desirable to undertake a determined and sustained action designed to open up new areas for the benefit of European, Oriental, and native migrants, who should be resettled in large numbers on farmlands and not in congested areas of industrialized countries.

In Asia—overcrowded Okinawa, Japan, and the Philippines—and in Europe—Italy, the Netherlands, Germany, Spain,

Portugal, and Greece—face the urgent need of securing sustained annual emigration of large numbers of farmers and agricultural workers who cannot be absorbed in the present economies because of the lack of land available for agriculture.

The full value of United States economic assistance to these countries in recent years cannot be achieved unless an effort is made to assist these governments to place their agricultural emigrants abroad. The success of the present efforts of these governments to develop internal economic and political stability depend in large measure on the volume of annual emigration that can be achieved.

In the immigrant-receiving countries, particularly in the Argentine, Brazil, Chile, Colombia, Costa Rica, and Venezuela, the increase of food production is an important factor in economic development.

Both the emigrant-sending and the immigrant-receiving countries, in their own respective interests, are seeking to resettle the surplus agricultural workers on the land available in Latin America.

Such resettlement calls for skillful planning and adequate promotional capital. The emigration countries in Europe are prepared to advance one-third of the required capital and the immigration countries in Latin America the second third in the form of land, local financial farm credits, and limited public facilities and services. The final third in initial capital requirements must be sought from external sources in the form of bank loans for the purchase of equipment and other expenditures in foreign currencies or of limited grant expendable capital which may provide the basis for short or long term external credits.

Experience in land settlement to date in Latin America indicates that the planning and management of specific land settlement projects open to both European and native settlers may best be placed in semipublic and private corporate bodies, chartered under the laws of the countries in which settlement takes place, in which the different sources of capital and credit are appropriately and proportionately represented. As individual settlers begin to repay their loans after 3 to 5 years, the management body can then be transformed into a more permanent form of farmer cooperative.

What is needed in the first instance is a limited amount of initial capital to bring the other available resources into play for application to specific soundly planned projects in carefully selected areas, where individual farm settlers can have reasonable prospects because of favorable market and other conditions to earn a livelihood and repay their loans within a period of 10 years.

The United States financial assistance envisaged in the bill now before the House will not be administered by the Intergovernmental Committee for European Migration. I do not believe that United States aid extended to countries of South America should lose its identity and be subject to possible mismanagement by international staffs. I think that the purpose would be infinitely better served if financial aid extended by the United States is administered in direct cooperation between the United States and each of the countries concerned. All planning would be subject to United States approval, but for ICEM the important task of assisting in the selection of migrants in their screening, in their training, and in their transportation, will, of course, remain.

I have just been informed that Spain has concluded its constitutional processes enabling that country to become a member of ICEM. I believe that I speak in behalf of all the active participants in ICEM's activities when I express the hope that now Portugal will similarly join that organization, thus completing the list of European countries whose economies suffer from surplus unemployed or underemployed manpower. Many Latin American countries who welcome natives of Spain, Italy, Greece, the Netherlands, and Germany are rather eager to continue the old tradition in offering resettlement opportunities for the traditional explorers of western lands, the Portuguese.

Mr. BENTLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BENTLEY. Mr. Speaker, the conference authorization of $3.9 billion which we have before us today for approval is approximately $360 million greater than the House version of this legislation and $382.5 million below the Senate figure. Of this $360 million which was added to the House figure, $300 million is for military aid and of the remainder $50 million is for development assistance, that is, economic aid.

It is my intention to vote against this conference report to register my own opposition to any increase in the figures contained in the House version. I do not think it worthwhile, however, to attempt to send our conferees back to conference with new instructions. In view of the attitude of the other body, I question that anything would be accomplished thereby.

I wish rather to speak upon one particular part of this mutual-security legislation, and that is with respect to aid for Communist Yugoslavia. I might remind the membership that the authorization as passed by the House had reduced aid to Yugoslavia, as requested by the administration, by half or 50 percent. This was for defense support which, as the House knows, is economic aid presumed necessary by virtue of excessive military expenditures on the part of any given country.

The other body voted defense support funds for Yugoslavia to the full extent of the administration request. The conference agreed upon an increase of $7.5 million in defense support for Europe. All of which is for Yugoslavia. In other words, if we accept the conference report we will have cut defense support for Yugoslavia by only 25, instead of 50, percent.

Now, Mr. Speaker, I wish to call the attention of the Members to a new subsection which the conference added to section 401 of the Mutual Security Act of 1954, the basic foreign aid legislation. This subsection, which I believe the Members can find on page 4 of the conference report, reads as follows:

> It is the purpose of this act to advance the cause of freedom. The Congress joins with the President of the United States in proclaiming the hope that the peoples who have been subjected to the captivity of Communist despotism shall again enjoy the right of self-determination within a framework which will sustain the peace; that they shall again have the right to choose the form of government under which they will live, and that sovereign rights of self-government shall be restored to them all in accordance with the pledge of the Atlantic Charter. Funds available under this section may be used for programs of information, relief, exchange of persons, education, and resettlement, to encourage the hopes and aspirations of peoples who have been enslaved by communism.

Those are very noble words, words with which I find myself heartily in agreement, but I notice that, in speaking of communism, there was no distinction made between Soviet communism and any other kind. I would have to assume, therefore, that the funds available under this section would and could be used to bring freedom to the people of Yugoslavia as well as the other enslaved peoples.

The people of Yugoslavia do not at present enjoy the right of self-determination. The people of Yugoslavia do not have the right to choose the form of Government under which they will live. The people of Yugoslavia do not, at present, enjoy sovereign rights of self-government in accord with the pledges contained in the Atlantic Charter. The people of Yugoslavia are now subjected to the captivity of Communist depotism, even if it is not of the Soviet variety. The people of Yugoslavia, therefore, fully qualify for aid and assistance under the meaning of section 401 (c) of the basic mutual security legislation.

Now the membership may understand how inconsistent a vote for the present conference report would be. A vote for the present conference report would include funds available to the people of Yugoslavia to help them achieve their freedom from Communist despotism. On the other hand, a vote for this conference report is a vote to increase funds to the Communist government of Yugoslavia, an increase even over what was authorized by the House itself.

There are certain safeguards written into the bill with respect to aid for Communist Yugoslavia, safeguards which I frankly think are an improvement even over the House version. But the essence of these safeguards is basically that Yugoslavia does not draw any closer to Soviet communism than is the case at present. Marshal Tito can continue his enslavement of the Yugoslav people provided that he does not get any closer to Khrushchev, Bulganin and company.

To be consistent, Mr. Speaker, this conference report should either eliminate aid to Tito entirely or should say that the people of Yugoslavia are not considered to be enslaved by communism and therefore the provisions of section 401

are not applicable to them. I do not believe that it is possible to correct this inconsistency at present unless the conference report were rejected, which I doubt the House is prepared to do.

There is, however, no question in my mind that the Congress has got to make up its mind between aid to Tito and aid to the people of Yugoslavia. You cannot have it both ways. I intend, therefore, when the appropriation bill for foreign aid is before us to offer an amendment that will in effect cut off aid to the Communist government of Yugoslavia. The adoption of such an amendment would restore consistency to the foreign aid program, at least in this respect. The adoption of that amendment would mean that the House had made its choice between giving aid to a Communist dictator and aid to the people whom he enslaves.

At this point, Mr. Speaker, I would like to read the text of a letter I have just received from one of my constituents, Mr. Daniel J. Sierocki, of Saginaw, Mich., the letter, dated July 3, 1956, reads as follows:

DEAR MR. CONGRESSMAN: I'm writing you not only as a citizen, but also as a taxpayer, who is represented by you in our tremendous Government.

First of all, I must thank you for your favors and consideration in the past, which I most sincerely appreciate.

Now come the "gripes," and I'll be as brief as possible. I understand that we, the United States, are granting aid of all kinds to Marshall Tito of Yugoslavia who in turn is buddy-buddy with the commies. This, I don't like. Now I'm greatly perturbed by these actions, Mr. Congressman, and I begin to wonder. Does it pay to be honest when we have those things going on? I do not want any of my tax money going to such a group regardless of what we get in return, which I think is nothing more than a stab in the back.

Materially, I do not have much but I have my God and my country which has many fine people. I don't believe the people of this fine land want to help such a tyrant as Mr. Tito. I insist that you do everything in your power to prevent foreign aid grants to him or people such as he. Remember the words of a great man, Mr. Congressman, "this is a Government of the people, by the people, and for the people."

Yours sincerely,

DANIEL J. SIEROCKI.

Mr. Speaker, I know Mr. Sierocki, he is a letter carrier for the Saginaw post office. He probably does not know too much about the ins and outs and the whys and wherefores of foreign policy, but he does know right from wrong. He knows that it is wrong to give aid to Tito, just as I know it is wrong. If not at this time, then when we have the appropriations bill before us, I hope that the House will also make a final choice between the people and the Communist ruler of Yugoslavia.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

NARCOTIC CONTROL ACT OF 1956

Mr. COOPER. Mr. Speaker, I call up the conference report on the bill (H. R. 11619) to amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2546)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11619) to amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Narcotic Control Act of 1956'."

"TITLE I—AMENDMENTS TO THE 1954 CODE, THE NARCOTIC DRUGS IMPORT AND EXPORT ACT, ETC.

"SEC. 101. Unlawful acquisition, etc., of marihuana.

"Subsection (a) of section 4744 of the Internal Revenue Code of 1954 (unlawful acquisition of marihuana) is amended to read as follows:

"'(a) Persons in general: It shall be unlawful for any person who is a transferee required to pay the transfer tax imposed by section 4741 (a)—

"'(1) to acquire or otherwise obtain any marihuana without having paid such tax, or

"'(2) to transport or conceal, or in any manner facilitate the transportation or concealment of, any marihuana so acquired or obtained.

Proof that any person shall have had in his possession any marihuana and shall have failed, after reasonable notice and demand by the Secretary or his delegate, to produce the order form required by section 4742 to be retained by him shall be presumptive evidence of guilt under this subsection and of liability for the tax imposed by section 4741 (a).'

"SEC. 102. Unlawful transportation of marihuana.

"Subsection (b) of section 4755 of the Internal Revenue Code of 1954 (unlawful transportation of marihuana) is amended to read as follows:

"'(b) Transportation: Except as otherwise provided in this subsection, it shall be unlawful for any person to send, ship, carry, transport, or deliver any marihuana within any Territory, the District of Columbia, or any insular possession of the United States, or from any State, Territory, the District of Columbia, or any insular possession of the United States into any other State, Territory, the District of Columbia, or insular possession of the United States. Nothing contained in this subsection shall apply—

"'(1) to any person who shall have registered and paid the special tax as required by sections 4751 to 4753, inclusive;

"'(2) to any common carrier engaged in transporting marihuana;

"'(3) to any employee acting within the scope of his employment for any person who shall have registered and paid the special tax as required by sections 4751 to 4753, inclusive, or to any contract carrier or other agent acting within the scope of his agency for such registered person;

"'(4) to any person who shall deliver marihuana which has been prescribed or dispensed by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4753 and employed to prescribe for the particular patient receiving such marihuana;

"'(5) to any person carrying marihuana which has been obtained by the person from a registered dealer in pursuance of a written prescription referred to in section 4742 (b) (2), issued for legitimate medical uses by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4753, if the bottle or other container in which such marihuana is carried bears the name and registry number of the druggist, serial number of prescription, name and address of the patient, and name, address, and registry number of the person issuing such prescription;

"'(6) to any person carrying marihuana which has been obtained by the person as a patient from a registered physician, dentist, or other practitioner in the course of his professional practice if such marihuana is dispensed to the patient for legitimate medical purposes; or

"'(7) to any United States, State, county, municipal, District, Territorial, or insular officer or official acting within the scope of his official duties.'"

"SEC. 103. Violations of narcotic drug and marihuana laws.

"Section 7237 of the Internal Revenue Code of 1954 (violations of laws relating to narcotic drugs and marihuana) is amended to read as follows:

"'SEC. 7237. Violation of laws relating to narcotic drugs and to marihuana.

"'(a) Where no specific penalty is otherwise provided: Whoever commits an offense, or conspires to commit an offense, described in part I or part II of subchapter A of chapter 39 for which no specific penalty is otherwise provided, shall be imprisoned not less than 2 or more than 10 years and, in addition, may be fined not more than $20,000. For a second offense, the offender shall be imprisoned not less than 5 or more than 20 years and, in addition, may be fined not more than $20,000. For a third or subsequent offense, the offender shall be imprisoned not less than 10 or more than 40 years and, in addition, may be fined not more than $20,000.

"'(b) Sale or other transfer without written order: Whoever commits an offense, or conspires to commit an offense, described in section 4705 (a) or section 4742 (a) shall be imprisoned not less than 5 or more than 20 years and, in addition, may be fined not more than $20,000. For a second or subsequent offense, the offender shall be imprisoned not less than 10 or more than 40 years and, in addition, may be fined not more than $20,000. If the offender attained the age of 18 before the offense and—

"'(1) the offense consisted of the sale, barter, exchange, giving away, or transfer of any narcotic drug or marihuana to a person who had not attained the age of 18 at the time of such offense, or

"'(2) the offense consisted of a conspiracy to commit an offense described in paragraph (1),

the offender shall be imprisoned not less than 10 or more than 40 years and, in addition, may be fined not more than $20,000.

"'(c) Conviction of second or subsequent offense:

"'(1) Prior offenses counted: For purposes of subsections (a), (b), and (d) of this section, subsections (c) and (h) of section 2 of

the Narcotic Drugs Import and Export Act, as amended (21 U. S. C., sec. 174), and the Act of July 11, 1941, as amended (21 U. S. C., sec. 184a), an offender shall be considered a second or subsequent offender, as the case may be, if he previously has been convicted of any offense the penalty for which was provided in subsection (a) or (b) of this section or in—

"'(A) subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act (21 U. S. C., sec. 174);

"'(B) the Act of July 11, 1941 (21 U. S. C., sec. 184a);

"'(C) section 9 of the Act of December 17, 1914 (38 Stat. 789);

"'(D) section 1 of the Act of May 26, 1922 (42 Stat. 596);

"'(E) section 12 of the Marihuana Tax Act of 1937 (50 Stat. 556); or

"'(F) section 2557 (b) (1) or 2596 of the Internal Revenue Code of 1939.

For purposes of determining prior offenses under the preceding sentence, a reference to any subsection, section, or Act providing a penalty for an offense shall be considered as a reference to such subsection, section, or Act as in effect (as originally enacted or as amended, as the case may be) with respect to the offense for which the offender previously has been convicted.

"'(2) Procedure: After conviction (but before pronouncement of sentence) of any offense the penalty for which is provided in subsection (a) or (b) of this section, subsection (c) or (h) of section 2 of the Narcotic Drugs Import and Export Act, as amended, or such Act of July 11, 1941, as amended, the court shall be advised by the United States attorney whether the conviction is the offender's first or a subsequent offense. If it is not a first offense, the United States attorney shall file an information setting forth the prior convictions. The offender shall have the opportunity in open court to affirm or deny that he is identical with the person previously convicted. If he denies the identity, sentence shall be postponed for such time as to permit a trial before a jury on the sole issue of the offender's identity with the person previously convicted. If the offender is found by the jury to be the person previously convicted, or if he acknowledges that he is such person, he shall be sentenced as prescribed in subsection (a) or (b) of this section, subsection (c) or (h) of such section 2, or such Act of July 11, 1941, as amended, as the case may be.

"'(d) No suspension of sentence; no probation; etc.: Upon conviction—

"'(1) of any offense the penalty for which is provided in subsection (b) of this section, subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended, or such Act of July 11, 1941, as amended, or

"'(2) of any offense the penalty for which is provided in subsection (a) of this section, if it is the offender's second or subsequent offense,

the imposition or execution of sentence shall not be suspended, probation shall not be granted, section 4202 of title 18 of the United States Code shall not apply, and the Act of July 15, 1932 (47 Stat. 696; D. C. Code 24–201 and following), as amended, shall not apply.

"'(e) Unlawful disclosure of information on returns and order forms: Any person who shall disclose the information contained in the statements or returns required under section 4732 (b) or 4754 (a), in the duplicate order forms required under section 4705 (e), or in the order forms or copies thereof referred to in section 4742 (d), except—

"'(1) as expressly provided in section 4773,

"'(2) for the purpose of enforcing any law of the United States relating to narcotic drugs or marihuana, or

"'(3) for the purpose of enforcing any law of any State or Territory or the District of Columbia, or any insular possession of the United States, or ordinance of any organized municipality therein, regulating the sale, prescribing, dispensing, dealing in, or distribution of narcotic drugs or marihuana,

shall be fined not more than $2,000 or imprisoned not more than 5 years or both.'"

"SEC. 104. Additional authority for Bureau of Narcotics and Bureau of Customs.

"(a) In General: Subchapter A of chapter 78 of the Internal Revenue Code of 1954 (discovery of liability and enforcement of title) is amended by renumbering section 7607 as section 7608 and by inserting after section 7606 the following new section:

"'SEC. 7607. Additional authority for Bureau of Narcotics and Bureau of Customs.

"'The Commissioner, Deputy Commissioner, Assistant to the Commissioner, and agents, of the Bureau of Narcotics of the Department of the Treasury, and officers of the customs (as defined in section 401 (l) of the Tariff Act of 1930, as amended; 19 U. S. C., sec. 1401 (l)), may—

"'(1) carry firearms, execute and serve search warrants and arrest warrants, and serve subpenas and summonses issued under the authority of the United States, and

"'(2) make arrests without warrant for violations of any law of the United States relating to narcotic drugs (as defined in section 4731) or marihuana (as defined in section 4761) where the violation is committed in the presence of the person making the arrest or where such person has reasonable grounds to believe that the person to be arrested has committed or is committing such violation.'

"(b) Amendment of table of sections: The table of sections for subchapter A of chapter 78 is amended by striking out

"'Sec. 7607. Cross references.'

and inserting in lieu thereof

"'Sec. 7607. Additional authority for Bureau of Narcotics and Bureau of Customs.

"'SEC. 7608. Cross references.'

"SEC. 105. Importation, etc., of narcotic drugs.

"Section 2 (c) of the Narcotic Drugs Import and Export Act, as amended (U. S. C., title 21, sec. 174), is amended to read as follows:

"'(c) Whoever fraudulently or knowingly imports or brings any narcotic drug into the United States or any territory under its control or jurisdiction, contrary to law, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of any such narcotic drug after being imported or brought in, knowing the same to have been imported or brought into the United States contrary to law, or conspires to commit any of such acts in violation of the laws of the United States, shall be imprisoned not less than five or more than twenty years and, in addition, may be fined not more than $20,000. For a second or subsequent offense (as determined under section 7237 (c) of the Internal Revenue Code of 1954), the offender shall be imprisoned not less than ten or more than forty years and, in addition, may be fined not more than $20,000.

"'Whenever on trial for a violation of this subsection the defendant is shown to have or to have had possession of the narcotic drug, such possession shall be deemed sufficient evidence to authorize conviction unless the defendant explains the possession to the satisfaction of the jury.

"'For provision relating to sentencing, probation, etc., see section 7237 (d) of the Internal Revenue Code of 1954.'"

"SEC. 106. Smuggling of marihuana.

"Section 2 of the Narcotic Drugs Import and Export Act, as amended, is amended by adding at the end thereof the following:

"'(h) Notwithstanding any other provision of law, whoever, knowingly, with intent to defraud the United States, imports or brings into the United States marihuana contrary to law, or smuggles or clandestinely introduces into the United States marihuana which should have been invoiced, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such marihuana after being imported or brought in, knowing the same to have been imported or brought into the United States contrary to law, or whoever conspires to do any of the foregoing acts, shall be imprisoned not less than five or more than twenty years and, in addition, may be fined not more than $20,000. For a second or subsequent offense (as determined under section 7237 (c) of the Internal Revenue Code of 1954), the offender shall be imprisoned for not less than ten or more than forty years and, in addition, may be fined not more than $20,000.

"'Whenever on trial for a violation of this subsection, the defendant is shown to have or to have had the marihuana in his possession, such possession shall be deemed sufficient evidence to authorize conviction unless the defendant explains his possession to the satisfaction of the jury.

"'As used in this subsection, the term "marihuana" has the meaning given to such term by section 4761 of the Internal Revenue Code of 1954.

"'For provision relating to sentencing, probation, etc., see section 7237 (d) of the Internal Revenue Code of 1954.'

"SEC. 107. Sale of heroin to juveniles—penalties.

"Section 2 of the Narcotic Drugs Import and Export Act, as amended, is further amended by adding at the end thereof the following:

"'(i) Notwithstanding any other provision of law, whoever, having attained the age of eighteen years, knowingly sells, gives away, furnishes, or dispenses, facilitates the sale, giving, furnishing, or dispensing, or conspires to sell, give away, furnish, or dispense, any heroin unlawfully imported or otherwise brought into the United States, to any person who has not attained the age of eighteen years, may be fined not more than $20,000, and shall be imprisoned for life, or for not less than ten years, except that the offender shall suffer death if the jury in its discretion shall so direct.

"'Whenever on trial for a violation of this subsection the defendant is shown to have had heroin in his possession, such possession shall be sufficient proof that the heroin was unlawfully imported or otherwise brought into the United States unless the defendant explains his possession to the satisfaction of the jury.

"'For the purposes of this subsection, the term "heroin" means any substance identified chemically as diacetylmorphine or any salt thereof. For provision relating to sentencing, probation, etc., see section 7237 (d) of the Internal Revenue Code of 1954.'

"SEC. 108. Unlawful possession of narcotic drugs and marihuana on vessels.

"(a) In general: Subsection (a) of the first section of the Act of July 11, 1941 (21 U. S. C., sec. 184a), is amended by striking out 'fined not more than $5,000 or be imprisoned for not more than five years, or both,' and inserting in lieu thereof 'imprisoned not less than five or more than twenty years and, in addition, may be fined not more than $20,000. For a second or subsequent offense (as determined under section 7237 (c) of the Internal Revenue Code of 1954), the offender shall be imprisoned not

less than ten or more than forty years and, in addition, may be fined not more than $20,000. For provision relating to sentencing, probation, etc., see section 7237 (d) of the Internal Revenue Code of 1954.'

"(b) Correction of reference: Subsection (b) of such section is amended by striking out 'chapter 23 of the Internal Revenue Code, as amended,' and inserting in lieu thereof 'subchapter A of chapter 39 of the Internal Revenue Code of 1954,'.

"SEC. 109. Territorial extent of law.

"Section 4774 of the Internal Revenue Code of 1954 (territorial extent of certain laws relating to narcotic drugs and marihuana) is amended by adding at the end thereof the following: 'On and after the effective date of the Narcotic Control Act of 1956, the provisions referred to in the preceding sentence shall not apply to the Commonwealth of Puerto Rico unless the Legislative Assembly of the Commonwealth of Puerto Rico expressly consents thereto in the manner prescribed in the constitution of the Commonwealth of Puerto Rico for the enactment of a law.'.

"TITLE II—AMENDMENTS TO TITLE 18 OF THE UNITED STATES CODE

"SEC. 201. Addition of new chapter—Narcotics.

"Part I of title 18 of the United States Code is amended by inserting after chapter 67 the following new chapter:

"'*Chapter 68—Narcotics*

"'Sec.
"'1401. Definitions.
"'1402. Surrender of heroin—procedure.
"'1403. Use of communications facilities—penalties.
"'1404. Motion to suppress—appeal by the United States.
"'1405. Issuance of search warrants—procedure.
"'1406. Immunity of witnesses.
"'1407. Border crossings—narcotic addicts and violators.

"'§ 1401. Definitions

"'As used in this chapter—

"'The term "heroin" shall mean any substance identified chemically as diacetylmorphine or any salt thereof.

"'The term "United States" shall include the District of Columbia, the Territory of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, the insular possessions of the United States, the Trust Territory of the Pacific, and the Canal Zone.

"'§ 1402. Surrender of heroin—procedure

"'Any heroin lawfully possessed prior to the effective date of this Act shall be surrendered to the Secretary of the Treasury, or his designated representative, within one hundred and twenty days after the effective date of the Act, and each person making such surrender shall be fairly and justly compensated therefor. The Secretary of the Treasury, or his designated representative, shall formulate regulations for such procedure. All quantities of heroin not surrendered in accordance with this section and the regulations promulgated thereunder by the Secretary of the Treasury, or his designated representative, shall by him be declared contraband, seized, and forfeited to the United States without compensation. All quantities of heroin received pursuant to the provisions of this section, or otherwise, shall be disposed of in the manner provided in section 4733 of the Internal Revenue Code of 1954, except that no heroin shall be distributed or used for other than scientific research purposes approved by the Secretary of the Treasury, or his designated representative.

"'§ 1403. Use of communications facilities—penalties

"'(a) Whoever uses any communication facility in committing or in causing or facilitating the commission of, or in attempting to commit, any act or acts constituting an offense or a conspiracy to commit an offense the penalty for which is provided in—

"'(1) subsection (a) or (b) of section 7237 of the Internal Revenue Code of 1954,

"'(2) subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended (21 U. S. C. sec. 174), or

"'(3) the Act of July 11, 1941, as amended (21 U. S. C. sec 184a),

shall be imprisoned not less than two and not more than five years and, in addition, may be fined not more than $5,000. Each separate use of a communication facility shall be a separate offense under this section.

"'(b) For purposes of this section, the term "communication facility" means any and all public and private instrumentalities used or useful in the transmission of writings, signs, signals, pictures, and sounds of all kinds by mail, telephone, wire, radio, or other means of communication.

"'§ 1404. Motion to suppress—appeal by the United States

"'In addition to any other right to appeal, the United States shall have the right to appeal from an order granting a motion for the return of seized property and to suppress evidence made before the trial of a person charged with a violation of—

"'(1) any provision of part I or part II of subchapter A of chapter 39 of the Internal Revenue Code of 1954 the penalty for which is provided in subsection (a) or (b) of section 7237 of such Code,

"'(2) subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended (21 U. S. C., sec. 174), or

"'(3) the Act of July 11, 1941, as amended (21 U. S. C., sec. 184a).

This section shall not apply with respect to any such motion unless the United States attorney shall certify, to the judge granting such motion, that the appeal is not taken for purposes of delay. Any appeal under this section shall be taken within 30 days after the date the order was entered and shall be diligently prosecuted.

"'§ 1405. Issuance of search warrants—procedure

"'In any case involving a violation of any provision of part I or part II of subchapter A of chapter 39 of the Internal Revenue Code of 1954 the penalty for which is provided in subsection (a) or (b) of section 7237 of such Code, a violation of subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended (21 U. S. C., sec. 174), or a violation of the Act of July 11, 1941, as amended (21 U. S. C., sec. 184a)—

"'(1) a search warrant may be served at any time of the day or night if the judge or the United States Commissioner issuing the warrant is satisfied that there is probable cause to believe that the grounds for the application exist, and

"'(2) a search warrant may be directed to any officer of the Metropolitan Police of the District of Columbia authorized to enforce or assist in enforcing a violation of any of such provisions.

"'§ 1406. Immunity of witnesses

"'Whenever in the judgment of a United States attorney the testimony of any witness, or the production of books, papers, or other evidence by any witness, in any case or proceeding before any grand jury or court of the United States involving any violation of—

"'(1) any provision of part I or part II of subchapter A of chapter 39 of the Internal Revenue Code of 1954 the penalty for which is provided in subsection (a) or (b) of section 7237 of such Code,

"'(2) subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended (21 U. S. C., sec. 174), or

"'(3) the Act of July 11, 1941, as amended (21 U. S. C., sec. 184a),

is necessary to the public interest, he, upon the approval of the Attorney General, shall make application to the court that the witness shall be instructed to testify or produce evidence subject to the provisions of this section, and upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled be used as evidence in any criminal proceeding (except prosecution described in the next sentence) against him in any court. No witness shall be exempt under this section from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this section.

"'§ 1407. Border crossings—narcotic addicts and violators

"'(a) In order further to give effect to the obligations of the United States pursuant to the Hague convention of 1912, proclaimed as a treaty on March 3, 1915 (38 Stat. 1912), and the limitation convention of 1931, proclaimed as a treaty on July 10, 1933 (48 Stat. 1571), and in order to facilitate more effective control of the international traffic in narcotic drugs, and to prevent the spread of drug addiction, no citizen of the United States who is addicted to or uses narcotic drugs, as defined in section 4731 of the Internal Revenue Code of 1954, as amended (except a person using such narcotic drugs as a result of sickness or accident or injury and to whom such narcotic drug is being furnished, prescribed, or administered in good faith by a duly licensed physician in attendance upon such person, in the course of his professional practice) or who has been convicted of a violation of any of the narcotic or marihuana laws of the United States, or of any State thereof, the penalty for which is imprisonment for more than one year, shall depart from or enter into or attempt to depart from or enter into the United States, unless such person registers, under such rules and regulations as may be prescribed by the Secretary of the Treasury with a customs official, agent, or employee at a point of entry or a border customs station. Unless otherwise prohibited by law or Federal regulation such customs official, agent, or employee shall issue a certificate to any such person departing from the United States; and such person shall, upon returning to the United States, surrender such certificate to the customs official, agent, or employee present at the port of entry or border customs station.

"'(b) Whoever violates any of the provisions of this section shall be punished for each such violation by a fine of not more than $1,000 or imprisoned for not less than one nor more than three years, or both.'

"SEC. 202. Technical Amendment.

"The analysis of part 1 of title 18 of the United States Code, immediately preceding chapter 1 of such title, is amended by adding

"'68. Narcotics'

"after

"'67. Military and Navy.'

"TITLE III. AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT, ETC.

"SEC. 301. Amendments to Immigration and Nationality Act.

"(a) Section 212 (a) (23) of the Immigration and Nationality Act is amended to read as follows:

"'(23) Any alien who has been convicted of a violation of, or a conspiracy to violate, any law or regulation relating to the illicit possession of, or traffic in narcotic drugs, or

who has been convicted of a violation of or a conspiracy to violate, any law or regulation governing or controlling the taxing, manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, exportation, or the possession for the purpose of the manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, or exportation of opium, coca leaves, heroin, marihuana, or any salt derivative or preparation of opium or coca leaves, or isonipecaine or any addiction-forming or addiction-sustaining opiate; or any alien who the consular officer or immigration officers know or have reason to believe is or has been an illicit trafficker in any of the aforementioned drugs;'.

"(b) Section 241 (a) (11) of such Act is amended to read as follows:

"'(11) is, or hereafter at any time after entry has been, a narcotic drug addict, or who at any time has been convicted of a violation of, or a conspiracy to violate, any law or regulation relating to the illicit possession of or traffic in narcotic drugs, or who has been convicted of a violation of, or a conspiracy to violate, any law or regulation governing or controlling the taxing, manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, exportation, or the possession for the purpose of the manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, or exportation of opium, coca leaves, heroin, marihuana, any salt derivative or preparation of opium or coca leaves or isonipecaine or any addiction-forming or addiction-sustaining opiate;'.

"(c) Section 241 (b) of such Act is amended by adding at the end thereof the following additional new sentence: 'The provisions of this subsection shall not apply in the case of any alien who is charged with being deportable from the United States under subsection (a) (11) of this section'.

"SEC. 302. Amendment to act of June 14, 1930.

"Section 8 of the Act entitled 'An Act to create in the Treasury Department the Bureau of Narcotics, and for other purposes', approved June 14, 1930 (46 Stat. 587), as amended, is amended to read as follows:

"'SEC. 8. (a) The Secretary of the Treasury shall cooperate with the several States in the suppression of the abuse of narcotic drugs in their respective jurisdictions, and to that end he is authorized (1) to cooperate in the drafting of such legislation as may be needed, if any, to effect the end named, (2) to arrange for the exchange of information concerning the use and abuse of narcotic drugs in said States and for cooperation in the institution and prosecution of cases in the courts of the United States and before the licensing boards and courts of the several States, (3) to conduct narcotic training programs, as an integral part of narcotic law enforcement for the training of such local and State narcotic enforcement personnel as may be arranged with the respective local and State agencies, and (4) to maintain in the Bureau of Narcotics a "Division of Statistics and Records" to accept catalog, file, and otherwise utilize narcotic information and statistics, including complete records on drug addicts and other narcotic law offenders which may be received from Federal, State, and local agencies, and make such information available for Federal, State, and local law enforcement purposes. Federal agencies of the United States may make available to the Bureau of Narcotics the names, identification, and any other pertinent information which may be specified by the Secretary of the Treasury, or his designated representative, of all persons who are known by them to be drug addicts or convicted violators of any of the narcotic laws of the United States, or any State thereof. The Commissioner of Narcotics shall request and encourage all heads of State and local agencies to make such information available to the Bureau of Narcotics.

"'(b) As used in this section, the term "Federal agencies" shall include (1) the executive departments, (2) the Departments of the Army, Navy, and the Air Force, (3) the independent establishments and agencies in the executive branch, including corporations wholly owned by the United States, and (4) the municipal government of the District of Columbia.

"'The Secretary of the Treasury is hereby authorized to make such regulations as may be necessary to carry this section into effect.'

"IV—EFFECTIVE DATE; SEPARABILITY OF PROVISIONS

"SEC. 401. Effective date.

"The amendments made by this Act shall take effect on the day following the date of enactment of this Act.

SEC. 402. Separability.

"If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this Act, or the application of such provisions to other persons or circumstances, shall not be affected thereby."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same with an amendment, as follows:

Amend the title so as to read: "An Act to amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other related purposes."

And the Senate agree to the same.

JERE COOPER,
W. D. MILLS,
HALE BOGGS,
JOHN W. BYRNES,
ANTONI N. SADLAK,
Managers on the Part of the House.

JAMES O. EASTLAND,
JOSEPH C. O'MAHONEY,
PRICE DANIEL,
HERMAN WELKER,
JOHN M. BUTLER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference of the two Houses on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11619) to amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment to the text of the bill struck out all after the enacting clause of the bill as it passed the House and inserted in lieu thereof a new text. The House recedes and agrees to the Senate amendment to the text of the bill with an amendment containing a substitute for both the text of the bill as it passed the House and the text of the bill as it passed the Senate. Except for technical, clerical, and conforming changes, the text of the bill proposed under the accompanying conference report is the same as the text of the bill as it passed the House, with changes set forth below:

TITLE I—AMENDMENTS TO THE 1954 CODE, THE NARCOTIC DRUGS IMPORT AND EXPORT ACT, ETC.

Section 110. Unlawful acquisition, etc., of marihuana

Section 2 of the House bill amended section 4744 (a) of the Internal Revenue Code of 1954 to make it unlawful to transport or conceal, or in any manner to facilitate the transportation or concealment of, any marihuana acquired or obtained without having paid the transfer tax imposed by section 4741 (a) of the 1954 Code. One effect of this amendment is to provide for venue not only in the jurisdiction in which acquisition of the marihuana occurred, but also in the jurisdiction in which possession was discovered.

Section 203 of the Senate amendment made a similar amendment to section 4744 (a) of the Internal Revenue Code of 1954 to take care of the venue problem.

Section 101 of the conference agreement contains the language of the House bill in this respect.

Section 102. Unlawful transportation of marihuana

Section 4755 (b) of the Internal Revenue Code of 1954, in general, makes it unlawful for any person who has not complied with the taxing and registration requirements of sections 4751 to 4753, inclusive, of the 1954 Code to send, ship, carry, transport, or deliver any marihuana in interstate commerce, or within any Territory, the District of Columbia, or any insular possession of the United States.

Section 3 of the House bill amended this provision so as to clarify the scope of the prohibition and to make the language conform more closely to the provisions relating to the unlawful transportation of narcotic drugs (sec. 4724 (b) of the 1954 Code). The Senate amendment contained no comparable provision. The conference amendment follows the House bill in this respect and clarifies the scope of the prohibition against the transportation of marihuana.

Section 103. Violations of narcotics drug and marihuana laws

Section 4 of the House bill amended the penalty provisions of the Internal Revenue Code of 1954 relating to narcotic drugs and marihuana. The Senate amendment did not amend these penalty provisions.

The conference agreement follows the House bill in this respect. Under the agreement the penalties provided for offenses (including conspiracies) relating to narcotic drugs and marihuana which are covered by the amended section 7237 (a) of the 1954 Code will be as follows:

First offense: Imprisonment for not less than 2 nor more than 10 years, and a discretionary fine of not more than $20,000.

Second offense: Imprisonment for not less than 5 years nor more than 20 years, and a discretionary fine of not more than $20,000.

Third or subsequent offense: Imprisonment for not less than 10 years nor more than 40 years, and a discretionary fine of not more than $20,000.

No probation, suspension of sentence, or parole is to be granted to a second or subsequent offender; and the indeterminate sentence law otherwise applicable in the case of offenses committed in the District of Columbia will not apply.

In addition, the conference agreement retains the provision of the House bill which provides a specific penalty for sale offenses and conspiracies to commit sale offenses. For a first offense covered by this provision the penalty will be imprisonment for not less than 5 nor more than 20 years and a discretionary fine of not more than $20,000. For a second or subsequent offense the fine limitation of not to exceed $20,000 will remain, but imprisonment will be for not less than 10 nor more than 40 years. If the offender at the time of an offense has attained the age of 18 and the offense consists of the sale, barter, exchange, giving away, or transfer of any narcotic drug or marihuana to a person under the age of 18, or consists of a conspiracy to do such an act, the penalty will be imprisonment for not less than 10 nor more than 40 years and a discretionary fine

of not more than $20,000. No probation, suspension of sentence, or parole is to be granted for any offense described in this paragraph; and the District of Columbia indeterminate sentence law is made inapplicable.

As will be explained below (in connection with sec. 107 of the conference agreement), the conference agreement contains in substance the provision of the Senate amendment which creates a specific offense of selling heroin to individuals under the age of 18 and provides the death penalty for such an offense if the jury in its discretion so directs.

The other changes in the narcotic drug and marihuana penalty provisions of section 7237 of the 1954 Code which were made by section 4 of the House bill are contained in the conference agreement. For example, the conference agreement contains the provisions of the House bill clarifying what constitutes a prior offense for purposes of determining second and subsequent offenses. The conference agreement, however, modifies the House language to insure that any conviction of the specific offense of selling heroin to juveniles provided by section 107 of the conference agreement will be counted as a prior offense.

Section 104. Powers of Bureau of Narcotics and Bureau of Customs

Section 6 of the House bill provided for the addition of a new section 7607 to the 1954 Code. Under this provision the personnel of the Bureau of Narcotics would be given express Federal authority to carry firearms, execute and serve search warrants and arrest warrants, serve subpenas and summonses, and make arrests without warrants in certain situations.

Under the Senate amendment, a new section 1408 would have been added to title 18 of the United States Code to grant the authority described in the preceding paragraph to the personnel of the Bureau of Narcotics and to the personnel of the Bureau of Customs.

The conference agreement follows the substance of the Senate amendment in this respect and expressly grants the authority to both the personnel of the Bureau of Narcotics and to the officers of the customs (as defined in sec. 401 (l) of the Tariff Act of 1930).

Section 105. Importation, etc., of narcotic drugs

Section 105 of the conference agreement is identical with section 7 of the House bill. It amends section 2 (c) of the Narcotic Drugs Import and Export Act to increase the penalties for violating that Act. The present first offense penalty is increased from a minimum of 2 years and a maximum of 5 years imprisonment to a minimum of 5 years and a maximum of 20 years. In addition, under the conference agreement a second or subsequent offender would be subject to a minimum imprisonment of not less than 10 years and a maximum imprisonment of not more than 40 years. A discretionary fine of not more than $20,000 can be imposed for the first or any subsequent offense. Under the conference agreement probation, suspension of sentence, and parole is not to be available to any offender; and the indeterminate sentence law for the District of Columbia is not to apply.

Section 106. Smuggling of marihuana

Section 106 of the conference agreement is identical with section 8 of the House bill. It amends section 2 of the Narcotic Drugs Import and Export Act by inserting a new subsection (h) to make a specific offense of smuggling marihuana into the United States and to provide penalties therefor which are comparable to those described above (in connection with section 105 of the agreement).

Section 107. Sale of heroin to juveniles—penalties

The Senate amendment added a new section 1403 to title 18 of the United States Code. This new section provided special penalties for selling or giving heroin to any person who has not attained the age of 18 years. While the sale of heroin to juveniles was made a capital offense, the death penalty was not mandatory but had to be specifically directed by the jury. An alternative penalty was imprisonment for life or for a term of not less than 10 years. The Senate amendment also provided that a mandatory fine of not more than $10,000 was to be imposed.

The House bill contained no special provision relating solely to the sale of heroin to juveniles.

The conference agreement follows the substance of the Senate amendment in this respect. It amends section 2 of the Narcotic Drugs Import and Export Act by adding at the end thereof a new subsection (i). Under this new subsection, whoever knowingly sells or gives away any heroin unlawfully imported into the United States to a person who has not attained the age of 18 years, shall, if the offender has attained the age of 18 years at the time of the offense, be imprisoned for life, or for a lesser period of not less than 10 years; except that the offender shall suffer death if the jury in its discretion shall so direct. The new subsection (i) also provides for a discretionary penalty of not to exceed $20,000.

Under the conference agreement, in the case of any offense described above, no probation, suspension of sentence, or parole is to be granted; and the indeterminate sentence law otherwise applicable in the case of offenses committed in the District of Columbia will not apply.

Section 108. Unlawful possession of narcotic drugs and marihuana on vessels

This section is identical with section 9 of the House bill. It amends the Act of July 11, 1941, to provide the same penalties for violating the first section of that Act as will be in effect for violation of section 2 (c) of the Narcotic Drugs Import and Export Act by reason of the amendment to such section 2 (c) made by section 105 of the conference agreement.

Section 109. Territorial extent of law

This section is identical with section 10 of the House bill. It clarifies, with respect to the Commonwealth of Puerto Rico, the territorial extent of the provisions referred to in section 4774 of the 1954 Code. The provision is not inserted for the purpose of granting a special exemption to the Commonwealth of Puerto Rico, but rather is intended to provide a method whereby the provisions specified in section 4774 of the 1954 Code will continue to apply in the Commonwealth of Puerto Rico pursuant to action of the Legislative Assembly of the Commonwealth of Puerto Rico which is consistent with the Commonwealth status which has been accorded to Puerto Rico.

TITLE II—AMENDMENTS TO TITLE 18 OF THE UNITED STATES CODE

Section 201. Addition of new chapter—narcotics

Section 201 of the conference agreement adds a new chapter 68 (relating to narcotics) to title 18 of the United States Code.

(a) Section 1401—Definitions: The first section of the new chapter 68, section 1401, contains definitions of the term "heroin" and of the term "United States" for the purposes of the chapter.

(b) Section 1402—Surrender of heroin—procedure: This section is similar to a provision contained in the Senate amendment. The House bill contained no comparable provision.

Under the conference agreement, any heroin heretofore lawfully possessed is to be surrendered within 120 days after the effective date of the Act.

(c) Section 1403—Use of communications facilities—penalties: This section is similar to both the provisions of the House bill and the Senate amendment with respect to the use of communication facilities in connection with violations of Federal narcotic and marihuana laws. Section 4 of the House bill would have inserted a new subsection (e) in section 7237 of the 1954 Code for this purpose; while section 101 of the Senate amendment would have inserted a new section 1407 in title 18 of the United States Code.

Section 1403 of the conference agreement is similar to the Senate amendment in that these provisions relating to the use of communications facilities are made a part of title 18. Under the conference agreement (as under the House bill) penalties are provided for any person who uses any communication facility in committing, or conspiring or attempting to commit, any violation of specified provisions of Federal laws applicable to narcotic drugs (including heroin) and marihuana. The penalties for each such use are imprisonment for not less than 2 years and not more than 5 years, and a discretionary fine of not more than $5,000.

(d) Section 1404—Motion to suppress—appeal by the United States: The provisions of this section are similar to provisions contained in both the House bill (see sec. 5) and the Senate amendment (see sec. 101).

Section 1404 of the conference agreement is similar to the Senate amendment in that these provisions are made a part of title 18 of the United States Code. Under the conference agreement (as under the House bill) a statutory right of appeal is to be available to the United States, in cases involving a violation of specified Federal laws relating to narcotic drugs and marihuana, from an order of a court granting a defendant's motion for the return of seized property and to suppress evidence. The section will not apply with respect to any such motion unless the United States attorney certifies that the appeal is not taken for purposes of delay.

(e) Section 1405—Issuance of search warrants—procedure: The provisions of this section are similar to provisions contained in both the House bill (see sec. 6) and the Senate amendment (see sec. 101).

Section 1405 of the conference agreement is similar to the Senate amendment in that these provisions relating to the issuance of search warrants are made a part of title 18 of the United States Code. Under the conference agreement (as under the House bill) the restrictions which now govern the issuance of night search warrants are liberalized in cases involving violations of specified Federal laws relating to narcotic drugs and marihuana so that a search warrant may be issued in any such case at any time of the day or night if the judge or the United States Commissioner is satisfied that there is probable cause to believe that the grounds for the application exist.

(f) Section 1406—Immunity of witnesses: The provisions of this section are similar to the provisions which the House bill (see sec. 5) would have added as section 7494 (a) of the 1954 Code. The Senate amendment contained no comparable provisions.

Under the conference agreement, these provisions relating to the immunity of witnesses are to be inserted in title 18 of the United States Code as a new section 1406. Under the conference agreement (as under the House bill) there is provided a statutory method of granting immunity to a witness whose testimony is deemed necessary to the public interest by the United States attorney and the Attorney General, in any case involving a violation of specified Federal laws relating to narcotic drugs and marihuana.

(g) Section 1407—Border crossings—narcotic addicts and violators: Section 101 of the Senate amendment added a new section

to title 18 of the United States Code to require narcotic addicts, other users of illicit drugs, and convicted narcotic violators, to register and obtain a certificate at points of departure when leaving the United States, and to surrender the certificate upon reentry. Failure to comply was made punishable by a fine of not more than $1,000, by imprisonment for not less than 1 year and not more than 3 years, or by both. The House bill contained no comparable provision.

The conference agreement contains the provisions of the Senate amendment with respect to border crossings by narcotic addicts and violators.

Section 202. Technical amendment

This section of the conference agreement contains a technical amendment to the table of chapters for part I of title 18 to reflect the inclusion of the new chapter 68, relating to narcotics.

TITLE III. AMENDMENTS TO THE IMMIGRATION AND NATIONALITY ACT, ETC.

Section 301. Amendments to the Immigration and Nationality Act

Section 201 of the Senate amendment amended three provisions of the Immigration and Nationality Act:

(1) It amended section 212 (a) (23) of that Act by including conspiracy to violate a narcotic law, and the illicit possession of narcotics, as additional grounds for excluding any alien from this country.

(2) It amended section 241 (a) (11) of that Act by including conspiracy to violate any narcotic law, and the illicit possession of narcotics, as additional grounds for deporting any alien.

(3) It amended section 241 (b) of that Act by including additional language to state clearly that this provision does not permit judicial recommendation against deportation of an alien convicted of a narcotic offense. Clarification of this provision has been made desirable by reason of the decisions in *United States ex rel. De Luca* v. *O'Rourke* (213 F. 2d 759) and *Ex Parte Robles-Rubio* (119 F. Supp. 610).

The House bill contained no amendments to the Immigration and Nationality Act. The provisions in the conference agreement amending that Act are in substance the same as the provisions contained in the Senate amendment.

Section 302. Amendment to Act of June 14, 1930

Section 202 of the Senate amendment amended section 8 of the Act of June 14, 1930, relating to the creation of the Bureau of Narcotics. It created in the Bureau a new Division of Statistics and Records, which would accept, catalog, file, and use all types of narcotic information and statistics received from Federal, State, and local law-enforcement agencies. This information would be made available for Federal, State, and local law-enforcement purposes. It also provided that all Federal agencies would be required to make available to the Bureau of Narcotics the names and identifications of, and any other pertinent information relating to, all persons known to them to be narcotic addicts or convicted narcotic law violators.

The House bill contained no comparable provision.

The conference agreement contains the substance of the Senate amendment in this respect but modifies it so that the mandatory requirement that all Federal agencies must furnish the names and other pertinent information with respect to narcotic addicts and narcotic-law violators is changed to a permissive provision.

TITLE IV—EFFECTIVE DATE; SEPARABILITY OF PROVISIONS

Section 401. Effective date

This section is identical with section 11 of the House bill. It provides that the amendments made by the Act are to take effect on the day following the date of its enactment.

Section 402. Separability

Section 402 of the Senate amendment contained a separability provision. The House bill contained no express separability provision. The conference agreement follows the Senate amendment in this respect.

AMENDMENT TO THE TITLE

Under the conference agreement, the legislation is to be entitled "An act to amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other related purposes."

JERE COOPER,
W. D. MILLS,
HALE BOGGS,
JOHN W. BYRNES,
ANTONI N. SADLAK,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, H. R. 11619, the Narcotic Control Act of 1956, as it passed the House, would have provided many improvements in the Federal legislation relating to the control of narcotic drugs and marihuana and the prevention of the illicit trafficking in these drugs. The Senate in acting on this legislation struck all after the enacting clause and substituted for the House-passed version the provisions of S. 3760, which had previously passed the Senate. Many of the provisions of H. R. 11619 and S. 3760 were identical or similar in substance.

The House-Senate conferees have recently come to agreement and resolved the differences between the House-passed version and the Senate-passed version of H. R. 11619. When the bill as agreed to in conference is approved by the Congress of the United States and is signed into law I am confident that the enforcement officials responsible for the apprehension of illicit traffickers and the members of the Federal judiciary who are responsible for the sentencing of convicted violators will find that the legislation we have enacted during this Congress will be one of the most significant contributions in our history toward the eradication of the illicit drug traffic from our American society.

For the balance of my remarks the section references that I will make, unless otherwise described, will be to the section of the bill as agreed to by the conferees.

Section 101, unlawful acquisition, and so forth, of marihuana: It will be recalled that section 2 of the House-passed version of H. R. 11619 amended section 4744 (a) of the Internal Revenue Code of 1954 to make it unlawful to transport or conceal or in any manner to facilitate the transportation or concealment of marihuana acquired or obtained without having paid the prescribed transfer tax. One effect of this amendment is to provide for venue in the jurisdiction in which possession is discovered as well as the jurisdiction in the place of acquisition. Section 101 of the bill as agreed to in conference contains the language of the House-passed bill in this respect.

Section 102, unlawful transportation of marihuana: Section 3 of the House-passed bill amended section 4755 (b) of the Internal Revenue Code of 1954 so as to clarify the scope of the prohibition contained in present law making it unlawful for any person who has not complied with the taxing and registration requirements of sections 4751 and 4753, inclusive, to send, ship, carry, or transport any marihuana in interstate commerce or within any territory, the District of Columbia, or any insular possession of the United States. Thus under the House amendment the prohibition would have been applicable to any person who violated the terms of the statute. The Senate-passed bill contained no comparable provision. The conference amendment follows the House bill.

Section 103, violations of narcotic drug and marihuana laws: This section amends the penalty provisions of the Internal Revenue Code of 1954 relating to narcotic drugs and marihuana. The conference agreement follows the House bill in that the Senate amendment did not amend these penalty provisions. Under the agreement the penalties provided for offenses—including conspiracies—relating to narcotic drugs and marihuana covered by the amended section 7237 (a) of the Internal Revenue Code of 1954 will be as follows: First offense: Imprisonment for not less than 2 nor more than 10 years, and a discretionary fine of not more than $20,000.

Second offense: Imprisonment of not less than 5 years nor more than 20 years, and a discretionary fine of not more than $20,000.

Third or subsequent offense: Imprisonment for not less than 10 years nor more than 40 years, and a discretionary fine of not more than $20,000. No probation, suspension of sentence, or parole is to be granted to a second or subsequent offender; and the indeterminate sentence law otherwise applicable in the case of offenses committed in the District of Columbia will not apply.

The conference agreement also retains the provisions of the House bill providing specific penalties for sale offenses and conspiracies to commit sale offenses. For a first offense covered by this provision the penalty will be imprisonment for not less than 5 nor more than 20 years, and a discretionary fine of not more than $20,000. For a second or subsequent offense the fine limitation of not to exceed $20,000 will remain, but imprisonment will be for not less than 10 nor more than 40 years. If the offender at the time of an offense has attained the age of 18 and the offense consists of the sale, barter, exchange, giving away, or transfer of any narcotic drug or marihuana to a person under the age of 18, or consists of a conspiracy to do such an act, the penalty will be imprisonment for not less than 10 nor more than 40 years and a discretionary fine

of not more than $20,000. No probation, suspension of sentence, or parole is to be granted for any sale offense; and the District of Columbia indeterminate sentense law is made inapplicable.

As I will explain later in connection with section 107 of the conference agreement, the conferees agreed to include in the bill the substance of a Senate-passed provision creating a specific offense of selling heroin to individuals under the age of 18 and provides the death penalty for such an offense if the jury in its discretion so directs. The other changes in the narcotic drug and marihuana penalty provisions of section 7237 of the 1954 code which were made by section 4 of the House bill are contained in the conference agreement. For example, the conference agreement contains the provisions of the House bill clarifying what constitutes a prior offense for purposes of determining second and subsequent offenses. The conference agreement, however, modifies the House language to insure that any conviction of the specific offense of selling heroin to juveniles provided by section 107 of the conference agreement will be counted as a prior offense.

Section 104, powers of Bureau of Narcotics and Bureau of Customs: The Senate-passed version of H. R. 11619 would have added to title 18 of the United States Code a provision giving express Federal statutory authority to the personnel of the Bureau of Narcotics and the Bureau of Customs to carry firearms, execute and serve search warrants and arrest warrants, serve subpenas and summonses, and make arrest without warrants in certain situations. Section 6 of the House bill would have provided for this express authority for the personnel of the Bureau of Narcotics only. The conference agreement follows the substance of the Senate amendment as an amendment to the Internal Revenue Code.

Section 105, importation, and so forth, of narcotic drugs: Section 105 of the conference agreement is identical with section 7 of the House bill. It amends section 2 (c) of the Narcotic Drugs Import and Export Act to increase the penalties for violating that act. The present first offense penalty is increased from a minimum of 2 years and a maximum of 5 years imprisonment to a minimum of 5 years and a maximum of 20 years. In addition, under the conference agreement a second or subsequent offender would be subject to a minimum imprisonment of not less than 10 years and a maximum imprisonment of not more than 40 years. A discretionary fine of not more than $20,000 can be imposed for the first or any subsequent offense. Under the conference agreement probation, suspension of sentence, and parole is not to be available to any offender; and the indeterminate sentence law for the District of Columbia is not to apply.

Section 106, smuggling of marihuana: Section 106 of the conference agreement is identical with section 8 of the House bill. It amends section 2 of the Narcotic Drugs Import and Export Act by inserting a new subsection (h) to make a specific offense of smuggling marihuana into the United States and to provide penalties therefor which are comparable to those I have previously described in connection with section 105.

Section 107, sale of heroin to juveniles—penalties: The Senate amendment added a new section 1403 to title 18 of the United States Code. This new section provided special penalties for selling or giving heroin to any person who has not attained age 18. While the sale of heroin to juveniles was made a capital offense, the death penalty was not mandatory but had to be specifically directed by the jury. An alternative penalty was imprisonment for life or for a term of not less than 10 years. The Senate amendment also provided that a mandatory fine of not more than $10,000 was to be imposed.

The House bill contained no special provision relating solely to the sale of heroin to juveniles.

The conference agreement follows the substance of the Senate amendment in this respect. It amends section 2 of the Narcotic Drugs Import and Export Act by adding at the end thereof a new subsection (i). Under this new subsection whoever knowingly sells or gives away any heroin unlawfully imported into the United States to a person who has not attained the age of 18 years, shall, if the offender has attained the age of 18 years at the time of the offense, be imprisoned for life, or for a lesser period of not less than 10 years; except that the offender shall suffer death if the jury in its discretion shall so direct. The new subsection (i) also provides for a discretionary penalty of not to exceed $20,000.

Under the conference agreement, in the case of any offense described above, no probation, suspension of sentence, or parole is to be granted; and the indeterminate sentence law otherwise applicable in the case of offenses committed in the District of Columbia will not apply.

Section 108, unlawful possession of narcotic drugs and marihuana on vessels: This section is identical with section 9 of the House bill. It amends the act of July 11, 1941, to provide the same penalties for violating the first section of that act as will be in effect for violation of section 2 (c) of the Narcotic Drugs Import and Export Act by reason of the amendment to such section 2 (c) made by section 105 of the conference agreement.

Section 109, territorial extent of law: This section is identical with section 10 of the House bill. It clarifies, with respect to the Commonwealth of Puerto Rico, the territorial extent of the provisions referred to in section 4774 of the 1954 code. The provision is not inserted for the purpose of granting a special exemption to the Commonwealth of Puerto Rico, but rather is intended to provide a method whereby the provisions specified in section 4774 of the 1954 code will continue to apply in the Commonwealth of Puerto Rico pursuant to action of the Legislative Assembly of the Commonwealth of Puerto Rico, which is consistent with the Commonwealth status which has been accorded to Puerto Rico.

The provisions of the conference agreement that I will discuss next would become amendments to title 18 of the United States Code, as H. R. 11619 was agreed to in conference.

Section 201, addition of new chapter—narcotics: Section 201 of H. R. 11619 as agreed to in conference adds a new chapter 68 relating to narcotics to title 18 of the United States Code. Section 1401 of the new chapter 68 would define the terms "heroin" and "United States" for purposes of the chapter.

Section 1402 of the new chapter provides a procedure for the surrender of any heroin previously lawfully possessed within 120 days after the effective date of the act. The Secretary of the Treasury or his designated representative is authorized to make exceptions to this surrender requirement for approved scientific research purposes. This section is similar to that which is contained in the Senate amendments. The House bill contained no comparable provision.

Section 1403 of the new chapter 68 provides penalties for the use of communication facilities in connection with violations of the Federal narcotic and marihuana laws. This new section is similar in substance to both the provisions of the House-passed bill and the Senate-passed bill. The penalties for each use of a commun'cation facility are imprisonment for not less than 2 years and not more than 5 years, and a discretionary fine of not more than $5,000.

Section 1404, relating to appeal by the United States from a court order granting a defendant's motion for the return of seized property and to suppress evidence, section 1405, relating to the issuance of search warrants, and section 1406, relating to the immunity of witnesses are similar in substance to the House-passed version of H. R. 11619, although as approved by the conferees, they become a part of the new chapter 68 of title 18.

Section 1407 of chapter 68 of title 18 relates to border crossing by narcotic addicts and violators. There was no comparable provision included in the House-passed bill. This provision would require narcotic addicts, other users of illicit drugs, and convicted narcotic violators to register and obtain a certificate at points of departure when leaving the United States and to surrender the certificate upon reentry. Failure to comply would be punishable by a fine of not more than $1,000, by imprisonment for not less than 1 year and not more than 3 years, or by both.

Title III of the bill as agreed to by the conferees sets forth amendments to the Immigration and Nationality Act. The House-passed version of H. R. 11619 contained no comparable provisions. The provisions in the conference agreement amending the Immigration and Nationality Act are in substance the same as the provisions contained in the Senate amendment to H. R. 11619. Thus section 301 of the bill as agreed to in conference amended three provisions of the Immigration and Nationality Act as follows:

First. It amended section 212 (a) (23) of that act by including conspiracy to violate a narcotic law, and the illicit possession of narcotics, as additional grounds for excluding any alien from this country.

Second. It amended section 241 (a) (11) of that act by including conspiracy to violate any narcotic law, and the illicit possession of narcotics, as additional grounds for deporting any alien.

Third. It amended section 241 (b) of that act by including additional language to state clearly that this provision does not permit judicial recommendation against deportation of an alien convicted of a narcotic offense. Clarification of this provision has been made desirable by reason of the decisions in *United States ex rel. De Luca* v. *O'Rourke* (213 F. 2d 759) and *Ex parte Robles-Rubio* (119 F. Supp. 610). In addition, title III of the bill as agreed to by the conferees includes in section 302 thereof an amendment to the act of June 14, 1930, relating to the creation of the Bureau of Narcotics. This section 302 would create in the Bureau a new Division of Statistics and Records which would accept, catalog, file, and use all types of narcotic information and statistics received from Federal, State, and local law-enforcement agencies. This information would be made available for Federal, State, and local law-enforcement purposes. It would also provide that all Federal agencies may make available to the Bureau of Narcotics the names and identifications of, and any other pertinent information relating to, all persons known to them to be narcotic addicts or convicted narcotic law violators.

Title IV of the bill as agreed to by the conferees would provide that the amendments made by H. R. 11619 would take effect on the day following the date of enactment.

A separability provision is also included in title IV.

Some question has been raised as to the existence of concurrent jurisdiction shared by the Federal and State Governments with respect to matters on which both echelons of government have acted. However, the presence for many decades of laws, statutes, and ordinances on the Federal, State, and local levels of government removes any doubt that the Federal Government has not undertaken to enact preemptive legislation in this area and that concurrent jurisdiction does exist.

Mr. Speaker, it is my view that the provisions of the Narcotic Control Act of 1956, as approved by the conferees, include many meritorious improvements in the present Federal laws relating to drugs and their illicit use. I am confident that the improved enforcement procedures provided by the bill will greatly enhance the effectiveness of our enforcement officials. I am equally as confident that the more severe penalties provided by the bill will establish a strong deterrent to any future would-be violators. Surely there is no more insidious occupation known to our American society than the occupation of the illicit trafficker. He destroys the moral, mental, and physical fiber of the unfortunate person who succumbs to addiction. He saps the vitality of our community life and our strength as a nation. The illicit trafficker is deserving of no compassion, and he receives none under the provisions of this bill. The penalties are appropriate to assure that the convicted trafficker gets just treatment for his evil act.

Mr. Speaker, in closing, I would like to reiterate my expression of commendation that I have extended on many occasions to the members of the Subcommittee on Narcotics under the able leadership of the distinguished gentleman from Louisiana, the Honorable HALE BOGGS, and to my colleagues on the Committee on Ways and Means for the laudatory product of their efforts and endeavors in bringing this legislation to its present state. Surely our country will be a better nation because of the effect of the Narcotic Control Act of 1956 will have in stamping out the illicit trafficking in narcotics and marihuana.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, I believe that the conferees on H. R. 11619, the Narcotic Control Act of 1956, have done a splendid job and deserve the commendation of the House.

I am not going to describe in any detail the technical provisions of the conference agreement as others have already done so. Suffice it to say, I believe that the legislation now before us contains the best features of both the Senate and House bills. In particular, I believe that it is worth emphasizing that, with one exception, the conference agreement follows the House insofar as the penalty provisions of the Internal Revenue Code of 1954 relating to narcotic drugs and marihuana are concerned. I am hopeful that the new mandatory penalties will do much to help eliminate this evil traffic.

The subcommittee of the Committee on Ways and Means which studied this problem has done a splendid job. The able chairman of the subcommittee was my good friend and distinguished colleague, the gentleman from Louisiana, Representative BOGGS. On the Republican side, the subcommittee was ably served by the gentleman from Wisconsin, Representative BYRNES, the gentleman from Connecticut, Representative SADLAK, and the gentleman from Tennessee, Representative BAKER. The gentleman from Wisconsin [Mr. BYRNES] and the gentleman from Connecticut [Mr. SADLAK] were the minority members of the conferees on the part of the House on this legislation.

MILITARY CONSTRUCTION ACT OF 1956

Mr. VINSON. Mr. Speaker, I call up the conference report on the bill (H. R. 9893) to authorize certain construction at military installations, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2641)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9893) to authorize certain construction at military installations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I

"SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities and equipment, for the following projects:

"*Inside the United States*

"Technical Services Facilities

"(Ordnance Corps)

"Aberdeen Proving Ground, Maryland: Training and storage facilities, $147,000.

"Jet Propulsion Laboratory (California Institute of Technology), California: Research and development facility, $143,000.

"Pueblo Ordnance Depot, Colorado: Maintenance facility, $2,142,000.

"Seneca Ordnance Depot, New York: Utilities, $88,000.

"Umatilla Ordnance Depot, Oregon: Storage facilities, $258,000.

"Redstone Arsenal, Alabama: Maintenance facilities, training facilities, family housing and utilities, $6,159,000.

"White Sands Proving Grounds, New Mexico: Utilities, $693,000.

"(Quartermaster Corps)

"Atlanta General Depot, Georgia: Operational facilities, and maintenance facilities, $832,000.

"Columbia Quartermaster Center, South Carolina: Administrative facility, $98,000.

"Fort Worth General Depot, Texas: Operational facilities, maintenance facilities, land acquisition, and utilities, $1,285,000.

"New Cumberland General Depot, Pennsylvania: Maintenance facilities, $631,000.

"Sharpe General Depot, California: Maintenance facilities, $655,000.

"(Chemical Corps)

"Army Chemical Center, Maryland: Troop housing, community facility, and operational facility, $889,000.

"Camp Detrick, Maryland: Storage facilities and utilities, $913,000.

"Dugway Proving Ground, Utah: Research and development facilities and utilities, $867,000.

"(Signal Corps)

"Fort Huachuca, Arizona: Troop housing, maintenance facilities, storage facilities, administrative facility, and utilities, $6,856,000.

"(Corps of Engineers)

"Fort Belvoir, Virginia: Storage facility, training facility, operational facilities, maintenance facilities, research and development facilities, and utilities, $492,000.

"(Transportation Corps)

"Fort Eustis, Virginia: Operational facility, maintenance facility, and utilities, $1,231,000.

"(Medical Corps)

"Walter Reed Army Medical Center, District of Columbia: Research and development facility and community facility, $4,209,000.

"Field Forces Facilities

"(First Army area)

"Fort Devens (Camp Wellfleet), Massachusetts: Land acquisition, $302,000.

"Fort Dix, New Jersey: Training facility, $54,000.

"Oswego, New York: Training facilities and land acquisition, $583,000.

"Fort Totten, New York: Troop housing, storage facilities, and utilities, $1,212,000.

"(Second Army area)

"Fort Knox, Kentucky: Maintenance facilities, and community facilities, $1,698,000.

"Fort George G. Meade, Maryland: Operational facilities, maintenance facilities, medical facility, troop housing, and utilities, $5,885,000.

"South Park Military Reservation, Pennsylvania: Administrative facility, storage facilities, and utilities, $190,000.

"(Third Army area)

"Fort Benning, Georgia: Administrative facilities, maintenance facilities, communications facilities, and community facilities, $422,000.

"Fort Bragg, North Carolina: Administrative facilities, operational facility, and utilities, $645,000.

"Charlotte Armed Forces Induction Station, North Carolina: Administrative facility, $302,000.

"Fort McClellan, Alabama: Troop housing, training facility, and community facility, $397,000.

"Fort Rucker, Alabama: Operational facilities, maintenance facilities, training facilities, storage facilities, administrative facilities, trailer site facilities, land acquisition, and utilities, $7,300,000.

"(Fourth Army area)

"Fort Bliss, Texas: Training facilities, maintenance facilities, administrative facilities, troop housing, community facilities, and utilities, $5,301,000.

"Fort Hood, Texas: Community facilities, maintenance facilities, and storage facilities, $2,457,000.

"Fort Sill, Oklahoma: Training facilities, $4,173,000.

"(Fifth Army area)

"Fort Carson, Colorado: Storage facilities, administrative facilities, troop housing, training facilities, and land acquisition, $3,253,000.

"Fort Benjamin Harrison, Indiana: Troop housing, $140,000.

"Fort Leavenworth, Kansas: Communications facilities and troop housing, $1,092,000.

"Fort Riley, Kansas: Administrative facilities, community facilities, troop housing, and utilities, $1,519,000.

"Saint Louis Support Center, Missouri: Administrative facility, $3,346,000.

"(Sixth Army area)

"Fort Lewis, Washington: Community facilities, training facilities, maintenance facilities, family housing, and utilities, $3,022,000.

"Fort Ord, California: Maintenance facility and community facility, $223,000.

"United States Disciplinary Barracks, California: Community facility, $197,000.

"Yuma Test Station, Arizona: Troop housing, research and development facility, and storage facility, $1,520,000.

"(Military District of Washington)

"Fort McNair, D. C.: Academic facilities, $4,111,000.

"(Armed Forces special weapons project)

"Various installations: Utilities, $478,000.

"(Tactical site support facilities)

"Various locations: Administrative facilities, maintenance facilities, storage facilities, and land acquisition, $8,506,000.

"Outside the United States

"(Alaskan area)

"Ladd Air Force Base: Troop housing and maintenance facilities, $1,688,000.

"Fort Richardson: Storage facilities, $2,333,000.

"Whittier: Storage facilities and training facilities, $2,849,000.

"Wildwood Station (Kenai): Storage facility, $352,000.

"(Far East Command area)

"Okinawa: Storage facilities, operational facilities, maintenance facilities, medical facilities, and utilities, $540,000.

"Korea: Maintenance facilities, storage facilities, port facilities, community facilities, improvements to buildings and utilities, $6,000,000.

"(Pacific Command area)

"Alimanu Military Reservation, Hawaii: Land acquisition, $143,000.

"Helemano, Hawaii: Community facility, land acquisition and utilities, $136,000.

"Schofield Barracks, Hawaii: Family housing and land acquisition, $2,668,000.

"(Caribbean Command area)

"Panama Canal Zone: Sewage disposal system for Army, Navy and Air Force facilities, $1,060,000.

"(United States Army, Europe)

"Various locations: Operational facilities, maintenance facilities, community facilities, storage facilities, training facilities, administrative facilities, medical facilities, troop housing, and utilities, $17,994,000.

"SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, in a total amount $200,783,000.

"SEC. 103. (a) Public Law 161, Eighty-fourth Congress, is amended with respect to Fort Jay, New York, under the heading 'Continental United States' and subheadings 'Field Forces Facilities (First Army Area)' in section 101, by striking out '$731,000' and inserting in place thereof '$1,081,000', and in clause (1) of section 502, by striking out '$224,927,000' and '$533,904,000' and inserting in place thereof '$225,277,000' and '$534,254,000', respectively.

"(b) So much of section 401 of Public Law 534, Eighty-third Congress, as reads 'Adak Station, Alaska: Operational Facilities (including troop housing), $70,000' is amended to read 'Adak Station, Alaska: Operational facilities (including troop housing), $180,000' and clause (4) of section 502 thereof is amended by striking the figure '$462,600' and inserting in place thereof '$572,600'.

"SEC. 104. The Secretary of the Army shall make all necessary studies, by contract or otherwise, to determine an appropriate site for the relocation of the San Jacinto Ordnance Depot, Texas; such studies to be completed by January 31, 1957. Expenditure of $25,000 out of appropriations available to the Department of the Army is authorized for such studies.

"TITLE II

"SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities and equipment, for the following projects:

"Inside the United States

"Shipyard Facilities

"Naval shipyard, Boston, Massachusetts: Replacement of pier, and plans and specifications for drydock facilities, $7,332,000.

"Naval shipyard, Charleston, South Carolina: Dredging equipment, $148,000.

"Naval minecraft base, Charleston, South Carolina: Operational facilities, personnel facilities, training facilities, maintenance facilities, storage facilities, community facilities, security facilities, and utilities, $7,902,000.

"Naval shipyard, Long Beach, California: facilities for remedying effects of ground subsidence and waterfront facilities, $5,984,000.

"Navy underwater sound laboratory, New London, Connecticut: Research and development facilities and land acquisition, $304,000.

"Harbor defense base, Norfolk, Virginia: Personnel facilities $300,000.

"Naval shipyard, Norfolk, Virginia: Utilities and land acquisition, $244,000.

"Navy mine defense laboratory, Panama City, Florida: Medical facilities, $84,000.

"Naval shipyard, San Francisco, California: Plans and specifications for drydock facilities, $1,300,000.

"Naval industrial reserve shipyard, Tampa, Florida: Land acquisition, $200,000.

"Fleet Base Facilities

"Naval station, Key West, Florida: Utilities, $927,000.

"Naval station, Long Beach, California: Waterfront facilities, $2,256,000.

"Naval station: New Orleans, Louisiana: Utilities, $226,000.

"Naval station, Newport, Rhode Island: Waterfront facilities, personnel facilities, community facilities and utilities, $11,672,000.

"Naval station, Norfolk, Virginia: Personnel facilities, $2,844,000.

"Naval station, Orange, Texas: Flood-protection facilities, including land acquisition, $265,000.

"Aviation Facilities

"(Naval air training stations)

"Naval auxiliary landing field, Alice-Orange Grove, Texas: Airfield pavements, $2,242,000.

"Naval auxiliary air station, Chase Field, Texas: Personnel facilities, operational facilities, community facilities, station and aircraft maintenance facilities, and utilities, $2,247,000.

"Naval air station, Glynco, Georgia: Airfield pavements, personnel facilities, aircraft maintenance facilities, training facilities, fuel pipeline and storage facilities, and land acquisition, $4,003,000.

"Naval auxiliary air station, Kingsville, Texas: Personnel facilities, training facilities, aircraft maintenance facilities, community facilities, and utilities, $2,610,000.

"Naval air station, Memphis, Tennessee: Fuel storage facilities and aircraft maintenance facilities, $511,000.

"Naval auxiliary air station, Meridian, Mississippi: Site preparation, utilities, plans and specifications for jet aircraft training facilities, and land acquisition, $8,231,000.

"Naval air station, Pensacola, Florida: Community facilities and plans and specifications for waterfront facilities, $347,000.

"Naval auxiliary air station, Whiting Field, Florida: Land acquisition, $13,000.

"(Fleet support air stations)

"Naval air station, Alameda, California: Aircraft maintenance facilities, $2,675,000.

"Naval air station, Atlantic City, New Jersey: Navigational aids and land acquisition, $421,000.

"Naval auxiliary air station, Brown Field, California: Personnel facilities and utilities, $778,000.

"Naval air station, Brunswick, Maine: Personnel facilities, airfield pavements, station maintenance facilities, community facilities, and storage facilities, $3,738,000.

"Naval air station, Cecil Field, Florida: Aircraft maintenance facilities, personnel facilities, storage facilities, operational facilities, training facilities, community facilities, and utilities, $4,052,000.

"Naval air station, Chincoteague, Virginia: Aircraft maintenance facilities, $170,000.

"Naval auxiliary air station, Edenton, North Carolina: Aircraft and station maintenance facilities, airfield pavements, fuel dispensing facilities, operational facilities, administrative facilities, personnel facilities, communications facilities, community facilities, and utilities, $13,926,000.

"Naval auxiliary air station, El Centro, California: Aircraft maintenance facilities, and land acquisition including not to exceed $660,000 to be paid to Imperial County, California, to partially defray the county's cost in relocating the Niland-Blythe Road, $831,000.

"Naval auxiliary air station, Fallon, Nevada: Training facilities, aircraft maintenance facilities, community facilities, and land acquisition, except none of the authorization for land acquisition pertaining to the Black Rock area shall apply unless the Secretary of Defense shall resurvey the entire requirement, including the possible use of other Government-controlled lands in the State of Nevada and the possibility of joint Navy-Air Force utilization of existing facilities, and the Secretary of Defense shall certify to the Armed Services Committees of the Senate and House of Representatives that the acquisition of the Black Rock extension is essential to meet the Navy's training requirements, $8,304,000.

"Naval air facility, Harvey Point, North Carolina: Airfield pavements, waterfront facilities, fuel storage and dispensing facilities, navigational aids, aircraft and station maintenance facilities, utilities, and land acquisition, $6,000,000.

"Naval air station, Jacksonville, Florida: Navigational aids, operational facilities, and land acquisition, $2,380,000.

"Naval air station, Key West, Florida: Aircraft maintenance facilities, $170,000.

"Naval air station, Lemoore, California: Plans and specifications for development of master jet aircraft facilities, and land acquisition, $10,089,000.

"Naval air station, Miramar, California: Personnel facilities, operational facilities, training facilities, ordnance facilities, land acquisition, and obstruction removal for flight clearance, $8,835,000.

"Naval air station, Moffet Field, California: Land acquisition, $89,000.

"Naval air station, Norfolk, Virginia: Aircraft maintenance facilities, $170,000.

"Naval air station, North Island, San Diego, California: Airfield pavements, ordnance and ammunition storage facilities, aircraft maintenance facilities, waterfront facilities, operational facilities, navigational aids, and land acquisition, $13,072,000.

"Naval air station, Oceana, Virginia: Aircraft maintenance, facilities, personnel facilities, operational facilities, community facilities, training facilities, ordnance facilities, open storage facilities, security facilities, utilities, and relocation of Coast Guard facilities, $5,286,000.

"Naval air station, Quonset Point, Rhode Island: Aircraft maintenance facilities, and navigational aids, $2,753,000.

"Naval auxiliary air station, Sanford, Florida: Aircraft maintenance facilities, airfield pavements, personnel facilities, and utilities, $6,926,000.

"Naval air station, Whidbey Island, Washington: Utilities, $149,000.

"(Marine Corps air stations)

"Marine Corps auxiliary air station, Beaufort, South Carolina: Aircraft and station maintenance facilities, administrative facilities, medical facilities, personnel facilities, training facilities, operational facilities, covered and cold storage facilities, community facilities, fuel dispensing facilities, and utilities, $17,384,000.

"Marine Corps air station, Cherry Point, North Carolina: Aircraft maintenance facilities, $170,000.

"Marine Corps air station, El Toro, California: Aircraft maintenance facilities, administrative facilities, airfield pavements, storage facilities, ammunition storage facilities, medical facilities, training facilities, personnel facilities, operational facilities, and utilities, $6,863,000.

"Marine Corps auxiliary air station, Mojave, California: Aircraft maintenance facilities, airfield pavements, personnel facilities, training facilities, community facilities, fuel storage and dispensing facilities, land acquisition, and utilities, $12,556,000.

"(Special purpose air stations)

"Naval air development center, Johnsville, Pennsylvania: Plans and specifications for research and development facilities, $693,000.

"Naval air station, Lakehurst, New Jersey: Research and development facilities and equipment maintenance facilities, $6,438,000.

"Naval air station, Patuxent River, Maryland: Aircraft maintenance facilities and research and development facilities, $475,000.

"Naval air missile test center, Point Mugu, California: Waterfront facilities, fuel dispensing facilities, aircraft mantenance facilities, and community facilities, $1,682,000.

"Naval air turbine test station, Trenton, New Jersey: Research and development facilities, $128,000.

"Supply Facilities

"Naval supply depot, Clearfield, Utah: Utilities, $149,000.

"Naval supply depot, Newport, Rhode Island: Storage facilities, $390,000.

"Naval supply center, Oakland, California: Utilities, $50,000.

"Naval supply depot, Seattle, Washington: Replacement of seawall, $199,000.

"Marine Corps Facilities

"Marine Corps supply center, Albany, Georgia: Storage facilities, personnel facilities, maintenance facilities, community facilities, and utilities, $1,742,000.

"Marine Corps supply center, Barstow, California: Operational facilities, maintenance facilities, personnel facilities, administrative facilities, and community facilities, $3,436,000.

"Marine Corps base, Camp Lejeune, North Carolina: Personnel facilities, administrative facilities, training facilities, community facilities, medical facilities, storage facilities, and utilities, $5,092,000.

"Marine Corps Recruit Depot, Parris Island, South Carolina: Personnel facilities, administrative facilities, storage facilities, training facilities, community facilities, and utilities, $4,266,000.

"Marine Corps base, Camp Pendleton, California: Utilities, boat basin facilities, and land acquisition, $3,429,000.

"Marine Corps cold weather battalion, Bridgeport, California: Utilities, $294,000.

"Marine Corps training center, Twentynine Palms, California: Community facilities and land acquisition, $1,165,000.

"Marine Corps supply forwarding annex, Portsmouth, Virginia: Security facilities, $91,000.

"Marine Corps schools, Quantico, Virginia: Training facilities, ammunition storage and ordnance facilities, community facilities, and utilities, $2,178,000.

"Marine Corps recruit depot, San Diego, California: Personnel facilities and community facilities, $1,679,000.

"Ordnance Facilities

"Naval ammunition depot, Bangor, Washington: Ordnance facilities, $1,100,000.

"Naval ammunition depot, Charleston, South Carolina: Ordnance facilities, $404,000.

"Naval ordnance test station, China Lake, California: Research and development facilities, aircraft maintenance facilities, airfield pavements and fuel storage and dispensing facilities, $6,028,000.

"Naval ammunition depot, Earle, New Jersey: Ordnance facilities, $600,000.

"Naval ammunition depot, Fallbrook, California: Ammunition storage and ordnance facilities, $1,584,000.

"Naval ammunition depot, Hingham, Massachusetts: Ammunition storage and ordnance facilities, $993,000.

"Naval ammunition and net depot, Seal Beach, California: Ordnance facilities, $2,176,000.

"Naval mine depot, Yorktown, Virginia: Ammunition storage and ordnance facilities and utilities, $3,480,000.

"Service School Facilities

"Naval Academy, Annapolis, Maryland: Earthwork and land acquisition, $7,469,000.

"Naval training center, Bainbridge, Maryland: Personnel facilities, training facilities, and utilities, $6,569,000.

"Naval receiving station, Brooklyn, New York: Personnel facilities, $97,000.

"Naval amphibious base, Coronado, California: Training facilities, personnel facilities, and utilities, $5,660,000.

"Fleet air defense training center, Dam Neck, Virginia: Personnel facilities, $237,000.

"Naval training center, Great Lakes, Illinois: Personnel facilities, and training facilities, $8,413,000.

"Medical Facilities

"Naval hospital, Great Lakes, Illinois: Medical facilities, $12,730,000.

"Naval hospital, Portsmouth, New Hampshire: Hospital elevator, $57,000.

"Communications Facilities

"Naval radio station, Cheltenham, Maryland: Communications facilities, personnel facilities, and utilities, $2,489,000.

"Naval radio station, Maine: Utilities and land acquisition, $2,450,000.

"Naval communication station, San Francisco, California: Communications facilities and personnel facilities, $2,029,000.

"Naval communication station, Seattle, Washington: Communications facilities, $45,000.

"Naval radio station, Winter Harbor, Maine: Communications facilities, $83,000.

"Office of Naval Research Facilities

"Naval research laboratory, District of Columbia: Plans and specifications for research and development facilities, $1,300,000.

"Yards and Docks Facilities

"Public works center, Norfolk, Virginia: Utilities and land acquisition, $443,000.

"Naval construction battalion center, Port Hueneme, California: Replacement of wharf, and storage facilities, $2,581,000.

"Outside the United States

"Shipyard Facilities

"Naval ship repair facility, Subic Bay, Philippine Islands: Waterfront facilities, $1,637,000.

"Naval base, Subic Bay, Philippine Islands: Utilities at Olongapo, flood control and drainage facilities and community facilities, $9,378,000.

"Fleet Base Facilities

"Naval station, Adak, Alaska: Operational facilities, and laundry and dry cleaning facilities, $2,351,000.

"Naval station, Guantanamo Bay, Cuba: Utilities, $680,000.

"Aviation Facilities

"Naval air station, Atsugi, Japan: Airfield pavements, aircraft maintenance facilities, fuel storage facilities, personnel facilities, and utilities, $1,961,000.

"Naval air station, Barber's Point, Oahu, Territory of Hawaii: Personnel facilities and aircraft maintenance facilities, $870,000.

"Naval air station, Cubi Point, Philippine Islands: Personnel facilities, $1,264,000.

"Naval air station, Guantanamo Bay, Cuba: Aircraft maintenance facilities, personnel facilities, communications facilities, family housing, community facilities, and utilities, $4,572,000.

"Naval air station, Iwakuni, Japan: Aircraft maintenance facilities, airfield pavements, dredging, navigational aids, and fuel storage facilities, $1,704,000.

"Marine Corps air station, Kaneohe Bay, Oahu, Territory of Hawaii: Aircraft maintenance facilities, airfield pavements, and operational facilities, $1,045,000.

"Naval air facility, Port Lyautey, French Morocco: Aircraft maintenance facilities, and family housing, $1,401,000.

"Naval station, Roosevelt Roads, Puerto Rico: Aircraft maintenance facilities, airfield pavements, fuel storage facilities, ordnance facilities, personnel facilities, medical facilities, and utilities, $4,470,000.

"Naval aid station, Sangley Point, Philippine Islands: Airfield pavements, breakwater, and personnel facilities, $3,811,000.

"Supply Facilities

"Naval station, Adak, Alaska: Replacement of fuel storage facilities, $5,000,000.

"Naval station, Argentia, Newfoundland: Fuel storage facilities, $1,599,000.

"Naval supply depot, Subic Bay, Philippine Islands: Covered and cold storage facilities, administrative facilities, operational facilities, maintenance facilities, waterfront facilities, and utilities, $11,598,000.

"Ordnance Facilities

"Naval ammunition depot, Oahu, Territory of Hawaii: Ordnance facilities, $971,000.

"Naval ordnance facility, Port Lyautey, French Morocco: Ordnance facilities $245,000.

"Naval ordnance facility, Yokosuka, Japan: Ordnance facilities, $241,000.

"Communications Facilities

"Naval communication unit, Futema, Okinawa: Communications facilities, $75,000.

"Naval communication station, Guam, Mariana Islands: Communication facilities, $222,000.

"Naval communication facility, Philippine Islands: Communications facilities, and land acquisition, $4,320,000.

"Yards and Dock Facilities

"Fifteenth naval district, Canal Zone: Utilities, $2,210,000.

"SEC. 202. The Secretary of the Navy is authorized to obtain by contract, such engineering, location, and site planning studies as may be necessary to enable him to determine the feasibility and advisability of establishing, continuing, or relocating the following facilities: Naval air station, Norfolk Virginia (bombing targets); Naval magazine, Port Chicago, California. Expenditures not to exceed $150,000 for such studies may be made out of the appropriation 'Military Construction, Navy'. The Secretary of the Navy shall report to the Committees on Armed Services of the Senate and House of Representatives the conclusions of these studies together with such recommendations as he shall consider appropriate.

"SEC. 203. The Secretary of the Navy may establish or develop classified naval installations and facilities by constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, equipment, and family housing in the total amount of $84,043,000.

"SEC. 204. Public Law 564, Eighty-first Congress is amended as follows:

"(a) In title II under the heading 'Continental United States' change the amount for 'Naval base, Newport, Rhode Island: Sewage facilities', from '$1,243,000' to '$1,268,000.'

"(b) In title IV section 402, clause (2) change the amount for public works authorized by title II: 'Inside continental United States', from '$135,719,800' to '$135,744,800.'

"SEC. 205. Public Law 155, Eighty-second Congress, as amended, is amended as follows:

"(a) In section 201, as amended strike out so much thereof under the heading 'Continental United States' and subheading 'supply facilities' as reads as follows:

" 'Harpswell Neck Fuel Facility, Portland, Maine, area: Aviation gasoline and jet fuel bulk storage; $2,766,500'; and insert in place thereof the following:

" 'Harpswell Neck Fuel Facility, Portland, Maine, area: Aviation gasoline and jet fuel bulk storage and land acquisition, $2,766,500'."

"(b) In section 201, under the heading 'Outside Continental United States' and subheading 'Communication facilities,' strike out so much thereof as reads as follows:

" 'Naval communication station, Philippine Islands: Consolidated communication facilities; $2,694,500'; and insert in place thereof the following:

" 'Naval communication station, Philippine Islands: Consolidated communications facilities, and land acquisition, $2,694,500.'

"SEC. 206. Public Law 534, 83d Congress, is amended as follows:

"(a) In section 201, under the heading 'Continental United States' and subheading 'Aviation facilities,' change the amount for 'Naval air missile test center (San Nicolas Island), Point Mugu, California,' from '$1,132,000' to '$1,816,000.'

"(b) In section 201, under the heading 'Continental United States' and subheading 'Ordnance facilities,' change the amount for 'Naval ammunition depot, Hawthorne, Nevada' from '$308,000' to '$538,00.'

"(c) In secton 502, clause (2), change the amount for public works authorized by title II for inside continental United States from '$102,042,000' to '$102,956,000'; and total amount from '$201,893,000' to '$202,807,000.'

"SEC. 207. Public Law 161, 84th Congress, is amended as follows:

"(a) In section 201, under the heading 'Continental United States' and subheading 'Shipyard facilities,' change the amount for 'Naval electronics laboratory, San Diego, California' from '$143,000' to '$162,000.'

"(b) In section 201, under the heading 'Continental United States' and subheading 'Fleet base facilities', delete that portion which reads as follows: 'Navy Department District of Columbia: family housing, $81,000.'

"(c) In section 201, under the heading 'Continental United States' and subheading 'Aviation facilities,' change the amount for 'Naval auxiliary air station, El Centro, California' from '$366,000' to '$450,000'; strike out so much thereof as reads as follows:

" 'Naval air station, Norfolk, Virginia: Aircraft maintenance facilities, training facilities, communication facilities, operational facilities, $4,660,000'; and insert in place thereof the following:

" 'Naval air station, Norfolk, Virginia: Aircraft maintenance facilities, training facilities, communication facilities, operational facilities, and land acquisition, $4,660,000'."

"(d) In section 201 under the heading 'Continental United States' and subheading 'Ordnance facilities', delete that portion which reads as follows: 'Naval proving ground, Dahlgren, Virginia: Land acquisition $200,000'.

"(e) In section 201, under the heading 'Outside Continental United States' and subheading 'Ordnance facilities', strike out so much thereof as reads as follows:

" 'Naval ammunition depot, Oahu, Territory of Hawaii: Testing facilities, and railroad facilities and barricades, $1,132,000'; and insert in place thereof the following:

" 'Naval ammunition depot, Oahu, Territory of Hawaii: Testing facilities, railroad facilities and barricades, and land acquisition, $1,132,000'.

"(f) In section 502, clause (2), change the amount for public works authorized by title II for inside continental United States from '$269,690,600' to '$299,512,600'; and the total amount from '$564,224,300' to '$564,046,300'.

"TITLE III

"SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities and equipment, for the following projects:

"Inside the United States

"Air Defense Command

"Buckingham Air Force Base, Fort Myers, Florida: Operational and training facilities, $629,000.

"Duluth Municipal Airport, Duluth, Minnesota: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $41,211,000.

"Ent Air Force Base, Colorado Springs, Colorado: Housing and community facilities, $342,000.

"Ethan Allen Air Force Base, Winooski, Vermont: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $5,211,000.

"Geiger Field, Spokane, Washington: Operational and training facilities, maintenance facilities, and housing and community facilities, and family housing, $2,827,000.

"Glasgow Air Force Base, Glasgow, Montana: Operational and training facilities, maintenance facilities, utilities and ground improvements, land acquisition, and family housing, $2,470,000.

"Grand Forks Air Force Base, Grand Forks, North Dakota: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $18,969,000.

"Grandview Air Force Base, Kansas City, Missouri: Operational and training facilities, maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,673,000.

"Greater Pittsburgh Airport, Coraopolis, Pennsylvania: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, and land acquisition, $1,087,000.

"Hamilton Air Force Base, San Rafael, California: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $2,966,000.

"K. I. Sawyer Municipal Airport, Marquette, Michigan: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $5,051,000.

"Manistee Air Force Base, Manistee, Michigan: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, and utilities and ground improvements, $2,906,000.

"Kinross Air Force Base, Sault Sainte Marie, Michigan: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $2,156,000.

"Klamath Falls Municipal Airport, Klamath Falls, Oregon: Operational and training facilities, maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,130,000.

"McChord Air Force Base, Tacoma, Washington: Operational and training facilities, maintenance facilities, and land acquisition, $1,514,000.

"McGhee-Tyson Airport, Knoxville, Tennessee: Operational and training facilities, maintenance facilities, administrative facilities, housing and community facilities, and land acquisition, $2,054,000.

"Majors Field, Greenville, Texas: Operational and training facilities, and land acquisition, $440,000.

"Minneapolis-Saint Paul International Airport, Minneapolis, Minnesota: Operational and training facilities, and maintenance facilities, $3,015,000.

"Minot Air Force Base, Minot, North Dakota: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $21,215,000.

"Newcastle County Airport, Wilmington, Delaware: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $6,184,000.

"Niagara Falls Municipal Airport, Niagara Falls, New York: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, and land acquisition, $3,030,000.

"Otis Air Force Base, Falmouth, Massachusetts: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, land acquisition, and family housing, $11,577,000.

"Oxnard Air Force Base, Camarillo, California: Operational and training facilities, maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $2,392,000.

"Paine Air Force Base, Everett, Washington: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $4,127,000.

"Greater Portland, Oregon, area: Operational and training facilities, maintenance facilities, supply facilities, utilities and ground improvements, and land acquisition, $13,508,000.

"Presque Isle Air Force Base, Presque Isle, Maine: Operational and training facilities, maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $8,057,000.

"Richard Bong Air Force Base, Kansasville, Wisconsin: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, and utilities and ground improvements, $6,801,000.

"Selfridge Air Force Base, Mount Clemens, Michigan: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $2,494,000.

"Sioux City Municipal Airport, Sioux City, Iowa: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $2,288,000.

"Stewart Air Force Base, Newburgh, New York: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $1,802,000.

"Suffolk County Air Force Base, Westhampton Beach, New York: Operational and training facilities, maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $5,441,000.

"Truax Field, Madison, Wisconsin: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $4,876,000.

"Wurtsmith Air Force Base, Oscoda, Michigan: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, utilities and ground improvements, land acquisition, and family housing, $3,278,000.

"Youngstown Municipal Airport, Youngstown, Ohio: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $2,255,000.

"Yuma County Airport, Yuma, Arizona: Operational and training facilities, maintenance facilities, administrative facilities, housing and community facilities, and land acquisition, $3,545,000.

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, utilities and ground improvements and land acquisition except that none of the authorization relating to the TALOS missile shall be effective until the Secretary of Defense shall have come into agreement with the Armed Services Committees of the Senate and of the House of Representatives with respect to its utilization, $37,760,000.

"Air Materiel Command

"Brookley Air Force Base, Mobile, Alabama: Housing and community facilities, and land acquisition, $1,541,000.

"Griffiss Air Force Base, Rome, New York: Operational and training facilities, maintenance facilities, research, development and test facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $17,966,000.

"Hill Air Force Base, Ogden, Utah: Maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,339,000.

"Kelly Air Force Base, San Antonio, Texas: Operational and training facilities, maintenance facilities, and utilities and ground improvements, $1,570,000.

"Marietta Air Force Station, Marietta, Pennsylvania: Supply facilities, $52,000.

"McClellan Air Force Base, Sacramento, California: Administrative facilities, housing and community facilities, and land acquisition, $1,424,000.

"Mukilteo Fuel Storage Station, Mukilteo, Washington: Land acquisition, $4,000.

"Norton Air Force Base, San Bernardino, California: Operational and training facilities, and housing and community facilities, $1,572,000.

"Olmstead Air Force Base, Middletown, Pennsylvania: Maintenance facilities, administrative facilities, and utilities and ground improvements, $3,983,000.

"Robins Air Force Base, Macon, Georgia: Operational and training facilities, housing and community facilities, and utilities and ground improvements, $5,478,000.

"Searsport Fuel Storage Station, Searsport, Maine: Supply facilities, $473,000.

"Tacoma Fuel Storage Station, Tacoma, Washington: Supply facilities, $129,000.

"Tinker Air Force Base, Oklahoma City, Oklahoma: Operational and training facilities, hospital facilities, and housing and community facilities, $5,990,000.

"Wilkins Air Force Station, Shelby, Ohio: Family housing, $89,000.

"Wright-Patterson Air Force Base, Dayton, Ohio: Operational and training facilities, maintenance facilities, research development and test facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $17,138,000.

"Various locations: Administrative facilities, housing and community facilities, and utilities, and ground improvements, $444,000.

"Air Proving Ground Command

"Eglin Air Force Base, Valparaiso, Florida: Operational and training facilities, maintenance facilities, research, development and test facilities, hospital and medical facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $21,094,000.

"Air Training Command

"Amarillo Air Force Base, Amarillo, Texas: Operational and training facilities, maintenance facilities, supply facilities, and utilities and ground improvements, $17,121,000.

"Bryan Air Force Base, Bryan, Texas: Housing and community facilities, and land acquisition, $1,288,000.

"Craig Air Force Base, Selma, Alabama: Operational and training facilities, and land acquisition, $18,000.

"Edward Gary Air Force Base, San Marcos, Texas: Maintenance facilities, $783,000.

"Ellington Air Force Base, Houston, Texas: Land acquisition, $63,000.

"Francis E. Warren Air Force Base, Cheyenne, Wyoming: Housing and community facilities, and utilities and ground improvements, $1,654,000.

"Goodfellow Air Force Base, San Angelo, Texas: Operational and training facilities, supply facilities, utilities and ground improvements, and land acquisition, $8,804,000.

"James Connally Air Force Base, Waco, Texas: Operational and training facilities, and land acquisition, $4,687,000.

"Keesler Air Force Base, Biloxi, Mississippi: Land acquisition, $34,000.

"Lackland Air Force Base, San Antonio, Texas: Hospital and medical facilities, $3,440,000.

"Laredo Air Force Base, Laredo, Texas: Utilities and ground improvements, and land acquisition, $225,000.

"Laughlin Air Force Base, Del Rio, Texas: Operational and training facilities, and housing and community facilities, $212,000.

"Lowry Air Force Base, Denver, Colorado: Land acquisition, $410,000.

"Luke Air Force Base, Phoenix, Arizona: Operational and training facilities, maintenance facilities, and land acquisition, $2,902,000.

"Mather Air Force Base, Sacramento, California: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $21,650,000.

"McConnell Air Force Base, Wichita, Kansas: Land acquisition, $396,000.

"Moody Air Force Base, Valdosta, Georgia: Operational and training facilities, and maintenance facilities, $1,848,000.

"Nellis Air Force Base, Las Vegas, Nevada: Operational and training facilities, and land acquisition, $3,456,000.

"Parks Air Force Base, Pleasanton, California: Utilities and ground improvements, $111,000.

"Perrin Air Force Base, Sherman, Texas: Operational and training facilities, and land acquisition, $2,260,000.

"Randolph Air Force Base, San Antonio, Texas: Land acquisition, $133,000.

"Reese Air Force Base, Lubbock, Texas: Operational and training facilities, and land acquisition, $4,164,000.

"Scott Air Force Base, Bellville, Illinois: Operational and training facilities, supply facilities, and land acquisition, $3,296,000.

"Sheppard Air Force Base, Wichita Falls, Texas: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $24,433,000.

"Stead Air Force Base, Reno, Nevada: Supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $2,221,000.

"Tyndall Air Force Base, Panama City, Florida: Operational and training facilities, and maintenance facilities, $716,000.

"Vance Air Force Base, Enid, Oklahoma: Operational and training facilities, and land acquisition, $977,000.

"Webb Air Force Base, Big Spring, Texas: Operational and training facilities, $90,000.

"Williams Air Force Base, Chandler, Arizona: Operational and training facilities, maintenance facilities, and land acquisition, $6,347,000.

"Air University

"Maxwell Air Force Base, Montgomery, Alabama: Operational and training facilities, and housing and community facilities, $215,000.

"Continental Air Command

"Beale Air Force Base, Marysville, California: Operational and training facilities, supply facilities, and utilities and ground improvements, $13,395,000.

"Brooks Air Force Base, San Antonio, Texas: Operational and training facilities, and maintenance facilities, $237,000.

"Dobbins Air Force Base, Marietta, Georgia: Housing and community facilities, $345,000.

"Mitchel Air Force Base, Hempstead, New York: Utilities and ground improvements, $205,000.

"Headquarters Command

"Bolling Air Force Base, Washington, D. C.: Utilities and ground improvements, $8,000.

"Military Air Transport Command

"Andrews Air Force Base, Camp Springs, Maryland: Operational and training facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $7,335,000.

"Charleston Air Force Base, Charleston, South Carolina: Operational and training facilities, and utilities and ground improvements, $868,000.

"Dover Air Force Base, Dover, Delaware: Operational and training facilities, supply facilities, administrative facilities, housing and community facilities, and utilities and ground improvements, $3,195,000.

"McGuire Air Force Base, Wrightstown, New Jersey: Operational and training facilities, supply facilities, hospital and medical facilities, administrative facilities, and housing and community facilities, $2,169,000.

"Palm Beach Air Force Base, Palm Beach, Florida: Operational and training facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,545,000.

"Vint Hill Farm Station, Warrenton, Virginia: Operational and training facilities, $768,000.

"Washington National Airport, District of Columbia: Maintenance facility, $275,000.

"Research and Development Command

"Canel Air Force Plant #62, Hartford, Connecticut: Research, development, and test facilities, and utilities and ground improvements, $22,445,000.

"Edwards Air Force Base, Muroc, California: Research, development, and test facilities, and housing and community facilities, $5,488,000.

"Holloman Air Force Base, Alamogordo, New Mexico: Operational and training facilities, maintenance facilities, research, development, and test facilities, and housing and community facilities, $7,877,000.

"Indian Springs Air Force Base, Indian Springs, Nevada: Housing and community facilities, and utilities and ground improvements, and family housing, $961,000.

"Kirtland Air Force Base, Albuquerque, New Mexico: Operational and training facilities, maintenance facilities, and research, development, and test facilities, $5,481,000.

"Laredo Test Site, Laredo, Texas: Research, development, and test facilities, and land acquisition, $1,219,000.

"Laurence G. Hanscom Field, Bedford, Massachusetts: Operational and training facilities, maintenance facilities, research, development, and test facilities, housing and community facilities, utilities, and ground improvements, and land acquisition, $6,939,000.

"National Reactor Test Station, Idaho Falls, Idaho: Operational and training facilities, research, development and test facilities, and utilities and ground improvements, $11,415,000

"Patrick Air Force Base, Cocoa, Florida: Operational and training facilities, research, development and test facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $15,169,000.

"Sacramento Peak Observatory, Sacramento Peak, New Mexico: Family housing, $153,000.

"Strategic Air Command

"Abilene Air Force Base, Abilene, Texas: Operational and training facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,043,000.

"Altus Air Force Base, Altus, Oklahoma: Housing and community facilities, and utilities and ground improvements, $1,003,000.

"Barksdale Air Force Base, Shreveport, Louisiana: Operational and training facilities, maintenance facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $2,117,000.

"Bergstrom Air Force Base, Austin, Texas: Operational and training facilities, supply facilities, housing and community facilities, and land acquisition, $15,938,000.

"Biggs Air Force Base, El Paso, Texas: Operational and training facilities, and housing and community facilities, $922,000.

"Campbell Air Force Base, Hopkinsville, Kentucky: Operational and training facilities, and utilities and ground improvements, $479,000.

"Carswell Air Force Base, Fort Worth, Texas: Operational and training facilities, and maintenance facilities, $2,438,000.

"Castle Air Force Base, Merced, California: Operational and training facilities, maintenance facilities, hospital and medical facilities, and housing and community facilities, $2,179,000.

"Clinton-Sherman Air Force Base, Clinton, Oklahoma: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $7,004,000.

"Columbus Air Force Base, Columbus, Mississippi: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $14,518,000.

"Davis-Monthan Air Force Base, Tucson, Arizona: Operational and training facilities, and land acquisition, $503,000.

"Dow Air Force Base, Bangor, Maine: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, and utilities and ground improvements, $7,665,000.

"Dublin Air Force Base, Georgia: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $6,478,000.

"Ellsworth Air Force Base, Rapid City, South Dakota: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $943,000.

"Fairchild Air Force Base, Spokane, Washington: Operational and training facilities, maintenance facilities, housing and community facilities, and utilities and ground improvements, $4,457,000.

"Forbes Air Force Base, Topeka, Kansas: Operational and training facilities, and housing and community facilities, $1,271,000.

"Gray Air Force Base, Killeen, Texas: Operational and training facilities, $23,000.

"Greenville Air Force Base, Greenville, Mississippi: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $2,483,000.

"Hobbs Air Force Base, Hobbs, New Mexico: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $6,547,000.

"Homestead Air Force Base, Homestead, Florida: Operational and training facilities, hospital and medical facilities, housing and community facilities, utilities, and ground improvements, and land acquisition, $1,694,000.

"Hunter Air Force Base, Savannah, Georgia: Operational and training facilties, utilities and ground improvements, and land acquisition, $1,131,000.

"Lake Charles Air Force Base, Lake Charles, Louisiana: Operational and training facilities, housing and community facilities, and utilities and ground improvements, $1,552,000.

"Lincoln Air Force Base, Lincoln, Nebraska: Operational and training facilities, maintenance facilities, housing and community facilities, and utilities and ground improvements, $4,685,000.

"Little Rock Air Force Base, Little Rock, Arkansas: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, and land acquisition, $1,528,000.

"Lockbourne Air Force Base, Columbus, Ohio: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $4,952,000.

"Loring Air Force Base, Limestone, Maine: Operational and training facilities, maintenance facilities, supply facilities, and housing and community facilities, $2,522,000.

"MacDill Air Force Base, Tampa, Florida: Operational and training facilities, maintenance facilities, and housing and community facilities, $3,262,000.

"Malmstrom Air Force Base, Great Falls, Montana: Operational and training facilities, maintenance facilities, and housing and community facilities, $1,236,000.

"March Air Force Base, Riverside, California: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $5,156,000.

"Mitchell Air Force Base, Mitchell, South Dakota: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $6,374,000.

"Mountain Home Air Force Base, Mountain Home, Idaho: Operational and training facilities, maintenance facilities, housing and community facilities, and utilities and ground improvements, $2,064,000.

"Offutt Air Force Base, Omaha, Nebraska: Operational and training facilities, supply facilities, housing and community facilities, utilities and ground improvements, land acquisition, and family housing, $5,697,000.

"Pinecastle Air Force Base, Orlando, Florida: Housing and community facilities, utilities and ground improvements, and land acquisition, $786,000.

"Plattsburgh Air Force Base, Plattsburgh, New York: Housing and community facilities, $1,491,000.

"Portsmouth Air Force Base, Portsmouth, New Hampshire: Operational and training facilities, and housing and community facilities, $661,000.

"Smoky Hill Air Force Base, Salina, Kansas: Operational and training facilities, hospital and medical facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $3,882,000.

"Travis Air Force Base, Fairfield, California: Operational and training facilities, maintenance facilities, and utilities and ground improvements, $923,000.

"Turner Air Force Base, Albany, Georgia: Operational and training facilities, housing and community facilities, and land acquisition, $781,000.

"Walker Air Force Base, Roswell, New Mexico: Operational and training facilities, supply facilities, and housing and community facilities, $2,791,000.

"Westover Air Force Base, Chicopee Falls, Massachusetts: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $9,315,000.

"Whiteman Air Force Base, Knobnoster, Missouri: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $3,815,000.

"Tactical Air Command

"Ardmore Air Force Base, Ardmore, Oklahoma: Maintenance facilities, supply facilities, and land acquisition, $330,000.

"Blytheville Air Force Base, Blytheville, Arkansas: Operational and training facilities, and maintenance facilities, $933,000.

"Bunker Hill Air Force Base, Peru, Indiana: Operational and training facilities, maintenance facilities, housing and community facilities, and removal of hazard, $2,169,000.

"Clovis Air Force Base, Clovis, New Mexico: Operational and training facilities, maintenance facilities, housing and community facilities, and relocation of structure, $4,505,000.

"Donaldson Air Force Base, Greenville, South Carolina: Operational and training facilities, $2,428,000.

"England Air Force Base, Alexandria, Louisiana: Operational and training facilities, maintenance facilities, administrative facilities, and housing and community facilities, $2,919,000.

"Foster Air Force Base, Victoria, Texas: Operational and training facilities, maintenance facilities, and utilities and ground improvements, $952,000.

"George Air Force Base, Victorville, California: Operational and training facilities, maintenance facilities, supply facilities, and housing and community facilities, $3,144,000.

"Langley Air Force Base, Hampton, Virginia: Operational and training facilities, and land acquisition, $2,613,000.

"Larson Air Force Base, Moses Lake, Washington: Operational and training facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,111,000.

"Myrtle Beach Municipal Airport, Myrtle Beach, South Carolina: Operational and training facilities, maintenance facilities, hospital and medical facilities, and housing and community facilities, $1,665,000.

"Pope Air Force Base, Fort Bragg, North Carolina: Operational and training facilities, maintenance facilities, and land acquisition, $1,106,000.

"Stewart Air Force Base, Smyrna, Tennessee: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $1,583,000.

"Seymour Johnson Air Force Base, Goldsboro, North Carolina: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, administrative facilities, and housing and community facilities, $6,637,000.

"Shaw Air Force Base, Sumter, South Carolina: Operational and training facilities, maintenance facilities, and housing and community facilities, $3,805,000.

"Wendover Air Force Base, Wendover, Utah: Operational and training facilities, $67,000.

"Special Facilities

"Various locations: Research, development and test facilities, administrative facilities, and land acquisition, $1,240,000.

"Aircraft control and warning system

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, administrative facilities, housing, and community facilities, utilities and ground improvements, land acquisition, and family housing, $80,942,000.

"Outside the United States

"Alaskan Air Command

"Eielson Air Force Base: Operational and training facilities, maintenance facilities, and family housing, $14,984,000.

"Elmendorf Air Force Base: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, and utilities and ground improvements, $5,444,000.

"Galena Airfield: Operational and training facilities and supply facilities, $1,772,000.

"King Salmon Airport: Operational and training facilities, $289,000.

"Ladd Air Force Base: Operational and training facilities, supply facilities, and utilities and ground improvements, $7,055,000.

"Various locations: Operational and training facilities, $6,628,000.

"Far East Air Forces

"Hickam Air Force Base, Honolulu, Hawaii: Operational and training facilities, $991,000.

"Johnston Island Air Force Base, Johnston Island: Operational and training facilities, and housing and community facilities, $724,000.

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, utilities and ground improvements, land acquisition, and family housing, $25,969,000.

"Military Air Transport Service

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, and utilities and ground improvements, $55,859,000.

"Northeast Air Command

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, housing and community facilities, utilities and ground improvements, and family housing, $75,650,000.

"Strategic Air Command

"Andersen Air Force Base, Guam: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and family housing, $23,980,000.

"Harmon Air Force Base, Guam: Land acquisition, $14,000.

"Northwest Air Force Base, Guam: Operational and training facilities, and maintenance facilities, $229,000.

"Ramey Air Force Base, Puerto Rico: Operational and training facilities, maintenance facilities, and land acquisition, $1,213,000.

"United States Air Force in Europe

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and erection of prefabricated structures, $114,260,000.

"Aircraft Control and Warning System

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $70,000,000.

"SEC. 302. The Secretary of the Air Force may establish or develop: (a) classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, in the total amount of $163,000,000.

"(b) Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions, new weapons developments, or improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $50,000,000: *Provided,* That the Secretary of the Air Force, or his designee, shall notify the Committee on Armed Services of the Senate and House of Representatives immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this subsection, including those real estate actions pertaining thereto.

"SEC. 303. Section 1 of the Act of March 30, 1949 (ch. 41, 50 U. S. C. 491), is amended by the addition of the following:

" 'The Secretary of the Air Force is authorized to procure communication services required for the semiautomatic ground environment system. No contract for such services may be for a period of more than ten years from the date communication services are first furnished under such contract. The aggregate contingent liability of the Government under the termination provisions of all contracts authorized hereunder may not exceed a total of $222,000,000 and no termination payment shall be final until audited and approved by the General Accounting Office which shall have access to such carrier records and accounts as it may deem necessary for the purpose. In procuring such services, the Secretary of the Air Force shall utilize to the fullest extent practicable the facilities and capabilities of communication common carriers, including rural telephone cooperatives, within their respective service areas and for power supply, shall utilize to the fullest extent practicable, the facilities and capabilities of public utilities and rural electric cooperatives within their respective service areas. Negotiations with communication common carriers, including cooperatives, and representation in proceedings involving such carriers before Federal and State regulatory bodies where such negotiations or proceedings involve contracts authorized by this paragraph shall be in accordance with the provisions of section 201 of the Act of June 30, 1949, as amended (40 U. S. C. A. sec. 481).'

"SEC. 304. (a) Public Law 161, Eighty-fourth Congress, is amended, under the heading 'Continental United States' in section 301, as follows:

"Under the subheading 'Air Defense Command'—

"(1) with respect to Buckingham Weapons Center, Fort Myers, Florida, strike out '$11,577,000' and insert in place thereof '$15,462,000'.

"(2) with respect to Duluth Municipal Airport, Duluth, Minnesota, strike out '$1,200,000' and insert in place thereof '$1,623,000'.

"(3) with respect to Grand Forks site, North Dakota, strike out '$5,822,000' and insert in place thereof '$7,709,000'.

"(4) with respect to Greater Milwaukee area, Wisconsin, airbase to be known as 'Richard Bong Air Force Base', strike out '$16,608,000' and insert in place thereof '$23,859,000'.

"(5) with respect to Greater Pittsburgh Airport, Coraopolis, Pennsylvania, strike out '$404,000' and insert in place thereof '$525,000'.

"(6) with respect to Hamilton Air Force Base, San Rafael, California, strike out '$1,501,000' and insert in place thereof '$2,229,000'.

"(7) with respect to Klamath Falls Municipal Airport, Klamath Falls, Oregon, strike out '$2,042,000' and insert in place thereof '$2,656,000'.

"(8) with respect to McGhee-Tyson Airport, Knoxville, Tennessee, strike out '$582,000' and insert in place thereof '$817,000'.

"(9) with respect to Minot site, North Dakota, strike out '$5,339,000' and insert in place thereof '$6,603,000'.

"(10) with respect to Niagara Falls Municipal Airport, Niagara Falls, New York, strike out '$1,748,000' and insert in place thereof '$2,575,000'.

"(11) with respect to Paine Air Force Base, Everett, Washington, strike out '$1,039,000' and insert in place thereof '$1,199,000'.

"'Under the subheading 'Air Materiel Command'—With respect to Searsport Air Force Tank Farm, Searsport, Maine, strike out '$133,000' and insert in place thereof '$329,000'.

"Under the subheading 'Air Training Command'—

"(1) with respect to Ellington Air Force Base, Houston, Texas, strike out '$2,816,000' and insert in place thereof '$3,438,000'.

"(2) with respect to Greenville Air Force Base, Greenville, Mississippi, strike out '$349,000' and insert in place thereof '$500,000'.

"(3) with respect to Luke Air Force Base, Phoenix, Arizona, strike out '$1,557,000' and insert in place thereof '$1,923,000'.

"(4) with respect to Nellis Air Force Base, Las Vegas, Nevada, strike out '$1,153,000' and insert in place thereof '$1,837,000'.

"(5) with respect to Perrin Air Force Base, Sherman, Texas, strike out '$956,000' and insert in place thereof '$1,210,000'.

"(6) with respect to Randolph Air Force Base, San Antonio, Texas, strike out '$549,000' and insert in place thereof '$730,000'.

"(7) with respect to Scott Air Force Base, Belleville, Illinois, strike out '$1,247,000' and insert in place thereof '$1,862,000'.

"(8) with respect to Tyndall Air Force Base, Panama City, Florida, strike out '$478,000' and insert in place thereof '$534,000'.

"(9) with respect to Vance Air Force Base, Enid, Oklahoma, strike out '$871,000' and insert in place thereof '$1,181,000'.

"(10) with respect to Williams Air Force Base, Chandler, Arizona, strike out '$1,045,000' and insert in place thereof '$1,215,000'.

"(11) with respect to Francis E. Warren Air Force Base, Cheyenne, Wyoming, strike out '$1,403,000' and insert in place thereof '$1,746,000'.

"Under the subheading 'Air University'—With respect to Maxwell Air Force Base, Montgomery, Alabama, strike out '$2,661,000' and insert in place thereof '$3,031,000'.

"Under the subheading 'Continental Air Command'—

"(1) with respect to Brooks Air Force Base, San Antonio, Texas, strike out '$590,000' and insert in place thereof '$697,000'.

"(2) with respect to Dobbins Air Force Base, Marietta, Georgia, strike out '$758,000' and insert in place thereof '$859,000'.

"Under the subheading 'Military Air Transport Service'—With respect to Charleston Air Force Base, Charleston, South Carolina, strike out '$4,032,000' and insert in place thereof '$5,306,000'.

"Under the subheading 'Research and Development Command'—

"(1) with respect to Edwards Air Force Base, Muroc, California, strike out '$12,429,000' and insert in place thereof '$13,299,000'.

"(2) with respect to Hartford Research Facility, Hartford, Connecticut, strike out '$22,375,000' and insert in place thereof '$25,780,000'.

"(3) with respect to Holloman Air Force Base, Alamogordo, New Mexico, strike out '$4,965,000' and insert in place thereof '$5,637,000'.

"Under the subheading 'Strategic Air Command'—

"(1) with respect to Abilene Air Force Base, Abilene, Texas, strike out '$4,214,000' and insert in place thereof '$4,656,000'.

"(2) with respect to Ellsworth Air Force Base, Rapid City, South Dakota, strike out '$12,380,000' and insert in place thereof '$15,186,000'.

"(3) with respect to Forbes Air Force Base, Topeka, Kansas, strike out '$4,753,000' and insert in place thereof '$5,885,000'.

"(4) with respect to Great Falls Air Force Base, Great Falls, Montana, strike out '$5,435,000' and insert in place thereof '$6,713,000'.

"(5) with respect to Hunter Air Force Base, Savannah, Georgia, strike out '$4,115,000' and insert in place thereof '$4,951,000'.

"(6) with respect to Pinecastle Air Force Base, Orlando, Florida, strike out '$4,118,000' and insert in place thereof '$5,599,000'.

"Under the subheading 'Tactical Air Command'—With respect to Larson Air Force Base, Moses Lake, Washington, strike out '$3,574,000' and insert in place thereof '$4,724,000'.

"Under the subheading 'Aircraft Control and Warning System'—With respect to 'Various locations' strike out '$100,382,000' and insert in place thereof '$120,382,000'.

"(b) Public Law 161, Eighty-fourth Congress, is amended under the heading 'Outside Continental United States' in section 301, as follows:

"(1) With respect to Kenai Airfield under the subheading 'Alaskan Air Command' strike out '$356,000' and insert in place thereof '$2,247,000'.

"(c) Public Law 161, Eighty-fourth Congress, as amended, is amended by striking out in clause (3) of section 502 the amounts '$743,989,000', '$530,563,000' and '$1,279,902,000' and inserting in place thereof '$801,256,000', '$532,454,000' and '$1,339,060,000', respectively.

"(d) Public Law 534, Eighty-third Congress, is amended, under the heading 'Continental United States' in section 301, as follows: Under the subheading 'Air Defense Command' with respect to Klamath Falls Airport, Klamath Falls, Oregon, strike out '$4,133,000' and insert in place thereof '$5,077,000'.

"(e) Public Law 534, Eighty-third Congress, as amended, is amended by striking out in clause (3) of section 502 the amounts '$405,176,000' and '$415,005,000' and inserting in place thereof '$406,120,000' and '$415,949,000', respectively.

"TITLE IV

"General provisions

"Sec. 401. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to sections 1136, 3648, and 3734 of the Revised Statutes, as amended. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended, and even though the land is held temporarily. The authority to provide family housing includes authority to acquire such land as the Secretary concerned determines, with the approval of the Secretary of Defense, to be necessary in connection with that housing. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

"Sec. 402. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, and III shall not exceed—

"(1) for title I: Inside the United States, $86,916,000; outside the United States, $35,763,000; section 102, $200,783,000; or a total of $323,462,000.

"(2) for title II: Inside the United States, $292,572,000; outside the United States, $61,625,000; section 203, $84,043,000, or a total of $438,240,000; and

"(3) for title III: Inside the United States, $759,123,000; outside the United States, $405,061,000; section 302 (a), $163,000,000; section 302 (b), $50,000,000 or a total of $1,377,184,000.

"Sec. 403. Any of the amounts named in title I, II, or III of this Act may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States and by 10 per centum for projects outside the United States. However, the total cost of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

"Sec. 404. Whenever—

"(1) the President determines that compliance with section 4 (c) of the Armed Services Procurement Act of 1947 (41 U. S. C. 153 (c)) for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

"(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods for adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

"Sec. 405. Contracts made by the United States under this Act shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with the Armed Services Procurement Act of 1947 (41 U. S. C. 153 et seq.).

"Sec. 406. The Secretaries of the military departments may acquire land, and interests in land, not exceeding $5,000 in cost (exclusive of administrative costs and deficiency judgment awards), which the Secretary concerned determines to be urgently required in the interests of national defense. The authority under this section may not, however, be used to acquire more than one parcel of land unless the parcels are noncontiguous or, if contiguous, do not exceed $5,000 in total cost.

"Sec. 407. The Secretaries of the military departments may, with the approval of the Secretary of Defense and following notification of the Armed Services Committees of the Senate and House of Representatives, acquire, construct, rehabilitate, or install permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, to restore or replace facilities damaged or destroyed.

"Sec. 408. (a) Under such regulations as may be prescribed by the Secretary of Defense, the Secretaries of the military departments may expend out of appropriations available for military construction sueh amounts as may be required for the establishment and development of military installations and facilities by acquiring, constructing (except family quarters), converting, extending, or installing permanent or temporary public works determined to be urgently required, including site preparation, appurtenances, utilities, and equipment, for projects not otherwise authorized by law when the cost of the project is not in excess of $200,000, subject to the following limitations:

"(1) No such project, the cost of which is in excess of $50,000, shall be authorized unless approved in advance by the Secretary of Defense.

"(2) No such project, the cost of which is in excess of $25,000 shall be authorized unless approved in advance by the Secretary of the military department concerned.

"(3) Not more than one allotment may be made for any project authorized under this section.

"(4) The cost of conversion of existing structures to family quarters may not ex-

ceed $50,000 in any fiscal year at any single facility.

"(b) The Secretaries of the military departments may expend out of appropriations available for maintenance and operation amounts necessary to accomplish a project which, except for the fact that its cost does not exceed $25,000, would otherwise be authorized to be accomplished under subsection (a).

"(c) The Secretary of each department shall report in detail semiannually to the Armed Services Committees of the Senate and the House of Representatives with respect to the exercise of the authorities granted by this section.

"(d) Section 26 of the Act of August 2, 1946 (60 Stat. 853, 856; 34 U. S. C. 559), is repealed.

"SEC. 409. (a) The Secretary of Defense, acting through the Secretary of a military department, may provide family housing at Fort McNair, District of Columbia, for the Chairman of the Joint Chiefs of Staff by the construction or rehabilitation of one set of family housing, and special communication facilities, without regard to the second proviso of section 3 of the Act of June 12, 1948 (62 Stat. 375, 379), or section 3 of the Act of June 16, 1948 (62 Stat. 459, 462).

"(b) Appropriations not to exceed $180,000 ($100,000 for the family housing unit and $80,000 for special communication facilities) available to the military departments for military construction may be utilized for the purposes of this section without regard to the limitations on the cost of family housing otherwise prescribed by law.

"SEC. 410. As of July 1, 1957, all authorizations for military public works to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in Acts enacted before July 15, 1952, and not superseded or otherwise modified by a later authorization are repealed, except—

"(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

"(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts in whole or in part before July 1, 1957, and authorizations for appropriations therefor;

"(3) the authorization for the rental guaranty for family housing in the amount of $100,000,000 that is contained in section 302 of Public Law 534, Eighty-second Congress;

"(4) the authorizations for public works and the appropriation of funds that are contained in the National Defense Facilities Act of 1950, as amended (50 U. S. C. 881 et seq.); and

"(5) the authorization for the development of the Line of Communications, France, in the amount of $82,000,000, that is contained in title I, section 102 of Public Law 534, Eighty-second Congress.

"SEC. 411. (a) The first paragraph of section 407 of the Act of September 1, 1954 (68 Stat. 1119), as amended, is further amended to read as follows:

" 'In addition to family housing and community facilities otherwise authorized to be constructed or acquired by the Department of Defense, the Secretary of Defense is authorized, subject to the approval of the Director of the Bureau of the Budget, to construct, or acquire by lease or otherwise, family housing for occupancy as public quarters, and community facilities, in foreign countries through housing and community facilities projects which utilize foreign currencies to a value not to exceed $250,000,000 acquired pursuant to the provisions of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 454) or through other commodity transactions of the Commodity Credit Corporation.'

"(b) There are authorized to be appropriated to the Secretaries of the military departments such amounts other than foreign currencies as are necessary for the construction, or acquisition by lease or otherwise, of family housing and community facilities projects in foreign countries that are authorized by section 407 of the Act of September 1, 1954 (68 Stat. 1119), as amended, but the amount so appropriated for any such project may not be more than 25 per centum of the total cost of that project.

"SEC. 412. Section 515 of the Act of July 15, 1955 (69 Stat. 324, 352) is amended to read as follows:

" 'SEC. 515. During the fiscal year 1956, 1957, and 1958 the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military tactical installations for assignment as public quarters to military personnel and their dependents, if any, without rental charge upon a determination by the Secretary of Defense or his designee that there is a lack of adequate housing facilities at or near such military tactical installations. Such housing facilities shall be leased on a family or individual unit basis and not more than three thousand of such units may be so leased at any one time. Expenditures for the rental for such housing facilities may be made out of appropriations available for maintenance and operation but may not exceed $150 a month for any such unit.'

"SEC. 413. (a) The net floor limitations prescribed by section 3 of the Act of June 12, 1948 (5 U. S. C. 626p) do not apply to forty-seven units of the housing authorized to be constructed at the United States Air Force Academy by the Act of April 1, 1954 (68 Stat. 47). The net floor area limitations for those forty-seven units are as follows: five thousand square feet for one unit for the Superintendent; three thousand square feet for each of two units for deans; and one thousand seven hundred and fifty square feet for each of forty-four units for department heads.

"(b) The last sentence of section 9 of the Air Force Academy Act (68 Stat. 49) is amended by striking out '$1,000,000' and inserting in place thereof '$1,858,000'.

"SEC. 414. Section 3 of the National Defense Facilities Act of 1950, as amended (50 U. S. C. 882), is further amended by striking out clause (a) and inserting in place thereof the following:

" '(a) acquire by purchase, lease, or transfer, construct, expand, rehabilitate, convert, and equip such facilities as he shall determine to be necessary to effectuate the purposes of this Act, except that expenditures for the leasing of property for such purposes may be made from appropriations otherwise available for the payment of rentals and without regard to the monetary limitation otherwise imposed by this section;'.

"SEC. 415. To the extent that housing is to be constructed at a military installation under title IV of the Housing Amendments of 1955 (69 Stat. 635, 646), any outstanding authority under the Act of September 1, 1954 (68 Stat. 1119), the Act of July 15, 1955 (69 Stat. 324), and this Act to provide housing at that installation may be exercised at other military installations of the department concerned.

"SEC. 416. The Secretaries of the military departments are authorized to contract for the storage, handling, and distribution of liquid fuels for periods not exceeding five years, with option to renew for additional periods not exceeding five years, for a total not to exceed twenty years. This authority is limited to facilities which conform to the criteria prescribed by the Secretary of Defense for protection, including dispersal, and also are included in a program approved by the Secretary of Defense for the protection of petroleum facilities. Such contracts may provide that the Government at the expiration or termination thereof shall have the option to purchase the facility under contract without regard to sections 1136, 3648, and 3734 of the Revised Statutes, as amended, and prior to approval of title to the underlying land by the Attorney General: *Provided further,* That the Secretaries of the military departments shall report to the Armed Services Committees of the Senate and the House of Representatives with respect to the names of the contractors and the terms of the contracts, the reports to be furnished at times and in such form as may be agreed upon between the Secretaries of the military departments and the Committees on Armed Services.

"SEC. 417. That, notwithstanding any other law, the Secretary of a military department may lease, for terms of not more than five years, off-base structures including real property relating thereto, in foreign countries, needed for military purposes.

"SEC. 418. In the design of family housing or any other repetitive type buildings in the continental United States authorized by this Act, the military departments may, to the extent deemed practicable, use the principle of modular design in order that the facility may be built by conventional construction, on-site fabrication, or factory fabrication.

"SEC. 419. Notwithstanding any other provision of this Act or any other law, no contract shall be entered into by the United States for the construction or acquisition of family housing units by or for the use of military or civilian personnel of any of the military services of the Department of Defense unless the Department of Defense, in each instance, has come into agreement with the Armed Services Committees of the Senate and House of Representatives.

"SEC. 420. The first two sentences of section 404 of the Housing Amendments of 1955 are amended to read as follows: 'Whenever the Secretary of Defense or his designee deem it necessary for the purpose of this title, he may acquire by purchase, donation, condemnation, or other means of transfer, any land or (with the approval of the Federal Housing Commissioner) any housing financed with mortgages insured under the provisions of title VIII of the National Housing Act as in effect prior to the enactment of the Housing Amendments of 1955. The purchase price of any such housing shall not exceed the Federal Housing Administration Commissioner's estimate of the replacement cost of such housing and related property (not including the value of any improvements installed or constructed with appropriated funds) as of the date of final endorsement for mortgage insurance reduced by an appropriate allowance for physical depreciation, as determined by the Secretary of Defense, or his designee upon the advice of the Commissioner: *Provided,* That in any case where the Secretary or his designee acquires a project held by the Commissioner, the price paid shall not exceed the face value of the debentures (plus accrued interest thereon) which the Commissioner issued in acquiring such project."

"SEC. 421. None of the authority contained in titles I, II, and III of this Act shall be deemed to authorize any building construction project within the continental United States at an average nationwide unit cost in excess of—

"(a) $22 per square foot for cold-storage warehousing;

"(b) $6 per square foot for regular warehousing;

"(c) $1,850 per man for permanent barracks;

"(d) $6,500 per man for bachelor officer quarters,

unless the Secretary of Defense determines that, because of special circumstances, application to such project of the limitation on unit costs contained in this section is impracticable.

"SEC. 422. None of the authorization contained in section 101 of this Act for the construction of three-hundred-and-twenty-six-man barracks with mess shall be used to provide, with respect to any such barracks, for mess facilities other than a single, consolidated mess."

And the Senate agree to the same.

CARL VINSON,
OVERTON BROOKS,
PAUL J. KILDAY,
DEWEY SHORT,
L. C. ARENDS (except as to the Kalkaska-Manistee item),
Managers on the Part of the House.

RICHARD B. RUSSELL,
JOHN STENNIS,
HENRY M. JACKSON,
LEVERETT SALTONSTALL (except as to the Kalkaska matter in sec. 301 of title III),
FRANCIS CASE (except as to the Kalkaska matter in sec. 301 of title III),
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9893) to authorize certain construction at military and naval installations, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

LEGISLATION IN CONFERENCE

On April 12, 1956, the House of Representatives passed H. R. 9893, which was the fiscal year 1957 military construction authorization for the three military departments. On June 28, 1956, the Senate considered the House bill and amended it by striking all language after the enacting clause and wrote a new bill.

The larger differences and the action agreed upon by the conferees are as follows:

In title I, the Army section of the bill, the Senate inserted an authority for the construction of troop housing in Korea. The House agreed to the granting of this authority. Also, in title I, the Senate added $12 million to section 102, which contains authority for various classified construction. Upon explanation of the basis for the Senate action, the House accepted the Senate addition.

On the floor of the Senate, certain amendatory language was added to the authorization for the Naval Auxiliary Air Station at Fallon, Nev. In effect, the amendment would require that the Secretary of Defense resurvey the Navy's requirements for land in that area and examine into the possibility of utilizing other Government-controlled lands in the State of Nevada. Upon completion of that resurvey, the Secretary of Defense would certify to the Armed Services Committees that the acquisition of the particular property involved (Black Rock extension) was essential to meet the Navy's training requirements. Although it is the view of the House committee that there has been an exhaustive survey of the naval requirements in this area, and notwithstanding the fact that the House committee feels that the Navy has completely justified its requirements, it receded with respect to this amendment on the basis that an additional survey could be performed expeditiously, and in the event there are any elements of this problem which have not to date come to light, such a survey would be of merit.

As the bill passed the House, it contained an authority for a naval air facility to be known as John H. Towers Field, Annapolis, Md. The Senate bill did not contain this authority. Although the conferees agreed that the air arm of the Navy has become of such importance to our Naval Establishment as to make indoctrination in air matters an important part of the training of a midshipman, the House receded in this instance with the expressed hope that some reasonable solution to this problem can be found. In consonance with the House committee action in this respect, that portion of section 202 which related to an engineering study with respect to Towers Field was stricken from the bill and an appropriate reduction made in the amount authorized for expenditure for this study.

Certain additions to section 203, which increased statutory limitations for construction for the Navy, were agreed to by the House. These additions, as some others throughout the bill, had not been submitted to the House committee since all appropriate approvals and directives had not been issued until after the completion of House action on the bill. In this instance, the addition amounts to $41,046,000.

In title III, the Air Force title, several changes were made by the Senate. These changes for the most part represent, as mentioned above, matters which were brought to the attention of the Senate committee following the completion of House action. The Department of the Air Force has wisely adopted a policy of dispersing its B–52 bombers in order to eliminate concentration of these important airplanes. The conferees are wholeheartedly in favor of this dispersal program and express the hope that the encouraging beginning in this bill will be carried to completion in future authorizations.

In this bill, the dispersal policy finds its implementation by increased authorizations at the following bases: Dow AFB, Maine; Beale AFB, California; Clinton-Sherman AFB, Oklahoma; Griffiss AFB, New York; Mather AFB, California; and Minot AFB, North Dakota. The programs for these bases were part of the bill as it was originally presented to the Congress and, therefore, were the subject of consideration during the House Committee's deliberations on the bill. Subsequent to the presentation of the construction program to the House, the dispersal program had matured even further and the Senate committee granted additional authorities in this area by substantial additions at Bergstrom AFB, Texas; Columbus AFB, Mississippi; Grand Forks AFB, North Dakota; and Sheppard AFB, Texas. Amarillo AFB, Texas, had not been the subject of any request for authorization as the program was submitted to the Congress. Dispersal authorization for this base was requested of the Senate Committee and this base was inserted in the bill with an appropriate authorization. Also added by the Senate Committee were dispersal authorizations for Mitchell AFB, South Dakota and Hobbs AFB, New Mexico.

In furtherance of the dispersal program, the conferees added Dublin Air Force Base, Georgia, as an appropriate location in the southeastern part of the United States. The conferees also granted an additional authority for this same purpose at Whiteman AFB, Missouri, a location in the central part of the United States which the conferees felt was also well adapted to this program.

Some of the authorities granted were reduced for various reasons, including revised estimates of costs.

As the bill passed the House, a new Air Defense Command base in northern Michigan was designated to be at Manistee. The Senate version of the bill changed this location to Kalkaska. The Senate receded in this respect and accepted the Manistee location.

Section 301 of the bill contains an authority in the amount of $37,760,000 for construction at various locations. Some $16 million of this authorization represents authority for the construction of certain Talos site facilities. The Senate reduced this authority by eliminating the Talos authorization. The Senate receded in this respect, but the conferees agreed that the authorization relating to the Talos facilities should not be used until the Secretary of Defense has come into agreement with the Armed Services Committees of the Senate and House of Representatives with respect to the use of this authority. Behind this action lies the concern which has been expressed over the very large expenditures involved, the relative merits of the two systems, and the proper assignment of roles and missions in both the Nike and Talos programs. It is the understanding of the conferees that the respective merits of those two systems will be the subject of very detailed studies and tests which will provide guidance to the respective committees in necessary future determinations relating to this important problem.

Under the heading "United States Air Forces in Europe," several internal adjustments were made in the authorization granted. These adjustments, some of which are classified, resulted in a net increase in authorization of slightly over $17 million. The House receded.

Another example of items which were submitted to the Congress after completion of House action on the bill are contained in an increased authorization of $70 million under the heading "Aircraft Control and Warning System" in section 301 of the bill. This addition, while large, represents an important segment of our defense against attack and was well supported before the Senate committee. The House, therefore, receded in this instance.

Technological breakthroughs, changes in missions, and development of new weapons sometimes generate immediate construction requirements which could not have been anticipated by the military department concerned. The House conferees agreed with the action taken by the Senate, therefore, in adding an emergency $50 million authorization to section 302 of the bill. No appropriations will be requested against this authorization and it is the understanding of the conferees that funds expended under this authority must be derived from existing authorizations.

Section 303 of both the House bill and the Senate amendment authorize the Secretary of the Air Force to procure the communication services required for the semiautomatic ground environment system, an air defense warning system commonly referred to as SAGE. The House bill provides that the Secretary shall utilize to the fullest extent, the facilities and capabilities of communication carriers, including rural telephone cooperatives, within their respective service areas. The Senate amendment contains the same provision, but adds a similar provision with respect to public utilities and rural electric cooperatives in connection with power supply. The conferees have agreed to the Senate language.

The latest estimate of the Air Force is that the annual cost of leased communications for SAGE will reach a total of $157 million annually when the system is fully operative. This is a revision downward from the original estimate of $240 million. In view of the magnitude of the cost involved, the Air Force was asked by the Senate committee whether it has adequate authority in existing law to protect the interests of the Government in connection with the rates for communication services for SAGE. It advised that it does have adequate authority, and it is noted that pursuant to section 201 of the act of June 30, 1949, as amended (40 U. S. C. A. sec. 481), the Department of Defense has already intervened in a pending proceeding before the Federal Communications Commission involving the bulk of the rates for the SAGE project. It is believed that, under these circumstances, the interests of the Government will be more adequately safeguarded.

Under title IV of the bill, General Provisions, the House version authorized the construction of family housing for the Chairman of the Joint Chiefs of Staff and certain commissioned officers and enlisted personnel attached to his staff by the construction or rehabilitation of five sets of family housing, together with certain emergency communication facilities. Appropriations not to exceed $300,000, available to the military departments for military construction, were to be utilized in connection with this authority. The Senate version of the bill granted an authority relating to this matter which varied from the House language in that only one set of family housing was authorized and that was required to be constructed at Fort McNair, D. C. The Senate version permitted the expenditure of $180,000, which was specifically divided into $80,000 for the housing unit and $100,000 for special communication facilities. Inasmuch as it is possible that some misunderstanding existed as to the exact details of the construction of the housing and the communication facilities, the Senate language was modified by allocating $100,000 to the construction of the housing unit and $80,000 to the communication facilities.

Certain modifications were made to section 410 of the bill with the effect that the rescission of previous authorities was made more stringent. An exception was made in this respect for the line of communications in France, since this construction has not progressed with the speed which had been expected.

A new section 417 was added to the bill, which will permit the entrance into leases for terms of not more than 5 years in foreign countries. A study of this matter reveals that substantial savings can be effected by the granting of this authority and the House, therefore, receded. This particular item, again, was an item which had not matured to the point where it could be presented to the House committee during its hearings on the bill.

Section 418 relates to clearance with the Armed Services Committees of housing constructed by or for the use of military or civilian personnel of the military services. The language of this section was slightly modified to include housing which is acquired as well as constructed. It was further modified to conform the clearance procedure, from the standpoint of language, to other similar laws.

With respect to the section of the bill dealing with the use of modular design and construction, the conferees agreed upon language which provides more flexibility in the use of this important construction device.

As the bill passed the House it contained authority for the acquisition of Wherry housing projects. The Senate struck this authority. The conferees agreed upon language which, while similar to that in the House version of the bill, will approach the problem of Wherry housing acquisition in a more realistic fashion. The conferees would like to reiterate the importance which they attach to the acquisition of Wherry housing because of the great savings which can be effected in this field. The new language appears as section 420 of the bill.

On the floor of the Senate an amendment was agreed to which would authorize payments to landowners, the market value of whose property was decreased as a result of the establishment of military facilities adjacent to their properties. The conferees agreed that this matter presents a problem which finds examples in all parts of the country. It is one which is already the subject of study within the Department of Defense and is one which must be faced and solved. The problem does, however, contain so many elements of as yet undetermined nature, and is so fraught with complexities in individual application, that it is obvious it will require extended study before adequate legislation can be developed. The conferees urge that the Department continue its studies in this field in order that it may make appropriate recommendations to Congress without substantial delay.

As the bill passed the House, the authorities granted in the Army, Navy, and Air Force titles totaled $1,843,036,000. The corresponding authority granted in the Senate version of the bill totaled $2,106,611,000, or $263,575,000 more than the House version. The total agreed to by the conferees for titles I, II, and III is $2,138,886,000. This latter sum is $295,850,000 more than the House version and $32,275,000 more than the Senate version.

CARL VINSON,
OVERTON BROOKS,
PAUL J. KILDAY,
DEWEY SHORT,
L. C. ARENDS (except as to the Kalkaska - Manistee item),
Managers on the Part of the House.

Mr. VINSON. Mr. Speaker, this is the conference report on the military public works bill. As stated in the report, you will observe that it calls for an authorization for the three departments, the Army, Navy, and Air Force, in the amount of $2,138,886,000.

There is one phase of this bill that I particularly want to call to your attention, and I deem it proper to do so. I address your attention to that portion of the statement by the managers on the part of the House which states this:

The Department of the Air Force has wisely adopted a policy of dispersing its B–52 bombers in order to eliminate concentration of these important airplanes. The conferees are wholeheartedly in favor of this dispersal program and express the hope that the encouraging beginning in this bill will be carried to completion in future authorizations.

In this bill, the dispersal policy finds its implementation by increased authorizations at the following bases: Dow Air Force Base, Maine; Beale Air Force Base, Calif.; Clinton-Sherman Air Force Base, Okla.; Griffiss Air Force Base, N. Y.; Mather Air Force Base, Calif.; and Minot Air Force Base, N. Dak. The programs for these bases were part of the bill as it was originally presented to the Congress and, therefore, were the subject of consideration during the House committee's deliberations on the bill. Subsequent to the presentation of the construction program to the House, the dispersal program had matured even further and the Senate committee granted additional authorities in this area by substantial additions at Bergstrom Air Force Base, Tex.; Columbus Air Force Base, Miss.; Grand Forks Air Force Base, N. Dak.; and Sheppard Air Force Base, Tex. Amarillo Air Force Base, Tex., had not been the subject of any request for authorization as the program was submitted to the Congress. Dispersal authorization for this base was requested of the Senate committee and this base was inserted in the bill with an appropriate authorization. Also added by the Senate committee were dispersal authorizations for Mitchell Air Force Base, S. Dak., and Hobbs Air Force Base, N. Mex.

In furtherance of the dispersal program, the conferees added Dublin Air Force Base, Ga., as an appropriate location in the southeastern part of the United States. The conferees also granted an additional authority for this same purpose at Whiteman Air Force Base, Mo., a location in the central part of the United States, which the conferees felt was also well adapted to this program.

Members of the Committee, I deem this a very wise step. I deem it highly important that there be a broad dispersal of this type of aircraft as well as a type of aircraft which will soon come into being. I may state to my colleagues I am advised by the Air Force that during the next session of the Congress in carrying out this dispersal program, they will submit requests for similar authority at several new bases, hoping to utilize facilities already in existence and thereby saving large expenditures.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield at that point?

Mr. VINSON. With pleasure.

Mr. MILLER of Nebraska. Could the gentleman tell us if there are any new bases in this bill? I am not referring to the facilities which are being reactivated, but if there are any entirely new bases in the bill and, if so, how many?

Mr. VINSON. There are several. Some are enumerated in the House Report 1890. Other new ones are Mitchell Air Force Base, S. Dak., and Hobbs Air Force Base in New Mexico, and Dublin Air Force Base, Ga., and new authority at Whiteman Air Force Base in Missouri. Some of those bases are not in existence today and in any way connected with the Air Force. Other bases were not designated when the bill was before the House for the dispersal of the B–52's, but we have them in this bill.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield further?

Mr. VINSON. I yield to the gentleman with pleasure.

Mr. MILLER of Nebraska. I am thinking of the many bases that the military has had heretofore in the State of Nebraska such as Grand Island, Kearney, Alliance, and Scottsbluff. They are no longer being used, but they still hold on to them and there is no attempt to reactivate them and put them back into use again.

Mr. VINSON. I get the gentleman's point. I want to say to the House that after a conference this morning with General Twining and other officials of the Air Force, a complete survey will be made all over the United States to see what facilities which were built during World War I and World War II can be used in the dispersal program without buying any more land, thus trying to curtail this large land acquisition program which is going on in the United States.

Mr. MILLER of Nebraska. I agree that that should be done because there were many bases which were used at one time which are quite suitable for the Air Force now. But, they are not using those bases and they are buying new ones and buying new land while they still hold on to the old bases and not turning back the land to private enterprise so that it can be put on the tax rolls, but instead they keep the land tied up. Something ought to be done about that.

Mr. VINSON. That is right. Consider the bases referred to here in the State of Georgia. There are some 833 acres with three runways approximately a mile in length. We want to try to utilize these, and if they do not meet the standards of the Air Force, then we

will not ask the Committee on Appropriations to appropriate 1 penny for any of these bases.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. VINSON. With pleasure.

Mr. GROSS. I commend the distinguished gentleman from Georgia for taking this time to explain the conference report on this bill. The gentleman says he is doing so because the bill is important and involves something more than $2 billion.

A few moments ago the conference report on the foreign-aid bill was called before the House, involving more than $3 billion and yet not one member of the Foreign Affairs Committee took 1 second of time to explain the changes that had been made in that bill and in the increased appropriations in the bill. I say again, I am glad that the gentleman took this time to explain it. I serve notice now that unless conference reports of this importance are to be explained to the House, they will encounter a rollcall every time I am on the floor and have the ability to force a rollcall on these bills. You will not save any time by not giving at least some explanation to the House.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield.

Mrs. ROGERS of Massachusetts. Does it mean that there will be curtailment of work at the different airbases now in operation, like at Bedford?

Mr. VINSON. No; not at all. We are not taking away. We are going to add to. I might make this suggestion: If there is in your district any existing airfield that the Government has spent money on, I suggest to you that you notify the Air Force, so that between now and next January they can make a complete survey to see if they meet the requirements of this dispersal program. Some of this program will be in the northern part of the country and some will be in the southern part of the country. It is highly important that there be complete dispersal of the airplanes which cost what these planes do.

Mr. LECOMPTE. Mr. Speaker will the gentleman yield?

Mr. VINSON. I yield.

Mr. LECOMPTE. Did I understand the gentleman to say that airfields that have belonged to the Navy or the Army in the past, and probably now belong to the Air Force, that have not been used for a considerable period of time, a survey is going to be made to see if those can be sold to cities or municipalities?

Mr. VINSON. Oh, no. We are going to try to use them. If in your district there are any airfields which, in your judgment, should be considered by the Department for the location of strategic bombers, I suggest to you that you notify the Department so that they can make a survey.

Mr. LECOMPTE. You do not anticipate that any airfields will be disposed of?

Mr. VINSON. Oh, no. None will be disposed of as any part of this dispersal program.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield.

Mr. SIKES. The gentleman and his committee are to be commended for laying stress on the very important program of dispersal of defense facilities. One of the great dangers of the present day is overconcentration of defense facilities in an atomic age.

However, that is not the subject of my question. Will the gentleman tell us what the situation is now in the conference report with regard to the acquisition by the Government of Wherry housing?

Mr. VINSON. Yes. I was just going to come to that. While it is on my mind, I see the distinguished gentleman from Texas [Mr. MAHON]. I do not know whether he was here when I made my previous statement, but I want to say to the gentleman from Texas and every member of the Appropriations Committee that if any one of these bases is not justified and warranted strictly from a military standpoint by the Air Force, I will appear before your committee and ask that not one penny be appropriated.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield.

Mr. MILLER of Nebraska. During the war, of course, they got a great many airports at that time. When they finally do not need them any longer, if they find they no longer need them is there any way to force them to get that land back on the tax rolls?

Mr. VINSON. When a military installation has been declared excess by the Department it is certified to the Armed Services Committees of the House and the Senate, and after hearings, if they conclude that it is not the proper thing to keep it, we then authorize its disposition by the General Services Administration.

Mr. MILLER of Nebraska. There are 4 or 5 in Nebraska that they neither use nor release.

Mr. VINSON. And this gives them an opportunity to see if they can use them. If they have no military value then they should dispose of them.

Now I am coming to Wherry housing.

Mr. MAHON. Mr. Speaker, will the gentleman yield before he gets to Wherry housing?

Mr. VINSON. I yield to the gentleman from Texas.

Mr. MAHON. Does the gentleman not think we ought perhaps to make this point, that some of those World War II fields are in no way suitable for the aircraft now which require such long runways?

Mr. VINSON. That is true.

Mr. MAHON. Some of these fields were all right for World War II aircraft, but they cannot operate with present aircraft and it is not possible to extend the runways. Another matter that has disturbed me somewhat is perhaps that we have put on a little pressure to require the Defense Department to go back into old airfields when, in many instances, in my judgment, by going into new locations they probably could save the taxpayers money by reason of the obstacles they encounter in the old location.

Mr. VINSON. But it seems to me, I would say to my distinguished colleague from Texas, they should make a survey and reach a decision. If the old field can be utilized and it meets the requirements they should use it, but if it does not, then we may be forced to build new fields.

Mr. MAHON. I am in complete accord with the gentleman from Georgia.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield further?

Mr. VINSON. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I agree with the gentleman entirely, but tell me how you will get the military finally to release a little airfield they no longer use and that they no longer want and cannot use, yet will not release it so it can be put back on the tax rolls.

Mr. VINSON. If the Defense Department feels they should keep it then it probably has in mind some future use.

Mr. MILLER of Nebraska. I will say that they all feel like they want to keep public land. The fact is the military department has taken over many millions of acres. In many cases they have no further use for the land yet they will not release it. I wish the gentleman's committee or some committee in this Congress would interest themselves in the proposition that when this land is no longer needed it be released and put back on the tax rolls.

Mr. VINSON. I agree with the gentleman; and I will go one step further and say that the Armed Services Committee is deeply concerned about the constant acquisition of land all over the United States to meet military requirements. We are therefore going to make a survey to see if we can use those that the Government has title to today before we go out and buy up more land.

Mr. HAGEN. Mr. Speaker, before the gentleman gets on to Wherry housing I would like to ask him his interpretation of the language in the Senate report which deals with the Lemoore naval air station. I think the military needs would not be met by the smaller acreage suggested by the Senate report and that the Senate report is erroneously in conflict with the expression of judgment in the authorization agreed upon by both Houses of Congress.

Mr. VINSON. I would say that the authorization and the information is that we need 32,000 acres. The bill authorizes that and we will have to stand on the authorization. If, however, a resurvey develops the fact that they do not need the 32,000 acres they would not be warranted in buying them. But from the information we have the amount aggregates 32,000. We want them to have enough but we do not want them to have any more.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Texas.

Mr. MAHON. It has been my observation, and I am sure it is the gentleman's observation likewise, that many times in the past we have bought too little land. I am sure the gentleman as

well as I can recall many instances where the Government bought too little land, where we have put in a military installation, private enterprise has started up around it, and then when improvement in design or operational needs require additional land it has to be bought at a tremendous increase in price.

It seems to me that the gentleman's committee and the Appropriations Committee should provide sufficient land when we go into an area to allow for expansion of the project.

Mr. VINSON. Right in that connection I may say that the Armed Services Committee this very morning had to buy some 150 acres of land in San Francisco to protect a $130 million development at Hunter's Point, because we did not get enough to start with. The gentleman is correct. Under the authorization it is 32,000 acres.

Mr. Speaker, I want to talk about the authority in this bill to purchase Wherry houses, and I want to make it distinctly clear that the language we have written in this bill does not in the slightest degree trespass upon the jurisdiction of the great Committee on Banking and Currency. The Committee on Banking and Currency is the father of the Wherry housing legislation, but the jurisdiction of the Armed Services Committee extends to telling the Secretary of Defense that which he can buy and that which we do not recommend be bought. And we have established what I will call a condition precedent, providing that certain things will take place before the Department of Defense can buy a single Wherry house. We are not interfering with the Wherry law at all. There are some 83,000 units which have been built, some $700 million of FHA insurance involved. We are not dealing with that. We are simply saying to the Secretary that he must do certain things before buying them. Then we establish the formula for determining the price to be paid.

Mr. RAINS. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Alabama.

Mr. RAINS. I have looked the report over, and I have no objection to the gentleman's statement that this does not infringe on the jurisdiction of the Committee on Banking and Currency. I am quite concerned as to whether or not the formula the gentleman has placed in here will prevent the thing we all want to prevent, windfalls on Wherry houses.

Mr. VINSON. I may say in all frankness and candor that the housing bill that is resting in the Rules Committee provides in its formula for a price per unit of about $1,500.

Mr. RAINS. No; that is not correct.

Mr. VINSON. Now, wait a minute. We have worked it out and we know exactly what we are doing. The formula is set out and the conferees have agreed. The formula which was in the House bill is somewhere in the neighborhood of $700 to $800 a unit.

Mr. RAINS. That is not the point I make. The point I am making is: Will, under the formula that the gentleman has provided, the seller of Wherry housing be able to get more for his unit than the mortgage on it to build it?

Mr. VINSON. He will get replacement cost as of the date of final endorsement for mortgage insurance less physical depreciation.

Mr. RAINS. Does the conference report provide that the Wherry sponsor must sell to the military if it desires to buy?

Mr. VINSON. There is the right of condemnation. He also has the right to enter into a voluntary agreement. I want to say, Mr. Speaker, in the interest of economy, and I want every Member to hear this including the distinguished gentleman, former chairman of the committee that brought the bill in, that Wherry houses cost about $9,000 per unit, or less. When the Government under the Wherry law gets title the Government will have spent $54,000 on a unit that cost only $9,000. What we are trying to do is to get title in the Government as early as possible and save that enormous amount of money.

Mr. RAINS. The gentleman is making a good many statements that do not conform to the facts, as I understand it.

Mr. VINSON. Well, I will say to my friend, he is not quite as well versed on this as I am.

Mr. RAINS. I may not be, but I have spent considerable time at it, and it appears to me the gentleman is not exactly versed on Wherry housing, especially when he makes the statement that it costs the Federal Government $54,000 to build a unit of Wherry housing. That is totally in error.

Mr. VINSON. Well, I repeat my statement, and I challenge anyone to disprove it. The maximum cost of a unit was $9,000. The life of the lease was from 50 to 75 years. When the Government pays $90 a month for a period of 50 years, then the Government has paid out $54,000 on a unit that originally cost $9,000.

Mr. RAINS. May I interrupt the gentleman again? If the person who has the allotment pays rent on a house, he has no title to it. The Government pays out the same amount of money, and it is not a question of building. Is that not correct?

Mr. VINSON. The money will go to the Treasury Department, because these Wherry houses will be assigned to officers and men, and they will get no quarters allowances.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Florida.

Mr. SIKES. May I ask the distinguished gentleman if it is to be now the policy of the Government to begin to acquire title to all Wherry houses?

Mr. VINSON. It certainly is. And, I want to say here there is a little confusion about this housing situation. We had the Wherry bill brought in by the Committee on Banking and Currency. We now have what is known as the Capehart houses brought in by the Committee on Banking and Currency. The Committee on Armed Services has been making direct appropriations for houses. So we have all this confusion, and I certainly am going to respectfully request that some committee, either the Committee on Banking and Currency or the Committee on Armed Services, have complete jurisdiction of family houses, because we think it is in the interest of economy for the Government to make a direct appropriation instead of even having the Capehart houses, which will cost in the same period of time $2,500 more per unit than a directly appropriated house. So, we are in this state of confusion, and in order to get the Committee on Armed Services back into the picture, we have written a provision in this bill that will give the Armed Services Committee a look at Capehart houses. We are clearly within our constitutional rights also when we put up the conditions upon which you acquire property for the Government. They cannot be acquired or built until they have been scrutinized by the Committees on Armed Services of the House and of the Senate. Private industry wants to build houses in this country, and we do not want to drive private industry out of business.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Ohio.

Mr. SCHENCK. I wonder if the distinguished chairman of the committee would give us an explanation of this. As I understand it, Wherry housing has been built both on ground owned by the Government and on ground not owned by the Government.

Mr. VINSON. That is essentially correct.

Mr. SCHENCK. Now, is it my understanding, Mr. Speaker, that this housing on ground owned by the Government is the housing that you are now discussing?

Mr. VINSON. It is both, because the man who builds on Government-owned property has an equity. We are trying to get these Wherry people out of the picture, and I hope that some day soon there will be a complete clarification on this policy of housing. Here one year the Committee on Armed Services comes in and authorizes direct appropriated housing, and here the Committee on Banking and Currency comes in and authorizes 100,000 Capehart houses. That is where we are. We are just in a state of flux, just a state of confusion, and we know it is affecting the morale of the armed services in not having proper housing facilities, because it is causing a great turnover in the personnel.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield further?

Mr. VINSON. Yes.

Mr. SCHENCK. I understand that recent court decisions provide that Wherry housing built on Government property is taxable by the local tax authority. May I also suggest to the gentleman that in his thinking on Wherry housing or Capehart housing, or whatever military housing it may be, the proper Government authority should develop the plans and specifications, and that the houses should be built under those plans and specifications. That was not true under some of these other housing plans and we did not have good housing in many instances.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. As the gentleman knows, with reference to military housing, Congress recently passed and the President signed the Department of Defense appropriation bill in which the Congress saw fit to add nearly $1 billion for Air Force procurement of aircraft. The gentleman knows that General Twining told his committee that aircraft is only one of three things we need; and that if we do not have housing for Air Force personnel near the SAC bases we may as well not have the aircraft. The bill that the gentleman says is dead or slumbering in the Committee on Rules, the housing bill, has a section which provides the necessary housing to house the airmen for the SAC bases, to fly the B–52's; is that not correct?

Mr. VINSON. It is not confined only to the SAC bases. May I say in that connection that the Committee on Armed Services authorized some 27,000 units, and some 14,000 were for the Air Force. The Air Force did not even build many of them under a direct appropriation.

Mr. FLOOD. If the gentleman will yield further——

Mr. VINSON. Oh, yes, we need housing.

Mr. FLOOD. The fact does remain that the bill slumbering in the Committee on Rules provides for Air Force and military housing essential to the Air Force.

Mr. VINSON. Yes. We are going to try to get the houses as soon as we can pass the necessary legislation. But at the same time there must be some clarification as to who has jurisdiction and how far the jurisdiction extends. We must see who is responsible for the lack of quarters for our officers and men.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Kansas.

Mr. REES of Kansas. Mr. Speaker, I realize that this is probably repetition, but there are a good many people through the country who are concerned that a number of our airbases have been taken out of use and some of them turned over to cities, and so forth; and yet we are building new airbases.

Mr. VINSON. My good friend was not here when I made the statement that we are going to try to use those bases that are already in existence. We are going to make a complete survey before we build any new ones.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to my colleague, the gentleman from Massachusetts, Mr. McCORMACK, in reference to the SAGE phase of this bill.

Mr. McCORMACK. Mr. Speaker, I know that section 303, which authorizes the SAGE program, is essentially the language adopted by the House on April 12. The only difference is the inclusion of the requirement that rural electric cooperatives will also be used when power is required within their respective service areas.

Mr. VINSON. That is correct. In other words, we have broadened that by bringing in REA facilities as well.

Mr. McCORMACK. On April 12, the gentleman from Georgia, the chairman of the committee, and my distinguished friend, addressed the House and made a very strong statement. I should like to ask the chairman if he still takes the same position he did on April 12.

Mr. VINSON. I read my statement and I am quite familiar with it. It was rather a strong statement. After further study of it the gentleman will see that I am trying to preserve as much as possible the strong language that I used in that statement through the more moderate and temperate language in the report. So I trust my good friend will not press me too strongly about the language used when he and others and I were in debate on the SAGE.

The point is this: I stated that I trusted that that language would have the effect that the General Services Administration would intervene. After further study, I find that the interest of the Government can be well protected and is being well protected, so I wrote this language:

> In view of the magnitude of the cost involved, the Air Force was asked by the Senate committee whether it has adequate authority in existing law to protect the interests of the Government in connection with the rates for communication services for SAGE. It advised that it does have adequate authority, and it is noted that pursuant to section 201 of the act of June 30, 1949, as amended (40 U. S. C. A. sec. 481), the Department of Defense has already intervened in a pending proceeding before the Federal Communications Commission involving the bulk of the rates for the SAGE project.

I think that covers it.

Mr. McCORMACK. Of course, the gentleman realizes that the Air Force is in the position of making contracts and then representing the Government on the various contracts it makes in relation to rates.

Mr. VINSON. May I say, and I hope this nice compliment will permit me to yield the floor, that it was by the aid and assistance of the distinguished gentleman from the Commonwealth of Massachusetts as well as the gentleman from Ohio, the gentleman from Georgia, and others, that there was brought about a reduction in the tolls from some $240 million to $157 million. We all did a good piece of work, and we are going to continue it.

Mr. McCORMACK. I am not asking these questions other than to have the RECORD show just what the situation is.

Mr. VINSON. The RECORD does show it.

Mr. McCORMACK. I am sure my friend's committee, however, is going to watch very carefully——

Mr. VINSON. I will assure the gentleman that we are watching everything.

Mr. McCORMACK. Wait a minute. You are going to watch carefully whether the Air Force is protecting the Government's interest in connection with tariffs under the SAGE contracts.

Mr. VINSON. I assure the gentleman that the legal staff of the Armed Services Committee will be instructed to keep close watch on SAGE.

Mr. Speaker, there is one more statement I want to make. When we considered this bill the House established an airbase at Manistee, Mich. The Senate established the airbase at Kalkaska. As a result of the conference, the Senate recedes, and the airbase is now established at Manistee.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to include at this point in the RECORD in connection with the discussion of SAGE and charges for utility services a letter I addressed to the Administrator of the General Services Administration and his reply, together with two related Executive orders.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
OFFICE OF THE MAJORITY LEADER,
Washington, D. C., June 27, 1956.

Hon. FRANKLIN G. FLOETE,
Administrator, General Services Administration, Washington, D. C.

DEAR MR. FLOETE: The military construction bill, H. R. 9893, which passed the House on April 12, 1956, and was reported by the Senate Armed Services Committee on June 26, 1956, includes section 303 with respect to appropriate agencies appearing before Federal and State regulatory agencies in behalf of the Federal Government regarding charges for utility services.

The enactment into law of this provision may place heavy responsibilities upon the General Services Administration.

Will you please advise at an early date, (a) as to the capability of the General Services Administration to carry out the functions as outlined in the bill, and (b) the status of any agreements between the General Services Administration and Department of Defense which may bear upon the effective conduct of the program.

Sincerely yours,

JOHN W. McCORMACK.

GENERAL SERVICES ADMINISTRATION,
Washington, July 5, 1956.

Hon. JOHN W. McCORMACK,
Majority Leader,
House of Representatives,
Washington, D. C.

DEAR MR. McCORMACK: In your letter of June 27, 1956, concerning H. R. 9893, the military construction bill, you requested the comments of General Services Administration on Operation Sage contained in section 303 of that bill, as to (a) the capability of GSA to carry out the functions outlined in the bill, and (b) the present status of any agreements between GSA and DOD on this subject.

Following a conference with Mr. Ray Ward of your staff on July 5, 1956, and GSA representatives, the following is submitted:

GSA possesses the capability to satisfactorily perform the functions as outlined in H. R. 9893, through use of present personnel, augmented as required.

The effective discharge of our statutory duties under section 303 requires a full participation in the contractual negotiations as well as our appearance on behalf of the executive agencies in proceedings before Federal and State regulatory bodies. This is our understanding of the intent of section 303 of the bill.

By agreement with the Department of Defense, GSA will be substituted for the Department in FCC Docket No. 11518. It is contemplated that following enactment of H. R. 9893, necessary arrangements will be concluded between GSA and the Department of Defense (including the Department of the Air Force) respecting the financing of actions called for under section 303, as well as mat-

ters of security clearances, and interdepartmental liaison.

Sincerely yours,

FRANKLIN G. FLOETE,
Administrator.

THE WHITE HOUSE,
Washington, July 1, 1949.

To: The Director of the Bureau of the Budget.
The Secretary of Defense.
The Administrator of General Services.

By virtue of the authority vested in me by section 205 (a) of the act entitled "An act to simplify the procurement, utilization, and disposal of Government property, to reorganize certain agencies of the Government, and for other purposes," approved June 30, 1949 (the Federal Property and Administrative Services Act of 1949) it is hereby directed that:

1. Pending determinations made in the course of the studies hereinafter directed to be instituted, the several departments and agencies constituting the National Military Establishment shall continue to procure through the Administrator of General Services such supplies, materials, equipment, and other personal property, and have performed by the Administrator such related functions of the types specified in section 201 (a) (1) of the Federal Property and Administrative Services Act of 1949 as were customarily procured or performed for the departments and agencies of the National Military Establishment by the Bureau of Federal Supply prior to the taking effect of said act. Until further order of the President, the Secretary of Defense shall not, without the prior approval of the President, issue any order or directive exempting the National Military Establishment in accordance with the proviso in section 201 (a) of the Federal Property and Administrative Services Act of 1949, from action taken or to be taken by the Administrator of General Services under said section.

2. The Administrator of General Services, the Secretary of Defense, and the Director of the Bureau of the Budget (1) shall forthwith undertake, and diligently pursue, studies aimed at developing areas of understanding with respect to the extent to which the National Military Establishment should be exempt from the jurisdiction of the Administrator under sections 201 and 206 of the Federal Property and Administrative Services Act of 1949, and (2) shall present any appropriate recommendations to the President.

HARRY S. TRUMAN.

THE WHITE HOUSE,
Washington, June 8, 1954.

To: The Director of the Bureau of the Budget.
The Secretary of Defense.
The Administrator of General Services.

By virtue of the authority vested in me by section 205 (a) of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C. 481 (a)), there is hereby revoked the memorandum of the President dated July 1, 1949, and directed to the Director of the Bureau of the Budget, the Secretary of Defense, and the Administrator of General Services, copy of which appears on page 108 of the pamphlet of the General Services Administration dated October 1952 and entitled "Federal Property and Administrative Services Act of 1949, as amended."

DWIGHT D. EISENHOWER.

Mr. VINSON. Mr. Speaker, I yield 10 minutes to the distinguished gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, on page 33 of the statement of the managers on the part of the House appears this statement:

As the bill passed the House, a new Air Defense Command base in northern Michigan was designated to be at Manistee. The Senate version of the bill changed this location to Kalkaska. The Senate receded in this respect and accepted the Manistee location.

As everybody knows, I offered an amendment during the consideration of this bill on the floor of the House to make the base at Kalkaska rather than at Manistee. The House did not see fit to approve my amendment but the Senate did. However, in conference the House version has been approved. I do want to take this time to read testimony which was given before the Air Force panel of the House Committee on Appropriations on May 16, 1956, with reference to this dispute. This testimony by Colonel Ewbank of the Office of Assistant Chief of Staff for Installations confirms the Senate position and casts considerable doubt on the wisdom of the conference report. I will read pertinent portions of this testimony which is as follows:

Chairman MAHON. Why does the Air Force prefer Kalkaska as the site?

Colonel EWBANK. The Air Force prefers Kalkaska over Manistee site for the following reasons.

(1) Placement of the SAGE facility at another existing airbase acceptable for the project will cost the Government approximately $320,000 more per year than at the Kalkaska site for leased communication facilities. Annual SAGE leased line costs at Manistee would cost the Government from $270,000 to $390,000 more per year than at Kalkaska, if the SAGE installation were to be constructed there. The actual cost difference would depend upon the siting of the SAGE project at Manistee.

(2) The Kalkaska site will cost the Government at least $938,950 less than the Manistee site for presently planned development. Future expansion will cost less at Kalkaska than at Manistee.

(3) The Kalkaska site offers better expansion capability than at Manistee and at less cost. The reason for the increased cost at the Manistee site is that it contains pockets of muck, marsh deposits, peat bogs and swamp and would require considerable flood control. Expansions of the runways at Manistee to the same capability as at Kalkaska would be relatively expensive, inasmuch as it would require approximately twice as much excavation as at the Kalkaska site.

(4) The Kalkaska site is entirely free of flight hazards or obstructions of any nature. This site will provide glide angle clearance of better than 100 to 1 and will not present dangerous conditions to aircrews or to the public in event an emergency should occur. The proposed Manistee site meets only the minimum Air Force criteria standard of 50 to 1, or one-half the clearance for the Kalkaska site. In addition, by locating the base at Manistee, it will necessitate flying over the town of Copemish, within 2 miles from the end of the runway. This situation is dangerous to the residents of the village of Copemish and the noise involved and the inherent danger to the public could result in future resentment and claims against the Government. The Air Force firmly stands by its previous position that it would be unwise to develop a new airbase in an area that will present hazards when a better site is available that meets the most stringent requirements of the Air Force, both at the present time and for the future.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. FORD. I am very glad to yield to the gentleman.

Mr. MASON. We have had all of this before and the thing is settled. What is the good of rehashing it now?

Mr. FORD. I just want to put on record the facts as presented by the Air Force and the Department's recommendations.

Mr. MASON. That was on the record when we considered it.

Mr. FORD. It may have been, but the facts should be reiterated to show what I believe is a lack of wisdom on the part of the House in making the decision it did.

Mr. VINSON. Mr. Speaker, if the gentleman will yield, does the gentleman not subscribe to the doctrine that the majority should rule? The gentleman says there is a lack of wisdom on the part of the House. That may be from the gentleman's viewpoint, but the House heard long debate on this question and reached a decision. The House conferees representing the House insisted on the position of the House and the other body yielded. There is a great deal of merit in what the distinguished gentleman from Illinois [Mr. MASON] says, that this has all been said before, but of course I am perfectly willing to yield the gentleman time to make his statement.

Mr. FORD. I am sure the distinguished gentleman would want anyone on the minority in this issue to have full opportunity to express his opinion or relate the facts.

Mr. VINSON. I am glad to have the gentleman state his opinion.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. JUDD. Since the debate in the House, at least one thing has happened that should give us thought. We have Air Force and Navy jets using the civil aviation airport on the edge of Minneapolis. At first, some people wanted the air forces there, as Manistee wants this airbase. Some did not, of whom I was one. But local opposition to development of a suitable alternate field further away from the city kept the planes based at the city field. Within a week we have had two terrible jet accidents. In one of them a Navy jet crashed into a group of homes too near the base, destroying 4 or 5 homes, killing and burning the occupants, mostly children. The 10th died of burns last week. I get pitiful letters every day from those residing around the base, pleading that the jets be removed. We are doing our best, but, of course, the defenses of our country cannot be allowed to lapse, and I fear it will not be possible to move the planes and their operations elsewhere in the near future.

It seems to me this tragic experience is a very important and potent argument against locating the base at Manistee that was not before the committees or the House at the time when this matter was debated here. Mr. Chairman, if I cannot get the jets off the heads of my people, I certainly am not going to vote to put them over the heads of other people living near the end of the proposed runway at Manistee.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. VINSON. There were also two planes crashed over the Grand Canyon where there is a great deal of space.

Mr. JUDD. There is no similarity between the two situations. Besides, in Michigan there is another site that the Air Force says is better, and it is not half as hazardous.

Mr. VINSON. If the gentleman was on the floor when it was debated before, he will find testimony that from a military standpoint both are equal.

Mr. JUDD. Of course, it seems to me that this is a case where the Congress ought not to be dictating to the Air Force where it should put airbases.

Mr. VINSON. The Air Force could not make up its mind, and the gentleman's committee some years ago said to the Air Force, "We won't let you go to Cadillac."

Mr. JUDD. But the Air Force knew where it wanted to go. There is a grave question whether we civilians in Congress should intervene to force the Air Force to build a base at a place which it thinks is less suitable or advantageous.

Mr. VINSON. I think after debate on the floor of the House and Members hearing the debate, they are well qualified to reach a decision, and, as a House conferee, it was my duty to support that decision whether I endorsed the situation or not. In this case I did endorse it.

Mr. BENTLEY. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. BENTLEY. Will the gentleman state when this testimony was developed?

Mr. FORD. This testimony was developed on May 15, 1956.

Mr. BENTLEY. And what was the date when this issue was debated before the House?

Mr. FORD. The issue was debated on the floor a month or 6 weeks prior to this testimony.

Mr. BENTLEY. That is the point I wanted to bring out. I commend the gentleman for bringing these matters to the attention of the House, and I think it pertinent that this information was developed a month after it was debated here on the floor.

Mr. FORD. If the Members will take the time to read these hearings, hearings before a House committee, at page 156, you will find 7 or 8 pages of very helpful information. As I say, I did not agree with the recommendation of the chairman of the committee when it was on the floor. I still believe the committee and the House acted in error. I do feel very strongly that this information should be on the record at this time in order to express the views of those of us who disagree with the conference report.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. FULTON. I would like to agree with the gentleman, and also the gentleman from Minnesota [Mr. JUDD] because I think that the Air Force strategy of this country is falling behind time. The reason is this, that when they put these bases, these large airports, with jet training bases close to large cities, with the jet planes so close that they will be over the city, first, it is causing a traffic hazard to the commercial airliners; and, second, danger to the community; and third, it is senseless as a defense, because these bases should be further away from the major cities.

The SPEAKER. The time of the gentleman from Michigan [Mr. FORD] has expired.

Mr. FORD. Mr. Speaker, I ask unanimous consent to include in my remarks certain testimony before the House Committee on Appropriations.

The SPEAKER. Is there objection?

There was no objection.

Mr. FORD. The testimony is as follows:

KALKASKA AIR FORCE BASE, MICH.

Mr. MAHON. Now we come to a base where all fund requests have been eliminated for fiscal year 1957, Kalkaska Air Force Base. This has been a very controversial project. I should like to ask you a series of questions in order to develop for the record just what the situation is with respect to the proposed Kalkaska base.

Why is there a need for a base in northern Michigan?

Colonel EWBANK. It has been demonstrated by tactical exercises that an interceptor base in Traverse City, Mich., will provide defense in depth to the metropolitan Chicago and Detroit areas. A squadron located in the Traverse City area is planned to intercept possible attacks on these industrial centers. In addition to the Air Defense Command fighter interceptor requirement, a need exists for a SAGE installation. This mission can best be accomplished by constructing the facility in conjunction with an airbase. The Kalkaska site is being designed so that the base may be expanded if such requirement develops.

Mr. MAHON. Why does the Air Force prefer Kalkaska as the site?

Colonel EWBANK. The Air Force prefers Kalkaska over the Manistee site for the following reasons:

(1) Construction of the airbase at Kalkaska can commence this summer and construction of the SAGE installation can start immediately. If the Air Force abandons plans for Kalkaska and develops the airbase at Manistee, it will require a delay of at least 1 year in the operational use of the airbase. In addition, if the Air Force is denied the right to proceed with the Kalkaska site, it will be forced to abandon plans for the SAGE mission in the Traverse City area. The Air Defense Command cannot accept further delays in construction of the SAGE project and it will have to be relocated on an existing base in Michigan in order to more effectively utilize the A. C. and W. radar net and provide the degree of protection for the United States as required. To further delay the SAGE project will seriously affect the capability of the entire air defense network in this critical area. Placement of the SAGE facility at another existing airbase acceptable for the project will cost the Government approximately $320,000 more per year than at the Kalkaska site for leased communication facilities. Annual SAGE leased line costs at Manistee would cost the Government from $270,000 to $390,000 more per year than at Kalkaska, if the SAGE installation were to be constructed there. The actual cost difference would depend upon the siting of the SAGE project at Manistee.

(2) The Kalkaska site will cost the Government at least $938,950 less than the Manistee site for presently planned development. Future expansion will cost less at Kalkaska than at Manistee.

(3) The Kalkaska site offers better expansion capability than at Manistee and at less cost. The reason for the increased cost at the Manistee site is that it contains pockets of muck, marsh deposits, peat bogs, and swamp and would require considerable flood control. Expansions of the runways at Manistee to the same capability as at Kalkaska would be relatively expensive, inasmuch as it would require approximately twice as much excavation as the Kalkaska site.

(4) The Kalkaska site is entirely free of flight hazards or obstructions of any nature. This site will provide glide angle clearance of better than 100 to 1 and will not present dangerous conditions to aircrews or to the public in event an emergency should occur. The proposed Manistee site meets only the minimum Air Force criteria standard of 50 to 1, or one-half the clearance for the Kalkaska site. In addition, by locating the base at Manistee, it will necessitate flying over the town of Copemish, within 2 miles from the end of the runway. This situation is dangerous to the residents of the village of Copemish and the noise involved and the inherent danger to the public could result in future resentment and claims against the Government. The Air Force firmly stands by its previous position that it would be unwise to develop a new airbase in an area that will present hazards when a better site is available that meets the most stringent requirements of the Air Force, both at the present time and for the future.

(5) Community support at the Kalkaska site will be better than at the Manistee site. The city of Traverse City (1950 population, 16,974) is presently located approximately 20 road-miles from the Kalkaska site; however, the Michigan State Highway Department has advised the Air Force that the State is planning to reroute State Highway M–72 from Kalkaska to Traverse City. This new route will reduce the distance from the Kalkaska site to Traverse City from approximately 20 miles to 15 miles. Rerouting of the highway is expected to be accomplished in approximately 2 to 3 years. Manistee (1950 population, 8,642) is located approximately 26 miles from the Manistee site. Cadillac (1950 population, 10,425) is approximately 32 miles, and Traverse City approximately 35 miles distant. These distances are too far to provide adequate daily community support. Traverse City is approximately twice the size of Manistee and is better able to provide housing, recreation, shopping, and other aspects of community life.

Mr. MAHON. How much in Federal funds has actually been expended on the Kalkaska site?

Colonel EWBANK. As of May 17, 1956, the Air Force has expended approximately $360,000 on the Kalkaska site. This amount has either been paid or is due for work accomplished.

Mr. MAHON. In addition, how much has been committed for this site?

Colonel EWBANK. The Air Force has contract obligations outstanding for approximately $228,000 for the Kalkaska site.

Mr. MAHON. What is the best estimate as to the financial loss to the Federal Government if this site is abandoned?

Colonel EWBANK. I wish to answer this question in two parts. First, if the airbase is abandoned and the requirement for both the airbase and SAGE project were to be eliminated the loss to the Federal Government would be approximately $360,000.

However, if the Kalkaska site is abandoned and the requirement is transferred to Manistee, the following loss to the Federal Government will result:

Funds expended on base development at Kalkaska, $360,000. Of this amount, it is estimated that approximately $20,000 in savings might accrue if the base was transferred to Manistee by utilizing certain portions of the design already accomplished. Total unrecoverable loss to Government if site is transferred is estimated at	$340,000

Increased development costs at Manistee for presently planned facilities for the Air Defense Command fighter interceptor mission	$938,950
Annual SAGE communications costs are $270,000 to $390,000 more per year at Manistee than at Kalkaska. Based upon a minimum 10-year requirement for this project, the loss to the Federal Government will amount to at least $2,700,000 if this project is located at Manistee	2,700,000
Total known loss to Federal Government for the Air Defense Fighter Squadron and SAGE if projects were to be located at Manistee instead of at Kalkaska	3,978,950

If the SAGE project is located outside of the Traverse City area on an existing airbase acceptable from an operational standpoint, it will cost the Government approximately $320,000 more per year than at Kalkaska.

The above amount would increase at Manistee with multimission expansion. The exact amount is not known at this time; however, because of poor soil conditions and a high water table, further expansion at Manistee would cost considerably more than the same expansion at Kalkaska.

Mr. MAHON. Has the State of Michigan spent or committed any funds because of the selection of the Kalkaska site?

Colonel EWBANK. Officials of the State of Michigan have informed the Air Force that the State has expended several thousand dollars for engineering surveys for the proposed new highway from Kalkaska to Traverse City. Other costs involved by the State would be normal administrative costs involving numerous meetings with Air Force and Corps of Engineers' representatives pertaining to the lease of State land for the airbase.

Mr. MAHON. What funds have been expended or committed by local political units because of the selection of the Kalkaska site?

Colonel EWBANK. The Air Force has been informed that approximately $3,800 has been spent by Grand Traverse County, Kalkaska County, the city of Traverse City, and the village of Kalkaska, because of the selection of the Kalkaska site.

Mr. MAHON. What money raised by public subscription has been spent for the Kalkaska site? For what purpose?

Colonel EWBANK. The Kalkaska Airbase Committee has informed the Air Force that they have expended $24,476.19 for the purpose of acquiring land to be donated for the airbase. This money has been spent to obtain options and land purchases, legal fees, appraisals and abstracts, travel and administrative costs. It is estimated that approximately three-fifths of this sum could be recovered if the base is not developed at Kalkaska.

Mr. MAHON. What actual work has been done to develop the site at Kalkaska as far as buying land, removing trees, and beginning actual construction?

Colonel EWBANK. The Air Force has progressed at the Kalkaska site to the point where most of the land needed for the airbase has been acquired. The balance of the land necessary for the first phase development was scheduled for acquisition by April 15, 1956; however, acquisition of this land has tentatively been stopped pending a review by Congress on the location of the airbase. The State of Michigan has cleared approximately two-thirds of the marketable pulpwood at the site. Design of the airfield pavement and lighting is complete and construction of the runway and lighting systems was scheduled to commence in July of this year. The balance of the design of the airbase is under contract and scheduled for completion in September 1956. The master plan for the airbase is nearing completion and the design of the SAGE project has reached a point where construction can commence immediately.

Mr. MAHON. What investments have been made by private parties in this area in anticipation of the airbase?

Colonel EWBANK. The Air Force has received affidavits signed by residents of the Kalkaska area to the effect that they have either expended or contracted to expend approximately $457,000 to enlarge community facilities in preparation of the increased demand brought about by the airbase.

Mr. MAHON. Did it cost the Federal Government anything to obtain the land for the base at Kalkaska?

Colonel EWBANK. Only $1 for all the land required. The State of Michigan leased approximately 7,100 acres of land to the Air Force for a period of 99 years at a cost of $1 for the entire term of the lease. The residents of the Kalkaska and Traverse City areas have raised sufficient funds to buy approximately 1,000 acres of private land and donate it at no cost to the Government.

Mr. MAHON. Will it cost this Government anything to obtain the land at the Manistee site? How much?

Colonel EWBANK. Yes. Manistee site No. 3 comprises approximately 5,688 acres required for original base development. Of this amount, approximately 4,544 acres are State forest land and 1,144 acres are private land. The private land is valued at $133,461. The Air Force will be required to acquire this land with Federal funds inasmuch as the communities supporting the Manistee site have advised the Air Force that they would not be in a position to acquire and donate all or a portion of this land. To provide the same capability of expansion at Manistee as is presently available at Kalkaska will require approximately 2,400 additional acres of land. It is estimated that at least 1,200 acres of this additional requirement would be private land costing an estimated $150,000 or more.

Mr. MAHON. What is the best approximation of the comparative costs of construction of the base at Kalkaska and at Manistee?

Colonel EWBANK. The following approximation as to the comparative cost of construction of the airbase at Kalkaska and at Manistee for the Air Defense Command is based upon preliminary engineering studies conducted by qualified engineers of the Army Corps of Engineers. The amounts shown for the initial development cover costs to construct a single 9,000-foot runway. The amounts shown for the second phase of development include construction costs for a secondary runway 9,000 feet and for additional development of the base. These amounts do not include the SAGE construction costs.

	Kalkaska	Manistee	Difference
Initial development (fiscal year 1955 and fiscal year 1956)	$11,652,650	$11,850,600	$197,950
Fiscal year 1957	2,906,000	3,063,000	157,000
Future program (fiscal year 1958)	4,513,000	5,097,000	584,000
Total	19,071,650	20,010,600	938,950

Development of the Kalkaska site is estimated to cost $938,950 less than the Manistee site for the initial and secondary development of the airbase. Development to a possible ultimate expanded runway requirement of 15,000 feet for the primary runway and 12,000 for the secondary runway and other possible future base expansion will further increase the differential between the two sites.

Mr. MAHON. What are the estimated comparative operational costs of the two sites?

Colonel EWBANK. It is estimated that the cost of operating aircraft at the two sites would be approximately equal inasmuch as both locations fall within the operational area of requirements for air-defense purposes. This does not include the cost of the SAGE operations, which is considerably higher at the Manistee site. In addition it is estimated that support costs would be somewhat higher at Manistee because of the greater distance to adequate community support. Because of this factor indirect costs to personnel stationed at the airbase would be higher than at Kalkaska.

Mr. MAHON. How much will the annual rental for the SAGE line amount to at each site?

Colonel EWBANK. The annual rental for Kalkaska is estimated at $4,620,000. The annual rental for Manistee site No. 1 is estimated at $4,890,000. The annual rental for Manistee site No. 3 is estimated at $5,010,000. Depending upon the exact siting that the SAGE system would be placed at the Manistee site, the annual charges will amount to a minimum of $270,000 to $390,000 more per year than to provide the same capability as at Kalkaska. Based upon a minimum use of the system for 10 years, it will cost the Government from $2,700,000 to $3,900,000 more at the Manistee site.

Mr. MAHON. Will the free franchise offer of the Kaleva Telephone Co. alter the annual charges for SAGE?

Colonel EWBANK. Not to any degree. The Air Force has received an offer from the Kaleva Telephone Co. to the effect that they would relinquish without cost that portion of their franchise area as directly affects SAGE landline rental at the Manistee location. Apparently the Kaleva Telephone Co. is misinformed as to the service charges that they would receive if the SAGE system was located in the Kaleva Telephone Co. franchise area. The Western Electric Co., who is responsible for installing the SAGE project have informed the Air Force that the offer of the Kaleva Telephone Co. would not reduce the communications cost to the Government to any sizable degree. The cost of communications is based upon the installations of new communication facilities. In the case of Manistee site No. 1 the required 383 circuits will average about 14.3 miles longer than at Kalkaska for an increase of approximately $270,000 more per year. This location is not within the Kaleva franchise area. In the case of Manistee site No. 3 the 383 required circuits will average about 20.6 miles longer than at Kalkaska, for an increase of approximately $390,000 more per year. Only a small part of this site falls within the Kaleva Telephone Co. franchise territory and chances are that the SAGE project would not fall within their territory. I wish to reemphasize that regardless of whether the SAGE location would be located within the Kaleva franchise area and any charges rightfully coming to them would be relinquished the extra costs within their area would still amount to several million dollars more over a period of 10 years than at Kalkaska. The Air Force will be required to utilize the facilities to be installed for a period of 10 years or pay a termination charge on the facilities.

Mr. MAHON. Can the contractual commitment made by the Air Force at Kalkaska be transferred to Manistee with little or no loss to the Government?

Colonel EWBANK. It is estimated that approximately $20,000 of the $360,000 already spent at Kalkaska could be saved by utilizing a certain amount of the design. However, because most of the money spent for design up to this stage is based upon the particular land at Kalkaska, the largest part of the money spent would be lost. The Air Force might be able to transfer certain portions of the contract commitments to a site at Manistee, however, because of the magnitude of the design and development that would

be required, it would probably be to the benefit of the Government to renegotiate the contracts. The present firms may or may not be the ones that would be in a position to receive the contractual commitments for the new site.

Mr. MAHON. How much of the timber has been cut from the Kalkaska site? What has been the effect of this cutting on the area?

Colonel EWBANK. Representatives of the State of Michigan Conservation Department have advised that approximately two-thirds of the jack pine has been cut from the runway area or approximately 360 acres. The State advised that since they had contracted for the timber to be removed they are allowing the contractor to proceed with timber operations except for the removal of the red pine. Most of the timber within the area to be cut is jack pine. The jack pine being removed was not fully matured but can be used for pulpwood. It is not believed that any major damage has been done by the clearing other than that the timber was not fully mature.

Mr. MAHON. It is charged that the Air Force "sat on its hands" from June 1954, to December 1954, and is thus responsible for the delay in construction? Is that true?

Colonel EWBANK. No, sir. Until a special House subcommittee recommended that the Air Force eliminate the Benzie County site, the sole considerations in the selection of the airbase site in northern Michigan had been to meet our requirement both quickly and economically at a place where community support was available. When Benzie County was eliminated, local competition for the base mushroomed. This necessitated careful reevaluation if we were to get a site in the area of requirement, other than the Benzie County site, which would meet the test of military requirement, initial and operating cost economy, time and community support for our men and their dependents, without running afoul of delays from local competition.

The period of June 1954, to December 1954, does not seem significant, because today we are as without a green light to proceed on the base of our choice in northern Michigan as we ever were.

Mr. MAHON. Is the litigation pending in the Michigan courts in reference to the Kalkaska site likely to further delay construction there if it should be decided to build at Kalkaska?

Colonel EWBANK. No; there is no litigation pending on the Kalkaska site that could in any way affect the construction or development of the base. The Air Force understands that an injunction prevented the village and county of Kalkaska from spending public funds for the purpose of acquiring land and donating it to the Air Force. Funds for this purpose were raised by public subscription; therefore, the injunction in no way affects the development of the airbase.

Mr. MAHON. Is that land at Manistee administered by the Michigan Department of Conservation available to the Air Force?

Colonel EWBANK. The answer to this question is unknown at this time. Approximately 4,545 acres of the land that would be needed at the Manistee site for original development is State land. Information received from the State is that this matter would have to be solved at the time the Air Force had an actual requirement for the land. The use of State land at Manistee would require the approval of the State conservation commission and the State administrative board. It would require negotiations with the State authorities to determine if the land can be used and under what terms.

Mr. MAHON. May the cost of building the road from the Kalkaska site into Traverse City be rightly charged to this project? If so, to what extent?

Colonel EWBANK. No; the State of Michigan Department of Highways have advised the Air Force that they are not planning to build a new highway exclusively for the Air Force. The State has been planning to reroute the existing State highway, M72, from Kalkaska to Traverse City for a number of years. Development of the base at Kalkaska will speed up the requirement for the rerouting because of the increased use that can be expected. The Air Force does not believe that the new route can rightfully be charged to the cost of developing the Kalkaska site.

Mr. MAHON. Will there be a savings on freight charges at Manistee over Kalkaska in view of the location of the Air Force supply depot at Fort Wayne, Ind.?

Colonel EWBANK. No; the Air Force does not have a supply depot at Fort Wayne, Ind. However, a review of rail and truck rates from the various Air Force supply depots and source of jet fuel supply indicates that no appreciable difference or advantage would result from one site over the other in this regard.

Mr. MAHON. Will there be any savings in snow removal at Manistee over Kalkaska?

Colonel EWBANK. Actual snowfall for the two sites in question is not available because of the remote location of each site; however, information available indicates that snowfall in the general area of the two sites is such that there should be no appreciable difference in the cost of snow removal. If the Manistee site has less snow than the Kalkaska site the difference will not be sufficient to effect a major savings since approximately the same amount of equipment and personnel will be required to clear the base at either location.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield for a consent request?

Mr. VINSON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday this week be dispensed with.

Mr. GROSS. Mr. Speaker, reserving the right to object——

Mr. McCORMACK. Mr. Speaker, I withdraw my request.

Mr. GROSS. And I shall not object.

Mr. McCORMACK. Mr. Speaker, I withdraw my request.

Mr. VINSON. Mr. Speaker, I yield 10 minutes to the distinguished gentleman from Michigan, [Mr. KNOX].

Mr. KNOX. Mr. Speaker, I appreciate the time that has been allotted me to give by views on this very important question involving the State of Michigan and the State of Illinois. As has been demonstrated in the hearings before the Subcommittee on Appropriations, the Air Force stated that the jet base was needed, urgently needed for the protection of Michigan and Illinois. Mr. Speaker, in the interest of national security and in the interest of avoiding shameful waste of the taxpayers' money, and in the interest of keeping faith with the American people who look to us to provide for their security, and in the interest of keeping faith with the people of northern Michigan, this conference report on the bill H. R. 9893 should be rejected by the House, the conferees being directed to reconvene and report back a conference report that provides for the ratification of the jet interceptor base at Kalkaska, Mich.

Mr. Speaker, we people from northern Michigan and from Illinois love our children, we love our neighbors, we want every protection the Government can afford us to see that they are secure from any possible enemy attack. I believe that is also true and I know it is true as far as the State of Georgia is concerned, the State of California, the State of New York, Louisiana, and every other State of this great Nation of ours.

The Air Force selected the Kalkaska site as the best site suitable for the protection of this area, Michigan and Illinois. The Air Force selected the site, and this Congress through its four respective committees 1 year ago sent letters to the Air Force approving the Kalkaska site. I hold copies of those letters here in my hand; yet now today we find ourselves again confronted with the problem that confronted us a year ago despite the fact that the Kalkaska site had been approved by Congress through its respective communities.

The Air Force proceeded and acquired some 7,100 acres of land in the Kalkaska area from the State of Michigan without any cost with the exception of $1 to the Federal Government. The people of Kalkaska County and Grand Traverse County which is in Miss THOMPSON'S district, raised the funds for the purchase of private land and on the assurance of the Corps of Engineers in the form of a communication they submitted to the Kalkaska Base Site Committee that they had been authorized to proceed, the residents of the area had committed themselves to $457,000 in contracts for the expansion of facilities in order to take care of the airmen when they arrived.

For the Congress now to approve the Manistee site is a breaking of faith with the people of Michigan, Illinois, and the people of the Kalkaska area who have met the criteria of the Air Force to get the facilities in order that when the Air Force came to the area they would be in a position to meet their responsibility.

Mr. Speaker, the other body had this question under consideration and reported favorably on the Kalkaska site. It was passed by the other body without one dissenting vote.

At the time that we had the question under debate on the floor of the House a great majority of the Members of the Michigan delegation in the House supported the Kalkaska site.

Mr. Speaker, I do not believe that there is justification for moving this base from Kalkaska to Manistee under the circumstances. I certainly would not in any way protest against the construction of a base that had been selected by the military in the States of Georgia, California, New York, or in any other State.

About 1 year ago four committees charged with the responsibility of releasing funds for the Air Force for such facilities agreed to the Kalkaska site. I have produced the letters which verify their approval.

I also hold in my hand a letter I received on January 18, 1955, from the distinguished chairman of the House Committee on Armed Services in which he said as follows, and I wish you would pay particular attention to his statement:

It has been the experience of the committee that unless there are obvious and compelling reasons for reconsideration of the site selected, and these reasons should in the

last analysis relate directly to our defense, no useful purpose is served by engaging in action which could well be construed as substituting the judgment of the committee for the qualified people in the military departments.

I believe in that statement. I certainly do not have engineering knowledge that would justify me in saying that the Air Force or the military was wrong in the selection of the facilities for the safeguarding of our Nation.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. KNOX. I yield to the gentleman from Georgia.

Mr. VINSON. The gentleman has just stated he did not have that information. We did have that information. We had it in the testimony of Mr. Ferry when he stated that from a military standpoint these two bases were equal. As the gentleman will recall, all of that, as well as this letter, was debated when the House approved Manistee.

Mr. KNOX. It is true Mr. Ferry did make the statement that militarily the bases were equal. He went on to state that the Kalkaska base had more advantages for the military as far as expansion was concerned and was more economical to build. The latest statements made here by my colleague from Michigan [Mr. FORD] will show that this base if moved to Manistee will cost the taxpayers of this Nation $3,900,000 more than it would if built at Kalkaska.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. KNOX. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I am one of those who believe we should have a resurvey of this Air Force problem as it relates to the defense of our industrial areas. I hope my vote will not be construed as a personal choice between two worthy Representatives, the Representatives on one side and the Representatives on the other side, nor should it affect them in any future elections. As a Representative who has a large jet airbase in his district, one of the largest in the United States, I again renew the offer to the Department of Defense to give it away. We do not want it, and we would like to get rid of it in our district. If the gentleman from Pennsylvania [Mr. KELLEY], from Westmoreland County, would like it, I offer it to him, or if the gentleman from Pennsylvania [Mr. KEARNS] would like it, I offer it to him.

Mr. VINSON. Mr. Speaker, I urge the House to approve this conference report. Over 400 separate bases are involved in it. I sincerely trust that this conference report, having been signed by Mr. BROOKS of Louisiana, Mr. KILDAY, Mr. SHORT, and myself on the part of the House and by Mr. RUSSELL, Mr. STENNIS, and Mr. JACKSON on the part of the Senate, be approved.

Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. KNOX. Mr. Speaker, I offer a motion to recommit the conference report with instructions.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. KNOX. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. KNOX moves to recommit the conference report to the committee of conference with instructions to the managers on the part of the House to strike out the word "Manistee" on page 13, pertaining to section 301 of the bill, and substitute therefor the word "Kalkaska."

Mr. VINSON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. KNOX. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 29, nays 343, answered "present" 3, not voting 57, as follows:

[Roll No. 95]

YEAS—29

Bennett, Mich.	George	Laird
Bentley	Griffiths	Marshall
Bolton, Oliver P.	Hand	Miller, N. Y.
	Heselton	Norblad
Byrnes, Wis.	Jenkins	O'Konski
Canfield	Jonas	Seely-Brown
Cederberg	Judd	Sisk
Chase	Kean	Van Pelt
Chenoweth	King, Calif.	Vursell
Ford	Knox	Wier

NAYS—343

Abbitt	Broyhill	Elliott
Abernethy	Budge	Ellsworth
Adair	Burdick	Engle
Addonizio	Burnside	Evins
Albert	Bush	Fallon
Alexander	Byrd	Fascell
Alger	Byrne, Pa.	Feighan
Allen, Calif.	Cannon	Fenton
Allen, Ill.	Carlyle	Fernandez
Andersen, H. Carl	Carrigg	Fino
	Celler	Fisher
Andresen, August H.	Chelf	Fjare
	Chiperfield	Flood
Andrews	Christopher	Fogarty
Arends	Chudoff	Forand
Ashley	Church	Forrester
Ashmore	Clark	Fountain
Aspinall	Clevenger	Frazier
Auchincloss	Cole	Friedel
Avery	Colmer	Fulton
Ayres	Cooley	Garmantz
Bailey	Coon	Gary
Baker	Cooper	Gathings
Baldwin	Corbett	Gavin
Barden	Coudert	Gentry
Barrett	Cramer	Gordon
Bass, N. H.	Cretella	Gray
Bates	Crumpacker	Green, Oreg.
Beamer	Cunningham	Green, Pa.
Becker	Curtis, Mass.	Gregory
Belcher	Curtis, Mo.	Gross
Bennett, Fla.	Dague	Gubser
Berry	Davis, Ga.	Hagen
Betts	Dawson, Utah	Hale
Blatnik	Deane	Haley
Blitch	Delaney	Harden
Boggs	Dempsey	Hardy
Boland	Denton	Harris
Bolling	Derounian	Harrison, Nebr.
Bolton, Frances P.	Devereux	Harrison, Va.
	Dies	Harvey
Bonner	Dollinger	Hays, Ark.
Bosch	Dolliver	Hayworth
Bow	Dondero	Healey
Bowler	Donohue	Hébert
Boykin	Donovan	Henderson
Boyle	Dorn, N. Y.	Herlong
Bray	Dorn, S. C.	Hess
Brown, Ga.	Doyle	Hiestand
Brown, Ohio	Durham	Hill
Brownson	Edmondson	Hillings
Hinshaw	Miller, Md.	Scott
Hoeven	Miller, Nebr.	Selden
Hoffman, Ill.	Mills	Sheehan
Hoffman, Mich.	Minshall	Shelley
Holifield	Mollohan	Short
Holland	Morano	Shuford
Holmes	Morgan	Sieminski
Holt	Morrison	Sikes
Holtzman	Moss	Siler
Hope	Moulder	Simpson, Ill.
Horan	Multer	Simpson, Pa.
Hosmer	Mumma	Smith, Kans.
Huddleston	Murray, Ill.	Smith, Miss.
Hull	Natcher	Smith, Va.
Hyde	Nicholson	Smith, Wis.
Ikard	O'Brien, Ill.	Spence
Jackson	O'Brien, N. Y.	Springer
James	O'Hara, Ill.	Staggers
Jarman	Osmers	Steed
Jennings	Ostertag	Sullivan
Jensen	Passman	Taber
Johnson, Calif.	Patterson	Talle
Johnson, Wis.	Pelly	Teague, Calif.
Jones, Ala.	Perkins	Teague, Tex.
Jones, Mo.	Pfost	Thomas
Jones, N. C.	Philbin	Thompson, Mich.
Karsten	Phillips	
Kearney	Pillion	Thompson, N. J.
Keating	Poage	Thompson, Tex.
Kee	Poff	Thomson, Wyo.
Kelly, N. Y.	Polk	Tollefson
Keogh	Preston	Trimble
Kilburn	Price	Tuck
Kilday	Priest	Tumulty
Kilgore	Prouty	Udall
King, Pa.	Quigley	Utt
Kirwan	Rabaut	Vanik
Kluczynski	Radwan	Van Zandt
Knutson	Rains	Velde
Landrum	Ray	Vinson
Lanham	Reece, Tenn.	Vorys
Lankford	Reed, N. Y.	Walter
LeCompte	Rees, Kans.	Watts
Lesinski	Reuss	Weaver
Lipscomb	Rhodes, Ariz.	Westland
Long	Rhodes, Pa.	Wharton
Lovre	Richards	Whitten
McCarthy	Riehlman	Wigglesworth
McCormack	Riley	Williams, Miss.
McCulloch	Rivers	Williams, N. J.
McDonough	Roberts	Williams, N. Y.
McGregor	Robeson, Va.	Willis
McIntire	Robsion, Ky.	Wilson, Calif.
McMillan	Rodino	Wilson, Ind.
McVey	Rogers, Colo.	Winstead
Mack, Ill.	Rogers, Fla.	Withrow
Mack, Wash.	Rogers, Mass.	Wolcott
Madden	Rogers, Tex.	Wolverton
Magnuson	Rooney	Wright
Mason	Roosevelt	Yates
Matthews	Rutherford	Young
Meader	St. George	Younger
Merrow	Saylor	Zablocki
Metcalf	Schenck	Zelenko
Miller, Calif.	Schwengel	

ANSWERED "PRESENT"—3

Mahon	Scrivner	Sheppard

NOT VOTING—57

Anfuso	Eberharter	Mailliard
Bass, Tenn.	Flynt	Martin
Baumhart	Frelinghuysen	Murray, Tenn.
Bell	Gamble	Nelson
Brooks, La.	Grant	Norrell
Brooks, Tex.	Gwinn	O'Hara, Minn.
Buckley	Halleck	O'Neill
Burleson	Hays, Ohio	Patman
Carnahan	Johansen	Pilcher
Chatham	Kearns	Powell
Davidson	Kelley, Pa.	Sadlak
Davis, Tenn.	Klein	Scherer
Davis, Wis.	Krueger	Scudder
Dawson, Ill.	Lane	Taylor
Diggs	Latham	Thompson, La.
Dingell	McConnell	Thornberry
Dixon	McDowell	Wainwright
Dodd	Macdonald	Wickersham
Dowdy	Machrowicz	Widnall

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Bell with Mr. Widnall.
Mr. Buckley with Mr. Scudder.
Mr. Anfuso with Mr. Kearns.
Mr. Klein with Mr. Wainwright.
Mr. Davidson with Mr. Taylor.
Mr. Powell with Mr. Sadlak.
Mr. Kelley of Pennsylvania with Mr. Gwinn.
Mr. Hays of Ohio with Mr. Baumhart.

Mr. Thompson of Louisiana with Mr. Johansen.
Mr. Wickersham with Mr. Gamble.
Mr. Machrowicz with Mr. Dixon.
Mr. Dowdy with Mr. Halleck.
Mr. O'Neil with Mr. Krueger.
Mr. Patman with Mr. Scherer.
Mr. Pilcher with Mr. Nelson.
Mr. Brooks of Louisiana with Mr. Davis of Wisconsin.
Mr. Chatham with Mr. O'Hara of Minnesota.
Mr. Dodd with Mr. Latham.
Mr. Flynt with Mr. Mailliard.
Mr. Macdonald with Mr. Frelinghuysen.
Mr. Carnahan with Mr. McConnell.

Mr. ADDONIZIO and Mr. KEARNEY changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. VINSON. Mr. Speaker, I am requested by the majority leader to ask unanimous consent that the business in order on Calendar Wednesday of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

COMMITTEE ON THE JUDICIARY

Mr. VINSON. Mr. Speaker, I am requested by the majority leader to ask unanimous consent that the Committee on the Judiciary may have permission to sit during general debate in the House today and tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

INDIAN CLAIMS COMMISSION

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. HALEY, SHUFORD, EDMONDSON, WESTLAND, and UTT.

THE LATE ADDISON T. SMITH

The SPEAKER. The Chair will recognize at this time the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. Mr. Speaker, it is with a feeling of deep sorrow that I announce to the House the passing of a former distinguished Member of this body, the Honorable Addison T. Smith.

Mr. Smith was born in Ohio in 1862. He entered the House of Representatives as a Representative from Idaho the same year as did our distinguished Speaker, the year 1913, and served continuously as a Member of this body for 20 years.

Addison T., as he was affectionately known in Idaho and in Washington, was a spry and alert man up to the time of his passing at the ripe old age of 93 years. He was very interested in all affairs of Government, all the civic affairs of the District of Columbia and of his native State of Ohio as well as the State he so ably represented in Congress, the State of Idaho.

Mr. Smith attended the opening of every session of the Congress over a period of 67 years, which shows the interest he had in the Government of his country.

I know that the Members of the House and his many friends here join me in heartfelt regret that we shall no longer enjoy the visits and companionship of a most genial, lovable, and respected gentleman.

Addison T. will be sorely missed.

Mr. MARTIN. Mr. Speaker, I join with the gentleman from Idaho in his expression of sympathy at the death of our beloved friend, Addison T. Smith. When I first came to Congress 32 years ago Mr. Smith was one of the stalwart and able legislators here. He was a man of vision and ability. He commanded the respect of all of us for his devotion to the welfare of the country. His interest in national affairs continued long after his retirement. He made frequent visits on all special occasions. A short time ago despite his 93 years he called and was his usual genial self.

I join with the gentleman from Idaho in expressing sorrow at his death and my sympathy is extended to his family in the loss of a fine, patriotic American.

Mr. BUDGE. I thank the gentleman.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. BUDGE. I yield to the gentleman from New York.

Mr. TABER. Mr. Speaker, I was here for 10 years during the service of Addison T. Smith. I was very close to him and had the most pleasant relations with him. He was a fine legislator, courageous, and very careful about what he did. He was one of the finest men I have ever known. I am very sorry to hear of his passing, but he did have a long and useful life. I extend my deepest sympathy to the members of his bereaved family.

Mr. BUDGE. I thank the gentleman.

Mrs. PFOST. Mr. Speaker, will the gentleman yield?

Mr. BUDGE. I yield to the gentlewoman from Idaho.

Mrs. PFOST. Mr. Speaker, I join my colleague from Idaho in expressing deep regret at the passing of one of the State's most illustrious citizens, Addison T. Smith. Congressman Smith was a fine and loyal representative of Idaho in this body for 20 years.

Although I did not know him during the years he was in Congress, I have come to appreciate him since I came to Washington. He was a kindly and cordial man, and he never entered the House Office Building without stopping in my office to pay his respects, and to wish me well in my work.

I extend my deepest sympathy at this time to his wife and son. Idaho shares their grief.

Mr. BUDGE. I thank the gentlewoman.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. BUDGE. I yield to the gentleman from Ohio.

Mr. JENKINS. Mr. Speaker, I am sorry to hear of the passing of Addison T. Smith. As the gentleman from Idaho has stated, Mr. Smith originally came from Ohio and we, the Members of Congress from Ohio, always had a real affection for him because he came from our State for one reason, and another reason was because all who knew Addison T. Smith knew that he was a real gentleman. I am going to miss him because I always saw him when he came up on his periodic visits to the House several times a year. I extend my deepest sympathy to his family in this hour of their sorrow.

Mr. BUDGE. I thank the gentleman.

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. BUDGE. I yield to the gentleman from Ohio.

Mr. HENDERSON. Mr. Speaker, it is with a profound sense of sorrow and shock that I learned of the death of Addison T. Smith, and that shock is felt not only within the confines of the House but throughout the Nation as well. Addison Taylor Smith was born in my community, in Guernsey County, Ohio, and his memory is revered by all in that county. Addison Taylor Smith came to Washington with the Representative from the 15th District of Ohio, the Honorable Col. J. B. Taylor, many years ago, and remained in Washington until he moved to the State of Idaho. I was very close to Mr. Smith from my first day in the Congress. I was greeted by Mr. Smith on my arrival here and as a newly elected Member of Congress, he led me through the corridors of the Capitol and the various buildings on the Hill, introducing me to many of the Members and officials. His advice and counsel were most helpful.

Addison Smith served in this Chamber as a Representative from Idaho from 1913 to 1933. Prior to his election to this office, he served as secretary to Senator George Laird Shoup from 1891 to 1901 and to Senator Weldon B. Heyburn from 1903 to 1912. His friends are legion and the value of his devoted public service throughout his life to his State and the people of this Nation will be long remembered.

Mr. Smith was born on September 5, 1862, as Abraham Lincoln began serving his 18th month as President of the United States. He was born near Cambridge, Ohio, my own hometown, and the people of Guernsey County have followed the illustrious career of this native son with deep affection and pride.

After being graduated from the Cambridge High School and the Commercial College at Pittsburgh, Mr. Smith pursued the study of law at George Washington University and the National Law School of Washington, D. C. He was admitted

to the bar of the District of Columbia in 1899 and of the State of Idaho in 1905.

During his service in the House of Representatives, Mr. Smith distinguished himself for his tireless efforts in behalf of his fellowmen. The passage of the Civil Service Retirement Act of 1920, establishing the retirement system for employees of the Federal Government, was in no small degree due to his efforts and is a tribute to his vision and his devotion to the needs of our older citizens. As Chairman of the Irrigation Committee of the House of Representatives he was largely responsible for the authorization of the Hoover Dam, the first large reclamation project undertaken by the Federal Government.

It was my privilege to have known Addison Smith as a friend. His graciousness and wisdom, flowing from such a long and useful life, has been an example to all of those who have been privileged to know him. His passing from our midst causes a sense of the deepest personal loss.

I recall reading a passage in Mr. Smith's book, Lincoln the Patriot, when he wrote:

> President Lincoln was indeed a man who loved the common people, and his popularity among the masses during his life, and the reverence since his death, is due to his homely virtues of gentleness, kindness, and sympathy toward humanity, as well as his achievements as a great President.

These traits of character which he perceived and extolled in Lincoln were also the striking virtues of Addison Smith. While he would have believed such a comparison with the Great Emancipator inappropriate, a man's deeds, be they great or small, are only a reflection of those attributes which his station affords him the opportunity to exhibit in the service of mankind. By this standard, the comparison is most appropriate.

Mr. BUDGE. I thank the gentleman.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. BUDGE. I yield to the gentleman from New York.

Mr. REED of New York. Mr. Speaker, I had the pleasure and honor of serving with Addison T. Smith during the entire time that he served in the House of Representatives. He was one of the outstanding legislators of this Congress, and I regret his passing. I extend my sympathy to the members of his family.

Mr. BUDGE. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD, and I further ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. RAYBURN. Mr. Speaker, Addison Smith and I came into the House on the same day. He was a very fine gentleman and served well his country. He was a modest but able man, likable and loyal. He had as many friends as anyone who served with me.

My deepest sympathy for all his loved ones.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from South Carolina [Mr. MCMILLAN], chairman of the Committee on the District of Columbia.

RAILWAY-HIGHWAY GRADE ELIMINATION STRUCTURES IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (S. 2895) to amend the acts of February 28, 1903, and March 3, 1927, relating to the payment of the cost and expense of constructing railway-highway grade elimination structures in the District of Columbia, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from South Carolina?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume that some time is going to be taken to explain each of these bills as they came up under these circumstances?

Mr. McMILLAN. Mr. Speaker, I am going to insert in the RECORD an explanation of each of these bills.

Mr. GROSS. The answer of the gentleman to the question is "Yes"?

Mr. McMILLAN. Yes.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the second sentence of the second paragraph of section 10 of the act of February 28, 1903 (32 Stat. 918), as amended (sec. 7–1214, D. C. Code, 1951 edition), is amended to read as follows: "The cost and expense of any project for opening any such street or highway within the limits of such railroad company's right-of-way, including the cost of constructing the portion of any viaduct bridge, within said limits, shall be borne and paid as follows:

"(1) The District of Columbia shall apply to the payment of such cost and expense all Federal-aid highway-railway grade separation funds available for use by the District of Columbia at the time any such project is programed and all such funds which become available for use on such projects by the District of Columbia during the construction of such project;

"(2) If such Federal-aid highway-railway grade separation funds are insufficient to pay the cost and expense of any such project, the portion not so covered shall be paid one-half by the railroad company, its successors and assigns, whose tracks are crossed and one-half by the District of Columbia: *Provided,* That in no case shall the obligation of the railroad company affected exceed 10 percent of the total cost and expense of such project: *Provided further,* That the obligation within this limit of the railroad carrier affected shall be determined in accordance with the provisions of subparagraph (b) of section 5 of the Federal-Aid Highway Act of 1944;

"(3) After construction, the cost of maintenance shall be wholly borne and paid in the case of highway overpasses by the District of Columbia, and in the case of highway underpasses by the railroad company, its successors and assigns, whose tracks are crossed; and

"(4) The portions of such streets planned or projected as above which lie within a right-of-way belonging to such railroad company shall be dedicated by such company as a public thoroughfare when the portions of such street adjoining such right-of-way have been similarly dedicated or otherwise acquired."

SEC. 2. (a) That section 3 of the act of March 3, 1927 (44 Stat. 1353; sec. 7–1215, D. C. Code, 1951 edition), is amended by striking therefrom the word "steam."

(b) So much of section 3 of such act approved March 3, 1927, as reads: *"Provided,* That one-half of the total cost of constructing any viaduct or subway and approaches thereto shall in such case be paid by the railroad company, its successors or assigns, whose tracks are so crossed; and in the event the rights-of-way of two or more railroad companies are so crossed said half cost as herein provided shall be paid by the said railroad companies, their successors or assigns, in proportion to the widths of their respective landholdings, and all" is amended to read as follows: *"Provided,* That the total cost of constructing any project for such viaduct or subway and approaches thereto shall be borne and paid as follows:

"(1) The District of Columbia shall apply to the payment of the cost of such project all Federal-aid highway-railway grade separation funds available for use by the District of Columbia at the time any such project is programed and all such funds which become available for use on such project by the District of Columbia during the construction of such projects; and

"(2) If such Federal-aid highway-railway grade separation funds are insufficient to pay the cost of any such project, the portion not so covered shall be paid one-half by the railroad company, its successors and assigns, whose tracks are crossed and one-half by the District of Columbia: *Provided further,* That in no case shall the obligation of the railroad company affected exceed 10 percent of the total cost of such project: *Provided further,* That the obligation within this limit of the railroad carrier affected shall be determined in accordance with the provisions of subparagraph (b) of section 5 of the Federal-Aid Highway Act of 1944: *Provided further,* That in the event the rights-of-way of two or more railroad companies are so crossed said half cost as herein provided shall be paid by the said railroad companies, their successors and assigns, in proportion to the widths of their respective landholdings, but the obligations of such companies shall not, in the aggregate, exceed 10 percent of the cost of such project: *Provided further,* That after construction the cost of maintenance shall be wholly borne and paid in the case of highway overpasses by the District of Columbia, and in the case of highway underpasses by the railroad company, its successors and assigns, whose tracks are crossed: *Provided further,* That in the event the rights-of-way of two or more railroad companies are so crossed, the cost of maintenance shall be borne and paid in the case of highway underpasses by the said railroad companies, their successors and assigns, in proportion to the widths of their respective landholdings. All".

With the following committee amendments:

Page 2, line 17, change the colon to a semicolon and strike out the proviso that follows.

Page 4, line 15, after the colon, strike out all of line 15 down to and including all of line 18.

The committee amendments were agreed to.

Mr. McMILLAN. Mr. Speaker, I move to strike out the last word for the purpose of explaining this bill.

The purpose of this bill is to provide that—

First. The District of Columbia shall apply to the payment of the cost and expense of the highway-railway grade separation projects referred to in said acts all Federal-aid highway-railway grade separations funds available for use by the District on such projects at the time such projects are programed and all such funds which become available for use by the District on such projects during the construction of such projects.

Second. In the event that Federal-aid highway-railway grade separation funds available to the District of Columbia are insufficient to pay the total cost and expense of such grade separation projects, the total cost and expense of said separation projects not paid with such Federal-aid funds shall be borne and paid one-half by the railroad company whose tracks are crossed and one-half by the District of Columbia: provided, however, that the railroad company's share of such cost shall not in any case exceed 10 percent of the total cost and expense of such projects.

Third. After construction the cost of maintenance shall be wholly borne in the case of highway overpasses by the District of Columbia and in the case of highway underpasses by the railroad company.

Mr. SIMPSON of Illinois. I should like to say that this bill was unanimously reported out of the committee.

Mr. GROSS. Mr. Speaker, if the gentleman will yield, does this bill have anything to do with the Jones Point Bridge?

Mr. McMILLAN. No; it has no connection whatsoever with the bridge.

The SPEAKER pro tempore. The question is on the bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HIGHWAY-RAILROAD GRADE SEPARATIONS IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (S. 2704) to authorize the appropriation of funds for the construction of certain highway-railroad grade separations in the District of Columbia, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, in recognition of the fact that the need to bring traffic to and from the Washington-Baltimore Parkway and to handle such traffic requires the construction of certain highway-railroad grade separations, there is hereby authorized to be appropriated to the District of Columbia for credit to the Highway Fund, out of any money in the Treasury not otherwise appropriated, the sum of $665,000, which shall be in addition to any other amounts authorized, appropriated, accruing, or otherwise made available to the District of Columbia under any other provision of law, for the construction and maintenance in the District of Columbia of a highway-railroad grade separation underpass at a point in the southeast section of the District of Columbia in the vicinity of East Capitol Street, where the proposed extension of East Capitol Street as shown on the highway plan of the District of Columbia will cross the right-of-way of the Philadelphia, Baltimore, and Washington Railroad and the Baltimore and Ohio Railroad. Such sums as are appropriated shall remain available until expended when specifically provided in the appropriation act.

SEC. 2. Appropriations made to carry out the purposes of this act shall be available for construction, maintenance, and expenses incident to construction and maintenance, including planning, design, overhead, and supervision.

SEC. 3. Since the construction of East Capitol Street extended is to provide connections between the District of Columbia and the Federal Highway System, the entire cost of construction and maintenance of the grade-separation structure referred to in the preceding sections of this act shall be borne by the District of Columbia, out of funds authorized to be appropriated by this act and any other funds available to the District, and no contributions to such cost of construction and maintenance shall be required of any railroad whose right-of-way is involved by such structure, except as provided in section 4 of this act.

SEC. 4. The dedication by the railroads to the District of Columbia of the right to use as a public thoroughfare the portion of East Capitol Street extended shall not impair or affect the right of the railroads to use for railroad purposes the portion of its right-of-way so dedicated.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to authorize partial reimbursement of the District of Columbia for its share of the cost of certain highway-railroad grade separations and prohibits assessment of any of the cost against the railroads involved.

The project is at a point in the southeast section of the District of Columbia in the vicinity of East Capitol Street, where the proposed extension of East Capitol Street as shown on the highway plan of the District of Columbia will cross the right-of-way of the Philadelphia, Baltimore & Washington Railroad—operated under lease by the Pennsylvania Railroad—and the Baltimore & Ohio Railroad.

The total cost of the project is estimated at $1,995,000.

At present, about 65 percent of this cost is to be paid from Federal-aid funds available to the District and one-half of the balance is to be paid each by the District and the railroads, pursuant to a contract. The committee is advised, however, that the railroads became parties to the existing and revised agreements under the duress of threatened action by the District under the Union Station Act of 1903 to compel payment by the Commissioners of the District of Columbia of 50 percent of the entire cost of the project. On behalf of the carriers it is claimed that since the railroads receive no benefit whatever from the separation, they should not be compelled to pay anything toward the cost.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING PHILADELPHIA, BALTIMORE & WASHINGTON RAILROAD CO. TO CONSTRUCT SIDING OVER SECOND STREET SE.

Mr. McMILLAN. Mr. Speaker, I call up the bill (S. 2705) to authorize the Philadelphia, Baltimore & Washington Railroad Co. to construct, maintain, and operate a branch track or siding over Second Street SE., in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Philadelphia Baltimore & Washington Railroad Co., be, and it is hereby, authorized and directed to construct, maintain, and operate at grade a single branch track or siding from its present track in square 737 to square 766 over Second Street in the vicinity of Second and I Streets SE., Washington, D. C., with the approval of the Commissioners of the District of Columbia, and to continue the operation and maintenance thereof, anything contained in any prior act or acts of Congress to the contrary notwithstanding.

Mr. McMILLAN. The purpose of this bill is to authorize the construction, maintenence, and operation of a railroad siding crossing Second Street SE., in the vicinity of I Street, with the approval of the Board of Commissioners of the District of Columbia. The Committee has been advised that the Evening Star Newspaper Co. proposes to construct a new building in this vicinity, and the railroad siding would be needed to serve the building.

Both the Director of Highways and the Director of Vehicles and Traffic of the District of Columbia have expressed the opinion that from a traffic standpoint the construction and operation of this siding would not be objectionable.

This bill has the approval of the Board of Commissioners of the District of Columbia.

The bill was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

CONCERNING GIFTS OF SECURITIES TO MINORS IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (H. R. 11090) concerning gifts of securities to minors in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) with respect to the District of Columbia, any adult person may make a gift of securities to a per-

son who has not attained the age of 21 years on the date of the gift (hereinafter referred to as the "minor") in the following manner:

(1) Securities, if in registered form, shall be registered by the donor in his own name or in the name of any adult member of the minor's family or in the name of any guardian of the minor, followed by the words, "as custodian, for_____, (Name of minor) a minor, under the laws of the District of Columbia", and the securities shall be delivered to the person in whose name they are thus registered as custodian. If the securities are thus registered in the name of the donor as custodian such registration shall of itself constitute the delivery required by this section.

(2) Securities, if in bearer form, shall be delivered by the donor to any adult member of the minor's family, other than the donor, or to any guardian of the minor, accompanied by a deed of gift duly acknowledged in substantially the following form, signed by the donor and the person designated therein as custodian:

DEED OF GIFT UNDER THE LAWS OF THE DISTRICT OF COLUMBIA

I, _____ (Name of donor) do hereby deliver to _____ (Name of custodian as custodian for _____ (Name of minor) a minor, under the laws of the District of Columbia, the following security(ies): Principal amount $_____, of the _____ _____ (Description of security). Serial number of security _____. or Certificate No. _____, representing _____ shares of the _____ (Class or type of _____ stock of _____ stock) (Name of company)

_____ (Signature of donor)

I, _____, (Name of custodian) do hereby acknowledge receipt of the above described security(ies).

_____ (Signature of custodian)

Dated: _____.

(b) The person designated as a custodian under this section is hereinafter called "the custodian."

SEC. 2. A gift made in the manner prescribed in the first section of this act shall be irrevocable and shall convey to the minor indefeasibly vested legal title to the securities thus delivered, but no guardian of the person or property of the minor shall have any rights, duties or authority with respect to any property held at any time by the custodian under the authority of this act unless said guardian shall himself be or become custodian in accordance herewith.

SEC. 3. (a) The custodian shall hold, manage, invest and reinvest the property held by him as custodian, including any unexpended income therefrom, as hereinafter provided. He shall collect the income therefrom and apply so much or the whole thereof and so much or the whole of the other property held by him as custodian as he may deem advisable for the support, maintenance, education and general use and benefit of the minor, in such manner, at such time or times, and to such extent as the custodian in his absolute discretion may deem suitable and proper, without court order, without regard to the duty of any person to support the minor and without regard to any other funds which may be applicable or available for the purpose. To the extent that property held by the custodian and the income thereof is not so expended, it shall be delivered or paid over to the minor upon the minor's attaining the age of twenty-one years, and in the event that the minor dies before attaining the age of twenty-one years it shall thereupon be delivered or paid over to the estate of the minor.

(b) The custodian may sell, exchange, convert, or otherwise dispose of any and all of the securities or other property held by him in such manner and at such time or times, for such prices and upon such terms as he may deem advisable; he shall have the power in his sole and absolute discretion to retain any and all securities delivered to him within the meaning and under the authority of this act without reference to the statutes relating to permissible investments by fiduciaries; he shall invest the minor's property in such securities as would be acquired by prudent men of discretion and intelligence who are seeking a reasonable income and the preservation of their capital without reference to the statutes relating to permissible investments by fiduciaries or hold part or all of the same in one or more bank accounts in his name as such custodian; he may vote in person or by general or limited proxy with respect to any securities held by him; he may consent directly or through a committee or other agent to the reorganization, consolidation, dissolution or liquidation of any corporations, the securities of which may be held by him, or to the sale, lease, pledge or mortgage of any property by or to any such corporation.

(c) In addition to the foregoing rights, powers, and duties with respect to any securities or other property held by the custodian, the custodian, in his name as such custodian, shall have all the powers of management which a guardian of the property of the minor would have.

(d) The custodian may execute and deliver any and all instruments in writing which he may deem advisable to carry out any of the foregoing powers. No issuer of securities, transfer agent, registrar, or bank, or other person acting on the instructions of any person purporting to be a custodian or donor, shall be responsible for determining whether any person has been duly designated as a custodian under this act, or whether any purchase, sale, or transfer to or by any person as custodian is in accordance with or authorized by this act, or shall be obliged to inquire into the validity under this act of any instrument or instructions executed or given by a person purporting to act as custodian or donor, or be bound to see the application by any person purporting to act as custodian of any money or other property paid or delivered to him. All registered securities held by the custodian from time to time shall be registered in his name followed by the words "as custodian for _____ (name of minor), a minor under the laws of the District of Columbia." All other property held by the custodian for the minor under the authority of this act shall be kept separate and distinct from the custodian's own personal funds and property and shall be maintained at all times in such a manner as to identify it clearly as the minor's property held by the custodian under the authority of this act.

SEC. 4. A person acting as custodian, other than a guardian of the property of the minor, shall receive no compensation for his services but shall be entitled to reimbursement from the property held by him as custodian for the reasonable expenses incurred in the performance of his duties hereunder. A guardian of the property of the minor, when acting as custodian under the authority of this act, may receive such additional compensation for his services as guardian as he would be entitled to receive if the property held by him as custodian hereunder were held by him in his capacity as guardian, in addition to the other property of the minor held by him in that capacity.

SEC. 5. A custodian who is not compensated for acting as such shall be under no obligation to give bond for the faithful performance of his duties and shall not be liable for any losses to the property held by him except such as are the result of his bad faith or intentional wrongdoing or result from his investing the minor's property in a manner other than as prescribed in section 3 (b) of this act.

SEC. 6. A custodian may resign by (1) executing and duly acknowledging an instrument of resignation designating a successor custodian who is an adult member of the minor's family or a guardian of the minor, (2) delivering such instrument to the successor custodian, (3) causing securities, if in registered form, to be registered in the name of the successor custodian as such, and (4) delivering to the successor custodian such securities so registered together with all other property held by him as custodian. In the alternative, the custodian may petition the United States District Court for the District of Columbia (holding a probate court) for permission to resign and for the appointment of a successor custodian.

SEC. 7. In the event of the death or incapacity of the custodian before the minor attains the age of 21 years, if there is a duly appointed and acting general guardian of the property of the minor at the time of such death or incapacity of the custodian, he shall become the successor custodian, but if there is no duly appointed and acting general guardian of the property of the minor at said time, the successor custodian shall be the adult member of the minor's family or a guardian of the minor, designated by will or duly acknowledged instrument of appointment executed by the last acting custodian. If no such designation is made by the last acting custodian, his legal representative may designate in writing an adult member of the minor's family or a guardian of the minor a successor custodian.

SEC. 8. At any time or times when there is no duly acting custodian the legal representative of the last acting custodian or any adult member of the minor's family or a guardian or a next friend of the minor may petition the United States District Court for the District of Columbia (holding a probate court) for the appointment of a successor custodian.

SEC. 9. Any successor custodian shall have all the rights, powers, and duties of a custodian under the authority of this act.

SEC. 10. The custodian shall not be required to account to the minor or to any other person for his acts and proceedings unles such custodian, his legal representative, the minor, a parent of the minor, the legal representative or next friend of the minor or a successor custodian shall petition the court for such an accounting no later than one year after the minor attains the age of 21 years or dies before attaining the age of 21 years.

SEC. 11. The United States District Court for the District of Columbia (holding a probate court) may remove the custodian for cause.

SEC. 12. (a) The term "security" as used in this act means any note, stock, bond, debenture, evidence of indebtedness, collateral trust certificate, transferable share, voting trust certificate, certificate of deposit for a security or, in general, any interest or instrument commonly known as a security, or any certificate of interest or participation in, temporary or interim certificate for, or warrant or right to subscribe to or purchase, any of the foregoing.

(b) A security is in "registered form" when its terms specify a person entitled to the security or to the rights it evidences and specify that its transfer may be registered upon books maintained for that purpose by or on behalf of an issuer.

(c) A security is in "bearer form" when it runs to bearer according to its terms and not by reason of any endorsement.

(d) The term "member of the minor's family" as used in this act means the minor's parents, grandparents, brothers, sisters, uncles, and aunts, whether of the whole blood or the half blood, or by or through legal adoption.

(e) The term "legal representative" as used in this act means, as may be appropriate in the circumstances, the executor, administrator, general guardian, or committee (conservator) of the property of the person to whose legal representative reference is made.

(f) A gift made under authority of this act to a guardian of the minor as custodian shall be deemed to have satisfied the requirements of this act if the person to whom delivery has been made is either guardian of the person or guardian of the property of the minor, duly appointed in the District of Columbia or in the State, Territory, or country where the minor was domiciled at the time of the delivery of the gift.

SEC. 13. This act shall not be construed as providing an exclusive method for making gifts of securities to minors.

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to facilitate gifts of stock and other securities to minor children within the District of Columbia.

Legislation similar to this bill has been enacted in 13 States in the 1955 and 1956 State legislative sessions. Those 13 States are—California, Colorado, Connecticut, Georgia, Michigan, New Jersey, New York, North Carolina, Ohio, Rhode Island, South Carolina, Virginia and Wisconsin.

This bill applies only to gifts of securities to a minor child. It does not affect in any way the legal safeguards which have always protected a child's property received by inheritance or in any other manner. This bill merely provides a simple way for a parent or other adult to make a gift of stock to a child and reserve a power to manage the securities given until the child reaches 21.

In the District of Columbia common stock or other securities cannot be legally given to a minor child in 1 of 2 principal ways. An outright gift of securities can be made to a child and the securities registered in his name. This method can, however, create considerable problems because a subsequent sale of the stock for the child would require appointment by a court of a legal guardian for the child. Guardianship can be extremely cumbersome, restrictive and expensive when small gifts of stock to a child are concerned. As a result, this method of giving stock to children has not been practical for small gifts.

The second method of giving securities to children now available to parents is the creation of a trust. Here again the expense and inconvenience of a trust have deterred parents who desired to make modest gifts of stock to their children.

The treatment of stock gifts to children has contrasted sharply with the freedom and flexibility offered to parents who desire to make gifts to their children of either United States Government bonds or savings accounts. In these two areas little or no expense or redtape inhibits the parent from making gifts. In both cases, it has been made extremely simple for the parent or giver to act on the child's behalf in dealing with the bond or savings account which has been given to the child.

This bill would enable parents in the District of Columbia to make gifts of securities, no matter how small, to their children with the same ease that they can now give a Government bond or savings account. Such a simple method of making small gifts of stock to children is desirable because ownership of common stock can help to educate our younger generation to the workings of our free enterprise system.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRESIDENTIAL INAUGURAL CEREMONIES

Mr. McMILLAN. Mr. Speaker, by direction of the House Committee on the District of Columbia, I call up the joint resolution (H. J. Res. 667) to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies, and ask unanimous consent that the joint resolution be considered in the House as in the Committee of the Whole.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That (a) this act may be cited as the "Presidential Inaugural Ceremonies Act."

(b) For the purposes of this act—

(1) The term "inaugural period" means the period which includes the day on which the ceremony of inaugurating the President is held, the 5 calendar days immediately preceding such day, and the 4 calendar days immediately subsequent to such day;

(2) The term "Inaugural Committee" means the committee in charge of the Presidential inaugural ceremony and functions and activities connected therewith, to be appointed by the President-elect;

(3) The term "Commissioners" means the Commissioners of the District of Columbia or their designated agent or agents;

(4) The term "Secretary of Defense" means the Secretary of Defense or his designated agent or agents; and

(5) The term "Secretary of the Interior" means the Secretary of the Interior or his designated agent or agents.

SEC. 2. For each inaugural period the Commissioners are authorized and directed to make all reasonable regulations necessary to secure the preservation of public order and protection of life, health, and property; to make special regulations respecting the standing movement, and operation of vehicles of whatever character or kind during said period; and to grant, under such conditions as they may impose, special licenses to peddlers and vendors for the privilege of selling goods, wares, and merchandise in such places in the District of Columbia, and to charge such fees for such privilege, as they may deem proper.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, to enable the Commissioners to provide additional municipal services in said District during the inaugural period, including employment of personal services without regard to the civil service and classification laws; travel expenses of enforcement personnel from other jurisdictions; hire of means of transportation; meals for policemen and firemen, cost of removing and relocating streetcar loading platforms, construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths; and other incidental expenses in the discretion of the Commissioners.

SEC. 4. The Secretary of the Interior, with the approval of such officer as may exercise jurisdiction over any of the Federal reservations or grounds in the District of Columbia (other than those areas under the jurisdiction of the Congress or any committee thereof), is authorized to grant to the Inaugural Committee permits for the use of such reservation or grounds during the inaugural period, including a reasonable time prior and subsequent thereto; and the Commissioners are authorized to grant like permits for the use of public space under their jurisdiction. Each such permit shall be subject to such restrictions, terms, and conditions as may be imposed by the grantor of such permit. With respect to public space outside the United States Capitol Grounds, no reviewing stand or any stand or structure for the sale of goods, wares, merchandise, food, or drink shall be built on any sidewalk, street, park, reservation, or other public grounds in the District of Columbia, except with the approval of the Inaugural Committee, and with the approval of the Secretary of the Interior or the Commissioners, as the case may be, depending on the location of such stand or structure. The reservation, ground, or public space occupied by any such stand or structure shall, after the inaugural period, be promptly restored to its previous condition. The Inaugural Committee shall indemnify and save harmless the District of Columbia and the appropriate agency or agencies of the Federal Government against any loss or damage to such property and against any liability arising from the use of such property, either by the Inaugural Committee or a licensee of the Inaugural Committee.

SEC. 5. The Commissioners are authorized to permit the Inaugural Committee to install suitable overhead conductors and install suitable lighting or other electrical facilities, with adequate supports, for illumination or other purposes. If it should be necessary to place wires for illuminating or other purposes over any park or reservation in the District of Columbia, such placing of wires and their removal shall be under the supervision of the official in charge of said park or reservation. Such conductors with their supports shall be removed within 5 days after the end of the inaugural period. The Commissioners, or such other officials as may have jurisdiction in the premises, shall enforce the provisions of this joint resolution, take needful precautions for the protection of the public, and insure that the pavement of any street, sidewalk, avenue, or alley which is disturbed or damaged is restored to its previous condition. No expense or damage from the installation, operation, or removal of said temporary overhead conductors or said illumination or other electrical facilities shall be incurred by the United States or the District of Columbia, and the Inaugural Committee shall indemnify and save harmless the District of Columbia and the appropriate agency or agencies of the Federal Government against any loss or damage and against any liability whatsoever arising from any act of the Inaugural Committee or any agent, licensee, servant, or employee of the Inaugural Committee.

SEC. 6. The Secretary of Defense is authorized to lend the Inaugural Committee such hospital tents, smaller tents, camp appliances, hospital furniture, ensigns, flags, ambulances, drivers, stretchers, and Red Cross flags and poles (except battle flags) as may be spared without detriment to the public service, and under such conditions as he may prescribe. Such loans shall be returned within 5 days after the end of the inaugural period, the Inaugural Committee shall indemnify the Government for any lots or damage to any such property, and no expense shall be incurred by the United States Government for the delivery, return, rehabilitation, replacement, or operation of such equipment. The Inaugural Committee shall give a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

SEC. 7. The Commissioners, the Secretary of the Interior, and the Inaugural Committee are authorized to permit telegraph, telephone, radio broadcasting, and television companies to extend overhead wires to such points along the line of any parade as shall be deemed convenient for use in connection with such parade and other inaugural purposes. Such wires shall be removed within 10 days after the conclusion of the inaugural period.

SEC. 8. The regulations and licenses authorized by this act shall be in full force and effect only during the inaugural period. Such regulations shall be published in one or more of the daily newspapers published in the District of Columbia and no penalty prescribed for the violation of any such regulation shall be enforced until 5 days after such publication. Any person violating any regulation promulgated by the Commissioners under the authority of this act shall be fined not more than $100 or imprisoned for not more than 30 days. Each and every day a violation of any such regulation exists shall constitute a separate offense, and the penalty prescribed shall be applicable to each such separate offense.

With the following committee amendments:

On page 3, lines 15 and 16, strike the following: "(other than those areas under the jurisdiction of the Congress or any committee thereof)."

On page 3, lines 24 and 25, strike out "outside the United States Capitol Grounds."

On page 7, following line 2, add the following new section:

"SEC. 9. Nothing contained in this act shall be applicable to the United States Capitol Buildings or Grounds or other properties under the jurisdiction of the Congress or any committee, commission, or officer thereof: *Provided, however,* That any of the services or facilities authorized by or under this act shall be made available with respect to any such properties upon request or approval of the joint committee of the Senate and House of Representatives appointed by the President of the Senate and the Speaker of the House of Representatives to make the necessary arrangements for the inauguration of the President-elect and the Vice President-elect."

The committee amendments were agreed to.

Mr. McMILLAN. Mr. Speaker, I move to strike out the last word.

The purpose of this legislation is to authorize an appropriation for District expenses in connection with a Presidential inauguration; authorizes the Commissioners to make regulations for the protection of life, health, and property during the inaugural period, which by definition includes the day on which the inaugural ceremonies are held, the 5 calendar days prior thereto, and the 4 calendar days subsequent thereto, making a total of 10 calendar days; and for the granting of special licenses to persons selling goods, wares, and merchandise on the strees of the District during such period. The resolution centralizes in the Secretary of the Interior—or his designated agent, who might be the Superintendent of National Capital Parks—the authority to grant permits to the Inaugural Committee for the temporary use of public space under the control of the Federal Government outside of the Capitol grounds, and authorizes the Commissioners to grant permits to the Inaugural Committee for the temporary use of public space under their control. The resolution authorizes the temporary installation of lighting and communication facilities on and over public space, and authorizes the Secretary of Defense, or his designated agent, to loan tents, camp appliances, hospital furniture, and other equipment to the Inaugural Committee, for use in connection with the inaugural ceremonies. In general, the resolution is designed to provide such general authority as may be necessary to allow certain Federal officials and the Commissioners of the District of Columbia to cooperate fully with the Inaugural Committee in carrying forward the work connected with the Presidential inaugural ceremonies.

When inaugurations were held on March 4, it was possible to obtain the enactment of necessary legislation during the session of Congress beginning in December, and still have ample time for the Inaugural Committee and the various Federal and District agencies to accomplish their respective duties prior to the inauguration. However, with the inauguration date changed to January 20, it has become necessary that the proposed resolution be adopted during the current session of Congress in order to allow an adequate interval thereafter within which to permit the Inaugural Committee and the interested Federal and District agencies to complete arrangements well prior to the next inauguration.

Mr. SIMPSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield.

Mr. SIMPSON of Illinois. This legislation is passed every 4 years in order to set up the machinery that is necessary?

Mr. McMILLAN. That is correct. This legislation is necessary every 4 years. It gives the District Commissioners permission to make certain arrangements.

The joint resolution was ordered to be read a third time, was read the third time, and passed. A motion to reconsider was laid on the table.

CEMETERY ASSOCIATIONS

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 2896) to amend the act relating to cemetery associations, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, without regard to the provisions of section 27–114 of the District of Columbia Code (act of Mar. 3, 1901, 31 Stat. 1295, ch. 854, sec. 670), the Commissioners of the District of Columbia are hereby authorized to license for cemetery purposes any parcel of land in the District of Columbia which does not exceed 1 acre in size, and which except for a one-side frontage of less than 100 feet on a public street or highway, is otherwise completely bounded by land dedicated to cemetery purposes.

Mr. McMILLAN. Mr. Speaker, I move to strike out the last word.

The purpose of this bill is to authorize the Commissioners of the District of Columbia, without regard to the provisions of section 27–114 of the District of Columbia Code—act of March 3, 1901, 31 Statutes at Large, page 1295, chapter 854, section 670—to license for cemetery purposes any parcel of land in the District of Columbia which does not exceed 1 acre in size, and which except for a one-side frontage of less than 100 feet on a public street or highway, is otherwise completely bounded by land dedicated to cemetery purposes.

Under existing law in the District, land may not be dedicated for cemetery purposes which lies either within the boundaries of the old city of Washington or within 1½ miles thereof, and if situated beyond this point such dedication may occur only with the consent of all landowners and tenants residing within 200 yards of the particular plot and upon the express approval of the District Commissioners.

While the language of the bill is general and can apply to any parcel of land, it is at this time intended to take care of a particular situation which has existed for several years. The plot of land immediately concerned was acquired almost 30 years ago by the Washington Hebrew Congregation. It has a frontage of 90 feet on Alabama Avenue SE., approximately 400 feet east of Congress Place. Apart from this public highway frontage, it is completely surrounded by cemetery lands owned by the Washington Hebrew and Adas Israel congregations. Within the 200-yard radius covered by the consent provisions of present law, there reside several hundred families.

This legislation has the approval of the Commissioners of the District of Columbia.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

METROPOLITAN POLICE FORCE AND FIRE DEPARTMENT

Mr. DAVIS of Georgia. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 7538) to provide five longevity increases for officers and members of the Metropolitan Police force who have completed 28 years of service, without

regard to the grade in which such service was rendered, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subsection (d) of section 102 of the District of Columbia Police and Firemen's Salary Act of 1953, as amended, is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "except that any officer or member who completes 28 years of service with a rating of satisfactory or better shall receive upon completion of such 28 years of service five longevity increases without regard to the grade in which he rendered such service."

Mr. DAVIS of Georgia. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Georgia: On page 1, line 3, after "102", insert the following: "and subsection (d) of section 201."

The amendment was agreed to.

Mr. DAVIS of Georgia. Mr. Speaker, I move to strike out the last word.

The purpose of this bill is to provide that upon completion of 28 years' service an officer or member of the Metropolitan Police force or Metropolitan Fire Department may receive 5 longevity increases without regard to the grade in which such service was rendered.

There are 42 police officers in the Police Department who would be affected by this bill, and a smaller number in the Fire Department, who have never received a longevity increase. Under existing law it is impossible for them to receive such longevity increases. The purpose of this legislation is to correct this situation in the Police and Fire Departments.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "To provide five longevity increases for officers and members of the Metropolitan Police force and Fire Department who have completed 28 years of service, without regard to the grade in which such service was rendered."

A motion to reconsider was laid on the table.

CONSTRUCTION OF BRIDGES ACROSS POTOMAC RIVER

Mr. DAVIS of Georgia. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 2568) to amend title I of the act entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subsection (a) of the first section of title I of the act entitled "an act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," approved August 30, 1954 (68 Stat. 961), is amended (a) by inserting immediately after the phrase "Potomac River", where it first appears, the phrase "to be known as the Theodore Roosevelt Bridge,"; and (b) by striking the period at the end of said subsection and adding the following: ": *Provided further,* That the bridge hereby authorized to be constructed may cross such portion of either of the two islands comprising the said Theodore Roosevelt Memorial Island as may be agreed upon between the Theodore Roosevelt Association and the Commissioners. The general plan and profile of the bridge structure shall be subject to the approval of the Commission of Fine Arts. The general location of the bridge, approaches, interchanges, and connecting roads on lands under the jurisdiction of the Secretary of the Interior shall be subject to his approval. The bridge, approaches, interchanges, and connecting roads at both ends of the bridge shall be constructed with a view to retaining so far as possible the monumental setting and the artistic design of the Lincoln Memorial, the Arlington Memorial Bridge, and other monumental structures, properties, and park lands in the general area."

SEC. 2. Section 102 of said act approved August 30, 1954, is amended by striking the period at the end thereof and adding the following: ": *Provided,* That the Secretary of the Interior shall retain control and jurisdiction over all park lands in the vicinity of the bridge other than such lands as may be required for the actual bridge structure and other than the surface of the approach roads and streets between curbs, which shall be the responsibility of the government of the District of Columbia."

With the following committee amendments:

Beginning on page 1, line 7, and ending on page 1, line 9, strike the following language: "by inserting immediately after the phrase 'Potomac River', where it first appears, the phrase 'to be known as the Theodore Roosevelt Bridge' ", and insert in lieu thereof the following: "by deleting the phrase 'bridge over the Potomac River' where it first appears, and inserting immediately after the word 'low-level', the phrase 'six-lane bascule-span bridge over the Potomac River, to be known as the Theodore Roosevelt Bridge' ."

On page 2, strike lines 8 through 10 inclusive.

On page 2, line 19, following the word "That" insert the following: "upon completion of construction."

The committee amendments were agreed to.

Mr. DAVIS of Georgia. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the purpose of this bill is to amend title I of the act to authorize and direct the construction of bridges over the Potomac River—68 Statutes at Large, page 961—so as to accomplish the following:

First. Name any bridge constructed under authority of the first title of Public Law 704, 83d Congress, the Theodore Roosevelt Bridge.

Second. Allow the construction of the bridge authorized by the first title of the said Public Law 704 across Theodore Roosevelt Memorial Island, as well as south of said island.

Third. Make the general plan and profile of the bridge structure subject to the approval of the Commission of Fine Arts.

Fourth. Make the general location of the bridge, approaches, interchanges, and connecting roads subject to the approval of the Secretary of the Interior, as was suggested by the President in his message accompanying his approval of the act of August 30, 1954, Public Law 704.

Fifth. Require that the monumental character of the general area be maintained so far as possible.

Sixth. Keep control and jurisdiction over all park lands in the vicinity of the bridge in the Secretary of the Interior—except for such lands as may be required for the bridge structure and the surface of the approach roads and streets, which are made the responsibility of the District of Columbia—as was suggested by the President in his message accompanying his approval of the act of August 30, 1954.

These proposed changes were brought about since the enactment of Public Law 704 of the 83d Congress, because the Theodore Roosevelt Association has now agreed to permit the proposed bridge to cross the Potomac River over some portion of the two islands comprising the Theodore Roosevelt Memorial Island. The National Park Service of the Department of the Interior, the Commission of Fine Arts, and the District of Columbia Commissioners, all agree that the bridge would be better located if it were possible for it to cross either or both of the two islands comprising the Theodore Roosevelt Memorial Island instead of south of the southern portion of the island—sometimes referred to as Small Island—as set forth in Public Law 74. The consent of the Theodore Roosevelt Association to such crossing is conditioned on the naming of any such bridge the Theodore Roosevelt Bridge.

Mr. Speaker, our subcommittee has held a number of hearings on this legislation. We have heard all interested parties asking to be heard. It is the consensus of opinion and, in fact, it is the unanimous opinion of the subcommittee which held these hearings as well as the opinion of the full committee that this bill, as now amended, provides the best disposition of the problem which is presented by the need for another bridge in the area at or near Constitution Avenue.

We have held extensive hearings on a 4-lane bridge, a 6-lane bridge, a 4-lane tunnel, or a 6-lane tunnel. This legislation represents the judgment of the subcommittee and of the full committee.

Mr. SIMPSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. SIMPSON of Illinois. Is this not the nearest agreement on any bridge location that it is possible to obtain at this time?

Mr. DAVIS of Georgia. Yes, sir; it is.

Mr. GROSS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I take this time to ask the gentleman from Georgia or some

member of the District Committee a question or two concerning this bill. I note in the title that it refers to the construction of "bridges." Line 5, page 1, it refers again to construction of "bridges." Thereafter, throughout the bill it refers to one bridge. Why is it "bridges" in one place and "bridge" throughout the remainder of the bill? Does this provide for the construction of more than one bridge?

Mr. DAVIS of Georgia. No; it does not. The reason the word "bridges" is used is because that is the language in sixty-eight Statute at Large, page 961, to which I referred in my remarks, which deals with the construction of bridges over the Potomac River. There is only one bridge contemplated in this bill and only one provided for.

Mr. GROSS. This bridge would be at the far end of Constitution Avenue, or approximately at that location. Is that correct?

Mr. DAVIS of Georgia. It will cross the island known as Theodore Roosevelt Island. The plans are intended to connect with that island.

Mr. GROSS. But the bridge approach would be built somewhere near the Lincoln Memorial or Constitution Avenue extended; is that correct?

Mr. DAVIS of Georgia. It would be south, but it would not cross immediately where Constitution Avenue would run into the Potomac River.

Mr. GROSS. And across the river would be on Virginia territory. Is that correct?

Mr. DAVIS of Georgia. Of course it will cross the river into Virginia, if that is what the gentleman means.

Mr. GROSS. What will this bridge cost?

Mr. DAVIS of Georgia. It will cost $22,500,000.

Mr. GROSS. And this is to be a six-lane traffic bridge, as I understand it.

Mr. DAVIS of Georgia. Yes.

Mr. GROSS. And will cost $22,500,000. Who will pay for the bridge?

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I would like to get an answer to my question.

Mr. DAVIS of Georgia. The Federal Government would pay for it.

Mr. GROSS. The taxpayers of the country will pay for the bridge?

Mr. DAVIS of Georgia. Unless they can figure out some other way of getting the money.

Mr. BROYHILL. Will the gentleman yield?

Mr. GROSS. I yield.

Mr. BROYHILL. The actual structure of the bridge will cost only approximately $7 million. The major portion of the cost is improvement of the streets and approaches in the District of Columbia. The entire cost of the bridge and approaches in the District of Columbia will be a part of the District of Columbia and part of the Public Works program. It is included in their budget. Approximately $5½ million has already been appropriated. The District Highway Department is waiting for this approving legislation in order to start construction of the bridge.

Mr. GROSS. May I ask the gentleman from Virginia a question? Who will pay for the construction of the approaches on the Virginia side?

Mr. BROYHILL. The State of Virginia.

Mr. GROSS. Why does not the State of Virginia pay for the cost of the approaches for the bridge at Jones Point?

Mr. BROYHILL. They are paying for the approaches.

Mr. GROSS. But nothing for the bridge?

Mr. BROYHILL. Nothing for the bridge.

Mr. GROSS. And will pay nothing for the construction of the bridge itself?

Mr. BROYHILL. Not the bridge itself. The entire bridge will be in the District of Columbia.

Mr. GROSS. On both sides of the river?

Mr. BROYHILL. The Congress has already authorized and approved this method of financing. This legislation is merely to improve existing legislation. The Highway Department can go ahead under existing legislation. The District of Columbia Highway Division and the Planning Commission think this is a better location for the bridge. So this legislation is merely to improve existing legislation.

Mr. DAVIS of Georgia. Mr. Speaker, I stated that the cost of the bridge was $22,500,000; it is $24,500,000. I want to correct my previous statement.

I would like to state also, following up what the gentleman from Virginia [Mr. BROYHILL] said, that there is already existing authority to construct this bridge. This is simply an amendment of Public Law 704 of the last Congress. It changes the location somewhat and changes to some extent the type of the bridge.

Mr. GROSS. Then I would say to the gentleman that this legislation is necessary in order to carry out the construction of the bridge, is it not?

Mr. DAVIS of Georgia. No, it is not necessary; there is ample authority now to construct the bridge under Public Law 704.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DESIGNATION OF THE 14TH STREET HIGHWAY BRIDGES

Mr. DAVIS of Georgia. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 10947) to provide particular designations for the highway bridges over the Potomac River at 14th Street in the District of Columbia, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the west 14th Street highway bridge over the Potomac River from a point near 14th Street in the District of Columbia to a point in Virginia shall be known and designated hereafter as the "George Mason Memorial Bridge." Any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the "George Mason Memorial Bridge."

SEC. 2. The east 14th Street highway bridge over the Potomac River from a point near 14th Street in the District of Columbia to a point in Virginia shall be known and designated hereafter as the "Rochambeau Memorial Bridge." Any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the "Rochambeau Memorial Bridge."

Mr. DAVIS of Georgia. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the purpose of this legislation is to provide that the west 14th Street highway bridge over the Potomac River from a point near 14th Street in the District of Columbia to a point in Virginia shall be known and designated hereafter as the "George Mason Memorial Bridge." Any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the "George Mason Memorial Bridge."

The bill further provides that the east 14th Street highway bridge over the Potomac River from a point near 14th Street in the District of Columbia to a point in Virginia shall be known and designated hereafter as the "Rochambeau Memorial Bridge." Any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the "Rochambeau Memorial Bridge."

The bill was reported by a unanimous vote of the members present.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. BROYHILL. Mr. Speaker, as the gentleman from Georgia pointed out, this bill was reported out unanimously. It is certainly not controversial. I may point out that both these bridges have been there for a number of years without any name whatsoever.

George Mason, as the Members know, was a Virginia patriot, the man whom we consider the author of the Bill of Rights, and certainly the author of the Bill of Rights of the State of Virginia.

General Rochambeau was the great French leader during the Revolutionary War who led the French troops down to Yorktown to help us win the final decisive battle of the Revolutionary War. We have an interstate commission which is still in existence to chart the route over which Rochambeau led the French troops from New York to Yorktown during the Revolutionary War. I think this commission wants to have a ceremony in connection with the French Government if we pass this legislation to name one of the 14th Street bridges the Rochambeau Memorial Bridge.

I would like to say also for the benefit of the gentleman from Iowa that this will not cost a thin dime.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. In just a moment. I thank the gentleman from Virginia for his comments.

I now yield to our distinguished colleague from Iowa.

Mr. GROSS. I am glad to hear that this particular legislation is not going to be saddled on the taxpayers of the entire country. I venture the assertion, however, that if you look into it you will find that these bridges across the river were paid for by the taxpayers of the United States in whole or in part and not by the citizens of Virginia nor by the residents of the District of Columbia.

Mr. DAVIS of Georgia. I am glad to be able to say to the distinguished gentleman that this legislation will not cost any money whatsoever.

I think, Mr. Speaker, it is very fitting that these 2 bridges should be named for these 2 distinguished Revolutionary patriots, and I hope the legislation is unanimously adopted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, I now yield to the chairman of the subcommittee on the District of Columbia, to call up certain bills.

NATIONAL MEMORIAL STADIUM

Mr. HARRIS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 11967) to amend Public Law 523 of the 78th Congress entitled "Joint resolution to consider a site and design for a National Memorial Stadium to be erected in the District of Columbia," approved December 20, 1944, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the second sentence of the first section of Public Law 523 of the 78th Congress entitled "Joint resolution to consider a site and design for a National Memorial Stadium to be erected in the District of Columbia," approved December 20, 1944, is amended to read as follows:

"Such Commission is authorized and directed to make surveys, estimates, plans, and designs for the construction of an athletic field and stadium as a permanent memorial to the men and women who gave their lives while serving as members of the Armed Forces of the United States during World War I, World War II, and the Korean hostilities. Such Commission is further authorized and directed to formulate a method of financing the construction of such athletic field and stadium on a self-liquidating basis and to submit a report to Congress, together with its recommendations, on or before December 31, 1957. The athletic field and stadium referred to in this section shall be located in the District of Columbia on land now being used by the National Training School for Boys, which property shall, at such time as the same is no longer used for the National Training School for Boys, be designated, reserved, and made available for use as the athletic field and stadium authorized by this joint resolution."

SEC. 2. Section 3 of such Public Law is amended to read as follows:

"SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution."

Mr. HARRIS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, it will be recalled that the Congress established by joint resolution a Stadium Commission in 1944. This commission was active for a short period of time. It has been inactive since.

The purpose of this bill is to reactivate the commission which in fact has already been done even without this resolution insofar as the appointments of the House and Senate are concerned.

This bill would amend Public Law 523 so as to make available the site that is now used by the National Training School for Boys in the District of Columbia.

The bill specifically provides that this location be designated, reserved and made available for this use authorized by the joint resolution.

It further provides that the commission submit its report, together with its recommendations, to the Congress on or before December 31, 1957.

It has a very simple purpose, Mr. Speaker, and that is to reactivate the commission referred to. It sets aside and designates this particular site for such stadium, to be designed, planned and constructed at such time as it is not used for the purpose it is now being used by the District of Columbia.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. GROSS. What will this stadium cost and who is going to pay for it?

Mr. HARRIS. That is a question, of course, that cannot be answered at this moment because, in the first place, it has not been designed. The plans have not been developed. Until that is done no one can estimate what the cost will be. There are a lot of factors involved to determine what the cost will be.

In the second place, it will also be remembered that I was interested in this problem in 1944 and introduced legislation along this line which actually resulted in the resolution referred to being adopted in 1944. The proposal I made at that time was that the stadium be self liquidating. I have in mind, if I have anything to do with it, that that is the way this should be worked out.

Mr. GROSS. In section 2 it is provided as follows:

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

What does the gentleman think will be spent under the terms of this foot-in-the-door legislation?

Mr. HARRIS. In the first place, I would not want to agree with the gentleman's statement that it is a foot-in-the-door proposition.

Mr. GROSS. What is the purpose of it?

Mr. HARRIS. If a commission such as this, composed of 3 Members of the House of Representatives, 3 Members of the United States Senate, and 3 members selected by the District Commissioners, is to accomplish the objectives for which they are appointed, it will be necessary to have an organization. It will be necessary for them to employ architects to prepare plans, and to have such personnel as will be necessary to carry out this preliminary action of the Commission.

Mr. GROSS. I seem to recall that a few years ago the Congress appropriated some two or three million dollars for a sesquicentennial celebration in Washington. You were going to build a lot of structures in the Anacostia bottoms. When you wound up most of that money appropriated by Congress had been dissipated. I wonder if there is any chance of that happening in connection with this legislation.

Mr. HARRIS. Not at all. That was for one special occasion, and all the construction was of a temporary design and nature. Although I had nothing to do with it, I recall the incident the gentleman speaks of. This is a permanent memorial stadium for the District of Columbia in order to provide an appropriate place for these outstanding events, such as baseball, football, and other athletic programs so that they might be brought to the Nation's Capital.

Mr. SIMPSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Illinois.

Mr. SIMPSON of Illinois. This stadium, if erected, is supposed to be a memorial for the men and women who served in all wars.

Mr. HARRIS. That is true. And it is needed in the Government's capital.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from California.

Mr. JOHNSON of California. I have had limited experience with stadiums out in California. First we had one at the University of California, which was oversubscribed by the alumni of that large institution, and it has more than paid for itself. But, the one I have particularly in mind is the one we have at the College of the Pacific, at Stockton, Calif., a small college of about 1,000 or less students. We built a stadium there that cost $34,000, and with the events that we have had there in track, athletic events of all kinds, we have almost paid for that stadium in a short space of 3 years. I think what the gentleman has in mind will come to pass just like it has at the College of the Pacific, and therefore I support the chairman's argument.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, the District of Columbia needs adequate space both for a stadium and a civic and cultural center and the parking

needs of those attending these facilities must be provided for by good planning. These long-overdue and much-needed facilities are now receiving serious consideration by the Congress as well as by city officials of the Nation's Capital.

It is my firm belief that the plan of the Justice Department to sell the 307-acre tract of land, site of the National Training School, should be rejected. This land should, instead, be kept in public ownership. Otherwise, the city and its taxpayers may have to pay heavily later on for high-priced, developed land for these projects which will undoubtedly be built before long.

The cash outlay for a new reformatory might indeed be reduced by selling the land, the largest undeveloped piece of real estate in the District today, but it would, I am convinced, be the most expensive way of financing the project in the end—when the long-term needs of the Nation's Capital are considered.

With Senator FRANCIS CASE I introduced legislation to retain this land as a site for the National Memorial Stadium authorized by Public Law 523 of the 78th Congress.

And with Senator MCNAMARA I have sponsored legislation to establish an advisory board to assist the Commission created by the joint resolution of December 20, 1944, in considering a site and design for a National Memorial Stadium.

As a member of the National Memorial Stadium Commission I would like to say that I am especially pleased that the gentleman from Arkansas, OREN HARRIS, has taken the lead in this matter and the House District of Columbia Committee has reported out legislation which in a very real sense combines the best features of the bipartisan legislation which has been before the Congress. I might emphasize, Mr. Speaker, that the distinguished gentleman from Arkansas [Mr. HARRIS] is no stranger to this proposal. As long as 12 years ago Mr. HARRIS introduced a similar bill for a memorial stadium.

The New York Times reported that the Soviet Union, in an apparent bid for the 1960 or 1964 Olympics, has been working on plans to spend $62 million for a gigantic stadium, indoor tennis courts, and a summer artificial ice rink.

In a speech delivered at the National Press Club in Washington on February 28, 1955, William Randolph Hearst, Jr., following his Russian trip, said that Russia was sending troupes of athletes and artists abroad to spread their reactionary gospel and was spending the equivalent of millions of dollars on this.

Avery Brundage, in the Saturday Evening Post and elsewhere, has warned that the Russians may dominate the Australian Olympics. The huge Russian sports program is based on a broad and comprehensive system of physical training for everyone, regardless of age or sex. Undoubtedly, one of the results of this system, started more than 20 years ago, was a very substantial contribution to the success of the Soviet armies during World War II. No country is stronger than its people.

Increasingly these days leaders in all walks of life are expressing concern with the rejection by the armed services of about 35 percent of our young men because of physical unfitness. What is needed to meet this situation is a national program designed to make our people aware of the value of good health.

I am pleased, as was everyone who is concerned with this situation, that the President at his press conference recently made apt reference to a fine stadium in Washington as the symbol of the importance that should attach to wholesome recreation and athletics as a part of the American way of life.

It seems to me that in the development of a health and recreation program for our country that we should make a thorough study of the health programs abroad and seek to make the experience of other peoples available to us.

I would like to include here as part of my remarks a very important article from Sports Illustrated of April 16, 1956, which detailed the extensive plans of the Russians for four stadiums to be built in Moscow. It seems to me that we ignore the activities of the U. S. S. R. in the sports field at very grave peril to ourselves.

[From Sports Illustrated of April 16, 1956]

THE OLYMPIAN FIELDS OF MOSCOW

(By Horace Sutton)

It takes but one fast glance down the Moscow River Valley from the escarpment in front of Moscow University's 38-story skyscraper to realize that Russia is not merely out to cop the Olympics in Melbourne in 1956 but that it will make a bid to win them on its own territory in 1964.

As the April thaws dissolve the white satin comforter that has lain over the Lenin hills and the Luzhniki suburbs since last fall, a vast park of nearly 350 acres splotched with the skeletal forms of the most ambitious sports plant ever built in Russia, in Europe and perhaps in the world is revealed for the first time.

Construction crews aided by volunteer flying squads recruited from the Soviet Union's most famous athletic aggregations are swarming over the developing shapes of a stadium that will seat 100,000, an open-air swimming pool with seats for 13,200, a small stadium to hold 15,600, and a covered arena that will seat up to 17,000.

Under the melting snows that run down the embankment now to swell the curving Moscow River are the outlines of 8 football fields, 30 tennis courts, 17 volleyball courts, and 15 basketball courts. Soviet athletes will be able to compete and practice in 24 sports at the same time. A playing area, separate and complete, is being built for children. An international youth athletic festival is on the books for 1957.

But the reason for the immediate rush—the work schedule for the giant project has been pegged at 23 months—is the giant sports show being planned for this July. A mammoth spartakiad will bring together some 10,000 of the best athletes culled from the 16 Soviet republics. They will fight it out in a program of 165 matches. The winners, sifted from all-Russia's best sports talent, will have plenty of time to catch a slow boat for Melbourne where the summer Olympics begin in November.

Soviet athletes in from the far Asiatic provinces, Tartars up from the Kazan, indeed, even sophisticated Muscovites all converging on the sports center for the old collective try this summer, can hardly but be dazzled by this razzle-dazzle sports extravaganza. Above the seats of the main stadium, for instance, will be a circular deflector. The device has been designed to shade the football field during playing hours which vary from month to month. It will also hold 500 floodlights for night football games and provide illumination for television and newsreels. Simultaneously it will help protect the arena from strong winds blowing across from the Lenin Hills. As Soviet sports officials point out, a wind velocity of more than 6.6 feet per second would make track records inaccurate.

The Russians are trying out a new gimmick in the smaller stadium, too. First-row spectators have been elevated one tier so as not to distract the players. As the Russian magazine Sporting Games indicates, "The calm white walls surrounding the arena will further help the players to concentrate on the game." Nor will teams be distracted by warming up on the playing fields. A pair of warmup halls is being built under the stadium. And when the game is done, a player will not merely repair to the showers; he may relax like a czar, or a quota-meeting worker, in an oversized bathtub with a built-in seat.

A battalion of architects under the direction of Alexander Vlasov, the man who executed a 100-yard dash from New York back to Russia last year after being accused of overdecorating Moscow buildings, has designed a waterfall which will cascade over the outside wall of the swimming-pool stadium. However, they have also thought to install a functional heating system under the pool which will permit water-polo teams to practice 7 months a year. A freezing system in the covered arena will permit hockey players to disport themselves in summer. Playing hockey in the frostbite temperatures of a Russian winter never bothered a Russian, but it has severely hampered foreigners. A team from Britain played in the open-air Dynamo Stadium last winter before a crowd of 11,000 who sat in the unprotected stands in a temperature of 26 below. Cognac and wine were sold in the interests of self-preservation, but the situation wasn't serious enough to permit the sale of vodka.

Until now Moscow has never had a big indoor arena. Indoor events—boxing, for example—are usually staged in the circus at a time when the troupe is off playing in the hinterlands. When Sonja Henie came barreling into town from Oslo intent on staging her ice show in Moscow, the circus was busy playing the circus. When Miss Henie suggested requisitioning the Bolshoi Theater, that hallowed gold-and-plush auditorium sacred to the concert and ballet, the Russians were aghast.

The new covered stadium, completely air-conditioned, can hold as many as 17,000 spectators, depending on the games, and it will be larger than the Paris Velodrome d'Hiver. A roomy training room can be converted into a meeting room at a moment's notice, and a collapsible platform can be raised in the main hall for mass meetings.

In the Russian athletic scheme, the arena under the stands is not merely a place to decide partisan feelings. The space under the main stadium is being divided into four floors each girded by a circular passageway wide enough to drive an electric car. On the top floor there will be lodgings for 340 competitors as well as a pressroom connected to the press box in the stands. The third floor will house 8 gymnasiums, a conference hall for 250, 2 movie theaters each holding 250, a restaurant for 300 and a cafe for 300.

The comfort of the Socialist Soviet spectator seems to have become a prime consideration. Five thousand citizens can eat at one time in the restaurants, snack bars, mobile kitchens and local automats. It will be quite an improvement over the situation this winter when I watched youngsters ski along a path to Dynamo Stadium en route to a hockeygame, stop to buy snow-dusted, cream-stuffed crullers from a snow-dusted lady vendor. Between halves of the game (played with a ball and curved stick) between the Sverdlovsk Officers Club and the local Dynamo team a spectator could stave

off hunger with an 81-cent orange or a 90-cent chocolate bar.

In the Luzhniki sports center there will be tonic, too, for the Soviet soul. Burbling fountains will delight the ear, decorous pools will relieve the eye, leafy trees will shade the brow. Frescoes will decorate the principal buildings and wide promenades will lead down to the banks of the river.

A spur line of Moscow's famed subway is being extended to accommodate the university and the sports center. The Moscow River will be widened and a higher elevation provided for the park as a protection against spring floods. Boat races will be held on the river and piers are being installed "for the use of visitors in attaching their vessels." Not only will there be free parking for the comrades' yachts, but, says the Soviet architectural journal, "luxurious lawns will serve as a background for the calm and bright outlines of the sports buildings. * * * This," the magazine concludes, "will create a feeling of triumph and glory." With all this new equipment, it would seem that Ivan is at last ready to play for keeps.

[From the Washington Evening Star of June 5, 1956]

CITY STADIUM: A REAL NEED

Numerous avenues have been explored in the past in efforts to obtain an adequate and up-to-date stadium for Washington. Some of these avenues have turned out to be blind alleys. But none of the past failures obscures in the least the real need for a stadium. It is encouraging that the Board of Trade's stadium committee, under the chairmanship of John E. McClure, is renewing the search for a practical approach to the problem.

One idea has been to bring to new life the Stadium Commission, created by Congress toward the end of the war. The law authorizing the commission is still on the books. What would be needed is the appointment of new members—3 of them chosen by the Speaker from the House of Representatives, 3 by the Vice President from the Senate and 3 Washington citizens to be appointed by the President. There was never anything wrong with the commission idea. It perished because the plans espoused by the late Senator Bilbo, its chairman, became so grandiose that even the most enthusiastic advocates of the stadium turned skeptical.

Another approach might be to find out whether the relatively new idea of urban renewal can be applicable in finding the land and making available its use for a stadium. Variations of this urban renewal concept have been found practical in New York and Pittsburgh, not for stadia, but for other community enterprises. There is unofficial opinion here that by invoking this principle, Government and private enterprise might find the means for erecting a stadium in Washington. President Eisenhower was extraordinarily helpful in clearing away some of the stumbling blocks to the great Southwest redevelopment project. He could be equally helpful in directing that some official study be made to determine the feasibility of applying the urban renewal idea in acquiring land in Washington for a stadium.

A stadium is needed in Washington, not merely to accommodate in better surroundings the professional baseball and football teams—in themselves great assets to this city—but for other community uses dependent on adequate facilities. Washington is peculiarly handicapped, as a community, in undertaking such a project without leadership of Government, which so exclusively controls this Federal city. In comparison with other world capitals, Washington is far behind in this respect. But we believe the opportunity is here for a demonstration of partnership between Government and private enterprise in supplying a real need, so difficult to obtain without participation of both.

[From the Washington Post of March 26, 1956]

SAVE THIS LAND

If the Justice Department persists in its reported plan to help finance construction of a new national reformatory by selling off part of the present National Training School site in northeast Washington, Congress would do well to examine this proposal carefully. The 307-acre tract is the largest undeveloped piece of real estate left in the District. The cash outlay necessary for a new reformatory might be reduced by selling the site for private use without regard for the public needs of the city. But this in truth would be the most expensive possible way to finance the project.

The District needs space for a stadium, with adequate parking, and also for an auditorium-civic center, both of which projects are under consideration and undoubtedly will be built in the not distant future. It would be bad policy to give up the well-located training-school tract and force the public later to pay heavily for developed land for such projects. On the other hand, there are good reasons for not increasing the residential density of this area. Wisdom would seem to dictate keeping the tract in public ownership, Federal or District, and available for the metropolitan area's growing recreational needs.

[From the Washington Evening Star of March 29, 1956]

ACTION ON STADIUM

The Justice Department's move to sell a large tract of land that District officials had proposed as a site for a large national stadium has had the good effect of reviving public interest in the need for such a bowl in Washington. The threatened loss of the National Training School property—one of the best available sites in this crowded city for a stadium—should be a matter of concern to Congress and the District. Steps being taken by Representative THOMPSON of New Jersey, to revive the dead or dormant Memorial Stadium Commission are therefore very timely. The Commission approach, which became bogged down several years ago, might yet serve to get action started.

Representative THOMPSON is sponsoring legislation that would have the effect of reestablishing the Commission under authority of a joint resolution passed in 1944. A nine-man Commission was appointed in 1945 to advise Congress on the scope of the proposed stadium and on means of financing it. The structure was to serve as a memorial to the Nation's war dead. Unfortunately, that Commission, headed by the late Senator Bilbo, of Mississippi, became involved in political controversy and in disputes over the size and nature of the stadium. The Chairman insisted on a fantastic 200,000-capacity sports center, with removable aluminum roof and other costly and impracticable features. Congress soon lost interest in the stadium idea and the Commission was not reappointed after the death of Senator Bilbo.

The Thompson bill would re-create the Commission under the 1944 resolution and give it the services of an advisory committee representing veterans' organizations, athletic associations and other groups interested in such a bowl. It would be the task of the Commission to consider plans for a stadium on a suitable site in the District, with suggestions for financing it. Such a Commission, if composed of outstanding, realistically minded citizens, could help to get the stadium program under way, at long last. There is urgent need for leadership to end the apathy which has befallen the stadium proposal.

Mr. SIMPSON of Illinois. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD on this legislation.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, who gets the revenue after this structure is erected?

Mr. HARRIS. Of course, I am not a member of the stadium commission, but a commission of 3 has already been appointed by the Speaker, and therefore I could not attempt to speak for the members of that commission at all. From what I know about it, I have in mind the consideration of this project since 1944, at which time I was somewhat active with other Members here trying to develop the program, and from discussions and conferences I have had with people in the District here downtown, they are interested in this program now.

Mr. HOFFMAN of Michigan. That is a rather long answer.

Mr. HARRIS. I have in mind that the commission would be set up as a permanent commission to operate the stadium, and the revenue from the stadium would go to retire the cost of the stadium and pay for its maintenance.

Mr. HOFFMAN of Michigan. Since the gentleman is sponsoring the bill, the structure is to be paid for by the taxpayers generally; is that not right?

Mr. HARRIS. That is right.

Mr. HOFFMAN of Michigan. How is it going to be paid for?

Mr. HARRIS. It will be self-liquidating.

Mr. HOFFMAN of Michigan. Well, it has no money to start with.

Mr. HARRIS. No, it has not.

Mr. HOFFMAN of Michigan. All right. Now, you have to pay for the material that goes in and the labor? Who will pay for it? Is the cost to come out of the proceeds of the sale of bonds?

Mr. HARRIS. The original idea was to have a bond issue for the original construction and pay for the bond issue from the operations received from the stadium and the events held there.

Mr. HOFFMAN of Michigan. Then who owns it?

Mr. HARRIS. The District of Columbia will own it.

Mr. HOFFMAN of Michigan. Who is to get the revenue?

Mr. HARRIS. Of course, the District ultimately, if there were any surplus left.

Mr. HOFFMAN of Michigan. If I understand this correctly, then—and if I do not, I hope the gentleman will correct me—the gentleman is asking the taxpayers generally to erect this building, or to pay for the grounds, or whatever it is the gentleman is asking. The expense of building this stadium will be paid from the sale of a bond issue. Then when the bonds are retired from the receipts obtained by the operation, the District is to have whatever further money that comes in from the operation of this project which has been paid for by the taxpayers outside; is that correct?

Mr. HARRIS. What I have in mind about it is this——

Mr. HOFFMAN of Michigan. That is so; is it not?

Mr. HARRIS. What the gentleman said is correct with the exception of the money being paid by the taxpayers generally. I do not have that in mind at all.

Mr. HOFFMAN of Michigan. Who does pay for it?

Mr. HARRIS. The bonds are issued and then any receipts go into the construction of the project. Then the bonds would be retired from the revenues that are received from the operation of the project.

Mr. HOFFMAN of Michigan. Then this is to be strictly a District project?

Mr. HARRIS. The District would be authorized to build it. Somebody has got to control it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman.

Mr. GROSS. Who is going to provide the money expended under section 3 of this bill?

Mr. HARRIS. The original funds authorized here are for the operation of this Commission which has the duty to plan such a stadium.

Mr. GROSS. Who is going to provide the money just to get this thing started? Who is going to take care of that?

Mr. HARRIS. That would be appropriated for out of the Treasury.

Mr. GROSS. Of course it would be.

Mr. HARRIS. That does not include the construction of the stadium at all.

Mr. GROSS. So far as I have been able to learn from the colloquy of the gentleman from Arkansas [Mr. HARRIS] with the gentleman from Michigan [Mr. HOFFMAN], he has not tied this thing down to the revenues being used to retire the bonds. I do not know of any safeguard that protects the taxpayers of all the country.

(By unanimous consent (at the request of Mr. GROSS) Mr. HOFFMAN of Michigan was given permission to proceed for 5 additional minutes.)

Mr. HOFFMAN of Michigan. As I understand the situation, the people who purchase the bonds will pay for the construction, but the preliminary cost that the gentleman is talking about will come from moneys out of the Treasury of the United States to which we all contribute; is not that right?

Mr. GROSS. Yes; and we do not know how much more.

Mr. HOFFMAN of Michigan. That is the way it is; is it not?

Mr. HARRIS. I think what we have in mind is——

Mr. HOFFMAN of Michigan. Is not that accurate? Is not what I said accurate, or did not the gentleman hear what I said?

Mr. HARRIS. I am sorry; I did not hear the gentleman's question.

Mr. HOFFMAN of Michigan. The cost of construction will be paid for out of the proceeds from the sale of bonds?

Mr. HARRIS. Yes, that is the contemplated plan.

Mr. HOFFMAN of Michigan. But these preliminary procedures, what will be the approximate cost of those?

Mr. HARRIS. That would be for the design, and so forth.

Mr. HOFFMAN of Michigan. Costing approximately how much?

Mr. HARRIS. We cannot tell. I will say this. Twenty-five thousand dollars was appropriated for this purpose and not one penny of it was spent. The people served without any compensation whatsoever.

Mr. HOFFMAN of Michigan. What is the $25,000 for if nobody is to get any pay?

Mr. HARRIS. It was contemplated to be used, but the Commission decided it was not necessary to use it, and, therefore, they did not use it.

Mr. HOFFMAN of Michigan. That seems like my wife giving me a couple of dollars to go down and buy some groceries, when I do not need any groceries.

Mr. HARRIS. It was there in case of need.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman.

Mr. GROSS. Will the gentleman agree with me that we are doing the District quite a favor by giving them the land on which to locate this stadium, which land is presently owned by the Federal Government? That is valuable land and could be sold for a pretty fair price, I imagine.

Mr. HOFFMAN of Michigan. The gentleman means that the land on which this is to be located is owned by the Government?

Mr. GROSS. Yes, it is on federally owned land.

Mr. HOFFMAN of Michigan. I should like to ask the gentleman from Arkansas; is that correct? Is the Government donating this site?

Mr. HARRIS. One of the difficulties we have had——

Mr. HOFFMAN of Michigan. No; is the Government donating the site?

Mr. HARRIS Let me tell the gentleman——

Mr. HOFFMAN of Michigan. The gentleman can answer that "yes" or "no."

Mr. HARRIS. I do not think the gentleman would be altogether fair to ask me to answer yes or no without an explanation, which I shall be glad to give.

Mr. HOFFMAN of Michigan. No; go ahead, but the answer ultimately that I want is one or the other.

Mr. HARRIS. The gentleman knows well that the training site out here in the District of Columbia belongs to the District of Columbia.

Mr. HOFFMAN of Michigan. I did not know it.

Mr. HARRIS. It is contemplated that when the Department of Justice moves the site for that training school to some other location, which they have announced they plan to do, that they would set aside this location or part of this location for this particular purpose, because it is contemplated that it is one of the best locations in the District of Columbia, in fact the only one suitable for the purpose.

Mr. HOFFMAN of Michigan. Then the gentleman's answer is that the Federal Government does not donate the site?

Mr. HARRIS. The District of Columbia.

Mr. HOFFMAN of Michigan. I thank the gentleman for the information.

Mr. HARRIS. It is the Federal Government that owns the site.

Mr. HOFFMAN of Michigan. Then the gentleman was in error when he said the Government does not own the site? The Government does own the site. All right, so we are giving them the site, and giving them $25,000 and I do not know how much more to prepare the plans. Then when they get all through they will own the site the stadium and the revenue from it. Maybe they will hold the Army-Navy football game there. If my grandson is around here, I hope so. That should be of some benefit. But the profit—and it will be enormous—should go to the Federal Government. Why should the taxpayers of the Nation establish a profit paying stadium for the District to operate as a commercial proposition? A monument is one thing, a profitable enterprise is something else. They might build some of these bridges, or defray part of the cost of the bridges out of a profit of that land. That would ease my mind and the mind of my friend a lot. It would be a move to lessen the taxpayers burden.

Mr. GROSS. It might help a little. It would not ease it altogether.

Mr. HARRIS. If the gentleman will yield further, of course that would have to be determined.

Mr. HOFFMAN of Michigan. What would?

Mr. HARRIS. After the plans are received and the designs and everything and legislation is presented to set it up as a commission and operate the stadium, at that time it will be determined whether it goes to the Federal Treasury or the District treasury.

Mr. HOFFMAN of Michigan. Listen to the answer over there. The District of Columbia is to handle the project—own it and determine who gets the profit. Who do you think would get the money? The District of Columbia, of course.

Mr. HYDE. Mr. Speaker, will the gentleman yield for an explanation, to answer the question?

Mr. HOFFMAN of Michigan. Yes.

Mr. HYDE. The bill itself says that the method of financing the construction of such athletic stadium on a self-liquidating basis will be formulated by this commission, so it is impossible as of this time to answer any direct question as to who is going to pay for it or how it is going to be paid for. The bill provides that the Commission will formulate that plan, which will have to come back to Congress.

Mr. HOFFMAN of Michigan. That is fine. It all boils down to the fact we are to leave it to the District of Columbia Commission. If you wanted to, you know very well we could write those things into the bill, that is, to say who is to pay, who is to get the profit. Yes, we could. Do not shake your head at me. We could. What we are doing is what we do so

often, let the taxpayers generally all around the country be shaken down by the District folks. Let us be fair with the District, for it is our Capital—but no call to put it into the amusement business. If any of you who are not on the District Committee ever had a good word from anybody in the District, I would like to have you report it. Usually about all we get from those who speak or write, the newspapers especially, is something to the effect that we are a bunch of nuts.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. This smells and looks a good deal like the hearing before the subcommittee on the foreign giveaway bill, this preliminary planning bill.

Mr. HOFFMAN of Michigan. Perhaps. But this is not so drastic. This money will stay here for the benefit of our own people.

Mr. GROSS. You hope it will.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. The very idea of appropriating $25,000 just to figure out how to finance a project is moronic.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Speaker, I trust the House will approve this legislative approach which will bring to our great Capital City of Washington an athletic field and stadium as a permanent memorial to the men and women who gave their lives while serving in our country's armed forces during the two World Wars and the subsequent Korean hostilities, the method of financing to be on a self-liquidating basis.

While we have the most beautiful and attractive Capital City in all the world we find our Washington is pretty much alone among the major capital cities of the world in its lack of an adequate stadium. I have seen personally the great stadia in Athens, Rome, London, Paris, Berlin, and Manila, and I have read about those in Amsterdam, Madrid, Stockholm, Helsinki, and New Delhi. My colleague, the distinguished gentleman from Arkansas [Mr. HARRIS] tells me he has seen the mammoth stadium in Leningrad and knows of the construction plans for an even larger one in Moscow. Probably, the most spacious and elaborate one I have ever visited is that in Mexico City.

I have just heard a colleague say that "Uline's Arena in northeast Washington is good enough for me." I know he meant that remark to be facetious and I am certain he will be among those voting for such a memorial stadium here as has been described. Our favorable action now will be approved by every athlete and friend of sports in America, young and old, at a time when American athletic prowess is being challenged as never before.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 83, noes 24.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were—yeas 288, nays 80, not voting 64, as follows:

[Roll No. 96]

YEAS—288

Abernethy	Dolliver	Kee
Adair	Dondero	Kelly, N. Y.
Addonizio	Donohue	Keogh
Albert	Donovan	Kilday
Alger	Dorn, N. Y.	King, Calif.
Allen, Calif.	Doyle	King, Pa.
Allen, Ill.	Edmondson	Kirwan
Andrews	Elliott	Kluczynski
Arends	Engle	Knox
Aspinall	Evins	Knutson
Auchincloss	Fallon	Landrum
Ayres	Fascell	Lanham
Bailey	Feighan	Lankford
Baker	Fenton	LeCompte
Baldwin	Fino	Lesinski
Barrett	Fisher	Long
Bass, N. H.	Fjare	McCarthy
Bates	Flood	McCormack
Becker	Fogarty	McCulloch
Belcher	Forand	McDonough
Bennett, Fla.	Forrester	McIntire
Bennett, Mich.	Fountain	McMillan
Bentley	Frelinghuysen	Macdonald
Betts	Friedel	Mack, Ill.
Blatnik	Fulton	Mack, Wash.
Blitch	Garmatz	Madden
Boggs	Gary	Magnuson
Boland	Gathings	Mahon
Bolling	Gavin	Mailliard
Bolton, Oliver P.	Gordon	Marshall
	Gray	Martin
Bonner	Green, Oreg.	Matthews
Bowler	Green, Pa.	Meader
Boykin	Gregory	Merrow
Brown, Ga.	Griffiths	Metcalf
Broyhill	Gubser	Miller, Calif.
Burdick	Hagen	Miller, Md.
Burnside	Hale	Miller, Nebr.
Byrd	Halleck	Miller, N. Y.
Byrne, Pa.	Hand	Mills
Byrnes, Wis.	Harden	Minshall
Canfield	Hardy	Mollohan
Cannon	Harris	Morano
Carrigg	Harrison, Nebr.	Morgan
Cederberg	Harvey	Morrison
Chenoweth	Hays, Ark.	Moss
Chiperfield	Healey	Multer
Christopher	Herlong	Mumma
Chudoff	Heselton	Nicholson
Church	Hiestand	Norblad
Clark	Hinshaw	Norrell
Cooley	Hoeven	O'Brien, Ill.
Coon	Holifield	O'Hara, Ill.
Corbett	Holland	O'Neill
Coudert	Holmes	Ostertag
Cramer	Holt	Passman
Cretella	Holtzman	Patterson
Crumpacker	Horan	Pelly
Cunningham	Hosmer	Perkins
Curtis, Mass.	Huddleston	Pfost
Curtis, Mo.	Hyde	Philbin
Dague	Ikard	Poage
Davis, Ga.	Jackson	Polk
Dawson, Utah	James	Preston
Deane	Jarman	Price
Delaney	Jensen	Priest
Dempsey	Johnson, Calif.	Prouty
Denton	Johnson, Wis.	Quigley
Derounian	Jones, Ala.	Rabaut
Devereux	Jones, Mo.	Radwan
Dingell	Judd	Rains
Dodd	Karsten	Reece, Tenn.
Dollinger	Keating	Reed, N. Y.
Reuss	Sikes	Van Zandt
Rhodes, Ariz.	Simpson, Ill.	Vinson
Rhodes, Pa.	Simpson, Pa.	Vorys
Richards	Sisk	Walter
Riehlman	Smith, Kans.	Weaver
Riley	Smith, Miss.	Westland
Rivers	Smith, Va.	Wharton
Roberts	Spence	Whitten
Robsion, Ky.	Springer	Wier
Rodino	Staggers	Wigglesworth
Rogers, Colo.	Steed	Williams, Miss.
Rogers, Fla.	Sullivan	Williams, N. J.
Rogers, Mass.	Talle	Williams, N. Y.
Rooney	Teague, Tex.	Willis
Roosevelt	Thompson, Mich.	Wilson, Ind.
St. George		Withrow
Saylor	Thompson, N. J.	Wolcott
Schwengel	Thompson, Tex.	Wolverton
Scott	Thomson, Wyo.	Wright
Seely-Brown	Tollefson	Yates
Selden	Trimble	Younger
Sheehan	Tumulty	Zablocki
Sheppard	Udall	Zelenko
Sieminski	Vanik	

NAYS—80

Abbitt	Fernandez	Murray, Ill.
Alexander	Ford	Natcher
Andersen, H. Carl	Frazier	O'Konski
	Gentry	Osmers
Andresen, August H.	George	Pillion
	Gross	Poff
Ashley	Haley	Ray
Ashmore	Harrison, Va.	Rees, Kans.
Avery	Hayworth	Robeson, Va.
Beamer	Henderson	Rogers, Tex.
Berry	Hess	Rutherford
Bosch	Hill	Schenck
Bow	Hoffman, Mich.	Shuford
Boyle	Hope	Siler
Bray	Hull	Smith, Wis.
Brown, Ohio	Jenkins	Taber
Brownson	Jennings	Teague, Calif.
Budge	Jonas	Thomas
Bush	Jones, N. C.	Tuck
Carlyle	Kean	Utt
Chase	Kearney	Van Pelt
Chelf	Kilgore	Velde
Clevenger	Krueger	Vursell
Colmer	Laird	Watts
Cooper	Lipscomb	Wilson, Calif.
Dies	McGregor	Winstead
Dorn, S. C.	Mason	
Ellsworth	Moulder	

NOT VOTING—64

Anfuso	Durham	Murray, Tenn.
Barden	Eberharter	Nelson
Bass, Tenn.	Flynt	O'Brien, N. Y.
Baumhart	Gamble	O'Hara, Minn.
Bell	Grant	Patman
Bolton, Frances P.	Gwinn	Phillips
	Hays, Ohio	Pilcher
Brooks, La.	Hébert	Powell
Brooks, Tex.	Hillings	Sadlak
Buckley	Hoffman, Ill.	Scherer
Burleson	Johansen	Scrivner
Carnahan	Kearns	Scudder
Celler	Kelley, Pa.	Shelley
Chatham	Kilburn	Short
Cole	Klein	Taylor
Davidson	Lane	Thompson, La.
Davis, Tenn.	Latham	Thornberry
Davis, Wis.	Lovre	Wainwright
Dawson, Ill.	McConnell	Wickersham
Diggs	McDowell	Widnall
Dixon	McVey	Young
Dowdy	Machrowicz	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Klein with Mr. Gwinn.

Mr. Anfuso with Mr. Sadlak.

Mr. Davidson with Mr. Short.

Mr. Buckley with Mr. Taylor.

Mr Powell with Mr. Kearns.

Mr. Pilcher with Mr. Cole.

Mr. Flynt with Mr. Latham.

Mr. Hébert with Mr. Nelson.

Mr. Hays of Ohio with Mr. O'Hara of Minnesota.

Mr. Shelley with Mr. Dixon.

Mr. Thompson of Louisiana with Mr. Hillings.

Mr. O'Brien of New York with Mr. Baumhart.

Mr. Celler with Mrs. Frances P. Bolton.

Mr. Chatham with Mr. Kilburn.

Mr. Carnahan with Mr. Widnall.

Mr. Bell with Mr. Scudder.

Mr. Brooks of Louisiana with Mr. Davis of Wisconsin.
Mr. Burleson with Mr. McVey.
Mr. Kelley of Pennsylvania with Mr. Scherer.
Mr. Dowdy with Mr. Wainwright.
Mr. McDowell with Mr. Johansen.
Mr. Machrowicz with Mr. Hoffman of Illinois.
Mr. Eberharter with Mr. Gamble.
Mr. Barden with Mr. Lovre.
Mr. Brooks of Texas with Mr. McConnell.
Mr. Grant with Mr. Phillips.
Mr. Patman with Mr. Scrivner.
Mr. Durham with Mr. Young.

Mr. BENTLEY, Mr. OLIVER P. BOLTON, and Mrs. CHURCH changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

ALCOHOLIC BEVERAGE CONTROL ACT OF THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 4697) to amend the Alcoholic Beverage Control Act of the District of Columbia, 1954, as amended, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. MORANO. Mr. Speaker, I make the point of order against the consideration of this bill on the ground that when the committee considered this bill there was not a quorum present to report it to the House.

Mr. SMITH of Virginia. Mr. Speaker, may I be recognized on the point of order?

The SPEAKER. Yes.

Mr. SMITH of Virginia. Mr. Speaker, there is great difficulty, it is true, in getting a quorum of the District Committee, but I was personally present when this bill was voted out, and there was a quorum of the committee present. And, in order to be sure that there was no such question as this raised on the floor of the House, I myself made a motion, when a quorum was present, to reconsider all of the bills that had been considered and voted them out again, which was done.

The SPEAKER. Does the chairman of the Committee of the District of Columbia desire to be heard on the point of order?

Mr. McMILLAN. Mr. Speaker, there are 1 or 2 other points that will be raised that have been called to my attention.

Mr. FRIEDEL. Mr. Speaker——

The SPEAKER. The Chair desires to hear the chairman of the committee, because that is very important under the rules of the House.

Mr. HARRIS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARRIS. As I understand it, the gentleman has made a point of order against the consideration of the bill on one basis, and I am informed by the gentleman from Maryland [Mr. FRIEDEL] that he desires to make another point of order on another basis. Is it proper for him to make his point of order to be considered at the time the chairman of the committee is explaining what the record shows?

The SPEAKER. There may be other points of order raised at the same time, if they relate to this bill. But the Chair desires to hear the chairman of the legislative Committee on the District of Columbia on the question whether a quorum was present at the time action was taken on this bill.

Mr. McMILLAN. Mr. Speaker, the statement made by the gentleman from Virginia [Mr. SMITH] is correct. I understand there is another point of order pending.

The SPEAKER. The Chair must know whether the gentleman says that there was a quorum present or not, to his knowledge.

Mr. McMILLAN. Mr. Speaker, there was a quorum present part of the time and part of the time there was not.

The SPEAKER. That is not an answer to the query of the Chair.

Mr. SIMPSON of Illinois. Mr. Speaker, would the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. SIMPSON of Illinois. I will say for the benefit of the House that I was at the committee meeting when the gentleman from Virginia [Mr. SMITH] brought up the point of no quorum; and there was a quorum present.

The SPEAKER. That is what the Chair is trying to ascertain from the chairman of the committee.

Mr. McMILLAN. That is correct.

The SPEAKER. That is the point that is involved here.

Mr. McMILLAN. The gentleman from Virginia [Mr. SMITH] made that motion and there was a quorum present.

Mr. MORANO. Mr. Speaker, I press my point of order. I would like to know whether or not there was a quorum present when this bill was reported, not when the gentleman from Virginia made his motion.

The SPEAKER. The chairman of the legislative committee has just stated to the Chair that there was a quorum present when this bill was reported. The Chair is going to take the word of the chairman of the committee, because that is according to the rules and practices of the House.

Mr. MORANO. Mr. Speaker, I understood the chairman to say that when the gentleman from Virginia [Mr. SMITH] made his motion there was a quorum present. But I did not understand the chairman of the committee to say that when this bill was reported there was a quorum present.

The SPEAKER. The Chair is going to ask the gentleman from South Carolina [Mr. MCMILLAN] that question now.

Mr. McMILLAN. Mr. Speaker, when the gentleman from Virginia made his motion he stated that he wanted all bills that were considered that day passed with a quorum present.

The SPEAKER. The Chair is going to ask the gentleman again if a quorum was present, to his certain knowledge, when this bill was reported.

Mr. McMILLAN. There was not when this bill was passed.

Mr. MORANO. Mr. Speaker, I insist on my point of order.

Mr. SMITH of Virginia. Mr. Speaker, I should like to be heard further, because I think it is important to straighten this question out.

The SPEAKER. It is.

Mr. SMITH of Virginia. Not from the standpoint of this bill, but as a parliamentary question. Frequently bills are discussed and voted upon when a quorum is not present. It is the custom, at the conclusion of the discussion, when a quorum is present, to move a reconsideration of all the bills that have been passed, and to move to report them out. That is what was done in this matter. I think it is important for the House to know just how strict this rule is and how it is to be applied, because I think every bill that was passed upon this morning came here under the same conditions as this bill.

Mr. SIMPSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. SIMPSON of Illinois. Mr. Speaker, I wish to verify what Judge SMITH is saying. That was exactly the procedure in this matter in the House Committee on the District of Columbia.

Mr. SMITH of Virginia. On this proceeding of the committee, I think we ought to be straightened out on it for the future.

The SPEAKER. This has come up many times and it has always been decided by the Chair on the statement of the chairman of the legislative committee concerned. The gentleman from South Carolina said that when this bill was reported there was not a quorum present. Is the Chair quoting the gentleman from South Carolina correctly?

Mr. McMILLAN. That is correct, Mr. Speaker.

Mr. SMITH of Virginia. That really is not the question I am trying to get determined for the benefit of the House and other commitees. It is true, I believe, there was not a quorum present when any one of these bills was considered, but before the session adjourned a quorum did appear, and then a blanket motion was made to reconsider all of the bills that had previously been passed upon and to vote them out, which motion was carried. May I ask the chairman of the committee if that is a correct statement of what occurred?

Mr. McMILLAN. That is correct.

The SPEAKER. A quorum was present at that time?

Mr. SMITH of Virginia. At that time a quorum was present. That was the reason the motion was made. That is the only way we can operate in that committee, I might add.

Mr. TALLE. Mr. Speaker, may I say as a member of the District Committee that I was present at the meeting. The gentleman from Virginia [Mr. SMITH] has recorded the proceedings accurately.

Mr. MORANO. There is obviously a contradiction here, Mr. Speaker. The chairman of the committee said there was not a quorum present when this bill was considered. The issue before the Speaker, as I understand it, is a ruling

on this bill, not on other bills that were considered en bloc.

The SPEAKER. That is correct, but the gentleman from South Carolina said that on the last action on the bill in the committee a quorum was present.

The Chair under the circumstances must overrule the point of order made by the gentleman from Connecticut.

Mr. FRIEDEL. Mr. Speaker, I make the point of order that when this bill was reported by the Committee on the District of Columbia the House was in session and the committee did not have permission from the House to sit at that time.

The SPEAKER. The Chair will ask the chairman of the committee, Did the Committee on the District of Columbia have authority from the House to sit that day during the session of the House?

Mr. McMILLAN. No, Mr. Speaker, it did not. The statement made by the gentlemen from Maryland is correct.

The SPEAKER. Does the gentleman concede, then, that this bill was reported when the House was in session and the committee did not have the right to sit?

Mr. McMILLAN. That is correct, Mr. Speaker.

The SPEAKER. The Chair must sustain the point of order.

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN of Michigan. Does the ruling just made by the Chair do away with the provision of the rule that a quorum must be present when a particular bill is voted on, or can it be cured by a subsequent motion to reconsider all the bills?

The SPEAKER. In response to the inquiry of the gentleman from Michigan, the Chair would say that at any time a committee of the House can reconsider its action. As the Chair understands this situation, the committee did reconsider its action and had a quorum when the action was taken.

Mr. HOFFMAN of Michigan. One further inquiry: If at the close of a committee's hearing a motion is made to reconsider all the bills previously passed upon and a quorum is present when the motion to reconsider is voted on, that does away with any other requirement that a quorum should be present?

The SPEAKER. That would be a matter for the committee to determine. Under the rules of the House, a majority of the members of a committee constitutes a quorum to do business.

Mr. MILLER of Nebraska. Mr. Speaker, since the bills that were acted upon this morning all fall into the same category, what effect would that have on the bills that have already been considered or which will be considered in the future?

The SPEAKER. It is always presumed, unless the point of order is made in the House, that a quorum was present; since no such point of order was made as to any of those bills and since the House has acted on them—that is the end of it.

Mr. McMILLAN. Mr. Speaker, we did have a quorum on all those bills.

Mr. TABER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TABER. Mr. Speaker, is it proper to consider by a single vote a reconsideration of the votes by which several bills have been reported, and then make a single omnibus motion by which all those bills that have been so reconsidered would be reported?

The SPEAKER. If, as seems to be true in this instance, no point of order was made, then the action of the committee is presumed to have been in accordance with parliamentary procedure of the House of Representatives.

Mr. TABER. Mr. Speaker, the thing that would occur to me with reference to that is that if it may be that an omnibus motion is made to report bills that instead of the bills being considered on their merits and by themselves separately, it would be very unfortunate for us to treat bills in that way.

The SPEAKER. Of course, if any point was made in the committee, they would be compelled to consider them separately. But if no point was made, it is assumed that the committee was acting in proper parliamentary fashion.

For what purpose does the gentleman from New York rise?

Mr. MULTER. Mr. Speaker, I will not press my point.

Mr. HINSHAW. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HINSHAW. Mr. Speaker, does the last point of order which was made by the gentleman from Maryland against the consideration of the bill stand whether or not a point of order was raised in committee at the time?

The SPEAKER. That question is decided in the same way as the point of order that there was not a quorum present. The chairman of the committee stated that a quorum was present when final action was taken. Then, the chairman of the committee agreed with the gentleman from Maryland that this bill was reported out by the committee while the House was in session, and when the committee had not received the consent of the House to sit while the House was in session.

Mr. MORANO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MORANO. Mr. Speaker, does that mean the decision of the Chair prohibits the consideration of this bill at this time?

The SPEAKER. That is correct. The committee must again take action in conformance with the procedure heretofore outlined by the Chair to properly report the bill to the House. As the bill now stands it is still in the Committee on the District of Columbia until a valid report is made.

LEGISLATIVE PROGRAM

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, I take this time because I understand that some changes have been made in the program for tomorrow and the next day. I would like to inquire of the majority leader so that he may inform us as to those changes.

Mr. McCORMACK. The leadership has conferred. After the disposition of the pending business, the mutual assistance appropriation bill will be taken up.

Mr. MARTIN. We are not going to try to read that bill today; are we?

Mr. McCORMACK. That is correct. The bill then will go over until Wednesday. There will be no rollcalls tomorrow. There are a number of bills on this week's program and it is the hope of the leadership that all Members will cooperate so that we may proceed with certain rules.

Then, if there is any time, perhaps, 1 or 2 or more of the noncontroversial bills might be disposed of. However, we will meet tomorrow with the hope, at least, that the rule will be adopted and get that out of the way. Then, if possible, take up 1 or 2 of these noncontroversial bills.

Mr. MARTIN. But there will be no rollcalls?

Mr. McCORMACK. That is correct. There will be no rollcall votes.

Mr. WILLAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. WILLIAMS of Mississippi. I would like to ask the distinguished majority leader what plans he may have for scheduling a little bill from the Committee on Interstate and Foreign Commerce which I do not think will be controversial but on which a rule was granted, H. R. 8000.

Mr. McCORMACK. What is that bill?

Mr. WILLIAMS of Mississippi. That is a little airlines liquor bill, so-called.

Mr. McCORMACK. I am glad my friend called that to my attention. We had such a busy program this week that I could not program it, but I will program it sometime after the civil-rights bill is out of the way.

Mr. WILLIAMS of Mississippi. I trust that will be by 1980, anyway.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. PASSMAN. If the Committee concludes general debate on the mutual security appropriation bill and there is no amendment pending at the desk, why could we not read the bill and dispose of it today?

Mr. McCORMACK. If that is possible, of course. I doubt that it is possible or probable, but I would welcome it. I doubt, however, that it could happen.

Mr. MARTIN. I think I can assure the gentleman that I cannot imagine an appropriation bill of that character being passed without a little fight.

Mr. PASSMAN. Yes. There will be amendments to reduce it, but I am hopeful that we can vote them down and dispose of it.

Mr. McCORMACK. If that can develop, I would welcome it. I admire my friend for his optimism.

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. MADDEN].

MUTUAL SECURITY APPROPRIATION BILL FOR 1957

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 583 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, House Resolution 583 makes in order the consideration of H. R. 12130, making appropriations for Mutual Security for the fiscal year ending June 30, 1957. The resolution provides for an open rule, 4 hours of debate, and all points of order against the bill are waived.

Appropriations amounting to $3,425,120,000 are included in the bill for fiscal 1957. In addition, the committee recommended that $240,800,000 of unobligated balances be reappropriated, making a total of $3,665,920,000.

The total unexpended balance as of June 30, 1956, is $6,087,000,000. The committee report points out that with the new amount recommended in this bill, together with the unexpended balance, there should be sufficient appropriations to meet expenditures for well over 2 years.

Of the amount recommended in the bill $1,735,000,000 is recommended for military assistance. Sixty million dollars of this is for infrastructure, One hundred ninety-five million five hundred thousand dollars of unobligated funds is reappropriated, making a total of $1,900,500,000.

The new funds provided, together with the unexpended balance of $5,059,100,000 as of June 30, 1956, will provide sufficient funds to continue the military assistance program for over 3 years at the same rate of expenditures as that for fiscal 1956.

One billion one hundred and twenty-eight million seven hundred thousand dollars is recommended for the defense support program; and $130 million is recommended for development assistance, that is, economic aid. Of this amount $60 million is for the Near East and Africa, and $70 million is for Asia.

The bill includes $135 million for technical cooperation, which is $5,500,000 less than the budget estimate. The amount included for United Nations technical assistance is $10 million—$5,500,000 less than the budget estimate.

The full budget estimate of $1,000,500,000 for the Organization of American States is recommended. This program, the committee believes, is making an important contribution to the development of Latin America.

A total of $330,220,000 is recommended for the other programs provided for in the Mutual Security Act—the United Nations Refugee Fund, the escapee program, the U. N. Children's fund, the U. N. Relief and Works Agency, the payment of ocean freight on voluntary relief shipments, foreign research reactor projects and administrative expenses.

No funds are included in the bill for ocean freight on surplus agricultural commodities since the Commodity Credit Corporation is authorized to take over the cost of transportation of these commodities.

No additional funds are included for the President's fund for Asian development since there is approximately $90 million of the funds previously appropriated which are available for use in 1957.

A special fund of $100 million to be used for economic purposes only in the Middle East and Africa is included in the bill. This is a new appropriation item which has not appeared in previous legislation.

The provision prohibiting the use of mutual security appropriations and counterpart funds for the payment of foreign government debt is continued with an additional proviso which was recommended by the executive branch.

The subcommittee under the chairmanship of Congressman PASSMAN devoted months in holding hearings and examining the details of this legislation. After 4 hours of debate I hope the Members of Congress including myself will have a basis to determine whether the amounts set out herein are fair.

The committee report complies with the Ramseyer. I urge the adoption of House Resolution 583 so the House may proceed to the consideration of H. R. 12130.

Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and I reserve the remainder of my time.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 20 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, I am very sorry this bill is brought to us for consideration with such drastic and to me very serious cuts affecting our security.

It is not the leadership purpose to make a fight to replace some of these cuts at this time, although we do sincerely believe the committee has made a decision which if allowed to stand will be harmful to this country.

I can understand very well why there might be some misgivings; why we might feel a little reluctant to spend money when we realize the response we have had from some of these countries; but we must not forget we do not spend the military money that is involved in our fight here for foreign governments. It is no giveaway program. We spend this military money and could be justified in spending this money for but only one purpose, the security of our own country.

To me it is appalling that in this hour when the Soviet is having serious difficulties for us to draw back on the spending for the defense of our own country, and that is just what these deep cuts would do.

Neither do I want to get in the position where the boys of the United States do all the fighting for the holding back of the Communists. We are justified in spending this money only because we hope we will strengthen other free nations of the world that they can do their share in the preservation of freedom. Do not forget it is cheaper to maintain Armed Forces abroad than in keeping a big United States Army. These military appropriations actually save money for the taxpayer.

Mr. Speaker, the President of the United States has presented a program; he has presented a program which he says is necessary for the security not only of our own country but also of the free world. Mr. Speaker, I say that we make a tragic mistake when we overrule the President of the United States. Under the Constitution he is the one man who directs our foreign affairs; he is the one man who has been given the authority to defend this country. It is his responsibility. He is my President, he is your President and he is the President of us all. The President is joined in this request by the Chiefs of Staff; the men most vitally concerned in our national defense. It is assuming an awful responsibility to match our judgment against those who should know best.

Mr. Speaker, I ask you in all fairness: Can we afford to cut so far below the amount these military leaders say is necessary for the security of America and the free world? I can not believe after serious contemplation we will do any such thing.

A couple of weeks ago we gave him a billion dollars more for the Air Force he did not ask for. That was playing the safe side. Now we deny him the money he says is necessary for our national security and for the security of the free world. I ask how foolish can we be?

I repeat: Do we want to take the responsibility upon ourselves individually as Members of this House to make that decision?

Mr. Speaker, as I said at first, we are not going to make any effort to change the amounts here because we believe when this legislation goes to the other body it will correct the errors that we make. Our failure to do so is only because that plan appears to be the best way to meet this unfortunate situation.

Let us remember also this is not a partisan matter, it is not a political issue, there are no votes in it for one side or the other. If America goes down all of us go together. The question we must answer is whether we in all good conscience believe that America should be so strong that it need fear no other nation. When you

strengthen the forces of other free world nations you contribute to our own security.

Mr. Speaker, for a billion dollars, $6 a person, we are playing havoc with the safety of our country. At least, we are doing that which the President of the United States says is harmful to America. You may want to take that responsibility. I do not want to take it.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from New York.

Mr. ROONEY. Is this not a fair question with regard to the deplorable cut which the committee has made in military assistance funds: Should we follow the thinking of the Joint Chiefs of Staff who must know something about the subject of military defenses in the event of trouble or should we follow the thinking of folks who have been unalterably opposed to the military assistance program ever since its inception?

Mr. MARTIN. The gentleman has made a good statement. Who knows what commitments have been made by this administration for the strengthening of America? You do not know, I do not know. So I say to you these are the men to whom we have given the authority to protect our country. Let us stand by them.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Pennsylvania.

Mr. WALTER. Does not the gentleman feel that with the meager knowledge we have it would be very dangerous to substitute our judgment for that of the experts whose combined studies have brought about the recommendations that were presented to the Congress?

Mr. MARTIN. The gentleman is absolutely correct. As the gentleman from New York [Mr. ROONEY] well said, these recommendations are the product of the General Staff, the men we have educated, the men we have trained, the men we place in their important and responsible positions. Are we going to run in defiance to what their recommendations are?

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Does not the gentleman think the least the House can do is to restore the funds for the authorization already passed by the House in a conference report today?

Mr. MARTIN. That is the very least that should be done. I would like to see the full amount asked provided but that amount has not been included in the conference report. We should rightfully protect the security of our country and provide the full amount of money that the legislative committee has authorized.

Mr. ROONEY. As the gentleman from Massachusetts knows, it had been my intention to offer an amendment here on the floor of the House which would restore funds with regard to the military assistance part of the bill. After conferring on Saturday last with certain Members in whose judgment I have great confidence, including the gentleman from Massachusetts, I have arrived at the conclusion that it might be safer and better procedure for those of us who think as does the gentleman from Massachusetts that the reduction made in military money is entirely too drastic, to get this bill over to the other body as promptly as possible so that it may become a much more improved bill than it is in its present form. At the moment this would seem to be the best strategy.

Mr. MARTIN. The gentleman is correct. This determination not to increase the amount now is reached in the expectation that the other branch would have better judgment as to the safety of our country.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Iowa.

Mr. GROSS. I will say that after having read the report and a great deal of the hearings in a very short space of time—the bill was not available to the Members of the House until last Friday; neither was the report—but alter having read the report and the hearings, I am under the very definite impression—and I think both will bear out the statement that I am about to make—that the Members and the committee itself have been left in a state of confusion and without adequate information.

Mr. MARTIN. If this bill goes over until Wednesday, you will be able to get all the information and data you need.

Mr. GROSS. I would like to ask one further question, if the gentleman will permit me.

Mr. MARTIN. Certainly.

Mr. GROSS. Why is this bill brought in under a waiver of points of order?

Mr. MARTIN. The gentleman will have to address that question to the gentleman from Louisiana. This rule was not sought by me.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from New Jersey.

Mr. CANFIELD. I think the gentleman knows that the vote taken in the full Committee on Appropriations on this new cut was very close. It prevailed by a margin of 2 votes.

Mr. MARTIN. I understood that.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Michigan.

Mr. FORD. The point made by the gentleman from New Jersey can be reemphasized by the closeness of the vote in the subcommittee on the same issue before the bill got to the full committee. I believe also it should be pointed out that our subcommittee, of which I am a member, had rather extensive hearings; in fact, long and somewhat controversial on this issue involving dollar amounts and otherwise. The hearings should be ample for anyone, whether they agree or disagree with the conclusions which have been reached.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Texas.

Mr. MAHON. I speak as one who has always supported the foreign-aid program, feeling that it was American aid, and I still feel that way about it. But is it not probably true that our present difficulty results from the fact that the administration has done a poor job in selling this program to the American people, and the American people in increasing numbers, and the Congress in increasing numbers are opposing the program because it is not being well sold and well presented to the American people by the executive?

Mr. MARTIN. Well, I will make no effort to contradict the gentleman on that score. I do not know if this is true or not, but, I will say this: We are the great American Congress. It is our obligation not to do what passing whims may prompt us to do for political expediency. Our purpose is to protect this country. If we think this extra money is needed, we should give it to them, because that would be the action of any patriotic American.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I agree with the gentleman that we should give this careful thought, but I am sure the gentleman did not mean to intimate that the other body would have better judgment than the Members of this body. We have our own responsibility.

Mr. MARTIN. I can only speak from experience about this bill. I do not think on the whole that the other body on most things is superior to us. Rather, I always took pride in the work of the House. But on the foreign-aid bill I believe their judgment was best.

Mr. FULTON. May I say this, finally? Of course, there is no member of the House Committee on Foreign Affairs nor of this body or the Senate who has any accurate information of the military funds in this bill, because the pipelines are filled 2½ to 3 years in advance. Secondly, the last figure of a regional breakdown which our Committee on Foreign Affairs has been able to obtain is November 30, 1955, over 6 months old. So, nobody knows what the figures are.

Mr. MARTIN. I am going to trust the President of the United States and the general staff, because they have the reports and should best know the answers.

Mr. FULTON. Does the gentleman know that the agency itself came out with the self-same figure that the House Committee on Foreign Affairs passed, and then changed its mind and added $1 billion later?

Mr. MARTIN. You mean the general staff?

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Connecticut.

Mr. MORANO. I wish to compliment the minority leader on the wonderful statement he has made today. I wonder if the gentleman will reach out in his great parliamentary wisdom and comment on this. Here we have a bill that proposes an appropriation of about $3.5 billion. The authorization is roughly about $4 billion. If we pass the bill as it is presented to us and it goes to the other

body, then the other body cannot go over $4 billion; is that right; over the authorization figure?

Mr. MARTIN. It cannot go beyond the authorization outlined in the legislative bill.

Mr. MORANO. And then if we assume that the other body will add all the money up to the point where the total reaches the authorization figure, can we hope that this House will accept that figure?

Mr. MARTIN. I do not know what we can hope from this House. I am not clairvoyant; I cannot foretell the future. All I know is that the President and the general staff say this amount is necessary for security and, in my judgment, that is the least we should give them.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from New York.

Mr. TABER. Because of the question raised a little while ago, while the gentleman was on the floor, with reference to the status of funds, I might say that at my request there was furnished to the Committee on Appropriations a table indicating the status of the funds practically down to the 30th day of June. I believe that we have a pretty complete picture of just what that is and I shall be prepared to answer any questions on that when we get to general debate.

Mr. MARTIN. The House will be glad to get the information.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I say to the minority leader that I think there has been a serious question that if we did not appropriate sufficient money for this program, whether or not the Department of Defense would not have to come back and ask for more money which amount would exceed the amount which we might cut from this bill. Is that not true?

Mr. MARTIN. That well could be the case.

Mr. SPRINGER. I think it has been indicated that a very large portion of this bill is figured almost as a part of the items for the Department of Defense itself; that is, they depend to a great extent in their defense figures upon what we allot in the form of aid to these countries; is not that true?

Mr. MARTIN. The gentleman is correct. The big cuts proposed are not on the economic features of the bill. If we made some reductions there and I do not recommend it the danger would not be so great. We would not be placing the whole free world in danger. But when you cut these purely military items, under which we contribute money, for instance, to Formosa, to South Korea, to Pakistan, to Spain, Turkey, Greece, and other countries who have under treaty arrangements agreed to help the United States in the fight for a free world you are making a dangerous decision. I hope that we will not do so.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Minnesota.

Mr. JUDD. The gentleman referred earlier to the fact that recently the House voted overwhelmingly to give the Air Force more money for bombers than it asked for. Is it not known by everybody that the Soviet Union has been gradually creeping up on the United States in capacity to design and manufacture bombers that at least approach ours in efficiency? Conceivably they can match or even surpass us in bombers. Is it not a fact that there is only one field in the whole range of our security interests where they cannot match us, and that is the one with which this bill deals our air bases in friendly countries around the borders of the Soviet bloc? We will have them only if we continue to stand steadfast by these allies. If America loses those advanced bases, then we lose the one trump card we have that they cannot match. It is those bases, not our bombers, that can and give us our surest superiority.

Is it not, therefore, all the more important that this appropriation bill, which provides the means by which we assist our allies and strengthen those bases which in turn allow us to use most effectively our planes, be kept in a form and at a level that will give us maximum security?

Mr. MARTIN. The gentleman is absolutely correct. We make a treaty, say, with Pakistan. Pakistan has agreed that in the event of war, and pray God war never shall come, Pakistan will stand by the United States. We made an agreement. We are going to give them so much military aid. Who is there who would want to put this administration in a position where it could not meet its obligations? I do not think anyone would. A country to stand proudly in the world must keep its commitments.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Illinois.

Mr. ARENDS. This morning some of us had the opportunity of listening to General Twining off the record, so to speak, give a résumé of his recent trip to Russia. Of course, I cannot say exactly what he said before the committee, but in substance I would think one point might well have been, "America, continue on your guard. Do not let it down now."

In this matter of promotion and how we are going to develop instruments of war, if that be true of his request, then certainly the House in the approach to this problem the next day or two must approach it not only from the standpoint of dollars and cents but also from the standpoint of our national interest and national security.

Mr. MARTIN. I think it is economy to have these foreign countries aid us.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mrs. ROGERS of Massachusetts. Does it not seem to the gentleman that it would have a very good psychological effect in this country and also in the nations abroad, in feeling that this should be done to give a sense of security here and a sense of security to the countries that would be affected abroad? It would have a bad effect on the Russians.

Mr. MARTIN. I am sure it would be a terrible blow to these allied nations, who are looking to the United States for leadership in this fight to maintain a free world, to feel that the one country that has the power to keep this a free world and to keep back these communistic hordes is slackening its effort. The Soviet is convulsed with unrest and many people cry for bread. The last time in the world to weaken your defenses is when the opposition is showing signs of weakening. For a nation to have peace we must be strong. Let us keep strong and that means a great thing for the world peace.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from California.

Mr. HOSMER. I think a great many people have the belief that these foreign countries just come over and back up a truck against the Treasury and haul away a bunch of greenbacks every now and then. I myself am not too clear on just how this foreign aid operates. I think that if during the debate today some of the Members who are familiar with the subject can explain how the money is spent in terms of what is spent here in this country by way of the purchase of material, and in the other countries, how jobs are supplied for our people here and what goes elsewhere, it will greatly help not only the Congress but the public.

Mr. MARTIN. I will say to the gentleman from California that calling this appropriation foreign aid is not a true name. This bill should be labeled mutual security for the protection and security of America.

It really should be part of the national defense bill. If we included it, it would meet with very little opposition. My friends, give this proposal your careful consideration and then vote for America.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an address by Secretary of State Dulles.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FENTON. Mr. Speaker, during the hearings on May 24, 1956, of the Subcommittee on Appropriations for Mutual Security, of which I am a member, I asked the Secretary of State, Hon. John Foster Dulles, whether he could give us an up-to-date statement to reassure the people of this country that the mutual-security program was necessary.

Secretary Dulles replied that he was going to make a speech in Iowa the first week in June and that he was trying to think whether he could answer my question in terms of that speech.

On June 22, 1956, Secretary Dulles sent me a copy of the speech he made on June 9, 1956, in Ames, Iowa, at Iowa State College commencement exercises which he called the Cost of Peace.

I fully believe that anyone reading it will realize the great work that has been done for peace under the leadership of President Eisenhower and Secretary Dulles.

The following is the text of the speech of Secretary Dulles:

THE COST OF PEACE

(Address by the Honorable John Foster Dulles, Secretary of State, at Iowa State College commencement exercises, Ames, Iowa, Saturday, June 9, 1956)

Each one of you is going out into a world where you hope to enjoy in peace the blessings of liberty.

That is the kind of a world which United States foreign policy tries to provide.

Today we have peace; no nation is at war with the United States.

Also we have many blessings. We have good relations with most of the nations of the world. We do not fear them nor do they fear us. We trade with each other and our peoples visit back and forth, all to our mutual profit and enjoyment.

For that peace, and for those blessings that we enjoy, we can be profoundly grateful.

But all of this is not to be had for nothing. Others before you have gone out into the world with eager hopes. But these hopes ended on the field of battle. And those at home were heavy of heart. And the means for economic well-being were dissipated in the wastages of war.

That kind of a price, paid in the coin of war, will always be paid unless men are willing, in time of peace, to pay to preserve peace.

That lesson seems never to be learned. The illusion constantly persists that peace is to be had merely by wanting it. If that were true, war would have been abolished many centuries ago. The fact is that to keep peace is as hard, indeed harder, than to win a war. Wars have been won. But lasting peace has never yet been won. To win a final victory over war will take planning and action that is farsighted, well calculated, courageous and at time sacrificial. Such sacrifice will be required under conditions less dramatic and apparently less urgent than those of war. But peace will never be enduring as long as men reserve for war their finest qualities of mind and spirit. Peace, too, has its price.

I want to illustrate that in terms of one phase of the peace effort our Nation is now making. It could be described as a peace insurance policy and it costs about $40 billion a year.

OUR PEACE INSURANCE POLICY

The basic elements of this peace insurance policy are drawn from early and successful American foreign policy. We go back to the Monroe Doctrine.

In 1823 President Monroe proclaimed to the despotic alliance then headed by Czarist Russia that "we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety" and that we would not "behold such interposition, in any form, with indifference."

It was indeed farsighted and bold for our young Nation thus to identify its own self-interest with the fate of freedom thousands of miles away. Yet the pronouncement of that principle, Webster recorded, was greeted with "one general glow of exultation."

That principle has now been extended. Its broadest application is found in the United Nations Charter. But because veto power makes United Nations action undependable, many nations have made with each other treaties which embody the principle of the Monroe Doctrine. Within the last 10 years the United States, always acting in a bipartisan manner, has made such treaties with 42 countries of America, Europe, and Asia.

These treaties abolish, as between the parties, the principle of neutrality, which pretends that a nation can best gain safety for itself by being indifferent to the fate of others. This has increasingly become an obsolete conception and, except under very exceptional circumstances, it is an immoral and shortsighted conception. The free world today is stronger, and peace is more secure, because so many free nations courageously recognize the now demonstrated fact that their own peace and safety would be endangered by assault on freedom elsewhere.

However, it is not enough under present conditions for the free nations merely to proclaim their purpose to stand together. There is need for forces-in-being to give authority to those words.

At the outset of World War I and World War II, the United States had little military strength in being. In the case of the Koeran war, our initial strength was inadequate. But on these past occasions the conditions of warfare gave us time within which to build up our strength.

But since then man's capacity to destroy has suddently expanded to a degree that passes comprehension. Today, a single bomb can release destructive power equal to that used in the 5 years of World War II. Potential enemies could destroy so much, so quickly, if initially unopposed, that we dare not gamble on developing military power after an attack has occurred. To deter aggression, to prevent miscalculation, we need not only to warn, but to back that warning by forces-in-being which include retaliatory striking power. That is why our peace insurance policy is so expensive.

The cost of our United States Military Establishment, at home and abroad, is about $36 billion a year. That is about 90 percent of the total of a little over $40 billion a year which our peace insurance policy costs.

The other 10 percent, roughly $4 billion, goes to promote strength in other lands under our mutual security program. I want to discuss that program and explain why it is part of our total peace insurance policy.

I shall be speaking in terms of expected expenditures. But to keep going at this rate, we shall for the next year need an appropriation larger than expected expenditures, because the appropriation for this year is less than current expenditures by about $1 billion.

THE FAR EAST

The largest expenditures under our mutual security program are in the Pacific and Far East. They help strengthen countries with which we have collective defense treaties. This area is today under obvious hostile pressure.

In Korea there is an armistice. But the Chinese Communists have never been willing to make a peace which would unify Korea through free elections held under the auspices of the United Nations. So, hostile armed forces face each other across an armistice line.

In Taiwan (Formosa), where the Republic of China now has its home, there is the constant menace of war. The Chinese Communist regime persistently refuses to make a meaningful renunciation of force covering this area.

Then there is Vietnam, where again there is an armistice but no formal peace.

I have already pointed out that we have, by treaties solemnly recognized that an armed attack in these areas would be dangerous to our own peace and scurity. And Congress, with only 4 dissenting votes, has authorized the President to use United States Forces to defend Taiwan (Formosa) if he deems it necessary. But we do not want it to be necessary to fight to save freedom in these areas. Our purpose is to deter war. So, we give military and financial aid to enable the free governments there to maintain their own armed forces to an extent which we and they judge reasonably related to the threat of aggression and our coordinated plans to prevent it.

We expect next year to spend about $1.5 billion for military aid and defense support assistance in this area. It goes mostly to the Republics of Korea and China, and to the three nations of Indochina. There are lesser amounts for other area allies—the Philippines, Thailand and Japan.

THE MIDDLE EAST

Let me turn now to the Middle East. This area produces the oil required for the industry of Western Europe, and for the military establishment of NATO. If this were unavailable, it would involve tragedy for the producing countries, which are largely dependent upon the oil roayalties. Also, it would require us to share with Europe the oil resources of this hemisphere; and there would be scarcity instead of plenty.

So we assist those four Middle East countries which hold the gateway to the south where the oil reserves are located; and just beyond is the gateway to Africa.

The estimate of expenditure for military aid and defense support for these countries in the next year is in the neighborhood of $800 million.

NATO

I turn next to Western Europe. There the military forces of NATO stand guard over the greatest industrial and military treasure that there is within the free world except for the United States itself. So important do we consider this area that nearly six divisions of the United States Armed Forces are stationed in Western Europe for its defense. The European members of NATO themselves make a large contribution to the defense of the area. However, we help by supplying them with certain types of weapons, the cost of which is in our mutual security budget.

We help to support West Berlin as a symbol of freedom behind the Iron Curtain. We are developing bases in Spain, and this involves substantial costs. We also think it prudent to help Yugoslavia, so long as it remains determined to maintain genuine independence. It does not have the form of society that we like. But Marshal Tito defied Moscow and won out. And even though that struggle is today calmed, Yugoslavia provides a notable example of national independence in Eastern Europe.

This European aspect of the mutual security program involves an estimated cost for next year of approximately $1 billion.

The expenditures I have described are designed to make secure, at minimum cost to us, countries whose safety is part of our own safety. The resultant widespread, interlocking system of security provides, as a valuable byproduct, diversified locations around the globe from which we and our allies could strike back at an aggressor if he struck any of us. Diversification, in this respect, is immensely valuable; for launching facilities limited to a single area could be wiped out by an initial assault. Also, the present system enables less expensive planes with shorter range to carry out missions which otherwise would require far more costly planes.

Thus, these expenditures serve our peace and our safety.

ECONOMIC AID

There remains about $700 million to be accounted for, or about 2 percent of our total peace insurance cost. This is so-called economic aid. The primary purpose is to help newly independent nations and less developed countries to maintain their independence, as against the plotting of international communism.

As the Caracas resolution pointed out in relation to this hemisphere, if international communism obtains control of the political institutions of any nation, that endangers peace and security elsewhere. This portion

of the mutual security program offsets efforts by hostile forces to expand their power by gaining new human and material resources, and new strategic locations. But it has a broader justification.

The United States has far and away the most highly developed economy of any nation in the world. Our productivity almost equals that of all the rest of the world put together.

Always the economically developed nations have helped less developed countries to develop. We were helped from Europe when we were beginning to develop this continent. That is a law of social life and we cannot violate it except at our peril.

The burden on us is lessened by the fact that a considerable part of our economic assistance goes in the form of surplus agricultural products. Also, upward of $200 million takes the form of repayable loans, not gifts.

The importance of this economic part of our peace insurance policy is emphasized by the fact that the Soviet Union is now pushing its own interests by means of credits extended to other countries.

The new Communist tactics make it more than ever imperative that we should continue, and perhaps enlarge, the economic phase of our mutual security program. It would indeed be ironical if we should drop out of that field just at the time when the Soviet Union is moving into it.

These programs which I have described—$36 billion, plus $3.3 billion, plus $700 million—make up the grand total of about $40 billion which is the annual cost of our peace insurance policy. As to the $36 billion spent on our own Military Establishment, there are differences of opinion as to how it shall be spent. But few deny that this much money should be spent. There is more controversy about the $4 billion which is used, in ways I have described, under our mutual security program.

I should like now to answer some questions about that.

NO GIVEAWAY

First of all, is this a giveaway program, whereby Americans are taxed merely to aid foreigners?

Emphatically no. I hope what I have said already makes that clear. It is quite true that the mutual security money does help others. But no program can properly be labeled "giveaway" merely because it helps others. Often by helping others we help ourselves more effectively than we could do in any other way. That is the case with our mutual security program. It makes our freedom safer by creating an environment of freedom. The decisive reason for each item of expense is our own enlightened self-interest.

Let me be specific and emphatic on this point of motivation—not a single dollar is sought for this program for any reason other than an American reason. Our Nation has recognized, since its infancy, that liberty elsewhere was vital to our own peace and safety. When that liberty has been jeopardized by war, we have gone into war to save it. That is the most costly way to protect ourselves. We hope now to protect ourselves in less costly ways. That is the reason for our mutual-security program.

NOT BUYING GRATITUDE

Is our foreign aid wasted because the recipients are not grateful enough or not subservient to our views? No, because we do not seek either gratitude or subservience. We know that gratitude can never be bought and we do not spend taxpayers' money on the folly of such an effort. Neither do we seek or want subservience. Our policies command wide respect abroad, because of their intrinsic merit. But the success of our foreign aid program is to be tested, not by gratitude, not by subsevience, but by whether it makes more vigorous the freedoms elsewhere that buttress the freedom of ourselves. By that test, our program works.

AMOUNTS CLOSELY CALCULATED

Another question is whether, assuming the need for a mutual-security program, are the amounts requested reasonable? We believe they are reasonable. Of course no one can prove, in advance, that any given expenditure spells decisively the difference between increased peril and increased security, or between war and peace. If we gain security and peace it can always be alleged that we could have got them more cheaply. And no one can prove the contrary. Only if there is failure can it be seen that we did not spend enough. But then it is too late.

I can assure you that all of us who work on the program are patriotically striving to serve this country and to keep the expenditures down to the lowest level consistent with our national interest. Our judgments are based on farflung worldwide sources of information, which help us to judge the capability and intentions of hostile elements throughout the world, and the resistant quality of friendly elements. There may be mistakes in judgment, and there is room for honest differences of opinion. But the operation is carefully conducted and reviewed by many agencies of government and the final result, as submitted to the Congress, reflects the best judgment of the President and the National Security Council. When dealing with the peace and security of this Nation, it is risky to seek bargain-counter prices. Cut prices may not save money—except by increasing the risk of war.

IS ADMINISTRATION EFFICIENT?

Again it may be asked, Is this money being spent efficiently? Does our outlay for peace and safety always make the target? The answer must be that there is a certain amount of wastage. How much, I wonder, of the ammunition used in World War II hit its appointed target? Only a small percentage. But we did not on that account refuse to supply our fighting men with ammunition. A part of every program goes for naught. That is the price we pay for human frailties. We constantly strive for increased efficiency. But lack of perfect markmanship is no reason for denying the dollar ammunition needed to win the peace.

ARE LOCAL FORCES NEEDED?

Another question sometimes asked is, Does not the deterrent striking power of the United States make local forces unnecessary, so that their cost could be saved? Certainly our strategic power reduces the need for local forces. It would indeed be impractical to have local forces all around the orbit of the Soviet world sufficient to stop a large-scale attack wherever it might be mounted. But we cannot rely wholly on centrally located strategic power. Nations that are menaced feel an impelling need to be able to fight in their own defense. Ineed, if they did not feel that way, support from us might not be merited or effective. Also, there needs to be loyal local strength to prevent subversion backed by international communism.

The deterrent to aggression is found, not only in our strategic power, but in the knowledge that subversion cannot be easily achieved, and that an open-armed attack would be met at once by brave and competent resistance. This, when reinforced by treaty pledges of collective action, will assure consequences which no aggressor could control or limit. That knowledge is the great deterrent.

This problem of balance between the strategic power of the United States of America and local power is admittedly difficult. Equally difficult is the problem of balance between military and economic effort. These problems are constantly receiving the closest attention of the National Security Council. In each case, the balance is subject to adjustment in the light of changing conditions.

IS THERE AN END?

Finally, it will be asked, Will this cost go on forever? Can we see no end to this gigantic expenditure, totaling about $40 billion a year, as the cost of our peace insurance policy?

The answer is that so long as the danger persists, for so long must we pay to combat that danger.

The Soviet rulers are engaged in a gigantic effort to build up their Military Establishment and to extend the area of their dominance. They maintain a Military Establishment approximately comparable to our own and spare no cost in striving to excel us. They give military aid to Communist China and to their eastern European satellite allies. This is measured in terms of billions of dollars. They now woo free nations by offers of credit for economic and military goods. Credits totaling nearly $500 million have already been concluded and several hundred more million have been offered. They devote about $500 million a year to foreign propaganda.

The Soviet Union is spending, for military and foreign policy purposes hostile to us, about 20 percent of the gross product of the Soviet Nation. So long as this is going on we may have to expend about 10 percent of our gross national product, as we are now doing, for peace insurance purposes.

We can do so while at the same time raising our living standards. The demonstration of that fact has had a potent influence on the international scene.

Never will a responsible administration put its faith in protestations of peace and good will that have no dependable foundation, or expose the Nation to being isolated in the world, or deny it the retaliatory facilities needed to deter surprise attack.

But there are signs that a new day may be dawning. The Soviet rulers now profess to renounce the doctrine that violence is a necessary part of their foreign policy. They are debasing Stalin, who for 25 years was treated as a demigod. Writings of his, which for 25 years formed the Communist creed, are now withdrawn from circulation. This year, for the first time since the Bolshevik revolution, the Christian Bible is being printed and sold in Russia. The Russian people are getting more personal security, and labor is getting increased freedom of choice.

Obviously, there is a rising demand on the part of the captive nations to have more independence, and on the part of the subject people, within and without Russia, to have more freedom from fear, and to enjoy more of the fruits of their labor instead of having those fruits diverted to serve policies of aggrandizement. This popular demand must be broad in scope and intense in degree. Only that can explain the extraordinary exertions being made by the Soviet rulers to make it seem that they are offering a change. Out of all of this there may come—not this year, or next year, but some year—a government which is responsive to the just aspirations of the people and which renounces expansionist goals.

Enough is happening to make us confident that if we remain strong, if we support freedom, and make evident the blessings of liberty, that policy will prevail.

The time will never come when we can safely stop planning and working for peace, and making sacrifices for peace. But we can see that, if we remain steadfast, the time may come when the danger will be much less and when the cost can be correspondingly reduced. Until that time is here, the clear course of patriotic duty is to hold fast that which has proved good.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Speaker, I do not wish to discuss this bill generally, during consideration of the rule. My position is shown by my approval of the conference report. Mr. Speaker, I asked for this time to propound a question to the gentleman from Louisiana, the chairman of the subcommittee, on a matter that involves this rule. The rule necessarily waives points of order because, although the authorization conference report passed the House earlier today, it has not yet become law.

The committee report points out the necessity for proceeding on this bill before final action on the authorization bill is completed. Then it says "the accompanying appropriation bill is based largely on the authorization bill, as adopted by the House. Final adjustments will be worked out with the Senate when the appropriation bill is considered in conference."

I note that on pages 2 and 3 of the bill, as to development assistance, that the appropriation bill does not follow the form in which it was in the House authorization bill or as it is in the conference report. It is not a matter of amounts, but as to the structure of the bill. In order to avoid attempting to make technical amendments and adjustments in this bill on the floor of the House, I wonder if the gentleman can tell us whether it is the intention of his committee to adjust this bill in matters like that, and in matters of the structure of the bill to conform to the authorization bill when it becomes law.

Mr. PASSMAN. That will depend entirely upon what the other body does and on what the conferees agree to do. That is why we have the language in the bill. I might state to the distinguished gentlemen that we have a precedent for handling this particular type of legislation this way. In 1954, we passed this same bill when the other body had not even passed an authorizing bill. I am sure the gentleman is familiar with that.

Mr. VORYS. I wonder whether there is any desire of the gentleman's committee to preserve the development assistance in 2 or 3 or 4 different sections rather than to put it into 1 section as provided in the authorization.

Mr. PASSMAN. I would much prefer to have the gentleman read the report. Then, he will know why we asked for a rule. I think it is entirely self-explanatory. I shall make my position better known when we go into Committee of the Whole for the consideration of the bill.

Mr. TABER. I think the gentleman would find that what the committee did with reference to some of these items was to separate things that the authorization committee had authorized in 1 item into 2 or 3 different items so that they might be seen by the House and anyone who looked at it could know just exactly what the money was to be used for. That was the objective.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Maryland [Mr. MILLER].

Mr. MILLER of Maryland. Mr. Speaker, this measure, whether or not the appropriation is for the smallest amount under consideration or the largest, involves billions—sums greater than the annual cost of running the entire Federal Government not so very many years ago.

Whether we call it by old or new names, Marshall plan, foreign aid, mutual security or what, some of those opposed continue to call it derisively the giveaway program. If there is any merit whatever to this title, those of us who have supported it, including the leaders of the present as well as the last administration, and the congressional leadership in both bodies and on both sides of the aisle should have heads examined, individually and collectively.

Of course, any program involving free people or nations, to be successful, must be of mutual advantage but why must we constantly defensively point out that as supporters of this program our motive is enlightened self-interest. That our primary, secondary, and every controling reason for these huge foreign expenditures is the defense of our way of life, our own homes and loved ones.

Is it a giveaway to use every means open to us to avoid another world war? Is it not good insurance to strengthen the hands of free people, whether or not they are particularly friendly? It is only realistic to acknowledge with approximately 6 percent of the world's population that no matter how strong we are as a Nation we are vastly outnumbered. Regardless of atomic weapons, planes, ships, and troops, our future would be precarious indeed if freedom is lost to the world.

The military assistance items, and they include the greater part of the so-called giveaway, go to arming and maintaining very important and powerful friendly forces without which we would be obliged to greatly expand our own at vastly greater cost.

Certainly, funds that make it possible for the numerous excellent native divisions in South Korea, Formosa, and other Far Eastern danger spots to hold the line are in no sense given away so far as our national interest is concerned. Modern arms for NATO forces are likewise strictly in our own interest. It is far cheaper to supply arms and equipment to friends than to supply them for ourselves plus all the personnel needed as well.

The perennial cry of "giveaway" so far as military-assistance appropriations are concerned is certainly without a vestige of justification. This distortion of an important factor in our national defense is a disservice and against the public interest. I do not refer to the honest differences in opinion as to the amounts that should be so devoted. Nor do I have reference to the criticisms and allegations of waste, inefficiency and mismanagement. Certainly there is no one more eager than I to economize wherever possible, without endangering our safety, and to eliminate waste and mismanagement. But it is dangerous indeed to confuse the thinking of our people. The constant repetition of the charge that we are making unwarranted donations to foreigners is a serious, injurious, and unjustified indictment not only of a large majority of the Members of Congress, who have had the fortitude to disregard the outcry and follow the dictates of their conscience, but also of the Joint Chiefs of Staff, the Defense Department, and both President Eisenhower and former President Truman who have urged the necessity of the program.

As a result many earnest citizens have been needlessly confused.

Pressure groups have been armed with a potent weapon. The proponents of nearly every project calling for substantial appropriations monotonously hurl the challenge at our committees, "Why deny us, when you are giving away billions to people of other countries?"

And were this merely a handout, how could we call on all to tighten their belts so that we may balance the budget.

One cannot blame the pensioner, the civil servant, the veteran, the advocates of schools, roads, hospitals, river and harbor projects, flood control, price supports and other worthy causes, for impassioned outbursts, if in fact, they believe this is a giveaway.

Personally, I am confident to the contrary. It is a most important element in our national defense and the all vital campaign to avoid world war III. Like most of us I have supported the mutual defense concept as essential to the future well-being of the United States. I will continue to do so. But, Mr. Speaker, let us save ourselves the added burden of constant explanations. Let us make it crystal clear to all, that the fundamental goal of these expenditures, be they larger or less large, is the defense of America.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. PASSMAN. I hope the minority leader will be able to remain on the floor during debate so that he will know why we made the adjustments in the bill. I see he is leaving the floor before we get into general debate.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I should like to have some justification from some member of the Committee on Rules as to why they were convinced that a rule should be granted on this bill waiving all points of order.

The SPEAKER. The Chair can answer that probably better than anyone else. That had to be done because the authorization for this appropriation is not yet law.

Mr. GROSS. And probably because there is legislation in this appropriation bill, I would say to the distinguished Speaker. It seems to me that is becoming a habit—to go to the Committee on Rules and to bring out rules waiving points of order against appropriation bills.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. PASSMAN. There is no legislation in this bill. This deals with appropriations.

The SPEAKER. The entire bill is legislation when there is no authorizing act.

Mr. PASSMAN. Well, it is legislation, but pending the authorizing legislation.

Mr. GROSS. On page 6 in this bill, if that is not legislation on an appropriation bill, then I never saw legislation on an appropriation bill. I am opposed to this rule, Mr. Speaker.

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have permission to revise and extend their remarks on this bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Speaker, I yield to the gentleman from Tennessee for a unanimous-consent request.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter addressed to the Speaker from the Secretary of Health, Education, and Welfare in connection with a bill I introduced today.

The SPEAKER. Is there objection?

There was no objection.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield.

Mr. FULTON. As much as a year ago we appropriated for the Mutual Security $2.73 billion and this year it is increased and substantially increased over last year, all this talk about cutting it in relation to past history is not true.

Mr. PASSMAN. The gentleman is substantially correct. The bill will be before the committee shortly and will request approximately $900 million more than the Congress appropriated last year.

Mr. FULTON. So that if we by our foreign policy are in better position than last year, what is the reason for this extra billion-dollar request?

Mr. PASSMAN. It is just a question that it has been requested and we are moving along on faith and fear.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection?

There was no objection.

LOANS NOT HANDOUTS—FOREIGN AID THAT MAKES FRIENDS AND A PROFIT

Mr. MCDONOUGH. Mr. Speaker, in discussing the problem of foreign aid there has been great emphasis on grants and handouts by the United States to foreign nations and enormous sums have been appropriated sending American tax dollars to these nations. At the same time very little attention has been given to another method of foreign aid based on sound principles of self-help to those nations in need of assistance through the World Bank and the Export-Import Bank.

These banks are similar in operation and offer financial assistance to distressed areas and to nations seeking to develop their natural resources or build their industry through regular bank loan procedure. The money these nations receive is not a gift, but a business loan based on sound collateral.

This method of extending foreign aid has been found most effective and acceptable to most of the foreign nations to which loans have been granted as it permits these nations to maintain their self-respect and independence, and it eliminates the resentment which people of some foreign countries feel because of their sense of obligation to the United States for money received as an outright gift.

The World Bank is organized on an international basis with 58 nations including the United States participating at present. The Export-Import Bank is operated by the United States and gives special attention to loans to foreign nations which will expand and increase the export-import business of our Nation, while the World Bank loans to develop and expand the natural resources, agriculture, industry, and public facilities of countries in need of this aid.

The World Bank and the Export-Import Bank are doing a tremendous job in foreign aid and have maintained an excellent record of successful loans. The loans have been repaid and very few loans have shown any loss. In fact these loans on a banking basis are being repaid at a profit to the banks.

Most important to the American taxpayer, the World Bank and the Export-Import Bank are extending important foreign aid without using tax dollars, nor do these loans impose any obligation on our public debt.

The following article by Eugene R. Black, president of the World Bank, is an excellent review of the program to extend foreign aid by loan instead of handout, and of the present accomplishments of the World Bank and its future potential not only in the economic development of other nations, but in building a world economy which will provide new markets for America's constantly increasing capacity to produce:

(By Eugene R. Black, president of the World Bank)

I think America's attitude toward the problems of the underdeveloped world is going to be an increasingly important factor in the fight of free men to withstand and throw back the incursions of Soviet communism.

The fears and hopes of the refugees living in squalor on the outskirts of Karachi and New Delhi, the yearnings of farmers scratching out a poor existence in Guatemala and Nicaragua, the dreams of the slum dwellers in Baghdad and Beirut—the aspirations of all these people are no longer of just local or regional importance. They have a relation—a very direct relation—to the realization of our own American dream.

As we look at the free world today we must be struck by the fact that underdeveloped countries constitute at least two-thirds of it. Only Western Europe and North America can be described as developed areas where adequate use is being made of natural resources and human talents.

In these respects, our Atlantic community is an island, less than half a billion people surrounded by more than a billion whose life has scarcely been touched by the material benefits of 20th century civilization. On this side of the Iron Curtain, a thousand million people are living with half the diet, a tenth of the doctors, a tenth of the schools, a tenth of the income that are standard in the United States. For hundreds of millions of them, life expectancy is less than 35 years—or about the same as it was in our Thirteen American Colonies 2 centuries ago.

This is certainly not the fault of the United States, and this country certainly has no obligation to do anything about it. For my own part, I am not one of those people who believe that we owe the world a living. But I do think it is very much to our own interest to do what we can, on an intelligent basis, to promote economic development in the rest of the world. Let me state why I think this is so.

Development abroad will enable foreign nations to produce the goods and services that can make them active trading partners, rather than supplicants for goods and services which the United States, in one way or another, has been giving away free. Development abroad will create and strengthen markets for goods produced in the United States and the rest of the Atlantic community. It will develop resources of primary materials which are vital to our industrial economies. Finally, I think economic development is one of the keys to stability and peace in the world.

Let me return to 1 or 2 of these points. In recent decades, export markets, by and large, have not been important to the American economy. They absorb only a small amount of our national product and account for only a fraction of our national income. But this picture is changing.

Since 1940, there has been an enormous growth of the physical plant in the United States. The physical volume of industrial production has nearly doubled, and the basic trend is still running upward.

America's capacity to save, to invest, and to produce is so great that in many industries we have already reached the point where capacity is more than enough to meet the demands of our own market. That capacity, if it is to be used, will have to be used for customers abroad. * * *

Developed countries * * * are better markets than backward ones. Let's take an undeveloped country like Ethiopia. Here is a country rich in natural resources. It has just about the same population as New England and about five times the territory. But, on a per capita basis, its purchases of American goods amount only to about 50 cents a year.

Contrast this with Belgium and Luxembourg. These two countries also have about the same population as New England, crowded into one-sixth as much land. But they are highly developed countries and they import American products at a rate of nearly $30 per capita per year.

In terms of export prospects it surely is obvious that the United States would be better off in a world in which there were more $30 countries than there are today.

There is a second aspect of our relations with the underdeveloped countries that is of increasing importance to us. Over half the things we import come from those countries. They include such indispensable items as tin, copper, lead, manganese, bauxite, cobalt, and zinc. Although we are the world's greatest industrial producer, we mine within our own borders only about one-third of the number of basic materials we need. And as our industrial production mounts, our factories will grow more and more hungry for some of the things they must have from abroad to keep going.

So, whether we like it or not, we must take an increasing interest in the development of raw-materials production abroad. * * *

HOW UNITED STATES CAN EXPAND TRADE

But, if Americans are seriously interested in increasing trade and in making the most use of productive capacity, they must actively help to increase production abroad. * * *

An important avenue—and potentially a wide one—to increasing world commerce is to put more investment into productive facilities overseas. This kind of investment,

of course, is the World Bank's principal business. The Bank has now been in operation for nearly 10 years, and has invested about $2.5 billion in public and private projects in 40 different countries. Our first loans were made in advance of the Marshall plan to help maintain a flow of imports from the United States that were essential to reconstruction in Western Europe.

Although we have continued to lend in Europe, most of our operations since 1947 have been carried out in underdeveloped countries. These countries are not poor because they lack natural resources; they are poor because they have not yet done enough to develop the resources they have. To give you two extreme examples: Despite a hydroelectric-power potential of some millions of kilowatts, West Pakistan today has less than 50,000 kilowatts of electric generating capacity based on waterpower. Honduras, a farm country which is one of the largest in Central America, has only 20 miles of paved road.

The fundamental task which the loans of the Bank are helping to carry out is to construct or enlarge the basic facilities essential to modern economics. Since reconstruction we have lent $660 million for the expansion of electric-power services. We have lent another $600 million for transportation facilities—to buy equipment for the construction or operation of motor roads, railroads, ports, and inland waterways.

We have lent a quarter of a billion dollars for industry, and a little less than that for the improvement or expansion of agriculture through land reclamation, irrigation, and farm mechanization. Finally, we have lent about $140 million for programs of development embracing projects in several or all of these basic fields.

Our products, I may say, have been sent all over the world to play their part in projects financed by the Bank. Our borrowers have needed them, for instance, for electric-power installations in Chile, Finland, India, and Mexico; for farm development in Paraguay and Pakistan; for railway improvements in Brazil and Colombia; and for air transport in Australia.

I referred here to the bank's "business," and I used that term advisedly. We do not pay our bills from your taxes; we support our activities out of our own earnings. Our loans are being repaid on schedule—indeed, we have received more than $110 million of repayments ahead of time. Our net income is running at a rate of nearly $30 million a year, and our reserves out of earnings and commissions amount to more than $200 million.

So, far from competing with private capital, the bank has worked actively—and successfully—to encourage the participation of private capital in international investment. While we began our lending operations nine years ago out of payments which our member governments made for shares of our stock, our most important source of new capital has been private funds.

We have tapped that source most often by the sale of our bonds, of which 850 million dollars' worth are now outstanding. We have also sold some 225 millions' worth of our loans to other investors, who either buy them out of our portfolio or participate in the loans when they are made.

Up to now I have spoken in terms of dollars, but only as a convenient way of describing sums that include other money as well. The bank is an international organization and its sources of finance are by no means confined to the United States. We have lent 18 different currencies in all; and, in recent years, half of our new loan funds—from foreign-government subscriptions to our capital, from our sales of bonds to foreign investors, and from earnings—have come from outside the United States.

The fact that the bank is an international organization is of advantage to the governments of developed countries, including the United States, because it enables them to share out development costs with private investors and with each other.

The bank's international character also gives rise to another advantage of greatest importance—and that is the opportunity to work effectively and closely with borrowers and borrowing countries in ways, that, for the most part, are not equally open to individual governments in their dealings with other nations. Precisely because we are international, we cannot in truth be charged by our borrowers with operating from selfish motives of profit or economic exploitation, nor can we be charged with discriminating between different countries for reasons of politics, strategy or diplomacy.

BANK APPLIES BUSINESSLIKE STANDARDS

We can, and do, apply businesslike standards to our lending. The bank lends, in the normal course, for specific projects. We do not finance the whole cost of those projects; the borrower himself must make a substantial investment and is usually required to find all those funds needed for local expenditures on labor and materials. We estimate that our 2.5 billion dollars of lending is being matched by well over $3 billion of other investment.

We pick and test our projects with a great deal of care. I am not going to describe the process in any detail; I would rather tell you what the loans are helping to do.

In Iraq a few weeks ago young King Feisal dedicated the Wadi Tharthar project for turning floods of the Tigris River away from the city of Baghdad and the surrounding farm area. In 1950 we had lent the Iraq Government $12.8 million for the equipment and engineering services that were needed to construct the scheme. The project will save Iraq some $4 million a year that the government and individuals have spent, on the average, for levee construction and disaster relief; and it will prevent damage which as recently as 1954 amounted to an estimated $80 million from a single flood. And the bank has its money back already; after the project had been well advanced, government oil revenues had increased so much that half the loan was canceled and the other half was repaid in advance.

Or take the case of Gwelo. This is a town sitting on a mile-high prairie in the center of Southern Rhodesia and it is a symbol of what the bank is helping to accomplish in a young and growing country. The town is at the center of the Southern Rhodesia railway system, to which new equipment is being added with the help of bank financing; and it is near the start of an entirely new rail line, built under a bank loan, that connects to a new seaport on the Indian Ocean. More than that, Gwelo is close to a new powerplant of some 120,000 kilowatts generating capacity—one of several plants that have been built with bank help.

The town is a bustling place of some 30,000 people. It is the headquarters of engineering and construction companies; its factories make chemicals, shoes, leather goods, razor blades, steel castings, concrete, and many other products. All this is happening where only a few years ago there was a settlement of only a few hundred people—and Gwelo may be said, almost literally, to be the creation of electric power and transportation.

When the bank lends for electric-power development it usually lends for sizable projects. But, in Mexico, we have lent for over 50 power installations, many of them quite small, and some of the most vivid examples of what electricity can do for progress are to be found among these small projects.

One of these installations was a generating plant of some 2,700 kilowatts capacity in the town of Ciudad del Carmen, a shrimp-fishing port on the Gulf of Mexico. This was Carmen's first dependable, 24-hour-a-day electric supply, and presented the first opportunity to make enough ice to fully protect the shrimp catch from spoiling.

SAVING A TOWN IN MEXICO

Nine deep-freezing and ice-manufacturing plants have now gone up in Carmen. A large shrimp canning factory has been built and is operating at a profit. Seven small yards have come into operation to build more fishing boats. Two years ago, only an occasional tramp steamer called at Carmen to pick up shrimp—today, modern refrigerator ships provide regular service from Carmen to Texas ports. Furniture plants and other small industries have begun to spring up. This town, which 3 years ago was almost literally in danger of drying up and blowing away, is now a busy and growing community. That is what a little electric power and a lot of private initiative have been able to do in Carmen.

An even smaller project, in this Mexican group, was the installation of some 600 kilowatts of generating capacity in the town of Tecuala on Mexico's west coast. The plant began operating in 1951. At the same time a paved road arrived to give Tecuala a better connection with the surrounding farm country. The sequel to these two events was little short of explosive.

In the next 3 years the population of the town grew from 5,000 to 13,000. The number of children in school increased sevenfold; and, for the first time, the adults of Tecuala, many of them illiterate, were able to have a night school. There is power now for the hospital and its first fluoroscope. The new electricity is powering two movie theaters, the town's first radio station, and the presses of its first newspaper. The number of small factories and processing plants has grown from 3 to more than 30. Among other things, Tecuala now makes ice, corn meal, shoes, and furniture.

The community is making more, earning more, and is much better able to satisfy its hunger for products from the outside world. To cite only one instance, there are today more than a dozen stores selling electrical appliances, as compared to none 5 years ago; and Tecuala is now a market for electric fans, electric irons, radios, and refrigerators. The mayor of the town sums up the whole story well when he says, "We have come out of the dark ages into the light."

Now let me switch from these small projects to a very big one—the biggest ever to be considered in the bank and the biggest of its kind, in fact, ever to be planned anywhere. I am referring to the high dam which the Egyptians intend to build at Aswan, near the first cataract of the Nile. The dam would be nearly 400 feet high, 1 mile thick at the base and 3 miles long, and would be 17 times greater in volume than the Great Pyramid of Cheops. The dam would store enough water to inundate the entire State of Rhode Island in a snake-like reservoir long enough to stretch from Hartford, Conn., to Richmond, Va.

The project actually consists of three elements. One is the construction of the high dam itself. Another is the use of water stored by the dam to extend perennial irrigation to some 2 million acres of land, or about a third more than are perennially irrigated at present, and including 1.3 million acres not now irrigated at all. The third element is the installation of a large hydroelectric powerplant, along with the necessary distribution facilities, which will more than double the present supply of electricity and help the continuing growth of industry in Egypt.

The bank was informed late in 1952 that the Egyptians intended, if possible, to carry out this project. I myself discussed it with the Egyptian authorities on a visit I made to Cairo as part of a general trip to the Middle East early in 1953. The bank has been in close touch with the planning and preparation of the project since that time

and our own experts spent 5 months in Egypt in 1954 and 1955 making a detailed study.

We believe—as do private experts of international repute—that the project is entirely feasible. Further, we estimate that when the project is in full operation—which will not be for another 15 years or more—the value of new agricultural and industrial production and of other benefits will within a short span of years be more than equal to the investment required for the project.

But, in the meantime, the problem of financing is a large one. We began close discussions of this with the Egyptian Finance Minister in the bank during November; and, at the invitation of Colonel Nasser, the Prime Minister of Egypt, I went to Cairo earlier this year to discuss it further.

COST OF DAM $1.35 BILLIONS

The estimated cost of the project and ancillary works is $1,350,000,000 of which some $400 million represents private investment. Our discussions centered on the balance—$950 million—which will take the form of Government expenditures. In line with the bank's usual practice, the Egyptian Government will take the responsibility for $550 million needed in Egyptian currency for local labor, services and materials. That leaves $400 million needed in other currencies for equipment and services that will have to come from abroad.

I felt that, of this amount, the bank could lend half, or $200 million, but that it would be necessary for the Egyptian Government to find elsewhere the remainder of the foreign exchange needed. Before I went to Cairo, the American and British Governments had offered grant funds of $70 million—enough, it is estimated, to cover the foreign-exchange costs of diverting the Nile from its bed and completing the foundation of the dam.

The two governments also indicated that they would be prepared at a later date, in the light of the then existing circumstances, to give sympathetic consideration to financing the later stages of the project as a supplement to bank lending.

The position of the two governments, however, was contingent on lending by the bank. At the invitation of Colonel Nasser, I therefore went to Egypt to discuss with the Prime Minister himself the circumstances under which the bank would be willing to participate in the financing of the project. Most important, it was necessary to know whether the Egyptian Government was determined not only to give the necessary financial support to the project but also to budget other public investment prudently and with foresight so as to avoid bringing the project—and, indeed, the economy of Egypt itself—into jeopardy. During my visit to Cairo the Prime Minister and I reached an understanding which was satisfactory to me.

The World Bank is not interested in projects only. It is even more interested in whether the underdeveloped countries are themselves making the most of their own opportunities. The effects of even the best project may be lost in an economy that is going adrift; and the whole process of development requires intelligent use of a country's resources as a whole. It calls for the wise budgeting and direction of public investment toward realistic goals, and it requires public economic and fiscal policies that will support private initiative and private investment.

The bank hammers very hard at this matter of encouraging private enterprise and private investment within the underdeveloped countries themselves. We have worked for proper government policies and we have declined to support government ventures in fields of industry which should be competitive and for which, under the right circumstances, private capital could be found.

WHEN BORROWERS ARE TURNED DOWN

We discuss these considerations with prospective borrowers before we lend; we offer advice on these matters when we feel that it is useful to do so; and, not infrequently, our decision to lend or not to lend depends upon the outcome of these discussions. In more than one case we have decided that our most effective contribution to development can be made by shelving loans until the prospective borrower has begun to straighten out his own affairs and to do what it lies within his power to do with resources already at his disposal.

In other words, the bank has not tried to be popular. We have tried to be effective and to win respect. And, it is generally recognized, I think, that in these things we have succeeded.

The bank, as I said, is an international institution. But I believe that it is serving your interests and the interests of the United States. It is helping to create production and earnings in the underdeveloped world and it is helping to create paying customers abroad for communities like yours.

In Washington, Congress is now considering the administration's proposals for the continuation of economic aid to countries abroad. Without commenting specifically on those proposals, I want, from the vantage point of our experience in the bank, to offer some remarks about reasons that are put forward both for and against economic aid. Some of them, I think, confuse rather than clarify the issue.

We hear it said, for example, that such massive amounts of aid are needed that to satisfy them would work serious damage on the American economy. I just do not believe that. It assumes that everything can be, and must be, done at once. But the fact is that the rate at which the underdeveloped countries can absorb new capital is limited, and that the number of useful projects on which public funds can be properly and effectively spent is far from infinite. The danger, in my opinion, is not that we shall try to do too much, but, rather, that we will find it possible to do too little.

On the other side, the most popular argument in favor of foreign aid is that it can win friends for the United States and the democracies of the West. This, too, seems doubtful to me. This kind of thinking in the past has already kept aid from being as effective as it might have been because it has emphasized the act of giving—or, in some cases, of lending—at the expense of careful attention to the study and selection of projects for economic merit.

On the recipient side, too, the friendship theory has not infrequently had unfortunate results which were quite the opposite of those intended. It has encouraged a supplicant attitude on the part of some underdeveloped countries and has made it quite logical for them to feel resentment when one of them does not receive as much aid as some other. And, in a few cases, the notion that American aid was intended to buy their favor has caused underdeveloped countries to decline that aid altogether.

To believe that economic aid can win friends is to take altogether too simple a view of international relations; and I think we must always remember the warnings of experienced diplomats that friendships cannot exist between nations in the same sense as it exists between one person and another. Indeed, if aid could win us friends in the sense that some people believe, the United States, after the expenditure of scores of billions of dollars since the war, already would be far and away the most befriended nation on earth.

What can exist between nations is mutual interest, based on geography, history, and many other factors—a complex in which aid can only be one part. I think that the United States, both acting on its own part and making the fullest possible use of international organizations like the Bank, can wisely and realistically support aid for economic development, and I think so because the United States itself will benefit from the growth in world production, markets, and trade that economic development can help bring about.

The right kind of program can mitigate the problem of scarcity overseas and it can, at the same time, build markets for industrial nations like the United States. * * * I think one important conclusion that follows from this is that the United States should give support to economic aid continuously, and not according to the rising or falling barometer of pressures in world politics.

There is, to my mind, just one other compelling reason to support economic development. It is that the course of development will become a more and more important factor in determining the kind of world we ourselves live in. The political and economic revolution that we ourselves helped begin in the 18th century is now beginning to march through many parts of the underdeveloped world. Wherever the revolution marches we see political, economic, and social institutions in the process of change.

MEANING TO AMERICANS

The form in which these institutions begin to crystallize is of the utmost importance to us. In a better economic environment there is a better chance for men to appreciate those values of freedom and democracy which mean so much in the West and so little in Moscow. If aid to economic development can help men prize and assert their independence, then it is something greatly worth doing. And if along with our aid we can demonstrate the validity of our own principles of freedom of individuals and of enterprise, then I think we are making some progress toward shaping the kind of world which we ourselves want. I think this is worth doing, not reluctantly and hesitantly, but on a scale and with a constancy of purpose equal to the importance of the task.

(Foregoing are excerpts from an address by Mr. Black before the Connecticut Chamber of Commerce in Hartford, Conn., May 8, 1956.)

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. PASSMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 12130, with Mr. MILLS in the chair.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Louisiana [Mr. PASSMAN] will be recognized for 2 hours, and the gentleman from New York [Mr. TABER] will be recognized for 2 hours.

The Chair recognizes the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Chairman, I yield myself such time as I may require.

Listening to the distinguished minority leader reminds me of a story that

was brought to my attention earlier today. During George Washington's Presidency, an old Virginia slave, about a hundred years old, heard about President Washington being called the father of his country. He obtained permission from his master to see a street parade in which President Washington was going to participate. When the appointed day arrived, the old slave stood on the street from 4 o'clock in the morning until the parade passed, at about 10 o'clock, President Washington was pointed out to him, and the aged slave watched as he passed by. Then he turned to his friend and commented, "Why, he is just a man." So it is, too, that President Eisenhower is just a man; and he does not have all the answers, either.

Mr. MARTIN. Will the gentleman yield?

Mr. PASSMAN. Yes, I yield.

Mr. MARTIN. He is a mighty good man.

Mr. PASSMAN. I did not say anything about him not being a good man. Most of us are worried about his health; but I will say he is a good man. However, if you could take 10 of the younger men in America who had reached legal age to be President, and worked them 18 hours a day, they could not possibly do all the things accredited to President Eisenhower, as to what he is doing and recommending.

Mr. MARTIN. The gentleman is of legal age. Does he think 10 people in his district could do what he is doing?

Mr. PASSMAN. We hear it daily: "President Eisenhower wants this and wants that," as though President Eisenhower had all the answers to all the problems.

I just want to make it clear that while all these things are given out in the name of the President of the United States, maybe the President did not actually have anything to do with giving them out.

I think this telegram, which came to me this morning, is somewhat true:

Congressman PASSMAN. Do you realize that the United States stands a better than 50–50 chance to go down in history as the first nation to lose its resources and independence by giving itself away?

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Massachusetts.

Mr. MARTIN. Does the gentleman think that the arming of South Korea, the Philippines, Formosa, Spain, Pakistan, Turkey, has been a matter of giving away? Is not our own security at stake?

Mr. PASSMAN. I might reply to my distinguished friend that it is quite obvious to me that the old steam roller was started several weeks ago to bypass this subcommittee, and it is still working. Now, if the gentleman will remain on the floor and listen to and accept facts as they are, when I and other members of the committee have concluded, he will know as well as I that we are providing more money in this bill than is needed, or can be spent.

Some Member stated that we reported this bill out of the subcommittee with one vote to spare. That is true. I would not have mentioned it but for the fact that another Member said that we reported the bill out of the full committee with but two votes to spare. That is also true, but I would never have mentioned it. However, I do want to say, inasmuch as it is a fact that we only brought the bill out by two votes, that this is also true. All day Thursday and into Thursday night, and early Friday morning, the White House was calling Members on the gentleman's side of the aisle, and maybe this side of the aisle, pleading with them: "While you have never voted for the bill before, give us your vote for the bill this time." I want to say to the Republican Members that I have tried to be fair with my own leaders in this House, and go along with them on any request that is fair; but when my own leadership and the ranking minority Member come along and say what they expect us to do, as for myself, I am not taking the position that I do not trust the majority of 435 of the finest Americans that you have in this great country of yours and mine.

Let me call to your attention a statement which appeared since we reported this bill out of committee on last Friday: One of the nations, Cambodia, a country which was included in the mutual-aid bill last year—and I will not give the amount, for that is classified, but it went into the tens of millions several times; and I cannot tell you the recommendations in this bill this year, but it is tens of millions several times—but let me report to you what happened: "Prince Norodom Sihanouk concluded an agreement with the Soviet Union for economic and industrial aid.

"He declared that the hope of his people rested in the Soviet Union 'for the realization of our desires for peace and prosperity.' "

Further quoting the report: "When Sihanouk resigned his premiership he charged the United States made it impossible for him to conduct a neutralist foreign policy."

And now I refer you to pages 84 and 85 of the hearings as to how our administrator felt about this matter.

Mr. Chairman, before proceeding into the discussion of the bill, I want to pay tribute to some of the finest men who ever served in the Congress. They include:

The gentleman from Missouri, Mr. CANNON.

The gentleman from Virginia, Mr. GARY.

The gentleman from New York, Mr. ROONEY.

The gentleman from New Mexico, Mr. FERNANDEZ.

The gentleman from Georgia, Mr. LANHAM.

The gentleman from Kentucky, Mr. NATCHER.

The gentleman from Indiana, Mr. DENTON.

My compliments are equally as strong for the distinguished Members on the minority side:

The gentleman from New York, Mr. TABER.

The gentleman from Massachusetts, Mr. WIGGLESWORTH.

The gentleman from Pennsylvania, Mr. FENTON.

The gentleman from Michigan, Mr. FORD.

The gentleman from New Jersey, Mr. HAND.

Although the members of the committee do not always agree, we can disagree without being disagreeable.

I wish to pay special tribute to the able and distinguished gentleman from Virginia [Mr. GARY], former chairman of this subcommittee. This conscientious, able man, who handled the appropriation for this program from its inception 10 years ago, through 1954, will defend the bill here this afternoon with all of his conviction. He realizes, as I do, that this program is getting out of control and should be regulated; and you cannot do it by yielding to emotionalism.

Now, Mr. Chairman, I want also to pay tribute to the gentleman from South Carolina [Mr. RICHARDS], chairman of the House Foreign Affairs Committee. A finer, more sincere and able person has never served in this House. I only wish that he would be back next year so that we would again have the benefit of his wise counsel and extraordinary leadership. My confidence in this very able American, and my confidence in the distinguished American from Virginia, has prompted me to change my position in many ways with respect to this entire program.

Mr. Chairman, the bill now under consideration calls for the appropriation of additional funds for the mutual security program for fiscal 1957.

At the outset, may I say that I have voted against the foreign-aid authorization bill every year during my 10-year tenure in the Congress. This does not mean that I do not endorse the program in principle; but from the beginning I have believed that this type of program would gain momentum and grow and grow, and that there would be no stopping place. If I recall correctly, in 1947, 10 years ago, it was stated in the well of the House, where I now stand, that the purpose of the foreign-aid program was to feed the starving people of other nations, and that it would require 5 years to complete the program at a cost of approximately $15 billion.

Now, 10 years later, the program has grown to where the expenditures are approaching $60 billion, and there are now 68 of the 84 nations of the world participating in one or more phases of the program.

In many instances, Members of Congress are asked to support the program and appropriate additional billions of dollars on faith; and when it appears that faith will fail, then the old stock word of fear is brought into sway.

I am supporting the bill before you, and I will work just as hard for its passage as if I, myself, had originated the program 10 years ago. I am representing the views of a majority of the Committee on Appropriations in asking you to appropriate an additional $3,665,920,000 for fiscal year 1957. This is an increase of $900,045,000 over the amount that the Congress appropriated for fiscal 1956. Even this staggering sum, and the large increase, is not sufficient according to many, as demonstrated here this

afternoon. But, in my opinion, if the membership of the House will act on facts, and I think they will, then I do not believe that you will vote for an increase over the amount recommended by a majority of the subcommittee and full Committee on Appropriations.

If the Committee approves the amount of funds requested in the bill under consideration, then the mutual-security program will have available for expenditure in future years the total sum of $10,302,820,000. The information in the report accompanying the bill will explain in more detail how this amount was arrived at; but may I furnish you with this information at this time:

[In thousands of dollars]

	Balance June 30, 1956	New appropriations 1957	Total available 1957
Military assistance	5,059,100	1,735,000	6,794,100
Nonmilitary:			
Defense support	1,232,207	1,128,700	2,360,907
Development assistance	222,043	130,000	352,043
Technical cooperation	145,884	146,500	292,384
Other program	218,466	284,920	503,386
Total nonmilitary	1,818,600	1,690,120	3,508,720
Total	6,877,700	3,425,120	10,302,820

Budget estimates	4,859,975,000
House appropriation	3,425,120,000
Decrease below budget	−1,434,855,000
Authorization bill conference	4,027,575,000
Infrastructure	75,000,000
ICEM	12,500,000
Total	4,115,075,000
House appropriation committee below conference figure	689,955,000

If the bill is approved as presented by the committee, the mutual security program for future years will have available under military a total of $6,794,100,000; and under nonmilitary programs, $3,508,720,000, making the total as above outlined.

Mr. Chairman, I now wish to go into some actual, documented, well established facts of the program, and show for the benefit of the committee certain discrepancies that are of very recent origin.

Last year, the witnesses appearing before the Foreign Operations Subcommittee stated that they would spend during fiscal 1956 in military, $2,500,000,000 and under nonmilitary, $1,765,000,000, or a total of $4,265,000,000. At a later date, and based upon last year's appropriations and carryover funds, the International Cooperation Administration officials revised that estimate, stating that they would spend out of new and old funds for military and for nonmilitary a total of $5 billion.

But, what are the facts? Under military, taking them at their word, they actually spent $2,200,000,000, and under nonmilitary, they spent $1,570,000,000, or a total of $3,770,000,000. Now, by simple subtraction, the most skeptical person can understand that they overestimated their expenditures for the fiscal year that has just closed by a sum of $1,230,000,000. Can we expect this year's estimates to be any more accurate than those of last year?

Mr. Chairman, I shall not now, or in the future, attempt to sway support for any program that I present with any argument not substantiated by facts. Last year was the first year that I attempted to handle this bill before the committee, the House and the Conference; and I was gratified that my subcommittee, the full Committee on Appropriations, the Committee of the Whole and the House and the conferees supported a reduction below the amount the President requested. It was said in many quarters at that time, and in some instances with very strong language, that the program had been crippled, that the administration could not carry out its commitments under the revised program, but what are the facts? Let us face them realistically.

On June 30, the fiscal year just closed, with the ICA having the right, under law passed by the Congress, to place in reservation funds which they could not obligate—this is not in reality a completed obligation, but a form of obligation used only in the mutual defense setup—what did we find? The Department came up with $342,400,000 unobligated. Of this amount $90 million was in the President's special fund for the Far East, $211,900,000 in the military, with $40,500,000 in nonmilitary. Now, I ask you in all candor, Mr. Chairman, did the committee and the Congress cripple this program by its reduction last year? The answer is absolutely "No." If it were not for the consideration of the committee, $252,400,000 would have gone by the board and back into the United States Treasury on June 30 this year.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I am happy to yield.

Mr. GROSS. This word "reservation" seems to be a new word in the vocabulary of the ICA.

Mr. PASSMAN. The gentleman is correct. They come up occasionally with new words in this program, like infrastructure. I suggest the gentleman go to Webster's and find the meaning.

Mr. GROSS. Mr. Chairman, I am glad to note that in the hearings the gentleman questioned the witnesses with respect to whether there had been any change in the name of the ICA and suggested, as I remember his question, whether or not we could anticipate in the near future there would be another perfumed name to decorate this program.

Mr. PASSMAN. If I may deal in levity momentarily, yes, I am anticipating a new name in the not too distant future. This name is now a year old and it will not hold out much longer.

Mr. GROSS. Some odor is being attached to it. If the gentleman would yield for a moment further, speaking of the obligation of funds, I should like to read from the hearings at page 51:

Mr. PASSMAN. Would you agree that, on account of the large unexpended balances that continue to increase year after year, somewhere down the line too much money had been appropriated, money you could not obligate wisely?

Mr. HOLLISTER. I would.

Mr. PASSMAN. Practically every witness agreed that they had received too much money in the past.

Mr. Chairman, many find it easier to condemn than to commend; but as it applies to me, I have always preferred to commend, rather than to condemn or criticize. There comes a time in one's work, however, when it is necessary to point out certain things that could be intrepreted as criticism.

The principal difficulty with the mutual security program, in my opinion, has been and continues to be related to poor administration. It has been practically impossible to elicit the information necessary for a proper determination of amounts required to keep the program moving at the proposed rate. Either the witnesses would not divulge certain pertinent information, or the program itself is, both present and planned, so ambiguous and in a continuous state of suspense that the witnesses, in all honesty, could not give the information requested and needed for intelligently acting upon this request.

Members of this House will recall the fiscal mixup uncovered during the consideration of the 1956 appropriation bill for the ICA. Even though military assistance funds should be reserved in an amount of money equal to the total cost of materials being ordered by the Department of Defense, the sum of $614 million was so reserved during the last hour of the last day of the fiscal year 1956. By that, I mean after 5 o'clock in the afternoon of June 30. This was in addition to a prior June reservation of $337 million, for a total of $951 million for the last month of the fiscal year. I need not point out, really, that orders in this amount were not, and could not have been, placed by the Department of Defense during June. Further, it was physically impossible to have placed orders in the amount of $614 million in the last hour of the last day of the fiscal year.

Let us continue on a factual discussion of this matter. Last year, after the Subcommittee and full Committee on Appropriations and this House had supported the committee's recommendations, and after we had gone into conference with the bill, one of the most unusual discrepancies came to light. While sitting at the conference table, it was brought to the attention of the members of the subcommittee that the Air Force had discovered that the FOA had overpaid them a sum amounting $302 million. In other words, the heads of the Mutual Security Agency had overpaid the Air Force $302 million, and they came into possession of a check for the same amount, whereas, in a matter of hours before that time, when they were before our committee, they did not know they had the check coming. It was obvious that this occurred as a result of transferring to the Air Force this amount of money for a purpose not specifically determined.

How do I know and how do you know but that at some future date it may be brought to light that this agency has

overpaid the Air Force, the Army, or the Navy maybe a billion dollars? This is not an accusation, but in view of the looseness with which this program is operated, it is certainly a possibility.

So certainly it is natural to believe that such a transfer could not meet the test of an obligation under section 1311 of the Supplemental appropriation Act of 1955. The amount would have lapse because the agreed-upon version in the conference report provided for a carryover of only $33,900,000 for military assistance. The managers on the part of the House, in order to reach an agreement, relented and agreed with the Senate to invalidate this transaction by statute as a part of section 108 which made an additional $203 million available during fiscal year 1956. We did not discuss this at the time we considered the original matter on the floor of the House.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from New York.

Mr. TABER. I notice that nowhere in the report of the committee does that $302 million appear, but in my opinion that should be added to the $1,056,100,000 which appears in the third line on page 17. Is that not correct?

Mr. PASSMAN. That is my understanding, but I may say to the distinguished gentleman from New York that I am merely pointing out the many discrepancies which have occurred in this program in the past, and not trying to complicate the consideration of this particular bill.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Virginia.

Mr. GARY. The information is shown in the tables appearing on page 4 in the report of the committee.

Mr. PASSMAN. I thank the gentleman. What I am trying to establish with facts is that we are not harming the program by trying to operate it on a business basis. I am trying to point out some of the things that we had to deal with last year.

Now, may I refer you to page 152 in the hearings for this year? I quote:

UNOBLIGATED AND UNRESERVED FUNDS ON JUNE 30, 1956

Mr. PASSMAN. How much do you expect to have unobligated and unreserved at the end of fiscal year 1956?

Mr. SHAW. $195,500,000.

Mr. PASSMAN. This $195,500,000 will be cash on hand unobligated and unreserved?

Mr. SHAW. That is correct, sir.

Mr. PASSMAN. This will indicate, if I may go back to a statement I made earlier in the hearings, that you actually had more money available last year than you could expend?

Mr. SHAW. May I comment on that, Mr. Passman?

Mr. PASSMAN. I certainly want to be fair.

Mr. SHAW. The answer is "Yes."

Further quoting from the record:

Mr. PASSMAN. Mr. Shaw, how much did you obligate and/or reserve on June 30, 1956?

Mr. SHAW. $614,140,511.

Mr. PASSMAN. What percentage does that represent of the total available funds for that fiscal year?

Mr. SHAW. Twenty-two percent, sir.

Can you imagine an agency obligating 22 percent of the total annual appropriation on 5:15 of the afternoon of the last day of any fiscal year?

Mr. Chairman, as to the current situation, the enactment of section 110 of the Mutual Security Appropriation Act of 1955 provided that the Department of Defense funds would be obligated by MDAP equipment pending reimbursement or actual delivery of military material to recipient nations. This provision was repeated in section 108 of the 1956 Appropriation Act. In other words, necessary lead time was financed with defense funds; therefore, it is being financed with defense funds now.

In spite of the existing financial arrangement, it was repeatedly testified that the full amount of the request was needed to finance long lead-time items of military equipment. This lead-time according to testimony was averaged out at 24 months, of which, incredible as it may be, 6 or 8 months was so-called administrative lead time. Inquiry reveals, however, that aside from special weapons now programed for military assistance and exceptional items of electronics, all of the material, including completed aircraft, is being delivered from existing inventories of the military departments. The most extreme example of the long lead-time items is aircraft. The Air Force advised me, through the committee staff, that all aircraft deliveries up to date and programed for fiscal year 1957 are to be delivered out of inventory.

In this connection, I quote from the testimony of Mr. Gordon Gray, Assistant Secretary of Defense for International Security Affairs:

Most of the equipment which is undelivered is now being produced or is in the hands of the United States Military Establishment. If the equipment is held by the United States armed services, either in use or in the mobilization reserve, it cannot be released for delivery to our allies until new equipment has been produced and delivered to replace it.

Nevertheless, if you will note, most of the equipment is being supplied from inventory. However, the last phrase, which states that equipment cannot be released for delivery to our allies until new equipment has been produced and delivered to replace it, is not in accord with established facts.

The average length of time to process an order is 48 hours. Inspection and repair when necessary prior to shipment is anywhere from 1 to 5 months. Accordingly, the maximum lead time, exclusive of administrative lead time, is about 5 months for aircraft, aircraft engines, and spare parts. The lead time on items supplied by the Army, such as tanks, artillery, and ammunition is even less.

The contention that funds should be appropriated in fiscal year 1957 for items to be delivered late in 1958 and 1959 just does not hold water.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. FORD. I would not want to say anything in reference to the Air Force or the Navy, but in the case of the Army, the facts, as related by the gentleman in reference to tanks and ammunition, are not accurate unless you want to assume that we should take them out of our own stocks or away from our own troops. If you predicate your statement on that fact, then O. K. but otherwise you are in error.

Mr. PASSMAN. The gentleman from Louisiana is going to stick by what he said. I think I have properly documented what I have said.

Mr. FORD. I have not seen any documentation with reference to the Army.

Mr. PASSMAN. I am making a statement of facts, and certainly I am going to stick by my documented statement. I will say to the gentleman that I am also backing this up with a pertinent letter, if and when it becomes necessary

Mr. FORD. I would be very glad to see it in the RECORD.

Mr. PASSMAN. I do not know whether it is going in the RECORD or not. According to what has happened this afternoon, it is evident that I should retain some ammunition so that when I go to conference they will not "roll" me and this committee, as it seems they are going to attempt to do.

The contention that funds must be appropriated in the fiscal year 1957 for items to be delivered late in 1958 and 1959—I repeat—just does not "hold water."

The present pipeline for the military alone is something over $5 billion. So, even if not $1 were appropriated for equipment in 1957, the program at the estimated rate of expenditure should continue for 2 years; that is, fiscal 1957 and 1958. To be liberal however, and to insure that the program remains uninterrupted, appropriations could logically be made in fiscal year 1958, not this year, to cover deliveries in 1958 and succeeding years.

I think the gentleman knows, as I know, that we are appropriating money, not for fiscal 1957 or 1958, but for fiscal 1959. Why this administration insists on having a pipeline of $11 or $12 billion is beyond my comprehension and my reasoning.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. JUDD. Is what the gentleman says about ICA funds not also true of the $35 billion that we recently appropriated for the Armed Forces that handle our own defense budget?

Mr. PASSMAN. I am not on that committee, and therefore I shall not attempt to discuss anything that transpired on that committee. I will do very well to be able to discuss intelligently what happened on my own committee.

Mr. JUDD. But my point is that the gentleman will agree that it is hardly fair to suggest that this long-lead-time problem is something that applies only to the mutual security program when it applies equally to our own defense programs.

Mr. PASSMAN. I would hate to think that all agencies are as "careful," so-called, as this agency; but if the gentleman wants to make that statement and wants it in the RECORD, that is his responsibility.

Mr. JUDD. I am trying to get some information. The gentleman said he knew all about it.

Mr. PASSMAN. I did not say I knew all about it. Everything I have said this afternoon can be substantiated by the facts.

Mr. JUDD. May I ask the gentleman's opinion on this. Would he favor what our committee tentatively suggested: that hereafter the military aid which the administration asks and your committee recommends for the mutual security program be handled through the regular Defense Department budget?

Mr. PASSMAN. Provided you want to lose the appropriation altogether. Hide it, and stick it in between a lot of other billions, and have it run up, say, two and a half times what you are spending now. That would not have my endorsement.

Mr. JUDD. Is the gentleman saying it is harder to identify it in the Defense budget?

Mr. PASSMAN. I think the gentleman answered that. You know it would be hard to identify it.

Mr. JUDD. But at least we would not have two pipelines, one for the Pentagon and one for mutual security.

Mr. PASSMAN. Yes; that is true.

Mr. JUDD. We would then get along by each year providing so much money for the military items for our allies and let this agency go to the Pentagon and buy them.

Mr. PASSMAN. Yes.

Mr. JUDD. And we would not have a second pipeline.

Mr. PASSMAN. You would hide it, and the American taxpayers would not know what you are appropriating in these programs. You are not advocating that, are you?

Mr. JUDD. No; I am trying to avoid the long lead time. My committee would authorize so much money. Your committee would appropriate it, and ICA would go over to the Pentagon and buy the equipment for that year.

Mr. PASSMAN. I am not in the habit of attempting to discuss in detail on the floor of the House matters which do not come before my committee.

Mr. JUDD. But the gentleman has implied there is even greater confusion in the Pentagon and its pipeline than in the mutual security agency with its pipeline.

Mr. PASSMAN. I do not think I said anything of such nature.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. MASON. If the approximately $1 billion we have handed out to Yugoslavia for military aid had been in our general military appropriation, it would have been lost sight of, and the American people then would not know that that amount had gone down the drain, because they would, of course, suppose, if it was a part of our own defense fund, that it was for our defense and accomplished what it was spent for.

Mr. PASSMAN. I thank the gentleman for his contribution.

Mr. GROSS. Speaking of division in the Pentagon, I wonder if the gentleman can tell me—I note in the hearings, although I have not been able to read all of them, that at least you come up to the point of pointing out what happened to the $400 million which the Comptroller General said was held illegally by the Pentagon since 1954; did you ever get an answer to what has been done with that $400 million?

Mr. PASSMAN. I do not think there has been any intentional dishonesty so far as taking the dollars out of Uncle Sam's pocket is concerned.

Mr. GROSS. I said "held illegally"; I did not say it was dishonest.

Mr. PASSMAN. It is certainly a very intricate and involved matter.

Mr. Chairman, according to the actual and not alleged lead time, a portion of the 1958 deliveries could be made from 1958 appropriations. Certainly all 1959 deliveries could be financed from 1958 appropriations. Therefore, I insist that with the exception of funds required for a part of the special weapons, for training, for infrastructure, and so forth, no additional funds are actually required this year for military equipment.

There is another matter I would like to bring to the attention of the Committee: Last year when we were considering the Budget's request there was an item of $200 million known as the President's special fund for the Far East. The committee reduced this item to $100 million and there were many strong complaints; but here are the facts:

During the 12-month period the total expenditures and obligations against the $100 million amounted to an estimated $10 million, leaving clean, clear, and unencumbered $90 million of the $100 million that we appropriated. Would this indicate anything other than the fact that they just do not know what they need and what their requirements are?

May I quote now from the report of the survey and investigators of the House Appropriations Committee, beginning with line 2 on page 15:

> Military aid program on a worldwide basis with the appropriation of further moneys is already overfunded, particularly when considering the extent to which the countries have furnished or will furnish the manpower. Completion of the program based on released force goals with presently available funds would involve some reprograming by the countries and redeployment of materials included in the $5.5 billion funded undelivered portion of the program and unreleased 1956 programs.

Mr. Chairman, I am of the opinion that the people back home, the taxpayers, the constituents who sent us here, are now for the first time being heard very plainly on this program. Why do I say this? Because it is obvious to Members of Congress of both branches and to the four committees dealing with this subject, that it has gotten out from under control, and something is going to have to be done to bring it under control.

First. Is it not true that the Foreign Affairs Committee of the House, under the very able leadership of the gentleman from South Carolina [Mr. RICHARDS] has recommended and will secure permission to conduct an investigation of the foreign-aid program?

Second. Is it not true that the Foreign Relations Committee of the other body will undoubtedly undertake to conduct an investigation of the foreign-aid program?

Third. Is it not true that the Rules Committee of the other body approved last Friday a sum of $300,000 to pay the cost of an investigation?

Fourth. Is it not true that the report before you now recommends an investigation of the foreign-aid spending program?

Fifth. And is it not expected that the Appropriations Committee of the other body will do likewise.

Sixth. And I am told on good authority that the present administration itself is advocating the same type of investigation.

If this program were so perfect and working out as planned, and if our objectives were being met properly, why do you have every legislative and every appropriation committee dealing with this matter presenting recommendations that an investigation be made? Of course, you know as well as I do that it should be investigated, even before this bill passes. That being impossible, all we can do is to proceed with our business.

I contend that the administration would have been wiser to have initiated a reexamination of the entire aid program before coming to Congress for additional funds, but they did not do so. Rather, they requested additional funds, and your committee is recommending a most abundant amount.

I state for the record, that the agency will spend during fiscal 1956 a total of $3,770,000,000 and, with the carryover funds and new appropriation making a total of $10,302,820,000, it will carry the program on this basis for 33 months.

Mr. Chairman, it is now time for us to stop, to look, to listen, to investigate, and to give more thought to the facts and to the wisdom and recommendations of those good men and women back home who sent us here.

May I remind you that from time immemorial our forefathers have taught us the plain fact that the best way to destroy friends, and the same applies to nations, is to start supporting them with gifts and favors and advice. The more you give a person, the more he wants; and the effect of continued gifts, grants and favors, will completely destroy the independence, self-reliance, initiative and incentive in the individual, and also the nation.

Emotionalism is out of place in considering this appropriation. And so is partisanship. Certainly, the members will not permit emotionalism or partisanship, or other unfounded factors of the situation to outweigh the facts.

I plead with each and every member of the Committee to take copies of the hearings home with you, to take copies of the report home with you, to read the hearings and report from cover to cover. If you will do that, even my friends on the other side of the aisle would hesitate to come up with an amendment to provide additional funds in this bill.

Mr. RICHARDS. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I am delighted to yield to my distinguished friend and colleague, chairman of the Committee on Foreign Affairs.

Mr. RICHARDS. I want to say that I deeply appreciate what the gentleman has said about the work of our committee and the chairman of that committee. May I say here for the record that at all times I kept in touch with the gentleman who is chairman of the Subcommittee on Appropriations and I have found him most cooperative. We worked closely together. As a matter of fact, I have supported this program since 1948 and the gentleman felt otherwise and so far as the authorizations are concerned he has not supported it. But one of the things I have noted about him is this: The Congress having expressed its will in regard to this legislation through authorization he went along when it came to appropriations, whenever he could conscientiously do so, and when he could not do so he fought it just as he always fights any measure he does not think is best for the people. I have never known a man more devoted to his responsibilities here. I want to say that the people of Louisiana, and particularly his congressional district, will go a long time before they will find a man who has met his responsibility here in the able way the gentleman from Louisiana has. He is an able legislator, a fearless fighter and withal a gentleman. It has been a pleasure to advise and confer with him. Now, there is another question I want to ask the gentleman and a little criticism at this point, if he will permit me.

Mr. PASSMAN. Yes.

Mr. RICHARDS. Not any criticism of the gentleman but of the procedure here. As I understand, the gentleman has cut from the House authorization just a little over $300 million. Is that about right?

Mr. PASSMAN. Yes, substantially that amount.

Mr. RICHARDS. The conferees have placed back in this bill about $360 million over and above the House authorization. We gained a little on that, taking into consideration the Senate figure. But, does not the gentleman think it would have been a little better, in the interest of orderly procedure, for the gentleman not to write his report until the conferees had acted?

Mr. PASSMAN. I will answer the distinguished chairman by saying that, in this particular instance, inasmuch as we are working hard for an adjournment by July 31—and if I may speak politically for a moment, the Democratic Convention convening in Chicago August 13—had we acted as you have suggested, then we would not have made an appropriation this year. May I say to the distinguished chairman that, for some reason unknown to me, the Department was slow bringing up the request for an authorization. And, of course, if we should wait until an authorization bill has cleared both branches of the Congress and then start our hearing, it would be almost impossible to conclude here in time to adjourn the Congress.

Mr. RICHARDS. I do not object to that. I understand why you should hold your hearings and get up your figures, but I am talking about the conference report. Your deductions are based on the House bill and not the conference report.

Mr. PASSMAN. That is correct, sir.

Mr. RICHARDS. Your cut amounts to about how much?

Mr. PASSMAN. Six hundred and eighty-nine million, nine hundred and fifty-five thousand dollars below the conference report.

Mr. RICHARDS. Now, the difference between the gentleman and myself on that—and I know he is perfectly honest, knowing how dedicated he is to his duty—is that he thinks that is a proper cut and I think it is too much. But, I certainly would not impugn the motives or the integrity or the good intentions of the gentleman from Louisiana.

Mr. PASSMAN. I do not know about the Committee on Foreign Affairs, but on most money bills—let us be perfectly honest—we do not have our way every time, and many times when we go to conference it is rather difficult to support the House position with our colleagues on the other side of the Capitol. I am sure the gentleman understands what "trading" means in conference.

Mr. RICHARDS. I found out, when we went to conference, as strong as we were in the House, we would be sitting there until Christmas if we did not make some sort of a compromise. I can readily understand the position the House will find itself in when this time it goes over there to conference.

Mr. PASSMAN. The distinguished chairman of the Committee on Foreign Affairs would not be displeased if eventually we should get the original figure recommended by the House Committee on Foreign Affairs?

Mr. RICHARDS. I think that would be just about right.

Mr. PASSMAN. I hope we get less, but the gentleman may be happy when it is all over.

Mr. GROSS. Mr. Chairman, if the gentleman will yield, I hope we stay here until Christmas before you give up an inch.

Mr. PASSMAN. I would be willing to stay for such purpose, if it should be necessary, until the 3d of January, but that would not be permissible.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from New Mexico.

Mr. FERNANDEZ. Irrespective of what the authorization bill is—and I listened to our Speaker when he was supporting the increase in the authorization bill—that is an entirely different matter. That is an authorization bill, which by its very nature should be cautiously liberal. This is an appropriation bill, in which we must carefully appraise the actual present needs. The gentleman spoke awhile ago about these investigations. I think the whole country believes there should be a reappraisal of the entire foreign-aid program. And I am sure it is going to be made. Members on both sides of the aisle as well as the administration appreciate the fact that is essential.

I think we ought not to increase the amount which the Appropriations Committee considered the absolute minimum of present needs. Then, after these investigations, when the new Congress comes back in January, there will be ample time to provide additional appropriations under the authorization which has been passed, to supplement the amount we shall give them now, if these investigations indicate that that should be done. I do not know what is going to happen this year, but the gentleman knows that the largest portions of the appropriations are obligated usually at the end of the fiscal year, so that certainly there is enough money here to run the program well beyond the 1st of January; and if at that time additional appropriations are indicated, the Congress will honor their request for those appropriations under the proper facts to substantiate and justify them, up to the limit liberally set by the authorization bill.

Mr. PASSMAN. I thank the distinguished gentleman from New Mexico, a very able member of the subcommittee handling this bill.

In reply to my very dear friend from South Carolina [Mr. RICHARDS], the chairman of the Committee on Foreign Affairs, I should like to say this: He made a fine and sincere statement. I think he understands, as I do, that in all probability when we go to conference on this bill we may have to make an adjustment here and there. I think we are sufficiently fortified with the facts not to have to yield. I think if the distinguished gentleman will do this year as he did last year, take the hearings before the Subcommittee on Appropriations and study them, he will find that there are certain discrepancies this year, as there were discrepancies last year, in the information given our committees. The gentleman does recall that, does he not?

Mr. RICHARDS. I do recall that, and when the gentleman brought his appropriation bill here on the basis of the new evidence I supported him, because all of the information had not been presented to our committee.

Mr. PASSMAN. I trust the gentleman will support the committee's position this year. I said to my friend a few days ago that it is to be regretted that the two of us have served here together for this period of years but did not really become closely acquainted until last year. I regret the gentleman is leaving the House. He has just reached his highest point of value to the country, and I wish there were some way he could be persuaded to remain here and continue to give us the benefit of his wisdom and leadership in the interest of our country, as he has done during the time that I have been here. I am going to be thinking of the gentleman after he leaves here; and if my constituents return me, I shall certainly be in touch with him during next year.

Mr. RICHARDS. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I am glad to yield to the gentleman.

Mr. RICHARDS. In view of the gentleman's very kind statement about me, I here and now invite him to go coon hunting with me in South Carolina next year.

Mr. PASSMAN. If it were not against the rules of the House to address him thus, I would say to the gentleman, "Richard, I am certainly going to go coon hunting with you."

Mr. Chairman, I am going to conclude my remarks on this bill by saying that I have tried to present a factual picture. Perhaps my manner would indicate that occasionally I become excited. That is actually not a fact. I think I know what is in the bill. I am in sympathy with my friends to the left of the aisle. They are going to do a good job in trying to refute to some extent the factual information that I have presented this afternoon. I am going to applaud them when they have concluded, because they are trying to carry out one of the most difficult tasks ever assigned here to the majority or to the minority. I shall not call names, but I am thinking of what I witnessed in the full committee on last Friday. I will not be surprised at anything that might happen on the floor of the House.

As I have said, I have tried to present the factual picture. If Members of the House will read the hearings and read the report, I shall be very happy for my distinguished friend from Michigan to see the light and vote to pass this bill on the facts, and not on fear, not on faith, and not on emotionalism; and if he does that, he is going to support the position of this committee.

So, Mr. Chairman, I again quickly summarize:

Appropriations totaling $3,425,120,000 of new money are included in the bill, which is an increase of $721,778,250 over the appropriation for fiscal year 1956. In addition, the committee is recommending the reappropriation of $240,800,000 of unobligated balances of prior year appropriations. This makes a total of $3,665,920,000 available in the bill for obligation. This sum plus the $90 million already available in the President's Asian fund makes a total obligation authority for fiscal year 1957 in the amount of $3,755,920,000.

While it was estimated last year that expenditures during fiscal 1956 would exceed $5 billion, the latest estimate was that only $3.77 billion would be expended. The total unexpended balance of the mutual-security program as of June 30 was estimated at $6,877,700,000, which at the 1956 rate of expenditures would carry the program for practically 2 years. This balance is made of $5,059,100,000 for the military and $1,818,600,000 for nonmilitary.

The expenditure estimate for fiscal year 1957 as contained in the budget submission was $4,265,000,000. Military witnesses contended that they expected to expend an additional $400 million over their earlier estimate, making total expenditures of $4,665,000,000 for both military and nonmilitary. Based on estimated versus actual expenditures during fiscal year 1956, it is not unlikely that this has been overstated as much as 20 to 25 percent.

The sum of the unexpended balance as of June 30 to $6.87 billion and the new funds recommended by the committee will total $10.3 billion. At the 1956 rate of expenditure, this amount would be enough for nearly 3 years of operation.

Mr. Chairman, I repeat that I earnestly hope the Members will support your committee's recommendations.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

Mr. PASSMAN. Mr. Chairman, I move that the Committee do now rise, and on that motion I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. PASSMAN and Mr. TABER.

The CHAIRMAN. The question is on the motion.

The Committee divided; and the tellers reported that there were—ayes 4, noes 53.

So the motion was rejected.

The CHAIRMAN. Does the gentleman from Iowa insist on his point of order?

Mr. GROSS. I renew my point of order, Mr. Chairman.

The CHAIRMAN. Evidently a quorum is not present.

Mr. PASSMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes, had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate disagrees to the amendment of the House to the bill (S. 3820) entitled "An act to increase the borrowing power of Commodity Credit Corporation", requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. AIKEN, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11356) entitled "An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11619) entitled "An act to amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 5566) entitled "An act to terminate the existence of the Indian Claim Commission, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. O'MAHONEY, Mr. ANDERSON, Mr. NEUBERGER, Mr. WATKINS, and Mr. GOLDWATER to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3386) entitled "An act to amend the joint resolution entitled 'Joint resolution to establish a commission for the celebration of the 100th anniversary of the birth of Theodore Roosevelt,' " approved July 28, 1955, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. O'MAHONEY, Mr. DANIEL, and Mr. WATKINS to be the conferees on the part of the Senate.

HOUR OF MEETING ON WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow, it adjourn to meet at 10 o'clock a. m. on Wednesday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. LOVRE (at the request of Mr. MARTIN) for July 17, 1956, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. BAILEY, for 15 minutes, tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. SIEMINSKI and to include extraneous matter.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1761. An act to relieve certain veterans who relied on an erroneous interpretation of the law from liability to repay a portion of the subsistence allowances which they received under the Servicemen's Readjustment Act of 1944;

H. R. 1876. An act for the relief of Martin M. Sorensen;

H. R. 6190. An act for the relief of Ensign Charles A. Binswanger;

H. R. 9371. An act for the relief of John R. Henry;

H. R. 11714. An act to amend sections 5217 (c) and 852 (b) (3) of the Internal Revenue Code of 1954; and

H. J. Res. 606. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

BILLS AND JOINT RESOLUTIONS TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 1761. An act to relieve certain veterans who relied on an erroneous interpretation of the law from liability to repay a portion of the subsistence allowances which they received under the Servicemen's Readjustment Act of 1944;

H. R. 1876. An act for the relief of Martin M. Sorensen;

H. R. 3350. An act to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired;

H. R. 3351. An act to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired;

H. R. 3897. An act to relieve the Secretary of the Interior of certain reporting requirements in connection with proposed National Park Service awards of concession leases and contracts, including renewals thereof;

H. R. 6025. An act to amend the shipping laws, to prohibit the operation in the coastwise trade of vessels rebuilt outside the United States, and for other purposes;

H. R. 6190. An act for the relief of Ensign Charles A. Binswanger;

H. R. 6218. An act to authorize payment by the Federal Government of the cost of making certain studies necessary to assist the Menominee Tribe of Indians to prepare for the termination of Federal supervision;

H. R. 7663. An act to provide for settlement in part of certain claims of the Uintah and White River Bands of the Ute Indians in Court of Claims case No. 47568, through restoration of subsurface rights in certain lands formerly a part of the Uintah Indian Reservation;

H. R. 9280. An act relating to the plan for control of the property of the Menominee Indian Tribe, and for other purposes;

H. R. 9371. An act for the relief of John R. Henry;

H. R. 9660. An act to direct the Secretary of the Army or his designee to convey an 11¼-acre tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia;

H. R. 9974. An act to amend section 1 of the act entitled "An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin," approved March 28, 1908, as amended;

H. R. 11714. An act to amend section 5217 (c) and 852 (b) (3) of the Internal Revenue Code of 1954;

H. R. 11926. An act to amend the Atomic Energy Act of 1954, to permit the negotiation of commercial leases at atomic energy communities, and for other purposes;

H. J. Res. 501. Joint resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization; and

H. J. Res. 606. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 1 minute p. m.) the House adjourned until tomorrow, Tuesday, July 10, 1956, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HESELTON: Committee on Interstate and Foreign Commerce. Part 2, minority views on H. R. 8902. A bill to amend subsection 406 (b) of the Civil Aeronautics Act of 1938, as amended (Rept. No. 2530). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. H. R. 6681. A bill to amend sections 323, 334, 335, 336, 337, and 376 of the Bankruptcy Act, approved July 1, 1898, and acts amendatory thereof and supplemental thereto; with amendment (Rept. No. 2644). Referred to the Committee of the Whole House on the State of the Union.

Mr. LONG: Joint Committee on the Disposition of Executive Papers. House Report No. 2645. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. LONG: Joint Committee on the Disposition of Executive Papers. House Report No. 2646. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. ROGERS of Colorado: Committee on the Judiciary. H. R. 8937. A bill to amend the law so as to provide that the term of office of district judges in Alaska shall be 8 years; with amendment (Rept. No. 2647). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H. R. 12143. A bill to amend title 28 of the United States Code to establish certain qualifications for persons appointed to the Supreme Court and to provide that persons who have held certain Federal and State offices shall be ineligible for appointment to any Federal judgeship within 5 years after leaving such offices; to the Committee on the Judiciary.

By Mr. BENNETT of Michigan:

H. R. 12144. A bill to amend the War Claims Act of 1948, as amended; to the Committee on Interstate and Foreign Commerce.

H. R. 12145. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum hourly wage provided for therein to $1.25; to the Committee on Education and Labor.

By Mr. BERRY:

H. R. 12146. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall apply only with respect to that portion of the amount paid for any admission which is in excess of $1; to the Committee on Ways and Means.

By Mr. COUDERT:

H. R. 12147. A bill to give relief in the case of transfers to United States charities which are subjected to State and foreign death taxes; to the Committee on Ways and Means.

By Mr. EBERHARTER:

H. R. 12148. A bill to amend the Internal Revenue Code of 1954 to provide that clubs shall not be denied exemption from corporate income taxes if they would be exempt from such taxes as benevolent life insurance associations but for their activities as clubs; to the Committee on Ways and Means.

By Mr. HAYWORTH:

H. R. 12149. A bill to amend title II of the Social Security Act to provide that in certain cases the lump-sum death payment may be paid to the administrator of the insured individual's estate prior to actual payment of such individual's burial expenses; to the Committee on Ways and Means.

By Mr. IKARD:

H. R. 12150. A bill to amend the Internal Revenue Code of 1939 with respect to the permissible methods of accounting to be used in computing taxable income; to the Committee on Ways and Means.

By Mr. KEOGH:

H. R. 12151. A bill to amend the Internal Revenue Code of 1954 to provide for the allowance, as deductions, of contributions to medical research organizations; to the Committee on Ways and Means.

By Mr. CURTIS of Missouri:

H. R. 12152. A bill to amend the Internal Revenue Code of 1954 to provide for the allowance, as deductions, of contributions to medical research organizations; to the Committee on Ways and Means.

By Mr. PRIEST (by request):

H. R. 12153. A bill to encourage the extension and improvement of voluntary health prepayment plans or policies; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of New Jersey:

H. R. 12154. A bill to authorize Federal grants to assist in the development and operation of studies and projects to help older persons; and for other purposes; to the Committee on Education and Labor.

By Mr. POWELL:

H. R. 12155. A bill to extend the civil service retirement law to certain employees of the Panama Canal Company and the Canal Zone Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BONNER:

H. J. Res. 677. Joint resolution to amend the act of July 15, 1954, authorizing the sale of certain vessels to Brazil; to the Committee on Merchant Marine and Fisheries.

By Mr. CUNNINGHAM:

H. J. Res. 678. Joint resolution to designate the 4th day of May as Teachers Day; to the Committee on the Judiciary.

By Mr. VANIK:

H. J. Res. 679. Joint resolution to authorize the declaration of 1959 as the Pan American Year; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYLE:

H. R. 12156. A bill for the relief of Robert Louis Schmidt; to the Committee on the Judiciary.

By Mr. COUDERT:

H. R. 12157. A bill for the relief of Esref Tomakan; to the Committee on the Judiciary.

By Mr. GUBSER:

H. R. 12158. A bill for the relief of Kazuko Inoue, Takako Inoue and Yoshio Inoue; to the Committee on the Judiciary.

By Mr. HOLTZMAN (by request):

H. R. 12159. A bill for the relief of Rober Tel; his wife, Nuvart Tel; and their minor child, Sersho Tel; to the Committee on the Judiciary.

By Mr. KING of California:

H. R. 12160. A bill for the relief of Cornelio Pecbot; to the Committee on the Judiciary.

By Mr. MORGAN:

H. R. 12161. A bill for the relief of Laurice Krayem Joseph; to the Committee on the Judiciary.

By Mr. MOSS:

H. R. 12162. A bill for the relief of Kim Sheung Fong and Kim Shing Fong; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 12163. A bill for the relief of Alice MacLeod Lawrence; to the Committee on the Judiciary.

By Mr. SCOTT:

H. R. 12164. A bill for the relief of Levi Isac Galperin; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H. R. 12165. A bill for the relief of Dionisios Silverthes; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1189. By Mr. MULTER: Petition for separate pension program for World War I veterans; to the Committee on Veterans' Affairs.

1190. By the SPEAKER: Petition of S. R. Nixon and others, Philadelphia, Pa., requesting that the Speaker use his good office to supplement bill H. R. 3087 in lieu of H. R. 9065; to the Committee on Interstate and Foreign Commerce.

1191. Also, petition of G. J. Pelleriti and others, Dependent Mail Section, APO 503, San Francisco, Calif., relative to a reduction in force now in progress by Military Sea Transportation Service-Western Pacific Command; to the Committee on Post Office and Civil Service.

EXTENSIONS OF REMARKS

Pooling of Health Insurance Companies

EXTENSION OF REMARKS

OF

HON. J. PERCY PRIEST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 9, 1956

Mr. PRIEST. Mr. Speaker, I have introduced a bill to encourage the extension and improvement of voluntary health prepayment plans or policies. The introduction of this bill was requested by the Secretary of Health, Education, and Welfare, the Honorable Marion B. Folsom, in a letter addressed to the Speaker dated June 29, 1956. This letter, which explains the bill, follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
June 29, 1956.

Hon. SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I am enclosing for your consideration a draft bill which would permit private insuring organizations—either small insurance companies or voluntary associations—to enter into voluntary agreements for the purpose of helping to extend and improve health prepayment plans or policies. The President pointed out in his special health message to the Congress of January 26 that this type of legislation was under consideration by the administration.

The draft bill would authorize the Secretary of Health, Education, and Welfare, after consultation with the Federal Trade Commission and with the approval of the Attorney General, to approve voluntary agreements between private insuring organizations for pooling or coordinating their resources and efforts in developing plans or policies designed to meet current needs for adequate health prepayment protection. The bill would require that data and technical materials developed as the result of operations and activities carried out under an approved agreement be made publicly available. The bill would also provide that reinsurance made available pursuant to the agreement could be purchased by insurance organizations who are not parties to the agreement. Approval of any voluntary agreement would be withdrawn if there is substantial failure of the organizations to comply with any provisions required in the agreement, or if it is determined that continuation of such agreement will no longer further the objectives of the bill or would otherwise be contrary to the public interest. The bill also provides for consultation by the Secretary with representatives of State insurance supervisory agencies in order to obtain their advice and recommendations in the development of standards for approving voluntary agreements, and on other needs arising in the administration of the program.

The provisions of the bill are applicable only to voluntary associations like the Blue Cross and Blue Shield, and (since the larger insurance companies are generally in a position to undertake experimentation and developmental activity on their own) to insurance companies doing less than 1 percent of the total commercial health insurance business in the United States. Actions pursuant to approved voluntary agreements which affect interstate commerce would be exempted from Federal and State antitrust laws and the Federal Trade Commission Act.

This proposal would make possible accelerated efforts to develop improved voluntary health insurance. Considerable progress has been made in the past few years in broadening voluntary health insurance coverage so that an estimated 105 million American people now have some prepayment protection against the costs of hospitalization, about 90 million have surgical expense insurance, and approximately 50 million have prepayment coverage against the costs of other physicians' services primarily in connection with hospitalized illness. However, there are four areas referred to in the draft bill where additional progress is needed:

1. Major medical expense insurance: Even though major medical expense insurance—now protecting more than 5 million people in this country—is the fastest growing type of prepayment coverage, there is need for more widespread use of this form of insurance.

2. Coverage for the aged: There is also need to develop better coverage for retired and other older persons for whom there is increased likelihood of expensive illness.

3. Coverage in rural areas: Persons who live on farms and in other rural areas, or who work in small plants or are self-employed, generally are not well protected against the costs of hospitalization and medical care, and better methods of reaching such persons need to be developed.

4. Coverage of substandard risks: More prepayment protection is needed for persons who have chronic conditions such as heart disease or cancer or other disabilities—the so-called substandard risks.

We believe that encouragement should be given to insuring organizations to develop improved plans to help meet these and other needs. The program set forth in the appended draft bill would be a useful further step toward this goal.

The very large insurance companies are generally in a position to undertake on their own the developmental activity and experimentation which is essential to the furtherance of more effective voluntary health insurance. We anticipate that these organizations will proceed, as many of them are, with individual efforts toward the development of new and improved forms of coverage.

At the same time, under the provisions of the appended draft bill, joint developmental action and experimentation by smaller insurance companies or by voluntary associations would be possible.

Finally, we believe that the offering of Federal reinsurance in accordance with the President's recommendation to the Congress last year would also help extend and improve voluntary health insurance. The provisions which would carry out the recommendation made by the President last year are contained in title I of H. R. 3458 and H. R. 3720. You will recall that an earlier version of these provisions was considered by the House of Representatives during the 83d Congress and recommitted for further consideration. The President's recommendation to the 84th Congress contained provisions designed to meet certain of the objections to the earlier version of the bill, and also focused on specific areas of unmet need in health insurance.

Although private reinsurance is available from several sources, we believe that a systematic offering of such reinsurance by the Government on a limited basis with the specific objective of encouraging new and improved forms of protection would result in wider use of such reinsurance as an aid in introducing new types of prepayment plans. We also believe that the knowledge acquired, the information exchanged, and the experience resulting under a Federal reinsurance program would serve as a further stimulus and aid in the whole development of voluntary health insurance.

We therefore recommend that the Congress give consideration to the reinsurance proposal as well as to the appended draft bill. We believe that the two proposals, as a supplement to the effort of individual insurance organizations, would help to achieve improvement in voluntary health insurance in this country.

We shall appreciate it if you refer the draft bill to the appropriate committee for consideration.

The Bureau of the Budget advises that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely yours,

M. B. FOLSOM,
Secretary.

Canned Fire in the Sweep of the Winds

EXTENSION OF REMARKS

OF

HON. ALFRED D. SIEMINSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 9, 1956

Mr. SIEMINSKI. Mr. Speaker, should the random rain of a thousand thermonuclear missiles—canned fire—explode

in the stratosphere or on earth, one wonders whether our control of the elements by then will have been fine enough to sweep the air with winds that would deactivate the radioactive particles as they traveled up, out, and away from man.

That question on the control of the elements is prompted by a rather interesting observation made to me by Mr. Scoyen, former superintendent of the Sequoia National Park, during a forest fire in Kings Canyon, Calif., last September.

As we stood on a road overlooking the canyon, Mr. Scoyen traced with his hand the line of travel of the fire and told how at one point the fingers of the fire seemed to reach out to choke to death the oldest living thing on earth, the General Grant grove of beautiful Sequoia trees, 2 and 3 thousand years of age, antedating even the birth of Christ.

And as his hand came to rest by his side, Mr. Scoyen looked over his shoulder and told how the fire had unexpectedly jumped across the road and burned some $7 million worth of timber that need not have been destroyed. Like one sighing at the loss of something sacred, Mr. Scoyen pointed down the canyon in front of us and said with a wistfulness, "if only we had known how to read the little breeze that climbed up the canyon this way before it burst into a big wind, we could have cut a fireline in time to have prevented the fire from jumping the road and saved that $7 million worth of timber for Uncle Sam."

At the time of the little breeze, the fire traveled through the canyon away from the road where we stood.

Perhaps, Mr. Speaker, there is yet some law of nature to be discovered, some law this side of the Creator that influences the destiny of man. Perhaps in time, Mr. Speaker, man might yet learn to hurl tornadoes and hurricanes like javelins into the sky to disperse and destroy man's foolishness against man.

Let us hope there will be those who will snatch this canned fire and use it for the greater comfort and glory of man.

The Civil Rights Bill

EXTENSION OF REMARKS
OF
HON. A. WILLIS ROBERTSON
OF VIRGINIA
IN THE SENATE OF THE UNITED STATES

Monday, July 9, 1956

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the weekly newsletter of my distinguished successor in the Seventh Congressional District of Virginia, Representative BURR P. HARRISON, in which he discussed the so-called civil-rights bill now under consideration by the House. Representative HARRISON's analysis of that bill is lucid and accurate, and I fully endorse the position he has taken in opposition to it.

There being no objection, the newsletter was ordered to be printed in the RECORD, as follows:

YOUR CONGRESSMAN REPORTS

(By Representative BURR P. HARRISON)

During the sessions of Congress, I receive many well-informed letters from citizens of the Seventh Congressional District concerning pending legislation. It has been amazing to me, therefore, that I have not been getting mail about the so-called Civil Rights Act of 1956, which the House of Representatives is getting ready to pass.

Even a casual reading of this bill, sponsored by the President, reveals it as one of the most drastic measures ever to receive consideration by Congress.

It would set up a Federal Commission with a staff of snoopers who could roam the length and breadth of the United States, armed with subpenas, looking for civil-rights incidents. One of the objectives of this Commission would be to advance the idea of complete racial integration in private business.

Any State or local official, any businessman; in fact, any citizen, could be hauled before this Commission, under threat of a prison term for contempt, and required to answer the allegations of any troublemaker that he had been subjected to unwarranted economic pressures, whatever they are, because of color, race, religion, or national origin.

It does not take much imagination to predict where the agents of this Commission would do most of their snooping. Under its authority to investigate legal developments, any Southern judge, sheriff, or police chief could expect to receive a subpena if the Commission thought the official had not handled a civil-rights case in accordance with its ideas of what civil rights are, and how they should be protected.

The chairman of the House Judiciary Committee admitted last week that the bill would permit charges to be brought in a Federal court against any member of a State legislature who voted for an interposition resolution on the school-integration issue. This raises the question as to whether Southern Members of Congress who signed the anti-integration manifesto likewise could expect to find themselves indicted and brought to trial.

But these are among the milder provisions of the Civil Rights Act of 1956.

The measure would authorize the Federal Government, through the Attorney General, to take any civil rights case into a Federal court, even though it might be active in a State court at the time. And believe it or not, the person claiming he was being discriminated against would be assigned a Government lawyer, free of charge, to handle his case.

Now, you might say:

"Why talk about such a bill? Congress never would vote such a thing."

It will vote such a thing, if given a chance, and the House of Representatives is likely to get its chance soon. Consider these facts:

1. The prestige of President Eisenhower is behind this bill. In a message to the convention of the National Association for the Advancement of Colored People, he stated the bill, "will materially assist the Government in discharging its responsibility to safeguard the constitutional rights of every citizen." 2. Despite the respect in which Representative HOWARD W. SMITH, of Virginia, is held as chairman of the House Committee on Rules, northern Democrats and all the Republicans ganged up on him and cleared the bill for floor debate by a vote of 8 to 3. 3. Mr. Eisenhower's floor leaders in the House are clamoring for a vote on the bill, and the northern Democratic leaders are promising it.

Parliamentary delays can be used against the measure, but the House limits debate. The bill will pass by a heavy majority whenever it comes to a vote. Sponsors are confident they have the votes in the Senate too; so the only recourse of the minority fighting against this extreme legislation is the unlimited debate permitted in that body.

It is difficult for citizens of Virginia to realize the great numerical strength of the proponents of such legislation as this in the Congress. When President Truman's Fair Employment Practices Commission bill was up in Congress—and it was a cream puff in comparison with the current measure—I offered an amendment to provide that a minister of the Gospel could not be sent to jail for refusing to employ an atheist in his church—a situation which was possible under the bill. The amendment was adopted tentatively but then voted down.

Formerly, some of this extremist racial legislation could be blocked by a coalition of southern Democrats and Republicans. Now, under the urging of the President, the Republicans have formed a coalition with northern Democrats against us.

That is why the House is heading for a vote on a bill which includes such unbelievable language as to provide legal service at taxpayers' expense to get a Federal court injunction against persons the complainer thinks have engaged "or are about to engage" in infringement of a claimed "civil right."

Under such a law, a casual frown at the wrong time and place might send you to Federal prison.

The Jungle of Tax Confusion

EXTENSION OF REMARKS
OF
HON. JOHN MARSHALL BUTLER
OF MARYLAND
IN THE SENATE OF THE UNITED STATES

Monday, July 9, 1956

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, a speech on the subject of "the Jungle of Tax Confusion," which I delivered at the Glen Burnie Rotary Club on July 5, 1956.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Yesterday, we celebrated Independence Day—the Fourth of July. One hundred and eighty years ago, the Continental Congress meeting in nearby Philadelphia, set forth its bill of complaint against the English Crown. King George, the declaration said, was imposing taxes upon the colonists without their consent. I wonder today how many of us will admit to having given consent to that mass of largely unintelligible laws which we call the Internal Revenue Code. I am sure that most of us, in any case, would like the opportunity to withdraw whatever consent, directly or indirectly, we have given. I am not quite prepared to urge each of you to adopt your own declaration of independence, or even to follow the lead of the Governor of Utah in refusing to pay the Federal income tax. But you can do something to help yourself and the Nation to overcome this millwheel which hangs around the neck of each of us. I believe that we can have tax revision that will make sense. So firm am I in that belief that I have introduced a joint resolution in the Senate for setting up the machinery to make such a revision; for that I shall ask your support.

Two years ago under the able chairmanship of Representative DANIEL A. REED, the House Ways and Means Committee did a monumental job of revising the antiquated internal revenue code. This hoary document had not undergone revision for 75 years. DAN REED and the Republican 83d Congress are to be complimented on this achievement. A valuable service was rendered all taxpayers and many improvements were made in simplifying the tax laws and closing some loopholes. But the job of making taxes fair, simple and understandable still lies ahead.

I say to you in all frankness—and I do not meant to belittle anybody or any Member of Congress—the Congress was then unaware of what it did; it still does not know; the administering officers are still trying to find out; millions of taxpayers, their lawyers and accountants are still struggling, and the courts for years to come will be studying the law to learn what actually happened so that they can tell the administration and the taxpayers their rights and liabilities.

Instead of the clearness and simplicity which should characterize a law which affects so many, we have a jungle of confusion. Rare indeed is the man who can read the tax law, or even the tax forms, and know where he is headed or how to extricate himself from the jargon which conceals the inequities and discriminations which the law inflicts.

It ought to be possible for a taxpayer to settle his case simply, but so long as we have complication, confusion and uncertainty, there will be long drawn-out litigation. And what is worse, courts are more and more changing their collective minds, so that what may appear settled today will be unsettled tomorrow.

The year 1776, which witnessed the birth of the Declaration of Independence, also saw first another famous document. I refer of course to Adam Smith's "Wealth of Nations," first published in that year, and which contained his famous canons of taxation. However, as one student of public finance recently wrote, Smith's canons of taxation resemble the Ten Commandments in the frequency of their repetition and the degree to which they are sinned against. One of these canons was that taxes should be certain and not arbitrary. They should be clear and plain to the contributor and every other person. How far short our tax laws fall in that respect, I leave to the personal experience of each of you.

Smith also contended that taxes should be equal or equitable. Justice in taxation can be achieved only if taxpayers are assured of impartiality of treatment. I have largely drawn the theme of my proposed joint resolution from the lack of equality or equity and justice in the law. I have called on the Congress to establish a commission to study and report on those inequalities and inequities and injustices.

DISINCENTIVE IN THE TAX LAW

We can deplore inequity and inequality and even uncertainty and perhaps struggle along with both, but if a law obstructs incentives, discourages job and wealth-creating investment in enterprise, operates against small business while promoting monopoly, then the law may justly be condemned. Let me illustrate how the law operates against small business and promotes monopoly.

I am reminded of the remark someone made not long ago to the effect that whenever Congress spoke of small business, it spoke of the fair-haired boy, but whenever Congress enacted tax laws, the needs of small business were forgotten.

Perhaps the greatest difference between small business and large business—aside from size—is the different sources of capital. Big corporations turn to public subscriptions of new stock or bond issues. Small business must rely almost exclusively on retained earnings. As applicable to small business, the corporate income tax strikes not only at the product of past success, but more important, at the only significant source of funds for further growth. In imposing heavy taxes on small business, the law effectively prevents small business from using profits to expand and compete on equal terms with big business.

Big business has another important advantage, because of its multiple lines of activity. When one of its lines has a bad year and suffers losses, these losses reduce other earnings, income taxes are reduced, and the big business continues. However, one bad year for a small business with a single line and the creditors move in and the owner out.

The death tax, or the threat of death taxes, also causes the disappearance of small business. The impact of the tax on a privately held small business frequently stimulates sales to competing firms. Often the only way to raise the money to pay the tax is to sell the business itself. Or the threat of the tax provides a strong inducement for the owner to prefer liquidity to having all assets tied up in the plant and equipment of a going business. Many a husband realizing that on his death, his wife will never be able to raise the funds to finance the heavy estate tax, has decided to sell out to a large competitor, taking in exchange either cash or stock in a larger business which has a ready market.

You may say, and truthfully, that the same tax law applies to big business as to small business. And I will of course agree. But the fact is that in operation, the small business is the one that most feels the burdensome impact. Often, big business can hire expensive legal and accounting talent that will find loopholes of which the small enterprise cannot avail itself. I don't mean to suggest by what I have said that I have joined the ranks of those who condemn business just because it is big. Quite the contrary. But what I do condemn mostly is the high rates written into the law, and the resulting overwhelming burden. Because of the huge burden, it becomes extremely profitable for taxpayers to find devices for evasion and avoidance. The next step is for the Congress to protect the revenue. New technical and often incomprehensible language is added to the law and inevitably new hardship cases are created. Then we strive to provide relief here and there for some of the worst hardship cases—or those with the best lobby—and the result is complication heaped upon complication, and frequently a new inequity.

FORMER COMMISSIONER ANDREWS

The problems which I have set forth have been brought into sharp focus recently by the writings and press interviews of former Commissioner of Internal Revenue, T. Coleman Andrews. Our tax structure needs a complete overhaul, he said. To paraphrase—we need to bring that structure under control, before we become slaves of our own creation. We need a system that is generally understandable, fair and compatible with our ideals of freedom.

Mr. Andrews is a man who, as head of the tax-collecting activities of the Federal Government for 33 months, took in more than $180 billion in taxes. You would hardly expect a man in his position to protest against the law he had been administering. But it is my thought that perhaps no one is in a better position than he is, to know how bad the law really is, how uncertain it is, how inequitably it operates, how it discourages or makes impossible new investment.

I have not overlooked, just as Mr. Andrews did not overlook, the terrific burden which the income tax imposes on the person with low income. As Mr. Andrews said: "The minimum rate of 20 percent takes a whale of a slug—$400—out of a taxable income of $2,000. I sure wouldn't want to pay that much if my income were that low. But it hits the people in the middle brackets even harder, and is slowly but surely destroying the middle class."

One of the most unhappy features of the tax laws is that those who frame them have not been content to view the revenue-raising functions of taxes as the sole purpose for levying them. For most of the years 1932 to 1952, the tax law was used to "soak the rich," to redistribute the wealth, to promote and enforce so-called social reforms.

We must move away from the thought of reducing everybody to the lowest common denominator. We must cease to penalize success. I do want to get across the idea and emphasize the thought that we need private business and industry, and we need people who will invest their savings to make jobs for others, add to the national income and wealth, and of course make a profit for themselves. We must recognize that businessmen are entitled to a return after taxes commensurate with the risk they take. Otherwise it does not make sense for them to invest. But there is a segment of this country, and an important segment, that denies this. Much though they will not admit it, they are following closely on the heels of Marx and the doctrines of the Communist manifesto which lays down, as one of the spearheads of communism, a high graduated income tax.

As Mr. Andrews has said: "There are only two ways in the world that business activities can be financed. One is through savings. The other is through Government handouts. May the Lord deliver us from the latter."

What has all this to do with confusion in the jungle of tax laws? To answer my own question, it has much to do with it. When tax rates are reasonable, there is relatively little to be gained by evasion and avoidance. Quite the reverse when rates are steep.

When rates soar to their current highs, numerous cases of hardship develop. We must admit that over the years Congress has bowed to the seemingly inexorable demand to soak the rich. High rates have so stifled incentive and opportunities to invest that relief has had to be given sometimes in very devious ways. Complicated language has been used to conceal simple actions. More complicated language has been added to prevent abuse of concessions and to restrict opportunities for evasion and avoidance. Exceptions to general rules have been followed by exceptions to exceptions. In the language of coiners of phrases, "Erosion of the tax base" has set in. As the erosion progresses, and it is bound to progress, we shall have to raise rates to preserve the revenue, and this in itself will lead to further erosion. Competent authority argues that if we could have a simple tax law, and eliminate the concessions and reliefs, the exceptions and limitations, we could cut rates by one-third or one-fourth and still produce the same amount of revenue. We need an investigatory commission such as I propose to study this. Before I discuss that, let me set forth for you one more entanglement that adds confusion in the tax jungle.

OVERLAPPING FEDERAL, STATE, AND LOCAL TAXES

I refer to the uncoordinated overlapping Federal-State-local tax structure with which the entire Nation is cursed. There is hardly a tax which the mind of man has so far been able to conceive that is not exacted by two or more levels of government. Income taxes are levied by the Federal Government and most of the States, and many local units of government. Excise or sales taxes are levied by all of the States in one form or another.

In addition to the lack of economy in operation and efficiency in administration of these laws, there are baffling compliance problems for the taxpayers. The problem of overlapping is multiplied by the lack of uniformity.

What is income or a deductible expense under one law is something else under the other. Exemptions vary. Commodity excise taxes are levied on the manufacturer by one jurisdiction and on the retailers by another. Or both jurisdictions may exact their burden at the same level, but the scope of application of the laws, or the exemptions, may vary. All this adds confusion, increases compliance costs, and encourages a disrespect of government. What is needed, perhaps more than anything else, is for the Federal Government to get out of certain revenue fields and leave them for exclusive State and local cultivation. For too many years, the Federal Government, through its economic position, has preempted all the really fruitful taxes and left to the States and local units the choice of duplicating Federal levies or confining themselves to numerous minor exactions principally of a nuisance character.

It is one thing to realize that we have a confused tax situation which lacks coordination—a tax system which has substituted complication for simplicity, inequity for equity, discrimination for equality, depressing burdens for incentive; it is quite a different proposition to introduce coordination and restore simplicity, equity, equality, and incentive. We can do it if we have the will for it. What worries me, however, is that the Congress and the States may lack the spirit and drive to set revision wheels in motion. Through inertia, we may just stand still. But as I said, I am convinced that something can be done if we go about it in the right way. Of one thing I am certain, and that is that the groundwork for the type of revision I contemplate can never be laid in the Halls of the Congress or even in the meeting rooms of the committees. A wholly new and fresh look is needed. The right way to approach a solution of this problem is through the creation of a commission modeled on that type of investigation which has operated so successfully under our greatest elder statesman, former President Herbert Hoover.

NEED FOR A HOOVER-TYPE COMMISSION

I have given expression to my thinking on this matter by introducing into the Senate, Senate Joint Resolution 167, to establish a study commission to report to Congress. I contemplate a commission of 12 men representing the best tax brains in the country. It will certainly need all the imagination and ingenuity at its disposal. I would have 4 members appointed by the President, 4 by the President of the Senate, and 4 by the Speaker of the House. In general, the Commission should strive to bring order out of chaos and remove the inequalities and inequities that so characterize the tax law today. I am confident that a properly constituted commission can bring in recommendations for a more just, more equitable, less complicated tax system than we now have. In particular, I think the Commission should study the effect of the Federal tax laws on low- and middle-income tax payers, and on small business.

It should examine the effect of taxes on stimulating the growth of monopolies, because—strange though it may seem—our Federal tax laws are fostering mergers and consolidations. The Commission should thoroughly examine the charge that our tax system is dissipating the incentive for productivity, both of individuals and business.

I don't think it makes sense to expect any commission to come up within a few weeks with the answers to problems which have grown and expanded for half a century. My thought then is for a long-range study rather than a quickie that can do little more than bring together the random suggestions which we already know about. Rather we need new answers with an overall scope in their coverage. I think 2 years of hard continuous concerted effort is needed to formulate the kind of tax system we should have. It is no simple task to bring order and system out of the chaos in which we now live.

We must protect the power of the Federal Government to raise revenues needed to support itself in peace and war. We must protect our States and cities as well. The system should be so devised as also to make it possible—or at least not make it impossible—for States and cities and towns to finance themselves properly under all emergencies. They cannot do that today. The system must also be so devised as to keep alive and flourishing private businesses and the men who own them as well as those who work in them. We must have a system which is equitable and void of the discrimination which so pervades our present law.

Address by Hon. Theodore Francis Green, of Rhode Island, at Commissioning of Research Vessel "Crawford"

EXTENSION OF REMARKS
OF
HON. THEODORE FRANCIS GREEN
OF RHODE ISLAND
IN THE SENATE OF THE UNITED STATES
Monday, July 9, 1956

Mr. GREEN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, an address delivered by me on the occasion of the commissioning of the research vessel *Crawford,* of the Woods Hole Oceanographic Institution, at Woods Hole, Mass., on June 30, 1956.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF UNITED STATES SENATOR THEODORE FRANCIS GREEN, OF RHODE ISLAND, ON THE OCCASION OF THE COMMISSIONING OF THE RESEARCH VESSEL "CRAWFORD" OF THE WOODS HOLE OCEANOGRAPHIC INSTITUTION AT WOODS HOLE, MASS., ON JUNE 30, 1956

Ladies and gentlemen, it is a great privilege for me to take part in the commissioning ceremonies of the research vessel *Crawford* in these home waters of the Woods Hole Oceanographic Institution. It is a pleasure to be here amongst many friends and scientists of the institution who have done much to advance the sciences of oceanography and meteorology in the service of our country. It also, incidentally, gives me the opportunity to present my views on the hurricane-research program.

As many of you know, I have taken a great interest in furthering legislation in Washington which will provide funds to assist in reducing the present yearly losses of lives and property from destructive hurricanes. Since the great 1938 hurricane, which brought death and disaster throughout much of New England, I have taken a special interest in hurricanes, and in the activities of the several Government agencies responsible for providing the public with the protective measures needed to lessen the fear and damage of these awe-inspiring seaborne storms.

It was not until 1954, however, that there arose any great public interest in the adequacy of our coastal storm-warning systems, Hurricanes Carol, Edna, and Hazel not only brought unprecedented damage to many of our Middle and North Atlantic States—they also brought a quickened realization that more effective hurricane-warning services were urgently needed for the entire coastal area from Texas to Maine.

At almost the same time, it became apparent from inquiries among scientists that much of the desired improvements in storm-warning services could not be realized without a broad supporting hurricane-research program.

In the spring of 1955, at the annual meeting in Washington of the American Geophysical Union, it was my privilege to speak to many illustrious scientists on some of these problems. At about this same time I learned that the Weather Bureau did not have sufficient funds to maintain the type of storm-warning service the public rightfully expected, and had practically no funds whatsoever for hurricane-research studies.

As many of you know, the congressional drive for funds in June of 1955 resulted in the first appreciable increase in appropriations for the Weather Bureau since the end of World War II. Even more important, perhaps, was the fact that this increase made possible the formation of the National Hurricane Research project, and the starting of broad long-range research programs on hurricanes, tornadoes, and severe storms of all types.

Leading investigators have emphasized that solutions to many of the remaining hurricane problems can come only through patient accumulation of new facts through a widened research by dedicated scientists.

It is with great satisfaction to me, therefore, to note that the Woods Hole Oceanographic Institution is embarking on a carefully planned, long-range research program devoted to the scientific study of the causes of hurricanes.

It seems most fitting that this nonprofit research marine institution should be located in New England, a section of our American coastline so rich in maritime tradition, and so experienced in both the blessings and the furies of our coastal waters. These shores have been visited and ravaged by hurricanes since the days of our earliest colonies, and hardy sailors have launched their sturdy craft from these neighboring bays on journeys through all the seas of the world.

It thus seems most appropriate that here amidst the historic maritime traditions of New England should arise one of this country's outstanding institutions devoted to the scientific study of the sea.

So, I gladly take this opportunity to pay tribute here to the Marine Biological Laboratory, and to the United States Fish and Wildlife Station, and to the nearby Goast Guard base, all of which have joined with the Woods Hole Oceanographic Institution to make this spot a world center of marine sciences. Cape Cod and the old Bay State are to be congratulated on the achievements of this group of men and their work.

Descendants of those early New Englanders who hunted the whale from small boats, and fearlessly sailed their square riggers through uncharted seas to the Orient, have been proud of their maritime heritage through many changes in New England history. They may now point with additional pride to the contributions made to the knowledge of the seas by these scientific laboratories at Woods Hole.

I understand that many research projects are carried out here under contract with the military services, Government agencies, private industry, scientific organizations, and universities. The future of this work seems bright indeed, for, in spite of the excellent results already achieved here, the study of the seas is still relatively in its infancy. A concentrated research attack on the ocean—often called the last frontier available to modern explorers—is bound to bring vast new storehouses of knowledge for the endless benefit of mankind. The rollcall of industries who already have directly benefited from knowledge recently taken from the oceans is growing daily—for example, the list of interests already include aviation, oil, chemical, marine, fishing, communications, and construction.

The importance of increasing our knowledge of the formation and behavior of hurricanes can hardly be overemphasized. In each of the past 2 years hurricanes have cost the lives of hundreds of people and caused property losses of almost a billion dollars.

Simultaneously with securing greatly strengthened hurricane operations and warning services it is essential, I feel, to enlarge our hurricane research efforts far beyond the modest beginnings which the Congress has made possible this year.

We need to know, for our own protection, much more than we now do about many important problems on the origin and behavior of hurricanes. Many of these problems might best be solved by teams of oceanographers and meteorologists. For example, in my own State of Rhode Island, and along Narragansett Bay, we would like to have more accurate and timely forecasts of changing water levels caused by coastal storms.

This improved forecast service, I am told, can come about only after considerable research in the integrated relationships between tidal action, sea surges, salt water levels, rainfall amounts, river stages, coastal geography, and the speeds and tracks of advancing hurricanes.

Similar interrelationships of scientific disciplines most likely are applicable in the search for needed solutions to air flow and moisture mechanisms which cause tropical storms to grow, and to speed up, and to change direction, and to increase or decrease in intensity.

I need not mention to the many experts assembled here any more examples of the hurricane problems meriting early attention by research workers. I only wish to endorse their efforts and to hope that effective support to carry out these services to our coastal citizens will be forthcoming when needed.

The United States, large as it is, cannot afford to permit a loss from hurricanes every few years of a billion dollars of wealth, especially when for a small fraction of that amount much of the loss in property and lives can be prevented.

I believe there is a widely held opinion in New England and along the coastal areas farther south that this country now should make certain that we have provided an entirely adequate warning system against the hazard of hurricanes. I am hoping that in the next few years, with your support, we will be able to reach that goal.

One year ago, and again this year, I urged the Congress to vote large increases in the amount of appropriations which the Budget Bureau had initially allotted to the Weather Bureau. I am of the firm belief that the Weather Bureau does not yet have the resources to give the hurricane protection services actually needed by the people of the United States. There is little doubt that much of the staggering storm losses of 1954 and 1955 could have been avoided if the Weather Bureau had the proper radar equipment and other observation facilities along the coast.

Similar devastating occasions may arise in the coming hurricane seasons, so I see no reason for further delay in providing the needed staff and facilities which can mean the difference between life and death along our entire coastline.

As many of you here know, I have also strongly advocated additional appropriations for research activity on storms. I have long felt that much greater emphasis should be given to a basic and intensified search for more profound knowledge of the origin and behavior of storms. The future welfare of our coastal communities may well depend on a better understanding of interacting processes of the atmosphere and the oceans.

It is perhaps too much to expect that sudden outstanding achievements can result from the modest hurricane research programs for the next year, but it is encouraging to note the great enthusiasm of the research scientists who are now able at least to embark on their projects after so many years of denial. For example, some workers have even suggested the intriguing possibilities that we may be able to modify the conditions in which hurricanes form, thereby preventing their full growth into devastating storms.

All leaders in the weather sciences are now agreed that increased hurricane research activities will be amply repaid in the greater knowledge and confidence that can be given weather forecasters, who now are compelled to predict the precise future path of hurricanes in the next 24 hours without sufficient knowledge of all factors affecting storm movements.

It needs to be emphasized—yes, frequently emphasized—that desired progress in hurricane research programs cannot and will not be made in the coming years if only token sums are to be made available by the Budget Bureau for important and fundamental areas of hurricane research activity. Unless more substantial sums are made available for long overdue storm-research programs, I fear we must expect more disasters in the years ahead when future Hurricane Carols come roaring across our coasts without adequate warning.

I understand that the research hurricane forecaster today has become increasingly interested in furthering his knowledge of oceanography and the interchanges between the ocean and the atmosphere. The recent studies of storm surges by scientists of the Woods Hole Oceanographic Institution, I am told, will be of great value to Weather Bureau forecasters this year when they make their predictions of expected high-water levels accompanying costal storms.

I understand also that the surface temperatures of the sea may be an important factor in the formation of the tropical storms that develop into hurricanes. Knowledge of the wandering currents of the seas may provide clues to more accurate long-range forecasting. The extent of salt particles in clouds may also be a critical factor in the cause of rain over certain areas.

Such developments, it seems to me, emphasize the importance of contributions which can be made by the science of oceanography to the advancement of meteorology, and the eventual improvement of weather forecasting.

Our weather forecasters no doubt are pleased to have on their team such a vigorous group of oceanographers interested in tackling research problems of mutual interest.

Weathermen also will be pleased to note that the first journey of the *Crawford* as a research vessel of the Woods Hole Oceanographic Institution will be on a primarily meteorological mission. In fact, the *Crawford* is unique, I am informed, in being the first ship ever to have been specifically fitted with scientific equipment for the definite objective of investigating areas in which hurricanes are generated.

Among other tasks, the scientific crew of the *Crawford* will evaluate the conditions of heat and water vapor which rise from the sea surfaces into the atmosphere east of the West Indies, and sometimes there produce the energizing forces that finally sytematize into hurricanes which slowly move toward our shores.

The *Crawford* thus has a new and historic role to fill. I am proud to be here at the commissioning of this ship, and wish it well on its long journeys to far-off seas in the days ahead.

Perhaps the data soon to be collected by the scientists aboard the *Crawford* will help unravel the secrets of hurricane formation. If such good fortune prevails, we may today be witnesses of the beginning of an epoch which will record the end of the hurricane menace.

In the meantime, however, it seems prudent for all of us to continue our efforts to secure the resources needed by the Weather Bureau to provide adequate storm warning protective services to all of our citizens.

I note with pleasure that one of the purposes of the associates of the Woods Hole Oceanographic Institution is to give added strength and support to basic research studies in oceanography.

In closing, I must tell you I am deeply impressed with the high-minded spirit which prompts your support of scientific studies of the seas. This form of American philanthropy advances the progress of science toward a better world for all people everywhere.

Funds for Connecting Channels

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES

Monday, July 9, 1956

Mr. WILEY. Mr. President, last Friday night it was my pleasure to deliver a talk in Menomonee Falls in my State on the subject of the Great Lakes-St. Lawrence Seaway—its past, present, future.

I referred in the course of this talk to the importance of prompt completion of the work on the deepening and improving of the Great Lakes connecting channels, so as to assure that we in the upper lake States get the full benefit of this mighty project.

I was pleased to receive from Mrs. Carl Romanik, State legislative chairman of the Wisconsin Federation of Business and Professional Women's Clubs a resolution which had been adopted at the 36th annual convention of the federation held at Green Lake last month. The resolution commended Congress' role in connection with the seaway and the channels, and paralleled my own views for the prompt allocation of funds for the channel work.

I send to the desk the text of the Menomonee Falls talk and of the Wisconsin federation resolution. I ask unanimous consent that they be printed in the CONGRESSIONAL RECORD.

There being no objection, the speech and resolution were ordered to be printed in the RECORD, as follows:

HON. ALEXANDER WILEY, OF WISCONSIN, PRESENTS GREAT LAKES PROGRAM FOR MIDWEST, UNITED STATES PROSPERITY: URGES TEAMWORK BY LAKE STATES

(Excerpts of address by Hon. ALEXANDER WILEY, Republican, Chippewa Falls, at the summer festival in Menomonee Falls, Wis., July 6, 1956)

It is a real pleasure to join with you at this outstanding summer festival. It is both a time of rejoicing and a promise of still more pleasure to come in this beautiful summer season.

I should like to talk to you tonight about another great promise on the horizon—the Great Lakes-St. Lawrence Seaway. I would like to take a brief look at its past, but most important of all, to concentrate on the future of this marvelous new frontier.

My basic message is this:

A PEACEFUL REVOLUTION FOR GREATER PROSPERITY

The Great Lakes-St. Lawrence Seaway is going to revolutionize the economy of our own and of other Lake States. It will do so to a greater degree than any other single development in this century.

The seaway will offer a tremendous shot in the arm for all Wisconsin—not just for our port cities, but for all our cities and towns in the interior.

Just how much of a lift it will provide for us will depend basically on our own initiative, imagination, and drive.

To realize the fullest benefits from the seaway, we must take action on a several-point program which I should like to suggest a little later on.

VAST ECONOMIC OPPORTUNITIES UNDER SEAWAY

The economic outlook under the seaway is literally breathtaking. On completion of the work at the International Rapids section, in the 1959 shipping season, 37 million new tons of shipping will be added to the annual enormous shipping of the Great Lakes.

We, of Wisconsin, will—through the deepened upper lake channels—enjoy thereafter direct contact with 75 major ports through 3 great oceans of the world.

The farmers of Wisconsin will be able to ship their excellent products more inexpensively throughout the world, and to fulfill their purchasing needs more inexpensively, by virtue of lower transportation costs.

Midwest business, likewise, will thrive, selling and buying to and from the world. We of the Midwest will likewise get the benefit of low-cost Labrador iron ore to fuel our Midwest furnaces.

The seaway navigation construction is, of course, a mammoth engineering undertaking. It includes the construction of 7 great locks, for 27-foot channels, replacing the 25 obsolete 14-foot locks. Five of the new locks are to be built in and controlled by Canada; two are United States enterprises.

So sound was this overall seaway project that the bonds to cover the costs of the construction were sold within half an hour, and were, in fact, completely oversubscribed.

NO STATE FOUGHT HARDER THAN WISCONSIN

I say to you factually, my friends, that no single State worked as hard for the seaway as did we. No single State had as firm and unyielding a faith as did we—faith that despite the repeated setbacks in the long 30-years battle, despite all these disappointments—faith that right would eventually triumph.

Now it is for us to capitalize on the seaway, because no single State is more entitled to enjoy the benefits of it than we of Wisconsin, who led in the fight for its enactment.

A PROGRAM FOR THE LAKE STATES

Let me suggest, now, therefore, a several-point program—for Wisconsin and for its Great Lakes neighbors, to achieve the fullest benefits from the seaway.

First, we must accelerate the improvement not only of our Great Lakes harbors but of all the transportation feeder arrangements—rail, truck, auto—by which our port cities are served.

What we need is a modern transportation network throughout our State—a network which will assure prompt, efficient moving of goods to and from our Badger ports.

Right now, I am working in Washington for a broad survey by the United States Corps of Engineers of the adequacy of our Great Lakes port facilities all along the line.

FIGHTING THE WATER-STEAL BILL

Secondly, we must prevent arbitrary lowering of Great Lakes water levels. The loss of a single inch of lake levels can mean the loss of as much as 2 million tons of lake shipping.

The biggest single threat of the lowering of levels, arises right now from the notorious Chicago water-steal bill, which is once more before a Senate committee, having been passed, unfortunately, by the House of Representatives.

If this bill were to pass the Senate, and if it were to be signed by the President (which is very doubtful), it would cost a fortune to lake shippers. It would cost Wisconsin harbors huge additional sums for harbor-dredging purposes. Remember, if a ship gets stuck because the water in the harbor simply is not deep enough for its particular draft, that can cause the shipping firm a small fortune. And it can cause terrific overall delays all along the line.

The Chicago water steal is utterly contrary to the best interests of all the Lake States. It is contrary to our interest with our good neighbor, Canada; it is contrary to a decision in 1930 of the United States Supreme Court. (In that decision, the Court retained jurisdiction over future lowering of lake levels.) All this is why I will continue to battle against the Chicago water steal—with all the power at my command.

We want lake levels to be worked out carefully—in the interest of shipping, of property owners, and of others.

IMPROVING WISCONSIN ROADS

A third point in our lake program is the constant improvement of our highway network, feeding our port system.

Fortunately, Wisconsin will benefit considerably from the new superhighway program under the $33 billion Federal highway law, which was signed by the President last week.

Already, our State has an enormous highway-improvement program of its own. Roads are, of course, part and parcel of the strengthened transportation network, about which I spoke earlier.

I want, as I know you want for our State of Wisconsin, to enjoy the reputation of having the best transportation system in our country—and the best feeder system.

PREVENTING DISCRIMINATION AGAINST MIDWEST

I have mentioned thus far three points in my program for Wisconsin, and for the Lake States.

I want to mention now that it is absolutely essential that we, of the upper Midwest, receive the proper recognition which is our due, from the executive agencies in Washington. We must not be treated as an orphan child. Our needs must not be ignored.

Too often, we have been discriminated against. Too often, we have gotten the short end of the stick. I should like to cite to you, for example, the recent order of the Interstate Commerce Commission, as a case in point, illustrating our problem of being discriminated against.

This recent ICC order provided for only 2 days free time for rail cars serving Great Lakes ports, as against 6 days free time for ships serving ocean ports.

As soon as word came to me regarding this outrageous discrimination, I protested to the ICC and demanded prompt reversal of its order.

Thus we see, for the present time, an example of the lack of recognition of our lake needs.

It is an example, too, of apparent sabotage efforts which are still being attempted by some eastern railroads—"diehard sources," committed against us of the Midwest. They don't, apparently, want to reconcile themselves to the fact that we are now on a great ocean artery.

Well, if they persist in wanting to battle us, then we will certainly take them on. And we will beat them as completely as we did in the main seaway fight. Only this time, it is not going to take us 30 years to do so. We are going to lick them promptly and decisively.

We, of the upper Midwest, however, would prefer to work constructively and not to have to combat other regions. We have always felt that American prosperity is so huge, its future opportunities so vast, that there is more than enough room for all regions to prosper simultaneously.

Some of the eastern railroads, however, still seem to have the misguided philosophy that "there are just so many slices to the limited economic pie," and that the East has to hog most of the slices. We would prefer—and we believe in—a bigger pie for all, so that there will be ample slices for every area. I refer to bigger slices of income, of purchasing power, of wealth, of production, of distribution—in an ever-expanding, not a stagnant America.

PROMISING ECONOMIC DEVELOPMENT OF TACONITE ORE

As still another point in our program, we must and will accelerate other economic development in our State.

I cite, as an example, the promising taconite ore development, which holds great promise for our north country.

But this is just a sample of varied, new economic horizons which await us, if we apply ourselves diligently, as I know we will.

A BRIEF LOOK-SEE AT THE PAST

Thus, we have seen, my friends, a few of our future vistas.

It might be well now to turn briefly back to the past, so as to see our present in proper perspective.

I will not take time tonight to review in detail the long battle which we conducted on behalf of the Great Lakes Seaway.

Just hitting the high spots, however, you will remember that for three decades, we had to oppose an "unholy alliance" of forces which were determined that we would never have direct access to the deepwater ocean ports of the world.

We faced the combination, therefore, of eastern port influences (in New York, Philadelphia, and Baltimore, for example), influences in southern and gulf coasts ports, as well as perhaps some Pacific interests which feared Midwest competition.

For a time, some private utilities mistakenly opposed the water power phases of the project, even through the greatest single untapped source of power on the North American continent was going unused, and even though there was a terrific power shortage in that area.

We faced, in particular, the skillful opposition of powerful railroad interests, spearheaded by a few eastern railroads, to which I have already referred.

By contrast, many of our midwestern railroad people realized full well that they themselves would actually not be hurt by the seaway—indeed that they would benefit from it. But they tended to be pulled along into opposition by the powerful eastern railroads.

We faced the opposition, too, of the coal interests which tended to identify their future with the coal-using railroads.

Year after year, the battle went on. Time after time, the seaway bill was defeated, either in the Foreign Relations Committee or in the House Public Works Committee or on the floor of the Senate.

OUR SUCCESS IN 83D CONGRESS

I will not recall each of those skirmishes. But I will recall how, in 1953 and 1954, a golden opportunity arose on which we capitalized.

At that time, it was my personal privilege to serve as chairman of the Senate Foreign Relations Committee.

In that post, I was fortunately in the most strategic spot to advance the seaway's cause.

Of course, if I had wanted to, I had had a choice of becoming—instead—the chairman of the Senate Judiciary Committee, and thus abandoning my Foreign Relations post.

There were some people at that time who advised my taking the Judiciary chairmanship. They felt that the people of our State were more interested in my work on the Judiciary Committee than they would be in my work on the Foreign Relations Committee.

WHY I CHOSE FOREIGN RELATIONS POST

But for two basic reasons, I chose the Foreign Relations post:

In the first place, it would enable me to render service on behalf of the greatest single goal of all—the goal of world peace, preventing a dreadful atomic-hydrogen bomb conflict.

And in the second place, if I did not choose the Foreign Relations assignment, the next ranking Republican on it—who would become chairman—had either been lukewarm or hostile to the seaway.

With a seaway supporter at the helm, however, of the full committee, I could arrange for a favorable seaway membership on the subcommittee. This I promptly did.

And it was not too long before we secured not only a favorable report in the seaway subcommittee, but a favorable report in the full committee, and then favorable action in the full Senate.

THE DEBATE OVER A 1-STEP OR 2-STEP BILL

Let us recall, too, that for a time, there was some concern over our strategy in the pro-seaway camp itself.

There were friends among our seaway supporters who said that we had to adopt a combined 1-step bill, so to speak. They wanted it to include the upper channels (affecting the States beyond Lake Erie) as well as the main navigation works on the lower seaway—in the International Rapids section.

I personally opposed that strategy for a number of reasons:

1. In the first place, for years and years, we had been defeated in our effort to try to combine both phases.

We felt, therefore, that our chances would be infinitely improved, if we secured approval of the seaway in two separate stages—first, the main navigation works, and secondly, the upper channel work beyond Lake Erie—for ourselves and other upper Lakes States.

I pointed out, for example, that the main navigation works would be paid for by self-liquidating bonds (retired by toll payments), whereas the channels would be paid for by Treasury appropriations.

To combine the two financial phases in one bill would tend to confuse the issue somewhat, and our opponents would quickly exploit the mixed nature of the bill.

2. Secondly, I knew that, if once we won the major battle, we would get quick approval of the upper channels.

OUR QUICK VICTORY ON THE CHANNELS

I am delighted to say that my plans and strategy worked out exactly as they were intended.

We did secure the passage of the main seaway law. It was signed by the President at the White House in a historic ceremony on May 13, 1954.

And then, the channel bill—which others and I promptly introduced—was approved in the 84th Congress. As a matter of fact, contrary to the unfounded fears which had been expressed by some of our seaway supporters, the channel bill went through—with absolutely no opposition whatsoever. There was not a single voice lifted against it either in the House of Representatives or in the Senate. It passed the Senate on the Unanimous Consent Calendar, meaning that, just as I had predicted, no one whatsoever opposed it, (once the main seaway fight had been won).

Now, fortunately, we are making good progress in the actual engineering work. I am in close touch with the Seaway Development Corporation and with the Corps of Engineers as work proceeds. All possible speed is, of course, essential.

Just a few weeks ago, it was my privilege to deliver the main address at the impressive dedication—near Massena, N. Y.—of Eisenhower lock on the St. Lawrence Seaway.

I was pleased at that time to receive a glowing tribute from an official spokesman for the administration, Assistant Secretary of the Army, George H. Roderick. He kindly referred to me as the "Father of the St. Lawrence Seaway law."

But the battle for the seaway was a combined effort—throughout.

It was not any single man's accomplishment. It represented the successful teamwork by our Great Lakes States, and, in particular, by united forces in the State of Wisconsin.

CONCLUSION

Teamwork, cooperation, those will be the keynotes for Wisconsin and Great Lakes prosperity in the years to come.

And in the time up ahead, as summer festivals roll around again, we will have ever more to be thankful for, ever more over which to rejoice.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 10, 1956

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, we thank Thee for the privilege of prayer and its power to fortify and strengthen us when the struggle of life is difficult and our problems are hard to solve.

We humbly acknowledge that our minds are frequently thronged with a multitude of disturbing and disconcerting thoughts and we feel ourselves wavering between conflicting and opposite decisions.

Constrain us with a determination to bring all our plans and purposes, our desires and longings, into harmony with Thy divine will, in which is our peace.

Grant that we may be eager to invoke and worthy to receive Thy blessing and benediction upon everything which we shall endeavor to do during this day for the welfare of our country and all mankind.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3449. An act relating to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1871. An act to amend the act entitled "An act to reimburse the Post Office Department for the transmission of official Government-mail matter, approved August 15, 1953 (67 Stat. 614), and for other purposes."

The message also announced that the Senate insists upon its amendment to the bill (H. R. 483) entitled "An act to amend the Army-Navy Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RUSSELL, Mr. STENNIS, Mr. SYMINGTON, Mr. SALTONSTALL, and Mrs. SMITH of Maine to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9893) entitled "An act to authorize certain construction at military installations, and for other purposes."

MANNER IN WHICH ANTITRUST SUIT AGAINST GENERAL MOTORS WAS ANNOUNCED

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, permit me to call the attention of the House of Representatives to an editorial which appeared in the Cleveland Press of July 6, 1956, entitled "Political Corn," commenting upon Attorney General Herbert Brownell's television performance last Wednesday night when he went on a Corn Products-sponsored television program to announce that the Justice Department would file an antitrust suit against the General Motors Corp.

The preparation of this suit must have taken most of the Attorney General's time during the past 3½ years. You can almost bank on the assumption that it was most adroitly prepared with a confused cause of action and that the service of summons will inadvertently be made on the wrong person, perhaps some unsuspecting motorist.

It should further be a subject of congressional concern that public news and information, particularly information of such far-reaching importance as an antitrust suit prepared by a Republican Attorney General against the great General Motors Corp., should be distributed by public officials on private television time. News has a property value and the distribution of it on a private advertiser's television time is a conversion of public property in the news for the private profit or advantage of an advertiser and/or other persons. Releases of public information by public officials should always be made in a thoroughly public manner.

The Press editorial is as follows:

POLITICAL CORN

If Secretary Ezra Benson were to go on a General Motors-sponsored TV program to announce that the Agriculture Department had decided to blacklist Corn Products Co.—

We doubt honest old Ezra would do such a thing, but if he did—

Well, it would be on all fours with Attorney General Herbert Brownell's performance Wednesday night, when he went on a Corn Products-sponsored TV program to announce that the Justice Department would file an antitrust suit against General Motors.

It might be good politics, because this is an election year and some farm spokesmen have been accusing Ezra of loving the food processors more than he loves the farmers. But, repeating, we don't think Ezra would play politics that way.

And, of course, we have no way of knowing how long Brownell carried that official news item around in his hot little hand before he stepped up to the TV camera to perform a governmental act under the auspices of a sponsor with a name appropriate to the performance.

But we do know that Brownell attained his present position by his skill in politics, that General Motors has been a large and growing corporation through the 3½ years Brownell has been Attorney General, that Democrats have been accusing the Eisenhower administration of favoring big business, and that Brownell didn't announce his suit against the symbol of big business until well along in an election year.

The traditional way for the Justice Department to break the news of an antitrust action is to file the complaint, making it a matter of court record, and give out a press release or hold a press conference available equally to all media of public information, explaining the reasons for the suit.

But Brownell chose an unorthodox way of making his announcement, arousing controversy that might possibly draw more attention to the idea that the Republicans, in this election year, are hellbent for protecting the little fellows against the big fellow.

For his performance, Brownell received a leather-bound, 20-volume encyclopedia, and newspaper reporters participating in the Corn Products press conference received a cash honorarium for 30 minutes of acting the role they are paid all week to do for their own newspapers.

However you grind it, it's corn.

EX-SENATOR CAIN AND THE SECURITY PROGRAM

Mr. UDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and to extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, I think it is unanimously agreed by those who have followed our security program carefully that no one has contributed more during the last 18 months toward putting commonsense and fair play into that system than has former Senator Harry P. Cain, who is a member of the Control Board on Subversive Activities. Senator Cain has worked tirelessly and with great courage to improve our security procedures.

His appointment expires on August 1 of this year. If I were a Republican and were asked what the President has done to improve the security system, I would reply, "He appointed Senator Cain." In my opinion, there is no better test of the President's sincerity in this matter than the Cain appointment.

RELIEF OF CERTAIN RELATIVES OF UNITED STATES CITIZENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 456 for the relief of certain relatives of United States citizens with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, strike out "under" and insert "and upon compliance with."

Page 2, line 4, after "Huffman", insert "Stella W. Janinis."

Page 2, line 4, after "Jackson", insert "Reinhold H. Meric."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 580 for the relief of certain aliens with a Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out "Lee Fay Fan."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 616 for the relief of certain aliens, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, strike out lines 8 to 12, inclusive.

Page 2, line 1, strike out "3" and insert "2."

Page 2, line 6, strike out "4" and insert "3."

Page 2, line 11, strike out "5" and insert "4."

Page 2, line 16, strike out "6" and insert "5."

Page 2, line 21, strike out "7" and insert "6."

Page 3, line 1, strike out "8" and insert "7."

Page 3, line 6, strike out "9" and insert "8."

Page 3, line 11, strike out "10" and insert "9."

Page 3, line 16, strike out "11" and insert "10."

Page 3, line 21, strike out "12" and insert "11."

Page 4, line 1, strike out "13" and insert "12."

Page 4, line 6, strike out "14" and insert "13."

Page 4, line 11, strike out "15" and insert "14."

Page 4, line 16, strike out "16" and insert "15."

Page 4, strike out lines 21 to 25, inclusive, and insert:

"SEC. 16. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Gertraud Anna Giulio, shall be held and considered to be the natural-born alien child of Frank Joseph Horak, a citizen of the United States."

Page 5, line 1, strike out "18" and insert "17."

Page 5, line 6, strike out "19" and insert "18."

Page 5, line 11, strike out "20" and insert "19."

Page 5, line 16, strike out "21" and insert "20."

Page 5, line 21, strike out "22" and insert "21."

Page 6, after line 2, insert:

"SEC. 22. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Jose Boo Lopez, shall be held and considered to be the natural-born alien child of Patrick Louis Perry, a citizen of the United States."

Page 6, after line 2, insert:

"SEC. 23. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Lim Ginwey, shall be held and considered to be the natural-born alien child of Lim Nuey, a citizen of the United States."

Page 6, after line 2, insert:

"SEC. 24. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Shiu Ming Ma, shall be held and considered to be the natural-born alien child of Donald Herbert Deppe, a citizen of the United States."

Page 6, after line 2, insert:

"SEC. 25. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Roland F. Petersen, shall be held and considered to be the natural-born alien child of Vernon L. Petersen, a citizen of the United States."

Page 6, after line 2, insert:

"SEC. 26. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Lampros Lazaridis, shall be held and considered to be the natural-born alien child of Lazar and Bernice Christoff, citizens of the United States."

Page 6, after line 2, insert:

"SEC. 27. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Paz Tupas Meeker shall be held and considered to be the minor natural-born alien child of C. A. Meeker, a citizen of the United States."

Page 6, after line 2, insert:

"SEC. 28. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Luciana Papa Powell, shall be held and considered to be the natural-born alien child of James M. Powell and Camille Powell, citizens of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania.

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ADVANCEMENT OF MAJ. GEN. HANFORD MacNIDER TO LIEUTENANT GENERAL

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11677) to provide for the advancement of Maj. Gen. Hanford MacNider, United States Army Reserve, retired, to the grade of lieutenant general on the retired list.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. SHORT. Mr. Speaker, reserving the right to object, would the gentleman from Georgia, our distinguished chairman, explain briefly the bill or have its author do so?

Mr. VINSON. I suggest, inasmuch as I cleared the matter with the gentleman before I called it up, that the distinguished gentleman from Missouri, who is quite familiar with this bill, should briefly state to the House the distinguished military career of this outstanding general.

Mr. SHORT. Mr. Speaker, I think all Members are aware that Hanford MacNider, of Iowa, is one of the greatest soldiers that this country has ever produced, having served in both World War I and World War II, and being wounded many times on the battlefield. Not only are the Members of the Iowa delegation but many of the Members all over the Nation, as well as some of our highest military men in the country, are heartily in favor of granting this recognition to a very outstanding and great American. I want to say that the bill will not cost the taxpayers one dime. It merely promotes him from major general to lieutenant general; wholly an honor but an honor richly deserved and written in sacrifice and blood. I am confident that every true American who loves his country will rejoice that this high recognition and signal honor is being bestowed by an appreciative Congress and a grateful people upon a stalwart, fearless, and exemplary soldier, a sterling patriot, and a great and good man.

Mr. KEAN. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from New Jersey.

Mr. KEAN. Mr. Speaker, it so happens that Hanford MacNider and I both served in World War II; in fact, we slept in the same dugout at one time. He was a captain in the 9th Infantry, 2d Division, and I was a second lieutenant in the 15th Field Artillery. I was assigned as the liaison officer to the 9th Infantry. Of all the wonderful fighters and brave men, Hanford MacNider was one of the best, and I heartily endorse this bill.

Mr. SHORT. I thank the gentleman. Mr. Speaker, I would like to say, too, to the gentleman that I have been told by some of our highest ranking officers that he is the greatest fighting man they have ever known, coming back from the battlefield to the dugout with blood actually running out of his shoes and refusing to go to a hospital.

Mr. KEAN. He was what we colloquially call a fighting fool.

Mr. SHORT. He was and still is.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from Iowa, the author of the bill. And I want to congratulate and thank him for his interest in this matter.

Mr. GROSS. Mr. Speaker, I hope this bill will be approved. Hanford MacNider, in my opinion, is one of this country's greatest living nonprofessional fighting men. Hanford MacNider has been awarded the Distinguished Service Cross; not the Distinguished Service Medal but the Distinguished Service Cross, with two clusters awarded for combat above and beyond the call of duty. He is a former Ambassador to Canada; a former national commander of the American Legion and of the Iowa Department of the American Legion. Major General MacNider has had a long and illustrious career, both as a military man and a civilian. As the distinguished gentleman from Missouri [Mr. SHORT] has stated, this advancement to the grade of lieutenant general is purely a recognition of the honor that is due a great nonprofessional soldier. It should be noted that the bill explicitly provides that this advancement will not permit an increase of a single dime in the retirement pay of General MacNider.

I wish to take this opportunity to thank Mr. VINSON, chairman of the House Armed Services Committee, and the ranking minority member of the committee, Mr SHORT, for making it possible to consider this bill today honoring as it does one of the distinguished citizens of the Nation and the congressional district which it is my privilege to represent.

Mr. SHORT. Mr. Speaker, if I might add one word, there are many Members of this House who, like the gentleman from New Jersey, served with Hanford MacNider. I never did have that privilege or honor, but I have met him, and I know that he has been considered on different occasions seriously in years gone by as a presidential possibility.

Mr. Speaker, I withdraw my reservation of objection.

Mr. McCORMACK. Mr. Speaker, further reserving the right to object, everyone knows of the great career of General MacNider, one of the outstanding generals of American history. I know that General MacNider will derive great pleasure and satisfaction in the knowledge that this bill, brought up out of order, has passed the House unanimously, conveying to him and to the entire country the great respect that all Members of the House, without regard to party, have for him and the admiration they have for the man himself, and the military leader.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I should like to say how extremely glad I am that this body is about to pass this bill. Gen. Hanford MacNider is known all over this country and abroad for his great work. His contribution has been just as great since the war as it was during the war, during his gallant fighting days. America should do him all honor. I have known him and his lovely wife for years. Their friends are legion and will rejoice over this appreciation of this great man.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That Maj. Gen. Hanford MacNider, United States Army Reserve (retired), shall be advanced on the retired list to the grade of lieutenant general effective as of date of enactment of this act.

SEC. 2. Nothing contained in this act shall be deemed to increase the retired or retirement pay received by the said Maj. Gen. Hanford MacNider and no other benefits shall accrue to him by virtue of the enactment thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON THE JUDICIARY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary have permission to sit during general debate tomorrow and Thursday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON PUBLIC WORKS

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent that the Committee on Public Works have until midnight tonight to file sundry reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SUPPLEMENTAL APPROPRIATION BILL, FISCAL YEAR 1957

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 584, Rept. No. 2648), which was referred to the House Calendar and ordered to be printed.

Resolved, That during the consideration of the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, all points of order against the bill are hereby waived.

PERMISSION TO SIT DURING GENERAL DEBATE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the Committee on Public Works have permission to sit during general debate tomorrow.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ASSISTANCE TO CERTAIN NON-FEDERAL INSTITUTIONS FOR THE CONSTRUCTION OF FACILITIES FOR RESEARCH

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 577 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without intervention of any point of order the substitute amendment recommended by the Committee on Interstate and Foreign Commerce now in the bill and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Oregon [Mr. ELLSWORTH], and at this time I yield myself such time as I may consume.

Mr. Speaker, House Resolution 577 makes in order the consideration of S. 849 to provide assistance to certain non-Federal institutions for the construction of facilities for research in crippling and killing diseases. The resolution provides for an open rule and 1 hour of general debate. It also provides that it shall be in order to consider without intervention of any point of order the substitute amendment recommended by the Committee on Interstate and Foreign Commerce, and the substitute shall be considered as an original bill for the purposes of amendment. Any Member may demand a separate vote on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute.

The bill, as amended, authorizes a 3-year grant-in-aid program on a matching basis of not to exceed $30 million for each of the 3 years to assist public and nonprofit institutions in the construction and equipping of facilities to engage in research in the sciences related to health.

As amended, the bill sets up a National Advisory Council on Health Research Facilities. The Council will have the Surgeon General as chairman and an officer of the National Science Foundation. There will be 12 members appointed by the Secretary of Health, Education, and Welfare. Of the 12, 4 will be selected from the general public and 8 from among leading medical, dental, and scientific authorities.

The bill outlines certain factors which the Council must take into consideration when applications are submitted to assure equitable distribution of the grants. The Council shall, within 6 months after enactment of the bill, set up general regulations covering eligibility of institutions and the terms and conditions for approving applications. Also, the Council is to make annual reports to Congress summarizing its activities under this legislation.

A committee amendment provides for the recapture of funds if within 10 years after construction of any facility the applicant ceases to be a public or nonprofit institution, or ceases to be used for the purposes for which it was constructed.

A noninterference provision is included as a committee amendment to preclude any attempts to place such research facilities under Federal direction.

The committee unanimously approved the bill as amended. There was no opposition before the Rules Committee, and I urge the adoption of House Resolution 577.

Mr. ELLSWORTH. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, not 75 Members are in the House at the moment. My assumption is that the lack of attendance is due to the effort to get an early adjournment, and the absent Members are either in committees or working on research problems so as to be better prepared to pass on legislation when it does come up.

The difficulty in understanding some of the bills that come before the House is due in part at least to the fact that committees of the House are holding hearings, hearings that continue from day to day almost continuously. It would not seem to be an exaggeration to state that some of these hearings have a political tinge, not red, but a sort of a pinkish color to them; that is to say, along the line of political propaganda. I am not talking about communism or anything of that kind, so please do not let me be misunderstood.

For example, the Committee on Government Operations through subcommittees, I think there are three subcommittees sitting today. We started out with the Chudoff subcommittee as it was originally authorized by a letter from the chairman of one of the Senate committees who told us to go into the question of the disposal of timber owned by the Government. That was fine. One of the objectives was to learn whether the inventory of the national timber was down to date. Another was to learn whether it was advisable to have area harvesting and manufacturing of the timber. Another was whether there should be access roads. That was all right. Another was whether there should be a cut which would permit and give an annual cut in the coming years. That was all right. All were questions which were, and are, vital to the Northwest. But those hearings degenerated, and I use that word advisedly, into a political attack upon the Department of the Interior. The digging up and rehashing of a charge and an issue that was decided out in the Northwest some 2 years ago. If there was any remedy for what had happened, if what happened was wrong, then the Department of Justice could have been appealed to 2 years ago or even before that, but no such appeal was taken. They waited until this session of Congress. Then this subcommittee, staffed by former disgruntled officials and employees of the Department of the Interior, went off on a political tangent in an effort to help elect certain members of the opposition party—when I speak of the opposition party I mean the Democratic Party—and to defeat certain members of the Republican Party at the coming November election.

Look where we are getting now. Here we are in the last 2 or 3 weeks of this session of the House. Bill after bill is coming before us for determination. Some of them carry millions if not billions of dollars. Yet as stated just a moment ago, there are less than 75 Members on the floor. I am not critical nor do I want to make a point of order when we go into Committee of the Whole if we do or when the bills are called for consideration. I do not want to make a point of order at this time while the House is in session. But, Mr. Speaker, because I realize that the Members are away today working in committee or in their offices with this monumental load that is bearing down on them and despite the fact they are so inadequately paid, with so little time to attend to their duties a quorum should be present when legislation as important as that which is pending—but look, why should the Committee on Government Operations through three subcommittees or more be holding sessions day after day, especially when none is considering legislation which should be enacted before adjournment? The Chudoff committee served notice, I think it was last night, that beginning next Monday they would hold hearings every forenoon and every afternoon. On what? Private-power companies. That committee has already put out a report, and I expect to speak on that later tomorrow, maybe today if some more of the Members get back from the arduous tasks they are now on, calling attention to the fact that the committee put out a report charging a conspiracy between the Department of the Interior and the private-power companies. That is the report adopted by the Committee on Government Operations which has been released to the press. True—true, 5 members of the majority—Democrats all of them—disagreed with some phases of the report. So while the report purported to be signed and was signed, as I assume, by 16 Members——

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. HOFFMAN of Michigan. May I have another 5 minutes?

Mr. ELLSWORTH. Mr. Speaker, I yield 5 additional minutes to the gentleman.

Mr. HOFFMAN of Michigan. I thank the gentleman. That obviates any necessity of calling a quorum and will not take nearly as long as having to have the Members present. As I stated before, I do not want to take the Members away from their desks and offices and committee rooms and from the Congressional Library where they are doing the necessary research work and consulting with the department officials and the executive agencies trying to get information to enable them to form an accurate judgment on pending legislation. I do not want to do that. Far, far be it for me to do anything to hinder them from working today, especially when the task is so difficult—oh, no, they should not be called over here—they should not be called over here to vote on any bill no matter how much it might carry in the way of appropriations, until today's labors have been finished.

But, now back to these 5 Members of the majority party who filed disagreeing or more properly additional views—the report was adopted by 17 members of the committee—and if you subtract the 5 from the 17 then add the 5 to the 12 minority members, do you see where you get? The majority is gone—wiped out. So the report becomes the report of 16, 5 of whom are not in wholehearted approval of all of it. And 4 of the 5 expressly stated that the committee, made up of their own political bedfellows, had held hearings and condemned the private power companies without ever having given the companies a hearing.

Now that subcommittee is off again and beginning next Monday every morning and every afternoon and every day while the House is in session, mind you, while the House is in session, it intends to hold hearings in an attempt to prove their charge that a wicked, vicious—if my colleague, the gentleman from New York, could give me a few additional words to describe it—that a conspiracy—I fail for want of words to express it—I say they have already determined and reported that a wicked conspiracy exists. Now, lo and behold, next week and the week after, morning and afternoon, they intend to hold hearings to substantiate the report that they have already given out. They wish to seek and find evidence to support a charge they made—a verdict of guilty which they rendered without a hearing. I wonder what my young friend from California [Mr. LIPSCOMB] who has just come here so recently, and who has shown himself to be such an active and able—I am sorry there is not room on the ticket for 2 vice presidential candidates so that California could again put on the ticket a man of such outstanding ability as our friend and colleague [Mr. LIPSCOMB], who has made outstanding contributions to the Congress since he came here. Some of us older ones who are fading just rely on the good judgment, the outstanding ability of these young men to help us out when as today the load grows heavy and difficult. The only thing I can think of at the moment which distracts from my pleasure is that it is unfortunate that he cannot be in two places at once—must be here on the floor instead of working in the Library or on committee. But we all assume he has very religiously attended all of these committee hearings and rendered valuable service because of his experience in the legislature of the State of California.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I am happy to yield to the gentleman.

Mr. HOLIFIELD. I just want to concur in what the gentleman said about our colleague——

Mr. HOFFMAN of Michigan. About the committee—about the committee report?

Mr. HOLIFIELD. About Mr. LIPSCOMB.

Mr. HOFFMAN of Michigan. Oh.

Mr. HOLIFIELD. I want to pay tribute to his constant attendance in committee and the hard work that he has done.

Mr. HOFFMAN of Michigan. And the exceptionally good work—you concur in that, do you not—the exceptionally good and efficient work? Yes; I notice you nodding in the affirmative. I want that to show in the RECORD because I think it might be gratifying to him to receive such an outstanding commendation from an experienced outstanding Member from his own State of California and who is so aware of our colleague's exceptionally fine record here.

The Committee on Government Operations under the House rules has permission to sit when the House is in session. That is the present rule, but I think it is unfortunate when so many committee hearings are held so near the end of the session.

Certainly as one Member to another, permit me to ask, Is it right to hold committee hearings day in and day out this last couple of weeks of the session, especially when the hearings have nothing to do with pending legislation? How can we do justice to our constituents by procedure which takes us off the floor? How can we perform our tasks here on the floor if every day we are to have these committee hearings? It is very disagreeable to any Member to be forced to make a point of no quorum. But if that is necessary in order to legislate intelligently then it must be done by someone.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Michigan has expired.

Mr. ELLSWORTH. Mr. Speaker, with reference to the pending House Resolution 577, we find no objection whatever to the adoption of the rule on this side of the aisle. The bill is a worthwhile piece of legislation, which we hope will be adopted.

I yield back the balance of my time, Mr. Speaker.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HEALTH AMENDMENTS ACT OF 1956

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 580) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3958) to improve the health of the people by assisting in increasing the number of adequately trained professional and practical nurses and professional public health personnel, assisting in the development of improved methods of care and treatment in the field of mental health, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Oregon [Mr. ELLSWORTH], and at this time I yield myself such time as I may require.

Mr. Speaker, House Resolution 580 makes in order the consideration of S. 3958, the Health Amendments Act of 1956. The resolution provides for an open rule and 1 hour of general debate.

The bill provides five programs designed to increase the supply of health personnel and health facilities, and to improve the methods by which certain health services are furnished.

Title I is intended to stimulate the training of more public health specialists by establishing a 3-year Federal program providing graduate traineeships for physicians, engineers, nurses, and other professional health personnel. The cost of this program is estimated at $1 million during the first year and double that amount during the second and third years.

Title II establishes a 3-year Federal program providing advanced training to professional nurses. The Federal grants would be awarded to the training institutions who would select the individuals to receive the traineeship awards. The estimated cost during the first year is approximately $2 million and it is expected the cost in the second and third years would increase.

Title III establishes a 5-year program of Federal matching grants to States for expanding and improving vocational educational training programs for practical nurses. For the first 2 years of the program the matching provisions would require at least 1 State dollar for every 3 Federal-grant dollars, and for the remaining 3 years dollar-for-dollar matching would be required. An appropriation of $5 million annually would be authorized for this program.

Title IV of the bill will extend for 2 additional years the Hospital Survey and Construction Act, as amended, which would otherwise expire on June 30, 1957. This act authorizes an annual appropriation of $150 million for the construction of public and other nonprivate hospitals. An amendment to the act in 1953 authorized an additional appropriation of $60 million for construction of diagnostic centers, chronic disease centers, rehabilitation facilities, and nursing homes.

Title V authorizes the Surgeon General to make special project grants for the support of investigations, experiments, and demonstrations in the field of mental health with special emphasis placed on projects designed to improve the operation and administration of State institutions for the care and treatment of the mentally ill. In the 1957 budget provision is made for the submission of a budget request of $1,500,000 for special mental health project needs. This request is contingent upon the enactment of title V of this bill.

The committee report complies with the Ramseyer rule and I urge the adoption of House Resolution 580.

Mr. ELLSWORTH. Mr. Speaker, House Resolution 580 makes in order a bill which appears to be very worthwhile. There is no objection on this side to the enactment of the rule. The bill should certainly be considered and passed.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN of Michigan. Can a Member be recognized on the bill itself for an amendment?

The SPEAKER pro tempore. When the bill is taken up for consideration; yes.

Mr. HOFFMAN of Michigan. I wanted to be sure that I got in in time.

The SPEAKER pro tempore. The gentleman will undoubtedly be recognized.

RIVERS AND HARBORS AND FLOOD CONTROL CONSTRUCTION

Mr. MADDEN, from the Committee on Rules, reported the following privileged resolution (H. Res. 585 Rept. No. 2656), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 12080) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

NATIONAL INSTITUTE OF DENTAL RESEARCH

Mr. MADDEN. Mr. Speaker, I call up House Resolution 579 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3246) to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research. After general debate, which shall be confined to the bill, and shall continue not to exceed hour , to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 1, line 9, preceding the word "hour", insert the figure "1."

The amendment was agreed to.

The SPEAKER. The gentleman from Indiana is recognized for 1 hour.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Oregon [Mr. ELLSWORTH], and yield myself such time as I may use.

The SPEAKER. The gentleman from Indiana is recognized.

Mr. MADDEN. Mr. Speaker, House Resolution 579 makes in order the consideration of S. 3246, to increase the amount authorized for the National Institute of Dental Research. The resolution provides for an open rule and 1 hour of general debate on the bill.

S. 3246 as passed by the Senate, provided that section 5 of the National Dental Research Act of 1948 be amended to read $5 million instead of $2 million. The House Interstate and Foreign Commerce Committee reported this measure with an amendment making the amount authorized $4 million.

The amount is authorized for the erection and equipment of buildings and facilities for the National Institute of Dental Research at the National Institutes of Health at Bethesda. The program for the expansion of dental-research facilities was authorized in 1948 and plans for the buildings were drawn. Construction was postponed due to the Korean conflict. Since that time building costs have increased considerably and it is believed by the Committee on Interstate and Foreign Commerce that additional funds will be required to make possible the construction of the planned buildings and facilities.

The committee report complies with the Ramseyer rule, and I urge the adoption of the resolution so consideration may be given this bill.

Mr. ELLSWORTH. Mr. Speaker, this resolution makes in order legislation having to do with the National Institute of Dental Research. We have no objection to the adoption of the resolution on this side.

Mr. Speaker, I yield back the balance of my time.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

WASHOE RECLAMATION PROJECT, NEVADA AND CALIFORNIA

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 581 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10643) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Oregon [Mr. ELLSWORTH], and at this time I yield myself such time as I desire.

Mr. Speaker, House Resolution 581 makes in order the consideration of H. R. 10643, to authorize the Secretary of the Interior to construct, operate and maintain the Washoe project in Nevada and California. Enactment of this legislation will also permit the construction of flood control works in the Truckee Valley which were authorized in the Flood Control Act of 1954, with construction contingent upon authorization of the Washoe project.

The resolution provides for an open rule and 1 hour debate on the bill.

This multiple-purpose project on the eastern slope of the Sierra Nevada will provide irrigation, power, flood control, public health, recreation and fish and wildlife benefits through regulation of the stream flow and storage of snowmelt flood waters on the East Carson and Little Truckee Rivers and drainage of

surplus ground waters in some areas of the basins.

The legislation contains certain other provisions. The States of Nevada and California are negotiating a compact with respect to the waters of the Truckee and Carson Rivers, both involved in the development of the Washoe project. Language in the bill assures that the future water needs in the Little Truckee River watershed in California will be met, and additional language provides that when the compact is completed the operation of the Washoe project will be in conformance with the compact.

The total cost of the project is $43,558,000. Seventeen million, one hundred and eight thousand dollars will be allocated to irrigation and drainage and, up to the ability of the users to repay, and after suitable development periods for various project lands, the repayment would be made under 50-year repayment contracts and would total $8,180,000 over the period. The power investment of $18,209,000 would be repaid in 50 years, with interest. Net power revenues accruing after payment of the power investment with interest would repay that part of the irrigation and drainage allocation beyond the repayment ability of the water users. The allocation of $6,141,000 for flood control, $100,000 for recreation and $2 million for the development of fish and wildlife resources would be nonreimbursable.

I urge the adoption of House Resolution 581 so that the House may proceed to the consideration of H. R. 10643.

Mr. ELLSWORTH. Mr. Speaker, I know of no opposition to the rule on this side.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRODUCTION OF TUNGSTEN, ASBESTOS, FLUORSPAR, AND COLUMBIUM-TANTALUM IN THE UNITED STATES

Mr. TRIMBLE, from the Committee on Rules, reported the following privileged resolution (H. Res. 586, Rept. No. 2657), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3982) to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories, and possessions, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Interior and Insular Affairs now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

AUTHORIZING LOAN OF NAVAL VESSELS TO FOREIGN GOVERNMENTS

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 582 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11613) to authorize the loan of naval vessels to the Governments of the Federal Republic of Germany, Greece, Portugal, Spain, and friendly far eastern nations, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Oregon [Mr. ELLSWORTH], and at this time yield myself such time as I may use.

Mr. Speaker, this resolution makes in order the consideration of the bill, H. R. 11613.

The purpose of the bill is to authorize the President to lend 2 destroyers and 2 destroyer escorts to the Government of the Federal Republic of Germany, 2 submarines to the Government of Greece, 2 destroyer escorts to the Government of Portugal, and 2 destroyers to the Government of Spain for a period of 5 years, and at his discretion for an additional period of not to exceed 5 years. The bill further would extend the authority of the current law whereby the President, until December 31, 1956, is authorized to lend not to exceed 25 naval vessels not larger than destroyers to friendly far eastern nations, by providing a 2-year extension until December 31, 1958, and by increasing the number of such vessels to 50.

Mr. ELLSWORTH. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, House Resolution 582 makes in order the bill, H. R. 11613. According to the testimony given in the Rules Committee this is necessary in the interest of our national security. There is no objection to adoption of the rule on this side.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I yield to the gentleman from Iowa.

Mr. GROSS. How many vessels are involved in this?

Mr. ELLSWORTH. The resolution pending does not state. I cannot answer the gentleman's question.

The bill reads:

To authorize the loan of naval vessels to the Governments of the Federal Republic of Germany, Greece, Portugal, Spain, and friendly far eastern nations.

Mr. GROSS. Are these modern vessels? Does the gentleman have any idea what they are, whether they come out of the mothball fleet or what they are?

Mr. ELLSWORTH. I am unable to answer the gentleman's question. The matter before the House is whether or not the House will agree to the rule which will make in order consideration of the bill which the gentleman is asking about. During general debate on that bill I am sure the legislative committee responsible for bringing it to the floor of the House will be glad to answer fully the questions of the gentleman from Iowa.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. As I read the bill it says that the President may lend 2 destroyers and 2 destroyer escorts to the Government of the Federal Republic of Germany, 2 submarines to the Government of Greece, 2 destroyer escorts to the Government of Portugal and 2 destroyers to the Government of Spain, for a period of not more than 5 years. Then there is a provision that he can extend that for an additional period of not more than 5 years. I think the gentleman from Iowa is interested in the fact that all expenses involved shall be charged to funds programed for the recipient governments under the Mutual Security Act. I know the gentleman is interested in knowing who provides funds under the Mutual Security Act. I think Iowa contributes quite a share.

Mr. ELLSWORTH. I thank the gentleman for the information he has given the House.

I yield back the balance of my time, Mr. Speaker.

Mr. TRIMBLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN of Michigan. The House is adopting resolutions from the Committee on Rules, as I understand it, to make the considertion of these bills in order. When will the bill be called up?

The SPEAKER pro tempore. Some of them may be called up this afternoon, the Chair will advise the gentleman.

Mr. HOFFMAN of Michigan. Well, if they are to be called up this afternoon, let me say this. I already notice there is $2 million on one, $20 million on another, 10 or more vessels loaned for a period of 10 years, I will have to make a point of no quorum if they are called up today. I am trying to establish a record for economy.

Mr. COLMER. Would the gentleman from Michigan withhold that until we could dispose of the rules?

Mr. HOFFMAN of Michigan. Sure. Mr. Speaker, my only point was that when the bills are taken up, I thought the Members ought to be here. They will have finished their office work and their committee work by that time, I am sure.

The SPEAKER pro tempore. The Chair understands the gentleman from Michigan.

DEPARTMENT OF DEFENSE APPROPRIATION ACT AND THE CIVIL FUNCTIONS APPROPRIATION ACT

Mr. COLMER. Mr. Speaker, I call up House Resolution 526 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7992) to enact certain provisions now included in the Department of Defense Appropriation Act and the Civil Functions Appropriation Act, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to the gentleman from Oregon [Mr. ELLSWORTH], and pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 526 makes in order the consideration of H. R. 7992, the so-called point of order bill. The resolution provides for an open rule and 1 hour of general debate.

The purpose of this bill, as amended, is to enact into permanent law numerous legislative provisions which have heretofore appeared in appropriation acts. Enactment of this bill will supply legislative authorization and will preclude the raising of points of order with respect thereto in the consideration of annual appropriation acts.

The proposed bill, as amended, contains 33 sections, most of which involve relatively minor matters. It also amends in minor respects some existing law authorizing the expenditure of funds for certain purposes and repeals certain statutory authorization heretofore applicable only to the Navy Department, thus providing a uniform authorization for all the military departments for such expenditures.

Section 27 repeals section 638 of the Defense Appropriation Act of 1956, which required the Department of Defense to submit to the Appropriations Committees of the House and Senate for their approval the proposed transfer to private industry of operations performed by civilian personnel of the Department of Defense for 3 or more years and which involved more than 10 employees. The committee adopted an amendment which gives to the Congress the full authority to pass upon each proposed transfer within reasonable limitations.

Section 10 authorizes the training in law at civilian universities of a maximum of 135 officers of the regular components of the Armed Forces within any 3-year period. Existing restrictions in the Defense Appropriation Act of 1956 and the 1957 act precludes such training.

These two sections are the only sections which present any departure from the authorizing language contained in previous appropriation bills.

The committee report complies with the Ramseyer rule, and I urge the adoption of House Resolution 526.

Mr. ELLSWORTH. Mr. Speaker, there is no objection to the passage of this rule on this side. Therefore, I yield back the balance of my time.

Mr. COLMER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING INTERSTATE COMMERCE ACT TO REGULATE USE BY MOTOR CARRIERS OF MOTOR VEHICLES NOT OWNED BY THEM

Mr. COLMER. Mr. Speaker, I call up House Resolution 578 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 898) to amend the Interstate Commerce Act, with respect to the authority of the Interstate Commerce Commission to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to the gentleman from Oregon [Mr. ELLSWORTH], and at this time I yield myself such time as I may consume.

Mr. Speaker, House Resolution 578 makes in order the consideration of S. 898, which would amend that section of the Interstate Commerce Act having to do with the use by motor carriers of motor vehicles not owned by them. The Resolution provides for an open rule with 1 hour of debate.

Under proposed regulations of the Interstate Commerce Commission, the effective date for which has been postponed from time to time, motor carriers who lease motor vehicles that they do not own, must lease such vehicles for at least 30 days' duration. The Commission has stated that this rule was necessary to maintain effective control over the operational safety, carrier responsibility and the economics of the motor-carrier industry.

The 30-day lease requirement is the provision to which strong objection has been made, for it is contended generally, that it would for all practical purposes abolish "trip-leasing," the term given to the leasing of a motor vehicle, with driver, for a single one-way haul or a round trip. Currently the ICC has granted exemption from the 30-day minimum leasing rules to agricultural haulers. However, it is believed that the exemptions should be provided for by statue so that the ICC could not at a later date cancel such exemptions.

If trip-leasing were abolished, truck haulers of agricultural commodities, livestock, fish, and other perishable products, who now obtain return hauls by leasing their trucks to authorized motor carriers would no longer be able to do so, but would have to return empty. Hence such haulers would have to charge more for hauling those products, thus increasing the cost of marketing and the spread between farm and consumer prices.

S. 898 provides that section 204 of the Interstate Commerce Act be amended so that the 30-day minimum leasing rule would not apply to motor vehicles used in the transportation of agricultural and other perishable commodities.

The committee report complies with the Ramsayer rule.

I urge the adoption of House Resolution 578 so that the House may proceed to the consideration of S. 898.

Mr. ELLSWORTH. Mr. Speaker, there is no objection to the adoption of this rule on this side. Therefore, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MARKETING FACILITIES FOR HANDLING PERISHABLE AGRICULTURAL COMMODITIES

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 556, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that

the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4054) to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Oregon [Mr. ELLSWORTH], and at this time I yield myself such time as I may consume.

Mr. Speaker, this rule makes in order the bill H. R. 4054. That bill is one that has been before the House several times. In fact, it passed the House once. Substantially, it provides for the guaranty or insurance of loans for the construction of marketing facilities in metropolitan areas. The reason advanced for it is that in many large cities the marketing facilities are very inadeqaute and obsolete. In many cases they are far removed from the railroad. They are in rundown condition. Goods that are shipped in, such as perishables, for consumption in the markets of large cities are so far removed from other means of transportation that it becomes very expensive to take them off the railroad and put them on trucks and carry them to these marketing facilities and unload them there.

There has been no opposition to the bill in the Committee on Rules. It does not provide for the expenditure of any funds but it does provide for the insurance of these marketing facilities to the extent of 85 percent. It is somewhat similar to the various and sundry housing provisions.

I know of no objection to the rule. There will probably be some to the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. ELLSWORTH. Mr. Speaker, the bill this resolution would make in order, H. R. 4054, appears to be one of those measures coming frequently before Congress which would require a considerable amount of discussion and understanding on the floor. Speaking for myself alone, after having heard the testimony given by the committee before the Rules Committee, I find myself having some doubts as to the wisdom of the bill. However, I was glad to vote in the Rules Committee for a rule to bring the bill to the floor. Therefore, I am urging the adoption of this resolution, because this bill, rather more than most of the others we have had under discussion today, deserves full and free debate on the floor.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

PROCEDURE IN THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, may I inquire as to the procedure? It is proposed now that the House adjourn?

The SPEAKER pro tempore. We have special orders yet to be heard.

Mr. HOFFMAN of Michigan. But no legislation?

The SPEAKER pro tempore. If the gentleman objects, there will be no legislation.

Mr. HOFFMAN of Michigan. I certainly will make a point of order on some of these bills.

The SPEAKER pro tempore. Under the circumstances, the Chair will proceed with the recognition of Members under special orders.

THE JERSEY FARMER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. HAND] is recognized for 10 minutes.

Mr. HAND. Mr. Speaker, although New Jersey is widely known as the Garden State, its preeminent position in agriculture is sometimes lost sight of because most people are familiar with its concentrated metropolitan area in which are located thousands of modern factories, which make our small State the sixth greatest industrial producer in the Union.

FIRST IN ACRE CASH

The interesting fact remains that my State continues to rank No. 1 in cash receipts per acre, which has now reached the phenomenal figure of $195 per acre of agricultural land. Curiously, the next highest producers per acre are the like industrial northeastern States of Connecticut, Rhode Island, Delaware, and Massachusetts. The justly famous States of our Farm Belt in the Middle West are not even close competitors on a cash acreage basis.

What is perhaps even more unusual, New Jersey is fourth ranking State in cash receipts per farm. Although our average farm is only 70 acres in size, our cash receipts per farm are $13,542. We are only significantly exceeded by the State of California with an average acreage of 250, and the leader, Arizona, but the average farm acreage there is 4,000 acres compared to our 70.

New Jersey, the third smallest State in the Union in geographical area, produced more than $366 million of agricultural products in the year 1955.

Our leading farm products are eggs, milk, vegetables, and poultry, but by far the greatest crop is eggs, of which we produce $121 million worth, a very substantial part of which is produced in my congressional district.

WE ARE FARMERS, TOO

All of this is by way of preface to indicate that this great agricultural producer is seriously neglected in our national legislation, which is concentrated for the benefit of the West and South. The first farm bill, which happily the President vetoed, would have adversely affected our leading crops of eggs, poultry, and milk, and was of no help whatever to vegetables. The second bill, while less harmful to a degree, still has the net effect of damaging agriculture in New Jersey. The concentration on artificially maintaining prices for grain crops simply causes the egg industry, for example, to pay more for what it needs than it would have to pay in a free market, while at the same time the price of eggs is not supported. The soil-bank plan which is, no doubt, of benefit to agriculture elsewhere, has an insignificant effect in New Jersey, except for some of our corn producers.

Nevertheless, Mr. Speaker, the average New Jersey farmer is going to work out his own salvation as best he can, but he hopes that some time in the future, the national farm policy will not be completely concentrated on wheat, corn, cotton, and tobacco—the so-called basic crops—which even include tung nuts and honey. It is hard for them to appreciate that tung nuts are basic to the national welfare while eggs are not.

THE APPROPRIATION BILL

This years' appropriation bill for the Department of Agriculture, however, is of interest and benefit to New Jersey as well as to the rest of the Nation. Our farmers are pleased with the committee report on soil conservation, which is as follows:

SOIL CONSERVATION

The committee has resisted efforts for the past 3 years to curtail the soil-conservation programs of the Department. Each year it has restored budget cuts in these activities.

In this bill, the committee has exceeded the budget for the Soil Conservation Service by $5 million, to assure adequate technical assistance to an increasing number of soil-conservation districts, and to accelerate the watershed protection and flood-prevention programs of the Department. Further, it has again included $250 million in the bill for the advance agricultural conservation program announcement for next year.

This action appears to be particularly appropriate in view of the need for increased attention to diverted acres and soil reserves. It is entirely consistent with the actions of the Congress and the administration in adopting the soil-bank plan, which had its genesis with certain members of this committee in January 1954. The organizations now operating the soil-conservation programs of the Department should be given adequate financial support in this bill to carry out any new programs of this type which might be undertaken. The committee feels that the amounts it has recommended for the next fiscal year will help these agencies to meet this additional responsibility.

The Soil Conservation Service assists soil conservation districts and other cooperators in bringing about physical adjustments in land use that will conserve soil and water resources, provide economic production on a sustained basis, and reduce damages from floods and sedimentation. The Service also develops and carries out special drainage, irrigation, flood prevention, and watershed protection programs in cooperation with soil conservation districts, watershed groups, and other Federal and State agencies having related responsibility. It is expected that the new soil-bank legislation will increase the work of this agency in these fields.

Conservation operations: The committee recommends an appropriation of $67,500,000 for 1957, an increase of $4,557,255 over the 1956 appropriation and an increase of $2,285,000 in the budget estimate.

ANIMAL DISEASE

We are likewise glad to see $22 million appropriated for plant and animal diseases and pest control, and over $2 million to control the gypsy moth, which is potentially a serious threat to our agriculture.

For fiscal year 1957, the sum of $3,500,000 was recommended for continuing the study of diseases of animals and poultry, a substantial increase over the amount allowed in 1956. The proposal to construct an animal and poultry laboratory at a cost of some $10 million is encouraging.

PRICE SPREAD

Two problems stand out in my mind, which are not receiving the attention they deserve. One is the very large spread between what the farmer receives for his product and what the consumer pays for such products. Last year, and again this year, the Congress has appropriated funds for a study of this question, which study is continuing in the Department of Agriculture. This spread is serious economically and also psychologically. By the time food gets from the farm to the ultimate consumer, having passed through wholesalers, brokers, retailers, delivery people, and usually very fancy packaging, the price the consumer pays bears no relationship to the original price of the product, which means first, that the farmer is not getting anywhere near his fair share of the cost of food, and which also means that the consumer tends to blame high food prices on the farmer, when in fact the blame belongs elsewhere.

CROP INSURANCE

The second problem is crop insurance. As to this, the committee says in part:

The Federal Crop Insurance Corporation is a wholly owned Government corporation created in 1938. Crop insurance offered to agricultural producers by the Corporation provides protection from losses caused by unavoidable natural hazards, such as insect and wildlife damage, plant diseases, fire, drought, flood, wind, and other weather conditions. It does not indemnify producers for losses resulting from negligence or failure to observe good farming practices.

In the light of recent experience in certain areas of the country, the committee believes that the crop-insurance program should be tried on an experimental basis on peaches and other fruit crops. The committee directs that within the funds provided in the bill for 1957 such an experimental program be initiated.

However, the amount appropriated for this activity is $6,210,000 which indicates, obviously, that this insurance program is on an extremely limited basis.

Just as I favor Federal participation in insurance programs indemnifying our coastal and other areas against the devastating effect of hurricanes and storms, so I favor the extension of crop insurance on a premium basis to protect the farmer against natural hazards, which he cannot prevent and which are sometimes catastrophic. The problems to an extent are intermingled. In our last severe hurricane, for example, the publicity mostly dealt with coastal areas, but enormous damage was done to the fruit orchards and the poultry houses in the inland sections of my district.

Broadly speaking, Mr. Speaker, at least these things are needed, amongst others, for New Jersey agriculture:

First. Less concentration on the so-called basic crops, and more attention to the vital food stuffs which are grown in the Northeast;

Second. Less spread between the price the farmer gets and what the consumer pays; and

Third. A greatly improved and expanded crop-insurance program.

THE MANIFESTO AND THE SUPREME COURT

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Speaker, these are trying times in this great country of ours. We see on every hand agencies and arms of the Federal Government reaching out their octopuslike tentacles grasping and taking from the people rights and privileges that were delegated to our people by the Founding Fathers of this great country of ours in the Constitution. We see an arrogant Supreme Court attempting to change the habits, customs, traditions, and mores of our people. This Court has arrogated unto itself powers never given it by the Constitution in an attempt by judicial decree to compel the people of this country to accept the sociological and political philosophy of the individual members of the Court. This Court has usurped authority and is attempting to wreck the sovereignty of our individual States.

The fateful and horrible decision rendered by the Supreme Court of the United States of America on May 17, 1954, declaring segregation in the public schools of America unconstitutional is just one of the many decisions by the Court attempting to change our way of life.

The problem created by this illegal and unfounded decision based on the political philosophy and theory of the Supreme Court Justices has done more to disrupt and damage race relations in the South than we realized at the time of the decision. It is heartening, however, to see that gradually there is an awakening on the part of a large part of the American people, particularly the editors, to the awareness of our problem in the South and the necessity for combating, overriding and changing the dreadful decision referred to heretofore. It was not based on law and legal precedent.

The people of this country are fortunate indeed to have at this time as a Member of the House of Representatives from the great State of Georgia, the Honorable E. L. FORRESTER. Representative FORRESTER is one of the most able Members of the Congress. He is an outstanding attorney of national repute, a man of high integrity and entirely fearless. I am proud to call him my friend and count it a privilege to serve in the House of Representatives with him. Representative FORRESTER has written an article explaining in detail the manifesto submitted by 101 Members of the Congress expressing their views on the Supreme Court decision referred to hereinbefore.

In an endeavor to acquaint the people of this country with what is happening to them as a result of the recent decisions of the Supreme Court of the United States, I include with my remarks the article by Representative E. L. FORRESTER entitled "The Manifesto and the Supreme Court," which appeared in the July 1956 issue of Facts Forum, which is as follows:

THE MANIFESTO AND THE SUPREME COURT

(By Representative E. L. FORRESTER, Democrat, of Georgia)

On March 12, 1956, there was submitted to the Senate and the House of Representatives a declaration of constitutional principles signed by 19 Senators and 82 Representatives, which is now commonly referred to as "The Southern Manifesto." The word "manifesto" is perhaps not fully understood by everyone, and consequently some confusion has arisen as to its meaning. However, the word "manifesto" simply means a group declaration of principles.

That so-called manifesto was a declaration of our constitutional rights. I sincerely wish that every citizen had a copy of it. It is an immortal document, and as sure as the sun shines it will take its place as one of the greatest classics, and future generations from all sections of this country will be glad that someone spoke out for their fundamental and constitutional rights. I did not have the privilege of assisting in the preparation of that instrument, but I did have the privilege of signing my name thereto, and thereby telling posterity that I endorsed every word in it. That declaration was by Senators and Representatives from the section of our country that, more than any other section, wrote and gave us our Constitution.

Thomas Jefferson, George Mason, George Washington and the other framers of that Constitution suffered at the hands of a Government possessing centralized and complete power. Those men understood the tyranny that naturally and always follows all-inclusive power. The present generation, the beneficiaries of the work of those great men, has not had the experiences concerning the intoxicating qualities of unlimited power in the hands of human agents entrusted therewith. They have not personally experienced the fact that history indisputably proves, that human beings have always become tyrannical when all power is placed in their hands.

Framers of the Constitution labored for months; they strove to form a Union, giving that Union only the necessary powers to operate successfully, reserving to the States and our people all the rights not delegated to the Federal Government. Fear of tyranny, fear of unlimited power and fear of the loss of liberty were the influences operating in the minds of those great men. Those men were determined to preserve the rights won by patriots who risked conviction for treason to obtain those rights. Everyone should see that original document, and take note of the fact that they diligently sought to use the right words. The deletions, erasures, and substitutions of language completely illustrate that they intended our Constitution to be the judicial skeleton of our laws and the foundation of our Government.

They did not intend for these foundations to be wiped out because of clamor, hysteria, treaty law, or by judicial decree. On the other hand, they did anticipate that the future and changed conditions might make some changes and additions necessary.

They intentionally provided in our Constitution the machinery therefor. They did not intend to make these changes or additions impossible, but they certainly did not intend to make these changes or additions so easy that they could be accomplished without the knowledge of the people, and without the people having the opportunity to reflect thereon and to work their will. Inasmuch as our Constitution has been amended 22 times, the argument of some that amending imposes impossible requirements falls to the ground. Likewise, the position that our Supreme Court has taken to the effect that our Constitution must be interpreted in the light of the times or on changed conditions or that the Court has learned more about sociology since our Constitution and amendments thereto were adopted, becomes a usurpation of power which belongs—and, despite any United States Supreme Court decision, will always belong—to the people.

Decisions usurping these powers can be found in the words of Justice Frankfurter in *Wolf* v. *Colorado* (338 U. S. 2527), and in the article of Justice Douglas on stare decisis, and in *U. S.* v. *Classic* (313 U. S. 316, 319) and in the five cases known as the school cases, decided in May 1954 and reported in Three Hundred Forty-seventh United States Reports. Regarding the school cases referred to, the Supreme Court said, in approaching the questions presented to the Court: "In approaching this problem we cannot turn the clock back to 1868 when the amendment was adopted, or even to 1896 when *Plessy* v. *Ferguson* was written. We must consider public education in the light of its full development and its present place in American life throughout the Nation. Only in this way can it be determined if segregation in public schools deprives these plaintiffs of the equal protection of the law." What that court was actually saying was that it would not construe the 14th amendment, the basis of these decisions, according to the intentions of the lawmakers when that amendment was adopted in the Congress and that they would not construe the questions according to the intentions of the people who ratified that amendment. They were, in effect, saying that we will interpret the Constitution as it appears to us to be in harmony with our belief today, and if our beliefs change tomorrow, or a few days from now, we will again interpret that constitutional amendment as we wish it to be. In other words, we will make the Constitution a chameleon, changing its color according to our moods and fancies, and as we please.

I wonder what the architects of our Constitution would think. I ask the American people, what would Mr. Jefferson, Mr. Mason, President Washington and those other great men have said if some dreamer should have said to them while they were laboring over the creation of this instrument, "You need not be so careful in selecting the proper language for this instrument, for it will mean one thing today and another thing tomorrow." Everyone knows that under that hypothesis there would have been no Constitution.

If our Supreme Court has the right to change the meaning of our organic law whenever it sees fit, or to deviate in the slightest from the meaning and intent of our people who ratified that document then actually we have never had a Constitution. Further, it also means that what we understood were the bulwarks of our way of life have become an ambush to law-abiding citizens who planned their businesses upon the decisions of that Court yesterday. It is surprising and doubtless shocking, but the Supreme Court of the United States has declared that there is no restraint placed upon it that is not self-imposed. Under these declarations just quoted the Supreme Court is endowed with the powers of a dictatorship. Irrespective of what the Supreme Court says, there are restraints placed upon it. The framers of our Constitution saw to it that there were checks and balances. The Constitution itself is a restraint. Further, our Constitution provides that the jurisdiction of the Supreme Court on all constitutional questions shall be subject to such exceptions and regulations as Congress might make.

RESTRAINTS KNOWN

Restraints upon the Supreme Court are well known to many who would like to remove those restraints. S. 44, introduced in the 83d Congress, completely proves that these restraints were known to be in existence. S. 44 provided that the Supreme Court would have appellate jurisdiction on all constitutional questions, leaving out the present constitutional provision that Congress would have the right to make exceptions and regulations. Had S. 44 passed and been adopted, the Congress of the United States would have surrendered the power to make exceptions and regulations, and would have deprived the people from upsetting any of the erroneous decisions (and there are many) rendered by the United States Supreme Court, and no agency of the Government would have any power whatever save the Supreme Court, and the Supreme Court would have been completely free to interpret the Constitution belonging to 165 million Americans, without any lawful restraint. I will always be humbly grateful for the privilege that was mine to lead the fight in the House Committee on Judiciary and kill S. 44. I feel certain that the rank and file of our people do not know that there was ever a bill like S. 44, which by its terms would have deprived the people of any power whatsoever regarding the Supreme Court.

Some have said the southern Senators and Representatives had no right to issue that declaration of principles concerning the Supreme Court. Some have said that we took an oath to support the Supreme Court. I am astonished over such statements. We never took an oath to support the Supreme Court. We did take an oath to support the Constitution of the United States, and that oath carries with it the duty to criticize any branch of this Government that has violated the Constitution. That oath also carries the duty to do everything possible to preserve the Constitution. The arguments are ridiculous. Our history abounds in criticisms toward the Supreme Court.

President Jackson criticized the Supreme Court severely. Indeed, one of the contributing causes of the War Between the States was the refusal to accept the Supreme Court decision in the Dred Scott case. See Beveridge's Abraham Lincoln, volume IV, pages 157–158, stating that in 1858 the Republican leaders in the Senate accused the Supreme Court of being engaged in a scheme to spread slavery over the country. According to that book, the Republican Party joined that criticism in unity. Page 157 of that volume says that Senator Trumbull described the Dred Scott decision as the "odious and infamous opinion of a slave-driving Court," and that Court must be "wholly and totally revolutionized." See Nicolay and Hay, Lincoln Works, volume I, page 229, where Mr. Lincoln chided Judge Douglas for saying that no criticism or resistance should be made against a Supreme Court decision. Mr. Lincoln reminded Judge Douglas that he had applauded criticisms of that Court in the past and remarked, "It would be interesting for him to look over his recent speech and see how exactly his fierce philippics against us for resisting Supreme Court decisions fall upon his own head." Everyone remembers the harsh and continued criticisms of the Supreme Court by President Franklin Roosevelt. President Roosevelt referred to that Court as nine old and tired men, and endeavored to get rid of those Justices in every conceivable way. If we have lost the right to criticize the Supreme Court, Congress, or the President of the United States, then one of our greatest protections of constitutional government has been lost.

It was the combination of the school cases decisions and many other decisions that inspired a declaration of principles. For the last 20 years the Court has shown little respect for the rule of stare decisis, although that rule is hoary with age and indispensable as a rule of law. Stare decisis simply means "to stand by decided cases; to uphold precedent; to maintain former adjudications." The doctrine rests upon the sound principle that law by which men are governed should be fixed, definite, and known, and that when the law is declared by a court authorized to do so, such declarations, in the absence of palpable error, be accepted by the public as the law until changed by the legislative branch of the Government. The Supreme Court has made many decisions holding that stare decisis is peculiarly applicable to constitutional questions, but unfortunately it has also many times ruled that stare decisis is not applicable to constitutional questions. I think the public will agree that the rule of stare decisis should apply with more force to constitutional questions than perhaps any other legal question.

PRESIDENT MADE AGREEMENT

Another case that we do not like is *U. S.* v. *Pink* (315 U. S. 203). In that case moneys in a bank in New York were taken charge of by the courts of New York and that court was proceeding by well-settled law to administer those assets in a legal way. The President of the United States made an agreement with Soviet Representative Litvinov regarding those moneys, and though this agreement was made only by the President and was never submitted to the Senate for approval, the Supreme Court held that the President's agreement, like a treaty, superseded our Constitution and the laws of New York, thus saying that with one stroke of a pen the President could annihilate our Constitution and State laws.

In the case of *Missouri* v. *Holland* (252 U. S. 416), the Supreme Court held that a treaty made with Great Britain made a law which had therefore been held unconstitutional completely valid, by ruling that this treaty was superior to our Constitution. Those rulings are not law, and have never been the law, and we reserve the right to criticize them. Thomas Jefferson said: "If the treaty power is unlimited, we have no Constitution." As a result of such decisions, the report of President Truman's Committee on Civil Rights in 1947 proudly pointed out that while our Constitution did not convey delegated powers to protect civil rights, that this could be overridden by means of treaties, and that the doctrine regarding treaty law had obvious importance in the field of civil rights legislation. That report said further that the Human Rights Commission of the United Nations was working on an international bill of rights, and if that was accepted by the United States, a strong basis for congressional action under the treaty power may be established. It is amazing to realize that for 120 golden years our Supreme Court held that our Constitution was supreme and that a treaty could not override its provisions; see *New Orleans* v. *United States* (10 Pet. 662, decided in 1838).

In *Shelly* v. *Kramer* (334 U. S. 1), the United States Supreme Court held that restrictive racial covenants in deeds were unenforceable, although for many years there was an unbroken background upholding racial covenants. It is true, of course, that these usually provided that the property conveyed would never be deeded to one of African descent. It necessarily follows, however, that any persons of African descent

had the same right to incorporate in their deeds that the land could never be conveyed to any other race.

SUBMERGED LANDS WERE PROPERTY OF STATES

The result of the decision destroying these racial covenants was to cause damage to the property owners in this country exceeding the expense of some of our wars. It is a well-known fact that property in a neighborhood inhabited by mixed races immediately and seriously declines in value. The people suffering those terrific damages had relied upon the Court's former decisions that such covenants were valid and enforceable. When the United States Constitution was adopted, the States brought into that union their lands and their seacoasts, and throughout the ages it had been recognized that while the Government had a highway over the seas, the submerged lands were the property of the States. The Supreme Court a short time ago upset that ruling, and held that the United States owned those submerged lands. It took an act of Congress to destroy that erroneous decision. If those lands belonged to the Government, then the fish, shrimp, and all marine life belonged to the Government, and our citizens had been taking marine life from the sea unlawfully. Businesses built upon land that was a part of the sea would have automatically become the property of the Government.

Certainly the decisions regarding the five school cases aroused the interest of the Senators and Representatives signing the manifesto. It would have been news to Charles Sumner and Thaddeus Stevens, the two most rabid on civil rights, when the civil rights laws and the 14th amendment were passed, that their bills touched public schools. Both confessed many times that their legislation did not. In the middle of the debate of the 14th amendment Congress paused to pass a bill conveying property in the District of Columbia for the sole use of colored children (14 Stat. 342 (1866)). Segregated schools were established in the District of Columbia in 1862 when the War Between the States was raging, and segregated schools continued in the District until after the decision of the Supreme Court in 1954. Everyone knows that the District of Columbia, the seat of our Government, is and has been the guinea pig for all social experiments.

Stevens and Sumner knew schools were segregated in the District, and would have stopped them if they had had any legal basis therefor. In 1871 Senator Sumner tried to pass a law outlawing school segregation in the District of Columbia, but he was unable to do so. See S. 1244, 41st Congress, 3d session., CONGRESSIONAL GLOBE, 41st Congress, 3d session, 1053–1061. In December 1875 President Grant recommended to Congress a constitutional amendment to require all States to maintain schools for all children, irrespective of color. That recommendation was not followed by Congress. Had not segregated schools been the law in the District of Columbia and the majority of the States in the Union, there would have been no necessity for creating Howard University in the District of Columbia for the purpose of educating colored children at the expense of the taxpayers. Certainly if the intention had been to integrate the races, there could have been no justification for such a school. When the 14th amendment was ratified, there were 37 States in the Union. Twenty-three of those States had segregated schools, while some of the States had no public schools at all. There will be found no mention of education or schools in the 14th amendment or civil rights legislation, or in the Constitution of the United States. Public schools were and continue to be specifically reserved to the States by the 10th amendment.

SENATOR QUOTED

Even Senator Trumbull is quoted in CONGRESSIONAL GLOBE, 42d Congress, 2d session (1872) 3189, as saying: "The right to go to school is not a civil right and never was." In construing the former Supreme Court decisions regarding the 14th amendment and the civil-rights statutes, one must remember that the 14th amendment did provide for voting rights, sitting on juries, and other rights, implemented by civil-rights legislation. Any rights covered by the 14th amendment or implementing statutes come within the purview of the Supreme Court's jurisdiction. Any rights not covered in that amendment or implementing civil-rights statutes are not questions for the Supreme Court to consider. In 1896 the Supreme Court decided the case of *Plessy* v. *Ferguson* (163 U. S., p. 537), involving transportation facilities, a field coming within the 14th amendment and implementing legislation. That Court held that separate but equal facilities satisfied the Constitution. It is true that Justice Harlan, a relative of the present Justice Harlan, dissented in that case. Nevertheless, many State courts, including New York, Ohio, Indiana, and California had theretofore ruled that separate but equal facilities were sufficient.

The ruling in *Plessy* v. *Ferguson* was to the effect that the 14th amendment and the implementing civil-rights legislation were complied with, though the facilities be separate, if equal. Justice Harlan's dissent in this case was never intended as a dissent on the question of schools. In *Cummings* v. *Board of Education* (175 U. S. 528 (1899)), Justice Harlan wrote the opinion. That was a case involving schools, and in that case he said that separate but equal facilities satisfied every constitutional provision and law, and the Court unanimously agreed with him. The reasoning of Justice Harlan is plain: In the Plessy case he felt that the Constitution and implementing legislation covering transportation was very different from school questions because schools were not touched by the Constitution or by legislation. A great distinction, to be sure. *Gong Lum* v. *Rice* (275 U. S. 78 (1927)), was written by Chief Justice Taft for a unanimous Court, and page 86 shows the holding to the effect that the question presented was one "within the constitutional power of the State legislature to settle without any intervention of the Federal courts under the Federal Constitution."

In that case, Lum, a Chinese, demanded that he be allowed to attend a white school rather than a colored school. The Court said that if the facilities were equal, the Consitution was satisfied. The 1954 decisions of the Supreme Court in the five school cases were virtually sterile with regard to precedents. That Court did refer to the slaughterhouse cases (1873) and *Strauder* v. *West Virginia* (1879). Any lawyer can certainly understand that those cases involved questions specifically covered under the 14th amendment and enabling legislation, and therefore could never be authority on a question completely divorced from the 14th amendment and implementing legislation.

PSYCHOLOGY HAS PLACE

The other cases cited as authority were decided in complete harmony with the separate but equal doctrine. It is shocking that in the 1954 school-case decisions the Supreme Court held that psychological knowledge at the time of the *Plessy* v. *Ferguson* case might not have been as great as modern authority. Psychology has its place, but psychology can never substitute for law. We respectfully maintain that the separate but equal doctrine is the only doctrine that makes good sense. Under these recent decisions one would assume that a male student would be within his constitutional rights to insist that he be enrolled in a school exclusively for females, and be permitted to share their dormitories, based on the contention that this all-girls' school had a better faculty than the male or coeducational school he was attending, and he was thereby deprived of his constitutional rights.

The Senators and Representatives signing the southern manifesto felt, and we believe many all over the United States are beginning to feel, that every vestige of States rights is being rapidly swept away, that our public schools have been the flowers of our democracy because they have been locally controlled. It is shocking to know that in the case of *The Board of Education* v. *Barnette* (319 U. S. 624), the Supreme Court struck down as unlawful a State requirement that schoolchildren salute the American flag. It is our opinion that the local authorities making that requirement were clearly within their rights and that the Court decision was completely erroneous. It is amazing that a State furnishing education to children cannot at the same time ask a little loyalty to the flag that made that privilege possible.

STATE COULD NOT LEGISLATE

We have a right to be discouraged concerning the rights of the States. On April 2, 1956, in the case of *Pennsylvania* v. *Nelson*, the Supreme Court by a split decision held that the State of Pennsylvania could not legislate against sedition, and upset a conviction by a court of Pennsylvania of an acknowledged member of the Communist Party for a violation of the Pennsylvania Sedition Act. That reversal was predicated on the ground that where the Government has legislated on that subject and occupied that field, any State law on that subject is superseded. That decision points out that 42 States, plus Alaska and Hawaii, have statutes prohibiting advocacy of the violent overthrow of our Government. Apparently, that decision has wiped out the laws of those 42 States and Alaska and Hawaii. The Federal law which the Supreme Court held was exclusive and prohibited State action is the law known as the Smith Act (title 18, U. S. C.). No one was more startled over the decision of the Supreme Court than was Congressman SMITH of Virginia, the author of that law.

That decision was rendered despite the fact that section 3231 of title 18 of the United States Code provides: "Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof." Pennsylvania is one of the great States of our Union, and it follows that any attempt to overthrow the Government of the United States is also an attempt to overthrow the government of Pennsylvania and the government of every other State in this Union.

Pending before the House Committee on the Judiciary now is H. R. 3, the same Congressman SMITH being the author thereof, and it simply provides that no act of Congress shall be construed to exclude State laws on the same subject, unless the act contains an express provision to that effect. By all means the people of this country should rise up and insist that H. R. 3 be speedily enacted. It is not expedient to try to pass a law to remedy only one Supreme Court decision. H. R. 3 would cover all congressional laws not containing the provision that State laws are excluded. On April 9, 1956, the Supreme Court in the case of *Slochowera* v. *Board of Higher Education of the city of New York*, ruled in a split decision that said school board could not discharge Slochowera as a schoolteacher because, when he was testifying before the Senate Subcommittee on Internal Security, he refused to answer questions concerning his membership in the Communist Party during the years 1940 and 1941 on the ground that his answers might tend to incriminate him. The board of education acted under section 903 of its city charter, providing that an employee of the city claiming the privilege against self-incrimination to avoid answering a question relating to his official conduct would have his employment terminated. The majority

opinion of the Supreme Court says that no sinister meaning can be imputed toward a person asserting his rights under the fifth amendment. We do not agree with that statement.

FIFTH AMENDMENT PROTECTS

The fifth amendment does say that no person shall be compelled to give evidence against himself, and protects the individual from being convicted on such compelled testimony. It certainly does not mean that a person exercising that privilege can insist that he continue in the most sensitive area of our country, the schoolroom, and that the city is helpless to discharge him. Perhaps the public does not know that the same section 903 has been invoked many times against policemen in the city of New York, and that policemen claiming the fifth amendment have been discharged.

So long as the States are permitted to legislate and to exercise their rights retained in the 10th amendment, we have no fear for our country. We will stake our destiny upon our faith in the majority of the States of our Union. But when our States are not permitted to legislate on subjects covered by the Federal laws, then we see grave danger to our way of life. One United States Attorney General, entrusted with the destiny of our entire Union and our liberties, by reason of the fact that he alone is charged with enforcement of those laws, by his failure to act, his lack of sympathy with our ideals or even his lack of ability, could bring disaster upon our heads. Without reflection upon any Attorney General, past or present, a disloyal one could wreck our cherished institutions and destroy our liberties. Anyone familiar with Communist activities knows that their strategy is to infiltrate our most important Government agencies and our finest private institutions.

The signers of the declaration of principles have no apologies for their criticism. We support the Constitution of the United States. We recognize the powers belonging to the States and to the citizens of our Union. We have never asked the Supreme Court to "turn back the clock." We simply ask them to keep their hands off the clock and not attempt to keep time for America, that being the inalienable right of our 165 million American citizens. We know that good people all over our land share our views. No section has a monopoly on patriotism or loyalty. The American people are waking up. We do not wish to divide our people. We know that we are facing the most relentless enemy of human history. We want and expect to win this battle, both within and without our gates. America will stand up and be counted.

AIRPORT AT BURKE, VA.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, for the fifth time this year I rise to ask my friends on the other side of the aisle to follow President Eisenhower in suggested legislation. Since 1950 I have been appealing to the Appropriations Committee, and the subcommittee on which I sit dealing with CAA. I have offered a series of amendments in the Subcommitee on the Department of Commerce and in the full Committee on Appropriations and on the floor on main appropriation bills and on supplemental bills asking for funds to commence the construction of a new national airport at Burke, Va. The House and the committee have seen fit to reject those requests.

In 1950 we succeeded in getting the first million dollars to purchase the necessary land to begin the construction of this new airport.

In last night's Evening Star, Mr. Speaker, I saw a headline, "President Presses for the Burke Airport." Mr. Speaker, I hope this House and the Appropriations Committee in this body and the other body will give immediate consideration and attention to this essential and necessary addition to the safety of our Federal airways.

PROCEDURE IN THE HOUSE

Mr. JONES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Theer was no objection.

Mr. JONES of Missouri. Mr. Speaker, I take this minute to make some comment about the way we operate here in the House. Today we are finding it difficult to stretch out the business to remain in session for an hour, and of course no controversial issues will be considered.

Last Friday we had under consideration a bill to raise postal rates. Toward the end of the day a motion was made that all debate on the bill end in 15 minutes, and at that time vote on the bill, although there were some 6 amendments pending. In the division of the time, I was allotted 2 minutes to discuss what I thought was a rather important amendment.

Although the amendment on the first standing vote was defeated by a vote of 110 to 104, it was later defeated by a much larger vote. But, the next morning it was interesting—I had at least 25 Members who came to me and said that they had voted against the amendment because they did not understand it. I thought I had explained the amendment rather fully in the 2 minutes allotted to me. But, I want to say for the benefit of those who have expressed themselves in favor of an amendment which would restrict the activities of Members in sending franked matter, reprints from the CONGRESSIONAL RECORD, that they might have an opportunity to vote for that legislation later. I had already introduced a bill which has been referred to the Committee on Post Office and Civil Service and those Members who are sincerely interested in practicing some economy can express themselves as being in favor of that bill which I hope the committee will report out.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Missouri has expired.

KEEP THE COURT SUPREME

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, during the past many weeks the Supreme Court of the United States, the third coordinate branch of our Federal Government, has been under a merciless attack by persons who oppose its decisions, primarily the decision of the Court banning segregation in the Nation's public schools. The history of our Nation is replete with attacks against the High Court for its courageous stands on momentous issues. The Court has equally been criticized from time to time for its failure to show adequate courage in the face of dynamic, sociological change. There has in fact been no time in history when the decisions of the Court were pleasing to every American. In fact there is no time that the decision of any court is pleasing to more than 50 percent of the interested parties in any litigation.

It is an inherent right of any American to critically evaluate the work of any public official, elected, or appointed, who serves our Nation in either of the three branches of the Federal Government. That is the essence of our democratic system and the Justices of the Supreme Court must face fair criticism in the same manner as any Member of Congress or any executive in the administration. However, such criticism must be temperate and impersonal, directed toward the decision or to the action rather than to the person.

The vehemence of the current prolonged attack on the Supreme Court of the United States gradually destroys the concept that the individual has for the administration of justice and respect for the law. The undermining of public confidence in the supreme legal authority of the United States Supreme Court undermines public confidence in all courts and impairs the law and order of the land.

It is argued that the recent integration decision is without legal merit and that it is contrary to the separate but equal decisions in previous cases. The separate and equal doctrine was an evolutionary step in the development of civil-rights law and in effect a moderate approach to the integration which is spelled out clearly in the American Constitution. If the Supreme Court deserves criticism on its integration decision, that criticism must be directed to the delay and the long road which the Court followed to finally reach its conclusion on the doctrine of segregated schools.

Recently a proposal was made to prohibit appointment to the Supreme Court without at least 5 years' experience in a lower court. Judicial experience is invaluable on the bench, but a lifetime of experience cannot provide sound judgment and sound reasoning where it did not originally exist. I suggest that this proposal is a blatant attempt to discredit a majority of the Justices, including the Chief Justice, who presently sit on that revered bench out of a deep and dedicated sense of duty. Their trust is unparalleled in the world. The proposal would have disqualified and denied to America the talents and genius of some of the most illustrious men in our history. John Marshall, who picked the Court up by the bootstraps and made it

an important member of our executive-legislative-judicial triangle of checks and balances did not have 5 years' experience on the bench before his appointment. Nor did Roger Taney, who gave the Dred Scott decision on slaveholding a century ago; nor Salmon Chase, who had been in Lincoln's Cabinet; nor Melville Fuller, who was Chief Justice in 1896, when the Plessy against Ferguson case set up the separate but equal basis for segregation; nor Charles Evans Hughes.

It seems to me that the attacks which are being made upon the Supreme Court are designed as a retaliatory attempt to place in a position of public distrust an entire Court of fine and distinguished gentlemen for their rendition of a verdict which some persons find distasteful. It is nowhere provided in the Constitution that a decision must be pleasing to all sections of the country. Any group of people interposing against a decision which they do not like and declaring that it shall not be applicable are close to the brink of anarchy if their interposition is a belief that they can nullify the effect of a general decision upon their community.

The undisputable fact is that our Supreme Court has grown to keep pace with the increasing strength of our national Union. The courage of the Court has grown as the courage of the Nation has grown in the belief that this is a nation joined in the love of liberty and in the respect for equality under the law.

The Supreme Court's decision banning segregation in the Nation's public schools is the first long-overdue step in providing what the Constitution originally intended should be the law. The long road ahead calls for prompt legislative action to bring about a full measure of civil rights for every citizen. The current vicious attacks upon the integrity of the Supreme Court of the United States are, indeed, intemperate and not in the interest of the national well-being.

POSTAL RATE BILL

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, during the debate on the postal rate bill the other day, I made some arguments, which I thought were based on facts and which I still think were based on facts, with regard to assigning the deficit from the second- and third-class departments of the Post Office over to the first-class mail department users of the 3-cent stamp and 6-cent airmail stamp. The time was very limited and we had to avail ourselves of such time as the parliamentary procedure allowed us. Shortly after my remarks on the floor, in which I paid strict attention to the merits of the legislation and made no allusions to individual Members of the House, three Members of the minority party who are members of our committee—and I will not use their names because I did not know that I would have the time at this time to address the House and, therefore, had no opportunity to notify them—these three Members arose and in place of replying to my arguments on the postal rate bill, they proceeded to take me to task personally and intimated that I had not performed my committee duties as ardently as I should have.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. HOFFMAN of Michigan. You realize very well, I am sure, that no one is subject to attack that way unless he has been doing a worthwhile job.

Mr. HOLIFIELD. I thank the gentleman for his contribution. I will say this. I happen to be a member of 3 committees of the House—2 by choice and 1 by assignment of the leadership. The reason I was assigned to the Post Office and Civil Service Committee was that due to the fairly equal division of Members in the House, it was found that on the Democratic side I was the only Member not either serving on an exclusive committee or who was not already serving on two different committees. It so happens the House Committee on Government Operations is not an exclusive committee, and it also so happens that the Joint Committee on Atomic Energy is not counted as a House committee. My duties on both of those committees are very heavy. I am chairman of the legislative authorization committee of the Joint Committee on Atomic Energy, and I have very heavy duties with reference to all atomic-energy legislation pertaining to those subjects which go through my subcommittee. I am also chairman of the subcommittee on military operations of the Committee on Government Operations.

We have been holding hearings for some 5 months. We have been in session many mornings and afternoons. We have accumulated, I think, the most complete treatment of Federal civil defense that has yet been made by a committee of either body.

So my duties on those committees have prevented me from attending all of the meetings of the Committee on Post Office and Civil Service. However, I have tried to attend every meeting that I could. Particularly, I have tried to be there when legislation was voted out. So I do not think it was a courteous or kindly act on the part of my colleagues on that committee to make a disparaging remark about the discharge of my committee duties. I feel that I have probably put in as many hours in committee as any Member of the Congress, serving as I do on three committees.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I am glad to yield.

Mr. HOFFMAN of Michigan. Is it not a fact that if you do attend to your duties on either one of the committees to which you have made reference you just cannot be here on the floor when much of this legislation is considered?

Mr. HOLIFIELD. That is certainly true. You cannot be in another committee that is meeting at the same time. Particularly if you are chairman of a subcommittee. You have to preside as chairman of that subcommittee, and you cannot desert your own subcommittee in order to go to another committee of which you may be a member.

Mr. HOFFMAN of Michigan. Well, does it not follow that unless the matter which is being heard by the committee has to do with legislation which is about to come before the House, we should not be holding committee hearings during these last 2 or 3 weeks of the session?

Mr. HOLIFIELD. I will say this much, that the judgment of the chairman of a subcommittee must prevail in a case like this. In my own case, I have tried to arrange my subcommittee schedules so that I will not have meetings during the last 2 or 3 weeks of the Congress. But I was forced to hold hearings on the Atomic Energy Committee while the House was in session. As I say, that is a privilege of the chairman of a subcommittee.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

MUTUAL SECURITY APPROPRIATION BILL

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, in view of today's abbreviated session, indicating that there is no serious business pressing upon the House and probably will not be until the end of the session, I think we have every reason to expect that tomorrow, when the multi-million-dollar WPA bill is before the House, there will be no unreasonable limitation of debate.

STATEMENTS BY THE PRESS

Mr. HOFFMAN of Michigan. Mr. Speaker, in view of the fact that one of our subcommittee chairmen, the gentleman from California [Mr. Moss] is on the floor, I would like to ask permission to address the House for 5 minutes at this time.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, the reference was made to the gentleman from California [Mr. Moss], because yesterday in the committee a question which I consider of considerable importance came up. Because there might be some misunderstanding about the question which was raised, and that statement is made because of press comment, this time is taken. The point yesterday was this: Reference was made by the committee counsel to a newspaper article, parts of which were put in the record. My objection at that time was that if in committee hearings statements from the press were to be read and incorporated in the record, as evidence, whenever those statements charged any individual with misconduct of any kind then the one who wrote the statement should be called so that the committee

might know what weight to give to that statement.

The chairman ruled, and correctly, I think, that the committee had no authority to investigate newspaper reports and newspaper articles. That is not difficult to go along with. That seems sound legally and in every other way. But that is not the situation to which my point was directed. Perhaps I did not make it clear. The situation yesterday did not raise the issue directly insofar as the individual was concerned, because no individual was by that article charged with misconduct. The article was being used to show that the recollection of the witness who was testifying before the committee was at fault.

On this point, and I would be glad to have the chairman of the committee comment on this, for as I view the hearings, he has conducted them fairly without any political tinge except possibly to show that the Eisenhower administration is a little more secretive than previous ones. However, I do not know of any executive department that has ever freely given any committee of Congress any information which would tend to reflect discredit upon the administration involved.

But this is the point, when a witness comes before a committee and then committee counsel or a member of the committee brings in and puts into the committee record a statement charging some misconduct on the part of the witness or a statement tends to substantiate some charge which has been made against either the department or an individual, the person who wrote that article should be required to come in and give the committee the source of his information. Otherwise we get uncorroborated, irresponsible statements on the record which may reflect and which at times do reflect upon a department or an individual who is under investigation, or whose name appears in the record.

Rule XI 25 (m) of the House provides:

(m) If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall—

(1) receive such evidence or testimony in executive session;

(2) afford such person an opportunity voluntarily to appear as a witness; and

(3) receive and dispose of requests from such person to subpena additional witnesses.

The right of confrontation is a common law right guaranteed to one accused of a crime. The purpose of the sixth amendment reaffirming that right did not broaden it nor wipe out the exceptions nor can a State deny it—*Salinger* v. *U. S.* (272 U. S. C. 548). Nor is the right to confrontation limited to criminal trials or proceedings in Federal courts.

A conviction for contempt in a State court was reversed because the accused had not had opportunity to meet his accusers—*In re Oliver* (333 U. S. C. 257).

Because lawmakers should be especially careful to protect civil rights, congressional committees should not deny to anyone appearing before them the right to due process, the right to face and interrogate his accuser.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. Yes, I shall be glad to yield.

Mr. MOSS. First I want to thank the gentleman for his comment on the efforts of the chairman to keep the committee out of politics. I would, however, like to make one correction: We are not trying to prove that any administration is more secretive than any other; on the other hand, we are trying to look at facts.

Mr. HOFFMAN of Michigan. If the gentleman will let me comment there, that is a personal impression, that is all.

Mr. MOSS. The question the gentleman raises is purely an academic one, because I can envision no incident where the committee counsel would place in the record any charge that would become a basis for committee action.

The article referred to yesterday was not given the committee by a newspaper reporter but was taken by the staff from a newspaper for the information of the committee. I think the condition would be entirely different if a reporter referred an item to the committee for its study and consideration.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

(By unanimous consent Mr. HOFFMAN of Michigan was allowed to proceed for 2 additional minutes.)

Mr. HOFFMAN of Michigan. In my opinion the issue is not an academic one. It will be with us a long, long time. My point is this, and I want to be sure I make myself understood. I agree with the chairman wholeheartedly that the committee has no authority to investigate the truth or falsity of the average newspaper editorial or news story. The individual, if there is an individual who is harmed, has his remedy at civil law, and sometimes under the criminal law. My point is this, where there is a newspaper article, be it editorial or news story, which reflects upon the Department or upon an individual and by referring to it or quoting from it or putting it into the record, in making that a part of the testimony, then my point is that having given evidence in the case the one who is responsible for the statement containing the article should be subject to cross examination so that we will know whether the report is factual or merely the expression of an opinion or just a figment of the imagination of the writer. Certainly a committee cannot accept as evidence an ex parte statement on a disputed issue of fact without giving the accused an opportunity to test the weight to be given it. The right to be confronted by the witness is as old as the common law itself. That is the point I am making.

Mr. MOSS. On that point specifically, an article placed in the record by counsel for the subcommittee or by any member of the committee can be objected to by any other Member. If the article is placed in there because committee counsel or a member of the committee personally clipped it from a newspaper, then I feel that the committee has no authority, and it would be highly improper for us to request the reporter who is in no way a party to the controversy to come in and disclose the source of his information.

Mr. HOFFMAN of Michigan. With all due respect to my chairman, there is a difference of opinion there. Making an article a part of the record automatically carries with it the right of the accused to be confronted by the witness. I think it involves a fundamental proposition, because by placing that article in the record it becomes evidence. Then the one who gives that evidence should, like any other witness who appears personally, be subject to cross examination. Otherwise, I may get an article in a paper, or I may come in with an affidavit, or statement, introduce it into the record with no opportunity on the part of anyone to question its truthfulness. Our rules permit the introduction in committee hearings of statements either sworn to or otherwise. The article or statement may be filled with vicious scurrilous charges, and if I as the author cannot be called then to give the source of my information to substantiate my charges, we get into the position where we are doing what our rules, and which I think commonsense and common decency forbid. We are letting someone be accused without the opportunity of being able to answer.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. MOSS. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOSS. Mr. Speaker, it is my opinion, as it has been right along, that the committee has no authority to investigate the press. If the gentleman objects to an article and desires to request that a reporter be subpenaed, the gentleman can make that request and at that time the committee may determine whether or not it intends to go ahead pursuant to that request. But it is still the chairman's opinion that any such attempt to bring before the committee a reporter would be a highly improper procedure.

Mr. HOFFMAN of Michigan. Even though his statement is put in the record?

Mr. MOSS. Even though his statement is put in the record. He has not requested that it be so printed.

CRITICISM OF EITHER HOUSE OF CONGRESS BY THE OTHER

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, our distinguished Speaker of the House, on June 25, called the attention of the House to a rule that forbids any Member of the House from inserting in the RECORD anything which might be a reflection upon a Member of the other body. I agree

with that rule. I think it is a good one, I think all Members of the House agree with that rule. However, Mr. Speaker, it seems to be a one-way street.

I should like to call the attention of the Speaker and the Members of the House to page A5384 of the daily CONGRESSIONAL RECORD of July 9. I shall not refer by name to the Member of the other body who inserted the matter in the RECORD, but I will say he is one of the leaders of the majority in that body. He has inserted an editorial which I shall read part of as follows:

The death of the school construction bill in the House of Representatives on Thursday was nothing less than a national disaster. The measure was put to death by a combination of prejudice and politicking in an atmosphere of confusion and finagling discreditable to Democrats and Republicans alike, and to the House itself as a lawmaking body.

Mr. Speaker, as one Member of this body, I resent an editorial of that kind being inserted in the RECORD—which casts a reflection upon the House of Representatives—by a Member of the other body. I would suggest that the gentleman who has inserted that editorial, by reason of his leadership, could bring up a bill in the Senate himself. And, if he feels the way he does about it, he has been lax in his duty in not bringing that legislation before the Senate.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I am very glad that the gentleman from Ohio has brought this matter to the attention of the Speaker. It seems to me it is something which the Speaker might wish to take up with the Member of the other body in question and with the other body as a body. I call the attention of the Speaker to the fact that in the same issue on pages 11016 and 11017 another Member of the other body, whose name our rules do not permit us to disclose, not only inserted in the RECORD exactly the same editorial, which is something not permitted on our side of the Capitol, and I understand is not normally permitted in the other body, but also a complete rollcall coupled with an attack upon the Members of Congress who had voted for the Powell amendment and against the bill. Now, it so happens that his attack does not affect me personally. But, I do, on behalf of my colleagues whom he is attacking in that article, resent the attack. The particular Member making the attack in the other body happens to be a good friend of mine for whom I entertain personally a warm regard, but I think it should be called to his attention that such action on our side against Members of the other body would be criticized, and very properly so, by the Speaker of the House of Representatives, and that his action may be violative of the principles of comity which should govern our relations. I think the gentleman from Ohio has performed a service by bringing this matter to the attention of the House.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman was referring to this article on page A5384, ignoring the children.

Mr. BOW. That is correct.

Mr. HOFFMAN of Michigan. Let me say to the gentleman that I read that article when it came out, and it was what you would expect if you were familiar with the publishers or the public policy of the Washington Post.

Mr. BOW. But you would not expect a Member of the other body to use it as an indictment against this body for its official action.

Mr. HOFFMAN of Michigan. Well, I would say that they were selecting a mighty poor witness. But I would not want to comment. The rules forbid any comment about what I would expect of the other body or the Members of it.

Mr. BOW. I am delighted the gentleman is respecting the rules of the House. That we both agree upon.

Mr. HOFFMAN of Michigan. As far as I can. I have difficulty sometimes, when I see something in the RECORD that has been put in over there. I have difficulty in abiding by the rules for two reasons: First, because you cannot comment under the rules upon what they do over there, and then there are laws against the use of certain words, kinds of words, that might factually but not with propriety be used about the Members.

HOUR OF MEETING TOMORROW

Mr. HOLIFIELD. Mr. Speaker, I understand the House has already agreed to meet tomorrow at 10 o'clock.

The SPEAKER pro tempore. That is correct.

Mr. HOFFMAN of Michigan. Mr. Speaker, if the gentleman will yield for a moment, the gentleman knows that our Members are very busy today. In the gentleman's opinion, will they be through with the tasks which they are trying to accomplish today in time to meet tomorrow at 10 o'clock?

Mr. HOLIFIELD. Mr. Speaker, I will say in response to the gentleman's query that I trust there will be a large attendance tomorrow at 10 o'clock. As I have already stated, the House has already agreed to convene at that time tomorrow.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered, was granted to:

Mr. HAND, for 10 minutes today, his manuscript to be inserted following the other special orders of the day.

Mr. HESELTON, for 20 minutes, on Thursday and Friday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MORANO (at the request of Mr. HAND) and to include extraneous matter.

Mr. JOHNSON of Wisconsin and to include extraneous matter.

Mr. O'HARA of Illinois and to include additional matter.

Mr. MULTER and include extraneous matter.

Mr. DIXON (at the request of Mr. DAWSON of Utah).

Mr. DODD (at the request of Mr. HAYS of Arkansas) in two instances and to include extraneous matter.

ADJOURNMENT

Mr. HOLIFIELD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 26 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 11, 1956, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2051. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal home loan banks for the fiscal year ended June 30, 1955, pursuant to the Government Corporation Control Act (31 U. S. C. 841) and the Federal Home Loan Bank Act (12 U. S. C. 1421) (H. Doc. No. 444); to the Committee on Government Operations and ordered to be printed.

2052. A letter from the Assistant Secretary of the Interior, transmitting a report of the Department of the Interior on the Farwell Unit, Nebraska, of the Missouri River Basin project, pursuant to the provisions of section 9 (a) of the Reclamation Project Act of 1939 (H. Doc. No. 445); to the Committee on Interior and Insular Affairs and ordered to be printed, with illustrations.

2053. A letter from the Assistant Secretary of the Interior, transmitting a proposed concession permit with Mrs. Arsena Robinson which, when executed by the regional director, region No. 3, National Park Service, will authorize Mrs. Robinson to provide accommodations, facilities, and services for the public within Timpanogos Cave National Monument, Utah, for a period of 5 years from January 1, 1956, pursuant to the act of July 1, 1953 (67 Stat. 271); to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Virginia: Committee on Rules. House Resolution 584. Resolution waving points of order against H. R. 12138, a bill making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes; without amendment (Rept. No. 2648). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 585. Resolution for consideration of H. R. 12080, a bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; without amendment (Rept. No. 2656). Referred to the House Calendar.

Mr. TRIMBLE: Committee on Rules. House Resolution 586. Resolution for consideration of S. 3982, an act to provide for the maintenance of production of tungsten, as-

bestos, fluorspar, and columbium-tantalum in the United States, its Territories and possessions, and for other purposes; without amendment (Rept. No. 2657). Referred to the House Calendar.

Mr. KILDAY: Committee on Armed Services. H. R. 5519. A bill to authorize and direct the Secretary of the Army to convey certain tracts of land in El Paso County, Tex. to the city of El Paso, Tex., in exchange for certain lands to be conveyed by the city of El Paso, Tex., to the United States Government; with amendment (Rept. No. 2669). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. S. 976. An act to provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Montgomery, W. Va.; without amendment (Rept. No. 2670). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURDICK: Committee on the Judiciary. H. R. 8617. A bill to validate certain payments of sea-duty pay made to naval personnel serving on board vessels in the Great Lakes during the period November 1, 1950, to October 31, 1953; with amendment (Rept. No. 2671). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 8265. A bill relating to the use of storage space in the Buford Reservoir for the purpose of providing Gwinnett County, Ga., a regulated water supply; with amendment (Rept. No. 2672). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 8940. A bill relating to the sale of water from the Hulah Reservoir to the city of Bartlesville, Okla; with amendment (Rept. No. 2673). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 11702. A bill to provide for the sale of lands in reservoir areas under the jurisdiction of the Department of the Army for cottage-site development and use; without amendment (Rept. 2674). Referred to the Committee of the Whole House on the State of the Union.

Mr. RODINO: Committee on the Judiciary. H. R. 11907. A bill to amend title 28, United States Code, with respect to fees of United States marshals; without amendment (Rept. No. 2675). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennnesee: Committee on Public Works. S. 1358. An act to authorize modification of the flood-control project for Missouri River Agricultural Levee Unit 513–512–R, Richardson County, Nebr.; without amendment (Rept. 2676). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FORRESTER: Committee on the Judiciary. S. 1154. An act for the relief of Hal A. Marchant; without amendment (Rept. No. 2649). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. S. 1708. An act for the relief of Mr. and Mrs. Ernest M. Kersh; without amendment (Rept No. 2650). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. S. 3150. An act for the relief of Sgt. and Mrs. Herbert G. Herman; without amendment (Rept. No. 2651). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1243. An act for the relief of Kyu Lee; with amendment (Rept. No. 2652). Referred to the Committee of the Whole House.

Mr WALTER: Committee on the Judiciary. S. 1324. An act for the relief of Salvatore di Morello; with amendment (Rept. No. 2653). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1627. An act for the relief of Alexander Orlov and his wife, Maria Orlov; without amendment (Rept. No. 2654). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3009. An act for the relief of Kiyoshi Kinoshita; with amendment (Rept. No. 2655). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3473. An act for the relief of Kurt Johan Paro; without amendment (Rept. No. 2658). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3579. An act for the relief of Elizabeth M. A. de Cuevas Faure; without amendment (Rept. No. 2659). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 662. Joint resolution for the relief of certain relatives of United States citizens; with amendment (Rept. No. 2660). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 2952. A bill for the relief of John H. Parker; with amendment (Rept. No. 2661). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 4464. A bill for the relief of Mrs. Kathryn H. Wallace; with amendment (Rept. No. 2662). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 5586. A bill for the relief of Otto B. Hauffe; without amendment (Rept. No. 2663). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 7162. A bill for the relief of T. W. Holt & Co.; without amendment (Rept. No. 2664). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 8056. A bill for the relief of Col. Adolph B. Miller; with amendment (Rept. No. 2665). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 9028. A bill for the relief of Fred G. Nagle Co.; without amendment (Rept. No. 2666). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 11822. A bill for the relief of Tom R. Hickman and Nannie Conley and husband, Jack Conley; with amendment (Rept. No. 2667). Referred to the Committee of the Whole House.

Mr. COOLEY: Committee on Agriculture. House Joint Resolution 642. Joint resolution to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club of Rena Lara, Miss., Inc.; without amendment (Rept. No. 2668). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H. R. 12166. A bill to repeal the act of February 18, 1896, as amended; to the Committee on Armed Services.

By Mr. BLATNIK:

H. R. 12167. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ELLIOTT:

H. R. 12168. A bill to amend section 4 (a) of the Vocational Rehabilitation Act, as amended; to the Committee on Education and Labor.

By Mr. HYDE:

H. R. 12169. A bill to establish the Chesapeake and Ohio Canal National Historical Park and to provide for the administration and maintenance of a parkway, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JUDD:

H. R. 12170. A bill to remove the present $1,000 limitation which prevents the Secretary of the Navy from settling certain claims arising out of the crash of a naval aircraft at the Wold-Chamberlin Air Field, Minneapolis, Minn.; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H. R. 12171. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORRISON:

H. R. 12172. A bill to exempt certain shipments of farm produce from the tax on the transportation of property; to the Committee on Ways and Means.

By Mr. MOSS:

H. R. 12173. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. THOMPSON of New Jersey:

H. R. 12174. A bill to amend the Internal Revenue Code of 1954 so as to impose a graduated tax on the taxable income of corporations; to the Committee on Ways and Means.

H. R. 12175. A bill to provide for the transfer of the Civil Service Commission Building in the District of Columbia to the Regents of the Smithsonian Institution for use in housing the National Collection of Fine Arts and National Portrait Gallery, to provide for the international interchange of art and craft works, and for other purposes; to the Committee on House Administration.

By Mr. WAINWRIGHT:

H. R. 12176. A bill to provide for the establishment of a Federal Advisory Council on the Arts, and for other purposes; to the Committee on Education and Labor.

By Mr. YOUNG:

H. R. 12177. A bill to amend the Communications Act of 1934, so as to direct the Federal Communications Commission to provide for the licensing of television reflector facilities and VHF translator facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. BONNER:

H. Con. Res. 263. Concurrent resolution authorizing additional copies of the hearing on Labor-Management Problems of the American Merchant Marine; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EVINS:

H. R. 12178. A bill for the relief of Col. Benjamin Axelroad; to the Committee on the Judiciary.

By Mr. HOSMER:

H. R. 12179. A bill for the relief of Jael Mercades; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 12180. A bill for the relief of Walter Schik; to the Committee on the Judiciary.

H. J. Res. 680. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; to the Committee on the Judiciary.

H. J. Res. 681. Joint resolution to waive the provision of section 212 (a) (6) of the Immigration and Nationality Act in behalf of certain aliens; to the Committee on the Judiciary.

H. J. Res. 682. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

H. J. Res. 683. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Polish Embassy Reception

EXTENSION OF REMARKS
OF
HON. THOMAS J. DODD
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 10, 1956

Mr. DODD. Mr. Speaker, in company with many of my colleagues, I received an invitation to a reception to be held at the Polish Embassy in Washington, D. C., on July 23 "in celebration of the national holiday of the Polish People's Republic."

I trust that no Member of Congress will attend this so-called celebration, for it would be shameful in my opinion if any Member of Congress, by so much as his presence, participated in a celebration marking the death of freedom and justice in Poland.

Mr. Speaker, I have written a letter to the Polish Ambassador refusing this invitation, and in my letter, I referred to the fact that 7 years ago I had refused an honor offered by this same Government.

I wish to make my own position a matter of record, and because I hope that my letter will be of interest to my colleagues, I include here a copy of it which reads as follows:

JULY 12, 1956.

Ambassador ROMUALD SPASOWSKI,
Embassy of the Polish People's Republic, Washington, D. C.

DEAR MR. AMBASSADOR: I have received your invitation to a reception "in celebration of the national holiday of the Polish People's Republic." In good conscience, I cannot and will not accept your invitation.

My reasons for so declining were made clear in a letter I sent to your predecessor, Ambassador Winiewica on April 23, 1949. In that letter I refused to accept the Officer's Cross of the Order of Polonia Restituta which was tendered to me in recognition of my efforts at the Nuremberg war crimes trial.

In the letter refusing the decoration, I stated, in part, as follows: "The record of your government in both domestic and foreign affairs is shockingly similar to the record of the Nazi tyrants as established in Nuremberg. Now the people of Poland are under the heel of a new tyranny which, like its evil predecessor, oppresses religious groups, terrorizes political opponents, and makes a mockery of the freedoms for which so many brave men and women gave their lives."

Now, more than 7 years later, I am even more firmly convinced that I was right in my expressions about your government.

Further in the letter I stated, "My great respect and admiration for the Polish people is undiminished by the misconduct of its present government." The anti-Communist uprising in Poznan less than 2 weeks ago by the citizens of that historic city who were willing to fight tanks with their bare hands for bread and freedom, has increased the already great respect and admiration that I have always felt toward the people of Poland.

It is my considered opinion, Mr. Ambassador, that the courage and love of freedom of the Polish people will once again see Poland a free nation. When that day arrives, and Poland has a legitimate and just and truly representative government, I will deem it a great honor to be invited to its Embassy.

Yours truly,

THOMAS J. DODD,
Member of Congress.

Hollow Celebration

EXTENSION OF REMARKS
OF
HON. ALBERT P. MORANO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 10, 1956

Mr. MORANO. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include the text of a letter which I wrote to His Excellency Romuald Spasowski, the Polish Ambassador to the United States, in reply to an invitation to attend a reception in celebration of the national holiday of the Polish People's Republic on July 23.

My first thought upon receiving this invitation for the Communist celebration was the picture of thousands of dispirited Poles, men, women, and children, faced with the threat of ultimate starvation in a city called Poznan—a city supposedly flourishing under the Communist "people's republic," the founding of which will be celebrated on July 23.

This is the "people's republic" government which has refused the humane offer of the United States to provide food for these starving people of Poznan.

It is the same "people's republic" which turned tanks and guns on the oppressed humans of that city, humans whose only crime was that they dared to claim the rightful heritage of all mankind—the right to be free.

I am sure there will be no dancing in the streets of Poznan on July 23.

More than likely the citizens of Poznan will spend the day in quiet prayer—prayer for the end of the "people's republic"—prayer for the return of their freedom and their dignity.

Following is the text of my letter to the Polish Ambassador:

JULY 9, 1956.

His Excellency ROMUALD SPASOWSKI,
Ambassador Extraordinary and Plenipotentiary, Polish Embassy, Washington, D. C.

DEAR MR. AMBASSADOR: Mrs. Morano and I regret that we are unable to accept your invitation to attend the reception in celebration of the national holiday of the Polish People's Republic on July 23.

Were we able to attend, I am certain that my conscience would not permit me to enter into the spirit of the "celebration" knowing in my heart that across the seas the people of Poland are in agonizing quest for food for their bodies and freedom for their souls.

I could not in good conscience accept your hospitality, the offerings of the festive table and bar, full knowing that in Poznan today valiant men, women, and children are facing starvation because they dared to seek the freedom willed them by God.

What a true celebration it would be if you could urge your government to reconsider, and on this day you, Mr. Ambassador, were able to announce the acceptance of the United States Government's humane offering of food for the hungry people of Poznan. This, indeed, would be cause for a celebration.

And the true celebration will come, I am sure, when the shackles of oppression are fully lifted, and the Poles regain their national prestige and the pride of a free people; in truth, that day will be a genuine national holiday in which your people too will join the celebration, wholeheartedly and with the same spirit of free men and women with which they formerly celebrated their national holiday of May 3.

In this celebration all Americans would happily participate.

Sincerely,

ALBERT P. MORANO,
Member of Congress.

Harry S. Ditchburne

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 10, 1956

Mr. O'HARA of Illinois. Mr. Speaker, it is with deep grief that I announce the death last week in Chicago of Harry S. Ditchburne, a veteran Republican leader and in 1933 the nominee of his party for State's attorney of Cook County. From 1927 to 1933 he was the ace prosecutor on the staff of the State's attorney. While we were of different political parties and in many widely publicized murder trials of the era were on opposing sides, he always for the prosecution, I always for the defense, we held for each other a feeling of esteem and of affection. He was a great prosecutor, one of the all-time greats in the history of the criminal courts of Cook County, thorough in preparation, resourceful in presentation, impressing juries with his sincerity and his fairness.

It has been a quarter of a century or more since Harry Ditchburne and I were

pitted in the courtrooms in homicide trials, first in the old criminal court in the near North Side, then at 26th and California when the new building was erected. In the intervening years I have seen him seldom. But the news of his passing comes to me as a shock. Illinois has lost one of her great sons, the bar one of its richest ornaments. To his widow, Bernice, and his sister, Mrs. Alex Mitchell, I extend my deepest sympathy.

Commodity Credit Corporation

EXTENSION OF REMARKS
OF
HON. HENRY ALDOUS DIXON
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 10, 1956

Mr. DIXON. Mr. Speaker, I rise to speak in favor of H. R. 1132, which would increase the borrowing authority of the Commodity Credit Corporation from $12 billion to $14 billion.

Mr. Speaker, the Commodity Credit Corporation's primary source of revenue for price-support operations is its authorized borrowing authority. As the volume of price-support operations has increased, the Congress has also on eight different occasions increased the Corporation's borrowing authority from $500 million in 1938 to $12 billion in 1955. H. R. 11132 would increase that authority to $14 billion.

It is my understanding that the Secretary of Agriculture has asked for this extension because there is a likelihood that before the Congress could take action in early 1957 the Corporation may be forced to commit all of its $12 billion borrowing authority and still not meet farmer demand for commodity loans and purchase agreements, based on average yields, farmer participation, and so forth.

So many variable factors influence the demand upon the resources of the Corporation that an accurate budgetary estimate would be impossible. It might be needlessly large; or it might be hopelessly inadequate. For example, should farm prices decline even slightly, an even larger number of farmers then would be likely to place their crops under price support. Weather conditions, acreages planted, yields, consumption patterns, volume of consumer purchasing power, to mention a few, all have a direct effect upon the volume of price-suppport operations of the CCC. These cannot be predicted with any degree of accuracy.

In considering this bill, I think it is important to also realize that mere congressional extension of the borrowing authority does not necessarily imply a cost to the taxpayer. It is not an appropriation but merely an authorization. Funds invested in commodity loans, purchase agreements, and direct commodity purchases do not in themselves constitute an expenditure. This cost is determined when the actual commodity inventories are disposed of by the Corporation.

In any year when the amount of program expenditures equals the authorized borrowing authority, all program operations would have to be dropped or the Congress called into special session to provide relief. Neither of these alternatives seems desirable to me; first, because by legislation the Congress was given a definite price-support commitment to farmers; and second, calling a special session for such a matter would not only be expensive but also indicative of a lack of foresight on the part of the Congress.

Civil Defense

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 10, 1956

Mr. MULTER. Mr. Speaker, the following is my testimony before the Military Operations Subcommittee of the House Committee on Government Operations on July 2, 1956:

STATEMENT OF REPRESENTATIVE ABRAHAM J. MULTER, DEMOCRAT, 13TH DISTRICT, NEW YORK, BEFORE THE MILITARY OPERATIONS SUBCOMMITTEE OF THE HOUSE COMMITTEE ON GOVERNMENT OPERATIONS, JULY 2, 1956

Mr. Chairman and distinguished members of the committee, I appreciate the opportunity to present this statement to your committee in connection with this very important subject of civil defense. I know that your committee has labored hard and long with a most difficult problem.

Like many other Members of the Congress, I, too, introduced a bill on the subject. My bill bears the number H. R. 5943, and was introduced on May 2, 1955. Since the bill was introduced, I have received letters from all over the country approving the principle of my bill and urging its enactment.

Civil defense as we knew it during World War II is as obsolete and as useless as an old musket loaded by means of a powder horn. The dreadful but realistic view of the situation must accept the fact that if and when the bombs start falling, it will be absolutely essential to invoke martial law, at least temporarily, in those areas which are hit. If order will ever be brought out of such chaos, it will be done only because we will be able to bring into action at once a civilian force large enough and well trained enough to cope with the situation.

That is why my bill creates within the Defense Department a Department of Civil Defense, under the direction of a Secretary appointed by the President.

With an initial allocation of $25 million, the new Department would be authorized to prepare, on a nationwide scale, a comprehensive and effective program of civil defense, to make known to the public to the fullest possible extent, consistent with national security, the facts about the destructive power of the instruments of modern warfare, and to supply itself with an adequate number of personnel, either through the normal voluntary procedure, or, if necessary, by means of the Selective Service System. The bill also gives the President the power to transfer personnel into the Department of Civil Defense in case of a national emergency, as and when proclaimed by the President or the Congress.

There is an immediate, pressing need for such legislation. The civil defense program in the United States at present is utterly inadequate to cope with the danger of enemy attack. The problems of civil defense cannot be effectively separated from the problems of military defense.

The fiscal resources of the individual States and local communities are inadequate to guarantee equal minimum protection to all peoples in the United States, and although the patriotic efforts of part-time volunteer citizens is commendable, the complex requirements of an effective civil defense system call for full time, thoroughly trained personnel recruited on a national scale as in our present military departments.

Practically all of the Democratic members of the New York delegation have introduced bills similar to mine, or have indicated their support of such a bill and their agreement with the principles thereof.

I urge your committee to take early and forthright action on this very important matter.

Every Citizen Has Stake in Farm Economy

EXTENSION OF REMARKS
OF
HON. LESTER JOHNSON
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 10, 1956

Mr. JOHNSON of Wisconsin. Mr. Speaker, I have voted 3 times on general farm bills since taking my House seat in the 2d session of the 83d Congress. On each of the three occasions I conscientiously attempted to analyze the proposed farm bill in terms of what it meant to agriculture, labor, business, and industry with respect to bolstering and stabilizing our total economy.

In my opinion, agriculture plays a far more significant role than most of us realize in the Nation's business and industrial economy. This conviction explains, in part, my interest in the farm problem and all agricultural legislation.

My second reason for concern with farm legislation stems from the fact that the Nation's farmers are in serious economic trouble. The current plight of farmers is dramatically spotlighted by statistics on declining farm income for the past 3 years and the increase in farmers' debts. Sooner or later the farm depression will affect other segments of our economy. In fact, the chain reaction from the farm depression is already felt by some industries, and a sizable number of workers are unemployed because of the decline in farm income.

Thousands of my constituents—including farmers, labor, businessmen and professional people—have a stake in specific and general farm legislation. The interest of these groups in the farm problem is understandable because the Ninth District of Wisconsin is classified as 1 of the 88 rural congressional districts in the country.

I voted for the general farm bills because I believed positive action was required to put the brakes on declining farm income and also to boost farmers' income.

In support of my contention that agriculture is important to the total national economy I cite the fact that in 1953—the latest year for which I have a comparative analysis of industries—agriculture ranked first among the Nation's

five leading industries. Here is the gross output of each of the Nation's five leading industries for 1953:

Agriculture	$35,430,000,000
Construction (plant and residential)	26,100,000,000
Oil (estimated refined product)	23,000,000,000
Automobiles	13,984,000,000
Steel	12,433,000,000

I realize the average person believes steel and auto are the largest and most important industries in the country. No one will dispute that steel and auto are gigantic and important to the Nation. Steel, for example, is often referred to as the solar plexus of our industrial economy. Nor is there much doubt that when steel and auto are in a slump the country is economically hurt.

However, auto and steel—as I shall discuss later—are affected when agriculture is depressed. In the statistics cited above you will note that the gross annual output of agriculture is larger than the combined annual output of the steel and auto industries. In fact, agriculture's gross annual output represents 32 percent of the total for the Nation's five leading industries.

During the past several weeks a number of news stories appeared in papers on the subject of depressed conditions in the auto and farm implement industries. The recession in the farm implement industry is directly connected with the decline in farm income. I suspect the farm depression has contributed more than its proportionate share to the sag in the automobile industry.

It is difficult to get a clear and comprehensive picture of economic conditions in the farm implement industry because there are some 1,200 firms producing farm machinery. The majority of the firms are small and produce specialized equipment. Most of the farm machinery is manufactured by six major companies.

According to my calculations—based on information in news stories—the six major producers of farm implements have around 40,000 unemployed workers. An Associated Press story for June 16 states:

> International Harvester reports that layoffs in its farm machinery division now totals 23,000 and expects it will go even higher while sizable inventories are being worked off. It (International Harvester) has a layoff plan, like that in the auto industry, which goes into effect September 1.

The same Associated Press story says "total farm implement industry sales last year topped $1.5 billion, soaking up 15 percent of net farm income. This year farm income will be lower, but the drop in farm equipment buying is even greater, as the farmer watches and waits." In my opinion farmers are not necessarily watching and waiting. In many instances, I am sure, farmers do not have the cash to buy needed farm machinery.

Economic surveys prove when farmers have the income they buy a certain amount of machinery each year to replace old equipment. For example, according to information I received from the USDA, farmers bought $6.7 billion worth of farm machinery—at manufacturers' platform prices—for the 4 years from 1950 through 1953.

You will note I referred to "manufacturers' platform price." The "manufacturers' platform price" does not include freight costs and the distributors' markup. Competent authorities estimate that freight costs and distributors' markup represents about 40 percent of the retail price. Assuming this estimate is fairly accurate, it means farmers spent about $11.1 billion for machinery from 1950 through 1953.

It is roughly estimated—because exact statistics are not available—farmers spent about $5 billion for farm machinery in 1954 and 1955. Thus, in the last 6 years farmers spent around $16 billion for farm machinery. It is difficult to understand—in the face of these statistics—why some people feel agriculture is not much of a factor in our business and industrial economy.

I am certain that the editors and publishers of the papers which carried glowing editorials in praise of President Eisenhower's veto of the farm bill will not buy the farm machinery farmers are not purchasing. Even if the implement manufacturers produced streamlined, two-tone tractors with pastel seat covers editors do not have use for surplus tractors. The economic facts of life are that only farmers are able to utilize farm equipment—and if farmers do not have the money they cannot buy machinery.

Earlier in these remarks I stated the farm depression may have some bearing on conditions in the auto industry. My reason for this contention is that farmers not only buy passenger cars, but they also provide a very good market for trucks. In 1953 the total registration in the country for commercial and private trucks was 9,160,280. Of this total, farmers owned 2,550,000—or 27.8 percent—of all trucks. Farmers, as you can see, own more than their proportionate share of trucks. Farm trucks—as is the case with all farm machinery—wear out and must be replaced. Yes, farmers are a good market for trucks when they have money.

Auto and farm implement workers are not the only industrial employees who have a stake in a prosperous agricultural economy. The Food and Materials Requirement Division of Commodity Stabilization Service provided me with the following information. It is estimated, says the division, that farmers during 1954 purchased production items requiring the following quantities of raw materials: 6.5 million tons of finished steel, 50 million tons of chemicals, 285 million pounds of raw rubber, 17.5 billion gallons of crude petroleum.

Agriculture is one of the largest single group consumers of petroleum. Thus, the oil industry has a stake in agricultural prosperity. Statistics for the other industries cited above indicate also that farmers are a good market for steel, chemicals, and tires.

The interdependence of farmers, labor, industry, and business and the mutual concern of these groups with general farm legislation is very well brought home to me by the operations of one factory in the ninth district. I refer to the United States rubber plant in Eau Claire, Wis. The United States rubber plant in Eau Claire, which employs a substantial number of workers living in Eau Claire, Chippewa Falls, and neighboring communities, produces brand-name tires for other companies and organizations.

For example, the Eau Claire United States rubber plant manufactures all of the tires for National Cooperatives. One of the largest consumers of National Cooperatives' tires is the Farmers Union Central Exchange. I have been informed that Farmers Union Central Exchange last year purchased about 40 percent of the tires produced for National Cooperatives.

The Farmers Union Central Exchange, I wish to point out, serves 250,000 farmers in Wisconsin, Minnesota, North Dakota, South Dakota, Montana, and a part of Wyoming.

National Cooperatives also distributes its tires to other cooperatives serving farmers in various sections of the United States. In view of this, then, it is logical to assume that the Eau Claire United States rubber plant, its workers and the families of the workers have more than passing interest in the economic welfare of the 250,000 farmers served by Farmers Union Central Exchange and the thousands of other farmers buying National Cooperatives' tires.

I was aware of the significance of this situation each time I voted on a general farm bill. I realized that a farm depression can be felt by workers, plants, and businessmen in Eau Claire, Chippewa Falls, and the surrounding communities the same as it can be felt in any other industrial center. Declining farm income can create unemployment in some ninth district communities.

I also realized that a sizable number of unemployed workers in these communities will not help dairy farmers supplying fluid milk and other dairy products to the communities. It is a known fact that unemployed workers reduce their purchases of milk and dairy products. In turn the income of dairy farmers declines and the chain reaction affects the income of business and professional people in the communities.

This is only a brief explanation of what can happen to 1 factory as a result of a farm depression. The same analysis can be applied with equal force to every industrial city in Wisconsin and all of the other States. I know Wisconsin farmers do not buy the total output of farm implements produced in the Wisconsin plants of Allis Chalmers' Massey-Harris and J. I. Case. Farmers in every State buy the equipment produced by these companies.

Wisconsin industrial plants manufacture a variety of other items—covering everything from power tools to all types of consumer goods—that are sold to farmers all over the Nation. It is my contention that a general farm bill—containing adequate support prices and other stabilizing provisions—means something directly or indirectly to every person in the country. This is my reasoning when I vote for a general farm bill.

I have emphasized this point because in the past few campaigns Wisconsin Republicans attempt to picture supporters

of a general farm bill as selling out to cotton, peanut, and grain farmers. Well, cotton, peanut, grain, livestock, corn, hog, tobacco and all other types of farmers buy Wisconsin produced industrial goods when they have the money. Our industrial workers, when they are employed, buy Wisconsin milk and dairy products.

I kept this in mind every time I voted on a general farm bill. Certainly, I could not in good conscience have voted for unemployment of thousands of industrial workers in Wisconsin and other States just because the general farm bill didn't provide what I believed it should have contained for dairy farmers.

Wisconsin, the leading dairy State, is in an unusual position due to the fact that most of our milk production is utilized for manufactured dairy products. The great majority of Wisconsin farmers, for this reason, do not receive any direct benefits from the stabilizing influence of Federal milk market orders. As the leading State for manufactured dairy products, Wisconsin dairy farmers must rely on a general farm bill for economic consideration and protection.

Wisconsin dairy farmers do not receive much congressional support from House and Senate members representing dairy farmers covered by Federal milk market orders. This is understandable because the dairy farmers operating under Federal milk market orders are protected.

It must be borne in mind that there are only two States where dairy farming provides 50 percent or more of the farm income in the State. The two States are Vermont and Wisconsin. In Vermont nearly 70 percent of the farm income comes from dairying, and for Wisconsin it is 50 percent. Incidentally, Vermont ranks 17th in terms of volume of milk production.

Approximately 75 percent of the total milk volume in the country is produced in 13 States. In the top 13 volume producing States dairying ranks first in only 4 States as the leading income producer. Here are the 13 top volume producing dairy States and the rank of dairy farming as an income producer in the various States:

First. Wisconsin, dairying ranks first.
Second. New York, dairying ranks first
Third. Minnesota, dairying ranks second.
Fourth. California, dairying ranks third.
Fifth. Pennsylvania, dairying ranks first.
Sixth. Iowa, dairying ranks sixth.
Seventh. Ohio, dairying ranks second.
Eighth. Michigan, dairying ranks first.
Ninth. Illinois, dairying ranks fifth.
Tenth. Indiana, dairying ranks fifth.
Eleventh. Missouri, dairying ranks third.
Twelfth. Texas, dairying ranks fourth.
Thirteenth. Kansas, dairying ranks third.

In several of the States listed above a substantial number of dairy farmers are covered by Federal milk market orders; therefore these farmers will not urge their Congressmen to support provisions in a general farm bill to aid dairy farmers producing milk for manufactured products.

All of this adds up to the fact that it is a real problem to get the necessary congressional cooperation to raise dairy support prices on manufactured dairy products in a general farm bill. This situation raises the question of what strategy should be employed to get more congressional help in raising support prices on manufactured dairy products. Do we, as some people believe, get the help of other Congressmen by "sniping" away at other farmers covered in a general farm bill, or do we get support by cooperating with these rural Congressmen and persuading them of the justice of aiding farmers producing for manufactured dairy products?

I have pursued the policy of working with other rural Congressmen because I believe this is the only method of securing cooperation. I do not believe it is a sound tactic to alienate all of the Congressmen from areas where farmers producing basic crops are in the majority. Wisconsin congressional Members certainly do not have enough strength to bargain with or wield a political club over all of the other House Members from rural districts.

As a matter of fact, it is difficult to even pass a general farm bill because there are only 88 rural congressional districts in the country. In order to pass a general farm bill it is necessary to get every single one of the 88 House Members from rural districts plus the votes of around 120 Members from urban and suburban districts. This is a political fact of life that must be faced when working for legislation involving price supports for dairy products.

Special dairy legislation—such as the school milk program—does not provide for price supports. Incidentally, I have always supported the special school milk program. I do wish to make it clear that the school milk program does not raise price supports—it only provides a small additional market for fluid milk.

I also wish to point out that not all of the $75 million set up annually for the special school milk program goes to farmers. Dairy farmers' share of the special school milk programs funds amounts to only about $34.5 million out of the $75 million. The $34.5 million represents less than eight-tenths of 1 percent of the total income for dairy farmers last year.

It is estimated that 1.4 billion half pints of milk will be distributed through the special school milk program during the current school year. This sounds like an imposing amount of milk, but when it is translated down to pounds it only amounts to 753 million pounds of milk. The largest milk producing county in the ninth district—Clark—produced enough milk in 1954 to supply almost 70 percent of the milk used in the special school milk program for the last year.

I have stressed these figures to present economic implications of the special school milk program in its proper perspective with respect to dairy legislation. The special school milk program is excellent, and I have always supported it. In fact, my bill—H. R. 11375—which has passed the House, extends the school milk program to agencies that are not now eligible under present authority.

The special school milk program funds—which are spent in every State—do not provide the broad economic base needed for stabilizing the income of dairy farmers engaged in producing milk for manufactured dairy products. Wisconsin dairy farmers must still rely on what protection they can get from a general farm bill. I shall continue to press for legislation to improve the dairy price-support provisions in a general farm bill.

In closing, I wish to reiterate that agriculture is an important factor in our national economy. I hope my colleagues realize that a farm depression does affect the lives of millions of workers in factories, the mines, office, transportation, and service industries. I know many farmers are also aware of the fact that full employment is necessary to give workers the income with which to buy farm products.

In short, farmers, labor, business, industry, and professional people are dependent on each other for continued prosperity. If any one of these groups is hit by a depression for a long period of time, the other groups will be affected in the due course of time.

Farm income has dropped over $3 billion in the last year. Farmers also went into debt last year at the record rate of $2.5 billion. These facts should speak for themselves as to why there was need for a general farm bill this year.

Poznan Uprisings

EXTENSION OF REMARKS
OF
HON. THOMAS J. DODD
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 10, 1956

Mr. DODD. Mr. Speaker, the heroic uprising of the patriots of Poznan on June 28 has caused a great deal of thinking and discussion throughout the United States and the free world generally.

This revolt of the Polish workers against the tyranny of communism came at a time when it seemed the free world was slipping down the path of appeasement.

But the heroism of the Poles, it is hoped, has checked a dangerous drift in the conduct of our foreign affairs and has reawakened the conscience of some statesmen and reminded some politicians of their 1952 election promises with respect to the many nations and millions of people enslaved within the Communist empire.

But the tragic fact remains that we still do not have a positive policy toward the nations and people enslaved by communism.

In its July 5 edition, the Catholic Transcript, of Hartford, Conn., carried a timely and thoughtful editorial on the revolt of the Poles in Poznan.

The editorial is appropriately titled "Our Nonpolicy."

It points up the fact that we do not have a policy toward the enslaved people, that fatalism and futility have been allowed to take over in the absence of a policy and that we have failed our leadership of the free world by failing to develop a policy which would cause the Western democracies to act in concert when rebellions against tyranny like that in Poznan occur.

When the East Germans revolted on June 17, 1953, we had no policy, and consequently, no action was taken to support the German patriots in their demands for freedom.

The Eisenhower administration had only been in office a few months—hardly enough time to work out the fundamentals of the Eisenhower policy of liberation for the enslaved people of the Communist empire. Consequently, American action in support of the German rebellion against Russian tyranny was limited to an exchange of diplomatic notes with the Kremlin and offers of food for the hungry workers.

Now, 3 years later, when the Poles have risen in revolt to remind the whole world of their enslavement and their passion for freedom, we stand as if paralyzed by the bravery of the Polish patriots.

Yes, we have again exchanged notes with the Kremlin and have again offered food to the fighters for freedom.

But how futile are these actions, how sterile these gestures compared to the sacrifices of the Polish patriots. All this, because the moral courage is lacking to forge a policy based upon sound American political and moral principles.

Only a week or two before the Poznan revolt the administration was advocating a kind of cooperation with the Communist regimes in the occupied nations of Central and Eastern Europe in order to encourage them to demand some political independency from Moscow.

This same policy was advanced as justification for continuing American aid to the Communist dictator Tito.

In certain circles in our Department of State, this is known as the policy of political evolution which is advocated as a substitute for the law of nature, which holds that man's historic answer to tyranny, degradation, and exploitation is revolt.

In my judgment this policy of political evaluation is nothing more than a clever extension of the cynical containment policy of George Kennan. The impracticality, not to mention the immorality, of such a policy is demonstrated by the fact that but a few days before the inspiring uprising of the Poles, this same George Kennan pronounced publicly that it was time we gave our formal and final approval to events which have taken place in Eastern Europe during and following World War II. That is what he means when he says, "There is a finality, for better or for worse, about what has now occurred in Eastern Europe."

The editorial of the Catholic Transcript points out that no such finality is recognized by the Poles and their fellow sufferers.

It is high time we developed a positive policy toward the many nations and millions of people enslaved by communism. The American people have been called upon each year to put up well over $40 billion for our national defense requirements.

They are entitled to a national policy which is consistent with our American political traditions. We must completely reject fatalism and futility in the development and in the exercise of our foreign policies.

The Catholic Transcript of Hartford, Conn., has made a notable contribution toward the development of a positive policy with respect to all the nations and people enslaved by communism. Its editorial of July 5 crystallizes the basic issue which has long faced our Government.

Members of Congess will find this editorial both stimulating and challenging.

It reads as follows:

OUR NONPOLICY

Cunningly contrived though the ostensible criticisms of the Kremlin by Communist leaders abroad may be, by contrast the revolt of the Poles in Poznan was not something artificially arranged. Here was an expression of rankling discontent with Communist tyranny and of an irrepressible passion for freedom. It seems to have been crushed, but even in defeat it speaks resoundingly to the world of both the agony and the dauntless spirit of a people whom we of the West helped a totalitarian monster to enslave.

It must prompt us to consider what our policy toward these gallant people should be. We have had none to date. True, an occasional vague generality about the victims of Red aggression, and of our own stupidity or indolence, is piously spoken. But neither our own Government nor the concert of Western democracies has worked out a course to be followed when rebellions like that in East Germany or in Poland occur. Thus a great opportunity is lost. On each such occasion we return to our witless way of treating the Communist governments as legitimate, and even our cowardly way of voicing sentiments like those of George Kennan to the effect that "There is a finality, for better or worse, about what has now occurred in Eastern Europe." No such finality is recognized by the Poles and their fellow sufferers. Why, then, should we have a nonpolicy of fatalism and futility?

SENATE

WEDNESDAY, JULY 11, 1956

Rev. D. P. McFarland, pastor, First Baptist Church, Covington, Tenn., offered the following prayer:

Most holy, righteous, and gracious Heavenly Father: As we look to Thee this morning, we pray that Thou wouldst grant Thy spiritual presence to the group which is gathered together here in this assembly.

We thank Thee for the spiritual blessings that Thou hast poured out upon us. We thank Thee that we can call Thee our Father. We thank Thee that Thou hast promised to grant help to us in time of need. We look to Thee in a time of need today, and ask that Thou wouldst give to us Thy spiritual power, Thy presence, Thine everlasting love, and Thy righteous leadership.

We pray that Thou wouldst continue to pour out Thy blessings in an unmeasured portion upon those who sit here. We pray that Thou wouldst grant to those of us who have placed this responsibility upon their shoulders the ability to have faith in them and to follow their leadership. We ask these blessings, with the forgiveness of our sins, as we pray in the name of Jesus, the Christ. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent the reading of the Journal of the proceedings of Monday, July 9, 1956, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolutions:

On July 9, 1956:

S. 245. An act for the relief of Ahmet Haldun Koca Taskin and Ursula Jadwiga Milarski Goodman;

S. 890. An act to extend and strengthen the Water Pollution Control Act;

S. 977. An act to amend title 28, United States Code, with respect to duties of judges of the United States Court of Claims;

S. 997. An act to provide punishment for certain confidence-game swindlers;

S. 1375. An act for the relief of certain aliens;

S. 1688. An act to amend the Federal Seed Act;

S. 1814. An act for the relief of Teresa Lucia Gilli, Guiseppe Corrando Gilli, and Manda Pauline Petricevic;

S. 2210. An act to modify the project for the St. Marys River, Mich., South Canal, in order to repeal the authorization for the alteration of the international bridge as part of such project, and to authorize the Secretary of the Army to accomplish such alteration;

S. 2842. An act for the relief of Toini Margareta Heino;

S. 2913. An act to extend for 2 years the Advisory Committee on Weather Control;

S. 3307. An act to amend section 9 (d) of the Universal Military Training and Service Act to authorize jurisdiction in the Federal courts in certain reemployment cases;

S. 3581. An act to increase the retired pay of certain members of the former Lighthouse Service; and

S. 3866. An act to facilitate the making of lease-purchase agreements by the Administrator of General Services under the Public Buildings Act of 1949, as amended, and by the Postmaster General under the Post Office Department Property Act of 1954, and for other purposes.

On July 11, 1956:

S. 1245. An act for the relief of Agnes V. Walsh, the estate of Margaret T. Denehy, and David Walsh;

S. 1542. An act to authorize an allowance for civilian officers and employees of the Government who are notaries public;

S. 1616. An act for the relief of Sumiko Ariumi Bilson;

S. 2091. An act authorizing the reconstruction, enlargement, and extension of the bridge across the Mississippi River at or near Rock Island, Ill.;

S. 2244. An act for the relief of Maria Novak;

S. 2352. An act for the relief of Maj. Luther C. Cox;

S. 2712. An act to authorize the charging of tolls for transit over the Manette Bridge in Bremerton, Wash.;

S. 3214. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreation facilities at the Clark Hill Reservoir;

S. 3272. An act to amend section 205 of the Flood Control Act of 1948 to increase and make certain revisions in the general authorization for small flood-control projects;

S. 3527. An act authorizing the State Highway Commission of the State of Maine to construct, maintain, and operate a free highway bridge between Lubec, Maine, and Campobello Island, New Brunswick, Canada;

S. 3547. An act to amend section 1 of the act of August 9, 1955 (69 Stat. 555), authorizing the sale of certain land by the Pueblos of San Lorenzo and Pojoaque;

S. 3674. An act to amend section 1343 of title 18, United States Code, relating to fraud by wire, radio, or television;

S. J. Res. 163. Joint resolution granting the status of permanent residence to certain aliens; and

S. J. Res. 178. Joint resolution to authorize an appropriation to provide for certain costs of United States participation in the International Bureau for the Publication of Customs Tariffs.

REPORT ON ACTIVITIES UNDER PUBLIC LAW 480, 83D CONGRESS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 447)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

I am transmitting herewith the fourth semiannual report on activities carried on under Public Law 480, 83d Congress, as amended, outlining operations under the act during the period January 1 through June 30, 1956.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 11, 1956.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 2568. An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes; and

S. 2895. An act to amend the acts of February 28, 1903, and March 3, 1927, relating to the payment of the cost and expense of constructing railway-highway grade elimination structures in the District of Columbia.

The message also announced that the House had agreed to the amendment of the Senate to the resolution (H. J. Res. 530) for the relief of certain aliens.

The message further announced that the House had agreed to the amendments of the Senate to each of the following joint resolutions of the House:

H. J. Res. 456. Joint resolution for the relief of certain relatives of United States citizens; and

H. J. Res. 616. Joint resolution for the relief of certain aliens.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 7538. An act to provide five longevity increases for officers and members of the Metropolitan Police force and Fire Department who have completed 28 years of service, without regard to the grade in which such service was rendered;

H. R. 10947. An act to provide particular designations for the highway bridges over the Potomac River at 14th Street in the District of Columbia;

H. R. 11090. An act concerning gifts of securities to minors in the District of Columbia;

H. R. 11677. An act to provide for the advancement of Maj. Gen. Hanford MacNider, United States Army Reserve (retired), to the grade of lieutenant general on the retired list;

H. R. 11967. An act to amend Public Law 523 of the 78th Congress entitled "Joint resolution to consider a site and design for a National Memorial Stadium to be erected in the District of Columbia," approved December 20, 1944; and

H. J. Res. 667. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H. R. 7538. An act to provide five longevity increases for officers and members of the Metropolitan Police force and Fire Department who have completed 28 years of service, without regard to the grade in which such service was rendered;

H. R. 10947. An act to provide particular designations for the highway bridges over the Potomac River at 14th Street in the District of Columbia;

H. R. 11090. An act concerning gifts of securities to minors in the District of Columbia;

H. R. 11967. An act to amend Public Law 523 of the 78th Congress entitled "Joint resolution to consider a site and design for a National Memorial Stadium to be erected in the District of Columbia," approved December 20, 1944; and

H. J. Res. 667. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies; to the Committee on the District of Columbia.

H. R. 11677. An act to provide for the advancement of Maj. Gen. Hanford MacNider, United States Army Reserve (retired), to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

HOUR OF DAILY MEETING—10:30 A. M.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it be ordered that from now until the end of the session, the Senate convene at 10:30 a. m.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

MEETING OF CONFEREES DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Senate conferees on Senate bill 3073, to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia and its environs; to create and establish a public body corporate with powers to carry out the provisions of this act; and for other purposes, were authorized to meet during the session of the Senate today.

COMMITTEE MEETINGS DURING MORNING SESSIONS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that from now until the adjournment of this session of Congress, the Committee on Post Office and Civil Service be authorized to meet during the morning sessions of the Senate—in other words, until 12 o'clock noon.

The PRESIDENT pro tempore. Without objection, it is so ordered.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Armed Services and the Permanent Subcommittee on Investigations of the Committee on Government Operations were authorized to meet during the morning session of the Senate tomorrow.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour. I ask unanimous consent that statements made in connection with the transaction of the routine business be limited to 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letter, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATIONS FOR COMMISSION ON INCREASED INDUSTRIAL USE OF AGRICULTURAL PRODUCTS, ETC. (S. DOC. NO. 136)

A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1957, in the amount of $150,000 for the Commission on Increased Industrial Use of Agricultural Products, $9,600,000 for the General Services Administration, and $19,415,000 for the Department of Agriculture, and authorizations for the Judiciary, Department of Labor, and Treasury Department for the fiscal years 1956 and 1957 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROPOSED CONCESSION PERMIT, TIMPANOGOS CAVE NATIONAL MONUMENT, UTAH

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession permit in the Timpanogos Cave National Monument, Utah (with accompanying papers); to the Committee on Interior and Insular Affairs.

WELCOME TO POLISH GEN. WLADYSLAW ANDERS—RESOLUTION

Mr. WILLIAMS. Mr. President, I present a resolution adopted by the Council of the Polish Societies and Clubs in the State of Delaware, signed by Adam J. Rosiak, president, and Vincent J. Kowalewski, secretary, to welcome Gen. Wladyslaw Anders, commander in the Polish Army in Italy, which fought alongside Allied troops during World War II.

I ask that the resolution be referred to the Committee on Foreign Relations for consideration, and printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

We, Americans of Polish descent, are assembled on this 28th day of May 1956 at the Modjeska Hall, Wilmington, Del., to welcome Gen. Wladyslaw Anders, commander of the Polish Army in Italy that fought alongside Allied forces to defeat the enemies of freedom, have adopted the following resolution:

"Whereas we affirm our loyalty to the Constitution of the United States of America and its flag, the Stars and Stripes, and will continue relentlessly toward a just world peace that must include the freedom of Poland; and

"Whereas at Yalta, Poland, the most faithful and trustworthy member of the World War II Allies, and other nations were sacrificed by the Western Powers on the altar of appeasement to the Communist Moloch; and

"Whereas with the crucifixion of Poland, American idealism was also defeated. Our leaders scorned our American constitutional system and the pledges made in the North Atlantic Charter that no nation, neither Russia, Britain, nor any other country would seek territorial aggrandizement, were flagrantly violated at Yalta; and

"Whereas now Russia's new leaders, deeply implicated in crimes committed by the late Stalin, are changing tactics, not changing strategy aimed at world domination. The United States must remain strong and not be deceived into lowering its guard by the new-type propaganda; and

"Whereas we warn that further appeasement of Soviet Russia, whether under a guise of peaceful coexistence or any other, will only result in eventual Communist victory over the free world and in destruction of the Western civilization including the United States of America; and

"Whereas communism still continues to threaten our own liberties in these great United States of America through infiltration into our schools, into our factories, into our Government agencies and various other institutions and organizations: Be it

"Resolved, That we firmly believe that the decisions of the Yalta Conference concerning Poland and other nations, arrived at without their representation, be revoked and repudiated; be it further

"Resolved, That we urge the United States Government declare that the Oder and Neisse line be a permanent frontier between Poland and Germany. No decision relating to the fate of Poland must not be undertaken without the consent of Poles themselves. Another crime of Yalta should never happen again; be it further

"Resolved, That we urge that the United States Government at once sever all diplomatic, cultural, trade, and scientific relations with the Russian Government and withdraw the recognition of the Communist governments of Poland and other nations of Europe and Asia; be it further

"Resolved, That American policy should be the liberation of nations enslaved by Soviet Russia and the restoration of their natural, God-given right to live in freedom; be it further

"Resolved, That copies of this resolution be sent to the President of the United States, the Secretary of State, the Senators and Representatives in Congress of the State of Delaware."

ADAM J. ROSIAK, *President.*

Attest:

VINCENT J. KOWALEWSKI, *Secretary.*

RESOLUTION OF DEPARTMENT OF NORTH DAKOTA VETERANS OF FOREIGN WARS

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the North Dakota Department of the Veterans of Foreign Wars of the United States.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION NO. 35

"Whereas the Department of North Dakota, Veterans of Foreign Wars of the United States, is highly appreciative of the cooperation and assistance rendered during the past year by the Honorable WILLIAM LANGER, United States Senator from North Dakota, particularly in his well-founded and timely attack on the Bradley report, and in many other instances: Now, therefore, be it

"Resolved, That the Department of North Dakota, Veterans of Foreign Wars of the United States, does hereby take this means to publicly express its appreciation to Senator LANGER for his interest in veterans affairs; be it further

"Resolved, That a copy of this resolution be sent to Senator LANGER."

Adopted by the 35th encampment, Department of North Dakota, Veterans of Foreign Wars of the United States, in session at Devils Lake, N. Dak., on the 12th day of June 1956.

JAMES A. BRINTNELL, *Department Commander.*
FRED S. JORDAN, *Department Adjutant.*

RESOLUTION OF INDEPENDENT CITIZENS UNION OF MARYLAND

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Independent Citizens Union of Maryland, of Baltimore, Md., favoring the enactment of legislation to return all confiscated property by the Office of Alien Property.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the traditional policy of the United States has always been to respect private property no matter where situated, nor by whom it is owned, even in time of war; and

Whereas vested property has always been returned to its owners as soon as practicable after all previous wars in which the United States was engaged; and

Whereas the right to own property and to be protected in that ownership is basic to our concept of civilization; and

Whereas the current American foreign policy is one of friendship toward Germany and Japan and return of the seized property would be consistent with that policy: Now, therefore, be it

Resolved by the Independent Citizens Union of Maryland, That the Congress of the United States take up, consider, and pass legislation whereby all property which was confiscated by the Office of Alien Property, Department of Justice, be returned to its rightful owners as soon as possible, and to further amend the Trading With the Enemy Act so that in any future conflict private property will be held in trust for the rightful owners and returned to them immediately after the conflict has ended; and be it further

Resolved, That the secretary of the Independent Citizens Union of Maryland forward copies of this resolution to the President of the Senate, to the Speaker of the House of Representatives, to the chairman and members of the Senate Judiciary Committee, to the chairman and members of the House Committee on Interstate and Foreign Commerce, and to the Members of the Maryland delegation in Congress.

INCREASED POSTAL RATES—LETTER

Mr. WILEY. Mr. President, next week the Senate Post Office Committee will apparently hold hearings on the rate-increase bill which has, unfortunately, been approved by the House of Representatives.

In my judgment, this bill is not in accordance with the tradition that the Post Office Department shall be basically a service institution for all the American people. One hundred sixty-seven million Americans, so to speak, rely on the mails, and expect prompt, inexpensive, satisfactory service.

The free-enterprise system depends on mail service. America's great newspapers and magazines, dailies, weeklies, and other periodicals rely crucially on the mails.

Service must be the keynote of the mail system.

Obviously, Post Office Department costs have increased. Obviously, too, reasonable charges must be levied.

But it is one thing to have reasonable charges; it is another thing to have charges raised to such a point as to discourage mail use and to cause harm, as well as to cause a reduction in postal revenue itself.

Yes, service must be the concept of the Department.

America is, of course, proud of its faithful postal workers who have always rendered devoted service to our people.

But the rate system on which the Post Office is based must be fair and equitable.

The most thorough hearings must be held in committee, in my judgment, and all of the implications of the new bill must be completely analyzed in the public interest.

Already, I have received from my State floods of protests against the rate increase bill.

One of the first such protests came from Ben A. Hanneman, executive secretary of the Wisconsin Towns Association—representing an overwhelming proportion of the leadership of rural Wisconsin.

I present Mr. Hanneman's letter, and ask unanimous consent that it be printed in the RECORD, and be thereafter appropriately referred.

There being no objection, the letter was referred to the Committee on Post

Office and Civil Service, and ordered to be printed in the RECORD, as follows:

WISCONSIN TOWNS ASSOCIATION,
Wisconsin Rapids, Wis., July 9, 1956.

(President and director: Franklin P. Gould, Crivitz, Wis. Legal adviser: Robert Mortensen, Madison, Wis. Vice president and director: Herb Swenson, Weyerhauser, Wis. Directors: Fred F. Anderson, Cornell, Wis.; Fay Dobson, Platteville, Wis.; Raymond J. Fish, Elkhorn, Wis.; Ed Freibel, Deerbrook, Wis.; Fred Hill, Sr., Seymour, Wis.; Clarence Jackson, Kenosha, Wis.; C. W. Loveland, Monticello, Wis.; Clifford McHugh, Chilton, Wis.; Minot McMahon, Maiden Rock, Wis.; Lowell Schultz, Spencer, Wis. Address all communications to the office of the executive secretary-treasurer, Ben A. Hanneman, 461 Daly Avenue, Wisconsin Rapids, Wis.)

The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SIR: The Wisconsin Towns Association, comprised of 1,011 townships out of a total of 1,276 in the State, hereby urge you to vote against the postal increase on first-class letters, from 3 cents to 4 cents. This is a 25 percent increase and we figure it is outrageous. Why should the United States give away millions of dollars to foreign countries and not do anything for the home people?

It is my belief that this is a poor time to try to balance the Post Office budget and from the talk of the people, not only in the townships and rural areas, but also from the cities as well, they figure this increase is not warranted at this time. Therefore, we urge you to vote against any increase on first-class mail.

Very truly yours,
BEN A. HANNEMAN,
Executive Secretary,
Wisconsin Towns Association.

NORTHWEST AIRLINES SERVICE TO THE PACIFIC—RESOLUTION

Mr. WILEY. Mr. President, the people of the State of Wisconsin have a deep regard for the outstanding service which has been rendered to us at home and abroad by Northwest Airlines.

Indicative of that sentiment are numerous resolutions forwarded to me by various public-spirited organizations, and numerous editorials in the papers of Wisconsin.

I present one such resolution from the Madison Chamber of Commerce.

I should like to underline the sentiments expressed in that resolution.

I ask unanimous consent that the resolution be printed in the RECORD, and be thereafter appropriately referred to the Committee on Interstate and Foreign Commerce.

There being no objection, the resolution was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Whereas Northwest Orient Airlines provides a vital transportation link between the State of Wisconsin and the Far East, via the North Pacific or Great Circle route; and

Whereas Northwest Orient Airlines has provided such service since 1947, and has consistently improved this service with more modern aircraft and an increasing number of flights; and

Whereas the Madison Chamber of Commerce and Foundation has been advised that such service has been provided without any Government subsidy support since January 1, 1955; and

Whereas the Madison Chamber of Commerce and Foundation, representing residents of the State of Wisconsin who benefit from such transpacific service as provided by Northwest Orient Airlines, is concerned that such service shall be maintained on a permanent and economic basis: Now, therefore, be it

Resolved, That the Madison Chamber of Commerce and Foundation petitions the President of the United States and the Civil Aeronautics Board to (1) grant an immediate permanent certificate to Northwest Orient Airlines for its transpacific route between the Pacific Northwest and the Far East, and (2) refuse to grant to another American-flag carrier a route across the north Pacific via the Pacific Northwest.

MARSHALL STRAUS,
Chairman, Aviation-Military Affairs Committee.

RESOLUTION OF CITY COUNCIL OF TWO HARBORS, MINN.

Mr. HUMPHREY of Minnesota. Mr. President, I have recently received a copy of a resolution adopted at the last regular meeting of the City Council of Two Harbors, Minn., regarding ICC Service Order No. 914. I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Be it resolved, That the City Council of the city of Two Harbors go on record protesting ICC Service Order No. 914 which provides only 2 days free time for the transfer of goods from rail cars to vessels at Great Lakes ports as being discriminatory against lake port cities and will prevent lake port cities from taking full advantage of the new enlarged St. Lawrence Seaway; be it further

Resolved, That the City Council of the city of Two Harbors go on record recommending that ICC Service Order No. 914 be amended to read the same as ICC Service Order No. 912 which allows 6 days free time on rail cars at every United States seacoast port; be it further

Resolved, That a copy of this resolution be forwarded to Senator HUBERT HUMPHREY, Senator EDWARD THYE and Congressman JOHN A. BLATNIK.

Adopted this 2d day of July, A. D. 1956.
ARVID J. ENGSTROM.

Attest:
RAYMOND W. GUSTAFSON,
City Clerk.

Approved by the mayor of the city of Two Harbors this 3d day of July 1956.
GUST KRAGSETH,
Mayor.

RESOLUTION OF UNITED UKRAINIAN WOMEN'S ORGANIZATIONS OF MINNEAPOLIS AND ST. PAUL

Mr. HUMPHREY of Minnesota. Mr. President, earlier in the session I introduced Senate Resolution 189 concerning religious genocide in the Ukraine. The Ukrainian people have suffered untold persecution. Another new protest has come to my attention following a meeting of the United Ukrainian Women's Organizations of Minneapolis and St. Paul. A resolution adopted at that meeting discusses the systematic slaughter of over 500 Ukrainian women in a slave-labor camp in Kazakhstan in 1954, after the death of Stalin.

I ask unanimous consent that this resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED AT THE MANIFESTATION MEETING OF THE UNITED UKRAINIAN WOMEN'S ORGANIZATIONS OF MINNEAPOLIS AND ST. PAUL IN PROTEST AGAINST THE TYRANNICAL SLAUGHTER OF OVER 500 UKRAINIAN WOMEN IN THE SLAVE-LABOR CAMP, KINGIR, NEAR KARAGANDA, KAZAKHSTAN

We, Americans of Ukrainian ancestry, and those among us who have just recently arrived from Ukraine and are now in the process of naturalization, have assembled with our American friends in the hall of St. Bonifacius in Minneapolis, Minn., on this day, April 22, 1956, for the purpose of a commemorative observance of the tragic death of over 500 innocent Ukrainian women in the Soviet slave-labor camp, Kingir, have solemnly passed the following resolutions:

"Whereas the Government of the U. S. S. R. and its representatives have been attempting lately to convince the free world that the inhuman severity of torture and mistreatment of human life in the Soviet labor camps have ended with the passing of Stalin and Beria, and as the proof of that claim the Soviet jailers have released a small number of war prisoners of German, French, British, American, and of other nationalities, many of whom spent over 10 years in slave-labor camps against the international obligations ruling the matters of prisoners of war; and

"Whereas the released prisoners upon returning home have attested to the real conditions in the Soviet slave-labor concentration camps with all of the tragedies suffered by the innocent people under ruthless persecution by the Soviet regime in all of the punitive camps widely scattered in Siberia, Turkestan area, Northern Russia, and other parts of the U. S. S. R., where over 15 million of slave laborers, men, women, and minors, are forced to perform the hardest slave labor under the frightfully inhuman conditions as revealed by Noble, Scholmer, Piddington, Varcony, Prychodko, and others; and

"Whereas many of these prisoners, while working from 10 to 12 hours daily, not counting the long and arduous marches from their barracks to mines, quarries, and timber camps, and back again after work, cannot endure these tortures without the proper food and adequate care and are dying by the thousands in desolate human exile; and

"Whereas one of the most gruesome and shocking reports recently brought to light by returned prisoners of war about the deliberate murder in cold blood which took place in 1954, after the death of Stalin, and perpetrated by the present regime of smiling Nikolai Bulganin and Nikita Khrushchev, the collective Communist dictators of the present U. S. S. R., by ordering the slaughter of over 500 innocent and defenseless Ukrainian women, crushing them under the grinding treads of Red army tanks in the stone-quarry slave-labor camp of Kingir, near Karaganda in Kazakhstan area, at the time these women, believing that they would not be attacked by the Soviet military and prison troops, formed a living wall so as to shield and protect their striking brothers, sisters, and minors, who were mowed down and decimated by the machineguns for having the courage to request better living and working conditions in their slave camp: Be it therefore

"Resolved:

"1. That we, American women of Ukrainian descent, under the leadership of the Ukrainian Women's National League of America and the Ukrainian Gold Cross, together with other women's organizations in the Twin

Cities area, are paying deep and reverent homage to the memory of our 500 brave sisters who, in the face of death, at the hand of the Russian Communist state, courageously defended the principle of freedom and dignity of human being.

"2. We condemn that barbarous mass murder act of the Russian Communist State perpetrated against its own defenseless people in the slave-labor camp as the most inhuman act in the annals of human history.

"3. We vigorously protest against the bestial methods of torture used against the political prisoners, of toiling hard slave laborers, women and children who are famished and in rags, are persecuted and mistreated by the cruel forces of the Russian Communist regime which tries to subdue the unconquerable will of the Ukrainian people to be free in their own independent national state.

"4. We appeal to the conscience of the civilized world for intercession and defense in behalf of the millions of wretched political prisoners and in particular in defense of women and minors who are brutally mistreated in the prisons of the U. S. S. R.

"5. We ask the United Nations Organization to designate a special committee to investigate the real existing conditions in all of the slave-labor concentration camps within the U. S. S. R. as to their treatment of the inmates, condition and norms of required work, kind and amount of food, clothing and medical care, space allotted per prisoner in the Soviet prisons and concentration camps, and to submit its thorough findings in an official report to the Security Council of the United Nations Organization for further study and action against the Government of the U. S. S. R. for the deliberate violations of the charter of the U. N. O., and to bring the Communist regime to the appropriate responsibility for its willful miscarriage of international obligations.

"6. We petition to the Government of the United States, as the foremost leader of the free world, which is defending truth, human liberty, and dignity of man to take a genuine interest in the national liberty of the non-Russian peoples within the U. S. S. R., who strive to obtain their independent national states as the prime prerequisite of the termination of the rule of Soviet barbarism, which, during the past 38 years, has liquidated many millions of innocent people and many more millions have perished under the unbelievable conditions of forced slave labor in concentration camps.

"7. We trust that the freedom loving world will not stand idly by, when the freedom loving men and women within the boundaries of the U. S. S. R. are bravely dying in defense of human dignity and of rights of man. Failing in defending their freedom now, we may lose our own tomorrow at the hand of the adversary who aspires for the Communist conquest of the world."

The Ukrainian National Women's League of Minneapolis, Minn.; the Ukrainian Gold Cross of the Twin Cities, Minn.; the Ukrainian Women's Council of the St. Michael Orthodox Church, Minneapolis; the Ukrainian Sisterhood of St. Sophia of St. Georges Orthodox Church, Minneapolis; the Ukrainian Sisterhood of Saints Volodymir and Olga Orthodox Church, St. Paul; the Ukrainian Girl Scout Organization of Minneapolis, Minn.

RESOLUTION OF THE NATIONAL COUNCIL OF THE LABOR ZIONIST ASSEMBLY, NEW YORK, N. Y.

Mr. HUMPHREY of Minnesota. Mr. President, the National Council of the Labor Zionist Assembly, meeting in New York last month, adopted a resolution concerning the American acquiescence in the Arab boycott and curbs against American citizens of Jewish origin.

Recently I joined with other Senators in introducing Senate Resolution 298, designed to express the sense of the Senate against this latter practice. I am earnestly hopeful that the Senate may be given an opportunity to act on Senate Resolution 298 during the remaining days of this session.

I ask unanimous consent that the resolution of the Labor Zionist Assembly be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

RESOLUTION ON AMERICAN ACQUIESCENCE IN THE ARAB BOYCOTT AND CURBS AGAINST AMERICAN JEWS AND OTHER CITIZENS

The National Council of the Labor Zionist Assembly, meeting at the Sheraton-Astor Hotel, New York, on June 16, 1956, is deeply dismayed and disturbed by the continued acquiescence of the American Government in the anti-Semitic practices of the Arab States, their boycott of American firms and shipping on grounds of religion or commercial dealings with Israel, their ban on the service of Jewish citizens of this country on our Nation's military bases, and their refusal to grant visas to other American citizens who in the course of their travels wish also to visit Israel.

This is the first time in the proud history of our country that an American Government has submitted so readily to such intolerable discriminations against American citizens, has failed to uphold the equal status and rights of all Americans vis-a-vis foreign governments, and has tolerated the flagrant dissemination and stimulation by representatives of such governments of racial and religious bigotry on our soil.

As American citizens, we cannot believe that such pusillanimity can serve the best interests of the United States in its international relations, that it can enhance the prestige of our country in the eyes of the world, or that it can in any way bespeak the proud traditions of American democracy.

We therefore call upon the present administration to serve notice at once upon all governments engaging in such practices that they must be terminated forthwith, and to take such other steps as will make it abundantly clear that the American Government will not acquiesce in or tolerate the discriminations by any foreign governments against American citizens on the grounds of race, creed, or color or because they are engaged in legitimate pursuits with any other government with whom we maintain normal and friendly relations.

RESOLUTIONS OF RED RIVER POTATO GROWERS ASSOCIATION, GRAND FORKS, N. DAK.

Mr. HUMPHREY of Minnesota. Mr. President, I have recently received a letter from the executive secretary of the Red River Valley Potato Growers Association setting out certain resolutions adopted at the annual meeting of the association held in Grand Forks, N. Dak., on June 1.

I ask unanimous consent that this letter be printed in the RECORD, and appropriately referred.

There being no objection, the letter was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

RED RIVER VALLEY POTATO GROWERS ASSOCIATION,
East Grand Forks, Minn., June 25, 1956.

Hon. HUBERT HUMPHREY,
Senator, United States Senate,
Washington, D. C.

DEAR SENATOR HUMPHREY: The following resolutions were adopted at the annual meeting of the Red River Valley Potato Growers Association, held in Grand Forks on June 21:

"Be it resolved, That we favor proposed national legislation which has for its purpose the compulsory grading and inspection and labeling of potatoes entering market channels and to keep culls which are below U. S. No. 2 off the market altogether and with special emphasis that such compulsory grade labeling be carried through to the retail level.

"Be it resolved, That whereas the Red River Valley has had experience with futures trading of their potatoes—the experience was detrimental to the best interests of the industry and proved itself to be a failure. Therefore, we, the Red River Valley Potato Growers Association, unalterably oppose any inclusion of potatoes produced in our area on any mercantile board. And we believe futures trading of potatoes anywhere is detrimental to good marketing practices. We, therefore, instruct our board of directors and officers to oppose all future trading of potatoes and to support any action having for its purpose the curtailment of this unsound practice."

With regard to these resolutions, our association will greatly appreciate anything that you might do to help the passage of the grade labeling bill, H. R. 9484 and S. 3262, as we feel that this bill will do much to correct many of the evils of the potato industry and will go a long way toward giving the consumer a better product.

I am sure that you will be interested in the attitude of our growers toward futures trading on potatoes, especially since there has been an investigation of future trades on potatoes. I believe consideration is being given to the need for further controls or possible abolishment of this practice.

Very truly yours,

LYLE W. CURRIE,
Executive Secretary.

RESOLUTIONS OF EVANGELICAL LUTHERAN CHURCH—EXCERPTS FROM REPORT

Mr. HUMPHREY of Minnesota. Mr. President, included in the minutes of the convention of the Evangelical Lutheran Church, meeting in Minneapolis, Minn., June 20–25, 1956, were two resolutions regarding race relations and food surpluses.

Fredrik A. Schiotz, president of the Evangelical Lutheran Church, included in his report to the general convention several pertinent paragraphs on the subject of international affairs. I ask unanimous consent that the two resolutions referred to, as well as the pertinent excerpts from Mr. Schiotz's report, be printed in the RECORD.

There being no objection, the resolutions and excerpts were ordered to be printed in the RECORD, as follows:

RESOLUTION ON RACIAL RELATIONS

Whereas the plain message of the Gospel is that Christ is the Redeemer of all peoples everywhere, and God does not in any measure distinguish between persons, and that in Christ the Christian is brother to every man: Therefore be it

Resolved, That we humbly deplore our frequent failure to exemplify Christ as we ought in human relationships, and urge every member of our church to continually examine his daily human contacts in the light of God's word and pray His Spirit to use us more effectively to show that all men of all races and backgrounds are one family in His love.

RESOLUTION ON FOOD SURPLUSES

Whereas a great number of people throughout the world are hungry and undernourished; and

Whereas a large amount of surplus food is stored in our country; and

Whereas Christ has commanded us to feed the hungry: Therefore be it

Resolved, That we give God thanks for permitting the Evangelical Lutheran Church and other bodies of the National Lutheran Council to distribute among needy peoples of 28 countries of the world during the past decade a total of 166,296,559 pounds of supplies valued at $53,743,678; and be it

Resolved, That we extend to the President and the Congress of the United States our thanks for making available surplus commodities; and be it further

Resolved, That we urge the President and the Congress of the United States of America to provide ways and means whereby national surpluses may in an increasing manner be distributed to peoples in need.

THE WORLD IN WHICH WE LIVE

The 16th chapter of Matthew opens with a scene showing the Pharisees and the Sadducees tempting Jesus with the request to "show them a sign from Heaven." Jesus turned on the conspirators and rebuked them forthrightly. The rebuke chided them for failing to "discern the signs of the times."

If our Lord held the Pharisees responsible for discerning the signs of their day, does He expect anything less from us? Perhaps it is in order to look at some of the more obvious signs.

The public press has never been more friendly or devoted more space to the work of the churches than it does now. Good church attendance is the general experience in all denominations. Church membership is at an alltime high. Hundreds of new churches, parish house units, and parsonages are being erected. Reports gathered by the general secretary show a total of $45,662,666 invested for new construction and repair work by ELC congregations in the decade 1943–53.

People in the United States and Canada continue to be on the move. The population growth in metropolitan areas and the rise of new communities show little sign of letting up. This shift in population and the mood of our generation adds up to larger home mission and evangelism responsibilities. One may very well inquire whether in the planning for the new united church this opportunity does not call for preferred attention.

Statistical growth is welcome, but it is not enough. Added numbers can be as unprofitable in the work of the church as additional layers of fat on a person who is already overweight. Unless the faith we confess flows into the conduct of daily life so that it becomes both light and salt, it is sterile. "Be ye doers of the word," lest you deceive yourselves is Scripture's solemn warning (James 1: 22).

None other than the Holy Spirit can be our effective guide as faith struggles to assert itself in action, but ominous signs tell of some areas where faith has too long been denied its due.

Not long ago many Christians rejoiced in the United States Supreme Court ruling calling for a gradual desegregation of the Nation's schools. That decision was a decided help to the work of missionaries serving in areas of the world where people are colored. But in the last months dark clouds have been appearing on the horizon. Names like Autherine J. Lucy, erstwhile student at the University of Alabama; the Reverend Martin Luther King, Jr., of Montgomery, Ala,; and movements like the Citizens' Councils, boycott of goods sold by firms reputedly friendly to colored labor, the whispering campaigns against candidates for office who refuse to be enlisted in hatred of minority groups—these events are symbols of a force that threatens to wash out the gains that have been made. St. John's obesrvations of Jesus' coming is still true: "And the light shineth in darkness; and the darkness comprehendeth it not" (John 1: 5).

If there be those who see this self-righteous racial superiority feeling as something that is localized to given geographical areas, let the attention be transferred from the Negro to the Indian. Last year an Institute on Indian Affairs was conducted at the University of Montana, an institute in which the Reverend Rolf Normann of the Lutheran Welfare Society in Montana was one of the leaders. The study report revealed discrimination against Indians in churches. Said the report, "the lay pepole must show that they really believe in the equality of all people. * * *"

Racial superiority feelings, and the mood of pride which they engender, may very well be likened to the smug self-righteousness which Christ encountered in the Pharisees. This state of mind could be our undoing as a great Nation, for it has a way of spilling over and affecting our thinking in other areas. Recently, Norman Cousins, one of America's widely traveled citizens, commented on this fact in a Saturday Review editorial which he called the High Cost of Superiority.

But what has this got to do with the Evangelical Lutheran Church and the thinking of this convention? Much in every way, if we are here as a church of Jesus Christ. To interpret this relevance permit me to digress for a few paragraphs.

One hundred and thirty-eight years ago a son was born to a Jewish lawyer and his wife in Treves, Germany. Not long after this the family was converted to Christianity. The son grew and showed signs of intellectual and moral vigor. He became a student at the University of Bonn and later at the University of Berlin. As he looked out upon the world of his day, Karl Marx was moved with compassion for the working classes of Europe. But in his compassion he turned away from the Christian faith, and found the meaning of life in an economic interpretation of history. However, his compassion for the masses remained. Whatever we may think of the satanic aberrations of international communism, we shall fail to understand the attraction which the peoples of the world find in this movement unless we see that it continues to carry a compassion of sorts for the needs of the underprivileged. Russia is currently joining the nations of the West in offering help to governments of Asia and Africa. Dr. Leon H. Keyserling, president of the (American) Conference on Economic Progress, reports "* * * even now (before she has caught up with American production) the Soviets are assigning a much larger portion of their strength (than we) * * * to the economic contest far beyond their swollen frontiers."

In a world where almost half of the people go hungry, where many have suffered from Western evidences of superiority, the millions of Africa and Asia respond to any word or action that promises hope. Is God's Word much different in this situation than the Word which He spoke to Moses? "I have surely seen the affliction of my people which are in Egypt, and have heard their cry * * *; for I know their sorrow" (Ex. 3:7). Russia, Godless and ruled by a small coterie of men, has not heard this voice, but she has heard him who comes in the guise of an angel of light, and she is shaping her economy to provide help.

Currently the United States is devoting one-half of 1 percent of her total national output, or less than 3 percent of the Federal budget, for economic assistance to friendly and potentially friendly countries. But not too much of this has gone to the Far East. Recent bulletins from Washington give evidence that the Federal Government has acquired a new sensitivity to the cry of the peoples of the earth and is proposing something comparable to a Marshall plan for Asia and Africa. Congressmen, looking over their shoulders at the voters back home, have given little evidence of support.

Dr. Keyserling has observed, "Our strength has augmented so fast that we have not pondered sufficiently how to use it." Carthage in North Africa was gifted with commercial genius and became rich; but she pondered not how to use it and consumed it upon herself, gilding the roofs of her houses with precious metals. Judgment came and her fall was great.

Commenting further about America's opportunity today, Dr. Keyserling speaks with a prophetic accent: "* * * our economic strength should be treated as an opportunity, not a consummation; a challenge, not a reward. It should be valued as a means, not as an end. * * *" Are not we and our strengths a means through which God would bless the world? It is at this point that God waits expectantly for the church and her children to give the Nation a sense of direction.

In our beloved ELC let us pray that the "fellowship of outward objects and rites" does not become a restriction on the "fellowship of faith and the Holy Ghost." In this fellowship of faith the world will be seen with the eyes of the Father who made His Son to be sin for us, "that we might be made the righteousness of God in Him" (I Cor. 5: 21), a peculiar people, quietly and persistently leavening the environment with a love of righteousness, a people fitted for every good work.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

H. R. 7943. A bill to change the name of the Government Locks at Ballard, Wash., to the "Hiram M. Chittenden Locks" (Rept. No. 2488).

By Mr. FULBRIGHT, from the Committee on Banking and Currency, with an amendment:

S. 3832. A bill to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, Ohio (Rept. No. 2486).

By Mr. FULBRIGHT, from the Committee on Banking and Currency, with amendments:

S. 3868. A bill to extend the Export-Import Bank Act of 1945, as amended (Rept. No. 2487).

By Mr. LEHMAN, from the Committee on Labor and Public Welfare, with amendments:

H. R. 9260. A bill to amend title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes (Rept. No. 2489).

By Mr. JOHNSTON of South Carolina (for Mr. EASTLAND), from the Committee on the Judiciary, without amendment:

S. 3064. A bill for the relief of Thomas J. Smith (Rept. No. 2490);

H. R. 1403. A bill for the relief of Anthony J. Varca, Jr. (Rept. No. 2494);

H. R. 1535. A bill for the relief of Cabrillo Land Co., of San Diego, Calif. (Rept. No. 2495);

H. R. 3733. A bill for the relief of Charles A. Barron (Rept. No. 2496);

H. R. 3987. A bill for the relief of Onie Hack (Rept. No. 2497);

H. R. 4456. A bill for the relief of Cpl. Oscar H. Mash, Jr. (Rept. No. 2498);

H. R. 5868. A bill for the relief of the estate of Gertrude I. Keep (Rept. No. 2499);

H. R. 9106. A bill for the relief of Saul Lehman (Rept. No. 2500);

H. R. 10011. A bill for the relief of Jess Gary (Rept. No. 2501);

H. R. 10199. A bill for the relief of A. O. Nissen and Don Nissen (Rept. No. 2502); and

H. R. 11530. A bill for the relief of M. Sgt. Harold LeRoy Allen (Rept. No. 2503).

By Mr. JOHNSTON of South Carolina (for Mr. EASTLAND), from the Committee on the Judiciary, with an amendment:

S. 558. A bill for the relief of Irene Montoya (Rept. No. 2491);

S. 2419. A bill for the relief of Dr. Anton M. Lodmell (Rept. No. 2520);

S. 2815. A bill for the relief of Peter V. Bosch (Rept. No. 2492); and

S. 3347. A bill for the relief of Mr. and Mrs. H. F. Webb (Rept. No. 2493).

By Mr. JOHNSTON of South Carolina (for Mr. EASTLAND), from the Committee on the Judiciary, with amendments:

H. R. 10010. A bill for the relief of Roy Click (Rept. No. 2504).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, without amendment:

H. R. 9333. A bill to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manufacturers (Rept. No. 2506);

H. R. 9339. A bill to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee National Forest, Ga., and for other purposes (Rept. No. 2508); and

H. R. 11873. A bill to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects (Rept. No. 2509).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with an amendment:

S. 2216. A bill to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497) (Rept. No. 2511); and

H. R. 7723. A bill to authorize the Secretary of Agriculture to convey certain lands in Phelps County, Mo., to the Chamber of Commerce of Rolla, Mo. (Rept. No. 2513).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with amendments:

S. 3133. A bill to provide for the conveyance of certain real property of the United States to the city of Boise, Idaho (Rept. No. 2512); and

H. R. 5337. A bill to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities (Rept. No. 2507).

By Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, without amendment:

H. R. 11346. A bill for the relief of Camillus Bothwell Jeter (Rept. No. 2505).

By Mr. HUMPHREY of Minnesota, from the Committee on Agriculture and Forestry, without amendment:

S. 4059. A bill providing for price reporting and research with respect to forest products (Rept. No. 2510).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

S. 3508. A bill to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota (Rept. No. 2523); and

H. R. 6501. A bill to amend the act of July 17, 1914, to permit the disposal of certain reserve mineral deposits under the mining laws of the United States (Rept. No. 2524).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with an amendment:

S. 4039. A bill to encourage the discovery, development, and production of manganese-bearing ores and concentrates in the United States, its Territories and possessions, and for other purposes (Rept. No. 2525).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, without amendment:

S. 3969. A bill to provide for the termination of Federal supervision over the property of the Ottawa Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes (Rept. No. 2516);

S. 3970. A bill to provide for the termination of Federal supervision over the property of the Wyandotte Tribe of Oklahoma and the individual members thereof, and for other purposes (Rept. No. 2517); and

H. R. 5838. A bill to provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range (Rept. No. 2518).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3968. A bill to provide for the termination of Federal supervision over the property of the Peoria Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes (Rept. No. 2519).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 11611. A bill to provide for the establishment of the Pea Ridge National Military Park, in the State of Arkansas (Rept. No. 2514); and

H. R. 11766. A bill to provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama (Rept. No. 2515).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 3941. A bill relating to certain mining claims which were eligible for validation under the act of August 12, 1953, but which were not validated solely because of the failure of the owners to take certain action to protect their claims within the prescribed period (Rept. No. 2522).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, with an amendment:

S. 4060. A bill to amend section 607 of the Postal Field Service Compensation Act of 1955 to include employees of the Motor Vehicle Service (Rept. No. 2521).

By Mr. GREEN, from the Committee on Rules and Administration, without amendment:

S. Res. 303. Resolution increasing the limit of expenditures for conducting a study by the Committee on the Judiciary of juvenile delinquency in the United States (Rept. No. 2527); and

S. Res. 309. Resolution providing additional funds for the Committee on the Judiciary.

By Mr. ANDERSON, from the Joint Committee on Atomic Energy, with an amendment:

S. 2643. A bill to promote the common defense and the general welfare of the people of the United States by encouraging maximum development of low-cost electric energy from all sources of power, including atomic energy, coal, oil, natural gas, and water, and for other purposes (Rept. No. 2529); and

S. 3822. A bill to amend the Atomic Energy Community Act of 1955, and for other purposes (Rept. No. 2528).

SIMPLIFICATION OF CREDIT FACILITIES AVAILABLE TO FARMERS—AMENDMENT OF BANKHEAD-JONES FARM TENANT ACT—SUPPLEMENTAL VIEWS (S. REPT. NO. 2526)

Mr. HOLLAND. Mr. President, from the Committee on Agriculture and Forestry, I report favorably, with amendments, the bill (S. 3429) to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Farm Tenant Act, and for other purposes.

I am advised by the junior Senator from Minnesota [Mr. HUMPHREY] that he intends to file supplemental views, and I ask unanimous consent that he may have the privilege of so doing and that they may be printed as part of the committee report filed today.

The PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the supplemental views of the Senator from Minnesota will be printed as part of the report.

MARGARET T. JEFFERDS

Mr. GREEN, from the Committee on Rules and Administration, reported favorably, an original resolution (S. Res. 311), which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Margaret T. Jefferds, widow of Warren C. Jefferds, an employee of the Senate at the time of his death, a sum equal to 1 year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954, AS AMENDED (S. REPT. NO. 2530)

Mr. ANDERSON, from the Joint Committee on Atomic Energy, reported an original bill (S. 4203) to amend the Atomic Energy Act of 1954, as amended, and for other purposes, which was read twice by its title and placed on the calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GORE:

S. 4190. A bill to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CARLSON:

S. 4191. A bill relating to the discontinuance of fourth-class post offices; to the Committee on Post Office and Civil Service.

By Mr. WILLIAMS (for himself and Mr. FREAR):

S. 4192. A bill to establish procedure to be followed by Secretaries of the military departments for adjustment or settlement of claims of less than $2,500 resulting from

United States acquisition of land; to the Committee on the Judiciary.

By Mr. LANGER:

S. 4193. A bill to amend the Tariff Act of 1930 so as to permit the importation free of duty of religious vestments and regalia presented without charge to a church or to certain religious, educational, or charitable organizations; to the Committee on Finance.

By Mr. HICKENLOOPER:

S. 4194. A bill to provide for the advancement of Maj. Gen. Hanford MacNider, United States Army Reserve (retired), to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

By Mr. RUSSELL:

S. 4195. A bill for the relief of Leonidas Konstantinos Patronas; to the Committee on the Judiciary.

By Mr. McCLELLAN (for himself and Mr. McCARTHY):

S. 4196. A bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes; to the Committee on Government Operations.

(See the remarks of Mr. McCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY of Minnesota:

S. 4197. A bill to waive the $1,000 limitation on the authority of the Secretary of the Air Force and the Secretary of the Navy with respect to the settlement and payment of claims arising out of the crash of a United States Air Force airplane at Minneapolis, Minn., on June 5, 1956, and a United States Navy airplane at Minneapolis, Minn., on June 9, 1956; to the Committee on the Judiciary.

(See the remarks of Mr. HUMPHREY of Minnesota when he introduced the above bill, which appear under a separate heading.)

By Mr. CAPEHART:

S. 4198. A bill to extend and amend laws relating to the provision and improvement of housing, the elimination and prevention of slums, and the conservation and development of urban communities, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. CAPEHART when he introduced the above bill, which appear under a separate heading.)

By Mr. CLEMENTS:

S. 4199. A bill for the relief of Licha Hanna Farah (also known as Hanna Licha); to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 4200. A bill to incorporate the Boys' Clubs of America; to the Committee on the Judiciary.

By Mr. MORSE (for himself and Mr. NEUBERGER):

S. 4201. A bill for the relief of Harold Eugene Moore; and

S. 4202. A bill for the relief of Bernard H. Carty; to the Committee on Finance.

By Mr. ANDERSON:

S. 4203. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; placed on the calendar.

(See reference to above bill when reported by Mr. ANDERSON, from the Joint Committee on Atomic Energy, which appears under the heading "Reports of Committees.")

By Mr. CAPEHART:

S. J. Res. 191. Joint resolution to amend the National Housing Act, as amended;

S. J. Res. 192. Joint resolution to amend the National Housing Act, as amended; and

S. J. Res. 193. Joint resolution to extend the Armed Services housing mortgage insurance program; to the Committee on Banking and Currency.

(See the remarks of Mr. CAPEHART when he introduced the above joint resolutions, which appear under a separate heading.)

RESOLUTIONS

The following resolutions were submitted or reported and referred or placed on the calendar, as indicated:

Mr. JENNER submitted the resolution (S. Res. 310) relating to free elections in liberated European countries, which was referred to the Committee on Foreign Relations.

(See the remarks of Mr. JENNER when he submitted the above resolution, which appear under a separate heading.)

Mr. GREEN, from the Committee on Rules and Administration, reported an original resolution (S. Res. 311) to pay a gratuity to Margaret T. Jefferds, which was placed on the calendar.

(See reference to above resolution which appears under the heading "Reports of Committees.")

ADJUSTMENT OF FEDERAL JURISDICTION OVER CERTAIN LAND WITHIN THE STATES

Mr. McCLELLAN. Mr. President, on behalf of myself, and the Senator from Wisconsin [Mr. McCARTHY], I introduce, for appropriate reference, a bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes. I ask unanimous consent to have printed in the RECORD a statement prepared by me, together with a brief summation of the purposes of the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement and summation will be printed in the RECORD.

The bill (S. 4196) to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, introduced by Mr. McCLELLAN (for himself and Mr. McCARTHY), was received, read twice by its title, and referred to the Committee on Government Operations.

The statement and summation presented by Mr. McCLELLAN is as follows:

STATEMENT BY SENATOR McCLELLAN

I have just introduced, for appropriate reference, a bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over land used for Federal purposes in the several States.

The Senator from Wisconsin [Mr. McCARTHY], who is the ranking minority member of the Committee on Government Operations, is joining me in the sponsorship of this bill, which we are introducing at the request of the Department of Justice. The proposed legislation was drafted with a view to implementing certain recommendations of the Interdepartmental Committee for the Study of Jurisdiction Over Federal Areas Within the States.

The objective of the proposed legislation is to permit Federal agencies to restore to the States certain jurisdictional authority which is now vested in the United States and which may be better administered by State authorities. The report of the Interdepartmental Committee points out that, once legislaive jurisdiction or State action has been vested in the United States, it cannot be revested in the States other than by operation of a limitation or except by an act of Congress. This has created certain areas of uncertain jurisdiction which the proposed legislation would clarify.

In view of the lateness of the session, it is doubtful that the committee will be able to recommend action on this legislation before adjournment. The introduction of the bill at this time, however, will permit the committee to submit the proposal to the governors of the various States for their comments and recommendations relative to the application of the various provisions of the proposed bill. The staff of the Committee on Government Operations will also be directed to make a thorough and complete study as to the effect the bill would have on existing laws and relative to the need for legislative action, and prepare a report on the proposal for committee consideration in the next session of Congress.

The statement I am submitting in explanation of the bill is a brief summation of some of the subject matter of part I, "The Facts and Recommendations," of the Interdepartmental Committee, composed of the chief legal officers of the Departments of Justice, Defense, Interior, Agriculture, Health, Education, and Welfare, the Bureau of the Budget, GSA, and the Veterans' Administration.

In addition, 25 other agencies of the Federal Government furnished to the committee information concerning properties owned by them, and problems of legislative jurisdiction. The Attorneys General of all the States contributed information and acted as advisory to the committee in the conduct of the study and the preparation of the first part of its report.

Part II, which is expected to be completed within the next few months, will be a text of the law on the subject of legislative jurisdiction, particularly covering judicial decisions and rulings of legal officers of administrative agencies concerning the subject.

INTRODUCTION

Upon recommendation of the Attorney General, with the approval of the President and the Cabinet, an interdepartmental committee was organized on December 15, 1954, to study the problems of jurisdiction related to federally owned property within the United States. The committee, consisting of eight departments and agencies of the Federal Government, completed its studies and unanimously reported its findings to the Attorney General on April 25, 1956. The Attorney General forwarded to the President part I, the Facts and Committee Recommendations. The President, on April 27, 1956, stated, "I am impressed by the well-planned effort which went into the study underlying this report and by the soundness of the recommendations which the report makes. It would seem particularly desirable that the report be brought to the attention of the Federal administrators of real properties, who should be guided by it in matters related to legislative jurisdiction, and to the President of the Senate, the Speaker of the House of Representatives, and appropriate State officials, for their consideration of necessary legislation."

Accordingly, a letter from the Assistant Attorney General, transmitting the report of the Interdepartmental Committee for the Study of Jurisdiction over Federal areas within the States, was sent to the Vice President May 21, 1956, and referred by the United States Senate to the Committee on Government Operations on June 5, 1956. The bill outlined above was later submitted to the committee to carry out the basic recommendations contained in the report.

PURPOSE

The purpose of this study was to determine the precise nature and extent of the legislative jurisdiction that is exercised by the Federal Government over federally owned lands in the 48 States. Ordinarily, legislative jurisdiction under our system is a great body of governmental powers which are reserved to the States. However, under our Constitution authority was provided for the Federal Government to exercise these powers in

certain circumstances. While the Federal Government has legislated quite fully for the District of Columbia, it has not done so for over several thousand other areas located in the United States, ranging from small town post offices to immense military reservations. These areas have been termed Federal "islands" or sometimes called enclaves.

As the States have surrendered their jurisdiction to the Federal Government over these thousands of areas, the States can no longer exercise any authority over these areas, except for certain exceptions granted by Congress, such as State income tax, sales taxes, and gasoline taxes. The result is a substantial vacuum of both law and law enforcement. To illustrate, it may be noted that there is no Federal law of inheritance, probate, guardianship, marriage, or divorce. Residents of such areas are thus in many instances denied numerous civil and political rights and privileges, such as voting, public schooling, holding public office, qualifying for public assistance, and access to courts for many purposes.

The confusion arising out of the jurisdictional status of Federal properties would be bad enough if there were just the two clear-cut types of jurisdiction, Federal or State; that is, exclusive Federal jurisdiction, on the one hand, or no Federal jurisdiction, on the other hand. However, sometimes the States have retained for themselves certain kinds of powers, such as taxation of private property or the control of alcoholic beverages on Federal premises. The Washington National Airport is a natural instance of reserved State control of alcohol. This is called partial jurisdiction. In other instances the States have retained concurrent jurisdiction or in some instances the Federal Government has a proprietorial interest only.

It should be pointed out here that the solution recommended by the Interdepartmental Committee is not to have Congress pass laws on all these subjects, but, on the contrary, the Committee's conclusion is that exclusive Federal jurisdiction should be surrendered in almost every instance when so determined by the controlling agency, thereby removing the existing artificial barriers to the applicability of State laws when in the public interest.

HISTORICAL BACKGROUND

A brief historical outline may help to point out the chaotic conditions that presently exist between the State and Federal Governments over the different types of legislative jurisdictions exercised by the Federal Government over areas ceded by the States to the Federal Government.

Article 1, section 8, clause 17, of the Constitution of the United States provides in legal effect that the Federal Government shall have exclusive legislative jurisdiction over such areas not exceeding 10 miles square as may become the seat of Government of the United States and like authority over all places acquired by the Government with the consent of the States involved, for Federal works. It is with the latter portions of this clause with which the provisions of the bill are primarily concerned. During the first 50 years of the existence of the United States, property was not uniformly acquired for Federal purposes; it was often the practice of the Government merely to purchase the lands upon which its installations were to be placed and to enter into occupancy for the purposes intended, without also acquiring legislative jurisdiction over the lands. It was exercised with respect to most, but not all, lighthouse sites, with respect to various forts and arsenals, and with respect to a number of other individual properties. The Federal Government was thus purchasing lands from the States without the legislature of the State in which the land was situated consenting to the purchase, as provided for in clause 17.

Not until 1841 was it implemented. An act of Congress passed that year which grew out of a title dispute between the United States and the State of New York. It was not a jurisdictional dispute. Presumably, however, to avoid repetitions of such incidents, the act of 1841 (sec. 355 of the Revised Statutes of the United States) prohibited the future expenditure of Federal money for improvements on any land until the State in which the land was located had consented. The result was that in order to get any new Federal construction within their borders, most of the States passed general consent statutes—and in many cases the consent was obtained by pressure methods.

These statutes had the effect of supplying the consent ingredient of clause 17, thereby automatically vesting exclusive jurisdiction in the United States the moment it acquired any land, whether or not such jurisdiction was wanted or needed. Not until 1940, 100 lears later, was the act of 1841 amended so as to eliminate the requirement for the granting of exclusive jurisdiction to the United States, substituting a discretionary authority in Federal agency heads to procure jurisdiction from the States when and to the extent they deemed necessary. It should be noted that lands already under the proprietorship of the United States, when the general-consent statutes were enacted, such as the lands of the so-called public domain, were not affected by the statutes, and legislative jurisdiction with respect to them remained in the several States. Nevertheless, the practices related to he assumption of exclusive jurisdiction during the 100 years prior to 1940 have persisted, largely as a result of what it seems fair to call bureaucratic habit, and without any very clear understanding of the actual needs or consequences.

A change in the trend of acquisition of lands began during the 1930's when, in the course of the tremendous expansion of Federal land acquisition programs, the States became increasingly aware of the impact upon State and local treasuries when exclusive jurisdiction was given to the United States, with the development of this awareness, there began the development of a tendency on the part of States to repeal their general consent statutes and in some cases to substitute for them what may be termed "cession statutes," specifically ceding some measure of legislative jurisdiction to the United States while frequently reserving certain authority to the States. Included among the reservations in such consent and cession statutes are the right to levy various taxes on persons and property situated on Federal lands and on transactions occurring in such lands; certain regulatory jurisdiction over various affairs on such lands such as licensing rights, control of public utility rates, and control over fishing and hunting, and the most complete type of reservation—a retention by the State of all its jurisdiction while concurrently granting all jurisdiction, or some measure of jurisdiction, to the Federal Government.

The States could not by unilateral action retrieve from the Federal Government authority which they had surrendered over areas as to which they had already ceded exclusive jurisdictions to the Government, but during the 1930's when States were altering their consent statutes, the Federal Government relinquished to the States the authority to tax sales of motor vehicle fuels, to impose sales and use taxes, and to levy income tax.

Once legislative jurisdiction has been vested in the United States, it cannot be revested in the States, other than by operation of a limitation, except by or under an act of Congress. Congress has acted mainly only to authorize imposition of the specific State taxes already mentioned, to permit States to apply and enforce their unemployment compensation and workmen's compensation laws in Federal areas, and to retrocede to the States jurisdiction over a mere handful of properties. The recommendation of the interdepartmental committee study and report deals at great length with the relative advantages and disadvantages of the various jurisdictional situations and the proposed legislation proposes to rectify the jurisdictional status of Federal properties by adjusting them predominantly in the direction of less jurisdiction in the United States.

NEED FOR LEGISLATION

The purpose of this proposed legislation is to authorize department and agency heads to relinquish unnecessary jurisdiction to the States. Existing law (40 U. S. C. 255) authorizes Federal acquisition of jurisdiction but makes no provision for relinquishing jurisdiction once acquired. This provision (section 1 of the attached draft bill) would make this law a two-way street.

Another committee recommendation involving Federal legislation (section 2) would furnish to all department and agency heads authority now directly possessed by only a few (GSA, Interior, Agriculture) to make rules and regulations for the Government of the properties under their control (no speeding, no drinking of alcoholic beverages, no spitting on the floors, etc.). A related provision would permit the GSA to invest GSA guards with arrest powers as policemen without reference to the jurisdictional status of the Federal property which they guard. At present, such guards may exercise police powers only on areas under the exclusive or concurrent jurisdiction of the United States, a statutory limitation which artificially encourages acquisition of legislative jurisdiction (otherwise unnecessary or undesirable) for the sole purpose of subjecting properties to GSA regulation and guard service.

An additional recommendation (section 3) would enable United States Commissioners to try persons committing petty offenses on Federal property not under the legislative jurisdiction of the United States. The authority of such commissioners, like the authority of GSA guards, presently is limited to offenses upon property under the exclusive or concurrent jurisdiction of the United States.

Finally, with respect to Federal legislation, the committee recommends repeal of 3 existing statutes which are obsolete (section 4), and the substitution for 1 of them of more general, and more appropriate, legislation permitting service of State legal process on areas under Federal jurisdiction, (section 5).

The Department of Justice, in support of the bill to implement the committee recommendation for Federal legislation, plus its recommendation for complementary uniform State legislation, has informed the committee that it constitutes a simple but complete plan for disposing of problems arising out of Federal exercise of legislative jurisdiction.

SETTLEMENT OF CLAIMS ARISING FROM CERTAIN AIRCRAFT DISASTERS IN MINNEAPOLIS, MINN.

Mr. HUMPHREY of Minnesota. Mr. President, I introduce, for appropriate reference, a bill which would have the effect of permitting the Secretary of the Navy and the Secretary of the Air Force to receive and settle the rightful claims of several victims of the unfortunate crash of a Marine Corps Reserve jet fighter at Minneapolis, Minn., on June 9, 1956, and of an Air Force jet fighter at Minneapolis on June 5, 1956.

The crash of the Marine Corps Reserve jet has caused so far 11 deaths, most of them children, among the occupants of several Minneapolis homes which were demolished or damaged on June 9, 1956.

The crash of the Air Force jet aircraft which struck an automobile near Wold Chamberlain Field, Minneapolis, took the lives of three people.

The present law, the Military Claims Act of July 3, 1943, as amended—31 United States Code, section 223b—permits the Secretaries of the Navy, Army, and Air Force to process and settle claims under the act up to a limit of $1,000.

This limitation, in both the Air Force crash of June 5 and the Marine Corps Reserve crash of June 9, has the effect of blocking the respective Secretaries from settling the just claims of most of the victims, and means that a long and costly court procedure would have to be instituted in order that the families affected might secure their rightful claims against the Federal Government.

For example, in 1 family, only 1 boy survives, and he has lost his father and mother and both brothers. In another family, all three children died recently of burns suffered in the June 9 crash.

I ask, Mr. President, that the Senate act with all speed to pass this necessary legislation.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4197) to waive the $1,000 limitation on the authority of the Secretary of the Air Force and the Secretary of the Navy with respect to the settlement and payment of claims arising out of the crash of a United States Air Force airplane at Minneapolis, Minn., on June 5, 1956, and a United States Navy airplane at Minneapolis, Minn., on June 9, 1956, introduced by Mr. HUMPHREY of Minnesota, was received, read twice by its title, and referred to the Committee on the Judiciary.

PROPOSED HOUSING LEGISLATION

Mr. CAPEHART. Mr. President, on May 24, 1956, the Senate passed the bill (S. 3855) to extend and amend laws relating to the provision and improvement of housing, the elimination and prevention of slums, and the conservation and development of urban communities, and for other purposes, and sent it to the House of Representatives. That bill has been snarled up there due to the fact that a rule has not been obtained to take the bill to the floor. Knowing that no Senator wishes to leave Washington following a sine die adjournment without extending the military housing sections of the bill, the title I section, which has to do with home repairs and other features, I introduce, for reference to the Banking and Currency Committee a bill and three joint resolutions, one of which provides for a 6-months' extension of the so-called military housing section of the law now in effect.

Another is a joint resolution extending the section which has to do with title 1, the so-called home-repair section of the Housing Act which has been in effect since 1934.

Another is a combination of the 6-months' extension of the military housing section and title 1.

The last measure, Mr. President, is an exact duplicate of the measure passed by this body some 2 months ago and sent to the House, with the following exceptions:

First. It provides a low rent public-housing program for elderly persons to the extent of 10,000 units a year in each of the next 2 years instead of the 15,000 a year for each of the next 5 years provided in the bill as passed. It makes no change in the special FHA provisions for elderly persons' housing.

Second. As to low rent public housing in general, it provides authorization for 35,000 units a year in each of the next 2 years instead of the authorization for approximately 500,000 units at the rate of 135,000 units a year provided in the bill as passed. It places on this authorization the same restrictions as appeared in the Housing Act of 1954. These will have the effect of channeling these units into localities already having slum clearance and urban redevelopment or renewal programs underway.

In all other respects this bill is identical with S.3855 as it passed the Senate.

Mr. President, I ask that these four measures be referred to the Senate Banking and Currency Committee. I am certain that the committee will wish to act favorably upon one or all of these measures, because we dare not adjourn without straightening out the housing situation uncertainties and misunderstandings.

The PRESIDENT pro tempore. The bill and joint resolutions will be received and appropriately referred.

The bill and joint resolutions, introduced by Mr. CAPEHART, were received, read twice by their titles, and referred to the Committee on Banking and Currency, as follows:

S. 4198. A bill to extend and amend laws relating to the provision and improvement of housing, the elimination and prevention of slums, and the conservation and development of urban communities, and for other purposes;

S. J. Res. 191. Joint resolution to amend the National Housing Act, as amended;

S. J. Res. 192. Joint resolution to amend the National Housing Act, as amended; and

S. J. Res. 193. Joint resolution to extend the Armed Services housing mortgage insurance program.

FREE ELECTIONS IN LIBERATED EUROPEAN COUNTRIES

Mr. JENNER. Mr. President, I am about to submit a resolution, and I ask unanimous consent that I may speak on it in excess of the 2 minutes allowed under the order which has been entered.

The PRESIDENT pro tempore. Without objection, the Senator from Indiana may proceed.

Mr. JENNER. Mr. President, the people of the United States salute the brave workers of Poznan who, unarmed and helpless, have risen up against a powerful and ruthless tyranny.

Over and over again, in recent centuries, the Poles have risen against insuperable odds in their fierce determination to win freedom for their country.

Kosciusko crossed the ocean to help our young Republic, because he knew the fight for liberty is indivisible.

Every victory for freedom is a victory for all men.

Every extinguishment of liberty anywhere in the world is a blow against all human dignity.

The Poles were fighting for government by a constitution of their own choosing, in the very years when our own Constitution was established.

Soon the dark curtain of tyranny descended over them, when Catherine of Russia stirred up a rebellion against the new constitution and annexed half of Poland, in what has been called the greatest crime of the 18th century.

The whole world rejoiced as a free Poland rose once more from the fires of World War I, but in a few years the light of Polish freedom was again extinguished when the totalitarian dictator of the Soviet Union joined in alliance with the totalitarian dictator of Germany to overrun a neighbor nation.

The Poles fought valiantly by the side of the Allies, especially in the campaign in Italy, and in the war in the skies over Britain.

At the war's end, the people of the allied nations expected the prompt return of a government in Poland selected by the Polish people themselves.

But Marshal Stalin formed the rump Lublin government subservient to the Soviet Union, and refused to honor his agreements to let the Poles hold free elections.

In 1941, the Atlantic Charter had proclaimed the right of all peoples to choose the form of government under which they were to live, and stressed the special duty of restoring sovereign rights and self-government to those peoples who had been forcibly deprived of them by the Nazi conquest.

The Allies, including the Soviet Union, signed in January 1942, the United Nations War Agreement, reiterating their support of the Atlantic Charter.

At Yalta, Churchill stated that Britain had gone to war in 1939 in order that Poland should be "free and sovereign."

British interest in Poland was a matter of honor, he said, and the British could never be content with any solution that did not leave Poland a free and independent sovereign state.

At Yalta, President Roosevelt said, according to former Secretary of State, James F. Byrnes:

I want the election in Poland to be beyond question, like Caesar's wife.

The Yalta conferees issued a communique pledging "free and unfettered elections" in Poland, and the other east European nations, on the basis of universal suffrage and the secret ballot.

Stalin continued to insist that only members of the Lublin puppet government be accepted in the provisional government in charge of the Polish elections.

He barred members of the London government-in-exile, established by the Poles themselves, from returning to Poland.

What was their unpardonable crime?

They had asked that the International Red Cross make an impartial investigation of the Katyn massacre.

President Roosevelt, greatly disturbed, according to Secretary Byrnes, wrote to Stalin on April 1, 1945, that he could not reconcile Stalin's position either with the Yalta agreement or with the discussions preceding the agreement.

Stalin's insistence on barring all Polish leaders not approved by the Lublin puppet government, was, the President said, "entirely unacceptable."

President Truman denounced the Soviet policy in Poland to Mr. Molotov on Molotov's first call at the White House in 1945.

Harry Hopkins was sent to Moscow by President Truman to protest against the continued subjection of our Polish ally.

Hopkins, in his report, said he told Stalin that the Polish question had become the symbol, in the eyes of the American people, of our ability to work out problems cooperatively with the Soviet Union.

Our people were deeply disturbed, he told the marshal, because the Soviet Government was going its own way and disregarding a solution which had been solemnly agreed upon by leaders of the three nations jointly.

Stalin made some mock concessions to the American and British demand that representatives of Free Poland be included in the new government, but promptly disregarded them.

He kept his armies on Polish soil to reinforce his will.

Secretary Byrnes was removed from office and, under Acheson's regime, the protests ceased.

For 11 long years the people of Poland, though freed from the Nazis, with the help of our fighting men and supplies, have been kept in chains by Stalin's policy of violating the solemn agreements he made with the friends and allies who helped Russia in her hour of desperate need.

For 10 years now, the American Government has not put its weight vigorously behind a demand that the Soviet Union keep its plighted word to restore Poland and the other liberated countries of Eastern Europe to full sovereignty, under their own freely chosen representatives.

With the death of Stalin, even the leaders of the Soviet Union have denounced his policy of blood and violence.

They have pointed out in hideous detail how he violated all the rules of common humanity in his government of the people of Russia, and descended even to murder of his own compatriots and fellow officials of the Communist hierarchy to maintain his evil power.

The Government of the United States has once more a golden opportunity to restate our historic policy of freedom, and insist that the new Soviet rulers, if they are sincere in their protestations of friendly cooperation and peace, shall undo Stalin's violation of his pledges and end enslavement of the satellite nations.

Peaceful coexistence should begin at home.

I hereby submit a resolution stating it to be the sense of the Senate that the nations of Eastern Europe, freed from the tyranny of the Nazis by the combined fighting strength of the allied nations, are and of right ought to be, wholly free, sovereign and independent, and further that the United States regards as a test of the friendliness of the present regime, its willingness to grant immediate, free, universal, and secret elections held under the aegis of diplomatic representatives from the victorious European Allies, and reporters and other representatives of the press, from all nations.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 310) submitted by Mr. JENNER, was referred to the Committee on Foreign Relations, as follows:

Whereas it has been the historic policy of the United States, since the founding of the Republic, to give all possible support and encouragement to nations seeking to preserve their independence; and

Whereas Poland and the other nations of Eastern Europe were freed from the tyranny of the National Socialist regime by the combined arms of the victorious powers; and

Whereas the nations engaged in fighting against the Nazi war of conquest pledged themselves, in the Atlantic Charter, in the United Nations War Declaration of January 1942, in the Yalta Conference, and in many other meetings, to restore these liberated nations to full sovereignty by means of prompt, universal, and secret ballot; and

Whereas Marshal Stalin, operating unilaterally contrary to his solemn commitments, refused to permit representatives of the Polish Government-in-Exile, which had led the Polish people through the horrors of war and Nazi occupation, to return to Poland, or take part in holding the elections; and

Whereas repeated protests were made by Prime Minister Churchill, President Roosevelt, President Truman, and Secretary Byrnes, against this violation of a solemn pledge; and

Whereas the present leaders of the Soviet Union have themselves reported in full the cruel, tyrannical, murderous, nature of the Stalin regime; and

Whereas the present leaders of the Soviet Union are now repeatedly stating their peace-loving policies, and their desire to enjoy peaceful coexistence with other nations; and

Whereas President Roosevelt said the American people regarded the restoration of full sovereignty through free elections as the test of American-Soviet relations, and President Truman reaffirmed that position, and President Eisenhower solemnly declared that we shall never abandon our pledge to restore to full sovereignty the nations freed by our arms: Now, therefore, be it

Resolved, That it is the sense of the Senate that the American people are still firmly committed to the vigorous use of American diplomacy to achieve fulfillment of our pledge of freedom for the liberated nations.

SEC. 2. The Senate hereby pledges its fullest support of all diplomatic measures undertaken by the executive branch promptly to bring about in the liberated European countries free elections, with universal secret ballot, held in the presence of diplomatic representatives of the victorious powers, and of members of the press of all nations.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954—AMENDMENTS

Mr. ANDERSON submitted amendments, intended to be proposed by him, to the bill (S. 4112) to amend the Atomic Energy Act of 1954, as amended, and for other purposes, which were ordered to lie on the table and to be printed.

SOCIAL SECURITY AMENDMENTS OF 1956—AMENDMENTS

Mr. HUMPHREY of Minnesota submitted amendments, intended to be proposed by him, to the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO GRAIN-STORAGE FACILITIES—AMENDMENTS

Mr. JOHNSTON of South Carolina. Mr. President, I submit an amendment, intended to be proposed by me to the bill (H. R. 9083) to amend the Internal Revenue Code of 1954 to extend the period for amortization of grain-storage facilities.

Prior to the Supreme Court decision of June 18, 1945, all news services such as the Associated Press were granted exclusive franchises. That Supreme Court ruling abolished their exclusiveness and made the services available to anyone who cared to pay for them. Naturally, anyone holding a franchise prior to this Supreme Court decision had a much more valuable property, but due to that ruling, found his franchise had depreciated to a considerable extent.

This amendment is to allow anyone who had such a franchise to legally depreciate it as a business loss.

The PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

Mr. CAPEHART submitted an amendment, intended to be proposed by him, to House bill 9083, supra, which was ordered to lie on the table and to be printed.

Mr. ANDERSON submitted an amendment, intended to be proposed by him to House bill 9083, supra, which was ordered to lie on the table and to be printed.

ASSISTANCE TO COTTON TEXTILE INDUSTRY IN REGAINING ITS SHARE OF WORLD MARKET—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of July 3, 1956,

The names of Senators IVES, SCOTT, BENDER, SMITH of New Jersey, PAYNE, COTTON, HUMPHREYS of Kentucky, CHAVEZ, LANGER, GREEN, BRICKER, MORSE, and MURRAY were added as additional cosponsors of the bill (S. 4156) to assist the United States cotton textile industry in regaining its equitable share of the world market, introduced by Mrs. SMITH of Maine (for herself and Mr. KEFAUVER), on July 3, 1956.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Address delivered by him at Memorial Park celebration, Footville, Wis., on July 1, 1956.

Article entitled "The Fight for Clean Water," published in the Milwaukee Journal of June 3, 1956, and a release by him on same subject.

FINANCIAL PROBLEMS OF BOSTON POST

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a news article which appeared in the Washington Daily News of Saturday, July 7, 1956, headed "Financial Problems Swamp Boston Post, 125 Years Old."

The article lists the Boston Post as being $238,000 delinquent in forwarding to the Treasury Department taxes withheld from its employees. This item represents both income and social-security taxes withheld from the employees but kept by the company for its own use. There is no possible justification for this practice. These funds belong in the United States Treasury and are in effect trust funds.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FINANCIAL PROBLEMS SWAMP BOSTON POST, 125 YEARS OLD

BOSTON, July 7.—The presses of the Boston Post were silent today for the first time in 125 years. Publisher John Fox announced last night that the Democratic daily and Sunday newspaper has suspended publication.

The announcement, made for Mr. Fox by City Editor John S. Mannion, stunned the newspaper's 800 employees. It had been known for some time that the newspaper was in financial trouble but "we had all hoped for the best," one employee said.

TALKS SCHEDULED

Mr. Mannion termed the closing "a tragedy." He posted the closing notice on the bulletin board at 8 p. m. after conferring with Mr. FOX.

Mr. Fox said "all obligations, including severance pay, will be honored."

Attorney Chester G. Steadman, counsel for the estate of former publisher Richard Grozier from whose widow Mr. Fox purchased the newspaper for $4 million in 1952, scheduled a meeting today with the Boston Newspaper Guild and mechanics union representatives.

Mr. Steadman told reporters "The Post will not die" but refused to comment on any measures that might be taken to keep the newspaper going. "It is inconceivable to me that a newspaper which has served Boston and New England so richly should go out of the picture," he said.

Asked if steps would be taken to revive the Post, however, he said, "I'm only expressing what I believe to be the probabilities."

MONEY PROBLEMS

The Post had been in financial straits for some time. Its daily circulation had fallen from 300,000 4 years ago, when Mr. Fox assumed ownership, to 274,000 last year, according to McHenry Brown, vice president and general manager.

Recently, liens totaling $238,000 were filed by the United States Internal Revenue Service against the Post and Mr. Fox for nonpayment of employees' withholding taxes. Last May, the city of Boston gave the Post until August 11 to pay real estate taxes totaling $257,422 on seven parcels of land owned by the newspaper.

Negotiations earlier this month between Mr. Fox and Attorney John S. Bottomly, of Wellesley, Mass., over the sale of the Post failed to result in a sale.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CLEMENTS in the chair). Without objection, it is so ordered.

RECIPIENTS OF OLD-AGE AND SURVIVORS BENEFITS AND AMOUNTS OF MONTHLY PAYMENTS

Mr. LANGER. Mr. President, a short time ago the Department of Health, Education, and Welfare compiled a tabulation showing the number of persons receiving old-age and survivors insurance benefits, and the amount of money being paid monthly, listed by States. I ask unanimous consent that the tabulation and the accompanying letter be printed in the body of the RECORD.

There being no objection, the letter and tabulation were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington.

Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.

DEAR SENATOR LANGER: Once a year the Bureau of Old-Age and Survivors Insurance makes a tabulation showing the number of people receiving old-age and survivors insurance benefits and the amount of money being paid monthly, with distributions by the county of residence of the beneficiary. This information, as of the end of 1955, has just become available.

I thought the three tables I am enclosing would be of interest to you and your constituents. The first shows a distribution of old-age and survivors insurance monthly benefits for the counties in your State. The second table presents a distribution of monthly benefits for all States, as of December 31, 1955, and the last shows total benefit payments in calendar year 1955, by State.

For the country as a whole at the end of 1955, nearly 8 million persons were receiving old-age and survivors insurance benefits at a monthly rate of $412 million. At the end of 1954 nearly 7 million beneficiaries were receiving benefits at a monthly rate of $339 million.

At present, 71 million persons are insured under this program. If death should take the family breadwinner, the mothers and children in 9 out of 10 American families can receive survivors' benefits.

Sincerely yours,

M. B. FOLSOM,
Secretary.

Old-age and survivors insurance: Number and amount (dollars) of monthly benefits in current-payment status as of Dec. 31, 1955, by type of benefit and beneficiary's county of residence

State and county	County totals		Old age		Wife's or husband's		Child's		Widow's or widower's		Mother's		Parent's	
	Number	Monthly amount	Number	Monthly amount	Number	Monthly amount	Number	Monthly amount	Number	Monthly amount	Number	Monthly amount	Number	Monthly amount
NORTH DAKOTA														
Adams	129	$5,519	70	$3,767	23	$693	28	$763	2	$112	6	$184		
Barnes	566	23,607	315	16,199	86	2,220	109	2,933	39	1,594	16	609	1	$52
Benson	265	9,792	147	6,714	38	890	57	1,329	10	385	10	345	3	129
Billings	10	439	8	376	1	26							1	37
Bottineau	264	10,849	162	7,618	38	952	45	1,524	10	401	9	354		
Bowman	135	6,145	81	4,370	22	661	24	824	6	217	2	73		
Burke	174	6,324	76	3,553	22	477	60	1,653	5	192	11	449		
Burleigh	829	40,442	448	25,845	115	3,396	158	6,068	61	2,962	46	2,114	1	57
Cass	2,432	123,929	1,516	88,806	350	11,340	339	12,619	144	7,230	81	3,858	2	76
Cavalier	130	5,411	72	3,634	24	638	20	523	8	364	4	156	2	96
Dickey	252	10,661	160	7,921	42	1,148	31	840	13	554	6	198		
Divide	150	6,390	96	4,954	24	586	21	505	4	178	5	167		
Dunn	91	3,518	46	2,421	17	476	22	385	5	214	1	22		
Eddy	155	7,003	85	4,685	27	846	30	957	5	213	8	302		
Emmons	113	4,122	50	2,479	23	466	29	744	4	148	6	240	1	45
Foster	170	7,011	90	4,713	22	538	44	1,149	3	168	11	443		
Golden Valley	95	3,833	44	2,358	18	458	22	621	3	152	8	294		
Grand Forks	1,455	68,342	897	48,780	200	5,981	242	8,219	67	3,095	46	2,144	3	123
Grant	55	2,187	29	1,329	8	154	7	220	7	278	2	114	2	92
Griggs	165	6,083	93	4,401	22	551	33	604	10	405	7	122		
Hettinger	137	5,107	57	3,122	19	587	46	905	6	234	8	229	1	30
Kidder	92	3,571	48	2,157	17	397	20	727	3	90	4	200		
La Moure	191	7,699	112	5,542	34	828	34	934	4	146	7	249		
Logan	62	2,667	36	1,856	16	431	5	186	4	144	1	50		
McHenry	224	9,324	124	6,162	36	958	40	1,198	13	512	10	429	1	65

Old-age and survivors insurance: Number and amount (dollars) of monthly benefits in current-payment status as of Dec. 31, 1955, by type of benefit and beneficiary's county of residence—Continued

State and county	County totals		Old age		Wife's or husband's		Child's		Widow's or widower's		Mother's		Parent's	
	Number	Monthly amount	Number	Monthly amount	Number	Monthly amount	Number	Monthly amount	Number	Monthly amount	Number	Monthly amount	Number	Monthly amount
McIntosh	111	$4,565	60	$2,887	30	$747	11	$488	4	$159	6	$284		
McKenzie	138	5,725	77	3,959	25	610	23	660	8	319	4	140	1	$37
McLean	349	13,976	167	8,469	60	1,516	84	2,426	19	842	17	644	2	79
Mercer	126	5,269	49	2,580	22	636	37	1,248	8	347	8	384	2	74
Morton	377	15,636	184	9,060	47	1,240	96	3,184	25	1,113	24	966	1	73
Mountrail	236	9,419	140	6,872	43	985	39	1,102	6	248	7	159	1	53
Nelson	239	9,001	137	6,592	46	1,036	41	858	10	350	5	165		
Oliver	30	1,006	15	702	4	116	8	73	2	104	1	11		
Pembina	291	11,033	148	7,112	46	1,128	73	1,927	10	413	13	423	1	30
Pierce	131	5,554	78	3,861	12	301	25	706	8	347	8	339		
Ramsey	455	19,890	266	14,018	55	1,621	96	2,686	17	714	20	801	1	50
Ransom	287	11,465	180	8,532	42	917	44	1,200	17	679	4	137		
Renville	89	3,854	55	2,749	19	473	6	245	7	286	1	54	1	47
Richland	510	22,352	295	15,558	94	2,499	76	2,521	28	1,142	14	500	3	132
Rolette	222	6,759	82	3,743	20	402	102	1,956	3	135	13	418	2	105
Sargent	177	7,491	105	5,392	37	926	21	674	9	309	5	190		
Sheridan	43	1,525	24	945	9	152	8	345	1	30	1	53		
Sioux	21	783	8	466	1	39	9	212	1	41	2	25		
Slope	30	882	15	646	4	63	8	100	1	39	2	34		
Stark	389	16,292	168	9,124	50	1,319	117	3,593	24	1,013	29	1,189	1	54
Steele	89	3,355	49	2,198	17	424	16	468	5	190	2	75		
Stutsman	568	24,928	322	16,535	87	2,140	95	3,452	35	1,559	27	1,164	2	78
Towner	151	6,495	90	4,644	24	690	24	616	8	324	4	147	1	74
Traill	305	13,315	214	10,399	37	932	30	916	17	755	6	243	1	70
Walsh	407	17,091	224	11,031	52	1,300	85	2,820	19	852	26	1,038	1	50
Ward	1,175	54,925	685	37,914	194	5,644	194	6,776	59	2,639	38	1,724	5	228
Wells	157	6,577	89	4,585	31	838	26	746	8	302	3	106		
Williams	602	27,355	357	18,739	93	2,633	94	3,282	36	1,557	20	1,048	2	96

Old-age and survivors insurance: Number and amount of monthly benefits in current-payment status as of Dec. 31, 1955, by type of benefit and by State

Beneficiary's State of residence	Total		Old-age [1]		Wife's or husband's		Child's		Widow's or widower's [1]		Mother's		Parent's [1]	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Total	7,960,616	$411,612,764	4,473,971	$276,941,845	1,191,963	$39,415,543	1,276,240	$46,443,640	701,360	$34,152,239	291,916	$13,402,969	25,166	$1,256,528
Alabama	115,761	4,773,369	51,609	2,772,976	14,978	403,912	33,405	955,646	7,660	328,754	7,347	277,266	762	34,815
Alaska	4,017	186,735	2,116	126,622	216	5,870	1,413	43,156	78	3,673	188	7,071	6	343
Arizona	37,491	1,832,702	19,019	1,156,971	4,766	153,136	9,511	329,959	2,170	104,278	1,875	81,149	150	7,209
Arkansas	71,634	2,944,891	37,828	1,916,728	10,968	276,854	15,308	444,403	3,947	162,476	3,182	125,717	401	18,713
California	642,314	34,150,160	389,864	24,001,450	90,696	3,014,245	91,006	3,675,924	51,833	2,541,525	17,631	850,407	1,284	66,609
Colorado	66,675	3,335,347	38,149	2,274,163	10,218	322,830	11,157	403,521	4,870	233,041	2,155	95,758	126	6,034
Connecticut	134,780	7,895,214	80,160	5,505,792	21,399	789,691	14,202	614,132	15,099	782,984	3,564	183,773	356	18,842
Delaware	18,310	974,562	10,500	655,345	2,646	92,165	2,717	105,162	1,765	88,487	614	29,872	68	3,531
District of Columbia	29,965	1,524,106	17,710	1,065,528	3,186	106,606	5,142	171,879	2,717	130,503	1,130	45,733	80	3,857
Florida	216,699	11,204,123	128,275	7,979,173	35,926	1,187,319	31,348	1,060,812	13,830	660,276	6,830	293,190	490	23,353
Georgia	119,922	4,951,879	54,133	2,871,319	13,513	372,866	35,857	1,043,626	8,145	351,781	7,550	279,747	724	32,540
Hawaii	17,978	832,869	9,355	549,389	1,954	56,474	4,831	148,855	840	37,446	955	38,568	43	2,137
Idaho	26,787	1,271,087	15,167	859,468	4,131	121,910	5,073	181,584	1,461	65,061	893	40,027	62	3,037
Illinois	477,085	26,371,631	276,930	18,031,704	71,973	2,512,922	64,636	2,646,166	47,557	2,382,361	14,548	722,856	1,441	75,622
Indiana	228,316	11,799,459	129,251	7,918,019	36,930	1,217,991	34,271	1,319,622	20,229	972,727	7,081	342,844	554	28,256
Iowa	124,919	6,125,171	74,656	4,292,507	21,491	660,299	15,777	575,245	9,313	427,298	3,436	157,705	246	12,117
Kansas	90,103	4,354,697	52,527	2,986,619	15,256	462,959	12,894	475,853	6,607	299,380	2,620	120,362	199	9,524
Kentucky	128,388	5,686,295	62,735	3,530,345	18,530	527,658	31,421	944,249	8,574	389,155	6,463	262,901	665	31,987
Louisiana	92,527	4,016,302	43,808	2,372,834	11,269	316,089	24,480	769,387	6,975	309,495	5,526	226,717	469	21,780
Maine	65,253	3,203,172	39,179	2,259,317	9,720	299,608	8,834	298,997	5,309	247,154	2,046	90,168	165	7,928
Maryland	110,940	5,694,410	60,837	3,691,183	14,713	493,647	19,337	731,717	11,120	542,774	4,562	216,950	371	18,139
Massachusetts	328,912	18,427,555	198,616	12,944,411	50,034	1,778,437	34,926	1,425,165	34,647	1,746,850	9,913	492,416	776	40,276
Michigan	341,111	19,040,624	185,743	12,478,098	54,119	1,941,045	55,358	2,273,959	33,138	1,694,340	11,963	610,501	790	42,681
Minnesota	143,788	7,376,887	85,315	5,129,932	23,055	749,487	19,647	735,774	10,951	531,497	4,507	214,151	313	16,046
Mississippi	60,292	2,325,013	28,496	1,404,019	7,700	189,293	16,672	445,298	3,207	131,694	3,680	129,982	537	24,727
Missouri	207,405	10,497,873	122,143	7,290,056	32,156	1,029,185	28,463	1,009,426	17,864	858,282	6,117	277,730	662	33,194
Montana	28,129	1,393,932	16,123	945,688	3,766	118,438	5,126	183,416	2,104	100,850	929	41,360	81	4,135
Nebraska	57,920	2,798,770	34,822	1,973,041	9,997	302,288	7,407	267,097	4,010	181,375	1,568	69,345	116	5,624
Nevada	8,174	426,888	4,920	296,640	781	24,852	1,725	69,575	481	23,637	244	11,054	23	1,130
New Hampshire	39,918	2,063,463	24,552	1,475,656	5,852	190,831	4,887	181,037	3,406	159,821	1,151	52,664	70	3,454
New Jersey	305,102	17,458,888	176,461	11,842,561	47,810	1,742,640	35,468	1,536,126	34,530	1,771,689	9,897	515,135	936	50,737
New Mexico	21,651	890,360	9,263	505,804	2,450	67,389	7,393	215,076	989	43,668	1,443	53,054	113	5,369
New York	890,731	49,458,171	538,179	34,683,222	132,617	4,664,623	98,398	4,032,997	90,730	4,534,453	28,165	1,403,557	2,642	139,319
North Carolina	133,358	5,562,355	58,878	3,203,392	15,893	439,477	39,851	1,164,694	9,092	390,551	8,971	334,138	673	30,103
North Dakota	16,130	710,242	9,173	485,227	2,452	67,165	2,994	92,759	834	36,918	631	26,038	46	2,135
Ohio	463,404	25,390,987	257,717	16,833,019	74,909	2,652,222	66,636	2,672,689	47,787	2,410,153	15,225	763,998	1,130	58,906
Oklahoma	88,629	4,049,119	47,461	2,628,409	13,619	389,429	17,924	603,957	5,709	256,144	3,636	157,624	280	13,556
Oregon	100,214	5,264,897	61,990	3,789,827	15,393	494,981	13,157	518,802	7,167	339,612	2,326	112,150	181	9,525
Pennsylvania	638,875	35,066,903	355,227	23,259,841	101,671	3,590,945	86,095	3,444,495	69,199	3,430,639	24,474	1,227,392	2,209	113,591
Puerto Rico	29,499	881,514	14,574	603,232	4,260	74,379	9,099	150,196	298	11,637	1,124	35,803	144	6,267
Rhode Island	55,139	3,032,819	33,342	2,138,657	8,405	289,470	5,759	228,418	5,888	290,917	1,631	79,450	114	5,907
South Carolina	68,665	2,750,478	27,630	1,498,752	7,029	193,441	23,876	663,656	4,426	190,250	5,283	185,532	421	18,847
South Dakota	23,128	1,071,452	13,480	739,614	3,741	109,931	3,714	125,107	1,392	62,091	762	32,861	39	1,848
Tennessee	119,221	5,077,270	57,957	3,097,397	15,896	434,524	29,823	895,146	8,152	354,348	6,693	263,555	700	32,300
Texas	274,900	12,388,718	136,397	7,555,752	37,816	1,086,423	66,727	2,257,420	18,848	846,676	14,014	589,779	1,098	52,668
Utah	30,100	1,495,665	14,804	909,927	4,685	151,279	6,972	262,346	2,255	107,080	1,311	61,332	73	3,701
Vermont	22,834	1,129,893	13,494	785,749	3,574	112,187	2,948	102,642	2,032	93,990	723	32,223	63	3,102
Virgin Islands	386	12,558	222	9,497	44	914	103	1,577	7	260	10	310	0	0
Virginia	134,717	6,109,860	66,151	3,761,139	17,760	524,576	32,703	1,026,973	10,319	472,391	7,109	293,366	675	31,415
Washington	146,269	7,789,442	89,006	5,534,082	22,405	736,427	19,499	774,826	11,621	563,462	3,497	168,762	241	11,883
West Virginia	106,982	5,074,839	49,781	3,033,882	16,118	494,955	26,600	878,886	7,757	359,296	6,188	282,090	538	25,730
Wisconsin	194,068	10,322,126	112,898	7,064,968	32,688	1,102,636	24,904	984,151	17,315	855,228	5,815	291,896	448	23,247
Wyoming	11,289	569,916	6,530	389,673	1,550	48,825	2,184	83,631	644	29,741	365	17,171	16	875
Foreign	49,812	2,575,106	28,818	1,833,229	7,239	227,753	6,582	196,428	4,462	212,070	2,355	87,769	356	17,857

[1] Benefits of persons receiving both an old-age benefit and a widow's, widower's, or parent's secondary benefit are included only in the number of old-age benefits and the amount of the reduced secondary benefit is combined with the amount of the old-age benefit.

Old-Age and Survivors Insurance: Amount of benefit payments in calendar year 1955, by State

[In thousands]

Beneficiary's State of residence	Total	Monthly benefits [1]			Lump-sum death payments [2]	Beneficiary's State of residence	Total	Monthly benefits [1]			Lump-sum death payments [2]
		Old-age	Supplementary	Survivor				Old-age	Supplementary	Survivor	
Total	$4,968,155	$3,252,879	$494,863	$1,107,541	$112,872	Nebraska	$32,834	$22,525	$3,633	$6,005	$671
						Nevada	5,167	3,458	334	1,216	159
Alabama	57,959	32,681	5,372	18,478	1,428	New Hampshire	25,173	17,538	2,408	4,687	540
Alaska	2,318	1,539	97	615	67	New Jersey	210,900	139,075	21,617	45,187	5,111
Arizona	21,702	13,321	1,970	5,915	496	New Mexico	10,678	5,870	912	3,609	287
Arkansas	35,207	22,381	3,507	8,564	755	New York	596,951	406,739	57,698	118,499	14,015
California	413,494	283,858	38,119	82,471	9,046	North Carolina	67,263	37,336	5,873	22,289	1,715
Colorado	39,740	26,388	4,020	8,500	832	North Dakota	8,413	5,585	840	1,829	159
Connecticut	95,449	64,725	9,763	18,838	2,123	Ohio	308,773	199,213	33,235	69,219	7,106
Delaware	11,825	7,692	1,152	2,642	339	Oklahoma	48,376	30,550	4,883	11,864	1,079
District of Columbia	18,512	12,500	1,376	4,131	505	Oregon	63,691	44,904	6,232	11,356	1,199
Florida	131,795	91,963	14,459	23,055	2,318	Pennsylvania	426,414	275,567	44,870	96,340	9,637
Georgia	59,800	33,493	5,013	19,675	1,619	Puerto Rico	9,820	6,616	897	2,137	170
Hawaii	10,110	6,552	764	2,616	178	Rhode Island	37,285	25,694	3,665	7,099	827
Idaho	15,190	9,999	1,530	3,345	316	South Carolina	33,370	17,503	2,697	12,232	938
Illinois	319,159	211,620	31,342	68,252	7,945	South Dakota	12,451	8,372	1,321	2,487	271
Indiana	142,535	93,130	15,229	30,981	3,195	Tennessee	61,013	36,096	5,630	17,849	1,438
Iowa	72,223	49,341	8,007	13,413	1,462	Texas	148,214	87,397	13,982	43,042	3,793
Kansas	51,846	34,568	5,687	10,395	1,196	Utah	17,889	10,586	1,938	4,996	369
Kentucky	68,425	41,117	6,787	18,868	1,653	Vermont	13,666	9,297	1,410	2,722	237
Louisiana	48,414	27,743	4,156	15,245	1,270	Virgin Islands	139	106	10	23	0
Maine	38,991	26,914	3,790	7,527	760	Virginia	73,515	43,766	6,756	21,026	1,967
Maryland	68,925	43,243	6,260	17,546	1,876	Washington	95,064	66,173	9,318	17,664	1,909
Massachusetts	224,382	153,798	22,263	43,725	4,596	West Virginia	62,163	36,312	6,493	18,187	1,171
Michigan	231,565	147,511	24,578	54,023	5,453	Wisconsin	123,995	82,792	13,634	25,010	2,559
Minnesota	88,234	59,912	9,257	17,298	1,767	Wyoming	6,741	4,486	616	1,511	128
Mississippi	27,709	16,192	2,461	8,346	710	Foreign	30,649	21,477	2,862	6,003	307
Missouri	125,156	84,462	12,637	25,175	2,882						
Montana	16,793	11,153	1,503	3,814	323						

[1] Distribution by State and type of benefit estimated. Supplementary benefits are paid to aged wives, wives under age 65 with child beneficiaries in their care, dependent aged husbands, and children of old-age beneficiaries. Survivor benefits are paid to the following survivors of deceased insured workers: aged widows, dependent aged widowers, children, widowed mothers or divorced wives with child beneficiaries in their care, or dependent aged parents.

[2] Distribution by State based on 10-percent sample.

PROMOTION AND ADVANCEMENT OF RECREATION IN THE NATIONAL FORESTS

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the RECORD a thoughtful and informative editorial from the Eugene (Oreg.) Register-Guard of July 5, 1956, expressing support for the bill which I have introduced, along with a number of my colleagues, to provide for the establishment of a comprehensive program to promote and advance recreation in all the national forests of the United States.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOREST USERS SHOULD PAY THEIR WAY

Senator RICHARD L. NEUBERGER advises us of a bill he has introduced to bring about improvement in the recreational facilities in the national forests. He believes his bill will do for the national forests what the widely celebrated "Mission 66" program will do in the next 10 years for the run-down, neglected and inadequate national parks. With the motives of his bill, we agree.

It takes a little slower, and perhaps a more reasonable, approach, than do other similar bills which also encourage the cleaning up of forest recreation areas. The Neuberger bill does not, at this time, call for a money appropriation. Instead it calls for a survey by the Secretary of Agriculture. That official would be charged with determining what needs to be done and with reporting to Congress. He would be required to develop a 5-year plan of the "Mission 66" type and to tell Congress how many employees he'd have to have to carry it out and what it would cost.

We rather prefer this bill to the bill of Senators MURRAY and MANSFIELD (both Montana Democrats) and to the bill of Representative METCALF of that State. These bills call for an expenditure of funds right now. The funds to implement the Metcalf bill would come from forest receipts. Senator NEUBERGER suggests, by introducing his bill, that the forest service should have a plan for spending the money before it gets it. That's probably sound thinking.

In support of his new bill the Oregon Senator pointed out that national forests are visited annually by vastly more people than are the national parks. Using Oregon as an example, he finds that in 1955 3,221,000 persons visited national forests in the State, while only 343,839 visited the State's 1 national park, Crater Lake. And nationally last year national forest use totaled 45,713,000 visitors, while only 18,829,541 persons visited national parks.

Those figures don't mean much. His comparison of the crowd at Crater Lake with the crowds in all Oregon's national forests is unfair. The 343,839 at Crater Lake were concentrated in a small area around the rim of a small lake. The national forests could swallow up 10 times as many and more. Why didn't he compare one forest camp—say Paradise or Clear Lake or Cape Perpetua—with Crater Lake?

And another point:

Much as we sympathize with the efforts to clean up the national forest camps, which are sometimes little more than timbered slum areas, we can't accept the thesis that Uncle Sam should do it all. Some of the burden, we think, should fall on the users of these recreation areas. Motorists pay for our highways. Why should not hunters, hikers, fishermen, skiers, photographers, campers, and the like pay for the campsites they use in the national forests?

We've spent many nights at forest camps, but found few of the camps adequately maintained. But we didn't exactly have room service coming to us, since we didn't pay a dime for the privilege of staying there. We've also spent many nights in State parks and each night a ranger came around to collect the 75 cents or a dollar the State charges for use of the parks. We paid the money cheerfully and then got our money's worth in wood, water, and sanitation. Recently we stayed at a privately operated camp at Diamond Lake. It was a beauty. It cost a dollar, but the person who paid the money didn't have to spend the remainder of his weekend dragging wood from far back in the forest. And his wife didn't have to worry about the purity of the water supply.

It's true that the forest service has a ridiculously low budget for recreational facilities. The sad state of disrepair at these camps reflects no discredit on the Forest Service.

We endorse the Neuberger bill for study of the problem. We have already spoken in favor of the Metcalf bill for spending some money on recreational facilities. We also look with favor on the bill of the two Montana Senators. At the same time we realize that there isn't a chance in the world that these bills can receive favorable action—or even unfavorable action—before this Congress adjourns. But they always can be brought before other Congresses.

However, our endorsement of such programs is limited. We believe in them as measures to accomplish some of the capital improvements, some of the work that should have been kept up when the old CCC was disbanded and after World War II. After the forest camps are put back into shape, however, the Federal Government should not be expected to go on paying all the bills. Users ought to pay their own way.

PLUMBING-HEATING-COOLING MONTH

Mr. WILEY. Mr. President, I should like to invite the attention of my colleagues and of the Nation to an important forthcoming occasion.

Next month, August, has been designated as Plumbing-Heating-Cooling Month. During that 31-day period, the eyes of the Nation will be focused on the great opportunities available to improve our American standard of living. We can do so by perfecting the already high plumbing, heating, and cooling standards throughout the 48 States.

Last month, it was my great pleasure to deliver an address along this line at

the 74th annual convention of the National Association of Plumbing Contractors.

Meeting in Wisconsin's largest city, Milwaukee, the convention heard from leaders of labor and management in this great industry, and I was happy indeed to pay tribute to it.

The 14,000 members of the national association are indispensable factors in our United States housing and construction industry.

Under the appropriate slogan, "We sell, we install, we service, we guarantee," the plumbing contractors serve the grassroots needs of residential, commercial, and industrial America.

PURPOSES OF ALL-INDUSTRY COMMITTEE

At the convention, I was particularly impressed by the enthusiasm which the delegates showed for the work of what is appropriately known as the All-Industry Plumbing and Heating Modernization Committee.

I learned that the All-Industry Committe has three objectives. They are:

First. The promotion of modernization and remodeling of residential property, with particular emphasis on obsolete and inadequate mechanical facilities in housing units.

Second. Cooperation with and among Government agencies, national trade associations, and other organizations, publications, chambers of commerce, civic clubs and organizations, and community leaders, with regard to modernization and rehabilitation of residential properties.

Third. Supplement and coordinate publicity, advertising and promotional activities in connection with action and Home Improvement Year program, including Plumbing-Heating-Cooling Month.

"Renew the heart of your home—plumbing-heating-cooling," is the slogan of the all-industry project. A seal for the industry has been devised that links a heart with the eagle seal of Operation Home Improvement.

In the firm belief that the substantial portion of any home improvement project is invested in better plumbing, heating, and cooling, committee members strongly advocate that the contractor should offer his services as a coordinator of the home improvement business.

I am delighted to say that all segments of the industry—manufacturers, wholesalers, contractors, organized labor—are backing the campaign.

Chairman of the All-Industry Plumbing and Heating Modernization Committee is William A. Landers, of Oklahoma City. Mr. Landers is also president of the National Association of Plumbing Contractors.

COMMENDATION BY PETER SCHOEMANN

Peter T. Schoemann, general president of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, who is a member of this committee, well said:

This enlightened program is the first time, to my knowledge, that all groups of our industry have joined together to boost home improvements throughout the Nation.

Special tribute should be given to a man from my home State for the part that he played in this program. Robert T. Morrill, Beloit, Wis., past president of the National Association of Plumbing Contractors, initiated this program last August, when he called a meeting in Washington of industry leaders to discuss methods of tying in with the Home Improvement Year.

ABLE OFFICERS OF COMMITTEE

Officers of the All-Industry Committee, headed by Landers, include the following:

Claude W. Owen, Washington, D. C., representing the American Institute of Wholesale Plumbing and Heating Supply Associations, Inc., vice chairman.

James H. Peery, Chicago, Ill., secretary of the Central Supply Association, secretary.

Daniel J. Quinn, New York, N. Y., American Radiator & Standard Sanitary Corp., and representative of manufacturers, treasurer.

Jerome O. Hendrickson, Washington, D. C., executive secretary of the National Association of Plumbing Contractors, assistant treasurer.

Chairman of the special coordinating committee for Plumbing-Heating-Cooling Month, is Wilbur S. Hokom, Beverly Hills, Calif., vice president of the National Association of Plumbing Contractors.

Charles W. Thompson, St. Louis, Mo., president of Central Supply Association, is the chairman of the consumer finance committee.

William E. Kramer, Washington, D. C., secretary of the Plumbing Fixture Manufacturers Association, is chairman of the public relations committee.

These officers, chairmen, and members of their committees should be congratulated for the wonderful job that they are doing in carrying out the objectives of the all-industry committee. The contributors to this program merit the praise of the industry for backing up the efforts of this committee through their financial support.

As I have indicated the month of August has been officially designated Plumbing-Heating-Cooling Month. Newspapers over the Nation carried the opening announcement of Plumbing-Heating-Cooling Month, while some State Governors proclaimed the month officially.

FINE MESSAGE FROM ADMINISTRATOR COLE

I am happy to note that Albert M. Cole, Administrator of the Housing and Home Finance Agency, has written the following letter to Wilbur S. Hokom, chairman of the Coordinating Committee for Plumbing-Heating-Cooling Month:

The decision of the plumbing, heating, and cooling industry to focus public attention during August on the modern home benefits now available in these fields is certainly a most important contribution toward the improvement and modernization of American housing.

Last January when, at the direction of President Eisenhower, I issued the declaration of 1956 as Home Improvement Year, both the President and I counted on the vigorous response of private industry. That response has been positive and widespread, reaching into every village, town, and city of the country.

The plumbing-heating-cooling improvement campaign you are about to undertake in August is a significant part of that response. The advances made in modern plumbing, heating, and cooling should go beyond the innovations introduced into newly built housing. They should also be made available to the majority of American families who live in our existing supply of housing—our middle-aged homes.

By informing the American householder how these vital utility systems can be made more adequate and efficient in the homes we live in today, you will add measurably to the future value of our basic stock of homes and to the greater comfort, health, and convenience of the many millions of families who live in them.

Sincerely yours,

ALBERT M. COLE.
Administrator.

PROPOSED DECLARATION BY PUBLIC OFFICIALS

It is the hope of the plumbing-heating-cooling industry that every top elected official in every city in the United States, will sign the following proclamation:

PROCLAMATION OF AUGUST 1956 AS PLUMBING-HEATING-COOLING MONTH

Whereas we recognize that the home is the hearth of the American way of life; and

Whereas we uphold that love of God and our fellowman, pride of country and good citizenship begin in the home; and

Whereas we strive to provide, by private enterprise and initiative, a modern, comfortable home for every American family who seeks such a goal; and

Whereas 27 million American homes have inadequate or no private bathroom facilities of any kind; and

Whereas 27 million American homes have no central heating plants and many more have inadequate heating systems; and

Whereas the absence of such conveniences tends to lower property values and cause slum or blighted neighborhoods; and

Whereas it is our duty as Americans and homeowners to eliminate and prevent slums and below-standard housing for the sake of our country and good of our children: Therefore, be it

Resolved, That I (name of official), as duly elected (title), of (name of city), do hereby proclaim the month of August as Plumbing-Heating-Cooling Month. And I wholeheartedly urge every official, businessman, and citizen of our community to endorse these and other home improvements as investments in America.

I also understand that all the members of the National Association of Master Plumbers and Heating Contractors of Canada, are cooperating in this program. I commend the plumbing and heating contractors of Canada making this program international.

In closing, I am proud to salute the efforts of Mr. Landers, his officers, committee chairmen, and members of the committees, for the constructive measures that they are taking in eliminating and preventing slums and below-standard housing, which is for the benefit of every American citizen.

DEFEAT OF THE FEDERAL AID TO EDUCATION BILL

Mr. NEUBERGER. Mr. President, the greatest catastrophe of this session of Congress is the defeat of the Federal aid-to-education bill. The children of America have been let down. It is a sad eventuality. It is unfair to the next generation.

The school bill was defeated when the Powell amendment was added. This introduced into the school-bill debate an issue which should have been kept separate from it—just as the racial issue had been kept separate from Federal-aid programs to hospitals, airports, highways, public-health facilities, and similar functions.

President Eisenhower was on record in favor of aid to education, and against the Powell amendment. He did absolutely nothing—but nothing—to make his views prevail.

The distinguished correspondent, James Reston, wrote in the New York Times for July 8, 1956, a timely but depressing epitaph to the school bill. He commented thus on the abdication of leadership by the President:

Incidentally, the silence of the President during this week's debate is extremely interesting. Ever since his first inaugural address, he has talked about the urgent need for prompt action in this field, but with his own party divided and wavering on what to do, he did not send a single word to the Congress during this week's debate, though he had repeatedly and publicly urged the Congress to adopt his views on foreign-aid legislation the week before.

Mr. President, I regard foreign aid as important. I voted for President Eisenhower's foreign-aid program faithfully and consistently, a few weeks ago. But, Mr. President, foreign aid is not as important to me as aiding the hard-pressed and deteriorating school systems of the United States. The President could send word to Congress in behalf of foreign aid, but not in behalf of aid to American schools.

Mr. James Reston also wrote in the New York Times:

When it (the school-aid fight) was all over, word came from Gettysburg that the President would continue to press for school-aid legislation this session. But it is too late, and his intervention now will do no good.

Alas, the President of the United States could send word to us on Capitol Hill that he wanted the right to continue aid to overseas nations, but he was silent when ugly partisan politics was strangling the bill to provide aid for the schoolchildren and schoolteachers of his own Nation.

I ask unanimous consent, Mr. President, to include in the RECORD with my remarks the entire text of Mr. Reston's article entitled "The Race Between Politics and Education"; a resolution urging Federal aid to schools, from the 1956 first annual constitutional convention of the Oregon Labor Council; and a news story from the Portland Oregonian of July 6, 1956, describing the disappointment of leaders of the National Education Association over the defeat of the Federal aid-to-schools bill.

There being no objection, the articles and resolution were ordered to be printed in the RECORD, as follows:

[From the New York Times of July 8, 1956]

WASHINGTON

(By James Reston)

THE RACE BETWEEN POLITICS AND EDUCATION

WASHINGTON, July 7.—The serious education crisis in the Nation is going to have to be solved at the State and local level, for it is now obvious that racial politics have almost paralyzed the Federal Government's efforts to give direct aid to schools.

The appalling debate in the House of Representatives this week illustrates how badly we need better education everywhere—including in Congress—and yet how completely this question is now overwhelmed by emotional and political considerations.

President Eisenhower has pleaded for a separation of the segregation and Federal school-aid issues, but his party will not follow him. Nor will the southern Democrats in Congress follow the moderate advice of Adlai E. Stevenson on this issue.

THE SOLID SOUTH

The position of the southern Democrats is perfectly simple. They are opposed to any legislation which might be used, directly or indirectly, to ease them into obeying the Supreme Court's decision against racial segregation in the public schools.

They used every parliamentary device in the book to keep the school-aid bill from passing for this reason: they knew that once this bill was on the books, it would have been easy next year for some northern Senator or Congressman to tag onto the appropriation bill for the Department of Health, Education, and Welfare an amendment stating that none of the funds in the bill could be allocated to States that had not carried out the Supreme Court's school integration decisions.

Once this were done, the southerners would have been disarmed, for they could not filibuster an appropriation bill without cutting off all funds for the Department of Health, Education, and Welfare, including social-security funds, and nobody is prepared to do that.

The Republicans are not so involved emotionally in the racial question, but they are playing for high political stakes. From the end of the Civil War until the election of 1928 the Negroes in the North voted Republican because they had been emancipated by Lincoln.

Thereafter Franklin Roosevelt added them to a powerful political coalition of the South and the urban North that was not beaten until the arrival of Eisenhower in 1952.

The Republicans are now taking dead aim at this coalition. Specifically, they are trying to detach from the Democratic Party the 10 million Negroes of voting age—more and more of whom are now moving into the prosperous cities of the North.

There is now in progress all over the urban North, which will probably decide the election of 1956, a major Republican campaign to convince the Negroes that a vote for any Democrat is a vote to continue Democratic control of the key congressional committees by anti-integration southern Democrats, particularly Senator JAMES O. EASTLAND, of Mississippi, the rabid segregationist who is chairman of the Senate Judiciary Committee.

Consequently, while the President was against the Powell amendment to the school construction bill (which would deny Federal funds to States not carrying out the Supreme Court decisions), 148 Republicans voted for it. And while the President was for any bill that would "build more schoolrooms," only 75 Republicans voted for the Kelley bill that lost by only 30 votes.

A DECISIVE COMBINATION

There were, of course, many other factors in the debate. But this combination of fierce emotional feeling among southern Democrats and determined Republican action to win back the Negro vote was decisive.

Incidentally, the silence of the President during this week's debate is extremely interesting. Ever since his first inaugural address, he has talked about the "urgent" need for "prompt action" in this field, but with his own party divided and wavering on what to do, he did not send a single word to the Congress during this week's debate, though he had repeatedly and publicly urged the Congress to adopt his views on foreign-aid legislation the week before.

When it was all over, word came from Gettysburg that the President would "continue to press" for school-aid legislation this session. But it is too late, and his intervention now will do no good.

Nevertheless, the problem remains. The population of the country is rising at the phenomenal rate of almost 3 million a year. An alarming number of communities are providing education that was perhaps adequate for a predominantly agrarian and isolated country 50 years ago, but is now not only inadequate but menacing for an industrial nation which is now the main guardian of western civilization.

The President can, if he will, dramatize this obvious fact by appealing persistently to the Nation at large for community action. He might even be able to provide some Federal aid through income tax deductions on funds contributed to local schools—a method which would avoid the segregation issue.

For the moment, however, strong social and political currents are in command. They are allied to powerful philosophic antagonisms against direct Federal aid to education which were formed in another generation, and without a powerful lead from the White House these things will continue to prevail.

[From the Oregonian (Portland, Oreg.) of July 6, 1956]

HOUSE DEFEAT OF FEDERAL SCHOOL AID TERMED UNFORTUNATE BY PRINCIPAL

Failure of the school appropriations bill to pass the House of Representatives was considered unfortunate by a group of secondary principals and teachers interviewed at a crab dinner at David Douglas High School Thursday evening. The consensus favored the Federal aid, but was against the Powell amendment.

Mrs. Winifred Isaacs of Folcroft, Pa., when asked what she thought of the bill's death, said, "We don't think much of it." Who is we? was the next question. "The State of Pennsylvania," she answered. "My husband is in the State legislature and that's the way he feels, too."

After first saying "no comment," a Tennessee delegate, Mrs. Ethel Bane, said, "I'm for Federal aid to schools." But the Negro teacher chose not to give a direct answer concerning her opinion of the bill's failure, saying, "No, I don't think the bill has a chance to go through again minus the amendment to omit schools which have not desegregated."

The only Oregonian interviewed, Henry Osibov, of Colton, felt that many used the integration amendment as an excuse for voting against the Kelley bill. He was sorry the $400 million appropriation was not approved.

George Lambie, Waukegan, Ill., said, "It's unfortunate for the Nation's children the bill failed. The increasing number of children attending school each year makes new classrooms essential." Lambie does not feel the Powell amendment solely responsible for the failure.

"I was glad the bill was killed with that amendment on it," said Mrs. Mildred Long, Fremont, Nebr. "That's not the way to bring about integration," she added. "I am certainly in favor of Federal aid, however."

Mrs. Elsie Dance, of St. Johns, Mich., seemed to be in agreement with the majority of her colleagues. "I favored the bill but not with the amendment attached," she stated.

One of the South Dakota delegates, Dorothy Forness, also favored the bill without the integration clause tacked on. "The Government doesn't tell us what kind of cars to drive on highways, so why should they

tell certain States what to do before they get Federal aid for a worthy cause?"

The executive secretary of the department of audio-visual instruction, Floyd E. Brooker, of Washington, D. C., called the 224 to 194 vote against the bill the starkest kind of tragedy. Then added, "We need 90,000 new classrooms each year to handle the increase in children attending school. Last year we got 66,000 new ones, which was insufficient. This appropritaion would have enabled us to catch up."

When asked about the integration amendment, Brooker said it was unfortunate the amendment was attached.

RESOLUTION 69 OF FIRST ANNUAL CONVENTION OF OREGON LABOR COUNCIL

Whereas, recent studies of Oregon school building needs made by the schoolhouse planning section of the Oregon State Department of Education show that between 1956 and 1961 a total of $84,555,200 must be expended to provide for unhoused pupils and the increase which will occur in the State's elementary and high school population; and

Whereas the estimated total expenditures needed for school facilities between now and 1961 has been shown to be $98,261,597; and

Whereas 70 distressed school districts will need to provide school building facilities in excess of their present remaining bonding capacity and accumulated bonding capacity to 1961 in an amount found to be $13,577,166; and

Whereas the amount 88 distressed school districts will need in excess of their present remaining bonding capacity to 1961 has been shown to be $23,368,216; and

Whereas school building needs of 44 distressed districts for the next 2 years to house pupils who are double shifted, pupils in overloaded classrooms, and two-fifths of the 5-year projected increase is estimated to be $13,823,800; and

Whereas needs in excess of remaining bonding capacity for 44 districts for the next 2 years has been shown to be $5,225,114; and

Whereas school building needs for 62 distressed districts for the next 4 years necessary to house pupils, pupils housed in substandard classrooms and two-fifths more of the projected increase is estimated to be $16,579,400; and

Whereas needs in excess of remaining bonding capacity and accumulated bonding capacity for the next 4 years for these 62 schools has been found to be $11,071,129; and

Whereas the estimated annual additional aid necessary to provide for minimum needs of Oregon schools is $5,225,114 for 1956–58 and $6,846,015 for 1958–60 and $2,506,037 for 1961; Now, therefore, be it

Resolved, That this First Constitutional Convention of the Oregon State Labor Council urges Congress to act with all speed to adopt the Kelley bill which would make Federal aid available to all States for school building needs and to the State of Oregon in the amount of $3,852,000 annually or $15,408,000 over a 4-year period and would require Oregon matching funds of only an equal amount.

Adopted June 21, 1956.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of Calvin M. Langfield to be postmaster at Troutlake, Wash.; Mrs. Aune M. Vartti to be postmaster at Eben Junction, Mich.; Mrs. Verna Mae Murphy to be postmaster at Drumore, Pa.; Emmett J. Synder to be postmaster at Taylor, Mo.; and Hollis N. Hartley, to be postmaster at Lee's Summit, Mo., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Curtis LeFever, for permanent appointment to the grade of captain in the Coast and Geodetic Survey.

By Mr. HENNINGS, from the Committee on the Judiciary:

Scovel Richardson, of Missouri, to be a member of the Board of Parole.

By Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary:

John E. Henry, of Montana, to be a member of the Board of Parole.

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

One hundred and sixty postmasters.

CONVENTION WITH REPUBLIC OF HONDURAS, RELATING TO DOUBLE TAXATION—REMOVAL OF INJUNCTION OF SECRECY

The PRESIDING OFFICER. The Chair lays before the Senate Executive K, 84th Congress, 2d session, a convention between the United States of America and the Republic of Honduras for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on June 25, 1956. Without objection, the injunction of secrecy will be removed from the convention, and the convention, together with the President's message, will be referred to the Committee on Foreign Relations, and the message from the President will be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, if the Senate approve thereof, I transmit herewith a convention between the United States of America and the Republic of Honduras for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on June 25, 1956.

I transmit also for the information of the Senate the report by the Secretary of State with respect to the proposed convention, together with the memorandum enclosed with that report.

The convention has the approval of the Department of State and the Department of the Treasury.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 11, 1956.*

(Enclosures: 1. Report of the Secretary of State, with enclosed memorandum. 2. Income-tax convention with Honduras.)

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to consider the nominations on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered; and the nominations on the Executive Calendar will be stated.

UNITED STATES CIRCUIT JUDGE—NOMINATION PASSED OVER

The Chief Clerk read the nomination of Simon E. Sobeloff, of Maryland, to be United States circuit judge for the fourth circuit.

Mr. JOHNSON of Texas. Mr. President, by request, I ask unanimous consent that the nomination be passed over; but I should like to announce to the Senate that it is expected that the Senate will proceed to consider the nomination sometime next week.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

DEPARTMENT OF JUSTICE

The Chief Clerk read the nomination of Victor R. Hansen, of California, to be Assistant Attorney General.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be notified forthwith of the confirmation of his nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

THE INTERNATIONAL WHEAT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive I, the International Wheat Agreement.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider Executive I (84th Cong., 2d sess.) the International Wheat Agreement, 1956, which was formulated at the U. N. Wheat Conference concluded on April 25, 1956, remained open for signature in Washington until and including May 18, 1956, and was signed during that period by plenipotentiaries of 40 governments, including the United States of America and 5 other exporting countries and 34 importing countries.

The agreement was read the second time, as follows:

INTERNATIONAL WHEAT AGREEMENT, 1956

The Governments signatory to this Agreement,

Considering that the International Wheat Agreement which was opened for signature at Washington on 23 March 1949 was entered

into in order to overcome the serious hardship caused to producers and consumers by burdensome surpluses and critical shortages of wheat, and

Considering that the 1949 Agreement was revised and renewed at Washington on 13 April 1953, and

Considering that it is desirable that the International Wheat Agreement be again renewed, with certain modifications, for a further period, and

Having decided to conclude for that purpose this Agreement revising and renewing the International Wheat Agreement,

Have agreed as follows:

PART 1. GENERAL

Article I

Objectives

The objectives of this Agreement are to assure supplies of wheat to importing countries and markets for wheat to exporting countries at equitable and stable prices.

Article II

Definitions

1. For the purposes of this Agreement:

"Advisory Committee on Price Equivalents" means the Committee established under Article XV.

"Bushel" means 60 pounds avoirdupois or 27.2155 . . . kilogrammes.

"Carrying charges" means the costs incurred for storage, interest and insurance in holding wheat.

"C. and f." means cost and freight.

"Council" means the International Wheat Council established by Article XIII.

"Crop year" means the period from 1 August to 31 July, except that in Article VII it means in respect of Argentina and Australia the period from 1 December to 30 November, and in respect of the United States of America the period from 1 July to 30 June.

"Executive Committee" means the Committee established under Article XIV.

"Exporting country" means, as the context requires, either (i) the Government of a country listed in Annex B to Article III which has accepted or acceded to this Agreement and has not withdrawn therefrom, or (ii) that country itself and the territories in respect of which the rights and obligations of its Government under this Agreement apply.

"F. a. q." means fair average quality.

"F. o. b." means free on board ocean vessel and, in the case of

(i) French wheat delivered at a Rhine port, free on board river craft,

(ii) Swedish wheat, free on board seagoing vessel.

"Guaranteed quantity" means in relation to an importing country its guaranteed purchases for a crop-year and in relation to an exporting country its guaranteed sales for a crop-year.

"Importing country" means, as the context requires, either (i) the Government of a country listed in Annex A to Article III which has accepted or acceded to this Agreement and has not withdrawn therefrom, or (ii) that country itself and the territories in respect of which the rights and obligations of its Government under this Agreement apply.

"Marketing costs" means all usual charges incurred in marketing, chartering, and forwarding.

"Metric ton", or 1,000 kilogrammes, means 36.74371 bushels.

"Old crop wheat" means wheat harvested more than two months prior to the beginning of the current crop-year of the exporting country concerned.

"Territory" in relation to an exporting or importing country includes any territory in respect of which the rights and obligations under this Agreement of the Government of that country apply under Article XXIII.

"Transaction" means a sale for import into an importing country of wheat exported or to be exported from an exporting country, or the quantity of such wheat so sold, as the context requires. Where reference is made in this Agreement to a transaction between an exporting country and an importing country, it shall be understood to refer not only to transactions between the Government of an exporting country and the Government of an importing country but also to transactions between private traders and to transactions between a private trader and the Government of an exporting or an importing country. In this definition "Government" shall be deemed to include the Government of any territory in respect of which the rights and obligations of any Government accepting or acceding to this Agreement apply under Article XXIII.

"Unfulfilled guaranteed quantity" means, in the case of an exporting country, the difference between the quantities entered in the Council's records in accordance with Article IV in respect of that country for a crop-year and its guaranteed sales for that crop year and, in the case of an importing country, the difference between the quantities entered in the Council's records in accordance with Article IV in respect of that country for a crop-year and that portion of its guaranteed purchases for that crop-year which it is, at the relevant time, entitled to purchase having regard to paragraph 9 of Article III.

"Wheat" includes wheat grain and, except in Article VI, wheat-flour.

2. (a) All calculations of the wheat equivalent of guaranteed purchases of guaranteed sales of wheat-flour shall be made on the basis of the rate of extraction specified in the contract between the buyer and the seller.

(b) If no such rate is specified, seventy-two units by weight of wheat-flour shall for the purpose of such calculations be deemed to be equivalent to one hundred units by weight of wheat grain unless the Council decides otherwise.

PART 2. RIGHTS AND OBLIGATIONS

Article III

Guaranteed Purchases and Guaranteed Sales

1. The quantities of wheat set out in Annex A to this Article for each importing country represent, subject to any increase or reduction made in accordance with the provisions of Part 3 of this Agreement, the guaranteed purchases of that country for each of the crop-years covered by this Agreement.

2. The quantities of wheat set out in Annex B to this Article for each exporting country represent, subject to any increase or reduction made in accordance with the provisions of Part 3 of this Agreement, the guaranteed sales of that country for each of the crop-years covered by this Agreement.

3. The guaranteed purchases of an importing country represent the maximum quantity of wheat which, subject to deduction of the amount of the transactions entered in the Council's records in accordance with Article IV against those guaranteed purchases,

(a) that importing country may be required by the Council, as provided in Article V, to purchase from the exporting countries at prices consistent with the minimum prices specified in or determined under Article VI, or

(b) the exporting countries may be required by the Council, as provided in Article V, to sell to that importing country at prices consistent with the maximum prices specified in or determined under Article VI.

4. The guaranteed sales of an exporting country represent the maximum quantity of wheat which, subject to deduction of the amount of the transactions entered in the Council's records in accordance with Article IV against those guaranteed sales,

(a) that exporting country may be required by the Council, as provided in Article V, to sell to the importing countries at prices consistent with the maximum prices specified in or determined under Article VI, or

(b) the importing countries may be required by the Council, as provided in Article V, to purchase from that exporting country at prices consistent with the minimum prices specified in or determined under Article VI.

5. If an importing country finds difficulty in exercising its right to purchase its unfulfilled guaranteed quantity at prices consistent with the maximum prices specified in or determined under Article VI or an exporting country finds difficulty in exercising its right to sell its unfulfilled guaranteed quantity at prices consistent with the minimum prices so specified or determined, it may have resort to the procedure in Article V.

6. Exporting countries are under no obligation to sell any wheat under this Agreement unless required to do so as provided in Article V at prices consistent with the maximum prices specified in or determined under Article VI. Importing countries are under no obligation to purchase any wheat under this Agreement unless required to do so as provided in Article V at prices consistent with the minimum prices specified in or determined under Article VI.

7. The quantity, if any, of wheat-flour to be supplied by the exporting country and accepted by the importing country against their respective guaranteed quantities shall, subject to the provisions of Article V, be determined by agreement between the buyer and seller in each transaction.

8. Exporting and importing countries shall be free to fulfill their guaranteed quantities through private trade channels or otherwise. Nothing in this Agreement shall be construed to exempt any private trader from any laws or regulations to which he is otherwise subject.

9. The Council may, at its discretion, require that no importing country shall purchase and no exporting country shall sell under this Agreement more than 90 per cent of its guaranteed quantity for any crop-year before 28 February of that crop-year.

ANNEX A TO ARTICLE III

Guaranteed purchases for each crop-year

	Metric tons	Equivalent in bushels
Austria	100,000	3,674,371
Belgium	450,000	16,534,669
Bolivia	110,000	4,041,808
Brazil	200,000	7,348,742
Ceylon	175,000	6,430,149
Colombia	70,000	2,572,060
Costa Rica	40,000	1,469,748
Cuba	202,000	7,422,229
Denmark	50,000	1,837,185
Dominican Republic	30,000	1,102,311
Ecuador	50,000	1,837,185
Egypt	300,000	11,023,113
El Salvador	25,000	918,593
Germany	1,500,000	55,115,565
Greece	300,000	11,023,113
Guatemala	40,000	1,469,748
Haiti	60,000	2,204,623
Honduras Republic	25,000	918,593
India	200,000	7,348,742
Indonesia	140,000	5,144,119
Ireland	150,000	5,511,557
Israel	225,000	8,267,335
Italy	100,000	3,674,371
Japan	1,000,000	36,743,710
Jordan	10,000	367,437
Korea	60,000	2,204,623
Lebanon	75,000	2,755,778
Liberia	2,000	73,487
Mexico	100,000	3,674,371
Netherlands	700,000	25,720,597
New Zealand	160,000	5,878,994
Nicaragua	10,000	367,437
Norway	180,000	6,613,868
Panama	30,000	1,102,311
Peru	200,000	7,348,742
Philippines	165,000	6,062,712
Portugal	160,000	5,878,994
Saudi Arabia	100,000	3,674,371
Spain	125,000	4,592,964
Switzerland	190,000	6,981,305
Union of South Africa	150,000	5,511,557
Vatican City	15,000	551,156
Venezuela	170,000	6,246,431
Yugoslavia	100,000	3,674,371
Total	8,244,000	302,915,145

ANNEX B TO ARTICLE III

Guaranteed sales for each crop-year

	Metric tons	Equivalent in bushels
Argentina	400,000	14,697,484
Australia	823,471	30,257,380
Canada	2,800,395	102,896,902
France	450,000	16,534,669
Sweden	175,000	6,430,149
United States	3,595,134	132,098,561
Total	8,244,000	302,915,145

Article IV

Recording of Transactions Against Guaranteed Quantities

1. The Council shall keep records for each crop-year of those transactions and parts of transactions in wheat which are part of the guaranteed quantities in Annexes A and B to Article III.

2. A transaction or part of a transaction in wheat grain between an exporting country and an importing country shall be entered in the Council's records against the guaranteed quantities of those countries for a crop-year:

(a) provided that (i) it is at a price not higher than the maximum nor lower than the minimum specified in or determined under Article VI, and (ii) the exporting country and the importing country have not agreed that it shall not be entered against their guaranteed quantities; and

(b) to the extent that (i) both the exporting and the importing country concerned have unfulfilled guaranteed quantities for that crop-year, and (ii) the loading period specified in the transaction falls within that crop-year.

3. A transaction or part of a transaction for the purchase and sale of wheat shall be eligible for entry in the Council's records against the guaranteed quantities of the exporting and importing countries concerned on the conditions specified in this Article, notwithstanding that the transaction has been entered into before the deposit of its instrument of acceptance of this Agreement by either or both of those countries.

4. If a commercial contract or governmental agreement on the sale and purchase of wheat-flour contains a statement, or if the exporting country and the importing country concerned inform the Council that they are agreed, that the price of such wheat-flour is consistent with the prices specified in or determined under Article VI, the wheat grain equivalent of such wheat-flour shall, subject to the conditions prescribed in (a) (ii) and (b) of paragraph 2 of this Article, be entered in the Council's records against the guaranteed quantities of those countries. If the commercial contract or governmental agreement does not contain a statement of the nature referred to above and the exporting country and the importing country concerned do not agree that the price of the wheat-flour is consistent with the prices specified in or determined under Article VI, either of those countries may, unless they have agreed that the wheat grain equivalent of that wheat-flour shall not be entered in the Council's records against their guaranteed quantities, request the Council to decide the issue. Should the Council, on consideration of such a request, decide that the price of such wheat-flour is consistent with the prices specified in or determined under Article VI, the wheat grain equivalent of the wheat-flour shall be entered against the guaranteed quantities of the exporting and importing countries concerned, subject to the conditions prescribed in (b) of paragraph 2 of this Article. Should the Council, on consideration of such a request, decide that the price of such wheat-flour is inconsistent with the prices specified in or determined under Article VI, the wheat grain equivalent of the wheat-flour shall not be so entered.

5. Provided that the conditions prescribed in paragraph 2 or 4 of this Article, other than that in (b) (ii) of paragraph 2, are satisfied, the Council may authorize transactions to be recorded against guaranteed quantities for a crop-year if (a) the loading period specified in the transaction is within a reasonable tme up to one month, to be decided by the Council, before the beginning or after the end of that crop-year, and (b) the exporting and importing country concerned so agree.

6. For the period of closed navigation between Fort William/Port Arthur and the Canadian Atlantic ports, a transaction or part of a transaction shall, notwithstanding the provisions of paragraph 4 of Article VI, be eligible or entry in the Council's records against the guaranteed quantity of the exporting country and the importing country concerned if it relates to

(a) Canadian wheat which is moved by an all-rail route from Fort William/Port Arthur to Canadian Atlantic ports, or

(b) United States wheat which, except for conditions beyond the control of the buyer and the seller, would be moved by lake and rail to United States Atlantic ports and which, because it cannot be so moved, is moved by an all-rail route to United States Atlantic ports,

provided that payment of the extra transportation cost thereby incurred is agreed between the buyer and the seller.

7. The Council shall prescribe rules of procedure, in accordance with the following provisions, for the reporting and recording of transactions which are part of the guaranteed quantities:

(a) Any transaction or part of a transaction, between an exporting country and an importing country, qualifying under paragraph 2, 3 or 4 of this Article to form part of the guaranteed quantities of those countries shall be reported to the Council within such period and in such detail and by one or both of those countries as the Council shall lay down in its rules of procedure.

(b) Any transaction or part of a transaction reported in accordance with the provisions of sub-paragraph (a) shall be entered in the Council's records against the guaranteed quantities of the exporting country and the importing country between which the transaction is made.

(c) The order in which transactions and parts of transactions shall be entered in the Council's records against the guaranteed quantities shall be prescribed by the Council in its rules of procedure.

(d) The Council shall, within a time to be prescribed in its rules of procedure, notify each exporting country and each importing country of the entry of any transaction or part of a transaction in the Council's records against their guaranteed quantities.

(e) If, within a period which the Council shall prescribe in its rules of procedure, the importing country or the exporting country concerned objects in any respect to the entry of a transaction or part of a transaction in the Council's records against its guaranteed quantity, the Council shall review the matter and, if it decides that the objection is well founded, shall amend its records accordingly.

(f) If any exporting or importing country considers it probable that the full amount of wheat already entered in the Council's records against its guaranteed quantity for the current crop-year will not be loaded within that crop-year, that country may request the Council to make appropriate reductions in the amounts entered in its records. The Council shall consider the matter and, if it decides that the request is justified, shall amend its records accordingly.

(g) Any wheat purchased by an importing country from an exporting country and resold to another importing country may, by agreement of the importing countries concerned, be entered against the unfulfilled guaranteed purchases of the importing country to which the wheat is finally resold, provided that a corresponding reduction is made in the amount entered against the guaranteed purchases of the first importing country.

(h) The Council shall send to all exporting and importing countries weekly, or at such other interval as the Council may prescribe in its rules of procedure, a statement of the amounts entered in its records against guaranteed quantities.

(i) The Council shall notify all exporting and importing countries immediately when the guaranteed quantity of any exporting or importing country for any crop-year has been fulfilled.

8. Each exporting country and each importing country may be permitted, in the fulfillment of its guaranteed quantity, a degree of tolerance to be prescribed by the Council for that country on the basis of its guaranteed quantity and other relevant factors.

Article V

Enforcement of Rights

1. (a) Any importing country which finds difficulty in purchasing its unfulfilled guaranteed quantity for any crop-year at prices consistent with the maximum prices specified in or determined under Article VI may request the Council's help in making the desired purchases.

(b) Within three days of the receipt of a request under sub-paragraph (a) the Secretary of the Council shall notify those exporting countries which have unfulfilled guaranteed quantities for the relevant crop-year of the amount of the unfulfilled guaranteed quantity of the importing country which has requested the Council's help and invite them to offer to sell wheat at prices consistent with the maximum prices specified in or determined under Article VI.

(c) If within twenty days of the notification by the Secretary of the Council under sub-paragraph (b) the whole of the unfulfilled guaranteed quantity of the importing country concerned, or such part thereof as in the opinion of the Council is reasonable at the time the request is made, has not been offered for sale, the Council shall as soon as possible decide:

(i) the quantities

and also, if requested,

(ii) the quality and grade

of wheat grain and/or wheat-flour which each or any of the exporting countries is required to offer to sell to that importing country for loading during the relevant crop-year or within such time thereafter, not exceeding one month, as the Council may decide.

The Council shall decide on (i) and (ii) above after receiving an assurance, if requested, that the wheat grain or wheat-flour is to be used for consumption in the importing country or for normal or traditional trade; and in reaching its decision the Council shall also take into account any circumstances which the exporting and the importing countries may submit, including:

(iii) the normal traditional volume and ratio of imports of wheat-flour and wheat grain and the quality and grade of wheat-flour and wheat grain imported by the importing country, and

(iv) the proportion of each exporting country's guaranteed quantity already sold at the time the request is made.

(d) Each exporting country required by the Council's decision under sub-paragraph (c) to offer quantities of wheat grain and/or wheat-flour for sale to the importing country shall, within thirty days from the date of that decision, offer to sell those quantities to such importing country for loading during the period provided under sub-paragraph (c) at prices consistent with the maximum prices specified in or determined under Article VI and, unless those countries agree otherwise, on the same conditions re-

garding the currency in which payment is to be made as prevail generally between them at that time.

(e) In case of disagreement between an exporting country and an importing country on the allowance for difference in quality to be made in the price of wheat or on the quantity or price of wheat-flour to be included in a particular transaction being negotiated in compliance with the Council's decision under sub-paragraph (c), or on the relation of the price of such wheat-flour to the maximum prices of wheat grain specified in or determined under Article VI, or on the conditions on which the wheat grain and/or wheat-flour shall be bought and sold, the matter shall be referred to the Council for decision.

2. (a) Any exporting country which finds difficulty in selling its unfulfilled guaranteed quantity for any crop-year at prices consistent with the minimum prices specified in or determined under Article VI may request the Council's help in making the desired sales.

(b) Within three days of the receipt of a request under sub-paragraph (a) the Secretary of the Council shall notify those importing countries which have unfulfilled guaranteed quantities for the relevant crop-year of the amount of the unfulfilled guaranteed quantity of the exporting country which has requested the Council's help and invite them to offer to purchase wheat at prices consistent with the minimum prices specified in or determined under Article VI.

(c) If within twenty days of the notification by the Secretary of the Council under sub-paragraph (b) the whole of the unfulfilled guaranteed quantity of the exporting country concerned, or such part thereof as in the opinion of the Council is reasonable at the time the request is made, has not been purchased, the Council shall as soon as possible decide:

(i) the quantities

and also, if requested,

(ii) the quality and grade

of wheat grain and/or wheat-flour which each or any of the importing countries is required to offer to purchase from that exporting country for loading during the relevant crop-year or within such time thereafter, not exceeding one month, as the Council may decide.

In reaching its decision on (i) and (ii) above, the Council shall take into account any circumstances which the exporting and the importing countries may submit, including in the case of each importing country:

(iii) the normal traditional volume and ratio of its imports of wheat-flour and wheat grain and the quality and grade of wheat-flour and wheat grain imported, and

(iv) the proportion of its guaranteed quantity already purchased at the time the request is made.

(d) Each importing country required by the Council's decision under sub-paragraph (c) to offer to purchase quantities of wheat grain and/or wheat-flour from the exporting country shall, within thirty days from the date of that decision, offer to purchase those quantities from such exporting country for loading during the period provided under sub-paragraph (c) at prices consistent with the minimum prices specified in or determined under Article VI and, unless those countries agree otherwise, on the same conditions regarding the currency in which payment is to be made as prevail generally between them at that time.

(e) In case of disagreement between an exporting country and an importing country on the allowance for difference in quality to be made in the price of wheat or on the quantity or price of wheat-flour to be included in a particular transaction being negotiated in compliance with the Council's decision under sub-paragraph (c), or on the relation of the price of such wheat-flour to the minimum prices of wheat grain specified in or determined under Article VI, or on the conditions on which the wheat grain and/or wheat-flour shall be bought and sold, the matter shall be referred to the Council for decision.

3. For the purposes of this Article Port Churchill shall not be a port of shipment.

Article VI

Prices

1. (a) The basic minimum and maximum prices for the duration of this Agreement shall be:

Minimum	$1.50
Maximum	$2.00

Canadian currency per bushel at the parity for the Canadian dollar, determined for the purposes of the International Monetary Fund as at 1 March 1949, for No. 1 Manitoba Northern wheat in bulk in store Fort William/Port Arthur. The basic minimum and maximum prices, and the equivalents thereof hereafter referred to, shall exclude such carrying charges and marketing costs as may be agreed between the buyer and the seller.

(b) Carrying charges as agreed between the buyer and seller may accrue for the buyer's account only after an agreed date specified in the contract under which the wheat is sold.

2. The equivalent maximum prices for bulk wheat for:

(a) No. 1 Manitoba Northern wheat in store Vancouver shall be the maximum price for No. 1 Manitoba Northern wheat in bulk in store Fort William/Port Arthur specified in paragraph 1 of this Article;

(b) No. 1 Manitoba Northern wheat f. o. b. Port Churchill, Manitoba, shall be the price equivalent to the c. and f. price in the country of destination of the maximum price for No. 1 Manitoba Northern wheat in bulk in store Fort William/Port Arthur specified in paragraph 1 of this Article, computed by using currently prevailing transportation costs and exchange rates;

(c) Argentine wheat in store ocean ports shall be the maximum price for No. 1 Manitoba Northern wheat in bulk in store Fort William/Port Arthur specified in paragraph 1 of this article, converted into Argentine currency at the prevailing rate of exchange, making such allowance for difference in quality as may be agreed between the exporting country and the importing country concerned;

(d) f. a. q. Australian wheat in store ocean ports shall be the maximum price for No. 1 Manitoba Northern wheat in bulk in store Fort William/Port Arthur specified in paragraph 1 of this Article, converted into Australian currency at the prevailing rate of exchange, making such allowance for difference in quality as may be agreed between the exporting country and the importing country concerned;

(e) French wheat on sample or on description f. o. b. French seaports or at the French border (whichever is applicable) shall be

(i) if the country of destination has a sea coast, the c. and f. price in the country of destination of No. 1 Manitoba Northern wheat in bulk in store Fort William/Port Arthur at the maximum price specified in paragraph 1 of this Article, less the cost of transportation from the French coast to the coast of the country of destination,

(ii) if the country of destination has no sea coast, the price at the French border equal to the price determined as at (i) above in relation to a delivery of wheat at Hamburg,

computed by using currently prevailing transportation costs and exchange rates and by making such allowance for difference in quality as may be agreed between the exporting country and the importing country concerned;

(f) Swedish wheat on sample or on description f. o. b. Swedish ports between Stockholm and Gothenburg, both included, shall be the price equivalent to the c. and f. price in the country of destination of the maximum price for No. 1 Manitoba Northern wheat in bulk in store Fort William/Port Arthur specified in paragraph 1 of this Article, computed by using currently prevailing transportation costs and exchange rates and by making such allowance for difference in quality as may be agreed between the exporting country and the importing country concerned;

(g) No. 1 Hard Winter wheat f. o. b. Gulf/Atlantic ports of the United States of America shall be the price equivalent to the c. and f. price in the country of destination of the maximum price for No. 1 Manitoba Northern wheat in bulk in store Fort William/Port Arthur specified in paragraph 1 of this Article, computed by using currently prevailing transportation costs and exchange rates and by making such allowance for difference in quality as may be agreed between the exporting country and the importing country concerned; and

(h) No. 1 Soft White wheat or No. 1 Hard Winter wheat in store Pacific ports of the United States of America shall be the maximum price for No. 1 Manitoba Northern wheat in bulk in store Fort William/Port Arthur specified in paragraph 1 of this Article, computed by using the prevailing rate of exchange and by making such allowance for difference in quality as may be agreed between the exporting country and the importing country concerned.

3. The equivalent minimum price for bulk wheat for:

(a) No. 1 Manitoba Northern wheat f. o. b. Vancouver,

(b) No. 1 Manitoba Northern wheat f. o. b. Port Churchill, Manitoba,

(c) Argentine wheat f. o. b. Argentina,

(d) f. a. q. wheat f. o. b. Australia,

(e) French wheat on sample or on description f. o. b. French ports,

(f) Swedish wheat on sample or on description f. o. b. Swedish ports between Stockholm and Gothenburg, both included,

(g) No. 1 Hard Winter wheat f. o. b. Gulf/Atlantic ports of the United States of America, and

(h) No. 1 Soft White wheat or No. 1 Hard Winter wheat f. o. b. Pacific ports of the United States of America.

shall be respectively: the f. o. b. prices Vancouver, Port Churchill, Argentina, Australia, France, Swedish ports between Stockholm and Gothenburg, both included, United States of America Gulf/Atlantic ports and United States of America Pacific ports equivalent to the c. and f. prices in the United Kingdom of Great Britain and Northern Ireland of the minimum prices for No. 1 Manitoba Northern wheat in bulk in store Fort William/Port Arthur specified in paragraph 1 of this Article, computed by using currently prevailing transportation costs and exchange rates and by making such allowance for difference in quality as may be agreed between the exporting country and the importing country concerned.

4. For the period of closed navigation between Fort William/Port Arthur and the Canadian Atlantic ports, equivalent maximum and minimum prices shall be determined by reference only to the lake and rail movement of wheat from Fort William/Port Arthur to Canadian winter ports.

5. The Executive Committee may, in consultation with the Advisory Committee on Price Equivalents, determine the minimum and maximum price equivalents for wheat at points other than those specified above and may also designate any description, type, class or grade of wheat other than those

specified in paragraphs 2 and 3 above and determine the minimum and maximum price equivalents thereof; provided that, in the case of any other wheat the price equivalent of which has not yet been determined, the minimum and maximum prices for the time being shall be derived from the minimum and maximum prices of the description, type, class or grade of wheat specified in this Article, or subsequently designated by the Executive Committee in consultation with the Advisory Committee on Price Equivalents, which is most closely comparable to such other wheat by the addition of an appropriate premium or by the deduction of an appropriate discount.

6. If any exporting or importing country represents to the Executive Committee that any price equivalent established under paragraph 2, 3 or 5 of this Article is, in the light of current transportation or exchange rates or market premiums or discounts, no longer fair, the Executive Committee shall consider the matter and may, in consultation with the Advisory Committee on Price Equivalents, make such adjustment as it considers desirable.

7. In establishing equivalent minimum and maximum prices under paragraph 2, 3, 5, or 6 above, no allowance for difference in quality shall be made which would result in the equivalent minimum and maximum price of wheat of any description, type, class or grade being fixed at a level higher than the basic minimum or maximum price, respectively, specified in paragraph 1 above.

8. If a dispute arises as to what premium or discount is appropriate for the purposes of paragraphs 5 and 6 of this Article in respect of any description of wheat specified in paragraph 2 or 3 or designated under paragraph 5 of this Article, the Executive Committee, in consultation with the Advisory Committee on Price Equivalents, shall on the request of the exporting or importing country concerned decide the issue.

9. All decisions of the Executive Committee under paragraphs 5, 6 and 8 of this Article shall be binding on all exporting and importing countries, provided that any of those countries which considers that any such decision is disadvantageous to it may ask the Council to review that decision.

Article VII

Stocks

1. In order to assure supplies of wheat to importing countries, each exporting country shall endeavour to maintain stocks of old crop wheat at the end of its crop-year at a level adequate to ensure that it will fulfil its guaranteed sales under this Agreement in each subsequent crop-year.

2. In the event of a short crop being harvested by an exporting country, particular consideration shall be given by the Council to the efforts made by that exporting country to maintain adequate stocks as required by paragraph 1 of this Article before that country is relieved of any of its obligations under Article X.

3. In order to avoid disproportionate purchases of wheat at the beginning and end of a crop-year, which might prejudice the stabilization of prices under this Agreement and render difficult the fulfilment of the obligations of all exporting and importing countries, importing countries shall endeavour to maintain adequate stocks at all times.

4. In the event of an appeal by an importing country under Article XII, particular consideration shall be given by the Council to the efforts made by that importing country to maintain adequate stocks as required by paragraph 3 of this Article before it decides in favour of such an appeal.

Article VIII

Information to be Supplied to the Council

The exporting and importing countries shall report to the Council, within the time prescribed by it, such information as the Council may request in connexion with the administration of this Agreement.

PART 3. ADJUSTMENT OF GUARANTEED QUANTITIES

Article IX

Adjustments in Case of Non-participation or Withdrawal of Countries

1. In the event of any difference occurring between the total of the guaranteed purchases in Annex A to Article III and the total of the guaranteed sales in Annex B to Article III as a result of any country listed in Annex A or Annex B (a) not signing or (b) not depositing an instrument of acceptance of or (c) withdrawing under paragraph 5, 6 or 7 of Article XXII from or (d) being expelled under Article XIX from or (e) being found by the Council under Article XIX to be in default of the whole or part of its guaranteed quantity under this Agreement, the Council shall, without prejudice to the right of any country to withdraw from this Agreement under paragraph 6 of Article XXII, adjust the remaining guaranteed quantities so as to make the total in the one Annex equal to the total in the other Annex.

2. The adjustment under this Article shall, unless the Council decides otherwise by two-thirds of the votes cast by the exporting countries and two-thirds of the votes cast by the importing countries, be made by reducing pro rata the guaranteed quantities in Annex A or Annex B, as the case may be, by the amount necessary to make the total in the one Annex equal to the total in the other Annex.

3. In making adjustments under this Article, the Council shall keep in mind the general desirability of maintaining the total guaranteed purchases and the total guaranteed sales at the highest possible level.

Article X

Adjustment in Case of Short Crop or Necessity to Safeguard Balance of Payments or Monetary Reserves

1. Any exporting or importing country which fears that it may be prevented, by a short crop in the case of an exporting country or the necessity to safeguard its balance of payments or monetary reserves in the case of an importing country, from carrying out its obligations under this Agreement in respect of a particular crop-year shall report the matter to the Council at the earliest possible date and apply to the Council to be relieved of the whole or a part of its obligations for that crop-year. An application made to the Council pursuant to this paragraph shall be heard without delay.

2. If the matter relates to a short crop, the Council shall, in dealing with the request for relief, review the reporting country's supply situation.

3. If the matter relates to balance of payments or monetary reserves, the Council shall seek and take into account, together with all facts which it considers relevant, the opinion of the International Monetary Fund, as far as the matter concerns a country which is a member of the Fund, on the existence and extent of the necessity referred to in paragraph 1 of this Article.

4. The Council shall, in dealing with a request for relief under this Article, adhere to the principle that the country concerned will to the maximum extent feasible, if it is an exporting country, make sales to meet its obligations under this Agreement and, if it is an importing country, make purchases to meet its obligations under this Agreement.

5. The Council shall decide whether the reporting country's representations are well founded. If it finds they are well founded, it shall decide to what extent and on what conditions the reporting country shall be relieved of its guaranteed quantity for the crop-year concerned. The Council shall inform the reporting country of its decision.

6. If the Council decides that the reporting country shall be relieved of the whole or part of its guaranteed quantity for the crop-year concerned, the following procedure shall apply:

(a) The Council shall, if the reporting country is an importing country, invite the other importing countries, or, if the reporting country is an exporting country, invite the other exporting countries, to increase their guaranteed quantities for the crop-year concerned up to the amount of the guaranteed quantity of which the reporting country is relieved. Any increase in guaranteed quantities under this sub-paragraph shall require the approval of the Council.

(b) If the amount of which the reporting country is relieved cannot be fully offset in the manner provided in (a) of this paragraph, the Council shall invite the exporting countries, if the reporting country is an importing country, or the importing countries, if the reporting country is an exporting country, to accept a reduction of their guaranteed quantities for the crop-year concerned up to the amount of the guaranteed quantity of which the reporting country is relieved, after taking account of any adjustments made under (a) of this paragraph.

(c) If the total offers received by the Council from the exporting and importing countries to increase their guaranteed quantities under (a) of this paragraph or to reduce their guaranteed quantities under (b) of this paragraph exceed the amount of the guaranteed quantity of which the reporting country is relieved, their guaranteed quantities shall, unless the Council decides otherwise, be increased or reduced, as the case may be, on a pro rata basis, provided that the increase or reduction of the guaranteed quantity of any such country shall not exceed its offer.

(d) If the amount of the guaranteed quantity of which the reporting country is relieved cannot be fully offset in the manner provided in (a) and (b) of this paragraph, the Council shall reduce the guaranteed quantities in Annex A to Article III, if the reporting country is an exporting country, or in Annex B to Article III, if the reporting country is an importing country, for the crop-year concerned by the amount necessary to make the total in the one Annex equal to the total in the other Annex. Unless the exporting countries in the case of a reduction in Annex B, or the importing countries in the case of a reduction in Annex A, agree otherwise, the reduction shall be made on a pro rata basis, account being taken of any reduction already made under (b) of this paragraph.

Article XI

Adjustments of Guaranteed Quantities by Consent

1. The Council, when requested to do so by the exporting and importing countries whose guaranteed quantities would thereby be changed, may approve increases in the guaranteed quantities in one Annex to Article III for the remaining period of the Agreement together with equivalent increases in the guaranteed quantities in the other Annex for that period.

2. An exporting country may transfer part of its guaranteed quantity to another exporting country and an importing country may transfer part of its guaranteed quantity to another importing country for one or more crop-years, subject to approval by the Council by a majority of the votes cast by the exporting countries and a majority of the votes cast by the importing countries.

3. The guaranteed quantity of any country acceding under Article XXI of this Agreement shall be offset by appropriate adjustments by way of increase or decrease of the guaranteed quantities of one or more other countries in Annexes A and B to Article III. Such adjustments shall not be approved unless each exporting or importing country

whose guaranteed quantity is thereby changed has consented.

Article XII

Additional Purchases in Case of Critical Need

In order to meet a critical need which has arisen or threatens to arise in its territory, an importing country may appeal to the Council for assistance in obtaining supplies of wheat in addition to its guaranteed purchases. On consideration of such an appeal the Council may reduce pro rata the guaranteed quantities of the other importing countries in order to provide the quantity of wheat which it determines to be necessary to relieve the emergency created by the critical need, provided that it considers that such emergency cannot be met in any other manner. Two-thirds of the votes cast by the exporting countries and two-thirds of the votes cast by the importing countries shall be required for any reduction of guaranteed purchases under this paragraph.

PART 4. ADMINISTRATION

Article XIII

The Council

A. Constitution

1. The International Wheat Council, established by the International Wheat Agreement which was opened for signature in Washington on 23 March 1949, shall continue in being for the purpose of administering the present Agreement.

2. Each exporting country and each importing country shall be a voting member of the Council and may be represented at its meetings by one delegate, alternates, and advisers.

3. Such inter-governmental organizations as the Council may decide to invite may each have one non-voting representative in attendance at meetings of the Council.

4. The Council shall elect for each crop-year a Chairman and a Vice-Chairman.

B. Powers and Functions

5. The Council shall establish its rules of procedure.

6. The Council shall keep such records as are required by the terms of this Agreement and may keep such other records as it considers desirable.

7. (a) The Council may study any aspect of the world wheat situation and may sponsor exchanges of information and inter-governmental consultations relating thereto. The Council may make such arrangements as it considers desirable with the Food and Agriculture Organization of the United Nations and with other intergovernmental organizations, and also with Governments not party to this Agreement which have a substantial interest in the international trade in wheat, for cooperation in any of these activities.

(b) The exporting and importing countries reserve to themselves complete liberty of action in the determination and administration of their internal agricultural and price policies.

8. The Council shall publish an annual report and may publish any other information concerning matters within the scope of this Agreement.

9. The Council shall have such other powers and perform such other functions as it may deem necessary to carry out the terms of this Agreement.

10. The Council may, by two-thirds of the votes cast by the exporting countries and two-thirds of the votes cast by the importing countries, delegate the exercise of any of its powers or functions. The Council may at any time revoke such delegation by a majority of the votes cast. Any decision made under any powers or functions delegated by the Council in accordance with this paragraph shall be subject to review by the Council at the request of any exporting or importing country made within a period which the Council shall prescribe. Any decision in respect of which no request for review has been made within the prescribed period shall be binding on all exporting and importing countries.

C. Voting

11. (a) Subject to the provisions of subparagraphs (b) and (c) of this paragraph, the importing countries shall hold 1,000 votes, which shall be distributed among them in the proportions which their respective guaranteed purchases for the current crop-year bear to the total of the guaranteed purchases for that crop-year. The exporting countries shall also hold 1,000 votes, which shall be distributed among them in the proportions which their respective guaranteed sales for the current crop-year bear to the total of the guaranteed sales for that crop-year.

(b) If at any Session of the Council an importing country or an exporting country is not represented by an accredited delegate and has not authorized another country to exercise its votes in accordance with paragraph 16 of this Article, the total votes to be exercised by the exporting countries shall be adjusted to a figure equal to the total of votes to be exercised at that Session by the importing countries and redistributed among exporting countries in proportion to their guaranteed sales.

(c) No exporting country or importing country shall have less than one vote and there shall be no fractional votes.

12. The Council shall redistribute the votes in accordance with the provisions of paragraph 11 of this Article whenever there is any change in the guaranteed purchases or guaranteed sales for the current crop-year.

13. If an exporting or an importing country forfeits its votes under paragraph 5 of Article XVII or is deprived of its votes under paragraph 7 of Article XIX, the Council shall redistribute the votes as if that country had no guaranteed quantity for the current crop-year.

14. Any reduction in its guaranteed quantity accepted by an exporting country or an importing country under paragraph 6 (b) of Article X and any transfer of part of a country's guaranteed quantity for only one crop-year under paragraph 2 of Article XI shall be disregarded for the purpose of redistributing votes under this Article.

15. Except where otherwise specified in this Agreement, decisions of the Council shall be by a majority of the total votes cast.

16. Any exporting country may authorize any other exporting country, and any importing country may authorize any other importing country, to represent its interests and to exercise its votes at any meeting or meetings of the Council. Evidence of such authorization satisfactory to the Council shall be submitted to the Council.

D. Sessions

17. The Council shall meet at least once during each half of each crop-year and at such other times as the Chairman may decide.

18. The Chairman shall convene a Session of the Council if so requested by (a) five countries or (b) one or more countries holding a total of not less than 10 per cent of the total votes or (c) the Executive Committee.

E. Quorum

19. The presence of delegates with a majority of the votes held by the exporting countries and a majority of the votes held by the importing countries prior to any adjustment of votes under paragraph 11 (b) of this Article shall be necessary to constitute a quorum at any meeting of the Council.

F. Seat

20. The seat of the Council shall be London unless the Council decides otherwise by a majority of the votes cast by the exporting countries and a majority of the votes cast by the importing countries.

G. Legal capacity

21. The Council shall have in the territory of each exporting and importing country such legal capacity as may be necessary for the exercise of its functions under this Agreement.

H. Decisions

22. Each exporting and importing country undertakes to accept as binding all decisions of the Council under the provisions of this Agreement.

Article XIV

Executive Committee

1. The Council shall establish an Executive Committee. The members of the Executive Committee shall be not more than four exporting countries elected annually by the exporting countries and not more than eight importing countries elected annually by the importing countries. The Council shall appoint the Chairman of the Executive Committee and may appoint a Vice-Chairman.

2. The Executive Committee shall be responsible to and work under the general direction of the Council. It shall have such powers and functions as are expressly assigned to it under this Agreement and such other powers and functions as the Council may delegate to it under paragraph 10 of Article XIII.

3. The exporting countries on the Executive Committee shall have the same total number of votes as the importing countries. The votes of the exporting countries shall be divided among them as they shall decide, provided that no exporting country shall have more than 40 per cent of the total votes of the exporting countries. The votes of the importing countries shall be divided among them as they shall decide, provided that no importing country shall have more than 40 per cent of the total votes of the importing countries.

4. The Council shall prescribe rules of procedure regarding voting in the Executive Committee and may make such other provisions regarding rules of procedure in the Executive Committee as it thinks fit. A decision of the Executive Committee shall require the same majority of votes as this Agreement prescribes for the Council when making a decision on a similar matter.

5. Any exporting or importing country which is not a member of the Executive Committee may participate, without voting, in the discussion of any question before the Executive Committee whenever the latter considers that the interests of that country are affected.

Article XV

Advisory Committee on Price Equivalents

The Council shall establish an Advisory Committee on Price Equivalents consisting of representatives of not more than three exporting countries and of not more than three importing countries. The Committee shall advise the Council and the Executive Committee on the matters referred to in paragraphs 5, 6 and 8 of Article VI and on such other questions as the Council or the Executive Committee may refer to it. The Chairman of the Committee shall be appointed by the Council.

Article XVI

The Secretariat

1. The Council shall have a Secretariat consisting of a Secretary and such staff as may be required for the work of the Council and of its committees.

2. The Council shall appoint the Secretary and determine his duties.

3. The staff shall be appointed in accordance with regulations established by the Council.

Article XVII

Finance

1. The expenses of delegations to the Council, of representatives on the Executive Committee, and of representatives of the

Advisory Committee on Price Equivalents shall be met by their respective Governments. The other expenses necessary for the administration of this Agreement, including those of the Secretariat and any remuneration which the Council may decide to pay to its Chairman or its Vice-Chairman, shall be met by annual contributions from the exporting and importing countries. The contributions of each such country for each crop-year shall be in the proportion which its guaranteed quantity bears to the total guaranteed sales or purchases at the beginning of that crop-year.

2. At its first session after this Agreement comes into force, the Council shall approve its budget for the period ending 31 July 1957 and assess the contribution to be paid by each exporting and importing country.

3. The Council shall, at a session during the second half of each crop-year, approve its budget for the following crop-year and assess the contribution to be paid by each exporting and importing country for that crop-year.

4. The initial contribution of any exporting or importing country acceding to this Agreement under Article XXI shall be assessed by the Council on the basis of the guaranteed quantity to be held by it and the period remaining in the current crop-year, but the assessments made upon other exporting and importing countries for the current crop-year shall not be altered.

5. Contributions shall be payable immediately upon assessment. Any exporting or importing country failing to pay its contribution within one year of its assessment shall forfeit its voting rights until its contribution is paid, but shall not be deprived of its other rights nor relieved of its obligations under this Agreement. In the event of any exporting or importing country forfeiting its voting rights under this paragraph its votes shall be redistributed as provided in paragraph 13 of Article XIII.

6. The Council shall, each crop-year, publish an audited statement of its receipts and expenditures in the previous crop-year.

7. The Government of the country where the seat of the Council is situated shall grant exemption from taxation on the salaries paid by the Council to its employees except that such exemption need not apply to the nationals of that country.

8. The Council shall, prior to its dissolution, provide for the settlement of its liabilities and the disposal of its records and assets.

Article XVIII

Co-operation With Other Inter-Governmental Organizations

1. The Council may make whatever arrangements are desirable for consultation and co-operation with the appropriate organs of the United Nations and its specialized agencies and with other inter-governmental organizations.

2. If the Council finds that any terms of this Agreement are materially inconsistent with such requirements as may be laid down by the United Nations or through its appropriate organs and specialized agencies regarding intergovernmental commodity agreements, the inconsistency shall be deemed to be a circumstance affecting adversely the operation of this Agreement and the procedure prescribed in paragraphs 3, 4 and 5 of Article XXII shall be applied.

Article XIX

Disputes and Complaints

1. Any dispute concerning the interpretation or application of this Agreement which is not settled by negotiations shall, at the request of any country party to the dispute, be referred to the Council for decision.

2. In any case where a dispute has been referred to the Council under paragraph 1 of this Article, a majority of countries, or any countries holding not less than one-third of the total votes, may require the Council, after full discussion, to seek the opinion of the advisory panel referred to in paragraph 3 of this Article on the issues in dispute before giving its decision.

3. (a) Unless the Council unanimously agrees otherwise, the panel shall consist of:

(i) two persons, one having wide experience in matters of the kind in dispute and the other having legal standing and experience, nominated by the exporting countries;

(ii) two such persons nominated by the importing countries; and

(iii) a chairman selected unanimously by the four persons nominated under (i) and (ii) or, if they fail to agree, by the Chairman of the International Wheat Council.

(b) Persons from countries whose Governments are parties to this Agreement shall be eligible to serve on the advisory panel and persons appointed to the advisory panel shall act in their personal capacities and without instructions from any Government.

(c) The expenses of the advisory panel shall be paid by the Council.

4. The opinion of the advisory panel and the reasons therefor shall be submitted to the Council which, after considering all the relevant information, shall decide the dispute.

5. Any complaint that any exporting or importing country has failed to fulfil its obligations under this Agreement shall, at the request of the country making the complaint, be referred to the Council which shall make a decision on the matter.

6. No exporting or importing country shall be found to have committed a breach of this Agreement except by a majority of the votes held by the exporting countries and a majority of the votes held by the importing countries. Any findings that an exporting or importing country is in breach of this Agreement shall specify the nature of the breach and, if the breach involves default by that country in its guaranteed quantity, the extent of such default.

7. If the Council finds that an exporting country or an importing country has committed a breach of this Agreement it may, by a majority of the votes held by the exporting countries and a majority of the votes held by the importing countries, deprive the country concerned of its voting rights until it fulfils its obligations or expel that country from the Agreement.

8. If any exporting or importing country is deprived of its votes under this Article, the votes shall be redistributed as provided in paragraph 13 of Article XIII. If any exporting or importing country is found in default of the whole or part of its guaranteed quantity, or is expelled from this Agreement, the remaining guaranteed quantities shall be adjusted as provided in Article IX.

PART 5. FINAL PROVISIONS

Article XX

Signature, Acceptance, and Entry into Force

1. This Agreement shall be open for signature in Washington until and including 18 May 1956 by the Governments of the countries listed in Annex A and Annex B to Article III.

2. This Agreement shall be subject to acceptance by signatory Governments in accordance with their respective constitutional procedures. Subject to the provisions of paragraph 5 of this Article, instruments of acceptance shall be deposited with the Government of the United States of America not later than 16 July 1956 provided, however, that a notification by any signatory Government to the Government of the United States of America by 16 July 1956 of an intention to accept this Agreement, followed by the deposit of an instrument of acceptance not later than 1 December 1956 in fulfilment of that intention, shall be deemed to constitute acceptance on 16 July 1956 for the purposes of this Article.

3. Provided that the Governments of countries listed in Annex A to Article III responsible for not less than two-thirds of the guaranteed purchases and the Governments of countries listed in Annex B to Article III responsible for not less than two-thirds of the guaranteed sales have accepted this Agreement by 16 July 1956, Parts 1, 3, 4 and 5 of the Agreement shall enter into force on 16 July 1956 and Part 2 on 1 August 1956 for those Governments which have accepted the Agreement.

4. If by 16 July 1956 the conditions laid down in the preceding paragraph for the entering into force of this Agreement are not fulfilled, the Governments of those countries which by the same date have accepted this Agreement as provided in paragraph 2 of this Article may decide by mutual consent that it shall enter into force between them, or alternatively may take whatever other action they consider the situation requires.

5. Any signatory Government which has not accepted this Agreement by 16 July 1956 as provided in paragraph 2 of this Article may be granted by the Council an extension of time after that date for depositing its instrument of acceptance. Parts 1, 3, 4 and 5 of this Agreement shall enter into force for that Government on the date of the deposit of its instrument of acceptance, and Part 2 of the Agreement shall enter into force on 1 August 1956 or on the date of the deposit of its instrument of acceptance, whichever is later.

6. The Government of the United States of America will notify all signatory Governments of each signature and acceptance of this Agreement.

Article XXI

Accession

The Council may, by two-thirds of the votes cast by the exporting countries and two-thirds of the votes cast by the importing countries, approve accession to this Agreement by any Government not already a party to it and prescribe conditions for such accession; provided, however, that the Council shall not approve the accession of any Government under this Article unless at the same time it approves adjustments of the guaranteed quantities in Annexes A and B to Article III in accordance with paragraph 3 of Article XI. Accession shall be effected by depositing an instrument of accession with the Government of the United States of America, which will notify all signatory and acceding Governments of each such accession.

Article XXII

Duration, Amendment, Withdrawal and Termination

1. This Agreement shall remain in force until and including 31 July 1959.

2. (a) The Council shall, at such time as it considers appropriate, communicate to the exporting and importing countries its recommendations regarding renewal or replacement of this Agreement.

(b) The Council may invite any Government not party to this Agreement which has a substantial interest in the international trade in wheat to participate in its discussions in connexion with such renewal or replacement.

3. The Council may, by a majority of the votes held by the exporting countries and a majority of the votes held by the importing countries, recommend an amendment of this Agreement to the exporting and importing countries.

4. The Council may fix a time within which each exporting and importing country shall notify the Government of the United States of America whether or not it accepts the amendment. The amendment shall become effective upon its acceptance by exporting countries which hold two-thirds of the votes of the exporting countries and by importing

countries which hold two-thirds of the votes of the importing countries.

5. Any exporting or importing country which has not notified the Government of the United States of America of its acceptance of an amendment by the date on which such amendment becomes effective may, after giving such written notice of withdrawal to the Government of the United States of American as the Council may require in each case, withdraw from this Agreement at the end of the current crop-year, but shall not thereby be released from any obligations under this Agreement which have not been discharged by the end of that crop-year.

6. Any exporting country which considers its interests to be seriously prejudiced by the non-participation in or withdrawal from this Agreement of any country listed in Annex A to Article III responsible for more than 5 per cent of the guaranteed quantities in that Annex or any importing country which considers its interests to be seriously prejudiced by the non-participation in or withdrawal from the Agreement of any country listed in Annex B to Article III responsible for more than 5 per cent of the guaranteed quantities in that Annex, may withdraw from this Agreement by giving written notice of withdrawal to the Government of the United States of America before 1 August 1956.

7. Any exporting or importing country which considers its national security to be endangered by the outbreak of hostilities may withdraw from this Agreement by giving thirty days' written notice of withdrawal to the Government of the United States of America.

8. The Government of the United States of America will inform all signatory and acceding Governments of each notification and notice received under this Article.

Article XXIII

Territorial Application

1. Any Government may, at the time of signature or acceptance of or accession to this Agreement, declare that its rights and obligations under the Agreement shall not apply in respect of all or any of the overseas territories for the foreign relations of which it is responsible.

2. With the exception of territories in respect of which the declaration has been made in accordance with paragraph 1 of this Article, the rights and obligations of any Government under this Agreement shall apply in respect of all territories for the foreign relations of which that Government is responsible.

3. Any Government may, at any time after its acceptance of or accession to this Agreement, by notification to the Government of the United States of America, declare that its rights and obligations under the Agreement shall apply in respect of all or any of the territories regarding which it has made a declaration in accordance with paragraph 1 of this Article.

4. Any Government may, by giving notification of withdrawal to the Government of the United States of America, withdraw from this Agreement separately in respect of all or any of the overseas territories for whose foreign relations it is responsible.

5. The Government of the United States of America will inform all signatory and acceding Governments of any declaration or notification made under this Article.

IN WITNESS WHEREOF the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Agreement on the dates appearing opposite their signatures.

The texts of this Agreement in the English, French, and Spanish languages shall all be equally authentic, the original to be deposited in the archives of the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding Government.

For Argentina:
ADOLFO VICCHI 18 May 1956.
For Australia:
PERCY C. SPENDER 17th May 1956.
For Austria:
GRUBER May 17, 1956.
For the Kingdom of Belgium:
SILVERCRUYS le 15 mai 1956.
Cette signature est donnée your l' Union Economique Belgo Luxembourgeoise.
For Bolivia:
V ANDRADE Mayo 18 de 1956.
For Brazil:
JOÃO CARLOS MUNIZ May 17th 1956.
For Canada:
A. D. P. HEENEY May 16, 1956.
For Ceylon:
For Colombia:
For Costa Rica:
FERNANDO FOURNIER Mayo 18, 1956.
For Cuba:
For Denmark:
A F KNUDSEN May 16, 1956.
For the Dominican Republic:
JOAQUÍN E. SALAZAR 18 de Mayo de 1956.
For Ecuador:
ad referendum
B PERALTA P 15 de Mayo de 1956.
For Egypt:
ANWAR NIAZI May 18, 1956.
For El Salvador:
HECTOR DAVID CASTRO, May 16, 1956.
For France:
M COUVE DE MURVILLE 15 mai 1956.
For the Federal Republic of Germany:
HEINZ L KREKELER 18. Mai 1956.
For Greece:
COSTA P. CARANICAS May 15, 1956.
For Guatemala:
J LUIS CRUZ-SALAZAR May 18th, 1956.
For Haiti:
For Honduras:
For India:
H. DAYAL May 18, 1956.
For Indonesia:
For Ireland:
JOHN J. HEARNE May 14, 1956.
For Israel:
ABBA EBAN May 14, 1956.
For Italy:
MANLIO BROSIO May 15th 1956.
For Japan:
MASAYUKI TANI. May 15, 1956.
For the Hashemite Kingdom of Jordan:
For the Republic of Korea:
PYO WOOK HAN May 18, 1956.
For Lebanon:
N NOUSSAIR May 17, 1956.
For Liberia:
GEO. PADMORE May 18, 1956.
For Mexico:
MANUEL TELLO. Mayo 17, 1956.
For the Kingdom of the Netherlands:
S G M van Voorst tot Voorst May 17, 1956.
For New Zealand:
G D L WHITE May 16. 1956.
For Nicaragua:
GUILLERMO SEVILLA-SACASA May 17, 1956.
For the Kingdom of Norway:
TORFINN OFTEDAL, May 15, 1956.
For Panama:
J. J. VALLARINO May 16, 1956.
For Peru:
F BERCKEMEYER May 16, 1956.
For the Republic of the Philippines:
MAURO CALINGO May 18, 1956.
For Portugal:
L. ESTEVES FERNANDES May 16, 1956.
For Saudi Arabia:
For Spain:
For Sweden:
ERIK BOHEMAN May 16, 1956.
Subject to ratification by the Swedish Riksdag.
For Switzerland:
F. SCHNYDER 18 mai 1956.
For the Union of South Africa:
Subject to the reservation that the Union Government undertake to purchase 150,000 metric tons of wheat within the price range of $1.50 at minimum and $2.00 at maximum for No. 1 Manitoba Northern Wheat for the following 3 years.
J. E. HOLLOWAY May 18th 1956.
For the United States of America:
TRUE D. MORSE May 18, 1956.
For the Vatican City State:
A. G. CICOGNANI May 16, 1956.
For Venezuela:
For Yugoslavia:
LEO MATES May 18, 1956.

Mr. GEORGE. Mr. President, the International Wheat Agreement of 1956 merely extends for three more years the agreement which has been in effect since 1949, and which has twice previously been approved by the Senate.

The principal changes in the agreement have to do with quantities and prices of wheat and with the participating countries. The pending agreement covers 303 million bushels of wheat, as compared to 395 million covered in the 1953 agreement after adjustments. The price range in the pending agreement is $1.50 to $2 a bushel, as compared to $1.55 and $2.05 in the 1953 agreement.

It would be in the interests of the United States if the agreement provided for larger quantities of wheat at higher prices; but in view of the large wheat surplus, it is unrealistic to expect that this could be done. It is rather remarkable, as a matter of fact, that the importing countries were willing to include as much wheat as is included at the prices provided by the agreement.

Two new exporting countries—Argentina and Sweden—are in the agreement this year; the importing countries are substantially the same. The United Kingdom, which is the world's largest importer of wheat, chose not to participate in either the 1953 or the 1956 agreements.

Under the terms of the agreement, exporting countries guarantee to sell specified quantities of wheat at maximum prices; importing countries guarantee to buy specified quantities at minimum prices. In this manner, the agreement seeks to achieve its objective of providing assured markets for exporting countries and assured supplies for importing countries within an equitable price range. The United States guaranteed quantity is 132 million bushels.

As in the past, the agreement will involve substantial costs to the United States in the form of subsidies on wheat exports. These subsidies, which currently amount to about 70 cents a bushel, are necessary because the United States domestic price of wheat is higher than the world price. It is estimated that in the next year, these subsidies will total approximately $92.5 million. In this connection, however, it should be borne in mind that, so long as the United States price is above the world price, some form of subsidy will be required for any United States exports of wheat, regardless of an international wheat agreement.

The International Wheat Agreement has been in force for 7 years, and during that time it has worked reasonably well. The Foreign Relations Committee from time to time has gone into this matter, and has concluded that the agreement is advantageous to the United States. This view is shared by the major farm organizations and the wheat trade itself.

I therefore urge the Senate to act promptly and favorably on the agreement.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. GEORGE. I am glad to yield.

Mr. LANGER. As a matter of fact, the United Kingdom did not join in the last wheat agreement, 3 years ago, did it?

Mr. GEORGE. No.

Mr. LANGER. So we now have the same situation we had 3 years ago.

Mr. GEORGE. We have substantially the same situation, except that there are two new exporting countries.

Mr. LANGER. It is true, is it not, that every important farm organization in the country has endorsed the International Wheat Agreement?

Mr. GEORGE. That is my understanding. The committee has been informed that all the important farm organizations in the United States have endorsed the agreement.

Mr. LANGER. Let me ask one further question. Has the distinguished Senator from Georgia the figures as to the cost of this program during the past 3 years?

Mr. GEORGE. That is, under the present agreement?

Mr. LANGER. Under the agreement which just expired.

Mr. GEORGE. I have the figures from the beginning. They are in the report. I read from page 4 of the report:

> Since the first International Wheat Agreement came into force in 1949, United States exports under the agreements have totaled 1,295 million bushels, and the cost to the Government in subsidies has been approximately $811 million. Subsidies averaged 61 cents a bushel under the 1949 agreement, and 66.5 cents a bushel under the 1953 agreement. A further increase is anticipated under the new agreement. This is explained by the fact that world prices have declined somewhat more than domestic prices.

It is estimated that under the new agreement the cost next year may amount to as much as $92.5 million.

Mr. LANGER. Let me ask a final question. Is it not true that if we do not enter into this wheat agreement, the result will be dumping and competition on the part of various wheat-producing countries, which would result in very low prices to the farmers of this country?

Mr. GEORGE. I think that is undoubtedly true. The agreement tends to stabilize the wheat market, and that is the theory upon which it has been negotiated by the executive branch of the Government.

Mr. LANGER. I desire to compliment the distinguished Senator from Georgia, chairman of the committee, for his part in seeing that this subject was promptly considered. He has done a fine job. I think the farmers of the country are indebted to him for the very fine work he has done.

Mr. GEORGE. I thank the Senator from North Dakota.

Mr. AIKEN. Mr. President, I wish to endorse what the chairman of the committee has said about the desirability of approving the extension of this agreement. It has been in effect for 6 years. I believe it should be continued for another 3 years. It has been materially effective in helping to stabilize the wheat market throughout the world.

Of course, it has cost money; but it costs no more to subsidize a bushel of wheat sold under the International Wheat Agreement than it costs to subsidize a bushel of wheat sold for export outside the International Wheat Agreement. There is no additional cost to this country because of selling under the International Wheat Agreement.

Furthermore, we are enabled to work more closely with the other wheat-producing nations of the world, and, in a sense, avoid a certain kind of disastrous competition which might otherwise ensue.

It is regrettable that the United Kingdom saw fit to drop out of the agreement. I do not believe it has gained anything by such action. Probably in the long run it would be to the advantage of the United Kingdom to remain in the agreement; but it has dropped out. However, most of the wheat-producing countries are participating in the agreement. I believe it is good for world trade generally. I believe it is good for the United States, and for the American wheat growers.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the question of agreeing to the resolution of ratification.

The yeas and nays were ordered.

Mr. FREAR. Mr. President, once again the Senate is being asked to ratify the International Wheat Agreement for another 3 years. This agreement was first ratified by the Senate in 1949 for a period of 4 years. A new wheat agreement was negotiated in 1953 for 3 years ending in 1956, and ratified by the Senate on July 13 of that year. If we ratify the proposed new agreement, we will have approved intergovernmental control of the world wheat trade for a period of 10 years.

I am opposed to international commodity agreements which interfere with the workings of the free market as a matter of principle. Accordingly, I was pleased that our Government did not sign the International Tin Agreement in 1954. We have also taken a strong position within the United Nations in opposition to the formation of the United Nations Commission on International Commodity Trade. The terms of reference of this Commission are designed to further the use of intergovernmental commodity agreements. In fact, the United States has even refused its seat on this Commission which was formed in spite of United States opposition. Very recently the State Department announced that it would not participate in drafting an International Coffee Agreement. Mr. President, I approve heartily of these actions by the State Department. However, I am fearful that our policy will be misunderstood if we only oppose these commodity agreements involving commodities which we import, but agree to participate in this agreement for wheat where we are an important factor in the world export trade. Such a policy is not consistent and will sooner or later break down and involve us in a whole series of commodity agreements.

When the Senate debated the ratification of the present wheat agreement in 1953, I said:

> If in the case of wheat we enter into an agreement for a 3-year period, we may be setting a precedent which will cause difficulty. Since we have extended the Reciprocal Trade Agreements Act for 1 year and have established a commission to study and make representations to the legislative body, it appears to me that we may be going out of our way in making this 3-year agreement.

Mr. President, the Commission to which I referred was, of course, the Randall Commission. The Commission was established in 1953, and made its report to the President and to the Congress on January 23, 1954. Its recommendations covered the use of commodity agreements in international trade and they specifically included the International Wheat Agreement. In discussing the International Wheat Agreement, the Commission said:

> The Commission recommends that during the life of the 1953 International Wheat Agreement its operation be kept under critical review, that efforts be made to make the organization contribute its maximum to solving pressing problems, and that its termination in 1956 be given consideration (p. 32).

Here we are in 1956. It is time for us to give consideration to the termination of this agreement, as recommended by the Randall Commission.

Mr. President, I read from the discussion of commodity agreements contained in the recommendations of the Commission on Foreign Economic Policy:

> The International Wheat Agreement has contributed little to the solution of wheat problems of the United States and the world at large. Its chief significance has been to accord official sanction, on the part of the participating nations, to United States export subsidization of the United States quota when noquota export prices were at or above the agreed maximum. At heavy expense to the United States Treasury, this has contributed to the persistence of excessive domestic support prices, which have given undue stimulus to wheat production here and abroad, and has tended to obstruct, rather than to facilitate, normal readjustments in United States agriculture, and to lead to abnormal accumulation of stocks of wheat. In the current season, when export prices are below the agreed maximum, the importing countries are relieved of their obligation to purchase wheat unless the prices drop below the agreed minimum level. Furthermore, the most important importing country is no longer a party to the agreement. Under these circumstances the significance of the agreement in relation to our wheat export problem is relatively slight.
>
> Ample evidence of the unavoidable consequences of the price-fixing policies required by present law under mandatory price-support programs is provided by the developments listed below.

(a) Burdensome accumulations of a number of farm products under Commodity Credit Corporation purchase and loan programs. Under the present price-support program, the CCC owned or held under nonrecourse loans on October 31, 1953, in excess of $4.5 billion worth of farm products.

We know they are very much higher than that today.

This amount is now being increased very substantially as the 1953 crops of cotton and corn are placed under CCC loans.

(b) Reduction in the exports of some products due in part to the pricing of these products above the world level of prices. In all, more than 60 percent of the present holdings of commodities by the CCC (including amounts under loan) is represented by commodities which are normally exported in large volume, especially wheat, cotton, and tobacco.

(c) Continued resort to heavy expenditures for export subsidies.

(d) Pressure for import quotas or other limitations on the importation of commodities in addition to those for which such limitations are already in effect.

The Treasury burden of the programs may be kept under some measure of control if efforts to reduce Government inventories through mandatory acreage restraints should be reasonably successful. Except for a few commodities, however, this is entirely impractical, and such a policy can easily lead to a greater than necessary sacrifice of foreign markets for some products and hence to a serious loss to agriculture as a whole.

Restrictions on our imports of certain farm products, for the purpose of protecting domestic price-fixing programs on such products at prices above world levels, can and do lead to retaliatory measures which hurt other segments of agriculture which are dependent upon export outlets and a favorable climate for foreign trade.

The great strides made by farmers in increasing the productivity and efficiency of our agriculture during the past decade give ample evidence of the great vitality and flexibility of the agricultural sectors of our economy. Good prices based upon a broadened demand for farm products at home and abroad constituted an important factor in this upsurge of farm productivity and general farm progress. Flexibility in agriculture itself, and in agricultural policy, would appear to be essential in the present situation if farmers are to be in the best position to adapt their farming operations to the changing needs of domestic and foreign markets. This flexibility, especially with respect to foreign markets, can be largely lost if a system of fixed prices is allowed to become permanently imbedded in our farm policy as it relates to possible export markets.

If to a scheme of fixed prices in agriculture are added the inevitable implementing devices of production quotas, import controls, and export subsidies, the ability of agriculture to play a continuing dynamic role in expanding international trade will be largely lost. This would be a serious loss, not only to agriculture, but to our entire economy and to the productivity of the free world. Furthermore, the repercussions from the standpoint of the trading policies of our friends and allies of the free world would be to the detriment of all concerned.

The first step toward policy reconciliation in the fields of foreign economic and domestic agricultural policies must of necessity be a delineation by the Congress and the administrative agencies concerned of a consistent pattern of policies and procedures which will permit the achievement of the objectives of both our agricultural and our foreign economic policies. The transition to this new pattern will require time, particularly in view of the existing accumulations (in actual or potential government ownership) of substantial quantities of several farm products for which foreign markets are urgently needed in the not too distant future. The potential international complications which keep arising over import quotas or embargoes, import fees additional to tariff rates, and export subsidies on a small or large scale, undertaken in consequence of domestic agricultural programs, bid fair to reach an unprecedented peak in the fiscal year 1954, as large stocks of farm products are being acquired. The transitional problems are difficult but not insoluble.

During the transitional period it will be necessary to take every precaution to avoid steps which may lead toward an increase in actual or virtual State trading, lest a pattern of such conduct, seemingly forced by the circumstances of the moment, becomes established as permanent policy. Also, if we are to succeed in moving toward a lessened use of such devices as export subsidies and import quotas, it would be desirable to continue the policy and extend the practice of consulting with interested and affected countries, for the purpose of seeing that such actions of this character as may be required by present law be modified to the extent necessary to ensure that we do not provoke a self-defeating chain of offsetting actions by other countries.

The International Wheat Council may constitute a useful body for international consultations on current wheat problems, although this value is limited by the absence of certain nations that are important as importing or exporting countries. The Commission recommends that during the life of the 1953 International Wheat Agreement its operation be kept under critical review, that efforts be made to make the organization contribute its maximum to solving pressing problems, and that its termination in 1956 be given consideration (pp. 29–32).

The Commission on Foreign Economic Policy, shortly after its formation, organized a staff of economists to assist it. The economic adviser to the Commission was Joseph S. Davis. Dr. Davis is one of the Nation's most brilliant and accomplished economists. He is presently a member of the President's Council of Economic Advisers. He also is the accepted authority on the use of commodity agreements in international trade. This subject is his specialty. I am sure that the recommendations of the Randall Commission, to which I have already referred, were largely influenced by Dr. Davis' thinking.

Mr. President, I, of course, do not know whether Dr. Davis was consulted, or had any part, in the decision to submit Executive I, 84th Congress, 2d session, the agreement now before the Senate. However, his public statements on the earlier wheat agreement apply with equal force today.

In 1945 Dr. Davis was a director of the Food Research Institute at Stanford University. The American Enterprise Association published his study entitled "Wheat Under International Agreement" as one of their papers on international economic problems. In the foreword to this paper Dr. Davis said:

The assumption is crudely made that existing agreements have worked well, on the whole, and that their defects are easily remedied. The drafting or adoption of a new agreement tends to be uncriticaly welcomed as a praiseworthy example of international economic collaboration, even if the pattern is actually bad. Glowing statements or prophecies by public officials are widely accepted, however unfounded they often prove to be. Well-judged criticisms voiced in trade circles are discounted as prejudiced, and thoroughgoing analyses reach only limited groups of readers. Meanwhile, the striking bias of official reports often goes unrecognized, and the omission of official reports is commonly ignored.

Mr. President, I ask unanimous consent that excerpts from Dr. Davis' statement may be included at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Our fair share of the world market is one that we can earn by American efficiency, low costs, good quality, and fair competition; it is not the share won by bargaining with our overwhelming power and implemented by Government subsidies. Subsidized wheat exports of 60 to 100 million bushels would be of no great consequence to American growers, and would leave most of our wheat-surplus problem to be solved otherwise.

It is a widely cherished illusion that the proposed International Wheat Agreement provide efficient machinery for dealing with recurrent or chronic surpluses of particular commodities. The history of wheat, sugar, and coffee agreements lends no support to such hopes. Among other things the draft convention scheme would discourage, rather than encourage, a desirably free flow of abundant wheat into food use in importing countries with low purchasing power and into feed use in countries with high purchasing power.

The price-control provisions are designed to insure price maintenance in the face of abundant supplies, which ample experience shows to be both dangerous and subject to abuse. Applied in detail, they could seriously restrict the flow of specific types and grades of wheat even within export quotas. If, however, the range were kept wide, as the rule of unanimity might bring about, the restrictive effect would be limited but the vaunted stabilization of prices could not be attained (p. 16).

Mr. FREAR. Mr. President, I should like to read one further quotation from Dr. Davis:

There is nothing in its substance, or in actions of the International Wheat Council to date, to justify hopes that it would promote expanding trade in wheat, lessen uneconomic distribution of wheat production, or solve any wheat-surplus problem; and there is no assurance that it would usefully stabilize wheat prices or even prevent severe competition, to say nothing of reconciling divergent national wheat policies. The scheme represents a high-water mark of a philosophy of official cartelization, restriction, and regimentation (p. 17).

Mr. President, it is difficult for me to reconcile the statements by Dr. Davis with the present request by the executive branch for the Senate to ratify a scheme which Dr. Davis said "represents a high-water mark of a philosophy of official cartelization, restriction, and regimentation."

Mr. President, Dr. Davis in 1945 also said:

Withdrawal of a major participant could easily break down the whole system (p. 18).

The United Kingdom was a party to the first agreement but withdrew from the scheme in 1953. It will not be a participant in the new agreement now before the Senate. With the United Kingdom not participating, it is difficult for me to see what benefit the United

States can derive from a guaranteed export market of only 132,098,561 bushels as provided in this agreement.

Mr. DOUGLAS. Mr. President, will the Senator from Delaware yield?

Mr. FREAR. I yield.

Mr. DOUGLAS. Will the Senator state what he understands to be the reason why Great Britain refused to renew her participation in the International Wheat Agreement?

Mr. FREAR. It is my impression that Great Britain could get wheat more cheaply for England by not being a participant than if she remained a member. England, of course, is entirely an importing nation.

Mr. DOUGLAS. Do I correctly understand that she will import from Canada and Australia at lower prices than Canada and Australia will charge for the wheat which they export under the International Wheat Agreement?

Mr. FREAR. I am not sure of that, but it is my impression that wheat is sold in England by those 2 countries at a lesser price than the price which is applied to wheat which comes to this country, even under some restrictions as to quality.

Mr. DOUGLAS. I think that is a very important point. Do I correctly understand that Australia and Canada have a 2-price system for wheat, a lower price for wheat which is sold to Great Britain and a higher price for wheat which is sold to countries which are under the agreement?

Mr. FREAR. I cannot answer the Senator's question exactly, but it is my impression that England does receive wheat at a lesser price than the world market price.

Mr. DOUGLAS. I hope this issue will be cleared up in the debate, because I think it is an extremely important point.

Mr. FREAR. Mr. President, our exports must be far in excess of the amount which I previously stated if we are really to reduce our wheat surplus to manageable proportions.

I feel that each of us must review the statements by Dr. Davis and the recommendations of the Randall Commission before we once again agree to embark on another 3 years of intergovernmental control and planning in an important segment of world trade.

Mr. GEORGE. Mr. President, I should like to make 1 or 2 statements concerning the reasons why the United Kingdom did not continue to be a member of the wheat agreement.

As a matter of fact, British prices have remained within the range of the prices under the International Wheat Agreement. There have been no 2-price systems for exports in any countries which are members of the agreement, so far as the Foreign Relations Committee of the Senate is informed.

At the outset of the second negotiating session the United Kingdom delegation announced that its Government had reached a decision not to participate in the new agreement. It will be remembered that the United Kingdom did not join the 1953 agreement. The reasons given at Geneva for nonadherence to the new agreement were, first, that the disposal of existing surpluses were not linked to the agreement; second, that it does not deal with excess production; third, that it does not deal with efforts to increase consumption; and, fourth, that there is no effective provision to insure free movement of prices.

One of the reasons, at least, given by the United Kingdom, has been entirely refuted by the fact that the prices have remained entirely within the range of the prices fixed by the agreement.

The present agreement provides for the exportation of only 303 million bushels of wheat as compared with 395 million bushels under the 1953 agreement, after adjustments. The guaranteed sales with reference to the United States amount to 132 million bushels as compared with 196 million bushels under the 1953 agreement, thereby reducing costs to the United States chargeable to the agreement. Not only that, but the prices, maximum and minimum, have been lowered 5 cents a bushel.

My distinguished friend from Delaware is repeating what, in effect, is the main argument which has been made against farm subsidies. I was a member of the Randall Commission. I have never taken any particular pride in the findings of that Commission. In fact, I did not agree to all of them, by any manner of means, and I do not think the people of the United States agreed fully with them.

Mr. President, it is a significant fact that under this International Wheat Agreement—a treaty, if you please—all the transactions are carried on by individual enterprisers. All the transactions are nongovernmental. It is true that the agreement is intended to stabilize the price of wheat. Is not that to the benefit of the wheatgrowers of America? Coupled with the Agricultural Adjustment Act, or so much of it as now remains in effect, it is true that it is intended to take care of the wheat producers by giving to them a fair price for their product.

The agreement, certainly, will result in less cost to the United States. It will tend to stabilize the market and will tend to support the price, as the distinguished Senator from Vermont has pointed out.

In any event, we would not save money if the wheat prices of the world got into such a state of confusion as to bring about a further decline in world prices. Regardless of the views of the economists who sit in quiet, air-cooled rooms, and who speculate on the outcome of everything that is done to advance the interests of agriculture—some of them do, not all of them—it is significant to me that they do not agree with any of the leading farm organizations in this country which have recommended the wheat agreement. So far as the Committee on Foreign Relations is concerned, no witness appeared in opposition to the agreement. The parties to the agreement account for 90 percent of the wheat going into the world market.

So I think the Senate can afford to rely upon the wishes of the wheat farmers of the Nation and of all the great organizations in which they hold membership; and also on the history of certain items of cost which the United States has borne in order to try to support and stabilize our wheat market, as we have other markets.

We will have far greater accumulations of wheat in the hands of the Commodity Credit Corporation if the International Wheat Agreement is not entered into. Then the Commodity Credit Corporation may be expected to increase its purchases.

It is far better, it seemed to the committee—and the committee was unanimous in recommending the agreement for the favorable consideration of the Senate—to reduce the amount of wheat.

Mr. THYE. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. THYE. I commend the chairman of the Committee on Foreign Relations and the other members of the committee who joined him in recommending the International Wheat Agreement which is now before the Senate for consideration. I believe it will have a favorable effect on the continued stabilization of wheat prices among the nations of the world.

Mr. President, the treaty should be ratified.

Mr. DOUGLAS. Mr. President, will the Senator from Georgia yield for a question?

Mr. GEORGE. I am glad to yield and will try to answer the question.

Mr. DOUGLAS. In view of the statement by the Senator from Georgia about the international advantages of the wheat agreement, does the Senator think it was a very cooperative act on the part of Great Britain to refuse to join the agreement, but, instead, to keep outside of it?

Mr. GEORGE. Great Britain is a nonproducer; that is, she is a nonexporting country. She does not grow wheat for export.

Mr. DOUGLAS. But that is true also of the Netherlands and Belgium.

Mr. GEORGE. Yes, I understand. Great Britain has her own peculiar problems. I have read the statement made by the representatives of the British Government at Geneva, when Great Britain declined to renew the agreement.

Mr. DOUGLAS. Does the Senator from Georgia think that that was a very cooperative attitude on the part of Great Britain?

Mr. GEORGE. I do not always know what actuates the governments. My experience and my belief are that governments act in what they regard as their own self-interests.

Great Britain has within the Commonwealth two great wheat-exporting countries—Australia and Canada. Therefore, Great Britain probably had reasons which she gave to the negotiators.

Mr. DOUGLAS. Both Australia and Canada are members of the International Wheat Agreement.

Mr. GEORGE. They are; and they are producers for export.

Mr. DOUGLAS. They have quotas assigned to them.

The question I asked the Senator from Delaware [Mr. FREAR] was this: Is Great Britain planning to buy wheat from Australia and Canada outside the International Wheat Agreement at a price lower than that which she is paying Australia and Canada under the agreement?

Mr. GEORGE. I have already tried to answer that question by saying that my information, which is the information the committee had, is that Great Britain has bought wheat within the range of prices fixed in the agreement.

Mr. DOUGLAS. That was true in the past. But what about the future?

Mr. GEORGE. We cannot be certain about the future, but I would be surprised if that happened.

Mr. DOUGLAS. I think it would be very interesting to observe the policies of the British Government in making its purchases, to see whether, in fact, Great Britain buys from Australia and Canada outside the agreement at prices lower than the prices at which Australia and Canada sell to the other countries within the agreement.

Mr. AIKEN. Mr. President, a question has been raised as to why the United Kingdom dropped out of the International Wheat Agreement 3 years ago. I think it was a matter of price. The United Kingdom naturally wanted to buy wheat as cheaply as possible. At that time the British newspapers were carrying stories to the effect that $1.50 a bushel was enough for anybody's wheat, whether it was grown in the United States, Canada, Australia, or anywhere else. The price range of wheat under the international agreement at that time was from $1.55 to $2.05 a bushel. Therefore, Great Britain dropped out of the wheat agreement, undoubtedly feeling that she could get wheat at a lower price by so doing.

Unfortunately, perhaps, for Great Britain's hopes, Canada and Australia work quite closely with the other parties to the wheat agreement. Those two countries were instrumental in fixing the maximum and minimum prices which the mother country would have to pay.

When it comes to dealing with the United Kingdom, I think the United States is no more adamant in insisting on the price than are Canada and Australia.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. LANGER. Is it not true that 3 years ago Great Britain offered to become a party to the wheat agreement if the price were reduced a nickel?

Mr. AIKEN. I have forgotten exactly what the amount was, but Great Britain wanted a reduction in the price.

Mr. LANGER. I think it was from $2 05 to $2.

Mr. AIKEN. Great Britain was inclined to the view that $1.50 would be a good price for wheat.

But as for Great Britain getting any wheat now for less than the agreement price, I do not think she does. She gets wheat from Canada and also buys it from us and from other countries. I presume she is buying it also from countries with whom she can exchange some of her manufactured products. That would be a logical thing to do.

But I have seen no tendency on the part of Canada and Australia to be soft boiled when it comes to selling wheat. Furthermore, I do not see how the world can expect much lower prices for wheat this year.

It is true that the range has been dropped a nickel in the wheat agreement program, but it looks as though Canada will reduce her carry-over materially this year. The United States supply will not build up, and probably will be reduced somewhat. So the world price for wheat is undoubtedly higher than it would be if the International Wheat Agreement were not in effect and had not been in effect.

That does not mean that a country cannot buy outside the agreement, and it does not mean that we do not have to subsidize outside the agreement. Such subsidies cost about the same as subsidies within the agreement. I am certain of that. Nevertheless, we get a better price for wheat because of the agreement's being in effect and handling some 350 million bushels of the world's supply.

Mr. LANGER. Is it not true that the whole theory of the wheat agreement is to prevent dumping by any single country?

Mr. AIKEN. That is true. I had the privilege of working with the representatives of Canada and Australia 3 years ago. They were very cooperative. They felt the world would not be benefited by a break in prices. If a break in price started with wheat, it might spread to other products. What we are trying to do is to get prices on a better level rather than on a poorer level.

The representatives of those two producing countries, who worked so closely with us, were extremely cooperative. When it comes to bargaining, I am inclined to think they may be able to show us something from time to time.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. AIKEN. I yield.

Mr. DOUGLAS. I wonder if the Senator from Vermont would describe in greater detail the meaning of the so-called spread between the minimum price last year, $1.55, and $2.05, and $1.50 and $2 this year. Would a purchase at $1.50 be regarded by an importing country as fulfilling its obligation under the agreement?

Mr. AIKEN. The importing country will agree to take the amount allotted to it anyway at the minimum price, but within the maximum and minimum range there is room for bargaining. That is the reason for having the maximum and minimum. Frankly, I do not know exactly what the world market for wheat is at the present time. I have been informed it is $1.75. That is based on the Fort William shipping point, and then carrying charges are added to that.

Mr. DOUGLAS. Will the Senator from Vermont inform the Senate whether or not there has been any dumping in the past, under the agreement?

Mr. AIKEN. No; I do not think there has been. There have been charges that one country or another was undercutting another country. We have sold wheat for soft currencies in certain countries. The Canadians have made sales where we were not able to trade. They have sold to Poland and other Iron Curtain countries. There have been some barter arrangements made, I suspect, between different producing and consuming countries. But as for dumping, I do not think there has been any. I think the world price is higher now. I know it is higher than it would have been had not the producing countries worked together.

Mr. DOUGLAS. Is the Senator from Illinois correct in his impression that the reserve of wheat in this country is a little short of 1 billion bushels, and that in Canada it is exactly the same figure?

Mr. AIKEN. No; I do not think Canada has that much in reserve. I think Canada had a carryover of 650 million bushels. It is being reduced. The Canadians have made some substantial sales. We have some sales pending which, if made, could I believe, reduce our supply by even as much as 100 million bushels more than was anticipated a few months ago.

Mr. DOUGLAS. Does the Senator from Vermont know whether there are any reserves in Australia and the Argentine?

Mr. AIKEN. I do not know what the reserves are, but, whatever they may be, they are not nearly so large as are the reserves in the United States and Canada. So far as Australia is concerned, its population is increasing so that Australia may not be an exporting country for many more years.

Mr. DOUGLAS. Does the Senator from Vermont have any apprehensions about the size of the world wheat reserve?

Mr. AIKEN. When the reserves of any commodity become larger than can reasonably be expected to be consumed within a period of a few years, then, of course, the fact that the reserves are there tends to have a depressing effect upon the market. I think we are improving in that respect. We can call the Asiatic countries our neighbors now, since they are only a day and a half away. They used to be considered to be foreign countries which were great distances away. Some of the Asiatic countries would like to have reserves, but they do not have storage facilities for them. Some of the countries are working out plans so they can carry a little more reserves. What they want to carry reserves of food for is to protect their currencies, because if there should be a bad spell of 3 or 4 months and they got caught in inflation, their currencies would rapidly lose their value.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. AIKEN. I yield to the Senator from North Dakota.

Mr. LANGER. Is it not true that 3 years ago Argentina would not sign the Internatinal Wheat Agreement? They wanted to dump a lot of wheat on the world market. There was bitter disappointment when the Argentine would not sign the agreement.

Mr. AIKEN. I recall that 6 years ago the Argentine sent observers to the International Wheat Agreement Conference. They stayed a while, and then went home. Three years ago the Argentine was not interested in joining with the other wheat-producing countries, but things have happened in the

Argentine since then. Apparently they have changed their minds and are now ready to go along with Australia, Canada, the United States, and 2 or 3 other countries which produce a surplus of wheat.

Mr. FREAR. Mr. President, I had in mind several questions I wished to propound to the Senator from Georgia and the Senator from Vermont. In the interest of time, I shall refrain from asking them. As a final statement, I should like to say that I am more interested in the policy than I am in the particular item expressed in the agreement.

Mr. CARLSON. Mr. President, I wish to say that I sincerely hope that the Senate will support the International Wheat Agreement. I regret to see the ever-increasing cost of subsidies. Under the 1949 agreement, subsidies averaged 61 cents a bushel. Under the 1953 agreement, the subsidies averaged 66.5 cents a bushel. Present indications are that for the next 3 years subsidies will be 70 cents a bushel.

The wheatgrowers are not happy. We realize that whether we have an International Wheat Agreement or not, the same amount of money will be required for subsidies. It is for that reason that I advocated the domestic-parity program for wheat at this session. It would save such expenditures after we got rid of the surpluses. I sincerely hope the next session of Congress will give consideration to that proposal.

Mr. HUMPHREY of Minnesota. Mr. President, I am keenly interested in this International Wheat Agreement, but I have some questions about it which I desire to raise. I shall raise those questions in a rhetorical manner. I hope there may be some answers to the questions raised by Senators who have worked on this problem and who have been deeply interested in the agreement as reported by the Foreign Relations Committee.

The first question I should like to bring to the attention of the Senate is whether or not it is true that under the International Wheat Agreement sales are being made from the Department's wheat set-aside. I think this matter ought to be looked into. During the time of the hearings on the agricultural bill one of the complaints made to the Committee on Agriculture and Forestery was that the Department had not respected the will and the expressed intent of the Congress with respect to maintaining the set-aside; that the set-aside had been permitted to dwindle, and thereby had a depressing effect on the market.

It also seems to me that while the International Wheat Agreement is of vital importance, greater emphasis should be placed upon normal export channels and the efforts of the private grain trade to market the product, and to create new markets.

I think it might be asked whether it is true that such sales as have been made have reduced the available supply in any way, because the available supply is over and above the set-aside.

I am rising today to protest some of the sale policies of the Department of Agriculture in respect to the so-called surplus. The Department, evidently is more concerned with getting rid of Government-owned commodities, thereby relieving itself of a so-called political burden, than with sustaining the normal market operations of the grain trade of the United States of America. The Department has talked so much about surpluses that now it has an albatross, so to speak, around its neck. It has created this fictitious monster—this political monster—and now it is trying to liquidate it, and in the process the Department is liquidating or injuring a number of people who have been established grain traders in the United States for a number of years.

I spoke on the Senate floor last week on this subject. I object to the Department bypassing normal legitimate grain trade channels and doing business government to government directly, thus using the Commodity Credit Corporation as the general warehouse for all the grain business of the United States. That is not the intent of the Commodity Credit Corporation's charter. It is not the purpose of the Congress in connection with the price-support program, nor has it ever been the purpose of Congress in connection with appropriations for or loan authorizations to the Commodity Credit Corporation.

Mr. President, I am also disturbed by what I consider to be the lack of imagination and sense of direction in the Government in connection with finding new markets and in stimulating agricultural research toward new uses and new outlets for agricultural products.

I hold in my hand a package called Magic Wheat, which is wheat processed into the old Biblical form called bulgur wheat. Bulgur is a food product made from parboiled wheat, which is an acceptable food product in Asia, Africa, and the Middle East, whereas in many of those countries wheat as such is not an edible commodity. It is also now becoming widely distributed in this country as a vegetable food that can be used in many different ways.

Two years ago I presented to the Senate a comprehensive study prepared by nutrition experts, at my direction, showing the potential new markets possible through the bulgur process. The Department of Agriculture was urged to explore and encourage such developments. But the Department has done positively nothing about it, as far as making use of this new method for converting wheat into acceptable form for relief distribution, school-lunch programs, and similar uses.

I have met with representatives of the processing industry, and they have indicated to me a total lack of cooperation on the part of the Department.

I hold in my hand, for example, packages and cartons which indicate what some of the private companies are attempting to do in merchandising this product. I hold in my hand a bulletin or magazine called The Institution's Magazine of Mass Feeding and Mass Housing. It contains an article about the product known as Magic Wheat, which is packaged by the H. C. Brill Co., of Newark, N. J.

Mr. President, all I am saying is that while we continue to authorize international wheat agreements—and I repeat that I have always supported them, and I shall support this one—yet there is a lack of sense of direction and leadership in the Department of Agriculture to do something really constructive about providing new outlets, instead of providing subsidies.

Mr. President, I see the Senator from Vermont [Mr. AIKEN] on the floor. I wish to ask him whether it is true that sales under the International Wheat Agreement are being made from the Department of Agriculture's wheat set-aside. Is not that true?

Mr. AIKEN. I did not understand the question, I am sorry to say.

Mr. HUMPHREY of Minnesota. Is it not true that sales under the International Wheat Agreement are being made from the Department's wheat set-aside?

Mr. AIKEN. No. The gifts come from the set-aside. I think the set-aside was originally 400 million bushels and later was increased to 500 million, the maximum authorized by law.

Mr. HUMPHREY of Minnesota. I think it was about 400 million bushels; and as I recall at the last session we increased it.

Mr. AIKEN. I think there still remains about 425 million bushels, although I am not sure of the exact amount. But only a certain class of disposal comes out of the set-aside. The great majority of our wheat sales comes out of the free supplies, as I understand.

Mr. HUMPHREY of Minnesota. Is it not true that in the bookkeeping of the Department, sales made under the International Wheat Agreement have been charged against the set-aside?

Mr. AIKEN. Oh, no.

Mr. HUMPHREY of Minnesota. I have been informed to the contrary.

Mr. AIKEN. I think the Senator from Minnesota has been misinformed.

Mr. HUMPHREY of Minnesota. I do not believe so.

Mr. AIKEN. Because when our sales run up to 200 million bushels, or approximately that—I forget what they were last year—and when the set-aside drops only 125 million bushels, the sales certainly could not have been charged to it.

Mr. HUMPHREY of Minnesota. Perhaps some has been fed back into the set-aside.

Mr. AIKEN. I do not think that can be done under the law. That is one thing we discussed this spring, in connection with the farm bill. We asked why they could not replenish the set-aside; and they said that in view of the way the law was written 2 years ago, they could not do that.

There has been some reduction in the set-aside, and any wheat which is given as relief or which is sold at cut rates for relief purposes is charged against the set-aside. I cannot remember what it is, but I think the set-aside is still around 375 million or 400 million bushels, or perhaps more than that.

Mr. HUMPHREY of Minnesota. It is my understanding that the National Federation of Grain Cooperatives has complained to the Department of Agriculture because of the fact that the Department, at least as a bookkeeping

transaction, is reducing the set-aside as a result of its sales.

Mr. AIKEN. The law providing for the set-asides specifies what type of disposals shall be charged against the set-asides. But I know that wheat distributed for relief purposes must be charged against the set-aside. I think that wheat sold in the free market, as we might say, is not so charged. Otherwise, all the set-aside would be gone.

I shall not attempt to estimate how much the set-aside is now; but at the most, it can not exceed 425 million bushels.

Mr. HUMPHREY of Minnesota. Let me say most respectfully that the Department never did fill up the set-aside. It will be recalled that at the hearings which were held last spring, that was one of the arguments we had with the Department. The Senator from North Dakota [Mr. YOUNG] made a strong point to the effect that the Department had not maintained the set-aside which was established under the law.

Mr. AIKEN. It was pretty much set up to the maximum, but it was not maintained, because of the charges against it. We did dispose of a lot of wheat for relief or semirelief purposes. Unfortunately, I do not have here the material from which to give the Senator a strictly accurate answer.

The reason I know what I have told the Senator is that I raised the same question, and did so very vigorously, against the Department, because I thought it was charging the sales against the set-aside. I found out that only a certain type of disposal was charged against the set-aside.

Mr. HUMPHREY of Minnesota. I shall have to stand on the information I have. I have been informed that some export sales by the Department have been charged against the set-aside, although that is not the purpose of the set-aside, nor is it the purpose of the International Wheat Agreement.

Mr. AIKEN. If they have been charged against the set-aside, I do not think that would be in accord with the purpose of the set-aside. However, I think the Senator from Minnesota has been misinformed on that point.

Mr. HUMPHREY of Minnesota. I hope I have.

Mr. AIKEN. Because if the Wheat Agreement sales had been charged against the set-aside, the set-aside would be pretty much used up.

Mr. HUMPHREY of Minnesota. I do not say all have been, but some have been, according to the information I have received from people in the trade.

Mr. AIKEN. I believe that sales under title II of Public Law 480 are charged against the set-aside; I am not sure. The 1954 act states the sales which shall be charged against the set-aside.

Mr. HUMPHREY of Minnesota. I shall send for a copy of the 1954 act, because this is the time to discuss that point.

I wish to make it clear that I am fully in support of the International Wheat Agreement; but I desire to point out that it is possible for us to abrogate or at least weaken the beneficial effects of the International Wheat Agreement and the beneficial effects of the set-aside program if we do not comply with the intent of those programs.

The purpose of the set-aside was made quite clear at the time when it was authorized, namely, to remove from price-support calculations a cretain volume of grain which had been accumulated, and to more or less seal it off. That purpose was made perfectly clear in the act providing for the set-asides.

Second, the purpose of the International Wheat Agreement is to facilitate the sale of exportable wheat on the part of the exporting countries and to facilitate the purchase of importable wheat on the part of the importing countries. Inasmuch as we are one of the large exporters, obviously we have a great stake in this particular International Wheat Agreement.

I should like to ask if it is not true that the purpose of the International Wheat Agreement is to have sales come from supplies outside the set-aside. I would appreciate the response, again, of our distinguished colleague, the Senator from Vermont [Mr. AIKEN], inasmuch as he is well informed on this subject. Is it not true that the purpose of the International Wheat Agreement is to facilitate sales of wheat supplies exclusive of and over and beyond that which is in the set-aside?

Mr. AIKEN. I am rather sure that it was not anticipated that sales under the International Wheat Agreement would be charged against the set-aside. I am also sure that if they had been charged against the set-aside there would not be any set-aside left now.

Mr. HUMPHREY of Minnesota. Let me put it this way: Is it not the general feeling that one of the purposes of the set-aside was to provide an emergency reserve in this country of reasonable quantities, not to be touched so long as there was an ample supply available from normal sources to fill normal export and domestic needs? It seems to me that was one of the express purposes of the set-aside provision.

I have before me a copy of the act which relates to set-asides in agricultural commodities. It is Public Law 690, 83d Congress. It will be noted that under the terms of sections 101, 102, and 103, there is no reference to the International Wheat Agreement, so far as the disposal of wheat for export purposes is concerned. Section 105 provides in part as follows:

SEC. 105. The quantity of any commodity in the commodity set-aside or transferred from the set-aside to the national stockpile established pursuant to the act of June 7, 1939, as amended (50 U. S. C. 98–98h) shall be excluded from the computation of "carryover" for the purpose of determining the price support level for such commodity under the Agricultural Act of 1949, as amended, and related legislation,

Section 103 provides as follows:

The quantity of any commodity in the commodity set-aside shall be reduced to the extent that the Commodity Credit Corporation inventory of such commodity is reduced, by natural or other cause beyond the control of the corporation, below the quantity then charged to the commodity set-aside.

In other words, the commodity set-aside is to remain static unless certain events transpire which are beyond the control of the Commodity Credit Corporation. The International Wheat Agreement is a part of the Commodity Credit Corporation activities. Surely it is not beyond its control.

I ask unanimous consent to have sections 101, 102, 103, 104, and 105 printed in the RECORD at this point as a part of my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

SEC. 101. The Commodity Credit Corporation shall, as rapidly as the Secretary of Agriculture shall determine to be practicable, set aside within its inventories not more than the following maximum quantities and not less than the following minimum quantities of agricultural commodities or products thereof heretofore or hereafter acquired by it from 1954 and prior years' crops and production in connection with its price-support operations:

Commodity	Maximum quantity	Minimum quantity
Wheat (bushels)	500,000,000	400,000,000
Upland cotton (bales)	4,000,000	3,000,000
Cottonseed oil (pounds)	500,000,000	0
Butter (pounds)	200,000,000	0
Nonfat dry milk solids (pounds)	300,000,000	0
Cheese (pounds)	150,000,000	0

Such quantities shall be known as the "commodity set-aside."

SEC. 102. Quantities of commodities shall not be included in the commodity set-aside which have an aggregate value in excess of $2,500,000,000. The value of the commodities placed in the commodity set-aside, for the purpose of this section, shall be the Corporation's investment in such commodities as of the date they are included in the commodity set-aside, as determined by the Secretary.

SEC. 103. (a) Such commodity set-aside shall be reduced by disposals made in accordance with the directions of the President as follows:

(1) Donation, sale, or other disposition for disaster or other relief purposes outside the United States pursuant to and subject to the limitations of title II of the Agricultural Trade Development and Assistance Act of 1954;

(2) Sale or barter (including barter for strategic materials) to develop new or expanded markets for American agricultural commodities, including but not limited to disposition pursuant to and subject to the limitations of title I of the Agricultural Trade Development and Assistance Act of 1954;

(3) Donation to school-lunch programs;

(4) Transfer to the national stockpile established pursuant to the act of June 7, 1939, as amended (50 U. S. C. 98–98h), without reimbursement from funds appropriated for the purposes of that act;

(5) Donation, sale, or other disposition for research, experimental, or educational purposes;

(6) Donation, sale, or other disposition for disaster relief purposes in the United States or to meet any national emergency declared by the President; and

(7) Sale for unrestricted use to meet a need for increased supplies at not less than 105 percent of the parity price in the case of agricultural commodities and a price reflecting 105 percent of the parity price of the agricultural commodity in the case of products of agricultural commodities.

The President shall prescribe such terms and conditions for the disposal of commodities in the commodity set-aside as he determines will provide adequate safeguards against interference with normal marketings of the supplies of such commodities outside the commodity set-aside. Strategic materials acquired by the Commodity Credit Corporation under paragraph (2) of this subsection shall be transferred to the national stockpile established pursuant to the act of June 7, 1939, as amended, and the Commodity Credit Corporation shall be reimbursed for the value of the commodities bartered for such strategic materials from funds appropriated pursuant to section 8 of such act of June 7, 1939, as amended. For the purpose of such reimbursement, the value of any commodity so bartered shall be the lower of the domestic market price or the Commodity Credit Corporation's investment therein as of the date of such barter, as determined by the Secretary of Agriculture.

(b) The quantity of any commodity in the commodity set-aside shall be reduced to the extent that the Commodity Credit Corporation inventory of such commodity is reduced, by natural or other cause beyond the control of the Corporation, below the quantity then charged to the commodity set-aside.

SEC. 104. (a) The Corporation shall have authority to sell, without regard to section 103 (a) (7) hereof, any commodity covered by the commodity set-aside for the purpose of rotating stocks or consolidating inventories, any such sale to be offset by purchase of the same commodity in a substantially equivalent quantity or of a substantially equivalent value.

(b) Dispositions pursuant to this title shall not be subject to the pricing limitations of section 407 of the Agricultural Act of 1949, as amended.

SEC. 105. The quantity of any commodity in the commodity set-aside or transferred from the set-aside to the national stockpile established pursuant to the act of June 7, 1939, as amended (50 U. S. C. 98–98h) shall be excluded from the computation of carryover for the purpose of determining the price support level for such commodity under the Agricultural Act of 1949, as amended, and related legislation, but shall be included in the computation of total supplies for purposes of acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended, and related legislation. Until such time as the commodity set-aside has been completed, such quantity of the commodity as the Secretary shall determine between the maximum and minimum quantities specified in section 101 of this act shall be excluded from the computation of carryover for the purpose of determining the price-support level, but shall be included in the computation of total supplies for the purposes of acreage allotments and marketing quotas, for the 1955 crop of the commodity, notwithstanding that the quantity so excluded may not have been acquired by the Corporation and included in the commodity set-aside.

Mr. HUMPHREY of Minnesota. I have one further comment to make before yielding the floor. While we are subsidizing export wheat sales under the International Wheat Agreement, I think it might be very well to see whether or not something more can be done in the case of human need, within our own country, to provide edible products from the surpluses we have.

For example, in the recent Agricultural Act we authorized the processing of grains for purposes of relief and welfare. At present there are a number of workers in the steel industry who are on strike, and out of work. Some of them are in need of food supplies. It seems to me that wheat could be utilized for some of those supplies, if it were properly processed.

Furthermore, as I indicated earlier, the bulgur process of preparing wheat for consumption, in a form readily usable and completely storable, is something that should be looked into and encouraged by the Department of Agriculture. I shall continue to raise my voice in behalf of more useful and worthwhile activity and more creative imagination and sense of direction in the Department, in terms of utilizing the supplies of wheat and other cereal grains which are usable for human consumption if they are properly processed.

I invite the attention of the Senators to a study which was made with respect to the bulgur process wheat and published as Senate Document No. 154 in August of 1954. I know that certain other countries which are unwilling to take wheat in its native form are perfectly willing to utilize bulgur process wheat, even as a substitute for rice in some of the rice-eating areas of the world. Yet the record is that the Department of Agriculture has done little or nothing to expedite this kind of processing.

Finally, as I conclude my comments on this treaty, I wish to again urge the Department of Agriculture to utilize the existing channels of trade, and to stop substituting Government business for private business. It seems to me that this argument might well come from the other side of the aisle. The National Grain Trade Council, the Federation of Grain Cooperatives, and every single grain trader in America, every cooperative, along with the Farm Bureau, the Farmers Union, and other large farm organizations, have been urging the utilization of normal channels of trade in connection with export supplies.

The Department continues to pursue a policy of supplanting these normal channels of supply by sales of Government-owned stocks. The Commodity Credit Corporation is a supplement. It is not supposed to be a replacement for normal trade. Yet I repeat that the evidence before the Department, which every Member of this body can find, and which has been presented at times in detail to many Members of the Senate, reveals that the grain trade, the cooperatives, the great farm organizations, and others have appealed to the Department, but that their appeals have gone unheeded.

It is all right for us to vote a few more billion dollars for subsidies if we need them. I am not one who says that there is not a legitimate place in the American economy for a subsidy program. The International Wheat Agreement is exactly that. I am for it. It means a great deal to wheat producers. But a subsidy should encourage and stimulate legitimate private trade, not substitute for it.

I want the Department of Agriculture to get busy and start to utilize some of the policies and proposals which have been suggested to it without dissent. When the American Farm Bureau Federation, the National Farmers Union, the Federation of Grain Cooperatives, and the International Grain Trade Council come in solidarity to the Department of Agriculture with a proposal to expedite normal export trade through the normal trade channels, it is time to do something about it.

Instead, what is happening? More and more the Commodity Credit Corporation, a Government body, engages in direct sales, bypassing the normal operators, bypassing free enterprise, bypassing the legitimate, normal trade channels, and placing private operators in an untenable and unprofitable position.

I felt that this was the time to continue the argument, as we proceed with further policies on the part of our Government in terms of trying to bolster export markets. If the Government wants an export market, let it employ the services of the experts, who know how to obtain export markets, and the normal traders, who know how to trade. No single agency of Government can do business abroad as well as can the private businessmen of this country, if they are given help. Help is available, if there is the will to extend it.

I hope that as a result of these discussions, we may jar someone out of his apathy.

Mr. AIKEN. I should like to point out that during the last 2 or 3 weeks many participants in the grain markets in this country have been buying wheat and buying wheat and buying wheat, anticipating that they will be able, through political pressure, to force the Department of Agriculture to grant a subsidy on the export of wheat, and to hold Commodity Credit wheat off the market. If that were done at this time, it could result in one of the greatest speculative killings ever known in the history of commodity trading in this country. Perhaps the Department of Agriculture had that possibility in mind when it declined to put a subsidy into effect on grain for export in the manner requested by the trade.

SEVERAL SENATORS. Vote! Vote!

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Without objection, the Executive I, 84th Congress, 2d session, International Wheat Agreement, 1956, will be considered as having passed through its various parliamentary stages, to the point of the consideration of the resolution of ratification.

The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive I, 84th Congress, 2d session, International Wheat Agreement, 1954, which was formulated at the United Nations Wheat Conference concluded on April 25, 1956, remained open for signature in Washington until and including May 18, 1956, and was

signed during that period by plenipotentiaries of 40 governments, including the United States of America and 5 other exporting countries and 34 importing countries.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification?

On this question the yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from Kentucky [Mr. HUMPHREYS], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

I further announce that, if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from Kentucky [Mr. HUMPHREYS], and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. YOUNG] and the Senators from South Dakota [Mr. CASE and Mr. MUNDT] are absent on official business.

The Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monument Commission.

The Senator from Kansas [Mr. SCHOEPPEL] is detained on official business.

If present and voting, the Senators from South Dakota [Mr. CASE and Mr. MUNDT], the Senator from Michigan [Mr. POTTER], the Senator from Kansas [Mr. SCHOEPPEL], and the Senator from North Dakota [Mr. YOUNG] would each vote "yea."

The yeas and nays resulted—yeas 85, nays 2, as follows:

YEAS—85

Aiken	Goldwater	McCarthy
Allott	Gore	McClellan
Anderson	Green	McNamara
Barrett	Hayden	Millikin
Beall	Hennings	Monroney
Bender	Hickenlooper	Morse
Bennett	Hill	Murray
Bible	Holland	Neuberger
Bricker	Hruska	O'Mahoney
Bridges	Humphrey, Minn.	Pastore
Bush	Ives	Payne
Butler	Jackson	Purtell
Byrd	Jenner	Robertson
Capehart	Johnson, Tex.	Russell
Carlson	Johnston, S. C.	Saltonstall
Case, N. J.	Kefauver	Scott
Chavez	Kennedy	Smathers
Clements	Kerr	Smith, Maine
Cotton	Knowland	Smith, N. J.
Curtis	Kuchel	Sparkman
Dirksen	Laird	Stennis
Douglas	Langer	Symington
Duff	Lehman	Thye
Dworshak	Long	Watkins
Ellender	Magnuson	Welker
Ervin	Mansfield	Wiley
Flanders	Martin, Iowa	Williams
Fulbright	Martin, Pa.	Wofford
George		

NAYS—2

Frear Malone

NOT VOTING—9

Case, S. Dak.	Humphreys, Ky.	Potter
Daniel	Mundt	Schoeppel
Eastland	Neely	Young

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

Mr. GEORGE. Mr. President, may I say to Members of the Senate that if they can remain in the Chamber for a very few minutes, three conventions or treaties can be acted on, which will save a good deal of trouble for Senators in going back and forth to answer rollcalls.

TREATY OF AMITY, ECONOMIC RELATIONS, AND CONSULAR RIGHTS WITH IRAN; AND TREATIES OF FRIENDSHIP, COMMERCE, AND NAVIGATION WITH NICARAGUA AND THE NETHERLANDS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to consider the last three treaties on the Executive Calendar.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider, en bloc, the following treaties and protocols:

Executive E (84th Cong., 2d sess.), a treaty of amity, economic, relations, and consular rights with Iran, signed at Teheran on August 15, 1955.

Executive G (84th Cong., 2d sess.), a treaty of friendship, commerce, and navigation with the Republic of Nicaragua, and a protocol relating thereto, signed at Managua on January 21, 1956.

Executive H (84th Cong., 2d sess.), a treaty of friendship, commerce, and navigation between the United States of America and the Kingdom of the Netherlands, together with a protocol and an exchange of notes relating thereto, signed at The Hague on March 27, 1956.

The treaties and protocols were severally read the second time, as follows:

[Ex. E, 84th Cong., 2d sess.]

TREATY OF AMITY, ECONOMIC RELATIONS, AND CONSULAR RIGHTS BETWEEN THE UNITED STATES OF AMERICA AND IRAN

The United States of America and Iran, desirous of emphasizing the friendly relations which have long prevailed between their peoples, of reaffirming the high principles in the regulations of human affairs to which they are committed, of encouraging mutually beneficial trade and investments and closer economic intercourse generally between their peoples, and of regulating consular relations, have resolved to conclude, on the basis of reciprocal equality of treatment, a Treaty of Amity, Economic Relations, and Consular Rights, and have appointed as their Plenipotentiaries:

The President of the United States of America:

Mr. Selden Chapin, Ambassador Extraordinary and Plenipotentiary of the United States of America at Teheran;

and

His Imperial Majesty, the Shah of Iran:

His Excellency Mr. Mostafa Samiy, Under Secretary of the Ministry of Foreign Affairs;

Who, having communicated to each other their full powers found to be in due form, have agreed upon the following articles:

ARTICLE I

There shall be firm and enduring peace and sincere friendship between the United States of America and Iran.

ARTICLE II

1. Nationals of either High Contracting Party shall be permitted, upon terms no less favorable than those accorded to nationals of any third country, to enter and remain in the territories of the other High Contracting Party for the purpose of carrying on trade between their own country and the territories of such other High Contracting Party and engaging in related commercial activities, and for the purpose of developing and directing the operations of an enterprise in which they have invested, or in which they are actively in the process of investing, a substantial amount of capital.

2. Nationals of either High Contracting Party within the territories of the other High Contracting Party shall, either individually or through associations, and so long as their activities are not contrary to public order, safety or morals: (a) be permitted to travel therein freely and reside at places of their choice; (b) enjoy freedom of conscience and the right to hold religious services; (c) be permitted to engage in philanthropic, educational and scientific activities; and (d) have the right to gather and transmit information for dissemination to the public abroad, and otherwise to communicate with other persons inside and outside such territories. They shall also be permitted to engage in the practice of professions for which they have qualified under the applicable legal provisions governing admission to professions.

3. The provisions of paragraphs 1 and 2 of the present article shall be subject to the right of either High Contracting Party to apply measures which are necessary to maintain public order, and to protect public health, morals and safety, including the right to expel, to exclude or to limit the movement of aliens on the said grounds.

4. Nationals of either High Contracting Party shall receive the most constant protection and security within the territories of the other High Contracting Party. When any such national is in custody, he shall in every respect receive reasonable and humane treatment; and, on his demand, the diplomatic or consular representative of his country shall without unnecessary delay be notified and accorded full opportunity to safeguard his interests. He shall be promptly informed of the accusations against him, allowed all facilities reasonably necessary to his defense and given a prompt and impartial disposition of his case.

ARTICLE III

1. Companies constituted under the applicable laws and regulations of either High Contracting Party shall have their juridical status recognized within the territories of the other High Contracting Party. It is understood, however, that recognition of juridical status does not of itself confer rights upon companies to engage in the activities for which they are organized. As used in the present treaty, "companies" means corporations, partnerships, companies and other associations whether or not with limited liability and whether or not for pecuniary profit.

2. Nationals and companies of either High Contracting Party shall have freedom of access to the courts of justice and administrative agencies within the territories of the other High Contracting Party, in all degrees of jurisdiction, both in defense and pursuit of their rights, to the end that prompt and impartial justice be done. Such access shall be allowed, in any event, upon terms no less favorable than those applicable to nationals and companies of such other High Contracting Party or of any third country. It is understood that companies not engaged in activities within the country shall enjoy the right of such access without any requirement of registration or domestication.

3. The private settlement of disputes of a civil nature, involving nationals and companies of either High Contracting Party, shall not be discouraged within the territories of the other High Contracting Party; and, in cases of such settlement by arbitration, neither the alienage of the arbitrators nor the foreign situs of the arbitration proceedings shall of themselves be a bar to the

enforceability of awards duly resulting therefrom.

ARTICLE IV

1. Each High Contracting Party shall at all times accord fair and equitable treatment to nationals and companies of the other High Contracting Party, and to their property and enterprises; shall refrain from applying unreasonable or discriminatory measures that would impair their legally acquired rights and interests; and shall assure that their lawful contractual rights are afforded effective means of enforcement, in conformity with the applicable laws.

2. Property of nationals and companies of either High Contracting Party, including interests in property, shall receive the most constant protection and security within the territories of the other High Contracting Party, in no case less than that required by international law. Such property shall not be taken except for a public purpose, nor shall it be taken without the prompt payment of just compensation. Such compensation shall be in an effectively realizable form and shall represent the full equivalent of the property taken; and adequate provision shall have been made at or prior to the time of taking for the determination and payment thereof.

3. The dwellings, offices, warehouses, factories and other premises of nationals and companies of either High Contracting Party located within the territories of the other High Contracting Party shall not be subject to entry or molestation without just cause. Official searches and examinations of such premises and their contents, shall be made only according to law and with careful regard for the convenience of the occupants and the conduct of business.

4. Enterprises which nationals and companies of either High Contracting Party are permitted to establish or acquire, within the territories of the other High Contracting Party, shall be permitted freely to conduct their activities therein, upon terms no less favorable than other enterprises of whatever nationality engaged in similar activities. Such nationals and companies shall enjoy the right to continued control and management of such enterprises; to engage attorneys, agents, accountants and other technical experts, executive personnel, interpreters and other specialized employees of their choice; and to do all other things necessary or incidental to the effective conduct of their affairs.

ARTICLE V

1. Nationals and companies of either High Contracting Party shall be permitted, within the territories of the other High Contracting Party: (a) to lease, for suitable periods of time, real property needed for their residence or for the conduct of activities pursuant to the present treaty; (b) to purchase or otherwise acquire personal property of all kinds; (c) to dispose of property of all kinds by sale, testament or otherwise. The treatment accorded in these respects shall in no event be less favorable than that accorded nationals and companies of any third country.

2. Upon compliance with the applicable laws and regulations respecting registration and other formalities, nationals and companies of either High Contracting Party shall be accorded within the territories of the other High Contracting Party effective protection in the exclusive use of inventions, trademarks and trade names.

ARTICLE VI

1. Nationals and companies of either High Contracting Party shall not be subject to the payment of taxes, fees or charges within the territories of the other High Contracting Party, or to requirements with respect to the levy and collection thereof, more burdensome than those borne by nationals, residents and companies of any third country. In the case of nationals of either High Contracting Party residing within the territories of the other High Contracting Party, and of nationals and companies of either High Contracting Party engaged in trade or other gainful pursuit or in nonprofit activities therein, such payments and requirements shall not be more burdensome than those borne by nationals and companies of such other High Contracting Party.

2. Each High Contracting Party, however, reserves the right to: (a) extend specific tax advantages only on the basis of reciprocity, or pursuant to agreements for the avoidance of double taxation or the mutual protection of revenue; and (b) apply special requirements as to the exemptions of a personal nature allowed to nonresidents in connection with income and inheritance taxes.

3. Companies of either High Contracting Party shall not be subject, within the territories of the other High Contracting Party, to taxes upon any income, transactions or capital not attributable to the operations and investment thereof within such territories.

ARTICLE VII

1. Neither High Contracting Party shall apply restrictions on the making of payments, remittances, and other transfers of funds to or from the territories of the other High Contracting Party, except (a) to the extent necessary to assure the availability of foreign exchange for payments for goods and services essential to the health and welfare of its people, or (b) in the case of a member of the International Monetary Fund, restrictions specifically approved by the fund.

2. If either High Contracting Party applies exchange restrictions, it shall promptly make reasonable provision for the withdrawal, in foreign exchange in the currency of the other High Contracting Party, of: (a) the compensation referred to in article IV, paragraph 2, of the present treaty, (b) earnings, whether in the form of salaries, interest, dividends, commissions, royalties, payments for technical services, or otherwise, and (c) amounts for amortization of loans, depreciation of direct investments and capital transfers, giving consideration to special needs for other transactions. If more than one rate of exchange is in force, the rate applicable to such withdrawals shall be a rate which is specifically approved by the International Monetary Fund for such transactions or, in the absence of a rate so approved, an effective rate which, inclusive of any taxes or surcharges on exchange transfers, is just and reasonable.

3. Either High Contracting Party applying exchange restrictions shall in general administer them in a manner not to influence disadvantageously the competitive position of the commerce, transport or investment of capital of the other High Contracting Party in comparison with the commerce, transport or investment of capital of any third country; and shall afford such other High Contracting Party adequate opportunity for consultation at any time regarding the application of the present article.

ARTICLE VIII

1. Each High Contracting Party shall accord to products of the other High Contracting Party, from whatever place and by whatever type of carrier arriving, and to products destined for exportation to the territories of such other High Contracting Party, by whatever route and by whatever type of carrier, treatment no less favorable than that accorded like products of or destined for exportation to any third country, in all matters relating to: (a) duties, other charges, regulations and formalities, on or in connection with importation and exportation; and (b) internal taxation, sale, distribution, storage and use. The same rule shall apply with respect to the international transfer of payments for imports and exports.

2. Neither High Contracting Party shall impose restrictions or prohibitions on the importation of any product of the other High Contracting Party or on the exportation of any product to the territories of the other High Contracting Party, unless the importation of the like product of, or the exportation of the like product to, all third countries is similarly restricted or prohibited.

3. If either High Contracting Party imposes quantitative restrictions on the importation or exportation of any product in which the other High Contracting Party has an important interest:

(a) It shall as a general rule give prior public notice of the total amount of the product, by quantity or value, that may be imported or exported during a specified period, and of any change in such amount or period; and

(b) If it makes allotments to any third country, it shall afford such other High Contracting Party a share proportionate to the amount of the product, by quantity or value, supplied by or to it during a previous representative period, due consideration being given to any special factors affecting the trade in such product.

4. Either High Contracting Party may impose prohibitions or restrictions on sanitary or other customary grounds of a non-commercial nature, or in the interest of preventing deceptive or unfair practices, provided such prohibitions or restrictions do not arbitrarily discriminate against the commerce of the other High Contracting Party.

5. Either High Contracting Party may adopt measures necessary to assure the utilization of accumulated inconvertible currencies or to deal with a stringency of foreign exchange. However, such measures shall deviate no more than necessary from a policy designed to promote the maximum development of non-discriminatory multilateral trade and to expedite the attainment of a balance-of-payments position which will obviate the necessity of such measures.

6. Each High Contracting Party reserves the right to accord special advantages: (a) to products of its national fisheries, (b) to adjacent countries in order to facilitate frontier traffic, or (c) by virtue of a customs union or free trade area of which either High Contracting Party, after consultation with the other High Contracting Party, may become a member. Each High Contracting Party, moreover, reserves rights and obligations it may have under the General Agreement on Tariffs and Trade, and special advantages it may accord pursuant thereto.

ARTICLE IX

1. In the administration of its customs regulations and procedures, each High Contracting Party shall: (a) promptly publish all requirements of general application affecting importation and exportation; (b) apply such requirements in a uniform, impartial and reasonable manner; (c) refrain, as a general practice, from enforcing new or more burdensome requirements until after public notice thereof; (d) provide an appeals procedure by which prompt and impartial review of administrative action in customs matters can be obtained; and (e) not impose greater than nominal penalties for infractions resulting from clerical errors or from mistakes made in good faith.

2. Nationals and companies of either High Contracting Party shall be accorded treatment no less favorable than that accorded nationals and companies of the other High Contracting Party, or of any third country, with respect to all matters relating to importation and exportation.

3. Neither High Contracting Party shall impose any measure of a discriminatory nature that hinders or prevents the importer or exporter of products of either country from ob-

taining marine insurance on such products in companies of either High Contracting Party.

ARTICLE X

1. Between the territories of the two High Contracting Parties there shall be freedom of commerce and navigation.

2. Vessels under the flag of either High Contracting Party, and carrying the papers required by its law in proof of nationality, shall be deemed to be vessels of that High Contracting Party both on the high seas and within the ports, places and waters of the other High Contracting Party.

3. Vessels of either High Contracting Party shall have liberty, on equal terms with vessels of the other High Contractig Party and on equal terms with vessels of any third country, to come with their cargoes to all ports, places and waters of such other High Contracting Party open to foreign commerce and navigation. Such vessels and cargoes shall in all respects be accorded national treatment and most-favored-nation treatment within the ports, places and waters of such other High Contracting Party; but each High Contracting Party may reserve exclusive rights and privileges to its own vessels with respect to the coasting trade, inland navigation and national fisheries.

4. Vessels of either High Contracting Party shall be accorded national treatment and most-favored-nation treatment by the other High Contracting Party with respect to the right to carry all products that may be carried by vessel to or from the territories of such other High Contracting Party; and such products shall be accorded treatment no less favorable than that accorded like products carried in vessels of such other High Contracting Party, with respect to: (a) duties and charges of all kinds, (b) the administration of the customs, and (c) bounties, drawbacks and other privileges of this nature.

5. Vessels of either High Contracting Party that are in distress shall be permitted to take refuge in the nearest port or haven of the other High Contracting Party, and shall receive friendly treatment and assistance.

6. The term "vessels", as used herein, means all types of vessels, whether privately owned or operated, or publicly owned or operated; but this term does not, except with reference to paragraphs 2 and 5 of the present article, include fishing vessels or vessels of war.

ARTICLE XI

1. Each High Contracting Party undertakes (a) that enterprises owned or controlled by its Government, and that monopolies or agencies granted exclusive or special privileges within its territories, shall make their purchases and sales involving either imports or exports affecting the commerce of the other High Contracting Party solely in accordance with commercial considerations, including price, quality, availability, marketability, transportation and other conditions of purchase or sale; and (b) that the nationals, companies and commerce of such other High Contracting Party shall be afforded adequate opportunity, in accordance with customary business practice, to compete for participation in such purchases and sales.

2. Each High Contracting Party shall accord to the nationals, companies and commerce of the other High Contracting Party fair and equitable treatment, as compared with that accorded to the nationals, companies and commerce of any third country, with respect to: (a) the governmental purchase of supplies, (b) the awarding of government contracts, and (c) the sale of any service sold by the Government or by any monopoly or agency granted exclusive or special privileges.

3. The High Contracting Parties recognize that conditions of competitive equality should be maintained in situations in which publicly owned or controlled trading or manufacturing enterprises of either High Contracting Party engage in competition, within the territories thereof, with privately owned and controlled enterprises of nationals and companies of the other High Contracting Party. Accordingly, such private enterprises shall, in such situations, be entitled to the benefit of any special advantages of an economic nature accorded such public enterprises, whether in the nature of subsidies, tax exemptions or otherwise. The foregoing rule shall not apply, however, to special advantages given in connection with: (a) manufacturing goods for government use, or supplying goods and services to the Government for government use; or (b) supplying at prices substantially below competitive prices, the needs of particular population groups for essential goods and services not otherwise practically obtainable by such groups.

4. No enterprise of either High Contracting Party, including corporations, associations, and government agencies and instrumentalities, which is publicly owned or controlled shall, if it engages in commercial, industrial, shipping or other business activities within the territories of the other High Contracting Party, claim or enjoy, either for itself or for its property, immunity therein from taxation, suit, execution of judgment or other liability to which privately owned and controlled enterprises are subject therein.

ARTICLE XII

Each High Contracting Party shall have the right to send to the other High Contracting Party consular representatives, who, having presented their credentials and having been recognized in a consular capacity, shall be provided, free of charge, with exequaturs or other authorization.

ARTICLE XIII

1. Consular representatives of each High Contracting Party shall be permitted to reside in the territory of the other High Contracting Party at the places where consular officers of any third country are permitted to reside and at other places by consent of the other High Contracting Party. Consular officers and employees shall enjoy the privileges and immunities accorded to officers and employees of their rank or status by general international usage and shall be permitted to exercise all functions which are in accordance with such usage; in any event they shall be treated, subject to reciprocity, in a manner no less favorable than similar officers and employees of any third country.

2. The consular offices shall not be entered by the police or other local authorities without the consent of the consular officer, except that in the case of fire or other disaster, or if the local authorities have probable cause to believe that a crime of violence has been or is about to be committed in the consular office, consent to entry shall be presumed. In no case shall they examine or seize the papers there deposited.

ARTICLE XIV

1. All furniture, equipment and supplies consigned to or withdrawn from customs custody for a consular or diplomatic office of either High Contracting Party for official use shall be exempt within the territories of the other High Contracting Party from all customs duties and internal revenue or other taxes imposed upon or by reason of importation.

2. The baggage, effects and other articles imported exclusively for the personal use of consular officers and diplomatic and consular employees and members of their families residing with them, who are nationals of the sending state and are not engaged in any private occupation for gain in the territories of the receiving state, shall be exempt from all customs duties and internal revenue or other taxes imposed upon or by reason of importation. Such exemptions shall be granted with respect to the property accompanying the person entitled thereto on first arrival and on subsequent arrivals, and to that consigned to such officers and employees during the period in which they continue in status.

3. It is understood, however, that: (a) paragraph 2 of the present article shall apply as to consular officers and diplomatic and consular employees only when their names have been communicated to the appropriate authorities of the receiving state and they have been duly recognized in their official capacity; (b) in the case of consignments, either High Contracting Party may, as a condition to the granting of exemption, require that a notification of any such consignment be given, in a prescribed manner; and (c) nothing herein authorizes importations specifically prohibited by law.

ARTICLE XV

1. The Government of either High Contracting Party may, in the territory of the other, acquire, own, lease for any period of time, or otherwise hold and occupy, such lands, buildings, and appurtenances as may be necessary and appropriate for governmental, other than military, purposes. If under the local law the permission of the local authorities must be obtained as a prerequisite to any such acquiring or holding, such permission shall be given on request.

2. Lands and buildings situated in the territories of either High Contracting Party, of which the other High Contracting Party is the legal or equitable owner and which are used exclusively for governmental purposes by that owner, shall be exempt from taxation of every kind, national, state, provincial and municipal, other than assessments levied for services or local public improvements by which the premises are benefited.

ARTICLE XVI

1. No tax or other similar charge of any kind, whether of a national, state, provincial, or municipal nature, shall be levied or collected within the territories of the receiving state in respect of the official emoluments, salaries, wages or allowances received (a) by a consular officer of the sending state as compensation for his consular services, or (b) by a consular employee thereof as compensation for his services at a consulate. Likewise, consular officers and employees, who are permanent employees of the sending state and are not engaged in private occupation for gain within the territories of the receiving state, shall be exempt from all taxes or other similar charges, the legal incidence of which would otherwise fall upon such officers or employees.

2. The preceding paragraph shall not apply in respect of taxes and other similar charges upon: (a) the ownership or occupation of immovable property situated within the territories of the receiving state; (b) income derived from sources within such territories (except the compensation mentioned in the preceding paragraph); or (c) the passing of property at death.

3. The provisions of the present article shall have like application to diplomatic officers and employees, who shall in addition be accorded all exemptions allowed them under general international usage.

ARTICLE XVII

The exemptions provided for in articles XIV and XVI shall not apply to nationals of the sending state who are also nationals of the receiving state, or to any other person who is a national of the receiving state, nor to persons having immigrant status who have been lawfully admitted for permanent residence in the receiving state.

ARTICLE XVIII

Consular officers and employees are not subject to local jurisdiction for acts done in their official character and within the scope of their authority. No consular officer or

employee shall be required to present his official files before the courts or to make declaration with respect to their contents.

ARTICLE XIX

A consular officer shall have the right within his district to: (a) interview, communicate with, assist and advise any national of the sending state; (b) inquire into any incidents which have occurred affecting the interests of any such national; and (c) assist any such national in proceedings before or in relations with the authorities of the receiving state and, where necessary, arrange for legal assistance to which he is entitled. A national of the sending state shall have the right at all times to communicate with a consular officer of his country and, unless subject to lawful detention, to visit him at the consular office.

ARTICLE XX

1. The present treaty shall not preclude the application of measures:

(a) regulating the importation or exportation of gold or silver;

(b) relating to fissionable materials, the radio-active byproducts thereof, or the sources thereof;

(c) regulating the production of or traffic in arms, ammunition and implements of war, or traffic in other materials carried on directly or indirectly for the purpose of supplying a military establishment; and

(d) necessary to fulfill the obligations of a High Contracting Party for the maintenance or restoration of international peace and security, or necessary to protect its essential security interests.

2. The present treaty does not accord any rights to engage in political activities.

3. The stipulations of the present treaty shall not extend to advantages accorded by the United States of America or its Territories and possessions, irrespective of any future change in their political status, to one another, to the Republic of Cuba, to the Republic of the Philippines, to the Trust Territory of the Pacific Islands or to the Panama Canal Zone.

4. The provisions of article II, paragraph 1, shall be construed as extending to nationals of either High Contracting Party seeking to enter the territories of the other High Contracting Party solely for the purpose of developing and directing the operations of an enterprise in the territories of such other High Contracting Party in which their employer has invested or is actively in the process of investing a substantial amount of capital: provided that such employer is a national or company of the same nationality as the applicant and that the applicant is employed by such national or company in a responsible capacity.

ARTICLE XXI

1. Each High Contracting Party shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such representations as the other High Contracting Party may make with respect to any matter affecting the operation of the present treaty.

2. Any dispute between the High Contracting Parties as to the interpretation or application of the present Treaty, not satisfactorily adjusted by diplomacy, shall be submitted to the International Court of Justice, unless the High Contracting Parties agree to settlement by some other pacific means.

ARTICLE XXII

1. The following treaty shall replace the following agreements between the United States of America and Iran:

(a) the provisional agreement relating to commercial and other relations, concluded at Teheran May 14, 1928, and

(b) the provisional agreement relating to personal status and family law, concluded at Teheran July 11, 1928.

2. Nothing in the present treaty shall be construed to supersede any provision of the trade agreement and the supplementary exchange of notes between the United States of America and Iran, concluded at Washington April 8, 1943.

ARTICLE XXIII

1. The present treaty shall be ratified, and the ratifications thereof shall be exchanged at Teheran as soon as possible.

2. The present treaty shall enter into force one month after the day of exchange of ratifications. It shall remain in force for ten years and shall continue in force thereafter until terminated as provided herein.

3. Either High Contracting Party may, by giving one year's written notice to the other High Contracting Party, terminate the present treaty at the end of the initial ten-year period or at any time thereafter.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed the present treaty and have affixed hereunto their seals.

DONE in duplicate, in the English and Persian languages, both equally authentic, at Teheran this fifteenth day of August one thousand nine hundred fifty-five, corresponding with the twenty-third day of Mordad one thousand three hundred and thirty-four.

[SEAL] SELDEN CHAPIN
[SEAL] MOSTAFA SAMIY

[Ex. G, 84th Cong., 2d Sess.]

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF NICARAGUA

The United States of America and the Republic of Nicaragua, desirous of strengthening the bonds of peace and friendship traditionally existing between them and of encouraging closer economic and cultural relations between their peoples, and being cognizant of the contributions which may be made toward these ends by arrangements encouraging mutually beneficial investments, promoting mutually advantageous commercial intercourse and otherwise establishing mutual rights and privileges, have resolved to conclude a Treaty of Friendship, Commerce and Navigation, based in general upon the principles of national and of most-favored-nation treatment unconditionally accorded, and for that purpose have appointed as their Plenipotentiaries.

The President of the United States of America:

Thomas E. Whelan, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nicaragua,

and

The President of the Republic of Nicaragua:

Oscar Sevilla Sacasa, Minister of Foreign Affairs of Nicaragua,

Who, having communicated to each other their full powers found to be in due form, have agreed upon the following articles:

ARTICLE I

Each Party shall at all times accord equitable treatment to the persons, property, enterprises and other interests of nationals and companies of the other Party.

ARTICLE II

1. Nations of either Party shall be permitted to enter the territories of the other Party and to remain therein: (a) for the purpose of carrying on trade between the territories of the two Parties and engaging in related commercial activities; (b) for the purpose of developing and directing the operations of an enterprise in which they have invested, or in which they are actively in the process of investing, a substantial amount of capital; and (c) for other purposes subject to the laws relating to the entry and sojourn of aliens.

2. Nationals of either Party, within the territories of the other Party, shall be permitted: (a) to travel therein freely, and to reside at places of their choice; (b) to enjoy liberty of conscience; (c) to hold both private and public religious services; (d) to gather and to transmit material for dissemination to the public abroad; and (e) to communicate with other persons inside and outside such territories by mail, telegraph and other means open to general public use.

3. For the purpose of strengthening the friendly relations and understanding between the two countries by encouraging mutual contacts between their peoples, the best facilities possible shall be made available for travel by tourists and other visitors, for the distribution of information for tourists, and with respect to the entry, sojourn and departure of visitors.

4. The provisions of the present article shall be subject to the right of either Party to apply measures that are necessary to maintain public order and protect the public health, morals and safety.

ARTICLE III

1. Nationals of either Party within the territories of the other Party shall be free from illegal molestations of every kind, and shall receive the most constant protection and security, in no case less than that required by international law.

2. If, within the territories of either Party, a national of the other Party is taken into custody, the nearest consular representative of his country shall on the demand of such national be immediately notified. Such national shall: (a) receive reasonable and humane treatment; (b) be formally and immediately informed of the accusations against him; (c) be brought to trial as promptly as is consistent with the proper preparation of his defense; and (d) enjoy all means reasonably necessary to his defense, including the services of competent counsel of his choice.

ARTICLE IV

1. Nationals of either Party shall be accorded national treatment in the application of laws and regulations within the territories of the other Party that establish a pecuniary compensation, or other benefit or service, on account of disease, injury or death arising out of and in the course of employment or due to the nature of employment.

2. In addition to the rights and privileges provided in paragraph 1 of the present Article, nationals of either Party shall, within the territories of the other Party, be accorded national treatment in the application of laws and regulations establishing compulsory systems of social security, under which benefits are paid without an individual test of financial need: (a) against loss of wages or earnings due to old age, unemployment, sickness or disability, or (b) against loss of financial support due to the death of father, husband or other person on whom such support had depended.

ARTICLE V

1. Nationals and companies of either Party shall be accorded national treatment and most-favored-nation treatment with respect to access to the courts of justice and to administrative tribunals and agencies within the territories of the other Party, in all degrees of jurisdiction, both in pusuit and in defense of their rights. It is understood that companies of either Party not engaged in activities within the territories of the other Party shall enjoy such access therein without any requirement of registration or domestication.

2. Contracts entered into between nationals and companies of either Party and nationals and companies of the other Party, that provide for the settlement by arbitration of controversies, shall not be deemed unenforceable within the territories of such

other Party merely on the grounds that the place designated for the arbitration proceedings is outside such territories or that the nationality of one or more of the arbitrators is not that of such other Party. No award duly rendered pursuant to any such contract, and final and enforceable under the laws of the place where rendered, shall be deemed invalid or denied effective means of enforcement within the territories of either Party merely on the grounds that the place where such award was rendered is outside such territories or that the nationality of one or more of the arbitrators is not that of such Party.

ARTICLE VI

1. Property of nationals and companies of either Party shall receive the most constant protection and security within the territories of the other Party.

2. The dwellings, offices, warehouses, factories and other premises of nationals and companies of either Party located within the territories of the other Party shall not be subject to illegal molestation or to entry without just cause. Official searches and examinations of such premises and their contents, when necessary, shall be made only according to law and with careful regard for the convenience of the occupants and the conduct of business.

3. Neither Party shall take unreasonable or discriminatory measures that would impair the legally acquired rights or interests within its territories of nationals and companies of the other Party in the enterprises which they have established, in their capital, or in the skills, arts or technology which they have supplied.

4. Property of nationals and companies of either Party shall not be expropriated within the territories of the other Party except for public purposes and reasons of social utility as defined by law, nor shall it be expropriated without prompt and just compensation. Such compensation shall be in an effectively realizable form and shall represent the full equivalent of the property taken; and adequate provision shall have been made at or prior to the time of the expropriation for determining and effecting such compensation.

5. Nationals and companies of either Party shall in no case be accorded, within the territories of the other Party, less than national treatment and most-favored-nation treatment with respect to the matters set forth in paragraphs 2 and 4 of the present Article. Moreover, enterprises in which nationals and companies of either Party have a substantial interest shall be accorded, within the territories of the other Party, not less than national treatment and most-favored-nation treatment in all matters relating to the taking of privately owned enterprises into public ownership and to the placing of such enterprises under public control.

ARTICLE VII

1. Nationals and companies of either Party shall be accorded national treatment with respect to engaging in all types of commercial, industrial, financial and other activity for gain (business activities) within the territories of the other Party, whether directly or by agent or through the medium of any form of lawful juridical entity. Accordingly, such nationals and companies shall be permitted within such territories: (a) to establish and maintain branches, agencies, offices, factories and other establishments appropriate to the conduct of their business; (b) to organize companies under the general company laws of such other Party, and to acquire majority interests in companies of such other Party; and (c) to control and manage enterprises which they have established or acquired. Moreover enterprises which they control, whether in the form of individual proprietorships, companies or otherwise, shall, in all that relates to the conduct of the activities thereof, be accorded treatment no less favorable than that accorded like enterprises controlled by nationals and companies of such other Party.

2. Each Party reserves the right to limit the extent to which aliens may, within its territories, establish, carry on, or acquire interests in public utility enterprises or enterprises engaged in shipbuilding, air or water transport, banking operations involving depository or fiduciary functions, or the exploitation of land or other natural resources. However, new limitations imposed by either Party upon the extent to which aliens are accorded national treatment, with respect to carrying on such activities within its territories, shall not be applied as against enterprises which are engaged in such activities therein at the time such new limitations are adopted, provided that such enterprises are owned or controlled by nationals or companies of the other Party. Moreover, neither Party shall deny to communications, transportation and banking companies of the other Party the right to maintain branches and agencies to perform functions necessary for essentially international operations in which they are permitted to engage.

3. The provisions of paragraph 1 of the present Article shall not prevent either Party from prescribing special formalities in connection with the establishment of alien-controlled enterprises within its territories; but such formalities may not impair the substance of the rights set forth in said paragraph.

4. Nationals and companies of either Party, as well as enterprises controlled by such nationals and companies, shall in any event be accorded most-favored-nation treatment with reference to the matters treated in the present Article.

ARTICLE VIII

1. Nationals and companies of either Party shall be permitted to engage, within the territories of the other Party, accountants and other technical experts, executive personnel, attorneys, agents and other specialists of their choice. The preceding sentence shall not be construed to preclude a Party from enforcing laws regarding the nationality of employees, but such laws shall not prevent nationals and companies of the other Party from employing personnel, regardless of nationality, who are essential to the conduct of their affairs. Moreover, such nationals and companies shall be permitted to engage the services of accountants and other technical experts, although they do not fulfill the qualifications established by the other Party for the practice of such profession within the territories of such other Party, for the particular purpose of making audits and technical investigations for, and rendering reports to, such nationals and companies in connection with the planning and operation of their enterprises, and enterprises in which they have a financial interest within such territories.

2. Nationals and companies of either Party shall be accorded national treatment and most-favored-nation treatment with respect to engaging in scientific, educational, religious and philanthropic activities within the territories of the other Party, and shall be accorded the right to form associations for that purpose under the laws of such other Party. Nothing in the present Treaty shall be deemed to grant or imply any right to engage in political activities.

ARTICLE IX

1. Nationals and companies of either Party shall be accorded within the territories of the other Party:

(a) national treatment with respect to leasing land, buildings and other immovable property appropriate to the conduct of activities in which they are permitted to engage pursuant to Articles VII and VIII and for residential purposes, and with respect to occupying and using such property; and

(b) other rights in immovable property permitted by the applicable laws of the other Party.

2. Nationals and companies of either Party shall be permitted freely to dispose of property within the territories of the other Party with respect to the acquisition of which through testate or intestate succession their alienage has prevented them from receiving national treatment, and they shall be permitted a term of at least five years in which to effect such disposition.

3. Nationals and companies of either Party shall be accorded within the territories of the other Party national treatment and most-favored-nation treatment, with respect to acquiring, by purchase, lease, or otherwise, and with respect to owning and possessing, personal property of all kinds, both tangible and intangible. However, either Party may impose restrictions on alien ownership of materials dangerous from the standpoint of public safety and alien ownership of interests in enterprises carrying on particular types of activity, but only to the extent that this can be done without impairing the rights and privileges secured by Article VII or by other provisions of the present treaty.

4. Nationals and companies of either Party shall be accorded within the territories of the other Party national treatment and most-favored-nation treatment with respect to disposing of property of all kinds.

ARTICLE X

1. Nationals and companies of either Party shall be accorded, within the territories of the other Party, national treatment and most-favored-nation treatment with respect to obtaining and maintaining patents of invention, and with respect to rights in trademarks, trade names, trade labels and industrial property of every kind.

2. The Parties undertake to cooperate in furthering the interchange and use of scientific and technical knowledge, particularly in the interests of increasing productivity and improving standards of living within their respective territories.

3. Neither Party shall unreasonably impede nationals and companies of the other Party from obtaining on equitable terms, through normal commercial channels, the capital, skills, arts, and technology it needs for its economic development.

ARTICLE XI

1. Nationals of either Party residing within the territories of the other Party, and nationals and companies of either Party engaged in trade or other gainful pursuit or in scientific, educational, religious or philanthropic activities within the territories of the other Party, shall not be subject to the payment of taxes, fees or charges imposed upon or applied to income, capital, transactions, activities or any other object, or to requirements with respect to the levy and collection thereof, within the territories of such other Party, more burdensome than those borne by nationals and companies of such other Party.

2. With respect to nationals of either Party who are neither resident nor engaged in trade or other gainful pursuit within the territories of the other Party, and with respect to companies of either Party which are not engaged in trade or other gainful pursuit within the territories of the other Party, it shall be the aim of such other Party to apply in general the principle set forth in paragraph 1 of the present Article.

3. Nationals and companies of either Party shall in no case be subject, within the territories of the other Party, to the payment of taxes, fees or charges imposed upon or applied to income, capital, transactions, activities or any other object, or to requirements with respect to the levy and collection thereof, more burdensome than those borne by nationals, residents and companies of any third country.

4. In the case of companies of either Party engaged in trade or other gainful pursuit within the territories of the other Party, and in the case of nationals of either Party engaged in trade or other gainful pursuit within the territories of the other Party but not resident therein, such other Party shall not impose or apply any tax, fee or charge upon any income, capital or other basis in excess of that reasonably allocable or apportionable to its territories, nor grant deductions and exemptions less than those reasonably allocable or apportionable to its territories. A comparable rule shall apply also in the case of companies organized and operated exclusively for scientific, educational, religious or philanthropic purposes.

5. Each Party reserves the right to:

(a) extend specific advantages regarding taxes, fees, and charges to nationals, residents and companies of other countries on a basis of reciprocity;

(b) accord special tax advantages by virtue of agreements for the avoidance of double taxation or the mutual protection of revenue; and

(c) apply special provisions in allowing to nonresidents, exemptions of a personal nature in connection with income and inheritance taxes.

ARTICLE XII

1. Nationals and companies of either Party shall be accorded by the other Party national treatment and most-favored-nation treatment with respect to payments, remittances and transfers of funds or financial instruments between the territories of the two Parties as well as between the territories of such other Party and of any third country.

2. Neither Party shall impose exchange restrictions as defined in paragraph 5 of the present Article except to the extent necessary to prevent its monetary reserves from falling to a very low level or to effect a moderate increase in very low monetary reserves. It is understood that the provisions of the present Article do not alter the obligations either Party may have to the International Monetary Fund or preclude imposition of particular restrictions whenever the Fund specifically authorizes or requests a Party to impose such particular restrictions.

3. If either Party imposes exchange restrictions in accordance with paragraph 2 of the present Article, it shall, after making whatever provision may be necessary to assure the availability of foreign exchange for goods and services essential to the health and welfare of its people, make reasonable provision for the withdrawal, in foreign exchange in the currency of the other Party, of: (a) the compensation referred to in Article VI, paragraph 4, (b) earnings, whether in the form of salaries, interest, dividends, commissions, royalties, payments for technical services, or otherwise, and (c) amounts for amortization of loans, depreciation of direct investments, and capital transfers, giving consideration to special needs for other transactions. If more than one rate of exchange is in force, the rate applicable to such withdrawals shall be a rate which is specifically approved by the International Monetary Fund for such transactions or, in the absence of a rate so approved, an effective rate which, inclusive of any taxes or surcharges on exchange transfers, is just and reasonable.

4. Exchange restrictions shall not be imposed by either Party in a manner unnecessarily detrimental or arbitrarily discriminatory to the claims, investments, transport, trade, and other interests of the nationals and companies of the other Party, nor to the competitive position thereof.

5. The term "exchange restrictions" as used in the present Article includes all restrictions, regulations, charges, taxes, or other requirements imposed by either Party which burden or interfere with payments, remittances, or transfers of funds or of financial instruments between the territories of the two Parties

ARTICLE XIII

Commercial travelers representing nationals and companies of either Party engaged in business within the territories thereof shall, upon their entry into and departure from the territories of the other Party and during their sojourn therein, be accorded most-favored-nation treatment in respect of the customs and other matters including, subject to the exceptions in paragraph 5 of Article XI, taxes and charges applicable to them, their samples and the taking of orders, and regulations governing the exercise of their functions.

ARTICLE XIV

1. Each Party shall accord most-favored-nation treatment to products of the other Party, from whatever place and by whatever type of carrier arriving, and to products destined for exploration to the territories of such other Party, by whatever route and by whatever type of carrier, with respect to customs duties and charges of any kind imposed on or in connection with importation or exportation or imposed on the international transfer of payments for imports or exports, and with respect to the method of levying such duties and charges, and with respect to all rules and formalities in connection with importation and exportation.

2. Neither Party shall impose restrictions or prohibitions on the importation of any product of the other Party, or on the exportation of any product to the territories of the other Party, unless the importation of the like product of, or the exportation of the like product to, all third countries is similarly restricted or prohibited.

3. If either Party imposes quantitative restrictions on the importation or exportation of any product in which the other Party has an important interest:

(a) It shall as a general rule give prior public notice of the total amount of the product, by quantity or value, that may be imported or exported during a specified period, and of any change in such amount or period; and

(b) If it makes allotments to any third country, it shall afford such other Party a share proportionate to the amount of the product, by quantity or value supplied by or to it during a previous representative period, due consideration being given to any special factors affecting the trade in such product.

4. Either Party may impose prohibitions or restrictions on sanitary or other customary grounds of a non-commercial nature, or in the interest of preventing deceptive or unfair practices, provided such prohibitions or restrictions do not arbitrarily discriminate against the commerce of the other Party.

5. Nationals and companies of either Party shall be accorded national treatment and most-favored-nation treatment by the other Party with respect to all matters relating to importation and exportation.

6. The provisions of the present Article shall not apply to advantages accorded by either Party:

(a) to products of its national fisheries;

(b) to adjacent countries in order to facilitate frontier traffic; or

(c) by virtue of a customs union or a free trade area of which either Party may become a member, or of an interim agreement leading to the formation of a customs union or free trade area which either Party may enter into, after having informed the other Party of its plans in order to afford such other Party adequate opportunity to express its views thereon. The interim agreement referred to in the preceding sentence shall include a plan and definite program for the formation of a customs union or free trade area.

ARTICLE XV

1. Each Party shall promptly publish laws, regulations and administrative rulings of general application pertaining to rates of duty, taxes or other charges, to the classification of articles for customs purposes, and to requirements or restrictions on imports and exports or the transfer of payments therefor, or affecting their sale, distribution or use; and shall administer such laws, regulations and rulings in a uniform, impartial and reasonable manner. As a general practice, new administrative requirements or restrictions affecting imports, with the exception of those imposed on sanitary grounds or for reasons of public safety, shall not go into effect before the expiration of thirty days after publication, or alternatively, shall not apply to products en route at time of publication.

2. Each Party shall provide an appeals procedure under which nationals and companies of the other Party, and importers of products of such other Party, shall be able to obtain prompt and impartial review, and correction when warranted, of administrative action relating to customs matters, including the imposition of fines and penalties, confiscations, and rulings on questions of customs classification and valuation by the administrative authorities. Penalties imposed for infractions of the customs and shipping laws and regulations concerning documentation shall be merely nominal in cases resulting from clerical errors or when good faith can be demonstrated.

ARTICLE XVI

1. Products of either Party shall be accorded, within the territories of the other Party, national treatment and most-favored-nation treatment in all matters affecting internal taxation, sale, distribution, storage and use.

2. Articles produced by nationals and companies of either Party within the territories of the other Party, or by companies of the latter Party controlled by such nationals and companies, shall be accorded therein treatment no less favorable than that accorded to like articles of national origin by whatever person or company produced, in all matters affecting exportation, taxation, sale, distribution, storage and use.

3. The Parties recognize that the unqualified term "coffee" should be used solely to designate the coffee bean or consumable preparations made from the coffee bean, and they agree to maintain their present practices for preventing the commercial usage of that term in a manner which is deceptive by reason of actual misrepresentations or otherwise.

ARTICLE XVII

1. Each Party undertakes (a) that enterprises owned or controlled by its Government, and that monopolies or agencies granted exclusive or special privileges within its territories, shall make their purchases and sales involving either imports or exports affecting the commerce of the other Party solely in accordance with commercial considerations, including price, quality, availability, marketability, transportation and other conditions of purchase or sale; and (b) that the nationals, companies and commerce of such other Party shall be afforded adequate opportunity, in accordance with customary business practice, to compete for participation in such purchases and sales.

2. Each Party shall accord to the nationals, companies and commerce of the other Party fair and equitable treatment, as compared with that accorded to the nationals, companies and commerce of any third country, with respect to: (a) the governmental purchase of supplies, (b) the awarding of concessions and other government contracts, and (c) the sale of any service sold by the Government or by any monopoly or agency granted exclusive or special privileges.

3. Neither Party shall impose any measure of a discriminatory nature that hinders or

prevents the importer or exporter of products of either country from obtaining marine insurance on such products in companies of either Party.

ARTICLE XVIII

1. The two Parties agree that business practices which restrain competition, limit access to markets or foster monopolistic control, and which are engaged in or made effective by one or more private or public commercial enterprises or by combination, agreement or other arrangement among such enterprises, may have harmful effects upon commerce between their respective territories. Accordingly, each Party agrees upon the request of the other Party to consult with respect to any such practices and to take such measures as it deems appropriate with a view to eliminating such harmful effects.

2. The Parties recognize that conditions of competitive equality should be maintained in situations in which publicly owned or controlled trading or manufacturing enterprises of either Party engage in competition, within the territories thereof, with privately owned and controlled enterprises of nationals and companies of the other Party. Accordingly, such private enterprises shall, in such situations, be entitled to the benefit of any special advantages of an economic nature accorded such public enterprises, whether in the nature of subsidies, tax exemptions or otherwise. The foregoing rule shall not apply, however, to special advantages given in connection with: (a) manufacturing goods for government use, or supplying goods and services to the government for government use; or (b) supplying, at prices substantially below competitive prices, the needs of particular population groups for essential goods and services not otherwise practically obtainable by such groups; nor shall it apply to activities in connection with government programs for regulating the marketing of domestic products, including the purchase and sale thereof for the purpose of stabilizing prices.

3. No enterprise of either Party, including corporations, associations, and government agencies and instrumentalities, which is publicly owned or controlled shall, if it engages in commercial, industrial, shipping or other business activities within the territories of the other Party, claim or enjoy, either for itself or for its property, immunity therein from taxation, suit, execution of judgment or other liability to which privately owned and controlled enterprises are subject therein.

ARTICLE XIX

1. Between the territories of the two Parties there shall be freedom of commerce and navigation.

2. Vessels under the flag of either Party, and carrying the papers required by its law in proof of nationality, shall be deemed to be vessels of that Party both on the high seas and within the ports, places and waters of the other Party.

3. Vessels of either Party shall have liberty, on equal terms with vessels of the other Party and on equal terms with vessels of any third country, to come with their cargoes to all ports, places and waters of such other Party open to foreign commerce and navigation. Such vessels and cargoes shall in all respects be accorded national treatment and most-favored-nation treatment within the ports, places and waters of such other Party; but each Party may reserve exclusive rights and privileges to its own vessels with respect to the coasting trade, inland navigation and national fisheries.

4. Vessels of either Party shall be accorded national treatment and most-favored-nation treatment by the other Party with respect to the right to carry all products that may be carried by vessel to or from the territories of such other Party; and such products shall be accorded treatment no less favorable than that accorded like products carried in vessels of such other Party, with respect to: (a) duties and charges of all kinds, (b) the administration of the customs, and (c) bounties, drawbacks and other privileges of this nature.

5. Vessels of either Party that are in distress shall be permitted to take refuge in the nearest port or haven of the other Party, and shall receive friendly treatment and assistance.

6. The term "vessels", as used herein, means all types of vessels, whether privately owned or operated or publicly owned or operated; but this term does not, except with reference to paragraphs 2 and 5 of the present Article, include fishing vessels or vessels of war.

ARTICLE XX

There shall be freedom of transit through the territories of each Party by the routes most convenient for international transit:

(a) for nationals of the other Party, together with their baggage;

(b) for other persons, together with their baggage, en route to or from the territories of such other Party; and

(c) for products of any origin en route to or from the territories of such other Party.

Such persons and things in transit shall be exempt from customs duties, from duties imposed by reason of transit, and from unreasonable charges and requirements; and shall be free from unnecessary delays and restrictions. They shall, however, be subject to measures referred to in paragraph 4 of Article II, and to nondiscriminatory regulations necessary to prevent abuse of the transit privilege.

ARTICLE XXI

1. The present Treaty shall not preclude the application of measures:

(a) regulating the importation or exportation of gold or silver;

(b) relating to fissionable materials, to radioactive byproducts of the utilization or processing thereof, or to materials that are the source of fissionable materials;

(c) regulating the production of or traffic in arms, ammunition and implements of war, or traffic in other materials carried on directly or indirectly for the purpose of supplying a military establishment;

(d) necessary to fulfill the obligations of a Party for the maintenance or restoration of international peace and security, or necessary to protect its essential security interests; and

(e) denying to any company in the ownership or direction of which nationals of any third country or countries have directly or indirectly the controlling interest, the advantages of the present Treaty, except with respect to recognition of juridical status and with respect to access to courts.

2. The most-favored-nation provisions of the present Treaty relating to the treatment of goods shall not apply to advantages accorded by the United States of America or its Territories and possessions to one another, to the Republic of Cuba, to the Republic of the Philippines, to the Trust Territory of the Pacific Islands or to the Panama Canal Zone.

3. The provisions of the present Treaty relating to the treatment of goods shall not preclude action by either Party which is required or specifically permitted by the General Agreement on Tariffs and Trade during such time as such Party is a contracting party to the General Agreement. Similarly, the most-favored-nation provisions of the present Treaty shall not apply to special advantages accorded by virtue of the aforesaid Agreement.

4. The provisions of the present Treaty regarding most-favored-nation treatment, other than those relating to importation and exportation, shall not be applied to advantages which the Republic of Nicaragua accords to the other countries of Central America within a definite program of regional economic integration. As concerns advantages which Nicaragua may accord to the Central American countries with respect to importation and exportation, the provisions of Article XIV of the present Treaty shall prevail.

5. Nationals of either Party admitted into the territories of the other Party for limited purposes shall not enjoy rights to engage in gainful occupations in contravention of limitations expressly imposed, according to law, as a condition of their admittance.

ARTICLE XXII

1. The term "national treatment" means treatment accorded within the territories of a Party upon terms no less favorable than the treatment accorded therein, in like situations, to nationals, companies, products, vessels or other objects, as the case may be, of such Party.

2. The term "most-favored-nation treatment" means treatment accorded within the territories of a Party upon terms no less favorable than the treatment accorded therein, in like situations, to nationals, companies, products, vessels or other objects, as the case may be, of any third country.

3. As used in the present Treaty, the term "companies" means corporations, partnerships, companies and other associations, whether or not with limited liability and whether or not for pecuniary profit. Companies constituted under the applicable laws and regulations within the territories of either Party shall be deemed companies thereof and shall have their juridical status recognized within the territories of the other Party.

4. National treatment accorded under the provisions of the present Treaty to companies of Nicaragua shall, in any State, Territory or possession of the United States of America, be the treatment accorded therein to companies created or organized in other States, Territories, and possessions of the United States of America.

ARTICLE XXIII

The territories to which the present Treaty extends shall comprise all areas of land and water under the sovereignty or authority of each Party, other than the Panama Canal Zone and the Trust Territory of the Pacific Islands.

ARTICLE XXIV

1. Each Party shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such representations as the other Party may make with respect to any matter affecting the operation of the present Treaty.

2. Any dispute between the Parties as to the interpretation or application of the present Treaty, not satisfactorily adjusted by diplomacy, shall be submitted to the International Court of Justice, unless the Parties agree to settlement by some other pacific means.

ARTICLE XXV

1. The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Managua, D. N. as soon as possible.

2. The present Treaty shall enter into force one month after the day of exchange of ratifications. It shall remain in force for ten years and shall continue in force thereafter until terminated as provided herein.

3. Either Party may, by giving one year's written notice to the other Party, terminate the present Treaty at the end of the initial ten-year period or at any time thereafter.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have affixed hereunto their seals.

Done in duplicate, in the English and Spanish languages, both equally authentic, at Managua, D. N., this twenty-first day of

January, one thousand nine hundred fifty-six.

[SEAL] THOMAS E. WHELAN,
Ambassador Extraordinary and Plenipotentiary of the United States of America.

[SEAL] OSCAR SEVILLA SACASA,
Minister of Foreign Affairs of Nicaragua.

PROTOCOL

At the time of signing the Treaty of Friendship, Commerce, and Navigation between the United States of America and the Republic of Nicaragua, the undersigned Plenipotentiaries, duly authorized by their respective Governments, have further agreed on the following provisions, which shall be considered integral parts of the aforesaid Treaty:

1. The provisions of Article II, paragraph 1 (b), shall be construed as extending to a national of either Party seeking to enter the territories of the other Party solely for the purpose of developing and directing the operations of an enterprise in the territories of such other Party in which his employer has invested or is actively in the process of investing a substantial amount of capital, provided that such employer is a national or company of the same nationality as the applicant and that the applicant is employed by such national or company in a responsible capacity.

2. The term "access" as used in Article V, paragraph 1, comprehends, among other things, legal aid and security for costs and judgment.

3. It is understood that Article V, paragraph 2, does not require a Party to enforce an arbitral award that is contrary to public order.

4. The provisions of Article VI, paragraph 4, providing for the payment of compensation shall extend to interests held directly or indirectly by nationals and companies of either Party in property which is taken within the territories of the other Party.

5. With reference to Article VII, paragraph 4, either Party may require that rights to engage in mining on the public domain shall be dependent on reciprocity.

6. The term "public utility enterprises" as used in Article VII, paragraph 2, is deemed to include enterprises engaged in furnishing communications services, water supplies, transportation by bus, truck or rail, or in manufacturing and distributing gas or electricity to the general public.

7. The provisions of Article XVII, paragraph 2 (b) and (c) and of Article XIX, paragraph 4, shall not apply to postal services.

8. The provisions of Article XXI, paragraph 2, shall apply in the case of Puerto Rico regardless of any change that may take place in its political status.

9. Article XXIII does not apply to territories under the authority of either Party solely as a military base or by reason of temporary military occupation.

In witness whereof the respective Plenipotentiaries have signed this Protocol and have affixed hereunto their seals.

Done in duplicate, in the English and Spanish languages, both equally authentic, at Managua, D. N., this twenty-first day of January, one thousand nine hundred fifty-six.

[SEAL] THOMAS E. WHELAN,
Ambassador Extraordinary and Plenipotentiary of the United States of America.

[SEAL] OSCAR SEVILLA SACASA,
Minister of Foreign Affairs of Nicaragua.

[Ex. H, 84th Cong., 2d sess.]

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN THE UNITED STATES OF AMERICA AND THE KINGDOM OF THE NETHERLANDS

The United States of America and the Kingdom of the Netherlands, desirous of strengthening the bonds of peace and friendship traditionally existing between them and of encouraging closer economic and cultural relations between their peoples, and being cognizant of the contributions which may be made toward these ends by arrangements, promoting mutually advantageous commercial intercourse, encouraging mutually beneficial investments, and establishing mutual rights and privileges,

have resolved to conclude a Treaty of Friendship, Commerce and Navigation, based in general upon the principles of national and unconditional most-favored-nation treatment reciprocally accorded, and for that purpose have appointed as their Plenipotentiaries:

the President of the United States of America:

H. E. Mr. H. Freeman Matthews, Ambassador extraordinary and plenipotentiary of the United States of America at The Hague,

and Her Majesty the Queen of the Netherlands:

H. E. Dr. J. W. Beyen, Minister of Foreign Affairs, and

H. E. Dr. J. M. A. H. Luns, Minister without Portfolio,

who, having communicated to each other their full powers found to be in due form, have agreed as follows:

ARTICLE I

1. Each Party shall at all times accord fair and equitable treatment to the nationals and companies of the other Party, and to their property, enterprises and other interests.

2. Between the territories of the two Parties there shall be, in accordance with the provisions of the present Treaty, freedom of commerce and navigation.

ARTICLE II

1. Nationals of either Party shall be permitted to enter the territories of the other Party and to remain therein: (a) for the purpose of carrying on trade between the territories of the two Parties and engaging in related commercial activities; (b) for the purpose of developing and directing the operations of an enterprise in which they have invested, or in which they are actively in the process of investing, a substantial amount of capital; and (c) for other purposes subject to the laws relating to the entry and sojourn of aliens.

2. Each Party undertakes to make available the best facilities practicable for travel by tourists and other visitors with respect to their entry, sojourn and departure, and for the distribution of information for tourists.

3. Nationals of either Party, within the territories of the other Party, shall be permitted: (a) to travel therein freely, and to reside at places of their choice; (b) to enjoy liberty of conscience; (c) to hold both private and public religious services; (d) to gather and to transmit material for dissemination to the public abroad; and (e) to communicate with other persons inside and outside such territories by mail, telegraph and other means open to general public use.

4. The provisions of the present Article shall be subject to the right of either Party to apply measures that are necessary to maintain public order and protect the public health, morals and safety.

ARTICLE III

1. Nationals of either Party within the territories of the other Party shall be free from molestation of every kind, and shall receive the most constant protection and security. They shall be accorded in like circumstances treatment no less favorable than that accorded nationals of such other Party for the protection and security of their persons and their rights. The treatment accorded in this respect shall in no case be less favorable than that accorded nationals of any third country or that required by international law.

2. If, within the territories of either Party, a national of the other Party is taken into custody, the nearest consular representative of his country shall on the demand of such national be immediately notified and shall have the right to visit and communicate with such national. Such national shall: (a) receive reasonable and humane treatment; (b) be promptly informed of the accusations against him; (c) be brought to trial as promptly as is consistent with the proper preparation of his defense; and (d) enjoy all means reasonably necessary to his defense, including the services of competent counsel of his choice.

ARTICLE IV

1. Nationals of either Party shall be accorded national treatment in the application of laws and regulations within the territories of the other Party that establish a pecuniary compensation or other benefit or service, on account of disease, injury or death arising out of and in the course of employment or due to the nature of employment.

2. In addition to the rights and privileges provided in paragraph 1 of the present Article, nationals of either Party shall, within the territories of the other Party, be accorded national treatment in the application of laws and regulations establishing compulsory systems of social security, under which benefits are paid without an individual test of financial need in the following cases: (a) sickness, including temporary disability for work, and maternity; (b) invalidity, or occupational disability; (c) death of father, spouse, or any other person liable for maintenance; (d) unemployment.

ARTICLE V

1. Nationals and companies of either Party shall be accorded national treatment with respect to access to the courts of justice and to administrative tribunals and agencies within the territories of the other Party, in all degrees of jurisdiction, both in pursuit and in defense of their rights. It is understood that companies of either Party not engaged in activities within the territories of the other Party shall enjoy such access therein without any requirement of registration or domestication.

2. (a) Contracts entered into between nationals or companies of either Party and nationals or companies of the other Party, that provide for the settlement by arbitration of controversies, shall not be deemed unenforceable within the territories of such other Party merely on the grounds that the place designated for the arbitration proceedings is outside such territories or that the nationality of one or more of the arbitrators is not that of such other Party. (b) In conformity with subparagraphs (1) and (2) hereof, awards duly rendered pursuant to any such contracts, which are final and enforceable under the laws of the place where rendered, shall be deemed conclusive in enforcement proceedings brought before the courts of competent jurisdiction of either Party. (1) As regards recognition and enforcement in the United States of America, such awards shall be entitled in any court in any State thereof only to the same measure of recognition and enforcement as wards rendered in other States thereof. (2) As regards enforcement in the Kingdom of the Netherlands, such awards shall be dealt with in the same way as awards as referred to in the Convention on the execution of foreign arbitral awards concluded at Geneva on September 26, 1927.

ARTICLE VI

1. Property of nationals and companies of either Party shall receive the most constant protection and security within the territories of the other Party.

2. The dwellings, offices, warehouses, factories and other premises of nationals and companies of either Party located within the territories of the other Party shall not be

subject to molestation or to entry without just cause. Official searches and examinations of such premises and their contents, when necessary, shall be made only according to law and with careful regard for the convenience of the occupants and the conduct of business.

3. Neither Party shall take unreasonable or discriminatory measures that would impair the rights or interests within its territories of nationals and companies of the other Party, whether in their capital, or in their enterprises and the property thereof, or in the skills, arts or technology which they have supplied.

4. Property of nationals and companies of either Party shall not be taken within the territories of the other Party except for a public interest, nor shall it be taken without the prompt payment of just compensation. Such compensation shall be in an effectively realizable form and shall represent the equivalent of the property taken; and adequate provision shall have been made at or prior to the time of taking for the determination and payment thereof.

5. Nationals and companies of either Party shall in no case be accorded, within the territories of the other Party, less than national treatment and most-favored-nation treatment with respect to the matters set forth in paragraphs 2 and 4 of the present Article. Moreover, enterprises in which nationals and companies of either Party have a substantial interest shall be accorded, within the territories of the other Party, not less than national treatment and most-favored-nation treatment in all matters relating to the taking of privately owned enterprises into public ownership and to the placing of such enterprises under public control or administration.

ARTICLE VII

1. Nationals and companies of either Party shall be accorded national treatment with respect to engaging in all types of commercial, industrial, financial and other activity for gain (business activities) within the territories of the other Party, whether directly or by agent or through the medium of any form of lawful juridical entity. Accordingly, such nationals and companies shall be permitted within such territories: (a) to establish and maintain branches, agencies, offices, factories and other establishments appropriate to the conduct of their business; (b) either directly or indirectly through one or more intermediaries, to organize companies under the general company laws of such other Party and to acquire the controlling interest in companies of such other Party; and (c) to control and manage enterprises which they have established or acquired. Moreover, enterprises which they control, whether in the form of individual proprietorships, companies or otherwise, shall in all that relates to the conduct of the activities thereof, be accorded treatment no less favorable than that accorded like enterprises controlled by nationals and companies of such other Party.

2. Each Party reserves the right to limit the extent to which aliens may within its territories establish, acquire interests in, or carry on enterprises engaged in communications, air or water transport, banking involving depository or fiduciary functions, or the exploitation of land or other natural resources. However, new limitations imposed by either Party upon the extent to which aliens are accorded national treatment, with respect to carrying on such activities within its territories, shall not be applied as against enterprises which are engaged in such activities therein at the time such new limitations are adopted and which are owned or controlled by nationals and companies of the other Party. Moreover, neither Party shall deny to transportation, communications and banking companies of the other Party the right to maintain branches and agencies, in conformity with the applicable laws and regulations, to perform functions necessary for essentially international operations in which they engage.

3. The provisions of paragraph 1 of the present Article shall not prevent either Party from prescribing special formalities in connection with the establishment of alien-controlled enterprises within its territories; but such formalities may not impair the substance of the rights set forth in said paragraph.

4. Nationals and companies of either Party, as well as enterprises controlled by such nationals and companies, shall in any event be accorded most-favored-nation treatment with reference to the matters treated in the present Article.

ARTICLE VIII

1. Nationals and companies of either Party shall be permitted to engage, within the territories or the other Party, accountants and other technical experts, executive personnel, attorneys, agents and other specialists of their choice. Moreover, such nationals and companies shall be permitted to engage accountants and other technical experts regardless of the extent to which they may have qualified for the practice of a profession within the territories of such other Party, for the particular purpose of making examinations, audits and technical investigations for, and rendering reports to, such nationals and companies in connection with the planning and operation of their enterprises, and enterprises in which they have a financial interest, within such territories.

2. Nationals and companies of either Party shall be accorded national treatment and most-favored-nation treatment with respect to engaging in scientific, educational, religious and philanthropic activities within the territories of the other Party, and shall be accorded the right to form associations for that purpose under the laws of such other Party.

ARTICLE IX

1. Nationals and companies of the Kingdom of the Netherlands shall be accorded, within the territories of the United States of America: (a) national treatment with respect to leasing land, buildings and other real property appropriate to the conduct of activities in which they are permitted to engage pursuant to Articles VII and VIII and for residential purposes and with respect to occupying and using such property; and (b) other rights in real property permitted by the applicable laws of the States, Territories and possessions of the United States of America.

2. Nationals and companies of the United States of America shall be accorded, within the territories of the Kingdom of the Netherlands, national treatment with respect to acquiring by purchase, lease, or otherwise, and with respect to owning, occupying and using land, buildings and other real property. However, in the case of any such national domiciled in, or any such company constituted under the laws of, any State, Territory or possession of the United States of America that accords less than national treatment to nationals and companies of the Kingdom of the Netherlands in this respect, the Kingdom of the Netherlands shall not be obligated to accord to such national or company treatment more favorable in this respect than such State, Territory, or possession accords to nationals and companies of the Kingdom of the Netherlands.

3. Nationals and companies of either Party shall be accorded within the territories of the other Party national treatment and most-favored-nation treatment with respect to acquiring, by purchase, lease, or otherwise, and with respect to owning and possessing, personal property of all kinds, both tangible and intangible. However, either Party may impose restrictions on alien ownership of materials dangerous from the standpoint of public safety and alien ownership of interests in enterprises carrying on particular types of activity, but only to the extent that this can be done without impairing the rights and privileges secured by Article VII or by other provisions of the present Treaty.

4. Nationals and companies of either Party shall be accorded national treatment within the territories of the other Party with respect to acquiring property of all kinds by testate or intestate succession or through judicial process. Should they because of their alienage be ineligible to continue to own any such property, they shall be allowed a reasonable period in which to dispose of it, in a normal manner at its market value.

5. Nationals and companies of either Party shall be accorded within the territories of the other Party national treatment and most-favored-nation treatment with respect to disposing of property of all kinds. Furthermore, with respect to the acquisition, ownership, use and disposition of property of all kinds within the territories of either Party, companies constituted under the laws of that Party, which are controlled by nationals and companies of the other Party, shall be accorded treatment no less favorable than that accorded within such territories to companies of such other Party or to companies similarly constituted which are controlled by nationals and companies of any third country.

ARTICLE X

1. Nationals and companies of either Party shall be accorded, within the territories of the other Party, national treatment with respect to obtaining and maintaining patents of invention, and with respect to rights in trade marks, trade names, trade labels and industrial property of every kind.

2. The Parties agree as to the desirability of furthering, through cooperative or other appropriate means, the interchange and use of scientific and technical knowledge, particularly in the interest of increasing productivity and improving standards of living within their respective territories.

ARTICLE XI

1. Nationals of either Party residing within the territories of the other Party, and nationals and companies of either Party engaged in trade or other gainful pursuit or in scientific, educational, religious or philanthropic activities within the territories of the other Party, shall not be subject to the payment of taxes, fees or charges imposed upon or applied to income, capital, transactions, activities or any other object, or to requirements with respect to the levy and collection thereof, within the territories of such other Party, more burdensome than those borne by nationals, and companies of such other Party.

2. With respect to nationals of either Party who are neither resident nor engaged in trade or other gainful pursuit within the territories of the other Party, and with respect to companies of either Party which are not engaged in trade or other gainful pursuit within the territories of the other Party, it shall be the aim of such other Party to apply in general the principle set forth in paragraph 1 of the present Article.

3. Nationals and companies of either Party shall in no case be subject, within the territories of the other Party, to the payment of taxes, fees or charges imposed upon or applied to income, capital, transactions, activities or any other object, or to requirements with respect to the levy and collection thereof, more burdensome than those borne by nationals, residents and companies of any third country.

4. In the case of companies and of nonresident nationals of either Party engaged in trade or other gainful pursuit within the territories of the other Party, such other Party shall not impose or apply any tax,

fee or charge upon any income, capital or other basis in excess of that reasonably allocable or apportionable to its territories, nor grant deduction and exemptions less than those reasonably allocable or apportionable to its territories. A comparable rule shall apply also in the case of companies organized and operated exclusively for scientific, educational, religious or philanthropic purposes.

5. Each Party reserves the right to: (a) extend specific tax advantages on the basis of reciprocity; (b) accord special tax advantages by virtue of agreements for the avoidance of double taxation or the mutual protection of revenue; and (c) accord to its own nationals and to residents of contiguous countries more favorable exemptions of a personal nature with respect to income and inheritance taxes than are accorded to other non-resident persons.

ARTICLE XII

1. Nationals and companies of either Party shall be accorded by the other Party national treatment and most-favored-nation treatment with respect to payments, remittances and transfers of funds or financial instruments between the territories of the two Parties as well as between the territories of such other Party and of any third country.

2. Neither Party shall impose exchange restrictions as defined in paragraph 5 of the present Article except to the extent necessary to maintain or restore adequacy in its monetary reserves, particularly in relation to its external commercial and financial requirements. It is understood that the provisions of the present Article do not alter the obligations either Party may have to the International Monetary Fund or preclude imposition of particular restrictions whenever the Fund specifically authorizes or requests a Party to impose such particular restrictions.

3. If either Party imposes exchange restrictions in accordance with paragraph 2 of the present Article, it shall, after making whatever provision may be necessary to assure the availability of foreign exchange for goods and services essential to the health and welfare of its people, make reasonable provision for the withdrawal, in foreign exchange in the currency of the other Party, of: (*a*) the compensation referred to in Article VI, paragraph 4, (*b*) earnings, whether in the form of salaries, interest, dividends, commissions, royalties, payments for technical services, or otherwise, and (*c*) amounts for amortization of loans, depreciation or direct investments, and capital transfers to the extent feasible, giving consideration to special needs for other transactions. If more than one rate of exchange is in force, the rate applicable to such withdrawals shall be a rate which is specifically approved by the International Monetary Fund for such transactions or, in the absence of a rate so approved, an effective rate which, inclusive of any taxes or surcharges on exchange transfers, is just and reasonable.

4. Exchange restrictions shall not be imposed by either Party in a manner unnecessarily detrimental or arbitrarily discriminatory to the claims, investments, transport, trade, and other interests of nationals and companies of the other Party, nor to the competitive position thereof. Each Party shall afford the other Party adequate opportunity for consultation at any time regarding application of the present Article.

5. The term "exchange restrictions" as used in the present Article includes all restrictions, regulations, charges, taxes, or other requirements imposed by either Party which burden or interfere with payments, remittances, or transfers of funds or of financial instruments between the territories of the two Parties.

6. Questions arising under the present Treaty concerning exchange control are governed by the provisions of the present Article.

ARTICLE XIII

Commercial travelers representing nationals and companies of either Party engaged in business within the territories thereof shall, upon their entry into and departure from the territories of the other Party and during their sojourn therein, be accorded most-favored-nation treatment in respect of the customs and other matters, including, subject to the exceptions in paragraph 5 of Article XI, taxes and charges applicable to them, their samples and the taking of orders, and regulations governing the exercise of their functions.

ARTICLE XIV

1. Each Party shall accord most-favored-nation treatment to products of the other Party, from whatever place and by whatever type of carrier arriving, and to products destined for exportation to the territories of such other Party, by whatever route and by whatever type of carrier, with respect to customs duties and charges of any kind imposed on or in connection with importation or exportation or imposed on the international transfer of payments for imports or exports, and with respect to the method of levying such duties and charges, and with respect to all rules and formalities in connection with importation and exportation.

2. Neither Party shall impose restrictions or prohibitions on the importation of any product of the other Party, or on the exportation of any product to the territories of the other Party, unless the importation of the like product of, or the exportation of the like product to, all third countries is similarly restricted or prohibited.

3. If either Party imposes quantitative restrictions on the importation or exportation of any product in which the other Party has an important interest: (*a*) it shall as a general rule give prior public notice of the total amount of the product, by quantity or value, that may be imported or exported during a specified period, and of any change in such amount or period; and (*b*) if it makes allotments to any third country, it shall afford such other Party a share proportionate to the amount of the product, by quantity or value, supplied by or to it during a previous representative period, due consideration being given to any special factors affecting the trade in such product.

4. Either Party may impose prohibitions or restrictions on sanitary or other customary grounds of a noncommercial nature, or in the interest of preventing deceptive or unfair practices, provided such prohibitions or restrictions do not arbitrarily discriminate against the commerce of the other Party.

5. Nationals and companies of either Party shall be accorded national treatment and most-favored-nation treatment by the other Party with respect to all matters relating to importation and exportation.

6. Notwithstanding the provisions of paragraphs 2 and 3 (*b*) of the present Article, a Party may apply restrictions or controls on importation and exportation of goods that have effect equivalent to, or which are necessary to make effective, exchange restrictions applied pursuant to Article XII. However, such restrictions or controls shall depart no more than necessary from the aforesaid paragraphs and shall be conformable with a policy designed to promote the maximum development of nondiscriminatory foreign trade and to expedite the attainment both of a balance-of-payments position and of monetary reserves which will obviate the necessity of such restrictions.

ARTICLE XV

1. Each Party shall promptly publish laws, regulations and administrative rulings of general application pertaining to rates of duty, taxes or other charges, to the classification of articles for customs purposes, and to requirements or restrictions on imports and exports or the transfer of payments therefor, or affecting their sale, distribution or use; and shall administer such laws, regulations and rulings in a uniform, impartial and reasonable manner. As a general practice, new administrative requirements or restrictions affecting imports, with the exception of those imposed on sanitary grounds or for reasons of public safety, shall not go into effect before the expiration of a reasonable time, in the light of circumstances.

2. Each Party shall provide an appeals procedure under which nationals and companies of the other Party, and importers of products of such other Party, shall be able to obtain prompt and impartial review, and correction when warranted, of administrative action relating to customs matters, including the imposition of fines and penalties, confiscations, and rulings on questions of customs classification and valuation by the administrative authorities.

3. Penalties imposed by either Party for infractions of the customs and shipping laws and regulations concerning documentation shall be no greater than necessary to serve merely as a warning in the case of clerical errors and of errors made without fraudulent intent or gross negligence.

4. With reference to marking requirements applicable to imported products, each Party shall as a general practice: (*a*) allow required marks of origin to be affixed after importation; (*b*) not permit markings that result in misrepresenting the true origin of the products; and (*c*) not apply requirements that entail an expense which is economically prohibitive or that result in seriously damaging the product.

5. Neither Party shall impose any measure of a discriminatory nature that hinders or prevents the importer or exporter of products of either country from obtaining marine insurance on such products in companies of either Party.

ARTICLE XVI

1. Products of either Party shall be accorded, within the territories of the other Party, national treatment and most-favored-nation treatment in all matters affecting internal taxation, sale, distribution, storage and use.

2. Articles produced by nationals and companies of either Party within the territories of the other Party, or by companies of the latter Party controlled by such nationals and companies, shall be accorded therein treatment no less favorable than that accorded to like articles of national origin by whatever person or company produced, in all matters affecting exportation, taxation, sale, distribution, storage and use.

ARTICLE XVII

1. Each Party undertakes (*a*) that enterprises owned or controlled by its Government, and that monopolies or agencies granted exclusive or special privileges within its territories, shall make their purchases and sales involving either imports or exports affecting the commerce of the other Party solely in accordance with commercial considerations, including price, quality, availability, marketability, transportation and other conditions of purchase or sale; and (*b*) that the nationals, companies and commerce of such other Party shall be afforded adequate opportunity, in accordance with customary business practice, to compete for participation in such purchases and sales.

2. Each Party shall accord to the nationals, companies and commerce of the other Party fair and equitable treatment, as compared with that accorded to the nationals, companies and commerce of any third country, with respect to: (*a*) the governmental purchase of supplies; (*b*) the awarding of concessions and other government contracts; and (*c*) the sale of any service sold by the Government or by any monopoly or agency granted exclusive or special privileges.

ARTICLE XVIII

1. The Parties recognize that conditions of competitive equality should be maintained in situations in which publicly owned or con-

trolled trading or manufacturing enterprises of either Party engage in competition, within the territories thereof, with privately owned and controlled enterprises of nationals and companies of the other Party. Accordingly, such state-owned enterprises should not be given special economic privileges in order to injure the competitive position of such private enterprises. However, this principle shall not be construed to prevent either Party from making such special concessions in aid of state-owned enterprises as it deems necessary during periods of economic crisis, especially to relieve unemployment. This principle, moreover, is without prejudice to special advantages given in connection with: (a) manufacturing goods for government use, or supplying goods and services to the Government for government use; or (b) supplying, at prices substantially below competitive prices, the needs of particular population groups for essential goods and services not otherwise practically obtainable by such groups.

2. No enterprise of either Party, including corporations, associations, and government agencies and instrumentalities, which is publicly owned or controlled shall, to the extent that it engages in commercial, industrial, shipping or other business activities within the territories of the other Party, claim or enjoy, either for itself or for its property, immunity therein from taxation, suit, execution of judgment or other liability to which privately owned and controlled enterprises are subject therein.

ARTICLE XIX

1. Vessels under the flag of either Party, and carrying the papers required by its laws in proof of nationality, shall be deemed to be vessels of that Party both on the high seas and within the ports, places and waters of the other Party.

2. Vessels of either Party shall have liberty, on equal terms with vessels of the other Party and on equal terms with vessels of any third country, to come with their cargoes to all ports, places and waters of such other Party open to foreign commerce and navigation. Such vessels and cargoes shall in all respects be accorded national treatment and most-favored-nation treatment within the ports, places and waters of such other Party; but each Party may reserve exclusive rights and privileges to its own vessels with respect to the coasting trade and inland navigation.

3. Vessels of either Party shall be accorded national treatment and most-favored-nation treatment with respect to the right to carry all cargo that may be carried by vessel to or from the territories of the other Party.

4. Goods carried by vessels under the flag of either Party to or from the territories of the other Party shall enjoy the same favors as when transported in vessels sailing under the flag of such other Party. This applies especially with regard to customs duties and all other fees and charges, to bounties, drawbacks and other privileges of this nature, as well as to the administration of the customs and to transport to and from port by rail and other means of transportation.

5. If a vessel of either Party runs aground or is wrecked on the coasts of the other Party, or if it is in distress and must put into a port of the other Party, the latter Party shall extend to the vessel as well as to the crew, the passengers, the personal property of crew and passengers, and to the cargo of the vessel, the same protection and assistance as would have been extended to a vessel under its own flag in like circumstances; and shall permit the vessel after repairs to proceed with its voyage upon conformity with the laws applicable alike to vessels under it own flag. Articles salvaged from the vessel shall be exempt from all customs duties unless they pass into internal consumption; but articles not entered for consumption may be subject to measures for the protection of the revenue pending their exit from the country.

6. The term "vessels", as used herein, means all types of vessels, whether privately owned or operated, or publicly owned or operated, except vessels of war. This term does not, except with reference to paragraphs 1 and 5 of the present Article and Article XX, include fishing vessels.

ARTICLE XX

1. In all ports of either Party the masters of all vessels under the flag of the other Party, whose crews have ceased to be fully constituted on account of illness or for any other cause, shall be permitted to engage such seamen as may be necessary for the continuation of the voyage.

2. Nationals of either Party who are seamen may be sent to ports of the other Party to join national vessels, in care of consular officers, either individually or in groups on the basis of seamen's papers issued in lieu of passports. Likewise, nationals of either Party shall be permitted to travel through the territory of the other Party on their way to join vessels or to be repatriated on the basis of seamen's papers used in lieu of passports.

ARTICLE XXI

There shall be freedom of transit through the territories of each Party by the routes most convenient for international transit: (a) for nationals of the other Party, together with their baggage; (b) for other persons, together with their baggage, enroute to or from the territories of such other Party; and (c) for products of any origin en route to or from the territories of such other Party. Such persons and things in transit shall be exempt from customs duties, from duties imposed by reason of transit, and from unreasonable charges and requirements; and shall be free from unnecessary delays and restrictions. They shall, however, be subject to measures referred to in paragraph 4 of Article II, and to nondiscriminatory regulations necessary to prevent abuse of the transit privilege.

ARTICLE XXII

1. The present Treaty shall not preclude the application of measures by either Party: (a) regulating the importation or exportation of gold or silver; (b) relating to fissionable materials, to radioactive by-products of the utilization or processing thereof, or to materials that are the source of fissionable materials; (c) regulating the production of or traffic in arms, ammunition and implements of war, or traffic in other materials carried on directly or indirectly for the purpose of supplying a military establishment; (d) necessary to fulfill its obligations for the maintenance or restoration of international peace and security, or necessary to protect its essential security interests; (e) denying to any company in which nationals of any third country or countries enjoy directly or indirectly the controlling interest, the advantages of the present Treaty, except with respect to recognition of juridical status and with respect to access to courts; and (f) regarding its national fisheries and the landing of the products thereof.

2. The most-favored-nation provisions of the present Treaty shall not apply to advantages accorded by: (a) the United States of America or its Territories and possessions to one another, to the Republic of Cuba, to the Republic of the Philippines, to the Trust Territory of the Pacific Islands or to the Panama Canal Zone, or (b) by the Parts of the Kingdom of the Netherlands to one another, by the Netherlands to its Benelux-partners (Belgium, including its Overseas and Trust Territories, and Luxembourg), or by the Kingdom of the Netherlands to the Republic of Indonesia.

3. The most-favored-nation treatment provisions of the present Treaty shall not apply to advantages accorded by either Party to adjacent countries in order to facilitate frontier traffic, or by virtue of a customs union or free trade area of which either Party may become a member, after having informed the other Party of its plans and having afforded it opportunity to express its views thereon.

4. The provisions of the present Treaty relating to the treatment of goods shall not preclude action by either Party which is required or specifically permitted under the General Agreement on Tariffs and Trade during such time as such Party is a contracting party to the General Agreement. Similarly, the most-favored-nation provisions of the present Treaty shall not apply to special advantages accorded by virtue of the aforesaid Agreement.

5. Nationals of either Party admitted into the territories of the other Party for limited purposes shall not enjoy rights to engage in gainful occupations in contravention of limitations expressly imposed according to law, as a condition of their admittance.

6. Nothing in the present Treaty shall be deemed to grant or imply any right to engage in political activities.

ARTICLE XXIII

1. The term "national treatment" means treatment accorded within the territories of a Party upon terms no less favorable than the treatment accorded therein, in like situations, to nationals, companies, products, vessels or other objects, as the case may be, of such Party.

2. The term "most-favored-nation treatment" means treatment accorded within the territories of a Party upon terms no less favorable than the treatment accorded therein, in like situations, to nationals, companies, products, vessels or other objects, as the case may be, of any third country.

3. As used in the present Treaty, the term "companies" means corporations, partnerships, companies, foundations, associations, and other legal entities or juridicial persons, whether or not with limited liability and whether or not for pecuniary profit. Companies constituted under the applicable laws and regulations within the territories of either Party shall be deemed companies thereof and shall have their juridical status recognized within the territories of the other Party.

4. National treatment accorded under the provisions of the present Treaty to companies shall: (a) as regards companies of the Kingdom of the Netherlands, in any State, Territory or possession of the United States of America, be the treatment accorded therein to companies created or organized in other States, Territories and possessions of the United States of America; and (b) as regards companies of the United States of America, in any Part of the Kingdom of the Netherlands, be the treatment accorded therein to companies created or organized in any other Part of the Kingdom. Furthermore, in any Part of the Kingdom of the Netherlands outside Europe, national treatment accorded to nationals of the United States of America shall be the treatment accorded in such Part to Netherlands nationals not born in that Part.

ARTICLE XXIV

The territories to which the present Treaty extends shall comprise all areas of land and water under the jurisdiction of each Party, as well as any territory for which it has international responsibility, other than the Panama Canal Zone and the Trust Territory of the Pacific Islands, provided that it shall not apply with respect to Surinam or the Netherlands Antilles, respectively, until one month after the receipt by the Government of the United States of America of notifications of such application by the Kingdom of the Netherlands.

ARTICLE XXV

1. Each Party shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such

representations as the other Party may make with respect to any matter affecting the operation of the present Treaty.

2. Any dispute between the Parties as to the interpretation or application of the present Treaty, not satisfactorily adjusted by diplomacy, shall be submitted to the International Court of Justice, unless the Parties agree to settlement by some other pacific means.

ARTICLE XXVI

The present Treaty shall replace the convention of commerce and navigation signed at Washington August 26, 1852, and the agreement in regard to trade marks effected by exchange of notes signed at Washington February 10 and 16, 1883.

ARTICLE XXVII

1. The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Washington as soon as possible.

2. The present Treaty shall enter into force one month after the day of exchange of ratifications. It shall remain in force for ten years and shall continue in force thereafter until terminated as provided herein.

3. Either Party may, by giving one year's written notice to the other Party, terminate the present Treaty at the end of the initial ten-year period or at any time thereafter with respect to all the territories to which it applies or with respect to Surinam or the Netherlands Antilles.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have affixed hereunto their seals.

Done in duplicate, in the English and Netherlands languages, both texts being equally authentic, at The Hague, this 27th day of March, one thousand nine hundred fifty-six.

For the United States of America:

[SEAL] H. FREEMAN MATTHEWS.

For the Kingdom of the Netherlands:

[SEAL] J. M. A. H. LUNS,
J. W. BEYEN.

PROTOCOL

At the time of signing the Treaty of Friendship, Commerce and Navigation between the United States of America and the Kingdom of the Netherlands, the undersigned Plenipotentiaries, duly authorized by their respective Governments, have further agreed on the following provisions, which shall be considered integral parts of the aforesaid Treaty:

1. The spouse and unmarried minor children of a person permitted entry under the provisions of Article II, paragraph 1 (a) and (b), shall also be permitted entry if accompanying him or following to join him.

2. The provisions of Article II, paragraph 1 (b), shall be construed to extend to persons who represent nationals and companies of the same nationality which have invested or are actively in the process of investing a substantial amount of capital in an enterprise in the territories of the other Party, and who are employed by such nationals and companies in a responsible capacity.

3. With respect to Article II, paragraph 1, and the first sentence of Article VIII, paragraph 1, nationals of the United States of America shall be accorded in any Part of the Kingdom of the Netherlands outside Europe the treatment accorded therein to Netherlands nationals not born in that Part.

4. The provisions of Article IV, paragraph 2, refer only to laws or regulations which either are national laws or regulations or are based in whole or in part on requirements of national laws or regulations. Moreover, that paragraph shall not be construed to prevent a Party from relieving aliens temporarily resident within its territories from coverage under its contributory social security system.

5. The term "access" as used in Article V, paragraph 1, comprehends, among other things, legal aid, costfree access to the courts and exemptions from security for costs.

6. The provisions of Article VI, paragraph 4, providing for the payment of compensation shall extend to interests held directly or indirectly by nationals and companies of either Party in property which is taken within the teritories of the other Party.

7. The provisions of Article VII do not obligate either Party to permit nationals and companies of the other Party to carry on businesses in its teritories without fulfilling the requirements which are generally applicable by law.

8. The activities referred to in Article VII, paragraph 1, do not include the practice of professions.

9. With reference to Article VII, paragraph 1, it is understood that either Party may, consistently with the terms and intent of the Treaty, apply special requirements to alien insurance companies with a view to assuring that such companies maintain standards of accountability and solvency comparable with those required of like domestic companies, so long as such requirements do not have the effect of discrimination in substance against such alien companies.

10. It is agreed that, on a reciprocity basis, the first sentence of Article VII, paragraph 2, shall not apply to the establishment of, or the acquisition of interests in, or the control, operation and management of companies of either Party for engaging in the exploration for and exploitation of petroleum and other mineral resources within the territories of that Party, by nationals or companies of the other Party.

11. The provisions of the first sentence of Article VIII, paragraph 1, shall not be construed to affect the right of the Netherlands to require that aliens may not be employed in the Netherlands unless the appropriate permits have been granted. However, in keeping with the terms of that paragraph, the regulations governing employment shall be applied in a liberal fashion.

12. Nothing in the present Treaty shall be construed to supersede any provision of the Convention between the Kingdom of the Netherlands and the United States of America with respect to taxes on income and certain other taxes, signed at Washington April 29, 1948.

13. The treatment provided in Article XII, paragraph 1, as clarified by reference to Article XXIII, paragraphs 1 and 2, is designed only to preclude discrimination on the ground of nationality and does not, for instance, preclude different treatment of different currencies or the application of residence requirements.

14. Either Party may impose restrictions on the introduction of foreign capital as may be necessary to protect its monetary reserves as provided in Article XII, paragraph 2, or to prevent serious monetary disturbances arising from speculative financial operations.

15. It is understood that for the purposes of Article XVII, paragraph 1, availability of means of payment is considered to be a commercial consideration.

16. The provisions of Article XVII, paragraph 2 (*b*) and (*c*), and of Article XIX, paragraph 3, shall not apply to postal services.

17. It is understood that the word "cargoes" as used in paragraph 2 and the word "cargo" as used in paragraph 3, of Article XIX, shall be deemed to comprehend passengers as well as goods.

18. With reference to Article XXII, paragraph 1 (*d*), it is understood that it is not the purpose of the seourity reservation to create a basis for unduly prolonged departures from any provision of the Treaty. On the other hand, each Party determines, according to its own best judgment, the measures deemed necessary to protect its essential security interests.

19. The provisions of Article XXII, paragraph 2, shall apply in the case of Puerto Rico regardless of any change that may take place in its political status.

20. Article XXIV does not apply to territories under the authority of either Party solely as a military base or by reason of temporary military occupation.

In witness whereof the respective Plenipotentiaries have signed the present Protocol and have affixed hereunto their seals.

Done in duplicate, in the English and Netherlands languages, both texts being equally authentic, at The Hague, this 27th day of March, one thousand nine hundred fifty-six.

For the United States of America:

[SEAL] H. FREEMAN MATTHEWS

For the Kingdom of the Netherlands:

[SEAL] J. M. A. H. LUNS
J. W. BEYEN

MINISTRY OF FOREIGN AFFAIRS

The Hague, 27th March, 1956.

To His Excellency Mr. H. FREEMAN MATTHEWS,
Ambassador extraordinary and plenipotentiary of the United States of America at The Hague.

EXCELLENCY:

We have the honor to refer to the negotiations leading to the conclusion of the Treaty of Friendship, Commerce and Navigation signed this day, during the course of which extensive conversations were held between the representatives of the two countries concerning the most-favored-nation aspects of the Treaty in relation to forwardlooking regional arrangements designed to bring closer cooperation, or integration, among European countries.

The common view emerging from these conversations is that European regional arrangements which do not involve the raising of barriers of any kind to intercourse with the rest of the world but which are designed to promote peace and prosperity, to expand trade, to increase productivity and to raise standards of living, are mutually advantageous. Accordingly, it is recognized in principle that the Netherlands should continue to be able to participate in European regional arrangements which serve these aims and the broad interests of both Parties, even though the Netherlands may thereunder be obliged to grant some reciprocal advantages to other participating countries which it is unable to grant to non-participating countries.

It is determined that any necessary reconciliation between the terms of the Treaty and existing European arrangements in which the Netherlands now participates is adequately provided in Article XXII, paragraph 4. It is agreed that, should this provision be insufficient to meet future contingencies, the two Parties will at the request of either Party consult with a view to determining what further adjustments might be necessary. Should such consultation fail to lead to a mutually satisfactory result, either Party, notwithstanding the provisions of Article XXVII, shall be entitled to suspend the operation of particular most-favored-nation provisions of the Treaty to the extent deemed appropriate to the situation, upon giving two months' written notice to the other Party. With respect to the subject matter of any provision so affected, however, it would be the policy of the Parties to proceed in general as follows: The United States of America would accord to the Kingdom of the Netherlands treatment no less favorable in like situations than that accorded other countries participating in the arrangement in question, and the Kingdom of the Netherlands would accord to the United States of America treatment no less favorable in like

situations than that accorded countries not so participating.

If the above is acceptable to the United States Government, we have the honor to suggest that this note and your Excellency's reply to that effect shall be considered as constituting an agreement between our two Governments, forming an integral part of the above-mentioned Treaty.

Please accept, Excellency, the renewed assurances of our highest consideration and esteem.

J. M. A. H. LUNS
J. W. BEYEN

AMERICAN EMBASSY,
The Hague, March 27, 1956.

To Their Excellencies
Mr. J. W. BEYEN,
Minister of Foreign Affairs, and
Mr. J. M. R. H. LUNS,
Minister without Portfolio, at The Hague.

EXCELLENCIES:

I have the honor to acknowledge the receipt of your Excellencies' note of today, which reads as follows:

"We have the honor to refer to the negotiations leading to the conclusion of the Treaty of Friendship, Commerce and Navigation signed this day, during the course of which extensive conversations were held between the representatives of the two countries concerning the most-favored-nation aspects of the Treaty in relation to forward-looking regional arrangements designed to bring closer cooperation, or integration, among European countries.

"The common view emerging from these conversations is that European regional arrangements which do not involve the raising of barriers of any kind to intercourse with the rest of the world but which are designed to promote peace and prosperity, to expand trade, to increase productivity and to raise standards of living, are mutually advantageous. Accordingly, it is recognized in principle that the Netherlands should continue to be able to participate in European regional arrangements which serve these aims and the broad interests of both Parties, even though the Netherlands may thereunder be obliged to grant some reciprocal advantages to other participating countries which it is unable to grant to non-participating countries.

"It is determined that any necessary reconciliation between the terms of the Treaty and existing European arrangements in which the Netherlands now participates is adequately provided in Article XXII, paragraph 4. It is agreed that, should this provision be insufficient to meet future contingencies, the two Parties will at the request of either Party consult with a view to determining what further adjustments might be necessary. Should such consultation fail to lead to a mutually satisfactory result, either Party, notwithstanding the provisions of Article XXVII, shall be entitled to suspend the operation of particular most-favored-nation provisions of the Treaty to the extent deemed appropriate to the situation, upon giving two months' written notice to the other Party. With respect to the subject matter of any provision so affected, however, it would be the policy of the Parties to proceed in general as follows: The United States of America would accord to the Kingdom of the Netherlands treatment no less favorable in like situations than that accorded other countries participating in the arrangement in question, and the Kingdom of the Netherlands would accord to the United States of America treatment no less favorable in like situations than that accorded countries not so participating.

"If the above is acceptable to the United States Government, we have the honor to suggest that this note and your Excellency's reply to that effect shall be considered as constituting an agreement between our two Governments, forming an integral part of the above-mentioned Treaty."

I have the honor to inform your Excellencies that the contents of your Excellencies' note are acceptable to my Government and I herewith confirm that your Excellencies' note and the present reply thereto shall be considered as constituting an agreement between our two Governments, forming an integral part of the above-mentioned Treaty.

As your Excellencies are aware, the United States Government welcomes progress in the development of European cooperation and integration insofar as arrangements for cooperation and integration contribute to a freer flow of trade, a more efficient use of manpower and materials, and greater unity. In this connection, it may be recalled that the United States Government has given concrete support to such organizations as the European Coal and Steel Community and concurred in the waiver relative thereto granted by the Contracting Parties to the General Agreement on Tariffs and Trade, bearing in mind the benefits expected to accrue from arrangements designed to create a dynamic competitive common market within the Community and to insure sound economic relations between the Community and outside countries. The United States Government is prepared to consider sympathetically in the same spirit other proposals which the Kingdom of the Netherlands might make.

Please accept, Excellencies, the renewed assurances of my highest consideration and esteem.

H. FREEMAN MATTHEWS.

Mr. JOHNSON of Texas. Mr. President, I send to the desk a proposed order, which I ask unanimous consent to have entered.

The PRESIDING OFFICER. The proposed order will be read.

The proposed order was read and agreed to, as follows:

Ordered, That a yea-and-nay vote be taken on the question of agreeing to the resolution advising and consenting to the ratification of Executive E, and that with respect to Executive G and Executive H, the resolutions advising and consenting to their ratification, respectively, shall be deemed to be agreed to or disagreed to (as the case may be) by the same vote in the case of Executive E.

Mr. GEORGE. Mr. President, the Senate now has under consideration three treaties, Executive E, 84th Congress, 2d session, a treaty of amity, economic relations, and consular rights with Iran; Executive G, 84th Congress, 2d session, treaty of friendship, commerce, and navigation with the Republic of Nicaragua, and a protocol relating thereto, signed at Managua on January 21, 1956; and Executive H, 84th Congress, 2d session, a treaty of friendship, commerce, and navigation between the United States of America and the Kingdom of the Netherlands, together with a protocol and an exchange of notes relating thereto.

By unanimous consent it has been already agreed that the vote taken on Executive E shall be deemed to apply to all three of the treaties.

Mr. President, I have a very brief statement which I ask unanimous consent to have printed in the RECORD with reference to these treaties. I shall content myself by saying that they are in the usual form. They contain no extraordinary departures from usual treaties of this kind.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GEORGE ON COMMERCIAL TREATIES

These are the 13th, 14th, and 15th commercial treaties to be laid before the Senate since the end of the war. They closely adhere to the provisions of the 12 previous treaties approved by the Senate, and there are no significant innovations. As is necessary to meet different traditions and customs in different countries, the treaties differ from each other and from their predecessors in certain respects. These differences are pointed out in each case in the letter from the Secretary of State to the President which accompanies and is printed along with each of the treaties. Further detailed information about the treaties will be found in the committee's hearings and the report, copies of which are before every Senator.

One point which should be emphasized is that these treaties are reciprocal in nature. That means that the concessions obtained for American citizens in Iran, Nicaragua, and the Netherlands are in turn granted to the citizens of these countries in the United States. Inasmuch as, however, there are more American citizens traveling and doing business abroad than are foreign nationals in the United States, the benefits accruing to the United States are greater.

The greatest differences between previous treaties and those now before us concern the treaty with Iran. This treaty is a simplified version of the customary treaty of friendship, commerce, and navigation and the customary consular convention, combining the basic principles of both. It is modified in particular to meet conditions in the more underdeveloped countries. A treaty along the same lines, the treaty of amity, and economic relations with Ethiopia, was approved by the Senate on July 21, 1954, by a vote of 86 to 1. Establishment of a comprehensive basis for the protection of American commerce and citizens, and their business and other interests in the underdeveloped areas should be an incentive to our citizens to aid in the development of those areas. Insofar, therefore, as such treaties can be negotiated with underdeveloped countries, the interests of the United States are advanced. The Iranian treaty affords a substantial degree of protection to American citizens, enterprises, and products.

The committee was particularly concerned with the effect of these treaties on domestic law—State or Federal. I have already pointed out that there are no innovations which would affect State or Federal legislation. Nor are there in these treaties any provisions similar to those to which the Senate in the past has made reservations. I have in mind provisions on social security legislation, copyright matters, and national treatment in the professions. Such provisions have been either dropped or modified to accord with the Senate's past action in these matters. The effect of these treaties on our domestic laws is therefore neither greater nor lesser than that of other commercial treaties heretofore ratified.

The three treaties now before the Senate are of considerable benefit and importance to our citizens. As the committee points out in its report, "they guarantee certain basic rights and legal protection which are important to international commerce, investment, and other activities between nations." The committee has heard of no objection to the treaties. On the contrary, American business organizations have given their vigorous support to treaties of this nature.

I ask that the Senate give its prompt advice and consent to the ratification of these

treaties which are consistent with frequent legislative requests that the President expedite the conclusion of treaties of this type which will encourage the expansion of private enterprise abroad.

Mr. BRICKER. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. BRICKER. Can the Senator advise as to whether these treaties will set aside any of our domestic laws?

Mr. GEORGE. No, they will not; not at all.

Mr. BRICKER. I thank the Senator.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. Have the yeas and nays already been ordered on the treaties?

The PRESIDING OFFICER. The yeas and nays have been ordered.

If there be no objection, the treaties will be considered as having passed through their various parliamentary stages, to the point of the consideration of the resolutions of ratification. The resolutions of ratification will now be read for the information of the Senate.

The legislative clerk read the respective resolutions of ratification, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive E, 84th Congress, 2d session, a treaty of amity, economic relations, and consular rights with Iran, signed at Teheran on August 15, 1955.

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive G, 84th Congress, 2d session, a treaty of friendship, commerce, and navigation with the Republic of Nicaragua, and a protocol relating thereto, signed at Managua on January 21, 1956.

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive H, 84th Congress, 2d session, a treaty of friendship, commerce, and navigation between the United States of America and the Kingdom of the Netherlands, together with a protocol and an exchange of notes relating thereto, signed at The Hague on March 27, 1956.

The PRESIDING OFFICER. The yeas and nays having been ordered on Executive E, the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I further announce that if present and voting, the Senator from Texas [Mr. DANIEL] and the Senator from Mississippi [Mr. EASTLAND] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. YOUNG], and the Senators from South Dakota [Mr. CASE and Mr. MUNDT] are absent on official business.

The Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from New Hampshire [Mr. COTTON] is detained on official business.

If present and voting, the Senators from South Dakota [Mr. CASE and Mr. MUNDT], the Senator from Michigan [Mr. POTTER], and the Senator from New Hampshire [Mr. COTTON] would each vote "yea."

The yeas and nays resulted—yeas 88, nays 0, as follows:

YEAS—88

Aiken	Gore	Martin, Pa.
Allott	Green	McCarthy
Anderson	Hayden	McClellan
Barrett	Hennings	McNamara
Beall	Hickenlooper	Millikin
Bender	Hill	Monroney
Bennett	Holland	Morse
Bible	Hruska	Murray
Bricker	Humphrey, Minn.	Neely
Bridges	Humphreys, Ky.	Neuberger
Bush	Ives	Pastore
Butler	Jackson	Payne
Byrd	Jenner	Purtell
Capehart	Johnson, Tex.	Robertson
Carlson	Johnston, S. C.	Russell
Case, N. J.	Kefauver	Saltonstall
Chavez	Kennedy	Schoeppel
Clements	Kerr	Scott
Curtis	Knowland	Smathers
Dirksen	Kuchel	Smith, Maine
Douglas	Laird	Smith, N. J.
Duff	Langer	Sparkman
Dworshak	Lehman	Stennis
Ellender	Long	Symington
Ervin	Magnuson	Thye
Flanders	Malone	Watkins
Frear	Mansfield	Welker
Fulbright	Martin, Iowa	Wiley
George		Williams
Goldwater		Wofford

NOT VOTING—8

Case, S. Dak.	Eastland	Potter
Cotton	Mundt	Young
Daniel	O'Mahoney	

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification of Executive E, 84th Congress, 2d session, is agreed to.

In accordance with the order previously entered, the resolutions of advice and consent to the ratification of Executive G and Executive H, respectively, are deemed to be agreed to by the same vote as in the case of Executive E.

Mr. GEORGE. Mr. President, I ask that the President be notified of the ratification of the three treaties and the exchange of notes which have come before the Senate.

The PRESIDING OFFICER. Without objection, the President will be notified.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

DEVELOPMENT OF COASTWISE TRADE

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, the title of which will be stated.

The CHIEF CLERK. A bill (S. 3877) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

DETENTION OF MAIL FOR TEMPORARY PERIODS IN CERTAIN CASES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate resume the consideration of Calendar No. 2256, H. R. 9842.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Texas?

There being no objection, the Senate resumed the consideration of the bill (H. R. 9842) to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases, which had been reported from the Committee on Post Office and Civil Service with an amendment.

Mr. McCARTHY obtained the floor.

Mr. JOHNSON of Texas. Mr. President——

Mr. McCARTHY. Mr. President, the majority leader has advised me of a bill he would like the Senate to pass. He has told me it will not take more than 5 or 10 minutes. So I shall yield 5 or 10 minutes, or whatever time may be necessary.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Wisconsin [Mr. McCARTHY] may yield to the Senator from South Carolina [Mr. JOHNSTON] for not to exceed 10 minutes, for the purpose of explaining Calendar No. 2256, H. R. 9842, with the understanding that the Senator from Wisconsin will not lose the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. I thank the Senator from Wisconsin.

Mr. JOHNSTON of South Carolina. Mr. President, this bill will enable the Postmaster General to take action to stop the use of the mails for fradulent purposes and for the transmission of obscene, indecent, or vile material.

The purpose of the bill is to protect the public until a final determination can be made in each case of alleged improper use of the mails. When proceedings have been instituted under existing law against any person for use of the mails for such unlawful purposes, and the Postmaster General determines it necessary to do so, in order to enforce the law, he is authorized by this measure to issue an interim order directing the impounding of mail addressed to any person against whom such proceedings have been instituted. Any such interim order may be withdrawn by the Postmaster General at any time when he may consider such action appropriate.

Notice of the interim order, setting forth the reasons for impounding, and a copy of this legislation, must be sent forthwith by registered or certified mail to the person whose mail will be impounded. The impounding order will expire after 20 days unless the Postmaster General, before the end of the 20 days, petition the appropriate United States District Court for, and obtains, an order continuing the impounding for such further period as the court shall determine. Notice of the petition must be given forthwith to the person whose mail is impounded, who will have 5 days

to appear and show cause why a court order continuing the impounding should not issue.

If the court determines that continuance of the impounding is reasonable and necessary to the enforcement of the law under which proceedings have been instituted, it will issue an order directing that the impounding be continued until the proceedings are completed or until further order of the court. If the court determines that continuance of the impounding order is not reasonable or necessary in the administration of such law, it will dismiss the petition and order delivery of all mail addressed to the person whose mail is being impounded. An appeal will lie from the order of the court, as in civil cases.

Any order of the Postmaster General or the Court may be dissolved by the Court at any time for cause, including failure to conduct expeditious proceedings which have been instituted under existing law.

Any person whose mail is impounded will have the right to examine and receive any part of his mail which clearly is not connected with the alleged unlawful activity.

This legislation is urgently needed to check the growing use of the United States mails for the distribution of obscenity and pornography, schemes to defraud the public, and gambling devices such as lotteries and chance drawings.

The Department of Justice and the Bureau of the Budget have reported no objection to this legislation. The Post Office Department recommends its approval.

The PRESIDING OFFICER. The committee amendment will be stated.

The CHIEF CLERK. On page 2, in line 11, after the word "situate", it is proposed to strike out "for" and insert "and obtain."

Mr. JOHNSTON of South Carolina. Mr. President, this amendment is only for the purpose of clarification, so as to remove any ambiguity which might otherwise be in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I think the Senator from Oklahoma [Mr. MONRONEY] has an amendment which he wishes to propose at this time.

Mr. MONRONEY. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oklahoma will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to add a new section, as follows:

SEC. 2. The provisions of this Act shall not apply to mail addressed to publishers or distributors of publications which have entry as second-class matter under the act of March 3, 1879, as amended (Ch. 180, 20 Stat. 358; 39 U. S. C. 221, et seq.), or to publishers or distributors of copyrighted books and other publications as to which certificate of registration of copyright has been issued under the copyright laws of the United States (title 17, U. S. C.).

Mr. MONRONEY. Mr. President, whenever the Congress endeavors to legislate the power of control over publications of any kind in the United States, it enters upon very dangerous territory. No matter how carefully any departmental head or officer might attempt to limit or restrict the use of our mails with respect to objectionable material, material which might be fraudulent in its nature or pornographic in its design, we always run the risk of someone misusing this power to ban books or to suppress regular publications of newspapers or magazines, and thus effectually destroy the constitutional guarantee of freedom of the press.

I realize that a serious problem exists in trying to prevent the fraudulent use of the mails for raising money in phony deals, or for the transmission of salacious or pornographic material. It is to meet this problem, and this problem alone, that the proposed legislation was brought before the distinguished Committee on Post Office and Civil Service. In reporting the bill the committee states:

The committee recognizes that even in its present form the bill gives the Postmaster General extraordinary and summary powers to impose a substantial penalty by impounding a person's mail for up to 20 days in advance of any hearing or any review by the courts. Such power is directly contrary to the letter and spirit of normal due process, as exemplified by the Administrative Procedure Act, which requires a hearing before any penalty may be imposed. The Post Office Department has made its case for this legislation on the grounds that a temporary and summary procedure is required to deal with fly-by-night operators using the mails to defraud or to peddle pornography, who may go out of business—or change the name of their business or their business address—before normal legal procedures can be brought into operation.

I am in sympathy with the bill if the purpose is to be confined to the seizure of a person's mail pending a legal hearing within 20 days; but I cannot fail to recognize the grave danger if the act should be misused, and 20 editions, we will say, of a newspaper or magazine which some Government official might dislike, should be impounded. During those 20 days bankruptcy could be brought about through the process of 1-man rule and 1-man censorship.

My amendment would exempt regular publications, such as newspapers and magazines, which are entered as second-class matter; and also books and other publications which are registered under the Copyright Act. Thus no single individual in the Government would be given the power of censorship or the power to freeze the receipt of mail by reason of an order of the Postmaster General or any of his officials.

Therefore, I ask that the distinguished chairman of the committee accept the amendment. I believe it clearly differentiates between the persons against whom the bill is aimed, in an effort to prevent misuse of the mail, and the publishers or distributors of regular publications. I believe the amendment would preserve the traditional and historic guaranty of freedom of the press.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PAYNE. Am I correct in understanding that this particular amendment has been brought to the attention of the minority members of the committee?

Mr. JOHNSTON of South Carolina. It has been brought to the attention of the minority members of the committee, and also the minority leader. It has been cleared.

Mr. PAYNE. I thank the Senator.

Mr. JOHNSTON of South Carolina. The Senator will notice that this amendment does nothing more than to provide an exemption with respect to the publishers and distributors of regular publications. We have had no complaints concerning such persons. For that reason I am glad to accept the amendment. I do not think it would do any injury to the bill, or to the enforcement of the law.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. MONRONEY].

The amendment was agreed to.

Mr. MORSE. Mr. President, I should like to ask the Senator from South Carolina a few questions. I have not had the opportunity to give careful study to the bill, as I should like to do before voting upon it. Therefore, I should like to present a hypothetical question or two to the Senator from South Carolina.

Am I correct in understanding that if Mr. X is suspected by law enforcement officers of being in violation of the law, with regard to sending through the mails pornographic and indecent literature, the bill, if it should become law, would go into effect only after legal proceedings had been instituted against X? Or would it go into effect before proceedings had been instituted against X?

Mr. JOHNSTON of South Carolina. The mail would be temporarily tied up until the case went to the court and a court order was obtained. The maximum would be 20 days.

Mr. MORSE. Suppose Mr. X is suspected of violating the law. On the basis of that suspicion, could an order be obtained to tie up his mail for 20 days, or must action be filed against him before the order could be isued tying up his mail?

Mr. JOHNSTON of South Carolina. No; it could be tied up during the 20 days. A court order might be obtained during the 20 days.

Mr. MORSE. In other words, his mail could be tied up simply on the basis of suspicion that he was in violation of the law.

Mr. JOHNSTON of South Carolina. That is true.

Mr. MORSE. Let us consider the case of Mr. Y. This hypothetical goes to the scope and breadth of the proposed legislation.

Suppose that some law enforcement agency or officer believes that Mr. Y may be engaging in criminal conduct; and in order to obtain evidence allegedly in support of that suspicion, his mail is impounded for 20 days. It so happens

that Y is the personification of innocence; but Y also happens to be—and I am speaking very hypothetically now—of a political frame of mind quite contrary to the political beliefs of the administration in power. Would the bill permit the law enforcement agents to impound Y's mail for 20 days?

Mr. JOHNSTON of South Carolina. No, it would not.

Mr. MORSE. Why not? Is it limited to allegations that he is suspected of being guilty of some specific crime, such as sending through the mail pornographic and indecent material?

Mr. JOHNSTON of South Carolina. That is correct. Another point to be remembered is that as soon as the mail is impounded, he is notified, and he may then proceed to take such action as he wishes.

Mr. MORSE. What showing must the law enforcement officers make to the court to justify getting an order? Must they show probable cause that the man suspected is engaged in sending indecent literature and pornographic material through the mail?

Mr. JOHNSTON of South Carolina. They would have to show that it was indecent mail. They would have to produce evidence. The judge would require such evidence, I believe. Then, further, within 5 days, of course, the person whose mail had been impounded could go to court.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The Chair reminds the Senator from South Carolina that his time has expired.

Mr. McCARTHY. I shall be glad to yield further. However, I have yielded 10 minutes already, and the discussion of the bill has now taken more than 20 minutes. If another minute or two of discussion will dispose of the bill, I shall be glad to yield that much more time. I have some appointments to keep.

Mr. JOHNSTON of South Carolina. If the Senator from Wisconsin will yield me 2 more minutes, I believe we can clear up the difficulty.

Mr. McCARTHY. I am glad to yield 2 additional minutes.

The PRESIDING OFFICER. The Senator from South Carolina may proceed for 2 minutes.

Mr. JOHNSTON of South Carolina. The American Bar Association had opposed a bill of a similar nature last year. However, the pending bill was submitted to that association, and it was cleared by it.

Mr. MORSE. Will the Senator from South Carolina, in the 2 minutes which the Senator from Wisconsin has yielded to us, make brief comment on what assurance I may have, if I vote for the bill, that the rights of privacy of American citizens are protected by the bill, and that it is so restricted and limited that it can not possibly be used against the innocent?

If there is the danger that the provisions can be used to jeopardize the rights of the innocent, the Senator from South Carolina knows me well enough to be sure that I will not vote for such a bill. It is very easy to slip into police state methods of procedure without realizing it.

I must have assurance that the innocent will be protected under the provisions of the bill. I shall always cooperate in apprehending the guilty, but I must be certain that the language of the bill provides that law-enforcement officers must go before a court and must submit some evidence which at least establishes a prima facie case that Mr. X, in the hypothetical situation I spoke of before, in fact is sending pornographic or indecent literature through the mail. If such a prima facie case is required to be established, I shall go along with the bill. However, if the bill aims at allowing law-enforcement officers to impound a citizen's mail on mere suspicion without any evidence to submit to the court I shall oppose it. I intend to continue to stand guard in the Senate in protecting the rights of privacy of our citizens.

Mr. JOHNSTON of South Carolina. I should like to call the Senator's attention to page 3 of the House committee report, which states:

> H. R. 9842 is similar in purpose to a bill which passed the House in the 82d Congress, but contains additional safeguards, written in at the suggestion of the American Bar Association, to assure full protection for any person whose mail is detained.

I certainly would not vote for any measure which would take away the rights of anyone.

Mr. MORSE. Did the Senator say that this bill has been passed by the House?

Mr. JOHNSTON of South Carolina. Yes; the Senate committee made only a slight amendment to the bill.

Mr. MORSE. Because we are so busy with our own committee work and with our own legislative measures, we sometimes find ourselves on the floor of the Senate without having had an opportunity thoroughly to study proposed legislaiton when it is brought before the Senate. I am always fearful of procedural changes in the administration of criminal law which in any way weaken the safeguards we have developed to protect the innocent. I shall always cooperate in apprehending the guilty; but I believe it is also very important to protect the procedural rights of free men and women.

I have such confidence in the Senator's amendments, that I shall take his word for it that the passage of the bill will not jeopardize the rights of the innocent. He knows that as a matter of general policy I do not yield to any proposal which might weaken the procedural safeguards afforded the innocent. However, if this is a bill requiring that a showing must be made before a court that a prima facie case, at least, exists against the suspect; and that his mail will be held up for only 20 days; that even during that period he will be notified of the fact that his mail is being held up; and that he can, in turn, go into court and get consideration of the matter and possibly obtain an order to suspend the holding up of his mail I shall go along with the bill. I shall support it under the Senator's assurance that such procedural protections for the innocent are in the bill.

I wish to ask one further question. Am I right that even in the period, while his mail is being held up, a suspect is given notice of the fact that it is being held up? I think such notice is absolutely essential if the rights of the accused are to be protected.

Mr. JOHNSTON of South Carolina. He is notified immediately. I agree with the Senator from Oregon that he is always in the corner of those who try to protect individuals. In my practice of the law I have nearly always been a defendant's attorney. The Senator will find me in the same corner with him. These questions were raised when the bill was being considered in the 82d Congress. The bill was not passed at that time. The present form of the bill is more or less as it was rewritten by the American Bar Association.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 9842) was read the third time, and passed.

RELATIONS WITH INDIA

Mr. KEFAUVER. Mr. President, will the Senator from Wisconsin yield to me?

Mr. McCARTHY. Mr. President, I promised to yield to the Senator from Tennessee so that he might make a few brief remarks. So, with the Chair's consent, I shall yield to the Senator from Tennessee.

Mr. KEFAUVER. Mr. President, one of the gravest consequences of the illness of the President was the cancellation of the proposed visit of Prime Minister Nehru to the United States. Rarely have two statesmen been so unlike as the Prime Minister and President Eisenhower, but it was the hope of many that in face-to-face private conversation there would arise a meeting of the minds which would bring a change for the better in our relationship with the Indian nation.

India, in the opinion of many, is the key to southern Asia. It is the world's second most populous nation. It exerts a great moral force, not only in its own area, but throughout the world. It has been a matter of deep concern that our relationships with India, its leaders, and its people, have worsened day by day during the present administration in Washington.

The fact that President Roosevelt was deeply influential in pressing for Indian freedom, the fact that the United States under his administration and that of President Truman provided essential economic aid during the critical period of India's new nationhood, the fact that we were represented at New Delhi by a sensitive and understanding ambassador, Mr. Chester Bowles—all of these facts created a relationship between us which was warm and fruitful.

In contrast, almost every action of the United States in that area of the world

since that time has served to alienate the friendship of India.

It is an incredible fact that Vice President NIXON now is engaging in what appears to be an open feud with Prime Minister Nehru.

In continuing to criticize the policies of Nehru, the Vice President is following, step by step, in the path of Secretary Dulles, who has consistently done the same thing. The question in thoughtful minds will now be whether the policy of Mr. NIXON and Mr. Dulles in regard to India will serve to drive India and the other nations of Asia who follow her lead into more open friendship with the Soviet system.

I was struck by a paragraph in the New York Times of yesterday in a dispatch from that newspaper's correspondent in New Delhi. After describing Mr. NIXON'S latest speech and the reaction to it, the correspondent wrote:

> The Indian Foreign Ministry will be studying Mr. NIXON'S remarks with grim attention. For one thing, Mr. NIXON and Secretary of State Dulles are regarded with almost public dislike by Indian officials. And for another reason, Mr. NIXON had a politely worded criticism of Prime Minister Jawaharlal Nehru.

To cap all the mistakes which we have made in dealing with India, the administration is now preparing to withdraw our Ambassador, John Sherman Cooper. It is doing so because of domestic politics. It is doing so because it wishes Ambassador Cooper to be a candidate for the Senate from Kentucky.

When this administration came into power, I said on this floor that I hoped it would leave Ambassador Bowles in New Delhi, both because he was an outstanding success and as a token of bipartisanship. Ambassador Bowles, on the contrary, was one of the first Ambassadors removed.

John Sherman Cooper was, nevertheless, a good and distinguished choice to replace him. Considering the great difficulties which the policies of Secretary Dulles and the administration have made for him, Ambassador Cooper has served well.

True, he has not reached the hearts of the Indian people as Ambassador Bowles succeeded in doing. He has not been able to reach sympathetic understanding with the leaders of India. But this is doubtless due to growing anti-Indian policies of the State Department, which has taken the position that nations which do not actively follow the views of Secretary Dulles must be counted as being against us.

By taking Ambassador Cooper from his post at this time, the administration is, in effect, making sure that the damage which has been done in Indian-American relations will remain. Less than 6 months remain of this administration's term. It will certainly be difficult for any Ambassador sent there now to establish the relationships which would make his work fruitful in so short a period.

It is not just the friendship of India which is at stake. India is a leader, and her actions and opinions have great force in her part of the world. And it is a part of the world in which the West has been losing steadily. The decision of Ceylon to require the British to leave their bases there, the announcement by Cambodia of extensive economic arrangements with Soviet Russia, are serious losses to the West.

Whether we like Prime Minister Nehru and some of his Government's policies or not, the fact is that either China or India is going to be the dominant force in that part of the world. The people of India are sensitive to democracy; and they have a parliamentary system of government, and a substantially free press. Under Nehru, the Government of India has fought the Communist Party at home, where it counts most. Our best hope lies in an understanding policy toward India, as the greatest deterent to a rampant Communist China.

Some of us had hoped that the one man who might change the direction of our policy toward India might soon be well enough to do so. But the one recent action which President Eisenhower has personally taken toward India, the withdrawal of Ambassador Cooper, does not give much indication of his concern over the deteriorating relations between the United States and India.

PAUL G. HOFFMAN

Mr. McCARTHY. Mr. President, I should, first, like to compliment the very able chairman of the House Un-American Activities Committee, Representative WALTER, for the outstanding job he has been doing in the House. I think he is making a great contribution to the security of our country.

Mr. President, I intend to discuss the subject of Paul Hoffman.

My remarks on this subject will be brief. Indeed, I would not waste a single minute of the Senate's time discussing Paul G. Hoffman were it not that the administration evidently plans to appoint Mr. Hoffman as a United States delegate to the General Assembly of the United Nations. This development has promoted Mr. Hoffman from a crackpot to a menace, and has made his views and activities a matter of legitimate concern for the Senate.

I understand that a number of my colleagues propose to deal with this subject extensively in the near future; therefore, I will confine my observations today to only two aspects of Mr. Hoffman's career.

Paul Hoffman likes to think of himself—and never ceases talking about himself—as a salesman. He is a salesman of cars, of the Marshall plan, of just about everything in sight. Above all, Hoffman boasts, he sells ideas. And so he does. He is a huckster of one of the major themes of the Communist Party line; namely, that the fight against communism in this country is destroying our civil liberties and must therefore be stopped.

Day in, day out, the Communist Daily Worker makes the argument that measures taken by the American people and their representatives in Congress to protect the United States against Communist influence and subversion must lead to thought control, conformity, and totalitarianism. This argument also appears regularly, inevitably, in the public pronouncements of Paul Hoffman.

Even though Mr. Hoffman is not a Communist, he has performed in one area of national controversy such as a Communist would perform. In the internal security field, he is a dedicated and determined enemy of those who oppose communism. He is a charter member of a civil liberties cult whose chief dogma is that hard anticommunism constitutes a greater danger to our freedom than the Communist Party itself.

I may say, Mr. President, that while I opposed the present occupant of the chair when he was running for Vice President on the Democratic ticket, he feels the same way I do about this appointment of Paul Hoffman. While the Senator and I have differed, I feel that the Senator may share my views on this issue.

It seems to be fairly evident that Hoffman's undeviating record of anti-anti-communism on the internal security issue is relevant to the question of whether Hoffman is qualified to represent the United States at the United Nations.

A man who has shown himself to be totally ignorant of the danger posed by the Communist movement in the United States—either that, or willfully indifferent to the danger—is obviously lacking in the intellectual and moral equipment necessary to cope with the Communist threat abroad.

A man who has allowed himself to be used as a "transmission belt" for the spreading of the most blatant variety of Communist propaganda is surely not qualified to withstand the blandishments of the Soviet propagandists at the United Nations.

And this is true, whether or not Paul Hoffman has any conscious sympathies with the Communist movement. I repeat: A man who cannot distinguish between Communist tripe and reasonable criticism of policies with which he may disagree, and who selects the former instead of the latter as material for his public speeches and writings, cannot be expected to be able to distinguish sham from sincerity in the arena of international diplomacy.

Paul Hoffman's record as chairman of the board of the Ford Foundation's notorious Fund for the Republic is well known. Thanks to the inspiration of Hoffman and that of its president, Dr. Robert Hutchins, the Fund for the Republic has played a noisy and effective role during the past 2 years in the Communist-inspired campaign to discredit our security system, and to undermine the magnificent efforts of private citizens and organizations to rid American society of Communist influence.

But Paul Hoffman has been active in many other phases of the campaign against those who fight communism. Any time in recent years that a liberal college or university wanted to alert its student body to the alleged reign of terror in America—perpetrated, of course, by anti-Communists—all it had to do was call on Paul Hoffman. The school could be assured of hearing a cliché-ridden harangue on congressional

intimidation, thought control, stultifying conformity, and totalitarianism—all of which, Hoffman insists, have occurred as a result of efforts to expose and combat the Communist conspiracy.

For example, at Occidental College in Los Angeles in the summer of 1953, Hoffman informed his audience that—

Schoolteachers, Government clerks and officials, and even businessmen can be frightened out of their rights under the first amendment as effectively as if that amendment were repealed.

He went on to say that—

They—

Meaning anti-Communists—

impair the sources of our strength. They are attempting to make criticism socially dangerous and trying to force conformity through fear. Unless we wish to succumb to totalitarianism, we must not use totalitarian techniques in battling against communism.

Hoffman then concluded, typically, with a flourish of personal martyrdom:

It is the supreme duty of those of us living in America today successfully to meet these challenges to our security and freedoms. A large part of the answer, I believe, lies simply in being brave.

This idea that our freedom can be preserved only if the liberals are brave—only if they find the courage to stand up to the anti-Communists—has been Paul Hoffman's favorite theme as it has, of course, been the favorite theme of the entire civil liberties cult. I think the most satisfactory treatment of Hoffman's reign of terror bugaboo is to be found in the book, McCarthy and His Enemies, written in 1953 by Mr. William Buckley and Mr. L. Boen Bozell. Here is what the authors write:

The notion that the United States is in the grip of a reign of terror as the result of the activities of Senator McCarthy, Senator Jenner, Congressman Velde, the House Committee on Un-American Activities et al., is, of course, palpable nonsense * * *.

If we are in the throes of a reactionary revolution which threatens independent thought, then at least we may, with Eugene Lyons—

Who, Mr. President, is an outstanding writer—

derive some comfort from the world about us. "One consolation," he writes, "as we face the propaganda portrait of distraught, hysterial America is that it implies a nation of heroes. For the unterrified seem roughly equal to our entire population." Of course the answer is that the jeremiads about the threat to free and independent thought and speech are self-refuting; they come from the tongues and pens of men who, in the very act of protesting against tyranny, i. e., in exercising their right to express opinions freely, expose their own hoax. "One evening recently," Mr. Lyons writes—

And I happen to have seen that television program myself. Mr. Lyons certainly described it accurately—

"I saw and heard Arthur Garfield Hays [counsel for the American Civil Liberties Union], his mouth opened wide, in a television screen close-up, shouting that in America no one any longer dares open his mouth."

Let me cite another example of the Hoffman theme. Hoffman wrote for the New York Times of November 14, 1954, a few months after the Army-McCarthy hearings had succeeded in slowing down anti-Communist investigations:

The complex of fear that has spread over America during the past 8 years, and particularly the past 4, bringing to this great Nation a period of near-panic of a kind it never knew before, has begun to abate in the past 6 months. * * * Confidence is returning. Academic people are coming out of their foxholes. Young people are beginning to assert themselves again as young people should.

Now, anyone who has had a reputation for being a hard anti-Communist, as I have, and has visited the campuses of American colleges, as I have, and has observed the academic community's militant, near-unanimous, and always outspoken hostility to hard anti-Communists, knows that Hoffman's statement about academic people coming out of their foxholes is the kind of statement that could only be made by a fool or by a Communist.

Perhaps I should mention in passing, Mr. President, that I find it difficult to be completely objective when I talk about Paul Hoffman, because he was one of the men who contributed money to the organization—the National Committee for an Effective Congress—that drafted the charges which Senator Flanders leveled on the Senate floor 2 years ago. These charges were made because I had been performing my duty, as I saw it, to expose the Communist menace. So, in fairness to Hoffman, I should say that I may not be completely unprejudiced in this statement. But I have taken great pains to stick solely to documented facts, and not to give my own opinions about this individual and his record.

Here is still another illustration of the Hoffman theme in the same article:

I had just finished a speech on freedom at a large southwestern university—

Hoffman writes—

when a young student came up to me and asked: "Do you think there ought to be any study of communism in a school such as this?"

Before telling us what his answer was, Hoffman makes an observation about the question. The student, Hoffman relates, "was not simply putting me to a quick test after my talk about the need for personal courage in the safeguarding of our American liberties. He was in earnest." Thus Hoffman again strikes a pose of martyrdom, and attempts to convey the impression that he would be some sort of hero if he bravely asserted that it would be all right for students to learn about communism while they were attending college.

Mr. Hoffman is implying here that objective, critical examination of Communist doctrine is generally forbidden in American classrooms—and nothing, of course, could be farther from the truth. Certainly no responsible school should tolerate teachers or courses which extol the virtues of communism and urge its adoption. But this is a vastly different thing from forbidding a dispassionate exposition of Communist theory and practice.

I have heard others attempt to confuse the American public on this issue. It is a familiar trick of the liberals to treat advocating communism and teaching what communism is as one and the same thing. I, for one, certainly approve of teaching exactly what communism is, but not by Communist or pro-Communist teachers.

If Mr. Hoffman does not understand the difference between extolling communism and explaining communism, I am afraid it is a little late in the day to hope for his enlightenment.

Once again, this kind of talk by Hoffman is either the irresponsible twaddle of a halfwit, or the calculated propagation of the approved Communist Party line. I hope it is the former; but, in either case, the man who has adopted these views, and attempts to sell them to the American people, is hardly qualified to represent this Nation in an important diplomatic capacity.

Now let me turn to one of Mr. Hoffman's more recent gems. Speaking only 2 months ago at the College of the City of New York, Hoffman made the following considered evaluation of current life in America:

The guaranty that American citizens will not be deprived of life or property without due process is also under challenge. We are faced with a newly evolved process of trial by innuendo, of public accusation. It is a process in which the accused is assumed guilty until proved innocent—a process by which one person can do serious and irreparable harm to another person by whispering such words as "subversive," "pink," and "fellow traveler."

It is a procedure—a new form of Ku Klux Klanism—by which a group of Americans having no judicial status whatsoever can set itself up to pass judgment on the loyalties of fellow citizens, and gain a considerable measure of acceptance.

Here is the line, Mr. President. Listen to this, if you will. It is the same line as that of the Daily Worker, and can be read in that publication day after day. And now we hear it from Hoffman:

It is an atmosphere in which self-confessed ex-Communists can make charges of their own choosing that can ruin innocent Americans without legal proof ever being established.

This is the familiar line employed by the Daily Worker and by every Communist-line paper to try to discredit ex-Communists. The Communists know that if a man has reformed and has left the Communist Party, he can do the Party a great deal of damage in exposing the conspiracy. So there is an all-out effort to discredit ex-Communists who help the FBI and our congressional committees. Let me repeat. Mr. Hoffman said:

It is an atmosphere in which self-confessed ex-Communists can make charges of their own choosing that can ruin innocent Americans without legal proof ever being established.

Hoffman certainly knows that the 11 top Communists and the second-string Communists could never have been convicted under the Smith Act if it were not for reformed ex-Communists who went to the FBI and to congressional committees and bared their souls. Yet Hoffman denounces ex-Communists.

What does this all add up to? Paul Hoffman in this speech resorts to typical

left-wing catchwords to describe a phenomenon he does not like, namely, anticommunism.

He then proceeds to equate anticommunism with Ku Klux Klanism.

I think the Senate will want to think long and hard about confirming the appointment as a delegate to the United Nations of a man who solemnly declares that anticommunism is "a new form of Ku Klux Klanism." I assume that the American people want as their delegate to the United Nations a man who is opposed to communism as a matter of deep, moral conviction; who appreciates the seriousness of the Communist threat; and who has some idea of the measures that must be taken to meet that threat. It is all too apparent that a man who equates anticommunism wih "Ku Klux Klanism" does not meet those qualifications.

Now, Mr. President, the other aspect of Mr. Hoffman's career I want to mention today has to do with his methods of dealing with Communists in Government. The Senate is well aware of the Communists' attempt to infiltrate the U. N. If Mr. Hoffman's record of dealing with this problem in the United States Government is any precedent, we may predict that Hoffman, as our delegate to the U. N., would obstruct efforts to get rid of subversives in the United Nations.

In order to put this picture in its proper focus, we must go back 6 years to the days of the notorious Tydings committee, which, as the Senators recall, was assigned the job of investigating my charges that Communists and security risks were employed by the State Department. One of the individuals whom I named at that time was one of Hoffman's chief assistants in the ECA, Mr. Theodore Geiger. And one of the most striking examples of Millard Tydings' refusal to conduct a bona fide investigation occurred in the passage of the hearings I am about to read, which relates to Geiger.

Here we see Tydings attempting to cover up the derelictions of the State Department, and in particular those of Paul Hoffman. Tydings has just commented, "I think our work is pretty well concluded, if you want my opinion"; and the Senator from Iowa [Mr. HICKENLOOPER]—who, along with Senator Lodge, did a magnificent job in trying to prevent a whitewash—registers a firm dissent:

Senator HICKENLOOPER. I don't think it has even started, Mr. Chairman.

Senator TYDINGS. You disagree with me?

Senator HICKENLOOPER. I disagree with you.

Senator TYDINGS. But I disagree with you, so there we are.

Mr. MORRIS (minority counsel). Senator, may I mention just one case here?

Senator TYDINGS. Mr. Morris, we can mention cases from now until doomsday.

Mr. MORRIS. It is in the record, Senator. May I just finish?

Senator TYDINGS. Of course, you are not a member of the committee. When we want counsel to speak, we will ask them, but I am going to let you speak. However, that is a matter for the committee to decide.

Senator LODGE. I would like to hear what he has to say.

Mr. MORRIS. There is a case of a man named Theodore Geiger. He has been an employee of the State Department. He is now one of Paul Hoffman's top assistants. He is doing work that is quasi-State Department in character. I have gone and gotten some witnesses together—

Incidentally, he had three, Mr. President—

who will testify that he was a member of the same Communist Party unit as they were, and I think that we would be delinquent if in the face of this evidence that is now on the record—

Senator TYDINGS. Why didn't you tell us this? Why did you wait until this hour to tell me?

Mr. MORRIS. I am not waiting, Senator. One day Senator GREEN made me a witness and I put it all in the record.

Senator TYDINGS. You haven't told me about it. This is the first I have heard about it.

Mr. MORRIS. Senator, I assume that you are aware of everything in the record.

Senator TYDINGS. No; there are some things in the record I haven't been able to read.

Mr. MORRIS. Certainly Mr. Morgan (the committee's chief counsel) knows it. I have mentioned it several times to him.

Senator TYDINGS. Turn it over to the FBI or do something with it. I would like to get a decision here. We don't want to waste this afternoon.

I may say that I wrote Paul Hoffman. I cited the evidence on Geiger, who was, as I said, one of his top assistants. I said, "Mr. Hoffman, as head of the aid program, what are you going to do about this man who is establishing policy in the ECA?

Do you know what his answer was, Mr. President? It is unbelievable, incomprehensible, but it is fact. He wrote back and he said, "I called him, and had him sit across the desk from me, and I looked him straight in the eye, and I said, 'Mr. Geiger, are you a Republican or Democrat or a Communist?' and he assured me he was not a Communist, and that is good enough for me."

The Tydings committee testimony I have just read shows, primarily, that ex-Senator Tydings was guilty of a whitewash; but it also creates strong suspicions that Paul Hoffman was guilty of a whitewash of his own. For it is a fair assumption that Hoffman was aware of Geiger's Communist background, and did nothing about the case.

Two weeks ago, Mr. President, I received information that confirms these suspicions. Recently the FBI contacted Mr. Peter Hoguet concerning the Geiger case. Mr. Hoguet is a distinguished New York attorney who served as a top ECA official under Hoffman. From September 1948 to May 1949 Mr. Hoguet was Chief of the United Kingdom, Eire, Iceland Program Division of the Economic Cooperation Administration. During that time, Theodore Geiger was the assistant to Mr. Richard Bissell, who was, in turn, Special Assistant to Paul Hoffman's Deputy Administrator, Mr. Howard Bruce.

Mr. Hoguet related to the FBI his knowledge of Paul Hoffman's personal involvement in the Geiger case. Mr. Hoguet has subsequently furnished me with a copy of the statement he gave to the FBI, and has told me, as he told the FBI, that he is willing to testify at a congressional hearing in connection with this matter. I now quote from Mr. Hoguet's statement:

I found in testimony given before the Joint Legislative Committee To Investigate the Public Education System of New York that Theodore Geiger had been named as a member of the Communist Party in the past while associated with the College of the City of New York. * * * The witness who so testified was William Martin Canning, a former instructor in English at CCNY. I do not know whether Geiger was a Communist Party member at the time of his ECA appointment, but I know that the ECA-foreign aid enabling statute specifically precluded the employ of anyone who had been a Communist. Geiger never appealed his dismissal from CCNY nor denied, as far as I know, the weight of the Rapp-Coudert Committee testimony that he was a party member, under its discipline and paid dues to an apparatus operating with the New York County Communist Party Education Committee.

Again, Mr. President, let me say that I would not discuss Geiger except for the fact that the Geiger case illustrates Mr. Hoffman's attitude toward the Communists-in-Government problem.

I quote further from Mr. Hoguet's statement:

I took this information concerning Geiger to Mr. Hoffman and the ECA security offices and in several meetings suggested that this evidence justified an investigation of Geiger. Mr. Hoffman said that he had previously signed a loyalty certificate for Mr. Geiger and he said that he would not go behind that. Therefore, there was no action taken concerning Geiger at that time and it was not until almost a year later that I heard that Mr. Geiger was, after considerable time, investigated and fired, or dropped from ECA. I understood also that this was not done without considerable opposition from Mr. Hoffman and Mr. Bissell, his principal assistant. This confrontation by Mr. Hoffman with the evidence on Geiger by myself, by the security officers of ECA and by publication in the newspapers occurred approximately in late March 1949 and early April and from then on he requested my resignation, which I refused. For 4 weeks or so a fight developed and Bissell, Hoffman, and Bruce tried to get me to change my mind and offered me a job in Boston. Senator McCarran, the watchdog committee, the FBI, all became interested and began to check into Geiger and a possible penetration of the ECA. McCarran's office sent two investigators to Ohio to interview Canning. Canning later came to Washington where I saw him and where he was to obtain a summer job in the Library of Congress. A member of the FBI Washington office told me that they believed Geiger and some associates were part of the Nathan Gregory Silvermaster group—

A spy group—

which had received so much publicity in August of 1948, and were said to be working in eight Federal agencies on the basis of allegations by Elizabeth Bentley, Louis F. Budenz, and Whittaker Chambers.

A few days later after a personal visit of Mr. Hoffman to Senator McCarran, where he learned I had seen him in connection with this matter, Mr. Hoffman threatened to fire me. On a visit to New York to see my father who was ill, my father told me he was concerned for my welfare in my fight in Washington and suggested I might better fight outside of the Government than within. On or about June 1, 1949, I resigned from ECA.

Thus, Mr. President, we here find that Hoffman not only refused to discharge a man in a top policymaking position,

a man he must have known was, or at least, had been, a Communist, but, instead, requested the resignation of the man who had helped expose him.

The remainder of Mr. Hoguet's statement is also of great interest, although I shall not take the time of the Senate to read all of it. I think it should be included in its entirety in the CONGRESSIONAL RECORD.

At this time, Mr. President, let me read passages of the Rapp-Coudert committee transcript that Mr. Hoguet called to Paul Hoffman's personal attention. The witness is William Martin Canning. The questioning is done by Mr. Paul Windels, counsel for the committee:

Question. When did you join the Communist Party?

Answer. January 1936.

Question. And when did you leave the party?

Answer. Approximately December—November or December 1938.

* * * * *

Question. Were there ever any jurisdictional disputes over the question as to where a member should belong?

Answer. Oh, yes, there were sort of jurisdictional disputes between the Columbia University unit and the unit of City College.

Question. Do you recall any incidents evidencing that dispute?

Answer. Yes; in the case of two of the teachers at the college there was a question as to whether they should belong to the Columbia or the City College unit.

Question. How did they happen to be in the Columbia unit?

Answer. They were graduate students there, getting a doctor's degree.

Question. That was at the same time that they were teaching in City College?

Answer. Right.

Question. Do you recall who those persons were?

Answer. Yes; Moses I. Finkelstein was the first.

Question. Where did he teach?

Answer. In City College, department of history.

Question. Who is the other person?

Answer. The other person was Theodore Geiger, also in the department of history.

Question. What was the dispute with respect to those persons?

Answer. The decision was to permit them to remain members of the Columbia unit, rather than transferring them.

* * * * *

Question. And you observed all of these persons whom you have named and whom you may name later as having been at those meetings?—

Referring to Communist meetings—

Answer. I did.

Question. Were those closed meetings of the Communist unit?

Answer. They were.

From these documents, it is evident that Hoffman was personally aware that it had been testified under oath that one of his top assistants had been a member of the Communist Party and had attended secret meetings of the Communist Party. Hoffman also knew that the congressional statute under which he was operating prohibited the employment of any person who had ever been a member of the Communist Party. And what did Hoffman do when confronted with this information that one of his top assistants was a Communist? He tried—and it is all a matter of record—to get rid of the man who had brought the information to his attention.

As for Geiger—the named Communist—Hoffman refused to go behind the so-called loyalty certificate which had originally been issued by Mr. Hoffman himself. Hoffman evidently refused even to order a further investigation of Geiger. As a result, Geiger remained in a policymaking job in the ECA, handling funds from the pockets of American taxpayers, and continued to influence the administration of our foreign-aid program.

In this connection, Mr. President, I call attention to a portion of the McCarran committee hearings on the Institute of Pacific Relations, wherein Mr. Canning repeated his testimony about Geiger, and wherein we learn that the McCarran watchdog committee finally forced the resignation of Geiger.

I think it is apropos, in passing, to point out that Senator McCarran did an outstanding job for America—a tremendous job. If only he were with us today. As the Presiding Officer knows, it is not very often that I take time on the floor of the Senate to praise Members of the opposite party. However, I think that whenever the name of Pat McCarran is mentioned we should, at least in passing, mention his service to our country.

I read from the transcript of the hearings before the McCarran committee:

Mr. CANNING. There was one other who belonged to the same Columbia University unit, Theodore Geiger.

Senator FERGUSON. Was he a Communist?

Mr. CANNING. Yes; he was.

Senator FERGUSON. Any doubt about it?

Mr. CANNING. No doubt in my mind that he was.

Senator FERGUSON. Where did you know him?

Mr. CANNING. I knew him both at City College where he was a student, and later at Columbia University where he continued his graduate studies.

Senator FERGUSON. About when did he leave there?

Mr. CANNING. When did he leave Columbia? City College?

Senator FERGUSON. Or City College.

Mr. CANNING. I think he finished at City College, he received his bachelor's degree in 1935.

Senator FERGUSON. Where did he come in the Government?

Mr. CANNING. Into the Economic Cooperation Administration.

Senator FERGUSON. Do you know whether he is in Government now?

Mr. CANNING. No. I have been informed that he has resigned.

Senator FERGUSON. When?

Mr. CANNING. Not a very long time ago, several months ago.

Senator FERGUSON. Just months ago?

Mr. CANNING. Yes, sir.

Senator FERGUSON. What was his position in Government?

Mr. CANNING. He was, I believe, Deputy Administrator to the ECA, though I am not certain of his exact title.

Senator FERGUSON. That is the same man that you knew in Columbia as a Communist?

Mr. CANNING. Yes, sir.

Senator FERGUSON. Was he active in communism?

Mr. CANNING. He was.

Senator FERGUSON. As active as you and Finkelstein?

Mr. CANNING. Not quite as active as Finkelstein, but perhaps as active as I was.

Senator FERGUSON. As you were?

Mr. CANNING. Yes, sir.

Senator FERGUSON. Is there anybody else who came into Government?

Mr. CANNING. One further person——

Senator FERGUSON. By the way, did you ever hear that this man had ever left the Communist rank, either publicly or privately hear that he had left?

Mr. CANNING. No, sir; I never heard that he had resigned.

Senator FERGUSON. You never heard?

The CHAIRMAN. I want to say, Senator, that some time ago the watchdog committee of the Committee on Appropriations made a representation to ECA as to this individual—

Referring to Geiger—

and drew the attention of ECA to his past history and asked for an investigation, following which I think there was a resignation. That is my impression.

That testimony sheds some light on the speech which Paul Hoffman made about 2 months ago, in which he condemned the use of ex-Communists as sources of information. He did not want that information to come out. The Daily Worker also condemns the use of ex-Communists by Senate committees and by the FBI.

Mr. President, we have here on the written record evidence that Paul Hoffman, as ECA Administrator, played the role of guardian angel to a man whom he had good reason to believe had been, and perhaps still was, a member of the Communist Party. Moreover, Hoffman appears to have played this role even though he was forbidden by law to retain on his staff either a present or past member of the Communist Party. I submit that the Senate would be derelict in its duty if it permitted Mr. Hoffman to be appointed to another high position without satisfying itself that Mr. Hoffman has a convincing explanation for his conduct. I personally doubt that he has a satisfactory explanation. I feel that his handling of the Geiger case is entirely consistent with his attitude toward the internal Communist menace which I have documented earlier in this statement.

Mr. President, it may seem unusual for me to make a statement concerning Hoffman before his appointment has actually been sent to the Senate for confirmation. But I am advised, on the best authority, that the current plan of the administration is to make the appointment after the Senate has adjourned so as to avoid the risk of the Senate refusing to confirm Hoffman. I cannot believe that the President would be a party to an underhanded plan to deprive the Senate of its right to pass on an important appointment of this kind. I sincerely hope that the report is untrue. However, I am convinced that the report is true. Otherwise I would not be making this speech today.

If the appointment should be submitted for confirmation, it is inconceivable to me that the Senate would confirm Paul Hoffman. Be that as it may, the Senate has the right to pass judgment on this matter before Mr. Hoffman takes his seat at the General Assembly session next fall.

Therefore, I call upon the administration to submit the appointment before Congress adjourns, if it is going to make the appointment, as apparently it is, because it is of the utmost importance that the matter be aired before it is too late.

SIMPLIFICATION OF ACCOUNTING AND FACILITATION OF PAYMENT OF OBLIGATIONS

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 9593) to simplify accounting, facilitate the payment of obligations, and for other purposes and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. KENNEDY. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. KENNEDY, Mr. WOFFORD, and Mr. COTTON conferees on the part of the Senate.

GUISEPPE AGOSTA

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 47) for the relief of Guiseppe Agosta, which were to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Guiseppe Agosta and Shakeeb Dakour shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

SEC. 2. For the purposes of the Immigration and Nationality Act, Gertrud Charlotte Samuelis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 3. Upon the granting of permanent residence to each alien as provided for in this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

And to amend the title so as to read: "An act for the relief of Guiseppe Agosta, Shakeeb Dakour, and Gertrud Charlotte Samuelis."

Mr. JOHNSON of Texas. Mr. President, on June 14, 1955, the Senate passed S. 47, to grant the status of permanent residence in the United States to the beneficiary. On July 3, 1956, the House of Representatives passed S. 47, with amendments to include the beneficiaries of two similar individual Senate bills.

The amendments are acceptable, and I move that the Senate concur in the House amendments to S. 47.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

PAULINE H. CORBETT

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 3957) for the relief of Pauline H. Corbett and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Texas. Mr. President, on May 9, 1956, the Senate passed, with an amendment, the bill (H. R. 3957) for the relief of Pauline H. Corbett.

The House disagreed to the Senate amendment and has requested a conference.

I move that the Senate insist on its amendment, agree to the conference asked by the House, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. KEFAUVER, Mr. JOHNSTON of South Carolina, and Mr. LANGER conferees on the part of the Senate.

CITY OF ELKINS, W. VA.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2182) for the relief of the city of Elkins, W. Va., which was to strike out all after the enacting clause and insert:

That all of the airport revenue bonds issued by the city of Elkins, W. Va., presently held by the Reconstruction Finance Corporation and amounts due thereon or in connection therewith, are hereby transferred to the Civil Aeronautics Administration, together with all the functions, rights, powers, and records of the Reconstruction Finance Corporation relating to the said bonds. All receipts and recoveries hereafter with respect to said bonds shall be covered into the Treasury as miscellaneous receipts.

SEC. 2. In the settlement of its accounts the Reconstruction Finance Corporation shall receive full credit for the said bonds and all amounts due thereon or in connection therewith.

Mr. JOHNSON of Texas. Mr. President, on July 30, 1955, S. 2182, for the relief of the city of Elkins, W. Va., passed the Senate, with an amendment. On July 2, 1956, the House of Representatives passed this bill, with an amendment.

I move that the Senate disagree to the House amendment, request a conference with the House thereon, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. DANIEL, Mr. O'MAHONEY, and Mr. DIRKSEN conferees on the part of the Senate.

MISS SHIRLEY FRY, OF ST. PETERSBURG, FLA.

Mr. HOLLAND. Mr. President, over and over again we hear, in Florida, of cases where people with serious illnesses come to Florida to spend what they think will be their few remaining days or months on this earth, only to recover completely under the Florida sun. Several famous athletes who have suffered injuries which prevented their active participation in the world of sports have fully recovered after basking a few months in the Florida sun and have gone on to even greater heights after their return to active competition.

Just a few days ago on the famous center court at Wimbledon, in England, the climax of another such thrilling story was written on the pages of sports history. On July 7, Miss Shirley Fry, of St. Petersburg, Fla., needed only 50 minutes to win her final tennis match and become what is considered the women's single tennis champion of the world. Later, she paired with another American, Vic Seixas, to win the mixed doubles championship.

In 1954 Shirley Fry went to St. Petersburg, Fla., as a refugee from the world of tennis, a so-called "has-been" because of an aching "tennis elbow." For Miss Fry, who had played tennis since she was a young girl, this was the end of the row—or so she thought. After a few months of recreation and rest in the Florida sunshine, the pain in her elbow lessened, and early in 1955, as an experiment, she entered the University of Miami-Coral Gables tournament, and in the finals upset another famous Florida tennis player, Miss Doris Hart, of Miami, former Wimbledon champion, and then considered to be the top women's amateur tennis player in the world. Less than a year after she went to St. Petersburg as a "has-been" Miss Fry packed her bags, took her tennis racket in hand, and began an up-hill battle which led to her victory at Wimbledon.

Mr. President, in order that Senators may read the complete story of the amazing comeback of Miss Fry in the tennis world, I ask unanimous consent to have printed at this point in my remarks three articles from the St. Petersburg Times of July 8, the first entitled "World Title Comeback Trail Began at Times," the next entitled "Our Shirley Conquers the Tennis World," and the third, an editorial entitled "Shirley Fry's Wonderful Win."

There being no objection, the articles and editorial were ordered to be printed in the RECORD, as follows:

WORLD TITLE COMEBACK TRAIL BEGAN AT TIMES

(By Bill Beck)

At 2:10 p. m., yesterday, an Associated Press printer in the corner of the Times' newsroom clattered to a stop, having printed all it knew about Shirley Fry's victory at Wimbledon, the most important of world tennis tournaments.

Just 1 year ago that same moment, this same Shirley Fry had leaned against that same printer and wistfully watched as it chattered out the tale of someone else's hour of triumph. Then, she was copy girl-secretary for the Times. For Shirley, the trip from copy girl to world champion was a quick one.

It is an old story about how Shirley Fry, 9, played tennis in Akron, and how she won the national junior title in 1944 but could never win a major singles title as an adult and how, finally, she announced she had quit major tennis to settle down here. This is the story of the road back.

Shirley came to St. Petersburg September 22, 1954. At 27, she was a refugee from world tennis, a has-been before her time with an aching tennis elbow that might never get well.

A month later, Miss Fry took employment at the Times as copy girl.

SUNSHINE PAYS OFF

"Maureen Connolly (then No. 1 in world tennis) was copy girl one time in San Diego," she explained. "Then she became national champion. Maybe this job will be good luck for me too."

Working for the Times was Shirley's first real job. She did her tasks quietly and efficiently.

Shirley is slender, almost lank. She is shy and retiring and it was hard for coworkers to see her as the girl who had sipped champagne from silver cups in the presence of British royalty and who had been almost—never quite—the darling of the famed Wimbledon center court. So they forgot about that part of it and saw her as someone pleasant to work with.

Perhaps it was the Florida sunshine. Perhaps it was rest or a combination of both. Anyhow, the pain in her elbow lessened. In February of 1955, she went to Miami and in the finals of the University of Miami-Coral Gables tourney, scored a smashing upset over her long-time friend and doubles partner, Doris Hart, top woman player in the world.

LEFT IN JULY

Encouraged, she returned to St. Petersburg and increased the dosages of tennis to determine what the elbow would stand. As it turned out, about anything.

In July of last year, she left the Times and took the trail that led to Wimbledon. Success was immediate. She bumped off both Doris Hart and Louise Brough, United States No. 1 and No. 2, at the Essex tennis tournament and although she failed to win the nationals at Forest Hills, her success has been constant since.

In pauses on the tennis trail, Shirley returns always to St. Petersburg. For long stays, she takes an apartment as near the tennis courts as she can get. For short visits, she resides with pro Dan Sullivan and his wife, Casey, her most avid local fans.

Chances are, Shirley is only beginning despite the 11 years of major league tennis which are behind her. She celebrated her 29th birthday at Wimbledon. Built like a whippet and with no marital attachments great tennis years still lie ahead.

OUR SHIRLEY CONQUERS THE TENNIS WORLD—FRY IS WIMBLEDON SINGLES CHAMPION

WIMBLEDON, ENGLAND.—Shirley Fry's 12-year quest for a major singles title met success yesterday when the steady veteran from St. Petersburg won the Wimbledon women's championship, 1 of 3 honors salvaged by Americans on the final day.

The 29-year-old Miss Fry, her backcourt game bristling with accuracy, cut down Britain's intent Angela Buxton in a workmanlike, 50-minute final, 6–3, 6–1. The American never lost her service.

Later Miss Fry, born in Akron but now a resident of St. Petersburg, teamed with Vic Seixas of Philadelphia to capture the mixed doubles, beating Althea Gibson, of New York, and Gardnar Mulloy, of Denver, 2–6, 6–2, 7–5.

The sensational Miss Gibson, who fashioned an 18-tournament winning streak stretching halfway around the world before Wimbledon, was not denied her moment of glory.

The tall, mannish New York Negro girl paired with Miss Buxton to win the women's doubles with a 6–1, 8–6 triumph over Fay Muller and Daphne Seeney of Australia. She thus became the first of her race to win a Wimbledon title, the most coveted in all tennis.

Miss Fry's one-sided triumph and success in the two minor doubles classes brought a slight lift to waning American court prestige, jolted by a complete shutout in the men's division.

AUSSIES COP DOUBLES

Australia's Lew Hoad won the men's singles by beating teammate Ken Rosewall and yesterday the two 21-year-old Aussie Davis Cup mates walked off with the men's doubles. They trounced Nicola Pietrangeli and Orlando Sirola of Italy in the final, 7–5, 6–2, 6–1.

A crowd of 16,000, baked by a warm sun, turned out for the final program of what tennis-loving British call the "dedicated fortnight."

Miss Fry gave them a performance they won't soon forget as she laced winners down the sidelines time and time again, relentlessly attacked Miss Buxton's unsure backhand and coasted home under wraps.

It was a sweet victory for the girl from Florida who must have begun to worry over a "runner-up complex."

Yesterday there was no stopping her. Shirley had left nothing to chance, taking a tough prematch workout.

She needed only 52 minutes to win the baseline duel from the slender and attractive Miss Buxton.

BUXTON CONFIDENT

In June Miss Fry narrowly had beaten Miss Buxton, 21-year-old daughter of a Midlands theater owner, in the Wightman Cup matches and questionable line calls had thrown a taint on her victory. Later Miss Buxton had told a British television audience that she would beat Shirley in the finals.

She didn't have a chance, however.

After winning the first game on her service, Miss Buxton lost three games in a row, dropping her service in the third game. The British girl fought back gamely, winning the fifth at love, but Miss Fry broke her again in the ninth game for the set.

The American then reeled off five straight games of the second set before Miss Buxton finally won on her service. But Miss Fry closed out the match in the seventh game, twice drawing Angela to the net and leaving her looking at a zipping passing shot.

Miss Buxton's backhand was miserable, and the new Wimbledon champion hammered away at this weakness constantly. Miss Buxton repeatedly netted backhand shots, some of them so weak that they hit halfway up the net.

THE CLINCHING SHOT

The match-clinching shot for Miss Fry was a beautifully executed forehand down the sidelines which caught Miss Buxton completely off balance.

As Misses Fry and Buxton ran to the net to shake hands, both had tears in their eyes—one from joy, the other from disappointment. Miss Buxton was England's first Wimbledon finalist since 1939. The last British women's champion was Dorothy Round in 1937.

Miss Fry is a snub-nosed veteran who started tennis at the age of 8, won the national girls' championship in 1944 and 1945 and made her bid for the United States national title at 16. Although a member of the United States top 10 for 12 years, she never had won a major singles title.

Her big year was 1951 when she reached the Wimbledon final, only to be beaten by Doris Hart, and at the United States final at Forest Hills where she lost to Maureen Connolly. She shared the ladies doubles title with Miss Hart at Wimbledon in 1951, 1952, and 1953.

The Duchess of Kent presented Miss Fry with the trophy emblematic of her triumph. Shirley wiped tears of joy from her eyes as the cup was presented.

Ron Holmberg, 18-year-old Brooklyn player, salvaged something from the wreckage of American men's tennis prestige by winning the junior Wimbledon.

The big, blond New Yorker defeated Rod Laver, fiery redhead from Australia's island state of Tasmania, 6–1, 6–1.

Holmberg had to fight his way through a field of 20 national junior champions from Britain, Europe, Trinidad, and Pakistan to take the title.

Another American to win a senior trophy was Hugh Stewart, Los Angeles. He beat Gardnar Mulloy, the veteran from Denver, Colo., 4–6, 6–4, 6–4, in the Wimbledon plate—the consolation event for those knocked out in the first two rounds of the tournament proper.

Thelma Long, Australian veteran, defeated Ilse Buding of Germany for the ladies' plate, 6–3, 6–1.

SHIRLEY FRY'S WONDERFUL WIN

Our heartiest congratulations to Miss Shirley Fry for her splendid victory in the Wimbledon tennis championships and we are delighted to learn she will return to us soon.

While we share with everyone in St. Petersburg that pleasant feeling of satisfaction that comes when one of our own does something special, we feel that Shirley's triumph and the world championship that goes with it means even more.

It dramatizes something that people like Wally Bishop and Ed Turville have been trying to show us all along—Florida (especially our part of it) and tennis go hand in hand.

If Shirley, as a 9-year-old in Akron, Ohio, took tennis racket in hand and acquired the foundation for a world championship, how much greater the opportunity for our children, benefiting as they do by our year-around sunshine.

It behooves us then to develop a tennis program, second to none, and to guide our young people to the tennis courts so they may satisfactorily prove their fine heritage of healthy minds and bodies.

They know Shirley. They have played with her or against her at the St. Petersburg Tennis Club and elsewhere on the Sunshine Circuit. She is not a faraway goddess doing fabulous and impossible things. She is flesh and blood Shirley who every now and then double faults. They can be like her.

If President Eisenhower is concerned about appalling evidences of softness in American youth, let's relieve his mind about Florida. Let's keep our children strong and healthy. Tennis is one of the better ways to do it.

Mr. HOLLAND. Mr. President, upon hearing that the father of one of the contestants in the Wimbledon tournament had offered her a swank seaside resort if she beat Shirley Fry, Mayor Sam Johnson of St. Petersburg offered Shirley St. Petersburg's Million Dollar Pier in exchange for a victory at Wimbledon. Immediately after Miss Fry's victory, she sent a wire to the mayor, which read as follows: "Coming soon to collect my pier." The last I heard of this interesting situation, the mayor was to take it up with the city council, and he had stated that, so far as he was concerned, Miss Fry is now the honorary owner of that giant pier.

St. Petersburg and the entire State of Florida are understandably proud of Miss Fry, who has once again clearly illustrated what wonderful results can be attained when plucky determination and warm rays of the Florida sun work hand in hand.

THE "BIG DOUBT" TECHNIQUE

Mr. GOLDWATER. Mr. President, during the past 3 years, we have witnessed in the Nation's Capital and elsewhere in the Nation the development and increasing use of a new propaganda technique.

Many of us recall that Joseph Goebbels, the astute propaganda minister of Adolf Hitler, boasted of the efficient use he made of the "big lie" technique. According to Goebbels, there was no point in telling just a little lie. People would not believe it. But if one told a lie so big and so daring that it was almost unbelievable, people would believe it because they could not conceive of anyone being bold enough to tell so gigantic a falsehood.

Some opponents of the Republican administration have developed the "big doubt" technique as the modern, improved version of the Goebbels' "big lie" trickery.

In recent months we have seen the "big doubt" propaganda tactic used frequently to attack the outstanding program of the Republican administration for the development and conservation of our natural resources.

It was, in fact, former Secretary of the Interior Douglas McKay who first labeled the new propaganda strategy of the left-wing Democrats as the "big doubt."

In an address before the National Press Photographers Association in Chandler, Ariz., earlier this year, former Secretary McKay said:

> We are not surprised when our actions are criticized, frequently by both sides of the controversy.
>
> What I do find surprising, however, is the increasing use of the slick propaganda technique I like to call the "big doubt."

How does this new political smear device work?

The pattern is to twist and distort a few facts in a given situation to fit the purposes of the attack. This creates the doubt. Once the doubt is created, it immediately becomes the springboard for all manner of sweeping and irresponsible charges.

In the case of the positive resource programs of the Republican administration the technique is used in most cases to provide a basis for the "giveaway" slogan.

The opponents of the administration have yet to substantiate one "giveaway" charge.

This, however, does not deter them.

They use the hit-and-run technique.

As soon as one "giveaway" lie is exposed and the true facts are provided, they manufacture a new charge.

Let me illustrate with a specific instance of the "big doubt" system.

One of the matters for which the Fish and Wildlife Service of the Department of the Interior has been attacked is an alleged failure to enforce its antibaiting regulations in California.

A member of the New Deal party charged in a letter to the Washington Post and Times Herald that there were no prosecutions for baiting in California during the 1954 season.

Using this statement as a springboard, he then proceeds to "prove" that the Department is not enforcing its regulations, that it is favoring California bankers, that wildlife is not being protected, and so on and so on.

The actual fact is that the records of the Department show a steadily increasing number of arrests and convictions for violations of the antibaiting regulation in California.

In the 1951–52 and the 1952–53 seasons, for example, there were no arrests for baiting. This was before the present administration took office.

In the 1953–54 season there were 2 arrests and 2 prosecutions.

In the 1954–55 season, total prosecutions rose to 21.

In the 1955–56 season, the total, to date, is 49.

These records were available to this gentleman. Instead of citing all of them, however, he chose to select the record for the 1954–55 season, which showed that all 21 cases were tried in the State courts. Thus he could make the charge that no arrests were made for violation of the Federal regulations.

He did not state, as is the case, that 16 of the arrests were made by Federal agents and State wardens working together, or that in the next season 11 cases were tried in the Federal court, thus showing that the Federal regulations are being enforced, contrary to his allegations.

He did not so state, I assume, because these facts did not fit his case.

If he told the whole story, his entire "big doubt" would collapse.

Another way in which the "big doubt" has been used has been to charge former Secretary McKay and other officials not with what they have done, but with what they might do.

Some writers, for instance, have produced scare articles to the effect that Secretary McKay is giving away all of the Nation's wildlife refuges.

Only careful reading of the articles reveals that no instances of giveaway are actually cited. The entire case is found to be based on the fact that if the Secretary of the Interior so desired he has the legal authority to dispose of the refuges.

Another device is to charge the Secretary with the responsibility for proposals that have been made to the Department.

Proposals which have been made for invasion of our national parks, for instance, are spoken of as if they were approved by the Department.

Here, again, it does not matter to the "big doubters" that while he was Secretary, Mr. McKay rejected all of these proposals.

The mere fact that the proposal has been made is a convenient excuse for the broad charge that the administration is giving away our national parks.

Last December the Department of the Interior issued new regulations governing oil leasing on wildlife refuges.

These new regulations actually provide the greatest measure of protection the refuges have enjoyed since Congress first authorized such leasing in 1920.

The "big doubters," however, shout that the new regulations somehow spell the doom of the refuges.

They attempt to create the impression that for the first time the refuges are being thrown open to exploitation by predatory oil interests.

The fact is that the refuges were opened to oil leasing by the previous administration.

The fact is that under the terms of the new regulations, oil operations cannot be conducted if they are deemed by the Fish and Wildlife Service's career specialists to be harmful to wildlife values.

The fact is that even a great conservation organization such as the Audubon Society permits oil operations on the refuges it operates, a clear demonstration that such activity can hardly spell the doom of wildlife.

None of these facts, however, are mentioned by the "big doubters." They merely cry over and over that the refuges are being destroyed by the new regulations.

By repeating the charge, they achieve their aim. They create the "big doubt."

It is regrettable that the "big doubt" has on occasion resulted in sincere conservationists being misled concerning the resource policies of the Republican administration.

Those who are earnestly interested in sound conservation are urged to check the facts with responsible sources before they accept the sweeping and irresponsible charges which are being made.

Unscrupulous politicians are anxious to play on their fears and emotions. They should be wary.

Perhaps the most widely publicized use of the "big doubt" technique has been in connection with the Al Sarena case.

The "big doubters" charged that the granting of patents in the Al Sarena case constituted a gigantic and illegal giveaway of our national forests.

For months they conducted an intensive publicity campaign designed to spread this false and misleading picture of the Al Sarena transaction. Not until they felt that they had succeeded in establishing their "big doubt" did they permit the official of the Department of the Interior who handled the matter to testify.

Once this official, Clarence A. Davis, now the Under Secretary of the Department, had testified, their entire big doubt was destroyed like the house built upon sand that it was.

Mr. Davis conclusively demonstrated that the action by the Department in granting the patents was in full and complete accord with the mineral laws which had been in effect for many years.

He made it clear that to have acted otherwise would, indeed, have been contrary to law and would have constituted, in effect, government by administrative decree.

The big doubters, in their campaign of half-truths, of course, ignored the fact that the mineral laws did not provide for protection of timber on lands receiving mineral patents.

They chose to direct their attack not against the laws in effect but at an official who was honestly carrying out the law.

The big doubters claimed that the timber was sold for $5 an acre.

They did not point out that this was the fee set by law.

They did not mention that this payment was actually made before the Republican administration ever entered office.

The big doubters questioned the procedures used in making the assay of the

minerals on the Al Sarena property, maintaining by innuendo that the procedures were dictated by the top policy officials of the Department to make possible a giveaway.

They carefully ignored the true fact that the procedures used in making the assay and handling the samples were set up and carried out by veteran career employees of the Department, who were using the procedures dictated by their technical knowledge and experience.

As I have indicated, once Mr. Davis was permitted to testify, he exploded the case of the "big doubters." The true facts as he set them forth were honestly reported by the responsible press of the Nation.

Nevertheless, the big doubters had achieved their purpose to a large degree. By commanding the headlines for many months, they were able to create their "big doubt." And many of them continue today to cite the Al Sarena case as a giveaway. They simply ignore the facts as set forth by the Department.

There is one other "big doubt" charge that should be noted.

It concerns the development of the waterpower resources of the Hells Canyon reach of the Snake River.

The big doubters maintain that the development of these resources by anyone other than the Federal Government will be a "giveaway" of a precious natural resource.

Their reasoning apparently is that only the Federal Government has the right to develop water resources.

They ignore the fact that the Federal Power Commission has found that private development will assure all the public benefits which would accrue from development by the Federal Government.

They ignore the fact that Congress has repeatedly rejected the appeals of New Dealers for a Federal high dam at Hells Canyon.

They are not interested, it would seem, in the development of the water resources at Hells Canyon.

All they are concerned with is their ideological belief that waterpower development should be made a monopoly of the Federal Government.

Whenever the "big doubter" charge of a giveaway at Hells Canyon is made, it should be remembered that the only giveaway involved is that proposed by them: to permit the resource to waste in an undeveloped state unless it can be developed on the basis they propose.

The use of half-truths, distortions, and isolated and unrelated facts to reach sweeping and unfounded conclusions is all part of the "big doubt" trickery.

It is, superficially at least, a clever propaganda device. But the American people are beginning to recognize the "big doubt" for what it is, a new form of political demagoguery that hides behind a facade of spurious idealism. As they increasingly awaken to the attempted mass deception, they will give the "big doubt" and big doubters the same firm rejection they have always accorded to demagoguery and its practitioners.

AIR RESERVE TECHNICIAN PLAN

Mr. GOLDWATER. Mr. President, on June 25 I inserted in the CONGRESSIONAL RECORD an article appearing in the Air Force Magazine, written by Mr. Edmund F. Hogan, that concerned the Air Reserve Technician Plan. This morning my mail contained a letter from the Honorable Carter L. Burgess, Assistant Secretary of Defense in charge of Manpower, Personnel, and Reserve. This letter pointed out areas in which the Assistant Secretary disagrees with Mr. Hogan's article; and, in fairness to the Defense Department and to Mr. Burgess, I ask unanimous consent that the letter be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ASSISTANT SECRETARY OF DEFENSE,
MANPOWER, PERSONNEL, AND RESERVE,
Washington, D. C., July 9, 1956.

Hon. BARRY GOLDWATER,
United States Senate.

DEAR SENATOR GOLDWATER: This is with reference to the article written by Mr. Edmund F. Hogan which was printed at your request in the CONGRESSIONAL RECORD for June 25, 1956. Mr. Hogan, as you may know, wrote an earlier article for the Air Force magazine concerning the Air Reserve Technician Plan. In this article he referred to my activities as "gangsterism." It is not my purpose to comment on this type of journalism, nor to do more than point out the disparaging format in his more recent article which you submitted for the CONGRESSIONAL RECORD.

I do wish, however, to address myself to the points of substance in this later article. In my opinion it contains serious inaccuracies. During the debate on the National Reserve Plan, I was impressed by the open-minded attitude which you brought to the discussions. I feel confident, therefore, that you will accede to my request to submit this letter for inclusion in the CONGRESSIONAL RECORD in the interest of objective fairness and accuracy. With this in view, the following analyses of the basic contentions of Mr. Hogan's article are submitted.

1. There should be concern that so much effort is being expended toward turning out millions of week-end warriors.

Our leading military experts, as well as President Eisenhower and the Congress, are unanimous in their insistence that the safety of this Nation requires a strong balanced active force, and of equal importance, military strength in depth in the form of an Active and Ready Reserve force.

2. The 6-month plan was designed principally for the Army.

The record shows that the 6-month program was one of 5 principal elements in the President's National Reserve Plan to strengthen all of the Reserve forces. Three services—Army, Marine Corps, and Coast Guard—are currently using the program.

3. The 6-month program lagged so badly that Secretary Burgess and the Army decided on a nationwide publicity campaign—a barrage of 6-month trainee propaganda.

The National Reserve Plan, as originally submitted to Congress, contained provision for induction into the six-month program if necessary to meet requirements. The Congress determined that the program should be given a thorough trial on a volunteer basis. In carrying out that congressional mandate, we began from the very outset an intensive campaign of public information to achieve the program goal with volunteers.

Our information program, which is a matter of public record, stresses the advantages of volunteer entry into any of the numerous service choices available, Active and Reserve.

4. Use of the plan threatens to have an adverse effect on the Air Force, as witness a drop in enlistments during February and March.

Experience over the years has shown that there is a normal seasonal decline in new enlistments during the early months of Spring, followed by a rise in June at the end of the school year. Air Force enlistments have followed this normal seasonal pattern as evidenced by the following figures on new Air Force recruits for the last six months:

January	13,400
February	10,800
March	7,500
April	6,400
May	7,400
June (preliminary)	13,500

Nonetheless, the Air Force is meeting or closely approximating its current strength goals, and at the same time has succeeded in raising the average mental quality of new recruits to the highest level since 1951.

In the long run, increased enlistments in the six-month program are likely to prove a stimulus to enlistments in the regular forces of all services, including the Air Force. If young men volunteer for this program in sufficient numbers, within limits established by the Congress, the probability will be high that all other qualified young men in the manpower pool will be required for the active Armed Forces, either through voluntary enlistment or induction. Knowledge of this fact should, in turn, prove a continued stimulus to young men to enlist, rather than wait to be drafted.

5. The Department of Defense recently sponsored Military Reserve Week.

This event was sponsored by the National Security Committee whose consituent memberhip includes the American Legion, Veterans of Foreign Wars, and numerous other veteran and patriotic groups. Military Reserve Week was launched to publicize the six-month program. Radio and television time were made available without charge by the networks as a public service.

6. The Air Force is holding out against the six-month program because it requires technicians who can be trained only in a 4-year enlistment.

In addition to technicians, the Air Force needs basic airmen to fill the lower grades in Reserve units. Six months of active duty for training is sufficient to qualify for such assignments. Four years of active service should qaulify men for higher ratings. The majority of enlisted men in the Air National Guard have not had prior military service. The Air Reserve Technician Plan as proposed by the Air Force provided for input into the Reserve of men with no prior training or service.

The Department of Defense through my office will continue to exert every effort to develop and increase the six-month program, and all other features of the national Reserve Plan. In doing so, we are following the objective of the President and the mandate of Congress.

Sincerely yours,

CARTER L. BURGESS.

FEDERAL POWER PROJECT IN HELLS CANYON

Mr. GOLDWATER. Mr. President, on several occasions during the past 2 weeks I have had inserted in the CONGRESSIONAL RECORD copies of editorials from different newspapers across the length and breadth of America on a proposal now on the Senate calendar to authorize construction of a Federal power project in Hells Canyon. This rightful concern over a threat to one of the basic tenets of our free enterprise system, namely

that wherever and whenever possible, private enterprise should develop the natural resources of our country, is taken up again and again by the press of America.

I have a number of other editorials on this subject, which I ask unanimous consent to have printed in the RECORD at this point in my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Camden (N. J.) Courier-Post of June 23, 1956]

HERE SENATE GOES AGAIN ON HELLS CANYON BILL

Although the corresponding House committee has refused to act on a companion bill, the Senate Interior Committee has reported out the Hells Canyon dam bill, a highly controversial measure it had kept bottled up for the last year.

There is no possibility of the bill becoming law this year, and the heated and lengthy debate on it that is certain in the Senate will consume valuable time in the closing days of this session that should be devoted to useful legislation. But the Democrats believe Hells Canyon will give them an effective campaign issue in a year in which they are hungry for issues. Hence we are due for another debate on private versus public power.

Hells Canyon is a deep, narrow gorge separating Oregon and Idaho. In May 1953, the then-Secretary of Interior Douglas McKay withdrew his department's former opposition to the application of the Idaho Power Co. to build three dams in the canyon for power purposes.

In July 1955, the Federal Power Commission unanimously approved a 50-year license for the company to build the dams on a 100-mile stretch of the Snake River. These dams would flood the site of a larger, higher, dam in Hells Canyon which has been proposed as a Federal project by public power advocates.

The company has already begun work on two of its dams but public power groups are challenging its license in the Federal courts. The bill now reported for Senate debate, and its companion in the House, would halt the power company's plans and substitute those of the public power zealots.

McKay last year outlined before the Senate committee the reasons for the administration opposition to the Federal dam. He said:

"We are firmly convinced that where a non-Federal proposal can provide results which, in terms of comprehensive development, are reasonably comparable with those anticipated from a Federal project, the people of the region should be encouraged to utilize, in every proper way, the available capacities of public or private organizations for doing the job on a non-Federal basis under conditions fully protecting the public interest."

That attitude sounds eminently sensible and conforms to the principle of private enterprise over State socialism and subsidized Government competition with the very tax-producing businesses on which Government depends for its revenues and the subsidies that would eventually destroy them.

As proposed by the two bills before Congress, the Federal dam at Hells Canyon would be built at the cost of $500 million—paid for by all the taxpayers of America and not just the relatively few whom the dam would benefit.

On the other hand, the Idaho Power Co. will spend only about $250 million on its three dams and transmission lines—and will pay almost $10 million a year taxes on them.

It seems grotesque that the public power backers should call the granting of the license to Idaho Power Co., under these circumstances, a giveaway.

But that is what Senators MORSE and NEUBERGER, the two Oregon Democrats who are among the 30 cosponsors of the bill, are trying to tell the public.

The fact that McKay, a former governor of Oregon, quit his Cabinet post to run against MORSE in the latter's campaign for reelection this year is no doubt one of the principal reasons the bill has been called up for debate at this time.

The hope of the public power crowd is that the voters will side with them against the administration preference for private, tax-paying industry in the power field over tax-subsidized, nontaxpaying Government power.

It is hard to believe that the debate will not backfire against the public power planners, if their opponents present their case properly.

If the debate serves to show up the fallacies of those who would destroy our private power industry, it will not be as unprofitable as it otherwise threatens to be, since in no event can majorities for the Federal power bill be mustered in this Congress sufficient to override the veto it certainly would receive.

[From the Wheeling (W. Va.) Intelligencer of June 23, 1956]

POWER FIGHT RENEWED

The public-power issue is about to recapture the spotlight in Washington.

By a vote of 14 to 13 the House Interior Committee has approved a bill calling for Federal construction of a $350 million dam in Hells Canyon on the Idaho-Oregon border.

The Senate Interior Committee already had acted favorably on the same measure and the Democratic leadership is preparing to bring it to the floor in a week or two. So that the stage is being set for a showdown fight which may be carried to the President's desk.

The administration has opposed as a matter of policy the public development of waterpower sites where private interests are able and willing to undertake the responsibility. In pursuit of this policy, the Government already had authorized the Idaho Power Co. to build three smaller dams which would do what it is proposed to with the much larger and more expensive public dam. To date, it is estimated, the utility has spent $5 million in development which will be cancelled out if the pending bill becomes law.

Beyond the question of fairness or unfairness to private operators who have proceeded in good faith is the underlying matter of policy. Public power, developed with public money, pays no taxes on the investment or the operation, and the more favorable rates resulting from this situation are false to this extent. Private developments carry their full share of tax responsibility and of necessity employ the efficiencies and economies of private operation which existence in a competitive industrial world makes necessary.

Pursued to its logical conclusion, the policy reflected in the pending Hells Canyon bill means the ultimate substitution of public for private power all over the land. It's a question of which direction we want to take.

[From the Clay (W. Va.) Messenger]

DO THE PEOPLE OF CLAY COUNTY WANT TO HELP PAY OREGON'S ELECTRIC BILLS?

The Council of State Chambers of Commerce today saw politics as the only reason for the drive in Congress to replace the private construction of the Hells Canyon dam with a Federal project.

To show the cost of this "politics" to the taxpayer the council released a table breaking down the latest estimate for the proposed Federal project in terms of taxes that must be borne by the people in each State to meet it. The total cost to the taxpayers will be $508,300,000, and West Virginia's share would be $3,354,780 for a project on the West coast, over 3,000 miles away. The taxpayers of Clay County would donate about $25,000 to this project to furnish cheap electricity to the people on the West coast if the politicians cancel a private contract and make this a socialistic Federal project.

The table prepared by the chamber of commerce, was a part of a study prepared for the 30 State and regional chambers in the council.

The council study which was signed by Eugene F. Rinta, director of research in the Washington office, cited four "political angles" in the current push for a $508,300,000 Federal hydroelectric project at Hells Canyon in the Snake River between Idaho and Oregon. They are:

1. Senator WAYNE MORSE of Oregon and Representative GRACIE PFOST of Idaho who introduced the Hells Canyon bills in the Senate and House "have campaigned in the past and continue to campaign on the basis of putting through a Federal Hells Canyon bill."

2. Some politicians are trying to make political hay by charging the administration with a "giveaway" in Hells Canyon.

In this connection the study observed, "They open themselves to the charge of taking money away from taxpayers of all the States for an unnecessary purpose." Remember, the States furnish all the tax money for the Federal Government, and this means you will help pay this bill—better write your Senators and Congressemen.

3. This project was included as one of Senate Majority Leader LYNDON JOHNSON's party legislative objectives "from the heart" for 1956.

4. At least one "deal" for a key vote for Hells Canyon was reported by a Congressman in return for support for his own pet project.

The council attacked the Hells Canyon bills as "unnecessary for the simple reason that the power potential in the Hells Canyon reach of the Snake River is already in process of development with private financing."

It pointed out: "If the Federal Hells Canyon project should be authorized and started, however, the private development would, for practical purposes, have to be stopped. Moreover, the millions of dollars spent and the work done to date would be wasted because the Federal project would be located at a different site than the first dam under the company's plan. There is the probability, too, that the taxpayers would have to bear this loss since the company is proceeding under a duly authorized Federal license."

[From the Charleston (W. Va.) Daily Mail of June 26, 1956]

GIVEAWAY OR TAKEAWAY—HELLS CANYON SEEN FROM THE PERSPECTIVE ON KANAWHA

Hells Canyon lies a long way from West Virginia—in the Snake River between Idaho and Oregon. It is not, on that account, lacking in a strong local interest for every West Virginian.

Almost a year ago the bipartisan Federal Power Commission unanimously recommended that the Idaho Power Co., a private enterprise, be authorized to develop its hydroelectric potential by building three dams along the stream. Total cost: about $250 million. Total dependable power: 767,000 kilowatts. Idaho Power went to work almost immediately.

The Northwest politicians were not to be put off, however, either by FPC's thorough study or its decision. Under the leadership of Senator WAYNE MORSE, they are pressing for adoption of a bill which calls for Federal construction of a single, large power dam in Hells Canyon. Total cost: $508 million. Total dependable power: 785,000 kilowatts.

This raises the interesting and fundamental question: For what reason are Senator MORSE and his political allies so determined that the Federal Government must do

on Hells Canyon what private enterprise has already undertaken at half the cost?

Is it the power potential? It could scarcely be. The two projects—private and public—will yield virtually the same. Is it some difference in the flood control and recreational possibilities? Not likely. The FPC is satisfied that under either proposal the public will be served equally well.

Is it the price of power? This is possible, since it is invariabily the argument of the public power enthusiasts that the Government can do it cheaper. Against this, however, must be set the fact that Federal project will cost more and yield nothing in taxes, while the private dams will cost vastly less and yield at least $10 million annually in taxes.

Through all this shrill emphasis upon public power, the enthusiasts advance only one consistent argument. It is the familiar one that a Federal decision to permit the private development of a national resource is a "giveaway." In other words, the FPC has decided to contribute to private and necessarily selfish interests what rightfully belongs to all of us.

By sheer repetition this dogma has attained a certain respectability. The doctrinaire Socialists raise it every time the administration shows any evidence of its faith that private enterprise can and usually does perform a public service. In fact, it skips the truth by a wide margin.

The Council of State Chambers of Commerce, whose analysis we are relying on here, has projected the cost of Federal power in Hells Canyon against the tax liability of the 48 States. Supposing, then, that Senator MORSE is successful and the private construction must be abandoned, where will the $508 million come from? It will come from the American people, of course.

And how will this affect West Virginia? Customarily, West Virginia bears about .66 percent of the present Federal tax burden. If it is compelled to pay for the Hells Canyonu Dam, it must raise $3,354,780 of the total cost. (New York, to cite the most extreme example, will pay $75 million.)

Is it a "giveaway," then, or it is more nearly a "takeaway?" Senator MORSE and his public-power colleagues do not like to dwell upon this other aspect of their propaganda, but it goes to the heart of the matter.

Private development of Hells Canyon would cost the Northwest nothing it could gain from public power. Public power would cost every taxpayer in the Nation, those along the Kanawha among them.

[From the Evansville (Ind.) Courier of June 23, 1956]

HELLS CANYON ISSUE RAISED AGAIN

Hungry for issues in this election year, Democrats on Capitol Hill appear ready to stage a big battle over a Federal dam at Hells Canyon, opposed by the Eisenhower administration. Their hope would be thus to dramatize their advocacy of public power and their dissatisfaction with the administration's preference for development of natural resources by private industry.

Hells Canyon, a deep and narrow gorge separating eastern Oregon from western Idaho, has been a subject of controversy for years. As Secretary of the Interior, Douglas McKay, now running for United States Senator for Oregon against Senator WAYNE MORSE, Democrat, in May 1953, withdrew the longstanding opposition of that Department to the application of the Idaho Power Co. for permission to build 3 smaller dams in the canyon.

The Federal Power Commission on July 27, 1955, handed down a unanimous decision favoring the company's application for a 50-year license to build the 3 dams on a 100-mile stretch of the Snake River. These dams would flood the site of the proposed Federal Hells Canyon dam.

The company already has begun work on 2 of the 3 dams. The FPC on June 15 announced that it had authorized the company to issue $20 million of promissory notes to finance construction of 1 of the dams. But the National Hells Canyon Association and other public power groups are challenging the company's license in the United States Court of Appeals.

And Senator MORSE and 29 other Senators—including 2 North Dakota Republicans, WILLIAM LANGER and MILTON R. YOUNG—are backing a bill to authorize Federal construction of a high dam at Hells Canyon. After the death of Senator Alben W. Barkley, Democrat of Kentucky, the Democratic leadership of the Senate switched Senator RUSSELL B. LONG, Democrat, of Louisiana, who had voted against the bill in the Interior Committee, over to the Senate Foreign Relations Committee to fill the Barkley vacancy.

McKay in May 1955 outlined before the Senate Committee the administration's opposition to the Federal dam. He did not specifically endorse the Idaho Power Co.'s project. But he declared:

"We are firmly convinced that where a non-Federal proposal can provide results which, in terms of comprehensive development, are reasonably comparable with those anticipated from a Federal project, the people of the region should be encouraged to utilize, in every proper way, the available capacities of public or private organizations for doing the job on a non-Federal basis under conditions fully protecting the public interest."

The Federal dam proposed by the Morse bill and a companion bill in the House would be built at a cost of $500 million. By comparison, the private power company would spend only about $250 million on its 3 dams and transmission lines. And it would pay close to $10 million a year in taxes on the project.

Even so, Democrats are calling the granting of a license to Idaho Power a "giveaway." Senator RICHARD L. NEUBERGER, Democrat, of Oregon, who will campaign for MORSE this year, called FPC support of the private project "a major step in the destruction" of Army engineers' "master plan for the full development of the power resources of the Columbia Basin."

[From the Biloxi (Miss.) Herald of June 23, 1956]

HELLS CANYON DAM AGAIN

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[From the Madison (Wis.) State Journal of June 26, 1956]

HELLS CANYON, CLOSE TO HOME

So Hells Canyon is a long way from here and all the fighting about it in Washington and the West doesn't mean anything to Wisconsin, eh?

Well, let's think that one through again.

If Democrats in Congress succeed in pushing through a bill for Federal construction of a dam on the Oregon-Idaho border, it will cost Wisconsin taxpayers $10,166,000.

Figured on the basis of its proportionate share of the Federal tax burden, that's what Hells Canyon means to us way back here.

And here's something else:

The total share of Wisconsin, Illinois, Indiana, and Michigan would come to $96,-170,360, while the States which would benefit most from generated power—Idaho, Montana, Washington, and Oregon—would kick in only $17,688,840.

Besides which, its extremely doubtful that the project is at all necessary, since the Federal Power Commission last year licensed a private company to build three hydro projects on the Snake River in reach of Hells Canyon.

This was the private enterprise plan about which the Democrats raised such a loud cry of giveaway.

Strange, isn't it, how these lads don't want private investors to pay for something they're willing to pay for, but have no compunctions whatever about taking everybody's money whether they want or need what it will buy.

[From the Beckley (W. Va.) Post-Herald]

SHOULD WEST VIRGINIANS PAY $3 MILLION FOR DAM IN IDAHO?

As Ray Tucker points out in his column today, the public-power boys in Congress are determined to stop all hydroelectric power developments unless they have their way.

This bitter fight between the advocates of public power and private power may seem far removed from West Virginia, but in reality it touches the pocketbook of every person who pays a Federal income tax.

For example, consider the Hells Canyon project in Idaho and Oregon.

A private power company has already started construction on the first of three hydroelectric dams on the Snake River. The public-power lobby, however, is determined to have the Hells Canyon project undertaken by the Government, even though the one Federal dam will cost a quarter of a billion dollars more than the three-dam project already initiated.

Mr. Tucker says the public-power lobby is motivated altogether by politics. The Council of State Chambers of Commerce, in a report on the same matter, comes to the very same conclusion.

The council attacks the Hells Canyon bills as unnecessary for the simple reason that the power potential in the Hells Canyon reach of the Snake River is already in process of development with private financing. It goes on to say:

"If the Federal Hells Canyon project should be authorized and started, however, the private development would, for practical purposes, have to be stopped. Moreover, the millions of dollars spent and the work done to date would be wasted because the Federal project would be located at a different site than the first dam under the company's plan. There is the probability, too, that the taxpayers would have to bear this loss since the company is proceeding under a duly authorized Federal license."

The proposed Federal hydroelectric plant at Hells Canyon will cost the taxpayers an estimated $508,300,000. It will probably about double this figure if the experience of other Government dams holds true.

Anyway, West Virginia's share of the present estimate comes to $3,354,780 on the basis of the Federal tax burden our people are now carrying.

The point is: Why should the people of West Virginia be called on to chip in nearly $3½ million to pay the electric bills of businesses and other customers living in Idaho and Oregon?

The Hells Canyon project may be important to Oregon's Senator WAYNE MORSE, the great champion of socialism, but just be hanged if we wouldn't rather see him defeated than to help pay the power bill for some big factory on the Snake River.

And that's just what all these Federal power projects amount to. Every West Virginian for years has been paying part of the electric bills of people all through the Tennessee Valley.

This is how socialism works, and when the people once become aware of how they have been duped by the Socialists, they will have a different conception of public power.

[From the Columbus (Ohio) Citizen of June 23, 1956]

POLITICS IN HELLS CANYON

For years now, there has been a political tussle—fanatical at times—over who builds what dams in Hells Canyon, Idaho.

The New Dealers have wanted the taxpayers to put up a single dam, to cost some half billion dollars.

President Eisenhower has another policy. He says the Government should help develop natural resources—but only where there is a national benefit and where private enterprise can't or won't do it.

So the Idaho Power Co., under license from the Government, is ready to go ahead with a series of three smaller dams, to cost half as much as the Government project would have cost.

And private enterprise, unlike Government-owned projects, pays taxes—which is a double relief to the taxpayers.

In any case, the Democratic leadership in Congress has worked up a political spectacular out of this situation. It is hauling out of committee bills to authorize construction of the Federal dam.

The idea is not so much to get the dam built, but to get votes for Democratic candidates—especially Senators MORSE of Oregon and MAGNUSON of Washington. The Democrats figure President Eisenhower would veto the bill, as he doubtless would. But they estimate the veto would enhance their claim that by letting private, taxpaying enterprise develop these resources, the administration is "giving away" public property.

How much "giveaway" there is in pouring taxpayer money into something private capital can do is a question they don't answer, of course.

Politics, it's wonderful.

[From the Cleveland (Ohio) Plain Dealer of June 27, 1956)

CAN YOU AFFORD THIS?

Fellow Ohioans, have you got $31,819,850 to spare? That will be your share of the cost of the Hells Canyon high dam if Senator WAYNE MORSE and some of his colleagues succeed in having the Government build it, in place of three smaller power dams which a private utility has already started to construct.

Of course, that's just an estimate. If the Government did the work, the cost would probably be twice that much. But what's a measly $31,819,850? Only about $3.60 for every man, woman, and child in the State.

[From the Dallas (Tex.) Daily Times Herald of June 26, 1956]

POLITICAL HELLS CANYON PROPOSAL

Two bills are pending in Congress to authorize a Federal hydroelectric project at Hells Canyon in the Snake River between Idaho and Oregon. If either measure is approved, the cost to United States taxpayers will be $508,300,000. Of this amount, Texans' share will come to $21,450,260, estimates the Council of State Chambers of Commerce.

Taxpayers should note that the expenditure is unnecessary for the simple reason that a project to accomplish the same objectives is already under development with private financing. Why, then, would Congress even consider subsituting a Federal power project? The answer, declares the council after full investigation, is pure politics.

Senator WAYNE MORSE, of Oregon, and Representative GRACIE PFOST, of Idaho, are campaigning on the issue of a Federal Hells Canyon bill. Political hay is being made on a charge that the administration was guilty of a giveaway in granting the license to the Idaho Power Co. for the development. But the fact is that the license decision was made unanimously by a bipartisan commission after thorough study of the merits of both Federal and private development.

The council points out that there is very little difference in the producing capacity of the company's projected three dams and the proposed single Federal dam. By the former, all power and conservation objectives will be served and Uncle Sam kept from extending his influence. But the council has uncovered evidence that "dealing" among Congressmen on the Snake River proposal is underway along the old "you vote for my bill and I'll vote for yours" lines.

Disgusting? Yes. The only answer to this kind of political irresponsibility is a discerning electorate. Taxpayers who allow politicians to pull the wool over their eyes, by devices such as the phony giveaway charge, have only themselves to blame. Many congressional deals serve worthwhile purposes, but even political expediency does not justify the needless spending of half a billion dollars in public funds.

[From the Elizabeth (N. J.) Daily Journal of June 27, 1956]

EIGHTEEN MILLION EIGHT HUNDRED THOUSAND FOR HELLS CANYON

Out where the abrupt walls of the Snake River tower sometimes 5,000 feet above the waters charging toward the Columbia, private interests and the Federal Government are intent upon harnessing the stream to yield electric current for the great Northwest. Bills for the Federal program have been struggling slowly through congressional committee rooms since early last year.

The Federal Power Commission, however, has issued a 50-year development permit to a private company. That company, foreseeing an expenditure of millions of dollars for 3 relatively low dams, promises production of 767,000 kilowatts, but the construction contemplated for the Federal Government will yield 785,000 kilowatts, but costing more than a half billion dollars.

This project, known as the Hells Canyon high dam in the impending legislation, is about to become the battleground of the proponents of Government development against the champions of private enterprise. That battle probably will spill over into the Fryingpan-Arkansas question, also still in committee.

Hells Canyon and its wasting horsepower are a long way from New Jersey. It is a little difficult to detect on an average map. The question of public versus private development looks academic at this range. Can it be significant to New Jersey?

The Council of State Chambers of Commerce answers that inquiry. In a breakdown of the estimated $508,300,000 ($356.8 million for construction; $22 million for interest in construction and $129.5 million for transmission facilities) New Jersey's share would be $18,857,930. Seven States will contribute still larger sums.

The $18.8 million, however, should be sufficiently impressive to bring into sharp focus, anywhere from Cape May to High Point, the fact that regardless of how remote Hells Canyon may seem on the map, it commands thoughtful attention.

[From the Charleston (S. C.) Post of June 26, 1956]

HOUSE LOGROLLING OVER POWER ISSUE

(By Ray Tucker)

WASHINGTON.—"We Democrats voted for your upper Colorado Project in a package deal," declared Representative GRACIE PFOST of the Hells Canyon District in Idaho, "although we didn't necessarily believe in it."

"Fire can be fought with fire," snapped Representative WALTER ROGERS, Texas Democrat. "No punches are going to be pulled from now on."

These remarks in an angry and unashamed clash at a House Interior Committee meeting reflect vividly and dramatically the utter callousness with which a bipartisan bloc of Capitol Hill logrollers are handling vital natural resources at a cost to taxpayers of more than $1 billion. Not in many years has there been such a barefaced performance in an attempt to gain partisan advantage for the November elections.

The Idaho and Texas Democrats were denouncing Republican Members for refusing to carry out a deal under which, in return for favorable Democratic action on the

Upper Colorado (already authorized) and Fryingpan-Arkansas projects sought by the White House, enough Republicans on the Interior Committee would vote for the public power development at Hell's Canyon demanded by the Government ownership lobby and the Democratic National Committee.

Other undertakings which this feud may keep undeveloped for many years, or force to be built with public funds instead of by private enterprise, include the Niagara River venture, the Washoe reclamation program in Nevada and California, and transmission lines from Fort Randall in South Dakota to Nebraska users of electricity.

All these badly needed programs for prompt utilization of vast natural resources, now going to waste, involve expenditure of more than $1 billion.

The House Interior Committee meeting at which Mrs. PFOST and Representative ROGERS delivered their ultimatums was called to ratify a bargain over the two key measures in this bipartisan, billion-dollar maneuver. In return for forcing the Fryingpan-Arkansas project to the floor, Representative J. EDGAR CHENOWETH of Colorado had "agreed" with Speaker SAM RAYBURN to vote for public power at Hell's Canyon, although originally opposed to it. It was a tit-for-tat thing.

But 12 Republicans and 4 Democrats failed to show up, which meant that a quorum for reporting out the Federal Hell's Canyon measure was not present. The GOP-ers deliberately absented themselves, it appears, so as to prevent consummation of the RAYBURN–CHENOWETH swap. It was their calculated absenteeism which evoked the PFOST–ROGERS threat to "fight fire with fire."

Thus, because conservative Republicans are blocking favorable action on public power in Idaho, Democratic liberals will prevent Congress from voting on projects wanted in Colorado and Arkansas, Nevada and California, New York, and Nebraska. Hells Canyon is now being built by the Idaho Power Co., but the public power lobby insist on canceling the contract so that Uncle Sam may handle it.

On the Senate side, the Democrats responded to the whip cracked by National Chairman Paul M. Butler. Through manipulation of membership on the Interior Committee, they brought the Federal Hells Canyon Bill to the floor. Senator RUSSELL B. LONG, who opposes public power, was shifted to Foreign Relations.

Senator W. KERR SCOTT, of North Carolina, was chosen to fill the LONG vacancy. Within a few hours after his appointment, which changed a pro-public power minority into a majority, the bill was sent to the floor with a demand for passage.

Although the RAYBURN–CHENOWETH deal may not pan out, and there will be no power, public or private, or water for millions of thirsty acres, the Democrats may still make ballot-box capital and promote an issue for the November struggle. The failure of the logrolling "agreement" will be cited as evidence that "the Republicans are friends of the power trust."

[From the Salt Lake City Deseret News and Telegram of June 25, 1956]

NO WAY TO DO BUSINESS

This page last week took occasion to criticize certain Republican Congressmen who, because they oppose a Federal dam at Hells Canyon, blocked a House Interior Committee vote on the bill by staying away, leaving the committee without a quorum. That we said, and still believe, is not the way to decide public issues.

But just as questionable is the strategy being planned by Democratic supporters of the bill to tie it to the Frying Pan-Arkansas project bill in the Senate as a rider.

The tactic is based on the fact that the Frying Pan-Arkansas project has been approved by the administration and so can be expected to get Republican votes. With the Hells Canyon bill tied to it, Republicans would face the threat of defeat on their project if they voted against the Hells Canyon rider. Moreover, President Eisenhower could hardly veto a Hells Canyon bill—which he justifiably opposes—if it came to him tied to a project he supports.

We happen to believe that the Government ought not to step in and use taxpayers' money to build a nontaxpaying public power facility at Hells Canyon when private capital is ready to build—and is actually building—a series of dams in the same area that will pay taxes on the power it creates and sells. A lot of other people feel the same way and, of course, a lot feel differently.

This is a clear question of public philosophy. It is inexcusable for either opponents or proponents of public power to evade the issue by resorting to the kind of ruses that have been used.

It is an interesting political fact that this sort of finagling usually crops up when there are questions other than the national interest involved. In this case it is pretty clear what the other question is. Pure election-year politics is obviously the motivation behind most of the Hells Canyon interest.

THE BATTLE OF HELLS CANYON—DEMOCRATS FIND ISSUE AT SITE FOR HYDROELECTRIC DAM

(By John G. McCullough)

WASHINGTON.—Hells Canyon is a deep, narrow gorge separating eastern Oregon from western Idaho. Through the gorge—deeper than the Grand Canyon—flows the Snake River on its way to join the mighty Columbia.

This is rugged, isolated country. The nearest large city is well over 100 miles away. The canyon's neighboring landmark bears the ringing name of Seven Devils Mountain.

But from this rugged place, congressional Democrats and the Democratic National Committee are working feverishly to fashion what they hope will be one of the major issues in the coming presidential campaign. This issue, already shaping up on the floor of Congress, is public versus private power coupled with a Democratic charge that here the Republican administration is guilty of the giveaway of a great natural resource to big business.

With its great depth and its river, Hells Canyon is a natural site for a hydroelectric dam. Over the years many have been planned—both private and public. Right now the Idaho Power Co. has more than 1,000 men at work on 2 of the 3 dams it has been given Federal permisison to build to harness the flow of the Snake and convert it into electrical power—private power.

COSTLY OPERATION

To the site the private firm has brought some $4 million worth of equipment. It has built warehouses, dormitories, offices, and machine shops.

The Democrats, despite all this, are now pushing bills in both the House and Senate to authorize one high Federal dam to be built by the United States Bureau of Reclamation. This high dam would, since it is further downstream, flood the three smaller dams which the Federal Power Commission just a year ago authorized the Idaho Power Co. to build.

Congressional Democrats have been trying, since 1950, to have a Federal dam, a high, multipurpose affair, thrown across Hells Canyon. Backing them throughout has been the National Hells Canyon Association and other public power groups. Over the years, too, private utility groups have opposed Federal construction. The battle has been a constant and a bitter one.

Back during Democratic national administrations, the Department of the Interior and the Army Corps of Engineers looked with favor on a Federal dam. At one point, legislation that would have started construction was blocked by a dispute over the irrigation features of the project—not by the private versus public power issue.

PRIVATE FIRMS BUSY

Just as the Democrats and public-power groups had been trying since 1950 to get legislation for a Federal dam at Hells Canyon, private firms were seeking the required licenses from the Federal Power Commission to move in and erect their own privately financed hydroelectric dams.

Under Democratic administrations, the Department of the Interior intervened in these private utility applications and no action was taken by the Federal Commission. When the present administration came into power, however, Secretary of the Interior Douglas McKay withdrew the Government as an intervener. This was in May 1953, and the Democrats now charge McKay with abdicating a responsibility to serve the public interest.

The decision of the Federal Power Commission favoring the Idaho Power Co.'s application was handed down July 27, 1955. It was a unanimous decision and within 3 months the firm started actual construction.

Last month, the Power Commission announced it had authorized the company to issue $20 million of promissory notes to finance construction of one of the dams. The overall cost of the private development is put at $250 million and its backers are quick to point out that close to $10 million would be paid every year in taxes on the project.

COST ESTIMATES

Cost of the Federal dam, to be paid of course out of the United States Treasury, has been set by its backers at $350 million. Opponents, however, insist the overall cost will be closer to $500 million.

There were many who thought, when the Federal Power Commission granted the license to build to the private firm, that the issue was settled. It appears now, however, that it provided nothing more than a lull before another storm.

The legislation which would, in effect, flood the private power firm out of Hells Canyon, is sponsored by Senator WAYNE MORSE, Democrat, of Oregon, and 29 other Senators including 2 Republicans. Nothing happened on it at this session of Congress until recently. In the meantime McKay stepped out of his cabinet post as Secretary of Interior to run for the United States Senate—against MORSE. McKay, it is agreed, took the step at the request of President Eisenhower.

One of the top GOP aims in the coming election is, of course, to defeat MORSE who came to the Senate as a Republican but later shifted over to the Democratic side. Just as firmly, the Democrats want to beat McKay—and they feel the public versus private power issue, with Hells Canyon as exhibit number one—may do it.

IN COMMITTEE BOTTLE

MORSE'S bill for the Federal dam was gathering dust in the Senate Interior Committee through the first and second sessions of this 84th Congress. The reason was a seven-to-seven tie on the legislation with Senator RUSSELL LONG, (Democrat of Louisiana), voting with the GOP minority to bottle it up. After the death of Senator Alben W. Barkley (Democrat of Kentucky), the Democratic leadership of the Senate switched LONG over to the Foreign Relations Committee to fill the Barkley vacancy. With LONG removed from the Interior Committee, the Hells Canyon bill was reported to the floor.

The measure was immediately given a high priority rating by the Democrats. The party floor leader, Senator LYNDON JOHNSON

(Democrat of Texas), listed it as a major point in the Democrat's "from the heart" program of legislation.

Much more to the point, Democratic National Chairman Paul Butler sent a letter to Democratic leader in Congress urging passage of the bill if the party is to make the most out of its public versus private power issue.

Shortly after the Senate committee reported the bill out, on June 19, the House Interior Committee followed suit. The House committee vote, like that in the Senate, was close.

DEMOCRATIC VIEWS

The Democratic majority of the Senate Interior Committee declared flatly that the Federal Power Commission had "infringed" on the rights of Congress in granting the license to the Idaho Power Co. The Democrats insisted, too, that Congress still has the right to authorize a dam and cancel Idaho Power's license. And they contended that, despite anything the commission does, Congress has "continuing jurisdiction."

Republicans, in a dissenting report, argued that the Democrats were wrong on all counts. The GOP members insisted the commission had granted the license to the private firm only after the "most extensive proceeding in the commission's entire history."

All in all, the Democrats feel they have hit on something good. If the Republicans vote the bill down in Congress, it will give the Democrats a good talking point against McKay and other GOP candidates in the public-power-conscious West.

If the bill passes, the Democrats feel, President Eisenhower will probably veto it. This, of course, would give them something more to talk about.

AMENDMENT OF FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business, S. 3877, to promote the development and rehabilitation of coastwise trade, be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2417, S. 3956.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3956) to amend the Fair Labor Standards Act of 1938, as amended.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill.

Mr. KENNEDY. Mr. President, the business before the Senate is S. 3956, which was introduced by the Senator from New Jersey [Mr. SMITH], and was unanimously reported by the Committee on Labor and Public Welfare. The bill would amend the Fair Labor Standards Act of 1938 so as to provide means for adjusting the minimum wage in Samoa.

After considering the special problems presented by the economy of Samoa and considering the procedures suggested in the bill, the committee reported the bill unanimously.

The bill, in addition, provides for exempting from liability those employers who in the past have not observed the Fair Labor Standards Act.

The committee considered the bill with some care. We feel that the provisions of the bill are acceptable, and are essential if the Samoan economy is to continue to operate.

It is my understanding that the Senator from Minnesota intends to offer two amendments, which are satisfactory to the Senator from New Jersey [Mr. SMITH].

Unless some other Senator desires to speak, I shall yield to the Senator from Minnesota for that purpose.

Mr. HOLLAND. Mr. President, will the Senator from Massachusetts yield so that I may ask one question?

Mr. KENNEDY. I yield.

Mr. HOLLAND. Is it not true that the rate of pay which is maintained in the one industry, which I believe is the seafood canning industry——

Mr. KENNEDY. The Senator is correct.

Mr. HOLLAND. Has been fixed by reference to the request of the Department of Defense, which is the largest employer of labor in American Samoa, and which has not wanted to have any level of pay come into the picture which would disturb their ability to continue to operate as they are operating, and the general ability of the little island to preserve its economy on the present level? Is that correct?

Mr. KENNEDY. The Senator is correct. As the Senator knows, the company which is engaged in the industry to which he refers has been operating at a loss, even with the present wage scale. I think the statement of the Senator from Florida is correct. The company was originally established by the Rockefellers, in an attempt to provide work for the islanders. As I have said, passage of the bill would also free employers of liability to maintain the minimum-wage scale, which I think is a satisfactory situation.

Mr. HOLLAND. I thank the Senator.

Mr. KENNEDY. I thank the Senator for his contribution.

Mr. HUMPHREY of Minnesota. Mr. President, I send to the desk two amendments which relate to the bill, and ask that they be read and then considered en bloc.

The PRESIDING OFFICER. The amendments offered by the Senator from Minnesota will be stated.

The CHIEF CLERK. It is proposed that section 2 be amended by striking out lines 9 through 12, on page 1, and lines 1 through 18, on page 2, and inserting, in lieu thereof, the following:

(3) if such employee is employed in American Samoa, not less than the applicable rate established by the Secretary of Labor in accordance with recommendations of a special industry committee or committees which he shall appoint in the same manner and pursuant to the same provisions as are now applicable to the special industry committees provided for Puerto Rico and the Virgin Islands by this act. Each such committee shall have the same powers and duties and shall apply the same standards with respect to the application of the provisions of this act to employees employed in American Samoa as pertain to special industry committees established under section 5 with respect to employees employed in Puerto Rico or the Virgin Islands. The minimum-wage rate thus established shall not exceed the rate prescribed in paragraph (1) of this subsection.

And that section 3 be amended by striking out the words "and section 12" in line 21, page 2, and the words "and 12" in line 4, page 3.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request that the two amendments be considered en bloc? The Chair hears none, and it is so ordered.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. HUMPHREY of Minnesota. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. I merely wish to thank the committee and the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Minnesota [Mr. HUMPHREY] for the attention they have given to the matter. As the Senator who introduced the bill, I am glad to accept the amendments, which are in line with the purpose in introducing the bill. I thank the Senator from Minnesota for giving the care he has given to the amendments.

Mr. HUMPHREY of Minnesota. May I say that the Senator from New Jersey has worked very diligently in an effort to reconcile any differences there may have been. Furthermore, as I understand the purpose of the bill, and the Senator from New Jersey was the author of it, it refers only to Samoa.

Mr. SMITH of New Jersey. That is correct. There was mention of other islands in the Pacific, but because of the peculiar situation in Samoa, it was felt the Samoan situation could be taken care of without regard to the other islands at this time.

Mr. HUMPHREY of Minnesota. There was talk that the passage of the bill might establish a precedent for the Canal Zone or Guam. Does the bill do so?

Mr. SMITH of New Jersey. It is not my intention to do so.

Mr. HUMPHREY of Minnesota. It affects only Samoa?

Mr. SMITH of New Jersey. That is correct.

Mr. HUMPHREY of Minnesota. Mr. President, rather than take the time of the Senate, I ask unanimous consent to have a statement explaining the purpose of the amendments printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY OF MINNESOTA

EXPLANATION OF PROPOSED AMENDMENTS TO S. 3959, THE AMERICAN SAMOA LABOR STANDARDS AMENDMENTS OF 1956

The amendments are in two parts:

1. The first, which is in the form of an amendment to section 2 of the bill, substitutes for the provision of the bill as reported a provision under which minimum wages in American Samoa would be determined and fixed in the same manner as they are now determined and fixed in Puerto Rico and the Virgin Islands. Special industry committees would be appointed in the manner set forth in section 5 of the present Fair Labor Standards Act, as amended, and they would recommend the rate or rates of wages below which it would not be lawful to pay any employee in American Samoa who is engaged in commerce or in the production of goods for commerce. The committee's recommendations

would be made in accordance with the procedures specified in sections 5 and 8 of the act, and would have to comply with the standards set forth in section 8, i. e., "the highest minimum wage rates for the industry" which the committee determines, "having due regard to economic and competitive conditions, will not substantially curtail employment in the industry, and will not give any industry" in American Samoa "a competitive advantage over any industry in the United States outside of" American Samoa. The Secretary of Labor would be required to put the industry committee's recommendations into effect as provided in existing law with respect to special industry committee recommendations for employees in Puerto Rico and the Virgin Islands.

2. The second amendment would modify section 3 of the bill so that the prohibitions in existing law against the employment of oppressive child labor would continue to apply in American Samoa.

Mr. KENNEDY. Mr. President, I second the statement of the Senator from New Jersey [Mr. SMITH] that the amendments are satisfactory to the committee, and therefore I hope that the bill, with the amendments, will be passed.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments of the Senator from Minnesota [Mr. HUMPHREY].

The amendments were agreed to.

The PRESIDING OFFICER. The question recurs on the engrossment and third reading of the bill.

The bill (S. 3956) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That this act may be cited as the "American Samoa Labor Standards Amendments of 1956."

SEC. 2. Section 6 of the Fair Labor Standards Act of 1938, as amended, is amended by striking out the period at the end of paragraph (2) in subsection (a), and inserting in lieu thereof a semicolon and the following new paragraph:

"(3) if such employee is employed in American Samoa, not less than the applicable rate established by the Secretary of Labor in accordance with recommendations of a special industry committee or committees which he shall appoint in the same manner and pursuant to the same provisions as are now applicable to the special industry committees provided for Puerto Rico and the Virgin Islands by this act. Each such committee shall have the same powers and duties and shall apply the same standards with respect to the application of the provisions of this act to employees employed in American Samoa as pertain to special industry committees established under section 5 with respect to employees employed in Puerto Rico or the Virgin Islands. The minimum wage rate thus established shall not exceed the rate prescribed in paragraph (1) of this subsection."

SEC. 3. Section 13 of such act is amended by adding at the end thereof the following new subsection (e):

"(e) The provisions of section 7 shall not apply with respect to employees for whom the Secretary of Labor is authorized to establish minimum wage rates as provided in section 6 (a) (3), except with respect to employees for whom such rates are in effect; and with respect to such employees the Secretary may make rules and regulations providing reasonable limitations and allowing reasonable variations, tolerances, and exemptions to and from any or all of the provisions of section 7 if he shall find, after a public hearing on the matter, and taking into account the factors set forth in section 6 (a) (3), that economic conditions warrant such action."

SEC. 4. Section 16 of such act is amended by adding at the end thereof the following new subsection (d):

"(d) In any action or proceeding commenced prior to, on, or after the date of enactment of this subsection, no employer shall be subject to any liability or punishment under this act or the Portal-to-Portal Act of 1947 on account of his failure to comply with any provision or provisions of such acts with respect to work performed in a possession named in section 6 (a) (3) at any time prior to the establishment by the Secretary, as provided therein, of a minimum wage rate applicable to such work."

THE PRESIDENT'S ABDICATION OF LEADERSHIP ON THE SCHOOL CONSTRUCTION BILL

Mr. HUMPHREY of Minnesota. Mr. President, in the Washington Post and Times Herald for July 10, 1956, Mr. Walter Lippmann contributed a significant column entitled "Candidate and Leader." Mr. Lippmann analyses the President's abdication of leadership on the school construction issue, as it came before the House of Representatives last week.

Mr. Lippmann comments:

The President alone could have forced Congress to face the grave national need in this crisis of the American public school system. With the President absent, or passive and silent, the national interest could not prevail.

His article begins:

To judge by what is happening in Congress to the President's legislative program, he is the unanimous candidate of a party that will not follow him as a leader.

Mr. Lippmann describes the relations between President Eisenhower and his party in Congress as remarkable. He goes on to say:

What takes some explaining is how, though he and they are divided in Congress, they can be united for the presidential election.

I ask unanimous consent that the article be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CANDIDATE AND LEADER

(By Walter Lippmann)

To judge by what is happening in Congress to the President's legislative program, he is the unanimous candidate of a party that will not follow him as a leader. A heavy majority of the Republicans, acting contrary to the President's advice, have just voted for the Powell amendment which made it impossible to pass the bill to give Federal aid to the public schools. But for the Republican defectors, the Democrats could not have gotten Congress to overrule the administration on the size of the military appropriation, and in effect to pass a vote of no confidence in the President's military judgment. The President's very modest proposals to liberalize international trade are stalled because of Republican opposition. The foreign aid bill, the keystone of administration foreign policy, is being given what Life magazine describes as "a furious kicking around." None of this would have happened if the President had a reasonably united support from his own party.

Yet he has such overwhelming support for his running again that he will probably be renominated by acclamation. The same Republicans who oppose his policies and his measures are a chorus crying out that the future of this country, the future of the world, depend upon his being a candidate. What are we to make of this contrast between his candidacy and his leadership? The obvious explanation is the cynical one, that the dissenting Republicans do not believe in Eisenhower's policies but that they need him to win the election for them.

The relations between the President and his party in Congress are remarkable. His enormous popularity and prestige have made him, as he was far from being in 1952, the undisputed choice of the party for President. Yet he is as little able today as he was when he took office to unite and lead his party in support of his policies. The issues on which the party will not unite behind him are not small issues. They are the crucial and major issues of foreign policy, defense, education. What takes some explaining is how, though he and they are divided in Congress, they can be united for the Presidential election.

This is possible because in General Eisenhower's conception of the American Government, the President is not the leader of the system who makes it work but the officer who presides over the executive branch. He exhorts, he preaches, he proposes measures, he pleads for them. But he does not lead the Congress. In his book there are no rewards for men, like Senator WILEY, who takes risks in order to follow him; there are no penalties for those who, like Senator KNOWLAND, so often oppose him. Yet in order to lead a party it is necessary not only to talk but also to use a discipline of rewards and penalties.

It is General Eisenhower's unwillingness to insist upon party discipline, his virtual neutrality between those who oppose him and those who support him, that account for his inability to lead Congress. His personal popularity, which is his party's prime asset, is freely available to all Republicans without any reciprocal obligation on their part. So the Republicans opposed to Eisenhower want him for President, being under no obligation to follow him.

The American political system has never worked well when the President is passive and unable to give a strong lead to Congress. For the American Congress is like other legislative bodies as, for example, the French National Assembly. It is almost incapable of dealing successfully with big questions except under the leadership, which includes the discipline, of the executive. On measures where the national interest is more than the net sum of opposing local interests, the exceutive, that is the President, must be the active political force.

He cannot drop the big measures into the legislative assembly, making an occasional public comment and doing some private lobbying, but on the whole standing aside in an attitude of respectful neutrality. For the big measures are almost certain to be ground to bits by Congressmen responding to local pressures from their constituents. These measures can be saved and carried through the legislature only if the Representatives can feel behind them, and can point to, a national pressure which is stronger than the local pressures. Except when there is an upheaval of popular sentiment, only the President can generate the national pressure.

The Kelley bill to give Federal aid to the public schools is a case in point. The national interest, as the President rightly saw it, called for the passage of this bill. It was known to all that there was no chance of passing it through the Senate as against a southern filibuster, if the bill contained the Powell amendment denying Federal funds to States resisting integration. But a heavy majority of the Republicans in the House,

joined by a third of the Democrats from the North, nevertheless voted to insert the Powell amendment.

Thus Federal aid to education was sacrificed by some 148 Republicans and some 77 Democrats who believed they were appealing to the Negro voters in their local constituencies. The President alone could have forced Congress to face the grave national need in this crisis of the American public school system. With the President absent, or passive and silent, the national interest could not prevail.

CANCELLATION OF ART EXHIBITS ABROAD

Mr. HUMPHREY of Minnesota. Mr. President, I have recently had occasion on the floor of the Senate to criticize the United States Information Agency for its unfortunate behavior in canceling art exhibits abroad. This knuckling under to pressures from domestic fringe groups has undoubtedly dealt a severe blow to American prestige abroad.

An excellent editorial on the same subject has appeared in the magazine Arts for July 1956. The editorial is written by Jonathan Marshall, the magazine's publisher; and I ask unanimous consent that it be printed at this point in my remarks.

In the July 9, 1956, issue of the Washington Post and Times Herald there was a related article by Malvina Lindsay, entitled "West's New Chance To Show Its Wares." I ask unanimous consent that the article be printed at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Arts magazine for July 1956]

DONDERO, DALLAS, AND DEFEATISM

We feel a deep sense of shame and nausea at the cowardly action of our State Department in dropping the exhibition of Sport in Art. The show was to accompany America's athletes to the Olympic games in Australia, but because some self-righteous pseudo patriots objected it has been canceled.

Certainly this frightened action by our Government must make us ludicrous in the eyes of other nations, but even more important it is another case of freedom besmirched under pressure of bigots. From its first viewing, the show, sponsored by Sports Illustrated and the American Federation of Arts, has been attacked by the same old crowd that we know so well, and on the same old grounds: works by several artists accused of having once been members of so-called subversive groups are included.

It all started back in the spring of 1949 when one GEORGE DONDERO rallied the discontented anti-intellectuals to his banner with a series of fusillades in Congress. The honorable gentleman from Michigan read a long list of artists and organizations into the CONGRESSIONAL RECORD. Since that time most of the accused have been violently attacked with never an opportunity to defend themselves. If this be democracy our history books were sadly in error back in our school days, for they taught us that a man is innocent until proven guilty and that he must be allowed the chance to face his accuser in open court.

GEORGE DONDERO must be feeling gleeful, for his adherents are riding herd again. This time his vigilantes were led by the Dallas County Patriotic Council fighting to protect women, children, dogs, Texas, the American home and perhaps the Alamo. The patriots saved our allies the Australians, and others, from seeing Communist-inspired pictures of ball games, children playing, skaters, fishermen, boxers, horseracing and other subversion. We are surprised that so few strong voices have been raised against the State Department's action. Most members of the art world are shocked by this abandonment of artistic freedom, and we must not allow defeatism to silence our voices. It is only by making ourselves heard that we can prevent future blows from being struck at the freedom which is so essential to both true democracy and art.

1954 the board of trustees of the American Federation of Arts unanimously adopted a strong and succinct statement on artistic freedom. We feel that the cause of democracy as well as of art can be served well by members of the art world and friends who believe in the importance of creative thought and activity. We urge the American Federation of Arts to circulate the statement which is reproduced below to all of its members and other leaders in the field, asking them to sign it together with a statement deploring the State Department's action in canceling the Sport in Art exhibition. Copies should then be sent to the State Department, Congress, the President and the press. Only through strong and positive action together can we fight the powerful forces arrayed against freedom.—J. M.

STATEMENT ON ARTISTIC FREEDOM ADOPTED BY THE AMERICAN FEDERATION OF ARTS, OCTOBER 22, 1954

"In view of current threats to artistic freedom, the trustees of the American Federation of Arts have adopted the following statement of principles to guide the federation's activities in relation to contemporary art:

"Freedom of artistic expression in a visual work of art, like freedom of speech and press, is fundamental in our democracy. This fundamental right exists irrespective of the artist's political or social opinions, affiliations or activities. The latter are personal matters, distinct from his work, which should be judged on its merits.

"The right to freedom of expression includes not only the artist's right to create but his right to exhibit, publish, reproduce, sell, or otherwise use his work; and corresponding rights of institutions and individuals to use his work. We of course recognize that artists, like all other persons, are subject to such legal restraints as the laws against libel and obscenity, laws involving treason, and even laws involving political crimes. For their acts as individuals they must be responsible to our Nation's laws as must every other person. But their artistic expression must be judged solely on its merits as a work of art and not by the political or social views of the artist, any more than by his personal character or conformity to other social standards.

"We believe that in this period of international tension and threats to democracy from both without and within our country, it is essential that our Nation should champion these fundamental rights in all its cultural activities. We believe that in opposing antidemocratic forces throughout the world, the United States should do so by democratic methods, and give no cause for accusation that it is adopting the methods of its opponents. We believe that in such cultural activities our Nation should demonstrate the artistic freedom and diversity which are inherent in a democratic society. We believe that such freedom and diversity are the most effective answers to totalitarian thought control and uniformity, and the most effective proof of the strength of democracy."

[From the Washington Post and Times Herald of July 9, 1956]

WEST'S NEW CHANCE TO SHOW ITS WARES

(By Malvina Lindsay)

New opportunity for both West and East to display their ideological wares to each other seems to be opening up. How well are Americans prepared to be convincing salesmen of their system?

The State Department has opened a new office for East-West exchanges, and new negotiations in that field are underway. This is a follow-up on President Eisenhower's recent approval of a program recommended by the National Security Council for gradually increasing exchange of information and persons between this country and the Soviet bloc in Europe.

The new Marxist revolution in the Eastern European satellites is reported to include in its program more contact with the West and an "easier life." Unless the recent outbreaks there cause the Iron Curtain to be clamped down again, educational, cultural, and travel exchange with those countries may develop.

But snags are being met in making a start on this. One is the fingerprinting of visitors to this country (excepting officials) to which the Communist bloc objects. Communist scientists and scholars who come here usually are officials, but this classification cannot be stretched to include dancers and singers.

A bitter snag in such exchange is the cumulative suspicion and fear both areas have of each other. This already has presented problems in distribution of the illustrated magazines this country and Russia have prepared for exchange.

Recently an American art exhibition to have been sent abroad was held up when the United States Information Agency withdrew from its sponsorship because it feared some of the artists included might be accused of pro-Communist ideas.

The most effective means of contact is through persons, especially those in scientific, professional, and artistic pursuits, since these have a basis of communication that cuts across political lines.

Yet the holding of world scientific and professional meetings in this country—which would afford Soviet bloc delegates opportunity to see the American system in operation—has not been possible to any extent because of our immigration laws.

While the Soviet Union is now opening up its country to Western tourists (an organized tourist group of 35 Americans is now in Moscow), yet limitations on travel and activities prevent visitors getting a complete picture of the country. So far no Soviet tourist groups excepting official ones have visited here.

Many students of the Communist mind believe that exposure of Communists to other ways of life is the chief hope of modifying their rigidity and authoritarianism, and the threat of violence these carry. While the Communist bloc may feel that the West will be enlightened only by contact with its system, yet the fact remains that its people have not had the opportunities that Westerners have had to observe other systems.

The ignorance and misinformation concerning Americans and their system that characterizes the average Russian was brought out in a study of beliefs and attitudes of 500 Soviet refugees made by Dr. Frank Kluckholn, Harvard University anthropologist, in association with Dr. Alex Inkeles and Dr. Raymond Bauer. It is being published under the title How the Soviet System Works: Psychological and Cultural Factors in Decision Making.

In Washington recently under auspices of the Washington Seminar on International Affairs, Dr. Kluckholn told of the interviews he had with refugees of varied economic and social backgrounds. He does not share the hope of some American officials that increase of education in the Soviet Union will bring much change in the system, at least not so long as those so "educated" know the outside world only through Soviet propaganda which pictures Americans as warmongers, imperialists, Wall Street lackeys.

The biggest challenge Americans face in greater contact with the Communist bloc

is to demonstrate that their system belongs to the future rather than the past. Dr. Kluckholn found a strong tendency among Communist refugees to consider communism, even when they disliked it, as the inevitable trend of society. They seemed resigned to believing that capitalism was decadent, and that communism, despite its faults, could not be stopped.

They were probably equating the American private enterprise system with early European capitalism—even feudalism. Americans need to be able to show they have found a modern means to provide an "easier life" plus freedom.

REPORT BY NEW YORK BAR ASSOCIATION ON THE FEDERAL LOYALTY-SECURITY PROGRAM

Mr. HUMPHREY of Minnesota. Mr. President, a highly significant report on the Federal loyalty-security program has been published by the Association of the Bar of the City of New York. My colleagues may recall that I have had a particular interest in our Government employees security program. Earlier in the present Congress, I conducted Government Operations Committee hearings on Senate Joint Resolution 21, leading to the establishment of the Commission on Government Security.

I have not yet had a chance to study the new report by the New York Bar Association, but from accounts in the press it is obvious that this is a major study of immediate national significance. I ask unanimous consent that the following items be printed at this point in my remarks: Two newspaper stories and a summary of the bar association's report, from today's New York Times; a thoughtful article on this report, from this morning's Washington Post and Times Herald; and the lead editorials on the security program, which appeared in these two newspapers this morning.

There being no objection, the articles, summary, and editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times of July 9, 1956]

UNITED STATES URGED TO CUT RISK SCREENINGS OF CIVILIANS 75 PERCENT—CITY BAR GROUP RECOMMENDS FOCUSING SECURITY TESTS ON SENSITIVE JOBS ONLY—BETTER METHODS ASKED—CENTRAL CLEARANCE AND CURB ON ATTORNEY GENERAL'S LIST AMONG REFORMS SOUGHT

(By Peter Kihss)

A proposal to reduce the Federal civilian security-risk program by 75 percent in coverage came yesterday from bar leaders here. The reduction would be from 6 million persons covered to 1.5 million.

The recommendation was put forward by a nine-member Special Committee on the Federal Loyalty-Security Program, set up December 21, 1954, by the Association of the Bar of the City of New York.

The committee also advocated improved screening and processing of suspected individuals. Concentrating on clearance for sensitive jobs alone, it said, "would enhance rather than lessen the national security."

The group would define sensitive positions as those with "access to material classified as secret or top secret in the interests of national security" or with "a policymaking function which bears a substantial relation to national security."

WHAT PROPOSALS WOULD DO

The result, the committee said, would be:

Coverage of Federal civilian employees would be reduced from 2,300,000 persons to 500,000 or 600,000 "under the present test of sensitiveness."

The nearly 3 million employees of private contractors now covered by the Defense Department's industrial security program would be limited to the 800,000 handling top-secret and secret data. This would eliminate clearing for the "confidential" category of information, already authorized by contractors on their own.

The 80,000 persons in the Atomic Energy Commission's program for commission and contractor employees with access to classified information would be "reduced somewhat."

The port security program, validating credentials for about 400,000 seamen and issuing cards for about 400,000 longshoremen for restricted areas of ports, would be abolished entirely.

The international organizations employees loyalty program, rendering advisory findings on 3,000 Americans employed by international organizations, would also be eliminated.

Before the committee's 301-page study had come from the presses, the United States Supreme Court ruled last June 11 that the Eisenhower administration had illegally brought nonsensitive Federal employees' posts into its program.

In the Kendrick M. Cole case, a six-judge majority said Congress had intended to cover only posts "directly concerned with the Nation's safety, as distinguished from the general welfare."

Last Friday, Attorney General Herbert Brownell, Jr., and Philip Young, Chairman of the Civil Service Commission, endorsed bills to restore coverage for all Federal employees. This would be at least until receipt of a report from a new Commission on Government Security. The report is expected next spring.

The bar group recalled that President Eisenhower, in his January 19, 1955, press conference had volunteered that the lawyers' "inquiries into policy or into programs" would be aided. The committee acknowledged the "generous" cooperation of officials.

The committee was reported to be about evenly divided between Republicans and Democrats. It was appointed by Allen T. Klots, then president of the association, which has 6,000 lawyer members here and 800 associates elsewhere.

COMMITTEEMEN LISTED

New York comitteemen were Dudley B. Bonsal, chairman, who is now chairman of the association's executive committee; Whitney North Seymour, vice chairman, a past president of the association; Harold M. Kennedy, a former Federal district judge; Henry J. Friendly and George Roberts.

Other committeemen were Richard Bentley of Chicago, former president of the Chicago Bar Association; Frederick M. Bradley of Washington; Monte M. Lemann of New Orleans, former president of both the Louisana and New Orleans Bar Associations, and John O'Melveny of Los Angeles.

The study was financed by a $100,000 grant from the Fund for the Republic. But Mr. Bonsal stressed that that organization had "scrupulously" refrained from attempting to influence appointments or the report.

The committee's research staff was headed by Prof. Elliott Evans Cheatham, Columbia University professor of law. Aids were Jerre S. Williams, University of Texas law professor, and John Carey and John R. Miller, lawyers of Philadelphia and New York, respectively.

The committee said its proposals would not affect laws that barred all Federal employment to Communists or persons advocating unlawful overthrow of the Government. Other Federal employees would still be subject to "suitability" dismissals under civil service procedures.

Defense jobs would remain forbidden to members of Communist-action organizations.

But the committee said that continuing the port security program in peacetime opened the way to similar measures "throughout American life." Employees of international organizations, it said, "have no access to classified information."

SUGGESTED REFORMS NOTED

Among specific reforms, the lawyers urged:

Coordination of the present seventy-odd programs by a new Director of Personnel and Information Security in the President's office.

Creation of a central screening board to avert "excessive filing of charges."

Continuing pay of employees under suspension—those winning reinstatement already get back pay.

Introducing subpena power for screening and hearing boards for both Government and employee witnesses.

Repayment of lawyers' fees and cleared persons.

Opportunity for job applicants and probationary employees to rebut adverse information.

Abolition of the Attorney General's list of 300 subversive organizations unless modified to include only those that have had a chance to be heard, and then to specify that membership alone would not establish an individual as subversive.

"Commonsense" judgment of all evidence and an individual's value to the public service.

DIFFERENT CHECKS CITED

Detailed findings said a national agency check—inquiries to national investigative agencies—required 3 weeks to 3 months. A full investigation by agents in the field took 6 weeks to 9 months, the bar group noted. The average time from charges to decision was given as 5 months for Federal employees and 8 to 10 months for industrial cases.

For Federal employees, the program now deals almost exclusively with applicants and new appointees, about 27,000 a month. The coverage of industrial employees may increase with wider atomic uses and new weapons developments.

The report did not delve into military security programs, affecting 3 million uniformed personnel with rapid turnover.

Summing up the security programs under both the Truman and Eisenhower administrations the committee said the program probably had barred some undesirables, withheld information from an enemy briefly and cleared the Government service of "the imputation of grave subversive infiltration."

On the other hand, the committee suggested that scientific and technological advancement had slowed and the United States' international repute and employees' morale had been hurt. It also saw "some evidence of a general blunting of our national concern with freedom of speech and fair hearings, although that is clearly on the rise again."

The association is mailing today 4,500 copies to the President, Members of Congress, top State officials and judges, presidents of larger universities and heads of law schools. Dodd, Mead & Co. will sell the report at $5 a copy.

[From the New York Times of July 9, 1956]

TWENTY-FIVE THOUSAND CONDEMNED BY UNITED STATES RISK TESTS—REPORT BY BAR GROUP NOTES THIS TOTAL SINCE 1947 FOR PUBLIC AND PRIVATE JOBS—TWO PARTIES SHAPED CURBS—FEDERAL SECURITY PROGRAMS TOOK ROOT BEFORE WORLD WAR II AND THEN GREW

Federal security risk programs have left more than 25,000 Government or private employees under a cloud since 1947.

This was the indication yesterday from the most detailed statistics a special committee of the Association of the Bar of the City of New York could compile.

At least 9,394 persons have been dismissed from jobs or denied clearance. At least 15,928 more have had cases end with resignations or withdrawals while unfavorable marks remained on their records.

The programs grew out of the fear of subversion from many possible totalitarian conspiracies—Nazi, Fascist, Communist. Starting before World War II and intensified by the "cold war" and the Korean war, the security systems have been shaped by both Democrats and Republicans.

OVERTHROW PROHIBITED

The bar groups' report noted that the Hatch Act—August 2, 1939—made it illegal for Federal employees to belong to an organization advocating overthrow of the constitutional form of government. Appropriation acts since 1940 have prohibited pay for persons advocating overthrow of the Government by force or violence, or belonging to organizations so advocating.

In 1942 Congress appropriated $200,000 for a Federal Bureau of Investigation check on Federal employees belonging to subversive organizations. This led to the Attorney General's list of organizations so designated.

On March 21, 1947, President Truman issued Executive Order 9835. This barred Federal jobs in the executive branch to any civilian when "reasonable grounds exist for belief that the person involved is disloyal to the Government of the United States."

Points to be considered included sabotage, espionage, treason and sedition—and also "sympathetic association" with organizations on the Attorney General's list.

The program was toughened when President Truman's Executive Order 10241 on April 28, 1951, made the criterion "reasonable doubt as to the loyalty of the person involved."

PROGRAM IS WIDENED

The present Federal employees' program rests on Public Law 733, enacted August 26, 1950. This authorized payless suspensions and dismissals of civilian employees in 11 agencies and such others as the President might deem necessary "in the interest of national security."

On this basis President Eisenhower superseded the Truman program by Executive Order 10450 on April 27, 1953. Going beyond the question of loyalty, the new standard was whether employment was "clearly consistent with the interests of the national security."

Besides associations tending to disloyalty, the criteria were widened to include such points as reliability, misrepresentation, criminal or immoral acts, drunkenness, narcotic addiction, perversion, mental illness and susceptibility to pressure.

About 70 agencies set up programs. But last June 11 the United States Supreme Court ruled that under the 1950 law the Presidential order should not have covered nonsensitive jobs—those positions not "concerned with the Nation's safety."

The Atomic Energy Commission, under the act creating it in 1946, has a separate security risk program both for its own employees and those of contractors with access to classified information.

DEFENSE WORK COVERED

The Department of Defense operates an industrial security program imposed through defense contracts, covering contractors' employees with access to classified information.

A port security program was authorized by the Magnuson Act of August 9, 1950. Under this the Coast Guard clears seamen on American vessels of 100 gross tons or more and longshoremen in restricted areas of American ports.

While all these programs empower Federal agency heads to make final decisions, an advisory program covers Americans who are present or prospective employees of the United Nations and other international organizations to which the United States belongs.

Aside from the specific security risk programs, Civil Service Commission regulations have evolved since the Lloyd-LaFollette Act of 1912.

Such regulations enable removals in case of reasonable doubt as to loyalty, as well as such other suitability criteria as delinquency, physical or mental unfitness, criminal or notoriously disgraceful conduct, drunkenness, and false statements on appointment. Noncompetitive employees are not protected by civil service.

During the Eisenhower administration, the bulk of security risk discharges have actually come under the civil-service regulations.

The statistical record for the various programs, as gathered by the bar committee, follows:

Executive Order 9835

Four million seven hundred and fifty-six thousand seven hundred and five persons were covered by "checks, investigations, and cases."

Twenty-six thousand two hundred and thirty-six persons were referred to appropriate loyalty boards for consideration.

Sixteen thousand five hundred and three of those referred to boards were cleared.

Five hundred and sixty of those referred to boards were removed or denied employment.

Six thousand eight hundred and twenty-eight cases were discontinued because they "left the service or withdrew their application—1,192 after they had been sent interrogatories or charges."

Five hundred and sixty-nine processed by the Department of the Army solely under security laws.

Executive Order 10450

Two million three hundred forty-six thousand seven hundred and ten persons employed by Executive branch June 30, 1954.

Seven hundred twenty-seven thousand one hundred and fifty-eight persons were subjected to security check in the 2 years from July 1, 1953, to June 30, 1955 (renewed check of most incumbents not required by Executive Order 10450).

One thousand and sixteen suspensions under Executive Order 10450 in the 2 years from October 1, 1953, to September 30, 1955 (presumably the number of suspensions is about the same as number of charges issued, because charged employees almost always are suspended).

Three hundred an forty-two terminations under Executive Order 10450 procedures in the 25 months from May 28, 1953, to June 30, 1955.

Thirty seven thousand four hundred and fifty total discharged from Federal service for all causes in the 25 months from May 28, 1953, to June 30, 1955.

Three thousand two hundred and forty-one terminaitons by civil-service procedures but declared by department heads to be "because of security questions" in the 25 months from May 28, 1953, to June 30, 1955.

Four hundred ninety five thousand seven hundred and twenty-four total resignations from Federal service in the 25 months from May 28, 1953, to June 30, 1955.

Five thousand six hundred and eighty-four resignations from Federal service, where files contained adverse security information, in the 25 months from May 28, 1953, to June 30, 1955. (It does not appear how many of these persons were aware of this information).

Atomic Energy Commission

Five hundred three thousand eight hundred and ten persons were investigated, January 1, 1947, to March 10, 1955.

Five thousand five hundred and thirty-two of the 503,810 had their eligibility questioned.

One thousand six hundred and twenty-two of the 5,532 were cleared.

Four hundred and ninety-four of the 5,532 were denied clearance.

Three thousand four hundred and sixteen of the 5,532 cases were not decided because of the resignations prior to completion of cases and terminations or cancellations of clearance requests.

Port security program

Four hundred and twenty-seven thousand one hundred and eighty-two seamen had sought clearance as of December 31, 1955.

Three hundred and ninety-three thousand three hundred and thirty-four seamen granted clearance as of December 31, 1955.

One thousand eight hundred and forty-eight seamen denied clearance as of December 31, 1955.

Three hundred and ninety-seven thousand two hundred and six waterfront workers had sought clearance as of December 31, 1955.

Three hundred and ninety-three thousand eight hundred and thirteen waterfront workers issued cards as of December 31, 1955.

One thousand four hundred and fifty-eight waterfront workers cleared but cards not applied for as of December 31, 1955.

One thousand nine hundred and thirty-five waterfront workers denied clearance as of December 31, 1955.

Defense Department industrial security

Three million persons approximately encompassed in program, November 1955.

Twenty thousand plants cleared, June 25, 1950 to July 15, 1954.

Five hundred thousand employees cleared for access to top-secret, secret, and confidential, June 25, 1950 to July 15, 1954.

Six hundred and eighty-eight persons refused clearance in 4 years up to July 15, 1954.

Two hundred plants being cleared per month as of July 15, 1954.

Four thousand employees being cleared per month as of July 15, 1954.

Nine hundred and seventy-four denials of clearance between July 1949 and November 1955.

International organizations

Five thousand four hundred and sixty-nine cases of employes and applicants processed as of February 16, 1956, by the International Organizations Employees Loyalty Board.

Three thousand one hundred United States citizens now regular employees of international organizations in which the United States participates.

[From the New York Times of July 9, 1956]

SUMMARY OF CITY BAR REPORT ADVISING FEWER UNITED STATES LOYALTY SCREENINGS

SECTION 1

The problem

Communism is the weapon as well as the creed of the most aggressive and imperialistic of modern nations. It is a threat to the United States from the outside, intensified by the developments of modern science. Communism is also a threat to the United States from the inside because of the agents it employs to do its work here.

The measures for the protection of national security against communism are varied. The most important are those taken to promote positive security by advancing the economic and political strength of the Nation and by maintaining its sense of unity and self-confidence. A second set of measures is devoted to military security, which to a large degree is dependent on the continuing development of offensive and defensive weapons. A third set is concerned with international security. This involves the strengthening of the nations of the free world and their common resolution to defend themselves against Communist aggression.

The protection of internal security is also an area of great importance. Communism has sent many agents and lured dupes into its espionage apparatus. In the recruitment of its dupes it has followed a policy of deception which strives to identify communism with the ideals it has done so much to defeat, democracy and liberalism. To protect internal security there are numerous measures. Some are penal in character and would punish through the criminal laws such offenses as treason, espionage, sabotage, and advocacy of the overthrow of the Government by force and violence. Others are preventive, and would discover unreliable persons and bar them from critical areas. Counterespionage is the most important of them.

Civilian personnel security, to which this report is directed, is another of these internal security measures. The purpose of the personnel security system is to remove or block persons who through disloyalty or for other reasons might be dangerous to the national security in Government service or in particular types of private employment.

Balance and judgment urged

These numerous and varied means for the protection of national security must be seen as an integrated whole. Each of them should be fostered where its contribution is most important for national security. No one of them should be overdeveloped and thus harm or interfere with the others. This calls for balance and judgment in their development and use.

There are now several personnel security programs. One is the program for Federal civilian employees under Executive Order 10450, which is applicable to 2,300,000 persons. A second is the industrial security program of the Department of Defense. It covers the nearly 3 million persons who, as employees of contractors with the military departments, have access to classified information. A third program is that of the Atomic Energy Commission, which extends to its own employees and to those of its contractors' employees who have access to classified information. They come to about 80,000 persons. Then there is the port security program which applies to about 800,000 seamen and longshoremen. Finally, there is the international organizations employees program which extends to over 3,000 Americans in the employ of these organizations.

These programs operate under standards and criteria which are detailed in the governing law. The standard most widely used is that the employees' retention in employment or continued access to classified information is clearly consistent with the interests of the national security. The more detailed criteria used under the programs aid in the application of the standards.

The programs are administered through procedures which fall into the following stages:

1. Investigation to ascertain whether there is adverse security information on the employees.
2. Screening to consider whether the information is substantial enough to call for the filing of security charges.
3. Hearing to determine whether the employee meets the security standard.
4. Appeal or review, in some agencies only.
5. Final decision by the head of the agency.

Civil service system used

Intimately connected with these personnel security programs are two other subjects. One is the civil service system. Its procedures, rather than the personnel security programs, are employed to remove the great majority of those members of the civil service who are found not to be trustworthy and dependable. The second is the system of classification of information. It classifies the information to be kept secret in the interests of national security, and in so doing it largely determines the range of application of the personnel security programs. These two subjects are discussed in chapter IV.

In planning personnel security attention must not be directed to security alone. There is another value which must be preserved and guarded. It is individual liberty. Liberty is a quality to which this Nation since its foundation has been devoted and which it has cherished. To ignore or even to slight liberty would be to destroy our character as a people and as a nation.

The personnel security programs were initiated by 1 of the 2 major political parties and were revised and renewed by the other party, each presenting what was in effect a crash program for an emergency. What was once thought of as an emergency has turned into a long-continuing danger. Now it is time for careful study so as to plan a personnel security system for the duration of the cold war.

As a result of its study the committee has arrived at the findings which follow:

SECTION 2

The findings

The personnel security system should be maintained to help counter the continuing Communist threat. The programs should be modified in important respects to correct the weaknesses which have developed. These two basic findings of the committee are in accord with the views expressed by almost every one of the numerous persons with whom the committee conferred.

In evaluating the personnel security system the committee has been guided by the need to protect national security and at the same time to adhere to the American tradition of individual liberty. Other security measures must also be taken into account, such as existing statutes which bar Communists from all Government positions. With these considerations in mind the committee has found weaknesses in four aspects of the programs:

1. There is a lack of coordination and supervision of the various personnel security programs.
2. The scope of the personnel security programs is too broad in that positions are covered which have no substantial relationship to national security.
3. The standards and criteria do not sufficiently recognize the variety of elements to be considered, including the positive contribution which an employee may make to national security, and they do not readily permit a commonsense judgment on the whole record.
4. The security procedures fail in various ways to protect as they could the interests of the Government and of employees.

These findings have led the committee to make the recommendations which appear in the following section. The recommendations appear again in chapter VIII at page 137, together with statements of the committee's reasons for the recommendations. At the end of each recommendation in the following section there is a parenthetical reference to the page of chapter VIII upon which that particular recommendation and its supporting statement will be found.

SECTION 3

The recommendations

A. Coordination and Supervision

1. The director of personnel and information security

1. The office of director of personnel and information security should be established in the Executive Office of the President.[1]

2. The director should be appointed by the President subject to confirmation by the Senate and serve at the pleasure of the President.

3. It should be the primary responsibility of the director to conduct a continuous review of and supervision over:

(a) The personnel security programs, in order to assure efficiency, uniformity, and fairness of administration, consonant with the interests of national security.

(b) The classification of information, so that only such information shall be classified as the interests of national security actually require.

4. In the performance of his responsibility the director should make recommendations to the President which, when embodied in regulations prepared by the director and approved by the President, would be binding upon the departments and agencies concerned.

B. Scope

2. Scope of personnel security

1. Clearance under the personnel security programs should be required for all sensitive positions and for no others.

2. The head of each department or agency should designate as sensitive only those positions within his department or agency the occupant of which would—

(a) have access to material classified as secret or top secret in the interests of national security, or

(b) have a policymaking function which bears a substantial relation to national security.

3. The President, on recommendation of the director, should specify criteria in accordance with which the head of each department or agency should classify positions.

3. Classification of information

The director should continuously review and, after consultation with the agencies involved, make recommendations to the President concerning the standards and criteria and methods to be used in the classification of information and its declassification when secrecy is no longer important to the interests of national security. These recommendations, when approved by the President, would be binding upon the departments and agencies concerned.

C. Standards and Criteria

4. Standard for personnel security

1. The personnel security standard for all sensitive positions should be stated as follows:

"The personnel security standard shall be whether or not in the interest of the United States the employment or retention in employment of the individual is advisable. In applying this standard a balanced judgment shall be reached after giving due weight to all the evidence, both derogatory and favorable, to the nature of the position, and to the value of the individual to the public service."

2. There should be no reexamination of cases already determined because of the change in standard here recommended, whether clearance has previously been granted or denied.

5. The employee's associations

A person's associations with organizations or individuals may properly be considered in determining his security suitability. But a conclusion against his security suitability on the ground of such associations should not be reached without adequate basis for determining that he shares, is susceptible to, or is influenced by, the actions or views of such organizations or individuals.

6. The Attorney General's list

1. The Attorney General's list of subversive organizations should be abolished, unless it can be and is modified and revised in the following respects:

(a) The list should not include any organization which has been defunct more than 10 years. (Information as to such or-

[1] "The director" in these recommendations means the director of personnel and information security.

ganizations, however, would be available under the procedures set forth in paragraph 2 of this recommendation.)

(b) The list should give information as to the period and the general nature of the subversive activity of each organization listed.

(c) The list should be kept up to date by periodical supplements eliminating organizations which have been defunct over 10 years and adding new organizations found to be subversive since the last publication.

(d) The list should include only those organizations which have been given notice and an opportunity to be heard in conformity with the requirements of due process of law.

(e) The lists should contain a statement that mere membership in any of the organizations listed is not in itself to be construed as establishing the subversive character of a member unless membership has been made illegal by statute.

2. The Department of Justice should upon request make available to security personnel and boards relevant information in its files concerning all organizations, whether defunct or not, the character of which may be pertinent in a pending inquiry. Such information may be taken into consideration in the inquiry together with all other evidence presented.

D. Personnel

7. Security personnel

Personnel engaged in security matters should be individuals whose qualities and standing will inspire confidence in the fair, wise, and courageous administration of the programs. To this end the Director should establish training courses for security personnel. The training should include intensive and thorough instruction in:

(a) the nature of communism and the techniques of Communist espionage and infiltration in the United States and in other countries;

(b) the political history of the United States and of the world, especially in this century;

(c) constitutional and legal principles; and

(d) the relative reliability of various kinds of evidence.

E. Procedure [2]

8. Central screening board

1. A central screening board should be created in the Civil Service Commission. This board should have the responsibility, except as set forth in paragraph 3 below, of determining whether or not security charges should be filed against any person covered by a security program, whether a Federal or private employee.

2. The central screening board should act in panels of not less than three members. At least 1 member of each panel should be a lawyer, and at least 1 member should be a person whose only Government employment is his work on the board.

3. Subject to further action by the director, the Atomic Energy Commission and the Department of Defense should continue their present methods of screening to determine whether or not security charges should be filed, unless they wish to utilize the services of the central screening board. The director should determine whether any other department or agency may establish or maintain its own screening board.

9. Screening procedure

1. Screening boards should afford the employee an opportunity for an informal conference with the board or its representatives to answer adverse security information.

2. When a screening board determines that charges should be filed, it should prepare a specific statement of charges. If a person charged contends that charges are not specific enough to enable him to prepare his defense, the board should, in the exercise of reasonable discretion within the limits of security requirements, determine what additional information shall be furnished him.

3. Charges should include all adverse security information which is to be considered in making a security determination, except in extraordinary circumstances where security considerations clearly forbid.

4. Every employee against whom a security question is raised should be entitled to have an attorney advise and aid him in preparing statements to be submitted to a screening board, and should be entitled to assistance of counsel during his appearance before the board, with such participation by counsel in the proceedings as the board deems proper.

10. Treatment of charged employees pending disposition of charges

Pending the final disposition of charges against Federal employees or employees of private employers:

1. The pay of suspended employees should continue.

2. Employees under charges, if not retained in the positions held when charges are filed, should be transferred without loss of pay to nonsensitive positions instead of being suspended, whenever this is practicable and consistent with the interests of national security.

11. Hearing boards

1. Every charged employee, other than a probationary employee, should be entitled to a hearing before a hearing board of three members to be appointed by the head of the charging agency. One member but not more than one member of the hearing board should be an employee of the charging agency, at least one member should be a lawyer, and at least one member should come from outside the Government service. In the alternative, a hearing board may be composed entirely of persons outside the Government service but in such case also one member should be a lawyer.

2. The director should maintain a panel of qualified private citizens who are willing to serve on hearing boards, and appointment of the citizen members of such boards should be made from this panel.

3. In the appointment of the members of hearing boards consideration should be given to the value of continuity of service.

12. Hearing procedure

1. The charging agency should be entitled to have an attorney present at the hearing. He should have the duty and responsibility to see to it that all relevant facts known to him are brought out, whether favorable or unfavorable. The attorney should not participate in the deliberations of the board or be present at them.

2. It should also be proper for the charging agency to have other representatives, such as a security officer, at the hearing, but such representatives should not participate in the deliberations of the board or be present at them.

3. Every charged employee should be entitled to have an attorney present at the hearing to represent him. The attorney should have the right to offer evidence and examine and cross-examine witnesses.

4. Hearing boards should prepare written findings of fact and conclusions. These should be furnished to the charged employee for his use with only such deletions as are required in the interests of national security.

5. The charged employee should be furnished a copy of the transcript of the hearing for his use in the proceedings.

6. The security hearing should not be public.

13. Appearance of witnesses and confrontation

1. Except as provided below, screening boards and hearing boards should have the power in their discretion to subpena Government witnesses and witnesses for employees and to permit the submission of evidence by depositions, interrogatories, affidavits, letters, and other written statements.

2. When a subpena is granted, reasonable allowance should be made for traveling expenses and a per diem fee.

3. It should be the policy of the Government to permit the employee to cross-examine adverse witnesses before a hearing board when the hearing board believes this important for the development of the facts, unless the disclosure of the identity of the witness or requiring him to submit to cross-examination would be injurious to national security.

4. The identity of an informant who regularly provides, or is employed to provide, secret information should not be disclosed by requiring his appearance before a screening board or a hearing board or otherwise identifying him, whenever the head of the department or agency which obtained such information shall certify that the identification or presence of such an informant would be detrimental to the interests of national security. To the extent practicable and consistent with the interests of national security, certificates should be accompanied by data which would aid the board in evaluating the evidence given by the informant, including a statement of whether he obtained the information at first-hand or through hearsay.

5. As to all other witnesses, including casual informants, and with due consideration of the national security and fairness to the employee—

(a) the screening board should determine whether it desires a witness to appear before it for interview; and

(b) the hearing board should determine whether the witness should be produced for cross-examination, or whether because of special circumstances he should be interrogated by the board without the employee being present, or whether his evidence should be given to the board in other ways, such as by an affidavit or a signed statement. So far as consistent with the requirements of national security, a hearing board should make available to the employee the substance of all evidence it takes into consideration which was given by any witness whom the employee has not been permitted to cross-examine.

6. In determining the probative effect of information given by informants who are not made available for cross-examination by the charged employee, under the exceptions contained in paragraphs 4 and 5 above, screening and hearing boards as well as appeal boards and agency heads should always take into account the lack of opportunity for cross-examination.

14. The attorney for the charged employee and his fees

1. Every employee under investigation by a screening board or against whom charges are filed should be entitled to obtain an attorney of his own choosing to represent him.

2. In the event an employee is cleared at the screening stage, he should be reimbursed in the amount of his reasonable attorney's fee, the amount to be fixed by the screening board. If the proceedings reach the stage of an agency hearing board and if the employee is later cleared, similar reimbursement should be authorized, the amount to be fixed by the hearing board.

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[2] Such highly secret investigative agencies as the Central Intelligence Agency and the Federal Bureau of Investigation would not fall within these recommendations except as the President may determine upon the advice of the director.

3. Employees of private employers contracting with the Government should be entitled to reimbursement by the Government for attorney's fees on the same basis as Government employees.

4. Bar associations are urged to make provision through lawyer reference plans or otherwise for adequate representation of employees in security proceedings.

15. Final determination

The head of the charging agency should have the power to make the final security determination.

16. Successive security determinations

1. It should be the policy of the Government to prevent insofar as is practicable and consistent with national security the repetition of security proceedings on substantially the same facts as to the same person, whether in the same agency or in different agencies.

2. In the absence of new evidence a security clearance should not be reopened.

3. When there is new evidence a security clearance should be subject to reopening only with the concurrence of the screening board and the head of the agency concerned. If a new hearing is directed, all relevant evidence, whether or not presented in the earlier proceeding, may properly be considered in making the new security determination.

4. The regulations to be promulgated by the director should include provisions for reciprocal recognition of clearances wherever feasible, and such regulations, upon approval by the President, would be binding on the agencies affected.

17. Applicants for positions and probationary employees

1. So far as consistent with the interests of national security, an applicant for a position covered by the programs who is denied employment should, upon request, in accordance with regulations to be established be furnished with a statement of all adverse security information concerning him, such statement to be as specific as security considerations permit, or a statement that there is no such adverse information.

2. An applicant furnished with a statement of adverse security information should have the right to file an affidavit denying or explaining it. Such affidavit should be placed in the personnel file which contains the adverse security information and should be part of any report of an investigation of the applicant.

3. A governmental agency should also afford an informal interview to an applicant for, or a probationary employee in, a sensitive position so that he may have an opportunity to explain adverse security information, in any case where the general counsel of the agency recommends that an interview be given because of the importance of the employment of the person to the agency.

F. Name

18. Name of the program

The name of the personnel security programs as a whole should be: The Federal Personnel Security System.

The committee believes that with the adoption of these recommendations the future personnel security system would be substantially free of the weaknesses and defects which have apppeared in connection with the present programs. National security would be adequately protected and no reasonable citizen could feel that this was being achieved at the sacrifice of our basic principles of liberty and our sense of fairness.

[From the Washington Post and Times Herald of July 9, 1956]

SECURITY STUDY IS RELEASED—BAR REPORT WOULD CUT RISK COVERAGE BY 75 PERCENT

(By Murrey Marder)

A major reform of the Federal security-risk system by limiting all the programs to sensitive jobs and assuring fair treatment to employees was urged yesterday in a special legal study.

A 75 percent cutback in the number of persons covered by the Government's civilian security programs was recommended by the special committee on the Federal loyalty-security program of the Association of the Bar of the City of New York.

That would reduce the number of workers affected by the present nonmilitary security machinery from 6 million "to less than 1,500,000."

But the limitation "would enhance rather than lessen the national security," the nine-man group of legal analysts unanimously decided.

By concentrating on jobs "involving substantial danger to the national security," they said the Nation's security watch "would not be diluted" by trying to watch everyone, and the country's tradition of individual liberty would benefit proportionately.

A $100,000 grant from the Fund for the Republic financed the study, which was started 18 months ago. The work was carried on, the committee said, "completely independent" of the Fund.

The committee said research was conducted with the publicly pledged assistance of the Eisenhower administration, and that data was obtained from 150 official and private persons, including Attorney General Herbert Brownell, Jr. The findings, made only in the name of the committee and staff, are being published in a 300-page book by Dodd, Mead & Co.

The Eisenhower administration, just last Friday, however, began moving opposite to the study's major finding, namely, reduction of jobs covered by security screening.

On Capitol Hill, the administration supported legislation to reextend the Federal employees security program to workers in nonsensitive as well as sensitive jobs. Attorney General Brownell said this law could be used for the "interim," until the 12-member Government Security Commission can present its findings.

That law would nullify the effect of a Supreme Court decision which last month held that the basic 1950 security law was aimed only at jobs affecting "national security" and was improperly applied by this administration to nonsensitive jobs.

As a result, the administration has halted security suspensions from nonsensitive jobs. Such jobs represent about 80 percent of the Federal civilian employment of 2.3 million.

The recommendations of the legal group's study, written before the Supreme Court acted, would go greatly beyond the cutback resulting from that decision.

It would also limit screening to sensitive work in the nearly three million jobs covered by the Defense Department's industrial security program, and in 80,000 jobs covered by the Atomic Energy Commission's separate program.

Under the committee's recommendations, entire programs would be abolished which now cover the Coast Guard's port security program, affecting 800,000 seamen and longshoremen, and the international organizations employees loyalty program, which covers more than 3,000 American employees.

In other major changes, employees subject to security screening would obtain far more rights, ranging from increased opportunity to face their accusers, to pay during suspensions, and Government payment of lawyers' fees in cases where clearance is won.

From an operational standpoint, the security programs remaining would be far more centralized and supervised. They would operate with a director in the White House executive offices and with a central screening board.

Under 2 administrations, the 9-man committee of lawyers said, the Nation has been operating with variations of a "crash program for an emergency."

The committee said it does not criticize those responsible, but that "now it is time for careful study so as to plan a personnel security system for the duration of the cold war."

Communism, on whose dangers the committee put great stress, poses an unprecedented internal and external threat to this Nation, the report said.

But it continued: "If fear of totalitarianism were to force us into coerced uniformity of thought and belief, we should lose security in seeking it."

The committee which made the study was appointed from the New York bar group's 6,800 members and associate members.

Its chairman was Dudley B. Bonsal, practicing attorney and partner in Curtis, Mallet-Prevost, Colt & Mosle of New York.

Other members were Richard Bentley of Chicago, former president of the Chicago Bar Association; Frederick M. Bradley of Washington, former counsel of the Maritime Commission and the Renegotiation Board, and a member of the firm of Hogan and Hartson here; Henry J. Friendly, a partner in Cleary, Gottlieb, Friendly and Hamilton, New York; Harold M. Kennedy, former United States district judge in Brooklyn; Monte M. Lehman of New Orleans, former president of the Louisiana State Bar Association; John O'Melveny of O'Melveny and Myers, Los Angeles; George Roberts, New York, a special adviser to the Second Hoover Commission; and Whitney North Seymour, New York, former assistant solicitor general of the United States.

The staff was headed by Elliott E. Cheatham, director, who is Hughes Professor of Law at Columbia University; and by Jerre Stockton Williams, law professor at the University of Texas.

Among those whom it consulted for advice, in Washington and elsewhere, the committee said, almost all agreed:

"1. That the personnel security system should be maintained to help counter the continuing threat of communism, and; 2, that the program should be modified in important respects to correct weaknesses that have developed."

Highlights of the committee findings were:

Security clearance to be limited to employees with access to secret or top secret data, or to those who have policy-making functions with "a substantial relation to national security." This would end special clearance for employees handling "confidential" information, but civil service suitability standards would continue in force.

The Coast Guard's Port Security program should be abolished, along with the International Organizations Employees Loyalty program. The former was created for shooting war conditions, the committee said, and neither provides enough security when weighed against its disadvantages.

The present security standard, that employment be "clearly consistent" with national security, should be changed to a "commonsense" test of the whole man. This should be whether employment is "advisable," after weighing the evidence for and against the employee and his value to the public service. This, the group said, would end the security risk "stigma."

The Attorney General's "subversive list" has "grave weaknesses," has been "misapplied," and "should be abolished" unless it can be greatly modified. It should be brought up to date, issued with explanatory material, limited to organizations given an opportunity to challenge the listing, and carry a warning that "mere membership" in a group is not of itself evidence of subversion.

A Director of Personnel and Information Security in the Executive Office of the President would conduct a continuous review of the personnel security programs.

A central screening board should be created in the Civil Service Commission to screen out charges except where "a substantial security issue is presented."

Where charges cannot be resolved in informal conferences with screening boards, employees should be transferred to nonsensitive jobs if possible, pending a hearing. If suspended, their pay should continue until a final security decision; "the Government is asking the employee to stand aside and wait and it should pay for the period of standing and waiting."

Both the charging agency, and the employee, should be entitled to counsel at both the screening and hearing levels. If an employee is cleared at either stage, "he should be reimbursed in the amount of his reasonable attorney's fee, the amount to be fixed" by the board.

Screening and hearing boards, "in their discretion," should have power to subpena witnesses for either the Government or the employee, with "reasonable allowance for traveling expenses and a per diem fee." (Now there is no right of subpena for either side.)

Government accusers should be produced when necessary to develop facts, but "regular informants" may be withheld if that would be "injurious to national security." Where possible, data to evaluate their evidence should be furnished the board.

Written "findings of fact and conclusions" should be supplied to employees by hearings boards, "with only such deletions as are required in the interests of national security." Charged employees should be furnished copies of transcripts.

Where national security permits, applicants who are denied jobs should be furnished adverse security information and the right to file an affidavit in reply. Where agencies desire it, applicants and probationary employees—who have no hearing rights—should be given informal interviews for sensitive jobs highly important to fill.

Heads of agencies would retain power to make final security determinations. "In the absence of new evidence a security clearance should not be reopened."

Regular training courses should instruct security personnel in history and techniques of Communist infiltration; "the political history of the United States and of the world, especially in this century," and principles of the Constitution and legal methods.

On the credit side of the existing programs covering over 6 million workers, the committee said: "It is probable that some undesirable and even dangerous persons have been ousted or barred from employment in Government or industry," and some important scientific developments "have been withheld from an aggressive enemy" for a time.

"It seems clear," the committee continued, "that the reputation of the Government service has been cleared of the imputation of grave subversive infiltration, with improvement of the morale of some of the employees," and "the security clearance has somewhat facilitated the prompt operation of the work of the Government."

But on the debit side, the report found that the programs have done major damage.

The Committee said:

"There has probably been some impairment of positive security through the slowing down of scientific and technological advancement. There has been an injury to our international repute and security from the maintenance of a system which seems to our friends abroad to go beyond the true needs of national security.

"There has probably been some injury to morale of the Government service and certainly needlessly severe burdens to a considerable number of individual employees who have been unnecessarily suspended, tried and subsequently cleared.

"And there is some evidence of a general blunting of our national concern with freedom of speech and fair hearings, although that is clearly on the rise again."

In recommending that security checking should be limited to "sensitive" areas "where it is really needed," the report said "we would both increase the efficiency of the programs and remove an unnecessary burden on positive security and on employees."

In justification of limiting sensitive determinations to secret, top secret, and high policy work affecting security, with confidential data excluded, the committee said its research showed that real danger of disclosures from that lowest classified category "would arise only from a very broad disclosure," which no small group of persons could practically accomplish.

[From the New York Times of July 9, 1956]

FEDERAL SECURITY PROGRAM

Ever since the basis for present Federal loyalty-security procedures was laid down by President Truman in 1947, and especially since extension and enlargement of the program by President Eisenhower in 1953, criticism has mounted against the Government's tendency to overstress a formalized security at the cost of individual liberty. The problem isn't easy, for the peculiar nature of the Communist attack requires our country to have an effective security system applicable to its own employees as well as to its physical defenses. But security does not exist in a vacuum; and the requirements of our security system must be constantly weighed against the demands of that most basic of all American principles, liberty of the individual under law.

As more and more cases of injustice or stupidity have come to light, the necessity of revising Federal security procedures has constantly become clearer. In a few notable decisions, the Federal courts have restrained some excesses committed in the name of security. But the Department of Justice, which is where one might think the urge for reform would originate, has been exasperatingly slow to see that the kind of internal-security programs our country has been pursuing are shot through with faults that endanger the real security of the United States.

With a grant from the Fund for the Republic, the Association of the Bar of the City of New York undertook more than a year ago a thoroughgoing study and critique of the five Federal loyalty-security programs. The results of that study, carried out by a committee of distinguished lawyers headed by Dudley P. Bonsal of New York, are published in this newspaper today. Both the Fund for the Republic and the bar association deserve thanks for undertaking this sorely needed survey and carrying it through so well. Late in the last session of Congress, a committee was set up to do somewhat the same thing, but it will be months before that group makes its report. Meanwhile, the recommendations made by the Bonsal Committee should serve as a rallying point for all who sincerely wish to see the Federal employee security program more effectively meet the demands of both security and liberty. This should not become just one more survey to be given a few platitudinous words of approval and then gently filed away.

Probably the most significant of all the recommendations is the one to curtail the program from its present scatter-shot coverage of some 6 million Americans to one-quarter that number. "We have to choose between a more effective security system in critical posts or a less effective one in all." The spirit of the recent Supreme Court decision in *Cole* v. *Young* points in precisely this direction: That a national security program should apply only to positions affecting the national security instead of to literally millions of persons remotely removed from any real security interest.

It is most disappointing to find Attorney General Brownell now supporting legislation designed to overturn the Cole decision by giving specific congressional sanction to extension of the security system throughout the Federal Government.

Next most important reform recommended by the Bonsal Committee is a proposed change in the standards by which security risks are to be judged. Previous formulae would be dropped in favor of the one commonsense element: "The interest of the United States." In this respect, the proposal follows along the lines of new rules recently announced by the Atomic Energy Commission for its own security program. The Attorney General's list of allegedly subversive organizations would either be totally revised or it would be abolished. Security personnel, too often in the past eager beavers more anxious to make a killing than to do justice, would be carefully trained for their jobs.

The committee proposes a long list of procedural reforms (some now in effect) in screening accusations, in bringing charges, and in hearing cases. Uniformity and standardization would be brought into the program where both are now lacking. Confrontation by adverse witnesses would be encouraged though not in all cases required. The rights of the accused would be more carefully safeguarded. A Director of Personnel and Security would be established under the President to supervise the individual agency programs and also the closely related question of classification of information.

The proposals are marked by caution as well as conscientiousness. In some respects, they do not go far enough to undo harm that has been done in the past. The committee itself says its recommendations, except for the one reducing the scope of the program, "lie within the general framework of what now exists." But their adoption would help remove a needless dark spot in the picture America now presents to itself and to the free world.

[From the Washington Post and Times Herald of July 9, 1956]

REPORT ON SECURITY

The United States need not sacrifice individual liberty to achieve national security. The two are not incompatible; they support and complement each other. This is the philosophy that animates the extraordinarily illuminating report published today on the Federal loyalty-security program by the Association of the Bar of the City of New York. "Security," says the report, "is gained through liberty rather than in opposition to it."

The report renders an invaluable service to the American people. It is a compendious analysis of the several employee-clearance systems now in operation which directly affect some 6 million individuals; it is written with remarkable objectivity, detachment and insight; and it is accompanied by a set of clear, forceful recommendations to make the systems more useful to security and more consonant with our traditions of freedom.

Perhaps the most striking, as it will certainly be the most controversial, recommendation of the report concerns the scope of the security program. Written before the recent Supreme Court decision in the Cole case, the report urges what the Court has said the law requires—restriction of the Federal employee-security program to sensitive positions. This would reduce the number of persons covered from 6 million to fewer than 1,500,000. Coming as it does at a time when Congress appears to be in a great hurry to restore the program's earlier indiscriminate

coverage—and when the Civil Service Commission Chairman has just issued a frenzied plea for such coverage—the recommendation may fall on deaf ears. Nevertheless, the view taken by the association of the bar seems to us eminently wise and practical. The report also urges abolition of the port-security program and the International Organization employee-security program. These changes would make clearance more manageable, effective, and just.

The report urges a number of significant changes in the treatment of individuals against whom security charges may be made. It would establish in the Civil Service Commission a central screening board to determine, in the manner of a grand jury, whether charges ought to be filed. It would give accused employees the benefit of an informal conference with the screening board. It would assure employees written findings of fact and conclusions by hearing boards. It would allow accused employees to subpena witnesses for their defense, it would continue their pay while they are under suspension and it would provide, for those eventually cleared, payment of reasonable attorney fees by the Government. This kind of consideration of individual rights entails no impairment of security and is dictated by elementary concepts of fair play.

The fuzziest portion of the association's report concerns the central problem of the security program as it now operates, confrontation of accusers. The report recommends that screening and hearing boards should have authority to subpena witnesses. It would authorize concealment of the identity of regular undercover agents of investigating agencies, on certification by such agencies that concealment is necessary in the national interest. But it would, in general, require the appearance of all other witnesses, including casual informants, allowing the hearing board to determine in each case whether the witness should be produced for cross-examination or whether he should should simply be interrogated by the board. These would be immense improvements over the present reckless and indiscriminate reliance on faceless informers. They would promote security as well as individual rights because they would enable hearing boards to make judgments instead of blind guesses.

One of the most interesting aspects of the association's study is its disclosure of how little the security program has actually been used to protect the Government from undesirable employees. "In the period from May 28, 1953, to June 30, 1955," the report declares, "the number of discharges of Government employees for alleged security reasons, according to the Civil Service Commission, was 3,586. Of this figure of 3,586 stated security discharges, 3,241, or over 90 percent, were removed under Civil Service Commission procedure as to general suitability and only 342 were removed under Executive Order 10450."

We hope that this clear and compelling report will be read by all Members of Congress, before they impose new and needless security regulations. The members and staff of the association's distinguished Special Committee on the Federal Loyalty-Security Program have performed service for the American people, a service in the highest tradition of the bar.

Mr. HUMPHREY of Minnesota. Mr. President, I should like to add a few comments of my own in connection with the new attention which at the moment is being given, both in the Congress and elsewhere, to our security program.

I have studied with great interest the June 9 decision of the Supreme Court of the United States on the Government employees security program. Although, as in all cases at law, reasonable men may differ as to whether a judicial decision is correct, the Supreme Court's decision is the law of the land. At the same time, I am not unmindful of the words of Mr. Justice Clark's dissenting opinion that the effect of the Court's decision is to strike down the most effective weapon against subversive activity available to the Government.

There is no question that Congress through simple amendment of Public Law 733 of the 2d Congress, has the power to restore the validity of the Government employees security program under Executive Order 10450. I do not question that a strong case can be made for prompt action in this direction.

It is my deep conviction, however, particularly in the light of the new bar association report, published this morning, that it would not be in the public interest to enact new legislation at this time. As a result of inquiries conducted by various Senate committees in the past 18 months, it has become apparent that there are deficiencies in the program under Executive Order 10450. Moreover, numerous instances of abuse and injustice have come to light; and, almost without exception, the administration has recognized that these cases were improperly handled, by taking prompt corrective action when public attention was directed to them. There is much reason to believe that the cases which have been thus publicized and corrected represent only a small fraction of those in which correction could be warranted.

Mr. President, I do not believe that these deficiencies, abuses, and injustices are attributable to lack of good faith or competence on the part of the Government officials concerned. I believe, rather, that they are attributable primarily to a lack of comprehension, coordination, and direction resulting from the manner in which the concept of security has evolved during the past decade. Our security defenses have been constructed as sporadic and random responses to a grave national peril, without any thorough, rational consideration of what the security problem is and how it should be met as a matter of sound national policy. I question seriously whether anyone is to blame for this situation, since the urgency of establishing security measures probably precluded such thorough consideration; but if blame is to be assessed, I feel it must be shared by this administration and past administrations, by the Congress and the Executive, and by Democrats and Republicans alike.

We have created a bipartisan Commission on Government Security to rethink the program dealing with the security problem and to make recommendations for putting it on a sound basis. I sincerely feel, Mr. President, that until we have the benefit of the Commission's objective analysis and judgment, we should have a moratorium on further hastily adopted accretions to the already illogically overloaded superstructure of security.

Delay in enactment of legislation extending Public Law 733 to all Government positions would in no way be detrimental to the national security. We have been told that the task of screening incumbent Government employees has been completel, and that henceforth the security program will be confined almost exclusively to applicants. Nothing precludes the Government's continuation of a program for security investigation and screening of applicants. In any event, the Supreme Court's decision does not in any way abridge the administration's authority to continue the present security program with respect to all positions which are really sensitive.

It is my earnest belief, Mr. President, that our Government is big enough and strong enough to protect itself against subversive infiltration for the interval until the Commission on Government Security reports, without having to perpetuate by premature legislative action the palpably undesirable and unjust aspects of the security program of the past 3 years.

Mr. President, I turn now to another subject.

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

DISARMAMENT

Mr. HUMPHREY of Minnesota. Mr. President, in the Washington Post and Times Herald of July 9, 1956, Joseph and Stewart Alsop contributed a column entitled, "Disarmament: One Last Try?" I ask unanimous consent that their article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MATTER OF FACT

(By Joseph and Stewart Alsop)

DISARMAMENT: ONE LAST TRY?

When President Eisenhower returns to the White House in a week or so, he will find his desk loaded high with all sorts of grave and pressing matters calling for decisions. Among them will be this question: Is it worth making one last try to negotiate seriously on disarmament with the Soviets?

Since Andrei Gromyko's frozen-faced performance at the United Nations on July 3, in which he seemed to slam the door on any agreement which the Western powers could conceivably accept, the logical answer might seem to be "no." But the President is an optimist by nature, and control of the new weapons is probably closer to his heart than any other objective.

Before his recent illness, moreover, the President ordered a searching, root-and-branch review of American disarmament policy. The review has been conducted by a high-level committee, headed by Special Presidential Assistant Harold Stassen and including representatives from the State and Defense Departments and the Central Intelligence Agency.

The work of the committee which will report its finding to the President soon after his return, is still unfinished. But already a basic approach has been agreed upon. It is agreed that it is too early to despair, and that some real advance may still be made.

In this new approach to disarmament, two basic assumptions have been made. First, it is tacitly recognized that the world has already passed the point of no return, as far as total control of the new weapons is concerned.

A hydrogen bomb, after all, can be hidden in a hay barn, and there is absolutely no way of detecting it, short of searching through the hay. Both this country and the Soviet Union have already produced great numbers

of nuclear weapons and there are plenty of hay barns and other hiding places in both countries.

The second assumption is that there are, nevertheless, at least two areas where the hard self-interest of the United States and the Soviet Union coincide, and where practical measures can be taken to serve those interests. The first area concerns the "fourth country problem," a phrase coined by the British.

It is by no means fanciful to envisage a future in which a tin-pot dictator could threaten both East and West. For there are no longer any real atomic secrets, and it is fatally easy to turn out nuclear weapons, once the necessary installations are built. Surely, it is argued, it is as much to the interest of the Soviet Union as of the United States or Britain that no future Mussolini or Peron should achieve the means to threaten the great powers with total ruin.

Preventing the emergence of a "fourth country" is obviously politically difficult, since it involves national sovereignties. But it is at least technically feasible. Even a very limited global inspection system would detect the building of new nuclear installations some sort of freeze on nuclear production, at a given cut-off date, with inspection under United Nations auspices, is one approach being considered.

Another area of mutual interest is some form of mutual insurance against surprise attack. In this area, the Soviets have already shown some willingness to negotiate seriously—their proposal for limited ground inspection is considered more than a propaganda gesture.

Various ways of making one last try on disarmament have been discussed by the Stassen group—a secret approach through regular diplomatic channels, the dispatch of a Presidential emissary to Moscow, or a major new initiative by the President himself, like his "atoms for peace" proposal.

In view of Gromyko's speech, and Nikita Krushchev's scornful remarks about Western disarmament plans, the last try seems very likely to come to nothing. But the President, being the kind of man he is, will probably decide to make it all the same. And in view of the bleak alternatives, no doubt it is worth making.

WILDERNESS PRESERVATION AND DEMOCRACY

Mr. HUMPHREY of Minnesota. Mr. President, in connection with the great interest being shown in Senate bill 4013, a bill which I introduced on June 7, 1956, to establish a National Wilderness Preservation System, I should like to call special attention to a study made by Dr. James P. Gilligan entitled "The Development of Policy and Administration of Forest Service Primitive and Wilderness Areas in the United States." The publication of this doctoral thesis was noted in the Spring-Summer, 1955, issue of The Living Wilderness, in a news item entitled "Wilderness in a Democracy."

I ask unanimous consent that this news item be printed in the body of the RECORD, at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILDERNESS IN A DEMOCRACY

"Disagreement among wilderness proponents is a highly important deterrent to wilderness preservation in this country," warns Dr. James P. Gilligan, assistant professor of forestry at the Oklahoma Agricultural and Mechanical College. "If there were well-defined purposes and plans for a national wilderness system which could generate common support, the wilderness movement," he says, "might well be irrepressible."

In a paper entitled "The Contradiction of Wilderness Preservation in a Democracy," presented October 26, 1954, at the convention of the Society of American Foresters in Milwaukee, Wis., and later printed in the proceedings of the convention, Dr. Gilligan included these comments and reported that—

"There is every indication that wilderness areas of the future will consist of a series of small land units devoid of economic potentials."

Considering "the shifting tides of emotion and economic changes so characteristic of our dynamic democracy," he concluded that apparently we have "too much total acreage now called wilderness for probable future use, but not enough large areas which promise to preserve wilderness conditions for any length of time."

Thus, he pointed out, "the democracy of providing access to every parcel of our public lands may triumph, but," he asked, "will future generations appreciate this particular brand of wisdom?"

A former ranger-naturalist for the National Park Service and a former assistant refuge manager for the United States Fish and Wildlife Service, Dr. Gilligan took his Ph. D. degree, as well as his earlier B. S. F. and M. F. degrees, at the University of Michigan's School of Natural Resources. In preparation for his doctoral thesis, submitted in 1953, entitled, "The Development of Policy and Administration of Forest Service Primitive and Wilderness Areas in the United States," he collected extensive information regarding wilderness preservation, "by personal interview, questionnaires, and correspondence with wilderness administrators and users; by examination of various Federal files; and by investigation of many areas."

Mr. HUMPHREY of Minnesota. Mr. President, in the same issue of The Living Wilderness, Spring-Summer 1955, an editorial entitled "Wilderness and Democracy" comments on the significance of the study by Dr. James P. Gilligan, and also on the paper, derived from the study, which Dr. Gilligan had presented to the annual convention of the Society of American Foresters. Mr. President, I ask unanimous consent to have the editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WILDERNESS AND DEMOCRACY

After an intensive doctoral study at the University of Michigan's School of Natural Resources, a study that included careful field observations in the wilderness areas of the West, James P. Gilligan has summarized his observations and reflections in a significant paper presented at the 1954 annual meeting of the Society of American Foresters and published in the convention's proceedings. With the thought-provoking title, "The Contradiction of Wilderness Preservation in a Democracy," this paper not only reports what Dr. Gilligan has learned in the course of his field investigations regarding the practical obstacles in the way of wilderness preservation. It also analyzes our programs for wilderness preservation on public lands and subjects to matter-of-fact scrutiny the policy pronouncements that include the endorsement of wilderness preservation as a tenet of our national conservation righteousness. It boldly challenges these pronouncements with a recitation of practices, and it suggests some soul-searching questions regarding the very validity of our endeavor to preserve wilderness in the public interest. This paper appears in full elsewhere in this issue of The Living Wilderness, and it well deserves the careful attention of our readers.

Dr. Gilligan's analysis of our practical problems in fitting wilderness preservation into our national forest and national park administration programs should make it possible to face these problems more intelligently and thus more effectively. His criticisms should inspire us who uphold wilderness preservation to think out our plans and purposes more clearly and to seek more earnestly the certainty and unity among wilderness proponents which he sees as a requisite for the congressional action that is "necessary to retain wilderness areas for future generations." His discussion of an apparent contradiction between democracy and wilderness preservation should help us to clarify their actual consistency and identify as paradox whatever he has mistaken for contradiction.

For most assuredly, despite its inherent difficulties, wilderness preservation is a thoroughly sound objective for a democracy. It is, indeed, the difficulty that gives it meaning. Just as the threatened encroachments of roads and mechanized vehicles are what give meaning to the setting up of special primitive areas from which mechanical travel is excluded, so also do the increasing pressures of a democratic population give meaning to the preservation of areas of wilderness. It is the common interest that all men and women share in the perpetuation of the opportunity for wilderness experience that makes it possible, through public ownership and administration in the public interest, to preserve wilderness, to set aside specially dedicated areas and protect them in the public interest, modifying as need be our multiple-purpose programs for this special purpose.

Nearly a century ago, Henry Thoreau, at the very beginning of our wilderness preservation movement, related its purposes to those of democratic government. "Why," he asked, "why should not we, who have renounced the king's authority, have our national preserves, in which the bear and panther, and some even of the hunter race, may still exist, and not be 'civilized off the face of the earth'—our forests, not to hold the king's game merely, but to hold and preserve the king himself also, the lord of creation—not for idle sport or food, but for inspiration and our own true recreation? or shall we, like the villains, grub them all up, poaching on our own national domains?"

Democracy? Yes. Wilderness? Yes. Paradox? Perhaps. But surely not contradiction.

We can make of Dr. Gilligan's prophecy an aid in averting the doom it foresees. We should take special care to correct any implication of inconsistency between wilderness preservation and the democracy through which it must be realized.

Mr. HUMPHREY of Minnesota. Mr. President, the shorter paper by Dr. James P. Gilligan, as referred to in the news item and the editorial, is one of great practical interest to all who are concerned with the preservation of the wilderness resources that are within our Federal ownership or control.

Dr. Gilligan's comments are especially searching on the hazards that now exist to the preservation of large areas of wilderness in our national forests and national parks. What he has to say, based on extensive field investigations, points up emphatically the need for the enactment of S. 4013, the proposed National Wilderness Preservation Act.

His paper was published in full in the Spring-Summer, 1955, issue of The Living

Wilderness, under the title "Wilderness in a Democracy." I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILDERNESS IN A DEMOCRACY

(By James P. Gilligan)

The preservation of a system of large, unique wilderness regions in this country does not seem to fit into the shifting tides of emotion and economic change so characteristic of our dynamic democracy. This is most evident in the operations of the two Federal agencies that claim to be retaining wilderness areas. There are several basic factors concerning our national parks and forests which promise eventually to obliterate the remaining extensive wilderness regions of the country. Certainly the laws and administrative regulations governing the National Park Service and the Forest Service, which are necessary to prevent encroachment on wilderness conditions, give every sign of being inadequate. Just as important are two principles guiding the administration of our public lands. First, is the idea that Federal agencies must encourage economic activity everywhere, and second, that recreational use of public lands should not be restricted to a limited number. Even though the consideration of minority wishes has long been an admirable trait of our governing groups, it is obvious in land use decisions that there is a steady trend favoring mass use over high quality benefits to fewer individuals. This fact, when combined with the irresistible emphasis on dollar rather than social values of our free enterprise economy, points out the tremendous barrier that wilderness preservation confronts. Perhaps it is not reasonable for Federal agencies to move against the tide and retain extensive areas in undeveloped condition.

The multiple use method of land management provides a good illustration of the difficulties inherent in preserving wilderness areas for any length of time in the United States. Since the Forest Service has long been the apostle of multiple use and has had from its inception a deep concern for minorities, it might be well to examine the successes of wilderness preservation within the national forest system. The decentralized administration and multiple use management of the national forests are generally considered a fine example of democratic agreement between individuals and Government. In many instances what is good for the local economy also results in direct and indirect national benefit. However, sometimes this method of land management may directly contradict certain kinds of national welfare potential from public lands, such as the preservation of a system of large wilderness areas. This conclusion is substantiated by a number of facts relating to existing land units which have been promiscuously labeled as wildernesses within the national forests.

Those interested in national forest wilderness preservation are easily lulled into complacency by the soothing and oft-quoted figures of 13 million acres of land reserved in 77 wilderness, wild, and primitive areas throughout the West.

If we examine more closely the conditions in only 28 of the areas over 100,000 acres in size (comprising about 11 million acres), and also consider their probable future, we may be rudely awakened. In these larger areas, where the best possibilities for wilderness preservation exist, conditions are not too dissimilar from millions of acres of other national forest lands where multiple use is practiced.

For example, there are nearly 200 miles of road open to public travel in nine of the so-called wilderness or primitive areas. There are about 145,000 acres of privately owned timber, agriculture, summer home, resort, and mineral lands inside 15 of the areas, in addition to 400 to 500 mining claims of unknown acreage within 20 areas. Many of these sites contain resort or summer home developments along the best wilderness travel routes—a matter of critical importance. About 60 of the mining claims and patents are being worked for minerals, but only a few are important commercial producers. Also, some units are being explored for possible oil leasing. There are 24 air landing strips in 6 areas, 17 of which are under Forest Service jurisdiction. About half of the Forest Service fields and most of the private fields are open to public use. There is talk now of improving several wilderness landing strips for use by larger twin-engined aircraft. A number of prepared helicopter landing zones are planned within 3 areas, and the use of helicopters in wilderness regions for surveying, snow measurement, and fire fighting is increasing. In some areas aircraft are regularly used in fish and game management work and to drop supplies to camping groups. There are roughly a total of 140,000 sheep and 25,000 cattle grazing seasonally within all but 2 of the larger units classified as wilderness or primitive areas. Grazing, without question, has drastically altered natural conditions in many areas.

Another wilderness anomaly is the profusion of fencing, cabins, and corrals prominently located in many areas and considered necessary for stock management and fire protection. Timbered zones within wilderness areas that now can be logged are being removed from wilderness classification as rapidly as feasible. Over 2 million wilderness acres are now considered to be commercial timberland. This acreage contains approximately 17 billion board feet of timber, which is nearly 2 percent of total private and public western sawtimber. Nearly 90 dams and water control structures have been built for irrigation, meadow reclamation, and streamflow maintenance within these areas. They are mostly small constructions but nevertheless, represent infringements on wilderness conditions. In the last 5 years the Bureau of Reclamation has proposed large dams affecting 16 wilderness reserves. Under present laws it would be difficult to prevent these structures were they to be vigorously promoted.

This then, is the situation on only one-third of the area in the national forest wilderness system. The remaining areas are smaller units which, despite their limited size, have a similar record of wilderness invasions.

Obviously, multiple use is a common practice within wilderness regions, as well as on other national forest lands. The Forest Service, in its attempts to placate everyone interested in national forest lands, including minority groups, finds itself in the awkward and contradictory position of setting aside wilderness units and at the same time advocating multiple use as a basic policy. This program has worked admirably so long as vast regions existed for which there was no special interest or into which temporarily, it was too expensive to build roads. As our natural resources have shrunk in volume and more people are invading the last frontiers, it becomes increasingly difficult to satisfy minority demands for wilderness areas.

The complexity of establishing large wilderness areas where roads, timber utilization, public landing fields, and other contrivances of civilization are prohibited, is demonstrated by the fact that only 7 of the 28 large wildernesses have been formally classified under the restrictive U-1 Forest Service regulations in the past 14 years. The boundaries of these seven were so modified as to exclude most existing developments or potential logging sites, and the boundaries for some areas so configurated to follow road penetrations, that the integrity of these wilderness units has been severely damaged.

Many of the developments and uses now prevailing in national forest wilderness areas have resulted from activities existing before the establishment of the wilderness area system and from circumstances beyond direct control of the Forest Service. The effectiveness of the present wilderness policy and its supporting laws and regulations is, therefore, of great importance in evaluating the national forest wilderness area system. Reviewing the real strength of the policy offers even more disappointment than the list of physical structures and uses inconsistent with wilderness preservation within many national forests. Primarily, of course, we should remember that Congressional recognition of national forest purposes has emphasized watershed and timber values. It is well recognized that the Forest Service has been powerless to prevent establishment of mining claims and road construction thereto within wilderness regions. The construction of resorts and summer homes on many of these mining claims is particularly detrimental to wilderness preservation. Permission for the Bureau of Reclamation to build dams and roads into wilderness areas may be granted by the Secretary of the Interior, even without consultation with the Secretary of Agriculture or the Forest Service. The Forest Service usually gives careful consideration to requests for power transmission lines, TV relay towers, and tunnels and canals for power or irrigation purposes within designated wilderness units. The widely accepted regulatory power of the states over game populations within national forests further depletes the jurisdiction of the Forest Service over components of its wilderness areas. Pressure to open more wilderness regions to auto or plane travel in order to control game populations will increase. This furnishes as great a threat to wilderness preservation as dam building, timber utilization, or mining claims do now within certain wilderness units.

Perhaps concern over these areas would not be so great if the present policy and regulations established by the Forest Service to assure wilderness preservation were more effective. Certainly the policy is undermined by lack of complete authority, but inconsistent application of regulatory measures on a national scale provides further proof of the improbability of preserving a system of large wilderness areas within the national forests.

For example, the public is allowed to use Federal landing fields in Idaho, but in Montana this is prohibited. Motorboats are operated on lakes well within wilderness boundaries in some areas; in others it is clearly understood that this is not a permissible wilderness use. In some areas commercial tent camps occupying choice wilderness sites may be located throughout the summer season on public lands; in others this is prohibited. The use of jeeps, trucks, and aircraft for fish and game management is prohibited in some areas and allowed in others. Jeeps and trucks are still violating wilderness boundaries, sometimes because boundaries are not sufficiently well marked, but more often because this action receives little more than a reprimand. The legality of regulations prohibiting motorized entry into wilderness areas has never been tested, and the prosecution of such violations requires more effort than is considered worthwhile. For some wildernesses long-range plans have been made to remove cabin and resort developments. In others, these constructions seem to be hopelessly entrenched. In one area in New Mexico a new cabin has been erected at a favorite crossroads in the heart of the wilderness to facilitate administration. The acquisition of private lands within wilder-

ness areas, which is of critical importance, has proceeded at snail's pace. Even in the 1930's when land values were relatively low and money available, there was little exertion to consolidate wilderness units. Actually during this period 83,500 acres of non-Federal land were added to the wilderness system by boundary changes or in the establishment of new areas, while only 2,278 acres were eliminated.

These various deviations within the broad policy of preserving a system of wilderness areas seem to be the result of adjustments to regional or local requirements, in conformance with multiple use management.

Several other factors weigh heavily against holding a system of really unique national forest wilderness areas.

First, there is a national trend of wilderness boundary modification which, since 1940, has eliminated more than half a million acres of land from 33 different units. Most of these deletions have been for commonplace reasons such as removing zones for timber harvest, motorized recreation development, inter-city road construction, or areas where mining or tourist facilities have already been established on private lands. These deletions have largely been offset by the addition of high, rocky zones to each area where there is little possibility of development demands or timber harvest. It places a peculiar emphasis on maintaining a large national acreage figure for the wilderness system, while at the same time gradually removing areas needed in multiple use management. This policy does not appear to make a very serious effort to define or retain the purposes and values of the wilderness system.

The real significance of large, undeveloped regions in the system of national forest wilderness areas has been distorted by the designation of a jumble of small areas ranging in size from 5,000 to 98,000 acres. These areas average about 46,000 acres, which would cover an area only 6 by 12 miles—hardly adequate for an authentic wilderness experience. Although officially called "wild areas," they are commonly referred to as wilderness, and, therefore, only serve to confuse rather than clarify understanding of the purpose of wilderness reservations.

Actually, there is no comparison between an undeveloped area of only 46,000 acres and one which is several hundred thousand acres or larger. The argumentation over preserving many small areas throughout the country sidetracks the more important issue of holding a limited number of large regions whose wilderness features are disappearing. Even the most scenic and pleasant small areas do not have sufficient size to prevent them from being overrun with people, a factor which destroys wilderness appeal as readily as do roads and landing fields.

Another obstruction to national forest wilderness preservation is the distinct lack of enthusiam among many Forest Service employees for fitting wilderness preservation into basic multiple use philosophy. Against local pressures for economic or recreation development, it is claimed, the efforts for preservation cannot be justified by the relatively few who use wilderness regions. Lack of vigorous support for this national policy by agency personnel can only operate against its purposes in the long run. The multiple use concept, as it is presently interpreted and administered, will never preserve a series of *large* wilderness regions. Multiple use policy requires flexibility to meet the changing needs of local communities and regions and to give priority to economic rather than cultural values.

Since the National Park System is claimed by critics to contain more wilderness than is needed for the country, we should examine the land preservation policy of the National Park Service. It is true that national parks in the West alone contain more acreage than the 13 million acres of national forest wilderness, wild, and primitive areas. It is also true that park developments are now limited to a small percentage of the total acreage. Wilderness conditions, of course, have vanished from developed areas; and the sight, sound, and sometimes smell of these concentration zones disperse so widely that quite large sections cannot be considered natural, let alone wilderness. National parks, too, must often justify their existence to the locality or state in which they are situated principally on economic grounds. As long as the drums throb for more tourist dollars, park administrators will find it hard to accommodate the increasing army of sightseers without extending development. It is highly improbable that a seemingly logical course of restricting visitation to any national park will be put into effect until every possible means of providing accommodations is exhausted. It is a fair question to ask how much of the parks will be developed by then.

Because of Congressional measures which ordinarily prevent utilization of wood, water, mineral, or forage resources in areas of the National Park System, the National Park Service is the most logical existing agency to preserve extensive wilderness regions. However, it is subject to the unrelenting pressures of mass use, and retreats gradually behind the cold logic that more areas must be developed to care properly for the public to which the land belongs. It is merely another application of the philosophy that as many people as possible should use these areas, even though finally there is little left of the original landscape.

Americans will continue to saturate choice recreation sites opened to motorized entry, and then complain because everyone else is also present.

The real democratic significance of these areas may not be in providing access and accommodations to everyone, but in holding a few undeveloped areas where high quality recreation benefits can still be obtained by those willing to make the effort. Most endeavors to retain such areas for a relatively small number gradually yield before the demands of an eager traveling public, which has not yet grasped the full significance of our National Park System.

The organic National Park Service Act of 1916 offers nearly as much flexibility in managing recreation resources as does the multiple use principle of the Forest Service. There is nothing in the Act directing how much of, or what part of, parks to develop, nor is there any clause in the law or interpretive regulations stipulating the reservation of park units in wilderness condition.

The National Park Service has established some precedence in trying to retain wilderness zones. It is questionable, however, whether the will of the administrator can be sufficiently strong to prevent development in the long run.

The Bureau of Indian Affairs is another agency which has expressed interest in wilderness preservation by establishing 14 roadless and wild areas within Indian Reservations. These areas, containing nearly 4 million acres, may be discounted as regions where wilderness conditions are being retained for the future. The reservations are Indian property held in trust by the Federal Government. Any reasonable alteration of land use is made where it is of benefit to the Indians. About 800,000 acres have been removed from roadless or wild classification since 1937, and much more modification is being planned. There is little knowledge of, or interest in, these wilderness type designations either by Indians or reservation administrators.

The improbability of preserving a few extensive regions open only to primitive travel methods is not entirely due to easily altered Federal policies. Persons who favor wilderness preservation must assume a fair share of responsibility for the present situation. There are still tremendous differences of opinion regarding wilderness area conditions and purposes existing among advocates of wilderness preservation. Wilderness understanding seems to have progressed but little in the past few decades.

Substantial evidence of the extreme variety of wilderness concepts now existing among State and national organizations and conservationists generally, can be found in the original correspondence of the Legislative Reference Service of the Library of Congress, in connection with the survey of 1948 that resulted in the report by C. Frank Keyser, entitled, "The Preservation of Wilderness Areas: An Analysis of Opinion on the Problem."

This correspondence furnishes dramatic illustration of the dilemma created for the conscientious administrator who may seek enough public opinion of one kind to support a decision favoring wilderness preservation.

Philosophic incantations about wilderness values and the repetitious theme of saving wilderness everywhere are too abstract for the average administrator faced with unshakable realism. Wilderness supporters have been chiefly defense minded, rushing to prevent developments that may have been carefully drawn and justified. The majority of areas now called wilderness exist because recreational or industrial developments have not, as yet, been economically feasible.

If there were well defined purposes and plans for a national wilderness system which could generate common support the wilderness movement might well be irrepressible. As it is, the disagreement among wilderness proponents is a highly important deterrent to wilderness preservation in this country.

The reluctance of land administrators to work harder for wilderness preservation is not solely because of ill-informed and diverse wilderness proponents. The vast acreages generally described as wilderness and the low recreation use figures for undeveloped regions also influence administrative attitudes toward wilderness preservation. Wilderness recreation requires more area per individual than any other kind of recreation, but the land now available in proportion to the few users raises the question of what constitutes a legitimate minority.

In 1950 nearly 100,000 visits were made to the 11 million acres comprising the large national forest wilderness areas. The visits constituted only a fraction of 1 percent of the 16,500,000 visits (not including motoring sightseers) for recreation to all national forests in the 11 Western States. Estimates made by officials of each major western national park in 1952 indicated that approximately 0.4 of 1 percent of the 9 million visitors made trips of more than 1 day duration into wilderness portions of those parks.

If we combine the 28 wilderness areas of the national forests and the 17 undeveloped areas in national parks, each over 100,000 acres in size, we find that less than 1 percent of all western recreationists on Federal park and forest lands have nearly 16 million acres for their use in 45 areas.

It should be remembered, however, that many of these regions no longer represent genuine wilderness conditions despite their designations or representations. It appears that there are large acreages still available to the limited number of people who use them, but at the same time many administrators have excused pet development projects for wilderness lands on the theory that plenty of wilderness is being preserved elsewhere. There is a constant nibbling away at wilderness units, more slowly in the parks than in the forests.

We must honestly recognize that American inventiveness is directing our way of life toward ever increasing comfort. This manner of living, which few actually resist, is not necessarily building a large corps of new wilderness travelers. Other records show that

regardless of increased use figures for wilderness regions, many of them created by counting everyone stepping over a wilderness boundary, real wilderness travel is enjoyed by only a few more than participated years ago.

The type of wilderness trips has changed too, covering less ground and staying out for shorter periods than earlier back country travelers. Forest Service estimates for 1950 show that 28 percent of recreationists using large wilderness areas are hikers, who remain in the areas an average of 2.8 days. The remaining users are horseback riders who stay an average of 4.7 days. The conveniences and services required by many of these wilderness users practically disqualify them as seekers of an arduous wilderness experience.

However, a wilderness purpose is now apparent which does not necessarily include the hardship of earlier wilderness travel. This objective, which is not new for public recreation, is to camp and travel in scenic regions away from mass recreation use. Preserving areas where isolation was possible has been the initial stimulus for the reservation of many recreation areas—now deteriorated from overuse.

There is every indication that wilderness areas of the future will consist of a series of small land units devoid of economic potentials. If attractive, these delicate natural zones will be swarming with outdoor enthusiasts trying to convince themselves that they are enjoying original wilderness conditions.

It seems that we have too much total acreage now called wilderness for probable future use, but not enough large areas which promise to preserve wilderness conditions for any length of time.

Those who understand the problems of wilderness preservation on Federal lands are convinced that Congressional action is necessary to retain wilderness areas for future generations. It is improbable, however, that Congressional action or tighter administration to retain important wilderness regions can be effected with only the support of uncertain and divided wilderness proponents.

The democracy of providing access to every parcel of our public lands may triumph, but will future generations appreciate this particular brand of wisdom?

PROTECTION OF THE INNOCENT BY THE FEDERAL NARCOTICS BUREAU

Mr. KNOWLAND. Mr. President, most people regard law-enforcement officials as being concerned primarily with the apprehension and conviction of lawbreakers.

While this is generally true, there is another facet of law-enforcement work which is equally important—the protection of the innocent.

An outstanding example of the latter function occurred recently in California and Nevada, where a young school teacher was convicted of possession of marihuana, and was sentenced to a 2- to 10-year term at the Nevada State prison.

The teacher, Robert Enzensperger, of San Jose, Calif., protested his innocence, but to no avail.

But his family contacted Col. George H. White, district supervisor of the Federal Narcotics Bureau, in San Francisco, and asked that his agents conduct a separate investigation of the young man, since they were convinced of his innocence.

Colonel White, well aware that his duty is not only conviction, but also protection, as well, assigned teams of agents to the case.

They checked records in Las Vegas, where Enzensperger was convicted, and at the San Francisco and Burbank airports.

The case against the teacher was, briefly, that marihuana was found in his suitcase. He claimed the suitcase had been tampered with while en route by airline from San Francisco to Las Vegas.

Colonel White's agents found an airline manifest supporting the young teacher's claim. He submitted this information to Nevada authorities, with the comment that "there is a possibility of a miscarriage of justice."

A reporter for the San Francisco News, George Murphy, wrote a series of articles on the case which attracted the notice of a well-known San Francisco attorney, J. W. Ehrlich.

Through the combined efforts of Mr. Ehrlich and Mr. Murphy, the Nevada Board of Pardons and Paroles was called into extraordinary session on May 9 to consider the teacher's case.

After a 4-hour hearing, during which Mr. Ehrlich presented the case for a pardon, such pardon was granted.

It is a tribute to Commissioner Harry J. Anslinger for having selected such men as Colonel White for his Bureau.

It is a tribute to Mr. Murphy and Mr. Ehrlich for having devoted their time and efforts to free a man they had never met, but who they felt was unjustly convicted.

And it is most certainly a tribute to Colonel White and to the American system of justice.

In what other country could a private citizen be accorded the investigative facilities of a law-enforcement organization, merely on the statement that he believes a member of his family to have been unjustly imprisoned?

To the family's expression of gratitude that the young man was freed, I feel should be added an expression of understandable pride in the humanity, integrity, and diligence of Federal servants such as Commissioner Anslinger and Colonel White.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD, in conjunction with my remarks, an editorial which appeared in the Los Angeles Examiner of February 29, 1956; and an article by Mr. Raymond Lawrence, which appeared in the Oakland Tribune of May 8, 1956.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Los Angeles Examiner of February 29, 1956]

WONDERFUL THING

That was a heartwarming story that came out of San Francisco the other day concerning the search for new evidence made by Federal narcotics authorities in a case where the possibility had developed that an innocent man had been convicted and imprisoned for a narcotics violation.

Col. George White, head of the Federal Narcotics Bureau in San Francisco, displayed exactly the same zeal in running down the facts that may ultimately result in the exoneration of the accused man that he has long been noted for in pinning down the guilty.

"It is a wonderful thing," as an observer commented, "when a law enforcement agency goes out of its way to exonerate the innocent as well as to prosecute the guilty."

The case involves a young schoolteacher who traveled by airline from San Francisco to Las Vegas, after checking a suitcase which was lost en route and finally recovered and intercepted by police, who found it contained a quantity of marihuana.

The defendant claimed the original contents of the suitcase had been removed and the marihuana substituted during the nearly 60 hours it was out of his possession. That version was deemed unbelievable by a jury, and a prison sentence imposed.

But Colonel White was unconvinced. Checking back painstakingly, he found the suitcase and its contents weighed 20 pounds according to the manifest issued at the time of its surrender. But at the time of its recovery, after the period of 60 hours during which the defendant had no access to it, it weighed only 9 pounds.

What the final disposition of the case will be is up to the courts, but Colonel White thinks this puts an entirely new face on the matter and there is widespread agreement with his viewpoint.

Without losing sight in the slightest degree of the vital matter of innocence or guilt, the important thing for the purpose of this discussion is that the law enforcement agencies of the country have demonstrated not only the capacity but the will for tempering justice with humanity, a very important thing indeed.

Sometimes the skeptical disposition is to say that law enforcement is too often a callous matter of pinning a conviction on somebody, regardless of guilt or innocence.

To Colonel White goes the high credit for providing an effective refutation of this unwarranted and even frightening opinion.

[From the Oakland Tribune of May 8, 1956]

(By Raymond Lawrence)

A superior court judge sitting temporarily in a San Jose superior court unfairly castigates an honest and candid venireman and gets slapped down by an indignant bar association.

A Santa Rosa superior court judge bars the press and public from a murder trial and is inundated with comment about the functions of a court in a democracy. He is called before an appeal court to explain his action which, by now may be a moot question.

A Sunnyvale schoolteacher is caught in a narcotics mess and emerges completely vindicated.

Indeed, the ways of justice are devious and sometimes mysterious to the layman; but these cases point to some morals that should prove refreshing and encouraging.

CALLED TO ACCOUNT

Judges, as a rule, cannot act arbitrarily and unjustly without being called to account. There are various ways of inculcating and enforcing a sense of responsibility, as the two instances cited above demonstrate.

When justice miscarries, as may happen, there are ways of rectification.

For example, in the case of the Sunnyvale schoolteacher there was a combination of judicial procedure and an enlightened, fair-minded public official.

Robert Enzensperger, the teacher, went to Las Vegas on a brief vacation.

His baggage was mislaid in transit and he arrived at this destination without it.

OFFICIAL HELPS

After he was arrested in Las Vegas on a charge of possessing marihuana, his mother informed George H. White, Federal narcotics chief in San Francisco, that the young man was not the type who would be guilty of such a charge.

An investigation disclosed the bill of lading when Mr. Enzensperger boarded the plane in San Francisco. His suitcase weighed 20 pounds.

It disappeared at the transfer point in Burbank. He went on to Las Vegas, leaving instructions that the missing baggage should be forwarded.

The suitcase eventually was found and airline employees became suspicious because it was so light. They opened it, found a few articles of clothing and a white envelope of marihuana.

Police said it weighed only 9½ pounds. It was sent on to Las Vegas and Mr. Enzensperger was arrested when he claimed it.

SENTENCED TO PRISON

The young man was arrested, tried and sentenced to serve 2 to 10 years in the Nevada State Prison for possession of narcotics.

The loyalty and devotion of the young man's family is of course the starting point in this dramatic story that excited the interest of all fairminded people.

But it is the work of Colonel White that was a determining factor. He compiled the record, verified it, and placed it in the hands of responsible Nevada officials.

Here is an official who deals with some of the most unfortunate and difficult criminals in the world. It is an exacting and often dispiriting work. Yet he has not become so cynical or hardened that he cannot respond to the appeal of a distraught family.

LOSS OF HIS JOB

Once Colonel White's data reached the proper sources the wheels began to turn and yesterday the teacher returned to his home in Sunnyvale.

He had a pardon and his civil rights were completely restored. His exoneration is unqualified.

There is only one hitch. He has lost his job as a teacher, having been suspended by the Sunnyvale School District following his arrest last November. When he was sentenced, the suspension became a dismissal.

We have it on the authority of a responsible Federal narcotics officials, the Governor of Nevada and the State Board of Pardons and Parole that this young man was unjustly convicted. The evidence in his favor has not been questioned.

Thus, if the process of rectification is to be completed the restoration of his job should be the next step. Human decency can make some recompense for a traumatic ordeal.

CONGRESSIONAL DEADLOCK OVER HOUSING LEGISLATION

Mr. LEHMAN. Mr. President, yesterday there appeared in the New York Times an editorial discussing the congressional deadlock which has arisen over the pending housing legislation. I feel it is deplorable that we are facing a situation which may mean no Federal housing legislation will be enacted in this session of Congress. I sincerely hope that the roadblocks which surround this legislation in the House at the present time can be surmounted, and that we can come forth with a well-rounded comprehensive housing program which will meet the needs of all segments of our population.

If the Congress should fail in this regard much of the blame will lie directly with Housing Administrator Albert Cole, who has continually attempted to thwart the efforts of congressional committees and the Congress to obtain the facts which are needed to ascertain the needs of the American people with regard to adequate housing.

He has also opposed constructive and liberal housing legislation whenever the opportunity for action was present.

I ask unanimous consent that the editorial from the New York Times entitled "Housing Deadlock" be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HOUSING DEADLOCK

A three-way disagreement between Senate, House, and administration over housing legislation has resulted in a deadlock that could—but probably won't—prevent any action on housing this session at all.

At this time of year there should be expected the usual battle over provisions of the housing bill. It must all be viewed against the background of the Housing Act of 1949 that set an annual goal of 135,000 low-rent public-housing units over a 6-year period, of which a total of only 40 percent have been contracted for to date. This year the Senate has already passed a bill authorizing 135,000 units, while a measure approved by the House Banking Committee would provide for 50,000. These figures compare with only 35,000 for each of the next 2 years asked by President Eisenhower.

The differences are by no means limited to the number of proposed housing starts. There are serious disagreements in method and in scope, so much so that the Federal Housing Administrator, speaking, of course, for the administration, has denounced the House committee bill as "unrealistic, excessive, and ill-conceived." Taking its cue from such criticism, the House Rules Committee has voted to table the bill, which means that unless something drastic happens—or the measure is changed to the Rules Committee's liking—nothing will be allowed to come to the House floor for decision. This would mean that, quite apart from the major battles, some important but relatively noncontroversial housing programs would be permitted to expire this year, which is something nobody wants.

Whatever the ultimate fate of the bill, we believe that the Rules Committee is, as so often, exceeding its proper function by acting as an arbiter for legislation instead of as the traffic control it was set up to be. The administration and a majority of the Rules Committee do not like the proposed housing bill, so it is pigeonholed. This is no way to fight a measure of this importance. Congress should not fail to pass a housing bill this session, and the ostrich-headed attitude of its Rules Committee isn't reflecting much credit on the Congress.

REHABILITATION OF THE PHYSICALLY HANDICAPPED

Mr. LEHMAN. Mr. President, some years ago a group of young men formed an organization to help rehabilitate the physically handicapped. I have with great interest followed the work of this organization which is known as JOB. The initials stand for Just One Break. One of the moving spirits in creating and administering the organization is Orin Lehman, who happens to be my nephew. He was grievously wounded in the battle of the bulge and was hospitalized for several years. I believe this organization has shown, so far as is possible within its limited means, that useful and gainful work can be done by great numbers of our physically handicapped. It has brought help and hope to many disabled or physically handicapped persons and has placed thousands in gainful occupations. It has the strong support of many who, like myself, are interested in and deeply concerned with the problems of physical rehabilitation. I would like to see the work greatly expanded and extended to every large community in the country.

The New York Times this morning carried a very interesting editorial with regard to the purposes and work of JOB. I ask unanimous consent that this editorial be printed in the body of the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JUST ONE BREAK

Six years ago a group of young New York businessmen, headed by Orin Lehman, formed a unique new organization known as Just One Break. The initials of this organization, JOB, spelled its purpose—to assist physically handicapped persons in finding jobs.

During these 6 years more than 4,000 physically handicapped New Yorkers have found employment through JOB. Most important is the fact that they have held the jobs in which they were placed. Less than 5 percent required a second job placement.

Today, the JOB is attempting to expand its service, for its success has brought more disabled persons to its doors than its limited staff can handle. It also hopes to initiate a research program so that its experience and methods can be shared by communities in other States and in 12 foreign nations that have appealed to JOB for such assistance. Contributions mailed to JOB, Bellevue Hospital, New York City, will help them place the right man in the right job.

VIEWS OF LABOR ON PUBLIC HYDROELECTRIC DEVELOPMENT AT NIAGARA FALLS

Mr. LEHMAN. Mr. President, on Sunday there appeared in the editorial section of the New York Times a full page advertisement purporting to be an expression of opinion from the New York State Association of Electrical Workers in favor of the giveaway of the publicly owned hydroelectric potential at Niagara Falls, and in opposition to the Lehman-Buckley bill for a public development.

This advertisement claimed to be the voice and views of labor on this matter.

It is probably unnecessary to correct the record, but it would be dangerous to let this prominently displayed advertisement go without challenge. As the CONGRESSIONAL RECORD will show, Mr. President, in the course of the debate on our Niagara bill, I introduced into the record some of the many scores of messages I received from labor unions throughout New York State as well as from various international labor organizations. All these messages indicated support of the Lehman-Buckley bill.

Very recently, the executive council of the AFL-CIO, representing 16 million American workers—the voice of organized labor in America—passed a resolution ranging the labor movement in support of public development of the Niagara project, and specifically in support of the Lehman-Buckley bill. I am

convinced that the overwhelming majority of labor union members in New York State and in the Nation, support this bill.

I regret very much that the employees of the private utilities in New York State have constituted themselves a lobby to defeat this bill. I don't think that the membership of even those unions—and they are just a small part of the labor movement of New York State—realize exactly what they are doing. I don't think they have been told that there is no chance whatever for the passage of a giveaway bill, turning this resource over to a private monopoly. The choice is between the Lehman-Buckley bill and no legislation whatsoever.

Even the Niagara Mohawk Co. has come to recognize this, and has withdrawn its all-out opposition to legislation authorizing a public development at Niagara. The Niagara Mohawk Co. wanted to attach some conditions to its withdrawal of opposition, and even offered to support a public development bill if the terms of the Niagara Mohawk Co. were met.

I was certainly not ready to go all the way with Niagara Mohawk, which demanded a heavy price for its support—much too great a price. But I was perfectly willing to go part of the way and meet those demands which were reasonable.

The House Public Works Committee, in its report, has indicated its endorsement of some of the proposals of the Niagara Mohawk Co.

I wish that the employees of the Niagara Mohawk Co. would keep up with their employers in recognizing where their true interests lie.

I will take a back seat to no one in my record of support for the legitimate demands of organized labor. I think that the benefits of a public development at Niagara will be extended especially to working men and women in New York State. Most of the working men and women in New York State recognize this. The advertisement which appeared in the New York Times is not the voice of labor. Labor is for the Lehman-Buckley bill.

STUDIES REGARDING FOREIGN ASSISTANCE BY THE UNITED STATES GOVERNMENT

Mr. KENNEDY. Mr. President, I move that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2458, Senate Resolution 285, providing for a foreign-aid study by the Foreign Relations Committee.

The PRESIDING OFFICER. The resolution will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. 285) arranging for exhaustive studies to be made regarding foreign assistance by the United States Government.

The PRESIDING OFFICER (Mr. WOFFORD in the chair). Is there objection to the request of the Senator from Massachusetts?

Mr. WILLIAMS. Mr. President, I shall not object; but I should like to ask the Senator from Massachusetts whether it is the desire of the majority leader to have the Senate resume the consideration of the unfinished business, Senate bill 3877, to promote the development and rehabilitation of the coastwise trade, and for other purposes; or have the majority decided to discontinue the consideration of that bill?

Mr. KENNEDY. No; as soon as Senate Resolution 285 is disposed of, it is the proposal of the majority to have the Senate resume the consideration of Calendar No. 2440, Senate bill 147, requiring that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 30 days after the execution thereof; and then it is planned to have the Senate resume consideration of the unfinished business, Senate bill 3877, relating to the construction of certain vessels.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts for the present consideration of Calendar No. 2458, Senate Resolution 285?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 285) arranging for exhaustive studies to be made regarding foreign assistance by the United States Government, which had been reported from the Committee on Foreign Relations without amendment, and subsequently had been reported from the Committee on Rules and Administration with amendments on page 2, line 24, after the word "than", to strike out "February 15" and insert "January 31"; on page 3, line 14, after the word "through", to strike out "February 15" and insert "January 31"; and in line 20, after the word "Relations", to insert "The chairman may designate one or more members who may act for him for the purpose of this resolution," so as to make the resolution read:

Resolved, That the Committee on Foreign Relations shall arrange for exhaustive studies to be made of the extent to which foreign assistance by the United States Government serves, can be made to serve, or does not serve, the national interest, to the end that such studies and recommendations based thereon may be available to the Senate in considering foreign aid policies for the future.

SEC. 2. The committee shall, without limiting the scope of the study hereby authorized, direct its attention to the following matters:

(a) The proper objectives of foreign aid programs and the criteria which can be used to measure accomplishment.

(b) The capability of the United States to extend aid, in terms of the Nation's economic, technical, personnel, and other resources.

(c) The need and willingness of foreign countries to receive aid, and their capacity to make effective use thereof.

(d) The various kinds of foreign aid and alternatives thereto as well as the methods by which and conditions on which aid might be furnished.

(e) The related actions which should be taken to make foreign aid effective in achieving national objectives.

SEC. 3. The committee shall transmit to the Senate not later than January 31, 1957, the results of the study herein authorized together with such recommendations as may at that time be found desirable.

SEC. 4. In the conduct of this study full use shall be made of the experience, knowledge, and advice of private organizations, schools, institutions, and individuals. The committee may divide the work of the study among such groups and institutions as it may deem appropriate and may enter into contracts for this purpose. Full use shall be made of studies and plans prepared by executive agencies, and such agencies are requested to give the committee or any of its authorized study groups or consultants such assistance as may be required.

SEC. 5. For the purpose of this resolution, the committee is authorized to employ on a temporary basis through January 31, 1957, such technical, clerical or other assistants, experts and consultants as it deems desirable. The expenses of the committee under this resolution, which shall not exceed $300,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee on Foreign Relations. The chairman may designate one or more members who may act for him for the purpose of this resolution.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Committee on Rules and Administration.

The amendments were agreed to.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Will the adoption of the committee amendments preclude the amendments to be offered by the Senator from New Hampshire [Mr. BRIDGES]?

The PRESIDING OFFICER. Not unless they are amendments to a committee amendment.

Mr. KNOWLAND. In order that there may be no question, I ask unanimous consent that, following the adoption of the committee amendments, the resolution, as amended, be considered, for purposes of amendment, as original text.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution is open to further amendment.

Mr. BRIDGES. Mr. President, I offer the amendments, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments offered by the Senator from New Hampshire will be stated.

The CHIEF CLERK. On page 2, lines 1 and 2, it is proposed to strike out "the Committee on Foreign Relations shall arrange for exhaustive studies to be made" and insert in lieu thereof "there shall be established a committee which shall make exhaustive studies."

On page 2, between lines 7 and 8, it is proposed to insert the following new section:

"SEC. 2. (a) The committee shall be composed of the full membership of the Senate Committee on Foreign Relations and the chairmen and ranking minority members of the Senate Committee on Appropriations and the Senate Committee on Armed Services. In the event a Senator is the ranking minority member of both the Senate Committee on Appropriations and the Senate Committee on Armed Services, he shall, for the purposes of the first sentence of this subsection, be deemed to be the ranking minority member of the Senate Committee on Appropriations and the second ranking minority member of the Senate Committee on Armed Services shall, for the purposes of such sentence, be deemed to be the ranking

minority member of the Senate Committee on Armed Services.

"(b) Any vacancy in the membership of the committee shall not affect its powers and any vacancy in the membership of the committee shall be filled in the same manner as provided for determining the original membership.

"(c) The chairman of the committee shall be the chairman of the Senate Foreign Relations Committee.

"(d) Ten members of the committee shall constitute a quorum."

On page 2, line 8, it is proposed to strike out "2" and insert in lieu thereof "3."

On page 2, line 23, it is proposed to strike out "3" and insert in lieu thereof "4."

On page 3, line 3, it is proposed to strike out "4" and insert in lieu thereof "5."

On page 3, line 13, it is proposed to strike out "5." and insert in lieu thereof "6. (a)."

On page 3, line 20, it is proposed to strike out "Committee on Foreign Relations" and insert in lieu thereof "committee."

On page 3, after line 22, it is proposed to insert the following:

(b) For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. The committee shall cease to exist at the close of business on January 31, 1957.

Mr. BRIDGES. Mr. President, the purpose of the amendments is to provide other committees, which have responsibility for mutual aid, some insight into what will be going on in the conduct of the investigation. The investigation could be carried on in two ways. It could be handled by the Foreign Relations Committee as a committee proceeding alone with its investigation, and with the Committee on Armed Services proceeding with its own investigation, particularly on the phases of mutual aid which deal with military assistance; or it could be handled by one special committee made up of members from the various interested standing committees.

Certainly in connection with this general subject, I believe the Armed Services Committee and the Committee on Appropriations have a responsibility to the Senate. My proposal seems to me to provide a reasonable way to proceed. If the proposal cannot be adopted I should say the only thing left to do would be for the Committee on Armed Services to proceed on its own with its part of the investigation and possibly the Appropriations Committee should do likewise. If my amendments are adopted, we will save duplication and we will proceed with the investigation as a Senate group. Personally, I cannot see any reason for duplication.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MANSFIELD. As I understand, the purpose of the Senator's amendments is to attach to the full Committee on Foreign Relations the chairmen and the ranking minority members of the Committee on Armed Services and the Committee on Appropriations. Is that correct?

Mr. BRIDGES. That is correct.

Mr. MANSFIELD. It would appear to me that such a proposal would be acceptable, because the principle of senatorial responsibility is maintained. I mean that the authority and the responsibility would still lie with the Senate. Of course, as the Senator from New Hampshire knows, an investigating subcommittee has already been created by the chairman of the Committee on Armed Services, the Senator from Georgia [Mr. RUSSELL], and it will look into the military aspects of the foreign-aid program.

The Senator from New Hampshire knows also, I am sure, that the Committee on Appropriations, of which he is the ranking minority member, has the right to investigate any and all questions relating to foreign aid it deems fit to investigate.

There is also a matter of time to be considered. Speaking personally, and on the basis of my understanding of the amendments offered by the distinguished Senator from New Hampshire, it would appear to me that the proposed approach to the problem would be a good one, because there is a decidedly important part for the Committee on Appropriations and certainly for the Committee on Armed Services to take in this connection. What appeals to me most is that the principle of senatorial responsibility is being maintained in the conduct of the investigation over the remainder of this year and extending until January 31, 1957.

Mr. BRIDGES. I thank the Senator.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. SMITH of New Jersey. Mr. President, do I understand correctly that the amendments of the Senator from New Hampshire are satisfactory to the Committee on Armed Services and to the Committee on Appropriations; or will those committees continue with their separate investigations?

Mr. BRIDGES. I cannot speak for the Committee on Armed Services or for the Committee on Appropriations. I have discussed the matter with members of both committees, but I cannot speak with authority for either committee. The amendments may not be satisfactory to either committee, or they may be. I know that some of the members with whom I have discussed the subject have spoken highly of the proposal or commended it, but I cannot speak officially for either committee.

Mr. STENNIS. Mr. President, I am interested in the pending resolution, but it was not until a few minutes ago that I heard of the amendments of the Senator from New Hampshire. I have looked them over, and I am impressed with the general idea.

I know there was a time when the military phase of the mutual-aid program was referred to the Committee on Armed Services, and that in other years we had joint meetings of the Committee on Foreign Relations and the Committee on Armed Services. I have always felt it was quite helpful to have such a joint study made in connection with the consideration of mutual aid.

Through no one's fault, that practice has fallen into disuse in recent years. That is one reason why the mutual-aid program is no better understood than it is. Some uncertainty has been creeping into it in late years.

I commend the Senator for his proposal, and I hope it will be acceptable to the Committee on Foreign Relations. Certainly it would strengthen the survey, and certainly it would provide an opportunity for an expression of views on the various aspects of the program.

Mr. BRIDGES. I thank the distinguished Senator from Mississippi. I should like to point out to him that, as I am sure he is aware, when the first mutual aid bill was considered by Congress—and I am not now referring to the pre-war and war periods, when we considered lend lease—but rather post-war when we started with the Marshall plan; a joint congressional committee was established as a sort of watchdog committee, to which Members of various committees of both House were appointed. Those members were not appointed at large; they were appointed from the Committees on Appropriations and from various other committees which were concerned with the questions which were involved. For a time the Senator from New Hampshire was chairman of that group. Subsequently, I believe the Senator from Nevada and other Senators served as chairman. In that way, we were able to keep in constant touch with all phases of the subject. Such an opportunity has been lacking recently. I believe it would be wise to have not merely an investigation but a sort of review of the activities, before we face the issue in another year. I believe it would make for a little better feeling on the part of the other committees as well, because they are so vitally concerned; at least it would give those committees some liaison with the Committee on Foreign Relations.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. FLANDERS. I wish to support the proposals of the Senator from New Hampshire. The undertaking, while it lies obviously and mainly within the Committee on Foreign Relations, is wider than the Foreign Relations Committee's field of responsibility. It seems to me to be very fitting indeed that that fact should be recognized. It can be recognized without in any way indicating any criticism of the Committee on Foreign Relations. There is involved merely a suggestion that in a part of the field Committee's have overlapped onto the jurisdiction of other committees. I would be very glad if the amendments were accepted by the proponents of the resolution, so that the investigation could proceed on a broader base.

Mr. MANSFIELD. Mr. President, we are glad to accept the amendments.

Mr. BRIDGES. I thank the Senator.

Mr. STENNIS. Mr. President, I have previously expressed concern in the Senate over certain phases of our foreign-aid program, and have suggested that a reappraisal and study of this program is badly needed. I am pleased that the Senate Foreign Relations Committee has taken positive action on this important subject and has reported Senate Resolution 285, calling for an extensive study of foreign aid. This is certainly a sound and timely approach for getting valuable information so badly needed for a complete reappraisal and adjustment in our foreign-aid program.

I have supported foreign aid as a necessary part of our foreign policy, but certain phases of the program have been a great disappointment in terms of obtaining the basic objectives. I strongly believe that the time has come when we need to take a new look at this program and examine the original objectives and determine to what extent these objectives have been fulfilled and what course we should follow in future years.

MILITARY AID

The military-aid program has proved to be of great value, and I would not want to see it entirely abandoned. At the same time, we should concentrate our military aid in countries where proof clearly shows it is necessary and will better our military position. The expenditure of large sums of money in these countries without proper planning in terms of benefits received will not increase our military protection or the military strength of the countries we are trying to help.

Special attention should be given to getting countries who receive this aid to show more actual results in building their own military strength in both weapons and men and with a determined effort on their part to accomplish the primary objectives of this program.

TECHNICAL ASSISTANCE

My on-the-ground observations have convinced me that technical aid should be on a limited scale and only where such aid is actually administered in helping the mass of people to help themselves. We should certainly take a careful look at these programs, which are in effect merely give-away programs and which encourage excessive increases in production of agricultural commodities which directly compete with American products.

The technical aid program was not intended to be one worked from a highly diplomatic level nor a multi-billion dollar program destined to be a constant drain on our own economy. It was conceived as a down-to-earth approach in which countries help themselves and at the same time carry it out in such a way as to establish and build friendly relations with the people themselves. This was designed to bring about a better understanding and to strengthen our relations with the people and their country. I strongly believe that our future program should be designed to especially help the masses of the people rather than to benefit those in favored groups.

I hope this study will include a careful appraisal of aid from other countries and establish safeguards which will place foreign aid on a sound basis.

Russia has entered into a new field of activity by offering economic aid to various countries. I strongly feel that a great mistake will be made if we permit our foreign-aid program to become a scheme to outbid Russia. We must call her hand on this new policy of economic aid and see if she will deliver her commitments to other countries. Personally, I do not believe that there will be any substantial delivery on these promises. But, more important, I do not believe that it is a sound policy to pursue a course of obtaining and holding the good will of any nation by merely out-bidding in the field of economic aid.

I am convinced that we must now have a long range plan based primarily on loans rather than outright grants. In the undeveloped countries, we have an opportunity to give some direct aid for limited programs which they themselves actually want and need. We must make a special effort to eliminate programs which will in the end have a serious effect on our farmers and merchants. We have a solemn obligation and duty to the American taxpayer to critically review this program, and I believe that Senate Resolution 285 is a step in the right direction. I hope that it will receive the full support of the Senate.

The PRESIDING OFFICER. Is there objection to the consideration en bloc of the amendments offered by the Senator from New Hampshire [Mr. BRIDGES]? The Chair hears none, and it is so ordered.

The question is on agreeing en bloc to the amendments offered by the Senator from New Hampshire.

The amendments were agreed to.

The PRESIDING OFFICER. The resolution is open to further amendment. If there be no amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 285) was agreed to, as follows:

Whereas there has been no public nonpartisan examination of United States foreign aid policies since studies undertaken prior to the beginning of the Marshall plan; and

Whereas an important portion of the United States Government budget has been and is being devoted to foreign aid programs; and

Whereas since the inception of foreign aid programs fundamental changes have taken place in the world situation and in the relative strength of countries both friendly and unfriendly toward the United States: Now, therefore, be it

Resolved, That there shall be established a committee which shall make exhaustive studies of the extent to which foreign assistance by the United States Government serves, can be made to serve, or does not serve, the national interest, to the end that such studies and recommendations based thereon may be available to the Senate in considering foreign aid policies for the future.

SEC. 2. (a) The committee shall be composed of the full membership of the Senate Committee on Foreign Relations and the chairman and ranking minority members of the Senate Committee on Appropriations and the Senate Committee on Armed Services. In the event a Senator is the ranking minority member of both the Senate Committee on Appropriations and the Senate Committee on Armed Services, he shall, for the purposes of the first sentence of this subsection, be deemed to be the ranking minority member of the Senate Committee on Appropriations and the second ranking minority member of the Senate Committee on Armed Services shall, for the purposes of such sentence, be deemed to be the ranking minority member of the Senate Committee on Armed Services.

(b) Any vacancy in the membership of the committee shall not affect its powers and any vacancy in the membership of the committee shall be filled in the same manner as provided for determining the original membership.

(c) The chairman of the committee shall be the chairman of the Senate Foreign Relations Committee.

(d) Ten members of the committee shall constitute a quorum.

SEC. 3. The committee shall, without limiting the scope of the study hereby authorized, direct its attention to the following matters:

(a) The proper objectives of foreign aid programs and the criteria which can be used to measure accomplishment.

(b) The capability of the United States to extend aid, in terms of the Nation's economic, technical, personnel, and other resources.

(c) The need and willingness of foreign countries to receive aid, and their capacity to make effective use thereof.

(d) The various kinds of foreign aid and alternatives thereto as well as the methods by which and conditions on which aid might be furnished.

(e) The related actions which should be taken to make foreign aid effective in achieving national objectives.

SEC. 4. The committee shall transmit to the Senate not later than January 31, 1957, the results of the study herein authorized together with such recommendations as may at that time be found desirable.

SEC. 5. In the conduct of this study full use shall be made of the experience, knowledge, and advice of private organizations, schools, institutions, and individuals. The committee may divide the work of the study among such groups and institutions as it may deem appropriate and may enter into contracts for this purpose. Full use shall be made of studies and plans prepared by executive agencies, and such agencies are requested to give the committee or any of its authorized study groups or consultants such assistance as may be required.

SEC. 6. (a) For the purpose of this resolution, the committee is authorized to employ on a temporary basis through January 31, 1957, such technical, clerical or other assistants, experts and consultants as it deems desirable. The expenses of the committee under this resolution, which shall not exceed $300,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee. The chairman may designate one or more members who may act for him for the purpose of this resolution.

(b) For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. The committee shall cease to exist at the close of business on January 31, 1957.

The preamble was agreed to.

MORE SOVIET SECRETS

Mr. BRIDGES. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "More Soviet 'Secrets,'" written by Marguerite Higgins, and published in the New York Herald Tribune of Sunday, June 18, 1956.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MORE SOVIET "SECRETS"

(By Marguerite Higgins)

For the first time, the United States has obtained apparently authentic accounts of the real story behind the great post-Stalin shifts of power within the Kremlin.

From documents in the possession of the Western powers, it turns out that the outside world until now has had only fragmentary and often distorted accounts of the liquidation of Lavrenti Beria, Soviet chief of internal security, the demotion of Georgi Malenkov, former Premier, and the ouster of Foreign Minister Vyacheslav Molotov. The documents portray the Communist Party boss Nikita Khrushchev, the former plumber from the Ukraine, as an expert in-fighter in the struggle for power that has made him "first among equals" in the current Soviet hierarchy.

Additionally, the Kremlin curtain has been widely parted by testimony (both public and private) before the Senate Internal Security Committee given by Seweryn Bialer, an important Polish Communist official who recently defected to America.

This has been supplemented and corroborated by independent Western access to at least 5 documents (3 of them mentioned by Bialer): A summary of some private conversations between Russia's top leaders and Marshal Tito; 2 secret letters of the Soviet Party Presidium (Politburo) explaining respectively Beria's purge and Malenkov's downfall; Khrushchev's Warsaw speech denouncing Malenkov; and a stenographic account of the July 1955, Communist Party meeting in which Molotov's fate was sealed.

Such a deep look into the inner workings of the Kremlin is unprecedented. Ironically it has been made possible primarily by Khrushchev himself. For in the process of denouncing Stalin's one-man rule, Khrushchev has initiated the policy of dispatch-"secret" letters of information to key coming "secret" letters of information to key comrades as a measure of "democratizing" the party to the extent of letting at least the elite few know what's going on. Mr. Khrushchev may well be regretting this "democratization" and the unpreventable new leaks to the West. For as compiled by the Communists themselves, the record casts the current Communist Party boss in a tricky light.

An outstanding example is the Politburo letter—signed by Khrushchev—on the Beria case. In light of recent events, it comes as a shock to read that one of the reasons Beria was suspected of espionage was that he sought to renew ties between Moscow and Belgrade. One of the points against Beria was that he suggested establishing a special telephone line between the two capitals so that there could be direct contact with Marshal Tito.

The supreme irony is that Khrushchev only a year after joining in such accusations against Beria should not only take the lead in seeking the rapprochement with Yugoslavia but denounce Beria as responsible for past hostility between Moscow and Belgrade.

Among the hitherto unpublished charges against Beria outlined in the Politburo explanation of his liquidation are:

1. That he was spying on his colleagues in the Politburo to the extent of putting them under surveillance and tapping their wires. The letter cites one occasion when an NKVD subordinate ventured to express surprise at orders to spy on Soviet leaders. According to the letter, Beria replied "if you don't carry out my orders I will crush you into labor camp dust."

2. That Beria was a moral degenerate, staging erotic orgies in a special Moscow apartment. He was accused of selecting women from Moscow prisons and then dispatching them to labor camps after dispensing with their services.

Beria was shot December 1953, at the time when Georgi Malenkov was still Prime Minister. So far as the outside world could tell, the entire Politburo was united against Beria.

There certainly was no outward hint of a link between Beria and Malenkov. But when the time came for Malenkov's demotion, another Politburo letter asserted that the fallen Soviet Premier was responsible with Beria for the 1946 Leningrad trials. According to the current Communist line, these trials were fabricated as part of the Stalinist terror and involved the unjust liquidation of thousands of good Communists.

In commenting on the impact of the Politburo's Beria-and-Malenkov letter, Mr. Bialer told the Senate committee: "I came to the conclusion that Khrushchev, aiming at seizure of power in the party, had adopted the tactics of removing his rivals one by one. As long as it was necessary he, together with Malenkov, accused Beria of staging the Leningrad trials. Eighteen months later when Malenkov's turn came, Khrushchev made him coresponsible. Yet Malenkov had been at Khrushchev's side when Beria was purged. Why wasn't Malenkov accused of it in those days? The answer was that Malenkov was indispensable in the fight against Beria and his turn had not yet come."

Khrushchev personally carried the fight against another Malenkov "mistake"—overemphasis on consumer goods—directly to the East European satellites, for he feared the effect of Malenkov's "soft" example. In another not-so-secret speech made in the spring of 1955 in Warsaw, Khrushchev engaged in a revealing burst of prose, saying to top Polish Communists: "It is true that you do not have good ladies' hats; it is true that there is probably not enough food in Poland. But you must remember that we must have first of all heavy industry. The more steel we produce for the Soviet bloc the more sleepless nights Mr. Dulles will have in Washington."

Malenkov, the first prominent Russian to be demoted rather than purged is now minister of electric power stations.

The showdown with Molotov came at the July 1955 meeting of the Communist Party. According to Mr. Bialer, who held many Communist Party posts including that of propaganda chief for the Polish Politburo, the showdown had been brewing for many months. "Molotov's 'mistakes' were tolerated by Khrushchev for obvious reasons," Mr. Bialer testified. "Molotov's help was necessary to force Malenkov's resignation. In February 1955 Molotov was still indispensable to Khrushchev, as Malenkov had been indispensable during the purge of Beria in July 1953."

Yugoslavia was the touchstone of the Khrushchev-Molotov controversy. According to the stenographic reports of the July meeting, Molotov favored a rapprochement with Tito on a governmental level but insisted that Communist Party problems should not be discussed with him because the Yugoslav Marshall was "anti-Soviet and his views far removed from communism."

At this point in the lively and often abusive interchange Khrushchev interrupted Molotov to say "but in 1939 you could take to Ribbentrop" (Hitler's foreign minister with whom Molotov negotiated the Hitler-Stalin pact).

Later Khrushchev, even while protesting that he had "nothing personal against Molotov," exclaimed "Vyacheslav Mikhailovitch, all of this is your wife's fault. It would be much better for you if you didn't listen to her. She pushes you and makes you ambitious. She is your evil spirit."

Molotov "resigned" as foreign minister the day before Tito arrived in Moscow.

Perhaps most intriguing to the West in the search for the real meaning of Khrushchev's actions is his discussion of coexistence in Warsaw. At a time when the Communist party leader felt he was speaking to trusted comrades, he said: "We are discussing coexistence." Khrushchev observed: "But of course we must realize that we cannot coexist eternally. One of us must go to his grave. We do not want to go to the grave. They (the Western powers) don't want to go to their graves either. So what must be done? We must push them to their graves."

TRANSMISSION TO THE SENATE OF INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 2440, Senate bill 147.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 147) to require that international agreements, other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 30 days after the execution thereof.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment.

Mr. KNOWLAND. Mr. President, S. 147, as reported by the committee with an amendment, would require international agreements other than treaties to be transmitted to the Senate within 60 days after they have been concluded.

This bill would amend section 112 of title I of the United States Code by adding a new section, 112b, enlarging the duty of the Secretary of State to keep Congress and the people informed concerning the existence of agreements which are concluded between other governments and our own.

At the present time, section 112a requires the Secretary of State to compile and publish all treaties to which the United States is a party, that have been proclaimed during each calendar year. Information with respect to international agreements other than treaties—loosely described as executive agreements—has not in the past been available as quickly as it should have been to satisfy many Members of the Senate. The present bill would insure that the Senate be kept regularly advised as to the subject matter of agreements which are finalized by the Executive alone.

Under the committee amendment, all such agreements must be transmitted to the Senate within 60 days, except for those agreements which, for security reasons, are classified, and which the President does not believe should in in the national interest be disclosed to the general public. The latter category would, under the bill, be transmitted,

with appropriate security safeguards, to the Senate Committee on Foreign Relations. Members of that committee will thus be kept fully informed as to the nature of the obligations assumed by our Government in such agreements.

The bill will not only encourage greater liaison between the Executive and Congress throughout the entire range of the treaty process, but will remove some of the objections which in the past have been made on this floor, to the effect that this Nation was being committed to undertakings which the Senate had no opportunity to learn about until long afterward.

I might say, Mr. President, that the bill was unanimously reported by the Committee on Foreign Relations, and I ask unanimcus consent that as a part of my remarks the committee report on Senate bill 147, Report No. 2416, be printed in the RECORD.

There being no objection, the report (No. 2516) was ordered to be printed in the RECORD, as follows:

The Committee on Foreign Relations, having had under consideration S. 147, requiring international agreements other than treaties to be transmitted to the Senate within 30 days from the execution thereof, reports the bill with an amendment, and recommends its approval.

MAIN PURPOSE OF THE BILL

As introduced by Senator KNOWLAND on January 6, 1955, the bill would have amended title I of the United States Code by inserting a new section (sec. 112b), requiring the Secretary of State to transmit to the Senate the text of any international agreement other than a treaty to which the United States is a party, within 30 days after it has been signed, proclaimed, or finally executed with the requisite formalities. The bill then directed the President of the Senate to refer the agreement to the appropriate committee of the Senate or joint committee of the Senate and House of Representatives.

At the present time, section 112a of title I of the United States Code requires the Secretary of State to compile and publish, beginning with January 1, 1950, a compilation entitled "United States Treaties and International Agreements," containing all treaties to which the United States is a party, that have been proclaimed during each calendar year, along with international agreements other than treaties concluded by the United States during each calendar year. S. 147 would broaden this publicity provision, by requiring the texts of agreements other than treaties (often loosely designated as "executive agreements") to be brought to the attention of the Senate within the much shorter interval of 30 days. As reported by the committee, this period has been increased to 60 days, and certain other modifications which are discussed below, have been introduced into the bill.

BACKGROUND OF THE MEASURE

During the past few years many Members of the Senate have manifested concern as to the scope and function of executive agreements in the conduct of the foreign relations of the United States. Under the Constitution treaties are submitted to the Senate for its approval and are given careful examination by the Foreign Relations Committee and the Members of the Senate generally. Since World War II the executive branch has worked closely with the committee in concluding most of the important treaties which have been entered into by the United States.

The situation has been far less satisfactory with respect to executive agreements. Many of these have an important bearing upon our foreign policy. Since they are not submitted for the approval of the Senate, however, considerable time may elapse after their conclusion before they are called to the attention of the Senate. This creates unfortunate gaps in the flow of information between the legislative and executive branches of our Government.

The present bill insures that the Senate will be kept regularly informed concerning the subject matter of agreements finalized by Executive action alone. The Senate thereby will be in a position not only to ascertain the nature and extent of the rights and obligations provided for under instruments other than formal treaties, but to establish to its own satisfaction the relationship between such agreements and the laws of the United States on the one hand, and their impact upon our foreign policy upon the other. In the former case, it will then be open to Congress to take corrective action, so far as our domestic law is concerned, by the enactment of appropriate legislation where that might be necessary. In other words, by insisting upon adequate and reasonably prompt publicity concerning the scope of international agreements other than treaties, Congress will be better equipped than it now is to perform its proper functions in the field of foreign relations.

COMMITTEE ACTION

S. 147 is identical with S. 3067 which had been introduced on March 3, 1954, during the 83d Congress. When the earlier bill was considered at meetings held for that purpose (on May 5, July 23, and July 26) by a special subcommittee (consisting of Senator SMITH (New Jersey), chairman, and Senators WILEY, HICKENLOOPER, FERGUSON, GEORGE, GREEN, FULBRIGHT, and MANSFIELD), the committee had been informed by the Department of State that S. 3067 was objectionable, in its original form, for two main reasons. First, the 30-day period for transmission of the finalized agreement to the Senate was too short, purely as an administrative matter, in view of the time ordinarily consumed in completing exchanges of views and in perfecting the final, authentic draft where long distances are involved. This suggestion was adopted by the subcommittee, the period of 60 days being substituted for the time originally set in the bill.

Second, according to the Department, there are a number of agreements which, for security reasons, are highly classified, and which the Department believed should not, in the national interest, be made available to the general public or deposited in the insecurely protected files of Congress as a whole.

These objections to the measure were reaffirmed, with respect to S. 147, in a letter to the committee from Assistant Secretary of State Thruston B. Morton, dated March 7, 1955. Accordingly, the committee voted on July 3, 1956, to amend the bill, as it had the earlier measure, so as to provide that "any such agreement, the immediate public disclosure of which would in the opinion of the President of the United States be prejudicial to the national security of the United States shall not be transmitted to the Senate as in this section provided; but shall be transmitted to the Committee on Foreign Relations under an appropriate injunction of secrecy to be removed only upon due notice from the President."

As a consequence of this amendment, every international agreement other than a treaty is to be transmitted to the Senate within 60 days from the date that it comes into force; but if such agreement is one whose immediate disclosure would prejudice the national security of this country, then it will be transmitted to the Committee on Foreign Relations. The committee will undertake appropriate steps for its safeguarding, and, after considering its terms, may take whatever action it deems proper under the circumstances.

With the changes indicated above, along with certain other minor alterations of the text, the committee without objection agreed to report the bill to the Senate on July 3, 1956.

COMMITTEE RECOMMENDATION

The members of the committee believe that this bill will provide the basis for keeping the Senate duly informed on a variety of matters dealt with by executive agreements which had hitherto escaped its attention. At the same time it will insure a closer degree of liaison between the Executive and Congress throughout the entire range of the treaty process. Finally, it is believed that this measure will necessarily produce a salutary restraining effect on the conclusion of such agreements as may have been, in the past, productive of criticism, furnishing to the Senate the means whereby corrective legislative action may be taken if necessary.

For these reasons, the committee recommends that the present bill be promptly enacted with the amendments described in this report.

The PRESIDING OFFICER. The committee amendment will be stated.

The amendment of the Committee on Foreign Relations was, on page 1, line 10, after the word "party", to strike out "that has been signed, proclaimed, or with reference to which any other final formality has been executed subsequent to the date of enactment of this section. The text of any such international agreement shall be transmitted to the Senate within 30 days after it is signed, proclaimed, or other final formality is taken with reference to it and shall be referred by the President of the Senate to the appropriate committee of the Senate or joint committee of the Senate and House of Representatives," and insert "as soon as practicable after such agreement has entered into force with respect to the United States but in no event later than 60 days thereafter: *Provided*, That any such agreement the immediate public disclosure of which would, in the opinion of the President of the United States, be prejudicial to the national security of the United States shall not be transmitted to the Senate as in this section provided; but shall be transmitted to the Committee on Foreign Relations under an appropriate injunction of secrecy to be removed only upon due notice from the President", so as to make the bill read:

Be it enacted, etc., That title I, United States Code, is amended by inserting therein, immediately after section 112a, a new section as follows:

"§ 112b. United States international agreements; transmission to Senate

"The Secretary of State shall transmit to the Senate the text of any international agreement other than a treaty to which the United States is a party as soon as practicable after such agreement has entered into force with respect to the United States but in no event later than 60 days thereafter: *Provided*, That any such agreement the immediate public disclosure of which would, in the opinion of the President of the United States, be prejudicial to the national security of the United States shall not be transmitted to the Senate as in this section provided; but shall be transmitted to the Committee on Foreign Relations under an appropriate injunction of secrecy to be removed only upon due notice from the President."

SEC. 2. The analysis of chapter 2 of title I, United States Code, is amended by in-

serting, immediately after item 112a, the following:

"112b. United States international agreements; transmission to Senate."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. BRICKER. Mr. President, I wish to commend the minority leader for the introduction of this measure, and the committee for reporting it unanimously. It has long been needed. But the full problem has not yet been solved. I think we all realize that executive agreements entered into, whether secret or otherwise, become the supreme law of the land; they overrule the decisions of the Congress, the laws of the States and the constitutions of the States of the Union, and may, under the interpretation of the recent decision of the Supreme Court, overrule the provisions of the Constitution of the United States.

This bill is a step in the right direction, but the problem will not be fully solved until there is finally ratified an amendment to the Constitution which will make the Constitution of the United States supreme over both treaties and executive agreements.

I wish to commend the Senator from California for taking this step and the Foreign Relations Committee for approving it. I think the bill should pass.

Mr. BRIDGES. Mr. President, I should like to say a word in this connection. I, too, wish to commend the distinguished minority leader for his introduction and sponsorship of this measure. I think it is absolutely essential. Certainly it is a step in the right direction, and I am happy that the Foreign Relations Committee, without partisanship, but by unanimous vote, has reported the bill.

Mr. KNOWLAND. Mr. President, I wish to thank both Senators for their remarks and their support.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 147) was ordered to be engrossed for a third reading, read the third time, and passed.

DEVELOPMENT OF COASTWISE TRADE

The Senate resumed the consideration of the bill (S. 3877) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

Mr. ERVIN. Mr. President, I should like to discuss for a few minutes Senate bill 3877.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum, if the Senator from North Carolina will yield for that purpose, without his losing his right to the floor.

Mr. ERVIN. Mr. President, I yield for that purpose.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, the bill has been reported favorably by the Committee on Interstate and Foreign Commerce. It is designed to encourage the construction of a new type vessel, commonly referred to as the lift-on, lift-off type combination dry-cargo tanker and to promote the development and rehabilitation of the coastwise trade. It authorizes and directs the Secretary of Commerce to charter, for 5 years or longer, certain war-built tankers, presently located in the Government laid-up fleet, to qualified applicants, as expressed in the bill and determined by the Secretary of Commerce, for use in the United States domestic coastwise trade. The charter hire for each tanker would be $150,000 a year, plus other considerations required by the terms of the bill. They include the following:

First, the installation of an upper deck in accordance with the requirements of paragraph 1 (f) (1) of the bill, and in accordance with plans and specifications approved by the Secretary of Commerce and by the Secretary of the Navy.

Second, the construction in a United States shipyard of one dual-purpose cargo-tank ship containing the requirements of paragraph 1 (f) (2) for each two tankers chartered.

Third, the restriction of the operation of the new cargo-tank ship to the United States domestic coastwise trade for a period of 10 years after its construction.

The same restriction shall apply to each chartered tanker during the lifetime of the charter, subject, however, to the provision that these tankers, both the ones which are chartered and the newly constructed tankers, may be used for the United States Government, with the consent of the Secretary of Commerce, for any other purpose.

At the end of the charter the charterer must redeliver each chartered tanker to the United States in good operating condition, including class, ordinary wear and tear excepted.

The charterer must agree to other terms and conditions which the Secretary of Commerce deems necessary to protect the interests of the United States.

According to the testimony before the committee it is understood that the building program is to extend over a 5-year period, but all tanker charter contracts and the construction contracts with reference to the cargo-tank ships to be built must be executed within a 2-year period.

The testimony before the committee disclosed that there is a dearth of tankers available to the United States at this time. It is essential to the national defense that some new tankers be built.

It has been suggested by some persons that perhaps a subsidy of some nature to the charterer is contained in the bill. But, as every Senator knows, every time Congress meets it appropriates money for ship-subsidy purposes. During the first session of the 84th Congress, appropriations in excess of $85 million were made for that purpose.

Experience has shown that it is impossible to keep an American merchant marine upon the high seas or in the coastwise trade without subsidies. Under the bill, the Government will get more than it would get under any other provision of the shipping laws, so far as I have been able to ascertain. In the first place, the Government has the tankers in the laid-up fleet. Under the bill, the Government would get revenue from ships rather than keep them in the laid-up fleet, where they would yield no profit of any kind to the Government.

The Government will receive a minimum of $750,000, over a period of 5 years, for every tanker which may be chartered under the bill. In addition, the bill places an obligation upon the charterer to build a cargo deck on the ship, at a cost of approximately $200,000 for each ship. The cargo deck will remain upon the vessel when the charter expires and the vessel is restored to the Government. Thus the Government will have the benefit of a $200,000 improvement on each ship.

There is a provision of one shipping law that the Government shall defray the cost of the national-defense features built into vessels.

The new cargo tankers would be 32,000 tons each, and would have a minimum speed of 18 knots, and could easily qualify for the subsidy if they were built under the national-defense provision of the shipping laws. Under the bill, however, the charterer and builder of the new vessels would not get the benefit of that subsidy, which in most cases has averaged approximately $1 million a vessel. Hence, the Government would save that subsidy.

If the bill be passed as it is recommended to be amended by the committee, the Government will get the best bargain under any shipbuilding program known to me.

The evidence before the committee was that the United States coastwise trade has practically vanished. We have practically no coastwise trade now. So far as I have been able to determine, there is no segment of the American economy which does not favor the bill, except some persons who are engaged in competing lines of transportation.

David Harum once said that it is a good thing for every dog to have some fleas, because they keep the dog from forgetting it is a dog. I think it is good for the souls of the railroads and the other transportation systems to have some competition. I know the public is always interested in competition, because the public is always better served when there is competition.

The new cargo-tank ships to be constructed will afford competition at a lower rate. This is true because the cargo deck will be so built as to transport loaded containers or trailers which can be taken to and removed from ports by tractors. Hence, loading and unloading

of the dry cargo by antiquated methods are avoided.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. ERVIN. I shall yield to the Senator when I complete my statement.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. ERVIN. I want to say that when he goes to build one of these new 32,000-ton cargo tankers, the charterer can trade in two old dry-cargo ships.

Some persons, including public officials, object to the provision in the bill that the charterer is to be given credit to the extent of the world maket value of the old ships traded in, on the construction costs of the new cargo tankers.

I might add incidentally, that the bill is for the benefit of American labor, because it requires the new ships to be built in American shipyards.

I think there has been a wrong construction put on section 510 of the act of 1936 in times past by some Government agencies concerned in the trade-in of old ships. It is true that some of the dry cargo ships that could be traded in under the bill were purchased from the Government some years ago, under the Ship Sales Act, for sums around $1 million. As a result of the failure to build new ships, and as a result of the increased cost of building new ships, these ships, although they were sold at that price, now have a market value of around $1,600,000. There is provision that credit be given for the world market value.

The Merchant Marine Act of 1936 provided that the allowance for an obsolete ship shall be the fair and reasonable value of such vessel, as determined by the Maritime Board or the Secretary of Commerce, and that in making such determination the Board or Secretary shall consider, first, the scrap value of the obsolete ship, both in domestic and foreign markets; secondly, the depreciated value, based on a 20-year life; and, third, the market value thereof for operation in the world trade or in the foreign or domestic trade of the United States.

I respectfully submit that, under the proper rule of construction the act is to be interpreted so all its provisions can be reconciled and all of them can be given effect. The original provision in the Merchant Marine Act of 1936 intended that all traded-in vessels should be traded in at their reasonable fair market value, because that is what it says in its express terms. The provision that there should be taken into consideration the value for scrap was put in there because there might be no other value. The provision concerning the depreciated value over 20 years was put in the act because there might be no other evidence on it. But it was stated that in arriving at the fair market value there should be taken into consideration the market value thereof for operation in the world trade or in the domestic or foreign trade of the United States.

Mr. President, this is an important bill. Representatives of the Navy and the Maritime Commission appeared before the subcommittee, and gave evidence in favor of the principle embodied in the bill.

First I should like to call to the attention of the Senate the statement of Adm. Walter C. Ford, Deputy Maritime Administrator——

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. ERVIN. I shall yield to the Senator when I have completed my statement.

Mr. WILLIAMS. I will say to the Senator that I withdraw my request, because I understand why.

Mr. ERVIN. I did not hear the Senator.

Mr. WILLIAMS. I say, I think I understand why, so I shall withdraw the request.

Mr. ERVIN. The Deputy Maritime Administrator, who represented the Maritime Commission on this particular subject. He said, "We favor the objective of the bill."

Vice Adm. Roscoe F. Good, Deputy Chief of Naval Operations, representing the Navy, stated:

> The Department of the Navy vigorously supports the concept of maintaining a national defense reserve fleet. From the viewpoint of national defense mobilization requirements a privately owned and operated United States merchant marine of sufficient size quantitatively and qualitatively to meet defense requirements would be an ideal situation. With this in mind, I have previously stated to committees of Congress that I consider the most valuable type merchant ship, from the viewpoint of national defense, to be that ship which is actively operating and returning a profit to its owners. I am still of that opinion.
>
> I further urge you to favorably consider modifying the bill to include the specific recommended changes I have mentioned. With these changes, the bill represents a further legislative incentive to increase our active United States merchant marine, and as such, it is a measure to which the Department of the Navy may lend its wholehearted endorsement and support.
>
> The ships proposed for new construction will be of great value in an emergency, and their construction in United States shipbuilding yards would materially aid in the maintenance of a ready mobilization base of ship construction facilities and skills.

I call attention to the statement of Adm. Francis C. Denebrink, commander of the Military Sea Transportation Service, who is best qualified to speak on this subject. He recommended certain changes, most of which were made.

Admiral Denebrink stated:

> As a preamble to my statement, I would like to set it clearly on the record that I warmly support the philosophy of S. 3877.

Later Admiral Good said:

> Everybody I know in the Department of Defense strongly supports this legislation.

Admiral Denebrink cited, in support of his position the necessity of getting these tankers built and chartered, as did the other representatives of the Maritime Commission and the Navy, that it was much better to have a ship in operation than it was to have it laid up in a mothball fleet. Under the bill, the ships under charter could be converted to immediate national defense use in an emergency, instead of being laid up in a mothball fleet.

I should like to point out to the Senate that this is not the time to be worried about a few dollars. We appropriate billions of dollars for people overseas. It is time to appropriate something for the benefit of American boys who are stationed all over the world. Admiral Denebrink emphasized that courage is not enough in times of emergency. He pointed out that we have planes and bases overseas, but there was no use having planes at the bases unless we have tankers for carrying gasoline to them. Courage alone cannot put the planes in the air.

The testimony was that the bill was essential to the coastwise trade and the national defense on account of the great shortage in tankers. We should overcome that shortage by passing the bill, which has the support of the Navy Department, the Department of Defense, and the Maritime Commission, as the witnesses declared.

Mr. HAYDEN. Mr. President, will the Senator from North Carolina yield?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Does the Senator from North Carolina yield to the Senator from Arizona?

Mr. ERVIN. I yield.

Mr. HAYDEN. One question which I do not quite understand has been raised. It is this: What will be the effect of this coastwise shipping upon the railroads which now operate up and down the coast?

Mr. ERVIN. It will afford some competition which the railroads do not now enjoy.

I have been informed—the information has not been verified officially—that it is much cheaper to ship oil from Venezuela to Houston, Tex., than from Houston, Tex., to New York. I am also informed that oil can be transported from the Middle East to the United States almost as cheaply as oil can be transported from Houston, Tex., to New York.

Mr. HAYDEN. Of course, the point is that the railroads are taxpayers.

How much subsidy to these lines is involved in this measure?

Mr. ERVIN. Frankly, I do not think there is any subsidy. I think the United States will get a better bargain, as a result of this measure, than it has obtained from any other shipbuilding project.

The bill provides that for each two tankers which are chartered from the Government's laid-up fleet, the chartering company will have to build a 32,000-ton tanker-cargo ship.

Mr. HAYDEN. With its own money?

Mr. ERVIN. Yes; with its own money; and that ship will cost $10 million. The bill also provides that the company can trade in two old cargo ships, and will receive credit for them at the world market value—which, according to the evidence, is now about $1,600,000 per ship. The ships are old ones, but it would cost approximately $6 million to replace them, due to the increase in the cost of building ships.

Mr. HAYDEN. Of what value are the old ships to the Government?

Mr. ERVIN. The Government would put them in the laid-up fleet, for use in case of an emergency. They are re-

tired from use, except in case of an emergency, when they can be put into service.

An operator who turned in two of the old cargo ships would receive credit for their market value—in other words, for the amount they would bring on the market. Then he would pay to the Government, for the two ships he chartered, a total, in a 5-year period, of $1,500,000 in charter hire. In addition, he would build on each of the ships a cargo deck. In the case of the two chartered ships, the cost to him would be $400,000; and those improvements, of course, would inure to the benefit of the Government when the charter expired and the vessels were returned to the Government.

So the Government would get the benefit of $1,900,000 in payments, and improvements to each two chartered vessels over a 5-year period, while the operator would receive credit for whatever the Secretary of Commerce determined to be the market value of the ships. In addition, the Government would have the benefit of these new $10 million ships, at no cost to the Government other than the trade-in allowance; and the Government would have the right at any time to use the ships in the event of national emergency or for the national defense; and the United States Government would get the benefit of these new cargo tankers without putting out anything except the credit for trade-in allowance.

Mr. HAYDEN. Very well.

Mr. ERVIN. Mr. President, at this time I yield to the Senator from Delaware.

Mr. WILLIAMS. Mr. President, I prefer to take the floor in my own right.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. WILLIAMS. Mr. President, I hesitate to take exception to the remarks just made by the Senator from North Carolina [Mr. ERVIN], but they simply are not correct.

In speaking on the bill on July 5, the Senator from North Carolina [Mr. ERVIN] said—and at this time I quote from page 11820 of the CONGRESSIONAL RECORD:

> Mr. ERVIN. Mr. President, I conducted the hearings on the bill. There is no opposition to the bill, except from the Association of American Railroads, which, of course, does not want any competition. The bill had the endorsement of representatives of the Department of Commerce, of the Navy, and of the Maritime Commission.

I now quote a subsequent statement made by the Senator from North Carolina [Mr. ERVIN], as it is recorded later on the same page of the CONGRESSIONAL RECORD:

> Everything in the bill conforms to the wishes of the Department of Commerce, the Department of the Navy, and the Maritime Commission.

Mr. President, I repeat the last statement by the Senator from North Carolina:

> Everything in the bill conforms to the wishes of the Department of Commerce, the Department of the Navy, and the Maritime Commission.

Mr. President, the same statement is repeated on a subsequent page of the CONGRESSIONAL RECORD and has been repeated here this afternoon.

Mr. President, the statement is not true.

Walter C. Ford, Deputy Maritime Administrator, appeared on June 13, 1956, on behalf of both the Maritime Administration and the Department of Commerce; and when testifying on S. 3877 before the Merchant Marine Subcommittee—of which the Senator from North Carolina [Mr. ERVIN] is a member—he made a statement which the Senator from North Carolina has only partially quoted. I shall repeat now the part which he quoted:

> We favor the objective of the bill in the interest of rehabilitating domestic ocean-going shipping.

But, Mr. President, the Senator from North Carolina did not read to the Senate the following part of Mr. Ford's statement showing that they endorse the bill subject to certain amendments.

Then, if we read the sentence immediately preceding the one the Senator from North Carolina has quoted, we find the following in Mr. Ford's testimony—and now I quote from the same testimony referred to by the Senator from North Carolina, but I quote beginning with paragraph 2. I do this for the information of the Senator from North Carolina, if he wishes to read it, as I think he should:

> (2) The bill would fix the charter hire for use of the traded-in vessels at the rate of 15 percent of the statutory sales price of the dry cargo vessels, whereas section 510 provides that the charter hire shall be the reasonable value of the use.
>
> The provisions of section 510, with respect to trade-in of vessels, are in our opinion reasonable, and in our opinion should govern the trade-in of vessels under the bill. The bill should be amended, therefore, by striking out sections 4 and 5 and renumbering section 6 as section 4.

In the next sentence Mr. Ford states that when the bill is thus amended, they endorse the bill.

If we examine the bill, we find that sections 4 and 5 have not been stricken from it.

If we read the statement made the other day by the Senator from North Carolina to the Senate, on July 5, 1956, and if we read the statement which the Senator from North Carolina made to the Senate again today, we find that he says:

> Everything in the bill conforms to the wishes of the Department of Commerce, the Department of the Navy, and the Maritime Commission.

Mr. President, I ask the Senator from North Carolina whether he will accept at this time an amendment to bring the bill into conformity with the wishes of the Maritime Commission; and in order to do that, it will be necessary to accept these amendments referred to by the Deputy Maritime Administrator. That will be necessary if the bill is to be brought into conformity with the view of the Maritime Commission.

Mr. ERVIN. I will not.

Mr. WILLIAMS. Mr. President, I knew the Senator from North Carolina would not; and I point out that the amendments called for by the Maritime Commission relates to the heart of the bill.

I wish to state what sections 4 and 5 provide, when stripped of all their fancy language.

First, Mr. President, let me say that the company involved is the Waterman Steamship Co., I understand, with headquarters in Mobile, Ala. Several years ago, the Waterman Steamship Co. bought these vessels from the United States Government, under the Ship Sales Act of 1946. The vessels cost an average of $2,500,000 to nearly $4 million each when the United States Government built them. They were sold to this company at a price ranging from $1,030,108.68 to—in the case of the lowest price—$109,159.49; but the average sale price of these 20 vessels was between $800,000 and $900,000 each. The company bought all of them from the United States Government several years ago.

The pending bill, if enacted, would commit the United State Government to buy back the same 20 vessels at a price of $1,600,000 each—or about twice what the Government received for them 10 or 12 years ago.

The representatives of the Maritime Commission, in testifying on the bill, said there is no justification for this hidden subsidy and emphasized that it provides an entirely new formula, one never before given to other shipping companies. They strongly recommended to the committee, of which the Senator from North Carolina is a member, that those two sections be deleted; and they said that if those two sections were deleted and if certain additional amendments recommended in their same statement were made, they would endorse the bill.

Whether intentionally or not, it cannot be denied that it was a misrepresentation when it was stated that the Maritime Commission favors the bill. On July 6, I talked to a representative of the Commission, at which time I spoke to the Deputy General Counsel, Mr. H. B. Corwin, asking for their recommendations on S. 3877, and he sent me a copy of the testimony which Mr. Ford had given to the committee. Let me state, by the way, that that testimony has not been printed, and it is not available to the Senate. It was not available to the other members of the Senator's committee, who voted on the bill thinking it had full agency approval.

Why it was withheld is a question which I think should be answered. Certainly, upon the basis of the testimony to which reference has been made here today they did not endorse the bill, and it cannot be said that they did.

I ask unanimous consent that the entire statement of Mr. Walter G. Ford, Deputy Maritime Administrator, as given before the committee on June 13, be incorporated in the RECORD at this point as a part of my remarks.

This testimony of Mr. Ford's endorses the bill subject only to the acceptance of certain suggested amendments.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY WALTER C. FORD, DEPUTY MARITIME ADMINISTRATOR, ON BEHALF OF THE MARITIME ADMINISTRATION AND THE DEPARTMENT OF COMMERCE, BEFORE THE SUBCOMMITTEE ON MERCHANT MARINE OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, UNITED STATES SENATE, ON S. 3877, JUNE 13, 1956

Gentlemen, the bill, S. 3877, would authorize and direct the Secretary of Commerce, during the 2 years after enactment of the bill, to bareboat charter to citizens of the United States 20 named T2 tankers (and any other tankers of this class that may be applied for), in pairs or in multiples of 2, for charter periods of at least 5 years, for use exclusively in the United States coastwise trade except that with the approval of the Secretary of Commerce such vessels may be operated in any other trade for the account of any department or agency of the United States, at annual charter rates of 15 percent of the statutory sales price of the vessels determined under section 3 (d) of the Merchant Ship Sales Act of 1946, but without regard to the floor price of the vessels of 50 percent of their domestic war cost. The bill further provides that the Secretary shall, at the expense of the United States, place each tanker in good operating condition, including class, before it is chartered.

The bill is intended to provide a means for interim operations while constructing new dual-purpose tankers to aid in rehabilitating the domestic coastwise trade, and aid in upgrading the national defense reserve fleet. The bill, however, is too narrow in its application and several of its provisions, including the charter rate and trade-in provisions, are not satisfactory. We recommend that consideration be given to amendments hereinafter proposed.

The Department of Commerce now has 39 tankers under its jurisdiction in the laid-up fleet, including the 20 tankers named in the bill. Of the 20 tankers named in the bill, the Navy has requested the permanent transfer to it of 10 of the T2–SE–A2 tankers because it cannot at present charter tankers at reasonable rates. The bill would not permit the chartering of dry cargo vessels in the laid-up fleet as an inducement to the building of new vessels for the domestic trade. The words "to charter for bareboat use to any citizen of the United States" on line 7, page 1, and all of lines 8 through 10 on page 1, and lines 1 through 6 on page 2, should therefore, be striken out and a comma and the following substituted therefor: "notwithstanding the provisions of section 11 of the Merchant Ship Sales Act of 1946, as amended, and section 510 (h) of the Merchant Marine Act, 1936, as amended, to bareboat charter to citizens of the United States vessels under his jurisdiction". Line 15, page 2, should be amended by striking out the word "tankers" and substituting the word "vessels". Line 16, page 2, should be amended by inserting after the word "coastwise" the words "or intercoastal".

Section 1 (c) should be amended by striking out of line 15 the words "tankers eligible for charter" and substituting therefor the words "vessel for which he has applied."

Since other applicants might want to charter a vessel for a period of less than 5 years, the bill should be amended by striking out the language contained in section 1 (d) and substituting therefor the following:

"Each charter made under authority of this act shall be for such period as the Secretary of Commerce shall determine."

The charter rate provided in the bill is 15 percent per year of the statutory sales price of the vessel under the Merchant Ship Sales Act of 1946, without regard to the floor price. The statutory sales price of a tanker under the 1946 act is 87½ percent of the prewar domestic cost of a tanker of that type, with certain adjustments including a reduction of 5 percent per annum for depreciation from the date of delivery of the vessel by the builder to date of charter, but the price cannot be reduced by these adjustments below the floor price which is 50 percent of the domestic war cost of vessels of the same type. The adjusted statutory sales price, without regard to the floor price, of a tanker in the reserve fleet selected at random is approximately $790,000; its floor price is approximately $1,500,000; and its unadjusted statutory sales price is approximately $2 million.

The Secretary of Commerce now has limited chartering authority under section 5 of the Merchant Ship Sales Act of 1946, as amended. Charters for operation in domestic trade are made under that section at the rate of 8½ percent of the unadjusted statutory sales price or of the floor price, whichever is higher, with an additional 6½ percent, if earned, and with a recapture provision at such rate as appears reasonable under the circumstances. The charter rate provisions in the 1946 act are in our opinion reasonable. The bill should be amended, therefore, by striking out the language contained in section 1 (e) and substituting therefor the following:

"The charter hire for any vessel chartered under this act shall be determined under section 5 of the Merchant Ship Sales Act of 1946, as amended."

Section 2 of the bill would require the United States to pay the cost of placing the vessels in good operating condition, including class. Some vessels in the reserve fleet are in poor condition and would require extensive repairs, including bulkhead work. The Emergency Ship Repair Act of 1954 directed the Secretary of Commerce to formulate and carry out a program, not exceeding $25 million, of repairing, modernizing, and converting such merchant-type vessels in the national defense reserve as may be necessary to provide an adequate and ready reserve fleet of merchant-type vessels. The purpose of this act were to upgrade the national defense reserve fleet and to place work in shipyards so as to aid in maintaining a proper mobilization base. The bill, S. 3877, would serve the same purposes. The cost of this work, therefore, may be considered a proper charge to the United States. Part and perhaps all of this cost would be offset by the charter hire earned under the bill. Section 2 should be amended to strike out the words "tanker eligible" and substituting the word "vessel."

The bill would require the charterer to place skeleton decks on the chartered vessels. From an engineering standpoint, the fitting of skeleton decks on T2–SE–A1 and T2–SE–A2 type tankers is known to be feasible and practical. It may be, however, that not all applicants would want to make this modification of the vessel, and that they would desire to make other modifications. The bill should be amended, therefore, by striking out the language in section 1 (f) (1) and substituting therefor the following:

"The charterer may, at his own expense, make such modifications of the vessel as the Secretary of Commerce approves."

The bill would require the United States to pay the charterer the cost of the skeleton deck depreciated at the rate of 20 percent per annum, if the vessel should become an actual or constructive total loss or if the charter is terminated without the fault of the charterer. The bill also provides that the Secretary of Commerce can place in the charter such conditions as he deems necessary to protect the interests of the United States. Under this provision, we contemplate that two conditions would be placed in the charter, a requirement that the charterer, at his own expense, insure the vessel, and that the Secretary during a national emergency may terminate the charters on such notice as he shall determine. The insurance would be assigned to the United States and, in the event of actual or total constructive loss of the vessel, would be distributed between the United States and the charterer as their interests may appear. This would be taken care of in the charter. On the other hand, if the United States terminates the charter before the end of the charter period, it seems reasonable to pay the charterer the depreciated cost of the improvement. The bill should be amended, therefore, by striking out the language contained in section 1 (f) (2) and substituting therefor the following:

"If the Secretary of Commerce terminates the charter prior to expiration of the charter period, the United States shall pay the charterer the depreciated cost of any capital improvement he has, with the consent of the Secretary of Commerce, made to the vessel. For the purposes of this subsection, the capital improvement shall be depreciated on a straight-line basis over the period of the charter remaining after the capital improvement is completed."

The bill would restrict the operation of the vessel to the United States coastwise trade except that it could be operated in any other trade for the account of any agency or department of the United States. If the operation of the vessels in the coastwise trade should become unprofitable, this provision might cause the charterer to default, since with the exception noted, it prevents the operation of the vessel in any trade except the coastwise trade. This might prevent the construction of the new vessels. Line 18, page 3, should be amended by striking out the word "tanker" and substituting therefor the word "vessel." Lines 21 and 22 of page 3 should be amended by striking out the words "if such operation is for the account of any department or agency of the United States." This would permit operation of the vessels in any other trade, with the approval of the Secretary of Commerce.

Section 1 (f) (4) should be amended by striking out the word "tanker" in line 24, page 3, and substituting the word "vessel."

Section 3 of the bill requires the charterers to agree to construct new tankers. Since some applicants may desire to construct some other type of vessel, the section should be amended by striking out the first three sentences and substituting therefor the following:

"Each applicant for a charter under this act shall agree that, within a period to be determined by the Secretary of Commerce, he will cause to be constructed in the United States shipyards a vessel or vessels with utility value not substantially less than that of the vessels chartered to him under this act, and that for a period of 10 years after completion of construction, such new vessel or vessels, except with the approval of the Secretary of Commerce, shall not be operated in any trade other than the United States coastwise or intercoastal trade."

The trade-in provisions of the bill are substantially the same as those contained in section 510 of the Merchant Marine Act, 1936, except—

(1) The bill would fix the trade-in price of the vessels at their world market value for operation under foreign registry, whereas under section 510, scrap value, depreciated value based on a 20-year life, and market value for use in world trade or in the foreign or domestic trade of the United States must be considered in arriving at the trade-in price of the vessels;

(2) The bill would fix the charter hire for use of the traded-in vessels at the rate of 15 percent of the statutory sales price of the dry-cargo vessels, whereas section 510 pro-

vides that the charter hire shall be the reasonable value of the use.

The provisions of section 510, with respect to trade-in of vessels, are in our opinion reasonable, and in our opinion should govern the trade-in of vessels under the bill. The bill should be amended, therefore, by striking out sections 4 and 5 and renumbering section 6 as section 4.

We favor the objective of the bill in the interest of rehabilitating domestic ocean-going shipping, and recommend consideration of the amendments herein proposed. Due to the urgency of the matter, we have presented these comments without securing the final advice of the Department of Commerce or the Bureau of the Budget as to the relationship of S. 3877 to the program of the President.

Mr. WILLIAMS. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a list of the ships involved in the bill. This list shows the original cost to the Government and the price at which they were originally sold to this company 10 or 12 years ago.

These are the ships which this bill now proposes to commit the Government to repurchase at around $1.6 million each, or about double their original cost several years ago.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Vessels owned by Waterman Steamship Corp. possibly eligible for trade-in under terms of Senate bill S. 3877

Name	Cost to Government	Net sales price
Afoundria	$2,698,763	$967,768.00
Andrew Jackson	2,691,194	1,005,380.00
Choctaw (was *Dashing Wave*)	4,010,125	393,878.00
Citrus Packer (was *Herald of the Morning*)	3,602,938	236,186.00
City of Alma	2,626,493	1,012,080.68
Claiborne (was *Cherubim*)	3,067,865	109,159.49
Hastings	2,642,706	985,277.99
Hurricane	3,145,773	957,818.00
Jean La Fitte	2,808,924	967,768.00
Lasalle (was *Rival*)	2,687,895	957,818.00
Madaket	2,641,046	995,328.99
Monarch of the Seas	3,497,012	957,818.00
Morning Light	3,228,906	957,818.00
Raphael Semmes	3,045,258	983,728.00
Topa Topa	2,535,459	1,021,972.14
Wacosta	2,660,169	967,768.00
Yaka	2,615,102	976,343.75
Antinous	2,628,200	967,768.00
Arizpa (was *Warren*)	2,911,559	957,818.00
Beauregard (was *Wayne*)	2,863,846	957,818.00
De Soto	2,628,355	967,768.00
Iberville	2,441,274	1,030,108.68
Warrior	2,991,127	967,768.00

Mr. WILLIAMS. I also consulted the Director of the Bureau of the Budget and asked for the Bureau's opinion of the bill. I read a letter from the Director of the Bureau of the Budget, dated July 6, 1956, showing that that agency also opposes this bill:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., July 6, 1956.

Hon. JOHN J. WILLIAMS,
United States Senate,
Washington, D. C.

MY DEAR SENATOR WILLIAMS: You have requested information concerning the Bureau's position on S. 3877, a bill to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

The Bureau of the Budget recommends against enactment of this measure in its present form for the reasons noted in the enclosed memorandum which describes those provisions of the bill which would constitute a hidden subsidy to ship operators. The enclosed memorandum has also been transmitted to the House leadership.

Sincerely yours,

RALPH W. E. REID,
Assistant Director.

I ask unanimous consent that the memorandum referred to in the Budget Bureau's letter be printed in the RECORD at this point as a part of my remarks.

This memorandum refers to an identical House bill.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

COMMENTS ON H. R. 11122, A BILL TO PROMOTE THE DEVELOPMENT OF THE COASTWISE TRADE, TO ENCOURAGE THE CONSTRUCTION OF NEW VESSELS, AND FOR OTHER PURPOSES

This bill was introduced at the request of M. P. McLean, chairman of the board of Pan Atlantic Steamship Corp. The bill directs the Secretary of Commerce to charter 20 T2 tankers from the Maritime Reserve Fleet for charter periods of at least 5 years. The charter rate specified in the bill as reported is $150,000 per annum per ship. The charterer would agree to construct a skeleton deck on the chartered tankers for the purpose of carrying truck trailers.

The charterer would also agree to construct one large, dual-purpose tanker, equipped with such a skeleton deck, for each two tankers chartered. The charterer would be permitted to trade in two obsolete dry cargo vessels for each new tanker constructed. The Government would pay the world market price for the vessels traded in.

The controversial features of the bill concern the charter rate for the reserve fleet tankers and the trade-in allowance for the obsolete dry-cargo vessels. Both of these would constitute a hidden subsidy to the ship operator not authorized by existing law.

The charter rate for these ships under section 5 of the Merchant Ship Sales Act of 1946 is estimated to be approximately $225,000 per annum or $75,000 higher than that provided in the bill with additional provision for recapture of unreasonable profits.

Existing law provides that the trade-in value of obsolete vessels shall be determined by the Maritime Board, taking into account the depreciated book value, the scrap value, and the market value of the vessel. The trade-in allowance under exising low would almost certainly not exceed the price paid for the ships when purchased from the Government some 10 years ago under the Ship Sales Act. Mr. McLean has estimated that he will receive approximately $1,600,000 for each obsolete vessel when traded in under the bill. These vessels were purchased from the Government at an average price of approximately $950,000. The difference of $650,000 constitutes a construction subsidy to the operator.

The Maritime Administration proposed amendments to the bill which would have made the charter rates and the trade-in value of the obsolete vessels subject to existing law. These amendments would have eliminated the hidden subsidies granted by the bill in its present form. Mr. McLean has indicated that his company would not be interested in the proposition if the Maritime amendments were adopted. The House committee rejected these amendments and reported the bill in substantially the form introduced, although the committee did specify a charter rate slightly higher than would have resulted from the formula described in the original bill.

Mr. WILLIAMS. I may add that the Assistant Director of the Bureau of the Budget was commenting on a House bill but it was a bill in identical language. I do not believe that any committee of the Congress should report a bill to either House on the basis that it has been endorsed by agencies of the Government when the fact is that it has not been so endorsed. I do not consider that to be a proper way to legislate. I do not mean to say that the fact that an agency might endorse a bill would mean that I would support it. I might be for it or against it. That is beside the point. But the Congress has the right to know the position of the agencies, and it has the right to know that the position is not misrepresented.

In his statement before the committee on June 13, 1956, Mr. Ford also recommended another amendment. I refer to page 4 of his statement as it was given to the committee in which he said, referring to the charter hire:

> The bill should be amended, therefore, by striking out the language contained in section 1 (e) and substituting therefor the following:
>
> "The charter hire for any vessel chartered under this act shall be determined under section 5 of the Merchant Ship Sales Act of 1946, as amended."

Again, that amendment is not in the bill; yet I quote the statement of the Senator from North Carolina the other day:

> Everything in the bill conforms to the wishes of the Department of Commerce, the Department of the Navy, and the Maritime Commission.

That statement is not true. Therefore I believe that if the Senator from North Carolina is not willing to accept amendments to bring the bill into conformity with the presentation he has made to the Senate, the bill should go back to the committee.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. ANDERSON. Why does not the Senator make a motion to recommit the bill with instructions to include the amendment recommended by the Maritime Commission?

Mr. WILLIAMS. That is a good suggestion.

Mr. President, I move that the bill be recommitted to the Committee on Interstate and Foreign Commerce.

Mr. ERVIN. Mr. President, I think the Senator from Delaware should have refrained from some of the language he used. After I had conducted the hearing in the case I was informed by members of the staff that they had received no objection to the bill from any department or agency of the Federal Government. I also consulted the chairman of the Merchant Marine and Fisheries Committee of the House, where a similar bill had been introduced. That committee sent over some suggested amendments and said that those amendments had been approved by every agency of the Government concerned.

I made my statement on the basis of the information I had to the effect that these amendments conformed to the wishes of the agencies of the Government concerned. That is the information I had. I made the statement in good faith. I still believe it. I did not

have any letter from the counsel of the Maritime Commission.

If we want to kill the bill, if we do not want any more tankers to carry gasoline in times of emergency to our troops at the outposts of civilization, we should vote for the motion to recommit with instructions, because no tankers would be built under those circumstances.

As to the other amendment, it will be seen that the provision as to the charter hire was amended. The amount was increased to $150,000 a year for each tanker chartered.

The evidence taken by the subcommittee shows that everyone in the Defense Department is for the bill. I have not tried to mislead anyone. From the evidence produced before the subcommittee and information obtained from other sources, I have found no opposition to the bill other than that voiced by some competing transportation systems. An amendment is suggested in order that the United States may compel a citizen to give something to the United States at less than its true value.

No doubt dry cargo ships cost something when they were built. In early days George Washington was able to throw a dollar across the Potomac, or some other wide stream because a dollar went further in those days. These ships were built back in a time of emergency and, of course, they cost money. They were sold for approximately $1 million on the market. They have appreciated in value because of the increased cost of construction.

I respectfully submit that if we are interested in rehabilitation of the coastwise trade and if we are interested in assuring our boys at the outposts of civilization sufficient gasoline to enable them to get their planes off the ground in the event of combat, we ought to vote for the bill.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. BRICKER. I was present at the time the committee was advised that there was agreement on the part of the departments to the bill as it was reported. I do not know who is responsible for the misinformation. Someone is; and in view of that fact I think the bill should go back to the committee, until we can find out who on the staff or on the committee misled us by saying that the Government departments were all in favor of the bill. I shall vote to recommit, because I do not know what the facts are. I knew nothing of the letters which have been presented here, and the committee knew nothing of them.

Mr. ERVIN. The date of one letter was July 6, was it not?

Mr. WILLIAMS. Mr. President, the first statement of Walter C. Ford, Deputy Maritime Administrator, from which I read, given on behalf of the Maritime Administration and the Department of Commerce in his testimony before the Subcommittee on Merchant Marine of the Committee on Interstate and Foreign Commerce of the United States Senate, on Senate bill 3877, was given on June 13, 1956.

Mr. ERVIN. Whose letter is that?

Mr. WILLIAMS. It is a statement by Mr. Ford of the Maritime Commission as given to the Senator's committee.

Mr. ERVIN. By whom?

Mr. WILLIAMS. It is a copy of the testimony given by him. It is in the hearings of June 13, 1956.

Mr. ERVIN. What is his name?

Mr. WILLIAMS. Walter C. Ford, the same man from whom the Senator from North Carolina quoted.

Mr. ERVIN. He suggested certain amendments.

Mr. WILLIAMS. Yes. May I see the Senator's copy of Mr. Ford's testimony? There is no print of it.

Mr. ERVIN. The only amendment the Senator has pointed out which was not adopted was the one with respect to the market value and charter hire. As I stated, I was informed by the chairman of the Merchant Marine and Fisheries Committee of the House that the bill had been amended to conform to the wishes of the Maritime Commission.

Mr. WILLIAMS. But the Senator has told the Senate——

Mr. ERVIN. Did not the Senator read a letter dated July 6?

Mr. WILLIAMS. That was from the Director of the Bureau of the Budget.

Mr. ERVIN. I will say to the Senator from Ohio that I could not very well have seen it.

Mr. BRICKER. Neither could I.

Mr. ERVIN. The bill was reported to the Senate on the 3d of July, which was several days before the letter was written.

Mr. WILLIAMS. The director of the Bureau of the Budget sent with this letter of July 6 a copy of the memorandum previously submitted to the House Merchant Marine and Fisheries Committee on the bill pending before the committee, which is a companion bill, and to which the Bureau of the Budget took the same exception.

Mr. ERVIN. The letter was dated after the bill was reported.

The memorandum was sent to the House; it was not sent to the Senate.

Mr. BRICKER. Is there available the record of the hearings before the Senate committee? If so, I should like to see it.

Mr. ERVIN. I have only this typewritten copy.

Mr. WILLIAMS. Does the Senator have only one copy? I should like to see it.

Mr. ERVIN. That is correct.

Mr. BRICKER. I do not believe that we should pass a bill so controversial as this one seems to be, particularly with the misinformation that evidently was given with regard to it and in view of the amendments which have been suggested by the Senator from Delaware. I believe in view of that fact the Senator from North Carolina should agree that the bill be sent back to the committee. I assure him we will look into the subject as fast as we can.

Mr. ERVIN. There has not been any misinformation. A person cannot withhold information that was not in existence until after he had acted.

Mr. BRICKER. I grant that. The Senator refers to the letter of June 26, I believe.

Mr. WILLIAMS. June 13 is the date of the testimony to which I have referred, and it was given to the committee holding hearings on this bill S. 3877. Incidentally, it is not a letter; it is the copy of testimony. Mr. Ford very clearly states that certain important amendments will be necessary to bring the bill into conformity with their recommendations.

Mr. ERVIN. I do not know what was sent out.

Mr. BRICKER. The committee has never seen this correspondence. In fact, the committee has never seen the record. The record has not been printed, and I did not have a copy of it.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. WILLIAMS. As I pointed out before, when I was quoting testimony, I was quoting testimony given before the committee by Admiral Ford. His testimony is in the hearings from which the Senator from North Carolina has quoted. I should like to read from the hearings beginning at page 12. The statement from which I have quoted is in the record which I hold in my hand. The Senator has underlined the part he has quoted from the hearings:

> We favor the objective of the bill.

However, in reading the paragraph immediately prior to that—and I am quoting from Admiral Ford's testimony, which is on page 12—it states:

> The provisions of section 510, with respect to the trade-in of vessels, are in our opinion reasonable, and in our opinion should govern the trade-in of vessels under the bill.
>
> The bill should be amended, therefore, by striking out sections 4 and 5 and renumbering section 6 as section 4.

That suggestion is contained in the hearings from which the Senator has quoted. The admiral testified before the Senator's committee, and the hearings are dated June 13, 1956.

Mr. ERVIN. That is where he said it ought to be amended?

Mr. WILLIAMS. That is correct. It should be amended by striking out sections 4 and 5 and by changing section 1 (e) as suggested.

Mr. ERVIN. I quote from the 1936 statute:

> The allowance for an obsolete vessel shall be the fair and reasonable market value of such vessel, as determined by the Federal Maritime Board or Secretary of Commerce. In making such determination, the Board or the Secretary shall consider, first, the scrap value of the obsolete vessel, both in American and in foreign markets; second, the depreciated value, based on a 20-year life; and, third, the market value thereof for operation in the world trade, or in the foreign or domestic trade of the United States.

That is what the law provides. It provides for the fair and reasonable market value. That is what section 5 of the bill provides. It seems to me, therefore, that both these provisions mean about the same thing.

Mr. WILLIAMS. If the Senator believes that both mean the same thing, why does he not go along with an amendment to strike out those two sections? They do not mean the same thing; they mean a difference of a million dollars in

the amount which would be paid for each ship. Striking these sections will save the Government $20,000,000.

Mr. ERVIN. They may mean that we may not have enough tankers to carry gasoline to our boys at the foreign bases.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. PAYNE. Mr. President, the pending bill proposes legislation which was considered by a committee of which I am a member. I must admit, however, that, unless my memory is incorrect, the question was asked, at the time the bill was ordered reported by the committee—and the question was asked of the staff membership—if there was opposition expressed to certain features of the bill as originally introduced and if, with the amendments which were suggested and incorporated in the bill so as to make it conform to the suggestions which the interested agencies had made, the opposition had been withdrawn. To the best of my memory, the answer was "Yes."

However, after having listened to the statements of the Senator from Delaware, and having heard read the letters that have been placed in the RECORD, I must admit that in my own mind I have some concern as to whether there has not been a little misunderstanding, not so far as my colleague from North Carolina is concerned, but with respect to the question and answer that I have referred to, so far as the answer was given by the staff member and as it related to this particular matter.

For that reason it is my honest feeling—and I am interested in legislation of this type, which deals with maritime activities—that, because of the confusion which exists in my mind, and apparently in the mind of the Senator from Ohio, who is likewise a member of the committee, and also in the mind of the Senator from Connecticut [Mr. PURTELL], that we ought to go a little more fully into this bill. Certainly we ought to determine with some degree of certainty whether the bill is in conformity with what was indicated to the full committee by the staff members when they gave us the report in committee. Therefore, I hope very much that we may have a chance to go into the matter further to determine in which respect the bill is out of line and in which respect it is in line.

Mr. ERVIN. I appreciate the situation of the Senator from Maine, and I appreciate the fact that it was stated by him that we were assured by the staff that the bill conformed to the amendments suggested by the Government departments. That was the information given me by the staff and also by the House committee.

The only point involved is whether we want to pass a bill which provides that anyone who charters a vessel must give to the United States Government property at less than its true value.

Frankly, I cannot see the value of the amendment suggested by Admiral Ford, to section 501, because section 501 now provides:

> The allowance for an obsolete vessel shall be the fair and reasonable market value of such vessel, as determined by the Federal Maritime Board or the Secretary of Commerce.

It further provides that in making such determination there shall be taken into consideration three things. The bill now provides a trade-in credit equal to the fair world market value of the dry-cargo ships.

I believe the question comes right down to whether we should pass a law which will provide that an American citizen who wishes to charter a vessel will be compelled to give to the United States Government property at less than its real value. It seem to me to be a very simple proposition, and we can certainly vote that question up or down. Therefore I oppose the motion.

Mr. WILLIAMS. I should like to read again from page 7 of the committee hearings. Admiral Ford appeared before the Senator's committee. I am reading from the hearings before his own committee and from the same testimony from which the Senator from North Carolina also read. I read from the bottom of page 7:

> The charter rate provisions in the 1946 act are in our opinion reasonable.
>
> The bill should be amended, therefore, by striking out the language contained in section 1 (e) and substituting therefor the following:
>
> "The charter hire for any vessel chartered under this act shall be determined under section 5 of the Merchant Ship Sales Act of 1946, as amended."

If we read the bill as it is now before the Senate, we find, at the bottom of page 3, that it does not contain the language recommended by the Department of Commerce but that it does provide that the charter hire shall be substantially less or at the rate of $150,000 each.

Whether that is right or wrong is a matter which can be debated. However, the point I make is that the Department of Commerce has made its recommendation, and the Senator from North Carolina said that the bill conforms to the recommendation of the Department of Commerce and the Department of the Navy and the Maritime Commission, yet the fact is it does not.

I do not say that the Senator from North Carolina is deliberately trying to mislead anyone. I do not believe it is fair to have the staff mislead him and thereby cause him to be wrong in representing the bill to the Senate.

Mr. ERVIN. I have not misrepresented anything.

Mr. WILLIAMS. No; but I do not believe it is fair that a member of the staff should misrepresent the information or mislead the Senator or the committee. The Senator stated the other day that the bill as reported had been approved by the departments concerned. The Senator said that both today and the preceding day. I have since been in communication with the Maritime Administration, and the Administration has reaffirmed its opposition to the bill unless it is amended in accordance with its previous recommendations. It certainly is not correct to say that the departments of the Government are in favor of the bill. To that extent the report on the bill is wrong.

Mr. ERVIN. Will the Senator show me any letter from anyone connected with the Government expressing opposition to this bill or asking anything more than an amendment to it?

Mr. WILLIAMS. Yes. I read to the Senator that the Bureau of the Budget recommends against the enactment of this measure in its present form for the reasons noted in their attached memorandum, which describes certain provisions of the bill as constituting a hidden subsidy to ship operators. This memorandum has also been submitted to the House leadership in reference to a companion bill.

Mr. ERVIN. Does the Bureau ask for an amendment?

Mr. WILLIAMS. Yes.

Mr. ERVIN. That is what I am talking about.

Mr. WILLIAMS. They are definitely opposed to the bill unless it is amended. The objection to the bill is that it would commit the United States Government to buy these ships for about double the amount for which they were originally sold.

Mr. PURTELL. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. PURTELL. Mr. President, I cannot help but feel, in the light of what we have just heard, that the bill should be recommitted so that the committee can study the aspects of it about which there is apparently quite a misunderstanding.

I wish to say to the distinguished Senator from North Carolina that I am sure his statements were predicated upon information given to him and upon which he had every reason to rely. I do not know all the facts as to the letters, nor have I had a chance to study the testimony given before the committee, but it occurs to me, because of the discussion on the floor today, that it would be the proper thing to recommit the bill so that the committee may have an opportunity not only to reexamine it, but to correct whatever errors may presently exist as to the understanding or attitude of the Department concerning the necessary amendments, if any, which should be made.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Delaware to recommit the bill.

Mr. ERVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2000, S. 3410, to amend title 28, United States Code to provide for the payment of annuities to widows and dependent children of judges.

Mr. WILLIAMS. Mr. President, reserving the right to object, and I shall be forced to object, I appreciate the desire of the Senator from Texas, in his position as majority leader, to move along with the work of the Senate. But Senate bill 3877 has been fully debated, and I see no need of going over the arguments again at some other date. The Senate is ready to vote. The measure can be disposed of in 5 minutes. Therefore, I object to laying aside the consideration of the bill. We are ready to vote.

Mr. JOHNSON of Texas. I thought the Senator from Delaware was agreeable to having the bill laid aside.

Mr. WILLIAMS. I hoped the Senator from North Carolina would agree to take the bill back to committee. It appears that he was proceeding upon a misunderstanding as to the recommendations of the agencies. I think that point has been made very clear this afternoon. In fairness to the committee and in fairness to the Senate, I think the bill should go back to the committee and that representatives of the agencies concerned should again be called before the committee. The matter can then be reconsidered, and if approved, a bill reported to the Senate on which there will be at least some semblance of agreement.

Mr. ERVIN. It occurs to me, from all the discussion which has taken place this afternoon, that the only real controversy is as to whether we should reduce the trade-in value. We have never definitely heard in writing from the Department of Commerce on that point. It seems to me that the bill could go over, but remain on the calendar until it could be determined whether an amendment could be worked out.

Mr. WILLIAMS. The question goes beyond that. I quote again the statement by the Senator from North Carolina, as it appears on page 11820 of the RECORD of July 5:

> Everything in the bill conforms to the Wishes of the Department of Commerce, the Department of the Navy, and the Maritime Commission.

It has clearly been pointed out this afternoon, based upon the testimony given in the committee hearings, that that statement is not accurate. Therefore, I think the Senate has a right to have the matter explained in the proper manner. Unless the bill is set aside permanently until full agreement is reached by all interested parties, including those of us objecting here today I must insist on voting now.

Mr. ERVIN. The bill which was originally introduced was different from the bill now under consideration. Amendments were submitted later.

Mr. WILLIAMS. No. I wish the explanation were that simple.

Mr. ERVIN. That is the fact.

Mr. WILLIAMS. No; it is not the fact. The witness was testifying, on June 13, 1956, on S. 3877.

Mr. ERVIN. At that time the subcommittee was considering a different bill, although it had the same number. The bill then was in its original form. Amendments were submitted later—as I recall, several days later—to conform with the amendments which had been made to the House bill. The witness was testifying about the bill in its original form.

Mr. WILLIAMS. The Department of Commerce recommended two major amendments, those relating to trade-in allowances and charter hire. They were not adopted.

Mr. President, I suggest that the Senate vote.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Delaware——

Mr. JOHNSON of Texas. Mr. President, I hope the Senator from Delaware will permit the Senate to proceed to the consideration of other business.

Mr. WILLIAMS. If the Senator from Texas will only wait a moment, the Senate is ready to vote. I do not think any other Senator wishes to speak. I suggest that the Chair put the question and let the Senate vote unless we can agree that the measure will be indefinitely postponed.

Mr. JOHNSON of Texas. The Senator from Texas does not want to recommit the bill.

Mr. WILLIAMS. The Senator from Texas can vote against the motion to recommit.

Mr. JOHNSON of Texas. Until he knows what the situation is.

Mr. WILLIAMS. The Senator from Texas has a perfect right to vote against the motion to recommit. I do not object to that. But I want this issue definitely settled here today.

Mr. JOHNSON of Texas. The Senators who are handling the bill have some feelings in the matter. They are acting sincerely. The Senator from Ohio [Mr. BRICKER] has talked to me and said that some of the members of the staff may not have given correct information. The Senator from North Carolina [Mr. ERVIN] wants to look further into the matter. But we see no reason why the bill cannot remain on the calendar, where it has been.

Mr. WILLIAMS. I did not ask to bring up the bill; the Senator from Texas wanted it brought up. I said I would agree to go along with him whenever he brought it up. He said we were approaching——

Mr. JOHNSON of Texas. The Senator from Texas has no particular interest in the bill at all. The Senator from Delaware, who operates very effectively after 6 o'clock in the evening——

Mr. WILLIAMS. Mr. President, I suggest that the Senate vote. We still have 5 minutes before it will be 6 o'clock and I am confident we have the votes to defeat the bill.

Mr. JOHNSON of Texas. The distinguished minority leader and the majority policy committee cleared the bill for the consideration of the Senate. Since it has been cleared by the leadership, the able Senator from Delaware has pointed out certain errors and conclusions on the part of the members of the committee. They are of sufficient importance that the committee feels it should have an opportunity to explore with the staff members some of the questions which the Senator from Delaware has raised. The leadership would very much like to provide the committee with that opportunity without postponing final action on the bill.

A motion can be made to consider another bill, and the Senator from Texas hopes that the Senator from Delaware will still go along with the leadership in rescheduling the present bill.

Mr. WILLIAMS. I have gone along with the Senator from Texas in scheduling the bill. I agree fully with his statement that the Committee on Interstate and Foreign Commerce should discuss the matter with the Department of Commerce and the other agencies affected with a view to straightening it out. That is what I am trying to give them a chance to do by my motion to recommit. I am seeking to have the bill brought back to the Senate in proper form. The Senate floor is not the proper place to perfect it. Since the debate is finished, I suggest that the Senate vote on the motion to recommit unless it is agreed to drop the bill definitely, in which event I have no objection to proceeding to other measures.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Delaware to recommit the bill.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PAYMENT OF ANNUITIES TO WIDOWS AND DEPENDENT CHILDREN OF JUDGES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2000, Senate bill 3410.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3410) to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

DEVELOPMENT OF COASTWISE TRADE

Mr. JOHNSON of Texas. Mr. President, I may announce, concerning Calendar No. 2426, Senate bill 3877, that the leadership has talked with members of the committee which considered the bill, including the ranking minority member of the committee and the minority leader. In view of certain discrepancies that were brought out in the Senate today, and in view of questions

about certain facts pertaining to the bill, it is not the purpose of the leadership to schedule that bill for consideration unless and until it is cleared by the respective policy groups again.

CONVEYANCE OF CERTAIN LAND TO THE COUNTY OF GALVESTON, TEX.

Mr. JOHNSON of Texas. Mr. President, would it be agreeable to the Senator from Oregon [Mr. MORSE] if I called up Calendar No. 2450, House bill 10479, which has to do with the conveying of 13 acres of land to the county of Galveston, Tex.

Mr. MORSE. It is agreeable.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2450, H. R. 10479.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 10479) to authorize the Administrator of General Services to convey certain land to the county of Galveston, Tex.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the Committee on Government Operations has unanimously reported this measure to the Senate. The purpose of the bill is to authorize and direct the Administrator of the General Services Administration to convey a parcel of land, consisting of about 13 acres, which is excess to the needs of the Army, to the county of Galveston, Tex.

The reason this land is being conveyed is so it can be used for a public road to improve a boulevard along the Galveston seawall.

The House report discusses the proposed legislation rather fully. The strip of land in question will materially enhance the value of property now belonging to the Federal Government. The land was originally given to the Federal Government by the county to which it is now being returned.

I have discussed the matter in some detail with the distinguished Senator from Oregon, and he has certain observations and questions which he desires to raise. I yield the floor for that purpose.

Mr. MORSE. Mr. President, I wish to make a brief statement in connection with making legislative history on H. R. 10479, because I want the RECORD to show very clearly the Federal interest in this transaction. If it were not for the fact that I have had conferences with the Representative from that district and with the majority leader, and also the fact that I have made a careful study of what is involved in this transaction, I would not approve of the bill, so far as meeting the requirements of the Morse formula is concerned. However, I am satisfied that it meets the requirements, for these reasons:

I hold in my hand a map of Galveston, Tex. This map shows that the 13 acres involved in this bill consist of a strip of land essential to the completion of a boulevard along the seawall which protects Galveston, Tex., from the Gulf of Mexico at high water stages, when there are great storms which cause the Gulf of Mexico to pound away at the seawall, and even then sometimes, as we all know, to sweep over the seawall, inflicting some damage from time to time, in spite of the seawall.

Along the entire seawall at Galveston, Tex., there is a boulevard except for the area that comprises Fort Crockett. What has happened in regard to the roadway which has been serving Fort Crockett is that the county has maintained what amounts to a secondary road—not a good road. As the committee report points out, it is not a road up to so-called boulevard standards. The Federal Government proposes—and I stress this point—to dispose of all of Fort Crockett as surplus to the needs of the Army, save and except a few buildings in one section of the large Fort Crockett area, which will be used for reserve forces and other military purposes. However, the rest of Fort Crockett is going to be sold as surplus to the needs of the Army.

From my consultations about this matter and my investigation of the facts of the case, I think it is clear that the bill, which will provide for the addition of these 13 acres to be used in completing the boulevard along the seawall, will increase, by an amount for beyond 50 percent of the appraised fair market value of the 13 acres, the sale price which will eventually be obtained for Fort Crockett when it is put on the market for sale.

I make this statement, Mr. President, because if I did not feel that this was a good business deal for the Federal Government, I certainly would not approve of the passage of this bill. But after very careful study, I think enactment of the bill is in the financial interest of the Federal Government, because in order to obtain for Fort Crockett the price which the Federal Government should obtain for it, it is necessary to have this highway access to it, by way of completing the boulevard along the seawall. That is the first Federal interest in this transaction, from which I think the Federal Government will be a beneficiary.

Second, Mr. President, the Government will retain at Fort Crockett a number of buildings which have not been declared surplus, and the present contemplation is not to declare them surplus. Those buildings will be used in connection with the Army Reserve program. In my judgment the highway is needed in order to serve that military need.

Because of those two Federal interests, and the benefits which will accrue to the Federal Government, in my judgment this bill is truly an exception to the Morse formula; and I raise no objection to the bill.

Mr. JOHNSON of Texas. Mr. President, I very much appreciate the attitude of my friend, the Senator from Oregon.

The land in question, let me say for the further information of the Senate, is a 100-foot strip adjacent to a seawall. I am told that that strip of land is usable only for road purposes.

I further understand that the county plans to improve and maintain the land as a boulevard, thus enhancing the values of adjacent Federal land in Fort Crockett, which is soon to be sold as surplus.

Moreover, some Federal buildings near the boulevard will remain under Federal ownership and control, and will receive proportionate benefits from the county's action in improving and maintaining the boulevard.

The PRESIDING OFFICER (Mr. SCOTT in the chair). The bill is before the Senate and is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 10479) was ordered to a third reading, read the third time, and passed.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. The Senate will now return to consideration of the unfinished business, Calendar No. 2000, Senate bill 3410, providing for the payment of annuities to widows and dependent children of judges. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. Mr. President, we shall not dispose of that bill this afternoon. It may be that the Senators who are sponsoring the bill and who will manage it on the floor of the Senate will not be able to be present at 10:30 tomorrow morning, when the Senate will convene.

I have tried to arrange a schedule; but there are many difficulties.

It is the plan of the leadership to have Calendar No. 2000, Senate bill 3410, considered first; and the majority leader hopes that it will be possible to follow the consideration of that bill with consideration of the atomic reactor bill, which has been reported from the Joint Committee on Atomic Energy. We wish to keep various pieces of proposed legislation before the Senate this week, and we have scheduled a Saturday session. We shall convene at an early hour each day next week, and shall remain in session until late in the evening.

So I wish to serve notice on all Senators who may be anticipating making engagements that we have only a few days left in this session and we have a great deal of proposed legislation yet to be considered.

Although we have been able to avoid night sessions until now, it will be necessary for us to convene at an early hour and to remain in session until late in the day if we are to consider all the measures which a majority of the Members of the Senate feel should be considered and which they regard as being of great importance.

So I want all Senators to be on notice of the plans of the leadership for next week. We expect we shall have the very

important social security bill before us early in the week, in addition to two important appropriation bills—the mutual security appropriation bill and the supplemental appropriation bill. In addition, there are approximately 40 or 50 bills which already have been considered by the policy committees, which may be called up at any time.

I am now attempting to work out arrangements for a unanimous-consent agreement in connection with the Arkansas Fryingpan project and the Hells Canyon project.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. JOHNSTON of South Carolina. I believe the Senator from Texas stated that on tomorrow, Calendar No. 2000, Senate bill 3410, the Eastland bill, will be taken up. Let me say that I am coauthor of the bill, with the Senator from Mississippi. Of course, we want the bill considered and passed. But tomorrow morning, as the majority leader knows, I must be in attendance at a committee meeting from 10:30 to 12. The Senator from Mississippi [Mr. EASTLAND] is, I understand, not in town.

Mr. JOHNSON of Texas. Mr. President, the committee designated the Senator from Missouri [Mr. HENNINGS] to handle the bill. We originally planned to have it considered last week. There have been a number of difficulties.

First, the bill was scheduled to be brought up on last Friday; then Senators requested that its consideration be postponed until Monday; and on Monday, request was made to have its consideration postponed until this Wednesday. I have sandwiched in other bills today, ahead of that bill, because debate could not proceed.

I am hopeful that we can go ahead with the bill tomorrow, after the morning hour, which probably will last until after 11 o'clock.

I am sure that the Senator from Tennessee [Mr. GORE] intends to discuss the bill, and perhaps he will offer amendments to it.

I do not anticipate that final action on the bill will be taken before the Senator from South Carolina will be in the Chamber. As a matter of fact, I think we shall be fortunate to conclude action on the bill before late in the afternoon.

Mr. JOHNSTON of South Carolina. Of course, we wish to expedite action on the bill as much as possible, and we wish to have the bill passed.

Let me say that the Judiciary Committee was unanimous in reporting the bill. We felt that the bill for the retirement of other Government employees, including Members of the House and the Senate, should be passed ahead of this one. That was the feeling of the Judiciary Committee, which reported the bill with that understanding. I am speaking frankly when I make that statement.

Mr. JOHNSON of Texas. The first intimation the Senator from Texas had regarding the understanding of the Judiciary Committee was this afternoon.

Mr. JOHNSTON of South Carolina. I see several members of the Judiciary Committee in the Chamber at this time.

Mr. JOHNSON of Texas. It would be a good policy for the leadership to be informed if the Judiciary Committee reports bills with any limitations attached to them.

Mr. JOHNSTON of South Carolina. I wish that had been done. But I think what I have stated was true at the time.

Mr. JOHNSON of Texas. I cannot read the minds of all Senators. This bill has been cleared by both policy groups. Of course I do not question the statement the Senator from South Carolina has made.

Mr. JOHNSTON of South Carolina. Let it be understood that we favor the bill, but we think the two retirement bills should be passed together.

Mr. JOHNSON of Texas. I understand. Let me point out that the Senate has already acted on the other retirement bill.

Mr. JOHNSTON of South Carolina. That is true.

Mr. JOHNSON of Texas. The Senator from Texas has hopes that prompt action will be taken on the bill by the House committee which is concerned.

In any event, the bill will be in conference, and the Senator from South Carolina will be one of the conferees.

Mr. JOHNSTON of South Carolina. I do not know whether there will be a conference, for the bill is a Senate bill; and if the House passes the bill without amendment, there will not be a conference on it.

Mr. GORE. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. GORE. Some Members of the Senate may think this bill is comparable to the survivorship and retirement system for Members of Congress and civil service employees; but I wish to point out that under the bill, if passed as it now stands, it would be possible for a Federal district judge to pay only 1½ percent of 1 month's salary; and thereafter his widow would draw more than $5,000 a year for the remainder of her life.

Compare that with the survivorship benefits under the congressional retirement system. It will be seen that there is great contrast, instead of comparison. This bill must not pass in its present form. The idea has been spread around that this measure is comparable to the congressional retirement system.

Mr. JOHNSTON of South Carolina. It is not.

Mr. GORE. It cannot be compared since it is far, far more favorable.

Mr. JOHNSTON of South Carolina. The Senator is correct.

Mr. JOHNSON of Texas. That is the purpose of scheduling the bill for discussion. The Senator from Tennessee will have ample opportunity to offer his amendments and explain his position.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. LANGER. The specific understanding is along the line of what the Senator said a few minutes ago.

Mr. JOHNSTON of South Carolina. I thought I should call that to the attention of the Senator.

ADVERTISEMENT BY ELECTRIC UTILITY COMPANIES REGARDING AMERICA'S POSITION IN ATOMIC POWER DEVELOPMENT

Mr. ANDERSON. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD my correspondence with Mr. Jerome K. Kuykendall, Chairman of the Federal Power Commission, with respect to a full-page advertisement which appeared in most of the major newspapers in the United States on June 13 of this year.

This full-page advertisement is captioned "How America Will Keep Its Lead in Atomic-Electric Power."

On June 13 both Senator Gore and I spoke about the advertisement in the Senate. At that time we were able to demonstrate that the advertisement was most erroneous in fact and created a false impression of America's position in atomic-power development. We were able to demonstrate that all of the reactors proclaimed in the advertisement were either built by the Federal Government or were under contemplation by private industry. We also showed that some of the reactors so loudly proclaimed no longer exist.

I felt it my duty to determine from Mr. Kuykendall if the electric light and power companies who endorsed this advertisement had included the expense of its publication in their rate base and charged it to consumers.

Mr. Kuykendall has informed me that the cost may be included as an operating expense by the companies.

I must recommend to the appropriate committees of Congress that in the next session they study the regulatory systems which allow the American consumer of electricity to pay for misleading advertisements intentionally designed for lobbying purposes.

I inquired of Mr. Kuykendall if the company would be able to deduct the expense for income tax purposes and Mr. Kuykendall informed me that he knew of no prohibition in the tax laws with respect thereto but added that this would be a decision for the Internal Revenue Service.

I would point out that the Internal Revenue Code of 1954 in section 39.23 makes nondeductible sums spent for lobbying in Congress or other legislatures.

In this respect I must point out that if utility companies were as willing to spend freely for atomic-energy research and development as they are to spend for lobbying advertisements it would not be necessary to call for Federal legislation to speed up our lagging program.

I therefore ask consent to print in the RECORD at this point my letter to Mr. Kuykendall, his reply to me, and the list of companies paying for the advertisement.

There being no objection, the letters and list were ordered to be printed in the RECORD, as follows:

JUNE 23, 1956.

Mr. JEROME K. KUYKENDALL,
Chairman, Federal Power Commission,
Washington, D. C.

DEAR MR. KUYKENDALL: I am writing about a full-page advertisement which appeared in most of the major papers in the United States on June 13 of this year.

The advertisement is captioned "How America Will Keep Its Lead in Atomic-Electric Power." In a column on the right-hand side of the advertisement there is a list of what purports to be the number of nuclear reactors built and planned in various countries throughout the world. The advertisement indicates that it was paid for by America's independent electric and power companies. By asterisks the reader is informed that the names of these companies will be supplied on demand.

In a Joint Committee on Atomic Energy hearing on May 24, 1956, Mr. Elmer L. Lindseth, president of Cleveland Electric Co., and a representative of Edison Electric Institute, testified and afforded the committee statistics generally identical with those in the advertisement. Under cross examination by members of the committee, we determined that these figures created an erroneous impression and were most inaccurate.

On June 13, Senator GORE and I drew the attention of the Senate to the advertisement and the RECORD for that day expresses our viewpoints in detail.

I am writing to pose certain questions to you concerning the advertisement and would very much appreciate your assistance in determining the answers. The questions are:

Who are the electric-light and power companies who endorsed the advertisement and contributed to its cost?

Do you have jurisdiction over any of those companies?

Will the cost of the advertisement be included in the rate base of any of the companies over whom you have jurisdiction? If so, what steps will you take to exclude it?

Will these companies be able to deduct their contribution to the cost of the advertisement as a business expense for income-tax purposes?

I would very much like to thank you for your cooperation in this matter.

Sincerely yours,

CLINTON P. ANDERSON,
Chairman.

FEDERAL POWER COMMISSION,
Washington, July 9, 1956.

Hon. CLINTON P. ANDERSON,
Chairman, Joint Committee on Atomic Energy, United States Senate, Washington, D. C.

DEAR SENATOR ANDERSON: This is with further reference to your letter of June 23, 1956, and the questions you raise therein relative to the advertisement entitled "How America Will Keep its Lead in Atomic-Electric Power."

There is attached herewith a list of 110 companies who participated in the above advertisement. The companies that are subject to the jurisdiction of the Commission are so identified.

In further response to your inquiry, it appears from the description of the advertisement, that the cost thereof may be included as operating expense by the above companies and presumably also allowed in cost of service determinations by the regulatory commissions. There would appear to be no basis for this Commission to exclude such expenses, if it were necessary to determine the costs of service of said companies. It should be noted, however, that predominant rate jurisdiction relates to distribution rates, the regulation of which rests exclusively with the State regulatory commissions. Further, the question of propriety of this type of costs in the usual cost of service determinations would arise generally only at such times when there is a rate case proceeding involving the particular company concerned.

The contributions made by the companies to the cost of the advertisement would apparently be deductible for income-tax purposes as an ordinary business expense. I know of no prohibition in the tax laws with respect thereto; however, this matter would be subject to the authoritative decision of the Internal Revenue Service of the Treasury Department.

It is hoped that the above information is helpful to you. If you desire any further information, please do not hesitate to inquire.

Sincerely yours,

JEROME K. KUYKENDALL,
Chairman.

LIST OF ELECTRIC UTILITY COMPANIES PARTICIPATING IN THIS ADVERTISEMENT

Alabama Power Co., Birmingham, Ala.[1]
Arizona Public Service Co., Phoenix, Ariz.[1]
Arkansas Missouri Power Co., Blytheville, Ark.[1]
Arkansas Power & Light Co., Little Rock, Ark.[1]
Baltimore Gas & Electric Co., Baltimore, Md.[1]
Blackstone Valley Gas & Electric Co., Pawtucket, R. I.[1]
Boston Edison Co., Boston, Mass.
Brockton Edison Co., Brockton, Mass.
Cambridge Electric Light Co., Cambridge, Mass.
Carolina Power & Light Co., Raleigh, N. C.[1]
Central Hudson Gas & Electric Corp. Poughkeepsie, N. Y.[1]
Central Illinois Electric & Gas Co., Rockford, Ill.
Central Illinois Light Co., Peoria, Ill.
Central Illinois Public Service Co., Springfield, Ill.[1]
The Central Kansas Power Co., Abilene, Kans.
Central Louisiana Electric Co., Inc., Lafayette, La.[1]
Central Power & Light Co., Corpus Christi, Tex.[2]
Cleveland Electric Illuminating Co., Cleveland, Ohio.
The Connecticut Light & Power Co., Hartford, Conn.
The Connecticut Power Co., Hartford, Conn.[1]
Conowingo Power Co., Elkton, Md.[1]
Consumers Power Co., Jackson, Mich.
Dallas Power & Light Co., Dallas, Tex.
The Dayton Power & Light Co., Dayton, Ohio.
Delaware Power & Light Co., Wilmington, Del.[1]
The Detroit Edison Co., Detroit, Mich.[3]
Duquesne Light Co., Pittsburgh, Pa.[1]
Edison Sault Electric Co., Sault Ste. Marie, Mich.
El Paso Electric Co., El Paso, Tex.[2]
Empire District Electric Co., Joplin, Mo.[1]
Fitchburg Gas & Electric Light Co., Fitchburg, Mass.[1]
Florida Power & Light Co., Miami, Fla.
Georgia Power Co., Atlanta, Ga.[1]
Gulf Power Co., Pensacola, Fla.[1]
Gulf States Utilities Co., Beaumont, Tex.[1]
The Hartford Electric Light Co., Hartford, Conn.[1]
Holyoke Water Power Co., Holyoke, Mass.[3]
The Housatonic Public Service Co., Derby, Conn.
Houston Lighting & Power Co., Houston, Tex.
Idaho Power Co., Boise, Idaho[1]
Indianapolis Power & Light Co., Indianapolis, Ind.
Interstate Light & Power Co., Plattesville, Wis.[1]
Interstate Power Co., Dubuque, Iowa[1]
Iowa Electric Light & Power Co., Cedar Rapids, Iowa.
Iowa Public Service Co., Sioux City, Iowa[1]
Jersey Central Power & Light Co., Asbury Park, N. J.[1]
Kansas City Power & Light Co., Kansas City, Mo.[1]
Kansas Gas & Electric Co., Wichita, Kans.[1]
The Kansas Power & Light Co., Topeka, Kans.
Lake Superior District Power Co., Ashland, Wis.[1]
Lawrence Electric Co., Lawrence, Mass.[1]
Louisiana Power & Light Co., New Orleans, La.[1]
The Lowell Electric Light Corp., Lowell, Mass.[1]
Lynn Gas & Electric Co., Lynn, Mass.
Madison Gas & Electric Co., Madison, Wis.
Marietta Electric Co., Marietta, Ohio[1]
Metropolitan Edison Co., Reading, Pa.[1]
Minnesota Power & Light Co., Duluth, Minn.[1]
Mississippi Power Co., Gulfport, Miss.[1]
Mississippi Power & Light Co., Jackson, Miss.[1]
Mississippi Valley Public Service Co., Winona, Minn.[1]
Missouri Edison Co., Louisiana, Mo.
Missouri Power & Light Co., Jefferson City, Mo.[1]
Monongahela Power Co., Fairmont, W. Va.[1]
The Montana Power Co., Butte, Mont.[1]
Monterey Utilities Corp., Monterey, Va.[1]
The Narragansett Electric Co., Providence, R. I.[1]
New Jersey Power & Light Co., Dover, N. J.[1]
New Orleans Public Service Inc., New Orleans, La.[1]
New York State Electric & Gas Corp., Binghamton, N. Y.[1]
Niagara Mohawk Power Corp., Syracuse, N. Y.[1]
Northern Pennsylvania Power Co., Towanda, Pa. (now merged into Penelec).[1]
Northern States Power Co. of Wisconsin, Eau Claire, Wis.[1]
Northern States Power Co. of Minnesota, Minneapolis, Minn.[1]
Northern Virginia Power Co., Winchester, Va.[1]
Ohio Edison Co., Akron, Ohio[1]
Oklahoma Gas & Electric Co., Oklahoma City, Okla.[1]
The Orange & Rockland Electric Co., Monroe, N. Y.[1]
Pacific Gas & Electric Co., San Francisco, Calif.[1]
Pacific Power & Light Co., Portland, Oreg.[1]
Pennsylvania Electric Co., Johnstown, Pa.[1]
Pennsylvania Power Co., New Castle, Pa.[1]
Pennsylvania Power & Light Co., Allentown, Pa.[1]
Philadelphia Electric Co., Philadelphia, Pa.[1]
The Potomac Edison Co., Hagerstown, Md.[1]
Potomac Electric Power Co., Washington, D. C.[1]
Potomac Light & Power Co., Martinsburg, W. Va.[1]
Public Service Co. of Indiana, Inc., Indianapolis, Ind.[1]
Puget Sound Power & Light Co., Seattle, Wash.[3]
Rochester Gas & Electric Corp., Rochester, N. Y.
Rockland Electric Co., Closter, N. J.[1]
Rockland Light & Power Co., Nyack, N. Y.[1]
Round Valley Light & Power Co., Springerville, Ariz.
St. Croix Falls Wisconsin Improvement Co., Minneapolis, Minn.[1]
Savannah Electric & Power Co., Savannah, Ga.
South Carolina Electric & Gas Co., Columbia, S. C.[1]
South Penn Power Co., Waynesboro, Pa.[1]
Southern Indiana Gas & Electric Co., Evansville, Ind.
Southwestern Gas & Electric Co., Shreveport, La.[1]

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[1] Utility companies having rate schedules on file with the Commission for the transmission of electric energy in interstate commerce and the sale of electric energy at wholesale for resale in interstate commerce.

[2] Utility companies subject to limited jurisdiction of the Commission by virtue of transmitting electric energy to a foreign country pursuant to the Commission's authorization.

[3] Subject to the jurisdiction of the Commission under part I of the Federal Power Act as a licensee.

Southwestern Public Service Co., Amarillo, Tex.[1]
Suburban Electric Co., Malden, Mass.[1]
Superior Water, Light & Power Co., Superior, Wis.[1]
Tampa Electric Co., Tampa, Fla.
Texas Electric Service Co., Fort Worth, Tex.
Texas Power & Light Co., Dallas, Tex.
The Toledo Edison Co., Toledo, Ohio
Union Electric Company of Missouri, St. Louis, Mo.[1]
The United Illuminating Co., New Haven, Conn.
Utah Power & Light Co., Salt Lake City, Utah[1]
Virginia Electric & Power Co., Richmond, Va.[1]
The Washington Water Power Co., Spokane, Wash.[1]
West Maryland Power Co., Oakland, Md.[1]
West Penn Power Co., Greensburg, Pa.[1]
West Texas Utilities Co., Abilene, Tex.[1]
Western Massachusetts Electric Co., Greenfield, Mass.[1]
Wisconsin Electric Power Co., Milwaukee, Wis.[1]
Wisconsin Michigan Power Co., Appleton, Wis.[1]
Wisconsin Power & Light Co., Madison, Wis.[1]
Wisconsin Public Service Corp., Milwaukee, Wis.[3]
Worcester County Electric Co., Worcester, Mass.

ORDER OF BUSINESS

Mr MORSE. Mr. President, if I may ask the indulgence of the majority leader, I am about to suggest something which may be considered to be quite out of order, or may disrupt his plans, which I have no intention of doing.

It so happened that when the Galveston, Tex., bill was taken up with me today, there was also discussion of three other very minor land-transfer bills which had been reported from the Committee on Government Operations, of which the distinguished Senator from Arkansas [Mr. McCLELLAN] is chairman. All those bills were reported unanimously. They all cover the subject of compensation, with respect to which I have been so persistent over the years in seeing to it that the taxpayer is protected. I thought those bills were to be taken up immediately following disposition of the Galveston, Tex., bill, because there is no objection to them.

Mr. JOHNSON of Texas. What are the calendar numbers?

Mr. MORSE. The first is Calendar No. 2454, House bill 8817, which is a bill to authorize the sale of about 6 acres of land, with improvements thereon, located within the city of Corbin, Ky. It calls for full compensation. There is a distressed labor area in Corbin, Ky. The land is needed for industrial sites. It is surplus to the Government. I am positive the Senator from Arkansas [Mr. McCLELLAN], and also the two Senators from Kentucky, would welcome action on these bills this afternoon.

[1] Utility companies having rate schedules on file with the Commission for the transmission of electric energy in interstate commerce and the sale of electric energy at wholesale for resale in interstate commerce.

[3] Subject to the jurisdiction of the Commission under part I of the Federal Power Act as a licensee.

Mr. JOHNSON of Texas. What are the other bills?

Mr. MORSE. The other bills are Calendar No. 2453, House bill 9774, a bill to provide for the conveyance of certain lands of the United States to the Board of Commissioners of Volusia County, Fla.; and Calendar No. 2449, House bill 10075, to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.

I am sure there would be no more discussion of those bills than there was with respect to the Galveston, Tex., bill. These bills were reported from the same committee.

Mr. JOHNSON of Texas. I am not familiar with the bills, but as soon as I can obtain reports, if it suits the convenience of the Senator from Oregon, I am willing to have the Senate proceed to their consideration.

Mr. MORSE. I am prepared to discuss the bills.

CONVEYANCE OF CERTAIN LANDS TO THE BOARD OF COMMISSIONERS OF VOLUSIA COUNTY, FLA.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2453, House bill 9774.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9774) to provide for the conveyance of certain lands of the United States to the Board of Commissioners of Volusia County, Fla.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MORSE. Mr. President, I should like to make a brief explanation of the bill. It is a very simple measure. It provides for transfer, by quitclaim deed, of a series of very small pieces of land for which Volusia County, Fla., will pay 50 percent of the appraised fair market value. The bill meets the Morse formula. It has the unanimous recommendation of the Committee on Government Operations, and I urge the passage of the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 9774) was ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN PROPERTY TO THE CITY OF CORBIN, KY.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2454, House bill 8817.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 8817) to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with amendments, on page 2, line 3, after the word "by", to insert "such qualified contract appraiser or appraisers as"; and in line 5, after the word "Services", to insert "shall select."

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President, I wish to make a very brief explanation of the bill.

This bill also comes from the Government Operations Committee. It involves the sale of 6 acres of land in Corbin, Ky., for its fair market value. I know of no possible objection to the bill, and I urge its passage.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 8817) was read the third time and passed.

CONVEYANCE OF CERTAIN REAL PROPERTY TO THE TOWN OF BALD KNOB, ARK.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2449, House bill 10075.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 10075) to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MORSE. Mr. President, I should like to make a brief explanation of the bill.

The bill would authorize and direct the Administrator of General Services to convey all right, title, and interest of the United States in and to a post office site recently declared surplus to the needs of the Federal Government.

The land was conveyed to the Government in 1953 by the town of Bald Knob, upon the payment of one dollar. This was a case in which the land was conveyed, in the first instance, for a specific Federal purpose. The Government no longer needs the land for that specific Federal purpose. Therefore, the land simply reverts to the town involved, because it was transferred in the first instance for a specific purpose, and only

that specific purpose. The bill therefore does not violate the Morse formula.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 10075) was ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

S. 1871. An act to amend certain provisions of law in order to provide for the reimbursement of the Post Office Department by Government agencies in certain additional cases for the transmission of mail matter;

S. 2704. An act to authorize the appropriations of funds for the construction of certain highway-railroad grade separations in the District of Columbia, and for other purposes;

S. 2705. An act to authorize the Philadelphia & Washington Railroad Co. to construct, maintain, and operate a branch track or siding over Second Street SE., in the District of Columbia;

S. 2896. An act to amend the act relating to cemetery associations;

H. R. 9893. An act to authorize certain construction at military installations, and for other purposes;

H. R. 11356. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes;

H. R. 11619. An act to amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other related purposes;

H. J. Res. 456. Joint resolution for the relief of certain relatives of United States citizens;

H. J. Res. 580. Joint resolution for the relief of certain aliens; and

H. J. Res. 616. Joint resolution for the relief of certain aliens.

ADJOURNMENT TO 10: 30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, if no other Senators desire to address the Senate, I move that the Senate stand in adjournment until 10: 30 o'clock a. m. tomorrow, pursuant to the order previously entered.

The motion was agreed to; and (at 6 o'clock and 28 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Thursday, July 12, 1956, at 10: 30 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 11, 1956:

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the provisions of sections 502 and 509 of the Officer Personnel Act of 1947, as amended, and section 107 of the Army-Navy Nurses Act of 1947, as amended. All officers are subject to physical examination required by law.

CAPTAIN TO MAJOR

Medical Corps

Carter, Billy June, 20520A.
Park, Oakley Knox, 20823A.
Smith, Edward Patrick, Jr., 20825A.
Goggans, Walter Houseal, 20828A.
Miller, Richard Kewenige, 20830A.
Bear, Stanley Herman, 20826A.
Borders, James Lane, 21424A.
Tenney, Alonzo Cass, 21425A.
Troxell, John Robert, 21682A.
Spencer, W. B., 21683A.
Karmany, William Hummel, 21724A.
Stonehill, Robert Berrell, 21684A.
Barnum, Ferdinand, 22544A.
Whitehouse, Wesley Clay, Jr., 22545A.
Foley, Francis Edward, 19543A.
Payne, John William, 19544A.
Hessberg, Rufus Rosendale, Jr., 24647A.
Myers, Paul Walter, 21761A.
Shugart, Richard Tatum, 21843A.
Spiegel, Frederick Sigfried, 21842A.
Gilliland, Jack Melvin, 21844A.

Dental Corps

Walker, Fredrick Eugene, 19823A.
LaVere, Arthur Michael, 19824A.
Tomey, William Hayes, 19825A.
McNutt, John Howard, 19822A.
Armstrong, Russell Herion, 19911A.
Doran, Arthur Samuel, 19960A.
Cole, Thomas Robert, 19959A.
Michalik, Walter James, 20007A.
Feldmann, Earl Edwin, 20008A.

Veterinary Corps

Kuhn, Ulysses Simpson Grant, 3d, 19012A.
Fremming, Benjamin DeWitt, 19013A.

Nurse Corps

Keso, Frieda Emily, 21913W.
King, Helen Hadley, 21918W.
Ward, Patricia Inez, 21930W.
Wiggins, Mary Louise, 20975W.
Ardoin, Elena Mary, 21949W.
Reed, Eleanor R., 20982W.
Cosma, Helen Rose, 20983W.
Upshaw, Esther Long, 20924W.
Ottoy, Suzanne Marie, 21967W.
Waters, Mary Hulda, 21027W.
Gates, Mary Templeton, 21055W.
Patterson, Mary A., 20996W.
Reppak, Mary Jean, 20941W.
McGibboney, Sadie Lee, 22462W.
Duey, Jane M., 21059W.
Fussell, Ruth Elizabeth, 21108W.
Michalka, Pauline Theresa, 22011W.
Bakutis, Alice Rose, 22026W.
Quintini, Audrae A., 21123W.

FIRST LIEUTENANT TO CAPTAIN

Line of the Air Force

Hocker, James Snyder, 28165A.
Caulfield, James Edward, 28028A.
Rutherford, William Fain, 28166A.
Abrams, Carl Robert, 28167A.
Achee, Carl Edward, 28029A.
Nabers, James McSwain, 28168A.
Stanley, Russell Alfred, 28030A.
King, J. T., 28169A.
diDonato, Louis Vincent, 28031A.
Gray, Prichard Edwin, 28170A.

Medical Corps

Earle, Jack Landis, 27991A.
Thorpe, James Hancock, 28134A.
Lindall, Dale Regnar, 27992A.

Dental Corps

Stephens, Belton Shaw, 27997A.

Chaplain

Monsen, Ralph Robert, 28155A.
Goetz, Charles Theodore, 28000A.
Haney, Paul Stephen, 28156A.

NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.

UNITED STATES PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service, and subject to qualification therefor as provided by law and regulation:

1. FOR APPOINTMENT

To be senior assistant veterinarians

Donald M. Mason
Gordon C. Solomon
Donald C. DeValois
Joe W. Atkinson
Keith T. Maddy
Daniel Weiner
Lawrence E. Barnes
Robert H. Huffaker
Russell H. Thompson
Harvey B. Hearn

To be assistant veterinarians

Kenneth D. Quist
Joe R. Held
Richard A. Tjalma
Daniel Cohen
Leonard W. Scarr
Marlin D. Kieckner
Gordon D. Wallace
Roy F. Kinard, Jr.
George W. Beran
Denny G. Constantine
Wellington Moore, Jr.

CONFIRMATION

Executive nominations confirmed by the Senate July 11, 1956:

DEPARTMENT OF JUSTICE

Victor R. Hansen, of California, to be Assistant Attorney General.

WITHDRAWALS

Executive nominations withdrawn from the Senate July 11, 1956:

POSTMASTERS

Calvin M. Langfield to be postmaster at Troutlake, in the State of Washington.

Mrs. Aune M. Vartti to be postmaster at Eben Junction, in the State of Michigan.

Mrs. Verna Mae Murphy to be postmaster at Drumore, in the State of Pennsylvania.

Emmett J. Synder to be postmaster at Taylor, in the State of Missouri.

Hollis N. Hartley to be postmaster at Lee's Summit, in the State of Missouri.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 11, 1956

The House met at 10 o'clock a. m.

Rev. Donald Werr, O. F. M., Quincy College, Quincy, Ill., offered the following prayer:

Almighty, everlasting God, who gives strength to all who invoke You, in Your kindness hear our humble prayer and with Your heavenly blessing, bless this House of Congress so that it may ever be a good example to the Nation and a pillar of strength for us all.

May the Members here present desire eagerly, investigate prudently, and fulfill perfectly those things that are pleasing to You.

May You inspire confidence in all who trust in You, and grant the help of heaven to protect all who hope in You. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and

joint resolutions of the House of the following titles:

On June 21, 1956:

H. R. 8709. An act to continue the effectiveness of the act of July 17, 1953 (67 Stat. 177), as amended;

H. R. 9838. An act to authorize transfer of officers of the Nurse Corps of the Regular Navy and Naval Reserve to the Medical Service Corps of the Navy, and for other purposes;

H. J. Res. 565. A joint resolution for the relief of certain aliens; and

H. J. Res. 590. A joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

On June 22, 1956:

H. R. 1402. An act for the relief of Santiago Gonzalez Trigo;

H. R. 1913. An act for the relief of Mrs. Anna Elizabeth Doherty;

H. R. 2045. An act for the relief of Joe Bargas;

H. R. 3744. An act to amend an act of July 1, 1947, to grant military leave of absence with pay to substitute employees in the postal field service;

H. R. 4873. An act for the relief of Lt. Comdr. Mortimer T. Clement, Medical Corps, United States Navy, retired;

H. R. 9475. An act to amend the tobacco-marketing-quota provisions of the Agricultural Adjustment Act of 1938, as amended;

H. J. Res. 581. A joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

H. J. Res. 607. A joint resolution to authorize the disposal of the Government-owned tin smelter at Texas City, Tex., and for other purposes.

On June 25, 1956:

H. R. 2106. An act to provide that the enlistment contracts or periods of obligated service of members of the Armed Forces shall not terminate by reason of appointment as cadets or midshipmen at the Military, Naval, Air Force, or Coast Guard Academies, or as midshipmen in the Naval Reserve, and for other purposes;

H. R. 7471. An act to provide for the conveyance of certain lands of the United States to the city of St. Augustine, Fla., a municipal corporation organized and existing under and by virtue of the laws of the State of Florida;

H. R. 7896. An act to provide for the conveyance of certain land in the city of Hogansville, Ga., to the city of Hogansville;

H. R. 8041. An act for the relief of Clyde R. Stevens;

H. R. 8102. An act to provide for the disposition of moneys arising from deductions made from carriers on account of the loss of or damage to military or naval material in transit, and for other purposes;

H. R. 8404. An act to provide for the conveyance of a portion of the former prisoner-of-war camp, near Douglas, Converse County, Wyo., to the State of Wyoming, and for other purposes;

H. R. 8693. An act to amend the Career Compensation Act of 1949, as amended, in relation to the refund of reenlistment bonuses;

H. R. 9285. An act to amend section 14 (b) of the Federal Reserve Act, so as to extend for 2 additional years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury;

H. R. 9377. An act to provide for the sale to the Eagle Rock Young Men's Christian Association of certain real property located in Los Angeles County, Calif.;

H. R. 10060. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953, as amended;

H. R. 10417. An act to amend the Federal Register Act, as amended, so as to provide for the effectiveness and notice to the public of proclamations, orders, regulations, and other documents in a period following an attack or threatened attack upon the continental United States; and

H. J. Res. 609. A joint resolution for the relief of certain aliens.

On June 27, 1956:

H. R. 5382. An act for the relief of W. R. Zanes & Co. of Louisiana, Inc.;

H. R. 6742. An act for the relief of Rumiko Fujiki Kirkpatrick;

H. R. 6955. An act for the relief of Inna Hekker Grade;

H. R. 9739. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1957, and for other purposes;

H. R. 11205. An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claims of Roy Cowan and others arising by reason of the flooding of land in the vicinity of Lake Alice, N. Dak.;

H. R. 11473. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1957, and for other purposes;

H. J. Res. 555. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 591. Joint resolution to facilitate the admission into the United States of certain aliens.

On June 29, 1956:

H. R. 1410. An act for the relief of Giovanna Scano;

H. R. 2709. An act for the relief of the estate of Rene Weil;

H. R. 3373. An act for the relief of Mrs. Zella K. Thissell;

H. R. 5453. An act for the relief of the estate of Robert Bradford Bickerstaff;

H. R. 6143. An act to amend the Internal Revenue Codes of 1939 and 1954, and for other purposes;

H. R. 7247. An act relating to recognition of gain or loss in certain railroad reorganizations;

H. R. 7373. An act for the relief of Eugene G. Aretz;

H. R. 8867. An act for the relief of the estate of F. M. Bryson;

H. R. 8922. An act to provide for the relief of certain members of the uniformed services;

H. R. 9052. An act to amend the Export Control Act of 1949 to continue for an additional period of 2 years the authority provided thereunder for the regulation of exports;

H. R. 9720. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1957, and for other purposes;

H. R. 9824. An act to establish an educational assistance program for children of servicemen who died as a result of a disability or disease incurred in line of duty during World War I, World War II, or the Korean conflict;

H. R. 9852. An act to extend the Defense Production Act of 1950, as amended, and for other purposes;

H. R. 10003. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1957, and for other purposes;

H. R. 10660. An act to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways; to amend the Internal Revenue Code of 1954 to provide additional revenue from the taxes on motor fuel, tires, and trucks and buses; and for other purposes;

H. R. 10872. An act to provide for extension of the time during which annual assessment work on unpatented mining claims validated under section 2 of the act of August 11, 1955, may be made, and for other purposes; and

H. J. Res. 554. A joint resolution for the relief of certain aliens.

On July 2, 1956:

H. R. 101. An act relating to the administration by the Secretary of the Interior of section 9, subsections (d) and (e), of the Reclamation Project Act of 1939;

H. R. 3693. An act to amend title IX of the District of Columbia Revenue Act of 1937, as amended;

H. R. 5590. An act to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Gustaf E. Lambert;

H. R. 5790. An act relating to the application in the Territory of Hawaii of the Federal Aid in Wildlife Restoration Act and the Federal Aid in Fish Restoration Act;

H. R. 8493. An act to exempt from taxation certain property of the General Federation of Women's Clubs, Inc., in the District of Columbia;

H. R. 9582. An act to provide for the delayed reporting of births within the District of Columbia;

H. R. 9671. An act to provide for the conveyance of certain property of the United States to the village of Carey, Ohio;

H. R. 10374. An act to amend the act to incorporate the Oak Hill Cemetery, in the District of Columbia;

H. R. 10768. An act to amend section 5 of the act of August 7, 1946, entitled "An act for the retirement of public school teachers in the District of Columbia," as amended;

H. R. 10936. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1957, and for other purposes;

H. R. 11319. An act making appropriations for the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30, 1957, and for other purposes;

H. J. Res. 533. A joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 534. A joint resolution to waive certain provisions of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 535. A joint resolution for the relief of certain aliens;

H. J. Res. 553. A joint resolution waiving certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, and for other purposes;

H. J. Res. 566. A joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

On July 3, 1956:

H. R. 6782. An act to amend section 7 of an act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes, approved July 1, 1902, as amended;

H. R. 7227. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the disposal of surplus property for civil defense purposes, and for other purposes;

H. R. 7641. An act to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the prevention of waterfowl depredations, and for other purposes;

H. R. 8634. An act to authorize the conveyance of a certain tract of land in North Carolina to the city of Charlotte, N. C.;

H. R. 10766. An act to authorize the payment of compensation for certain losses and damages caused by United States Armed Forces during World War II;

H. J. Res. 671. Joint resolution making temporary appropriations for the fiscal year 1957, and for other purposes.

On July 9, 1956:

H. R. 877. An act for the relief of Mrs. Rose Ameresano and her children;

H. R. 906. An act for the relief of William Martin, of Tok Junction, Alaska;

H. R. 909. An act for the relief of Charles O. Ferry and other employees of the Alaska Road Commission;

H. R. 1963. An act for the relief of Mr. and Mrs. Clarence M. Augustine;

H. R. 2267. An act for the relief of Morton J. Krakow;

H. R. 3960. An act for the relief of Maria del Carmen Gago Santana;

H. R. 4652. An act to authorize the Secretary of the Treasury to transfer certain property to the Panama Canal Co., and for other purposes;

H. R. 4851. An act for the relief of the Kelmoor Fox and Fur Farm, Inc.;

H. R. 5147. An act to change the distribution of Coast and Geodetic Survey charts;

H. R. 5522. An act for the relief of the Florida State Hospital;

H. R. 5526. An act for the relief of Mrs. Kathryn M. Baker;

H. R. 5635. An act for the relief of Dr. Wolodyayr Fedyniak and others;

H. R. 5690. An act for the relief of Camp Kooch-i-ching;

H. R. 6245. An act to authorize the Panama Canal Company to convey to the Department of State an improved site in Colon, Republic of Panama;

H. R. 7732. An act to amend section 402 (c) of the Federal Food, Drug, and Cosmetic Act, with respect to the coloring of oranges;

H. R. 7763. An act to amend the Japanese-American Evacuation Claims Act of 1948, as amended, to expedite the final determination of the claims, and for other purposes;

H. R. 7811. An act to amend the Canal Zone Code by the addition of provisions relative to the registration of architects and professional engineers, and the regulation of their practice;

H. R. 9952. An act to provide a lump-sum readjustment payment for members of the Reserve components who are involuntarily released from active duty;

H. R. 10230. An act to amend sections 3526 and 3528 of the Revised Statutes relating to the coinage of subsidiary silver coins and minor coins of the United States;

H. R. 11499. An act to amend the Texas City Disaster Claims Act;

H. R. 11740. An act to provide for a temporary increase in the public-debt limit;

H. R. 11802. An act to continue the effectiveness of the act of December 2, 1942, as amended, and the act of July 28, 1945, as amended, relating to war-risk hazard and detention benefits until July 1, 1957; and

H. J. Res. 611. Joint resolution for the relief of certain relatives of United States citizens.

CALL OF THE HOUSE

Mr. MASON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 97]

Barden	Celler	Gamble
Bass, Tenn.	Chatham	Gray
Bell	Curtis, Mass.	Gregory
Berry	Davis, Tenn.	Healey
Brooks, La.	Davis, Wis.	Jackson
Brooks, Tex.	Diggs	Jarman
Burleson	Dixon	Kearns
Carnahan	Eberharter	Keating
Kelley, Pa.	Murray, Tenn.	Prouty
Lane	Nelson	Scudder
Lovre	O'Hara, Minn.	Shelley
McConnell	Patman	Sieminski
Macdonald	Phillips	Thompson, La.
Magnuson	Powell	Thornberry
Miller, Md.	Preston	Tumulty
Morgan	Priest	Wickersham

The SPEAKER. On this rollcall 378 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries have permission to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PAYMENT FOR IMPROVEMENTS ON PUBLIC LANDS IN RAPID VALLEY UNIT, SOUTH DAKOTA

Mr. FORRESTER submitted a conference report and statement on the bill (S. 1622) to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce have permission to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object, what was the request?

Mr. HARRIS. That the Committee on Interstate and Foreign Commerce may have permission to sit during general debate on the pending bill.

Mr. HOFFMAN of Michigan. Mr. Speaker, I object, not because I have any particular objection to the Committee on Interstate and Foreign Commerce meeting today, but because I do not believe Members can give proper attention to the very important legislation which is coming before the Committee of the Whole this forenoon and this afternoon.

My objection is aimed not at this committee, but at the present practice.

Recently, the Committee on Government Operations, through its subcommittees, has been holding from 1 to 3 committee hearings almost every day. The result is that, if we attend those committee hearings—and that seems to be necessary if we are to be advised of what is happening—we cannot give adequate consideration to the bills which come to the floor.

Very recently the Speaker, if I understood his remarks correctly, disapproved of the practice of committees sitting while the House is in session.

It is my purpose to try to remedy the present situation, because I have not yet seen any Member who was able to be in two places at once.

The SPEAKER. The gentleman has already objected. Objection is heard.

MUTUAL SECURITY APPROPRIATION BILL FOR 1957

Mr. PASSMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Louisiana.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 12130, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Monday, July 9, the gentleman from Louisiana [Mr. PASSMAN] had 1 hour and 3 minutes remaining; the gentleman from New York [Mr. TABER] had 2 hours remaining.

The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I yield myself 25 minutes.

Mr. Chairman, I have many times voted against appropriations for so-called mutual security and foreign aid. I have almost invariably supported efforts to reduce these items. This time I am taking a different although not inconsistent position. The times I have voted against it have been times when bills were brought on the floor that were too big and provided funds that were not needed. Here I feel that I must support whatever efforts can be made to increase the bill at least to the authorization level on the item for military assistance. That particular item in the bill is $550 million below the figure carried in the appropriation bill.

This situation has arisen largely because, in my opinion, there is a misunderstanding of the situation that we in the United States are in. It is true that we were told that the complete so-called Marshall plan would cost not over $15 billion. That was spent, and it very largely restored Europe to a situation where their production of manufactures and farm products in almost every instance where their program was working showed better figures than the prewar figures, and they do today.

Under the circumstances, we would naturally expect the program to fade away, but what has happened? Since 1948 the Soviets have become very strong. They became so strong in 1950 that they started the Korean war. Our people were obliged to engage in that and to have enormous numbers of troops, our young men, and enormous quantities of materials in Korea for the purpose of

maintaining our position in that country and keeping it from being a steppingstone into our backyard.

I want to ask the House what it wants to do. Do we want to maintain a situation where the Koreans, those in Thailand, in Vietnam, in the Philippines, and in Formosa can protect the United States and our west coast from the Communists overrunning that whole picture, or do we want to get into a situation where they are going to walk right over us and get right into our territory. What are we going to do?

If we do not have those troops that are native to Korea, Thailand, Vietnam, the Philippines, Taiwan, and those other places in that area, if we do not have them where they are prepared to head off Communist infiltration into those spots in southern Asia and along the territory to the north, in Korea and Japan, we are going to have to send our own boys over there. And how are we going to like that? How are the people of the United States going to like that?

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MORANO. Is it not true that it costs the United States about $7,000 to put an American soldier on the front line where the Joint Chiefs would like to have him, without a weapon, whereas it only costs about $800 to put a foreign soldier on the same line with a weapon.

Mr. TABER. I think the gentleman has stated it correctly only, I believe, our figure is $8,000 instead of $7,000.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. GROSS. Does the gentleman suggest that we should hire mercenaries to fight for us? I wonder what the British paid the Hessians? Are we supposed now to buy and pay for troops all over the world?

Mr. TABER. If we were hiring mercenaries to fight for us, we would be sending them to other places than where they live. When a man is defending his homeland that is a different story, and he is not a mercenary.

Down to July 1, 1955, all of these Korean troops and a good many of the others were receiving help without a charge to this appropriation in any way, the equipment that was necessary for the Korean soldiers to hold their own. They were given not only arms and ammunition and all that sort of thing, but the biggest part of the pipeline of military supplies continued through the fiscal year 1956 down to the first of July, and it still has some way to go. We did not have to draw on these funds so heavily to take care of them because it was in our military appropriations, direct.

Now it is the burden of this particular appropriation. That group of countries was originally set up in the Far East to take care of the local situation. We have no troops in Vietnam, to speak of; simply instructors. In Korea we have only a small fraction of what we had. In Thailand and Formosa we have a very few. All that we have there are instructors and some of our airplanes that we must keep there. But the major part of the situation is taken care of, and Formosa is a major guard to the United States against what might happen over in that part of the world. We have to take care of the needs of those soldiers—their equipment, their guns, and their ammunition. They have been troubled with sniping from Communist China every little while on their islands. But they have held their ground, and they have done it well. Do we want to run out on that? Is that the kind of a picture that we want to quit on?

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MORANO. Is it not true that this Congress passed the so-called Formosa resolution in order to protect that area, and therefore it becomes the responsibility of this Congress to furnish the implements of defense to do just that thing, or to help do that thing?

Mr. TABER. That is the way it appeals to me. I hope there are not any who voted for that resolution who feel differently. I voted for it and I know the gentleman from Connecticut [Mr. MORANO] did.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. GROSS. Would the gentleman run out on Yugoslavia? Since they are a part of this picture, they are going to participate in these funds if the gentleman has his way.

Mr. TABER. They might participate to a certain extent, but Yugoslavia is in this situation, as I understand it, and I think that is the correct way to look at it. Yugoslavia, so long as they stay as well as they have outside of Moscow control, has been the bellwether to call the Iron Curtain countries to a struggle for independence. Frankly, I believe that the demands for decent treatment on the part of the Polish and the Czechs came because of the fact that Yugoslavia was independent, and they thought that they could get that way and have some chance in the world to live, not be starved to death and made slaves of by the Moscow pirates.

Mr. MORANO. Will the gentleman yield further?

Mr. TABER. I yield.

Mr. MORANO. Is it not true that in the authorization bill there is a provision to shut off aid to Yugoslavia the moment the President thinks it is incompatible with our own defense and the defense of the free world?

Mr. TABER. That is correct, and that is the way that every dollar that is provided here would be handled.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. VORYS. The law recently passed by Congress is a little stronger than the gentleman just mentioned. It cuts off aid to Yugoslavia unless the President shall find within 90 days and reports to Congress that Yugoslavia is not participating in the Soviet plan for Communist conquest of the world, that Yugoslavia is independent of control of the Soviets, and that furnishing assistance to Yugoslavia is in the interest of our national security.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. GROSS. I wonder if the gentleman knows what Secretary Dulles had to say when he appeared before the Appropriations Subcommittee with respect to conditions this year as compared with the preceding year, whether conditions in the world are better or worse, thereby necessitating an increase for appropriations over there.

Mr. TABER. I think as near as I can tell the gentleman, and I am recalling my own conversations with him as well as the testimony, so I cannot tell exactly which one I am counting on, but as near as I can tell the gentleman he said just exactly what I said in answer to the gentleman's question. That is the way the thought occurred to me; it was not an original thought with me. But I can see the importance of it, and I can see the real justice of it. That is the reason I adopted the language of the Secretary.

Mr. GROSS. Does he say that the tensions are greater or less than they were a year ago?

Mr. TABER. He said that the tensions against Moscow were greater than they were a year ago, and I think that is correct.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. VORYS. In going through the hearings, I do not believe that Admiral Radford appeared before the Appropriations Committee on this bill. Is that not correct?

Mr. TABER. I think that is so, but I have had in front of me in connection with the preparation of this so-called speech Admiral Radford's statement, and if I get a chance I want to give a picture of what would result if we leave that thing the way it is without any attention.

Mr. VORYS. I certainly hope the gentleman will quote Admiral Radford. I have a statement he made on June 12 on the billion-dollar House cut in the authorization bill. He said:

> If this $1 billion cut is maintained the European program would sustain more than half—say $600 million. However, the effect on non-European country programs would also be very great. For example, we estimate that the Korean program would have to be cut in the neighborhood of 23 percent, Taiwan 14 percent, Pakistan 27 percent, Turkey 24 percent, and Greece 22 percent. The $1 billion reduction would also result in the elimination of approximately half of the increment for advanced weapons for NATO.

The cut that is now proposed would, of course, involve an even deeper adjustment of the cuts for these countries that the gentleman has just pointed out are so vital to our own security.

I hope the gentleman will give us Admiral Radford's analysis of what this cut means to our security.

Mr. TABER. This is the way I am going to give it and I take part of the figures from Admiral Radford's statement.

There is exclusive of infrastructure in the first items in this bill the item for military aid $1,675,000,000. If you first subtract from it $255 million, and I am quoting Admiral Radford as my author-

ity for this, for the amount that is required for operation of this program—if you subtract that $255 million you get a remainder of $1,420,000,000.

Now, five critical countries were provided for in this bill as it was presented by the President—Korea, Taiwan, Vietnam, Turkey, and Pakistan. These are countries in Asia and there was provided $1,200,000,000. In addition to that, other countries, including Japan, Cambodia, Laos, Greece, Thailand, and the Philippines, called for $240 million more. You can add to that $1,420,000,000 that would be left in this bill after taking out two hundred and fifty-five of the $195 billion military aid funds that are reappropriated, which would give you $1,615,000,000.

You subtract the $1,200,000,000 from it and you get a balance of $415 million. You subtract the $240 million from the $415 million, which is necessary to take care of the Philippines, Thailand, Greece, Iran, Iraq and the other places in the Near East, and you get about $195 million to take care of Latin America and the NATO countries.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Louisiana.

Mr. PASSMAN. You have approximately $700 million more this year to cover these areas. How did they get along this year? Is it not also true that Cambodia has now gone over to the Reds and in all probability you will not need that money?

Mr. TABER. I am advised by the State Department that Cambodia has not gone over to the Reds.

Mr. PASSMAN. Also Japan indicated it did not want to rearm. You may have more money for Japan than you need.

Mr. TABER. Japan has rearmed with our assistance. First it came out of surplus stocks from the armed services and things that were left there. Then we began sending stuff in there. There is a very considerable item set up in this bill for that particular purpose. Japan at this time is taking care of the policing and protection of all of the islands of Japan with the exception of the main island. That is the only one that we have any troops in. I would like to get to the day where we could bring back out of Japan the still substantial number of troops that we have there and we may have it where they can take care of themselves and protect themselves.

Mr. PASSMAN. The gentleman is familiar with the elections just concluded in Japan. If he will refer to yesterday's paper he can see what happened in Japan in the last few days.

I certainly hope Cambodia has not gone over to the Reds, as indicated by this article. It states very definitely that the man in charge has concluded an agreement with Soviet Russia for economic and industrial aid to Cambodia. He declared that the hope of his people rests in the Soviet Union for the realization of their desires for peace and prosperity. That is a matter of record.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. TABER. Mr. Chairman, I yield myself 10 additional minutes.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Massachusetts.

Mr. MARTIN. I want to assure the gentleman from Louisiana that I do not believe Cambodia has left us yet. We should not drive them further into Russia's hands. If we gave them all the money that is allotted for Cambodia it would be just $8 million.

Mr. PASSMAN. I am not suggesting that we withhold any funds from Cambodia. I am suggesting that it may be that you will not need the funds if they do go over. I certainly hope they do not.

Mr. TABER. They will not get it if they have gone over.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. I would like to say that I think the gentleman is making a very fine and a very strong and certainly a very courageous statement, and I want to say that I agree with his argument so far entirely. May I point this out in connection with what the gentleman from Ohio mentioned regarding the statement made by Admiral Radford. Much is being said about what has been spent to arm the NATO troops and the SEATO troops, but it must be remembered that the request the President made, a request supported by Admiral Radford and the Joint Chiefs of Staff for the full amount of these military funds, has to do with bringing to our allies an entirely new set of weapons system. The existing weapons are obsolete or obsolescent, and you cannot expect our allied troops to fight a new and modern war alongside of us unless they have the advantage of all the weapons systems that modern warfare demands, and this budget request that the President has made, that the gentleman from New York is now completely supporting, is predicated upon instituting and supplying all of these allied troops with new, modern weapons systems. That is why these additional funds are necessary and should be restored.

Mr. TABER. The whole picture is just about this way. The original allocation called for $760 million for Europe and $35 million for Latin America. If we take out the things that are necessary to maintain those countries that have to get funds to keep themselves going, we have got to practically wipe out every dollar to take care of the Europeans and the Latin Americans. I do not know. Maybe we want to run out on them completely.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I rise to remind the House and also the gentleman that during World War II I suggested that the Chiefs of Staff, the heads of the Military Establishments, and the State Department have a meeting and ask all of the Members of Congress to attend. This was done. It was held over in the Congressional Library auditorium, and they told us frankly what was going on. I think it would be enormously helpful and I think it would help the gentleman from New York and his Committee on Appropriations and also the other members of the Committee on Appropriations if this group could be heard at the same time and see what they had to suggest.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Texas.

Mr. MAHON. I wonder if the gentleman would agree with me that whatsoever the Congress sows it will also reap, and that during the years on both sides of the aisle, to some extent, the foreign-aid program has been sold to the American people as a money-down-the-rathole project, and those constant and repeated attacks, at time inaccurate, have convinced large sections of the American people that the program is unsound; that it is a step in the wrong direction, and that only those who are fiscally irresponsible are for it. That kind of thing has made it difficult for the people who believe in foreign aid, such as the gentleman from New York and the gentleman from Texas, to support the program as in times past.

I think the gentleman is to be commended for standing on his two feet and defending this as an American aid program, a program for peace and security of our own people. I am not going all the way with the gentleman. I am going to stand by the committee. But I do think we ought to face up to this in a more realistic way and appreciate what it means in the overall program to the American people. I think the gentleman is making an important contribution in that direction.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. GROSS. In connection with the point about the handling of the money in this bill, does the gentleman recall that back in 1953 or 1954, when he was chairman of the Committee on Appropriations, the committee issued a report blistering the former giveaway artist Stassen for obligating money to the tune of hundreds of millions of dollars at the end of the fiscal year?

Mr. TABER. Yes. We tried to correct that by inserting a provision that not more than a certain percentage of the funds could be obligated in the last 2 months. But I do not want to spend time discussing those matters that have been corrected.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. PASSMAN. Mr. Chairman, I want to say to the gentleman from New York [Mr. TABER] that I, too, am going to support the bill before the House. I shall not vote for any amendments to reduce the amount of money that your committee has recommended. Likewise I shall vote against any amendment to cut out Yugoslavia. I think we should leave it up to the President to decide whether or not funds should be continued for Tito. I think that is true also for Cambodia.

Mr. TABER. Mr. Chairman, I do not want to be responsible for creating a situation—and I say this advisedly—that

will require us to send our own people in large numbers to the Far East, to countries that are regarded as critical countries at this time. I think that instead of a figure below the $2.3 billion, or approximately that, that is carried in the authorization bill, we should increase the appropriation to around the amount in the authorization bill, so that we do not create a situation where we have no allies left to help us fight to maintain the free world and keep the Communists behind the Iron Curtain. We should think now of the feelings of the people whose sons have to move in with the Army into this situation in the place of those native troops whose cost to us is about one-third of what our troops would cost.

Mr. Chairman, I think that this bill has been cut too deep. I pray that before we are through with it enough of it will be restored so that a good job can be done in the situation.

There is one thing of a personal nature that I want to say. This year I asked for a block of figures. I think this is very important for the membership to realize. We have never been able in the past to get any decent figures on this situation. But Mr. E. Perkins McGuire, who has gone in as an Assistant Secretary, and lately in charge of this program, came up the next morning with his figures. They were right down to the dot. They were intelligent estimates of what they would spend the rest of the year which was only a few days away. The other person in charge of the defense support and the economic items was a week getting his material up. That was the kind of situation we used to have. And even then the picture was not a satisfactory one. I do want to say this, that we have found one spot where they are doing a clear-cut job.

I have given the House my analysis of this situation. I hope it will be of some benefit and that we can meet our responsibilities before we get through the day.

Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, this bill comes to the floor in its present form as the result of a 7 to 5 vote in the subcommittee and a 24 to 22 vote in the full committee.

Personally, I am very unhappy in the recommendation which is before us at this time. I agree with the previous speaker, the gentleman from New York [Mr. TABER], that the item for military assistance has been cut altogether too deeply.

I stand today as I have always stood for essential economy but I cannot, Mr. Chairman, stand for economy at the expense of national security.

I think we will all agree, Mr. Chairman, that it is impossible to overemphasize the importance of the conflict in the world today between communism and freedom. It overshadows every other problem in the world.

I think it is also impossible to overemphasize the dangers confronting us in this era in which we live.

One-third of the world is under Communist domination. One-third of the world is on the fence, following a policy of nonalinement or neutralism. The United States has just about 6 percent of the world's population.

Nobody wants a third world war and nobody, I am sure, wants to fight that war alone.

A powerful America with powerful allies offers the best possible assurance against both possibilities. A powerful America with powerful allies is vital to the defense of this Nation and to the defense of the free world.

Mr. Chairman, I think I appreciate as much as anyone here this morning the shortcomings of the mutual-security program in years gone by.

I have lived with them. I have done what I could to cure them and to bring about economy and efficiency. I have voted to reduce appropriations. But I have always supported the objectives of the program.

This morning I want to limit myself primarily to our military programs as of today.

I want to point out, Mr. Chairman, that in my opinion the free world has made tremendous progress under these programs. They have been highly successful.

We have seen, for instance, the organization of the NATO pact with its 15 members—stronger today according to General Gruenther than it was a year ago, and far stronger in his opinion than either he or then General Eisenhower thought it could possibly be at this time 5 years ago. For every dollar that we are putting into NATO our NATO allies are contributing, as I understand it, about $6.

We have also seen the organization of the Balkan pact with its 3 members; of the Baghdad pact with its 5 members; of the SEATO pact with its 8 members; and the pacts with friendly nations here in the Western Hemisphere. We have seen the pact of Paris and the admission of West Germany to NATO. We have seen the development of enormous offensive and defensive military power here at home, adequate according to the chairman of the Joint Chiefs of Staff to cope with the initial stages of any war, global or otherwise, and to permit rapid buildup if and when necessary.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. FLOOD. The gentleman mentioned that this Nation has 6 percent of the world's population. The gentleman knows as well that that is true, but also this Nation has over 52 percent of the world's wealth. It is this kind of program in the past years that has permitted us to establish and maintain that position and the continuation of this kind of program will continue our position and that of our friends in the world.

Mr. WIGGLESWORTH. I thank the gentleman.

Mr. Chairman, I submit that by a policy of collective security, based on military power, the free world has compelled the Kremlin to abandon the policy of military aggression, at least for the time being.

I further submit that this is no time to slacken our efforts to build and to maintain a powerful free world when results are beginning to show. Any such action could have disastrous consequences.

Mr. Chairman, the military assistance program is, of course, going to continue. That is already decided. We are not debating that question this morning. The question before us is the amount to be provided to implement the program in the fiscal year 1957.

I support the objectives of the program, as I have supported them in the past. I have been prepared to support justified reductions this year, as I have supported them in the past.

But in the field of military assistance, Mr. Chairman, if I am going to err, I am going to err on the side of national security.

Under leave to revise my remarks, I insert at this point in the RECORD the table appearing on page 3 in the committee report:

	Appropriations, 1956	Estimates, 1957	Recommended, 1957	Bill compared with—	
				Appropriations, 1956	Estimates, 1957
Military assistance:					
Appropriation	$1,022,200,000	$3,000,000,000	$1,735,000,000	+$712,800,000	−$1,265,000,000
Unobligated and unreserved	33,900,000	166,600,000	195,500,000	+161,600,000	+28,900,000
Total	1,056,100,000	3,166,600,000	1,930,500,000	+874,400,000	−1,236,100,000
Defense support:					
Appropriation	999,200,000	1,130,700,000	1,128,700,000	+129,500,000	−2,000,000
Unobligated balance	25,000,000			−25,000,000	
Total	1,024,200,000	1,130,700,000	1,128,700,000	+104,500,000	−2,000,000
Development assistance	162,000,000	170,000,000	130,000,000	−32,000,000	−40,000,000
Technical cooperation	153,000,000	157,500,000	146,500,000	−6,500,000	−11,000,000
Other programs:					
Appropriation	366,941,750	401,775,000	284,920,000	−82,021,750	−116,855,000
Unobligated balance	3,633,250	45,300,000	45,300,000	+41,666,750	
Total	370,575,000	447,075,000	330,220,000	−40,355,000	−116,855,000
Total, Mutual Security:					
Appropriation	2,703,341,750	4,859,975,000	3,425,120,000	+721,778,250	−1,434,855,000
Unobligated balance	62,533,250	211,900,000	240,800,000	+178,266,750	+28,900,000
Total	2,765,875,000	5,071,875,000	3,665,920,000	+900,045,000	−1,405,955,000

I call your attention to the fact that the recommendation made by the committee in the amount of $3,666,000,000 is $1,406,000,000 below the amount requested by the President of the United States.

I call your attention also to the fact that of that reduction of $1,406,000,000, $1,236,000,000 is recommended to be made in the item "Military assistance."

What is the purpose of military assistance, Mr. Chairman?

It is to provide military equipment, training and direct-forces support for our allies.

It is to help, for example, in Turkey, to maintain more fighting divisions than we have in the United States today. It is to help in Korea to maintain more divisions than we have in the United States today. It is to help in Pakistan and Formosa and in other critical points to maintain over 200 divisions, 2,000 naval ships, and 300 air squadrons, and it does it at a cost per man of somewhere between one-sixth and one-tenth of what it would cost if we attempted to provide the personnel ourselves.

The full request of $3 billion is less than 10 percent of the funds carried in our domestic military budget.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. HOSMER. We hear so much about that help, but I do not think many of us or the public understand how it goes. Does it go in equipment? Does it go in greenbacks? What is the mechanics of it?

Mr. WIGGLESWORTH. For the most part it goes in end items produced in this country and delivered to our allies.

Mr. HOSMER. In other words, the money is spent in this country and the products are delivered abroad to some 36 nations. Is that true?

Mr. WIGGLESWORTH. That is generally true. There is some offshore procurement, but not a substantial amount.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. PASSMAN. Just so the membership will not be under the wrong impression, let us state that in the bill that we reported out, in new funds and carryover, there will be $10,302,000,000 available for future deliveries.

Mr. WIGGLESWORTH. The gentleman is talking about the bill as a whole. I am confining my remarks for the moment to military assistance, and I am coming to the figures presently.

Now, Mr. Chairman, where was the new money requested for military assistance to go?

According to Admiral Radford's testimony, of the $3 billion originally requested by the President, $1,200,000,000 was to go to five critical countries—Korea, Taiwan, Vietnam, Pakistan, and Turkey. All of us know the vital importance of those five countries. All of us know that we have got to help each and every one of them.

Four hundred and twenty-six million dollars was to go to the new advanced-weapons program, considered vital by the Joint Chiefs of Staff.

Two hundred and fifty-five million dollars was to go to fixed charges.

That left just about a billion dollars out of the original request of $3 billion, mainly for spare parts and maintenance, for all other countries included in the program, including NATO and the Near East.

Seven hundred million dollars has already been knocked out of the picture by the authorization bill.

It is now proposed to reduce that figure by another $500 million, bringing about a total reduction of $1,200,000,000, or 40 percent, in the original request of $3 billion submitted by the President of the United States.

The effects of this cut have already been referred to.

For emphasis I refer again to the testimony of Admiral Radford, which you will find at page 11280 of the CONGRESSIONAL RECORD of June 28. Please bear in mind that he is talking about a billion-dollar cut and not about the $1,200 million cut which we have before us at this time.

If a billion dollar cut is maintained, he indicates that the European program will suffer to the extent of $600 million or about 80 percent; the Korean program to the extent of 23 percent; the Taiwan program to the extent of 14 percent, the Pakistan program to the extent of 27 percent; the Turkish program to the extent of 24 percent; and the Greek program to the extent of 22 percent.

Also he indicates that there will be a cut of 50 percent in the sum requested for the advanced weapons program.

As I consider that picture, Mr. Chairman, I cannot help recalling a conversation which several of us had last autumn with the commanding general in one of these fighting allied countries of ours.

Standing before us, he said in substance, "Gentlemen, does America not realize that we have agreed to fight with you, that we have agreed to die with you if necessary? Do your people not realize that we consider America the salvation of the world against communism? We know how to fight. We have proved it time and time again, but we cannot fight without fighting equipment. You have promised us that equipment. In God's name where is it?"

Mr. Chairman, as of July 1, 1956, we are behindhand in deliveries, largely due to a slowdown for reappraisal in fiscal 1956, to the extent of $2.3 billion.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. FLOOD. I would just like to say further in reply to a very good question asked by the gentleman from California [Mr. HOSMER] that a great many people have the idea as far as this military program is concerned that the foreign generals back up a fleet of trucks to the Treasury door down here and load up with a lot of greenbacks and gold and travel overseas with it. But the fact remains that nearly 100 percent of the billions of dollars spent in this program and that will be spent are spent in the United States of America. That hardware is manufactured here and sent overseas with the exception of a fraction in northern Italy for some machine pistols and a little bit of ammunition, and a few million dollars for air components in England.

The answer is that this is not a give-away program. The dollars are spent in America and they are used to employ American labor in American factories on American material, and is a primary contribution to the high standard of American production. It has helped maintain it through these years and will in the next year.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Illinois.

Mr. MASON. Reverting back to the percentages the gentleman mentioned would be cut from certain countries, those percentages simply mean in the total of appropriations but do not mean 1 percent in the reduction for the next 2 years. The $10 billion will cover all that possibly can be spent; so those percentages do not mean a thing so far as the next 2 years are concerned.

Mr. WIGGLESWORTH. If the obligational authority for essential ships, airplanes, or any other long-lead items is denied, you create a time lag in terms of equipment for our allies which you can never regain.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. GROSS. The gentleman spoke of the money being spent in this country. Can the gentleman give us any idea how much has been spent since this foreign handout program has been in effect in offshore procurement? How much of the $60 billion has gone for offshore procurement, and how much is in this bill for offshore procurement?

Mr. WIGGLESWORTH. I have not that figure in mind, I am sorry; but the record indicates that about 60 cents of every dollar in the offshore procurement field comes to our own industries.

Mr. GROSS. Where does the money come from to provide for offshore procurement?

Mr. WIGGLESWORTH. It comes from the same source as for other items in this bill.

Mr. GROSS. From the taxpayers of all the country, plus those in the State of Pennsylvania.

Mr. WIGGLESWORTH. It comes from the same source that every other dollar in this program comes from.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from New York.

Mr. TABER. I may say from my experience in following the thing through that not to exceed $150 million over the whole period would be in offshore procurement except for certain payments and certain things to feed these people.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from California.

Mr. GUBSER. Would the gentleman agree with this statement? To cut military aid to our allies below the recommendation of our leaders and in the same Congress to increase appropriations for the Air Force above the recommendation of our leaders is either inconsistent or it

is the adoption of a new policy by this country to the effect that we are renouncing our allies, going away from them, and attempting to defend the world by ourselves.

Mr. WIGGLESWORTH. I agree with the gentleman.

Mr. Chairman, I am not interested in the inaccuracies of the past. They are water over the dam.

We have a new chief of the ICA this year, a distinguished Republican, a former Member of this House, a former partner of Senator Taft, the Honorable John B. Hollister.

We have a new head of military assistance, a distinguished Democrat, a former Secretary of the Army, a former president of the University of North Carolina, the Honorable Gordon Gray.

Of course, the appropriations requested are in excess of those made available for the current fiscal year; but when you look at expenditure as distinguished from obligational authority and take into consideration the new advanced weapons program which is considered vital at this time, you will find that the increase is very moderate as compared with the apparent increase in terms of appropriations. It amounts in terms of military assistance to about $300 million, the slowdown for reappraisal having ended.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from New Mexico.

Mr. FERNANDEZ. The gentleman throughout his speech, and also some of the other gentlemen who spoke before, have been stressing the fact that we have cut this bill by $1,200,000,000. Is not the gentleman aware of the fact that when the authorization bill was before the House and later before the Senate, the administration announced that they could go along with $600 million of that $1,200,000,000 cut; is that correct? The gentleman is aware of that fact.

Mr. WIGGLESWORTH. I have seen no announcement to that effect. I think it was indicated that they could live with a cut of $400 million.

Mr. FERNANDEZ. Oh, yes; they have said time and time again that all they want is $600 million of this.

Mr. WIGGLESWORTH. Whether or not that be true, you are recommending today that we cut the original request for military assistance by $1,200,000,000.

Mr. FERNANDEZ. If they were in error by five or six hundred million dollars before, what assurance have we they are not in error about the other $600 million.

Mr. WIGGLESWORTH. I cannot yield further.

Mr. Chairman, on the matter of pipeline, the record indicates that there were unexpended funds as of June 30 last amounting to $5,059,000,000. That is the lowest figure of its kind in a number of years. It is $3.4 billion less than the figure of 4 years ago.

Every dollar of these unexpended funds, with the exception of about $200 million, was definitely obligated or reserved against specific items of equipment ordered from the Army, the Navy, or the Air Force.

Had we provided the full $3 billion in new appropriations requested by the administration, that would have made available for expenditure in fiscal year 1957, and subsequently, something over $8 billion.

The estimated expenditure, the target figure, for fiscal year 1957, in this military-assistance field, is $2.9 billion, about $300 million more than actual deliveries in the current fiscal year.

If you take that figure away from the $8 billion, you come up at the end of fiscal 1957 with a pipeline of about $5.1 billion or considerably less than a 2-year pipeline based on fiscal 1957 expenditures.

The administration tells us that an average lead time of 24 months—18 months for production lead time and 6 months for administration lead time—is essential if the program is to go forward without peaks and valleys.

Yet, it is now proposed to reduce the pipeline by $1.2 billion.

I simply say, Mr. Chairman, that, in my judgment, that cannot be done with safety.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield briefly to the distinguished lady from New York.

Mrs. KELLY of New York. I thank the gentleman. I would like to ask if during the testimony before the Committee on Appropriations there was any discussion on section 535, which is the section that permits the President to give to organizations other than NATO. In other words, this is a new section, and under this section the President may give to OEEC.

Mr. WIGGLESWORTH. I do not recall that that was specifically taken up in the subcommittee.

Mrs. KELLY of New York. The reason I bring this out is because there has been so much discussion about NATO, and the weakening of NATO. But, OEEC is an economic organization in Europe. Therefore, if there is a desire and a determination for the administration to give directly to OEEC, which is a rival organization of NATO, is this not a weakening of NATO under this legislation?

Mr. WIGGLESWORTH. I will say to the lady that my understanding is that OEEC operates in the economic field and that to date NATO is operating in the military field.

Mrs. KELLY of New York. I did not hear the last few words.

Mr. WIGGLESWORTH. And that to date NATO has been operating in the military field.

Mrs. KELLY of New York. That is correct. And, I believe that NATO should be strengthened. But, I do not want any of these funds given to OEEC because I believe that will only weaken NATO. Is there anything in the committee hearings on that?

Mr. WIGGLESWORTH. I do not recall any specific consideration of the new section the gentlewoman refers to. I have been trying to confine myself primarily to the military aspect of this question because that is the important aspect to me.

Mrs. KELLY of New York. Well, it is very important to me, too, and I would like to strengthen NATO. I believe NATO has been weakened. This program is a mutual security program. The United States has and will live up to its commitments and I want the other nations receiving United States assistance to live up to their agreed goals.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from New York.

Mr. TABER. I wonder what OEEC is. I do not know.

Mrs. KELLY of New York. OEEC stands for the Organization for European Economic Cooperation.

Mr. WIGGLESWORTH. Mr. Chairman, I do not say that no reduction should have been made in the $3 billion request submitted to the Congress. On the contrary, I have been prepared, pretty much from the outset, to go along with a substantial reduction.

I do say, however, Mr. Chairman, that I do not believe we can safely reduce that figure by $1 billion or by $1.2 billion.

I think, also, that it is utterly inconsistent to appropriate one day $800 million to the Air Force which is not desired at this time and on the next day to turn around and slash $1.2 billion out of this military-assistance program which is desired for military purposes by our allies who are in the front lines at critical points in the world.

I think, Mr. Chairman, we are playing with fire in terms of military defense.

I think we are playing with fire in terms of psychology because of the danger of discouraging our allies and because of the danger of encouraging the Kremlin to take commitments, as did Adolf Hitler, commitments from which there is no retreat and which well might make inevitable the war which all of us want to avoid.

I think, Mr. Chairman, we are also playing with fire in the political sense because when the people of this country realize that the question before us today is not a question of a giveaway program, but a question of national defense, I do not think they are going to look with favor on those who are willing to gamble with our security in opposition to the considered and emphatic opinions of Admiral Stump, of General Gruenther, of the Joint Chiefs of Staff, and of our great President wtih his vast and successful military experience.

As far as I am concerned, Mr. Chairman, I do not propose to assume the responsibility of helping to leave our allies unequipped, and of possibly making necessary the substitution of our American boys for those in other countries who are willing, if necessary, to fight and die with and for us.

I hope, Mr. Chairman, that before this bill is enacted into law, the amount provided for military aid will be increased to the limit of the authorization bill, some $500 million in excess of the figure now recommended to you by your committee.

In conclusion, Mr. Chairman, may I say that I am glad that a survey is to be made of all programs in the mutual security field.

The success of our military programs has compelled the Kremlin to shift its tactics to the tactics of cold war—infiltration, promises, propaganda, subversion.

Last autumn I had the privilege of making an official trip with several other Members of the House to 26 countries in the Near East and Asia with the opportunity to see all of our programs in operation and to note the change in emphasis referred to.

I returned with some pretty definite ideas, some of which are embodied in the statement which I made for the CONGRESSIONAL RECORD of January 17 last.

I believe we can improve our approach. I believe we can improve our methods.

If we are to meet the present tactics of the Kremlin we must meet the cold war with the same firmness and effectiveness as we have developed in reference to military aggression.

We cannot buy confidence. We cannot buy friendship.

What we do and the spirit in which we do it is far more important than how much we spend.

We must work with our allies for our common defense.

We must be willing to lend a hand to those who sincerely desire to remain free.

We were successful over the years with the people of the Philippine Islands—today our stanch friends and allies.

There is no reason why we should not be successful with the peoples of other nations.

General Romulo, with his record of great distinction as a member of this House, as Ambassador from the Philippine Islands, and as President of the United Nations Assembly, had something to say in this connection some time ago.

In substance, he said, "If free Asia as a whole could be convinced that the free world as a whole would treat free Asia as well as America has treated the Philippine Islands, all of free Asia would be on our side."

I believe that a thorough-going survey should make it possible to take steps conducive to this end.

Mr. WOLVERTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON. Mr. Chairman, the bill now under consideration—H. R. 12130—in my opinion, should be enacted because it has a direct relationship to the maintenance of peace and security throughout the world.

The purpose of this bill, known as the mutual security appropriation bill, 1957, provides both economic as well as military financial aid to some 60 countries throughout the world. In most part, the money appropriated by this bill will go to nations that may be considered underprivileged, or, at least, unable to carry the heavy burden cast upon them in the preservation of peace and security that comes within their orbit.

It is distressing to realize that the situation with respect to world peace rests upon a not too secure basis. If it had not been for the wise leadership that has formulated and supported our mutual security program, I am fearful the world situation would not be as peaceful as it is today.

Through recent years we have seen the Soviet Union and its satellites banded together in a program that did not give assurance at all times of the desire for peace. We have seen the Communist-dominated countries as they gained military strength from Russia take on a bold front against the peaceful efforts of the Western democracies as they sought to make more secure the peace of the world. It was the Communists of North Korea, with the military help that came from Russia, and the manpower that came from Red China, that broke through to take over South Korea as part of the Communists' plan to take over the whole Pacific area, particularly Japan and the Philippines. It was the military strength that came to Red China from Communist Russia that drove the loyal Chinese, who had been our allies, into Formosa. And so there might be given illustration after illustration of how communism has sought to break down and take over the nations of the Far East area, the Middle East, southeastern Asia, strategic islands in the Pacific as they have already taken over central Europe and East Germany and countries around the Baltic Sea.

It is alarming to see the extent to which Communist aggression has taken over. It is gratifying to realize that this onward march has to a great extent been stopped. To accomplish this desirable result, it was necessary for America to take the leadership and utilize its wealth. Had we not done so it is very likely that our boys would have been called upon not only to continue to fight and die in Korea but in China and many other places throughout the world.

I am willing to admit that there are many ways in which the money we have appropriated to strengthen weaker nations who support our program of peace could have been spent in our own country to relieve distress and further worthwhile projects, but, in doing so, and thereby abandoning our weaker allies, we could have been involved in another world war. I ask in all sincerity and with strong conviction, has it not been better to spend the billions that have been spent for foreign aid and thereby maintain peace and keep our boys at home in peaceful pursuits? We should never forget when we may be tempted to criticize the spending of our money for foreign aid, that we are thereby building not only economic strength in our allies but, what is even more important, our building up their military strength means that thereby we are enabling them to build up their own armies and military power by training and using their own boys in the defense of their own country, if and when war may come, instead of our own American boys being sent all over the world to fight for these weaker nations as we did in Korea.

As a result of our program of financial aid to the nations where it was needed, we have helped stop the onward march of communism. The economic and military aid that we have given has been most helpful in building these weaker and smaller nations into bulwarks that can help to maintain world peace and security. All that we have expended in this respect has been far less than what we would have spent in war, and, what is far more important, we have saved the lives of our precious boys that otherwise might have been sacrificed.

Furthermore, if and when we are tempted to criticize the sending of financial aid abroad, never forget that our President, the most outstanding military authority in the world, and the most informed person on the foreign situation, has recommended an outlay of funds for this purpose to an even greater extent than Congress has done. The opinion of President Eisenhower that foreign aid is necessary should be sufficient to convince any less informed person. I am satisfied to follow his recommendations any time that peace and security are at stake. I am of the opinion that he knows better than any other living man what is best for us to do under the precarious world conditions that confront us.

I will vote for the bill. I hope it will have the approval of the Congress.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, it is important to keep in mind that we are now considering appropriations for the security of the United States. The mutual-security program in its entirety is, as President Eisenhower has said, "indispensable to the security of every American citizen."

In the modern world of atomic weapons, supersonic missiles and aircraft, and Soviet penetration through economic, cultural and ideological means, absolute security is obviously unattainable. We must, however, strive for the highest possible degree of security for our citizens. In so doing, of course, we must think of the long term. It would be pointless to seek a degree of security today which is so costly that we lose our freedom tomorrow from economic chaos or collapse.

The mutual-security program has for some years been one of the most important instruments of our foreign policy. To meet the diversity of the threat to our freedom this program is necessarily far-ranging in its aspects. Through this program we may provide a public sanitation expert in Vietnam, surplus wheat to Pakistan or guided missiles to our NATO partners. Each of these, in its own way, very directly advances the security of all Americans.

The principal objection to appropriating sufficient funds to carry out the mutual-security program with vigor seems, this year as always, to be that "we cannot afford these billions for foreign aid."

Mr. Chairman, the only price tag that I reject where the security of the United States is involved is one that is so high that, if it is paid, it is self-defeating by imposing such a burden on our taxpayers that we lose our prosperity—and ultimately our freedom—through the back door.

Let us look for a moment at the price tag on the mutual-security program.

For the whole program—military, economic and technical assistance—the President requested a little less than $5 billion. This is a large sum of money, but it is less than 15 percent of our annual defense expenditures. The military assistance share of this request, toward which most of the cuts proposed by Members of Congress have been aimed, was $3 billion. This is less than one-tenth the cost of our annual domestic defense expenditures.

Through the military-assistance program we have helped our allies bring into being more than 200 divisions, naval strength of more than 2,000 ships and air strength of about 300 squadrons. Secretary of Defense Wilson and the chairman of the Joint Chiefs of Staff, Admiral Radford, have both publicly stated that without the support of these allies and partners the United States would need to increase the size of its own Armed Forces at a cost very much greater than the cost of our military-assistance program.

Even were we willing to abandon our quest for security through collective measures and adopt a fortress America concept at prohibitive cost in manpower and money, it is doubtful that we could be as secure as we are today—at far less cost.

Our mutual-security program is tailored to assist our allies in developing forces which will implement the only strategic concept which can protect us and the free world—a concept for nuclear war. The sole objective of our mutual-security program is, as President Eisenhower said in his message to Congress this year, "Peace and justice." But we pursue peace through strength, not through dependence on the mercy—and whim—of the Soviets.

Strategic bases and key military facilities are provided by our allies. Our aid programs are tailored to promote the security and continued availability of these facilities.

The premises of the mutual-security program I have outlined are not mine or not alone those of the Eisenhower administration. They have been accepted by all of our military commanders and political leaders of both parties since the existence and nature of the Soviet threat created the conditions which make such a program madatory.

As one who accepts these premises, I am deeply concerned by the prospect of completely inadequate appropriations, particularly for the military assistance part of the mutual-security program.

President Eisenhower requested $3 billion for military assistance. Developments in the program since the budget request have, we are told—enabled the saving of $100 million. Admiral Radford has given us to understand that, although our struggle for military security will be hampered, they can live with something less. But the "something less" is not in the neighborhood of a billion dollars less, as originally voted by the House in acting on the authorization bill. Even less does this phrase encompass the $1.265 billion cut voted by the Appropriations Committee.

Mr. Chairman, the Joint Chiefs of Staff specifically considered a $2 billion program of appropriations for fiscal year 1957 and rejected it as unacceptable.

In this case, I for one do not set my judgment of military matters above that of the Joint Chiefs of Staff. But plain commonsense would lead me to the same conclusion. These are the facts. Five critical countries: Korea, Taiwan, Vietnam, Turkey, and Pakistan require a total of $1.2 billion in military assistance for fiscal year 1957. The first three of these countries face highly armed Communist troops in, at best, a situation of uneasy truce. Who would deny them the assistance necessary for them to defend their homeland and thereby help protect the rest of us in the Free World? Who wishes to cut assistance to our stanch ally Turkey, whose soldiers fought so valiantly in Korea and who know so well the ancient Russian and present Soviet threat, or to Pakistan the link between the Baghdad pact to the west and SEATO to the east?

Wher you add to this $1.2 billion about $255 million of fixed charges required to deliver equipment provided for in prior years and to administer the program, the Appropriations Committee action would allow less than $300 million to carry out a program in 33 countries.

These 33 countries which must be provided for from $300 million include:

First. All of NATO except Turkey, but including Greece;

Second. All of our Latin American partners; and

Third. Such Asian friends and members of SEATO as the Philippines and Thailand.

Mr. Chairman, the amount allowed by the Appropriations Committee is obviously inadequate. Such a severe reduction would, as President Eisenhower wrote our able minority leader, Mr. MARTIN, at the time we were considering the authorizing bill, seriously impair "our Nation's security and our partnership with like-minded nations in the world."

The President's estimate for bilateral technical cooperation was $140,500,000. This was distributed as follows: $34,100,000 for the Near East and Africa; $63,250,000 for Asia; $32,350,000 for Latin America; and $10,800,000 to cover interregional expenses that cannot be specifically assigned to any geographic area. The technical-cooperation program—commonly known as point 4—involves the sharing of skills, knowledge, techniques, and experience with people of the newly developing areas of the world. It is designed to help friendly peoples to help themselves by providing the technical competence which they require in order to carry forward economic development and improve their standards of living.

This program consists largely of advice—teaching, training, and exchanging information. The supply component is limited to that equipment which is required for effective teaching and demonstration purposes. In the program submitted by the executive branch this component is only 11.2 percent of the total; the lowest proportion in recent years.

The major emphasis of the technical-cooperation program is in the fields of agriculture, health, and education, which 3 fields of activity would account for more than 50 percent of the amount requested. However, the program also includes, in response to developing needs, assistance in the solution of problems of transportation, housing, industrial management, labor conditions, public administration, and community development.

Technical cooperation is extended in a number of different ways—by sending technicians to participating countries to advise and teach, and by bringing selected foreign technicians to the United States or other countries for advance training in, or observation of, educational institutions, Government agencies, and private organizations. The amount requested by the executive branch would provide for a total of some 4,389 technicians to be sent abroad by the United States, and approximately 5,731 foreign trainees to come to the United States or to go elsewhere for training.

The costs to the United States of the technical-cooperation program are small in relation to the total amount involved in this bill. However, I believe all observers will agree that no comparable expenditure of United States funds is likely to have a more profound effect on the course of human events as the expenditures which are being made under this program. Through this program the people of the United States and the people of other countries join together in a far-reaching undertaking directed toward the elimination of disease, hunger, poverty, and illiteracy from the face of the earth, and thereby create some of the most important conditions for a durable peace.

Mr. PASSMAN. Mr. Chairman, I yield 6 minutes to the gentleman from Indiana [Mr. DENTON].

Mr. DENTON. Mr. Chairman, I want to take this opportunity to congratulate the chairman of our subcommittee on the way he conducted these hearings. In some ways it was a difficult problem for him, and he conducted them, I think, very fairly with the witnesses and with all the members.

It was also a pleasure to serve on this committee with so many Members of long service in Congress and great experience in dealing with this appropriation problem, and we had great help from our staff.

I think there is no question here but that there is going to be a foreign-aid program. We voted for it. I am in favor of it. The Congress is in favor of it. The question is, How much money are we going to appropriate for that purpose?

I think every Member in this House has the security of the United States at heart. We have had that attitude with every appropriation bill that has come up here. But there is one thing about this bill. To some people it has been something of a "sacred cow." Always when it is cut they predict dire consequences for the United States. A year ago we cut this appropriation $700 million. Yet, the foreign-aid officials were unable to spend, obligate, or reserve $240 million of that 1956 appropriation, despite all the hue and cry we had that that money could be spent.

Now, just a few facts: Almost all the talk seems to deal with military aid. We appropriated last year a billion dollars for military aid. They were not able to spend $195 million of that sum. Notwithstanding that fact, we have given them $700 million more, in recommending a total of $1.7 billion for that purpose.

Here is the difficulty about this whole problem. Of this $1,700,000,000 we recommended as a new appropriation, only about $400 million could be spent in fiscal year 1957. The balance will be spent some 2 years from now. We do not know what our foreign policy is going to be 2 years from now, for a number of reasons.

We now have a "pipeline" of foreign-aid funds already appropriated and committed. With the money we recommend be appropriated and what is in the "pipeline" the Agency will have $10,300,000,000 to last over a 2-year period.

I think we can afford to be very conservative in the appropriation of money this year for two reasons:

First, since Stalin's death there is something significant going on behind the Iron Curtain. There is an attempt to de-deify and discredit Stalin. The unrest in Poland and the other satellite countries shows all is not well behind the Iron Curtain. There has been, I think, hope over the years something would happen there, and of course nothing has happened until recently. But the Communists in Russia have changed their foreign policy or, at least, their tactics. Possibly 2 years from now—before the foreign-aid funds on hand are expended—we will have to change our foreign policy.

The second thing is that the results of the military aid program are very, very discouraging, according to the facts given to our committee. There is a great deal of effort to compare this current program with the Marshall plan. After World War II the countries of Western Europe were prostrate, their industry was destroyed, they had no money for reconstruction. Europe was a fertile ground for communism. Our Marshall plan gave them money to rebuild. It has been a great success.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and fifteen Members are present, a quorum.

Mr. DENTON. The Marshall plan was a great success, so much so that the Western European countries are today better off economically than they were before the war. But here it is an entirely different situation we are dealing with now. Most of the foreign-aid money goes to the Middle East and the Far East.

There the problem has been one, not of war devastation, but of poverty, overpopulation, poor health, and to that has been added a drive in those countries against "colonialism." As I say, the program of military aid has been very, very discouraging in Europe. Germany has been slow to rearm. France has been moving her armies to Africa. While the figures are secret, our other allies are disappointing in the number of troops they have committed to the European defense.

In the Middle East there is unrest, of course, in Cyprus and Algeria, and there is tension between Israel and the Arab states. We seem to have no policy in the Middle East.

The Far East is the most discouraging of all. Here is what we were told. The Communists are carrying the ball. We are only holding the line. Every time they have broken through the line it has cost us another half billion dollars a year, per new country where the Communists have attacked, in foreign aid, besides the number of troops we had to commit to that area. This whole program has been like Topsy itself. It has "just growed." It started out with 15 nations as aid recipients, and now there are 68 nations in the program. There is a drive in all these countries to try to get more aid money from the United States. The State Department wants to be friends with them and, naturally, goes along. It is up to the Congress, of course, to resist that pressure.

We have spent about $50 billion for this foreign-aid program, with these unsatisfactory results. Under these conditions, everyone seems to think the program should be reinvestigated and we should redetermine what we are going to do. The other body has a committee to investigate the foreign aid program. Our Committee on Foreign Affairs has a committee investigating the foreign aid program. We have recommended a special investigation by our Appropriations Committee. I understand an administrative agency has considered such an investigation. I think we can go slow until these investigations are completed, and we find out what they recommend should be done in this program. We have, as I said, $10,300,000,000 in pipeline funds and new money to carry us over a 2-year period, and in that time 2 more appropriation bills for this program will come before the House. If we find we have been penurious in this case, we can make that up. We have plenty of time in that respect. It takes the agency 6 months to commit this money after it is appropriated. If any kind of an emergency arises, a supplemental appropriation bill can be brought in.

I feel satisfied that the security of the United States will not be injured if this recommendation of the Committee on Appropriations is approved.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. PASSMAN. Mr. Chairman, I yield 1 additional minute to the gentleman from Indiana.

Mr. Chairman, will the gentleman yield?

Mr. DENTON. I am glad to yield to the gentleman.

Mr. PASSMAN. The gentleman refers to the pipeline being 24 months long. May I state that, at the rate of expenditures for the fiscal year 1956, the pipeline will be 33 months and not 24 months.

Mr. DENTON. I am pleased to have that correction.

Mr. PASSMAN. While I am on my feet, I might state for the benefit of my distinguished friend, the gentleman from Pennsylvania [Mr. FLOOD], with reference to the amount of offshore procurement, that if he will refer to page 873 of the hearings, he will find that offshore procurement for 1952 through 1955 totaled $2.8 billion. To me that is a large sum of money.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. HAND].

Mr. HAND. Mr. Chairman, it is with considerable reluctance that I speak at all on the appropriations for so-called mutual assistance which are now before us. I am reluctant to take a position which opposes the official position of my administration. Moreover, if we accept the philosophy of the program, I feel that our Committee on Appropriations has handled the matter as well as could be expected. The House Legislative Committee, as you know, has reduced the program by $1,100,000,000, although a larger amount was accepted in conference, and the House Committee on Appropriations has made a further reduction of some $300 million, most of which is in the military part of the program. But, Mr. Chairman, after 10 years of intense study, and after a careful and detailed examination of the bill as a member of the subcommittee, I still cannot bring myself to accept the wisdom of a plan which has involved the expenditure of more than $50 million since it started, with such doubtful results.

Of course, there is not much relationship of the present program to the original Marshall plan. At the time the Congress was sold the idea that this was a temporary plan to put war-devastated Europe on its feet. Like most Federal programs, it has neither been temporary nor has it been kept within reasonable bounds. After 10 years the administration is asking us for far more money than they did, for example, last year, and can give us no assurance whatever when the program will end, if ever.

It would not serve a useful purpose for me extensively to repeat the views that I have so often expressed before. I would rather confine myself to a few of the particulars of the program, on which current history has thrown a good deal of light.

EUROPE

In Europe the former economic aid program has been largely discontinued, and rightly so because most of Europe for years has been on a sound economic basis. What we have done is to substitute a military aid program for the other type of aid. Great Britain is probably our firmest friend and strongest ally. It has been hard for me to realize, however, for some time in the past, the need for aid of any kind to this strong country, which still maintains a worldwide though diminished empire.

In France now, and for some time in the past, our aid to them to support NATO and the defense of Europe has been more than spent in a bloody, expensive, and futile attempt to maintain the French colonial empire in Indochina, and now in North Africa.

Germany, in two recent wars against us, has clearly demonstrated its potentialities as a great military force. The present prosperity of the Federal German Republic is an international byword, yet we insist on continuing all kinds of support to this Republic, even to the extent of money for the training of German troops. Recent history would indicate that Germany does not require assistance from us or anybody else to train first-class fighting men; but the further fact remains that there are no German troops. Just within the last few days, after a long and bitter fight, Germany passed a conscription law which is highly unpopular in that country, and which is designed in the far-off future to raise some 12 divisions of German soldiers.

Mr. Chairman, if there is another major war it obviously is not going to be fought with infantry. The buildup of German forces does not envision any significant air force, and if we fight again, we are certainly going to fight in the air.

Then, of course, with respect to some splendid but lesser countries, for example, Luxembourg, it takes a more vivid imagination than mine to see how the forces of such a tiny country can be related to security of the United States.

YUGOSLAVIA

Mr. Chairman, I can understand the theory of the Secretary of State that support for Yugoslavia should be continued because it serves as a demonstration of the possibility of a Communist country breaking away from Soviet domination. However, it is fundamentally questionable that if this program is designed to restrain communism, it can't make much sense to support communism. We must be given some pause at the recent developments occasioned by the visists of Khrushchev to Yugoslavia and Tito to Moscow. There is every evidence of a friendly rapprochment, and indeed if Tito is correctly quoted in the press, he has indicated that the Soviet and Yugoslavia will never be torn apart again.

GREECE AND TURKEY

Greece and Turkey, one of the early beneficiaries under the so-called Truman doctrine, have long been considered effective allies, composed of persons who are willing to fight for their freedom, and no doubt this is true. However, the present embroilment of these two nations over the Cyprus problem, and the embroilment of both of them with our ally, Great Britain, would seem to make them somewhat less effective. The situation in Turkey has become increasingly disheartening. In spite of our enormous aid, they are getting themselves into very bad shape economically and are faced with a ruinous inflation. What is even more important are recent internal developments. The catch phrase behind this whole program, Mr. Chairman, is the fight for the free world, but how free is Turkey getting to be? Last month the Turkish Government passed a law almost completely curbing free speech, and just last week a dictatorial decree, quite worthy of any totalitarian country, effectively prohibits freedom of assembly.

ASIA

A very large proportion of this program is designed for the limitless populations of Asia. The House passed a defense support appropriation of $882 million, which does not take into consideration other huge funds for development assistance, technical cooperation, and special funds. A colossal sum is devoted to the maintenance of ground troops in South Korea, which could never be of the slightest use to the United States unless we repeat our bloody and costly experiment in Korea, now happily ended. We continue all kinds of appropriations for India, and so far as I can recollect for a period of the last 2 or 3 years, India has seldom said a kind word about the United States, and never an unkind word about the Soviet Union. As we give aid to India we anger Pakistan. As we give aid to Pakistan, we anger India. Thus, we fortify friends and allies. India has a perfect right to be neutral, but in view of everything we have learned for years past, is anyone sufficiently naive to suppose that Indian troops would be fighting in support of American troops in the event of future war?

We insist on supporting a military effort in Japan, notwithstanding the fact that both the Japanese Constitution and most of the Japanese people are wholly opposed to creating a military establishment. The results of current elections in Japan are not entirely clear, but it seems evident that the Japanese Government has not gotten a sufficient majority to change that constitution, which incidentally we ourselves imposed upon them during the Japanese occupation.

Mr. Chairman, how the economic welfare and military potential of Laos, for example, is intertwined with the integrity and national security of the United States, I, in common with many millions of Americans, am not able to see.

NEAR EAST

In the Near East, friendly and democratic Israel is in this program for a very modest amount, but the support given under the bill to the Arab countries who are enemies of Israel, is many times more. The exact figures are classified and I cannot reval them, but if I did it would be shocking. In spite of extremely substantial support for Egypt, and continued serious talk about helping them build Aswan Dam, at a total cost of about $1,300,000,000, Egypt opposes our foreign policy at every opportunity, and all the evidence I have indicates that they are presently bitterly unfriendly to the United States.

The Department takes a far more optimistic view of this situation than I do. Observe in this connection my colloquy with Government witnesses appearing on page 353 of the hearings:

Mr. HAND. Considering the political situation in Egypt, what evidence do you have that either the Egyptian people or the Egyptian Government is more friendly to the United States, or less likely to fall within the Russian orbit, compared to a time before this program was going?

Mr. ROUNTREE. Well, sir, it is our objective to achieve more friendly relations, and a more friendly attitude.

Mr. HAND. How much evidence do you have that that has been achieved?

Mr. ROUNTREE. I think that following a number of actions on the part of the Egyptian Government that created some criticism in this country, such as recognition of Red China, the general tenor of Egyptian broadcasts and propaganda has been more friendly. Moreover, we were encouraged by the attitude on the part of the Egyptian and other Arab States, as well as Israel, in the efforts of Secretary General Hammarskjold, and we are not discouraged over the prospects of an improving situation.

IMPORTANCE OF EGPYT TO NATIONAL SECURITY OF THE UNITED STATES

Mr. HAND. One last question: What, in your opinion, is the difference to the national security of the United States whatever Egypt's attitude is?

Mr. ROUNTREE. I think it has very great significance to the national security of the United States, sir, for a number of reasons. One which I think should be pointed out is that Egypt does occupy a unique position in the Arab world today. Egypt is influential in a number of other Arab States with which it is alined and associated—I think that the Egyptian attitude and Egyptian position will have an important bearing on the attitudes and positions of other states in the area. We would like to convince all of these countries of our earnest desire to maintain objective, friendly policies toward them.

Mr. HAND. What military or other potential does the entire Arab bloc have which concerns the national security of the United States?

Mr. ROUNTREE. The Arab States adjacent to Israel have a population of about 40 million. Their armies are relatively modest in size. They are not in any way associated with us in any collective security arrangements or with any free-world security arrangements.

Mr. HAND. That is all.

ECONOMIC AID

Because this program many years ago started as a program of economic aid, many if not most people still have the conception that it still is such a program, and they are especially pleased with the idea of our technical cooperation with the more backward countries—the so-called point 4 program—whereby we lend our experts and our know-how in agriculture, industry and other fields, so that the backward countries can learn to achieve for themselves a higher standard of living. Such a program would appeal to any humanitarian. Do not assume, however, that because they achieve a higher standard of living they will be much less apt to be Communists. It is a false assumption that people turn to communism because they are starving to death. Russia did not do that originally, neither did Yugoslavia, neither did the satellite countries in eastern Europe. Many of them were the grain baskets of Europe. The point is that the program has become a worldwide effort to maintain military establishments in every part of the globe, and especially in Asia, who would be very doubtful friends in the event of trouble, and would be completely ineffective in modern warfare.

RESTRAINT OF COMMUNISM

It has also been constantly urged that this is a program which is to contain communism. I regret to say that there are far more persons under Communist control than there were when the program started. Indeed, hundreds of millions more. As one pertinent example, there are as many Communists in France

and as many Communists in the French Chamber of Deputies as there were at the beginning of the program.

MONEY ON HAND

You will note that I have been concerned mostly with the general philosophy of this measure, and not particularly with financial details about which much has been and will be said. However, I should point out once more that the agency has substantially more than $5 billion unspent and substantially more than $1 billion unobligated, the total amount of money on hand being just about $7 billion. The proponents of the program will answer that that, of course, results from the necessary long lead time or the so-called pipeline. My reply is that the pipeline is too long, too wide, and too slow. The matter of fact is that there was between seven and eight hundred million dollars more in the pipeline at the end of fiscal 1956 than was estimated by the Department. The Department actually spent about $800 million less than they told us they were going to spend. I should also emphasize that in their anxiety to make a better picture on obligated funds the committee is informed that on June 30, 1955, the last day of that fiscal year, at 5:15 in the afternoon, the Department finally managed to obligate or reserve 22 percent of the total program. To obligate and reserve almost a quarter of the total program on the last day and in almost the last hour of the fiscal year, is to say the least, just a little suspicious. It seems to me that they could not properly spend nor obligate the money, and made a last minute desperate attempt to do so to make their figures look better for the next year's appropriation bill.

CAMBODIA

Mr. Chairman, I asserted at the outset that I was not so much interested in discussing the entire philosophy of this bill as I was to try to point out that current day-by-day history seems to me to be throwing some light on the failure of that philosophy. In this connection I want to refer to the case of Cambodia. In that country, which could be of no real assistance to us in the event of a major war, we have spent multimillions of dollars. I am not sure that I am permitted to tell you just how much because some of the information is classified. You can accept my word for it that it is a very large sum indeed, and that there is a very large sum in the present program for Cambodia.

Now let me call to your attention page 84 of the hearings and the following colloquy between me and Mr. Hollister:

EFFECT OF AID TO CAMBODIA

Mr. HAND. Now, Mr. Hollister, I would like to pick out one of those countries as an illustration. Let us just pick out of the air Cambodia. I would like to have your comment on how you think there is a direct relationship between our efforts in strengthening the economy of Cambodia and/or its military forces, and the security of the United States.

Mr. HOLLISTER. Well, I would rather have one of the political people answer it, but I will answer it as best I can. Look at the map and you see Cambodia surrounded by Laos and Vietnam on one side and Thailand on the other.

If that country in the middle of that group should turn to communism, it seems very difficult to see how Vietnam or Laos could hold up. It would probably touch off a chain reaction in Thailand and perhaps even in Burma to say nothing of what the effect might be in Indonesia; in the Malayan Federation.

We try to look at this program as a whole and we are hoping that we can maintain this periphery of countries in Asia in a stage where they will remain free and Cambodia——

Mr. HAND. By free you mean non-Communist and not under Russian domination?

Mr. HOLLISTER. That is correct.

Mr. HAND. If they did not remain free what effect do you think that would have on the security of the United States?

Mr. HOLLISTER. I have a feeling that there would be a chain reaction and we would begin to lose free bastion after free bastion and would have to pull out completely from that part of the world. I am sure that would be a much greater menace to us that the situation today.

Mr. HAND. I do not follow your reasoning there. Why would it be a much greater menace?

Mr. HOLLISTER. It would mean many many more people would be under the control of the Communists, it would strengthen their resources, it would frighten other people who do not live in that particular area.

Mr. HAND. And add to their problems, would it not, as the satellite countries have, add to the Russian problems as the satellite countries have?

Mr. HOLLISTER. Undoubtedly.

Mr. HAND. Might weaken their position as a net result?

Mr. HOLLISTER. Conceivably, but I do not think either you or I would want to abondon them just because of that possibility.

Now my recollection is that this questioning took place on May 24, 1956. I could hardly have known definitely what would later transpire, but I could have had a reasonable guess.

What did actually happen?

On last Sunday, July 8, a special article to the New York Times dated Moscow, July 7, tells the story that Mr. Bulganin, Mr. Khrushchev and Mr. Schepilov accepted an invitation to visit Cambodia. The announcement of their acceptance was contained in a joint statement signed on July 7 by Prince Norodom of Cambodia and Premier Bulganin during ceremonies in the Kremlin. Now that's all right. I have no objection to Cambodia visiting with Russia or Russia visiting with Cambodia. I am not even sure I object, either, to Prince Norodom awarding the Royal Order of Cambodia to Marshall Voroshilov as a symbol of friendship and brotherhood between Cambodia and the Soviet Union, but I do object to the following story which I am quoting in large part, because of its evident importance, from the story appearing in the New York Times. In its news columns the New York Times can usually be relied upon to be accurate, although in its editorial columns they will no doubt still insist upon further aid to Cambodia notwithstanding the news which they carry. A portion of the story follows:

"The hopes of all Cambodians rest in the U. S. S. R. for the realization of our ideal of peace and welfare of the people." Norodom declared.

At a press conference afterward the Prince, who had relinquished the Cambodian throne in favor of his father but still carries great weight in the affairs of his country, spoke even more glowingly.

"One must pay tribute to the dynamism, understanding, realism, charming simplicity and remarkable comprehension of the peoples and aspirations of Asiatic peoples displayed by the members of the Soviet Government," the Prince declared.

"SELFLESS FRIENDSHIP"

The joint statement disclosed that the Soviet leaders had been completely successful in convincing the Cambodian Prince and members of his delegation of their desire to carry out with the Indochinese kingdom a program of "selfless friendship and mutual assistance."

Formally announcing a plan for an exchange of ambassadors, the communique said Soviet experts would go to Cambodia shortly to meet experts there to elaborate economic and cultural ties. A particular mission will be the consideration of questions relating to Soviet assistance in the building of industrial and other enterprises and the training of technical personnel, it was announced.

In what appeared to be an aspersion on western aid, the communique states: "The Soviet Government expressed readiness to render assistance without any selfish conditions, respecting fully the sovereignty and independence and national dignity of Cambodia."

The representatives of Cambodia expressed their "delight with the peaceful and friendly policy which is carried on by the Soviet Union with respect to all nations as well as the support which it continues to give underdeveloped countries."

Mr. Chairman, I should think we could read the handwriting on the wall, and read the day-by-day events, which are indicating the failure of this fantastic program on which we embarked 10 years ago. Russia is getting more for free than we get for $50 billion.

India goes into a frenzy to welcome Bulganin and Khrushchev and almost completely ignores our Secretary of State on his visit. We have given them some half billion dollars. We rushed to their aid a couple of years ago with 2 million tons of wheat. We have given them phenomenal private aid. If Russia has given them anything, I am not aware of it.

Mr. Chairman, on June 12, 1956, there appeared in many metropolitan newspapers an article entitled "Why does the world hate America?" apparently written by Mr. Raymond Cartier, executive director of the magazine Paris-Match, republished by Mr. Basil Brewer, the publisher of the New Bedford, Mass., Standard-Times. I commend the entire article to your attention, but I conclude by quoting its final paragraph:

There would be less anti-Americanism in the world if America abandoned its philanthropic aspirations, its vocation of Santa Claus, its transcendental morality, all its missionary trappings, all its boy-scout gear, and if, at last, it followed openly and intelligently the policy of its own interest.

Mr. Chairman, I can now hear cries that I am an isolationist. On the contrary, I have consistently supported all of our efforts through the United Nations, and other international bodies. My objection is to us, and us alone, picking up the tab every day for 10 years while we watch our guests dance with the other fellow.

Mrs. BLITCH. Mr. Chairman, will the gentleman yield?

Mr. HAND. I yield to the gentlewoman from Georgia.

Mrs. BLITCH. I certainly would like to compliment the gentleman on the speech he has just made and to express my regret that every Member of this House was not present to hear the speech.

The thing that has troubled this Member of the House has been the statement she has often heard: "I could not possibly vote against this bill. I have to be in support of these things because I know so much; I am on the inside;" or "I am on this committee, that committee, or the other committee, and these things I know, and because of that I cannot vote to do anything to cut this program in any way."

Now, the gentleman who is a member of this great committee that has laid this bill before us here today tells us facts we should know in helping us to make up our minds on this matter.

Perhaps also the reason I praise the gentleman's speech so highly is because I so fully agree with what he has had to say.

Mr. HAND. I appreciate very much what the gentlewoman from Georgia has just said. I am reluctant to say that my position is sound when I see so many of my friends disagreeing with me, but if it is not sound it is not from lack of study or lack of knowledge.

Mrs. BLITCH. I appreciate very much what the gentleman has had to say at this time.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. HAND. I yield.

Mr. O'KONSKI. The statement is made that this program is an effort to stop the aggression of Red China. I ask the gentleman if it is not true that anything that helps Red China works against the security of America? Is that not correct?

Mr. HAND. I think so. I may say to the gentleman that I have been informed, and I say now to the House, although I do not know this to be true, that Great Britain has today indicated that they will advocate the admission of Red China into the United Nations.

Mr. O'KONSKI. Is it not also true that the greatest champion for the admission of Red China into the United Nations, and thereby strengthen Red China immeasurably, is Marshal Tito of Yugoslavia?

Mr. HAND. I have heard it so stated.

Mr. O'KONSKI. Does it not therefore sound ridiculous to appropriate money to stop Red China on the one hand while on the other hand we appropriate money to China's greatest advocate?

Mr. HAND. It seems to me to be fundamentally wrong.

Mr. PASSMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. I thank the gentleman. I appreciate these few minutes because I know how short is the time at the disposal of the chairman of the committee, and he knows I do not support the subcommittee on this matter.

The statement made by my friend from New Jersey and the statements made heretofore on the floor indicate very clearly that the monopoly that has existed on the part of this country for military and economic aid to the nations of the world no longer exists; that the Soviets have now entered into the market place for the good will and the aid and the support of these nations of the world.

Make no mistake about this: This is not a giveaway program; this is not Operation Rathole, this is not Operation "Uncle Sap"—by no means. This, as has been said by me in the defense debates as well is the payment of a very expensive, extremely expensive premium on an absolutely necessary and essential insurance policy. Every dollar, every dime we appropriate here is well used; it is not being thrown away, it is not being squandered. I cannot imagine anything which would please Khrushchev and Bulganin more than to have the United States of America driven into isolationism from the nations of the world or by action we take here to drive a wedge between this nation and what we have been doing for our generation and will have to do for another generation.

I have no crystal ball, I have no idea what the ultimate outcome or end will be of these dollars we have spent and the dollars we will have to spend in this and other bills. I do not know what the good will be or what the ultimate result will be for the welfare of our Nation and the Western World, but I do know what the result will be for this Nation and the world if this program is not continued at the level required by those who are chiefly responsible and who best know under the circumstances its need by dollars, the President of the United States, the man that we have time and time again on both sides of the aisle addressed as our President. I have opposed him here and the Joint Chiefs of Staff on defense bills. I said then I would support them and him here on this bill. I am not trying to carry water on both shoulders. If there is anyone in this House who has a right to stand up here and support this bill I am that one because I have been pleading this cause to those on both sides of the aisle in support of the program.

Mr. PASSMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. O'KONSKI].

Mr. O'KONSKI. Mr. Chairman, I rise at this time simply to state that I do not like the idea of being told over and over again if you are against this program you are against the security of America. I have been here now for 14 years and I have never yet cast a vote that ever resulted in the insecurity of America. I can say in all candor and in all frankness that I have never voted to give a potential enemy any amount of money so that at some time they may strike at us.

Mr. Chairman, I am against this program because it is the foreign-aid program in this country that got us into the mess we are in now. If we had not given Joe Stalin $13 billion of lend lease, $5 billion more than he asked for, if we had not continued to send him lend lease, foreign aid, if you please, 3 years after the war ended, including the time that the war broke out in Korea, he never would have had enough guns and ammunition to send to Red China to take over China. If the Reds had not taken over China we would not have had the Korean war.

It is the whole foreign-aid program of aid to Stalin that resulted in their being able to go ahead. It is that foreign-aid program that resulted in the slaughter of 35,000 Americans in Korea, many of them still there rotting behind bars in jail. If it had not been for the foreign-aid program of America that gave Ho Chi Minh of China $500 million of UNRRA goods, he never would have had the guns and ammunition to start a war in Indochina. If it had not been for the billions of dollars we have given to France, France would not have had the guns and tanks to fight in Africa and you would be having no war in Africa today.

It is the American foreign-aid program that has resulted in the insecurity rather than the security of America, and I stand on that statement. You are doing the same thing over again.

They are not going to make a dunce out of me. They may try to brainwash me. When these people come here and tell you if we are going to cut down on this program we will send less material to Chiang Kai-shek and to Formosa, they are not fooling me. I know the attitude of the State Department toward Formosa. You can add $10 billion to this bill and they are not going to send another dime to Chiang Kai-shek in Formosa because they are afraid he may start a war and invade the mainland.

For the life of me, I cannot understand why they tell us we have to do this to defend Asia against the onslaught of Red China at the very time you are appropriating money to Red China's greatest leader in world councils, Marshal Tito. We have given Marshal Tito planes and the first people to see the planes we sent Tito were the Red Chinese. Tito is shipping oil and war materiel to Red China. How giving Tito billions of dollars will help American security is beyond my comprehension. This program is a failure, its the best aid we can give the Communists, and no amount of soul searching can defend it. This program is the brain child of the very inept leaders who got us into this mess. Their counsel cannot be accepted by reasonable people who really have concern for American security.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, it was very interesting to hear one gentleman awhile ago speak of the great wealth of the United States. There is wealth in this country, but the figures for last year, a year of great so-called prosperity, show that our public and private debt increased $61 billion to a total $768 billion. Yes, we have some wealth, but we

also have plenty of debt and taxes in this country, and this bill will add plenty to both of the latter.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Very briefly.

Mr. GARY. It has been stated that we have 6 percent of the population and 52 percent of the wealth. Is it not also true that we have approximately 52 percent of the debt of the world?

Mr. GROSS. We have more debt than all the nations combined.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Briefly.

Mr. PASSMAN. So as to keep the record straight, I believe it is in keeping with what the gentleman from Virginia said, the public debt of the United States is $57 billion greater than the combined public debt of all the other nations of the world combined.

Mr. GROSS. That is right. Maybe the coal miners of Pennsylvania have the ability to pay the taxes for this free-wheeling foreign spending, but the farmers of Iowa do not.

Mr. Chairman, each year at this time we are called upon to bow low and without question drink deeply from the ever-flowing fountain which has as its source of supply the allegedly superior knowledge of those who support the multi-billion dollar foreign handout program.

These paternalistic, papa-knows-best sermons are becoming nauseating. They are not an answer to millions of our taxpayers who are becoming weary of carrying tax burdens for foreigners and foreign governments which, in all too many instances, have already demonstrated that they intend to oppose the Communist conspiracy only if the cost to them in dollars and manpower is insignificant or no cost at all.

This foreign WPA appropriation bill comes to us as have similar bills in the years past—in an atmosphere of confusion, doubt, and behind-the-scenes wheeling and dealing.

The distinguished minority leader [Mr. MARTIN] urged us on Monday to embrace this offering and leave to others the judgment of whether it is good, bad, or indifferent. I must respond that I cannot accept this, nor have I accepted any other foreign handout program on the sole judgment of any President or his advisers.

The maneuvering that has taken place in connection with the consideration of this bill, which ought to be of the gravest concern to the majority of the Members of the House, is set forth in the RECORD of Monday, July 9, and is to be found on page 12202.

Let me read to you from the colloquy between the gentleman from New York [Mr. ROONEY] and the gentleman from Massachusetts [Mr. MARTIN]:

> Mr. ROONEY. As the gentleman from Massachusetts knows, it had been my intention to offer an amendment here on the floor of the House which would restore funds with regard to the military assistance part of the bill. After conferring on Saturday last with certain Members in whose judgment I have great confidence, including the gentleman from Massachusetts, I have arrived at the conclusion that it might be safer and better procedure for those of us who think, as does the gentleman from Massachusetts, that the reduction made in military money is entirely too drastic, to get this bill over to the other body as promptly as possible so that it may become a much more improved bill than it is in its present form. At the moment this would seem to be the best strategy.
>
> Mr. MARTIN. The gentleman is correct. This determination not to increase the amount now is reached in the expectation that the other branch would have better judgment as to the safety of our country.

Here we are told that a behind-the-scenes meeting attended by the gentleman from New York [Mr. ROONEY] and the gentleman from Massachusetts [Mr. MARTIN], together with certain others as yet unidentified, has been held and this led to a decision not to risk a vote in the House on the restoration of the paltry cut that was made in the request for additional hundreds of millions of dollars this year.

> I have arrived at the conclusion—

Says Mr. ROONEY—

> that it might be safer and better procedure for those of us who think as does the gentleman from Massachusetts * * * to get this bill over to the other body as promptly as possible so that it may become a much more improved bill than in its present form.

To which the minority leader [Mr. MARTIN] replies:

> This determination not to increase the amount now is reached in the expectation that the other branch would have better judgment as to the safety of our country.

I can only assume that both statements reflect the views of those who made them since no effort was made yesterday to correct the RECORD. This being true, I resent and challenge both statements, particularly the latter.

Are we now ready to admit that we are incompetent to exercise judgment in relation to the safety of this country; that such judgment can be entrusted only to the other body? Or are we to be made the victims of prearranged expedition—a scheme which may have for its purpose the protection of those who would rather not go on record in the House to increase the bill, but leave it to the handful of Members in conference to put back all or part of the cut?

Mr. Chairman, I am sick and tired of being accused of not being interested in the safety of this country. I voted for every dollar that has been asked for our own defenses and I intend to continue to do so. Although I have at times had some questions and doubts concerning those expenditures, I have voted for them. I resent being accused here of not being able to legislate, that the legislation must be entrusted to the other body; that we are not competent.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. O'KONSKI. I think it is a matter of their squaring their conscience. Those of us who never voted excess funds that were used to cause Communist aggression all over the world, like Red China and to give Joe Stalin $5 billion more than he asked for, never voted that way in the first place. We do not have to apologize for the security of America, but there are those who have to and I think it is a matter of their squaring their consciences.

Mr. GROSS. I thank the gentleman. The gentleman from New York [Mr. ROONEY] has been asking me to yield. I shall be glad to yield to him now, if he desires.

Mr. ROONEY. Mr. Chairman, I hope I have not forgotten the thought I had in mind at the moment awhile ago. Perhaps it was that I wanted to inquire whether or not the gentleman from Iowa claimed that I said that the other body would have any better judgment than this body with regard to anything.

Mr. GROSS. The gentleman will find that I read the statements verbatim. They are in the RECORD.

Mr. ROONEY. I do not think my remarks on Monday contain any such reference as the gentleman has made on the floor with regard to the distinguished minority leader.

Mr. GROSS. I shall be glad to submit the remarks I have made to the gentleman.

Mr. ROONEY. They are in Monday's RECORD. But I do not want the gentleman to leave the inference here today that I contended that the other body had any better judgment than this body.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. DIES. Mr. Chairman, I want to compliment the gentleman on his excellent speech. Of course, we will never understand the attitude of Congress when we continue to vote billions of dollars at a time when our debt is staggering. We are still under the illusion in this country that there is no limit to our expenditures. But does not the gentleman believe that if we could compel the Congress to attach to this bill a tax measure and undertake to pay for it, that we would have a different sort of bill?

Mr. GROSS. Yes. I hope the gentleman will offer an amendment to this bill to provide that none of the funds be spent unless there is a tax levy to produce the money.

Mr. DIES. Of course, that would be subject to a point of order. But the point is that if it were not for the inflationary policies that we have adopted, does the gentleman believe for one moment that we would undertake to beggar the next generation as we are doing?

Mr. GROSS. The gentleman from Texas is correct. If we were to submit this proposal to a vote of the people of the country, with $7 billion now in the pipeline, it would be overwhelmingly defeated.

When the gentleman from New York [Mr. TABER] had the floor earlier this afternoon, I asked him a question with respect to the Secretary of State, what his position was or what he had told the committee about world tensions, and the need for increasing this appropriation over the $2.7 billion made available last year. I did not get an answer from the gentleman from New York.

Reading the committee hearings, I find the gentleman from Louisiana [Mr.

PASSMAN] asked the Secretary of State that question:

Mr. PASSMAN. You do think improvements are being made in the cold war? You think progress is being made, and the possibility of peace maybe is greater than it was a year ago? Are changing world conditions more favorable than a year ago?

Secretary DULLES. I think, as far as the Soviet Union is concerned, that there is less likelihood of a general war originated by the Soviet Union than was perhaps the case a year ago.

A lessening of tension. Mr. Dulles continued:

I cannot record any comparable improvement as regards Communist China. But there are some encouraging developments, as I pointed out, within the Soviet Union which makes me feel that if we adhere to the kind of policies which have contributed to bringing these changes about, we can expect continuing dividends from them.

I was told at my staff briefing this morning that the Soviet Union has brought out for the first time since the revolution a Bible.

On the basis of this statement by Dulles, where are the tensions that call for an increase in this appropriation? Why not liquidate the $7 billion now in the pipeline and get out of the program except for a few selected countries such as South Korea, Formosa, Greece, and Turkey?

Mr. PASSMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, I want to commend the gentleman from Iowa [Mr. GROSS] on his splendid statement. I want to commend also the gentleman from New Jersey [Mr. HAND] for his truly courageous statement under the conditions that now exist and the pressure that is being put on my friends on the left. It was truly a courageous statement, but he was entirely right in his attitude.

I have always supported our foreign-aid program. I agree with those who say that it is not a giveaway program and that it is not an attempt to buy friends. It is intended of course, first of all, for America's security. I have always supported it.

It has been rather amusing this morning. I have seen things this morning that I did not think I would ever see. I have seen the gentleman from New York [Mr. TABER] pleading and begging you to add more funds for foreign aid.

This bill has in it approximately $900 million, more than they had to spend last year. Mr. Dulles says the tensions have not increased any during the past year, so why should they have asked for more money this year? I will tell you why they did it. They asked for less than they thought they needed last year in order to balance the budget this year, this election year. Now that they think they have balanced the budget, they come in and ask for a huge increase which will appear in next year's budget and they simply have not sold the American people on an increased foreign-aid program. You know it and I know it. A part-time President cannot sell it to the American people. I regret his illness, and I am not blaming this entirely on that, but this program has not been sold to the American people. As Mr. Truman says, he has always been a part-time President. So it is not a question solely of his health.

Listen to what Doris Fleeson says:

Ike has not made a case for foreign aid. The reverse suffered by the President's foreign-aid bill indicates the public temper which has been indicated to the Congress. The public is letting its guard down for good or ill. Obviously, the President must take the major responsibility. He has not made his case for foreign aid. He has not spread the presidential umbrella over embattled Members of Congress obligated to defend at the grassroots what the grassroots does not want.

That is the situation in America today. Neither the President nor the State Department has sold this increase to the American people. They have not sold it to the Members of the Congress except with extreme pressure that has caused many Members to reverse all of their former stands. Last year, the people who are asking you to vote more this year helped the members of our subcommittee to save $500 million. We did it because we had been misled by the people in charge of this program, people who had made an agreement with us and who had gone back and broken that agreement, and obligated funds in the last hour of the fiscal year in violation of that agreement. They went even further, they tried to mislead the subcommittee. They had a smart lawyer draw up a contract and sent it over, which upon examination proved to be a memorandum and not the verbal agreement they had agreed upon with our subcommittee. The members of this subcommittee, the chairman of the subcommittee and the ranking minority member had had an agreement that if they were allowed to obligate a certain proportion of the funds, the foreign-aid officials would not attempt to obligate the $420 million that they got from the Air Force which they did not know the Air Force owed them. We were so disgusted with what had been done that we made up our minds that we were not going to be treated in any such fashion and we stood out against the Senate efforts to restore those funds. And all of the members of our subcommittee went along at that time and we made that cut of a half billion dollars and saved the taxpayers that much. Every witness has testified this year that we in no way hurt the program by that cut. Yet, these same Members on the other side now say that $900 million more than they had last year is too little.

Mr. TABER. Mr. Chairman, will the gentleman yield for a correction on that?

Mr. LANHAM. I am glad to yield to the gentleman.

Mr. TABER. The total appropriation last year, when you add the $302 million which was included in the other body, was $1,358,000,000. This appropriation here, including the reappropriation, is $1,930,000,000 and the difference between that and the other is a little less than $600 million. I thought maybe the gentleman would like to have that.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. PASSMAN. I am sure the gentleman refers to the phoney bookkeeping that we have had to deal with ever since we have had this program. Of course, the gentleman from New York knows, as the gentleman from Georgia knows, that we had already passed the bill in the House and the other body had passed the bill, and we were trying to reach an agreement in conference when this little $302 million check happened to fall in our lap; is that not correct?

Mr. LANHAM. That is correct.

Mr. Chairman, as I say, I am going to support this bill as the committee voted it out. I have always, as I said, supported foreign aid because I think it is in the interest of American security. I think the best proof of our foreign-aid program especially our economic program is the fact that Russia has adopted the same method and is going all over the world bragging about what it is going to do in that field. Why did they get into it if they did not think it is a good program? But, I do not want to see our money wasted.

The only policy our State Department seems to have to meet this changed policy on the part of the Soviets is to outbid them. I say to you that our foreign policy is almost totally bankrupt today. Our bases are going all over the world. Countries are gradually slipping behind the Iron Curtain. We must revamp our foreign policy. They are crying in the Middle East for a policy; not any particular kind of policy, but for some sort of policy. The government newspaper in Lebanon is calling on America to say what its policy in the Middle East is. We have no firm policy there, and the Middle East has just about gone down the drain. It is said that about a year ago we might have saved the Middle East, and we might be able to save it yet if we had some affirmative policy.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I cannot yield at this time.

Just as our foreign policy is confused and vacillating, so the foreign-aid program is bankrupt. The people in charge of it have no imagination, and no effective plans. They have no great vision, and without such a vision the people perish.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. LANHAM] has expired.

Mr. PASSMAN. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. LANHAM. They are going on in the same rut. They do not know how to meet this challenge of Soviet Russia in the economic field. They have let Cambodia go down the drain. I am sure everybody who heard what was said knows that Cambodia is gone. With Cambodia is going the balance of that part of the world.

Now, we must have time to reform our foreign policy. Somebody with imagination, somebody with some thought other than to give people more arms and a little more money; somebody that can take advantage of the feeling that is sweeping Asia, the desire of the people

for a better way of life; the desire of the people for a higher standard of living; the desire of the people to determine their own future and their own welfare. We are managing only to fall in line with the colonialists, and we are doing nothing to capitalize on the burgeoning aspirations of the underprivileged peoples of the world. I do not think we ought to stop our program now. We cannot afford to do it when the desire for freedom is moving in the satellite states. You see what happened in Poland. But we ought to hold our appropriation for this purpose until we have somebody in charge of our policy, somebody with a real policy, somebody that can take advantage of that situation, somebody that can catch the imagination and the loyalty of the people of Asia. It cannot be done by the present foreign-aid Administrator. If you Republicans would use the same effort you used with Robert Montgomery, with the advertising hucksters on Madison Avenue to sell America to the world, that you used to prove that the President is vigorous and ready to go ahead with a vigorous campaign, you might win the peoples of Asia to our side. If, instead of thinking of politics and drawing a man out of India, Mr. Cooper, who has won the confidence of the Indian people in order to run for the Senate, you would give more consideration to the condition of the world today, I would be willing to go on and give you this money. But, until you are willing to do that, until you rethink this program, until you really make it effective, I am going to stick with this committee, and I am sure we have not cut the appropriation bill below what it ought to be.

If Mr. Hollister would turn this program over to the advertising agency of his own great corporation, I believe they might sell our American way of life to the neutrals and the undecided.

Mr. TABER. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Chairman, I have traditionally supported this program whether it was recommended to Congress by a Democratic President or by a Republican President, and I have traditionally attempted to come to the proper decision dollarwise and otherwise. I intend to make similar efforts in the future as best I can.

The record should be clear that in the subcommittee I voted against the reduction which was made below the House authorization figure. In the full committee I voted for an amendment which would have raised the appropriation figure to the House authorization figure. I have been preceded by Members on this side and by Members on the other side of the aisle who have made a sound case for the program and for the figure which was contained in the military part of the House authorization bill. I will not get into some of the details which they have discussed, but I would however like to emphasize and perhaps reemphasize several points which to me are most important.

One of the reasons why we have an increase in the fiscal 1957 program is because there has been a transfer of funds for the support of the Korean forces from the military program to the foreign-aid program. I have in my hand here the hearings for the Department of the Army appropriations for 1955. In these hearings in the Army budget for fiscal 1955 we have all of the testimony for the support of the so-called ROK forces which at that time, in training and in the frontline, totaled approximately 10 divisions. Throughout the hearings as included in this volume we had justification for the guns, the ammunition and certainly our part of any other supplies which were made available to the ROK forces which are standing shoulder to shoulder with our boys, some eight divisions at that time. It is my recollection that in the appropriations that were made available for the United States Army in fiscal 1955 there was approximately $800 million for the ROK forces.

Now we come to fiscal 1957. Here is the Department of the Army appropriations for fiscal 1957. There is not a penny in it for the ROK forces in the current fiscal year. Where is the request for those ROK forces which today number 21 Army and Marine Corps ground divisions and some 6 reserve divisions? The request for funds for those troops today came before the Mutual Security Appropriations Subcommittee.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Virginia.

Mr. GARY. Can the gentleman give us the figures for 1956? He gave us figures for 1955 and then jumped to 1957.

Mr. FORD. As I recall, for the ROK forces, both military and defense support, it is about $700 million.

Mr. TABER. If the gentleman will yield, it is $805 million.

Mr. FORD. For fiscal 1956?

Mr. TABER. No, for fiscal 1957.

Mr. FORD. It is somewhere between $700 and $800 million for fiscal 1956.

The point I wish to make is that when support of ROK forces was in the military appropriation bill there was no serious question raised but when the funds for South Korean forces are in the mutual security program then the money is slashed.

We supported the ROK forces and we built them up until they are the fourth largest army on our side of the Iron Curtain. We supported them in adversity. When we are asked to support them to preserve the peace, some want to slash the funds which are necessary for this program. Such a viewpoint is unsound and unwise.

Let me turn to another important aspect of this whole problem. We have a number of allies throughout the world. Some are more arduous in our behalf or more emphatically on our side than others. In Europe we have strong allies. Turkey and Greece certainly are on the side of the free world. Formosa, South Korea, and others are on the side of the free world to preserve the peace. Certainly to win a war or preserve peace you have to have ammunition for ourselves and our allies.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Virginia.

Mr. GARY. I would like to get this matter straight as between 1956 and 1957. The gentleman has used the figure for 1955 when Korea was under the Army and the expenditures were made out of the military funds. In 1956 that was not true. They were handled by this program.

Mr. FORD. That is correct.

Mr. GARY. As a matter of fact, the request for 1957, although the figures are classified, was nothing like $700,000. They are not much larger than they were in 1956. We spent in Korea less than that in 1956.

Mr. FORD. Let me say that in fiscal 1956 the South Korean forces were using much of the Army equipment which our Army left there when our 6 divisions pulled out from South Korea. Now in fiscal 1957 we are asked to start channeling into South Korea additional new equipment so that they will be strong enough to do the job in order to preserve the peace in that area of the world.

Let me turn to one other point, which is vital. We have substantial allies that are on our side. They must have ammunition just as our forces do. In our own Army program we have money each year for ammunition. We build up our mobilization reserves of ammunition in case of any contingency. At the same time and in order to make our overall collective security program more effective, we are trying to build up the ammunition reserves in conjunction with our allies. In the Army hearings for the fiscal year 1955 some very interesting testimony was given on this problem. On page 1052 of those hearings, the gentleman from Florida [Mr. SIKES], the ranking minority member of the panel at that time, was interrogating Gen. Williston B. Palmer, who was Deputy Chief of Staff for Logistics, a very responsible person in the Department of the Army.

Here is the question that Mr. SIKES was propounding to General Palmer:

We all recall the serious problem which developed in Korea over alleged shortages of ammunition and the great clamor about our failure to provide more ammunition. Is there a possibility that a similar situation could develop as the result of these reductions if we should find ourselves in another war?

General PALMER. I would say, Mr. SIKES, that I was satisfied at this moment with the provision being made for the supply of ammunition for United States forces.

Then he goes on to say:

I think the problem, however, will arise, to answer your question quite candidly, if another situation were to come up paralleling closely what happened in Korea, that would undoubtedly mean we would be supporting large numbers of foreign troops; and having planned for the supply of United States forces we would be taking ammunition of the United States forces to supply the army of another country and we might well run short.

Now, the testimony goes on to say on page 1054:

Mr. SIKES. And the critical nature of the problem would depend entirely upon the size of the conflagration and the requirements suddenly placed upon us to supply our allies.

Then subsequently in these hearings, several pages later on, I followed up the excellent point which was made by the gentleman from Florida [Mr. SIKES] and here is the question I asked:

As I understand it from the testimony which has been given here this morning, the funds which you have available and the authority which you want for fiscal 1955 in procurement and production will provide a mobilization reserve satisfactory for the United States Army in the concept we now have of a long, extended, uneasy peace.

General PALMER. I believe that is correct, Mr. Chairman.

Then I asked this:

The provisions of our allies, the military equipment which they need to go along with our joint defense program, would have to come out of what is commonly called the foreign-aid appropriation request.

General PALMER. That is correct.

Then I asked this:

Any deficiencies which they might have, if we as a Nation intend to supply them, the Congress will have to provide for in a military-assistance appropriation act.

General PALMER. That is correct.

Now, I cannot help but emphasize and reiterate that if we do not provide sufficient funds in this program for military assistance, including funds for ammunition, for our allies, we may well be putting in jeopardy our own ammunition mobilization reserves for our own United States Army.

In this instance we are not talking about a minor reduction. The original request was $3 billion. The authorization figure as finally passed by the House and the Senate was a reduction of about $600 million in the military program. We are talking here about the danger of a reduction in the military below what the House authorization figure was. That is dangerous. It does jeopardize our own military program.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. I have had the pleasure of serving on the Army appropriations subcommittee with the gentleman from Michigan, and in my opinion, there is nobody in the Pentagon now or at any other time or here who knows more about the Army bill than the gentleman from Michigan, and he makes an excellent point on armament to our allies.

I think the gentleman knows full well that any war, God forbid that we have to fight from now on, is not going to be a war of rifles and hand grenades and machineguns and small arms and ammunition; and that while we may have these ROK divisions and divisions of other armies aiding us, they must have modern equipment. Their equipment must be in munitions and armor and armament the same kind that our divisions are going to have and they have the right to ask for them.

Mr. FORD. I could not agree more with the gentleman. If we expect them to stand side by side with us in any large or small war or in the preservation of the peace, we must expect to treat them equally with our own forces who are guarding the free world.

Mr. Chairman, one more point, if I may. At the height of the Korean war our own Army had a strength of approximately 1,500,000. Since that time we have successively reduced the size of our own Army so that at the present time the strength of the United States forces is approximately 1,100,000. It may be slightly less, but not materially. In other words, from the height of the Korean war to the present time we have reduced United States Army personnel strength by around 450,000, a one-third reduction in the total strength.

At the time of the Korean war, at the height of it, we had approximately 10 ROK divisions. Subsequently that was increased to 20 army ROK divisions, 1 ROK marine division, and 6 ROK divisions in reserve. At the time we had 1,500,000 United States Army personnel, in 1951, the Formosan troops were less in number and not too well equipped. Today they have a greater number, they have better equipment and are better trained. At the time of our strength of 1,500,000 of United States Army forces, the Turkish forces, their ground forces, may have been as great as they are today, numberwise, but they certainly were not as strong equipmentwise as they are today.

Mr. Chairman, you can go right around the circle of our allies, those who are on our side and who are trying to do their share, you will see that from 1951 to 1956 there has been generally an improvement in numbers of their ground forces and there has been generally an improvement in their equipment and training.

It seems to me that this upsurge in their ability and numbers as a part of a collective security program for their defense and for ours has made it possible for us to reduce our own forces to the extent I indicated previously. This reduction in our Army forces has permitted us to take a smaller number of young men from the factory, the farm and the school, United States boys. It has permitted the United States to add our emphasis in this collective security program in the areas where we can do the job best, in the Navy and in the Air Force.

It seems to me dollarwise, manpowerwise, this program is the best program for the United States. It means that less of our own boys from the factory, the school and the farm have to serve in our United States Army. It means that instead of Uncle Sam paying $6,000 a year to equip and supply a United States Army soldier, we are able to spend about one-tenth that amount to help equip, to help man, and to help feed those allies of ours who are joining with us in the defense of the free world.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from New York.

Mr. KEATING. I want to reiterate what the gentleman has stated on that point. I cannot understand the thinking of those who in one breath try to boost our own defense appropriations beyond their needs as stated by the President, the Joint Chiefs of Staff, and every military adviser and in the next breath take away a comparatively much smaller amount from the military budget for our allies that we are trying to build up to help us defend our country. As the gentleman said, the only basis for this program in any of our minds is, Is it essential for the defense of our own country? That is the only basis upon which we can support it. It seems to me utterly inconsistent to cut down on the one hand and build up on the other. This program of military aid seems to me a crucially important element of our own defense. Solely on that ground do I support it.

Mr. HESELTON. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Massachusetts.

Mr. HESELTON. The point the gentleman has so well made should be repeated emphatically through the rest of this debate, particularly in answer to the allegations that have been made on this floor by certain of our colleagues as to WPA, handouts, and giveaways.

I want to ask a few questions to see if I am correct as to the information I have been able to develop. As I understand it, the request for the NATO countries totals $760,471,000, as evidenced by a table which is restricted as far as the individual countries are concerned but as to the total appears on page 231 of the hearings. Am I right about that?

Mr. FORD. That was the original budget request for the NATO countries.

Mr. HESELTON. As I understood the gentleman from Massachusetts [Mr. WIGGLESWORTH], he indicated we are getting full value from the expenditure of this money because these countries on the average are expending themselves $6 for every $1 we are putting into this program.

Mr. FORD. I think that is correct, but the more important point in my opinion is the fact that if we are going to be called upon to increase our own forces then it will cost us as taxpayers $6,000 per man per year for every additional man we put in the United States Army.

Mr. HESELTON. That is exactly right.

Mr. FORD. In contrast to that, we are able to get our friends and our allies, our stanch supporters, to put their people in the field to defend their countries and to help to defend ours at a cost to us of around $600 or less per man per year.

Mr. HESELTON. Let me ask two more questions: Is it not a fact that this $760,471,000 requested is for maintenance items, ammunition, replacement of equipment lost by attrition, necessary spare parts, and some modernization of equipment to meet the threat of the new program that is so much discussed by some persons in terms of modern missiles and improved weapons?

Mr. FORD. I believe those figures are correct.

Mr. HESELTON. That data is in the hearings available for anyone who takes the trouble to read it.

One final question: If the reduction that is recommended by the majority of this committee prevails against the recommendation of President Eisenhower,

against the recommendation of Admiral Radford and of the members of the General Staff, and against the recommendation of General Gruenther, will it not be a fact that that appropriation to NATO will be reduced? I cannot refer to the exact figures by countries but I think I have a right to refer to the percentages. Will it not be reduced by nearly 80 percent?

Mr. FORD. That is what I understand. Based on this reduction, I believe that is correct.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. HOSMER. I have difficulty understanding the reason why, since a lot of this material is in the pipeline and the money is not actually going to be spent for 18 or 24 months or more, we should appropriate it now, ahead of time.

Mr. FORD. The reason is that you have to conclude your program finally after the Congress has successively reduced it below what they had originally requested. That takes a little time, which they call administrative lead time. Then you have the actual production and delivery period. The average on that for all items is somewhere between 18 and 20 months.

Mr. HOSMER. Is not that the normal planning that you have in business on long-range expenditures? You have to have your financing available and know what it is before you go ahead and make your policies other than your day-to-day policies.

Mr. FORD. It certainly is, and that is the way I understood it. I might emphasize that that is precisely what our own military people have in the planning and execution of their own military procurement programs.

We have had testimony from all of the responsible people in the executive branch of the Government in reference to this program. They have urged certain programs and certain amounts. The testimony that struck me emphatically was that given by Admiral Stump, the commander in chief of the United States forces in the Pacific. A part of his testimony is to be found on pages 93 and 94 of the hearings. At the time he was testifying before the committee, I asked him several questions. I would like to read the questions and his responses:

Mr. FORD. I take it from what you have said that your defense plans for the United States in that part of the world are predicated on the success of this program?

Admiral STUMP. Yes, sir, it is definitely a program for the defense of the United States.

Mr. FORD. Can you tell us generally what you would have to do, as the United States commander in that area, to revise your United States defense plan if this program is not enacted into law and properly funded?

Admiral STUMP. I feel sure that within a very short time I would have to ask for a considerable increase of American forces in the Pacific.

Mr. FORD. Army, Navy, and Air Forces?

Admiral STUMP. Army, Navy, and Air Forces; yes, sir.

Mr. FORD. Would you be able to do your job in defending the United States as well without this kind of a program?

Admiral STUMP. Well, sir, I think the time has passed when it will be possible for the United States to survive with all of the rest of the world against us.

I feel that we must take the testimony and the recommendations of the responsible people in the executive branch of the Government, both civilian and military and go along as well as we can so we can preserve the peace and be in the best possible military position in case of any outbreak of war. Already this program has been reduced substantially below what the budget recommended and what many of our responsible military people in the executive branch of the Government have proposed. This problem, it seems to me, is not one which we can pass over lightly with superficial criticism, political and otherwise. This is a problem involving the security of the United States. It involves whether or not we are going to draft more United States boys to serve to defend the United States or whether we are going to depend upon the aid, assistance, and support of our friendly allies. The record is clear that because of this program we have been able to reduce the personnel of our own Armed Forces. The record is clear that we have been able to spend less money for our own United States Armed Forces because of this program. And the record is clear, I think, that for the security, safety, and future of America, this program must go on at a high enough figure with whatever reasonable modifications the Congress in its wisdom decides to make. Let me conclude by saying that I intend to support this program because it involves the welfare of our citizens.

Mr. PASSMAN. Mr. Chairman, I yield the balnce of the time, 37 minutes, to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Chairman, the bill that you have before you today is the result of hours, days, weeks of study by a very able subcommittee. We have on that committee some of the ablest men in this body. Many of them have served for long periods of time. I have had the privilege of serving as a member of that committee for the past 8 years. It was my privilege during part of that time to serve as chairman of the committee. The present chairman, the distinguished gentleman from Louisiana [Mr. PASSMAN] was then a member of the committee and served with me. As a matter of fact, we have served together on two subcommittees, and he has always been an able, conscientious, and efficient member of every committee on which he has served. He has been an able and fair chairman of this subcommittee. There is not one single member of the committee or any witness who wanted to appear before it who was not given the fullest opportunity to state his position and to make such record as he desired.

I want to pay my respects at this point to our chairman who, in my judgment, has done a magnificent job.

Moreover, I want to say that I am very sorry that I find myself in disagreement with my very warm friend, the ranking minority member of this committee the gentleman from New York [Mr. TABER]. He and I have fought shoulder to shoulder on this bill for many years, and seldom have we been in disagreement. I hope the gentleman realizes that I have a deep and abiding affection for him. I do not believe we are very far apart at this particular time. He wants to raise this amount some, but I do not believe that he wants to raise it very much.

Mr. TABER. If the gentleman would yield.

Mr. GARY. I yield.

Mr. TABER. Only a half billion dollars.

Mr. GARY. I will say that is a half billion dollars more than he has ever wanted to raise it before. I agree to a very large extent with the remarks made on Monday by the distinguished minority leader, my friend from Massachusetts [Mr. MARTIN]. I agree that this is not a political matter. If there ever was a bipartisan bill to come before this House, this is it. This program was originated by the Democrats when the Democrats were in control of the Government.

Mr. TABER. If the gentleman will yield, the program was originated in 1948, when the Republicans were in control of the House.

Mr. GARY. But when the Democrats were in control of the Government. It is not a political matter. Both sides can take the credit or blame for the program, whichever they prefer. The program has been continued by the Republicans, and in the common parlance of the boy in the street, I might add, "And how."

I may say to the gentleman from New York that 2 years ago, when I had a Republican opponent who was running on the coattails of the President of the United States and claimed to have the President's blessing, I was rather surprised that his chief attack upon me was that I had supported the President's foreign-aid program. Nevertheless, I agree that this is not a political matter, and that politics ought not to be brought into this discussion.

I want to say, moreover, that I agree with the minority leader of the House that this is a sound and necessary program. I have been a stanch supporter of the foreign-aid program since its inception, and I am a stanch supporter of it today. It relieves our boys of defending foreign lands. I have a boy today, if I may add a personal note, serving in the Army in the Pacific. He is planning to come home next month and complete his schooling. I do not want him to be held in the Pacific unless it is essential to the national defense. Of course, I want him to discharge his full duty to his country, and I know he wants to do so.

I realize that by appropriating these funds we do provide that Formosa shall be defended by the Chinese and that Korea shall be defended by the Koreans.

I do not believe that there is a single Member of this body today who would advocate that we give up Korea, and it is much cheaper and much better to have Korea defended by Koreans than to maintain our own Army in Korea.

This House several years ago almost unanimously voted authority to the President of the United States to defend

Formosa. It is far cheaper to defend Formosa with Chinese troops than it is with American troops. I know, moreover, from personal observations in the two countries that the Koreans cannot defend Korea and the Chinese cannot defend Formosa unless we give them the necessary funds with which to do it.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield.

Mr. GARY. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. Does the gentleman not feel with me that the program of strengthening Formosa is today used purely as bait?

Mr. GARY. No, sir; I do not. I cannot agree with the gentleman on that. I think we have got to give the Chinese the necessary funds to defend Formosa.

Mr. O'KONSKI. That is the gentleman's opinion and mine, but with the attitude that certain people in the State Department take toward Formosa, does the gentleman think they will ever send Chiang Kai-shek any material? I would like to send him this whole $2 billion worth and would vote for it.

Mr. GARY. I will not attempt to speak for the State Department, but they have advised our committee that a substantial part of the funds will be spent to aid Chiang Kai-shek on Formosa.

The same situation holds true with respect to Indochina. We all know that Indochina is one of the strategic places in the world today and that forces must be maintained in Indochina to prevent further aggression there. We must help Indochina defend itself.

It is true also that we must have bases in Europe.

So few people realize the true situation. We talk about our superiority in atomic bombs, but those bombs are no good unless we can drop them on the enemy. To do this we must have adequate bases from which our planes can take off on the missions of destruction.

The question today is not whether this is a good program, not whether it is a necessary program, but, how much shall we give to the program?

I had the privilege of visiting Europe in 1951 with the Richards committee, composed of members of the Foreign Affairs Committee, the Armed Forces Committee and the Committee on Appropriations. I went as a representative of the Appropriations Committee. We were sent over there by President Truman to confer with General Eisenhower, who was then the Supreme Allied Commander for Europe.

I well remember one day we sat in the briefing room. General Eisenhower was explaining the needs of the program and he urged that under no circumstances should the program be cut at that time. He said that we were just beginning to build up the forces in Europe where we could see some results, and that it would be disastrous to the entire NATO movement to cut the funds.

This was in 1951. One of our members said:

> The people of the United States are getting pretty tired of this program. When do you believe that we can begin to cut?

General Eisenhower said that it was difficult to set a definite time but that he thought we would reach the peak of expenditures by 1954.

He said that he believed that Europe should be defended by Europeans, that Asia should be defended by the Asians and that the other countries should be defended by their own troops; but that if they were to defend themselves we must help them for the time being to build up their defenses and to put them on their feet. Then he said we would begin to withdraw both our manpower and our money.

I pulled out of my files the other day a radio speech made by me to my constituents in Richmond on June 23, 1951, immediately after my return. Here is what I said:

> Our representatives are making it very plain that in the long run we expect Europe to be defended by the Europeans and that although we recognize their need for help in the beginning, we expect them to gradually assume the entire burden insofar as both manpower and costs are concerned. Our aid should begin to diminish at the end of 1952, or certainly not later than the end of 1953.

What are the facts? I was astonished several months ago when the program was proposed for the fiscal year 1957. We appropriated for this program $2,700,000,000 for the fiscal year 1956. The President requested $4.9 billion for the fiscal year 1957, nearly double the amount appropriated for last year.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Iowa.

Mr. GROSS. Before the gentleman leaves the subject of NATO, can he tell us whether we have anything more or much more than a paper defense of Europe under NATO today?

Mr. GARY. I think we have made progress. I hope with the bases we have in Europe and with the potential power of the United States and our allies that we would be able to stop any aggression in Europe as we did in Korea and as we have done in other places.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Illinois.

Mr. YATES. As a matter of fact, is it not better that we should have NATO in existence, even with all of the conditions the gentleman described, assuming they are true, than not have NATO in existence for the defense of our country?

Mr. GARY. I think NATO is an essential part of the defense of our country, and I certainly would not do anything to injure NATO. The point I am trying to make here is that we have in this bill a sufficient sum of money to take care of an adequate foreign aid program for the fiscal year 1957.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. GARY. I yield.

Mr. GROSS. Well, now, if NATO is such a success, why, then, is the move afoot to transform it into an economic organization through which we would channel some more tax money? Why, then, are we confronted with the three wise men, none of whom come from the United States, and the move to make this an economic instead of a military organization, if it is a success?

Mr. GARY. I do not think the time has come when we can change it from a military organization.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New York.

Mr. TABER. There is nothing in this bill that could be transferred to OEEC, is there?

Mr. GARY. No.

Mr. TABER. I did not understand there was.

Mr. GARY. No, there is nothing in this bill for OEEC, but it does provide funds for the continuation of NATO and for the further arming of the NATO member nations.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. GARY. I yield.

Mr. GROSS. Does the gentleman think that France would be fighting in Algeria and incurring the wrath of the Moslem world if it were not for NATO and the military equipment and the money we have given them?

Mr. GARY. There are some things happening in Europe, in Asia, and throughout the world that are distressing to a great many of us. But, we are trying to build an organization throughout the world that will promote peace and at the same time be able to take care of any emergencies that may arise. That is the real objective of our foreign policy. We are a peace-loving nation; we do not want war, and what we are trying to do is to build up a sufficient force to guarantee peace and to stop aggression wherever it may raise its ugly head, whether it be in Europe or Asia or other parts of the world.

Mr. GROSS. I certainly hope the gentleman is right, but I have never coveted the right of being a disillusioned optimist.

Mr. GARY. I will say to the gentleman that unless he is an optimist in these days he is going to have ample opportunity to worry.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentlewoman from New York.

Mrs. KELLY of New York. In answer to a question by the gentleman from New York, I believe you stated that there was nothing in this bill for OEEC. Is that correct?

Mr. GARY. Nothing that I know of.

Mrs. KELLY of New York. Well, may I say that this bill before us today is the implementation of our foreign policy authorization, and in that MSA authorization it does give the right to the President of the United States to give to OEEC. That is found in section 535, the new section. And, I want to say at this time that in the Committee on Foreign Affairs I endeavored to delete this section by an amendment, but did not bring it to the attention of the committee on the floor at the time the bill was discussed. I have no objecion to it, but I do not want to weaken NATO in any form or manner. It is my belief that this was inserted in the bill as an admission on the part of the administration that

NATO has been weakened and therefore is seeking this new method of strengthening Europe, and I do not want anything in this bill to be taken away from NATO.

Mr. GARY. We have several items in the bill in the use of which the President is given very great discretion. There were 3 requests for specific Presidential funds of $100 million each. There was one for Asia, one for the Middle East and Africa, and there was a general fund. We found with reference to the Asian fund that the Congress had authorized $200 million last year. We gave them $100 million. They had obligated to date only $10 million. They asked for an additional $100 million. Since they had $90 million left we cut out the additional $100 million. But we left 2 funds of $100 million each in the bill to be used largely in the discretion of the President.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New York.

Mr. TABER. The Asian fund could not be used for OEEC. That has a $90 million unexpended balance, as I understand it.

Mr. GARY. That is right.

Mr. TABER. The only other fund in our bill that could possibly be used for it would be the $100 million Special President's Fund authorized by section 401b. Unless it was in section 401b it could not be used for anything of that character.

Mr. GARY. There is one $100 million in the use of which the President has very wide discretion.

Mr. WINSTEAD. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman.

Mr. WINSTEAD. The bill reported by the committee, concerning which we have read so much about having been cut, in reality increases the amount to be appropriated over what was appropriated in the fiscal years 1955 and 1956 by approximately 32 percent. What is said to be a cut is really an increase above what they had in the fiscal year 1955 and 1956; is that not true?

Mr. GARY. That is true.

Mr. WINSTEAD. If this bill should be increased to the total in the authorization bill it would be approximately a 50-percent increase over what they had for fiscal 1955 and fiscal 1956. If the American people learn the fact that there is no cut being made here but an increase of 32 percent, I think we would find a lot more protest against any effort to increase it further.

Mr. GARY. I can give the gentleman the exact figures. For the fiscal year 1955 we appropriated $2,781,499,816. We reduced that slightly in 1956 to $2,703,341,000. The request for this year was $4,859,975,000, and we have allowed in this bill $3,425,120,000, which is $721.7 million more than the 1956 appropriation.

In addition to that in 1956 there was an unobligated balance of $62.5 million which made a total appropriation of $2,765,875,000. The estimated unobligated balance at the end of 1956 is $240.8 million. We recommend the appropriation of that entire amount which totals $3,665,920,000, for 1957, an increase of $900 million over the amount appropriated in 1956.

Mr. WINSTEAD. If it takes 32 percent more money now under this bill, or 50 percent more money, as some report, in order to keep our friends overseas how can we reconcile that with what the President of the United States, the Secretary of State and the military leaders all tell us—and I am on the Committee on Armed Services—that the world is more peaceful now than it was a few years ago?

If we must increase foreign aid 32 percent in fiscal 1957 over 1955 and 1956, and the situation continues to look as if there will be more peace and prosperity and leveling off, I am wondering if we will not be back here to increase it at least 100 percent in fiscal 1958 and 1959.

Mr. GARY. The only difference between those who are advocating increasing these funds and myself is that I think the time has come to decrease the funds rather than increase them.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New York.

Mr. TABER. The increase is not $900 million but $600 million above last year, because in getting up the tables the $302 million that was given to this program in the Senate last year at the end of the session does not appear.

Mr. GARY. That was the $300 million they lost altogether and did not know they had.

Mr. TABER. That is exactly right.

Mr. GARY. If this program has so much money in it that they can lose $300 million without knowing about it, it seems to me it has enough.

This is the situation: The unexpended balance on June 30, 1956, is estimated at $6,870,000,000. If we add the $3,425,000,000 contained in this bill, they will have available for expenditure in 1957, $10,300,000,000 for this program. That it seems to me ought to be ample for the program during the next year.

Let me call your attention to one other fact: When the military authorities came before us last year asking for appropriations for 1956 they estimated that they would spend $3 billion for this current year, 1956. Do you know what they have actually spent? They have actually spent $2,200,000,000, so that there is $800 million more in the pipeline.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. I am advised that the latest figures including all deliveries give a figure of $2.6 billion instead of $2.2 billion.

Mr. GARY. The figure I quoted was the one given to our committee.

Mr. WIGGLESWORTH. This came directly from Secretary Gray's office, within 24 hours.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Is that not another indication that you never know what figures you are going to have the following day, because they go up and go down with the sun on the military?

Mr. GARY. That is absolutely true.

Let me say this: I have the highest respect for Mr. Perkins McGuire, who was praised on this floor by my distinguished friend from New York. I also have the highest respect for Mr. John Murphy, who handles the figures for the nonmilitary part of the program. He has been exceedingly accommodating in furnishing information, but this program is so big, there is so much money in it, that it is difficult to keep track of it. The time has come, in my judgment, when we must bring it down to size and must get it within reasonable bounds.

Mr. Chairman, I know there is not a single Member of this House who does not want to defend the United States of America. I know there is not a Member who would not defend it with his own blood and with his own life if it were necessary. But the method of defending our Nation is a matter of opinion, and all any Member can do is to act according to the dictates of his own conscience, and according to his best judgment. I certainly would not be advocating the cut which our committee has recommended here today, if I felt that it would weaken the defense of the United States. But, after many years experience with this program, and after having sat on this committee for a long period of time, I am convinced in my own mind that the amount of money which this committee has recommended is ample to carry on an adequate program for the next year. I trust it will be the pleasure of this House to adopt and pass the bill as recommended.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield.

Mr. PASSMAN. The gentleman has been associated with this program from its inception. He has served as chairman of the committee under his party, as ranking minority member under the other party, and as ranking majority member under the present chairman. He has always supported the program.

Mr. GARY. Yes, and I am supporting it today.

Mr. PASSMAN. And his considered judgment is that we have sufficient funds in the bill before us today to carry the program on without any curtailment or any impairment of the program.

Mr. GARY. That is my judgment. Moreover, if we increase this amount to the sum requested by the administration, I think we will start it up again for another period that might make it very difficult to control it in the future.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield.

Mr. PASSMAN. The gentleman has been my chairman on the subcommittee on the Treasury and Post Office for about 8 years. We have worked together very closely. Would the gentleman care to comment on why there is so much pressure being brought to bear on the Members of the Congress this year for an increased appropriation? The testimony does not indicate there is any need for it.

Mr. GARY. Frankly, I do not know why the pressure is being exerted. I give the President of the United States credit for being absolutely sincere in his belief that the amount he has requested is necessary. I think he is making every effort to sustain those figures because he thinks they are right. I do not question the integrity of the President of the United States. I think he is thoroughly honest in his convictions, but I just do not agree with him. Frankly, I think his request is entirely too large for the program at this time.

Mr. PASSMAN. If the gentleman will yield further?

Mr. GARY. I am glad to yield to the gentleman.

Mr. PASSMAN. You have observed the unusual pressure this year on certain Members of the Congress to support a position that has not heretofore been their position.

Mr. GARY. I think that is obvious to everyone.

Mr. PASSMAN. I thank the gentleman.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield.

Mr. VORYS. The gentleman said that he did not question the President's integrity. Does the gentleman question the President's military judgment in connection with this program, in which the President has served, namely, the NATO military program?

Mr. GARY. I certainly do not. But, General Gruenther appeared before our committee. General Gruenther testified as to the need for this program. When we began asking General Gruenther, whom I consider one of the best-informed men in the entire Armed Forces of the United States, about the money requests, he said, "Gentlemen, do not ask me about the money. I will not testify as to the amounts, but only as to the need for the program."

I think that these figures which were the basis for the President's request were made up by some of the people down the line, and that they have overestimated the needs of the program.

Mr. VORYS. Does not the gentleman know that the President himself has studied these figures and discussed them with Members of Congress?

Mr. GARY. I question whether the President has been able to give the time, the weeks and months of study to the program that the members of this committee have.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield.

Mr. PASSMAN. Before we get into the reading of the bill, I would like to refer the membership to page 4 of the report at the bottom of the page. I think those figures will answer any questions you may have as to whether or not there is an attempt to stuff the pipeline.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. GARY] has expired.

Mr. LESINSKI. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection? There was no objection.

Mr. LESINSKI. Mr. Chairman, yesterday in making his expected statement that he would run for reelection, the President said that he intended to take up certain specified issues in the campaign this fall. One of the issues he mentioned is the school construction bill.

Just what sort of an issue does he intend to make of this? Does he plan to be honest and tell the people that his own Republican Party deserted him when this legislation was up for a vote in the House?

Mr. Chairman, it was a foregone conclusion that the inclusion of the Powell amendment in the school construction bill would have the effect of killing it. I knew that, as did the other Members of this body; and surely the President himself knew it. True, he did make half-hearted public statements that the school construction bill was a necessary piece of legislation but as he has done so often, he substituted words for leadership.

What happened on the vote? Some 148 Republicans ignored their titular leader and put political expediency ahead of national interest and the Powell amendment was adopted. Then on the final vote, on this piece of legislation that the President wants enacted, only 75 members of his political party supported him. One hundred nineteen voted against the bill. The 96 members of his own party who voted for the Powell amendment and against the school bill held the balance of power that could have given the President the legislation which he deems to be so important. Of course, when one realizes President Eisenhower's record in not standing by those legislators who go out on the limb to support him, we can perhaps understand why so many of them may be reluctant to go along with his vague policies.

I believe the school construction bill should be an issue in the campaign this fall, for it is just another illustration of how the present administration is failing to provide our Nation with the leadership it needs.

Leadership cannot be performed in absentia or belatedly. President Eisenhower, of all people, with his military background should realize this. It appears to me that if he is as fit and as capable of handling the affairs of the Presidency as it is claimed he is, he certainly would have exercised some leadership over the members of his own party and the school construction bill would have passed. If he cannot do this, how can he be expected to lead the country?

Mr. Chairman, there are many vital issues facing our Nation today. The welfare of America is much too important to be left in the hands of an individual who cannot devote full time to the tasks of the Presidency. Our country needs a leader who can provide strong, effective leadership the moment it is needed.

Mr. Chairman, let Mr. Eisenhower bring up his issues in the campaign this fall. We Democrats will be pleased to discuss them and to point out that on each one the missing factor was the administration's failure to face its responsibilities of leadership.

Mr. FLYNT. Mr. Chairman, I have not heretofore taken the floor to speak either for or against any phase of the mutual security program. I have opposed it consistently on each rollcall vote since I have been in Congress. I have studied this program intensively and while I do not pose as an expert on either foreign aid or the mutual security program, I feel that I know a great deal more about both of these subjects than I did 2 years ago.

In the first place I have studied it to see if I could find some justification for my Government appropriating nearly $60 billion over a 10-year period. I have reached the conclusion that the initial funds appropriated and spent under the Marshall plan to drive back the threat of Communist aggression on all fronts was perhaps wisely spent during the reconstruction period immediately after the end of World War II during the time we sought to help many other nations, among them friend and former foe alike, to rehabilitate themselves from the ravages and devastation of war and to help them to help themselves.

Those who advocated the program at that time assured the American people that it was a temporary measure which would be suspended when the need for it had expired; and if I recall correctly they set a maximum time of 5 years on the original program.

Five years passed, five more passed, and we are now in the third 5-year period of foreign aid—mutual security or a global WPA—call it by whatever name you will.

Mr. Chairman, my study of this subject has truly convinced me of this: that our position among the nations of the world is not being strengthened and cannot be strengthened by an annual appropriation of three or more billions of dollars for foreign aid or mutual security. Our actual security is possibly not one bit stronger because of mutual security expenditures than it was 10 years ago. We can never strengthen our position or strengthen our position by this poorly administered mutual security program.

What we need is a development of a program of mutual trust and mutual respect between and among us and the other nations of the world. I doubt that anyone can sincerely state that this present program has developed any mutual trust or any mutual respect anywhere in the world.

I hope and I pray and I know that our Nation devoutly yearns for a lasting peace founded upon justice and honor. It is only upon a foundation of justice and honor and mutual respect and trust that we can attain our objective—a true and lasting peace along with a position of leadership among the nations of a peaceful world. I do not believe that these billions of dollars which the Congress yearly appropriates under the guise of mutual security has added or will add one bit to the attainment of our goal of world peace. It is a known fact that the two principal economic segments of the Fourth District of Georgia, which I represent, have suffered, and suffered greatly, from this program. That district is almost equally divided economically

between industry and agriculture and the largest single segment of our industrial strata is in the textile management field. Our textile industry and the textile employees in my district are suffering and suffering greatly, because under the guise of mutual security and foreign aid many other nations, principally the Empire of Japan, have been developed into strong competitive producers and manufacturers of textile goods and this recent development has been financed largely, if not entirely, by the American taxpayer and the American people.

The agriculture population of my district is suffering as it has not suffered since 1932 and many, if not all, of those who are being caught in the price-cost squeeze, contribute a large part of their plight to the fact that American farmers have lost large portions of their foreign markets because of the foreign-aid program.

The foreign-aid program has resulted in converting other nations into strong competitive positions in the production of every agricultural commodity of which we presently have a surplus. Foreign nations financed largely by American foreign aid have in many instances taken over our export trade. Our Government, through the various foreign-aid programs has actually subsidized and encouraged certain foreign nations to produce cotton and to take over the world's cotton market. In 20 selected countries throughout the world, where during the past 5 years important increased production of one or more of the basic price supported commodities has been reported, foreign-aid funds for the promotion of agriculture totaled $948,159,436 from April 3, 1948, to March 31, 1955. In addition, approximately $710,800,000 in local counterpart funds, created by United States assistance activities in some of these countries, has been used to further agricultural production and processing. During this period, the International Cooperation Administration granted a total of $476,819,000 for agricultural machinery, tractors, and equipment for foreign countries.

During the period July 1, 1947, to August 1, 1955, the United States Export-Import Bank of Washington made loans of $260 million to foreign countries for farm machinery and equipment. The International Bank of Reconstruction extended $500 million in loans for the same general purposes. On June 1 of last year, there were 738 United States agricultural technicians on duty in foreign countries, helping to increase agricultural production.

These huge amounts of money from the pockets of the American taxpayer have been spent for tractors, machinery, fertilizers, seeds for planting and pesticides. The technical assistance has given these foreign countries the know-how. This money has helped develop the processing plants of foreign nations, also. Murray & Co., one of the largest manufacturers of gin machinery, reported sales of $1 million of gins and gin machinery, financed by foreign-aid funds, to Greece in 1948 or 1949. More recently, such funds have been used to purchase gin machinery for other nations.

The results of these large expenditures of dollars and application of our technical skills are easily seen. India, a country which cannot even be called a friend, and where the United States financed 2,600 deep irrigation wells, has increased production 50 percent since 1950–51 and will have a 4-million-bale crop in 1955–56.

Private American financial interests have also helped increase foreign production. In Mexico alone, over 1 million acres of farmland has been added, largely financed by American financial interests. Production of cotton in Mexico has doubled since 1950–51.

The foreign-aid program as administered by this country since 1948 up to and including the present time has resulted in less and less acreage for American farmers and more and more production for every other country in the world which competes with us in the production of price-supported agricultural commodities.

If the administration has its way, the foreign-aid program will continue to subsidize foreign agriculture, which is in direct competition with American agriculture. Plans have recently been announced for the United States to aid in the construction of the Aswan Dam in Egypt, which will result in 2 million new acres of farmland.

The larger portion of the additional acreage will be devoted to the production of cotton. It just doesn't make sense to me for us to finance a country ruled by a dictator who is to say the least closely connected with Russia so that his country can produce more cotton, while at the same time telling our farmers to produce less. People supporting American financing of this vast dam, estimated to cost over $1¼ billion, argue that if we do not finance it, Russia will. I have yet to see any evidence of Russia giving anything away to any country. It seems that all a country has to do to get a handout from the taxpayers of America is to ask for it with the threat of going to Russia if we don't give them what they ask. What is this but a polite form of blackmail?

I had a telegram from a citizen of Georgia only last week calling my attention to another phase of our foreign policy affecting domestic agriculture. This telegram pointed out that total consumption of long staple cotton in the United States last year was approximately 100,000 bales. During this year we allowed Egypt to import 100,000 bales and Peru imported 19,000 bales. United States production was 45,000 bales, which was a complete surplus, due to these imports. The entire domestic consumption of this cotton could be raised here if the allotments were increased, and if imports were cut down.

All of these programs have resulted in foreign countries moving into competition with us at our expense. All the while Secretary Benson has been reducing cotton acreage in this country, we have been financing and subsidizing increased acreage abroad.

Mr. Chairman, I was not surprised to hear the gentleman from New York read the news item in which he referred to the statement of Jacob Malik to the effect that the Russians would like to see President Eisenhower reelected because they can get along with him. The reason I was not surprised is that I am aware that the Russians believe and feel that they can get along with anybody who will help continue this misguided program of foreign aid and so-called mutual security program by helping spend this Nation into bankruptcy and giving away vast portions of our economic strength, natural resources, and the products of American industry.

I wish I could express a genuine hope that this Congress would today vote down this appropriation bill and let the program continue for the next 2 years on authorized but unexpended funds which we often call the pipeline. It is a well-known fact by whatever accounting method is used that there is enough economic and military aid in the pipeline to continue this program at full speed for the next 2 years. I would like to see the next 2 years or a reasonable portion of the next 2 years devoted to a reappraisal and a reevaluation of this headlong expenditure in a field which may be alienating nations and peoples in every corner of the world.

The CHAIRMAN. All time has expired.

The Clerk will read.

The Clerk read as follows:

Defense support: For assistance authorized by section 131 (c), for Europe (excluding Greece and Turkey), $63,700,000; for the Near East (including Greece and Turkey) and Africa, $165 million; for Asia, $865 million; and for Latin America, $35 million.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, a little while ago the gentleman from Michigan [Mr. FORD] talked about the necessity for building up armed forces elsewhere in the world, saying that would relieve us of building up armed forces in this country. He wondered why some of us who are opposed to this bill could not understand that. Let me say to the gentleman from Michigan that I am one of those who learned to my entire satisfaction during the Korean war—and it was not a police action—that we had better depend upon our own forces. All the help that we had in Korea, when the first real test came of whether we had friends in the world or not, were token forces of other countries. We lost 35,000 dead on that little blood-drenched peninsula. It was American and South Korean blood. You can put all the rest of our so-called free world allies together, and you have only about 3,500 fatalities. In addition to that we had about 100,000 wounded. I believe in spending our money on our own defenses so that we will know what we have if the chips are down again. We found to our complete disillusionment that we had no help in Korea, or no help worthy of the name.

Mention was also made of the obligation of funds. Earlier in the afternoon I called the attention of the committee to the fact that back in 1954 the gentleman from New York [Mr. TABER], then chairman of the House Committee on Appropriations, turned out a scorching report from his committee, blasting Mr. Stassen for his obligation of funds in

the last few days and the last few hours of the fiscal year.

I might read 1 or 2 excerpts from the statement issued by the Committee on Appropriations at that time:

The committee can only conclude that there was a deliberate effort to tie up or dispose of available funds before the June 30, 1954 deadline. The finger points clearly to various forms of June buying to get rid of hot money—

And so forth. Then what happened in 1955? We find in the hearings this year before the subcommittee the gentleman from Louisiana [Mr. PASSMAN] read into the record the following:

Obligations and reservations. The obligations and reservations—

This new word "reservations" that has crept into the vocabulary of the State Department and the ICA—

obligations and reservations entered into during April, May, and June of 1959 were based on firm programs. Practically all of the still-available funds for the fiscal year 1955 and prior years were obligated or reserved during the closing days of the fiscal year right up to 5 o'clock on the afternoon of June 30, 1955.

That was after 1954 when the head of the foreign spending outfit was told, and all those connected with the program, that they must not rush into obligate unspent funds.

And how much did they obligate in the last days of June? On June 28, 1955, they obligated or reserved $376,700,000. On June 30, the last day of that fiscal year, they obligated $641 million, or almost a billion dollars between June 28 and 30, 1955, paying no attention whatever to the previous warning of the Appropriations Committee. As a matter of fact they literally thumbed their noses at the committee.

Yet we are expected here today to take upon faith the statements that money is not being wasted in this program.

How can you obligate and reserve $1 billion in the dying days and hours of a fiscal year with no firm programs? How can it be done with any intelligence? Do not tell me that money is not being wasted under this program.

Mr. SIKES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SIKES: On page 2, line 20, after the figure "$35,000,000" and before the semicolon insert the following: "of which not less than $15,000,000 shall be used for assistance to Guatemala."

Mr. SIKES. Mr. Chairman, I shall take a few moments before I begin to discuss the amendment to pay tribute to the very splendid work done by the gentleman from Louisiana [Mr. PASSMAN], and by his subcommittee. I think every one of us applauds the courage, the integrity, and the wisdom which has characterized the service of this able Member. I have appreciated the opportunity to enjoy his friendship and to work with him; and every day as I watch him stand here and fight for the things he believes in and that he knows his people believe in, I am more impressed with him and the value of his work to the Congress and to the Nation. What I say about him is true in very large measure of the fine subcommittee with which he is associated.

Mr. Chairman, one of the more courageous acts of this century was observed when Colonel Castillo Armas and his little band of valiant patriots overthrew the Communist regime in Guatemala a very few years ago. That is the only instance, Mr. Chairman, where a Communist-dominated government has actually been thrown out of power in any country in this century. We should have a great deal of interest in what happens in Guatemala. Because of the bankrupt treasury and economic unrest throughout Guatemala, because of unemployment and land distribution problems which the Communist regime left in that nation, it has been exceedingly difficult for the present administration to carry through to successful conclusion the sound programs it had developed for the economic rehabilitation of that sturdy little country. These were programs, Mr. Chairman, which were intended to insure that Guatemala, and perhaps some other nations watching Guatemala, would remain on the side of the free nations. Remember that Guatemala, by ousting the Communists, became a showcase of democracy in Latin America. But the Communists have not ceased to work in Guatemala. People throughout the hemisphere are watching to see what happens there.

The purpose of my amendment, which adds no money to this bill, is simply to carry out in this appropriation bill the overwhelming intent of the House in approving in the authorization bill the specific amount of defense support assistance to Guatemala.

The legislative intent of the House was clearly stated by the gentleman from Connecticut [Mr. DODD] that in adopting his amendment increasing defense support to Latin America the total authorization for defense support for Guatemala is $15 million.

The reason why some confusion may have arisen on this matter is because the original request of the executive branch of $5 million was classified. The classification was later removed by the International Cooperation Administration and the Department of State. Actually I could never understand the original classification in any event, since the defense support figure for Guatemala last year was not classified.

The original executive request for defense support for Guatemala was $5 million. The gentleman from Connecticut [Mr. MORANO] offered an amendment in the Foreign Affairs Committee to increase the amount by another $5 million. This amendment was adopted. On the floor the amendment which I have already alluded to of the gentleman from Connecticut [Mr. DODD] increasing the amount of defense support for Guatemala by another $5 million was adopted, making a total of $15 million in defense support for Guatemala.

The legislative intent of the House is stated in positive, clear, and unequivocal terms. The legislative intent of the other body is not stated in positive terms. The report of the Senate Foreign Relations Committee on this question reads as follows:

In the case of Latin America, the administration has programed development assistance, instead of defense support. Only two countries—Bolivia and Guatemala—are involved. The amount for each is classified, but the total, in the administration program, came to $27 million. In increasing this figure by $10 million, the committee intends $5 million to go to Guatemala and $5 million to be available for use generally in the area.

The statement in the Senate report that "the amount for each is classified" is inaccurate since the figure for Guatemala had been declassified by the executive branch. It will be noted from the statement I have quoted that the Senate committee leaves the final $5 million, which would make up the $15 million for Guatemala defense support, "available for use generally in the area." Thus the extra sum is left floating in the air. The Senate, in effect, says to the executive branch, "Gentlemen, you can do with the $5 million what you please, you can give it to Guatemala or you can give it to anybody else."

Mr. Chairman, the issue involved here is not one small Central American country, Guatemala. While we all applaud the courage and valor of the Guatemalan people in overturning the Communist tyrants who dominated them prior to the liberation government of President Castillo Armas, it is the peace and security of the whole Western Hemisphere that is involved in this issue. I, for one, and I know many of my colleagues join me, am not willing to cut down our assistance to Guatemala in this crucial turning point in her history—indeed, in the history of the Western Hemisphere. Guatemala got $15 million last year. I know that many of my colleagues are anxious to continue United States support for this courageous little country, not cut it down. Guatemala is the only country in the history of the world which has been successful in turning back the tide of Communist domination in its government. A Communist threat in Latin America is a direct threat to the United States, and indeed to every freedom-loving nation everywhere.

In presenting this amendment it is simply my purpose to remove the seemingly conflicting legislative intent. By accepting my amendment the House will show clearly that it means what it says.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Connecticut.

Mr. MORANO. I wish to associate myself with the gentleman from Florida. It is important that this $5 million that seems to be floating around be nailed down so that it will be specifically earmarked for that gallant little country who has overthrown communism. And it would serve notice in that area that we mean business in this fight against communism wherever it might crop up in the Western Hemisphere.

Mr. SIKES. The gentleman is exactly right.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Louisiana.

Mr. PASSMAN. It would indeed be rare for the gentleman to offer an amendment that would not be accepted by the Committee on Appropriations, either the subcommittee or the full committee, or the Committee of the Whole. The gentleman from Florida discussed this amendment with members of the minority and majority and without exception we agreed to make it a committee amendment and accept it as submitted by the gentleman.

Mr. JUDD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Florida, has, of course, correctly stated the position of the House with reference to the extra $5 million that it placed in the authorization bill specifically for Guatemala.

During the conference with the conferees from the other body, it was stated by them that the Senate had not removed the additional $5 million from the authorization bill but it had not left the House earmark on it for Guatemala. Thus the Senate bill carried $10 million specifically for Guatemala and the other $5 million could be used for Guatemala or elsewhere in the hemisphere if situations developed that made that seem advisable.

The senior Senator from Georgia, Mr. GEORGE, chairman of the conference committee, in his statement on the conference report to the Senate on Monday said:

> In connection with Latin America, I should also point out that it is the intention of the conferees that $10 million should be used for Guatemala.

That was not quite in accord with the understanding of the House conferees, so I promptly called the Senate committee and I received this morning a copy of a letter that Senator GEORGE has sent to the Secretary of State, reading as follows:

JULY 10, 1956.

The Honorable JOHN FOSTER DULLES,
Secretary of State.

DEAR MR. SECRETARY: During consideration of the conference report on the Mutual Security Act of 1956, I inserted a statement in the CONGRESSIONAL RECORD, pointing out that with respect to Latin America, it was the intention of the conferees that the $10 million of funds authorized for Latin America should be used for Guatemala. It is my understanding that some question has now arisen as to whether this was to be a ceiling on the amount for that country.

To the extent that it may assist the executive branch in interpreting this statement, I want to make it clear that my reference to the $10 million of funds for Guatemala should not be viewed as a ceiling on the amount for that country.

I am sending a copy of this letter to Congressman JUDD who brought this matter to my attention.

Sincerely yours,

WALTER F. GEORGE,
Chairman.

So, to adopt the gentleman's amendment today will not be in conflict with what Senator GEORGE has told the Secretary of State, although it would have been without this clarifying letter, the amendment merely ties down for Guatemala the $5 million which the Senate bill had made available for the whole hemisphere, and thus makes this appropriation bill conform to the authorization bill as passed by the House.

Mr. Chairman, I hope the gentleman's amendment will be adopted.

Mr. JACKSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think the intent of the House was made abundantly clear when this matter was under discussion here previously, and while the remarks of the gentleman from Minnesota are certainly welcome to all of us, I think that this exchange of communications between a Member of the other body and the gentleman from Minnesota may not receive any considerable circulation in the country of Guatemala itself. I think the intent of the membership of this body was to express in positive and affirmative terms the intention and the determination of the United States to see that the only nation, not only in this hemisphere but throughout the world, which has successfully repelled Communist aggression would not go unnoticed by this country. I think it is of tremendous importance that we make our position in this matter crystal clear and that we say not only in diplomatic language, not only in the phraseology of the Department of State and the language which has been brought to your attention as represented in the exchange of communications, but that the Congress of the United States in its own sovereign right say to the Government of Guatemala and to the people of Guatemala that we intend to uphold their hands by providing them the assistance which is sorely needed at this time.

Mr. Chairman, there is perhaps no country in the entire hemisphere which is today in a more precarious situation than is Guatemala. During the tenure of the Communists of that country, they raided the public treasury, and when President Armas came to power he found himself with empty coffers, so to speak. Unless something is done and done in a positive and affirmative way—and I mean no criticism of the Department in this respect because I feel that they are doing and will continue to do everything possible to uphold the hands of that Government—but I do feel that unless an expression of this sort from the people of the United States through their Congress to the people of Guatemala through their Government is delivered, that there may be a letdown, there may be a feeling of desertion and of desolation in a nation which is of tremendous importance to us in any concept of hemispheric solidarity. While I do not ordinarily approve the policy of earmarking specific amounts for specific countries, I do feel that the circumstances here are of a nature unusual enough to require that the action be taken, and I shall be happy to support the amendment offered by the gentleman from Florida.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. SIKES].

The amendment was agreed to.

Mr. VORYS. Mr. Chairman, I ask to be recognized to speak on the military part of this bill.

Mr. Chairman, the complaint is being made that the President is strenuously urging a program larger than the House has approved, without an understanding of the amounts involved. Well, I respectfully disagree with that line of argument. I am among those who have discussed this with the President and have been impressed, not only with his grasp of the strategic situation, but with his detailed knowledge of the program, of the amounts of money and equipment involved, his appraisal of the consequences of the cuts. I think we all have to vote our own convictions on this, but in arriving at a decision I am certainly inclined to rely heavily upon a successful military commander who has participated in this program when he was the commander of the NATO military forces. General Eisenhower sat and waited for American military equipment that was promised but did not come. He has had experience in this program, and I am supporting his judgment rather than the judgment of this committee, on the requirements of this program.

A number of you are voting against this program, voting to cut it and gut it, because things look peaceful now. Things looked peaceful in June 1950. President Truman said we were never further away from war. Then on June 25, 1950, the Reds attacked Korea, and within a few days Americans were there, fighting and retreating and dying.

On July 19, 1950, the mutual defense assistance program, the military part of this program that we are considering today, came to this floor. The bill passed by a vote of 362 to 1. That "1" was our former colleague, Vito Marcantonio. All of you who were in Congress then who were here that day, including my friend, the gentleman from Iowa [Mr. GROSS] voted for this program that is now called a foreign handout, a giveaway, because you all realized then that when Americans were in a scrap, it would be pretty nice to have some others able to get in there, to chip in and help us fight. You realized that it was of value to our own security to have those who were ready and willing to fight for freedom help us to defend our mutual security.

Yet, some of you today are blissfully ignoring the warnings of our leaders that, in spite of Soviet peaceful talks, there is still deadly danger of war, if we weaken our mutual defense. Apparently, the Soviet propaganda is having its effect in this country, in many directions, in many ways.

In 1951 I was a delegate to the United Nations. Vishinsky attacked the American delegation saying that this mutual security program was to buy Hessians, mercenaries he said, to support and defend the Wall Street monopolists. We then made, in response to that charge by Communist Vishinsky, the answer that was made by the gentleman from New York [Mr. TABER] today, when a similar charge was made. When we do this, when we appropriate for mutual security we are not buying Hessians. We are, in addition to aiding our own security, giving other people who want to be free a chance to defend their homeland with our help.

As arguments against this program, newspaper reports have been quoted today, giving discouraging news about this program in Japan, Cambodia, Yugoslavia, Iceland, and elsewhere. I appreciate the value of a free press, but I doubt the wisdom of legislating on the basis of newspaper reports. Doubtless, however, such news has its effect. I wonder how much effect the reports of these wholesale cuts have had in discouraging our allies.

This program is for defense, our defense, planned and directed by the same people who plan and direct the rest of our defense, the President and the Joint Chiefs of Staff and their assistants. This House has voted almost unanimously for defense appropriations of about $35 billion. We voted the other day for military construction in the amount of $2 billion, which included money for our overseas bases. Those amounts were not cut. One of them was increased. But when it comes to the money to guard these bases, to keep them out of enemy hands, to maintain them in friendly hands for the operation of our planes, our ships, we cut the appropriation over 45 percent below the amount that is considered vital by the same men who plan the rest of our defense. It just does not make sense. It is just as if we voted for B–52's, all except for landing gear, and then cut the strength of the landing gear 45 percent because we do not like the bookkeeping in the Defense Department. Can we in the House plan better how and where to land and take off a B–52 than those who designed it? We are monkeying with the landing and takeoff of our bombers when we cut this base-protection money this much.

Mr. VORYS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr VORYS. None of this request is for money in general. Exactly what each dollar is for, exactly what each country is to get and why, is shown in 3 secret books available to 2 of your committees, showing exactly how many planes, minesweepers, trucks, and howitzers, how man rounds of ammunition, how much for shipping, how much for training, and how much for men.

I agree with those who criticize the speed with which this program has been carried on. It has not been done fast enough. I agree with those who criticize past Defense Department bookkeeping, and with those who criticize the way the program has been explained to Congress and the public. But when we cut this program, tailor made, weapon by weapon for each of these countries, by an amount of 45 percent over the request, we injure our own defense for the purpose of scolding the Pentagon for its redtape, its bookkeeping, its public relations. If these weapons are needed, we do not speed up their delivery or unravel the redtape by cutting off the money for the weapons.

You talk about having $5 billion on hand, as if you could replan and dispose of it again. That money has already been programed.

I want to read what Admiral Radford said:

> We have already communicated to our allies in Europe the details of the items which we plan to furnish to them under prior programs. Their defense plans are based upon receiving this equipment. Any diversions of this equipment would completely destroy their defense planning and give rise to fear that we have lost our interest in NATO; and would also reduce their expected defense capabilities, which have been taken into account in our own military planning.

The $5 billion of unexpended military balances that are on hand have already been programed and we have told the countries what they may expect to get, as our military people had a right to do after the money had been appropriated. If we go back and attempt to replan that money, that means taking it away from countries that are planning on it and, as Admiral Radford said, it would also reduce their expected defense capabilities, which have been taken into account in our own military planning.

Therfore the question is: How much do we need in new moneys to carry on the program.

As has already been pointed out, we have certain fixed charges that go ahead each year whether we have a small or a large program. The first billion to come out of this would cut Europe more than half, about $600 million, according to Admiral Radford, and then would cut Korea 23 percent. You have heard the gentleman from Michigan [Mr. FORD] tell you how the Korean military money was put into this program only last year. Well, you are going to cut it 23 percent, even though a lot of that war material we left there, trucks and other material, has worn out and needs to be replaced. We are going to cut Korea 23 percent, Formosa 14 percent, Pakistan 27 percent, Turkey 24 percent, Greece 42 percent, and cut in two the advanced weapons program which is at the heart of the future for this program. It will take about 3 years to prepare the equipment for the advanced weapons program. If you cut it out now and delay it until next year, it will not be ready 3 years from now. If you carry out the program that is proposed by this committee, it will come to a stop in a little over 2 years. The only way you can take care of it beyond that period is to make it possible to plan and order these complicated weapons now that will be needed 3 years from now.

I do not believe that every military request is sacred. I have voted to cut past requests. I voted to cut this one half a billion dollars, because I went through the request and picked out items I thought could be trimmed or delayed. But this $1.265 billion cut is too big. I am going to go along with whatever the members of the committee do with respect to trying to increase this bill in the House, but I believe that we make a great mistake when we cut it so deeply that we injure our own security.

Mr. ROONEY. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I rise at this time to defend my good friend the gentleman from Iowa [Mr. GROSS] and many others on the left side of the aisle with regard to the statements made by the gentleman from Ohio [Mr. VORYS]. The gentleman from Ohio pointed out that on July 19, 1950, there was a vote in this House and that the only one who opposed the passage of the bill on that rollcall vote was the late gentleman from New York, Mr. Marcantonio. That vote was for the Mutual Defense Assistance Act immediately following the invasion of the Republic of Korea by the Communists on June 25, 1950. This was not an appropriation bill. The gentleman from Ohio is absolutely correct, so far. But, that was a lapse, a very brief lapse on the part of our friends on the other side of the aisle. Today we find that some of them again are all out for military assistance—which was not their position throughout the Korean war. That was not their position on the 28th of June, 1952, when the bill H. R. 8370 containing funds for the mutual security of our Nation was before this House for consideration. You may recall, as is shown in the CONGRESSIONAL RECORD, volume 98, part 7, page 8521, that an amendment to that bill was offered by a former Member from Michigan, Mr. Crawford, which sought to make a cut—not in the foreign aid funds so to speak, but in the military assistance funds to the extent of $145,600,000 after the subcommittee and the House Committee on Appropriations, under the leadership of the distinguished gentleman from Virginia [Mr. GARY] had already cut, not the entire bill, but the military assistance funds to the extent of $200 million.

Now I want to defend these certain gentlemen with regard to the remarks of the gentleman from Ohio [Mr. VORYS] because on that particular day, the 28th of June, 1952, they had the courage to oppose appropriations for military assistance. This so-called Crawford amendment was adopted on that day by a rollcall vote of 173 to 167. Now, let us see who voted for that meat-axe cut. We have the gentleman from New York [Mr. TABER], the gentleman from Massachusetts, the distinguished minority leader [Mr. MARTIN]; the minority whip [Mr. ARENDS] who had a live pair in favor of the amendment, as did the present chairman of the Republican National Committee, our former colleague, the distinguished Len Hall. We also find among those opposed to the military assistance appropriation the distinguished gentleman from Indiana [Mr. HALLECK], the gentleman from Minnesota [Mr. ANDERSON], the gentleman from New York [Mr. KEATING] who made such a plea here yesterday not to cut military assistance. We do find the gentleman from Louisiana [Mr. PASSMAN] voting for that amendment and I admire him for his consistency. He followed the pattern and the position he has taken ever since the inception of the foreign-aid program. But I do not understand this switching around all the time on the part of the other gentlemen. Military aid today is so much more important than it was on June 28, 1952, during the Korean war? I do not believe it.

I do not understand a great many things going on. I do not understand a dispatch on the AP wire this morning which said that the Soviet Ambassador in London, Jacob Malik, is an Ike for President booster:

"I am for Eisenhower," said Malik. "The people of Europe know him. They like him and trust him. We can do business with President Eisenhower."

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. VORYS. I have voted repeatedly to cut and trim this program and offered an amendment to trim it $500 million this year. When it comes to cutting it a billion two hundred million dollars in military assistance, that is a different thing.

Mr. ROONEY. Does not the gentleman see his inconsistency? How can he justify cutting the military-assistance fund when we had the trouble in Korea? Does the gentleman deny that the facts I have adduced here today are correct?

Mr. VORYS. Oh, the rollcall is absolutely correct, and the gentleman will find I have repeatedly voted to cut this program, but not to gut it, as this bill does.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended 5 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield to my distinguished colleague from New York.

Mr. KEATING. Like the gentleman from Ohio [Mr. VORYS] I have frequently voted to reduce certain appropriations for foreign aid or military assistance. Every time a bill like this has come before us I have tried, as best I could, to analyze the evidence pertinent at the time. There is one very important difference, however, between the situation in 1952 and now. We had a different group of advisers advising us then as to the amount which it was felt was necessary. Without any attack on their sincerity, very frankly I had much less confidence in their judgment on these matters than I have now. President Eisenhower, in whom I have the utmost confidence, urges that the figures in our authorization bill are the very minimum that is needed, not to defend some other country, but our own. I confess this is very persuasive with me, because I consider that we have never had a leader and adviser who is as well equipped to tell us in accurate terms what is needed for the defense and security of our country.

Mr. ROONEY. Does not the gentleman recall the position President Eisenhower held at that time, in June 1952? Was he not one of President Truman's principal advisers? Was he not at the time supreme commander of NATO forces? Does not the gentleman feel that the cut in this bill which is now going to the other body—military assistance—is entirely unconscionable and too drastic?

Mr. KEATING. I think it is too drastic.

Mr. ROONEY. Then would the gentleman——

Mr. KEATING. If the gentleman will yield further.

Mr. ROONEY. I do not yield further at this moment. I will inform my friend when I am ready to yield. I want to make this point, that at the time the gentleman from New York [Mr. KEATING] voted to cut the military assistance funds during the time of the trouble in Korea, to the extent of $145,600,000, in the supplemental appropriation bill of 1953, those funds had already been cut by $200 million.

I yield to the gentleman from Michigan [Mr. FORD]. Incidentally, before I yield I would like to give this distinguished gentleman credit for his consistency, as well as the gentleman from Massachusetts [Mr. WIGGLESWORTH] and the gentleman from Pennsylvania [Mr. FENTON], because on the rollcall to which I referred they stood by their best judgment. They did not stand for any sheepherding or any voteherding or any such thing.

Mr. FORD. I appreciate the opportunity to say a word in response to this last colloquy between the gentleman from New York [Mr. ROONEY] and several others. The gentleman from New York is now consistent with the position he took in 1952.

Mr. ROONEY. I am consistent.

Mr. FORD. Apparently the gentleman is saying that the gentleman from Massachusetts [Mr. WIGGLESWORTH] and myself are consistent, both then and now. Of course it would be very interesting if the gentleman would analyze the vote that he refers to and the vote which took place in the Subcommittee on Foreign Aid a week ago last Monday, and the vote which was taken in the full Committee on Appropriations last Friday. The gentleman knows that in the full committee last Friday the vote on this issue, military assistance, was 24 against an increase to the House authorization figure and 22 for the increase. The gentleman also knows that on that vote only 4 members of his political party voted for the increase and 18 members from this political party voted against the increase.

Mr. ROONEY. I do not remember the exact figures, but perhaps the gentleman from Michigan is substantially correct. And that is exactly the situation that my distinguished friend, the gentleman from Louisiana [Mr. PASSMAN] has been talking about. How was this whole business lined up?

Mr. FORD. Will the gentleman yield?

Mr. ROONEY. I yield.

Mr. FORD. I think it is unfortunate that any politics has been injected into this very serious problem. He is trying to be consistent, and I have tried to be consistent. Others may have changed their minds in the interim since 1952. I do not think it is right to be critical of a change of mind with reference to this program. Certainly when something involves the security of this country we should not throw it into the political arena. I hope we will forget partisan politics on this appropriation bill.

Mr. WHITTEN. Mr. Chairman, I am opposed to this bill. Investigations by my subcommittee disclose that more than $2 billion of foreign aid funds, provided by the United States, have been used to promote increased foreign agricultural production, largely for export. Much of such increased foreign production which we have financed are in the very commodities in trouble here in our own country.

Investigations by the staff of the Appropriations Committee disclose that this foreign aid group handles its money in such a lax manner they do not even know how much carryover they have themselves. A cursory check with anyone who has been in these countries we aid will disclose tremendous waste.

Instead of foreign countries increasing their own defense, they are cutting back; and this administration, this Government asks billions of dollars more to take up this slack.

The chairman of this committee says that this appropriation will make available more than 10 billions of dollars for foreign aid, enough to last 33 months. In fact, he says, and I agree with him, that "if not a dollar were appropriated this year the program could go ahead."

Mr. Chairman, I went before this committee and presented in detail the findings of the investigators on how we, through foreign aid, are putting our own people out of business. The details are in the hearings. I have seen this situation and its causes for some time. I had the investigation and had the facts to prove the soundness of what I tell you. My suggestions to the committee were as follows:

Include the following language:

Provided, That no part of the funds herein appropriated shall be available for expenditure so long as the funds heretofore appropriated for such purposes and unexpended by the Mutual Security Administration exceed $3,000,000,000.

Or after such cuts as are possible, place part in reserve, certainly place in reserve all amounts above the President's private request in January, to be released only by the Bureau of the Budget or the President and include the following restriction:

Nor shall any of these funds be used for technical or other assistance for agricultural production of commodities in surplus in the United States, exported by such country.

I then urged an investigation by committee investigators of the Appropriations Committee on the following points:

EFFECTIVENESS

First. Profiteering on United States aid (a) by American interests, (b) within foreign countries.

Second. Economic level—foreign countries aided (a) prewar, (b) present.

Third. Cut back in foreign contribution as United States aid increased (a) military, (b) economic.

For some reason the committee would not take these actions. I can see that some perhaps had rather not be charged with knowledge of all the facts.

This whole debate has been based on how much the amount was cut by the committee when in actuality after the

cuts, which were only cuts in the President's request, the bill carries some 30 percent more than we had last year. It is the case of the administration, whichever one it may be, requesting some huge sum for foreign aid, and then practically every member who helps put this deal over each year, goes home and tells how much he helped cut out. Remember the only cut here is in the President's greatly increased request.

In the last campaign I told the Democrats in Mississippi that President Eisenhower offered us no improvement on the things to which we were opposed. I regret to say subsequent events, as shown here in his request on this foreign-aid bill, and in many other fields have proven I was right.

However, even then I could not foresee the effect the election of a Republican President would have on the voting of such of my Republican colleagues as the minority leader and minority whip, such as my friends on the Appropriations Committee, the gentleman from New York; my friend, the gentleman from Massachusetts; my friend, the gentleman from Kansas; the gentleman from Ohio; folks with whom I have cooperated and worked through the years for conservatism in government, including foreign aid and similar questionable programs. If any one had told me they would reserve themselves completely, I would not have believed them. I know they are men of integrity and I have the highest regard for them, but there is something about having their President in the White House that affects their voting record and I am forced to presume it has affected their feelings, for certainly I could not afford to say they would have changed their position of years from pressure alone and be here not only supporting a 30 percent increase over last year but advocating even more.

Mr. Chairman, I recently told the people in my district that perhaps one of the soundest reasons for electing a Democrat President was so our Republican colleagues in the Congress could vote their convictions or perhaps in kindness, I should say, return to their former convictions. I believe it would be good for the country.

Mr. HALLECK. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, a little while ago the gentleman from New York [Mr. ROONEY], for whom I have the highest regard, read something that he said was on the teletype. I do not know whether it was or not. But what he read was that Soviet Ambassador Jacob Malik said, "I am for Eisenhower." He said, and I refer to Ambassador Malik, "the people of Europe know him; they like him and trust him. We can do business with President Eisenhower."

Now, I do not know for sure just what the gentleman's purpose was in reading that, but I would like to remind some of my friends on the right that a few days ago the policy committee of my party in the other body issued a staff report, and they said in that statement, quoting, that some convicted Communist in this country wanted the Democratic Party to win. I never heard such an outcry in my life from the people of your party as a result. Why, you said, that is associating us with communism, you are accusing us of being soft on communism, and we resent it.

I want to say to all of you and to the gentleman from New York, again may I say I respect and admire him, to use whatever Malik said for what seemed to be an obvious purpose hits something of a new low, and I think the people of this country will resent it.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from New York.

Mr. ROONEY. Does the gentleman understand that I merely read verbatim what appeared in the Speaker's lobby as an AP dispatch? And I should like to inquire what interpretation does the gentleman place on Mr. Malik's remarks, assuming they are correct?

Mr. HALLECK. I would not know what interpretation to put on his remarks, but the very fact that the gentleman saw fit to bring that press report in here and read it, in my opinion, is susceptible to but one interpretation, because the gentleman speaks too well and too brilliantly to be up here for exercise only.

There is another thing I would like to point out to my friends on the right. As far as action here today is concerned and the action yesterday in the Appropriations Committee as it has now been disclosed, who would be the friend of the Russians? Would it be the people who voted to provide the requested military assistance to develop our offshore strength to counter the threat of the Russians or the Communists, or do you find the people who oppose it in the corner with the Russians and their threat to us?

I deeply regret that this matter has taken such a turn. The gentleman from Michigan [Mr. FORD] was correct when he pointed out this sort of legislation should not be the subject of politics. But I would like to remind my friends on the right that when we look in the RECORD to see what happened in the past, we find that I was majority leader of a Republican 80th Congress. The President was of your party and his name was Harry S. Truman. Communist aggression and infiltration threatened the world. I could make quite a speech, as I did when the Marshall plan was here on the floor, as to why something had to be done at that time. But may I say, as I said then, mistakes of the past many times must be forgotten and what we must do is to provide for the present. Your President asked the Republican 80th Congress to provide interim aid to France and Italy and to give aid to Greece and Turkey. Why? To meet Communist aggression. Yes, and he asked us for the Marshall plan.

I would like to remind you that it was the Republican 80th Congress, under Republican leadership acting out in front, that responded to the request of your President to meet the Communist threat. In the light of such history, it seems to me your conduct here today comes with poor grace, to say the least.

Actually I had not proposed to get into this debate, because it seemed that no effort was to be made to raise this additional amount. But, I would just like to say that I have consistently felt from the beginning that we could not stand alone in the world. As I pointed out the other day in another debate, we cannot go back to that time when a million farmers could successfully meet the enemy at the Atlantic and the Pacific with pitchforks and shotguns. We cannot go back to the time when we felt safe with control of the seas was sufficient for us. We are living in an age when stratojet bombers travel 500 miles or more an hour, and enemy bombers can travel that fast against us. So, in my opinion, you cannot bring the defense of the United States back to our own shores. How gratified am I—and I am glad that I had a part in it—that our bases are scattered all around the periphery of the Communist area.

Let me ask you a question, those of you who have refused to go along with the amount which finally came back as an authorization bill—and I think that is why we should be here today—suppose we had any idea at all of being the aggressor in a world conflict and we found ourselves ringed with air bases, as our bases and those of our allies ring the Communist Russian people; we would think twice before launching an offensive war; would we not?

Mr. HALLECK. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. When an attempt was made to move into Guatemala, we got busy; did we not?

I want to emphasize that if we were ringed around with that sort of an operation against us, we would be mighty unhappy about it, and we would assuredly hesitate before starting an aggressive action against anyone.

Now, what have we developed in this program? We have developed a defensive structure under which we have, in friendly places, where we can look for protection by our bases and our operations, facilities that will handle B–47's, in England, in Turkey, in Spain, and in north Africa, within striking distance of Russia, able to deliver effective counterblows, if need be. These are bases a potential enemy would not dare bypass in an attempt to strike us. Offshore defenses I call them, offshore protection for the security of the United States of America. And, all I can say is that you people sitting on this right side of the aisle must take responsibility for the reduction that has here been had, starting with your heavily supported action in the Appropriations Committee. If you had been consistent, if you had followed the President of the United States, as the President of all the people, and if you had been willing to follow him on this occasion, a Republican President with a Democratic Congress, even as I in a Republican Congress back in 1947 and 1948 responded because I thought it was right, to the request of your Presi-

dent, then we would have this bill in an amount which it ought to be. But, no, you did not see fit to do that. So, here we are.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from New York.

Mr. ROONEY. Why did not the gentleman ask me, since I was the ranking Member who would offer the amendment in the full committee or the subcommittee, to offer an amendment on the floor of the House here today to increase this fund for military assistance?

Mr. HALLECK. Having asked me that question, I think the gentleman will permit me to say that I spoke to the gentleman on the floor the other afternoon, when this was getting under way, and I said to the gentleman that I certainly hoped he would offer such an amendment. The gentleman will recall that. And, it has become very obvious that for whatever purposes may be yours—I do not challenge them; I do not question them; you are the masters of your own consciences; you are the determiners of what you ought to do in respect to what you think is right, but it has been very obvious since this matter got under way that there was no substantial support on your side of the aisle for the restoration of these items, evidenced all the way through. So, I say to you yours is the responsibility.

Mr. PASSMAN. Mr. Chairman, I move to strike out the last word.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Ohio.

Mr. HAYS of Ohio. I think it is pretty obvious, since the motion to recommit lies with the minority, that if the minority whip, who has just spoken, is serious about this, that they could offer a motion to recommit with instructions to raise this amount, and we will get a rollcall.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman if he will get me additional time.

Mr. HALLECK. Mr. Chairman, I ask unanimous consent that the gentleman from Louisiana [Mr. PASSMAN] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman from Ohio is a distinguished parliamentarian. He knows that when you offer a motion to recommit on the minority side, the Member must qualify by saying he is against the bill. I do not know of anyone over here who would deal so loosely with the true facts as to get up and say that he is opposed to the bill and then undertake to put more money into it on the theory that he was opposed to the bill.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman.

Mr. HAYS of Ohio. I have seen it happen that Members have said they were opposed to the bill in its present form and that has been accepted. That would be, I think, an acceptable way of doing it. I think the gentleman is only quibbling about technicalities now.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from New York.

Mr. ROONEY. I wonder if the distinguished gentleman from Indiana [Mr. HALLECK] would permit me to make a bit of a canvas among his colleagues on that side of the aisle to see if we might be able to find a few Republican Members who could offer an unqualified motion to recommit.

Mr. HALLECK. Mr. Chairman, would the gentleman yield to me?

Mr. PASSMAN. I yield to the gentleman from Indiana.

Mr. HALLECK. I know the gentleman from New York is an expert on his side, but I doubt that in the limited time available he could become much of an expert on our side.

Mr. PASSMAN. Mr. Chairman, I was in hopes that we would not inject too much politics into the debate on this bill. Let us face it realistically and go to the record.

Last year my friends on the left supported my position on the House floor by voting for only $738 million for military aid for the fiscal year 1956. Then the other body increased it to $1,056,000,000. That was an increase of $321 million last year over what was supported in the committee and on the floor. Then during the conference we found a little unused balance of $302 million. So in the final bill there was a total of $629 million over and above what my friends on the left supported in the subcommittee, the full committee, and in the House.

I want to state for the record that we are allowing this year, for the military, when you include the amount of money that we are reappropriating, $1,930,000,000. If you subtract from that the amount that my friends on the left supported last year on the floor of the House, it means that in this bill you have $1,181,000,000 more than they supported last year. And last year they stated that that was a sufficient amount to carry on their program.

I do not want a single Member left under the impression that you are crippling this program. In my opinion they have more money than they need in this bill. I repeat what I said a few days ago, if you do not give this program any additional money this year, you could come back next year and find the program still in operation. Your pipeline is now long enough so that you would not be doing any damage.

If we pass this bill as presented to you today, you will have $10,302,000,000 to continue this program next year. That amount will carry it on for approximately 33 months at the average rate of expenditure during the fiscal year 1956. And those Members who have read the hearings and the report know, as I do, that they do not need 1 dime more than has been recommended in this bill. I hope you will consider this bill on the basis of what they had last year, what my friends on the left supported last year, and what you have in the bill for the new fiscal year.

I yield to my friend, the gentleman from New York [Mr. TABER].

Mr. TABER. The only thing I have to say is that the Members on the left, as the gentleman calls them, on the appropriations subcommittee with one exception all voted for a figure as large as the House authorization bill, and that was the only thing that we could do at that time. As to the small cuts that were made in smaller items later on, the big item was only a 2-percent cut. Nobody is going to get much excited about that, and they could not in the committee or on the floor. You could not expect them to. On that one thing, I felt and I so stated, and the Members who were sitting here with me and one other felt, that it was not enough. I still feel the same way I did then.

Mr. PASSMAN. Does the gentleman disagree with the figures I just read?

Mr. TABER. Yes, I do.

Mr. PASSMAN. Will the gentleman agree that we increased the amount $1,180,000,000 over what the Congress voted last year?

Mr. TABER. No; I would not do that.

Mr. PASSMAN. The gentleman will have to if he refers to the report.

Mr. TABER. We appropriated for military assistance last year $1,358,000,000. Frankly the report does not show that, but that is the fact.

Mr. PASSMAN. I am speaking about what we voted for before the other body increased it.

Mr. TABER. The gentleman asked me about what the Congress voted.

Mr. PASSMAN. I had in mind what the House voted.

Mr. TABER. The House voted the lower figure.

Mr. PASSMAN. The gentleman supported the lower figure last year, did he not?

Mr. TABER. I did, and I did it because Mr. Hensel, the Assistant Secretary in charge of that item, had told us that there would be $500 million left that would be unobligated. Then when they got down to a day or two before the bill was coming up in the Senate, they started calling up and they wanted to obligate all that money.

Mr. PASSMAN. Is it not true that even after the cut last year for the military, they ended the fiscal year with $240 million unobligated?

Mr. TABER. Yes; they did.

Mr. PASSMAN. Does not that indicate they had sufficient money last year?

Mr. TABER. Yes; they did.

Mr. PASSMAN. What leads the gentleman to believe they would require more money next year than last year?

Mr. TABER. They have a different management in this Mr. McGuire.

Mr. PASSMAN. Does not the gentleman agree that $1 billion extra is a high enough price for the new management?

Mr. TABER. The reappraisal is over and the job is being done now, and the stuff is getting out for the first time.

Mr. PASSMAN. I am very fond of my friend from New York. I am sure the gentleman from New York will agree that they do not need more money next year than the amount in this bill.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

I was a little surprised this afternoon. As you know, this program has begun now to carry in large part what is needed just for the maintenance of the indigenous or resident forces in these Asiatic countries that are threatened by the Communists continuously. It has reached the point where it carries just the money for the military supplies and equipment and the sustenance of the troops that are involved in those countries that cannot afford to raise the money to maintain the sort of armies that they need. We have better than 20 divisions in Turkey. Including the reserves, we have 3 divisions in Korea. We have a large number in Formosa. We have a large number in the Philippines. In Japan, we have reached the point where we do not have any troops there except on the main island. Are we going to run out on our obligation to keep that going? You know the military supplies were largely furnished in the early days of this so-called Marshall plan out of military sources, and the Marshall plan was used as an aid to their economic condition. But following the Korean war, and in 1955 we gradually got into the situation where we were taking care of this thing out of the funds provided in this bill. That is why the dollar requirement has to go up, and that is why it does go up. The fact that we supported a lower figure on the basis of testimony by the Assistant Secretary in charge of it a year ago is of minor importance. We are living in the present. We are facing the present and we are not going to get into a discussion of ancient history. When the fellow who is in charge of a job tells you that you can go for so much and do a job, it has been my practice to do it. When the fellow in charge of a job really demonstrates that you need to go farther than you went the year before, I am willing to go along with him. But when he does not show that, I cannot go along. That is the picture and that is the reason why I am supporting this and why I would support a larger figure this year. Frankly, I did that in the committee. I did not see what the objective of these folks was who were going out trying to play politics with this thing, except that they must have been afraid that they could not justify their position based on the merits of the question when they got back home and they want some kind of holler to cover themselves up. Now that is the only excuse I can see for anybody to get up here and holler politics into it. I hope instead of that approach we will have an approach based on a judgment of the merits of the situation and stick to that.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. JOHNSON of California. I think the preliminary to what you are talking about occurred in 1953 when the Committee on Armed Services sent six of us to many of the trouble spots all over the world to deal with and inspect and discuss the military programs and the progress of the assistance groups there. Their purpose was not to have any Americans do any fighting because we had declared in 1950 that we did not want to do any more fighting with our own personnel. But their purpose was to teach the local people the art of warfare and how to use weapons and things like that. The MAAG's worked very closely with the Ambassadors in the various countries where they were stationed.

Here are the places we went to.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JOHNSON of California. Here are the places we went to—Wake Island, Japan, Korea, Okinawa, Formosa, Hong Kong, the Philippines, Singapore, the Malayan States, Indochina, Thailand, Burma, India, Pakistan, Lebanon, Syria, Egypt, Italy, Spain, Portugal, French Morocco, and the Azores. We found that these MAAG's were doing a very fine job and were dedicated to their work and mission. It was evident to us that great care had been used in selection of the personnel of these groups. To me they were doing a fine work, of which we can be proud. We sent our report to the Defense Department and they screened it thoroughly and agreed to it 100 percent. We also sent our report and our recommendations, some of which were classified and are in our safe in our committee, and they agreed with it 100 percent. I hope that what the gentleman is arguing for will come to pass today. I am glad I was a sort of pioneer in helping this along.

Mr. TABER. Mr. Chairman, I am glad the gentleman came into this, and I hope that before this bill goes to the White House for signature the situation will be resolved on the need of the Government of the United States for this program, and nothing else.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. VORYS. There has been much discussion of the cut made last year because of the Defense Department bookkeeping. It was not discussed as to whether that added up to a $600 million cut or $400 million cut, but when the cut was made it was not the intention of the committee or of the Congress to cut the items out of the program that were referred to. It was intended to administer a rebuke to the Defense Department for the way they kept their books.

Mr. TABER. It was partly that and partly the admissions of the man in charge of the thing as to what was needed.

The CHAIRMAN. The time of the gentleman from New York [Mr. TABER] has expired.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, in order that there be no misunderstanding as to the position of the gentleman from New York [Mr. ROONEY] in relation to offering an amendment to increase the amount, I think in all fairness it should be stated that in the judgment of the leadership on both sides it was thought that that would be unwise, and that in the long run this bill passing this body and going to the other body and being acted on in conference, the situation might develop that it would be in the end quite satisfactory.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MARTIN. I think the gentleman might also add that it was the expectation of the leadership that they would get a larger amount by this arrangement.

Mr. McCORMACK. I agree with the gentleman. I think that statement should be made. It is not one-sided. There have been consultations. The leadership has a responsibility. I have always been for a strong authorization bill and for a substantial appropriation in connection with our mutual aid. I favor, personally, increasing the amount. I am hopeful, and I feel confident, that by the time the bill gets through the other body and through conference, there will be an amount appropriated that will be satisfactory or approximately satisfactory, having in mind the honest divergent views entertained by different Members of this body. So I think in all fairness to the gentleman from New York [Mr. ROONEY] I should say that he was willing to make the amendment to increase, he intended to do it, and I advised him of the conferences with the leadership on both sides and as to our judgment as to what the policy and procedure should be as far as the bill in the House was concerned, and later our efforts when the bill is in conference. I am not going to get into any other subject. I like to talk politics. I love it. But I am not going to go into an answer to the rather emotional utterances of my friend from Indiana [Mr. HALLECK]. I think the world of him. So I will confine my remarks to the brief statement I have made, much as I regret curtailing my remarks, because I love to talk politics. I would simply say that the leadership on both sides have assumed their responsibility. We are going to do the best we can. We are all in agreement that the amount should be increased and that it is better perhaps to let the bill go through, and ultimately as it comes out of conference an amount will be appropriated that will be quite satisfactory.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Did I understand the distinguished majority leader to say "We all agree when it goes to conference that the bill will be substantially increased," indicating we had agreed?

Mr. McCORMACK. No; I said we hoped.

Mr. PASSMAN. We have a right to hope.

Mr. McCORMACK. Well, hope, of course, is a very very powerful influence. I think my friend from Louisiana will not challenge, I presume, that there might be a reasonable expectation of having the hope attained. Is that right?

Mr. PASSMAN. The gentleman has made a very fine statement.

Mr. McCORMACK. May I say that the gentleman from Louisiana has always, even under difficult conditions, cooperated with the leadership of his own party.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GROSS. What about the responsibility of individual Members of the House on this issue? That I know has not been settled by the leadership.

Mr. McCORMACK. No; there has been no settlement.

Mr. GROSS. I do not know how you could construe it any other way.

Mr. McCORMACK. The gentleman of course, can construe it any way he wants to.

Mr. GROSS. No; I thought the gentleman was construing it the other way.

Mr. McCORMACK. I simply said that the leadership felt that after the bill came out of conference, having passed the other body and been considered by the conferees, that we are hopeful and confident there will be an increase in the amount which will be over the amount of the bill reported out of committee. The gentleman can exercise his individual responsibility as he always has exercised it; and I may say I admire my friend for doing it.

Mr. Chairman, I yield back the balance of my time.

Mr. LANHAM. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. LANHAM. Mr. Chairman, I want to supplement the statement I made on the floor this morning. I stated that I had always supported the foreign-aid program and that I was supporting it this year, and that I would vote for the entire amount requested if the present administration really had an effective foreign policy. I also spoke of the fact that the President had taken out of India, probably the most sensitive spot in the world today and the country it is most necessary for us to hold in our struggle on behalf of the free peoples of the world—had taken out of India the man most fitted to be our Ambassador to that sensitive spot, and urged him to run for the United States Senate from Kentucky.

In addition to that the Republicans have sent Mr. NIXON, to build him up for the Vice Presidency, on a trip around the world, and now he has actually gotten into a squabble with Mr. Nehru, the very man the President has failed to see at this time and whose coming the President has postponed indefinitely; yet to prove that he is strong enough to run and be elected again he is going down to Panama.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. No, I do not yield at this time.

A word about our policy. I told you that we had no real policy in the Middle East. That is absolutely true. Our own representatives there are demanding that we have some sort of policy. Even if it is wrong we ought to have a policy there, but we have no firm policy in the Middle East.

Here is an article from the Washington News that asks: "What is our policy toward the neutrals?" Mr. Eisenhower has said one thing, Mr. Dulles has said another, and now Mr. NIXON has gotten into a squabble with Nehru about what our policy is.

That is a terrible situation. If India goes Communist where are we? We are lost. Cambodia has gone, because you did not have any policy there. Now, what policy does the administration have? What is its foreign policy? What is its foreign-aid policy other than to pour out more money and ship arms overseas?

Somebody asked the other day if these foreign countries came over here with trucks, backed them up to the Treasury doors and loaded them up with greenbacks and gold? No; they do not have to come here; our representatives go over there and urge them to take our money. The administration has no policy other than to give them money and to send more arms to them.

What is our policy, I ask again, with reference to neutrals? Nobody knows. You do not know, I do not know, and, apparently, Mr. Eisenhower does not know or he is contradicted by those who represent him.

The gentleman from Indiana spoke of the United States bases overseas. The administration is claiming that they do not need the additional money for the B–52's that we voted—and I am happy we have—because, they say, we have this ring of bases and we can use these. They say we have this ring of bases around the world, and do not need to depend upon intercontinental bombers.

But here is what the U. S. News & World Report says about that, and that is a magazine which is very friendly to the Republican administration: "United States bases overseas going, going"—then a blank.

You will remember the old Herpicide ad. It showed the picture of a man almost bald. I used to pay attention to that when I was younger. It said, "Going, going," then, "too late for Herpicide."

Our foreign bases are going like that man's falling hair. They are trying to run us out of Iceland. What are you doing about that?

Here is what the U. S. News says:

> Air bases in Morocco, Libya, Saudia Arabia may be too expensive. In Spain and the Azores they are not ready. In Iceland United States may lose.

Recently they held an election in Iceland and the man who wants to move our bases out of there was elected. What are we going to do about these bases? If we cannot depend on these bases that we now have, we better have many more B–52's.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. PASSMAN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

Mr. CORBETT. Mr. Chairman, reserving the right to object, I wonder if the gentleman will use some of his time to correct what he said about the President refusing to see Nehru.

Mr. LANHAM. I did not mean to say he refused to see him.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LANHAM. Mr. Chairman, I said he had postponed his visit here indefinitely. That is exactly what the newspapers report. The gentleman may know better, but according to my information he is going to Panama instead of seeing Mr. Nehru now.

Let me continue with the quotation:

> Almost anywhere—
>
> The U. S. News & World Report says—
>
> you turn you can find an American base in trouble. A whole defense network is involved.
>
> Talk of pushing Americans out of Iceland isn't half the story. The United States has its problems in Morocco, Saudi Arabia, and elsewhere.
>
> Look at the bases from the North Atlantic to the Middle East and you see what is ahead for key outposts of the United States.

I will go along with increased appropriations for the foreign aid program if you will get a program that is really effective. If the administration comes up with a firm foreign policy I will go along with you so long as we have something that is sound, but until you do that I am going to vote to increase our own strength. I think our B–52 program should be stepped up, especially in view of the serious situation with our bases abroad.

Mr. DEVEREUX. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I would like to address myself to the point we are considering here this afternoon without getting off the track. I am sorry that many of you were not present when the gentleman from Michigan [Mr. FORD] made such an able, clear, and sound presentation of the military section of this bill. His points were so well made that they bear repeating.

First of all, I think we want to consider that this bill is a mutual security bill, not a foreign-aid bill. That speaks for itself.

The next point he made. All we are doing here today is shifting the funding from Army appropriations to this particular bill.

Another point he made that I think is excellent is that presently we do not have the munition reserves built up among our allies abroad, and if we do not build them up, then they will have to rely on our own munition reserves in this country. It is far better to get those reserves to the point where they may be used rather than to jeopardize their delivery. I refer to war conditions when we might not be able to get them abroad in time.

Another point he made, as to the wisdom of the entire program, we must remember that as we build up our friends, we are then able to reduce our forces. We have reduced them by one-third since Korea.

Now, as to the saving in money, I will repeat that point again, too, because I think it is most worth while. Remember that we can keep foreign troops in the field for one-tenth of what it costs to keep our own troops in the field. As to the saving of manpower I spoke of, remember that as we save military manpower in this country we then channel that manpower into our industry and thereby increase our industrial potential.

Another question that has been brought up is the question about how much is being fed into the pipelines today. I say to you that if we cut off the amount of materials going into the pipeline, eventually that pipeline will go dry; in other words; we will have a feast and famine situation, off again—on again, a condition that we have largely been able to straighten out so far as our own forces are concerned. Let us make possible orderly planning for our allies.

In conclusion I would simply say that this bill makes possible the defense of our bases overseas which have been such a potent force for the security of the entire free world. These bases have been costly, it is true, but they have been a wise expenditure of money. Let us not jeopardize this large investment which has proven so effective in preventing aggression.

Mr. HAYS of Ohio. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. HAYS of Ohio moves that the Committee do now rise and report the bill back with the recommendation that the enacting clause be stricken out.

Mr. HAYS of Ohio. Mr. Chairman, I pointed out a little bit ago that it would be possible for the leadership on the minority side to get a record vote on the matter of raising this at least to the amount that was authorized by the Committee on Foreign Affairs. I read in the paper yesterday that the minority leader had said that he preferred not to make a fight of it in the House, when he was talking up at Gettysburg, but the place to put it in was over in the Senate.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Massachusetts.

Mr. MARTIN. I did not make any statement arriving at our plans about this bill at Gettysburg. They were determined before we met at Gettysburg.

Mr. HAYS of Ohio. Well, I am only quoting the press, and you know how sometimes they are not right.

Mr. MARTIN. As a newspaper publisher, I will say you cannot always believe what you see in the press.

Mr. HAYS of Ohio. We agree about that, whatever it was, but that would be a possibility. The majority leader, who is a dear friend of mine and for whom I have a great deal of respect, said there was sort of an agreement among the leadership to do this, and that is fine; I am going to go along with him, but I would just like to say to the majority leader—and I hope he will not object—that when the conference report comes back—and mind you, I will support the increase, but I just think for the purpose of the record that we ought to know who supports it.

If I am around here—and I aim to be around when that conference report comes up—I am going to try to have a record vote on it, either by making the request, or objecting to the vote on the ground that a quorum is not present, or something of the kind, to find out what people in what party are supporting the President on this.

I was down to the Ohio University yesterday with one of the President's assistants, had been there for 2 days. This was the summer-school program. Someone said, "How is it that Mr. NIXON said what he did about Nehru out in Pakistan?" The President's assistant said, "Well, you should have heard what Mr. NIXON said about India at Lafayette, Ind. He said just the opposite. He praised them." And some student said, "Well, Mr. HAYS, what do you have to say about that kind of foreign policy?" And I said, "Oh, don't you understand that? That is the dynamic foreign policy we have been hearing so much about. You say something favorable about Mr. Nehru at Lafayette, Ind., where he probably won't hear it, and then you go out to the capital of the country that he considers his most likely enemy and you damn him. That is the dynamic foreign policy."

I supported this program ever since I have been in Congress. The President said, according to the press—and I do not know if that was accurate or not—that he had a notion to take this issue to the country. Well, I surely hope he does, because I am confident that his speech writers will find a way for him to get it in the same speech, but I am going to be interested to see just how they do it, because I cannot figure out how he is going to condemn those people in his own party who voted against this program and continue to vote against it and then have him come forward with that big smile and say, "Give me a Republican Congress to uphold my hands in the next 2 years."

I am sure that they will do that, but it will be a dilly and I can hardly wait to see it happen. I hope that what I read in the paper about that becoming an issue is true and that the President does take the issue to the country. When he does, with whatever limited time I can get on television, I would like to help him call the roll and have him explain just whom does he want elected to Congress and just what does he propose to do if he is reelected? It will be an interesting fall.

Mr. FORD. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, I indicated in an earlier colloquy with the gentleman from New York [Mr. ROONEY] that I regretted very deeply that in this debate this afternoon we have had any mention of partisan politics. This issue, this problem, this program is far too serious for the interjection of politics when we think of the welfare of the country.

The gentleman from Ohio [Mr. HAYS] has indicated that he wants to know who is going to stand up and be counted for this program at the appropriate time. I think the gentleman from Ohio should know, because these are the facts: That within the last week on this issue, in the Subcommittee on Mutual Security of the Committee on Appropriations, 4 out of the 5 votes for a higher figure in military assistance came from the people on our side, and 6 out of 7 votes for the figure that is contained in the bill, the lower figure, came from the people on his side.

In the full committee, last Friday, there were 22 votes in the Committee on Appropriations for a higher figure than is contained here, and 18 out of those 22 votes came from the people on our side of the aisle. Four votes came from the people on his side of the aisle. There were 24 votes against a higher figure in the full Committee on Appropriations, and 23 out of those 24 votes came from people on that side of the aisle.

Let us talk about the record. Let us look at the record as it was made in this important committee in this body. The record clearly shows that the support for a higher figure for military assistance came from this side, and the support for a lower figure came from that side.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman.

Mr. HAYS of Ohio. Mr. Chairman, I would like to ask the gentleman in all sincerity, and without making any political issue of it, if he thinks or even believes that he can come anywhere near approaching a percentage of support like that on his side on a rollcall, or if he thinks that the percentage on this side will come anywhere near the one he is talking about as being against it, on a roll call. I think it is important to have the votes of the full membership of the House.

Mr. FORD. Yes; but much of this discussion, if not all of the discussion we are having here today, would have been avoided if we could have gotten a little more support on that side in the full Committee on Appropriations.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I never knew Members on either side in the past to indicate the number of Democrats or Republicans who voted to increase money in the committee.

Mr. FORD. Mr. Chairman, this is my time and I refuse to yield because I want to answer the statement made by the gentleman from Louisiana. None of this information would have come up until my very good friend, and he and I see eye to eye on this, interjected the question of politics into this matter.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from New York.

Mr. ROONEY. I want the record to show I did not bring partisan politics into this question. I merely cited certain historical facts in defense of a great many of the gentlemen on the gentle-

man's side of the aisle who have consistently opposed military assistance.

Mr. FORD. I just wanted to recite even more recent historical facts which I think are very significant to what we are discussing here today.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. I just want to take this moment to say that regardless of what anyone may think of our foreign policy let me call to the attention of the Members of the House there are no American boys fighting and dying today. I am thankful to Almighty God that no longer are the lists of our boys killed in action, wounded in action, and missing in action coming across my desk. So whatever our policy may be, I am for it.

The CHAIRMAN. The question is on the motion offered by the gentleman from Ohio.

The motion was rejected.

Mr. PASSMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it has been indicated several times today on both sides of the aisle the number of Democrats who supported the motion to increase the amount in the full committee and the number of Democrats who voted against it. Let us be perfectly fair about this thing. My friends on the left-hand side of the aisle know as well as I do that Members on their side of the aisle voted to increase the amount, even though in reality they are against the bill. They have voted against the bill in the past. They are going to vote against the bill in the future. Their vote to increase this bill was the result of considerable pressure exerted on them from the White House.

While I was presenting this bill to the full committee a member of the committee was called to the telephone. They were exerting pressure up until we voted on this bill. While I was presenting it in the committee they were still trying to get members of the committee to change their vote to increase the amount. I think the membership should know that.

Mr. RAYBURN. Mr. Chairman, is there an amendment pending at this time? What is the parliamentary situation?

The CHAIRMAN. Members are speaking on pro forma amendments.

Mr. RAYBURN. Mr. Chairman, I think it is about time that the pro forma amendments were withdrawn and we get along with the bill.

The pro forma amendments were withdrawn.

The CHAIRMAN. The Clerk will read.

The Clerk read, as follows:

Development assistance: For assistance authorized by section 201 (c), for the Near East and Africa in accordance with section 201 (a) (1), $60,000,000; and for Asia in accordance with section 201 (a) (2), $70,000,000;

Mr. GAVIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I noted the criticism which was directed at the Vice President relative to his recent remark. It is not necessary for me to make my position plain on foreign aid programs.

Mr. ROONEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Pennsylvania yield for that purpose?

Mr. GAVIN. I do not yield, Mr. Chairman.

The CHAIRMAN. The gentleman declines to yield.

Mr. GAVIN. Mr. Chairman, I might make my position plain—everybody knows how I voted on foreign aid over the years and my position is the same today. However, there are some phases which, in my opinion, are irrelevant to this debate that have been injected into this discussion that would have been better left unsaid. Permit me, Mr. Chairman, to say I think the Vice President is turning in a magnificent performance as our Ambassador in the many places he has visited around the world. He has created good will and made a tremendous impression for good wherever he has stopped. It is about time that we showed some American spirit and energetically expressed ourselves to these various countries so that they know how we are actually thinking. So long as we are going to dole out these tremendous sums of money—not with my vote—we certainly have a right to let them understand our position. Certainly we are entitled to express our opinions to these various recipients who have been receiving these benefits for many, many years. I am also tired, I want to say, of hearing about the Communist threat. The Communist threat—what do we have to fear as far as the Communists are concerned? I ask you that. Every time there is any legislation presented, whether it is for aircraft production or whether it is for foreign aid—we hear the Communist threat brought up as a buildup to pass the legislation. I think they are overestimated. We should recognize the fact that the Communists, if they did start trouble, would have to fight through Estonia, Lithuania, Latvia, Poland, Czechoslovakia, Yugoslavia, Rumania, Hungary, and East Germany, and let me tell you, my friends, those people are just waiting for an opportunity to break loose. Look what happened in Poland in their very backyard and the courageous Poles had but little to support them. But they did have the courage to stand up to the Communists. In my estimation the Communists are not going to start any trouble. Let us hear no more in these legislative discussions about the Communist threat. It is time we took a very definite stand. I would like to see a rehabilitation of the spirit of Americanism, the spirit of the pioneers that built this great country of ours. They had the courage to stand up when necessary to do so. Why every time there is a breeze wafted from the Kremlin we tremble with fear about the Communists and what might happen to the world. Right now they have plenty to look after in their own backyard. We should have no fear about the Communists. We have always taken care of ourselves in the past and will continue to do so in the future. The world looks to us for leadership. Let us stand up for our convictions and let us be determined to see that peace and stability are restored to the war-torn world rather than trying to conciliate with the element in control of the Kremlin. So, my colleagues, when the Vice President stood up and sounded off the other day it was gratifying to me because I said to myself, "At least ye have one courageous American who is standing up to this communistic element in the foreign countries and expressing forcefully that no longer are we Americans going to take everything that is pitched at us without letting them know our feelings in these matters. For years we have been carrying on programs to feed, finance, and equip and send our boys over to do the fighting when necessary, so certainly the time has come to do some plain, understandable talking to these people. Let us show some of that spirit of the American pioneers. Let them know we are and have been willing to do our part to bring peace and stability to the world, however, that we expect a lot of cooperation from those to whom we have been granting assistance. So I think it is time for some very definite and plain talking.

Let us keep the Communist threat talk and all of these political aspersions out of the debate, determine whether we think the foreign aid program is a wise investment of the American taxpayers' money or not and take such action as the House may decide is for the best interest of the Nation.

Mr. THOMSON of Wyoming. Mr. Chairman, I regret that from what has already been said, some of us will not apparently be afforded the opportunity to vote our true convictions on this appropriation bill. If afforded that opportunity, I would support and vote for restoration of the cuts in the military assistance funds. Also, if afforded the opportunity, I will vote to reduce the so-called defense support and other elements of economic foreign aid. As far as I can determine, defense support is just another name for economic foreign aid.

Last year when this bill was before us for consideration I was frustrated by the fact that there was no way to separate the wheat from the chaff. I am again confronted with the same situation. I agree with what seems to be the recommendation of both the executive and legislative branches that a detailed study of this program should be undertaken by the Congress. I sincerely hope that as a result of that study military assistance will be separated and placed in a separate bill from foreign aid in the conventional sense. From my conversation with various Members, I believe that this would be of substantial assistance to the membership of the House in permitting us to vote our true convictions.

I agree with most of the skepticism that has been expressed on the floor of this House with regard to the necessity and effectiveness of our continuing foreign economic aid program. There are some parts of it which I believe have some merit, but as I stated last year, the program should be designed to encourage other nations of the free world to stand

with us rather than to lean upon us. One thing has not been mentioned which to my mind condemns this program further. In my short service in Congress it has been my experience that this foreign giveaway program costs us many, many times over what we actually appropriate for it. It is repeatedly used, and too often successfully so, by proponents of unjustified domestic expenditures to obtain authorizations and appropriations on the basis that "if, after all, we can afford to give it away overseas we should not criticize a giveaway to a part of our own people." I do not believe that we can suddenly cut off this foreign-aid program, but I do believe that we should taper it off in an orderly fashion so as to drastically reduce it to a minimum program in a matter of a very short period of time. I do not believe that this Government can justify taxing its people to the breaking point for this foreign giveaway program.

When it comes to military assistance that is an entirely different matter and the two subjects should not even be considered in the same bill. I have the greatest admiration and respect for our President. I certainly defer to his judgment when it comes to this matter of military requirements of this country and military assistance to our friends in the free world, whether it be NATO, SEATO, or otherwise. That judgment in this instance is supported by the combined judgments of the Joint Chiefs of Staff and those who work with them. More important, I think the effectiveness of that program was proved in Korea during the Korean war. Need I recall to your memory the accounts of the effectiveness of the forces of our ally, Turkey, or other of the nations to which we render this military assistance. The development of the South Korean Army meant that our boys could return home. I am impressed with the arguments, and I agree with them, as to the value of this program from the standpoint of the taxpayers. I agree that it is true mutual security at a price to the taxpayers of less than what the cost would be without it. More important even than that, I believe that it contributes to the security of our own country. I do not believe that American boys can or should be expected to shoulder the whole burden in the event of another conflict. Of even greater importance, I believe that a well-armed free world is, for the present, our best assurance that such a conflict can be avoided without a loss of our way of life.

I have a very high regard for the committee that has considered this bill and the members of the subcommittee. I have listened carefully to this debate and have read the committee reports. I am impressed with the arguments of those who seek to sustain the cuts. But for the life of me, I am unable to reconcile the cuts that have been made with the arguments presented. The objections are principally directed to the appropriations for foreign economic aid and considerable praise is given to the military assistance program. On the other hand, the military assistance program is cut drastically and the economic aid is left virtually intact. As I understand it, of the total cut of $1,406,000,000 made from the President's request, $1,236,000,000 is taken from the military assistance program, which I consider to be the worthwhile feature of the bill. Even if I were to question the military assistance part of the bill, I would certainly defer to the judgment of our President and our present military leaders under the circumstances. Contrary to the predictions made here today, I hope that I am permitted to vote to restore these military assistance funds to the request made by the President in the interests of the security of the United States. If such an opportunity is afforded, I intend to so vote.

On the other hand, as I have previously indicated, in this bill we are purposely mixing the wheat with the chaff. To separate the wheat from the chaff, I, with equal sincerity, hope that some member of the committee who is in agreement with my position will offer an amendment to further reduce the foreign economic aid funds. Although the arguments of the majority of the committee apply to these funds to justify a cut, the bill as reported by the committee and as shown by the committee report recommends an appropriation of over $1,735,000,000 for foreign economic aid. Instead of a cut, this is an increase of more than $25 million over what was provided last year. A first-term Member, not a member of the committee, hardly has the necessary information and background to propose such an amendment himself. However, I will certainly support any such reasonable amendment that is offered.

Those of us who wish to restore the military assistance to the amount requested by the President, but wish to oppose the amount provided for foreign economic aid, are placed in a difficult position as far as voting our convictions. For my part, if an amendment is offered to restore the military-assistance funds to the amount requested by the President, I intend to support and vote for such an amendment, but unless amendments are offered and adopted to substantially reduce the foreign economic aid program, I intend to vote against the bill on final passage in protest to the continually rising expenditures for this purpose which I consider entirely unjustified just as I voted against the authorization legislation on final passage this year, and the appropriation on its final passage in the last session. Again, may I say that I sincerely hope that as a result of the study that is apparently to be undertaken, these programs will be separated in future legislation so that the Members of the House who believe as I do, and I believe that there are substantial numbers of us, will be afforded an opportunity to express our true positions.

Mr. SMITH of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. SMITH of Wisconsin. Mr. Chairman, we have generated a lot of heat in this debate. I am wondering if we are emphasizing to too great an extent the question of appropriating money rather than emphasizing the necessity for spending it properly.

As I look at the record, we have been away ahead on appropriations, and we have been away behind on performance.

We have in the pipelines today, according to the record, which is not disputed, sufficient money to operate this program for 2 years. I think we ought to take a look for a moment to find out where we are going.

What is the situation among our allies and those who are receiving aid from us? We have referred a number of times to the NATO organization. Well, certainly it is a paper organization today. We are going to be kicked out of Iceland, unfortunately. In Britain they are going to call off conscription. They are reducing taxes. In France, the French Army, which incidentally is on the right flank of our own troops, is in North Africa. There is great doubt as to what West Germany will do. This is the situation after the United States has spent more than $50 billion. The situation is not encouraging for us. But, here we are appropriating again, and we are being asked to increase the appropriation when, as I say, there is serious doubt about the success of the program.

The American people are away ahead of Congress on this proposition. We are bound to hear from them in the fall campaign.

Is there something wrong with this mutual security law? There must be serious doubt that it is working. In the Senate they have authorized an appropriation of $300,000 to investigate this program. In the House, in our own committee, we have voted to set up a study committee. The President has suggested a reappraisal of this program. I understand, if I read this report right, that the Appropriations Committee is considering an investigation. In view of the temper of the people, and of the Congress especially, I wonder whether or not our people are going to support us when we say we want another $4 billion, when we already have more than we can spend today. When this bill is adopted there will be more than $10 billion in the program. This is irresponsible financing.

I do not think this is a matter of partisan politics. It never has been treated as such in our own committee. My friends on the right today of course are critical, but I ask you in all fairness, is there much difference in the foreign policy that your administration followed and that now being followed by the Republican administration? Not much, Mr. Chairman.

But you say today, "We can do a better job." Well, maybe you can. The future will take care of that.

What I would like to see the President say to the Congress and to the American people today is, "We have enough money in the pipelines to operate the program for 2 years. Now let us get to this question of reappraising." We can do that reappraisal job between now and next spring, and by March 1, 1957, the new Congress can take under consideration the question of whether or not we are

justified in view of the world situation again to ask the taxpayers to assume an additional burden of $4 billion.

I believe that if the President were to make such a suggestion it would electrify the American people. It would also serve notice on some of our weak-kneed friends abroad that the American people are for the first time in 10 years going to look into this situation.

The Clerk read as follows:

United Nations expanded program of technical assistance: For contributions authorized by section 306 (a), which shall constitute the total United States contribution through December 31, 1957, $10,000,000;

Mr. HAYS of Arkansas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I brought back from my service as a member of the United States delegation to the United Nations General Assembly last year some rather clear impressions regarding the relationship of our technical assistance program to the technical assistance program of the United Nations. I wish to share those impressions with the House, and I am confident that they are the same as those of the gentleman from New Hampshire [Mr. MERROW] with whom I had the honor to serve. I do not intend to take the time of the House this afternoon for a full presentation of the problem of maintaining an efficient technical assistance program.

Mr. Chairman, the budget request for the United Nations Expanded Technical Assistance Program is for $15½ million and the authorization is for the same amount. The pending bill carries only $10 million for this item, a cut of more than one-third. Mr. Chairman, I trust that what the gentleman from Massachusetts [Mr. MARTIN] has said with reference to hope for an increase in military aid resulting from Conference Committee action will apply to this item. There is a danger that the focusing of attention upon the larger items may tend to obscure the tremendous importance of the technical assistance programs, both of our own bilateral program and that of the United Nations.

Mr. Chairman, I respectfully take issue with the language of the report which attempts to justify the large percentage cut in the technical assistance item for the U. N. Actually it is very much in our national interest for the U. N. program to carry a larger share of the financial burden.

Contrasted with this is the recommendation of around $140 million for our own technical assistance projects. We should not regard these programs as competitive. Both are extremely helpful in the effort to achieve a greater degree of stability for the world and enhance the well being of vast populations which look to the United States and other free nations for help.

During the sessions of the 1955 general assembly I had an opportunity to study the work of the technical assistance agency. It is impressive. Several of our fellow countrymen and others trained in our own institutions are in policy-determining positions, and the U. N. program supplements our own. It contributes a service in coordination and counseling that no single nation could supply. As a result of the information and skills acquired by the United Nations, such operational agencies as the World Health Organization, and Food and Agricultural Organization are able to conserve resources and avoid overlapping services. It is an invaluable adjunct to the technical assistance program.

During the last 6 years 78 countries have pledged over $142 million to the special account by which the expanded program is financed. This has made it possible to recruit experts from 77 countries and to make use of the facilities of 105 countries and territories to provide training in various forms. It may safely be said that never before have the resources of so many countries been mobilized for a worldwide cooperative enterprise.

Some 131 countries and territories have been helped. Since the inception of the program in 1950, some 5,000 experts have served in capacities ranging from advice on a narrow technical problem to assistance in the formulation of overall national economic and social plans. Over 10,000 fellowships have been awarded for study abroad, ranging from on-the-job training in industrial enterprises to long-term study at advanced educational institutions. Equipment and supplies amounting to about $10 million have been provided as part of approved projects. Technical assistance projects may range from a single expert spending a few months in a country advising on the solution of specific technical problems in an individual enterprise, or a single fellow studying a particular manufacturing process or administrative technique, to a large regional training center combining many forms of assistance over a period of years.

For these reasons, Mr. Chairman, I trust that the Congress will stand by the commitment of $15½ million that our Government has already made for the 1957 U. N. budget for technical assistance.

The CHAIRMAN. Without objection, the gentleman may extend his remarks.

There was no objection.

The Clerk read as follows:

Intergovernmental Committee for European Migration: For contributions authorized by section 405 (a), $12,500,000: *Provided*, That no funds appropriated in this act shall be used to assist directly in the migration to any nation in the Western Hemisphere of any person not having a security clearance based on reasonable standards to insure against Communist infiltration in the Western Hemisphere;

Mr. CHRISTOPHER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CHRISTOPHER. Mr. Chairman, I listened with a great deal of interest to the remarks of the gentleman from Indiana [Mr. HALLECK], whom I consider to be the most able speaker on the left-hand side of this aisle. He kept saying, "Let me remind the Members on the right-hand side of the aisle," referring of course, to the Democrats. Now, Mr. Chairman, let me remind my distinguished and able colleague and other Members on the left-hand side of the aisle.

First. I would remind those Republican Members who seem so disturbed for fear the House will not pass an appropriation large enough to carry on our foreign-aid program, that I have always supported this type of legislation, both when Harry S. Truman of Missouri was President of the United States, and also now when Dwight D. Eisenhower is President, and I assure my colleagues that I shall sustain the committee today, a committee which has worked hard and diligently for many weeks to perfect this bill and bring it to the floor.

With a carryover from previous appropriations amounting to almost $7 billion added to the amount the committee seeks to appropriate under this bill, the foreign-aid program need not be crippled in any way. Many of the nations this appropriation is designed to assist are now spending a much smaller percentage of their gross national income and a smaller percent of their total government expenditures for defense than we are. Statistics shown in the following table proves this to be the case:

	Percent of gross national product spent on defense			Percent of total government expenditures spent on defense		
	1953	1954	1955	1953	1954	1955
Belgium-Luxembourg	5.9	6.6	4.5	21.7	23.9	20.3
Denmark	2.9	3.9	3.2	19.6	26.0	20.7
France	10.5	10.4	7.8	37.7	36.8	29.3
Germany (Federal Republic)	6.4	6.0	[1]	22.7	21.2	[1]
Greece	7.1	7.1	6.3	32.1	30.2	30.0
Italy	4.6	4.5	4.4	20.6	20.5	21.6
Netherlands	5.3	6.7	5.9	20.0	24.7	23.1
Norway	4.7	5.2	4.9	25.0	27.3	28.6
Portugal	3.7	4.0	4.2	31.5	33.3	31.0
Spain	4.1	4.3	4.3	37.5	35.1	29.3
Turkey	6.2	6.9	5.7	40.0	40.0	35.2
United Kingdom	11.0	10.6	9.4	35.5	36.9	35.2
Yugoslavia	18.5	16.2	11.6	79.6	80.0	77.5
United States	13.8	13.2	10.9	67.3	67.8	62.9

[1] Not available.

This foreign-aid program for the extension of which we are providing funds today is only an extension of the Marshall plan and former President Truman's point 4 program. It was begun in 1945. The next table, the source of which is the Office of Business Economics, United States Department of

Commerce, shows the money that has been spent for foreign aid, military and economic, between 1945 and 1956:

Foreign-aid funds paid out during the post-war period from July 1, 1945, to June 30, 1956, and foreign-aid funds available from July 1, 1955, to date [1]

	Millions
Grants paid out July 1, 1945, to June 30, 1955	$41,842
Grants unexpended as of June 30, 1955	8,700
Appropriations provided for fiscal year 1956	2,703
Total grants	53,245
Less: Returns on grants to June 30, 1955	1,493
Net aid in grants	51,752
Loans paid out July 1, 1945, to June 30, 1955	12,117
Grants converted to loans and not included in grants above	2,256
Loans authorized but not paid out June 30, 1955	2,433
Total loans	16,806
Less: Principal collected on loans to June 30, 1955	3,386
Net aid in loans	13,420
Total net aid	65,172

[1] Source: Office of Business Economics, U. S. Department of Commerce.

This is the first time in the history of the world that immense amounts of money, goods and services have been given by one nation to many other nations in the hope that it would strengthen the desire for peace in the world, to raise the standard of living for underprivileged peoples, and bring closer the time when nation would no longer go to war with nation, and there would come an end to the slaughter, misery, debt and degradtion that are a part of every national conflict.

This foreign-aid program is a child of the Democratic Party and so long as a Democratic administration was in control of the Government, a very great majority of the Members on the left-hand side of the aisle opposed it. I would like to say at this point that this administration in a period of 3½ years has accomplished something that all the Democrats in the United States could not have accomplished in a century. I want to compliment the Members on the left-hand side of the aisle for their part in this great achievement. During the 20 years in which the Democrats were in control of the exectutive branch of the Government, a period that has been referred to in some quarters as "20 years of treason," there were enacted the greatest program of liberal legislation ever known to the world. It has been referred to as the New Deal and the Fair Deal, a part of which was the Marshall Plan and former President Truman's program for economic assistance.

Those programs were criticized and vilified at the time of their enactment, and that criticism and vilification did not cease until after the Republican victory in 1952. But now this administration has made all of this array of Democratic legislation respectable by accepting and espousing it. Reading the remarks of Republican Members as they appear in the CONGRESSIONAL RECORDS of the past would indicate that they considered these Democratic legislative programs illegitimate, born without benefit of clergy, but now that these measures are grown into beautiful, charming ladies and stalwart, respectable men, Republicans are seeking to claim them, and I would warn my colleagues on the right-hand side of this aisle that in the not too distant future, Republicans will be claiming the New Deal, the Fair Deal, the Marshal plan, and the point 4 programs were all conceived, sponsored, and brought into being by the Republican Party. I hope the House will sustain the committee.

In closing, I want to note that many of our needy veterans, especially those of World War II and prior wars, are without assistance and a pension for them is opposed by the Bureau of the Budget and the President.

This House did not see fit to pass any legislation which would help to educate the children of our own country, though I am sure there is not a Member of this House who does not realize the need for Federal aid for our schools has been a grave and pressing need for many years. When we passed the highway bill, we retaxed ourselves to pay the cost. Some Members of the House worked themselves into a frenzy over the postal deficit. We appropriate little money for the internal needs of our country, and what we do appropriate seems to be with hesitancy and much reluctance, therefore, any attempt to raise the amount the committee has recommended should be voted down.

Mrs. BLITCH. Mr. Chairman, I move to strike out the last word.

Mrs. BLITCH. Mr. Chairman, in rising to speak on this bill I rise as an American citizen, not a Democrat, not a Republican. I love the Democratic Party; I am a Democrat, but I disagree many times with people on my side of the aisle. Members on the other side of the aisle are great Americans just as are those over here; there is disagreement amongst them also as to how this program should be developed or should be carried out.

But this bill is such a serious thing that I think it is most inappropriate for either the minority whip, the gentleman from New York, or anybody—whether it has been done or not—to inject politics into this discussion; it is too serious. I doubt if we have ever been on the threshold of a more serious time in American life than we are right today. We have an election year, for one thing, and we have a great former general who has just again offered himself as a candidate for reelection to the Presidency. Our Republican friends have that burden upon them and they will have to follow through with it the best they can.

There is also quite a burden on the right-hand side of the aisle with reference to getting a nominee that we can back with all the assurance that we would like to.

The main thing that I am trying to get over to this body now is that this situation is too serious for us to quarrel about among ourselves. When you get down to rock bottom, we are all patriots, we are all true Americans.

Mr. Chairman, if I thought for one moment that spending dollars would secure the American people from future slaughters and would prevent our boys and girls from participating in future wars, I would be here offering a bill to manufacture dollars for this purpose. I would have the Bureau of Engraving and Printing start printing dollars as fast as it could. But, Mr. Chairman, that is not going to solve the situation.

I do not believe that in the days of the Revolution and in the days previous to the Revolution that the backbone of the people of the United States would have remained rigid, so much so that we could stand up against an enemy, if we had been stultified by France or other nations saying we would be taken care of so that we would not have to worry about those hard problems that we faced at that time and did not have to figure them out for ourselves. I think our forebears had to suffer before they could long for and appreciate freedom to the extent that they would defy the Crown for freedom.

The 36 countries included in this bill to receive military and economic aid have to do something for themselves. I stated on the floor of this House the other day that we in Georgia did not want any gifts from the richer States of the Union insofar as Federal education is concerned. I do not think these foreign nations want a largess any more than the United States. I do believe they want to stand on their own feet for a while without being put in the position of a poor country cousin, who in accepting material favors from his wealthy city cousin feels that he must accept also the opinions and advice of his city cousin whether he wanted to or not.

Mr. Chairman, I am going to be forced to vote against this bill in its entirety because there is too much money already obligated that has not been spent so if dire consequences were to be the result of the bill's defeat, that money that has piled up in this fund over the years will take care of any emergency that might arise before the Congress meets again. We cannot continue throwing good money after bad just hoping that it will save us. It will not. It is up to the people of the different countries, including the United States of America, to assume some responsibility for themselves. The philosophy of recent years so far as so-called mutual security is concerned has not only undermined the spirit of the people in these foreign countries but it has undermined the spirit of the people of this Nation and even of the Congress itself because so many people have adopted the attitude that if we go ahead with this program, it will save us, and we do not have to use our imagination, to devise any other program. We should adopt a foreign policy that we can follow. However, the worst part of it is that we are lulling ourselves, the Members of this Congress, who are charged with providing for the Nation's defense, into a false sense of security. We cannot afford to do that. The American people cannot afford to have us do it.

Mr. Chairman, hard thinking on our parts would bring us to the inevitable conclusion that we are no longer going to follow blindly Members who cannot explain this program themselves, who do not know what it is all about. And I know that I can't follow it, just because the President has called for it. The unfortunate President has been seriously ill for nearly a year. I can't be convinced that he speaks alone from his own carefully considered judgment.

This bill will pass. There are not enough of us in opposition to it to kill it. But Mr. Chairman perhaps the "noes" will be in increase over those of last year. I surely hope so, because in my humble opinion the American people are utterly sick and tired of this program both from a tax standpoint and the fact that it has lost so completely its effectiveness.

Mr. FEIGHAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FEIGHAN: On page 3, line 18, after the colon strike out the remainder of line 18 and lines 19, 20, 21, and 22, and insert the following: "*Provided*, That no funds appropriated in this act shall be used to assist directly or indirectly in the migration to any nation of any person not having a full-scale field investigation and a security clearance based thereon to insure against Communist infiltration in the free world."

Mr. FEIGHAN. Mr. Chairman, this amendment merely would provide the same security regulations and provisions for migrants coming from the Far East as are now in effect for migrants coming from Europe. This provides that there shall be a full-scale security investigation and a security clearance based thereon before any of the American taxpayers' funds can be used to transport them to some thirty-odd countries of the free world from Red China. The people whom we are transporting by the use of American taxpayers' funds are coming from Red China, most of them in possession of valid passports issued by the U. S. S. R. and having in their possession exit permits issued by the Red Chinese.

Now, this amendment would in no way curtail the movement of migrants from Europe as is going on at the present time. It would only apply the same security procedure. It would not in any way affect the marvelous work that is being done by the International Cooperation Administration and the volunteer agencies such as the self-help projects, low-cost housing, child-feeding programs, and the relocation projects. It will not in any way affect any other nation which may want to accept any of these people without a full-scale security risk if they want to pay the bill themselves. As an example, Brazil, which is a member of ICEM, has discontinued taking any of these so-called White Russian migrants from China because of the sad experience of taking one of them into their country and later they learned that his previous assignment had been Communist security officer in the Red Polish Embassy in Peking. Subsequently, they found other Russian Communists in Brazil, and they have discontinued this program. Canada, or any other nation, if they so choose to pay the expenses of these people coming into their countries, is perfectly free to do that, but I think they should pay for their own folly and the United States taxpayers' fund should not be used for that purpose. I cannot see for the life of me how anyone would oppose a full-scale security investigation of migrants in the Far East as is required and now being done in Europe.

Mr. Chairman, I hope that this amendment will be adopted.

Mr. PASSMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is an appropriation bill that we have under consideration. This amendment was submitted to the Committee on Foreign Affairs, and it is my understanding that they turned the amendment down. Inasmuch as we are dealing with an appropriation bill, and have not had an opportunity to go into the full impact of the amendment, and I am going to oppose it.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Did I not appear before you and the other distinguished members of the committee?

Mr. PASSMAN. My distinguished friend from Ohio did appear before our committee. I was not unfriendly at the time, but it developed later that it had been submitted to the Committee on Foreign Affairs and they turned it down for good and sufficient reasons. Several of my own subcommittee did not feel, inasmuch as we are dealing with an appropriation bill, that we should get into something in the nature of legislative policy.

Mr. FEIGHAN. The gentleman mentioned a good and sufficient reason. I have heard not one single good or sufficient reason advanced to justify the use of American taxpayers' funds to pay the transportation costs of people some of whom have already been proven to be Communist agents infiltrating the free world.

Mr. PASSMAN. Would not the gentleman agree that this should be taken care of in the legislative committee and not in the Committee on Appropriations? We are dealing here with money matters. When you get into language of this kind you go beyond the realm of appropriations. I do not know whose hands would be tied trying to administer the act that we are passing today.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield further?

Mr. PASSMAN. I yield.

Mr. FEIGHAN. My amendment provides a change only of about 2 or 3 words in the present language on page 3, beginning on line 18 and running through line 22. You already have in this bill a requirement for security investigation.

Mr. PASSMAN. I am not opposing the gentleman's objectives or intentions. My objection to his amendment is simply that we are here dealing with money matters and the impact of the gentleman's amendment may be such that those administering the law would find their hands tied, perhaps the State Department or the President.

Mr. FEIGHAN. It could not tie anyone's hands. It would merely let them know that Congress had determined that we will not permit the use of the taxpayers' funds to keep open the door to a breach of security of the free world.

Mr. PASSMAN. Mr. Chairman, I am sorry the distinguished gentleman from Ohio did not persuade the Committee on Foreign Affairs to accept his amendment. I have no quarrel with the purpose or the intent of the gentleman's amendment. As I have already said, we are dealing here with money matters.

When we include such language in a bill of this kind, we may find that we have gone too far afield.

Mr. WALTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is important to remember whom we are dealing with in this amendment. The people who are being moved are being moved to South America, Australia, and Canada. Six came to the United States. All of these people are so-called White Russians. They are people who have been in China for many years, most of them too old to render any assistance at all to the Communist Government in Russia. That is why they are still in China.

The documents they have are documents that have been issued by the Chinese Government because all evidence of identity was lifted by the Communists when they took over the Chinese Government.

I know about this situation. I went to Hong Kong and conducted an investigation for 2 days. Mr. Chairman, I assure you that a thorough screening is being made of these people. It seems to me that we run the risk of offending our friends when we tell them what standards of security they must employ, particularly in view of the fact that they are now employing the same standards that have been employed under the Displaced Persons Act, the Refugee Relief Act, and under the basic Immigration and Nationality Code of the United States.

I do not think it is good business to offend anybody at this time when we have too few friends. Mr. Chairman, I urge the Committee to vote down this amendment.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman.

Mr. FEIGHAN. Mr. Chairman, the gentleman failed, inadvertently of course, to mention the fact that in addition to these people being in possession of an exit permit issued by the Chinese Government, they also have a passport issued by the U. S. S. R. Further, the gentleman should recall that the ICA had written a report to our committee in which they said no security investigation is made on these people because none is possible on the mainland of China.

Mr. WALTER. I do not think the gentleman ought to talk about the screening that is being done in China. We, of course, cannot do it. We have no diplomatic relations. But I assure the gentleman that it is being done and it is being done as thoroughly as is the case

in Europe with respect to the refugees who are coming to this country.

Mr. SHORT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, only fools rush in where angels fear to tread. I am certainly not an angel. I hope and trust and pray that I am not altogether a fool, though there are many people who disagree with me.

No Member of Congress was ever defeated by the speech he did not make; therefore, I perhaps would do well to remain seated. But my seat has been hot and I have been boiling over, and though realizing that discretion is the better part of valor I feel constrained to say just 1 or 2 things. Certainly I never hunt trouble. Enought of it comes my way without my solicitation of it or hunting it.

I have heard on this floor from time to time considerable demagoguery. Though I do not want to be unkind to any man, I think almost a new low level has been struck here today by the gentleman from Georgia [Mr. LANHAM] when he made strictly a partisan speech and when he misstated that the President of the United States has refused to see Nehru. That is just not so. It is not the truth!

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I am glad to yield to the gentleman.

Mr. LANHAM. I stated that his meeting with Nehru had been indefinitely postponed. If I made any other statement, I withdraw it. I have looked through my remarks here and I do not see any such statement.

Mr. SHORT. The gentleman very distinctly stated that the President had refused to see Nehru. If he is willing to withdraw that remark, I am willing to accept it and apologize to the gentleman. Now, that is settled.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SHORT. Yes, I am glad to yield.

Mr. HALLECK. It would seem to me that the gentleman from Georgia might well withdraw some of his other remarks. He talks about having no foreign policy, that we were losing bases all over the world and apparently losing our strength all over the world. But I observed that when Mr. Truman came back from his European trip he said this:

> I leave Europe convinced that the free nations of the West are in a much better position today to meet the threat of the Russians than they have been at any time since the war. They are in a far better position actually and relatively than they were when the Korean affair began just 6 years ago.

So it would seem to me that, quoting as they do President Truman as the authority, that statement coming from him would indicate that things have been going fairly well in recent years as far as the defensive strength of our friends and allies is concerned.

Mr. LANHAM. Mr. Chairman, will the gentleman yield to me?

Mr. SHORT. My time is so limited; I would like to proceed.

Mr. LANHAM. The gentleman referred to my statement as demagoguery.

Mr. SHORT. I certainly want to be fair to the gentleman. It was demagoguery.

Mr. LANHAM. Unless the gentleman withdraws that statement I would have to ask that the words be taken down. I was stating my belief as to the poverty of the present foreign policy, and I think I was right.

Mr. SHORT. I do not know how the gentleman from Georgia has voted in the years gone by on foreign aid.

Mr. LANHAM. I have always voted for foreign aid.

Mr. SHORT. Yes, but today he is voting against it.

Mr. LANHAM. If the gentleman wants to make a partisan statement——

Mr. SHORT. The gentleman refuses to yield. The gentleman from Georgia has been here long enough to know the rules of the House. And the gentleman is wrong. He must know he is wrong.

Mr. LANHAM. The gentleman made a statement that is not correct. I said I am voting for it today. I said if you had an effective policy.

Mr. SHORT. Mr. Chairman, I refuse to yield.

Mr. LANHAM. Mr. Chairman, I insist that the gentleman's words be taken down.

Mr. MASON. Mr. Chairman, a point of order.

Mr. LANHAM. Mr. Chairman, I withdraw the request. The gentleman said he did not mean to reflect upon me in making the statement that my speech had been demogogic. I do not think my record in the House would sustain any such charge, but I am not going to ask that the words be taken down.

Mr. TABER. Mr. Chairman, I make a point of order that the gentleman's request is too late anyhow.

The CHAIRMAN. The gentleman from Missouri will proceed.

Mr. SHORT. We know how the gentleman from Georgia has voted over the years gone by on foreign aid. He has voted for it, but today he is voting against it.

Mr. LANHAM. No; that is not correct.

Mr. ROONEY. Mr. Chairman, if the gentleman will yield. Evidently, the gentleman from Missouri, my distinguished friend, did not hear the gentleman from Georgia when he said he was voting for foreign aid and has always voted for it.

Mr. SHORT. And he is going to vote for this bill? How can he oppose it and yet vote for it? The gentleman is agile—to say the least. Then let the gentleman from Missouri say to the gentleman that the gentleman from Missouri has always voted against it and he is voting against it today. He may be wrong, but he is at least consistently wrong. Why does the gentleman from Georgia raise this fuss?

The CHAIRMAN. The time of the gentleman from Missouri has expired.

(By unanimous consent (at the request of Mr. GAVIN) Mr. SHORT was given permission to proceed for 5 additional minutes.)

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. GAVIN. I appreciate the position that the gentleman has taken on the bill, and he knows my position too for the past 10 or more years. I want to call attention, and I believe I am correct and the gentleman can correct me if I am not, that the gentleman from Georgia said the B–47 is obsolete.

Mr. SHORT. It is one of the best planes that we have with a speed of 525 miles an hour.

Mr. GAVIN. That is a statement. I was wondering where all the champions of the Air Force were when the gentleman from Georgia said the B–47's were obsolete.

Mr. SHORT. It is the best intermediary bomber we have at the present time. Nothing can match it.

Now, Mr. Chairman, if I may proceed, I have never believed that you could buy friendship. Friendship that has to be purchased is not worth trusting or worth having. We know that from our families, let alone from foreign peoples. I know that the Soviets with the false face and this new smile that they are wearing is absolute subterfuge. It is deceit, mockery and trickery which Stalin and Lenin in his works frankly stated that they would stoop to at any time in order to reach their goal. The one thing the Soviets are hoping for more than anything else today is that America will spend herself into bankruptcy because a bankrupt nation never licked anybody and never will. They are hoping we knock ourselves out by our own profligacy. You cannot have military might without economic strength. The thing that has deterred Soviet aggression more than the hydrogen bomb or the atomic bomb is America's industrial might and her productive capacity. They know that as well as we know it.

Now I think if these funds contained in the bill for foreign military aid were placed in our military budget under the proper committee of this House, we would not have all of this furor and dissension and division of opinion among the Members on either side of the aisle. I hope that in the future that can be accomplished.

Some attacks have been made here upon the Vice President of the United States. I know there are certain people that hate his intestines because he convicted their fair-haired boy, Alger Hiss. I know there are others who despise him because he hits hard and where it hurts, but I want to say that in the 24 years I have served in this House—and DICK NIXON was no particular or close or intimate friend of mine when he served in this body—that I watched him closely and I can truthfully state that no man I have served with in Congress during these 24 years has grown in stature, maturity, and judgment more than DICK NIXON. He has been the best ambassador of good will we have had in this country.

I can well understand the fears that haunt my friends on the right side of the aisle. They know that with Ike and Dick the jig is up. We feel sorry for you. You cannot beat them any way you try. We welcome this coming election in November. During the months of September and October we will be back in the hustings battling with you to see that we have a Republican victory.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. DIES. I am glad to see the gentleman deplores the injection of politics into this debate.

Mr. SHORT. Only he who raises it will be laid low. We will wait until November with high confidence and unshaking faith that the victory will be won. You have started it; we will finish it.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. SHORT] has again expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. FEIGHAN].

The question was taken; and on a division (demanded by Mr. FEIGHAN) there were—ayes 4, noes 54.

So the amendment was rejected.

The Clerk read as follows:

Control Act expenses: For carrying out the purposes of the Mutual Defense Assistance Control Act of 1951, as authorized by section 410, $1,175,000;

Mr. GROSS. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 4, strike out all of lines 18, 19, and 20.

Mr. GROSS. Mr. Chairman, this amendment would strike out the language which reads as follows:

Control Act expenses: For carrying out the purposes of the Mutual Defense Assistance Control Act of 1951, as authorized by section 410, $1,175,000.

That refers specifically to the Battle Act, which was enacted by Congress in 1951. I supported the legislation that brought about that act. But the Battle Act has become a deadletter in the law. We are maintaining a staff over in the International Cooperation Administration to enforce this act, and there is no enforcement. A week or so ago representatives of the ICA appeared before the Post Office and Civil Service Committee and at that time I asked these people to cite me one instance in which the penalties or sanctions under the Battle Act have been imposed since the law became effective. Not one single case was cited, and I invite any Member here on the floor, any member of the Appropriations or any other committee, to tell me at what time and under what circumstances the Battle Act had been enforced.

The Battle Act provides, very briefly, that any nation which sells strategic materials to Soviet Russia or Iron Curtain countries shall be deprived of aid from this country.

Again, I invite any Member to stand up and tell me when it has been enforced, when the President of the United States has ever enforced the Battle Act.

I have here a copy of the London News Chronicle under date of June 5, 1956, in which the headline reads "Rubber for China. Britain Acts Without United States. Many Exports From Empire."

Then it goes on to state:

Britain, without waiting for American approval has given the go-ahead signal for exports of vital supplies of rubber to Communist China.

All the colonial governments have been told they may resume "reasonable" shipments of rubber and other raw materials which until now have been banned to the Chinese, but freely sold to Russia.

Britain has been freely selling rubber to Russia.

The article continues:

This gives Britain and the Commonwealth a big opportunity of stepping up East-West trade. It may lead to the shipment of many forms of machinery, chemicals, and some nonferrous metals.

Already a sample order of more than 60 tractors has been sent from Britain to China.

Exports of rubber have been resumed, because it was considered ridiculous to continue the embargo while the independent Ceylon Government was freely shipping rubber to China above the world price.

Also it states:

Russia has been buying Malayan rubber on the Singapore market since March. It is believed that some of this rubber has been passed on to China.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. YATES. Is the gentleman in favor of enforcing the Battle Act?

Mr. GROSS. I certainly am.

Mr. YATES. How can the Battle Act be enforced if the gentleman's amendment prevails?

Mr. GROSS. Let me say to the gentleman that the Battle Act is not going to be enforced, because the British, French, and others have frankly admitted they were selling strategic materials to Russia and other Communist countries, and the President held it to be in our self-interest to overlook the shipments and not invoke the penalties of the Battle Act. So it will not be enforced. I simply do not see the sense of putting more than $1 million in the bill to enforce a dead letter in the law. That is what it has amounted to and that is what it will continue to amount to. I want to save the taxpayers just a little bit of money, if that is possible.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 29, noes 68.

So the amendment was rejected.

The Clerk read as follows:

SEC. 104. None of the funds provided by this act nor any of the counterpart funds generated as a result of assistance under this or any other act shall be used to make payments on account of the principal or interest on any debt of any foreign government or on any loan made to such government by any other foreign government; nor shall any of these funds be expended for any purpose for which funds have been withdrawn by any recipient country to make payment on such debts: *Provided, however,* That to the extent that funds have been borrowed by any foreign government in order to make a deposit of counterpart and such deposit is in excess of the amount that would be required to be deposited pursuant to the formula prescribed by section 142 (b) of the Mutual Security Act of 1954, as amended, such counterpart may be used in such country for any agreed purpose consistent with the provisions of such act.

Mr. BENTLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BENTLEY: Page 6, after line 24, a new section as follows:

"SEC. 105. None of the funds appropriated in this act shall be used to supply assistance to Yugoslavia."

Mr. PASSMAN. Mr. Chairman, I ask unanimous consent that all debate on the amendment offered by the gentleman from Michigan close in 12 minutes, the gentleman to have his full 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

Mr. HOFFMAN of Michigan. Mr. Chairman, reserving the right to object, there are 3 or 4 of us who would like to get 5 minutes sometime during the day if we can.

Mr. PASSMAN. Mr. Chairman, I ask unanimous consent that all debate on the amendment close in 15 minutes, the gentleman from Michigan to have 5 minutes.

Mr. HOFFMAN of Michigan. Mr. Chairman, still reserving the right to object, does the gentleman expect to finish this bill tonight?

Mr. PASSMAN. We expect to finish the bill and go home.

Mr. HOFFMAN of Michigan. And get a vote on it?

Mr. PASSMAN. We intend to.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana that all debate be limited to 15 minutes?

There was no objection.

Mr. BENTLEY. Mr. Chairman, this question of assistance to Yugoslavia, of course, has been debated over the past days, the past weeks, the past months, and even the past years. It is not my intention at this time to go into all the arguments pro and con as to the reasons for or against assistance to Yugoslavia at the present time but I shall take .5 minutes to point out what I believe to be a very serious inconsistency that I want the committee to be in full cognizance of before voting on this bill.

The report of the conference committee on the authorization bill for mutual security contained this section which was not in the original bill as passed by the House. Language similar to it was inserted in the Senate version of the mutual security authorization and the conference agreed on this language:

It is the purpose of this act to advance the cause of freedom. The Congress joins with the President of the United States in proclaiming the hope that the peoples who have been subjected to the captivity of Communist despotism shall again enjoy the right of self-determination within a framework which will sustain the peace; that they shall again have the right to choose the form of government under which they will live, and that sovereign rights of self-government shall be restored to them all in accordance with the pledge of the Atlantic Charter. Funds available under this section may be used for programs of information, relief, exchange of persons, education, and resettlement, to encourage the hopes and aspirations of peoples who have been enslaved by communism.

In other words all embracing with respect to communism.

Mr. Chairman, the people of Yugoslavia eminently qualify for assistance under this particular section.

Now, Mr. Chairman, I would like to call the committee's attention to page 3 of the legislation we are discussing at the present time, line 12:

Special Presidential fund: For assistance authorized by section 401 (b) $100 million.

In other words, we have here a $100 million authorization for refugees, escapees, or what have you from all Communist-controlled countries and, according to the language of the authorization bill, that would include Yugoslavia.

I think the Committee is faced with this inconsistency, Mr. Chairman: We are being asked on the one hand to appropriate money for escapees and refugees from Communist-dominated countries, including Yugoslavia. On the other hand, we are being asked to appropriate an unspecified amount of money for the very Communist country from which some of these escapees and refugees are fleeing to seek independence in the free world. You can support the people of Yugoslavia or you can support the Communist government of Yugoslavia, but you cannot do both.

My amendment will take out assistance for Communist Yugoslavia.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from New York.

Mr. DONOVAN. The gentleman will recall the debate on the authorization bill that preceded this appropriation for foreign aid?

Mr. BENTLEY. Very well.

Mr. DONOVAN. Is it not true that if the Kelly amendment prohibiting aid to Yugoslavia had survived during that debate, the leadership on both sides of the aisle of this House would have had less difficulty with enacting into law the increase in foreign aid that the President of the United States still seeks?

Mr. BENTLEY. I think that is a logical assumption, I will say to my friend from New York. I would like to remind him, of course, that both of us supported the Kelly amendment.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from New Jersey.

Mr. CANFIELD. I would be very glad to support the gentleman's amendment, as I supported like amendments in the past.

Mr. OSTERTAG. Mr. Chairman, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from New York.

Mr. OSTERTAG. Does this amendment prohibit the use of any of these funds for both economic and military assistance?

Mr. BENTLEY. Funds combined in this authorization bill, I will say to my friend from New York, are for military assistance and defense support, which is so-called economic aid. This amendment does not strike out any funds authorized and appropriated for Yugoslavia from previous legislation. That would have made it subject to a point of order. It only reflects on the new money in the legislation at the present time.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Do you not think it patently clear that the first loyalty of Tito is to the international Communist conspiracy?

Mr. BENTLEY. I noticed just a couple of days also that our Ambassador in Yugoslavia, Mr. Riddleberger, who is now in this country on vacation, made the statement that in the last year or two he felt definitely that Tito has been going much closer to Russia and to the Soviet Union than he had previously.

Mr. FEIGHAN. Do you not think it is a contradiction in terms to call any person an independent Communist? In other words, one cannot be a Communist unless he is dedicated to the overthrow by force and violence of all free nations. All Communists are unalterably opposed to the concept of a free nation. Tito is a dedicated and loyal believer in the ideals of Marxism and a firm supporter of the Communist plan for world conquest. So one cannot be an independent Communist, since to be a Communist one must be obedient to the demands of the Communist timetable for world conquest.

Mr. BENTLEY. It would certainly be a difficult statement to make.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I ask unanimous consent that the time allotted me be given to the gentleman from Wisconsin [Mr. O'KONSKI].

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. O'KONSKI].

Mr. O'KONSKI. Mr. Chairman, in these trying days it is rather tragic that we are going to be called upon to vote funds to a nation and a man when we know nothing about the agreements he made on his recent visit to the Kremlin. I happen to have a report of that agreement which was made between Tito and Khrushchev and Bulganin. In essence, here is what they agreed upon and signed, not with their bellies full of vodka. This was signed when they were sober. In essence the agreement says this: "In all major international issues Tito's policy will be from now on parallel to that of the Soviet Union. There shall be no deviation."

Let us go further and see what some of the other agreements are. There shall be mutual cooperation between the leaders of Yugoslavia and the leaders of the Soviet Union in order to arrive at a mutual goal of understanding as regards what Leninism really means.

Agreement No. 5: That there shall be a close working agreement between the Communist Party of the Soviet Union and the Communist Party of Yugoslavia. Wait and see what that means. Listen to this.

Agreement No. 4: It sets up methods of settling differences between the two parties of the two countries.

No. 5: There shall be a continuous reappraisal of dealings with other nations between the two countries. In other words, every once in awhile they are going to get together, Tito and the Kremlin, and find out what they found out about this country and that country. That is why Tito is traveling so much around the world.

Get this. Another agreement: There shall be free interchange of scientific thought and knowledge and development at all times between the two countries. It is rather fantastic. When General Twining appeared before the Committee on Armed Services, somebody asked him the question: "Well, General Twining, did the Russians seem to ask any questions about the American Air Force?" That was a rather preposterous question, because under this agreement all Russia has to do is to go to Yugoslavia and find out about our Air Force, from the up-to-date planes we give Tito under this program. And another agreement, "there shall be a free exchange of visitors and officers of the Communists between the two nations." That means this, that any Communist official of the Kremlin can visit any Communist meeting in Yugoslavia, or vice versa. I wish I had the time to tell you more about what is in this agreement. When the meeting was over Tito said over a drink of vodka that, "Our friendship is based on common aims of mutual collaboration," to which Mr. Zhukov replied that "We are now one again and we shall never be parted."

I say to the Members, if you vote for this bill, you are adding to the insecurity of America. You are voting to give money for the destruction of America.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York [Mrs. KELLY] for 1½ minutes.

Mrs. KELLY of New York. Mr. Chairman, I am very happy to support the amendment of the gentleman from Michigan [Mr. BENTLEY]. My record as far as cutting off aid to Yugoslavia is concerned, is well known. I only regret that this amendment does not cover the unexpended balance. I understand that such an amendment would have been subject to a point of order.

My attitude about cutting off aid to Yugoslavia is not of recent origin nor is it as a result of the renewed diplomatic relations between Yugoslavia and the Soviet Union. I firmly believe that we in the United States, with the background that we have of being for moral rights and the dignity of man should not give aid to any Communist whether in the light of anyone that that Communist be considered a good Communist or not. The aim of communism is to overthrow the United States and to subject all peoples to slavery.

I therefore support this amendment and hope it will prevail.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MURRAY] for 1½ minutes.

Mr. MURRAY of Illinois. Mr. Chairman, I support the amendment of the

gentleman from Michigan [Mr. BENTLEY]. In my opinion, giving aid to Tito makes no more sense than buying the Brooklyn Bridge from a confidence man.

I would like to point out to the House that the legislation authorizing this appropriation requires, before expenditure of any funds to Yugoslavia, certain findings by the President. In appropriating moneys for the development of many of our own national public works projects legislation requires contributions by State and local governments. Prior to the time we appropriate, we make certain that our local people will carry out their obligations.

By appropriating funds prior to any of the required findings by the President, Tito is being treated better than our own local governments in connection with their public works projects.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. DODD].

Mr. DODD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DODD. Mr. Chairman, when the legislation authorizing the mutual security program was before this House June 8 of this year, I offered an amendment with respect to Yugoslavia.

That amendment would have prohibited assistance to Yugoslavia unless the President of the United States made a finding that Yugoslavia is independent of the control of the Soviet Union and that it is in the interest of the national security of the United States to continue to furnish assistance to Yugoslavia. My amendment also required that the President promptly transmit his findings and his reasons for his findings to the Congress.

Unfortunately, that amendment lost by only a handful of votes in this House.

Fortunately, later on in the Senate, Senator O'MAHONEY, of Wyoming, offered an amendment almost exactly like the one I offered in the House, and Senator O'MAHONEY'S amendment was adopted in the Senate.

In the conference between this House and the other body, that amendment was retained so it is now part of the language in this year's Mutual Security Act.

It is my considered judgment that Yugoslavia should not be given further assistance, and I am confident that the President will have to make such a finding.

However, since the President has the first and the greatest responsibility with respect to our foreign affairs, I think it is better that we handle the Yugoslav question in this way.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. PASSMAN] to close debate.

Mr. PASSMAN. Mr. Chairman, I certainly hope the Committee votes down this amendment. Our commitments to Yugoslavia are about 90 percent complete. Let us follow the leadership of the Committe on Foreign Affairs and have the President decide whether or not to give Yugoslavia this money.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I will be happy to yield to the distinguished Speaker of the House.

Mr. RAYBURN. Mr. Chairman, I have never been one of those persons to get excited, and not about this, either, but I know that we have few enough friends in the world and we need more than we have. Would you not rather somebody would be neutral than be against us? In my opinion, that is the question you are going to determine by your vote now.

With the world in the danger in which it stands, with civilization standing in the greatest shock it has ever stood since civilization dawned, are we going to kick them in the face just because we do not like something they have done some time in the far distant past or in the recent past? I think this would be one of the greatest mistakes the House of Representatives could make. I plead with you not to adopt an amendment of this kind.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. BENTLEY].

The question was taken; and on a division (demanded by Mr. BENTLEY) there were—ayes 58, noes 97.

Mr. BENTLEY and Mr. GROSS demanded tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BENTLEY and Mr. PASSMAN.

The Committee again divided; and the tellers reported that there were—ayes 65, noes 117.

So the amendment was rejected.

Mr. McDONOUGH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is regrettable that the amendment to remove the funds for Yugoslavia failed. I voted for this amendment because I do not believe we should include aid to Yugoslavia. This bill is for the mutual security of the United States and our loyal allies and it is difficult to consider Yugoslavia a loyal ally in view of Tito's recent visit to Red Russia where he pledged his loyalty and support to promote communism.

I have great confidence in President Eisenhower but I think we are placing a great burden upon him by authorizing him to decide whether or not the funds in this bill should go to Yugoslavia.

I think that decision is our responsibility and should have been settled here in the House.

The mutual security program is due for a thorough study, investigation and review. Many questions have been raised about it that will require a searching analysis. I have supported mutual security because I believe it is a very vital part of our foreign policy and our national defense. I think we gain much by helping our loyal allies defend themselves, thereby making it unnecessary to send our American boys to foreign countries. If Red Russia should attack we must be prepared and help our allies to be prepared to meet such an attack, but I think we should be positive and certain that the nations we are helping are and will remain loyal to us. We cannot go on guesswork that is why I think we should proceed at once to investigate the need for further mutual security so we can be fully informed on all phases of this vast program for the next year.

Mr. HOFFMAN of Michigan. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, this idea and policy of attempting to purchase friendship should receive more consideration. It has never worked before. In time of stress and trouble nations have deserted each other, traveled the road of self-interest. If memory serves correctly, it was in 1914 that Germany under the Kaiser started a war against her neighbors. In 1917 in April, I think, the United States went in. We went in with Britain and with Russia. Russia. Our present enemy. Remember?—Russia. We helped her out. We saved Russia and Great Britain from disaster. Is there a challenge of that statement? That war was fought we were told to end all wars. It, and the treaty made at its end, laid the foundation of another war. Then sometime later, again if memory serves correctly, on the 7th day of December of 1941, we got into another war—primarily because our President planned it that way. The first one was to stop the Kaiser. That is my memory. The next one was to stop Hitler. And in that one we again went in with and built up Russia—did we not? That is twice—twice—we have gone with Russia to help her out—each time making her more powerful—or was it because we are so lacking in courage and in confidence in our own ability to defend ourselves that we thought it was necessary in order to protect our own country?

We have come a long, long way since the days of the Revolutionary Fathers when they defied Great Britain, have we not now? Remember the time when we said: Millions for defense but not one cent for tribute? Remember? Oh how we have fallen. In courage. In self-reliance. In faith in ourselves. Buying peace. If they knew what would be the comment of those who suffered? Of those who died? And where have we gotten? And how come Russia is in the situation she is today? Why do we fear her? For 39 years we have gone with her in her quarrels. We have fought her—not our—wars. We have saved her economy. We have taught her the know-how. We have condoned by our silence her brutality while condemning her with words. We have poured billions into her war chest. She is able to threaten us only because we made her what she is. How many men have been killed because we went into those 2 wars and how many homes have been disrupted because sons, husbands, and fathers were sacrificed in those 2 wars?

Then because we had a dream of world leadership—seemed to have outgrown the Constitution, no longer gave priority to the Stars and Stripes—we let U. N. push us into Korea. The result of our meddling is that today we are confronted by a Russia which we created and now fear. She would have been nowhere in

the family of nations, as to power, military or otherwise, without our help. Now there is one friend, so-called, that we have helped over the years, that we built up. So what about today? We just voted on an amendment, an amendment overwhelmingly defeated, which would have denied further aid to a present friend, ally of Russia. A former friend of ours and reportedly an ally. To whom we have given millions of dollars. How long can that go on? The gentleman from New York [Mr. TABER], a recent convert, told us we had the choice of giving dollars or of sending our men to fight on foreign soil. Fortunately that is not our situation. We can attend to our own affairs—quit meddling in other people's disputes—keep both our men and resources at home.

I noticed the other day a map of the world. Around Russia was a ring of military bases that we have established. We have more than 900 military establishments throughout the world, our own barracks for our troops, supported by our taxpayers. Let me ask the simple question. Just in how many places throughout the world can we establish and successfully defend military bases?

It is doubtful if there is a land or a sea on or in which an American has not died and lies buried because we have failed to confine our efforts to defending our own welfare. It is all right to go along with the military men on a purely military question, but there never was a war fought that in the end was not won by the economic strength of the people back home. When in war the military spreads itself out too far it is sure to meet defeat. That is history's lesson in every battle in every war. In the Revolutionary War Britain came way over here across the seas to fight—and they lost. In the War Between the States, the South made its fatal mistake when it started up the Shenandoah Valley for Gettysburg. The South lost. But not because of lack of courage. The South lost—not because of lack of brilliant military leadership. The South lost because her economy could not feed, clothe, transport, and provide weapons and replacements for her fighting men. It spread out too far. I think most military men, if you can get one away from the thing he desires, money to build or construct, will admit that there is a limit as to just how far you can, without disaster, spread your military forces. Sure, this military man—they talk about the President. We just turn over to him the responsibility of deciding when and how much of this money should go to a former friend, a friend now of Russia.

When did a military man, a graduate of the Academy, ever acquire knowledge of how and where and through what efforts a dollar was acquired? Or of how it could best be spent. Do they have any idea of what might happen to this country if we continue to spend more and more money? What have we gained if we encircle the world with our weapons if in the end we find ourselves slaves of a military government? Did you ever meet a military man trained to economize? Why have we always insisted that at the head of a military department we have a civilian?

I will ask my Republican friends, What about this campaign slogan of ours: "Peace, progress, and prosperity."

Well, it is a strange and undesirable kind of peace that strips us of our economic ability to maintain ourselves. Destroys our freedom. Puts us into a regimental goosestep. Obligates us to pay tribute to supposedly friendly nations in order to get expressions of good will. We have spent billions upon billions to buy the friendship and support of other nations, but, as was so ably pointed out by the two gentlemen from Wisconsin [Mr. SMITH and Mr. O'KONSKI] today and on previous occasions, upon not one recipient of our aid can we now rely when trouble comes.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. HOFFMAN] has expired.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to find out something about section 104 of the bill. The first part, I understand.

None of the funds provided by this act nor any of the counterpart funds generated as a result of assistance under this or any other act shall be used to make payments on account of the principal or interest on any debt of any foreign government or on any loan made to such government by any other foreign government—

And so forth. I can understand that. But tell me the meaning of this:

Provided, however, That to the extent that funds have been borrowed by any foreign government in order to make a deposit of counterpart and such deposit is in excess of the amount that would be required to be deposited—

And so forth. What does that gobbledygook mean? Will somebody give me a little enlightenment? Does this mean that foreign governments cannot use our counterpart funds, and then turn around and say that they can under certain conditions?

Mr. FORD. Will the gentleman yield?

Mr. GROSS. Yes. I would like to get some information.

Mr. FORD. As I recall the amendment which was made in this provision, it is to take care of two situations where, before the original amendment was enacted, certain advances had been made. This gives permission to straighten out the bookkeeping.

Mr. GROSS. What two countries? Will the gentleman tell me?

Mr. FORD. My recollection fails me in that regard, but there are two specific instances where there is a bookkeeping problem. The nature and the intent of the amendment is to retain the original proposal but to take care of these two special contingencies in their bookkeeping transaction.

Mr. GROSS. Could it possibly concern Great Britain which has used a billion dollars—I did not say a million, I said a billion—a billion-dollars-plus of our counterpart funds to retire her debt?

Mr. FORD. It does not. The original intent of the amendment is plain in its language. Perhaps the chairman of the committee can be more specific.

Mr. PASSMAN. The gentleman is correct in his statement in reply to the gentleman from Iowa. It is requested that the countries not be mentioned, and I think for a very good reason. Great Britain is not one of them.

Mr. GROSS. So we are not supposed to know who is digging into our counterpart funds. Is that correct?

Mr. PASSMAN. I will be very glad, because he is a Member of Congress, to give him any information I can.

Mr. GROSS. Another question: As I understand, there is an item of $80 million in this bill for India. Is that correct?

Mr. PASSMAN. There is a lot in the bill for India to the extent that the President finds it in our interest to extend the aid.

Mr. GROSS. But there is in the bill between $70 million and $80 million for India.

Mr. PASSMAN. Yes.

Mr. GROSS. And the British are building a steel mill in India, are they not?

Mr. PASSMAN. That is my understanding.

Mr. GROSS. With private capital.

Mr. PASSMAN. That is my understanding.

Mr. GROSS. Yes, the British are building a steel mill in India to cost $100 million. That is correct; is it not?

Mr. PASSMAN. I am not acquainted with all the minor details of the agreement.

Mr. GROSS. This does not make sense to me. We hand over $80 million or more a year to India in this program while the British can come in and build with private capital, interest-bearing loans, a steel mill costing $100 million on top of that the British supply the equipment that goes into the mill, yet we let the British take more than a billion dollars of our counterpart funds to retire their debt. How do you put that together to make sense?

Mr. PASSMAN. If the gentleman will yield, it is not often that we are in disagreement; we are not in disagreement in our ideas now. Personally, these are matters I prefer to leave to our President to work out.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. PHILLIPS. Will the gentleman please ask the chairman of the committee to point out that section under which the President can withhold funds for India?

Mr. PASSMAN. I might state to the gentleman that he has the authority. It was done last year. The President does not necessarily have to use these funds; further, he can transfer funds from one nation to another and from one program to another. He could elect to transfer part of this $70 million in the bill, at least 20 percent of it, under his transfer powers. I refer the gentleman to the Mutual Security Act of 1956 which contains the authority for the transfer of funds.

Mr. GROSS. Mr. Chairman, this whole so-called foreign-aid program is one of the most fantastic deals I ever heard of. Here we are permitting the

British to take counterpart funds that were originally derived from our taxpayers to retire their debt. Then British loans are made to India to build a steel mill. But we have got to carry both the British and Indians around on a chip. West Germany, too, is in India building a steel mill on a loan basis. We are not. The Russians are also in there on a loan basis building a steel mill. We raid our taxpayers for a handout to keep India neutral. If this program is not Operation Rathole, I wish somebody would tell me what it is.

The Clerk read as follows:

SEC. 106. Section 108 of the Mutual Security Appropriation Act, 1956 (Public Law 208, 84th Cong.), is hereby amended by substituting "during the 2 succeeding fiscal years" for "until June 30, 1958" in the third sentence thereof, and by substituting "under the authority of the Mutual Security Act of 1954, as amended" for "in this act" in the fifth proviso thereof.

Mr. ROONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROONEY: On page 7, line 11, insert a new section as follows:

"SEC. 107. None of the funds contained in this act shall be used to carry out the purposes of section 13 of the Mutual Security Act of 1956."

Mr. ROONEY. Mr. Chairman, I shall endeavor to be as brief as possible in my explanation of the pending amendment which I am sure will be accepted unanimously. The adoption of this amendment would save the American taxpayers $11 million. There is in the State Department, directed by the State Department, what is known as the international educational exchange activities program. The regular budget request for this program in the present fiscal year, to wit, 1957 fiscal year, was in the amount of $20 million. The House Appropriations Committee saw fit to mark up this request in the amount of $18½ million, which was subsequently approved by the House. The Senate allowed the full requested amount of $20 million. In the conference between the House and Senate the amount arrived at was the full amount of the budget estimate, $20 million, when the House conferees receded and concurred.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield to the gentleman from New York.

Mr. TABER. I shall support the gentleman's amendment. I think it would be a good thing not to go along and provide any more funds for that particular activity.

Mr. ROONEY. The gentleman from New York will agree with me, I am sure, that such a proposition as this does not belong in this bill at all.

Mr. TABER. It ought to be in the State Department appropriation bill.

Mr. ROONEY. The authorizing legislation would permit transfer of these funds, which this amendment seeks to cut out, to the Department of State. It is a devious method of getting around the provisions of the State, Justice, Judiciary appropriation bill to furnish money that the President does not want, that the administration does not want and that the Department of State does want and could not possibly use.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Chairman, the committee accepts the amendment offered by the gentleman from New York [Mr. ROONEY].

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ROONEY].

The amendment was agreed to.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are about to complete consideration of this very important appropriation bill, one that is directly connected with the national interest of our own beloved country. The important work done on this bill by the chairman of the subcommittee, the distinguished gentleman from Louisiana [Mr. PASSMAN], as well as the other members of the subcommittee, has been outstanding.

We all know that the Committee on Appropriations is one of the hardest working committees in the Congress of the United States, and that statement applies to all subcommittees of that committee. There is no subcommittee of the Committee on Appropriations that has a more important or responsible task and duty to perform than the subcommittee which considers this particular bill.

The bill has gone through the Committee of the Whole under the able leadership of the gentleman from Louisiana [Mr. PASSMAN] in cooperation with members of the subcommittee on both sides of the aisle.

I want to extend my congratulations to the members of the subcommittee for the fine work they have done and particularly, if I might single out the chairman of the subcommittee, the gentleman from Louisiana [Mr. PASSMAN] I want to pay him a special tribute. The gentleman has done an outstanding job. Knowing his views as we do on this type of legislation and appropriations, he assumed the responsibility of chairman of the subcommittee with a determination and the announced statement that he would fight for any bill that comes out of the subcommittee and out of the full Committee on Appropriations.

The gentleman has done that in an admirable way and in a manner which commands the respect and the commendation of not only the leadership of the House on both sides but of all his colleagues on both sides of the aisle. The gentleman has clearly evidenced real statesmanship particularly in the handling of this bill.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New Mexico.

Mr. FERNANDEZ. As a member of the subcommittee, I want to express my appreciation to the majority leader and to the leadership here for agreeing not to try to increase the amounts provided in this bill.

Mr. McCORMACK. Mr. Chairman, in conclusion, I want to particularly pay tribute to that fine, hard working gentleman and Member from Louisiana under whose leadership this bill has gone through the Committee today in such an admirable manner. Speaking for myself, and I know for all of my colleagues, I commend my friend, the gentleman from Louisiana [Mr. PASSMAN].

The Clerk concluded the reading of the bill.

Mr. JUDD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I feel I must take 1 minute or so to express my deep conviction that the House is running a grave risk in the cut of one and a quarter billion dollars it has made in the appropriation bill below the estimates of the executive branch as to what is needed for military assistance to our allies around the world. I opposed any cut in the Committee on Foreign Affairs. I was not willing to accept responsibility for weakening my country's position at this critical time.

When I served as a House conferee, I naturally supported the House position and we were able to get agreement on a conference report nearer the House's position than that of the other body. It represented a cut of $700 million.

But this bill contains a further slash of $500 million. I would feel derelict in my duty to my country if I did not say here and now that I believe the House is being reckless in the action it is taking. It is too great a chance and I feel the action may have dangerously bad effects on both the actual strength and the morale and confidence of countries under Communist pressure.

There are a few countries with whom we have been working closely that are wavering. This will increase, in my opinion, the risk of losing them.

There are other countries that are beginning to lean in our direction, in part as the result of their disillusionment with Communist promises and performance. They may be on the verge of coming back more firmly into the free world camp. They need our understanding help, and steady support just now. With these drastic reductions we would not be in a position to extend the additional help they must have if they are to pull away from the Communist web and aline themselves more openly with the free world.

During the conference with the other body on the authorization bill, the senior Senator from Georgia [Mr. GEORGE] was adamant against the cuts the House had made in it. He was most reluctant to accept the 50–50 compromise cut of $700 million. Again and again he shook his head as he said "This is just too serious a cut. It is too dangerous. It is a 25 percent reduction, and we just cannot afford to do that at this crucial time."

Now, this committee has made a reduction of $500 million more, and the House is going to approve it. That means a total cut of 45 percent. It is too deep.

Mr. Chairman, I realize that from a practical standpoint, there is nothing I can do about it, with the temper that

prevails here today. But, for the sake of my own conscience if for no other reason, I have to express my deep concern. I fear that we are making a grave mistake that we may come to regret and that in the end may cost us a great deal more money, and perhaps blood, unless much of the cut is restored in the other body and a larger figure retained in the conference between the two Houses.

Mr. FLOOD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I simply want to say that I had intended to introduce a substitute amendment if the gentleman from New York had introduced his amendment for $200 million. I had intended to introduce an amendment to have this appropriation meet the full amount of the authorization bill. But, for reasons heretofore discussed, I want to make it clear that I did not introduce the amendment for that reason.

Mr. PHILBIN. Mr. Chairman, I appreciate the fact that the committee has given most careful consideration to the vital and basic problems presented by this bill. Like other Members of the House, the committee has been subjected to the various pressures generated by proponents and opponents, and I have no doubt in my mind that the intensity, scope, and influence of the campaign waged in behalf of the highest proposed appropriations for mutual aid, both military and economic, has been fully apprehended by the House.

While I share with the proponents the basic thesis that we must by all means at our disposal strengthen and buttress the free world against communistic aggression and infiltration, I am not at all satisfied with the results of some $60 million, which we have spent up to this time for the foreign-aid program.

I am not convinced that military strength has been sufficiently developed commensurate with the huge sums expended. I think there has been waste, extravagance, and loose administration connected with the entire program and can well understand the viewpoint of those who assert that we have gone altogether too far with our spending in this field.

I may say that I have repeatedly voted in the House to moderate this program and keep it within reasonable and sensible limits. I have been shocked by the lavish, ultraliberal expenditures, by some of the features of the offshore procurement program, which is depriving American workers of jobs; by the meddlesome, wasteful aspects of technical assistance, which in some instances has been forced upon unwilling peoples.

Most of all, I have been stirred by the use of funds under the foreign-aid program and related activities to build up and strengthen some nations which have made it very clear to the world that they do not stand with us, but they intend to be alined with world communism and the Soviet.

Moreover, it is a matter of grave concern that some of our closest allies are trading critical, strategic materials, including jet engines, machine tools, and other materials necessary to a war economy to the Russians. In fact, if the Russians had not received jet engines from one of our allies, they would not have been able to record the substantial progress that they have made at the present in building civilian and military jet-propelled planes.

This and other developments of a similar nature indicating that the proceeds of American foreign aid funds are in some instances strengthening the potential enemy and, yes, the whole manner in which this program has been conducted up to the very present time—all have given me some doubts about its efficacy, wisdom, and value to this country. It is not surprising that some good Americans regard this program as a huge, unsound, international venture, financed by money taken from the pockets of hard-working American taxpayers.

One of the unusual features of this program is that it is supported by leaders and platforms of both parties on the theory that it is essential to the security of the United States. If it is really believed that it is essential to the security of the United States, the program might come strictly under our military program.

We have been told time and time again that the program was approaching its end and yet its end is not in sight. When will it end? Many beneficiary nations are in flourishing economic condition, enjoying full employment, balanced budgets, and general prosperity far beyond prewar levels. How long will we continue to spend huge sums from the Treasury of the United States, not only to strengthen associated nations of the free world, but to provide them with the means of setting up competition against this Nation in virtually every part of the world? Has this foreign-aid program become so deeply ingrained in our governmental system that it is the purpose of some to retain it permanently?

Personally, I believe that there are those who would like to retain it permanently and use it to further additional far-reaching, extreme, internationalistic proposals, but I do not believe that the American people woud support such a plan. If the American people were given a chance to vote directly on this question, it is my view that they would favor a moderate program for the ensuing year and a gradual reduction and early discontinuance of these multibillion-dollar outlays at the expense of the working people of the Nation.

As I have stated many times, I believe that we have gone altogether too far in lavishing billions of dollars on foreign programs. It would be difficult indeed accurately to measure the benefits. Most of the results are disappointing and disillusioning, to say the least.

However, the international situation is tense, crucial, and difficult of solution. Insofar as we can, we must try to keep the free world strong, militarily and economically. Yet, it is impossible to help nations, who are not willing to help themselves. No amount of military or economic aid can make a nation stand up, which does not possess the will to defend itself, and no amount of military or economic aid can make an ally out of a nation whose leadership is wedded to Marxist concepts. Nations in that category should not be given any aid because they are unworthy of it and will use our assistance to spread and buttress the cause of communism. There are nations that will threaten to go Communist unless we extend our further largess of billions for their benefit. I say to these nations, let them go Communist, and the quicker the better so that we will know just where we stand in this world. I am unalterably opposed to yielding to this kind of international blackmail.

It is said sometimes that we are dealing with calculated risks. Our duty is to make sure that we properly calculate and fully evaluate the risks which we are taking, that we will balance one course of action against another, and take the lesser of the risks rather than the greater.

We have a responsibility to discharge to our own people to maintain the security of this country and keep our commitments to the free world. This is not an easy task. It involves, not only risk-taking, but chance-taking that some of the efforts to strengthen the free world will be successful even though the apparent results to date are frequently discouraging and quite the opposite of what was proclaimed they would be when this huge program was first adopted.

That the whole situation in the world today and the foreign-aid program is inexorably tied in with our foreign policy is incontrovertible. I have never been able to understand how this Nation could develop strength in the free world by pursuing a weak foreign policy toward the enemies of the free world. Since the end of World War II, I have been urging an end to appeasement of world communism, but as I have seen diplomatic events unfold, I have often felt a sense of futility. The Government has made one concession after another to the Soviet over a period of years. We have expected other nations to detach themselves from the Soviets while our own Nation has often appeased and conciliated them on major world issues.

The Geneva Conference and the visit of high American military dignitaries are but two examples of practices and attitudes on our part that can be used by the Soviet to convince its own people and the peoples of the oppressed satellite states that we are on cordial, agreeable terms of cooperation and friendship with the Soviet and that we have no intention of protesting or objecting to the continued subjugation of hundreds of millions of people, who are yearning for freedom and willing to fight and die for it at every opportunity, of which Poland is the glowing and most laudable example at present. This is a great and compelling world question.

This Government has stood for a more or less regular barrage of insults, jibes, slurs, espionage, and incitement of treason within our own boundaries, flagrant, brazen renunciation of solemn agreements by the Soviet which they had previously entered into with us and other nations, continued aggression, plots, conspiracies, infiltrations everywhere, including our own country.

Our foreign policy has moved along on a benign, inoccuous course, apparently designed to be as inoffensive as possi-

ble to our allies, the British, and the Soviets regardless of what is happening in the world. We have sat by benignly and supinely in the face of great outrages against freedom and human dignity exemplified by the situation in Poland and Cyprus. No single ray of hope or word of sympathy and encouragement was given to these oppressed, tyrannized peoples and others like them throughout the world.

Some time ago a proliberation resolution was introduced in the other body and speedily withdrawn because, according to high officials, it was objectionable to some other nations? Why? A foreign policy has to be based on principles as well as upon interests, although our British allies have been candid enough to state that historically theirs is based upon their own interests.

We have a proud heritage of freedom to maintain, which has been consecrated by the blood of many American boys, who lie today under white crosses in foreign lands. It is to them and to our forebears, as well as to our own people and our posterity that we must reemphasize and repledge our faith and our purpose to uphold our free way and the security of our country and the democratic, humane ideals we have toward fellow human beings, persecuted and oppressed, as well as downtrodden and impoverished.

General Gavin's recent statement before the Committee on Armed Services of the other body must have stirred a few souls when he stated in effect that in an atomic attack many American cities could be destroyed and, depending on the way the wind was blowing, hundreds of millions of people would be killed by atomic attack in Eastern or Western Europe.

Of course, with due respect to General Gavin, I have not noted any documentation or scientific authority for these conclusions.

If General Gavin's statements are true, we would not need any military foreign aid program. It would not be necessary to develop strength among our allies. Since we have the atomic and hydrogen bombs in large numbers and the means of delivering them, according to General Gavin's statement, any war would be brought to a very speedy end by wholesale, mass destruction of life and civilization itself. Pray God the world will be spared such a fate, for a just, enduring peace.

I am particularly disturbed, as military leaders have been, by the fact that the Soviet is making rapid strides toward our own level of military power and that it has also spread its influence and control, and what is more sinister, its poisonous ideas into many places of the world.

Obviously, any chance that we have of securing the peace as against the Marxist aims of ultimate, complete world domination and conquest lies, in my opinion, in marshaling our full national strength behind a firm, decisive, unyielding foreign policy based on the interests of America, as well as the ideals of freedom. It is my belief that if we are strong enough in our attitude, we will have allies to stand with us against the forces of Communist despotism.

As a consequence of my studies of questions posed by this bill, I have come to some very profound convictions, which I am conscience-bound to express by voice and vote in this House. While I am not impressed at all by the results of this program to date and propose to vote to curtail it, I am constrained nevertheless, by current world conditions and by the ever-present hope we may have in bringing freedom-minded peoples together against Marxist tyranny, to support the bill. I hope that, under new direction, the foreign aid program will eliminate waste, extravagance and the messianic spirit, which frequently seems to have possessed it, and come to a more realistic conduct of the comprehensive, far-flung activities committed by the Government to its charge.

The great fight of this century is the fight against communism. There may be wolves in sheep's clothing at large in the Nation and the world posing in the role of humane deliverers as they do their dastardly work for world communism. Let us fearlessly and courageously oppose these elements and their ilk and defeat their aims to destroy American freedom and conquer the world for Marxist despotism.

Mr. FLOOD. Mr. Chairman, I have waited until this late in the day on the 5-minute rule until every Member who wished to speak would have a chance to do so since I had taken time under general debate. Now, however, that everyone has had his say, I must intrude again upon the discussion of this bill, to make it clear that I support entirely the position taken by President Eisenhower in his request to this House on this mutual security appropriation.

You will recall, Mr. Chairman, when the authorization bill upon which this appropriation action is being taken today was before the House, I introduced an amendment to have the authorization for mutual security in the amount requested by the President of $4,900,000,000. When discussing the authorization bill when it was before this body a few weeks ago, I stated that I would introduce an amendment in the full Committee on Appropriations, and if necessary on the floor, that this appropriations bill contained the full amount authorized by the Congress in the Authorization Act. It so happens that the Congress authorized $4 billion.

As you know, Mr. Chairman, in my opinion even that is too serious and deep a cut of this necessary and essential mutual security program. In view, however, of the action taken by the Congress in setting the authorization ceiling at four billion it was my intention to introduce an amendment today that this bill appropriate that sum.

When this bill was before the Appropriations Committee earlier this week, and the gentleman from New York [Mr. ROONEY] introduced his amendment to increase the appropriation from that recommended by the subcommittee to $250 million in addition, I introduced an amendment to his amendment to have the appropriation read $4 billion, or the total that I was certain, at the time, the conference report, then being written on the Authorization Act, would provide.

I repeat, I did not introduce said amendment today for the same reason that the gentleman from New York did not introduce his, because the leadership of both sides of the aisle felt certain, as was expressed by the minority leadership, the gentleman from Massachusetts [Mr. MARTIN] and majority leadership, the gentleman from Massachusetts [Mr. MCCORMACK], and explained in their thinking that a much larger sum could be obtained when the bill is before the Senate and then brought back to the House for final action. While I do not agree entirely with these tactics under all the circumstances with the gentleman from New York, I yield to this thinking of both the Republican and Democratic leadership in this manner, and since my objective is to give the President what he asks for, I want to be sure that any steps I take will best serve that objective.

Much has been said today about the Republican members of the Appropriations Committee, who, when this matter was before the Appropriations Committee, for the first time since we have had a foreign-aid program, voted to increase appropriations above the recommendations of the subcommittee report. My Democratic friends have been criticizing and needling them for the startling and sudden switch in their voting on such matters. There is no doubt, when I recall the names of my Republican friends on the committee who voted to raise this fund, that it is startling and surprising, to say the least. My Democratic friends have been criticizing them for being under pressure from the White House on this act to change their votes and to change their thinking. Frankly, I see nothing the matter with that. I remember when under previous Democratic administrations the same tactics were employed by the White House, and as a matter of fact, I see nothing wrong in the Executive pointing out to the members of his party the importance of the specific legislation and expressing the wish that they could see their way clear to support such a legislation. That kind of thing has been going on in this town since Henry Melchior Muhlenberg was the first Speaker of this House, and I am sure it will go on through the avenue of years ahead, regardless of what party has its representative in the White House.

I do not criticize or deplore my friends on the Republican side for seeing the light of day which has been clear to me since the inception of this program. I am delighted that they have seen the error of their ways. I have been trying to convince them that they were wrong the past 12 years, and could not do it. If someone from the White House can do it with a telephone call, or merely by dropping a word in their individual or collective ears, more power to them, and thanks to them, say I. Verily, politics doth make strange bedfellows. I recall Saint Luke's word's in the Good Book, when he said:

I say unto you, that likewise joy shall be in heaven over one sinner that repenteth, more

than over ninety and nine just persons, which need no repentence.

So, Mr. Chairman, when my good friends on the other side of the aisle come around to my point of view and thinking the way I do, on a matter as vital and essential to the national welfare and safety as is this, I say, praise be, that they are "washed in the blood of the Lamb."

My position, Mr. Chairman, on this legislation is well known. I have been consistent and hope I will always so be. I supported lend-lease, UNRRA, and similar programs under President Roosevelt, a Democrat. I supported the Greek-Turkish loans, the Marshall plan, and all mutual security or foreign-aid programs that followed from those days under President Truman, another Democrat. Politics must end at the water's edge, and I therefore see no reason at all why I must not support the same kind of program, even in greater amounts, with the same great purposes under President Dwight Eisenhower, a Republican. This program is simply an extension and continuation of these tremendous efforts for the peace, progress, and prosperity for this Nation and the world, instituted under Democratic administrations years ago.

When the President of the United States, no matter who he may be or what his party, and his Joint Chiefs of Staff, in my opinion, from my experiences and from my information from the Appropriations Committee, are wrong in their judgment, I have said so, and will continue to say so, as evidenced by my insistence and introduction of the amendment which gave to the Air Force an additional billion dollars, and passed this Congress and was signed by the President last week; but on the other hand, when that President, and his Joint Chiefs of Staff, in my opinion, from my experiences and from my information from the Appropriations Committee are in the right, then you can be sure, Mr. Chairman, I will say so, and that I am saying today in supporting President Eisenhower and his Joint Chiefs of Staff on this mutual-security bill for the fiscal year of 1957.

Mr. DINGELL. Mr. Chairman, I note with some satisfaction that there is provision for aid to Israel in the mutual security appropriation bill now before us. I note that Israel is to receive $2 million in technical assistance. Israel is our friend, and that is good.

I note that Middle East, Egypt, Israel, Jordan, Lebanon, and Libya are to receive some $63 million in development assistance. I see that the amount to go to each of the several countries is listed as classified. I am pleased that Israel is to receive this aid, but I find it distasteful to see American funds flowing into areas where they do America and its friends, among them Israel, no good.

I regret very much that we are still bidding against the Soviet Union to see whose aid Egypt is to accept. I feel that that is a bad thing for any intelligent person to do, and worse for us, an enlightened country, to do. I am sure that the Egyptians will not thank us for it, and certainly will not respect us for it.

I have raised my voice many times to urge an intelligent policy on the Middle East, one serving our enlightened self-interest. Such a policy surely includes the use of our aid to build up the peaceful countries of the area so that those desiring war will be aware of the danger to themselves which their aggressive acts create. Mr. Dulles has announced that if war starts in the Middle East that American troops will certainly be sent to halt it.

The point I make is this, Mr. Chairman, I can see nothing in this bill which provides for the building up of Israel militarily with defensive arms. That concerns me greatly. But I do see funds flowing to Egypt which permit diversion of other Egyptian funds to wartime use. I am gravely afraid, Mr. Chairman, that unless we use our wisdom and send to Israel the defensive weapons which she needs, that there will be war in that area, and American boys will be sent into another holocaust. To make that unpleasant situation still worse, there is a very strong possibility that our troops, on entry into such a conflict, will find Israel America's only real friend in the area overrun and a smoking ruin before rescue can arrive.

Egypt has not renounced its earlier threats to destroy Israel. Indeed we still hear threats from Egypt. Nasser is only biding his time. There are still great quantities of Soviet arms flowing into Egypt and that country is now using over one quarter of its national budget for arms. A figure which is far too high for a backward undeveloped country whose people are hungry and disease ridden and which we are told is looking for peace.

I will say that situation is being aggravated by the aid which we are sending into Egypt because our economic aid makes it possible for other funds to be diverted into warlike uses.

Mr. Chairman, I hope the administration will heed my voice and those of the other Members who have so often urged defensive arms for our tiny sister democracy and a vigorous, wise American policy in the Middle East to prevent war now, before it starts.

Mr. DONOHUE. Mr. Chairman, as I stated here a few weeks ago during the course of debate on the authorization bill for foreign aid, the fundamental purposes of this legislation were, and still are, Christian to our character and practical to our own self-interest. Few Members here have any great disagreement with the original basic objectives of this so-called mutual security program: To prevent Americans from again having to fight and die on foreign battlefields, to help rehabilitate friendly allies and undeveloped countries, and to promote the safety of ourselves and the free world against any Communist threat.

The only fundamental question presented to us in this appropriation bill is whether or not it provides sufficient money to keep the program in reasonable operation while a thorough resurvey of our whole foreign aid policy and financial commitments to support it is conducted.

The vital and urgent necessity of a complete resurvey of our whole foreign-aid program and policy is only too unhappily evident from the most disturbing reports arriving almost daily in revelation of unstable conditions existing practically all over the world. It is unfortunately very clear that our foreign policy has been disastrously deficient in failing to keep up with and make proper adjustment to the changing attitudes of both our antagonists and our allies. As most of us know, the Senate has already voted for an investigation of the foreign-aid program by its Foreign Relations Committee, and there is legislation pending here for the same purpose. Such an investigation by the Congress in cooperation with the administration is long overdue and it cannot be initiated too soon.

In considering our action on this appropriation bill, let us seriously realize that even at this moment there is enough money outstanding to carry on the objectives of our program for at least 2 years; that we have spent, on this program since 1940, about $100 billion of the people's money in principal and interest; and, finally, that there is some $600 million more contained in this present bill than in the appropriation of last year. No less an authority than the Comptroller of the United States himself testified before the committee that overoptimistic foreign-aid planning has resulted in the appropriation of more money than could be spent.

The reductions in this bill before us will in no way disrupt the continuation of a reasonable mutual-security program. The most desirable point 4 operation, allies who have demonstrated friendliness, and areas of strategic military importance to us are all adequately provided for.

While we then accept our obligation to provide for this security against communism for ourselves and the free world, let us also accept and concentrate upon our primary obligation to the American people, whom we represent, to take the greatest care of their money and exercise the highest vigilance over the manner in which it is spent. The resources of this great Nation are not limitless and the burdens now beng patriotically assumed by each American taxpayer are truly staggering. It will profit us little to extravagantly attempt to buy uncertain friendships if the exorbitant price is the deteriorating morale of the American people and the grave danger of our own economic instability. Let us beware of both of these catastrophes which are more threatening than may appear on the surface. The American taxpayer has put both his faith and his money into our legislative hands. In legislative conscience, let us neither betray the one, nor dissipate the other.

Let us, rather, wisely and patriotically accept the reasonable reductions, in this foreign aid appropriation bill, recommended by the committee and sensibly wait until the results of the restudy and reexamination of the whole subject are available for our continuing legislative consideration in the best interest of our American taxpayers.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes, pursuant to House Resolution 583, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. HAND. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HAND. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HAND moves to recommit the bill to the Committee on Appropriations.

Mr. PASSMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. PASSMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 284, nays 120, not voting 28, as follows:

[Roll No 98]

YEAS—284

Addonizio	Buckley	Denton
Albert	Burnside	Derounian
Allen, Calif.	Bush	Devereux
Allen, Ill.	Byrd	Diggs
Andresen, August H.	Byrne, Pa.	Dingell
Anfuso	Byrnes, Wis.	Dixon
Arends	Canfield	Dodd
Ashley	Cannon	Dollinger
Aspinall	Carrigg	Dolliver
Auchincloss	Cederberg	Donohue
Avery	Celler	Donovan
Ayres	Chatham	Dorn, N. Y.
Baker	Chelf	Doyle
Baldwin	Chenoweth	Durham
Barrett	Chiperfield	Edmondson
Bass, N. H.	Christopher	Elliott
Bates	Chudoff	Ellsworth
Becker	Clark	Engle
Bennett, Fla.	Cole	Evins
Bentley	Cooper	Fallon
Blatnik	Corbett	Fascell
Boggs	Coudert	Feighan
Boland	Cramer	Fenton
Bolling	Cretella	Fernandez
Bolton, Frances P.	Cunningham	Fino
	Curtis, Mass.	Flood
	Curtis, Mo.	Fogarty
Bolton, Oliver P.	Dague	Forand
	Davidson	Ford
Bowler	Davis, Ga.	Forrester
Boykin	Dawson, Ill.	Frazier
Boyle	Dawson, Utah	Friedel
Brown, Ga.	Deane	Fulton
Broyhill	Delaney	Gamble
Garmatz	Lankford	Richards
Gary	Latham	Riehlman
Gathings	LeCompte	Riley
George	Lesinski	Roberts
Gordon	Lipscomb	Robsion, Ky.
Green, Oreg.	McCarthy	Rodino
Green, Pa.	McCormack	Rogers, Colo.
Gregory	McDonough	Rogers, Mass.
Griffiths	McDowell	Rooney
Gubser	Macdonald	Roosevelt
Hagen	Machrowicz	Sadlak
Hale	Mack, Ill.	St. George
Halleck	Magnuson	Schenck
Harden	Mahon	Schwengel
Hardy	Mailliard	Scott
Harris	Marshall	Seely-Brown
Hays, Ark.	Martin	Selden
Hays, Ohio	Matthews	Shelley
Hayworth	Meader	Sheppard
Healey	Merrow	Sieminski
Hébert	Metcalf	Simpson, Ill.
Heselton	Miller, Calif.	Simpson, Pa.
Hess	Miller, Md.	Sisk
Hill	Miller, N. Y.	Smith, Miss.
Hillings	Minshall	Spence
Hinshaw	Mollohan	Springer
Holifield	Morano	Staggers
Holland	Morrison	Steed
Holmes	Moss	Sullivan
Holt	Multer	Taber
Holtzman	Mumma	Taylor
Hope	Murray, Ill.	Teague, Calif.
Horan	Natcher	Thompson, N. J.
Hosmer	Norblad	Thompson, Tex.
Huddleston	O'Brien, Ill.	Tollefson
Hull	O'Brien, N. Y.	Trimble
Hyde	O'Hara, Ill.	Tumulty
Ikard	O'Neill	Udall
Jackson	Osmers	Vanik
James	Ostertag	Van Zandt
Jarman	Passman	Velde
Jenkins	Patterson	Vinson
Johnson, Calif.	Pelly	Vorys
Johnson, Wis.	Perkins	Vursell
Jones, Ala.	Pfost	Wainwright
Jones, Mo.	Philbin	Walter
Judd	Pilcher	Watts
Karsten	Pillion	Westland
Kean	Poff	Widnall
Kearney	Powell	Wier
Kearns	Preston	Wigglesworth
Keating	Price	Williams, N. J.
Kee	Prouty	Williams, N. Y.
Kelly, N. Y.	Quigley	Wilson, Calif.
Keogh	Rabaut	Wolcott
Kilburn	Radwan	Wolverton
Kilday	Rains	Wright
King, Calif.	Ray	Yates
Kirwan	Rees, Kans.	Younger
Klein	Reuss	Zablocki
Knutson	Rhodes, Ariz.	Zelenko
Lanham	Rhodes, Pa.	

NAYS—120

Abbitt	Gavin	O'Konski
Abernethy	Gentry	Phillips
Adair	Grant	Poage
Alexander	Gray	Polk
Alger	Gross	Reece, Tenn.
Andersen, H. Carl	Gwinn	Reed, N. Y.
	Haley	Rivers
Andrews	Hand	Robeson, Va.
Ashmore	Harrison, Nebr.	Rogers, Fla.
Bailey	Harrison, Va.	Rogers, Tex.
Baumhart	Harvey	Rutherford
Beamer	Henderson	Saylor
Belcher	Herlong	Scherer
Bennett, Mich.	Hiestand	Scrivner
Betts	Hoeven	Sheehan
Blitch	Hoffman, Ill.	Short
Bonner	Hoffman, Mich.	Shuford
Bosch	Jennings	Sikes
Bow	Jensen	Siler
Bray	Johansen	Smith, Kans.
Brown, Ohio	Jonas	Smith, Va.
Brownson	Jones, N. C.	Smith, Wis.
Budge	Kilgore	Talle
Burdick	King, Pa.	Teague, Tex.
Carlyle	Knox	Thomas
Chase	Krueger	Thompson, Mich.
Church	Laird	
Clevenger	Landrum	Thomson, Wyo.
Colmer	Long	Tuck
Cooley	McCulloch	Utt
Coon	McGregor	Van Pelt
Crumpacker	McIntire	Weaver
Dempsey	McMillan	Wharton
Dies	McVey	Whitten
Dondero	Mack, Wash.	Williams, Miss.
Dorn, S. C.	Mason	Willis
Dowdy	Miller, Nebr.	Wilson, Ind.
Fisher	Mills	Winstead
Fjare	Moulder	Withrow
Flynt	Nicholson	Young
Fountain	Norrell	

NOT VOTING—28

Barden	Eberharter	Nelson
Bass, Tenn.	Frelinghuysen	O'Hara, Minn.
Bell	Kelley, Pa.	Patman
Berry	Kluczynski	Priest
Brooks, La.	Lane	Scudder
Brooks, Tex.	Lovre	Thompson, La.
Burleson	McConnell	Thornberry
Carnahan	Madden	Wickersham
Davis, Tenn.	Morgan	
Davis, Wis.	Murray, Tenn.	

So, the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Priest for, with Mr. Bell against.

Mr. Morgan for, with Mr. Barden against.

Mr. Eberharter for, with Mr. Brooks of Louisiana against.

Mr. Frelinghuysen for, with Mr. Berry against.

Mr. Madden for, with Mr. Lovre against.

Until further notice:

Mr. Carnahan with Mr. McConnell.

Mr. Patman with Mr. Davis of Wisconsin.

Mr. Kelley of Pennsylvania with Mr. O'Hara of Minnesota.

Mr. Kluczynski with Mr. Nelson.

Mr. Thompson of Louisiana with Mr. Scudder.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. PASSMAN. Mr. Speaker, I ask unaninmous consent that the clerk of the committee may have permission to correct section numbers.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

GENERAL LEAVE TO EXTEND ON THE MUTUAL SECURITY BILL

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members who spoke on the mutual security appropriation bill may have permission to revise and extend their remarks and that all Members may have 5 legislative days in which to extend their remarks on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

REPORT ON ACTIVITIES CARRIED ON UNDER PUBLIC LAW 480, 83D CONGRESS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 447)

The SPEAKER laid before the House the following message from the President of the United States which was read, and together with the accompanying papers, referred to the Committee on Agriculture and ordered printed:

To the Congress of the United States:

I am transmitting herewith the fourth semiannual report on activites carried on under Public Law 480, 83d Congress, as amended, outlining operations under the act during the period January 1 through June 30, 1956.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 11, 1956.*

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

Mr. GROSS. Mr. Speaker, reserving the right to object, are we going to abolish all committee meetings or abbreviate all committee meetings from here on out?

Mr. McCORMACK. All I can say is that we have a program and that there is certain legislation that must be disposed of. This we are trying to arrange for with the least interference possible with the convenience of the committees and the Members. If we can meet at 11 o'clock tomorrow it will be very helpful. I have never criticized any Member for exercising his rights under the rules of the House.

As majority leader, I am asking after consultation with the leadership on the gentleman's side and with the Speaker that we meet at 11 o'clock. That is all I can say. And if my friend should object he is within his rights. We are trying to work out the program as best we can. We are getting near the end of the session and it is very difficult. I have submitted the consent request that in the judgment of the leadership was deemed advisable so far as tomorrow is concerned.

Mr. GROSS. I shall not object at this time, but unless some legislation starts moving in the committee of which I am a member I shall have to do something to get some action on certain legislation.

Mr. McCORMACK. I know. The gentleman has spoken to me about the retirement bill. I am very much interested in it, and I hope the bill comes out. The gentleman has spoken to me on two or three occasions, and I want to state that fact publicly. I hope the bill will come out of the committee. The leadership will cooperate in every way to bring it up as soon as possible after it is reported out.

Mr. GROSS. I appreciate the gentleman's statement and withdraw my reservation of objection.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow. Is there objection?

There was no objection.

LEAVE OF ABSENCE

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that I may be granted a 5-day leave of absence to attend to official business in the Louisiana district I represent here in Congress.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

INCREASE IN SERVICE-CONNECTED COMPENSATION AND DEPENDENCY ALLOWANCES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order any time during the remainder of the week for the Speaker to recognize the chairman of the Committee on Veterans' Affairs or any member of the committee that may be designated by the chairman to suspend the rules and pass the bill (H. R. 12038) to provide increases in service-connected compensation and to increase dependency allowances.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ONE HUNDREDTH ANNIVERSARY OF THE BIRTH OF JUSTICE LOUIS DEMBITZ BRANDEIS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11000) to provide for the striking of medals in commemoration of the 100th anniversary of the birth of the late Justice Louis Dembitz Brandeis.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in commemoration of the 100th anniversary of the birth of the late Justice Louis Dembitz Brandeis, the Secretary of the Treasury is authorized and directed to strike and furnish to the Brandeis University, Waltham, Mass., 3,000 medals with suitable emblems, devices, and inscriptions to be determined by the Secretary. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. (a) The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

Mr. McCORMACK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK: On page 2, line 1, after section 2, strike out "(a)."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHING RULES OF INTERPRETATION GOVERNING QUESTIONS OF THE EFFECT OF ACTS OF CONGRESS ON STATE LAWS

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 587, Rept. No. 2688), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

TULE LAKE IRRIGATION DISTRICT, CALIFORNIA

Mr. ENGLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 12034) to authorize the Secretary of the Interior to execute a contract with the Tule Lake Irrigation District, California, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. MARTIN. Mr. Speaker, reserving the right to object, and I am not going to object, I understand the budget has approved this bill and it also has the support of the Department.

Mr. ENGLE. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from California?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to execute, on behalf of the United States, a repayment contract with the Tule Lake Irrigation District, California, substantially in the form in which said contract was negotiated pursuant to section 7 of the Reclamation Project Act of 1939 (53 Stat. 1187, 1192, 43 U. S. C., sec. 485f) and approved at an election of the district held on July 2, 1956.

SEC. 2. In aid of the administration of said contract and for other purposes—

(a) credits may be given and payments made to the Tule Lake Irrigation District and the Klamath Irrigation District in accordance with said contract without further appropriation but, notwithstanding any other provision of the Federal reclamation laws (act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto), said credits and payments shall be the only credits given or payments made to the Tule Lake Irrigation District.

(b) repayment of those portions of the costs of the works of the Klamath project heretofore or hereafter constructed serving lands within the boundaries of the Tule Lake Irrigation District which are allocated by the Secretary to said lands shall be accounted for by application of the construction charge payments required to be made under the aforesaid contract and, to the extent to which the payments so required do not account in full for said allocation, by application of (a) net revenues heretofore received from the sources described in article 4 of said contract, (b) those net revenues hereafter received from the same sources which are in excess of the amounts to be credited or paid to the district in accordance with said article, and (c) other net project revenues heretofore or hereafter received from project sources which are properly creditable to the Tule Lake division under the Federal reclamation laws.

(c) the lands of the Klamath project, presently within its Tule Lake division, which lie in Siskiyou County, Calif., west of range 4 east, Mount Diablo meridian, and in the vicinity of Lower Klamath Lake, including lands heretofore uncovered by the changing level of that lake, are hereby severed from said division, and appropriate portions of the costs of the works of the Klamath project heretofore or hereafter constructed which serve said lands shall be allocated by the Secretary to those lands. Any repayment contract entered into under the Federal reclamation laws with respect to them shall require water users thereon to assume such equitable share of said allocation as is within their repayment ability. Construction costs, if any, in excess of that amount shall be accounted for by the application of net revenues derived after December 31, 1942, from the leasing of Government-owned lands in the area aforesaid. Nothing contained in this subsection shall authorize the levying or collection of charges on account of project construction on lands utilized by the Fish and Wildlife Service in any national wildlife refuge. Any project construction costs assigned by the Secretary to such refuge lands shall be nonreimbursable.

(d) the allocations provided for in subsections (b) and (c) of this section shall extend to all past and future expenditures except those for which special provision was made by section 15 of the act of May 25, 1926 (44 Stat. 636, 639).

(e) the proviso attached to the item in the Interior Department Appropriation Act, 1941, appropriating funds for construction of the Klamath project (54 Stat. 406, 436), is repealed. Section 2, subsection (d), of the act of June 17, 1944 (58 Stat. 279, 43 U. S. C., sec. 612) is repealed, but this repeal shall not affect the application of net revenues received prior to January 1, 1943, which was made by the second sentence thereof.

(f) the Secretary is authorized to withdraw any public notice heretofore issued on the Klamath project which is applicable to lands of the Tule Lake division.

SEC. 3. Net revenues of the Tule Lake division which are derived from sources other than those described in subsections (a), (b), and (c) of section 2 of this act or which, although derived from said sources, are in excess of the amounts required for the purposes therein stated, shall be covered into the reclamation fund for application, to the extent necessary, in aid of divisions or units of the Klamath project, including lands within the Tule Lake Irrigation District, hereafter authorized for construction pursuant to law.

SEC. 4. Nothing contained in this act or in the aforesaid contract shall be construed to affect the homesteading of the now unentered public lands within the Tule Lake Irrigation District as promptly as the United States may deem desirable consistent with other authorized uses, but the Secretary shall, in the meantime, continue the leasing of public lands to provide adequate funds for the purposes of this act and said contract and to prepare and make said lands available for the designated purposes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON VETERANS' AFFAIRS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 487) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the further expenses of the investigation and study authorized by House Resolution 63 of the 84th Congress incurred by the Committee on Veterans' Affairs, acting as a whole or by subcommittee, and the expenses of the investigation and study to be conducted pursuant to House Resolution 376 of the 84th Congress incurred by the Committee on Veterans' Affairs acting as a whole or by subcommittee not to exceed $35,000, for the purposes of both investigations, additional to that authorized by House Resolution 129 of the 84th Congress, including expenditures for the employment of experts, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia unless otherwise officially engaged.

The resolution was agreed to.

A motion to reconsider was laid on the table.

STATE OF WISCONSIN

Mr. DURHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2452) to provide for the conveyance of certain lands by the United States to the State of Wisconsin, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 5, strike out all after "gas;" down to and including "States" in line 10 and insert "the right of reentry and use without payment of rent or other compensation by the United States in the event of need therefor during a national emergency declared by the Congress or the President of the United States; and such other reservations, restrictions, terms, and conditions as the Secretary determines to be necessary to properly protect the interests of the United States."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MADDEN. Mr. Speaker, on rollcall No. 98 I was temporarily absent from the floor on official business. Had I been present, I would have voted "aye."

ARAB TROOP MOVEMENTS

Mr. BYRNE of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, Arab troop movements are once more whipping up tensions in the Middle East, and the danger of war grows ever closer. This time the new elections in Jordan provide the reason. And no one in the Middle East is forgetting Egyptian President Nasser's boast last month to "liberate" Israel and the Arab countries from Morocco to Baghdad. If we ignore this threat it will be at our own peril. This is the kind of language that the totalitarian dictators used and impressed on all of us who have lived through the last 20 years. We paid a high tuition fee during World War II to learn what the dictators mean when they use a word like "liberate," and I earnestly pray that our Government has not forgotten this lesson.

Nasser's tough talk was timed to follow immediately upon his discussions in Cairo with the Soviet Foreign Minister Shepilov. And it is especially significant that his boast of liberating the Arabs from Morocco to Baghdad marks a change away from the former Egyptian attitude in which they said they were prepared to defend themselves against aggression. What Nasser said constitutes a new threat of war against Israel and Iraq.

In the face of this threat, what has our administration been doing? Has the administration reacted in any way to indicate that it has taken steps to counteract this new and dangerous Egyptian posture in the Middle East?

The new face that has been put on the Middle East by the Soviet Union and its Egyptian ally makes it imperative for our country to revise its policy toward that region. In a speech in Iowa last month our Secretary of State reminded us how important Middle East oil was for our allies in Europe. But we are asking for a rude awakening in the very near future if we fail to look beyond our concern with oil wells and if we assume that their security has been purchased by pouring millions of dollars into the hands of oriental despots. In that same June address Secretary of State John Foster Dulles said:

> Our Nation has recognized since its infancy that liberty elsewhere was vital to our own peace and safety. When that liberty has been jeopardized by war, we have gone into war to save it.

Israel is not asking the United States or anyone else to go to war on her behalf. Liberty is being jeopardized in the Near East, but we have yet to give Israel defensive arms. If war has not yet come to that troubled region, it is because of the patience and forbearance of the people of Israel who have remained calm under provocations and bloodshed that we in our own history have never tolerated. Every day increases the threat to the existence of the only democratic state in the Middle East, the only country where liberty and freedom such as we know here exists and flourishes.

And what has been the record of our administration in strengthening this democracy, in coming to the aid and support of this democracy in the hour of its peril?

The record is not one of which we can be proud. From the very beginning this administration has talked out of both sides of its mouth in dealing with the Middle East. It has professed impartiality, and appeased the Arabs. Instead of rising to the defense of democracy and giving comfort to the people who have made it their way of life, we have followed a kind of frozen neutralism in our attitude toward Israel.

This policy has been most flagrantly exhibited in connection with Israel's request for arms, which she needs to defend herself against the Soviet-bloc jet fighters and bombers shipped to Egypt. The restoration of a military balance in the Middle East is a mighty deterrent to the aggressive designs of any dictator. But our administration has contributed to the imbalance of such military strength by denying arms to Israel.

Since September 1955, when the Cairo-Moscow axis was confirmed by the announcement that Czechoslovakia would ship arms to Egypt, this administration has offered no fewer than seven different excuses for withholding arms from Israel. Not that it would ever say that the United States would not ship arms to Israel. Oh, no. But first when many weeks had passed without action on Israel's request for arms, the explanation was given that Israel had not supplied a detailed weapons list. After the list was supplied, there was again a long delay. Our administration, which supported the policy of arming the Arabs, which had been supplying arms to Iraq, and which had sought to supply arms to Egypt and other Arab States, now when Israel was concerned suddenly became fearful of starting an arms race in the Middle East.

Next, we were told that there would be some informal talks with the Russians at the Geneva Conference which might affect the Middle East arms situation. Then when Israel, in great alarm, continued to press for arms for defense, we were told that most of the weapons that were going to Egypt were secondhand arms and that it was very difficult to judge their military significance and value because they were discards.

By the turn of the year the administration was ready to admit that the shipment of large quantities of Soviet planes, tanks, submarines and other deadly weapons to Egypt had upset the balance of arms in the Middle East. But now we offered still another excuse. We could not provide arms because, said Secretary Dulles, no true peace can be based upon arms alone.

If anybody still remained unconvinced by that explanation, our Secretary in his testimony before the Senate Committee on Foreign Relations provided us with two more. In his statement on February 24, he offered a novel example of the kind of thinking that has gone into our refusal to come to the aid of a fellow democracy, when he said that—

> Israel, due to its much smaller size and population, could not win an arms race against Arabs having access to Soviet-bloc stocks.

Also, said the Secretary, Israel would be much better off if it placed complete reliance for its security on the United Nations instead of its own defensive strength.

Since then, despite the series of swift developments in the Middle East, the United States has not modified its position except to indicate that now it would no longer object to the sale of defensive arms to Israel by other friendly powers. Let others sell arms to Israel if they wished; we would not. This maneuver has succeeded only in embarrassing our friends and exposing us to the criticism and scorn of the Arabs. Here, for example, is what the Egyptian radio told the Arabs:

> Whether America gives planes and arms to Israel directly or delivers these planes alternately via France and Canada, our view toward America would not change. These elementary political tricks no longer deceive us. America should realize that like other sections of mankind we have brains.

No good purpose would be served at this time in applying logic and reason to the administration's numerous explanations for its obdurate refusal to aid Israel. It is a sorry enough example of the kind of weakness and ineptness that has characterized our entire Middle East policy. We have lost ground steadily in the Middle East and we are running perilously close to war by our persistent refusal to allow Israel to buy the arms she must have to deter aggression. We cannot hope to stem the warlike forces now in play in the Middle East by pious declarations, bold phrases and exaggerated gestures. Nor can we expect the United Nations to do the job for us. Unless we demonstrate by concrete actions, such as the provision of arms to Israel, that we mean what we say about the preservation of Israel and the establishment of peace in the Middle East, we shall continue to play into the hands of Soviet imperialism and the ambitions of an Arab dictator, and to undermine our own position of leadership in the free world.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may sit during general debate tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PERSONAL EXPLANATION

Mr. FRELINGHUYSEN. Mr. Speaker, at the time of the vote on passage of the bill H. R. 12130, I was unavoidably detained on official business. Had I been present I would have voted in favor of the bill.

AIR SAFETY COMMISSION BILL

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, the maintenance and improvement of air safety is a subject of great concern to all of us today. The recent tragedy in which 128 persons lost their lives in the greatest commercial air disaster in this country's history has highlighted the necessity for renewed and accelerated effort to improve air safety. I am introducing today a measure to establish a Commission on Air Safety, an independent, expert agency which can devote its full time and attention to this problem, coordinating and developing the best ideas of all users of air space. I feel that this is an essential first step to the solution of the problem that has been dramatized by the Grand Canyon tragedy. At this time no one can assess the responsibility for this mishap.

Mr. Speaker, my interest in this field is not new. As a member of the subcommittee on appropriations having responsibility for the programs of the Civil Aeronautics Board and the Civil Aeronautics Administration, I have followed closely and with great interest and concern the development of air navigation aids and other air safety programs in the past several years.

In this work I have been concerned by the fact that members of my subcommittee have only a limited time each year to devote to the air safety programs of the Government agencies. We are not able to keep completely informed of all developments in this field. And I expect that this difficulty is experienced as well by the legislative committees responsible and by the various Government and private agencies concerned. I have long felt the need for a central coordinating organization devoting itself solely to this problem.

Through the efforts of the Government and groups in all phases of the aeronautical field, great strides have been made in maintaining our leadership in the acceptance and improvement of our aircraft, both military and civilian types.

We are probably ahead of—certainly not excelled by—any nation or group of nations in the design and performance of aircraft.

That very fact—the amazingly rapid development of the aviation industry in the United States—is responsible for the current situation where the demands of air safety upon the airspace and air traffic control system of this country have outstripped our past performance in planning and programing these facilities for control and use of airspace.

This, as I have said, is the problem which we must attack now and speedily.

The legislation I have introduced, providing for the establishment of a Commission on Air Safety, would provide the facility we need for the work I have outlined.

The Commission should be composed of 15 members, 8 of them representative of the Congress and 7 to be appointed by

the President. Logically, the congressional Members should include equal representation of the 2 Houses and of the 2 political parties and equal representation from the committees most vitally concerned with this problem, the Committees on Interstate and Foreign Commerce which play so vital a role in establishing aviation policy, and the Committees on Appropriations which have the primary responsibility of reviewing and implementing the Government's program by providing adequate funds.

Among the Members to be appointed by the President, the legislation would provide for representation as nearly as possible of all users of airspace, including owners and operators of private aircraft, owners and operators of business aircraft, commercial airlines, professional pilots and the military.

In this connection I have in mind specifically the representation of the Aircraft Owners and Pilots Association, the Air Line Pilots Association and the Air Transport Association.

The legislation further provides that the Chairman of the Civil Aeronautics Board and the Administrator of the Civil Aeronautics Administration shall be exofficio members of the Commission on Air Safety.

Referring once again to the recent tragedy and to the public comments on its causes and the possibility of preventing recurrence of such disasters, I wish to deal briefly with the role of the Congress in providing funds for air safety development, the field in which I am especially concerned.

If there has been any inference that Congress has been penurious in this regard, I wish to set the record straight by reference to hearings of the Subcommittee on the Appropriations for the Department of Commerce and Related Agencies, in which I have taken part.

In the 2d session of the 83d Congress I was concerned about certain reductions contained in the budget presentation of the Civil Aeronautics Administration. I was concerned lest these reductions have any deleterious effect on the air safety program. The following colloquy taken from the printed hearings will be of interest:

Mr. Bow. Mr. Lee—

Then Administrator of the Civil Aeronautics Administration—

let us address ourselves first to this reduction of $668,000 in the safety program. I am sure that this committee, as well as the CAA and the public, is very much interested whenever we get into a substantial cut in safety as to whether or not we are undermining the fine safety record that has now been established by the airlines and through the operations of the CAA. Will you comment more in detail on what your plans are and what you are doing and whether it is in the safety activities of the operations that the cut is being made?

Mr. LEE. Mr. Bow, in fiscal year 1954 we are making a cut of 132 positions in our aviation safety staff.

* * * * *

Mr. Bow. I should like to have a direct answer from the CAA on this question: Do you feel that these cuts which are being made in the safety program in any way lower standards or endanger the public who use air transportation?

Mr. LEE. We have already allocated the cut of 132 positions which has been made on fiscal year 1954. You will note from the document before you that the total cut amounts to 176 positions and 132 of these already have been taken. We are studying carefully now the allocation of that additional savings.

We hope that by improved procedures we can do it without any reduction in the level of safety.

Mr. Bow. So your answer is that you do not believe we are endangering in any measure the traveling public by the reduction?

Mr. LEE. I feel that we can allocate this cut of the additional 44 positions in a way in which certainly we hope will not make any significant reduction in the level of safety.

Mr. Speaker, I was relieved to have that reassurance from the Administrator of the Civil Aeronautics Administration with regard to his budget for fiscal year 1955. I am certain our committee would not have hesitated to recommend increased funds had he given any indication that air safety would be reduced by the budget he presented.

Similarly, we went into this question at length only a few weeks ago with Mr. Lowen, Mr. Lee's successor, and again I wish to quote a part of the hearings on air safety:

IMPORTANCE OF PROGRAM

Mr. Bow. Before you leave this, I think there are some questions I would like to ask. I wondered whether the gentleman on the other side had finished. I think this is one of the most important appropriations matters that this committee or Congress will have before it. I believe that a locality or country or nation progresses as its transportation facilities progress. We are right up against it on this one as far as development is concerned. For that reason, I should like to ask this question of whoever might care to answer it. With a budget of this size in Federal airways, if this amount is allowed will you be able to use that money to develop the Federal airways during the next fiscal year?

Mr. LOWEN. Yes, sir; a study shows we will be able to use this money, this next fiscal year.

Mr. Bow. Have you asked for sufficient money to carry this out as rapidly as possible? I for one believe that we must, in the best interests of this Nation, maintain the best possible system. I for one will furnish the money for it.

Mr. LOWEN. Yes, sir.

Mr. BOW. In other words, this is the maximum that you could use in the next fiscal year with efficiency in the development of the Federal airways?

Mr. LOWEN. Feasibly, Congressman, yes, sir. We are, as you may note from the 5-year plan, undertaking an orderly program. This is the year we are getting our feet wet with the first of the 5-year program, $40 million. Then in subsequent years the amount of effort increases so that to do the total program economically and efficiently we are starting out with a $40 million level.

INSTALLATION OF AIRPORT SURVEILLANCE AND PRECISION APPROACH RADARS

Mr. Bow. I would like to ask about fiscal 1956. How many airport surveillance radars were installed during 1956?

Mr. TIPPETS. We will have 38 airport surveillance radars in 1956 and we will expect to operate 47 in 1957. That is the airport surveillance type.

Mr. Bow. So your airport surveillance program, radar, has moved along on schedule as presented to the committee last year?

Mr. TIPPETS. Pretty much so. As a matter of fact we have supplemented our program with a few that the military have operated of a similar type. The military units supplement our system and we have undertaken to integrate them into our network.

Mr. Bow. How about the precision approach radar?

Mr. BASNIGHT. There were 6 new precision approach radars and 6 airport surveillance radars installed during fiscal year 1956. The installation has proceeded about as planned with the funds for their installation being provided under a separate heading. The operation of these radar equipments has not been implemented on schedule and we have a number of other facilities that we had to defer operating by reason of limited funds. If you will recall, the Congress in acting on the request last year gave the full amount of dollars requested but directed the operation of 31 interstate communications stations. In order to do that we had to slow down the operational phase of these new facilities as they were ready for service.

Mr. Bow. Are they ready now for service and if funds were granted you could put them into service?

Mr. BASNIGHT. That is right, sir.

INSTALLATION OF AIR-ROUTE SURVEILLANCE RADAR

Mr. Bow. How about air-route surveillance radar?

Mr. TIPPETS. The only ones we have so far are at Idlewild, Chicago, one going in at Norfolk and one at Jacksonville. These are a coordinated, cooperative program with the military. We have one at Washington that has been in operation for some years but is obsolete. This one is recommended here for replacement. The real long-range radar program in the en route area, Mr. Bow, really starts with this 1957 estimate. We have these 5 that I mentioned, 1 or 2 others that were operating for the military, but in 1957 estimates we ask for 17.

Mr. Bow. In other words, in this budget which you are presenting now you are asking for 17 of the air-route surveillance radars?

Mr. TIPPETS. Long range en route for route traffic control.

Mr. Bow. In the 1957 budget?

Mr. TIPPETS. Yes, sir; there are 17 in here we expect to use some military radar. Others will be CAA-installed radar.

Mr. Bow. Will that pretty well cover your heaviest routes?

Mr. TIPPETS. Major congested areas: New York to Chicago; Chicago to Washington; the Norfolk complex; the west coast, San Diego to San Francisco. Seattle and about eight other locations in the Middle West, the heavily congested areas.

Mr. Bow. What is your anticipated number that will be necessary to complete your air-route surveillance system?

Mr. TIPPETS. About 73, sir, in the total which will give us coverage from 15,000 feet to as high as the state of art will enable us to go; 60,000 to 70,000 feet. These units, supplemented by the terminal surveillance radar, give us coverage down to instrument altitudes on standard, conventional air-route structure.

Mr. Speaker, again I say that our subcommittee was much interested in this portion of the CAA budget and would, I am sure, have considered sympathetically any request for funds justified as necessary by the requirements of air safety.

Newspaper reports in recent days indicate that the CAA believes a speedup of this program is possible. If this is possible, I trust a supplemental request may be forthcoming and certainly it would be carefully considered.

I think the material I have read shows clearly that as far as Congress is concerned, we have not been penurious and we have been interested and anxious to provide all that was required for air safety.

This again brings me to the compelling reason for my sponsorship of a Commission on Air Safety. Our Appropriations Committee has not had a complete picture of this program nor has any other committee, public or private, under the present system. There is vital need for a new agency solely concerned with the use of air space and air safety devices. I note that the Air Line Pilots Association, for which I have high regard, has proposed the old Air Safety Board be reestablished. I think this suggestion does not go far enough. I envision a more comprehensive effort than that Board as formerly constituted could have undertaken.

I hope that the Congress may act speedily on this proposal so that within a short time after the recess begins, a new Commission on Air Safety may begin the vital work of providing all Americans a program that will guarantee the maximum efficient use of air space with the best navigational and other aids that we can devise.

COMMITTEE ON PUBLIC WORKS

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file reports on sundry bills.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

H. R. 4090: SAFETY ON THE HIGH SEAS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the House exercised sound judgment a few weeks ago by overwhelmingly passing H. R. 4090, the purpose of which is to assure greater safety of life and property on the high seas on cargo vessels carrying one radio operator, which constitutes about 95 percent of the cargo vessels.

The bill has been strongly opposed by certain steamship associations and their opposition has not been based on an honest presentation of the facts. They have undertaken to attack and smear the effectiveness of an alarm unit manufactured by the Brelco Electronics Corp., doing so only recently in hearings before a subcommittee of the Senate committee to which the House bill has been referred.

As evidence of the unfairness of their charges, it is interesting to note that the Brelco Electronics Corp. only recently received an order from the Radiomarine Corporation of America for 2 Brelco units to be installed on 2 vessels of the Standard Oil Company of New Jersey. At the present time, outside of the 2 units ordered on June 25, 1956, the Standard Oil Company of New Jersey have 16 of these units in use on as many vessels. The additional two units ordered was after the passage of the bill by the House of Representatives. Certainly, the Radiomarine Corporation of America would not order these two units if they did not think that they were effective and efficient.

It is also interesting to note, in connection with the false statements made by certain individuals, that the United States Coast Guard has 66 units in use and, from time to time, order spare parts for the equipment. It was only within the past 10 days that an additional order for spare parts was made by the United States Coast Guard.

In this age of electronics it is vitally important that additional safety be provided for the crews of cargo vessels and the safety of life and property on the high seas. The Federal Communications Commission should be a leader in recommending such safety devices. Instead of some of the steamship associations opposing legislation as contained in H. R. 4090, they should be supporting it. In the past they have always opposed legislation to assure greater protection due to the cost imposed upon them. They are simply repeating history in opposing H. R. 4090.

This bill is a very carefully prepared bill, considered by the House Committee on Interstate and Foreign Commerce for over 3 years and with amendments made by the committee that are constructive in nature, the bill, as it passed the House, is a decided contribution to the safety of life and property on the high seas. It should be enacted into law. Instead of blindly opposing progressive and meritorious legislation of this kind, the opponents should lead the way in trying to chart the course for greater safety at sea.

The evidence of the orders from the Radiomarine Corporation of America and the use of the equipment by the Standard Oil Company of New Jersey, as well as by the United States Coast Guard and others, clearly refutes the smearing campaign conducted against this bill.

In connection with H. R. 4090, the Federal Communications Commission retains final control. The safety equipment provided for in this bill must meet and pass the requirements of the Federal Communications Commission if the bill is enacted into law. The statements made by certain shipping interests opposed to this bill, that the bill makes the placing of this equipment on cargo ships as mandatory, is inconsistent with the provisions of the bill and is not true. It is one thing to object to a bill honestly and on its merits—it is another thing to make false representations. There are some who have testified in opposition to this bill who have made false representations about the purpose of the bill.

VETERANS' COMPENSATION BILL

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to inquire of the gentleman from Massachusetts, the majority leader, if he will notify the Members of the House when the veterans' compensation bill will come up under suspension. It was a matter of great regret to most of the Members that it was eliminated from the pension bill when it passed. They are all very anxious to be present when this bill comes up under suspension. Can the gentleman assure us that we will have a certain notice before it comes up?

Mr. McCORMACK. Mr. Speaker, consent was obtained a short while ago and it will come up not later than Friday. If we cannot get it up tomorrow, Thursday, I intend to bring it up on Friday. It will be brought up not later than Friday of this week. I cannot advise the gentlewoman anything more definite than that. Members will be here Thursday and Friday. We are going to meet on Saturday, too; but I will say that the bill will not be brought up on Saturday.

Mrs. ROGERS of Massachusetts. The only thing we can do is to be here all day tomorrow, to be sure.

Mr. McCORMACK. Nobody will be taken by surprise. Unanimous consent was obtained in order to expedite action. The bill will be brought up either Thursday or Friday; probably on Friday.

Mrs. ROGERS of Massachusetts. I thank the gentleman very much.

POLAND

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the following resolution was recently adopted by the Americans of Polish descent from Lowell, Mass., and surrounding communities. I sent this resolution to the President of the United States and a copy to Ambassador to the United Nations, Henry Cabot Lodge, and I hope some action will be taken immediately:

RESOLUTION

We, Americans of Polish descent from Lowell and surrounding communities, gathered together at the Polish National Home in Lowell, Mass., this eighth day of July, in the year of our Lord, 1956, in a mammoth manifestation commemorating

the heroic uprising in Poznan of Polish martyrs for bread and freedom, turn to Your Excellency, the President of the United States of America, fully confident and hopeful that your personal offices and the influence of the Government of the United States will be used in every possible way in the open international forum of the United Nations to arrest the imprisonment and slaughter of innocent workers who could no longer endure the chains of slavery forged upon them by foreign masters; fully confident and hopeful that the force of the free world's public opinion under the leadership of Your Excellency will restore these laborers to human living conditions and will eventuate truly free and unfettered elections in Poland.

Mindful of the most gracious humanitarian offer of free food for the hungry, tortured people of Poznan and of Poland, we wish to express to you, Mr. President, the gratitude of the Polish-American community of Greater Lowell and the gratitude of the suffering victims of Communist tyranny in Poland who are unable personally to evidence their thankfulness.

Resolution Committee: Rev. Louis S. Belicky, Henry Golec, Councillor John Janas, School Committeeman William R. Droll, Rev. Ferdinand E. Slyzir, Helena Wozniak, Tadeusz Purak, Thaddeus M. Karasinski.

THE FISH AND WILDLIFE SERVICE'S SHABBY RECORD ON WILDLIFE REFUGES AND DUCK BAITING

Mr. OHARA of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconson [Mr. REUSS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. REUSS. Mr. Speaker, from its creation in 1940 through 1952, the Fish and Wildlife Service of the Department of the Interior performed its job with remarkable distinction. It built up and enlarged the wildlife refuges. It resisted attempts of the oil and gas interests to invade the refuges. And it vigorously enforced the regulations designed to preserve our dwindling waterfowl resources, particularly the regulations banning the shooting of ducks and geese lured by bait.

But since 1953, the Fish and Wildlife Service has utterly failed to discharge its responsibilities.

The House Committee on Merchant Marine and Fisheries in a unanimous bipartisan report issued last March 22 found that while only 11 oil and gas leases in the wildlife refuges had been granted since the refuges were first set up in 1903 and 1953, a total of at least 60 such leases were granted between August 1953, and December 2, 1955. The committee specifically found:

1. The record of the hearings is a picture of extreme administrative confusion. There has been absolutely no effective liaison and coordination between several of the bureaus in the Department of the Interior, between the Washington office and the field of the Fish and Wildlife Service or even between the various branches within the Fish and Wildlife Service.

2. Notwithstanding that only 11 leases had been issued on wildlife refuge lands over the years since the original Mineral Leasing Act of 1920, and notwithstanding the fact that a stop order was issued in August 1953, directing the suspension of action on all oil and gas leases then pending, 60 leases were granted between the issuance of the suspension order and the issuance of new regulations on December 2, 1955. In addition, during this same period some 214 leases were granted on other lands administered by the Fish and Wildlife Service, as against 281 leases on such lands issued prior to August 31, 1953. Such increased activity in the issuance of leases by the Secretary of the Interior, or by those under his immediate supervision, can only result in serious damage to the wildlife refuge system in this country. The fact that this activity took place while a suspension order was in effect for the ostensible purpose of revising the regulations to provide greater protection to wildlife lands only aggravates the situation.

3. It is incredible that the Fish and Wildlife Service had no knowledge of the stepped-up tempo of leasing by the Bureau of Land Management, when almost 500 leases were granted in 1 area. The necessary activities in connection with location and exploration certainly should have been sufficient to prompt a report by the field employees to the Director of the Service. And the failure on the part of the Washington office to keep informed as to activities in the field points up the necessity for changes either in personnel or organization.

4. The Fish and Wildlife Service is also to be criticized for its failure to establish a uniform procedure for handling those leases about which it was informed. In the case of the Railroad Valley leases, the regional office handled the details, while in the Lacassine leases similar transactions were handled almost exclusively through the Washington office, with no information about them in the regional office.

5. The new regulations fall far short of providing the degree of protection to the refuges which the activities of recent years prove to be necessary. Superficially these regulations appear to give a veto power to the Fish and Wildlife Service. However, under applicable laws, oil and gas leasing in wildlife lands is a matter solely within the discretion of the Secretary of the Interior. Consequently, the veto power exists only so long as, and to the extent that, the Secretary permits the regulations to control."

The committee then concluded to try, as an experiment, an arrangement under which the Secretary of the Interior would submit to the committee for approval any proposed relinquishment of any interest in Fish and Wildlife Service lands. The committee report stated—page 10:

Witnesses representing conservation organizations * * * urged that mineral leasing on wildlife refuges be prohibited entirely except in time of emergency when the President would declare that the national security required such operations. There was no attempt on the part of Interior Department witnesses to justify the need for oil and gas leasing on refuges, except where private operations on the external periphery of a refuge might drain off oil or gas located beneath the internal area of the refuge itself.

The conservationist concept—that the national wildlife refuges should be protected against invasion by the oil and gas interests as a matter of principle—is well expressed in the resolution adopted by the Outdoor Writers Association of America at its annual meeting at State College, Pa., on June 20, 1956:

Whereas a committee of Congress has unanimously censured the Department of the Interior for the granting of oil and gas leases on units of the national wildlife refuge systems; and

Whereas oil and gas leases on these units of the national wildlife refuge system are a direct violation of all principles of game management and wildlife preservation, and the high purposes for which these lands are dedicated; and

Whereas oil and gas leases have been granted, and are proposed, on many Federal refuges and, though the practice has been temporarily delayed, the policy of such granting has not been repudiated: Therefore, be it

Resolved, The Outdoor Writers Association of America calls upon Congress and the national administration to prohibit specifically all violation of Federal wildlife refuges in any guise by any interests. We commend the Merchant Marine and Fisheries Committee of the House of Representatives for its prompt, thorough investigation and effective action on this matter, and its demonstration of continuing interests.

So much for the wildlife refuges. Now for the wildlife itself.

For many years the Department of the Interior has had a clear and unequivocal antiduckbaiting regulation:

Migratory game birds may not be taken by the aid of salt, or shelled or shucked or unshucked corn, wheat, or grains, or other feed or means of feeding similarly used to lure, attract, or entice such birds to, on, or over the area where hunters are attempting to take them. (Regulations Relating to Migratory Birds and Certain Game Mammals, sec. 6.3 (b), 1954.)

During the administration of former Fish and Wildlife Service Director Albert Day for 7 years prior to 1953, the antibaiting regulation was rigorously enforced. Anyone found feeding or baiting ducks as close as 200 yards to the guns was promptly arrested and prosecuted. When the new administration came to power in 1953, it promptly removed the office of Fish and Wildlife Service Director from the protection of Civil Service, and made the position subject to political appointment. Director Albert M. Day was removed from office, and the present Director, John L. Farley of California, was appointed. Former Under Secretary of the Interior Ralph A. Tudor, a San Francisco businessman who was a party to the removal of Mr. Day, tells the story of the replacement of Mr. Day by Mr. John L. Farley in an article in the Saturday Evening Post for November 27, 1954:

Even before I left for the Capital to take on the new job, my friends in the banking business were telling we that I must do something about the Fish and Wildlife Service. Complaints about Fish and Wildlife continued to reach me at my desk in Washington, and 90 percent of them were from bankers. This puzzled me at first, for it would seem more logical for unhappy bankers to be writing the Secretary of the Treasury. It turned out, however, that apparently every banker on the west coast is a duck hunter. Fish and Wildlife has a rough job, for among its many duties it must tell people when and how long they can hunt and how many ducks they can take—and evidently it is impossible to satisfy a duck hunter.

I turned the tables on the complainants in this instance by making them talent scouts. My reply to them was that the best way to start improving the Fish and Wildlife Service was to get the man available to head it—

and had they any suggestions? The upshot was that they had, and that is how John L. Farley, ardent fisherman, former schoolteacher, businessman, and onetime executive officer of the California Fish and Game Department, came to head the Fish and Wildlife Service.

Under Mr. Farley's administration, violations of the Federal antibaiting regulation in California have been winked at wholesale. Elsewhere, as in Wisconsin, any use of grain within one-half mile of the guns is held to be baiting, and is forbidden by Federal officers. But for the past 3 seasons hunting clubs in California had been allowed to feed and bait ducks as close as 200 yards to the blinds with impunity. Although since 1953 some 140 duck-hunting clubs have been baiting ducks from 200 yards to one-half mile from the guns, there has not been a single prosecution in the length and breadth of California for violation of the Federal antibaiting regulation, other than the cases for concurrent violation of the California regulation, which just applies to baiting 200 yards or closer. Of course, a duck killed by baiting 300 yards from the guns is just as dead as one killed by baiting 200 yards from the guns.

Director Farley has attempted to excuse these violations of the antibaiting regulation on the ground that feeding and baiting by the California duck-hunting clubs is necessary to save the California farmers from crop depredations. This contention is authoritatively exploded by the March 1955 report by the Fish and Wildlife Service's own biologist, Clinton H. Lostetter, which concluded that the duck-baiting situation in California is "used as a disguised attempt to circumvent Federal regulations":

Depredations appear to have been used as a ruse to allow feeding on the clubs, rather than for the farmer's benefit * * * should this regulation remain in effect, as during the past 2 years, the sportsmen's respect for the preservation of our waterfowl resources and the law-enforcement force appointed for its protection will slowly diminish.

California's feeding regulation which permits taking of birds at a distance of 200 yards from feed, can and does act as a lure for the enticement of birds over an area where hunters may take them.

It is quite apparent that this regulation was a deceptive maneuver by some of the duck clubs, through administrative channels, to get legalized baiting for their clubs.

The Department of the Interior succeeded in suppressing the Lostetter report for many months, and only released it last September 21 after repeated demands for it had been made on the Department. Former Secretary of Interior Douglas McKay, in a press release dated September 27, 1955, gave as his excuse for the suppression of the Lostetter report the following:

Copies of the report were not made public or released to congressional committees because they did not represent the views of the Department and for the further reason they were not concurred in by Mr. Lostetter's superiors, including career scientists of the Fish and Wildlife Service.

Last February I challenged the Department to produce the career scientists of the Fish and Wildlife Service who it claims do not concur in the recommendations of the Lostetter report. For every such career scientists produced, if any, I offered to produce a former career scientist of the Fish and Wildlife Service who has left in disgust at the Department's disregard of its own regulations. So far, the Department has failed to produce any scientific refutation of the Lostetter report.

Meanwhile, the Fish and Wildlife Service's performance in California has created a nationwide scandal among conservationists. At the New Orleans meeting of the National Waterfowl Flyway Council on March 6, 1956, director John Biggs, of the Washington State Game and Fish Commission, characterized the notorious California duck-baiting activities of the last 3 seasons as "the greatest obstacle now in the way of management of waterfowl, nationally." And President Harley Knox, of the California Fish and Game Commission, said:

The nationwide furor among duck hunters over feeding of ducks during hunting seasons on California's shooting preserves may end the practice. The feeding allowed in California is in fact baiting ducks to guns, contrary to Federal regulations. I am afraid I am in the minority on the Commission, but I do feel that we may abandon the practice so as to be of no further embarrassment to Mr. Farley's office.

To complete the record on duck baiting, I append the correspondence on the subject between the Fish and Wildlife Service and myself:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
Washington, D. C., April 2, 1956.

Hon. HENRY S. REUSS,
House of Representatives,
Washington, D. C.

DEAR MR. REUSS: My attention has been called to a letter attributed to you which was published in the Washington Post and Times Herald on March 17, which states, in part, as follows:

"Under Mr. McKay's administration, violations of the Federal antibaiting regulations have been winked at on a wholesale basis. For the past three seasons hunting clubs in California have been allowed to feed and bait ducks as close as 200 yards to the blinds with impunity. In the 1954 season, for example, there was not a single prosecution in the length and breadth of California for violation of the Federal antibaiting regulation."

I know that you wish to be accurate in all of your statements and that you will be interested in the following record of the Fish and Wildlife Service for the past five migratory waterfowl hunting seasons in California: No baiting cases were made by Federal game-law enforcement officers, either working alone or working with State officers, during the 1951–52 and 1952–53 waterfowl hunting seasons. In the 1953–54 season, 2 such baiting cases were made; 1954–55, 16; and 1955–56, 43.

You will note that instead of "winking" at antibaiting regulations, the Service during the past 3 years has increased the enforcement of its regulations in contrast to the two previous years when no such cases were made by the Federal enforcement officers in California.

Sincerely yours,

JOHN L. FARLEY,
Director.

APRIL 9, 1956.

Mr. JOHN L. FARLEY,
Director, Fish and Wildlife Service,
United States Department of the Interior,
Washington, D. C.

DEAR MR. FARLEY: Thank you for your letter of April 2, 1956, giving the statistics concerning the record of the Fish and Wildlife Service for the past 5 years in connection with migratory waterfowl hunting in California.

I certainly do wish to be accurate. Will you, therefore, prepare for me a detailed breakdown on the activities of Federal game-law enforcement officers in connection with migratory waterfowl baiting cases during the 1953–54, 1954–55, and 1955–56 seasons in which you indicate that 2, 16, and 43 baiting cases, respectively, were made. I should like to know, as to each case, the following:

1. What was the distance, in yards, between the bait and the guns?

2. Was the arrest, prosecution, and conviction in each case for violation of a Federal or California antibaiting regulation, and if so, what regulation?

Sincerely,

HENRY S. REUSS,
Member of Congress.

UNITED STATES
DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
Washington, D. C. April 13, 1956.

Hon. HENRY S. REUSS,
House of Representatives,
Washington, D. C.

MY DEAR MR. REUSS: This is in reply to your letter of April 9 concerning baiting cases made by service personnel in the State of California during the past three waterfowl seasons.

The arrest records maintained here do not contain the detailed information you have requested. We are writing to our regional office in Portland for the particulars and as soon as the data are received we will bring them to your attention. We believe the information can be furnished within the next 10 days.

Sincerely yours,

ARNIE J. SUOMELA,
Acting Director.

UNITED STATES
DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
Washington, D. C., May 1, 1956.

Hon. HENRY S. REUSS,
House of Representatives,
Washington, D. C.

MY DEAR MR. REUSS: In our letter to you of April 13 we advised that certain data you requested relating to baiting violation cases made by United States game management agents in California would have to be obtained from our regional office in Portland, Oreg. A tabulation providing the desired information has been received and is transmitted herewith.

In column 3 of the tabulation you will note the type of violation committed has been designated as X^1, X^2, and X^3. X^1 indicates that the offense was in violation of section 6.3 of the Federal regulations; X^2, an offense contrary to the State hunting regulation relating to the taking of migratory waterfowl as specified in section 39 of the California Administrative Code; and X^3, an offense contrary to section 336, California Administrative Code (State waterfowl feeding regulation).

Copies of the regulations referred to are enclosed for your information.

Sincerely yours,

LESTER BAGLEY,
Acting Director.

[Enclosures.]

California baiting violations, fiscal years 1954, 1955, 1956

Name and address	Date of violation	Violation of		Date of trial	Prosecuted		Fine assessed	Charges filed	Actual or estimated distance from hunter to the nearest bait
		Federal regulations	State law		Federal court	State court			
Fiscal year 1954									
Harrison Slawson, 1210 Fitch Way, Sacramento, Calif.	Oct. 18, 1953	X [1]	X [2]	Nov. 2, 1953	------	X	$100 ($75 suspended); total, $25.	Taking migratory waterfowl over bait.	10 feet from blind.
Charles C. Cadloni, Box 404, Rio Vista, Calif.	-----do------	X [1]	X [2]	Oct. 22, 1953	------	X	$250------	-----do------	123 feet from blind.
Fiscal year 1955									
Curry H. Anderson, P. O. Box 144, Los Banos, Calif.	Oct. 14, 1954	--------	X [3]	Oct. 26, 1954	------	X	$100------	Feeding waterfowl in undesignated feed area.	Distance not involved.
Nicholas Gurgiala, 545 Jackson St., San Jose, Calif.	Oct. 15, 1954	--------	X [3]	-----do------	------	X	$100------	-----do------	20 feet from blind.
Perry A. Bygones, 2500 E. Camino Real San Mateo, Calif.	-----do------	--------	X [3]	Oct. 27, 1954	------	X	No fine; State feeding license revoked.	-----do------	80 yards from blind.
R. M. S. Boyd, 333 Montgomery St., San Francisco, Calif.	-----do------	--------	X [3]	-----do------	------	X	-----do------	-----do------	140 yards from 1 blind (3 ponds baited).
C. Ray Toomes, 526 Myrtle Ave., Modesto, Calif.	Oct. 16, 1954	--------	X [3]	Oct. 26, 1954	------	X	$100------	-----do------	85 yards.
E. G. Garrison, 243 Cross St., Shafter, Calif.	Nov. 13, 1954	X [1]	X [2]	Nov. 15, 1954	------	X	$100------	Taking migratory waterfowl over bait.	Bait found up to blind in which hunter apprehended.
Lowell F. Todd, 528 Acacia, Shafter, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$100------	-----do------	Do.
R. E. Youell, 570 East Lerdo, Shafter, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$100------	-----do------	Do.
Gene Peracchi, 621 Fresno St., Fresno, Calif.	Dec. 12, 1954	X [1]	X [2]	Dec. 14, 1954	------	X	$100; 10 days suspension; 1 year probation.	-----do------	Bait found up to the blind.
John C. Oberti, 4065 Tulare St., Fresno, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	-----do------	-----do------	Do.
Joseph Gamber, 1240 Klette St., Fresno, Calif.	-----do------	X [1]	X [2]	Jan. 20, 1955	------	X	$100------	-----do------	Do.
Ron Wong, 1140 West Adams, Los Angeles, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$100------	-----do------	Do.
Ray Wong, 3582 West 4th, Los Angeles, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$100------	-----do------	Do.
N. F. McDevitt, 9355 Burnett, Sepulveda, Calif.	Jan. 4, 1955	--------	X [3]	Jan. 11, 1955	------	X	$50------	Feeding waterfowl in undesignated feeding area.	Bait found up to the blind
Thomas Nichols, 9350 Dorrington Pl., Pacoima, Calif.	-----do------	--------	X [3]	-----do------	------	X	$50------	-----do------	Do.
Sam L. Lindley, 3711 North Peach, Fresno, Calif.	-----do------	--------	X [3]	-----do------	------	X	$100------	-----do------	Do.
Samuel Bohen, 3311 Washington St., San Francisco, Calif.	Nov. 12, 1954	--------	X [3]	Nov. 26, 1954	------	X	$100; 1 year probation ($900 and 1 year held in abeyance pending compliance with terms of probation).	Violations of provisions of migratory bird feeding permit.	Arrest for total lack of feeding as required in feeding permit.
Fiscal year 1956									
Tom Nichols, 9350 Dorrington Pl., Los Angeles, Calif.	Oct. 15, 1955	X [1]	X [2]	Oct. 21, 1955	------	X	$100------	Taking migratory waterfowl over undesignated feeding area.	Shooting directly over bait.
Harry P. Stires, 3310 Lonian St., Los Angeles, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$100------	-----do------	Do.
Robert L. Niles, 9402 2d Ave., Inglewood, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$100------	-----do------	Do.
William Moyle, 6293 San Fernando Rd., Sun Valley, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$100------	-----do------	Do.
Jack D. Noxim, 10144 Colwell Dr., Sun Valley, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$100------	-----do------	Do.
R. N. Mathieu, 12025 Albers St., Hollywood, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$100------	-----do------	Do.
Eddie Hooker, 11464 Penrose St., Sun Valley, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$150------	-----do------	Do.
Dr. J. W. Schaaf, 946 Terrace, Fresno, Calif.	-----do------	X [1]	X [2]	Oct. 17, 1955	------	X	$25; fine suspended---	-----do------	Do.
Pat S. McInturff, P. O. Box 270, Hanford, Calif.	Dec. 10, 1955	X [1]	X [2]	Dec. 12, 1955	------	X	$150------	-----do------	25 yards.
Marion G. Maaskant, 1413 Richmond, Hanford, Calif.	-----do------	X [1]	X [2]	Dec. 21, 1955	------	X	$150------	-----do------	Do.
Delmar Drennen, 1230 Whitmore, Hanford, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$150------	-----do------	Do.
Elvin Streeter, 953 Grangeville, Hanford, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$150------	-----do------	Do.
Carl Martin, Route 3, Box 737, Hanford, Calif.	-----do------	X [1]	X [2]	Jan. 13, 1956	------	X	$150 ($125 suspended) 3 years probation.	-----do------	Do.
Fred Rose, Jr., 4615 Centralia, Long Beach, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	-----do------	-----do------	Do.
Roger Walch, 1625 Redddington, Hanford, Calif.	-----do------	X [1]	X [2]	Dec. 21, 1955	------	X	$150------	-----do------	Shooting directly over bait.
Charles W. Richards, 13444 Kansas Ave., Hanford, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$150------	-----do------	Do.
Tony Benito, 105100 Lacey, Hanford, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$150------	-----do------	Do.
Lionel Simas, 15434 Houston Ave., Hanford, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$150------	-----do------	Do.
Francis Lawless, 4000 Rosedale, Bakersfield, Calif.	-----do------	X [1]	X [2]	Jan. 13, 1956	------	X	$150 ($125 suspended), 3 years probation.	-----do------	Do.
Thomas E. Lawless, 1723 Camino Dr., Bakersfield, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	-----do------	-----do------	Do.
William B. Roberts, Route 2, Box 300F, Lemoore, Calif.	-----do------	X [1]	X [2]	Dec. 23, 1955	------	X	$50------	-----do------	15 yards.
Harold H. Esrey 447 B St., Lemoore, Calif.	-----do------	X [1]	X [2]	-----do------	------	X	$50------	-----do------	Do.

See footnotes at end of table.

California baiting violations, fiscal years 1954, 1955, 1956—Continued

Name and address	Date of violation	Violation of		Date of trial	Prosecuted		Fine assessed	Charges filed	Actual or estimated distance from hunter to the nearest bait
		Federal regulations	State law		Federal court	State court			
Fiscal Year 1956—Continued									
Millard Roberts, 19431 Grangeville, Lemoore, Calif.	Dec. 10, 1955	X [1]	X [2]	do		X	$50	Taking migratory waterfowl over undesignated feeding area.	15 yards.
K. E. Hurlbert, Laton, Calif.	do	X [1]	X [3]	do		X	$50	do	Do.
E. L. Hurlbert, 143 Carnage, Lemoore, Calif.	do	X [1]	X [3]	do		X	$50	do	Do.
B. L. Sullivan, 1225 North Douty, Hanford, Calif.	Dec. 17, 1955	X [1]	X [3]	Dec. 28, 1955		X	$150	do	Shooting directly over bait.
Leland Lacey, 1930 Mulberry, Hanford, Calif.	do	X [1]	X [3]	do		X	$150	do	Do.
Tom Spear, 218 Lacey, Hanford, Calif.	do	X [1]	X [3]	do		X	$150	do	Do.
Dan Newton, [4] Box 117, Stratford, Calif.	do	X [1]	X [3]	Dec. 28, 1955		X	$150 ($125 suspended), 3 years probation.	do	Do.
Vernon C. Smith, Route 2, Box 545, Hanford, Calif.	Dec. 18, 1955	X [1]	X [3]	do		X	$150	do	Do.
Harold Worley, 509 East 10th, Hanford, Calif.	do	X [1]	X [3]	do		X	$150	do	Do.
Harold E. Hogue, 509 East Water St., Hanford, Calif.	do	X [1]	X [3]	do		X	$150	do	Do.
Mario I. Busalacchi, 936 West Oak St., Stockton, Calif.	Nov. 16, 1955	X [1]	X [2]	Nov. 29, 1955	(5)		$200	Taking migratory waterfowl over baited pond.	10 feet.
Richard R. Ratto, 22 East Walnut, Stockton, Calif.	do	X [1]	X [2]	do	(5)		$100	do	Do.
M. E. Wangenheim, 25 California St., San Francisco, Calif.	Oct. 16, 1955	X [1]	X [2]	Nov. 2, 1955	X		$100	Taking migratory waterfowl by aid of bait.	From 40 to 130 yards.
Philip N. Lilienthal, 2275 Summit Rd., Burlingame, Calif.	do	X [1]	X [2]	do	X		$100	do	Do.
C. F. Roberts, P. O. Box 68, Mission San Jose, Calif.	do	X [1]	X [3]	do	X		$100	do	Do.
R. S. Miedel, 325 West Bellevue Ave., San Mateo, Calif.	do	X [1]	X [2]	do	X		$100	do	Do.
Leon A. Konigshofer, 1343 Park St., Alameda, Calif.	do	X [1]	X [2]	Nov. 15, 1955	X		$100	do	50 yards.
Jon J. Konigshofer, P. O. Box 2515, Carmel, Calif.	do	X [1]	X [3]	do	X		$100	do	Do.
William Chatham, 2122 Santa Clara Ave., Alameda, Calif.	do	X [1]	X [2]	do	X		$100	do	Do.
D. E. Chappell, 965 Pacific St. Monterey, Calif.	do	X [1]	X [2]	do	X		$25	do	Do.
Sam Hopkins, Big Sur, Calif.	do	X [1]	X [2]	do	X		$25	do	Do.

[1] Violation of Federal Regulations, sec. 6.3, subpar. b (1) and (2).
[2] Violation of State law, sec. 39, title 14, California Administrative Code.
[3] Violation of State law, sec. 336, title 14, California Administrative Code.
[4] Sentenced Jan. 13, 1956.
[5] United States commissioner.

MAY 7, 1956.

Mr. LESTER BAGLEY,
Acting Director, Fish and Wildlife Service, United States Department of the Interior, Washington, D. C.

DEAR MR. BAGLEY: Thank you for your letter of May 1, containing information relating to baiting violation cases as requested by me in my letter to Mr. Farley of April 9, 1956. The questions asked in my letter of April 9 had to do with the activities in California during the 1954, 1955, and 1956 fiscal years. My questions read as follows:

1. What was the distance, in yards, between the bait and the guns?

The breakdown contained in your letter of May 1 indicates that the distance between the bait and the guns varied between 0, in many cases, up to 140 yards distance in the most remote case. I should like an answer to this additional question:

Were there not thousands of instances in California, in these 3 fiscal years, in which duck clubs shot ducks where there was bait anywhere from 200 yards to 800 yards from the guns (in another State, such as Wisconsin, such shooting over bait would be and has been the subject for instant prosecution)? Is it not also true that, during these 3 fiscal years, there were no prosecutions in California, either Federal or State, for such activities?

2. Was the arrest, prosecution, and conviction in each case for violation of a Federal or California antibaiting regulation, and if so, what regulation?

The summary sheet attached to your letter of May 1 lists the various offenses during the 3 fiscal years, and further indicates that in 2 instances in fiscal 1954, in 8 instances in fiscal 1955, and in 43 instances in fiscal 1956, there was a violation of both Federal regulations and State law. Of course, any violation of the California State law, section 336, which prohibits duck-baiting closer than 200 yards to the guns, would also be a violation of the Federal antibaiting regulations (6.3 (b) (1) (2)). The question I asked was not whether there had been a violation of the Federal regulation, but whether the arrest, prosecution, and conviction had been for the Federal violation or for the California violation. Specifically, when there is a prosecution, and a conviction, the information or indictment in the prosecution, and the sentence in the conviction, specifies the offense. I should like a specific answer on whether the prosecution and conviction in these cases specified the California offense, the Federal offense, or both. In a letter from Mr. John L. Farley to me of June 15, 1955, I had been led to believe that the 17 duck-baiting cases in California in fiscal 1955 had been subject to prosecution and convictions under the California regulation (sec. 336), not under the Federal regulation. Of course, the greater includes the lesser, and any prosecution and conviction under the California regulation could no doubt have been also a prosecution and conviction under the Federal regulation. The question is: Was it? From the information contained in the letter of June 15, 1955, I gathered that it was not.

I shall appreciate your prompt reply to these questions.

Sincerely,

HENRY S. REUSS,
Member of Congress.

UNITED STATES
DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
Washington, D. C., May 24, 1956.

Hon. HENRY S. REUSS,
House of Representatives,
Washington, D. C.

MY DEAR MR. REUSS: Thank you for your letter of May 7 with further reference to baiting cases made by Fish and Wildlife Service personnel in California during the period 1953–56.

You ask if there were not thousands of instances during the above period in which duck clubs shot ducks when there was bait anywhere from 200 yards to 800 yards from the shooting site. And also that when the above occurred no one was prosecuted either in State or Federal court.

During the past three waterfowl seasons an average of 125 California duck clubs have been licensed by the California Fish and Game Commission to feed waterfowl annually. During the course of periodic inspections at these licensed clubs, game-management agents have noted a few instances wherein feed positioned in accordance with the State feeding regulation appeared to be serving as a lure and attraction to waterfowl. In such instances the action taken by the agents was to instruct the club members to refrain from further waterfowl hunting in the area. The area was then posted with warning signs advising the public that to hunt migratory waterfowl within the boundaries of the posted area would be contrary to the Migratory Bird Treaty Act regulations. The area remained posted until the offending feed had been removed or consumed and the luring effect no longer existed.

In respect to Wisconsin we know that similar situations have occurred there as well. For some years the Wisconsin Conservation Department practiced waterfowl feeding on both the Rock Prairie and Greenwood farm areas as an aid to hunters at its public shooting grounds, and at last year's Mississippi Flyway Council meeting on waterfowl regulations, advocated unsuccessfully, flyway endorsement of area feeding. Wherever it occurs, feeding does not constitute baiting until waterfowl are taken, or an attempt is made to take them as they are lured by that feed.

My review of our nationwide enforcement activities as well as those of the 48 States reveals few prosecutions of baiting cases where the feed was positioned more than 200 yards from the hunter. Such cases are very difficult to prove before State and Federal courts.

Unless the agent is prepared to prove conclusively that the legally placed feed is serving as bait he has no justification for filing charges. The matter of proof is complicated in certain areas in California especially for the reason that some duck clubs have been established in the desert. The clubs flood their property with water pumped from deep wells. Since the club property provides the only open water within miles the question is raised as to whether it is the water that attracts the birds or feed which might be present on the area. Rather than file charges and lose the case the agents have arbitrarily banned shooting where the matter is in doubt.

There are undoubtedly numerous cases wherein hunters in Wisconsin as well as California hunted and, in fact, may have shot birds 200 to 800 yards from feed. The crux of the question, however, is whether or not such feed may have actually been serving as a lure and attraction in a way that would have constituted a violation of the Federal baiting regulation. As indicated above, in those instances where an agent was satisfied that feed so placed was a lure and attraction, capable of operating to the advantage of the gunner, the area was posted against further hunting until such baiting effect was dissipated either by removal of the feed or having the feed consumed by the birds.

In answer to your second question we have prepared the following table showing the number of defendants involved in antibaiting cases in California since 1950, the number charged with a violation of the State laws, the number charged with a violation of the Federal regulations and the court in which the cases were brought to trial. In reference to the selection of the trial court it has been a policy of this Service to refer the majority of our cases to State courts. Our purpose is twofold. Cases which can be tried in either the State or Federal court are generally handled much more expeditiously in State court and in addition provision has been made in most States for the fines and forfeitures imposed or collected to be paid into the State school and conservation funds.

Defendants charged with violation of:

Fiscal year	State law		Federal regulations, sec. 6.3	Cases tried in—		Total
	Sec. 39	Sec. 336		State court	Federal court	
1952	0	0	0	0	0	0
1953	0	0	0	0	0	0
1954	2	0	0	2	0	2
1955	8	9	0	17	0	17
1956	0	32	11	32	11	45

I hope this is the information you desired and if we can be of further assistance please call on us.

Sincerely yours,

JOHN L. FARLEY,
Director.

Mr. Speaker, as can be seen from this correspondence, my statements of March 17, as referred to in Mr. Farley's letter of April 2, are true. For the past three hunting seasons in California, no arrests for duck-baiting more than 200 yards from the guns have been made—indeed, to allow such duck-baiting is the whole point of the Farley-approved California duck-feeding setup. And in 1954, although there were a number of prosecutions under the California State regulation for shooting ducks practically on top of the bait—within 200 yards—there were no prosecutions for violation of the Federal antibaiting regulation. The reason no baiting cases were made by Federal or State officers in California during the 1951–52 and 1952–53 waterfowl seasons was that this was the pre-Farley era, and there was no appreciable baiting in California because nobody thought they could get away with it.

Now is the time for some surgery on the Fish and Wildlife Service, surgery designed to restore its once proud position as the guardian of our wildlife resources. A real opportunity for such surgery is at hand. The new Secretary of the Interior, Fred A. Seaton, has indicated that he will approach his task with vigor.

I respectfully suggest to Secretary Seaton two major pieces of action:

First. Announce a firm policy that no more oil and gas leases in the national wildlife refuges will be tolerated without a specific finding that the national defense requires such leases.

Second. Include in the Federal waterfowl hunting regulation for 1956, which will be announced around August 20, a provision that any luring of ducks and geese to the guns by bait placed closer than a specified distance shall be illegal. Whether that distance should be one-half mile, 800 yards, or 500 yards I leave to the Department's judgment—what is most important is that a definite limitation be proclaimed, so as to eliminate the sleazy winking at violations which now characterizes the Fish and Wildlife Service.

If Secretary Seaton will have the courage to make these reforms he will find that the Nation's conservationists are enthusiastically behind him.

PENSIONS FOR SPANISH-AMERICAN WAR WIDOWS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I have asked for this time to ask the gentlewoman from Massachusetts if she knows whether the pensions for the Spanish-American War widows are included in the pension bill that is to come to the House.

Mrs. ROGERS of Massachusetts. Unfortunately, they are not included. We were assured, however, there will be a meeting on that subject, after the passage of this bill, and I hope it will be this week. These widows are undergoing great suffering today and are terribly in need. I attended a dinner of the Gold Star wives in Boston on Saturday. These involved only service-connected cases. The little that is being done for them is very necessary and is very much appreciated. It was touching to see them together with their children. The widows of non-service-connected veterans are in a very distressed condition. Something must be done for them before we adjourn. I think it would be very cruel if we do not help them.

Mr. O'HARA of Illinois. I thank the gentlewoman.

INDESTRUCTIBILITY OF POLISH NATIONALISM

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, Miss Thompson is not the only writer who has been impressed with the indestructibility of the Polish people and their affection for their own system of government, free from alien intrusion.

Fletcher Pratt, in his brilliant one-volume history of the agony of this nation during our Civil War, talked about nationalism and the refusal of many peoples to be permanently crushed by Napoleonic power. He talked about the three partitions of Poland—and he added this single sentence:

Poland persisted, an insoluble entity, in spite of being held in emulsion for a century and a half.

Poland persists, of course, today—and her people will forever persist, if we may believe their history, in spite of foreign oppression or partition or any other misfortune.

I am very happy that here in this House we have sent messages recently to the people of Poland, to remind them that they are not forgotten, to assure them that we join in their desire for a revived and independent Polish nation.

Mr. Speaker, I insert in the body of the RECORD a column that ran July 9 in the Washington Evening Star, a column on the indestructibility of Polish nationalism, by Miss Dorothy Thompson.

POLAND: PERENNIAL TIME BOMB

History placed Poland in an unhappy geographical position with the vast Russian empire to the east and the rising power of Germany, originally of Prussia, on the west, and with no natural barriers to protect her, even before war took to the open skies.

The history of Poland, since the 18th century, from a time roughly corresponding to the birth of the United States, has been a history of partition between her more powerful neighbors, who before World War I, included, on her southern flank, Austro-Hungary.

For a century and a half, therefore, Poles lived under three fundamentally different regimes: Russian, Prussian-German, and

Austrian, the last being the most culturally and politically compatible, since, like Poland, Austro-Hungary was a Catholic state with a more decentralized administration.

This atomization of the Polish Nation would, it was hoped, serve the interests of the powers who sought to buy their own peace at her expense because each feared that a strong Poland, a nation of 20 million persons, might tip the balance of power by allying herself with one or the other side.

Each tried to break the Polish national spirit by the use and increase of non-Polish minorities, by attempts to convert Poles to Russian orthodoxy or Prussian Protestantism, and innumerable other methods of blandishment and force. But the result was just the contrary.

Partition created modern nationalist Poland. Every Pole felt himself a Pole. "Polishness" took on the aspects of a devotion inseparable in many ways from that of a religion. Since the national cause against the Russian and Prusso-German overlords was closely associated with Catholicism, it was, in fact, a religious cause.

During the entire history of Polish subjection, Poland has been a perennial timebomb. In war her legions were unreliable, and every internal crisis in Russia, Germany or Austria was reflected by rebellions in Poland.

The Poles developed an almost unconscious technique of underground conspiracy, passive resistance, sabotage. They joined every revolutionary upheaval within the ranks of their masters, and equated all revolution with national freedom.

Abroad, in the West, to which many of them fled, they loyally supported the enemies of their enemies and fought "for your freedom and ours."

At home, when occasion permitted, they played one master off against the other, with malice toward all.

Tenaciously protecting their language and religion, they produced, under subjection, an astonishing culture, all of it in the service of the Polish romance, served with romantic fervor.

Chopin, in Paris, was no less a national figure than Sibelius in Finland. Paderewski, thundering through the concert halls of two continents, was an ambassador without portfolio. Every Polish novel was a romance about Poland.

The Poles hated the Germans. They despised the Russians. They feared neither, being, one might say, mystically convinced that God was the sponsor of Polish national freedom, and that His cause cannot be lost.

Of all the east European peoples caught between Russian and German imperial ambitions, they were the most foolhardy, and alone among the Slavs were never tainted by Russian pan-Slavism. Russians were not their Slavic brothers. Russia was a boot on their necks. Temperamentally they are closer to the Finns and Hungarians, to whom they are not racially or linguistically related, than to the Czechs or Yugoslavs, who are also Slavs.

Alone among the eastern Slavic peoples, they are not disappointed in communism. It is exactly what they expected, considering its source. Nothing good for Poland has ever come out of Russia. That they know from centuries of experience.

So why the rebellion in Poznan? The work (according to the latest explanation of the Kremlin's Central Committee) of American agents?

How very silly. Weeks ago this column predicted risings in Poland, fearing they would be premature. The Poles are simply running true to form and to their own character.

If they have more courage than prudence, it was always so. Courage and tenacity, not prudence, has kept Poland alive.

A lost cause that has ever refused to be lost.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KLUCZYNSKI (at the request of Mr. MCCORMACK), for an indefinite period, on account of death in the family.

Mr. MORGAN (at the request of Mr. BARRETT), for an indefinite period, on account of death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. REUSS (at the request of Mr. PASSMAN), for 30 minutes, today.

Mr. HOFFMAN of Michigan, for 20 minutes, today and tomorrow.

Mr. SAYLOR, for 1 hour, tomorrow, and for 1 hour on Wednesday next.

Mr. WILSON of California, for 1 hour, on Tuesday next.

Mr. RHODES of Arizona, for 1 hour, on Tuesday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MCVEY.

Mr. MOULDER.

Mr. MACDONALD in two instances and to include extraneous matter.

Mr. GRAY and to include extraneous matter.

Mr. ANFUSO (at the request of Mr. MULTER) in two instances and to include extraneous matter.

Mr. KLEIN.

Mr. VAN ZANDT and to include extraneous matter.

Mr. PATTERSON and to include extraneous matter.

Mr. SAYLOR and to include extraneous matter.

Mr. OSTERTAG and to include extraneous matter.

Mr. PELLY and to include extraneous matter.

Mr. PHILBIN and to include extraneous matter.

Mr. SIEMINSKI and to include extraneous matter.

Mr. YOUNG (at the request of Mr. MARTIN) and to include extraneous matter.

Mr. DONOHUE and to include extraneous matter.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that the committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 9893. An act to authorize certain construction at military installations, and for other purposes;

H. R. 11356. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes;

H. R. 11619. An act to amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other related purposes;

H. J. Res. 456. Joint resolution for the relief of certain relatives of United States citizens;

H. J. Res. 580. Joint resolution for the relief of certain aliens; and

H. J. Res. 616. Joint resolution for the relief of certain aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1871. An act to amend certain provisions of law in order to provide for the reimbursement of the Post Office Department by Government agencies in certain additional cases for the transmission of mail matter;

S. 2704. An act to authorize the appropriations of funds for the construction of certain highway-railroad grade separations in the District of Columbia, and for other purposes;

S. 2705. An act to authorize the Philadelphia, Baltimore, and Washington Railroad Co. to construct, maintain, and operate a branch track or siding over Second Street, SE., in the District of Columbia; and

S. 2896. An act to amend the act relating to cemetery associations.

ADJOURNMENT

Mr. O'HARA of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 39 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, July 12, 1956, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FORRESTER: Committee of Conference. S. 1622. An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes (Rept. No. 2677). Ordered to be printed.

Mr. SPENCE: Committee on Banking and Currency. H. R. 11000. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the birth of the late Justice Louis Dembitz Brandeis; without amendment (Rept. No. 2678). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 2305. An act to exclude certain lands from Acadia National Park, Maine, and to authorize their disposal as surplus Federal property; without amendment (Rept. No. 2679). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 8474. A bill to quiet title and possession with respect to certain real property in the State of Alabama; with amendment (Rept. No. 2680). Referred to the Committee of the Whole House on the State of the Union.

Mr. FORAND: Committee on Ways and Means. H. R. 9396. A bill to amend the Tariff Act of 1930 to place guar seed on the free list; with amendment (Rept. No. 2681). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of New York: Committee on Ways and Means. H. R. 10177. A bill to amend the Tariff Act of 1930 to provide that certain lathes used for shoe last roughing or for shoe last finishing may be imported into the United States free of duty; without amendment (Rept. No. 2682). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. S. 2374. An act to authorize the Secretary of the Army to enter into contracts to furnish water for municipal water supplies from flood control and river and harbor projects; without amendment (Rept. No. 2683). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules, House Resolution 587. Resolution for consideration of H. R. 3, a bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; without amendment (Rept. No. 2688). Referred to the House Calendar.

Mr. FRIEDEL: Committee on House Administration. House Resolution 487. Resolution to provide funds for the investigations and studies made by the Committee on Veterans' Affairs pursuant to House Resolution 63 and House Resolution 376; without amendment (Rept. No. 2689). Ordered to be printed.

Mr. MORGAN: Committee on Foreign Affairs. House Joint Resolution 659. Joint resolution authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the 11th World Health Assembly in the United States in 1958; without amendment (Rept. No. 2690). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. H. R. 11821. A bill for the relief of Esterlee Hutzler Weinhoeppel; with amendment (Rept. No. 2684). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H. R. 8971. A bill for the relief of Hamazasp Psakian, Mrs. Varsenick Psakian, and Nune Nona Psakian; with amendment (Rept. No. 2685). Referred to the Committee on the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 6081. A bill for the relief of Patricia May Stevens; without amendment (Rept. No. 2686). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. House Joint Resolution 683. Joint resolution for the relief of certain aliens; with amendment (Rept. No. 2687). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MACHROWICZ:

H. R. 12181. A bill to suspend the manufacturers' excise tax on passenger automobiles for a period of 6 months; to the Committee on Ways and Means.

By Mr. BOW:

H. R. 12182. A bill to establish a Commission on Air Safety; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H. R. 12183. A bill to provide additional penalties for violation of the antitrust laws; to the Committee on the Judiciary.

By Mr. DORN of New York:

H. R. 12184. A bill to amend section 1201 of title 18, United States Code, relating to kidnaping; to the Committee on the Judiciary.

By Mr. ENGLE:

H. R. 12185. A bill to provide that withdrawals or reservations of more than 5,000 acres of public lands of the United States for certain purposes shall not become effective until approved by act of Congress; to the Committee on Interior and Insular Affairs.

By Mr. FISHER:

H. R. 12186. A bill to amend the acreage reserve provisions of the Soil Bank Act to permit inclusion of acreage up to 30 days prior to harvest; to the Committee on Agriculture.

By Mr. FLOOD:

H. R. 12187. A bill to establish the principle of a basic single salary wage scale in the Canal Zone for civilian officers and employees in the Federal service; to the Committee on Post Office and Civil Service.

By Mr. HALE:

H. R. 12188. A bill to provide that the Secretary of the Navy shall construct a highway in the State of Maine; to the Committee on Armed Services.

By Mr. HARRISON of Virginia:

H. R. 12189. A bill to amend certain provisions of the Tariff Act of 1930 relative to import duties on wool; to the Committee on Ways and Means.

By Mr. JUDD:

H. R. 12190. A bill to amend the Internal Revenue Code of 1954 to give men whose wives are institutionalized the advantages of the deduction provided for expenses for care of dependents in certain cases; to the Committee on Ways and Means.

By Mr. KLEIN:

H. R. 12191. A bill to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for air carriers providing service by helicopter; to the Committee on Interstate and Foreign Commerce.

By Mr. METCALF:

H. R. 12192. A bill to provide for the establishment of a western research laboratory for the study of animal disease at or near Montana State College; to the Committee on Agriculture.

By Mr. MORRISON:

H. R. 12193. A bill to provide health and medical services for United States citizen civilian officers and employees in the Federal service overseas and their dependents, and for other purposes; to the Committee on Post Office and Civil Service.

H. R. 12194. A bill to consolidate and revise certain provisions of law relating to additional compensation of civilian employees of the Federal Government stationed in foreign areas, to facilitate recruitment, reduce turnover, and compensate for extra costs and hardships due to overseas assignments, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H. R. 12195. A bill to amend the Fair Labor Standards Act of 1938 to provide that employees engaged in laundering, cleaning, or repairing clothing or fabrics shall be subject to the minimum wage and maximum hour provisions of that act; to the Committee on Education and Labor.

By Mr. HAYS of Arkansas:

H. R. 12196. A bill authorizing the transfer of that portion of Camp Joseph T. Robinson, known as the Baptist College tract, to the State of Arkansas; to the Committee on Armed Services.

By Mr. KLEIN:

H. R. 12197. A bill to amend the War Claims Act of 1948, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H. R. 12198. A bill to provide for the establishment of a fish hatchery in the State of West Virginia; to the Committee on Merchant Marine and Fisheries.

By Mr. WALTER:

H. J. Res. 684. Joint resolution to authorize completion of the processing of visa cases under the Refugee Relief Act of 1953, as amended, and the admission into the United States of certain aliens therein defined; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H. R. 12199. A bill for the relief of Giuseppe Stefano; to the Committee on the Judiciary.

By Mr. ANFUSO:

H. R. 12200. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Jerome F. Gould Corp.; to the Committee on the Judiciary.

By Mr. BATES:

H. R. 12201. A bill for the relief of Yiu Hing Koo (Jack Koo); to the Committee on the Judiciary.

By Mr. BOSCH:

H. R. 12202. A bill for the relief of Ursula Anna Peterich; to the Committee on the Judiciary.

By Mr. DAVIDSON:

H. R. 12203. A bill for the relief of Federico Maniga; to the Committee on the Judiciary.

By Mr. DELANEY:

H. R. 12204. A bill for the relief of Enrica Naldini Marzoli; to the Committee on the Judiciary.

By Mr. DIGGS:

H. R. 12205. A bill for the relief of Joseph Jonghwan Kim; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. R. 12206. A bill for the relief of Cecil E. Finley; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H. R. 12207. A bill for the relief of Mrs. Rhea Silvers; to the Committee on the Judiciary.

By Mr. McINTIRE:

H. R. 12208. A bill for the relief of Sylvia Duratti Stithan; to the Committee on the Judiciary.

By Mr. OSMERS:

H. R. 12209. A bill for the relief of the estate of Katharine Flower Runyon, deceased; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 12210. A bill for the relief of the dependents of Isidor Goldfracht; to the Committee on the Judiciary.

By Mr. RODINO:

H. R. 12211. A bill for the relief of Lina Maria Pagnutti; to the Committee on the Judiciary.

By Mr. SHELLEY:

H. R. 12212. A bill for the relief of Jesus Monzon Martinez; to the Committee on the Judiciary.

By Mr. SMITH of Mississippi:

H. R. 12213. A bill for the relief of Dr. Royal W. Williams; to the Committee on the Judiciary.

By Mr. WIDNALL:

H. R. 12214. A bill for the relief of Mrs. Olga Doris Moss; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The American Dollar

EXTENSION OF REMARKS
OF
HON. WILLIAM E. McVEY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 11, 1956

Mr. McVEY. Mr. Speaker, one of the most disturbing elements in our domestic economy has been the course of the American dollar. The public has witnessed a decrease in the purchasing power of the dollar, amounting to almost one-half of it. There have been compensating factors to the workingman through increases in salary, but at the same time, life insurance policies of long standing have been cut in half of their former value. Savings deposits, bonds, pensions, and social-security payments have been depleted to a similar extent.

The administration which is now in power promised, before the election in 1952, a sound dollar. Let us see whether this promise has been fulfilled. In order not to become involved too extensively in statistics, decreases in the value of the dollar since 1939 are quoted for certain periods, rather than for month by month, down to the present time. A résumé of this situation is as follows:

(1935–39 consumer prices=100)

Date:	*Value of the dollar*
1939	101.4
1946	75.0
1950	58.8
1952	52.7
1953 (January)	52.0
1954 (January)	52.0
1955 (January)	52.0
1956 (January)	52.0

From the above table, it does seem that the promise of the administration with regard to a sound dollar has been kept. The period, beginning in January 1953, has been given because that marks the event when the Eisenhower administration took office, and there has been no downward drift of the dollar since that date. The figures quoted may be verified by the Library of Congress in Washington, D. C., the most impartial and authentic source of information to which we have access.

It is possible that the American people do not realize fully the meaning of this accomplishment because not everyone is aware of the fact that in France today approximately 350 francs can be purchased for an American dollar, as contrasted to the time when only 5 francs were available for the same amount of money. The development in France has been duplicated in most of the countries in Europe. In Italy, for example, 625 lira can be purchased for $1. We have seen an inflationary spiral destroy the currency of those countries one after another. There was a time, after the severe inflation in Germany, when a billion marks could be purchased for $1.50—notwithstanding the fact that at one time, only 4 of those marks represented the same value as the American dollar.

With the stabilization of the American dollar, there has been a stabilization of most of the elements in the American economy. There may be other accomplishments to which we may point with pride, but there is not one which means more to the great mass of the American people than the stability of the purchasing power of our currency.

The Devil To Pay at Hells Canyon

EXTENSION OF REMARKS
OF
HON. HAROLD C. OSTERTAG
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 11, 1956

Mr. OSTERTAG. Mr. Speaker, the attempt to turn back the clock at Hells Canyon by substituting public power development for the private undertaking which has already been launched there adds up to the grossest kind of power politics. Private enterprise has been licensed by the Federal Power Commission to do the job there, and it is doing the job. It should be allowed to continue. There is no justification in reason or in commonsense why the cost of this project should be borne by the people of the country generally. Under private enterprise, the costs will be borne by those who profit from the development. Thus the area will benefit, labor will benefit, the localities will benefit, and our free-enterprise system will benefit. If the Federal Government steps in, however, none of these benefits will accrue, and the taxpayers generally will be the poorer.

Under leave to extend my remarks, Mr. Speaker, I include in the RECORD, excerpts from some recent correspondence I have received on this subject from constituents and others:

ROCHESTER, *July 5, 1956.*

DEAR MR. OSTERTAG: Having just finished reading a magazine article on the Government plans for power development at Hells Canyon in Idaho, I would like to register my protest at any further attempts by public-power interests to promote Government power development in the Northwest.

It is my belief that the Government has never come forward with accurate and reliable figures up to this time which would indicate that it is able to do a better job for the country as a whole than private interests have done up to now. When such figures are available, and with due allowances made for taxes, providing the Government can make it cheaper than private interests, I shall be in favor of public power, but not before that time.

Very truly yours,

JOHN I. NUGENT,
Vice President, Manufacturing, Ritter Co., Inc., Rochester, N. Y.

EMPIRE STATE CHAMBER OF COMMERCE,
Albany, N. Y., June 29, 1956.

We think the Federal Power Commission should be sustained in its grant of a license to finance, build, and operate the facilities at Hells Canyon by a publicly owned, privately financed power company. We think the Senate- and House-approved Hells Canyon bills should be rejected.

Sincerely yours,

WILLIAM A. MILLS,
Executive Vice President.

JUNE 30, 1956.

Hon. HAROLD C. OSTERTAG,
House Office Building,
Washington, D. C.:

Respectfully request that you vote against Hells Canyon bill. Plans of private taxpaying industry to meet needs of these areas should be encouraged. Taxpayer should not be saddled with $508 million dam cost.

GORDON W. McCURDY,
McCurdy Co., Rochester, N. Y.

JULY 2, 1956.

DEAR CONGRESSMAN: For the public good, please vote against Hells Canyon bills, which should be rejected for the reason same should be privately financed by a power company.

Sincerely,

F. X. MATT,
Chairman of the Board, West End Brewing Company of Utica, N. Y.

HOUSE OF REPRESENTATIVES,
July 2, 1956.

DEAR COLLEAGUE: I have just received petitions signed by 491 workmen employed on the construction of the Brownlee Dam in the Hells Canyon area on Snake River in my district. These men will lose their jobs if work on the dam is stopped. These petitioners requested me to get this information to Members of Congress.

In their own words they say:

"This construction project is now providing jobs for over 700 of us now, and employment is steadily increasing. Another 500 workers will obtain jobs here within a month, and the whole region benefits from this work.

"The Federal Power Commission made the decision for Brownlee, Oxbow, and Hells Canyon. We are at work here. Let's build, not destroy; and let's stop the legislative threats to our jobs."

With best wishes,

Sincerely,

SAM COON.

Federal Income Taxes

EXTENSION OF REMARKS
OF
HON. TORBERT H. MACDONALD
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 11, 1956

Mr. MACDONALD. Mr. Speaker, some individuals, including T. Coleman Andrews, former Commissioner of Internal Revenue, are advocating repeal of the Federal income tax on the ground that it is too complicated and too erratic in its application.

I think it goes without saying that our present income tax, as now administered,

is a real threat to our freedom in this country. Certainly nobody understands the complexities and subtleties of the act completely. Its original intent has long been lost and in the overall picture, the picture has become so clouded that I feel a reappraisal of the entire structure is mandatory. I feel that because of the inequities of our present tax system and the resulting injurious effects upon many of our citizens we should have a thorough examination of our entire tax system. I understand this problem is being studied by the administration's tax aids and by certain Members of Congress. I want to say at this point that while this whole tax problem is under study I feel that there is one very important change that should be made immediately in our present income-tax law.

The overwhelming majority of American taxpayers find our income tax law so bewildering, confusing and frustrating that they are compelled to engage the services of a professional tax consultant. The taxpayer, of course, depends completely on this so-called tax expert. He answers a few questions put to him by the expert and then signs his tax return on the line pointed out to him by the tax consultant, and pays the amount that the consultant has computed. The taxpayer, in the main, does so in good faith and with every honest intent. Years later the Government decides that a mistake was made. The Government thereupon charges interest and assesses penalties against the taxpayer for all the years through which Government agents dawdled before discovering the mistake. That's why thousands of American taxpayers are having difficulty keeping up with their current income taxes.

Mr. Speaker, why should an honest taxpayer be forced to pay interest on an honest mistake? Why should he be assessed penalties when the income tax law is written so ambiguously in the first place that the taxpayer must hire and depend upon professional tax assistance to make out his return, and is in the second place capable of so many interpretations and honest misunderstandings.

To correct this situation I have today introduced a bill amending the Internal Revenue Code of 1954 in such a way that the Federal Government will be prevented from assessing penalties and charging interest on taxes where a taxpayer has made an honest mistake in his income tax return.

I am sure that my colleagues will agree with me when I say that no honest taxpayer should be compelled to pay either penalties or interest for an honest mistake that has been made under a law that confuses the best tax experts in the country. The present system is not taxation, but has almost become legalized confiscation of one's private property.

Mr. Speaker, a very good example of this inequity in our present tax law can be seen in the tax situation of Joe Louis, former heavyweight champion of the world. The internal-revenue agents now are making it impossible for Louis to make a living by seizing every last cent of his purse moneys. They are making it impossible for him to pay this year's taxes, and though they themselves make it impossible, they will charge him with further interest and further penalties when he is unable to pay his tax this year. No matter what he does the rest of his life, Joe Louis can never save any money. And at the rate that interest piles up on what he owes, he will owe more upon his death than he ever actually earned. There is no question that a loan shark would be driven out of business by public opinion if he practiced such usury, yet this is what our own Government is doing to respectable citizens such as Louis. In several of the States, laws have been passed against this sort of thing, among installment sellers. Yet under our present Federal system of taxation, Joe Louis will pay forever for being one of the great champions of our time. Many actors, authors, painters, and other artists and professional people are having similar tax troubles. It seems to me that any democracy which permits this sort of thing is courting the emergence of a new form of government.

Therefore, I hope that the Congress will find it possible to enact my bill into law in order that this needed relief may be given to thousands of honest American taxpayers. I think it would be a simple act of justice and I feel that such action is long overdue. This bill should recommend itself to every Member of Congress irrespective of political party.

Program for American Prosperity

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Wednesday, July 11, 1956

Mr. WILEY. Mr. President, the American people are determined to enjoy ever-greater prosperity. Naturally, my own deep interest is in assuring full employment and full purchasing power in the hands of all our citizens.

We of Wisconsin rightly feel that we should enjoy an ever-higher standard of living. And so, I seek more jobs, bigger pay envelopes, more income for all segments of Wisconsin. Prosperity, freedom, and peace—these are my goals for Wisconsin and for all America.

Along these lines, I send to the desk the text of an address which I delivered in Footville in my State, in Rock County, outlining several steps to assure strength for the American economy. I ask unanimous consent that the text of this address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

HON. ALEXANDER WILEY, OF WISCONSIN, SAYS UNITED STATES MUST ACT TO SPUR PROSPERITY BY AN ALL-AMERICAN PROGRAM; URGES BROAD EFFORTS PARTICULARLY FOR VETERANS, FARMERS, OLD FOLKS

(Excerpts of address delivered by Hon. ALEXANDER WILEY, Republican, of Chippewa Falls, at Memorial Park Celebration Footville, Wis., Rock County, on July 1, 1956)

I am delighted to join in this celebration with you.

Always, it is a pleasure to be among you, and to exchange views on our mutual problems.

The celebration today and on the Fourth of July—next week—are both joyous, and solemn, occasions. For it is, at these times, that we remember, with grateful hearts, others' sacrifices for ourselves and our country. And we rededicate our labors and our ideals to the protection of our freedom and of our hard-won progress.

My purpose in addressing you tonight is to share with you a few thoughts on how we may best serve our beloved America, serve our inspiring flag, how we may best protect ourselves from all enemies—both foreign and domestic.

A DESERVED TRIBUTE TO THE LEGION

It is appropriate that it is under the banner and emblem of the American Legion that we assemble tonight. For few organizations in our land have better served Old Glory than this greatest of all veterans' groups.

REMEMBERING GROUPS NEEDING OUR ATTENTION

It is of veterans that I basically speak tonight—the veterans of all our past conflicts, the gallant defenders of America to whom we owe so much.

But I speak as well of other groups in our land to whom I believe our Nation should turn its particular attention, as well—

Our farmers, for example, who have suffered extremely serious times.

Our old folks, caught, also, in the inflationary price squeeze.

AN ALL-AMERICAN PROGRAM

For these groups, for all groups, I recommend an all-American program tonight—a program in the public interest.

Here it is:

1. Highways: Start action as soon as possible under the Nation's vast new $37 billion road-improvement program.

This Federal-State project will pump new economic health into our own and other States—into our great tourist industry, our farm-to-market transportation. It will help reduce highway accidents, will cut traffic jams, will vitalize new communities.

2. Waterway: Speed construction of the channels on the upper St. Lawrence Seaway—another mighty impetus to Wisconsin industry and agriculture.

BATTLE AGAINST ANTICONSERVATION FORCES

3. Conservation: Protect the Nation's outdoor heritage—our precious national resources—our forests, parks, lakes, and streams.

Speed up action under the newly approved anti-stream-pollution bill which will enable communities to cope with the serious sewerage problem.

Meanwhile, battle against greedy interests which attempt to exploit 100 percent public resources—belonging to all 167 million of us—for purely private gain.

PROTECT UNITED STATES FROM SUBVERSIVE FORCES

4. Preparedness: Assure all-out United States preparedness against the greatest single menace in the world today—aggressive, atheistic communism

Strengthen our anti-Red laws here at home.

Continue fearless investigations of subversion.

Build up our arms program.

This means accelerated production of super-implements of war such as guided missiles, super-sonic jet planes, modern tanks, atomic guns, and ships, and the adaptation of other miracles of scientific technology.

5. Social security: On the civilian front, look better after the needs of our 14 million senior Americans, aged 65 years and older.

Pass the liberal House of Representatives version of Social Security improvement legislation.

It includes a fairer break for elderly women—aged 62 through 65 and beyond, yes, for working women, or retired women—single, married, and widowed.

6. Education: Protect our greatest assets—our young people.

Carry out the program of the White House Conference on Education so as to meet the problem of the Nation's overcrowded classrooms, swollen by our huge birth rate—4,100,000 babies alone last year.

HOUSE VERSION OF VETS' BILL CERTAINLY NOT GOOD ENOUGH

7. Veterans: Serve the heroes who served America. As I stated at the outset, stand by our gallant defenders.

What does this mean precisely?

It means having the United States Senate take up at the earliest possible date the whole issues of veterans' pensions and compensation, including survivors' benefits.

Let me say categorically, that I do not believe that the much-amended version of this pension bill, as approved by the House, last Wednesday, is anywhere good enough.

It definitely does not satisfy the current difficult needs—in these inflationary times—of our veterans with service-connected disabilities, and of veterans' widows and dependents.

These days, too many of our elderly veterans and their loved ones face extremely serious problems of eking out an existence.

Surely, this Nation—the richest Nation on earth—can afford to provide adequately for those who saved America on the blood-soaked battlefields of the Argonne Forest and Normandy and Iwo Jima and Taegu.

So, I say, let's really do justice by our veterans. Lets enact a comprehensive pension bill—not one full of omissions and flaws—but one worthy of the name of a greatful people, a grateful America.

Meanwhile, let's improve medical facilities for our veterans, let's extend the GI home loan program at least for another 3 years, and let's oppose the unsound Bradley Commission recommendations which would arbitrarily slash veterans' benefits.

OTHER ISSUES OF INTEREST

Now, friends, I have referred thus far to 7 fields of action of an All-American Program.

Time will only be available to cover just one additional area—our farm problem.

Of course, if time were to permit, I would be more than delighted to touch upon a great many other areas of our national economy which well merit our attention.

I am thinking, for example, of the problems of our Nation's law enforcement consider the combating of the terrible problem of juvenile delinquency—a situation, involving 1,300,000 youngsters every year, getting enmeshed in trouble with the law.

I am thinking, too, of the problem of assuring integrity in American politics and American elections.

That means, for example, passing the honest elections bill. It has long been pending on the Senate Calendar, but it may be scuttled in the closing rush for adjournment.

I am thinking, too, of the Nation's health needs, or our housing needs or the needs of the Nation's airports (which are already jammed with planes and traffic).

And there are a great many other needs as well.

THE NEED FOR JUSTICE FOR FARMERS

No all-American program would be complete, however, without detailed reference to that great group of our fellow citizens which feeds this Nation; that great group which provides the backbone for our entire way of life.

I refer, of course, to the agricultural segment of our population.

I need not tell you in detail, my friends, that the rural areas have definitely been hard hit by serious economic problems.

I am not speaking simply of the farmer who has been caught in a terrible cost-price squeeze—costs going up, milk checks going down, or relatively stationary.

I am speaking, too, of the merchant in the town who has to sell to the farmer, and of everybody else who depends for his living on the farmer's purchasing power.

So, I say to you, my friends, that one of the great undone tasks in our country today is to assure a fairer break for the American who earns his living on the soil.

I say to you that it is unfair that prosperity should be booming for virtually every single other group in our population, while the farmer lags far behind in getting his fair share of the increased income.

I certainly don't want to see other groups' prosperity lowered in the farmer's behalf; and the farmer doesn't want that.

I simply want to see the farmer's own income raised. I want the farmer to get a fair break without, in any way, prejudicing the interests of America's consumers—our consumers of milk, butter, cheese, ice cream, nonfat dry milk solids.

After all, the farmer isn't even getting 50 percent of what the consumer is paying on the average for his bottle of milk.

I want the farmer to get a fair share of the consumer's dollar.

Simultaneously, I want the consumer to be able to afford to drink an ever-increasing quantity of milk and to eat more delicious, nutritious cheese, for example.

I certainly don't want to see more farms forced out of business because of the inability of the farmer to get his cost of production, plus a reasonable profit.

MY EFFORT TO RAISE MILK PARITY SUPPORT

The farmer who sells manufacturing milk has faced particularly difficult times.

That is why I have been trying to raise minimum parity supports for manufacturing milk to at least $3.45 per hundredweight—a mere 20 cents may sound like a good deal to someone who is not too well familiar with farm problems. But that figure represents just around 8 cents per quart of milk, which is in turn only a third of what the consumer may be paying.

I haven't succeeded, as yet, with the Department of Agriculture in getting even this modest $3.45 level established, but I certainly intend to continue my efforts.

INCREASE DAIRY CONSUMPTION

As you all know, we have just marked the conclusion of another June Dairy Month. I hope that its conclusion will not mean that America will now forget the need to assure justice for the dairymen.

We need to observe Dairy Month—12 months a year. Every single month, we need the precious calcium of milk, as well as all the other body-enriching and body-building elements which "Nature's Most Perfect Food" provides.

Most important of all, every American must become acquainted with the fact that it is in his own interest voluntarily to increase his own consumption of dairy items.

The so-called milk surplus would disappear overnight if Americans would just drink a single glass of milk more per day.

And so, I pledge my continued efforts for the farmer, for a fair price for him. I pledge to work, too, for a modernized parity formula which reflects his real costs, and for other essential actions—like the prompt carrying out of the new soil bank program—in his behalf and in the public's behalf.

CONCLUSION

Thus, my friends, I have spelled out a few points in an overall program for our country. It is not designed, as I have said—within this limited time—to be anywhere near a complete program. But at least, it will serve as a good beginning, I think, to satisfy the needs of our expanding America.

This country faces unlimited horizons. It faces vast, exciting new frontiers.

There need be no limit on the growth of our country or on the progress of our country.

And so, under the leadership of right-thinking, right-acting persons, such as is so well provided by the American Legion in every community of our land we will go forward.

And as we come to celebrate Independence Day, 1956, we will inaugurate a whole new era, we trust, of peace and prosperity for our beloved land.

Stan, the American Man

EXTENSION OF REMARKS
OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1956

Mr. SAYLOR. Mr. Speaker, behind each player who participated in the all-star game is a success story that can serve to inspire the youth of our country. The road to big-league baseball is open to every boy, but it becomes so steep as it branches out into those 16 exclusive dugouts that only youngsters possessed of outstanding ability are able to go all the way.

On Monday, Stan Musial was presented with an award emblematic of his being named player of the decade. Yesterday, his brilliant performance at bat and in the field served to accentuate the judgment of those responsible for the selection. A word of tribute to Stan "the Man" belongs in the CONGRESSIONAL RECORD—not alone because he is one of the greatest baseball players of all time; rather because while achieving sports immortality he has remained the quiet, modest, humble, dignified, religious, refined, and sympathetic person that he was in the days of his boyhood in a small town of western Pennsylvania.

Stan Musial typifies the kind of fellow any father would want his son to be. This offspring of a steel worker was not tapped on the shoulder by fortune and invited into the Hall of Fame. When, after his career has come to an end and he becomes eligible to enter that edifice, his reward will have been made possible because of hard work, diligence, sobriety, and determination. Baseball has been a serious profession with Stan Musial. In it, he has invested study, training, and expert conditioning. From it has come commensurate financial compensation in testimony of the returns that are possible in a competitive system.

Despite the high salary which he came to command, Stan Musial shunned the profligate way of life that can be so inviting to celebrities in the sports and entertainment fields. He invested in private enterprise and is now a respected and successful businessman in St. Louis. He is a devoted husband and father, a veteran of our Armed Forces, and just about everything else that goes to make up the outstanding American.

America can use more men and boys of Stan Musial's caliber, whether or not

they can swing a bat or play first base and the outfield. And if the rest of the world were so fortunate as to have a predominance of this type of character, the only defense programs required would be those planned by opposing managers to stop Stan Musial.

Statement of Hon. Arthur G. Klein, Democrat, New York, July 11, 1956, Upon the Introduction of a Bill To Amend Section 401 (e) of the Civil Aeronautics Act of 1938

EXTENSION OF REMARKS
OF
HON. ARTHUR G. KLEIN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 11, 1956

Mr. KLEIN. Mr. Speaker, I have today introduced legislation providing for permanent certification of the airlines temporarily authorized by the Civil Aeronautics Board to conduct helicopter service in the Chicago, Los Angeles, and New York metropolitan areas.

The metropolitan helicopter services have proved themselves an essential part of the air transportation system of the United States. Their successful development is required in the interest not only of civil air transportation, but of the postal service and the national defense. In the event of an attack upon the United States, the availability of the helicopter organizations to carry out military and civil defense missions would be vitally important.

Commencing only 9 years ago with service confined to mail carriage, the helicopter airlines are now providing lift not only for mail, but for passengers, express and freight as well. The helicopters now available for civil use have limited capacity. However, by 1960 multiple-turbine helicopters capable of carrying 25 passengers will be available for civil use.

Within the next 5 years, the 3 present helicopter airlines alone will require some $25 million of financing to keep pace with the swift developments in this field—representing a 7-fold increase in capitalization. It appears that the market for civil helicopters of United States manufacture might approximate $200 million during this same period. New money in these amounts is not likely to be forthcoming unless helicopter transportation is placed on the same basis of financial and operating stability as that enjoyed by the other forms of air transportation.

Temporary certification by the Civil Aeronautics Board is not sufficient for this purpose. The problems of achieving expansion of this magnitude should not be multiplied by the handicap of temporary authorizations in which neither the public, the investors, nor the helicopter manufacturers can have any firm confidence. According the helicopter carriers permanent status will provide much needed assistance in the development of this important new form of air transportation.

Bayonne Naval Supply Depot Doing More Work With Less Men—An Outstanding, Efficient, and Competent Command

EXTENSION OF REMARKS
OF
HON. ALFRED D. SIEMINSKI
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 11, 1956

Mr. SIEMINSKI. Mr. Speaker, Capt. Ignatius N. Tripi, United States Navy, will soon leave the United States Naval Supply Depot at Bayonne, N. J., as its commanding officer. We in the 13th Congressional District are losing a most efficient, capable, and outstanding officer.

During the past quarter, the depot was designated as the eastern area alternate emergency load list supply point for medical and dental materials and for special shipboard electrical fittings and fixtures. This command also was assigned to provide additional supply support and transshipping services to Naval Station, Bermuda, for ships store stock available in and around the New York area.

In the coming quarter, the depot will assume responsibilities as a supply distribution point for forms and publications to vessels and activities in the Third Naval District and as a processing point for electronic repair parts allowance lists to naval shipyards, New York, Boston, and Philadelphia and to industrial managers in the First, Third, Fourth, and Ninth Naval Districts. This command also will assume supply support of naval activities in Puerto Rico for freeze and chill subsistence stores. It is anticipated that an average of 120 measurement tons of such stores will be shipped monthly in furnishing this support.

Under terms of the transshipping agreement with the Department of the Army, it is anticipated that approximately 33,000 measurement tons of chill and reefer-type cargo will be loaded at the depot for delivery to Army commands overseas. In addition, it is estimated that the depot, as eastern area buildup activity for ordnance fire control repair parts sets, will effect the buildup of approximately 50 sets as requested by the Ordnance Supply Office.

Despite assumption of the new responsibilities, no significant increase in personnel is anticipated. As of July 1, 1956, the depot authorized ceiling for civilian personnel was 2,687. The on board count as of that date was 2,669.

Both the Captain and Mrs. Tripi have immeasurably contributed to the betterment of our community. They have been most active in our Community Chest, in our Red Cross, and in those various programs that mean so much to small municipalities. Mrs. Tripi's great interest in civilian defense, and the classes that were arranged by the women in this program, has been most gratifying. We, in the 13th district, will miss the Captain and Mrs. Tripi. They made it easy for the civilian population to understand the Navy Department and its problems.

Mr. Speaker, as you know, there has been great labor unrest in the Port of New York. Sometimes there were strikes, but through all of this labor difficulty, not once did the union men working at the Bayonne Naval Supply Depot ever leave their jobs. The Depot remained open and was operated at full capacity when the entire Port of New York was closed by a paralyzing port strike. Captain Tripi kept the base humming through all of this. He saw to it that food and material continued to go overseas to our troops.

We have had some great commanders at this base: Rainey, Boundry, Haynsworth, and Captain Tripi joins this illustrious group. We are thankful to Rear Admiral R. J. Arnold, Chief of the Bureau of Supplies and Accounts, Department of the Navy, for sending Captain Tripi to us. We feel badly that he has to leave us, but that is the way of the Navy and we can only accept it. The inspiring leadership that Admiral Arnold gives to the Bureau of Supplies and Accounts is exemplified by Captain Tripi's work at the base.

We join with all his friends from the Thirteenth Congressional District of New Jersey in wishing Captain Tripi well. May his future endeavors keep Captain Tripi climbing, as have his past.

We wish him godspeed.

Support Census Bureau

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 11, 1956

Mr. PHILBIN. Mr. Speaker, in the past, it has been the policy of this Government, through its Bureau of the Census, to publish a Census of Business and a Census of Manufactures data for urban centers, that is, for thickly populated areas meeting certain qualifications.

I have recently learned that this policy was not followed completely in the 1954 censuses and that, because of changed procedures designed to effect economies, the usual thorough reports were not completed. For this reason, the Bureau of the Census, apparently because of limited funds, is not now able to provide data for a considerable number of urban centers.

I am informed that despite these difficulties the Bureau expects to tabulate data for the larger towns and other urban centers, which will be issued as special census reports. To say the least, I was surprised to learn that this vital census work, upon which many people and many industries depend, was necessarily abridged and substantially crippled as to the last business and manufactures censuses.

So far as I know, it certainly was never the intent of the Congress to curtail these reports and services so vital to large segments of our business economy. To my mind, this curtailment is to be greatly deplored. Moreover, I hope and urge that it may be speedily remedied and that the Bureau of the Census may be able to resume its former practice in accordance with established policy.

If additional appropriations by Congress are necessary to accomplish this end, I want to make it perfectly clear that I am prepared to advocate and support them, because it is most essential that business, the great American press and other media engaged in disseminating news and information to the public should have available, as in the past, full reports concerning business and manufacturing throughout the Nation.

Veterans' Benefits

EXTENSION OF REMARKS
OF
HON. KENNETH J. GRAY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 11, 1956

Mr. GRAY. Mr. Speaker, I happen to be one of those individuals who feel that the claim of special status of the American veteran is an imminently sound and valid claim. Having served for almost 3 years in the Armed Forces during World War II, of which approximately 2 years were overseas in combat, and having been an officer of the American Legion on both the post and district levels, I have had the opportunity of assisting many veterans with filing claims for service-connected disability compensation and other problems. If I knew of some way of drawing a line between the service-connected disability cases and those who are suffering from ailments actually incurred in or aggravated by the service, but who have been turned down because of lack of evidence, I would be satisfied with the present VA programs.

However, I know from personal experience with members of my own family that there are many thousands of deserving veterans who are walking the streets looking for work, or are bedfast, and are in that position due to the service they gave their country. Through no fault of their own, but due to lack of evidence, they are denied service-connected disability compensation. There are also thousands upon thousands of World War I veterans whose lives have been shortened materially by their service to their country and who now find themselves too young for a social-security pension and too old to work. Many of them are forced to go on relief, and I say without any reservation, they are the "forgotten group."

I hope this Congress will not adjourn without passing bills allowing increases in compensation for service-connected disability veterans and also the Legion war veterans security bill for much needed assistance to World War I veterans. I was completely flabbergasted and disappointed, to say the least, to read the recommendations of the Bradley report, particularly at a time when the Congress was considering a much needed increase in veterans' benefits.

I think former National Legion Commander, Donald R. Wilson, of West Virginia, expressed the sentiments of all veterans when he said, "The Bradley Commission and its staff have labored mightily and expensively to bring down a very small bird."

Mr. Speaker, a neighbor of mine in southern Illinois, the Honorable John Stelle, former national commander of the American Legion and former Governor of Illinois, has written a letter which was published in a column entitled, "Sound Off," which I would like to have reprinted, as follows:

SOUND OFF
(By John Stelle)
THE RIGHT MAN?

Sir: In view of Gen. Omar Bradley's repeated assertions that the Government has no special obligations to veterans, it was probably only natural that he should have been pushed into the forefront to lead the fight against veterans' benefits. However, I submit that those who gave him the ball would have been better off if they had handed it to someone else on their team. The trouble is, the general is too busy a man for this sort of thing. He draws full-time pay as a general on active duty, by special act of Congress. This amounts to $20,543.36 a year, and he also has two lifetime military aides, plus permanent quarters in the Pentagon. We don't know what the general does, but obviously the Army isn't paying that kind of money just to have him hang around a watercooler in the Pentagon. And that isn't all. The general holds down another job, as chairman of the board of research and development of the Bulova Watch Co. This is said to pay him $50,000 a year, and he also has living accommodations at the Bulova watch headquarters. On the face of it, the general's job with the Bulova watch people is of great strategic importance since last year they sold $27 million worth of goods to our Armed Forces. This entire set-up puzzles me no end, and I think an investigation is in order. I think it is shameful that a grateful Government makes it necessary for a general of the Army to take a part-time job to make ends meet. Mind, I am not implying that the Army isn't getting full value for its $20,543.36 a year, and I'm quite sure that Bulova isn't being cheated. Still, it is unfortunate that the general has to work so hard when it is obvious that he'd rather write reports proving that veterans who fought the war at the lower echelons never had it so good.

The Hoover Commission Recommendation for Improving Government Accounting and Procedural Methods

EXTENSION OF REMARKS
OF
HON. HAROLD D. DONOHUE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 11, 1956

Mr. DONOHUE. Mr. Speaker, I earnestly hope that this House will soon be accorded the opportunity to vote upon the bills designed to carry out what I consider to be one of the most important and valuable recommendations of the Second Hoover Commission to revise our governmental budgeting and accounting procedures.

There are many measures that have been introduced by various Members, and either the House bill, H. R. 11526, or the Senate bill, S. 3897, appear to incorporate most of the provisions suggested by all other measures.

Anyone who has served in this body for even one term realizes the tremendous difficulty of the individual Member in trying to keep track of all the provisions of the complicated appropriation bills that are presented to us from the different departments of the executive branch. We also appreciate the overzealousness of these various departments to ask for and accept far greater appropriations than they are able to use in 1 fiscal year. These carryovers of departmental appropriations result in creating confusion in the minds of legislators and prevent sound legislative action on these appropriation measures.

This legislation is designed to improve financial administration in the executive branch, first, and secondly, substantially strengthen congressional control over the financial affairs of the Federal Government. It would reform and improve our accounting system by placing our Government accounting and budgeting procedure on a more realistic and orderly basis.

The Congress, by enactment of the Budget and Accounting Procedures Act of 1950, took a significant step forward in providing for the use of program or performance budgets by the executive agencies of the Government. The objective of that law, which I was most happy to support at the time, was to have the Government departments show how they intended to spend their money on the basis of the major programs that the agencies carry out. To make such a budget effective and meaningful, Government accounts must and should be kept on a cost basis and not merely on an obligations basis. The agencies should be able to tell the Congress what a given program has cost in a given fiscal year and not merely how much of the appropriated funds have been spent in a given fiscal year.

Mr. Speaker, if the Congress is to exercise any constitutional degree of effective control over Federal Government spending, it must have clear and concise information on which they exercise an intelligent control action. Effective control over the Government purse is one of the most important devices available to the Congress for protecting the American taxpayer from waste, extravagance, and bankruptcy.

I sincerely hope that we will soon be permitted to enact into law this most important Hoover Commission recommendation to improve the budgeting and accounting methods of the Federal Government. It is reliably estimated that the adoption of these modern accounting methods will result in a saving to the American taxpayer of approximately $4 billion.

The Robinson Clay Product Co., Akron, Ohio, Celebrates Its 100th Anniversary Reflecting a Century of Progress in the Clay-Products Industry Based on Quality and Service

EXTENSION OF REMARKS
OF

HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1956

Mr. VAN ZANDT. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to pay a well-deserved tribute to the Robinson Clay Product Co., with headquarters and general offices in Akron, Ohio, upon its 100th anniversary.

This enterprising and forward-looking firm operates one of its modern plants at Clearfield, Pa., which is located in my Congressional District and which it acquired in 1920 from the Clearfield Sewer Pipe Co.

The Clearfield plant of the Robinson Clay Product Co., which is modern in every respect plays an important part in the economy of the Clearfield area, providing employment for many families in that section of Clearfield County, where it is recognized as one of the basic industries.

In congratulating the Robinson Clay Product Co., its officers, and employees on a century of progress, I am joined in saying "Happy anniversary" by my colleague from Ohio, Representative WILLIAM H. AYRES, who represents the Akron district in the Congress of the United States.

Mr. Speaker, the Robinson Clay Product Co. is noted for its constant research and modern business methods which have enabled it to develop the latest technique in the manufacture of vitrified clay pipe and related products. As a result, it operates eight modern plants in Ohio and Pennsylvania, manufacturing quality products in the vitrified refractories, and pottery, china, and glass divisions. In addition, branch offices are maintained in major cities in the eastern part of the United States and in Chicago, Ill.; Indianapolis, Ind.; and at Toronto, Ontario, Canada.

From a humble beginning in 1856 and fortified by undying faith in the future of America and its free enterprise system, the founders of the Robinson Clay Product Co. and their successors throughout its entire history have dedicated themselves with zeal and devotion to producing quality products and rendering unparalleled service to their customers. Such zealous devotion to quality and service has enabled the firm to make constant progress as evidenced by the fact that today it is recognized as occupying an enviable position for leadership and progress in the clay-products industry.

In recognition of the Robinson Clay Product Co.'s 100 years of progress, research, and development of new products, for its outstanding industry cooperation and contributions, for its progressive marketing and merchandising methods, for its continuing effort in bettering the American way of life—all of which have materially aided in elevating the clay industry to its high position in our American production economy—a distinguished-service citation was presented to the Robinson Clay Product Co. by the Brick and Clay Record, the Nation's oldest trade publication in the clay-products field.

In presenting the 100-year plaque to Mr. W. E. Robinson, president of the Robinson Clay Product Co., Mr. J. J. Svec, assistant publisher of the Brick and Clay Record, said:

> We are especially proud to be able to start this practice of presenting 100-year plaques with the Robinson Clay Product Co. because of its fine record in progress and development in the Robinson clay-product plants which has been made available generally to the industry. The belief that an industry can grow only as rapidly as its individual members is the basic premise upon which Robinson operates, and, therefore, all its improvements, both in product and plant are readily made available to the remainder of the industry. This is an outstanding example of the American free-enterprise system.
>
> Another example of outstanding industry cooperation by the Robinson Clay Product Co. is in regard to the National Clay Pipe Manufacturers, Inc., a trade association representing the vitrified-clay sewer-pipe manufacturers of the United States. From its inception, this company has backed the efforts of the national group and has cooperated to the fullest extent.
>
> Although the Robinson Clay Product Co. does not stand alone in this type of cooperation and leadership, it is without doubt one of the foremost leaders in this field.
>
> The Robinson Clay Product Co.'s efforts along this line go beyond clay-pipe manufacturing and into the refractories industry and the whiteware industry as well. The Brick and Clay Record congratulates the Robinson Clay Product Co. on its 100th birthday and wishes this fine organization another century of successful operation.

The Robinson Clay Product Co. started with a one-kiln stoneware pottery. Tom Robinson, a skilled young potter, found a clay deposit in 1856 near Middlebury, Ohio. He formed the Summit Pottery Works, which was the beginning step in the formation of the Robinson Clay Product Co. and its present-day growth and expansion to eight separate plants. Backing and advice came from his father, William Robinson, Sr., his brother-in-law, Richard Whitmore, and an old friend of the family, Thomas Johnson.

The Summit Pottery Works at first turned out only stoneware, but production facilities and demand increased so that, in 1863, the business moved to a larger building in Middlebury, which today is a part of Akron. Distribution was by the old Ohio Canal, when weather permitted, by railroads, by wagons, and by direct sale by peddlers. Through one of the many peddlers, the Robinsons learned of a large slip-clay deposit in Michigan, which is still producing.

Following the Civil War and the burgeoning days of the 1870's, progress of the Summit Pottery Co. was rapid. In 1873, Akron absorbed Middlebury and the Baltimore & Ohio Railway laid a new rail line almost directly through the pottery section of Middlebury. As a result of better facilities, the Robinsons progressed and profited proportionately.

It was about this time that sewage became recognized as a health menace and the public began realizing the necessity for sanitary sewer systems in urban areas.

Convinced that the construction of sanitary sewerage systems would establish a permanent market for clay pipe, the Robinsons built a plant for its manufacture in Akron in 1879. This addition was known as the Robinson Bros. Co. and was operated separately from the pottery works.

Motivated by the market boom, in 1887, Robinson Bros. and Richard Whitmore incorporated under the name of Whitmore-Robinsons & Co. Whitmore-Robinsons and Robinson Bros. were both expanding rapidly and, in 1891, Whitmore-Robinsons purchased the Wenz-Wagner Co., a fire-brick industry at Dover, Ohio, and changed its name to the Crown Fire Clay Co.

In 1899, the Royal Sewer Pipe & Fire Brick Co., of Midvale, Ohio, was acquired by the Robinson Bros. The Dover and Midvale plants are still owned and operated by the Robinson Clay Product Co. and are now designated as factories 5 and 6. The acquisition of these two plants marked the entry of the company into the refractories field.

A change of distribution methods in 1900 precipitated the merger of the Whitmore-Robinsons Co., the E. H. Merrill Co., and Markle & Inman Co. into the Robinson-Merrill Pottery Co., with branches and outlets all over the fast-growing eastern section of the United States.

In 1902 the company purchased the Canton & Melvern Fire Brick Paving Co., and this property was subsequently rebuilt for the manufacture of clay pipe. During these years of progress there had been additions to the principal personnel. Within the year following the formation of this partnership, William Robinson, Jr., joined the firm, and Thomas Johnson retired. In 1861 James B. Manton, who had married the senior Robinson's youngest daughter, was admitted to the firm.

In 1865 Henry Robinson, another son, joined the firm, and it was Henry who was to become the first president of the firm of Robinson Clay Product Co. when it was incorporated, in 1902.

In 1906 Henry died, and Byron W. Robinson took over the presidency until his death 2 years later. H. B. Manton, who joined the firm as a bookkeeper, was elected president and served in that capacity until his death in 1941.

William Eber Robinson, son of Henry, became the fourth president of the Robinson Clay Product Co., succeeding H. B. Manton in 1941. William Eber Robinson is president of the Robinson Clay Product Co. today.

Among the many glowing tributes tendered Robinson Clay Product on its 100th anniversary was the award of a scroll presented by the Akron (Ohio) Chamber of Commerce commemorating the occasion.

An additional highlight of the centennial year that elicited keen interest was the unveiling of a mural depicting

the growth and progress of the company from a one-kiln pottery to its present leadership in the clay products industry.

In a lighter vein, among the avalanche of anniversary messages received by Robinson officials is an autographed photograph to President W. E. Robinson from Art Carney, CBS television star of Jackie Gleason's TV series The Honeymooners. Art, who has been nationally recognized as the "ambassador of clay pipe" is photographed in a characteristic pose in the manhole of a "cool" sewer. The famed "sewer worker" salutes President W. E. Robinson with the following autographed inscription: "To Eber: I've used your pipe for years. Best wishes. Art Carney."

The famous CBS television star by his anniversary greeting was in truth echoing the sentiments in real life of the thousands of satisfied customers of the Robinson Clay Product Co. who down through the years have found the name "Robinson" in the clay products industry synonymous with the firm's motto, "Quality and service," which has become its hallmark as one of the leading manufacturers of vitrified clay pipe and related products. This army of satisfied customers joins Art Carney and all of us in a mighty anniversary chorus as we salute the Robinson Clay Product Co. and express our best wishes for continued success and achievement in the business and industrial life of our Nation.

Land Rackets Exposed

EXTENSION OF REMARKS
OF
HON. CLIFTON (CLIFF) YOUNG
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 11, 1956

Mr. YOUNG. Mr. Speaker, it was recently brought to my attention that the Federal Bureau of Investigation is investigating certain land locators who are under suspicion of fraudulent activities connected with applications for the disposal of public lands in Nevada under the Desert Land Act.

One pertinent fact about this matter would seem to warrant nationwide attention. I am, therefore, taking this means of calling this newest brand of public land racketeering to the attention of my colleagues.

Although the promoters use the bait of Nevada lands, they offer it throughout the Nation and every State is thus involved.

It is my hope that in today detailing the procedure of the land locators in question it will serve to alert every State. I hope, also, that a better understanding of the operator's unethical practices will serve my colleagues in their efforts to alert their own constituents as to this menace.

The general method of operation followed by land locators engaged in fraudulent operations is something like the following.

The individual operators form a partnership or corporation. A firm name is selected which suggests that the firm is engaged in developing or operating farm lands.

The firm prepares a brochure giving the location and characteristics of the lands to be developed. The favorable characteristics are played up; the unfavorable characteristics are minimized or omitted. The fact that the land may be obtained from the United States at a price of $1.25 per acre is emphasized. Since the brochure is to be directed to city people who have ready cash, and who have had little or no experience with public land matters or with farming, the firm offers not only to prepare the application but also to develop the land as necessary for final proof.

Misstatements of facts, such as the regulations and procedures under the Desert Land Act, may appear in the brochure.

Large fees are specified. A going rate charged by land locators operating in the Pacific Southwest is $10 per acre—$3,200 for a 320-acre application—for preparing an application for a desert land entry, including the State water permit, irrigation plan, and other information to be submitted to the land office. The regulations of the Department of the Interior do not prohibit the preparation or delivery of an application by a third party, providing that the applicant personally inspects the land and signs the application.

Based on the brochure and other advertising and salesmanship, arrangements are entered into with various applicants, usually from urban areas outside the State.

When the applications are filed the Bureau of Land Management examines them for accuracy and completeness, and if they are in order, field investigation is made. In Nevada the State law provides that if a well is used for more than domestic purposes, a State permit is required. The State law does not require that the permit be obtained before the well is drilled. However, a usual practice is to obtain a permit before filing a desert-land application with the Bureau of Land Management.

Upon investigation it may be found by the Bureau that the climate, soils, or water supply, or all of them, may be inadequate for purposes of irrigated farming on a commercial scale as contemplated by the Desert Land Act, or that the lands are not more valuable or suitable for agriculture than for grazing. If the latter is the case, the lands are classified as improper for desert land entry, and the applications are rejected, subject to a right of appeal.

Where applications are rejected the land locator firm may offer to prepare an appeal for the applicant, or as an alternative, to prepare an amended application by which the application would be transferred to other lands which had not been classified by the Bureau. By this means the dissatisfaction of the client can be temporarily forestalled.

Land locators sometimes give a verbal guaranty that the moneys paid to them by their clients as their fees for services rendered will be refunded if the entry applied for is not allowed by the Bureau of Land Management. In other cases, a verbal or written agreement is entered into that all fees paid the land locator have been earned in full when the land office issues a receipt for filing fees paid with the application.

The first type of guaranty is of no greater value than the word of the locator firm, which usually is not worth much, because after a short period of exploitation the firm may completely disappear and be unavailable from which to obtain a refund.

The second type of guaranty is essentially valueless since the mere filing of an application and the payment of filing fees gives no necessary assurance whatever that the appication will be allowed.

The end result of an unethical land locator's operations all too often is that he suddenly disappears, leaving behind a trail of unpaid bills, fictitious checks, and clients who have been fleeced.

An insidious element in this type of operation is that the client somehow places his trust in the firm merely because of its indirect association with the disposal of public lands. Dissatisfied clients are apt to misplace the blame for the incident and direct it at the Bureau of Land Management.

S. 3116

EXTENSION OF REMARKS
OF
HON. TORBERT H. MACDONALD
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 11, 1956

Mr. MACDONALD. Mr. Speaker, it is my understanding that within the next few days the House will consider S. 3116, the International Cultural Exchange and Trade Fair Participation Act of 1956.

I am particularly interested in the fact that S. 3116 will help us to continue to send our top athletes and athletic teams overseas. The very favorable impact that has been made on foreign public opinion as a result of the appearances by these outstanding American athletic groups attests to the success of the program.

Reports from the foreign press and from our Embassies overseas constantly refer to the warm reception accorded American athletes and the value of their visits abroad in winning friends, respect, and understanding for the United States. An American track and field team recently toured African cities. Our consul general from Lagos, Nigeria, reported that he could recall no other event which resulted in such spontaneous outburst of good will as the visit of these young people to Lagos. A report from our consul general at Accra in the Gold Coast states that in less than 24 hours our young athletes had made more friends than any ordinary man can have in a lifetime. Never before has there been such a mad rush for autographs and addresses than there was at the Accra Sports Stadium when the Americans defied the burning heat to train before a packed crowd. From the Embassy at Liberia the report states that this was perhaps the most

popular visit of Americans to Liberia. Not even during the President's inauguration did as many pictures appear in the press in a single week as appeared on the American athletes. The genuine friendliness, sincerity, and willingness to help displayed by the Americans won the hearts of all with whom they came in contact.

The American Embassy at Colombo, Ceylon, reported that the American tennis team which participated in the All-Asian Tennis Tournament in India last winter and toured neighboring countries captivated the crowds and drew literally pages of publicity in all of Colombo's nine daily newspapers. The Ceylon Sunday observer put it this way, "The American tennis stars came, conquered, and left Ceylon." As for the local assessment of their impact, the press, as cited above, gave them superb treatment and coverage while their personalities and friendliness charmed literally hundreds of people from all walks of life.

Comments on the visit of an American swimming team to Guatemala City stated that the team members without exception proved to be the finest of sports ambassadors, and the impression they left with Guatemalan athletes and the public in general will be a lasting one. The visit of a touring American swimming team in Vienna, Austria, was a complete and unqualified success which resulted in a considerable amount of favorable publicity for the United States among parts of the population which usually are not reached by other activities. Coverage was extensive in the press, including Communist newspapers, on the radio and television, both before and after the events.

I wholeheartedly support this legislation and urge the House to take favorable action on S. 3116.

Review of the 84th Congress

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1956

Mr. PELLY. Mr. Speaker, the sands of time are fast running out in the life and history of this 84th Congress. And I would not want adjournment to take place without an expression from me acknowledging the privilege and enjoyment of working with the membership of this, the greatest legislative body in the world. I say most gratefully, too, that the courtesy and unfailing assistance of committee chairmen and all colleagues are much appreciated, and in extending this simple word of thanks, I would repeat also, as I did at the conclusion of the 83d Congress, that only with the help of my many friends and fellow legislators has it been possible to properly and effectively serve my constituents.

Since I was first elected in 1952 I have been fortunate in being a member of two major committees of this House, the Committee on Interstate and Foreign Commerce and, for the past 2 years, the Committee on Merchant Marine and Fisheries. This latter committee assignment is one of special value to the people of my district and the State of Washington. Obviously, Seattle, as a great port, and Kitsap County bordering on Puget Sound, have basic economic ties with the maritime industry. Seattle is the gateway and closest shipping center to Alaska and, likewise, the Orient and Far East. Also Puget Sound and Alaskan waters furnish one of the major fishing areas of our Nation.

So the jurisdiction and activities of my committee have a direct bearing on the welfare of thousands of my constituents, and I am proud to state legislation arising from our committee studies and recommendations this session will have stimulated ship construction, increased the active American merchant marine, and promoted fishing and water-front activities. New-ship contracts alone should triple shipyard employment throughout the Nation when present negotiations between various steamship operators and the Maritime Administration are finished.

And speaking of ship construction, the largest peacetime contract in Washington State's history, $34 million, was awarded earlier this year to a private yard in Seattle by the Navy Department, which was gratifying to me, to put it mildly, because I had been urging that consideration be given to the successful Puget Sound Shipyard.

I have been interested in public as well as private shipyard employment, as the Members of the House know, Mr. Speaker. The Navy has been replacing or modernizing our combat vessels, and in this connection I have followed closely the workload available to the Puget Sound Naval Shipyard at Bremerton and know something of the effort of the Bureau of Ships to maintain employment in peacetime so as to be ready in the event of war.

Mr. Speaker, it is not my purpose at the moment to take issue with those Senators and Representatives who seem to feel that the intercontinental ballastic guided missile and the Air Force will make a Navy unnecessary. However, the value of the aircraft carrier, as I have said to the House before, must be increasingly apparent as the friendship of our allies abroad grows cooler and it becomes a question if we can continue to control the full number of strategic air-command bases that encircle the Soviet Union.

These aircraft carriers are mobile bases for defense or offense any place in the world, and according to President Eisenhower represent our balance of power with the Soviets. So, with justifiable pride, I mention that I have in my district the outstanding carrier shipyard of the Nation. Fortunately, the record of performance of the Bremerton yard has been recognized and has justified an allocation of work by the Navy designed to give it a full stable workload under peacetime conditions. This is fortunate since this naval shipyard is in a one-industry community and owes its existence and value in event of a future war on a continued allocation of work.

Frankly, Mr. Speaker, I return to my district grateful that the administration has recognized the national interest of a strong modern Navy and, likewise, the importance of Bremerton in job allocations authorized and funds appropriated. As Members know, I have never failed in congressional debate to point up the role of the Navy and the Puget Sound Naval Shipyard.

The duties of a Congressman, as Members well know, under present conditions are varied and exacting. My activities for the people of my legislative district have been legion, but, frankly they are such as to give me both pleasure and satisfaction. It is a great privilege, of course, to work for the development and welfare of the Nation as a whole, and equally a privilege, at the same time, to serve individuals and my people at home. In this latter respect, I have in mind deserving citizens and organizations dedicated to improving the lot of the often-forgotten Federal employee and, likewise, retired people, veterans, low-income families, the aged, and the sick and disabled. As I have said before, the President's dynamic program, while in great measure ignored and neglected out of partisanship and politics this election year, offers great hope and challenge for a better and happier life for less privileged and less fortunate people.

I have stood squarely for such a program, and hundreds of letters in my files acknowledging my efforts and objectives are rewarding testimonials to a rich experience of public service.

Several specific projects in my area point up the success of the individual and joint efforts of members of my State of Washington's delegation and indicate too the recognition of congressional committees of the merit of the Federal improvements requested.

In all frankness, much of the President's legislative program has not been enacted by this Congress out of partisanship looking to the coming election. I am pleased, however, that we did pass highway construction legislation. But, unfortunately, little that was not motivated by its effect on next November's election got much attention, and on this score the voters will decide who was responsible and what should be done about it. In overall results accomplished, history must judge this 84th Congress; but as to my personal effort and effectiveness, I am well satisfied to allow the record to speak for itself.

In my district, the Boeing Airplane Co. is busy, employment and payrolls, thanks to the Eisenhower fiscal policies, are high, and prosperity with peace means something.

One of my pet projects since coming to Washington in 1952 has been the construction of the Shilshoe Breakwater outside the Ballard Locks to provide protected moorage for small craft and commercial fishing vessels. For well over 20 years, constituents in my district tried to obtain congressional action on this project. In the 83d Congress, I was fortunate in being able to obtain the necessary authorization for this breakwater and this year Congress has seen

fit to appropriate funds to get the construction under way. Incidentally, the Bureau of the Budget, under the impression that the primary purpose of this project was for the use of pleasure craft only, deleted the Corps of Engineers' request for these funds. However, I am glad to say I was able to present the true facts to the White House pointing up the fact that 1,200 commercial vessels stand to benefit from this facility and, at my request, the White House asked for a supplemental appropriation to begin construction of the breakwater this year.

So, as Congress concludes its labors, with a considerable bit of optimism I will return to report to my friends, neighbors, and all those I have tried to fairly represent. With income taxes reduced, with the Federal Government finances having shown a $1.75 billion surplus, with employment and wages up, the Eisenhower administration can take pride in its accomplishments.

Meanwhile, farewell colleagues and friends. I hope it is appropriate to say "until we meet again!"

American Taxpayers Cannot Support Foreign Countries Forever

EXTENSION OF REMARKS
OF

HON. MORGAN M. MOULDER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1956

Mr. MOULDER. Mr. Speaker, there was a time in the history of our country when the American patriots of the Original Thirteen Colonies rebelled against being taxed to maintain the military and economic power of a foreign country. The extent and amount of tax moneys then being collected to serve a foreign power is a petty sum in comparison to the colossal total sum of $141 billion that American taxpayers of the United States have paid to foreign governments since the beginning of World War II, and published estimates of the total amount that American taxpayers have contributed to foreign countries since the end of the last war range all the way from $55 billion to $67 billion, and I am reliably informed that more than $3 billion of this incredibly huge foreign giveaway was actually used to reduce the public debts of the receiving foreign nations when at the same time we were increasing our national debt. In other words, our Government borrowed money to pay the debts and operational expenses of foreign governments. The United States thereby increased its own national debt by $3 billion so that foreign governments could reduce their national debt by the same amount. This single $3 billion item is now costing the American taxpayers $90 million a year in interest charges. Just how much more ridiculous can we afford to be?

Why, if we accept the lowest published amount of our total postwar foreign aid, $55 billion, then on that basis the American taxpayers must in the future dig up more than $1,500,000,000 every year just for annual interest alone on the amount that foreign aid handouts have added to our Federal debt during the past 10 years. Back in the days before we quit minding our own business, $1,500,000,000 was enough to pay all the expenses for all Departments of the United States Government for full 2 years.

It is difficult to comprehend $55 billion, and my conception is not fully clarified by the calculation that if we received $1 for each minute that has elapsed since the birth of Christ, we would have slightly more than $1 billion. We can grasp a better understanding of the value of $55 billion by adding the assessed valuation of all the property, real and personal in the 13 biggest cities of this country: New York, Chicago, Philadelphia, Los Angeles, Detroit, Baltimore, Cleveland, St. Louis, Washington, San Francisco, Boston, Houston, and Pittsburgh, which amounts to a grand total of about $55 billion. We would be shocked by the suggestion that the industry and property of these 13 great cities, if it were physically possible, be shipped overseas and divided as gifts to foreign nations. Yet, our Federal Government has done precisely that in effect during the past 10 years.

Mr. Speaker, of one thing we can be sure: Respect never can be bought. The mere attempt to do so breeds disdain and irritation. What have we received in return for the handout of all of these foreign-aid billions? Has the handout program produced good will for the United States and strengthened the defenses of the free world against communism? Is there now any place on earth where affection and respect for the United States is greater and where the prestige of our Government is higher than it was 10 years ago? Where in the free world are those protective bastions against the spread of communism that our multibillion dollar giveaways were supposed to construct?

Right in the face of our continued worldwide generosity, the Kremlin Communists have quadrupled the population of their slave empire and extended the Iron Curtain to include more than a third of the earth. More than a half-billion dollars worth of our foreign aid went to India. Nevertheless, that country turned the visit of the Soviet dictators, Khrushchev and Bulganin into a triumphal tour. The most enthusiastic reception of those visiting Communist leaders was staged in an Indian town built with American money. The weapons we gave to France for her defense against communism are now being used by the French Government to suppress revolutions for national independence by the native Moslems in France's North African colonies. Because we paid all expenses incurred by France in her futile war to hold French Indochina, France will now ask us to provide additional billions for the suppression of the North Africans.

Meanwhile, France apologizes for the unpardonable act of a mob that wrecked the United States Consulate in Tunis last March 9. Ironically, France offers to pay for the property damages. If these violent foreign outbursts of love and affection for the United States become general throughout the world, still more foreign aid will probably be requested to enable the various governments to reimburse us for incidental destruction of American lives and property.

Mr. Speaker, just before the last general election in England our Government tossed a cool $200 million to Mr. Eden's government so that Mr. Eden could reduce British taxes and thus win the election. Naturally, there was no suggestion of American self-interest in this item of our giveaway program. The English people already love us $10½ billion worth, that being the amount of our postwar aid to Britain before Mr. Eden's tax-cut bonus. Our foreign-aid experts tell us that we must be carefully considerate of the attitudes of these foreign governments; otherwise, these governments may refuse to take our money. Mr. Harold Stassen said as much to the Senate Permanent Investigating Subcommittee.

We have dangerously overextended ourselves. Our direct Federal debt of $280 billions is more than the public debt of all other nations put together. The softened attitude of the Eisenhower administration, beginning with the Geneva Conference a year ago, has cost us friendship and respect throughout the world. The Russian leaders after Geneva saw to it that Iron Curtain peoples understood they no longer had any hope of rescue by the United States.

Even if our giveaway policy could have been of value under any circumstances, it has been offset by the weak-kneed attitude of the administration toward Russia and China—countries that have tortured and killed our sons. Mr. Eisenhower has permitted General Twining, head of the Air Force, to accept an invitation to Moscow. Opinion is growing in foreign circles that after next fall's election Bulganin and Khrushchev will be invited to visit the United States, where it may be certain they will bring encouragement and joy to every Communist sympathizer. Moreover, it is now expected that the General Assembly of the U. N. will vote for the admission of Red China.

With the defeat of Hitler, Yugoslavia, under the dictatorship of Tito, became a full-fledged Communist satellite of the Kremlin. But just then, for some reason, Stalin refused to accept our offer of postwar Marshall plan money and commanded all of his satellite stooges to spurn the American giveaways. However, Tito, a born opportunist with a well-developed nose for the buttered side of his bread, took a self-serving second look at the American offer. He then staged a convenient public quarrel with the big Kremlin boss and immediately became a hero to the American State Department. Although he promised us nothing except a professed independence from Soviet Russia, we urged Tito to accept our economic and military aid with no questions asked, and no strings attached. He has received to date approximately $2 billion in consideration merely of our own tortured official conviction that, somehow or other, this self-confessed Communist bandit would be a defense bastion against Soviet aggression. Now Tito is back in

triumph to the Kremlin, arm in arm with Khrushchev, marching in Tito's own words, "along the path of Marx, Engels, and Lenin."

Mr. Speaker, I want to know why the Eisenhower administration is giving our foreign-aid money to nations which are selling vital strategic war materials to Soviet Russia and to Red China. It has been revealed that, with the official but top-secret consent of the United States Government, our allies have been shipping 200 separate items of strategic machines and machine tools to Communist governments for the past 2 years. Of these items, the chairman of the Senate Permanent Investigating Subcommittee listed four types of mills and machines, some of which sell for a half a million dollars each. All of these are indispensably necessary to the manufacture of jet engines, guided missiles, aircraft, artillery weapons, and heavy ordnance.

By permitting the newest machine tools to be sent to the Soviet bloc, we allowed them to save from 3 to 5 years in engineering research and development. One prominent Member of Congress has said "that it would be better for the United States to permit shells, guns, or guided missiles to be disembargoed and sent direct from the United States to the Soviet Union, because these could be used against us only once. However, machine tools can and will be used to make armaments which may be used against us many times."

Mr. Stassen said that if he gave the list of these strategic materials to the United States Senate, he would be serving the enemy and maligning our allies. Please remember that, in many instances, the foreign factories in which these strategic materials are now made were built with American foreign-aid money. Our own American industries are prevented by law from shipping such materials directly to Communist countries.

On the other hand, we are giving the taxpayers' money to foreigners who use that money to produce the prohibited items and then proceed to sell them to our enemies at a profit. Nevertheless, at his press conference on March 7, President Eisenhower insisted that this procedure is desirable. He said that our allies now have an excess productive capacity; that they must continue to export to the Soviet Communists, unless we are to continue to give economic assistance to Western Europe indefinitely. But with or without this Communist trade, indefinite foreign aid is precisely what the President recommended to Congress last January 16. At that time, he urged that our current foreign-aid spending be doubled for what he called a long-term program for building and maintaining the economic strength of the free world. At that time, the President admitted that our foreign spending department had a backlog of seven billion unspent dollars, but this, he said, would be rapidly reduced. So it looks as if the Communists will continue to get their guided missile machines, and the bankruptcy of the United States to boot.

Mr. Speaker, the bill now pending before us for a vote today proposes to give away an additional $3,665,920,000 which amounts to more than the total assessed property valuation of the States of Nevada, Arizona, New Mexico, South Dakota, and Utah combined. During the past 10 years, our foreign-aid program has cost more than the totaled assessed property valuation of the States of New York and Pennsylvania combined.

Through various foreign aid programs the United States Government is giving away to foreign countries fine seed, tractors, combines and other farm machinery, and also providing and paying for construction of irrigation and flood control projects in foreign countries, as well as for hospitals and highways. Our Government has paid out and continues to expend hundreds of millions of dollars to advance increases in foreign agricultural production. Thus our Federal Government has increased foreign farm production as fast or more than Secretary Benson cut farm production acreage in the United States, and to the detriment of export of our own farm products.

No other nation in the world is giving its money or resources away to another country—not even their close neighbors. Neither have we ever received the benefit of such assistance from any foreign government. In fact the British have never offered to reimburse us for the hundreds of millions of dollars loaned to Great Britain during and following the First World War—nor any thought whatsoever of paying damages for burning our Capitol and the White House in 1812.

Each and every one of our 48 States and every congressional district in the States has cities and communities in need of additional educational facilities, school buildings, roads, highways, flood-control protection, hospitals and other public improvements. And every taxpaying American citizen needs and would like to have his or her taxes reduced.

The deficit of this one foreign-aid bill would save enough money to build many school buildings, roads, highways, and hospitals which are so badly needed at home.

The surest and most powerful protection we can provide against communism is to keep our own national economy strong and build our own military might so powerful that none will dare to challenge us.

Mr. Speaker, I have opposed this foreign aid giveaway program in the past and I will vote against this bill, H. R. 12130, which appropriates $3,675,920,000 of American taxpayers' dollars for giveaway to foreign countries.

The Importance of Continuing the Antipollution Battle

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES

Wednesday, July 11, 1956

Mr. WILEY. Mr. President, on my recent trip throughout Wisconsin, I found a deeper interest than ever before in a subject that has always been of tremendous significance to my State, and that is the battle against stream pollution.

I was pleased to be able to report to the people of my State that the Federal Water Pollution Control Act had been extended.

It was a particular source of pleasure that, included in this extension, is a program for grants-in-aid to the States for sewerage treatment facilities.

Thus, when I visited the twin cities of Neenah-Menasha, I cited the fact that up to a maximum of $250,000 could be made available for the Twin Cities' own projected sewerage disposal plan.

I have in my hand now the text of a brief release which I issued on the occasion of my visit. It cites the fact that I am now doing everything I can to help accelerate the actual appropriation of funds under the Water Pollution Control Act. An authorization is, of course, no good unless there is an actual appropriation under the authorization.

I have in my hand, too, the text of a splendid feature, which was written by one of the top experts in the field of agriculture and conservation of my State, Mr. Lewis C. French, of the Milwaukee Journal staff. It is entitled "The Fight for Clean Water."

It tells in a factual, graphic manner the many-sided battle to clean up lakes, rivers, and streams.

I ask unanimous consent that the text of Mr. French's splendid article, as published in the June 3 issue of the Milwaukee Journal, be printed in the CONGRESSIONAL RECORD, along with the text of the press release, which I issued in Neenah-Menasha.

There being no objection, the article and release were ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal of June 3, 1956]

THE FIGHT FOR CLEAN WATER—FEDERAL GOVERNMENT ENTERS ANTIPOLLUTION CRUSADE IN WHICH WISCONSIN HAS LED; CONGRESS SET TO ACT THIS MONTH

(By Lewis C. French)

While a summertime visitor to Milwaukee, California's Gov. Goodwin S. Knight gazed with sheer envy at the waters of Lake Michigan.

Scanning that shimmering lake—perhaps Wisconsin's most precious natural asset—the California governor thought of the costly efforts to get usable water enough for his thriving State. There were aqueducts tunneling through mountains, reservoirs costing millions, and great pumping stations to get distant river water. Still these measures fell short.

But look at lucky Milwaukee and Wisconsin: As far as the horizon and beyond, an almost unlimited supply of fresh water, and to the north, Lake Superior, even larger and colder.

Then as a guest of a Fox Point resident, the governor stepped into a shower bath and turned the faucet, expecting a cooling spray of that lake water.

But not a drop of water from that nozzle.

"Incredible—what goes on here?" asked the governor, a bit bewildered. "And with all that lake water for the taking at your front door."

WISCONSIN PIONEERED IN POLLUTION CURBS

Milwaukee officials have promised water system improvements to prevent the taps

from running dry in the future, but that is only one aspect of the State's water problem. At least as important is protection of the purity of Wisconsin streams and lakes, both for beauty and sport and as a healthful water supply for all the State's people.

Congress is slowly awakening to an urgent fact that Wisconsin recognized some years ago: Clean water is more than a natural resource—it is a necessity of life.

It is a matter of pride that Wisconsin showed the Nation and the free world the way to keep the wild rush of roily waters from eroding the thin skin of fertile topsoil. This was done on the pioneer soil conservation project at Coon Valley in southwestern Wisconsin, started in 1933.

Then seeing the danger to its abundant water supplies from the poison of pollution, Wisconsin—prodded by conservation groups—revised its water laws in 1949. The State stiffened its regulations to force municipalities and industries to meet higher standards of water purity.

Today, Wisconsin is far out in front nationally in this campaign for curbing pollution. Now Uncle Sam is joining the crusade.

UNITED STATES TO GET TOUGH

At long last the United States Government through its Public Health Service and the Department of Agriculture proposes to get tough and even to spend some money protecting the purity of water supplies.

"The problem of water pollution control grows more pressing with population growth and with the development and expansion of industry," President Eisenhower said in his health message on January 27. "The present acts dealing with water supplies should be strengthened and made permanent."

Congress must do something soon, for on June 30, the 1948 Water Pollution Control Act—an inadequate piece of legislation—will expire.

The national lawmakers now have stronger measures pending. One calls for $2 million a year, 1956 through 1960, to help States and interstate agencies "establish and maintain adequate measures for prevention and control" of water pollution. The Federal Government would pay between one-third and two-thirds of a project cost.

The other pending measure would authorize $1 billion, with no time limit, for aid to municipalities in building sewage plants. The Federal contribution would be limited to one-half the cost, and not more than $500,000.

INDOOR PLUMBING RAISED DEMAND

The Nation's water problem is essentially to stop pollution. There are three great demands for water: The public, industry, and agriculture. There is water enough for all if it can be kept pure and reutilized.

All over the United States, including the farms and the crossroads hamlets, prosperity and higher living standards have moved sanitation indoors. Everybody wants running water and a bathroom.

Now every time you flush a toilet, it takes around 7 gallons of water. Take a shower. Down the drain goes 25 gallons of soapy water. Wash the dishes, and 2 more gallons. Most new automatic washers take around 25 gallons. Bath time for the kids, and count on around 30 gallons for each one, for the Saturday night washtub bath is a thing of the past.

And every drop of this household water in everyday living must be purified, made safe by expensive treatment equipment.

The Wisconsin committee on water pollution, making accurate chemical and biological tests, has found that many of our rivers, some of our lakes and even certain parts of Lake Michigan are badly polluted. Some areas, such as beaches at Green Bay where the Fox empties, cannot be used. There have been times when public use of several Milwaukee beaches stopped and waters of other industrial cities were placed on the questionable list.

INDUSTRY IS BIGGEST DESPOILER OF WATER

The Wisconsin committee often encounters resentment from the small villages. One of the greatest problems is that of the part-time farmer, living near an industrial center, putting in modern sanitary improvements. The urban workman seeking elbow room and a piece of land moves into his fringe urban-rural area. He, too, demands indoor plumbing. But too often these residents do not like the costs of building the sewers and treatment systems meeting the stiffer State standards.

Both Wisconsin and Michigan are making decided progress abating the nuisance of these toxic wastes. In Wisconsin there is but one county without sewers in its cities and villages, and of the communities with sewers, those having 97 percent of the population are connected to treatment plants.

"The biggest offender in despoiling water is industry," reads a Government report.

The rate at which our factories, mills, and powerplants gulp water is amazing. And it keeps going up and up. Some of the larger industrial plants use more water than whole cities.

The Milwaukee brewer needs around 300 gallons of water for a barrel of beer and one of the reasons Milwaukee became so famous for the brew was its fine water supplies. The Schlitz Brewing Co. alone uses 1,684,267,000 gallons a year. The A. O. Smith Corp., with its steel fabrication using water under pressure to test every length of pipe and for countless production operations, used 1,641,600,000 gallons last year.

The Wisconsin and Michigan paper mills need around 250 tons of water for a ton of sulphite wood pulp, and there are mills in Wisconsin using 30 to 40 million gallons a day. Every large paper mill often uses more water every working day than does a city of 50,000 people.

Hence the need for Wisconsin's strict pollution controls, backed up by the new Federal program.

"Industry is putting almost twice as much waste into the waterways in 1955 as in 1930," reads the Government survey. "The expected growth of synthetic and nuclear production with their poisonous byproducts magnifies the problem."

The Federal estimates are that the demand for clean and fresh water will more than double by 1975, industry needing at least 105 percent more, 70 percent more for municipalities and around 42 percent for irrigation.

In Minnesota two corporations have applied to the State for permission to pump 10,000 gallons a minute from ground waters to put into a reservoir and "sell to industry."

WELL LEVELS DROP

Whose waters are these underground supplies which percolate through the porous rock formations?

"Title to such water should rest with the State, in control of all people, and, when the right to use water is conferred, it should not carry with the permit the right to abuse the water," contends O. L. Kaupanger, secretary of the Minnesota emergency conservation committee, Minneapolis, Minn., an alert civic group trying to check pollution of streams.

Wisconsin has laws limiting how much can be pumped, prior rights being vested in municipal users. Yet artesian well levels are dropping fast over most of Wisconsin.

Water demand now averages around 145 gallons a day for human use, compared to 95 gallons at the turn of the century. Add industrial requirements and your individual share is around 1,217 gallons a day.

Municipalities will have to spend $5.3 billion in the next 10 years to keep water usable, according to the United States Public Health Service. Industry will have to spend about as much; and if the States do not rap the knuckles of offenders, Uncle Sam will.

PROBLEM OF FAIRNESS TO SOME CITIES

"The only way we can win this pollution battle is with Federal aid," is the statement issued by the American Municipal Association. "We maintain water pollution is a national problem and that the Federal Government has a clear-cut responsibility to work with the States and municipalities toward its solution."

How much Uncle Sam will chip in is before Congress for decision.

If the billion dollar appropriation is made available it presents a problem to Wisconsin and Michigan. Both these States have stern State committees on water issues. Both have required many cities to stretch their finance and issue bonds to build modern treatment plants. And all these plants were built with the costs borne by the cities, not a cent from the State or the Federal Government.

"It does seem unfair now to come along and propose to share costs unless they make the legislation retroactive," says Theodore Wisniewski, of Madison, director of the Wisconsin committee. "We've set a time limit for compliance, citing the penalties. It is manifestly unfair for the backward cities in the other States to have such help if it be denied to those paying the bill in full in Wisconsin."

There is now sure to be an issue of State versus Federal rights on water controls. Industry, fearful of the stern look and whack of Federal health officers, will scream for State rights. "Let the States handle the pollution problem. They are doing all right."

BLOOD-RED WATER

But too long in the past, industries had pretty much their own way on disposing of wastes into streams. Here in Wisconsin some paper mill operators, dominating the economics of modest size cities, rode roughshod over the protests of local people.

On the Mesabi Range in the iron country, the powerful corporations used all the water they needed and seldom was a voice raised over the blood-red silt ruining white water streams.

In upper Michigan the copper mines strewed tailings along the rivers and lakes and not a voice was lifted, until the tough State committee was empowered to stop all pollution.

Under the new proposed Federal legislation the Surgeon General could declare any stream or lake a public nuisance from pollution.

Then he would inform those polluting the waters and the State to set a time schedule for a cleanup. If there were no compliance and no enforcement by the State, suit could be brought in the Federal court.

WISCONSIN A PARTY TO INTERSTATE PACT

With most States now having antipollution agencies protecting water supplies, the trend is for interstate agreements or compacts. The finest of these are the eight States of the Ohio River Valley in which uniform minimum standards are established.

Wisconsin found out early the reason for these agreements. For the minute the committee, finding positive evidence of gross and harmful pollution, would name the offender at a hearing, where would be the threat: "We will move out of the State." There would be an impressive listing of employees and payrolls.

The answer to this attempted block to proper enforcement was for the interested States to sign agreements to set standards and exchange information on offenders.

Wisconsin made compact first with Michigan and Minnesota. Then came the compact for the upper Mississippi River cleanup with Wisconsin, Minnesota, Iowa, and Illinois.

So, now when a corporation says it will move before it will spend money to obey the antipollution laws, the State committee, in effect, says: "Mister, you are not going any place without protecting water supplies."

SENATOR WILEY SAYS FEDERAL POLLUTION FUNDS URGENT—PLEDGES ALL-OUT BATTLE TO HELP TWIN CITIES

An immediate all-out drive to secure Federal funds under a "vital new antipollution law" was pledged today by Senator ALEXANDER WILEY, Republican, of Chippewa Falls.

While attending the Neenah-Menasha Junior Chamber of Commerce celebration of Independence Day, Wisconsin's senior Senator said: "Wisconsin's great paper industry and other industrial leaders have made wonderful progress in meeting the pollution problem. But we all recognize that the fullest additional Federal cooperation is urgently essential if we are to achieve further success."

Referring to the need for enlargement and improvement of the Neenah-Menasha sewage-disposal plant, Senator WILEY continued: "The sewage problem in this community is duplicated in many other Wisconsin cities who have been in touch with me on their participation in the provisions of the new antipollution law.

"The law has passed. But we must cross another hurdle before municipalities can start construction work on their projects—a separate appropriation measure to finance the program. I am, therefore, urging both House and Senate Appropriation Committees to get on the ball to see that the whole legislation is not grounded for lack of funds."

Looking further into our local pollution problems, the Senator commented: "Stream pollution in Wisconsin has entailed tremendous costs in time, money, and effort. It has reached the point where our cities alone cannot bear the terrific expenses of effective disposal plants and other antipollution projects. Municipal help is a necessity where the health and economic welfare of Wisconsin citizens are at stake."

The Senator stated: "The Pollution Control Act would pay one-third the costs of the Twin Cities' disposal plant, up to a maximum of $250,000 for your proposed $900,000 tripurpose project. This would mean a $125,000 saving for each town. Other general provisions of this bill also include: (1) A 5-year-grant program to States for pollution control planning and research; (2) enforcement measures against pollution of interstate waters; and (3) creation of a special Water Pollution Control Advisory Board."

A Tribute to a Great American Soldier

EXTENSION OF REMARKS

OF

HON. JAMES T. PATTERSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 11, 1956

Mr. PATTERSON. Mr. Speaker, much has been said and written of late about missiles, air power, atomic warfare, and modern war. I would like to speak briefly about the oldest of all of our services in the defense family, the United States Army. I could say many things about the Army, its role in the atomic era and the senior officers now directing its destiny. Today I intend to confine my remarks to one of these leaders, although similar remarks could easily be applied to numerous others. This officer is an outstanding expert in the field of modern war. He is not an old man in years. Quite to the contrary, he is still in the rich vigor of middle age. But he is old in experience in war. I am speaking, sir, of that gallant son of the Commonwealth of Pennsylvania, who is claimed by that great State as her ambassador, Lt. Gen. James M. Gavin, of the United States Army.

This outstanding officer, this intrepid combat leader, this brilliant thinker and strategist, has lived and fought and risen in his chosen profession in the truest American tradition. The orphan son of Irish immigrants, James Maurice Gavin enlisted in the United States Army at the age of 17. Within a year, he had reached the first stage of his cherished goal, an appointment to the United States Military Academy. He was graduated from the Academy and commissioned a second lieutenant of infantry on June 13, 1929. Instead of listing each detail of General Gavin's early career I want to quote to you an extract from the introduction of a book written by him shortly after the close of World War II. This introduction was written by his close friend, Maj. Gen. William C. Lee. Here is what he had to say:

It was a hot sultry day in August when Captain James M. Gavin, thirty-four years of age, reported for duty with the Provisional Parachute Group at Fort Benning, Georgia. As a former enlisted man in the Regular Army and as a graduate of the United States Military Academy of the class of 1929, his service had been varied and broadening. His friends spoke exceedingly well of him, and he impressed his associates with his quiet dignified bearing, his appearance of lean physical toughness, and his keen and penetrating mind. His work as a battalion officer marked him for greater responsibilities and promotion to major, and then to lieutenant colonel.

The rapid expansion of our airborne forces, immediately after the attack at Pearl Harbor, created many strange and complex problems and a vast amount of work. The activiation of new units, the development of new types of weapons and equipment, new tactics and new methods of training were only a few of the arduous difficulties that confronted the builders of new forces. Mistakes were made and many of them, but the building seems to have been fundamentally sound. No one man or no small group of men can be credited with this achievement. Many men and many elements made the project successful. But in the last anslysis the burden of building this great new force fell on the shoulders of the staffs of the Airborne Command of the Ground Forces and the Troop Carrier Command of the Air Forces, and on those staff officers in Washington who directed the planning on the higher levels. These were the architects and not the least of them was Gavin.

In the building of this force Gavin was a dynamo of intelligent energy. As the head of the Plans and Training Section of the Parachute Group, and later the Airborne Command, he wrote many of our basic training doctrines and our first textbooks on airborne training and tactics. By late 1942 he had received his colonelcy and the command of his own regiment. In January 1943, his regiment was assigned to the 82d Airborne Division, and on the night of July 9 of that year he commanded the airborne combat team which spearheaded the American assault of Sicily. This book is Gavin's story of that assault as well as all the airborne combat that followed until the end of the war, and it is his interpretation of those events as applied to future war.

From Sicily to Italy to England, Jim Gavin continued to pioneer, and to win his battles. In rising from colonel to brigadier general, he continued to learn warfare. As airborne adviser to the Supreme Allied Commander in London, he was determined that costly mistakes made in Sicily must not be repeated in Normandy. Upon his arrival in England from Italy, he was immediately enmeshed in the intricate details of operational plans of the Allied airborne forces, working closely with the British and American airborne commanders. The success of those forces on D-day is all the evidence needed of the brilliancy of his work. As assistant division commander of the 82d Airborne Division he led the assault parachute echelon of that division into Normandy. And later, on the elevation of Maj. Gen. Matthew B. Ridgway, the division commander, to the command of the airborne corps, Gavin was made division commander and a major general at the age of 37. He commanded the division throughout the rest of the war in its brilliantly successful operations in Holland, Belgium, and Germany. As a young and dynamic commander he represents, to my mind, the type of American leadership produced in our greatest war.

In his book, entitled, "Airborne Warfare," General Gavin wrote the lessons of airborne troops of World War II and he wrote of things to come. He wrote of modern war as he conceived it. He recognized then the importance of air forces; however, he went on to assert that "despite the opinions of advocates of victory solely through airpower such as Douhet and De Seversky, I believe that any bombing or guided missile attack will need a human follow-up force to exploit the disorganization and chaos that future bomb and missile attacks will cause." Today, General Gavin's thinking goes far beyond these earlier thoughts. And since those days as commander of the famous 82d Airborne Division, General Gavin has served in a variety of important posts, each of which has helped to prepare him particularly well for his present assignment as the Chief of Research and Development of the United States Army.

Upon his departure from the 82d Division in 1948, he was appointed Chief of Staff of the Fifth Army until 1949, when he came to Washington to serve as Army member of the Weapons Systems Evaluation Group in the Office of the Secretary of Defense. This service accomplished three things for the general: First, it widened his contact with many forward-looking senior officers from the sister services; second, it provided an exceptional opportunity to study the viewpoint of many outstanding civilian scientists; and third, it gave him an opportunity to observe and influence the development of future weapons, thus better equipping him for his present assignment. One of his most important contributions during this period was the preparation of a staff study, which resulted in a decision to

manufacture the 280 millimeter atomic cannon.

In June 1951 General Gavin again went overseas where he served initially as Chief of Staff of the Allied Forces in Southern Europe. In December of 1952 he assumed command of the United States VII Corps in Germany. This important command position gave the general an opportunity to explore some of the many theories of modern war which he had developed as a result of constant study. In the international maneuvers held under the direction of the Supreme Allied Commander, General Gavin introduced into his scheme of maneuver the first planned control of forces operating under conditions of atomic warfare. In this maneuver, General Gavin attempted to reduce the number of simulated casualties by using highly dispersed formations operating over extended distances with improved communications techniques. This means of control was utilized not only in cross-country movements and in open warfare, but also in the assault of cities, river crossings and other types of combat action. In these operations, General Gavin was limited somewhat by the existing tables of organization and by the equipment available for his use.

That he found these limitations onerous cannot be doubted for, as he was concluding this assignment as corps commander, he wrote his widely read, frequently quoted article for Harper's magazine, "Cavalry, and I Don't Mean Horses," in which he lamented the lack of true mobility in the army of today. During the years after the war, he wrote extensively concerning his beliefs, and his writings have been widely read by officers anxious to develop new methods of applying the principles of war. None can doubt that his writings have had a deep influence on his many readers.

When he left Germany in 1954, he was assigned back to Washington where he has served ever since. The first assignment given General Gavin upon his return from Europe was in the office of the Assistant Chief of Staff, G–3, of the Department of the Army. While in this position, the major contributions of General Gavin to the improvement of the Army and thus the advancement of national security were as follows:

First. His insistence throughout his tenure of office that the Army be "forward thinking" and establish the goals in mobility, fire power, and communications toward which it should be striving for the next 15 years.

Second. His insistence that the Army be organized for the prosecution of either a general war or a localized, "brush fire" war.

Third. His efforts to expose the fallacy that ground forces are no longer required to win a war.

As a result, General Gavin exerted an Army-wide influence on organization, mobility, fire power, and communications. The organization of the new Infantry and Armored Divisions which were recently tested, was influenced by his thinking. In addition, he, along with other senior officers of the Army emphasized the role of Army Aviation and helped lift it to its present position of importance stressing that in order to achieve true mobility the Army must utilize aircraft characterized by the ability to employ either vertical or short take-off and landing techniques in the accomplishment of Army missions.

In March 1955 General Gavin was designated Deputy Chief of Staff for Plans and Research of the Department of the Army and promoted to the grade of Lieutenant General. Here he continued to look for new concepts. He strove to convince his fellow officers that the Army must get away from the idea of a fixed line of battle. General Gavin preached what he had written years before in his book Airborne Warfare, that "dispersion must govern all operations of the future." He emphasized, as he had for years that dispersion and mobility must be the basis for successful combat operations in the atomic era. "Only thus," said he, "can tactical units survive in the battle area."

On October 10, 1955, General Gavin was appointed Chief of Research and Development of the Department of the Army with status as a Deputy Chief of Staff. Here, in this post, newly created as a result of a reorganization of the Army Staff, the general found himself at the very fountainhead as far as new weapons and equipment are concerned. Just as his thinking had helped influence the evolution of tactical organizations, his fertile mind now was free to study Army requirements for new materiel. As on of the Army's leading proponents for streamlined and modernized ground forces, his selection has been fully justified. General Gavin has used a number of important guidelines in his present work, guidelines which reflect the Army point of view and help channel his efforts in the research and development field. The most important of these are as follows:

First. The United States must develop visible strength-in-being adequate to convince any enemy that aggression will fail. This strength must be real and tangible—and must be tridimensional—on the ground, in the air, and on the sea. This means a ready, mobile, hard-hitting modern United States Army capable of moving by land, sea, or air, anywhere in the world to deal with any threat the United States Government may decide to meet.

Second. Present military programs which generally make adequate provisions for the strength and capabilities necessary to deter general or total war involving the unrestricted use of nuclear weapons must also provide adequate means to deter aggression short of general war, and to deter general or total war in which the use of nuclear weapons is outlawed or restricted.

Third. With its inherent versatility, the Army is capable of applying force with discrimination, accurately, in the right amount, at the right time, in all types of weather and terrain.

Fourth. Variety of armament gives the Army its most outstanding and valuable characteristic: flexibility and selectivity in application of military power.

Fifth. While there are obvious practical and psychological difficulties in employing atomic weapons, the Army must seek ways and means of restricting their killing power to the battlefield, and to military targets.

Sixth. The Army will be able to cope with any military problem that may confront it in the atomic age, given adequate manpower, firepower, mobility, and logistic support.

In translating these concepts into tangible programs, he has sought the development of small-yield atomic weapons, recognizing the dangers inherent in attempting to wage war through the use of thermonuclear devices. He has moved the Army along its way in the missile field, pointing out that such systems were after all only an evolution of conventional artillery. He is aware of the vital importance of protecting the continental United States with such weapons as the Nike family. He has helped make clear that the Army's know-how in the missiles field fitted it for development of an intermediate range ballistic missile, an act which resulted in the establishment of the Jupiter project, a joint undertaking of the Army and the Navy. In addition, he has directed the undertaking of one of the most challenging and difficult tasks which confront the Nation today, the development of an antimissile missile.

In connection with the development of an intermediate-range ballistic missile, the joint Army and Navy effort, called Jupiter, is using the fruits of 6 years of Army experience with the Redstone missile, and it is also making use of some of the world's most eminent scientists in the missile field. The advantages which Redstone experience offers to the Army include the fact that many of the components to be used in the Jupiter program are already proven components as a result of flight testing of the Redstone.

The Army is carrying forward its responsibilities for the development of the missile system for Jupiter under methods of maximum urgency, and is confident that it will achieve the first 1,500-mile ballistic missile capability in the Western World.

As for the antimissile missile, in 1953, the Army foresaw the forthcoming threat of the ballistic missile and the Army initiated studies at that time with the objective of developing weapons systems capable of successfully attacking these missiles.

While the Army appreciates the magnitude and complexity of the problem of developing a successful antimissile missile, General Gavin and his staff are convinced that they can develop systems to counter the ballistic missile.

While the difficulties and complexities of these problems seem almost insoluble, I assure you that I have the utmost confidence in the Army and the members of its staff to whom these matters are entrusted. And in closing I say also that, should this Nation again come under the scourge of war, Gen. James M. Gavin and his colleagues in the Army will be among the principal architects to bring victory to American arms.

SENATE

THURSDAY, JULY 12, 1956

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, we are grateful for the sweet time of prayer, that calls us from a world of care, and bids us at our Father's throne, make all our wants and wishes known.

At this altar of devotion we would be sure of Thy presence ere pressing duty leads us back to a noisy, crowded way.

May the great causes that in these agitated days concern Thy human family and especially the crusade to preserve threatened freedoms for all Thy children, the selfless ministries that help to heal the world's wounds, and rebuild its waste places, the attitudes that create good will and make possible at last a just and righteous peace command the utter allegiance of our labor and our love.

We ask it in the name of that One whose truth shall make us and all men free. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, July 11, 1956, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 2452) to provide for the conveyance of certain lands by the United States to the State of Wisconsin.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 11000. An act to provide for the striking of medals in commemoration of the 100th anniversary of the birth of the late Justice Louis Dembitz Brandeis;

H. R. 12034. An act to authorize the Secretary of the Interior to execute a contract with the Tule Lake Irrigation District, California, and for other purposes; and

H. R. 12130. An act making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 2452) to provide for the conveyance of certain lands by the United States to the State of Wisconsin, and it was signed by the President pro tempore.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 12034. An act to authorize the Secretary of the Interior to execute a contract with the Tule Lake Irrigation District, California, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 12130. An act making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes; to the Committee on Appropriations.

CORNERSTONE LAYING OF NEW SENATE OFFICE BUILDING

Mr. PURTELL. Mr. President, yesterday I announced that the Senate Office Building Commission will hold a simple cornerstone laying ceremony at the New Senate Office Building at 11 a. m. tomorrow, Friday morning. Through error this did not appear in today's RECORD. Therefore, we on the Senate Office Building Commission wish to reiterate our invitation to the Members of this body to attend this affair which will be held at the southwest corner of the new building on Constitution Avenue and First Street. In the lobby immediately adjacent to the Senate Chamber there is a copper box which will be inserted in the cornerstone. Our colleagues are invited to drop their personal cards in the box if they so desire.

MEETING OF CONFEREES DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Senate conferees on Senate bill 3073, to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia, and for other purposes, and the Senate conferees on Senate bill 7380, to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities, were authorized to meet during the session of the Senate today.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. NEELY, and by unanimous consent, the Committee on the District of Columbia was authorized to meet tomorrow during the session of the Senate.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, for action on nominations under the heading "New Reports."

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

BOARD OF PAROLE

The Chief Clerk read the nomination of Scovel Richardson, to be a member.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John E. Henry, to be a member.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. LANGER. Mr. President, I am delighted that the Senate has confirmed the nomination of Mr. Scovel Richardson and of Mr. John E. Henry to be members of the Board of Parole.

I am quite familiar with the heavy schedule of serious work the members of the Federal Parole Board encounter.

Mr. Richardson has made an outstanding record as Chairman of the Parole Board. With the experience he has had he will carry on even better and I look for even more marked improvement under his confirmation.

Mr. Henry was endorsed by the former Governor of Montana, Mr. Sam Ford, who was an outstanding governor of Montana, which is North Dakota's neighboring State to the west. He was also endorsed by Mr. Wellington Ranking, a former outstanding attorney general of Montana and today one of Montana's distinguished citizens.

The work of these two members of the Board of Parole has been conscientious, and the Senate should be informed of the fine character of work that these two gentlemen has done in cooperation with their colleagues on the Board.

COAST AND GEODETIC SURVEY

The Chief Clerk read the nomination of Curtis Le Fever to be a captain.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the nominations confirmed today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith of all nominations confirmed today.

That completes action on nominations under the heading "New Reports."

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that during the morning hour today statements made in connection with the transaction of routine business be limited to 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AUDIT REPORT ON FEDERAL HOME LOAN BANKS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Home Loan Banks, supervised by the Home Loan Bank Board, constituent agency of the Housing and Home Finance Agency, for the fiscal year ended June 30, 1955 (with an accompanying report); to the Committee on Government Operations.

ACQUISITION OF RADIO PROPAGATION FIELD SITES FOR NATIONAL BUREAU OF STANDARDS

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the acquisition of radio propagation field sites for the National Bureau of Standards of the Department of Commerce and the construction of facilities thereon (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

DEPORTATION STATUS OF A CERTAIN ALIEN

A confidential letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, relating to the deportation status of a certain alien (with an accompanying paper); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Independent Citizens Union of Maryland, Baltimore, Md., relating to the return of property confiscated by the Office of Alien Property; to the Committee on the Judiciary.

The memorial of Mrs. H. A. Peterson, remonstrating against any increase in postal rates; to the Committee on Post Office and Civil Service.

The petition of Mr. and Mrs. J. L. Shanholt, of Cumberland, Md., relating to old-age assistance under the social-security law; ordered to lie on the table.

RESOLUTIONS OF NORTH DAKOTA STOCKMEN'S ASSOCIATION

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD resolutions adopted at the 27th annual convention of the North Dakota Stockmen's Association, held at Minot, N. Dak., on June 4, 5, and 6, 1956.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS OF NORTH DAKOTA STOCKMEN'S ASSOCIATION

I. AMENDMENT TO PACKERS AND STOCKYARDS ACT

Resolved, That we ask our Congressmen to introduce whatever legislation is necessary to amend the Packers and Stockyards Act to permit voluntary deductions to be made at posted yards for the purpose of financing beef education and promotion.

II. CALFHOOD VACCINATION

Resolved, That the North Dakota Stockmen's Association go on record as supporting the program for voluntary calfhood vaccination for brucellosis as sponsored by the State sanitary board.

III. LIVESTOCK RESEARCH

Resolved, That we commend the North Dakota Agricultural College and experimental stations for their services to the livestock industry; be it further

Resolved, That we ask our legislators to make sufficient appropriations for the continuation and expansion of research in the livestock field.

IV. GOVERNMENT SUPPORT OF PROTEINS

Resolved, That we urge the Government to discontinue as quickly as possible the price support of feed grains and protein supplements.

V. NATIONAL AND STATE BEEF COUNCIL BY BEEF EDUCATION COMMITTEE

Resolved, The North Dakota Stockmen's Association commends the efforts of the North Dakota Beef Council and the National Beef Council and express our approval of the voluntary point of sale deduction method of financing State and National beef promotion.

VI. GRADUATED LAND TAX

Resolved, That we go on record as opposing the principles of a graduated land tax.

VII. INVOLUNTARY CONVERSION

Be it resolved, That the North Dakota Stockmen's Association go on record in support of the type of watershed policy coupled with irrigation, wild life, and conservation as authorized under Public Law 566 and being opposed to the very large dam construction in North Dakota which has caused hardship on many cattle producers and has removed a large amount of valuable farm and ranch land from production. This resolution is in no way to be construed to be in opposition to the work now in progress regarding the 23 county conservancy district and the development of the now proposed 1 million acre irrigation program for North Dakota.

VIII.

We thank the press, the radio stations, and the television stations of North Dakota for the splendid cooperation and assistance in our beef promotional efforts.

IX.

The North Dakota Stockmen's Association recognizes the value of auxiliaries as active as the Cow Belles and Junior Stockmen. We therefore wish to express our sincere appreciation for their untiring efforts toward the betterment of our industry.

X.

We support the resolution No. 3 passed at the annual convention of the American National Cattlemen's Association held in New Orleans; which resolution requests the expansion of the purchase of beef for foreign aid and school lunch program.

XI.

To the city of Minot, its various organizations, business establishments, and many individuals who have contributed so generously of both time and effort to make this convention a success, we wish to express our thanks. The job has been well done; we have had a wonderful convention.

XII. DEATHS

We wish to express our sincere sorrow at this time for the loss of the advice, counsel, and fellowship of those four members who have passed away during the year.

XIII. PUBLIC LANDS

Whereas the State school lands are not uniform in their nature and capabilities and there is a set rate for sale or rental that applies to all school lands: Now, therefore, be it

Resolved, That the North Dakota Stockmen's Association requests the State board of university and school lands have a study made of the productivity of the school lands and that the sale and rental charges be based on their capabilities; therefore be it

Resolved, That the North Dakota Stockmen's Association go on record as opposing the Long bill as introduced (S. 3444) in the United States Senate. This bill pertains to setting up a Federal-State committee for the purpose of a study on all public lands and ultimately a report on these lands.

RESOLUTION OF NEW JERSEY DEPARTMENT, DISABLED AMERICAN VETERANS

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by a convention of the New Jersey Department, Disabled American Veterans, relating to benefits for veterans.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the present administration of the Federal Government has ordered a study of veterans' programs and benefits, by a commission headed by Gen. Omar Bradley, which commission produced a series of pronouncements and recommendations, known as the Bradley Report; and

Whereas a study of said Bradley Report discloses that its recommendations are designed to drastically curtail veterans' benefits, including the total elimination of all benefits for millions of veterans; and

Whereas these recommendations, if implemented, would have a disastrous effect on veterans, particularly disabled veterans, their families and dependents, because the Bradley Report seeks to reverse the 150-year-old American tradition and policy, in the words of Abraham Lincoln, to "care for him who shall have borne the battle, and for his widow and for his orphan," and seeks to demolish and wreck the system of veterans' benefits built up so laboriously over the years: Now, therefore, be it

Resolved by the delegates of the New Jersey Department, Disabled American Veterans, in convention assembled, That this department highly resolve and go on record as being unalterably opposed to the said Bradley Report in its entirety as being a deadly and direct threat to the welfare of this organization, its members and their families and dependents, and to all veterans, and as being a bald, deliberate, cynical breach of faith with the American veterans; and be it further

Resolved, That this department, its officers, member chapters, and membership, do all in their power to oppose its implementation, in any way, legislative or administrative, and that copies of this resolution be forwarded to appropriate officials of the Federal and State Governments, the United States Congress, the New Jersey Legislature,

and to the national convention, Disabled American Veterans, 1956, in San Antonio, Tex., for adoption and support.

RESOLUTIONS OF OUTDOOR WRITERS ASSOCIATION OF AMERICA

Mr. WILEY. Mr. President, recently I sent to conservation groups throughout my State an up-to-the-minute report describing my efforts to preserve America's great outdoor heritage.

Thus, I reported to Izaak Walton Leagues, to rod and gun clubs, and to a variety of similar groups on my efforts, first, to protect American wildlife refuges from unjustified grabs by other agencies; second, to halt dangerous oil and gas leasing on such refuges; third, to prevent anticonservation activities on military reservations; fourth, to protect wildlife habitat and recreation; fifth, to extend and strengthen the Water Pollution Act; sixth, to protect the Fish and Wildlife Service and prevent its domination by commercial fishery interests, and for many other objectives.

I was pleased to receive yesterday from E. Budd Marter III, executive director of the Outdoor Writers Association of America, Inc., a series of six resolutions as adopted by that splendid group. I am pleased to say all of these resolutions paralleled the sentiments which I included in my overall conservation report.

I may say these outdoor writers are among the best informed men in our entire Nation on the subject of preservation of our resources.

The Senate adopted this morning a resolution relating to negotiations with the Mexican Government on the control of illicit narcotic drugs, which was discussed very ably by the distinguished Senator from Montana [Mr. MANSFIELD]. He spoke on the preservation of our youth—of our human resources. The writers to whom I refer have spoken about our outdoor resources and the great beauties of America—its parks, streams, lakes, and woods.

I have been in contact with the association on many occasions, particularly through its able conservation director, Michael Hudoba.

I present the letter and resolutions, and ask unanimous consent that they be printed in the RECORD, and be thereafter appropriately referred.

I pledge my own continued efforts along the lines indicated.

There being no objection, the letter and resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

OUTDOOR WRITERS ASSOCIATION OF AMERICA, INC.

Baltimore, Md., July 9, 1956.

(President: Lou Klewer, Toledo Blade, Toledo, Ohio. Vice president: Ries Tuttle, Register-Tribune, Des Moines, Iowa. Vice president: Henry P. Davis, Remington Arms Co., Bridgeport, Conn. Vice president: Robert D. Reed, Pennsylvania Game Commission, Harrisburg, Pa. Vice president: Enos Bradner, Seattle Times, Seattle, Wash. Secretary: Seth L. Myers, The Herald, Sharon, Pa. Assistant Secretary: P. M. Jones, 847 Main Street, Ravenna, Ohio. Treasurer and executive director: E. Budd Marter III, 419 Farnum Street, Beverly, N. J. Conservation director: Michael Hudoba, 991 National Press Building, Washington, D. C. General counsel, Matthew Van Istendal, Jr., Collingswood, N. J. Board of directors: chairman: Murray Crowder, News-Tribune, Peru-La-Salle, Ill.; members: E. W. Means, the Oak Ridger, Oak Ridge, Tenn.; Jack Van Coevering, Free Press, Detroit, Mich.; E. L. "Buck" Rogers, News-Sun, Waukegan, Ill.; Johnny Mock, Pittsburgh Press, Pittsburgh, Pa.; Ed Keenan, Daily News, Burlington, Vt.; Walter Frank, Daily Home News, New Brunswick, N. J.; Glen Montgomery, The Signal, Zanesville, Ohio; Pete McGillen, The Telegram, Toronto, Canada; Lee Matthews, Barre Gazette, Barre, Mass.; Dan Poole, Rockville, Md.; Michael Hudoba, Washington, D. C.; Grits Gresham, Natchitoches, La.; Werner Nagle, Jefferson City, Mo.; Bill Voigt, Jr., Harrisburg, Pa.; Paul Cardinal, Washington, D. C.; L. E. Sawyer, West Terre Haute, Ind.; Larry Cook, Cleveland, Ohio; Dr. A. G. Chapman, Columbus, Ohio; Bud Jackson, Springfield, Mo.; Tom McAllister, Portland, Oreg.; Joe Mears, Star-News, Pasadena, Calif.; Claude Kreider, Long Beach, Calif.; Bill Reavley, Monte Vista, Colo.; Kliess Brown, Boise, Idaho.)

DEAR MEMBER OF CONGRESS: Attached you will find 6 resolutions pertaining to 6 bills now before the United States Congress, their enactment being imperative in the best interest of the multiple use and preservation of our conservation resources.

Anything you may be able to do to forward the final enactment of these six bills will be greatly appreciated by our organization.

With all best wishes, I am,

Cordially yours,

E. BUDD MARTER III,
Executive Director, OWAA.

To the Committee on Interstate and Foreign Commerce:

"RESOLUTIONS ADOPTED BY THE OWAA AT ITS ANNUAL MEETING HELD IN STATE COLLEGE, PENNSYLVANIA, JUNE 20, 1956

"RESOLUTION NO. 1

"Whereas Wichita Mountains National Wildlife Refuge in Oklahoma provides recreational opportunities for nearly 1 million persons each year; and

"Whereas this refuge harbors bison, a remnant herd of long-horn cattle, white-tailed deer, wild turkeys, and other forms of prairie wildlife, and is a living museum for the natural prairie conditions of our forefathers; and

"Whereas there are two bills in Congress which would transfer 10,700 acres of this irreplaceable refuge to the Secretary of the Army for expansion of Fort Sill Artillery and Guided Missile Center; and

"Whereas vesting title to this land in the Defense Department would mean the immediate exclusion of the public from this large part of the refuge and the fencing off of the several fine recreational lakes, public picnic and camping grounds, as well as miles of scenic trails and much wildlife habitat: Now, therefore, be it

"*Resolved*, That the OWAA expresses its firm opposition to the granting of exclusive control over the incomparable wildlife refuge lands to the Defense Department, and that copies of this resolution be sent to all Members of Congress, the appropriate committees of Congress, and to all others who may be interested.

"RESOLUTION NO. 2

"Whereas, a committee of Congress has unanimously censured the Department of Interior for the granting of oil and gas leases on units of the national wildlife refuge systems; and

"Whereas oil and gas leases on these units of the National Wildlife Refuge System are a direct violation of all principles of game management and wildlife preservation, and the high purpose for which these lands are dedicated; and

"Whereas oil and gas leases have been granted, and are proposed, on many Federal refuges and, though the practice has been temporarily delayed, the policy of such granting has not been repudiated: Therefore be it

"*Resolved*, The Outdoor Writers Association of America calls upon Congress and the national administration to prohibit specifically all violation of Federal wildlife refuges in any guise by any interests. We commend the Merchant Marine and Fisheries Committee of the House of Representatives for its prompt, thorough investigation and effective action on this matter, and its demonstration of continuing interests.

"RESOLUTION NO. 3

"Whereas the armed services are making unprecedented demands for the withdrawal of public lands for the services' purposes; and

"Whereas establishment of military reservations on these public lands inevitably entails the exclusion of hunters, fishermen and other visitors as well as forms of use such as livestock grazing; and

"Whereas, committees of Congress presently are considering bills which would restrict the withdrawals of public lands by the defense agencies, and would require conformance with applicable State and Territorial hunting, fishing and trapping regulations wherever these activities are permitted on military lands: Now, therefore, be it

"*Resolved*, That the OWAA urges the Congress to require, in its judgment, the submission of adequate information with any withdrawal application of military agencies and to enact legislation requiring the observance of applicable State or Territorial laws and regulations pertaining to hunting, fishing, and trapping on all military reservations.

"RESOLUTION NO. 6

"Whereas fish and game resources, whether used for sport or commercial purposes, separately or in combination, are living products of soil and water; and

"Whereas the President has issued an Executive order at the instigation of commercial interests which would abolish the existing United States Fish and Wildlife Service on July 1 by the establishment of a separate Bureau of Fisheries in the Department of Interior; and

"Whereas several bills have been introduced in Congress for a similar purpose; and

"Whereas these efforts to correct the present economic plight of some segments of the commercial fishing industry should properly be remedied by existing congressional procedures; and

"Whereas both the pending bills and the Executive order overlook completely the interest of the Nation's approximately 40 million licensed hunters and sport fishermen: Now, therefore, be it

"*Resolved*, That the OWAA is firmly opposed to any administrative separation of the Federal fisheries and wildlife program; and be it further

"*Resolved*, That the OWAA urges the creation of an office of Assistant Secretary of Interior for Fish and Wildlife and that the administrative position of this agency be returned to career civil service status, and that copies of this resolution be sent to Members of Congress, the White House, the appropriate committees of Congress, and the Secretary of the Interior."

To the Committee on Agriculture and forestry:

"RESOLUTION NO. 4

"Whereas many millions of acres of national forest and public domain lands form unposted hunting, fishing, and recreational areas for all Americans; and

"Whereas H. R. 1823, by Representative LEE METCALF; H. R. 10846, by Representative

ENGLE; S. 3742, by Senators MORSE and NEUBERGER; and S. 3980 by Senators MURRAY and MANSFIELD, and several other similar measures, would provide for multiple uses of these areas, and provide funds for a stepped-up program for wildlife habitat and recreation: Now, therefore, be it

"*Resolved*, That the OWAA urges the Congress to enact legislation embodying the objectives of the aforementioned bills, thus implementing fuller public use of these lands; and be it further

"*Resolved*, That a copy of this resolution be sent to all such Members of Congress, to appropriate congressional committees, and to all such other groups and individuals as may be interested."

Ordered to lie on the table:

"RESOLUTION NO. 5

"Whereas the House of Representatives has passed H. R. 9540, otherwise known as the Blatnik bill, and the Senate has passed S. 890 which would extend and strengthen the Water Pollution Control Act to abate the pollution of the Nation's waters: Now, therefore, be it

"*Resolved*, That the OWAA urges the House-Senate conference to resolve differences at the earliest possible moment, so that the continuity of pollution abatement programs be maintained, and that the OWAA urges the conference acceptance of provisions as passed by the House of Representatives in H. R. 9540."

RESOLUTION OF 48TH ANNUAL GOVERNORS' CONFERENCE

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted at the 48th Annual Governors' Conference. The resolution was submitted by Gov. Thomas B. Stanley, Virginia.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

JUDICIAL INTERPRETATION—PREEMPTION

Members of this Conference are gravely concerned by decisions of the Supreme Court of the United States which have held that congressional enactments supersede State laws on the matters involved and thereby preempt those fields for the Federal Government alone. Judicial interpretations of this character seriously handicap the States in the regulation and administration of their internal affairs: Now, therefore, be it

Resolved, That the 48th Annual Governors' Conference recommend to the Congress that Federal laws should be so framed that they will not be construed to preempt any field against State action unless this intent is stated, and that exercise of national power on any subject should not bar State action on the same subject unless there is positive inconsistency.

PROHIBITION OF LIQUOR ADVERTISING IN INTERSTATE COMMERCE—PETITION

Mr. MAGNUSON. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a petition which I received, praying for the enactment of the so-called Langer bill (S. 923) to prohibit the transportation in interstate commerce of alcoholic beverage advertisements. The petition is signed by Esther M. Nelson and 25 other citizens of the State of Washington.

There being no objection, the petition was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

PETITION

We, the undersigned, do earnestly petition you, Hon. WARREN G. MAGNUSON, chairman of the Senate Interstate and Foreign Commerce Committee, to use your best efforts to get the Langer bill, S. 923, a bill to prohibit the transportation in interstate commerce and over the air of alcoholic-beverage advertising, on the floor for a vote.

(Signed by Esther M. Nelson and 25 other citizens of the State of Washington.)

SERVING OF ALCOHOLIC BEVERAGES ON COMMERCIAL AIRLINES—MEMORIAL

Mr. MAGNUSON. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD, a memorial I have received, remonstrating against the serving of alcoholic beverages aboard commercial airlines. The memorial is signed by Martin K. Nagel, and 22 other citizens of Vancouver, Wash.

There being no objection, the memorial was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

JUNE 7, 1956.

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MAGNUSON: In view of the many tragedies and near tragedies of late in the air since restrictions have been lifted on the consumption of alcoholic beverages on air carriers we, the undersigned, wish to go on record that we oppose serving these beverages on any air carrier. Please insert this in the CONGRESSIONAL RECORD.

Sincerely yours for safer air travel.

(Signed by Martin K. Nagel, and 22 other citizens of the State of Washington.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2648. A bill to encourage the discovery, development, and production of tin in the United States, its Territories, and possessions (Rept. No. 2535); and

S. 3417. A bill granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact relating to their interest in, and the apportionment of, the waters of the Little Missouri River and its tributaries as they affect such States, and for related purposes (Rept. No. 2531).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 3594. A bill to reauthorize construction by the Secretary of the Interior of Farwell unit, Nebraska, of the Missouri Basin project (Rept. No. 2532).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 7190. A bill restoring to tribal ownership certain lands upon the Colville Indian Reservation, Wash., and for other purposes (Rept. No. 2557);

H. R. 8005. A bill to provide for the conveyance to the Mathew American Horse American Legion Post No. 259, Cannon Ball, N. Dak., of certain lands upon the Standing Rock Reservation, N. Dak., for use as a site for the erection of a memorial monument in honor of members of the Armed Forces killed in battle (Rept. No. 2536);

H. R. 9451. A bill to provide that certain lands shall be held in trust for the Seminole Indians and to provide that certain lands shall be designated as a reservation for Seminole Indians (Rept. No. 2537); and

H. R. 11163. A bill to amend section 2 of the act of March 29, 1956 (70 Stat. 58), authorizing the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes (Rept. No. 2538).

By Mr. GOLDWATER, from the Committe on Interior and Insular Affairs, with amendments:

S. 4086. A bill to determine the rights and interests of the Navaho Tribe, Hopi Tribe, and individual Indians to the area set aside by the Executive order of December 6, 1882, and other purposes (Rept. No. 2541).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

H. R. 5299. A bill to authorize the establishment of the Virgin Islands National Park, and for other purposes (Rept. No. 2540).

By Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary, without amendment:

S. 4205. A bill to provide funds to pay nationals of the United States who have war damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended.

(See the remarks of Mr. JOHNSTON of South Carolina when he reported the above bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, without amendment:

H. R. 842. A bill granting increases in the annuities of certain former civilian officials and employees engaged in and about the construction of the Panama Canal, and for other purposes (Rept. No. 2533); and

H. R. 10368. A bill to amend the Civil Service Act of January 16, 1883, so as to require that certain reports and other communications of the executive branch to Congress contain information pertaining to the number of civilian officers and employees required to carry out additional or expanded functions, and for other purposes (Rept. No. 2534).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, with amendments:

S. 3500. A bill to reduce postage rates on parcels containing only food, clothing, medicines, or drugs sent abroad by mail for relief purposes (Rept. No. 2539).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 4099. A bill granting the consent of Congress to the Pittsburgh Plate Glass Co. for the construction of a dam on the North Branch of the Potomac River (Rept. No. 2542); and

H. R. 10964. A bill to provide for municipal use of storage water in Benbrook Dam, Tex. (Rept. No. 2543).

By Mr. RUSSELL, from the Committee on Armed Services, with amendments:

S. 4003. A bill to extend Federal recognition posthumously to Lt. Col. Lee J. Merkel, Air National Guard of the United States, as a colonel, Air National Guard of the United States, and for other purposes (Rept. No. 2554).

By Mr. STENNIS, from the Committee on Armed Services, without amendment:

H. R. 7611. A bill to establish a date of rank for pay purposes for certain Naval Reserve officers promoted to the grades of lieutenant and lieutenant commander (Rept. No. 2551).

By Mrs. SMITH of Maine, from the Committee on Armed Services, without amendment:

H. R. 9892. A bill to amend the provisions of the Revised Statutes, relating to physical examinations preliminary to promotion of officers of the naval service (Rept. No. 2550).

By Mr. SALTONSTALL, from the Committee on Armed Services, without amendment:

H. R. 8407. A bill to require enlisted members of the Armed Forces to make up time lost during enlistments (Rept. No. 2549).

By Mr. FLANDERS, from the Committee on Armed Services, without amendment:

H. R. 2111. A bill to authorize the Secretaries of the Army, the Navy, and the Air Force to cause to be published official registers for their respective services (Rept. No. 2546).

By Mr. JACKSON, from the Committee on Armed Services, without amendment:

H. R. 8290. A bill to provide for the appointment and promotion of the director and assistant directors of the band of the United States Marine Corps, and for other purposes (Rept. No. 2547); and

H. R. 9246. A bill to amend the Armed Forces Leave Act of 1946 by authorizing payments to survivors of former members for unused leave credit (Rept. 2548).

By Mr. ERVIN, from the Committee on Armed Services, without amendment:

H. R. 7646. A bill to authorize the Secretaries of the military departments, and the Secretary of the Treasury with respect to the Coast Guard, to incur expenses incident to the representation of their personnel before judicial tribunals and administrative agencies of any foreign nation (Rept. No. 2544); and

H. R. 10683. A bill to amend the Dependents Assistance Act of 1950, as amended, so as to provide punishment for fraudulent acceptance of benefits thereunder (Rept. No. 2545).

By Mr. WELKER, from the Committee on Armed Services, without amendment:

H. R. 6729. A bill to provide that the Secretary of the Navy shall appoint certain former members of the Navy and Marine Corps to the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, and thereafter transfer such members to the appropriate retired list (Rept. No. 2553).

By Mr. SYMINGTON, from the Committee on Armed Services, without amendment:

H. R. 9500. A bill to continue the effectiveness of the Missing Persons Act, as extended, until July 1, 1957 (Rept. No. 2552).

By Mr. KENNEDY, from the Committee on Labor and Public Welfare, with amendments:

S. 2663. A bill to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas (Rept. No. 2555).

By Mr. BUTLER, from the Committee on Interstate and Foreign Commerce, without amendment:

S. J. Res. 187. Joint resolution to extend the operation of the Emergency Ship Repair Act of 1954 (Rept. No. 2556).

INCREASED LIMIT OF EXPENDITURES BY COMMITTEE ON ARMED SERVICES

Mr. RUSSELL, from the Committee on Armed Services, reported favorably, without amendment, an original resolution (S. Res. 312), which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Armed Services hereby is authorized to expend from the contingent fund of the Senate, during the 84th Congress, $10,000 in addition to the amount, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946.

PRINTING OF REPORT ENTITLED "OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY" (S. REPT. NO. 2558)

Mr. ERVIN. Mr. President, from the Committee on Armed Services, I submit a report on the operation of the Status of Forces Treaty for the period December 1, 1954, through November 30, 1955. The report is of public interest, in that it shows the practical operation of the Status of Forces Treaty and similar agreements in all the countries where United States Armed Forces were stationed for the period stated. I ask unanimous consent that the report be printed, with illustrations.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from North Carolina? The Chair hears none, and it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD (for himself and Mr. MURRAY):

S. 4204. A bill to provide for the establishment of a Western Research Laboratory for the study of animal diseases at or near Montana State College; to the Committee on Agriculture and Forestry.

By Mr. JOHNSTON of South Carolina:

S. 4205. A bill to provide funds to pay nationals of the United States who have war damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended; placed on the Calendar.

(See the remarks of Mr. JOHNSTON of South Carolina when he reported the above bill from the Committee on the Judiciary, which appear under a separate heading.)

By Mr. KERR (for himself and Mr. MONRONEY):

S. 4206. A bill to provide for Federal participation and cooperation with States and local interests in developing water supplies for domestic, municipal, industrial and other purposes; to the Committee on Public Works.

By Mr. MAGNUSON:

S. 4207. A bill for the relief of Sono Hoshi; to the Committee on the Judiciary.

S. 4208. A bill to amend the Public Health Service Act to provide a program of scholarships for postgraduate education in the field of public health, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. PAYNE:

S. 4209. A bill to amend the definition of the term "Airport development" in the Federal Airport Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. BENDER:

S. 4210. A bill to protect the national security of the United States by providing for the summary removal of civilian officers and employees in the executive branch of the Government who are security risks, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MONRONEY (for himself and Mr. KERR):

S. J. Res. 194. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the United States World Trade Fair to be held in New York City, New York, from April 14 to April 27, 1957, and in the Oklahoma Semi-Centennial Celebration to be held in various communities in the State of Oklahoma from January 1 to December 31, 1957; to the Committee on Foreign Relations.

By Mr. WILEY:

S. J. Res. 195. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor; to the Committee on Foreign Relations.

(See the remarks of Mr. WILEY when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

Mr. RUSSELL, from the Committee on Armed Services, reported an original resolution (S. Res. 312) to increase the limit of expenditures by the Committee on Armed Services, which was referred to the Committee on Rules and Administration.

(See resolution printed in full, which appears under the heading "Reports of Committees.")

AUTHORIZATION CEILING ON AMERICAN INTERNATIONAL INSTITUTE FOR THE PROTECTION OF CHILDHOOD

Mr. WILEY. Mr. President, it is my pleasure today to introduce for appropriate reference a joint resolution to amend a statute so as to raise an antiquated ceiling on the annual United States contribution to a most important organization—the American International Institute for the Protection of Childhood.

The case for this modest, but important action, will be so readily apparent that it hardly needs elaboration at this point.

This Institute has performed wonderful services on behalf of the children of this hemisphere.

The children of the Americas are of course the future of the Americas.

The Congress has not failed, and will not fail the children of this hemisphere, and I am sure it will act promptly to lift the statutory ceiling—which was never intended, of course, as a permanent freeze on the level of our contribution.

It is my understanding that the distinguished chairman of our Senate Foreign Relations Committee will move the adoption of this amendment at our next meeting of the committee. And it is my further understanding that our House colleagues will do likewise.

I am sure there will be no question raised as to the desirability of this step.

The administration, of course, stands 100 percent behind it, as evidenced by a letter transmitted to the Vice President by Under Secretary of State Hoover,

along with the draft bill and explanatory statement.

I present the text of that letter and statement, and ask unanimous consent that they be printed in the RECORD.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The joint resolution (S. J. Res. 195) to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor, introduced by Mr. WILEY, was received, read twice by its title, and referred to the Committee on Foreign Relations.

The letter and statement presented by Mr. WILEY are as follows:

DEPARTMENT OF STATE,
Washington, May 29, 1956.

The Honorable RICHARD M. NIXON,
President of the Senate.

DEAR MR. VICE PRESIDENT: I submit herewith a proposed draft amendment to Public Resolution 31, 70th Congress, as amended by Public Law 806, 81st Congress, to increase to $25,000 the authorization of the amount which may be appropriated to meet annual contributions of the United States to the regular budget of the American International Institute for the Protection of Childhood. A more detailed statement in support of this request is enclosed.

The next regular annual meeting of the institute is scheduled to be held this summer. There is a strong likelihood that action will be taken by the institute during 1956 which will result in a United States assessment that will exceed the present statutory limitation.

The existing statutory limit is $10,000. The legislative history of the statutory ceiling indicates that the Congress did not intend to freeze for all time the amount that this Government might find it in the national interest to provide for the support of the institute. The record indicates that the intent of the Congress was to regularize the means by which it might review and reassess the program and objectives of the institute and the results of United States participation therein.

The United States has played a leading role in organizing and furthering the activities of the institute since the establishment of the institute. The opportunity for mutual cooperation in the field of child welfare has been valuable to the United States and the other American republics. Support of the expanded program of the institute would be in the best interests of the United States, particularly as one means of implementing the President's policy of greater support for the programs of inter-American organizations.

Particularly in view of the meeting of the Institute to be held this summer, it is hoped that the Congress will be able to take action on this request during the current session.

A similar communication is being sent to the Speaker of the House.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposal to the Congress for its consideration.

Sincerely yours,

HERBERT HOOVER, Jr.,
Acting Secretary.

STATEMENT IN SUPPORT OF REQUEST TO INCREASE THE STATUTORY CEILING ON THE UNITED STATES CONTRIBUTION TO THE AMERICAN INTERNATIONAL INSTITUTE FOR THE PROTECTION OF CHILDHOOD (AN INTER-AMERICAN SPECIALIZED ORGANIZATION)

Public Resolution 31 of the 70th Congress authorized United States participation in the Institute and placed a ceiling of $2,000 on the annual United States contribution to the Institute. Until 1946, all member countries contributed $2,000 annually.

In 1946, the Institute revised its scale of contributions to provide for assessments ranging from $200 to $10,000, based on population and economic situation, as recommended by the Eighth Pan American Child Congress. The United States assessment was increased to $10,000 per annum. The revised scale made possible a more equitable apportionment of expenditures, and made it easier for smaller states to join the Institute.

In 1950 the 81st Congress inquired into the Institute's program and development, and determined that an increase in the ceiling was justified and in the United States interest. Public Law 806 of the 81st Congress authorized an increase in the ceiling for United States contributions to $10,000 annually, as well as the payment of $24,000 in arrears for 3 years in which the United States had been assessed $10,000, but had only contributed $2,000 because of the then-existing ceiling.

Total assessments against member countries for the regular budgets of the Institute for each of the years 1946 to 1955 amounted to $28,000 annually. The annual United States assessment during that period was $10,000, or 35.71 percent of the total. At its regular annual meeting in August 1955, the Directing Council of the Institute approved a budget for the Institute for calendar year 1956 resulting in assessments of $34,850. The United States assessment was maintained at $10,000 (28.69 percent of the total), but the assessments of 18 of the 21 member countries of the Institute were increased.

The Directing Council also recommended, ad referendum of the member governments, that the Institute work toward a budget which would result in total annual assessments of $40,896. The increase would be met from higher contributions from the United States and the 2 other countries not already affected. The Council further approved a new unit scale of contributions in place of the previous fixed dollar amounts, based on population and economic situation, under which the United States will be assessed 400 units out of a total of 1,000 or 40 percent. Several delegates at the Council meeting were strongly in favor of putting the new scale into effect immediately and adopting a budget which would result in total assessments of $62,500, of which the United States' assessment, at 40 percent, would be $25,000. There is a strong likelihood, therefore, that action will be taken by the other member governments and the Directing Council during 1956 which will result in a United States assessment that will exceed the present statutory limitation.

The United States delegates to meetings of the Institute have continually made clear that there is a legislative ceiling on the United States contribution, and that it is for the Congress to determine whether or not the ceiling will be revised. Nevertheless, the substantial desire on the part of other member countries to increase the activities of the Institute in the field of child welfare in Americas indicates that it would be prejudicial to United States interests in the organization if the United States does not now take the necessary steps for reconsideration of the existing statutory limitation.

The American International Institute for the Protection of Childhood serves as a center for study, information and documentation, technical consultation and advisory service on all questions concerning child life and welfare in the Americas. Although a small organization with a modest budget, the Institute is unique among international agencies because of the interdisciplinary character of its activities and the degree to which it has assisted in coordination of effort in the development and administration of services for children. This interdisciplinary approach is reflected in the way in which the Institute works not only with other organizations in the Inter-American system, but with such international bodies as the United Nations, ILO, and UNICEF. Each year for the last several years, the United Nations has made fellowships available to enable specialists from the American countries to attend a workshop in the administration of children's services conducted by the Institute in Montevideo and is now exploring the possibility of participating in a joint project of the Institute and the Inter-America Statistical Institute to improve the reporting of statistics in various fields of child life—social, educational, et cetera—and to find ways of removing obstacles to full and accurate reporting of birth and mortality statistics. The International Labor Organization and the United States Department of Labor have from time to time used the Institute as a source of information on matters within their respective fields of competence. In turn, the Institute has looked to the United States for guidelines in developing standards for the employment of young people in Latin America. The Institute has also supplied the United Nations with material on children's codes in the American Republics which has been used in compilations of child welfare legislation throughout the world. The Institute cooperates with UNICEF, but the two programs do not overlap or conflict with each other, since UNICEF is primarily concerned with making supplies available to carry out child health and welfare programs.

The Institute has also furnished direct technical assistance. For example, a team of experts sent to Puerto Rico made specific recommendations which resulted in the coordination of certain services and the organization of local seminars for the study of child welfare problems in Puerto Rico. Since the United States Government does not maintain direct technical aid programs in child welfare in Latin America, the Institute is an important channel through which United States methods and experience can be made available to the other American Republics. In this connection, the Institute has employed the chief of the Child Welfare Bureau of Puerto Rico on a short-term contract to give advisory services to the Dominican Republic.

The total annual contributions by the member countries to the Institute have barely sufficed to meet the expenditure for the modest programs carried on by the Institute to date. Increased expenditures for calendar year 1956, which are being met by increased contributions from 18 countries, cover small increases in salaries and other office expenses brought on principally by the rise in the cost of living, rather than any significant increase in the activities of the Institute. However, as the result of recommendations of the 10th Pan American Child Congress held in February 1955, which were supported by the United States delegation, the director of the Institute has proposed and the directing council has approved an expansion of the Institute's activities, principally in the following fields:

1. Assumption by the Institute of the cost of training seminars which have heretofore been administered by the Institute, but financed through the technical cooperation program of the Organization of American

States. The average annual cost of this activity has been $32,000.

These seminars have given intensive training to approximately 50 senior administrators of services for children and young people in the fields of health, education, social services, and juvenile court work in Latin America. These officials in turn have assumed responsibility for organizing similar training sessions for directors of children's agencies and institutions in their respective countries. The seminars have resulted in a revaluation of basic problems, and already definite action is being taken to solve them through modernization of basic legislation and improvement of existing services. The suggestion has been made in the Inter-American Economic and Social Council, which supervises the technical cooperation program, that the Institute incorporate the seminars into its regular program as a continuing feature of its work.

2. Increased travel by Institute technicians to render technical assistance to countries of this hemisphere, particularly in fields in which no international or bilateral programs are giving service.

As a result of the seminars, many of the participating countries have requested of the Institute services of technical experts for advice on child welfare legislation, standards of care of dependent children, prevention and treatment of juvenile delinquency, and other fields in which the Institute offers specialized knowledge. Since the Institute does not have a permanent technical staff, it has only been able, with the limited travel funds available, to contract specialists for short trips to nearby countries. It has not, however, been able to comply with many whorthwhile requests involving longer distances and greater expense.

3. Improvement and extension of the Institute's library service. The library has more than 30,000 titles of reference material, which deal with the whole field of child welfare, including maternal and child health, children's codes, institutional care of dependent and delinquent children, education, social services, nutrition, and recreation. Most of the material has been acquired in exchange for the Institute's quarterly bulletin or through donations. However, more funds are needed so that the Institute can (a) better fill requests of libraries, universities, and professional schools through microfilming and preparation of special bibliographies, and (b) acquire new books and technical journals to make available to institutions in the member countries the latest developments in child welfare.

Mrs. Elisabeth Shirley Enochs, Chief of International Technical Missions, Social Security Administration, Department of Health, Education, and Welfare, is the United States technical delegate on the directing council of the Institute and was elected president of the directing council in August 1955, the first time that a United States national has been so chosen.

SOCIAL SECURITY AMENDMENTS OF 1956—AMENDMENTS

Mr. KERR. Mr. President, on behalf of myself, and my colleague, the junior Senator from Oklahoma [Mr. MONRONEY], I submit amendments, intended to be proposed by us, jointly, to the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability-insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes, which were ordered to lie on the table and to be printed. I ask unanimous consent that a statement, prepared by me, relating to the amendments, may be printed in the RECORD.

The PRESIDENT pro tempore. The amendments will be received, printed, and lie on the table; and, without objection, the statement will be printed in the RECORD.

The statement presented by Mr. KERR is as follows:

STATEMENT BY SENATOR KERR RE AMENDMENT PROVIDING OPTIONAL EARLY RETIREMENT WITH REDUCED BENEFITS FOR WOMEN WORKERS AND WIVES BUT NO REDUCTION FOR WIDOWS AND DEPENDENT MOTHERS AT AGE 62

My amendment allows full benefits for widows at age 62, as does the bill reported by the Committee on Finance, but in addition it also provides full benefits at 62 for the dependent mothers of workers who have died. It also extends to workingwomen and wives the privilege of electing early retirement at or after age 62 with proportionately reduced benefits—a principle used in the Civil Service Retirement System, the Railroad Retirement System, and in many private pension plans to add flexibility to their retirement programs without excessively increasing the cost to the contributor.

Thus, my proposal would extend the right of retirement to 600,000 women workers and wives, and dependent mothers, in addition to the 200,000 widows who would become eligible for benefits under the bill as reported by your committee. Twenty-five years hence, some 1,600,000 women between the ages of 62 and 65 will be able to qualify for benefits denied to them by existing law because it sets the eligibility age inflexibly at 65 years.

I believe the American people will agree that my amendment provides a logical compromise between the bill as reported by the Committee on Finance and the bill as passed by the House. The committee's bill would deny to women workers and wives any option as to early retirement. My amendment gives them the opportunity of taking a slightly smaller benefit at an earlier age on the actuarial assumption that they will be receiving this amount for a longer period of time.

The House bill, on the other hand, provides full benefits at age 62 for all women but necessarily includes a substantial increase in the social security tax rates. My amendment will make it possible to preserve the principle of permitting all eligible women to retire at age 62 with no increase in the tax rates. If it is adopted, it will provide these benefits and still save the American people more than $610 million per year in taxes.

An important consideration, in connection with my amendment, is the fact that the choice of the date of retirement is voluntary in our social security system. No woman will, of course, be required to retire at age 62. The choice will be hers. If she does not elect to take a slightly lower benefit to qualify before age 65, and instead decides to wait until she is 65 years of age to apply, she will still be entitled to her full benefit.

Specifically, my amendment will make the following changes in the existing social security law as it applies to women.

1. Widows will be entitled to full benefits at age 62, as in the committee's bill. No change is made in the committee's decision in this regard. For I am entirely in agreement with the majority opinion that widows should be entitled to full benefits at age 62 because: "Many women widowed in their 50's or early 60's have never worked or have not had recent work experience and find it difficult to secure jobs. Many are left with no financial resources and face the alternatives of being dependent on their children (who are themselves attempting to make ends meet while raising their own families), or of seeking assistance from public or private welfare agencies."

2. Surviving dependent mothers would also be entitled to full benefits at age 62—a privilege denied them in the bill as reported by the committee. Surely it is just as hard for the older mothers who have been dependent upon the deceased wage earner for their needs to support themselves at age 62 as it is for widows, since they also have usually been homemakers during their married life.

3. A woman worker who chooses to retire at age 62 can draw annual benefits equal to 80 percent of the amount she would have received if she had waited until age 65. She would also receive a proportionate increase (five-ninths of 1 percent for each month she delays retirement after age 62. For example, if she decides to wait until she is 64 to apply, her annual benefit would amount to 93⅓ percent of her full benefit.

4. The wife of a retired worker who chooses to retire at age 62 would receive 75 percent of her full wife's benefit, again with a related increase (twenty-five thirty-sixths of 1 percent) in the amount of her benefit for each month she delays retirement after reaching age 62. Thus, if she decides to wait until she reaches age 64—or if she does not become entitled to a wife's benefit until she reaches 64—the benefit payable will be 91⅔ percent of the full wife's benefit.

5. The choice of a reduced benefit by a woman worker will make no reduction in the benefits for her dependents and, if she dies, in the benefits payable to her survivors. Thus no reduction will be made in the benefits provided for dependent widowers at age 65, or the surviving children—including afflicted children—of a woman worker who dies after having chosen a reduced benefit. And no reduction will be made in the benefit provided for her dependent husband at age 65 or her eligible children.

The differences in the amount of reduction as between wives and women workers, together with the provision of full benefits for widows and dependent mothers takes into account the different situations in which older women find themselves, as well as a number of other considerations.

First of all, the slightly higher proportion of the full benefit provided for women workers (80 percent at age 62) allows for the fact that they have made their own tax contribution during their working years in order to qualify for social-security benefits in their own right. Thus women workers who have been required to work to support themselves or their families, and have thus contributed regularly to the social-security fund, will receive slightly more proportionately in return, in case they retire before 65, as a matter of equity.

The effect of the reduction for women workers at given ages and at selected wage levels, is shown by the following table:

[Rounded amounts]

Average monthly wage	Benefit amounts				Yearly reduction
	At 65	At 64	At 63	At 62	
$350	$108.50	$101.00	$94.00	$87.00	$7.23
$300	98.50	92.00	85.50	79.00	6.56
$250	88.50	83.00	77.00	71.00	5.90
$200	78.00	73.00	68.00	63.00	5.23
$150	68.50	64.00	59.00	55.00	4.58
$100	55.00	51.00	47.00	44.00	3.77
$45	30.00	28.00	26.00	24.00	2.00

Secondly, the fact that the wife's benefit is paid only if the husband has retired, on his own full benefit, means that the slightly

larger reduction in the wife's benefit has less impact on the total family income. For example, the combined husband-and-wife benefit of a retired couple would be reduced by a lower percentage proportionately than that of a woman worker retiring at the same age. Moreover, since my amendment also provides full benefits for widows, beginning at age 62, the effect of the reduction is canceled if the husband dies. In other words, if a wife chooses to take a reduced benefit between the ages of 62 and 65, the reduction is in effect only while the family is receiving the combined husband-and-wife benefit, but she receives a full benefit if she is widowed.

The following table shows the effect on family income if the wife chooses a reduced benefit at given ages and for given wage rates:

[Rounded amounts]

Average monthly wage	Amount of combined husband-and-wife benefits if wife retires				Yearly reduction
	At 65	At 64	At 63	At 62	
$350	$162.80	$158.00	$154.00	$149.00	$4.52
$300	147.80	144.00	139.50	135.50	4.17
$250	132.80	129.00	126.00	123.00	3.72
$200	117.80	114.50	111.00	107.00	3.27
$150	102.80	100.00	97.00	94.00	2.90
$100	82.50	80.00	78.00	76.00	2.29
$45	45.00	44.00	42.50	41.00	1.25

My amendment was prepared only after the most careful consideration of all of the equities involved, and with great concern for finding the point at which the maximum amount of benefit could be paid without a resulting increase in the social-security tax, which must be borne by all workers.

Another factor which required special consideration was the fact that many women can qualify for all three types of benefits: i. e., as a woman worker, as a wife, or as a widow. Thus, a woman at age 62 might be eligible for a worker's benefit but not for a wife's benefit, because her husband has not yet reached age 65 or has not retired. Under such circumstances the woman worker could apply for a reduced benefit in her own right, and receive it even though her husband is continuing at his job. Subsequently, when he retires, she becomes entitled to the wife's benefit, which may represent a higher amount than the benefit she is receiving based on her own earnings. Under my amendment, she could shift to the wife's benefit, using a reduction factor related to her age at that time, with an adjustment to reflect the receipt of her worker's benefit. If her husband subsequently dies, she will be entitled to a full widow's benefit.

The increased cost of my amendment, using the intermediate cost assumptions, comes to just two one-hundredths of 1 percent of payroll. This amount constitutes only one-eighteenth of the cost of providing wives and women full retirement benefits at age 62. Moreover, if the pattern of wage increases in the first quarter of this year continues, increased contributions will more than offset this minor charge to the Old-Age and Survivors Insurance Trust Fund. It should be further noted that the original estimated actuarial imbalance in the fund of forty-eight one-hundredths of 1 percent of payroll under present law, as reported on page 25 of the committee's report, has shrunk to twenty-two one-hundredths of 1 percent under the 1954 wage assumptions and to sixteen one-hundredths of 1 percent under the 1955 assumptions. And rising wage levels in the next few years will likely eliminate any small actuarial imbalance altogether.

In view of these considerations, I believe the Members of the Senate must agree that this liberalization can be made in line with sound financing principles to preserve the integrity of the old-age and survivors insurance trust fund, while at the same time making social-security benefits available to those women who choose an earlier retirement age.

ACTUARIAL REDUCTION OF BENEFITS OF RETIRED WOMEN WORKERS WHO COME ON THE BENEFIT ROLLS BETWEEN AGES 62 AND 65

Table 1 shows, for selected intervals of average monthly wages, the results of the actuarial reduction of old-age insurance benefits of women who become entitled to such benefits before they reach age 65 but after they have reached the retirement age of 62. The old-age insurance benefit is reduced by five-ninths of 1 percent times the number of months in the period beginning with the first day of the first month for which she is entitled to an old-age insurance benefit and ending with the last day of the month before the month in which she would attain the age of 65. The table shows selected monthly wages, the corresponding unreduced old-age insurance benefit (primary insurance amount), and the amount of the reduced old-age insurance benefit for selected numbers of months by which entitlement precedes her attainment of age 65.

TABLE 1

Average monthly wage	$350.00	$300.00	$250.00	$200.00	$150.00	$100.00	$50.00
Primary insurance amount	108.50	98.50	88.50	78.50	68.50	55.00	[1] 30.00
	Reduced old-age benefit at selected number of months entitlement occurs prior to age 65						
3 months	$106.70	$96.90	$87.10	$77.20	$67.40	$54.10	$29.50
6 months	104.90	95.30	85.60	75.90	66.30	53.20	29.00
9 months	103.10	93.60	84.70	74.60	65.10	52.30	28.50
12 months	101.30	92.00	82.60	73.30	64.00	51.40	28.00
15 months	99.50	90.30	81.20	72.00	62.80	50.50	27.50
18 months	97.70	88.70	79.70	70.70	61.70	49.50	27.00
21 months	95.90	87.10	78.20	69.40	60.60	48.60	26.50
24 months	94.10	85.40	76.70	68.10	59.40	47.70	26.00
27 months	92.30	83.80	75.30	66.80	58.30	46.80	25.50
30 months	90.50	82.10	73.80	65.50	57.10	45.90	25.00
33 months	88.70	80.50	72.30	64.20	56.00	45.00	24.50
36 months	86.80	78.80	70.80	62.80	54.80	44.00	24.00

[1] Minimum.

ACTUARIAL REDUCTION OF BENEFITS OF WIVES (OF RETIRED MEN) WHO COME ON THE BENEFIT ROLLS BETWEEN AGES 62 AND 65

Table 2 shows, for selected intervals of average monthly wages of the husband, the results of the actuarial reduction of benefits of wives who become entitled to a wife's insurance benefit before they reach the age of 65 but after they have reached the retirement age of 62. The reduction provision does not apply to any case where the wife has in her care a child of her husband entitled to child's insurance benefits based on his earnings. The wife's insurance benefit is reduced by $\frac{25}{36}$ of 1 percent times the number of months in the period beginning with the first day of the first month for which she is entitled to wife's insurance benefits and ending with the last day of the month before the month in which she would attain the age of 65. The table shows selected average monthly wages of the husband, the primary insurance amount, the amount of the unreduced wife's insurance benefit, and the amount of the reduced wife's insurance benefit for selected numbers of months by which entitlement precedes her attainment of age 65.

TABLE 2

Average monthly wage of husband	$350.00	$300.00	$250.00	$200.00	$150.00	$100.00	$50.00
Primary insurance amount	108.50	98.50	88.50	78.50	68.50	55.00	[1] 30.00
Wife's benefit without reduction	54.30	49.30	44.30	39.30	34.30	27.50	[1] 15.00
	Reduced wife's benefit at selected number of months entitlement occurs prior to age 65						
3 months	$53.20	$48.30	$43.40	$38.50	$33.60	$27.00	$14.70
6 months	52.10	47.30	42.50	37.70	32.90	26.40	14.40
9 months	51.00	46.30	41.60	36.90	32.20	25.80	14.10
12 months	49.80	45.20	40.70	36.10	31.50	25.30	13.80
15 months	48.70	44.20	39.70	35.30	30.80	24.70	13.50
18 months	47.60	43.20	38.80	34.40	30.10	24.10	13.20
21 months	46.40	42.20	37.90	33.60	29.30	23.50	12.90
24 months	45.30	41.10	37.00	32.80	28.60	23.00	12.50
27 months	44.20	40.10	36.00	32.00	27.90	22.40	12.20
30 months	43.00	39.10	35.10	31.20	27.20	21.80	11.90
33 months	41.90	38.00	34.20	30.30	26.50	21.20	11.60
36 months	40.80	37.00	33.30	29.50	25.80	20.70	11.30

[1] Minimum.

MUTUAL SECURITY APPROPRIATION BILL, 1957—AMENDMENT

Mr. O'MAHONEY (for himself and Mr. MCCLELLAN) submitted an amendment, intended to be proposed by them, jointly, to the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes, which was ordered to lie on the table and to be printed.

ASSISTANCE TO COTTON TEXTILE INDUSTRY IN REGAINING ITS SHARE OF WORLD MARKET—ADDITIONAL COSPONSORS OF BILL

Mrs. SMITH of Maine. Mr. President, I ask unanimous consent that the names of the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Wyoming [Mr. BARRETT] be added as additional cosponsors of the bill (S. 4156)

to assist the United States cotton textile industry in regaining its equitable share of the world market, introduced by me, on behalf of myself and the Senator from Tennessee [Mr. KEFAUVER] on July 3, 1956.

The PRESIDENT pro tempore. Without objection, it is so ordered.

OPPOSITION TO DISCRIMINATORY ACTION AGAINST CERTAIN CITIZENS—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. LEHMAN. Mr. President, I ask unanimous consent that the names of the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Michigan [Mr. MCNAMARA] be added as additional cosponsors of the resolution (S. Res. 298) opposing discriminatory action against United States citizens because of religious faith or affiliation, which was submitted by me, for myself and other Senators, on June 27, 1956. This brings the total number of cosponsors of the resolution to 24.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXEMPTION OF CERTAIN FOREIGN TRAVEL FROM TAX ON TRANSPORTATION OF PERSONS—CHANGE OF CONFEREE

Mr. MARTIN of Pennsylvania. Mr. President, I ask unanimous consent that the Senator from Vermont [Mr. FLANDERS] serve in my stead as one of the conferees on the bill (H. R. 5265) to exempt certain additional foreign travel from the tax on the transportation of persons.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. NEUBERGER:

Editorial entitled "The Helicopter Heroes," published in the New York Times of July 11, 1956.

REPORT OF SENATOR WOFFORD ON TELEVISION INQUIRY BY SENATE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. WOFFORD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a report which I have prepared on the recent television inquiry held by the Senate Interstate and Foreign Commerce Committee.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT BY SENATOR WOFFORD ON TELEVISION INQUIRY BY INTERSTATE AND FOREIGN COMMERCE COMMITTEE

As Members of the United States Senate and of this committee, we are deeply conscious of our primary obligation to work for the welfare and benefit of all of the people and to guard and preserve their interests. We were forcefully reminded of this obligation when we read statements made by Commissioner Doerfer during the course of these hearings.

On January 26, 1956, Commissioner Doerfer said:

"There is one thing that has been overlooked throughout all of the comments and throughout all of the criticisms of our present policy, or the policy of the majority. And that is that section 1 of the law itself provides that the FCC was created to provide a service to all the people."

On February 7, 1956, Commissioner Doerfer made the following statement:

"I will close by saying, if this Congress wants the Commission to lay emphasis on a competitive system rather than a service to all the people I can make up my mind in 10 minutes. We will [de] intermix what we have got here and try to pull some V's out that are established and let it go at that. But I am satisfied that there will be many years when many rural inhabitants will never get a television service unless they get it through community antennas or some other means."

Commissioner Doerfer's apprehension that the proceedings before this committee might result, because of the lack of emphasis on the public interest, in action designed to relieve a few broadcasters at the expense of a significant portion of the public being deprived of service seems to have been justified. On June 26, 1956, the Commission released its Report and Order terminating proceedings in its Docket No. 11532. Among other things, this Report and Order seems to lay emphasis on a competitive system rather than a service to all the people and proposes to deintermix what we have got here and try to pull some V's out that are established. In his dissent, Commissioner Doerfer stated:

"The Federal Communications Act * * * makes no provision for a 'nationwide competitive system.' Admittedly ample competition, if attainable without doing violence to the equitable and efficient provisions of the act, would be in the public interest. But when this is to be accomplished at the expense of denying a first television service to substantial numbers of people, it is tantamount to displacing the congressional mandate of an efficient and equitable distribution and substituting therefor equal competitive facilities for a few applicants."

We are in accord with the statements of Commissioner Doerfer. The hearing record before our committee is replete with the pleadings of special interests seeking special consideration of, and financial insurance for, their own particular phase of the television industry. For example, the witnesses have included operators of UHF stations, operators of VHF stations, network representatives, network affiliate representatives, equipment manufacturers, film producers, scenery designers, etc.

The most disturbing aspect of these hearings is the fact that while the interests of the people are at stake, they have not been fully apprized of the facts in this case. Not one witness qualified to present the grassroots opinion of the public appeared before the committee during the extensive hearings.

The closest approach the committee made to hearings from the public is letters from the American Farm Bureau Federation, the National Grange and the National Council of Farm Cooperatives. These letters strongly opposed any steps that would reduce or destroy the present television service to the residents of the rural and small-town areas of the United States.

The Commission in its sixth report and order released April 14, 1952 adopted a national television allocation plan designed to comply with the congressional mandate to provide service to all of the people of the United States and to distribute this service fairly, efficiently and equitably among the several States and communities. This plan has been effective. In less than a decade television has come to be considered almost a necessity in the lives of the people of the United States, over 90 percent of whom can receive at least one television signal.

According to Dr. Frank Stanton, president of Columbia Broadcasting System, television has reached 35 million homes in only 10 years whereas it took telephone service 80 years to reach this number of homes; the electric washer, 47 years; electric wiring, 62 years; the automobile, 49 years; and radio, 25 years. The average television family devotes about 6 hours a day to television viewing and the advertisers who pay for the programs are spending at the rate of about $1 billion per year to deliver their programs and advertising messages to the public.

United States families have purchased approximately 37 million receiving sets, at a cost of over $16 billion. This investment has been made not only by those who can afford to purchase elaborate large-screen color sets, but also by those who can afford only the payment of a few dollars each payday for the least-expensive black-and-white sets. The effect upon the public, rather than the personal problems of individual broadcasters, should determine whether the existing allocation plan should be changed at this time. The critics of the present plan and those advocating changes consist mainly of present or prospective UHF broadcasters who state they are unable to compete successfully with VHF stations.

We concur with the committee's recommendation that the Commission study the feasibility of deintermixture and the transfer of all or a substantial part of television broadcasting to the UHF band. However, we believe that the Commission should be cautioned, and in no uncertain terms, that these proposals must be made the subject of an exhaustive and thorough inquiry. The inquiry should be conducted by all available competent technical minds, both in the Government and in the industry, in order to insure that adoption of these proposals would not result in loss of television service to the public and would not impose unwarranted costs upon the public first and the television industry second. Until this inquiry is completed, it is premature to invite comments as to possible nonbroadcast uses of VHF television allocations.

On the basis of present information and the record made before this committee, it is clear that the present 12 VHF channels and the present 70 UHF channels must remain allocated to television. VHF service must be retained and UHF service must be further developed and expanded.

The great danger of deintermixture and a shift to an all UHF band is that many people may be deprived of television service. These people, because of their remoteness from the large metropolitan areas, are the ones having the greatest need for the entertainment, educational, and cultural benefits of television.

The hearings record shows that only an insignificant number of UHF broadcasters have as yet attempted to become competitive by using the maximum power and effective antenna heights authorized by the Commission. UHF allocations should be left available in mixed markets to be used to the full extent of the UHF facilities authorized by the Commission. In this way VHF service can be maintained and UHF channels can achieve competitive stature.

In our opinion, the hearings record has failed to produce an allocation plan superior to or as good as the existing one. We believe the current allocation plan should be maintained and all possible steps should be taken to promote the growth of UHF stations in intermixed markets.

BASTILLE DAY

Mr. LEHMAN. Mr. President, the 167th anniversary of the storming of the Bastille, which will be celebrated on this coming Staturday, is one of the great anniversaries on the calendar of freedom.

We Americans who are today among the guardians of the cause of freedom have special reason to take note of Bastille Day. We have reason on this day to express our appreciation and gratitude to those historic men and women of France—the peasants, the workers, and the little-business men of France—who thronged through the streets of Paris that day and breached the unbreachable walls of the Bastille.

It was the gathered fury of the people, in the face of injustice and oppression, which caused this forbidding fortress to fall. It was one of the greatest victories for the people and for the cause of freedom witnessed in the 18th century. It was a revolt against totalitarianism, against inhumanity, against injustice, against the oppression of the many by the few.

Having stormed the Bastille, the people of France opened the way to a great reaffirmation of the rights of man—a cause which had won another great victory just a few years before, across the distant seas from France in America.

The connection between the American Revolution and the French Revolution has never been sufficiently celebrated.

On this day, which is only 10 days after our own day of independence, we here in America can well encompass, within a single embrace, the ideals of freedom which we celebrated on July 4th and which the French celebrate on July 14th.

But our homage must be paid not just to the words of freedom, but to the concrete manifestations of freedom, to the challenges which freedom presents to us in this day and age. This means, for instance, that freedom-loving men and women throughout the world must work in closer unity in the face of the threat of totalitarianism and communistic tyranny.

We must work for the amendment of our immigration laws, which aid the enemies of freedom.

We must dedicate our efforts to the restoration of freedom to the enslaved.

We must work for the guaranty of the rights and practices of freedom to all our citizens who are denied any of the rights of freedom on the basis of race, creed, or color.

On this Bastille Day we must dedicate ourselves not only to the celebration of freedom, but to the struggle for its extension and preservation.

SENATOR WILEY REPLIES TO TOM COLEMAN; ASKS A FEW QUESTIONS IN RETURN

Mr. WILEY. Mr. President, the press has informed me that Mr. Thomas Coleman of Madison has released to the press a registered letter which he sent to me on June 25 and a telegram which he sent to me yesterday, July 11.

The letter which he had sent came to my Washington office during my absence in Wisconsin at a time when I was fulfilling various speaking engagements.

I first noted the letter on my return to Washington on Saturday, July 7.

My initial reaction was that the letter was so absurd as not to require any reply, since obviously the record speaks for itself.

Yesterday, Wednesday, the 11th, Mr. Coleman chose to send a followup telegram.

Even before he could receive an answer to the wire, he chose to release both the previous letter and the wire to the press.

Now, let me say that ordinarily, every single citizen of my State who ever communicates to me receives a prompt, courteous reply.

Since Mr. Coleman seems to be very excited and seems to want a reply, I am giving him the reply.

Moreover, since he has chosen to release his letter and wire to the press, I am making my reply in the form of an open letter, which I am releasing now.

Moreover, too, since the issues involved relate to a previous CONGRESSIONAL RECORD insertion, I am pleased to make my present comments also a matter for the CONGRESSIONAL RECORD, although what I have said in my response could, of course, be presented anywhere and at any time, on or off the Senate floor.

I ask unanimous consent, therefore, that the exchange be printed at this point in the body of the CONGRESSIONAL RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

JULY 12, 1956.

Mr. THOMAS COLEMAN,
Madison, Wis.

DEAR TOM: I have at hand your registered letter and telegram. Most folks' first reaction probably would be "Methinks Tom doth protest too much."

Let me, however, note the following points specifically:

1. The shocking report of the $150,000 slush fund has long been published throughout the newspapers of our State.

It was originally published in the Milwaukee Journal, based on the observations of a competent reporter.

If you have or had objection to the story, it would appear that you should long since have communicated directly to the Milwaukee Journal, to the wire services which later published the story and to all the other newspapers which published it. The press has, however, a perfect right to print, in the public interest, facts as they come to the attention of the press. Do you, or do you not believe, in freedom of the press?

Of course, if you feel that any newspaper or a wire service has violated any law with respect to yourself or any other individual, you are fully aware of the legal recourse available to you or to any other citizen.

Apparently you feel that you don't have a legal leg to stand on and that there has been no such violation of the law; otherwise, you would not be addressing a message to me; you could long since have initiated action against the press.

2. I have factually spoken on the Senate floor and have printed the facts in the CONGRESSIONAL RECORD, as they have come to me, based on reliable press reports.

The record speaks for itself. I do not propose to change one iota of what I said in the CONGRESSIONAL RECORD. In 17½ years in the United States Senate, I have never inside or outside the Senate unfairly reflected upon a single person—yourself or anyone else. I wish that I could say as much of other people.

In 17½ years in the Senate, I have not engaged in any conspiracy or intrigue, to sabotage the program of the chief of the Republican Party. I wish that I could say as much of other people.

I have always tried to refrain from personalities, but have campaigned, and will campaign, on the basis of the issues. Do you know what issues are, Tom?

Perhaps not, because, after all, the would-be kingmakers have no real issues on which to campaign against me; and that is why they are campaigning solely on the basis of personalities.

But I, for one, don't propose to allow any group of self-appointed kingmakers in Wisconsin to try to push me around or, what is more important, to push the people of Wisconsin around. And if you or anyone else thinks that you or they can get away with it, you or they have another guess coming. You couldn't push Walter Goodland around, and you are not going to push ALEX WILEY around.

You demand that the record be purged. You are in no position to demand anything. You, or anyone else, has a right to request, but we Wisconsinites do not believe in you or anyone else dictatorially demanding things.

Haven't you learned that men may differ among themselves, but they should not go around trying to order other people to do their bidding?

A kingmaker can, of course, order a puppet candidate. A kingmaker can demand something of a captive candidate. But no one is going to order around ALEX WILEY, because I answer only to the people of Wisconsin—to their requests and suggestions.

As for my kingmaker charge, itself, do you recall that the May 27 Milwaukee Sentinel reported, on page 4–A, that a certain Mr. Mark Catlin (in asking for endorsement, just before the balloting started—and here I quote the Sentinel verbatim): "* * * said bitterly, 'I have learned in the last few minutes that certain kingmakers of the party are advocating the endorsement of a new candidate,' by whom he meant Davis" (the Sentinel added).

Now, Tom, precisely to whom was Mark Catlin referring? To you? Were you one of the kingmakers who was then intriguing for the purpose of putting up a puppet candidate who had not even been nominated—a scared candidate, who had voluntarily previously withdrawn from the race (apparently because he knew that he would be licked)? Did you dispute that Mr. Catlin made the statement, or do you think that the Milwaukee Sentinel made it up?

Now, with regard to the Federal Corrupt Practices Act and State election laws (which seem to be on your mind), let me say this: Any person who is not guilty of any infraction of these laws, need have absolutely nothing to fear, of course. Any person who has violated the laws—Federal or State—has plenty to fear. Any person who may intend to violate any law, has plenty to fear.

Finally, you profess an interest in accurate reporting. Perhaps you would oblige the people of Wisconsin by reporting publicly on certain sinister reports which have already been printed in the press, and on which you don't seem personally to have contributed much light. Thus, the people of Wisconsin would be interested to know whom, if anybody, you or your agents may have contacted in the city of Washington, before and after the Republican State convention, for the purpose of purging Wisconsin's senior Senator?

Have you or your agents made contacts in other States of the Union for the purpose of securing the pouring in of funds to purge Wisconsin's senior Senator?

If you would direct your abundant energies to clarifying these topics, among others, you could render an important public service.

Lastly, no one has ever questioned my sense of honesty and responsibility. You have no justification to do so now. As for falsity charges, if you want to read real falsity, look up some of the rubbish which has recently been printed by your associates.

Sincerely yours,

ALEXANDER WILEY.

MADISON, WIS., *July 11, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

One June 25 I wrote to you registered mail asking that you correct the CONGRESSIONAL RECORD of June 4 in which you inserted a completely false story that I entered into an agreement with Candidate GLENN DAVIS to raise a fund of $150,000 for him. Such an agreement would be a violation of law which you must know. I now demand of you that you purge the CONGRESSIONAL RECORD of any such false statement by you made on June 4 or at any time thereafter. As a citizen with a deep interest in decent politics and decent politicians, I will not permit your irresponsibility to go unchallenged. Monday in the Senate you stated that you want an honest vote. I do too, but Wisconsin is entitled also to have from you honest representation in Washington.

THOMAS E. COLEMAN.

MADISON, WIS., *June 25, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SIR: I have just had an opportunity to read the CONGRESSIONAL RECORD, dated Monday, June 4, 1956, in which is recorded a certain insertion, which you made, pages 9413 through half of page 9420 entitled "Political Situation in Wisconsin." You have made certain statements for the record, in which you repeat a story that I made a guarantee to Congressman GLENN A. DAVIS "to raise a $150,000 campaign chest for DAVIS if he were endorsed." This statement is false in every respect. No reporter for the Milwaukee Journal at any time has asked me for a confirmation of that alleged fact. You have not at any time asked me for a confirmation of that alleged fact. I do not consider that the fact that you have attributed the statement to a newspaper article is justificaion for putting into the CONGRESSIONAL RECORD a statement that is completely false. From a careful reading of quotations from you in this CONGRESSIONAL RECORD, there can be no question that you have made an accusation that I entered into an agreement with a candidate and made a guarantee to him that is in direct violation of the Corrupt Practices Act and therefore is extremely damaging to me.

If my information is correct, your statements on the floor of the Senate are privileged. Nevertheless, as a United States Senator representing the State of Wisconsin you are guilty of irresponsibility in asking your colleagues in the Senate to permit you to put into the CONGRESSIONAL RECORD information that is completely false. I ask, therefore, that you request of the United States Senate that you be permitted to retract any statement that you made on "The Political Situation in Wisconsin" as it refers to myself, and I believe that such a request can very well be made by you within a week of the date of this letter.

I wish to advise also, that if you should repeat or intimate in any way at any time off the Senate floor that I made such an agreement or such a guarantee, as you stated in the CONGRESSIONAL RECORD, I would consider such statements by you as extremely damaging.

Sincerely,

THOMAS E. COLEMAN.

TESTIMONY OF SECRETARY WILSON AND OTHERS BEFORE THE SUBCOMMITTEE ON THE AIR FORCE

Mr. SYMINGTON. Mr. President, at the end of Secreary Wilson's testimony before the Senate Subcommittee on the Air Force, I gave him a statement which said that his testimony was inconsistent with testimony of other leading military and civilian officials of this Government given before this subcommittee, and also last winter before the full committee.

I also stated at that time that if we started working on a Defense Department which recognized the tremendous progress of recent years in both new weapons and new weapons systems, we could save billions of dollars annually.

Possible reductions in personnel alone should amount to that figure.

Mr. President, if this country does not start promptly to create a Defense Department which is based on progress, instead of one which is based on tradition, the danger to our economy will steadily increase.

The reductions referred to could be made without affecting the ability of this country to wage successfully any so-called peripheral war.

On the other hand, no honest person could argue that completely successful air defense is possible under modern conditions; and therefore, in effect, our greatest defense, our greatest deterrent, to any future attack against this country is certain knowledge on the part of any would-be aggressor that we had the capacity for instant and devastating retaliation.

Nor could one argue against the fact that this capacity for such retaliation is tied up primarily with the effectiveness and modernity of our Strategic Air Command.

Few Americans yet realize that, with the possible exception of one wing, the only true intercontinental bombers in the Strategic Air Command today, the B–36's, were designed over 16 years ago, actually before this country was drawn into World War II.

It is obvious any airplane of that vintage can only be considered as growing more and more obsolete; and that fact is proved by present Defense Department plans to scrap these planes in heavy quantities.

The reason the B–36 was designed originally, after the fall of France in 1940, is well known, and should be given further consideration now, as our base structures abroad become steadily more of a problem.

These conditions likewise can only increase the importance of rapidly obtaining more B–52's.

Mr. President, in my statement to Mr. Wilson on July 3, I said:

> If these high ranking military and civilian officials have shaded or distorted their appraisal of Soviet military power in order to advance their own service interest, such conduct would be reprehensible.
>
> Likewise, if you or any other members of the Defense Establishment have shaded or distorted your appraisal of Soviet military power to support preconceived fiscal policies for partisan political purposes, such conduct would be equally reprehensible.

Mr. Wilson asked that he be given the opportunity to reply for the record, which of course was agreed to.

In his report to the Senate Armed Services Committee on July 10, General Twining said:

> Finally I would like to deal with an apparent misunderstanding which arose out of certain general statements by me at a press conference following my report to the President at Gettysburg the other day. The crux of the matter is whether what I saw and learned in Russia has caused me to change the position I had previously held concerning the relative air strengths of the United States and the Soviet Union. * * * So far as this visit is concerned, I want to make it unequivocally clear that our findings do not justify any hasty action to write down, or, for that matter, to write up, our previous assessment of Soviet air power.

That was a peculiar press conference at Gettysburg. It was carried out despite the urgent wishes of General Twining who wanted, before any press conference of any kind was held, to be allowed to report to the Congress after he had reported to the President.

It is most unfortunate that the stories which were flashed across the country as the result of this Gettysburg press conference were not supported by the now published testimony of General Twining.

It would seem premature for the subcommittee to further question General Twining, or any others until this reply from Mr. Wilson has been received.

Accordingly, the hearing scheduled with General Twining for tomorrow has been postponed.

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

FRANCIS J. MYERS, FORMER SENATOR FROM PENNSYLVANIA

Mr. MARTIN of Pennsylvania. Mr. President, last Thursday, July 5, it became my sorrowful duty to announce from the floor the passing of our former colleague, Francis J. Myers, of Pennsylvania.

The Philadelphia Inquirer, the Philadelphia Bulletin, the Pittsburgh Post-Gazette, and the Pittsburgh Sun-Telegraph have printed most complimentary editorials relative to our former distinguished colleague. The Philadelphia Bar Association also held services during the course of which his work received the highest of praise.

Mr. President, I ask unanimous consent that the editorials, and the article concerning memorial services held by the Philadelphia Bar Association, be printed in the body of the RECORD.

There being no objection, the editorials and article were ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer]

EX-SENATOR MYERS: HIS PHILOSOPHY

Former United States Senator Francis J. Myers, who died in Philadelphia last Thursday, generally is thought of as a politician and a partisan.

But to think of him just as a politician is to do him an injustice.

He was a gentleman who commanded your respect—and even your liking—at the very times you were most thoroughly in disagreement with him.

And so it was heartwarming to see some of his most bitter adversaries in the political wars—such partisan foes as United States Senators EDWARD MARTIN and JAMES H. DUFF—expressing at his death their obviously sincere esteem for Mr. Myers.

Senator Myers was a New Deal Democrat and the Sun-Telegraph often found itself opposed to the policies for which he fought.

But we were not always in disagreement with the Senator.

We recall a speech that he made in Pittsburgh on St. Patrick's Day in 1947. He said:

"My mind goes back to Pittsburgh 11 years ago when this city was digging itself out of its worst disaster.

"The plans laid then called for meeting the flood menace not at your front door, not at the outskirts of town, but at the source, at headquarters, at the mountains where the floods originated.

"Your dams and reservoirs were built with that idea. And they have worked.

"We must similarly meet the menace, the flood, of expanding communism the same way—at the source.

"The source is hunger and starvation and hopelessness."

In those few expressions one can find a key to Senator Myers' philosophy.

[From the Philadelphia Bulletin]

FRANCIS J. MYERS

The unexpected death of former United States Senator Francis J. Myers at the age of 54 has cut short a career that held promise of many years of civic activity. Since his retirement from the Senate, 5 years ago, he had devoted an increasing amount of his time to such work, as evidenced by his chairmanship of the Philadelphia Redevelopment Authority and membership in the Greater Philadelphia Movement and on the General State Authority.

Previously, as a deputy State attorney general, three-term Member of the House of Representatives and Senator, he had earned a place as one of the leaders in Pennsylvania Democratic politics.

His legal training and political experience had given his civic work an especial value that will make his loss keenly felt. This is shared by a wide circle of personal friends made throughout the State during the years of his political activity.

[From the Pittsburgh Post-Gazette]

FRANCIS J. MYERS

Francis J. Myers, of Philadelphia, was a vigorous and effective public figure. Although he served only one term in the Senate, his ability to get things done won him the assignment as Democratic Party whip during his last 2 years in that body.

Before going to the Senate, Mr. Myers had served 3 terms in the House. A big, hearty extrovert and an unabashed New Dealer, he stanchly supported the programs first of President Roosevelt and later of President Truman. Following his defeat for reelection in 1950, he remained active in Democratic Party affairs and at the 1952 convention he was instrumental in the nomination of Adlai Stevenson, who will undoubtedly miss his support at Chicago next month.

Whatever Frank Myers stood for—and he could be relied upon to take a positive stand on the issues of the day—one had to admire the sheer animal vigor with which he pursued the goal. His energy and resourcefulness won him wide recognition as the most effective operator this State has sent to the Senate in a long time. His death early yesterday will be widely mourned.

[From the Pittsburgh Sun-Telegraph]

FRANCIS J. MYERS

Francis J. Myers had the happy faculty of making, and holding, friends. He liked people, he enjoyed being with them and he was glad, as a public official, to serve them where he could. His death at 54 from leukemia, after many months of hospital treatment and multiple blood transfusions, will sadden many in Philadelphia and throughout the State.

They will not all be Democrats, either, despite the high place Myers had held in that party for many years. As a 3-term Representative in Congress and a United States Senator from Pennsylvania for 6 years, Myers had made it a practice to serve his constituents without regard to their political affiliation. He was an ardent supporter of Presidents Roosevelt and Truman but when problems concerning Pennsylvania interests were brought to his attention, he tackled them without thought to Democratic or Republican politics.

He was known in Washington as an indefatigable worker, easy of access to anyone. As a political speaker he was something of a novelty in that he usually had something to say and could express it intelligently and intelligibly.

The Democratic Party in Pennsylvania will lose in him one of its ablest strategists. Long before Adlai Stevenson's nomination for the Presidency in 1952, Myers and his good friend James A. Finnegan—now Stevenson's campaign manager—were working in his behalf, and the astonishing majority later given the Illinois Governor in Philadelphia must be ascribed largely to the efforts of this pair.

After Senator Myers' defeat for reelection by JAMES H. DUFF, and his resumption of law practice here, he did not relinquish his interest in civic affairs but directed it into such channels as chairmanship of the Philadelphia Redevelopment Authority and membership in the General State Authority and the Greater Philadelphia Movement. He pressed with vigor such redevelopment plans as those affecting the Eastwick swamplands and the old Philadelphia area.

Frank Myers brought a zeal, an earnestness, and an integrity into political life that gained honor for him and reward for all. There is need for more like him.

[From the Philadelphia Inquirer]

LAWYERS HOLD RITES FOR MYERS

Memorial services for former Senator Francis J. Myers, who died Thursday in Graduate Hospital of leukemia, were held yesterday morning in courtroom 602, City Hall, under the auspices of the Philadelphia Bar Association. More than 200 attended.

Judge Gerald F. Flood, associate judge of Common Pleas Court No. 6, presided at the exercises.

Addresses were delivered by Arthur C. Littleton, a former chancellor of the bar association; Cornelius C. O'Brien, Jr., a law partner of Mr. Myers; Walter B. Gibbons, also a former chancellor of the bar group, and Clarence L. Walker, a member of the board of governors of the Caveat Club, and clerk of Common Pleas Court No. 6.

PUBLIC SERVANT

Judge Flood told the assembled persons: "We have lost a great public servant, a fellow member of the bar, whom we have held in honor and great affection.

"His devotion to his old associations was just as great when he was a United States Senator as it was when we was just a young man starting out in life. His devotion to his family, like his devotion to his duty, was an absolute devotion."

"We have lost a great citizen," Judge Flood said. "He shall be deeply missed."

Littleton said that to Mr. Myers the "law was never a mere mechanical art. He saw it as the supreme regulator of human relationships and that justice above all other matters is the prime concern of government."

VIEWING IS HELD

A viewing was held last night at the Myers' home, 6912 Greenhill Road, Overbrook.

Solemn requiem mass will be sung at 10 a. m. today in St. Callistus Church, 67th Street and Lansdowne Avenue. Burial will be in Holy Sepulchre Cemetery.

REPORT TO THE UNITED NATIONS OF RESULTS OF TESTS OF OPIUM SEIZED IN ILLICIT TRAFFIC

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2517, Senate Resolution 287.

The PRESIDENT pro tempore. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 287) requesting that reports of results of tests of samples of opium seized in illicit traffic be communicated to the Commission on Narcotic Drugs of the United Nations.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution which was read as follows:

Resolved, That it is strongly recommended that the results of such tests, in every case, be also communicated to the Commission on Narcotic Drugs of the United Nations.

SEC. 2. The Secretary of the Senate shall forward a copy of this resolution to the Secretary of State for transmission to the Secretary General of the United Nations.

Mr. JOHNSON of Texas. Mr. President, I ask the Senator from Montana [Mr. MANSFIELD] to make a statement in regard to the resolution.

Mr. MANSFIELD. Mr. President, scientists have now developed means for determining the source of narcotic drugs which are seized in the illicit international traffic. They are able, for example, to examine samples of morphine and heroin and to identify the particular country of origin.

This advance has great significance in the international and domestic efforts to combat the traffic in illicit narcotics for, now, for the first time, we can determine the country of origin of a given seizure of narcotic drugs. In the event that seizures are repeatedly traced to a particular country, the way would be clear to demand through the United Nations that domestic action be taken in the country of origin to suppress the production of the illicit drugs.

The United Nations Narcotic Laboratory is making these tests all the time. However, under present procedures—

and this is where S. Res. 287 comes in—the laboratory reports the results of the tests only, first, to the country submitting the sample, that is, the country where the seizure was made; and, second, to the country of origin, that is, the country where the illicit drugs were originally produced. These results, therefore, are a secret between these two countries and the United Nations Laboratory.

Senate Resolution 287, therefore, recommends that the United Nations Narcotic Laboratory be authorized to make the results of these tests known to the United Nations Commission on Narcotic Drugs which is specifically charged with preventing illicit international traffic in opium, morphine, heroin, and other narcotic drugs. When that is done—when the Commission on Narcotic Drugs has available the results of the tests showing the country or countries of origin of these illicit narcotics—it will then be possible to put sufficient pressure on to halt the production of illicit drugs at the source.

In summation, the Judiciary Subcommittee which conducted the investigation is of the firm opinion that all of our domestic efforts at better narcotic law enforcement will be of little avail unless and until we strike at the very sources of the illicit drugs themselves. That is what Senate Resolution 287 is designed to do.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 287) was agreed to.

The preamble was agreed to.

NEGOTIATIONS WITH MEXICAN GOVERNMENT FOR CONTROL OF ILLICIT NARCOTIC DRUGS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2518, Senate Resolution 289.

The PRESIDENT pro tempore. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 289) to commence negotiations with the Mexican Government in order to secure a more effective control over illicit narcotic drugs.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, 90 percent of the overland smuggling of heroin and marihuana into the United States is across the Mexican border through Texas, California, and Arizona. Federal, State, and local officials reported that the majority of the illicit drug sales along the Mexican border is conducted by well-known Mexican operators in violation of Mexican laws. Their headquarters are just across the international boundary, principally at Nuevo Laredo and Juarez. Most of the actual smuggling is carried on by Mexican professionals and American drug peddlers and addicts. The enforcement officials unanimously agree that smuggling operations are not conducted by Mexican laborers and braceros, commonly referred to as wetbacks.

American drug addicts flock across the Mexican border in substantial numbers each day for injections of heroin at well-known "shooting galleries" and for smuggling operations. No law prohibits such crossings by addicts, even though they may admit their addiction to customs officers on duty. At best, customs officials can submit the known addicts to thorough searches on their return trips, but many of these addicts hide heroin in their natural body cavities and escape detection. Many of these addicts are also big-time peddlers and their smuggling is not limited to a quantity for personal use.

Federal, State, and local law-enforcement officials and prosecutors have repeatedly urged the Congress to enact Federal legislation which would prevent or in some degree control the unrestricted flow of American addicts and narcotic violators back and forth across the Mexican-American border.

The Judiciary Subcommittee, which conducted the narcotic investigation, is convinced that there is a need for a treaty specially designed to combat the border narcotics traffic. Only through action on the level of a treaty can positive results be obtained to stamp out this cause of considerable agitation along the border and between the two countries.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 289) was agreed to, as follows:

Resolved, That the President is requested to commence negotiations with the Mexican Government, for the purpose of concluding a treaty which will result in a more effective control of the traffic in illicit narcotic drugs and marihuana, such negotiations to include methods for the prohibition of boundary crossings by users of such illicit narcotic drugs, users of marihuana, drug addicts, and convicted narcotic law violators of both nations, and provisions for the exchange of specialized personnel for the purpose of providing closer liaison between both nations in the control of the traffic in such illicit narcotic drugs and marihuana.

The preamble was agreed to.

Mr. WILEY. Mr. President, I was a cosponsor of the resolution which was just agreed to. I think the statement made by the distinguished Senator from Montana [Mr. MANSFIELD] was very apropos. He discussed a situation which is most serious. The adoption of the resolution was imperative.

Mr. MANSFIELD. Mr. President, the Senator from Wisconsin has been one of the most diligent leaders among those who have been trying to bring about an eradication of the drug traffic in this country and some degree of control of the international drug traffic. He has done outstanding work not only on this particular committee, but also when he was chairman of a special subcommittee of the Committee on Foreign Relations which looked into the matter some 2 years ago. The Senator from Wisconsin is to be highly commended for the keen interest he has shown throughout the years in bringing order to this difficult situation.

Mr. WILEY. I thank the Senator from Montana. The committee held a number of hearings on this subject some time ago. It was recognized that this particular evil has much to do with youth delinquency in that it is a chief cause of breaking down the health and morals of our young people. The indulgence in this kind of nefarious salesmanship, as it might be called, by persons who make great profit out of it is a dastardly practice. Again, I say that I am happy to know that the distinguished Senator from Montana has taken hold of this matter and has presented it as he has.

END OF THE SESSION LEGISLATION

Mr. ROBERTSON. Mr. President, early in June the members of the Senate Committee on Appropriations were told by the distinguished majority leader that if the committee expedited action on the appropriation bills, it would be possible for this session of Congress to end on July 14. We took his advice to heart and expedited the appropriation bills. I had the privilege of handling the first one to have been passed by the Senate in March. All the regular appropriation bills were passed by the end of June.

Tomorrow our committee will meet to consider the foreign aid and supplemental appropriations bills. Both those bills will be available for Senate action next week.

One of the grandest men whom I have been privileged to know during my tenure of service in Congress was former Vice President Garner. Based upon his years of experience, first in the House, and then as the Presiding Officer of the Senate, he said that no good legislation ever came out of Washington after June. He was referring to the last-minute rush by patrons of widely assorted bills to have them scheduled for immediate action. We saw an example of that last night, when the majority leader learned that a bill which was about to come to a vote had not been properly or adequately considered, and he was forced to withdraw it. But for his guidance and wisdom, the Senate might have voted completely in the dark, and our action might have been regretted.

The target date was first set as July 14. Then it was moved to July 21. I hope that from now until the 21st of July the leadership will put emphasis on the so-called must bills, and will then give Congress an opportunity to vote on whether we want to stay here until the last of July or maybe until the 11th of August, which will be just before the opening of the Democratic convention in Chicago, because I know former Vice President Garner was correct when he said, in essence, that no good legislation comes out of Washington after June.

Mr. JOHNSON of Texas. Mr. President, I appreciate the observations made by my fine friend from Virginia; more than that, I appreciate the very effective cooperation he always gives the leadership on both sides of the aisle in connection with his official duties.

So far as I know, the leadership has had in mind no specific target date for

the adjournment of Congress. Very important proposed legislation is pending. The appropriation bills constitute the very minimum of the measures which must be considered.

It is true that the House yesterday passed the mutual security appropriation bill. As soon as the Senate committee has acted on that bill, it will be scheduled for consideration by the Senate. That bill will be followed by two additional supplemental bills, one of which will contain funds for the military public works program and the other funds for the atomic energy program.

In addition, there are still to be considered the very important social security bill, the atomic reactor bill, and a large number of other bills which I shall not detail at this time.

So far as the leadership is concerned, the Senator from Virginia may be certain that it will be the policy to start early, to stay late, and to expedite the consideration of all important measures, to make certain that they are given thorough consideration by all Senators.

Mr. ROBERTSON. I appreciate the comments made by my esteemed and distinguished leader.

LIMITATION AND REGULATION OF THE CULTIVATION OF THE POPPY PLANT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2519, Senate Resolution 290.

The PRESIDENT pro tempore. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 290) urging certain countries to ratify or accede to the protocol of 1953 for limiting and regulating the cultivation of the poppy plant, the production of, international and wholesale trade in, and use of opium.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, the 1953 protocol, prepared originally by the Commission on Narcotic Drugs of the United Nations, is for the purpose of "limiting and regulating the cultivation of the poppy plant, the production of, international and wholesale trade in, and the use of opium." This protocol was immediately ratified by the United States, after hearings by the Committee on Foreign Relations and favorable action by the Senate. However, only 14 other nations have ratified the protocol, and this is 10 short of the 25 nations required to make it effective. Among the nations lagging in ratification are, significantly, the larger producers of opium, that is, Turkey, Iran, Mexico. Together with Lebanon and Red China, these countries are the primary sources of heroin which reaches the United States.

The importance of Senate Resolution 290—urging other nations to ratify the 1953 protocol—is evident when we realize that, while the total requirements of the entire world for opium for medicinal and scientific purposes is set at 500 tons annually, official sources estimate the total world production to be 12,000 tons a year.

This resolution is designed to get into motion the machinery which would effectively limit the production, distribution, and use of opium throughout the world.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 290) was agreed to, as follows:

Resolved, That (a) the United Nations should urge the governments of all countries which have not yet ratified or acceded to the said protocol of 1953 (particularly the producing countries, Bulgaria, Greece, Iran, Turkey, Union of Soviet Socialist Republics, and Yugoslavia) to do so at the earliest possible moment.

(b) The Commission on Narcotic Drugs of the United Nations and the governments of countries represented on that Commission are hereby urged to take appropriate steps to expedite the preparation of a final draft of the proposed single convention which may be acceptable as an improved international agreement to control more effectively the traffic in narcotic drugs.

SEC. 2. The Secretary of the Senate shall forward a copy of this resolution to the Secretary of State for transmission to the Secretary-General of the United Nations.

The preamble was amended, so as to read:

Whereas the Senate of the United States has learned with regret that only 18 of the required minimum 25 countries have ratified or acceded to the Protocol of 1953 for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium; and

Whereas the Commission on Narcotic Drugs of the United Nations has been engaged for several years in the task of drafting a single convention on narcotic drugs designed to modernize, codify, and replace existing conventions and protocols on this subject: Therefore be it.

PROSCRIPTION OF HEROIN BY CERTAIN COUNTRIES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2520, Senate Resolution 288.

The PRESIDENT pro tempore. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 288) urging certain countries to proscribe heroin.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, virtually all of the countries of the world have outlawed heroin, which is considered the most dangerous of all narcotic drugs with respect to its addicting potentialities. However, several countries still have not taken positive action to prohibit the use of heroin despite the fact that heroin serves no medical purpose which cannot be served just as well or better by some other narcotic drug. Senate Resolution 288 would have the United Nations urge the governments of those countries which have not prohibited the use of heroin to do so at the earliest possible time.

It is believed that by completely prohibiting the legal production, distribution, sale, and use of heroin that the illicit market will find it difficult to thrive and operate in international traffic.

I should like also to say that special credit is due to the chairman of the subcommittee of the Judiciary Committee, the Senator from Texas [Mr. DANIEL], and the members of that subcommittee, the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Mississippi [Mr. EASTLAND], the Senator from Idaho [Mr. WELKER], and the Senator from Maryland [Mr. BUTLER], as well as the Senator from Wisconsin [Mr. WILEY], for bringing this resolution before the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 288) was agreed to, as follows:

Resolved, That the United Nations should urge the governments of those countries which have not yet taken action to proscribe heroin to do so at the earliest possible moment.

SEC. 2. The Secretary of the Senate shall forward a copy of this resolution to the Secretary of State for transmission to the Secretary-General of the United Nations.

The preamble was amended, so as to read:

Whereas the United States considers that the drug heroin is the most dangerous of addicting narcotic drugs; that the availability and use of this drug is conducive to a tenacious type of drug addiction which wreaks havoc upon and slowly destroys human lives;

Whereas it has been established that the limited medical use formerly made of heroin can be met by other less dangerous narcotic drugs, and certain countries have not yet taken action to proscribe heroin: Now, therefore, be it.

CONVEYANCE OF CERTAIN LANDS IN COLORADO

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2451, H. R. 9578.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9578) to provide for the conveyance of an interest of the United States in and to certain lands in Colorado.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, this bill comes from the Committee on Government Operations. The purpose of the bill is to remove exceptions and restrictions on certain lands in Colorado, which were sold under a stipulation that title to fissionable materials should be retained by the Government. This action will conform to the 1954

amendments to the Atomic Energy Act, stipulating that such title shall not be reserved in future conveyances from the public domain.

The PRESIDENT pro tempore. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 9578) was ordered to a third reading, read the third time, and passed.

TRANSFER OF CERTAIN PROPERTY TO THE TOWN OF CASTINE, MAINE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2452, H. R. 11520.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 11520) to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to authorize and direct the Administrator of General Services to convey all right, title, and interest of the United States in and to about 100 square feet of land and a lighthouse tower—Dice's Head Lighthouse Reservation—which has been declared surplus to the needs of the Federal Government, to the town of Castine, Maine, for public park purposes.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. PAYNE. I ask unanimous consent that a statement I have prepared in connection with the bill may be made a part of the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PAYNE

The measure before the Senate will authorize conveyance to the town of Castine, Maine, of a small area of land that was exempted from a conveyance of adjacent land authorized by Public Law 81, 74th Congress, approved May 28, 1935 (49 Stat. 305).

On May 28, 1956, I introduced S. 3937 in the Senate to accomplish the above purpose. On May 29 Congressman CLIFFORD G. MCINTIRE of the Third District introduced an identical companion bill (H. R. 11520) in the House of Representatives. On June 18 the House Government Operations Committee reported the bill to the House and on July 2 it was passed on a calendar call. The Senate Committee on Government Operations reported H. R. 11520 to the Senate in lieu of S. 3937.

In 1935 Congress authorized conveyance to the town of Castine of the Dice's Head Lighthouse Reservation except for a small area 100 feet square on which the light tower was located. The conveyance contained the restriction that the land must be used for public park purposes and that the Government could resume possession of the land whenever need arose.

The light tower was exempted from the 1935 grant on the basis that it might be necessary to reactivate the light. In 1953 the small area was declared surplus to the needs of the Federal Government. The town of Castine at that time was led to believe by the Coast Guard that it would be given the property and took the necessary steps to accept the land as a gift. The town even undertook the maintenance of the property for a period of time. However, the Coast Guard had no authority to dispose of the land and it was turned over to the General Services Administration.

GSA offered to sell the area to Castine, but being a small community the town was financially unable to make the purchase. GSA then advertised the land for sale and accepted a bid. It was at this point that the matter was first brought to my attention. Since a private citizen had contracted to purchase the property in good faith, it was not appropriate to introduce legislation. After inspecting the area and finding that it was wholly within a public park, the prospective buyer refused to complete the sale. When GSA advised me that no sale was pending, I introduced a bill to convey the area in question to the town of Castine on the same terms as the original grant.

It can be assumed that the only reason for exempting the areas from the 1935 conveyance was the possible need for restoring the light and when such a possibility ceased to exist Congress intended for the town to have the property as part of the original conveyance. The Senate committee report on H. R. 11520 concludes by saying, "the committee believes that the disposal of this small piece of surplus realty as proposed by this bill will not only insure its utilization for a worthwhile public purpose far exceeding its insignificant pecuniary value but will also insure its availability for Federal use for lighthouse or other purposes should it be needed by the Federal Government."

In view of the favorable action of the House of Representatives and the favorable recommendation of the Senate Government Operations Committee it is the hope of the junior Senator from Maine that this bill will receive the approval of the Senate.

The PRESIDENT pro tempore. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 11520) was ordered to a third reading, read the third time, and passed.

TRANSFER OF CERTAIN LAND TO RICHARD M. TINNEY AND JOHN T. O'CONNOR, JR.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2455, H. R. 10204.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 10204) authorizing the Administrator of General Services to transfer certain land to Richard M. Tinney and John T. O'Connor, Jr.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. House bill 10204, as amended by the House of Representatives, would authorize the Administrator of General Services, upon payment of the fair market value, to transfer a certain tract of land to Richard M. Tinney and John T. O'Connor, Jr., the present occupants. The tract, described as lot No. 14, in block 190, covers an area of 43 by 120 feet, and is located at 11th and Broadway Street in Galveston, Tex. On April 5, 1955, the Coast Guard reported to the General Services Administration that this property, evaluated by the Coast Guard at $5,000, was in excess of its needs.

The PRESIDENT pro tempore. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 10204) was ordered to a third reading, read the third time, and passed.

COMMEMORATIVE MEDALS OF THE BIRTH OF THE LATE JUSTICE LOUIS DEMBITZ BRANDEIS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2446, S. 3784.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3784) to provide for the striking of medals in commemoration of the 100th anniversary of the birth of the late Justice Louis Dembitz Brandeis.

The PRESIDENT pro tempore. The Chair is advised that there is a House bill on the same subject.

Mr. JOHNSON of Texas. Mr. President, I ask that the House bill be substituted for the Senate bill, and be presently considered. The House bill is at the desk.

The PRESIDENT pro tempore laid before the Senate the bill (H. R. 11000) to provide for the striking of medals in commemoration of the 100th anniversary of the birth of the late Justice Louis Dembitz Brandeis, which was read twice by its title.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD a statement as to the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The bill would authorize and direct the Secretary of the Treasury to strike and furnish to Brandeis University, Waltham, Mass., 3,000 medals to commemorate the 100th anniversary of the birth of the late Supreme Court Justice Louis Dembitz Brandeis. The medals would bear suitable emblems, devices, and inscriptions as determined by the Secretary and would be considered national medals within the meaning of section 3551 of the Revised Statutes. The Treasury Department would be reimbursed for the full cost of the medals. Enactment of the bill was recommended by the Treasury Department, and the committee was advised that the Bureau of the Budget had no objection.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 11000) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 3784 is indefinitely postponed.

STRIKING OF MEDALS FOR SURVIVING VETERANS OF THE CIVIL WAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2447, House Joint Resolution 569.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 569) to provide for a medal to be struck and presented to each surviving veteran of the War Between the States.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. JOHNSON of Texas. Mr. President, the joint resolution would authorize and direct the Secretary of the Treasury to strike gold medals in honor of the last surviving veterans of the War Between the States who served in the Union or the Confederate forces. The presentation of the medals would be made by the President or a person designated by him at the home of each veteran or at some other suitable place. The medals would bear appropriate emblems, devices, and inscriptions as determined by the Secretary and would be considered national medals within the meaning of section 3551 of the Revised Statutes.

The PRESIDENT pro tempore. The joint resolution is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 569) was ordered to a third reading, read the third time, and passed.

PRINTING OF ADDITIONAL COPIES A REVISION OF HOUSE DOCUMENT NO. 210

Mr. JOHNSON of Texas. Mr. President, I ask that the Senate proceed to the consideration of Calendar No. 2460, Senate Resolution 293.

The PRESIDENT pro tempore. The resolution will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 293) to print, with additional copies, a revision of House Document No. 210, "How Our Laws Are Made."

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to, as follows:

Resolved, That the revision of the document entitled "How Our Laws Are Made" (H. Doc. 210, 83d Cong.), by Charles J. Zinn, law revision counsel of the Committee on the Judiciary, House of Representatives, be printed as a Senate document, and that 15,000 additional copies of such document be printed for the use of the Members of the Senate.

ADDITIONAL FUNDS FOR THE SPECIAL COMMITTEE ON THE SENATE RECEPTION ROOM

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2462, Senate Resolution 297.

The PRESIDENT pro tempore. The resolution will be stated by title.

The LEGISLATIVE CLERK. Calendar No. 2462, Senate Resolution 297, extending the time for making a report and providing additional funds for the Special Committee on the Senate Reception Room.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to, as follows:

Resolved, That Senate Resolution 145, Eighty-fourth Congress, agreed to on August 2, 1955, authorizing the placing of paintings in the 5 unfilled spaces in the Senate reception room, is amended as follows:

(1) Strike out all of section 3 and insert in lieu thereof the following:

"SEC. 3. The committee shall report to the Senate not later than May 1, 1957, its selections of persons whose paintings shall be placed in the Senate reception room."; and

(2) Strike out in section 4 "$5,000" and insert in lieu thereof "$10,000."

PRINTING OF ADDITIONAL COPIES OF SENATE JUDICIARY SUBCOMMITTEE HEARINGS ON JUVENILE DELINQUENCY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2463, Senate Resolution 299.

The PRESIDENT pro tempore. The resolution will be stated by title.

The LEGISLATIVE CLERK. Calendar No. 2463, Senate Resolution 299, to print additional copies of the Senate Judiciary Subcommittee hearings on juvenile delinquency in the United States.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 299) was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Committee on the Judiciary not more than 2,000 additional copies of the hearings held by the Subcommittee of the Committee on the Judiciary To Investigate Juvenile Delinquency in the United States on July 15 and 16, 1955, pursuant to Senate Resolution 62 of the first session of the 84th Congress, on juvenile delinquency (interstate adoption practices).

ADDITIONAL COPIES OF REPORT ENTITLED "SPECIAL STUDY MISSION TO THE MIDDLE EAST, SOUTH, AND SOUTHEAST ASIA, AND THE WESTERN PACIFIC"

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2464, House Concurrent Resolution 242.

The PRESIDENT pro tempore. The concurrent resolution will be stated by title.

The LEGISLATIVE CLERK. Calendar No. 2464, House Concurrent Resolution 242, providing for 10,000 additional copies of the report entitled "Special Study Mission to the Middle East, South, and Southeast Asia, and the Western Pacific."

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 242) was considered and agreed to.

PRINTING OF THE CONSTITUTION OF THE UNITED STATES AND THE DECLARATION OF INDEPENDENCE AS A HOUSE DOCUMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2465, House Concurrent Resolution 243.

The PRESIDENT pro tempore. The concurrent resolution will be stated by title.

The LEGISLATIVE CLERK. Calendar No. 2465, House Concurrent Resolution 243, authorizing the printing as a House document of the Constitution of the United States together with the Declaration of Independence, and providing for additional copies.

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 243) was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF HOUSE REPORT NO. 2189, 84TH CONGRESS, 2D SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2466, House Concurrent Resolution 245.

The PRESIDENT pro tempore. The concurrent resolution will be stated by title.

The LEGISLATIVE CLERK. Calendar No. 2466, House Concurrent Resolution 245 authorizing the printing of additional copies of House Report No. 2189, 84th Congress, 2d session.

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution (H. Con. Res. 245).

Mr. AIKEN. Mr. President, let me ask what the document is.

Mr. JOHNSON of Texas. It is a document for the use of the House Committee on Un-American Activities. This measure is a House Concurrent Resolution. I have not read it; I do not have the details of it. It is a concurrent resolution which was initiated in the House of Representatives, and provides for the printing of additional copies for the use

of the House committee to which I have referred.

The PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 245) was agreed to.

PRINTING OF ADDITIONAL COPIES OF HEARINGS OF THE RESEARCH AND DEVELOPMENT SUBCOMMITTEE OF THE JOINT COMMITTEE ON ATOMIC ENERGY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2467, House Concurrent Resolution 248.

The PRESIDENT pro tempore. The concurrent resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 248) authorizing the Joint Committee on Atomic Energy to print 30,000 additional copies of the hearings of the Research and Development Subcommittee on "Shortage of Scientific and Engineering Manpower."

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 248) was considered and agreed to.

REPRINTING OF HOUSE DOCUMENT 210 OF THE 83D CONGRESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2468, House Concurrent Resolution 251.

The PRESIDENT pro tempore. The concurrent resolution will be stated by title.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 251) authorizing the reprinting of House Document 210 of the 83d Congress.

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 251) was considered and agreed to.

UNVEILING OF COMMODORE JOHN BARRY MEMORIAL AT WEXFORD, IRELAND

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2473, House Concurrent Resolution 244.

The PRESIDENT pro tempore. The concurrent resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 244) to provide for a joint committee of the Congress to represent the Congress at the unveiling of the Commodore John Barry Memorial at Wexford, Ireland, on September 16, 1956.

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 244) was considered and agreed to.

COMPENSATION TO THE CROW TRIBE OF INDIANS FOR CERTAIN CEDED LANDS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2445, Senate bill 1696.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1696) to provide compensation to the Crow Tribe of Indians for certain ceded lands embraced within and otherwise required in connection with the Huntley reclamation project, Montana.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, at the beginning of line 7, to strike out "tribes and their" and insert "tribe and its"; on page 20, line 2, after the word "Interior", to insert a colon and *"Provided further,* That the Secretary may lease by competitive bidding to the highest responsible qualified bidder, for such bonuses as the Secretary may accept and at such rentals and royalties and upon such other terms and conditions as he may prescribe, any deposits of oil, gas, or other minerals in such lands which under the mining and mineral leasing laws of the United States are not otherwise required or authorized to be leased by competitive bidding and which the Secretary finds, having regard to the provisions of section 4 of this act, can be so leased compatibly with the public interest"; and on page 21, line 10, after the word "all", to strike out "leases, bonuses, royalties, or other proceeds" and insert "bonuses, rentals, royalties, or other proceeds derived under mining leases issued pursuant to this act or otherwise", so as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be transferred in the Treasury of the United States from funds now or hereafter made available to the Bureau of Reclamation and to be placed to the credit of the Crow Tribe of Indians, Montana, and expended for its benefit and the benefit of its members, pursuant to existing law, the sum of $60,000, which sum, together with other moneys heretofore paid to said tribe in partial compensation for lands ceded to the United States pursuant to the act of April 27, 1904 (33 Stat. 352), shall be deemed to constitute full, complete, and final compensation, except as provided in section 4 of this act, for terminating and extinguishing all of the right, title, estate, and interest, including minerals and oil and gas, of said Indian tribe and its members of, in, and to the lands, interests in lands, and any and all past and future damages arising out of the cession to the United States, pursuant to the act of April 27, 1904 (33 Stat. 352), of that part of the former Crow Indian Reservation lying within the following-described boundaries:

The perimeter boundaries of the tract of land, dealt with herinabove, they being also the proposed exterior boundaries of the Huntley reclamation project, Montana, are described as follows:

Beginning at a point where the midchannel of the Yellowstone River intersects the west sixteenth line of section 1, township 3 north, range 31 east, principal meridian, Montana;

Thence south along said west sixteenth line to the southwest sixteenth corner; which is the southeast corner of lot 2 of said section 1;

Thence west along the south sixteenth line to the south sixteenth corner between sections 1 and 2;

Thence south along the section line to the south sixteenth corner between sections 11 and 12;

Thence west along the south sixteenth line to the southwest sixteenth corner of section 11;

Thence north along the west sixteenth line to the west sixteenth corner of section 11;

Thence west along the quarter line to the east sixteenth corner of section 10;

Thence south along the east sixteenth line to the southeast sixteenth corner of section 10;

Thence west along the south sixteenth line to the southwest sixteenth corner of section 10;

Thence south along the west sixteenth line to the west sixteenth corner between sections 10 and 15;

Thence west along the section line to the corner common to sections 9, 10, 15, and 16;

Thence south along the section line to the quarter corner between sections 15 and 16;

Thence west along the quarter line to the C quarter corner of section 16;

Thence north along the quarter line to the north sixteenth corner of section 16;

Thence west along the north sixteenth line to the northeast sixteenth corner of section 17;

Thence south along the east sixteenth line to the C-N-SE sixty-fourth corner, which is the southeast corner of the north half of the northwest quarter of the southeast quarter of section 17;

Thence west along the sixty-fourth line to the C-N-S sixty-fourth corner, which is the southwest corner of the north half of the northwest quarter of the southeast quarter of section 17;

Thence north along the quarter line to the north sixteenth corner of section 17; thence west along the north sixteenth line to the northwest sixteenth corner of section 17;

Thence south along the west sixteenth line to the southwest sixteenth corner of section 17;

Thence west along the south sixteenth line to the south sixteenth corner of section 18;

Thence south along the quarter line to the C quarter corner of section 19;

Thence west along the quarter line to the west quarter corner of section 19, said quarter corner lying on the range line between ranges 30 and 31 east of the principal meridian, Montana;

Thence south along the range line to the east quarter corner of section 25, township 3 north, range 30 east, principal meridian, Montana;

Thence west along the quarter line to the east sixteenth corner of section 25;

Thence south along the east sixteenth line to the southeast sixteenth corner of section 25;

Thence west along the south sixteenth line to the south sixteenth corner of section 25;

Thence south along the quarter line to the quarter corner between sections 25 and 36;

Thence west along the section line to the corner common to sections 25, 26, 35, and 36;

Thence south along the section line to the quarter corner between sections 35 and 36;

Thence west along the quarter line to the C quarter corner of section 35;

Thence north along the quarter line to the north sixteenth corner of section 35;

Thence west along the north sixteenth line to the northwest sixteenth corner of section 35;

Thence south along the west sixteenth line to the west sixteenth corner of section 35;

Thence west along the quarter line to the quarter corner between sections 34 and 35;

Thence south along the section line to the south sixteenth corner between sections 34 and 35;

Thence east along the south sixteenth line to the southwest sixteenth corner of section 35;

Thence south along the west sixteenth line to the west sixteenth corner between section 35, township 3 north, range 30 east, and section 2, township 2 north, range 30 east, principal meridian, Montana;

Thence west along the township line to the corner common to sections 34 and 35, township 3 north, range 30 east, and sections 2 and 3, township 2 north, range 30 east;

Thence north along the section line to the south sixteenth corner between sections 34 and 35;

Thence west along the south sixteenth line to the southeast sixteenth corner of section 34;

Thence south along the east sixteenth line to the east sixteenth corner between section 34, township 3 north, range 30 east, and section 3, township 2 north, range 30 east;

Thence west along the township line to the west sixteenth corner between section 34, township 3 north, range 30 east, and section 3, township 2 north, range 30 east, principal meridian, Montana;

Thence south along the west sixteenth line to the C-N-NW sixty-fourth corner of section 3, which is the southeast corner of the northeast quarter of lot 5, section 3, township 2 north, range 30 east, principal meridian, Montana;

Thence west along the sixty-fourth line to the NW-NW sixty-fourth corner, which is the northwest corner of the southeast quarter of lot 5, section 3;

Thence south along the sixty-fourth line to the C-W-NW sixty-fourth corner, which is the southwest corner of the southeast quarter of lot 5, section 3;

Thence east along the north sixteenth line to the C-W-NE sixty-fourth corner, which is the northeast corner of the west half of the southwest quarter of the northeast quarter of section 3;

Thence south along the sixty-fourth line to the C-W-E sixty-fourth corner, which is the southeast corner of the west half of the southwest quarter of the northeast quarter of section 3;

Thence east along the quarter line to the C-E-E sixty-fourth corner which is the northeast corner of the west half of the northeast quarter of the southeast quarter of section 3;

Thence south along the sixty-fourth line to the C-E-SE sixty-fourth corner, which is the southeast corner of the west half of the northeast quarter of he southeast quarter of section 3;

Thence west along the south sixteenth line to the southeast sixteenth corner of section 3;

Thence south along the east sixteenth line to the east sixteenth corner of section 10;

Thence east along the quarter line to the C–E–E sixty-fourth corner, which is the northeast corner of the west half of the northeast quarter of the southeast quarter of section 10;

Thence south along the sixty-fourth line to the C–E–SE sixty-fourth corner, which is the southeast corner of the west half of the northeast quarter of the southeast quarter of section 10;

Thence east along the south sixteenth line to the south sixteenth corner between sections 10 and 11;

Thence south along the section line to the quarter corner between sections 14 and 15;

Thence east along the quarter line to the C–W–W–W two-hundred-fifty-sixth corner, which is the northeast corner of the west half of the west half of the northwest quarter of the southwest quarter of section 14;

Thence south along the two-hundred-fifty-sixth line to the C–W–W southwest two-hundred-fifty-sixth corner, which is the southeast corner of the west half of the west half of the northwest quarter of the southwest quarter of section 14;

Thence east along the south sixteenth line to the C–W–SW sixty-fourth corner, which is the northeast corner of the west half of the southwest quarter of the southwest quarter of section 14;

Thence south along the sixty-fourth line to the W–W sixty-fourth corner between sections 14 and 23, which is the southeast corner of the west half of the southwest quarter of the southwest quarter of section 14;

Thence east along the section line to the E–W sixty-fourth corner between sections 14 and 23, which is the northeast corner of the west half of the northeast quarter of the northwest quarter of section 23;

Thence south along the sixty-fourth line to the C–E–NW sixty-fourth corner, which is the southeast corner of the west half of the northeast quarter of the northwest quarter of section 23;

Thence west along the north sixteenth line to the north sixteenth corner between sections 22 and 23;

Thence south along the section line to the north sixteenth corner between sections 26 and 27;

Thence west along the north sixteenth line to the north sixteenth corner between sections 27 and 28;

Thence north along the section line to the south sixteenth corner between sections 21 and 22;

Thence west along the south sixteenth line to the south sixteenth corner of section 21;

Thence north along the quarter line to the quarter corner between sections 16 and 21;

Thence west along the section line to the west sixteenth corner between sections 16 and 21;

Thence south along the west sixteenth line to the northwest sixteenth corner of section 21;

Thence west along the north sixteenth line to the north sixteenth corner between sections 20 and 21;

Thence north along the section line to the corner common to sections 16, 17, 20, and 21;

Thence east along the section line to the W–W sixty-fourth corner between sections 16 and 21, which is the southeast corner of the west half of the southwest quarter of the southwest quarter of section 16;

Thence north along the sixty-fourth line to the C–W–SW sixty-fourth corner, which is the northeast corner of the west half of the southwest quarter of the southwest quarter of section 16;

Thence west along the south sixteenth line to the C–W–W–SW two-hundred-fifty-sixth corner which is the southeast corner of the west half of the west half of the northwest quarter of the southwest quarter of section 16;

Thence north along the two-hundred-fifty-sixth line to the C-W-W-W two-hundred-fifty-sixth corner, which is the northeast corner of the west half of the west half of the northwest quarter of the southwest quarter of section 16;

Thence west along the quarter line to the quarter corner between sections 16 and 17;

Thence north along the section line to the quarter corner between sections 8 and 9;

Thence west along the quarter line to the quarter corner between sections 7 and 8; thence north along the section line to the corner common to sections 5, 6, 7, and 8;

Thence west along the section line to the quarter corner between sections 6 and 7;

Thence north along the quarter line to the C-S-S sixty-fourth corner, which is the northeast corner of the south half of the southeast quarter of the southwest quarter of section 6;

Thence west along the sixty-fourth line to the C-S-SW sixty-fourth corner which is the northwest corner of the south half of the southeast quarter of the southwest quarter of section 6;

Thence north along the west sixteenth line to the southwest sixteenth corner of section 6;

Thence west along the south sixteenth line to the south sixteenth corner between section 1, township 2 north, range 29 east, and section 6, township 2 north, range 30 east, principal meridian, Montana;

Thence south along the range line to the S–S sixty-fourth corner between said sections 1 and 6, which is the southeast corner of the north half of the southeast quarter of the southeast quarter of section 1;

Thence west along the sixty-fourth line to the C-S-SW sixty-fourth corner of section 2, which is the northwest corner of the south half of the southeast quarter of the southwest quarter of section 2;

Thence south along the west sixteenth line to the west sixteenth corner between sections 2 and 11;

Thence west along the section line to the corner common to sections 3, 4, 9, and 10;

Thence south along the section line to the north sixteenth corner between sections 9 and 10;

Thence west along the north sixteenth line to the northeast sixteenth corner of section 9;

Thence north along the east sixteenth line to the east sixteenth corner between sections 4 and 9;

Thence west along the section line to the corner common to sections 5, 6, 7, and 8;

Thence south along the section line to the south sixteenth corner between sections 7 and 8;

Thence west along the south sixteenth line to the south sixteenth corner of section 7;

Thence south along the quarter line to the quarter corner between sections 7 and 18;

Thence west along the section line to the west sixteenth corner between sections 7 and 18;

Thence north along the west sixteenth line to the C-S-SW sixty-fourth corner, which is the northeast corner of the southeast quarter of lot 11, section 7;

Thence west along the sixty-fourth line to the SW-SW sixty-fourth corner, which is the northwest corner of the southeast quarter of lot 11, section 7;

Thence south along the sixty-fourth line to the W-W sixty-fourth corner between sections 7 and 18, which is the southwest corner of the southeast quarter of lot 11, section 7;

Thence west along the section line to the corner common to sections 7 and 18, township 2 north, range 29 east, and sections 12 and 13, township 2 north, range 28 east, principal meridian, Montana;

Thence south along the section line to the north sixteenth corner between sections 13 and 18;

Thence west along the north sixteenth line to the northeast sixteenth corner of section 14, township 2 north, range 28 east;

Thence south along the east sixteenth line to the east sixteenth corner of section 14;

Thence west along the quarter line to the west sixteenth corner of section 14;

Thence south along the west sixteenth line to the southwest sixteenth corner of section 14;

Thence west along the south sixteenth line to the south sixteenth corner between sections 14 and 15;

Thence south along the section line to the S–S sixty-fourth corner between sections 14 and 15, which is the southeast corner of the north half of the southeast quarter of the southeast quarter of section 15;

Thence west along the sixty-fourth line to the C–S–SE sixty-fourth corner, which is the southwest corner of the north half of the southeast quarter of the southeast quarter of section 15;

Thence north along the east sixteenth line to the southeast sixteenth corner of section 15;

Thence west along the south sixteenth line to the south sixteenth corner of section 15;

Thence north along the quarter line to the C fourth corner of section 15;

Thence west along the quarter line to the west sixteenth corner of section 15;

Thence south along the west sixteenth line to the southwest sixteenth corner of section 15;

Thence west along the south sixteenth line to the south sixteenth corner between sections 15 and 16;

Thence south along the section line to the corner common to sections 15, 16, 21, and 22;

Thence west along the section line to the east sixteenth corner between sections 16 and 21;

Thence south along the east sixteenth line to the northeast sixteenth corner of section 21;

Thence west along the north sixteenth line to the north sixteenth corner of section 21;

Thence south along the quarter line to the C–S–N sixty-fourth corner, which is the southeast corner of the north half of the southeast quarter of the northwest quarter of section 21;

Thence west along the sixty-fourth line to the C–S–NW sixty-fourth corner, which is the southwest corner of the north half of the southeast quarter of the northwest quarter of section 21;

Thence south along the west sixteenth line to the C–N–SW sixty-fourth corner, which is the southeast corner of the north half of the northwest quarter of the southwest quarter of section 21;

Thence west along the sixty-fourth line to the N–S sixty-fourth corner between sections 20 and 21, which is the southwest corner of the north half of the northwest quarter of the southwest quarter of section 21;

Thence south along the section line to the south sixteenth corner between sections 20 and 21;

Thence west along the south sixteenth line to the southeast sixteenth corner of section 20;

Thence south along the east sixteenth line to the C–S–SE sixty-fourth corner, which is the southeast corner of the north half of the southwest quarter of the southeast quarter of section 20;

Thence west along the sixty-fourth line to the C–S–S sixty-fourth corner, which is the southwest corner of the north half of the southwest quarter of the southeast quarter of section 20;

Thence south along the quarter line to the quarter corner between sections 20 and 29;

Thence west along the section line to the west sixteenth corner between sections 20 and 29;

Thence south along the west sixteenth line to the northwest sixteenth corner of section 29;

Thence west along the north sixteenth line to the north sixteenth corner between sections 29 and 30;

Thence north along the section line to the corner common to sections 19, 20, 29, and 30;

Thence west along the section line to the quarter corner between sections 19 and 30;

Thence south along the quarter line to the C quarter corner of section 30;

Thence west along the quarter line to the west sixteenth corner of section 30;

Thence south along the west sixteenth line to the southwest sixteenth corner of section 30;

Thence west along the south sixteenth line to the south sixteenth corner between section 30, township 2 north, range 28 east, and section 25, township 2 north, range 27 east, principal meridian, Montana;

Thence south along the range line to the corner common to sections 30 and 31, township 2 north, range 28 east, and sections 25 and 36, township 2 north, range 27 east;

Thence west along the section line to the E-W sixty-fourth corner between sections 25 and 36, which is the northeast corner of the northwest quarter of the northeast quarter of the northwest quarter of section 36;

Thence south along the sixty-fourth line to the NE-NW sixty-fourth corner, which is the southeast corner of the northwest quarter of the northeast quarter of the northwest quarter of section 36;

Thence west along the sixty-fourth line to the C-N-NW sixty-fourth corner, which is the southwest corner of the northwest quarter of the northeast quarter of the northwest quarter of section 36;

Thence south along the west sixteenth line to the northwest sixteenth corner of section 36;

Thence west along the north sixteenth line to the C-W-NW sixty-fourth corner, which is the northeast corner of the west half of the southwest quarter of the northwest quarter of section 36;

Thence south along the sixty-fourth line to the C-W-W sixty-fourth corner, which is the southeast corner of the west half of the southwest quarter of the northwest quarter of section 36;

Thence west along the quarter line to the quarter corner between sections 35 and 36;

Thence south along the section line to the N-S sixty-fourth corner between sections 35 and 36, which is the southeast corner of the northeast quarter of the northeast quarter of the southeast quarter of section 35;

Thence west along the sixty-fourth line to the NE-SE sixty-fourth corner, which is the southwest corner of the northeast quarter of the northeast quarter of the southeast quarter of section 35;

Thence south along the sixty-fourth line to the C-E-SE sixty-fourth corner, which is the southeast corner of the southwest quarter of the northeast quarter of the southeast quarter of section 35;

Thence west along the south sixteenth line to the southwest sixteenth corner of section 35;

Thence south along the west sixteenth line to the C-S-SW sixty-fourth corner, which is the southeast corner of the north half of the southwest quarter of the southwest quarter of section 35;

Thence west along the sixty-fourth line to the S-S sixty-fourth corner between sections 34 and 35, which is the southwest corner of the north half of the southwest quarter of the southwest quarter of section 35;

Thence south along the section line to the corner of the township line common to sections 34 and 35;

Thence west along the township line between townships 1 and 2 north, range 27 east, to the midchannel of the Yellowstone River;

Thence downstream along the midchannel of the Yellowstone River to the point of beginning.

SEC. 2. All unentered and vacant lands within the area described in section 1 hereof, are hereby restored to the public domain for administration, use, occupancy, and disposal under the reclamation and public-land laws of the United States: *Provided,* That the sale or other disposition of such lands shall be at rates and upon terms and conditions approved by the Secretary of the Interior: *Provided further,* That the Secretary may lease by competitive bidding to the highest responsible qualified bidder, for such bonuses as the Secretary may accept and at such rentals and royalties and upon such other terms and conditions as he may prescribe, any deposits of oil, gas, or other minerals in such lands which under the mining and mineral leasing laws of the United States are not otherwise required or authorized to be leased by competitive bidding and which the Secretary finds, having regard to the provisions of section 4 of this act, can be so leased compatibly with the public interest.

SEC. 3. The sum transferred to the credit of the Crow Tribe of Indians as aforesaid and the expenses of carrying out the provisions of this act shall be nonreimbursable and nonreturnable under the reclamation laws of the United States. The net proceeds derived from the disposal of said lands shall be covered into the General Fund of the Treasury or into the reclamation fund as the Secretary of the Interior shall find appropriate in the light of the source from which the funds transferred or expended in carrying out this act are derived. Revenues heretofore or hereafter collected by the United States for the leasing of such lands for grazing or agricultural purposes shall be deposited into the reclamation fund for credit to the Huntley Irrigation District in accordance with article 14 of the repayment contract between the United States and the Huntley Irrigation District dated January 2, 1927.

SEC. 4. Notwithstanding any other provision of law, the United States shall deposit in the Treasury of the United States to the credit of said tribe, to beavailable for expenditure for the benefit of said tribe and its members, as provided by existing law, 90 per centum of the gross receipts of the United States, as they are received from time to time, from all bonuses, rentals, royalties, or other proceeds derived under mining leases issued pursuant to this act or otherwise derived under the mining and mineral leasing laws of the United States from any and all lands in which all rights and interests of the tribe are terminated and extinguished by the terms and conditions of section 1 of this act and which are embraced within the boundaries of the tract described in said section 1. Notwithstanding any other provision of law the remaining 10 per cent of such gross receipts shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

SEC. 5. The Secretary of the Interior is authorized to perform any and all acts to carry out the provisions and purposes of this act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDENT pro tempore. Is there objection? Without objection, the committee amendments will be considered en bloc.

The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. JOHNSON of Texas. Mr. President, I ask the Senator from Montana [Mr. MANSFIELD] to make a brief statement regarding the purpose of the bill.

Mr. MANSFIELD. Mr. President, the purpose of Senate bill 1696, as amended, is to provide $60,000 compensation to the Crow Tribe of Indians for certain lands ceded by the tribe to the United States which are embraced within and otherwise required in connection with the Huntley reclamation project, Montana.

By the act of April 27, 1904 (33 Stat. 352), the Crow Tribe ceded certain lands to the United States. Subsequently, a portion of these lands was withdrawn for the construction of the Huntley reclamation project. As the project lands were sold, payments were made to the tribe. There remain some 4,900 acres of this ceded land within the project which are undisposed of, and for which the tribe has not been compensated.

That is the basis for the bill, which was reported unanimously by the Committee on Interior and Insular Affairs.

Mr. President, I ask unanimous consent that a fuller and more detailed explanation of the bill be incorporated in the RECORD at this point.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

EXPLANATION OF THE BILL

The purpose of S. 1696, as amended, is to provide $60,000 compensation to the Crow Tribe of Indians for certain lands ceded by the tribe to the United States which are embraced within and otherwise required in connection with the Huntley reclamation project, Montana.

By the act of April 27, 1904 (33 Stat. 352), the Crow Tribe ceded certain lands to the United States. Subsequently, a portion of these lands was withdrawn for the construction of the Huntley reclamation project. As the project lands were sold, payments were made to the tribe. There remain some 4,900 acres of this ceded land within the project which are undisposed of, and for which the tribe has not been compensated.

On June 17, 1952, the Crow Tribal Council adopted a resolution which provided that, in consideration of the payment of the sum of $60,000, the tribe would forever waive any and all claims to the undisposed of land within the exterior boundaries of the Huntley reclamation project, provided that 90 percent of the gross proceeds received by the United States from leases, bonuses, and royalties on account of oil and gas and minerals from any such land after the date of legislation extinguishing the claims of the Crow Tribe shall thenceforth be paid to the tribe as such proceeds are received.

The 4,900 acres of land in question cannot be disposed of under the laws now applicable to them. They do not contain sufficient irrigable acreage to be opened to entry as farm units as provided by the reclamation laws. They may not be reclassified as residual lands and sold under the terms of the original cession legislation without excluding them from the reclamation project and its benefits. They are not subject to sale under the provisions of the act of March 31, 1950 (64 Stat. 39), authorizing the disposal of tracts of "public" lands in the usual sense. If the bill is enacted, and the Indian claims thereby extinguished, it is proposed to offer the lands for sale to project settlers in accordance with the provisions of the act of March 31, 1950, supra. The sale of these lands has been requested on numerous occasions by the project settlers. The lands would be sold at not less than the appraised valuation and, therefore, a portion of the cost of extinguishing the Indian claims would be returned to the United States.

The Bureau of Reclamation has collected $46,899.68 during the period 1904 through 1953 from grazing and agricultural leases on the lands in question. These receipts were deposited into the reclamation fund and $45,016.77 of this amount has been credited to the repayment obligation of the Huntley Irrigation District. The Crow Tribe contends that it is entitled to these revenues. Collections for 1954 and 1955 are being carried in a suspense account pending a determination of the validity of the tribe's claim. By its resolution of June 17, 1952, however, the tribe agreed to waive all claims to such revenues upon payment to it of $60,000, plus a share in future mineral revenues from the land. The land is not now known or believed to have mineral values.

The bill provides that the United States will acquire the full beneficial ownership of the lands, including any mineral deposits that might subsequently be found in them; would be free to administer and dispose of the lands or mineral interests therein in any manner or for any consideration deemed appropriate by the Congress; and would owe no obligation to the Indians with respect to the administration or disposition of the lands other than the obligation of accounting to the tribe for 90 percent of any gross receipts actually derived by the United States from the disposition of interests in the lands under the mining and mineral leasing laws applicable to them. The applicable mining and mineral leasing laws would be the mining and mineral leasing laws that govern the location of mining claims and the granting of mineral leases on the public domain.

It is contemplated that the lands covered by the bill would, upon extinguishment of the Indian claims, be sold to project settlers upon the terms prescribed by the act of March 31, 1950. Patents for lands so sold would convey title to any mineral deposits that might be found in the lands unless the lands were withdrawn, classified, or reported as valuable for minerals prior to the issuance of the patents. The 90 percent clause of the bill would not apply to the receipts derived by the United States from these sales.

With a view to according the Indians an adequate return from any mineral potentialities that may come to light before the sale or other disposition of the lands, the bill includes authority to grant leases for any minerals in the lands on a competitive bidding basis, without regard to the provisions of the mining and mineral leasing laws, in any situation where it appears that the leasing of minerals on this basis would be compatible with the public interest.

The PRESIDENT pro tempore. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1696) was ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF TIME FOR STUDY OF GOVERNMENT EMPLOYEES SECURITY PROGRAM

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2461, Senate Resolution 294.

The PRESIDENT pro tempore. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 294) extending further the time for a study of the Government employees security program.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 294) was considered and agreed to, as follows:

Resolved, That Senate Resolution 154, 84th Congress, agreed to February 20, 1956 (authorizing a study of the administration of the Government employees security program), is amended by striking out "July 31, 1956" wherever it appears in such resolution and inserting in lieu thereof "January 31, 1957."

CONSIDERATION OF CERTAIN BILLS REPORTED FROM THE COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. HOLLAND. Mr. President, I should like to address a question or two to the distinguished majority leader.

Mr. JOHNSON of Texas. I yield.

Mr. HOLLAND. I should like to inquire about two bills which have been reported by the Committee on Agriculture and Forestry.

Some 2 weeks ago, as I recall, the majority leader made an announcement with reference to Calendar No. 2168, House bill 10285, to merge production credit corporations in Federal intermediate credit banks, to provide for retirement of Government capital in Federal intermediate credit banks, to provide for supervision of production credit associations, and for other purposes, which is to be found on page 7 of the calendar. The bill passed the House of Representatives a good long time ago. The majority leader announced that the bill was ready to be taken up on motion at any appropriate time; at least, that is the way I remember his announcement. Am I correct about that? My understanding is that the majority leader announced that the bill was ready to be considered at any appropriate time.

Mr. JOHNSON of Texas. We have from the minority side a notation that certain Senators are interested in that measure. It is my understanding that it has been cleared by both sides of the aisle, and that at the proper time, when we can sandwich it in, it will be brought up.

Mr. HOLLAND. I understood that.

I also wish to ask that the same course be followed, if it be consistent, in the case of Calendar No. 2563, Senate bill 3429, to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Tenant Act, and for other purposes, which was reported only yesterday, but is another very important agricultural bill.

In reference to Senate bill 3429, let me say there is a corresponding House bill which has been passed by the House, and I am sure it will be the final bill to be acted upon by both Houses.

I think both the measures to which I have referred should go to conference as quickly as possible. Let me ask whether the distinguished majority leader has any plan regarding when those two bills may be called up. I suggest that they be called up, if possible, on the same day, because I am sure that members of the Committee on Agriculture and Forestry will be interested in certain details of each of the bills.

Mr. JOHNSON of Texas. Is there any controversy regarding these bills?

Mr. HOLLAND. I am unable to say how serious the controversy is. The distinguished Senator from Minnesota [Mr HUMPHREY] is on the floor at this time. He filed supplemental views, on yesterday, but I have not had a chance to examine them. However, I do not think there is any serious controversy over the measure.

Mr. HUMPHREY of Minnesota. Mr. President——

Mr. JOHNSON of Texas. I yield to the Senator from Minnesota.

Mr. HUMPHREY of Minnesota. First of all, let me say that of course I support the committee bill. I filed supplemental views on two aspects of the bill, both of which were discussed in the committee. One relates to the insurance rate, and the second relates to the maximum amount of loans. There was an effort to increase it from $10,000 to $12,000. I may have two amendments to offer. I do not intend to discuss them at length. They were discussed at length in the committee. It is a matter of conviction on my part, as I explained to the Senator. I do not think there will be any delay.

Mr. HOLLAND. I will say in reply to the distinguished majority leader that the questions which will arise are questions of detail, not affecting the general merits of the bill.

Mr. HUMPHREY of Minnesota. That is correct.

Mr. HOLLAND. As to the other bill, the Farm Credit Administration bill, the committee authorized the Senator from Florida to present for the full committee one amendment to the Farm Credit Administration bill, which I think will eliminate most of the opposition which has heretofore developed, but which was very small, coming from only 3 or 4 Senators.

I hope those two measures can be considered on the same day, so that all Members on both sides of the aisle who are interested can be present. I do not anticipate any serious difficulties in connection with either of those bills. I regard them as of such importance that they should by all means be considered and acted upon by the Senate. Some time ago the House acted upon both of them.

Mr. HUMPHREY of Minnesota. Mr. President, I merely wish to say to the Senator that it is my desire to cooperate in connection with these bills. I understand they were reported unanimously from the committee. I believe the Senator from Florida is correct in stating that they are urgent measures.

Mr. HOLLAND. I think that is the judgment of all members of the committee.

Mr. JOHNSON of Texas. I raised the question only because the Senator from Florida discussed these bills with me previously—I believe day before yesterday. The first bill, Calendar No. 2168, House bill 10285, has been cleared by the majority policy committee, and we have a notation from the minority side that certain Senators would like to be notified. If there is no serious objection, we shall attempt to obtain clearance from the minority side with respect to the second bill to which the Senator from Florida has referred. We shall endeavor to clear it with the minority, and schedule both bills for consideration at the convenience of the Senator from Florida.

It will be difficult, however, to pass any bills reported from committees at this late date if there is any controversy about them. That is the reason I raised the question. We shall have before us for consideration the social security bill, the atomic reactor bill, and a number of other highly important bills which have already been scheduled. If the Senator from Florida will consult the majority leader after he has had an opportunity to talk with the minority leader, we shall attempt to schedule the bills to which he refers some time this week, so Senators may be on notice that we expect to consider them.

Mr. HOLLAND. I thank the majority leader. There is no disposition to do anything except to give full notice. I do not believe there will be serious objection. I believe both bills are very important to agriculture. One of them was reported more than a month ago, so it is not in the position of having been only recently brought to the floor of the Senate.

Mr. HUMPHREY of Minnesota rose.

Mr. JOHNSON of Texas. Mr. President, there is one more bill which I should like to have disposed of. If the Senator from Minnesota wishes to make a speech, he can obtain the floor very shortly. I wish to yield to the Senator from Montana [Mr. MANSFIELD], who has a speech which will require a few minutes. Then I shall be glad to yield the floor.

Mr. HUMPHREY of Minnesota. Very well.

WAIVING OF REQUIREMENTS FOR THE HOLDING OF COURT AT BRYSON CITY, N. C.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2522, House Bill 9137.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9137) to waive section 142 of title 28, United States Code, with respect to the United States District Court for the Western District of North Carolina holding court at Bryson City, N. C.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. The purpose of the proposed legislation is to waive the provisions of section 142, title 28, of the United States Code insofar as it pertains to the holding of court by the United States District Court for the Western District of North Carolina at Bryson City, N. C.

A similar bill (S. 3178) was introduced in the Senate by Senator ERVIN of North Carolina, and the provisions of this legislation are in accordance with previous actions of the Congress in similar cases where local facilities to meet the statutory requirements are not available and where the burden would be too great for the taxpayers in that particular area to provide such facilities.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 9137) was ordered to a third reading, read the third time, and passed.

CIVILIAN ATOMIC POWER ACCELERATION PROGRAM

Mr. JOHNSON of Texas. Mr. President, the unfinished business is Calendar No. 2000, Senate bill 3410, to provide for the payment of annuities to widows and dependent children of judges.

The distinguished chairman of the committee reporting the bill is not available, and there are no members of that committee available today to handle the bill.

It had been the plan of the leadership to proceed with discussion of that bill today. It was my hope that we could discuss it and that the Senate could take action on it. However, inasmuch as I have been unable to communicate with the members who could handle the bill on the floor, and in view of the fact that there are several amendments to be offered, I think it would be the better part of wisdom to postpone action on that bill until Members are available to handle it.

I therefore ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2413, Senate bill 4146, the atomic reactor bill.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 4146) providing for a civilian atomic power acceleration program.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

REVIEW OF FOREIGN POLICY—VIII—THE UNITED STATES AND THE FAR EAST

Mr. MANSFIELD. Mr. President, this is the eighth in a series of statements on the international situation and foreign policy which I have been presenting since the beginning of the session. The nature of these discussions should now be clear to the Senate. I shall proceed, therefore, directly to the subject which I propose to consider today. My remarks will concern the situation in the Far East.

In recent months, there has been little discussion of American policy with respect to that region. Occasionally press reports remind us that a representative of the President has been carrying on conversations with the Chinese Communists in Geneva during the past year and that these conversations continue. They remind us, too, that the guns still fire sporadically in the Formosa Straits and that Communist forces still confront us across the 38th parallel in Korea.

What these reports tell us, in short, is that there is neither peace nor war in the Far East. There is only a precarious balance between the two. It is not a static balance. It is a balance that shifts toward one or the other, toward peace or war with the constant flow of developments in the Western Pacific.

If we were mere spectators, we could afford to turn our attention from this situation as we have been doing these past few months. We could afford to

while away our time in a discursive debate on the definition of neutralism, attempting to draw a precise distinction between nice neutralism and not so nice neutralism. We are not, however, mere spectators. For better or worse we are deeply involved in the Far East. What our policies do or do not do profoundly affects the shifting balance, toward peace or war, in that region.

That is why, Mr. President, I turn to the Far East in my remarks today. It seems to me of the utmost importance that the Senate explore the question of where we stand in that region and where we are headed. In raising this matter, I am fully aware of the difficulties which are involved. The problems that beset us in the Far East are complex and dangerous in the extreme. In dealing with them, moreover, we carry an added weight. We bear the scars of issues which a few years ago drove damaging wedges of division deep into the political life of this country.

The difficulties in the Far East, however, will not become less complex, less dangerous, if we pretend they do not exist. Nor will they wait for solution on the healing of political scars of the past.

How long, we may well ask ourselves, will the inexorable flow of developments in the Western Pacific permit us an escape of evasion? In my opinion, Mr. President, not for very long, perhaps not even until after the election. That is why I believe it is in the vital interests of this country to begin now to face the facts in the Far East, to face them honestly and to face them without partisanship. The future of this country beyond the present generation may well depend on our willingness and capacity to do so.

These facts, on the whole, are vastly different from those which characterized the Far East 10 years ago, 5 years, or even a year ago. They are, moreover, facts whose implications in many instances are not yet entirely clear. Nevertheless, we must make a start. We must begin to break through the mist of obscurity which has settled over the situation in the Far East. Only as we succeed in doing so can we even hope to develop our policies in a manner which will be understood by the people of the United States, in a manner which will serve their interests.

The overriding fact in the Far East is that of Communist China, the colossus of over 500 million people ruled by the totalitarian dictatorship in Peking. We cannot close our eyes to it. It is there, Mr. President. Communist China may be an authoritarian reality but it is, nevertherless, a reality.

We do not have a clear picture of what goes on inside that vast and enigmatic core of Asian communism. If the executive branch has such a picture it has not been made public. I suspect that, in fact, neither this Government nor that of any other Western nation possesses a detailed grasp of the actual situation on the Chinese mainland.

What we have are scattered fragments of information. Returning travelers note that the flies have been banished from Peking, or the sparrows from Canton. We hear of the harrowing experiences of refugees and repatriated prisoners. We get echoes of an uprising in Tibet or Yunnan.

The picture is far from complete. What we do know, however, the reports we have, tell of mass executions, mob trials, sporadic revolts, and monstrous oppression. They tell of an incessant and intense activity in every realm of life. They tell of a new China fed on a mixed diet of militant nationalism, prosovietism, and seething hatred of America. They also tell of a rising power, an expanding industrial power, a ruthless political power, and a military power unequaled in modern Chinese history.

Mr. President, if we do not comprehend fully what transpires within Communist China, we can nevertheless observe the impact that this new Asian force has already made outside its borders. The Peking regime has been recognized by about 25 nations. It has a mounting international influence, particularly in Asia, as was clearly indicated at the Bandung Conference in April 1955. It is exerting an increasing control over huge Chinese communities in such southeast Asian cities as Bangkok, Singapore, and Djakarta. It has an expanding trade, particularly with the countries to the south, a trade which was initiated with barters of raw materials and food but which is now spreading to include a flood of low-priced consumer goods of Chinese manufacture.

In the military realm, the nature of the Peking regime is already too evident. We have seen how, with the support of the Soviet Union, this new power rapidly enveloped the China mainland, how it rolled into position for an invasion of Formosa, how it spilled over into Korea and how it made its presence felt in northern Indochina.

Not only in military matters, but in other ways, Peking has aligned its policies with those of the Soviet Union. The latter has supplied the Chinese Communists with ideological guidance, diplomatic assistance, and other aid. Most of all, the Soviet Union has provided the implements of war and destruction. The Chinese people have paid dearly for this assistance. They have paid for it with the products of their land, with the sweat of their labor and even with their lives.

Whether the present upheavals in the Soviet Union will have a significant influence on the Moscow-Peking alinement remains to be seen. Certainly, recent developments in Europe suggest that possibility. What the repercussions may be in China, however, is another matter. Those with the penchant will find in this question a wide field for speculation. At this point it would be well, in my opinion, to acknowledge frankly that we do not know.

Speculation, however interesting it may be, ought not to divert us from the immediate realities which confront American policy in the Far East. As I have already noted, the most formidable of these realities is the existence of a powerful and hostile regime in Peking. We are still faced with the hostility of that regime, regardless of what inner changes may be taking place in world communism. This hostility confronts us most directly in the Korean and Formosan situations.

In both, the peace of the Far East and perhaps of the world still hangs in dangerous balance.

Korea remains divided today at the 38th parallel, as it was in 1945, and there are no signs of a permanent peace in that country. It is true that an armistice concluded in 1953 stilled the guns along this dividing line between the Communist world and the free nations. How long will this tenuous truce, this uncertain truce, continue to hold? The Communists in North Korea have circumvented the terms of the cease-fire. The truce was supposed to freeze the military situation. But the Communists have gone on augmenting their military forces, particularly their air strength. A neutral nations commission charged with supervising the armistice to prevent violations has been crippled by the nonneutrality of the Polish and Czech members. It has not been forced to terminate its activities. The desire of the Koreans for unification—and it is an understandable desire—was exhausted by the recent bloodletting. Now it is rising again, rising to a level of impatience.

In these circumstances how can anyone talk glibly of peace in Korea? Any incident along the 38th parallel could touch off a renewal of the conflict. If full-scale hostilities are resumed, this country will not avoid their impact. We are deeply committed by word and action to the preservation of a free Republic of Korea, and two divisions of our Armed Forces remain in Korea to sustain that commitment.

In Formosa, a situation of comparable danger exists.

It is time to set the record straight with respect to that situation. We have had more words than wisdom in this matter, more press agentry than policymaking. It is no wonder that the American people and others are confused as to our purposes and policies.

Let us get one point straight once and for all. This country has never had any desire to possess the island of Formosa. The Communist propagandists who have made these charges know that they are wholly false. They know that had such been our intention we were in a military position at the end of Word War II to realize it. It was not our intention then; it is not our intention now.

This country does, however, have legitimate interests in the fate of Formosa, interests by right of the sacrifices we made in World War II and by right of the sacrifices made in carrying out a United Nations decision to stop aggression in Korea. We have the right to expect that the status of that island is not such as to establish a springboard for eventual aggression against other free nations and ourselves in the future. We have a right and obligation, along with other nations, to see to it that the people on the island—people who were once ruled by a Japan which was defeated by us—to see to it that they are not as a consequence of that defeat subjected to a blood bath through no cause of their own.

How were we to safeguard these intesests and discharge these responsibili-

ties in the light of events on the Chinese mainland after World War II? From 1949 on, Formosa became a target of invasion of the Chinese Communists and a refuge of the Government of Chiang Kai-shek. Were we to permit that invasion especially at a time when we and others were faced with an aggression in Korea?

Since 1949, moreover, the people of Formosa have depended heavily on the policies of this country for their safety and well-being. American assistance has made possible a great improvement in their living conditions. It has trained, equipped, and sustained armed forces for their security. American military power has served to forestall an invasion of the island and to prevent the widespread death and devastation among the Formosan people which would have accompanied such an invasion.

At the outbreak of the Korean conflict in 1950 an Executive order interposed the 7th Fleet in the Formosan Straits to inhibit a spread of the Korean aggression to other areas in the Far East. The action served its purpose. A measure of tranquillity settled over the Formosan area. For 3 years there were no attempted invasions. Then, in 1953, this situation was suddenly altered by new Executive orders and bombast. We have seen the result. The threat of Communist invasion once again intensified. By 1955 it had reached such a point that the executive branch no longer felt able to handle the matter alone. The President found it necessary to seek congressional support for desperate measures to save Formosa. We are now back where we were in 1950, except more deeply and inextricably enmeshed than ever before in a situation which hovers on the brink of war.

The reversal of policy in 1953 would have been understandable if this administration, unlike its predecessor, was not bent on preventing an extension of the war in the Far East beyond Korea. As far as I can see, however, this administration has desired to prevent such an extension. Otherwise, it would not have negotiated a truce in Korea. Otherwise, it would have supported Chiang Kai-shek's aspirations to liberate the mainland, which it has not done. Otherwise, it would have ordered a bombing beyond the Yalu, which it has not done. Otherwise, it would not be negotiating with the Chinese Communists in Geneva as it has been doing for the past year.

It seems to me that the policy which this administration is following with respect to Communist China does not differ in principile from that of its predecessor. The words may be different. The postures may be different. The substance is the same. Our present course is a policy that is neither peace nor war, but a policy of the in-between. It differs in one respect from the previous policy. It gambles more recklessly with the risk of full-scale war in the Far East.

We may either applaud or deplore this state of affairs. The one thing we cannot do is to close our eyes to its actuality. Nor can we ignore the fact that history suggests that relations among nations in a state of hostility do not remain suspended indefinitely on a razor's edge. Sooner or later, they veer toward one or the other, toward greater conflict or toward closer relations.

I do not know what will emerge eventually from this anomalous situation with respect to Communist China. As I have already noted, the policies and attitudes of this Government, as well as those of Peking, will profoundly influence the outcome. So, too, will circumstances around the rim of the Asian mainland.

In our policies we have counted heavily on the close relations which we have maintained with Japan and the Philippines since the end of World War II. We have counted on these two nations and others to work with us for the preservation of peace, for mutual defense against aggression in that region.

These relations with the free nations of the Far East cannot be expected to flourish of their own accord. They require a constant toning which can be supplied only by perceptive and creative foreign policies. We have seen in the past few weeks how the lack of such policies can give rise to serious strains in a relationship as close even as that of the United States and the Philippines. The clumsy handling of the question of sovereignty over American military bases in that country threatened to undermine in a moment years of constructive effort and the provision of extensive assistance. Fortunately, the executive branch has acted, however belatedly, to correct this ineptitude.

If strains can develop so quickly in relations with the Philippines, how much more likely are they to appear in our ties with other Asian countries, ties which are of more recent date and as yet largely untried.

The fact is, Mr. President, that strains have appeared elsewhere. They have appeared most significantly with respect to Japan. The Japanese have not yet developed their own defense forces. There is nevertheless a growing resentment in Japan against continued dependency on the United States for defense. The Japanese are also beginning to press for a return of the Bonins and Okinawa. These strategic islands are presently held by this country, but their ultimate status was left uncertain in the Japanese treaty. The Japanese show signs, too, of a gathering impatience with restrictions on their trade with Communist China. They are maintaining these restrictions in accord with the United Nations embargo but they have seen other nations ignore or circumvent them.

While Japanese-American relations are undergoing strains, Japan is preparing to resume negotiations with the Soviet Union looking to a treaty of peace and the restoration of diplomatic relations. There were such negotiations in the past but they ran into the hard wall of Soviet intransigence. As is evident elsewhere in the world, however, Soviet policies are shifting rapidly and there is no reason to assume that they will not change with respect to Japan.

If the Soviet Union means to have diplomatic relations with the Japanese, they have much to offer. There are islands to the north of Japan which may be returned. There are valuable fishing concessions in the waters off Soviet Asia. There are important trade and economic concessions. There is membership in the United Nations long sought by Japan and long denied by the Soviet veto. There are, finally, Japanese prisoners of World War II still held in Soviet Siberia to be returned.

Mr. President, I believe this country would be well advised to expect the restoration of Soviet-Japanese relations in the near future. It is coming and it is probably coming soon. So, too, is the likelihood of a sharp expansion of Japanese trade with the Asian mainland.

These developments are to be anticipated in a Japan which must literally fish and trade on a vast scale to survive in peace. The Japanese are compelled to search where they can for opportunities to do both. They can find, they have found, many opportunities for trade with free nations. Increasingly, however, their efforts in that direction begin to run into the political reality of the adjustments which free nations have to make in their own economies if they are to accommodate Japanese trade. To put the problem bluntly, how far are the free nations prepared to go in admitting imports from Japan?

We had better face the fact that the Communist nations of Asia are in a position to offer significant opportunities to Japan for trade and fishing as well as other economic concessions. If they make such offers sufficiently attractive, as sooner or later they may be expected to do, the Japanese are going to take them.

The development of increasing Japanese economic contact with the Asian mainland need not in itself constitute a cause for alarm. The danger lies in the possible political repercussions of this development. It seems to me that adverse consequences in this respect can be held in check by intelligent policies on the part of this country, Japan, and other free nations.

I am not suggesting a competition of concessions with the Soviet bloc to hold Japan to our side. A Japan which could be kept in that fashion is not worth the keeping. What I am suggesting, however, is that we recognize that the present alinement of Japan with the free nations requires more than pious statements for its preservation. It requires action, mutually beneficial action, in the economic realm, in the cultural realm, and in matters of military defense.

If there is an absence of intelligent policy directed to this end, we shall live to see the ugly consequences of the failure. We shall live to see a Japan in headlong flight into the Communist orbit or embarked once again on some form of militarist totalitarianism of its own.

I do not mean to suggest, Mr. President, that these dangers are imminent. They are there, nevertheless, in the background. They do not provide any greater cause for complacency over the safety and welfare of this country than does the ambivalent situation with respect to Communist China.

Nor are present circumstances much more reassuring elsewhere in the East.

I have already covered the situation in southeast Asia in a previous statement in this series, and I shall not take the time of the Senate to go over the same ground today.

I should like to emphasize, however, that American relationships throughout that area are in serious need of repair, good-will tours of the Vice President—which I highly approve of in principle—notwithstanding.

We had one more evidence of neglect of these relations just a few days ago. The former King of Cambodia, in Moscow, linked his country's future closely with that of Russia. We have no one to blame for this turn of events except ourselves. It was apparent last year that despite the vast efforts which this country was making to help the Cambodian nation through the first years of independence, our relations with that country were deteriorating.

In my report on Cambodia to the Foreign Relations Committee last October I noted:

> The [United States] aid programs, if properly administered, can be helpful * * * and of lasting benefit to both countries. It seems to me essential, however, to emphasize that unless great caution and restraint is exercised in administering American assistance it will produce not only an inexcusable waste of American funds but serious dislocations in Cambodia. Aid can act to the benefit of our relations with that country but it can also act to their detriment; it depends on how the program is handled. * * * I recommended that the executive branch review carefully the extent of all our activity in Cambodia. It has grown rapidly in the past year, as has the number of official Americans in Cambodia, and size in either case is not the measure of what best serves this Nation's interest.

Was such a review, a full scale review of our activities in Cambodia ever undertaken? Not to my knowledge, Mr. President. Instead, a situation obviously bad months ago was allowed to go on deteriorating while millions of dollars and numerous officials were poured into Cambodia. We see the consequences. Now there will undoubtedly be a review; but the damage has already been done.

It should be clear, Mr. President, from the quotations I have just read that when I suggest that our relations with Southeast Asia are in need of repair, I am not suggesting bigger aid programs. I am suggesting, as I have suggested many times, and as the Committee on Foreign Relations will now undertake, a full-scale reappraisal of the existing aid programs. I am suggesting less pique and more perception in dealing with the Asian countries. I am suggesting a better coordination of the statements and activities of the executive branch affecting those countries. I am suggesting that we wake up to the fact that Communist penetration of this region—commercial, diplomatic, and ideological—is deep and it is increasing, and that its success is due in no small part to the ineffectiveness of our policies and the way they are being administered.

Mr. President, I noted at the outset the difficulties in holding to an effective course in the Far East. It seems to me high time, however, that this Government faces up to the difficulties.

The foreign policy of this Nation for the Far East or any region cannot be based on glib catchwords and slick phrases. If it is to serve our interests, that policy must grow out of a comprehension of our national interests in the Far East. These interests, as I understand them, lie in a peace which satisfies the reasonable needs of security of this country against aggression. They lie in a flourishing commerce and in scientific, cultural, and religious ties which can enrich our lives.

None of these interests can be pursued in a vacuum, in isolation. We cannot have the security of peace in the Far East, alone. We obviously cannot have commerce there, alone. And obviously, we cannot have scientific, cultural and religious ties, alone.

We can, in short, pursue our interests in the Far East only in concert with others. We can do so only if there is a reciprocal desire for intercourse on the part of others and a willingness to adjust the attitude and policies of all to make this intercourse possible.

That is not presently the case with China. We have had only a continuous hostility emanating from that source ever since the Peking regime came to power, and we have replied inevitably in kind. The Chinese Communists have bullied and browbeaten. They have inflicted thousands of unnecessary casualties on the forces of this country and others by their intervention in Korea. They have scourged and villified the good name of the United States. They have turned the sentiments of the Chinese people against us, sentiments built on a century or more of friendly contact.

I do not say that the attitude of China towards the United States will never change. Those of us who have lived through World War II and the fantastic changes of the past few years should know by now that there are few "nevers" in the relations among nations.

I do say, however, tangible evidence of change in China does not now exist. I do say that unless the Koreans have an opportunity to achieve their unity and independence in peace, such evidence does not exist. I do say that unless it is clear that the status of Formosa can be determined without the bloodletting which a Communist invasion would inflict on the people of that island, there is no evidence of change.

If the executive branch does have such evidence growing out of its year-long conversations with the Chinese Communists in Geneva, then the time is rapidly approaching when it should so inform the American people. If it does not, we may well ask why these conversations are being continued.

I think it is time, too, for the executive branch to make clear that we do not retaliate on the entire Chines people, the hostility which the Peking government directs at us. The ties, the deep ties, which once linked the people of this country with the people of China—religious ties, cultural ties, commercial ties—can survive this period of separation enforced by the Peking regime. They will survive, however, only if the words and actions of this government make it clear that we wish them to survive.

If we are estopped from our historical contact with the Chinese people at this time, we are not prevented from reinforcing our relations with the rest of Asia. In a sense, that is what we have been trying to do. That is the logic of the defense treaties with Japan, the Philippines, and other nations. It is the logic in the vast aid programs. It is the logic of the information program.

And, logically, too, it is time to find out why these policies are not working as they should; why, as in Cambodia, they are producing effects opposite from those which we hoped they would produce. It is time for the executive branch to reassess these programs and the way they are being administered. It is time for the executive branch to review carefully its diplomatic practices and personnel in the Far East. It is time for that branch to wake up to the existence of strains in our relations with many nations in that area and to adjust our policies to reduce these strains. It is time for new measures which will strengthen the ties between ourselves and Asian nations.

Ten years ago, Mr. President, this country was welcomed with a deep and genuine enthusiasm throughout Asia, from Korea to Australia, from the Philippines to Afghanistan. Year by year the welcome has become more strained. Despite vast efforts, the welcome is now a grudging one in some countries; in others, it is no welcome at all. It is time, Mr. President, to ask ourselves why. Even more important, it is time to find out why.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. I commend the Senator from Montana for a very able presentation of what are some of our difficulties in the Far East about which he has been speaking. If I may, I wish to ask him a few questions in connection with his statement, with which I agree in large measure.

Do the conclusions he comes to with regard to Red China confirm the feeling which I have understood he has had in the past, and which I have very strongly, that this is no time to consider the admission of Red China to the United Nations?

Mr. MANSFIELD. I would go even further than the Senator from New Jersey, whose opinion I share in the matter I am about to discuss. Not only would I be opposed to the admission of Red China to the United Nations, but I would be opposed also to the recognition of Red China by the United States.

Mr. SMITH of New Jersey. Certainly I have included that opinion in the implications of my question. I agree entirely with the Senator from Montana on both points.

As the Senator from Montana has very ably set forth, there are three very critical spots in the Far East. One is Korea; another is Formosa; another is Japan.

The Senator has also stressed Indochina and particularly the situation in Cambodia.

Does the Senator share my view that it is most unfortunate at this time that there seems to be a misunderstanding of what is meant by the expression "foreign aid"? Some people are talking about foreign aid giveaways.

Is it not a fact that what we are trying to do in the strengthening of our defenses in the Far East is for the protection and security of the American people? We are not giving away anything which is not to our immediate interest and for our own defense.

Does the Senator from Montana share my feeling of great regret at what happened yesterday in the House of Representatives, when the appropriation for the mutual-security program was cut to $3.6 billion, an overall cut of over $1 billion in the amount for which the administration asked? That is practically a vote of a lack of confidence in the President of the United States in his recent appeal to restore at least $4 billion which the Senate and House conference committee recommended in the authorization bill for the mutual-security program.

Mr. MANSFIELD. Certainly the basis of the mutual aid program is its importance to our national defense and security. I do not think anyone would find fault with that thesis if he really undertook a study of the program. Certainly, so far as the particular area we are discussing this morning is concerned, we know that without the funds we have contributed by way of the aid program to Korea, Formosa, South or Free Vietnam, it would be almost impossible for those nations to maintain their freedom and their independence and to remain firm and solid allies of the free world.

Mr. SMITH of New Jersey. Therefore, we could not safely cut any of the funds for those free areas, in view of the dangers facing them, to which the Senator has called attention. Is that correct?

Mr. MANSFIELD. Those three areas are entitled to primary and first consideration, because they are dependent almost entirely on the ultimate assistance we can give them. We are rendering them that assistance because it is in the interest and welfare of our own country.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SPARKMAN. Following up the question just asked, is it not true that the Senate and the House were both in complete accord with reference to those particular areas?

Mr. MANSFIELD. That is correct.

Mr. SPARKMAN. And we authorized the full amounts?

Mr. MANSFIELD. For those areas.

Mr. SPARKMAN. If the Senator will be so kind as to permit me, I should like to ask him several questions. I wish to commend him for the very fine, able, and clear presentation he has made. I think it is wholly objective, and that the distinguished Senator from Montana has done a commendable job.

Mr. MANSFIELD. I thank the Senator from Alabama for his kind words, especially so since he has had such long experience as chairman of the Subcommittee on the Far East of the Foreign Relations Committee.

Mr. SPARKMAN. I have gone through the speech as the Senator has made it, and I have listened to it carefully, and I think it is a fine analysis of the whole situation.

By the way, at some point in his speech the Senator stressed the uneasy situation which prevails in Korea. The Senator recalls, I am sure, that in the presentation of the mutual-security program to our committee, we were repeatedly reminded of the uneasy situation which prevails in Korea.

Mr. MANSFIELD. That is correct.

Mr. SPARKMAN. And the necessity of building up our strength there. That is one reason why so much of the program is directed to that particular area.

Mr. MANSFIELD. That is a fact. That is one of the areas to which a heavy contribution has been made, and must continue to be made, because it is a part of our defense, not merely Korea's.

Mr. SPARKMAN. Our contribution is not primarily in providing men over and above the relatively small force we have there, or even primarily in providing arms, but the principal purpose of the support there is to enable that small country to sustain the tremendous armed forces she herself established. Is that correct?

Mr. MANSFIELD. Yes. I understand that Korea's armed forces contain 21 divisions, which is a tremendous load for a small country, with not too many resources, to carry.

I think the Senator from Alabama would be interested in knowing that a few days ago the last air element force, the 1st marine air wing, was withdrawn to Japan, so that, outside of a few naval units, we have remaining 2 divisions in Korea.

Mr. SPARKMAN. Is it not correct that some misunderstanding of the Mutual Security program lies in the fact that there is no adequate realization of the seriousness of the situation in areas such as Korea and Formosa, into which countries we have put a great deal of defense support funds, to enable the economy of those small countries to sustain the armed forces which they themselves have set up?

Mr. MANSFIELD. There is no question that in that same category we could include south or free Vietnam.

Mr. SPARKMAN. Yes. While it is not necessarily a danger area, we might also include the country of Turkey, whose economy cannot sustain the very fine force which Turkey is seeking to maintain.

Mr. MANSFIELD. That is true. Inasmuch as Turkey has been mentioned, I think it is important to mention Turkey as a stabilizing factor in the Middle East, which is a danger area, and to remind the Senate that the Turks made a magnificent contribution to our forces in Korea in the late fighting there.

Mr. SPARKMAN. For which we will remain ever grateful.

Mr. MANSFIELD. Yes.

Mr. SPARKMAN. Authorities have referred to Turkey as the anchor point in the Middle East in the Western World's defense line, from that point all the way across Western Europe.

Mr. MANSFIELD. That is correct, and it is a strong one.

Mr. SPARKMAN. I wish to mention another area, namely, the country of Cambodia, with which the Senator has dealt, and which I think should have considerable attention from the American people at this time. Cambodia is a small country, but it is a key country in southeast Asia generally.

Mr. MANSFIELD. It is.

Mr. SPARKMAN. Along with north Vietnam, which is already in the hands of the Communists, and south Vietnam, which is doing its best to stave off Communist infiltration, and the small country of Laos in the same general area. I was interested in the statement referring to the former King of Cambodia. I understand he abdicated voluntarily.

Mr. MANSFIELD. Yes. The Senator refers to Prince Norodom Sihanouk.

Mr. SPARKMAN. He felt he could give leadership in a more effective manner by abdicating. Is it not true that he serves today as foreign minister?

Mr. MANSFIELD. I must admit I do not know, but he was Premier, and then he resigned.

Mr. SPARKMAN. He resigned as Premier.

Mr. MANSFIELD. Then he became chief delegate to the United Nations. He seems to have the habit of presiding and then giving up, but he is a most important man in Cambodia.

Mr. SPARKMAN. It is my impression that he is serving in the important position of Foreign Minister—I may be in error—and that his present mission to Moscow is in that capacity. A few days ago I saw an article which was almost hidden in the inside pages. The news it contained is so significant that I think we cannot afford to let it escape our attention. The article was to the effect that the official representing the country let it be known that hereafter the interests and welfare of Cambodia were definitely on the side of the Soviet, with the Kremlin, with Russia. In other words, he is bodily bringing his government into the Soviet orbit. Is that not true?

Mr. MANSFIELD. That is approximately correct, and I recall the statement to which the distinguished Senator from Alabama has referred. I must admit I was a little surprised. Of course, we must realize that Prince Norodom Sihanouk, the present Foreign Minister and former king, is still a power in his country. Although he does not occupy the position of king, his father and mother are on the throne. He put them there, and he tells them what to do. So he runs the country internally and externally.

Three years ago there were about 10 Americans attached to the country of Cambodia. We had no diplomatic mission, except a chargé. A year ago we had more than 100 persons attached to the economic mission, and in excess of 100 persons attached to the diplomatic

embassy there. I believe we had a military group, under a brigadier general, as I recall. It may be that we have put in too much too soon into a country which could not stand it. Maybe we have used the wrong psychology. Certainly we have made some mistake somewhere. I think the program in that country, which is getting approximately $50 million or so a year, ought to be reconsidered carefully, to see if the aid is worth giving, and if so, what benefit we may expect to derive from this relationship, especially in view of Prince Norodom Sihanouk's mission to Moscow and his authoritative statements issued since then.

Mr. SPARKMAN. Let me offer a suggestion and ask the Senator from Montana whether he agrees with me: Perhaps the basic thing we should look into is whether this move on the part of Cambodia really indicates what the pressures may be and what the changes may be in that general area; in other words, while we are doing all this work and spending all this money, is something happening that lets the Soviet influence push us out?

Mr. MANSFIELD. The Senator from Alabama is absolutely correct, and I am delighted that he pressed so vigorously for the survey of the foreign-aid program, because we must come up with some new answers and we must develop some new ideas regarding what we hope to accomplish in the future. In other words, to use a Republican term, I think we must take a "new look" at the foreign-aid program; and this is the way to bring that about.

Mr. SPARKMAN. Mr. President, if the Senator from Montana will yield further to me——

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Montana yield to the Senator from Alabama?

Mr. MANSFIELD. I yield.

Mr. SPARKMAN. I should like to ask another question. The Senator from Montana has touched on it to some extent, but he did not go very far into a question which has been more or less of a puzzle to all of us. I refer to the question of neutralism and how it should be dealt with, and so forth and so on. Of course the Senator from Montana heard the magnificent address recently delivered by the President of Indonesia.

Mr. MANSFIELD. Yes, indeed.

Mr. SPARKMAN. In that address the President of Indonesia gave us perhaps the straightest talk on the subject of neutralism we have heard. I think all of us admired him for talking so straight to us.

The Senator has referred to the trip taken by the Vice President. I say in all frankness, and with no intention to be critical, except in a constructive way, that it seems to me our Government—perhaps in the State Department, or perhaps the President himself—ought to make a very careful reappraisal, or perhaps I should say redetermination of what our attitude is with reference to the neutral nations or the uncommitted peoples or the peoples who practice what they call neutralism.

I must say that, frankly, I do not know what our position today is. I am glad that our good and distinguished friend, the senior Senator from New Jersey [Mr. SMITH], is now on the floor. For many years he has served as a member of the Foreign Relations committee, and during the last Congress he was chairman of its Subcommittee on the Far East. He is an outstanding member of the Foreign Relations Committee, and I am glad that he is present at this time, because I am certain that all of us are in agreement regarding these things that we are trying to bring out, so as to give us a better and a stronger and a firmer policy in that particular area of the world. I believe that what we need badly is a redetermination by the President or by the State Department—by someone representing our Government officially—on the question of neutralism.

Probably the Senator from Montana saw the editorial which appeared several days ago in the Scripps-Howard newspapers, in which President Eisenhower is quoted as having said, a month before his operation—or just about 2 months ago—the following:

> If we are waging peace, you can't be too particular sometimes about the special attitudes that different countries take * * * today there are certain nations that say they are neutral. This doesn't necessarily mean neutral as between right and wrong, or decency and indecency.

Now I read the editorial:

> The President recalled that the United States was stanchly neutral for 150 years and urged that the word "neutral" not be translated as a choice between right and wrong.
>
> Three days later, however, Secretary of States Dulles defined neutrality as "an obsolete conception and, except under very exceptional circumstances, it is an immoral and shortsighted conception." This was the opposite of what Mr. Dulles said in March when he told the Indonesians that neutralism was an understandable concept which would not interfere with either American friendship or aid.
>
> Now Mr. NIXON is touring the nonneutralist area of Asia, giving yet another variant on this subject—coming close to Mr. Dulles' rejection of neutralism as immoral.
>
> Which of these statements really represents American policy? No one knows. Worse still, we have managed, as so often, to confuse and offend while trying to play both sides of the street. The nonneutrals were upset by President Eisenhower's remarks on neutralism; the neutrals are agitated about those of Messrs. Dulles and NIXON.
>
> This is similar to the American dilemma over colonialism. Our equivocation—even hypocrisy—on these issues, plus confusion caused by the babel of official voices, leaves us with the short end of the stick on both sides. If the American people don't know what our policy is on neutralism, how can our friends and enemies abroad know?

Does not the editor pretty well sum up the dilemma in which we find ourselves, when we try to deal with the so-called uncommitted countries of the world, so many of which are found in the area the Senator from Montana has been discussing so ably this morning?

Mr. MANSFIELD. If I may say so, I shall state that I think the editorial indicates the degree of confusion in this administration, which seems to want to divide into different shades the concept of neutralism. I think when the President made the original statement, he made the right kind of statement.

Mr. SPARKMAN. I fully agree with the Senator from Montana. I think the President did, too; and I think it was in line with the speech that President Sukarno made to the Congress, was it not?

Mr. MANSFIELD. Yes. Furthermore, these countries in Asia are going back to our Declaration of Independence for their inspiration. So there is a similarity, and some of those countries, like the United States in the beginning, have to have time in which to grow. They want to keep clear of entangling alliances while they are growing. So did our country, in its early days. Therefore, let us try and understand them, give them time.

Mr. SPARKMAN. The Monroe Doctrine grew out of that situation, did it not?

Mr. MANSFIELD. Exactly. I think the situation calls for a tolerant understanding, and certainly it does not call for pique or for a variety of definitions of one concept, neutralism.

Mr. SPARKMAN. Again let me thank the able Senator from Montana, both for the very fine presentation he has made and for allowing me to ask him these questions.

Mr. MANSFIELD. I thank the Senator from Alabama.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Montana yield to me for a moment?

The PRESIDING OFFICER (Mr. HUMPHREYS of Kentucky in the chair). Does the Senator from Montana yield to the Senator from New Jersey?

Mr. MANSFIELD. I yield.

Mr. SMITH of New Jersey. In connection with this discussion, I should like to make a statement which I released today in connection with the mutual-security program. I should like to add the statement to this discussion so the RECORD will be complete.

I now read the statement I have released today:

> All of us who are deeply concerned over the security of the United States are greatly disturbed by the sharp cut by the House of Representatives in the appropriation for the mutual security program for the coming year. The cut to $3.6 billion means an overall cut of over $1 billion below the amount requested by the administration.
>
> This unfortunate situation is due, in my judgment, to a complete misunderstanding of what we mean by the so-called foreign-aid program. People constantly talk about a foreign-aid giveaway. This is a totally inaccurate representation. It is not giveaway aid in any true sense. The funds asked for by the President are for the protection of the United States and its 160 million people against the continuous threat of the Communist menace. We need our allies. Their strength is definitely a part of our own defense.
>
> It is my sincere hope that the Senate will hold fast to the authorization figure of $4 billion of the Senate-House conference and thus give a full vote of confidence to the President at this critical time.

I thank the Senator from Montana.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY of Minnesota. First, I wish to join with our colleagues in expressing my commendation and thanks to the Senator from Montana for his fine address.

I noted that the Senator engaged in colloquy with the Senator from Alabama [Mr. SPARKMAN], in reference to the confusion over neutralism. I would only add that the confusion was all the more confounded by an address which the Vice President delivered at the Lafayette College commencement, an excellent address, for which I publicly commended him. I want to refer to it again tomorrow more extensively. Important parts of that address were repudiated in the comments which the Vice President made on his recent tour, at Karachi, Pakistan.

Yesterday Mr. Dulles, when asked what he meant by the "immorality" of neutralism, defined it in a converse manner by saying that if a nation joined the United Nations, it was not an immoral neutral. That was the substance of his comment.

This kind of confusion, as the Senator has said, is very embarrassing. I do not think it does our country much good.

Is the Senator familiar with the press report of this morning, July 12, from Bangkok, Thailand, under the heading "Thai Press Attacks on United States Hit New Peak," datelined Bangkok, Thailand, July 11?

Mr. MANSFIELD. I am familiar with it.

Mr. HUMPHREY of Minnesota. To what does the Senator attribute this alarming story?

Mr. MANSFIELD. As I recall the story, if the Senator will look at the last several paragraphs of the dispatch, I do not believe that some of the publications cited there are worth much in the way of consideration. Would the Senator mind reading the last few paragraphs of the story?

Mr. HUMPHREY of Minnesota. The story reads in part as follows:

> One fast-selling weekly that sprang up after June 15 has been especially virulent. It charges the United States with destroying Thailand's economy by blocking trade with Red China and trying "to steal Asian rice markets."

The story further states:

> This sensational brand of anti-Americanism is not common. However, other segments of the Thai press, both conservative and leftwing, are outspokenly critical of American foreign policy in respect to Asia.
>
> Some of the criticism is doubtless Communist-inspired. Four of Bangkok's five Chinese-language papers—Thailand has an estimated 3 million Chinese who dominate the economic life of the country—are pro-Peiping.
>
> But much of it stems from restiveness over Thailand's alliance with the United States to the exclusion of Communist countries.
>
> Thai pride is stung by Communist charges that Thailand is an American puppet.

Mr. MANSFIELD. Probably one of the reasons why there is this apprehension, not only in Thailand, but even in such friendly areas as South Vietnam, Singapore, Indonesia, and elsewhere, is the fact that since August 1, 1955, a conference has been going on in Geneva between Wang Ping-nan, Chinese Ambassador to Poland, and U. Alexis Johnson, the American Ambassador to Czechoslovakia. I think the conference meetings now number in excess of 40.

The people of Southeast Asia have been watching that conference with great interest. To them it is far more significant than the big Geneva conferences which were previously held. They have the idea that perhaps this meeting between the American and Chinese Ambassadors in Geneva, which has been going on for almost a year, might be very determinative so far as their future is concerned. They look with foreboding, apprehension, and fear at what is going on. They conjure up the possibilities. I think that, in part, may account for some of the recent anti-Americanism, or at least apprehension, in that part of Southeast Asia.

Mr. HUMPHREY of Minnesota. The Senator is aware of the fact that on June 15 the government allowed to lapse a regulation forbidding criticism of friendly foreign powers. Immediately after the government withdrew that regulation, it was as though Pandora's box had been opened, and the criticism came out. Have we not had information to the effect that Thailand has given some indications lately of moving toward a more neutralist position?

Mr. MANSFIELD. Yes, indeed.

Going back to the Senator's original question, about a year ago, Pibul Songgram, Prime Minister of Thailand, started holding public press conferences, based upon the British and the American pattern. He did not hold a press conference for 15 minutes or half an hour. He stayed as long as representatives of the press wanted him to stay, and they kept him there for 2 or 3 hours. He went along with them. Finally, they began to take up too much of his time. He did not like all the criticism he was receiving. It was found as a result of these press conferences that there were certain deficiencies in the Government.

Perhaps what is happening is that the Prime Minister in a desire to share some of the responsibility, has said, "Don't find fault with me and my government all the time. Find some other subjects, and write about the people in other countries."

Mr. HUMPHREY of Minnesota. The Senator read recently that the Vice President of the United States, on his visit to the Philippine Islands, announced that our Government would concur in, or was satisfied with, the declaration of sovereignty on the part of the Republic of the Philippines over American bases.

Mr. MANSFIELD. That is correct.

Mr. HUMPHREY of Minnesota. Is it not true that this has been a very sore point in the relationships between the Philippines and the United States as to whether or not we would lease those bases or own them?

Mr. MANSFIELD. A very sore point, and a sore point which never should have been allowed to develop.

Mr. HUMPHREY of Minnesota. Is it not true that there has been a rising tide of criticism, both in the Philippine Congress and in the Philippine press, over American policy in the Philippine area?

Mr. MANSFIELD. Yes; and it has reflected upon such a good friend as President Magsaysay, who is one of the outstanding leaders among the free peoples of the entire world.

Mr. HUMPHREY of Minnesota. I wish to express my admiration for Magsaysay, but is it not true that, as a result of these difficulties Magsaysay has been accused again and again by his opposition, and even by some in his own party, of being too pro-American?

Mr. MANSFIELD. That is correct. I think the Vice President of the United States, Mr. NIXON, certainly did the proper thing, and is to be commended for his part in conveying to the Republic of the Philippines our position, that so far as the base rights are concerned, they are indubitably Philippine rights and not American rights. For the past 3 years we have contested the Philippine allegation of sovereignty, because of a decision handed down by the Attorney General of the United States, Mr. Herbert Brownell, Jr.

Mr. HUMPHREY of Minnesota. That 3-year period has caused us grave difficulties in our relationships in the Far East.

Mr. MANSFIELD. Certainly.

PAYMENT OF ANNUITIES TO WIDOWS AND DEPENDENT CHILDREN OF JUDGES

The PRESIDING OFFICER (Mr. HUMPHREYS of Kentucky in the chair). The hour of 12:30 having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3410) to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges.

CIVILIAN ATOMIC POWER ACCELERATION PROGRAM

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business, S. 3410, to provide for the payment of annuities to widows and dependent children of judges, be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2413, S. 4146.

The PRESIDING OFFICER. The Secretary will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4146) providing for a civilian atomic power acceleration program.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ISABEL TRE

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 146) for the relief of Isabel Tre, which were to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Isabel Tre, Anniemae M. Swanson, Armylee V. Swanson, and William Jeffrey Jonas, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

SEC. 2. For the purposes of the Immigration and Nationality Act, Mirko Zivolich, Mary A. Mouskalis, Zelda Baumzveiger, Spyros Nicholaou Lekatsas, Elli Yorkgiyadis, Athanase G. Politis, Vittorio Ventimiglia, Mario Farabullini, Alla Farabullini, Knar Carmen Ives, Joyce Soonhwe Kim, Frank Sevcik, Jr. (also known as Frantisek or Francesco Sevcik) Ethel Kallins, Oksanna Oztemel, and Javier F. Kuong, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 3. For the purposes of the Immigration and Nationality Act, Zoltan Klar, Vilma Hartmann Klar, Tibor Klar, and Marion Drucker shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said act, in the cases of Vilma Hartmann Klar and Marion Drucker. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control office to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 4. For the purposes of the Immigration and Nationality Act, Stanislaw Argasinski shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this section of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available: *Provided*, That the past membership of Stanislaw Argasinski in the classes defined in section 212 (a) (28) of the Immigration and Nationality Act shall not hereafter be a cause for his exclusion from the United States.

SEC. 5. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrant of arrest, and bonds which may have issued in the case of Salomon Benveniste. From and after the date of the enactment of this act, the said Salomon Beneviste shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

SEC. 6. For the purposes of the Immigration and Nationality Act, Dr. Yong Whan Kim shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee, and upon compliance with such conditions and controls which the Attorney General after consultation with the Surgeon General, United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

And to amend the title so as to read: "An act for the relief of certain aliens."

Mr. JOHNSON of Texas. Mr. President, on April 19, 1956, the Senate passed S. 146, to grant the status of permanent residence in the United States to the beneficiary. On July 3, 1956, the House of Representatives passed S. 146 to include the beneficiaries of 21 similar individual Senate bills. One case included in S. 146 passed the Senate to grant permanent residence to the beneficiary, but has been amended to provide for cancellation of outstanding deportation proceedings in behalf of the beneficiary.

The amendments are acceptable, and I move that the Senate concur in the House amendments to S. 146.

The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

ANNA MARIA FULLER

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1895) for the relief of Anna Maria Fuller, which were to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Anna Maria Fuller, Gosta Harry Roner, Giuseppa Boni, Brigitte Lechner Wegner, Elisabeth Dummer, Maria Cedrone DeRubeis, and Moses Rosenberg may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 2. Notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Elsa Emelina Rosado y Rodriguez de Brower and Lotte Windsschild may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 3. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Hildegard L. McNabb and Giuseppe Culcasi may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 4. Notwithstanding the provision of section 212 (a) (3) of the Immigration and Nationality Act, Gertrude Heindel may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 5. Notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Charles Black, also known as Joseph Clark, may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible, under the provisions of that act.

SEC. 6. Notwithstanding the provisions of section 212 (a) (7) and (25) of the Immigration and Nationality Act, Anna Abbene may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 7. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Antonia Soulis may be issued a visa and admitted to the United Statse for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 8. Notwithstanding the provisions of section 212 (a) (9), (17), and (19) of the Immigration and Nationality Act, Eladio Ledesma-Gutierrez may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 9. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

And to amend the title so as to read: "An act to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens."

Mr. JOHNSON of Texas. Mr. President, on May 21, 1956, the Senate passed S. 1895, to waive a ground of inadmissibility in behalf of the beneficiary. On July 3, 1956, the House of Representatives passed S. 1895 to include the beneficiaries of 15 similar individual Senate bills. One case included in S. 1895 passed the Senate to grant permanent residence, but has been amended to grant a waiver of the excludable grounds, thereby placing the beneficiary in a position to adjust his status administratively.

The amendments are acceptable, and I move that the Senate concur in the House amendments to S. 1895.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

THE KREMLIN'S POLICY

Mr. HUMPHREY of Minnesota. Mr. President, in recent months we have all witnessed the systematic and thorough decimation of the Stalin myth by some of its previously most ardent perpetrators. We have witnesses here and abroad the outward, agonized looks on faces of Communists as they once again are asked to turn on themselves and eat their words of adoration for Stalin of only a few months ago.

Mr. President, at a later date I shall discuss in some detail what I believe to

be some of the implications of this new Kremlin-Communist policy. I note only at this point that I sharply disagree with the statement of the Secretary of State that what is going on presently in the Soviet Union is a sign of weakness. What the present collective leadership of the Soviet Union is doing is not weakening its leadership, but actually strengthening it.

The actions of the Communist Party leadership in Italy, in France, in the United States, and in other countries, in getting back into line and accepting the explanations of Mr. Khrushchev and of the Kremlin leadership indicate the supremacy of the doctrine and ideological power of the Kremlin so far as I am concerned.

It is nothing short of shocking to me to read in the press statements from the Secretary of State which indicate signs of weakness on the Kremlin horizon, particularly when such a statement is based on the fact that there has been some criticism of the statements of Khrushchev by Communist lesser lights in other countries.

Anyone who has studied the history of Lenin and Leninist-Communist theory knows that that is entirely within the pattern of Lenin doctrine. It is amazing to note the lack of knowledge in high places of what is transpiring, and how it fits within the established and announced pattern of collective leadership.

In the New York Times magazine of June 17, 1956, the executive director of the Research Institute of America, Dr. Leo Cherne, contributed an excellent analysis of the new desanctification of Stalin. The article is entitled "Is the New Russia a New Myth?" and I ask unanimous consent that it be printed at this point in my remarks:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS THE NEW RUSSIA A NEW MYTH?

(By Leo Cherne)

For at least 30 of the 39 years since the revolution, the Soviet Union has presented a false front to the world. But now the false face has been lifted off, revealing the familiar likeness of Joseph Stalin. He and not the Soviet system, we are told, was responsible for all the evils now being admitted. Stalin, we are told, was a useful man—but one who turned his country toward the night. Now, with Stalin dead, democratic centralism in the hands of the collective leadership assures the true functioning of a people's democracy.

Thus a new myth is born. The old myth said that all that happens in the Soviet Union is good. Now we are told that the good was infected with evil. But the evil man is safely dead, and goodness at long last reigns supreme.

Admittedly, changes are taking place in the Soviet Union, as they are in all societies. Without doubt the new leaders are different from Stalin and unlike each other. A precise repetition of the brutalities now being confessed is unlikely because history never repeats itself precisely. Tomorrow may well be better. It could conceivably be as bad. If, however, the nature of the Soviet Union today and tomorrow is to be understood and anticipated, the past must be fully comprehended.

In the few short years since Stalin's death, the shifting leadership in the Kremlin has admitted defects of terrifying magnitude in Soviet society. With frenzied cries of sua culpa, the Soviet leaders have scrambled over one another in their frantic effort to reveal for the first time some of the extraordinary features of actual Soviet history and to fasten responsibility on Stalin's corpse. These indictments have been made by the present leaders of the Soviet Union, by party leaders in the satellite states, or in official Russian publications. The catalog is so extraordinary that its range and violence militate against assimilation by reasonable minds.

What are these facts that now multiply daily? What was life like behind the Iron Curtain and within the various Communist parties throughout the world?

During the last 25 years virtually every original leader of the Soviet Revolution has been killed or exiled. Many of Russia's leading citizens, members of the Communist Party central committee, the ranking generals of the Soviet Army, leading publishers, journalists, scientists, economists, and artists were convicted of treason. It is now admitted that a substantial portion of the convictions against these men was produced by fraudulent evidence. A number of those convicted were admittedly innocent. Many who publicly confessed were tortured into admitting to crimes that had never been committed. The testimony was imaginary, the confessions false, the courts unconstitutional, the judicial process illegal—even under Soviet law.

The Soviet Union has admitted that its Government, in executing the innocent, used the police force not to protect the state against crime or to provide vigilance against external danger, but to destroy leading officers of the state, outstanding citizens of the community and even former leaders of its own police apparatus. It is now admitted that the secret police of the Soviet Union was all-pervasive. It might almost be said that here was not a state with a police force but a police force with a state.

The revelations include the charge that men were destroyed not for any act of opposition, real or imagined. The truth is that several among the accused were, in fact, in opposition to Stalin. But to admit this would further expose the present leaders' failure to oppose the evil. Under the charge of paranoia leveled against Joseph Stalin, we are left to conclude that the executions were ordered by the dictator out of whim or his suspicion of some future opposition or because bungling required a scapegoat.

It is now conceded that even the party, the elite minority of Soviet society, failed to protest. Debate and criticism did not exist within the organs of the party, not to mention the more than 95 percent of the community outside the party. It has been specifically acknowledged that even those high enough in the hierarchy to share the platform with Joseph Stalin were "compelled" to be equally acquiescent.

Count after count follows in this endless indictment. It is now charged that the alliance between the Soviet Union and Fascist Germany was a betrayal, that the subsequent attack by the Nazis should have been anticipated and was not. It is admitted that millions of Russian lives were needlessly lost, that adequate defense was prevented. It is conceded that the major instruments of Soviet society—the party, the Army, industry, the secret police—were in constant fear of each other and in constant danger from the top.

Anti-Semitism, it is now revealed, not only existed in the Soviet Union but was, as in Nazi Germany, fostered as an instrument of the state. It is admitted that cultural leaders have been executed for political reasons, that scientific theory was distorted at the whim of politicians and by the fantasies of the dictator. Soviet historiography, we now learn, was purposefully untruthful. Soviet literature did not reflect the realities of Soviet life, and the boasts about the technological superiority of the Soviet Union were untrue.

It is now confirmed that Communists outside the Soviet Union have been sacrificed with the same ruthless agility as those within. And with this, it is conceded that the Soviet Union controlled the various national Communist parties; that, in fact, the purges in these parties were mechanical duplications of the purges in the mother country, based on the same falsifications.

We learn that the Soviet Union admits the existence of slave labor camps. There is also an implied admission that a primary purpose of the forced labor establishments was the need for coerced production. It has been admitted, in Poland, that labor and management do not have an identity of interest in the Soviet system. Unions, we are now told, have been merely tools of the state for increasing production and exploiting workers.

It is conceded that imprisonment was an accepted punishment for infractions on the job, such as absenteeism, lateness, or the illegal effort to change employment In this connection, too, it is admitted that the trade union officials who represented the workers were not even selected by labor but were appointed by the Government, in short, by the employer.

So the 30-year myth is whittled away to reveal the catalog of past falsehood. But the real falsehood is the new myth that takes the place of the old.

If the earlier Soviet was a riddle wrapped in an enigma, the new Soviet must be described as the truth surrounded by a lie. All the accusations are directed against Stalin himself and the orders he gave his lackeys in his dictatorial "cult of personality." Monolithic praise of Stalin is now replaced by monolithic denunciation. The Russians who could not dissent from the apotheosis of Stalin may not now dissent from his demonization. There is not the slightest concession that the state or the system, the party or the dynamic of Soviet Government was responsible for the admitted crimes.

The party remains infallible. The state's hands are clean. Consequently, of course, all but those directly charged are innocent. And since those charged are dead, the Soviet expects its people and the world to believe it can't happen again.

If this new myth is accepted, the world will have misread the meaning of the indictment and will be the victim of a more deadly falsehood. The collective leaders must obviously relax the burdens if they are to assure themselves the ultimate conquest of power and protect themselves against the danger each represents to the other. But the record now emerging from their lips is the clearest proof that the appetite for power is insatiable where no countervailing force exists as in a democracy.

The unchallengeable dictator is never content with the power he already has; he must reach for more until his rule is absolute. And when ultimate power is attained, history tells us the holder of that power will experience a kind of madness, a pathological suspicion of his closest colleagues and a deep fear of the rumbling masses whose every activity he must control.

Lenin, in a moment of foreboding, warned his fellow Communists that the revolution must not be permitted to devour its own children. What the founding father of communism failed to realize was that the inner logic of totalitarianism makes it inevitable that the state will consume its own sons.

Why does it happen? Why does the dictator always conclude that his most trusted lieutenants will betray him unless he destroys them first? Why, in our time, do

we find that in Western countries the total number of Communists who have been indicted and tried for subversion is infinitesimal compared to the number of Communists who have been executed by the Soviet state?

Reinhold Niebuhr suggests the answer in his book, Moral Man and Immoral Society. "Power once attained," says Niebuhr, "places the individual or the group in a position of perilous eminence so that security is possible only by the extension of power." The greater the power, the more threatened its possessor feels. The men who exercise total power must especially fear those most able to challenge it, their own associates and viziers.

The message is older than ancient Rome. Tiberius, for example, at first sought to restrain those around him from the too zealous hunt for imagined conspirators. But the logic that makes every dictator distrustful if he lives long enough, finally led Tiberius to kill his most trusted aids with barbaric cruelty. In the end, Tiberius had faith in no one. One day he fainted, and his retinue ended the fears of the old man by smothering him in his pillow.

Even Domitian, who early in his reign drove political slanderers and informers out of Rome, welcomed them back and listened to their warnings of conspiracy on every side. At the age of 45, he died under the dagger. In those last years, his fear of assassination was so great that he hung mirrors all around him that he might be sure to see the approach of his would-be murderers.

Now the Communists themselves tell us that Stalin suffered from the occupational disease of the absolute monarch. But in the process of making these revelations, they reveal to the world the nature of their own system. It is now official doctrine that under communism a madman can attain absolute power and nobody can do anything about it except sit around and wait for him to die. Under communism there is no method for correcting such a condition. Khrushchev himself has presented the real indictment against communism as an unworthy system of government when he tells us that he and his associates were aware of Stalin's crimes. Yet they administered his deadly purposes.

If every major leader now in the party was implicated as an accessory during and after the fact, how is the party guiltless? Why are the present leaders, yesterday's collaborators, innocent?

There are obviously no clean hands among today's rulers of the U. S. S. R. There is an equally obvious effort to persuade the world that they have reformed. The world will be eager to believe that its danger has passed and that humanity is no longer threatened among the third of the world's population who still live behind the Iron Curtain.

But has the mechanism that produced disaster been altered? Does the pinnacle, the Kremlin, attract the madmen or create them? Was the Communist Party subverted by Stalin or was he himself the inevitable product of communism? Sidney Kingsley, in closing his dramatization of Darkness at Noon, has Rubashov, the old Bolshevik, address his torturer, Gletkin, the new Soviet man.

RUBASHOV. My son * * *

GLETKIN. I am not your son.

RUBASHOV. Yes; you are. That's the horror. * * * The means have become the end; and darkness has come over the land.

In these prophetic lines may be found the only responsible position for America: a recognition that sons may disown their father, yet offer no assurance that their conduct will be more civilized than the acts of terror which gave them birth.

In one respect the new leadership of the Soviet Union has been civilized. The nuclear weapons of total destruction and the atomic stalemate make war too awesome to risk. The probability of retaliation has made military adventure less likely, at least for the immediate future.

But the world can be destroyed by a weapon almost as devastating as the split atom. It can be destroyed by the remorseless economic, political, and diplomatic piecemeal penetration by the Soviet Union of the still-free countries. That destruction can be aided by an indifferent, disarmed, supine, and sentimental neutralism.

The shadows of war have diminished. Those that portend the destruction of freedom are unhappily still clearly visible.

What should our policy be in the light of the new, if momentary, environment within the Soviet orbit? Primarily, all of our actions in relation to the Soviet Union, the satellites, and the uncommitted world should flow from recognition that the fundamental conflict between us has not been resolved, that the Soviet blueprint for world conquest has not been revised, and that the recent changes are merely a temporary transfer of that conflict from the battlefields of Korea and Indochina to the psychological, economic, and diplomatic arena. It is urgent that we permit neither pique nor pride to weaken our relationship with our allies, divorce us from nations which remain truly neutral, or drive more deeply into the Soviet camp those countries which still fail to understand the expansionist nature of totalitarian states.

At the same time, it would be folly to increase the economic resources upon which the Soviet now relies to compete with and destroy us. The resources of the Communist nations are not yet adequate to sustain their own populations, increase their standards of living, enlarge their capital plant, and pursue an aggressive economic policy abroad. Any increase in trade or assistance which will relieve the Soviet Union's economic embarrassment will directly increase the Soviet's power to free scarce manpower and limited resources for its international objectives.

We should, to the extent of our talent and resources for public persuasion, enlarge the desire of the Russian and captive peoples for a better life under a government of their own choosing. We should, wherever possible, emphasize and encourage the anger against injustice and the will for freedom which exists behind the Iron Curtain—where there are more devoted anti-Communists than in the rest of the world put together.

We should immediately and radically increase the measure of our assistance to those who have risked their lives to escape to freedom in the West. We must resist and prevent large-scale Soviet efforts to accomplish redefection by force and blackmail.

We should recognize that those who travel to the United States from the Soviet Union are trained, skillful observers, propagandists and, in certain instances, spies. Our hospitality must neither overwhelm our good judgment nor destroy our well-grounded apprehension. Those of our citizens who have occasion to travel behind the Iron Curtain are free citizens performing none of these subversive functions. They should, however, be apprised of the possible reverberations of everything they say or do behind the Iron Curtain, and we must provide them with every opportunity to increase beforehand their ability accurately to present the facts of American life.

We should greatly increase the opportunity for young citizens of the uncommitted countries to visit and study in the United States. Our self-portrayals are cavalierly disbelieved. Direct exposure to the truths of our ways of living cannot readily be dismissed. We may wisely offer sharply increased opportunities for the training of the technicians, teachers, doctors, nurses, and public administrators so urgently needed in much of the world. This program alone may more permanently assist and persuade than some aspects of our direct economic aid.

Above all, there should be no confusion within the Government as to the nature and purposes of the new Soviet moves. Whether for reasons of political motivation, internal struggle for position within our own administration, or sheer misinterpretation of the events. It is harmful to the extreme for any representative of the United States Government to leave the impression that the Iron Curtain is crumbling when it is not, that reliable disarmament is in process when it is not, or that permanent tranquillity is a realistic prospect for Soviet-American relations.

The new confessions of the Soviet leaders may well have opened a closet in which the skeletons will continue to rattle and from which forces may emerge which the Soviet leaders cannot wholly control. It is urgent that we not assist the Soviet Union in whatever difficulties it may now confront by parroting the impression that the "darkness at noon" has turned into lightness—an impression which the Kremlin is so eager to convey.

Mr. HUMPHREY of Minnesota. Mr. President, I respectfully urge all Members of the Senate, deeply concerned as they are over our foreign policy, to read this thought-provoking article. It will help a great deal in a better understanding of developments in the Soviet Union and in the Communist satellite countries.

Mr. President, in their public soul-searching for previous sins of the Stalin-Soviet state, the present Kremlin rulers have ironically set an appropriate stage for what could have been, and might still be, a meaningful and dramatic move by the United States in this cold-war period.

I say again, however, that a meaningful move does not mean the making of a gross miscalculation. A gross miscalculation can be made if one assumes that what is taking place in Russia today is a sign of weakness. In fact, it has all the attributes of strength.

Undoubtedly, one of the areas of the world which has felt most severely the crushing heel of Communist dictatorship and terror has been that brave group of people in Eastern and Central Europe—Latvia, Lithuania, Estonia, Poland, Czechoslovakia, Rumania, Bulgaria, Hungary, and Albania. Their undying courage, their thirst for freedom, was once again manifested in last week's rioting in Poznan.

Mr. President, we in the free world should never forget the solemn promises that were once made by the Soviet Union to these people. Among those pledges, signed by Kremlin representatives, were the provisions granting freedom, independence, and democratic forms of government contained in the first general declaration by the United Nations of 1942, and in the Yalta agreements of 1945. Sometimes for partisan reasons, some of us have neglected the importance of these Russian pledges. Was Stalin ever more criminal than when he refused to fulfill Soviet obligations under these treaties?

Mr. President, I suggest that now is the time for some bold and dynamic action by our State Department. While the Soviet leaders are involved in a panic of denunciation of their dead master, whom they now describe as a "practitioner of brutal violence," our State De-

partment or the President should again and again publicly proclaim that Stalin's crimes inflicted on the brave nations of Eastern and Central Europe must not go unredeemed.

From all the crimes of Stalin that Khrushchev has talked about he has excluded the rape of the eastern European nations, which constitute open violations by the Soviet Union of treaty obligations and obligations under the Charter of the United Nations.

While as a country we have rejoiced in seeing Khrushchev trying to explain away Stalin's brutality, we have failed miserably to make it crystal clear that the greatest of all of Stalin's crimes was not what he did to the Russian people but what he did to the peoples of other countries.

While the Soviets are simulating penitence for a generation of Stalinist tyranny, let us relentlessly remind them of the enslavement of these other peoples during these years of Stalin's rule.

There is no way by which we can resurrect the millions of Stalin's murdered victims, but there are obvious ways by which the present Soviet rulers could show their remorse in Eastern Europe. The tradition of freedom in Eastern Europe has not yet been snuffed out, as the Poznan riots proved. There is much to indicate that similar restlessness is to be found in every other country of Eastern Europe. In fact, the Soviet Union today is literally on notice that other riots will be taking place in the satellite countries.

Mr. GORE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY of Minnesota. I yield.

Mr. GORE. The Senator from Minnesota is making an arresting address. Is he convinced that the stir in the Communist world and its quick settlement has demonstrated once again the monolithic character of world communism?

Mr. HUMPHREY of Minnesota. The Senator is correct; and it has also demonstrated, again, the brutality of the police state and the willingness of the leadership of a police state to snuff out human life as if merely pulling weeds out of the ground.

Mr. GORE. Is it possible that the ultimate result of this maneuver, this change of strategy on the part of the hierarchy of world communism, will be an accretion in the popular political appeal of communism within certain nations?

Mr. HUMPHREY of Minnesota. I am sure that is one of its designed purposes. I am convinced in my own mind that two things were uppermost in the minds of the Kremlin leaders: First, because of the terroristic activities of Stalin, they wanted to try to get that responsibility off their collective backs; and second, by announcing a doctrine to cleanse, so to speak, Stalin terror and brutality from the pages of Communist history, they hoped to make Communist Parties more popular in satellite states and in nonsatellite states—in the states of the free world. And, to some extent, it has had that effect. But I note for the Senator's attention that when Mr. Dennis, top Communist writer for the Daily Worker in the United States, had his article published in Pravda—which, by the way, is the first time such criticism has ever been published in Pravda—Khrushchev gave his explanation of why he, Khrushchev, had not resisted Stalin's terror. This explanation has been readily accepted by the Communist leadership in country after country.

I said earlier in my remarks that this is exactly the pattern which Lenin laid down. He said early that there should always be the right of Communist Parties in other countries to criticize. But, note that when Khrushchev laid down the answer, again the ideological center of power was the Kremlin. Yet, they fell right into line and accepted the explanation from the Kremlin and, particularly, from the boss of the party, Khrushchev, as if it were the last word on doctrine.

Mr. GORE. I thank the Senator for the contribution he is making. I have not claimed to have a comprehension of the machinations of international communism, though I must say it has occupied considerable of my thought. I have had the apprehension that the ultimate result of this change of strategy would be to make world communism more dangerous rather than less dangerous.

Mr. HUMPHREY of Minnesota. I may say to the Senator that that is also my feeling, and it, therefore, poses an even greater threat to the security of the American people.

Mr. President, political freedom in Eastern Europe may not be in the Kremlin's agenda, but we should keep it on the world's agenda. We should ask, Why is this political enslavement not included in the lengthy lists of Stalin's dictatorial and inhuman actions which the present rulers now loudly disclaim? Why is the Stalin policy of terror in Eastern Europe, of the forceful submission of the millions of men, women, and children of these nations, not denounced along with the rest of Stalin's actions? Our State Department should reiterate in the strongest possible language the deep, continuing commitment by the United States to the eventual freedom and independence of these nations.

We should cite, particularly this year, the hundredth anniversary of the birth of Woodrow Wilson, the doctrine of self-determination. Mr. President, Woodrow Wilson is literally worshipped in most of these Eastern European countries as a leader of emancipation. Now, more than ever, we should emphasize the principle of self-determination, particularly when Khrushchev, the Communist Party boss, is apparently willing to try to tear down the record of Stalin. Then let the Government of the United States, formally, by radio, by pamphlet, by document, by diplomatic exchange, in every way we can, call attention to the leadership of the Kremlin that in their denunciation of Stalin for his murders and transgressions they forget the fact that Stalin violated the declaration of the United Nations of 1942, abrogated the Yalta agreement, and broke most of the major commitments the Soviets ever gave to the peoples of the world. We need continuously to offer hope to the peoples of Eastern Europe, Mr. President. It is foolish to offer them hope of liberation by armed aggression, but it is necessary that we offer them the hope of emancipation, and we should use every conceivable, peaceful means to press for their eventual freedom.

Mr. President, our Government should now at this strategic point in world affairs, strongly protest the Soviet violations of the intent of the United Nations declaration of 1942 and of specific violations of the Yalta agreement of 1945.

In Washington, D. C., on January 1, 1942, the Soviet Union signed the United Nations Joint Declaration, in which she accepted the purposes and principles of the Atlantic Charter. Stalin thereby agreed—

> To seek no aggrandizement, territorial or other; to respect the right of all people to choose the form of government under which they will live; and to see sovereign rights and self-government restored to those who have been forcibly deprived of them.

During the winter of 1945, Stalin personally signed the Yalta agreement, which implemented more specifically the general provisions of the United Nations Joint Declaration of 1942. Stalin once expressed his commitment to the purposes and principles of the Atlantic Charter, and in the Yalta agreement entitled "Declaration of Liberated Europe" the Soviet union further agreed to "foster the condition in which the liberated peoples may exercise their rights to self-government," to formulate "governmental authorities broadly representative of all democratic elements in the population," and to encourage "the earliest possible establishment through free elections of governments responsive to the will of the people." Particularly in regard to Poland, Stalin promised to urge the Polish provisional government to hold "free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot." Stalin solemnly pledged that "the final delimitation of the western frontier of Poland should await the peace conference."

Mr. President, I have quoted from the exact words of these two treaties entered into by the Soviet nation under Stalin's rule. The provisions of both of these treaties have been violated explicitly by the Soviet Union in various ways since they were first signed.

I repeat: It is urgently necessary that the Government of the United States and the governments of our allies at this crucial juncture of world history and of the changes in the Communist pattern point up that of all Stalin's crimes, none was more evil than the enslavement of the free peoples of the present captive countries of Eastern Europe. Let me cite a few examples.

ALBANIA

The Communist dominated Hoxha government undertook an extensive hunt for all those who had influence over the people and who might oppose the Communist regime. Through the use of highly reprehensible legal procedures, these leaders were placed in jail or shot; all this in direct and violent disregard

for the treaty provisions of the Atlantic Charter in which the Russians agreed to see that "the rights of all peoples to choose the form of government under which they wish to live," were respected. Elections in Albania, guaranteed by the Russians to be free elections, as designated by the Yalta agreement, were held in such a manner that anyone voting for an opposition party was quickly identified and placed in slave labor camps. Since 1945, more than 80,000 Albanians have been so imprisoned.

Yet, Mr. President, the Government of the United States is still twiddling its thumbs in the Geneva Conference of the International Labor Organization over whether or not we should openly, by convention, condemn forced and slave labor. Can anyone imagine the greatest free country in the world still splitting legal hairs as to whether or not slave labor should be condemned by international action?

BULGARIA

With the direct cooperation of the Red Army and the MKVD agents in Bulgaria, the Communists began immediately a wave of arrests and assassinations that terrorized the population. According to Communist official figures, the first 6 months of their rule in 1945 resulted in the trial of 11,667 persons, with over 2,800 of these shot to death. In the 1946 elections, a wave of terror swept the nation a few days before the voting was to take place as 34 opposition candidates and 58 representatives of the opposition on the election committees were either killed or imprisoned.

CZECHOSLOVAKIA

Communist Party attempts to crush all opposition led to the imprisonment of more than 2,000 leaders of various Czechoslovakian political parties in the winter of 1947. Through the continual aid of the Red army and the Soviet Foreign Office, the Communists completed their coup d'etat and took over the entire governmental machinery of Czechoslovakia.

More than 100 forced-labor camps now hold various political prisoners numbering in excess of 300,000. All this is in complete violation of the declaration of liberated Europe in the Yalta agreements.

HUNGARY

The maneuvers of the Hungarian Communists, backed and helped by the Soviet occupation army, centered around the mass deportation of civilians and selected politicians who were hostile to a Communist-dictated government. Using their powers under the armistice agreement signed with Hungary, the Russian Government through its military arm subverted the intent of the Hungarian people, who had given only 17 percent of the vote to the Communist Party in the free 1945 elections, by expelling over 20 deputies of the majority party, and reorganized the government along Communist lines. By 1949, the Soviet-backed Communist Party in Hungary had crushed its opposition and intimidated the people to such an extent that less than 4 percent of the population dared to vote against the Communist regime.

RUMANIA

Again through the cooperation of the powerful Red army, and through Moscow's control of the press and radio, the democratic parties, which represented more than 90 percent of the electorate, were abolished either through judicial or de facto measures and their leaders thrown in prison. Over 250,000 persons are now in concentration camps and mass deportations of Rumanian citizens to Soviet slave-labor camps were reported.

POLAND

After Stalin's agreement in 1945 to the Yalta Treaty provision that the present provisional government in Poland should be reorganized on a "broader democratic basis," the Soviet-dominated selections for the Polish Cabinet were arranged so that of the 21 Cabinet posts, all but 3 were held by Communists or Communist followers. After days of Communist abuse, violence, terror, arrests, and murders, the elections of 1947 were held to choose the permanent Polish Government. Though the Polish Peasant Party is reported to have represented a large majority of the population, it obtained only 28 of the 444 seats in the Parliament. Through the continued presence of the Red army and a systematic process of Communist liquidation of all democratic forces, by 1952 the Communists were in such a strong position that there was no pretense of democratic elections needed, and so the election was held with a single-slate Soviet-type ballot, with no opposition permitted. In direct violation of the Yalta Treaty provisions, which state that the final delimitation of Poland's western frontier should await the peace conference, the Soviet-controlled Government of Poland and Eastern Germany signed an agreement making the Oder-Niesse line the definite German-Polish frontier.

These instances are a short summary of the flagrant violations which could be recited. This is not something new. These occurrences are known. But I regret to say that we are not pounding them home at this critical juncture on the ideological front.

The recent denunciations of Stalin's rule are obviously utterly hypocritical so long as these unhappy, captive people remain enslaved behind the Iron Curtain. We ought to say so.

If ever there was an opportunity for our information services for the United States Information Agency, and for every conceivable instrumentality of our Government to pound home the true crime of Stalin, his major crime, namely, the enslavement of a free people, the opportunity is now at hand.

We should say so, officially, publicly, and repeatedly, until it is fully understood in the free world and in the slave world that so far as the United States of America is concerned, new smiles on Kremlin faces will not atone for a generation of Stalinist terror.

We ought to make it crystal clear that we do not look upon the recent gyrations of Soviet policy as a sign of Soviet weakness, but rather as a sign of Soviet duplicity, as a sign of Soviet cunning, as a sign of a very effective and powerful new strategy and tactic, which must be met, not by words only, but by an understanding of its purpose.

Hypocrisy can best be disproved, and sincerity proved, by an actual reversal of Stalinist practices, both in the U. S. S. R. and in Eastern Europe.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Communism and Hunger," published in the Washington Post and Times Herald of July 7, 1956.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COMMUNISM AND HUNGER

The Polish Red Cross—acting beyond doubt on the instructions of the Communist government—has rudely refused an official American offer of food for the hungry population of Poznan, scene of the recent workers' insurrection, and other industrial centers. The offer was made at the instigation of Acting Secretary of State Herbert Hoover through Mr. Harold Starr, general counsel for the American Red Cross. Meanwhile Senator MANSFIELD had proposed the free distribution of food supplies from the vast American surpluses to all the satellite countries.

These proposals have been rejected on the grounds, first, that the satellite peoples are already well fed, due to extensive purchases of grain abroad; and, second, that the motives that inspired Mr. Hoover's offer were propagandistic rather than humanitarian. Undeniably there was a certain taint of psychological warfare in the manner in which the offer was made. The truth of the matter, however, is that the Communists dare not permit gifts of food to their subject peoples because to do so would serve to emphasize, even to the "neutralist" statesmen whose friendship is now being assiduously wooed, the catastrophic failures of the Communist system. Famine is an inevitable concomitant of the Communist organization of economic life. This was demonstrated in Soviet Russia itself in the terrible years that followed the expropriation of the kulaks and of the "collectivizations" enforced by wholesale murder and terror. Indeed, Comrade Khrushchev himself blurted out some of the truth in his report to the central committee of the Soviet Communist Party in November 1953, when he disclosed that, after 3½ decades of Communist rule, agricultural production in Russia, notwithstanding the great increases of population, was hardly above the level of Tsarist times and in some important respects, notably the production of cattle and livestock, perceptibly below that level.

Thus Russia, which in Tsarist times was a food-exporting country, can now forestall the threat of chronic famine only by costly and increasing purchases in the world markets. Meanwhile the Communist adventures in imperialism, with the vast military forces required for them, and the grandiose scale of industrialization, have resulted in acute shortages of agricultural labor. To this may be ascribed, in part, the recent reductions in the Soviet armed forces and the withdrawals of Russian troops from some of the satellite countries.

Everywhere else within the vast Communist empire—in Central and Eastern Europe, in the Balkans and in China—it is the same story, only worse in varying degrees. And worst of all there is, while communism prevails, no hope of anything better than slight and temporary improvement. Here are stubborn economic facts that cannot be obscured by propaganda or cured by terrorism. The Soviet and satellite Communist leaders can afford neither to acknowledge nor to ignore them.

Mr. HUMPHREY of Minnesota. Mr. President, I call the attention of the Senate to a suggestion I made recently to the State Department that the United States use every conceivable means, including so-called balloon tactics, of disseminating in pamphlet form, and dropping it behind the Iron Curtain, Khrushchev's denunciation of Stalin.

Some may say, "Do not all the Communists behind the Iron Curtain know about Khrushchev's attack on Stalin?" The truth is that they do not. Nothing could be more helpful to the non-Communist forces in some of those countries than to have in their hands the actual words of the party boss, Nikita Khrushchev, so that they could confront their Communist neighbors with the words of the new leader of the Kremlin, and thereby to place on the defensive many of the less sophisticated members of the satellite Communist parties.

Mr. President, I noticed that in his column this morning Mr. Drew Pearson suggested that the same type of balloon be used for food packages behind the Iron Curtain. I am happy to see the suggestion was made not only by Drew Pearson, but by a former Minister of Agriculture from Czechoslovakia who is in this country, along with some of his compatriots.

Mr. President, I have met with these people. They are splendid persons. Some are former Prime Ministers, former Defense Ministers, and former Ministers of Agriculture. They are asking our Government to be a little more bold. They are asking our Government to be a little more ingenious. If Poland is unwilling to provide food for its people—people who are starving—if it is unable to accept the good offices of the Red Cross, the United Nations, or a third nation, the world—and the people of Poland—should know about it.

Finally, let me say it is absolutely imperative that the Government of the United States not delude itself as to developments on the Soviet political front. We are not deluding ourselves on military developments today. We are beginning to understand that the Soviet is militarily powerful. At long last we are beginning to understand that the Soviet Union is making tremendous advances in technology and science. It would be nothing short of a major national catastrophe for our Government and the leaders of our Government to delude the American people, and first themselves, that the Soviet political system is weakening.

I read yesterday that the Secretary said that by 1966 there may be freedom in Russia. I hope and pray he is right, but I would not want to depend on it, and I would not want American policy to be based on that assumption.

PROPOSED CIVIL RIGHTS LEGISLATION

Mr. LEHMAN. Mr. President, for the last 3 weeks at various times I have been scheduled to testify before the Senate Judiciary Committee on civil rights legislation, which is pending before that committee. My scheduled appearances in the past have been postponed for one reason or another. Finally, I was scheduled to testify this afternoon.

At noon today I was advised that objection would be made on the floor to a request for permission for the Judiciary Committee to meet and hold hearings at which I was scheduled to testify this afternoon. A staff member of the committee called at my office and advised me to this effect and that, consequently, the hearing had been called off.

Mr. President, my main interest—indeed, my sole interest—is to expedite consideration of civil-rights legislation by the Senate and to secure legislation in this field.

I wrote to the chairman of the Judiciary Committee some time ago that my anxiety for action to be taken by that committee was great and that I did not wish my appearance before that committee to delay action for even a single day.

I therefore offered to submit my statement in writing, and to file it with the committee. The Senator from Mississippi [Mr. EASTLAND] conferred with me personally on this matter and said his committee wanted very much to hear me and asked me to testify in person.

Mr. President, in the testimony which I prepared for delivery before the Judiciary Committee today I was going to report that allegations have been made to me by my constituents that the Judiciary Committee is itself conducting a filibuster in order to avoid acting on civil-rights legislation and reporting it to the Senate. I was going to express the hope that the committee would belie this complaint and act promptly.

Mr. President, while I was advised this noon that the Judiciary Committee would meet on Monday and consider giving me another opportunity to testify, I am not interested in testifying for the sake of testifying. I am interested in getting action on this legislation. In any event, Mr. President, I had already distributed advance copies of my remarks to the press last night and early this morning. It is for automatic release in today's afternoon newspapers. I could not stop its release even if I wanted to. And I do not want to.

Mr. President, I ask unanimous consent that the remarks which I had prepared for delivery before the Judiciary Committee be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit A.)

Mr. LEHMAN. Mr. President, I am going to file these remarks with the committee. I hope that the committee at its meeting on Monday will vote to proceed immediately to meet in executive session and consider these vital bills—those that have been reported by the constitutional rights subcommittee and those that have been submitted by the administration.

I am perfectly willing at any time desired by the committee to appear before it and discuss proposed civil rights legislation and my views on civil rights in general. But I do not wish any appearance of mine to delay for a single moment the consideration of civil rights legislation by the committee.

Now is the time not for words but for deeds. Time is growing short. Let us not frustrate the legislative process on this vital front.

EXHIBIT A

PREPARED TESTIMONY OF SENATOR LEHMAN BEFORE SENATE JUDICIARY COMMITTEE ON PENDING CIVIL RIGHTS BILL

Mr. Chairman, I do not suppose I need supply this committee with any special affirmation of my deep interest in civil rights legislation. I will assume that all the members of this committee are aware of my long-time advocacy of congressional action to secure and guarantee to each American citizen the rights each citizen is supposed to enjoy under the Constitution, but which are denied to some, in some States, on the basis of race or color.

I have been introducing and arguing for civil rights legislation ever since I have been a Member of the Senate and for many, many years before that. I am a cosponsor of some of the measures now pending before this committee. I am the primary sponsor of one of these bills, S. 1089, whose House counterpart, H. R. 5205, has been favorably recommended to this committee by its own Subcommittee on Constitutional Rights.

These hearings before your full committee have been going on for some time now, a very long time. I count it a privilege to be able to appear before you and to have my views included in the record which will constitute, I trust, the basis for early—indeed, I hope immediate—recommendations to the Senate.

I am sure you are aware, Mr. Chairman, that we are in the closing weeks of this session and of this Congress. There is not much more time.

A moment ago I said that for many years I have been advocating congressional action on civil rights legislation. I emphasize the word "action." It would be a pity—and a travesty on the legislative process—if these hearings you have been holding were to be so prolonged as to make action impossible.

I trust that this distinguished committee will not permit its hearing processes to be used as a means of denying the Senate the right to consider and act on some of the civil rights bills pending before you. Some of my constituents are already complaining that this committee is itself conducting a filibuster on this legislation. I hope this committee will belie this complaint and proceed to act without further delay.

Although we do not have much time left in this session, there is still enough time for the Senate to consider, at whatever length is desired, appropriate civil rights legislation. I am not a member of this committee, but as a Member of the Senate whose agent this committee is, I ask that you do not deny the Senate a chance to legislate on this subject.

These hearings, whose record I am eager to read, have undoubtedly resulted in the submission of much useful information and many valuable views. Up to a point these hearings have provided a great public service. Beyond a point, in my judgment, the prolongation of these hearings would constitute a threat to the democratic process in the Senate.

I am aware that the administration bears a considerable share of the responsibility for the delay in bringing this legislation on this subject before the Senate. It was April of this year—the fourth year of this administration—before the administration submitted its recommendations.

Already by that time your Subcommittee on Constitutional Rights had acted and reported some civil rights bills, with all of whose purposes I agree. One of the bills your subcommittee reported is the House companion measure to a bill I introduced and have advocated for a number of years, H. R. 5205, and S. 1089, a proposal to make

it a Federal offense to assault, without provocation, a member of the United States armed services while on duty.

As I have said and as this committee knows, its Subcommittee on Constitutional Rights reported a number of civil rights bills some time before the administration even submitted its recommendations. Those bills are pending before this committee, along with the administration bills. Some of the bills reported out by the Hennings subcommittee have been pending here for 2 years and were considered in previous Congresses by the Judiciary Committee. Some were reported out in previous Congresses.

So today this committee has before it the bills already reported by the Hennings subcommittee, plus those recently introduced at the instance of the administration.

Some of the administration bills contain provisions which duplicate those in bills already reported. Some of the administration proposals are weaker in some respects than some of the provisions already approved by the Hennings subcommittee.

But Mr. Chairman, I am not interested in the sponsorship of these bills, not even my own. I am not concerned over whether the bills to be acted upon are administration bills or bills introduced by Democrats. I hope there will be no deadlock based on any such considerations.

I am interested in seeing action taken.

I will vote for any civil rights bills—and I don't care who introduced them or who will get the credit for them—that do the job, that protect the unprotected in the enjoyment of their constitutional rights * * * that protect the physical security and the political equality of our citizens, and which improve the machinery of government established to help achieve these purposes.

The administration may have had political motives in making its civil rights recommendations in this year of 1956, in the month of April. The administration wanted to get the credit for making these recommendations without running the danger of having the legislation enacted.

But I am willing to give the administration all the political credit it can gather and put my shoulder to the wheel, even the administration's wheel, if it will result in the passage of some significant and meaningful civil-rights legislation.

In so speaking, Mr. Chairman, I speak for the overwhelming majority of the 16 million people of New York State. They want action on civil-rights legislation, action at this session. They want to see the constitutional rights of all our citizens protected, in every part of our country. They want a comprehensive program of legislation passed—antilynch, antipoll tax, protection of the right to vote, FEPC, a civil-rights section in the Justice Department, antidiscrimination in interstate travel—and others including some bills which are not before this committee at all.

But of the bills pending before this committee at this time, we of New York will be content with a minimum program, too—an antilynch bill, an antiviolence bill and legislation protecting the right to vote, plus provisions for enforcement of these and other constitutional rights. We shall fight for other undertakings now pending before other committees including, and above all, an antisegregation proviso on any general school-aid bill that is considered for enactment.

I know that whenever we ask for civil-rights legislation with teeth in it—for legislation with sanctions and enforcement powers—the cry is heard that this is a dangerous thing, that it is an invasion of the police powers of the States, and that we propose to extend the long arm of the Federal Government into local affairs.

Mr. Chairman, we seem to have no difficulty in writing enforcement provisions into Federal statutes which make it a crime to steal automobiles, or peddle narcotics, or kidnap somebody. Why shouldn't it be a Federal crime to deprive a man of his constitutional rights, to kidnap his precious right to vote and his vital right to be secure in his person and to enjoy equal treatment before the law and in access to public facilities?

The rights and privileges guaranteed by the Constitution of the United States are the very core of life, liberty, and the pursuit of happiness, as defined in the Declaration of Independence. In depriving any man, or any group of men, of these rights, or any of them, we are depriving that man, and these men, of the fundamentals for which our forefathers fought and which are the very essence of our nationhood.

Explicitly forbidden in the Constitution is the denial of any of these rights—any of them—on the basis of race, creed, color, or previous condition of servitude.

Admittedly, it is a difficult task for the Federal Government, in our Federal State system, to enact laws which will assure to every citizen these rights which are assured to him in the Declaration of Independence and the Constitution. Yet, as difficult as it is, it is no less imperative that we should do so. It is one of the legislative imperatives of this year, 1956—and we are, already, very long overdue—to enact appropriate legislation and to take all the steps that are necessary to assure these rights to all our citizens and to eliminate the criterion of race, color, or creed as a basis for discrimination against some of our citizens in the enjoyment of these rights.

I am aware that we have made progress over the past 30 or 40 years, and the Negro has made progress. He has broken down some of the walls which formerly constricted his horizons and has obtained some of the rights which were formerly denied him. But the progress he has made, as great as it has been, is very little compared to the progress which remains to be made.

You will note that I have said that the Negro has made progress. Much of the progress has been made by virtue of the efforts of Negroes themselves, in the face of the most devastating handicaps. Government has helped, to some extent, but government has responded for the most part to the pressures exerted by Negroes themselves.

It is time now for Government, and specifically for the Congress, to recognize the inevitability of the forward movement that has been taking place and that will continue to take place.

It is a fact that Congress has not enacted a single piece of civil rights legislation for 75 years. I think this is a shameful circumstance. I hope this Congress is going to bring to an end this legislative famine in the field of civil rights.

But progress has been made during the last two decades, progress which is a tribute to our democratic system. The fact that there has been progress shows what can be accomplished in the face of the most insuperable odds and the most difficult obstacles. I think it is time that we in Congress take a hand in this situation—a situation in our country which is the object of all eyes throughout the world.

It is time for the Congress to act. I do not think it is any argument against congressional action to say that progress has been made without congressional action. Progress has been made despite us. Congress has been one of the obstacles to progress.

Let us now move with the tide, and give leadership to the movement, rather than to try perpetually, like old King Canute, to halt the tide with our determined inaction.

I intend to make reference in the course of these remarks to the specific bills before us; but, first, I would like to dispose briefly of a recurring argument which is made whenever the subject of civil-rights legislation comes up—the argument that the protection of civil rights against discriminatory treatment is not a proper field for legislation.

I must say, with all due deference to those who have through the years made this argument, that it is utter nonsense. It is not only nonsense; it is contrary to fact and experience. There is actually as much legislation on the statute books of the several States and localities on the subject of civil rights as there is on any other subject under the sun. A survey of statutory law in the various States on the subject of what we might call civil rights shows that every State in the Union, with one exception, has enacted legislation on this subject.

Some of it is good legislation; some of it is bad legislation. Some of it guarantees and assures civil rights; some of it denies and deprives certain minorities of their civil rights. The number of State statutes and local ordinances on this subject would fill many volumes. The only State which does not have legislation regulating relationships between various racial and religious groups of citizens is Vermont.

The specific subject matter of these State and local laws is extremely varied. It covers the conduct of Negro and white citizens in places of public accommodation, in public and private schools, in public housing, in the National Guard and other military services, in the conduct of insurance companies, transportation facilities, public hospitals, penal institutions, paupers' homes, mines, manufacturing establishments, in the keeping of public records, and the holy bonds of matrimony.

A historical study of these laws indicates that some 40 of the 48 States are moving slowly toward the day when men and women will be protected against restriction of their action on the basis of race, color or creed. In the other eight States, there is, I believe, no perceptible advance in this direction. Quite the contrary.

In addition to these State laws, there are Federal statutes, enacted some 75 years ago, relating to the protection of civil rights. These Federal statutes have proven to be effective in only a very limited degree.

So the argument that civil rights is not an appropriate area for legislative action seems to me to be not only weak, but completely unsupported by fact and experience.

There is a related and analagous argument against civil rights legislation, namely that you can't legislate against prejudice.

This argument is usually advanced in connection with the thesis that prejudice and discrimination can only be overcome by education and that we should concentrate on the educational approach.

I am sure that some of those who advance this argument are sincere. Some who make it are less than sincere, and plead this aphorism as an excuse for inaction, or at least for toothless action.

Well, Mr. Chairman, I do not propose that we legislate against prejudice. Prejudice is an evil of the spirit. It is acquired from the environment, in the home, and in the school. It can be overcome only by experience or revelation.

No, Mr, Chairman, I do not propose that we legislate against prejudice. I propose that we legislate against discriminatory practices, against action based on prejudice, which is quite another thing. A man can be prejudiced against his mother-in-law or against mothers-in-law, in general. There is nothing to be done about that. But if a man sets out to beat his mother-in-law, or all mothers-in-law, that is against the law.

The fact is that in a growing number of States, legislation has been enacted against prejudice. In all too large a number of States and localities, there is a plethora of legislation enforcing and supporting prejudice, giving teeth and legal sanction to prejudice. Such latter legislation must be set aside. Such legislation is, in my judgment,

unconstitutional. Such legislation denies the spirit and the meaning of our Constitution and our Bill of Rights, and the 13th, 14th, and 15th amendments.

I turn now to the proposed legislation before this committee.

Mr. Chairman, the several bills being considered by your committee can be broken down into general groupings. Some of them are, I believe, more important in the present situation than others.

There are three bills pending before you reflecting the same proposal to create a Federal commission to study, conduct investigations and report on the status of civil rights in our Nation today. I myself do not give this proposal a top priority at this late stage of the congressional session.

Civil rights have been extensively studied in previous years by many congressional committees, including this one, by many private groups and by the President's Committee on Civil Rights in 1947. All of this study material is available.

In my opinion, the creation of a study commission at this time, unless accompanied by other more positive and constructive legislative action, would be a weak excuse for a legislative program.

I must point out that if the administration is sincerely interested in creating such a Commission—and it has established much less important study commissions by Executive order—the President could easily proceed to appoint a Commission tomorrow. I therefore hope that valuable time will not be wasted in prolonged debate on the need for a Commission.

There are two proposals before your committee which are designed to strengthen the civil rights machinery in the Department of Justice. It is my opinion that both of these proposals have considerable merit. I am a cosponsor of S. 902, which is broader and at the same time more specific in its purpose than S. 3604. I would willingly vote for either measure if reported by the committee.

I feel that this is an important area of action and it is my hope that this proposal will be given priority in view of the need for more effective action by the Department of Justice in enforcing existing civil rights laws and any new laws which may be enacted.

S. 900 is a bill designed to provide Federal penalties for mob violence against individuals and defining lynching as mob violence. While I join with others in rejoicing over the fact that there have been few actual lynchings in recent years, there is still a very strong need for this legislation as a deterrent and as a Federal definition of lynching as a crime against the Nation. Certainly it is so regarded in the eyes of the world.

I would place this bill high on the list of proposals which should be reported favorably in this session of Congress.

There are also pending before your committee, Mr. Chairman, S. 1089—and its House-approved companion measure, H. R. 5205. I have already referred to this proposal. I am the primary sponsor of the Senate bill. There are 14 cosponsors. I have been extremely pleased by the progress made by this bill in the 84th Congress. The companion measure passed the House on January 17 of this year. It has been favorably reported by your Subcommittee on Constitutional Rights.

Today we have a compulsory draft law requiring most of our young men to serve in the Armed Forces of our Nation. Some of these men must serve with the military police, the intelligence services and other policing agencies of the Armed Forces. These young men while on duty should be protected by Federal law against unprovoked violence by civilians or by local peace officers.

We should extend to the members of the Army, Navy, Air Force, and Marine Corps the same protections already afforded in title 18 of the United States Code to personnel of the Coast Guard and many different kinds of civilian officers such as game wardens, customs officers, and many others.

An excellent justification for this legislation has been prepared by the House Committee on the Judiciary and I commend this report to you.

Finally, Mr. Chairman, I come to the remaining 4 bills—the 4 which I consider to be priority civil-rights bills to be acted upon during this session of the 84th Congress. These bills are designed to strengthen existing civil-rights statutes and to protect further the right to vote and participate in Federal elections.

I am a cosponsor of both S. 903 and S. 905. I believe these bills to be preferable to S. 3717 and S. 3718, although there are certainly desirable features in both sets of bills. Enactment of these proposals are, to my mind, so vitally necessary that I have no special concern as to which of these alternative sets of bills are adopted.

The provisions of S. 903 and S. 3717 give the Attorney General the authority to prevent voting discrimination by the use of the injunction and other devices. In my judgment this is one of the most important of all the civil-rights bills before you.

Under statutes which now prevail, the Attorney General can only treat interference with the right to vote by criminal prosecution. This is unsatisfactory and ineffective, since the criminal process is too slow to correct the evil. It is much the same as shutting the barn door after the horse has been stolen. Also, in some States, where discrimination is most prevalent, it is—with only rare exceptions—impossible to impanel a jury which will convict, or even return an indictment, against those responsible for coercion or denial of the right to vote to members of racial minorities.

By contrast, injunctions can be obtained swiftly, before the close of registration and prior to election time. With this authority, if he chose to use it, the Attorney General could really enforce the right to vote.

There has been testimony before your committee, Mr. Chairman, to the effect that Negro citizens in our Southern States are fully protected in their constitutionally guaranteed right to vote in Federal elections. But the facts speak louder than words.

The best estimate I have been able to obtain with regard to the exercise of the vote shows that in some of our States today, less than 10 percent of the eligible Negro citizens of voting age are registered and able to vote.

Surely this figure cannot be accounted for on the basis of disinterest in exercising the franchise. I am convinced, on the basis of reports I have heard, that subtle threats, difficult and questionable registration practices, economic pressures and general community climate are among the factors which help to keep Negro citizens effectively disfranchised.

These practices can be thoroughly documented. They have been thoroughly documented. There are hundreds of circumstantial reports of such coercion and such intimidation. It is, I believe, a general condition in some parts of the South where there is an active discouragement of voting on the part of Negroes. In some places the discouragement is mild and passive. But it is as obvious as the difference between day and night that in some parts of the country, including some parts of the South, Negroes vote in large numbers, in as large numbers proportionately as white citizens, and that in other parts of the South, especially in rural areas, and also in some cities, Negroes do not vote. They are prevented from voting.

Whatever forms of discouragement are used, Federal statutes guaranteeing the right to vote and penalizing coercion in whatever form, will surely have the effect of permitting a free franchise to all our citizens.

I do not believe that any member of this committee will argue that Negroes should not be permitted to vote. I do not think that anyone here will dare argue that Negroes are not part of the body politic, and that elections should not reflect the views of the entire body politic to the maximum extent possible.

The disfranchisement of major segments of the population is intolerable. It results in the frustration of democracy.

The consequences of full Negro participation in voting throughout the South may be unfortunate for some political figures. But it will have a beneficent effect upon democracy itself. There can be no excuse or justification for denial to some citizens of the right to vote. You will not be able to stop the process in any event, even if you refuse to pass this legislation. It will come. The most sensible procedure is to enact this legislation; to bow gracefully to the inevitable and to adjust actions to the new circumstance that will then pertain.

Mr. Chairman, we truly stand at a crossroads of history. We can follow the intelligent course and proceed at a measured pace down the road to true democracy and to a revitalization of our Constitution. Some can, if they wish, consider themselves a Praetorian Guard of reaction, determined to block the inevitable advance. Let them not deceive themselves. They may spend themselves in resistance, but their resistance will not be successful. It will only be a delaying action in which they, themselves, will be, in the end, consumed.

Those who think to mobilize their power for a counteroffensive against the gathering forces of democracy, against the irresistible surge of men and women seeking simple justice, will bear the responsibility for the tragic consequences that have, throughout history, attended the fault of blindness. The function of intelligence is accommodation. The function of maturity is adjustment. The function of intelligent and mature leadership is to reconcile opposing forces in such a manner as to provide a solution acceptable to all, without total victory for any. There is yet time to pass this legislation before you, which represents such a reconciliation and such an accommodation.

The legislation before you, Mr. Chairman, represents gradualism in its best sense. It represents a legal solution to a problem which, if left to the naked interplay of force, can result only in disaster.

AMENDMENT OF IMMIGRATION LAW RELATING TO SHEEPHERDERS—AMENDMENTS

Mr. LEHMAN. Mr. President, I send to the desk two amendments which I intend to propose to the pending sheepherders bill, H. R. 6838, order No. 2249 on the Senate calendar of business. I ask unanimous consent that these amendments be printed and lie on the table.

The PRESIDING OFFICER. The amendments will be received, printed, and lie on the table.

Mr. LEHMAN. Mr. President, if we have one imperative at this session of Congress, it is to pass substantial legislation substantially modifying the McCarran-Walter Act. Both parties pledged themselves to this undertaking in the campaign of 1952. That act was enacted in 1952, but it was immediately realized what an impossible piece of legislation it was.

The 4 years of experience we have had with it have been 4 years of sad experience. The press has been full of

stories about injustices occurring all over the world as a result of the McCarran-Walter Act, and our offices have been full of petitions for the introduction of private bills to relieve various individuals of just some of the hardships imposed by this unjust and discriminatory law.

Never have we had to consider so many private immigration bills. Never have we passed as many private immigration bills as we have passed in this Congress.

In this election year President Eisenhower recommended substantial changes in the McCarran-Walter Act. Early in this Congress, as in the last Congress, I introduced, along with 12 other Senators, a comprehensive bill for the thorough overhauling of the McCarran-Walter Act. This comprehensive bill I am submitting today as an amendment in the nature of a substitute which I intend to propose to the sheepherders bill, H. R. 6888.

In the last Congress we passed a refugee act—an act to provide asylum for escapees and refugees. At the time I said that act would not work very effectively. And it has not. So I intend to propose a series of amendments to the Refugee Act, embodied in a single bill, to extend the life of that act and to make it operable.

Mr. President, we have an account to settle with our national conscience. We have a justification to make before the rest of the world. Our permanent immigration laws and the Refugee Relief Act of 1953 present to the world a distorted image of the United States. We have to correct that image by adopting amendments to the McCarran-Walter Act and amendments to the Refugee Relief Act.

We should have started doing this a long time ago in this Congress. The various proposals for this purpose have languished in the Judiciary Committee.

All that the Judiciary Committee has seen fit to recommend to this Congress is a bill for the admission of certain sheepherders and for the cancellation of certain mortgages on the quota imposed by former special bills, which we have passed, for the admission of sheepherders. Is this to be the sum total of action by this Congress on immigration and citizenship? Is this to be the sum total of our redemption of pledges we made substantially to amend the McCarran-Walter Act and substantially to amend the Refugee Relief Act? I hope it is not. And if this proposed legislation, now on the calendar, for the relief of the sheepherding industry is to be brought up for consideration, I intend to propose that we consider granting relief to the United States by enacting significant amendments to our immigration and citizenship law, and to the Refugee Relief Act.

Is this sheepherders bill the only relief we are going to offer to the millions of naturalized citizens in our country who now live under the stigma of second-class citizenship? I hope not.

Is this the relief we are proposing to offer to the millions of our citizens who have relatives abroad who are worthy and desirable potential immigrants to the United States? I hope not.

Is this the relief we are going to offer to the thousands of refugees and escapees from behind the Iron Curtain who have been looking with desperate longing toward the United States as a possible asylum in their flight to freedom? I hope not.

I hope we are going to consider granting real relief by making real amendments to our citizenship and immigration laws. Such relief is afforded in the amendment I am today submitting. Some relief would be granted by the amendments which the distinguished senior Senator from Utah [Mr. WATKINS] submitted just the other day, embodying the recommendations of President Eisenhower.

I hope this Congress will not adjourn until we have considered and debated amendments to the Immigration and Nationality Act and amendments to the Refugee Relief Act of 1953.

I ask unanimous consent that there be printed in the RECORD, at the conclusion of these remarks, a copy of a statement I made on November 22, 1955, before the Senate Judiciary Subcommittee on Immigration and Naturalization, when the late Senator Harley M. Kilgore was its chairman. The public hearings held then have not been printed, and I should like my statement to be available, in the RECORD, for all Senators at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. LEHMAN. Mr. President, my second amendment would provide for a reallocation of Refugee Relief Act visas which may remain unused on December 31, 1956—the present termination date for the program—and would make certain additional benefits available for orphans, as well as strengthen the administration of the entire program.

EXHIBIT A

TEXT OF STATEMENT BY SENATOR HERBERT H. LEHMAN BEFORE THE SENATE JUDICIARY SUBCOMMITTEE ON IMMIGRATION IN SUPPORT OF S. 1206, AN OMNIBUS BILL PROPOSING REVISION AND LIBERALIZATION OF OUR IMMIGRATION AND CITIZENSHIP LAWS

Mr. Chairman, I appreciate this opportunity to appear before you. I need not tell you what high importance I, personally, attach to these hearings, on a subject in which I have a deeper interest and with which I have a closer identification than perhaps any other legislative subject before the Congress.

I would like to pay tribute, Mr. Chairman, to your own leadership as chairman of the Judiciary Committee and of this subcommittee, a leadership which has resulted in the convening of these hearings.

As you know, I have been urging the holding of hearings on proposals to revise our basic immigration and naturalization laws for the past 3 years, since January 1953. Hence, I personally consider these hearings to be historic—the opening phase in a procedure which must lead certainly—whether next year or the year after—or the year after that—to a wholesale revision and overhaul of the Immigration and Nationality Act of 1952, the so-called McCarran-Walter Act.

In paying tribute to your leadership, Mr. Chairman, and to the support given to the holding of these hearings by other members of your committee and of this subcommittee, I would also like to pay my special respects to the ranking minority member of this subcommittee, Mr. WATKINS. My tribute to him is not on account of his views on this particular subject, because I think we start off in basic disagreement on the McCarran-Walter Act, as on quite a few other matters. But I have always found him to be deeply sincere in his desire to get the facts and to be fair and judicious, and to do the wise and honorable thing in any situation. I know that he is eager, as I am, to arrive at a proper judgment on this pending matter. I am pleased and gratified with his presence at these hearings, in this recess period, here in Washington, at such a great distance from his home State.

I make this special mention of Senator WATKINS because I want to emphasize the completely nonpartisan nature of the move to revise the McCarran-Walter Act.

I assume that the first question before this subcommittee is: Should we revise the McCarran-Walter Act at all? Is there need or strong support for revision?

These hearings will give you the answer to that question, Mr. Chairman. But let me point out, should there be any question or doubt, that the drastic revision of present law can be correctly described as a public mandate, long overdue in being carried out.

In 1952, when the present law was approved, the President of the United States vetoed it, and the support for his veto fell only two votes short of the necessary one-third of the Senate. During the original Senate consideration of the McCarran-Walter Act, despite the absence of an adequate debate on the subject, almost one-third of the Senate voted for radical amendments to that measure.

And in the presidential election campaign of 1952, the candidates of both major parties, including the successful candidate, pledged revision of the act. President Eisenhower, as a candidate, made a number of speeches and statements to this effect. So did the candidate for the Vice Presidency, who now presides over the Senate of the United States.

Subsequent to that election, President Eisenhower urged revision in his first state of the Union message, and in many subsequent speeches, statements, and remarks.

Mr. Chairman, there are pending before the Senate at least 3 major bills for drastic revision of the present law, bearing the names of 20 Senators, of both parties. I have not had time to count the number of bills pending in the House on this subject, but it is a very great number indeed.

I would guess that if Congress does not make a comprehensive revision of the law in the next session, this will be a political issue in many parts of our country, and both parties will be called upon to make an accounting of the attitude of their representatives in the Congress toward the revision of this law. And many individual candidates will likewise be called upon. Let no one think that the people are not watching or are not interested. I am sure these hearings will bear me out on this point.

But Mr. Chairman, as I have said again and again, this is not a partisan question. I am critical of the officials of the present administration for not having responded to your recent efforts—extending over many months, as I understand it—to get the Secretary of State and the Attorney General to testify before this committee in regard to this legislation But I am equally critical of the fact that no Attorney General or Secretary of State of any other administration has personally appeared to testify on this vital subject in the past 20 or 30 years.

But today this is an issue which begs for the concern of all men of good will. It calls for a strong and consistent bipartisan effort to erase from our statute books the shame of the McCarran-Walter Act.

I am sure that most of those who voted for the McCarran-Walter Act in 1952, and who voted to override the President's veto, did so in good faith but without a thorough knowl-

edge of the provisions which they were voting to fix upon our statute books. With respect to my colleagues in the Senate who voted for this law, I believe it is fair to say that very few of them comprehended its scope and impact, at that time, when its 302 pages of highly technical material were thrust upon them during the closing days of the 82d Congress.

Few of them had any idea what effects their vote would have on the lives of literally hundreds of thousands of naturalized American citizens, resident aliens, and potential immigrants overseas.

I hope that these hearings will help to dispel any remaining illusions about the McCarran-Walter Act.

I think, then, that the question of whether there is a demand for the revision of the McCarran-Walter Act answers itself. The reply to the question, Shall we revise the McCarran-Walter Act in any respect? must be in the affirmative.

The next question, of course, is, How shall we revise the McCarran-Walter Act? What, exactly, is wrong with the present law?

Mr. Chairman, the rest of my remarks today will be devoted to answering these questions.

I need scarcely remind the committee that there is pending before you, among other proposals, a comprehensive bill introduced by me and 12 other Members of the Senate, S. 1206. My cosponsors on this bill are: Senators GREEN, HUMPHREY, KEFAUVER, KENNEDY, LANGER, MAGNUSON, MCNAMARA, MORSE, MURRAY, NEUBERGER, PASTORE, and CHAVEZ.

I think I may say without fear of contradiction that S. 1206 is the most complete proposal before this subcommittee. It is a complete rewrite of present law, a complete recodification of the codification of 1952. I shall discuss this bill at length in the course of my remarks.

Of course, I would like to see S. 1206 adopted in substantially its present form. But Mr. Chairman, despite the herculean labors which went into the drafting of my bill—and I will describe those, too, in a few moments—I have no pride of authorship. I want to see the present law overhauled and drastically revised. I don't care whose name is attached to the bill reported out by this committee. As long as a bill of appropriate amendments curing the substantial evils of present law is reported out, I shall support that bill with all my heart.

The question then is: What are the substantial evils in our present law, Mr. Chairman, and what kind of a bill must be reported out to overcome those evils?

The McCarran-Walter Act has some good parts in it. Of course, it has. It provided, within its 4 titles and 407 sections, some improvements over preexisting law. But the improvements were relatively few. And the preexisting law had many repressive, discriminatory, and restrictive features. The McCarran-Walter Act adopted most of the worst features of preexisting law and added scores of new evils.

So today I will not try especially to distinguish between those unfortunate features of the McCarran-Walter Act that were newly added in 1952, and those taken over from the legal jungle of immigration and nationality laws which preexisted the McCarran-Walter Act. They were all included in the act of 1952 and must all today be scrutinized and reexamined.

The Immigration and Nationality Act of 1952 is characterized by a consistent philosophy. That philosophy we must scrutinize first of all.

That philosophy is based on a collection of discarded theories—really myths—which are absolutely alien to all our legal, social, and political institutions.

I will enumerate some of those myths in a moment, but first let me say that the present law, in my considered judgment, has done more harm to our country than can be easily repaired, and I was abroad for 2 months this summer and saw at first hand the evidence of some of the damage that the McCarran-Walter Act has done, in terms of our prestige and reputation, among the plain people of Europe.

The McCarran-Walter Act represents a pyramid of unfounded fears—fear of foreigners; fear of criminals; fear of Communists and anarchists; and fear even of naturalized American citizens. Waves of fear have passed over America—fear of depression in peace and of betrayal of war. Each wave has left its flotsam and jetsam imbedded in our immigration and citizenship laws.

Like the inhabitants of ancient China, we have built a great wall designed to keep out fancied hordes of invaders. And like China's great wall, our modern-day wall—the McCarran-Walter Act—has, in fact, served only to isolate us, and not to protect us. Those few resourceful Communists or criminals who are determined to enter our land can enter with a minimum of danger to themselves across the long, unguarded borders of Mexico and Canada.

But our official gates of entry through which we could admit selected, qualified, and useful immigrants, and visitors, are kept so heavily barred and guarded that application for lawful entry is discouraged; only those driven by the direst necessity persist in their efforts to gain legal admission into our country. This might be called admission by adverse selection.

I know that some aliens do gain admission to the United States, but it is a fact that some of the most desirable, both would-be immigrants and would-be visitors—scientists, teachers, writers, professionals, and businessmen—are either discouraged from applying or barred from entering.

The issue before us is not just one of immigration. It is citizenship, too. The whole basic concept of membership in our Nation is involved in this legislation. And that concept affects every citizen of our land, and, of course, those living abroad, too.

Once upon a time, American citizenship was an unqualified patent of membership in our society. Once acquired, by birth or naturalization — without distinction — it could not be forfeited, save by deliberate and willful surrender—by an oath of renunciation.

Under present law, citizenship acquired by naturalization may be stripped from the citizen or may be forfeited by the citizen—on any one of a half dozen or more grounds. And in many cases the citizen involved may not even know that he has forfeited his American citizenship or has been stripped of it. Some of the grounds for denaturalization are acts which a native-born citizen may perform without major penalty or without penalty at all.

And even native-born citizens may lose their citizenship on relatively minor, technical grounds, also without ever knowing about it.

This whittling away, bit by bit, of the inviolability of American citizenship status is, in my judgment, one of the most dangerous and reprehensible aspects of our present law. And the violent distinctions between naturalized and native-born citizens are, to my mind, un-American and intolerable.

I believe that if the Congress, as a whole, and the American people, as a whole, knew of these provisions in the present law, they would not rest until the cancerous encroachments upon the sanctity of citizenship were completely cut out of the law.

These provisions, and all the other evils in the present act, were lumped together and justified as being made necessary to combat Communists.

Mr. Chairman, none of us wants to see Communists gain entry into the United States. But as I have already indicated, this law does not prevent real spies or saboteurs from entering this country, if they really want to. All they have to do is either come in as diplomats, or walk across the Canadian or Mexican borders.

All this law does is hurt our own people, and our own country in the eyes of the people of the rest of the world. And it hurts thousands and hundreds of thousands of innocent people here and abroad.

In order to guarantee absolutely that no Communist ever enter the United States it would be necessary to forbid all entries, even by diplomats. We would have to seal all our borders. Such a solution would, of course, be untenable, and impossible.

We can and should be careful about whom we admit into the United States. But we should be reasonable—not hysterical. We should have clear and enforceable standards of entry—not an impassable maze of barriers.

We have built into our immigration law scores, and even hundreds, of restrictions which depend completely on the discretion and judgment of minor Government functionaries. And from the decisions of these functionaries there is, in many cases, no appeal whatever. We have made a grant of unreviewable authority to these officials. Questions of life and death can be decided without a chance for review or appeal.

This law, as now written, presupposes that these minor functionaries have both the gift of clairvoyance and the profoundest knowledge of the inner secrets of human nature. An alien can be barred from admission if, in the opinion of a consular officer, within his sole judgment, the alien might, in the future, after his admission into the United States, join an organization on the Attorney General's subversive list. A consul may, in his discretion, bar an alien from admission into this country if it appears to the consul, again within his sole judgment, that such an alien is likely, after admission, to engage in a public disorder.

And there are scores and scores of such restrictions—all of them meaningless except insofar as they provide the consular official, or the immigration officer, with a justification for rejecting any and every alien whom the consul or immigration official does not happen to like.

Mr. Chairman, this law resembles no other law of which I have knowledge. The criteria it establishes for admission into this country are so numerous and so impossible of standardization that they violate the basic principles of our Constitution.

I realize, of course, that no alien has an absolute right to be admitted into this country. Nor is the Constitution effectively applicable to aliens seeking entry into the United States. Still, I think it would be desirable if we would apply, to the maximum possible extent, our legal principles of justice and fair play to all who come into contact with our laws—whether they be aliens or citizens of the United States.

We need to apply human standards to human beings. It has been many centuries since trial by ordeal was a practice under Anglo-Saxon law. The presumption of guilt until innocence is proven is repugnant to us. Yet, the McCarran-Walter Act provides for trial by ordeal and presupposes guilt until innocence is positively proven.

This law, Mr. Chairman, bears the dark stains of prejudice, of fear and suspicion. It is an archaic law—something out of the dim past. The law needs to be modernized, humanized, and liberalized. It needs to be simplified, strengthened, and made more flexible.

It must be made flexible so that its implementation can be adapted to the changing needs of changing times.

It must be simplified so that it can be understood by all our people at home and by those abroad, too.

It must be strengthened so that a positive and uniform control can be exercised over immigration from all parts of the world in a way to serve the best interests of the United States and the needs of the people desiring admission into our country.

I said a few moments ago, Mr. Chairman, that the McCarran-Walter Act is based on a collection of outmoded myths and theories entirely repugnant to the great body of American law.

The first of these myths is that the American people have a particular "blood-strain" which would be corrupted by Italians, Poles, Greeks, and other peoples from Southern and Eastern Europe, unless protected by the national-origins-quota system. According to this racist theory, a person of "Anglo-Saxon blood" is 20 times more desirable as an immigrant and as a citizen than a person of "Italian blood."

The general concept of "blood strains," on which the national origins quota system is based, is an old one, but it was generally discredited and discarded by the beginning of the present century. Still, it was embraced in the national origins quota system when that system was adopted by the Congress in 1924. This concept was also adopted at around the same time by Adolph Hitler, who used it as justification for his notorious nonsense about the so-called Aryan race.

But in 1952, the national origins quota system was revalidated in the McCarran-Walter Act, although its supporters insisted, at that time, despite all the evidence to the contrary, that no racial bias, prejudice, or discrimination was intended. I contend, however, that you can't change a skunk by insisting that it's a kitten.

The second myth underlying the philosophy of the McCarran-Walter Act is that all aliens are potential criminals, Communists, and saboteurs, or must be treated accordingly.

The third myth is that immigration is a burden on the national economy and that immigrants threaten the jobs and wage levels of American workers.

There are other myths, too, but these are the ones which most clearly dominate our present immigration and citizenship policies. I believe it is necessary to bring these myths out into the open, so that we may better understand what the McCarran-Walter Act is all about.

I believe it is necessary, Mr. Chairman, to eliminate the last trace of this mythology from our immigration and citizenship policies.

That is why, Mr. Chairman, I cannot go along with a proposal for piecemeal amendments to the present law.

This law needs radical surgery, not minor patchwork. It needs to have the spirit and the philosophy cut out of it and to be infused with a new and different philosophy, as well as a new and different set of provisions.

In my opinion, Mr. Chairman, the best way to amend the present law is by an omnibus bill—retaining the good features—and there are some—but replacing all the objectionable provisions. Immigration and citizenship law is so complex and the whole immigration and citizenship code is so inextricably interwoven that the job of piecemeal amendment would be a totally impossible one, if there is to be a sincere effort to eradicate the marks of suspicion, discrimination, and injustice from the present law.

At the time of the consideration of the McCarran-Walter Act, I, and some of my colleagues, including you, Mr. Chairman, prepared over a hundred amendments—perhaps there were 200—in an attempt to improve the bill. Even the sum total of these amendments did not get at some of the worst features of the law.

So, I repeat, that in my view the only way to remedy the evils complained of is to enact a substitute measure. I realize, of course, that there can be differences of opinion over the content of such a substitute measure.

I have submitted our bill, S. 1206, in the belief that it is not only the most comprehensive, but indeed, the best legislative proposal on this subject—and I say this without personal pride. I did not personally draft this bill, although I participated in scores of drafting conferences on it over a period of many months.

I believe that our bill, S. 1206, represents the best thinking and the most expert information now available in legislative form on this subject. It was the work of perhaps 30 to 40 different experts and legislative draftsmen—outstanding lawyers, professors of law, former officials of the immigration service, social scientists and lay workers in the field of immigration and citizenship.

I want to add that we worked directly from the report and hearings of the President's Commission on Immigration and Citizenship, headed by the former Solicitor General of the United States, Mr. Philip B. Perlman, and including some of the most distinguished representatives of the Government and of the great religious faiths in our country.

This bill, S. 1206, conforms in general to the recommendations of scores of religious and nonsectarian organizations of all kinds and complexious—veterans groups, church organizations, labor unions, scientific organizations, and representatives of industrial and commercial firms in this country. This bill was drafted after exhaustive consultation. I hope this committee will find it worthy of exhaustive study and review.

And now, Mr. Chairman, I would like to turn to some of the specific provisions of S. 1206, and in the course of commenting upon them I will also comment upon the comparable provisions of the McCarran-Walter Act.

Incidentally, Mr. Chairman, I shall append to my testimony, and ask that there be inserted into the record, a detailed summary of the provisions of S. 1206. Hence, my testimony this morning will touch only upon the highlights of this measure.

APPROPRIATE ADMINISTRATIVE AGENCY

The Immigration and Naturalization Service, in the Department of Justice, and the Bureau of Security and Consular Affairs, of the State Department, are the agencies presently charged with primary responsibility for the administration of our immigration laws. This divided responsibility is the result of a long history of transfers, consolidations, and separations, which have accomplished little in efficiency or logical administrative organization except to establish the relative immunity of both INS and the Consular Service to Cabinet-level direction. The general attitude which prevails in the lower echelons in these services—and understandably so—is antialien.

I do not mean to cast any reflections on the individual civil servants involved. They merely reflect the general spirit of the present law.

It is clear to me that neither the State Department nor the Justice Department is equipped to discharge the full responsibility for this highly sensitive operation. The Secretary of State cannot give major attention to this complex problem. His concerns are already far too burdensome.

I can say the same of the Attorney General.

The Congress has been faced before with the problem of coordinating and consolidating complex programs. In many instances the solution has been found in the creation of an independent agency of the Government.

In this bill we are proposing the creation of a single, new, and independent agency to be known as the Immigration and Naturalization Commission, and to consolidate within this Commission the present immigration and naturalization responsibilities of both the Attorney General and the Secretary of State.

I believe this subcommittee would be extremely interested in reviewing the discussions in Congress which led to the establishment of the Atomic Energy Commission following World War II. You will remember that there were those who sincerely believed that all atomic energy functions and activities of the Federal Government should be vested in the hands of the Department of Defense. But witness after witness, representing many varied backgrounds, argued in favor of an independent Atomic Energy Commission.

When I recently reviewed some of this testimony I was struck by the many parallels between the arguments used for the establishment of the AEC and the arguments which persuaded me to propose the creation of an independent Immigration and Naturalization Commission. It occurred to me that we might never have had the success in our postwar atomic energy developments if the sole responsibility had remained with the military, whose prime concentration and interests would have logically been in the weapons field.

In the same way, the primary concentration of the Department of Justice is upon detection of law violation and the apprehension of violators. Hence, the prevailing spirit in the Immigration and Naturalization Service is naturally one of suspicion and even of antagonism toward the alien. The whole emphasis is on prevention of immigration and on deportation of aliens already here. I do not mean to say that there are not individual immigration officers who have a kindly and humanitarian spirit. I do say, however, that the prevailing attitude, which springs, as I have said, from the law, is that of the cop on the beat.

I would like to see the emphasis placed on the welcoming of duly qualified aliens and on resettling them and helping them to integrate into our national life. This can best be done by setting up a new agency which will reflect the spirit of the proposed new law.

In reference to the Consular Service, the immigration function is, for most consular officers, a part-time and transient duty, the least interesting in their category of duties and generally regarded as the most onerous. It is an apprenticeship job for Foreign Service officers on their way up the ladder of promotion. Yet, these vice consuls and consuls have what amounts to the power of life and death over aliens who appiy for admission into our country.

The Hoover Commission has, in the past, recommended that the Consular Service and the Immigration and Naturalization Service be merged for the sake of efficiency. They do duplicate each other's work to a major extent.

I agree with the Hoover Commission in this respect. I think these functions should be combined, and that they should be placed in a new independent agency, along the lines I have suggested. I hope this committee will look favorably upon this important aspect of S. 1206. The approval of this proposal will help give a fresh start to a radically modified immigration and citizenship policy.

Today, the alien seeking admission to the United States has no assurance of uniform justice and no right of appeal from the decision of a consular officer. The alien who has landed in the United States has a limited right of appeal and review; but these rights are far from being either adequate or uniform.

Under present law, administrative review in deportation and exclusion cases is not assured by statute; it exists at the pleasure of the Attorney General in the form of a Board of Immigration Appeals set up by order of the Attorney General. And the Attorney General is not bound by the decisions of this Board.

The proposed act establishes an orderly system of fair procedure and adequate review, by an independent, quasi-judicial tribunal. This so-called Board of Immigration and Visa Appeals would be independent of the Commission itself and is modeled after our tax court.

As is generally true of other independent agencies, the Commission, under the terms of S. 1206, would be governed by the Administrative Procedure Act. And this would assure a separation of the prosecuting and adjudicative functions, and fair and open hearings unavailable under present law. It is my proposal that the Board's decisions in visa denial cases would be final, but limited judicial review would be permitted in other matters coming before this Board.

QUOTA SYSTEM

In the year 1797, a Congressman looked at the population of the new American Nation, and said that while a liberal immigration policy had been a good thing up to then, the United States had already reached the peak of its absorbable population, and that immigration to the United States should be stopped altogether. That was in 1797.

This Representative was the forerunner of many others down through the centuries who thought that they recognized the limits of the potentialities of the United States. It is unfortunate that some this heritage of pessimism is still present in our land today.

Our capacity for absorbing immigration is still great today. I do not know what it is. No one knows. But it is a fact of our history that our greatest periods of economic expansion took place immediately following great tides of immigration. Our Nation continues to support an ever-increasing population at an ever-higher standard of living.

Other witnesses will be more competent than I to discuss in detail the economic implications of immigration. I am sure, however, that we not only can absorb, but that we critically need a constant but controlled stream of fresh immigration for the expansion of our economy.

Of course, I do not propose unlimited immigration into the United States. I know of no responsible student of the subject who does. Indeed, I propose a very conservative level of immigration, not measurably greater than the average number who have been entering the United States for permanent residence in recent years.

I propose a limit of roughly 250,000 immigrants per year, which is considerably less, in my judgment, than the number we could safely admit. But I wish to be conservative in this matter. My main purpose is not to increase greatly the flow of immigration but to change radically the discriminatory and restrictive manner in which immigration is regulated today.

Indeed, if S. 1206 is approved and if proper enforcement powers are given to our border patrols, the amount of immigration into our country—if we include illegal immigration from Mexico and Canada—would be considerably reduced from the present level.

I don't know how many illegal immigrants are currently entering the United States from Mexico and Canada, but I have seen official figures for 1952 and 1953 indicating that this illegal immigration has been in the neighborhood of 2 million entries per year.

I propose, of course, the long-overdue abolition of the national origins quota system.

I propose, in its place, a so-called unified quota system, an entirely new manner and formula for the selection of individual immigrants.

I believe that with due consideration for a potential immigrant's ability to meet specified standards of health, security, literacy, honesty and ability to earn a living, the alien's admissibility should be based on the criteria first of our country's need for him, and then of his need for our country.

The national origins quota system reflects neither of these two criteria. And of course the national origins quota system, whatever its merits—and I know of none—is stamped with the loathsome stigma of racial and national discrimination.

In fact, the national origins quota system is a totally inflexible and unworkable method of selecting immigrants. It is so unworkable that ways and means must constantly be found to get around it. The whole series of emergency immigration bills we have enacted in recent years, the hundreds and thousands of private bills we enact periodically, and which take up so much of the time of this committee, and the special bills, such as the bills to admit sheepherders—all these are made necessary solely by the incredible national origins quota system.

I say that this is no way to run the immigration policies of our Nation. It is unwise, expensive, unfair, discriminatory, and above all, works against the best interests of the United States in foreign policy, economics, and national defense.

May I say further, Mr. Chairman, that it is a little realized fact—but a very true fact—that the national origins quota system has never accomplished its own stated purposes. The advocates of the national origins quota system in 1924 had as their avowed purpose the maintenance of the so-called pattern of national origins as it was purported to be in the United States in the year 1920. I will not discuss further the fallacy of the underlying theory. I have already done so.

Rather, I must point out that the NOQS has worked in an exactly opposite manner. In reality we have not received 42 percent of our immigrants from Great Britain and Northern Ireland since 1927, as contemplated in the original statute. It has been much less for the very simple reason that Englishmen do not particularly wish to emigrate to the United States.

It is perfectly clear that the NOQS has not served to preserve our so-called national origins pattern.

If this is so—and I am sure that it cannot be refuted—why then did the authors of the Immigration and Nationality Act of 1952 continue this system? The answer is quite clear—this was a devious way by which immigration from Spain, Italy, Greece, the Middle East, Africa, Asia and all areas of the world, except a few Northern European nations, could be kept to a bare minimum.

True, there was a slight—a very slight relaxation of restrictions for the nations of Asia by means of the Asia-Pacific Triangle formula. But it was a most paradoxial relaxation—one which fixed the concept of the blood test into our immigration laws. Today not only is an immigrant born in Japan charged to the Japanese quota and to the overall Asia-Pacific Triangle quota, but an immigrant born in England whose mother was Japanese and whose father was English is also charged to the Japanese quota and to the overall Asia-Pacific Triangle quota.

Mr. Chairman, I believe the unified quota system, which is at the heart of S. 1206, is logical and administratively practical.

I have outlined it in a simple chart which I will append to my testimony.

In simple terms, four preference categories are established. The first preference category is designed to expedite the reunification of families. The second preference is designed to bring to the United States persons with special skills and technical and artistic abilities who will promote our national economy, our national security, and the arts. The third preference category is designed to provide a quota to be used for the oppressed, the persecuted, and the refugees, including orphans, of the world. The fourth and final preference is designed to be allocated to promote the foreign policy interests of the United States.

Finally, S. 1206 provides for a so-called newcomer quota of 50,000 a year for all qualified persons throughout the world wishing to immigrate who are eligible on a first-come-first-serve basis.

Mr. Chairman, I commend this new quota approach to you for your most serious consideration. No half-way approach, no pooling of unused quotas, can remedy present law.

There is one aspect of the unified quota system which has elicited some criticism—namely placing the nations of the Western Hemisphere under the general quota system. I would like, briefly, to answer the criticism.

In the first place, it is inaccurate to say there is no quota system for Western Hemisphere nations today. In actuality there is and there isn't, depending on where you live, who your parents were, and the sometimes informal quotas established by individual consular officials.

I say to those who criticize placing Western Hemisphere nations under the quota system—let's be fair to all. The same criteria should apply to all peoples, regardless of the place of their birth. I believe our Latin-American neighbors will respect us for such a policy.

FAIR PLAY AND DUE PROCESS

Mr. Chairman, I turn to another general area of immigration policy on which I would like to comment. I turn now to the question of the violations of our standards of justice and fair play written into our present immigration laws.

We should have an immigration law which guarantees to aliens and to naturalized citizens the maximum possible sweep of administrative justice and judicial review available under our system of government. The Immigration and Nationality Act of 1952 does not do this. S. 1206 is, I believe, a fair and honest attempt to achieve this goal, while at the same time providing adequate safeguards for the security of our Nation.

In the proposed act, every practical protection has been provided for our national security. Comprehensive and workable standards are established so that genuine subversives and antidemocratic elements are effectively barred from the United States. The proposed law contains enforceable provisions for the deportation of those truly undesirable aliens who, despite all precautions, might obtain entry into this country.

It is my belief that the antisubversive provisions of the proposed act will be more effective in actual operation that those of the 1952 act. The fact is, that the 1952 act erects such a confused and contradictory network of antisubversive provisions that it catches in its web many anti-Comunists while allowing true subversives—Nazis, Fascists, and Communists, to slip into the United States.

Turning to the question of the deportation provisions in present law, I believe that these sections of the law ride roughshod over our Constitution.

Here the special inquiry officer of the Immigration Service is both prosecutor and judge in deportation hearings. The statutes of limitations on deportation were abolished in the 1952 act, and all of the new grounds for deporting an alien have been made retroactive.

I would like to comment at this point on the subject of private immigration bills. In every session of Congress, hundreds and thousands of these bills are introduced by Members of both Houses. I do not believe

we should deny to an alien or to a citizen the recourse to congressional relief in extraordinary circumstances calling for such relief. But what Congress is doing today is acting as a Supreme Court of Immigration Appeals.

I believe that the Congress—in order to provide a more just and orderly procedure for the handling of the thousands of these individual cases—should establish a statutory Immigration Review Board with adequate powers, together with authorization for limited review of the Board's decision in our courts.

This was the justification for the establishment of the United States Court of Claims—and while it hasn't completely solved the problem of private claim bills, it has greatly relieved the Congress of this burden.

I have already discussed the impact of present law on citizenship status. Under S. 1206, two basic changes are made in present law:

First, those acts which automatically cause loss of citizenship are limited to (1) renunciation of United States citizenship; (2) obtaining naturalization in a foreign country; (3) deserting in time of war; (4) leaving the country to avoid military service; (5) conviction for treason; and (6) an attempt to overthrow the Government by force of arms.

But under the terms of S. 1206, all distinctions between native-born and naturalized citizens are removed.

Mr. Chairman, I have spoken at great length—much too great length, I am sure—in view of the number of witnesses you have yet to hear today and during the many days to come. You have indulged me, I know, because of your awareness of how deeply I feel about this issue.

I want to make clear, however, that in this testimony today I have only scratched the surface. I have not undertaken to describe all the defects in the present law or all the provisions of my bill designed to cure these defects. To do so would not only try your patience, but would be beyond my physical capacity at one sitting. I have given some of the highlights. Some further details—but by no means all—are included in one of the appendices which I have attached to my testimony. I am also submitting for the record various pertinent statements, data and material which I believe will supplement the record in regard to this legislation.

In conclusion, let me say only this. You have as heavy a responsibility as any committee I know. The complexity of the legislation before you is as apparent to me as it is to you. You have sought and will receive the guidance of many persons who are more expert than I on some of the technical phases of this legislation.

I know that you, and members of the staff of this committee, will continue, during the months ahead, to explore all the manifold intricacies of this legislation. I know also that many aspects of the matter will receive no public testimony whatever.

I can only suggest and urge that you give this legislation all the time that it needs.

I would be less than honest with you, or with myself, if I held out the hope, or entertained the hope, that a major revision of present law is likely in the coming session of Congress.

But progress toward that goal can be made. The hearings which you are now holding represent such progress. I hope that the committee may reach some definite conclusions regarding some of the legislative proposals before you.

If this much can be done, much will have been accomplished, not only for the thousands and hundreds of thousands of aliens directly affected, but for the prestige of America throughout the world.

PAYMENT OF AMERICAN WAR DAMAGE CLAIMS AND RETURN OF VESTED GERMAN AND JAPANESE ASSETS

Mr. JOHNSTON of South Carolina. Mr. President, from the Committee on the Judiciary, I report favorably an original bill to provide for payment of American war damage claims and return of vested German and Japanese assets by amending the War Claims Act of 1948, as amended, and the Trading With the Enemy Act of 1917, as amended. I ask unanimous consent that a memorandum explaining the bill in detail be printed in the body of the RECORD.

The PRESIDING OFFICER (Mr. HUMPHREYS of Kentucky in the chair). The bill will be placed on the calendar.

The bill (S. 4205) to provide funds to pay nationals of the United States who have war damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended, reported by Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary, was read twice by its title, and placed on the calendar.

The memorandum presented by Mr. JOHNSTON of South Carolina is as follows:

EXPLANATORY MEMORANDUM—A BILL TO PROVIDE PAYMENT OF AMERICAN WAR DAMAGE CLAIMS AND RETURN VESTED GERMAN AND JAPANESE ASSETS BY AMENDING THE WAR CLAIMS ACT OF 1948, AS AMENDED, AND THE TRADING WITH THE ENEMY ACT OF 1917, AS AMENDED

S. 4205, composed of titles I, II, and III, is designed to provide the means, a method and procedures whereby American war-damage death and injury claims, which are still unpaid some 11 years after the termination of hostilities, can be paid and satisfied.

Up to this time, only certain prisoners of war, wrongful detention, and other claims, have been paid.

The bill, as drafted, is designed to effectuate all payments and expenses of administration without the necessity for direct appropriations by the Congress.

Title II of the bill directs a return to neutrals and to the former German and Japanese owners of all private property seized by the United States during and after the last war. It reaffirms our traditional and respected principle of the sanctity of private property whether owned by our own citizens or by aliens.

Title III is designed in the national interest to protect the United States. Any property which would be necessary in our national defense effort to retain should be retained. The Departments of Defense, Commerce, and State are better equipped for such a determination than a division in the Office of the Attorney General. The settlement of debt claims affecting seized properties and other American war damage claims and all returns and adjustments affecting returns, together with the personnel, records, etc., are transferred to the Foreign Claims Settlement Commission for administration.

A full and complete report of the hearings held by the Judiciary Subcommittee on the Trading With the Enemy Act, and the justification and principles underlying this bill will be contained in the report of the subcommittee which will be released shortly.

TITLE I. AMERICAN WAR DAMAGE CLAIMS

This title of the bill adds an additional title II to the existing War Claims Act of 1948, as amended, and authorizes the Foreign Claims Settlement Commission to receive, determine the validity of, and make payments to American civilians who have suffered property damage losses in certain European and Pacific areas, as well as those civilians who were killed or injured as a result of military action by Germany or Japan from September 1, 1939, to December 7, 1941, provided that compensation for such loss, death, or injury has not been provided for under any other act of Congress or international agreement. It should be pointed out that various other acts of Congress and international agreements have in a piecemeal fashion made compensation for some American claims in or against some countries, such as the Lombardo Agreement of August 14, 1947, with Italy, the Yugoslav Agreement of July 19, 1948, etc. However, there are still many claims involving countries where no real compensation has been provided for American war damage losses. It is one of the main purposes of this bill to include such claimants and make provision for justice too long delayed. The War Claims Act of 1948 is inadequate to meet the substantial damage claims resulting from the war.

A detailed section-by-section analysis of the bill follows:

Section 1 provides that the bill may be cited as the "World War II Damage Claims Settlement Act," and section 2 is an expression of Congress as to why this act is necessary and what it will accomplish. Sections 101 and 102 provide for technical amendments to the War Claims Act of 1948, as amended.

The detailed provisions of title II commence with section 201 and contains a definition of terms to include those (a) areas and countries relative to which claims hereunder are authorized, (b) reference to the Foreign Claims Settlement Commission, and (c) a definition of the term "national" as used in this title.

Section 202 provides a means for payment of the claims without resorting to the necessity for appropriation and thus without having any additional tax burden imposed on the American taxpayer.

Essentially, the method to be used is to utilize those funds which are being repaid to the United States primarily by Germany in consideration of postwar economic aid assistance rendered by the United States. Since a large portion of these American claims are attributed to Germany, so much of German repayments, as may be necessary, under the London Debt Settlement Agreement will be devoted to payment of such claims. However, since substantial funds of private German citizens have already been taken by the United States to pay other claims under the War Claims Act, the majority of which were attributed to Japan, the funds available to carry out the return authorized by title II of this bill are limited and will have to be replenished from the same German sources. Accordingly, until the title I claims or the title II returns have been fully provided for, all such repayments from German and other sources will be earmarked 50 percent for title I purposes and 50 percent for title II purposes. Repayments from Japan or other countries when agreed upon are also to be included in order to expedite the termination of the program by the Foreign Claims Settlement Commission.

Section 203 enumerates the three types of claims which are to be paid under the act. These are:

(a) Physical loss or destruction of property of an American national which was located in certain listed European countries or in Japan between September 1, 1939, and August 14, 1945, and was damaged or destroyed as a direct consequence of military operations of war or of special measures di-

rected against the property because of the enemy character of the owner.

(b) Damage to, or loss or destruction of, ships or ship cargoes as a direct consequence of military action by Germany or Japan during the period between September 1, 1939, and August 14, 1945.

(c) Personal injury, loss, or death of any civilian national as a result of military action by Germany or Japan and loss of the personal property of any such civilian passenger on any vessel engaged in commerce on the high seas during the period between September 1, 1939, and December 11, 1941.

Section 204 prohibits the allowance of any claim under this title if compensation for that claim has been received or is covered by any other act of Congress.

Section 205 excludes specifically from compensation for all intangibles and certain enumerated items of personal property unless they constituted inventories, supplies, or equipment for carrying on a trade or business. All awards are reduced to the extent that compensation may be paid from any other source.

Section 206 (a) makes it clear that the benefits authorized hereunder are available only to those natural persons who on the date of loss and continuously thereafter until the date of filing were nationals of the United States.

Section 206 (b) requires that corporations and other business entities to be eligible must on the date of loss and continuously thereafter have been organized under the laws of the United States, a State or Territory thereof, or the District of Columbia, and with respect to which, at all such times, at least 50 percent of the proprietary interest was beneficially owned by natural persons who could qualify as individual claimants under (a) above.

Section 207 (a) provides that if a claim is based upon an interest in a corporation or other entity that can qualify under section 206, such a claim is not to be allowed.

Section 207 (b) does, however, allow a claim based upon an interest in a corporation or other entity provided the corporation cannot qualify as a claimant under section 206 and provided that at least 25 percent of the proprietary interest in such entity was on the date of loss and continuously thereafter owned by persons or entities that could qualify under section 206. Of course, the amount of such claim is limited to the proportionate interest of those qualifying claimants.

Section 208 specifies that the Foreign Claims Settlement Commission shall publish notice in the Federal Register as to the time limit for filing claims, which shall be not less than 18 months after publication nor more than 2 after the date of enactment of this act.

Section 209 restricts the amount of any award based on the claim of anyone who did not actually suffer the loss to the actual consideration last paid for such claim prior to January 1, 1953. This is designed to prevent unreasonable gains by anyone who did not actually suffer a loss.

Section 210 provides that all payments authorized under section 211, in addition to administrative expenses which are not to exceed 5 percent of the total value of all claims, are to be made available from funds under the aforementioned section 202. This is designed to prevent any costs for the administration of the program.

Section 211 sets up a priority schedule of payments which is—

(1) Full payment of awards under section 203 (c).

(2) Payment thereafter of $1,000 or in principal amount of the award, whichever is less.

(3) Payments thereafter on the unpaid principal of awards under section 203 in a sum uniform for each award or in the amount of the balance remaining on the award, whichever is less. Limitation of $10,000 maximum is placed on total payments on this and subsection (2).

(4) Thereafter intermittent payments on the balance remaining on awards under section 203 in a proportion relative to the total amount available for distribution against the aggregate unpaid principal of all such awards.

Section 211 also requires that:

(a) Payments will be made in accordance with regulations to be promulgated by the Commission.

(b) An award, other than that under section 211 (a) (1), for the purpose of making payments, will be the aggregate of all awards certified on behalf of the same claimant.

(c) The Commission may issue a consolidated award if the claim is vested in some third party other than the person who sustained the loss. All claimants in such awards shall share in the payments proportionate to their interests.

Section 212 provides that unless the full amount of the claim is paid, part payments of any validated award shall not divest any claimant from asserting his rights against a foreign government for the unpaid difference.

Section 213 declares that the Commission's action with respect to the determination of a claim shall be final and not subject to review by any administrative or judicial body.

Section 214 specifies that services rendered in connection with any claims hereunder shall be limited, by penalty of law, to a maximum of 10 percent of the total amount paid on the particular award.

Section 215 authorizes the Commission, in the case of a deceased person who is entitled to award, to make payment to his legal representative. If the award is not over $1,000 and there is no lawful executor or administrator of the estate, the Commission may pay the award to persons so entitled thereto, without complying with the requirements of law relative to the administration of estates.

Section 216 provides that no award will be made to any individual who collaborated with the enemy during World War II.

Section 217 provides that upon payment of any claim, an automatic assignment of the claim inures to the benefit of the United States.

Section 218 authorizes the Secretary of State to make available all data needed by the Commission to carry out its functions under this act.

Section 219 permits certain provisions of title I to be applicable to the extent they are not inconsistent with any provisions of this title. Section 219 also permits certain provisions of the International Claims Settlement Act of 1949 to be applicable to the extent they are not inconsistent with this title.

TITLE II. RETURN OF VESTED ASSETS

Title II of this act recognizes this Government's continued adherence to the principle of the sanctity and inviolability of private property, by calling for a full return of all property vested after December 7, 1941, to nationals of Germany and Japan, and corporations, organizations, or associations organized under the laws thereof. The procedures set forth are in accord with the return heretofore authorized by the Congress in the case of Italy, in that it utilizes the precedent and implementation of language for returns as contained in section 32 of the Trading With the Enemy Act.

Despite the fact that a complete return of all vested property or the liquidated proceeds thereof is authorized hereunder, it is to be accomplished without the use of appropriated funds which would constitute an additional burden on the American taxpayer. All such monies needed for return in accordance with the intent of Congress are to be forthcoming under payments to be made by Germany or other countries, including those expected from Japan, under future economic aid repayment agreements.

In order to provide that the administration of returns may be executed in an effective and expeditious manner, the responsibility of the program has been vested in the Foreign Claims Settlement Commission.

Section 201 of the bill provides for a sectional amendment of the Trading With the Enemy Act in order to effectuate the true intent of Congress. The said section is comprised of six specific amendments to the law as it now exists.

Section 201 (a) provides that returns in section 32 of the act be made in conformity with the language of the amendment provided for in section 204, which amends section 39 of the act.

Section 201 (b) provides for language changes for procedural purposes.

Section 201 (c) deletes the words "Germany and Japan" and thus allows returns to the nationals thereof, as, for example, in the case of Italian returns.

Section 201 (d) amends existing provisions of the act to remove provisions inconsistent with the general return purposes of the act.

Sections 201 (e) and (f) likewise bring the language of the act in line with the general purposes of the bill.

Section 202 permits extension of time in the filing of property return claims until July 30, 1958, or 2 years from the date of enactment of this act, whichever is later, for any property or interest acquired by the United States on or after December 18, 1941.

Section 203 amends section 34 (f) of the act so as to afford American claimants against a specific fund to obtain a more expeditious form of relief.

Section 204 amends section 39 of the said act and section 12 of the War Claims Act by deleting these prohibitive sections in their entirety, and providing instead for a full return of all German and Japanese property vested after December 17, 1941. However, there are enumerated classes, both as to persons and property, which are specifically excluded from this return program, as follows:

(1) All persons and entities under Soviet domination and control. This property is to be liquidated and held in trust until the Secretary of State certifies that such a return will prove beneficial to the interests of the United States.

(2) Those natural persons convicted of war crimes, as well as any member of a promilitaristic Japanese group ordered disbanded by the supreme commander of the Allied powers.

(3) Those owners, under the jurisdiction of foreign governments which persist in a policy of confiscation, and consequently would vest any returned property. However, it may be returned to such owners whenever the Department of State certifies that it has obtained proper assurances that such property will not be confiscated or treated as enemy property by such foreign governments having jurisdiction over the owner of the property.

(4) Property which is subject to transfer to the Philippine Government under the Philippine Property Act of 1946.

(5) That property which our Government is obligated to release to foreign governments, under agreements resolving intercustodial conflicts of enemy property previously concluded by the United States with other governments in accordance with Public Law 857, 81st Congress, and property which the United States has received or may be entitled to retain or receive from a foreign government pursuant to such agreements.

(6) That property owned by the former governments of Germany and Japan; however, in accordance with recognized principles of international law, diplomatic and consular property is specifically excluded from such prohibition.

(7) Motion-picture prints, other than those subject to suits or claims under section 9 (a) or 32, and the said prints will be transferred to the Library of Congress for disposition as the Librarian deems proper.

(8) Property or interest included in specific vesting orders set forth therein which generally relate to property of certain war criminals.

(9) Prevents return of royalties or other income violative of our antitrust laws and in patent licensing contracts.

Paragraph (b) under the seventh amendment, in keeping with the general return provisions of this act, provides that any vested property, which has not been liquidated, shall be returned in kind forthwith, after making the necessary deductions authorized by sections 32, 34, and 36. In relation to that confiscated property already liquidated, the Foreign Claims Settlement Commission, after making the aforementioned deductions, shall return the cash proceeds to the former owners in the following order of priority: (1) Full payment to an owner whose claim is $10,000 or less, with simultaneous payments to all other owners up to a maximum of $10,000; and (2) thereafter, semiannual payments on a pro rata basis to former owners for the entire value of their property, the proportion of which is to be determined by the Foreign Claims Settlement Commission. It is recognized at the outset, that there will not be sufficient moneys to pay all claims immediately. Therefore, under this system of priority, payments will be made to the small owners which constitute most of the hardship cases. Simultaneously, however, maximum payments up to $10,000 will be made to all other claimants, so that fair and equitable treatment will be accorded every claimant irrespective of the amount of the claim. Thereafter, pro rata payments are to be made to all remaining claimants until the full value of their property has been returned.

Section 205 (a) adds a new section to the act which prevents returns where the owner has assigned, released, or compromised his claim with the United States unless and until the owner makes restitution commensurate with the intent of the act.

(b) Preserves existing licenses of inventions, etc., theretofore made by the Alien Property Custodian.

(c) Protects option purchasers of stock of corporations whose properties are within the United States.

(d) Prevents returns of stock in American corporations in cases where citizen stockholders might be prejudiced by such return, provided as much as one-third of the common stock is owned by American citizens.

Section 206 is a procedural change so as to make for conformity of language in effecting returns.

TITLE III

Section 301 (a) substitutes a new provision to protect the national interest in lieu of the provisions of section 32 (a) 5 of the present act. Under it, the President is authorized, when he finds it of benefit to this country's national defense and upon certification by the Secretaries of State, Defense, and Commerce, to adjudge whether certain vested property should best be sold to American interests. In the event such a determination is made it is provided that the property shall be returned, encumbered with the stipulation that the owners divest themselves of all proprietary interest and sell their interests to United States citizens within a 24-month period from the date of return. In such instances, appropriate procedures are provided so that until the time such property passes into the hands of American ownership, American trustees are appointed to safeguard all secret, technical, and research data incidental to and inherent in the said property.

Section 302 provides for a transfer of the functions in respect to returns, adjudication, and settlement of American claims and such of the personnel as may be necessary together with the records, etc., to the Foreign Claims Settlement Commission. Unliquidated properties are retained by the Office of Alien Property subject to adjudication and order of the Commission.

Section 303 provides that the payments of damage claims and returns be effected within 5 years.

Section 304 contains the usual separability clause.

Section 305 provides for an annual report to the Congress with recommendations from the Commission.

GENERAL

Clarifying amendments will be added to the bill prior to its consideration by the Senate, relating to losses in the Japanese theater of the war.

With the liquid assets (cash) now held by the Office of Alien Property and the payments of interest being made under the London Debt Settlement Agreement, together with the payments of principal commencing in 1958, and such other repayments from other countries authorized to be made available, the program envisaged by this act can go forward immediately and it is believed it can be accomplished within 5 years. The payment of American claims ought not to be further delayed.

Mr. JOHNSTON of South Carolina. Mr. President, I desire to make a brief statement in explanation of the subcommittee bill providing for the payment of American war damage claims and the return of German, Japanese, and neutral vested assets seized under the provisions of the Trading With the Enemy Act. At a later date and from time to time, I shall have more to say on this subject matter. Over 11 years now have elapsed, while we have held these seized assets, and yet have made no provision whatever to pay American war damage claims.

After very careful consideration, but with advance assurance during the debate that there would never be any confiscation of seized assets, the Congress passed the original Trading With the Enemy Act. Its primary purpose was to immobilize the private property of enemy nationals in World War I and to hold these properties in trust by a custodian. It is abundantly clear from the discussions at that time—1917—by Representative Montague, of Virginia, and others in charge of the bill, that confiscation of the private property of enemy aliens was not in the concept of the Congress in passing the seizure legislation. In fact, it was not until very recent years that the term Custodian of Alien Property was changed to that of the Office of Alien Property.

These views in opposition to confiscation were clearly restated in the congressional debates on the Winslow bill of 1923, when the Congress passed a measure providing for only a $10,000 return. In 1928, 10 years after World War I, the Congress passed the Settlement of War Claims Act, and made provision for the full return of seized assets less charges and custodial fees.

Since 1917, the Congress at times, from session to session, has added to the provisions of the original act. Under the War Powers Act of 1941, provisions by Executive order were added. Consolidations have been effected through reorganization plans under the Hoover Commission reports.

In 1948, the Congress passed a War Claims Act which provided limited payments to civilian internees, prisoners of war who were mistreated, and for certain religious groups whose properties in the Philippines were destroyed by the invasion of the Japanese.

No general legislation has been proposed—in fact, no office has yet been created to receive or process American war damage claims in general; much less has there been any provision made for the payment of American war damage claims. The administration has made a partial approach to the problem in presenting the Congress with draft bill S. 2227. I shall not discuss the provisions of this bill in detail. It is known as the $10,000 return bill, and provides, in the main, payment to individuals only. American war damage claims caused by Germany alone are considered. Damage claims arising in the Pacific are excluded from its provisions. Death claims are limited in amount to $7,500 for each claimant.

The administration bill (S. 2227) provides that American war damage claims in the European theater be paid out of West Germany's repayment to us of our postwar economic advances to her, to the extent of only $100 million. Our claims, according to the estimates available, greatly exceed that amount.

While no office has been created to consider American war damage claims, and consequently no realistic or accurate figures on the subject are available, we do know that there were lodged with the State Department claims aggregating slightly in excess of $300 million. They consist of death claims, personal injuries, and property losses of all types including ships, cargoes, and every other description of personal property.

S. 2227, the administration measure, is only a step in the right direction. Its inadequacies are obvious. Its provisions raise immediate questions to the inquiring mind:

(a) Why return only $10,000 to natural persons?

(b) Why discriminate against thousands of stock interests or the interests of corporate shareholders?

(c) Why subject the balance above $10,000 to the obloquy of confiscation?

(d) Why in this enlightened age should the United States embark upon the treacherous road of taking an individual's private property for an assumed obligation of his government?

(e) Why should the United States by acts of confiscation establish a precedent which would imperil the vast billions of dollars of American private and governmental investments abroad?

(f) Why should we discriminate against American war damage claimants in the Pacific or other areas in the Far East?

There are many other questions one can raise with respect to the lopsided provisions of S. 2227. There is little by way of answer from the hearings.

In fact, if we are to sustain our free way of life and to maintain a consistent foreign economic and political policy, little can be said in favor of S. 2227. A careful analysis of the evidence produced at the hearings before the subcommittee shows that there is little to justify enactment of the measure. The testimony is overwhelming that its provisions should be broadened if the Congress is to face up to its responsibilities not only because of our historic, traditional policy, but also because of the immediate requirements of the moment and the insistent demands of the foreseeable future.

Briefly, the subcommittee draft bill will accomplish the following:

(a) It will pay most of the unsatisfied American war damage claims wherever they occurred. In countries behind the Iron Curtain or in Communist countries, little can now be accomplished.

(b) It will return the private property of the nationals of Germany and Japan whose faith in our traditions, concepts, laws, and policies led them to invest their earnings in the United States.

(c) It will pursue the idea advanced by the administration, so that not 1 cent of additional direct appropriations will be necessary to administer its provisions.

S. 2227, however, requires administrative expenses to be appropriated; the subcommittee bill would avoid even that.

Recently I had a private audience with the Chancellor of West Germany. Our conversations were general. His interest in the problem is vital. The interest of the free world is vital in every concept of our free way of life.

Our Secretary of State wrote me on the subject matter. His letter to me and my reply to him are as follows:

JUNE 26, 1956.

DEAR SENATOR JOHNSTON: During the course of my conversations with Chancellor Adenauer last week he raised the question of vested German assets. The Chancellor referred to the proposals which had been discussed with representatives of the German Government last year and which were then embodied in draft legislation prepared by the administration and subsequently introduced as S. 2227. The Chancellor said that the administration's proposals for the return of vested assets would be of great benefit to the many small property holders and he expressed the earnest hope that it would be possible for the Congress to take favorable action on such proposals this year. I understand that the Chancellor also raised the subject in a talk he had with you.

It would be of considerable benefit to the relations of this Government with the German Federal Government if early and favorable action were taken on the administration's proposals. I sincerely hope that it will be possible for the Congress to deal with the matter during the present session.

Sincerely yours,

JOHN FOSTER DULLES.

JUNE 27, 1956.

MY DEAR MR. SECRETARY: I thank you for your letter of June 26 and I hasten to assure you that the subcommittee has under consideration at this moment a draft bill following in many respects the provisions of S. 2227, yet implemented by your own express views in relation to S. 3423 of the preceding Congress.

The Chancellor and I had a brief personal discussion of the general subject matter of seized assets. He obviously disclaimed knowledge of the details of pending legislative proposals and quite obviously I refrained from engaging him in such a conversation.

I agree with you thoroughly that the relations of our Government with the German Federal Government would be benefited by an early solution of the problems relating to the seized assets. The limited returns effected by the complicated provisions of S. 2227 may in the end create more problems than it now seeks to solve.

It is my desire to solve the entire problem of seized assets in relation to the obligation we owe American war damage claimants in both the European and Pacific theaters of war in a single piece of legislation. To that end the subcommittee is now giving its most earnest consideration.

Sincerely yours,

OLIN D. JOHNSTON.

I oppose S. 2227 because it provides for partial confiscation. Confiscation is no less offensive because it is only partial.

The administration's bill accomplishes only a small part of our national obligation and then only for a portion of those who have been damaged. The subcommittee bill is designed to accomplish the entire scope of our national responsibility to Americans and to the free world—indeed, to our own free way of life.

A great hue and cry arose in opposition to a bill in the previous Congress calling for a full return on all privately owned, seized assets of the nationals of Germany and Japan. A large part of the criticism of that measure was based upon emotional prejudice, some upon ignorance of our national obligations. Some of the criticism was in direct conflict with our historic national policy. I regret to say that selfishness, greed, and patent propaganda could be found in part of the outbursts which have come to my attention.

The subject matter of alien property or seized assets is one which I can view without a jaundiced eye. So far as I have been able to learn, no constituent of mine is interested, directly or indirectly, in a personal way in the questions involved except to the extent to which I am interested, namely, to determine what is best under all the circumstances that we, as a nation, should do with the complex problems involved. What, under all the circumstances, is the right thing to do? When the right thing to do is revealed to me, I have no other course in life but to do the right thing. I know no other road to travel. Propaganda, slander, deviation, diversion or ignorance of basic principles will neither deter nor detour me. Selfish design and emotional stress must not guide us.

I shall at a later date explore the reasons for the committee draft. I shall show that its provisions are in keeping with international law, our own law, and with the principles that have guided and marked our western civilization. The basic objectives of the bill are to strengthen our foreign policy, and they will surely make more secure our enormous investments, both private and governmental, throughout every free country in the world.

Confiscation of private property is abhorrent to the free world. It is abhorrent to freemen everywhere. Confiscation was and is the basic cause of most of our bad relations with our neighbors in South and Central America. The long feud we had with Mexico was caused by it. The troubles in Nicaragua, Guatemala, and other South American countries had their origin in confiscation of the private property of Americans in those countries. The attribute of a free man is to own the property he has earned. A government that is entitled to the respect of civilized nations protects the properties of its citizens. Any theory of private rights, other than the right to possess one's own earnings and the results of his labors, is in line with the communistic theory and practices. When man is deprived of his right of ownership, he is deprived of his freedom. Free men must protect the inherent rights of all other free men. Governments dedicated to any purpose which destroys the rights of free men destroy freedom itself.

We will hear a lot about windfalls, profits unearned, secrets lost, and employees' fear of the loss of their jobs. In time, I shall show that these arguments are wholly without foundation.

In 1923, when the first $10,000 return bill of properties seized in World War I was proposed to the Congress, that proposal was characterized then as an act of barbarism unworthy of an enlightened civilization. I believe that statement was made by the gentleman who is now the Speaker of the House. There exist today many more and far more important reasons than existed then why we, as a Nation, should sustain our historic position. Our own self-interest demands a full return and a payment of our American claims insofar as possible. A few statistics will prove this point.

After World War I, we had advanced to our allies a little over $9 billion in our joint effort to maintain freedom. During World War II, we advanced over $42 billion in lend-lease aid. Since then we, as a Nation, have given away in loans and grants in excess of $51 billion. We have spent in addition to this many, many billions of dollars for our defense installations all around the world. We are still spending billions each year for the same purpose. We are maintaining the largest national defense program in peacetime in the whole history of our Government.

We are at once confronted with the query of why have we done all these things. The basic reason for all of this spending has been to maintain our free way of life. We have done them in the interest of freedom. Why, then, should we turn back the pages of history and embark now upon a program of confiscation thereby destroying the first attribute of man's freedom? I shall show in due time that confiscation violates every rule of national and international law, both written and unwritten. I shall show, and the Secretary of State will be my first witness, that the return of vested assets violates no international agreement or national commitment we have with our allies.

As a purely preliminary matter today, and in the hope that the confused thinking, or, I should say the lack of

clearer thinking, of many may be dispelled, these basic facts should be placed before the American people.

There are two additional matters developed at the hearings to which I wish to make reference. They have to do with relative values in terms of dollars.

The hearings developed that we have advanced to West Germany since the close of World War II well over $3,500,000,000 in loans and grants for her rehabilitation. The administraiton proposed and the Congress approved the London Debt Settlement Agreement in 1953, which forgave over $2 billion of these loans. This was an outright gift of $2 billion to the entire population of now about 60 million people living in West Germany. The indirect costs to us in these aid programs can never be calculated but they would swell that figure well beyond the total I have given. How can one reconcile the giving of such a vast sum to 60 millions of West Germans while retaining the private property of only a few thousand individuals?

When our right and the right of England and France to maintain the principle of divided authority and rule in the city of Berlin were threatened, we initiated and conducted the Berlin airlift from June of 1948, to September of 1949. This remarkable feat astonished and confounded both the free and Communist world. We sustained the two or more million Germans under our jurisdiction with all the necessities of life by air transport alone. The Russians had closed the roads and other means of transportation from the West to the East. Why did we propose and maintain the airlift at such a great cost to us? We did it to sustain a principle. We did it as a part of our undertaking to maintain a free way of life—to stop, if you please, the threat of communism. What did the Berlin airlift cost us? The precise overall costs may never be known. We do know that 39 American lives were lost. We do know that for gasoline and repairs alone the cost amounted to $228,800,000. We cannot calculate the costs of depreciation of our planes and other equipment. We do know that we transported by air over 2 million tons of supplies. No figures are available as to what those supplies—foodstuffs, medicants, fuel, clothing, and other necessities of life—cost the United States. The indirect cost of this undertaking can never be known. We did not engage in this undertaking as a show of force. The practical reason is found in our effort to sustain the principles of freedom. There is no justification for any of our efforts anywhere else in the world unless it be to maintain our own liberties here and to extend a measure of freedom elsewhere.

The book values of the vested assets of private nationals of Germany and Japan aggregate a little more than a half billion dollars. There are about 30,000 cases of vested properties of both German and Japanese. The number of shareholders in the companies involved increases the number of persons affected, so that the exact number of individuals is unknown. How absurd can we as a nation be to keep the private property involved in these 30,000 cases of less than a half a billion dollars and at the same time attempt to justify the expenditure of a great deal more than that in the Berlin airlift for 2 million Germans? How can we justify the outright gift of over $2 billion to 60 million Germans and retain the private property of these 30,000 owners? According to the book values of these assets, we have given 60 million Germans since 1945, more than 9 times the value of the seized assets of 30,000 owners.

So, aside from the absurdity demonstrated by the figures I have quoted and quite apart from all justification for our free spending all over the world, the United States at this juncture in world affairs cannot afford to return to acts of barbarism. Confiscation is a relic of the dark ages. We cannot afford to place our investments abroad in jeopardy of confiscation by others. If we would that others do right by us, we must do right by them. I am aware of many callous arguments, devoid of principle, hardened by selfishness, or distorted by emotion, which some will advance against our return of the private properties entrusted to us because of the faith and confidence their owners had in our institutions. Enduring and fundamental principles however are at stake. My actions shall be charted to the only course I know to preserve those principles which have made us the greatest Nation on earth today. Doing otherwise, I would betray the past, endanger the present, and imperil the future of my country. To do otherwise, I would "covet my neighbor's property" and history might convict me of violating the cherished commandment of "Thou shalt not steal"

During the delivery of the speech of Mr. JOHNSTON of South Carolina,

Mr. CAPEHART. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CAPEHART. Would the Senator rather have the question come at the conclusion of his statement?

Mr. JOHNSTON of South Carolina. I would prefer it.

Mr. CAPEHART. Mr. President, I ask unanimous consent that my question appear in the RECORD at the end of the Senator's statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CAPEHART. The bill which the Senator is discussing is a bill to return to foreign nationals property seized by the United States during the war, is it not?

Mr. JOHNSTON of South Carolina. That is true.

Mr. CAPEHART. In other words, we still hold property in the United States which we seized during World War II, and which has not been returned to the original owners.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. CAPEHART. And this bill would accomplish that purpose.

Mr. JOHNSTON of South Carolina. The bill would accomplish that purpose. I invite the attention of the Senator to the fact that we have given or loaned to other countries many billions of dollars, to the extent of 10 times the value of the seized property we hold in America.

Mr. CAPEHART. Some of the property belongs to German nationals, does it not?

Mr. JOHNSTON of South Carolina. Yes.

Mr. CAPEHART. And some to Japanese, and to nationals of other countries?

Mr. JOHNSTON of South Carolina. Yes. The property which was seized was enemy property. Sometimes it was confused with property belonging to other nations.

Mr. CAPEHART. As I understand, the bill would merely provide for the return of such property.

Mr. JOHNSTON of South Carolina. It would provide for the return of such property. Payment would be made with money which those countries have and which would be given to us, and paid to the owners. We would not have to make any appropriations.

Mr. CAPEHART. In other words, the money would be paid to the rightful owners of the property.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. CAPEHART. I congratulate the committee and the chairman for reporting the bill. I think it is long overdue. I do not see how we, in the United States, can condemn other nations for seizing American property throughout the world, while we are practicing the same sort of thing in the United States.

Mr. JOHNSTON of South Carolina. That is the question which is constantly involved. We have approximately $26 billion invested in other countries. We hold here approximately half a billion dollars' worth of property belonging to the nationals of former enemy countries. If we are to refuse to return that property to its rightful owners, we need not criticize other nations when they grab property here, there, and yonder.

Mr. CAPEHART. As a member of the Senate Committee on Banking and Currency, I have taken a great interest in foreign trade. I have made many trips to foreign lands, and I have introduced proposed legislation on the subject of foreign trade.

One of the questions which I usually encounter in dealing with private enterprise in respect to making investments in foreign countries is this: "Will the investment be protected by the foreign country? Will I, as a national of the United States, always have at least the same rights as nationals of the country in which the investment is made?"

That is the important question which is raised in nearly every instance. Unless we in the United States practice 100 percent that which we try to teach other nations to do, we shall fail.

I know nothing about the details of the bill, but knowing foreign trade as I do, I think this measure is long overdue.

Mr. JOHNSTON of South Carolina. After the First World War, we held property belonging to foreign nationals, and there was a question as to whether or not we would give it back. Finally, 10 or 12 years after the First World War, we agreed to give it back.

Mr. CAPEHART. As the Senator stated a moment ago, we have loaned those countries many billions of dollars,

and yet we are holding in the United States property belonging to their nationals.

Mr. JOHNSTON of South Carolina. I should say that the amount which we have loaned or given to other countries is at least 10 times the value of the property we are holding.

INTELLECTUAL ATTAINMENTS OF PRESIDENT EISENHOWER

Mr. MARTIN of Iowa. Mr. President, on Friday, June 29, it was my privilege to address my friends at Oxford, Iowa, in connection with the Oxford annual homecoming day. I told them Governor Harriman would be their guest on the following day, and that I hoped they would give him the courteous reception to which he was entitled, and which is characteristic of Iowa.

I also attempted to dispose, once and for all, of the myth that a person of wealth is disqualified for public office. Certainly no candidate for the Presidency has ever had more personal wealth than Governor Harriman. I do not, in any way, feel that this disqualifies him for high office. On the other hand, it ill becomes him, as he has so often done, to refer to the Eisenhower administration as a "big business administration" with no regard for the common man. The members of the Eisenhower Cabinet, who were associated with business before they assumed their present responsibilities, are in identically the same position as Governor Harriman. I welcome him as a candidate for the Presidency. His campaign should, once and for all, eliminate the most unfortunate demagoguery which has characterized the attacks of the Democratic Party on President Eisenhower's administration. In my remarks to the people of Oxford, I attempted to make my position very clear on this point.

Mr. President, Governor Harriman made two statements at Oxford which shocked me. According to the New York Times of July 1, 1956, he said—"And now Mr. Benson, his"—President Eisenhower's—"Secretary of Agriculture, who never wanted the soil bank at all, is doing his best to hold down the benefits as much as he can get away with." Mr. President, everyone in this Chamber knows that Secretary Benson supported the soil-bank program completely. It is also a fact that if the Congress under Democratic control had not engaged in inexcusable delays, the soil-bank program would have been fully operative during the current crop year, and hence of greater assistance to our farmers.

While Governor Harriman said Secretary Benson was holding down the benefits under the soil-bank program, I find in the same issue of the New York Times a headline which reads "Iowans flocking to join soil bank":

> Offices of the Department of Agriculture throughout Iowa have been jammed this week with farmers signing contracts to participate in the new soil bank.
>
> This program, originally designed to reduce crop surpluses, has now been turned into a form of drought relief and crop insurance. With Iowa's crop outlook still dubious, increasing numbers of farmers have decided that there will be more profit from the soil bank than from their harvests.
>
> At least 30,000 have already agreed to plow up or clip part of their crop land in return for a Government payment. Before July 20, when applications will be stopped, this total is expected to reach from 55,000 to 75,000. There are roughly 192,000 full-sized farm units in Iowa.
>
> Rates of payment to participating corn farmers will vary according to the average corn yield for their farms. But an average payment of $44 an acre is expected throughout the State.
>
> Projecting this on the expected number of acres that will be put into the soil bank, Department of Agriculture officials expect many individual payments to range between $450 and $475 a farm unit.
>
> To date the participation in the acreage reserve has been heaviest in Iowa counties where drought has darkened crop prospects or where large numbers of farmers have fitted their original corn plantings to acreage restrictions. * * *
>
> Those farmers who underplanted their basic corn acreage and are eligible to put oat fields into the soil bank have until July 15 to plow under or clip these crops. Those who plan to participate by putting soybeans or actual corn acreage into the bank have until July 20 to decide. If they have already signed a contract, they can withdraw up until that date.

The people of Iowa are using the soil bank and, despite Governor Harriman's statements, know who their real friends are.

The second statement by Governor Harriman was a very serious attack on President Eisenhower. The Washington Sunday Star of July 1, 1956, reported:

> He said the President does not understand either the farm problem nor the critical factors in the cold war.
>
> "He hasn't read a book," the New York Governor said. "He doesn't read the papers. He doesn't read anything except what they put before him. So, he just doesn't know what's going on.
>
> "He was a great soldier, but he is not qualified for the Presidency."

It amazes me that Governor Harriman would attempt to say that President Eisenhower does not read the papers and that he has not read a book.

So that the record may be straight, let me remind the Senate that President Eisenhower is a graduate of the United States Military Academy, class of 1915. The Service Academies are noted for their high scholastic standards, but that is not all. The President was an honor graduate of the Command and General Staff School in 1926, of the Army War College in 1928, and of the Army Industrial College in 1933. One does not go through these specialized schools without reading many books and papers. Furthermore, President Eisenhower served as president of Columbia University from June 7, 1948, until December 16, 1950, when he returned to Europe as Supreme Allied Commander, Europe, concerned with the integration of the defense forces of the North Atlantic Treaty nations.

Governor Harriman's statement is not only a slur on the President, but on the trustees of Columbia University, as he infers they picked an illiterate for the presidency of one of the country's greatest educational institutions.

Now let us see what educational qualifications Mr. Harriman has. According to Who's Who, he graduated from Yale with a B. A. in 1913. His contact with scholastic disciplines terminated when he received his bachelor's degree.

By the force of circumstances, President Eisenhower has had to continue to read and study through his climb for promotion in the Army. The habits instilled from a lifetime of meeting the challenges of the service schools do not wear off easily.

There have been many ridiculous statements made during the early skirmishes of the present campaign, but this one takes the record for preposterousness.

MILITARY HOUSING

Mr. CAPEHART. Mr. President, one of the things of which I am the most proud during my 12 years of service in the Senate is the so-called military housing section of the Housing Act, of which I was the author.

I should like to have made part of my remarks in the RECORD, a report from Bruce C. Kixmiller, Jr., Special Assistant for Armed Services Housing of the Federal Housing Administration, advising us of what has happened up to this time in respect to military housing and showing that there is in either process of being constructed or contracts are being let for the construction of some 71,320 housing units for our military personnel.

The new housing bill which the Senate passed and sent to the House recently, and which is now snarled up by reason of the fact that a rule cannot be obtained to report it to the floor, increases the authority of the Defense Establishment to construct up to 300,000 units under its terms. This report shows that 71,320 of the 300,000 are now in process.

I am asking to place the report in the RECORD, Mr. President, primarily to show the importance of getting some sort of a housing bill through this session of Congress before final adjournment. It is very important. I know that no Senator or Representative wishes Congress to adjourn and go home knowing that the boys in the military, with their families, are going to be deprived of a decent place in which to live. Therefore, Mr. President, it is extremely important that we pass a housing bill, and particularly the military end of it. I should like to suggest to each Senator in whose State houses are being constructed that he read Mr. Kixmiller's report.

Mr. President, I ask unanimous consent that this report be printed in the RECORD at this point as a part of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

JUNE 14, 1956.

The status of the military housing program as of June 10, 1956, consists of 151 projects (excluding antiaircraft defense areas) totaling 71,320 housing units. These projects are in various stages of development, ranging from preliminary planning and engineering to actual construction.

Construction is progressing according to schedule at Abilene AFB, and the first units are programmed for occupancy in October.

During May, the following projects were successfully bid and construction scheduled to start in June:

Fort Bragg, N. C., 280 units; low bidder, H. L. Coble; total bids received, 8.

Eglin Air Force Base, Fla., 500 units; low bidder, Centex Corp; total bids received, 11.

Bids for the 211-unit project at Ft. Carson exceeded the FHA estimate of replacement cost, and it is our understanding that the Department of the Army plans to rebid these 211 units in July as part of a 500-unit project.

Bids are to be opened on the following projects during the month of June:

	Units
Fort Lee, Va	525
Fort Eustis, Va	600

The Army and Air Force have tentatively scheduled the following projects for bidding in June, with bids to be opened in July:

	Units
Fort Rucker, Ala	120
Redstone Arsenal, Ala	270
Two Rock Ranch Station, Calif	33
Fort Ord, Calif	189
Fort Benning, Ga	1,000
Jeffersonville Quartermaster Depot, Ind	24
Smoky Hill Air Force Base, Kans	535
Fort Knox, Ky	2,042
Fort Holabird, Md	198
DA Receiving Station, La Plata, Md	12
Fort Hancock, N. J	25
Fort Wadsworth, N. Y	120
Fort Bragg, N. C	1,016
Killeen Base, Tex	125
Fort Belvoir, Va	618
Vint Hill Farms Station, Va	13

Following is a list of projects approved by FHA and the Assistant Secretary of Defense for Properties and Installations, for development under Title VIII of the National Housing Act as amended by Public Law 345, 84th Congress.

Army: 65 projects

	Units
Fort McClellan, Ala. (2)	300
Redstone Arsenal, Ala. (3)	670
Fort Rucker, Ala. (2)	600
Fort Huachuca, Ariz	575
Yuma Test Station, Ariz	209
Pine Bluff Arsenal, Ark	34
Benecia Arsenal, Calif	14
Camp Irwin, Calif	350
Fort Ord, Calif	189
Two Rock Ranch Station, Calif	33
Oakland Army Base, Calif	88
Fort Carson, Colo. (2)	500
Rocky Mountain Arsenal, Colo	20
Fort McNair, D. C	46
Fort Benning, Ga	1,000
Fort McPherson, Ga	107
Camp Stewart, Ga	388
Granite City Engineer Depot, Ill	65
Fort Sheridan, Ill	150
Jeffersonville Quartermaster Depot, Ind	24
Fort Leavenworth, Kans. (2)	300
Fort Riley, Kans	433
Fort Knox, Ky	2,042
Camp Leroy Johnson, La	100
Fort Polk, La	2,000
Fort Holabird, Md	198
La Plata ARS, Md	12
Fort Meade, Md	1,000
Fort Ritchie, Md	70
Fort Banks, Mass	26
Fort Devens, Mass	450
Natick Quartermaster R. & D. Center, Mass	50
Fort Leonard Wood, Mo	639
Belle Meade General Depot, N. J	23
Fort Dix, N. J	702
Fort Hancock, N. J	25
Fort Monmouth, N. J	120
White Sands Proving Grounds, N. Mex	134
Wingate Ordnance Depot, N. Mex	8
Fort Jay, N. Y	238
Fort Totten, N. Y	72
Fort Wadsworth, N. Y	120

Army: 65 projects—Continued

	Units
Fort Bragg, N. C	2,000
New Cumberland General Depot, Pa	91
Philadelphia Quartermaster Depot, Pa	46
Charleston Transportation Depot, S. C	12
Fort Jackson, S. C	300
Fort Bliss, Tex	900
Killeen Base, Tex	125
Fort Belvoir, Va	618
Fort Eustis, Va	600
Fort Lee, Va	500
Richmond Quartermaster Depot, Va	25
Fort Story, Va	150
Vint Hill Farms Station, Va	13
Fort Lawton, Wash	66
Schofield Barracks, T. H	1,326
Fort Shafter, T. H	100
Tripler Army Hospital, T. H	164
Various antiaircraft locations [1]	2,687
	23,847

[1] By direction of the Department of the Army, the location of these Anti-Aircraft Defense Areas is restricted information and specific locations are available to persons with security clearance.

Air Force: 69 projects

	Units
Luke Air Force Base, Ariz	795
Yuma County Municipal Airport, Ariz	320
Blytheville Air Force Base, Ark	360
Little Rock Air Force Base, Ark	125
McClellan Air Force Base, Calif	125
Oxnard Air Force Base, Calif	200
Travis Air Force Base, Calif	500
Hamilton Air Force Base, Calif	500
Dover Air Force Base, Del	1,000
Buckingham Air Force Base, Fla	470
Eglin-Hurlburt Air Force Base, Fla	500
Homestead Air Force Base, Fla	1,570
Tyndall Air Force Base, Fla	420
Moody Air Force Base, Ga	500
Bunker Hill Air Force Base, Ind	680
Forbes Air Force Base, Kans	640
Smoky Hill Air Force Base, Kans	535
McConnell Air Force Base, Kans	490
England Air Force Base, La	300
Dow Air Force Base, Maine	685
Andrews Air Force Base, Md	280
L. G. Hanscom Air Force Base, Mass	670
Westover Air Force Base, Mass	200
Sawyer Air Force Base, Mich	340
Duluth Military Air Patrol, Minn	240
Minneapolis-St. Paul International Airport, Minn	190
Columbus Air Force Board, Miss	480
Grandview Air Force Base, Mo	700
Lincoln Air Force Base, Nebr	600
Nellis Air Force Base, Nev	395
Stead Air Force Base, Nev	645
Portsmouth Air Force Base, N. H	1,700
McGuire Air Force Base, N. J	2,000
Griffiss Air Force Base, N. Y	460
Niagara Falls Military Air Patrol, N. Y	290
Plattsburgh Air Force Base, N. Y	1,685
Stewart Air Force Base, N. Y	300
Suffolk County Air Force Base, N. Y	350
Syracuse Air Force Service, N. Y	216
Pope Air Force Base, N. C	560
Seymour-Johnson Air Force Base, N. C	1,500
Grand Forks Air Force Base, N. Dak	240
Minot Air Force Base, N. Dak	450
Lockbourne Air Force Base, Ohio	400
Youngstown Air Force Base, Ohio	250
Altus Air Force Base, Okla	700
Ardmore Air Force Base, Okla	750
Clinton-Sherman Air Force Base, Okla	500
Klamath Falls Military Air Patrol, Oreg	220
Greater Pittsburgh Military Air Patrol, Pa	280
Olmsted Air Force Base, Pa	140
Charleston Air Force Base, S. C	600
Myrtle Beach Air Force Base, S. C	800
McGhee-Tyson Air Force Base, Tenn	181

Air Force: 69 projects—Continued

	Units
Sewart Air Force Base, Tenn	87
Abilene Air Force Base, Tex	1,000
Byran Air Force Base, Tex	135
Edward Gary Air Force Base, Tex	215
Foster Air Force Base, Tex	500
Laredo Air Force Base, Tex	345
Laughlin Air Force Base, Tex	500
Webb Air Force Base, Tex	460
Fairchild Air Force Base, Wash	250
Geiger Air Force Base, Wash	228
McChord Air Force Base, Wash	1,000
Bong Air Force Base, Wis	350
Truax Air Force Base, Wis	523
Andersen Air Force Base, Guam	1,050
Hickham Air Force Base, T. H	600
	38,680

Navy: 17 projects

	Units
Point Mugu NAMTC, Calif	360
Mojave MCAAS, Calif	695
Albany MCSD, Ga	160
Glynco NAS, Ga	590
Great Lakes NTC, Ill	590
Winter Harbor NRS, Maine	20
New River, MCAF, N. C	435
Beaufort MCAS, S. C	2,565
Chase Field NAAS, Tex	225
Waikele NAD, Territory of Hawaii	43
Headquarters, Fleet Marine Force Pacific, Camp H. M. Smith, Halawa Heights, Oahu, T. H	168
U. S. NAD, West Loch, Oahu, T. H	37
U. S. NAD and Radio Station, Lualualei Branch, Oahu, T. H	34
U. S. NAS, Barbers Point, T. H	1,140
U. S. MC Air Station, Kaneohe Bay, T. H	921
U. S. NRS, Wahiawa, Oahu, T. H	160
U. S. Naval Base, Pearl Harbor, T. H	650
	8,793

BRUCE C. KIXMILLER, Jr.,
Special Assistant, Armed Services Housing.

CIVILIAN ATOMIC POWER ACCELERATION PROGRAM

The Senate resumed the consideration of the bill (S. 4146) providing for a civilian atomic power acceleration program.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ANDERSON. Mr. President, the bill under consideration is S. 4146, to provide for a civilian atomic power acceleration program.

In my presentation today I wish merely to explain the provisions of the bill and the extent of the committee consideration of the bill. Following this discussion, I would expect other members of the Joint Committee on Atomic Energy who have participated in development and preparation of the bill to explain in greater detail the various provisions of the bill and the reasons therefor.

The atomic power acceleration bill is a part of a combined effort of the joint committee to stimulate and encourage both the private development of atomic energy as well as Government development as a means of moving as rapidly as

reasonably possible toward the day when atomic power will assume its rightful role as a supplement to the conventional fuel resources in this country and abroad.

In addition to S. 4146, the joint committee has also reported out S. 4112, which provides for a governmental indemnity to supplement private insurance against reactor hazards, a program which private utilities and equipment suppliers believe it absolutely necessary to insure continued private development of atomic power. The joint committee has also reported S. 2643, a bill which would amend the Public Utility Holding Company Act to permit industrial firms to join with private utilities in carrying on atomic power development activities without being subject to the Public Utility Holding Company Act.

In all three of these bills, as I have indicated, the purpose of the joint committee, and we hope of the Congress, is to spur the development of atomic power in such a way that we will maintain our world leadership as well as achieve economic atomic power in this country as soon as practicable.

S. 4146, the atomic power acceleration bill before the Senate, has been the subject of extensive hearings and consideration by the joint committee. The original hearings consumed 545 pages, and supplemental hearings on the revised committee draft bill over approximately 50 pages were published on last Tuesday, July 10.

The committee held a number of informal and formal sessions on successively revised drafts of the bill and of the report which became available on Friday, July 6, and which has been made available to each Senator. In these deliberations the committee had the advice of one of the best authorities in the atomic power business, Dr. W. H. Zinn, former director of the Argonne National Laboratory and the designer of the first reactor to produce electric energy, as well as the Hanford and the Savannah River plutonium-producing reactors.

In preparing the bill and report, the committee made every effort to provide a workable arrangement satisfactory to all members of the committee and the Atomic Energy Commission. The bill itself, in addition to the purpose and policy on acceleration, has three main features, namely: First, large-scale demonstrating reactors; second, small-scale reactors; third, foreign assistance on atomic power reactors.

Section 241 (a) sets forth the purposes of the bill as follows: To encourage the continued development of atomic power technology by the construction of additional prototype demonstration reactors; to achieve economic atomic power as rapidly as practicable; and to advance the spirit of the International Atomic Energy Agency, and the atoms-for-peace plan.

Section 241 (b) declares it to be the policy of the United States to accelerate the civilian atomic energy program and to assure our world leadership in the atomic power field by the construction of additional demonstration prototype reactors at the maximum rate consistent with the state of the development of the art.

In order to implement these purposes and policy the bill authorizes and directs the Atomic Energy Commission to proceed under contract with the construction as soon as practicable of large-scale prototype demonstration reactors designed to show the practical value of facilities for the generation of electric energy in industrial or commercial quantities.

In addition to the accelerated program of large-scale power demonstration reactors the bill directs the Commission to develop reactor designs which show promise of significant advances in reactor technology and to construct under private contract as soon as practicable smaller prototype power reactors which utilize such advance concepts.

The bill provides that the large-scale prototype reactors are to be located at AEC production sites, and the electric energy generated is to be used by the Commission in connection with the operation of its production facilities. Although the bill permits the Commission discretion in locating its smaller-scale power reactors, it is expected that they will be situated at AEC production-testing and laboratory sites in the same manner as AEC locates its present small-scale reactors, and the electricity generated will be used by the Commission in connection with its operations.

The committee report recognizes that in the event it becomes necessary due to the production of significant quantities of electricity either of an intermittent or firm nature by the reactors provided for in sections 242a and 242b of this bill, it is recognized that the Commission may enter into negotiations to make necessary adjustments in existing contracts. While the bill does not contemplate commercial sales of electric power by the Commission, it is understood that the Commission may, in negotiations with its suppliers of electric power, provide for the interchange of its own reactor-generated power into the transmission systems of the suppliers if such be necessary in the best interest of the Government.

The bill also provides that the AEC shall be responsible for the conduct of a vigorous program of cooperation and assistance abroad with respect to the design, construction, and operation of atomic power reactors.

The total amount of funds authorized in the bill for carrying out this program over the next 5 years is $400 million. In preparing this estimate the committee had in mind the construction of the equivalent of 3 large-scale prototype demonstration reactors, 2 small-scale prototype reactors located at AEC testing sites, and assistance abroad in the design and construction of the equivalent of 5 small-scale reactors. The committee also considered that some additional supporting facilities, such as fuel-fabrication facilities and fuel-processing facilities, might also be required.

As I mentioned earlier, S. 4146 represents a genuine effort to take into account many of the questions which were raised during the hearings and subsequently during committee discussions. I believe there was a sincere effort by all members of the committee to come up with the best possible bill under the circumstances.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. LANGER. Was the report of the committee unanimous?

Mr. ANDERSON. The report of the committee was unanimous to this extent: There were 14 affirmative votes, no negative votes, and 4 Senators not voting on the bill.

Mr. LANGER. Were the 4 Senators present?

Mr. ANDERSON. One of the four Senators was present.

Mr. LANGER. I thank the Senator.

Mr. ANDERSON. Mr. President, the following are some of the adjustments which have been incorporated in S. 4146:

First. The so-called private power-public power issue has been eliminated by locating the reactors at AEC sites rather than at six regional areas and providing that the power produced will be used in AEC operations at those sites.

Second. The bill eliminated any requirement of a specific number of reactors to be constructed by AEC, such as was contained in the original S. 2725, giving AEC discretion in the number to be constructed.

Third. The bill does not contain any specific or arbitrary criteria for the selection of reactors to be constructed by the AEC. The bill does provide some policy guidance in the selection of reactors, and this policy guidance is amplified in the report. However, AEC is not restricted to the general criteria set forth in the bill or the report.

Fourth. The provisions with respect to the foreign atomic power assistance program have been revised from the earlier drafts to provide that AEC's role in such a program is in the form of assistance to foreign countries and organizations rather than to construct reactors directly.

Fifth. The bill makes clear that this program is conducted under the research and development provisions of section 31 of the Atomic Energy Act and is entirely supplementary to the current AEC reactor demonstration program conducted with private, cooperative, and public power organizations.

The report makes clear that it is the intent of the committee that the program will in no way curtail existing AEC programs and projects carried on by private organizations under AEC license. On the contrary, it is believed that the prototypes developed and constructed under the accelerated program should prove of great benefit to the current AEC effort and to the private, cooperative, and publicly owned utilities and equipment companies who are interested in obtaining information and experience from prototype demonstration reactors.

As I mentioned earlier, S. 4146, although it is being taken up first, really represents the culmination of the consideration by the joint committee of measures to accelerate both the private development and the Government of practical atomic power demonstration installations. After the extensive consideration which has been given to this

problem both by the joint committee and the Atomic Energy Commission, the atomic power industry and the insurance industry and other interested groups, I believe that we have now reached the time when action is necessary. I believe, after appropriate consideration and discussions on the floor of the Senate, we should take immediate action to pass these measures as a means of keeping America ahead in this vital enterprise.

It is my hope that the able Senator from Tennessee [Mr. GORE], the able Senator from Rhode Island [Mr. PASTORE], the able Senator from Washington [Mr. JACKSON] and other Senators may have a word or two to say about the bill, after which I hope there may be questions on the bill from Members generally.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD two statements I have prepared, one entitled "The Status of the Power Demonstration Program," and the other entitled "Manpower Scarcity Argument."

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

THE STATUS OF THE POWER DEMONSTRATION PROGRAM

It has been the position of the Joint Committee on Atomic Energy and of its individual members, that it would not want to be unduly critical of the program or lack of program of the private utilities or the AEC in the current power demonstration program and licensee projects. The committee in its report noted, without in any way disparaging the efforts of the private groups, that in order to protect stockholders and investments, the corporations must go about the program in a cautious manner.

The committee has concluded that assuming that the private groups achieve their goals and schedules, the current program should be expanded and accelerated. It is noted that the private investment in the neighborhood of $300 million over a 5-year period is less than 1.6 percent of the total capital outlay of $18 billion for conventional electric-power facilities for the same 5-year period. Viewed in this light a further Government investment of an equal amount in research and demonstration would not appear to be out of line.

The above view reflects the position of the joint committee to give the benefit of the doubt to the private demonstration program even though the individual members may have grave misgivings as to the chances of success of this program.

However, since it has been alleged on the floor that the current power demonstration program is such an outstanding success and that it will satisfy the requirement of an accelerated program, it is believed that some of the facts concerning the real status of the demonstration program should be discussed. As mentioned above this is done reluctantly because all of us wish that the private program would move along as rapidly as possible.

The private program consists of 5 large-scale reactors and 2 small-scale reactors, which will produce a total of 721,000 kilowatts with an investment of approximately $261 million. Three of the large-scale reactors and the 2 small-scale reactors are part of the Commission's power demonstration program in which the Commission makes a financial contribution to the project along with the private utilities. Two of the large-scale prototype reactors are conducted under AEC license without Government contribution.

It should be noted, first, as Drs. Smyth and Zinn have pointed out during the hearings and in the report, that the majority of the types of reactor selected by the non-Federal organizations are of the less advanced type which utilizes the current light water technology, such as developed the *Nautilus* and the PWR prototype job being constructed under Government sponsorship. Thus the Consolidated Edison and the Yankee projects are pressurized water reactors and the Commonwealth Edison and the Elk River projects are boiling water reactors.

It should be noted that although the Atomic Energy Act of 1954 was passed in August of 1954, none of these reactors are under construction and none are even substantially designed. Every reactor, even the pressurized water reactor, requires considerable development work before final blueprints can be completed and actual construction of the reactor proper begun. Thus, for example, none of them have a fuel element design as of this date, which is the literal core of the developmental problems in prototype reactors.

Moreover, one of the reactors at least is in serious technical difficulties. This is the breeder reactor being sponsored by the Detroit Edison group, the APDA. Although this reactor is scheduled for completion in 1960, it is understood that serious design problems have been encountered with respect to the safety aspects of the reactor which will have to await experience with a smaller-scale pilot plant or prototype which has not yet been constructed. It would appear extremely difficult for the Detroit Edison reactor to be built before 1962 or 1963 if the Commission heeds the advice of its reactor safety experts.

It should also be noticed that the sodium graphite reactor proposal for which no contract has yet been signed, is conditioned on the success of pilot-plant experiments with the sodium reactor experiment (SRE) which is scheduled to go into operation next spring, so we really do not know whether this project will be built until sometime next year. If trouble is encountered here this project in turn could be delayed.

With respect to the Consolidated Edison and Yankee projects which used the pressurized water reactor design, it should be noted that neither company provides any technical direction to the projects but leaves this matter practically entirely to the equipment manufacturer. In the case of Consolidated, the equipment manufacturer, although it is a qualified component manufacturer, has never constructed a reactor as such.

The Commonwealth proposal is probably the most attractive reactor concept for prototype development and has the best organized utility-equipment manufacturer team. However, it has some real problems yet to be solved, including a large-scale pressure vessel.

In addition to technical problems there are some real financial problems facing at least one of the organizations. Commissioner Murray in his statement pointed out the difficulties that public power and cooperatives face in participating in the demonstration program since these organizations do not have access to ready cash as much as the private utilities. The American Public Power Association has already raised questions concerning the fixed and rigid financing methods required by the Commission in their administration of the power demonstration program.

These technical and financial problems have reflected themselves in terms of contractual difficulties in the power demonstration program. Although the original power demonstration program was first announced a year and a half ago, on January 10, 1955, and the second round program was announced September 1, 1955, only 1 contract has been executed by the Commission with the 5 organizations which have been approved for negotiation.

It can be said that the pattern followed by the AEC for the power demonstration program has been to delegate completely to the private organizations the conduct of the program, including the technical direction and scheduling of completion. Since these activities are uneconomical and are therefore being conducted at a loss by these organizations, they are naturally operating in a manner designed to minimize losses in most cases. Hence the time lag and the great amount of haggling in contract negotiation which has taken so much time.

On the other hand, one project, the Detroit Edison project, which is being carried on by a large group of well-financed private utilities and industrial organizations, possibly because of the pressure for an accelerated program, appears at this time to be trying to rashly go ahead with their project even though there may be technical safety problems involved.

All of this adds up to the fact that these private programs will not solve the prototype problem entirely and that in order for this country to keep ahead the Government must sponsor the work under the regular Government contractual arrangements which have been so successful in the design and construction of large-scale reactors at Hanford, Savannah, Bettis and the aircraft nuclear propulsion program.

MANPOWER SCARCITY ARGUMENT

It has been argued during the hearings and on the floor that shortages of scientific and technical manpower prevent, or make extremely difficult, AEC from carrying on an effective accelerated atomic power program. The answer to this argument is as follows:

1. Ever since AEC was established, whenever any new or expanded program is proposed, the scarcity of manpower is used as a reason for opposing it. Scientific and technical manpower has always been scarce in the atomic energy program, but somehow it has been possible to recruit people and do a remarkable job in a short period of time.

2. As a means of broadening the manpower base AEC should bring in qualified new contractors who can divert engineers from less important work to these essential tasks. Approximately 40 qualified contractors with some atomic energy experience stated they could take on an additional reactor project. See for example statements by contractors.

All of this supports the statement by Commissioner Murray that the accelerated program should help not hinder the manpower situation.

3. The location of the prototype projects at AEC production sites will help the manpower situation considerably.

(a) It will permit the upgrading of technical and service personnel at the site.

(b) It will be conducive to collaboration by existing laboratory at the site, the utilization of existing laboratory and service facilities—all of which tend to conserve manpower.

4. Because of AEC's insistence on not going into prototype development and construction it is losing many qualified engineers and technicians who are interested in this type of experience. The enactment of S. 4146 will reverse this trend and stop this drain of manpower.

Mr. GORE. Mr. President, energy is the key to the progress of an industrialized nation. Energy is the key to the growth and to the utilization of the mechanized developments in our complex and interdependent society. The looming scarcity of energy in major areas of the world points to the fortuitous position, the remarkably advantageous position, of the United States of America.

We are favored with comparatively abundant supplies of fossil fuels on the North American Continent—coal, oil, and gas. Even with this abundance, however, we cannot regard the supply of conventional fuel as inexhaustible. When we compare the consumption of coal, oil, and gas for the past 20 years with the consumption of those fuels for all previously recorded history on the North American Continent, we then see the possibility and the probability of the need for additional sources of energy in the years to come.

As I have said, other countries are not so fortunately situated as are we. They, sooner than we, must look to other sources. The source of energy for the future, scientists and engineers tell us, is nuclear.

The economic need for development of nuclear energy in the United States is not, for reasons I have indicated, so pressing as it is in other countries. In that respect, Mr. President, we are, as I have said, favored; but in that respect also we are placed at a disadvantage in the race to develop atomic power solely by private enterprise. This is true for the reason that under our present program we are dependent entirely upon the profit motive for the construction and operation of nuclear reactors.

I should like to make it plain that I in no way disparage the profit motive. I believe in it. I am enthusiastic about our capitalistic system. I recognize, however, that the economic motivation for the development of nuclear power is not so apparent in the United States as for instance, it is, or as it would be in Great Britain, where conventional fuels are in short supply and must be, to a large extent, imported.

The very fact, then, that in the United States we are relying solely upon private enterprise to construct and operate large-scale atomic powerplants means that there is not the immediate incentive for development in this country. That incentive is not immediate for the particular private concerns which desire to enter this field. That does not mean that the need for development is not very real for the entire country. For one, I have never criticized private enterprise for being slow or reluctant to enter this field, because I recognize the tremendous investment involved, the enormous risk involved, and also the danger that profits will not be realized in the immediate future.

Mr. President, it is asking a great deal of the stockholders of a private corporation to invest $50 million of their money in an atomic-power reactor which may become obsolete before it is completed, and which may never, in fact, be a profitable venture. The risk may be too great for any private concern to undertake such a project. Yet, Mr. President, I think the necessity for maintaining United States supremacy in the field of nuclear power is so pressing that the whole people, the United States Government, cannot afford to fail to develop large-scale atomic power reactors.

Mr. President, why is it important for the United States to maintain its leadership in this field? It is important from the standpoint of our own economy. It is important from the standpoint of economic factors in international relations. It is also important in the field of political and psychological developments in world affairs.

In the long run, the nation which has an abundant source of energy at reasonable economic prices has an advantage in competition in international economic affairs. An abundance of energy is absolutely necessary for further economic growth within the United States. If we are to compete with other industrialized nations, in the long run we must develop economic sources of energy. As I said earlier, the greatest promise that can be foreseen lies in the development of nuclear power. Therefore, I believe it to be important within the United States alone to bring about the earliest practical demonstration of the utilization of nuclear energy for the generation of electricity in industrial and commercial quantities.

In Western Europe, Mr. President, the shortage of energy in the future looms acute. Last month the Organization for European Economic Cooperation released a report which indicated that within the next few years there would be a shortage of energy, over and above the available supplies of coal and oil, which would require an investment in excess of $12 billion in nuclear reactors and nuclear fuel. Who will supply those reactors for Western Europe, Mr. President? Who will supply the demand for nuclear fuel? I should like to see the industry of the United States in the forefront in this field.

I recall having read recently in the New York Times a dispatch from Tokyo which quoted the Economic Minister of Japan as announcing that Japan had decided to purchase her reactors from Great Britain, for the reason that Great Britain was ahead of the United States in the development of atomic power. Mr. President, I hope Japan will reconsider her decision. I hope Great Britain is not ahead of the United States in the actual development of atomic reactors. Perhaps it would be all the same to American workmen—who would not obtain employment in the development of reactors to be exported or in the processing of reactor fuel to be exported—if either Great Britain, the Soviet Union, or any other nation excelled the United States and therefore obtained supremacy in this field. However, Mr. President, I suggest that it would be quite another thing in the international field if the Soviet Union were to outstrip the United States in this field. I suggest, for the consideration of the Senate, that evidence indicates that the Soviet Union has established a primary objective of doing just that; and it would appear that the Soviets are so confident of doing so in the near future, that they have publicly announced their program.

I believe that would have unfortunate and unfavorable consequences, not only in the field of economics, but also in the field of propaganda and political appeal. I call attention to the fact that the United States is the only nation which has used the atom for destruction. I think that places an especial moral responsibility upon the United States to be foremost in the development of peacetime uses of atomic energy, not only for her own people, but also for the benefit of the people of the world.

Mr. President, our present program of atomic reactor development is disappointing. In saying that, I do not infer or imply criticism of any particular concern that is undertaking development in this field. On the contrary, Mr. President, I extend congratulations and approbation, and, insofar as I can, I have tried to bring encouragement, to the concerns that are undertaking development in this field. As the distinguished chairman of the Joint Committee on Atomic Energy, the junior Senator from New Mexico [Mr. ANDERSON], has pointed out, the Joint Committee on Atomic Energy, on which I have the honor of serving, has favorably reported to the Senate two bills which are designed to remove the obstacles which private enterprise says need removing in order to facilitate its progress in this field. I applaud and praise the efforts of private enterprise, but I point out that if all the plants which have even been seriously discussed with the AEC by private concerns are brought to completion and if the program which the Soviet Union has announced is brought to completion, by 1960 the Soviet Union will be generating nuclear electricity to the extent of about 4 to 1, as compared with such generation of electricity in the United States.

Therefore, Mr. President, I have long felt—and now the committee, by a vote of 14 to 0, has concluded—that it is necessary for the United States Government itself to construct some large-scale, as well as some intermediate-sized, nuclear power reactors in order to demonstrate the feasibility and the practical utilization of nuclear energy for the generation of electricity. I submit that it would be one of the greatest boons to private enterprise—and I so view it, and support it with that motive in mind—for the United States successfully to demonstrate the feasibility of designs and processes. Once that is done, private industry can, and I believe will, move vigorously into this field.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MONRONEY. I have listened with great interest to the clear and convincing explanation as to the need for Government help in discovering new means of bringing about economic generation of power through the bill now before the Senate, and I wish to compliment my distinguished colleague from Tennessee for his explanation.

I wonder if it is not a fact that we are faced with a challenge of world leadership, in being either the first or the last great nation to accomplish the breakthrough on the useful conversion of the atom to peaceful means. Is not that a world test which we face in competition with the Soviet Union and its Iron Curtain satellites?

Mr. GORE. Whether we wish it or not, in the eyes of the world we are in a race with the Soviet Union in the development of atomic power.

Mr. MONRONEY. If, because of our unwillingness to advance the necessary funds to try many, many methods, and perhaps lose many millions or hundreds of millions of dollars in an effort to be early in the great breakthrough of technical knowledge in connection with the useful harnessing of the atom, we fail to advance the cause of the United States and the peace-loving democracies of the world, and leave this development only to Communist-controlled countries, will not other countries then have to beat a path to Moscow? Will they not, for scores of years, be tied economically to Moscow in trade relations, because of our failure to recognize the need for a crash program for America and for the free world to try to develop this useful energy?

Mr. GORE. I believe it to be axiomatic that the areas of the world suffering shortages of energy and fuel will, of necessity and inevitably, look to the nation or nations foremost in the field of nuclear power for leadership, and for the supply of this type of energy within their own countries.

Mr. MONRONEY. If that be true—and I quite agree with my distinguished colleague that it is true—then, to rely on private corporations risking the money of their stockholders on processes which may or may not prove to be economical in their experimentation would be almost comparable, would it not, to expecting private industry to furnish the national-defense expenses of the Nation? We are engaged in a cold war, in which the peaceful use of atomic resources and the machinery to harness the atom are perhaps just as important for victory as the atom or hydrogen bomb might be in a shooting war. By adopting a laissez-faire policy and relying upon the charitable and benevolent contribution of corporations gambling the money of stockholders, would we not be expecting almost the impossible if we were to look to those corporations to carry a load of the magnitude which the United States must carry if it is to get into gear in trying to win the battle for harnessing the atom?

Mr. GORE. To the extent that the development of atomic power is involved in the economic aspects of the cold-war competition with the Communist world, my answer to the distinguished Senator must be in the affirmative. It was for that reason that I undertook to state my views of this problem and to point out the need for this development in two aspects—the economic aspect at home, on the one hand, and the economic, political, psychological, and prestige aspects in international affairs on the other hand.

Mr. MONRONEY. My distinguished colleague from Tennessee mentioned, I believe, the sum of $50 million as perhaps being put up in a patriotic and scientific effort by private corporations to build their own reactors. If such were the case, and the reactors were found to be either inefficient or obsolete, or perhaps of no use whatsoever in the search for the best breakthrough on the conversion of the atom, such a failure could virtually ruin a private corporation; could it not?

Mr. GORE. That would be true in many cases.

Mr. MONRONEY. If we were to rely only on private financing and experimentation, and if several corporations lost in such experimentation, in effect, it could lead, perhaps, to slowing down or defeating American efforts, by reason of the losses which might pile up in connection with failures of the first reactors to achieve an economical production unit.

Mr. GORE. I believe that is true.

Mr. MONRONEY. Therefore, the Government is the only agency which could take the risk of 3 or 4 or 5 or 6 failures to achieve a breakthrough. In the long run, in the 6th, 7th, or 8th operation of a complete commercial type reactor, the Government might finally find the solution, which would be beneficial not only to the Government, but to private industry. Not only would there be industrial rewards, but there would be rewards in connection with our foreign policy, in winning the hearts and minds of men around the world. That would be of tremendous value to Uncle Sam. The Government's experimentation, risking losses to achieve the final breakthrough, could create a market which would put American private industry many years ahead of where it would be if we had to rely on the great hazards involved in the construction by private capital of these very costly atomic reactors in an experimental way.

Mr. GORE. I agree with the conclusions of the able Senator from Oklahoma. I call attention to the fact that he was a cosponsor of a reactor bill which he and I introduced about a year ago.

Mr. MONRONEY. I thank the distinguished Senator for his explanation.

Mr. GORE. Mr. President, I wish to conclude, briefly. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement by Dr. Walter H. Zinn, on June 23, 1956. It can be found on pages 13, 14, and 20 of the hearings.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

At pages 13 and 14:

"The worldwide experience to date does not indicate that any particular type or any particular design is the best. It is not expected that the reactor types having superior performance for power generation can be identified until much more operating experience is available. The generation of electrical power places demands on the powerplant for continuity of operation which is expected of few other enterprises. Until the performance of nuclear powerplants as part of the day-by-day operation of power networks has been demonstrated, any advantage or disadvantage with respect to continuity of operation only can be estimated. It is this experience which will give each type the severest test. Technologists who have had experience with nuclear reactors not for power but for other purposes are generally very optimistic that the nuclear reactor will turn out to be a reliable and steady source of energy. This optimism must be realized in fact because nuclear powerplants with their higher capital costs must be baseload plants and, therefore, must provide a very high percentage of on-the-line time.

"Nuclear reactors of certain types, which ultimately might produce machines of superior performance in a power network might never come into existence simply because they were not tried out on a substantial scale sufficiently early in the nuclear power development program. Since it will take actual commercial experience, and on a fairly large scale, to demonstrate the real usefulness of a power reactor, a machine which is very late in arriving at that stage of test may find the going very tough in the face of competing machines, which may be technologically poorer but which happen to have the benefit of large-scale use. Therefore, if it is desirable or necessary now to expand the power reactor development program in a manner which expands the number of reactor types under test, it is clear that this program should include types not yet programed for tests on a large scale."

At page 20:

"To reach the predicted competitive position, advances are required in reactor technology, in the fabrication of fuel and separations of irradiated fuel into the fission products and residual fertile and fissionable material.

"It is very probable that these advances cannot be realized without actual commercial experience in operating nuclear powerplants."

Mr. GORE. I should like to read, for the benefit of the Senate, the statement of the Chairman of the Atomic Energy Commission which appears at page 27 of the hearings:

We fully appreciate the importance of building full-scale reactors. Indeed there is a point at which only a full-scale reactor can provide the cost information and the engineering improvements that are necessary to achieve significantly lower costs.

Mr. President, I now wish to say a word of appreciation for my colleagues on both sides of the aisle who serve on the Joint Committee on Atomic Energy. We held long hearings. The testimony comprises 545 pages. There was never at any time anything but the best of fellowship and a careful and sincere examination of the problem.

I enjoyed the work with all my colleagues, and I appreciate their generosity toward me in the course of the deliberations on the pending bill. I make special reference in this regard to the great chairman of the joint committee, the Honorable CLINTON ANDERSON.

Mr. HICKENLOOPER. Mr. President, the bill before the Senate, S. 4146, is a very important bill, for several reasons.

At the outset I may say that I am compelled in conscience, and based upon 10 years of association with the atomic-energy program, to oppose the enactment of the bill. As has been pointed out, the Joint Committee on Atomic Energy, over a long period of time, compiled 545 pages of record on the question of building full-scale power production plants using atomic fuels. In my view, these hearings accomplished very little. They added nothing to our store of knowledge of atomic energy and its development, or its prospects.

I should like to recite a few things to indicate that I do not step aside for anyone in my deep and abiding interest in the advancement, as rapidly and as economically as possible and on a scientifically sound and feasible basis, of the science of atomics and nuclear power.

There are some of us in the Senate who became members of the special com-

mittee which wrote the Atomic Energy Act of 1946. Although we had already become increasingly aware, as the years had gone by, of the vast and often unpredictable possibilities of atomic science, we then became aware of the fact that it was a great new force which without any doubt would change the course of the world even in the reasonably foreseeable future. Some of us on both sides of the aisle have served on the Joint Committee on Atomic Energy ever since it was established under that act. There is no question that every member of the Joint Committee on Atomic Energy is deeply interested in the advancement of atomic science, in its development as rapidly as possible, and in making available to our country and to humanity whatever benefits it may unfold from time to time.

We may disagree on occasions as to how this objective should be approached, and, while it happens that in most instances I have agreed with the actions of the joint committee in reporting proposed legislation, this is an instance in which I cannot agree and I do not agree either as to the necessity for the measure or as to the theory that it will contribute one iota to the genuine advancement of the atomic science as such for the benefit of this country or for the benefit of the world.

I shall state my reasons, Mr. President, as I proceed.

In the first place, there is not a single bit of authority in the pending bill for the construction of reactors, with the possible exception of some enlargement of some of the international cooperation features of the original act. There is not a bit of authority for the building of reactors given to the Commission by this measure which is not already lodged in the Commission. The Commission today, under the law, can build as many reactors as it can secure money from the Appropriations Committees of the Congress with which to build them, and it can build them without limit, except as lack of funds may restrict their construction. The Commission is not limited today so far as design is concerned. They are, in effect, charged in the present measure with exploring into and experimenting with all promising designs of atomic reactors. This bill, in my judgment, is not necessary. It authorizes an additional $400 million for a purpose which is not in itself well-defined and for a purpose which is already provided by existing legislation.

Much is made, Mr. President, of the fact that we should have full-scale reactors as demonstrators. What are we going to demonstrate with such full-scale reactors? The fact that electricity can be generated and sent over wires? We have been demonstrating that in this country for a hundred years. We know how to generate electricity. We know how to build efficient generating systems, as efficient as any in the world. We know how to distribute electricity.

A program of this kind would only add a duplication of facilities which we already know how to build and from which we would learn nothing about the atomic science.

What could we learn by the construction of full-scale reactors? It is an accepted theory—and I think it is sound—that within certain limitations, technical, engineering, and otherwise, the larger a reactor is the more efficient it probably will be in the utilization of the heat which it produces. So, perhaps, by building a reactor which would produce sufficient heat to operate generators which would produce a hundred thousand kilowatts of electricity, we might be able to demonstrate that it could be produced on a hundred thousand kilowatt basis for, perhaps, a mill or so less—or even less—than it could be produced on a 10,000-kilowatt-capacity basis. We might be able to demonstrate a slight differential in lowered cost by spending five times as much money as we would spend on an experimental reactor.

Much has been made of the testimony of some persons to the effect that when it comes to producing electricity from atomic fuel we may lose the atomic energy race to other nations.

Regardless of any published reports in foreign propaganda, the United States has been producing electricity by the use of atomic furnaces for several years. It has been produced in Idaho for a number of years. In that way we have been obtaining, among other things, light. We can produce electricity and turn generators with atomic fuel, and we are the first country in the world that ever did so. We are the leading country of the world today in the production of reactors. We hear much about the possible supremacy of Russia. I am not sure, but, from all the information I can get, finally put together and evaluated, I believe that today the technology of the United States is substantially ahead of that of Russia.

We hear the claim that Great Britain is going to produce power from the use of atomic fuel, but, if we take note of the time element, Great Britain will be doing so long after several of our plants are producing it experimentally in prototype and other forms.

No, Mr. President; we are not behind any country today in the design and development of reactors for power, and I do not believe any country in the world has the capability, the knowledge, the knowhow, or the technique to outstrip us.

There have been some connotations in the past several weeks that we have been slow in developing this program. If those who are interested will turn to page 52 of the hearings on this bill they will see the number of different types and designs of power reactors which are already under construction in prototype or in smaller models to test and prove the design, and to give answers and lessons as to the probable efficiency of the operations.

In the first place, Mr. President, we have the pressurized water type of reactor. This is the kind of type being installed at Shippingport, Pa., by the Duquesne Light Co. and the Westinghouse Electric Corp. It is a 60,000-kilowatt capacity plant.

There is the boiling-water type of design. An experimental boiling-water reactor is being constructed at Lemont, Ill.

The Elk River (Minn.) Rural Cooperative Power Association proposes to build a reactor for the production of heat for power at Elk River, Minn.

Then there is the sodium-cooled, thermal-reactor program at Santa Susana, Calif. It is a reactor experiment conducted by the North American Aviation Co. for the AEC and Southern California Edison Co. It is proposed as a design for the Consumers Public Power District of Nebraska, with a capacity of 75,000 kilowatts, to be available, it is hoped, by 1959.

There is the fast-breeder program at the National Reactor Testing Station.

The experimental breeder reactor No. 2 at the Argonne National Laboratory will have 17,500 kilowatts capacity.

There is also the molten plutonium reactor experiment, which is not hooked up to produce any electricity, but is to prove design and theory.

There is the aqueous homogeneous reactor at the Oak Ridge National Laboratory.

These are under construction or are programed, and the construction and planning are under way.

We have the homogeneous reactor experiment No. 2, which is not for the production of electricity, but is to prove the design and the feasibility of that reactor. This is at the Los Alamos Scientific Laboratory.

A liquid metal reactor is being programed by the Babcock & Wilcox Co. The city of Orlando, Fla., is interested in that type of reactor as a commercial reactor.

There is what is called the organic-moderated reactor experiment, which is being undertaken by North American Aviation, Inc., for the Atomic Energy Commission. That is not hooked up to produce electricity, but is to prove the theory of the reactor operation.

Then the gas-cooled reactor is programed, but the contractor has not been selected.

These reactors are referred to as not producing any electricity. There is a very good reason for that. We know how to produce electricity; we do not need to experiment on that. What we need to know is the feasibility, the practicality, and the economy of producing the heat which will turn the generators, which we already have and which we know how to produce.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. PASTORE. Is it not a fact that, starting with the boiling-water reactor, listed on chart 1, on page 52, as was just pointed out by the distinguished Senator, what are referred to are pilot plants? Is it not a fact that Dr. Zinn, who was our chief scientist in relation to reactors at Geneva last fall, has taken the position, in our committee and outside our committee, that unless we begin the construction of large-scale reactors as prototypes, we will not know the answers as to how to produce economic power from nuclear fuel?

Mr. HICKENLOOPER. I think he takes the position that prototypes are

necessary in order to give certain answers in the operation of that type of reactor. I think, in the main, the Senator from Rhode Island is correct.

Mr. PASTORE. Is not that precisely the purpose of the bill—to provide prototypes on a large scale, so that the necessary answers can be obtained?

Mr. HICKENLOOPER. I can only read the bill, but I again submit that there is not a single bit of authority contained in the bill which is not already given to the Atomic Energy Commission, which needs only the money.

Mr. PASTORE. On that very point, does not the bill provide an authorization for $400 million to do that? Is not that the authority?

Mr. HICKENLOOPER. It is an authorization to do that, but the Atomic Energy Commission can come before the Committee on Appropriations or before our committee at any time it wishes and say, "We want to build a substantial reactor." The Commission has the power to do that, and the committee has the power to authorize the money. This proposed legislation is not needed. That is my point.

Mr. PASTORE. It is true that the Commission can come before our committee for the authorization, but what is wrong with our initiating the authorization, if it is good for the welfare of the people and will promote peace in the world?

Mr. HICKENLOOPER. Simply because the bill is a direction to the Commission to build a reactor whether it has proved to be feasible or not.

Mr. PASTORE. Not at all. The original draft of the bill might have been construed that way, but I think the Senator from Iowa will recall that it was his idea that the proposal should not be tied down to a specific number of reactors, but that question should be left more or less to the discretion of the Atomic Energy Commission. That was the suggestion made by the distinguished Senator who now has the floor. The committee, in a spirit of compromise, accepted that suggestion as made by him. We have adopted his idea, and now he is saying it is wrong.

Mr. HICKENLOOPER. I admit, certainly, that I suggested that. I also admit that I said at the time that I saw no necessity for the bill.

Mr. PASTORE. I realize that.

Mr. HICKENLOOPER. I said that if it was necessary to have a bill, I hoped it could come as nearly to being a good bill, and not a bad bill, as possible, but I did not know whether I would support it.

Mr. PASTORE. I realize that. I want the RECORD to be clear that the Senator from Iowa has stated correctly the facts as they are.

But the Senator is now speaking on the point of the authorization. I am speaking to the suggestion that the bill directs the Commission to build a specific number of reactors, which they do not want to do—not that they will never do it.

Mr. HICKENLOOPER. I did not say the bill directed the Commission to build a specific number of reactors; I said it directed the Commission to build reactors. I did not say "specific number."

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. Did it not appear, when the House was holding its appropriation hearings, that the chairman of the House Committee on Appropriations wished to include some money for the construction of reactors, and pointed out that the Commission had testified it did not need any substantive legislation; and did not the Atomic Energy Commission at that time object and say that they had to have legislation in order to do that?

Mr. HICKENLOOPER. I am not familiar with the testimony.

Mr. ANDERSON. The Commission said it had to have an authorization in order that an appropriation might be made to them. There was quite a wrangle about the meaning of "substantive" and various other terms. But the point is—and I think the Senator from Iowa will concede it—that $100 million could be included in the appropriation bill for this purpose, but unless the Commission were given some authorizing legislation, they could not construct the facilities.

Mr. HICKENLOOPER. The Commission would have to come to our committee for the authorization.

Mr. ANDERSON. That is why this bill was introduced.

Mr. HICKENLOOPER. Mr. President, the argument that the United States is about to lose the kilowatt race actually leaves me cold. This is not a world race to determine who can produce the most kilowatts of electricity by the use of atomic fuel. If it is, we can outstrip the rest of the world in the production of kilowatts, but the cost of doing so would be fantastic and completely unrealistic.

We can produce kilowatts of electricity with atomic fuel, but what we want to do is to produce an effective and efficient design of reactor, so that when we elect to produce electricity or make plans and programs available to private industry, we will know that those designs are efficient.

The testimony shows that the Shippingport reactor to be built at Shippingport, Pa., will produce electricity at a cost of between 40 and 50 mills a kilowatt. Electricity is produced throughout the country by falling water and steam at about 4 mills a kilowatt. So the cost of producing electricity with atomic fuel is considerably more than 10 times the cost of producing it with conventional fuels.

We want reactor design and feasibility to be such that it will be possible to bring the cost, through the use of atomic fuels, down to a basis which is reasonably competitive with existing fuels, of which we have such an abundance at this time.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. The Senator from Iowa has put his finger on one of the reasons for this bill. The cost of current from the Shippingport reactor will run to about 52 mills a kilowatt. It was testified over and over again that the United States now is building pressurized water reactors, a type which probably never can become competitive. The Consolidated Edison reactor is based on pressurized water. The Yankee Network reactors are based upon pressurized water. We will never get competitive rates by the time we need them on that basis.

The bill tries to say, "Let us take some gambles; let us make some bets; let us do some of the things other countries do, and which will give us a chance to have competitive power."

The Senator from Iowa has put his finger upon the very thing which brought about the bill. So long as we experiment only with things we know probably will never become competitive, then we have effectively blocked the possibility of developing a feasible, peaceful atom.

Mr. HICKENLOOPER. By the same token, I think it is sound engineering and sound scientific practice to have reasonable proof of the feasibility and success of a measure of this kind before embarking upon tremendous, full-scale production.

I do not believe anyone built a modern Cadillac automobile 35 years ago.

Mr. ANDERSON. Mr. President, will the Senator further yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. I point out to the Senator that that is exactly the reason why there is in the bill a provision for the construction of three large-scale reactors, or some equivalent number, which might be constructed at the Hanford and Savannah River plants.

After all, the Government has more experience with the operating of a reactor of the size of the Hanford reactor than has any other country on earth.

But when it was poroposed some years ago that a dual-purpose reactor be constructed there—it was proposed by the General Electric Co., a very reputable firm—the cost survey showed that the cost of power might be from 4 mills to 7 mills, and that was perhaps the reason the proposal was rejected. That was proposed, and it was rejected.

I am very quick to say to the Senator from Iowa that it was rejected during a previous administration, so that it has no connection with the service which the present chairman of the Atomic Energy Commission has given. But we say to the Senator, "Why not utilize the greatest experience any country has ever had and build these reactors at sites such as Hanford and Savannah River, where we have had more experience in the operation of large-scale reactors than has any country on earth?" That is what this bill will permit and permit quickly.

Mr. HICKENLOOPER. I will say to the Senator that the dual-purpose reactor was, in my judgment, properly rejected as a power reactor, because it depended, for any kind of an approach to economical production, upon Government subsidy, including the production of the materials which it created incidentally to the production of heat. It was Government subsidy which would bring the price down, and not the inher-

ent efficiency of the reactor itself, designed for the production of heat for power.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. PASTORE. I am inclined to agree with the statement just made by the Senator from Iowa. Is not that precisely what the Detroit Edison Co. is doing, namely, contemplating the building of a breeder reactor? I am inclined to think that they are more interested in the plutonium to be produced than they are in the competitive or commercial cost of electric current, for the time being. But, after all, if we take the position that the doing of these things is good and that private industry is doing nothing, does not the Senator think that someone ought to enter the field and do something that is good? That is what the bill proposes to do.

Mr. HICKENLOOPER. I do not want the Government to undertake a wasteful activity under the club and compulsion of Congress. I think perhaps Detroit Edison is counting greatly on selling back to the Government the product which is made by its reactor. That is a subsidy from the Government which operates to pull down, on the company's balance sheet, the cost of a kilowatt-hour of electricity. I should like to see electricity—its production of it and the fuel that goes into its production—stand on its own feet, so we may know what the costs are.

Mr. PASTORE. Mr. President, will the Senator yield further?

Mr. HICKENLOOPER. I yield.

Mr. PASTORE. Is the Senator developing the thesis that if we say to the Commission, "You do this," that is bad because it is compulsion, but that if we pass a bill which says to the AEC, "Won't you please do this?" then it is all right because we are graciously asking the Commission to do it?

Mr. HICKENLOOPER. No. I do not follow the Senator's reasoning, because long since—in the act of 1946 and in the act of 1954—the Commission was given that responsibility. We have put them in charge of such a program. We have named that as a duty of the Atomic Energy Commission. They already have that duty. This bill and its provisions are not needed.

There is another very important aspect of this matter, Mr. President. There is opinion—credible opinion—which I may share, and which my colleagues on the committee may share, that we do not have a superabundant supply of nuclear materials for our defense program. The United States is taking all the uranium which is offered to it at this time. But we hear complaints from time to time that we may not be going forward as rapidly as we should with our weapons program.

Here is a compulsory program to divert, if you please, Mr. President, more technology, more scientists, and more materials away from the weapons program which many claim is vitally needed for the security of our country. It takes technicians to build these unknown and experimental plants. If this bill should be passed and thereafter the Atomic Energy Commission failed to rustle around and to start building reactors, merely for the sake of building them, I anticipate the Commission would be severely criticized for not carrying out the will and the mandate of the Congress.

In the past several years—and I say frankly, before the present administration came into office—the Commission began to develop, in my opinion, a realistic atomic energy program. I credit those who were on the Atomic Energy Commission, prior to those who have become members of it under this administration, with a vigorous and intelligent program—pioneering, some of it was, because there had been a time when little progress was made. But I think the Atomic Energy Commission, both in its continuity and in its changing personnel, has, in the past several years, not only established, but vigorously promoted, an intelligent program and approach. I do not believe the Commission needs any more authority than it now has, except on certain construction from time to time, for which the Commission must come to our committee, anyway; and as rapidly as new and feasible and promising designs are conceived, the Commission is going to put them into effect, if tests and small prototype trials prove the theory.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. In view of what the Senator from Iowa has just said about the previous administration taking worthwhile leadership, I should like to mention, in case the Senator may have overlooked it, that I made an address to the Senate on July 2, in which I referred to the able Senator from Iowa. If he does not object, I should like to read into the Senator's statement something I said with reference to him, because I think it was very important. I read now from page 11576 of the RECORD:

> I can say the same for the able Senator from Iowa [Mr. HICKENLOOPER], who is not in complete sympathy with all the suggestions contained in the bill, because he felt many of these things might be done by the Atomic Energy Commission itself. Yet the able Senator from Iowa attended the sessions with great regularity and contributed steadily to the alterations which were made in the language of the bill in order to make it, so far as possible, aceptable to all concerned.

At a subsequent time in the course of my statement I referred to the evening when the matter was under way here. I said:

> I can recall the early morning hours of July 3, 1952, when Senator McMahon was on his deathbed and Senator HICKENLOOPER led the fight for legislation to increase facilities for the production of fissionable material. As a result, Congress authorized the Savannah River reactor projects and the Paducah and Portsmouth gaseous diffusion plants. Much of our present priceless supply of special nuclear material which is the shield of Western civilization was guaranteed on that morning.

While we differ as to points of view, and while we may differ as to the need for specific bills, I think we all recognize that a fine thing was done in the construction of those plants, and I would not want the division which seems to face us at this time to subtract from the fine contribution the Senator from Iowa made.

Mr. HICKENLOOPER. It was very considerate and kind of the Senator from New Mexico to have said those fine things about me and to have referred to them at this time. I can recall that particular evening. It will shortly be almost 4 years to the day. If I may remenisce a little, I was a day late in attending the Republican National Convention at Chicago, because I walked this aisle all night. We received three conference reports from the committee. Then we got together, and we saved the Savannah River and Paducah plants, and the Senator from New Mexico was one of the helpers in that effort. I believe the Senator was not on the joint committee at that time, or he may have just become a member of it. Anyway, he was one of the helpers, and there were a number of Members of the Senate who stayed here all night in an attempt to save that program. I feel very gratified over the effort made in establishing that program and that concept of the inception of the whole atomic energy program.

Mr. President, a moment ago I expressed the view that our committee finds itself in quite general agreement, on the average. We have very few areas of disagreement, so far as atomic programs are concerned. I think that every member of the Joint Committee on Atomic Energy would be willing to vote for expenditure of the very last dollar, and even more, for any program which he believes would be generally necessary for the advancement of the atomic program.

I will vote for and support the authorization and appropriation of just as much money for that program as will any other Member. I happen to think that enactment of the pending bill is not necessary; and that it calls for an additional authorization of funds, even though at this time no one knows for a certainty how such funds would be spent; and I believe that the bill would give additional direction which, in view of the existing law, is not needed. I feel that rather deeply. I believe that the bill would merely add another block on top of a block we already have, and that enactment of the bill would not really contribute to the advancement of this program.

Mr. GORE. Mr. President, will the Senator from Iowa yield to me?

Mr. HICKENLOOPER. I yield.

Mr. GORE. Every member of the joint committee surely thoroughly appreciates the sincerity and ability of the senior Senator from Iowa, and I believe that every Member of the Senate will do so. But I know that those of us who have worked day in and day out with the Senator from Iowa in the intimacy of the committee room, thoroughly appreciate his knowledge of, his interest in, and his devotion to this program.

The able Senator from Iowa has just said that the pending bill calls for an addition to the existing program. With that statement, I thoroughly agree.

The able Senator from Iowa has made another statement which I think brings

into focus the point of disagreement between himself and those of us who support the bill. The able Senator from Iowa said he did not think enactment of the bill was necessary; and previously he said he did not think enactment of the bill would contribute to the development of the art.

Those of us who support the bill believe that its enactment is necessary and will contribute to the art.

Mr. HICKENLOOPER. Mr. President, I have no issue with the Senator from Tennessee, insofar as his conviction is concerned. His conviction is deep and sincere. I happen to have another conviction on this matter.

Mr. GORE. I understand, and I respect the conviction of the Senator from Iowa.

Mr. HICKENLOOPER. The Senator from Tennessee and I have an honest difference of opinion regarding the bill; we honestly differ in our opinion as to what enactment of the bill will or will not accomplish. I have my opinion about that matter, and the Senator from Tennessee has his; and we have no quarrel or dispute, except as to that disagreement.

Mr. GORE. I understand, of course.

Mr. President, will the Senator from Iowa yield further to me?

Mr. HICKENLOOPER. I yield.

Mr. GORE. In commenting further on our disagreement, I wish to call to the attention of the Senator from Iowa the fact that in the long list of reactors which he read, the only large-scale reactor now under construction in the United States is the Shippingport reactor, which, as I believe the Senator from Iowa pointed out, is approximately 60,000 kilowatts in size. However, not a single shovelful of dirt has been turned on a single reactor under the 1954 act. The program proposed in the pending bill would direct the actual construction of some large-scale reactors and some reactors of intermediate size.

The Senator from Iowa has said he does not believe enactment of the bill is necessary, or that we would gain anything valuable from the experience we would have as the result of the program to be carried out under the provisions of the pending bill. Without unduly trespassing, I hope, upon the time of the Senator from Iowa, I wish to quote to him what the Chairman of the Atomic Energy Commission himself has said about the necessity of having actual experience in the construction and operation of large-scale reactors.

If the Senator from Iowa will examine page 9 of the hearings, he will find there a statement by Admiral Strauss himself, which I shall quote at this time:

> The Commission recognizes that the greatest advances in reactor technology will come from the actual construction and operation of large-scale reactors on a commercial basis. There is no effective substitute for such practical experience.

Under the present program, we are not obtaining such practical experience. I think eventually we shall, under the present program. However, as the Senator from Iowa has said, the pending bill calls for a program in addition to the present one; and by means of the provisions of the pending bill and the operation of the program to be established under it, I believe we shall obtain the experience which the chairman of the Atomic Energy Commission has said is so valuable.

I thank the Senator from Iowa for yielding.

Mr. WILEY. Mr. President, will the Senator from Iowa yield to me?

Mr. HICKENLOOPER. I yield.

Mr. WILEY. As one who is very ignorant insofar as this subject is concerned—not having had the privilege of being a member of the Joint Committee on Atomic Energy—let me say that, as a result of listening to the debate between my distinguished colleagues who have just been discussing the bill, I have been impressed, first, by the statement by the proponents of the bill that its enactment is necessary. On the other hand, the Senator from Iowa [Mr. HICKENLOOPER] has said enactment of the bill is not necessary; and to substantiate his statement, he has said that in existing law there is authority to proceed with such a program.

Mr. HICKENLOOPER. To clarify that point, let me say that in the case of construction projects, as to which I forget the exact provision of the law, in the case of any involving more than a certain amount—which is rather small—the Commission must come to the Joint Committee for authorization, and then must obtain the necessary funds through the Appropriations Committee. But the Commission is not prohibited from doing that. It is the responsibility of the Commission to carry out this program as rapidly as it is feasible to proceed with it.

Mr. WILEY. My point is that I understand that Admiral Strauss believes there is a need for a large-scale reactor, apparently to be operated on a commercial basis.

In the previous statement the Senator from Iowa made, he called attention to a point which is very challenging to me, at least. I thought his point went to the question of adequate national defense, namely, that there might be a diversion to commercial uses of material which would be needed for the national defense.

I remember that some months ago Admiral Strauss said, at a dinner, that he had been on a submarine which was propelled by atomic energy. He did not say how far or how fast the submarine traveled. But he said that for the entire trip, the amount of energy used was about the size of a fingernail; and he held up his hand and indicated the nail of his little finger, to show how small an amount that would be.

In this atomic age, when the world has been contracted by means of man's ingenuity, I wish to know whether enactment of the pending bill and the carrying out of the program under it would be an aid to our national defense or would be a detriment to our national defense.

Mr. HICKENLOOPER. In my view, in the foreseeable future, this program would not aid one bit in the national defense. It is true that there might be some benefits to peacetime usage, but those benefits can be obtained without the enactment of the pending bill. That is my point.

There are 1 or 2 other phases of this legislation upon which I should like to touch. Then I shall conclude.

We have heard a great deal—and I believe with considerable merit and considerable basis of support—about the shortage of scientists and highly trained technicians in connection with this and other similar programs. I think we could use a great many more scientists and technicians than we have. I think the Atomic Energy Commission is getting its fair share. In the entire field of atomic energy production, I think it is getting its fair share of scientists and technicians, as compared with universities and industries. Nevertheless, there is a shortage. If, for purely experimental purposes, we expand this large reactor program, it will require additional scientists, and there is no place to obtain them in sufficient numbers unless we dilute our already diluted weapons program and peaceful experiment development program, which the Commission already has under way. This would cause an additional shortage.

Another element in the bill is the direction with respect to foreign assistance. I read from page 4 of the bill, beginning in line 10:

> c. Foreign atomic power assistance:
> In order effectively to carry out the atoms-for-peace plan of the United States, the Commission shall have responsibility for the conduct of a vigorous program of international cooperation and assistance in the design, construction and operation of power reactors and related matters. The planning and execution of such a program shall be undertaken as rapidly as practicable.

If we go further into the business of the foreign development of power reactors, as directed by the bill, we shall further dilute our supply of scientific and technical personnel in this country. We already have a program under the atoms-for-peace project.

Some countries are promoting power development at the present time. The pending bill would enlarge and bring about a more enthusiastic program. However, I do not believe we are prepared at the moment to implement that program.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. GOLDWATER. I have been listening with a great deal of interest to the discussion, chiefly because, as the senior Senator from Wisconsin has said, some of us are rather ignorant on the subject of atomic energy and atomic power. Therefore, I should like to ask a few questions on an aspect of the subject which is of great interest to me.

On reading the pending bill and on reading the report, one gets the feeling that it is absolutely necessary to accelerate the present development of reactors. Was anything said during the hearings which would indicate that private enterprise could not participate under the proposed program?

Mr. HICKENLOOPER. That subject was discussed. In my opinion, the net result of the discussion was that under

the bill and the $400 million which would be authorized private enterprise could not participate at all with the Commission. Private enterprise can participate with the Commission under existing law. That is what is being done at Shippingport and at other places. Under the bill, all the money would be public money. Only public money would go into the power production plants. It is only public money which would be used.

Mr. ANDERSON. Mr. President, will the Senator yield on that point for a question?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. Does not the Senator from Iowa realize that the very statement he made with respect to Shippingport applies exactly to this bill? Does he not realize that that is exactly what can take place under the provisions of the pending bill? The bill provides specifically that the construction of a reactor shall be undertaken under contract, which is the very thing that the Senator from Iowa would like to see done.

Mr. HICKENLOOPER. Certainly under contract. The Shippingport program is under contract, but it is being participated in with private money. The pending bill would not permit participation by private cooperatives, public power groups, or private power groups. They could not contribute their money under the pending bill.

Mr. GOLDWATER. Mr. President, the junior Senator from Arizona would like the Senator from New Mexico to understand that he may participate at any time in the discussion so far as the junior Senator from Arizona is concerned. Does the Senator from Iowa feel that the provisions of the proposed legislation effectively close the door forever on the intervention of private enterprise into the atomic reactor field?

Mr. HICKENLOOPER. No; I would not wish to be understood as saying that. In the existing law there are provisions for the licensing of either private groups or private companies for the purpose of building their own reactors, and even of cooperatives or public bodies that wish to build their own reactors, under license from the Commission. That right exists now.

I am talking about the provisions of the pending bill, which we are considering at the moment. The bill provides that every dollar used for the purpose of building these large reactors shall be contributed by the Government. Private cooperatives and public bodies could not contribute and participate to the extent of $1 in the development of reactors under the pending bill.

Mr. GOLDWATER. I should like to ask the Senator from Iowa another question. Let us suppose that under existing legislation Arizona Public Service wanted to buy a reactor from General Electric. Could Arizona Public Service do that?

Mr. HICKENLOOPER. Yes, after meeting the terms of the law, which would mean an application to the Commission for an authorizing permit. In applying for the permit, Arizona Public Service would have to show its qualifications to the satisfaction of the Commission. It would have to show that it could manage the reactor and that it had the backlog at least of potential know-how to operate it. There are today seven power reactor projects under license to private or cooperative or public power groups under the Commission. That program is already in existence. What the Senator suggests would have to be done under existing law. It would not be done under the provisions of the pending bill.

Mr. GOLDWATER. Would the Senator say that even though the present law is rather restrictive in its requirements and definitions, it still encourages both private companies and others who can get the equipment to go into this field?

Mr. HICKENLOOPER. Yes. I wish to say that the present law is restrictive only as it is necessary to be restrictive because of the highly technical nature and the danger of the operation.

Mr. GOLDWATER. But there is encouragement under the present act. Is that correct?

Mr. HICKENLOOPER. There is encouragement under the present act. It gives organizations which have the competence the opportunity to enter the field without limit if they can get permits and licenses.

Mr. GOLDWATER. Let us now assume that Arizona Public Service wishes to buy a reactor from General Electric. Could it do so under the proposed legislation?

Mr. HICKENLOOPER. No; it could not do it under the pending bill.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. No private electric company or public body could buy a reactor under the pending bill. Is that correct?

Mr. HICKENLOOPER. Under the pending bill they could not do it. Under existing law, they could apply to the Commission for a license, and if they had the competence, under certain rules laid down, a license would be issued to them.

They could contract for the building of their own reactor. Under the pending bill, S. 4146, they could not do that. The money for the construction under S. 4146 is entirely public money, placed at the disposal of the Atomic Energy Commission, without any participation by cooperatives, public bodies, or private groups.

Mr. GOLDWATER. Mr. President, will the Senator yield further?

Mr. HICKENLOOPER. I yield.

Mr. GOLDWATER. Would not the Senator from Iowa say, then, that while there is every reason to wish to encourage the production of atomic reactors to accelerate the program, so to speak, what we would be doing in effect, if the junior Senator from Arizona understands the Senator from Iowa—and he thinks he does—if we passed the bill, would be to put the Federal Government in the business of producing public power at the expense of the taxpayers, and denying private enterprise the right to go into that field.

Mr. HICKENLOOPER. I do not know that I could go quite so far as that. It is putting the Commission into the business of producing power. Under the terms of the bill, that power is not to be sold. Whatever reactors are built are to be built at installations of the Commissions, such as at Arco and Oak Ridge, and probably at Savannah River. Whatever power is produced as a result of the operation of the reactors and generators is to be turned into the system for the utility of the Atomic Energy Commission, and is not to be sold. Therefore it would not be producing what one might call public power for the purpose of sale. However, it is only a step from there to the urgency to convert the Atomic Energy Commission into a public power-for-sale agency.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. When the Senator says it is a step, that is what I have been fearful of. I did not realize that the power was not to be sold and that it was to be confined in its use to the activities the Senator has described. I remember when the Tennessee Valley Authority got its start. At that time it was not intended to become a giant public power project. I continue to be fearful of legislation which allows the Federal Government to put its foot in the door opening and prevent private enterprise from operating. I thank the Senator for his indulgence.

Mr. PASTORE. Mr. President, if I may be permitted to engage in the colloquy which is going on between the Senator from Arizona and the Senator from Iowa, I should like to say that the United States Government, at its various installations, uses 10 percent of the entire electric power produced in the United States.

It is provided in the bill that all the byproduct electricity which will be produced by the reactors will be furnished to Government installations, and Government installations only.

By what stretch of the imagination can anyone say that this is a step toward promoting the issue of private power versus public power? The bill goes out of its way to eliminate that issue.

Mr. HICKENLOOPER. The bill, I admit, has gone out of its way to eliminate the question of the sale of the power from these plants. But from the position of placing the Atomic Energy Commission in the business of producing power, even though it is to be screened only into its own installation, it is only a step toward nudging the Atomic Energy Commission into the business of producing commercial power. I do not believe the Atomic Energy Commission has any more business to be engaged in the production of power on a major scale than the Civil Aeronautics Board has to be in the business of manufacturing airplanes, even though the planes were used only to haul their own people around.

Mr. PASTORE. Does the Senator take the position that it is the purpose of the bill to place the American Government in the business of producing electric power? Is that what he understands to be the purpose of the bill?

Mr. HICKENLOOPER. No; I would not say that is the primary purpose of

the bill, but I would say that we can learn substantially all the lessons in the experimental plants and in the programs which the Commission has already installed. We can learn those lessons just as well from the installations already programed by the Atomic Energy Commission as we can by building tremendous heat-generating furnaces to burn atomic energy.

Mr. PASTORE. Will the Senator admit that there was testimony before our committee on the part of scientists and engineers disagreeing with the position he has stated?

Mr. HICKENLOOPER. Oh, yes, indeed. There are scientists who say the Government ought to produce all the power in this country. There are scientists who disagree with many positions. Not all scientists agree.

Mr. PASTORE. The point I was trying to make was that we should build large-scale reactors in order to promote research and development. That is the position taken by the physicists and scientists before the committee, as against the opinion being expressed by the distinguished Senator from Iowa. I have the highest regard and respect for the opinions of the distinguished Senator, but his opinion is only that of a layman against the opinions of scientists and physicists in this particular field. If we must make a choice we must take the weight of the wisdom of the experts in this particular field.

Mr. HICKENLOOPER. I will say to the Senator from Rhode Island that I have never claimed to be an expert technician or scientist or physicist or chemist. I have never claimed any expertness along those lines, but I hope that as a result of some years of experience and of watching an unfolding picture I can project what I believe to be some practical judgments purely from a layman's standpoint, and without attempting to dispute scientific theories. We can find scientists on both sides of the question; but I feel that I am justified in forming my own opinion and conclusion based upon experience and a reasonable modicum of commonsense.

Mr. ANDERSON. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. The Senator mentioned a while ago certain experimental plants under construction. The Pennsylvania Power & Light Co. wishes to build a plant. It hopes to start it in 1958 and finish it in 1962 or 1963. It comes to the very point the Senator from Arizona was raising. They want to build an aqueous homogeneous reactor. There have been two models under construction. Will the Senator not agree that they are both under construction at Oak Ridge, and paid for by the Federal Government?

Mr. HICKENLOOPER. That is correct.

Mr. ANDERSON. We are trying to get the Federal Government to construct new types of experimental plants in order that private industry may have a chance to build plants. The Detroit Edison Co. is going to build a large fast-breeder plant in the State of Michigan, is it not?

Mr. HICKENLOOPER. Yes.

Mr. ANDERSON. The ground-breaking is scheduled to take place on August 8, and the Chairman of the Commission has announced that he will be present. In the past few days a letter has been written which indicates that they ought to build a new prototype plant unless they can solve some of the hazards which are involved. If we do not do what the bill requires, we will shackle the Detroit Edison Co. and all the other groups.

Mr. HICKENLOOPER. If we depend upon this bill to furnish the answer, the Detroit Edison Co. will have to wait a long time.

Mr. ANDERSON. But not so long as would be the case if the Detroit Edison Co. had to do it, because they cannot spend money in a $50 million gamble. The Government put up all the money for the reactor at Shippingport, Pa., except $5 million. The cost may run as high as $70 million or $90 million. The actual building cost will be $27 million, but all but $5 million came from the Federal Government.

We are talking about the expansion of the program. The Senator from Arizona was wondering whether this bill would stop private initiative. Of course, it would not.

Mr. HICKENLOOPER. The Senator from New Mexico raises a question upon which I hesitate to comment except to express a speculative view. I am fearful that if this bill becomes law it will do more to slow down private adventure in this field than anything we have done thus far, because, if the Government is going to build a number of big reactors on new and untried theories, on only a kind of a gleam in someone's eye, and if it contemplates building reactors on theories which are not presently programed, what is going to happen? Unless I am greatly fooled, a great many private companies which normally would venture under the American system will sit back and say, "Let us wait to see how Uncle Sam comes out." I fear it will slow down private development. I am not saying that with any absolute certainty, because no one can say it with certainty.

Mr. WELKER. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. WELKER. The Senator from Iowa may not be a physicist, but, in my opinion, he knows more about atomic energy that does any other Senator seated on the floor of the Senate.

Mr. HICKENLOOPER. I sincerely dispute that statement.

Mr. WELKER. That is my opinion. I had read about the Senator from Iowa long before I came to the Senate, and I admire him very much for his fine, thorough work in the atomic energy field.

I have a number of questions I should like to put to my distinguished colleague from Iowa. He, no doubt, has listened to statements I have made with respect to the dangers of reactors as they exist today.

Mr. HICKENLOOPER. Yes.

Mr. WELKER. The Senator knows that our own Safety Commission advised against the fueling of the reactor? Is that correct?

Mr. HICKENLOOPER. I cannot recall whether the Safety Commission advised against it. I would ask the Senator from New Mexico.

Mr. ANDERSON. Is the Senator referring to the Safety Committee of the Atomic Energy Commission?

Mr. HICKENLOOPER. Yes. I think, without using their exact language, that would be correct.

Mr. WELKER. Is it not a fact that since the report was made two reactors have run away, one at Arco and one at another place the name of which I do not recall?

Mr. HICKENLOOPER. I think there have been two reactor incidents since that time which have been of some seriousness.

Mr. WELKER. If the reactor at Shippingport were charged, and it ran away, as it might well do, based upon reports of the Atomic Energy Commission and the Joint Committee on Atomic Energy, is it not the opinion of the Senator from Iowa that such an incident might very well destroy the entire city of Pittsburgh?

Mr. HICKENLOOPER. No; I could not say to the Senator from Idaho that I think there is any very grave danger. I will say that there is a hazard in any of these operatons. The committee has been studying that question quite extensively in connection with the proposed insurance legislation which I believe the Senator from New Mexico will bring before the Senate very soon. There is a question of insurance coverage for hazards. The question has bothered the committee considerably. The insurance industry has been interested in it, as have the potential operators of the plants.

I believe we are convinced, based upon what we know from our experience, that the hazard is a minimum hazard.

Of course, something which would not seem really possible at the moment, and which might cause a bad accident in a congested area conceivably could happen and cause much damage. But that is a speculation which I dislike to go into because it is so likely to be interpreted incorrectly and to be emotionally distorted by publicity and activities of that kind.

Mr. WELKER. The Senator does not have to go into it. I will repeat what I said on the floor of the Senate a month or so ago. I feel that the reactors at Shippingport, Pa.; Arco, Idaho; and anywhere else are dangerous instrumentalities. I say a reactor is far more dangerous in a highly populated area, such as Shippingport.

But, to come right down to Idaho and Iowa talk, what is the necessity for the proposed legislation? Why is it needed? Is it not a fact that at Shippingport a reactor is being built on the site of a coalfield, where energy could be generated by coal much cheaper than it could be from atomic energy?

Mr. HICKENLOOPER. I tried to make myself clear earlier in my remarks.

That is one of my objections to the bill. I do not believe the bill is necessary. I feel deeply about that. I believe all the authority for experimentation, development, feasibility tests, and all those things, is contained in the laws which exist now. I believe in experimentation and development in this field, but I believe the law is adequate at the moment, and that the bill now before the Senate is unnecessary.

Mr. WELKER. What is proposed by the bill could be done now at the original reactor site at Arco, in my home State of Idaho, without the tremendous expenditure of money, such as is provided in the bill.

Mr. HICKENLOOPER. Experimental reactors of the size proposed could be built under the existing law, if the Atomic Energy Commission came to the Joint Committee on Atomic Energy for authorization, and then got the money.

Mr. WELKER. That has already been done at Arco. The little town of Arco has been lighted by atomic power. A great celebration was held there to commemorate the event. I do not think atomic energy produces any more light than an ordinary candle would, but there was a lot of publicity in connection with the occasion.

Mr. HICKENLOOPER. I pointed out that the first atomic electric power was generated at Arco.

Mr. WELKER. It did not last very long, but the event was well publicized.

That causes me to think that there is a danger in such legislation as is here proposed, especially when the United States had better be conserving its millions of dollars instead of starting something new, when we have coal which can be used to produce energy so much more cheaply.

Mr. HICKENLOOPER. I thank the Senator from Idaho. The Senator from Idaho was very complimentary about what he believed to be my knowledge in the atomic energy field. Although I shall blushingly and modestly have to say that I have been exposed to the subject for 10 or 11 years, I call attention to the fact that there are other members of the committee who have had experience equal to mine, and who are at least equally familiar with the problem and have devoted a great deal of time to its consideration. There are many members of the committee who are fully as conversant with the subject of atomic energy as I am. Nevertheless, I appreciate the compliment of the Senator from Idaho.

Mr. WELKER. I thank the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, I close, at least for the present, by saying again that I believe the proposed legislation is unnecessary. I believe it will dilute the scientific principle. I believe if the proposal is carried out as is directed in the bill, it will alter and destroy the orderly, progressive development of the program for the efficient production of power generated by atomic energy. I believe it may interfere in many ways with the program which today is developing very satisfactorily and which now gives us leadership in the world, and which, if not interfered with unduly, will enable the United States to continue that leadership.

ORDER FOR CONSIDERATION OF FRYINGPAN-ARKANSAS PROJECT BILL AND HELLS CANYON DAM BILL

During the delivery of Mr. HICKENLOOPER'S speech,

Mr. JOHNSON of Texas. Mr. President, with the Senator from Iowa yield to me?

Mr. HICKENLOOPER. I yield.

Mr. JOHNSON of Texas. Will the Senator from Iowa indulge me by yielding so that I may suggest the absence of a quorum, in order that the minority leader may come to the Chamber from the Appropriations Committee, and so that we can propose a unanimous-consent agreement regarding other proposed legislation—with the understanding that the Senator from Iowa will not lose the floor?

Mr. HICKENLOOPER. Yes, indeed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the distinguished Senator from Iowa may yield to me, in order that the absence of a quorum may be suggested, for the purpose of proposing a unanimous-consent agreement, with the understanding that the proceedings in connection with this matter will appear in the RECORD at the conclusion of his remarks, and that he will not thereby lose the floor.

The PRESIDING OFFICER (Mr. HUMPHREYS of Kentucky in the chair). Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I have conferred with the distinguished Senator from Colorado [Mr. MILLIKIN], the distinguished senior Senator from Oregon [Mr. MORSE] and his junior colleague [Mr. NEUBERGER], the Senator from Washington [Mr. MAGNUSON], and other Senators who are interested in the Hells Canyon and the Fryingpan-Arkansas projects. On behalf of myself and the minority leader, I submit a proposed unanimous-consent order for the consideration of the Senate.

The PRESIDING OFFICER. The proposed order will be read.

The proposed order was read by the legislative clerk, as follows:

Ordered, That, effective when the following two bills are respectively pending before the Senate: S. 300, to authorize the construction, operation, and maintenance by the Secretary of Interior of the Fryingpan-Arkansas project, Colorado and S. 1333, to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, during any further consideration of them, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bills, respectively, shall be received.

Ordered further, That on the question of the final passage of the said bills debate shall be limited to 3 hours each, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bills, allot additional time to any Senator during the consideration of any amendment, motion, or appeal. (July 12, 1956.)

The PRESIDING OFFICER. Is their objection to the proposed order?

Mr. PASTORE. Mr. President, reserving the right to object, I should like to address a question to the distinguished majority leader. As I understand, no date is specified when these bills will be taken up. Is that correct?

Mr. JOHNSON of Texas. The Senator is correct.

The PRESIDING OFFICER. Is there objection to the proposed order? The Chair hears none, and the order is entered.

Mr. JOHNSON of Texas. Mr. President, the minority leader and I have agreed that we desire to proceed to the consideration of these two measures at as early a date as possible. We shall probably take up the Fryingpan-Arkansas project some day this week. The Hells Canyon project will be scheduled for some day next week, depending upon what progress we make with the social security bill, but I hope the Hells Canyon bill can be considered on Wednesday or Thursday of next week, so that we may obtain a vote on both measures at an early date.

ARMED FORCES REGULAR OFFICER AUGMENTATION ACT OF 1956

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2444, H. R. 11683.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 11683) to authorize permanent appointments in the Armed Forces of the United States, and for other purposes.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Armed Services with amendments on page 6, line 8, after the word "law", to insert "except service credited under section 103 (A) (1) and (2) of this title",

and in line 11, after the word "of", to strike out "sections 509 and 514" and insert "section 514."

Mr. JOHNSON of Texas. Mr. President, the Chairman of the Committee on Armed Services, the distinguished junior Senator from Georgia [Mr. RUSSELL], will give a brief explanation of the bill.

Mr. RUSSELL. Mr. President, this is the last of the primary administration measures which are designed to make the military career more attractive and to enable the United States to hold in the armed services those who have been educated at Government expense and who have had considerable training in the various specialist classes of the armed services.

Briefly stated, the bill raises the statutory ceilings for officers in the Army and the Air Force. It increases the statutory ceiling for regular Army officers from the present figure of 30,600 to 49,500. This represents an increase from 26 percent to 50 percent in the planned active duty officer requirement of 99,000.

The present ceiling in the Air Force is 27,500 regular career officers. The bill would increase the number of regular officers in the Air Force to 69,425. At the present time the Air Force has 17 percent of its officers as regulars. The bill would increase the percentage to approximately 50 percent.

It might be stated that the percentage of regulars in the Navy and the Marine Corps is already approximately 50 percent.

I do not know that any lengthy explanation of the bill is necessary. All of us are aware of the tremendous cost of training, for example, a pilot in the Air Force. It is very difficult to keep such men in the service when they do not know from one year to the next whether they will be kept in a Reserve status, and when many of them are anxious to be Regulars and to have their careers definitely planned.

The bill was reported unanimously by the Committee on Armed Services.

Mr. President, I ask unanimous consent that a statement I have prepared on the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR RUSSELL

The purpose of this legislation is to increase the statutory ceilings for Regular officers in the Army and Air Force and to provide the necessary authority for making the additional appointments to the Regular lists. The bill raises the statutory ceilings from 30,600 to 49,500 in the Army and from 27,500 to 69,425 in the Air Force.

It might be noted that this bill affects the Navy and Marine Corps Regular ceilings only in that it makes permanent the existing temporary authority authorizing permanent appointments through the grade of full lieutenant. The Department of Defense has stated that the Navy and Marine Corps Regular ceilings are adequate.

This legislation was recommended on the premise that the number of officers required to be on active duty in the Army and Air Force will remain at existing levels for the foreseeable future and that about 50 percent of the officers on active duty in the services should hold Regular commissions. The Army now has on active duty about 104,000 officers, exclusive of certain specialists, and the Air Force about 139,000. In the Army only 26 percent of the officers on active duty hold Regular commissions and in the Air Force only 17 percent. In 1958 the Army plans to integrate an additional 7,000 officers, making a total of 35,640 Regulars. The Air Force in 1958 will integrate an additional 25,000, making its Regular total 49,986. The Regular strength of both the Army and the Air Force at that time will be 36 percent of its planned active duty officer strength. Additional appointments will be made thereafter until 1963, in order to make the Regulars 40 percent of the total officer strength. The President has approved the program through 1963 if this legislation is enacted.

OBJECTIVE

The basic objective of the bill is to establish greater stability for the officer corps of both the Army and the Air Force by offering the security of a Regular commission to a greater proportion of the career active duty officers. A Regular commission under normal circumstances offers security of tenure, since after a person has been made a Regular officer, existing law provides no means for removing him from that status, except for cause, promotion passover, or retirement. Reserve officers on active duty, however, can be relieved from active service at the discretion of the military departments, and are subject, among other things, to decreases in Regular funds or reductions in manpower ceilings.

With minor exceptions, all of the officers who will be integrated under this bill will be Reserve officers now on active duty. It is hoped, therefore, that additional security will reduce the turnover of experienced Reserve officers. In 1955 there were approximately 11,000 Reserve officers in the Army and Air Force in the grade of captain and above who requested voluntary release from active service.

It is also hoped that the possibility of a Regular commission will induce a larger number of the young Reserve officers on active duty to undertake a military career as a Regular. As a result of the increased ceilings the Air Force will be able to offer Regular commissions to about 10,000 young reservists and the Army about 2,000. Most of these officers have acquired indispensable experience, mainly in combat-type duties.

SOLUTION TO HUMP PROBLEM

Both the Army and the Air Force at the present time have a hump in their Regular officer structure. This bill will enable both the Army and Air Force to reduce and eliminate its Regular humps. For the Army the increased ceilings are sufficient for this purpose. In the Air Force it was necessary to provide authority for 2 years of constructive service in order to eliminate the Air Force Regular hump.

AUGMENTATION PROCEDURE

An increase in new Regular officer structure involves essentially two problems: First, adjustments for those already on the Regular list and second, the rules for placing the newly appointed officers on the existing list. These procedures, which are highly technical, are set forth in detail in the committee report (No. 2420) which is now before each Member. I will, however, mention a few highlights on the procedure.

ARMY

The bill, in response to the desires of the Army, contains no authority for increasing the promotion-list service of existing Regular officers. The Army stated that no adjustments were necessary to solve the hump and that officers now on the list became Regulars under too many ground rules to affect any equitable adjustment at the present time. The Army will make new appointments on a base age of 27, which may be increased by the officer's past active commissioned service and also up to 2 years of constructive service. The new Regular Army officer will be placed on the list immediately behind the existing Regular with the same amount of promotion-list service. Although the bill contains no express limitation, the Army assured the committee that no Regular appointments will be made above the grade of colonel.

AIR FORCE

In the Air Force existing Regulars would receive additional promotion-list service based on the amount of prior commissioned service and up to 2 years of constructive service. The basis for new appointments in the Air Force will be age 30, which can be increased by their commissioned service and up to 2 years of constructive service. Such service will be the basis for determining the promotion-list credit which is required for appointment to the various grades. The bill limits appointments in the Air Force to the grade of lieutenant colonel and below.

NO EFFECT ON NUMBER OF OFFICERS ON ACTIVE DUTY

It should be emphasized that this legislation does not alter the number of officers who will be required to serve on active duty in the Army and the Air Force. It would authorize a change in the status of large numbers of Reserve officers on active duty to that of a Regular officer.

The Department of Defense considers this legislation a vital item in its program for stabilizing its career personnel. The President personally reviewed and approved this legislation prior to its submission to the Congress. I urge the Senate to act favorably on this bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 11683) was read the third time and passed.

SUSPENSION OF DUTY ON CRUDE BAUXITE AND CALCINED BAUXITE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2423, House bill 8228.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 8228) to suspend for 2 years the duty on crude bauxite and calcined bauxite.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the bill H. R. 8228 as referred to the Committee on Finance would provide for the suspension of the import duty on bauxite, crude, not refined or otherwise advanced in condition in any manner, and bauxite, calcined, regardless of the purpose for which it is imported. The suspension would end at the close of July 15, 1958.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 8228) was ordered to a third reading, read the third time, and passed.

TEMPORARY SUSPENSION OF DUTY ON CERTAIN ALUMINA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2469, House bill 10269.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 10269) to provide for the temporary suspension of the duty on certain alumina.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the purpose of H. R. 10269 is to suspend for 2 years the existing import duty on alumina under paragraph 6 of the Tariff Act of 1930, as amended, when such alumina is imported for use in producing aluminum, under regulations prescribed by the Secretary of the Treasury.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 10269) was ordered to a third reading, read the third time, and passed.

CIVILIAN ATOMIC POWER ACCELERATION PROGRAM

The Senate resumed the consideration of the bill (S. 4146) providing for a civilian atomic power acceleration program.

Mr. PASTORE. Mr. President, 2 years ago I supported the amendment to atomic energy law of the United States. My support of that amendment was not a tacit one. As a matter of fact, I like to feel I worked as diligently as I could for the amendment of 1954 to the atomic energy law.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a correction of the RECORD?

Mr. PASTORE. I yield.

Mr. HICKENLOOPER. When the question came up a moment ago, in response to an inquiry by the Senator from Arizona [Mr. GOLDWATER] as to the number of licenses granted to private and cooperative groups to build reactors, I believe I said there had been seven licenses granted. I should like to correct that statement. The correct statement is that there have been seven licenses authorized, but they have not yet been finally granted. They are in the process of being granted, but they have been authorized. I wanted that correction made in the RECORD before too long a time elapsed.

Mr. PASTORE. Mr. President, I supported the amendment in 1954 because I am one of those who feels that Government should not engage in any enterprise that can be conducted by private industry, unless it is absolutely necessary to the general welfare of the people of the country, or to the national security, or to promote the peace of the world.

I participated in the debate 2 years ago and urged the Senate to act favorably on the amendment to the atomic energy law. Mr. President, the conviction I then held has not been changed, and I can support S. 4146 and remain steadfast to that conviction, because S. 4146 does not discourage private industry from getting into the field of research and development in the art of producing electric power by atomic energy. In fact, if it does anything, the bill encourages it. The bill says this: "Above and beyond all private industry can do—and we encourage it to do everything it possibly can—we think the Government of the United States should make some investment of its own and erect on Government sites a number of experimental prototype reactors, so that we may accelerate this program. We will use all the electricity made by these experimental reactors in Government installations.

The argument is being made that private industry is doing enough. Now, I say to my colleagues, if all we were worrying about was the generation of electric power in the United States of America, I do not think we would have too much concern. Here in America we have an abundance of fossil fuels; we have an abundance of coal; we have an abundance of oil. I think, by comparison with any nation anywhere in the world, we can produce electric power cheaper than it can be produced anyplace else. But that is not precisely the question.

Senators will recall that the President of the United States appeared before the General Assembly of the United Nations on December 8, 1953, and made a speech which electrified the entire world. I, as a Democrat, applauded that speech, because I thought it was a masterly maneuver to win the hearts of the people of the world. It offered hope and encouragement to them that if we developed this art, the day might come when pestilence and disease would disappear from the earth, the causes of war would be removed, and there would be universal peace. That is the reason why I am interested in the bill.

I am interested in the bill because Russia is engaged in research in this field, and Russia is a regimented nation. I am interested in the bill because the United Kingdom is engaged in research in this field; and electric power is nationalized in England. I am interested, too, because it was the President of the United States who took it upon himself—and I applauded him for doing so—to go before a world organization and say an international agency should be created to act in this field.

Not long after that, he addressed himself again to the world, and he said, "We offer you 20,000 plus 200 kilograms of pure uranium, enriched uranium U–235." He said, "We offer you 20,000 kilograms for domestic purposes."

I submit, Mr. President, what good is the offer, what good is the fuel, if reactors in which to burn the fuel are not available? Does any one think the Detroit Edison Co. or the Yankee Energy Co. is going to take its stockholders' money and invest it in the foreign policy of this country? Is that their responsibility? Is that their obligation? Or is it the obligation of the United States, including the Congress of the United States? That is the question before us.

We cannot afford to wait 20, or 30, or 40 years for this art to be developed. If we want to win the hearts of the people of the world, if we want to give meaning and life to the expression of the hope of the President for the creation of an international agency, then we must produce the reactors to burn the fuel. Unless that is done, the power will never be available to the power-starved people of the world. That is the question before us, as simply as it can be stated.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. HICKENLOOPER. In the main and in principle, I agree with what the Senator is saying, except that I ask, Why do we need the pending proposed legislation? We can do it, and we are doing it today.

Mr. PASTORE. No; we need a little more than the atomic-energy law of 1954. We need an expression of policy on the part of the Congress of the United States, and that is where we have missed the point. The Congress of the United States has a responsibility in this matter, too. All we are saying in the bill is that it now becomes the policy of the Congress of the United States to pump life into the international agency, which is the idea of the President of the United States, and to say to the world: "We will go strongly ahead. We will fortify the offer of 20,000 kilograms of pure uranium. We will now experiment in the development of this art so that one day you will have the fruits of these ideas."

Unless we produce the fruits of these ideas, the ideas will fall flat on their faces. The psychological effect we created on December 8, 1953, will disappear in thin air, and we shall have nothing left but the ridicule of the rest of the world. They will say, "You only fooled us. You were kidding us when you offered us the fuel, but did not offer us the furnace in which to burn it. So we could not produce power."

That is equivalent to saying, "You gave me a baseball bat with which to hit a home run—when I was armless."

Mr. President, that is how simple the issue is. It is not a question of having the Government replace industry in this field. We are encouraging industry to do all it can; we want industry to do all it can. I am saying that in addition to all that, we propose that the Government of the United States make an investment by building these reactors on a site the Government owns, where 8 million kilowatts of power a year will be used, where we now use 10 percent of the entire available power output of the Nation. We will prove to American industry and to the world that we are on the level with this international agency.

Mr. HICKENLOOPER. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. HICKENLOOPER. Does the Senator from Rhode Island contend that in existing law there is no authority for cooperation with other nations in the building of their reactors and the charging of their reactors, and that we are not at this time engaged in negotiating such agreements?

Mr. PASTORE. Of course I do not contend that we are not. But in the case of this bill, we are talking about large-scale reactors—the real thing, not toys any more—the thing we really must do, according to Dr. Zinn, if we expect to improve this art. That is all that will be done by means of enactment of the bill. We shall be stating the policy of the Congress of the United States.

One can say and say again, until the cows come home, that enactment of the bill is not needed. But if enactment of the bill is not needed, what harm will its enactment do?

Mr. HICKENLOOPER. Does the Senator from Rhode Island contend that we are not already negotiating, under existing law, for the construction of actual producing facilities in some foreign countries?

Mr. PASTORE. The construction of large-scale reactors?

Mr. HICKENLOOPER. Yes.

Mr. PASTORE. We may be, in the case of other free nations; but in the United States are we doing the things that will result in giving us supremacy in this field? That is the question.

Mr. HICKENLOOPER. Then I misunderstood the Senator from Rhode Island for I understood him to say that unless this bill is enacted, we shall not have cooperation with other countries. I point out that at this time we are cooperating with other countries in that respect.

Mr. PASTORE. The point is that by means of the enactment of this bill, we shall be saying to the international agency, "In view of the offer of 20,000 kilograms, and in view of the noble spirit expressed by the President of the United States, we are going to supplement that offer and use our funds for the building and operation of prototype plants on our own sites, where we have sufficient electric power, just to prove that this can be done."

If we wait for someone else to do it, I am afriad we shall lose the race.

Mr. President, I think the pending bill constitutes good proposed legislation. The bill does not contain anything inimical to the 1954 act or anything inconsistent with our spirit of free enterprise.

This bill constitutes a good attempt to fortify our foreign policy and our obligation, even to American industry, to demonstrate—by using our own funds for the building of these prototype, large-scale reactors—that we are on the level.

Mr. BRICKER. Mr. President, I rise to express some opposition to the pending bill.

For many years now from 1947, I have served as a member of the Joint Committee on Atomic Energy.

In the early days it was most discouraging to think only of the destructive possibilities of the utilization of atomic energy.

Then, in 1953, the President of the United States went before the United Nations, and, in a somewhat electrifying presentation, promised to the world that we now would begin to emphasize the peaceful uses of atomic energy.

The United Nations adopted a resolution calling for a conference, at Geneva, dedicated to the purposes of studying and enhancing the prospects of the utilization of atomic energy for peaceful purposes. I do not think anyone came away from that conference without encouragement that much was being done in this field.

Mr. President, this afternoon I shall not take the time to outline the tremendous accomplishments in the field of the peaceful uses of atomic energy in the case of health and in the case of agriculture; in the alleviation of pain; the production and the preservation of food, which, in time, might be better transported and preserved without the costly operations which presently are commercially necessary.

Subsequent to that time, a number of us visited many of the countries of the world that are interested in the peaceful uses of atomic energy. Everywhere there was an expressed interest in the use of atomic energy in the field of medicine and in the field of agriculture; and in many places there was a deep interest in the use of atomic energy for the production of power. The process for the use of atomic energy for the production of electrical power is a rather simple one, as has been explained here by the Senator from Iowa. It can be done; there is no question about it in the mind of anyone who has followed the work of the Atomic Energy Commission.

In the United States there is no necessity for a program of the kind proposed in the pending bill, or for acceleration of the program. That is true because of the fact that at the present time, the electrical energy produced by the use of standard fuels is much cheaper than the electrical energy or power produced by using atomic energy.

At the time of the President's presentation, the committee became vitally interested in this field, and immediately became concerned with the enactment of a law authorizing cooperative efforts by private capital and Government for the construction and operation of power-producing facilities.

Hearings were held for many months, and the committee sat for many weeks and even months in working out the details of the bill which finally was enacted in 1954. Much credit is due the Senate members of the Joint Committee for the diligence with which they worked on that matter, and also for the final enactment of the bill.

One thing we emphasized above all others was that there should be adequate protection of the public in all cases, both in the United States and elsewhere, when the United States Government was engaging in these activities.

I have said that it is not necessary to accelerate the program at all, for it is going along now in a very satisfactory manner, under the scientific developments which have been made by the Atomic Energy Commission. Private enterprise is cooperating with the Atomic Energy Commission and with the Government in the production of the reactors necessary to develop the art. What I am interested in is the development of the art not only to the point where we shall be able to produce atomic power, but also to the point where we shall be able to produce it with safety.

The pending bill provides for nothing in that field which, so far as I can see, cannot be carried on at the present time or is not being carried on by the Atomic Energy Commission.

I do not believe enactment of the bill is necessary. I know its enactment is not necessary from the standpoint of our own country and our own needs.

In the second place, I think enactment of the bill might constitute an encumbrance to the present program for the development of the peaceful uses of atomic energy, in the power field. In this field, many scientists in the United States and a number of scientists in other countries of the world are actively engaged. That is emphasized by the fact that the President of the United States has appointed a commission to study the possibility of getting a larger number of scientists into the field—not only into the atomic energy field, but also into engineering generally. Such a commission is working in the United States.

The pending bill, if enacted, would result in drawing from their present work of research and experimentation, many of the scientific men now available for the Commission's program. I think enactment of the bill would handicap, rather than enhance, the program.

Furthermore, I think the pending bill has some very dangerous aspects. I do not wish to have the United States enter into a contest with Russia as to the production of the greatest number of kilowatt-hours of electrical power. There is no need for it. It does not mean anything. I want the art in this country developed as rapidly as possible. I want to see the public protected when that art is developed, and before we enter into an enlarged and costly program as this for the production of power generally.

We are in competition today with the other countries of the world in the development of the art of peaceful uses of atomic energy. I believe that everyone who left Geneva was convinced of the fact that the United States is far ahead of any other country in the world in this field. Also, I have confidence that American industry can take care of itself in competition in the production of machinery and the reactors necessary for the production of power, wherever the various countries of the world might need or want it.

I have said that there are some dangerous aspects of the bill, with which I am not satisfied. I read from page 2, section 241, under the heading "Purpose and Policy":

(3) To advance the spirit of the International Atomic Energy Agency and the atoms-for-peace plan.

The International Atomic Agency has not yet been created. The United States

has not yet become a party to it. That is something in the future. We are anticipating—perhaps unwittingly—what may happen.

I read from page 4:

c. Foreign atomic power assistance:

In order effectively to carry out the atoms-for-peace plan of the United States, the Commission shall have responsibility for the conduct of a vigorous program of international cooperation and assistance in the design, construction and operation of power reactors and related matters. The planning and execution of such a program shall be undertaken as rapidly as practicable.

d. Supporting facilities:

The Commission is authorized to construct, own, and operate supporting facilities necessary in connection with projects initiated under subsection a, b, and c of this section.

That is the international program.

I do not want the United States at this time building, owning, and operating reactors anywhere in the world except in the United States. We are willing to give all the help we can, all the engineering advice that is available, and which we do not need here, to aid the other countries of the world in their programs, but they must initiate such programs. Already there are between 20 and 30 bilateral agreements with other countries of the world which the Joint Committee on Atomic Energy, I am confident, has approved wholeheartedly. Those agreements are now in operation. We are gaining scientific knowledge in those programs. The proposed program is not only unnecessary, but I think it is a very dangerous program to direct the Commission to move into a field in which we would own and operate supporting facilities in other countries of the world under this appropriation.

I come now to the last feature of the bill to which I object. Not only is it unnecessary, but I think it would possibly be a hindrance to the development of the peaceful uses of atomic energy, even in the power-production field. Not only would it be a handicap, but I think it would be very dangerous in some of its aspects in the field of international relationships. We are not yet ready for it.

Finally I come to the feature to which I object most strenuously. An authorization of $400 million is proposed. We have not $400 million to spend on a program which is not yet supported by all the agencies concerned with it. The Atomic Energy Commission opposes this program. Its representatives have come before the committee and told the committee that they are not ready for it, that they do not want it at this time, that it is unnecessary and confusing, and would handicap them.

I have great confidence in the chairman of the Commission, Lewis Strauss. He was first appointed to the Commission in 1947, when I first became a member of the Joint Committee on Atomic Energy. He has done an excellent job. When President Eisenhower became President he called him to the chairmanship of the Atomic Energy Commission.

I do not wish to force upon a reluctant Commission a job which its members say is not practical, a job which they do not want. I know of no man who would more quickly come to the Congress of the United States and ask for authority to move into this field if he thought it necessary or desirable than the chairman of the Atomic Energy Commission. He is joined by other members of the Commission. One has recently expressed himself as in favor of the proposal, but at first he was opposed to it.

The bill started out as a public power program. I think its sponsors felt that it could not be gotten through the Congress in that form. There was too much objection to it. We do not want to put the Government into competition with private industry in the production of power in this field, which is as yet only experimental.

We have now reached the point where it is proposed to direct the Commission to build three power reactors at places where we already have atomic energy plants. The fact is that we do not need them there. There is already adequate energy in every one of those plants. We have authorized a great electric power-plant on the Ohio River, which is producing adequate power at the present time for the Portsmouth plant. The same thing is true of every other atomic energy installation in the country.

Not only is the bill unnecessary at the present time, not only is it costly, when we could use the dollars for better purposes, but it is actually dangerous in many respects.

It would be a curb on the Commission in the orderly development of peaceful uses of atomic energy, and it would divert from their proper places scientists who are now sorely needed in this country.

There are many aspects of the bill which ought to be thoroughly considered, particularly in the field of foreign relations. We are not now ready to cooperate with an international agency which has not yet been created. The United States has not joined. We are not yet ready to say that the Government ought to start a program of building reactors around the world when there are not competent people to operate such reactors.

The true emphasis will be placed upon the danger involved when we consider, tomorrow or in the next few days, the measure providing reinsurance of $500 million to cover possible accident or damage as the result of a miscalculation in the operation of one of these plants in this country. I do not wish to place my country in the position of creating international ill will, which would inevitably flow from unguarded or unprotected operations abroad. We cannot carry our insurance program into the other nations of the world. They are now cooperating in experimental work which I think will continue to produce greater and greater results. It seems to me that orderly program is preferable to entering into a "crash" program such as this which might restrict the Atomic Energy Commission in its more constructive and effective work at this time.

The Atomic Energy Commission is opposed to this proposal. I do not know of any Government authority which is in favor of it. There was some testimony before the committee in favor of it. But let us give the 1954 act an opportunity to be carried into effect, and show the results of private enterprise in this field, into which it is moving very rapidly, and in which I think we can look forward to most successful results in the next few years. Let us not handicap private industry at this time and say to the Government, "You must spend $400 million of your own money," when private capital will flow into the power program if it is only given the opportunity to do so.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. MARTIN of Pennsylvania. I should like to ask the distinguished Senator from Ohio a question. Is there any provision in the bill for the participation of private enterprise?

Mr. BRICKER. There is such a provision in the 1954 act, which is now getting under way. There is a provision to encourage private cooperation. We shall soon have before us the insurance bill, and likewise a bill providing for exemption from the Securities and Exchange Commission regulations of private companies which wish to put their money into research.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. HICKENLOOPER. I think the question of the Senator from Pennsylvania was whether or not there was an opportunity for private enterprise to enter the program.

Mr. BRICKER. Under the terms of the pending bill, private enterprise would be excluded from the program.

Mr. HICKENLOOPER. It can participate under existing provisions of law; but under the provisions of the bill we are now considering, it could not participate.

Mr. BRICKER. The existing law is the 1954 act, which I should like to see given a chance to show its effectiveness in the utilization of private money in the production of power.

Mr. MARTIN of Pennsylvania. Mr. President, if the Senator will yield for one more question, I should like to ask him whether there is any provision in the pending bill for municipalities or cooperatives to engage in the proposed program.

Mr. BRICKER. No; none at all. The bill provides for only the Federal Government to build the power reactors for experimental purposes.

Mr. MARTIN of Pennsylvania. As I understand, the program will cost about $400 million. Is that correct?

Mr. BRICKER. Four hundred million dollars is the amount authorized by the bill.

Mr. MARTIN of Pennsylvania. Is that probably only the start of the expenditure in such a program?

Mr. BRICKER. It is the history of Government operations that when $400 million is appropriated in 1 year, it leads to the appropriation of several hundred million dollars more the next year.

Mr. MARTIN of Pennsylvania. Is there any provision in the bill for the amortization of the $400 million?

Mr. BRICKER. None at all. The Government simply spends the money. If the program proves to be ineffective, the money is lost. It is the taxpayers' money.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. BRICKER. I am happy to yield.

Mr. WILEY. I was interested in some of the Senator's remarks, and also in what the Senator from Iowa said. I understand that the Commission is not in favor of the bill? Is that correct?

Mr. BRICKER. No; it is opposed to the bill. Commissioner Murray recently stated that he was in favor of the bill, but originally he was opposed to it.

Mr. WILEY. As I understand, the difference between the authority in the bill and the authority in the present law is that the bill constitutes a mandatory direction, and the Commission must go ahead with the program. Is that correct?

Mr. BRICKER. The Commission is directed to go ahead with the building of the power reactors, and $400 million is authorized for that purpose.

Mr. WILEY. Is there any discretion contained in the bill?

Mr. BRICKER. Not in the terms of the bill. The bill says "authorized and directed." I suppose the Commission would have the opportunity, under the other provisions of the bill to determine the practicality of the program and whether it would be feasible, and where the reactors would be built, and questions of that kind, which might delay the program. However, there is a directive to the Commission to proceed as rapidly as possible with the construction of the reactors.

Mr. WILEY. In other words, if the word "directed" were eliminated from the bill, the bill would provide substantially what is provided under present law. Is that correct?

Mr. BRICKER. The same as the present statute?

Mr. WILEY. That is correct.

Mr. BRICKER. I do not know whether the word "directed" is used in the present statute. I believe it is.

Mr. WILEY. There is only one further question I should like to ask. The Senator from Ohio is a member of the Joint Committee on Atomic Energy and has been for a number of years. I am interested primarily—I suppose because of my ignorance—in knowing whether the national defense is involved in this proposal. I have said many times that in this age, the world has been made smaller by man's ingenuity. Therefore, I should like to know whether, if we do not go ahead with the program, it will detract from our national capability of being adequate to meet any challenge; or, if we do go ahead with it, it will detract from our capability.

Mr. BRICKER. In my judgment, the bill does not directly affect the national defense situation. It might under certain circumstances. As the Senator from Pennsylvania has suggested, it might, if it is an expanded program and the Government commits too much of its resources of fissionable material into the program. In that case there might come a time when we might have a military need for the material which would have been used.

Mr. GORE. Mr. President, I agree with what the Senator from Ohio has said. Is it not also possible that if a dual reactor were built, thereby increasing the supply of special nuclear material, it might be an advantage to national defense?

Mr. BRICKER. If a dual reactor were built, there would be some fissionable material produced. However, that gets into another field. We could make that material more cheaply in plants built for the special purpose.

Mr. GORE. That is correct.

Mr. BRICKER. Mr. President, I should like to go into more detail on this subject. However, I rushed through it, because I had assured the majority leader that I would limit myself so that we could get a vote on the bill promptly.

Mr. JOHNSON of Texas. Mr. President, I understand that a yea and nay vote is desired on the passage of the bill. Is that correct? The distinguished minority leader so indicated to me a short time ago.

Mr. HICKENLOOPER. Yes; I can make that request now or later.

Mr. JOHNSON of Texas. Does the Senator desire a yea-and-nay vote?

Mr. HICKENLOOPER. Mr. President, on the question of the passage of the bill I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JACKSON. Mr. President, previous speakers have detailed the provisions and merits of the bill now before us. There is no need for me to cover the same ground. I do want to say that if Congress endorses this bill our entire peacetime atomic program can make great forward strides. If we do not act, we will fail to capitalize on our progress of the past. Our reactor program will stagnate and other nations will fall heir to the leadership that should be ours.

I heartily endorse this bill to speed up our atomic power program. Great credit is due the distinguished chairman of the Joint Committee, Senator ANDERSON and Senator GORE, as well as others, for the energetic effort and sense of dedication they have brought to the development of this bill.

Mr. President, I want to comment briefly on the criteria for reactor construction set forth in section 242 a of the bill and the committee report thereon.

On page 12 of its report, commenting section 242 a (2) the committee recommends that the AEC, in selecting reactor designs, include "reactor concepts which represent a variation on existing reactor technology developed for the production of special nuclear material," more specifically, plutonium.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield to the distinguished chairman of the committee.

Mr. ANDERSON. The Senator from Washington introduced a bill, S. 4095, for the purpose of building a dual-purpose reactor at Hanford, Wash.

Mr. JACKSON. That is correct.

Mr. ANDERSON. Does not the Senator from Washington recognize the fact that we went a long way in that direction by the provision that there could be constructed a reactor of this type?

Mr. JACKSON. That is my understanding.

Mr. ANDERSON. I refer the Senator to the discussions which took place in the hearings, as shown at page 19 of the extra hearings. The Senator from Washington himself said:

> I do not think the language at the bottom of the page would cover that authorization.

I said that it was intended to cover it.

Mr. JACKSON. That is my understanding, and that was understood also by the general counsel.

Mr. ANDERSON. A member of the committee then said counsel had held that it could be done.

Mr. JACKSON. That is right.

The bill itself, in section 242 (a), requires that the reactor facilities authorized therein be built at sites of major production facilities used by the AEC. It further requires that the reactor designs selected shall offer promise of "making a contribution to the advance of the art and technology of the large-scale production of atomic power in the form of electricity in commercial or industrial quantities."

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield.

Mr. ANDERSON. If the bill is passed, I will be greatly surprised if a reactor of this type is not built at Hanford.

Mr. JACKSON. It is quite clear that the supporting resources which now exist at Hanford make it the logical place for the building of a dual purpose reactor.

Mr. ANDERSON. I can say to the Senator from Washington that when the Committee on Appropriations had the AEC appropriations under consideration only a few days ago the Chairman of the Atomic Energy Commission, Admiral Strauss, said that at one time he had favored the construction of this very type of reactor.

Mr. JACKSON. At Hanford.

Mr. ANDERSON. At Hanford; yes.

Mr. MORSE. Mr. President, the Senator from Washington [Mr. JACKSON] deserves a great deal of commendation from the people of the Northwest for the leadership shown by him, together with his senior colleague [Mr. MAGNUSON] and my colleague from Oregon [Mr. NEUBERGER]—I have contributed a little bit myself—in behalf of locating the dual reactor at Hanford. I am happy to thank him for the leadership in trying to do all he can toward having that done.

I went into this matter in great detail. There is no doubt that Hanford is the appropriate site for that type of reactor.

Mr. JACKSON. The senior Senator from Oregon has taken a very sound position on this subject over a period of several years, and I wish to commend him for it. I know of his position. His public statements on the need for a dual purpose reactor at Hanford have been of tremendous importance in creating the kind of public understanding that we should have in connection with this important undertaking.

Last month, Mr. President, I introduced a bill to authorize the construction of a dual-purpose reactor at Hanford, Wash. This bill was considered by the Joint Committee. In light of the criteria set forth by the committee in its bill and report, the construction of this dual-purpose reactor should, in my opinion, receive high priority.

In plutonium, the dual-purpose reactor produces a material vital to our military programs. As chairman of the Military Applications Subcommittee of the Joint Committee, I have listened to many ranking military witnesses testify that we will need additional plutonium in the years ahead to meet our military requirements.

In addition, the dual-purpose reactor I proposed meets the bill's requirements as to the production of electric power. This reactor can produce over 200,000 kilowatts of electricity—all of which can now be utilized entirely within the atomic energy works at Hanford. The drain which Hanford creates on Northwest power supplies will be correspondingly lessened.

We know that the dual-purpose reactor is technically feasible. There is reason to believe that it is economically feasible. Like the other reactors which may be built if this bill is passed, we can only perfect the dual-purpose reactor through building one.

Mr. MORSE. May I say that my position has been strengthened by the information given me by the Senator from New Mexico?

Mr. JACKSON. Mr. President, Hanford is a most appropriate location for the first dual-purpose reactor in this country. Not only can Hanford utilize its products—as specified by the bill before us—Hanford is also uniquely equipped to build and operate this double-edged weapon for war or peace. I might point out that costs would be greatly increased if the auxiliary services—such as fuel fabrication and chemical processing operations—now available at Hanford had to be provided at some other site.

If the Senate acts favorably on this bill, the United States can proceed to build this dual-purpose reactor and other types of reactors proposed by the Joint Committee. The boundaries of our knowledge in the atomic field will be pushed forward. We will continue our progress toward the best possible use of the gifts of the nuclear age.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement on this general subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The joint committee, in its report on the 5-year pilot plant reactor program issued in 1954 indicated that the Commission had adopted 5 types of reactors for further development in the pilot-plant stage, one of which was to go into the prototype stage. These reactor types are as follows:

1. Pressurized-water reactor.
2. Boiling-water reactor.
3. Homogeneous reactor.
4. Sodium-graphite reactor.
5. Fast-breeder reactor.

Since then the Commission has taken on several additional pilot-plant projects, including a liquid metal fuel reactor (LMFR), an organic moderated reactor, and a small gas-cooled reactor and various smaller package power reactors for the armed services.

Before the 1954 act was amended, the first approach, the pressurized-water approach, was determined to be developed into the prototype stage by a Government-sponsored project, with Westinghouse Electric, in which the Duquesne company participated.

The power-demonstration program has adopted several of the above concepts for large-scale prototype development. Thus, Commonwealth Edison is following the boiling-water approach, the Consumers Public Power of Nebraska and North American Aviation are following the sodium-graphite approach. Detroit Edison is following the fast-breeder approach and Pennsylvania Power & Light hopes to follow the homogeneous approach.

The joint committee took considerable testimony and discussed with its technical adviser, Dr. Walter H. Zinn, the question whether variations on the above approach were desirable for prototype development and whether additional concepts which were not being pushed should be pushed. As a result, in its report on S. 4146 (p. 9) the Joint Committee indicated that the following five reactor types should be considered for prototype development and construction under an accelerated program:

1. Gas-cooled reactors.
2. Hanford-type reactor (graphite moderated, ordinary water-cooled).
3. Heavy water (D_2O) reactors.
4. Aqueous-homogeneous reactors.
5. Liquid-metal cooled thermal reactors.

Appendix I to the committee's report lists the advantages and disadvantages of these types of reactors. During the hearings the reasons for the need to consider these types of reactors were also discussed quite eloquently by Dr. Zinn.

One type of reactor, the Hanford type of reactor offers particular advantages in that it is a dual-purpose reactor capable of producing both plutonium which is useful as a material for weapons, as well as possibly in the future to fuel reactors, and also to produce large quantities of electric power. This type of reactor has the following advantages:

1. The technology and experience with a Hanford-type dual-purpose reactor is the greatest that the Commission has, since this type of reactor has been in operation by the Commission since 1944.

2. If such a reactor were constructed at Hanford the Commission would be able to utilize the supporting facilities and personnel at that site, thereby greatly conserving on manpower and the utilization of facilities.

3. The cost of electric power even adopting conservative figures is attractive at the present time within a range of 4 to 7 mills per kilowatt-hour, as the most pessimistic figures.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Without objection, it is so ordered.

The question is on the passage of the bill. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], and the Senator from Arkansas [Mr. FULBRIGHT] are absent on official business.

I further announce that if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], and the Senator from Arkansas [Mr. FULBRIGHT] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. YOUNG] and the Senator from South Dakota [Mr. CASE] are absent on official business.

The Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Kansas [Mr. CARLSON] is necessarily absent.

The result was announced—yeas 49, nays 40, as follows:

YEAS—49

Anderson	Humphreys, Ky.	Morse
Bible	Jackson	Murray
Byrd	Johnson, Tex.	Neely
Chavez	Johnston, S. C.	Neuberger
Clements	Kefauver	O'Mahoney
Douglas	Kennedy	Pastore
Ellender	Kerr	Robertson
Ervin	Kuchel	Russell
Frear	Laird	Scott
George	Langer	Smathers
Gore	Lehman	Sparkman
Green	Long	Stennis
Hayden	Magnuson	Symington
Hennings	Mansfield	Wiley
Hill	McClellan	Wofford
Holland	McNamara	
Humphrey, Minn.	Monroney	

NAYS—40

Aiken	Dirksen	Millikin
Allott	Duff	Mundt
Barrett	Dworshak	Payne
Beall	Flanders	Purtell
Bender	Goldwater	Saltonstall
Bennett	Hickenlooper	Schoeppel
Bricker	Hruska	Smith, Maine
Bridges	Ives	Smith, N. J.
Bush	Jenner	Thye
Butler	Knowland	Watkins
Capehart	Malone	Welker
Case, N. J.	Martin, Iowa	Williams
Cotton	Martin, Pa.	
Curtis	McCarthy	

NOT VOTING—7

Carlson	Eastland	Young
Case, S. Dak.	Fulbright	
Daniel	Potter	

So the bill (S. 4146) was passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. GORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

OPPOSITION TO THE CHICAGO WATER STEAL

Mr. WILEY. Mr. President, one of the issues on which I have been exceedingly active down through the years has been the fulfillment of the 1930 Supreme

Court decision dealing with the water levels of Lake Michigan, and against increased diversion from the lake.

Accordingly, I have opposed vigorously what has come to be known as the "Chicago water steal" every time the issue has been brought up.

I have battled it in the Senate Public Works Committee; I have fought it on the Senate floor. When the issue, unfortunately, came out of the committee in the last Congress, and was sent by the Senate to the White House, I telegraphed the President, urging a veto, and of course, I am delighted to report that is precisely what President Eisenhower did—veto the bill.

As a matter of fact, I would have personally gone down to the White House, and asked to see the President about this issue had it not been for the fact that I was at that very time a member of the delegation to the Inter-Parliamentary Union Conference, which was then meeting in Helsinki, and discussing important matters of world peace and prosperity.

Having this unbroken record, however, of opposing the Chicago water steal I noted with surprise that my opponent in the Wisconsin Republican primary on September 11, had the infinite gall to question my record on this issue.

The very fact that he chose to raise it proves how utterly bankrupt he is for genuine issues on which to oppose me. He could not have chosen a worse issue, or an issue in which my record is more complete, and in which his is relatively more shallow. Aside principally, from one small address, and a few other comments which he delivered on the floor of the House of Representatives, he has practically not lifted a hand directly against the Chicago water steal.

Now, the matter is currently pending before the Senate Public Works Committee, and once again I have opposed it there.

I send to the desk now the text of a statement which I filed with the committee and a covering letter.

I append to it the text of a telegram which I received today from Mr. Jack Dixon, secretary of the Illinois Fishery Council, likewise opposing the Chicago water steal.

May I say, incidentally, that I regret having to differ with my distinguished colleague from Illinois on this subject. I am not reflecting upon them, of course, personally, in any way, in their advocacy of this unwise legislation. Nevertheless, I feel duty bound to continue to oppose the bill with all the strength at my command.

I send to the desk the text of the items to which I have referred and ask unanimous consent that they be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

SENATOR WILEY OPPOSES LATEST VERSION OF CHICAGO WATER STEAL BILL—SAYS PRESIDENT WILL HAVE TO VETO IT AGAIN, IF IT PASSES SENATE

An all-out denunciation of the latest version of the Chicago water steal bill has come from Senator ALEXANDER WILEY, Republican, of Chippewa Falls.

WILEY released a statement which he is filing with the Senate Public Works Committee, which is opening hearings July 5, on legislation for increased diversion by Chicago of water from Lake Michigan. The bill will be vigorously attacked in committee and then on the Senate floor, he predicted.

The senior Wisconsin legislator recalled that he has successfully urged President Eisenhower to veto a previous version of the water steal bill. "Nothing has happened since then," said WILEY, "to alter the united opposition by Wisconsin, by other Lake States, and by our good neighbor to the north—Canada—to this unfair legislation."

The full text of WILEY's letter of protest to the Senate Public Works Committee and an accompanying statement being filed in the record of the hearing, are as follows:

JULY 2, 1956.

Hon. ROBERT S. KERR,
Chairman, Senate Public Works Subcommittee, Senate Office Building, Washington, D. C.

MY DEAR MR. CHAIRMAN: I should like to file with your committee for inclusion in the record of the hearing, this letter and the endorsed statement of protest against the Chicago water steal bill.

In my judgment, respectfully submitted to you and your colleagues, this legislation is utterly contrary to the national interest. It is contrary to our good international relations with our neighbor to the north, Canada.

My own State of Wisconsin has, together with other lake States, consistently and vigorously opposed this legislation, since it is completely repugnant to the best interests of the entire lake area.

It is special-interest legislation at its worst, honey-covered to attract new support. It is legislation which runs contrary to a historic and binding Supreme Court decision, contrary to the letter and spirit of our treaty agreement with Canada, and contrary to the needs of the peoples adjoining the lakes.

There is every reason for defeating this legislation, and no good reason for passing it.

President Eisenhower's wise veto of a previous version of it is an indication that the executive branch clearly recognizes how important are the issues at stake in defeating this unsound proposal.

I hope that this time the Senate will, despite the unfortunate action of the House, sustain our Chief Executive. I hope the Senate will not send the bill down to the White House again—for still another veto—which would be well merited if the bill were again sent to the President.

Nothing which has happened since the previous veto of the bill has altered, in the slightest, the unfair nature of it.

I hope, therefore, that the Public Works Committee will reject it, or, if you and your colleagues unfortunately choose to report it, I hope that the Senate will reject it.

But in any event, I want to record my own absolute opposition to this bill.

I have consistently opposed it ever since it came up. I opposed it in the committee, on the Senate floor—by speech, statement, letter, telegram, and every other means including my successful suggestion for a White House veto; and I will continue to oppose it with all the resources of my command.

Thank you for your consideration of this message, and with all good wishes, I am

Sincerely,

ALEXANDER WILEY.

STATEMENT BY SENATOR WILEY OPPOSING H. R. 3210

On September 3, 1954, President Eisenhower wisely vetoed H. R. 3300. This bill would have authorized the State of Illinois and the Sanitary District of Chicago to withdraw from Lake Michigan, in addition to all domestic pumpage, a total annual average of 2,500 cubic feet of water per second into the Illinois Waterway for a period of 3 years. This diversion would have been 1,000 cubic feet per second more than is presently permitted under a decree of the United States Supreme Court of April 21, 1930.

The President specified four vigorous objections to the bill. Not one of these objections has been successfully answered by proponents of this latest version of this dangerous bill.

The waters of Lake Michigan are interstate in character. The State of Illinois has no right to usurp a function which is the common interest of Wisconsin and other lake States. The well-being of the antipollution work of the Chicago Sanitary Canal is important, but certainly not to the exclusion of all other interests along the lakes.

While the new bill has been sugarcoated with a few changes, it does not basically differ from its previous counterparts.

My own State of Wisconsin knows full well what the lowering of lake levels can mean to us in serious losses. A loss of a single inch of draft for shipping means a loss of 72 million tons in carrying capacity on the Great Lakes in 1 year. Over a 2-year period, the port of Milwaukee alone has been compelled to spend $50,000 to dredge the channels in order to permit ships entering Milwaukee harbor to unload their cargo at docks with the same ease as they unloaded during the higher waters of 1952.

Water levels on the lake are, of course, a critical affair—rising and falling. Therefore, the most expert cooperation—on a long-range basis—is essential among all 7 States and 2 nations adjoining the lakes, if work on the lake levels is to prove satisfactory to all concerned.

Arbitrary one-sided action—in contrast to carefully planned, well-coordinated action can prove exceedingly harmful to property owners, to shipping sources and other interests all along the lakes.

Why penalize the people of Wisconsin or of other States—to pay for increased dredging costs, and to suffer shipping losses, just to serve some special interests of Illinois?

No, let us reject this latest one-sided version—despite all its honey and sugar, and let us get on—as a united team—with study of lake levels on a well-coordinated basis.

PEORIA, ILL., *July 11, 1956.*

Senator WILEY,
Washington, D. C.:

We wish to inform you the Illinois Fishery Council, representing the commercial fishing industry of State of Illinois, is absolutely against the bill to increase the diversion of water from Lake Michigan. We know by past experience that increased diversion will force the polluted waters of Chicago Sanitary Canal into Illinois River. This happened in 1920's and put almost all the commercial fisheries on the Illinois River out of business.

It nearly destroyed all the fish life together with the feeding grounds of the wild ducks for which our river was famous. Since 1930, with limited diversion, fishing, hunting, and water sports are increasing every year.

Do not destroy it again by increasing the diversion from Lake Michigan. Would appreciate your reading this into the record of Senate subcommittee hearing on the diversion proposal.

JACK DIXON,
Secretary, Illinois Fishery Council.

ARTICLE BY SENATOR ALEXANDER WILEY IN JULY 10 ISSUE OF THE TRAVEL AGENT MAGAZINE

Mr. WILEY. Mr. President, I am pleased to say that in the July 10, 1956, issue of the noted magazine, the Travel Agent—the voice of the travel industry—there is an article by myself entitled "Tourism Important to World Economy."

It was a delight to contribute this article, because for many years I have pointed out that one of the great means by which foreign countries could close their dollar gap—could increase their dollar earnings—is by encouraging increased tourist travel.

I am pleased, through the well-read pages of the Travel Agent to elaborate on this theme.

I may say that the distinguished associate publisher of this periodical is, like myself, a son of Chippewa Falls, Wis.—Mr. R. C. "Bob" Morgan.

ENJOY WONDERFUL WISCONSIN

Let me point out that my interest now, as it has always been in the past, is to make sure that the citizens of our own country enjoy the great recreation attractions of our own beloved America, first and foremost. "See America first" has long been a sound slogan. And "See Wisconsin first" is a particularly sound theme.

That is why, every single year, I have invited my colleagues and the people of the rest of the Nation to vacation in wonderful Wisconsin—the greatest vacation State in the Union, whose attractions—for fishing, hunting, boating, and just plain relaxing—are, in my humble judgment, the best in our country.

"Come see us, first, and come back again and again," I have said.

But this year, as we all know, a good many Americans will choose to vacation abroad, and I for one feel that there is enough vacationing to share with other States of the Union, and with other countries of the world.

VARIED ATTRACTIONS ABROAD

While the sights of my own State are dearest to me in all this world, I can think of a great many beautiful attractions elsewhere, as well.

The international traveler will enjoy the incomparable Paris and the welcoming countryside of our great ally, France. He will enjoy the Eternal City, Rome, and that whole friendly nation of Italy. The visitor will get a great deal of enjoyment from the Scandinavian lands—from Norway's fjords, from Denmark, Sweden, and Finland. He will profit from seeing rebuilt Western Germany, its capital, Bonn, and its great courageous center, West Berlin. He will enjoy Dublin and all Ireland; London and all England and Scotland; storied Vienna, particularly the famous Vienna woods; the beautiful mountains of Switzerland; the Low Countries; Spain; Portugal; and other lands.

If the visitor chooses the East, there are many beautiful sights and scenes awaiting him there, too—ancient and modern India, Pakistan, Thailand, the Philippines, Indonesia, Burma, Ceylon, Japan, our heroic ally, Korea; our friends of Nationalist China on Formosa; and other lands too numerous to mention.

And here in our own hemisphere, he will enjoy beautiful Rio de Janeiro; the great capital of Buenos Aires; the booming, up-to-the-minute metropolis of Caracas; and the other friendly capitals and lands of South and Central America as well.

Right adjacent to us in the Caribbean area are fine tourist spots—beautiful Mexico City and the whole nation of Mexico; our wonderful friends of Puerto Rico and Cuba, the modern attractiveness and ancient background of Ciudad Trujillo and its inviting hinterland, and many other areas in the islands and on the mainland.

And so, if vacationers should decide to see a bit of foreign parts, there is abundant variety, reached by air, water, and land.

SEE WISCONSIN FIRST

But do not forget, see America first, and when you see America first, be sure to see Wisconsin first, and come back again and again. Write our conservation department and our State highway commission for maps and literature. You will learn about the best hunting in the Nation, about America's top fishing, our grand hotels, motels, resorts, and lodges. You will learn why vacationing is Wisconsin's third largest industry, attracting more than 5 million visitors every year.

You will learn about our 8,676 crystal-clear lakes and our 8,349 miles of trout streams, our rolling hills and deepening valleys, our rich farmlands and unspoiled wilderness, over 94,000 miles of fine highways, and our 168 splendid airports, our scenic parks, historical memorial parks, and roadside parks—yes, mostly about our warm, hospitable people. You will learn about Wisconsin's famed dells and all its other breathtaking attractions, all maintained in a tradition of cleanliness, wholesomeness, and courtesy.

I now send to the desk the text of my article and ask unanimous consent that it be printed at this point in the body of the CONGRESSIONAL RECORD. It parallels, my readers will note, the splendid presentation made by our great President and by the administration on the value of tourism.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOURISM IMPORTANT TO WORLD ECONOMY

(By ALEXANDER WILEY)

The travel industry is making a great contribution to the economic, political, and cultural progress of our country.

Touring in foreign countries—once a luxury affordable only by the extremely rich—now, happily, is enjoyed by people from all walks of life. Today's travelers include students, teachers, laborers, farmers, businessmen, plumbers, artists, and many others.

The establishment of new and better modes of travel, better accommodations, lower costs, and flexible scheduling has enabled a larger number of people to travel.

The increased tendency for international tourism is opening new challenges to the travel industry and new opportunities for the tourist.

There are, of course, many reasons for traveling: among these, are business, education, culture, and adventure.

The comparative education of travel, for example, is important, not only for the academic student, but for every American. The panoramic viewing of the political, economic, cultural, and spiritual developments in foreign countries are of inestimable value. The experience, as well, may result in a greater appreciation of, and indirect benefits for, the processes of our own local and national life.

With the new opportunity to travel abroad, there is also a new responsibility. Each United States citizen abroad is an emissary of our culture, a representative of our people. Each traveler establishes a liaison between strange, and sometimes estranged, philosophies.

AGENT PLAYS IMPORTANT ROLE

The travel industry has assumed a status of real significance in our economy. This young, dynamic industry must be allowed the opportunity to grow and prosper. This means we must provide fair treatment in such matters as excise taxes, terminal fees, passport fees, and other costs that affect travelism. Only on a basis of full opportunity can our vital travel industry continue to make a still greater economic and cultural contribution to our country.

As the vistas for international tourism have widened, more and more necessary has become the travel agent's broad familiarity with transportation and accommodations arrangements, with diverse tourist attractions, and the myriad of other details which go into making a successful trip.

The travel agent has become not only a personal encyclopedia of invaluable tourist information, but a man who has at his fingertips access to the broadest variety of helpful leads.

From the standpoint of national policy, America has become more and more interested in seeing a healthy tourist industry throughout the world. You are all familiar with the statistics of the impressive amount of dollar earnings made available, thanks to increased travel by United States tourists. Last year, more than a million United States tourists spent $1.4 billion abroad. This is the type of aid which every American likes to give, because it is painless aid. The American gets pleasure from his travel, and the foreigner gets dollars earnings, and, we hope, pleasure from making the acquaintance of the American.

Meanwhile, in our 1957 mutual security appropriations bill, United States Government economic aid, as such, is, of course, being reduced to a minimal point. That means that the resultant slack must be taken up by private dollar earnings abroad. That in turn makes advisable an increase in tourist expenditures.

In conclusion, as great as has been the increase in travel, we know that there are still infinitely more opportunities. The opening up of low budget tours, for example, has tapped a vast new market. Transatlantic air fares are soon to be slashed. Travel to Latin America has been on the increase, but it is still not even a fraction of what it potentially could be. So, too, travel to south Asia, to the Middle East, and to other heretofore remote areas is still far below potential levels.

Of course, there must be peace and stability in these various lands in order to attract Americans. And everywhere, the tourist must have the feeling that he is getting a fair shake and isn't being gouged. Similarly, the travel agent is deeply interested in giving every possible protection for the tourist. He wants to see ever more modern facilities made available abroad—to fulfill the needs and wants of his clients.

Of course, while I have referred basically to international travel, my heart naturally is directed to the well-being of America's own great vacation industry itself. As senior Senator from the Badger State, I pride myself in the magnificent facilities of our 56,000 square miles of vacationland in wonderful Wisconsin.

We all recognize, however, that there is ample room for a flourishing domestic vacation industry and for a prosperous international vacation industry. We want more and more Americans to have more and more leisure time and to proceed to enjoy it everywhere their hearts desire.

CONSTRUCTION OF FRYINGPAN-ARKANSAS PROJECT, COLORADO

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 235, Senate bill 300, to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado, and I call the attention of the Senator from Colorado to the motion.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 300) to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. As I understand, we have a unanimous-consent agreement on the bill, which provides for a hour on each amendment, 30 minutes to the side. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. And 3 hours on the bill, an hour and a half to a side. Is that correct?

The PRESIDING OFFICER. That is correct.

ORDER OF BUSINESS—HELLS CANYON BILL

Mr. JOHNSON of Texas. Mr. President, I should like to announce that there will be a vote on this bill tonight, if a vote is desired. I should like all Senators to be on notice that we are going to attempt to pass this proposed legislation, and that we shall take up the Hells Canyon bill next Wednesday. We shall start early and stay late, and we shall act on the Hells Canyon bill either on Wednesday or Thursday.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I yield.

Mr. LANGER. Did I understand the Senator to say that the Hells Canyon bill will come up next Wednesday?

Mr. JOHNSON of Texas. It will come up next Wednesday. If the Senate supports me, we shall lay aside whatever business may then be pending, and we may be able to get a vote on the bill either Wednesday or Thursday.

Mr. President, I ask unanimous consent that I may yield to certain Senators so that they may make insertions in the RECORD, without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

RECENT UPRISINGS IN POLAND

Mr. MARTIN of Pennsylvania. Mr. President, the recent uprisings by Polish patriots have again brought into sharp focus the tragedy of free men being under the yoke of oppression throughout the world.

These incidents have again proven that the spark of liberty can never be extinguished in the hearts of men and women who have been created in the image of their Maker and endowed with the dignity of man.

I have just received a communication from the Western Pennsylvania Division of the Polish-American Congress, which I believe is of significance to all of us in the Senate, and I, therefore, ask unanimous consent to have printed in the CONGRESSIONAL RECORD excerpts from this letter.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM MEMORIAL STATEMENT AND RESOLUTION FROM THE POLISH AMERICAN CONGRESS, INC., WESTERN PENNSYLVANIA DIVISION

1. The Western Pennsylvania Division pays homage to the heroes of the uprisings in Poland. It realizes that the demonstrations were initiated by the desire for more bread and better working conditions, but had developed spontaneously into a more fundamental demonstration against injustice and oppression by the Soviet-dominated administration in that country. However untimely these demonstrations, they were inspired by the love of liberty and justice which is the heritage of Poles, Americans and freedom-loving peoples.

2. It is strongly urged that the liberation of such nations as Poland be included in the policies of our Government, and that appropriate steps be taken, by strong protests to the oppressor governments and by introduction before the United Nations for action, for the cause of the Polish people. Such steps would, in some measure, tend to compensate for errors in the Yalta agreement.

3. Strong appeals ought to be forwarded to the present administration in Poland that the trials in connection with the recent demonstrations of the workers be conducted in a just and humane manner, and not in the spirit of oppression and vengeance.

4. It is recommended that steps be taken to alleviate the hunger and distress of the subjugated peoples of Poland, but with the assurance that such aid will reach those really in need.

CAREER OF DR. ERNEST H. GRUENING, EX-GOVERNOR OF ALASKA

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the RECORD an editorial, from the Honolulu Advertiser of July 2, 1956, describing the illustrious career of Dr. Ernest H. Gruening, ex-Governor of Alaska, who has just been nominated for the United States Senate under the so-called Tennessee plan balloting proposal.

The Honolulu Advertiser recognizes that Alaska and Hawaii are twin brothers, so far as progress and statehood are concerned. As Governor of Alaska during 14 eventful years, Ernest Gruening stood for statehood and progress. As a Senator from Alaska, he would continue that progressive posture.

I look forward to the time when Alaska will be a State and Ernest Gruening will be one of the new Members of the Senate from that State—a vision expressed in this editorial from the columns of the Honolulu Advertiser, of Honolulu, T. H.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ALASKA AND THE TENNESSEE PLAN

Anything that happens in Alaska in relation to statehood is of importance to Hawaii. We are interested, therefore, in the action of the Democratic Party, under the provisions of the Tennessee plan, in nominating Ernest Gruening for the 6-year term as a Senator of the United States from Alaska. This action is in every way a master stroke of politics and of statehood planning.

Governor Gruening is well known in Hawaii. He is among the really able men of America. He has a massive intellect but has never lost contact with the life of the people. In fact, one reason why he writes and speaks so vigorously, as in American Colonialism, the address delivered before the constitutional convention, is that he can clarify and give form and direction to the feelings of his fellow men.

During his career, Dr. Gruening has served as editor of the Nation, the Portland Evening News, and the New York Evening Post. Two of his books have been widely acclaimed: Mexico and Its Heritage, and the State of Alaska. He has served as Director of Territories and Island Possessions, and from 1939 to 1953 was Governor of Alaska.

Although a New Englander by birth and a Harvard man by education, Gruening is an Alaskan by choice and outlook. There is something of the sourdough about him. He likes the out-of-doors. Lumbermen, hunters, fishermen have told of coming across him in zero weather walking vigorously, frequently without hat or overcoat. He feels Alaskan. His thinking about the future of the Territory is on a scale as vast as the land itself.

If the people of Alaska offer Ernest Gruening to the Nation as one of their first Senators, this in itself will be a strong argument for the admission of this Territory as a State. With an unusual mind, disciplined by scholarly pursuits and toughened through years of practical experience in government and journalism, he would stand out as one of the able men of Congress. Alaska would be ably represented and the Nation would have a servant of intelligence and outstanding integrity.

REPORT ON REPORT BY JOHN COGLEY

Mr. LEHMAN. Mr. President, within the last few weeks Mr. John Cogley submitted to the Fund for the Republic a report in regard to the nature and extent of blacklisting in the motion pictures, television, and radio. On July 10 Mr. Cogley appeared before the House Committee on Un-American Activities and was closely interrogated. The questions which were asked of him raise, in my opinion, serious constitutional issues regarding freedom of the press.

I ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, a very interesting editorial which appeared in The Commonweal, a noted and highly regarded publication edited by lay Catholics. In my opinion the editorial is of great importance, and again stresses the constitutional questions which have been raised by the inquiry and by the criticism directed against Mr. Cogley, a man of high standing and of great intellectual and moral stature.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REPORT ON A REPORT

Most readers of this magazine know John Cogley through his writing in these pages. Last year Mr. Cogley resigned his post as executive editor to head a Fund for the Republic inquiry into the nature and extent of blacklisting in the movies, television and radio.

The project undertaken by Mr. Cogley was a large one. A staff of 10 reporters and researchers under his direction spent 8 months collecting facts and interviewing hundreds of persons inside and outside the industries affected. Recently, the results of the project were published in 2 separate volumes, 1 on Hollywood and 1 on the radio-TV industry. Because of Mr. Cogley's long connection with this magazine, it was our intention when his report was published merely to note this fact for those of our readers who might be interested. Recent developments have made us change our mind, however.

Some months ago, in a different connection, we mentioned our growing suspicion that right-wing groups and columnists were able to use some congressional investigating bodies to serve their own particular interest. Developments in the case of Mr. Cogley's report on blacklisting strengthen that suspicion. In his findings Mr. Cogley discusses the role of certain of these right-wing columnists in determining whether or not a man is employable. What he reported seems to have been more or less of an open secret in the industries themselves, but apparently this is the first time anyone has come right out and said it in print. But what seems more than coincidence, Mr. Cogley's report had been out only 3 days when he received a summons from the House Un-American Activities Committee.

The circumstances surrounding the decision to call Mr. Cogley in this fashion seem far from clear. Head of the committee is Representative FRANCIS WALTER. To a query by Newsday, Mr. WALTER said: "The committee is not passing judgment at this time on the survey's conclusions. However, we want to ask Mr. Cogley some pertinent questions which will help us evaluate the studies he has already made."

In writing this editorial, the editors of this magazine tried to reach Representative WALTER for comment, without success. A staff member of the committee, however, told us that Mr. Cogley was being called "so he can be interrogated in executive session regarding the assertions made in the report of the Fund for the Republic on so-called blacklisting."

In a statement carried by the United Press, Representative WALTER said that the committee is not now in a position "to pass judgment on the conclusions which the Fund has reached in its survey or to ascertain what influences may have contributed to the character of its charges." (This is hardly surprising; Congressman WALTER admitted to Newsday that he had never read the report Mr. Cogley wrote.) Then Representative WALTER went on to say: "Nor can the committee state at this point what the purposes of the Fund and Mr. Cogley truly are. It is to determine the answers to these matters that the committee is preparing to evaluate his aspect of the fund's work.

This seems to us a strange statement, especially coming from a man who admitted that he had not read the report because of which, supposedly, Mr. Cogley is being subpenaed. We can tell Congressman WALTER that Mr. Cogley's purpose, as he puts it, is, in this and everything else he has written, to tell the truth. And we suggest that this fact would be obvious if Mr. WALTER and all others engaged in commenting on Mr. Cogley's report had read it instead of misleading news stories, the foremost of them written by a reporter who is himself named in the book.

We frankly resent the summary way in which Mr. Cogley has been treated. We resent the fact that he was not given the courtesy of an invitation rather than a subpena. Nothing in Mr. Cogley's record as a Catholic editor and journalist of some standing justifies the cavalier treatment he has so far received.

We know Mr. Cogley well enough to know that he has nothing to fear from any inquiry, if it is honestly conducted. But aside from the discourtesy shown to him, there is involved here a serious question involving freedom of the press, and it is this with which we are particularly concerned here.

Apologists for the investigating committees justify highhanded procedures like this by saying that journalists are not specially privileged persons and must expect to be interrogated by Congress. But this statement is certainly not the whole truth. Journalists are not specially privileged in their own persons as citizens, but in the exercise of their profession they are and must be; as journalists, they are and must be entitled to unique protection from harassment. To the butcher, the baker, and the candlestickmaker, this privilege may seem unfair, but it is a vital part of the American system, essential because the health of this democracy is dependent upon the workings of a free press.

What gives Congressman WALTER the right to grill Mr. Cogley about what he says in his book? In discussing this point, many people cite the fact that the Fund for the Republic which provided the money for Mr. Cogley's research is a tax-exempt educational foundation, as if this meant that the normal safeguards against the abuse of governmental power no longer operated in such instances. But America is full of tax-exempt institutions and organizations of all kinds, engaging in charitable, religious, and educational work. To say that such institutions and organizations must meet certain minimum standards or rules of behavior is reasonable enough, but this certainly should not mean that a Government committee can do anything it wants to such a tax-exempt group or institution, without protest or opposition.

There are scores of books published every year which are the result of research financed by tax-exempt foundations or institutions. In the future, may authors of such books expect to be subpenaed by congressional committees if their findings of fact or opinions are unpopular? Will a writer who upholds the Supreme Court decision on segregation, for example, be subpenaed and grilled by Senator EASTLAND? Will Keynesian economists be called to account by congressional critics who are anti-New Deal? In Mr. Cogley's case, his two volumes were published by the Fund itself rather than by a university press or a commercial publisher. We do not see how this fact substantially alters the case, for when congressional committees can freely call authors of books to answer for their work, we are starting down a dangerous path.

For Mr. Cogley, a real complication may arise from the very nature of the subject he was investigating. He was able to obtain much of his material only in confidence, because some who gave him information feared the loss of their jobs if their names were used—a fact that illustrates very well the atmosphere of fear that surrounds the entire subject—and now he is under great pressure to reveal his sources. This, of course, is a familiar situation in the history of journalism, but, ironically, in Mr. Cogley's case much of the pressure to make him reveal his sources is coming from journalists who certainly know the tradition of journalism in this matter but who have themselves been named for their part in the blacklisting picture. Such conduct is clearly unbecoming in newspapermen, but if it turns out that they can actually use a congressional committee in an effort to achieve this purpose, the whole thing is doubly scandalous. After all, the libel courts are still open to anyone who feels he has been unjustly treated by this report.

These, then, are the facts about Mr. Cogley and his two-volume report, as we see them. By the time this editorial appears, if the present schedule is adhered to, Mr. Cogley will have appeared before the House committee. Although it should be unnecessary, we want to state publicly our complete confidence in him, as a journalist and as a man of integrity, as would anyone who knows him. We reiterate our belief that the subpenaing of Mr. Cogley to answer questions about his book and the manner in which it was done raise the most serious constitutional questions about the freedom of the press and the use of power by congressional committees. We call upon Members of the House of Representatives, and especially the Speaker of the House, the Honorable SAM RAYBURN, of Texas, to note our protest in this matter. We earnestly recommend consideration of the issues involved in this matter to the American Society of Newspaper Editors and to the American Book Publishers' Council. And we ask other editors, Catholic and non-Catholic, to follow the treatment of Mr. Cogley by the House Un-American Activities Committee with serious concern.

CONSTRUCTION OF FRYINGPAN-ARKANSAS PROJECT, COLORADO

The Senate resumed consideration of the bill (S. 300) to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. Under the terms of the unanimous-consent agreement, I understand that the majority leader controls, on behalf of Senators who favor the bill, an hour and one-half of the time on the bill. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. Mr. President, I yield to my very warm and beloved friend, the distinguished senior Senator from Colorado [Mr. MILLIKIN], such time as he may desire.

The PRESIDING OFFICER. The Chair is delighted to recognize the Senator from Colorado.

Mr. MILLIKIN. I thank the distinguished Senator from Texas.

Mr. President, I ask unanimous consent that the clerk may read a statement I have prepared for this occasion.

The PRESIDING OFFICER. Without objection, it is so ordered.

The legislative clerk read as follows:

Mr. MILLIKIN. Mr. President, about 50 years ago, the State of Kansas instituted in the United States Supreme Court a suit against the State of Colorado, the complaint being that Colorado farmers were diverting for irrigation waters that were first appropriated in Kansas. After 40 years of legal conflict, the matter was finally settled by an interstate compact which was approved by the Congress. I note this to point out that shortage of water in the Arkansas

River Basin in Colorado is a chronic condition. It is most serious in the area encompassed by this project.

Senate bill 300 authorizes construction of the Fryingpan-Arkansas project, all the elements of which are within the boundaries of Colorado. The plans have been under preparation during several years. They have been considered by Colorado people for over 40 years. The plan is described in detail in Report No. 233, now before the Senate. It is shown by maps included in the hearings, which also are available to every Senator. But I shall describe it briefly.

The proposed project to secure a supplemental water supply is a joint venture between industries, municipalities, canal companies, irrigation districts, and other legitimate water users in the Arkansas River Valley, in Colorado. Existing water rights are pooled, without loss of priority or identity, to permit greater diversions from headwater tributaries of the Colorado River System, and to hold these flows in storage high in the mountains, where evaporation losses are small, so that years of large runoff will balance dry years, and a relatively uniform supply will result. West-slope diversions to the Arkansas Valley have been in operation for years. We now plan to increase the importation of Colorado River Basin waters to the Arkansas, and in that operation put the whole import, public and private, to work by means of hydroelectric installations en route. The report on the bill shows that the net revenues of the powerplants will be nearly $1¾ million annually.

The project does more. By means of a large reservoir on the Arkansas River, 7 miles west of Pueblo, the power discharges, together with natural flows, during the months when there is no irrigation from the Arkansas River, will be regulated again for the use of industry, cities, and towns; and, of greater importance, for the irrigation of lands in established farms which will receive a supplemental supply for 322,000 acres, all of which area is under valid water rights. No new lands are involved. The area will still be inadequately watered, but the deficiency will be reduced by one-half. However, the project water diverted from the Colorado Basin to the Arkansas amounts to only 5 percent of the appropriations now vested in irrigation and other interests situated in the project area.

In the Arkansas Valley in the vicinity of Pueblo, the people have invested several million dollars in flood-protection works. This project will increase flood protection for a greater part of the valley than the part for which such protection presently exists, and an allocation of the project costs has been made to this purpose; 93,000 acre-feet in Pueblo Reservoir is set aside, to be used under regulations of the Secretary of the Army, for the control of floods.

The project costs have been most carefully studied by both Federal and private engineers. We have assurances that the costs given are abundantly ample, and that present-day contracts might well show a 15- to 20-percent reduction in them.

As to repayment, my opinion is that we have a safety factor in the time allowed, due to water deliveries prior to full development of the project units. The bill gives full protection to the Federal investment. Power and municipal water costs are to be returned, with interest at the rate at which the Federal Government borrows money. Money collected for interest will go into the Treasury. When the interest-bearing costs are repaid, net revenues from power and profits from the delivery of municipal water supplies will be applied to repayment of irrigation costs not paid by farmers. Compared to many irrigation projects, the project's irrigation repayment by water users is highly favorable. Water users and conservancy district revenues can return about $50 million of the total of $68 million, being 74 percent of the irrigation-cost allocation.

I also point out that but 1½ percent of the cost is allocated to fish and wildlife benefits. The reason for the allocation is the necessity for preservation of these resources in the west-slope streams. The area affected is largely federally owned. But the Federal Government does not own the waters of the streams in Colorado, or, for that matter, in any of the 17 reclamation States. The States own the waters of the streams, and they have provided legal means for appropriating them for beneficial uses. Under State laws, water users may dry up streams; and that is the specific reason for making a provision here for a nonreimbursable allocation, not to be borne by the water users, for this recreational feature is available to all.

The bill safeguards the Federal loan, in that repayment contracts will be made with districts which will have authority to collect revenues on an ad-valorem basis. The committee's report indicates the average annual amounts of such revenues. When the State of Colorado enacted the basic laws for this purpose, it was the intent to spread project costs among all beneficiaries, and thus to ease the burden on both water and power users in a multipurpose project. I believe this to be a good objective and a wise policy.

The State of Colorado and her sister States of the upper Colorado River Basin have approved the project. I am sure the Senate is familiar with the Colorado River Interstate Compacts. I can assure all who are interested that the project does not violate any agreements between the affected States. The bill requires that the project be constructed and operated in compliance with the compacts—the chief reason for the existence of these compacts being to permit the timely and orderly development of the water resources of the seven basin States. S. 300 is a bill which recognizes the capabilities of a stream-basin organization to pay the costs of its requirements for water and power, which organization at the outset is a going concern to make full use of the services supplied.

Mr. President, there is a distinguished water lawyer at Greeley, Colo., by the name of William Kelly. He has written an article which has achieved quite a little fame. It is entitled "Water and Law in a Thirsty Land." I ask unanimous consent that the article be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WATER AND LAW IN A THIRSTY LAND

A western painter depicts a dusty rider with a pair of packhorses, plainly weary, toiling up a browned prairie slope as the sun's last glow touches the pink bluffs behind him. A second horseman, ahead, descending a dry, grassy draw, beckons backward, with cheer, his left arm pointing downward to a spring-fed waterhole, signaling that they have reached their long day's stopping point, that essential of the night camp, water. Thus the artist Weghorst's title of the painting—"Water." To those who have traveled by prairie schooner or who, by horse, have camped or followed the cattle roundup, this picture means much.

The oasis had implications of paradise to the rider in the desert, scant though that supply of water should be. The poet pictured "As pants the hart" at night "for cooling springs" as the acme of man's aspiration. To Jacob's well in the Gospel came the women of the days of the Scriptures. A spring or a well was venerated in that holy land, the cradle of religion, a land also sparing in water. It was of climate much the same as in the meagerly watered West. Hence arose their religious figure of refreshment and purification, baptism by water, that precious element of life. By the babe, the toiler in the field, the soldier wounded in the battle of life, the fevered patient on his bed, water is the cry of relief.

That early explorer who named Pike's Peak doubted that this West could ever be habitation for the human race. He, used to a great river, could not see the pioneer's spirit, that which regarded an obstacle only as something to be overcome.

But this conquest required a departure from the old common-law doctrine of humid countries, that streams must not be diverted from their courses.

For the pioneer, if the water fell not from the skies in rain and snow on the plains, then it must be led onto the drier fields by ditches and dams to bring from the mountains this simple but essential third ingredient to man and beast. It must be run in canals, stored, and conserved, to make the desert bloom and to nourish the lifegiving grass, the forgiveness of nature.

Where there is water there is life: And after all did not life begin in the sea, from which man, as tadpoles, first emerged.

These early seekers of new homes, turning their eyes westward to build a settlement in the clear-skied, challenging, open West, found only plains of short grass, but productive when turned by the plow and moistened by water poured on it. They found that it responded to the water and sun and seed in manyfold. They concluded: Why not direct the water to the soil.

So they built ditches, small at first, maybe only a brush and rock dam with a furrow of a plow, or with shovel, the more labored trench. Their labor brought forth the fruits of the earth, and, though limited, they knew it was good and they extended it.

When, by distance to be taken from the stream, the task became too much for one man's toil, neighbors joined together and built community, or mutual ditches, on the cooperative plan. This necessity to the survival of hopeful men caused the western communities to learn the value of working together.

Since the supply was limited and had to be rationed, questions early arose, as new settlers came in and newer ones upstream took and led away from the river that dependable flow of water on which the original settle-

ments had been established. Those downstream, though later comers, asserted there was no right in common law to diminish the stream but that it must be allowed to continue to run through the lands along its banks, undiminished in quantity. The earlier users, overcoming rainfall lack by leading away the water from the stream to their fields or to their ore sluices, said we must be protected in this use on which we first have builded. Otherwise, settlements cannot survive and what we have created must go back to mere dry prairie and we abandon our new-built homes. So arose the new western doctrine.

In 1859 the wave of settlers came up the South Platte and the Arkansas, up Bear, Clear, and Boulder Creeks. And over the mountain passes into the Blue River of the Colorado. That year a ditch, the McBroom, was taken out of Bear Creek, above what is now Denver; two more the same year, 1859, were built from Boulder Creek, the lower Boulder, and Smith and Goss. Thence, in 1860, and for 50 years, followed a succession of ditches to divert the streams to the fields and to the cities for the raising of food and for drink, culinary, and domestic use.

Clashes arose between those elemental men over whose was the first right to divert when the water supply was too short to serve all who were attempting to take it. The Colorado migration had brought able minds of constructive frontiersmen to develop its resources and to decide its problems. Did one of these, then a young western judge, unconsciously remember a passage from the 63d Psalm? He used, in phrasing his decision, a passage from the pages of the Holy Land, wherein the psalmist declared: "My soul thirsteth for thee, in a dry and thirsty land, where no water is."

Judge Moses Hallet was the lawgiver who from the bench in that early day (1872) declared the doctrine which became so basic in the building of our West. It was a forerunner to fine cities and farm communities in a land where the early explorer had declared communities could not arise.

This fundamental water decision gave effect to the physical necessities of this new land, arising from its arid climate. Said the opinion,[1] rejecting the common law of humid climates:

"In a dry and thirsty land it is necessary to divert the waters of streams from their natural channels in order to obtain the fruits of the soil, and this necessity is so universal and imperious that it claims recognition of the law."

So followed other States of this arid West in recognizing this doctrine, that of imperious necessity, the appropriation principle applying to water—Idaho, New Mexico, Wyoming, Montana, Utah, Arizona, and later Kansas and Nebraska. California, in its differing, part humid, climate, applies this doctrine in its arid conditions.

When the Colorado constitution was adopted in 1876 at admission of the State, the doctrine of appropriation of the waters of natural streams of the State, and "that first in time shall be first in right" was approved.

But that was the law in Colorado before the constitution. The constitution did not create the right. In this region of meager rainfall, it was already the "law of imperious necessity in a dry and thirsty land." The principle so proclaimed made the populating of the West possible, with sugar beets, potatoes, hay, vegetables, in phenomenal yields. The growth of cities, schools, colleges, the supporting of railroads, public utilities, networks of paved highways serving its farms, grain elevators, warehouses, orchards and stores, depended upon it.

[1] *Yunker* v. *Nicholds* (1 Colo. Sup. Ct. Reports, pp. 551–553).

Water won the West, with this appropriation doctrine. Without the principle of appropriation as the law of this arid land, development west of the 98th meridian would have reached but a tenth of that society which now has there its habitation. It is said that, historically, civilization followed the invention of irrigation.

The appropriation of water consists in "the taking or diversion of it from some natural stream or other source of water supply, in accordance with law, with intent to apply it to some beneficial use or purpose, and consummated within a reasonable time, by actual application of all of the water to use designed."

"Every State is free to change its laws governing riparian ownership and to permit the appropriation of flowing waters for such purposes as it may deem wise," had declared the United States Supreme Court early, and recently, whenever the issue was raised.[2]

The humid States common law or riparian doctrine varies widely from the arid States, or appropriation, doctrine.

Sometimes the latter is called the Colorado Doctrine. What distinguishes each?

The riparian system does not permit water to be reduced to possession so as to become property which may be carried away from the stream for commercial or nonriparian purposes.

The riparian owner could make use of the water of the stream but only on his lands bordering the stream. He could run mill wheels, water livestock, have household use, but could not diminish the stream volume. It must, as it was wont, continue to flow to the boundary line of his downstream riparian neighbor. The right was not lost by nonuse.

The appropriation, or western, doctrine permits the leading away of water from the stream banks, without regard to ownership of land contiguous to the stream, and even though it diminish the natural flow downstream. It recognizes the right to divert the water away from the stream by works to apply the water to any beneficial use. It is only a right to use; extent of use is the measure of the right. The first in time is first in right. The work of construction must be pursued with diligence and continuity to application to beneficial use. If so prosecuted, it allows, by the doctrine of relation, the priority of the appropriation to be related back to date of the first definite step taken in the work. It may be lost by nonuse.

"Beneficial use" is the basis, measure, and limit of the appropriation right. I heard Arnold Odlum, as class orator 40 years ago, fittingly apply this analogy to education at Colorado University.

The appropriation doctrine enabled a man to know that, if he built his canal or reservoir with diligence, he need not fear that a later comer, by a new ditch, would make it worthless. It enabled taking the water by ditches to the fertile wide extending benchlands and mesas. It enabled leading water from one watershed around a hillside, or through a tunnel, into a different watershed. The United States Supreme Court, in an early day, and the Seven State Colorado River compact of 1922, declared this beyond-watershed right. Otherwise, California, whose watershed contributes only 1 percent of the water of the Colorado River, would not have been able to dam the Colorado, by Government financing, and by 90 miles of tunnels and hundreds of miles of conduits, to take, for its growth, water away from that river watershed, over mountain ranges by booster pumps and pipelines, the metropolitan aqueducts to the different watersheds of Los Angeles and San Diego areas. Nor, though Colorado contributes 70 percent of the water of that river, would Colorado farmers and cities otherwise have been able to conduct that water supply, by "Skyline" and "Grand River" ditches, Colorado Big Thompson tunnel and other transmountain conduits, to the east slope crops and communities.

[2] *U. S.* v. *Rio Grande Dam & Irr. Co.* ((1899), 174 U. S. 690); *Calif.-Oreg. Power Co.* v. *Beaver Co.* ((1935), 295 U. S. 142).

The appropriation doctrine took hold in Colorado with the Clear Creek Gold Rush of 1859. Thence follows a successive series of appropriations in the 60's, 70's, 80's, near the foothill, extending, in later years, farther downstream. Notable Union Colony irrigation development of Horace Greeley began in 1870. But Colorado '59ers did not invent the leading of water away from the stream. The Mormons had plowed a furrow, City Ditch, to lead a stream to a field in 1847, the very afternoon of the day their party arrived at Salt Lake.

Before that, the prehistoric peoples of the dry country, in what is now New Mexico, the Salt River Valley of Arizona, and at the cliff dwellings of the Mesa Verde in Colorado, were practicing this necessity to survival in a climate of meager rainfall. The pre-Christian remains of ancient irrigation canals are found in the Euphrates Valley. Queen Semiramis of Syria, of 2000 B. C., had cut on her tomb that her government "constrained the river to flow according to my will and led its waters to fertilize lands that before had been barren and without inhabitants."

The missionaries brought with them from Spain to the arid New Mexico the building of acequia madres to fields by the natives.

In 1852, Spanish colonists, pushing north from New Mexico to what is now San Luis, built their community ditch—still in use by the descendants of those Spanish settlers in the lower San Luis Valley in Colorado. As a worthy State affair, the centenary of that achievement was celebrated there in 1952.

The Federal Government recognized the necessity of this doctrine to the populating of the West, and to the developing of the Nation's resources from those new lands, the post-Civil War homestead region. Congressional acts, as early as 1866, confirmed existing appropriations. Later acts encouraged and extended the making of them. Federal, as well as State courts, upheld them. An act of 1877, Desert Land Act, offered homesteaders 640 acres for its irrigation. Rights of way for such ditches were granted over public lands by the act of 1890. The Carey Act of donation of lands for irrigation by State projects was in 1894.

The 1902 Reclamation Act put the financial resources of the United States behind project construction, at first on a short repayment setup, 10 years, later made of more realistic term.

In his message to Congress in December 1901, President Theodore Roosevelt said:

"It is as right for the National Government to make the streams and rivers of the arid region useful by engineering works for water storage as to make useful the rivers and harbors of the humid regions by engineering works of another kind.

"Our people as a whole will profit, for successful homemaking is but another name for upbuilding of the Nation."

Nearly 95 percent of the total land irrigated in the United States lies in the 17 Western States.

The 1902 act established the reclamation fund, with moneys derived from sale of public lands in those 17 Western States: Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.

Thereafter it became a revolving fund supplemented by long term principal instalment repayments from water users on the reclamation projects, from oil royalties on public lands in those States, from electric power revenues in connection with the reservoirs, and from additional appropriations

by Congress for construction and for engineering investigation. These projects have to be first authorized by Congress.

Reclamation is administered under the Interior Department.

Why should the interest-free funds be advanced by the Government for irrigation reclamation, when repayments of principal costs do not require interest, opponents in humid States often loudly ask. But they do not ask why not even principal, much less interest, is asked to be repaid to the Government for rivers and harbors expenditures in humid States.

Specific examples of benefit to the Nation by reclamation in the West are many. Perhaps the most striking is that of the Salt River project, one of the first built, the Phoenix area in arid Arizona, where water is applied by that Government-financed works, the Roosevelt Dam, initiated in 1907. It has developed today to a half million population oasis, with 50 times the numbers it supported before irrigation. Production of subtropical citrus fruits, head lettuce, melons, dates, now spring from the Valley of the Sun where alongside, without water, is horned toad desert. Its Maricopa County, Arizona, is one of the top 10 in the Nation in cash value of annual agricultural production.

The Federal Government each year derives, in income taxes alone from those acres reclaimed from desert, more than the whole original capital cost of Roosevelt Dam.

A recent demonstration is to be seen in Colorado. There, based on a study of United States census returns, were selected two Colorado areas of similar altitude and slight rainfall. Weld is the county of developed irrigation for its major farming area. There began the Horace Greeley "Union Colony" settlement. The comparison is the record of two counties, alike in soil area and climate, but with practically no irrigation.

From "Accomplishments of Irrigation, Weld County, Colorado," a Bureau of Reclamation study, is taken:

"Weld County is in the South Platte River Basin east of the Rocky Mountains and on the western edge of the great plains. Population was 66,623 in 1950. Greeley, the largest city and county seat, has a population of 20,286. Irrigated agriculture dominates the economy of the county even though the total irrigated area of 365,611 acres is only 17 percent of all land in farms. Irrigation has been an integral part of the economy since 1870. Irrigated agriculture is intensive and diversified. The principal crops are sugar beets, dry beans, potatoes, vegetables, alfalfa, corn, barley, wheat, and oats. Production of feed in the irrigated area of the county provides the base for extensive livestock feeding enterprises. Outside the irrigated area wheat is the principal crop on cultivated land, but the largest part of the land is devoted to livestock grazing. Weld County is one of the leading counties of the Nation in the value of agricultural production, ranking 19th in 1944."

The report then in detail compares Weld County, with its present irrigated agriculture, to Weld County as it is envisioned without irrigation.

Irrigation supports 87 percent of the present population of 66,623 people. Weld County now has 33 people for each 1,000 acres in farms instead of the 3.9 people it could support without irrigation. Irrigation also accounts for 87 percent of the personal income payments in the county. In 1948 income payments to individuals for Weld County amounted to $105,081,000. Had there been no irrigation the personal income payments for the county would have approximated only $13,179,000 for that year.

Irrigation has provided a higher level of living as indicated by the more general enjoyment of some of the comforts of rural life than would have existed in Weld County without irrigation. In 1950, 69 percent of the farms had telephones. Without irrigation only 41 percent would enjoy this convenience. Ninety percent had electricity, 77 percent had an electric water pump, and 19 percent had direct access to hard-surfaced roads. Had no irrigation been developed in Weld County, only 62 percent would have electric service, 36 percent electric water pumps, and 2 percent hard-surfaced roads. Does the market made by these products not help the factories of the humid States?

The greater quantity of food production from the irrigated land in Weld County was an addition to the gross national product; it amounted to $10,600,000 in 1939, $17,900,000 in 1944, and $28,700,000 in 1949. And by irrigation of 17 percent of its lands Weld County also often is listed in the high ten of annual value of farm products among all counties of the United States.

Bear in mind, the above record ends in 1949, before the supplemental water of the Colorado-Big Thompson project was generally available. What salvation came from the Government project in 1954, its first year of its water availability, is here later sketched.

W. A. Dexheimer, Reclamation Commissioner, a Colorado engineer of productive career, is a man modest in his claims. People generally might not notice his 1954 report to Congress on The Growth and Contribution of Federal Reclamation to an Expanding National Economy. It is well to call attention to it. The following are quotes from its summary in the February 1955 Reclamation Era:

"Reclamation has constructed or rebuilt facilities to furnish a full or supplemental irrigation water supply for 7.1 million acres of irrigable land. This translates into 125,000 family-size farms and an additional 125,000 suburban units.

"Crop production in 1953 from 69 reclamation projects or major divisions was valued at $785.9 million and the cumulative value of crops produced from 1906 to 1953 totals almost $10 billion.

"Net power revenues in fiscal year 1954 from 29 powerplants now in operation, after deductions for annual operation, maintenance, and replacements, totaled $33.9 million, and the total of all net power revenues returned to the Federal Treasury through June 30, 1953, amounted to about $225.9 million. Net power revenues during the next 50 years from 1953 at the level of fiscal year 1954 could return an additional $1,692.5 million to the Treasury.

"Irrigation and municipal water repayment contracts will return $691 million, of which $108.9 million had been paid to June 30, 1953. While making construction account payments, the water users have paid operation and maintenance charges as they have become due. This will continue. Additional returns will accrue through water sales-type contracts.

"Potential returns to the United States Treasury from irrigation and municipal water users during the contract repayment period, plus the net power revenues from the presently operating facilities at the fiscal year 1954 level for the next 50 years will aggregate $2.6 billion, of which $334.8 million had been paid in on June 30, 1953. Powerplants under construction will, when completed, add materially to these potential returns.

"Federal tax revenues since 1916 from reclamation areas which may be attributed to Federal reclamation developments now stand at more than $3 billion. This sum alone exceeds by 25 percent the total cost of all Bureau-constructed projects to date.

"Income to nonfarm urban areas in the environs of reclamation projects in 1953 amounted to about $786 million, and aggregates almost $10 billion.

"Western population has increased at a much greater rate during the last decade than has the population of the Eastern States. For example, the population of the 17 Western States increased 25.8 percent between 1940 and 1950, while the 31 Eastern States gained only 11.5 percent.

"Per capita retail trade in the Western States exceeds that of the Eastern States.

"With reclamation-project development, business activity as reflected by railway freight shipments increases from East to West and from West to East.

"This resource development expenditure over a period of more than 50 years is less than 4 percent of a single year's budget.

"This fiscal year 1954 appropriation for reclamation construction was one-fourth of 1 percent of the national budget."

Now, by Don F. Martin, in the same Era issue, on one year's benefits and how such a Government project tided over the drought of 1954, some excerpts are:

"Hundreds of thousands of acres of one of Colorado's most important agricultural areas lay sweltering under the constant sun. The towering Rockies loomed dry and snowless over the sunbaked prairies below. Streams normally fed by the mountains' melting snowpack dwindled to trickles.

"The Colorado-Big Thompson project, dramatic transmountain water diversion project, 60 years a hope and a dream, and more than 16 years in the building, was ready to deliver water to the bone-dry farms in the huge Northern Colorado Water Conservancy District extending from the foothills of the Rockies eastward through the South Platte River Basin to the Colorado-Nebraska State line.

"In this drought-wracked area, the Colorado-Big Thompson project poured 300,352 acre-feet of water—water which had been stored in project reservoirs, transplanted beneath the Continental Divide through a 13-mile-long tunnel three-quarters of a mile below the crest of the Rockies, and finally distributed to the lands through a system of canals interconnected with the privately developed and privately operated irrigation systems spider-webbing northern Colorado.

"The Northern Colorado Water Conservancy District, served under the Colorado-Big Thompson project, comprises an area half as large as the entire State of Delaware—615,000 acres of cultivated land.

"The natural water supply was overappropriated. Shortages of irrigation water supplies frequently limited crop production to a serious degree. The more farsighted residents of the area looked westward toward the mountains and believed they saw in that direction the answer to their water problems: Just across the Continental Divide on Colorado's western slope water was plentiful, actually in surplus.

"The Alva B. Adams tunnel was driven under the Divide to bring the water from west to east. And then a series of hydroelectric generating plants were constructed to use the more than 3,000 feet of natural head between the east portal of the tunnel and the farmlands below.

"These plants pour out the energy needed by farms, cities, industries, and other users in a wide section of Colorado. (Also in neighboring Kansas, Nebraska, and Wyoming.) Revenues from sale of this energy are paying a major portion of the $159.8 million the project will cost when finally completed a year or two hence."

Then, pointing out how this project in 1954 by its supplemental supply of water overcame a drought disaster of 1934: "The one brightening factor as the drought-dominated spring season began was the presence of a near capacity supply of water in the project's storage reservoirs. In storage in the project system on May 1 were 532,572 acre-feet of water, exclusive of the Green Mountain replacement reservoir which then held 45,856 acre-feet to guarantee western slope needs.

"This water reached an area of 400,000 of the 615,000 acres ultimately to be served. Day and night the Alva B. Adams tunnel flowed at top capacity to move the much-needed water to the east slope. The results were inspiring."

The writer then demonstrates how, in a way dramatic to the ones who had planted crops and to those who together through a long pull of 20 years from the early 1930 drought have worked for the project, the Colorado River water saved the day; that, in 1954, the project water was worth $22 million directly to the farmers; that the income taxes to the Federal Government alone arising out of the project area were $37,324,000 for 1954.

"The favorable economic effects of the high-stable level of farming activity in northern Colorado are felt by the eastern, midwestern and far western manufacturers of the farm machinery and equipment, fertilizers, foods, automobiles, clothing, furniture, appliances and other commodities purchased and used by the farmers throughout the northern Colorado conservancy district and by their urban neighbors."

The drought of 1954 in northern Colorado not only might have spelled disaster for the immediate area and its people, but it also could have touched adversely upon the well-being of persons in many walks of life throughout the entire State of Colorado and in far-distant sections of the Nation.

This is not mere Government propaganda. It is all worth reading.

The report of J. M. Dille, longtime secretary-manager to the board of Northern Colorado Water Conservancy District, for the 1954 season puts the transmountain water delivered at 301,500 acre-feet. (An acre-foot of water is 1 foot deep over an acre of ground, 325,000 gallons.)

"Delivered to about 70 irrigation systems, it made the difference between an almost total crop failure and a fairly profitable season on over 4,000 farms."

His table shows east slope 1954 streamflows of the area were only 35 percent of average years.

Irrigation works by private effort colonized enlightened self-sustaining communities. The wealth they created, taxes thereon produced, their help to supply Federal as well as State and county treasuries, impressed national leaders. Irrigation was to the benefit of the Nation. When development had reached the point where, by exhaustion of near at hand water supply, works had to be so costly as to exceed private or community financing, Federal lending to accomplish irrigation extension was only natural. The reclamation service was developed. It has paid off, will pay off, in national benefit.

This is so, whatever may be said by its critics in humid Eastern States, the forgetful beneficiaries of rivers and harbors Government improvements, nonreimbursing of either principal or interest. Teddy Roosevelt was right.

The Colorado-Big Thompson is now a proven success, nearing completion. Was its 1955 dollar cost thrice what was estimated in 1935? So were costs of the eastern writers' shoes. So, also, were rivers and harbors Federal internal improvement costs in the East increased in 20 years.

This article started out with water as a symbol of realization. In the 17 Western States it is the precious resource, to be controlled and conserved. So it is a treasure.

Weld County is but an example. Is it strange then, that those who saw these things come to pass must often pause in the Colorado Capitol rotunda to contemplate Allen T. True's murals there, and to read, clear around the circle, Thomas Hornsby Ferrill's lines which they illustrate, beginning:

"Here is a land where life is written in water, the West is where the water was and is."

Ferrill, more than any writer has seen and has sensed and in poetic imagery portrayed, the spirit of adventure and beauty, the subduing by strong men of the dry and thirsty land of the West, and the addition to man's welfare they have wrought:

"Father and son of old, mother and daughter,
Following rivers up immensities
Of range and desert, thirsting the sundown ever."

Mr. MILLIKIN. Mr. Frank Hoag, Jr., of Pueblo, Colo., recently made a statement before the Special Subcommittee on Water Resources and Power of the House Committee on Government Operations. It has pertinency to what we are discussing, and I ask unanimous consent to have it included in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY FRANK HOAG, JR., OF PUEBLO, COLO., NOVEMBER 30, 1955

S. 300 was reported favorably by the Committee on Interior and Insular Affairs to the Senate in April 1955, and was explained in Report No. 233. Hearings have been closed before the House Subcommittee on Reclamation and Irrigation of the Committee on Interior and Insular Affairs and awaits consideration by the subcommittee during the second session.

As stipulated in the Senate Report No. 233 accompanying S. 300, "a preliminary draft of the planning report which covered the presently proposed works of the Fryingpan-Arkansas project was made public on September 1, 1948, by the Bureau of Reclamation's regional director at Denver, Colo."

The Colorado State Water Conservation Board recommended in February 1951 that the proposed undertaking be approved and that Congress be requested to adopt necessary legislation authorizing the project.

In February 1951 a revised report of the project was prepared by the regional director of the Bureau of Reclamation, and after review by the Commissioner of Reclamation it was approved by the Secretary of Interior in May 1951. The States of Colorado and the Arkansas River Basin States, in accordance with the Flood Control Act of 1944, and other interested Federal agencies, submitted their comments. This report, together with the comments of the States of Arizona, California, Colorado, Kansas, Utah, and Wyoming, the Corps of Engineers, the Departments of Agriculture and Commerce, the Federal Power Commission, the Public Health Service, and the Bureau of the Budget was transmitted to the Congress on June 9, 1953, after further study by the Secretary of the Interior. The report and the comments on it are printed as House Document No. 187, 83d Congress.

The President, in his budget message for the fiscal year 1956, recommended enactment of legislation to permit construction of the Fryingpan-Arkansas project. The Federal budget itself makes clear that, upon the enactment of such legislation, the administration is prepared to request funds to initiate immediate construction.

The Fryingpan-Arkansas project has been open to public scrutiny over a long period of time and it has received very extensive consideration by the executive branch of the Government under two administrations, by the States which are concerned with it, and by the committees of the Congress.

Briefly the Fryingpan-Arkansas project is designed to import water from the Colorado River Basin to the Arkansas River Basin and to regulate flows in the latter basin so that they can be used to greater advantage than under existing operational conditions. As further described in the Senate Report No. 233, "the project as planned will furnish a partial supply of water to approximately 322,000 acres of land which now have an inadequate or undependable supply, will supplement the supplies of a number of expanding municipalities in the Arkansas River Valley, will generate about 470 million kilowatt-hours of salable electric energy annually, and will serve flood control and other useful purposes."

The project will not bring any new land under cultivation but will only supplement the water supply now available to already irrigated land in the Arkansas Valley in Colorado.

It is a multiple-purpose project in that it will provide supplemental irrigation water supplies, electric power generation, municipal water supply, flood control, and benefits to fish and wildlife.

The Arkansas River Valley in Colorado has been developed during the past 70 or more years primarily through private initiative. The pioneers who first settled on the land formed their own ditch companies, land development companies, and irrigation companies in order to utilize the natural stream flow of the Arkansas River and bring into cultivation many thousands of acres of highly productive land. A great area constituting the southeastern part of the State of Colorado was brought to its high state of development and economic value by the many thousands who settled on its land, built cities and towns, and also created a great industrial region.

All such water development might be characterized as having been of the single-purpose type. For the past 25 years it has been realized that in order to firm up the economy of the region it would be necessary to develop a multiple-purpose project, which, of necessity, would be interdependent and of a character that would use the water supplies in all ways that water can be used.

In 1922 the Colorado River compact was approved by Congress as an interstate compact between the States of Colorado, Wyoming, New Mexico, and Utah, constituting the upper basin of the Colorado River and Arizona, Nevada, and California, constituting the lower basin of that same river. This compact divided the waters of the Colorado River for basin development between the upper and lower basin States.

As a result of this compact and through authorizations by Congress, the Boulder Canyon project was authorized and developed, the All-American Canal was authorized and constructed for the benefit of southern California, and many other projects were authorized by Congress under reclamation law for the benefit of the lower basin of the Colorado River.

Somewhat delayed by reason of a slower settlement by people of the Nation, the upper basin seeks to develop its water resources under the Colorado River compact in much the same manner as has been done in the lower basin.

The Colorado River compact permits each State to utilize the unappropriated waters to which it is entitled within its own borders in accordance with State laws. Beneficial use of the water contemplates the exportation of water out of the natural basin within any of the upper basin States in a similar manner to that which was done in the lower basin States and which has been responsible for most of the growth in southern California and Arizona.

To this end the Fryingpan-Arkansas Water Development project was devised. An essential and vital portion of the project is the exportation of approximately 70,000 acre-feet of water from the Colorado River Basin into the Arkansas River Basin to be regulated and administered in accordance with operating principles which have been adopted under State law in Colorado and approved by the official water agencies of the State of Colorado. The 70,000 acre-feet of water which

would be comingled with the natural flow of the Arkansas River, plus other small amounts of imported water, would provide an additional regulated water supply during the growing season, of approximately 185,000 acre-feet annually.

In devising this project it was necessary that all aspects of the contemplated project be considered by all those who were to benefit directly and indirectly.

As a consequence hundreds of farmers of the Arkansas Valley met in many meetings in order to appraise the value of the supplemental water supply as proposed, and to determine insofar as possible what they could afford to pay for that supplemental water. But such determinations by the farmers was of necessity dependent upon the use of the water by municipalities and the generation of electrical energy to supply a growing market with power and to meet the needs of rapidly expanding communities.

Multiple uses of water produce multiple sources of revenue which can be consolidated into repayment schedules for all elements of the area benefited. Separation of these sources of revenue would endanger all portions of the project.

It has been determined by competent engineers, and so testified in Senate and House hearings, that it is not practical to attempt to divide the Fryingpan-Arkansas project into two or more parts as single purpose projects. It is also apparent from the repayment schedules which were worked out in great detail that each source of revenue for the repayment of approximately 86 percent of the cost of the project (the balance of 14 percent being charged off to flood control and fish and wildlife) was dependent on the successful integration of all phases of the project and all sources of revenue.

The project is estimated to cost $156,541,000 based upon construction costs as of October 1954. There have not been any significant changes in construction costs during the past twelve months.

This overall cost was allocated as follows:

Irrigation	$67,653,000
Municipal water	24,528,000
Power	44,551,000
Flood control	17,911,000
Fish and wildlife	1,898,000

In accordance with reclamation law, the irrigation features of the project would be repaid in full without interest, but power and municipal features of the project would be repaid in full with interest at the long-term interest rate of the treasury. The repayment period would be 51 years plus 9 years for construction.

Estimated annual revenues would be approximately $839,200 for irrigation; $1,720,200 from power; $855,000 from municipal water.

Not only would the direct user of water assist in the repayment, but the real property owner in the conservancy district proposed to be organized, if the project is authorized, would also contribute annually through a 1-mill property tax levy toward the amortization of the capital investment.

The assessed valuation of the contemplated district would approximate $355,000,000 which, with annual increments of increased valuation due to the growth of the area, would produce an annual average district tax of $446,700. This sum would be part of the estimated annual revenues coming from irrigation as enumerated above.

The conservancy district would be the contracting agency for the repayment of the project costs. The mill levy would be against all real property, whether it be farmland, the area embraced by cities and towns, or buildings and other structures thereon.

The cities of Pueblo and Colorado Springs, by action of their respective city councils, have already approved the inclusion of these cities in the proposed conservancy district for the purpose of levying the 1-mill tax on all real property within their respective jurisdictions.

Local participation in repayment is important in any project. In this project local taxpayers of the conservancy district and the farmers will repay 71 percent of the costs allocated to irrigation. Power revenues would repay the other 29 percent after repaying with interest all of the costs allocated to power. Municipal costs would be repaid in full with interest by municipal users. All repayment would be completed within 51 years after the initial construction period.

The uses of the water developed by the project, the multiple interests in the region which would be included in the conservancy district as the contracting agency, and the repayment schedules emphasize the fact that it is an integrated project with each phase dependent upon the other.

Such an integrated project and a multiple use of the water would not have been possible had there not been assurance among all concerned that power revenues would be used to help repay the cost of the project without the uncertainty of congressional action or appropriation as has been suggested by the Hoover Commission report.

It was of particular interest to the proponents of the Fryingpan-Arkansas project that the Hoover Commission took note of the Federal interest in irrigation by stating: "The justification for Federal interest in irrigration is not solely to provide land for farmers or to increase food supply. These new farm areas inevitably create villages and towns whose populations thrive from furnishing supplies to the farmer, marketing his crops, and from the industries which grow around these areas. The economy of seven important cities of the West had its base in irrigation—Denver, Salt Lake City, Phoenix, Spokane, Boise, El Paso, Fresno, and Yakima. Indeed, these new centers of productivity send waves of economic improvement to the far borders, like a pebble thrown into a pond. Through irrigation, man has been able to build a stable civilization in an area that might otherwise have been open only to intermittent exploitation."

Unified and integrated local interest was the result of present and past policies of reclamation development under multiple-purpose use, and not in contemplation of any change in the rules or methods which might inject uncertainty and doubt.

May we cite as an example of the value of such a project as the Fryingpan-Arkansas project, the comparable project under the Colorado-Big Thompson authorization of 18 years ago. The Colorado-Big Thompson project also imported water from the Colorado River Basin to the South Platte River Basin and used the water for supplemental irrigation, municipal water supply and power development. Because of World War II its full value was not available until just a few years ago. But the experience of northeastern Colorado, which comes under the project, during the drought of 1954 was proof of the soundness of the principle of reclamation and justification for the interest of the Federal Government in irrigation as stated in the Hoover Commission report quoted above.

If there had not been a Big Thompson project the farmers of the area would have suffered almost a 50 percent loss in their $42 million crop value. It was quite evident that the water held in storage was worth approximately $19 million in crops during 1 year.

The stabilization of the agricultural and industrial economy in that region meant millions of dollars in business, personal incomes and income taxes and other revenues to the Federal Government. The project very graphically, and to a measurable degree, sent "waves of economic improvement to the far borders" of the region "like a pebble thrown into a pond."

It is well to note that the only subsidy which can possbily be charged against the Big Thompson project, or the Fryingpan-Arkansas project, or any other similar reclamation project, is the interest-free cost allocated to irrigation. That interest component sinks into relative insignificance however, when it is appreciated that all of the capital investment is returned to the Federal Treasury, except that allocated to flood control and fish and wildlife; that the municipal and power features of the projects are repaid with interest; that the power repayment after amortizing its investment in full with interest is then allocated to repay the balance of the irrigation costs not paid by the farmers; and most significantly, that if it were not for that interest-free irrigation cost there very likely would be few, if any, reclamation projects.

Colorado is a pioneer in providing statutory procedures for the conservancy district concept in the matter of repayment of certain costs of multiple-purpose projects. The law was devised with the specific purpose of amalgamating as many diverse interests as possible into one political subdivision for the purpose of furthering such multiple-purpose units which are beyond their financial capacity to initiate individually. Under such circumstances there is only one agency in this Nation capable of such initiation and that is the Federal Government. The Fryingpan project, under present reclamation laws, comes within most of the perimeters of the Hoover Commission report as to feasibility and economic justification.

Any further development of the Arkansas Valley in Colorado is contingent upon securing a more dependable water supply through importation of water and reregulation of the natural stream flow of the Arkansas River. It will be done under State laws as they have been adjudicated since the first water rights were established in Colorado in the 1850's and 1860's.

In devising the Fryingpan-Arkansas project great care has been exercised that all water put to beneficial use shall be in compliance with Colorado laws. All water rights must be preserved, recognized, and protected. The basic principle of the right of appropriation for beneficial use of all unappropriated water in our streams must be preserved also.

Any other approach would not only throw into question present water rights, but most certainly might constitute the first step toward liquidation of the reclamation program which has proved of such great value to this Nation.

Likewise, any uncertainty injected into the development of such projects by providing that all Federal agencies administering revenue-producing water resource and power projects should pay all cash revenues to the Treasury and receive annual appropriations from Congress for cash operating expenditures as proposed in the Hoover Commission report would mean the abolition of the reclamation revolving fund and make the people who are willing to undertake their share of the responsibility very wary of proceeding any further.

We appreciate the opportunity for our association to present its views and we wish to thank you very much.

Mr. ANDERSON. Mr. President, I yield myself 5 minutes.

It was my pleasure, as chairman of the Irrigation and Reclamation Subcommittee of the Senate Committee on Interior and Insular Affairs, to conduct hearings on the bill this year.

First of all, I am happy to associate myself again with the able senior Senator from Colorado [Mr. MILLIKIN] in the advocacy of this project. The project

was considered in the previous Congress, but because of the rush of legislation it was not enacted into law. If this was a good bill in the previous Congress, it is a better bill now, because since the passage of the Fryingpan-Arkansas project there has been located at Colorado Springs a great military installation involving the training of aviators, and as a result the city of Colorado Springs has experienced a very substantial growth, and will continue to experience it. Therefore the entire eastern slope of Colorado, particularly from Denver down, will be in need of adequate water.

This bill would contribute to the water supply of Colorado for many years to come—certainly for 100 years, and I believe for longer than that. If it does contribute to this water supply for 100 years, the purposes of the bill will be amply justified, because within a period of 50 years the municipal water investment will be paid out, and within approximately 59 years the irrigation investment will be paid out.

The bill involves supplying additional water to farmers in the eastern portion of Colorado who can be served from the Arkansas River.

Members of the Senate will find that throughout the hearings the two Colorado Senators [Mr. MILLIKIN and Mr. ALLOTT] were very much interested in the development of the essential facts, to show that there is ample need for this project, ample ability to repay it, and a great desire for it on the part of the great State of Colorado.

Furthermore, the first witness we had before us as the hearing opened was a former colleague of ours in the Senate, former Senator Edwin C. Johnson, who is now the Governor of Colorado. He joined with his former colleague in the sponsorship and endorsement of the bill.

We found that there was ample water to take care of this project, as well as ample means for repaying the money invested in it. I think it is the type of project which is very much desired throughout the West today, because it not only includes water which will be delivered to agricultural lands, but it includes industrial and domestic use of water, and the sale of water at much higher prices than would be the case if the water were spread upon land to cultivate crops.

The continued development of municipal water, in order to stabilize the repayments on these projects, is a very desirable feature. Throughout the West we are steadily having to approve projects which tie to the development of agricultural lands the need for domestic water supply.

I am therefore very happy to add my voice to that of the senior Senator from Colorado in urging passing of the bill. I know that the junior Senator from Colorado [Mr. ALLOTT] is to follow. He has become a member of the team on this project, and has worked hard for it.

I am sorry that the bill was not passed earlier by the Congress, but there is plenty of time to enact it into law. The Senate should pass it promptly. I doubt if there will be any opposition to it.

I remind the Senate that about 2 years ago we passed a similar bill on the call of the calendar, because it had been so carefully considered by the Senate Committee on Interior and Insular Affairs that we could almost give a certificate as to the desirability of its passage, and there was no discussion of it on the floor of either House.

The PRESIDINIG OFFICER. The time of the Senator from New Mexico has expired.

Mr. ANDERSON. I yield myself 2 additional minutes.

As I remember the able junior Senator from California [Mr. KUCHEL] assisted us in the preparation of an entire budget of irrigation bills in the last Congress, and he has assisted most effectively in this Congress.

He also assisted in bringing the previous bill to the floor of the Senate so effectively that it was unanimously approved by the Senate. I hope there may be no opposition to it today. I hope it may be promptly passed.

I now yield 7 minutes to the Senator from Utah [Mr. WATKINS], who is a tower of strength on the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs, and one of the great reclamation lawyers of the Senate.

Mr. WATKINS. Mr. President, according to my generous friend from New Mexico I have a reputation to live up to.

I shall not speak at great length on the bill. It is not necessary. I point out that this measure is a typical reclamation program, which ought to be developed by the United States Government.

Many years ago Abraham Lincoln declared—and I paraphrase what he said—that the Government should not do for the people those things which they can do for themselves, but, on the other hand, the Government should do for the people those necessary things which the people cannot do for themselves.

The reclamation law was developed and based on that principle. There was a very inadequate water supply for the arid lands of the West, and in order to bring together the lands, the water, and the people who wished to develop homes on the lands, the Government found a necessary thing to be done, which the people could not do for themselves, because in the development of the West, they had gone to the extent of putting to a beneficial use all the water they could by their own efforts. They arrived at the stage where the reclamation program came into effect, based upon the principle which I have described.

This bill involves water from the Colorado River Basin, which is subject to a compact. It also involves some water out of the Arkansas River. The project proposed is a multiple-purpose project. It would conserve water for irrigation purposes, for municipalities, and for industry, and also for some governmental services, as has been mentioned by the Senator from New Mexico [Mr. ANDERSON].

In addition, the flow of that water through the streams and reservoirs will develop a considerable amount of electric power, which will help to pay the costs of construction.

Therefore, it is a multiple-purpose program, which the people themselves find quite beyond their resources at this time to construct. It does have some flood-control features.

As I pointed out, I believe it is a practical multiple-purpose reclamation project, which the West feels is needed to help develop that part of the country.

I have listened to much of the testimony. I have known of this project for many years as a member of the committee. I heard much testimony in favor of the bill. I sat in executive sessions when the bill was marked up to be reported to the Senate. I am confident that the program will result in a great deal of good, not only to the State of Colorado, but to the entire country. The semiarid region of the West will greatly benefit through the wonderful development that will take place.

The cost, of course, is commensurate with the size of the project. The cost of building the project will be less today than it would have been 7 or 8 years ago. Contractors and others are willing to build projects today at a smaller cost than they were willing to build them 7 or 8 years ago. The cost of construction has gone down.

Therefore, the bill meets every requirement of a good reclamation program.

The State of Utah, which I, in part, represent, is happy to join with the Senators from Colorado and from sister States in the West, including the Senator from New Mexico, in urging the adoption of the measure.

Mr. ANDERSON. In order that more time may be available I now move——

Mr. KNOWLAND. I shall be happy to yield to the Senator from New Mexico some time on the bill. I am in favor of the bill, but if there are any speeches to be made in opposition, I shall be glad to yield some of my time on the bill.

Mr. ANDERSON. I wished to call up an amendment, so that we would have another hour of debate.

Mr. KNOWLAND. I do not believe it will be necessary to do that. I would rather yield some of my time to the Senator, if he needs it.

Mr. ANDERSON. I yield 10 minutes to the distinguished junior Senator from Colorado.

Mr. ALLOTT. Mr. President, I am very happy to have an opportunity to speak on behalf of this project. The project is located in the southern portion of Colorado, an area with which, I may say, I have been acquainted all my life. I appreciate very much the complimentary remarks of the distinguished Senator from New Mexico [Mr. ANDERSON] concerning myself. However, I must say, in all truthfulness and candor, that he has been greatly responsible for the present status of the project. Also, I wish to pay tribute to the great and distinguished senior Senator from Colorado [Mr. MILLIKIN], who more than anyone else has been responsible for bringing the project through its development stage and to fruition at this time.

After a similar bill was passed by the Senate in the 83d Congress, new work was

done on it. As the result, it is a much better project than it was at that time.

Mr. President, the Fryingpan-Arkansas project is a self-contained project providing for a small trans-mountain diversion of waters from the western slope of the Colorado Rockies to the eastern slope at the headwaters of the Arkansas River, the building of a tunnel, the enlargement of reservoirs, and the construction of a series of hydroelectric projects along an aqueduct; all of which are contained in the southern portion of Colorado.

The history of Colorado and its growth is, in fact, the history of the development and use of its waters. In conjunction with this, that great body of law known as the doctrine of prior appropriation found its initial beginning in the State of Colorado. The basis of this doctrine is that the water being of great value as a commodity, its beneficial use must be preserved and protected to provide for the public good and in order that ownership may be determined and identified. In fact, the decree of certain water rights in Colorado actually antedates the date of Colorado's admission to the Union upon August 1, 1876. The earliest miners came to the hills of Colorado and used water to sluice their ores and to refine them. Later the farmers came and diverted the water from tributaries of the Platte, from the Rio Grande, the Arkansas, the Gunnison, the Colorado, the San Juan, and dozens of other rivers and streams and turned the desolate, parched lands of the Colorado into a blooming oasis. The face of the State is scarred with old irrigation canals and old reservoirs whose present existence bespeaks the dreams of the early pioneer, dreams which greatly surpassed in some instances the practicability of the works which he wrought. But out of the rivers and through the fertile plains, with their slip and their shovel, and by hand, and with the mule, and with the horse, these hardy farmers carved great irrigation works, and for the most part, they have carved them alone without Government assistance.

I speak of these facts not to romanticize the early days in Colorado but, rather, to express and to emphasize for the Members of the Senate the importance which water has always held in the economic lifeblood of our State. The struggle to obtain it, to conserve it, and to use it beneficially, is one that has gone on from the time that the first settlers placed their feet on Colorado soil to the present time. To those who understand this development the initial concept of the Fryingpan-Arkansas project, about 1936 was only a logical consummation of the development of water use in Colorado which was to be expected.

On September 1, 1948, the Bureau of Reclamation prepared a preliminary draft of a plan for this project. It was then referred to as the Gunnison-Arkansas project, but the physical plan was essentially the same as that which we have before us today. It was understood that the development was to be completely self-contained. After a thorough review, the Colorado State Water Conservation Board recommended in February 1951 that the project be renamed the Fryingpan-Arkansas project. For the purposes of my discussion today, it is necessary to understand the nature of the State Water Conservation Board of Colorado. The statute says:

> It shall be the duty of the Board to promote the conservation of the waters of the State of Colorado in order to secure the greatest utilization of such waters and the utmost prevention of floods, and in particular and without limiting the general character of this section, the Board shall have the power and it shall be its duty:

Thereafter are listed the specific powers of the Board which I ask, Mr. President, unanimous consent to be inserted in the RECORD at this point and which are found in Colorado Revised Statutes, 1953, at 148–1–11.

The Colorado Water Conservation Board, therefore, is the official agency of the State of Colorado entitled to speak in behalf of water policy and water conservation. The recommendation to change the name of the Gunnison-Arkansas project to the Fryingpan-Arkansas project was made in order to avoid the semblance of an endorsement on the part of certain interests in Colorado of an ultimately larger development which other interests had contemplated. This was specifically stated in Senate Document 106 of the 82d Congress on pages 33 and 34 and both of these are set forth in the report of the Senate Committee on Interior and Insular Affairs of the 84th Congress.

On February 23, 1951, after review by the Commissioner of Reclamation, a revised report was filed and approved by the Secretary of the Interior on May 4, 1951. Comments were then requested from the State of Colorado and the Arkansas River Basin States in accordance with the Flood Control Act of 1944, and from the required Federal agencies. This report, together with the comments of the States of Arizona, California, Colorado, Kansas, Utah, and Wyoming, the Corps of Engineers, the Departments of Agriculture and Commerce, the Federal Power Commission, the Public Health Service, and the Bureau of the Budget was transmitted to Congress on June 9, 1953, after further study by the Secretary of the Interior. These documents were identified as House Document 187 of the 83d Congress. Bills to authorize the construction of the Arkansas-Fryingpan project were introduced in the 82d Congress, the 83d Congress, and the 84th Congress. Extensive hearings at which both proponents and opponents of the project were given ample opportunity to make their case were held upon the bills. In his budget message for the fiscal year 1956, and in his message to Congress, the President recommended enactment of the legislation to permit construction of the Frying pan project.

From all the above, it may be seen that the growth of the idea of the Fryingpan-Arkansas project has had ample opportunity to be subjected to public and congressional scrutiny, and to receive consideration by all of the States involved and all of the affected departments of the Government.

THE ESSENTIAL NATURE OF THE PROJECT

The purpose of the Fryingpan project is to import water from the Colorado River Basin to the Arkansas River Basin and to regulate both importation and local flows so that they can better be utilized to serve municipal, industrial, and irrigation needs, and on the route be used to generate power. There is in the Arkansas Valley Basin approximately 322,000 acres of land now under irrigation and which have an inadequate or undependable supply for junior water-right owners. The project would supplement the supplies of the cities of Colorado Springs, Pueblo, Manzanola, Rocky Ford, La Junta, Las Animas, Lamar, Crowley, Eads, and Wiley; will generate a total of 470 million kilowatt-hours of salable electric energy en route annually; and provide for a supplemental flood control and conservation in that area where it is most needed.

It is important to emphasize at this time, because it is a point that has long been misunderstood by many people, this project would not, and could not under the terms of the bill, provide water for any new irrigable lands. It will provide only a supplemental supply for those acreages in southeastern Colorado which have been under cultivation and under irrigation for many years but which because of the variations of runoff and some deficiency in the water supply suffer from drought periodically, and in optimum water availability annually.

In the Arkansas Valley there are about a score of irrigation districts which have been operating for many years. Some of them have old priorities and have fairly consistent good water supplies—others do not. Some districts have storage facilities and some do not. All, however, have agreed to pool their rights permitting storage in Pueblo Reservoir so that the whole valley may benefit. All districts are agreeable to the conservancy district plan of repayment as well as to the payment by each district for supplemental supplies.

All of this complicated reorganization of water control and delivery can only be accomplished on a voluntary basis. This is one of the reasons why there can be no successful project if land limitations for business are required to be observed in the project.

The water will be collected on the western side of the Continental Divide from the snow-melt-run-off by a system of conduits totaling 50 miles in length, part of these being at an altitude of 10,750 feet above sea-level. These will be delivered to the western portal of the tunnel which will pass beneath the Continental Divide and discharging into a tributary of the Arkansas River. The length of the tunnel will be 6 miles. A short distance below the outlet of the tunnel, these waters as well as the Arkansas River will be regulated by an enlargement in the existing Sugar Loaf Reservoir owned by the Colorado Fuel & Iron Co. The Sugar Loaf Reservoir has a present capacity of 17,000 feet, which will be enlarged to 117,000 feet.

This will enable the waters passing through it to be regulated into a canal going in a southerly direction to the proposed Elbert powerplant which will operate under a head of 500 feet.

The discharge from the Elbert powerplant will be directly into the enlarged

Twin Lakes Reservoir, which will be increased from its present capacity of 56,000 acre-feet to 260,000 acre-feet.

This would serve to further regulate the flow of the river and the important waters. The regulated flows available from the Twin Lakes Reservoir will be conveyed by a closed conduit to a powerplant immediately above Otero Reservoir operating under a head of 300 feet.

Water would then be discharged from the Otero Reservoir situated on Clear Creek and not far from its junction with the Arkansas River into a canal which would carry the water about 6 miles to the proposed Wapaco powerplant operated under a head of 500 feet.

After passing through the powerplant the water will be conveyed about 20 miles to the proposed Princeton powerplant to operate under a head of 300 feet.

From the tail race of the Princeton powerplant, the water will be conveyed 4 miles to the Pancho powerplant under a head of 270 feet. From the Pancho powerplant, it will be carried 3 miles to the terminal powerplant of the mountain system near Salida to operate under a head of 400 feet.

The total length of the power conduits and canals is about 60 miles and the total fall is 2,250 feet. The generating capacity proposed to be installed in these 6 plants is about 93 million kilowatts.

The discharge at the tail race of the Salida powerplant is at an elevation of 7,300 feet. Below Salida the imported flows from the Colorado River drainage, commonly called the western slope in Colorado will move downstream to be further regulated and controlled at the Pueblo Reservoir 7 miles west of the city by that same name. The capacity of this reservoir at 4,902 feet above sea level will be 400,000 acre-feet. This is sufficient to regulate for irrigation and municipal users the combined waters of the Arkansas River plus the importations. It will provide 94,000 acre-feet, to be used jointly for conservation purposes, for sediment retention and 93,000 acre-feet for flood control. An 11,000 kilowatt powerplant is planned at Pueblo Dam. The facilities for the delivery of water along the Arkansas River downstream will be constructed under S. 300 only if it is found infeasible for the communities to finance and build them.

A supplemental reservoir for the Fryingpan-Arkansas project includes the construction of a reservoir of the 28,000-acre-foot Aspen Reservoir on the Roaring Fork near Aspen, Colo. This is for the purpose of stream regulation for present and future users of water in the Colorado River Basin on the western slope of Colorado as required by State law. The cost of this reservoir is a part of the overall cost of the project. The bill incorporates by reference a number of operating principles with respect to Aspen Reservoir which have been agreed to by all interested parties, relating to the preservation and propagation of fish and to certain other phases of the project's operation for the benefit of the western slope.

The city of Colorado Springs will divert project water by pumping from the Arkansas River near Canon City. Pumping plants and pipelines are included in the cost estimate.

COOPERATION OF LOCAL INTERESTS

The Twin Lakes Reservoir & Canal Co., owner of the Twin Lakes Reservoir, have agreed to an enlargement of their reservoir and will pay for the benefits derived from a portion of that enlargement. This company now diverts Colorado River Basin flows through the Continental Divide in the amount of 38,000 acre-feet annually. Its existing shortage is inadequate to properly regulate this quantity to meet irrigation demands and, therefore, the enlargement of the reservoir will result in certain benefits to it and for which it has agreed to pay. The Colorado Fuel & Iron Co., whose iron and steel production is centered at Pueblo, owns the Sugar Loaf storage site and will cooperate in furthering the development of this site. The company does not need additional water from the project for its industry in Pueblo. Other holders of water rights have expressed a willingness to participate in the project and to pay for benefits received.

GENERAL WATER SUPPLIES AND WATER REQUIREMENTS

There is presently used annually in the Arkansas Valley, from natural flows and storage, about 643,000 acre-feet of Arkansas River waters. The imported flows from the Colorado Basin average presently 48,000 acre-feet yearly. These present supplies are deficient for the proper irrigation in the Arkansas Valley by approximately 340,000 acre-feet annually. Of the 69,200 acre-feet to be diverted from the western slope by the proposed project, about 53,700 acre-feet would be delivered to water users. It is to be especially noted that the present development of irrigated agriculture in the valley was accomplished without Federal financial aid. It can readily be seen from the above figure that the waters of the Arkansas River are overappropriated except during flood conditions. This means, in concrete words, that the water available from the Fryingpan-Arkansas project would supply about 6 percent of the total supply to farms, which, I might add, contain an average irrigated area of only 70 acres.

At the time of the hearings, there were 49 joint ownerships of over 320 acres, totaling 27,000 acres, and there are 42 ownerships, among which are sugar companies, banks, farm-operating companies, and so forth, totaling 14,700 acres and varying from 1 to 4,500 acres, which average 350 acres. The United States irrigation census of 1949 further confirmed that the average farm in the valley between John Martin Dam or between Caddoa and Pueblo contains 70 acres of irrigible land. Therefore, in view of the long-settled pattern of farming, it has been recommended that the 160-acre limitation provisions of existing laws be not applied in this area. To apply them would be impractical and an unnecessary expense.

REPAYMENT IN ECONOMIC ANALYSIS

Since the original presentation of this project to the Congress of the United States, certain changes have taken place which put it in a far more attractive analysis and repayment position. They are:

First. Phenomenal growth of population and valuations in Colorado Springs, Pueblo, and the cities of the Arkansas Valley, resulting in a greater water requirement for those cities and a broader tax base for the overall conservancy district.

Second. Adoption of a new power rate schedule.

Third. Deletion of a pumping plant and treatment works at Pueblo.

Fourth. Use of estimates based upon recent construction costs.

Fifth. The use of the conservancy type district developed early in Colorado law will result in a beneficial and practical method of raising taxes for the general support of the project.

At this point, Mr. President, I ask unanimous consent that there be inserted in the RECORD a table shown in the report of the Senate Committee on Interior and Insular Affairs comparing the economic feasibility and repayment plan set out in House Document No. 187, with the current estimates upon it.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

The following tabulation presents a comparison of the economic feasibility and repayment plan set out in House Document No. 187 with that now proposed:

	H. Doc. 187	Current estimates
Estimated construction costs	$172,898,000	$156,541,000
Tentative allocation of costs:		
Irrigation	75,128,000	67,653,000
Municipal water:		
Basic project costs	11,154,000	8,200,000
Delivery system	21,500,000	16,328,000
Power	41,945,000	44,551,000
Flood control	20,341,000	17,911,000
Fish and wildlife	2,830,000	1,898,000
Estimated annual net revenues:		
Irrigation	622,000	[1] 839,200
Power	[2] 1,504,400	[2] 1,720,200
Municipal water:		
Water sales	433,000	270,000
Delivery system	631,200	585,000
Estimated repayment periods:	*Years*	*Years*
Irrigation investment	69	[3] 59
Municipal water investment	63	[3] 50
Power investment	52	[3] 47

[1] Average-year revenues. Initial-year revenues are $657,000.

[2] The mill rate per firm kilowatt-hour is 5.5 in H. Doc. 187 and 6.0 in the current estimates.

[3] Includes an 8-year period during which construction is being completed and revenues are being brought up to normal. Power net revenues, after the power allocation is repaid with interest, will be applied to assist in retiring the irrigation investment.

Mr. ALLOTT. Mr. President, there are nonreimbursable allocations of cost to flood controls and to fish and wildlife preservations which are in accordance with the existing law and also long-established principles. The reservoirs, and especially the Pueblo reservoir, provide a high degree of flood protection to the city of Pueblo, and to farm lands and cities in the lower portion of the Arkansas Valley. Since the general tendency of the entire project will be to preserve the regular flow of the stream, the net result in terms of recreation can only be an increase in the fishing and sporting facilities available along the entire stream.

Under the present new analysis, the reimbursable cost of the project can be retired within 51 years after completion

of the last construction. Before construction of all features is completed increased water importations can be made and partial revenues will be received. The revenues from water sales, conservancy district taxes and power during this period will make a significant contribution to repayment before the project completion. I ask unanimous consent that I may insert in the RECORD at this point the details of the annual net revenues for the project.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DETAILS OF ANNUAL NET REVENUES

Function and source of revenue

Irrigation and district:	
Project water (51,200 acre-feet at $5.40)	$276,500
Twin Lakes service (12,500 acre-feet, at $3)	37,500
Regulation of winter water (74,000 acre-feet, at $2.25)	166,500
District tax (average over repayment period)[1]	446,700
Subtotal	927,200
Less O. M. and R	88,000
Net irrigation revenues (rounded)	839,200
Power:	
370,000,000 kilowatt-hours, at 6.0 mills	2,220,000
97,200,000 kilowatt-hours, at 3.5 mills	340,200
Subtotal	2,560,200
Less O. M. and R	840,000
Net power revenues (rounded)	1,720,200
Municipal and industrial water supply:	
Municipal supplies (20,500 acre-feet, at $5.40)	111,000
Storage of C. F. and I. water (4,000 acre-feet, at $2)	8,000
Portion of district tax[1] (applied to repayment of municipal water supply)	162,000
Subototal	281,000
Less O. M. and R	11,000
Net municipal water revenues (for supply)	270,000
Municipal and industrial water delivery system:	
Delivery of water to Colorado Springs (10,000 acre-feet at $52.50)	525,000
Delivery of water to valley towns (7,500 acre-feet, at $68.27)	512,000
Subototal	1,037,000
Less O. M. and R	452,000
Net municipal water revenue (for delivery system)	585,000
Total average annual net project revenue	3,414,400

[1] The district tax would be realized from an ad valorem tax of 1 mill levied by the conservancy district on taxable property within the district boundaries. The 1954 assessed value of property within the contemplated district was $355 million. It has been estimated that the average annual increase in assessed valuation would equal 2 percent of the 1954 evaluation. An average of $35,000 per year has been allowed for district expense.

EFFECT UPON INTERSTATE COMPACTS

Mr. ALLOTT. Mr. President, the State of Colorado is a party to the Colorado River compact of 1922, and the upper Colorado River Basin compact of 1948, both of which have been approved by the Congress. Under the 1948 compact, Colorado's share of the waters apportioned to the upper States—Colorado, Wyoming, parts of Utah, New Mexico, and Arizona—is 51.75 percent, or 3,855,000 acre-feet annually. It, therefore, is apparent that the waters proposed to be diverted from the western slope and the Colorado River Basin are only about 2 percent of Colorado's share of the upper basin's apportionment. In order that all States may be properly protected, and as a matter of caution, it will be noted that specifically the Fryingpan-Arkansas project is made subject to the law of the river, including the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, and the Mexican water treaty. It also provides further that in accordance with those compacts, no water exported from the Colorado River Basin shall be made available for use in a State outside of the upper basin States. To further protect the compacts and agreements above referred to, it is specifically provided that the bill shall not be construed to aid or prejudice any right or claim of right to the use of the waters of the Colorado River system or as an interpretation of any of the documents referred to above.

CONCLUSIONS

First. The amount of water proposed to be diverted by the Fryingpan-Arkansas project—69,000 acre-feet—cannot conceivably, under any of the existing compacts or treaties, affect the rights of other States in the Colorado River. In fact, the amount of water proposed to be affected in this particular bill is an insignificant portion of the water allotted to Colorado alone under these various agreements.

Second. It will be noted particularly that this is a self-contained project and that the passage of this project does not commit this Congress nor any other persons to any other project nor to an enlargement of this project at a future date. This project is, and it was intended to be, a completely self-contained unit and self-liquidating under the provisions of S. 300.

Third. The doctrine of prior appropriation which is the basis of the water rights laws of Colorado—and incidentally of most Western States—recognizes transbasin diversions, and gives no preference to in-basin use. Under the law of Colorado those who appropriate waters first, apply them beneficially, and perfect their rights under the statutes are entitled to priority and protection. This general principle is recognized throughout the Colorado River Basin as, for example, the Metropolitan Water District of Southern California for the service of Los Angeles and adjacent areas and the all-American canal to serve the Imperial and Coachella Valleys in California and Strawberry Valley and Provo River projects in Utah.

Fourth. The inclusion of the reservoir upon the western slope near Aspen of 28,000 acre-feet as a part of the project is a desirable complement to provide replacement storage in such case as this and is consistent with and compatible with Colorado law requiring the construction and operation of replacement storage in situations similar to this one. There are possibly a few individuals who will be affected adversely in the Aspen area by reason of condemnation of land for reservoirs and for rights-of-way. It is regrettable that this should occur but it is in full and complete conformity with the laws of condemnation and the landowners would, in any event, receive under the laws of the State of Colorado just compensation for the taking of their lands.

Fifth. There can be no question but that the water to be diverted is completely within the amount of water allocated to the State of Colorado by the various compacts referred to.

Sixth. As a part of the protection to the lower basin States the bill makes provision for a continuing study by the Secretary of Interior for the impairment of the quality of water flowing past Lee Ferry. Since the diversion contemplated under this bill would be less than 2 percent of the water allocated to Colorado, it is clear that the diversion contemplated in this bill could cause only an insignificant depletion of the quality of the water at Lee Ferry.

For these reasons, Mr. President, I respectfully urge passage of S. 300.

Mr. President, I again wish to pay tribute to my senior colleague [Mr. MILLIKIN] for the great work he has done in the development of this project and this measure authorizing it.

It should also be noted that without the diligent efforts of Frank Hoag, Jr., publisher of the Pueblo Star Journal and Chieftain; Charles J. Beise, counsel for the Water Development Association of Southeastern Colorado; Charles Boustead, president of the association; Harold H. Christy, director of the association; Damian P. Ducy, past president of the association; Ivan C. Crawford, director of the Colorado Water Conservation Board; and all of the thousands of people of the Arkansas Valley who have so long and ardently supported and worked for fruition of this dream, the Fryingpan-Arkansas project would still be on the drawing boards. I am pleased to have had the opportunity to work with all these dedicated people and earnestly urge all of my friends in the Senate to make those peoples' dreams come true by approving S. 300.

Mr. WATKINS. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield.

Mr. WATKINS. It is a fact, is it not, that all the water involved in this project will be used consumptively, and none of it will escape?

Mr. ALLOTT. I can say to the distinguished senior Senator from Utah that none of this water will escape from the State of Colorado.

Mr. WATKINS. I understand that in some projects involving production of power, much of the water involved is not used consumptively. But in this particular project all the water is to be used consumptively, so that there will be a complete use of it. Is that correct?

Mr. ALLOTT. That is correct. The enlargement of certain reservoirs, the erection of certain diversion dams, and certain conduits, and the erection of the Pueblo Reservoir will result in every drop of the water being used consumptively.

Mr. WATKINS. Is it not a fact that the citizens of the area have done all they can, within their means, to bring about the beneficial use of the water of that stream?

Mr. ALLOTT. Yes. If the Senator will excuse a personal reference, I have spent some 25 or 26 years working on the law of the river, and I am sure that every bit of water available is being put to consumptive and practical use at this time.

Mr. WATKINS. Mr. President, will the Senator from Colorado yield for a brief statement?

Mr. ALLOTT. I yield.

Mr. WATKINS. I should like to join my colleagues in a tribute to the senior Senator from Colorado. I have served with him on the Committee on Interior and Insular Affairs for nearly 10 years. I have served with him as a member of the Irrigation and Reclamation Subcommittee for about the same period of time. He has been a true friend of reclamation. He has understood it; he has worked zealously for it, and his efforts have been beneficial, not only to his own State, but to the entire West. He has had a broad, statesmanlike view and outlook on the development of the West; and he has encouraged and helped to put into effect many of the big reclamation projects in the western part of the United States. It has been a pleasure to work with him, and I am glad to join with my colleagues from other reclamation States in declaring that he is one of the greatest leaders in reclamation that the Senate of the United States has ever had.

I wish to say to the junior Senator from Colorado that he is generally regarded as well informed on this subject. He, also, is working zealously to help in connection with all these reclamation projects. He has not merely a State interest, but he has also an interest in behalf of the development of the water resources of the entire country.

I wish to pay tribute to the chairman of the committee, the Senator from New Mexico [Mr. ANDERSON]. He, too, is one of the great friends of reclamation, and under his leadership one of the greatest programs which has ever been authorized in the Congress has been authorized this very year. I have been very happy to have had the opportunity to work with him and with my other colleagues on the committee. We have worked together cooperatively and without rancor on these reclamation projects, and, as a result, I think we have established an outstanding record, which it will be difficult to equal.

Mr. ANDERSON. I thank the Senator from Utah.

Mr. President, I now yield 5 minutes to the junior Senator from California [Mr. KUCHEL], who is one of the most regular attendants on the committee and one of its best workers.

Mr. KUCHEL. Mr. President, originally some representatives of public authorities and water groups in California appearing before the Committee on Interior and Insular Affairs approved this proposed legislation. They offered amendments, a number of which were adopted. Thereafter, when the upper Colorado River measure was introduced, those representatives felt that to the people of my State there existed a very great hazard which required them to change their position with respect to the Fryingpan-Arkansas measure.

There came debate in the Senate with respect to the upper Colorado River measure. I stood here for the better part of 2 days opposing, as vigorously as I could, that proposed legislation. But the Senate overruled the position which I took and adopted the measure. The House did likewise at the President's urging, and it is now the law of the land.

Today, Mr. President, I can say that those same representatives of public agencies and water groups in California charged with the responsibility of providing water for the people whom I have the honor to represent have withdrawn their opposition to the measure now pending. It soon will, I know, be approved by the Senate.

I say, Mr. President, that there is no man in the Congress of the United States for whom I have a higher respect than I have for the senior Senator from Colorado [Mr. MILLIKIN]. I wish I had some of his magnificent facility of expression. I wish I had some of his keen mental ability to reach the core of legislative problems, and I wish I had the ability to express my views with the force which he has shown in expressing his in the years I have worked with him as my colleague. I pay my highest respects to a very great American, the senior Senator from Colorado.

Because I know how interested the junior Senator from Colorado is in this proposed legislation, I wish also to compliment him and the assiduous and effective manner in which he, too, represents his State. To both the Senators from Colorado I say best wishes to the able Senators of Colorado.

Mr. President, if I remain in the Senate of the United States, I very much wish to be constructive. I wish to assist Senators from the West and from other parts of the country in building up their own commonwealths. In those areas where the Government of the United States can constitutionally discharge a responsibility by way of assistance to them, I wish to the very maximum of my ability to be able to assist them in guiding their legislative designs through the Senate. And, as a Californian, born there as was his late dear father before him, I will solicit the friendly assistance of my brethren here in approving my own legislation in behalf of my own beloved California.

Mr. ANDERSON. Mr. President, I yield 3 minutes to the distinguished Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, I thank the Senator from New Mexico for yielding 3 minutes to me to speak on the project under consideration.

I rise from a feeling of deep sentiment. Some of my colleagues know that when I was a young man I lived in Colorado. My home was in the area where this project is being developed. I am happy, therefore, to express my enthusiasm over the development of an area in which I lived as a young man. I lived in Colorado Springs, where a shortage of water was then anticipated.

I have visited that region recently and have seen the large development which is taking place there. I asked my old friends, "How do you propose to solve the water problem?" When I lived there as a young lawyer we had to scratch all over the area to find the water we needed to take care of our own needs and the needs of irrigation. So it was that at an early date I became greatly interested in all the irrigation projects.

Now, I come to another matter of sentiment. One of my dearest friends in the Senate, the senior Senator from Colorado [Mr. MILLIKIN], has given a large part of his life and his efforts to constructive work designed to make the western section of our country more productive in a legitimate way by developing the water resources and thus making homes available for more people. I could not refrain, as I sat here and heard the discussion, from asking the Senator from New Mexico to yield me a few minutes in which to pay a tribute of sentiment concerning a place where I lived for so long—15 years—and also a tribute to the senior Senator from Colorado, who has been so kind to me. I thank GORDON ALLOTT, also, for the hospitality he showed me last summer when I was in Colorado.

I feel certain the junior Senator from Colorado will understand what I mean when I say that GENE MILLIKIN has been an inspiration to me since I came to the Senate. I thank him for the help he has given me, and also for the cordial welcome he extended to me when I returned to my home, which meant so much to me in my younger years.

This project is a great tribute to those who have brought it to this wonderful conclusion. Therefore, I am glad to add my words to those of other Senators who have spoken on the subject, and to say that I shall support the bill with the greatest enthusiasm.

Mr. KNOWLAND. Mr. President, will the Senator from New Mexico yield 2 minutes to me?

Mr. ANDERSON. I am glad to yield to the Senator from California, although the Senator has time of his own.

Mr. KNOWLAND. I control the time in opposition to the bill, but I happen to be for the bill. Therefore, I asked the Senator from New Mexico to yield to me in case there were Senators who wished to speak in opposition to the bill.

Mr. President, I rise in support of the measure. The reasons for the project and its importance to the great western region have already been discussed by the Senators from Colorado, the Senators from New Mexico, the Senators from Utah, and other Senators.

I wish to pay my tribute primarily to a great United States Senator, the senior Senator from Colorado [Mr. MILLIKIN], who during the period of his service in the Senate has taken a vital and close interest in the problems of reclamation.

not only as they affect his own State of Colorado, but also of the entire country.

I may say that as the minority leader of the Senate I have perhaps been able to observe more closely than any other Senator the daily interest which the senior Senator from Colorado has taken in the work of getting the bill to the floor of the Senate. His efforts have been persistent and constructive; and we now find the bill in a position, I hope, to be passed by an overwhelming vote of the Senate, due in no small part to the work he has carried on.

I pay tribute also to the distinguished junior Senator from Colorado [Mr. ALLOTT], who likewise has been vitally interested in the project and has followed it through its various parliamentary problems to the point of bringing it to this stage.

I compliment also the members of the Committee on Interior and Insular Affairs, who, without regard to partisanship, have viewed these various great reclamation projects not only on the basis that they mean much not only to the western section of the Nation, but also on the basis that what builds one section of our country will ultimately build and will be of constructive help to all sections.

I believe this project is another step, another milestone, in the building of a stronger and better America.

Mr. ANDERSON. Mr. President, I yield 2 minutes to the senior Senator from Wyoming.

Mr. BARRETT. Mr. President, I join with my colleagues in commending the great senior Senator from Colorado [Mr. MILLIKIN] for his splendid service to the people of that State and to the people of the entire West in bringing the bill before the Senate today. I feel certain the Senate will pass the bill unanimously and in the main as a tribute to the outstanding statesmanship of the senior Senator from Colorado.

I have known for many years of his leadership in the Senate in matters of reclamation and finance. I feel sure that the people of the Senator's State and the people of my State are most appreciative of his great work on behalf of reclamation in the Western States. His colleague the junior Senator from Colorado, GORDON ALLOTT, has performed outstanding service during the 2 years he has been a Member of the Senate.

I am very happy, indeed, that Senators on both sides of the aisle, both in the committee and in the Senate itself, are joining today in tribute to the people of Colorado because of the outstanding leadership of their senior Senator, GENE MILLIKIN.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from Wisconsin.

Mr. WILEY. Mr. President, I join with the distinguished Senators who have spoken in praise of the senior Senator from Colorado [Mr. MILLIKIN] for his building capacity. The bill itself is typical of the characteristics of the senior Senator from Colorado.

The bill will aid in developing the tremendous natural resources of that region. Anyone who develops natural resources has in mind taking what is there and building on it.

I notice, too, that it is said that the project will strengthen the national defense by providing an inland location having ample water for power purposes, and an ample labor supply for manufacturers of strategic materials. In addition, it will create additional playgrounds and additional recreational facilities.

Mr. President, it has been my pleasure and privilege to sit in the seat immediately in front of the distinguished senior Senator from Colorado. I have enjoyed him. I have enjoyed his quickness of logic and his keen understanding of the economic problems which confront the Government. I have learned much while sitting, literally speaking, at his feet. I am glad to characterize him as a builder—as one who builds straight, clean, and solid.

I am happy also to pay my respects to the distinguished junior Senator from Colorado [Mr. ALLOTT].

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from Oregon.

Mr. NEUBERGER. Mr. President, I rise to speak for the one section of the West which has been almost totally neglected by the present administration. When we shall have passed the Fryingpan-Arkansas bill today, Congress will have authorized approximately $1 billion worth of projects in the basin of the Colorado River. Congress has not authorized one new Federal start in the basin of the Columbia River.

The Colorado River carries down to the sea approximately 17 million acre-feet of water. The Columbia River carries down to the sea 180 million acre-feet of water.

In the basin of the Columbia River is approximately 42 percent of all undeveloped hydroelectricity in the United States.

Yet, Mr. President, whenever any of us from the Pacific Northwest come before the Congress and urge authorization of a new Federal start in the Columbia River Basin, we are advised by the administration that there is some reason why the project cannot be undertaken.

At Libby we find that the members of the international board appointed by the administration for that purpose cannot complete negotiations with Canada.

At John Day we are told that private utilities desire to take over the powerplant.

At Hells Canyon we are told that we should surrender the sites to the Idaho Power Co.

The result is that there are no new Federal starts in that part of our country where there exists the most water for power development, for irrigation, and for navigation.

I have told how the Columbia River Basin has over 40 percent of all the undeveloped water power in our country. The Columbia River is also the only navigable river penetrating the greatest mountain ranges of our country. Yet we cannot get authoritied new Federal starts in the Columbia River Basin.

There is only one reason why that cannot be done. The private utilities covet for their own the splendid sites on the Columbia River system, which, I repeat, carries down to the sea more water than does any other river capable of producing vast amounts of electric power in our country.

I just ask the Members of the Senate what would happen to Fryingpan-Arkansas, Upper Colorado, and Trinity in California, if the same captious and frivolous objections were raised against those projects that have been raised against our projects in the Pacific Northwest.

There is only one reason why we in the Pacific Northwest cannot secure authorizations, under this administration, for new projects. Over the origins of this reason we have no control, but is due merely to the generosity and beneficence of the Almighty. In the Pacific Northwest the power sites are so excellent and there is so much water available for power development that the private utilities want those sites. Therefore, hundreds of thousands of dollars have been invested in an effort to discourage Federal projects where the most power is available, and at the lowest unit cost.

Mr. President, I should like to read a few figures before I conclude:

> The administration has supported power facilities for the upper Colorado which will cost $469,715,000 with an average net annual output of 3,500 million kilowatt-hours of electricity; and for the Fryingpan-Arkansas project, power facilities costing $44,551,000 with annual output of 467,200,000 kilowatt-hours. But the power facilities at Hells Canyon would cost $270 million and produce in excess of 5 billion kilowatt-hours annually. Thus, Hells Canyon would produce about 1 billion kilowatt-hours more power than upper Colorado and Fryingpan-Arkansas combined, at a little more than half the cost.

Mr. President, I have said this for the RECORD because the RECORD should show what the facts are.

A few moments ago the distinguished minority leader said, and I hope I have written down his words exactly: "What builds one section of our country ultimately builds other sections of our country."

The distinguished minority leader was absolutely correct. I only wish he would recognize that the Pacific Northwest is also a part of our country, and under this administration the Pacific Northwest cannot obtain authorizations for its projects.

Mr. President, I am not a dog in the manger. I intend to vote for Fryingpan-Arkansas, as I have voted for Trinity and as I have voted for upper Colorado, even though our own part of the Nation has not secured authorizations for its projects.

I want to join in congratulating the Senator from Colorado [Mr. MILLIKIN] for the long and untiring effort which he has put forth for Fryingpan-Arkansas. He deserves great credit and commendation. I wish to say to him, in all candor, it is much more difficult for a person representing a section of the country which has not secured authorizations for its projects, to voice support of this project and to join in voting for it than it would be if he were from a more favored part of the Nation, which is having projects authorized by this administration.

Again I repeat, I think all of us in the West should stand together. There are various kinds of projects in the West. Some are more feasible than others. Some are less feasible than others. I regret that in the past year and a half the West has not stood together, but I repeat that I intend to vote for the bill today, because I believe every part of the West should be developed, not merely a few segments of the West. That shall continue to be my premise.

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield back the time that remains to me, on condition that the minority leader will do likewise.

Mr. KNOWLAND. Mr. President, if there are no requests for time to speak, I am prepared to yield back my time.

The PRESIDING OFFICER. All time has been yielded back.

The clerk will state the committee amendments.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the committee amendments are agreed to en bloc.

The committee amendments agreed to en bloc are as follows:

On page 3, line 7, after the word "than," to strike out "seventy" and insert "sixty"; on page 4, after line 17, to insert:

"(d) In conformity with the provisions of subsections (a), (b), and (c) of this section, the Secretary, prior to the delivery of project water supplies, shall have entered into a contract, or contracts, with 'organizations' as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which have the capacity to levy assessments upon all taxable real property located within their boundaries to assist in making repayments."

On page 5, at the beginning of line 1, to strike out "(d)" and insert "(e)", and on page 9, line 2, after the word "flow," to insert a semicolon and "nor shall the obligations of the State of Colorado under the provisions of the Arkansas River Compact (63 Stat. 145) be altered by any operations of the Fryingpan-Arkansas project," so as to make the bill read:

"Be it enacted, etc., That, for the purpose of supplying water for irrigation, municipal, domestic, and industrial uses, generating and transmitting hydroelectric power and energy, controlling floods, providing for the preservation and propagation of fish and wildlife and preserving and improving recreational opportunities, and for other useful and beneficial purposes, the Secretary of the Interior, acting pursuant to the Federal reclamation laws, act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto, as far as those laws are not inconsistent with the provisions of this act, and subject to the apportionments of the use of water fixed in the Colorado River Compact and the Upper Colorado River Basin Compact and to the terms of the Boulder Canyon Project Act, and to the terms of the United States-Mexico Water Treaty of 1944 (Treaty Series 994), is hereby authorized to construct, operate, and maintain the Fryingpan-Arkansas project, Colorado, in substantial accordance with the engineering plans therefor set forth in Senate Document No. 106, 82d Congress, 2d session, but with such modifications of, omissions from, or additions to the works therein described as the Secretary may, from time to time, find necessary or proper for accomplishing the objectives of the project.

"SEC. 2. (a) Contracts to repay that portion of the cost of the Fryingpan-Arkansas project which is allocated to irrigation and assigned to be repaid by irrigation water users (exclusive of such portion of said cost as may be derived from temporary water supply contracts or from other sources) shall be entered into pursuant to subsection (d), section 9, of the Reclamation Project Act of 1939 (53 Stat. 1187) and may provide that the general repayment obligation shall be spread in annual installments, which may be varied as to any required annual payment in the light of economic factors affecting the ability of the contracting organization to pay and of water supply and water requirement conditions, but in number and amounts satisfactory to the Secretary, over a period of not more than 60 years, which period shall be inclusive of any permissible development period, for any project contract unit or for any irrigation block, if the project contract unit be divided into two or more irrigation blocks.

"(b) Notwithstanding any provision of law to the contrary, net revenues derived from the sale of commercial power and from the furnishing of water for municipal, domestic, and industrial use shall first be applied to the amortization, with interest, of those portions of the actual cost of construction of the project which are allocated, respectively, to commercial power and to municipal, domestic, and industrial water supply and shall thereafter be applied to amortization of that portion of said actual cost which is allocated to irrigation but which is beyond the ability of the irrigation water users to return during the period hereinbefore specified. The interest rate on the unamortized balance of the commercial power and the municipal, domestic, and industrial water supply allocations shall be equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its long-term loans outstanding on the date of this act.

"(c) No part of the specific municipal water-supply systems described in Senate Document No. 106, 82d Congress, shall be constructed by the Secretary in the absence of evidence satisfactory to him that it would be infeasible for the communities involved to construct such works themselves, singly or jointly. In the event it is determined that such facilities are to be constructed by the Secretary, a contract providing, among other things, for payment of the actual cost thereof with interest and repayment period as hereinbefore provided, and as rapidly as is consistent with the contracting parties' ability to pay, and for assumption by the contracting party or parties of the care, operation, maintenance, and replacement of the works shall be a condition precedent thereto.

"(d) In conformity with the provisions of subsection (a), (b), and (c) of this section, the Secretary, prior to the delivery of project water supplies, shall have entered into a contract, or contracts, with "organizations" as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which have the capacity to levy assessments upon all taxable real property located within their boundaries to assist in making repayments.

"(e) No contract for a supplemental water supply for irrigation under this act shall contain any restrictions respecting the right to receive such supply based upon ownership of irrigable lands, nor shall the excess land provisions of the Federal reclamation laws be applicable to lands served by the Fryingpan-Arkansas project which now have an irrigation supply from sources other than a Federal reclamation project.

"SEC. 3. The Fryingpan-Arkansas project shall be operated under the direction of the Secretary of the Interior in accordance with the operating principles set forth on pages 20 to 23 of Senate Document No. 106, 82d Congress. The Secretary may appoint the two representatives of the United States to the Commission referred to in paragraph 17 of said principles and may adopt modification thereof upon the recommendation of the Commission: *Provided,* That such recommendations are made and adopted by said Commission in conformity to the provisions of paragraph 17 of said operating principles.

"SEC. 4. Any and all benefits and rights of western Colorado water users in and to water stored in the Green Mountain Reservoir, Colorado-Big Thompson project, as described, set forth and defined in Senate Document No. 80, 75th Congress, 1st session, shall not be impaired, prejudiced, abrogated, nullified, or diminished in any manner whatever by reason of the authorization, construction, operation, and maintenance of the Fryingpan-Arkansas project authorized by this act.

"SEC. 5. Any provision of law to the contrary notwithstanding, the project herein authorized shall be operated in such a manner that those in eastern Colorado using project water imported from the Colorado River Basin for domestic purposes shall have preference over those claiming or using the water for any other purpose.

"SEC. 6. The Secretary is authorized to plan, construct, operate, and maintain public recreational facilities on lands withdrawn or acquired for the development of the Fryingpan-Arkansas project, to conserve the scenery, the natural, historic, and archeologic objects, and the wildlife on said lands, and to provide for public use and enjoyment of the same and of the water areas created by these projects by such means as are consistent with the primary purposes of said project and to mitigate losses of and improve conditions for the propagation of fish and wildlife in connection with the development of the Fryingpan-Arkansas project. The Secretary is authorized to acquire lands and to withdraw public lands from entry or other disposition under the public land laws for the construction, operation, and maintenance of recreational facilities in connection with the said project, and to dispose of them to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance, upon such terms and conditions as will best promote their development and operation in the public interest. The costs, including the operation and maintenance costs of all said undertakings shall be nonreimbursable and nonreturnable under the reclamation laws, and funds appropriated for carrying out the authorization contained in section 1 of this act shall, without prejudice to the availability of other appropriated moneys for the same purpose, also be available for carrying out the investigations and programs authorized in this section.

"SEC. 7. (a) The use of water diverted from the Colorado River to the Arkansas River Basin through works constructed under authority of this act shall be subject to and controlled by the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, and the Mexican Water Treaty (treaty series 994), as hereinbefore provided, and shall be included within and shall in no way increase the total quantity of water to the use of which the State of Colorado is entitled and limited under said compacts, statute, and treaty, and every contract entered into under this act for the storage, use, and delivary of such water shall so recite.

"(b) All works constructed under authority of this act, and all officers, employees, permittees, licensees, and contractees of the United States and of the State of Colorado acting pursuant thereto, and all users and appropriators of water of the Colorado River system diverted or delivered through the works constructed under authority of this act and any enlargements or additions thereto shall observe and be subject to said compacts, statute, and treaty, as hereinbefore provided, in the diversion, delivery, and use

of water of the Colorado system, and such condition and covenant shall attach as a matter of law whether or not set out or referred to in the instrument evidencing such permit, license, or contract and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming and the users of water therein or thereunder by way of suit, defense, or otherwise in any litigation respecting the waters of the Colorado River system.

"(c) None of the waters of the Colorado River system shall be exported from the natural basin of that system by means of works constructed under authority of this act, or extensions and enlargements of such works, to the Arkansas River Basin for consumptive use outside of the State of Colorado, and no such waters shall be made available for consumptive use in any State not a party to the Colorado River compact by exchange or substitution or, as far as the same is controllable through the operation of works herein or hereafter authorized, by use of return flow; nor shall the obligations of the State of Colorado under the provisions of the Arkansas River compact (63 Stat. 145) be altered by any operations of the Fryingpan-Arkansas project.

"(d) No right or claim of right to the use of the waters of the Colorado River system shall be aided or prejudiced by this act, and the Congress does not, by its enactment, construe or interpret any provision of the Colorado River compact, the Upper Colorado River Basin compact, the Boulder Canyon Project Act, or the Mexican Water Treaty or subject the United States to, or approve or disapprove any interpretation of, said compacts, statute, or treaty, anything in this act to the contrary notwithstanding.

"SEC. 8. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act."

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass?

The bill (S. 300) was passed.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unanimous-consent agreement entered earlier in the day be modified so as to eliminate the provisions pertaining to the Fryingpan-Arkansas project, in view of the fact that action has already been concluded on that project.

The PRESIDING OFFICER. Without objection, it is so ordered.

UTE INDIANS OF THE UINTAH AND OURAY RESERVATION IN UTAH

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2456, Senate bill 3779, and I call the attention of the senior Senator from Utah to the motion.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3779) amending the act of August 27, 1954 (68 Stat. 868), with respect to the Uintah and Ouray Reservation in Utah.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. WATKINS. Mr. President, this measure is required by reason of the interpretations of an act passed a number of years ago, providing for the termination of the Government wardship of the Ute Indians in Utah. The original act divided them into two groups, full-blood Indians and Indians of less than full blood.

In carrying out the terms of that act, it was found necessary to have some clarifications made of the original act, and this bill has that purpose.

The act of August 27, 1954, provided for the partition and distribution of the assets of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah between the mixed-blood and full-blood members thereof, and for the termination of Federal supervision over the property of the mixed-blood members of the same tribe. It also provided for a development program for the full-blood members of the tribe.

It was intended that after the mixed-blood members had been separated from the tribe and proper distribution made of the tribal property the full-blood members would continue the tribal government under the constitution, bylaws, and charter previously adopted by the tribe pursuant to the Indian Reorganization Act of June 18, 1934.

On September 6, 1955, the Solicitor of the Department of the Interior in an opinion (M–36304) held that the determination of the full-blood membership of the tribe for the purpose of participating in the development program provided for in section 24 of the act of August 27, 1954, is controlled by the provisions of said act and not by the constitution and bylaws of the Ute Indian Tribe.

The opinion of the Solicitor was not in accordance with the understanding of the Ute Indians.

Therefore, it was necessary to change the law to conform to the constitution and bylaws of the Ute Indians.

Section 1 and section 2 of the bill amend the 1954 act in 2 places to make it clear that after the membership rolls of the mixed-blood and the full-blood groups have been prepared the full-blood roll will not be a closed one but will be subject to additions and deletions, for all purposes except the division of assets between the 2 groups, in accordance with the constitution of the tribe. Deceased full-blood members will have no inheritable interest in the tribal property, and newborn children will be added to the roll in their own right. This is the result that was originally intended by the act, because the full-blood group is not yet subject to a termination program, and until that time comes its roll should not be closed.

Section 3 of the bill exempts from corporate income taxes any corporation that may be organized by the mixed-blood group for the purpose of aiding in the joint managament with the tribe and in the distribution of the undivided assets of the tribe. The present act provides that the initial distribution of tribal assets—except interest earned on funds in the United States Treasury—to the members of the mixed-blood group shall not be subject to income taxes. This is proper because the distribution represents an original tribal capital asset. Certain tribal assets are not subject to division between the 2 groups, however, and the act provides that they shall remain in the undivided joint ownership of the 2 groups. In order to relieve the Government of the onerous obligation of distributing the income from this undivided property to the individual members of the mixed-blood group and their heirs and devises who may soon become numerous, the mixed-blood group proposes to organize a stock corporation for the sole purpose of holding the interests of the individual mixed-blood Indians in the undivided assets and distributing the income received. The corporation thus represents merely an interim step pending the ultimate division of the undivided assets. Inasmuch as the ultimate division and distribution of those assets will not be subject to income tax, we believe that it is proper to exempt the interim corporation that will be organized principally for the convenience of the Government from corporate income taxes.

I read now from page 2 of the report:

> In granting exemption from the Federal income tax to the corporation established under this bill, it is intended only to preserve the tax-exempt status of the distributions from the trust funds held by the United States Government on the principle that the corporation would merely act as a conduit for the transmission of funds received from the Government as to the members of mixed-blood group.
>
> It is anticipated that the corporation will distribute the funds as nearly currently as is possible and that it will not be used as a vehicle for the accumulation of further earnings or to give tax exemption to other forms of income.

Mr. President, the report on the bill also contains a letter from the Department of the Interior, indicating its approval of the bill; and approval of the bill by the Bureau of the Budget and by the Treasury Department is also indicated in the report.

I urge that the bill be passed.

The PRESIDING OFFICER (Mr. LAIRD in the chair). The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3779) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That section 5 of the act of August 27, 1954 (68 Stat. 868), is amended by adding at the end thereof the following sentence: "New membership in the tribe shall thereafter be controlled and determined by the constitution and bylaws of the tribe and ordinances enacted thereunder."

SEC. 2. Section 8 of said act of August 27, 1954, is amended by changing the period at the end thereof to a comma and by adding the following: "but this act shall not be construed as granting any inheritable interest in tribal assets to full-blood members of the tribe or as preventing future membership in the tribe, after the date of enactment of this act, in the manner provided in the constitution and bylaws of the tribe."

SEC. 3. Section 17 of said act of August 27, 1954, is amended as follows: After "except that" delete the word "any" and insert in lieu thereof: "any corporation organized by the mixed-blood members for the purpose of aiding in the joint management with the tribe and in the distrbution of unadjudicated or unliquidated claims against the United States, all gas, oil and mineral rights of every kind, and all other assets not susceptible to equitable and practicable distribution shall not be subject to corporate income taxes. Any".

Mr. WATKINS. Mr. President, I thank the distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON], for his courtesy in allowing the bill to be considered and acted on at this time.

Mr. JOHNSON of Texas. Mr. President, I thank the Senator from Utah for his usual cooperative attitude.

CERTIFICATION FOR CERTAIN AIR CARRIERS OPERATING IN HAWAII AND ALASKA

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3163) to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating in Hawaii and Alaska, which was on page 1 line 9, after "it" insert "or its predecessor in interest".

Mr. MONRONEY. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The amendment is a very slight perfecting one, to take care of a particular situation in which one of the local carriers in Alaska is in process of selling a route to another carrier. That is the only matter that would be affected by the House amendment.

The Senate Committee on Interstate and Foreign Commerce has considered the House action, and has agreed unanimously that the House amendment is a good one, and should be adopted.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma.

The motion was agreed to.

MERGER OF PRODUCTION CREDIT CORPORATIONS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2168, House bill 10285.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 10285) to merge production credit corporations in Federal intermediate credit banks, to provide for retirement of Government capital in Federal intermediate credit banks, to provide for supervision of production credit associations, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. HOLLAND. Mr. President, this is the Farm Credit Administration bill to merge production credit corporations in Federal intermediate credit banks, to provide for retirement of Government capital in Federal intermediate credit banks, and to provide for supervision of production credit associations, and for other purposes.

The Senator from Mississippi [Mr. STENNIS] indicated that he probably would have some suggestion for amendment of S. 3429, but not of this one.

Mr. STENNIS. That is correct. At this time I merely wish to ask some questions.

Mr. HOLLAND. Mr. President, I would like to insert in the RECORD at this point a brief explanation of this bill and the committee amendments to it. I ask unanimous consent for such insertion.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

SUMMARY OF H. R. 10285

The bill provides for the merger of the production credit corporation in the Federal intermediate credit bank in each of the 12 farm credit districts. The merged institution would still be known as the "Federal intermediate credit bank." The Government capital in the credit banks would then be retired over a period of years and the banks would thus become wholly owned by the production credit associations which are now largely farmer owned.

With minor exceptions, all assets, liabilities, and functions of the production credit corporations would be transferred to the credit banks on the effective date of the legislation. The banks would be required to provide the production credit associations with essentially the same kind of supervision and service now furnished by the production credit corporations.

The credit banks would issue two new classes of stock. Class A stock would be owned solely by the United States and would be substituted for the existing stock of the credit banks and production credit corporations, all of which is owned by the United States. Class B stock of the banks would be owned solely by the production credit associations and would be acquired by a specified initial purchase and by subsequent distributions of earnings of the banks as patronage refunds in the form of class B stock. Class A stock would be retired partly from funds derived from the initial sale of class B stock and, over a period of years, the balance would be retired from net earnings of the banks.

The bill provides a new method of distribution of earnings of the banks. After reserves, franchise taxes (same tax provision applies to land banks and banks for cooperatives), and dividends when applicable, net earnings would be distributed as patronage refunds in class B stock to production credit associations and an in participation certificates to other patrons of the banks.

The surplus and reserves of the banks on hand on the effective date of the new legislation would not be allocated and could not be paid out as patronage refunds. Upon liquidation, any such surplus and reserves remaining would be distributed to the holders of class A stock and class B stock pro rata (after the financing institutions, other than production credit associations, borrowing from the banks on the effective date of the act had participated to the extent that they had contributed to such surplus and reserves).

The bill contains a number of other amendments to existing law which, for the most part, are made necessary by the merger.

The committee amendments would have the effect of limiting the increase in the revolving fund available for capitalization of the Federal intermediate credit banks from $40 million to $70 million. As passed by the House, the bill would have increased this revolving fund to $100 million. Under the bill as thus amended the aggregate amount of the two revolving funds for the capitalization of the Federal intermediate credit banks and the production credit associations would be held at the present level of $130 million (now $40 million for Federal intermediate credit banks and $90 million for production credit). The Bureau of the Budget had questioned the need for an aggregate increase in these funds and your subcommittee, agreeing with the Bureau of the Budget, is of the opinion that the amounts provided in the amended bill are entirely adequate to meet the present and foreseeable credit needs of t ese farm credit institutions.

Mr. HOLLAND. Mr. President, in 1953 Congress passed the Farm Credit Administration Act of 1953. By means of that act, a completely new setup of the Farm Credit Administration was accomplished. A board of 13 directors was created, 12 of whom would come from the Farm Credit districts of the Nation—one from each of the 12 districts—and the 13th director would be named by the Secretary of Agriculture. The purpose of the bill was to accomplish as speedily as possible farmer ownership and control of the entire Farm Credit Administration.

The Senate will remember that before appointing the 12 members of the board who represent the 12 respective districts, the President received nominations from each of the three groups of local units in each district. So the President had considerable choice in making the appointments.

The President cooperated very fully with the program, by naming, from the nominees of the various Farm Credit Administration organizations, 12 of the directors, 1 from each of the districts. The Secretary of Agriculture named the 13th director.

In the 1953 act which accomplished that reorganization of the Farm Credit Administration, the Congress directed

the new board to work out as speedily as possible a program whereby farmer ownership and operation of each of the district institutions would be accomplished. The Senate will recall that the land banks in the various districts have been entirely farmer-owned since about 1947. They were the first ones to go entirely under farmer operation.

Last year—in 1955—the directors reported to the Congress a plan and program for accomplishing farmer ownership and operation of all the remaining portions of the Farm Credit Administration system. Congress checked very carefully on that 1955 recommendation, and accepted the part which pertained to the banks for cooperatives, but did not accept the part pertaining to the Federal intermediate credit banks and the production credit corporations. The Board of the Farm Credit Administration was directed to restudy the situation and to bring back a program this year for those organizations, and was also directed to carry the proposed program to the farm people of the country, by holding meetings in each of the districts and publicizing them, so that the farmer sentiment could be secured.

The Farm Credit Administration, after going through a long program of discussion and development of suggestions, came back to Congress this year, 1956, with the program which is embodied in the pending bill.

That program is to unite the Federal intermediate credit banks and the production credit corporations in each district into a single corporation and requires that 15 percent of the capital stock of the single new corporation shall immediately be subscribed by the production credit associations throughout the country, most of which have in the meantime become completely farmer-owned and operated.

I am happy to report to the Senate that, after a great deal of discussion, the bill as now reported, has been worked out on a basis which seems to be acceptable to all concerned, except that the Bureau of the Budget still has certain reservations, which I hope will be removed by one of the amendments which we plan to offer today.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. JOHNSON of Texas. Does the Senator anticipate any yea-and-nay votes on any of the amendments, or on the passage of the bill?

Mr. HOLLAND. I do not. I shall not ask for any. So far as the amendments which have been mentioned are concerned, the Senator from Florida is agreeable to them. He will offer one of them himself. Another will be offered by the Senator from Wyoming [Mr. BARRETT], for himself and other Senators, and has been agreed to by the committee and by the Directors of the Farm Credit Administration, and, so far as I know, there will be no occasion for any debate concerning it. I believe the amendments and the bill can be disposed of without a yea-and-nay vote.

Mr. JOHNSON of Texas. Does the same situation prevail with respect to the other agricultural bill which the Senator spoke to me about?

Mr. HOLLAND. The other bill involves no point at issue at all, except that my friend the distinguished junior Senator from Minnesota [Mr. HUMPHREY] had one reservation, which he covered by his separate statement incorporated in the committee report. I do not know whether he intends to offer an amendment.

Mr. JOHNSON of Texas. So far as the Senator from Florida is aware, there will be no yea-and-nay votes?

Mr. HOLLAND. So far as I know, there will be no yea-and-nay votes. However, on that point, I cannot control the situation, because the Senator from Minnesota may have a completely different idea. He may wish to have a yea-and-nay vote on his amendment.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. STENNIS. I wish to inform the Senator from Florida and the majority leader that I have an amendment to offer, which I hope the chairman of the subcommittee will be disposed to take to conference. I shall not ask for a record vote on my amendment, however.

Mr. HOLLAND. I think the Senator from Mississippi is addressing his present remarks to the second bill, which will come up later.

Mr. STENNIS. That is correct.

Mr. JOHNSON of Texas. May I inquire if the Senator from Minnesota wishes a yea-and-nay vote on his amendment?

Mr. HUMPHREY of Minnesota. I have no amendment to offer on this particular bill.

Mr. JOHNSON of Texas. Several Senators have inquired whether or not there is likely to be a yea-and-nay vote. The Senator from Florida says that the Senator from Minnesota has an amendment. I am asking the Senator from Minnesota if he anticipates asking for the yeas and nays on his amendment.

Mr. HUMPHREY of Minnesota. No; I do not.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. SCHOEPPEL. I should like to ask the distinguished Senator from Florida how many amendments he intends to offer on behalf of the committee before the bill will be open to amendments from the floor.

Mr. HOLLAND. The Senator from Florida was about to request unanimous consent of the Senate to have all the reported committee amendments agreed to, and have the resulting text regarded as original text, for purposes of amendment, to which the amendments referred to, or any other amendments any Senator wishes to offer, may be offered.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the text of the bill, as thus amended, be regarded as original text for the purpose of amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 5, line 22, after the word "to", to insert "$30,000,000 plus"; on page 8, line 11, after the word "at", to strike out "a"; and on page 17, line 17, after the word "to", to strike out "$1,000,000,000" and insert "$70,000,000."

Mr. SCHOEPPEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHOEPPEL. I should like to ask if the approval of the committee amendments will preclude the offering of an amendment in which the Senator from Kansas is interested. It is designated as "6-27-56-B."

The PRESIDING OFFICER. It will not.

The bill is open to amendment.

Mr. BARRETT. Mr. President, on behalf of the junior Senator from Iowa [Mr. MARTIN], the senior Senator from Iowa [HICKENLOOPER], the Senator from Nebrasaka [Mr. HRUSKA], and myself, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Wyoming will be stated.

The CHIEF CLERK. On page 4, beginning after the period in line 21 it is proposed to strike out over through the period in line 3 on page 5 and insert in lieu thereof the following:

Stock of each Federal intermediate credit bank held by the Secretary of the Treasury shall be transferred to the Governor who shall exchange such stock for an equal amount of class A stock of such bank. The Governor is authorized thereupon to reallocate the investment of the United States in such banks in such manner as he determines necessary to meet the needs of the respective banks. Any transfers of capital funds required as a result of such reallocation shall be made in four equal installments, the first of which shall be made on January 1, 1957, and one of which shall be made on the first day of each of the next succeeding 3 calendar years. Upon each such transfer of capital funds the Governor shall require an appropriate adjustment in the class A stock of each such bank.

Mr. BARRETT. Mr. President, let me make a brief explanation of my amendment.

Section 102 of this bill would authorize the Farm Credit Administration to reallocate the present capital stock of the Federal intermediate credit banks, all of which is owned by the United States. Under the plan proposed to be followed by the Farm Credit Administration, a portion of the capital in some of the banks would be transferred to other banks in order to put all banks on an equitable basis in relation to their volume of business. However, in order to minimize the effect upon the banks from which the capital will be transferred, this amendment would provide for the gradual transfer of the funds over a period of 3 years. This amendment would soften the effects of the transfer and give the banks which are losing capital time to adjust to the new capital base. Also, the amendment would not work a hardship upon any of the banks which need additional capital to support their volume of business.

I have discussed this amendment with the senior Senator from Florida [Mr. HOLLAND], and I hope he will accept the amendment and take it to conference.

Mr. HOLLAND. Mr. President, let me state first for the record just what the

situation is that calls for this particular amendment. Up to this time the Federal Government has had $5 million invested in the capital structure of each of the 12 banks.

There will not be required by the new institutions an equal amount of capitalization, because the volume of business in some of those banks is much greater than it is in others. So the proposed legislation, which has been discussed throughout the country and agreed upon generally, provides that the $5 million for each of the 12 banks, or $60 million in all, shall be redistributed by the Governor of the Farm Credit Administration among the 12 new institutions in proportion to their needs, or in proportion to their volume of business.

Some of the new institutions will be quite small from the standpoint of volume of business, and they will have to take a considerable reduction from the $5 million capital investment now in effect. They felt that it would be a hardship on them to have that redistribution accomplished at once, that is, on January 1, 1957. So the Senator from Wyoming and other Senators from similarly affected areas have brought up the question of postponement or gradualization of the redistribution of the invested capital of the United States Government over a period of 3 years, and in 4 payments, 1 distribution to be accomplished January 1, 1957; another in 1958; another in 1959; and the fourth in 1960.

The subject has been discussed at length with the directors of the Farm Credit Administration, and with all others concerned, and an agreement has been reached. This amendment would accomplish a gradual redistribution of the government capital in a way much fairer to the smaller institutions than would be an immediate redistribution.

I am advised by the Directors of the Farm Credit Administration, who have just left Washington after having been in the city for several days, that they agree to this change, which, after all, is not a change in principle, or in ultimate result. It simply stretches out over 4 payments the redistribution of the invested capital of the Government among the 12 institutions. I am agreeable to accepting the amendment, because it has been agreed to by the Farm Credit Administration.

Mr. BARRETT. I thank the Senator from Florida. I may say to him that I have been in consultation with Mr. Tootell, the Governor of the Farm Credit Administration. I am sure that the amendment will not be objected to. I may say that I made inquiry of the Farm Credit Administration, and they have confirmed the facts as outlined by the distinguished Senator from Florida. As I understand, about half of the 12 districts will receive reductions in their capital, and the other half will receive additions to their capital. Therefore, as a result, after a period of 3 years from next January, about half of the districts will have capital amounting roughly to $7½ million, and the other 6 districts will have their capital reduced to $2½ million. The Senator has agreed to accept the amendment, which will lead to a gradual reduction, and I do not believe that anyone will be particularly harmed by transferring capital from one district to another.

Mr. HOLLAND. I certainly hope that no one will be harmed, and I believe that will be the case. To the contrary, I believe that the smaller institutions will be benefited in the long run by the redistribution, because otherwise they would find it very burdensome to pay off the Government capital out of their small volume of business. The Senator knows that all of the Government capital must be retired before the purpose of the bill is finally accomplished.

Mr. BARRETT. That is correct.

Mr. HOLLAND. If the small institutions were left saddled with very heavy Government capital investments, they would take proportionately very much longer in paying back the Government capital.

The redistribution, therefore, really leaves new banks relatively equal burdens to carry in accordance with the volume of business they have.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to the Senator from North Dakota.

Mr. LANGER. Can the Senator tell me whether the committee was unanimous in reporting the bill?

Mr. HOLLAND. The committee was unanimous in reporting the bill.

Mr. LANGER. Is that true also of the second bill?

Mr. HOLLAND. That is true of the second bill also, although my distinguished friend the Senator from Minnesota [Mr. HUMPHREY] filed supplemental views, without withdrawing his approval of the bill. I believe that is correct.

Mr. HUMPHREY of Minnesota. That is correct. I supported the bill. However, there are two amendments which I felt I should offer to the bill, and which I believe will be helpful. However, I felt that the objectives of the bill were so worthy that I could not do anything but support the bill.

Mr. HOLLAND. Mr. President, the bill passed the House by virtually a unanimous vote. I believe only three votes were cast against the bill out of the entire membership of the House. Therefore the program seems to have worked out with almost universal acceptance and accord.

Mr. STENNIS. Will the Senator yield?

Mr. HOLLAND. I yield.

Mr. STENNIS. Mr. President, first I wish to thank the Senator from Florida and the other members of the subcommittee for the work they have done on this important measure. It is proposed legislation of a kind that is very important to the agricultural areas of the Nation.

I remember when the Farm Credit System was first established. At that time I was connected in a small way with a small-town bank. I was rather skeptical about the program and about what it would accomplish.

However, I have been highly gratified over the years to note the splendid work which has been done by the farm-credit agencies. I now look with a great deal of caution on any proposed change in the law. In the beginning I was inclined to oppose this bill. However, the Senator from Florida and other Senators have talked to me at great length about the various provisions of the bill. They have studied it and they have stated with such unanimity that it is a sound measure that I am willing to go along with it.

I wish to ask the Senator very briefly a few questions to make certain that I understand the purposes of the bill.

I understand that the proposed act will not directly affect the local production credit associations in any way, except that it will permit them to purchase stocks in the intermediate credit banks, and, therefore, eventually give the production credit associations and their farmer members ownership and control of the Federal intermediate credit banks. Is that correct?

Mr. HOLLAND. The Senator is correct. The stock of the new institutions brought about by the merging of the intermediate credit banks and the production credit corporations will be owned entirely by the production credit associations, which are composed of farmers, as the Senator knows.

Mr. STENNIS. Mr. President, I should like to ask one further question.

Mr. HOLLAND. May I elaborate?

Mr. STENNIS. I wish the Senator would.

Mr. HOLLAND. No function is destroyed. The new institution, which combines the two presently existing institutions, will have all the powers and all the functions of the two institutions that now exist. They will be able to save substantially in reduced overhead costs. They will not have to have two presidents and two other high officials on every level, but, instead, they will have only one.

Mr. STENNIS. I believe we should be certain that the proposed legislation will not adversely affect the supervision and assistance which the production credit associations and farmer members now receive from the production credit corporations, and that they will still have access to the revolving funds to supplement needed capital when necessary. Will the Senator from Florida comment on that?

Mr. HOLLAND. They will have access to the revolving fund. It is specifically provided in the proposed act that as the Government's capital is retired by purchase by the production credit associations, after the Government has received back its investment in the production credit corporations and $30 million of its investment in the credit banks, the balance will go into the revolving fund, which remains permanently available for the purchase of stock in the customary way in the event the new bank gets into difficulties.

Mr. STENNIS. The House-passed bill provided for a $100 million revolving fund. As I understand, the committee amendment reduces that amount to $70 million. Is that correct?

Mr. HOLLAND. That is correct. We did that because we wanted to keep it

at the present level. We felt that since the purpose of the bill is to provide for the retirement of Government capital we should not increase the revolving fund.

We are asking the Government to yield its right to $62 million worth of surplus, and that yielding is accomplished by the bill. We are asking the Government to yield in other respects, because of its interest in getting the ownership and operation of this concern out of the Government and into the hands of the people who are being served by it.

However, we did not feel that we would be justified in asking the Government to earmark additional funds for possible reinvestment as would have been accomplished if the revolving fund had been made $160 million, instead of $130 million, as it is under the pending bill.

Mr. STENNIS. I should like to ask another question. In the interest of hedging against the time when these agencies might need larger revolving funds for shoring up their resources, because of increased cost of production and high capital investment required in present-day farm operations, what would be the situation with reference to meeting this need?

Mr. HOLLAND. The situation would be this: First, there would be access to the surpluses, which would still be in the hands of the banks. Second, if that were used up, there would be access to the revolving fund. If that were used up, we must not forget that the Government would still be the controlling factor, because these banks could not be liquidated without a special act of Congress permitting it. The Government keeps them under the Farm Credit Administration, which will always have the supervision of them.

The Farm Credit Administration is still this close to the Department of Agriculture, that one of its directors is always named by the Secretary of Agriculture.

Therefore, the salutary purposes of keeping these institutions in such a position will be that they will benefit from Government advice, and Government help will be maintained. The other very great benefit of having the ownership passed to the people who are affected will be conveyed by the pending bill.

I invite the Senator's attention to the fact that already the land banks are fully farmer-owned and that already, by legislation which we passed last year, we have accomplished the same objective with reference to the banks for cooperatives, except that they will take a little while to finish retirement of Government capital. Already 440 of the production credit associations, which are the ones nearest home, are completely farmer owned. So, this measure will complete the objective to which Congress addressed itself in 1953 when it declared for farmer ownership, farmer control, and farmer interest, the vital interest which comes from ownership and control.

Mr. STENNIS. I thank the Senator for his fine answer. But I should like, if I may, to put my question in another way. In case there is distress to these credit agencies, the recommendations which the committee makes are based on the assumption that Congress, in light of new circumstances, could still come to their aid with additional revolving funds or such added capital as might be necessary.

Mr. HOLLAND. The Senator is entirely correct.

Mr. STENNIS. I believe the Senator said he thought this bill, if enacted, would strengthen these associations financially; did he not?

Mr. HOLLAND. It would strengthen them financially, and also make them decidedly more economical in operation. Of that fact there can be no doubt.

I may say to the Senator that it is a very fine administration which has been going on with respect to the Federal land banks, one in each district entirely owned by the farmers and operated by them, and a fine administration which is going on in the banks for cooperatives. All those things indicate it is wise to take this last remaining step and to entrust the farmers of the United States themselves with primary responsibility for the operation of this huge credit structure which has meant so much to them and which we think will mean even more to them when they themselves are clothed with greater responsibility for administration and management.

Mr. STENNIS. Mr. President, I thank the Senator from Florida very much for his fine work and for his explanation of the bill.

I am particularly interested in the New Orleans Farm Credit District which serves the State of Mississippi. The total net worth of the Federal Intermediate Credit Bank in this district for December 31, 1956, is estimated to be $8,148,498, and for this same time the total net worth of the Production Credit Corporation is estimated to be $3,018,631, or a combined total net worth for the two amounting to $11,167,129.

I understand that after the merger, on January 1, 1957, the net worth of the Federal Intermediate Credit Bank will be increased to $13,852,129. Mr. President, I have a table which gives a detailed breakdown of the net worth of the Production Credit Corporation and the Federal Intermediate Credit Bank in the New Orleans district and the breakdown of net worth before and after merger. I should like to have this table printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

New Orleans Farm Credit District—Estimated net worth, Dec. 31, 1956

Federal Intermediate Credit Bank:	
Capital stock	$5,000,000
Earned surplus	3,148,498
Total net worth	8,148,498
Production Credit Corporation:	
Capital stock	2,020,000
Reserves	998,631
Total net worth	3,018,631

Estimated net worth, Federal Intermediate Credit Bank after merger, Jan. 1, 1957

Capital stock:	
From FICB	$7,685,000
From PCC	1,710,795
From PCA's:	
Subscription	927,615
Paid in 2 years	618,410
First payment	309,205
Total capital	9,705,000
Surplus:	
From FICB	3,148,498
From PCC	998,631
Total surplus	4,147,129
Total net worth	13,852,129

Mr. HOLLAND. Mr. President, no Member of the Senate has been more interested in the stabilization of the situation of our farmers than has the distinguished Senator from Mississippi. I realize that he has been properly concerned about this matter, and I can say to him, from the very depths of my own conviction, that this measure is in the interest of the farmers. If I did not think so, I would not favor it.

Mr. STENNIS. I appreciate the Senator's judgment, and I thank him for his fine work.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. BARRETT] on behalf of himself and other Senators.

The amendment was agreed to.

Mr. SCHOEPPEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHOEPPEL. Mr. President, is the bill open to further amendment?

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. SCHOEPPEL. Mr. President, I call up my amendment designated "6-27-56-B," and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Kansas will be stated.

The CHIEF CLERK. On page 23, line 21, it is proposed to strike out all after "101" down to and including line 7 on page 24, and insert in lieu thereof the following: "the words 'production credit corporations'; and from sections 302 and 303 the words 'production credit corporations.'"

Mr. SCHOEPPEL. Mr. President, I wish to be perfectly frank. I have offered this amendment by reason of the position which I understand the Budget Bureau has taken with reference to certain sections of the bill.

Each of the 12 Federal intermediate credit banks is now controlled by a board of directors consisting of 5 directors elected by private farm organizations and 2 directors appointed by the Government. Twelve of the 13 members of the Farm Credit Board, which supervises the banks on behalf of the Government, are nominated by the some organizations represented on the boards controlling the banks. Boards composed largely of members appointed by and representing private interests cannot be expected

to and are not fully responsive to Presidential direction and control.

In view of the foregoing, budget control remains the only effective authority possessed by the President and the Congress which can be utilized to assure that the Government's substantial financial interests—$82 million in capital investment plus large contingent liabilities—are protected and that the banks' operations are conducted efficiently and economically and in conformity with law and public policy. If this control is removed, the Government will remain responsible for the banks, but the President and the Congress will be deprived of the authority necessary to carry out this responsibility—indeed, they will lack the advance information necessary to determine what policy or other issues there may be which they might wish to act upon.

The Senate committee report justifies removal of budget control solely on the basis of the precedent of the Federal land banks and banks for cooperatives which were classified as mixed-ownership corporations and, therefore, not made subject to the budget provisions of the Government Corporation Control Act at the time it was enacted in 1945. No reference is made to the fact that when Congress enacted legislation in 1950 and 1954 to provide for retirement of Government capital in the Federal Savings and Loan Insurance Corporation and the Federal National Mortgage Association, it retained budget control over those corporations even though they had been converted to a status comparable to that of corporations classified as mixed-ownership in the Control Act. The status of the Federal intermediate credit banks, after enactment of H. R. 10285, will be much more akin to that of the Federal National Mortgage Association than the Federal land banks.

Unlike the Federal intermediate credit banks, the Federal land banks, except for the depression years, have been substantially privately capitalized institutions and retired all of the Government-owned capital stock in 1947. There would be no serious objection to the removal of budget control when and if the Federal intermediate credit banks attain the present status of the Federal land banks which have now retired all of the Government capital.

A strong case can be made for bringing the banks for cooperatives under budget control. The Government at present owns almost 90 percent of the capital stock in these banks. The House Appropriations Committee as early as 1947 urged that the banks for cooperatives, and other similar "mixed ownership" corporations, be brought under budget control. The committee pointed out that the Government's financial stake in these corporations "is such that to leave them free of this control is to leave a segment of the Government's business interests (which could result in heavy drains on the public purse) without the close supervision by the Congress which can only be obtained through annual budget review."

Mr. President, I wish to say, quite frankly, that I am interested in this measure. In checking the membership of the Senate, I am absolutely certain that there is an overwhelming desire to pass the measure, especially in view of the fact, as I understand, that the senior Senator from Florida will offer an amendment that goes to at least a portion of the budgetary control, as he will later explain. Because of the importance of the measure—I know it is important—I ask unanimous consent to withdraw my amendment at this time.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Kansas is withdrawn.

Mr. HOLLAND. Mr. President, I very much appreciate the action and the attitude of the distinguished Senator from Kansas. The Director of the Budget is concerned because he felt that in striking the intermediate credit banks entirely from the budget provisions of the Government Corporation Control Act, as amended, we were moving too fast; that we were taking away the Government budgetary supervision, when the Government was still almost entirely the owner of the institutions.

The committee considered that question and discussed it with the directors of the Farm Credit Administration. We think that is a point to be considered carefully, but we think that point can better be met by an amendment which I shall submit in a moment, and which will put the action in this case, if the amendment shall be adopted, on a quite comparable basis with what was done last year with reference to the banks for cooperatives.

The Senator from Kansas will remember that last year, when legislation was passed for the bank for cooperatives, 12 percent of the stock was farmer-owned and 88 percent was Government-owned. Of course, a provision was included whereby, year after year, the Government stock would be bought by the farmer-owners.

If there should be included in the bill the amendment which I am about to propose, the operation would be in this fashion: until the farmers had actually bought and paid for 15 percent of the capital stock, the budgetary supervision of the Government now existing would be continued.

As the Senator will recall, the measure requires that in the beginning the production credit associations must subscribe for 15 percent of the capital stock, but they are given three payments in which to accomplish the purchase—1 payment to be made next January 1, 1 payment to be made January 1, 1958, and 1 payment to be made January 1, 1959.

So the amendment which has been prepared provides that until the last payment has been completed, and until 15 percent of the Government stock has been retired and has actually become farmer-owned, the present budgetary supervision of the Government will continue.

That means that whereas we took that action in the case of the bank for cooperatives when only 12 percent of the stock was privately owned, we postponed the date of elimination of Federal budgetary control in this case until 15 percent has been actuallly paid for in full. The committee felt that that was a fair way to deal with the situation, by reason of several facts, the main one of which was that these institutions are larger and they deal in a larger annual volume of business than do the banks for cooperatives. Therefore it was felt that to require 15 percent actual ownership, fully paid for, was comparable with the 12 percent ownership which was required in the case of bank for cooperatives.

The amendment has been approved by the directors of the Farm Credit Administration and it was approved by the committee, as the Senator will recall, the day before yesterday. I shall submit it as an amendment by myself, but with the explanation to the Senate that the committee has agreed to my offering it.

Mr. SCHOEPPEL. I thank the Senator from Florida. As I indicated a while ago, I felt there should be a detailed explanation in the RECORD, pointing out some of the reasons why the Bureau of the Budget took this position.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Kansas will state it.

Mr. SCHOEPPEL. Do I understand that the amendment I offered has been withdrawn?

The PRESIDING OFFICER. The Senator from Kansas withdrew his amendment, which he had a right to do.

Mr. HOLLAND. Mr. President, I now offer my amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Florida will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 24, line 3, it is proposed to strike the word "act" and insert in lieu thereof the word "subsection."

On page 25, line 2, after the numeral "1", it is proposed to strike out "next following its enactment" and insert in lieu thereof "1957, except subsections (a) and (b) of section 201, which shall become effective January 1, 1959."

Mr. HOLLAND. Mr. President, I have already described the operation of the amendment. I hope it will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Florida [Mr. HOLLAND].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 10285) was read the third time and passed.

Mr. CLEMENTS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMPROVEMENT OF CREDIT FACILITIES FOR FARMERS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2563, S. 3429.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3429) to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Farm Tenant Act, and for other purposes.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Agriculture and Forestry with amendments, on page 3, line 1, after the word "units", to insert "whose time is primarily devoted to operating such units, and who have historically resided on a farm and engaged in farming as their primary occupation"; on page 4, after line 3, to strike out:

(g) Section 12 (c) is amended by striking item (5) thereof and inserting in lieu thereof a new item (5) reading as follows:

"(5) Loans insured under this section shall not be in excess of the amount certified by the county committee to be the fair and reasonable value of the farm."

At the beginning of line 10, to strike out "(h)" and insert "(g)"; at the beginning of line 17, to strike out "(i)" and insert "(h)"; in line 21, after the word "of" where it appears the first time, to insert "90 per centum of"; at the beginning of line 24, to strike out "(j)" and insert "(i)"; on page 5, line 3, after the word "farmers", to insert "on farms of not more than family size"; in line 9, after the word "fulfill", to insert "No such loans shall be made to an applicant whose total indebtedness is in excess of the amount certified by the county committee to be the value of the real estate and the reasonable value of the applicant's livestock and farm equipment, unless the aggregate of the outstanding indebtedness shall be adjusted so as to be within such values"; on page 6, at the beginning of line 9, to insert "(2) less than family type units" and insert "who live on units which are less than family-type units, whose time is primarily devoted to operating such units, and who have historically resided on a farm and engaged in farming as their primary occupation"; on page 8, line 4, after the numeral "(1)", to strike out "Compromise" and insert "compromise"; in line 5, after the word "of", to insert "claims of $15,000 or more must be effected by reference to the Secretary of the Treasury or to the Attorney General pursuant to the provisions of section 3469 of the Revised Statutes (31 U. S. C. 194)"; at the beginning of line 9, to insert "(2) compromise, adjustment, or reduction of"; at the beginning of line 15, to strike out "(2) Releases" and insert "(3) releases"; on page 9, at the beginning of line 11, to strike out "(3)" and insert "(4)"; at the beginning of line 15, to strike out "(4)" and insert "(5)"; in line 21, after the word "no", to insert "known", so as to make the bill read:

Be it enacted, etc., That the Bankhead-Jones Farm Tenant Act, as amended, is further amended as follows:

(a) The following sections of title I of the Bankhead-Jones Farm Tenant Act, as amended, are further amended as follows:

Section 1 (a) is amended by striking from the second sentence thereof the words "to assist borrowers under this title in making the" and inserting in lieu thereof the words "or insured for" and by striking the word "their" preceding the words "farming operations."

(b) Section 1 (b) is amended by inserting after the word "only" in the first sentence the words "farm owners", by striking the words "(including owners of inadequate or underimproved farm units)" and by inserting in lieu of the words "the major portion" the words "a substantial portion."

(c) Section 1 (c) is amended to read as follows:

"No loan shall be made, or mortgage insured, unless the farm is a family-type unit of such size as the Secretary determines to be sufficient to enable the family to carry on successful farming of a type which the Secretary deems can be carried on successfully in the locality in which the farm is situated: *Provided, however*, That (1) loans may be made to veterans or mortgages insured for veterans, as defined in section 1 (b) (2) hereof, who have pensionable disabilities, with respect to farm units of sufficient size to meet the farming capabilities of such veterans and afford them income which, together with their pensions, will enable them to meet living and operating expenses and the amounts to become due on their loans; and—

"(2) loans may be made or mortgages insured to owner-operators who live on units which are less than family-type units, whose time is primarily devoted to operating such units, and who have historically resided on a farm and engaged in farming as their primary occupation to repair or improve such farm units and to refinance indebtedness against such farm units if such farms are of sufficient size to produce income which, together with income from other sources, will enable them to meet living and operating expenses and the amounts to become due on their loans."

(d) Section 2 (b) is amended by striking from the first sentence thereof the word "the" preceding the word "rates" and inserting in lieu thereof the word "reasonable", and by striking the words "(but not exceeding the rate of 5 per centum per annum)." The second sentence of said subsection is amended by striking the period at the end thereof and inserting a comma and the following "except that, for loans under either part of the proviso in section 1 (c) of this title, the certification shall be based on the normal market value of the farm."

(e) Section 3 (a) is amended to read as follows:

"SEC. 3. (a) Loans made under this title shall not be in excess of the amount certified by the county committee to be the value of the farm less any prior lien indebtedness, and shall be secured by a first or second mortgage or deed of trust on the farm."

(f) Section 12 (b) is amended by striking the figure "$100,000,000" and inserting in lieu thereof figure "$125,000,000".

(g) Section 12 (e) is amended by striking from the last sentence of item (2) the words "to carry out the provisions of this title, relating to mortgage insurance" and by inserting in lieu thereof the words "of the Farmers' Home Administration and may be transferred annually to that administrative expense account and become merged therewith".

(h) Section 16 (a) is amended by inserting in the first sentence thereof before the word "mortgages" the words "or second" and by adding the following sentence at the end of said subsection: "Loans insured under this section shall not be in excess of 90 per centum of the amount certified by the county committee to be the value of the farm, less any prior lien indebtedness."

(i) The following new section 17 is added:

"SEC. 17. Until June 30, 1959, the purposes for which loans may be made or insured under this title shall include the advance of funds for refinancing secured or unsecured indebtedness of eligible farmers on farms of not more than family size who are presently unable to meet the terms and conditions of their outstanding indebtedness and are unable to refinance such debts with commercial banks, cooperative lending agencies, or other responsible credit sources at rates and terms which they could reasonably be expected to fulfill. No such loans shall be made to an applicant whose total indebtedness is in excess of the amount certified by the county committee to be the value of the real estate and the reasonable value of the applicant's livestock and farm equipment, unless the aggregate of the outstanding indebtedness shall be adjusted so as to be within such values. The total amount of loans insured in any one fiscal year under this section shall not exceed $50,000,000."

SEC. 2. Title II of the Bankhead-Jones Farm Tenant Act, as amended, is further amended by striking the words "Production and Subsistence Loans" in the title and inserting in lieu thereof the words "Operating Loans", and by the amendment of section 21 to read as follows:

"SEC. 21. (a) The Secretary may make loans to farmers and stockmen who are operators of family-type farms and who are citizens of the United States for the purchase of livestock, seed, feed, fertilizer, farm equipment, supplies, and other farm needs, the cost of reorganizing the farming enterprise or changing farming practices to accomplish more diversified or more profitable farming operations, the refinancing of existing indebtedness, and for family subsistence: *Provided, however*, That loans may be made to operators who live on units which are less than family-type units, whose time is promarily devoted to operating such units, and who have historically resided on a farm and engaged in farming as their primary occupation if the farm unit is of sufficient size to produce income which, together with the income from other sources, including pensions in the case of disabled veterans, will enable them to meet living and operating expenses and the amounts due on their loans.

"(b) No loan shall be made under this section for the purchase or leasing of land or for the carrying on of any land-purchase or land-leasing program. No loan may be made to any one borrower under this section which would cause the total principal amount outstanding to exceed $10,000: *Provided, however*, That an amount not to exceed 10 per centum of the sum made available by annual appropriation for loans under this title may be used for making loans to borrowers which would cause such indebtedness to exceed $10,000 but in no event may any loan be made which would cause such indebtedness to exceed $20,000.

"(c) The terms of loans under this section, including any renewal or extension of any such loan except as provided in subsection (d) hereof, shall not exceed 7 years from the date the original loan was made.

"(d) No person who has failed to liquidate his indebtedness under this section for 7 consecutive years shall be eligible for loans hereunder: *Provided, however,* That in justifiable cases where the Secretary finds that the inability of a borrower to repay his indebtedness under this section within 7 years is due to causes beyond the control of the borrower, the Secretary may extend or renew such loans to be repayable in not to exceed 10 years from the date the original loan was made, and during such extended term may make additional loans to such persons, if necessary."

SEC. 3. Except insofar as they affect title III of the Bankhead-Jones Farm Tenant Act, as amended, the following sections of title IV of the Bankhead-Jones Farm Tenant Act, as amended, are further amended as follows:

(a) Section 41 (g) is amended to read as follows:

"(g) Compromise, adjust, or reduce claims and adjust and modify the terms of mortgages, leases, contracts, and agreements entered into or administered by the Farmers Home Administration under any of its programs, as circumstances may require: *Provided, however,* That—

"(1) compromise, adjustment, or reduction of claims of $15,000 or more must be effected by reference to the Secretary of the Treasury or to the Attorney General pursuant to the provisions of section 3469 of the Revised Statutes (31 U. S. C. 194);

"(2) compromise, adjustment, or reduction of claims shall be based on a reasonable determination by the Secretary of the debtor's ability to pay and the value of the security and with or without the payment of any consideration at the time of such adjustment or reduction;

"(3) releases from personal liability may also be made with or without the payment of any consideration at the time of adjustment of claims against—

"(A) borrowers who have transferred the security property to other approved applicants under agreements assuming the outstanding secured indebtedness; and

"(B) borrowers who have transferred their farms to other approved applicants under agreements assuming that portion of their outstanding indebtedness against the farm which is equal to the value of the farm at the time of the transfer, and borrowers whose farms have been acquired by the Secretary, in cases where the county committees certify and the Secretary determines that the borrowers have cooperated in good faith with the Secretary, have farmed in a workmanlike manner, used due diligence to maintain the security against loss, and otherwise fulfilled the covenants incident to their loans, to the best of their abilities;

"(4) no compromise, adjustment, or reduction of claims shall be made upon terms more favorable than recommended by the appropriate county committee established pursuant to section 42 of this act; and

"(5) any claim which has been due and payable for 5 years or more, and where the debtor has no assets from which the claim could be collected and has no apparent future debt payment ability, or is deceased and has left no estate, or has been absent from his last known address for a period of at least 5 years, has no known assets, and his whereabouts cannot be ascertained without undue expense, may be charged off or released by the Secretary upon a report and favorable recommendation of the employee of the Administration having charge of the claim: *Provided, however,* That claims involving a principal balance of $150 or less may be charged off or released whenever it appears to the Secretary that further collection efforts would be ineffectual or likely to prove uneconomical."

(b) The first sentence of section 42 (a) is amended by inserting after the word "county" in each of three places the words "or area."

(c) Section 43 (d) is amended by striking the words "as family-size farms."

(d) Section 44 (a) (3) is amended by striking the word "the" as it appears before the word "rates" and inserting in lieu thereof the word "reasonable" and by striking the words "(but not exceeding the rate of 5 percent per annum)," and section 44 (c) is amended by inserting before the word "rates" the word "reasonable" and by striking the words "(but not exceeding the rate of 5 percent per annum)."

(e) Section 51 is amended to read as follows:

"SEC. 51. The Secretary is authorized and empowered to make advances to preserve and protect the security for, or the lien or priority of the lien securing, any loan or other indebtedness owing to, insured by, or acquired by the Secretary under any programs administered by the Farmers' Home Administration; to bid for and purchase at any foreclosure or other sale or otherwise acquire property pledged, mortgaged, conveyed, attached, or levied upon to secure the payment of any such indebtedness; to accept title to any property so purchased or acquired; to operate for a period not in excess of 1 year from the date of acquisition, or lease such property for such period as may be deemed necessary to protect the investment therein; to sell or grant rights-of-way or easements over such property; and to sell or otherwise dispose of such property in a manner consistent with the provisions of section 43 of this act. Any advance or expenditures under this section with respect to any insured loan or insured mortgage shall be paid out of the mortgage insurance fund."

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I announce for the information of the Senate the possibility of the consideration of the following bills either tomorrow or Saturday:

Calendar No. 2408, Senate Joint Resolution 182, to extend the time for filing the final report of the Commission on Government Security to June 30, 1957, and for other purposes;

Calendar No. 2420, S. 4076, to provide for the appointment of the chief legal officers of certain departments in the executive branch by the Persident, by and with the consent of the Senate;

Calendar No. 2470, H. R. 11995, to provide that the 1955 formula for taxing income of life insurance companies shall also apply to taxable years beginning in 1956;

Calendar No. 2471, H. R. 6595, to amend certain provisions of law relating to the estate tax;

Calendar No. 2472, H. R. 9083, to amend the Internal Revenue Code of 1954 to extend the period of amortization of grain-storage facilities.

Calendar No. 2523, S. 3832, to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, Ohio;

Calendar No. 2524, S. 3868, to extend the Export-Import Bank Act of 1945, as amended;

Calendar No. 2546, H. R. 11873, to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects;

Calendar No. 2544, H. R. 5337, to amend the provisions of the Perishable Agricultural Commodities Act of 1930 relating to practices in the marketing of perishable agricultural commodities;

Calendar No. 2543, H. R. 9333, to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manufacturers;

Calendar No. 2555, H. R. 5838, to provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range;

Calendar No. 2558, S. 4960, to amend section 607 of the Postal Field Service Compensation Act of 1955, to include employees in the motor vehicle service;

Calendar No. 2559, S. 3941, relating to certain mining claims which were eligible for validation under the act of August 12, 1953, but which were not validated solely because of the failure of the owners to take certain action to protect their claims within the prescribed period;

Calendar No. 2560, S. 3508, to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota;

Calendar No. 2561, H. R. 6501, to amend the act of July 17, 1914, to permit the disposal of certain reserve mineral deposits under the mining laws of the United States;

Calendar No. 2562, S. 4039, to encourage the discovery, development, and production of manganese-bearing ores and concentrates in the United States, its Territories, and possessions, and for other purposes;

Calendar No. 2565, Senate Resolution 309, providing additional funds for the Committee on the Judiciary; and

Calendar No. 2566, Senate Resolution 303, increasing the limit of expenditures for conducting a study by the Committee on the Judiciary of juvenile delinquency in the United States.

All these bills have not been cleared with the distinguished minority leader, and they will not be called up until they have been cleared. But it may be that we will be able to proceed to consider some of them. It is expected that the judges' bill will be made the unfinished business as soon as action has been completed on the pending bill. They we will go over until tomorrow, when the judges' bill will be considered.

I had hoped it would be possible to take up the customs simplification bill or the social security bill or the Sobeloff nomination perhaps on Saturday or early on Monday.

I again remind all Senators that it is the intention of the leadership to conclude this session of Congress as early as possible. We have had a long, productive session of achievement, but several important measures still remain to be acted upon.

We are in the last days of the session. We shall come here early and stay late. At least 1 day, and perhaps 2 days, next week will be taken up with the Hells Canyon project. The social security bill will take some time. The customs simplification bill will take some time. The mutual security appropriation bill will take some time.

No leadership has ever had more cooperation than the present leadership of the Senate has had; but I remind Senators that for at least the next week or two it will be necessary for us to come here early in the morning and stay late in the evening. I hope Senators will forego their social engagements in an attempt to cooperate, so that the business at hand can be concluded.

NIAGARA POWER

Mr. LEHMAN. Mr. President, on Friday, June 29, there appeared in the Watertown Times, Watertown, N. Y., an editorial entitled "Niagara Power Realism." The editorial reemphasizes the pressing need for the earliest possible start on the construction of this great hydroelectric development, in order that low-cost publicly developed power may be made available to alleviate the serious power shortage current in northwestern New York.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NIAGARA POWER REALISM

The Power Authority of New York and the Niagara Mohawk Power Corp., are making headway over the impasse that has gone on for 6 years over the public development of the Niagara water power. The House Public Works Committee has been holding hearings on the Lehman bill calling for public development of the Niagara.

This morning the Public Works Committee voted 18 to 16 to recommend that the State power authority undertake the development. It now goes before Congress.

Thursday the Niagara Mohawk Co. was charged with pulling the rug out from under its four private utility partners which were to be a part of the combination that would build the power plant if the private utilities were victorious in the fight. Similarly, the power corporation was charged with pulling the rug out from under the issue of private versus public power, an issue which some of the Public Works Committee would prefer to fight out to the bitter end, regardless of how long the redevelopment of the Niagara would be delayed.

The general counsel for the Niagara Mohawk said that he and his company had taken a calm, deliberate, and careful look at the legislative picture before determining on a course of compromise with the State power authority. Mr. Martin termed himself and presumably his company as being "pragmatic realists." Under the circumstances, he said, "We've got to come a long way to a reasonable solution."

Why is the power corporation realistic? The principal reason is that its Schoellkopf generating station at Niagara Falls was ruined on June 7 by a rockslide. The prospect of replacing this station by the private corporation is most remote. It is remote because the corporation has no assurances that its Federal Power Commission license would be renewed when it expires 15 years from now. The cost of replacing the Shoellkopf station could hardly be amortized in 15 years without a tremendous adjustment upward in power rates. Furthermore, no regulating authority would permit a public utility such vast amortization over so short a time.

Niagara Mohawk has immediate problems, namely, those of continuing service to the many cutomers who were shut off when the rock-slide occurred. That station was producing 365,000 kilowatts when it was destroyed. It was the biggest single installation of the Niagara Mohawk system. Niagara Mohawk has come to the conclusion that the public need for the power is so acute, as a result of the destruction of its own plant, that this hardly the time to become involved in continuing the public versus the private power argument.

It is possible to read today such comments as those made by Congressman BUSH, Republican, of Pennsylvania, a member of the committee, who said that Niagara Mohawk had put every other private operator on the spot. Congressman GENTRY, Democrat, of Texas, said that the surrender of Niagara Mohawk marked the last stand of private enterprise. Congressman GORDON SCHERER, Republican, of Ohio, said that Niagara Mohawk had "pulled the rug out from under those of us in Congress who have fought for private power against public power." These are comments of men who care less about the kilowatts and more about who produces the kilowatts.

Public development of Niagara under some kind of compromise between the private utility and the Power Authority of New York would make a pretty good deal for Niagara Mohawk. The private corporation proposes that it would go along with the $400 million public development if the power authority would turn over to the private utility for 50 years all the electrical power that 20,000 cubic feet of water flowing through the Niagara River would produce. The Schoellkopf station has been using 20,000 cubic feet of Niagara flow in the past. That in essence means that Niagara Mohawk would get approximately 365,000 kilowatts without any capital investment in the construction of a new plant. Furthermore, the price of the kilowatts would probably be lower than what the power company could sell them for if it were to build a new plant.

The private corporation still is dead against the preference clause which Senator LEHMAN has insisted upon and is a part of the legislation as passed by the Senate. However, when questioned closely on this point, Mr. Martin, of the power company, would not commit himself as to whether he would want a bill with a preference clause or no bill at all covering the redevelopment of Niagara.

The Public Works Committee in its decision today supports the preference clause as contained in the Lehman bill passed by the Senate.

The final condition that the power company asked for is a payment to the city of Niagara Falls in lieu of taxes so that the tax revenue of the city of Niagara Falls would not be reduced because of the destruction of the Schoellkopf plant.

All along this newspaper has supported the public redevelopment of Niagara, the incorporation in the redevelopment program of a preference clause, and has been critical of the delays which have plagued the legislation ever since it was first presented 6 years ago. Here, however, is an opportunity to end the issue once and for all, an opportunity to start speedily on the absolute necessity of redeveloping Niagara. One can't help but be sympathetic to the tragic loss of the power corporation as a result of the rockslide. On the other hand, because of the loss, the corporation has been forced to withdraw its previous opposition to the power authority's plans for Niagara.

Now let the Congress pass quickly the Niagara bill so that work may start on actual construction this fall.

PUBLIC POWER BILLS

Mr. LEHMAN. Mr. President, on July 5, the well-known and highly regarded author and columnist, Mr. Thomas L. Stokes, wrote an article entitled "Democrats Push Two Public Power Bills." In this article he shows the great discrepancy between the cost of power in Canada and the cost of power in all the urban and agricultural areas of the Northeast, notably New York, Pennsylvania, and Ohio.

It is a most interesting article, which points out, for instance, that the average home in Toronto used 368 kilowatt-hours a month at a cost of only $3.81, while in Rochester, N. Y., only 100 kilowatts cost $4.36. In Windsor, Canada, 200 miles from Niagara Falls, the average home used 286 kilowatt-hours a month at a cost of only $3.65, compared with New York City, where the average home paid $4.44 for only 100 kilowatt-hours.

Mr. President, I ask unanimous consent that the very interesting article be printed in full in the body of the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEMOCRATS PUSH TWO PUBLIC-POWER BILLS

(By Thomas L. Stokes)

WASHINGTON, July 5.—Once again the Democratic Party in Congress has decided to seize upon and project further the vision first glimpsed by a Republican President half a century ago, Theodore Roosevelt, and transformed into reality on several fronts by two of its own Presidents, Franklin D. Roosevelt and Harry S. Truman.

This is the public development of our great river systems for reclamation, navigation, and production of hydroelectric power which has been stifled by the Eisenhower administration.

Instead, the present administration has devised something it calls "the partnership policy," which, in most cases, would mean that great unutilized waterpower sites would be handed over to private power companies to exploit for fancy profits through high rates charged the consumers for electricity.

In no other area has the Eisenhower administration surrendered so supinely to big business and finance with which the vast utility monopoly is intertwined. Luckily for consumers, this attempted handout has been dramatized by an inconsistency that even a schoolboy can understand.

This is the way the administration readily lends the financial support of our Government, either directly or through the international bank, to build great dams in India, Egypt, Israel, Latin America, and other parts of the world while it forbids any such for our own people.

Luckily also, there is Congress and there is the Democratic Party that controls it and is looking for issues in this election year. It has found its opportunity in two areas of greatest undeveloped potential—one in the Northwest, one in the Northeast—and the leadership has pushed bills for each forward in the last few weeks.

One is the Pfost-Morse bill for Hells Canyon, which has been approved in the last several days by the Interior Committees of both House and Senate and now is on the calendar in both branches for final action.

This measure would authorize Federal construction of a high dam across the Snake River along the Oregon-Idaho border at Hells Canyon as recommended by the Army engineers. It was their verdict that this is the best way to utilize all the potentials of the Snake River for flood control, recreation, and production of hydroelectric power and the only way to carry out the overall plan for integrated development of the Columbia River system at which they have been working for 30 years.

By passing this bill, Congress would annul the administration scheme, originally pushed by former Secretary of Interior Douglas Mc-

Kay and rubber-stamped by the Federal Power Commission, that called for private development through three low dams by the Idaho Power Co., a Maine corporation, absentee-owned.

This would fail to utilize all the potential at Hells Canyon, and also would force consumers, including industry, to pay much higher rates than under public development. Already the Idaho Power Co. has started preliminary work on one of the low dams, and the Hells Canyon Association, composed of consumers, farmers, and labor organizations, is trying to stop construction by a suit in the Federal courts here in Washington.

The other project, that in the Northeast, is the $440 million redevelopment of the Niagara River to produce 1,500,000 kilowatts of power.

This is not a Federal enterprise but would be developed by the New York Power Authority, a State agency, under terms of the Buckley-Lehman bill which passed the Senate in mid-May and was recently reported favorably to the House by its Public Works Committee.

As to the Niagara project President Eisenhower has taken the position that it was up to New York to decide how it should be developed. An alternative before Congress was a bill, authorizing development by five private companies, which once passed the House but now is supplanted by the State development measure.

Public development through the New York State Power Authority is envisaged by the sponsors as a means of providing low-cost electricity over a wide area, including Pennsylvania and much of Ohio as well as New York.

Rates in New York now are much higher than across the border in Canada. In 1952, for example, the average home in Toronto used 368 kilowatt-hours a month at a cost of $3.81, while in Rochester 100 kilowatts cost $4.36. Or compare Windsor, Canada, 200 miles from Niagara Falls, where the average home use was 286 kilowatt-hours a month at a cost of $3.65, with New York City, where the average home paid $4.44 for only 100 kilowatt-hours.

So the comparison goes across the border wherever you choose to pick your samples. New York rates have been increased still further since 1952.

Both the Niagara and Hells Canyon developments are sound, self-liquidating enterprises. The savings by the economic operation possible in each would mean much to the consumer's budget in this era of high living costs.

There seems no reason why a great country such as ours could not do as much for its people in reducing electric utility costs as does Canada, where public development of its water resources is so long established that it is taken for granted as the only sensible way.

RELIEF OF CERTAIN ALIENS

Mr. KNOWLAND. Mr. President, on June 13 I gave notice of a motion to reconsider the votes by which the joint resolution (H. J. Res. 472) for the relief of certain aliens was passed. I have discussed this matter with the distinguished chairman of the Judiciary Committee, the Senator from Mississippi [Mr. EASTLAND], with the ranking minority member of the committee [Mr. WATKINS], and with the majority leader.

I now ask unanimous consent that the votes by which House Joint Resolution 472 was ordered to a third reading, read the third time and passed be reconsidered, for the purpose of moving to reinstate the two names of Constantine George Kaltsoyannis and Jose Cristiano Vieira, which had been originally stricken, but which on later information, the Senator from Mississippi and the Senator from Utah now believe should be reinstated.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and the votes are reconsidered.

The joint resolution is before the Senate and open to amendment.

Mr. KNOWLAND. Mr. President, I ask unanimous consent to reconsider the votes whereby amendment No. 2, on page 1, line 4, to strike out "Constantine George Kaltsoyannis" and amendment No. 4, on page 1, line 7, to strike out "Jose Cristiano Viera" were agreed to and that the amendments be rejected.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendments are rejected.

The joint resolution is open to further amendment.

Mr. LANGER. Mr. President, may we have an explanation of the joint resolution?

Mr. KNOWLAND. Mr. President, in further explanation of the joint resolution relating to Constantine George Kaltsoyannis, the report of the House committee accompanying House Joint Resolution 472 shows that the beneficiary is a 42-year-old native and citizen of Greece, who last entered the United States on September 19, 1953, as a visitor, for the purpose of soliciting financial support from the Greek people here for the construction of a tourist resort in Greece. However, since his entry in the United States the beneficiary's office was destroyed by earthquake. He is an architect by profession, and is employed by a firm of architect engineers. The beneficiary's sister resides in the United States, and he assists her financially——

Mr. LANGER. I am familiar with the case. It is not necessary for the Senator to proceed any further.

The PRESIDING OFFICER. The joint resolution is open to further amendment.

If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the joint resolution.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution (H. J. Res. 472) was read the third time, and passed.

IMPROVEMENT OF CREDIT FACILITIES TO FARMERS

The Senate resumed the consideration of the bill (S. 3429) to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Farm Tenant Act, and for other purposes.

Mr. HOLLAND. Mr. President, the pending business is Senate bill 3429, which contains a considerable number of amendments and simplifications and additions to the Bankhead-Jones Farm Tenant Act, designed to improve credit facilities available to farmers.

This measure has been pending a long time. A great many other bills which cover some of the same territory were considered by the subcommittee, and finally by the full Committee on Agriculture and Forestry.

For the information of Senators whose bills were not reported, but who will find that some provisions of many of them were incorporated in the pending bill, I should like to say that Senate bills 1199, 2961, 3034, 3035, 3184, 3185, 3247, 3293, 3374, 3429, 3559, 3790, and 3850 all dealt with some of the same field covered by S. 3429 and they were all considered. They were rather voluminous, and were considered in subcommittee meetings, and in meetings of the full committee.

Senate bill 3429 has been reported in lieu of the House bill, which is H. R. 11544, because there are quite a number of differences, some of them small and some of them sizable, between the thinking of the committee of the House and the thinking of the committee of the Senate.

When we have perfected the Senate bill, it is my intention to ask that the House bill be considered and then that the Senate bill, as amended, be substituted for the House bill, so that the whole matter may be in conference.

Mr. President, the following is a purposely brief statement of the purposes and objectives of the bill:

Senate bill 3429 would expand loan operations under the Bankhead-Jones Farm Tenant Act. The principal purposes of the bill are, first, to provide until June 30, 1959, for farm mortgage loans to refinance existing secured or unsecured indebtedness.

Mr. President, let me say that it seemed to us that one of the greatest needs in connection with present legislation is machinery for the refinancing of existing farm indebtedness.

The second objective of the bill is to provide for farm improvement, repair, and refinancing loans on less than family-size farms.

The third objective of the bill is to permit aggregate operating loans up to $20,000 in a limited number of cases.

I should say that this limitation is one based upon the total amount appropriated, rather than a limit in number. Not to exceed 10 percent of the annual appropriations for the use of this corporation can be used for the larger aggregate loans.

The fourth objective of the bill is to permit farm ownership loans for above-average-value family farms.

The fifth objective of the bill is to raise the annual loan insurance authorization by $25 million.

The sixth objective of the bill is to broaden the authority of the Secretary to compromise claims and to deal with the security.

Mr. President, the Senate will remember that two additional objectives were covered by the Senate in the passage of earlier proposed legislation. The House saw fit to incorporate that proposed legislation in the House bill on this subject. So those matters will be in conference, although they are not included in the Senate bill. Those two matters were, first, the extension for 2 years of the present law effecting economic emergency loans; and, second, the raising of the total of such loans from $15

million—the present total aggregate limit—to $50 million. In the House bill, the corresponding limit is $65 million. So there will be in conference the whole range of loans from $15 million, the present limit, up to $65 million, as now provided in the House bill.

Mr. President, in order to avert the necessity of making an extensive detailed explanation of the bill, I ask unanimous consent to have incorporated in the RECORD at this point as a part of my remarks the section by section analysis which is found in the committee report on the bill, beginning on page 2, and ending on page 6.

There being no objection, the excerpt from the report (No. 2526) was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

The bill is divided into three sections which treat respectively of: (1) Farm-ownership loans, (2) production and subsistence loans, and (3) loan servicing and compromise authority.

FARM OWNERSHIP LOANS

Section 1 deals with farm ownership loans.

Subsection (a) would permit loans "for improvements to adjust farms to changing conditions" to be made to any eligible applicant. At present such loans can be made only to existing borrowers.

Subsection (b) would amend the definition of eligible borrowers to include (A) "farm owners" (in place of "owners of inadequate or underimproved farm units"—since refinancing loans and loans to adjust to changing conditions would not be restricted to owners of underimproved units) and (B) individuals obtaining "a substantial portion" (instead of "the major portion") of their income from farming. The latter change is recommended because the bill provides for loans to farmers on less than family-type farms who have supplemental income. It is not intended that the income from a garden, a cow, and a few chickens will be considered substantial, but on the other hand, the committee realizes that earnings from off-farm employment, at least for temporary periods, might constitute the major portion of the income of a farmer who takes such employment.

Subsection (c) would permit loans for repairs, improvements, and refinancing to owner-operators living on less than family-type units if, with the aid of supplemental income, they can meet the loan and their living and operating expenses. The committee amendment to this subsection is intended to restrict these loans to bona fide farmers, rather than to encourage urban workers with rural residences to enter into competition with farmers in the production of commodities. H. R. 11544 uses somewhat different language to accomplish a similar purpose. H. R. 11544 restricts such loans to bona fide farmers dependent during 1 of the last 10 years on farm income and conducting substantial farming operations. The committee believes its language preferable since it would exclude persons who have abandoned farming, but may have farmed during 1 of the last 10 years, as well as persons who conduct substantial farming operations as a hobby or other nonprimary pursuit. H. R. 11544 also would permit refinancing under this subsection only of indebtedness incurred for agricultural purposes, while S. 3429 would permit refinancing only of indebtedness against the farm unit.

Subsection (d) would prohibit farm ownership loans to applicants who are able to obtain loans from other sources at "reasonable rates" (rather than at rates not exceeding 5 percent as now provided) and permit loans to be made on the basis of normal market value (instead of normal earning capacity) in the case of loans on other than family-size farms. The corresponding subsection of H. R. 11544 would make only the latter change, and then only with respect to smaller than family-size farms since H. R. 11544 does not provide for larger than family-size farms.

Subsection (e) would permit farm mortgage loans to be made on family-type farms having a value in excess of the average value of efficient family-sized farms in the community. H. R. 11544 does not contain a similar provision.

Subsection (f) would permit loans to be insured in any one fiscal year for an aggregate of $125 million (instead of $100 million).

Subsection (g) of S. 3429 as introduced would have permitted insurance of loans made for the full value of the farm as certified by the county committee in accordance with the applicable value formula (instead of 90 percent of such value). Direct loans for the full value are now permitted, but the committee felt that this policy should not be expanded, and consequently recommends striking subsection (g). The committee felt that it will generally be better both for the borrower and the Government if the borrower is required to put some of his own money into his farm. H. R. 11544 did not have a provision similar to subsection (g), but did contain a provision amending section 12 (c) (5) of the act for technical reasons. The committee does not believe that the House provision is necessary to accomplish its purpose and the existing law can only be construed to have the same effect as it would if amended by the House provision.

Subsection (g) (subsection (h) as introduced) would provide for use of one-half of the mortgage insurance premiums for general expenses of the Farmers' Home Administration (instead of for administration of provisions relating to mortgage insurance as now provided), thereby eliminating the need for separate recordkeeping and annual appropriation act provisions to accomplish this purpose.

Subsection (h) (subsection (i) as introduced) would permit second mortgages to be taken on insured loans (as is now permitted in the case of direct loans, but not in the case of insured mortgages or insured loans), the loan not to exceed 90 percent of the certified value of the farm less the prior lien indebtedness. As introduced the bill would have permitted such insured loans to be made for the full certified value, less the prior lien indebtedness. For the reasons mentioned in recommending deletion of subsection (g) of S. 3429 as introduced, the committee recommends a 90 percent of value limitation on this subsection.

Subsection (i) (subsection (j) as introduced) would authorize farm-mortgage loans to be made or insured under the provisions of title I during the period ending June 30, 1959, for the purpose of financing existing secured or unsecured indebtedness of farmers unable to refinance at terms which they can reasonably be expected to meet. Direct refinancing loans would be limited by available appropriations. Insured refinancing loans would be limited to $50 million annually. The committee recommends that this subsection be amended to include language of H. R. 11544 which would specifically restrict these loans to family-size farms and to farmers whose total debt does not exceed the value of the farm, livestock, and equipment. The phrase "less any prior lien indebtedness not to be refinanced," which was contained in the House provision is omitted from the language recommended by the committee however. Since such indebtedness is already taken into account as part of the applicant's total indebtedness taking it into account, separately, a second time would give it double weight, which was not intended. As pointed out in the House committee report on H. R. 11544 insured loans for refinancing would be limited to 90 percent of the farm value. Under S. 3429, which permits insurance of second mortgages, such insured mortgages would be limited to 90 percent of the farm value, less the amount of any prior lien. Direct loans for refinancing are not subject to this limitation.

OPERATING LOANS

Section 2 of the bill, which deals with production and subsistence loans, would change the title "Production and Subsistence Loans" to "Operating Loans" (considered as more apt nomenclature), and would amend section 21 of the Bankhead-Jones Farm Tenant Act in the following respects:

Subsection (a) would be amended to limit operating loans to operators of family-type farms, or to operators of less than family-type farms who have adequate supplemental income to meet the loan and their living and operating expenses (such loans having been so limited historically through administrative regulation). The committee recommends further amendment of this subsection, similar to the committee amendment to section 1 (c) of the bill to restrict such loans to bona fide farmers. H. R. 11544 would restrict these loans to bona fide farmers in the same manner H. R. 11544 restricts farm ownership loans to bona fide farmers.

Subsection (b) would be amended to (1) permit 10 percent of the amount appropriated for operating loans each year to be used for loans increasing the aggregate indebtedness of the borrower above the present limit of $10,000, but not above $20,000, and (2) remove the present limit of $7,000 on initial loans. H. R. 11544 would increase the maximum initial loan to $9,000 and the maximum indebtedness to $15,000.

Subsection (c) would be amended only to insert a reference to subsection (d).

Subsection (d) would be amended to permit loans to borrowers who for causes beyond their control have failed to repay their loans within 7 years to be extended or renewed for not to exceed 10 years from the date the original loan was made, and would permit new loans to be made during such extended term. H. R. 11544 limits such additional loans, extensions, and renewals to farmers in disaster areas (natural or economic) who have been prevented by natural causes from making timely repayment. The extended period would be limited to the number of years for which the area has been a disaster area. The committee felt that the House provision does not adequately take care of the situation, since family situations and other matters besides natural causes in disaster areas may prevent able, diligent farmers from making timely payment. Subsection (d) would further be amended to make the prohibition on loans to persons who have failed to liquidate their indebtedness within the maximum period inapplicable to indebtedness incurred prior to November 1, 1946. No loans were made under section 21 of the Bankhead-Jones Farm Tenant Act prior to that date, so the provision of subsection (d) which would be repealed by the bill has been construed to extend section 21 (d) to loans made under prior authority, and serviced or collected by the Farmers' Home Administration. Repeal of this language would remove these loans from the purview of section 21 (d).

SERVICING AND COMPROMISE

Section 3 of the bill deals with the compromising or servicing of loans.

Subsection (a) would amend section 41 (g) of the act to—

(1) Extend the compromise authority (now applicable to agreements under the act) to all agreements administered by the Farmers' Home Administration (such as those made under the disaster loan revolving fund authority of Public Law 38, 81st Cong.,

12 U. S. C. 1148a, and the Water Facilities Act);

(2) Increase to $15,000 (from $10,000) the maximum claim which may be compromised by the Secretary of Agriculture without reference to the Secretary of the Treasury or the Attorney General. This committee amendment limiting this increase to $15,000 follows the provision of H. R. 11544;

(3) Permit the release of operating loan borrowers and insured loan and insured mortgage borrowers who transfer the security property to purchasers who assume the secured indebtedness (as is now provided for direct borrowers who transfer their farms to applicants assuming the indebtedness to the Secretary);

(4) Permit the release of insured loan and insured mortgage borrowers (in addition to direct borrowers) who transfer their farms to purchasers who assume the secured indebtedness to the extent of the value of the farm (instead of the earning capacity value since loans to borrowers having supplemental income could be made under the bill on the basis of market value);

(5) Remove the limit ($100 under the act, $1,000 under Public Law 518, 78th Cong., 12 U. S. C. 1150) upon claims which may be charged off or released upon a finding of specified facts showing collection to be improbable, and slightly increase the requirements as to the facts to be found. (The committee recommends insertion of the word "known" in this provision to conform to the corresponding provision of H. R. 11544 and permit chargeoff or release of claims against a debtor whose whereabouts are unknown and who has no "known" assets); and

(6) Increase to $150 (from $10) the limit on claims which may be charged off or released upon a finding that further collection efforts would be ineffectual or uneconomical.

Subsection (b) would amend section 42 (a) of the act to provide for the use of "county or area committees" (instead of "county committees") in administering the act. H. R. 11544 provides for the use of committees for counties or areas "within a county." In many cases the most satisfactory administrative area might include parts of more than one county, so that your committee believes the language of S. 3429 to be preferable.

Subsection (c) would amend section 43 (d) of the act to authorize sale by the Secretary of less than family-size farms to individuals eligible for farm ownership loans (NOTE.—Section 3 (c) of the bill amends section 43 (d) of the act by striking out "as family-size farms." Section 43 (d), by its terms, requires the sale, as surplus property, of certain lands not suitable for sale "as family-size farms," and thereby prevents their sale on long-term credit under section 43 (a). The lands to which section 43 is applicable by its terms have been entirely or substantially disposed of, but section 43 is incorporated by reference in section 51 of the act, which deals with the sale of property acquired to secure payment of loans).

Subsection (d) would amend section 44 (a) (3) of the act to prohibit the making or continuation of farm ownership or operating loans to applicants who are able to obtain loans from other sources at reasonable rates (rather than at rates not exceeding 5 percent as now provided). H. R. 11544 does not contain this provision.

Subsection (e) would amend section 51 of the act to—

(1) Extend section 51 of the Bankhead-Jones Farm Tenant Act, which deals with mortgage servicing authority, to all insured loans (including those in lenders' hands) and loans under all programs administered by the Farmers' Home Administration (the only programs not now covered by such authority being credit sales accounts on water conservation and utilization projects transferred to the agency by the Soil Conservation Service and special emergency loans made pursuant to Public Law 727, 83d Cong.).

(2) Permit the Secretary to sell or grant rights-of-way or easements over any security property acquired by the Secretary; and

(3) Permit advances or expenditures with respect to insured loans or insured mortgages to be paid out of the mortgage insurance fund.

Mr. HOLLAND. Mr. President, I believe what I have stated covers, in general, the purposes and objectives of this very vital piece of proposed legislation. I think there is no proposed legislation which has been introduced and has been pending before the Senate this year which is of greater importance to farmers who are in difficulty, farmers who are finding it hard to live or to refinance or to get new loans, or to improve their houses, or to improve their farm buildings, or to do many of the other things that are permitted under the terms of the bill—which, frankly, is a very comprehensive liberalization of the existing provisions of the present Bankhead-Jones Farm Tenant Act.

Mr. AIKEN and Mr. LANGER addressed the Chair.

The PRESIDING OFFICER (Mr. HUMPHREYS of Kentucky in the chair). Does the Senator from Florida yield; and if so, to whom?

Mr. HOLLAND. I yield first to the ranking minority member of the committee, the distinguished senior Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. I thank the Senator from Florida.

Mr. President, I wish to compliment the Senator from Florida and the other members of his subcommittee and other Senators who have worked very diligently in getting the bill into shape.

Probably our major farm problem of today is helping the million and a half families who at the present time are attempting to make a living on farms, many of them uneconomic farms, under adverse conditions. I think this bill will go a long way—probably not all the way, but quite a long way—toward alleviating the position in which those persons find themselves.

I am sure the Senator from Florida has worked very hard and very fairly on the bill; and I am glad to see the bill acted upon at this time on the floor of the Senate.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator from Vermont.

In order that the credit may go where it is due, let me state that the other members of the subcommittee were the Senator from North Carolina [Mr. SCOTT], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Kansas [Mr. SCHOEPPEL], and the Senator from South Dakota [Mr. MUNDT].

Mr. AIKEN. Yes. My remarks were intended to apply to all the members of the Senator's subcommittee.

Mr. HOLLAND. I realize that. I thank the distinguished Senator from Vermont, on behalf of all members of the subcommittee. I wanted their names to appear at this point in the RECORD.

Mr. LANGER. Mr. President——

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Florida yield to the Senator from North Dakota?

Mr. HOLLAND. I yield to the distinguished Senator from North Dakota.

Mr. LANGER. Mr. President, I merely wish to tell the distinguished chairman of the subcommittee that I have received literally hundreds upon hundreds of letters from farmers in North Dakota who want to refinance. I have received similar letters from farmers in Minnesota and Montana. In fact, the desire to refinance is almost universal in that part of the country. Sometimes the total debt involved is quite small. Yet many of the farmers are unable to obtain the necessary funds from banks, and they have had a terrible time in refinancing. There have been so many complaints about that matter that I wish to compliment the Senator from Florida on doing so fine a job, which I am sure will be of great benefit to the entire Nation.

Mr. HOLLAND. I thank the Senator from North Dakota, on behalf of myself and the other members of the subcommittee.

Mr. MORSE. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield.

Mr. MORSE. Mr. President, I wish to compliment the Senator from Florida for what in my opinion are great improvements in the Bankhead-Jones Farm Tenant Act—improvements which are much needed, and which will be of great benefit to all farm families of the country.

I should like to have the help of the Senator from Florida regarding one matter which seems to be omitted from the Senate bill, but which the Senator from Florida has stated is included in the House bill and is covered in the House committee's report. Let me say that in connection with this matter, I have been in communication with the Senator from Florida and his subcommittee.

Mr. HOLLAND. Yes, Mr. President; let me say that no Senator has been more diligently interested in any case than has the Senator from Oregon, in behalf of certain fruit growers in his State, in behalf of whom he and other Senators—but I believe he was the chief one—introduced measures for amendment of the act to an extent even greater than will be accomplished by the pending bill. I am only sorry that the committee did not find it possible to work out what would be, from the viewpoint of the Senator from Oregon, an acceptable way of handling the matter. I shall deal further with it; but at this time I wish to say that, of all the Senators who have approached the Senator from Florida during the entire period of our work on the bill, I think no other Senator has approached me so many times or more energetically than has the Senator from Oregon. I am only sorry that we could not accede unanimously to his request.

Mr. MORSE. Mr. President, I appreciate those comments by my friend, the Senator from Florida.

I wish to say that although my exercise of what the Senator from Florida calls diligence did not produce favorable results for the orchardists of my State, that certainly was not because I

did not receive the cooperation of the Senator from Florida.

Mr. HOLLAND. I thank the Senator from Oregon.

Mr. MORSE. I am very much disturbed about the fact that the bill does not provide some relief for those orchardists. As I have said in my previous representations regarding this matter, I do not speak only for the orchardists in Washington and Oregon; I speak for any orchardist in the country who suffer a similar disaster.

Mr. President, I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, a copy of my bill dealing with this matter, which I submitted to the Committee on Agriculture and Forestry, and also letters and telegrams on the matter, because I want a legislative record made on the problem.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. MORSE. Let me say, Mr. President, that I am still hopeful that in some way, somehow, either in connection with an independent bill or in connection with an amendment to some other measure, what I consider to be the equities of these orchardists can be handled appropriately by the Congress.

I want the Senator from Florida to correct me if I improperly present the problem. The situation is simply this: A good many hundreds of acres of fruit trees in the States of Oregon and Washington, in the Milton-Freewater, Oreg., and the Walla Walla, Wash., areas were completely frozen last fall in a period of cold weather the like of which has not occurred in that section of the country in decades. Hundreds of acres of prune trees were completely destroyed; and, to the surprise of many, even cherry trees and some acres of apple trees, which are much more hardy when it comes to standing cold weather, were completely destroyed and had to be bulldozed out of the ground. I have available a great many photographs showing the very devastating tragedy which the orchardists have suffered.

Mr. HOLLAND. The distinguished Senator furnished our committee with those distressing pictures. It was not for want of our understanding the disaster that we were unable to accept his proposed amendment. He certainly showed us a dismal and disastrous picture of that situation.

Mr. MORSE. Briefly, the request was that the bill be amended so that very liberal loan allowances could be made to orchardists, with repayments deferred until such time as the trees start to produce, and with very low interest rates. It seemed to me, as the legislative representative of those orchardists, that all the equities were in their favor. If we really desired to be of assistance to such tragedy-stricken farmers, I thought that in some way a relief amendment should be inserted in the Bankhead-Jones bill along the lines which I proposed, although I made it very clear that I would accept any amendment to my proposal which the committee thought might be necessary in order to bring some relief.

My first question is this: Am I correct in my understanding that in the bill which the committee brings to the floor of the Senate there is no provision which would afford any relief to orchardists, not only in my State, but elsewhere in the country, who may be subjected to the kind of disaster I have mentioned?

Mr. HOLLAND. The Senator is correct. There are, of course, provisions in the bill which, in certain cases, may be helpful, such as the provision for refinancing. But so far as concerns any extension of the coverage of the bill to include loans under which payments would be deferred for 6 or 7 years, which would be required, and in a very large amount per acre, which would be required, the committee could find no justification for including such a provision.

Let me say to the distinguished Senator that there is, of course, in existing law, authority for the making of disaster loans. For example, if a vegetable grower has his vegetables wiped out, he can obtain a loan and repay the loan the next year, or perhaps earlier, because of the fact that his crop is produced in a short period, and it does not require anything like the investment per acre which is required in the case of orchards. In the case of the distressing situation which the Senator from Oregon has so well depicted, we find one illustration of what has happened, and unfortunately continues to happen, in many of the other producing areas of the Nation.

I know that the Senator from Oregon is just as much interested in frozen orange groves in California or Florida, or frozen peach orchards in Georgia, South Carolina, or elsewhere, as he is in frozen orchards in his own State.

Mr. MORSE. That is true. My bill would cover such situations.

Mr. HOLLAND. That is correct. There was no failure of the Senator's bill in that regard. However, the large amounts per acre required in the case of fruit industries, and the long period of time required before production can be accomplished, together with the fact that there is disaster legislation already on the books, manifestly applying to the same sort of situation, except that those who are protected by present legislation are not concerned with the element of the long time required before production is accomplished, and the great amounts per acre which orchardists and grove owners must face, compelled the committee to reach the conclusion which it reached. All the members of the committee were sympathetic, but they felt that the proposal of the Senator from Oregon would require too great a departure from the coverage of the bill to make it proper for us to include it.

When I was a little boy, the great freezes in Florida in December 1894 and February 1895 completely destroyed our fruit industry, to the extent that it was 1911 before we came back to the level of production which we had attained prior to the disaster.

In the meantime, our good neighbor and fine competitor, California, had come into the picture with heavy production, and had preempted the markets. We had a long and difficult comeback trail to follow. So I was raised in the shadow of a disaster comparable to that which the Senator from Oregon mentions, except that it was much greater in its aggregate effect.

Only recently—4 years ago, I believe—we saw just such a disaster in Texas; and producers are not yet back in production on any large basis, as the Senator knows. We have seen similar disasters in the peach orchards of the Southeastern section of the country, and in other areas which I cannot now recount. However, all such situations are subject to the same point. It requires a tree so long to come into production, and requires so much expense to plant the tree, fertilize it, and care for it during the 6 or 7 years before it reaches the time of production, that such cases are not at all similar to the cases in which emergency aid is now given, in prospect of early repayment, in the knowledge that the grower, by the application of a few months' labor, will be in a position to pay something back. In those cases, also, the amounts per acre do not by any means equal the very large amounts required in the case of fruit orchards, nut orchards, and the like.

So I think I may truthfully say that every member of the committee scratched his head to try to figure some way by which to make an exception and to put in this bill a provision to cover the situation to which the Senator from Oregon has referred. The bill is for the benefit of submarginal farmers. We tried to find some way to include the costs of orchardists who have invested several thousand dollars an acre, perhaps, in order to bring their groves into bearing, and to finance them during the long period of waiting and working and anticipation which is required.

We did not feel that the two types of situations were comparable. I regret that such was the case.

Mr. MORSE. Mr. President, as lawyers we must become accustomed to losing an occasional case, which is not pleasing to the lawyer or his client. We also have the responsibility, as lawyers, even after we lose a case, of trying to recoup anything we can for our clients. So I should like to ask the Senator if there is any difference between the Senate bill and the House bill, in respect to any of the provisions which might be of assistance to these orchardists.

Mr. HOLLAND. No. The House committee considered the same subject sympathetically. The only difference between the treatment accorded by the House committeee and that accorded by the Senate committee was that the House committee devoted a paragraph or two of its report to its statement of the feeling that nothing could be done in this type of legislation for the case described.

Mr. MORSE. Am I correct in my understanding that that statement is found one page 20 of the Senate committee report, in the supplementary views of the Senator from Minnesota [Mr. HUMPHREY], which I hold in my hand?

Mr. HOLLAND. The Senator is correct. I had not been privileged to see the print of the supplemental views, although I obtained permission last night

to have them printed. I left before the Senator from Minnesota sent his supplemental statement to the desk.

Mr. MORSE. If the Senator does not object, I should like to ask unanimous consent to have printed at this point in the RECORD, in the colloquy between my friend from Florida and myself, the language which appears at page 20 of the committee report as a part of the supplemental views of the Senator from Minnesota [Mr. HUMPHREY]. I refer to the quotation from the House report on a companion bill which sets forth the language referred to by the Senator from Florida in regard to the problem of loans to orchardists.

Mr. HOLLAND. I have no objection. I am very happy to have that go into the RECORD at this point.

The PRESIDING OFFICER. Is there objection?

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

LOAN TO ORCHARDISTS

Some of the bills considered by the committee proposed special provisions for disaster loans to orchardists, including deferment of repayments until new trees come into production. Public Law 38 of the 81st Congress now authorizes the Secretary to make such loans in disaster areas, such as the area in Oregon and Washington where many orchard trees were killed by last year's early heavy freeze, and the committee anticipates the Secretary will exercise this authority. It also authorizes the Secretary to set the terms and conditions for the repayment of such loans. The committee believes that the terms of loans of this character should be such as would afford real assistance to producers who suffer various kinds of production losses. Consequently, if the purpose of the loan is to reestablish an orchard destroyed by the disaster and repayment is to be expected solely from the production of the orchard, the first repayment installment should be deferred until income is expected from the reestablished orchard. The problem of liquidity of the revolving fund, which may be affected by such deferments, is one to be met when there is need for additional money in the revolving fund, and is not a problem which should be solved by amending the existing broad authority of the Secretary.

Mr. MORSE. Mr. President, I have read that paragraph. I understand, after reading the report of the House committee that no provision was included in the bill which would bring relief to the orchardists, but the insertion of this language presents the problem and leaves open, of course, the question whether in some future legislation we may decide independently to take some action about it. Is that about the sum and substance of it?

Mr. HOLLAND. That is correct. The Senate committee could have given it the same treatment, but we did not feel we were justified in doing so, because we could not offer anything which was constructive, and we thought the report of the House committee pretty fully covered the situation. After talking with some members of the House committee, we learned that they were just as regretful as are we that they found no way to join that particular program of relief to this bill or any other bill affecting the Farmers Home Administration.

Mr. MORSE. If the Senator from Florida will permit me to do so, I should like to add to the legislative history of the pending bill, and I should also like to ask the Senator from Florida to listen to this observation. I know the Senator from Mississippi wishes to speak, but I shall be very brief.

I am sure that I need not tell him and the other members of the committee that when the Senator from Oregon reports not only to his constituents but also to his friends across the State line in Washington, that we were not successful in getting the Morse bill added as an amendment to the Senate bill, they are going to be keenly disappointed. Constituents, when disappointed, sometimes are also very critical of a failure on the part of their legislative representatives.

However, in fairness to the committee—and this is what I would call to the attention of the Senator from Florida—I wish to say to my constituents that I do not know how anyone could have received a more courteous hearing and a more thorough consideration of the problem than I received from the committee and from the chairman of the subcommittee, the Senator from Florida [Mr. HOLLAND].

I presented every fact the orchardists from both States had suggested to me. I presented, as the Senator from Florida has already indicated, the figures which were sent to me. Those figures showed the terrific devastation which had been suffered. However, I was faced with a legislative policy, which was made very clear to me by the chairman of the committee, and which could not be overcome as an obstacle because of the fact, as the Senator from Florida has pointed out, that the particular bill we are dealing with, really devotes itself primarily to the consideration of so-called marginal farms, that is, small family-type farms which are on the margin between being economic and not economic. As I understood, the position of the committee was that they could not add to a bill which was within its framework limited to seeking to meet the needs of that particular group of farmers, an amendment which went beyond the scope of the purpose and the policy of the act; that when we are dealing with orchardists we are not dealing with marginal farmers, but are dealing with farmers who in good times and with good weather are very successful fruitfarmers; and that, although disaster has wiped them out, it does not follow that their farms in the future will not be economic fruit farms which will return a substantial income per acre from the orchards which may in the future be planted thereon.

Therefore, I understood it to be the position of the committee that, with that kind of disaster problem, those who have suffered the disaster must resort to the existing disaster legislation which is on the books, and must resort to the existing loan sources which are at least substantially available to farmers who are asking for loans on land which, properly handled and planted again, will be far removed from being considered disaster farms.

Consequently, as a matter of policy, my proposal was rejected on the ground that in the opinion of the committee my proposed amendment did not fall within the scope and legislative purpose of the Bankhead-Jones Act. Is that a fair statement of the position of the committee?

Mr. HOLLAND. It is not only a fair statement, but the attitude of the Senator from Oregon is most gracious to his friends on the committee, who would have been glad and happy if they could have worked out something they felt would be appropriate to be included in the pending bill.

Mr. MORSE. I appreciate that statement. I simply wish to say to my constituents that I have no right, even if it could be done—and obviously it could not be done, because the committee members would not allow it within the framework of their responsibility, and they could not do it, of course, and I would not ask them—to add to the bill extraneous matter which violates the policy and purpose of the bill itself. I am keenly disappointed that we have not been able to work something out in connection with this matter.

Mr. THYE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. THYE. We all fully realize what the distinguished Senator from Oregon has in mind and what the problems of the orchard farmers are. We are sympathetic with the farmers who have a type of tree that cannot withstand a heavy frost. We have seen that situation across the Nation.

However, the purpose of the proposed legislation is to improve and perfect the so-called Bankhead-Jones Farm Tenant Act. No legislative enactment has done more to assure the continuance of individual farm operations than the provisions of that act.

Homesteads are no longer available. However, the provisions of the legislation permit young couples to begin as farm tenants or as farm owners. That is keeping America what our forefathers willed it to be when they pioneered across the wilderness of North America, to establish homes. That is what we are keeping alive by the bill. In committee we recognized we could very well go into other fields and provide extensive livestock loans or extensive disaster loans; but if we did, we would jeopardize the principle embodied in the philosophy of the legislation, namely, to provide a type of loan to enable young couples, who cannot go to their local bank to obtain credit because they do not have security to offer, to start farming operations. Naturally, a bank cannot make such a loan.

So, Mr. President, I wish to commend the subcommittee chairman for having done an extremely able job in developing in the subcommittee hearings the measure which is now before the Senate.

I again state that I can fully appreciate what the Senator from Oregon is concerned about, because in his area there are many orchardists, and, naturally, there is a hazard involved and there are times when the farmers cannot be financed for the reestablishment and planting of orchards because it takes a long time to get into production. But I do not believe we could provide for that type of a loan in this bill and still keep

it the kind of bill we wanted, namely, one to provide for young couples who cannot go to their local banks and borrow seven or eight or ten or twelve thousand dollars to start farming operations, because all they have is their reputation and their will. They have no other security to offer. Naturally, they cannot convince a banker that mere reputation and will are good security.

Mr. MORSE. I appreciate what the Senator from Minnesota has said. It further makes the record clear, as the Senator from Florida has already made it clear, why the committee had to reject the relief for orchardists which I sought.

I wish to thank the Senator from Minnesota for the friendly consideration he gave to my proposal. I wish to assure him that my comments today are in no way a criticism either of the chairman of the committee or of the committee. I wish to make the record perfectly clear as to what happened because I think my constituents are entitled to know. I am convinced that in the next session of the Congress the approach will have to be by way of an amendment to the disaster loan legislation already on the books—an amendment designed to make it more liberal, because I had already sought relief through the disaster loan approach and found that in its present form the law is not satisfactory insofar as affording any assistance to the orchardists is concerned.

Mr. THYE. That would be my suggestion of the procedure which might well be considered and followed.

Mr. MORSE. I wish to thank both Senators for the assistance they have given me in this transaction, because they have made it perfectly clear to me, as it will be clear to my constituents, the reason for the rejection of my amendment.

EXHIBIT A

JUNE 23, 1956.

Hon. SPESSARD L. HOLLAND,
Subcommittee on Marketing of Perishable Agricultural Commodities, Committee on Agriculture and Forestry, Washington, D. C.

DEAR SENATOR: This acknowledges, with appreciation, your letter of May 29 relative to the bill S. 3850 which would provide emergency relief for orchardists who suffer disaster losses.

As you probably know, the House Committee on Agriculture recently issued a report containing the following recommendatory language on the subject of deferred repayment emergency loans:

"Some of the bills considered by the committee proposed special provisions for disaster loans to orchardists, including deferment of repayments until new trees come into production. Public Law 38 of the 81st Congress now authorizes the Secretary to make such loans in disaster areas, such as the area in Oregon and Washington where many orchard trees were killed by last year's early heavy freeze, and the committee anticipates the Secretary will exercise this authority. It also authorized the Secretary to set the terms and conditions for the repayment of such loans. The committee believes that the terms of loans of this character should be such as would afford real assistance to producers who suffer various kinds of production losses. Consequently, if the purpose of the loan is to reestablish an orchard destroyed by the disaster and repayment is to be expected solely from the production of the orchard, the first repayment installment should be deferred until income is expected from the reestablished orchard. The problem of liquidity of the revolving fund, which may be affected by such deferments, is one to be met when there is need for additional money in the revolving fund, and is not a problem which should be solved by amending the existing broad authority of the Secretary."

You will recall that S. 3850 contains two principal provisions. The first relates to a more liberal loan repayment policy to be applied by the Department of Agriculture in emergency cases such as those involving the Milton-Freewater orchardists. The second would make direct assistance available to the orchardists for orchard rehabilitation.

With respect to the matter of loan repayments, if the subcommittee should be of the opinion that the Department of Agriculture possesses ample authority to grant loans containing repayment deferments of the type desired by these orchardists, it would be helpful if the committee were to issue a statement containing language comparable to that quoted above. My dealings with the Farmers' Home Administration on this problem indicate that the officials of that agency have little inclination to be of real help to the orchardists. I believe, however, that statements such as that quoted above, if issued by the Agriculture Committees of both Houses, will cause the Department of Agriculture officials to reappraise the situation with a view to making sound loans on a long-term repayment basis. Your help in this respect will enable farmers of demonstrated ability to rehabilitate highly productive orchards.

A second major provision of S. 3850 covers the subject of direct assistance to farmers whose orchards are totally destroyed through natural disasters. The cases envisaged by the bill are those involving more than crop losses; direct assistance in rehabilitating orchards would apply where entire orchards are destroyed through the forces of nature. The financial burden of bearing the entire cost of starting new orchards is almost insuperable for most of these farmers. It is not feasible to divert these lands to other crops. They are essentially orchard lands. It is not practical, from an economic standpoint, to put them to different farm uses.

In other cases of farm disasters, the Federal Government has come to the aid of farmers by way of rehabilitation assistance. For example, I have been told that corn seed was distributed to farmers in corn-raising areas when disaster struck. The orchardists in this case need comparable assistance. They must clear their lands of frost-killed trees; they must prepare the land and apply fertilizer, they must put in new nursery stock.

The seriousness of the direct assistance needs of these farmers has been brought out in testimony on S. 3850. Such needs are urgent and immediate. I hope that the subcommittee will give prompt and sympathetic consideration to the direct assistance provision of my bill.

With best personal regards,
Sincerely,

WAYNE MORSE.

MAY 10, 1956.

The Honorable ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, United States Senate.

MY DEAR SENATOR: In connection with your consideration of the House farm bill, H. R. 10875, I would like to bring to your attention a serious problem now confronting orchardists and fruit growers in the northeastern portion of the State of Oregon whose farms were almost completely destroyed, due to the unprecedented freeze which occurred during the month of November 1955. Approximately 450 farm families in this part of Oregon have sought, to date unsuccessfully, to obtain assistance from State and Federal agencies to tide them over until they can replace their orchards with young nursery stock and bring them back into production several years hence.

Over a period of 50 years or more the economic value of these farms has been established, as evidenced by a fine record of production of an important portion of our Nation's food supply. The farmers who have experienced this disaster have exhausted every means at hand to refinance their farm operations and, unless they can obtain assistance from the Federal Government and get it quickly, there appears to be no alternative other than forced liquidation in many instances. This in turn will simply mean that more farm families will join the growing numbers who are leaving their farms to reside in urban areas.

It is my opinion that the Senate Committee on Agriculture and Forestry can be of great assistance to these farm people by adopting an amendment to Section 107 (a) (1) of H. R. 10875 which will make it certain that these orchard lands, during the period of rehabilitation, can be considered as part of the soil bank conservation reserve program. The Committee could accomplish this objective by the simple addition of the words "such as nonproducing fruit trees" and "agricultural and horticultural" so as to make subsection (1) read as follows:

(1) to establish and maintain for the contract period protective vegetative cover (including but not limited to grass and trees, such as nonproducing fruit trees), water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses on a specifically designated acreage of land on the farm regularly used in the production of agricultural and horticultural crops (including crops, such as tame hay, alfalfa, and clovers, which do not require annual tillage).

The adoption of the foregoing amendment to subsection (1) would remove any question of a doubt concerning the authority of the Secretary of Agriculture to include the rehabilitation of orchard lands that have been substantially damaged or wiped out through forces of nature, such as the unprecedented freeze of November 1955. The plan proposed by the suggested amendment is, in my opinion, strictly in line with the conservation practices envisaged in the soil bank conservation reserve program, because the farmers who would be assisted under this plan would, in fact, place cover crops on the orchard lands in question during the period in which the young trees are advancing to fruit-bearing maturity.

If you so desire, I shall be glad to discuss this matter personally with members of the Committee on Agriculture and Forestry, but I feel that the plan is so logical and so consistent with the whole soil bank program that it could be adopted as part and parcel of the overall plan now under consideration by the committee.

With best personal regards,
Sincerely,

WAYNE MORSE.

MAY 10, 1956.

Mr. R. B. MCLEAISH,
Administrator, Farmers Home Administration, Washington, D. C.

DEAR MR. MCLEAISH: During the past several days, I have received numerous communications from residents of the Milton-Freewater area calling to my attention the very serious problems now being experienced by farmers whose orchards were totally destroyed by the unprecedented freeze of November 1955. I have also talked to representatives of the farmers who have suffered these losses and I am satisfied that it would be difficult to overestimate the extent of the damage and hardship they have suffered.

Approximately 450 farm families in the area were affected by the freeze and most of them have, to date, been unsuccessful in obtaining assistance from private lending organizations or from State or Federal agencies to tide them over until they can replace their orchards with young nursery stock and bring them back into production several years hence.

The farmers whose orchards have been ruined need financial assistance to enable them to replant their orchards and, of course, they can expect no production for a period of approximately 5 years after the young trees have been planted. This means that if they are to save their farms, they will need emergency loans which will not require repayment prior to the period at which the orchards begin to produce. Short-term loans are wholly impractical in cases of this type.

In view of the foregoing situation, I would appreciate it very much if you would give careful consideration to the possibility of making Farmers Home Administration emergency loans available to these orchardists upon terms and conditions which will meet the special, long-term credit needs of these people for the rehabilitation of their orchards. It seems to me that existing law provides ample latitude for the granting of such loans.

In view of the urgent nature of this problem, I would appreciate your checking into the matter at your earliest convenience. Would you kindly provide me with a full report with respect to the assistance that your agency may be able to render on behalf of these hard-pressed farmers.

Sincerely yours,

WAYNE MORSE.

[84th Cong., 2d sess., S. 3850]

(May 14 (legislative day, May 7), 1956)

Mr. MORSE (for himself and Mr. NEUBERGER) introduced the following bill, which was read twice and referred to the Committee on Agriculture and Forestry:

"A bill to provide financial assistance for the rehabilitation of orchards destroyed or damaged by natural disaster

"Be it enacted, etc., That (a) the Secretary of Agriculture (hereinafter referred to as the 'Secretary') is authorized to make emergency loans to eligible orchard operators and owners in the area declared by the Secretary in December 1955 to be a production disaster area because of unseasonable freeze, and in any area hereafter declared to be a production disaster area by the Secretary because of freeze, drought, hurricane, disease, or other natural causes.

"(b) Any orchard operator or owner in any such area shall be eligible for assistance under the provisions of this act if the Secretary finds—

"(1) he has suffered, as the result of any such disaster, substantial financial losses;

"(2) he is in need of financial assistance which he cannot obtain from private credit sources on such terms and conditions as he could reasonably be expected to meet; and

"(3) that he has a reasonably good chance of repaying it.

"SEC. 2. (a) Any loan made under the provisions of this act shall be made—

"(1) for an amount not to exceed $25,000;

"(2) for a period not to exceed 15 years;

"(3) at a rate of interest not to exceed 2½ percent per annum; and

"(4) under such other terms and conditions as the Secretary shall prescribe.

"(b) The Secretary may delay the initial annual repayment of any such loan for a period of not more than 6 crop years from the date of the loan in any case in which he determines that the borrower's income will be insufficient to make the initial payment at an earlier date, but this provision shall not have the effect of extending the maximum term of any loan.

"(c) The Secretary is authorized and directed to establish, with respect to all loans authorized under the provisions of this act, variable repayment plans with payments adjusted, without regard to previous excess payments, to the net earnings and ability of the borrower to pay from year to year.

"SEC. 3. The Secretary is authorized to assume not to exceed 50 percent of the cost incurred by any person eligible for a loan under this act in clearing orchard land of any trees rendered commercially unproductive or destroyed as the result of any disaster referred to in the first section of this act, and in the initial replanting or redevelopment of such land.

"SEC. 4. (a) The Secretary is authorized and directed to utilize the facilities of the Farmers' Home Administration for the purpose of administering the provisions of this act.

"(b) The Secretary is authorized to make such rules and regulations and such delegations of authority as he may deem necessary to carry out the provisions of this act.

"SEC. 5. There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out the purposes of this act."

UNITED STATES
DEPARTMENT OF AGRICULTURE,
FARMERS' HOME ADMINISTRATION,
Washington, D. C., June 19, 1956.

HON. WAYNE MORSE,
United States Senate.

DEAR SENATOR MORSE: Thank you for your letter of May 31 with further reference to the credit needs of orchardists in the Milton-Freewater area resulting from severe losses from last November's freeze.

The principal question presented in your letter of May 31 has to do with the policy of long-term deferments on emergency loans to orchardists in the Milton-Freewater area. The only expression of public policy enunciated by the Congress regarding deferments on agricultural loans by the Department of Agriculture is that which was written into the Bankhead-Jones Farm Tenant Act when the 82nd Congress enacted Public Law 123. Under that statute deferments for two full crop years were authorized in connection with the making of agricultural loans by the Department under certain conditions. The emergency loans now authorized in the Milton-Freewater area are being made pursuant to the provisions of Public Law 38. While from a strictly legal point of view the statute would permit the Department to grant long-term deferments on these emergency loans, it is our opinion that such a policy is not in keeping either with the intent or purpose of the emergency-type loan or in keeping with the only expression of public policy by the Congress on deferments. In addition, the agency has, in the past, rejected a similar proposal in other designated areas involving the rehabilitation of orchards and groves where similar situations existed. For this reason, we feel it is such an important policy in the administration of the emergency lending authority as to warrant congressional consideration. The House Agriculture Committee recently considered this question when reviewing credit bills before that committee. Its report No. 2260 in connection with H. R. 11544 contains a statement of the committee's views on this subject. It is assumed that the policy question will receive Senate consideration in connection with the Senate bills now pending that relate to the matter.

Let me assure you again that we are very sympathetic toward the problems of the orchardists in the Milton-Freewater area and in other areas affected by the freeze, and it is our desire and purpose to render all possible assistance under our authorities. Your interest is appreciated and we shall be glad to hear from you whenever we can be of further service.

Sincerely yours,

R. B. MCLEAISH,
Administrator.

MAY 31, 1956.

MR. R. B. MCLEAISH,
Administrator, Farmers' Home Administration, Washington, D. C.

DEAR MR. MCLEAISH: Thank you very much for your letter of May 18 in reply to my communication of May 10 concerning the problems of the orchardists in the Milton-Freewater area who suffered severe losses during last November's unprecedented freeze.

I was pleased to note that the Farmers' Home Administration can schedule orchard rehabilitation loans over a period of 20 years in appropriate cases, but I am concerned over the fact that repayment installments of such loans may not be deferred beyond the end of the second crop year following the inception of the loan.

A requirement that repayments in such cases must begin 2 years after the date of the loan makes Farmers' Home Administration assistance unavailable for all practical purposes because the orchards will not bear paying crops until several years after the nursery stock has been planted.

In my letter of May 10, I expressed the view that existing law affords ample latitude for the granting of Farmers' Home Administration loans, including provisions for deferment of repayments until the orchards go into production. I assume that you are in general agreement with this view concerning the existence of such legal authority. However, if, in fact, you do not agree that the law permits the Farmers' Home Administration to make deferred repayment loans of the type requested by the orchardists, I would appreciate your advising me at once so that I may inform the Senate Agriculture Committee of that fact in connection with its consideration of pending farm credit legislative proposals.

The orchardists who are most in need of assistance from the Farmers' Home Administration probably will have to depend upon off-the-farm employment in order to meet normal living costs, installments on farm real-estate mortgages, and payments on taxes and other fixed obligations. Therefore, I find it difficult to understand your statement:

"Consequently, we do not feel that the question of deferment would be the determining factor with very many orchardists of whether they will be able to reestablish their orchards and continue their normal operations. The meeting of the required payments under our program will be far less of a problem with most orchardists than the other obligations and responsibilities which they must be able to assume during the period until their orchards come into production."

It seems to me that the matter of deferring repayments on emergency loans to rehabilitate freeze-destroyed orchards will be of utmost importance to these farmers for the very reason that they have "other obligations and responsibilities which they must be able to assume" as cited in your letter. Emergency loans with longer-than-normal repayment periods would enable these farmers to go about the very difficult task of making ends meet while their orchards approach crop-producing maturity.

I hope that the special problems presented in this case will warrant a sympathetic reconsideration of the decisions expressed in your letter of May 18 because I am satisfied that the orchardists affected by last November's freeze in the Milton-Freewater area

present a very deserving case for the maximum assistance that may be made available by the Federal Government.

Sincerely,

WAYNE MORSE.

UNITED STATES DEPARTMENT
OF AGRICULTURE,
FARMERS HOME ADMINISTRATION,
Washington, D. C., May 31, 1956.

Hon. WAYNE MORSE,
United States Senate.

DEAR SENATOR MORSE: This will acknowledge and thank you for your letter of May 10 with further reference to the problems of orchardists in the Milton-Freewater area of Oregon resulting from the severe freeze damage last November.

Assistance is available in this and all other agricultural areas of the country under our regular lending authorities to those applicants who operate not larger than family-type farms and meet the other eligibility requirements established by law for these loans. The purpose of these loans is to help eligible applicants become established or to make the needed adjustments to carry on successful family-size farming operations. These loans are made pursuant to the provisions of the Bankhead-Jones Farm Tenant Act, as amended, and may provide credit for farm purchase, enlargement or development, and also to meet farm-operating expenses. The enclosed leaflets explain briefly the assistance available under these types of loans.

As you know, Umatilla County has been designated as an area in which emergency loans may be made by this agency to eligible applicants whose fruit crops or orchards were severely damaged by the November freeze and who are not able to obtain needed credit from other established sources to continue their normal operations. Under this program, loans may be made to eligible applicants for the removal of dead trees, releveling the land, replanting, and to meet essential operating expenses for the care and maintenance of their orchards. Loans for orchard rehabilitation purposes generally will be secured by liens on real estate in which the borrower must have sufficient equity to protect the Government's investment. Advances for orchard rehabilitation are expected to be repaid as rapidly as possible, but may be scheduled over a period not to exceed 20 years, depending on the circumstances in each individual case. Payments may be deferred to the end of the second crop year following the loan, but beginning then and each year thereafter nominal principal payments must be met along with accrued interest.

Unless borrowers are in position to assume some of the risk in reestablishing their orchards, which could be done through the payment of interest accruing on their loans annually and a nominal reduction of principal while the orchard is growing, we do not believe the loan would be sound. In this connection, it should be pointed out that most orchardists will find it necessary to earn all or a substantial portion of their family living expenses from off-farm employment during the period until the orchard comes into production. Besides meeting their family living expenses, most orchardists also will have to make arrangements for off-farm income to meet other expenses or obligations, including maturities on their real estate and chattel debts. It is not contemplated that emergency loans will be made for any of these purposes. Consequently, we do not feel that the question of deferment would be the determining factor with very many orchardists or whether they will be able to reestablish their orchards and continue their normal operations. The meeting of the required payments under our program will be far less of a problem with most orchardists than the other obligations and responsibilities which they must be able to assume during the period until their orchards come into production.

We have given very careful consideration to the critical problems faced by orchardists in the Milton-Freewater area and it will be our purpose to render all possible assistance to them, consistent with the intent and purposes of our authorities. We are deeply sympathetic with these people who have lost substantially all of their life's savings and investments as a result of the November freeze. While the Government is willing to assume higher than normal risks in the extension of credit under our emergency loan authorities, due to the very nature of the program, there is no provision for subsidy in connection with this program. It is necessary, therefore, that applicants present a reasonably sound basis for credit and show that the loans can be repaid from anticipated income. Where the applicant does have a reasonably sound basis for credit, you may be assured that every effort will be made to provide the assistance needed for the reestablishment of the orchard.

In addition to the long-term credit for orchard rehabilitation purposes, mentioned above, assistance may be provided under this program to meet current operating expenses for that portion of the orchard that may still be in production, or for the planting of cash crops during an interim period where this is feasible and the crop to be grown is suitable for the area. Where advances are made for these purposes, of course, it is expected that repayments will be made from the sale of the crops produced.

Your interest in this matter is appreciated, and if you have further questions regarding the emergency-loan program or other activities of this agency, we shall be glad to hear from you.

Sincerely yours,

R. B. MCLEAISH,
Administrator.

UMATILLA, OREG., *May 24, 1956.*

Senator WAYNE MORSE,
Washington, D. C.:

Urge immediate passage of Senate bill 3850 and its companion House bill on orchard-disaster loan for Milton-Freewater.

UMATILLA CHAMBER OF COMMERCE.

PENDLETON, OREG., *May 22, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Urge support orchard-disaster bill, Milton-Freewater area economic disaster.

VERNE TINNERSTET,
Manager, Pendleton Chamber of Commerce.

BLUE MOUNTAIN PRUNE
GROWERS' COOPERATIVE,
Milton-Freewater, Oreg., May 22, 1956.

Hon. WAYNE MORSE,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR WAYNE: I am back in Oregon, and I presume you are back in Washington. I wish to take this opportunity to thank you, Mr. Berg, and all the rest of your staff for all the consideration and effort you have put into seeking relief for the stricken orchardists in this area. As you said, you are a fighter, and it is going to take a fight to put S. 3850 across.

I know you will expend every effort in our behalf, due to the human misery and distress that is becoming more apparent in this district. I am very sorry that I could not stay in Washington to help you carry on this worth-while effort, but I am willing to supply you with any needed information and know that you will keep me informed of the progress in this matter.

I feel that I have made many friends while I was in Washington, and hope that you and Bill Berg consider yourselves a part of these.

Sincerely,

GLEN C. GIBBONS,
Manager.

MILTON, OREG., *June 3, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Very pleased and appreciate your efforts. House committee language may be sufficient for loans. Keep contact with FHA. Please continue work direct assistance to relieve acute distress. Many orchardists complete devastation justifies Idaho and Washington. Members should hear from constituents, although their situation not as critical. Thanks again.

GLEN G. GIBBONS,
Milton-Freewater Disaster Committee.

PORTLAND, OREG., *May 18, 1956.*

Senator WAYNE MORSE,
United States Senate:

Oregon State Grange approves your bill to alleviate freeze loss.

ELMER MCCLURE,
Master, Oregon State Grange.

MAY 23, 1956.

Hon. SPESSARD L. HOLLAND,
Subcommittee on Marketing of Perishable Agricultural Commodities, Committee on Agriculture and Forestry, Washington, D. C.

DEAR SENATOR: There is pending before your subcommittee my bill, S. 3850 providing emergency relief for orchardists whose orchards have been frozen out and completely destroyed.

It will be deeply appreciated by me if your subcommittee would report out my bill because I think it is a deserving one. If you think it should be revised in any way, I hope you will report out a committee revision.

I am enclosing a wire and my answer to it which speak for themselves.

Any help you can give to me would be very much appreciated.

Cordially,

WAYNE MORSE.

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
May 29, 1956.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: Thank you kindly for your letter of May 23 with reference to your bill, S. 3850, which is pending before the Senate Agriculture Subcommittee on Marketing of Perishable Agricultural Commodities, of which I am chairman.

I appreciate hearing from you on this subject and I hope that our subcommittee will soon be in a position to act on this measure. You may be sure I will bend all efforts toward this end.

With kind personal regards, I remain,

Your faithfully,

SPESSARD L. HOLLAND.

STATE OF CALIFORNIA,
DEPARTMENT OF AGRICULTURE,
Sacramento, May 23, 1956.

United States Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: Please send me two copies of S. 3850, a bill to provide financial assistance for the rehabilitation of orchards destroyed or damaged by natural disaster, which bill has been referred to the Committee on Agriculture and Forestry.

Please send me two copies of the remarks made by you when you introduced the bill.

Please send me copies of the printed hearings when the bill is considered by the committee, and any statements or reports issued by any government agency or official in connection with the consideration of S. 3850.

Very truly yours,

MERLE HUSSONG,
Public Information Officer.

MAY 31, 1956.

Mr. MERLE HUSSONG,
Public Information Officer, Department of Agriculture, State of California, Sacremento, Calif.

DEAR MR. HUSSONG: I am pleased to enclose two copies of S. 3850 together with tear sheets from the CONGRESSIONAL RECORD setting forth my remarks at the time the bill was introduced.

The Committee on Agriculture has referred this bill to the Department of Agriculture for comment and report. However, as of this writing, a report has not yet been received.

I have asked the Committee to send you a copy of the hearings which took place on May 17. The hearings have not been printed as yet but you should receive your copy within 3 weeks. If, however, your copy fails to arrive, kindly advise and I shall check again with the Agriculture Committee.

With kindest regards,

Sincerely,

WAYNE MORSE.

BLUE MOUNTAIN PRUNE GROWERS' COOPERATIVE,
Milton-Freewater, Oreg., June 7, 1956.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: I am enclosing a rather detailed summary of the estimated costs for reestablishing our orchards in Milton-Freewater, Oreg. This information was requested by Senator HOLLAND to be added to the subcommittee hearings, although I am afraid it is rather late for that purpose. The costs are a result of the work of a group of orchard fieldmen and from the Extension Service and should be fairly accurate in their coverage. This was the type of information the committee wanted, but it took some time to obtain it. Perhaps it will be useful in working with FHA to see that they provide adequate finances in their loan program.

There are a few facts about the statement that I should point out. First, the totals seem rather high since I gave the committee a figure of around $600 per acre to reestablish these orchards. You will note that the land value is included at $500 per acre, plus an interest allowance on the $500 at 5 percent, or $25 per year for each of the six years. This is not an out-of-pocket expense, so $650 could be deducted from our final figures. Considering the minimum amount by taking $650 from $1,321.90, you have the approximate figure that I gave in my testimony.

Second, the maximum figure is rather high, and is based on the cost that the larger orchardists would have since they must hire more of their work done. This should point out some of the advantages of a family size farm when it comes to coping with a situation such as we have now.

The Valley appreciates very much your efforts so far, and I think with a little additional prompting from your office we will soon have a satisfactory orchard loan program. I feel this is at least a partial reward for the time I spent in Washington, and the able assistance I received from all the people there. As I pointed out in the telegram, you should continue with your efforts for direct assistance, since I find considerable disappointment among the growers that something of this nature has not been acted upon yet. I realize fully the difficulties to be encountered, but have constant reminders each day of the need that justifies such action.

With many thanks to you, Bill Berg, and others of your staff,

Sincerely,

GLEN G. GIBBONS,
Manager.

Estimated costs for reestablishing orchards, Milton-Freewater, Oreg.

	Costs per acre	
	Minimum	Maximum
1ST YEAR		
Orchard removal:		
Pulling	$10.00	$15.00
Piling and burning	20.00	30.00
Leveling, and plowing	10.00	20.00
Orchard replanting:		
Nursery stock	92.00	135.00
Setting trees (more expensive in cobbly soil)	10.00	20.00
Orchard removal and replanting, total	142.00	220.00
Cultural practices:		
Ditching, cultivation, and tractor expense	3.00	10.00
Irrigation	2.00	14.00
Fertilizer (½ pound per tree)	2.00	5.00
Sprays (aphids, mites, prune and peach root borer)	3.50	7.50
Cultural practices, total	10.50	36.50
Taxes	15.00	20.00
Depreciation on machinery and equipment	20.00	30.00
Interest on investment in land ($500 per acre, at 5 percent)	25.00	25.00
Total investment in orchard	212.50	331.50
Total investment in land	500.00	500.00
Total investment at end of 1st year	712.50	831.50
2D YEAR		
Cultural practices:		
Cultivation, ditching, and tractor expense	5.00	15.00
Irrigation	2.00	14.00
Pruning and training		5.00
Sprays:		
Aphids and mites	6.00	15.00
Peach and prune root borer	2.50	2.50
Fertilizer (½ pound per tree)	2.00	5.00
Cultural practices, total	17.50	56.50
Taxes	15.00	20.00
Depreciation on machinery and equipment	20.00	30.00
Interest on investment in land and orchard	38.25	46.90
Total investment at end of 2d year	803.75	984.90
3D YEAR		
Cultural practices:		
Cultivation, ditching, and tractor expense	5.00	15.00
Irrigation	2.00	14.00
Pruning and training		10.00
Fertilizer (¾ pound per tree)	3.00	6.00
Sprays:		
Aphids and mites	10.00	17.50
Peach and prune root borer)	2.00	3.00
Cultural practices, total	22.00	65.00
Taxes	15.00	20.00
Depreciation on machinery and equipment	20.00	30.00
Interest on investment in orchard and land	43.03	54.99
Total investment at end of 3d year	903.78	1,154.89
4TH YEAR		
Cultural practices:		
Cultivation, ditching, and tractor expense	10.00	15.00
Irrigation	2.00	14.00
Pruning		10.00
Sprays:		
Aphids and mites	11.00	18.50
Peach and prune root borer	2.00	3.00

Estimated costs for reestablishing orchards, Milton-Freewater, Oreg.—Continued

	Costs per acre	
	Minimum	Maximum
4TH YEAR—Con.		
Cultural practices:		
Fertilizer (¾ pound per tree)	$3.00	$6.00
Cover crop:		
8 pounds orchardgrass seed		5.60
6 pounds alfalfa seed		5.60
Cultural practices, total	28.00	76.00
Taxes	15.00	20.00
Depreciation on machinery and equipment	20.00	30.00
Interest on investment in land and orchard	48.33	64.04
Total investment at end of 4th year	1,015.11	1,344.93
5TH YEAR		
Cultural practices:		
Cultivation, ditching, and tractor expense	10.00	15.00
Irrigation	2.00	14.00
Pruning	10.00	25.00
Sprays:		
Aphids and mites	15.00	25.00
Peach and prune root borer	2.50	3.50
Fertilizer (2 pounds per tree)	7.50	10.00
Cultural practices, total	47.00	92.50
Taxes	15.00	20.00
Depreciation on machinery and equipment	20.00	30.00
Interest on investment in land and orchard	54.85	74.37
Total investment at end of 5th year	1,151.96	1,561.80
6TH YEAR		
Cultural practices:		
Cultivation, ditching, and tractor expense	15.00	20.00
Irrigation	2.00	14.00
Pruning	15.00	30.00
Sprays:		
Aphids and mites	15.00	30.00
Other pest controls	10.00	20.00
Fertilizer (3 pounds per tree)	10.00	20.00
Cultural practices, total	67.00	134.00
Taxes	20.00	25.00
Depreciation on machinery and equipment	20.00	30.00
Interest on investment in land and orchard	62.94	87.54
Total investment at end of 6th year	1,321.90	1,838.34

NOTE.—The estimated cost of raising 1 acre of trees is prepared on a minimum and maximum basis. It is estimated that the maximum costs listed might include hiring labor. The minimum costs represent costs when labor is done by the grower for the most part.

UNITED STATES SENATE,
Washington, D. C., May 31, 1956.

Mr. R. B. MCLEAISH, *Administrator,*
Farmers Home Administration,
Washington, D. C.

DEAR MR. MCLEAISH: Thank you very much for your letter of May 18 in reply to my communication of May 10 concerning the problems of the orchardists in the Milton-Freewater area who suffered severe losses during last November's unprecedented freeze.

I was pleased to note that the Farmers Home Administration can schedule orchard rehabilitation loans over a period of 20 years in appropriate cases, but I am concerned over the fact that repayment installments of such loans may not be deferred beyond the end of the second crop year following the inception of the loan.

A requirement that repayments in such cases must begin 2 years after the date of the loan makes Farmers Home Administration assistance unavailable for all practical purposes because the orchards will not bear

paying crops until several years after the nursery stock has been planted.

In my letter of May 10, I expressed the view that existing law affords ample latitude for the granting of Farmers Home Administration loans, including provisions for deferment of repayments until the orchards go into production. I assume that you are in general agreement with this view concerning the existence of such legal authority. However, if, in fact, you do not agree that the law permits the Farmers Home Administration to make deferred repayment loans of that type requested by the orchardists, I would appreciate your advising me at once so that I may inform the Senate Agriculture Committee of that fact in connection with its consideration of pending farm credit legislative proposals.

The orchardists who are most in need of assistance from the Farmers Home Administration probably will have to depend upon off-the-farm employment in order to meet normal living costs, installments on farm real estate mortgages, and payments on taxes and other fixed obligations. Therefore, I find it difficult to understand your statement:

"Consequently, we do not feel that the question of deferment would be the determining factor with very many orchardists of whether they will be able to reestablish their orchards and continue their normal operations. The meeting of the required payments under our program will be far less of a problem with most orchardists than the other obligations and responsibilities which they must be able to assume during the period until their orchards come into production."

It seems to me that the matter of deferring repayments on emergency loans to rehabilitate freeze-destroyed orchards will be of utmost importance to these farmers for the very reason that they have "other obligations and responsibilities which they must be able to assume" as cited in your letter. Emergency loans with longer-than-normal repayment periods would enable these farmers to go about the very difficult task of making ends meet while their orchards approach crop-producing maturity.

I hope that the special problems presented in this case will warrant a sympathetic reconsideration of the decisions expressed in your letter of May 18 because I am satisfied that the orchardists affected by last November's freeze in the Milton-Freewater area present a very deserving case for the maximum assistance that may be made available by the Federal Government.

Sincerely,

WAYNE MORSE,
United States Senator.

MAY 16, 1956.

Mr. ELMER MCCLURE,
Master, Oregon State Grange,
Portland, Oreg.

DEAR ELMER: I am pleased to enclose copies of my letters addressed to Senator ELLENDER and Farmers' Home Administrator McLeaish with respect to the situation of the orchardists in Milton-Freewater.

Also, I enclose a few copies of the bill S. 3850 together with several tearsheets from the CONGRESSIONAL RECORD of May 14 containing my remarks in the Senate on this problem.

I believe the enclosures will bring you up to date on the work I am doing on behalf of these hard-pressed farmers and you may be sure that I shall welcome your suggestions as to possible additional action that may be of assistance to these folks.

With kindest regards,

Sincerely,

WAYNE MORSE.

MAY 16, 1956.

Mr. GEORGE DEWEY,
Executive Secretary, Oregon Farm Bureau Federation, Salem, Oreg.

DEAR MR. DEWEY: I am pleased to enclose copies of my letters addressed to Senator ELLENDER and Farmers' Home Administrator McLeaish with respect to the situation of the orchardists in Milton-Freewater.

Also, I enclose a few copies of the bill S. 3850 together with several tear sheets from the CONGRESSIONAL RECORD of May 14 containing my remarks in the Senate on this problem.

I believe the enclosures will bring you up to date on the work I am doing on behalf of these hard-pressed farmers and you may be sure that I shall welcome your suggestions as to possible additional action that may be of assistance to these folks.

With kindest regards.

Sincerely,

WAYNE MORSE.

SALEM, OREG., *May 15, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: Regarding assistance orchardists Milton-Freewater area could you wire—write me your activity their behalf at our request and present status situation. Such report mutually helpful regards.

HARLEY LIBBY,
President, Oregon Farmers Union.

MAY 16, 1956.

Mr. HARLEY LIBBY,
President, Oregon Farmers Union,
Salem, Oreg.

DEAR MR. LIBBY: Supplementing my wire of today in answer to your telegram of May 14, I am pleased to enclose copies of my letters addressed to Senator ELLENDER and Farmers' Home Administrator McLeaish with respect to the situation of the orchardists in Milton-Freewater.

Also I enclose a few copies of the bill S. 3850 together with several tear sheets from the CONGRESSIONAL RECORD of May 14, containing my remarks in the Senate on this problem.

I believe the enclosures will bring you up to date on the work I am doing on behalf of these hard-pressed farmers and you may be sure that I shall welcome your suggestions as to possible additional action that may be of assistance to these folks.

With kindest regards,

Sincerely,

WAYNE MORSE.

MAY 16, 1956.

Mr. HARLEY LIBBY,
President, Oregon Farmers Union,
Salem, Oreg.:

Received your telegram of May 14. Have worked closely with Senate Agriculture Committee and have been in close touch with Farmers' Home Administration in effort to be of all possible assistance to orchardists Milton-Freewater area. Have conferred with Mr. Glen Gibbons, who represents orchardists and other groups in Milton-Freewater area. Have asked Senator ELLENDER for cooperation by possible inclusion of nursery stock and orchards in conservation reserve portion of soil-bank bill. Have asked Administrator McLeaish, of Farmers' Home Administration, to make long-term loans available to orchardists with postponed period beginning repayment. On May 14, Senator NEUBERGER and I joined in introducing the bill S. 3850, to provide financial assistance for rehabilitation of these orchards. Air mail letter follows.

Regards.

WAYNE MORSE,
United States Senator.

MAY 15, 1956.

Mr. NORTON TAYLOR,
Secretary, Disaster Committee,
Milton-Freewater, Oreg.

DEAR MR. TAYLOR: In view of your interest in the subject of obtaining assistance for the fruitgrowers of the Milton-Freewater area whose orchards were destroyed in the November 1955 freeze, I am pleased to enclose a copy of the bill S. 3850, together with a tearsheet from yesterday's CONGRESSIONAL RECORD containing my remarks at the time the bill was introduced.

With kindest regards,

Sincerely,

WAYNE MORSE.

OREGON STATE COLLEGE,
SCHOOL OF AGRICULTURE,
Corvallis, May 14, 1956.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR MORSE: I have just received your letter of May 11 with attached letters indicating your efforts in behalf of the fruitgrowers at Milton-Freewater. I visited that area last week. The situation is really bad. The summary of the situation is about as follows: 2,200 acres prunes, 95 percent dead; 900 acres late apples, 75 percent dead; 300 acres cherries, 100 percent dead; 200 acres peaches, 100 percent dead.

There are some 500 or 600 acres of principally early apples that appear to have survived the freeze. It appears to me that there is liberal justification for Farmers' Home Administration loans for the orchardists that have commercial-sized units.

Very truly yours,

F. E. PRICE,
Dean and Director.

MAY 19, 1956.

Dean F. E. PRICE,
Oregon State College, School of Agriculture, Experiment Station,
Corvallis, Oreg.

DEAR DEAN PRICE: Many thanks for your letter of May 14 relative to the Milton-Freewater fruit growers situation. Your communication arrived just in time to enable me to include the facts concerning the extent of the damage suffered by the growers, in the statement that I presented under date of May 17 to the subcommittee of the Senate Agriculture Committee considering farm credit legislative proposals.

In view of your interest, I am enclosing a typewritten copy of my statement. The matter of the damage appears at page 2. I am also enclosing a copy of the bill S. 3850 sponsored jointly by Senator NEUBERGER and myself and a copy of my statement appearing in the CONGRESSIONAL RECORD of May 14.

Again, many thanks for the facts you supplied.

With kindest regards,

Sincerely,

WAYNE MORSE.

MAY 15, 1956.

Mr. BARLOW CLARK,
Manager, Stadleman Fruit Co.,
Milton-Freewater, Oreg.

DEAR MR. CLARK: For your information, I am pleased to enclose a copy of the bill S. 3850 together with my remarks in the Senate at the time the bill was introduced.

I have been in close touch with Mr. Gibbons in an effort to be of all possible assistance. You may be sure that I shall continue to do everything I can to help the orchardists in bringing about rehabilitation of their farms.

With kindest regards,

Sincerely,

WAYNE MORSE.

MAY 15, 1956.

Mr. ARCHIE HARRIS,
President, Disaster Committee,
Milton-Freewater, Oreg.

DEAR MR. HARRIS: In view of your interest in the subject of obtaining assistance for the fruitgrowers of the Milton-Freewater area whose orchards were destroyed in the November 1955 freeze, I am pleased to enclose a copy of the bill S. 3850 together with

a tearsheet from yesterday's CONGRESSIONAL RECORD containing my remarks at the time the bill was introduced.

With kindest regards,
Sincerely,

WAYNE MORSE.

MAY 15, 1956.

Mr. AL HOFFMAN,
Manager, Mojonnier & Sons,
Milton-Freewater, Oreg.

DEAR MR. HOFFMAN: For your information, I am pleased to enclose a copy of the bill S. 3850 together with my remarks in the Senate at the time the bill was introduced.

I have been in close touch with Mr. Gibbons in an effort to be of all possible assistance. You may be sure that I shall continue to do everything I can to help the orchardists in bringing about rehabilitation of their farms.

With kindest regards,
Sincerely,

WAYNE MORSE.

MAY 15, 1956.

Mr. and Mrs. WALKER C. ELLIS,
Milton-Freewater, Oreg.

DEAR FRIENDS: For your information, I am pleased to enclose a copy of the bill S. 3850 together with my remarks in the Senate at the time the bill was introduced.

I have been in close touch with Mr. Gibbons in an effort to be of all possible assistance. You may be sure that I shall continue to do everything I can to help the orchardists in bringing about rehabilitation of their farms.

With kindest regards,
Sincerely,

WAYNE MORSE.

MAY 15, 1956.

The EDITOR, EAGLE TIMES,
Milton-Freewater, Oreg.

DEAR SIR: For your information, I am pleased to enclose a copy of the bill S. 3850, together with my remarks in the Senate at the time the bill was introduced.

I have been in close touch with Mr. Gibbons in an effort to be of all possible help. You may be sure that I shall continue to do everything I can to assist the orchardists in bringing about rehabilitation of their farms.

With kindest regards.
Sincerely,

WAYNE MORSE.

MAY 15, 1956.

The EDITOR, WALLA WALLA UNION BULLETIN,
Walla Walla, Wash.

DEAR SIR: For your information, I am pleased to enclose a copy of the bill S. 3850 together with my remarks in the Senate at the time the bill was introduced.

I have been in close touch with Mr. Gibbons in an effort to be of all possible assistance. You may be sure that I shall continue to do everything I can to help the orchardists in bringing about rehabilitation of their farms.

With kindest regards.
Sincerely,

WAYNE MORSE.

PENDLETON, OREG., *May 8, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Understand Mr. Gibbons, Milton-Freewater, to be in Washington, D. C., area in trouble freezeout of trees. Appreciate your thorough study. Pendleton Chamber of Commerce sympathetic to need.

VERNE H. TINNERSTET,
Manager.

MAY 11, 1956.

Mr. VERNE H. TINNERSTET,
Manager, Pendleton Chamber of Commerce, Pendleton, Oreg.

DEAR MR. TINNERSTET: Thank you very much for your wire of May 8 in which you advise that Mr. Glenn Gibbons of Milton-Freewater would be in Washington to confer on the problems of the fruit orchardists who suffered severe losses in last November's unprecedented freeze.

Mr. Gibbons reached Washington the other day and has been in close touch with Mr. Berg, my administrative assistant, and with Senator NEUBERGER's office. Within the next day or two, I intend to talk with Mr. Gibbons personally to explore the entire problem in greater detail.

Today, I communicated with Senator ELLENDER and with Administrator McLeaish of the Farmers Home Administration in an effort to be of assistance. The details are contained in the enclosed copies of my letter to these gentlemen.

You may be sure that I shall do everything possible to obtain assistance for the farmers who have experienced such severe damage to their farms.

With kindest regards,
Sincerely,

WAYNE MORSE.

MAY 11, 1956.

Mr. and Mrs. WALKER C. ELLIS,
Milton-Freewater, Oreg.

DEAR FRIENDS: Supplementing our correspondence on the subject of the severe losses experienced by fruit growers in the Milton-Freewater area, I enclose copies of letters I addressed yesterday to Senator ELLENDER and to Administrator McLeaish of the Farmers Home Administration.

I thought you would like to have this latest information on what I am endeavoring to do on behalf of these hard-pressed farmers.

With kindest regards,
Sincerely,

WAYNE MORSE.

MAY 15, 1956.

Mr. HENRY DIXON,
Milton-Freewater, Oreg.

DEAR MR. DIXON: Supplementing my letter of May 11, I thought you would like to know that yesterday Senator NEUBERGER and I introduced the bill S. 3850, to provide financial assistance for the rehabilitation of orchards destroyed by the heavy freeze of November 1955.

Also enclosed is a tear sheet from the CONGRESSIONAL RECORD containing my remarks at the time the bill was introduced.

Senator NEUBERGER and I are working closely with Mr. Gibbons on this project and you may be sure that we shall do everything possible to be of help to the fruit growers of your area.

With best personal regards,
Sincerely,

WAYNE MORSE.

MAY 11, 1956.

Mr. HENRY DIXON,
Milton-Freewater, Oreg.

DEAR MR. DIXON: Thank you very much for your letter of April 23 concerning our mutual efforts to obtain assistance for the farmers who suffered such severe losses in the freeze of last November.

My Administrative Assistant, Bill Berg, told me of his telephone conversation with you of the other day. I certainly appreciated your advising that Glenn Gibbons would be in Washington to work on this problem. Mr. Gibbons has been conferring with Bill and with John Jones of Senator NEUBERGER's office and I am looking forward to talking to Mr. Gibbons personally about the entire problem.

In an effort to be of assistance, I have suggested to Senator ELLENDER that the soil bank conservation reserve program be modified so as to include clear-cut relief for the farmers whose orchards were destroyed. Also, I have communicated with the Administrator of the Farmers' Home Administration asking that everything possible be done to provide more liberal credit arrangements for these farmers. Copies of my letter to Senator ELLENDER and Mr. McLeaish are enclosed.

You may be sure that I shall do everything possible to be of help in this case.

With kindest regards,
Sincerely,

WAYNE MORSE.

MILTON-FREEWATER, OREG., *April 23, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: As per your last letter we contacted Dean Price and he will be in Umatilla County the first part of May. The disaster committee will help Dean Price make this suggested survey.

I am enclosing a suggested amendment to the soil-bank legislation now pending before Congress, which was given me by the chairman of the disaster committee. They are working with other areas in the Northwest and contacting all Congressmen in regard to this suggested amendment.

We are of the opinion that this is a workable solution and trust you will give it your utmost consideration.

Thank you for your past courtesies.
Sincerely,

HENRY DIXON,
Chairman, Democratic Committee,
Umatilla County.

SUGGESTED AMENDMENT TO SOIL BANK LEGISLATION OR THE APPROPRIATION BILL TO BE USED FOR SOIL BANK PURPOSES

Funds under this act will be made available to fruit and vegetable farmers in areas where, as a result of a flood, freeze, hurricane, or other natural cause, production from valuable cropland has been seriously impaired or destroyed and the area has been declared a disaster area by the Secretary of Agriculture under existing law: *Provided, however,* That—

1. Payments shall not exceed $150 per acre per year, and shall vary according to the extent of the damage, type, and value of the land, and the individual requirements of the various crops.

2. Payments will be made for the replanting and redevelopment of only such lands as have proven suitable for cropping by past production history; provided that land will not be considered unsuitable only because of size of the acreage.

3. In the event of fruit orchards or similar crops intercropping of young plantings with row crops will not affect payments under this act unless they are in excess of 20 acres per farm unit.

OREGON STATE COLLEGE,
SCHOOL OF AGRICULTURE,
Corvallis, April 3, 1956.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR MORSE: I have your letter of March 29 transmitting the letter which Henry Dixon of Milton-Freewater wrote to you regarding a loan that would be made available to farmers in their area to help them through their rehabilitation period as a result of the freeze of last fall which killed a large part of their fruit trees. As per my conversation with you last week in your office, I believe it would be appropriate for me to take no action until Mr. Dixon writes to me indicating his desire for help from us.

Very truly yours,

F. E. PRICE,
Dean and Director.

MAY 11, 1956.

Mr. F. E. PRICE,
Dean and Director, Oregon State College, School of Agriculture, Corvallis, Oreg.

DEAR MR. PRICE: Supplementing our recent correspondence on the subject of the severe

losses experienced by fruitgrowers in the Milton-Freewater area, I enclose copies of letters I addressed yesterday to Senator ELLENDER and to Administrator McLeaish of the Farmers Home Administration.

I thought you would like to have this latest information on what I am endeavoring to do on behalf of these hard-pressed farmers.

With kindest regards,

Sincerely,

WAYNE MORSE.

MAY 23, 1956.

Mr. HENRY DIXON,
Milton-Freewater, Oreg.

DEAR MR. DIXON: This is just a short note to bring you up to date on the problem of the Milton-Freewater orchardists. As you know, I introduced the bill S. 3850 and made a statement on the floor of the Senate concerning the matter. I also submitted a statement to the Senate Subcommittee on Agriculture and Forestry.

For your own personal information, I enclose a copy of a wire from Glen Gibbons and a copy of my reply to him.

I shall let you know of any further developments.

With best regards,

Sincerely,

WAYNE MORSE.

MAY 14, 1956.

ASSISTANCE FOR OREGON'S DISASTER-STRICKEN ORCHARDS

(Statement by Senator WAYNE MORSE)

Mr. President, in the month of November 1955 a disaster struck the fruit orchards of northeastern Oregon and part of the States of Idaho and Washington in the form a sudden, unprecedented freeze which completely wiped out long established and highly productive fruit orchards of approximately 450 farm families in my own State. This was not merely the type of freeze which destroys 1 year's crop. This completely killed the trees themselves leaving the farmers without the slightest hope for a fruit crop in short of about 7 years.

The sad fact is that a majority of the farmers who were hit by this tragic occurrence do not have the means to rehabilitate their orchards on their own reserves. They are faced with heavy costs of clearing out the dead trees, purchasing nursery stock and bringing the young trees to productive maturity. Activities of this type require money, but the orchardists who have brought their problem to my attention have told me that even after exercising the most diligent efforts, they have been unable to obtain credit locally or through the facilities of the Federal Government which will enable them to do this rehabilitation job under a loan program which is consonant with their practical needs.

Representatives of these Oregon orchardists have talked to officials of the Farmers Home Administration in the regional office as well as here in Washington but their efforts have been futile. The FHA apparently takes the position that repayment installments should begin soon after the original loan is made. Obviously, such a condition does not accord with reality because the plain fact is that it takes about 7 years from the time of planting the nursery stock to the time at which production commences in paying quantities.

Mr. President, the farms that have been hit by this unprecedented disaster have generally and over a period of 50 years or more established their economic value as evidenced by a fine record of production of an important portion of our Nation's food supply. In most instances, the farmers who have experienced this disaster have exhausted their efforts to refinance their farm operations and unless they can obtain assistance from the Federal Government and get it quickly, there appears to be no alternative other than forced liquidation of some very fine farms. This, in turn, will simply mean that more farm families will have to join the growing numbers who are leaving their farms to reside in urban areas.

In order to assist in bringing these fine farms back into production, I am introducing a bill to provide financial assistance for the rehabilitation of such orchards. Under this bill, the Secretary of Agriculture is authorized to make emergency loans to orchard operators and owners in disaster areas, designated as such by reason of freeze, drought, hurricane, disease or other natural causes; provided he establishes he is unable to obtain financial assistance from private sources and shows that he has a reasonably good chance of repaying his loan.

Loans under this bill would be made not in excess of $25,000 and not to exceed 15 years at 2½ percent interest per annum.

The repayment period would not begin prior to 6 crop years from the date of the loan in any case in which it is determined by the Secretary of Agriculture that the borrower's income will be insufficient to make payment at an earlier date. However, the bill would also authorize variable payments to meet the situations in which net earnings and ability to pay are higher or lower than normal.

This bill would authorize the Secretary of Agriculture to assume not to exceed 50 percent of the cost of clearing the disaster-stricken orchard and initiating replanting or redeveloping the land.

Mr. President, I introduce this disaster-aid bill on behalf of myself and my colleague, Senator NEUBERGER, and I urge its prompt and sympathetic consideration by the appropriate Senate Committee because of the emergency nature of the problem covered by this proposed legislation.

MAY 17, 1956.

STATEMENT OF SENATOR WAYNE MORSE BEFORE SUBCOMMITTEE ON AGRICULTURAL CREDIT AND RURAL ELECTRIFICATION OF THE SENATE COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. Chairman and members of the subcommittee, my statement shall be limited to two of the bills now under consideration by the subcommittee, namely, S. 3790 and S. 3850, both of which relate to the need for a more realistic farm credit program.

S. 3790

The bill, S. 3790 of which Senator HUMPHREY is sponsor and I am one of several cosponsors has been introduced in the Senate for the purpose of meeting a problem that has come to my attention with growing intensity for many months. Farmers, throughout the State of Oregon, particularly those on our socalled "family-sized" farms, have supplied sufficient evidence to indicate that there is a growing crisis developing with respect to their needs for credit. Since 1953, the high interest, tight money policy of the administration has hurt farmers and rural communities.

Boiled down to its essentials, S. 3790 would increase the amount that may be borrowed by farmers through Government lending agencies. It would lengthen the period in which the loan may be repaid and it would provide urgently needed low interest credit. A feature of special significance is that part of the bill would direct the Secretary of Agriculture to make repayments on all loans variable so that installments could be reduced in years of low income and increased when yields and prices are good.

S. 3790 would make available to small business, whose interests are closely related to those of our farmers, the opportunity to obtain credit through the facilities of the Department of Agriculture. The administration's farm program is hurting small-business men as well as farmers. They need more liberal credit terms than those now available if they are to continue in operation during this era of reduced farm purchasing power.

S. 3790 would not put out of business those who are now engaged in the farm-loan business. Instead, it would fill a void. Its plan would operate so as to supplement rather than replace the existing credit operations of banks, insurance companies, and private individuals. It would stimulate the making of sound loans on a more liberal basis.

I shall not extend my discussions of this very meritorious bill because Senator HUMPHREY, who drafted its provisions, has exceptional ability in explaining, in clear and understandable terms, the technicalities of legislative proposals. I urge the committee's favorable consideration of this bill.

S. 3850

The Milton-Freewater area of Oregon has, for over 50 years, been an important fruit-growing area of my State. Last winter, an unprecedented disaster struck these orchards by way of a freeze which eliminated the bulk of the fruit trees on these farms. The extent of the damage has been very carefully checked by Dean F. E. Price of the Extension Service Experiment Station at Oregon State College. Just today, I received a letter from Dean Price who advised me that last week he visited the Milton-Freewater area. He stated:

"The situation is really bad. The summary of the situation is about as follows: 2,200 acres prunes, 95 percent dead; 900 acres late apples, 75 percent dead; 300 acres cherries, 100 percent dead; 200 acres peaches, 100 percent dead.

"There are some 500 or 600 acres of principally early apples that appear to have survived the freeze. It appears to me that there is liberal justification for Farmers Home Administration loans for the orchardists that have commercialized units."

This was not a mere crop disaster. Dean Price's résumé of the damage shows that the November 1955 freeze killed the trees themselves, leaving most of the farmers without the slightest hope for a fruit crop the next 7 years.

The sad fact is that a majority of the farmers who were hit by this tragic occurrence do not have the means of the financial reserves with which to rehabilitate their orchards. They are faced with heavy costs of clearing out the dead trees, purchasing nursery stock, and bringing the young trees to productive maturity. Activities of this type require money; but the orchardists who have brought their problems to my attention have told me that even after exercising the most diligent efforts, they have been unable to obtain locally or through the facilities of the Federal Government credit which will enable them to do this rehabilitation job under a loan program which is consonant with their practical needs.

Representatives of these Oregon orchardists have talked to officials of the Farmers' Home Administration in the regional office, as well as here in Washington; but their efforts have been futile. The FHA apparently takes the position that repayment installments should begin soon after the original loan is made. Obviously, such a condition does not accord with reality, because the plain fact is that it takes about 7 years from the time of planting the nursery stock to the time when production commences in paying quantities.

The Milton-Freewater community is, by no means, an experimental fruit growing area. For more than 50 years, the orchards in that part of my State have established their economic value, as evidenced by a fine record of production of an important item of our Nation's food supply. In most instances, the farmers who have experienced this disaster have exhausted their efforts to refinance their farm operations; and unless they can obtain assistance from the Federal Govern-

ment, and obtain it quickly, there appears to be no alternative other than forced liquidation of some very fine farms. This, in turn, will simply mean that more farm families will have to join the growing numbers who are leaving their farms to reside in urban areas.

S. 3850 would provide an orderly program for supplying financial assistance for the rehabilitation of these disaster-stricken orchards.

Under this bill, the Secretary of Agriculture is authorized to make emergency loans to orchard operators and owners in disaster areas, designated as such by reason of freeze drought, hurricane, disease or other natural causes, provided they establish that they are unable to obtain financial assistance from private sources, and show that they have reasonably good chances of repaying such loans.

Loans made under the bill would be not in excess of $25,000 and for not to exceed 15 years, at 2½ percent interest per annum.

The repayment period would not begin prior to six crop years from the date of the loan in any case in which it is determined by the Secretary of Agriculture that the borrower's income will be insufficient to make payment at an earlier date. However, the bill would also authorize variable payments, to meet the situations in which net earnings and ability to pay are higher or lower than normal.

The bill would authorize the Secretary of Agriculture to assume not to exceed 50 percent of the cost of clearing the disaster-stricken orchards and initiating replanting or redeveloping the land.

Mr. Glen Gibbons, manager of the Blue Mountain Prune Growers Cooperative, will supply the subcommittee with further details concerning the needs of the orchardists and the importance of this bill insofar as it relates to their economic future.

In closing, Mr. Chairman, I wish to thank the subcommittee for the courtesy extended in permitting Mr. Gibbons to testify during the course of the present hearings.

MILTON-FREEWATER, OREG., *March 22, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: You are no doubt aware of the drastic damage the winter's freeze has brought to the fresh fruit grower here in the Northwest. In our particular area 75 percent of the growing trees have been killed, and there will be little or no crop on the balance.

I am writing in regard to some sort of loan that may be worked out for the farmers in this area; for example: 10-year loan at 3-percent interest with no principal payment for the first 6 years of the loan. This loan must not be necessarily secured by a first mortgage.

This disaster loan which has been approved for the Milton-Freewater area is of little, if any, value at all to the fruit farmer.

Senator MORSE, you understand that it takes from 6 to 8 years for a prune or apple tree to start bearing and this area would be little worse off had there been a flood instead of a freeze. If something isn't done to help these fine farmers I am afraid a good many of them will go broke.

If either yourself or Senator NEUBERGER could find the time to come and make an on-the-spot investigation of this very serious situation I think you would realize the aid needed.

Your immediate acknowledgment of this letter will be greatly appreciated.

Sincerely,

HENRY DIXON,
Chairman, Democrat Committee,
Umatilla County.

MARCH 29, 1956.

Mr. HENRY DIXON,
Chairman, Democrat Committee, Umatilla County,
Milton-Freewater, Oreg.

DEAR MR. DIXON: I want you to know of my deep interest in the problem facing the fruitgrowers of Milton-Freewater and that I am anxious to be of all possible assistance.

Dean Price, who is director of agriculture at Oregon State College, was in Washington and I consulted with him about your problem and he made clear to me that the college would be glad to be of assistance to your group, if you would like to have them come in and make a survey of the situation and advise with you. For that reason, I have taken the liberty of forwarding your letter to the college for the attention of Dean Price.

My suggestion is that you ought to consider favorably writing to Dean Price and ask for their cooperation. I give you that advice because I am satisfied that the United States Department of Agriculture officials always seek the cooperation of the State when such a problem is involved, which I think is a very desirable thing for them to do. I have a very high regard for Dean Price and I know that, if you would like to have the Oregon State College give assistance to you, he will do everything he can to help out.

With kindest regards,
Sincerely,

WAYNE MORSE.

MARCH 29, 1956.

Dean F. E. PRICE,
Dean and Director of Agriculture,
Oregon State College,
Curvallis, Oreg.

DEAR DEAN PRICE: I want you to know how much I appreciate your taking the time from your busy schedule to talk with me about the problems of the fruitgrowers in Milton-Freewater.

As I promised you, I am enclosing the letter I received from Henry Dixon, and I have written to Mr. Dixon telling him that I have sent his letter to you. It is good to know of your willingness to help out in this situation, and I should be glad to do anything that I can from here.

With kindest personal regards.
Sincerely,

WAYNE MORSE.

MARCH 27, 1956.

Mr. HENRY DIXON,
Chairman, Democratic Committee,
Umatilla County
Milton-Freewater, Oreg.:

Appreciate your letter concerning serious problem facing fruitgrowers of Milton-Freewater. Have had several conferences today with officials of Agriculture Department and have urged special economic conference of agriculture specialists to be held in Milton-Freewater to work out long-range plan. Agriculture officials have indicated they are favorably inclined and I anticipate that such conference will be held within short time. I believe Farmers Home Administration loans must be liberalized and I shall work toward that goal at hearings to be held before Senate Agriculture Committee in April. Regards.

WAYNE MORSE,
United States Senator.

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
July 2, 1956.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: Thank you kindly for your letter of June 23 with further reference to S. 3850, which you introduced, to provide emergency relief for orchardists who suffer disaster losses. I am taking the liberty of referring your letter to our committee staff for study.

I understand and appreciate your concern in this matter, and I am glad to have your additional comments on this bill.

With kind regards, I remain,
Yours faithfully,

SPESSARD L. HOLLAND.

BLUE MOUNTAIN PRUNE
GROWERS' COOPERATIVE,
Milton-Freewater, Oreg., June 19, 1956.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: Thanks for the information on the House committee action. This wording should be adequate to accomplish our loan program, if backed up by a similar Senate Committee directive, which I am sure you and Senator Neuberger will secure. The language should be plain enough for FHA to act on, I should think. Thanks for your continued efforts, on our behalf.

Sincerely,

GLEN G. GIBBONS,
Manager.

OREGON STATE COLLEGE,
SCHOOL OF AGRICULTURE,
Corvallis, June 18, 1956.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR MORSE: I wish to thank you for your letter of June 4, regarding the work that you are doing in Washington to make the Farmers' Home Administration lending authority of more practical value to the Milton-Freewater freeze disaster area. I certainly hope that this can be worked out, as I believe it will be practical and will give the orchardists about all they would expect from any Federal agency.

Very truly yours,

F. E. PRICE,
Dean and Director.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Is the bill now open to amendment?

The PRESIDING OFFICER. The committee amendments will be first considered.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc without prejudice to the right of any Senator to offer any amendment he may care to offer.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Mississippi will be stated.

The CHIEF CLERK. It is proposed, on page 3, line 9, to change the period to a semicolon, add the word "and" and insert a new paragraph, as follows:

(3) loans in amounts not exceeding $15,000 per farm for the construction, improvement, repair, or replacement of farm dwellings and other buildings on farms the operation of which requires no more than 3 farm families or 3 farm dwellings may be insured under this act.

Mr. STENNIS. Mr. President, I first desire to add my word of commendation for the Senator from Florida and other

Senators for their fine work on what I think is one of the most important bills to come before this session of Congress, because it goes to the very vitals of the preservation of so many of our rural communities throughout the country.

I also wish to compliment the Senator from Vermont [Mr. AIKEN] for his interest in this bill. He introduced it, and I appreciate his inviting me to join as one of the cosponsors.

Mr. President, my amendment is very simple. It has been considered, in part, by the committee, and it is offered for only one purpose. Under the present law and regulations, the definition of a family-size farm is so limited that it does not include a farm on which there is one tenant. Many of our small farms are very much in need of long-term credit. A farm may be a modest one and, still, it may have 1 or possibly 2 tenants living on it. It is a home for the tenants, and they make a living there.

But, Mr. President, unless my amendment should be adopted, some fine young couples living on small farms would be deprived of the benefits of this bill, because their farms would be classified as larger than a family-sized farm.

I had before the committee an amendment which provided that such farms larger than family-sized farms would be eligible for a loan. The committee decided that that would broaden the field too much, open up too many possibilities, and might possibly get us into the realm of high financing. Of course, that was not my purpose. I want the eligibility to stop, so far as I am concerned, at the small-farm level. My purpose is to make eligible such groups as I have referred to. I do not have in mind making a person who may have 15 or 20 tenants eligible for a loan. I am trying to reach those who cannot get long-term credit, and are not able otherwise to finance their farms. This bill would vitally affect a great many communities in my State.

Mr. AIKEN. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. AIKEN. I understand the Senator's amendment would apply to a farmer who, perhaps, has two sons living on the farm with him, and it would enable him to make repairs, not only to his own home, but to the other houses on the farm as well.

Mr. STENNIS. That is correct.

Mr. AIKEN. It is not intended to apply to a landlord who, perhaps, may have half a dozen farms and would perhaps borrow to construct or repair three houses. I think the Senator's amendment is good, and I am glad to support it, because I believe it is just as important to have a family living on the farm, even though they do not happen to be the owner, as it is for the owner himself.

Mr. STENNIS. The Senator's interpretation of my amendment is correct, and I certainly thank him for his interest and his support.

Mr. HUMPHREY of Minnesota. I may say to the Senator from Mississippi that I feel his amendment is meritorious. He has spoken to me in detail, as he has to other members of the committee, of the necessity of this type of authorization. In the light of the limitations which the Senator has placed in his amendment, I think it merits our support.

Mr. STENNIS. I thank the Senator from Minnesota.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. Of course, the Senate may do as it wishes about the amendment, but I hope the Senate will allow me to accept it and to take it to conference, in the hope that we can include it in the bill.

I am in the position of having wanted to go much further than this with reference to the earlier amendment of the Senator from Mississippi, because of various factors, not only what the Senator has mentioned, but particularly because the housing bill seems to be in jeopardy. Although the Senate passed it a good while ago with a substantial provision affecting rural housing, my understanding, up until today, at least, is that the measure has not been taken up in the House. That was a rather compelling additional objective.

However, the committee unanimously, after having discussed the whole matter and having found rather great differences of opinion, felt that as it was originally worded, it opened up a brand-new field, and took the bill away from the position of being designed to serve marginal cases.

I believe I made the suggestion to the Senator from Mississippi that he reword the amendment in a manner which would confine it to a farm which really was marginal but happened to have a couple of little tenant houses on it. It might be a case of a family, as was suggested by the Senator from Vermont [Mr. AIKEN]; it might be a case of a farmer who has on his farm a couple of tenant families who had nowhere else to go and nothing else to do.

I think there is merit in the amendment. I think it comes under the marginal classification, and I shall support it in the belief that it comes under the marginal classification. I do not believe a man having two tenants would be entitled to borrow from the FHA if he was highly prosperous, any more than he would if he did not have any tenants. The amendment does not tend to permit him to go outside the scope of the act, but it extends the act, I think, in a direction which would be helpful.

I shall be very happy to accept the amendment unless there is objection from the committee.

Mr. STENNIS. I thank the Senator from Florida.

Mr. AIKEN. Mr. President, I think the bill on which we are acting is extremely important, particularly to a certain class of people who live in rural communities, and that it will go far toward carrying on the rural development program in which we are all interested. Yet I realize that we are far from having attained perfection in the field of farm finance.

I am particularly concerned with the proposal of the senior Senator from Oregon [Mr. MORSE] in regard to the people who have perhaps lost their entire orchards. It so happens that those who took the best care of their orchards have suffered the greatest losses. The very thrifty orchards, which ranged in age from 10 to 12 years, were more susceptible to freezes than were the older, perhaps more poorly cared for trees.

I think that as soon as possible some kind of plan ought to be devised to enable orchardists to become eligible for disaster loans or some other kind of loan program, in order to get on their feet again, because I know what it means for one to lose all his fruit trees in 1 or 2 nights.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. MORSE. I intend to pursue the suggestion which the Senator from Vermont has just made in regard to trying to amend this farm-disaster loan bill so as to provide some relief for orchardists.

The second comment I wish to make is that what the Senator has said about the very best orchards being completely wiped out suddenly is true. The orchardists keep the orchards cultivated and the drainage perfect, which makes them more susceptible to freezing.

Mr. AIKEN. It is true that sometimes those who have taken the best care of their orchards suffer the greatest damage, unless conditions in Oregon are different from what they are in my section of the country.

Mr. STENNIS. I am glad to submit the amendment.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Mississippi [Mr. STENNIS] is agreed to.

The bill is open to further amendment.

Mr. HUMPHREY of Minnesota. Mr. President, before I offer my amendment, I again wish to state that I am very much concerned about the language in the bill on page 3, line 10, section (d), which reads as follows:

> Section 2 (b) is amended by striking from the first sentence thereof the word "the" preceding the word "rates" and inserting in lieu thereof the word "reasonable," and by striking the words "(but not exceeding the rate of 5 percent per annum)."

What the bill does is to substitute the words "reasonable rates of interest" for the words "5 percent or not exceeding the rate of 5 percent per annum."

I understand the argument which is made for reasonable rates of interest. The argument made is that the Farmers' Home Administration is not supposed to be competitive with the existing commercial and cooperative credit institutions. But I think we must face up to the fact that interest rates have been climbing in the commercial banks and in other lending institutions, not only for industrial purposes or industrial expansion and consumer credit, but also for farm credit.

I am of the opinion that the proposed language, instead of putting a brake on the race toward higher interest rates, more or less joins the race, and says, "We will go right along."

The Farmers' Home Administration is primarily designed, through its pur-

poses and objectives, to assist family farmers, particularly family farmers who have had difficulty getting credit in the commercial credit institutions or the private and cooperative credit institutions. The one group in this country which is least able to pay high interest rates is the group of citizens to which the bill is directed. It does not make much difference to a man who is making a good profit whether he pays 4 or 5 percent interest. It may make a financial difference, but it will not be one which will basically determine whether he will stay in or go out of business.

But the bill and the Bankhead-Jones Act are designed to help people who are in financial trouble. The way we seem to help them is to agree to have them pay, under the language of the bill, the interest rates which have been established by private credit institutions. Private credit institutions are profit-making credit institutions, and the same credit institutions have been progressively increasing their rates.

When the representatives of the Department of Agriculture were asked, "What do you mean by 'reasonable rates'?" they testified to the effect that such a rate could be 6 percent, 7 percent, or higher. That is another way of saying that whatever the local financial institutions are charging for interest, that is what the Farmers' Home Administration will charge for interest.

I submit that one of the largest factors in the increased cost of farm operations is the interest rates; in fact, I think it is the single largest factor in the case of farm operations. Since 1952, I should say, if it has not been the largest factor, it has been one of the top two largest factors.

I regret to say that by the language of the bill we are not trying to put a brake on the climbing interest rates, but are saying that this is a pattern which shall be pursued with official blessing.

In the committee, I offered an amendment to strike that language. My amendment would strike out the language in the presently operating law, "but not exceeding the rate of 5 percent per annum."

I will be very blunt about it. I do not think money is worth more than 5 percent. I notice that savings institutions and commercial banks, to which our children take their little deposits, are paying 2 percent interest. If one gets 2½ percent interest on his deposits he is really doing unusually well.

Furthermore, the record of profits in commercial investment banks is second to none in terms of profitable enterprise in the United States. I see no reason why we must condone what I call a practice of having the money market bear whatever cost the banking fraternity can get out of it.

In some areas of the country interest rates are in excess of 6 percent. In certain areas they are 7 percent, on certain types of loans. In some places they are 8 percent. It can be seen that it is not the universal pattern that interest rates are that high. One reason why they are not that high is that there have been Federal yardsticks to hold them down.

I must say again I am going to offer an amendment on page 3, to strike out the language from line 10 down through line 14, to the period in said line.

I believe that language, if it remains in the bill, will have a regrettable effect upon the credit structure.

I offer that amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, beginning in line 10, it is proposed to strike out:

Section 2 (b) is amended by striking from the first sentence thereof the word "the" preceding the word "rates" and inserting in lieu thereof the word "reasonable", and by striking the words "(but not exceeding the rate of 5 percent per annum)."

Mr. HUMPHREY of Minnesota. Mr. President, there is similar language on page 10, in section 44, which is companion language relating to another provision in the bill, which I ask unanimous consent to have considered en bloc with the previous amendment. The language is almost identical and refers to the same provision in the law.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 10, beginning in line 10, it is proposed to strike out:

Section 44 (a) (3) is amended by striking the word "the" as it appears before the word "rates" and inserting in lieu thereof the word "reasonable" and by striking the words "(but not exceeding the rate of 5 percent per annum)" and.

The PRESIDING OFFICER. Is there objection to the consideration of the amendments en bloc? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have my supplemental views, appearing on page 19 of the report, relating to this particular amendment, printed in the RECORD at this point.

There being no objection, the supplemental views were ordered to be printed in the RECORD, as follows:

SUPPLEMENTAL VIEWS ON S. 3429 BY SENATOR HUMPHREY OF MINNESOTA

While concurring in the favorable committee report on the bill (S. 3429), I wish to express supplemental views on improvements that in my opinion need to be made before enactment. In my judgment, unless these changes are made, the measure could weaken rather than strengthen the credit situation of family farmers.

YARDSTICK FUNCTIONS OF FARMERS' HOME ADMINISTRATION SHOULD BE PRESERVED

Subsection 1 (d) of the bill should be amended to strike out the first sentence and make necessary language changes in the second sentence.

The sentence that we urge be struck out would very largely eliminate the yardstick character of Farmers' Home Administration loans to family farmers. The bill passed by the House of Representatives (H. R. 11544) does not contain this provision.

Under existing law, a prospective borrower is not eligible to obtain a direct or insured farm ownership loan from Farmers' Home Administration if he is able to obtain needed credit from other available sources at "not more than 5 percent interest." The first sentence of subsection 1 (d) and subsection 3 (d) would eliminate this limitation upon the outside rate of interest and substitute for 5 percent the word "reasonable." The record of subcommittee hearings indicates that this change was recommended by the executive branch to enable Farmers' Home Administration to reject loan applications from any farmer who was able to obtain the needed loan at any higher rate of interest than 5 percent, to rise along with the high interest rate policies of the executive branch as they are reflected in going rates of interest in local areas. The Department of Agriculture witness testified that the word "reasonable" would be interpreted to mean interest rates as high as 6, 7, or 8 percent or higher if going interest rates in local areas should be at such levels.

To make this change in existing legislation would place the Farmers' Home Administration in the position of joining the race to higher and higher interest rates on farm loans. The minority does not believe such a move is consistent with the original intent of the farm ownership credit provisions of the Bankhead-Jones Farm Tenant Act, as amended. Maintaining the 5 percent limitation will help to discourage the rising trend of farm loan interest rates and charges to farmers. The interest payment component of the parity index of farm costs has risen faster than any other component of that index. Eliminating the 5 percent limitation will make the increase of farmers' interest payments even more rapid.

INCREASE LOAN SIZE LIMITATION

In order to keep pace with the growing costs of farmer operations, the maximum size limitation of initial loans and total indebtedness of Farmers' Home Administration operating loan borrowers should be increased further than the subcommittee has proposed. The measure increases the present $7,000 to $10,000. That increase, in my opinion, should be extended to $12,000 plus the bill's proposal for authorizing use of 10 percent of the amount appropriated for operating loans each year for loans increasing the aggregate indebtedness of the borrower above the present limit of $10,000, but not above $20,000.

LOANS TO DISASTER STRUCK ORCHARDISTS

I wish to express myself as in accord with the attitude expressed in the House Agriculture Committee's report on H. R. 11544 relating to the existing authority of the Secretary of Agriculture to deal adequately with the credit and repayment schedule needs of orchardists whose trees have been killed by unseasonably cold weather, as follows:

"LOANS TO ORCHARDISTS

"Some of the bills considered by the committee proposed special provisions for disaster loans to orchardists, including deferment of repayments until new trees come into production. Public Law 38 of the 81st Congress now authorizes the Secretary to make such loans in disaster areas, such as the area in Oregon and Washington where many orchard trees were killed by last year's early heavy freeze, and the committee anticipates the Secretary will exercise this authority. It also authorizes the Secretary to set the terms and conditions for the repayment of such loans. The committee believes that the terms of loans of this character should be such as would afford real assistance to producers who suffer various kinds of production losses. Consequently, if the purpose of the loan is to reestablish an orchard destroyed by the disaster and repayment is to be expected solely from the production of the orchard, the first repayment installment should be deferred until income is expected from the reestablished orchard. The problem of liquidity of the revolving fund, which may be affected by such deferments, is one to be met when there is need for additional money in the revolving fund, and is not a problem which should be solved by amending the existing broad authority of the Secretary."

CONCLUSIONS

The proposed bill will not meet the overall credit needs of hard-pressed family farmers. I do believe, however, that if the bill is amended in the ways I have recommended it would be an improvement over the existing situation. I support it on that basis and with those reservations. I urge careful consideration, however, of the changes suggested. Certainly we do not wish to weaken the family farm credit structure of the Nation in the guise of improving it. We ought not to adopt legislation which will force increasing numbers of farmers to pay ever-increasing rates of interest. Certainly we do not want such legislation to be an entering wedge in the drive to again raise the interest rates on all Farmers' Home Administration loans.

Mr. HOLLAND. Mr. President, of course, the distinguished Senator from Minnesota makes a compelling case about a compelling matter. Everyone of us would like to disregard the laws of financial life and make sure that those in the submarginal classifications get money at a rate just as low as possible. We would like it to be equally low in all parts of the country. We would like it to be possible to have that done, and still not bring about disturbing factors which would jeopardize the continued sustenance and serviceability of the Farmers' Home Administration. We have had pretty clear statements from the Administrator of the FHA, after checking with field offices, that they are up against it now. We have just got to the point where we must face up to the problem, which is this: If the rate is kept lower than the going rate in some areas of the country, that means that when it comes to qualifying for an FHA loan a man who should not have access to FHA borrowing at all will be able to obtain such a loan simply by proving he cannot get, from commercial institutions or insurance companies or Farm Credit Administration, loans at 5 percent. The reason he cannot get it is that they are not lending the money at 5 percent. Therefore, he lays claim to his right to have loans from the Farmers' Home Administration. Not only is the purpose of the act thus stultified, which is bad enough, and which makes for ill-feeling in the community, but, what is worse, it tends to destroy the very favorable position in the financial community which this institution has enjoyed, to the degree it has been able to render very great service in the places where the service was most needed. It has had the friendly interest of the local institutions, State banking groups, insurance groups, and the Farm Credit Administration. Let us remember that the Farm Credit Administration groups belong to the very farmers who are living in the communities where the submarginal places are.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HUMPHREY of Minnesota. What is the rate of interest charged?

Mr. HOLLAND. It varies. The interest rate structure is not like this floor, perfectly level, but it is up and down in various areas of the country, depending, in large measure, on the size of the deposited funds, whether they are in commercial institutions or in Farm Credit Administration institutions that are available in different communities.

In a community which is prosperous and has a lot of money and banks, and has very strong lending institutions in the farm credit structure, the rate is low. In other areas, where there is not such a degree of prosperity and money is hard to get, the rate is proportionately higher.

The men who are serving us, and the country, in handling the Farmers' Home Administration are dedicated persons. I think they are much more than mere clockwatchers and timesavers as public employees. They tell us with one voice that the present law is hurting the Farmers' Home Administration, both in its capacity to get the job done, and in preserving the amicable place which it holds in the community, and which has been recognized up to this time, to enable it to function admirably.

Any Senator—and any person, of course—is sympathetic with the point of view of the distinguished Senator from Minnesota. I am sure every member of the committee was sympathetic with his point of view, but I do not think we can swim upstream to the degree the Senator would like, without greatly impairing, and perhaps destroying a very useful agency which I know the Senator cherishes as an agency which exists for the purpose of offering service, and which is performing well in most cases, and which should perform better with the added machinery we shall give it if this measure is enacted.

I recognize the Senator's sincerity, and he certainly fought hard in committee for his objective, and he fought with Senators who felt as he did in their desire to have the purpose accomplished if it could be done. But I think he would have us in deep water and in a different situation if the amendment should carry.

I call attention to the fact that the House, in effect, adopted the amendment. It stood by the present level. The matter is going to be in conference, anyhow. I am perfectly willing to relinquish my place in the conference to the Senator from Minnesota or anyone else who thinks we will not do our best to get the best bill possible out of conference. I do not think we can preserve the favorable situation of the Farmers' Home Administration, nor do I think we can get through legislation governing its rules, regulations, and laws, if we do not follow sound financial practice and financial regulation.

Let us not overlook the fact that there is another great institution, as to whose policies the Senator from Minnesota and I are not frequently in accord, and that is the Federal Reserve bank, with which corporation the credit structure throughout the Nation adjusts up and down. Of course, the effect of that adjustment up and down is reflected in the smallest hamlet and distressed agricultural communities, just as it is in the more prosperous places.

I will say to the Senator, in all candor, that if his amendment is adopted, and if we do not have the matter in conference, we shall be dooming ourselves to disappointment, in great measure, insofar as concerns the cherished additions to the law and our hope that this organization can render better service, because we would be flying in the face of what I think is financial law, whether we want it to be so or not.

I hope the distinguished Senator will either withdraw his amendment, which he has made perfectly clear is very dear to him, or at least will restrain the ardor of his presentation, to the degree that his brethren may be permitted to vote it down, because if he insists on his amendment, I sincerely believe he will destroy much of the capacity of this very fine bill to bring relief where it has not been brought under existing law.

Mr. HUMPHREY of Minnesota. Mr. President, I shall not take much more of the time of the Senate in regard to this matter.

I merely wish to say that I feel that the policy being pursued with regard to credit for agriculture is ridiculous; that is about the bluntest word I can think of, to use in that connection.

First, the Federal Reserve Board says it is necessary to raise the interest rates in order to curb inflation. Mr. President, there may be inflation in some parts of the economy, but there is genuine deflation in agriculture. The last place to raise interest rates is in a depressed economy. If it is true that there are a variety of interest rates throughout the country, then the lowest interest rate should apply to the agricultural area of the country. That is my sincere conviction.

I fully appreciate the logic of the position of the Senator from Florida; and I wish to commend him publicly for the fine, hard work he has done on the bill. It surely merits the congratulations and commendation of every Member of the Senate.

Mr. HOLLAND. I thank the Senator from Minnesota.

Mr. HUMPHREY of Minnesota. However, Mr. President, I wish to say that my concern about the bill is that I am afraid that by using the words "reasonable rates," instead of providing for a 5 percent maximum, the Congress will only be aiding and abetting what happened once before in the United States—namely—a piece-by-piece, step-by-step rise in the interest-rate structure which is a fundamental part of the total cost of agricultural production.

I shall not argue the case any longer, except to say that I openly oppose the policy of the Federal Reserve. I shall talk about it tomorrow. I think it is working ruinous effects upon farmers and agriculture; and the record in that connection can be documented. That policy is driving people out of business; it is making the big bigger and the poor poorer.

Mr. HOLLAND. Mr. President, will the Senator from Minnesota yield?

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Does the Senator from Minnesota yield to the Senator from Florida?

Mr. HUMPHREY of Minnesota. I yield.

Mr. HOLLAND. I am sure the Senator from Minnesota realizes that to have the Senate adopt his amendment as a part of the pending bill would not in any way operate effectively to withdraw such power on the part of the Federal Reserve.

Mr. HUMPHREY of Minnesota. Oh, no.

Mr. HOLLAND. Neither would it improve the situation, from the point of view of the Senator from Florida.

So I hope he will not insist upon submitting his amendment. I shall listen to him with great interest and great sympathy when he inveighs against the Federal Reserve.

But I do not think we should "shoot this rabbit" just because a fox is stealing the chickens somewhere else.

Mr. HUMPHREY of Minnesota. Mr. President, if the rest of the American economy were required to pay 6 percent or 7 percent interest, there would not be much American economy. Not a business concern in the country pays the interest rates the farmer has to pay, and every businessman knows it. The farmer has been selected from the existing structure and has been required to pay exorbitant interest rates.

I say that when there are depressed prices for farm commodities, or at least when the prices of farm commodities are not up to parity, and when there are increased costs of farm operation, then any additional increase in the interest rates the farmer has to pay will give the farmer the so-called one-two punch, with an extra kick just to make sure he will go down. That is why I offer the amendment.

The Senate can do what it wishes with the amendment, but I feel very strongly about it.

Mr. AIKEN. Mr. President, although I should like to see the interest rate kept as low as possible, yet I am anxious to have the bill, as enacted, contain as many improvements as we now find in it. I do not think we should vote on very extensive or far-reaching changes in the bill as reported by the committee, with as few Members as now are on the floor of the Senate.

If a series of amendments is to be offered—amendments which would radically change the bill from the form in which it was reported by the committee—then I would suggest the absence of a quorum; and if a quorum were not available, then the bill would go over until tomorrow.

The PRESIDING OFFICER. Does the Senator from Vermont suggest the absence of a quorum? The Chair has no control over the decision to suggest the absence of a quorum.

Mr. AIKEN. Mr. President, I do not know how many amendments will be offered. But if there is to be a series of amendments which would radically change the tenor of the bill as reported by the committee, then I think a quorum should be present, or else the further consideration of the bill should go over until tomorrow, if necessary.

Mr. HUMPHREY of Minnesota. Mr. President, I do not have a series of amendments; I have only two. In fact, I am not sure that I shall even offer the second one.

I may say that this amendment is not a radical one at all. We are simply trying to preserve the status quo of 5 percent. That shows how "radical" the amendment is.

Mr. AIKEN. I am not sure that "radical" is the proper word to use; I meant to say that I would feel obliged to take such a position if at this time there were submitted an amendment which would make rather far-reaching changes in the bill as reported by the committee.

Mr. HUMPHREY of Minnesota. The amendment would restore the House language; the House provided for 5 percent.

Mr. AIKEN. I think the Senator from Minnesota understands that I was using the term "radical" in its proper sense.

Mr. HUMPHREY of Minnesota. Yes, I understand.

However, Mr. President, I do not believe the amendment is far removed from the real situation or from what the other body has adopted.

Earlier today I said I would offer the amendment, which was voted down in the committee.

Mr. President, in order to give the conferees something to argue about and talk about, I now offer the amendment.

Mr. AIKEN. Then, Mr. President, I shall suggest the absence of a quorum.

Mr. HOLLAND. Mr. President, I hope that a voice vote will be taken on the amendment of the Senator from Minnesota. If the amendment carries then let the Senator from Vermont suggest the absence of a quorum.

Mr. AIKEN. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota. [Putting the question.] The "noes" appear to have it; and the "noes" have it, and the amendment is rejected.

Mr. ALLOTT. Mr. President, as most of the Senators who now are on the floor are well aware, the subject of farm credit is one in which I have been greatly interested for the last 3 or 4 years. To that end, some 16 Senators joined in introducing Senate bill 3247, a bill which would have very greatly simplified the FHA and farm credit system, not with respect to real-estate loans, but with respect to loans to farmers upon chattels and other personal property.

Last December 16, Mr. K. L. Scott, of the Department of Agriculture, called and held a meeting in Denver, Colo., at which were present approximately 250 or 300 persons from all over the western portion of the United States. The purpose of the meeting was to discuss farm credit. I understand that the subcommittee headed by the distinguished and able Senator from Florida [Mr. HOLLAND] has given consideration to the bill to which I have referred. I wish to say that until we rewrite all the farm credit in the United States, we shall never be able to do justice to the farmers in getting them speedy, simple, available credit at reasonable terms.

At that meeting, which I believe was attended by a fair cross-section, and at which representatives of all four of the major farm organizations were present, it seemed to me—and I believe this has not been disputed—that the unanimous opinion of all those present was that we should rewrite the farm home credit laws, so that the people who are on the ground—the farm home administrators in the counties and in the towns—could have a system of laws which would be simple and which they could understand. At that meeting, and throughout last fall, I made it a point to talk with more than 100 local administrators, whose constant cry was, "Do what you can to simplify FHA and its regulations."

By the grace of the distinguished Senator from Vermont I am a cosponsor with him of his bill. I wish to see it pass, because it would be a great improvement upon the present laws. But I cannot permit this occasion to pass without pointing out to my colleagues that we have not done here a basic job which will make good credit available to farmers. Why? Simply because the laws are so complicated at the present time, and each set of laws is so interpreted by a different set of regulations, that the average FHA administrator is unable to interpret the laws and the regulations, and thus render a speedy and adequate service to the farmers who need help. I believe that even members of the Farm Home Administration will agree that that statement is true, and that what is needed is a complete rewriting of the law. I hope this body will do that job during the next session.

I have had very friendly and courteous consideration from the distinguished chairman of the subcommittee, who was very kind in permitting me to sit with the subcommittee, even at the executive session when it was considering the bill. I shall perhaps address 1 or 2 questions, if he will be kind enough to answer them.

Referring to page 6, line 21, and page 7, line 2, the 2 ceilings provided are $10,000 and $20,000. The facts and circumstances with respect to farm credit are simply these: It is impossible for anyone, at least in the Great Plains area, and from there on west—and that is the only area with which I cay say I am closely acquainted—to start farming, even with the cheapest kind of second-hand outfit, for less than $5,000 today, and that is on the assumption that he can get someone to rent him land on a crop-share basis. Therefore, if he has started farming, and he runs into a series of unfortunate years, either because of hail or drought, the $10,000 is not necessarily a limitation which is acceptable. I believe I can say that all three of the largest farm organizations—at least, that is true in my State—favor a larger amount than the one which has been placed in the bill. In Senate bill 3247 I had placed the amounts of $20,000 and $30,000. One organization even thought that the $30,000 ceiling was considerably too small.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield.

Mr. HOLLAND. There was a difference of opinion, of course, among the witnesses, and also in the committee, as to what figures should prevail. We felt

that we were making a substantial improvement in the situation by increasing the figure from the present limit of $7,000 for one original loan, to $10,000, and increasing the present ceiling of $10,000 to $20,000 as a maximum. If these figures prove to be inadequate, we shall be here next year to consider this problem further. However, the Senator realizes, I am sure, that the bill does accomplish a very material liberalization of the lending provisions of the law.

Mr. ALLOTT. I am quite well aware of that fact; and I thank the Senator. There is a considerable improvement, but in a great portion of the western country the people who now find themselves in very serious difficulties would still be operating under severe limitations.

The question I wished to direct to the Senator is whether or not he would accept, as an amendment, the figures of $12,500 and $25,000, and take them to conference, in order that the conferees may have an opportunity to consider the subject.

Mr. HOLLAND. I regret to say that I would not feel justified in accepting those changes, because these figures were subjected to very long discussion by the subcommittee, and later by the full committee. We were honored by the presence of the Senator from Colorado during our executive session. I am sure he was there a part of the time. I do not know whether he was present when these figures were discussed.

Mr. ALLOTT. Unfortunately, I could not be present when these figures were discussed.

Mr. HOLLAND. At any rate, they are the result of combined thinking by the committee, after long deliberation, and I would not feel justified in accepting, even to take to conference, the suggestion of the Senator, because I would feel that I would be ignoring the decision of the committee, whose members were in attendance in larger numbers than are represented by the present attendance of Senators in the Chamber.

Mr. ALLOTT. I can understand the Senator's position. Because of the lateness of the hour, and the small number of Senators present, I will not press an amendment. However, after next fall, after I shall have had an opportunity to review the situation, not only in my State, but in other areas in the western part of the United States, it may be that we can discuss this question again.

I invite the attention of the Senator from Florida to line 14 on page 7 dealing with the limitation of 10 years. The original act provided——

Mr. HOLLAND. I am sorry; another Senator was speaking to me, and I did not catch the question.

Mr. ALLOTT. The Senator from Florida is too popular. Too many Senators seek his advice.

Mr. HOLLAND. I thank my friend, who undoubtedly is an Irishman, judging from the nature of his encomium.

Mr. ALLOTT. The period during which loans may be extended or renewed is 10 years, as appears from line 14 on page 7 of the bill.

There are many people in the areas to which we have referred who have suffered long periods of drought. Those areas include most of the Great Plains area. Periods of drought up to 7 years have been experienced. Now, therefore, the farmers have loans which must be foreclosed. This question is beginning to arise. The bill would increase the period to 10 years. I am very happy to see an extension of the time to 10 years. My question is whether or not the time should be extended beyond that length of time. The reason is this: Assume that a farmer has come to the end of his 7-year period, being unable to raise crops because of drought or disaster. It is completely impossible for him, in the 3 years which remain, to pay off the indebtedness in the absence of the most fortuitous circumstances. I should like to have the Senator's comments as to whether or not he thinks the period should be increased to 12 years, so that those who have gone through long periods of drought or other unforunate circumstances would then have a reasonable chance, after a change in the climatic conditions or whatever conditions caused the misfortune, to pay off the loans without being sold out by the FHA.

Mr. HOLLAND. If we have 3 more years of drought and difficulty we may reach the point where we shall have to make a further extension. The committee was aware of the fact that there were parts of the Nation where drought conditions have existed for 5, 6, or 7 years. I believe 7 years was the extreme. We felt that to add 3 additional years at this time would take care of the present situation. We shall not be foreclosed from going into the subject later if by that time the facts justify further liberalization of the extension provisions.

Mr. ALLOTT. Mr. President, I thank the Senator for his remarks. I believe we will probably have to come back and amend the act at a later time, to provide these extensions. I shall not press the amendment for the same reason I did not press the raising of the limitations; that is, Mr. President, I shall not press the amendment at this time, because I feel there should be more Senators on the floor to give the subject adequate consideration.

I have full concern for the problem which the senior Senator from Oregon has raised. It is a problem which calls for the best ability in all of us to solve, particularly when we see the havoc that is brought upon our good friends, our farmers, who are the backbone of the country. It certainly causes all of us great concern.

With respect to the farmers, whom I have tried to serve in a small way here, I wish to say that I have found that credit is their chief concern. They are not asking for a handout or for any kind of dole. If they are assured that they can be freed from the worry of financing themselves, I am sure they will feel very happy about this entire situation.

I thank the distinguished Senator from Florida for his assistance.

Mr. HOLLAND. I thank the Senator from Colorado. I am happy to see our distinguished chairman on the floor, after having labored in hearings elsewhere. If he has any comments to make, I shall be glad to have him do so.

Mr. ELLENDER. I was occupied all day before the Committee on Appropriations. We completed hearings on the mutual security appropriations bill about 7:30 this evening. I regret that I was unable to be present during the consideration of the two bills. They were in very capable hands, and I wish to compliment the distinguished Senator from Florida [Mr. HOLLAND] for the good work he has done in having the two bills considered.

They are H. R. 10285, to merge production credit corporations in Federal intermediate credit banks, to provide for retirement of Government capital in Federal intermediate credit banks, to provide for supervision of production credit associations, and for other purposes; and S. 3429, to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Farm Tenant Act, and for other purposes.

I wish to say that the Senator from Florida has been working tirelessly on the two bills, and I am very proud of the fact that the Senate is about to vote on the second of the two bills.

I understand that the bill which is now pending is more or less in the category of a must bill from the standpoint of the administration.

Again I wish to highly compliment my good friend from Florida for the good work he has done in having these two bills considered today.

Mr. HOLLAND. I certainly thank our distinguished chairman.

Mr. President, I believe the bill is ready for a third reading.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the Senate Committee on Agriculture and Forestry be discharged from further consideration of H. R. 11544.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. R. 11544.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 11544) to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Farm Tenant Act, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HOLLAND. Mr. President, I move to strike all after the enacting clause in H. R. 11544 and insert in lieu thereof the text of the Senate bill, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. HOLLAND. Mr. President, I am advised that the distinguished majority leader wished to have a quorum call at this time, before final action is taken on the bill. I suggest the absence of a quorum.

The PRESIDING OFFICER. The secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the passage of the bill.

The bill (H. R. 11544) was passed.

The PRESIDING OFFICER. Senate bill 3429 will be indefinitely postponed.

Mr. HOLLAND. Mr. President, I move that the Senate insist upon its amendment, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. AIKEN, and Mr. YOUNG conferees on the part of the Senate.

PAYMENT OF ANNUITIES TO WIDOWS AND DEPENDENT CHILDREN OF JUDGES

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3410) to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges.

Mr. JOHNSON of Texas. Mr. President, I should like to give notice that we plan to take up S. 3410 at 10:30 o'clock tomorrow morning, immediately after the morning business. There will be amendments offered, and in all likelihood there will be yea-and-nay votes on this proposed legislation.

At the conclusion of the consideration of S. 3410, we will proceed to the consideration of the other bills which I previously enumerated.

The PRESIDING OFFICER. What is the pleasure of the Senate?

ORDER FOR ADJOURNMENT UNTIL TOMORROW AT 10:30 A. M.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 10:30 a. m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the bill (S. 976) to provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Montgomery, W. Va.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1622) to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8636) to continue until the close of June 30, 1957, the suspension of duties and import taxes on metal scrap, and for other purposes.

The message also announced that the House insisted upon its amendment to the bill (S. 2182) for the relief of the city of Elkins, W. Va., disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FORRESTER, Mr. DONOHUE, and Mr. MILLER of New York were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 47) for the relief of Guiseppe Agosta, Shakeeb Dakour, and Gertrud Charlotte Samuelis, and it was signed by the President pro tempore.

CAMPAIGN FINANCES SPENT BY TWO MAJOR PARTIES IN 1956 IN OREGON PRIMARY ELECTION

Mr. NEUBERGER. Mr. President, ever since I became a Member of the Senate a year and a half ago, I have listened to speeches complaining about allegedly huge funds poured into Democratic Party coffers by labor unions. These speeches have come from the other side of the aisle. They always have reminded me of a fellow with two blazing six-guns, who does not like the other fellow's cap pistol.

Out in Oregon, on May 18, 1956, a primary election was held to select the candidates of each major party. The situations in the two parties were amazingly parallel. Each had a close race to elect a national committeeman. Each had one major contest for a nomination for a seat in the House of Representatives. The Republicans had a major race for nomination for the United States Senate, but none for the Presidency. The Democrats had no major race for the Senate, but a major contest for the presidential preference choice.

I have had a careful and searching study made of the funds reported by all candidates of the two major parties, throughout that Oregon primary election.

Republican candidates spent a total, Mr. President, of $194,579. Democratic candidates spent a total of $65,951.

Res ipsa loquitur—the fact speaks for itself. Republicans in the Oregon primary election spent almost exactly $3 for each $1 spent by Democrats in the same election. These figures, Mr. President, demonstrate once more—if demonstration is needed—which party is invariably spending the money in American politics, and which party invariably has the money to spend.

Mr. President, I have listened to many Republican speeches protesting the funds given to the Democrats by certain trade-union political groups. These protests come with poor grace from a party which only recently, in a typical State of the Union, once again outspent the Democrats by a ratio of 3 to 1. Can it be that the Republicans, with their $3 to each $1 of the Democrats, are resentful over that $1 going to the other side? Perhaps they think it shocking that the Democrats have any funds at all.

Perhaps the Republican Party and its candidates, who already can afford far greater resources of expensive broadcast time, advertising, billboards, direct mailing, besides having the overwhelming majority of the newspapers on their side—perhaps these Republicans would like to exclude Democratic candidates from all access whatever to the electorate, and prevent the voters from even hearing and seeing both candidates and both sides of the issues.

Mr. President, as I have pointed out in the Senate on repeated occasions, this right of the voters to see and hear and judge for themselves the opposing candidates and issues in an election is, itself, the critical problem of our democratic process today. This basic right of citizenship is increasingly endangered under modern conditions of radio and television campaigning, when one party consistently can collect and spend, from sources of great economic strength, all money it might possibly need for its political campaigns, and when it can thus invariably outspend the other political party by 3 to 1, or even more.

To meet this central issue of democracy head-on, Mr. President, I call again for enactment of my bill S. 3242, to free both the major parties and their candidates for Federal office from the yoke of big campaign contributions—regardless of where those contributions originate.

I call for enactment into law of the proposal first advanced by President Theodore Roosevelt back in 1907 for the sharing by the Federal Government itself of part of the skyrocketing costs of Federal election campaigns. That is what my bill calls for. That is what Teddy Roosevelt advocated, because he saw the evil and danger of permitting candidates for the highest offices in the land to be yoked to special interests by

the recurrent need for large private campaign contributions.

Mr. President, if those protesting so-called trade-union funds are sincere, they will join in supporting the Teddy Roosevelt bill to liberate all of us from the need to accept large campaign contributions from any private special groups and interests. If they are not ready to support our bill, why do they complain and protest so loudly, when in a State like Oregon they can spend $3 to each $1 available to the Democrats?

I predict that the $3 to $1 ratio of the Oregon primary election is merely a hint of what will take place in the forthcoming Senate contest between the distinguished senior Senator from Oregon [Mr. MORSE] and ex-Secretary Douglas McKay.

While their party pours out campaign funds like water, Republicans try to divert attention by attacks on the political efforts of labor unions. Mr. President, when the voters of this country see the billboards, the TV spectaculars, the four-color brochures and the full-page advertisements which will extol the virtues of one set of candidates throughout our land this fall, when those of the other party are but rarely seen in such splendor, the voters are learning to ask where the money for these vast, lopsided expenditures comes from—who pays for such one-sided, costly publicity, and why?

Mr. President, after many years of study, I concluded some time ago that there is only one solution to the ever-growing pressures of election costs which give rise to fund-raising practices. That solution is to recognize election costs as a legitimate cost of democratic government, and to have government bear its share of the cost fairly and equally for the candidates of both parties—either by the method of my so-called Teddy Roosevelt bill, S. 3242, or through tax credits for small individual campaign contributions—or at the very least, by having Government-financed equal radio and TV broadcast time available to the national tickets in a great presidential campaign, such as we face this fall.

In the name of our principles of popular self-government, Mr. President, I call upon the Republicans who try constantly to make an issue of labor's political expenditures to join me in getting constructive and necessary legislation of this kind enacted as soon as possible.

In conclusion, I ask unanimous consent to include in the CONGRESSIONAL RECORD, an article by me in the New York Times magazine for Sunday, June 3, 1956, entitled "Who Should Pay for Political Campaigns?" and an article by Charles J. Komaiko which, by coincidence, happened to appear on the same date and under the same title in the Grand Rapids Herald Family Weekly.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times Magazine of June 3, 1956]

WHO SHOULD PAY FOR POLITICAL CAMPAIGNS?

(By RICHARD L. NEUBERGER)

In the months preceding a national election the matter of campaign expenditures habitually demands congressional attention. The results of the legislators' examination of the subject may be something less than the forensics spent upon it, but at least the topic is once again exposed to the benefits of free discussion.

The problem is more serious than many people realize. Multi-million-dollar campaigns have encouraged a free-for-all system of fund raising that has so confused the voter that it is impossible for him to know what financial obligations and commitments are carried into office by the men and women who govern the country. If our elected leaders are to maintain the freedom of thought and action that we expect, we need a much closer control of campaign expenditures than has ever existed before.

I believe there is only one feasible method for obtaining this control: the United States Government should provide funds for the campaigns conducted to win the Presidency and seats in both Chambers of Congress.

I propose that any party which polled at least 10 percent of the popular vote at the previous election receive from the Treasury a sum amounting to 20 cents per voter for a presidential election and 15 cents for an off-year congressional election.

The fact that the Government would be contributing to a party's campaign funds does not mean that candidates would not be allowed to collect private donations on their own. But I urge that no private donation exceed $100. And if total private funds spent on behalf of a party's candidate for Federal office are greater than the total Federal contribution, I suggest that the latter be reduced accordingly.

It is important to remember that under such a system the Government contributions would not come from the administration in office, as a gift, but from the Treasury, by law. The moneys would actually represent equal donations to all major parties by 55 million taxpayers holding a wide assortment of political views. The administration of the Government funds would be in the hands of a part-time Campaign Contributions Board, composed of one member from each major party appointed by the President and confirmed by the Senate. This Board would select an impartial administrator who would decide such matters as whether the Federal funds should be paid directly to party treasurers or to suppliers of such legitimate political expenses as radio and television time, newspaper advertising, office space, and the like.

Each party, however, would be in charge of placing the funds where they are most needed, as is the custom now. This is a realm into which the Federal Government probably should not intrude. For example, I think the Republican Party ought to have the right to divert a certain share of Federal financing from a "safe" district in Vermont into a doubtful district in Illinois. The same latitude should be permitted the Democratic Party in saving on its use of Federal funds in the secure South and concentrating a greater share in rugged New England terrain.

The suggestion for Federal financing of campaigns does not originate with me. Half a century ago, when campaigns were operated with fairly moderate exchequers, Theodore Roosevelt told Congress: "There is a very radical measure which would, I believe, work a substantial improvement in our system of conducting a campaign, although I am well aware that it will take some time for people so to familiarize themselves with such a proposal as to be willing to consider its adoption. The need for collecting large campaign funds would vanish if Congress provided an appropriation for the proper and legitimate expenses of each of the great national parties, an appropriation ample enough to meet the necessity for thorough organization and machinery."

Inasmuch as President Roosevelt advocated this reform when an entire campaign could be financed for what one or two television network programs cost today, it is probable he would feel even more fervently now that some form of Government support should replace private largess in political contests. It is estimated that a treasury of $200,000 is needed today to run for the Senate in a moderately populated State and at least $1 million in a populous industrial State. As much as $80 million may have been spent during the presidential campaign of 1952. This total will undoubtedly be exceeded in 1956. Furthermore, the twilight zone between huge campaign donations and outright bribes has become so murky that, while profound alarm can be stirred up over the presenting of a baked ham or a deep freeze to an unimportant bureaucrat, the giving of virtually unlimited sums to the campaigns of major Federal officials is evidently all within the rules of the game.

In my opinion, the $2,500 offered to the campaign of a South Dakota Senator in the midst of the natural-gas debate was an isolated episode and of relatively minor significance. I believe that few donations are proffered at the height of controversy over such an issue. The basic question, as I see it, is not the $2,500 volunteered to the campaign of one Senator as the gas controversy neared a climax, but rather how many Senators, through having accepted tens of thousands of dollars from oil and gas interests at the time of their election campaigns, were inhibited by those contributions from casting a wholly independent vote on the bill to take gas producers out from under Federal rate regulation.

I am aware that this proposal for Federal underwriting of election campaign sounds no less "radical" in our time than it did when Theodore Roosevelt first described it as such. But what is the alternative? The elections bill in the present Congress, which is most likely to be put into law, would limit an individual's total campaign gifts in any one year to $10,000 and make it mandatory that contributions of over $100 be reported by the candidate.

I think the figure of $10,000 is much too high and I do not think that such a system of reporting campaign funds received will work. Only Federal assumption of approximately 50 percent of total expenditures will make it possible to abandon all large private contributions and to rely exclusively on smaller ones for the other 50 percent.

People have objected to my proposal on the ground that the Government already does enough for incumbents without financing their campaigns; further subsidy, they say, would be unfair. I believe this argument overlooks the fact that under my plan for Federal financing any imbalance that now exists in favor of the incumbent would actually be evened out. The party in national office would qualify for the same allotment as the party out of power, true, but the danger which exists today of one candidate—in many cases the incumbent—bombarding his rival into oblivion by saturating all available television broadcasts would be eliminated.

Furthermore, it is my personal opinion that incumbency is not the one-sided advantage which some critics of my plan make it out to be. It is true that the incumbent has greater means for obtaining publicity and for distributing legitimate Government bounty, but at the same time he must answer rollcalls on such bristling issues as universal military training, Federal aid to schools, and rival farm remedies. The challenger can straddle these bothersome questions.

I have also been asked whether my plan would not make it well nigh impossible for a new political party to get started. I think not. I believe the 10 percent popular-vote requirement is sufficiently realistic to enable a genuine grassroot movement to gain headway and speedily qualify under the terms

I have suggested. Yet, at the same time, frivolous and crackpot and extreme leftwing or rightwing factions could be prevented from dipping into the Federal Treasury.

So far as this provision of my proposal is concerned, neither the Dixiecrats of 1948 nor the Henry Wallace Progressive Party would have qualified for Federal financing. Each polled only about 2.4 percent of the vote. However, the elder La Follette's Independent Progressive Party of 1924 polled nearly 17 percent of the popular vote, and in 1912 Theodore Roosevelt's Bull Moose Party accumulated 27 percent of the vote. Thus, both these deep stirrings of popular rebellion against the established parties could have come within the scope of my proposal.

With Federal contributions going to the national committees, would these committees have virtual life-and-death power over candidates? We must remember, first of all, that even today the national committees exercise tight control over a substantial segment of a party's funds. Under the existing system, Governor Shivers of Texas would be hardly likely to share in any money collected by the Democratic national committee, whose presidential nominee he opposed in 1952. And had Senator WAYNE L. MORSE of Oregon stayed a nominal Republican, would he be financed for reelection with any of the $8 million which the Republican national committee recently collected during a single evening?

Admittedly, the possibility would exist of a party's leadership withholding Federal funds from a candidate who has won a hard-fought primary by defying the party organization. Yet under my proposal it still would be legal for a candidate to raise a total sum equal to his party's Federal contribution, provided the individual donations do not exceed $100.

Thus, a nominee shunned by his party leadership, so far as sharing in Federal financing was concerned, would have a weapon with which to combat such ostracism. He could set out to collect, on his own, funds for his general-election campaign which would be included in the total which his party would be permitted to raise as matching funds for the Federal contribution.

As for the matter of full reporting of contributions and expenditures, I confess that such an operation would be helpful to the administration of my plan. But I feel that to rely solely on reporting—which is in effect what the previously mentioned legislation being pushed along in Congress prescribes—would be swatting flies instead of draining the swamp.

What assurance is there that the reporting of big sums will tell the whole truth and nothing but the truth? Reliable newspaper correspondents write today that senatorial campaigns cost $1 million in populous States, but the sums reported are far less than 10 percent of this. Theodore Roosevelt felt that reporting laws would be obeyed only by the honest and disobeyed by the unscrupulous, so as to act only as a penalty upon honest men.

One of the leading business figures in my State told me that he had let his name be used for a $3,000 contribution in a gubernatorial campaign, yet the sum actually came, he explained, from "shady" sources which could not be conveniently listed. I am convinced this is a fairly common practice.

After my own senatorial campaign in Oregon in 1954, it was my firm resolve to report every cent spent by my various committees. I felt that a Senator interested in ending the menace of campaign extravagance had himself to be above suspicion. Imagine my astonishment when I discovered that my underfinanced campaign in remote Oregon, a State with barely 1 percent of the national population, had cost more, apparently, than lavish campaigns in such States as New Jersey, Ohio, and even California. Expenditures reported from these States had been negligible. This is why I fear that full reporting laws will rarely work. They cannot be our sole reliance.

If my proposal ever succeeds on the Federal level it could easily be extended to encompass primaries. In a primary, where party machinery could not be trusted to treat each entrant equally and fairly, I would allow a certain fixed sum per candidate. It could be based similarly on so much for every potential voter—perhaps 10 cents or 15 cents. To discourage an aspirant who might run merely for the purse, I would require the posting of a bond equal to half as much as his total Federal donation. The candidate would forfeit the bond if he failed to poll 10 percent of the vote. This is not so different from the British and Canadian systems, where also-rans must surrender their deposits.

Men and women in politics are as honest and ethical as anybody else, and some of the campaign contributions they receive are completely innocent. Funds may be given through generous impulse or from enthusiasm only for a general philosophy of government. But there are other contributions out of which some quid pro quo is expected. These are the menacing ones.

If we are to free the elected representatives of the American people from the humiliating fetters of big political donations, the United States Treasury remains as the only agency which can effectively furnish a major part of the financing of political campaigns. Few reforms would do more to restore to government that true independence of thought and spirit which is part of the American heritage.

[From the Grand Rapids Herald Family Weekly of June 3, 1956]

WHO SHOULD PAY FOR POLITICAL CAMPAIGNS?

(By Charles J. Komaiko)

It cost Thomas Jefferson about $25 to get himself reelected to the Virginia Assembly in 1771: the money bought cakes and punch for his neighbors.

How things have changed. If you've ever run for political office yourself or know anyone who has, you know that a basic problem of our democracy today is how the average candidate can meet the mounting cost of campaigning while preserving his moral freedom.

Radio and TV programs cost small fortunes. But even grassroots precinct workers require budgets. Then there are posters, sound trucks, newspaper ads, meeting halls, and publicity agents to be paid for. Travel expenses and printers' bills seem never-ending.

And don't forget mailing costs. If you want a quick lesson in how a small item like a three-cent stamp can mushroom into many dollars, just figure out how much a candidate in your district would spend for one letter to each voter.

Most people assume that the party pays campaign bills. At the presidential level, it is true that the Republican and Democratic National Committees spark fund-raising.

An estimated $100 million was spent by both sides in the 1952 election, and that kind of money calls for nationwide solicitation. But all other candidates, from United States Senator and governor right down to the man or woman running for your city council, have to carry most, if not all, of the financial burden of a campaign themselves.

In States like New York, California, and Illinois, the experts say an aspirant for the United States Senate cannot run for less than $250,000 (which is $100,000 more than the winner will earn as salary in his entire 6-year term). Last year an unsuccessful candidate for mayor of a great midwestern city spent almost $500,000. Had he won the 4-year job, the yearly pay would have been $25,000.

Fantastic as it may seem, the cost of winning most elective offices in the United States greatly exceeds the salary paid. It's true of the Presidency, and it's likewise true of the county sheriff.

Not one candidate in a thousand can afford to finance his own race. This leads to the obvious question: where does the money come from? To put it another way, where should the money come from?

These are vital questions and the answers are long overdue. For, as matters stand, election to public office is becoming ever more dependent on financial qualifications. Every citizen, rich or poor, has the right to vote, but the right to be voted for, as a candidate, has become directly related to the amount of money the candidate has, or can raise.

A wealthy businessman running for high office in a Midwestern State based his appeal for votes largely on the fact that he didn't need money.

His big argument was that he would donate his entire salary to charity, if elected. A nice gesture, to be sure, but public office was not intended as an exclusive hobby for rich men. Our democracy cannot survive if this becomes the pattern.

Laws regulating the amounts candidates may spend went on the statute books several years ago in an effort to equalize political opportunity. But these regulations do not apply to all election contests. They are hard to enforce and relatively easy to avoid. This being so, it is becoming increasingly difficult for anyone who is not wealthy to enter American politics.

In Congress today is a man who has gained international recognition for his work as a legislator. When he ran for office a few years back, however, the only way he could get a campaign fund started was to mortgage his modest home. If Mr. and Mrs. John Citizen had been more helpful, this would not have been necessary. But figures show that only 1 family in 20 now makes political contributions.

That some candidates go into debt is only part of the sorry story. Worse yet is the fact that many candidates are tempted to stay out of debt by accepting money with strings attached. The strings, unfortunately, lead to lobbyists, special interests, and favor seekers.

Last February President Eisenhower vetoed the natural-gas bill after it was shown that certain supporters of the measure had been offering campaign contributions to Members of the Senate. The President didn't pull any punches. These highly questionable activities were, he said, "So arrogant * * * as to risk creating doubt among the American people concerning the integrity of governmental process."

Mr. Eisenhower pinpointed the problem. The fault lies with a defect in our political system rather than with individuals in politics. The defect is that average citizens are not accustomed to making contributions to campaign funds. Men and women seeking public office would prefer financial help from many small contributors, rather than a few large ones. But in most cases candidates simply don't have that choice.

We must give them the choice. The defects in our system must be corrected. Otherwise they will slowly, but surely, destroy our system.

First we must have new and better laws, with teeth in them, laws which apply to all elections, with stiff penalties for anyone who offers or accepts political contributions in excess of an agreed limit. And that limit should be a modest one.

Perhaps equally important is the attitude of the American people; for unless the average citizen understands how important it is that he, and millions like him, subsidize

political activity, laws alone will not correct the present evils.

There is ample evidence that people do understand. A recent Gallup poll showed that 16 million American families would each be willing to contribute $5 yearly to the political party of their choice. That few of them have done it is due to the failure of political groups to organize adequate fund-raising campaigns.

The March of Dimes and similar projects proved that money could be raised nationally on a door-to-door basis for medical research. The Republican and Democratic Parties will have to organize along similar lines.

Minnesota recently passed a law which permits a citizen to deduct political contributions up to $100 a year from his taxable income. This is a simple and practical method of encouraging donations.

Some 50 years ago Teddy Roosevelt proposed that Federal elections be financed by the United States Treasury with money raised by general taxation. Recently Oregon's Senator RICHARD NEUBERGER submitted legislation based on that same idea.

The Senator's proposal, which he calls the Teddy Roosevelt bill, now is pending before Congress. Under this measure, each major party would receive an equal amount of money for presidential and congressional campaigns, based on a set formula.

Taxation to finance political campaigns rests on the theory that everyone would then contribute to this necessary phase of government. Whether it is by voluntary donation or by taxation, the goal is the same: To broaden the base of campaign costs and free candidates from obligation to a few large contributors.

If we all share the cost of election campaigns, each of us will pay very little. Unless we do, all of us will pay dearly.

Mr. MORSE. Mr. President, I wish to commend my colleague for the speech he has just made on the floor of the Senate in regard to campaign finances.

I think he has pending a very important bill, and it is a serious disappointment to me, Mr. President, that it has not been favorably considered and passed at this session of the Congress. I sincerely hope that the Congress of the United States, at the beginning of the next session, will proceed to pass the Senator's bill.

I think I am realistic enough to know, Mr. President, that the possibilities of the passage of the Neuberger bill just before a historic political campaign are very remote possibilities. Yet, Mr. President, in the interest of the political welfare of the American people, I think the Congress of the United States must come to grips with the whole problem of political finances. As I have said before, and wish to repeat now, when we consider the problem of political financing we consider the No. 1 cause of corruption in American politics.

I also wish to say, Mr. President, that it has been my observation that the No. 1 cause of elected representatives of a free people ceasing to be free representatives can usually be attributed to the sources of their campaign financing, when they permit themselves to be brought under the financial control of party machine treasuries, in some instances, and the treasuries of selfish economic interests in other instances.

Mr. NEUBERGER. Mr. President, will my colleague yield?

Mr. MORSE. I yield.

Mr. NEUBERGER. Does not the distinguished senior Senator from Oregon also think it is a great peril to free government when one candidate has at his disposal a vast campaign treasury, and the other candidate, who may be a man of just as good character and just as sound views, has a comparatively small amount of money to spend in the same campaign?

Mr. MORSE. The Senator is completely correct. He could not cite a more clear case than the one he has cited, which is now pending in the State of Oregon. I can speak with some authority on the subject matter, because, Mr. President, I do not know where I am going to get sufficient funds for my campaign. I shall continue as I have in the past to refuse to accept any campaign funds from any source that seeks to tie strings of commitments on my part to such contributions. I think it is for the primary reason that I refuse to accept funds from any source that would in the slightest degree whatsoever impinge upon my freedom of political action that I have become the No. 1 target of reactionary economic and political forces in America. I wish to sit in the Senate only so long as I can sit there as a free man. By a free man, I mean free to exercise an honest independence of judgment on the merits of issues. I mean free from partisan dictates and economic control by selfish interests. That is why my political history has been one of campaign fund raising heartaches and tribulations. I have always refused to accept any campaign funds or permit my campaign finance committee to accept contributions from contributors that seek to place me under some kind of a legislative or other obligation to them.

I was a little amused yesterday when I was handling on the floor of the Senate a property-transfer bill involving Galveston, Tex. It did not involve very much money, but I could not help musing to myself that I was seeking to be of assistance, because the facts justified it, in getting the property involved in the bill transferred to the city of Galveston, when some of the powerful wealthy oil interests in that city undoubtedly would do everything they could to try to defeat me for reelection to the Senate.

Mr. NEUBERGER. I invite the attention of the senior Senator from Oregon to the fact that I had this survey made of the sums spent and reported in the Oregon primary election so that he and the people of the country generally would have some foretaste of what probably will occur in our State this fall when the Senator will be a candidate for reelection to the Senate. I think it is extremely significant that in the Oregon primary election this year all the Democratic candidates spent a total of $65,000, while all the Republican candidates spent a total of $194,000. That is a ratio between the parties of almost exactly 3 to 1.

Mr. MORSE. I think my colleague will take judicial notice of the fact that that ratio will be increased in the general election this fall.

Mr. NEUBERGER. I have no doubt of that.

Mr. MORSE. I think it is quite obvious that I shall be running against one of the largest slush funds ever raised in Oregon for a political campaign, for the obvious reason that my political opposition does not want free men in the Senate. The difficulty with my political opposition in Oregon is the fact that they have not been able to control me. The sort of independent course of action which I follow, of course, is quite contrary to the desires of those of the vested interests who are supporting the slush fund of my opponent.

Mr. ALLOTT. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. ALLOTT. Surely, the Senator from Oregon does not mean Mr. McKay when he says his political opponent does not want to see free men in the Senate.

Mr. MORSE. I do not know how I could make it more clear.

Mr. ALLOTT. I merely wanted to be sure.

Mr. MORSE. That is exactly what I mean.

Mr. ALLOTT. I wanted to be sure whether the Senator was referring to Mr. McKay when he made the statement that his opponent did not want to see free men in the Senate of the United States.

Mr. MORSE. I certainly intended that, because I want to make it clear that Mr. McKay is not a free man. We have only to look at the sources of his support and the record he has made to find evidence of the truth of the statement I have made.

Mr. ALLOTT. It is because other people may draw different conclusions that I was astounded the Senator would make the statement he has just made.

Mr. MORSE. I am making my statement on the basis of my opponent's record. I have a suspicion that I am a little more familiar with that record than is the Senator from Colorado.

Mr. NEUBERGER. Mr. President, will my colleague yield further?

Mr. MORSE. I yield.

Mr. NEUBERGER. I should like to say to the Senator that if he desires some quotations as to the evils and the dangers to democracy of large political slush funds he needs only to read the many speeches on the subject by one of the greatest Republican Presidents who ever occupied the White House—Theodore Roosevelt.

Mr. MORSE. I am very familiar with the position of Teddy Roosevelt on the subject of campaign financing. I think it is to be regretted that the philosophy of Teddy Roosevelt does not characterize the Republican Party today.

I now turn to another subject.

The PRESIDING OFFICER. The senior Senator from Oregon has the floor.

RAILROAD RETIREMENT LEGISLATION

Mr. MORSE. Mr. President, I desire to make a few remarks on the need for Congress to pass at this session some railroad retirement legislation. I am doing so at this late hour only because the speech was sent to the press gallery early today, and I have accommodated the leadership of the Senate in the consideration of proposed legislation by

agreeing to delay my speech until this late hour.

Because the 2d session of the 84th Congress is approaching its final weeks without having adopted any legislation to raise the standard of railroad retirement benefits, I wish to say a word to my colleagues on this subject today.

There is ample information and testimony to show that the benefits available to railroad employees upon their retirement from active employment are inadequate to support a man and his wife at an average standard of living. This is the responsibility of the Federal Government, because the Railroad Retirement System is under our management, and is not worked out through bargaining between labor and management, as are most contributory retirement systems. Employees make whatever contribution to the fund we fix for them; they have consistently made it willingly, and from time to time have even called for an increase in their contribution so that their benefits might be raised.

I say to Senators that we owe it to railroad employees and to former railroad employees now on the retired rolls to get busy and raise their benefits before we go home. The necessary proposed legislation has been introduced; it is pending before the appropriate committees of the House and Senate. One bill I have cosponsored myself, S. 3616; and while it does not include an increase for annuitants, which I regard as necessary, I cosponsored it in the hope of gaining consideration of the whole problem. That is still my objective. Other bills are sponsored by various members, and if agreement can be achieved on one of their bills, that will be agreeable to me. No single bill contains all the improvements and all the desirable features I should like to see adopted and to which railroad employees are entitled. But these are not reasons for failure to act on any bill at all.

There are differences among railroad groups, and among Members of Congress, too, as to what changes should be made in the Railroad Retirement System, and I want to see the United States Senate and House of Representatives thresh them out. The details of these revisions can be worked out if we will but make the effort; and if it is not possible to make all the progress I personally think should be made, then let us make what progress it is possible to make in this session and try to improve the legislation further in the next session.

The Senate Labor Subcommittee on Retirement has held hearings on S. 3616, and I am very happy that this necessary groundwork has been laid. I appeal to subcommittee members and to members of the full committee to review the hearings and to send a railroad-retirement bill to the Senate floor soon, so that we may work out the changes in benefits, in eligibility for retirement, in dual benefits, and in other provisions on which agreement can be reached. The House of Representatives would also do well to plan the consideration of its retirement bills. Our Senate bills have companion measures in the House, and I trust that our colleagues there will join us in acting with dispatch on this matter.

Railroad employees throughout the Nation are greatly concerned about the matter. They are entitled to have some legislation passed before Congress goes home.

I urge the consideration of the railroad bills and an early vote on them before adjournment.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 12, 1956, he presented to the President of the United States the following enrolled bills:

S. 1871. An act to amend certain provisions of law in order to provide for the reimbursement of the Post Office Department by Government agencies in certain additional cases for the transmission of mail matter;

S. 2704. An act to authorize the appropriations of funds for the construction of certain highway-railroad grade separations in the District of Columbia, and for other purposes;

S. 2705. An act to authorize the Philadelphia, Baltimore and Washington Railroad Co. to construct, maintain, and operate a branch track or siding over Second Street SE., in the District of Columbia; and

S. 2896. An act to amend the act relating to cemetery associations.

WITHDRAWAL OF UNANIMOUS CONSENT REQUEST TO PRINT CERTAIN MATERIAL IN THE RECORD

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the RECORD of Monday, July 9, 1956, be corrected so as to eliminate my request to have certain matter printed in the CONGRESSIONAL RECORD, as well as the matter itself.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 10:30 A. M. TOMORROW

The PRESIDING OFFICER. Is there further business to come before the Senate?

Mr. ALLOTT. Mr. President, if there is no further business to come before the Senate, I move that, in accordance with the order previously entered, the Senate adjourn until 10:30 o'clock a. m. tomorrow.

The motion was agreed to; and (at 8 o'clock and 54 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Friday, July 13, at 10:30 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 12, 1956:

BOARD OF PAROLE

MEMBERS OF THE BOARD OF PAROLE FOR TERMS EXPIRING SEPTEMBER 30, 1962

Scovel Richardson, of Missouri.
John E. Henry, of Montana.

COAST AND GEODETIC SURVEY

The following-named person for permanent appointment as captain in the Coast and Geodetic Survey:

Curtis LeFever

POSTMASTERS

ARIZONA

Catherine L. Lockhart, Tonalea.

ARKANSAS

Carl Woodson, Jr., Belleville.
Robert E. Patton, Carlisle.
Marguerite S. Partin, Dell.
Elbert R. Robinson, West Fork.

CALIFORNIA

Stanton H. Meyer, Al Tahoe.
Norman H. Wilson, Hemet.
Herbert H. Harrison, Livermore.
Margaret E. Anderson, Piercy.
Etta F. Ettleman, Rough and Ready.
Rose L. Harmon, Verdugo City.
Russell F. Bragg, Victorville.

COLORADO

Keith E. Rundall, Ovid.

CONNECTICUT

Andrew J. Sataline, Plainville.

FLORIDA

Lucille B. Morris, Yankeetown.

GEORGIA

Noble T. Westbrook, Bremen.
Margaret A. Hay, Roopville.
J. F. Hudson, Stillmore.

IDAHO

Joseph P. Lambert, Burley.
Martin L. Fry, Horse Shoe Bend.
Lloyd S. Luke, Sugar City.

ILLINOIS

Martin W. Daniels, Colfax.
Elizabeth R. Ervin, Pesotum.
Otis Lutz, Waterloo.

INDIANA

Metellus G. Clay, Clear Creek.
Perry W. Hitchcock, Farmland.
Paul R. Foulke, Hagerstown.
John T. Stevenson, Kirklin.
Charles F. Hasneri, Knox.
Ralph L. Gustin, Markleville.
Ned Warner, Osceola.
Vertis L. Thompson, Owensville.
William Gordon Ritz, Pendleton.
Burton P. Smith, Warren.

IOWA

Judson M. Hersman, Albia.
Max E. Butler, Baxter.
Marquette L. Neal, Clarksville.
Clover A. Stiles, Floyd.
Clarence Starkweather, Jr., Greene.
Helen I. Stanger, Hopkinton.
Lyle E. Van Scyoc, Tabor.

KANSAS

Olive M. Rudd, Belpre.
Lloyd E. Cope, Netawaka.

KENTUCKY

Barber L. Shelton, Nortonville.

LOUISIANA

Nola B. Romero, Avery Island.
Howell H. Smith, Bossier City.

MAINE

Wesley A. Sawyer, Anson.
Willie H. Laverriere, Biddeford.

MASSACHUSETTS

John L. Brigham, Boylston Center.
John R. Fisher, West Dennis.

MINNESOTA

Carl G. Bergstrom, Cokato.
Wesley P. Rathvon, Deerwood.
Dexter N. Femling, Dent.
Leroy F. Lingwall, Emily.
Charles A. Lukens, Hadley.
Lester H. Egerstrom, Murdock.
William R. Marx, Preston.
Alvord J. Dammann, Sanborn.
Harold C. Olson, Two Harbors.

MISSISSIPPI

Billy M. McEachern, Ruleville.
William B. Askew, Sardis.

NEBRASKA

John H. Rethwisch, Carroll.
Vernon A. Lamb, Hubbell.
Ivan Jack Gemmell, Ogallala.
Alvin O. Jones, Sutherland.

NEVADA

Bernice K. Morse, Tungsten.

NEW YORK

Mildred H. Merrell, Afton.
Bruce E. Champlin, Andes.
Reginald A. Erick, Angola.
Maurice W. Keating, Beacon.
Patrick J. Foley, Bethpage.
Beatrice L. Stevens, Bridgewater.
Jeanette Y. Short, Cleverdale.
Seward M. Dawes, Clinton.
Irwin H. Dent, Davenport.
Wendell C. Wilber, Delanson.
Joseph R. Iadarola, Elmsford.
Ralph L. Marshall, Freeport.
Reggie J. Abbondandelo, Greenvale.
Albert A. Clark, Hall.
Harry C. Cotier, Hicksville.
Burdette W. Playfoot, Horseheads.
Oliver K. Palm, Jamestown.
Alice M. Bird, Lake Peekskill.
Ronald M. MacKenzie, Lake Placid.
Ruth P. Benedict, Lewis.
William A. Maillet, Lockport.
James C. Browne, Mahopac.
John S. Volpe, Manchester.
Willis Clayton Farnham, Manlius.
Richard G. Gavette, Margaretville.
James E. Reilly, Massapequa Park.
Kathryn D. Probert, New Hampton.
Howard A. Searle, Newfane.
Richard Charles Rutland, Olcott.
George Conrad Sauer, Port Jervis.
Edna C. Yaple, Rock Hill.
Joseph Huber, Rockville Centre.
Wesley H. Kline, Sanborn.
Celia B. Ferguson, Schuyler Lake.
Reginald T. Stevenson, Sea Cliff.
John A. Fiero, Shortsville.
Roy E. Hodges, Spencer.
Wilbert J. Regnet, Swormville.
Joseph F. Ambrose, Thornwood.
Beatrice V. Conway, Warners.
William H. Olcott, Wurtsboro.

NORTH DAKOTA

Pearl E. Taylor, Alexander.
Ivan O. Wick, Brocket.

OHIO

Carlton W. Strosnider, Ansonia.
Gertrude G. Nottke, Berlin Heights.
Oscar J. Pierce, Coolville.
Raymond C. Harris, Eaton.
Harold E. Mills, Franklin.
John D. Ingram, New Milford.
Ralph G. Bostwick, North Benton.
John William Evans, Orrville.
Leo F. Davis, Payne.
Robert L. Murdock, Ridgeway.
Clarence B. Stahl, St. Henry.
Edgar W. Stevanus, Sugarcreek.
LeRoy A. Wright, West Alexandria.

OREGON

Marie E. Marshall, Cannon Beach.
Milton H. Ringe, Dundee.
Audrey S. Phillips, Island City.
Stella G. Lowe, Rickreall.

PENNSYLVANIA

James W. Daubert, Allentown.

PUERTO RICO

Jose Alberto Poventud, Ponce.

SOUTH CAROLINA

John B. Blanton, Nichols.
Bennett C. Bedenbaugh, Prosperity.

TENNESSEE

Albert M. Daniel, New Market.

TEXAS

Ponder A. Pickett, Big Wells.
Joe C. Cobb, Lewisville.
Gilbert R. Thayer, Port Lavaca.

UTAH

J. Stanford Staheli, Enterprise.

VIRGINIA

Burton R. Floyd, Buena Vista.
Virgie C. Rawls, Burkeville.
Thomas N. Langhorne, Evington.
Frank J. Horlander, Jr., Meherrin.
Virginia M. Deane, New Canton.

WASHINGTON

Glenn R. Fredericksen, Cashmere.
Fred S. Hughes, Clarkston.
Arlow R. Evers, Electric City.
Dwight L. Cruea, Everson.
Dean W. Larimore, Granger.
Jack Doty, Greenacres.
Henry Grosso, Harper.
Clifford E. Swenson, Harrington.
Charley T. Garrison, Hoquiam.
John H. Bonus, Klickitat.
Jack A. Middle, Mabton.
Alice L. Green, Medina.
Kenneth E. Roberts, Nooksack.
Robert F. Whitten, Ocean Park.
Ruby Irene Paulson, Outlook.
Marion E. Keeney, Pacific Beach.
Wesley Wayne Gibbs, Woodinville.

WISCONSIN

Lyle A. Gallenbeck, Burnett.
James E. Davidson, Markesan.
Henry W. Luebke, Winneconne.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 12, 1956

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

God of all grace and goodness, grant that in these dark and doubtful days we may turn to Thee for light and leading and discover the power and possibilities of prayer.

Inspire us with a daring faith and an unconquerable hope and may we see our duties clearly and discharge them without fear or favor.

May we never be merely content with the deductions and conclusions of our minds but may we be blessed with those spiritual revelations and intuitions which will make us feel instinctively that we are obeying and doing Thy will.

Help us for our joy and strength to strive more earnestly to bring the power of lofty ideals to bear on our everyday life and daily give witness that we belong to an eternal fellowship.

Hear us in the name of the Christ who is our eternal contemporary. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 9774. An act to provide for the conveyance of certain lands of the United States to the Board of Commissioners of Volusia County, Fla.;

H. R. 10075. An act to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.; and

H. R. 10479. An act to authorize the Administrator of General Services to convey certain land to the county of Galveston, Tex.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 8817. An act to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.; and

H. R. 9842. An act to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 147. An act to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 60 days after the execution thereof; and

S. 3956. An act to amend the Fair Labor Standards Act of 1938, as amended.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 47. An act for the relief of Guiseppe Agosta.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 2182) entitled "An act for the relief of the city of Elkins, W. Va.," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DANIEL, Mr. O'MAHONEY, and Mr. DIRKSEN to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 3957) entitled "An act for the relief of Pauline H. Corbett," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KEFAUVER, Mr. JOHNSTON of South Carolina, and Mr. LANGER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 9593) entitled "An act to simplify accounting, facilitate the payment of obligations, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. WOFFORD, and Mr. COTTON to be the conferees on the part of the Senate.

PERSONAL ANNOUNCEMENT

Mr. MADDEN. Mr. Speaker, on yesterday I was on the floor of the House all afternoon. Shortly before rollcall No. 98 on the mutual security appropriation bill, I was called back to my office to interview some constituents. Shortly thereafter the bells rang for rollcall No. 98. I waited for the second bells to ring, but they failed to ring. As a consequence I got here on the floor of the House just a minute or so late. Had the second bells rung, I would have been able to vote on rollcall No. 98; therefore I ask unanimous consent that the permanent RECORD record me as voting "aye."

The SPEAKER. It is not possible to do that as it is in violation of the rules of

the House. The gentleman from Indiana may state how he would have voted had he been here.

Mr. MADDEN. I made such a statement in the RECORD yesterday, Mr. Speaker.

COMMITTEE ON AGRICULTURE

Mr. THOMPSON of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SUPPLEMENTAL APPROPRIATION, 1957

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 584 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That during the consideration of the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, all points of order against the bill are hereby waived.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

I now yield myself such time as I may consume.

Mr. Speaker, this resolution waives points of order on the bill that is about to be called up, which is the supplemental appropriations bill. The reason for the rule is that there are some minor legislative provisions in the bill itself, but the main reason for this rule is that the authorization bill for the military construction, while it has passed the House and I believe passed the Senate, has not as yet, as far as I know, become law. While it will be enacted into law in the next day or so, that is the main reason for this rule waiving points of order. The items for military construction have not as yet been authorized.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. GROSS. That is the main reason for asking for this rule waiving points of order, because some law has not yet been enacted?

Mr. SMITH of Virginia. Not some law, but the law authorizing military construction projects for this year.

Mr. GROSS. Would the gentleman say there is no legislation in this bill in connection with the Jones Point bridge?

Mr. SMITH of Virginia. Not to my knowledge. There is no legislation on that matter. If the gentleman will look at the report on the bill, he will find listed there the legislative provisions concerning which a waiver is sought. That does not apply to the Jones Point bridge.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. McCORMACK. I desire to announce that the next order of business after the disposition of the supplemental appropriations bill will be the suspension on the veterans bill, for which permission was obtained yesterday.

I ask unanimous consent, Mr. Speaker, that the Committee on Foreign Affairs may have permission to sit today and tomorrow during general debate.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may use.

As the gentleman from Virginia [Mr. SMITH] has so ably explained, this resolution makes in order the consideration of H. R. 12138 with waiver of points of order on the bill. As a member of the Rules Committee, I voted for this rule, although I have a great interest in one certain provision in this bill, as do the other Members from Ohio, and especially Representative SCHENCK, of Ohio.

On page 7 of this bill is a provision for transferring the Air Research and Development Command of the Air Force to Andrews Field. The gentleman from Ohio [Mr. SCHENCK] has in his district a great portion of the Wright-Patterson Air Force Base, and I have the balance of that installation in my own district. Under the provisions of this bill, on page 7, the Secretary of the Air Force would be authorized to expend some $6 million for the moving of the Air Research and Development Command headquarters from Baltimore to Andrews Air Force Base in the District of Columbia, where we already have an overcrowded condition. All in spite of the fact we are already spending hundreds of millions of dollars to move Federal institutions and installations out of this congested area in and near the District of Columbia because of dangers involved.

The work of air research and development belongs primarily somewhere close to the Air Materiel Command at Dayton, Ohio, where most of the Nation's warplane experimentation goes on. The location of the Air Research and Development Command is very important. Prior to 1951, when the Air Force first established an Air Research and Development Command, the Air Materiel Command at Dayton embraced all production, supply, maintenance, and engineering functions at Dayton, Ohio. In order to create the Research and Development Command the engineering functions of the Air Materiel Command were separated therefrom, and most of the personnel to man this new function came from the Air Materiel Command itself.

Since the Air Force had included this research function as a part of the Air Materiel Command for several years before a program of separate research activity was created, it must be obvious to all that this function still has a very close relationship to the Air Materiel Command itself, and should be a part thereof if it should ever cease to exist as a separate command.

Some time ago the Armed Services Committee of the House investigated this whole matter as to where the Air Research and Development Command should be located very fully and unanimously recommended to the House, and to the Air Force, that the Research and Development Command should be located near the Air Materiel Command in Dayton, where the two could work together as in the past.

The House itself once voted that the Air Research and Development installation should be moved to Dayton. Then, later, the Senate in the closing days or hours of the last session amended that particular section of the bill to provide that the Secretary of the Air Force should decide where such research and development work should be done, and the House rather reluctantly adopted that Senate amendment.

I note the subcommittee of the Appropriations Committee which reported this bill said in its report:

> The committee has some doubt that the immediate vicinity of the Nation's Capital is the best location for command headquarters of this type—

Referring, of course, to Air Research and Development Command. Further the committee said:

> This committee would have preferred that another location had been selected.

Let me point out to you, and I give it to you upon my word as a Member of this House, that the experienced officers and men in this research work in the Air Force, who investigated this whole matter, recommended that the Air Research and Development Command be transferred back to Dayton, Ohio, where for many years it operated as part of the Air Materiel Command, where the two commands could again work together, and where, if peace should come or the world situation grow less tense, the two could again be incorporated into one endeavor.

And let me tell you of some of the steps and some of the plans that are now underway, or are being worked out, if this House approves the removal of the Air Research and Development Command to Andrews Air Base.

Mr. Speaker, first, the present plans envision the following steps:

Step 1: The transfer of a majority of the present training command subactivities from Randolph to Waco. This will result in a consolidation of flight training and technical training operations at one headquarters at Waco with a resulting reduction of some 100, or more, people.

Step 2: Involves the transfer of the headquarters of the training command from Scott Field to Randolph Field.

Step 3: This involves the movement of the MATS headquarters from Andrews Field to Scott Field. In this case, the movement of some 700 training headquarters people out of Scott will be replaced by moving in around 1,200 people in the MATS headquarters.

Step 4: ARDC headquarters will be moved from the present location at Baltimore to take over the present MATS headquarters at Andrews. These moves will require the expenditure of maintenance and operating funds of at least $3 million and more possibly in the area of $4 million.

Second. Included in this plan is the creation of a new and additional headquarters building for some $6 million for ARDC at Andrews. Initially, ARDC would move at some point after the third

quarter of fiscal year 1957 into the present MATS headquarters building when it was vacated by MATS for the move to Scott. Perhaps 2½ years later, ARDC would move into the new headquarters and the present MATS headquarters would then be available for the move of people out of the Pentagon and out of the temporary buildings in the Washington area.

Third. The proposal which is really the one under consideration as step 1 involves the new headquarters for ARDC retaining the MATS headquarters at Andrews.

Fourth. The net effect of this series of proposals is the increase in the number of organizations in the Washington area and many people believe this should be undesirable both from a vulnerability standpoint and from the overconcentration of Government personnel in this area. In the studied opinion of many people a more desirable course of action appears to be the construction of a new headquarters for ARDC at Dayton, Ohio, and the movement of the headquarters, when it is moved, from Baltimore to Dayton. This consolidation of ARDC on the same base with its major operating activity should result in both increased efficiency of operation and a total reduction of many people, on the order of several hundred.

Fifth. The proposed move of ARDC headquarters to Andrews, along with the other proposed moves involves the maximum expenditure, and maximum disruption in the Washington area.

Mr. Speaker, may I also point out in connection with the proposed location of ARDC headquarters:

First. The separation of the engineering function—ARDC—from the production, supply, and maintenance functions of AMC in 1951 duplicated a somewhat similar separation of functions during World War II, where supply and maintenance functions were separated from production and engineering. In each case, the reason was to reduce the size of the job that any one person or headquarters would be responsible for—in both supervisory and operational functions. When the separation was made in World War II, the resultant problems were solved somewhat more expeditiously because the two headquarters, which of necessity required a great deal of lateral coordination, were only 3 miles apart.

Second. The major problem caused by the creation of the ARDC headquarters at Baltimore was the fact that the close teamwork and working relationships necessary, particularly at the operating level, were made difficult. In the engineering change proposal area alone, it was difficult enough under a single organization to get timely and expeditious action. With the ARDC headquarters removed to Baltimore, it was my personal experience that serious delays were encountered which might have been avoided in getting changes instituted in production aircraft, particularly when the total engineering responsibility from the cradle to the grave was placed in ARDC.

Three. The other serious difficulty encountered was the fact that ARDC headquarters was created, in the main, from the most experienced people of the engineering division at Wright Field. Therefore, at a very critical time in the build-up of the Air Force, the new WADC and the AMC production division were forced to carry on a tremendously accelerated workload with less people at the project level than they had had before the reorganization.

Fourth. The inevitable minor problems and petty jealousies in connection with any such reorganization as this have been pretty well reconciled. The present commanders—Powell and Rawlings—have established a close working relationship, and personnel and organizationwise, both organizations have, within the last year, attained a stable and clear understanding of their common problems, and the total mission requirements to which they must contribute, for the overall advancement of Air Force technology and the Air Force inventory requirements.

Fifth. The coordination and close cooperation attained by the present project office organization have produced real dividends. ARDC initiates the weapon system offices and retains their management until the production cycle is initiated, then AMC takes over the management at Dayton of the project office, until the weapon system has progressed through production to the point where its management may be transferred to the responsible AMC depot.

Sixth. Coupled with the weapons system offices, the related phasing groups, composed of members from USAF headquarters, tactical commands involved, and the pertinent depots and centers, have resulted in a better job of initial planning, detailed operational and materiel planning, production for the inventory and tactical support than has even been accomplished before in the history of the Air Force or its predecessor organizations.

Seventh. In consideration of the many recommendations advanced, both by those people with responsibility for results and those who are only in an advisory capacity, it is obvious that any headquarters for any Air Force function could be located anywhere in the United States. It has been the repeated decision of many senior commanders that if you are to command an operating organization charged with a major portion of the Air Force mission, such as TAC, SAC, ADC, ARDC, or AMC, that the farther you get away from Washington, the better. This is for the simple reason that too close a location of the headquarters to Washington results in confusion rather than coordination. The personnel of the Air Staff are inclined to enter into the operating functions of the separate command. The management of the separate command are inclined to endeavor to take over part of the operations of the Air Staff.

Eighth. From a standpoint of long-range economy, it is usually desirable to locate a headquarters so that it is reasonably equidistant, areawise, from the units which it controls. We should take advantage of long-term positions of base availability, and therefore, possible reductions in long-range operating costs. These factors, under the present program of austerity, become of major importance.

Ninth. There are three major factors which make the Wright Field location for ARDC headquarters of overriding importance, first, at the present time, roughly 50 percent of ARDC's total management affairs are carried on through the project offices, in close coordination with AMC; second, the laboratories at Wright Field are the logical areas for the initiation and technical supervision of practically every major program, except the responsibilities of the ICBM and IRBM; and third, it is a central location, which is certainly somewhat less vulnerable than a coastal location and relatively equidistant from the other ARDC centers, as well as reasonably coequal in distance from the various centers of technical knowledge located, in the main, on the West Coast, in the Northeast, and in the Chicago-Detroit areas.

Tenth. In the past, the Air Force has tried operation of engineering, production and procurement from the Washington headquarters. In each case it was found that superior results were obtained when the operating activities were decentralized to Dayton and the Staff responsibilities of the Chief were carried out in the Washington headquarters.

Eleventh. For the same reasons that have been advanced for the placement of the ARDC headquarters at Baltimore, Andrews Air Force Base, Langley Air Force Base, and other eastern points, adjacent to Washington, we could advance the philosophy that AMC headquarters should also be moved to the Washington area.

Twelfth. If either AMC or ARDC headquarters are located within an hour's drive from Washington, then the duties of that headquarters might well be combined with the Deputy on the Air Staff in charge of that responsibility. Certainly, there is no reason for having two senior officers and staffs essentially charged with the same responsibilities in the same local area.

Thirteenth. For the long pull, it appears that the major justification for the relocation of the ARDC headquarters was the construction of a new headquarters building at Wright Field proper. The only additional problem lies in the provision of more housing under the Capehart Act, or by local construction firms. This, from the standpoint of morale and well-being of personnel in the most critical categories, would be the simplest, most straightforward solution.

Fourteenth. The Commander, ARDC, made strong representation last year before three congressional committees, in which some of the foregoing facts and many other detailed and related matters were brought to the attention of the congressional committees, with the House committees fully supporting the location of headquarters ARDC at Wright-Patterson.

Mr. Speaker, I urge that when the gentleman from Ohio [Mr. SCHENCK] speaks on his amendment you give this matter your serious attention, because I am convinced that the Secretary of the Air Force made a bad decision when he

went against the advice of the Air Force leaders, the unanimous advice of the House Committee on Armed Services, and the express wishes of the House of Representatives and soon after he took office issued orders to transfer this ARDC installation to Andrews Field.

I hope all the Members will support the Schenck amendment.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

FORT BENNING A MODEL OF WILDLIFE MANAGEMENT AND GAME CONSERVATION

Mr. FLYNT. Mr. Speaker, in the light of many loose and unfair charges being made that our military personnel are willfully killing game and taking fish on service reservations in violation of State laws and conservation practies, I include herewith an article from the Army and Navy Journal of July 7, 1956, on wildlife management at the Army's huge reservation at Fort Benning, Ga. Further, I am assured that similar programs are in force at many other service installations. The report on Fort Benning's commendable program follows:

FORT BENNING CITED AS MODEL OF WILDLIFE MANAGEMENT AND GAME CONSERVATION

The fish and game preserve on Fort Benning's 182,000-acre military reservation is one of the richest and best regulated wildlife sanctuaries in the Southland.

That it is so can be credited largely to the Fort Benning Fish and Game Management Association, a voluntary group which has been working since 1949 to make the area abundant with natural life.

The association is an organization of sportsmen, limited in membership to active military personnel on duty at Fort Benning, members of their families, retired military personnel living in the Columbus, Ga., area, and disabled veterans.

Its aim is to conserve wildlife while at the same time affording its members hunting and fishing grounds where they can indulge in their sport within the limits of the game laws of the States of Georgia and Alabama.

The association's new president is Col. Lester L. Wheeler, United States Army, who recently succeeded Brig. Gen. Frederick R. Zierath, United States Army.

To create and maintain a game refuge on the Fort Benning reservation strict laws and regulations were adopted by the association. These are rigidly enforced by a group of 12 men known as Range Guards, who operate under the supervision of the Infantry Center Provost Marshal's Section. Although their duties vary, they are, essentially, game wardens. They are under the immediate command of 2d Lt. Edward B. Rogers, United States Army, Fort Benning's fish and game officer. Lieutenant Rogers is a graduate of the University of Georgia with a degree in forestry, with a minor in wildlife management.

In addition to seeing that the association's laws are observed, the Range Guards also carry out the group's restocking and feeding program. They plant and maintain some 500 acres of feed patches around the reservation. Also, they supervise prescribed areas for proper biological balance in fish and wildlife control. This balance entails lake restocking and fertilizing, game feeding and trapping predatory animals. Last season, for example, more than 1,000 predatory animals, such as bobcats, opossums and skunks, were exterminated, thereby greatly increasing the game population for the 1955 season.

One program which began last year, but which will be enlarged, is the planting of aquatic foods for migratory fowl. In the past, fowl stopped only for a short while on the reservation. Finding inadequate food, they soon moved on. To remedy this condition, a relatively small area was planted this year. A larger area will be planted next year.

The bag limit set down by the association, as well as the opening and closing dates for the various hunting and fishing seasons, follow the State laws of Georgia and Alabama, since the reservation overlaps into both States. Although the States' seasons permit hunting from opening to closing dates, Fort Benning limits hunting to Wednesday afternoons, Saturdays, Sundays, and holidays, while still observing the inclusive dates as prescribed by the States.

Last year, Fort Benning opened its deer season early. Critics of this failed to take into consideration that it was opened early by special permission of the Georgia and Alabama Fish and Game Commissions so that members of the Third Infantry Division would have an opportunity to hunt prior to leaving the post for Exercise Sage Brush.

The association also has been charged with allowing the shooting last year of does as well as bucks. This is true. But permission was given by the Georgia Game Commission to reduce the population of surplus old does. However, does were shot only in the Georgia area, since Alabama did not give specific approval for the killing of does.

By and large, at a time when House Interior Committee is hearing charges that military reservations around the United States are flouting State game and fish laws, Fort Benning is in the enviable position of being considered by Federal and Georgia State experts to be the Nation's most productive military wildlife preserves.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, it is becoming the rule rather than the exception that when appropriation bills come before this House there is a rule waiving points of order. The gentleman from Virginia [Mr. SMITH] says that this rule is made necessary by virtue of the fact that it refers to some law which has not as yet been enacted.

I contend that the rule is also made necessary because of legislation in connection with the Jones Point Bridge for which $14,325,000 would be appropriated under the terms of this bill, the Jones Point Bridge to be built across the Potomac River down at Alexandria, Va., at the expense of all the taxpayers of the country. There is legislation concerning that appropriation in this bill despite what the gentleman from Virginia may say.

I certainly was prepared to raise a point of order against the legislation in connection with the construction of that bridge and it is becoming something close to an affront to the House to bring these appropriation bills in here under rules waiving points of order.

We might just as well throw out the rule book so far as points of order on appropriation bills are concerned if this sort of thing is going to continue.

The rules specifically provide that appropriation bills shall not be brought into the House containing legislation. If there was some emergency, I could understand waiving points of order, and certainly I would go along, but you can read this bill backward and forward and you will not find a single item in this bill of an emergency nature.

Mr. Speaker, I urge Members of the House to give serious consideration to what is happening when repeatedly rules are being brought in waiving points of order on appropriation bills.

Mr. SMITH of Virginia. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, in reply to the question asked by the gentleman from Iowa a little while ago, I find that I did not give him accurate information on it, and I want to correct my previous statement and explain the purport of the item relating to Jones Point Bridge so far as the point of order is concerned.

So far as the construction of the bridge is concerned, it is water over the dam. It has been authorized by both bodies and signed by the President. It is a very much needed project, not for Virginia or Maryland but for the District of Columbia and the Federal Government itself in getting its people back and forth over the river, where you all know congested conditions exist and have existed for a long time and are getting worse all the time.

Now, so far as the point of order is concerned, I was not aware of it until it was pointed out to me a moment ago after I had replied to the gentleman from Iowa. There is a provision on page 4 in the nature of a proviso which says:

Provided, That the unexpended balance of the appropriation granted under this head in the Second Supplemental Appropriation Act, 1955, is hereby merged with this appropriation.

It does not increase the appropriation but just merges the previous appropriation with this appropriation and throws it all into one pot.

Then there is a proviso which I think is not subject to a point of order because it is a limitation on the appropriation and favors the point of view which the gentleman from Iowa takes. That proviso reads:

That this paragraph shall be effective only upon the final consummation of agreements for the maintenance and operation of the bridge and approaches by the States of Virginia and Maryland.

If those things constitute objectionable points of order, of course, it is up to the House what they want to do about it.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote of the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 362, nays 30, not voting 40, as follows:

[Roll No. 99]

YEAS—362

Abbitt	Dollinger	Keogh
Abernethy	Dolliver	Kilburn
Adair	Dondero	Kilday
Addonizio	Donohue	Kilgore
Albert	Dorn, N. Y.	King, Calif.
Alexander	Dorn, S. C.	King, Pa.
Allen, Calif.	Dowdy	Kirwan
Allen, Ill.	Doyle	Klein
Andresen, August H.	Durham	Knox
	Edmondson	Knutson
Andrews	Elliott	Krueger
Anfuso	Ellsworth	Laird
Arends	Engle	Landrum
Ashley	Fallon	Lanham
Ashmore	Fascell	Lankford
Aspinall	Feighan	Latham
Auchincloss	Fenton	LeCompte
Avery	Fernandez	Lesinski
Ayres	Fino	Lipscomb
Bailey	Fisher	Long
Baker	Fjare	McCarthy
Baldwin	Flood	McCormack
Barrett	Flynt	McCulloch
Bass, N. H.	Fogarty	McDonough
Bates	Forand	McGregor
Baumhart	Ford	McIntire
Beamer	Forrester	McMillan
Becker	Fountain	McVey
Belcher	Frazier	Macdonald
Bennett, Fla.	Frelinghuysen	Machrowicz
Bennett, Mich.	Friedel	Mack, Ill.
Bentley	Fulton	Mack, Wash.
Betts	Garmatz	Madden
Blatnik	Gary	Magnuson
Boggs	Gathings	Mahon
Boland	Gavin	Mailliard
Bolling	Gentry	Marshall
Bolton, Frances P.	George	Martin
	Gordon	Matthews
Bolton, Oliver P.	Grant	Meader
	Gray	Merrow
Bonner	Green, Oreg.	Metcalf
Bosch	Green, Pa.	Miller, Calif.
Bowler	Gregory	Miller, Md.
Boykin	Griffiths	Miller, Nebr.
Boyle	Gubser	Miller, N. Y.
Bray	Hagen	Mills
Brooks, La.	Haley	Minshall
Brown, Ga.	Halleck	Mollohan
Brown, Ohio	Hand	Morano
Brownson	Harden	Morrison
Broyhill	Hardy	Moss
Buckley	Harris	Moulder
Budge	Harrison, Nebr.	Multer
Burdick	Harrison, Va.	Mumma
Burnside	Hays, Ark.	Murray, Ill.
Bush	Hays, Ohio	Natcher
Byrd	Hayworth	Nicholson
Byrne, Pa.	Healey	Norblad
Canfield	Hébert	Norrell
Cannon	Henderson	O'Brien, Ill.
Carlyle	Herlong	O'Brien, N. Y.
Carrigg	Hiestand	O'Hara, Ill.
Cederberg	Hill	O'Neill
Celler	Hillings	Osmers
Chase	Hinshaw	Ostertag
Chatham	Hoeven	Patterson
Chelf	Holifield	Pelly
Chenoweth	Holland	Perkins
Chiperfield	Holmes	Pfost
Christopher	Holt	Philbin
Chudoff	Holtzman	Phillips
Clark	Hope	Pilcher
Clevenger	Horan	Pillion
Colmer	Hosmer	Poage
Cooley	Huddleston	Poff
Coon	Hull	Powell
Cooper	Hyde	Preston
Coudert	Ikard	Price
Cramer	Jackson	Quigley
Cretella	James	Rabaut
Cunningham	Jarman	Radwan
Curtis, Mass.	Jenkins	Rains
Dague	Jennings	Ray
Davidson	Jensen	Reece, Tenn.
Davis, Ga.	Johnson, Calif.	Reed, N. Y.
Dawson, Ill.	Johnson, Wis.	Reuss
Dawson, Utah	Jonas	Rhodes, Ariz.
Deane	Jones, Ala.	Rhodes, Pa.
Delaney	Jones, Mo.	Richards
Dempsey	Jones, N. C.	Riehlman
Denton	Judd	Riley
Derounian	Karsten	Rivers
Devereux	Kean	Roberts
Diggs	Kearney	Robeson, Va.
Dingell	Kearns	Robsion, Ky.
Dixon	Kee	Rodino
Dodd	Kelly, N. Y.	Rogers, Colo.
Rogers, Fla.	Smith, Kans.	Vorys
Rogers, Mass.	Smith, Miss.	Wainwright
Rogers, Tex.	Smith, Va.	Walter
Rooney	Spence	Watts
Roosevelt	Springer	Weaver
Rutherford	Staggers	Westland
Sadlak	Sullivan	Whitten
St. George	Talle	Widnall
Saylor	Taylor	Wigglesworth
Schenck	Teague, Calif.	Williams, N. J.
Scherer	Teague, Tex.	Williams, N. Y.
Schwengel	Thomas	Willis
Scott	Thompson, N. J.	Wilson, Calif.
Scrivner	Thompson, Tex.	Wilson, Ind.
Seely-Brown	Thomson, Wyo.	Winstead
Selden	Tollefson	Wolcott
Sheehan	Trimble	Wolverton
Shelley	Tuck	Wright
Sheppard	Tumulty	Yates
Shuford	Udall	Young
Sikes	Utt	Younger
Slier	Vanik	Zablocki
Simpson, Ill.	Velde	Zelenko
Sisk	Vinson	

NAYS—30

Alger	Hale	Smith, Wis.
Andersen, H. Carl	Harvey	Taber
	Heselton	Thompson, Mich.
Bow	Hess	
Byrnes, Wis.	Hoffman, Mich.	Van Pelt
Church	Johansen	Vursell
Corbett	Keating	Wharton
Crumpacker	Mason	Wier
Curtis, Mo.	O'Konski	Williams, Miss.
Dies	Prouty	
Gross	Rees, Kans.	Withrow

NOT VOTING—40

Barden	Gamble	Patman
Bass, Tenn.	Gwinn	Polk
Bell	Hoffman, Ill.	Priest
Berry	Kelley, Pa.	Scudder
Blitch	Kluczynski	Short
Brooks, Tex.	Lane	Sieminski
Burleson	Lovre	Simpson, Pa.
Carnahan	McConnell	Steed
Cole	McDowell	Thompson, La.
Davis, Tenn.	Morgan	Thornberry
Davis, Wis.	Murray, Tenn.	Van Zandt
Donovan	Nelson	Wickersham
Eberharter	O'Hara, Minn.	
Evins	Passman	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Patman with Mr. Lovre.
Mr. Passman with Mr. Cole.
Mr. Kelley of Pennsylvania with Mr. Short.
Mr. Thompson of Louisiana with Mr. Simpson of Pennsylvania.
Mr. Bell with Mr. Van Zandt.
Mr. Morgan with Mr. Hoffman of Illinois.
Mr. Barden with Mr. Gwinn.
Mr. Carnahan with Mr. Nelson.
Mr. Donohue with Mr. McConnell.
Mr. Evins with Mr. O'Hara of Minnesota.
Mr. Polk with Mr. Davis of Wisconsin.
Mr. Wickersham with Mr. Scudder.
Mr. Kluczynski with Mr. Gamble.
Mr. Burleson with Mr. Berry.

Mr. HALEY changed his vote from "nay" to "yea."

Mr. REES of Kansas changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

QUESTION OF PERSONAL PRIVILEGE

Mr. HOFFMAN of Michigan. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HOFFMAN of Michigan. Mr. Speaker, I rise to a question of personal privilege. On July 9, 1956, beginning at page 11015 of the daily CONGRESSIONAL RECORD, there appears a statement, which, among other things, includes the rollcall of the vote on H. R. 7535, known as the Federal aid to education bill, and the vote on the Powell amendment to that bill.

The statement gives the names and the manner in which the individual Members of the House voted on the adoption of the Powell amendment and the passage of the bill, and the State from which each Member voting came, as well as the political affiliation of each Member.

A Member of the other body, referring to the House, among other things, said:

> Mr. President, the Washington Post and Times Herald in an editorial on July 7, correctly referred to the Republican vote on the Powell amendment as "cynical politicking." The Post editorial says "Having squeezed what benefit they could out of voting for a rider that doomed the bill to death, most Republicans joined callously in burying it."

The statement also included the editorial from the Washington Post and Times Herald, captioned "Ignoring the Children," which, among other things, stated:

> The measure was put to death by a combination of prejudice and politicking in an atmosphere of confusion and finagling discreditable to Democrats and Republicans alike, and to the House itself as a lawmaking body.
>
> Both parties must share the blame for unconscionable jockeying for political advantage over the formula for allocation of Federal funds in aid of education.
>
> It is difficult to interpret this as anything but cynical politicking.
>
> Many who are now of school age will suffer an irreparable injury from the shabby conduct of the House of Representatives on Thursday. They have been denied a part of their American birthright.

The RECORD further discloses that from the floor of the Senate, the following statements were made:

> If the President's health, or recuperation, or concern over personal political problems, prevented him from exerting some personal influence and leadership in behalf of school construction, where were those junior presidents, Sherman Adams and James C. Hagerty, who have always seemed able to assert White House leadership when they really want to?
>
> No Member of the Senate, perhaps, has been any more dedicated to preserving the civil rights of all our people than I have.

On page A5384 of the daily CONGRESSIONAL RECORD, under date of July 9, 1956, there is a statement captioned "Ignoring the Children" in which the editorial previously referred to is again quoted.

Inasmuch as the statement shows how the Member from the Fourth Congressional District of Michigan voted on the Powell amendment and on final passage of the bill when that statement is coupled with the editorial from which quotations have just been made, it is obvious that it was made in violation of the rules of the House, if not of the other body, that it violates the rule of comity prevailing in the Congress, and that it adversely affects the rights, the reputation, and conduct individually in his representative capacity of the Member from the Fourth Congressional District of Michigan, and charges that his vote on H. R. 7535 and amendments thereto were

motivated, brought about by improper influences to which he yielded.

Mr. Speaker, I have, in that same connection, a question of the privilege of the House, and in order to save time and consolidate the matter, I ask that they be considered together, if that is possible.

The SPEAKER. Without objection, they can be considered together.

There was no objection.

QUESTION OF PRIVILEGE OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I rise to a question of privilege of the House and offer a resolution, which I send to the Clerk's desk. I ask to be heard on the question of privilege and on the resolution.

Mr. Speaker, on July 9, 1956, beginning at page 11015 of the daily CONGRESSIONAL RECORD, there appears a statement, which, among other things, includes the rollcall of the vote on H. R. 7535, known as the Federal aid to education bill, and the vote on the Powell amendment to that bill. The statement gives the names and the manner in which the individual Members of the House voted on the adoption of the Powell amendment and the passage of the bill, and the State from which each Member voting came, as well as the political affiliation of each Member.

Then followed the same statements quoted in my previous statement and which will not be here repeated.

Mr. Speaker, the quotations previously read in connection with the question of personal privilege are in violation of the rule of comity which exists in the Congress, they adversely affect the rights of the House collectively, its safety, its dignity, and the integrity of its proceedings in that, among other things, the quotations charged that the House acted from improper motives and because of improper influence. They raise a question of the privilege of the House.

I offer a resolution (H. Res. 588) which has to do with the question of the privilege of the House.

The Clerk read as follows:

Resolved, whereas in the CONGRESSIONAL RECORD of July 9, 1956, certain articles appear which reflect upon the integrity of the House as a whole in its representative capacity, and upon individual Members of the House; and

Whereas such statements tend to disgrace, degrade, and render ineffective the actions of the Members of the House; and

Whereas the statements so made and carried in the RECORD adversely affect the rights of the House collectively, its safety, dignity, and the integrity of its proceedings: Now, therefore, be it

Resolved, That the House hereby by the adoption of this resolution most respectfully requests that the other body expunge from its records the rollcall votes and remarks appearing on pages 11016–11017 and the remarks appearing on page A5384 of the daily CONGRESSIONAL RECORD of July 9, 1956, under the caption "Ignoring the Children"; and be it further

Resolved, That a copy of this resolution be transmitted to the Presiding Officer of the other body.

Mr. HOFFMAN of Michigan. Mr. Speaker, one's long statements which reflect upon individual Members of the House and upon the House itself have been put into the RECORD and unless the practice ceases it is my purpose to force a House vote if possible upon a disapproving resolution. If the House will not protect its integrity we cannot expect its detractors to end their false attacks which tend to destroy our usefulness.

Mr. McCORMACK. Mr. Speaker, I move that the resolution be referred to the Committee on Rules.

The SPEAKER. The question is on the motion.

The motion was agreed to.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. MORRISON. Mr. Speaker, I ask unanimous consent that the House Committee on Post Office and Civil Service be allowed to meet this afternoon during general debate for testimony only.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, I believe there has been some agreement on this side that no committee will be permitted to sit while the House is in session. If the gentleman's request includes that, I will have to go along with my colleagues on this side and object.

The SPEAKER. Objection is heard.

SUPPLEMENTAL APPROPRIATION BILL, 1957

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes; and pending that motion, Mr. Speaker, I should like to make 2 unanimous consent requests; first, that all Members have 5 legislative days in which to extend their remarks and to include extraneous matter. I do that in order to save time during the consideration of the bill under the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, second I ask unanimous consent that general debate on this bill be limited to 2 hours, one-half of that time to be controlled by the gentleman from New York [Mr. TABER] and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 12138, with Mr. KILDAY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CANNON. Mr. Chairman, this bill is largely a matter of routine. It is the supplemental appropriation bill—we used to call it a deficiency bill—which is always brought in at the end of the session, making provision for certain regular supply items and for supplemental appropriations. It naturally concerns practically every department of the Government.

The bill is made up by chapters. Each chapter represents supplementals or general appropriations for the year ending June 30, 1957. The bill includes 13 chapters and will be handled seriatim by the chairmen of the respective subcommittees. It embraces, with one possible exception so far as I am aware, nothing of a controversial nature. It consists largely of routine stereotyped matter and procedure. We are tying up all the loose ends and preparing for adjournment with the expectation that we will have provided enough money to carry all departments at least up to the next session in January.

May I say, Mr. Chairman, that this is not a small bill. All budget estimates considered aggregated $1,222,849,525. Apparently on the face of the bill it is $332,685,900 in excess of the budget estimates. However, that excess is merely apparent, as it does not take into consideration the savings made through rescissions, principally in the Armed Services chapter of the bill. When that is taken into consideration, we actually present a bill which is $32,300,000 less than the estimate submitted to the committee.

Mr. TABER. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, this bill calls for $1,555,535,425 of appropriations. I served on one of the subcommittees that was involved in it, and there is a cut of $625,500. There are other cuts involved, some of which are very good in proportion to the amount asked for. On the other hand, the committee felt they should increase the direct appropriation available for the Military Establishment's construction program.

The construction program is crippled by an amendment which appears on page 10 of the bill as section 309. That is drawn in such shape that if a project the Department starts goes sour it cannot take the money away from it. It has to go on through with it.

They indicate in their report that they want to accomplish something different from that. Whether or not they can supply any language that will accomplish what they want to do, whether or not the provision will be worded so as to accomplish that, I do not know. If they can, I would be willing to go along with it. If they cannot, I think that provision should be stricken out. Suppose you get a project started for an airfield in France or somewhere like that and France tells us that we cannot stay any longer, or something like that happens. This is pure supposition. I do not mean they have that tendency now. We would not be able to stop the construction work on it. We would have to go on just the same.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Texas.

Mr. MAHON. I am in complete agreement with the gentleman's desire to be able to stop projects that should be stopped. It was not in any way the intention of the Defense Subcommittee to bring about the condition which the gentleman fears. Between now and the time the bill is ready for amendment, I should be glad to work with the gentleman in an effort to arrive at some agreement in regard to a change in the language. Of course the gentleman can always offer a motion to strike out the language in the bill.

Mr. TABER. I simply feel that I should call attention to it at this point because I do not feel it is safe to have that kind of language in the bill. I would like to have it corrected, and if it is not corrected it might better be stricken out, in my opinion. But I felt that I should call attention to it and I have done so. I do not think I care to make any extensive comment on the question at this time.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. CANNON. Section 309, which the gentleman has just discussed, is the section on which the gentleman and I are in complete accord as to its general objective. But we have here a proposition which might be the means of turning over to the departments duties and prerogatives of the House the determination of how much money shall be provided and how it shall be used. The Government is wisely divided into three sections—the legislative, judicial, and executive. They are not to encroach upon each other's jurisdiction as laid down in the Constitution. To the legislative branch exclusively belongs the function of appropriating money. From time immemorial, the departments have sought a voice in how much money shall be appropriated for them and how they shall use it after they get it. We have for a long time been trying to bring the situation down to where the appropriations are to be made by the Congress and the action of the Congress accepted and observed by the departments. The money appropriated by Congress shall be administered by the departments in accordance with the directions and for the purposes for which the money was provided by the Congress and not for other purposes desired by the departments.

To insure control of the pursestrings by the Congress rather than by the departments, we have in recent years finally completed and enacted a satisfactory antideficiency law. The purpose of the antideficiency law is to place in the Congress complete control of the appropriation machinery, rather than in the departments and under this revised enactment it is a penitentiary offense to spend a dollar for a purpose other than that for which appropriated.

Also we have recently enacted a long needed definition of "obligation." But just as fast as we tie these departments down, they try to find some way of slipping out from under the restrictions. And here as usual, regardless of what the Congress does, they are trying to get the money and spend it or refuse to spend it as they please. The gentleman from New York and I are in complete agreement that Congress should appropriate the money and Congress should say how it is to be spent. The departments appear before the committee and have the widest latitude in explaining what money they want and what they expect to do with it. After they have presented their case, the Congress decides whether they have justified their program. After they have had their day in court they should abide by the decision of the Congress. Too often, they have failed to do that. Too often after Congress has appropriated a definite sum of money for a specific purpose, they propose to freeze it and leave it unexpended. In effect they take the position "Congress says that we are to spend it for a certain purpose, but to heck with Congress, we will not spend it at all—or we will spend it for some other purpose." That is in violation of the constitutional prerogatives of the House and is what we are trying to avoid here. After Congress has heard the executive departments, and after they have had their opportunity to present their case, and the Congress has passed upon it, they shall observe both the amount and the purposes which the Congress has incorporated in its appropriation acts.

Section 309 provides for that situation. It speaks for itself. I am anxious to go along with the gentleman from New York to the point where the department shall observe the directions of the Congress. Avoiding any apprehensions the departments may have with respect to sudden emergencies or changed conditions, the Congress is in session the larger part of the year. This year we are to be in recess over a period of something like 5 months; a longer period than the usual recess, but that is exceptional, even that is not too long for the departments, even if in their superior wisdom they feel the Congress has erred and they should take constitutional authority in their own hands.

Sessions of Congress are close enough and the committee staff is always here and the subcommittees can assemble on short notice. The Constitution while somewhat shopworn is not yet completely outmoded.

Mr. TABER. I think this language should be straightened out, if possible. If it is not, I think this section should be stricken out. I agree that the approach should be that the department should do what the Congress laid out for them. On the other hand, I do not like to see it in such shape that there is no opportunity for the Government to be pulled out in the event that these projects go sour or become no longer needed. I hope as we go along we will be able to cover that.

I do not think there is anything more I care to say unless someone desires to ask a question.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. SHEPPARD. I have read this section very carefully. Where does the gentleman find that the language incorporated in section 309 has changed the present authority of the Department of Defense?

Mr. TABER. Well, at the present time the Defense Department or the Budget may impound funds.

Mr. SHEPPARD. They still can under this language.

Mr. TABER. No.

Mr. SHEPPARD. Oh, yes, they can.

Mr. TABER. If the gentleman would listen while I read:

> No funds appropriated for military construction shall be made available to the respective military departments in a manner so as to restrict the application of funds to any specific project or installation.

That practically means that they cannot touch funds that are made applicable to any particular project or installation. After it starts there is no way to stop it. That is where the trouble is. It says just that. I do not like to see the Government get into that kind of a position.

Mr. SHEPPARD. Of course I do not agree with the gentleman's interpretation. I will admit he has a right to his interpretation, but I have had it interpreted by a legal division of a Government agency involved, and they do not take that interpretation.

Mr. TABER. I have had several contacts since this thing came up, and that is the conclusion I came to, not only on my own reading of the thing, but on my talks with these other people.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MAHON. I believe it is not the intention of Congress to deprive the Secretary of Defense of control of the Defense Department at all, in the exercise of authority which it now has.

Mr. TABER. If that is the case, and we say, so, that would satisfy me. If we would put in here just that, "This is not intended to deprive the Department of Defense or its controllers or the budget of any authority that they now have."

If we would add that or similar language I would be satisfied.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Iowa.

Mr. GROSS. Is it the gentleman's contention that this is a restriction or not a restriction upon the Secretary of Defense?

Mr. TABER. It is my contention that after moneys are allocated to a project and it gets started they must go right straight through with it without and possibility of salvage or anything of that kind in the event the project goes sour or is not needed. That is what I do not like about it.

Mr. GROSS. I think the criticism of the provision is that there is no restriction on it.

Mr. TABER. Mr. Chairman, I reserve the balance of my time.

Mr. CANNON. Mr. Chairman, chapter IV of this bill, beginning on page 10, of the bill and chapter III of the report, beginning on page 8, relate to the Department of Defense. The gentleman

from Texas [Mr. MAHON] is chairman of that subcommittee, and at this time I yield him 20 minutes.

NATIONAL DEFENSE AND THE INSECURITY OF OUR OVERSEAS BASES

Mr. MAHON. Mr. Chairman, the bill before us insofar as the appropriation of funds is concerned is largely a bill for military construction. The direct appropriations in the bill, without taking into consideration the transfer of funds from other accounts which have been previously appropriated, amount to $1,826,000,000 for military public works. If you add to that money which the Defense Department now has which has not been obligated you run that figure up to $2,699,000,000 for military public works in this country and overseas for this fiscal year. If you take into consideration funds available in this bill and unexpended funds as of June 30, 1956, the total funds available for expenditure after the passage of this bill for military public works will be $4,500,000,000. So we are talking about a very sizable measure here before us.

FOREIGN AID AND THE DEFENSE PROGRAM

Yesterday there was considerable comment in the House in regard to our overseas bases and how secure those bases were for the defense of the United States. I look at our defense program about like this: We are spending about $35 billion a year for the Army, Navy, and Air Force; we are spending about $3½ billion for foreign aid which we hope is American aid. In other words, we are spending about 10 percent of the defense appropriations for assistance to countries overseas, for military assistance and otherwise. If we should eliminate all foreign-aid programs, all military assistance overseas; if we should write off all our friends overseas we would probably have to increase this defense appropriation bill by $10 billion or $15 billion a year.

Always when the Chairman of the Joint Chiefs of Staff, Admiral Radford, and the members of the Joint Chiefs appear before the Appropriations Committee, at one time or another they are asked to state whether or not additional funds would be required for the Army, Navy, and Air Force should there be no foreign-aid program. Without exception and throughout the entire foreign-aid program these high military officials of the Government have always said that vast additional billions would be required were it not for the foreign-aid program. It is much cheaper to equip and finance a native soldier in Turkey or some other foreign area than to maintain an American soldier overseas. Of course, the program takes on different aspects from country to country. Generally speaking, we spend about 10 percent of the defense budget on foreign aid. We spend about 5 percent of the defense budget on the atomic energy program. That is about the way the defense program stacks up. Of course, it is an unfortunate fact that neither our foreign-aid program nor our military-defense program at home is free from waste and error.

As I said, references have been made to the hazardous aspects of our overseas program of military bases. There are $400 million in this bill for overseas air bases alone and it is about these overseas bases that I would like to speak to you briefly today.

If foreign soldiers in large numbers were quartered in Washington and in other areas of the United States that would represent a very abnormal and unnatural situation, a very precarious situation, a situation which would more or less be calculated to bring on friction and difficulty. The situation is no different overseas. We have these large numbers of military bases, we have our military personnel overseas in free and sovereign countries. It is a difficult situation, it is bringing about friction, it has brought about friction in Iceland to the extent that we may not be there for very long.

Of course, any Member of the House of Representatives who is opposed to our overseas bases could offer an amendment to strike from this bill the funds in it, running into the hundreds of millions of dollars, for further construction of overseas bases. Most of these funds are not for new bases, they are for the completion of existing bases. I think we ought to face up frankly to the situation with which we are confronted. I would say if no one offered such an amendment it could be assumed that the Members of the House approve the program for overseas bases and the implementation thereof as carried in this bill.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. How can the average Member know how many bases there are, where the bases are to be constructed?

Mr. MAHON. I think it would be necessary for Members to read the reports, to study the bill and to have a general overall idea of the complete situation. I recognize that no Member of Congress could get up and say: We want to knock out this overseas base, we want to keep that one. It is an overall question of whether we want to withdraw our forces and our contacts from abroad and rely for our defense solely on Fortress America and provide the additional billions for defense which the adoption of this concept would require. Do we want to adopt the Fortress America concept or do we want to keep these bases overseas in our possession, bases which constitute a ring around the U. S. S. R.?

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. MAHON. I yield.

Mr. HOFFMAN of Michigan. Now, how many overseas bases have we at this time?

Mr. MAHON. Well, I do not have the total figure for all services in mind at the moment. I understand that the Air Force has 145 major airbases outside the continental United States. This includes bases in Alaska, Newfoundland, Labrador, Hawaii, and other areas of a like nature. The other two services have a number of installations overseas, but not nearly as many as the Air Force.

Mr. HOFFMAN of Michigan. Nine hundred, as I get the information from the Department.

Mr. MAHON. Well, 900 is certainly erroneous, if you are speaking of major bases. If you include each individual communications station and like installation, then the total would be several hundred.

Mr. HOFFMAN of Michigan. That is wrong?

Mr. MAHON. That is very much wrong if we are referring to major installations. It is a question of terminology.

Mr. HOFFMAN of Michigan. That is the answer they gave me. Maybe it is wrong. Does not the gentleman realize—we will leave the average Member out of it—but the Member from Michigan is almost wholly dependent upon the members of the committee to get that information.

Mr. MAHON. I recognize the difficulties which the gentleman describes. But this is an issue that is so big and represents so many hundreds of millions of dollars that every Member ought to know something about it, and it is for that reason that I have decided to make a statement about it. And, if I may be permitted to proceed a little while, then I will yield later, but I want to make my statement, and I think the gentleman will be interested in it. This is a very serious situation, as I say.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Indiana.

Mr. HALLECK. I just want to commend the gentleman. I am happy that he is putting these facts before us, because I am quite convinced that it is the failure to understand the purposes of these overseas bases and their usefulness in our own defense that causes so much confusion and concern in the country. I think if the people could have heard the gentleman's statement and understood it, they would know that these overseas bases are the first line of defense for the United States of America and the free world.

Mr. MAHON. The gentleman is entirely correct. But, I point out how unnatural it is for us to have these bases overseas in these sovereign countries. I point out this, that we are going to lose some of them from time to time, but I will say to the gentleman from Indiana that perhaps if we lose them all tomorrow they would have already served a most vital purpose. They may have prevented World War III and the expenditure of several billions of dollars and many lives. It is a very important point, and the fact that the base at Keflavik, in Iceland, is threatened—I do not think the base will be lost, but the fact that it is threatened has caused us to, I think, look at this important question again. It is something that the committee has been looking at all the time, and I think, to use Mr. HOFFMAN'S words, the average Member of Congress ought to look at it, and that is the reason I am making these remarks.

I read from, I think, the most authoritative magazine that comes to our desk, and I read the following headline: "United States Bases Overseas Going, Going—." And, I think the implication is "gone" is going to be the next thing.

The first paragraph of that story is:

The next few weeks will tell whether or not the United States will be able to keep intact its chain of overseas airbases, built up at great expense in money, time, and effort since World War II.

There is some truth in the statement which I have just read.

Now, I would like to just take a look at some of these bases. Since we are talking about Iceland, which is very much in our minds, let us take a look at Iceland. There is no money in this bill for the base in Iceland, but on the airbase in Iceland we have already spent $107 million. We have a right to stay in Iceland for 18 months after a decision to terminate the agreement or the life of NATO or for 20 years, beginning to run when NATO was created. Of course, the right to remain is renewable—if we and Iceland so agree.

Look at Greenland. In this bill we have $6 million for bases in Greenland, but we have already appropriated for Thule, just one base in Greenland, $225 million, and most of it has been spent. There are other bases in Greenland, running the expenditure for overseas bases in Greenland, under the jurisdiction of Denmark, around $300 million.

Look at Newfoundland and Labrador. We have already spent $271 million there, and we have in this bill $48 million. And, if this program is wrong, we ought to have stopped it yesterday.

Now, in Morocco we are in a very difficult situation. We have in this bill $27 million for bases in French Morocco; that is, for the improvement of those bases. We have already appropriated—and most of it has been spent—$355 million on the bases in French Morocco, and you know the difficulty between the French and the Moroccans.

We are now negotiating with the Arabs of Morocco for the further occupancy of these bases. The truth is we are over the barrel. We have spent our $355 million. Some wise man may say, "Well, why did you do that?" But it was done at a time when it appeared that world war III was in the offing. It was done on a crash program. And it is well that it was done. But in my judgment, we must recognize the difficulties involved. Of course, the people in Morocco would like to have $400 million a year, perhaps, for our occupancy of the bases there. We cannot and would not pay it. So we have got to negotiate with the Arabs for a continuation of that program, which is an unhappy situation. But when you deal with sovereign countries you must take into account the facts of life. For the Wheelus Air Force Base in Libya in North Africa we have in this bill $2½ million. We have already appropriated in previous years $70 million. Our tenure there is until 1970.

Of course, these can always be renewed; that is, if the two countries agree.

In the Azores we have in this bill $4,200,000 for a base there. We have already appropriated $77 million. Our base rights in the Azores expire in December of this year. We are now negotiating for the continuation of that tenure.

In Bermuda we have a 99-year lease, negotiated just before World War II. We have $17 million in the bill for that base. We have spent previously $57 million.

In Spain we have a terrific program. It is a kind of combination of foreign aid and military aid. The program in Spain calls for the expenditure of $827 million. About half of that is for the bases and about half is for economic aid of one kind or another. We are in the midst of that program. We are constructing 4 big bases. Some additional bases are on the schedule for future consideration.

We have in this bill for Spain $37 million. We have already spent on the program there for air bases—American Air Force Bases—$127 million. That is, we have made those funds available.

The Navy has a program in Spain in excess of $80 million. So we have a very large program there. The late and able Admiral Sherman originally negotiated for those bases. It was necessary to get bases in Spain, which are very important to us, and to do that it was necessary for our Government to make certain economic concessions and advances in order to raise the economic standard of the people of Spain. So, as I say, that is an $800 million program.

Here is another very big program. the cost figure will almost shock you, if we can be shocked any more by big figures. In Alaska, since 1950, we have provided $900 million in funds for the Army, Navy and Air Force, just short of $1 billion.

For our worldwide radar network, the radar fence, the DEW line, the Pine Tree line and other lines for radar to detect the approach of the enemy to an overseas base or to an American city or industrial complex we have provided in this and in previous bills the sum of $796 million, a very sizable program.

We have gone into great detail from time to time as to the tenure on our overseas bases. We would like to have ironclad assurances that we can stay on them as long as we want to, but those are free countries and we cannot get that assurance.

I mentioned that in connection with NATO the tenure is for a 20-year period beginning in 1949 and it can be renewed if the powers agree. It is on a 10-year basis in Spain, where we are paying $825 million. It is renewable. If we should happen to leave, there is an agreement with Spain that we will be reimbursed for some of the physical properties we would leave there. There is no real agreement with England as to tenure. It is just an open-end affair, but perhaps that is as good as any of the rest of the agreements.

It is not possible to get an agreement to stay in a sovereign country any longer than the people in that country want you to stay. I discussed the situation in Morocco. I think we must face up to this. When you vote for the $400 million here just for airbases alone, plus funds for Army and Navy requirements, you might just as well face up to this, that any time any country in the world says, "You must pack up and go home," we can do only one of two things. We can pack up and go home or we can go to war in order to stay there. That is the very precarious position which we occupy in regard to our overseas bases.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Kansas.

Mr. SCRIVNER. In other words, we are in these various countries as a guest of these countries and not as an occupying, victorious group, so that, being guests, any time our hosts find that they do not want us in the house any more, they can do to us just as we would to guests in our own home, ask them kindly to make their departure.

Mr. MAHON. That is correct.

I do not believe this matter has heretofore been presented in as brutal and factual a way in the House in general debate as the situation really warrants.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Florida.

Mr. HALEY. Would it not be a fair statement to say that the committee and the Congress as a whole must follow the advice of the people who have the responsibility for the defense of this country? That is as far as we can go.

Mr. MAHON. I think we need to receive their advice, consider their advice and, if we differ with them, argue about it with them. Then, if we are positively sure they are wrong and we have the better proposal, I think it is up to us to propose it because I think we do have a definite responsibility.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. TABER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I ask the distinguished gentleman from Texas this one question to bring this all up in a bundle. We have only one potential aggressor. What we have done in effect is to bring those bases in a sort of a semicircle around that potential aggressor, starting in Alaska and going through Japan, Korea, the Philippines, southern Asia, with the single exception of India, Pakistan, Turkey, Greece and Italy, France, Germany, and England. Is not that true? We have brought any area of the potential aggressor within the range of our planes within a few hours.

Mr. MAHON. We have brought them within that range or are bringing them within that range.

In order to get that in proper perspective, let us assume for a moment that the Soviets had bases in the Caribbean, bases in Canada, and bases offshore in the Atlantic and the Pacific. We could then realize the terrific advantage our country does have in this perilous world. We can also realize why the Soviets will dedicate any effort and any money that may be advantageously expended from their viewpoint in order to dislodge us

from the overseas bases. It is a very important operation from our standpoint and from theirs.

Mr. SPRINGER. And in the maintenance of these bases in these countries, this is in our own self interest; is it not and that is why we are maintaining these bases are over the world.

Mr. MAHON. Correct. That is the reason we are providing the funds. I think even if the program blows up eventually it has perhaps already been worth the money. But, I am convinced it will not blow up in the near future.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield.

Mr. BOW. I notice on page 33 of the report, there are three items that I think should be explained. They are as follows:

Various TACAN	$1,160,000
Various locations, special	1,240,000
Aircraft control and warning	148,458,000

I would like to ask the distinguished gentleman from Texas whether or not this appropriation in these amounts means that the military now is setting up their own airways and the operation of their own airways.

Mr. MAHON. I would say to the gentleman that this is not in conflict with the agreement between Civil Aeronautics and the military as to the phasing in of different control programs within this country. Some of these stations are set up for classification purposes. There is secrecy involved in some of these operations around the world and there are difficulties in setting forth the whole picture.

Mr. BOW. Can the gentleman say whether or not the military is now adopting TACAN as their distance measuring instrument as against the VOR/DME used by civilian aircraft?

Mr. MAHON. I think they are in the process of adopting the TACAN program over a period of years. I think it comes out of an agreement which has been reached with the CAA and with the Department of Defense. Insofar as we were able to determine in our hearings this year, there is no longer any controversy with regard to that question.

Mr. BOW. Do we understand that there is nothing in this that will establish a separate airways for the military in this country and that they will be controlled by the CAA?

Mr. MAHON. The gentleman is absolutely correct in that statement.

Mr. BOW. So that we will have no confusion in the air between the two agencies?

Mr. MAHON. The gentleman is correct.

Finally, Mr. Chairman, I would like to submit a brief summary as to construction funds provided in the pending bill for Army, Navy, and Air Force. Before doing so perhaps I should point out that in the regular military appropriations bill which I presented to the House earlier this year approximately $34.5 billion were provided for the general overall program for the Department of Defense, exclusive of military construction. In the bill now before us the total value of new programs submitted to the committee by the three services was estimated at $2,967,000,000, divided as follows: Army, $351 million; Navy, $445-million; Air Force, $2,161,000,000.

The appropriations requested to finance the above programs are as follows: Army, $193 million; Navy, $400 million; Air Force, $1,228,000,000. Of this total of $1,826,000,000, the amount of $785 million was recommended to be derived by transfer from other funds previously made available to the services.

The committee has approved for funding a total program of approximately $2,305,000,000, or a reduction of $662 million most of which is applied to the Air Force.

The full amount of the budget estimate, $1,826,450,000, was approved by the committee, except that the amount of $428 million, rather than $785 million, is to be derived by transfer. The committee felt that instead of a proposed transfer of $357 million from the Army stock fund to the Air Force for construction purposes, a better and more clean-cut procedure would be to make a direct appropriation, which was done. However, this action will have no effect on the United States Treasury, because at the same time the committee recommends a rescission of $357 million in the Army stock fund.

The total appropriation of $1,398,450,000 included in the bill will be augmented by an estimated unobligated balance of $873 million, making a total of $2,699,450,000 available for obligation in fiscal year 1957.

As to expenditures in 1957, the total availability for this purpose will be approximately $4,526,000,000. Of this amount, approximately $2,700,000,000 represents unexpended balances as of June 30, 1956.

Mr. SHEPPARD. Mr. Chairman, the committee has approved the budget estimate of $400 million for the public-works program of the Department of the Navy for fiscal year 1957. This provides for appropriations of $165 million in new money and $200 million to be derived by transfer from the Navy stock fund and $35 million from the Marine Corps stock fund.

The military public-works program of the Department of the Navy, including those projects presented to the committee for funding approval in connection with the 1957 program and those which have been approved in the past, but not yet funded, amounts to $636,764,700. The committee feels that the difference between this program and the total funds available for construction was entirely too great. Therefore the Department of the Navy was requested to analyze its overall program and submit to the committee a priority list containing all of the items in this program listed in order of their essentiality. Using this priority list the committee has approved a funding program of $541,318,700, a program approximately 20 percent greater than the total available funds of approximately $451 million which includes $51 million of unobligated balances from prior year appropriations. Specific details of the committee action will be found in the committee report.

In considering the military construction estimates, the committee did not have available the conference report on the military construction authorization bill.

The bill as reported by the committee is based generally upon the military construction authorization bill as passed by the House of Representatives. Subsequent to reporting this bill to the House, the conference report on the authorization bill has been agreed upon by the House and Senate conferees. This has resulted in the deletion from the authorization bill of funds for certain Navy housing at the Naval Observatory in Washington. Since this item was included in the authorization bill as passed the House, and was given high priority by the Navy, the committee approved the project in the overall construction program set forth in the report accompanying the supplemental appropriation bill. Inasmuch as there is now no authority for this construction, I take this opportunity to inform the House that this item is accordingly stricken from the approved program as set forth in the committee report on page 22, and from section 307 (b) on page 9 of the bill.

Mr. CANNON. Mr. Chairman, I have just been handed an excerpt from the editorial page of this afternoon's Washington News which has just reached the newsstands. There is an editorial here castigating the gentleman from New York [Mr. TABER] and me because, as it intimates, we have sabotaged legislation which would save $4 billion a year. The News has brought this matter up at a time when both of us are recipients of a flood of letters from responsible businessmen all over the country asking us why we are not willing to save $4 billion a year? It is a very natural and pertinent question.

Four billion dollars is an enormous amount of money. Its purchasing power is so great that the finite mind of man cannot begin to comprehend its vast extent.

But the long and distinguished record of the gentleman from New York, is sufficient guaranty that if it was possible to save that amount of money he would save it. And that is true notwithstanding his efforts to increase administration expenditures these last few weeks for purposes he formerly opposed.

Incidentally I have saved some billions myself including $64 billion at one time.

Either of us would be glad to take advantage of the opportunity to save that amount of money.

But of course there is no such opportunity. The assertion that we could save $4 billion annually is absurd. It is the most fantastic statement that could possibly be made. After it had been circulated through the press of the country, we had the Director of the Budget, Mr. Brundage, before a subcommittee of the Committee on Appropriations and I asked him how we could save $4 billion a year or how any agency of Congress could save $4 billion a year by the enactment of legislation or the adoption of any recommendations that might be made to us along the lines so widely publicized.

He said—and I quote from page 848 of the hearings, part 2, supplemental appropriations bill, 1957—he could not make any estimate because, as he said, it was too intangible. Then he closed by saying: "I feel satisfied that we will save several million dollars."

I said to him, "Several million?" He said, "Yes." Then I said, "There is a great difference between several million and the $4 billion advertised."

In short, he did not assure us that he could save $1 million, much less $4 billion, and at no time was he willing to say positively that he could assure us he could save any specific amount by the use of any device or the adoption of any Hoover Commission recommendation, and this is the Director of the Budget talking.

Then the testimony began to assume a very familiar trend. The gentleman from New York [Mr. TABER] has been here a long time, and I have been here with him. Practically every year some department comes up telling us, "We can save a lot of money. Give us an extra amount in our appropriation and we will save millions."

Sure enough, Mr. Brundage began to tell us he would make large savings and asked us for more money in his appropriation. He wanted $405,000 more than he had this year in order to save something. He did not say how much.

We gave him $375,000 for extra personnel in the Bureau of the Budget, with the hope that he really could save something. But frankly, I have little hope of getting material results.

I am going to include in the RECORD at this time an excerpt from page 41 of the report. It is as follows:

ESTIMATED SAVINGS

The committee wishes to point out, in passing, the dangers of arbitrary and unfounded assumptions as to the value of revisions in financial management and accounting systems per se. The Commission on Organization of the Executive Branch of the Government quoted its task force claiming savings from improved financial management—to amount to $4 billion. Many well intentioned persons, corporations, and associations have spent much time and money bombarding the Congress and the public to effect these savings. No witness appeared before the committee during consideration of the 1957 budget request to point out, nor could the Director of the Bureau of the Budget at the present hearing identify, any part of these savings. It is preposterous to assert that a mere change in recordkeeping, unaccompanied by specific reductions in appropriations, can result in any appreciable savings, let alone such a vast sum as $4 billion.

The committee is fearful that forcing the entire Federal fiscal structure to the accrued expenditure concept of appropriating is a professional accountant's dream that may well become the taxpayer's nightmare. In approving $375,000 of the pending estimate for the Bureau, the committee is therefore approving the strengthening of the staff of the Bureau of the Budget, but without subscribing to the recommendations of the Commission on Organization of the Executive Branch of the Government in their entirety.

I yield to the gentleman from New York.

Mr. TABER. Mr. Brundage claims he could save several million dollars in connection with the new funds he was getting, without any legislation. This editorial denounced the gentleman and it denounced me because we were opposed to insertion in the bill that was before the Committee on Government Operations a provision to reestablish and require the Congress to operate on the basis of contract authorization instead of appropriation of funds. The appropriation of funds brings before the Congress the exact amount that the projects will cost to completion. Contract authorization brings before the Congress only the initial amount. When you have a contract authorization, perhaps 1 percent of the total which the thing is going to cost will be included, and you can get it through the Congress much easier than you can a big project which will cost a billion dollars or $600,000,000, or something like that. That is the kind of thing that they tried to fasten on us. You and I both opposed that sort of thing before the Committee on Government Operations, and the Government Operations Committee saw that it was in the interest of the Government to refuse to use the contract authorization business.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Texas.

Mr. THOMAS. Of course, the criticism of the gentleman from New York [Mr. TABER] and the gentleman from Missouri [Mr. CANNON], I think, was certainly out of line and unfounded. The argument all boils down to the simple proposition, if you do what they ask you to do you are giving them, in truth and in effect, the departments downtown, a blank check, because you give them the power to bind the Government by contract. There must be a payday later. Is not that about the situation?

Mr. CANNON. Definitely.

Mr. TABER. And it will cost a lot more money.

Mr. THOMAS. It is bound to; there is no escape from it.

Mr. CANNON. Supplementing what the gentleman from New York has said, the departments ask Congress for contract authority; that is, authority to go out and make contracts for some specific purpose. They lull us into a sense of security by explaining plausibly that they are not asking for an appropriation, merely an authorization. And on that account we are not so meticulous in screening the proposition.

Armed with contract authority, and without particularly adequate consideration, they contract to spend enormous sums of money, and when we come back next year and find an appalling bill awaiting us and begin to go into the details they say: "This is an incurred liability, you authorized this contract. It has been carried out. There is nothing to do but appropriate the money to pay for it."

It is the most reprehensible form of appropriation legislation, the most dangerous form of extracting money out of the United States Treasury there is. The gentleman from New York opposes it and I oppose it.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Texas.

Mr. MAHON. The hearings to which the gentleman from New York and the chairman of the committee are referring were held before the committee presided over by the gentleman from Alabama [Mr. ANDREWS]. In view of the fact that some of our constituents have been led to believe that by some little change here in Congress we could save $4 billion, I think it would be good if all Members could get a copy of the hearings and read them carefully.

I sat through all the hearings with the other members of the subcommittee and listened to Mr. Brundage, Director of the Bureau of the Budget. He could not pinpoint the saving of any money.

To try to foist upon the American people this cruel hoax, that Congress could save the huge sum of $4 billion by a slight change in language is utterly ridiculous and absurd. This hoax ought to be exposed on the floor for what it really is, and I would like to commend the gentleman from Missouri and the gentleman from New York for their position in this instance, which I think is absolutely correct.

Mr. CANNON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include the excerpts to which I made reference.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, the recommendations in chapter III with respect to the Army, Navy, and Air Force military-construction programs come to you with the unanimous approval of the three panels of the Armed Service Subcommittee.

They come to you also with the unanimous approval of the subcommittee as a whole and, as far as I know, with the unanimous approval of the full committee.

I shall, therefore, make no extended statement.

The committee has gone into the situation with great care. It has realized the vital importance of this program particularly in the light of new developments in weapons.

It has realized that the overall program cannot be completed in a short time, that it will require a number of years for completion.

After careful consideration it has recommended approval of all funds requested by the Bureau of the Budget for this program in fiscal 1957; namely, $1,041,450,000 of new money net.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Washington.

Mr. PELLY. I wonder if the gentleman can reconcile his statement that the committee is granting all money requested with the statement that I find in the report on pages 20 and 21 regarding certain projects which are justified by the committee as being immediately essential to the Navy, while it appears

to me there are $200 million which has not been granted toward essential naval programs.

Mr. WIGGLESWORTH. The gentleman is perhaps confusing the amount of funds which the committee recommends be made available with the value of the projects which it has approved as a fiscal 1957 program for the respective departments.

Mr. PELLY. Did the Bureau of the Budget not request any more than the amount allowed by the committee?

Mr. WIGGLESWORTH. So far as new funds are concerned, the amount recommended is 100 percent of the budget request.

It has been the practice in recent years however, to request approval of a far larger total in projects than the dollars requested for application to projects in any given year.

Mr. PELLY. The ceiling then of $451 million for naval facilities was put in by the Bureau of the Budget and not by the committee?

Mr. WIGGLESWORTH. That is correct.

Mr. PELLY. I do not want to take the gentleman's time if he is going to be short of time; but I do appreciate his information on this because I am greatly concerned that many of the projects left out are essential ones.

Mr. WIGGLESWORTH. Briefly speaking, the naval program in which the gentleman is interested calls for an appropriation of $451 million in 1957 to be applied to projects aggregating in the total about $541,318,700. In other words, there is a 20 percent leeway or elasticity provided for, in the discretion of the Department, but the new funds recommended, as I have stated, are 100 percent of the total requested by the Bureau of the Budget.

Similarly if we look at the whole program here—Army, Navy, and Air Force—which, of course, has been thoroughly screened, not only by the Committee on Armed Services but by the Appropriations Committee, you will find that the projects in respect to which the 1957 money may be applied aggregate about $2,305,000,000, representing a decrease as the result of screening from a figure of about $2,967,000,000.

The overall result is that you have all the new funds requested, and a total of $1,041,450,000 net, for application against projects aggregating about $2,305,000,000, in the discretion of the several departments.

Section 309, about which some discussion has been had on the floor, is designed to speed up the program and to preserve the elasticity insofar as the Department of Defense and the Bureau of the Budget are concerned.

Mr. PELLY. My concern is due to the fact we have just discussed the foreign air bases. I look upon our aircraft carriers as mobile bases. In case we lose any of the foreign bases we will have to look to the aircraft carrier. Now, on the west coast we have no facilities for repairing battle damage on a modern aircraft carrier. The drydock facilities are not large enough. As I understand, this is a ceiling on the amount that is allowed on these justified and essential facilities for the Navy, and would not allow for any planning funds for a large drydock, which takes 5 years, from the time that planning funds are appropriated, to complete.

Mr. WIGGLESWORTH. I will say to the gentleman that the approved projects, as distinguished from funds, insofar as the Navy is concerned, follow exactly a priority list submitted to the committee by the Navy Department.

As far as planning funds are concerned, I think and I hope—the chairman of the subcommittee, the gentleman from California [Mr. SHEPPARD], will correct me if I am wrong—there is a segregation of these funds which could make available the necessary funds for planning such a project as you have in mind, even though the project itself might not be sufficiently high on the priority list to warrant starting construction.

Mr. Chairman, I assume that the details of chapter 3 will be taken up under the 5-minute rule. I have no further general comments except to express the hope that the recommendations of the committee will be approved.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, this seems to be my Support-the-President Week, earlier this week on the foreign-aid bill and now to support his request for $37.5 million to build a second national airport at Burke, Va. Because of the parliamentary situation and the tactical situation again, similar to yesterday, I am not going to introduce here in the House the necessary amendment to this supplemental appropriation bill. I have discussed this matter with the distinguished leaders in the other body who are concerned with this matter, as am I; the Senators dealing with the Committee on Interstate and Foreign Commerce and the subcommittee dealing with aviation matters. They have indicated that under all the circumstances they feel it would best be done this way. I have discussed the matter with the gentleman from Georgia [Mr. PRESTON], chairman of the Subcommittee on the Department of Commerce, which includes the CAA, and he is of the opinion with me.

Now, Mr. Chairman, there is no sense in burdening this committee with the situation dealing with our safety at the National Airport here. It has gotten to the point of saturation for several years. The near misses, the close problems we have had for years are of record for all who wish to read, and you have all read about. I have no interest in the Burke airport one way or the other except as I have told you for years on this problem I have a high regard for the gentleman from Pennsylvania who is now talking to you and his neck and I also have great love and affection for all of you, my brothers in the House, who use the National Airport. It is a menace and it is a hazard; it is a death trap and it has been for years. Now, all the technicians who know this problem, the Secretary of Commerce, the Commission of the President of the United States which reported to him in December, all favor this new airport at Burke, Va. I must resist this opposition of the delegation from Maryland and a few men from Virginia, like my friend [Mr. BROYHILL] who is nearby. If I represented that district, I would be upset about it, too. But the sum total of these parochial nearby suburban interests cannot match the general national welfare and the general safety of the hundreds of thousands of people who come in and out of Washington National Airport.

I am not going to burden you with telling you how many minutes it takes to go to this place and how many to go to that place. We have been through that for years. I have taken these trips in cabs; I have gone with newspaper and radio men; I have traveled in the limousines from the Mayflower and from the Statler; I have gone in private cars and in my own car. "You pays your money, and you takes your choice" on how long it takes to get from here to there. You can get any kind of figures that you want.

There is that white elephant that our good friend Tommy D'Alesandro, who used to be in this House, gave birth to out at Friendship. The people who know, the air transport people who run the airlines, and the pilots who fly the planes and the Commission appointed by the President of the United States, the Secretary of Commerce, and now the President himself, who sends up to this Congress a request to appropriate the money to begin the construction of this new airport at Burke, Va., have told you what are the facts. I am on the side of the angels on this at this time; it could be otherwise in a crash at National Airport.

I hope the House will not wait until there is a terrible tragedy and hundreds of people are killed by crashes over this overburdened airport, now the National Airport. You should meet this issue.

I am not going to introduce this amendment. I am advised by distinguished Members of the other body from these contiguous, adjacent States to which a great many Yankees from New York have come and bought horse farms, that they are going to be upset by airplanes. That leaves me cold. And while I have love and affection for the gentleman from Maryland [Mr. LANKFORD] and the gentleman from Virginia [Mr. BROYHILL], the distinguished Senator from Virginia, Mr. ROBERTSON, and all these great leaders and great Senators and great Representatives, "That has nothing to do with the case tra la," as far as the rest of the United States is concerned.

Mr. LANKFORD. Mr. Chairman, would the gentleman yield?

Mr. FLOOD. Now I yield to my friend from Maryland.

Mr. LANKFORD. I should like to advise the gentleman from Pennsylvania that I have as much regard for his neck as I have for my own. I am not going to burden him or the Members with how many minutes it takes to go from this place to that or the other, but I wonder if the gentleman realizes that within a 13-mile area of Burke, there are 6 major airports and 5 minor ones. And I wonder if the construction of the airport at Burke would relieve this congestion which is paramount in our minds today.

Mr. FLOOD. The technicians and the experts have decided. The President has resolved this controversy and asked

funds for Burke, Va. I am not going to substitute the opinion of my friends from Virginia and Maryland for theirs. The overwhelming, disinterested, informal, and the best opinion declares for a new national airport at Burke, Va. We have delayed overlong; further delay would amount to gross negligence.

Mr. FLYNT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Chairman, it was with particular interest that I listened to the remarks of the distinguished gentleman from Pennsylvania in announcing to the committee that he would not introduce his amendment to the supplemental appropriation bill, H. R. 12138, for the purpose of including in the appropriation for the building and completion of a metropolitan Washington airport to be located at Burke, Va.

I especially noted that the gentleman from Pennsylvania is nonetheless enthusiastic about the Burke airport site, but that he apparently feels that such an amendment will stand a better chance of adoption and inclusion in the bill in the other body than it would here.

Let me commend my distinguished colleague for his interest in this particular question, for he is probably as well informed on the particular subject as any Member of this body. I know that his support of the Burke airport site stems from motives of air safety and convenience just as my opposition to the Burke airport site has its origin in these same high motives.

Therefore, I regret that he saw fit to withhold his amendment from consideration by this body because I think that full and ample time should be allowed to this House to debate the advantages and disadvantages of the Burke site. We all know that in the limited time allowed that this subject cannot be properly discussed if and when it reaches us in the form of a conference report.

Therefore, it is my desire and my purpose at this time to outline to you some of the reasons dealing primarily with air safety, why I am very strongly opposed to the development of the Burke airport site as a major airport facility to serve metropolitan Washington.

As some you may know, I have just returned, along with eight other Members of this body, from an extensive inquiry into the facts surrounding the recent major air tragedy which apparently took place in mid-air over Grand Canyon. Let us bear in mind that there is absolutely no similarity between the area over Grand Canyon where air traffic is very slight, and the metropolitan area of Washington, where the air traffic density is almost as heavy as in any part of the United States. The committee which investigated the Grand Canyon disaster is not yet ready to announce any conclusions because in all probability we will take considerably more testimony. However, the findings of fact which are thus far undisputed indicate clearly the need for utmost caution in future planning and development of air safety regulations. With the testimony which we heard last week still fresh in my mind, I wish to inform this body that I am of the firm opinion and belief that the installation of a major airport at Burke, Va., within a small radius circle from the present Washington National Airport, would intensify air hazards much more than would be the case if no additional major airport facility for metropolitan Washington were planned.

This is not to say that a properly planned and located airport facility would not provide greater safety, but I think extreme thought should be given and extreme caution should be exercised in determining exactly where this new airport facility should be located.

The Burke site would, in my opinion, be especially dangerous because it would add to the existing local airport congestion not only additional flights, including takeoffs and landing in this area, but it would necessitate a third major air traffic pattern within an 11½ mile circle, which would cause many planes from one traffic pattern to properly or inadvertently enter into another traffic pattern under what is known as "holding conditions." Please bear in mind that within the 11½ mile circle to which I refer would be located the Washington National Airport, Bolling Air Force Base, Anacostia Naval Air Station, Andrews Air Force Base and, if authorized and completed, the new airport site at Burke, Va., not to mention at least two private airports within the same circle, and also Davison Army Air Field at Fort Belvoir, Va., which is accommodating more and more air traffic each month.

It seems to me to be absolutely foolhardy and extremely dangerous to add another major airport to what is already perhaps the most congested air traffic area of similar size anywhere in America.

We all realize the desirability of removing part of the present air traffic congestion from this 11½ mile circle to which I have just referred, but let me tell you as strongly as I can that the building of Burke airport is not the answer. Instead of eliminating air hazards it would probably create perhaps the greatest single air hazard existing anywhere in America.

Let us now turn to an alternative proposition and let me say that except for a desire to provide the greatest possible air safety I have no preference either way between the proposed Burke site and the Friendship, Md., airport site. If I thought for one second that Burke would provide even an infinitestimal bit more air safety than the Friendship Airport would provide, then I would be coming to the support of the gentleman from Pennsylvania and championing his espousal of the Burke site, but as I see it, after a careful and exhaustive study, I am convinced that converting Friendship International Airport into the second major Washington area airport would provide infinitely more air safety and equally as much convenience to the Nation's Capital, its residents and its visitors. I wish that every Member of this body could already have personally visited and inspected the facilities of Friendship Airport. The best way I know to describe it is to say that it is the equal of any in America in physical facilities, including runways, taxi strips, aprons, ramps and terminal facilities. It can probably be best described as saying it is a first class airport accommodating second class traffic density.

The Friendship Airport is well beyond the 11½-mile circle to which I have repeatedly referred. It is out of the present danger zone, so far as the creation of a new major air traffic pattern is concerned. I am informed that the traffic pattern of Friendship Airport does not conflict under any existing conditions with the traffic patterns of either Washington National Airport, Andrews Air Force Base, Bolling Air Force Base, Anacostia Naval Air Station, Davison Army Air Field, or either of the two private airports which are located in Virginia within the 11½-mile circle.

Therefore, no new traffic pattern would be created, because Friendship has an existing air traffic pattern which does not in any way conflict with or interfere with either of the other air traffic patterns in what we refer to as the Washington metropolitan area.

The runway facilities at Friendship International Airport are already capable of accommodating any existing commercial airline aircraft, and we are reliably informed that the runways at Friendship can and will accommodate by 1959 jet air transports of the DC–8 and 707 types of commercial aircraft.

We have a ready-made solution to the problem of relieving the congestion at Washington National Airport and in the airspace over the metropolitan area of Washington, D. C. That is by converting Friendship International Airport into the second major airport to accommodate commercial aircraft serving the Washington metropolitan area.

By diverting a substantial portion of the present traffic of Washington National Airport to Friendship Airport a large portion of the air traffic congestion now existing over Washington can be and will be eliminated; whereas the development of the Burke Airport site, while eliminating takeoffs and landings at Washington National Airport, will not only fail to eliminate air traffic congestion in the airspace over metropolitan Washington, it will actually increase both the air traffic density in the airspace over Washington and increase the air hazard over Washington, because it can be assumed that when the second major airport serving metropolitan Washington is placed into operation that the flights into and out of this area will substantially increase.

Let me now come to another reason why the Friendship site is much to be preferred over the Burke Airport site. The residents of Maryland and the area adjoining Friendship, together with most, if not all, public officials in that area not only have no objection to converting Friendship into the second major airport serving the Washington metropolitan area, but they actually want it; and I believe that this will possibly be reflected by questions asked of or conferences with the representatives of that general area. On the other hand, the

residents, public officials, and Members of Congress who are directly concerned with the Burke, Va., site are almost unanimously, if not unanimously, opposed to the authorization and completion of a major airport at the Burke, Va., site.

If the Maryland officials and the Virginia officials were not in accord and if both wanted the new facility or if both did not want the new facility, then I think that this body could properly and appropriately disregard the views of either and both. On the other hand, when the Virginia public officials and the Maryland public officials appear to be in complete accord that both prefer the Friendship site and that neither prefer the Burke, Va., site, then I think we who reside in and represent other areas can well afford to listen to their considered judgment and respect their mature and well-considered opinions on this subject.

I am sure that you will be interested to know that in December of 1955 the Commerce Department submitted to a subcommittee of the other body a report relative to the selection of a site for the supplemental airport for Washington. That report discussed in detail the various sites that had been considered, among others being the site known as Annandale, Va. The Annandale site is located 3½ miles northeast of the proposed Burke Airport site.

I am of the firm and considered opinion that the construction of an airport at Burke, Va., would add to the congested air traffic in the metropolitan area, and this is further borne out by the statement made by the Commerce Department in its report. As I have just stated, Annandale is located 3½ miles from the Burke site, and in discussing the Annandale site the Commerce Department pointed out that an airport would, at that location, interfere with the operation of Washington National Airport under extreme flying conditions to the extent of 30 percent, and the consideration of its proximity to Washington National Airport would reduce the capacity at Annandale to 60 percent. They also stated that an airport at Annandale would interfere with the operations of Andrews Air Force Base and Washington National Airport. It seems hard to believe that a separation of 3½ miles would cure this contention to any extent.

Since the tentative selection of Burke Airport as a site in June of 1951, there has been a great deal of development around that area, particularly to the north and east. At the time the site was selected, the CAA plans showed that the dominant runway for north and south approaches would be pointed 18 degrees east of north, which would throw the approaches east of the town of Fairfax, Va. Since that time, however, the CAA has found it necessary to relocate these runways, and they are now planned to run directly north and south, which makes the westernmost runway of these two north and south runways point directly to the town of Fairfax. The town of Fairfax is 2.62 miles from the edge of the airport. In this approach zone are located several schools, several churches, and the county courthouse building, to say nothing of the enormous residential development in this area. Since the selection of Burke Airport site in 1951, the Fairfax County population has increased from 98,000 to approximately 175,000, and a great deal of this development being in the area east and north of the Burke Airport site, mainly in Springfield and Fairfax areas.

In addition, the Board of Supervisors of Fairfax County has in the meantime made provisions for and supplied sewers for a great deal of the area which, of course, is designed for increased use.

Repeating some portions of what I have previously said, an examination of a map will readily show that if the Burke Airport were constructed, you would then have 5 major airports located within a radius of 11½ miles, namely Andrews Air Force Base, Anacostia Naval Air Station, Bolling Air Force Base, Washington National Airport, and Burke. In addition, in this same radius there are located 2 small flying fields, Washington-Virginia at Baileys Cross Roads, and Falls Church Airport near Falls Church. There is also located a 4,800 foot landing strip at Fort Belvoir, known as Davison Army Air Field, the use of which is constantly increasing.

Another matter which gives the people in Fairfax County grave concern is the depreciation of property values by reason of the location of a major airport in this site. While it is admitted that the area actually taken for the airport is at this time undeveloped to any great extent, the areas surrounding the site are in the process of rapid development. Under the FHA and VA policies in existence at the present time, they have refused to insure mortgages within the so-called approach zones around major airports for a distance of 2½ miles from the end of the runways in triangular or fan-shaped areas, starting at the extreme ends to 6,000 feet. If this policy were followed at Burke, it would kill the use for residential purposes about 5,000 acres, in addition to the land taken for the airport itself. We have no assurance, however, that with the coming of jet planes that this policy will continue. As a matter of fact, in San Diego, surrounding Miramar Field, the FHA has refused to guarantee mortgages as late as March of this year within a radius of 20,000 feet, or 3.7 miles from the airport. If this policy were followed at Burke, it would kill the use of several thousands of acres of land in already developed sections.

Mr. Chairman, let me urge that this body fully acquaint itself with the respective advantages and disadvantages of the Burke site and the Friendship site, so that if this matter should come back to us in the form of a conference report and the decision is to be made by this Congress on the relative merits of the Burke, Va., airport site and the Friendship, Md., airport, that this body would and shall vote down any conference report to a supplemental appropriations bill which will include funds for a major airport at Burke, Va.

Let me caution you that a vote to authorize the construction of a major airport at Burke, Va., within the 11½ mile circle to which I have repeatedly referred, will in my opinion be a vote against air safety in this area and might even be a vote in favor of increased air hazards, regardless of the high motives of those who sponsor and advocate the proposed Burke airport site.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. SCRIVNER].

Mr. SCRIVNER. Mr. Chairman, primarily under chapter III you are being asked to appropriate almost $1½ billion for military construction That is fifteen hundred million dollars. A great portion of that goes to operational bases that you must have if the Air Force is going to fly their planes and if the Army is going to train, and the Navy to operate.

We are moving now into a series of expanded bases for the B–52's which require greater runways, and different types of maintenance facilities. There is also the matter of fuelling systems and many other construction items, all of which cost a great deal of money.

One portion of this relates to housing for our military, and their dependents. Over $100 million will be provided in this bill for approximately 85,000 housing units.

The Army, as some of us older men knew it, was considerably different from today's Army. It used to be considered primarily a single man's Army. The soldier could pick up and go and come as the exigencies of the service required. That is no longer true. Even the youngest enlisted man, for the most part, is a married man and you must have a suitable place for him in which to live with his family.

Housing is a requirement. It is a factor in reenlistment, but I would point out to the services that it does no good if we provide many, many more units of housing if the men do not have the opportunity to live in those houses with their families.

During the hearings I called the attention of the officers of the Air Force to one young man who is the very type of man we and they want to keep, a fine youngster, a highly trained and very capable pilot. He loves the Air Force and he loves the B–47 that he piloted. But he is not staying in the service. As a matter of fact, he is already out.

The armed services will tell you these military men are going out to take jobs in private industry at much higher wages. That is true, only in part. This young man went out and took a job with private industry at considerably less than he was earning as a B–47 pilot. I was surprised when I heard about his service termination because I knew of his love for the Air Force. The reason he gave was simply that in the last year as a B–47 pilot although there was housing available—sure, they have it—he could only be home with his wife fewer than 30 days out of the entire year. That housing does not do any good if the services do not change some of these programs and permit these men to have a little more stabilization in their lives.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Virginia.

Mr. POFF. I wish to associate myself with the remarks the gentleman is making. I have had several letters from servicemen both at home and abroad who are primarily concerned about their careers for this one reason. Will any of these 84,000 housing units be placed at overseas bases?

Mr. SCRIVNER. Some of them go overseas, yes.

Mr. POFF. I thank the gentleman.

Mr. SCRIVNER. As the gentleman from Texas pointed out, we have some rather difficult situations overseas. Some of the housing will of necessity have to be trailers, but I have been in those trailers. Of course, it was some 35 years ago, when my wife and I were first married, but if we could have had quarters as modern and as comfortable as those trailers are we would have been two very pleased young people, who were nevertheless quite happy in some rather humble quarters.

Another subject that has been discussed, and we mentioned it on page 10 of the committee report, relates to the guided missiles. The men who are behind these various projects feel that these are the real answers. This is natural. If they did not have that enthusiasm they would not be worth their salt on the job. We had some witnesses before us, and many of them told us how fine Nike is—and Nike is good and will do a good job—and others came in to tell us how wonderful Talos is and will be—and Talos will do a good job. We did not ask, as some have reported, that we have you might call a "duel" between Talos and Nike. Most of the presentations on these items have been made by the advocates, those men who have worked with that weapon, perhaps a civilian with a contractor, all of whom are sold on that one weapon. So the committee has recommended, and I think quite properly, that the Secretary of Defense immediately appoint a committee of disinterested persons who are qualified to pass on the merits of each of these defense weapons and let them make a report to the Secretary as to which should be used, not necessarily ruling the other out entirely. The rivalry in development between the two systems is a good thing, because each of them has something good and each has something that the other might well adopt.

The idea proposed is to have disinterested people on that committee, nobody connected with the companies building either of these missiles, nobody connected with the Department of the Navy or the Air Force or the Army that has lived so closely with it, because sometimes they live so close to the things that they cannot actually see problems in connection with their project. We believe that was a good recommendation. It does not call for any so-called dual proposition at all.

There are many subjects in the bill about which we could talk. As the chairman of the military subcommittee [Mr. MAHON] has pointed out, we do have bases pretty widely around the world, roughly between 750 and 1,000 going all the way from installations where perhaps there may be 3 to 5 military on each, up to our big base camps and depots for the Army, Navy, and Air Force. Some of them are huge installations and we do have a rather considerable number of billions of dollars invested in them. There was a time right after the end of the war when we were in, for instance, Japan and Germany as occupying victorious troops. But that day and time is past. We are no longer there as occupying victorious troops, but we are in each one of the countries of these allies as guests. We are there by their sufferance—most often under a treaty, but you know and I know that any of these treaties can be abrogated at any time the host nation desires to end it. If they say we are no longer welcome in their land even though we may be there to protect them from some possible attack, there is only one thing that we could do. We may hesitate and we may tell them that we do not like to leave and that we think it is vital that we stay, but when all is said and done, if they do say, "The time has come when you have worn the welcome off the mat," there is only one thing we can do, and that is to leave. It would be the same situation exactly if these other troops were in this country and we felt that they had outlived their welcome. We would ask them to get out, too. As the gentleman from Texas [Mr. MAHON] mentioned, the only other alternative would be by force of arms to stay. Of course, we are not going to do that. As tenuous as our tenancy may be, those bases are an essential element in our defense and the construction should be financed by these appropriations, as recommended by the committee.

Mr. Chairman, unless there are some further questions, I yield back the balance of my time.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I should like to get away a little bit from these military problems and call the attention of the committee to an item on page 25 of the bill dealing with the Department of Public Health for the District of Columbia. I understand this item was reduced some $126,000 in committee. Unless I can get the approval of the committee, I do not propose here to offer an amendment to restore it. Rather, I would hope to have it restored in the other body because I do not feel I have the time to make the full explanation which would give us a fair chance of having the item restored here in the House. But, it deals specifically with the salaries of interns at the District of Columbia General Hospital. These interns, according to the information I received, now get about $1,500 a year whereas the interns in other Government supported hospitals in this area, for example the Freedmen's Hospital and St. Elizabeths Hospital get in the neighborhood of $2,500 a year. It seems to me these interns at the District of Columbia General Hospital should be at least brought into line with the interns in the other Government supported hospitals in this area so far as their pay is concerned. I would like to call the attention of the members of the committee to this item and, if possible, between now and the time the bill is read for amendment, perhaps get consent to increase that item to the extent of at least $126,000 so we might take care of the salaries of these interns.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I am glad to yield to the gentleman from Michigan in regard to this subject.

Mr. RABAUT. I realize that the gentleman wants to increase this by $126,000 above the amount now provided in the bill of $121,290. Under the instructions of the full committee that is the amount we are reporting to the House, and it would be beyond my power as chairman in charge of this chapter of the bill to accede to the gentleman's proposal.

Mr. HYDE. I think there was some misunderstanding in the committee with respect to the item. It was stated it was needed to stimulate acquisition of new interns. Of course, it is hoped that the increase in salary will do that, but the primary purpose of it was simply to bring the salaries of those interns in line with the salaries of the interns in the other hospitals.

Mr. RABAUT. I do not think the gentleman need worry about the salaries. I refer the gentleman to page 63 of the report:

> Testimony was presented to the committee that an increase in the salary schedule would aid in recruiting interns and residents at the District of Columbia General Hospital. Testimony was also presented that recruiting for fiscal year 1957 has already been completed.

It was under those two statements that the committee decided it would not be quite proper to give them any more money at this time.

Mr. HYDE. Yes. I am familiar with that statement, and that is where I think the misunderstanding enters into it. It may be that it was a poor argument made by the advocates of this particular item. The real reason for the $126,000 which was stricken out, was to bring the salaries of the interns in this hospital in line with the salaries of the interns in other Government-supported hospitals in the area.

Mr. WILSON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield.

Mr. WILSON of Indiana. As I understand it, they had completed their recruiting. We did not feel that it was the place in a supplemental appropriations bill to start a rat race between the various hospitals to recruit these people, when they had already recruited their quota for the present fiscal year. They can come up at the next regular appropriation and we will consider it.

Mr. HYDE. I appreciate the feeling of the subcommittee and that is the reason I do not expect to propose an amendment on the floor, but I hope the gentleman may be persuaded, in the event it comes into conference on this matter.

The CHAIRMAN. The time of the gentleman from Maryland [Mr. HYDE] has expired.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL. Mr. Chairman, I have a very unusual request to make at this time. Rather it is an unusual request for me. That is, I would like to urge the Committee not to appropriate any more money for my congressional district at this time than is now in the bill. There is now included in the bill $49 million for the construction of a CIA building, there is $14,300,000 for the construction of a new bridge. That is enough money for any congressional district to have in any one particular bill. I refer to the threat to include in this bill an appropriation of $34 million for the construction of a new airport out at Burke, Va. I say, "a threat"—I do not believe the gentleman from Pennsylvania [Mr. FLOOD] will offer the amendment today, because he knows it will be overwhelmingly defeated. I think the strategy is to try to get the other body to put it in the bill and then the conferees can adopt it and possibly ram it down the throats of the House in the closing days of this Congress.

I realize that the facilities around here are crowded. At least the technicians and experts say they are crowded. I guess we have to take their word for it, but I do not believe that all of the alternatives to this congested situation have been fully explored. As pointed out by the gentleman from Maryland [Mr. LANKFORD], a few moments ago, there are five—he said six—there are five major airports already existing in this area and they are not operating to their full capacity. That is in addition to several minor airports. We have helicopter service between Fort Belvoir Army Base and the Pentagon, who are not permitted to fly over 500 feet, because they will come in contact in the congested approach to the National Airport.

It seems to me we should redistribute the traffic and use the present airports. The construction of another airport at Burke, Va., 22 miles away, I maintain will not eliminate the congestion which is existing in this area now. It was reported the other day that there were approximately 24 near collisions around the National Airport. Those near collisions were in the air approaching the National Airport, within 10 to 20 miles of the airport. To construct another airport within a 22-mile radius of the National Airport will not do anything to alleviate that danger which exists. We do not have airplane crashes on the ground, these tragic disasters have always occurred in the air because of congestion in the air—and sometimes without any congestion whatsoever as occurred in the recent tragedy out in Arizona.

So I maintain that the construction of an additional airport in this area will not alleviate the danger of congestion in the air in the metropolitan area of Washington.

Another thing, this so-called Burke location which is 22 miles away is not suitable for the construction of an airport and its runways from the standpoint of the terrain. It would cost millions of dollars additional to make that land adaptable to airport use over what it would to buy farm land that is already level.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL. I yield.

Mr. GROSS. I agree with the gentleman in his position in opposition to the Burke airport. I am going to try to help him and the people of Virginia by relieving them of the burden of another bridge over the Potomac.

Mr. BROYHILL. I would just like to leave things as they are. I would not want to make it any more than it is nor would I want to make it any less than it is for that area insofar as what is included in this bill is concerned.

Another thing: Of course the gentleman from Pennsylvania says the Maryland and Virginia delegations should be ignored here. I think it would be totally improper for the Congress to ignore the complete delegation and the views of the delegation of the two States that are involved in this thing. Certainly in Fairfax County if an airport is constructed it would be in a residential area. The northern Virginia area is sometimes referred to as the bedroom of the Nation's Capital. The effect of building a major airport in the middle of this area would be to make a large section of the district uninhabitable. The people living there now are opposed to it and the local government is unalterably opposed to it. I hope that if funds for this should be inserted in the other body that the conferees will not agree to accept anything which is so overwhelmingly opposed.

If it is inserted in this bill in conference I shall oppose it on the floor when we consider the conference report.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, the disastrous collision which occurred over the Grand Canyon last week has served to focus the Nation's attention on the necessity for taking immediate steps to assure greater safety in air travel. All of a sudden we hear about near accidents occurring in the Washington vicinity and it is certain that this is a condition which is prevalent in every metropolitan area throughout the country. The CAA is suddenly galvanized into action. They are now prepared to speed up the 5-year air safety program which the Department of Commerce took years to approve.

But one wonders whether or not we can ever obtain the safety in air travel we desire and need unless we clear up the confusion that now exists in the Civil Aeronautics Administration.

I am a member of the appropriations subcommittee considering funds for the Department of Commerce and related agencies. In March of this year, in hearings before my subcommittee—and I refer your attention to page 239 of the hearings, the following colloquy between the CAA people and myself occurred:

Mr. YATES. All right. Then I come back to the question I asked. The major cut was in air-navigation equipment. What did you ask for in the amount of about $15 million that the Bureau of the Budget eliminated?

Mr. BASNIGHT. Airport surveillance radar and approach lights at airports.

Mr. YATES. What amounts?

Mr. BASNIGHT. Approximately $14 million.

Mr. YATES. Can you tell us what items are represented by the approximately $50 million and the amounts for each?

Mr. BASNIGHT. I can give you the approximate figures. The radar would amount to approximately $10 million. The lights, approximately $4 million.

Mr. FLOOD. The radar would be only in certain great centers?

Mr. YATES. Are those not necessary? They must be, obviously, or you would not ask for them if they were not necessary. I ask the administrator that question.

Then Mr. Rothschild got into it:

Mr. ROTHSCHILD. The decision of the Bureau of the Budget was made on the basis that this equipment was not obtainable within the fiscal year.

Mr. YATES. Did you testify, did you know when you asked for the money for this equipment, whether or not is was obtainable during this fiscal year?

And Mr. Charles J. Lowen, Administrator of the Civil Aeronautics Administration, said:

Mr. LOWEN. I testified to Mr. Bow's question earlier. We said this was money, this $40 million is approximately what we could handle this coming year.

Mr. YATES. Did you know this at the time you asked the Bureau of the Budget for $54,900,000?

Mr. LOWEN. I was not Administrator then.

Mr. YATES. Do you check to see whether the equipment is available before you make up your monetary requests?

Mr. ROTHSCHILD. Wherever possible, yes.

Mr. YATES. In this case you determined, did you tell the Bureau of the Budget that it was not available or did they tell you it was not available for this year? They cut the money. Somebody must have known whether or not it was available.

Mr. ROTHSCHILD. The first figure was a horseback figure, Mr. YATES. They took the 250——

Mr. YATES. You don't mean the Department of Commerce goes to the Bureau of the Budget with horseback figures.

Mr. ROTHSCHILD. I mean that in this instance this was a horseback figure. CAA took the $250 million in round numbers for this airways implementation plan and said it is going to take 5 years; we need a fifth of it every year. That is how the amount of money was arrived at in the first instance.

As you see from the hearings, we were interested in providing all the money necessary to assure the installation of equipment which would protect those traveling by air. Fourteen million dollars of necessary equipment was stricken by the Bureau of the Budget. The CAA said that it could not spend the additional money. And yet 2 days ago the same people appeared before a subcommittee of the Government Operations Committee of the House and said, "Yes, we can have improved air safety in this country; all we have to do is buy it." The impression was given that if Congress appropriates the money, the 5-year program can be speeded up.

Mr. Chairman, our committee was ready to provide the money, but the agency said it did not want it. Mr. Rothschild, the Under Secretary of Commerce for Transportation, stated that he could not spend the money because he could not buy any equipment. Two days ago, Mr. Lowen, the Administrator of

CAA, said he could buy the equipment but that he was short of manpower to operate the equipment. The fact remains that if there is any delay in providing equipment which will improve and make air travel safer, it will be attributable to the administration rather than to the Congress.

Another example of the confusion that exists is shown by the testimony given before the Government Operations Committee 2 days ago with respect to VOR–DME—distance-measuring equipment. Let me read to you from page 231 of the hearings:

Mr. Bow. I will yield to you now, Mr. YATES.

Mr. YATES. I just wanted to point out, Mr. Rothschild just stated to you he was happy to report as to what they proposed to do. Glancing over last year's hearings, I read from page 179 when Mr. Rothschild says:

"I am happy to report to you that the Air Coordinating Committee which brings together all agencies interested in such matters yesterday agreed unanimously that VOR and DME are still the nationally and internationally approved distance-navigation equipment for common system use and while they may be superseded by TACAN it is too early to definitely estimate when this may take place. For this reason, the Department is of the opinion that the amounts requested for installations of new distance-measuring equipments for maintenance and operation of existing facilities should be retained in the budget."

All throughout the testimony last year, and I have had occasion to read it today and yesterday, there was a driving impetus on the part of the administration, even by Secretary Weeks who stated that as long as—let me quote from what Secretary Weeks said—I just want to make this comment—on page 15.

"I just want to add this comment in response to a question by Mr. Preston about VOR-DME. If it will not be ready for 3 years and if VOR-DME will make flying safer in the meantime, personally I would spend the money."

Has Mr. Weeks changed his mind on that?

Mr. ROTHSCHILD. No, sir, and I don't find any fundamental conflict between what you just read and what I just said.

Mr. YATES. May I point out your conflict?

Mr. ROTHSCHILD. Yes, sir.

Mr. YATES. Last year you asked funds for DME. This year you are not asking for funds for DME. Last year you stated that flying is made safer as a result of DME, as you thought it was when you were asking for funds for DME. Do you this year come before us and say that flying is not made safer through DME equipment?

Mr. ROTHSCHILD. We are asking funds——

Mr. YATES. Are you going to answer my question?

Mr. ROTHSCHILD. I hope to—for the operation of some 241 installed DME's.

Mr. YATES. You are? I was under the impression that somebody here testified a few moments ago that you were not asking such funds.

Mr. ROTHSCHILD. We are not asking funds to install any new DME but we are asking funds to continue to operate those which are installed and operating. Now we will not have total and complete coverage of the United States with those which we plan to operate this year but——

Mr. YATES. May I ask why that is so? Is it because you are not as sure of DME this year as you were last year?

Mr. ROTHSCHILD. That is exactly right.

Yet barely 3 months later, before the Government Operations Committee, witnesses from the CAA testified that DME equipment would help unsnarl air traffic, directly contrary to Mr. Rothschild's statement. Last year the Secretary of Commerce asked our subcommittee to appropriate funds for additional DME equipment upon the recommendation of the Air Coordinating Committee—that VOR and DME are still the internationally approved distance navigation equipment for common system use. This year, Mr. Rothschild admitted in our hearings that the Air Coordinating Committee is still of the same opinion as to DME's importance. The Department of Commerce changed its mind.

Why did the agency change its mind? That is one of the mysteries of which the Congress has not been apprised.

I read further from the hearings at page 235:

Mr. YATES. Why are you not emphasizing DME to the same extent that you did last year?

Mr. ROTHSCHILD. Because VOR–DME is not good enough to meet the tactical requirements of the military, period.

Mr. YATES. We also have the civil aviation that we must worry about and until such time as the military can show the TACAN should be adopted by both the military and civil aviation, why shouldn't the civilian airlines, then, in order to make flying safer adopt DME–VOR?

Mr. ROTHSCHILD. Because I don't think it is a good expenditure. This is my own decision. I don't think it is a good expenditure of public funds to go out and install more DME and operate more DME, not VOR but DME, and spend the public money in that manner until there has been an indication that the industry needs it more than it has indicated up until now.

The decision against DME is Mr. Rothschild's? What about the CAA Administrator? Is not his opinion important?

Mr. Chairman, I gained the impression from the hearings that the Administrator of the CAA was not given a free hand in the operation of his agency, that he was subject to the domination of the Under Secretary of Commerce and the Secretary. After some study, I have come to the conclusion that this agency should be set up as an independent agency with the duties and responsibilities vested in the Administrator and not scattered among many people in the Department of Commerce as it now is. The interests of safety, of efficiency and of economy require that the Department of Commerce and the Civil Aeronautics Administration be separated. The CAA has a tremendous job to do and its policies should be established by the person responsible for its operation rather than by the Department of Commerce.

Mr. Chairman, we shall make progress when we get rid of the confusion in the Department of Commerce, when we place the responsibiilty for a national airways system efficiently and safely operated, in one person trained for the job. We shall not make progress as long as there exists in the CAA a vacillation, weakness of purpose, a spirit of delay and postponement. The Congress is willing to support a worthy and progressive air safety program. It is up to the executive branch to supply such a program.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I take this time to ask a question or two. Since I am going to offer an amendment to strike out the Jones Point Bridge proposition, I would like to ask the committee what, under the language contained in the bill, is the amount of the unexpended balance to be added to the $14,325,000? What is the unexpended balance that is to be added to the $14,-325,000?

Mr. PRESTON. It is a very small amount. This was left over from last year. The exact figures I have not at hand.

Mr. GROSS. Maybe a half million dollars?

Mr. PRESTON. It would not be that much, I am sure. A few thousand dollars. It is the customary procedure when you make an additional appropriation to merge the funds.

Mr. GROSS. I thank the gentleman.

Now, under Central Intelligence Agency there is an item providing $49,000,000. There is also provided, I believe, $8½ million for road building. Am I correct in that? Will someone tell me how many miles of roadway will be constructed and what kind of road this is?

Mr. BROYHILL. That is for the completion of construction of the George Washington Memorial Parkway which starts at Mount Vernon, follows the Potomac River, and is ultimately due to go to Great Falls. This was authorized by the Congress as far back as 1932. By piecemeal method we have gradually extended that boulevard up to just beyond Key Bridge. It is not fair to Central Intelligence Agency to charge them with $8½ million for the parkway. It was the intent of the Congress to build that parkway up to and beyond Key Bridge.

Mr. GROSS. How many miles will be built?

Mr. BROYHILL. I would say approximately 4 or 5 miles.

Mr. GROSS. Four or five miles for $8½ million?

Mr. BROYHILL. That is correct. It traverses rough country and there are some pretty hilly banks there alongside of the Potomac River.

Mr. GROSS. That is still a substantial figure for that mileage.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to my friend from Michigan.

Mr. HOFFMAN of Michigan. I may say to the gentleman from Virginia, that up on those rocks by the Potomac there are some very fine building sites being picked up.

Mr. BROYHILL. There are a few building sites up there, but the boulevard comes back away from the river and goes up the stream bed after it gets to Chain Bridge.

Mr. GROSS. On page 9 of this bill I find that there are to be 50 housing units built at a cost of $1,589,500, or an average cost of $31,790 per unit, topped with a $75,000 house for the superintendent of the Air Force Academy; $50,000 each for two units for the deans, and $30,000 each for 44 units for department heads and $31,500 for 3 units for the deputy chiefs

of naval operations to be constructed at the United States Naval Observatory, Washington, D. C.

Does not the gentleman in charge of those items think that will be pretty plush living for these people? The gentleman from Kansas awhile ago said there are a good many of our servicemen living in trailers.

Mr. MAHON. Mr. Chairman, if the gentleman will yield, years ago we started an academy for the Army at West Point and then later a Naval Academy. Now we are building an Air Force Academy.

Mr. GROSS. I understand that.

Mr. MAHON. I opposed the building of that. I took the position we ought to have a national defense academy, but the House did not sustain that position. Now, if you are going to have an Air Force Academy, which we can expect will be there as long as the Nation stands, you want to have first-class construction. Of course, many live in homes, the extremely well-to-do, ranging from $50,000 to $100,000 in some areas. Well, the Superintendent of the Air Force Academy ought to have a residence certainly reasonably adequate, with all the entertaining he has to do, and $75,000 for an Air Force Academy Superintendent's home for the United States of America I do not think is too much.

Mr. GROSS. Wait a minute. There is no land acquisition cost, is there?

Mr. MAHON. Well, the land has already been bought.

Mr. GROSS. Of course it has.

Mr. MAHON. The land would not be very much. It is a very small item insofar as the actual area is concerned where the building would be built. We have there 17,000 acres, as I recall, and this would occupy a very small part of the land.

Mr. GROSS. It just seems to me that you are providing pretty plush living quarters for a very few people.

Mr. MAHON. Why not do a fairly plush job for the Superintendent of the Academy and make it one where the construction cost originally will bear fruit in that the additional repairs during the years will not be so great? Why not have a real first-class home for the Superintendent so that when our own people go there they can say, "This is the home of our Superintendent, and we are proud of it." The armed services asked for $90,000, and I supported them in that request, but the committee in its wisdom reduced it to $75,000.

Mr. GROSS. I understand the gentleman's position, but I disagree with him. I do not think we have to appropriate $75,000 to build a house for the Superintendent of the Academy nor do we have to spend $31,500 to build houses for three deputy chiefs of naval operations at the Naval Observatory. Something tells me there is a limit to the endurance of the taxpayers of this country.

On page 14 of the bill I find an item that is recurring in appropriation bill after appropriation bill. This is comparatively minor, $9,000 for entertainment for the Export-Import Bank. I wish you on the Committee on Appropriations and the Foreign Affairs Committee would stop this business of $800,000 for entertainment, liquor and whatever goes with it, for the State Department. Now we have $9,000 for the Export-Import Bank. I wish you would give a little attention to putting the brakes on these people. As I recall the figures, there is another $45,000 or $50,000 appropriated this year to some 29 representatives to NATO for, as they call it, hospitality allowance. Let us get down to earth with regard to this business. We have some taxpayers to take into consideration in this country.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Well, if the representatives of this Export or Import Bank—what did you call it, Export or Import?

Mr. GROSS. Export-Import Bank.

Mr. HOFFMAN of Michigan. If the representatives of this bank, the officers and these other fellows, would eat up some of this surplus grain and wheat, that would be one thing, but they have to have that higher class entertainment, I understand. What did the gentleman mean when he said, "All that goes with it"?

Mr. GROSS. Perhaps they have to have this entertainment allowance to make some of those so-called soft loans to foreign countries, loans that may or may not be repaid. Does the gentleman suppose that that is the reason?

Mr. HOFFMAN of Michigan. The gentleman means, to coax the people to take the money?

Mr. GROSS. Yes, to spoon-feed them.

Mr. HOFFMAN of Michigan. The gentleman comes from Iowa. When the gentleman refers to entertainment, what kind of entertainment does the gentleman have in mind? Does the gentleman know what kind of entertainment this is to be?

Mr. GROSS. No.

Mr. HOFFMAN of Michigan. I think the gentleman ought to find out.

Mr. GROSS. I have had no intimate experience either with the Export-Import Bank or the State Department.

Mr. HOFFMAN of Michigan. The gentleman ought to find out what kind of liquor they are drinking.

Mr. TABER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL. Mr. Chairman, in answer to the question of the gentleman from Iowa [Mr. GROSS] about the cost of the parkway up to this CIA Building, I would like to state that the actual cost of the paving itself would amount to $1,300,000. Incidentally, the parkway would extend 6 miles. The other costs were for the grading. As I said before, it is very rough terrain. That amount is $2,700,000. Then there are structural costs, such as bridges over these little streams, and so forth, which would cost $3,900,000. The cost of the land is $500,000.

Incidentally, the State of Virginia and the communities involved, I am very proud to say, are paying for half the cost of the land.

Mr. CANNON. Mr. Chairman, I yield to the gentleman from California [Mr. SHEPPARD] such time as he may require.

Mr. SHEPPARD. Mr. Chairman, having something to do on the Navy panel to the extent of $400 million in this public works program, I ask unanimous consent that my comments pertaining to the same be inserted in the RECORD following the remarks made by the gentleman from Texas [Mr. MAHON].

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. PELLY. On page 26 of the printed report there is an item of $11 million for advance planning. Could the gentleman tell me if that $11 million has been earmarked for any particular plans, or are those just general funds that may be used in carrying out the committee recommendation to do more in the way of advance planning, for economy?

Mr. SHEPPARD. No, those funds are not earmarked there. They are for the practical purpose of having adequate and proper planning. Also we suggested to the Department that they finalize their plans for certain projects. They have a perfect right to apply the funds where they think it necessary.

Mr. PELLY. I thank the gentleman.

Mr. Chairman, I appreciate the explanation of the gentleman from California [Mr. SHEPPARD] in response to my inquiry. However, I have been informed, and I believe authoritatively, that the advanced planning funds amounting to $11 million included with the military public works program under yards and docks facilities cannot be used for final plans and specifications of one or both of the west coast drydocks which have been listed as essential projects and given priority listing by the Navy.

This may be a very serious omission. The committee recognizes the timelag involved if planning funds are not included this year. It will take a minimum of 6 years to get a drydock which will accommodate the *Forrestal*-class carriers in the event of needed repair of exterior battle damage on their hulls. As the committee knows, these modern carriers cannot pass through the Panama Canal and must go around South America to get from one coast to the other.

I understand, Mr. Chairman, that this lack of flexibility in the House bill which would prevent projects from being included at the discretion of the Navy was discussed yesterday when similar legislation was before the Appropriations Committee in the other body. The purpose of my making this statement is to urge consideration of the House conferees in due course to working out greater flexibility. As I understand it, sufficient funds are available. It is more a matter of redtape. I am sure that under the House bill the Navy could come back to the committee and ask to reschedule various projects, but I believe that this should not be necessary and that the Navy should have some discretion in the matter.

I have in mind that at the Puget Sound Naval Shipyard there is a high priority project for a new drydock. Planning funds have been requested in the amount of $1,300,000. These funds must be made available or we will have a serious weakness in our defense on the west coast for years to come. The Bureau of Ships recognizes this and I trust that when the legislation comes to conference, the conferees will do likewise.

THE PROBLEMS OF AMERICA'S OLDER PEOPLE DEMAND ATTENTION NOW—IT IS TRAGIC TO PROCRASTINATE

Mr. FOGARTY. Mr. Chairman, in the first session of this Congress, I introduced House Resolution 172 calling for a Select Committee on Problems of the Aging to be composed of seven Members of the House of Representatives. The purposes of the committee, as stated in my resolution, would be to investigate the status of older people in our Nation and to determine how the Federal Government can cooperate with State and local governments and with private industry and voluntary agencies to provide better conditions of living for this growing element in our population.

In my opinion, the need for a Committee on Problems of the Aging has become immeasurably more important than it was when I introduced my resolution. During the 15 months that have elapsed, the older population of our country has increased by almost half a million persons and now stands at the unprecedented figure of 14½ million 65 years of age and over.

The need for action is urgent now, Mr. Chairman, but will become even more so. The continuing increase amounting to 1,000 older persons each day will give us a population of 21 million older people within another scant 20 years. We are in the midst of one of the greatest humanitarian problems and social challenges our country has ever faced.

In my own small State of Rhode Island, the population of older people has almost doubled over the past 25 years, increasing from about 40,000 in 1930 to 80,000 today.

And while the number of older people increases their situations, their position in our society continues to deteriorate. Over the past decade, for example, we have listened to a great deal of talk about jobs for older people. Yet, during this same period the proportion of older men in the labor force has continued to decline. Just this spring the Census Bureau reported that the percentage of men 65 and over who are working has reached its lowest point since the depths of the depression. Surely there is need to investigate the factors in this deplorable situation.

The amount of income available to purchase the necessities of living and to meet the costs of medical care which increase with age is another matter that requires continuous study. There has been some improvement in the income position of the aged over the past 5 or 6 years. The old-age and survivors insurance program is now making payments to 6.5 million older persons. Private pensions, railroad retirement pensions, and retirement programs of governmental agencies are gradually reaching more of our older people.

Yet, statistics collected by the Bureau of the Census show that two-thirds of our older people are having to get along on less than $1,000 a year. A recent study from the University of California compares the amount of income received by older persons with careful estimates of the cost of living. The conclusion reached by these California scientists is that almost one-half of our older couples and about three-fourths of our older individuals do not have enough income to live at a minimum standard of health and decency.

With regard to the all-important matters of housing and medical care, the situations of older people have continued to deteriorate since I introduced my Resolution 172. The number of older people continues to increase while the present administration complacently insists that there is no need for a public housing program for them.

Three-fifths or more of our older people are suffering from one or more long-term illnesses and many of them are in desperate need of medical care. What does the administration do about it? It proposes, Mr. Chairman, a reinsurance program for surgery and hospital care. It is difficult for me to see how low-income older people could benefit from a reinsurance program when they do not have the money to pay the basic premiums in the first place.

These are some of the major problems confronting a growing number and proportion of our population. They are problems of great urgency because they are serious problems and because they affect many of our older people and their families who are so eager to help them but who are primarily and necessarily concerned with the welfare of their own children. These circumstances compel our attention; they are some of the reasons underlying my action in introducing my resolution for a Select Committee on Aging to study the problems and determine how they are to be met.

THE NEED FOR HOUSING

Let me be more specific, Mr. Chairman, with reference to some of these matters. Let me take the matter of housing as an example. In Rhode Island, we made an intensive study of the circumstances and needs of our older population. In 1951, a Commission was set up to study the problems of the aged. Two years later this Commission presented the results of its study in a report entitled "Old Age in Rhode Island."

One of the tragic conclusions reached by the Commission is that 33 percent of our older people are without central heating in their homes and that 27 percent are forced to live in housing that is grossly substandard in other respects. These are largely low-income people—those for whom the administration says no housing program is needed.

Among those who are trying to live on public assistance, the situation is almost twice as bad for some 53 percent of these were found in dilapidated housing or lacking the basic sanitary facilities. And let me point out, Mr. Chairman, that we, as a society, are fostering this kind of living. Every time a public assistance grant is made to cover the rent of an older person living in a dilapidated or unsanitary dwelling, we are subsidizing the continued existence of that dwelling. Surely our consciences will drive us to do better than this by our aged folks.

The picture I have been describing, Mr. Chairman, is that of my own State of Rhode Island. I wish that I could assure my colleagues here in the House that the older people in their own districts are living more comfortably. But I cannot do so. The figures that I have cited for my own State parallel those reported by the Bureau of the Census for the country as a whole. Decent housing for our senior citizens is a nationwide need.

Yet I have not presented the total housing problem by any means. What I have described is merely the physical characteristics of the places our older people are forced to call their homes. I have said nothing about the tremendous loneliness and isolation of large proportions of our aged couples and particularly of the millions of older people who are widowed or who were never married.

It was because of these circumstances, Mr. Chairman, that on February 24, 1955, I introduced in the House of Representatives a bill, H. R. 4368, which would authorize the admission of elderly single persons to housing projects. In the interim, I have strongly supported all legislation which would provide adequate housing for our older people and give them the encouragement and assistance which they need so much.

In Rhode Island, I am glad to say we have made a beginning in correcting this situation. We have incorporated living units for older people into two of our public-housing projects in the city of Providence. I can report that they are proving to be a boon to the few older people fortunate enough to find places in them.

But, we also need more studies of the housing problem. We need to know what kinds of housing are best suited to older people. We need to know where it should be located with reference to other facilities in the community. We need to know how much special housing is needed. And, perhaps, most of all, we need to know what kinds of housing older people themselves really want. Too much of what we provide for older people is what others think will be good for them. Older people have a right, I submit, to speak for themselves and should be encouraged to do so.

This whole matter of housing is one of the things I had in mind, Mr. Chairman, when I introduced my resolution for a Select Committee on Problems of the Aging. I am sure you will agree that the need is a critical one.

WE MUST DO SOMETHING ABOUT EMPLOYMENT

One of the major financial problems of our older people is, as I said earlier, that of paying for medical care. Geriatricians are in full agreement in their recommendation of annual or even semi-annual medical checkups—and our President is setting the pattern for them—for early diagnosis and treatment, and for

prompt restorative services when serious illness does come. Yet thus far, Mr. Chairman, the present administration has been almost completely silent on the subject of how our older citizens are to pay for these services.

A few years ago, one of our colleagues introduced a bill to provide comprehensive medical insurance in connection with the old-age and survivors insurance program. A few months ago, this proposal was revived. I am not sure, Mr. Chairman, that this is the best way to do it but I do know that the very exciting results of medical research may as well be left undiscovered if they are not to be translated into medical care for all of our people.

We are living in a changing, dynamic society. We can never assume that our work is done. We must be striving always to improve our programs for financial security and for the maintenance of health. And this is another reason I am asking you to appoint a Select Committee on the Problems of Aging.

THE HEALTH OF OUR OLDER CITIZENS MUST BE MAINTAINED

I do not wish to explore the whole vast field of health, Mr. Chairman, but I do wish to point out that during the past 10 years we have stepped up the funds for research, for rehabilitation, and for the construction of medical facilities. We have made a start and I am proud of the part I have taken in making this record. However, we still have a long way to go.

There seems to be a rising opinion among medical people and gerontologists that much of the current disability and deterioration among older people is totally unnecessary.

This is another area, Mr. Chairman, that well could be explored by the select committee I have proposed. My emphasis thus far has been on the financial aspects of hospitalization and medical care but, beyond these, there are very important humanitarian considerations. Longer years of living will be nothing more than more years of misery, Mr. Chairman, if they are to be spent in sickness and in progressive decline in a mental hospital. Our older citizens want to be healthy and they want to remain in their own homes and communities. We cannot go on putting them out of sight in any convenient storage place.

MUST OUR OLDER PEOPLE FIGHT A LOSING BATTLE?

Mr. Chairman, I wish to make one more point before I come to my concluding recommendation. I spoke earlier about more opportunities for employment and I believe they are of utmost importance. On the other hand, we must recognize that a great many, perhaps the majority of our older people, will have to look elsewhere for their principal satisfactions of living.

Sixty percent, or about four million of our older men and 90 percent or about 7 million of our older women are not working and are not likely to work again unless it is in some form of part-time employment. These people, all past the age of 65, have completed, by and large, their family responsibilities and ended their work careers. These 11 million men and women and a good many more below the age of 65 represent the achievement of longer life; they are people whose lives have been extended beyond the period in which they made their principal contributions to society. It is they who helped build the society we have and we owe them a great deal.

The tragedy is that we have not formed new ways in which they can be useful and enjoy the satisfactions of belonging and self-sufficiency. Our tendency has been to set them aside and to ignore them when we should have been providing new opportunities through which they could be useful and opportunities through which they can build new human contacts and friendships after their children have gone from the home and particularly when widowhood comes. We have, in short, created longer life and more years in retirement without making them self-sufficient, useful, and meaningful years.

This, Mr. Chairman, is the major uncharted area in the field of aging. Social isolation, lonesomeness, and inactivity lead to physical and mental deterioration and dependency as surely as night leads to day and day to night. Gerontologists have reached this conclusion over and over again as they have studied older people and their ills.

In Rhode Island and in a number of other places, important experiments have been taking place in finding new occupations and new satisfactions for this part of our older population. In Rhode Island, the facilities of adult education are being opened to older people and they are beginning to respond in sizable numbers. In two of our Rhode Island communities, we have established community centers for older people; centers in which they may spend their time with friends, working in the arts and crafts; taking courses in citizenship, in nutrition, and in a score of other things, or just enjoying themselves in games and sports. And, perhaps even more hopeful is the initiative older people themselves are taking in looking for voluntary services they can perform for the community. Thousands of our older citizens have reported that they are happiest when they are doing something for other people.

These new ways of maintaining active interest in life, of continuing their usefulness to the community, and of becoming more informed and, hence, better citizens, are perhaps forerunners of a new life for older people. We must encourage them and we must continue to experiment. And above all, we must study these programs to see what they mean to our older citizens, to see their effect on maintenance of health and zest for living; to see, in brief, how we can bring life to the added years. This, I suggest, is another reason why there is need for a Select Committee on Problems of Aging.

NEED FOR ACTION IN THE EXECUTIVE AGENCIES

Mr. Chairman, last spring, at the time of the budget hearings, I was very much disappointed that the Department of Health, Education, and Welfare, and the Department of Labor reflected very little awareness of the urgency of the matters I have just reviewed.

The problems of our aging and aged people are far greater and much more varied than the people in the administration seem to realize. What we need is a concerted attack on a broad front. I have directed the heads of these Departments to present such a program when they come up with their 1958 budget requests.

In my opinion they will not be giving due recognition to the needs of our older people until they develop special facilities in these two Departments to deal with all of the probems of aging. An office of services to older persons is long overdue in the Department of Health, Education, and Welfare. Such an agency is badly needed to coordinate the programs scattered throughout the Department, to keep track of the new knowledge and experience coming to light over the country, to provide information and consultation to the States and communities trying to develop programs and services for older people, and to maintain liaison with national organizations at work in the field.

The problem of employment is of special significance. A job is the best guarantee of a satisfactory income in the later years; it enables the older person to maintain his status of independence and usefulness, and is an important factor in preventing physical and mental deterioration. For all of these reasons, I should like to see the Department of Labor set up an office of older workers. An office of older workers could bring to bear more effectively the programs for older workers now carried on within several Bureaus, could step up its studies of the problems of older workers, and play the leading role in a nationwide effort to provide more jobs for this important group in our population. Together with the Civil Service Commission, an office of older workers could work toward the more effective utilization of older workers and toward the development of improved personnel practices regarding older workers within the Government.

ACTION IN THE STATES AND COMMUNITIES

There are important steps that should be taken by the Federal Government to meet the critical situation I have described. However, I do not wish to suggest, Mr. Chairman, that the Federal Government should bear the total responsibility. Quite the contrary, I believe that aging is the concern of everyone, of all levels of Government and of many other agencies in our national life. I believe firmly that every 1 of the 48 States and all of our communities must set up special programs and services for older persons.

In my State of Rhode Island, we have adopted this pattern. Five years ago Gov. Dennis J. Roberts set up a study commission on problems of the aged and subsequently converted it into a permanent Governor's committee on aging. The legislature has provided it with a paid staff. The result is that in Rhode Island we are beginning to make progress.

In the Federal Government, Mr. Chairman, we must make provision for encouraging and helping these State and

local groups. We must remember that we have a shared responsibility even though some of our departments seem to lose sight of it.

It is clear to me—indeed, recent events have forced the conclusion upon me—that an important key to progress in getting action for our older people is the proposal embodied in my resolution to establish a Select Committee on Problems of the Aging. I hope there will be favorable action on this resolution in order that our millions of older people will have assurance of our deep concern for their welfare.

The CHAIRMAN. All time having expired, the Clerk will read.

The Clerk read as follows:

CIVIL AERONAUTICS ADMINISTRATION

Land acquisition, additional Washington airport

For an additional amount for "Land acquisition, additional Washington airport," for payment of deficiency judgments rendered by United States district courts, $2,429, together with such amounts as may be necessary to pay interest as specified in such judgments.

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS: Page 2, after line 24 insert the following center head and new paragraph:

"Contracts for services

"Hereafter no contract for services at any airport under the direct jurisdiction of the Civil Aeronautics Administration shall be entered into without previously advertising invitations for sealed bids based on specifications sufficient to permit full and free competition in the letting of such contracts."

Mr. BOW. Mr. Chairman, I make the point of order against the amendment that it is legislation on an appropriation bill.

Mr. ANDREWS. Will the gentleman reserve his point of order?

Mr. BOW. I will reserve the point of order, Mr. Chairman.

Mr. ANDREWS. Mr. Chairman, the purpose of this amendment is simply to require the Civil Aeronautics Authority officials to award contracts to the high bidders. I have in mind a recent contract that was let for a concession at the National Airport. The contract was let by sealed bids. The company that bid the highest rate to the Government was not awarded the contract. The purpose of this amendment is to require the Civil Aeronautics Authority in the future to award contracts to the bidders who will return the highest rate to the Government.

Mr. GREEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. GREEN of Pennsylvania. Why was not the contract awarded to the highest bidder?

Mr. ANDREWS. That is what I would like to know.

Mr. GREEN of Pennsylvania. Cannot the gentleman find out?

Mr. ANDREWS. We are having the General Accounting Office look into it at this time.

The contract I had in mind was the concession for ground transportation from the airport to the city of Washington. I know a man who made a bid offering the Government 21 percent of the gross receipts. That man was financially able, and able in every other way to perform the contract. Yet the Civil Aeronautics Authority awarded that contract within 24 hours of the time the old contract expired to the bidder who bid 17 percent, after raising his initial bid from 15 percent.

Based on the present amount of business that is done at the airport, it is estimated conservatively that the 21-percent contract would have returned to the Government $30,500 a year more than the 17-percent contract will return to the Government or, over a period of 5 years, $152,500.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. HAYS of Ohio. Maybe the reason they did not want to award it to the gentleman you mentioned is that they did not want any competent company to handle it. Certainly anyone who has used that facility knows the one who is handling it now is not very competent.

Mr. ANDREWS. I have heard that.

Mr. BOW. Mr. Chairman, I insist on my point of order that the amendment is legislation on an appropriation bill.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from Alabama offers an amendment which in substance would require that in connection with contracts under the jurisdiction of the Civil Aeronautics Administration sealed bids be required.

The amendment provides for new law; it is not a limitation on the purpose for which funds may be used, and consequently it is legislation on an appropriation bill. The point of order is sustained.

Mr. BOW. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Chairman, the Civil Aeronautics Administration and the Director of the Washington National Airport recently awarded a contract to Airport Transport, Inc., the incumbent concessionaire for ground transportation at the Washington National Airport for a period of 5 years.

This award was made through negotiation, after invitations were offered and proposals submitted by competing firms.

I would like to offer my congratulations to the Honorable Bennett Griffin, director of the airport, and to those in the Civil Aeronautics Administration and the Office of the Secretary of Commerce who were responsible for the awarding of the contract to this splendid organization.

I have personally examined letters from every major airline in the Nation addressed to the Government authorities charged with the awarding of the contract. Uniformly these letters state that ground transportation service at the Washington National Airport is a model for the rest of the Nation. These airline officials requested the director to provide a continuity of service and to treat this franchise not as an ordinary concession but as a public utility. These officials properly were concerned with this operation because it actually is an integral part of the service which they provide the air-traveling public. A safe, fine trip by air could very easily be marred by an uncomfortable trip from airport to town.

Last year 1,330,000 passengers were transported by Airport Transport by limousine and taxicab to and from the Washington National Airport.

I note that the airport director negotiated several changes in the existing contract, chief among which was the increase in the fee arrangement from a low of 10 percent and a high of 15 percent, to a low of 15 percent with a high of 17 percent. In addition, I note that there is now a minimum guaranty of revenue to the Government of $175,000 per contract year. Several other changes have been made in the previous contract all of which, it seems to me, inure to the benefit of the Government.

Upon further inquiry, it has come to my attention that the fees paid to the Government by Airport Transport have been and are today the highest paid by any similar operation in the Nation. It is estimated that under the new arrangement the Government will average approximately $200,000 a year in fees received from Airport Transport, based on present volume.

The Government controls the fares paid by the public, controls the standard of service, maintains the right to audit the books of the company, and thus regulates this company similar to a public utility.

I have further noted that where local taxicab companies supply $5,000 to $10,000 public liability insurance, Airport Transport protects its passengers by providing $100,000 to $300,000 liability insurance.

This company under its present management has operated at the airport for 10 years and has increased its payments to the Government over that period of time by over 500 percent.

Upon investigation I learned that this company provides a training course and safety program for its drivers which is unique and a model in the field. The company employs 250 drivers, all of whom are members of the International Brotherhood of Teamsters. They are selected only after the most careful investigation and physical examination. They are then put through rigid training periods before they are permanently hired. The Driver's Manual, establishing the standards of service and operation has not only been copied and used throughout the automotive transportation industry as a model, but has also been the subject of many articles in the trade press.

Before the present company commenced its operation, the airport was serviced by taxicabs with each driver owning his own cab or renting it on a

per diem basis. Normal employer-employee relationship did not exist. The system was found unsatisfactory because it proved impossible to serve the public on a 24-hour rain-or-shine basis. To correct this situation the company has invested a substantial sum in its own fleet of vehicles and garage equipment, hired its own driver employees on a guaranteed salary basis, and maintains one of the finest fleet service units in this area. The drivers get such benefits as 2 weeks vacation with pay and group life insurance. Fifty percent of them have been with the company over 5 years.

In the year 1955 these drivers covered approximately 6,500,000 miles without a chargeable accident resulting in a major personal injury to themselves or passengers. Their record in 1956 is equally as good. In the entire 10-year period during which the present management has operated the company there has been only 1 major accident resulting in injury to a passenger. During this period approximately 10 million passengers were carried over a distance of 45 million miles.

I have also seen letters from the banking institutions and the major supply houses doing business with the company, all of which attest to the financial responsibility and integrity of the company and its officers.

In conclusion, I again wish to congratulate the Government officials charged with the awarding of this contract for having been so conscious of the welfare of the airline passengers as to have reawarded the contract to Airport Transport, Inc. The additional revenue to the Government is an admirable accomplishment, particularly in the light of the fact that the outstanding service, the low fares, the excellent equipment, and the impeccable character of the personnel has not been impaired. Obviously no other bidder could have provided more revenue for the Government without impairing in some manner these qualities to which the airline officials, the Government authorities, and the riding public so sincerely attest.

The testimony given before the Subcommittee on the Department of Commerce and Related Agencies, of which I am a member, leads me to the conclusion, which I am happy to present to the House of Representatives, that in the awarding of this contract to Airport Transport the best interests of the American public have been admirably served.

MAY 22, 1956.

Hon. CHARLES J. LOWEN,
Administrator, Civil Aeronautics Administration, United States Department of Commerce, Washington, D. C.

DEAR SIR: It has come to my attention that the Department of Commerce is considering a change in the contractual specifications regarding ground transportation operation at National Airport. To be specific: A change from negotiation to bid basis. Should such a change become factual, there would be a strong possibility that a new organization, lacking experience, could be awarded a contract on the basis of a lower bid.

In view of our recent entry into Washington as a domestic on-line carrier, I feel it only fair to voice a supporting opinion in favor of Air Transport, Inc., the present operator at National Airport. I know of no other ground transportation service, anywhere, that can better the service to passengers now provided by Air Transport, Inc. The organization, from management down to the last driver, is highly trained and enjoys a well-deserved reputation as a quality service performing in the public interest.

With the acquisition of three new carriers serving Washington, the added burden on ground transportation becomes apparent. Airport Transport, Inc., has met the challenge with alacrity and has provided the very same excellent standard of service as always.

It is my sincere hope that the Government will consider the many intangible, as well as tangible, qualities of the present operator prior to rendering such service to the status of a bid operation.

Cordially yours,

STEVAN M. OLDS,
District Sales Manager.

NATIONAL AIRLINES, INC.,
Washington, D. C., February 10, 1956.

Mr. MOE LERNER,
Airport Transport,
Washington National Airport,
Washington, D. C.

DEAR MR. LERNER: I have been in the airline industry for 11 years. During that period I have flown into practically every major city in the United States. I can make the unqualified statement that the service offered by Airport Transport in Washington is the most efficiently run and passenger-pleasing operation that I have yet encountered.

The consideration for the airline passenger's needs, and the lack of waiting time, the courtesy and attitude of the employees, the excellent and well-maintained equipment, combined with reasonable fares, all are outstanding features of your service.

I feel that any efforts to interfere with the present business operation and set-up at Washington National Airport could only work to the disadvantage of our passengers. I, therefore, offer my services in any way necessary to maintain and support your organization's operation. I will be happy to so advise in writing any party or parties involved in current controversy over your franchise.

Sincerely,

ROBERT A. ROE,
District Sales Manager.

APRIL 20, 1956.

Hon. CHARLES LOWEN,
Administrator, Civil Aeronautics Administration, Washington, D. C.

DEAR CHUCK: I don't know whether you know it or not, but long before our time here in Washington the ground transportation service at the airport was horrible. In fact, it was so bad that the industry had to do something about it. That was how the present service headed by Moe Lerner came into being, as I understand it.

I am advised that there is a possibility that the ground service will be open for bids. I just want to say without being too presumptious that it would be one terrific mistake to in anyway impair the excellent service we are receiving at the airport today.

Sincerely,

ALEXANDER G. HARDY,
Senior Vice President.

FEBRUARY 9, 1956.

Mr. MOE LERNER,
President, Airport Transport, Inc.
Washington National Airport,
Washington, D. C.

DEAR MOE: I felt I could not let another day of the new year go by without expressing to you the sincere thanks of Northwest Orient Airlines for the fine service you are providing our customers.

It is very rare that a person in my capacity can experience a full year and a half—the time I have been assigned to Washington—without hearing anything but praise from our passengers concerning the airport limousine service. To me this recommends quite an achievement on your part.

With best wishes, and again our sincere thanks to you for the admirable record you have acheved for outstanding service to our passengers.

Very truly yours,
NORTHWEST ORIENT AIRLINES,
RONALD MCVICKAR,
District Sales Manager.

MINNEAPOLIS, MINN.

Hon. CHARLES LOWEN,
Administrator of Civil Aeronautics, Washington, D. C.:

Reference limousine service Washington National Airport strongly recommend continuance of franchise for Airport Transport Inc. based upon the excellent past service of this company to our customers.

J. C. ROBERTSON,
Director of Customer Service, Northwest Airlines.

UNITED AIR LINES,
March 12, 1956.

The Honorable CHARLES J. LOWEN,
Administrator, Civil Aeronautics Administration, Washington, D. C.

DEAR SIR: A number of days ago several of our airline group were having a discussion regarding matters of mutual interest. It came to my attention then that there is some type of action pending which conceivably could deprive our passengers of the superior service rendered by the Airport Transport, Inc.

In my capacity as district sales manager for United, I have considerable interest in the service offered by an airport ground service operator. While actual administrative responsibility in the relationship between our company and a ground service operator falls under Mr. R. K. Kearns, our district passenger service manager, I naturally must concern myself with such a service in my responsibility for developing passenger sales in this area. In developing passenger sales, we must consider as part of our commodity how much the passenger pays for ground transportation to and from the airport and the type of service he receives. The air passenger normally originates and terminates his complete trip far from the airport, so such ground service as offered is of vital concern in offering our air service to the customer. I believe that Airport Transport, Inc. charges are very resonable and that the service rendered is of superior quality. Their drivers are courteous and efficient, their schedules are prompt and expeditious. One thing that particularly impresses me is the speedy dispatch of their limousines from the airport or downtown terminals. In so many cities our early passenger is required to wait for long periods of time until the bus fills up. This brings up the point that here in Washington we have deluxe limousine service which will even carry our passengers to or from their homes at a reasonable fare. I should imagine that this represents an extremely large capital investment on the part of Airport Transport, Inc.

I feel that the management of that company is dedicated to the service of our passenger. I know from personal experience that Mr. Moe Lerner has devoted more than is required of his time and energy to assure us of quality service to our passengers. Undoubtedly, in order to achieve the type of service we receive, he has made a substantial investment in his capital equipment and facilities. With the expansion in service that we can anticipate this year and in the next

few years as we reach the jet age, he will have to make additional and substantial capital investment on which he is entitled to a fair return, but which would not be reflected without assurance of continued operation.

It has been my privilege to have served United in several cities across our system and, as well, to have traveled extensively throughout the country. I can say unequivocally that in no other city is the airport ground transportation equal to that which our passengers receive here in Washington. I am convinced that the service rendered by Airport Transport, Inc., is in the best interest of our customer.

Very cordially yours,

District Sales Manager.

CAPITAL AIRLINES,
Washington, D. C., March 20, 1956.

Mr. CHARLES J. LOWEN,
Administrator, Civil Aeronautics Administration, Department of Commerce, Washington, D. C.

DEAR MR. LOWEN: Recently a rumor reached me, although I hope isn't true, compels me to express my viewpoints. I've been told there is a possibility that the contract for limousine and taxi service at Washington National Airport may in the future be offered on a bid basis. Although I'm not entirely sure of the ramifications this presents, on the surface, it would mean to me that a new organization without experience could be awarded this contract on the basis of a lower bid.

We have considered ourselves in Washington to be in a very fortunate position having ground services designed for convenience and service to the passengers. The very fact that this is a heavily used service tells us that the majority of our passengers require public transportation to reach their home, hotel, or office. Actually, for this majority we feel that their air trip doesn't end until they reach their final destination. We have always felt that the Airport Transport, Inc., the present operator, has treated air passengers with the same degree of courtesy and service the airlines display.

If this contract is to be put on a bid basis, we feel that it would cause a great deal of insecurity within the organizational structure of any company being awarded the bid. This insecurity would of necessity restrict the company from investing in first-class equipment which, of course, would lower the standard of service. In addition, with every succeeding award the experience line would be broken. To properly operate and schedule ground transportation service is extremely involved and complicated. It requires expert personnel who cannot be trained in short periods of time.

We feel very complimentary toward the present operator's organization. The personnel, management, and equipment comprise a closely knit institution which we have every right to be proud of. In this city which is a showcase of the world this type service must be outstandingly dignified. It would be most unfortunate to see this service lowered to the level of many of the major cities in the east.

Very truly yours,

O. E. WILLMAN,
District Sales Manager.

MARCH 13, 1956.

HON. CHARLES LOWEN,
Administrator, Civil Aeronautics Administration, Washington, D. C.

DEAR CHUCK: As one of the oldest so-called Washington airline officials in the area, I feel I can drop you a personal note on a subject pertaining to the welfare of our airline passengers within range of the Washington National Airport.

Through the rumor factory, I have heard that there is some talk of opening up ground transportation facilities to bids from various operators. Such word is certainly disturbing to one who has worked so closely these many years with all concerned at the airport and particularly with our many good permanent customers. We have found that the present operator, Airport Transport, Inc., has proved to be one of the finest ground transportation companies in the United States. I make the latter statement not only as a personal observation but it is based upon the comments and observations of passengers and other airline officials over a period of several years.

Certainly Moe Lerner's outfit has demonstrated the things we all strive for in the airline category which are outstanding service, equitable fares, and good, clean, well-maintained equipment.

I certainly hope, Chuck, that nothing will happen to disturb the excellent service our Washington passengers have enjoyed groundwise, for certainly a good ground service reflects greatly on the air service offered. Hope to see you soon.

Sincerely,

JOHN P. BROCK,
District Sales Manager.

EASTERN AIR LINES,
March 9, 1956.

Mr. CHARLES LOWEN,
Administrator of the Civil Aeronautics Administration,
Washington, D. C.

DEAR MR. LOWEN: Eastern Air Lines has a tremendous stake in Washington National Airport and we continually review the associate facilities in relation to our own service, especially the more dominant ones such as ground transportation. With our heavy commuter services from New York and Boston the importance of ground transportation efficiency is second only to our own service and almost equally important in a passenger's decision as to whether to use Washington National Airport at all. These decisions in favor of air travel are responsible to us for almost 40,000 passengers per month.

I have, therefore, been concerned recently to learn that reconsideration might be given to the system under which this facility so successfully operates. I can state positively in my 17 years in air transportation, covering a number of cities and countries, I have never seen better standards of service than those provided by Air Transport, Inc. More particularly, having spent 12 years as Eastern's manager in Washington, I have seen two predecessor operations in action and whereas before Airport Transport arrived the ground transportation problem was a continuing and discouraging one, this has been so completely changed that our other cities now point to Washington's service as outstanding, as do our passengers.

The lengthy delays and erratic service occasioned in many other cities has been long gone in Washington and I can say unequivocally that any disruption to Airport Transport's excellent program here would be a major disservice to our passengers and to the healthy growth of Washington as an air center.

This letter is written only to emphasize my long time feeling in relation to the superiority of Air Transport, Inc., and I would be more than happy to supply any further statements you might deem necessary.

Sincerely yours,

HARRISON KNAPP,
Traffic and Sales Manager.

DELTA-C. & S. AIR LINES,
Atlanta, Ga., April 27, 1956.

HON. CHARLES J. LOWEN,
Administrator, Civil Aeronautics Administration,
Washington, D. C.

DEAR MR. LOWEN: It has been brought to my attention that the contract of Airport Transport, Inc., at Washington National Airport will expire on June 30, 1956, and that there is thinking in some quarters that the continuation of limousine service at Washington National should be the result of competitive bidding.

Although Delta does not feel that the procedures whereby ground transportation is contracted for is a matter in which we should interject ourself, we do know that efficient, adequate, and equitably priced airport-to-city limousine service for our passengers is a matter of importance and direct concern to us.

For this reason and insofar as it may be proper for us to do so, I respectfully urge upon you the continuation of arrangements with the present operator, Airport Transport, Inc., if the same can be done without material or serious prejudice to the Government. The Air Traffic Conference has recognized that ground transportation at airports is an essential public service rather than a concession; that it can be best provided by a single operator as a result of contract negotiation rather than competitive bidding; that, other things being fairly equal, preference should be given to the incumbent operator; and that his contract should be of a continuing nature.

We know from years of experience in providing air service to other cities that these considerations work in the interest of good public service. It is not unlikely that a newcomer, lacking knowledge and experience as to the complexities, magnitude, and quality of the job to be done, might submit a lower (higher) bid, but this might well result in inadequate service, inferior vehicles, or higher charges to the public. Such would certainly not be in the public interest and hence would not be in the interest of the operator of the airport or of the airlines serving that airport.

It has been my observation, since Delta began serving Washington on February 1, 1956, that Airport Transport, Inc., has provided our customers with good, courteous, and efficient service, and I trust that you will not think it too gratuitous of me to direct your attention to these considerations.

Very truly yours,

OSGOOD P. WILLIS,
District Sales Manager.

JUNE 15, 1956.

Col. B. H. GRIFFIN,
Washington National Airport,
Washington, D. C.

DEAR BENNY: I recently addressed a letter to Jim Pyle as Acting Administrator setting forth the policies and views of American Airlines with respect to ground transportation services and particularly the services at Washington National Airport.

American, as that letter pointed out, has found the services of Airport Transport, Inc., most satisfactory. We believe that the services of this operator have been far superior to any previously operated in Washington.

Sincerely yours,

MORRIS SHIPLEY,
Assistant Vice President.

THE RIGGS NATIONAL BANK,
May 28, 1956.

DIRECTOR, WASHINGTON NATIONAL AIRPORT,
Washington, D. C.

DEAR SIR: This letter is written at the request of our valued client, Airport Transport, Inc., in connection with their proposal for a renewal of their contract for operation of the ground transportation service at the Washington National Airport. We have been informed by Mr. Moe Lerner, president of the company that in the qualification data to accompany the proposal there is a question concerning the proposed method of financing such operation.

Airport Transport, Inc., has been a client of this bank for the past 15 years and during that period their relationship here has

been excellent. We have made them loans on many occasions in substantial amounts, the aggregate sum of which would approach $1 million and every obligation has been met promptly and satisfactorily.

The company has always demonstrated the highest commercial integrity and its officials the highest personal integrity, and the present management is in our opinion the finest the company has enjoyed in its long and successful career. We are confident the company is entirely capable of managing and financing the continued operation of the ground transportation service at the Washington National Airport, and I am pleased to give them our highest endorsement.

Yours very truly,

ROLAND T. CARR,
Vice President.

ALEXANDRIA NATIONAL BANK,
Alexandria, Va., May 28, 1956.

DIRECTOR, WASHINGTON NATIONAL AIRPORT,
Washington, D. C.

DEAR SIR: This letter is being written in connection with the proposal of Airport Transport, Inc., regarding a renewal of its contract for operation of the ground transportation service at the Washington National Airport. Mr. Moe Lerner, president of the Airport Transport, advises us in the qualification data to accompany this proposal there is a question concerning the financial status of the corporation.

We wish to advise you that Airport Transport, Inc., has been a most valued customer of this bank for the past 5 years, and during that time our relationship has been excellent. We consider them to be one of our best accounts; and insofar as their methods of audit and fiscal control are concerned, we believe their methods are of the finest. We have never been called upon to do any financing for them, but in analyzing their financial statements we would not hesitate to take care of any requests we would be able to handle for them.

A number of our personnel, including myself, have had occasion to use their service from time to time and we have always found the service to be most satisfactory and their employees courteous and considerate. We feel that this is a reflection of the competent management of the company and believe their operation adds immeasurably to the comfort and satisfaction of the airline traveler.

Very truly yours,

E. GUY RIDGELY,
Vice President.

MAY 28, 1956.

DIRECTOR, WASHINGTON NATIONAL AIRPORT,
Washington, D. C.

DEAR SIR: It gives me much pleasure to tell you that Mr. Moe Lerner, president, Airport Transport, has been a customer of the B. F. Goodrich Co., 433 I Street NW., Washington, D. C., for many years.

We consider Airport Transport one of our most valued customers, and their purchases from us have averaged between $25,000 and $30,000 per year. Statements have always been paid promptly, and all business transactions between Airport Transport and The B. F. Goodrich Co. have been handled with the utmost dispatch. As regards their credit standing, we feel that they are in an unlimited position to finance their operations, and, from our experience with this company, there should be no problems involved.

Mr. Lerner is a man of high integrity and possesses excellent business ability.

Yours very truly,

_____ _____,
Manager, B. F. Goodrich Co.

MAY 28, 1956.

Mr. BENNETT H. GRIFFIN,
Director, Washington National Airport,
Washington, D. C.

DEAR MR. GRIFFIN: The Airport Transport, Inc., operating a limousine service at the National Airport, has been doing business with us for a period of several years in the nature of purchasing parts, servicing their cars, and purchasing Cadillac limousines.

Their annual purchase of limousines, parts, and service has been averaging between $90,000 and $110,000 a year. At the purchase of the new Cadillac limousines they have paid for them at the time they were invoiced by check. Their monthly account has been paid for on or before the 10th of every month, taking advantage of discounts earned on parts purchased.

The Airport Transport, Inc., enjoy one of the highest credit ratings of any organization doing business with our three companies, and we assure you it has been a most satisfactory account in every respect.

Using Cadillac equipment, naturally, has been of great concern with us, and it has been our obligation to assist them in every way to insure at all times prompt and efficient Cadillac limousine operation.

Therefore, we have no hesitancy in recommending Mr. Moe Lerner and his organization to anyone from a financial standpoint, as they have full and complete knowledge of every phase of the transportation business.

Very truly yours,

CAPITAL CADILLAC-OLDSMOBILE CO.,
FLOYD D. AKERS, *President.*

MAY 29, 1956.

DIRECTOR, WASHINGTON NATIONAL AIRPORT,
Washington, D. C.

DEAR SIR: It is our understanding that an inquiry has been made concerning our business dealings with the Airport Transport, Inc.

We have had the great pleasure of selling both cars and parts, amounting to approximately $150,000 a year in gross sales, to the present management, over a period of many years, with unlimited credit. The stability, integrity, and financial standing of the organization has greatly enhanced our relations, and we are confident that the unusual resourcefulness of Mr. Lerner has greatly implemented the outstanding maintenance record of our products in the service of the company.

Again, we cannot speak too highly of the Airport Transport, Inc., and Mr. Lerner; and feel that the company's overall performance is a great asset to our city.

Very truly yours,

L. P. STEUART,
President.

Mr. CRAMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to express my appreciation to the Subcommittee on Agricultural Appropriations and the full Appropriations Committee for the interest shown in the very serious problem in Florida of the eradication of the Mediterranean fruitfly. This is of great importance, and is referred to on page 3 of the committee report under the heading of "Agricultural Research Service."

I express appreciation to the committee for its previous action in providing $2,175,000 for the eradiction of the fruitfly and, in addition, $325,000 for the purpose of fighting the burrowing nematode, both of which principally affect the citrus industry in the State of Florida and jeopardize many other agricultural products.

But in addition to that, I want to express to the very fine chairman of the Subcommittee on Agriculture the fact that on page 580 of the report of the hearings of the subcommittee it was brought out that there was an area of approximately 250,000 acres which was expected to have to be fully treated under this program. I regret to have to inform the House and the chairman that this acreage has substantially increased in the few weeks since action was actually taken on this matter under the Agriculture Appropriation Act for 1957. Approximately 100,000 acres requires full treatment in my own home county of Pinellas. In addition to that, 80,000 to 90,000 acres require treatment in Lee County to the south, due to unanticipated additional heavy spread over that expected at the time of the original hearings. I have been in conference, along with many members of the Florida delegation, with the Department of Agriculture on this problem since that time. Since it has spread, I have been assured, and as a matter of fact I have been advised, that another $2.5 million, and authority to transfer contingency and other funds for this fruitfly effort to assure adequate additional funds if needed, is going to be requested, in that the Bureau of the Budget and the Department of Agriculture recognize that there remains even a greater need. That has been referred, I believe today, by the Bureau of the Budget to the White House for recommendation to your committee and that of the Senate. I just wish to advise you of the increased and continuing need in this particular field. I also wish to advise you of the fact that the Florida Legislature meets in special session on July 23. The governor himself and the cabinet, in effect, have committed themselves to recommend to the legislature that all Federal funds spent on this program be matched with State funds. So, we in Florida expect to do our part on this. I again want to thank the committee and Congress for the great consideration and effort put forth in this matter, recognizing that this is a very serious problem and at the same time to express appreciation for the expeditious and effective manner in which the Department of Agriculture and Bureau of the Budget, under President Eisenhower's leadership, have met this challenge. I am confident the anticipated further request will be fully considered—favorably so—for the facts merit further all-out Federal participation.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. EDMONDSON. Mr. Chairman, I am in favor of this bill, which provides funds to meet some of the most pressing needs of our Defense Establishment, as well as other Government agencies.

One sorely needed item is the sum of $40,219,000 for the Continental Air Command, to finance construction at airports and bases where vital reserve activities are under way.

A great job has been done in the past year in greatly stimulating and increasing the defense contribution of the Air Force Reserve, which has an increasingly important mission in the protection of the United States.

I personally believe the most productive defense dollars that we spend are invested in activities like the Air Force Reserve and the Air National Guard, and

no activities have done more to make our people defense conscious.

In the city of Muskogee, in the Second Congressional District of Oklahoma, I have seen at first hand the operation of this Air Force Reserve program, and the almost phenomenal growth, on a virtual shoe string, of the 713th Fighter-Bomber Squadron at Davis Field.

The officers and men of this squadron, at considerable personal sacrifice and long hours of service beyond the call of duty, have been engaged in making an outfit of which the entire Air Force is proud—and which has added much-needed muscle to our air defense, at low cost to the Government.

Maj. Gen. Bill Hall, the hard-working and able Deputy Chief of Staff in Charge of Reserve Activities, has personally paid tribute to the achievements of the Muskogee squadron, and appropriately cited it as an example of the great potential in Reserve force development.

Maj. Gen. George Finch, the energetic and forceful commander of the 14th Air Force, has played a significant role in the growth of the Muskogee squadron, and has complimented its personnel on squadron achievements.

The entire city of Muskogee, and many cities and towns in the area, have joined in magnificent support of the squadron.

Mayor Lyman Beard of Muskogee has supplied tireless and resourceful civic leadership for the activity, and Lt. Col. Claude Sledd and Maj. Ray Oatley, the squadron and base commanders, have planned and worked long hours to make an outstanding success of the undertaking.

"The Muskogee Story," as the Air Force dubbed it, is an inspiring story, and one which I predict will grow in inspiration and glory in the coming years.

I am glad to observe that this bill includes money to provide additional safety and efficiency features for Davis Field, home of the 713th, and I strongly urge its passage by the House.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

(By unanimous consent, Mr. HOFFMAN of Michigan was granted permission to revise and extend his remarks and to speak out of order.)

Mr. HOFFMAN of Michigan. Mr. Chairman, on June 6, 1956, the House Committee on Government Operations adopted and the following noon made general distribution to the press—it had more than 2 weeks previously been released to some reporters—a report of its Public Works and Resources Subcommittee, which, for 18 days—beginning on July 19, and ending on October 19, 1955—held hearings concerning the power policies of the Department of the Interior.

The report as adopted and publicized carried, among others, recommendation No. 6, which will hereinafter be referred to.

July 9, members of the subcommittee received a letter reading:

MY DEAR COLLEAGUE: The Public Works and Resources Subcommittee will resume public hearings into the Department of Interior's Federal power policies starting at 10:30 a. m., Monday, July 16, 1956, in room 362, Old House Office Building.

It is expected that the hearings will be conducted during morning and afternoon sessions. Officials of the Department of the Interior, as well as representatives of certain private electric utilities, will be heard at that time, in connection with recommendation No. 6 contained in the Committee on Government Operations 18th Intermediate Report, House Report 2279.

Cordially yours,

EARL CHUDOFF,
Member of Congress, Chairman, Public Works and Resources Subcommittee.

Accused by Mr. H. Vance Austin, on leave from his employment with the Colorado State Association of REA Cooperatives, who, while directing the subcommittee investigation and hearings, was paid out of Federal funds allocated to the committee, the private power companies were tried, convicted and, from a practical standpoint, their liquidation demanded by the subcommittee. They are now apparently belatedly to be given a hearing before the sentence is carried out.

Before commenting on the report generally, let us look briefly at recommenda- No. 6, which is to provide the basis of the hearing about to be held:

(6) Congress launch a full-scale joint investigation by both Houses to determine whether or not there is an organized effort of the private power companies to influence the Federal administration, the Congress, the governments of the States, and the political life of the Nation.

In spite of the fact that this investigation has not yet been made, the committee, in the report above referred to, wrote—page 9:

The announced administration policy is identical with that of the companies. It is designated to destroy the Federal power program and eliminate every vestage of opposition to the establishment of a complete private power monopoly in the United States. In carrying it out, the activities of the Interior Department and the private companies are completely coordinated in each region of the country.

The committee represented this conclusion as being based upon hearings. If so, why stage another set of hearings to find out what they already claim to have discovered? If not justified by the previous hearings, the committee is guilty of deliberate misrepresentation.

Since the committee, true to form, has already prejudged the case with regard to recommendation No. 6, the proposed hearings can be designed only to produce more political kilowatts for the campaign.

Apparently, the proposed hearings are a belated attempt to justify a judgment already handed out by the committee.

Mr. Chairman, let us consider for a moment the status of the report—the report which contains recommendation No. 6. This report was committed to the Committee of the Whole House on the State of the Union and ordered to be printed on June 7, 1956. To this date, Mr. Chairman, more than 1 month later, printed copies are still not available.

Why is the majority reluctant to release this report and why is the majority resuming its hearings while holding its report in abeyance?

Apparently, the suppressed printing of a report of the Committee on Government Operations, which is entitled "Effect of Department of Interior and REA Policies on Public Power Preference Customers," has not had the political effect which the majority had hoped would follow its release to the press. This lack of effectiveness may be due to the fact that not even the majority can agree on it.

So, this being an election year, the subcommittee is off on another witch hunt, although knowing full well that, as usual, during the last 2 or 3 weeks of the session, there will be no opportunity to write legislation based on these hearings.

The hearings will, however, serve political ends by keeping Members off the floor, where from day to day important bills are up for action.

Perhaps intrigued by the example set by the Supreme Court of filing several opinions giving diverse reasons for affirming or reversing a lower court's decision, 5 members of the majority, who voted for the adoption of the report—2 of them members of the subcommittee which conducted the hearings—felt themselves compelled to file additional views which conflict with the majority report which they had just voted to adopt.

Upon one issue the majority members were unanimous. They were apparently in wholehearted accord with their Democratic colleagues who were reporting that those who are exercising authority in the Department of the Interior should be kicked out of office and that at the next election the present Republican administration and officeholders should be supplanted by Democrats.

The House committee voted 16 to 12—strictly along party lines—to file this so-called majority report. This being the case, and since 5 of the 16 Democrats actually do not agree with the report, is it in fact a majority report? Five from 16 leaves a minority of 11.

Add the 5 dissenting majority members to the 12 minority members who condemned the hearings as being unfair, and you have in effect a majority of 17 members of the committee who did not subscribe to the majority report.

The report is a baldly political document designed entirely to serve but two purposes: To discredit the Eisenhower administration and to crucify an industry vitally important to our national life and well-being.

The only valid claim that it is a majority report lies in the fact that it was adopted and reported out by the members of the political party which happens, at the moment, to have a slender voting margin in the Congress—even though five of those so voting apparently just could not swallow and keep down the obviously unfair methods followed by the subcommittee nor the conclusions set forth in the report.

Five times the gentleman from North Carolina [Mr. FOUNTAIN], in his additional views, calls attention to the fact that—see subsequent quotations—the basic American principle that the accused should not be convicted without a hearing, was disregarded by the subcommittee during its hearings.

The gentleman from Virginia, Mr. PORTER HARDY, JR., in his additional views, simply stated:

I am in substantial agreement with Mr. FOUNTAIN'S additional views.

Another member of the committee, the Honorable JOE M. KILGORE, wrote:

I voted to adopt the committee report so that the report in its entirety might be brought to the attention of the Congress. However, I do not subscribe to all the conclusions and recommendations contained therein.

The Honorable DANTE B. FASCELL and ROBERT H. MOLLOHAN submitted additional views to emphasize certain points which they wrote "need emphasizing." They pointed out that there were, in their opinion, defects in the present law governing the Interior Department, and in addition, frankly stated that because of the present legislative situation they did "not feel it is proper to condemn and to criticize private utilities for not entering into wheeling arrangements."

These two members of the committee apparently not only realized that the authority of the subcommittee to go into the activities of the private power companies was doubtful but that the companies had been condemned without a hearing.

They also criticized the subcommittee because it charged private utilities with improper conduct without giving them an opportunity to be heard.

With one conclusion reached by the gentleman from Florida [Mr. FASCELL] and by the gentleman from West Virginia [Mr. MOLLOHAN], I cannot agree. They wrote:

We do not interpret the report and we do not believe it can or should be interpreted as a document expressing a philosophy for the future development of the power resources of this country solely by the Federal Government or other public authorities. (Conversely, it is equally clear that all power development should not be undertaken exclusively by private industry, particularly with reference to those resources which are and have been in the public domain.

As I listened to the hearings, as I read the stenographic transcript, as I read the report, I could reach but one conclusion, which was that the subcommittee's sole effort was to bring about a socialization of the electrical power industry.

With the conclusion of those two gentlemen who stated that "A study of the history of the development of power, both public and private, indicates clearly that it is for the best interests of the public to have two-way development," I am in complete accord.

The very fact that the report travels under the guise of a "majority" opinion is completely in accord with the manner in which this and other investigations of this subcommittee have been handled—beginning with the hit-and-run hearings during which persons were accused of misconduct or violations of the law, then denied the right to be heard, followed by the filing of a report which prejudges a case which never had been heard and which, indeed, was not properly an issue.

The stated purpose of the investigation was to ascertain "the effect of the administrative acts and policies of the present officials of the Department of the Interior and the Rural Electrification Administration on rural electric cooperatives, public bodies, and municipal electric systems." The intermediate report supposedly dealt with the findings of that investigation.

Nowhere in the stated purpose, as quoted above from the introductory statement of the majority report, can I find any reference to the investigation embracing policies and business practices of private utilities. Yet throughout the report this important segment of our Nation's free-enterprise economic system is attacked viciously and ruthlessly. Not only were representatives of private power companies denied the right to be heard, but their industry was subjected to the basest sort of attack principally through innuendo and distortion.

As has just been pointed out, this was underscored by Representatives DANTE B. FASCELL, of Florida, and ROBERT H. MOLLOHAN, of West Virginia, both members of the investigating subcommittee. In their additional views, Representatives FASCELL and MOLLOHAN came to the defense of private power companies and at the same time recognized the difficult position of the Federal Government in negotiating wheeling contracts. Permit me to quote from their statement:

In the case of a wheeling contract, it is necessary to bring together three parties into agreement; the Federal Government (producer), the private utility (transmission agent), and the preference customer. This must be done voluntarily. It is obviously an arms-length transaction for the private utility and the preference customer—with the Government in all cases being in the middle attempting to satisfy both parties and, at the same time, implement Federal power policy as intended by Congress. Furthermore, why should a private utility wheel public power to its competitor preference customer when the private utility is buying the public power at dump rates because it is the only available user?

Because of this situation, we do not feel it is proper to condemn and to criticize private utilities for not entering into wheeling arrangements. They are a private enterprise engaged in making a profit and while it is not unusual for a businessman to do business with his competitors, it would be ridiculous to assume that he would not try to get the best possible deal for himself. This is a duty that private management of a utility has to itself and its stockholders. They have no responsibility under the law for implementing Federal power policy and they have no responsibility under the law for assisting the preference customers who are in most cases their competitors or potential competitors for business. In fact, we are surprised under conditions as they exist, that any wheeling contracts have been entered into by private utility companies. Obviously, they have only been entered into where the company felt the economic benefit and advantages to the company far outweighed any asistance which they might be giving to their competitor, the preference customers.

Mr. Chairman, I interrupt the quotation to call particular attention to the following paragraph written by Representatives FASCELL and MOLLOHAN. I resume quoting:

Since the extensive hearings held by this subcommittee deal with the effect of present administrative action and policies of the Department of the Interior and the Rural Electric Administration on the implementation of Federal power policy as it may affect preference customers, we feel that any reference as to the unwillingness of private utilities to wheel or the strong terms sought by them in their negotiations for wheeling contracts, should be considered in these hearings only in the light of pointing out the position that the private utilities take under existing law and administration, and the difficulties that exist under these circumstances of the implementation of Federal power policy; but should not be considered in the light of condemnation, if their actions and performances are that of an ordinary businessman acting in a reasonable and prudent manner in the operation of his business.

The report presupposes the interest and the desire of the private-utility companies to change Federal power policy. Obviously they have some feeling on the matter and take every opportunity, manner, and means to express their feelings and thoughts on the subject. What efforts, individually or in concert, private power compaies are exerting in attempting to change through administrative means the Federal power policy as expressed by Congress, is not in my opinion a subject matter of even indirect consideration in the present report, and therefore, we disagree with any references to that effect which may be in the present report. We believe that the subject matter of the influence and interest that private-utility companies have on the administration of Federal power policy is certainly a proper one for congressional interest. We further believe that private utilities should be given every opportunity to be heard and to present their views on the subject, and we are hopeful that the Congress will see fit at an early date to undertake the consideration and study of the part private-utility companies have played and are playing in the implementation of public power policy under the present administration.

* * * * *

A study of the history of the development of power, both public and private, indicates clearly that it is for the best interests of the public to have two-way development.

Permit me to call your attention to this latter statement. It is a definitive—though simplified—enunciation of the basis for the partnership concept of the Eisenhower administration. The Eisenhower administration certainly believes that it is in the best public interest to have two-way development. Never, to the best of my knowledge, have any administration spokesmen argued otherwise.

President Eisenhower himself, in his first state of the Union message, said:

The best natural resource program will not result from exclusive dependence on Federal bureaucracy. It will involve a partnership of the States and local communities, private citizens, and the Federal Government, all working together.

The statement of Mr. FASCELL, with which Mr. MOLLOHAN agreed, is a frank admission that the policies pursued by the Department of the Interior under Secretary McKay and Under Secretary Davis are sound, and should be followed. It is a repudiation of the report itself.

The gentleman from North Carolina [Mr. FOUNTAIN] speaking of the majority report, said he does not "necessarily fully subscribe to all of its language, conclusions, and recommendations."

That, permit me to comment, represents a classic in understatement. Representative FOUNTAIN does not merely decline to subscribe to the terms of the

so-called majority report. If my understanding is correct, he takes rather violent exception to it, as reflected by his separate views in which the gentleman from North Carolina noted the report's context, and declared:

I seriously doubt the wisdom and the fairness, however, of those conclusions and recommendations in the report which amount to a blanket criticism of all private power companies without any power company having had an opportunity to be heard. Since private power companies were not being investigated at this time, and since they were denied an opportunity to be heard, I believe it is only fair play that the report should not have contained such sweeping conclusions regarding them.

For example, recommendation No. 6 of the subcommittee was that "Congress launch a full-scale joint investigation by both Houses to determine whether or not there is an organized effort of the private power companies to influence the Federal administration, the Congress, the governments of the States, and the political life of the Nation." And yet, in conclusion No. 8 on page 9 of the report the subcommittee said:

"The announced administration policy is identical with that of the companies. It is designed to destroy the Federal power program and eliminate every vestige of opposition to the establishment of a complete private power monopoly in the United States. In carrying it out, the activities of the Interior Department and the private companies are completely coordinated in each region of the country."

Since the investigation recommended has not been made, it seems to me that conclusion No. 8 and other blanket denunciations of all power companies before the companies have had a chance to be heard, should not have been in this report.

The report indicates that two companies in my own State were denied the privilege of testifying during the hearings.

Let me pause here, Mr. Chairman, to emphasize what the gentleman from North Carolina, Representative FOUNTAIN, recognized when he chose to quote those portions of his colleagues' report.

It is incredible that a congressional group would recommend undertaking an investigation and, before the investigation had been held, announce its conclusions which, by no stretch of the imagination, could be arrived at before the completion of the investigation of the nature they had just recommended.

In the concluding paragraph of his additional views, Representative FOUNTAIN took note of the position of the private power industry in the Nation's economic fabric. He concluded:

I have frequently disagreed with policies and activities of some of the power companies and I have not resitated to publicly express my disagreement. However, they are an integral, necessary, essential, and significant segment of our economy and private enterprise system in America. Both private and public utilities are essential to our way of life and in the best interests of the general public. Nevertheless, whether or not we agree with the policies and/or activities of private utilities, if their policies and activities are to be investigated, before they are judged, they should be afforded the opportunity to be heard and to present their views, regardless of whether or not their testimony would change the views of the committee. They should receive a fair hearing and careful consideration should be given to the evidence they present. After that is done, let the chips fall where they may.

The Republican members of the Subcommittee on Public Works and Resources on the House side filed a minority report which should be read if the real purpose of the hearings is to be learned.

The minority report, signed by all minority members of the subcommittee and concurred in by all the minority members of the full committee, calls attention to grievous mishandling of the whole subject at issue, as reflected by the majority report and the conduct of the hearings. They cite chapter and verse from both the majority report and the 1,686 pages of printed hearings in support of their position.

An extremely sober note is sounded by the minority members when they say:

The majority report, which is purported to be based on hearings, is more than just a pamphlet of political bias; it is an attack of calculated insidiousness upon the American system of free enterprise.

The venom with which the author of the report attacks private enterprise and the administration alike seems symptomatic of something more baneful than political partisanship.

The undersigned (minority members) would be derelict in their responsibility to the American people if they failed to expose this advocacy of nationalization by those who, in the guise of defenders of the rural electrification program, have managed to have their manifesto cloaked with the authority of a congressional committee.

To the extent that the majority report attacks economic freedom, it attacks an integral part of our liberty and independence.

At other points in the minority report, the Republican members of the House group completely disassociated themselves from the unjust criticism heaped upon the Department of the Interior and the REA, and, in fact, take the position that officials of those agencies should be commended rather than condemned.

I subscribe wholeheartedly to this view. Officials of the Department of the Interior and the REA in the present administration in these matters have acted in accordance with both the letter and the spirit of the law as they found it. They have surmounted great obstacles and successfully resolved difficult situations in many instances.

Like other Members of both House of Congress, I recognize the value of maintaining congressional security of executive branch activities. It is one of our duties to keep a watchful eye on their planning and spending and doing—an integral part of the governmental system of checks and balances envisioned by our Nation's Founding Fathers.

In discharging this duty, however, it behooves us to approach the task fairly and seriously, and—may I add—with courtesy, commonsense, and having always in mind the Golden Rule. We do not hold a mandate to stage a political circus. Nor are we authorized nor does common decency permit us to institute and carry on an inquisition or a persecution of those with whom we disagree.

In my opinion, based upon what has been learned of the investigations, upon what I know of the manner in which the hearings were conducted, the lack of orderly procedure which characterized the hearings, and the absence of evidence to sustain the findings, and the political philosophy which apparently motivated the conclusions expressed in the report, it is obvious that the purpose was to discredit private enterprise and the administration, lend support to the political ambitions of certain candidates, defeat the reelection of others.

The record is replete with facts indicating the witnesses were recruited with but one purpose in mind. They were biased. The record shows that the subcommittee refused to hear representatives of the executive agencies whose procedure was attacked, who were charged with violations of Federal law, until long after the charges were aired.

Private companies were pilloried, denied a hearing, an opportunity for rebuttal; unwarranted attacks were made upon individuals to whom credit—not discredit—is due.

The same subcommittee, on another occasion when holding joint hearings on timber with a Senate subcommittee, disclosed its determination to discourage those charged with improper conduct from presenting a defense and even from hearing firsthand the charges made against them. On one occasion, at Eugene, Oreg., officials and employees of the Department of the Interior were required to stand—be counted—and were then charged with a neglect of duty because they were attending hearings where they were numbered among the defendants, castigated, misused, and abused because they were not out in the field attending to their duties, but were listening, waiting an opportunity to be heard.

All but 1 of the 13 employees who were at the hearing were interested as individuals, as American citizens, as employees who were being criticized and who were on duty in the vicinity. The only one from Washington who was present was a representative sent out by the Department to assist in ascertaining the facts.

Mr. Chairman, the investigation, the hearings, the report are a shameful exhibition of misdirected congressional investigative activities—a reflection upon the intelligence, the fairness of the Congress. It is an insult to the intelligence and sense of fair play of the American people.

The investigations and the hearings held by this subcommittee show a studied, deliberate effort to lend substance to a groundless political attack upon Secretary of the Interior McKay, upon Under Secretary Davis, and back of that, upon the administration's policy of protecting enterprise, of checkmating nationalization of the power industry.

That the whole proceeding from its inception a year ago last February down to the present date was an attmept to create political propaganda, is shown by the fact that when Secretary Seaton was appointed by the President as Secretary of the Interior, his appointment was loudly praised by two Members of the other body.

Mr. DORN of South Carolina. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DORN of South Carolina. Mr. Chairman, it is my pleasure to announce to you that the delicious peaches now in the cloakroom were sent with the compliments of L. D. Holmes & Sons, of Stately Oaks Plantation, near Johnston, S. C. These peaches were on the tree at noon Tuesday. They were gathered by Mr. Holmes and sent directly to the United States Congress.

Mr. Holmes and sons are owners of one of the most modern and up-to-date peach orchards in South Carolina. It is located in the heart of the famous sand ridge section. Mr. Holmes has been one of the outstanding pioneer and diversified farmers in the history of the Southeast. He was named Master Farmer of South Carolina some years ago and is looked upon by many of us as the dean emeritus of South Carolina agriculture. Mr. Holmes has two fine sons who are also tremendously interested in agriculture and are following in the footsteps of their father.

Mr. Holmes is not only noted for his success in growing peaches but has been successful in the raising of cattle, cotton, truck, and corn. For a number of years he has urged the South to keep its fields green in the wintertime and not to depend on one crop.

Johnston is located in historic old Edgefield County. Edgefield County for a century and a half has been noted for its governors, senators, generals, and statesmen. Edgefield County now ranks high in the production of peaches, cattle, and pine trees, and I might add, Mr. Chairman, is still producing great Americans.

Mr. Chairman, I am happy to add that L. D. Holmes is a strong believer in our American form of representative government. He is a States righter and for a number of years has opposed socialism and centralization of government in Washington. I hope all of you will enjoy these fine peaches sent to you by a great American who is proud of his Congress and proud of his country. If any of you are visiting South Carolina, Mr. Holmes would be happy to have you drop by and see his beautiful home and splendid farm.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DORN of South Carolina. I yield.

Mr. GROSS. It is not necessary to sign a Southern manifesto in order to get one, is it?

Mr. DORN of South Carolina. There is no partisanship involved in this at all. This is from a great American to the Congress of the United States. However, I would like to see the gentleman from Iowa sign the manifesto.

Mr. LANHAM. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANHAM. Mr. Chairman, to answer the gentleman's question about signing the Southern manifesto, I think it would help a lot in the distribution of Mr. DORN's peaches, but as the gentleman from South Carolina has said, it is not necessary.

Mr. Chairman, I rose because apparently something I said on yesterday offended my good friend, the very genial and lovable minority leader, whom I would not offend for the world, the gentleman from Massachusetts [Mr. MARTIN]. He made a statement on the floor that I want to ask him to correct, and I am sure he will. He said, "While we are talking about inaccuracies, I want to say that the gentleman from Georgia made a false statement when he said that Robert Montgomery was training me or anyone else."

I did not make that statement. The gentleman was not on the floor, and I am sure he was misinformed about what I said. What I said was that I had heard that he had been under the tutelage of Robert Montgomery, and I thought maybe that accounted for the blooper he made on Monday, when he referred to General Motors.

I have stricken my entire statement about him from the RECORD, and upon mature consideration I am sure that the rumor was not true, and that the gentleman has not had any training in public speaking by Mr. Robert Montgomery, "or anyone else" as he says.

Mr. SIKES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, although my district is not directly affected, we who represent the great State of Florida are jointly concerned with the gravity of the threat of the Mediterranean fruitfly. We are seeking jointly to insure adequate funds from Federal appropriations to match State funds with which to carry on the struggle for eradication. This is indeed a serious matter which no person should take lightly. I now yield to one whose district is very directly affected, and who with the other members of our delegation has been active in seeking adequate funds.

Mr. ROGERS of Florida. Will the gentleman yield?

Mr. SIKES. I will be glad to yield to my colleague from Florida.

Mr. ROGERS of Florida. The Florida delegation wishes to express to the Appropriations Committee and in particular the Agricultural Subcommittee of the House Appropriations Committee, its profound gratitude and thanks from the people of Florida for its considerate understanding and help in setting up a program for the eradication of the Mediterranean fruitfly in Florida. When this emergency was brought to the attention of the Agricultural Subcommittee of the Appropriations Committee, hearings which had been closed were again opened so that we might present necessary testimony to show the need for an appropriation to start a quick eradication program. The Appropriations Committee was sympathetic and as a result funds were appropriated in the amount of $2,500,000 of which $2,175,000 was allocated for the Mediterranean fruitfly and the remainder for the fight on spreading decline.

Since this action of the Congress in approving the money, the Mediterranean fruitfly has spread from the first areas located until it is now in many parts of Florida, including the heart of the citrus industry. At the time we presented our problem to the Appropriations Committee we stated that if there was a spread of the Mediterranean fruitfly that more funds would be needed. The Department of Agriculture in recognition of this statement and under the conditions that now exist in Florida is requesting an additional $2,500,000 which is being approved by the Bureau of the Budget to be submitted to the Congress to carry on this very important program. It has been stated by Senator HOLLAND that he is making a request for the inclusion of this additional amount in the Senate bill and we are hopeful and urging that the Members of the House will approve the appropriation of these funds until the program has been successful in eradicating the Mediterranean fruitfly. I am sure that the Members of the House know that the entire southern one-third of the United States could be infested with this insect and cause untold damage.

The Florida delegation thanks the Appropriations Committee and the Members of this House for the fine help we have received and in closing would like to urge that you help us to bring this fight to a proper conclusion. Governor Collins advised me only yesterday that the State will do its share in matching these funds on a 50–50 basis.

Mr. CHUDOFF. Mr. Chairman, I rise in opposition to the pro forma amendment and ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CHUDOFF. Mr. Chairman, I am sorry that a long distance call from Philadelphia made it necessary for me to be called off the floor when the gentleman from Michigan started to tear apart the majority of the Public Works and Resources Subcommittee of the Committee on Government Operations in his usual manner. He has done it on numerous occasions during the session. I have no quarrel with him for it, because he has not agreed with the majority since we started out on the investigations during the past 2 years. However, I walked into the tail end of the complaint made by the gentleman from Michigan. So far as I could ascertain he was complaining bitterly that private power companies had not had an opportunity to be heard.

For the benefit of the Members of the House, although I do not know that they will have time to attend our hearings, let me say that on Monday we are going to give the private power companies of the Rocky Mountain States a chance to tell everything to the subcommitte, to tell us how they tried to influence and have influenced the Interior Department to wipe out the previous public power policy of the Government of the United States; and we are going to show by competent evidence and testimony that they did just that.

Mr. Chairman, I yield back the balance of my time.

Mr. SCRIVNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time merely to say that we have before us today a rather important appropriation measure, and much as I dislike to do so, I shall have to object to any further requests to speak out of order.

The Clerk read as follows:

BUREAU OF PUBLIC ROADS

Jones Point Bridge

For expenses necessary for the construction of a bridge over the Potomac River pursuant to the provisions of the act of August 30, 1954 (68 Stat. 963, 964), as amended, $14,325,000, to remain available until expended: *Provided,* That the unexpended balance of the appropriation granted under this head in the Second Supplemental Appropriation Act, 1955, is hereby merged with this appropriation: *Provided further,* That this paragraph shall be effective only upon the final consummation of agreements for the maintenance and operation of the bridge and approaches by the States of Virginia and Maryland.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: Page 4, strike out all of lines 1 through 13.

Mr. GROSS. Mr. Chairman, this amendment would stop the construction of a free bridge across the Potomac River from Alexandria, Va., to Maryland at the expense of $15 million to all the taxpayers of the country. I repeat that what is proposed here is to build a bridge from Alexandria, Va., to an unspecified point in Maryland, with the taxpayers of the country paying for it.

A few days ago enabling legislation passed the House of Representatives to construct a bridge from Constitution Avenue across into Virginia. That will entail the expenditure of $22 million to $24 million. I did not oppose that legislation because that will directly relieve traffic congestion, or I hope it will relieve congestion, in the District of Columbia.

This Alexandria bridge has nothing but an indirect connection with traffic in the District of Columbia. Let me read to you what the official report of the Appropriations Committee says in connection with it:

Insofar as the committee is advised, this is the first time Federal funds have been appropriated to cover the full cost of constructing a bridge between two States with neither end touching the District of Columbia.

It goes on to say it does not feel that approval of this appropriation establishes any precedent. Certainly it will establish a precedent if this appropriation is approved. It will be an open invitation to every Member of Congress to seek an interstate bridge, with the taxpayers of the entire country paying the freight.

To those who contend it will relieve the traffic congestion in the District of Columbia by building a bridge at Jones Point at Alexandria, Va., across over into Maryland, I ask how long it will be before someone comes in and seeks to justify the building of a bridge, at the expense of all the taxpayers of this country, somewhere along Route 301 that runs from Baltimore south to Richmond, or west of Norfolk crossing the Potomac River somewhere in between. Why should these people come in and ask the taxpayers of the entire country to build free bridges across other streams on that route in order to allegedly relieve the traffic congestion in the District of Columbia?

Mr. Chairman, only a few weeks ago a bridge was completed across the river on Highway 30 between Illinois and Iowa. That bridge was built out of private funds. When I go back to Iowa I will pay a toll to cross that bridge. I do not get across the Mississippi River into Iowa without paying a toll. A short time ago the bridge across the Mississippi River near Muscatine, Iowa, collapsed and my colleague from Iowa [Mr. SCHWENGEL] obtained legislative authorization for the construction of a new toll bridge with private money, mind you. I suggested to him at that time that he probably ought to wait until this bill came to the House floor, then he could probably justify asking for a free bridge, the cost of which would be saddled on all the taxpayers. I labor under no delusion about the support this will undoubtedly have on the floor of the House this afternoon, and so I wish my colleague from Iowa [Mr. SCHWENGEL] had waited until this appropriation passed so that he could offer a bill and then see if you are willing to underwrite the cost of bridges all over the Nation.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Ohio.

Mr. HAYS of Ohio. There is a lot of congestion on Route 40 at Wheeling, W. Va. If they are going to hand out these free bridges I would like to put in a bid for one over there.

Mr. GROSS. I think the members should also know that the State of Maryland is not even building the approach to the bridge on that side of the river. You are being called upon to spend a half million dollars for the Maryland approach to this bridge. These two States of Virginia and Maryland can build this bridge. Make it a toll bridge if you like. There are automatic devices today for the collection of tolls.

We have heard a great deal recently about private enterprise. It will be interesting to see how some members vote, for this is certainly a clear-cut issue as between private enterprise and a $15 million gravy train of Federal paternalism.

Mr. Chairman, I hope my amendment will be adopted.

Mr. PRESTON. Mr. Chairman, I ask unanimous consent that all debates on the pending amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, this subject has been thoroughly debated in this Congress and in the preceding Congresses. In fact for the last 4 years or more. The bridge was authorized in the 83d Congress. Then we came back during this Congress and amended the Bridge Authorization Act to improve the original legislation. It was considered, I believe, on two previous occasions by the Appropriations Committee. That committee delayed appropriations until we could get this perfecting legislation through the Congress.

Last year the Congress appropriated $600,000 to start planning of the bridge. Those plans are pretty well under way at the present time.

Mr. Chairman, this bridge is primarily for the benefit of the Nation's Capital. We have the greatest amount of river crossing here in the metropolitan area of Washington across the Potomac River than in any other section of the entire world, and this includes the Hudson River between New York and New Jersey. The construction of this bridge at Jones Point is to relieve some of this intolerable congestion of traffic here in the center of Washington. It is to pull the traffic around and get the majority of the truck traffic and some of this through traffic to by-pass the congested streets of Washington. Many of the Members of this body who live in Virginia have to use the 14th Street and the Memorial Bridges, and they know what I am talking about. And, I guess all the Members know about the congestion on Independence Avenue, 40 percent of which we can eliminate if we can get the construction of this bridge to by-pass Washington. As far as it not being in the District is concerned, it is technically a matter of feet. The bridge actually crosses the District in the Potomac River. If it was shifted 150 feet upstream, it would begin in Virginia and come into the District of Columbia, the same as the Central area bridge which was approved the other day.

Mr. Chairman, I hope there will be no further delay in the approval of these funds so that we can go on and proceed with construction. It is urgently needed. Any further delay will just further aggravate an already intolerable situation in the Nation's Capital. This is a metropolitan area problem, a National Capital problem, and not a situation to suit the people of Virginia or Maryland. The taxpayers of Virginia and Maryland are spending millions of dollars for the approaches to this bridge, so it is not that the Federal Government is paying 100 percent of it, except just the cost of the bridge itself. And, the States of Virginia and Maryland are going to share in the maintenance of the bridge.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Iowa.

Mr. GROSS. Can the gentleman tell me how many millions of dollars the taxpayers have paid for the bridges that span the Potomac and now serve his district?

Mr. BROYHILL. Do you mean in the metropolitan area?

Mr. GROSS. Jones Point is not in the metropolitan area.

Mr. BROYHILL. It most certainly is. In fact, every major plan for a solution of the traffic problem here in Washing-

ton calls for a circumferential belt boulevard around Washington, D. C., in order to alleviate the traffic right here in the Nation's Capital. It is not for the benefit of the people of Maryland and Virginia alone but also for all the people of the country that travel to the Nation's Capital.

I urge that this amendment be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Chairman, I rise in support of this amendment, and I want to point out to you some things that I think you might be overlooking. A good many Members of this House reside temporarily in northern Virginia, and I submit to you if there is any place in the United States that takes more away from the people and gives them less than that area, I would like to know where it is.

Now, this is a realistic proposition, and if we tax the taxpayers of the United States to build a bridge primarily to benefit this area of northern Virginia, it only means that the government down at Richmond would milk the taxpayers over in northern Virginia even more to build things down in southern Virginia. It is a known fact that they do not take care of northern Virginia. It is a known fact that the Federal Government has gone over there and built highways. If you want to get any highways out through those counties, the Federal Government has to build them. The States of Pennsylvania, Ohio, and New Jersey have built turnpikes, and they are channeling traffic into the city of Chicago by thousands and thousands of cars. Is the city of Chicago coming in and asking the Federal Government to do something about it? No. They are going to spend $80 million of their own money to provide exits from these turnpikes. I think it is high time that we call on the States of Virginia and Maryland to meet their obligations and build this bridge. There is just as much justification for building a bridge across the Potomac from Virginia to Maryland as there is for building a bridge in every State of the Union where a river is the State boundary line. If the taxpayers build this bridge across from Maryland to Virginia, I do not see any reason why they should not build one between New York and New Jersey across the Hudson or between West Virginia and Ohio across the Ohio and so on and on. I can see building a bridge from the District of Columbia into Virginia, and I voted for that, and I will continue to vote for it, but, members of the committee, you are setting a dangerous precedent when you put the Federal Government in the business of building bridges between States.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. DEVEREUX] for 3 minutes.

Mr. DEVEREUX. Mr. Chairman, I rise in opposition to the amendment principally to set the record straight. The gentleman from Iowa [Mr. GROSS] in offering his amendment suggested that perhaps this would lead to building a bridge over the lower Potomac connecting Maryland and Virginia on Route 301. I am happy to announce to the House that we do have a bridge over the river at route 301. So far as giving something to the State of Maryland is concerned, to set the record straight, actually the whole of the District of Columbia, as it now stands, was given to the Federal Government by the State of Maryland.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. LANKFORD] for 3 minutes.

Mr. LANKFORD. Mr. Chairman, there seems to be a little misunderstanding about the Jones Point Bridge. The gentleman from Iowa [Mr. GROSS] and the gentleman from Ohio [Mr. HAYS] spoke of the benefits to the State of Maryland and the State of Virginia. The gentleman from Ohio [Mr. HAYS] spoke primarily of benefiting northern Virginia. I cannot speak for the State of Virginia, but I can speak for my own State, the State of Maryland. We are happy to cooperate with the District of Columbia in building a bridge across the Potomac to relieve the traffic congestion in the District of Columbia. We will derive no appreciable benefit from the Jones Point Bridge other than that the citizens of Maryland will not have to cross the already crowded bridges across the Potomac in this area.

Concerning the fact that the bridge is not in the District of Columbia, I think if the gentleman from Iowa were to go up and down the Potomac River he would find that the shoreline of the District of Columbia is limited and that you can get only just so many bridges across. They had to go to the next best place to put it, since it could not be in the District of Columbia. So they put it between Jones Point and Alexandria.

This bridge is designed to take truck traffic through the Capital, off the streets of the Federal city of Washington and benefit all the millions of people who visit our Capital every year.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. LANKFORD. I yield to the gentleman from California.

Mr. MOSS. If my information is correct, I believe the officials of the District of Columbia protested underwriting any of the maintenance costs of the bridge because they contended that it would not materially aid in the traffic problem of the District of Columbia.

Mr. LANKFORD. I am not familiar with that, I might say to the gentleman, but I do know that the States of Maryland and Virginia will take care of the maintenance costs.

Mr. BROYHILL. Mr. Chairman, will the gentleman yield?

Mr. LANKFORD. I yield to the gentleman from Virginia.

Mr. BROYHILL. I will like to say in answer to the gentleman from California [Mr. Moss] that the District officials have always supported the construction of this bridge and have always pleaded for the construction of the bridge because it was necessary to alleviate the traffic congestion in the District of Columbia.

Mr. MOSS. Mr. Chairman, would the gentleman yield further at that point?

Mr. LANKFORD. I yield.

Mr. MOSS. My statement was not that they have opposed the bridge but that they oppose underwriting any of the cost of maintaining it because of lack of benefit to the District.

Mr. BROYHILL. The District Commissioners oppose sharing the cost of maintenance. The highway department agreed to share the cost of maintenance, not because it did not help the District of Columbia but under the same technicality on which the gentleman from Iowa is opposing the construction of the bridge.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. PRESTON] to close debate.

Mr. PRESTON. Mr. Chairman, I should like to direct my opening remarks to the gentleman from Iowa who propounded a question to me a few moments ago. At that time the answer I gave the gentleman was that there were several hundred thousand dollars unobligated with which this appropriation would be merged. I want to correct that. I have had a check made on that. The figure the gentleman used is correct. Five hundred thousand dollars is correct. While the money is not obligated, it is programed as planning money. So I want to get the record straight about the answer I gave the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield to the gentleman from Iowa.

Mr. GROSS. That makes the bridge then, approximately $15 million for the taxpayers to pay for.

Mr. PRESTON. The gentleman is correct.

Mr. GROSS. If the gentleman will yield for one more observation, I am not opposing this bill on the basis of a technicality, as the gentleman from Virginia said. I am opposed to the bridge, period.

Mr. PRESTON. May I say this as to the attitude of the subcommittee: The House has worked its will on this item twice before. We took the position that that was sufficient evidence of the sentiment of the House and approved the item in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 36, noes 65.

So the amendment was rejected.

The Clerk read as follows:

DEPARTMENT OF THE AIR FORCE

Military construction, Air Force

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Air Force as authorized by the act of September 11, 1950 (Public Law 783) by section 505 of the act of September 28, 1951 (Public Law 155), the act of July 14, 1952 (Public Law 534), the act of August 7, 1953 (Public Law 209), the act of April 1, 1954 (Public Law 325), the act of July 27, 1954 (Public Law 534), the act of September 1, 1954 (Public Law 765), the act of July 15, 1955 (Public Law 161), and of the Act of ——, 1956 (Public Law ——), without regard to sections 1136 and 3734, Revised Statutes, as amended, including hire of passenger motor vehicles, to remain available until expended, $1,228,000,000.

Mr. SCHENCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHENCK: On page 7, line 16, after the sum "$1,228,000,000" strike out the period and insert a semicolon and add *"Provided, however,* That no part of the appropriation contained herein may be used to construct a new building at Andrews Air Force Base for use as the headquarters building of the Air Research and Development Command."

Mr. SCHENCK. Mr. Chairman, I ask unanimous consent to revise and extend my remarks, and to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHENCK. Mr. Chairman, my amendment is, I believe, of great importance from many points of view.

It is practically impossible to overemphasize the importance of research and development, because this work determines the kind and effectiveness of our United States Air Force now and in the future.

The Air Research and Development Command has a twofold responsibility. It must carry on all the scientific research, development, and testing. It must also manage these projects so that they are properly put into production and use at the earliest practicable date. Hence, the saving of time in getting weapon systems into actual production and use is of very vital concern to every man, woman, and child in this Nation. If we are to believe all we hear about the great strides in developing and producing great new aircraft by our potential enemies then the work, responsibilities, and expeditious handling of these vital matters by the Air Research and Development Command become of prime importance to the safety and welfare of this Nation.

The actual scientific research, development, and testing of our air weapons is done by 10 Air Research and Development Command posts located in various sections of our country, each under a commanding general, who has been selected, with special care, and they are doing a superb job for all of us. The administrative and management functions, correlating all this work and cooperating closely with the Air Materiel Command to place the plans into production and use is the responsibility of the Air Research and Development Command headquarters which is now located in Baltimore in inadequate rented quarters.

Lieutenant General Power, Commander of ARDC, former Assistant Secretary of the Air Force for Research and Development, the Hon. Trevor Gardner, and others testified last year unequivocally and at considerable length in extensive hearings before a special subcommittee of the Committee on Government Operations and the Committee on Armed Services as to the most efficient and best location for this command headquarters. They pointed out that there is only one best location and that after the most thorough and careful consideration of a board of officers including the 10 commanding generals of the various posts, that their unanimous decision was to locate the ARDC headquarters on Wright-Patterson Air Force Base near Dayton, Ohio. All of these recommendations were further urged and approved by the R. A. Lasley Corp. of New York. This well known firm of industrial engineers made an extensive study of this problem over a long period of time. If anything need be said as to the qualifications of Lieutenant General Power, permit me to point out that he was personally selected by General Twining as one of the very small group of officers who recently visited Russia.

The House Committee on Armed Services, following a careful study of all this testimony, unanimously recommended that a new building be constructed for the ARDC headquarters on WPAFB, and the House approved their recommendations by the overwhelming rollcall vote of 316 to 2.

Permit me to say at this point, Mr. Chairman, that while I am very proud and happy with that action, I am most firmly convinced that this headquarters must be located at that one Air Force base which is in the best interest of the Air Force, the national defense, and the public interest, and that any special economic advantage which might be of benefit to a local community should receive no consideration of any kind.

The other body, for reasons best known to its Members, struck out the words, "Wright-Patterson Air Force Base" and inserted "at a location to be determined."

Secretary of the Air Force, Donald Quarles, announced on May 17 of this year that he had decided to move this headquarters to Andrews Air Force Base just outside the city of Washington. I was deeply shocked by this completely unwarranted action and told him so over the telephone. I told Secretary Quarles I felt he was completely wrong—that he had completely disregarded the testimony of his own officers who were best able to testify expertly on this matter—that he had also completely disregarded the action taken by the House Committee on Armed Services and by the Members of this House. Secretary Quarles gave me reasons which cannot be sustained by good judgment and said that his action was based on the approval of his air staff. I asked him if Lieutenant General Power, the man most directly responsible and concerned and the one who knows most about this problem, was a member of his air staff and joined in this approval, and he said "No."

Mr. Chairman, that this great Subcommittee on Appropriations recognizes the wrongness of this decision is amply shown in their report. I quote from page 34 of their report. "The committee still has some doubt that the immediate vicinity of the Nation's Capital is the best location for command headquarters of this type. The committee would have preferred that another location had been selected. However, since the decision was obviously made after considerable study had been given to the problem, the project has been approved somewhat reluctantly." Since the Committee on Appropriations feels this way, Mr. Chairman, they should accept my amendment.

Permit me to say further, Mr. Chairman, that I am reliably informed that the senior commanders of organizations charged with a major portion of the Air Force mission, such as TAC, SAC, ADC, ARDC, or AMC, have frequently expressed opposition to being located near Washington. They feel the farther away they are the better they are for the very simple reason that being located near here creates confusion rather than coordination. The personnel of the air staff are inclined to enter with the operating functions of the separate commands and the management of these separate commands are inclined to take over part of the responsibilities of the air staff.

I am also told, Mr. Chairman, that moving ARDC headquarters to Andrews will set off an unusual chain of events that will cost many more millions. I am told that a majority of the present training command will be transferred from Scott to Randolph; that headquarters of the training command will be transferred to Scott Field; that MATS headquarters will be moved from Andrews to Scott Field; and that ARDC headquarters will be moved into the present MATS headquarters until another new building can be constructed.

The net effect of this series of proposals is the increase in the number of organizations into the Washington area. Many of us believe, Mr. Chairman, that this is undesirable from the standpoint of vulnerability, concentration of more people and functions in this area, and the added millions of cost.

Therefore, Mr. Chairman, for all these and many other reasons which will occur to you, I urge the adoption of my amendment. I also urge that Secretary Quarles be required to personally appear before the Committee on Armed Services—justify any recommendations he may want to make to the satisfaction of the committee and obtain their approval before any appropriation is made for the moving of ARDC headquarters or for the construction of a new building at any location for their use.

Mr. Chairman, the point has been made that perhaps the matter of timing is important. General Power testified to that at some length on this phase of this matter and said that the matter of timing in the creation and development of a new headquarters building was of great importance. However, because of the situation which has developed, this has been unavoidably delayed. It will not help this situation now to move our research and development command headquarters to Andrews Air Force Base. If, however, the Secretary of the Air Force is required to appear before the Committee on Armed Services, and if he is able to prove to them that the location he selects is the proper location, and if he can gain the approval of the Committee on Armed Services, I will support such decision whether or not that location is in the district I have the honor to represent.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. SCHENCK] has expired.

Mr. MAHON. Mr. Chairman, I rise to seek an agreement limiting the time.

I ask unanimous consent that all debate on this amendment and all amendments thereto close in 12 minutes, and that I be permitted to have the concluding 4 minutes to speak.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. BOW. Reserving the right to object, how much time will that allow?

Mr. MAHON. Mr. Chairman, I modify the request to make it 15 minutes.

Mr. BOW. That is only 3 minutes to discuss a very important amendment. I object.

Mr. MAHON. Will the gentleman agree to 18 minutes?

Mr. BOW. Make it 20, and I will agree to it.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, the last 5 to be assigned to me.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. DEVEREUX].

Mr. DEVEREUX. Mr. Chairman, this, of course, has been a very controversial subject. The gentleman from Ohio, I think, would like to have the Air Research and Development Command located at Dayton. We of Maryland fought for having it remain in its present location in the city of Baltimore. Last year, however, when the matter was under consideration this body agreed to having the Air Research and Development Command moved out to Ohio. The other body disagreed. We then agreed in this body to the action taken by the other body that there would be further study made of the entire subject.

Further study has been made, made by people who came in with a fresh look, and the recommendation has been made that the Air Research and Development Command would not remain in Baltimore where I had desired it to remain but would be removed to Andrews Air Force Base.

So far as costs are concerned I must agree that the cost of establishing the Air Research and Development Command at Andrews would be much less than it would be to create an entirely new establishment in the city of Baltimore or close thereto.

One thing we must remember very thoroughly so far as the moving of this huge command is concerned is that if we move it just a short distance away, from Baltimore to Andrews, we will have those civilian employees following their employment. If we move it any great distance away there is no doubt in my mind whatsoever that we will lose many of those very highly skilled personnel who operate the Air Research and Development Command.

Mr. SCHENCK. Mr. Chairman, will the gentleman indicate the number of employees involved?

Mr. DEVEREUX. I do not have the number of employees at my fingertips.

Mr. SCHENCK. I think it is about 1,800.

Mr. DEVEREUX. 1,800 key people, I am certain.

The gentleman from Ohio has suggested that if the present Secretary of the Air Force can come back to the Armed Services Committee and justify his location that then it would be agreeable to him; I will go along with him on that; I will support that position. But that position is in direct opposition to the one the gentleman from Ohio is now taking which simply precludes location of the Air Research and Development Command at Andrews Air Force Base.

If the gentleman will withdraw his amendment and offer an amendment carrying out his latest proposition I will then go along with it.

The CHAIRMAN. The gentleman from Ohio [Mr. HAYS] is recognized.

Mr. HAYS of Ohio. Mr. Chairman, I had intended to ask permission to speak out of order on another matter, but it occurred to me in the course of debate on this amendment that perhaps I ought to point out the inconsistency of the gentleman who just preceded me, who was down here a few moments ago asking the taxpayers to spend a considerable sum of money to relieve congestion in the Washington metropolitan area while he is now down here trying to get you to move a facility in here which will increase the congestion. Then, of course, if they get enough of those in here in this prime target area they will be asking for more money to build bridges to relieve the congestion here and you will have a vicious circle.

I would support the position of my colleague from Ohio [Mr. SCHENCK]. It means nothing to me personally, it means nothing to my district because my district is almost as far away from Dayton, Ohio, as it is from Washington, D. C. There is not too much difference in the distance. So I have no personal interest in the matter.

Mr. Chairman, if there is any logical place in the United States for the location of this particular operation it certainly is at Wright Field, in Dayton, Ohio, because that is where all of the best brains on matters pertaining to air research are located. They have a tremendous investment there. It runs into the millions of dollars, I daresay into the billions. I believe this facility could be fitted in out there without too much trouble and it would be that much farther from the east coast which is a prime target area. You read the newspapers about dispersing industry and other things. As a matter of fact in this bill there is some money to take one of these facilities away from Washington. Now, to show how inconsistent we can get, they put money in the bill to bring another one back into Washington. It just does not make much sense to me.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. MILLER].

Mr. MILLER of Maryland. Mr. Chairman, this particular item illustrates the unfortunate situation that comes up in connection with some of these supplemental bills where we are considering nearly a billion and a half dollars in one chapter involving hundreds of projects all over the world which have required long hours of study by the committees concerned. It is unfortunate that time is limited on so many of these matters that are of really outstanding importance.

Mr. Chairman, I only wish to say briefly with respect to this particular item that there is no question in anyone's mind but what air research and development is one of the most urgent programs before us. Only recently in other legislation hundreds of millions of dollars were allocated and there was much discussion of the urgency of keeping abreast and ahead in the field of research and development, particularly as it affects airpower.

Any further delay after this matter has finally been determined by the Secretary of the Air Force, it would seem to me, is kicking the ball around. Local interests should not be considered, in my opinion, in a matter of such national importance. While I come from Maryland, it would have no impact whatever on my district. I am speaking merely as a member of the subcommittee that has formulated this particular chapter.

There is no more dedicated, no more able and qualified member of our Cabinet than Secretary Quarles. I am sure he is not influenced by sectional interests. He is only concerned in getting ahead with the job and doing it according the best judgment of himself and his advisers.

It would be a very great mistake to amend this section of the bill at this time. We have enough criticism as it is from Members of this body of attempts to legislate in appropriation bills. We have a situation where a decision has been made. Let us go on with the work. It is important to our national defense. The gentleman from Ohio spoke about so many brains in Ohio. To add to them might make it a more vulnerable target. Perhaps it might put too many brains in one basket and that may be a good reason for keeping some of those brains nearby.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Chairman, as has been stated, the House at one time did work its will and say that this facility should be located at Dayton, Ohio, which is the headquarters of the Materiel Command. All of the purchases of materiel for the Air Force are worked out at Dayton, at Wright-Patterson Field. This facility of air development works out the development of materiel. It would seem logical and proper that it should be located at the headquarters of the Materiel Command at Wright-Patterson, which is some miles away from my area and from my district in Ohio. However, may I also point out that by this act the $6 million going into the Andrews Air Force Field here in Washington is a

further foreclosure against the possibility of the use of Andrews Air Force Base for another airport or for civilian use in the city of Washington. We have discussed the Burke Airport and other airports. It would seem to me much wiser that we should move on to the Andrews Field, perhaps, the aircraft that are now flying out of Bolling Field, those that are now flying out of the airports here in Washington. You have a lot of military aircraft using these fields right adjacent to the National Airport and creating thereby a dangerous and crowded situation. Now, if we move the military onto Andrews Field, and these facilities where they would be close to the Air Materiel Command, it would seem to me it would make more sense. As I say, if we build this $6 million building at Andrews Field, we will be further foreclosing the possibility of the use of the field for which it was built. Therefore, I suggest that it is very important that this amendment be adopted and further consideration be given as to whether or not we will later on build this type of installation at Andrews Field.

Mr. SCHENCK. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Ohio.

Mr. SCHENCK. I would like to quote from General Powers' testimony last year before the Committee on Armed Services. He said, in specific reference to Andrews Air Force Base:

> Although Andrews is close to the major sources of policy and programing guidance, it does not permit, as Wright-Patterson does, the close supervision of the weapons systems and engineering standard functions that desire close cooperation with the Air Materiel Command nor a reduction in the communication and travel requirements.

Mr. BOW. I thank the gentleman. I submit to you that air research should be with the Materiel Command at Wright-Patterson Field in Ohio, and to accomplish that, that this amendment should be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. LANKFORD].

Mr. LANKFORD. Mr. Chairman, at the outset I want to announce that Andrews Air Force Base is in my district. I also want to make it perfectly clear that while I suggested Andrews to the Secretary, I was led to believe that it would not be considered. No one could have been more surprised than I when Secretary Quarles announced that ARDC was to be moved to Andrews Field.

Now, ARDC is a peculiar sort of air command. It may be true, as the gentleman from Ohio [Mr. HAYS] said, that the best military brains are at Wright-Patterson Field, but ARDC deals in a great measure with civilian scientists, and it has been brought out time and again that the civilian scientists prefer to be in this area so that they can work with the universities in this area and with the laboratories in this area. Now, ARDC is dependent a great deal on these civilian scientists, and I believe they would have difficulty in transporting them from here to Ohio. There were at least four studies taken as to where ARDC should be located, and each time they came up with a slightly different answer. It is true that Wright-Patterson was recommended, but for some reason or other the recommendation was never actively pursued. However, when Secretary Quarles announced his final decision that ARDC was to be based at Andrews Air Force Base, I heard no criticism of it at all until the gentleman from Ohio [Mr. SCHENCK] offered his amendment today. Certainly, the Secretary has had the benefit of these studies. He has had the benefit of expert advice of his staff and he made up his mind, taking all things into consideration, that Andrews Air Force Base was the place to locate ARDC. I feel that now is the time to settle the issue once and for all. Let us put it at Andrews and get it over with.

Mr. SCHENCK. Mr. Chairman, will the gentleman yield?

Mr. LANKFORD. I yield to the gentleman from Ohio.

Mr. SCHENCK. May I say to the gentleman from Maryland that the Secretary of the Air Force, Donald Quarles, knew exactly how I felt about it when he told me he was going to move this Air Research and Development Command headquarters to Andrews Air Force Base. I told him that his decision was completely wrong, because it completely disregarded the testimony of his own expert witnesses who know the most about this matter and it disregarded the action taken by the Committee on Armed Services of this House and the Members of the House.

I feel, Mr. Chairman, that for these reasons the decision of Secretary Quarles is completely and entirely wrong and that the Secretary should be required to obtain the approval of the Committee on Armed Services before the final action is taken.

Mr. LANKFORD. Mr. Chairman, may I remind the gentleman that what I said was that I heard no criticism of it. It may be perfectly true that the gentleman voiced his objection to the Secretary of the Air Force; but I heard no criticism of his final decision.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. MAHON] for 5 minutes, on behalf of the committee, to close debate.

Mr. MAHON. Mr. Chairman, if the Members have the hearings before them, they can turn to pages 331 and 332 and read the letter which Secretary Quarles wrote on May 17 to the gentleman from Missouri [Mr. CANNON], the chairman of the Committee on Appropriations, stating the reasons why he felt that this research and development headquarters should be at Andrews Field. Andrews Field was rejected at one time because it was so close to the Washington area and an attempt was being made not to bring additional important facilities into the Washington area. But the Secretary of Defense considered this matter of such vital importance that an exception was made and Andrews Field was recommended.

A quick look at the picture reveals that in the 82d Congress we authorized the headquarters for the Baltimore area. We thought at that time that it would be at Friendship. But negotiations broke down and the personnel went into a series of rented buildings where they have not been able to do a sufficiently effective job. Research and development is the most important activity, in many ways, of the Air Force. It is a very sensitive activity and yet officials of the Air Force do not have the physical setup in Baltimore to enable them to do the job that ought to be done.

At one time the Armed Services Committee recommended Wright-Patterson in Dayton, Ohio. The bill went to the Senate and apparently the Committee on Armed Services decided to take a neutral attitude. There were two sides to this picture. So it was suggested that funds be made available but that no site be specifically named, that it be left to the Department of the Air Force to select a site. That is what has happened.

I do not think any Member of Congress from Ohio or from Maryland has had the slightest effect on the decision reached by the Department of the Air Force. I do not believe that Secretary Quarles, the very able Secretary of the Air Force, has been motivated by any political considerations in making this determination. I think he made a good determination when he selected the location at Andrews.

These people do not have vast laboratories and machines. This is a headquarters. In this headquarters they coordinate the research and development activities all over the country, down at Patrick Field in Florida, the guided missile testing area, the facility up in Rome, N. Y., and the work at Wright-Patterson Field in Ohio, at Holloman Air Force Base in New Mexico, and at Edwards Air Force Base at Muroc, Calif. In the bill we provide for the headquarters at Andrews Field $6 million. That is the amount they requested.

I might agree if Wright-Patterson Field had been neglected and did not have adequate facilities and it was just a matter of going one place or the other, with no special difference, you might say, "Well, let's give Dayton some sort of facility," but that is not the case at all. The Government has at Wright-Patterson Field in facilities an investment of nearly a quarter of a billion dollars. In addition we have in this bill $21 million for Wright-Patterson Field. It has nothing to do with this research center. We already have that in the bill. We have a payroll at Wright-Patterson Field of in excess of $130 million a year. It is a prime atom bomb target. Certainly it almost ranks with the Capital as an atom bomb target. But there is no disposition on the part of anyone to sell Wright-Patterson Field short. At Andrews Air Force Base we have a $63-million investment, and we have all the necessary support activities at both places.

The proposed amendment would prevent building this headquarters facility at Andrews, and delay further the accomplishment of something that everyone has agreed is necessary. I urge rejection of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. SCHENCK].

The question was taken; and on a division (demanded by Mr. SCHENCK) there were—ayes 38, noes 45.

Mr. GROSS. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The Clerk read as follows:

SEC. 309. No funds appropriated for military construction shall be made available to the respective military departments in a manner so as to restrict the application of funds to any specific project or installation.

Mr. BROOKS of Louisiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Louisiana: On page 10, line 7, after the word "installation", insert *"Provided,* That no reserve military appropriations herein shall be used for purposes other than for reserve purposes."

Mr. BROOKS of Louisiana. Mr. Chairman, the purpose of my amendment is simply to require the funds which the committee has generously provided for Reserve purposes to be used for those purposes. I think this committee has done an excellent job. I have nothing but praise for the work that they have done. I have talked with them individually, and they have treated the matter of the Reserve activity seriously and earnestly and have done a grand job. I compliment everybody from the chairman, my good and distinguished friend, the gentleman from Texas, to the other Members from California, Florida, and the other States on this side of the aisle for the work they have done. But here is the situation, Mr. Chairman. We have had hearings on the Reserve activities. Last year in the Air Force, for instance, this committee provided $32 million in funds for the construction of Reserve installations. I see my good friend, the gentleman from Maryland, who is a member of the Reserve Subcommittee of the Armed Services Committee. He recalls the testimony. That money instead of being spent for Reserve installations was spent for other purposes due to the pressure for funds from the Air Force. As a result of that, instead of the Air Force Reserve installations receiving $32 million last year in funds, the Reserve installations of the Air Force only received $6 million in construction funds. That is putting our construction program far behind what it should be. Mr. Chairman, next year, beginning next August, the men coming out of the armed services are required by law to engage in active Reserve training. Unless we have facilities for them to train, we are going to have men coming out by the tens of thousands with no installations in which they can train. I am told that the Air Force is under pressure for funds, for combat funds, but we are going to wreck our Reserve program unless the money which this committee generously provided for Reserve is used for that activity.

I yield to my distinguished friend from the State of Texas.

Mr. MAHON. I am looking at pages 31 and 32 of the report and observe there that the committee provided in this bill for the Continental Air Command Reserve the sum of $40,219,000. The committee, in approving that money, expected it to be used for the Air Force Reserve program and for no other purpose. The committee feels that the Reserve program should not be neglected and that these funds should not be applied to other purposes even though they are integrated with other funds. While I cannot speak for the committee, the gentleman's amendment would tend to accomplish precisely what the committee understands will be done and should be done with these funds. As I understand it, you are merely saying that the funds we provided for the Reserve of the Air Force shall be used for that purpose and for no other purpose.

Mr. BROOKS of Louisiana. That is correct. Our difficulties are largely in the Air Force. We want Reserve money used for Reserve purposes.

Mr. MAHON. I have no objection to that although, as I say, I cannot speak for the committee.

Mr. BROOKS of Louisiana. I thank the distinguished gentleman from Texas for his valuable contribution to this discussion.

Mr. MAHON. The gentleman has discussed this matter with me and with members of the committee. I have discussed it with some of the officials of the Department of Defense. I see no reason why it should not be adopted. It merely clarifies the intent of the Congress.

Mr. BROOKS of Louisiana. It will not hurt a soul, but it will clarify the situation and it will guarantee that this money will be used the way it was intended to be used.

Mr. MILLER of Maryland. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. MILLER of Maryland. The purpose of the gentleman's amendment is very commendable, I think, and whether or not it is necessary as our distinguished chairman has said, I am not sure, but there is certainly no objection to the amendment on this side of the aisle.

Mr. BROOKS of Louisiana. I can assure the gentleman that those who believe the Reserve activities should continue will feel much better if it is placed in the bill.

Mr. MILLER of Maryland. I agree with the gentleman. I think it spells it out.

Mr. BROOKS of Louisiana. Thank you kindly.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to my distinguished colleague from Florida.

Mr. SIKES. I think my distinguished friend from Louisiana is to be commended for his zeal in this matter. He has always been keenly interested in the Reserve program and has contributed a great deal toward a sound Reserve program. What the gentleman is attempting to do is to make doubly sure, in fact, to insure that the intent of the committee is to be carried out.

Mr. BROOKS of Louisiana. That is exactly right. I thank the gentleman.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. DEVEREUX. Mr. Chairman, I have been honored to serve on the subcommittee headed by the gentleman from Louisiana. I must say that we are pretty intimately and well informed on the Reserve program. I think the amendment the gentleman has offered is very, very worth while, and I recommend its adoption.

Mr. BROOKS of Louisiana. I thank the gentleman.

Mr. Chairman, I ask for the adoption of the amendment.

Mr. HOSMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this subject applies equally to the operation and maintenance funds as to the capital outlay funds under discussion. Particularly at Reserve air bases where the upkeep of the equipment has a direct bearing, not only upon the safety of the Reserves, the weekend fliers, but upon the safety of the people whose homes are in the vicinity of these bases.

I hope the Department of the Air Force will continue its caution on the operation and maintenance problem, as well as the commendable capital outlay problem which the gentleman's amendment seeks to solve.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 10, line 7, strike out the period, insert a semicolon *"Provided further,* That nothing herein shall be so construed as to prohibit withholding or withdrawing funds for specific projects or installations when such projects or installations can be eliminated or deferred without adverse effect on the national interest."

Mr. SHEPPARD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. TABER. Mr. Chairman, I have offered this amendment to follow the language and the word "installation" on line 7. I have offered it because, although it is not as good as what I had in mind myself, it would permit the armed services to stop the use of funds upon projects that had gone sour or had been dropped because they were not needed any longer.

The way the language in section 309 reads they would not have the power to do that. No one else would have the power to do it, and it would be a menace to our whole military situation.

I am in hopes that the gentleman on the other side of the aisle will agree to accept this amendment. It is in the nature of a compromise. Frankly, it can be drawn so that it will not in the slightest degree be subject to a point of order, but I thought perhaps those who misconstrue the language that they have brought in here might be willing to accept this. I do not think it would be safe for us to pass this kind of a provision. For that reason I have offered this amendment and I hope it will be adopted.

Mr. SHEPPARD. Mr. Chairman, due to the fact that as far as I know the only complaint comes from Assistant Secretary McNeil and not from either of the three services, I insist upon my point of order.

Mr. TABER. Mr. Chairman, I do not think this is subject to a point of order. It does not call for additional duties. It is simply a limitation upon a restriction that is set up in the language. It is clearly germane to the language.

The CHAIRMAN. Does the gentleman from California desire to be heard on the point of order?

Mr. SHEPPARD. I merely wish to call the Chair's attention to the fact that it imposes additional duties and that it also is legislation on an appropriation bill.

The CHAIRMAN. The gentleman from New York has offered an amendment to which the gentleman from California has interposed the point of order that the amendment imposes additional duties and is legislation on an appropriation bill.

The Chair is prepared to rule.

In the opinion of the Chair the amendment proposed by the gentleman from New York does impose an additional burden upon the person administering the funds, and, therefore, constitutes legislation on an appropriation bill.

The point of order is sustained.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 10, line 7, before the period insert ", but this proviso shall not deprive the Department of Defense or its Comptroller or the Bureau of the Budget of any authority which they now have."

Mr. TABER. Mr. Chairman, this amendment will accomplish the same thing as the one I first offered. It will leave the proviso in such shape that the Department of Defense will not be helpless in its effort to stop the waste of money on projects that are not needed or that have gone sour because of situations outside of the country or which because of some change or some new invention have become entirely obsolete.

The language presently in the bill would require the Department of Defense to go right down the line and continue with a project that was not needed and was not desirable.

I ask that the amendment be agreed to.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. SIKES. My friend knows I have great respect for him, but would he not tell me if his amendment does not completely nullify the section so as to leave it meaningless?

Mr. TABER. No, it does not, if the statements that are made by the members of the committee are true that it does not mean anything at all and if they are trying to bring about the situation I have described and which the committee report said you wanted to accomplish, this would carry out just exactly that.

Also the gentleman from Texas when I had the floor previously indicated that he did not want to fix it so that such things as this could not be corrected.

If you want to have things in such shape that there is no control and no chance to save anything anywhere, you would object to the language I have suggested.

Mr. CHAIRMAN. I yield back the balance of my time.

Mr. SHEPPARD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is very rare that I find myself holding a viewpoint opposite from that of the gentleman from New York, but in this instance I have not been advised by Mr. McNeil to the degree that some other members of the committee appear to have been. However, I can say that no member of the three services I am referring to has expressed any objection to section 309.

The complaints of Assistant Secretary McNeil as to the effect of section 309 of the supplemental appropriation bill take two forms as set forth in his letter of July 7, 1956. In one instance, he says that this section would "appear to take away from the Department of Defense and the Bureau of the Budget every vestige of a possibility of controlling the manner in which the vast sums made available to the Department for military construction could be used." Secondly, he cites in an example, "when it is determined by the Bureau of the Budget and the Department of Defense that a proposed project is no longer required due to changes in the program, that most assuredly the committee does not want such funds to be wasted, and moreover, the Department should have the tools to prevent such waste when circumstances indicate that definite direct controls are necessary. The apportionment procedures as authorized by law have provided this tool in the past."

Let us examine these two complaints. First of all, as to the taking away of every vestige of possibility of controlling the manner in which the vast sums made available for military construction can be used. Section 3679 of the Revised Statutes provides the apportionment and authority for the Bureau of the Budget and the Department of Defense. The particular section relating to apportionment is incorporated in section 1211 of the General Appropriation Act, 1951. This section provides merely that "all appropriation of funds not limited to a definite period of time and all authorizations to create obligations by contract in advance of appropriations shall be so apportioned as to achieve the most effective and economical use thereof." The section provides that apportionment shall be distributed as the apportioning officers shall see fit, and shall be reviewed at least four times each year. As evidenced by the committee in its report, section 309 does not obviate this review authority. The committee states "that it is firmly convinced that the recommendations contained in both the bill and this report will result in substantial savings without in any way diminishing the needed administrative controls." These so-called needed administrative controls are the review authority which the Secretary of Defense and the Bureau of the Budget have and which the committee does not disturb in any way with section 309. Section 309 is primarily negatory legislation. It provides merely that in making apportionments to the several services, no apportionment can be made so as to limit the use of funds to a single project or installation. The committee has stated this quite clearly in the report, where it states "The committee believes that a proper and sensible approach to this matter would be a lump-sum apportionment for each service. Under this procedure, the individual services would prepare a specific list of items of construction which would be limited to projects authorized by law, approved for funding by the Congress, and determined by that military service to be currently valid requirements. A provision effectuating the procedure above outlined is included in the accompanying bill as section 309." In other words, Congress is merely asking that the Department of Defense make available funds to the several military services for their construction program in the same manner in which the Department of Defense and the Bureau of the Budget and the President request appropriations and program approvals of the Congress. Section 309 does not jeopardize or change in any way the review authority contained in section 3679 of the Revised Statutes.

The Secretary of Defense and the Bureau of the Budget have complete authority to deny the apportionment of funds to any project or installation as they see fit or to withdraw funds from any project for which they have previously apportioned funds as they might deem necessary. Section 309 merely effectuates the implementation of the construction program of the several services in exactly the same manner as these programs are recommended to the Congress.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent Mr. SHEPPARD was allowed to proceed for 3 additional minutes.)

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I will be very happy to yield to the gentleman.

Mr. TABER. Has the gentleman read the language in section 309, which states:

No funds appropriated for military construction shall be made available to the respective military departments in a manner so as to restrict the application of funds to any specific project or installation.

That would completely wipe out those provisions.

Mr. SHEPPARD. I have said to the gentleman, for whom I have a great deal of admiration, that his interpretation has not always been along the same lines that he is expressing here today. However, that is his privilege.

I would like to add this. Insofar as one member of the Committee on Appropriations is concerned, I am sick and tired of having a presidential message come up and gentlemen representing the Department of Defense make presentations to the Committee on Appropriations for specific requirements in support thereof, and then within 30 days changing their minds. That sort of operation is quite odoriferous, and I want no part of it.

Mr. MILLER of Maryland. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Maryland.

Mr. MILLER of Maryland. There seems to be doubt in the mind of the gentleman from New York, but is there any doubt in the gentleman's mind that in the course of carrying out the functions in regard to one of the items here the Secretary of a department could withhold funds from any project that becomes obsolete or undesirable?

Mr. SHEPPARD. Not under the act I refer to; certainly not.

Mr. MILLER of Maryland. Or under the language in section 309?

Mr. SHEPPARD. That is correct.

Mr. MILLER of Maryland. And that was the intent of the committee when it approved the language?

Mr. SHEPPARD. It was, and it was unanimous on the part of the committee for its approval.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from New York.

Mr. TABER. When you pass language subsequent to that, the other sections to which you refer, you wipe out the provisions of that section, provided they are different from the ones that existed before, and this language would control, and you would absolutely destroy the powers that exist.

Mr. SHEPPARD. I am very sorry I do not agree with the gentleman. I certainly have not taken this completely unto myself. I have faith in the wisdom of those with whom I discussed this matter and on some of whom the gentleman has relied for a good many years.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to say to the members of the committee that the effort of the Committee on Appropriations is to protect the integrity and the dignity of the Congress. We are in a very delicate situation, particularly with respect to the first amendment which was offered by the gentleman from New York, Mr. TABER. So far as I know, he is the only member of the Committee on Appropriations who shares the view which he has expressed. He makes an interpretation that is not the same as the interpretation made, insofar as I know, by other members of the committee.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. TABER. Well, how can the language of section 309 mean anything except that when an item is apportioned to a certain project it stays there? It must stay there. The previous laws would all be wiped out by this provision.

Mr. MAHON. Well, if Congress wants to preserve its integrity with respect to the judicial and executive branches, it must treat very lightly when it comes to this business of saying to the executive branch we appropriate money, we pass laws, but you ignore them if you wish.

We have provided additional funds for B–52 bombers and other Air Force purposes above the President's budget in our regular military appropriation bill. Well the President may withhold those funds, he may not expend them, but that is a highly controversial point. But, I will not vote for an amendment surrendering the appropriations authority of the Congress and say, "we appropriate the money, but if you decide differently, why, just do not use it or use it for other purposes."

Now, here is what we are getting at, if you will read the report. It makes it clearer than I probably will make it here. What the Defense Department has been doing has been unfair to the Congress, and we are trying to improve the situation and make both the Congress and the executive more effective. Officials come up here with their budget and they say "Gentlemen of the Committee on Appropriations, gentlemen of the Congress, we desperately need this money; we need it now; we need it forthwith." That is what they say. And, they supposedly know what they are talking about. But, we find that perhaps there has been a tongue-in-cheek operation, because after we give them this money which they say they so desperately need, they at times go back and review these same projects for months, maybe a year, before they take action, and they delay the program. The whole point is this, and what we are trying to compel them to do is this: Do not come up to Congress and ask us for any more money unless you need it, unless you know how you are going to spend it, unless you have sifted and resifted, considered and reconsidered it, unless you know that you need the project. Then present it. But they have not been doing that with us. They have come up here and said, "We want this blank check." They have not said that to us exactly that way, but that is what they have said in effect. Then they go back to the departments, and delay interminably. They delay the defense program. Then maybe Congress gets the blame for the delay when officials sit on these projects and do not use the funds which they have requested and which they said needed immediate action and about which they are doing nothing.

This provision I think will put them on the spot where they deserve to be. If they ask for the money and say they need it, they should use it unless the circumstances are very exceptional. They do not have to ask for it, if they do not want it. But they come in and tell us they want it. Then if we give it to them, let them move expeditiously and do what should be done. Of course, if the executive in his wisdom does not spend the money, that is up to him. But I do not want to put my approval or the approval of Congress on a process of agreeing that we surrender the appropriation power to the Executive.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. TABER. I have no objection to having accomplished what the committee in the report says it wants to accomplish. But I am satisfied that this provision goes way beyond that and absolutely destroys the control which we have for our protection.

Mr. MAHON. The gentleman is satisfied with his own view, but I do not think his view is shared by others on either side of the aisle.

Mr. TABER. I am inclined to think it would be by anyone who would study the language, read it carefully. The language is just as plain as it can be. It represents an absolute restriction. The money cannot be withdrawn; it must be spent.

Mr. MAHON. This does not repeal authority given in other acts.

Mr. TABER. Oh, yes, it does.

Mr. MAHON. It says that when they get the money for a project it shall be turned over to the service for expenditure on a lump sum basis. It does not say it in those words, but that is the intent.

Mr. TABER. It cannot be that way under any circumstances. That is not the interpretation you can put on the language. If we are not going to pay attention to what the language means, then I cannot do anything about it.

Mr. MAHON. If the members of the executive branch of the Government do not want to spend money on a project, they will not do it. That has been demonstrated before in both Democratic and Republican administrations.

Mr. SCRIVNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, apparently more confusion exists about this section than I had thought would exist. I thought I understood what we were trying to do when the language for section 309 was written.

As much as I dislike to make this suggestion, in view of the high regard I have for the gentleman from New York, [Mr. TABER], I would suggest that his amendment be rejected and that the present language in 309 remain as it is, with an admonition to the conferees that between now and the time we confer with the representatives of the other body, we rewrite section 309 so it will mean exactly what we intended it to mean.

Let us assume that the Department of Defense comes to us for military construction funds relating to Air Force Base X. On their justification sheets which they started to prepare perhaps 18 months before they finally get to us, they set out a list of items, and the estimated cost, providing, perhaps for a chapel, some barracks, maintenance shops, for a fueling system—any number of things which we refer to as line items. It is quite true that later on, after a period of 12 or 15 or 18 months, the need is changed; perhaps the mission of the base has been changed, so that the line items first asked for are no longer needed or some item is needed more urgently. So Air Force, for example will very properly say, "The line items we requested during the hearings are no longer needed and instead of those line items we did ask you for, we would like to provide some other items."

The big objection we found was that there was waste of time and money involved in some of the procedure. Before coming to us the Army, Navy, and Air Force Departments have justified to the Department of Defense that they have

need of certain line items, the Defense Department has justified before the Bureau certain line items, and the Bureau of the Budget has approved them, then these items come up to us for appropriations. These items have been previously cleared through the Committees on Armed Services. After they clear our committee, they are screened again in the Senate. Then we find that before the Bureau of the Budget and the Defense Department will release the construction funds for the Army, Navy, and Air Force they must again justify each one of these line items which have already been previously justified many times. We feel that that is too time-consuming and too much money is wasted in that. We felt that if the original screening had been properly done before presentation to Congress, these items should not need so much further screening. We felt that some of those steps should be eliminated and that once these items had been approved by the Department of Defense, and the committees of Congress, the money should be allocated to the Army, Navy, and Air Force in quarterly lump sums and then they should proceed from there with their construction without the above-mentioned repeated postcongressional reviews.

I have explained this subject, at least as I see it, and as indicated by the language in the report on page 12; therefore, I would suggest, much as I regret to do so, that the amendment offered by the gentleman from New York be defeated, and that the language be rewritten and returned to us in conference.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. MAHON. Mr. Chairman, will the gentleman yield for a limitation of time on this amendment?

Mr. TABER. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 6 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TABER. Mr. Chairman, I went before the Rules Committee. This provision in S. 309 unquestionably was subject to a point of order. Upon the agreement of the gentleman from Texas before the committee it was understood that he and I were to get together and we would try to work out some language that might be acceptable. We tried to do that. I contacted the clerk of the committee, I contacted the gentleman from Texas, and I have been unable to get any satisfaction whatever. For that reason I have offered this amendment as I drew it myself. I feel that the only thing we can do at this time is just to try to protect the Treasury as far as we can from language that I regard as a very serious menace.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Texas.

Mr. MAHON. The gentleman, feeling as he does, I certainly believe that it is his bounden duty to offer the amendment. I feel that way about it. I think the gentleman will agree that he and I worked together in an effort to come to some meeting of the minds. Various suggestions were submitted but we were not able to come to an agreement with members of the subcommittee and the full committee. It was just one of those things where the gentleman's interpretation is contrary to the interpretation of everyone else on the committee.

Mr. TABER. I hope the committee will adopt this amendment I have offered, because I feel it will protect the country and protect the appropriations we are making here. For that reason, I ask that the committee approve my amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I respectfully suggest that the recommendation of the gentleman from Kansas [Mr. SCRIVNER] be followed, and that the amendment be voted down at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 36, noes 56.

So the amendment was rejected.

The Clerk read as follows:

COMMISSION ON GOVERNMENT SECURITY

Salaries and expenses

For expenses necessary for the Commission on Government Security, including expenses of attendance at meetings concerned with the purpose of this appropriation, $600,000.

Mr. JONES of Alabama. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. JONES of Alabama: On page 15, after line 18, insert:

"PRESIDENT'S ADVISORY COMMISSION ON PRESIDENTIAL OFFICE SPACE

"Salaries and expenses

"For expenses necessary for the President's Advisory Commission on Presidential Office Space, $50,000: *Provided*, That this paragraph shall be effective only upon enactment into law of H. R. 12025, 84th Congress, or similar legislation."

Mr. JONES of Alabama. Mr. Chairman, this amendment is offered in order to cure a point of order which would occur in the bill H. R. 12025 now pending in the Committee on Public Works, which would provide for a President's Advisory Commission on the Presidential Office Space. This commission would be financed out of the President's appropriated fund. It would not increase the appropriation item. It simply authorizes the President to use from existing appropriated funds money for an activity which does not exist under present statute.

Mr. GROSS. Mr. Chairman, if the gentleman will yield, to what page does the gentleman's amendment apply?

Mr. JONES of Alabama. Page 15, on line 18.

Mr. GROSS. I thank the gentleman.

Mr. JONES of Alabama. Mr. Chairman, that is the purpose of the amendment as I have explained it.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I am glad to yield to my colleague.

Mr. ANDREWS. The gentleman from Alabama has discussed this amendment with me and with other members of our committee, and I understand with the ranking Republican members, and we have agreed to accept his amendment.

Mr. JONES of Alabama. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The amendment was agreed to.

The Clerk read as follows:

DISTRICT OF COLUMBIA AUDITORIUM COMMISSION

Salaries and expenses

For necessary expenses to carry out the provisions of the act of July 1, 1955 (Public Law 128), as amended by the act of April 27, 1956 (Public Law 491), to be available from October 25, 1955, and to be expended on the authority or approval of the Chairman of the District of Columbia Auditorium Commission, $150,000.

Mr. GROSS. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 19, line 9, strike out "$150,000."

Mr. GROSS. Mr. Chairman, this amendment would strike out $150,000 for the planning of an auditorium in the District of Columbia.

A few days ago the Committee on the District of Columbia brought in a bill, which I opposed, providing a foot-in-the-door for construction of an athletic stadium, also in the District of Columbia. I have no doubt, and I imagine most of the Members of the House will agree, that in the end the Federal Government, in other words the taxpayers of the Nation, will build both the stadium and auditorium. It seems to me we must draw the line somewhere. I am not going to belabor this amendment, for I have no doubt as to what will happen to the amendment, but am convinced there is enough private capital in the District of Columbia to finance the building of both a stadium and an auditorium. I am opposed to the taxpayers of the country being called upon to build this auditorium. I know of no auditorium being built with funds from the Federal Treasury in any other municipality in this country. Let this one be built as are others in Iowa and elsewhere through bond issues or other means of local financing.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in opposition to the amendment. I shall not take the 5 minutes, but I rise in opposition to this amendment as a Member appointed by the Speaker to the Auditorium Commission. The other Members of this House are the gentleman from Louisiana [Mr. MORRISON], the gentleman from Pennsylvania [Mr. KEARNS], the gentleman from Virginia [Mr. BROYHILL], the gentleman from New York [Mr. KLEIN]. Members of the Senate appointed by the Vice President, and others appointed by the President. The Commission has proceeded and has accomplished a prodi-

gious amount of work. We have had the services of the finest architectural firms in the United States, on a voluntary basis except for their actual costs only. This is not designed to be an auditorium for the District of Columbia. It is to be a national auditorium for the people of the United States. If this our Capital is to be the center of the free world, I think, and quite properly I feel, it should be the cultural center of the world.

This is not a new idea. It goes back to the days of President Grant. It has been a long and difficult fight to convince the Members of Congress of the need for recognition of the great culture which this Nation has. I feel it is of extreme importance. It is supported by both the majority and minority Members on the hill. By the President, by former President Truman, and so many other people that I would not impose on your time to name them all.

I urge the defeat of the amendment.

Mr. KIRWAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KIRWAN. Mr. Chairman, I rise in opposition to the amendment. This request is for $150,000 for planning an auditorium in this city. In the second supplemental appropriation bill, 1956, there was a request for $25,000 to cover expenses to date which was turned down. The people on the Commission apologized to the Congress at that time for spending money they never had to spend. The reason it was turned down was that they bypassed the House last year and went to the Senate. When they were informed that such proceedings started in the House, they were sorry they did it. The project authorization has been amended and they have submitted a new estimate based on a good plan.

We spent about $2,500,000 to get plans for the new Smithsonian Building. This auditorium is going to cost practically the same amount as the new Smithsonian, but the people connected with this auditorium are contributing their services free and the planning will cost us only $150,000.

I hope the amendment will not be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was rejected.

The Clerk read as follows:

Grants for hospital construction

Funds appropriated under this head in the Supplemental Appropriation Act, 1955, and all appropriation acts prior thereto, remaining unobligated on June 30, 1956, are hereby rescinded and ordered to be covered into the Treasury immediately upon approval of this act; funds appropriated under this head in the Department of Health, Education, and Welfare Appropriation Act, 1956, remaining unobligated on June 30, 1957, are hereby rescinded and ordered to be covered into the Treasury as of that date; and funds appropriated in the Department of Health, Education, and Welfare Appropriation Act, 1957, remaining unobligated on June 30, 1958, are hereby rescinded and ordered to be covered into the Treasury as of that date.

Mr. FERNANDEZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FERNANDEZ: On page 21, at the end of line 6, add a new paragraph as follows:

"PRESIDENT'S COMMITTEE ON EDUCATION BEYOND THE HIGH SCHOOL, EXECUTIVE OFFICE OF THE PRESIDENT

"For necessary expenses of the President's Committee on Education Beyond the High School, including services authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), at rates not to exceed $50 per diem for individuals; expenses of attendance at meetings concerned with the purposes of the committee; and actual transportation expenses and an allowance of not to exceed $12 per diem in lieu of subsistence while away from their homes or regular places of business, for persons attending conferences called by the committee: $300,000."

Mr. FOGARTY. Mr. Chairman, I reserve a point of order against the amendment.

Mr. FERNANDEZ. Mr. Chairman, the purpose of my amendment is to add to the bill the $300,000 which the President requested for his Committee on Education Beyond the High School. When he submitted his request our subcommittee found at the hearings on June 6 that the President had appointed his Committee last March, had allocated $50,000 from his emergency fund to initiate the work, but that no legislation had even been requested or submitted to authorize the appropriation of funds for its continuance. Without indicating that legislation was needed or desired, the President said in his message to Congress on the 12th of last January:

Our vision would be limited if we failed at this time to give special thought to education beyond the high school. Certain problems exist now in this field, and already we can foresee other needs and problems shaping up in the future. Higher education is and must remain the responsibility of the States, localities, and private groups and institutions.

But to lay before us all the problems of education beyond high school, and to encourage active and systematic attack on them, I shall appoint a distinguished group of educators and citizens to develop this year, through studies and conferences, proposals in this educational field.

Through the leadership and counsel of this group, beneficial results can be expected to flow to education and to the Nation in the years ahead.

In his very excellent message the President was echoing the concern of the entire country for the dearth of college graduates in science, engineering, and other skilled professions, and this concern about the problem is continuing and increasing to this date. On April 12 the New York Times said in a news item:

Recently, a subcommittee of the Congressional Joint Atomic Energy Committee reported it had found that the Soviet Union already had more scientists and engineers available than the United States. Moreover, Russia was graduating more than twice as many additional ones each year as the United States, the report said.

For a considerable time now many magazine articles have appeared by eminent writers deploring the situation and emphasizing the need for action. The Commissioner of Education, Dr. Brownell, presented a good case for this appropriation of $300,000 for the work of the President's Committee in fiscal 1957.

Unfortunately our committee was confronted with the fact that there was no authorizing legislation.

I think the administration in all this time has been derelict in failing to send to the Congress legislation to authorize the appropriation for this committee which as I say was appointed since last March. Perhaps the Congress has been derelict, but I for one assumed that, when he announced in his message to Congress that he would appoint such a committee, the President had the necessary authority to provide the funds for it, or to have them provided. Certainly the Bureau of the Budget, which passes on these requests for appropriation before they are submitted, should have realized the predicament this situation puts us in. Frankly, I do not know who is to blame.

The fact remains there is no authorizing legislation and consequently our committee could not put that item in the bill.

While we were interrogating witnesses in the committee, the committee made inquiry as to whether or not this appropriation could be made under the general law setting up the Office of Education, and whether then the funds could be used in connection with this committee of eminent citizens which the President has appointed. It was found, however, that no matter how we put the language in the bill it would still be subject to a point of order. This is particularly so because we found on inquiry that an old statute enacted back in 1909 and still on the statute books prohibits the use of any funds for the payment of any such commission unless authorization is made therefor. That statute reads as follows:

No part of the public moneys, or of any appropriation made by Congress, shall be used for the payment of compensation or expenses of any commission, council, board, or other similar body, or any members thereof, or for expenses in connection with any work or the results of any work or action of any commission, council, board, or other similar body, unless the creation of the same shall be or shall have been authorized by law; nor shall there be employed by detail, hereafter or heretofore made, or otherwise personal services from any executive department or other Government establishment in connection with any such commission, council, board, or other similar body. (Mar. 4, 1909, ch. 299, sec. 9, 35 Stat. 1027.)

Mr. Chairman, I think I express the feeling of the members of the subcommittee when I say that we regretted there was no way by which we could put in this appropriation without its being legislation on an appropriation bill; we regretted we could not honor this request by the President. It is unfortunate and, as I say, there has been dereliction in not presenting to the proper committee and to Congress for consideration legislation which would authorize this item.

I hope sincerely that the gentleman from Rhode Island will withdraw his point of order, and that other gentlemen in the House will not make the point of order, so that we can have this appropriation included in the pending bill.

Mr. FOGARTY. Mr. Chairman, I insist on the point of order that this is not

authorized by law and that the gentleman's amendment is legislation on an appropriation bill.

The CHAIRMAN. The gentleman from New Mexico [Mr. FERNANDEZ] has offered an amendment which has been reported by the Clerk. The gentleman from Rhode Island [Mr. FOGARTY] has made the point of order that this appropriation is not authorized.

The gentleman from New Mexico in his remarks on his amendment stated that authorization had not been had, and that it was not authorized by law.

Therefore the Chair sustains the point of order.

The Clerk read as follows:

EXTENSION AND REMODELING, STATE DEPARTMENT BUILDING

For expenses necessary for planning, and the extension and remodeling, under the supervision of the General Services Administration, of the State Department Building, Washington, D. C., and for expenses necessary for providing temporary office space, including payment of rent in the District of Columbia, alterations, purchase, and installation of air-conditioning equipment, to remain available until expended, $44,920,000, to be transferred to the General Services Administration.

Mr. ROONEY. Mr. Chairman, the second item in chapter IX of this bill for the Department of State, International Fisheries Commission, appropriates the amount $620,000, the full amount requested by the Bureau of the Budget, to continue and expand on a joint international basis with Canada, the sea lamprey control and research activities conducted since 1947 by the Fish and Wildlife Service of the Department of the Interior.

Over the past several years the parasitic sea lamprey has all but destroyed the trout population in Lake Huron and Lake Michigan, while the trout population is presently falling off rapidly in Lake Superior due to the spread of this lamprey eel. The loss to the United States and Canada in trout and other valuable fish is presently estimated to be $5 million annually. The committee unanimously felt that ample justification was made for the allowance of this $620,000.

Included under chapter IX, at page 22 of this bill is an item of $964,000 for claims of the Vatican City, to be transferred to the Secretary of the Treasury for payment as authorized by recent law. These claims are for damages to properties of the Vatican City which occurred during World War II.

The final item at line 5, page 22 is entitled, "Funds Appropriated to the President, President's Special International Program." This request was in the amount by $9 million. The committee reduced this amount by $4,312,600. The amount allowed will continue the President's Special International Program of artistic and athletic presentations abroad and participation in international trade fairs. The amount contained in this bill $4,687,400 is the same amount as appropriated for fiscal year 1955 and also for fiscal year 1956, less the amount requested for the United States Information Agency. The committee was told that from $1,240,000 to $1,700,000 of previously appropriated funds for this program would be unexpended as of June 30, 1956.

The sum of $312,600 was requested for the United States Information Agency, principally for promoting and publicizing this program. The committee is of the opinion that this Agency should be able to carry on this work within its regular annual appropriation which is in the amount of $113 million for the fiscal year 1957, and therefore, directs that no part of the funds recommended herein be allocated to the United States Information Agency.

The testimony before the committee reveals that of the $229,738 available to the United States Information Agency from this fund for fiscal year 1956, the sum of $120,615, or over 52 percent, was expended for entertainment. Large amounts of the USIA funds were used for the purchase of tickets which were given away to people to attend the performances. If the performers or companies sent abroad were of such consequence that free tickets had to be given away at Government expense for them to have an audience they should not have been sent in the first place. For example, the Agency expended $3,000 of the taxpayers' money to purchase tickets to present to people free of charge to listen to the Los Angeles Symphony Orchestra in Tokyo.

It is inconceivable that a Government agency would even consider a payment of $23,000 for royalties in connection with a touring play, in addition to all the other costs of an overseas tour. Nevertheless, such is the case, as an examination of the hearings will disclose.

The committee expects that all agencies in any way connected with this program will correct the loose financial operations pointed out in the report of the General Accounting Office and the investigative report of this committee, and take the necessary action to prevent their reoccurrence in the future.

It might be appropriate if the attention of the House were called to certain parts of the printed hearings with regard to how this program has been functioning under President Eisenhower. The following are excerpts from the hearings before the subcommittee:

PAYMENT OF ROYALTIES FOR TEAHOUSE OF THE AUGUST MOON

Mr. ROONEY. What was the figure you gave a while ago with regard to Teahouse of the August Moon for royalties?

Mr. BATSON. This is an estimate. The only information which I have is contained on this little piece of paper which I have here, which is simply a memorandum to help me here, and it shows an item of royalties of $23,000. If I am not mistaken, that item has subsequently been taken out of the cost.

Mr. ROONEY. I should hope so.

Mr. BATSON. I was reading to you in the budget figures that were presented here originally. Actually, I do not believe the cost items that we have received on this show any payment for royalties.

Mr. ROONEY. Did anyone in the Department of State agree at one time to pay $23,000 of Government money for royalties in connection with these performances in South America?

Mr. BATSON. No, sir; we did not.

Mr. ROONEY. How did it get on this sheet?

Mr. BATSON. In this particular case, no, sir, but it would have in others. It is possible we would include that in our budget. You see, we are underwriting the losses of the productions that are going abroad. We have to take that into account in deciding how much support they will get from the Government, and we take into account all of their expenses.

Mr. ROONEY. In connection with that, did you approve paying at least a share of the $23,000 for royalties?

Mr. BATSON. No, sir.

Mr. ROONEY. Then how did that figure get on your sheet?

Mr. BATSON. We assume in figuring up the total cost of the project in order for us to determine how much underwriting we will give that we will have to take into account all of the expenses no matter what they are of this group so we will know how much we would put in it.

DIFFICULTY IN GETTING FACTS

Mr. ROONEY. Before the company started for South America, you had to have an approval of the Department; did you not?

Mr. BATSON. Yes, sir.

Mr. ROONEY. In arriving at this approval, was there submitted to you an item of $23,000 for royalties?

Mr. BATSON. There certainly was, yes; but we did not agree to pay it.

Mr. ROONEY. You did not agree to pay that? To pay exactly $23,000? Do I understand you correctly?

Mr. BATSON. The point is that the figures which I read to you were those on which we based our original approval of a certain amount of money to underwrite the losses.

Mr. ROONEY. How much did you approve?

Mr. BATSON. We have not approved——

Mr. ROONEY. Just a minute, now. How much did you approve insofar as ANTA was concerned?

Mr. BATSON. I do not understand.

Mr. ROONEY. Well, there must have been an approval because the company is on the road now.

Mr. BATSON. We approved $151,000 to get the project started.

Mr. ROONEY. What was the total cost? Will you please repeat that figure?

Mr. BATSON. $268,000.

Mr. ROONEY. In arriving at the total cost of $268,000 there was included $23,000 for royalties?

Mr. BATSON. That is correct.

Mr. ROONEY. You certainly can play with words.

Mr. BATSON. However, sir, the estimates coming in and the amounts going to it do not include items for royalties. As I understand it, the royalty payment has been waived, but I will find out about that, and submit a statement for the record on it.

(The statement referred to follows:)

"In estimating the total costs for this project, an item covering royalties was included in figures considered. The author claims 10 percent of the box office receipts. On the basis of anticipated income for the tour, it was estimated that total royalties would amount to approximately $23,000. Royalties actually due from box office receipts amount to $1,805.91 for the first 6 weeks of this tour."

* * * * *

FUNDS REQUESTED FOR ORCHESTRAS

Mr. ROONEY. There is not much sense in talking about a budget presentation such as is outlined at page 8 of the justifications, where we find such buckshot approaches as for "orchestras" in the amount of $421,000.

Are you not able to tell us the breakdown of that figure?

Mr. BATSON. No, sir.

Mr. ROONEY. Wait a minute. I believe that figure was for 1955. Let us get to 1957. Let us change the amount to $546,000. You cannot give us any breakdown of that?

Mr. BATSON. No, sir, because we do not know what orchestras would be willing and able to undertake overseas tours next year.

Mr. ROONEY. How did you arrive at the figure of $546,000? Why is it not $545,000?

Mr. BATSON. We simply try, based upon the best information we have at hand, to estimate in a general way what we would like to do, and I cannot say that the cost will be exactly this figure. It probably will not be. It may be probably a little more or less or may be considerably more or less, depending upon what we are able to get.

As an example of orchestras, we sent the New Orleans Symphony Orchestra on a tour of Latin America. There were several orchestras under consideration for that tour that would have liked to have made the trip, but the New Orleans Orchestra, however, came up with a budget which showed that the citizens of New Orleans were putting $20,000 into this tour. So, this made it much more financially feasible to use them, and we selected them at a considerable savings.

DRAMA AND MUSICAL COMEDY GROUPS

Mr. ROONEY. With regard to the $609,000 for the drama and musical comedy groups, do you have any breakdown as to that?

Mr. BATSON. No, sir.

Mr. ROONEY. How many groups are involved?

Mr. BATSON. We do not know, sir.

Mr. ROONEY. You do not know anything about the size of the companies?

Mr. BATSON. No, sir; we do not know what will be available and what the cost will be.

Mr. ROONEY. You do not know how much the impresarios would get out of it?

Mr. BATSON. We certainly do not; no, sir; we could not predict that at this time.

Mr. ROONEY. You do not know how much the royalties would be?

Mr. BATSON. No, sir; it would vary.

Mr. ROONEY. With regard to "musical groups" in the amount of $558,000, the same answer would apply?

Mr. BATSON. Yes, sir.

DANCE GROUPS

Mr. ROONEY. And as to the $444,800 for "dance groups" would the same answer apply?

Mr. BATSON. Yes, sir.

Mr. ROONEY. That amount intrigues me. Why is it not $444,700 instead of $444,800?

Mr. BATSON. I cannot answer that, sir.

INDIVIDUAL ARTISTS

Mr. ROONEY. For individual artists you have the figure of $202,200. Does the same answer apply to that request?

Mr. BATSON. Yes, sir.

SPORTS ACTIVITIES

Mr. ROONEY. For the sports activities you have a nicely rounded figure of $200,000. Would the same answer apply?

Mr. BATSON. Yes, sir.

* * * * *

AMERICAN INDIAN CULTURE

Mr. ROONEY. I am sure you will pardon my cultural ignorance, but exactly who is "Tom Two Arrows" on whom you would spend $1,800 in entertainment money?

Mr. SEEBACH. He is an Indian who with his wife puts on demonstrations of the American Indian culture, dances, songs, legends, stories, history, religion, and all the rest of it. He has been enormously successful. He has drawn huge crowds at comparatively little cost and in an area where the missions are practically nonexistent.

Also, because of the nature of his act and his personality, he has been able to go out into the smaller cities and even in some cases villages to entertain and bring an entirely different picture to these people in the relationship of the American people and Indians.

Mr. ROONEY. Have you seen his act?

Mr. SEEBACH. No, sir.

Mr. ROONEY. Have you seen it?

Mr. STREIBERT. I have read post reports on it and they are very enthusiastic about the act. As you know, there is a great interest abroad in the American Indian.

Mr. ROONEY. Is this one act?

Mr. STREIBERT. He is a whole show.

Mr. ROONEY. Is it a sight act? Do you understand what I mean? Does anybody here know what a sight act is?

Mr. SEEBACH. You mean it has to be seen? He does that, too.

Mr. ROONEY. I thought that was a common term in the theatrical business.

Mr. SEEBACH. It is.

Mr. ROONEY. It appeared you had never heard it before.

Mr. SEEBACH. I have heard it before, yes, but I didn't quite understand what you meant by it. A sight act generally speaking in the vaudeville sense can be one which is even a dumb act as far as that is concerned.

Mr. ROONEY. Of course, they are performers who can work in any country in the world.

Mr. SEEBACH. That is right. He is not, in that sense, because he sings. A lot of it is sight—dancing, and, of course, music goes along with this, too.

Mr. ROONEY. Does he speak any language other than English, do you know?

Mr. SEERBACH. I don't know.

Mr. ROONEY. Where did you have him performing?

Mr. SEEBACH. All over India and Pakistan.

Mr. ROONEY. What is the percentage of the people who speak or understand English in India?

Mr. STREIBERT. It is the principal language.

Mr. ROONEY. English is the principal language in India?

Mr. STREIBERT. Yes, sir.

Mr. ROONEY. It would appear that Tom Two Arrows performed in New Delhi, Karachi, and Rangoon according to the allocation chart; is that correct?

Mr. STREIBERT. Yes, sir

Mr. SIVARD. And many other places.

ENGLISH LANGUAGE IN INDIA

Mr. ROONEY. I am surprised at your answer, Mr. Streibert, in regard to English being the principal language in India. I had occasion recently to request some research from the Library of Congress. The latest population figure they have for India is 377 million. They refer me—when I say "they" I mean the Library of Congress—to an article in the New York Times of September 24, 1955, entitled "English Tongue Declines in India."

The article states:

"English has always been the language of the tiny elite group in India. Only about 2 percent of the people understand it."

Mr. STREIBERT. That is correct.

Mr. ROONEY. I am at at loss to jibe your previous statement with the New York Times quotation.

Mr. STREIBERT. Well, the 2 percent are those who can pay admission prices, and who are in positions of authority. They say the tiny elite is 2 percent, and that sounds like a tiny percentage, but when applied to 360 million people, it represents a large number of people to reach.

FUNDS SPENT IN INDIA FOR ENGLISH-LANGUAGE BROADCASTS AND ENGLISH MEDIUMS

Mr. ROONEY. How much is the USIA expending in taxpayers' funds in India for English-language broadcasts and English mediums?

Mr. STREIBERT. There are no English-language broadcasts directed at India.

Mr. ROONEY. Is it not unusual, if most of the people understand or speak English, that you would not have broadcasts directed there?

Mr. STREIBERT. I did not say that most of them were. You just testified yourself that only 2 percent spoke it.

Mr. ROONEY. What did you say?

Mr. STREIBERT. I said they were the important people, but I did not say they were the most of the people.

Mr. ROONEY. What was your original statement?

Mr. STREIBERT. I said it was the leading language there. It is the language of the government. They are trying to substitute another language and they are having some riots. I believe, in Bombay as a result of imposing another language on the public.

Mr. ROONEY. Do you have the answer to that, Mr. Posner?

Mr. POSNER. No, sir.

Mr. ROONEY. Will you insert that information at this point in the record?

Mr. POSNER. Yes, sir.

(The matter referred to may be found on p. 739.)

COSTS OF PROPAGANDA, IN THE ENGLISH LANGUAGE, IN CERTAIN COUNTRIES

Mr. ROONEY. At the same time, you might insert a statement with regard to the extent in dollar costs of propaganda, including broadcasts, if any, in the English language, and all the other phases of the program in English, dircted to Egypt, Iran, Pakistan, and India.

We shall insert it at this point with regard to these four countries rather than at the point where I referred to India particularly.

Mr. POSNER. Yes, sir.

(The matter referred to follows:)

"Estimated costs of media products prepared in the English language for certain countries—Estimated obligations, fiscal year 1956

"Egypt:	
"Produced in the country	$10,034
"Radio broadcasts (VOA)	4,700
"Supplied from Washington or regional press centers	68,932
"Total	83,666
"Iran:	
"Produced in the country	3,185
"Radio broadcasts (VOA)	2,798
"Supplied from Washington or regional press centers	25,394
"Total	31,377
"Pakistan:	
"Produced in the country	51,215
"Radio broadcasts (VOA)	918
"Supplied from Washington or regional press centers	91,228
"Total	143,361
"India:	
"Produced in the country	118,673
"Radio broadcasts (VOA)	8,659
"Supplied from Washington or regional press centers	328,941
"Total	456,273

"COMMITTEE NOTE.—The Library of Congress Legislative Reference Service reported estimate of percentage of population understanding the English language: Egypt, 3 percent of the population; Iran, less than 1 percent of the population; Pakistan, 2 percent of the population; and India, 2 percent of the population."

* * * * *

ENTERTAINMENT EXPENSES, JOSE LIMON TROUPE

Mr. ROONEY. How much did you expend in connection with entertainment for the Jose Limon Troupe on a visit to South America?

Mr. STREIBERT. $84.28.

Mr. ROONEY. Go ahead. What is that figure down in the right-hand corner?

Mr. STREIBERT. $2,084.71.

Mr. ROONEY. What was that for?

Mr. STREIBERT. There was $2,000.43 for free tickets in 3 cities. This was the first project out of the President's funds, occurring in November 1954, when it was sent down to two

cities in South America where the International Conference was going on at the time, and I assume that that large sum for free tickets was in connection with the delegates to the International Conference, which was one of the main reasons for sending the troop down there.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask a question or two concerning this appropriation of almost $45 million for the State Department. What are you proposing to do, recondition the old building?

Mr. ROONEY. Mr. Chairman, in answer to the gentleman's question, I should say that it is the committee's intention to extend the present building at 21st Street and Virginia Avenue so as to complete a full block.

Mr. GROSS. This has nothing to do with reconditioning the old building?

Mr. ROONEY. No. The State Department at the present time is located in 29 different places and buildings in the District of Columbia. This would bring that Department and the International Cooperation Administration all together under one roof and should result in substantial savings to the taxpayer, not only with regard to rents which they are now required to pay, but also in maintenance and efficiency.

Mr. GROSS. I wonder if the gentleman can tell me how many of the new offices will be equipped with $27 waste baskets?

Mr. ROONEY. We have not gotten to that point. I may say to the gentleman I raised that question myself during the course of the hearings.

Mr. GROSS. I know the gentleman did.

Mr. ROONEY. Money for furnishings is not included in the instant appropriation at page 21 of this bill.

Mr. GROSS. Can we hope then that the wastepaper baskets will only cost perhaps 5 or 10 dollars?

Mr. ROONEY. I would hesitate to venture an opinion at this time. I would like to see what sort of wastepaper basket they will claim they need, then appraise the request as of that moment, and base the allowance on the then current purchase price.

Mr. GROSS. If the gentleman, as chairman of the subcommittee, would ask the State Department to bring one over to the hearings, I would appreciate it.

Mr. ROONEY. I may have one brought to the gentleman's office. He may have great need for it over there. They might be able to make him a present of it.

Mr. GROSS. I would very much appreciate it if the gentleman would let me know when he has one on display, because I would like to see one.

Mr. SIEMINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hope that in the plans of the new State Department building that the architects consider somewhat the sense of the American people in that the building be not designed to look like an office building such as we have in several places; that it contain a little of the conventional and less of the monolithic type of structures that have been put up in the world during the thirties.

The Clerk read as follows:

TREASURY DEPARTMENT

BUREAU OF ACCOUNTS

Salaries and expenses

For an additional amount for "Salaries and expenses", $82,000.

Mr. SIKES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SIKES: On page 22, line 23, insert a new paragraph:

"BUREAU OF THE MINT

"Salaries and expenses

"For an additional amount for salaries and expenses, $3,500: *Provided*, That this paragraph shall be effective only upon enactment into law of House Joint Resolution 569, 84th Congress, or similar legislation."

Mr. SIKES. Mr. Chairman, I think a very few minutes will suffice to explain the purpose and the propriety of this amendment.

As my colleagues well know, 95 years ago this great land of ours was split asunder by a terrible conflict. That conflict raged for 4 years and left much of our country ravaged and destroyed.

But, from the bitterness which brought on that conflict and from the ashes of its destruction, we have built together a new, united, and powerful nation; a nation in which we all stand together and face resolutely forward; a nation which is the pride and the hope of the world. Of the hundreds of thousands of men who fought in that great conflict, only four are alive today. Time is running out and in a little while they, too, will be gone. Then the stillness of that once mighty but tragic conflict will be complete.

I believe that you my colleagues join me in a heartfelt desire to accord some measure of recognition to these valiant few. I recall to your attention the fact that House Joint Resolution 569, which passed the House several weeks ago, would provide for a medal to be struck and presented to each surviving veteran of the War Between the States. I am advised that it has just been passed unanimously by the Senate. However, no further action can be taken toward carrying out the provisions of House Joint Resolution 569, which I introduced, unless funds are provided.

I have here a letter from the Acting Secretary of the Treasury, the Honorable David W. Kendall, which states this:

> The Treasury Department would have no difficulty in carrying out the provisions of this bill if the necessary appropriations were provided for that purpose. It is estimated that the dies for a suitable medal could be manufactured for $1,500, and that the gold and manufacturing charges on each medal manufactured would be $500, based upon a weight of approximately 12 troy ounces.
>
> The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this report to your committee.

Therefore, I have submitted my amendment to provide the funds which are required. I am assured by the Bureau of the Mint that action will speedily be taken to provide the medals for presentation if it is adopted.

I realize, Mr. Chairman, that it would be in the orderly procedure to submit this matter at a later date; but, Mr. Chairman, we may not have time to wait. The youngest of these 4 veterans is 108. If we intend to honor these fine old gentlemen who survived that great struggle, let us do it now.

Mr. GARY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I heartily endorse the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. SIKES].

The amendment was agreed to.

The Clerk read as follows:

Salaries and expenses, Division of Disbursement

For an additional amount for "Salaries and expenses," $175,000.

INTERNAL REVENUE SERVICE

Salaries and expenses

For an additional amount for "Salaries and expenses," $750,000.

Mr. O'HARA of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA of Illinois: Page 23, after line 10, insert the following:

"STRIKING OF GOLD MEDAL FOR GUSTAF E. LAMBERT

"For striking a gold medal for Gustaf E. Lambert in recognition of his service in the interest of humanity and science in connection with the yellow fever investigations in Cuba, as authorized by the act of February 28, 1929 (45 Stat. 1409), as amended by the act of July 2, 1956 (Public Law 644), not to exceed $350."

Mr. O'HARA of Illinois. Mr. Chairman, this is a small item in the measure of money, but it is rich in sentiment. It seems appropriate that it should be taken up at the time when we have given consideration and adoption to an amendment according recognition of our affection to the surviving veterans of the War Between the States.

It was the Spanish-American War that brought together as servitors in the Army of our country again the North and the South.

In the Spanish-American War, again fighting together under the Stars and Stripes, were veterans of the Armies of the Union and of the Confederacy.

The uniform that the Spanish War veterans wore after the war—and we were proud of it—combines in its colors the blue and the gray.

In the Spanish-American War period down in Cuba Maj. Walter Reed was experimenting with the dread disease of yellow fever. They were volunteers, inoculated, who took the risk of death in order that yellow fever, as a plague, might be crushed out. The experiments were successful, and one of the most dreadful of contagious diseases was conquered by the science of medicine.

In 1929 the Congress passed a law honoring Maj. Walter Reed and those who had been associated with him in those experiments, providing that they should be placed on the honor roll and should be given gold medals and should receive a pension of $125 a month.

But one name was omitted, the name of Gustaf Lambert. A soldier nurse, Gustaf Lambert had volunteered. He was not inoculated because of Reed's insistance that Lambert's services as a nurse were indispensable to the success of the experiments. Not a single patient under Lambert's care died from yellow fever. He took a tremendously perilous risk. He performed an outstanding service. He was a hero in every sense of the word.

Col. James Hamilton Lewis, himself a veteran of the Spanish-American War, and then a Member of the other body from Illinois, introduced a bill to put Gustaf Lambert's name on the honor roll. It passed the other body, but reached the House at a time similar to now, when adjournment was near at hand, and so was lost in the scramble.

For 27 years Gustaf Lambert carried on his fight for recognition. But time was marching on, there was so much in the present to demand attention, and the records of the Spanish War period were few and scattered. Lambert did a prodigious amount of work in gathering the records. In the early months of 1956 he was stricken with a serious illness. He was 82, frail, and at the time desperately ill. I want to thank, from the bottom of my heart, the members of the Committees on Armed Services of both bodies who cooperated so magnificently in bringing out H. R. 5590 and engineering its enactment into law. H. R. 5590, which on July 2, 1956 became Public Law 644, at long last placed the name of Gustav Lambert on the honor roll where it should have been when the law of 1929 was enacted. I wish especially to thank the great American now presiding as Chairman of the Committee of the Whole, Mr. KILDAY, who was chairman of the subcommittee having H. R. 5590 under consideration, also John Blandford of the professional staff, and Maj. Vernon McKenzie, of the Office of the Surgeon General of the Army.

Under Public Law 644 Lambert was to receive the special gold medal voted in 1929. I had contacted the mint and had been informed that the old die for the medal had been located. But to make the medal 7 ounces of gold were required, and there was no appropriation. Gold is worth $35 an ounce. There will be some small expense, I imagine, for work. The amendment I have offered appropriates not to exceed $350. The actual expense I am sure, will be less.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from New Jersey.

Mr. CANFIELD. I think the gentleman's amendment is very timely and very meritorious. I believe it quite appropriate that it be proposed by the only gentleman in this body who served in our Armed Forces in the War with Spain.

Mr. O'HARA of Illinois. I thank the gentleman from New Jersey. He has been a friend indeed.

Mr. GARY. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Virginia.

Mr. GARY. I concur in the gentleman's amendment.

Mr. O'HARA of Illinois. I thank the gentleman and very greatly appreciate the fine lift he has given to the effort to make possible this long-delayed recognition of one of the real heroes of our country in a day now long past.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

ARE WE INDESTRUCTIBLE?—IS THE FUTURE OF OUR NATION SECURE?

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

In the hope that facts which would assist me to vote more intelligently might be obtained, on February 7, 1955, I introduced a privileged resolution seeking information.

The resolution went to the Armed Services Committee which reported unfavorably thereon but quoted a letter from Richard A. Buddeke, director of legislative programs, Department of Defense.

The questions asked and the answers from the Department read as follows:

1. (a) Approximately how many military installations employing five or more individuals who receive compensation or maintenance from Federal funds are now maintained by the Department of Defense outside the continental limits of the United States of America?

1. (a) Approximately 950 military installations.

1. (b) (1) Approximately how many individuals are employed in such installations and (2) at approximately what cost?

1. (b) (1) Approximately 167,000 civilian employees outside the United States, plus approximately 218,000 civilians who are employees of foreign governments engaged under contracts with the United States. The 218,000 does not include 124,000 Germans paid from deutschemarks.

1. (b) (2) Approximately $601,699,000 per annum.

2. (a) Approximately how many individuals eligible to be assigned to combat service and who are compensated from Federal funds are in the service outside of the continental limits of the United States of America?

2. (a) Approximately 1,370,000 military personnel. This figures excludes female military personnel.

2. (b) Approximately how many individuals eligible to be assigned to combat service and who are compensated from Federal funds are in the service within the continental limits of the United States of America?

2. (b) Approximately 1,602,000 military personnel. This figure excludes trainees with less than 4 months' service, seriously hospitalized personnel, female military personnel, and conscientious objectors.

3. What is the approximate cost of the civilian employees who are supporting those named under section 2 (a) and (b)?

3. Approximately $4,530,276,000 per annum. This figure excludes costs for an average of approximately 25,000 employees of the Corps of Engineers and excludes costs in relation to the 124,000 Germans referred to in 1 (b) (1) above who are paid from deutschemarks.

4. What is the approximate (a) volume in long tons and (b) value in dollars of the supplies, both military and nonmilitary, needed per year to maintain those named in section 1 (a) and (b) and in section 2 (a) and (b)?

4. (a) Approximately 4,100,000 long tons.

4. (b) Approximately $3,300,000,000.

The foregoing, of course, is in addition to our foreign aid program into which we have already poured over $50 billion. Presumably future expenditures for the purposes indicated in the above answers may be included in the thirty-odd-billion dollar defense bill.

Sure, we are a rich, great, and powerful Nation. But is it not just possible that we are overextending ourselves? That we will, by our attempt to police and educate the whole world, lose our freedom and our prosperity just as effectively as we might by armed conflict?

Mr. CANFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, when the Treasury Department-Post Office Department appropriations bill was before the House on February 7, last, I made the following statement with reference to the Federal Bureau of Narcotics:

I desire now to say a few words about a small bureau in the Treasury Department currently operating under an annual appropriation of about $3 million and doing an heroic job to prevent the flow into our country of illicit narcotics and to stamp out with the cooperation of State and local authorities drug addiction in the United States which unfortunately is now increasing monthly.

The Federal Bureau of Narcotics has approximately 250 enforcement agents. A report recently filed by Senator DANIEL on behalf of a Senate committee states that New York City alone has more full-time narcotics agents than the Federal Government. This report holds that a minimum of 50 additional agents should be provided at the earliest possible moment.

Two years ago I called to my office here on Capitol Hill, Mr. Chapman Rose, Assistant Secretary of the Treasury, having jurisdiction over this Bureau, for a discussion of the national narcotics problem and I then suggested that he take up with the President the formation of an interdepartmental committee to review all phases. This was done. While our committee has allowed in this bill all the funds requested by the Bureau of Narcotics for the new fiscal year, we did not have before us during the hearings or at the time of our markup, the first report of this interdepartmental committee. This report was publicized only yesterday.

The committee, consisting of members of the President's Cabinet, recommends stiffer prison terms, more enforcement agents, and a greater coordination of Federal-State drives to combat illicit traffic in narcotics. In releasing the report, President Eisenhower urged early and effective action on all fronts to stamp out this awful menace.

Commissioner Harry Anslinger, who heads the Federal Bureau of Narcotics, and who, all students of the problem agree, is the world's greatest authority on narcotics addiction, has ofttimes told our committee, and he did so again this year, that there are too many courts prone to mete out low sentences. He emphasizes that where stiff sentences are imposed the traffic usually moves to areas where sentences are not so severe. The Commissioner feels that it is definitely the responsibility of the Federal Bureau of Narcotics to help foreign police break up international gangs sending this stuff to our shores and to do everything possible to prevent its entry, also to get the interstate traffiker, leaving local enforcement to State and municipal authorities. Our committee has said repeatedly in its reports that unless there is real honest-to-goodness enforcement on the State and local level we are never going to win this important battle.

In the 32 years I have been living and working in the Nation's Capital City, I have never been shocked more than when it was

developed about 2 years ago that the officer in charge of the Metropolitan Police Department's narcotics squad was charged with being part and parcel of a dope racket. It pleases me now to hear of the dedication of the present chief of police and his officers and men to meet this challenge and do a good job. It pleases me also that the courts of the District of Columbia have in recent years taken a more realistic approach and are handing out stiffer sentences.

It is my hope that on the basis of the recommendations made by the President's Interdepartmental Committee and the Daniel's committee in the Senate the Treasury Department will without delay make recommendations to the Congress for stiffer prison terms for violators of the narcotics laws and will come before our committee with a request for funds for an increased number of enforcement agents. Meanwhile, Federal authorities should exercise the proper leadership in obtaining stronger Federal-State and local cooperation. Commissioner Anslinger tells us that he is receiving reports of 1,000 additional addicts each month. That is 1,000 too many, and the Congress must do its part in meeting this challenge.

Mr. Chairman, since I made that statement, the Congress has passed and sent to the President a bill providing improved enforcement procedures and more severe penalties. Furthermore, the Boggs Subcommittee of the House Ways and Means Committee has received the unanimous approval of the full committee of its recommendation that there be a buildup in the Federal Bureau of Narcotics of 75 additional agents during the new fiscal year and 75 additional agents thereafter. The distinguished gentleman from Tennessee, Chairman COOPER of the full committee, has directed a letter to the distinguished gentleman from Missouri, Chairman CANNON, of the Appropriations Committee, urging that necessary funds be provided. A like letter was forwarded by the distinguished gentleman from New York [Mr. REED], ranking member of the House Committee on Ways and Means.

I have discussed the situation with the distinguished gentleman from Virginia, Chairman GARY, of our subcommittee on appropriations for the Treasury and Post Office Departments, and he indicated his immediate readiness to hold hearings on any supplemental request from the Treasury Department for such personnel. He emphasized that the full budgeted request of the Department for fiscal year, 1957, was allowed and repeated assurances given in the past that any new request, properly documented, would receive our subcommittee's favorable consideration.

Because of the Interdepartmental Committee's own appraisal of the situation and its finding that more agents are necessary, I find myself at a loss to understand why the Department, with the support of the Bureau of the Budget, has not submitted a request to the House Appropriations Committee for these needed agents and as one member of the committee extremely anxious that our country step up its fight against illicit narcotics and reduce drug addiction, I trust that these executive agencies of our Government will not delay further appropriate action on their part.

It has disturbed me no end to learn from budget sources in recent days that the efforts of the Federal Bureau of Narcotics to obtain 50 additional agents for fiscal year, 1957, were rebuffed and the final request for appropriate funds permitted additional employment of only 16 men.

One of the first approaches to the problem of illicit supply is the ferreting out and jailing of foreign gangs operating in Europe and the Near East. Currently, for this purpose, the Bureau under existing appropriations finds itself able only to send 4 men abroad to cooperate with foreign police, 2 in the Near East and 2 in Europe, while the number could easily be many times this figure.

The narcotics situation in the New York, Chicago, Los Angeles, and Texas areas now requires additional agents and I believe it is time for the Treasury and the Bureau of the Budget to send to the Senate the proper request for additional funds which can be inserted in the second supplemental appropriation bill now before us. If such is done, I am sure that the Gary committee of which I am privileged to be the ranking minority member will do its part in conference with the Senate.

The Clerk concluded the reading of the bill.

Mr. CANNON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KILDAY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. CANNON. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GROSS moves that the bill H. R. 12138 be recommitted to the House Committee on Appropriations with instructions to the committee that the appropriation of $14,325,000 for the Jones Point Bridge be stricken out and the bill be reported back to the House forthwith.

Mr. CANNON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 25, nays 370, not voting 37, as follows:

[Roll No. 100]

YEAS—25

Budge	Kearney	Scrivner
Coudert	Kilburn	Short
Dies	LeCompte	Smith, Wis.
Gross	McVey	Taber
Haley	Mason	Taylor
Hays, Ohio	O'Konski	Westland
Hoffman, Mich.	Rogers, Tex.	Williams, N. Y.
Jonas	Schenck	
Jones, Mo.	Scherer	

NAYS—370

Abbitt	Brooks, La.	Dollinger
Abernethy	Brown, Ga.	Dondero
Adair	Brown, Ohio	Donohue
Addonizio	Brownson	Donovan
Albert	Broyhill	Dorn, N. Y.
Alexander	Burdick	Dorn, S. C.
Alger	Burnside	Dowdy
Allen, Calif.	Bush	Doyle
Allen, Ill.	Byrd	Durham
Andersen, H. Carl	Byrne, Pa.	Edmondson
	Byrnes, Wis.	Elliott
Andresen, August H.	Canfield	Ellsworth
	Cannon	Evins
Andrews	Carlyle	Fallon
Arends	Carrigg	Fascell
Ashley	Cederberg	Feighan
Ashmore	Celler	Fenton
Aspinall	Chase	Fernandez
Auchincloss	Chatham	Fino
Avery	Chelf	Fisher
Ayres	Chenoweth	Fjare
Bailey	Chiperfield	Flood
Baker	Christopher	Flynt
Baldwin	Chudoff	Fogarty
Barrett	Church	Forand
Bass, N. H.	Clark	Ford
Bates	Clevenger	Forrester
Baumhart	Cole	Fountain
Beamer	Colmer	Frazier
Becker	Cooley	Frelinghuysen
Belcher	Coon	Friedel
Bennett, Fla.	Cooper	Fulton
Bennett, Mich.	Corbett	Gamble
Bentley	Cramer	Garmatz
Berry	Crumpacker	Gary
Betts	Cunningham	Gathings
Blatnik	Curtis, Mass.	Gavin
Blitch	Curtis, Mo.	Gentry
Boggs	Dague	George
Boland	Davidson	Gordon
Bolling	Davis, Ga.	Grant
Bolton, Frances P.	Dawson, Ill.	Gray
	Dawson, Utah	Green, Oreg.
Bolton, Oliver P.	Deane	Green, Pa.
	Delaney	Gregory
Bonner	Dempsey	Griffiths
Bosch	Denton	Gubser
Bow	Derounian	Gwinn
Bowler	Devereux	Hagen
Boykin	Diggs	Hale
Boyle	Dixon	Halleck
Bray	Dodd	Hand

Harden	Macdonald	Rogers, Mass.
Hardy	Machrowicz	Rooney
Harris	Mack, Ill.	Roosevelt
Harrison, Nebr.	Mack, Wash.	Rutherford
Harrison, Va.	Madden	Sadlak
Harvey	Magnuson	St. George
Hays, Ark.	Mahon	Saylor
Hayworth	Mailliard	Schwengel
Healey	Marshall	Scott
Hébert	Martin	Seely-Brown
Henderson	Matthews	Selden
Herlong	Meader	Sheehan
Heselton	Merrow	Shelley
Hess	Metcalf	Sheppard
Hiestand	Miller, Calif.	Shuford
Hill	Miller, Md.	Sieminski
Hillings	Miller, Nebr.	Sikes
Hinshaw	Miller, N. Y.	Siler
Hoeven	Mills	Simpson, Ill.
Holifield	Minshall	Sisk
Holland	Mollohan	Smith, Kans.
Holmes	Morano	Smith, Miss.
Holt	Morrison	Smith, Va.
Holtzman	Moss	Spence
Hope	Moulder	Springer
Horan	Multer	Staggers
Hosmer	Mumma	Steed
Huddleston	Murray, Ill.	Sullivan
Hull	Natcher	Talle
Hyde	Nicholson	Teague, Calif.
Ikard	Norblad	Teague, Tex.
Jackson	Norrell	Thomas
James	O'Brien, Ill.	Thompson,
Jarman	O'Brien, N. Y.	Mich.
Jenkins	O'Hara, Ill.	Thompson,
Jennings	O'Neill	N. J.
Jensen	Osmers	Thompson, Tex.
Johansen	Ostertag	Thomson, Wyo.
Johnson, Calif.	Patterson	Tollefson
Johnson, Wis.	Pelly	Trimble
Jones, Ala.	Perkins	Tuck
Jones, N. C.	Pfost	Tumulty
Judd	Philbin	Udall
Karsten	Phillips	Utt
Kean	Pilcher	Vanik
Kearns	Pillion	Van Pelt
Keating	Poage	Van Zandt
Kee	Poff	Vinson
Kelly, N. Y.	Polk	Vorys
Kilday	Powell	Vursell
Kilgore	Preston	Wainwright
King, Calif.	Price	Watts
King, Pa.	Prouty	Weaver
Kirwan	Quigley	Whitten
Klein	Rabaut	Widnall
Knox	Radwan	Wier
Knutson	Rains	Wigglesworth
Krueger	Ray	Williams, Miss.
Laird	Reece, Tenn.	Williams, N. J.
Landrum	Reed, N. Y.	Willis
Lanham	Rees, Kans.	Wilson, Calif.
Lankford	Reuss	Wilson, Ind.
Latham	Rhodes, Ariz.	Winstead
Lesinski	Rhodes, Pa.	Withrow
Lipscomb	Richards	Wolcott
Long	Riehlman	Wolverton
McCarthy	Riley	Wright
McCormack	Rivers	Yates
McCulloch	Roberts	Young
McDonough	Robeson, Va.	Younger
McDowell	Robsion, Ky.	Zablocki
McGregor	Rodino	Zelenko
McIntire	Rogers, Colo.	
McMillan	Rogers, Fla.	

NOT VOTING—37

Anfuso	Eberharter	Passman
Barden	Engle	Patman
Bass, Tenn.	Hoffman, Ill.	Priest
Bell	Kelley, Pa.	Scudder
Brooks, Tex.	Keogh	Simpson, Pa.
Buckley	Kluczynski	Thompson, La.
Burleson	Lane	Thornberry
Carnahan	Lovre	Velde
Cretella	McConnell	Walter
Davis, Tenn.	Morgan	Wharton
Davis, Wis.	Murray, Tenn.	Wickersham
Dingell	Nelson	
Dolliver	O'Hara, Minn.	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Dolliver for, with Mr. Keogh against.

Until further notice:

Mr. Kluczynski with Mr. Lovre.

Mr. Anfuso with Mr. McConnell.

Mr. Morgan with Mr. Nelson.

Mr. Thompson of Louisiana with Mr. O'Hara of Minnesota.

Mr. Dingell with Mr. Scudder.

Mr. Passman with Mr. Simpson of Pennsylvania.

Mr. Patman with Mr. Velde.

Mr. Priest with Mr. Wharton.

Mr. Engle with Mr. Cretella.

Mr. Barden with Mr. Davis of Wisconsin.

Mr. Bell with Mr. Hoffman of Illinois.

Mr. BONNER, Mr. MACK of Illinois, Mr. ABERNETHY, and Mr. CANFIELD changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

INCREASING RATES OF COMPENSATION FOR SERVICE-CONNECTED DISABILITIES

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12038) to provide increases in service-connected disability compensation and to increase dependency allowances, as amended.

The Clerk read as follows:

Be it enacted, etc., That (a) all monthly wartime rates of compensation payable under public laws administered by the Veterans' Administration for disability less than total (not including special awards and allowances, dependency allowances, or subsistence allowances), are hereby increased by 10 percent.

(b) All rates of compensation increased by subsection (a) shall be further adjusted upward or downward to the nearest dollar, counting 50 cents and over as a whole dollar.

(c) In adjusting the rates of peacetime disability compensation under part II of Veterans Regulation No. 1 (a) because of the increases provided in subsection (a) and the adjustments provided in subsection (b), such rates shall be further adjusted upward or downward to the nearest dollar, counting 50 cents and over as a whole dollar.

(d) Paragraph II (j) of part I of Veterans Regulation No. 1 (a) is amended to read as follows:

"(j) If and while the disability is rated as total the monthly compensation shall be $225."

(e) The maximum rates of compensation set forth in paragraph II (k), II (o), and II (p) of such part I are increased to $450 per month.

(f) The rate of compensation payable under paragraph II (l) of such part I is increased to $309.

(g) The rate of compensation payable under paragraph II (m) of such part I is increased to $359.

(h) The rate of compensation payable under paragraph II (n) of such part I is increased to $401.

SEC. 2. (a) The basic rate of compensation provided by section 202 of the World War Veterans' Act, 1924, as amended, for any disability rated as total is hereby increased to $225 per month.

(b) The rate of compensation payable under section 202 (3) of the World War Veterans' Act, 1924, as amended, for the loss of the use of both eyes is hereby increased to $309; the rate payable under that section for the loss of use of both eyes and one or more limbs is hereby increased to $401; the rate payable under that section for double total permanent disability is hereby increased to $401: *Provided*, That in no event shall the rate of compensation received hereunder plus the amounts payable under any other provision of the World War Veterans' Act, 1924, as amended, exceed $450 per month in any case.

SEC. 3. (a) The act entitled "An act to provide increases of compensation for certain veterans with service-connected disabilities who have dependents", approved July 2, 1948 (Public Law 877, 80th Cong.), is amended by adding at the end thereof the following new section:

"SEC. 6. All rates of additional compensation established by this act are hereby increased by 10 percent."

(b) Such act is further amended by striking out "60 percent" wherever it occurs and inserting "50 percent."

SEC. 4. This act shall take effect on the first day of the second calendar month which begins after the date of its enactment.

The SPEAKER. Is a second demanded?

Mrs. ROGERS of Massachusetts. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill under consideration.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, the bill which we are considering today relates entirely and exclusively to compensation for service-connected disabled veterans. It is, in effect, the substitute which was ruled out on a point of order at the conclusion of the debate on H. R. 7886 on June 27.

The bill generally increases all rates of compensation below 100 percent by 10 percent, rounded to the nearest dollar. For example, the present 10 percent disability is paid at the rate of $17 per month. The bill would increase this to $19.

In the case of a man totally disabled, the rate is increased from $181 to $225. This was done because the Bradley Commission found that the men totally disabled constituted the one group which was not receiving as much compensation as they should be receiving based on the amount other veterans, suffering from service-connected disabilities, were receiving. The bill also increases the rates for the more severely disabled by $30 in each different category to make the ceiling on all disability compensation $450 a month rather than $420 as exists today.

The so-called statutory award rate of $47, which are in addition to the rates of percentage disability, are not increased, nor is the minimum rate for arrested tuberculosis of $67. All those veterans receiving a percentage disability payment today would receive an increase under this bill.

Section 2 of the bill applies this same sort of increase to World War I veterans who are rated on the 1925 schedule for rating disability and involve so-called protected award cases. This is a limited group of veterans who are unable to meet

the criteria set forth in the 1945 rating schedule.

Section 3 increases the rates provided in Public Law 877 of the 80th Congress, which authorized additional compensation for veterans 50 percent or more disabled and who have dependents. For example, a veteran today rated 100 percent disabled receives $181 monthly. If he has a wife, she would receive $21 additional. Under this bill that amount would be increased by 10 percent to make it $23.10. If the veteran is rated 50 percent disabled, for example, he would receive 50 percent of $23.10. This provision does not apply to those rated less than 50 percent disabled.

The first year's cost of this bill is estimated to be $172,750,000 and would decrease slightly in the fifth year to $170,325,000. Unlike the pension estimates, compensation cost generally will decrease as the years advance.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from California.

Mr. McDONOUGH. Is there any provision in this bill for widows of Spanish-American War veterans?

Mr. TEAGUE of Texas. There is no provision for a widow of a Spanish-American War veteran. The reason that no widows or children are considered in this bill is that last year the House passed the bill H. R. 7089, which has also passed the Senate and is now in conference, and which gives widows and children of service-connected disabled a very substantial raise. For example, the widow of a Spanish-American War veteran with service-connected disability would get an increase from $87 to $122.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Minnesota.

Mr. JUDD. Was that just for Spanish-American War widows, or all?

Mr. TEAGUE of Texas. No; the widows of service-connected disabled veterans of all wars.

Mrs. ROGERS of Massachusetts. Mr. Speaker, there will not be a vote cast against this bill, I am sure. It was a tragedy that this compensation bill was stricken from the pension bill on a point of order 2 weeks ago.

My understanding is that service-connected Spanish-American War widows will come in for an increase, as will the widows of all service-connected disabled veterans. Unfortunately nonservice-connected widows will not receive anything.

Mr. TEAGUE of Texas. I think I explained that all widows of service-connected disabled veterans are covered in H. R. 7089.

Mrs. ROGERS of Massachusetts. I was not sure that the gentleman asking the question understood that.

The following is a description of the bill:

INCREASING RATES OF SERVICE-CONNECTED COMPENSATION FOR VETERANS

H. R. 12038

Title: To provide increases in service-connected disability compensation and to increase dependency allowances.

Mr. TEAGUE of Texas. Introduced and referred June 28, 1956.

Analysis:

Rates of compensation for wartime service-connected disabilities under Public Law 2, 73d Cong., as amended, and Veterans Regulations

	War service-connected rates, Veterans Regulation 1 (a), as amended, pt. I	H. R. 12038
(a) 10 percent disability	$17.00	*$19.00*
(b) 20 percent disability	33.00	*36.00*
(c) 30 percent disability	50.00	*55.00*
(d) 40 percent disability	66.00	*73.00*
(e) 50 percent disability	91.00	*100.00*
(f) 60 percent disability	109.00	*120.00*
(g) 70 percent disability	127.00	*140.00*
(h) 80 percent disability	145.00	*160.00*
(i) 90 percent disability	163.00	*179.00*
(j) Total disability	181.00	*225.00*
(k) Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or blindness of 1 eye, having only light perception, rates (a) to (f) increased monthly by	47.00	*47.00*
Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or blindness of 1 eye, having only light perception, in addition to requirement for any of rates in (l) to (n), rate increased monthly for each loss or loss of use by	47.00	[1] *47.00*
(l) Anatomical loss, or loss of use of both hands, or both feet, or 1 hand and 1 foot, or blind both eyes with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, monthly compensation	279.00	*309.00*
(m) Anatomical loss, or loss of use of 2 extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place, or suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, monthly compensation	$329.00	*$359.00*
(n) Anatomical loss of 2 extremities so near shoulder or hip as to prevent use of prosthetic appliance, or suffered anatomical loss of both eyes, monthly compensation	371.00	*401.00*
(o) Suffered disability under conditions which would entitle him to 2 or more rates in (l) to (n), no condition being considered twice, or suffered total deafness in combination with total blindness with 5/200 visual acuity or less, monthly compensation	420.00	*450.00*
(p) In event disabled person's service-incurred disabilities exceed requirements for any of rates prescribed, Administrator, in his discretion, may allow next higher rate, or intermediate rate, but in no event in excess of	420.00	*450.00*
(q) Minimum rate for arrested tuberculosis	67.00	*67.00*

[1] But in no event to exceed $450.

Additional disability compensation because of dependents [1]

	Wife, no child	Wife, 1 child	Wife, 2 children	Wife, 3 or more children	No wife, 1 child	No wife, 2 children	No wife, 3 or more children	Dependent parent or parents
Service on or after June 27, 1950	$21.00	$35.00	$45.50	$56.00	$14.00	$24.50	$35.00	$17.50 (1)
World War II	*23.10*	*38.50*	*50.05*	*61.60*	*15.40*	*26.94*	*38.50*	*19.25*
World War I								35.00 (2)
Spanish-American War, Philippine Insurrection, Boer Rebellion								*38.50*
Civil War								
Indian wars								
Peacetime service (under combat or extrahazardous conditions)								
Regular peacetime service	16.80	28.00	36.40	44.80	11.20	19.60	26.00	14.00 (1)
	18.48	*30.80*	*40.04*	*49.28*	*12.32*	*21.56*	*28.60*	*15.40*
								23.00 (2)
								25.30

[1] Above rates are for 100-percent disability. If and while rated partially disabled, but not less than 50 percent, additional compensation is authorized in an amount having the same ratio to the amount specified in the applicable table, above, as the degree of disability bears to the total disability, e. g., war service-connected disability of 50 percent, compensation rate, $100. If veteran has a wife, his compensation is increased as follows $100+$11.55=$111.55.

NOTE.—Rates in italics are as reported in H. R. 12038.

Digest of report (Veterans' Administration): "The general purpose of the bill is to provide an increase in the rates of compensation payable to veterans for service-connected disabilities and in the rates of additional allowances for dependents which are payable to veterans whose disabilities are rated 50 percent or more. * * *

"All of the disability compensation basic and statutory rates for which increases are proposed under the bill were last increased 5 percent by Public Law 695, 83d Congress, August 28, 1954. As you are aware, the Veterans' Administration submitted a report to your committee under date of May 31, 1956, on H. R. 11510, 84th Congress, which bill, among other things, also proposed certain increases in the monthly rates of compensation for service-connected disability, as well as increases in the rates of additional allowances for dependents. As indicated in that report, it would appear that the disability compensation rates involved were deemed to be appropriate and adequate by the Congress, when it authorized the increases in the proposal which became Public Law 695, 83d Congress, on August 28, 1954. In this connection, it is noted that the Consumer Price Index of the Bureau of Labor Statistics, United States Department of Labor, for August 1954 was 115 points and for May 1956, 115.4 points (1947–49 equals 100 points), an increase of less than one-half of 1 percent. Accordingly, the increases proposed by the bill are considerably in excess of any increase in the overall cost of living reflected by the Consumer Price Index. In the absence of any other available facts which would serve to justify an increase in compensation rates at this time, the Veterans' Administration is not in a position to recommend affirmative action on the bill by your committee.

"Advice has been received from the Bureau of the Budget that there is no objection to the submission of this report to your committee, and that, for reasons stated therein, the Bureau concurs in the adverse position taken."

Hearings: Full committee on all compensation measures, March 21–23, 1956.

Reported: July 3, 1956; House Report 2581.

Cost: $172,075,000 first year; $170,375,000 fifth year.

Mr. AYRES. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Ohio.

Mr. AYRES. Mr. Speaker, the veterans of America can be thankful that we have such a courageous gentleman as chairman of the Veterans' Affairs Committee. I thank Chairman TEAGUE for mentioning that the bill we are about to pass is the same bill I introduced, H. R. 11966, prior to the consideration of H. R. 7886.

H. R. 7886 has been in the other body for over 2 weeks and from all indications it will still be in the committee when Congress adjourns. Had the bill H. R. 12038 been coupled with the pension bill, it also would not have been acted on in the other body. I am grateful to the AMVETS and the Disabled American Veterans for having fought for increased compensation for those with service-connected disabilities.

The AMVETS are particularly deserving because H. R. 12038 is their bill.

It is my hope that the millions of veterans will not have their rights jeopardized by those insisting on non-service-connected pensions being given top priority. The vote today will indicate that Congress has unanimously expressed its desire to help the veteran with a service-connected disability. H. R. 12038 can become law if it is not amended and goes to the President in its present form.

Mrs. ROGERS of Massachusetts. It is a tragedy that it was not allowed to go through, I still maintain, and that much valuable time has elasped and it is near the end of Congress. I would stay in session until our veterans legislation is passed. There are two members on my side of the committee who would like to speak on the bill.

Mr. Speaker, I yield such time as he may desire to the gentleman from New York, Judge FINO, and the gentleman from Wyoming [Mr. THOMSON] such time as he may desire. Both these Members are on the Committee on Compensation and Veterans Pensions.

Mr. EDMONDSON. Mr. Speaker, I am in favor of this bill, and strongly urge its passage.

The need for revision and increase of service-connected compensation rates is generally conceded, and no obligation of our Government is more sacred.

I want to congratulate the chairman and members of the Veterans' Affairs Committee for the speedy committee action which followed the deletion of similar provisions from H. R. 7886 on the floor last week, and express appreciation to the leadership of the House for prompt programing of this measure. It is surely one that will have the overwhelming support of the House.

Mr. MURRAY of Illinois. Mr. Speaker, I support the pending legislation H. R. 12038 which would increase basic rates of compensation for service-connected disabilities about 10 percent.

It is one of the prime responsibilities of our Federal Government to compensate our former servicemen for the losses they have incurred by reason of service-connected disabilities.

It seems to me that the objection to the increase by the Deputy Administrator of the Veterans' Administration is founded upon an unsound argument. The Deputy Administrator's report says in effect that we ought not increase the compensation because the cost of living has only increased less than one-half of one percent since the last increase.

The compensation paid for service-connected disabilities ought to be predicated upon the veteran's loss, not upon a determination of what increases occurred in cost of living. It should be of a sufficient amount so that at all times the disabled veteran and his dependents are able to meet the cost of living.

Mr. LONG. Mr. Speaker, I rise in support of H. R. 12038. Obviously, substantial increases in veterans' compensation payments are long overdue. From time to time, the Congress has enacted so-called cost of living increases, but there has ben no effort to strike at the inadequacy of the compensation base. However, this bill goes a long way in the right direction, and I hope the motion to suspend the rules and pass this bill will be adopted.

From the time of enactment of our first national veterans' compensation law—September 26, 1776—the Congress has continuously recognized an employer-employee relationship between the Federal Government and the members of the Armed Forces. To all intents and purposes, therefore, payment of compensation for service-incurred disability is a contractual obligation, and it appears to me, that if the Government is legally obligated to pay compensation, that it is at least morally obligated to provide adequate compensation. During this unprecedented wave of economic inflation, I often wonder how some of our badly disabled veterans manage even a subsistent existence on their inadequate compensation checks.

I take this means to commend the gentleman from Texas [Mr. TEAGUE], chairman of our Committee on Veterans' Affairs, and the committee members for bringing this bill to the floor so promptly, and I am hopeful that it will receive immediate consideration in the other body.

Mr. FINO. Mr. Speaker, as a member of the Subcommittee on Compensation and Pension of the House Veterans' Affairs Committee, I am happy to join my colleagues in support of this measure.

This is a simple piece of legislation, yet most important to our disabled veterans. It proposes to increase the rates of service-connected compensation and dependency allowances.

I am sure all the Members of this House will support this much-needed legislation.

I believe we are all agreed on the fact that the rates of compensation have not kept pace with the cost of living. This bill is an effort to accomplish that end, a step in the right direction.

I also believe that when it comes to helping our service-connected veterans we cannot and must not measure our duties and responsibility to these men in terms of dollars and cents. This is an equitable and just bill. It is a meritorious piece of legislation that deserves the wholehearted support of every Member of this House.

Mr. DAWSON of Utah. Mr. Speaker, earlier this month, it was my unwelcome duty as a Member of Congress and as a candidate for reelection, to vote against legislation that would have granted a pension to every World War I veteran on the assumption that he was disabled at the age of 65. It is true, the measure had an income test. But it had no test of net worth. A veteran of 90 days stateside service could draw a pension for life at 65, even if he had a million dollars in the bank.

I said in opposing that legisaltion that it would cut into funds that could be used to make more adequate allowances for service-connected disabilities and for widows, children, and dependents of veterans killed in the defense of their country. These men injured while protecting us all have earned the right to special consideration. I am sure the American people want to provide for them well.

For that reason and confident that the other pension measure which was approved over my objection will not become law, I am voting for this bill. It gives help first where it is most needed and second where it is most deserved.

Mr. NORBLAD. Mr. Speaker, I am indeed very glad to support this legislation and hope that it will be passed in the House without a dissenting vote. There has been a need for some time to increase these rates of compensation. They have not kept up with the constant increases in the cost of living.

It is unfortunate that this legislation was not brought before the House several weeks ago when we instead acted on a general pension bill. This is the legislation that should have had priority.

I want to congratulate the gentleman from Texas [Mr. TEAGUE] for presenting this excellent legislation.

Mr. VANIK. Mr. Speaker, this important legislation to increase veterans' service-connected disability compensation and dependency allowances by 10 percent is long overdue. The last increase of 5 percent by the 83d Congress was inadequate and unrealistically out of line with the rising cost of living.

The position of John S. Patterson, Deputy Administrator of the Veterans' Administration, that the increases proposed by this bill are considerably in excess of any increase in the overall cost of living reflected by the Consumer Price Index has been properly overruled. The Consumer Price Index does not show the rising cost of war-caused disability. As individual productivity and income rises throughout the Nation, so does the cost of service-connected disability to the individual.

I hope that this important legislation will be unanimously adopted.

Mr. THOMSON of Wyoming. Mr. Speaker, I do not believe that it is necessary for anyone to urge any Member of this House to vote for the bill under consideration. I am sure that we are all most desirous of satisfying our country's obligation to those who are disabled by reason of their military service. I am particularly confident that no one would oppose this bill if they know all the facts. To present these facts is my purpose at this time.

Much criticism has been leveled at the so-called report of the Bradley Commission. I think that in committee and otherwise I have made my position quite clear, that I do not feel in any way bound by the conclusions reached by the Commission or their suggestions as to a legislative course of action. I believe that we as Members of Congress are perfectly capable of reaching our own conclusions and will assume our rightful obligation to do such, giving full consideration to any recommendations that may come from the Chief Executive. The report of the Bradley Commission, though, has furnished us much valuable, factual information upon which to base intelligent conclusions.

As helpful facts upon which to base a vote upon this bill, I respectfully refer the attention of the Members of the House to the chart on page 162 of the Bradley Commission report. This chart is based upon a separate survey conducted by the Bureau of Census for the Commission, correlated with information furnished by the Veterans' Administration. This shows that our compensation program for service-connected disabilities is working reasonably well with regard to almost all categories except the 100-percent disabled. This is shown by the fact that the incomes of virtually all of these categories from the 10-percent to the 80-percent disabled are very near to the median income of all veterans, including the nondisabled, of something slightly over $4,000 per year. The 90-percent disabled is shown to be substantially above the median, but when it comes to the 100-percent disabled, to which we owe the greatest responsibility, it shows that the program is inadvertently, I am sure, woefully deficient. Median annual income for those veterans with 100-percent disability is shown to be about $100 per month less than the median income of all veterans to which standard the others are quite generally raised. This is a situation that should be corrected and I know that the Congress will want to correct it without delay.

It would be a reflection, not only upon us as Members of Congress but upon every citizen of our country, to see these veterans, to whom we really owe the greatest obligation, continue to be inadequately provided for after the facts had been made known to us. Regardless of what anyone may say, this is a situation that demands first priority. Present compensation for these veterans with 100 percent service-connected disability is $181 per month. Under the present bill this will be raised to $225 per month. I personally believe that the increase should have probably been even more in view of the fact that it is a $44 per month increase whereas their income is shown to be approximately $100 per month below the median. However, there is some merit to the argument that all of the compensation is tax exempt, and that therefore the net amount which they retain will compare favorably with that retained from the higher gross by persons who must pay income tax upon all or part of their gross. At least, this will go a substantial way toward correcting the deficiency which I know none of us would want to see exist, and if subsequent study proves that it will not go far enough, we can take any action that is indicated. I am sure that all Members of the House will want to see this situation corrected.

I wish to congratulate the chairman of the committee for his consistent efforts in behalf of these service-connected disabled, who are so deserving of our attention. Just as I had previously predicted he would do, he has caused this legislation to be promptly considered by the committee and has through this special procedure been successful in getting it before the House. To my way of thinking it is unfortunate that it was not given the top priority which it deserves in consideration, as many of us attempted to give it. I sincerely hope, as I am sure do all Members of the House, that it will receive favorable consideration of the other body and will, as I am confident will be the case, be signed into law.

Mr. WOLVERTON. Mr. Speaker, the bill now under consideration (H. R. 12038) provides increases in service-connected disability compensation and dependency allowances.

The bill relates entirely to service-connected compensation and additional allowances for dependents of veterans suffering from disabilities incurred in or aggravated by service in one of the branches of the Armed Forces. It applies to all wars and peacetime.

The need for the increases that this bill provides for is abundantly clear—in fact it is my opinion the increases could have been much larger and still be justified. The increases for all basic rates of compensation for disabilities rated less than total and the additional allowances for dependents amount to 10 percent. The rate for total disability, however, is increased from $181 to $225 monthly, or approximately 24 percent. The increases in statutory awards for certain World War I veterans, under the World War Veterans' Act of 1924, amount to more than 30 percent.

The necessity for the introduction of this bill as a separate bill to apply to service-connected disabilities alone, arises from the fact that another bill reported to the House, and passed by the House, applied only to non-service-connected disabilities. This situation arose because a parliamentary objection was made to the inclusion of provisions in that bill which would have given the increases as provided for in this bill for service-connected disabilities. The Chair sustained the objection to these provisions, which thereupon became the provisions now contained in the present bill. The objection made and sustained was only technical and was not decided by the Chair with any thought of opposition to the provisions that applied to service-connected disabilities from the standpoint of their merit. However, as a result of such parliamentary action and decision it became necessary to introduce a new bill to provide the increases desired for service-connected disabilities and certain dependents. The bill now before us is that new bill.

The bill is meritorious and should have the full support of this House. It is a pleasure to give my support to this bill and I do so with the hope that it will become law at this session of Congress.

Mr. HENDERSON. Mr. Speaker, it has long been recognized that this Government, as an expression of a grateful Nation, has a responsibility to look after the welfare of the disabled veterans who have incurred their disabilities by reason of valiant and loyal service in our Armed Forces. I am happy and proud that our National Government has always recognized this responsibility with sufficient flexibility so that as the needs of those disabled veterans change, the contribution of the Federal Government can also be changed. And so it is with the bill H. R. 12038, which is before the House for passage.

Times have changed and the status of our disabled veterans has also changed. The cost of living has increased and the present compensation which service-connected disabled veterans are now receiving, is insufficient to meet the daily needs and the necessary reserves for emergencies which the veteran faces. Consequently, the Congress, this year, giving due recognition to the needs of the veterans, will vote to increase the disability payments as follows:

For a 10 percent disability, the payment is increased from $17 to $19; for 20 percent disability the payment is increased from $33 to $36; for 30 percent disability, the payment is increased from $50 to $55; for 40 percent disability, the payment is increased from $66 to $73; for 50 percent disability, the payment is increased from $91 to $100; for 60 percent disability, the payment is increased from $109 to $120; for 70 percent disability, the payment is increased from $127 to $140; for 80 percent disability, the payment is increased from $145 to $160; for 90 percent disability, the payment is increased from $163 to $179. If the disability is rated as total, the monthly compensation is raised from $181 to $225.

All additional payments for disabilities such as those which require additional aid and attendance through the loss of both limbs and the like, are increased by $30. There has been a further liberalization with regard to veterans with service-connected disabilities who have dependents. Formerly, the law read that the veteran must be, at least, 60 percent disabled in order to receive compensation for his dependents. This provision has now been amended to read 50 percent.

Mr. Speaker, since I feel that those of our veterans who have service-connected disabilities and whose disabilities have been rated as genuinely disabling are entitled to increased compensation in order to meet the needs of life for themselves

and their dependents, I am pleased to vote in favor of this legislation, H. R. 12038.

Mr. McINTIRE. Mr. Speaker, I am of the firm belief that the veteran affected with a service-connected disability merits the highest degree of consideration relative to compensation.

Such a compensation should reflect an equitable allowance that permits the veteran suffering such a disability to perform in our highly active society in a manner that preserves his dignity as an individual. Such a compensation should mirror our country's recognition of his great sacrifice.

Much has been said about the cost-of-living index in determining a fair form of compensation. It should be recognized, however, that although this index is, in effect, a reliable instrument for measuring the financial outlays required for everyday living, it is merely a statistic, cold and calculating. It fails to measure the expenditure of energy and will required of those suffering service-incurred incapacities in overcoming those disadvantages associated with physical handicap, or in coping with the problems and adjustments so peculiar to our dynamic American complex.

Certainly we have no conceivable way of designing a factor that will blend with a cost-of-living calculation to give us a fair figure of compensation for the veterans here affected. However, we do know that our compensation solutions should—while we are using a human equation—be embellished with a plus rather than diminished with a minus; that if we are to err, it must—in instances where human principles are concerned—be on the side of mild leniency rather than on the side of severe stringency.

H. R. 12038, in my mind, meets all the requirements of a fair compensation for an unselfish sacrifice. It is not so generous as to reflect fiscal tomfoolery, and it is not so restrictive as to indict the freedom-loving conscience or the great American heart.

As a piece of legislation, H. R. 12038 strikes an ideal balance, and hence, in my opinion, poses as an ideal bill.

Mr. SHUFORD. Mr. Speaker, I am privileged to be a member of the Committee on Veterans' Affairs. Throughout my service on this committee, I believe I have made it abundantly clear that I consider our first obligation is to those disabled in service and to the surviving widows, children, and dependent parents of those who die from service-connected causes. This Congress has already provided generous increases for survivors by the approval of H. R. 7089. The House has also approved pension increases for veterans whose disabilities are not connected with service by the passage of H. R. 7886 on June 27, 1956. In fact, H. R. 7886 authorizes pensions for veterans of World War I at age 65 even though they are not disabled, if they can meet the income limitations. In view of this action, it seems clear that it is our obligation to promptly increase the rates of compensation for those disabled in service as provided by H. R. 12038.

Pensions for the nonservice disabled are usually justified on the basis that the veteran has made a personal sacrifice for the defense of his country that entitles him to assistance if subsequently disabled and in need. The veteran disabled in service is certainly entitled to no less than equal consideration on the basis of his contribution to the defense of the Nation and clearly he has made more personal sacrifice than one who was not disabled during his period of service. The service-disabled man would not have incurred his disability if he had not been in service and logically, our obligation to one whose disabilities resulted from his defense of the Nation is greater than our obligation to those who were not so disabled.

Approximately 2 million veterans will receive compensation increases under the provisions of H. R. 12038. Its estimated cost is not excessive and will decline rather than increase in future years.

For these reasons, I ask the full support of the House for this meritorious bill.

Mr. PHILBIN. Mr. Speaker, I have been greatly disturbed by the delay we are experiencing with regard to the final passage of pending veterans legislation.

Since my service in the House first began, one of my greatest concerns has been for the veterans and their dependents. I will not recite here the character and scope of my interest and activities for the cause of the veteran.

The stark fact is, however, that while we have been engaged in ladling out of the United States Treasury billions of dollars for foreign nations and foreign causes, many of which are of doubtful value, and some of which are entirely without justification, Congress has failed up to this time to pass highly necessary and urgent legislation in behalf of the disabled veterans who have offered their lives and sustained serious impairment of their bodies, while engaged in fighting our country's battles.

The Congress usually extends most careful, painstaking attention to all measures affecting the interests and welfare of the veteran and his dependents.

During this session, the House has considered and passed pensions for veterans of World War I of $90 per month, at the age of 65 whose income is less than $1,400 if single, or $2,700 with dependents. This measure also contains increases in disability pensions for those under 65.

COMPENSATION

This feature of current legislation, H. R. 12038, also passed by the House, is important to more than two million veterans since it increases the rates of service-connected compensation for veterans of all wars and broadens eligibility for increased compensation for dependents as well as the rate available for this purpose. It increases the rate of widows, with proportionate increases for widows with children.

Because of the technical parliamentary situation that developed when the omnibus bill was pending before the House and delayed consideration in the other body, these measures have had a somewhat uncertain legislative history. But it would seem clear at present that they will pass the Congress without material changes.

WAR ORPHANS

Another measure, which is of greatest concern and benefit, is the so-called War Orphans Education Act, which has been adopted by the Congress. This law provides for 36 months educational assistance to the children of servicemen, who died as the result of service in World War II and Korea. It enables them to obtain a college education or post-high-school training. The program should be of great advantage and help to many children of veterans, who otherwise could not secure a higher education, or would have to do so under great handicaps. As was the case with previous similar training programs, this particular program will also be administered by the Veterans' Administration.

Because of the persistent, continuous efforts of those who are endeavoring seriously to curtail parts of the overall veterans program, it has been necessary during this session for friends of the veterans in Congress to exercise constant vigilance and exert special attention to various aspects of the veterans legislative program.

The principal opposition to present or proposed veterans' programs stems from tax-conscious sources, which appear to be more intent upon effecting tax savings for their own benefit than they are about proper medical care, compensation, training, and other benefits for the veterans and their dependents. Up to this time, I am happy to say, the Congress has rejected their crippling proposals. But we know, from past experience, that this struggle is by no means over, that determined efforts will continue to be made to try to prevail upon the Congress to discontinue some veterans' benefits, to reduce others, and to reorganize and reshape the present agencies, which are, for the most part, satisfactorily discharging their functions.

Many proposals decidedly adverse to the cause of the veteran have emanated from prominent and high-placed national figures in the name of economy as if they were the only people in the country interested in economical administration of Government. It is true that these elements are for the most part special pleaders seeking to cut literally billions of dollars from the veterans' budget to effect tax savings. These same elements virtually at the same time favor, propose, and work for the most lavish expenditures of billions of dollars for foreign-aid programs all over the world.

They have not quite marshaled sufficient boldness to come out in the open and make extended public arguments for their point of view. But let us not delude ourselves. They have laid down the program. They have placed it before the bar of public opinion in a way calculated by them to be politically skillful and insinuating. They are endeavoring to sell their ideas to the American

people by appeals to self-interest and under the guise of budgetary reform and tax savings.

True friends of the veteran will not be deceived by these activities because they have seen them before. As I have noted many times in this Congress, I am in strong support of the economical administration of the affairs of this Government. I am in favor of honesty, integrity, and efficiency. I favor men of ability, experience, and courage in public offices and positions. I yield to no one in sponsoring prudent, economical management. There is plenty of room for savings, for economies in our governmental affairs, particularly in our foreign relief activities. And there is plenty of room for tax reduction if the question is tackled with real determination, discriminating judgments, and sincerity. There is, not only room, but a distinct urgency, to revise the tax structure before our economic system becomes shot through with apathy, lack of incentive, and lack of enterprise, which confiscatory, oppressive taxes generate.

But I believe that there is one distinct principle that the American people strongly support and will not deviate from and that is the principle of providing most generously and most humanely for the veterans and their dependents, for those who have made such great sacrifices for the Nation and their dear ones. When the time comes that this Nation, through its Congress and representatives of the people, refuses to discharge in full the solemn obligation we have to provide for the veteran and his dependents, we shall have surrendered completely to materialism. We will have turned our backs on the humane promptings of our conscience and we will be prepared to surrender something infinitely precious to all Americans—the sacred resolve of gratitude and patriotic acknowledgment and intent to uphold the interests, the well-being and welfare of those, who on more than one occasion have saved the Nation from its enemies.

There can be a hundred Bradley Commission reports with its search for economy at the expense of the veterans, but there can be only one real safeguard for the Nation in time of emergency and that is the willingness of the sons and daughters to fight for its security and perpetuation. The American people will insist on remembering the unpayable debt we owe our veterans. The Congress must honor this debt by continued, vigorous and solicitous attention to all the problems of the veteran and his loved ones.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like to make one statement which I think ought to be made and that is that those who fought the so-called compensation bill should know that there are a great many cases that should be service-connected, but for one reason or another are denied. I consider that also to be a disability bill.

Mr. Speaker, I have no further requests for time on my side.

Mr. TEAGUE of Texas. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on suspending the rules and passing the bill as amended.

Mr. TEAGUE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 391, nays 0, answered "present" 1, not voting 40, as follows:

[Roll No. 101]

YEAS—391

Abbitt	Cramer	Herlong
Abernethy	Crumpacker	Heselton
Adair	Cunningham	Hess
Addonizio	Curtis, Mass.	Hiestand
Albert	Curtis, Mo.	Hill
Alexander	Dague	Hillings
Alger	Davidson	Hinshaw
Allen, Calif.	Davis, Ga.	Hoeven
Allen, Ill.	Dawson, Ill.	Hoffman, Mich.
Andersen, H. Carl	Dawson, Utah	Holifield
	Deane	Holland
Andresen, August H.	Delaney	Holmes
	Dempsey	Holt
Andrews	Denton	Holtzman
Arends	Derounian	Hope
Ashley	Devereux	Horan
Ashmore	Dies	Hosmer
Aspinall	Diggs	Huddleston
Auchincloss	Dixon	Hull
Ayres	Dodd	Hyde
Bailey	Dollinger	Ikard
Baker	Dondero	Jackson
Baldwin	Donohue	James
Barrett	Donovan	Jarman
Bass, N. H.	Dorn, N. Y.	Jenkins
Bates	Dorn, S. C.	Jennings
Baumhart	Dowdy	Jensen
Beamer	Doyle	Johansen
Becker	Durham	Johnson, Calif.
Belcher	Edmondson	Johnson, Wis.
Bennett, Fla.	Elliott	Jonas
Bennett, Mich.	Ellsworth	Jones, Ala.
Bentley	Evins	Jones, Mo.
Berry	Fallon	Jones, N. C.
Betts	Fascell	Judd
Blatnik	Feighan	Karsten
Blitch	Fenton	Kean
Boggs	Ferandez	Kearney
Boland	Fino	Kearns
Bolling	Fisher	Keating
Bolton, Frances P.	Fjare	Kee
	Flood	Kelly, N. Y.
Bolton, Oliver P.	Flynt	Kilburn
	Fogarty	Kilday
Bonner	Forand	Kilgore
Bosch	Ford	King, Calif.
Bow	Forrester	King, Pa.
Bowler	Fountain	Kirwan
Boykin	Frazier	Klein
Boyle	Frelinghuysen	Knox
Bray	Friedel	Knutson
Brooks, La.	Fulton	Krueger
Brown, Ga.	Gamble	Laird
Brown, Ohio	Garmatz	Landrum
Brownson	Gary	Lanham
Broyhill	Gathings	Lankford
Budge	Gavin	Latham
Burdick	Gentry	LeCompte
Burnside	George	Lesinski
Bush	Gordon	Lipscomb
Byrd	Grant	Long
Byrne, Pa.	Gray	McCarthy
Byrnes, Wis.	Green, Oreg.	McCormack
Canfield	Green, Pa.	McCulloch
Cannon	Gregory	McDonough
Carlyle	Griffiths	McDowell
Carrigg	Gross	McGregory
Cederberg	Gubser	McIntire
Celler	Gwinn	McMillan
Chase	Hagen	McVey
Chatham	Hale	Macdonald
Chelf	Haley	Machrowicz
Chenoweth	Halleck	Mack, Ill.
Chiperfield	Hand	Mack, Wash.
Christopher	Harden	Madden
Chudoff	Hardy	Magnuson
Church	Harris	Mahon
Clark	Harrison, Nebr.	Mailliard
Clevenger	Harrison, Va.	Marshall
Cole	Harvey	Martin
Colmer	Hays, Ark.	Matthews
Cooley	Hays, Ohio	Meader
Coon	Hayworth	Merrow
Cooper	Healey	Metcalf
Corbett	Hébert	Miller, Calif.
Coudert	Henderson	Miller, Md.
Miller, Nebr.	Reuss	Taber
Miller, N. Y.	Rhodes, Ariz.	Talle
Mills	Rhodes, Pa.	Taylor
Minshall	Richards	Teague, Calif.
Mollohan	Riehlman	Teague, Tex.
Morano	Riley	Thomas
Morrison	Rivers	Thompson, Mich.
Moss	Roberts	
Moulder	Robeson, Va.	Thompson, N. J.
Multer	Robsion, Ky.	Thompson, Tex.
Mumma	Rodino	Thomson, Wyo.
Murray, Ill.	Rogers, Colo.	Tollefson
Natcher	Rogers, Fla.	Trimble
Nicholson	Rogers, Mass.	Tuck
Norblad	Rogers, Tex.	Tumulty
Norrell	Rooney	Udall
O'Brien, Ill.	Roosevelt	Vanik
O'Brien, N. Y.	Rutherford	Van Pelt
O'Hara, Ill.	Sadlak	Van Zandt
O'Konski	St. George	Velde
O'Neill	Saylor	Vinson
Osmers	Schenck	Vorys
Ostertag	Scherer	Vursell
Patterson	Schwengel	Wainwright
Pelly	Scott	Watts
Perkins	Scrivner	Weaver
Pfost	Seely-Brown	Westland
Philbin	Selden	Whitten
Phillips	Sheehan	Widnall
Pilcher	Shelley	Wier
Pillion	Sheppard	Wigglesworth
Poage	Short	Williams, N. J.
Poff	Shuford	Williams, N. Y.
Polk	Sikes	Willis
Powell	Siler	Wilson, Calif.
Preston	Simpson, Ill.	Wilson, Ind.
Price	Sisk	Winstead
Prouty	Smith, Kans.	Withrow
Quigley	Smith, Miss.	Wolcott
Rabaut	Smith, Va.	Wolverton
Radwan	Smith, Wis.	Wright
Rains	Spence	Yates
Ray	Springer	Young
Reece, Tenn.	Staggers	Younger
Reed, N. Y.	Steed	Zablocki
Rees, Kans.	Sullivan	Zelenko

ANSWERED "PRESENT"—1

Williams, Miss.

NOT VOTING—40

Anfuso	Eberharter	Passman
Avery	Engle	Patman
Barden	Hoffman, Ill.	Priest
Bass, Tenn.	Kelley, Pa.	Scudder
Bell	Keogh	Sieminski
Brooks, Tex.	Klyczynski	Simpson, Pa.
Buckley	Lane	Thompson, La.
Burleson	Lovre	Thornberry
Carnahan	McConnell	Utt
Cretella	Mason	Walter
Davis, Tenn.	Morgan	Wharton
Davis, Wis.	Murray, Tenn.	Wickersham
Dingell	Nelson	
Dolliver	O'Hara, Minn.	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Engle with Mr. Cretella.
Mr. Bell with Mr. Dolliver.
Mr. Dingell with Mr. McConnell.
Mr. Keogh with Mr. Lovre.
Mr. Anfuso with Mr. Mason.
Mr. Buckley with Mr. Nelson.
Mr. Barden with Mr. Davis of Wisconsin.
Mr. Carnahan with Mr. Avery.
Mr. Morgan with Mr. Wharton.
Mr. Walter with Mr. Utt.
Mr. Thompson of Louisiana with Mr. Simpson of Pennsylvania.
Mr. Burleson with Mr. Scudder.
Mr. Kelley of Pennsylvania with Mr. O'Hara of Minnesota.
Mr. Priest with Mr. Hoffman of Illinois.

Mr. WILLIAMS of Mississippi. Mr. Speaker, on this rollcall I voted "yea." However, under rule 8, paragraph 1, of the Rules of the House of Representatives I feel constrained to disqualify myself from voting and I therefore withdraw my vote of "yea" and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ATOMIC ENERGY ACT

Mr. DELANEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 589, Rept. No. 2700), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11709) to amend Public Law 506, 84th Congress, 2d session, to increase the authorization for appropriations to the Atomic Energy Commission for acquisition or condemnation of real property or any facilities, or for plant or facility acquisition, construction, or expansion, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the vice chairman and ranking House minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT

Mr. TRIMBLE, from the Committee on Rules, reported the following privileged resolution (H. Res. 590, Rept. No. 2701), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11708) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

METAL SCRAP

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8636) to continue until the close of June 30, 1957, the suspension of duties and import taxes on metal scrap, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 9, after "scrap", insert "or to any form of tungsten scrap, tungsten carbide scrap, or tungsten alloy scrap."

Page 1, line 10, after "alloy", insert "or to articles of tungsten, tungsten carbide, or tungsten alloy."

Page 2, after line 4, insert:

"SEC. 3. Paragraph 1734 of the Tariff Act of 1930, as amended (U. S. Code, title 19, sec. 1201, par. 1734), is hereby amended to read as follows:

" 'PAR. 1734. Ores of gold, silver, or nickel; nickel-containing material in powder, slurry, or any other form, derived from ore by chemical, physical, or any other means, and requiring further processing for the recovery therefrom of nickel or other metals; nickel matte; nickel oxide; ores of the platinum metals; sweepings of gold and silver.' "

Page 2, after line 4, insert:

"SEC. 4. Subsection (b) of section 2 (relating to the free importation of book bindings or covers) of the act of August 28, 1954 (Public Law 694, 83d Cong.), is amended by striking out 'September 1, 1956' and inserting in lieu thereof 'September 1, 1958'."

Page 2, after line 4, insert:

"SEC. 5. Notwithstanding the provisions of section 4 of the act of February 21, 1950 (64 Stat. 6), the provisions of section 2901 of the Internal Revenue Code of 1939 as amended by such act shall be applicable to distilled spirits which were lost by theft from customs bonded warehouse after January 1, 1945, and with respect to which taxes have not been assessed under a liquidation which has become final on or before the date of enactment of this act, if a conviction on account of such theft has been obtained in a court of competent jurisdiction."

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, the House bill continued the suspension of these duties, with certain exceptions, for another year. The Senate amendments are as follows:

Tungsten scrap in any form would be excepted from the suspension.

Free entry of nickel containing material in powder, slurry, or any other form, derived from or by chemical, physical, or other means, would be allowed.

The present suspension of the duties on certain bookbindings or covers would be continued for another 2 years.

Another Senate amendment provides for abatement of taxes on spirits stolen from customs bond after January 1, 1945, where proof of loss is indicated by a conviction in the case.

Mr. Speaker, I urge the House to accept the Senate amendments.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, the Senate amendments to H. R. 8636 have already been explained in full detail.

As Chairman COOPER stated, these amendments would provide that tungsten scrap in any form would not be subject to the continuing suspension of duties under the bill; there would be permitted the free entry of nickel containing material in various forms, whether derived by physical or chemical means; a present suspension of duties on certain bookbindings or covers would be continued for another 2 years; and there would be provision for abatement of taxes in the case of spirits stolen from customs bond where proof of loss is shown by a conviction in the case. The latter amendment was the subject of a bill introduced by my able and distinguished colleague, Representative SIMPSON of Pennsylvania.

Mr. Speaker, I join in urging the House to accept the Senate amendments.

LATHES USED FOR SHOE-LAST ROUGHING

Mr. COOPER. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 10177) to provide that certain lathes used for shoe-last roughing or for shoe-last finishing may be imported into the United States free of duty, which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 1643 of the Tariff Act of 1930 is amended by inserting immediately after "shoe machinery," the following: "copying lathes used for making rough or finished shoe lasts from models of shoe lasts and, in addition, capable of producing more than one size shoe last from a single size model of a shoe last,".

SEC. 2. The amendment made by this act shall apply only in the case of articles entered for consumption, or withdrawn from warehouse for consumption, on or after the date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, the purpose of H. R. 10177 is to amend paragraph 1643 of the Free List of the Tariff Act of 1930, as amended, by including therein copying lathes used for making rough or finished shoe lasts from models of shoe lasts and, in addition, capable

of producing more than one size shoe last from a single-size model of a shoe last.

Copying lathes for making shoe lasts of the type described in H. R. 10177 are expensive and specialized types of machinery. This machinery has an important relationship to the shoe manufacturing industry. Presently, there are some 400 turning lathes in use, many of which were made 20 or 30 years ago.

The type lathes described in the bill are not now being made in the United States, and are available only from foreign sources.

Removal of the duty on these lathes would benefit both the domestic shoe last manufacturing industry and the consumer. Only a small number of such lathes would be imported and the revenue loss to the Government would be negligible.

All departmental reports received on the bill were favorable.

The bill was unanimously reported by the Ways and Means Committee.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, this bill which I introduced amends paragraph 1643 of the Free List of the Tariff Act of 1930, as amended, by including therein copying lathes used for making rough or finished shoe lasts from models of shoe lasts and, in addition, capable of producing more than one size shoe last from a single size model of a shoe last.

This machinery is important to the shoe-manufacturing industry. Copying lathes for making shoe lasts of the type described in H. R. 10177 are expensive and specialized types of machinery. Our information is that there are some 400 turning lathes in use, many of which were made 20 or 30 years ago.

The type lathes covered by this legislation are not now being made in the United States, and are available only from foreign sources.

My bill will benefit both the domestic shoe last manufacturing industry and the consumer. Only a small number of such lathes would be imported and the revenue loss to the Government would be negligible.

All departmental reports received on the bill were favorable.

My bill was unanimously reported by the Ways and Means Committee.

TRANSFER OF GUAR SEED TO FREE LIST

Mr. COOPER. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 9396) to amend the Tariff Act of 1930 to place guar seed on the free list, which was unanimously reported by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennesee?

Mr. BAILEY. Mr. Speaker, reserving the right to object, will the gentleman from Tennessee explain the intent of the legislation?

Mr. COOPER. The intent is just what it says, to put guar seed on the free list. It is a product not produced in this country and needed by industry to make gum.

Mr. BAILEY. Mr. Speaker, I thank the gentleman and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 201 of the Tariff Act of 1930 is amended by adding at the end thereof the following new paragraph:

"PAR. 1819. Guar seed."

With the following committee amendment:

On page 1, strike out line 5 and insert the following:

"PAR. 1820. Guar seed (Cyamopsis tetragonoloba)."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, the purpose of H. R. 9396 is to transfer guar seed from the dutiable list to the free list under the Tariff Act of 1930, as amended.

Guar seed is used to produce a gum which is utilized by the paper, food, pharmaceutical, and other industries. Attempts to produce this seed in this country have met with little or no success. Production in this country has been on an experimental basis, and has remained limited and primarily as a soil conditioning crop. Commercial imports come principally from India and Pakistan. The present rate of duty is 1 cent per pound. The purpose of this bill is to remove that duty.

Favorable reports on H. R. 9396 were received from the Departments of Agriculture, Commerce, State, and Treasury.

The bill was reported unanimously by the Committee on Ways and Means.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, H. R. 9396, which transfers guar seed to the free list under the Tariff Act of 1930, as amended, was introduced by my colleague on the Committee on Ways and Means, the gentleman from Rhode Island [Mr. FORAND].

Guar seed is classified for duty purposes under the provision of paragraph 763 of the Tariff Act of 1930 relating to "all grass and forage crop seeds not specifically provided for." Provision was made in that act for an original rate of 2 cents per pound for such seeds. Pursuant to a concession granted by the United States in GATT, the rate of duty on seeds was reduced to 1 cent per pound, effective January 1, 1948.

The committee has received favorable reports from all the agencies concerned, and the bill was reported unanimously.

AUTHORIZING THE COMMISSIONING OF DOCTORS OF OSTEOPATHY IN THE ARMED SERVICES

Mr. VINSON submitted a conference report and statement on the bill (H. R. 483) to amend the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy.

EXCHANGE OF CERTAIN LANDS BETWEEN THE UNITED STATES AND THE CITY OF EL PASO, TEX.

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5519) to authorize and direct the Secretary of the Army to convey certain tracts of land in El Paso County, Tex., to the city of El Paso, Tex., in exchange for certain lands to be conveyed by the city of El Paso, Tex., to the United States Government.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to convey to the city of El Paso, a municipal corporation organized and existing under and by virtue of the laws of the State of Texas, all right, title, and interest of the United States, in and to the following described tracts of land situated in El Paso County, Tex., upon the conveyance by the said city of El Paso of the land described in section 2 of this act to the United States Government:

DESCRIPTION OF TRACTS

a. East-west runway extension area.

Description of a tract of land of 1,663.08 acres, plus or minus, out of block 80, township 2, parts of sections 32, 33, 34, 35, 41, 40, 39, and 38 of the Texas and Pacific Railroad survey, El Paso County, Texas, and part of the Juan and Jacinto Ascarate Grant, said proposed tract being the property of the United States of America and more particularly described as follows:

Beginning at the southeast corner of the city of El Paso International Airport, formerly known as Ed Anderson Field, same corner being in the northerly right-of-way line of United States Highway 62 known as the Carlsbad Road and said corner being north 81 degrees 10 minutes east a distance

of 6,300.6 feet, plus or minus, from a monument marking the easterly right-of-way line of the Texas and New Orleans Railroad Fort Bliss spur as established by the Office of Quartermaster General Construction Division in November 1937, and the northerly right-of-way line of United States Highway 62;

Thence bearing north 81 degrees 10 minutes east and parallel to the northerly right-of-way line of United States Highway 62 at 10,936.0 feet, plus or minus, cross the approximate centerline of the El Paso Natural Gas parallel pipelines and continuing on a bearing of north 81 degrees 10 minutes east for a total distance of 13,728.3 feet, plus or minus, to the proposed southeast corner of this tract;

Thence bearing north 1 degree 1 minute 50 seconds west for a distance of 5,183.76 feet, plus or minus, to the proposed northeast corner of this tract;

Then bearing south 82 degrees 20 minutes 55 seconds west at 6,670.0 feet, plus or minus, cross the approximate centerline of the El Paso Natural Gas parallel pipelines and continuing on a bearing of south 82 degrees 20 minutes 55 seconds west for a total distance of 13,692.56 feet, plus or minus, to a point in the present easterly boundary of the city of El Paso International Airport, same point being the proposed northwest corner of this tract and bearing south 1 degree 1 minute 10 seconds east from the present northeast corner of the airport property;

Thence bearing south 1 degree 1 minute 50 seconds east and running with and parallel to the existing easterly boundary of said international airport property a distance of 5,468.82 feet, plus or minus, to the northerly right-of-way line of United States Highway 62, the southwest corner of this tract and the point of beginning of this description; and

Containing an area of 1,663.08 acres, more or less. There is an easement for a right-of-way from the Secretary of War, dated May 30, 1944, to the Mountain States Telephone & Telegraph Co. and the El Paso Electric Co. for a period not to exceed 50 years; beginning in the west line of section 40 and ending in the east line of section 36, said line being along and parallel to United States Highway 62 and 10 feet inside the boundary line of the Fort Bliss Military Reservation, and in no event shall said right-of-way exceed 10 feet on each side of the center line. There is also an easement for a 60-foot-wide right-of-way to the El Paso National Gas Co. which bears approximately north 40 degrees 40 minutes west crossing the area as herein described.

b. Northeast-southwest runway extension area.

Description of a parcel of land for the extension of the northeast-southwest runway of the El Paso International Airport, said parcel lying in portions of sections 29, 28, 21, and 22, block 80, township 2, El Paso County, Tex., and more particularly described as follows:

Beginning at the present northeast corner of the city of El Paso International Airport, marked by an iron pipe and a fence corner, same corner being north 88 degrees 58 minutes 10 seconds east a distance of 7,970.67 feet, plus or minus, from the east boundary of section 19, block 81, and the west boundary of section 30, block 80;

Thence south 88 degrees 58 minutes 10 seconds west and running with the northerly boundary of the international airport for a distance of 83.37 feet, plus or minus, to the most westerly corner of this tract;

Thence north 49 degrees 58 minutes 10 seconds east along the northwesterly boundary of this tract, for a total distance of 12,000.0 feet, plus or minus, to the northwesterly corner of this tract, crossing the southerly boundary of the Biggs Air Force Base property at 312.57 feet, plus or minus, and the easterly boundary of the Biggs Air Base at a distance of 10,215.32 feet from the point of beginning of this course:

Thence south 40 degrees 1 minute 50 seconds east along the northerly line of this tract for a distance of 2,000.0 feet, plus or minus, to the southeasterly corner of this tract;

Thence south 49 degrees 58 minutes 10 seconds west for a total distance of 13,512.29 feet, plus or minus, to a point on the present east boundary of the El Paso International Airport which is the southwesterly corner of this tract, crossing the east line of section 21, which is the easterly boundary line of Biggs Air Force Base at 3,460.34 feet, plus or minus, and the south line of said section 21, which is the southeasterly boundary of said air base, at a distance of 5,668.74 feet, plus or minus, from the point of beginning of this course;

Thence north 1 degree 1 minute 50 seconds west along the present easterly boundary of the El Paso International Airport, a distance of 2,506.01 feet, plus or minus, to the point of beginning and containing 550.443 acres more or less.

c. Lynchville area.

Description of a tract of land situated at Fort Bliss, Texas, and consisting of part of the Morningside Heights addition numbered 1000 and part of the north El Paso Heights addition, located in section 21, block 81, township 2, of the Texas and Pacific Railway survey and more particularly described as follows:

Beginning at the center line intersection of Van Buren Avenue (60 feet wide) and Pollard Street, which is 60 feet wide;

Thence bearing north 00 degrees 15 minutes east along the centerline of Pollard Street a distance of 2,239.85 feet, plus or minus (plat distance 2,212.0 feet), to the intersection point of the north line of Truman (Buchanan) Avenue with the center line of Pollard Street;

Thence bearing south 89 degrees 45 minutes east along the north line of Truman (Buchanan) Avenue, same line being also the south boundary of the Texas National Guard area, a distance of 1,075.44 feet, plus or minus (plat distance 1,064.4 feet), to a point in the westerly right-of-way line of the Southern Pacific Railway (EP&SW);

Thence bearing south 13 degrees 45 minutes west along the said westerly right-of-way line a distance of 1,492.58 feet, plus or minus, to the point of curve to the left, said curve having a radius of 5,779.65 feet and a long chord distance of 705.69 feet and a bearing of south 10 degrees 15 minutes west;

Thence running with the arc of said curve along the westerly right-of-way of the Southern Pacific Railway (E. P. & S. W.) a distance of 706.10 feet, plus or minus, to the point of tangent;

Thence bearing south 6 degrees 36 minutes west a distance of 94.61 feet, plus or minus, to the intersection of the center line of Van Buren Avenue extended;

Thence bearing north 89 degrees 43 minutes west along the centerline of Van Buren Avenue a distance of 594.0 feet, plus or minus, to the center line of Pollard Street and the point of beginning;

Containing an area of 41.93 acres, more or less, including 1.93 acres in Pollard and Van Buren Streets. It being the intention of these notes to describe the area between the center line of Van Buren Avenue and the north boundary of Truman (Buchanan) Avenue and between the center line of Pollard Street and the westerly right-of-way line of the Southern Pacific Railway.

SEC. 2. The conveyance of the property authorized shall be upon the condition that the said city of El Paso shall convey to the United States the following described tract of land situated in El Paso County, Tex.:

DESCRIPTION OF TRACT

Valdespino area.

Description of a parcel of land lying in section 17, block 81, township 2 El Paso County, Tex.;

Beginning at a point which is the southwest corner of this tract, and which bears north 1 degree 14 minutes 49 seconds west a distance of 35.0 feet, plus or minus, and then north 88 degrees 41 minutes 7 seconds east a distance of 50.0 feet, plus or minus, from the common corner of sections 16, 17, 21, and 20, in block 81, township 2;

Thence north 1 degree 14 minutes 49 seconds west along the west boundary of this tract and the east boundary of Sheridan Road, a distance of 5,271.75 feet, plus or minus, to the northwest corner of this tract said point also being a corner of that portion of the United States military reservation known as Logan Heights;

Thence north 88 degrees 49 minutes 29 seconds east along the northerly line of this tract, and the southeasterly line of the military reservation a distance of 3,327.42 feet to a point;

Thence south 1 degree 10 minutes 31 seconds east a distance of 212 feet to a point;

Then north 88 degrees 49 minutes 29 seconds east a distance of 758.90 feet, plus or minus, to a point for the northeast corner of this tract, said point being on the westerly right of way line of the Southern Pacific Railroad Co.

Thence south 28 degrees 24 minutes 39 seconds west along the said westerly right of way line of the Southern Pacific Railroad Co., a distance of 3,115.80 feet, plus or minus, to a point;

Then north 61 degrees 35 minutes 21 seconds west along the right of way line of said railroad company, a distance of 75 feet, plus or minus, to a point which is a common corner of this tract and the right of way of the Southern Pacific Railroad Co.;

Thence south 28 degrees 24 minutes 39 seconds west along the westerly line of the Southern Pacific right of way, a distance of 2,742 feet, plus or minus, to a point on said railroad company's right of way, and the north line of the Fred Wilson's 70 foot right of way, said point also being the southeast corner of this tract;

Thence south 88 degrees 41 minutes 07 seconds west along the north of line of Fred Wilson Road, said line being 35 feet north of said road's centerline and along the south line of this tract, a distance of 1,122.32 feet, plus or minus, to the point of beginning.

This tract contains 318.88 acres, more or less.

SEC. 3. In executing the deed of conveyance authorized by section 1 of this Act, the Secretary of the Army shall include specific provisions covering the condition contained in section 2 of this act.

SEC. 4. The tract of land received by the United States pursuant to this act shall be administered by the Secretary of the Army.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That the Secretary of the Army is authorized, upon such terms and conditions as he may determine to be in the public interest, to convey to the city of El Paso, a municipal corporation organized and existing under and by virtue of the laws of the State of Texas, the lands and improvements comprising those portions of Fort Bliss Military Reservation and the Biggs Air Force Base situate in El Paso County, Tex., as described in section 2 of this act, in exchange for that land described in section 3 of this act and owned by the city of El Paso, Tex., situate in El Paso County. Among its terms and conditions the

deed to the city shall be conditioned upon the agreement by the city of El Paso in (1) the construction by the Department of the Air Force of an interconnecting taxiway between Biggs Air Force Base and El Paso International Airport; and (2) the use of El Paso International Airport by military aircraft. The conveyance to the city shall also provide for a reverter to the United States, at the election of the Secretary of the Army, for breach of any of the terms and conditions by the city of El Paso, its successors and assigns.

SEC. 2. The lands to be conveyed by the United States to the city of El Paso, Tex., consist of portions of Fort Bliss Military Reservation and Biggs Air Force Base with an aggregate of 2,255.453 acres of land and improvements thereon, in several tracts as follows:

(a) East-west runway extension area, a tract of land being and lying in block 80, township 2, parts of sections 32, 33, 34, 35, 41, 40, 39, and 38 of the Texas and Pacific Railway survey, El Paso County, Tex., and part of the Juan and Jacinto Ascarate grant, more particularly described as follows:

Beginning at the southeast corner of the city of El Paso International Airport, formerly known as Ed Anderson Field, same corner being in the northerly right-of-way line of United States Highway 62 known as the Carlsbad Road and said corner being north 81 degrees 10 minutes east a distance of 6,300.6 feet, plus or minus, from a monument marking the easterly right-of-way line of the Texas and New Orleans Railroad Fort Bliss spur as established by the Office of Quartermaster General Construction Division in November 1937, and the northerly right-of-way line of United States Highway 62;

Thence bearing north 81 degrees 10 minutes east and parallel to the northerly right-of-way line of United States Highway 62 at 10,936.0 feet, plus or minus, cross the approximate centerline of the El Paso Natural Gas parallel pipelines and continuing on a bearing or north 81 degrees 10 minutes east for a total distance of 13,728.3 feet, plus or minus, to the proposed southeast corner of this tract;

Thence bearing north 1 degree 1 minute 50 seconds west for a distance of 5,183.76 feet, plus or minus, to the proposed northeast corner of this tract;

Thence bearing south 82 degrees 20 minutes 55 seconds west at 6,670.0 feet, plus or minus, cross the approximate centerline of the El Paso Natural Gas parallel pipelines and continuing on a bearing of south 82 degrees 20 minutes 55 seconds west for a total distance of 13,692.56 feet, plus or minus, to a point in the present easterly boundary of the city of El Paso International Airport, same point being the proposed northwest corner of this tract and bearing south 1 degree 1 minute 10 seconds east from the present northeast corner of the airport property;

Thence bearing south 1 degree 1 minute 50 seconds east and running with and parallel to the existing easterly boundary of said International Airport property a distance of 5,468.82 feet, plus or minus, to the northerly right-of-way line of United States Highway 62, the southwest corner of this tract and the point of beginning of this description;

Containing an area of 1,663.08 acres, more or less; subject, however, to an easement for a right-of-way from the Secretary of War, dated May 30, 1944, to the Mountain States Telephone and Telegraph Co. and the El Paso Electric Co. for a period not to exceed 50 years; beginning in the west line of section 40 and ending in the east line of section 36, said line being along and parallel to United States Highway 62 and 10 feet inside the boundary line of the Fort Bliss Military Reservation; and subject to a further easement for a sixty-foot wide right-of-way to the El Paso Natural Gas Co. which bears approximately north 40 degrees 40 minutes west crossing the area as herein described.

(b) Northeast-southwest runway extension area, a tract of land being and lying in portions of sections 29, 28, 21, and 22, block 80, township 2 of the Texas and Pacific Railway survey, El Paso County, Tex., more particularly described as follows:

Beginning at the present northeast corner of the city of El Paso International Airport, marked by an iron pipe and a fence corner, same corner being north 88 degrees 58 minutes 10 seconds east a distance of 7,970.67 feet, plus or minus, from the east boundary of section 19, block 81, and the west boundary of section 30, block 80;

Thence south 88 degrees 58 minutes 10 seconds west and running with the northerly boundary of the international airport for a distance of 83.37 feet, plus or minus, to the most westerly corner of this tract;

Thence north 49 degrees 58 minutes 10 seconds east along the northwesterly boundary of this tract, for a total distance of 12,000.0 feet, plus or minus, to the northwesterly corner of this tract, crossing the southerly boundary of the Biggs Air Force Base property at 312.57 feet, plus or minus, and the easterly boundary of the Biggs Air Force Base at a distance of 10,215.32 feet from the point of beginning of this course:

Thence south 40 degrees 1 minute 50 seconds east along the northerly line of this tract for a distance of 2,000.0 feet, plus or minus, to the southeasterly corner of this tract;

Thence south 49 degrees 58 minutes 10 seconds west for a total distance of 13,512.29 feet, plus or minus, to a point on the present east boundary of the El Paso International Airport which is the southwesterly corner of this tract, crossing the east line of section 21, which is the easterly boundary line of Biggs Air Force Base at 3,460.34 feet, plus or minus, and the south line of said section 21, which is the southeasterly boundary of said airbase, at a distance of 5,868.74 feet, plus or minus, from the point of beginning of this course;

Thence north 1 degree 1 minute 50 seconds west along the present easterly boundary of the El Paso International Airport, a distance of 2,506.01 feet, plus or minus, to the point of beginning;

Containing 550.443 acres more or less; subject, however, to an easement to the El Paso Natural Gas Company, which bears north 40 degrees 40 minutes west and extends through section 29; and subject further to the continuing right of the United States, acting by and through the Civil Aeronautics Administration of the Department of Commerce, or its successor in function, to erect, maintain, and operate, in the northwest quarter of the southeast quarter of section 29, a middle marker for the adjacent airport.

(c) Lynchville area, a tract of land being and lying in the Morningside Heights addition numbered 1000 and part of the north El Paso Heights addition, located in section 21, block 81, township 2, of the Texas and Pacific Railway survey, more particularly described as follows:

Beginning at the centerline intersection of Van Buren Avenue (sixty feet wide) and Pollard Street, which is sixty feet wide:

Thence bearing 00 degrees 15 minutes east along the centerline of Pollard Street a distance of 2,239.85 feet, plus or minus (plat distance 2,212.0 feet) to the intersection point of the north line of Truman (Buchanan) Avenue with the centerline of Pollard Street;

Thence bearing south 89 degrees 45 minutes east along the north line of Truman (Buchanan) Avenue, same line being also the south boundary of the Texas National Guard area, a distance of 1,075.44 feet, plus or minus (plat distance 1,064.4 feet), to a point in the westerly right-of-way line of the Southern Pacific Co. (E. P. & S. W.);

Thence bearing south 13 degrees 45 minutes west along the said westerly right-of-way line a distance of 1,492.58 feet, plus or minus, to the point of curve to the left, said curve having a radius of 5,779.65 feet and a long chord distance of 705.69 feet and a bearing of south 10 degrees 15 minutes west;

Thence running with the arc of said curve along the westerly right-of-way line of the Southern Pacific Co. (E. P. & S. W.) a distance of 706.10 feet, plus or minus to the point of tangent;

Thence bearing south 6 degrees 36 minutes west a distance of 94.61 feet, plus or minus, to the intersection of the centerline of Van Buren Avenue extended;

Thence bearing north 89 degrees 43 minutes west along the centerline of Van Buren Avenue a distance of 594.0 feet, plus or minus, to the centerline of Pollard Street and the point of beginning;

Containing an area of 41.93 acres, more or less, including 1.93 acres in Pollard and Van Buren Streets. It being the intention of these notes to describe the area between the centerline of Van Buren Avenue and the north boundary of Truman (Buchanan) Avenue and between the centerline of Pollard Street and the westerly right-of-way line of the Southern Pacific Co., subject to existing right-of-way for utility lines.

SEC. 3. The lands to be conveyed by the city of El Paso, Tex., to the United States consist of approximately 318.88 acres of land situate in the city and county of El Paso, Tex., known as the Valdespino area, being a tract or parcel of land lying in section 17, block 81, township 2 of the Texas and Pacific Railway survey, El Paso County, Tex., more particularly described as follows:

Beginning at a point which is the southwest corner of this tract, and which bears north 1 degree 14 minutes 49 seconds west a distance of 35.0 feet, plus or minus, and then north 88 degrees 41 minutes 7 seconds east a distance of 50.0 feet, plus or minus, from the common corner of sections 16, 17, 21, and 20, in block 81, township 2;

Thence north 1 degree 14 minutes 49 seconds west along the west boundary of this tract and the east boundary of Sheridan Road, a distance of 5,271.75 feet, plus or minus, to the northwest corner of this tract, said point also being a corner of that portion of the United States military reservation known as Logan Heights;

Thence north 88 degrees 49 minutes 29 seconds east along the northerly line of this tract, and the southeasterly line of the military reservation a distance of 3,327.42 feet to a point;

Thence south 1 degree 10 minutes 31 seconds east a distance of 212 feet to a point;

Thence north 88 degrees 49 minutes 29 seconds east a distance of 758.90 feet, plus or minus, to a point for the northeast corner of this tract, said point being on the westerly right-of-way line of the Southern Pacific Company;

Thence south 28 degrees 24 minutes 39 seconds west along the said westerly right-of-way line of the Southern Pacific Company, a distance of 3,115.80 feet, plus or minus, to a point;

Thence north 61 degrees 35 minutes 21 seconds west along the right-of-way line of said railroad company, a distance of 75 feet, plus or minus, to a point which is a common corner of this tract and the right-of-way of the Southern Pacific Company;

Thence south 28 degrees 24 minutes 39 seconds west along the westerly line of the Southern Pacific Company right-of-way line, a distance of 2,742 feet, plus or minus, to a point on said railroad company's right-of-way line and the north line of the Fred

Wilson Road seventy-foot right-of-way, said point also being the southeast corner of this tract;

Thence south 88 degrees 41 minutes 07 seconds west along the north of line of Fred Wilson Road, said line being 35 feet north of said road's centerline and along the south line of this tract, a distance of 1,122.32 feet, plus or minus, to the point of beginning, together with all the improvements thereon.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF MONTGOMERY, W. VA.

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 976) to provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Montgomery, W. Va.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized to modify by appropriate written instrument the exception and reservation to the United States of America in the deed executed by the Secretary of War on December 13, 1938, pursuant to the act of Congress approved June 14, 1938 (52 Stat. 675), of the perpetual right to flood such part of the eight and three-tenths acres conveyed to the town of Montgomery, W. Va., as may be necessary from time to time in the interests of navigation so as to limit such exception and reservation to the portion of the eight and three-tenths acres located below elevation 619 feet, mean sea level, and to release by appropriate written instrument to the city of Montgomery, W. Va., such restrictions and conditions imposed by section 2 of said act of June 14, 1938, and included in the deed granted pursuant thereto: *Provided,* That any release by the Secretary of the Army of the restrictions and conditions imposed by section 2 of said act of June 14, 1938, shall be effective only in the event the land described in such act is conveyed to the State of West Virginia within 1 year from the date of enactment of this act on condition that it shall be used for National Guard or other military purposes.

If the State of West Virginia shall cease to use the property for the purpose intended then the title thereto shall immediately revert to the United States and, in addition, all improvements made by the State of West Virginia during its occupancy shall vest in the United States without payment or compensation therefor.

The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or for naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of West Virginia, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency, plus 6 months, such property shall revert to the State of West Virginia, together with all appurtenances and utilities belonging or appertaining thereto.

All mineral rights, including gas and oil, in the lands authorized by this act shall be reserved to the United States.

The cost of any surveys necessary as an incidence to the conveyance authorized herein shall be borne by the State of West Virginia.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT AMENDMENTS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 569 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10765) to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to the gentleman from Oregon [Mr. ELLSWORTH] and, pending that, I yield myself such time as I may consume.

House Resolution 569 makes in order the consideration of H. R. 10765, to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended. The resolution provides for an open rule and 2 hours of general debate.

The act establishes the standard for workmen's compensation coverage for more than 40,000 longshoremen, harbor workers, ship servicemen, and repairmen employed on the navigable waters of the United States. In addition, the act covers all privately employed workers in the District of Columbia, United States citizens employed by contractors with the United States outside the continental United States, and employees of employers engaged in operations upon the outer Continental Shelf.

The principal provisions of the bill provide an increase in the maximum level of weekly compensation payments to injured workers or their beneficiaries from $35 to $54; reduces the waiting period after which compensation becomes payable from 7 to 3 days; increases the statutory maximum compensation payable for all injuries other than permanent total disability or death benefits from $10,000 and $11,000 to $17,280; and increases the number of weeks of scheduled compensation applicable to cases where the disability consists of an anatomical loss. This provision will make this schedule of payments the same as the schedule in the Federal Employees Compensation Act.

The committee report complies with the Ramseyer rule.

Mr. ELLSWORTH. Mr. Speaker, as stated by the gentleman from Mississippi, the rule makes in order the consideration of the bill H. R. 10765, which is a bill to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, and provide increased benefits in case of disabling injuries, and for other purposes.

From the testimony given before the Rules Committee at the time hearings were held on this bill, the bill appears to be a very meritorious piece of legislation. I understand there is some objection to the bill but not insofar as the basic purpose of the bill is concerned, namely, to increase the benefits for the longshoremen and harbor workers over the Nation.

We have no requests for time on this side at this time.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the chairman of the Committee on Rules, the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, this bill will be called up for consideration in the House tomorrow, I understand, as the first order of business. It needs a little explanation because it is going to be somewhat controversial. It is not controversial as to the proper merits of the bill, which is to increase the compensation of longshoremen, but it so happens that some years ago a bill was passed which threw the District of Columbia employees under the provisions of the Longshoremen's Act, a very unusual thing to do, and I have never understood why it was done.

The District Committee has prepared, introduced, reported, and had on the calendar for a month or more a complete bill to take care of the workmen of the District of Columbia. That bill has never been able to get clearance on the floor to be discussed and voted upon.

I think everybody is in sympathy with the longshoremen's bill. The reason why those compensations are increased is that the longshoremen's occupation is a hazardous occupation.

What I want to do and what the District of Columbia wants to do is to have a separate bill for the employees of the department stores and other occupations in the District of Columbia which are not hazardous, to have the District's own bill. But it seems that the employees in the District of Columbia quite naturally would like to have a ride on this gravy train, which puts their compensation away up above all of the similar compensation acts in the States. It

would increase them so that, for instance, their compensation would be 4 or 5 times what it is in Maryland or Virginia. It is simply not logical and it ought not to be done.

What we want to do in the District Committee is enact a proper law for the employees of the District of Columbia, which should have been done in the first place. The bill is on the calendar but we have had resistance to getting it up on District day.

I have talked with the longshoremen representatives and every one of them has told me they would be delighted to be separated from the District of Columbia. They did not want to be in it and they never should have been in it. We all agree that the longshoremen's bill ought to be passed.

I think the fair solution of that problem is that I shall offer an amendment tomorrow which will exclude the District employees from the operation of this longshoremen's bill. Then we will take the bill that is on the calendar and put it through and have a separate bill, as we should have had in the first place for employees in the District of Columbia.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. McCULLOCH. Is there available for Members of the House the weekly benefit payments to injured workmen of the 48 States of the Union? Is there available a schedule of the waiting period for injured workmen before they receive benefits in the 48 States of the Union?

Mr. SMITH of Virginia. Not to my knowledge. I do not know about the 48 States.

Mr. McCULLOCH. In view of the comment that the gentleman from Virginia has just made that the provisions of this bill provide payments that are considerably greater in amount than in Maryland and Virginia, I think it would be very helpful if we knew how they compared with other States of the Union.

Mr. SMITH of Virginia. I do not have the figures with reference to the other States, but in the report on the District bill, there is contained a comparison between the States of Maryland and Virginia, which are the adjacent areas.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. BAILEY. We will be glad to furnish the gentleman who just made that inquiry the information in general debate tomorrow.

Mr. SMITH of Virginia. May I ask the gentleman from West Virginia whether he has the information at hand so that he might give it to the gentleman now?

Mr. BAILEY. We will have it in time for the debate tomorrow.

Mr. McCULLOCH. It might be very helpful if they could be provided for the RECORD today so that they will be in printed form in the RECORD for our consideration tomorrow.

Mr. BAILEY. We can put it in the RECORD; yes, sir. We will be glad to put it in the RECORD.

Mr. ELLSWORTH. Mr. Speaker, we have no further requests for time.

Mr. FULTON. Mr. Speaker, will the gentleman from Mississippi yield for a question?

Mr. COLMER. I yield.

Mr. FULTON. Could we have what the effect is and the difference between the two bills, the longshoremen bill and the other bill, which the gentleman from Virginia referred to? Could we have that ahead of time so that we could see what effect it is going to have on compensation for the people in the District of Columbia.

Mr. COLMER. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. BAILEY] a member of the committee to answer the question as I am not a member of that committee.

Mr. FULTON. Removing these people from the District of Columbia from the longshoremen bill to another bill, what is the difference between the two?

Mr. BAILEY. That will require some time for an explanation. There seems to be no opposition to the rule and I can see no reason why we should prolong the debate at this point.

Mr. FULTON. Could the gentleman put it in the RECORD tomorrow so that we could see it?

Mr. BAILEY. We are going to place the information in the RECORD that the gentleman requested for tomorrow.

Mr. Speaker, I ask unanimous consent to include certain tables in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

(The tables referred to are as follows:)

MAXIMUM BENEFITS FOR TEMPORARY TOTAL DISABILITY

State	Maximum percentage of wages	Maximum period	Maximum payments per week	Total maximum stated in law
Alabama	[1] 55-65	300 weeks	$28	$6,900
Alaska	65	24 months	$100	
Arizona	[2] 65	433 weeks	$150	
Arkansas	65	450 weeks	$25	8,000
California	61¾	240 weeks	$40	8,400
Colorado	66⅔	Period of disability	$31.50	
Connecticut	60	do	$40	
Delaware	60	do	$35	
District of Columbia	66⅔	do	$35 [3]	11,000
Florida	60	350 weeks	$35	
Georgia	50	do	$30	8,400
Hawaii	66⅔	Period of disability	$50	10,500
Idaho	[1] 55-60	400 weeks; thereafter $10 per week ($12 if dependents).	$23-$40 [1]	
Illinois	[1] 75-97½	Period of disability	$34-$40 [1]	[1] 8,000-10,750
Indiana	60	500 weeks	$33	10,000
Iowa	66⅔	300 weeks	$32	
Kansas	60	416 weeks	$32	
Kentucky	65	520 weeks	$27	11,500
Louisiana	65	300 weeks	$30	
Maine	66⅔	500 weeks	$30	10,500
Maryland	66⅔	312 weeks	$35	5,000
Massachusetts	66⅔	Period of disability	$30 plus $2.50 for each total dependent.[2]	10,000
Michigan	66⅔	500 weeks	$32-$42 [1]	(4)
Minnesota	66⅔	310 weeks	$40	
Mississippi	66⅔	450 weeks	$25	8,600
Missouri	66⅔	400 weeks	$35	
Montana	66⅔	300 weeks	$26.50-$32.50	
Nebraska	66⅔	300 weeks; thereafter 45 percent of wages, maximum $22.	$30	
Nevada	80	433 weeks	$41.54	
New Hampshire	66⅔	319 weeks	$33	$10,500
New Jersey	66⅔	300 weeks	$30	
New Mexico	60	550 weeks	$30	
New York	66⅔	Period of disability	$36	6,500
North Carolina	60	400 weeks	$32.50	8,000
North Dakota	80	Period of disability	$31.50-$45.01 [1]	
Ohio	66⅔	312 weeks	$40.25	6,000
Oklahoma	66⅔	300 weeks; may be extended to 500 weeks.	$28	
Oregon	[1] 50-66⅔	Period of disability	$26.54-$61.15	
Pennsylvania	66⅔	700 weeks	$32.50	20,000
Puerto Rico	50	104 weeks	$20	
Rhode Island	60	Period of disability [5]	$32	[5] 16,000
South Carolina	60	500 weeks	$35	8,000
South Dakota	55	312 weeks	$28	
Tennessee	60	300 weeks	$30	8,500
Texas	60	401 weeks	$25	
Utah	60	313 weeks	$30-$40.50	[1] 7,800-9,750
Vermont	50	260 weeks	$28 plus $2 for each dependent child under 21.	
Virginia	60	500 weeks	$27	10,800
Washington		Period of disability	$23.08-$42.69 [1]	
West Virginia	66⅔	208 weeks	$30	
Wisconsin	70	Period of disability	$45.50 [3]	
Wyoming		do	$25.38-$40.50 [2]	
United States: Federal employees [1]	66⅔-75	do	$121.15	
Longshoremen	66⅔	do	$35 [3]	11,000

[1] According to number of dependents. In Idaho, Oregon, Washington, and Wyoming according to marital status and number of dependents.

[2] Additional benefits for dependents. In Massachusetts, maximum limited to average weekly wage.

[3] Additional benefits in specific cases, such as vocational rehabilitation, constant attendant, etc.

[4] Not to exceed 500 times total weekly amount payable.

[5] After 1,000 weeks, payments to be made for life from second-injury fund.

WAITING PERIOD

Waiting period	Jurisdiction	Compensation retroactive if disability lasts period indicated
None	Oregon	Not applicable.
2 days	Hawaii	7 days.
3 days	Alaska	No provision.
	Delaware (no waiting period in case of amputation of a member of the body, or a part thereof, or when the injury results in hospitalization of the employee).	7 days.
	Maryland	No provision.
	Missouri	4 weeks.
	Rhode Island (total disability only)	2 weeks.
	Utah	No provision.
	Washington	Do.
	Wisconsin	10 days.
	Wyoming (temporary total disability only).	8 days.
	United States—Federal employees (temporary disability only).	21 days.
4 days	Florida	No provisions.
	Puerto Rico (temporary disability only)	2 weeks.
5 days	Mississippi	14 days.
	Nevada	5 days.
	North Dakota	Do.
	Oklahoma	No provision.
6 days	Illinois (temporary total disability only)	28 days.
7 days	Alabama (temporary disability only)	No provision.
	Arizona	2 weeks.
	Arkansas	4 weeks.
	California	49 days.
	Colorado	6 weeks.
	Connecticut	2 weeks.
	District of Columbia	7 weeks.
	Georgia	No provision.
	Idaho	4 weeks.
	Indiana (temporary disability only)	28 days.
7 days	Iowa (permanent total, temporary total, and temporary partial disability).	Compensation not retroactive, but compensation increased by ⅓ for 4th, 5th, and 6th weeks of disability.
	Kansas	No provision.
	Kentucky	3 weeks.
	Louisiana	6 weeks.
	Maine	28 days.
	Massachusetts	8 days.
	Michigan	4 weeks (or if death results from injury).
	Minnesota (temporary disability only)	3 weeks.
	Montana	3 weeks (6 weeks if injured worker has no dependents residing in the United States).
	Nebraska	6 weeks.
	New Hampshire	7 days.
	New Jersey	4 weeks.
	New Mexico	Do.
	New York	35 days.
	North Carolina	28 days.
	Ohio	5 weeks (payment for waiting period applies only in cases of total disability).
	Pennsylvania	No provision.
	South Carolina	28 days.
	South Dakota	6 weeks.
	Tennessee	4 weeks.
	Texas	4 weeks.
	Vermont	28 days.
	Virginia	6 weeks.
	West Virginia	21 days.
	United States—longshoremen	7 weeks.

Mr. COLMER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it be in order for the Speaker on tomorrow to entertain a motion to suspend the rules and pass the bill S. 3982, extending the domestic minerals program. It is necessary to have this bill passed as quickly as possible in order to get the necessary appropriations in the supplemental bill which passed the House today while that bill is in the other body.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

RAPID VALLEY UNIT, SOUTH DAKOTA, MISSOURI RIVER BASIN PROJECT

Mr. FORRESTER. Mr. Speaker, I call up the conference report on the bill (S. 1622) to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River project, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2677)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1622) entitled "An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted by the House amendment insert "$18,383 as reimbursement"; and the House agree to the same.

E. L. FORRESTER,
HAROLD D. DONOHUE,
WILLIAM E. MILLER,
Managers on the Part of the House.

JAMES E. MURRAY,
CLINTON P. ANDERSON,
ARTHUR V. WATKINS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1622) entitled "An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes," submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

When this proposed measure passed the House, the following amendments were made in accordance with recommendations contained in the letter from the Department of the Interior which was printed in the Senate report (No. 1856):

(1) Page 1, lines 4 and 5, strike out "of the Rapid Valley unit, South Dakota,".

(2) Page 2, line 5, strike out "$18,383 as reimbursable" and insert "$16,382 as reimbursement".

(3) Page 2, line 7, after "thereof" insert "on other lands".

(4) Page 2, line 10, strike out "13" and insert "30".

The Senate agreed to amendments Nos. 1, 3, and 4, and receded from its disagreement to amendment No. 2, and agreed to the same with the following amendment: In lieu of the language proposed to be inserted by the House amendment, insert "$18,383 as reimbursement". The purpose of this language is to correct an error which appeared in the printed reports.

E. L. FORRESTER,
HAROLD D. DONOHUE,
WILLIAM E. MILLER,
Managers on the Part of the House.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

ELKINS, W. VA.

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2182) for the relief of the city of Elkins, W. Va., with House amendments thereto, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Georgia? [After a pause.] The Chair hears none and, without objection, appoints the following conferees: Mr. FORRESTER, Mr. DONOHUE, and Mr. MILLER of New York.

COMMITTEE ON THE JUDICIARY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may sit tomorrow during general debate.

The SPEAKER pro tempore. Is there objection?

There was no objection.

FOREIGN POLICY AND NEUTRALITY

Mr. BENTLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include a certain statement.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BENTLEY. Mr. Speaker during the last days and weeks we have heard a great deal of discussion and controversy about the question of neutrality on the part of other countries and how this affects our own foreign policy. Much has also been said, by way of comparison, with the foreign policy of so-called "neutrality" as pursued by this country in the early days of its existence.

For this reason, I would like to read an article prepared for me by the Library of Congress and entitled "American Neutrality, 1776–1826." I believe that this will clearly show that our early statesmen, even though practicing a policy of neutrality insofar as permanent foreign alliances were concerned, were very much aware of the vital interests of our national security and did not allow any neutralist ideas to stand in the way when these interests were threatened.

The text of the article is as follows:

AMERICAN NEUTRALITY, 1776–1826

This survey of the extent to which the United States adhered to a policy of neutrality in its early years as an independent Nation is concerned with three types of data: pronouncements by the President, the Secretary of State, and the Congress; the participation of the United States in alliances with foreign powers and its reactions to proposals for such alliances; and its involvement in foreign controversies. This last term is considered to apply only to those controversies that were primarily between countries other than the United States, because it would appear that only this type of dispute would raise a question of neutrality for the American Government. Disputes directly between the United States and other countries, such as those involving boundaries and territories in regard to which the United States was itself asserting a claim, are not included.

Less than 2 years after the Declaration of Independence the young American Republic signed the only treaty of alliance into which it has entered until very recent times. This pact of alliance with France, along with a treaty of amity and commerce, was concluded in February 1778. The alliance treaty provided that neither country should lay down its arms until American independence was won, and France on its part undertook to guarantee the liberty, sovereignty, and independence of the new country. For the period after the war each signatory guaranteed those American possessions with which it should emerge from the conflict. However, the pact imposed strict territorial limitations on the French, permitting them to take the British West Indies if they could, but prohibiting them from conquering the Bermudas or any portion of British North America. The treaty reserved the right for Spain to become a member, but the latter declined.

The treaty of amity and commerce included various definitions of neutral rights regarding maritime commerce in war which the signatories agreed to recognize.

During the course of the Revolution, in honoring their commitments under the terms of the alliance, the French gave substantial military assistance to the Americans. When peace formally returned in September 1783,[1] the French alliance was not terminated for it had no specified time limit. Even at this time the United States Government was apparently thinking in terms of neutrality, for early in 1783 the Congress, on refusing an invitation to become party to a League of Neutral Nations in Europe, had declared that the fundamental policy of the United States was to be "as little as possible entangled in the politics and controversies of European nations."[2]

But despite the attitude of the Congress as evidenced by this resolution, John Jay, the American Secretary of Foreign Affairs, when negotiating with Spain in 1785 and 1786 regarding a commercial treaty and opening of the Mississippi, proposed what was virtually an alliance to guarantee Spanish and American possessions. However, he never referred it to Congress for approval and the proposal died.

At about the time the American Constitution went into effect (1789) the French Revolution broke out and became the occasion for hostilities in Europe. When England entered the war against France in 1793, the United States was confronted with the question whether it should follow a neutral course, and, if so, how it should enforce its neutrality. Both President Washington and Secretary of State Jefferson thought the proper role for the United States was one of noninvolvement, and in April 1793 the United States issued a proclamation of neutrality. This was followed in June 1794 by a congressional enactment forbidding certain actions which might compromise American neutrality.

This pattern of neutral policy was reinforced by other developments in this and the succeeding 2 years. In 1794 Spain hinted at an alliance with the United States in connection with settlement of boundary and other problems but Secretary of State Timothy Pickering refused to consider an offer of this kind.[3] When the United States and Spain subsequently signed a treaty in 1795 on boundary questions and navigation of the Mississippi, no alliance was involved. In the following year, 1796, appeared one of the best known of all the state papers on American foreign policy, especially in regard to the formation of ties with other nations. In his famous Farewell Address President Washington cautioned the American people against foreign attachments and implication "by artificial ties in the ordinary vicissitudes of [European] politics or the ordinary combinations and collisions of her friendships and her enmities." He warned against "permanent alliances," but Americans could, he averred, "safely trust to temporary alliances for extraordinary emergencies."

Meanwhile, however, as war raged between England and France, Great Britain was interfering on the high seas with what the United States considered its neutral rights. A treaty between the United States and Great Britain—Jay's Treaty—concluded in 1794, at least partially relieved the tension between the two countries. However, it exacerbated relations with France, which considered Jay's Treaty contrary in spirit, if not in letter, to the Franco-American Treaty of amity and commerce of 1778, and French warships and privateers began to attack American vessels.

Congress in 1798 declared abrogated the alliance and commercial treaty of 1778 with France, and authorized the United States ships to attack French vessels. The "quasi-war" with France lasted until 1800. In that year the United States and France signed a new treaty nullifying the alliance and commercial treaty of 1778, and stating certain principles that should govern neutral shipping and trade.

The treaties of 1794 with Great Britain and of 1800 with France brought only a temporary respite in British and French interference with American commerce. When war between France and Britain was resumed in the 1st decade of the 19th century the United States became involved in fresh controversies with each country over neutral rights.[4] One of the belligerent practices which the United States found particularly offensive was the British Navy's impressment of seamen from American ships. Another was the resort of both belligerents to "paper" blockades.

In an effort to avoid embroilments with the warring powers, and also to exercise a coercive influence upon them, Congress, in 1807, enacted an embargo closing American ports to foreign shipping. The embargo, which proved to be injurious to American trade, was replaced by the Non-Intercourse Act of 1809, which reopened trade with foreign countries, except Britain and France. But this and subsequent legislation did not solve the difficulties with the European belligerents, and in June 1812 the United States declared war on Great Britain.[5] A proposal to include France in the declaration was defeated by a vote of only 14 to 18 in the Senate.

By the time the war with Britain was terminated in 1814 the hostilities in Europe had ended with the abdication of Napoleon. Defense of neutral maritime rights was no longer a practical problem, and the Treaty of Ghent between the United States and Great Britain was silent on the subject.

Meanwhile, during the decade before the outbreak of the War of 1812 other events had occurred affecting the policy of the United States in regard to neutrality. In 1801 Thomas Jefferson had come to the Presidency, and in his inaugural address advocated "peace, commerce, and honest friendship with all nations, entangling alliances

[1] A preliminary treaty of peace had been signed by the United States and Great Britain in November 1782.

[2] Perkins, Dexter. A History of the Monroe Doctrine, Boston, Little, Brown & Co., 1955, p. 9.

[3] Bemis, Samuel Flagg. Pinckney's Treaty. Baltimore, Johns Hopkins Press, 1926, p. 275.

[4] During the early years of the 19th century, down to about 1815, the United States carried on sporadic warfare with the "Barbary states" of north Africa because of attacks by the latter upon American commerce.

[5] Defense of neutral rights upon the seas might not have been the only cause of the American decision to go to war with Britain. Some historians claim that ambition for territorial expansion and a desire to curb British-inspired Indian troubles also were involved. See, e. g., Pratt, Julius W., Expansionists of 1812. New York, Macmillan Co., 1925.

with none." However, when he learned in the following year that powerful France was to replace Spain as sovereign of the Louisiana Territory, his devotion to nonentanglement underwent a modification. In a letter to a friend he wrote that on the day France took possession of New Orleans "we must marry ourselves to the British fleet and nation." When, in 1803, he sent James Monroe to France on a special mission to purchase territory in Louisiana and Florida and to obtain free navigation of the Mississippi, he instructed the envoy that if the French should meditate hostilities or close the Mississippi, then he was to invite Great Britain to a treaty of alliance in which both would agree not to make a separate peace. But this contingency did not arise because France agreed to sell the entire Louisiana Territory.

American neutrality was again tested in January 1808 when Napoleon invited the United States to ally itself with France in war against Great Britain in return for his influence to obtain the cession of Florida from Spain to the United States. However, Secretary of State James Madison asserted in reply to the French overtures "that the United States having chosen as the basis of their policy a fair and sincere neutrality among the contending powers, they are disposed to adhere to it as long as their essential interests will permit."[6]

After the American war with Great Britain had ended and the European struggle with Napoleon had subsided, another international controversy began to show its outlines in South America. Since about 1810 the Spanish colonies in America had been in revolt, and by 1822 the rule of Spain had been overturned in Central and South America, from Mexico to Argentina. The United States remained neutral in the struggle between Spain and its colonies, and in 1822, when certain of the new Latin American states appeared to be well established, the United States took steps to recognize them. In Europe the alliance of the great powers known as the Quadruple Alliance, or Holy Alliance[7] was contemplating the possibility of assistance to Spain to recover its American colonies. Great Britain proposed to the United States a joint declaration against this project, but the latter demurred and in 1823 the American President issued the declaration of policy which now bears his name, the Monroe Doctrine. In his historic message to the Congress President Monroe announced that attempts by any European power to control the newly independent Latin American governments would be "the manifestation of an unfriendly disposition toward the United States." At the same time he declared that "in the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do."

When the Latin American countries learned of President Monroe's pronouncement, five of them, Argentina, Brazil, Chile, Colombia, and Mexico, asked the United States for treaties of alliance or pledges of assistance, but the Government in Washington refused. The policy of nonalliance with the nations to the south was reemphasized at the time the Panama Congress of American States was convened in 1826. The United States delegates were instructed that they were to say that their country would not participate in a confederacy or alliance for the independence of the states concerned or for any other purpose. Actually the United States delegates never arrived at the Congress but their instructions are evidence of the attitude of the American Government at the time.

(Sources: In addition to those titles mentioned in the footnotes other sources consulted include: Bartlett, Ruhl J., the Record of American Diplomacy, New York, Alfred A. Knopf, 1947; Bemis, Samuel Flagg, A Diplomatic History of the United States, New York, Henry Holt and Co., 1955; Bemis, Samuel Flagg, John Quincy Adams and the Foundations of American Foreign Policy, New York, Alfred A. Knopf, 1949; Pratt, Julius W., A History of United States Foreign Policy, New York, Prentice-Hall, 1955.)

[6] Adams, Henry. History of the United States of America During the Second Administration of Thomas Jefferson, New York, Charles Scribner's Sons, 1890, vol. II, p. 306.

[7] Russia in 1819 had invited the United States to join the Holy Alliance but Secretary of State John Quincy Adams asserted that the United States was determined to stay aloof from the political systems of Europe. See Bailey, Thomas A., America Faces Russia, Ithaca, Cornell University Press, pp. 26–27.

EXPLANATION OF VOTE

Mr. UTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, I was unavoidably detained in my office during rollcall 101 on the veterans' bill. Had I been present, I would have voted "yea."

SUBCOMMITTEE ON EDUCATION

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Education may have permission to sit tomorrow during general debate.

The SPEAKER pro tempore. Is there objection?

There was no objection.

KAISER ALUMINUM

Mr. BURNSIDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include an article.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BURNSIDE. Mr. Speaker, the American economy, which stands as a bulwark against the encroachments of communism the world over, owes much of its strength to our great industrial pioneers. Men who have had the vision and courage to push on into new and untried fields of industrial enterprise. The story of how one of these great American industrialists, Henry J. Kaiser, succeeded in the field of light metals, when everyone forecast his failure, is told in the July issue of Fortune magazine.

Just 10 years ago, many of Mr. Kaiser's associates urged against entering the aluminum field. This great industrial genius and one of his top vice presidents, Chad F. Calhoun, were virtually alone in their desire to see the Kaiser organization enter this new and what was then a contracting, rather than an expanding, industry.

Mr. Kaiser, with the support of Mr. Calhoun, eventually won out, however, and today Kaiser Aluminum, which is celebrating its 10th anniversary, tops all other Kaiser companies in sales and profits. Fortune describes Kaiser Aluminum as the "fireball of the industry" and predicts that "at the rate it's traveling will almost certainly displace Reynolds Metals as the No. 2 product within the next 2 years."

I am proud to say, Mr. Speaker, that this aggressive industrial organization is now building a huge new aluminum plant in my district in West Virginia. Kaiser Aluminum & Chemical Corp. was one of the leaders in the great $8 billion industrial revitalization of the Ohio Valley which began in 1948 and is still gathering momentum. The plant, which will cost $220 million, is now under construction near Ravenswood, W. Va. It will consist of an aluminum reduction facility and a rolling mill. Employment will eventually approximate 6,000. West Virginia's unemployment problem has been quite severe in recent years. However, with the tremendous industrialization of the great Ohio Valley, securing impetus from such industrial giants as Henry J. Kaiser and Philip Sporn, this problem is diminishing rapidly.

At this point, Mr. Speaker, I would like to insert in the RECORD the entire Fortune story on Kaiser Aluminum, and I urge everyone to read it. It is the chronology of the first 10 years of a proud, aggressive company—a symbol of American industrial enterprise:

Of all the things Henry J. Kaiser has tackled in his turbulent career, his adventure into aluminum now stands out—at least, by countinghouse standards—as the shining success. Next month when Kaiser Aluminum & Chemical Corp., celebrating its 10th anniversary, uncorks its annual report for the fiscal year ending May 31, 1956, it will show sales of $330 million, and a net profit of more than $40 million. That's as much profit as Kaiser netted from his prodigious shipbuilding operations throughout all the years of World War II. Kaiser Aluminum today is twice as big and four times as profitable as Kaiser Steel and, of course, it completely dwarfs the whittled-down Kaiser automotive operation now being carried on by the Willys Motors, Inc., subsidiary. Aluminum is, in all respects, the keystone of the Kaiser industrial empire. (Kaiser interests own 37.3 percent of the aluminum company; Kennecott Copper, 13.1 percent; the rest is held by the public.)

And Kaiser Aluminum & Chemical is, in turn, the fireball of the aluminum industry, and at the rate it's traveling will almost certainly displace Reynolds Metals as the No. 2 producer within the next 2 years. In the past 5 years Kaiser Aluminum has substantially more than doubled its sales, and looks forward confidently to doubling them again in the next decade. Right now, Kaiser is building facilities that will be capable of raising its primary aluminum capacity by about 60 percent to 682,000 tons by the end of 1958. This would give Kaiser practically 30 percent of the United States primary market (with Alcoa probably getting around 41 percent, Reynolds about 25 percent).

Here is irony of the richest vein. It is well known that most of Henry Kaiser's contemporaries, including some of his closest associates considered him an utter damn fool to plunge into aluminum in 1946. Not so well known is that his principal motivation for so doing was to get a foothold in the automotive-manufacturing business. It's true that Henry J. was fascinated by light metals, and had considerable faith in their future. But his overweening ambition was to duplicate the achievement of the elder Henry Ford, and flood the United States with a cheap, lightweight "people's car."

This ambition was frustrated at first by the inability of the newly formed Kaiser-Frazer Corp. to lay hands on sufficient steel. Henry Kaiser thought that if forced to it, he could build his autos of aluminum sheet. It was with this insurance in mind that Kaiser leased the Government-owned aluminum rolling mill at Trentwood, Wash., in April 1946. As the dice fell, Kaiser nearly lost his shirt in the automobile business, but went on to make millions out of the aluminum business.

From the outset, fortune has smiled on Kaiser Aluminum. No genius could foresee, nor any single company impel, the phenomenal growth of aluminum consumption in the postwar decade. Nevertheless, the individual performance of Kaiser Aluminum & Chemical, under the driving direction of Donald A. (Dusty) Rhoades and his typically youthful Kaiser cohorts, is phenomenal in itself.

Kaiser was the last of the big three in aluminum to get started, and it started green. To be sure, like Reynolds Metals Co. before it, Kaiser was the beneficiary of the Government's antimonopoly restrictions against Aluminum Company of America. It was permitted to latch on, at bargain prices, to several Government-owned plants (nobody else wanted them) that Alcoa had built and operated during World War II. But though the plants were adequate, their scattered locations made for the poorest logistics in the industry. Kaiser made alumina in Baton Rouge, La., shipped it clear to the Northwest for reduction and rolling, and then had to pay for thousands more miles of transportation to get its products into the major markets.

Despite this, Dusty Rhoades was a fierce and shrewd competitor. He wrung a much higher rate of production out of his plants than their experienced wartime operators ever did, and for several straight years Kaiser actually outscored both Alcoa and Reynolds in percentage of net earnings to sales. When the Korean war started, and the Government encouraged aluminum companies to expand, Kaiser moved fast. The company purchased, for $4,500,000, a rod-and-bar mill at Newark, Ohio, and spent as much again to add a wire mill to the facility. Somewhat later a Government-built extrusion plant at Halethorpe, Md., was purchased, and the company raised $115 million in private financing to build its first eastern reduction plant—at Chalmette, La. During this stage, Kaiser beefed up its primary aluminum capacity by more than 60 percent, and by the end of 1955, with an annual output of 428,000 tons, was nearly neck and neck with Reynolds, 440,000 tons.

All this, however, was merely prolog. Today Kaiser Aluminum is in the throes of a gigantic putsch, which will involve, in the next 3 years, the expenditure of $280 million for new and expanded facilities. Last May the company successfully launched an issue of 300,000 shares of convertible preferred stock yielding it $30 million, and also sold, through private placement, $120 million in first-mortgage bonds. Altogether, it raised $178 million[1] of financing for the current phase of the program, scheduled for completion early in 1958.

CAN KAISER CONQUER THE EAST?

This development amounts to the creation of an entirely new, self-sustained complex, which has its base on the Mississippi and Ohio Rivers and looks out, ominously, on the East. It will include a new 430,000-ton alumina plant on the banks of the Mississippi at Gramercy, La., and two huge new plants on the Ohio River at Ravenswood, W. Va.,—one a reduction plant for making primary aluminum, the other a mill to make sheet and foil.

When Ravenswood is fully in place, it will radically enhance the Kaiser operation in three distinct ways. First, as noted, it will raise basic capacity by about 60 percent to 682,000 tons, and Kaiser should shoot past Reynolds to gain a firm grip on the No. 2 position in the industry. Second, the new logistics will eliminate the expensive cross-hauling, and effect an overall freight saving, from ore to market, of 2½ cents a pound on aluminum and aluminum sheet, which formerly had to take the long, round trip to the Trentwood mill for rolling. Third, and perhaps equally important, the short shipping time between Ravenswood and the major eastern markets enormously strengthens Kaiser's competitive position in regard to service. In periods when the aluminum market is falling, and customers wish to keep their inventories low, eastern fabricators have been loath to wait out the 20-to-30-day delivery from the Northwest. Now Kaiser, while preserving its advantage in the West, can fight on equal terms with Alcoa and Reynolds for the lush markets of the East.

But the upsurge of Kaiser Aluminum is not confined to muscle flexing—to plant expansion, improved costing, and better logistics. This is an organization astir with drives and desires that seem to reach beyond the balance sheet—or today's balance sheet, at any rate. Kaiser is greatly concerned with improving the art of aluminum, and with the extension of its uses, and to these ends is spending sizable sums on research, experimentation, and promotion. It was Kaiser that developed the "big ingot," from which it is able to fashion the heavy, low-porosity structural plates vital to the construction of jet bombers and other big planes. In another field, Kaiser has had notable success with a new method of producing colored aluminum—particularly a rich gold—which will preserve its hue even when used for exterior decoration and trim. And Kaiser has carried on research on the aluminum can (to replace tin plate) to the point where it has set up a pilot plant in Chicago for the manufacture of various types of cans in experimental lots.

THE BIG SWITCH IN SALES

Kaiser's new interest in consumer products signals a forthcoming revolution in its merchandising policies. In the past, Kaiser has felt that its role in the industry was that of a primary producer of pig and ingot, and a furnisher of mill products to converters. It didn't compete with its customers. But as first Reynolds, then Alcoa, pushed ahead with such end products as household wrap and containers, Kaiser felt the pinch. Kaiser's converter customers, unable to compete with Reynolds and Alcoa on such items, began pressing for price cuts and special deals on the raw stock that Kaiser was furnishing them. Kaiser decided that in self-defense it had to get into certain end products on its own, though it will continue, of course, to furnish pig and ingot to all the smaller converters who desire them.

But there was a second strong reason for the move. Kaiser belatedly woke up to the relationship between these brand-name household products and public recognition. Kaiser had always anxiously wanted to be known as No. 2 in the aluminum industry and thought that by producing a few more pounds of pig than Reynolds it could earn that distinction. But to the general public, a far bigger name in aluminum continues to be the manufacturer of "Reynolds Wrap." Kaiser is now convinced that it must be No. 2 across the board—in research, product variety, promotion, and public recognition, as well as in physical output and dollar sales. Kaiser Aluminum has created a consumer-products division, has built up a strong public-relations staff, and this month takes its first plunge into network television. This company is hot—hot for accomplishment; hotter still for the prestige that should rightfully go with it.

This accent on public recognition and prestige is not peculiar to the aluminum group, but is a broad policy that emanates from the top echelon of Kaiser Industries Corp.—from Henry J., Sr., and Henry J., Jr., and from Edgar Kaiser, Eugene Trefethen, the executive vice president and financial expert, and Chad Calhoun, a senior vice president who works out of Washington, D. C. Right now the whole Kaiser organization is in transition. It is growing away from the old concept of Kaiser as an association of romantic enterpreneurs, and emerging as a cohesive industrial organization of solidity and skill—and one that must appeal increasingly to the conservative Eastern lenders and investors for financing and support. The big problem is to make this change without sacrificing the lusting ambition, imagination, and derring-do that made Kaiser so distinctive.

On this score management has done a good job of infusing the aluminum company, and its thousands of new people, with the old-time Kaiser pride and enthusiasm. Newcomers to the company are astonished by the informality of the top brass, their ready availability, and their willingness to delegate responsibility. As a result the elan of Kaiser personnel is very high, and a major factor in Kaiser Aluminum's progress.

Kaiser management, moreover, functions not so much as a check on the operating people, but rather as a spur. This is a characteristic of Edgar Kaiser, of Gene Trefethen, and, of course, Henry Kaiser. Though H. J., now 74, spends most of his time in Honolulu, where he has a big real-estate-hotel development going, he has lost none of his famous addiction to the long-distance telephone, and it is due largely to his needling that Kaiser moved into the conversion and packaging of household foil and aluminum containers. Indeed, Dusty Rhoades, whom the industry considers highly aggressive, is sometimes a shade too conservative to suit the chairman of the board. But Dusty, in accordance with an old Kaiser custom, pretty much runs his own show at Kaiser Aluminum & Chemical, and though his title is vice president and general manager, he acts as independently as most company presidents do.

Rhoades held this same post with Permanente Metals, predecessor to Kaiser Aluminum & Chemical. Permanente Metals was organized during the war by Kaiser and several associates for manufacturing magnesium—mostly in the form of "goop," a paste used in incendiary bombs. When the war was over, Rhoades tried to do something with magnesium in a commercial way, but the processing difficulties with the metal, much to Henry Kaiser's disappointment, were too great. (However, some of the allied chemicals and materials, such as magnesia and dolomite, were usable for the production of refractory brick and mixes, and these became the nucleus of the company's chemical division, which now accounts for some $13 million a year in sales.)

If not magnesium, asked Henry Kaiser, why not a flyer in aluminum for Permanente Metals? The company, at war's end, had about $5 million in cash funds, and Chad Calhoun was reporting from Washington that there were plenty of surplus aluminum plants available for sale or lease.

ALL OUT OF STEP BUT HENRY

There was little enthusiasm, anywhere in the organization, for the Henry Kaiser-Chad Calhoun proposals. The accepted version was that the world was glutted with aluminum recoverable from crashed and discarded war planes, that the commercial mar-

[1] Included was $11 million put up by Kaiser out of retained earnings. The balance, $17 million, was furnished by Anaconda's new aluminum company. In return, Anaconda will get 130,000 tons of alumina a year from Kaiser's plant in Gramercy, La., now under construction as part of the program.

kets were limited, and that even great Alcoa was anxiously retrenching. In Oakland the controversy raged throughout 1945. Able George Havas, head of Kaiser Engineers, made a survey of aluminum prospects; the report was negative. Three of Kaiser's partners in Permanente said they'd quit if Henry persisted with aluminum—and they did. The dissenters were MacDonald & Kahn, Morrison-Knudsen, and Marriner Eccles' Utah Construction Co. It is probable then Henry himself would have relented except for Kaiser-Frazer's troubles in getting steel. If nothing else, the aluminum project might serve as a stratagem to bring steel suppliers around to a more cooperative attitude.

Kaiser, and the three partners that stuck with him (Pacific Bridge Co., J. F. Shea Investment Co., and General Construction Co.), arranged, on their personal guaranties, a line of credit of $15,750,000 from the Bank of America, and on April 1, 1946, leased from the War Assets Administration the $47-million aluminum-sheet rolling mill at Trentwood. At nearby Mead, there was a $24-million smelting plant, and they leased that, too. Then Henry Kaiser himself went to A. V. Davis of Alcoa to ask for bauxite and also for a couple of million pounds of primary aluminum. He got both. By mid-July both Trentwood and Mead were producing. At the end of the first month, the operation was in the black, and has remained so ever since. But the aluminum automobile (unfortunately, perhaps) never materialized.

In November, 1946, Permanente Metals rounded out its aluminum system with the lease of a Government-owned alumina plant at Baton Rouge, and the purchase of an additional reduction plant at Tacoma for $3 million. Eventually (1949) the Baton Rouge, Trentwood, and Mead plants were purchased, on time payments, from the Government for a figure slightly in excess of $36 million.

To help run the new venture, Dusty Rhoades, then 43, picked, from among Kaiser personnel, Thomas J. Ready, 35, as operations manager, Bert Inch, 37, as sales manager, Donald E. Browne, 36, as controller, and Ralph Knight, 36, to oversee research—all of them innocents in aluminum. Ten years have passed and they are still the senior officers of the company, and still constitute one of the youngest top-management groups in the industry.

Though a few operating men were snatched from Kaiser Steel and Permanente Cement to handle the top supervisory jobs, there weren't nearly enough available people on the home lot to man the pumps. But recruitment proved to be no problem. Alcoa, it turned out, was retrenching, and applications flooded in from experienced Alcoa hands. There were recruits also from Alcan, Reynolds, and from various copper and brass companies. It is Dusty Rhoades' theory that these people were not the second-raters of their former companies, but the ambitious and adventurous ones who had worked up to good wartime jobs and didn't want to accept downgrading. At any rate, they did a marvelous job for Kaiser—or Permanente Metals, as the company continued to be known until 1949.

The admixture of good men from other metal-making operations such as steel and brass proved to be an excellent thing. By the application of techniques familiar to steel, the equipment at Trentwood was speeded up to roll sheet at three times the old rate. The plants at Mead and Tacoma were also operated at well over rated capacity. By the end of its first year of operations, July 1947, the company was able to report production of 119,604,000 pounds of aluminum, sales of $45,418,000, and a net profit of $5,338,000. From then on Kaiser had only one thought—expansion.

A PIECE FOR THE PUBLIC

In July 1948 Kaiser Aluminum "went to the public" for the first time for funds. It was not a large issue—600,000 shares at $15 a share, with net proceeds to the company of about $8 million. Henry Kaiser could have borrowed that sum over the telephone, but by now he felt that the company—owned at the time by only four stockholders—was headed for the Big Time, and needed an introduction to the capital markets of the East. George Woods, of the First Boston Corp., who had been taking a keen interest in the Kaiser picture, handled the issue along with Dean Witter & Co., San Francisco investment house. For those who bought stock at that time, and held it through stock dividends and an eventual 3-for-1 split, the investment has increased tenfold.

Soon Kaiser added the wire mill to the rod-and-bar facility at Newark, Ohio, and bought a foil mill in Germany, which it transplanted to the premises of the old magnesium plant in Permanente, Calif. About this time Kaiser bought the first of several thousand acres of bauxite deposits it now has in Jamaica. Up to 1953, Kaiser was supplied almost entirely by Alcoa, which today ships Kaiser 400,000 tons of Surinam bauxite annually under a contract that runs through 1963.

On top of this substantial setup, Kaiser Aluminum piled its vast Korean expansion—vaster than is generally realized, for if the total program running from 1951 through 1953, is lumped together, it represents an expenditure of more than $230 million.

Kaiser negotiated its program in three steps. First, in February 1951, came the $115-million loan, of which $75 million was in 25-year mortgage bonds and $40 million in bank loans maturing in 1955. With the proceeds, Kaiser not only built the first section of the Chalmette reduction plant, but it paid off all the money it owed the Government for previous plant purchases—Trentwood, Mead, Baton Rouge, etc.—"23 years before the final payments would be due."

The second step, in December 1951, raised $100 million for expansion by (1) the sale of 375,000 shares of preferred stock for $18,750,000, (2) bank loans of $93,500,000, and (3) the sale of $29 million of additional first-mortgage bonds. Of the total, some $40 million was used to retire previous bank loans. The remainder went to the enlargement of Chalmette, the refurbishing of the recently acquired extrusion plant at Halethorpe, and the addition of a pot line at Mead.

The final step, in December 1953, had interesting overtones. It was the sale of the remaining authorized 325,000 shares of preferred stock, and, in addition, 100,000 shares of common stock, to Kennecott Copper Corp. for $16,250,000. Kennecott, flush with cash, had long been exploring the idea of getting into aluminum. It decided to take a piece of Kaiser, as an investment, and watch developments.

FINANCING FOR THE FUTURE

In the midst of this spectacular expansion, Kaiser already was planning an even bigger burst of building in 1955–60. As far back as 1951, Kaiser had optioned a site in Ravenswood, W. Va., and had negotiated with Philip Sporn, of American Gas & Electric Co., for power facilities based on coal. And in the financing of the Korean expansion, Kaiser was careful to schedule its repayments so as to keep a clear track for the newer and bigger financial program forecast for 1955–60. For example, the purchasers of the first-mortgage bonds agreed to waive the heavy sinking-fund payments in the early years in the event that Kaiser should find it necessary to build additional facilities. This financial foresight paid off when the Ravenswood program was initiated. The waiving of $16,500,000 in sinking-fund payments due in 1956 and 1957 provided cash for an early start on the sheet and foil mill, which will be in operation by the end of August.

Without this deftness in finance—for which George Woods can take a bow—Kaiser Aluminum wouldn't be the powerhouse it is today. As Gene Trefethen succinctly puts it: "Money is a problem with us—it always has been—but so far it has never stopped us from doing anything we wanted to do." Has Kaiser Aluminum run too fast? Is it carrying too much debt? Trefethen thinks not. "We recognize that we have a heavy debt at Kaiser Aluminum," he says (the authorized amount is now about $300 million), "but it's not the debt that has to be considered, but the service on the debt and its relationship to the cash flow. We have a high cash flow in relation to our obligations. That's what makes sense to lenders, and that's why our stock issues have been so successful."

Trefethen's point would seem to be well taken, especially in view of Kaiser Aluminum's profit curve (without reference to accelerated depreciation) in the past 3 years—$14 million in Kaiser's fiscal 1954, $28,565,000 in 1955, and more than $40 million in 1956. Trefethen feels comfortable about the relationship of Kaiser's debt to total capitalization, which is 41.2 percent at this writing but will rise to 50.3 percent in 1957. Reynolds' debt, for example, is 52 percent (and is admired by many a Wall Streeter for its "very high leverage").

YOU AIN'T SEEN NOTHIN' YET

The Ravenswood prospect has Kaiser Aluminum in an uproar of activity and anticipation—as though the company had just started business the day before yesterday.

"When we get Ravenswood in, we'll have some tools," cries Dusty Rhoades, as if to suggest that Kaiser had been merely limping along until now. Tom Ready, in charge of operations, gloats lovingly over the invitingly low costs. "Compared to Trentwood," he says, "we'll reduce our transportation costs on sheet to the Midwest and East by nearly 75 percent. We'll also have substantial savings on alumina, which can be shipped upriver by barge—unless the railroads offer us an even better rate."

Says Stan White, a Ready lieutenant, "With our little plant in Permanente, we've been getting about 11 percent of the foil market. Ravenswood will have four 'four-hi' foil mills compared to Permanente's one. We want at least 20 percent of that foil market. And sheet—75 percent of the country's sheet business is in the east. For the life of me, I don't see why we can't get 35 percent of that eastern market now." (Kaiser has been getting 20 to 25 percent.)

The manning of Ravenswood—in 3 years it will have 3,500 employees—adds to the company-wide excitement. At Trentwood, a training unit is prepping to take over the running of the Ravenswood sheet and foil mill. From Chalmette, Mead, and Tacoma, men are being picked to boss the Ravenswood reduction plant. From the Baton Rouge alumina plant, a cadre of some 15 engineers and processing experts has been selected to organize the new alumina operation at Gramercy. And for every Kaiser man who gets a Ravenswood or Gramercy plum, somebody else is promoted or upgraded, and so on down the line. It's one continuous graduation day at Kaiser Aluminum.

ALSO IN THE BATTING ORDER

Yet the fantastic truth is that, simultaneously with Ravenswood, Kaiser Aluminum is expanding—and in some cases doubling—almost every one of its facilities from coast to coast. Here is a partial roll call of the work in progress:

At Chalmette, Kaiser is (1) adding a ninth potline, which will increase primary aluminum capacity from 220,000 to 247,500 tons; (2) building a $1,500,000 plant for the recovery of cryolite, a material used in making aluminum; (3) installing, at an outlay of $1,250,000, direct-chilled casting equipment, which eliminates the pig state—the metal is poured direct from the pot and cast into

billets; (4) constructing a $6-million system of fume and smoke control.

At Mead, additional pots are being placed that will increase capacity another 1,000 tons to 176,000 tons. At Tacoma, additional pots will increase capacity by 5,000 tons to 38,500. At Trentwood, installation of new equipment will double stretcher-plate capacity. At Newark, Ohio, facility expansion of $5,500,000 will raise capacity of electrical-conductor, rod, bar, and wire stock to 150,000 tons. At Erie, Pa., a $4,500,000 expansion will raise forging capacity from 4,500 to 6,000 tons. At Halethorpe, Md., a $6,500,000 program will bring extrusion capacity up from 12,000 to 20,000 tons. At Wanatah, Ind., a $1,200,000 plant is being built to make aluminum-foil containers.

MEASURE OF THE MARKET

In Kaiser's view these multimillion-dollar projects represent no more than an attempt to measure up to a realistic projection of Kaiser's just share in aluminum's future.

Aluminum consumption now runs to a little over 2 million tons a year. According to Kaiser's projections, consumption will reach nearly 3,150,000 tons in 1960, about what the Department of Commerce estimates total supply will be that year. But "total supply" includes nearly 1 million tons of scrap and imports. When that is deducted, it leaves the domestic primary producers supplying about 2,200,000 tons. On the basis of Kaiser's planned expansion through 1958, the company would be geared to furnish about 30 percent of the supply. This is not an inordinate ambition—Kaiser already furnishes about 27 percent. Indeed, it will not surprise anyone if Kaiser, after 1958, indulges in another round of expansion.

Kaiser thinks it's on top of the developments in aluminum that are most promising. It sees a 100-percent increase in the market for extruded shapes and tubing in the next 5 years, and more than likely, before Halethorpe concludes its expansion, Kaiser will build another extrusion plant in the Midwest. Kaiser already is the No. 1 producer of covered and insulated aluminum wire, and is pushing an intensive research program in that field. Up to now, most high-voltage conductors have been aluminum cable, steel reinforced. Kaiser has developed an alloy of sufficient strength to eliminate the steel core.

And as might be expected, Kaiser has dogged the automobile industry for increased aluminum usage. Several years ago Kaiser joined with Doehler-Jarvis, now a division of National Lead, in the development of an aluminum engine that is lighter, cheaper, and has more cooling efficiency than a cast-iron engine. The story is that Detroit is continuing to take a serious look at it. Exclusive of the engine, however, Detroit currently is using an average of 35 pounds of aluminum per car, and this may well rise to a hundred pounds in the next decade.

HOW KAISER WAS CORNERED

But one phase of the market that has escaped Kaiser in the past is the direct or consumer-level market. Reynolds Metals Co. undeniably has raised hell with both Kaiser and Alcoa in the manufacture and promotion of end products. After the war, when Reynolds was stuck for a time with too much capacity and too much metal, it stepped up its forward integration into end products. Since then Reynolds has followed the policy of making numerous products, if they were profitable, though it also sells some 25 percent of its primary aluminum to independent, nonintegrated fabricators. Alcoa, on the other hand, largely held to its traditional policy of supplying raw metal, or at the most, semifabricated mill products. Kaiser, which knew nothing about consumer products anyway, followed Alcoa's suit.

But Reynolds was too much competition for many of the small end-product converters. Reynolds could underprice them (since it was selling the metal to itself) and outadvertise them. Kaiser used to sell considerable foil to converters throughout the East, for example, but lost this business when the converters lost out to Reynolds Wrap.

Ultimately, a key case came up in the container field. Kaiser was supplier to Foil Kraft, of Los Angeles, the largest supplier of aluminum containers to the frozen-food industry. But after Reynolds, and also Alcoa with Ekco Products, barged into this field, Foil Kraft had to ask Kaiser for a reduction in price. Kaiser obliged with a cheaper product. Finally, in a state of jitters, Foil Kraft asked Kaiser, "Why don't you buy us out?" Kaiser did, and also proceeded to start building a plant in Indiana for the production of a full line of frozen-food and TV-dinner containers.

This signals the entry of Kaiser into consumer products, which will be handled as a separate division, the same way as chemicals, speaking of which brings up a prophetic addendum.

Kaiser's chemical division, which is run with burning enthusiasm by Vice President Frank Cashin, has made as much progress, relatively, as aluminum; it keeps on contributing its 4 or 5 percent of the company's gross. Though its principal product is refractories, it also handles dolomite, magnesia, and commercial alumina. Cashin expounds on the infinite possibilities of such new avenues as petrochemicals, rare metals, and atomic-energy byproducts. He is forever demanding more people, more plant, and a bigger share of the advertising budget, and takes a lot of kidding around the Kaiser luncheon table for his pushiness. But recently Edgar Kaiser was asked by a reporter to name the company's brightest and biggest growth prospect. "Chemicals," he snapped. Ten years ago, they all laughed when his father said, "aluminum."

LITHUANIAN PLAZA IN CHICAGO—A DESERVED HONOR

Mr. MURRAY of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MURRAY of Illinois. Mr. Speaker, it has been proposed by civic leaders in the city of Chicago to give an area in my district the honorary designation of Lithuanian Plaza in Chicago.

This proposal is a deserved honor to Americans of Lithuanian ancestry for their contribution to our country. Also, it will serve as a constant reminder to people held in captivity by the Soviet Union that the people of this country remain firm in their conviction that people everywhere have been endowed by their Creator with inalienable rights.

The area proposed as the Lithuanian Plaza in Chicago includes within its boundaries institutions built and administered by Americans of Lithuanian ancestry dedicated to God and the welfare of the people of our Nation.

An editorial concerning this deserved honor was included in the Wednesday, July 11, 1956, edition of the Chicago American, one of our great newspapers in this country.

I would like to include that editorial at this point in the RECORD:

[From the Chicago American of July 11, 1956]

A DESERVED HONOR

Civic leaders of Lithuanian ancestry are asking that the area bounded by Marquette Road, Rockwell Street, 68th Street, Washtenaw Avenue, 69th Street, and California Avenue be given the honorary designation of Lithuanian Plaza in Chicago.

Alderman John J. Egan of the 13th ward will ask the city council tomorrow to confer the title, and we hope the council will.

Americans of Lithuanian descent have studded the section with important educational, cultural, and religious institutions. Among them are Maria High School, Holy Cross Hospital, St. Casimir Convent, the Nativity of the B. V. M. Church (founded in 1928 and now building a new $1-million church on 69th Street near Washtenaw Avenue) and the Darius and Girenas Monument in Marquette Park.

The monument honors the memory of Capt. Stephen Darius, United States Army, and Lt. Stanley Girenas, of the Lithuanian army, who undertook a flight from New York to Kaunas, capital of Lithuania, on July 15, 1933. They died in the crash of their plane 40 miles short of Kaunas. The Darius and Girenas Post of the American Legion holds a commemorative program at the monument each year.

Chicagoans of Lithuanian blood have made and are making important contributions to the city's cultural life. They are also laboring tirelessly in the cause of freeing their fatherland from enslavement to Communist Russia.

Applying the honorary name, "Lithuanian Plaza," to the area which they have done so much to advance in beauty and culture would appropriately express the appreciation of their fellow Chicagoans for their civic labors and also for their love of human freedom.

In the Thursday, June 28, 1956, edition of the Chicago American is an article written by one of Chicago's finest reporters, Stanley Pieza, which discloses better than any words of mine much of the record of Americans of Lithuanian ancestry. I would like to include that article at this point in the RECORD:

CHICAGO TO BE LITHUANIAN'S CAPITAL FOR A DAY

(By Stanley Pieza)

"The Great Liths."

That's the title Mayor Daley one night during a speech bestowed on the Americans of Lithuanian ancestry.

He was referring to such big names as Jievute Paulekiute—Bobo Rockefeller, Johnny Podres, Jack Sharkey, Edward Krause, Eddie Miksis, Golfer Billie Burke, and many others.

Mayor Daley knows more about Lithuanians than any other civic leader—he lives in Bridgeport, the capital of Chicago's more than 100,000 Lithuanians. In Bridgeport is St. George Roman Catholic Church, 32d Street and Lituanica Avenue, the "mother church" of the 13 Lithuanian parishes of the Chicago Roman Catholic Archdiocese.

On Sunday, more than 25,000 Lithuanians from all parts of the United States and Canada will flock to Chicago to participate in the Lithuanian National Folk Song Festival to be held in the Chicago Coliseum, 1513 S. Wabash Avenue.

TWENTY CHOIRS WITH 1,500 VOICES

Some 20 choirs, with a combined total of 1,500 male and female singers, will present the folk song program, under the direction of outstanding Lithuanian music directors.

Religious services will precede the folk festival and will conclude with a banquet in the evening, when the guest speaker will be Samuel Cardinal Stritch. The banquet will be held in the Sherman Hotel.

Services will be held in Holy Cross Roman Catholic Church, 46th Street and Hermitage Avenue, and in Saints Peter and Paul Evangelical Lutheran Church, 19th Place and Halstead Street. The celebrant in the Lutheran Church will be the Reverend Ansas Trakis.

The Most Reverend Vincent Brizgys, Roman Catholic bishop in exile from Communist-held Lithuania, will preach at the services in Holy Cross Church. Celebrant of the mass will be the Right Reverend Monsignor Ignatius Albavicius, pastor St. Anthony Church of Cicero. The pastor is the Reverend Anicetus Linkus, known as the "Padre of the Back of the Yards."

Lithuanian immigration to the United States started almost 100 years ago. The sturdy Liths from the Baltic coast of Europe worked in the mines, steel factories, in Chicago's Stock Yards, and at the same time erected churches, educational institutions, hospitals, homes for the aged and maintained newspapers, such as Chicago's two dailies, The Lithuanian Daily Draugas, managed by the Marian Fathers Congregation, and the Lithuanian Daily Naujienos, edited by Dr. Pius Grigaitis.

MANY INDUSTRIALISTS, PROFESSIONALS

Many of them became industrialists, professionals, priests, nuns, and they have popularized Lithuanian rye bread, Lithuanian cheese, soured milk (rugusis pienas), and Lithuanian potato pudding, known as "kugelis."

Among the institutions established by Lithuanians in Chicago are the $3,500,000 Maria High School for Girls, maintained by the Sisters of St. Casimir, who also operate Holy Cross and Loretto Hospitals, and the Holy Family Villa for the aged in Worth, Ill. The Marian Fathers are erecting a modern monastery and a print shop for the Lithuanian Daily Draugas at 63d Street and Kilbourn Avenue.

Near Maria High School, Marquette Road and California Avenue, is the mecca of America's Lithuanians, the site of one of the most unique memorials in the United States. It is the memorial to Darius and Girenas, in Marquette Park.

Both Chicagoans, Capt. Stephen Darius and Lt. Stanley Giernas, lost their lives in a transatlantic flight. One of the best known posts in the American Legion is named after them, the Darius and Girenas Post, of which Joseph Kamin is commander.

Another American Legion Post in Chicago is named after a local Chicago boy, Don Varnas, who lost his life for his country in World War II.

BOBO ROCKEFELLER MISS LITHUANIA

Most prominent of the Great Liths is the former Bobo Rockefeller, who in 1933 won the Miss Lithuania title at a Century of Progress Lithuanian Day observance. She was then Miss Jievute Paulekiute, daughter of Chicago Lithuanian parents.

In contrast to the scintillating life of Bobo was that of the late Mother Maria, founder and mother general of the St. Casimir Sisters Congregation, whose nuns teach in many Lithuanian parochial schools.

Typical of the American citizens of Lithuanian birth is John Pakel, who came to this country at the age of 19 with only 20 Russian rubles, or $5, in his pockets, and today operates a million-dollar-plus business, the Chicago Savings and Loan Association, 6234 South Western Avenue. Another outstanding savings and loan executive is Justin Mackiewich, president of the Standard Federal and Savings and Loan Association, Archer Avenue and Sacramento Street.

Mr. Pakel is head of the financial committee for the Lithuanian National Folk Song Festival, composed of leading Lithuanian businessmen and industrialist, such as Anthony J. Rudis, president of the Rockwell Engineering Co. in Blue Island.

Among the top leaders in Chicago's political life was the late John Brenza, son of Lithuanian miners of Pennsylvania's coal region. He helped establish the Metropolitan State Bank, which today is headed by his brother, Julius Brenza. Another brother is Dr. Sylvester Brenza. A sister, Mary Brenza, once operated an ice plant in Chicago.

Anthony Olis, whose father was a publisher of Lithuanian periodicals in Chicago, is president of the sanitary district. Other leading Lithuanian civic leaders are Judge John T. Zuris, Al G. Kumskis, a Democrat and candidate for a trustee of the sanitary district, and Judge Alfonse Wells of the municipal court, former FBI agent. On the police force are Captains William Balswick and Edward Satunas, and Al Valanis, who helps catch criminals by his drawings.

MANY OTHER GREAT LITHS

Edward Krause, athletic director of the University of Notre Dame, lived with his Lithuanian parents in Chicago's Town of Lake Lithuanian community, where is the famed Holy Cross Church, with its paintings of a Lithuanian Hill of Crosses and Baptism of Indians by Father Marquette, done by a noted Lithuanian artist, Adolph Valeska. Edward's brother, Phil Krause, was a famed Notre Dame football player.

Bill Osmanski, now a dentist, was an all-American halfback and professional football player.

Other great Liths are Anne A. Bernatitus, heroic Navy nurse, who was the last to escape from Corregidor; Joe Williams, bowling champion; Lt. Col. Anthony Svedas, a Marian Fathers Congregation priest and known as the "flying chaplain"; Anna Kaskas and Polyna Stoska, former Metropolitan Opera prima donnas; Andy Publis, football coach at Proviso High School. Among the country's best golfers were Billie Burke and Johnny Goodman.

This material was forwarded to me at the suggestion of Joseph Kamin, commander of the Darius-Girenas Post of the American Legion. This American Legion post—one of the largest in the Nation—is named after two Americans of Lithuanian descent who gave their lives in order to cement the friendship between the United States and the land of their nativity.

OUR VANISHING SHORELINE

The SPEAKER pro tempore (Mr. ALBERT). Under the previous order of the House, the gentleman from Massachusetts [Mr. HESELTON] is recognized for 20 minutes.

Mr. HESELTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a report and certain other material with reference thereto.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. Mr. Speaker, last Sunday the National Park Service Director, Conrad L. Wirth, released for the National Park Service of the Department of the Interior one of the most significant and challenging reports which that excellent Government office has ever made.

Early in 1954, the National Park Service was asked what were the remaining opportunities to preserve outstanding stretches of the Atlantic and gulf coasts—not only places valuable for their scenic qualities and for public recreation, but areas desirable as sanctuaries for unique or rare plant and animal communities.

Some twenty years ago the Service had conducted a seashore recreation area survey with emergency funds and was able to identify many important, unspoiled natural areas which seemed deserving of preservation for future public use and enjoyment. Then a war intervened, followed by a period of great economic growth and development. It was difficult for anyone to foresee how far development might spread up and down the Atlantic and gulf coasts.

Then the Service received the gift of funds from an anonymous donor and with other gifts from other public-minded and generous individuals, with the cooperation of the United States Coast Guard, many State park and planning officials, nature conservancy, the Audubon Society, and several universities and individuals, it undertook this highly significant survey.

It has published a beautiful booklet which should—and I am certain will—be read with great interest but serious concern by everyone who realizes the priceless heritage all of the people of this country have in the coastline areas on the Atlantic and gulf coasts, and particularly by the millions who have found in those areas the sources of recreation and lasting pleasure.

The findings and recommendations are worthy of the fullest and promptest kind of consideration on the part of individual citizens, groups, organizations, and of Congress.

The Service has also published a detailed report containing descriptions and photographs of the 126 areas from the Canadian to the Mexican border which were studied. I recommend heartily that everyone interested make arrangements to obtain this report and to study particularly the portions which are of direct interest.

In submitting the report, Dr. Wirth declared:

The facts uncovered by the survey are alarming. Only a fraction of our lost seacoast is left undeveloped for potential public use, and much of this small portion is rapidly disappearing before our eyes. The survey will have served its purpose well if public-minded citizens and local, State, and Federal Governments are stirred to take necessary steps—before it is too late to preserve this priceless heritage.

Dr. Wirth's statement on Sunday was accompanied by the following summary:

Only 240 miles of the 3,700 miles of general coastline from Maine to Texas are now in Federal and State ownership for public recreation purposes. About half of the 240 miles are embraced by three areas of the National Park System—Acadia and Everglades National Parks, and the Cape Hatteras National Seashore.

The remaining opportunities for conservation of seashore resources are largely confined to 54 undeveloped areas comprising 640 miles of beachfront.

The supply of undeveloped seashore is dwindling fast under pressures of a booming market for beachfront holdings. The number of persons seeking to acquire seashore property is skyrocketing and so is the price.

The report recommends that prompt action be taken to acquire at least half of the remaining 640 miles of seashore suitable for recreation by Federal, State, and local agencies.

"The critical situation," the report stated, "deserves the attention of all persons and organizations in a position to give aid—women's clubs, chambers of commerce, historical societies, service clubs, universities, conservation groups, etc."

The report recommended further that acquisition of areas should be related as directly as possible to the distribution of population, except where biological, historical, or other values supersede.

Further land use studies of selected coastal areas of unusual importance should be undertaken, the report added, with consideration given to proper boundaries and long-range planning for the best uses of recreation values.

The current survey, financed with contributions from a private donor interested in conservation of the recreational, wildlife, and other natural resources of the seashore, got under way in 1954. Conducted by the National Park Service, the survey party had generous assistance from other organizations, Director Wirth said. These included the United States Coast Guard, the Fish and Wildlife Service, directors of State parks and museums, libraries, historical societies, and various other Federal, State, and private agencies.

First, the entire general coastline of 18 States with Atlantic or Gulf frontage, was examined from helicopters and amphibious planes. Aerial photographs were made of undeveloped areas, followed by ground reconnaissance by power wagon, jeep, and patrol boat of 126 areas spotted on aerial maps. Ground studies eliminated 72 of the 126 areas as lacking in recreational potentialities or because they were not available for public use.

The 640 miles of seacoast in the 54 areas finally selected by the survey party as worthy of potential public development range in size from 1 mile long to 100 miles. Eighteen of the undeveloped areas embracing 118 miles of coastline, lie within the most densely populated section of the seashore between Massachusetts and Delaware. Six of the areas and one-third of the total beach mileage are in Texas.

The survey report points out that a similar seashore recreation area survey of the Atlantic and gulf coasts was made by the National Park Service in 1935. At that time the Service recommended that 12 major strips with 437 miles of beach, be preserved as national areas. Only 1 of the 12—Cape Hatteras, N. C.—was actually acquired as a national seashore. All but one of the remainder—the Great Beach at Cape Cod, Mass.—have long since gone into private and commercial developments.

The current survey reports notes that the 1935 report provided valuable comparative data, but added:

"For the most part it represented the ghosts of departed opportunities."

The current report lists three areas of special significance as indicative of the seashore values unspoiled by modern developments which should be preserved for public recreation and cultural enjoyment. They are:

1. Cumberland Island in southeast Georgia, recently recommended for establishment as a national park by the Advisory Board on National Parks and Monuments.

"This sea island," says the survey report, "is thought to contain practically all the desirable features for public enjoyment. It is sufficiently large to maintain community conditions of its plant and animal life. Most of the beach is exceptionally attractive. It has fresh-water ponds. The dunes are splendid and fairly well under control by vegetation. The ocean waters are warm with normally dramatic surf effects."

2. The undeveloped area of Fire Island, N. Y. The western end of Fire Island is occupied by the Fire Island State Park.

"The south shore of Long Island, N. Y., is the most convenient seashore recreation area for the largest population center of the United States," the report stated. "Within a small geographical radius are grouped not less than 9 million people. Already, of course, the State has done much to provide facilities for satisfying the yearning for a day at the ocean edge, but even now overloaded conditions are to be observed at such places as Jones Beach, Gilgo Beach, and Captree State Park."

3. Cape Cod, Mass.: The current report repeats the analysis of the thirty-odd miles of the Great Beach area of Cape Cod made following the survey of 1935:

"There is no longer any comparable area in the New England region that exhibits all the outstanding values desirable and suitable for extensive seashore recreation. For these reasons alone, the Great Beach area of Cape Cod merits preservation as a major public seashore of the north Atlantic coast."

The newly issued report points out that Great Beach is not more than 300 miles distant by highway from all 6 capitals of the New England States, and adds:

"Great Beach contains, in its shoreline and the adjacent land, practically every feature desirable for preservation for ordinary recreational purposes and for the additional use of historical and nature study. In spite of its ready accessibility, it has the priceless feel of remoteness. It is the longest stretch of beach in the New England shoreline."

The report notes that a generation or two ago vast stretches of unspoiled and undeveloped beach lined our coasts. Since then almost every attractive seashore area on our Atlantic and gulf coasts has been preempted for commercial or private development.

The booming market in seashore property over the past decade has been nothing short of a business phenomenon, the report declares. An undeveloped area 30 miles long recommended as a national seashore in 1935 could have been purchased then for $260,000. Today only 9 miles remain undeveloped and at current prices could be expected to sell for $110,000 a mile—an increase of 1,100 percent in 20 years.

"The seashore has become big business," the report asserts. "Extensive and costly developments now line mile after mile of shore which before World War II was uninhabited * * *. Plans on drawing boards call for large-scale centers to occupy remote beaches as yet undisturbed by the blade of a bulldozer."

The report summarizes the extent of general shorelines in each of the 18 Atlantic and Gulf Coast States and indicates the areas selected by the survey as especially suited to public use.

(NOTE.—"General shoreline," as used in the survey report, means the general outline of the seacoast including bays and sounds to a point where they narrow to a width of 30 minutes of latitude.)

Mr. Speaker, because of the significance and importance of this report by the Service, I believe it would be helpful to all those interested to include here in the RECORD the textual material in the booklet, entitled "Our Vanishing Shoreline," but no one can help but benefit greatly and enjoy tremendously having the booklet itself and making it a part of his or her permanent library.

I hope that this statement will be a further contribution to the great challenge placed before the people of this country by this timely report. I urge all my colleagues and the committees of the House which have legislative and appropriation jurisdiction over this matter to use their great influence in securing the earliest possible consideration of the facts outlined in the report and of the recommendations made. While the hour is late, if anything constructive is to be done by Congress, it is not too early to arrange for whatever preliminary staff work can be completed during the adjournment and to plan for prompt hearings immediately after the new Congress convenes next January.

The textual part of the booklet follows:

OUR VANISHING SHORELINE

SEASHORE FEVER

"Private Property."

"No Trespassing."

"Subdivision: Lots for Sale."

These are the signs of the times today along America's eastern coast.

Travel where you will along the shore, from Canada to Mexico, and these are the signs you will see mushrooming in countless numbers.

Signs like these are storm warnings. They mean just one thing: Almost every attractive seashore area on our Atlantic and gulf coasts has been preempted for commercial or private development. Only a fraction of our long seacoast is left for public use, and much of this small portion is rapidly disappearing before our eyes.

A generation or two ago, only the most farsighted of men could have guessed that this problem would so suddenly confront the Nation. Vast stretches of unspoiled and undeveloped beach then lined our coast, within easy reach of even the largest coastal cities.

Fifty years ago, for example, a boy could go 5 miles from the populous city of Boston, spend the day combing the beach or digging mud clams in the estuaries, and seldom see another human being within shouting distance.

On the unforgettable crescent of gleaming white sand that stretched from Winthrop to Nahant one passed only a few venturesome cottages before finding himself alone with the sea. Old Orchard Beach, below Portland, boasted a little summer hamlet near the railroad station, but at its reaches was an expanse of wilderness. Virginia Beach was much the same.

Even around New York City, greatest center of population of the country, if a man did not like the hurly-burly of Coney Island he could have his fill of wilderness communion by exerting himself a bit. Miles of the sandspit front of Long Island were his for the asking.

Fashionable interest in the seashore was dotting the coastline with colonies of "summer folks," but these were mere specks on a far-flung seascape. It seemed then incredible that there would ever be starvation where all one could see was inexhaustible riches.

As late as 1935—just two decades ago—the National Park Service made a survey of the Atlantic and gulf coasts and found plenty of unspoiled seashore areas suitable for public recreation. It recommended that 12 major strips, with 437 miles of beach, be preserved as national areas. These were superb tracts. There were plenty of others, only a little less desirable, suitable for State and other reserves.

Only 1 of the 12 was actually acquired as a national seashore. All the others, save one, have long since gone into private and commercial developments.

The real boom that has created such a problem for those interested in seashore conservation began after World War II. It is in part a product of postwar prosperity, and its spectacular acceleration in only a decade is nothing short of a business phenomenon.

The market for seashore property has become so active that inaccessibility is no longer a bar. Isolated islands are being subdivided, roads and streets constructed and buyers found while the islands are still accessible only by boat. Most of the 5,000 lots in one large island development 150 miles from the nearest population center have been sold at constantly increasing prices although all attempts to secure a bridge have failed.

Under such pressure, beachfront holdings respond to the inevitable law of supply and demand. The supply of such land is fast dwindling; the number of persons seeking to acquire property is skyrocketing—and so is the price.

An undeveloped area 30 miles long recommended as a national seashore in 1935 could have been purchased then for $260,000, about $9,000 a mile. Today only 9 miles remain undeveloped, and they would bring $110,000 a mile—an increase of 1,100 percent in 20 years.

It would be difficult today to purchase an attractive 100-foot lot fronting on the ocean for less than $3,500, and most sites would range far higher.

The seashore has become big business. Extensive and costly developments now line mile after mile of shore which before World War II was uninhabited. The big resort centers are steadily expanding their capacity to meet demands, and smaller resorts are mushrooming throughout the length of the coast. Plans on drawing boards call for large-scale centers to occupy remote beaches as yet undisturbed by the blade of a bulldozer.

More and more people are getting the seashore habit. Many who were once satisfied with an occasional visit to the beach now want to build a cottage and stay there all summer—perhaps all year.

The Army, Navy, and Air Force are acquiring coastal land for military purposes. Mineral resources of the seashore attract oil wells and mining operations. With each acquisition, the amount of available beach for all other purposes is reduced.

Is it difficult to predict what the consequences of these changes will be to the future of the seashore?

A PEOPLE'S HERITAGE IS THREATENED

Why should anyone be concerned about this problem?

Why do conservationists express alarm that the undeveloped and unspoiled seashore is rapidly disappearing?

The answer is simple.

The seashore is a priceless scenic and scientific resource for which there is no substitute. Once subdivided and developed it is lost forever.

It is entitled to better treatment as a part of the natural heritage of the Nation.

Preservation of a suitable part of this resource, for use of all the people, involves a broad range of problems extending from erosion control and recreation to the protection of biological and historical values.

Take a brief look at some of these problems:

Conservation: The seashore lives in precarious and delicate balance at all times, constantly vulnerable to the action of wind and tide. Under normal circumstances the sand dunes—familiar symbol of the shore—remain stabilized by a strategic cover of sea-oat or beach grass. Even after the battering of mountainous waves and hurricane winds, the coastal plain adjusts itself to new conditions.

Not so when man intrudes. When he alters the delicate balance at any point he can never be quite sure of the result.

Some developers are unfamiliar or unconcerned with the need for retaining natural barriers to storms and currents. They cut into the dunes and destroy the vegetation in order to build closer to the water. The consequences may be spectacular cases of erosion, heavy property damage, and permanent loss of precious seashore.

All too often the damage is not confined to the despoiled area. Sand dunes, once released from the restraining grasp of vegetation, are implacable rovers. They have been known to move great distances smothering trees and buildings and burying valuable farmland.

No one expects that all beach development should cease because of the threat of erosion. But the conservation-minded citizen believes that there should be reserved a fair number of spots where the equilibrium is left undisturbed, or is affected as little as possible.

Wildlife preservation: When Old World man first came to America, five clearly distinguished plant-animal communities lived along our seashores. Each was characterized by its own forms of life: The marine community by the seaweeds—red and brown algae—the whales, the dolphins, 200 species of fish; the salt marsh community by cordgrass and seaside goldenrod, redwing blackbirds and migratory waterfowl, muskrats and fiddler crabs; the sand dune community by sea-oat and beach grass, sand crabs and tiger beetles; the shrub community by bayberry and beach plum to the north and wax myrtle and yaupon to the south; the forest community by evergreens and oaks, and by an abundance of mammals and birds and insects and reptiles.

Each of the hundreds of organisms in these communities played its role in the drama of life. A harmonious, cooperative balance resulted—the balance of nature.

Since Europeans came on the scene, this native life has been sharply disturbed, often destroyed, and the balance of nature upset.

The few remaining examples of natural plant-animal communities along the seacoast should be zealously preserved and protected from further modification. Biologists should have an opportunity to study these types of communities, that occur nowhere except along the seashore. Who can say that at some future time such studies might not result in discoveries of great benefit to the human race?

Nature is a very efficient conservationist, if left alone. Even at this late hour we can save some of our native seacoast life if areas can be given permanent protection.

Recreation: A holiday weekend in summer finds the Long Island parkways massed with traffic moving toward Jones Beach State Park, Coney Island, or Rockaway Park. Similar endless lines of cars stretch along U. S. 1 in Connecticut, Rhode Island, New Hampshire, and Maine; along U. S. 6 on Cape Cod; and roads to the shore in every other coastal State.

The enchantment of the sea lures new millions every year. This rush to the seashore is constantly abetted by higher incomes and shorter working hours. Ever-improving road systems steadily bring additional areas and populations within commuting range of the shore.

Present facilities are already inadequate and will be smothered by increased attendance unless additional recreation areas are provided.

Proof? The evidence is spectacular. In 1934 only 5 million persons visited New York State Park beaches. Just 20 years later, in 1954, attendance had vaulted to 61 million.

And rapidly increasing population promises anything but relief. Today we number 165 million. Within 20 more years, says the Census Bureau, we will number 200 million—6 persons for every 5 living now. And by the year 2000 we will have reached the fantastic total of 300 million. Our population will have doubled in less than a lifetime.

Only a program of tremendous vision and bold execution will save all recreation facilities from being buried under the avalanche.

Local governments sometimes express fear that they will lose revenues when beach property is acquired for public use and removed from tax rolls. However, experience shows that money spent by visitors to public recreation areas results in much greater return to the community than would be received from private development of the same land.

Consider, for example, what happens to a mile of seashore when converted into 100-foot building lots. Recreation—and tax revenue—are limited to 50 families.

But when that mile of seashore becomes a public beach, it meets recreational needs and lures the spending power of perhaps 5,000 persons.

HOW THE SURVEY WAS RUN

Nearly 3,700 miles of general shoreline stretch along the Atlantic and gulf coasts from Calais, Maine, to Brownsville, Tex.

How much of this area has already been developed or spoiled?

How much is left, and how much is suitable for public use?

That's what the National Park Service set out to learn in 1954 when a generous donor provided funds for a seashore recreation area survey of this farflung coastal strip.

It was obvious that time and resources would permit only a reconnaissance. But within that limit the study was thorough. It covered the entire 3,700 miles of general shoreline, including all the 18 States with Atlantic or gulf frontage.

As we have noted, there was a 20-year-old report available for comparison. For the most part it represented the ghosts of departed opportunities, yet it did serve as a valuable reference point.

From the outset the survey party had generous assistance from other organizations: transportation from the United States Coast Guard and advice and help from directors of State parks, universities, museums, libraries, historical societies, the United States Fish and Wildlife Service, and various other Federal and State agencies.

The survey staff, including among others a biologist, a historian, and two landscape architects, first examined the entire coast from helicopter and amphibious plane. They made aerial photographs and spotted undeveloped areas on United States Coast and Geodetic Survey charts.

Then followed ground reconnaissance, by power wagon, jeep, and patrol boat, of 126 areas spotted on the maps.

In considering the many spots visited, the survey party worked from this checklist of points of desirability: location, area access, regional population, beach condition, fishing, vegetative cover, biological values, dunes, insect problems (such as mosquitoes), historical and archeological values, and difficulty of acquisition.

WHAT THE SURVEY FOUND OUT

Foreboding is the only word that adequately describes the situation so clearly pictured by the survey.

In summary, the findings show that almost every attractive seashore area from Maine to Mexico that is accessible by road has been developed, has been acquired for development purposes, or is being considered for its development possibilities.

The few accessible and undeveloped beachsites left are scattered sparsely along the coast. They are small—and they are going fast. Inaccessible beachsites, including offshore islands, are almost the only hope for preservation today. Even many of these are being purchased by real-estate interests for subdivision purposes.

A few statistics sharpen up the picture:

1. Of the 3,700 miles of general shoreline constituting the Atlantic and gulf coasts, only 6½ percent, or 240 miles, are in Federal and State ownership for public recreation uses.

2. Within these 240 miles are 39 areas in 14 States: 2 national parks, 1 national seashore recreation area, and 36 State seashores. In addition there are 8 national wildlife refuges, plus a few small keys and islands with ocean beaches that are not primarily used for public recreation. A few counties and municipalities own and operate public beaches.

3. More than half of the 240 miles is contained in the Cape Hatteras National Seashore Recreational Area (North Carolina) and in Acadia and Everglades National Parks (Maine and Florida). Neither of the national parks contains much beach frontage suitable for seashore recreation.

4. The seashore survey identified and reported on 126 undeveloped areas. Of this total 72 were eliminated from present consideration because they lack recreation potentialities or are unavailable for public use.

5. The remaining 54 areas are believed to be of interest to local, State, or Federal agencies as possible public seashores. These 54 areas, containing about 640 miles of beach and comprising 17 percent of the shoreline of the Atlantic and gulf coast, constitute the major remaining opportunities for conservation of seashore resources. (Happily, States are already negotiating for portions of 8 of the 54 areas.)

6. There is a striking parallel between this recreation survey and the 2-year inventory of wetlands of the United States conducted by the Fish and Wildlife Service. Of the 54 most desirable areas listed by the recreation survey, all but 6 had been rated in the wetlands inventory as possessing high or moderate value for birdlife.

7. Of the 54 areas most suitable for public seashore recreation, 6 of the areas and one-third of the total beach mileage are in Texas.

8. Within the most densely populated section of the seashore, between Massachusetts and Delaware, lie 18 undeveloped areas containing 118 miles of coastline. The extreme importance of acquiring additional seashore in this region is vividly emphasized by the conclusion of the recent Yale University City Planning Survey: that the entire 600-mile area of the eastern seaboard from Portland, Maine, to Norfolk, Va., can be designated as a single, linear city containing one-fifth of the Nation's population.

9. The 54 undeveloped stretches of seashore selected by the survey range in size from 1 mile long to 100 miles. Some are located within 3 hours driving time of our greatest population centers. All are within 1-day travel distance of hundreds of thousands of people.

10. At least 2 and possibly 5 of the areas may be of significance to all the people of our Nation for seashore recreation. Five of the areas are of considerable historical importance, and four more may be of national significance for wildlife conservation purposes.

Within this small booklet it would not be possible to review the details of all the shoreline locations found by the survey to be desirable for public use. Several areas, however, are specially suitable; a brief picture of three of these will add flesh and blood to the statistical bones we have just considered.

1. Cumberland Island in southeast Georgia is considered by the survey to be the best of its type—the low-lying lands separated from the mainland by stretches of marsh and rivers or estuaries.

This sea island is thought to contain practically all the desirable features for public enjoyment. It is sufficiently large to maintain community conditions of its plant and animal life. Most of the beach is exceptionally attractive. It has fresh-water ponds. The dunes are splendid, and fairly well under control by vegetation. The ocean waters are warm, with normally dramatic surf effect.

Considering that much timber cutting has been done on the island, the forest is in excellent condition. Fine live oaks, with rich fern growth on trunks and limbs, and hung with Spanish moss, are abundant. Sea and shore birds abound; the island contains a good variety of animals. Fishing in the adjacent waters is excellent. With a climate similar to Florida but somewhat less extreme in summer, there are few places on the Atlantic coast where more days in the year favor being out of doors.

This and similar sea islands along the coast played a thrilling role in the New World adventure. Here France and Spain vied with each other for the friendship of the Indians; along this coast Spanish and English colonizers fought each other. A Spanish armada of 50 ships and 2,000 soldiers sailed from Habana in 1742 and attacked the British fortifications on the island. Archeological exploration may well uncover here facts of considerable historical meaning.

The possibilities of developing Cumberland Island for public recreation and cultural enjoyment are considered to be exceptional.

2. The south shore of Long Island, N. Y., is the most convenient seashore recreation area for the largest population center of the United States. Within a small geographical radius are grouped not less than 9 million people. The State, of course, has done much to provide facilities for satisfying the yearning for a day at the ocean edge, but already overloaded conditions are to be observed at such places as Jones Beach, Gilgo and Captree State Parks. The western end of Fire Island is occupied by Fire Island State Park, but the opportunity exists, according to the survey, to make public use of that part of the magnificient 32-mile barrier beach that is still relatively undeveloped.

The Fire Island area is a long, narrow stretch of sand reef, varying from several hundred yards to a mile wide. The beach is wide, clean, and gently sloping, insuring safe and enjoyable swimming in most places. The dunes are imposing and usually well stabilized by vegetation. Only at the unique Sunken Forest is there any considerable growth of trees, but this forest is a gem of its kind: dominated by American holly trees, some several hundred years old, with an accompaniment of sassafras, shadbush, redcedar, and pitch pine.

Elsewhere the vegetation consists of beach grass, bayberry, beach plum, winged sumac, reindeer moss, and some pitch pine. In places along the bay there is a fairly good growth of eelgrass, providing food for wildfowl.

Because of the tempering influence of the Atlantic Ocean, the climate of Fire Island is mild for its northern position. It is one of the few beach areas on the Atlantic which face the sun throughout the day.

The extent of this seashore makes it well suited for concentration of pleasure seekers, and also for those who delight in a degree of isolation. Historically, the whole stretch of coast here is rich in sea adventure.

3. When Gosnold, in 1602, cruised along the outer arm of the peninsula we now call Cape Cod and named it for the vast schools of fish he encountered in those waters, he landed on what he described as a "white, sandy and very bold shore." The French explorer Champlain saw it later and called it Cape Blanc for its gleaming sand dunes. Finally, on a November day in 1620, the Pilgrims of the *Mayflower* turned back into a harbor, now Provincetown, fearing the dangerous breakers and shoals, and later found what seemed a better haven at Plymouth.

None of these adventurers were seeking fine beaches and a shoreline for recreational purposes. Three hundred years and more were to pass before the survey party was to speak of this strip of thirty-odd miles in these terms:

"There is no longer any comparable area in the New England region that exhibits all the outstanding values desirable and suitable for extensive seashore recreation. For these reasons alone, the Great Beach area of Cape Cod merits preservation as a major public seashore of the North Atlantic coast."

Here is an area not more than 300 miles distant by highway from all six capitals of the New England States and metropolitan New York.

Great Beach contains, in its shoreline and the adjacent land, practically every feature desirable for preservation for ordinary recreational purposes and for the additional use of historical and nature study. In spite of its ready accessibility, it has the priceless feeling of remoteness. It is the longest stretch of beach in the New England shoreline.

Along the northern part of Great Beach the surf is occasionally too powerful and the slopes too abrupt for the best swimming. But other sections with long gradual slopes provide bathing for those who do not find the water too cold.

Along parts of the shore, cliffs rise as high as 150 feet; behind them spread forests and shrubs with many fresh-water lakes. Dunes on the north end are spectacular, some more than 60 feet high.

Sea, shore, and land birds, together with an interesting community of animals, offer a perpetual source of delight to lovers of the wild.

Cape Cod is noted as 1 of the 10 most popular salt-water sport-fishing locations in the United States. Occasionally whales are seen offshore. Many of the city dwellers of New England and New York who have suffered under the humid blanket of a "hot spell" are familiar with the refreshing sea breeze of this shore.

There is little opportunity along the New England coast for exploring undisturbed or remote areas of beach, dunes, and forests in search of enjoyments other than physically recreational. If the great beach area had the status of a major public seashore, it would unquestionably attract increasingly large numbers of people from the country at large and from Canada, besides those who would come from New England and metropolitan New York. At the same time it would preserve a representative part of a unique land-and-sea scape.

RECOMMENDATIONS FOR ACTION

As a result of the survey, the National Park Service makes these six recommendations:

1. That at least 15 percent of the general shoreline of the Atlantic and gulf coasts be acquired for public recreation purposes to be administered by Federal, State, and local agencies. If the public agencies acquire half of the suitable undeveloped seashore land remaining, they would then have, including their existing areas, the recommended 15 percent.

2. That prompt action be taken to acquire available beach sites before the best of such areas are acquired for private or commercial development. The critical situation deserves the attention of all persons and organizations in a position to give aid—women's clubs, chambers of commerce, historical societies, service clubs, universities, conservation groups, etc.

3. That the acquisition of areas should be related as directly as possible to the distribution of population except where biological, historical, or other values supersede.

4. That ample quantities of hinterland of marsh and swamp, which provide a valuable habitat for a large and interesting variety of bird and animal life, be acquired in connection with beach property. Where such areas can provide a fresh-water habitat the variety will be greatly enhanced.

5. That plant-animal communities of great ecological interest found along the seashore be acquired and preserved regardless of the desirability of the adjoining beach; and that consideration be given to such communities now in a modified condition which might return to a more natural condition if permitted to remain undisturbed.

6. That further land-use studies be made of selected coastal areas of unusual importance, giving consideration to proper boundaries and long-range planning for the best use of recreation values.

SAVING AMERICA'S WILDERNESS

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 1 hour.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include the full text of the national wilderness reservation bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, on June 11, 1956, I introduced a bill that, when enacted into law, will go a long way toward making sure that we Americans will always have some of our country unspoiled as it was when the Creator made it available to us.

This is H. R. 11703, a bill to establish a National Wilderness Preservation System for the permanent good of the entire populace.

It provides also for the protection and administration of the areas within this System by existing Federal agencies, and for the gathering and dissemination of information to increase the knowledge and appreciation of wilderness for its appropriate use and enjoyment by the people. Furthermore, the bill establishes a National Wilderness Preservation Council that will assist in realizing the purposes of the bill.

This bill is the culmination to date of a long and significant series of developments, and I want to make sure that its provisions and the events that led up to it are understood by all who are concerned with our American conservation programs.

OUR PEOPLE WANT THE WILDERNESS PRESERVED

Mr. Speaker, the people in western Pennsylvania whom I have the privilege of representing in Congress, like those in all other regions of our country, are deeply interested in our American wilderness. They know that it was out of the wilderness that our pioneers developed this country.

My people are proud of this Nation, proud of its great cities, its magnificent stretches of well-traveled highways, the railroads that link us together as a Nation, the marvelous airplanes that span the whole continental sweep of our skies in only a few hours, and proud of the industry and labor that in our American way has made it possible for us to inhabit this continent so comfortably and with such excellent opportunities for enjoying the cultural advantages of modern American civilization.

But, Mr. Speaker, the people of western Pennsylvania, the people of all America, love the land which gave us these advantages and made it possible for us to realize our great freedoms—not only our freedom from fear and want but also those other great freedoms of religion, of the press, of speech that have come to a people so richly endowed with natural resources and thereby blessed with independence.

So wherever there still remain unspoiled areas of our original wilderness we look on the land with special pride, and we are glad that not all of America has been used up. Some of it is still as God made it, although many of us may have to go a long way to find the unspoiled back country.

We want to know that there will always be these areas of wilderness remaining unspoiled, not only for ourselves but for our children, and their children, on and on into the future.

That is the explanation, Mr. Speaker, of the great protest which arose against the Echo Park Dam when there was an attempt to build it in one of these areas of scenic wild beauty.

In the past four sessions of Congress, I have represented the people of the 22d District of Pennsylvania, and indeed the people of all America, in a strong determination that no such structure should needlessly be placed in any of our sanctuaries of wilderness. Few at first were the voices that I heard in support of this determination, but when the American people understood the issues at stake in the Echo Park controversy, I began to receive letters of encouragement from citizens in all parts of our land, as well as a demand from some of my own constituents for the preservation of Echo Park.

Near the close of the 83d Congress the Speaker of the House told reporters that Congressmen had received more protests against the Echo Park Dam than letters on any other subject, and when the 84th Congress finally passed the Colorado bill, it was without the Echo Park Dam but with a declaration that no dam or reservoir under the Act should be constructed within any national park or monument.

It had been demonstrated that the American people favor the protection of such areas.

Of course, we want these areas, Mr. Speaker. We want them not only as examples of our once unbroken wilderness. We want them because we are an outdoor people. We want to know that there always will be parks and forests and fishing streams and hunting grounds for Americans to enjoy.

We know that such places throughout most of the country are getting fewer and fewer. Places where you can camp beyond the roar of traffic, hike without dodging automobiles, fish without hooking a buddy, or hunt without being afraid of being shot are getting harder and harder to find. And as these privileges become less plentiful, we suddenly realize that we want them very much.

Some of us have been thinking about this very seriously for quite a while now, and we are convinced that we have one good answer in this present bill to establish a National Wilderness Preservation System.

WE NEED THE WILDERNESS

Mr. Speaker, we want the wilderness; we deeply need it in many ways.

We need the physical strength and the stamina that men and women know when they face the wilderness on their own. The frontier—the wilderness—was one of the things which encouraged immigrants to become good Americans and inspired Katherine Lee Bates to call America herself beautiful for those pioneer—

> . . . pilgrim feet,
> Whose stern impassioned stress
> A thoroughfare for freedom beat
> Across the wilderness!

In a century and a half after this Nation was established the whole continental frontier had been mastered. The United States was established from Atlantic to Pacific, and the sons of those hardy pioneers with their inherited strength were transforming America's natural resources into the greatest national prosperity the world has ever known.

This is a century of great prowess for us, Mr. Speaker, and a century of decision too. Shall we, exploiting all our resources, reduce also every last bit of our wilderness to roadsides of easy access and areas of convenience, and ourselves soften into an easy-going people deteriorating in luxury and ripening for the hardy conquerors of another century?

I hope not, Mr. Speaker, and in our preservation of wilderness and our encouragement of the hardy recreation that puts a man or a woman or a red-blooded child on his own in the face of primitive hardships we can help meet this need for maintaining a nation of strong, healthy citizens.

As the magazine Newsweek reported on September 26, 1955, in an article entitled "Are We Becoming Soft?" many of us, including President Dwight D. Eisenhower, are concerned with this question. And as Maj. Gen. Lewis B. Hershey, the Director of Selective Service, is there quoted, I too, Mr. Speaker, believe that "we are not inherently a nation of softies, but it's a harder fight for us to stay fit than for a lot of less privileged people."

As General Hershey observes, "Our kids are all right, but autos, innerspring mattresses, and regulated heating make it tougher for us to stay fit." I agree with General Hershey when he says, "We've got to stay vigorous and still enjoy our luxury," and I suggest that our wilderness areas give us our best chance to do this.

The stress and strain of our crowded, fast-moving, highly-mechanized and raucously noisy civilization create another great need for wilderness—a deep need for areas of solitude and quiet, for areas of wilderness where life has not yet given way to machinery.

This is a need for relief for jaded minds and tense nerves, a need for the restoration of peace and the reassurance of sanity. It is a need that for many people can best be met beyond the end of the road, away from the ring of the telephone, where electric lights cannot lengthen the strains of the day, but rather where early sleep rests a man to wake at dawn and know the inspiration of the sunrise as well as the colors of sunset.

Yet it is not only for these physical and mental needs that we seek to preserve the wilderness. It is not only for enjoyment and not only for much-needed relief from the stress and strain of our civilized living that we need the wilderness. We have also a deep and fundamental need.

As The Living Wilderness commented editorially in its Autumn 1955 issue:

> Deep down at the base of all our needs for wilderness is a profound, a fundamental need—a need that is not only recreational and spiritual but also educational and scientific, and withal essential to a true understanding of ourselves, our culture, our own natures, and our place in Nature.
>
> This need is for areas of the earth within which we stand without our mechanisms that make us immediate masters over our environment—areas of wild nature in which we sense ourselves to be, what we are, dependent members of an interdependent community of living creatures that together derive their existence from the sun.

In other words, in the wilderness we can get our bearings. We can keep from getting blinded in our great human success to the fact that we are part of the life of this planet, and we would do well to keep our perspectives and keep in touch with some of the basic facts of life.

And so it is that I agree with this editorial in The Living Wilderness:

> In addition to our needs for urban and suburban spaces, in addition to the need for a country-side of rural loveliness, a landscape of beauty for our living, and in addition to the needs for parkways and well-developed areas for all kinds of outdoor recreation—IN ADDITION to all these—there is in our planning a need also to secure the preservation of some areas that are so managed as to be left unmanaged—areas that are undeveloped by man's mechanical tools and in every way unmodified by his civilization. These are the areas of wilderness that still live on in our national parks, national forests, State parks and forests, and indeed in various other categories of land likewise.

WE STILL HAVE WILDERNESS

Mr. Speaker, that leads me on to a third point: We want wilderness; we deeply need the wilderness; and fortunately we have the wilderness, still in our possession, still living.

It is easy for some of us to regret the passing of the frontier and the development of so much of our wild country—especially in our eastern and central States where we have realized too late the value of saving areas of wilderness.

And yet, Mr. Speaker, we must appreciate the fact that after so many centuries of our civilization on this continent we do have still remaining so many and such extensive areas of wilderness, and so many of them in public ownership.

It is true that much of the country that is still wilderness may not be subject to preservation because it is in private ownership or is already included in some program that calls for its development. But the notable fact is that after centuries of civilized exploitation America does still have many large areas of its original wilderness that may still be preserved—if action is prompt and definite.

These are the areas that are in public ownership and are already devoted to preservation as wilderness or devoted to a purpose that is consistent with wilderness preservation. These areas constitute our wilderness resource, a resource still great enough to be worth serious efforts to preserve it.

Some of this wilderness resource is in State ownership. I commend the States that have taken steps for its preservation. I am sorry that in my own State of Pennsylvania the movement for preservation did not become effective while there still were large undeveloped stands of Penn's woodland. In our Cook Forest State Park not far from my home there are still a few acres of the virgin white pine that once grew tall over many, many acres of Pennsylvania. We prize this State park deeply for its virgin forest.

In New York State the State constitution maintains "forever wild" great stretches of wilderness in the Adirondack and Catskill forest preserves, a total of almost 2½ million acres—2,204,756 acres in the Adirondacks, 234,414 acres in the Catskills.

Maine has the historic Mount Katahdin wilderness in its 193,254-acre Baxter State Park.

Michigan has a wilderness in its Porcupine Mountains State Park, 57,366 acres in the upper peninsula.

California has close to half a million acres in wilderness stretches within a half dozen of its State parks.

Other States also have some areas which still preserve wilderness conditions—South Dakota with Custer State Park, for example, and Minnesota with Itasca State Park, Wisconsin with its Flambeau River State Forest.

All in all there are some 3 million acres of wilderness preserved and subject to continued preservation in a dozen or more areas under State jurisdiction.

All of us throughout the United States who are interested in the outdoors appreciate this. We congratulate the States for their success in saving their wilderness. We wish them continued success.

By far the major portion of our wilderness resource is, however, within areas of public land owned or controlled by our Federal Government.

Within our national forests there are 79 areas that have been designated by the Forest Service for preservation as wilderness. Forty-nine of the units of our national park system have within them unspoiled areas that are large enough to be called wilderness. At least 20 of our national wildlife refuges and ranges include such areas. Indian reservations contain 15 areas that have been classified as roadless or wild areas.

These 163 federally owned or controlled areas include some 55 million acres of wilderness.

That brings to about 58 million acres our total wilderness resource still available in some 175 Federal and State parks, forests, refuges, ranges, or reservations.

We still have wilderness.

Mr. Speaker, the United States of America includes a total area of some 2¼ billion acres. Our civilization being what it is, I consider it fortunate indeed that within these 2¼ billion acres there are some 58 million acres still unspoiled as wilderness, protected in public ownership, within areas where the present public purposes are consistent with wilderness preservation. A great opportunity still exists to save this wilderness resource, and, Mr. Speaker, we cannot here escape the fact that what is done with this opportunity depends now upon the Congress and the people of the United States. Out of our total wilderness resource of some 58 million acres in about 175 areas, this Federal Government, Mr. Speaker, is responsible for 163 of the areas with about 55 million acres of the total.

We still have wilderness. We still have a magnificent opportunity for its preservation, in perpetuity. And with this resource and this opportunity we also have a tremendous responsibility.

OUR WILDERNESS PRESERVATION HISTORY

The fact that we do now have this still-living wilderness resource within publicly owned areas that are already protected in one way or another is not an accident of history, and before pointing out the conditions that make necessary a National Wilderness Preservation Act I think it would be helpful and inspiring here and now to pay our respects to the great tradition of preservation that American conservationists have so soundly established.

So far as I know the first one to write a plea for wilderness preservation was Henry David Thoreau.

Thoreau, whose world-classic volume called Walden had its setting in the wild lands around Concord, Mass., urged in that volume: "We need the tonic of wildness."

That book was published more than a century ago, in 1854. Four years later, in 1858, Thoreau wrote in the Atlantic Monthly about a trip he had made to the wilderness of northern Maine in 1853, and he ended this article with an earnest plea for preservation. In 1864 this article was included in Thoreau's posthumous volume entitled The Maine Woods.

"The kings of England formerly had their forests 'to hold the king's game'." Thoreau remarked. "I think they were impelled by a true instinct," he commented. And then he asked:

> Why should not we, who have renounced the king's authority, have our national preserves—in which the bear and panther, and some even of the hunter race, may still exist, and not be 'civilized off the face of the earth,' our forests, not to hold the king's game merely, but to hold and preserve the king himself also, the lord of creation—not for idle sport or food, but for inspiration and our own true recreation?

A generation later the enthusiastic surveys of the young Verplanck Colvin in New York's Adirondack Mountains, in the 1870's, led to the adoption before the end of the century of an article in the State constitution providing for the preservation of the State forest preserve "forever wild."

In the meantime the great American institution called "parks" had been founded. In 1858, the same year when Thoreau's plea for preserves was published in the Atlantic Monthly, Frederick Law Olmsted, Sr., recommended his now famous plan for Central Park in New York City, urging that the park development interfere as little as possible with the "easy, undulating outlines and picturesque rocky scenery."

In 1864 President Abraham Lincoln approved an Act giving the Yosemite Valley to the State of California with the understanding that it be "held for public use, resort, and recreation."

On March 1, 1872, President Ulysses S. Grant signed the Act that established our first national park, Yellowstone, "dedicated and set apart as a public park or pleasuring-ground for the benefit and enjoyment of the people."

Fifteen years later New York established its first State park at Niagara Falls. In that same year, 1885, Michigan acquired Mackinac Island for State park purposes and Minnesota established three parks including the source of the Mississippi River in Itasca State Park.

Perhaps the parks were conceived not so much as means for preserving wilderness as for preserving and insuring public access to our outstanding scenic wonders. In fact, development of roads and accommodations for visitors—developments that necessarily sacrifice wilderness—were an early and continuing requirement for the parks. Our outstanding, superb, unique features of scenic splendor were to be made readily accessible to everyone—and rightly so.

Nevertheless, there developed also the ideal of keeping developments to the minimum.

When President Theodore Roosevelt was at the Grand Canyon of the Colorado in Arizona in 1903 he even objected to "a building of any kind."

This great American, this recognized founder of the conservation movement, thus made one of the strictest pleas ever made for preserving an area untouched. Here is what he said:

> In the Grand Canyon, Arizona has a natural wonder which, so far as I know, is in kind absolutely unparalleled throughout the rest of the world. I want to ask you to do one thing in connection with it in your own interest and in the interest of the country—to keep this great wonder of nature as it is. I hope you will not have a building of any kind, not a summer cottage, a hotel, or anything else, to mar the wonderful grandeur, the sublimity, the great loveliness and beauty of the canyon. You cannot improve it. The ages have been at work on it, and man can only mar it.

John Muir, who wrote so eloquently of the parks "with a view to inciting people to come and enjoy them," inspired his companions and readers with the sense of a wilderness experience that was more than curiosity or wonder at the spectacular.

Stephen Mather likewise saw the national parks as sanctuaries of wilderness as well as protectors of superb spectacles. The thought of national parks as scenes for what Thoreau had called "our own true recreation" grew in men's minds.

There grew the understanding that national parks not only preserved the great spectacles of nature for public enjoyment but also that they kept significantly large areas "in their natural condition," as the Yellowstone Act had required.

In 1913 this concept was challenged. Congress authorized construction of a dam in one of the national parks—Hetch Hetchy in Yosemite. The end result, however, was an affirmation.

The idea of park spoliation so aroused the public that Congress in 1916, in establishing a National Park Service, charged the new agency to handle the parks so as "to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

Wilderness preservation became a national park purpose.

Recognition of national forests as well as national parks as reservoirs of wilderness came later, but when it came it brought with it a more deliberate interest in wilderness as such—not as spectacle but as unspoiled stretches of the natural world.

Sigurd F. Olson, president of the National Parks Association, has described our wilderness areas as "museum pieces of primitive America." "Wilderness preservation," he says, "is far more than the setting aside of recreational areas." Olaus J. Murie, president of The Wilderness Society, pondering the meaning of our primeval areas, asks himself:

> What if a generation comes along that does not know about original country, no longer experiences the yearnings for wild country, for deep primeval forests, wilderness canoe country, high mountains, the wide expanse of desert? What if we lose the urge to want things that mean a personally active, virile way of life? What if we lose touch entirely with the so-called environment of nature, where we had our origin?

Such are the concepts of the values of the wilderness being preserved as a part of our present programs.

This wilderness preservation movement that developed with concern for areas within the national forests, though led and sustained by a number of individuals, was most deeply influenced by Robert Marshall and Aldo Leopold.

Early in the 1920's Aldo Leopold emphasized in magazine articles and in influential discussions the importance of the wilderness that was so fast disappearing. In 1924 he was instrumental in having designated for preservation as wilderness the first such area set aside in a national forest, the Gila Wilderness Area in New Mexico. As he reflected on the values of such areas he urged more and more the importance that has come to be known as ecological.

By the 1930's a national forest policy for preserving wilderness had emerged. The great wilderness interpreter, exponent, and champion—Robert Marshall had written his now classic The Problem of the Wilderness, published in the January 1930 Scientific Monthly, and he had also achieved effective positions on the staffs first of the Indian Service and then the Forest Service. He had learned wilderness in the "forever wild" Adirondacks, where with his brother George and their companion Herb Clark he was first to climb all 46 of the peaks 4,000 feet high or higher, and he had seen also the great western areas of living wilderness "melting away," as he described it, "like the last snowbank on some south-facing mountainside during a hot afternoon in June." He not only was instrumental in having roadless and wild areas designated on Indian Reservations and in seeing many additional primitive areas set aside in the national forests but he also contributed creatively to the development of policies and the formulation of regulations to govern the protection and administration of the areas. With the declaration that "there is just one hope of repulsing the tyrannical ambition of civilization to conquer every niche on the whole earth . . . the organization of spirited people who will fight for the freedom of the wilderness," he also inspired the organization of and became a founder of The Wilderness Society.

To Robert Marshall and to Aldo Leopold we owe much of our present opportunity to see wilderness perpetuated in America.

To the pioneers in establishing sanctuaries for birds and other wildlife we also owe a debt for our present wilderness preservation opportunity.

The legislators who enacted the Migratory Conservation Act of 1929 established a basic national wildlife refuge policy. The refuge system was greatly enlarged under the dynamic leadership of J. N. "Ding" Darling and under his effective successor, Ira N. Gabrielson, and the policies of preserving within the refuges the areas of wilderness that they include have been continuously developed by J. Clark Salyer, refuge division head, who has served under Darling, Gabrielson, and each of their successors, as head of the Fish and Wildlife Service.

To these men and to many other wildlife conservationists we owe not only a debt for the preservation of particular wilderness areas within refuges but also an appreciation for their insistence that an America with an abundant wildlife is the America that should be preserved.

It has been the philosophy of these conservationists that the preservation of wildlife, parks, wilderness, and other unspoiled natural resources is thoroughly consistent with economic and cultural prosperity.

As Harvey Broome, who with Robert Marshall and Aldo Leopold was among the founders of The Wilderness Society, said in 1953 at the dedication of the Gila Wilderness Area memorial to Aldo Leopold:

> Ours is the first great nation in history to be possessed of both the knowledge and means to bring about within its borders a state of permanent and harmonious coexitence with the land.
>
> Wilderness—

Mr. Broome concluded—

> must be the cornerstone of such a world. For there—are the grizzlies, the coyotes, and the deer; there—are the lions and the chickadees; there—the forests and the waters, the fish and the insects; there—the humus and the soil, the prairie and marsh grasses, the flora above the earth and the microflora in the earth—all living and existing in balance, in beauty and harmony. There, in the unspoiled remnants of the wild earth, spotted across our continent—man will find the basis of understanding. Then, wilderness will influence civilization, and civilization will cease to alter and destroy wilderness. Then, indeed, will Thoreau's lord of creation walk as a member—and not as a fumbling outsider—in the community of living things.

Such, Mr. Speaker, is the tradition of preservation that American conservationists have established, the tradition that we must maintain as we face the responsibility that is ours, with the opportunity that is ours for preserving the wilderness that we still have, still need, still want very much.

THE NEED FOR LEGISLATION

As we go forward in this tradition of preservation, we have a great and compelling need for basic national legislation.

We have seen that there are some 55 million acres of still living wilderness in Federal ownership or control within areas with established purposes that are consistent with wilderness preservation.

This wilderness resource is within 163 separate areas, each of which is a part of a national forest, park, refuge, range, or other reservation where preserving wilderness is a perfectly appropriate present use of the land.

As long as these parks, forests, refuges, and other reservations have been in existence these areas of wilderness have been preserved. If we will it so, and act effectively, they can be so preserved in perpetuity, and this can be accomplished without sacrificing any existing purpose on any of these lands.

Yet the fact is there are at present no laws of Congress that protect these areas of wilderness as wilderness. We thus have a primary need for such legislation.

In the face of our increasing populations and the growing mechanization of so much of our activity, our only democratic hope for success in preserving our wilderness resource is in our policy of deliberately setting aside such areas for preservation and then maintaining the integrity of our designation.

We cannot expect the accidents of history to leave our remaining wilderness untouched. We cannot expect the coincidents of other purposes to continue the good fortunes of incidental preservation.

The wilderness that we wish to preserve we must deliberately so designate, and with regard to such areas we must have a specific well-defined purpose.

A basic assumption in our wilderness preservation program is thus the understanding that our civilization is such that no areas will persist unexploited or undeveloped except those that are deliberately set aside and faithfully protected. If they are to be unused for other purposes, we must use them as wilderness.

A parallel assumption in our wilderness preservation program is based on our confidence that our land and water resources are great and varied enough that we can have an adequate system of wilderness areas without sacrificing other advantages.

We are confident that we can get the timber and minerals we need outside our relatively few areas of wilderness to be preserved. The needed sites for dams and reservoirs, the roads and landing fields for our mechanical travel in the great outdoors, places for recreation with the conveniences and facilities we so well contrive—all these can be located outside our wildernesses that we wish to preserve.

In other words, we are confident that without sacrificing our wilderness preservation hopes we can realize all the benefits that we want from a developed country. Wilderness preservation is consistent with our other national purposes.

As Newton B. Drury, a former Director of the National Park Service, said of our national parks, "Surely, we are not so poor that we need to destroy them, or so rich that we can afford to lose them."

A basic need thus in our wilderness preservation program is the designation of areas of wilderness for preservation as wilderness. This we have not yet done in any law of Congress.

WILDERNESS IN THE NATIONAL PARKS

Even in the national parks and monuments, the pressures for roads and nonwilderness recreational and tourist developments threaten in many places to destroy the primeval back-country wilderness.

Within the national parks and monuments in general there is at present no act of Congress that would prevent a future Secretary of the Interior, or park administrator with his approval, from deciding to construct a road, a building, or any other installation that he would deem appropriate for a national park or monument anywhere within the park or monument.

The Yellowstone Act that inaugurated our national parks in 1872 provided for the retention of the wonders there ". . . in their natural condition," and yet that Act has, of course, not interfered with the construction of the Yellowstone Park system of roads, the many buildings that are there, and the other developments that have so altered "natural conditions" that the atmosphere in some parts of the park is that of a crowded city.

Mr. Speaker, I do not object to these developments in Yellowstone National Park. I have indeed used them with appreciation. I am merely pointing out that they have been constructed in accordance with the laws under which the park is governed, and there is nothing in that law to prevent such construction elsewhere in the park.

There are other parks—Isle Royale and Everglades, for example—where wilderness preservation is perhaps more specifically a park purpose, but in general in none of them is there a limit to the possible penetration of the primeval back country with developments that would destroy the wilderness as such.

Mr. Speaker, in my opinion if we are to make sure that we still have in the distant future our national park primeval back country still preserved as wilderness, we should declare here in Congress our purpose to do so.

In Mission 66 we are doing our best to provide for the development of adequate facilities and accommodations for the increasingly numerous visitors to the parks. I heartily endorse and support this development program. I yield to no one as a friend of the national parks and the National Park Service. I shall continue to invite every constituent in my district and their fellow Americans everywhere to lose no opportunity to visit their national parks and monuments, and I shall lose no opportunity to help see that these visitors are properly accommodated.

At the same time I sense a need also to strengthen the hands of the National Park Service in its work for the preservation of the primeval back country as wilderness.

I have been impressed, Mr. Speaker, with the findings of a scientist who made a study of our wilderness programs as a part of his doctoral study at the University of Michigan. Speaking on October 26, 1954, at the Milwaukee, Wis., convention of the Society of American Foresters, this scientist, Dr. James P. Gilligan, who is now assistant professor of forestry at the Oklahoma Agricultural and Mechanical College, spoke as follows about existing wilderness-preservation prospects in our National Park System. He said:

Wilderness conditions, of course, have vanished from developed areas; and the sight, sound, and sometimes smell of these concentration zones disperse so widely that quite large sections cannot be considered natural, let alone wilderness. National parks, too, must often justify their existence to the locality or State in which they are situated principally on economic grounds. As long as the drums throb for more tourist dollars, park administrators will find it hard to accommodate the increasing army of sightseers without extending development. It is highly improbable that a seemingly logical course of restricting visitation to any national park will be put into effect until every possible means of providing accommodations is exhausted. It is a fair question to ask how much of the parks will be developed by then.

Because of congressional measures which ordinarily prevent utilization of wood, water, mineral, or forage resources in areas of the National Park System, the National Park Service is the most logical existing agency to preserve extensive wilderness regions. However, it is subject to the unrelenting pressures of mass use, and retreats gradually behind the cold logic that more areas must be developed to care properly for the public to whom the land belongs. It is merely another application of the philosophy that as many people as possible should use these areas, even though finally there is little left of the original landscape.

Americans will continue to saturate choice recreation sites opened to motorized entry, and then complain because everyone else is also present.

The real democratic significance of these areas may not be in providing access and accommodations to everyone, but in holding a few undeveloped areas where high quality recreation benefits can still be obtained by those willing to make the effort. Most endeavors to retain such areas for a relatively small number gradually yield before the demands of an eager traveling public, which has not yet grasped the full significance of our National Park System.

The organic National Park Service Act of 1916 offers nearly as much flexibility in managing recreation resources as does the multiple use principle of the Forest Service. There is nothing in the act directing how much of, or what part of, parks to develop, nor is there any clause in the law or interpretive regulations stipulating the reservation of park units in wilderness condition.

The National Park Service has established some precedence in trying to retain wilderness zones. It is questionable, however, whether the will of the administrator can be sufficiently strong to prevent development in the long run.

Mr. Speaker, we must meet this situation by providing here in Congress the basic legislation that these excellent administrators need to insure their success in making our national parks secure as our great reservoirs of wilderness.

WILDERNESS IN THE NATIONAL FORESTS

The administrators of the superlatively valuable wilderness, wild, primitive, and roadless areas in the national forests have not only to contend with recreational pressures that in some in-

stances challenge wilderness preservation. They also must look forward through the years of the future to many local pressures to cut the wilderness forests for timber, dam the wilderness streams for water storage and power, prospect for minerals, and in various ways use the commodities of the national forests.

Wilderness preservation is a national forest purpose that has developed within the United States Forest Service itself. A remarkably effective program has now been developed, a program that has meant the designation of 79 areas for protection as wilderness.

Yet these areas have all been set up administratively. A future Secretary of Agriculture could abolish or seriously reduce them.

This excellent Forest Service program needs the endorsement that congressional recognition can bring, and the security of the national forest wildernesses requires it also.

THE NEED FOR A NATIONAL POLICY

Wilderness within the national wildlife refuges is in a precarious position because the refuges themselves lack adequate legal protection against pressures for commercial or exploitative encroachments.

In fact, none of our Federal wilderness has the protection that Congress could give by providing for wilderness preservation as a national policy applied to a definite system of areas.

It is accordingly the first purpose of the National Wilderness Preservation Bill to establish firmly a clear-cut national policy for preserving, for both the present and the future, some of what remains of our resource of wilderness.

In line with such a policy the Congress in this proposed measure will give its sanction to the policies and programs of the Forest Service, the National Park Service, and our other Federal conservation agencies under whose wise administration our great resource of wilderness has so far been preserved.

Finally, this measure proposes a way whereby this policy and this sanction can take effect in a practical program.

Of central importance in this program is the establishment of what is to be called our National Wilderness Preservation System, to be made up of areas of primeval America that are still wilderness and in Federal ownership or control and capable of being kept that way without interfering with other present purposes now being served by these lands.

I hasten to emphasize that this will not involve any acquisition of wilderness areas by the Federal Government. Nor will it mean any transfer of areas from one agency of government to another, nor any change of jurisdiction. No new land-administering agency will be created.

The fact should be emphasized that this National Wilderness Preservation System will be made up of areas that are already in Federal ownership or control and are already within parks, forests, refuges, or reservations.

Furthermore, it must also be stressed, reiterated for clear understanding, that the areas within this proposed system are areas where wilderness conditions have so far been preserved while, at the same time, the various purposes have been realized for which these parks, forests, refuges, and reservations were established.

It is our purpose that this preservation continue and be made secure for the future. The establishment of the National Wilderness Preservation System will be a recognition of this purpose, a recognition of the importance of continuing to preserve the wilderness character of these selected areas.

This selection, this recognition, will give each of these areas its place in the system. Each such area will remain, as at present, park, forest, or refuge, as it is now administered. It will continue to serve the multiple purposes it now serves and under the jurisdiction of the same agency that now protects it.

The difference will lie in the fact that from now on the agency having jurisdiction over any area within this System will have the sanction and encouragement of Congress and the legal responsibility for preserving the area's wilderness character. It will have the responsibility for seeing that other purposes continue to be served in such a way as to prevent damage to the wilderness.

Each such area will thus come under special protection as part of the Nation's still unspoiled heritage of the primeval.

A WILDERNESS COUNCIL

In order to provide a focus for the wilderness interest in these diverse areas, there will be established by this measure a National Wilderness Preservation Council.

It is interesting to note that our word "focus" comes from a Latin name for a fireplace, a hearth. The agencies that administer the areas in our wilderness system have various purposes and many interests. Their concerns with wilderness may represent only one phase of multiple purposes. Our proposed wilderness council, therefore, will provide a center for all these various interests, interests in the many wilderness values of different kinds of areas.

The Council will not have any administrative jurisdiction whatever over any of these areas, nor over any of the agencies that do have such jurisdiction. It will provide a repository for the files that pertain to the National Wilderness Preservation System and will serve as a gatherer and disseminator of information regarding wilderness preservation and use. It will make an annual report to Congress. It will be made up of representative legislators, administrators, and citizens all concerned with wilderness preservation. The Council will thus represent our special and distinctive national interest in our wilderness resource.

In administering national park areas of wilderness the National Park Service will continue to think of their administration for the recreational use and enjoyment of the people. In administering national forest areas the Forest Service will continue to be concerned with the multiple-purpose program it now operates with prime concern for the protection of watersheds and preservation of forests. The Fish and Wildlife Service will continue to administer the areas of wilderness within its jurisdiction as areas for wildlife, areas that may have no legitimate use at all for the kind of recreation that is the principal activity in a national park, for example.

The various units of the National Wilderness Preservation System, though protected as wilderness, will thus be managed for various purposes.

Within the National Wilderness Preservation Council, the heads of the various administering agencies, the ranking members of the Senate and House committees concerned, and representative citizens, will bring to a wilderness preservation focus all these various and appropriate interests.

A MULTIPLE-PURPOSE PROGRAM

Besides giving expression to a national policy, providing for the establishment of a wilderness preservation system, and creating a National Wilderness Preservation Council, this bill also describes and provides for the proper use of the areas of wilderness it is designed to preserve.

In this connection, I should like to emphasize at once that this proposal is not one for any "special-use" or "special-privilege" legislation.

The first and topic sentence of the section of this bill that relates to uses of the areas within this System expresses a key concept in this proposal. It states firmly that "nothing in this Act shall be interpreted as interfering with the purpose stated in the establishment of any national park or monument, national wildlife refuge, Indian reservation, or other Federal land area involved, except that any agency administering any area within the National Wilderness Preservation System shall be responsible for preserving the wilderness character of the area."

Under this proposal, for example, the parts of the national forests involved would continue under the same kind of administration they now have. Grazing permits, for instance, could be continued as at present. The basic multiple purposes of the national forests would be maintained. These purposes are defined as watershed protection and forest preservation. Giving these areas a permanence as wilderness will thus not interfere with the multiple purposes they now serve but will actually help to realize the dominant use of the national forests for water conservation.

National parks, national wildlife refuges, and any other areas would also, as already pointed out, continue to serve their own distinctive purposes.

No use privileges of any kind will be created by this proposed law. The only added responsibility of each administering agency will be to see that the areas in the System under its jurisdiction remain wilderness—as they now are.

I reiterate that this bill deals only with preserving wilderness as such in connection with various other land uses and does not create any "special privilege" nor provide for any special users.

Existing uses and privileges are respected in this bill, and private rights are protected. It is true that no mining

or prospecting will be permitted except where it is already in existence and represents a private right. Otherwise (or even so) this is not essentially a reform measure but rather a measure to insure the preservation of a status quo which fortunately includes a great resource of wilderness.

THE BILL DESCRIBED

Mr. Speaker, our purpose in this measure is essentially a simple purpose; namely, to provide for the continued preservation of the areas of wilderness that we now have and at the same time avoid a disturbance of the status quo as regards the administration of these areas. As it happens, the status quo is somewhat varied and may even appear complicated. Consequently the wilderness preservation bill itself may seem to be complicated. I trust, however, that it will not be so considered but that it will be recognized as essentially simple both in purpose and method.

The bill comprises 5 sections, which may be described as follows:

The opening section defines the term "wilderness" both in the abstract and as used specifically in this bill and, recognizing the hazards to wilderness in the midst of our civilization, declares it to be a desirable policy for our health, welfare, and happiness to preserve wilderness as an enduring resource for the benefit of present and future generations.

Accordingly the continued preservation of Federally owned areas of wilderness is given congressional sanction and a National Wilderness Preservation System is established to "serve the public purposes of recreational, scenic, scientific, educational, conservational, and historical use and enjoyment by the people."

Section 2 names the areas that will constitute this System and makes provisions regarding additions, modifications, or eliminations. It takes cognizance also of the fact, that within certain of the units of this System there are needs for designating portions of the areas to be used for roads and certain other installations that are exceptions within wilderness. Section 2 comprises 6 subsections.

AREAS IN THE NATIONAL FORESTS

Subsection (a) designates 27 areas within the national forests to become units of the National Wilderness Preservation System.

These are not entire national forests; they are special areas inside the forests. The Forest Service has found them to have highest value as wilderness. Three of these areas are named "roadless," 14 are "wild areas," and 10 are called "wilderness." In addition there are 52 areas now classified as "primitive" that are earmarked to be included in this System when the Forest Service has carried out its plans to reclassify them as either "wilderness" or "wild" areas. A 10-year period is provided for this reclassification program.

Including all these primitive areas which are to be added eventually, this System will have within it special areas within some 80 of the 149 national forests.

Out of the 181 million acres in our national forests some 14 million acres will be in this System. Practically as at present, the administration of the national forest areas will be in accordance with regulations by the Secretary of Agriculture. This bill, either in section 2 or in section 3, makes provisions that in effect give sanction to and continue the present regulations that have been so ably developed by the Forest Service for the sound administration and protection of wilderness.

An additional safeguard against an undesirable elimination of any wilderness is provided in that, after completing the process for such action as now provided by Department regulations, such proposed action will have to be reported to Congress where for 120 days it is subject to disapproval.

Additional areas may be designated by the Secretary of Agriculture, and such additions must also be reported to Congress and for 120 days be subject to scrutiny by either the Senate or the House of Representatives.

NATIONAL PARK SYSTEM AREAS

Subsection (b) of section 2 designates 49 out of the 181 areas in the National Park System as units of the National Wilderness Preservation System, 26 of which are national parks, 21 are monuments, 1 is a recreational area, and 1 is a memorial park.

Our national parks and many of our national monuments include within them our superbly beautiful pristine areas of wilderness. The chief threats to their preservation as such, under our present legislation, come from prospects for the extension of roads and the intrusion of recreation developments perfectly good in themselves that nevertheless are out of place in wilderness.

Unless provision is made to protect the primeval within the parks, eventually the developments may take over.

This process may be gradual, but nevertheless it is a prospect against which we can now set guards with no sacrifice.

There are other places for the development of our recreation facilities that require roads and other conveniences. Our parks are reservoirs of wilderness.

It is true, however, that certain portions of the parks must be used for the roads and accommodations that make them accessible and hospitable. Accordingly this bill provides for the designation of such portions for this purpose. A 10-year period is provided for the several designations, and the provisions of this law will not take effect for any park or monument until the designations have been made.

The National Park Service, under its Mission 66, is undertaking to provide systematically during the next 10 years for the proper and economical development of the roads and accommodations within the parks and monuments.

The designations of the areas provided for in this bill can thus be made, park by park, as the plans for Mission 66 materialize.

Provision will in this way be made for the proper handling of developed areas and also for the protection, without development, of our wilderness in the back country.

If ever additional areas are needed for developments, they can be designated, but only after a public notice that will give all concerned an opportunity to weigh the importance of diminishing the area of wilderness.

In any case wilderness preservation becomes a congressional policy in the specified national parks and monuments. The primeval back country receives an added protection. At the same time this bill takes care to point out that within the areas designated for developments the present protection afforded by the National Park Act of 1916 is not affected.

Additions of national parks and national monuments to the wilderness system could be made by the Congress or the President. Only Congress could remove a park or monument from the system.

WILDLIFE REFUGES AND RANGES

Subsection (c) of section 2 designates 13 national wildlife refuges and 7 ranges as parts of this system.

As with National Park System areas, provision is here made for designation by the Secretary of the Interior of areas that are required for roads and installations inconsistent with wilderness. In this instance these are required for administration of the refuge or range for wildlife.

Refuges or ranges could be added to the System by the Secretary of the Interior, subject to congressional disapproval within 120 days. Only Congress could remove a refuge or range from the system.

THE INDIANS' WILDERNESS

Subsection (d) of section 2 designates 12 roadless areas and 3 wild areas within Indian reservations as possible units in the National Wilderness Preservation System, but no such area will actually become a part of the system unless its inclusion is approved by the Indians. The consent of the Indians is also required for the regulations by the Secretary of the Interior that are to govern the administration, addition, modification, or elimination of areas.

This subsection is thus so drawn as to give the Indians the privilege of having included in this system their areas that have been classified as roadless or wild, but the principle of doing nothing with regard to Indian lands without Indian consent has been observed. Care is taken also to say that no Indian treaty is abrogated nor any hunting or fishing rights affected.

OTHER AREAS

Subsection (e) of section 2 recognizes that Congress may designate additional areas within the wilderness system. It also provides for the designation of such areas within any Federally owned or controlled areas by appropriate officials.

Subsection (f) of section 2 provides for reports to Congress of certain additions, modifications, or eliminations, and it also authorizes the acquisition of any privately owned lands within units of this System.

Throughout section 2 provisions are made for reports to be made to the Na-

tional Wilderness Preservation Council that will be established by section 4 and will be the repository for files pertaining to this System.

USE OF THE WILDERNESS

Section 3 specifies the proper uses of areas within the System and the practices that are to be excluded. It includes special provisions with regard to existing "nonconforming uses" of areas of wilderness included in the System.

At the outset this section says that nothing shall be interpreted as interfering with the purpose for which any of the lands involved were set aside, except that "the wilderness character of the area" is to be preserved.

This concern, it may be noted, is not with any special use or user but with the character of the area. Hunting, for example, will continue to be a major recreation within many national forest units of the system and will be prohibited in national parks. Where there is hunting, it will be wilderness hunting.

Uses will thus continue to vary in the various kinds of lands involved. The common concern is that wilderness conditions shall persist whatever the uses.

The System will be devoted to public purposes that are summarized as recreational, educational, scenic, scientific, conservation, and historical. All use will be in harmony with the wilderness environment and its preservation.

Special provision is made for the protection of existing rights and privileges on any areas involved. Grazing within the national forest areas is provided for as at present, and existing uses authorized or provided for in refuges are also permitted. The termination of nonconforming uses is provided for whenever this is agreeable to those making the uses.

With one main exception this bill thus proposes not reform but such security for what we have so far preserved as can be achieved without disrupting our present administrative and other practices.

The exception has to do with mining. It relates primarily to the areas within the national forests.

Spokesmen for the United States Forest Service as well as other conservationists have long and insistently warned that a prime threat to the preservation of wilderness within the national forests comes from the prospect of mining. After careful thought it seems unwise to propose wilderness legislation that does not deal with this threat in these national forest areas.

Accordingly this bill provides that there shall be no mining—although, of course, existing private rights are protected in this case as in all others.

A WILDERNESS PRESERVATION COUNCIL

Section 4 will create a National Wilderness Preservation Council to serve as a focus for the various interests in wilderness represented in the System, to provide an information clearing house and a headquarters for the records relating to the System as such, and to provide a medium through which information regarding wilderness and its use and preservation may be gathered and made available.

The Council will have no administrative jurisdiction over the areas of wilderness within the System, nor over any of the agencies that will continue to have such jurisdiction. The Council will not even have any coordinating responsibilities with regard to the administration of these areas. It will comprise legislators, administrators, and citizens and will represent our special and distinctive interest in our wilderness resource as wilderness and will make annual reports to Congress regarding the System.

The legislators on the Council, four in number, will be the chairman and ranking minority members of the respective Interior and Insular Affairs Committees of the Senate and House of Representatives.

The administrators will be the heads of bureaus that administer areas within the system—Forest Service, National Park Service, Fish and Wildlife Service, and the Indian Affairs Bureau—and also the Secretary of the Smithsonian Institution.

Six citizen members will complete the 15-member Council.

The secretary of the Smithsonian Institution will be the secretary of the Council and will maintain its files and provide its headquarters.

This arrangement will help make clear that the Council is not responsible for any area or agency administration. Involved with no land areas within the System, the secretary of the Smithsonian Institution will not be concerned with any inter-agency administrative problems regarding such areas.

Selection of this official as secretary of the Council further emphasizes the function of the Council as an information focus and a repository of records. It likewise will serve to bring to attention the scientific interest in wilderness preservation and values of wilderness areas as living museums.

Section 4 provides that the members of the Council shall serve in this capacity without compensation but receive transportation expenses and a per diem for attendance at meetings of the Council. Provision is made for the expenses of the Council.

Section 5 specifies a name—"National Wilderness Preservation Act."

THE BILL ITSELF

Mr. Speaker, this is a far-reaching, carefully studied proposal. It will be of long-time lasting importance to the American people. I solicit your detailed consideration. I also particularly urge the administrators of the lands involved to give it their sympathetic constructive attention, and I trust that the Smithsonian Institution will realize the educational and scientific importance of the role which it can play.

In conclusion, let me say again that the preservation of some of our great stretches of wilderness is a fundamental part of our American character.

We are a great people because we have been so successful in developing and using our marvelous natural resources, but, also, we Americans are the people we are largely because we have had the influence of the wilderness on our lives.

We owe much of our health and our spirit of adventure and self-reliance to the nearness of the outdoors and, in great measure, to the way in which, in our youth—and youth lasts long for many of us—we have ventured into the wilderness.

We must, of course, continue our development of resource uses. We must continue to provide outdoor recreation with conveniences for everybody in picnic places and parks of many kinds. But we must also continue to see that some of our land is preserved as nearly as possible untouched by any kind of civilized development.

Our great engineering and development programs should, indeed, be part of an overall national policy that likewise includes the preservation of some of our land as God made it.

As our population becomes greater, as industrial and other pressures close around the areas of wilderness still remaining, the necessity becomes keener for moving ahead with a program that will preserve these buffer areas for the human spirit, seeing that they may long endure for the recreational, educational, scientific, and historical uses of the American people.

It is a pleasure for me to look ahead in a positive program for preserving some of our land in pristine or primitive wilderness. I am happy to advocate before this body congressional action which will lead to the establishment of our National Wilderness Preservation System.

Mr. Speaker, the full text of the National Wilderness Preservation Bill is as follows:

H. R. 11703

A bill to establish on public lands of the United States a National Wilderness Preservation System for the permanent good of the whole people, to provide for the protection and administration of areas within this System by existing Federal agencies and for the gathering and dissemination of information to increase the knowledge and appreciation of wilderness for its appropriate use and enjoyment by the people, to establish a National Wilderness Preservation Council, and for other purposes.

Be it enacted, etc., That, in order to secure for the American people of present and future generations the benefits of an enduring resource of wilderness, there is hereby established a National Wilderness Preservation System. As hereinafter provided this System shall be composed of areas in the United States and its Territories and possessions retaining their natural primeval environment and influence, which areas shall serve the public purposes of recreational, scenic, scientific, educational, conservational, and historical use and enjoyment by the people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.

(b) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States, its Territories, and possessions except those that are set apart for preservation and protection in their natural condition. Such preservation of areas of wilderness is recognized as a desirable policy of the Government of the United States of America for the health, welfare, and happiness of its citizens of present and future generations.

It is accordingly declared to be the policy of Congress (1) to secure the dedication of an adequate system of areas of wilderness to serve the recreational, scenic, scientific, educational, and conservation needs of the people and (2) to provide for the protection of these areas in perpetuity and for the gathering and dissemination of information regarding their use and enjoyment as wilderness. Pursuant to this policy the Congress gives sanction to the continued preservation as wilderness of those areas federally owned or controlled that are within national parks, national forests, national wildlife refuges, or other public lands, and that have so far retained under their Federal administration their primeval character. It is pursuant to this policy and sanction that the National Wilderness Preservation System is established. Within the units of this System designated for inclusion by this Act, and in those that may later be designated in accordance with its provisions, the preservation of wilderness shall be paramount.

(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a member of the natural community who visits but does not remain and whose travels leave only trails.

For the purposes of this Act the term "wilderness" shall include:

(1) The wilderness, wild, roadless, and primitive areas as presently designated by the Secretary of Agriculture or the Chief of the Forest Service within the national forests;

(2) Those units within the National Park System herein or hereafter designated as units of the National Wilderness Preservation System, except those portions set aside hereunder for roads and accommodations for visitors;

(3) The national wildlife refuges and ranges herein or hereafter designated as units of the National Wilderness Preservation System, except those portions set aside hereunder for roads and installations of buildings and other facilities;

(4) The areas within Indian reservations classified as roadless or wild and included in the National Wilderness Preservation System with the consent of the tribal council or other duly constituted authority; and

(5) Such other areas as shall be designated for inclusion in the National Wilderness Preservation System in accordance with the provisions of this Act.

NATIONAL WILDERNESS PRESERVATION SYSTEM

SEC. 2. The National Wilderness Preservation System (hereafter referred to in this section as the System) shall comprise (subject to preexisting private rights, if any) the Federally owned or controlled areas of land and water provided for in this section and the related airspace reservations.

NATIONAL FOREST AREAS

(a) The System shall include the following roadless, wild, and wilderness areas within the national forests: Caribou, Little Indian Sioux, and Superior Roadless Areas, Superior National Forest, Minn.; Chiricahua Wild Area, Coronado National Forest, Ariz.; Galiuro Wild Area, Crook National Forest, Ariz.; Sierra Ancha Wild Area, Tonto National Forest, Ariz.; Mount Zirkle Dome Peak, Wild Area, Routt National Forest, Colo.; Gates of the Mountains Wild Area, Helena National Forest, Mont.; San Pedro Parks Wild Area, Santa Fe National Forest, N. Mex.; Linville Gorge Wild Area, Pisgah National Forest, N. C.; Gearhart Mountain Wild Area, Fremont National Forest, Oreg.; Kalmiopsis Wild Area, Siskiyou National Forest, Oreg.; Mount Hood Wild Area, Mount Hood National Forest, Oreg.; Mountain Lakes Wild Area, Rogue River National Forest, Oreg.; Strawberry Mountain Wild Area, Malheur National Forest, Oreg.; Goat Rocks Wild Area, in portions of Gifford Pinchot and Snoqualmie National Forests, Wash.; Mount Adams Wild Area, Gifford Pinchot National Forest, Wash.; Mazatsal Wilderness Area, Tonto National Forest, Ariz.; Superstition Wilderness Area, in portions of the Crook and Tonto National Forests, Ariz.; Marble Mountain Wilderness Area, Klamath National Forest, Calif.; Bob Marshall Wilderness Area, in portions of the Flathead and Lewis and Clark National Forests, Mont.; Gila Wilderness Area, Gila National Forest, N. Mex.; Pecos Wilderness Area, in portions of the Santa Fe and Carson National Forests, N. Mex.; Eagle Cap Wilderness Area, in portions of Wallowa and Whitman National Forests, Oreg.; North Absaroka Wilderness Area and South Absaroka Wilderness Area, both in the Shoshone National Forest, Wyo.; Teton Wilderness Area, Teton National Forest, Wyo.

Additional wilderness and wild areas may be designated for inclusion in this System by the Secretary of Agriculture. Such designations shall be reported, with maps and descriptions, to the secretary of the National Wilderness Preservation Council established hereunder. These designations by January 1, 1966, shall include, but shall not necessarily be limited to, the areas within the national forests classified as primitive by the Department of Agriculture on January 1, 1956, with such modifications in boundaries as may be made upon reclassification as wilderness or wild.

The administration and any proposed addition, modification, or elimination of wilderness, wild, or roadless areas shall be in accordance with such regulations as the Secretary of Agriculture shall establish in conformity with the purposes of this Act, and any such proposed addition, modification, or elimination shall be reported with map and description to the secretary of the National Wilderness Preservation Council established hereunder. Any addition, modification, or elimination, except as provided in section 3, subsection (c), paragraph (1), shall take effect as provided in subsection (f) below.

NATIONAL PARK SYSTEM AREAS

(b) The System shall include the following units of the National Park System: Acadia National Park, Maine; Arches National Monument, Utah; Badlands National Monument, S. Dak.; Big Bend National Park, Tex.; Black Canyon of the Gunnison National Monument, Colo.; Bryce Canyon National Park, Utah; Capitol Reef National Monument, Utah; Carlsbad Caverns National Park, N. Mex.; Cape Hatteras National Seashore Recreational Area, N. C.; Channel Islands National Monument, Calif.; Chiricahua National Monument, Ariz.; Colorado National Monument, Colo.; Crater Lake National Park, Oreg.; Craters of the Moon National Monument, Idaho; Death Valley National Monument, Calif. and Nev.; Devils Postpile National Monument, Calif.; Dinosaur National Monument, Colo. and Utah; Everglades National Park, Fla.; Glacier National Park, Mont.; Glacier Bay National Monument, Alaska; Grand Canyon National Park and Grand Canyon National Monument, Ariz.; Grand Teton National Park, Wyo.; Great Smoky Mountains National Park, N. C. and Tenn.; Hawaii National Park, T. H.; Isle Royale National Park, Mich.; Joshua Tree National Monument, Calif.; Katmai National Monument, Alaska; Kings Canyon National Park, Calif.; Lassen Volcanic National Park, Calif.; Lava Beds National Monument, Calif.; Mammoth Cave National Park, Ky.; Mesa Verde National Park, Colo.; Mount McKinley National Park, Alaska; Mount Rainier National Park, Wash.; Olympic National Park, Wash.; Organ Pipe Cactus National Monument, Ariz.; Petrified Forest National Monument, Ariz.; Rocky Mountain National Park, Colo.; Saguaro National Monument, Ariz.; Sequoia National Park, Calif.; Shenandoah National Park, Va.; Theodore Roosevelt National Memorial Park, N. Dak.; White Sands National Monument, N. Mex.; Wind Cave National Park, S. Dak.; Yellowstone National Park, Idaho, Mont., and Wyo.; Yosemite National Park, Calif.; Zion National Park and Zion National Monument, Utah.

Additional units of the National Park System may be designated for inclusion in the System by Act of Congress or by Executive order or proclamation of the President. No unit of the National Park System shall be removed from the System except by Act of Congress.

Ninety days after giving public notice the Secretary of the Interior shall designate within each unit of the National Park System named for inclusion in the System such area or areas as he shall determine to be required for roads and accommodations for visitors. A notice of each such designation, together with a map and description of the affected area or areas, shall be forwarded to the secretary of the National Wilderness Preservation Council established hereunder. Each such unit of the National Park System shall become part of the National Wilderness Preservation System when this designation has been made. Designations shall be made not later than January 1, 1966, or within 2 years after the unit has been added to the System, whichever is later. Should the Secretary fail to make such a designation for any such unit of the National Park System within the time limit specified, that unit shall automatically then become a part of the System.

No designation of an area for roads and accommodations for visitors shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes."

NATIONAL WILDLIFE REFUGES AND RANGES

(c) The system shall include the following national wildlife refuges and ranges: Aleutian Islands National Wildlife Refuge, Alaska; Aransas National Wildlife Refuge, Texas; Bogoslof National Wildlife Refuge, Alaska; Cabeza Prieta Game Range, Arizona; Cape Romain National Wildlife Refuge, South Carolina; Charles Sheldon Antelope Range, Nevada; Delta National Wildlife Refuge, Louisiana; Desert Game Range, Nevada; Fort Peck Game Range, Montana; Kenai National Moose Range, Alaska; Kodiak National Wildlife Refuge, Alaska; Kofa Game Range, Arizona; Moosehorn National Wildlife Refuge, Maine; National Bison Range, Montana; Nunivak National Wildlife Refuge, Alaska; Okefenokee National Wildlife Refuge, Georgia; Red Rock Lakes Migratory Waterfowl Refuge, Montana; Seney National Wildlife Refuge, Michigan; Sheldon National Antelope Refuge, Nevada; Wichita Mountains National Wildlife Refuge, Oklahoma.

Additional national wildlife refuges and ranges may be designated by the Secretary of the Interior for inclusion in the System. Such designations shall be reported, with maps and descriptions, to the secretary of the National Wilderness Preservation Council established hereunder. No wildlife refuge or range shall be removed from the System except by Act of Congress.

Ninety days after giving public notice the Secretary of the Interior shall designate within each national wildlife refuge and range named for inclusion in the System such area or areas as he shall determine to be required for roads and buildings and other installations for administration and protection of the refuge or range for wildlife. A notice of each such designation together with a map and description of the affected area or areas shall be forwarded to the secretary of the National Wilderness Preservation Council established hereunder. Each national wildlife refuge and range named for inclusion shall become part of the National Wilderness Preservation System when this designation has been so made for that national wildlife refuge or range. Designation shall be made not later than January 1, 1966, or within 2 years after a refuge or range has been added to the System, whichever is later. Should the Secretary fail to make such a designation for any such national wildlife refuge or range within the time limits specified, that refuge or range shall automatically then become a part of the System.

THE INDIANS' WILDERNESS

(d) The System shall include the following roadless areas and wild areas on Indian reservations and such additional roadless and wild areas on Indian reservations as the Secretary of the Interior may designate, but no such area shall be included until the tribe or band within whose reservation it lies, through its tribal council or other duly constituted authority, shall have given its consent to the inclusion of the area within the System: Black Mesa Roadless Area, Navaho Indian Reservation, Arizona; Black River Roadless Area, Fort Apache and San Carlos Indian Reservations, Arizona; Columbia-San Poil Divide Roadless Area, Colville Indian Reservation, Washington; Fort Charlotte Wild Area, Grand Portage Indian Reservation, Minnesota; Goat Rocks Roadless Area, Yakima Indian Reservation, Washington; Grand Canyon Roadless Area, Hualapai Indian Reservation, Arizona; Grand Portage Wild Area, Grand Portage Indian Reservation, Minnesota; Mesa Verde Roadless Area, Consolidated Ute Indian Reservation, Colorado; Mount Adams Wild Area, Yakima Indian Reservation, Washington; Mount Jefferson Roadless Area, Warm Springs Indian Reservation, Oregon; Mount Thomas Roadless Area, Fort Apache Indian Reservation, Arizona; Mission Range Roadless Area, Flathead Indian Reservation, Montana; Painted Desert Roadless Area, Navaho Indian Reservation, Arizona; Rainbow Bridge Roadless Area, Navaho Indian Reservation, Arizona; Wind River Mountains Roadless Area, Shoshone Indian Reservation, Wyoming.

The administration and any proposed addition, modification, or elimination of roadless and wild areas on Indian reservations shall be in accordance with such regulations as the Secretary of the Interior shall establish in conformity with the purposes of this Act subject to the consent of the several tribes or bands, through their tribal councils or other duly constituted authorities, each with regard to the area or areas within its jurisdiction. Any addition, modification, or elimination shall be reported, with map and description, to the secretary of the National Wilderness Preservation Council. Nothing in this Act shall in any respect abrogate any treaty with any band or tribe of Indians, or in any way modify or otherwise affect existing hunting and fishing rights or privileges.

(e) The System shall also include such units as Congress may designate by statute and such units as may be designated within any federally owned or controlled land and/or water by the official or officials authorized to determine the use of the lands and waters involved. The administration, modification, and elimination of such units shall be as prescribed by Congress or in accordance with regulations that shall be established in conformity with the purposes of this Act by the official or officials authorized to determine the use of the lands and waters involved.

(f) Any proposed addition to, modification of, or elimination from the National Wilderness Preservation System otherwise than by Act of Congress, except on Indian reservations and except as provided in section 3, subsection (c), paragraph (1), shall be reported to Congress by the secretary of the National Wilderness Preservation Council upon receipt of notice and shall take effect upon the expiration of the first period of 120 calendar days, of continuous session of Congress, following the date on which the report is received by Congress; but only if during this period there has not been passed by either House of Congress a resolution opposing such proposed addition, modification, or elimination. Within any Federally owned unit within the National Wilderness Preservation System the acquisition of any privately owned lands is hereby authorized and such sums as the Congress may decide are hereby authorized to be appropriated for such acquisition out of any money in the Treasury not otherwise appropriated.

USE OF THE WILDERNESS

SEC. 3. (a) Nothing in this Act shall be interpreted as interfering with the purpose stated in the establishment of any national park or monument, national forest, national wildlife refuge, Indian reservation, or other Federal land area involved, except that any agency administering any area within the National Wilderness Preservation System shall be responsible for preserving the wilderness character of the area. The National Wilderness Preservation System shall be devoted to the public purposes of recreational, educational, scenic, scientific, conservation, and historical uses. All such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

(b) Except as otherwise provided in this section, and subject to existing private rights (if any) no portion of any area constituting a unit of the National Wilderness Preservation System shall be devoted to commodity production, to lumbering, prospecting, mining, or the removal of mineral deposits (including oil and gas), grazing by domestic livestock (other than by pack animals in connection with the administration or recreational, educational, or scientific use of the wilderness), water impoundment or reservoir storage, or to any form of commercial enterprise except as contemplated by the purposes of this Act. Within such areas, except as otherwise provided in this section and in section 2 of this Act, there shall be no road, nor any use of motor vehicles, or motorboats, or landing of aircraft, nor any other transport, or delivery of persons or supplies, nor any structure or installation in excess of the minimum required for the administration of the area for the purposes of this Act.

SPECIAL PROVISIONS

(c) The following special provisions are hereby made:

(1) Roads over national forest lands reserved from the public domain and necessary for ingress and egress to or from privately owned property shall be, and roads over national forest lands otherwise acquired may be, allowed under appropriate conditions determined by the forest supervisor. Upon allowance of such roads the boundary of the area shall thereupon be modified to exclude the portion affected by the roads. The new boundaries shall be reported, with a map, through the Chief of the Forest Service to the secretary of the National Wilderness Preservation Council. All such changes shall be included in the next following annual report of the Council but need not be separately reported to Congress.

(2) Within national forest areas grazing of domestic livestock and the use of airplanes or motorboats where these practices have already become well established may be permitted to continue subject to such restrictions as the Chief of the Forest Service deems desirable. Such practices shall be recognized as nonconforming use of the area of wilderness involved and shall be terminated whenever this can be effected with equity to, or in agreement with, those making such use.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Superior, Little Indian Sioux, and Caribou Roadless Areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses including that of timber, the primitive character of the roadless areas, particularly in the vicinity of lakes, streams, and portages.

(4) Any existing use authorized or provided for in the Executive order or legislation establishing any national wildlife refuge or range may be continued in accordance with permit granted under such authorization or provision, but any nonconforming use of the areas of wilderness involved shall be terminated whenever this can be effected with equity to, or in agreement with, those making such use.

NATIONAL WILDERNESS PRESERVATION COUNCIL

SEC. 4. (a) A National Wilderness Preservation Council is hereby created to consist ex officio of the persons at the time designated as the chairman and the ranking minority member of the Committee on Interior and Insular Affairs of the Senate, the chairman and the ranking minority member of the Committee on Interior and Insular Affairs of the House of Representatives, the Chief of the United States Forest Service, the Director of the National Park Service, the Director of the Fish and Wildlife Service, the Commissioner of Indian Affairs, the Secretary of the Smithsonian Institution, and also 6 citizen members known to be informed regarding, and interested in the preservation of, wilderness, 2 of whom shall be named initially for terms of 2 years, 2 for terms of 4 years, and 2 for terms of 6 years, by the President. After the expiration of these initial terms, each citizen member shall be appointed for a 6-year term. When initial or subsequent appointments are to be made to this Council any established national organization interested in wilderness preservation may make recommendations to the President regarding candidates any of whom would be deemed suitable for appointment to the Council. The Council shall choose from among its members a chairman, who shall serve for a 2-year term. The Secretary of the Smithsonian Institution shall be the secretary of the Council and, subject to the Council, shall maintain its headquarters.

(b) The Council shall serve as the repository for, and shall maintain available for public inspection, such maps and official papers regarding the National Wilderness Preservation System as may be filed with it. Upon receipt of a report of a proposed addition, modification, or elimination of an area as required under section 2 of this Act, the secretary of the Council shall report such proposed action to the Senate and to the House of Representatives. The Council shall serve as a nonexclusive clearinghouse for exchange of information among the agencies administering areas within the System. The

Council shall make, sponsor, and coordinate surveys of wilderness needs and conditions and gather and disseminate information, including maps, for the information of the public regarding use and preservation of the areas of wilderness within the System, including information and maps regarding State and other non-Federal areas which the Council shall consider important to wilderness preservation. The Council is directed to consult with, advise, and invoke the aid of the President, the Secretaries of Interior and Agriculture, and other appropriate officers of the United States Government and to assist in obtaining cooperation in wilderness preservation and use among Federal and State agencies and private agencies and organizations concerned therewith. The Council, through its Chairman, shall annually present to Congress not later than the first Monday in December, a report on the operations of the Council during the preceding fiscal year and on the status of the National Wilderness Preservation System at the close of that fiscal year, including an annotated list of the areas in the System showing their size, location, and administering agency, and shall make such recommendations to Congress as the Council shall deem advisable.

(c) The Council shall meet annually and at such times between annual meetings as the Council shall determine, or upon call of the Chairman or any three members. Members of the Council shall serve as such without compensation but shall receive transportation expenses and in addition a per diem payment to be fixed by the Council, not to exceed $25 a day, as reimbursement for expenditures in connection with attending any meeting of the Council. A sum sufficient to pay the necessary clerical and administrative expenses of the Council and its members, not to exceed an annual expenditure of $50,000, and such additional sums as the Congress may decide for carrying out the purposes of the Council, including printing, are hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated. The Council is authorized to accept private gifts and benefactions to be used to further the purposes of this Act, and such gifts and benefactions shall be deductible from income for Federal tax purposes and shall be exempt from Federal estate tax.

SEC. 5. This Act shall be known by the short title "National Wilderness Preservation Act."

THE CIVIL RIGHTS ACT OF 1956

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 10 minutes.

Mr. VANIK. Mr. Speaker, on next Monday this House will commence deliberations on House Resolution 627 which has been reported out by the Judiciary Committee on May 21, 1956. This legislation entitled the "Civil Rights Act of 1956" would establish a Commission on Civil Rights with duties to, first, investigate the allegations that certain citizens of the United States are being deprived of their right to vote or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin; second, study and collect information concerning, economic, social, and legal developments constituting a denial of equal protection of the laws under the Constitution; and third, appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

Thereafter the Commission is invested with powers to carry out its responsibilities which powers include the full cooperation of all Federal agencies.

The act further strengthens the current civil rights statutes and expedites the participation of the Attorney General of the United States in civil rights cases. The act further provides means of securing and protecting the right to vote, making it clear that it is unlawful for a private individual as well as one acting under color of law to interfere with the right to vote at any general, special, or primary election concerning Federal offices. There is also provided a civil action at the instigation of the Attorney General to redress or prevent deviations from the civil rights code with respect to voting. The secret right of suffrage has been violated on numerous occasions. Every effort should be made to guarantee the inviolability of the right to vote. The addition of this civil remedy will add greater flexibility to the present Federal protections of the right to vote.

This legislation represents the considered judgment of some of the best minds in this Congress. It certainly represents one of the finest endeavors of the Judiciary Committee.

Vast areas of civil rights in America are untouched and remain the work of a future Congress. The recommendations of the Judiciary Committee in this civil rights legislation are certainly in the nature of a moderate step forward. Eighty-eight years have passed since the adoption of the 14th amendment and all progress in the development of civil and human rights in America since that time has been made too slowly for our American concept of justice and equality. And yet the very moderate, temperate recommendations of this legislation appear to be the full distance that this Congress can go in achieving an honorable regard for civil and human rights. Few citizens can believe that the legislation is sufficient and yet we support it because it appears to be the best we can do at this time.

The Supreme Court integration decision has given the cause of justice greater momentum which must not be retarded. We are moving in the direction of a more refined definition of the liberty and equality under the law. People of all races, religious creeds, and social groups are crying for the privilege of equality in the esteem of their fellow man.

A small segment of our country has been able to effectively block the granting of honorable citizenship to all citizens and has abused the Supreme Court for making decisions compatible with the Constitution in a growing Nation with increasing development of individual rights in a democracy.

When lawmakers and trusted servants of our people openly advocate the disregard and the nullification of judicial interpretations and decrees, anarchy and chaos threaten. The nullification of the Supreme Court decision on segregation will never be effected. There is no further place for dilatory action or appeal. Bigotry and racial hatred have no right to stay or suspend the operation of this Court mandate.

The Constitution survives through the life-giving stimulation of Supreme Court interpretation which is constantly molding the framework for American law. If the Supreme Court did not conceivably have this power of constant review and interpretation of the Constitution, it would cease to be a court. The constitutional interpretations would never reflect the constant-changing shades of interpretation that developed reasoning can provide. As America grows older and more mature, we must expect that Supreme Court interpretations of the Constitution will reflect an increasing respect for the development of human rights of the individual. Liberty and the definition of human rights is never constant and each passing generation, whether members of a Supreme Court or citizens of a community, pass through the same evolution.

Freedom can only exist where all citizens are assured of their basic rights as set forth by the living Constitution—a Constitution interpreted by Court decision. No man should expect more. No man should be given less.

Sectional problems which cannot be solved internally must be submitted for decision to the entire body for the American people to settle in a manner set forth by law. Once the highest tribunal has spoken upon an issue, that issue is settled and should be recognized by all people as the law of the land from which the only appeal is constitutional amendment. Right or wrong, the Supreme Court is the final authority to interpret that Constitution.

The problem of integrating American life is not a local problem. To the South it means the breakdown of years of prejudice and separate social systems. In the North there are also problems of adjustment, of developing a concept of unrestricted housing and social equality. And the problems of the North are perhaps even more difficult than the problems of the South. The difference is that the North tries where the South despairs. We of the North plead with our fellow citizens from the South to try to reconcile to an understanding of a fuller meaning of liberty—a meaning which America needs throughout the world.

CLOTHING FOR AMPUTEES

The SPEAKER pro tempore. Under the previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a bill that I introduced.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am including in my remarks the text of a bill I introduced which would provide $180 a year for

amputees for clothing. This is a very important item to amputees, because prosthetic appliances are very hard on coats and trousers. It is only fair to give the amputees a certain clothing allowance. And clothing is especially expensive today. I have set it at $180 a year. It is really not enough but it will help.

The bill is as follows:

A bill to authorize a clothing allowance for certain veterans wearing or using prosthetic appliances.

Be it enacted, etc., That paragraph I of Veterans' Regulation No. 7 (a) is hereby amended by adding at the end thereof the following:

"Subject to regulations to be prescribed by him, the Administrator of Veterans' Affairs is authorized to pay a special clothing allowance of not to exceed $180 each calendar year to any person who is furnished a prosthetic appliance hereunder because of a service-connected disability resulting from amputation when the ordinary wear or use of such appliance results in extraordinary wear and tear on clothing of a general or conventional character belonging to him and habitually worn by him, other than special clothing provided for herein."

Then, also, Mr. Speaker, I remind the Members of the great importance of having the so-called pension bill which passed the House go through and become law. It will pick up a great many of the most pathetic cases, the ones that ought to be service-connected but are not.

It costs very little. The thing that counts the most is not the cost, but the justice of it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CRETELLA (at the request of Mr. MARTIN), for the rest of the week, on account of illness.

Mr. SCHERER, for July 17 and 18, on account of hearings of the Un-American Activities Committee at Philadelphia, Pa.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered, was granted to:

Mr. VANIK, for 10 minutes, today.

Mrs. ROGERS of Massachusetts, for 5 minutes, today.

Mr. METCALF, on July 14, for 60 minutes.

Mr. REUSS (at the request of Mr. METCALF), on July 14, for 30 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. SMITH of Wisconsin in two instances.

Mr. COLE and to include extraneous matter.

Mr. ROONEY (at the request of Mr. MCCORMACK) his remarks in Committee of the Whole on the bill H. R. 1975, the supplemental appropriations bill, in connection with the title relating to the State Department and include certain matters therein.

Mr. WIDNALL.

Mr. CELLER.

Mr. SAYLOR.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 147. An act to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 60 days after the execution thereof; to the Committee on Foreign Affairs.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 2452. An act to provide for the conveyance of certain lands by the United States to the State of Wisconsin.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 47. An act for the relief of Guiseppe Agosta, Shakeeb Dakour, and Gertrud Charlotte Samuelis.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that the committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 9893. An act to authorize certain construction at military installations, and for other purposes;

H. R. 11356. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes;

H. R. 11619. An act to amend the Internal Revenue Code of 1954 and the Narcotic Drug Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other related purposes;

H. J. Res. 456. Joint resolution for the relief of certain relatives of United States citizens;

H. J. Res. 580. Joint resolution for the relief of certain aliens; and

H. J. Res. 616. Joint resolution for the relief of certain aliens.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 38 minutes p. m.) the House adjourned until tomorrow, Friday, July 13, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2054. A letter from the Acting Archivist of the United States, transmitting a report on records proposed for disposal and lists or schedules covering records proposed for disposal by certain Government agencies, pursuant to the act approved July 7, 1943 (57 Stat. 380) as amended by the act approved July 6, 1945 (59 Stat. 434); to the Committee on House Administration.

2055. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to authorize the acquisition of radio propagation field sites for the National Bureau of Standards of the Department of Commerce and the construction of facilities thereon"; to the Committee on Interstate and Foreign Commerce.

2056. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, relative to a letter dated July 5, 1956, enclosing copies of orders entered in cases where the authority contained in section 212 (d) (3) of the Immigration and Nationality Act was exercised in behalf of such aliens, and furnishing a copy of classified orders relating to the case of Hilda Marks Weinstein and Alexander McEachern Fergusson; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DEMPSEY: Joint Committee on Atomic Energy. H. R. 11077. A bill to amend the Atomic Energy Community Act of 1955, and for other purposes; with amendment (Rept. No. 2693). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLE: Joint Committee on Atomic Energy. H. R. 9743. A bill to encourage maximum development of atomic energy reactors for the generation of low-cost electric power and the production, utilization, and treatment of special nuclear and other materials, and for other purposes; with amendment (Rept. No. 2694). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Joint Committee on Atomic Energy. H. R. 12215. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; without amendment (Rept. No. 2695). Referred to the Committee of the Whole House on the State of the Union.

Mr. RICHARDS: Committee on Foreign Affairs. S. 3481. An act to amend the Foreign Service Act of 1946, as amended, and for other purposes; with amendment (Rept. No. 2696). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of New Jersey: Committee on Foreign Affairs. House Joint Resolution 657. Joint resolution approving the relinquishment of the consular jurisdiction of the United States in Morocco; without amendment (Rept. No. 2697). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 7728. A bill to provide that the Department of the Navy shall not be required to reimburse the Reconstruction Finance Corporation for the

transfer of certain real property at Columbus, Ohio; without amendment (Rept. No. 2698). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. House Joint Resolution 677. Joint resolution to amend the act of July 15, 1954, authorizing the sale of certain vessels to Brazil; without amendment (Rept. No. 2699). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 589. Resolution for consideration of H. R. 11709, a bill to amend Public Law 506, 84th Congress, 2d session, to increase the authorization for appropriations to the Atomic Energy Commission for acquisition or condemnation of real property or any facilities, or for plant or facility acquisition, construction, or expansion, and for other purposes; without amendment (Rept. No. 2700). Referred to the House Calendar.

Mr. TRIMBLE: Committee on Rules. House Resolution 590. Resolution for consideration of H. R. 11708, a bill to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes; without amendment (Rept. No. 2701). Referred to the House Calendar.

Mr. VINSON: Committee of conference. H. R. 483. A bill to amend the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy. (Rept. No. 2702.) Ordered to be printed.

Mr. DAWSON of Illinois: Committee on Government Operations. S. 3768. An act to amend section 158 of the Revised Statutes of the United States, as amended, so as to include the Department of Health, Education, and Welfare among the executive departments there listed, and for other purposes; without amendment (Rept. No. 2703). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 10252. A bill to amend the Organic Act of the Virgin Islands; with amendment (Rept. No. 2704). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 159. A bill to provide for the reconveyance of certain lands in the Belton Reservoir project, Texas, to former owners of such lands; with amendment (Rept. No. 2705). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 10183. A bill to authorize the conveyance of tribal lands from the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Reservation in Wyoming to the United States; with amendment (Rept. No. 2706). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 681. Joint resolution to waive the provision of section 212 (a) (6) of the Immigration and Nationality Act in behalf of certain aliens; with amendment (Rept. No. 2691). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. House Joint Resolution 682. Joint resolution for the relief of certain aliens; with amendment (Rept. No. 2692). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 680. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; without amendment (Rept. No. 2707). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DURHAM:

H. R. 12215. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

By Mr. BENNETT of Florida:

H. R. 12216. A bill to improve governmental budgeting and accounting methods and procedures, and for other purposes; to the Committee on Government Operations.

By Mr. FASCELL:

H. R. 12217. A bill to improve governmental budgeting and accounting methods and procedures, and for other purposes; to the Committee on Government Operations.

By Mr. FULTON:

H. R. 12218. A bill to amend the Internal Revenue Code of 1954 to provide that clubs shall not be denied exemption from corporate income taxes if they would be exempt from such taxes as benevolent life insurance associations but for their activities as clubs; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H. R. 12219. A bill to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HERLONG:

H. R. 12220. A bill to amend title II of the Social Security Act to provide that amounts earned by an individual in or after the month in which he attains age 72 shall not be counted as "earnings" for purposes of computing deductions from his benefits under the work clause; to the Committee on Ways and Means.

By Mr. HINSHAW:

H. R. 12221. A bill to establish a Commission on Air Safety; to the Committee on Interstate and Foreign Commerce.

By Mr. PRESTON:

H. R. 12222. A bill to establish a Commission on Air Safety; to the Committee on Interstate and Foreign Commerce.

By Mrs. ROGERS of Massachusetts:

H. R. 12223. A bill to authorize a clothing allowance for certain veterans wearing or using prosthetic appliances; to the Committee on Veterans' Affairs.

By Mr. WILLIAMS of Mississippi:

H. R. 12224. A bill to amend the Federal Airport Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of New York:

H. R. 12225. A bill to exempt churches from the excise tax on bowling alleys, billiard and pool tables; to the Committee on Ways and Means.

By Mr. BOGGS:

H. R. 12226. A bill relating to the payment of alcohol and tobacco taxes by return; to the Committee on Ways and Means.

By Mr. HARRISON of Virginia:

H. R. 12227. A bill to amend certain provisions of the Tariff Act of 1930 relative to import duties on wool; to the Committee on Ways and Means.

By Mr. McCORMACK:

H. R. 12228. A bill to assist the United States cotton textile industry to reestablish and maintain its fair historical share of the world market in cotton textiles; to the Committee on Agriculture.

By Mr. RHODES of Pennsylvania:

H. R. 12229. A bill to reduce postage rates on parcels containing only food, clothing, medicines, or drugs sent abroad by mail for relief purposes; to the Committee on Post Office and Civil Service.

By Mr. WRIGHT:

H. R. 12230. A bill to direct the Secretary of the Navy or his designee to convey a 2,477.43 acre tract of land, avigation and sewer easements, in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas; to the Committee on Armed Services.

By Mr. HOFFMAN of Michigan:

H. Res. 588. Resolution requesting that language be removed from the Senate proceedings in the CONGRESSIONAL RECORD; to the Committee on Rules.

By Mrs. KELLY of New York:

H. Res. 591. Resolution requesting that the United States be represented at the bicentennial celebration of the birth of Alexander Hamilton; to the Committee on Foreign Affairs.

By Mr. O'BRIEN of New York:

H. Res. 592. Resolution to place the Benjamin Franklin television series in the archives of the Library of Congress; to the Committee on House Administration.

By Mr. JAMES:

H. Res. 593. Resolution to place the Benjamin Franklin television series in the archives of the Library of Congress; to the Committee on House Administration.

By Mrs. SULLIVAN:

H. Con. Res. 264. Concurrent resolution expressing the sense of the Congress that the Chinese Communists are not entitled to and should not be recognized to represent China in the United Nations; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DINGELL:

H. R. 12231. A bill for the relief of Aristides Samollis; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. R. 12232. A bill for the relief of Alameda Bayside Construction Corp. and Alameda Bayside Development Corp. I.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1192. By Mr. SHORT: Petition of Rev. O. V. Dodson, president of the Baptist Hill Assembly, and other citizens representing quite a wide area in southwest Missouri who were in attendance at a denominational encampment near Mount Vernon, Mo., June 25–July 6, 1956, urging the Congress to get alcoholic-beverage advertising off the air and out of the channels of interstate commerce; to the Committee on Interstate and Foreign Commerce.

1193. By the SPEAKER: Petition of Dr. John Drac, Columbia University, New York, N. Y., requesting favorable consideration of House Concurrent Resolutions 231, 235, 237, and 239; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Drinking Is the Cure

EXTENSION OF REMARKS
OF
HON. W. STERLING COLE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 12, 1956

Mr. COLE. Mr. Speaker, the surplus of dairy products has been a source of serious concern to our farmers, our Government, and our taxpayers for many years. A decline in dairy farm income significantly affects every segment of our economy for, when the dairyman is hurt and as his purchasing power drops, many lines of business and trade feel the impact.

As a Representative from America's second largest dairy State, I have been very much concerned about what we can do to bring about a supply-demand balance in fluid milk, and how we can make certain that consumption of milk continues to rise in 1956 as it did last year when the consumption increased by 3.3 billion pounds over the consumption of 115 billion pounds in 1954.

Many people seem to think of the surplus problem in terms of overproduction, but my own view is that it stems basically from underconsumption. Agricultural experts have pointed out that if every man, woman, and child in the United States would increase his milk consumption by a swallow a day we would use our total annual output of milk.

This means we could reduce the volume of fluid milk that goes into butter, cheese, and dry milk—products which the Government has purchased in large quantities to support dairy prices. I am informed by the Department of Agriculture that the cost to the Government in dairy support operations from July 1952 to March 1956, has been around $800 million.

I am glad to say that we have made some progress in reducing the surplus. But we still have a job ahead. The goal of balanced supply and demand in milk is within reach—if we can get more Americans to drink more milk.

More Americans will continue to drink more milk as long as the dairy industry continues to exercise its imagination and employs new merchandising ideas.

The industry already has taken long strides to improve the merchandising techniques of milk. For example, in recent years milk-vending machines have been providing milk in schools, railroad stations, public buildings, and factories. These machines are a response to an American public that likes and wants milk, but many times found that milk was not available where other beverages were being sold.

This year—on May 9—Senator WILEY, of Wisconsin, and I gave a milkshake-mix party in the main Senate dining room for 30 youngsters. These youngsters drank 60 pints of milk in 20 minutes.

It is interesting to me that Mrs. Lawrence Henderson, of Alexandria, Va., mother of two of the children who attended the party, reported this week that she has doubled the family's milk consumption and ended the problem of getting the children to drink milk since she was introduced to the mix.

I said on the floor of the House the day before the party:

> Senator ALEXANDER WILEY, of Wisconsin, and I are giving a milkshake-mix party in the Capitol for a group of Washington children. It is my hope that this party will dramatize the need for increasing milk consumption and the effect which new products such as milkshake mix can have on that consumption.

I feel sure the dairy industry will continue to work hand in hand with manufacturers of all new products and techniques which will help sell more milk—just as the industry has done with vending machines and simple milk flavorings in the past.

The manufacturer of the milkshake mix served at the party said that from a projection of sales figures it can be estimated that the mix will sell hundreds of millions of extra quarts of milk this year. This is just one manufacturer. Other companies make milkshake mix, too; and their combined sales potential could represent a substantial contribution toward bringing milk consumption more in balance with milk production.

Just how much of a contribution these products make, however, depends to a large extent on the dairy industry. I am sure that those of us in the United States Congress are sincerely interested in increasing milk consumption and hope that the dairy industry and these manufacturers will seek to coordinate their advertising, public relations, merchandising, and other sales efforts.

The administration is doing its part to help the dairy industry. The Federal school-milk program is moving ahead. President Eisenhower signed a bill this year providing $25 million annually for school-milk distribution and extending the program until mid-1958.

The Department of Agriculture is also making a large contribution and I am interested in some remarks made by Secretary Benson in a June Dairy Month speech at Beaver Dam, Wis., this year. The Secretary explained the results of research on milk consumption in 3 cities—1 in the South, 1 in the Midwest, 1 in the Northwest. In the southern city, during the week the survey was conducted, one-fourth of the children between 1 and 12 years old drank no fresh fluid milk at all. Among adolescents and adults the proportions drinking no milk were ever bigger. In the other two cities, the Secretary continued, "milk consumption was larger but still well below the good nutritional level."

There is a great incongruity in the above situation. Milk and other dairy products provide three-fourths of the calcium in our food supply. Childhood and adolescence are the times of greatest need for health-building calcium. Our youngsters must have the nutrients they can get from milk—as well as other essential nutrients—if we are to avoid a repetition of the appalling rejection rate of our young men by the armed services because of physical defects, many originating in malnutrition.

The Secretary said he believed that milk consumption can be increased. "But it cannot be done without keen imagination and new merchandising ideas." Then, just as Senator Wiley and I tried to do with our party, he called the attention of the dairy industry to new products which would help sell more milk.

Secretary Benson said:

"Industry has recently brought out a milkshake mix in three flavors—chocolate, vanilla, and strawberry. If this goes over, one can visualize the youngsters of the Nation setting up kitchen soda fountains by the millions—with benefit to themselves and the entire dairy industry."

I agree with Secretary Benson. Milk consumption can be increased and if it is increased it will be a benefit to the dairy farmer, to the Government, to the taxpayer, and to the youngsters of the Nation as well. I saw a perfect example of how children take to drinking milk when they find drinking milk is fun. Let us hope the dairy industry keeps its keen imagination busy and develops new ideas on how best to merchandise and sell milk.

Rule or Ruin

EXTENSION OF REMARKS
OF
HON. WILLIAM B. WIDNALL
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 12, 1956

Mr. WIDNALL. Mr. Speaker, the responsibility for the failure of this Congress to pass a housing bill will not rest on the Republican Members of Congress or the administration. The blame will be entirely upon those who insist on tying radical and controversial measures to sound and desirable legislation about which there is no argument.

During the latter part of June, the Committee on Rules voted 6 to 4 to table H. R. 11742, a bill reported by the Committee on Banking and Currency, and referred to as the Housing Act of 1956.

Why did the Committee on Rules table this bill? The reason is clear. It was because it contained a number of provisions which are highly controversial. They are opposed, I believe, by most Members of Congress. They are contrary to the principles embodied in the

President's recommendations on housing and are calculated to defeat them. For example, rather than helping to make mortgage funds more widely available through private channels, the bill actually would stifle the flow of private funds by Government competition through direct Government lending and forced purchase of mortgages at more than their market value. Furthermore, the public housing authorization exceeds what can be soundly planned or programed, or what communities are prepared to absorb. Public housing is divorced from the other parts of our housing effort designed to clear slums and blight, and renew and redevelop our communities. The bill refuses to acknowledge the need for an overall approach to the slum problem. It does not provide any incentive to the communities to do more than build more public housing. Public housing is presented as an end in itself.

For the sake of the welfare of our country and in order to maintain a high rate of housing construction to fulfill the needs of all American families, I trust that this Congress will reject all such extreme and unsound proposals, and pass a bill which confines itself to the desirable provisions which have been proposed—provisions which, generally, are noncontroversial and are supported by President Eisenhower, by the Administrator of the Housing and Home Finance Agency, Albert M. Cole, by Members of Congress, and by the public. These provisions, among other things, would:

First. Extend the home-loan-improvement program with increases in the maximum loan amounts and maximum term of loans.

Second. Liberalize the terms for FHA sales and rental housing mortgages.

Third. Give special aid to elderly persons in meeting their housing needs.

Fourth. Make mortgage funds more widely available through broadening the operations of the Federal National Mortgage Association in the secondary mortgage market.

Fifth. Continued and increased aid to colleges for dormitories and other facilities.

Sixth. Assist urban renewal through the liberalization of FHA's insurance terms for the repair and rehabilitation of housing and the provision of low-cost housing for families displaced by urban renewal.

Seventh. Provide better housing for families of men serving in our Armed Forces.

Eighth. Authorize an additional 70,000 units of low-rent public housing to be constructed over a 2-year period by communities which are participating in an integrated attack on slums and blight.

The bill which I introduced which had the approval of the administration embodied these features and could well be used, if there is any real desire to break the present impasse and pass a sound housing program.

I call upon those who favor extreme and controversial proposals not to make their adoption the price to be paid for support of these desirable provisions. Let them bring these proposals up separately for consideration on their own merits. If they refuse this, then the failure of the Congress to pass a housing bill must rest squarely upon their shoulders. Theirs will be a course of rule or ruin.

Administrative Costs of Selected Federal Grant-in-Aid Programs, Fiscal Year 1955

EXTENSION OF REMARKS
OF
HON. LAWRENCE H. SMITH
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 12, 1956

Mr. SMITH of Wisconsin. Mr. Speaker, under leave to extend my remarks, I am inserting a statement on the administrative costs of the Federal grant-in-aid programs for fiscal year 1955. This information was furnished by Mr. Ernest S. Griffith, Director of the Legislative Reference Service of the Library of Congress:

Administrative costs of selected Federal grant-in-aid programs, fiscal year 1955

	Expenditures for grants	Expenditures for administration	Administrative costs as a percent of grant payments
Federal grants to the State and local units:			
Department of Agriculture:			
Agricultural experiment stations	$18,570,076	[1] $479,291	2.6
Cooperative agricultural extension work	38,395,006	[2] 1,529,284	4.0
School-lunch program	81,642,074	1,130,789	1.4
Cooperative projects in marketing	2,199,548	[3] 35,985	1.6
State and private forestry cooperation	9,781,953	534,964	5.5
Commodity Credit Corporation, value of commodities donated	110,526,388	187,941	.2
Special school milk program	22,225,009	193,237	.9
Removal of surplus agricultural commodities, value of commodities distributed within States	56,403,564	825,000	1.5
Department of Commerce:			
Federal airport program	8,353,021	[4] 1,420,000	17.0
Highway construction	596,698,509	11,246,571	1.9
State marine schools	254,781	[5] 7,000	2.7
Department of Health, Education, and Welfare:			
A. and M. colleges	5,051,500	5,800	.1
Cooperative vocational education	30,522,885	137,187	.4
School construction and survey	120,932,499	969,007	.8
Venereal disease control	630,861	14,111	2.2
Tuberculosis control	4,490,652	26,560	.6
General health assistance	9,724,462	135,664	1.4
Mental health activities	2,317,073	9,434	.4
Cancer control	2,229,950	10,614	.5
Heart disease control	1,066,335	4,966	.5
Hospital construction, survey and planning	73,158,834	94,141	.1
Construction of community facilities	1,430,568	21,734	1.5
Maternal and child welfare services	[6] 29,256,773	928,390	3.2
Public assistance	[7] 1,426,599,101	1,483,583	.1
Office of Vocational Rehabilitation	25,599,938	791,000	3.1
Department of the Interior: Wildlife restoration	16,354,098	565,850	3.5
Federal grants to the State and local units—Con.			
Department of Labor: Unemployment Compensation and Employment Service Administration	$188,898,030	$3,768,106	2.0
Federal Civil Defense Administration: Disaster relief	8,882,223	223,378	2.5
Federal Power Commission: Payments under Federal Power Act	32,775	[8] 6,030	18.4
Housing and Home Finance Agency:			
Public Housing Administration, annual contributions	60,902,966	7,413,400	12.2
Defense Community Facilities and Services	2,436,644	[5] 50,000	2.1
Urban renewal fund	33,516,114	2,213,000	6.6
Federal-aid payments to individuals, etc., within States:			
Department of Agriculture:			
Agricultural conservation program	189,148,769	22,530,580	11.9
Administration of Sugar Act program	68,109,239	1,514,184	2.2
Commodity Credit Corporation, value of dealers' certificates issued incident to supplying feed to farmers in drought-stricken areas	51,131,424	[9] 1,160,172	2.3
Department of Commerce: State marine schools (subsistence of cadets)	216,415	7,000	3.2
Department of Health, Education, and Welfare: Research and training grants:			
National Cancer Institute	8,967,410	117,325	1.3
National Institute of Mental Health	5,303,059	124,135	2.3
National Heart Institute	8,378,406	116,187	1.4
National Institute of Dental Research	431,083	13,168	3.1
National Arthritis and Metabolic Diseases Institute	4,334,228	46,766	1.1
National Microbiological Institute	2,269,722	24,176	1.1
National Neurological Diseases and Blindness Institute	4,010,807	56,882	1.4
Itemized total or average	3,331,384,762	62,172,592	1.9

[1] Includes undetermined amount of administrative costs related to $500,000 or 23 percent of payments for cooperative projects in marketing.
[2] Includes undetermined amount of administrative costs related to $800,000 or 36 percent of payments for cooperative projects in marketing.
[3] Represents costs related to $900,000 or 41 percent of total grants for this program.
[4] Includes planning and surveys of airport projects.
[5] Estimated.
[6] Includes $11,919,292 for maternal and child health services, $10,613,059 for services for crippled children, and $6,724,422 for child welfare services.
[7] Includes $920,357,772 for old-age assistance, $82,225,748 for aid to permanently and totally disabled, $387,599,650 for aid to dependent children, and $36,415,931 for aid to the blind.
[8] Represents the annual salary of 1.2 persons.
[9] Includes a small amount of administrative costs for payments to assist States in furnishing hay in drought-stricken areas.

Sources: Statistics on expenditures for the various grant-in-aid programs was obtained from the Annual Report of the Secretary of the Treasury on the State of the Finances, Fiscal Year 1955, Washington, U. S. Government Printing Office, 1956, pp. 626-640. Data on administrative costs of these programs was obtained from the budget offices of the respective departments of Government.

India's Friendship Imperiled by Nixon

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 12, 1956

Mr. CELLER. Mr. Speaker, the President must make clear to the world that the recent statements by Mr. NIXON on the subject of neutrality do not reflect the official views of the United States. The harsh inflexibility of Mr. NIXON's views do not correspond with the President's own views on neutrality. It is in particularly bad taste and bad diplomatic relationship that Mr. NIXON should, on two occasions, have gone out of his way to give needless offense to the Government of India. The bad taste is compounded by the issuance of one of his statements from Pakistan.

All of Asia watches the experimental democracy of India with one eye, with the other eye on Communist China. The proving ground of democracy in Asia lies in the success of India's experiment, as against the tyranny of communism. India needs every encouragement to proceed in the ways of democracy. We must carry with us a measure of understanding of the staggering problems of India, which in the early years of its freedom, beset with every social and economic problem, nonetheless has chosen the path of freedom and has resisted the inroads of Communist ideology.

We have offered our aid in the spirit of free people helping free people to help themselves. Public lecturing to other governments avails us nothing.

These are the times that call for the utmost dignity on the part of spokesmen who presume to speak from high office and these are the times that call for the calm presentation of indisputable facts rather than indulgence and slogans. The stern shaking of the finger of admonition indulged in by Mr. NIXON is no happy prelude to friendship with India. America's leadership in the free world receives no support from such outpourings as Mr. NIXON's.

Communist World Population Increases—While Free World Population Declines

EXTENSION OF REMARKS
OF
HON. LAWRENCE H. SMITH
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 12, 1956

Mr. SMITH of Wisconsin. Mr. Speaker, I am inserting at this point interesting information upon the world population showing in the first instance that Communist populations are on the increase and in the free world they are declining:

To show how the population of the Communist world has increased since 1939 while the population of the free world has decreased, we have compiled the following statistical information.

The total population of the Communist world in 1939 was 170,467,000—this figure was the population of Russia in 1939—while the total population of the free world was 2,329,533,000.

Since 1939 the following annexations have been made by the Soviet Union:

Country	Date of effective takeover	Population
Polish territory	1939	11,800,000
Finnish territory	1940	450,000
Estonia	1940	1,122,000
Latvia	1940	1,951,000
Lithuania	1940	2,957,000
Tannu Tuva	1944	65,000
German territory (Koenigsberg)	1945	731,000
Japanese territory	1945	433,000
Rumanian territory	1945	3,200,000
Total		23,896,000

In addition, the following countries are considered to be under Communist control:

Country	Date of effective takeover	Population
Poland	1949	26,750,000
Albania	1945	1,200,000
Bulgaria	1945	7,350,000
Rumania	1945	17,300,000
Hungary	1947	9,691,000
Czechoslovakia	1948	12,952,000
Yugoslavia	1945	[1] 17,267,000
East Germany	1948	16,582,000
China	1949	582,603,000
North Korea	1953	9,313,000
Mongolian Republic	1945	920,000
Democratic Republic of Vietnam	1954	12,000,000
Total		713,988,000

[1] Yugoslavia broke with the Soviet Union in 1948. Recently there have been indications of at least a partial rapprochement between the 2 countries. In any case, however, the governing party of Yugoslavia is Communist.

The total population of Russia today is 214,500,000. This total combined with the 713,988,000 under Communist control gives a total of 928,488,000 in the Communist world today as compared to 170,467,000 in 1939. This amounts to an increase of 758,021,000.

The total population of the free world has decreased from 2,229,533,000 in 1938 to 1,726,512,000 today. This amounts to a loss of 603,021,000.

Therefore in 1939, Red world, 170,467,000; free world, 2,329,533,000. Free world superiority of 14 to 1.

In 1956, Red world, 928,488,000; free world, 1,726,512,000. Free world superiority of 2 to 1.

In 17 years, free world ratio slipped from 14 to 1 to 2 to 1.

Sources: Information Please Almanac, 1956; World Almanac, 1956; the Statesman's Yearbook, 1955; United Nations Population and Vital Statistics Reports, April 1956.

Also as part of my remarks I am including population statistics on the so-called uncommitted or neutral nations of the world.

The question of which is or which is not an uncommitted or neutral nation is a delicate one. The problem is easy in regard to states that openly declare their neutrality, such as Sweden, Switzerland, India, Indonesia, and Burma. The problem gets more difficult when one considers Austria, which is legally neutral but completely pro-West. It gets even more complicated when one considers some of the Arab states—for example, Saudi Arabia, which has signed a base agreement with the United States but which is closely associated with Egypt in her current dealings with the Soviet Union.

Apparently on the basis of whether or not they have joined an alliance the New York Times lists (populations supplied by Legislative Reference Service) the following nations as uncommitted:

Afghanistan	12,000,000
Bhutan	300,000
Burma	19,242,000
Cambodia	4,100,000
Ceylon	8,385,000
Egypt	22,651,000
Eritrea	1,104,000
Ethiopia	15,000,000
India	377,000,000
Indonesia	81,000,000
Israel	1,683,000
Kashmir	4,410,000
Laos	1,360,000
Lebanon	1,383,000
Nepal	8,432,000
Saudi Arabia	7,000,000
Sudan	8,900,000
Syria	3,670,000
Trust Territory of Somaliland	1,269,000
Yemen	4,500,000
Total	583,394,000

On this basis, that of not having signed a treaty of alliance, the following (off the map) could be added:

Austria	6,969,000
Finland	4,190,000
Ireland	2,933,000
Sweden	7,240,000
Switzerland	4,923,000
Yugoslavia	17,267,000
Spain	28,751,000
Total	72,730,000
Grand total	656,124,000

It should be added, however, that Spain has signed extensive base agreements with the United States, that sentiment in Austria is pro-West, and so on.

This information has been furnished me by the Legislative Reference Service of the Library of Congress.

The Helicopter Heroes

EXTENSION OF REMARKS
OF
HON. RICHARD L. NEUBERGER
OF OREGON
IN THE SENATE OF THE UNITED STATES
Thursday, July 12, 1956

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, a splendid editorial from the New York Times of July 11, 1956, about the heroism of the Army helicopter crews who recovered the bodies after the tragic Grand Canyon air disaster. I also ask that there be included in the CONGRESSIONAL RECORD a letter which I have written to Secretary of the Army Brucker, suggesting that suitable awards and recognition be made available to these men because of their valor and heroism on peacetime duty.

There being no objection, the editorial and letter were ordered to be printed in the RECORD, as follows:

THE HELICOPTER HEROES

Uncertainties still surround the airliner collision 12 days ago that claimed 128 lives in the Grand Canyon of Arizona, but one

unassailable certainty stands out—the superb courage of the Army helicopter crews who made possible the recovery of the bodies from this horrible disaster. From the first day, when these crews fought turbulent air to reconnoiter and land, to the mass funeral services at Flagstaff at which five members that had risked death daily stood as part of the honor guard, these men distinguished themselves by selfless devotion beyond the ordinary call of duty.

They braved 40-mile-an-hour updrafts in the canyon. A pilot said his craft once shot upward like an elevator. Another made a landing on a spot no larger than the helicopter itself. "If you misjudged the distance by 10 or 15 feet you would drop maybe 1,000 feet into the canyon."

Besides taking out bodies themselves, the helicopters landed mountaineers preparing the way for other climbers. The whole job was a triumph of man over hazardous inaccessibility, in the worst commercial air disaster and the worst possible spot to reach. There were no lives left for these helicopter men to save, but they did their tedious, dangerous job with a heroism that commands the admiration of the Nation.

UNITED STATES SENATE,
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS,
July 12, 1956.

Hon. WILBER E. BRUCKER,
Secretary of the Army,
Washington, D. C.

DEAR MR. SECRETARY: I have been favorably impressed by the heroism of the Army helicopter crews who have braved turbulent air and dangerous terrain to bring out the bodies of the victims of the recent air disaster and tragedy at the Grand Canyon of the Colorado.

It is my fervent hope that the Department of Defense is studying the possibility of rewarding this valiant group of men with some suitable recognition or medal, which is consistent with an outstanding feat of bravery not associated with action against the enemy.

I am sending copies of this letter to the two distinguished Senators from Arizona, where the tragedy occurred, in the thought that they may want to reinforce my suggestion.

Thank you very much.

Respectfully,

RICHARD L. NEUBERGER,
United States Senator.

Increasing Rates of Service-Connected Compensation for Veterans

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 12, 1956

Mr. SAYLOR. Mr. Speaker, it is my fervent hope that the Senate will give early and favorable consideration to H. R. 12038, the bill to increase rates of service-connected compensation for veterans. I voted for this legislation, which was enacted by the House last week, because I feel that it is of monumental importance to both veterans and their dependents.

To reject cost-of-living increases to men who were disabled in the cause of their country would be a repudiation of a legal and moral contract. Original rates were based upon the purchasing power of the dollar at the time of enactment of the original legislation. Certainly the compensation decided upon was not in excess of actual need. Now a dollar buys less food, less household equipment and fewer clothes. We would be delinquent in our sworn obligation as Members of Congress if we did not remedy that disparity.

No disabled veteran wants eternal expressions of sympathy for the loss of limb or other maiming sustained in the battle in behalf of the Stars and Stripes. But every veteran whose ability to provide for himself and family was impaired during military service rightfully expects an opportunity to enjoy the necessities, if not the conveniences and comforts of life.

I feel that the increase in compensation, while still not providing more conveniences and comforts, will at least allow for necessities. Perhaps the pittances have not been increased to the extent they should, but at least the legislation is a move in the right direction.

Despite the tributes delivered on Memorial Day to those who have died in action, the widows and orphans of our heroes are still being neglected. I hope, therefore, that it will be not too long until the proper legislation has been adopted.

SENATE

FRIDAY, JULY 13, 1956

The Senate met at 10:30 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Divine Love, who dost everlastingly stand outside the closed doors of the souls of men knocking ever and again, wilt Thou not now give us grace to throw open all our souls' barred doors that every room of our being may be flooded with the healing light of Thy presence.

Give us open minds, O God, minds ready to receive and to welcome such new light of knowledge as it is Thy will to reveal to us. Let not the past ever be so dear to us as to set a limit to the future. Give us courage to change our minds when that is needed. Let us be tolerant of the thoughts and attitudes of others and hospitable to such light as may come to us through them. May we hold the stewardship of our national power in trust for mankind and for Thee, to whom be all honor and glory now and forevermore. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 12, 1956, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Permanent Investigations Subcommittee of the Government Operations Committee, the Internal Security Subcommittee, and the Senate conferees on S. 3073, the transit bill, of the Senate District Committee, were authorized to meet during the session of the Senate today.

ORDER FOR ADJOURNMENT TO 9:30 O'CLOCK A. M. ON MONDAY NEXT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 9:30 o'clock a. m. on Monday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR CALL OF THE CALENDAR ON MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that on Monday next, immediately following the close of morning business, the calendar be called from the beginning for the consideration of measures to which there is no objection.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that during the morning hour today statements made in connection with the transaction of routine business be limited to 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following com-

munication and letter, which were referred as indicated:

REPRESENTATION OF THE SENATE AT THE SIXTH PARLIAMENTARY CONFERENCE ON WORLD GOVERNMENT OF THE WORLD ASSOCIATION OF PARLIAMENTARIANS FOR WORLD GOVERNMENT, TO BE HELD AT LONDON IN JULY 1956

A communication from the Secretary General of the World Association of Parliamentarians for World Government, London, relative to representation of the Senate at the Sixth Parliamentary Conference on World Government of the World Association of Parliamentarians for World Government, to be held at County Hall, London, from July 25 to 31, inclusive, for the further consideration of proposals for revision of the United Nations Charter, which, with the accompanying paper, was referred to the Committee on Foreign Relations.

IMPLEMENTATION OF INTERNATIONAL WHEAT AGREEMENT, 1956

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to amend the International Wheat Agreement Act of 1949, as amended, to extend the authority contained in that act for the purpose of implementing the International Wheat Agreement, 1956 (with an accompanying paper); to the Committee on Agriculture and Forestry.

RESOLUTION OF BOARD OF THE WOMEN'S DIVISION OF THE PASADENA (CALIF.) REPUBLICAN CLUB

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the board of the women's division of the Pasadena (Calif.) Republican Club, approving a constitutional amendment to limit each of the Federal income, gift, and inheritance taxes to a maximum of 25 percent, which was referred to the Committee on the Judiciary.

RESOLUTION OF RED RIVER VALLEY POTATO GROWERS ASSOCIATION, GRAND FORKS, N. DAK.

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Red River Valley Potato Growers Association, at Grand Forks, N. Dak., relating to the compulsory grading and inspection of potatoes.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RED RIVER VALLEY
POTATO GROWERS ASSOCIATION,
East Grand Forks, Minn., June 23, 1956.

Hon. WILLIAM LANGER,
Senator, United States Senate, Washington, D. C.

DEAR SENATOR LANGER: The following resolutions were adopted at the annual meeting of the Red River Valley Potato Growers Association, held in Grand Forks on June 21:

Be it resolved, That we favor proposed national legislation which has for its purpose the compulsory grading and inspection and labeling of potatoes entering market channels and to keep culls which are below U. S. No. 2 off the market altogether and with special emphasis that such compulsory grade labeling be carried through to the retail level.

Be it resolved, That whereas, the Red River Valley has had experience with futures trading of their potatoes—the experience was detrimental to the best interests of the industry and proved itself to be a failure. Therefore, we, the Red River Valley Potato Growers Association, unalterably oppose any inclusion of potatoes produced in our area on any mercantile board. And, we believe futures trading of potatoes anywhere is detrimental to good marketing practices. We, therefore, instruct our board of directors and officers to oppose all futures trading of potatoes and to support any action having for its purpose the curtailment of this unsound practice.

With regards to these resolutions, our association will greatly appreciate anything that you might do to help the passage of the grade labeling bill, H. R. 9484 and S. 3262, as we feel that this bill will do much to correct many of the evils of the potato industry and will go a long way toward giving the consumer a better product.

I am sure that you will be interested in the attitude of our growers toward futures trading on potatoes, especially since there has been an investigation of futures trades on potatoes. I believe consideration is being given to the need for further controls or possible abolishment of this practice.

Very truly yours,

LYLE W. CURRIE,
Executive Secretary.

RESOLUTIONS OF OUTDOOR WRITERS ASSOCIATION OF AMERICA, INC.

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD resolutions adopted by the Outdoor Writers Association of America, Inc., of Baltimore, Md.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED BY THE OWAA AT ITS ANNUAL MEETING HELD IN STATE COLLEGE, PA., JUNE 20, 1956

RESOLUTION NO. 1

Whereas Wichita Mountains National Wildlife Refuge in Oklahoma provides recreational opportunities for nearly 1 million persons each year; and

Whereas this refuge harbors bison, a remnant herd of longhorn cattle, whitetailed deer, wild turkeys, and other forms of prairie wildlife, and is a living museum for the natural prairie conditions of our forefathers; and

Whereas there are two bills in Congress which would transfer 10,700 acres of this irreplaceable refuge to the Secretary of the Army for expansion of Fort Sill Artillery and Guided Missile Center; and

Whereas vesting title to this land in the Defense Department would mean the immediate exclusion of the public from this large part of the refuge and the fencing off of the several fine recreational lakes, public picnic and camping grounds, as well as miles of scenic trails and much wildlife habitat: Now, therefore, be it

Resolved, That the OWAA expresses its firm opposition to the granting of exclusive control over the incomparable wildlife refuge lands to the Defense Department, and that copies of this resolution be sent to all Members of Congress, the appropriate committees of Congress, and to all others who may be interested.

RESOLUTION NO. 2

Whereas a committee of Congress has unanimously censured the Department of Interior for the granting of oil and gas leases on units of the national wildlife refuge system; and

Whereas oil and gas leases on these units of the national wildlife refuge system are a direct violation of all principles of game management and wildlife preservation, and the high purpose for which these lands are dedicated; and

Whereas oil and gas leases have been granted, and are proposed, on many Federal refuges and, though the practice has been temporarily delayed, the policy of such granting has not been repudiated: Therefore be it

Resolved, The Outdoor Writers Association of America calls upon Congress and the national administration to prohibit specifically all violation of Federal wildlife refuges in any guise by any interests. We commend the Merchant Marine and Fisheries Committee of the House of Representatives for its prompt, thorough investigation and effective action on this matter, and its demonstration of continuing interests.

RESOLUTION NO. 3

Whereas the armed services are making unprecedented demands for the withdrawal of public lands for the services' purposes; and

Whereas establishment of military reservations on these public lands inevitably entails the exclusion of hunters, fishermen and other visitors as well as forms of use such as livestock grazing; and

Whereas committees of Congress presently are considering bills which would restrict the withdrawals of public lands by the defense agencies, and would require conformance with applicable State and Territorial hunting, fishing, and trapping regulations wherever these activities are permitted on military lands: Now, therefore, be it

Resolved, That the OWAA urges the Congress to require, in its judgment, the submission of adequate information with any withdrawal application of military agencies and to enact legislation requiring the observance of applicable State or Territorial laws and regulations pertaining to hunting, fishing, and trapping on all military reservations.

RESOLUTION NO. 4

Whereas many millions of acres of national forest and public domain lands form unposted hunting, fishing, and recreational areas for all Americans; and

Whereas H. R. 1823, by Representative LEE METCALF; H. R. 10846, by Representative ENGLE; S. 3742, by Senators MORSE and NEUBERGER; and S. 3980 by Senators MURRAY and MANSFIELD, and several other similar measures, would provide for multiple uses of these areas, and provide funds for a stepped-up program for wildlife habitat and recreation: Now, therefore, be it

Resolved, That the OWAA urges the Congress to enact legislation embodying the objectives of the aforementioned bills, thus implementing fuller public use of these lands; and be it further

Resolved, That a copy of this resolution be sent to all such Members of Congress, to appropriate congressional committees, and to all such other groups and individuals as may be interested.

RESOLUTION NO. 5

"Whereas the House of Representatives has passed H. R. 9540, otherwise known as the Blatnik bill, and the Senate has passed S. 890 which would extend and strengthen the Water Pollution Control Act to abate the pollution of the Nation's waters: Now, therefore, be it

Resolved, That the OWAA urges the House-Senate conference to resolve differences at the earliest possible moment, so that the continuity of pollution abatement programs be maintained, and that the OWAA urges the conference acceptance of provisions as passed by the House of Representatives in H. R. 9540.

RESOLUTION NO. 6

Whereas fish and game resources, whether used for sport or commercial purposes, separately or in combination, are living products of soil and water; and

Whereas the President has issued an Executive order at the instigation of commercial interests which would abolish the existing United States Fish and Wildlife Service on July 1 by the establishment of a separate Bureau of Fisheries in the Department of Interior; and

Whereas several bills have been introduced in Congress for a similar purpose; and

Whereas these efforts to correct the present economic plight of some segments of the commercial fishing industry should properly be remedied by existing congressional procedures; and

Whereas both the pending bills and the Executive order overlook completely the interest of the Nation's approximately 40 million licensed hunters and sport fishermen: Now, therefore, be it

Resolved, That the OWAA is firmly opposed to any administrative separation of the Federal fisheries and wildlife program; and be it further

Resolved, That the OWAA urges the creation of an office of Assistant Secretary of Interior for Fish and Wildlife and that the administrative position of this agency be returned to career civil service status, and that copies of this resolution be sent to Members of Congress, the White House, the appropriate committees of Congress, and the Secretary of the Interior.

TRANSFER OF CERTAIN PROPERTY TO STATE OF WISCONSIN—RESOLUTION AND ARTICLE

Mr. WILEY. Mr. President, one of the issues in which I have long been interested is the transfer of Federal properties comprising engineering works on the upper Fox River in Wisconsin to State authorities.

This transfer has long been looked forward to with deep interest by officials at Madison and in that area, as well as by owners of pleasure craft, property owners, and many others enjoying boating and related activities.

Provision for the transfer is contained in House bill 12080, which is now pending before the Senate Public Works Committee, and on which hearings will be completed next week.

To confirm the deep interest of the people of Wisconsin in the transfer, I had conveyed to Major General Itschner, Assistant Chief of Engineers for Civil Works, a resolution which had been adopted by the Green Lake County Board of Supervisors, urging the transfer and the allocation of necessary funds for improvement of the upper Fox.

General Itschner replier earlier this week, pointing out that necessary action for this purpose would be attended to by the passage of House bill 12080 in its present form, incorporating the proposal which had been originally spelled out in House bill 10034.

I present the Green Lake County resolution, together with an article which was published in the Friday, July 6, issue of the Milwaukee Journal entitled "Plans Given for Fox River—Sportsmen's Paradise."

I am personally urging the Senate Public Works Committee to confirm the House Public Works Committee version of this bill.

I am simultaneously urging that necessary provision be written into the bill for very important work at Port Washington Harbor, a matter which has required urgent attention for some time.

I ask unanimous consent that the resolution and article be printed in the RECORD, and thereafter be appropriately referred to the Senate Committee on Public Works.

There being no objection, the resolution and article were referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

RESOLUTION No. 7

"Whereas the Fox River flowing through Green Lake County provides not only resort areas with increased real estate values but also has many recreational values for the people of the State of Wisconsin; and

"Whereas the Corps of Army Engineers now in control of the upper Fox River would like to transfer their control of the upper Fox to some other agency; and

"Whereas our present Congressman, WILLIAM K. VAN PELT, has introduced in Congress bill H. R. 10034, providing an appropriation of $300,000 to improve the upper Fox River so that it will be acceptable to our Wisconsin Legislature.

"Therefore the county board of supervisors of Green Lake County duly assembled in regular session on June 12, 1956, do ordain as follows:

"*Resolved*, That this board is for the project of improving the upper Fox River by providing adequate facilities to regulate the water levels of the river and lakes through which it flows so that it will be best suitable to sustain fish, wildlife, and afford proper drainage facilities for this area. That the river channel be cleaned out and dredged in such places where sandbars and debris interferes with the natural flow of water, and provision be made for improved pull overs at dams for pleasure craft and provide for increased resort and recreational area; be it further

"*Resolved*, That copies of this resolution be sent to Congressmen William K. Van Pelt and Melvin R. Laird, United States Senators Alexander Wiley and Joseph R. McCarthy, Gov. Walter J. Kohler, State Assemblymen William N. Belter and Louis C. Romell, and Conservation Director L. P. Voight."

Presented by Clifford Janes, Franklin Jahnke, John Rowley, A. S. Densmoor, Green Lake County Recreational Planning Committee; Ernest Kolpin, Peter Siekierka, John F. Kasierski; Conservation Committee.

FRANKLIN JAHNKE,
Chairman.

Attest:

G. DOEPKE, *County Clerk.*

[From the Milwaukee Journal of July 6, 1956]

PLANS GIVEN FOR FOX RIVER—SPORTSMEN'S PARADISE

MADISON, WIS.—The Wisconsin conservation department reported Friday that it was looking forward to eventual use of the scenic upper Fox River as a sportsmen's paradise—for use of fishermen and small pleasure craft owners.

The department, which hopes to take over control from Army engineers of the winding, 107 mile stretch of the river, starting at Portage and extending through several lakes and flowages to Lake Winnebago near Oshkosh, said it had no plans for creating State parks on the river. Instead, it wants to use the area primarily for activity on the water and conservation programs.

The House Public Works Committee last week approved legislation to pave the way for the State to assume control of the waterway. It is situated in Columbia, Marquette, Green Lake, Waushara, and Winnebago Counties. The river flowage also includes Lakes Buffalo and Puckaway, and is one of the few in the Nation that flows north.

SEVEN DAMS INCLUDED

In addition to having control of the stretch of water, the Federal Government also owns 16 small land plots along its shores, ranging in size from 2 to 80 acres, 27 buildings which include former lock tenders' houses, 9 locks, 7 dams, 6 cut-off sections, and an artificial canal of about 2 miles at Portage which connects the Fox and Wisconsin Rivers.

Under the House bill, sponsored by Wisconsin Congressmen, the Army Corps of Engineers would be authorized to repair the locks and dams on the river at a cost of $300,000, before it would be turned over to the State.

The department is most interested in construction of a 32 foot fishway at the Eureka dam to help fish go upstream when the water is high.

PULLOVERS TO BE USED

Cyril Kabat, wildlife research chief of the conservation department, said the fishway would insure annual migration of fish up the Fox from Lake Winnebago.

The waterway would accommodate any pleasure boat up to a 16 foot outboard, and such a boat could go from the Mississippi to the Great Lakes via Green Bay.

The department would maintain boat pullovers built by the engineers in 1952 at six lock and dam sites. The pullovers are manually operated winches which pull a boat up to the next water level or let it down the same way. There is no charge for this.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCNAMARA, from the Committee on the District of Columbia, without amendment:

S. 3619. A bill to amend the District of Columbia Public School Food Services Act (Rept. No. 2561);

H. R. 5853. A bill to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907 (Rept. No. 2562);

H. R. 10375. A bill to amend the act entitled "An act to provide recognition for meritorious service by members of the Police and Fire Departments of the District of Columbia," approved March 4, 1929 (Rept. No. 2563); and

H. R. 10670. A bill to amend the District of Columbia Unemployment Compensation Act so as to extend the coverage of such act to employees of the municipal government of the District of Columbia employed in District of Columbia institutions located in Maryland and Virginia (Rept. No. 2559).

By Mr. MCNAMARA, from the Committee on the District of Columbia, with amendments:

H. R. 2603. A bill to increase the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside (Rept. No. 2564).

By Mr. BEALL, from the Committee on the District of Columbia, without amendment:

S. 2578. A bill to amend the law relating to residence of assistant assessors for the District of Columbia (Rept. No. 2565);

S. 3887. A bill to amend the act entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of pas-

sengers, and for other purposes," approved June 29, 1938 (Rept. No. 2566);

S. 3889. A bill to amend the act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes," approved December 20, 1944, as amended (Rept. No. 2567);

H. R. 11002. A bill to regulate and license pawnbrokers in the District of Columbia (Rept. No. 2568); and

H. R. 11488. A bill to amend the District of Columbia Traffic Act, 1925, as amended (Rept. No. 2569).

By Mr. BEALL, from the Committee on the District of Columbia, with amendments:

H. R. 4993. A bill to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to business property situated in the District of Columbia (Rept. No. 2570); and

H. R. 10947. A bill to provide particular designations for the highway bridges over the Potomac River at 14th Street in the District of Columbia (Rept. No. 2571).

By Mr. MORSE, from the Committee on the District of Columbia, with amendments:

H. R. 8149. A bill to amend the first sentence of paragraph (a) of section 756 of title 11 of the District of Columbia Code, 1951 edition (par. (a), of sec. 5 of the act of April 1, 1942, ch. 207, 56 Stat. 193), relating to the transfer of actions from the United States District Court for the District of Columbia to the Municipal Court for the District of Columbia (Rept. No. 2572).

By Mr. BYRD, from the Committee on Finance, with amendments:

H. R. 6040. A bill to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws, together with the minority views of Senator MALONE (Rept. No. 2560).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, with amendments:

S. 3465. A bill relating to effective dates of increases in compensation granted to wage board employees (Rept. No. 2573).

By Mr. CHAVEZ, from the Committee on Public Works, with an amendment:

H. R. 11010. A bill creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill. (Rept. No. 2577).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, without amendment:

S. 4058. A bill to authorize the Secretary of Agriculture to extend and renew to Chicago, Milwaukee, St. Paul & Pacific Railroad Co. for the term of 10 years a lease of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right-of-way to said tract, for the removal of gravel and ballast material, executed under the authority of the act of Congress approved June 26, 1946 (Rept. No. 2575).

By Mr. HUMPHREY of Minnesota, from the Committee on Agriculture and Forestry, without amendment:

H. R. 11375. A bill to amend the Agricultural Act of 1949, as amended, to further extend the special school milk program to certain institutions for the care and training of children (Rept. No. 2576).

By Mr. EASTLAND, from the Committee on Agriculture and Forestry, without amendment:

S. J. Res. 179. Joint resolution to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club, of Rena Lara, Miss., Inc. (Rept. No. 2574).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. NEELY from the Committee on the District of Columbia:

Austin L. Fickling, of the District of Columbia, to be associate judge of the municipal court for the District of Columbia, vice Armond W. Scott;

John H. Burnett, of the District of Columbia, to be an associate judge of the municipal court for the District of Columbia;

Godfrey L. Munter, of the District of Columbia, to be an associate judge of the municipal court for the District of Columbia;

Frank Hammett Myers, of the District of Columbia, to be an associate judge of the municipal court for the District of Columbia; and

John Lewis Smith, Jr., of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia, vice Robert M. Weston.

REPORT OF BOARD OF VISITORS TO UNITED STATES COAST GUARD ACADEMY

Mr. PURTELL. Mr. President, as Chairman of the Board of Visitors to the United States Coast Guard Academy, New London, Conn., I submit a report of that Board, and ask unanimous consent that it be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The report is as follows:

REPORT OF THE BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY, NEW LONDON, CONN., MAY 4, 1956

The PRESIDENT OF THE SENATE.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

GENTLEMEN: Pursuant to section 194 of title 14 of the United States Code, the following Senators and Members of the House of Representatives were designated to constitute the 1956 Board of Visitors to the United States Coast Guard Academy:

By the President of the Senate: Senator PRESCOTT BUSH, Republican, of Connecticut.

By the chairman of the Senate Committee on Interstate and Foreign Commerce: Senator JOHN O. PASTORE, Democrat, of Rhode Island; Senator WILLIAM A. PURTELL, Republican, of Connecticut.

By the Speaker of the House of Representatives: Representative J. VAUGHN GARY, Democrat, of Virginia; Representative DONALD W. NICHOLSON, Republican, of Massachusetts.

By the chairman, House Committee on Merchant Marine and Fisheries: Representative EDWARD J. ROBESON, Jr., Democrat, of Virginia; Representative FRANK M. CLARK, Democrat, of Pennsylvania; Representative HORACE SEELY-BROWN, Jr., Republican, of Connecticut.

Ex officio members: Senator WARREN A. MAGNUSON, Democrat, of Washington (chairman, Senate Committee on Interstate and Foreign Commerce); Representative HERBERT C. BONNER, Democrat, of North Carolina (chairman, House Committee on Merchant Marine and Fisheries).

A meeting of the Board of Visitors was held at the Academy on May 4, 1956. The following members of the Board were present: Senator WILLIAM A. PURTELL, Republican, of Connecticut; Representative HORACE SEELY-BROWN, JR., Republican, of Connecticut; Representative J. VAUGHN GARY, Democrat, of Virginia; Representative DONALD W. NICHOLSON, Republican, of Massachusetts.

The following officials of the United States Coast Guard were also present from headquarters: Vice Adm. A. C. Richmond, Commandant; Rear Adm. W. W. Kenner, Chief of the Office of Personnel; Capt. William P. Hawley, Chief of the Personnel Training and Procurement Division; and Capt. David O. Reed, Liaison Officer; from the Academy, Rear Adm. R. J. Mauerman, Superintendent; and Capt. F. P. Vetterick, Assistant Superintendent.

INSPECTION TOUR OF GROUND AND BUILDINGS

Upon arrival of the Board at the Academy, the customary honors were rendered. Senator WILLIAM A. PURTELL inspected the cadet corps and the battalion passed in review before the members of the Board.

MEETING OF THE BOARD

The Board members were joined by Admiral Richmond, Admiral Mauerman, Admiral Kenner, Captain Vetterick and Captain Hawley in formal session, during which the Honorable WILLIAM A. PURTELL was elected chairman of the Board. The general comments and specific recommendations made by the Board are herewith presented for the serious consideration of the Members of the Senate and the House of Representatives.

GENERAL COMMENTS

The composition of the student body at the Academy was discussed. The main group consists of the cadet corps of approximately 500, who participate in the 4-year course. In addition, the Officer Indoctrination School conducts throughout the year both the merchant marine officer indoctrination and the officer candidate program for college graduates and selected enlisted men of the Coast Guard.

The Board discussed the physical facilities of the Academy in the light of these training programs. The Superintendent listed the major needs in order of priority:

Extension of present cadet barracks to house entire cadet corps. Many cadets live in temporary wooden buildings and sufficient fireproof quarters should be provided. (Cost approximately $1 million.)

Construction of a modern fireproof barracks to house 200 men of the Merchant Merchant Marine Indoctrination and Officer Candidate Schools. (Cost approximately $900,000.)

Construction of a new mess hall to adequately provide for all cadets. (Cost approximately $350,000.)

Construction of a combined administration and classroom fireproof building for the Merchant Marine Indoctrination and Officer Candidate Schools. (Cost approximately $450,000.)

Construction of a modern fireproof auditorium. The present auditorium is also a temporary wooden building. (Cost approximately $600,000.)

The need for additional Government-owned family quarters for personnel stationed at the Academy and the possible availability of the park adjacent to the reservation at no cost to the Government, subject to the actual construction of the quarters.

The renewal of the grandstands in Jones Field to provide additional seating capacity and to reduce maintenance costs (cost, approximately $95,000).

The accomplishment of the above items would remove the nonfireproof buildings from the Academy reservation and greatly improve the living conditions and safety of the personnel involved.

The Board noted that three of the recommendations made by the previous Board have been accomplished; namely, the installation of the new heating plant, the heating of the fieldhouse, and the improved lighting for cadet rooms.

The Board also met in informal private session with the principal battalion officers

of the corps of cadets without the presence of officials of the Coast Guard. The Board was impressed with the character and caliber of the members of the cadet corps.

The members of the Board advised that, in the discussion with the cadets, the following matters were presented:

Establishment of the honor system.

Assignment of additional tactical officers.

The Superintendent advised that these items were being studied by the executive board and academic council, and would be presented to the commandant for review and decision thereon.

During the course of the visit, individual members of the Board arranged for private interviews with the members of the cadet corps from their respective districts. The Board found that almost all States and Territories of the United States are represented in the cadet corps, even though entrance to the Academy is gained only by means of a nationwide competitive examination.

SPECIFIC RECOMMENDATIONS

1. Construction of a new extension on the dormitory to house the expanded cadet corps. The cadets are now crowded three in a room and it is necessary to use a three-story World War II temporary barracks to accommodate the overflow.

2. Construction of a modern fireproof barracks to house 200 men of the Officer Candidate and Merchant Marine Indoctrination Schools.

3. Construction of a new cadet messhall large enough to accommodate 560 cadets. The galley has been completed, but at present it is necessary to use 3 connected messhalls to accommodate the cadets and officer candidates.

4. Construction of a combined administration and classroom fireproof building for the Officer Candidate and Merchant Marine Indoctrination Schools.

CONCLUSION

The Board commends the Superintendent, Rear Adm. R. J. Mauerman, and his staff for their untiring efforts in maintaining the high standards in evidence at this outstanding institution.

The Board wishes to extend its thanks to Vice Adm. A. C. Richmond, Commandant; Rear Adm. W. W. Kenner, Chief of the Office of Personnel; Capt. William P. Hawley, Chief of the Personnel Training and Procurement Division; and Capt. David O. Reed, Liaison Officer, for the assistance rendered by them.

The chairman and members of the Board wish to express their appreciation to the battalion officers and other members of the cadet corps for their very helpful assistance in enabling the Board to understand better all aspects of the functioning of the Academy.

The Board earnestly recommends to all Members of the Senate and House of Representatives that they assist in every way possible in bringing the Coast Guard Academy to the attention of eligible candidates, and urging their constitutents to participate in the nationwide competitive examination held on the fourth Monday and Tuesday in February each year.

The Board strongly recommends to all Members of the Senate and House of Representatives that at a convenient opportunity they visit the institution, inspect its grounds and buildings, classrooms and laboratories and judge for themselves its facilities and needs. There is every reason to be proud of the plant, equipment, and accomplishments of the Coast Guard Academy.

WILLIAM A. PURTELL,
Chairman.
HORACE SEELY-BROWN, Jr.,
J. VAUGHAN GARY,
DONALD W. NICHOLSON.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of New Jersey (for himself and Mr. HILL):

S. 4211. A bill to encourage and assist the States in the establishment of State committees on education beyond the high school, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. SMITH of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. HICKENLOOPER:

S. 4212. A bill for the relief of Victoria V. F. Farhat; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. MILLIKIN):

S. 4213. A bill directing the Secretary of the Interior to convey certain property in the State of Colorado to William M. Proper; to the Committee on Interior and Insular Affairs.

By Mr. WILEY:

S. 4214. A bill for the relief of Choon Hi Kim; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 4215. A bill to amend the act of July 15, 1954, authorizing the sale of certain vessels to Brazil; to the Committee on Interstate and Foreign Commerce.

By Mr. DOUGLAS:

S. 4216. A bill to permit articles imported from foreign countries for the purpose of exhibition at the Festival of the Americas, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes; to the Committee on Finance.

By Mr. DOUGLAS:

S. J. Res. 196. Joint resolution to urge the creation of an International Juridical Commission within the framework of the North Atlantic Treaty Organization in order to document the crimes against humanity committed by the international Communist conspiracy and to reduce the dangers of world war III; to the Committee on Foreign Relations.

(See the remarks of Mr. DOUGLAS when he introduced the above joint resolution, which appear under a separate heading.)

ASSISTANCE TO STATES IN ESTABLISHMENT OF STATE COMMITTEES ON EDUCATION BEYOND THE HIGH SCHOOL

Mr. SMITH of New Jersey. Mr. President, on June 19, 1956, on behalf of myself and the Senator from Alabama [Mr. HILL], I introduced the bill (S. 4081) to encourage and assist the States in the establishment of State committees on education beyond the high school.

It has become necessary to add a new section to that bill, authorizing the appropriation of funds for the expenses of the President's Committee on Education Beyond the High School.

Therefore, Mr. President, on behalf of myself and the Senator from Alabama [Mr. HILL], I introduce, for appropriate reference, a new bill, which includes both the provisions of Senate bill 4081, and the new authorization for the President's Committee.

I ask unanimous consent that the bill, together with a letter dated June 22, 1956, from the Secretary of Health, Education, and Welfare, addressed to the Senator from Alabama, explaining the need for this new section, be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 4211) to encourage and assist the States in the establishment of State committees on education beyond the high school, and for other purposes, introduced by Mr. SMITH of New Jersey, for himself and Mr. HILL, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Congress hereby finds and declares that the impending great increase in enrollment in higher education institutions, the great national need for increased numbers of scientists, engineers, teachers, technicians, nurses, and other trained personnel, the rapid changes in conditions which necessitate additional education for many adults, and the dependence of the national security on the research and advanced preparation provided by educational institutions, combine to make it imperative that immediate stimulus be given to planning and action throughout the Nation which will meet adequately the needs for education beyond the high school.

SEC. 2. (a) To encourage and assist each State to provide for a State committee on education beyond the high school, composed of educators and other interested citizens, to consider educational problems beyond the high school and to make recommendations for appropriate action to be taken by public and private agencies at local, State, regional, and Federal levels, there is hereby authorized to be appropriated the sum of $800,000. Sums appropriated pursuant to this section shall be allocated to the States on the basis of their respective populations according to the latest figures certified by the Department of Commerce except that no State's allotment shall be less than $7,500.

(b) The Commissioner of Education shall pay its allotment to each State which, through its Governor or other State official designated by the Governor, undertakes to accept and use the sums so paid exclusively for the purposes set forth in subsection (a), including the expenses of studies and conferences, and to have its State committee on education beyond the high school make a report of its findings and recommendations to the Commissioner for the use of the President's Committee on Education Beyond the High School. Sums appropriated pursuant to this section shall remain available until June 30, 1958, and any such sums remaining unpaid to the State or unobligated by then as of that date shall be returned to the Treasury.

SEC. 3. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and the fiscal year ending June 30, 1958, such sums of the Congress may determine, for the administration of this act and the expenses of the President's Committee on Education Beyond the High School.

(b) Persons (other than those whose travel expenses are payable from allotments under section 2 (a)), while away from their homes or regular places of business at conferences called by the President's Committee, and members of the Committee, while attending conferences or on other business of the Committee away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C.

73b–2) for persons in the Government service employed intermittently.

(c) The Secretary of Health, Education, and Welfare is authorized to appoint, without regard to the civil-service laws, an executive director for the President's Committee at a salary to be fixed by the Secretary, but not in excess of $14,000 per annum.

SEC. 4. The Commisisoner is authorized to accept funds, equipment, personal services, and facilities donated for purposes of this act and to use the same in accordance with such purposes.

SEC. 5. For the purposes of this act the term "State" includes the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

The letter presented by Mr. SMITH of New Jersey is as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, June 22, 1956.

Hon. LISTER HILL,
Chairman, Committee on Labor and Public Welfare, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: On June 11, 1956, we transmitted to the President of the Senate for the consideration of Congress a legislative proposal to encourage and assist the States in the establishment of State committees on education beyond the high school. This transmittal letter and draft bill have been referred to your committee. A bill identical to this draft bill has been introduced by you and Senator SMITH as S. 4081.

We would like to recommend an amendment to this legislative proposal which would add a new section 3 authorizing the appropriation of funds for the expenses of the President's Committee on Education Beyond the High School. A copy of the proposed new section 3 is enclosed.

We developed the original proposal and transmitted it to Congress on the assumption that the expenses of the President's Committee hereafter would be met out of funds appropriated to the President for the purpose. The administration's request for a supplemental appropriation to meet these expenses during the fiscal year 1957 is now pending before the House Appropriations Committee. It now appears that such an appropriation probably cannot be secured without substantive legislation authorizing it. In the event that the House Appropriations Committee denies the appropriation request for want of substantive legislation, the President's emergency fund (out of which the Committee has been financed thus far) cannot legally be used to finance the President's Committee during the coming fiscal year. The new section 3 herein recommended will supply the deficiency in authorizing legislation, and make possible an appropriation before the 84th Congress adjourns.

It is extremely important that the President's Committee be adequately financed so that it can continue to perform the tasks assigned to it by the President. The Committee was established in recognition of the widespread and increasing concern shared by Government agencies, educational leaders, scientists, and others as to the necessity for initiating immediate action on the part of public and private educational institutions, and at all levels of government, to deal with the mounting problems in the field of education beyond the high school. Behind this concern is the Nation's growing need for trained manpower in the fields of science and engineering, education, and, in fact, in all professional fields.

The President declared his intention to appoint such a group in his special message to the Congress of January 12, 1956, relating to our educational system. Composition of the committee was announced April 19 and on April 27 it met, organized, and agreed on basic objectives as follows: First, to collect, assemble, and disseminate information for the purpose of increasing public awareness of the vast challenge which lies ahead in the field of education beyond the high school; second, to encourage the planning and action which must now be undertaken by institutions and groups of institutions, locally and nationally, publicly and privately, to meet the impending demands upon our education system; the third, to advise the President as to the proper role of the Federal Government in this field, and to recommend appropriate Federal policies and relationships.

The close relationship between the objectives of the President's committee and the objectives of the instant legislative proposal for assistance to States in the establishment of State committees on education beyond the high school, is readily apparent. The national committee and the State committees complement each other and both are essential to the full accomplishment of the objectives of each.

We respectfully urge your favorable consideration of the enclosed amendment to our original proposal, as embodied in S. 4081, and hope that this legislation, as so amended, will be enacted by this session of the Congress.

The Bureau of the Budget advises that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely yours,

M. B. FOLSOM,
Secretary.

INTERNATIONAL JURIDICAL COMMISSION

Mr. DOUGLAS. Mr. President, I am about to introduce a joint resolution, and I ask unanimous consent that I may speak on it in excess of the 2 minutes allowed under the order which has been entered.

The PRESIDENT pro tempore. Without objection, the Senator from Illinois may proceed.

Mr. DOUGLAS. Mr. President, everyone is aware that the Communists are engaged in an all-out propaganda campaign to discredit the late Dictator Stalin. The extremes to which the present dictators of the Kremlin have gone to accomplish this end have caused great speculation among students of international communism. In some quarters the recent Kremlin propaganda offensive has even been interpreted to mean that significant changes are now taking place in the basic structure of Russian communism. Still others see in these admissions of Stalin's guilt the prospects of a lessening of international tensions and even an end to the cold war.

In my judgment, on the other hand, the anti-Stalin campaign now being carried on by the Kremlin seeks to accomplish the following objectives:

First. To cleanse the conspiracy of communism from all the unsavory meanings it carries among those who know the true nature of communism.

Second. To pave the way for the present leaders of communism to escape guilt for their complicity in the crimes which they now attempt to blame entirely upon Stalin. The present Kremlin rulers are all involved in a terrible record of crimes against humanity, most of them for taking a direct and active part in such crimes. They hope to escape responsibility by placing all the blame upon a dead tyrant.

Mr. Khrushchev carried out the purge which Stalin ordered in the Ukraine; Bulganin carried out the purge in the army; Malenkov was Stalin's private secretary. So all of these men had their hands and arms, up to their shoulders, in the blood of innocent victims.

The third purpose is to gain a respectability for the conspiracy of communism which will make it possible for the leaders of the movement to enter and be feted by the family of civilized nations. No self-respecting person would want to have his name associated with those of the Kremlin leaders as participants in social and other forms of unofficial contact. Any form of respectability, false as it might be, would open up many doors to communism which are now closed by the ordinary demands of decency.

Fourth. To provide a new cover for the operations of communism which would increase the deceit of the unsuspecting and cause great confusion in the information programs of free nations. More of the unsuspecting would be taken in by the false cloak of respectability which the Kremlin now seeks so diligently. The information programs of the free nations could not warn free people about the true nature, record, and objectives of communism if the Kremlin succeeds in putting all the blame on Stalin, while creating the illusion that the new Kremlin leaders are different, are tolerable and humane.

Fifth. To destroy the hard-won gains of free nations won by exposing to world opinion the black record of Communist crimes against humanity. All those who know this record are revolted by it. This same black record has caused free men to band together in a common determination that they shall remain free and assist all others who seek their freedom from tyranny and exploitation. That is why the Kremlin is now seeking to wash out the true record of communism.

Sixth. To soften up the non-Communist world and thus prepare the way for acceptance of the Kremlin proposal for peaceful coexistence—an existence for all nations and people as dictated from Moscow. The Kremlin knows that unless communism is purged of its black record of crimes against humanity, civilized nations will continue to abhor any thought of coexistence. But the Kremlin also knows that no price is too great to pay in order to effect their scheme of peaceful coexistence because once that step is accomplished, the Communists will have entered the final stage of their plan for world conquest.

Mr. President, for these reasons I have introduced today a resolution calling for the creation of an International Juridical Commission within the framework of the North Atlantic Treaty Organization. It would be the duty of that Commission to bring about the orderly collection and safekeeping of testimony of eye witnesses to the crimes of communism, together with documents, directives, records, and other written evidence

related thereto. In short, such a Commission would be charged with the responsibility of making a just and truthful account of Communist crimes as part of history.

Mr. President, this resolution will remind the Moscow salesmen of so-called peaceful coexistence that the free world intends to hold to strict accountability all those in the Communist conspiracy who are implicated in these crimes against humanity.

The present Communist regime in Moscow has turned state's evidence against Stalin in a frantic effort to escape the verdict that humanity shall surely pass upon them for their roles as coconspirators with Stalin.

The conscience of all civilization demands that a just and truthful account of the Communist crimes against humanity be recorded so that future generations shall know the earmarks of tyranny and despotism, and accordingly protect themselves against its insidious encroachments.

I ask unanimous consent that the joint resolution be printed at this point in the RECORD, and appropriately referred.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S. J. Res. 196) to urge the creation of an International Juridical Commission within the framework of the North Atlantic Treaty Organization in order to document the crimes against humanity committed by the international Communist conspiracy and to reduce the dangers of world war III, introduced by Mr. DOUGLAS, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas there is an abundance of evidence now available to support the charge that the leaders of the international Communist movement are guilty of a long list of crimes against humanity; and

Whereas there are many persons in the free world able to give eyewitness testimony to the crimes against humanity committed by the leaders of communism and to identify official documents, directives, records, and other written evidence necessary to support the essential details of such crimes;

Whereas the orderly collection and safekeeping of such evidence and testimony is essential in order that a just and truthful account of Communist crimes be made a part of history; and

Whereas the leaders of the international Communist movement are now engaged in an intensive campaign to place sole guilt and responsibility for these crimes against humanity upon the deceased Dictator Stalin thus relieving themselves of complicity in such crimes; and

Whereas the effort of the present rulers of the Kremlin to absolve themselves from complicity in a long list of crimes against humanity is aimed at covering the conspiracy of communism with a deceptive cloak of respectability which can only lull free people into a false sense of security, divide the free world alliances and rapidly increase the danger of world war III; and

Whereas the North Atlantic Treaty Organization is a grouping of free nations dedicated to the defense of human freedom and the safeguarding of such nations against Communist aggression: Now therefore, be it

Resolved, etc., That it is the sense of Congress that the establishment of an International Juridical Commission, within the framework of North Atlantic Treaty Organization, is both necessary and timely in order to document all available evidence on the crimes against humanity committed by the leaders of the international Communist conspiracy; to prevent those individuals implicated in such crimes from purging themselves of guilt by passing all responsibility to former leaders of the conspiracy now deceased; to prevent the conspiracy of communism from cloaking itself with unwarranted respectability and to reduce the dangers of a world war III.

The President and Secretary of State are respectfully urged to take immediate steps to cause the establishment of such an International Juridical Commission within the framework of North Atlantic Treaty Organization.

RULES OF INTERPRETATION GOVERNING QUESTIONS OF EFFECT OF ACTS OF CONGRESS ON STATE LAWS—AMENDMENTS

Mr. DOUGLAS. Mr. President, I am submitting today a series of amendments to the bill (S. 3143) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws, which I intend to purpose to that bill. These amendments will make the meaning of the bill clear and will make it conform to the principles which I think we all believe in. They should improve the bill very much.

I ask that the amendments be printed at this point in the RECORD, and that they also be printed separately, and lie on the table for the consideration of Senators.

The PRESIDENT pro tempore. The amendments will be received, printed, and lie on the table; and, without objection, the amendments will be printed in the RECORD.

The amendments were ordered to lie on the table, as follows:

On page 2, at the end of line 4, insert the following new sentence: "Nothing contained in this act shall be construed to lessen in any way the responsibility of the several States to comply with the provisions of the Constitution of the United States as interpreted by the Supreme Court, it being the intention of the Congress that the several States should comply fully at all times with such provisions."

On page 1, line 3, immediately after the word "That", insert the subsection designation "(a)."

On page 2, after line 4, insert the following new subsection:

"(b) The rules established by subsection (a) shall not apply to the interpretation of any act of Congress enacted in exercise of the power conferred upon the Congress by article I, section 8 of the Constitution to regulate commerce with foreign nations and among the several States."

On page 1, line 3, immediately after the word "Congress", insert the words "hereafter enacted."

On page 1, line 7, immediately after the word "No", insert the word "such."

On page 1, line 9, strike out the word "which", and insert in lieu thereof the words "in effect on the date of enactment of such act of Congress if such State law."

PAYMENTS TO LOCAL GOVERNMENTS IN LIEU OF TAXES—AMENDMENTS

Mr. MUNDT (for himself and Mr. MARTIN of Iowa) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 4183) to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes, which were ordered to lie on the table and to be printed.

SOCIAL SECURITY AMENDMENTS OF 1956—AMENDMENTS

Mr. CURTIS submitted an amendment intended to be proposed by him to the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. KEFAUVER submitted amendments, intended to be proposed by him, to House bill 7225, supra, which were ordered to lie on the table and to be printed.

AMENDMENT OF INTERNAL REVENUE CODE, RELATING TO AMORTIZATION OF GRAIN-STORAGE FACILITIES—AMENDMENT

Mr. FLANDERS submitted an amendment, intended to be proposed by him, to the bill (H. R. 9083) to amend the Internal Revenue Code of 1954 to extend the period for amortization of grain-storage facilities, which was ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Excerpts from address delivered by him at the Norman Wait Harris Memorial Foundation, University of Chicago, on June 30, 1956.

By Mr. KEFAUVER:

Article written by him, on the subject of the report of the Attorney General's Committee on the Antitrust Laws, published in the Mercer Law Review of the Walter F. George School of Law of Mercer University, Macon, Ga.

NOTICE OF HEARINGS ON CERTAIN NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

The PRESIDENT pro tempore. As a Senator, and as chairman of the Committee on Foreign Relations, the Chair desires to announce that the Senate has received the following nominations of persons to be representatives of the

United States of America to the 11th session of the General Assembly of the United Nations:

Henry Cabot Lodge, Jr., of Massachusetts;

WILLIAM F. KNOWLAND, of California;

HUBERT H. HUMPHREY, of Minnesota;

Paul G. Hoffman, of California; and

Elsworth Bunker, of Vermont.

The following-named persons to be alternate representatives of the United States of America to the 11th session of the General Assembly:

James J. Wadsworth, of New York;

Richard Lee Jones, of Illinois;

Frank C. Nash, of the District of Columbia;

Edward S. Greenbaum, of New Jersey; and

Mrs. Oswald B. Lord, of New York.

The Chair wishes to give notice that these nominations will be considered at the next regular meeting of the Committee on Foreign Relations on Tuesday, July 17.

STATUS OF VISA APPLICATIONS UNDER THE REFUGEE RELIEF PROGRAM

Mr. LANGER. Mr. President, as chairman of the Subcommittee on Refugees and Expellees of the Committee on the Judiciary, I ask unanimous consent that there may be printed in the body of the RECORD at this point a report from the State Department.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Refugee relief program, status of visa applications, July 6, 1956

EACH INDIVIDUAL COVERED BY ASSURANCE (CUMULATIVE)

	Italy	Greece	Netherlands	Germany	Austria	France	Great Britain	Belgium	Far East	Others	Total
1. Applicants	97,474	32,376	8,023	58,087	20,065	5,728	4,543	4,846	23,793	5,232	260,167
2. Visas issued	57,845	16,580	3,767	21,856	11,377	1,987	1,653	1,743	5,100	1,720	123,628
3. Visas refused	7,814	1,997	193	5,607	2,040	524	552	313	915	320	20,275
4. Canceled action	3,239	430	649	8,601	2,309	928	406	736	394	383	18,075
5. Applicants still in process	28,576	13,369	3,414	22,023	4,339	2,289	1,932	2,054	17,384	2,809	98,189
PREPROCESS (WITHOUT ASSURANCES) APPLICANTS (STATUS ONLY)											
In preprocess	9,005	459	3,959	11,691	2,503	371	0	1,223	689	398	30,298
Completed (part of in preprocess)	1,127	194	0	3,705	847	37	0	98	27	101	6,136
Assurances sent to field	17,347	18,214	2,684	28,904	9,896	3,235	2,153	1,737	13,830	5,384	103,384

NOTE.—Assurance figures reflect principal applicants only (cumulative).

CORNERSTONE LAYING OF NEW SENATE OFFICE BUILDING

Mr. LANGER. Mr. President, I should like to ask a question of the majority leader. This morning we are dedicating the New Senate Office Building. Is it the plan of the leadership to recess for 10 or 15 minutes for that purpose?

Mr. JOHNSON of Texas. I have not heard of any plans to that effect.

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

TAXATION OF INCOME OF LIFE-INSURANCE COMPANIES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2470, H. R. 11995.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 11995) to provide that the 1955 formula for taxing income of life-insurance companies shall also apply to taxable years beginning in 1956.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I should like to ask the Senator from Virginia to give a brief explanation of the bill.

Mr. BYRD. The bill merely provides for a continuation of the present formula for the taxing of life-insurance companies. It would continue the formula for 1 year. The bill is agreeable to the Treasury Department. It was passed unanimously by the House and was reported unanimously by the Committee on Finance.

The PRESIDENT pro tempore. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 11995) was ordered to a third reading, read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DISTRESSING SITUATION OF THE TEXAS LIVESTOCK INDUSTRY

Mr. JOHNSON of Texas. Mr. President, on last Monday I received a distressing telephone call from Texas. My caller was Mr. J. B. McCord, president of the Texas Sheep and Goat Raisers Association, and his call was prompted by conditions in the Texas livestock industry.

He said that the livestock industry of Texas is facing complete disaster—not next year, not next fall, but within the next few weeks—unless something is done to help farmers and ranchers obtain feed at cost.

In some areas of Texas there has not been adequate rainfall during the last 7 or 8 years.

I have personal knowledge of some of the effects of this long-continued drought. In my own home county of Blanco, many stockmen have reduced their beef herds as much as 50 percent. Sheep and goat herds have been cut one-third. In my county, between 6 and 8 inches of rain from now to September are required if we are going to have adequate pastures for fall grazing.

Similar conditions—even worse conditions—exist in other parts of the State. Streams never before dry have stopped flowing. Small farmers have grown virtually no feed, and large landowners have been forced to reduce their herds drastically.

They are saying, with grim humor, that in some parts of Texas it has been dry so long that 6-months-old bullfrogs have not yet learned how to swim.

Farmers and ranchers are extended to the breaking point. Their bankers can no longer carry them.

The present feed program is not meeting the situation. Unless effective remedial action is taken—and taken soon—the livestock industry in Texas will collapse.

What can be done to avert this disaster?

The greatest immediate need—aside from the ever-present need for drought-breaking rains—is for a plan under which farmers and ranchers in these distressed areas may buy feed at cost.

The Department of Agriculture has the power to act. I have urged Secretary of Agriculture Benson to take action by making available at cost feed and grain from Commodity Credit Corporation stocks, with county agricultural stabilization committees being designated to administer the program.

Mr. President, time is running out for the livestock industry of Texas. Our large and small producers of livestock need help immediately—must have help if they are to survive.

THE HOOVER PROPOSALS

Mr. SMITH of New Jersey. Mr. President, in the New York Times of Thursday, July 12, there appeared an editorial entitled, "The Hoover Proposals." This editorial very properly calls attention to the fact that Congress should act on certain of these proposals before it adjourns this year. The first is the executive pay bill, which is aimed to provide adequate compensation for those in the Government employ who are making real personal sacrifices in leaving their respective businesses in order to serve in this time of need. It has been most unfortunate to have lost the services of Surgeon General Scheele and

Commissioner of Education Brownell because of the inadequacy of the compensation the Government was able to pay them.

Another one of these important pending bills would permit the recruitment of more topflight scientific professional and research personnel in certain departments and agencies, particularly in the Department of Defense.

A third important measure is the bill already passed by the Senate to set up a modern budgeting and accounting system. This bill is now awaiting action by the House, and I sincerely hope that it will be passed before the session is over.

The fourth is the House approved bill to establish the office of Assistant Secretary for Research and Development in each of the three Armed Services. Here again we have a very important measure which I hope can be acted on.

Mr. President, I ask unanimous consent that the whole editorial be printed in the body of the RECORD at the close of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE HOOVER PROPOSALS

Although the Eisenhower administration has done relatively little to advance the Hoover Commission proposals for increasing governmental efficiency, we are glad to note that at least one important Hoover recommendation is on the legislative list of 14 points the President has just urged upon Congress. That is the bill to raise salaries of high-ranking executives within the Federal service.

As a matter of fact, there are two pending bills endorsed by the Hoover Commission in this field and both of them should be passed. One is to increase compensation of top management personnel; the other is to permit the recruitment of more top-flight scientific, professional, and research personnel in certain departments and agencies, particularly though not exclusively, those related to the national defense. Both these measures have passed the House and both are now awaiting action by the Post Office and Civil Service Committee of the Senate. It is difficult to understand any Senator's reluctance in reporting these bills.

Salaries of most of the high-ranking administrators and executives within the Government have not been raised since 1949, although both in private industry and at lower levels of Federal service there have been sizable increases. Time and time again able men leave top Government jobs because they cannot afford to remain in them. Surgeon General Leonard A. Scheele resigned his $17,000 post a few weeks ago to become president of a pharmaceutical laboratory, explaining that he made the move "in the interests of providing more properly for the future of my family." Commissioner of Education Samuel A. Brownell resigned his $14,800 job last month to take one paying twice as much, saying, "When you get an offer like this * * * you can't just laugh it off." The Government cannot laugh off the necessity of paying for the talent it needs.

Several other Hoover Commission recommendations that are part way through Congress should certainly be acted on before adjournment. Probably the most important is a Senate-approved bill to set up a modern budget and accounting system that would help Congress regain a control over actual expenditures that it has now almost lost. This measure is now stuck in the House Committee on Government Operations. Another is the House-approved bill to establish an Assistant Secretary for Research and Development in each of the three armed services. It should be hardly necessary to argue that this is an area that, in the interests of national security, requires more emphasis as well as more money. Congress will simply not be doing its duty if it quits before acting on these bills of prime benefit to the Nation.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF CERTAIN PROVISIONS OF LAW RELATING TO THE ESTATE TAX

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2471, House bill 6595.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 6595) to amend certain provisions of law relating to the estate tax.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

Mr. BYRD. Mr. President, this bill amends the so-called Technical Changes Act of 1949 and provides for refund or credit of estate taxes of certain decedents dying after the effective date of the 1939 Internal Revenue Code, February 10, 1939. Under the bill, closed cases may be reopened if claims are filed within 1 year from the date of enactment of the bill.

In the Technical Changes Act of 1949 Congress provided certain relief from the effects of the Supreme Court decisions in the Church and Spiegel cases, which held that the retention of a life estate or an extremely remote reversionary interest was sufficient to require the property to be included in the gross estate of the decedent. This act excluded from the gross estate transfers of property made before October 8, 1949, where the retained reversionary interest had a value immediately before the decedent's death of less than 5 percent. Refunds were permitted in closed cases where a reversionary interest was retained, but were not permitted in closed cases where a retained life estate was involved.

This bill reopens estate-tax cases of persons dying after February 10, 1939, where the decedent retained a life estate. The bill, as it passed the House, applied to persons dying between November 11, 1935, and before January 30, 1940. The Finance Committee amended the bill so that it would only apply to persons dying after the effective date of the 1939 code, February 10, 1939, in order to be consistent with the rule adopted in the Technical Changes Act of 1949 for decedents who retained small reversionary interests.

The PRESIDENT pro tempore. The committee amendments will be stated.

The amendments of the Committee on Finance were on page 1, line 4, after the word "after", to strike out "November 11, 1935, and before January 30, 1940" and insert "February 10, 1939"; in line 10, after the word "Congress", to strike out "or from the application of the first sentence of section 207 (b) of the Technical Changes Act of 1953 (67 Stat. 615; Public Law 287, 83d Cong.)"; and on page 2, line 16, after the numerals "1949", to strike out the comma and "or from the application of the first sentence of section 207 (b) of the Technical Changes Act of 1953."

The amendments were agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 6595) was read the third time and passed.

CONFORMITY BY COERCION?

Mr. ROBERTSON. Mr. President, on Wednesday, July 11, there was printed in the CONGRESSIONAL RECORD a lengthy letter signed by P. L. Prattis, executive editor of the Pittsburgh Courier, criticizing an editorial written by David Lawrence and published in the July 6 issue of the magazine U. S. News & World Report.

Because I feel it is only fair that those who read this critical letter should have an opportunity also to read the editorial to which it referred and also because of the intrinsic merit of the Lawrence editorial, which I consider sound and well-reasoned, I ask unanimous consent that the text of the Lawrence editorial be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONFORMITY BY COERCION?

(By David Lawrence)

I

It is necessary to come to grips with the issue of enforced integration in the Nation's schools. It is a legal issue, a moral issue, a sociological issue, and a political issue.

Yet all these diverse approaches only accentuate the real question—conformity or nonconformity in organized society. It is an issue that for generations has confronted mankind.

The perennial conflict fundamentally is between thoretical equality and actual equality.

Government usually is concerned with theoretical equality. But too often, in the passion for uniformity, obstacles arise to the practical application of the law. Sooner or later revision is found necessary. An adjustment to realistic conditions becomes inevitable.

Obedience to law is a precept with which few will disagree, but disrespect for a law written by agents of the people in contradiction of the real will of the people leads to disobedience, disregard, or repeal.

Conformity itself is a dangerous dogma when dependent solely on coercion. It is a device by which freedom often has been destroyed and totalitarianism substituted. Conformity of thought imposed by law is the tool of despots.

Conformity means that everybody must think alike, act alike, and obey the edicts of a central authority.

Our Constitution was built upon the fundamental principle that government derives its just powers from the consent of the governed.

Realizing that our Republic was founded by groups with conflicting interests, often widely separated by big distances, our forefathers conceived the idea of separate States. Each State was to be sovereign—endowed with the right to govern itself within its own area. Only in the case of infringement upon other States was the national authority to be invoked.

The Founding Fathers, to be sure, realized that they could not apply a rule of conformity over the people of a vast territory. So they delegated to the several States the right to deal with their own sociological problems. This is why education, for example, has always been a local problem. It is also one of the reasons why the maintenance of law and order has been primarily a State and city responsibility.

Conformity cannot be successfully compelled where the customs and morals of the people are in conflict with statutory law. It has often been truly said that "government cannot legislate morals."

Perhaps the best demonstration of this in recent years was the experience of the Nation with the 18th amendment. For decades there had been attempts to solve the prohibition problem. Many States had passed "dry" laws. Congress tried to regulate the liquor traffic across State lines. The Federal courts, while upholding the interstate aspects, were careful to refrain from imposing upon each individual State an obligation to conform to a moral code which specified that people must not drink intoxicating liquors.

When the 18th amendment, however, was ratified in 1920 as a part of the Constitution, the entire Nation was asked to conform to a formula which forbade the manufacture and sale of intoxicating beverages anywhere in the United States. This meant that the will of a State was superseded entirely by national law.

What was the result? The effort to produce conformity failed. This was because the evils which came in the wake of the 18th amendment proved to be far greater than the evils which the amendment sought to correct. Disobedience of law became widespread.

Bootlegging, which began to thrive immediately after the amendment was adopted, brought in its wake vice and crime and organized gangs. Some of these gangs which had their origin at that time have not been entirely eradicated from our communities to this day.

It will be recalled that, while the 18th amendment was a part of the Constitution for nearly 14 years, it took less than 10 months during the year 1933 to get it repealed by the States after Congress submitted it to them.

This did not happen because public thinking on the use of intoxicating beverages had actually undergone any substantial change. Many people continued to think that the sale of intoxicating beverages was harmful to the community and that the manufacture of such products should be prohibited. Several States still have prohibition laws, varying according to local conditions. But the Nation voted for repeal because of a general condition—the American people found that, despite vigorous efforts to enforce the law, the illicit manufacture and distribution of liquor had intensified.

Historical experience should have taught us that there is a distinct difference between the theory of equal rights and the conditions sometimes provoked by the application of laws which go counter to public sentiment in a community.

But, while we profess to believe in the right of a community to govern itself, do we always apply the doctrine in practice? We have tried in America to give city and State communities the right to govern themselves. Yet we interpose a Federal authority sometimes and virtually disregard local self-government. Thus we impair a great principle—the right of self-government.

We have, for example, said, in effect, that, because the people in the northern, eastern, and western parts of the United States constitute a numerical majority, their will must prevail over the people in southern communities.

What we are attempting to do today in America is to compel the minority in the South to conform to the supposed will of the majority in the North. Do we aim thereby to wipe out State autonomy altogether?

There are basic rules to which both minorities and majorities will give their support. Thus, individual rights of association—the practice of religion, the right to educate children in accordance with local custom or tradition, and the right of the minority, even though living in the same community with the majority, to pursue its own racial or religious customs—have all been recognized as just principles in organized society.

The theory of equal rights means that there can be no denial of any public rights to citizens. Thus, the right to vote is a public right. The right to hold office is a public right. The right to own property is a public right. The right to obtain an education in a city or county school is a public right.

There are, to be sure, certain public utilities, such as conveyances, and certain public facilities where rules of limitation should not be imposed by the majority which would put the minority at a physical disadvantage.

But this is a far cry from requiring that each community must compel conformity in the educational process.

If education were entirely an impersonal affair and there were no social life at all in the schools, we would be dealing with a different problem.

But majority as well as minority groups have an equal right to freedom of association or nonassociation. Voluntaryism is the key.

If one individual, for example, does the same work as another, he is entitled to equal pay, irrespective of race or creed or color. In some occupations where majorities object to working alongside of minorities, a problem of adjustment presents itself which in many instances can be solved by patience and some physical rearrangement of locker rooms and personal facilities so as to remove barriers to employment.

But attempts to impose conformity by coercion, whether in the legal or economic or social sphere, usually produce conditions not unlike those which followed the attempt to enforce the 18th amendment.

We already hear zealous extremists advocating that troops be sent "to enforce the Constitution" and compel the South to integrate its public schools.

It is not a problem that will ever be settled by bayonets. Nor will it be settled by exhorting people to forget prejudices bred in them.

II. AN ERA OF FRICTION

We have recently seen evidences of anger and violence in the North and South. We have also witnessed the use of retaliatory measures in communities in the South where the most amicable relations previously had prevailed between the races in the South. Voluntarism had made progress. Talk of coercion now retards progress.

It is an illusion to suppose that, under the threat of "law enforcement," these difficulties are going to lessen with the passage of time. For social customs and social life do not function by any rule of conformity. They are bound to continue in the diversity that human nature has provided.

There will inevitably be passive resistance to laws of enforced integration. The public-school systems of the South may even disintegrate so that education in that region may lag behind the rest of the country. It would be a tragic price to pay. But men of determination have been known to pay almost any price for what they consider to be the preservation of their inalienable rights. Prejudice cannot be legislated out of existence by law.

A compromise formula — segregation through equal but separate facilities of education—was first sanctioned in a Northern State. It was upheld by the Supreme Court of the State of Massachusetts in 1849.

For 30 years after the War Between the States the Supreme Court of the United States wrestled with legal issues growing out of racial conflict, and in 1896 ruled that systems of equal facilities, even though separate were constitutional. This permitted minorities to live alongside majorities in harmony.

Now, however, 60 years later, the Supreme Court of the United States, having reversed itself, is attempting to impose conformity. It should be noted that the Court, in its decision in 1954, did not say the separate educational facilities previously provided had been unequal—indeed, they have at times been even superior for the Negro. The Court took the position that, although the facilities were equal, they could not be permitted to be separate. Reliance was placed on sociological reasons—not legal precedents. The basic argument accepted was that a psychological impact of an adverse nature had occurred—that Negro children felt themselves inferior wherever segregation was legalized. It was the act of discrimination itself which the Court held to be illegal.

Now, as a consequence, however, a counter-conflict on the sociological front has arisen. White parents in the South are arguing that the impact of integration will prove harmful to their children. Will the Court now give equal weight to this plea, or tell the white parents to send their children to private schools, which so many citizens cannot afford?

III. SOCIAL RELATIONSHIPS

So we are back again in the realm of the sociological—how can we get majorities and minorities to live harmoniously in the same community?

But it will be asked whether the right to attend a public school does not include the right to attend any public school. The right of assignment of pupils is a local—not a national—function. Even today, the most ardent exponent of equal rights would not deny that it is within the power of the State to set up schools in which there is segregation by reason of sex—all girls in one school and all boys in another school, irrespective of color.

If, for sociological reasons, it is deemed desirable to separate the sexes in the schools, there would be no constitutional barrier against this even though one State chooses to adopt the plan and another State does not. For we usually recognize as absolute the right of each State community to regulate its social life, provided there is no denial to anyone of the right to public education itself. The States can, moreover, if they wish, subsidize private schools—provided they do not discriminate as between individuals in allocating funds.

The question before the country today is whether communities are free to adjust their school systems to meet their own local

conditions and local sentiment. Those States which desire to integrate their schools ought to have the sovereign right to do so, and those which desire to operate mixed schools in some counties and separate their schools in other counties, either by color or by sex or by intelligence tests, should have the same sovereign right.

It is argued, on the other hand, that, since the public schools are tax-supported and because tax receipts come from all citizens, all public schools must be opened to all citizens. But the same point—equality of participation—could be made with respect to admission to church organizations, private clubs and private schools. They, too, are supported by all taxpayers because an exemption from State and Federal income taxes is given them as "non-profit-making" institutions.

Theoretically, wherever the Government confers its favors, there rests authority to regulate—to withdraw those favors unless the regulations which imposes conformity is accepted. Today the President's Commission on Interracial Discrimination has adopted this principle as the genesis of its power. The Executive Order under which the Commission functions provides that whosoever benefits from any government contract must conform to its requirements against discrimination in employment if based on "race, creed, color or national origin."

The central issue in the school question, however, is one of social relationships. Rooted in the minds of many people in the South is a fear that personal associations begun in the elementary schools will lead to a state of mind among youth that will bring more intermarriage of races.

If intermarriage became widespread, it seems certain that communities would insist upon some other way of preventing them—either by ostracism or by curtailing economic opportunities in the community to those who deviate from custom.

If there were only a few intermarriages in a given State, they probably would not attract much attention. But once they became numerous, the local communities would frown upon them. Public sentiment sometimes is stronger than law in bringing about a reform or change which the law itself could never impose.

What are the limits of conformity? Conformity in theory is justified, especially when the entire national interest is involved—in times of national peril. Thus, in theory, we are not supposed to recognize any distinctions when it comes to military service. But actually we do discriminate here, too. Even the conscientious objector is allowed to refrain from participation in active combat. Able-bodied women are not compelled to fight in the frontlines though women have equal rights of citizenship. "Equality" has its exceptions.

At most it must be said that the problem is not going to be solved if there is a failure to analyze studiously the viewpoints of the opposing groups. It is a situation that ultimately will have to bow to the enlightened principle that majorities and minorities each have a right to regulate their own lives and their own customs.

Thus, treaties signed at the end of World War I established an obligation upon some of the new governments in Central Europe to allocate public funds for educational, religious and charitable purposes to "racial, religious, or linguistic minorities" within their borders. The League of Nations was given the task of guaranteeing the observance of these minority rights.

The more we examine the formulas that have been developed throughout the world to permit minorities to get along with majorities, the more we will find that adjustments precisely of this nature have been conducive to conditions of harmonious living.

IV. IS THE 14TH AMENDMENT VALID?

We hear the argument, "But it's the law of the land." There is a grave question whether the 14th amendment, under which integration is ordered, was ever legally submitted to the States and legally ratified. The specific point has never been passed upon by the Supreme Court, though the public has taken it for granted for years that the 14th amendment is an integral part of the Constitution.

What are the facts? It is necessary as an initial step for any amendment to the Constitution to be passed by a two-thirds vote of both Houses of Congress. Yet, in June 1866, when the 14th amendment was voted upon in Congress, each House had excluded all persons appearing with credentials in the first instance as Senators or Representatives from the 10 Southern States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas and Texas. If these Southern States had been permitted to vote in Congress, the amendment would not have passed.

Then, when the amendment was submitted to the legislatures of the several States, it needed to be ratified by 28 States, which was three-fourths of the 37 States then in the Union. Ten States, therefore, were able to block ratification.

But the 14th amendment was never ratified by California, and was rejected at the time by Kentucky, Delaware, and Maryland. It was rejected during the latter part of 1866 and the early part of 1867 also by the legislatures of the 10 Southern States. For the 14th amendment had in it many objectionable clauses. Apart from its provision requiring States to guarantee "equal protection of the laws," the amendment sought to punish former Confederate soldiers by forbidding them to hold office even in their own States unless Congress by a two-thirds vote removed the disability.

It was argued, moreover, in those days that the State governments in the South were not legal governments but were merely "rebel States." Yet these States at the time had already received Presidential recognition, and when the same Southern legislatures in 1865 had ratified the 13th amendment—which abolished slavery—their action was accepted as legal by the Secretary of State. For the South had, by its vote, made possible the three-fourths vote of the States necessary for the adoption of the 13th amendment.

Furthermore in the Reconstruction Act of 1867 Congress arrogantly proclaimed that self-rule would be restored to the States and they would be permitted representation in Congress once more only when they adopted the 14th amendment. It was so stipulated in the law which had been passed over the veto of President Andrew Johnson. He emphasized its injustices and unconstitutional aspects, and denounced it as "a bill of attainder against 9 million people."

Here is what Senator Doolittle of Wisconsin, a conservative Republican of the North, said about the proposal on the floor of the Senate:

"My friend has said what has been said all around me, what is said every day: the people of the South have rejected the constitutional amendment, and therefore we will march upon them and force them to adopt it at the point of the bayonet, and establish military power over them until they do adopt it."

This was a flagrant case of conformity by coercion. The act of Congress was a direct violation of the letter of the Constitution. For Congress has no power to coerce the States when they pass upon the question of whether or not they will ratify or reject proposed constitutional amendments.

"Puppet" governments established in the Southern States did finally "ratify" the 14th amendment in 1868 but only under duress—with registration of voters being supervised by military commanders from the North and with millions of white voters deliberately disenfranchised by the Reconstruction Act, because they had fought in the war against the Union. Ohio and New Jersey attempted unsuccessfully that same year to withdraw their acts of ratification before the Secretary of State formally proclaimed the amendment as adopted. Doubt was expressed at the time by the President as to the validity of the alleged ratification.

Can it be said that all this action was in accord with the spirit of American fair play? Will this record stand up as constitutional, as the "consent of the governed"? Would we say today that the people in any place under military occupation are able freely to exercise their sovereign rights? The Reconstruction Act for many years deprived the Southern States of their powers of governmental autonomy. They recovered these powers only after a long and tragic era of military compulsion.

Should not the Supreme Court today reexamine the validity of the 14th amendment? If an important decision of 1896 can be reopened and reversed by the Supreme Court in 1954, is it not logical to resurvey the doubtful procedure whereby the 14th amendment itself was forced into the Constitution? The present Court has shown itself quite solicitous lately that persons in our midst charged with disloyalty be given the protection of "due process." Cases involving Communists have, on the slightest pretext of technicality, been ordered for retrial. Can't we give the same consideration to the States which have demonstrated their loyalty to the Union?

If it were presented anew today, there would not be a two-thirds vote of both Houses of Congress to approve the 14th amendment unless a specific reservation were made on the points now at issue.

The reason is clear. More than a third of the membership of both Houses at present feel that the 14th amendment was itself amended by the Supreme Court in 1954 and that, as long as this new legislative action by the Court stands as the official interpretation, it makes the original language of the 14th amendment inadequate.

V. THE PHILOSOPHICAL APPROACH

What do the philosophers of history say about conformity?

George Santayana in Dominations and Powers (1951)—a work sometimes referred to as comparable to Plato's Republic or to the Ethics of Aristotle—makes this pertinent comment:

"This ideal of a perfect ultimate democracy rests on two assumptions: that human nature in all men is essentially similar, and that consequently mankind could not fully develop its vital liberty without coming to a unanimous vision of the world and a cooperative exercise of the same virtues. I think this is a biological error, and that what is identical in all life is only its germ, from which all plants and animals have developed centrifugally, as circumstances have allowed them to develop.

"The uniformity in American principles, as proclaimed publicly and as genuinely felt by most people, is no index to a natural unity in the vital forces at work among them. The proof appears if we consider a notorious fact: The Constitution of the United States, since the Civil War, establishes the equality of all citizens, irrespective 'of race, color, or previous condition of servitude.' And this is not merely a constitutional sham, like so many of the provisions in paper constitutions in other countries. It expresses an earnest conviction, dearly defended, by a great part of the people.

"Nevertheless whenever a difference of race, color, religion, or breeding is not so overcome in the rush of common work or duty

as to pass unnoticed or even unknown, if an attempt is made to ignore it in comradeship, society, marriage, or place of residence, the real difference in the soul is instantly recognized, and an irresistible impulse causes the groups to segregate.

"This is set down by democratic doctrinaires to prejudice or snobbery. They do not perceive that contrast of character and taste can be ignored when people are engaged in some instrumental action, to which their moral diversity is irrelevant; but that as soon as the labor is over and the liberal life of play, art, affection, and worship begins, both sides equally require moral comprehension and are equally chilled, bored, and rendered sterile when comprehension is absent.

"That a white man ought to hobnob with a Negro because otherwise he would not be Christian or unselfish involves a flagrant assumption of superiority. The Negro, if he is not a fool, loves his own inspiration, and expands in the society of his own people. Vital liberty differentiates. Only vacant freedom leaves all in the same anonymous crowd."

G. K. Chesterton, in his famous work Orthodoxy, wrote in 1908:

"In modern ideal conceptions of society there are some desires that are possibly not attainable: but there are some desires that are not desirable. That all men should live in equally beautiful houses is a dream that may or may not be attained. But that all men should live in the same beautiful house is not a dream at all; it is a nightmare."

Alexis de Tocqueville, of France, a renowned philosopher who visited America in the 1830's and compared it with the systems of government in vogue from ancient days, expressed himself vehemently on the subject of tyrannical majorities—the effort by law to impose upon the minority certain customs and rules that did not have universal sanction.

Yet de Tocqueville was hopeful about America's future, little realizing the grave conflicts that were to come in later years because of the abuse of the very principles about which he wrote in 1835:

"But in the United States, the majority, which so frequently displays the tastes and the propensities of a despot, is still destitute of the most perfect instrument of tyranny.

"In the American republics the central Government has never as yet busied itself except with a small number of objects, sufficiently prominent to attract its attention. The secondary affairs of society have never been regulated by its authority; and nothing has hitherto betrayed its desire of even interfering in them.

"The majority has become more and more absolute, but has not increased the prerogatives of the central Government; those great prerogatives have been confined to a certain sphere; and although the despotism of the majority may be galling upon one point, it cannot be said to extend to all. However, the predominant party in the Nation may be carried away by its passions; however ardent it may be in the pursuit of its projects, it cannot oblige all the citizens to comply with its desires in the same manner and at the same time throughout the country.

"When the central Government which represents that majority has issued a decree, it must entrust the execution of its will to agents over whom it frequently has no control and whom it cannot perpetually direct.

"If an oppressive law were passed, liberty would still be protected by the mode of executing that law; the majority cannot descend to the details and what may be called the puerilities of administrative tyranny. It does not even imagine that it can do so, for it has not a full consciousness of its authority."

Perhaps it is in recognition of these very difficulties that Robert Morrison MacIver, whose name means as much to modern sociology as does that of John Dewey to philosophy, gives some pointed advice in his book, the More Perfect Union, excerpts from which appear on pages 106–133 of this issue. He offers a "program for the control of intergroup discrimination." It is definitely sympathetic to integration. Yet he gives this word of caution:

"Discrimination and its evils are likely to be exacerbated by any changes that increase tensions or promote crises in a society, no matter what their source, whether economic, political, ideological, or any other. On the other hand, discrimination is likely to be diminished by any changes that make for the general well-being of a society or that provide more constructive outlets for the aggressive tendencies of its groups."

VI. LINCOLN ON SOCIAL EQUALITY

It is sometimes asserted, though mistakenly, that once the Supreme Court has ruled upon a subject there is no appeal—not even to public opinion. Lincoln didn't think so. He denounced the Supreme Court for its decision in the Dred Scott case. He was outspoken against social equality.

When Lincoln argued against slavery he pointed to the impairment of personal freedom within the community—the individual had been deprived of his liberty—the right to make his own life. But Lincoln said this did not mean enforced association between the races. Debating in Illinois with Stephen Douglas, in September 1858, Lincoln said:

"I will say, then, that I am not, nor ever have been, in favor of bringing about in any way the social and political equality of the white and black races—that I am not, nor ever have been, in favor of making voters or jurors of Negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say, in addition to this, that there is a physical difference between the white and black races which, I believe, will forever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior, and I, as much as any other man, am in favor of having the superior position assigned to the white race."

But it is insisted: "The Supreme Court has spoken." De Tocqueville's eloquent answer may be applied to the issue today. He wrote:

"When I refuse to obey an unjust law, I do not contest the right of the majority to command, but I simply appeal from the sovereignty of the people to the sovereignty of mankind. Some have not feared to assert that a people can never outstep the boundaries of justice and reason in those affairs which are peculiarly its own; and that consequently full power may be given to the majority by which it is represented. But this is the language of a slave.

"A majority taken collectively is only an individual, whose opinions, and frequently whose interests, are opposed to those of another individual, who is styled a minority. If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should not a majority be liable to the same reproach? Men do not change their characters by uniting with one another; nor does their patience in the presence of obstacles increase with their strength. * * *

"When an individual or a party is wronged in the United States, to whom can he apply for redress? If to public opinion, public opinion constitutes the majority; if to the legislature, it represents the majority and implicitly obeys it; if to the executive power, it is appointed by the majority and serves as a passive tool in its hands. The public force consists of the majority under arms; the jury is the majority invested with the right of hearing judicial cases; and in certain States even the judges are elected by the majority. However iniquitous or absurd the measure of which you complain, you must submit to it as well as you can."

VII. JEFFERSON ON JUDICIAL TYRANNY

Thomas Jefferson warned against the tyranny of judges. He wrote in 1804:

"But the opinion which gives to the judges the right to decide what laws are constitutional, and what not, not only for themselves in their own sphere of action, but for the legislature and executive also, in their spheres, would make the judiciary a despotic branch."

Then, long after Jefferson left the Presidency, he wrote in 1820 and 1821:

"It is a misnomer to call a government republican, in which a branch of the supreme power is independent of the nation. * * *

"A judiciary independent of a king or executive alone, is a good thing; but independence of the will of the nation is a solecism, at least in a republican government. * * *

"To consider the judges as the ultimate arbiters of all constitutional questions (is) a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy. * * * The Constitution has erected no such single tribunal. * * *

"The great object of my fear is the Federal judiciary. That body, like gravity, ever acting, with noiseless foot, and unalarming advance * * * is engulfing insidiously the special governments into the jaws of that which feeds them."

How much this is like the doctrines of Thomas Hobbes. In his famous work Leviathan, he wrote in 1651:

"Princes succeed one another; and one judge passeth, another cometh; nay, heaven and earth shall pass; but not one tittle of the law of Nature shall pass, for it is the eternal law of God. Therefore all the sentences of precedent judges that have ever been cannot altogether make a law contrary to natural equity."

A modern writer—Walter Lippmann—in his book The Public Philosophy (1955) says:

"There is a hiatus between the highest wisdom and the actual perplexities with which men must deal. An encyclopedia of all that the prophets and the philosophers have taught will not tell a man clearly and definitely how to make laws, how to govern a State, how to educate his children—how, in fact, to decide the problems that the priest encounters in the confessional, the doctor with his patients, the lawyer with his clients, the judge with the litigants, the man of affairs in his business."

VIII. FACING THE REAL ISSUE

Many people today are urging caution with respect to the integration problem—an approach that has come to be known as gradualism. Its fallacy lies in the belief that what cannot be resolved now will be resolved by postponement. It assumes that equality is a natural right in the community and that all forms of discrimination can be abolished by the passage of time.

The fetish of conformity, however, has demoralized the life of many nations in the world through the centuries. Where minorities have been suppressed and the right to pursue their own lives and customs has been impaired, there has been discontent and, at times, eruptions of violence.

We see today in the island of Cyprus a bloody war because nobody has yet devised a plan whereby the Turkish minority can live alongside the Greek majority. We see the same tragedy in Algeria—as between the French minority and the native majority.

Self-determination does not mean the delegation of power to a tyrannical majority. It means adjustment of minorities alongside of majorities. In no other way can there be a maintenance of equity for all concerned.

Can we not in America find a way whereby majorities and minorities may get along with

one another in peace? The Constitution of the United States provided for separate but not equal States. There was no provision that each State must be equal to the other in voting for President or in choosing members of the House of Representatives. Equality of representation was provided only in the Senate.

Theoretically, all men are created equal. It is a doctrine that could mean that all wealth in the community must be divided equally between all citizens. The Communists believe in such a doctrine. There have been men in America who have argued for the "redistribution of wealth." Do any of us honestly believe that harmonious society can ever be achieved by a law that requires all incomes to be equal, or that the possession of property should be equalized between all citizens?

Equality is a theoretical goal. Its application will depend always on the mores of the community. Even in our day some of the loudest voices declaiming against discrimination are men who in their business and social relationships are practicing discriminations of various kinds. It is common knowledge that membership in some of the principal clubs and organizations in many of our large cities and in the fraternities in almost all of our colleges is barred to persons of certain races or religions, as the case may be. It is common knowledge also that employers in the North, for the most part, give preference to applicants of certain ethnic origins or races as against others. There is, therefore, continuously applied a doctrine of discrimination which negates the theory of equality.

One need not agree at all with the reasons given for such discriminations—indeed, one may be offended by their practice. But if we are to rely on theory, there is as much right to discrimination as there is to nondiscrimination. It is really the misguided attempt to override these separate and distinct rights of the individual by public law that causes the conflict of today.

Conformity by coercion is not liberalism. The answer is to be found in voluntarism—freedom's greatest vehicle of progress. It offers us the only solution to the vexatious problems of sociology in our republic.

DISPOSAL OF SYNTHETIC RUBBER RESEARCH LABORATORIES AT AKRON, OHIO

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2523, S. 3832.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3832) to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, Ohio.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with an amendment, on page 1, line 10, after the word "agency", to insert "the Administrator of General Services, before he offers the laboratories to the public for sale, shall ascertain what the value of the laboratories would be to Government agencies which would make substantial use thereof, and the Administrator shall not sell the laboratories to the public unless he finds, after consultation with the Director of the Budget Bureau, that such sale to the public would be in the best interests of the United States, taking into consideration among other relevant factors the value of the laboratories to any interested agency and the amounts offered by public bidders.", so as to make the bill read:

Be it enacted, etc., That the Government laboratories at Akron, Ohio, now under control of the National Science Foundation are hereby transferred to the General Services Administration for disposal in accordance with the Federal Property and Administrative Services Act of 1949, except that the Administrator of General Services shall first offer the laboratories for public sale before seeking to dispose of them by transfer or assignment to any Federal agency. The Administrator of General Services, before he offers the laboratories to the public for sale, shall ascertain what the value of the laboratories would be to Government agencies which would make substantial use thereof, and the Administrator shall not sell the laboratories to the public unless he finds, after consultation with the Director of the Budget Bureau, that such sale to the public would be in the best interests of the United States, taking into consideration among other relevant factors the value of the laboratories to any interested agency and the amounts offered by public bidders. The National Science Foundation is authorized to reimburse the General Services Administration in advance for expenses necessary for the protection and maintenance of the laboratories up to June 30, 1957.

Mr. JOHNSON of Texas. Mr. President, the bill would transfer the Government-owned synthetic-rubber research laboratories at Akron, Ohio, to the General Services Administration for disposal, first by sale to the public and, in default of such sale, by transfer to any interested Federal agency. It would authorize the National Science Foundation to reimburse General Services Administration in advance for its expenses in connection with the laboratories up to June 30, 1957.

The committee amendment would direct the General Services Administration to ascertain the value of the laboratories to interested Federal agencies, and would prohibit a sale to the public at less than this value.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3832) was ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF EXPORT-IMPORT BANK ACT OF 1945

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2524, Senate bill 3868.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3868) to extend the Export-Import Bank Act of 1945, as amended.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment on page 1, after line 6, to insert:

SEC. 2. Section 10 of said act, as amended, is amended by—

(1) inserting "(a)" after "SEC. 10.", and

(2) adding at the end thereof a new subsection as follows:

"(b) Beginning on July 1, 1956, the Export-Import Bank of Washington shall contribute to the civil-service retirement and disability fund, on the basis of annual billings as determined by the Civil Service Commission, for the Government's share of the cost of the civil-service retirement system applicable to the employees of the Export-Import Bank of Washington and their beneficiaries. Beginning on July 1, 1956, the Export-Import Bank of Washington shall also contribute to the employees' compensation fund, on the basis of annual billings as determined by the Secretary of Labor, for the benefit payments made from such fund on account of the employees of the Export-Import Bank of Washington. The annual billings shall also include a statement of the fair portion of the cost of the administration of the respective funds, which shall be paid by the Export-Import Bank of Washington into the Treasury as miscellaneous receipts."

So as to make the bill read:

Be it enacted, etc., That section 8 of the Export-Import Bank Act of 1945, as amended (12 U. S. C. 635f), is amended by striking out "June 30, 1958" and inserting in lieu thereof "June 30, 1963."

SEC. 2. Section 10 of said act, as amended, is amended by—

(1) inserting "(a)" after "SEC. 10.", and

(2) adding at the end thereof a new subsection as follows:

"(b) Beginning on July 1, 1956, the Export-Import Bank of Washington shall contribute to the civil-service retirement and disability fund, on the basis of annual billings as determined by the Civil Service Commission, for the Government's share of the cost of the civil-service retirement system applicable to the employees of the Export-Import Bank of Washington and their beneficiaries. Beginning on July 1, 1956, the Export-Import Bank of Washington shall also contribute to the employees' compensation fund, on the basis of annual billings as determined by the Secretary of Labor, for the benefit payments made from such fund on account of the employees of the Export-Import Bank of Washington. The annual billings shall also include a statement of the fair portion of the cost of the administration of the respective funds, which shall be paid by the Export-Import Bank of Washington into the Treasury as miscellaneous receipts."

Mr. JOHNSON of Texas. Mr. President, the bill was introduced by the distinguished chairman of the Committee on Banking and Currency [Mr. FULBRIGHT] for himself and the ranking minority member of that committee, the distinguished Senator from Indiana [Mr. CAPEHART]. The bill would extend the life of the Export-Import Bank Act of 1945, as amended, for an additional 5 years beyond June 30, 1958, or to the close of business on June 30, 1963. In this respect, it follows the pattern of the act of October 3, 1951, which extended the life of the bank for 5 years at a time

when the then termination date was 2 years distant.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed the question is on the engrossment and third reading of the bill.

The bill (S. 3868) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to extend the Export-Import Bank Act of 1945, as amended, and for other purposes."

AMENDMENT OF COMMODITY EXCHANGE ACT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2543, H. R. 9333.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9333) to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manufacturers.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, under the present requirements of the Commodity Exchange Act, purchases of commodity futures may be classified as bona fide hedging only if offset by fixed-price sale commitments. This amendment to the act will permit processors and manufacturers to carry on hedging operations against all or a part of their anticipated requirements, as explained fully in the House report.

There is also a very favorable report from the Department of Agriculture, recommending the approval of the bill.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 9333) was ordered to a third reading, read the third time and passed.

PRACTICES IN THE MARKETING OF PERISHABLE AGRICULTURAL COMMODITIES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2545, H. R. 5337.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5337) to amend the provisions of the Perishable Agricultural Commodities Act of 1930, relating to practices in the marketing of perishable agricultural commodities.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Agriculture and Forestry with amendments, on page 2, line 3, after the numeral "2", to insert "(a)"; after line 6, to insert:

(b) The last proviso of section 4 (a) of such act (7 U. S. C., sec. 499d (a)) is amended by striking out "a fee of $20" and inserting "the fee provided in section 3 (b), plus $5."

And on page 5, line 11, after "(a)", to strike out:

The Secretary or his duly authorized agents shall have the right to inspect such accounts, records, and memoranda of any commission merchant, dealer, or person, as may be required (1) in the investigation of complaints under this act; or (2) to the determination of ownership, control, packer, or State, country, or region of origin in connection with the commodity inspection; or (3) to ascertain whether section 9 of this act is being complied with and if such commission merchant shall refuse permission for inspection, the Secretary may publish the facts and circumstances or order suspended the license which the permission gives.

And, in lieu thereof, to insert:

The Secretary or his duly authorized agents shall have the right to inspect such accounts, records, and memoranda of any commission merchant, dealer, or broker as may be material (1) in the investigation of complaints under this act, or (2) to the determination of ownership, control, packer, or State, country, or region of origin in connection with commodity inspections, or (3) to ascertain whether section 9 of this act is being complied with, and if any such commission merchant, dealer, or broker refuses to permit such inspection, the Secretary may publish the facts and circumstances and/or, by order, suspend the license of the offender until permission to make such inspection is given.

Mr. JOHNSON of Texas. Mr. President, the bill would—without broadening the scope or original intent of the Perishable Agricultural Commodities Act of 1930, as amended—correct certain deficiencies which have become apparent in the administration of the act, thereby lending greater strength and more effectiveness to the basic legislation. The bill would accomplish this end by, first, strengthening the provisions relating to misbranding or misrepresentation of grade and origin of fresh fruits and vegetables; second, increasing the maximum annual license fee from the present $15 per year to $25; third, permitting the Secretary of Agriculture to deny issuance of a license to any person convicted of a felony in any State or Federal court; fourth, authorizing the Secretary to deny a license to any applicant who has been involved in bankruptcy proceedings within 3 years unless the applicant furnishes a bond or other assurance satisfactory to the Secretary; fifth, empowering the Secretary to suspend the license of a person who employs in any responsible position an individual whose license is under suspension; and, sixth, providing authority for the inspection of any perishable commodity covered by the act.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 5337) was read the third time and passed.

AMENDMENT OF WATERSHED PROTECTION AND FLOOD PREVENTION ACT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2546, H. R. 11873.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 11873) to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, experience with the handling of the projects thus far submitted indicates quite clearly that the interval of 45 days provided in the act for congressional review is unnecessarily long. Not only does this requirement normally hold up the start of projects longer than necessary, but because of the provision that only days during a session of Congress are to be counted, may delay the start of such a project unnecessarily from one session of Congress to another.

This bill will shorten the review period from 45 days to 15 days and thus eliminate a substantial delay, while still maintaining the principle of and opportunity for congressional review of each individual project.

The Department of Agriculture has no objection to the bill, and the Bureau of the Budget has offered no objection.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 11873) was ordered to a third reading, read the third time, and passed.

VALIDATION OF CERTAIN MINING CLAIMS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2559, S. 3941.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3941) relating to certain mining claims which were eligible for validation under the act of August 12, 1953, but which were not validated solely because of the failure of the owners to take certain action to protect their claims within the prescribed period.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, after line 4, to strike out:

(1) meeting the eligibility requirements of the act of August 12, 1953 (67 Stat. 539), for purposes of validation;

(2) which was not validated as provided in such act solely because the owner thereof failed to post notice of his claim and file an amended notice of location within the allowable period; and

(3) which was located on certain lands of the United States, situated in McKinley County, N. Mex., and described as section 20, township 13 north, range 9 west;

shall be effective to the same extent as if such mining claim had been given full force and effect under the provisions of such act: *Provided*, That the owner thereof shall, not.

And, in lieu thereof, to insert:

(1) which was located on lands of the United States in (a) section 20 of township 13 north, range 9 west, New Mexico principal meridian, McKinley County, N. Mex.; or (b) situated in Johnson County, Wyo., and within section 3, 4, 9, 10, 11, or 15, township 43 north, or section 33 or 34, township 44 north, range 82 west, sixth principal meridian; and

(2) which could have been validated under the act of August 12, 1953 (67 Stat. 539); and

(3) which was not validated as provided in such act solely because the owner thereof failed to post and file for record an amended notice of location as to such claim within the period allowed under section 1 (a) of such act;

shall, nevertheless, be effective to the same extent as if such mining claim had been validated under the provisions of and within the period allowed under such act of August 12, 1953, and shall be entitled to the benefits of, and shall be subject to all applicable provisions and conditions of, the act of August 13, 1954 (68 Stat. 708): *Provided*, That in order to obtain the benefits of this act the owner of any such mining claim shall, not.

And on page 3, after line 14, to strike out:

SEC. 2. Subsection (a) of the act of August 13, 1954 (68 Stat. 708) is amended—

(1) by inserting immediately after "act of August 12, 1953 (67 Stat. 539)," the following: "or any act of Congress enacted after the date of enactment of this act specifically relating to any such claim," and

(2) by inserting immediately after "act of August 12, 1953," the following: "or such subsequent act."

So as to make the bill read:

Be it enacted, etc., That, subject to any valid intervening rights acquired under the laws of the United States, any mining claim—

(1) which was located on lands of the United States in (a) section 20 of township 13 north, range 9 west, New Mexico principal meridian, McKinley County, N. Mex., or (b) situated in Johnson County, Wyo., and within section 3, 4, 9, 10, 11 or 15, township 43 north, or section 33 or 34, township 44 north, range 82 west, sixth principal meridian; and

(2) which could have been validated under the act of August 12, 1953 (67 Stat. 539); and

(3) which was not validated as provided in such act solely because the owner thereof failed to post and file for record an amended notice of location as to such claim within the period allowed under section 1 (a) of such act;

shall, nevertheless, be effective to the same extent as if such mining claim had been validated under the provisions of and within the period allowed under such act of August 12, 1953, and shall be entitled to the benefits of, and shall be subject to all applicable provisions and conditions of, the act of August 13, 1954 (68 Stat. 708): *Provided*, That in order to obtain the benefits of this act the owner of any such mining claim shall, not later than 60 days after the date of enactment of this act, post on such claim in the manner required for posting notice of location of mining claims and file for record in the office where the notice or certificate of location of such claim is of record an amended notice of location of such claim, stating that such notice is filed pursuant to the provisions of this act and for the purpose of obtaining the benefits thereof.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to allow certain mining claim locators additional time in which to validate claims which could have been validated under provisions of the act of August 12, 1953, 67th United States Statutes at Large, page 539.

The present considered legislation would allow certain locators, that is, locators who could have validated their claims under the terms of the act of 1953 an additional 60 days in which to post and file an amended notice of location. Evidence presented before the committee established to its satisfaction that hardship considerations, and the importance of fissionable material production from the lands affected, justify the granting of this additional 60 days in which validation may be established.

Mr. President, at the last minute I am informed that a Senator is interested in the bill and would like to be on the floor while it is being considered.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDENT pro tempore. The question now is on the engrossment and third reading of the bill.

The bill (S. 3941) was ordered to be engrossed for a third reading, read the third time, and passed.

REIMBURSEMENT FOR DAMAGES TO CERTAIN MEMBERS OF THE PINE RIDGE SIOUX TRIBE OF INDIANS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2555, H. R. 5838.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 5838) to provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the purpose of H. R. 5838, as passed by the House, is to provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range in South Dakota. The bill authorizes and directs the Secretary of the Interior to pay the sum of $3,500 to the head of each of the 125 Indian families that were domiciled on August 1, 1942, on lands that were taken in 1942 by the Army for an aerial gunnery range. If the head of the family is deceased, the payment will be made to the heirs or devisees.

Mr. MUNDT. Mr. President, this bill corrects an injustice done to the Sioux Indians away back in the days of the war, when they were dispossessed because this homeland of the Indians was needed by the Air Force for a gunnery range. The white settlers were paid because they took their cases into court. This bill provides for payment of the claims of Sioux Indians who had no access to the courts. Their land was taken as a war emergency measure. This bill will compensate them for their land.

Mr. President, I appreciate the prompt action of the committee in approving this measure and I strongly urge its immediate passage by the Senate.

The PRESIDENT pro tempore. The bill is open to amendment.

If there be no amendment to be offered, the question is on the third reading of the bill.

The bill (H. R. 5838) was ordered to a third reading, read the third time, and passed.

ESTABLISHMENT OF MINING AND METALLURGICAL RESEARCH ESTABLISHMENT, MINNESOTA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2560, Senate bill 3508.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3508) to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, Senate bill 3508, if enacted, would authorize and direct the Secretary of the Interior to establish, equip, and maintain a metallurgical research laboratory to be located somewhere in the State of Minnesota for the study, research, and investigation of mining operations; preparation, metallurgy, use, and conservation of the mineral resources of that region of the United States. Attention is called to the fact that the Cuyuna Range of that area appears to be potentially one of the richest sources of manganese in the continental United States, and that it is imperative to the national security that this Nation become as nearly self-sufficient in the production of manganese as it is possible to attain.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 3508) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior, acting through the Bureau of Mines, is authorized and directed to establish, equip, and maintain a mining and metallurgical research establishment in the State of Minnesota for research, investigation, and as a center for information and assistance in matters pertaining to the mining, preparation, metallurgy, use, and conservation of the mineral resources of the north-central region of the United States, and pertaining to other problems affecting the mining industry of such region.

SEC. 2. For the purposes of this act the Secretary, acting through the Bureau of Mines, is authorized to acquire land and interests therein; to receive and accept money and property, real or personal, or interests therein, and services as a gift, bequest, or contribution; and may conduct activities or projects in cooperation with any person, firm, agency, or organization, Federal, State, or private. Money so received shall be deposited in the Treasury of the United States in a special fund or funds for disbursement by the Bureau of Mines and shall remain available for the purposes for which received and accepted until expended.

SEC. 3. In order to carry out the purposes of this act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of (a) $1,350,000 for the erection and equipment of a building or buildings, including plumbing, lighting, heating, ventilation, general service, experimental equipment and apparatus, the necessary roads, walks, and ground improvements; and (b) $250,000 annually for the maintenance and operation of the research establishment, including personal services, supplies, equipment, and expenses of travel and subsistence.

DISPOSAL OF CERTAIN RESERVE MINERAL DEPOSITS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2561, H. R. 6501.

The PRESIDENT prc tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 6501) to amend the act of July 17, 1914, to permit the disposal of certain reserve mineral deposits under the mining laws of the United States.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, if enacted, H. R. 6501 would amend a 1914 act of Congress so as to permit holders of valid and subsisting rights to certain mineral deposits acquired by discovery and location made under the mining laws of the United States prior to the date of February 25, 1920, to perfect the titles thereto by obtaining patent to the mineral estate only. This would obviate the present requirement, impossible to meet in some cases, that holders of such claims, in order to obtain patents thereto, must first obtain the outstanding interest of the surface owner and thereafter reconvey the surface estate to the United States; a patent to the mining claim, including both mineral and surface estates, is then issued to the mining claimant.

No appropriation of Federal funds is required by this legislation.

The Department has given a favorable report on the bill, and the bill is recommended by our Committee on Interior and Insular Affairs.

The PRESIDENT pro tempore. The bill is open to amendment.

Mr. MORSE. Mr. President, the bill was submitted to me, to check on whether in any way it violated the Morse formula.

I have studied the bill. It does not violate the Morse formula.

What the bill really does in regard to this particular transfer is to bring it in line with already established Federal policy under existing law. A transfer of property was made prior to the enactment of the policy statute to which I have just referred, and the bill seeks to bring the transfer into line with established congressional action.

In the bill the Federal Government really is not giving up anything, when we consider the matter from the standpoint of congressional policy which has been established. In its present form the property has, in effect, a cloud on it, because it is very difficult either to develop the property or to dispose of it so long as this bill is not enacted. Therefore, I have no objection to the bill.

The PRESIDENT pro tempore. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 6501) was ordered to a third reading, read the third time, and passed.

APPOINTMENT OF CHIEF LEGAL OFFICERS OF CERTAIN DEPARTMENTS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2420, Senate bill 4076.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 4076) to provide for the appointment of the chief legal officers of certain departments in the executive branch by the President, by and with the consent of the Senate.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with an amendment, on page 2, after line 6, to insert:

SEC. 2. In the event that the bill entitled "A bill to conform the appointment and compensation of the chief legal officer of the Post Office Department to the method of appointment and rate of compensation provided for comparable positions, and for other purposes" (H. R. 10523), 84th Congress, 2d session, should be enacted into law having the provisions contained in such bill as it was favorably reported by the Committee on Post Office and Civil Service of the House of Representatives on June 21, 1956, such enactment shall supersede the provisions of this act with respect to the Solicitor of the Post Office Department, without regard to the date of enactment of this act.

So as to make the bill read:

Be it enacted, etc., That (a) hereafter the Solicitor of the Post Office Department, the General Counsel of the Department of Agriculture, the General Counsel of the Department of the Army, the General Counsel of the Department of the Navy, and the General Counsel of the Department of the Air Force shall be appointed by the President by and with the advice and consent of the Senate.

(b) This act shall not apply to any person appointed before the date of enactment of this act to any office named in subsection (a) so long as such person continues to serve in such office under such appointment.

(c) Nothing contained in this act shall alter the powers, duties, or salary of any person serving in any office named in subsection (a).

SEC. 2. In the event that the bill entitled "A bill to conform the appointment and compensation of the chief legal officer of the Post Office Department to the method of appointment and rate of compensation provided for comparable positions, and for other purposes" (H. R. 10523), 84th Congress, 2d session, should be enacted into law having the provisions contained in such bill as it was favorably reported by the Committee on Post Office and Civil Service of the House of Representatives on June 21, 1956, such enactment shall supersede the provisions of this act with respect to the Solicitor of the Post Office Department, without regard to the date of enactment of this act.

Mr. JOHNSON of Texas. Mr. President, this bill provides for the appointment of the Solicitor of the Post Office Department, and the General Counsels of the Departments of Agriculture, Army, Navy, and Air Force, by the President, with Senate confirmation. This will give these officers the same status as that now enjoyed by the legal counsel of other executive departments.

The General Counsel of each department will rank as an Assistant Secretary.

The bill is prospective only; present incumbents will not be affected.

If House bill 10523—providing for the appointment of a General Counsel, rather than a Solicitor, in the Post Office Department—is enacted by the Congress, this bill will have no effect on that officer.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill (S. 4076) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the appointment of legal officers of certain departments in the executive branch by the President, by and with the consent of the Senate."

EXTENSION OF TIME FOR FILING REPORT OF THE COMMISSION ON GOVERNMENT SECURITY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2408, Senate Joint Resolution 182.

The PRESIDENT pro tempore. The joint resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A joint resolution (S. J. Res. 182) to extend the time for filing the report of the Commission on Government Security to June 30, 1957, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. JOHNSON of Texas. Mr. President, the purpose of Senate Joint Resolution 182 is to extend the time for filing the final report of the Commission on Government Security from December 31, 1956, as presently fixed by Public Law 304, 84th Congress, to June 30, 1957. The resolution also includes a provision extending authority to the Commission to procure, without regard to civil-service laws and the Classification Act of 1949, as amended, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the act of August 2, 1946, but at rates not to exceed $50 per diem for individuals, such services to be procured for any period during the existence of the Commission.

The PRESIDENT pro tempore. The joint resolution is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S. J. Res. 182) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That section 4 (a) (2) of the joint resolution, approved August 9, 1955, entitled "Joint Resolution To Establish a Commission on Government Security" (69 Stat. 595–597), is hereby amended to read as follows:

"(2) The Commission may procure, without regard to the civil-service laws and the Classification Act of 1949, as amended, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $50 per diem for individuals, and such services may be procured for any period of time during the existence of the Commission."

That section 9 of such joint resolution is hereby amended to read as follows:

"SEC. 9. The Commission may submit interim reports to the Congress and the President at such time or times as it deems advisable, and shall submit its final report to the Congress and the President not later than June 30, 1957. The final report of the Commission may propose such legislative enactments and administrative actions as in its judgment are necessary to carry out its recommendations. The Commission shall cease to exist 90 days after submission of its final report."

AMENDMENT OF CODE, RELATING TO INCREASED PENALTIES IN CERTAIN CASES

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 2854) to amend title 18 of the United States Code, so as to increase the penalties applicable to seditious conspiracy, advocating overthrow of Government, and conspiracy to advocate overthrow of Government, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Texas. Mr. President, on April 19, 1956, H. R. 2854, to amend title 18 of the United States Code, so as to increase the penalties applicable to seditious conspiracy, advocating overthrow of Government, and conspiracy to advocate overthrow of Government, passed the Senate with an amendment, by striking from the conspiracy section the part that provides that such a person upon conviction shall "be ineligible for employment by the United States or any department or agency thereof, for the 5 years next following his conviction" and substituting in lieu thereof "be disqualified from holding any office of honor, trust or profit under the United States."

The House has disagreed to the Senate amendment, and has requested a conference. Consultation with the House committee discloses that a definite position has been taken insisting on its disagreement to the Senate amendment, and that no change from the position can be expected.

Accordingly, Mr. President, I move that the Senate recede from its amendment to H. R. 2854.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

ADDITIONAL FUNDS FOR THE COMMITTEE ON THE JUDICIARY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2565, Senate Resolution 309, providing additional funds for the Committee on the Judiciary.

The PRESIDENT pro tempore. Is there no objection?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, this is the usual resolution of a standing committee. It authorizes the Committee on the Judiciary to expend from the contingent fund of the Senate, during the 84th Congress, $10,000 in addition to the amount specified in section 134 (a) of the Legislative Reorganization Act.

The PRESIDENT pro tempore. The resolution is open to amendment.

If there be no amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 309) was agreed to, as follows:

Resolved, That the Committee on the Judiciary is hereby authorized to expend from the contingent fund of the Senate, during the 84th Congress, $10,000 in addition to the amount, and for the same purposes specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946.

PROPOSAL TO MAKE 800,000-MAN CUT IN THE ARMED FORCES

Mr. FLANDERS. Mr. President, in the morning newspapers there appears an announcement of unusual significance. Admiral Radford is seeking an 800,000-man cut in our Armed Forces; and it is stated that the 3 chiefs of the Army, Navy, and Air Force are opposed.

Mr. President, this proposal is a striking one, and it is exceedingly important. It demands more than such passing consideration as being asked whether we favor it or oppose it.

Mr. President, while it is possible that such a cut might be accomplished within the next few months, it could certainly be accomplished within the next year of two, if the undertaking were approached in logical order. But, Mr. President, to proceed by making the cut would be to back into the situation, instead of moving forward into it with intelligence and with planning. Other things should come first.

Among the other things which should come first, it would seem to me, is the question of a mutual agreement to abandon the development of the hydrogen bomb. One thing that makes that feasible is the fact that an explosion of the hydrogen bomb can be monitored; the hydrogen bomb as at present constructed cannot be set off anywhere in the world without its traces being detected in the atmosphere. Therefore, that is one area of the military preparations of both the Soviet Government and ourselves regarding which we can enter into an agreement with some assurance that the agreement will be kept by both parties to it.

Another matter on which it seems to me we should be moving forward, before considering making an arbitrary cut in the strength of our Armed Forces, is in the case of Soviet proposals for ground inspection stations. There are many advantages to ground-inspection stations which do not obtain in connection with the proposed aerial inspection or survey. A system of aerial inspection would require circling all the time over the suspected areas. A series of ground-inspection stations properly located from our standpoint in the great area of the Soviet Republic, and properly located from their standpoint over the territory of continental United States and its possessions, if provided with radar, would give quick

and absolute information as to any air activity looking toward aggression or invasion. We should, therefore, accept, in principle, the ground-inspection suggestion of the Soviet Government, provided it can be implemented with permanently stationed radar, both in Soviet territory, and in our own.

When that has been done, we can proceed to the next step, which would be the mutual banning of further trials and development of the intercontinental ballistic missile. Here again we have something which, in the presence of radar stations, cannot be set off without being detected; and here again we have an area into which we can move by mutual agreement, with assurances, both on our part and that of the Soviet Government, that the agreements would be kept.

A still further step which might then be taken, and one which at first thought would seem to be a move in the opposite direction, is that of announcing unilaterally that we are prepared to use tactical atomic weapons against invasion. By this means, as I have suggested in greater detail in previous statements on this floor, we could extend the atomic stalemate over a new and greater area of the potential field of warfare.

When these things are done, Mr. President, it seems to me that it will be time to move into such a proposal as that which Admiral Radford is making.

I should like to read a paragraph from a speech which I delivered on this floor on June 27. I said at that time:

> Mr. President, let me close with the earnest suggestion that the suggestions raised in this speech be considered by the administration.

The questions raised in that speech were substantially the questions which I have just been covering.

Continuing with the quotation:

> Let us be presented in the next Congress with a defense program which will have evidently taken these and related questions into consideration. Let us for the last time be offered a compromise of interservice disputes, and for the first time let us consider an integrated program.

DISCOVERY, DEVELOPMENT, AND PRODUCTION OF MANGANESE-BEARING ORES AND CONCENTRATES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2562, Senate bill 4039.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4039) to encourage the discovery, development, and production of manganese-bearing ores and concentrates in the United States, its Territories, and possessions, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 4, at the beginning of line 6, to strike out "430" and insert "480", so as to make the bill read:

Be it enacted, etc., That this act may be cited as the "Domestic Manganese Program Extension Act of 1956."

SEC. 2. It is hereby recognized that the continued dependence on overseas sources of supply for manganese minerals and metals during periods of threatening world conflict or political instability within those nations controlling the source of supply of such materials gravely endangers the present and future economy and security of the United States. It is therefore declared to be the policy of the Congress that each department and agency of the Federal Government charged with responsibilities concerning the discovery, development, production, and acquisition of manganese minerals and metals shall undertake to decrease further and to eliminate where possible the dependency of the United States on overseas sources of supply of such material.

SEC. 3. (a) In carrying out the declaration of policy set forth in section 2 of this act the General Services Administration is hereby authorized and directed to establish and maintain—

(1) a program to purchase a minimum of thirty million long ton units of manganese ores and/or concentrates as follows:

(A) Six million units at the already established purchase depot located at Wenden, Ariz.;

(B) Six million units at the already established purchase depot located at Deming, N. Mex.;

(C) Six million units at the already established purchase depot at Butte-Philipsburg, Mont.;

(D) Six million units at a purchase depot to be located in the Ozark-Cushman area;

(E) Six million units at a purchase depot to be located in the southern Appalachian area;

(2) purchase depots to carry out the programs required by subparagraph (D) and (E) shall be established in the Ozark-Cushman and southern Appalachian areas at places to be designated by the Administrator of the General Services Administration.

(3) regulations, specifications, and prices paid in carrying out the provisions of this act shall not be less favorable to the producer than those in effect at the Wenden, Ariz. purchase depot on May 1, 1955 in respect to the purchase of manganese bearing ores and concentrates pursuant to provisions of Public Law 206 (Malone-Aspinall Act) of August 7, 1953; and in the case of rhodochrosite ore and concentrates, regulations, specifications and prices paid in carrying out the provisions of this act shall not be less favorable to the producer than those in effect at the Butte-Philipsburg purchase depot on May 1, 1955.

SEC. 4. The Director of the General Services Administration is authorized and directed to, within 1 year after the effective date of this act, enter into a contract or contracts, on a low-bid basis, if an economically feasible process or processes, in his judgment, is available, to have such materials, together with stocks of like materials now stored at Wenden, Ariz., Deming, N. Mex., and Butte-Philipsburg, Mont., beneficiated to a grade making them acceptable for industrial use; and such beneficiated ores and concentrates shall then be made available to the strategic stockpile or be turned over to the supplemental stockpile created for strategic and critical minerals in accordance with the provisions of the act of July 10, 1954 (Public Law 480, 83d Congress (68 Stat. 454)).

SEC. 5. None of the provisions of this act shall be construed to affect in any manner whatsoever the current so-called "manganese carlot purchase program" administered by the Office of Defense Mobilization.

SEC. 6. This act shall terminate on December 31, 1958.

SEC. 7. There are hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as may be necessary to carry out the provisions of this act.

The amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, the purpose of Senate bill 4039 is to continue to encourage the discovery, development, and production of manganese-bearing ores and concentrates, and to provide for the beneficiation to an acceptable industrial grade of such material previously acquired in addition to the material to be acquired under this bill and then made available to the strategic stockpile or turned over to the supplemental stockpile created for strategic and critical minerals.

The low-grade purchase program called for the acquisition of 6 million units each at Deming, N. Mex.; Wenden, Ariz.; and Butte-Philipsburg, Mont. The programs at Deming and Wenden terminated in 1955 when goals were met, and the Butte-Philipsburg purchase depot is approaching fulfillment of its allocated 6 million units. This legislation proposes to reopen the Deming and Wenden stations, continue the program at Butte-Philipsburg, and, in addition, establish new stations in the Ozark-Cushman area and the southern Appalachian area. The program calls for the purchase of a minimum of 30 million long-ton units, or 6 million units for each station.

Mr. PAYNE. Mr. President, it pleases me to see the interest which is being taken by the Committee on Interior and Insular Affairs in a most important subject, namely, manganese.

As is well known, we are dependent for manganese, to the extent of approximately 90 or 92 percent, on overseas shipments. If we should ever encounter a grave emergency, because of the strategic importance of manganese in producing the type of steel we must have, we would run the risk of being shut off completely from our supplies.

The two bills, Senate bill 3508, Calendar No. 2560, for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota, and the bill which is now under consideration, have no direct bearing upon my own State. Nevertheless, they are both steps in the right direction.

As few persons may realize, Maine has in its northern area what is considered to be probably the largest manganese ore bearing deposit on the entire North American Continent. It is estimated that one section of 5 square miles contains more than 250 million tons of ore; and it is estimated that the entire region contains possibly more than 1 billion tons of ore.

At present there is under study by the United States Government a process—a process on which I had the pleasure of working continuously for a period of more than 8 years, and which holds some promise of success—to recover manganese from the manganese-bearing ore in Maine, as well as in the Cuyuna Range and the Chamberlain Range. It is important to the national

defense, as well as for peacetime purposes for the Nation to go forward and use every means at its command to develop this great natural resource, namely, manganese-bearing ore.

I am grateful to the Committee on Interior and Insular Affairs for the concern, interest and work that has been done in this field. In view of the passage of the bill which the Senator from Minnesota and the Senator from Montana have sponsored, with respect to manganese-bearing ores in Minnesota and other areas, it is very likely that at the start of the next session, because of the interest which has been shown and which I hope will be continued, a bill will be introduced to develop the tremendous manganese-bearing ore in the State of Maine.

The PRESIDENT pro tempore. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 4039) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. WILLIAMS subsequently said: Mr. President, I wish to enter a motion to reconsider the action by which the Senate passed S. 4039.

The PRESIDING OFFICER. The motion will be entered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection it is so ordered.

PAYMENT OF ANNUITIES TO WIDOWS AND DEPENDENT CHILDREN OF JUDGES

The Senate resumed the consideration of the bill (S. 3410) to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges.

Mr. DIRKSEN. Mr. President, the subject of the pending bill, to provide annuities for widows and dependent children of judges, has been under consideration for many years. I believe the first report on it was made by the American Bar Association in 1950. While the association made no specific recommendation, it did recommend generally that the problem be solved, inasmuch as provision was made for dependents and widows and survivors in nearly every other retirement act on the Federal statute books.

In 1955, last year, the Judicial Conference, which always gives great attention to every matter affecting the judiciary, also made a report with respect thereto, and recommended that the gap ought to be closed, and that some legislation ought to make provision for the widows and dependent children of judges.

In nearly every other retirement system such provision is made. That includes the Civil Service Retirement Act, the Act relating to the Tennessee Valley Authority, and a great many other acts. It appears to me, if I am correctly informed, that probably the judiciary is the only institution in the Federal Government for which no such provision is made.

It is well known, of course, that when a judge dies his pay stops immediately. Certainly every consideration dictates that provision for his widow and dependents should be made.

The bill, of course, was first developed in the House of Representatives. The House committee held reasonably extensive hearings. In connection with those hearings the committee received probably the best actuarial advice they could get, including the advice of Mr. Robert J. Myers, who is one of the outstanding actuaries of the country and who does actuarial work for the Social Security Board.

It was on the basis of these recommendations that the bill which is now before the Senate was framed. It provides, in effect, of course, that to come within the purview of the retirement system the judge in question must elect within 6 months after the act becomes effective whether he wishes to take advantage of it. It provides also for a payment on past salary of 1½ percent on current salary, even though a judge may be in retirement status.

There is a reason for the 1½ percent payment. When we worked out annuity and retirement payments involving both survivorships and retirement, in connection with the legislative branch, we finally got up to a 6-percent payment on salary; and decided that 4½ percent of that would have to offset the retirement of the individual himself, and that 1½ percent would be adequate for payments to survivors. So, the 1½ percent payment which appears in the bill is, after all, patterned in large measure upon what was done in respect of congressional retirement.

Provision is made for payment to widows and for payment to dependent children; and the only exception I take to the pending bill is that inadequate provision is made for dependent children. So, Mr. President, I have an amendment, which has been printed, and which proposes, on page 6, line 22, beginning with "$1,200," to strike out down through line 24, and insert "$480 per year."

The net effect is this: As the bill stands, $900 is divided between the number of surviving children. In the case of a judge with a large family, that would be a very small amount, indeed. So the effect of the amendment is to strike out that particular provision and make it a flat $480 a year in the case of each surviving dependent child. That would be at the rate of $40 a month. I think that would be entirely fair, and I think my amendment should be incorporated in the bill.

That is all the general statement I have to make at this time, Mr. President.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. SMITH of New Jersey. I should like to ask the Senator from Illinois a question. The House bill contains a certain proviso which has been omitted in the Senate bill. Was that proviso purposely omitted from the Senate bill, and is it to be considered in conference?

Mr. DIRKSEN. I would say to the Senator from New Jersey that it may have been an inadvertence, because, actually, I gave only a modest amount of time to this particular proposal, because I was not a member of the subcommittee. So it may have been a sheer inadvertence. The House did, however, incorporate such a provision, and particularly so since only a very comparatively small number of people were involved.

Mr. SMITH of New Jersey. I am hopeful that the proviso will be considered in the conference.

Mr. DIRKSEN. Since it already appears in the House bill, it will necessarily have to be a matter for the conference to iron out.

Mr. SMITH of New Jersey. Section 7 of the House bill contains the following proviso:

> *And provided further,* That notwithstanding the provisions of subsection (g) of such section 376 such annuity shall be payable even though such judge had not rendered 5 years of civilian service prior to his death.

The effect of this would be to provide a small annuity to about 10 widows who are not covered because their husbands did not have 5 full years of civilian service as judges.

The administrative officer of the United States courts advises me that the cost to take care of these 10 widows would amount to $5,500 the first year, and, because of the advanced age of some of the widows, some of whom are around 80 years of age, the amount would diminish year by year.

I am raising the point only for purposes of the record. But the Senator states that the proviso will of necessity have to be considered in conference.

Mr. DIRKSEN. That is correct.

Mr. GORE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. GORE. Earlier the Senator made the statement that a judge would be required to pay for a period of 5 years. Did not the Senator make that statement?

Mr. DIRKSEN. No.

Mr. GORE. I understood the Senator to say that the bill required judges to pay for a 5-year period before their widows would be eligible for an annuity.

Mr. DIRKSEN. No; I made no such statement.

Mr. GORE. Then, no such provision is contained in the bill?

Mr. DIRKSEN. The Senator means the 5-year provision?

Mr. GORE. Yes.

Mr. DIRKSEN. No. I think what the Senator from Tennessee is probably referring to is the language on page 2 of the bill, subparagraph (b), which relates to the amount a judge must pay. I could not improve upon the language of the bill. It provides:

> (b) There shall be deducted and withheld from the salary of each judge electing to bring himself within the purview of this

section a sum equal to 1½ percent of such judge's salary—

That is the first clause. Within a 6-month period, a judge would have to elect whether he would accept the benefits of the act for any surviving widow, and he would pay into the fund 1½ percent of his salary.

The next clause provides—

including salary paid after retirement from regular active service under section 371 (b) or 372 (a) of this title or after retirement from office by resignation on salary under section 371 (a) of this title.

So, it would not make any difference whether a judge resigned or retired, the deduction would have to be withheld just the same.

I read further from the bill:

The amounts so deducted and withheld from the salary of each such judge shall, in accordance with such procedure as may be prescribed by the Comptroller General of the United States, be deposited in the Treasury of the United States to the credit of a fund to be known as the "judicial survivors annuity fund"—

And so forth. The deduction, the deposit in a trust fund, and the administration of the trust fund are rather regular procedures.

Mr. GORE. If the Senator will look at subsection (c) on page 3 of the bill, he will see this language:

Each judge who has elected to bring himself within the purview of this section shall deposit, with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter, compounded on December 31, of each year, to the credit of the judicial survivors annuity fund created by this section a sum equal to 1½ percent of his salary received for service as a judge of the United States (including salary received after retirement from regular active service under section 371 (b) or 372 (a) of this title and salary received after retirement from office by resignation on salary under section 371 (a) of this title), and of his basic salary, pay, or compensation for service as a Senator, Represenative, Delegate or Resident Commissioner in Congress and for any other civilian service within the purview of section 707 of title 5.

If the Senator will look, then, at line 8, on page 4, he will see that although what I have just read says that he shall make the payment, beginning on line 8, it is provided:

Notwithstanding the failure of a judge to make such deposit, credit shall be allowed for the service rendered, but the annuity of the widow of such judge shall be reduced by an amount equal to 10 percent of the amount of such deposit—

And so forth. In other words, it provides that a judge shall make a deposit, but, on the other hand, it provides the same annuity, less 10 percent, for the wife as if the judge had made a deposit, although he does not do so. How does the Senator justify that?

Mr. DIRKSEN. I do not know that I justify it, particularly, but I think a number of circumstances were taken into account with respect to that particular item.

There are a good many judges of advanced age. They can neglect to elect or refuse to elect, but there still remains the problem of survivorship. I think the committee had in mind—and I am speaking very generally from recollection of the discussion in the full committee—that if a contingency such as that mentioned should arise, we would not want to deny the widow and the dependents the benefits of the act. So they were made available, anyway, with a penalty, of course, which means that 10 percent of whatever should have been deposited would be deducted from the annuity.

That is about the only explanation I have to make, since I did not hear the testimony in the subcommittee and was not, in fact, a member of the subcommittee.

Mr. GORE. Would the Senator say this provision is for the benefit of a non compos mentis judge or one who is disinclined to make the deposit?

Mr. DIRKSEN. There have been members of the Federal judiciary who were, I would not say incompetent, but physically unable to discharge their judicial duties, and yet they served in the capacity of judges and there was no way of removing them from the bench.

Mr. GORE. How would the Senator from Illinois distinguish between the competency of a judge to make an election to come under the system, and his incompetency to make the deposit?

Mr. DIRKSEN. I made no such distinction, Mr. President. As a matter of fact, I do not know that I fully justify the provision. I presume that if that question were addressed to the members of the subcommittee who handled the bill—and who, parenthetically, probably should be here today—my friend from Tennessee might get a far more responsive answer than I can give him.

Mr. GORE. I have made some inquiry, and I have not been able to get an answer yet.

There is another provision in the bill as to which I have been unable to receive an answer. Why should Congress provide an annuity for the widows of prior judges when it does not provide and has not provided an annuity for the widows of prior Senators and Members of the House, prior rural mail carriers, prior postal employees, and prior civil service employees? Why should Congress single out this particular group for such unusual treatment?

Mr. DIRKSEN. With respect to Senators and Representatives, probably the Senator from Tennessee is on good ground. But the point was made in the hearings before the House, and, so far as I know, before the Senate, that equal treatment was accorded to the widows of Presidents of the United States, so no doubt that was taken as a justification.

I think, as a matter of fact, that that question was raised by Judge Biggs, who was representing the Judicial Conference when he testified before the House committee and, I presume, also before the Senate subcommittee.

Mr. WOFFORD. Mr. President, I should like to ask the Senator from Tennessee a question. When Congress passed an act giving to Members of Congress the identical benefits which the judges are now seeking, was not that act made retroactive for a period of 2 years, and did it not provide, during that 2-year period, for the widows of Members of Congress who had died during that particular period?

Mr. GORE. The question propounded by the distinguished Senator from South Carolina is based on an erroneous premise. The pending bill does not provide for the widows of judges, prior or present, survivor benefits similar to those which are available to the widows of Senators and Representatives. The bill is an entirely different bill. The benefits are far greater. So I should first have to correct or attempt to point out the error in the premise of the question.

Mr. WOFFORD. I think I understood the Senator from Tennessee to say, in colloquy with the Senator from Illinois, that the objection he had to the bill was with reference to the widows of prior judges.

Mr. GORE. My point was that Members of Congress were included in the retirement system, I believe, in 1948. The act to which the Senator from South Carolina refers as having been enacted in 1954, included, I believe, survivor benefits, but only for the Senators and Representatives who had been previously included in the retirement system. There, again, the bill is on an entirely different basis.

Mr. WOFFORD. I think I understand that, but the point I am making is that at the time between 1952 and 1954 there were no survivor benefits.

Mr. GORE. I believe that is correct.

Mr. WOFFORD. That is correct. But the act made them retroactive, so the widows during that period did receive benefits as if their husbands had been paying.

Mr. GORE. Only to the extent, however, that their husbands had been participating in the retirement system, and only if the husbands had participated in the retirement system for a period of 5 years. There, again, the bill is entirely different.

Mr. WOFFORD. The judges certainly are participating now in the retirement benefits and have been for some time.

Mr. GORE. I would not say that the judges participate in the retirement benefits. There is no compensatory retirement system for judges, such as there is for Members of Congress. Under the Constitution, a Federal judge draws his salary during good behavior. Unless a judge is impeached or resigns, he draws his full salary for life.

There is a provision of law by which a Federal judge can retire from active service, but even then he remains subject to call.

Except by impeachment or resignation, as I have said, a Federal judge draws his salary during his lifetime. There is no deduction from his salary to provide for his retirement.

Mr. WOFFORD. Will the Senator from Tennessee please explain to me why it is that although Congress voted identical benefits to the widows and dependent children of members of the Supreme Court of the United States without a dissenting voice, so far as the record shows, nevertheless he opposes the same benefits to the working district

judges and the competent circuit judges, who are asking for it, and are willing to pay for it, whereas the Supreme Court justices have never yet paid 1 cent to anyone for anything?

Mr. GORE. The Senator is aware of the fact, I assume, that I was not the author of that bill. I have not reviewed the debate on the bill.

Although I do not trust my recollection too well, I venture to suggest that the bill providing an annuity for widows of former Justices of the United States Supreme Court and for the widows of former Presidents of the United States was advocated on the basis that the prestige of the United States Government itself was involved, that the widow of a former President and the widow of a former Supreme Court Justice were emblematic of the highest position in the executive branch of the Government and the highest position in the judicial branch of the Government. Therefore, as I now recollect it, perhaps imperfectly, the bill was advocated on the basis of establishing a national policy that the widows of Justices of the United States Supreme Court and of former Presidents of the United States should be provided annuities in that basis. My recollection may not be good, but, as I recall, those sentiments were expressed.

Mr. WOFFORD. I should like to inform the Senator he is mistaken. I call his attention to the fact that the RECORD of August 16, 1954, shows no reference made to widows of Presidents.

Mr. GORE. It is entirely possible that my recollection relates to a committee report, or a discussion in the cloakroom, or otherwise. I do not recall being present when the bill actually passed. If the Senator says there was no mention of it, then I accept his statement without question.

Mr. CLEMENTS. Mr. President, will the Senator yield?

Mr. WOFFORD. I yield.

Mr. CLEMENTS. I have not read the RECORD, but I can assure the Senator from Tennessee, too, that on the Supreme Court judges bill there was no extended debate. As a matter of fact, there was not any debate at all The bill was passed in the late days of the session of the 83d Congress. I speak about the subject as the author of the measure. But certainly the sentiments which were expressed by the Senator from Tennessee, certainly the viewpoint which was held by the Senator from Kentucky, certainly the viewpoint which was held by the late Senator from Nevada, Mr. McCarran, who handled the bill on the floor, showed that it was in the proper tradition. It is similar legislation to that which permits or authorizes the payment of the same amounts of money to certain widows of Presidents of the United States.

Mr. WOFFORD. That was not stated in the debate, though, was it?

Mr. CLEMENTS. No; it was not. As a matter of fact, the bill which was passed, which authorized payments to widows of Justices of the Supreme Court, was an amendment to a measure which authorized the payment of a similar sum to Presidents' widows.

Mr. WOFFORD. The only thing I could do under the circumstances was to read the RECORD. I did not know of the circumstances which the Senator has related, because I did not happen to be here at that time.

Mr. CLEMENTS. The Senator is absolutely correct in the statement he has made.

Mr. WOFFORD. I should like to ask the Senator from Tennessee whether or not the so-called judgeship bill—I shall call it that—is not patterned on the present congressional survivorship plan.

Mr. GORE. I do not think so.

Mr. WOFFORD. Is the Senator from Tennessee aware that the provisions of the bill depart from the congressional survivorship plan in only four respects, which have already been explained by the Senator from Illinois?

Mr. GORE. It departs in several respects. I am not sure they are confined to four.

Mr. WOFFORD. Mr. President, I have tried to analyze the two plans, and I find there are only four differences between the so-called judgeship bill and the present congressional survivorship plan.

The annuity under S. 3410 is based on the average basic salary for the past 5 years, instead of the average salary since August 2, 1946, which is now being used for computing the congressional annuity. In the case of a judge, the option of choosing any 5-year average from 1946 forward is both unnecessary and unworkable, since it would have to be exercised at his death, and his last 5 years of service would, in any event, be as well compensated as any other similar period.

Mr. DIRKSEN. Mr. President, will the Senator from South Carolina yield at that point?

Mr. WOFFORD. I yield.

Mr. DIRKSEN. Actually, under existing law there is no provision at the moment to give any Member of the House or Senate the election of computing the 5 highest years. There is legislation pending designed to accomplish that objective, but the existing law does not provide for it, although that benefit inures to everyone who is under the civil-service retirement system, other than Members of the House and Senate.

Mr. WOFFORD. I thank the Senator.

The second difference between the 2 plans is that service as a Member of Congress is to be included, in addition to judicial, military, and prior civilian service. This is easily justified in view of the fact that the proposed judicial survivorship annuity system is patterned upon that for Members of Congress. Surely, the widows of our judges should be allowed to count their husbands' service as Members of Congress, since the widows of Congressmen are eligible for survivorship annuities.

The deposit required under this bill is 1½ percent of salary, instead of the 6-percent contribution rate under the civil-service system, as has been pointed out by the Senator from Tennessee. What the Senator has not emphasized, however, is the fact that this 1½-percent contribution is intended to provide only for survivorship benefits, while the 6-percent contribution by Congressmen provides for both retirement and survivorship benefits. Further, according to an actuarial analysis of the judges' survivorship plan, as prepared by the Chief Actuary for the Social Security Administration, Mr. Robert J. Meyers, the 1½-percent contribution to be paid in by Federal judges will actually be more than the percentage paid in by Congressmen for this same purpose. I quote from the actuarial analysis prepared by Mr. Meyers on page 8 of the Senate report, which states:

> The 1½-percent rate called for in the judicial plan can probably best be justified by considering what proportion of the civil-service retirement benefits are involved in the survivor benefits. Thus, exclusive of benefits involving return of contributions, the total normal cost of the civil-service retirement system is 9.70 percent of payroll (see p. 24 of the Kaplan report mentioned previously). Of this 9.70 percent 1.67 percent of payroll, or 17 percent relatively represents the cost of monthly survivor benefits. The 1½-percent contribution rate proposed for the judicial system to provide only for survivor benefits is 25 percent of the 6-percent rate paid by Congressmen for retirement and survivor benefits. This proportion is well in excess of the 17 percent that the Congressmen might be said to pay and, accordingly seems to justify a contribution rate of 1½ percent for the judicial system for survivor benefits only.

I fail to see why the Senator from Tennessee is opposed to the judges paying in a higher percentage for survivorship benefits than Congressmen.

The final difference is that all living widows of deceased judges are to be included, and not merely widows of judges who died on or after November 4, 1952, the retroactive date applicable to widows of Members of Congress.

The Senator from Tennessee has voiced objection to the inclusion of the approximately 111 living widows of deceased judges who would be entitled to a pension under this bill. Section 7 of the bill provides that these widows would have their annuities reduced by 10 percent.

The total amount of the pensions for these ladies is estimated to be approximately $275,000 per year, or an average of $2,500 each. Since the average age of these widows is estimated to be 71 years and the life expectancy of ladies aged 71 is calculated to be approximately 11 years, it can readily be seen that these annuities would not continue for a long period of time.

Certainly if the Senator from Tennessee is in favor of voting billions for foreign aid—which I voted against—he can spare a vote to provide a small annuity to sustain a group of widows and dependent children from falling into the depths of poverty. Some of these widows are virtually living in poverty today, as a result of the failure of the Congress to provide a survivorship annuity plan for our Federal judiciary, with the exception, of course, of the Supreme Court Justices.

The inclusion of living widows has been the adopted policy of the Congress in passing all pension bills since 1950, according to page 13 of the report of the Judiciary Committee on this bill.

The inclusion of living widows has been the policy adopted in all pension bills for the judiciary going back to 1950 when a noncontributory bill was recommended

by the Senate Judiciary Committee—S. 1308, 81st Congress, 2d session. Judge Biggs has already stated in his testimony that this provision is one which appears to the judiciary to be fair and to be fully warranted.

Mr. DIRKSEN. Mr. President, will the Senator from South Carolina yield?

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from South Carolina yield to the Senator from Illinois?

Mr. WOFFORD. I yield.

Mr. DIRKSEN. Two points the Senator from South Carolina has made are of particular interest. One is that this is not a bill for the retirement of judges. They are excluded. This bill applies only to widows and dependents. As the actuaries have pointed out, on the basis of the experience under the Civil Service Retirement Act, there is a deduction of 1½ percent from the salary of the judges who elect to take advantage of the bill. As a matter of fact, the 1½ percent also entered into the calculations in setting up the retirement system for Members of the House and the Senate. Four and one-half percent is allocated to the retirement of the Members of Congress, when that time comes; and 1½ percent if the Member elects to provide benefits for those who survive him.

With respect to the widows of judges let me say that if this were a bill of general applicability, involving thousands or hundreds of thousands of persons, probably I would not subscribe to it. But I think there has been some failure on the part of the Congress to close this one gap in the whole retirement system over a long period of time. Furthermore, as the Senator from South Carolina has so correctly pointed out, the average age of these widows is 71 years, and their life expectancy is very short, and the cost will be very nominal.

So in view of the fact that 111 widows are involved in this particular provision, I believe it would be nothing more than a tribute and a measure of generosity on the part of the Congress to provide for taking care of them as a measure of appreciation of the work heretofore well done by their husbands when they were alive.

Mr. WOFFORD. I thank the Senator from Illinois.

Mr. WELKER. Mr. President, will the distinguished Senator from South Carolina yield to me?

Mr. WOFFORD. I yield for a question.

Mr. WELKER. First, Mr. President, let me say that this is the first time I have had the opportunity and privilege of greeting on the floor of the United States Senate the distinguished statesman and Senator from South Carolina [Mr. WOFFORD].

I wish to say to him that I am a member of the Judiciary Committee, and I have tried to study this bill as assiduously as I could.

I join the distinguished Senator from South Carolina in the belief that some fast balls were pitched when the $5,000 benefit bill was passed through the Senate and the House of Representatives. Certainly I never heard about it, and I know that many other Senators did not hear a word about it.

I should like to ask the Senator from South Carolina a very simple question which has been giving me a great deal of concern: If we pass this bill, which gives to the widows of judges the benefits it provides, how are we going to explain to the American people, in connection with the social security bill which is soon to come before the Senate, the fact that we are making a class distinction in favor of a group of people who fare much better than does any Senator or Member of the House of Representatives, or above all, most of the American people. After all, the judges have life tenure at full pay, and they can retire at the age of 70.

I wish to say to my distinguished colleague, the Senator from South Carolina, that many persons are writing to me about the bill and are wondering whether we are segregating certain classes of people or are making distinctions for the benefit of particular groups, as against other groups or classes. I have in mind a widow at age 62 or a disabled person at age 50.

My present intention is to hear some rather convincing debate before I will support this bill. I think the men and women who accepted Federal judgeships got rather good appointments. If they had not desired them, they could have continued in the practice of law—as has the distinguished Senator from South Carolina and his predecessor, the great Strom Thurmond—and could have taken a chance on whether they would earn enough to be able to provide for those who would be left behind them.

I should like to have the benefit of the observation of my distinguished colleague from South Carolina on that matter.

Mr. WOFFORD. I shall answer the Senator from Idaho in this manner: He can explain it to his constituents in the same way that he and the other Senators explained to their constituents their votes to make provision for the members of the Supreme Court, without requiring them to contribute a nickel or a dime. Those Senators can also explain this bill to their constituents by pointing out that the bill provides for a gratuity for the widows of deceased judges, whose husbands faithfully performed their duties with the exception of those in one Court—while they served as Federal judges.

How can Senators vote to give money to a Communist Tito, but fail to take care of the 111 widows of United States judges, by providing a small pittance for them, inasmuch as their husbands gave their lives in the service of the country, while on the bench?

Mr. WELKER. Mr. President, will the Senator from South Carolina yield further to me?

Mr. WOFFORD. I yield.

Mr. WELKER. I am sure the distinguished Senator from South Carolina does not wish the CONGRESSIONAL RECORD to indicate that the Senator from Idaho voted for $5,000 for any Supreme Court judge's widow. Neither did the Senator from Idaho vote to give 10 cents to Communist Tito or 10 cents to any other country. I voted against the bill, straight across the board.

Mr. WOFFORD. The Senator from Idaho asked how Senators would explain the matter. Let me say that I, too, voted not to give such countries a penny or a dime.

Mr. WELKER. If we cannot save money in other places, here is a place where we had better begin to save money.

I have talked to some Federal judges about this bill, and not all of them are in favor of it.

I do not care whether the judges go to their judicial conferences and have great meetings at the expense of the taxpayers, and arrive at the conclusion that we should hand out some more money, to provide free security for those they leave behind. That simply has not been the American way. The people of South Carolina have never had such security, and neither have my people in Idaho ever had it.

Certainly, I shall have to hear some rather brilliant and convincing debate regarding the bill before I shall vote for it.

Mr. WOFFORD. Of course, that is true in the case of South Carolina. I do not know about the situation in Idaho.

Mr. WELKER. We have some very famous people in Idaho. As my colleague knows, the West was settled, in large part, by the people from the South.

Mr. WOFFORD. Of course, that is true.

Mr. President, in conclusion, I wish to congratulate the Judiciary Committee on the excellent work it has done on this bill.

I point out to Members of the Senate, many of whom are lawyers, that Federal judges cannot practice law in any court, whereas Members of the Senate can, provided the United States Government is not involved. They have the right to maintain their private law practices. They have the right to have outside interests, so long as they do not conflict with the interests of the Government of the United States. On the other hand, a Federal judge is forever barred from the practice of law.

I do not know what the experience of Federal judges in other States has been, but in the State of South Carolina we have three, and we need another. Everyone of them made a financial sacrifice when he went on the bench.

In our State there lives the widow of a former judge, and a former secretary to the Democratic Party. No one but the South liked the Democratic Party at that time. I refer to Judge Robert A. Cooper, who was a Federal judge in Puerto Rico. An attempt was made to assassinate him in Puerto Rico. His widow now lives in the city of Greenville, where I come from. She is in very straitened circumstances. Judge Cooper was not only secretary of the Democratic Party back in 1926 and 1927, but he was also twice elected Governor of the State of South Carolina. He served his country well. It would be a pitiful sight for me to see the Senate go on record in opposition to the bill.

It is said, in opposition to the bill, that it provides a mere gratuity. Perhaps that is true; but one of the most remarkable gratuities which the United

States Senate voted was the gift to Europe of $4,500,000,000.

That was nothing in the world but a gratuity. If we wish to call the provisions of the pending bill a gratuity, let us be just while we are being generous with the taxpayers' money.

Mr. WELKER. Mr. President, I have listened with a great deal of interest to the recital of the tragedy which occurred in the life of a distinguished jurist in the home State of the Senator from South Carolina.

Such things have happened many times in the memory of the junior Senator from Idaho. I happen to remember that not so many years ago a former United States Senator, from a neighboring State—and I shall not name the State—who served his State ably and well, was defeated for reelection. We talk about poverty. This man died a pauper, in a little two-bit roominghouse in the city of Weiser, Idaho. He had no benefit from the Congress or anyone else. His friends and a brother were called upon to buy a coffin in which to lay him away.

I am wondering how far these so-called gratuities should go. I certainly join with my distinguished colleague from South Carolina when he objects to the giveaway programs. I am wondering what the taxpayers at home will think when they read about what we are doing with respect to Federal judges, who hold the finest positions I know of.

The Senator from South Carolina has called attention to the fact that a Federal judge cannot practice law. I am mindful of that fact. But I am also mindful of some other facts. Here are a few of the facts. He does not have to pay any secretarial hire. He does not have to pay for a telephone. He does not have to pay office rent. He does not have to pay traveling expenses, or expenses for stationery. He has to pay none of those expenses. I think the position of Federal judge is a very good position. Without a doubt Federal judges have served ably and well, but I think it is time to call a halt to the idea that every time a bit of sympathy is involved we should level down upon the American taxpayer.

Mr. GORE. Mr. President, it is never pleasant or popular to question the amount of benefits to widows and orphans. I have raised a question about this bill, but not because of an ungenerous attitude, spirit, or intention. Indeed, it is out of a feeling of generosity toward all unfortunate people, and devotion to the principle of equality of treatment and sound government, that I have voiced questions and objections with respect to the pending bill.

Basically I think there is a very serious question of policy involved in giving survivorship benefits under a retirement system to the survivors of judges who themselves are not, and never have been, in the retirement system or any part of it. However, in an effort to work with my colleagues in a spirit of accommodation and compromise, I have drafted three amendments which I believe will make this bill reasonably acceptable.

I offer the first amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Tennessee will be stated.

The LEGISLATIVE CLERK. On page 4, beginning with line 8, it is proposed to strike out all after the period, down to and including the word "section" in line 15.

On page 5, beginning in line 24, it is proposed to strike out "civilian service computed as prescribed in subsection (o) of this section" and to insert in lieu thereof the following: "service as a judge of the United States as defined in section 451 of title 28, United States Code, for which contributions or deposits as prescribed in subsection (c) have been made."

Mr. JOHNSON of Texas. Mr. President, may we have a brief explanation of the effect of the amendment?

Mr. GORE. I shall be glad to give an explanation. Even though previously in the bill it is directed that a judge shall serve 5 years and make a 5-year retirement contribution toward the survivorship of his widow, nevertheless, on page 4 it provides:

> Notwithstanding the failure of a judge to make such deposit, credit shall be allowed for the service.

And so forth. In other words, in one part of the bill it is provided that a judge shall make a payment for a 5-year period, and in another part of the bill it is provided that notwithstanding his failure to do so, his widow shall be entitled to the same benefits as if he had made such payment, less 10 percent.

Mr. EASTLAND. As I understand, the Senator's amendment would provide that a judge would have to make the contribution for 5 years. Is that correct?

Mr. GORE. That he shall make a 5-year contribution for service as judge before his widow will be entitled to a survivorship annuity.

Mr. EASTLAND. Mr. President, I am willing to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. GORE].

The amendment was agreed to.

Mr. GORE. Mr. President, I send to the desk another amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 15, it is proposed to strike out "1½" and insert in lieu thereof the figure "3." On page 3, line 16, it is proposed to strike out the figure "1½" and insert in lieu thereof the figure "3."

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. GORE. Mr. President, the amendments would raise the contribution to a point within reasonable proximity of actuarial soundness. I cannot assure the Senate that the 3-percent contribution will be sufficient, but from the studies made and the figures available, it appears that it will be reasonably so. I believe it has been estimated that the 1½ percent provided in the bill would be sufficient to defray only 40 percent of the cost of the program.

Mr. EASTLAND. To whose estimate does the Senator refer?

Mr. GORE. It has been estimated by actuarial authorities. I am willing to go along with a 3-percent figure, and I hope the Senator from Mississippi will accept my amendment.

Mr. EASTLAND. Yes; I will. Three percent will keep the program in the black. Is that correct?

Mr. GORE. I feel it may, and I hope it will. I should like to point out that the congressional retirement fund is in the black. Lest it be said that we are discriminating here, and that there is only a 1½-percent contribution of survivorship benefits for the widows of Senators and Representatives, I wish to point out that at the time a Representative or Senator retires, he must make an election. If he elects to provide survivorship benefits for his wife, the amount of his own annuity, and for which he has already paid, is thereby reduced.

In the case of judges, there is no reduction of compensation upon retirement, as the able Senator knows, because the judge draws his salary for life. From the facts set out in the hearings and report, my amendment is a reasonable approximation of contributions for survivorship benefits required of others.

Mr. EASTLAND. The Senator from Tennessee feels that 3 percent will start the program off in the black, and that it will remain in a solvent condition. Is that correct?

Mr. GORE. I believe there is a reasonable prospect of it.

Mr. EASTLAND. I accept the amendments.

The PRESIDING OFFICER. Without objection, the amendments offered by the Senator from Tennessee [Mr. GORE] are agreed to en bloc.

Mr. GORE. Mr. President, I send to the desk another amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On pages 16 and 17 it is proposed to strike out section 7.

Mr. GORE. Mr. President, the amendment would strike from the bill the annual gratuity provided for widows of prior judges. I feel some hesitation in offering the amendment, and some regret that I find it necessary to do so.

However, no annuities are provided for widows of former Senators, former Representatives, former rural carriers, former postal employees, or former civil-service employees.

If we start providing an annuity for no other reason than that a woman may have married a man who was fortunate enough to be appointed a Federal judge, we will establish a precedent that may go very far indeed.

I had a letter only a few days ago from the widow of a former rural carrier. Her husband had served the Government and the people well. She writes me that she is in destitute circumstances.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. EASTLAND. The bill provides that a widow shall get the annuity less 10 percent, the 10 percent representing the contribution which the judge would have made. Is that correct?

Mr. GORE. I do not know that the 10 percent would represent the contribution which would have been made. The fact is that no contribution was made by former judges. This amendment would not permit annuities unless contributions were made for 5 years.

Mr. EASTLAND. That was the reason for the annuity less 10 percent.

Mr. GORE. Perhaps it was. I cannot say.

Mr. EASTLAND. Very well; I shall accept the amendment.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Tennessee [Mr. GORE] is agreed to.

Without objection, the amendments of the Committee on the Judiciary will be stated.

The amendments of the Committee on the Judiciary were, on page 5, after "(f)", to insert "(g)"; in line 14, after the word "at", to insert "4 percent per annum to December 31, 1947, and"; in line 15, after the word "annum", to insert "thereafter"; on page 8, line 11, after the word "any", to insert "dependent child who is an"; in line 20, after the word "of", to strike out "such"; on page 9, line 4, after the word "at", to insert "4 percent per annum to December 31, 1947, and"; in line 5, after the word "annum", to insert "thereafter"; on page 10, line 14, after the word "at", to insert "4 percent per annum to December 31, 1947, and"; and in line 15, after the word "annum", to insert "thereafter", so as to make the bill read:

Be it enacted, etc., That (a) item 375 in the analysis of chapter 17 of title 28, United States Code, immediately preceding section 371, is amended and a new item 376 is inserted immediately thereunder, to read as follows:

"375. Annuities to widows of justices.

"376. Annuities to widows and surviving dependent children of judges."

(b) The catchline to section 375 of title 28, United States Code, is amended to read as follows:

"§ 375. Annuities to widows of justices."

SEC. 2. Chapter 17 of title 28, United States Code, is amended by inserting at the end thereof, immediately following section 375, a new section reading as follows:

"§ 376. Annuities to widows and surviving dependent children of judges.

"(a) Any judge of the United States may by written election filed with the Director of the Administrative Office of the United States Courts within 6 months after the date on which he takes office (or within 6 months after the enactment of this section) bring himself within the purview of this section.

"(b) There shall be deducted and withheld from the salary of each judge electing to bring himself within the purview of this section a sum equal to 1½ percent of such judge's salary, including salary paid after retirement from regular active service under section 371 (b) or 372 (a) of this title or after retirement from office by resignation on salary under section 371 (a) of this title. The amounts so deducted and withheld from the salary of each such judge shall, in accordance with such procedure as may be prescribed by the Comptroller General of the United States, be deposited in the Treasury of the United States to the credit of a fund to be known as the 'judicial survivors annuity fund' and said fund is appropriated for the payment of annuities, refunds, and allowances as provided by this section. Every judge who elects to bring himself within the purview of this section shall be deemed thereby to consent and agree to the deductions from his salary as provided in this subsection, and payment less such deductions shall be a full and complete discharge and acquaintance of all claims and demands whatsoever for all judicial services rendered by such judge during the period covered by such payment, except the right to the benefits to which he or his survivors shall be entitled under the provisions of this section.

"(c) Each judge who has elected to bring himself within the purview of this section shall deposit, with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter, compounded on December 31 of each year, to the credit of the judicial survivors annuity fund created by this section a sum equal to 1½ percent of his salary received for service as a judge of the United States (including salary received after retirement from regular active service under section 371 (b) or 372 (a) of this title and salary received after retirement from office by resignation on salary under section 371 (a) of this title), and of his basic salary, pay, or compensation for service as a Senator, Representative, Delegate, or Resident Commissioner in Congress and for any other civilian service within the purview of section 707 of title 5. Such interest shall not be required for any period during which the judge was separated from all such service and was not receiving salary under section 371 (a) or 373 of this title. Each judge may elect to make such deposits in installments during the continuance of his judicial service in such amounts and under such conditions as may be determined in each instance by the Director of the Administrative Office of the United States Courts. Notwithstanding the failure of a judge to make such deposit, credit shall be allowed for the service rendered, but the annuity of the widow of such judge shall be reduced by an amount equal to 10 percent of the amount of such deposit, computed as of the date of the death of such judge, unless such widow shall elect to eliminate such service entirely from credit under subsection (o) of this section: *Provided*, That no deposit shall be required from a judge for any service rendered prior to August 1, 1920, or for any honorable service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States.

"(d) The Secretary of the Treasury shall invest from time to time, in interest-bearing securities of the United States or Federal farm loan bonds, such portions of the judicial survivors annuity fund as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances as provided in this section. The income derived from such investments shall constitute a part of said fund for the purpose of paying annuities and of carrying out the provisions of subsections (f), (g), (i), and (j) of this section.

"(e) The amount deposited by or deducted and withheld from the salary of each judge electing to bring himself within the purview of this section for credit to the judicial survivors annuity fund created by this section covering service from and after August 1, 1920, shall be credited to an individual account of such judge.

"(f) If any judge who has elected to bring himself within the purview of this section resigns from office otherwise than on salary under section 371 (a) of this title, the amount credited to his individual account, together with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum, thereafter, compounded on December 31 of each year, to the date of his relinquishment of office, shall be returned to him.

"(g) In case any judge who has elected to bring himself within the purview of this section shall die while in office (whether in regular active service or retired from such service under section 371 (b) or 372 (a) of this title), or after retirement from office by resignation on salary under section 371 (a) of this title, after having rendered at least 5 years of civilian service computed as prescribed in subsection (o) of this section—

"(1) if such judge is survived by a widow but not by a dependent child, there shall be paid to such widow an annuity beginning with the day of the death of the judge or following the widow's attainment of the age of 50 years, whichever is the later, in an amount computed as provided in subsection (n) of this section; or

"(2) if such judge is survived by a widow and a dependent child or children, there shall be paid to such widow an immediate annuity in an amount computed as provided in subsection (n) of this section, and there shall also be paid to or on behalf of each such child an immediate annuity equal to one-half the amount of the annuity of such widow, but not to exceed $900 per year divided by the number of such children or $360 per year, whichever is lesser; or

"(3) if such judge leaves no surviving widow or widower but leaves a surviving dependent child or children, there shall be paid to or on behalf of each such child an immediate annuity equal to the amount of the annuity to which such widow would have been entitled under paragraph (2) of this subsection had she survived, but not to exceed $1,200 per year divided by the number of such children or $480 per year, whichever is lesser.

"The annuity payable to a widow under this subsection shall be terminable upon her death or remarriage. The annuity payable to a child under this subsection shall be terminable upon (A) his attaining the age of 18 years, (B) his marriage, or (C) his death, whichever first occurs, except that if such child is incapable of self-support by reason of mental or physical disability his annuity shall be terminable only upon death, marriage, or recovery from such disability. In case of the death of a widow of a judge leaving a dependent child or children of the judge surviving her the annuity of such child or children shall be recomputed and paid as provided in paragraph (3) of this subsection. In any case in which the annuity of a dependent child, under this subsection, is terminated, the annuities of any remaining dependent child or children, based upon the service of the same judge, shall be recomputed and paid as though the child whose annuity was so terminated had not survived such judge.

"(h) as used in this section—

"(1) The term 'widow' means a surviving wife of an individual, who either (A) shall have been married to such individual for at least 2 years immediately preceding his death or (B) is the mother of issue by such marriage, and who has not remarried.

"(2) The term 'dependent child' means an unmarried child, including a dependent stepchild or an adopted child, who is under the age of 18 years or who because of physical or mental disability is incapable of self-support.

"Questions of dependency and disability arising under this section shall be determined by the Director of the Administrative Office of the United States Courts subject to review only by the Judicial Conference of the United States the decision of which shall be final and conclusive. The Director may order or direct at any time such medical or other examinations as he shall deem necessary to determine the facts relative to the nature and degree of disability of any dependent child who is an annuitant or applicant for annuity under this section, and may

suspend or deny any such annuity for failure to submit to any examination.

"(i) In any case in which (1) a judge who has elected to bring himself within the purview of this section shall die while in office (whether in regular active service or retired from such service under section 371 (b) or 372 (a) of this title), or after retirement from office by resignation on salary under section 371 (a) of this title, before having rendered 5 years of civilian service computed as prescribed in subsection (o) of this section, or after having rendered 5 years of such civilian service but without a survivor or survivors entitled to annuity benefits provided by subsection (g) of this section, or (2) the right of all persons entitled to annuity under subsection (g) of this section based on the service of such judge shall terminate before a valid claim therefor shall have been established, the total amount credited to the individual account of such judge, with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum, thereafter, compounded on December 31 of each year to the date of the death of such judge, shall be paid, upon the establishment of a valid claim therefor, to the person or persons surviving at the date title to the payment arises, in the following order of precedence, and such payment shall be a bar to recovery by any other person:

"First, to the beneficiary or beneficiaries whom the judge may have designated by a writing received by the Administrative Office of the United States Courts prior to his death;

"Second, if there be no such beneficiary, to the widow of such judge;

"Third, if none of the above, to the child or children of such judge and the descendants of any deceased children by representation;

"Fourth, if none of the above, to the parents of such judge or the survivor of them;

"Fifth, if none of the above, to the duly appointed executor or administrator of the estate of such judge;

"Sixth, if none of the above, to such other next of kin of such judge as may be determined by the Director of the Administrative Office of the United States Courts to be entitled under the laws of the domicile of such judge at the time of his death.

"Determination as to the widow or child of a judge for the purposes of this subsection shall be made by the Director of the Administrative Office of the United States Courts without regard to the definition of these terms stated in subsection (h) of this section.

"(j) In any case in which the annuities of all persons entitled to annuity based upon the service of a judge shall terminate before the aggregate amount of annuity paid equals the total amount credited to the individual account of such judge, with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter, compounded on December 31st of each year, to the date of the death of such judge, the difference shall be paid, upon establishment of a valid claim therefor, in the order of precedence prescribed in subsection (i) of this section.

"(k) Any accrued annuity remaining unpaid upon the termination (other than by death) of the annuity of any person based upon the service of a judge shall be paid to such person. Any accrued annuity remaining unpaid upon the death of any person receiving annuity based upon the service of a judge shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the duly appointed executor or administrator of the estate of such person;

"Second, if there is no such executor or administrator, payment may be made, after the expiration of 30 days from the date of the death of such person, to such individual or individuals as may appear in the judgment of the Director of the Administrative Office of the United States Courts to be legally entitled thereto, and such payment shall be a bar to recovery by any other individual.

"(l) Where any payment under this section is to be made to a minor, or to a person mentally incompetent or under other legal disability adjudged by a court of competent jurisdiction, such payment may be made to the person who is constituted guardian or other fiduciary by the law of the State of residence of such claimant or is otherwise legally vested with the care of the claimant or his estate. Where no guardian or other fiduciary of the person under legal disability has been appointed under the laws of the State of residence of the claimant, the Director of the Administrative Office of the United States Courts shall determine the person who is otherwise legally vested with the care of the claimant or his estate.

"(m) Annuities granted under the terms of this section shall accrue monthly and shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued. None of the moneys mentioned in this section shall be assignable, either in law or in equity, or subject to execution, levy, attachment, garnishment, or other legal process.

"(n) The annuity of the widow of a judge who has elected to bring himself within the purview of this section shall be an amount equal to the sum of (1) 1¼ percent of the average annual salary received by such judge for judicial service and any other prior allowable service during the last 5 years of such service prior to his death, or retirement from office by resignation on salary under section 371 (a) of this title, multiplied by the sum of his years of judicial service, his years of prior allowable service as a Senator, Representative, Delegate or Resident Commissioner in Congress, his years of prior allowable service performed as a member of the Armed Forces of the United States, and his years, not exceeding 15, of prior allowable service performed as an employee described in section 698 (g) of title 5, and (2) ¾ of 1 percent of such average annual salary multiplied by his years of any other prior allowable service, but such annuity shall not exceed 37½ percent of such average annual salary and shall be further reduced in accordance with subsection (c) of this section, if applicable.

"(o) Subject to the provisions of subsection (c) of this section, the years of service of a judge which are allowable as the basis for calculating the amount of the annuity of his widow shall include his years of service as a judge of the United States (whether in regular active service or retired from such service under section 371 (b) or 372 (a) of this title), his years of service as a Senator, Representative, Delegate, or Resident Commissioner in Congress, his years of active service as a member of the Armed Forces of the United States not exceeding 5 years in the aggregate and not including any such service for which credit is allowed for the purposes of retirement or retired pay under any other provision of law, and his years of any other civilian service within the purview of section 707 of title 5.

"(p) Nothing contained in this section shall be construed to prevent a widow eligible therefor from simultaneously receiving an annuity to which she would otherwise be entitled under any other law without regard to this section, but in computing such other annuity service used in the computation of her annuity under this section shall not be credited.

"(q) The judges of the District Court for the Territory of Alaska, the United States District Courts for the District of the Canal Zone, the District Court of Guam and the District Court of the Virgin Islands and judges of the United States, as defined in section 451 of this title, who are entitled to hold office only for a term of years shall be deemed judges of the United States for the purposes of this section and shall be entitled to bring themselves within the purview of this section by filing an election as provided in subsection (a) of this section within the time therein specified. In the case of such judges the phrase 'retirement from office by resignation on salary under section 371 (a) of this title' as used in subsections (b), (c), (g), (i), and (n) of this section shall mean 'retirement from office by resignation on salary under section 373 of this title or by removal or failure of reappointment after not less than 10 years judicial service,' and the phrase 'resigns from office otherwise than on salary under section 371 (a) of this title' as used in subsection (f) of this section shall mean 'resigns from office otherwise than on salary under section 373 of this title or is removed or fails of reappointment after less than 10 years judicial service'."

SEC. 3. Paragraph (7) of subsection (a) of section 604 of title 28, United States Code, is amended to read as follows:

"(7) Regulate and pay annuities to widows and surviving dependent children of judges and necessary travel and subsistence expenses incurred by judges, court officers, and employees, and officers and employees of the administrative office, while absent from their official stations on official business."

SEC. 4. The first paragraph of section 605 of title 28, United States Code, is amended to read as follows:

"The director, under the supervision of the Judicial Conference of the United States, shall submit to the Bureau of the Budget annual estimates of the expenditures and appropriations necessary for the maintenance and operation of the courts and the administrative office and the operation of the judicial survivors annuity fund, and such supplemental and deficiency estimates as may be required from time to time for the same purposes, according to law. The director shall cause periodic examinations of the judicial survivors annuity fund to be made by an actuary, who may be an actuary employed by another department of the Government temporarily assigned for the purpose, and whose findings and recommendations shall be transmitted by the director to the Judicial Conference."

SEC. 5. Funds necessary to carry out the provisions of this act may be appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 6. A judge who resigned prior to the date of enactment of this act and who on that date is receiving salary under section 371 (a) of title 28, United States Code, or who resigned, was removed or failed of reappointment prior to the date of enactment of this act and who on that date is receiving salary under section 373 of title 28, United States Code, shall be considered a judge within the meaning of section 376 of title 28, United States Code, as added by section 2 of this act, and as such shall be entitled within 6 months after the date of enactment of this act to make the election authorized by and to receive the benefits of that section. A judge who retired from regular active service under section 260 of the Judicial Code of 1911 or the act of August 5, 1939, chapter 433, and who is living on the date of enactment of this act shall be deemed for the purposes of this act to have retired from regular active service under section 371 (b) or 372 (a), as the case may be, of title 28, United States Code.

SEC. 7. In the case of a living widow of a judge of the United States as defined in section 451 of title 28, United States Code, who died prior to the date of enactment of this act, an annuity shall be paid as provided in section 376 of title 28, United States Code,

as added by section 2 of this act, as if such judge had died on such date and had elected to bring himself within the purview of such section 376, but had not made the deposit provided for by subsection (c) of the said section: *Provided*, That (a) such widow has not remarried; and (b) that the amount of such annuity and the reduction therein because of such deposit not having been made shall be computed on the basis of the actual length of judicial and other allowable service of such judge. In the case of a judge of the United States as defined in section 451 of title 28, United States Code, who dies within 6 months after the date of enactment of this act after having rendered at least 5 years of civilian service computed as prescribed in subsection (o) of section 376 of title 28, United States Code, as added by section 2 of this act, but without having made an election as provided in such section 376 to bring himself within the purview of that section, an annuity shall be paid to his widow and surviving dependent children as provided in such section 376 as if such judge had elected on the day of his death to bring himself within the purview of such section 376 but had not made the deposit provided for by subsection (c) of the said section.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the Committee on the Judiciary.

The amendments were agreed to.

Mr. DIRKSEN. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The amendment of the Senator from Illinois will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 6, line 22, beginning with "$1,200", to strike out down to and including line 24 and insert "$480 per year."

Mr. EASTLAND. Mr. President, I will accept the amendment of the Senator from Illinois and take it to conference.

The PRESIDING OFFICER. Without objection the amendment offered by the Senator from Illinois [Mr. DIRKSEN] is agreed to.

The bill is open to further amendment.

Mr. EASTLAND. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2051, H. R. 11124.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 11124) to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. EASTLAND. Mr. President, I move that all after the enacting clause be stricken and that the text of S. 3410, as amended, be inserted in lieu thereof.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi.

The motion was agreed to.

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 11124) was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3410 is indefinitely postponed.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which House bill 11124 was passed.

Mr. GORE. Mr. President, I move that the motion of the Senator from Texas be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

ORDER FOR CONSIDERATION OF EXECUTIVE BUSINESS ON MONDAY NEXT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at the conclusion of the call of the calendar on Monday next, the Senate proceed to the consideration of executive business as in executive session.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS OF SOCIAL SECURITY ACT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2156, House bill 7225.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7225) to amend the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

DEVELOPMENT OF COASTWISE TRADE

Mr. ERVIN. Mr. President, I rise for the purpose of making a motion with respect to Senate bill 3877, which is a bill relating to a proposed program for the construction of tankers to be employed primarily in the coastwise trade. Before making such motion I feel that I should make a statement in order to set the record straight on this matter.

I was requested to conduct a hearing on this bill. Witnesses appeared and testified on June 13. A similar bill was pending in the House Committee on Merchant Marine and Fisheries.

On June 19, the House Committee reported its bill favorably to the House, and on June 21, the Senate Committee on Interstate and Foreign Commerce reported to the Senate the bill under discussion. The bill first came up for consideration on the floor of the Senate on July 5 after having been cleared by the majority and minority policy committees.

At that time the senior Senator from Delaware [Mr. WILLIAMS] rose and requested the distinguished senior Senator from Kentucky, the acting majority leader [Mr. CLEMENTS], to allow the bill to be passed over so that he could give it further study. I informed the acting majority leader privately that I had no objection to that course being taken. In the course of a colloquy at that time, I made several statements to the effect that so far as I knew there was no opposition to the bill except on the part of the Association of American Railroads, and that everything in the bill conformed to the wishes of the Department of Commerce, the Department of the Navy, the Maritime Administration, and the Department of Defense.

The senior Senator from Delaware said he thought I was mistaken, and he made this statement:

> I am sure the Senator from North Carolina believes he is right. I think I am right.

At that time I made this suggestion to the senior Senator from Delaware:

> If the Senator from Delaware will check the points he has in mind with the Department of Commerce and with the Department of the Navy and with the Maritime Administration, I am confident he will find that there is no opposition to the bill by any of those agencies. He will find that they all favor it as being a bill which will rehabilitate the coast trade and afford to the United States additional tankers for use in any time of emergency.

Mr. President, I made that statement in the utmost good faith. I should like to state that had our positions been reversed and had the Senator from Delaware been in my position and I in his, I would have communicated to him any information which I had obtained as a result of contacting these or any other governmental agencies.

Of course, there was no obligation upon the senior Senator from Delaware to do so.

The bill came on for consideration on July 11. On that occasion the senior Senator from Delaware, quoting from the statement I had made on July 5, stated approximately nine times that my statement was incorrect or untrue.

I must confess, Mr. President, that all my life I have been a little bit high-tempered; I kept control of my temper on that occasion, notwithstanding the statements of the senior Senator from Delaware, because he stated that he did not charge I was deliberately making any misstatement. By reason of his constant reiteration of the statement that what I said was incorrect or untrue, I must confess that he rather wounded my feelings. The only reason why I was able to keep myself within due bounds was because in my early years my parents enjoined me to control my temper, and in

so doing quoted this little verse from Proverbs:

He that is slow to anger is better than the mighty; and he that ruleth his spirit than he that taketh a city.

Because of an event which occurred last month that parental injunction was in my mind. As a consequence, I merely stated that I made my statement in good faith on reasonable grounds. I did not speak any hasty words which I might have occasion later to regret.

Mr. President, I have always believed that "a good name is rather to be chosen than great riches" and that loving favor is better than silver or gold. I have never cared anything for worldly possessions, and my worldly possessions are rather scant. As a result I can truthfully say, in the words of Shakespeare:

Good name in man and woman dear my Lord,
Is the immediate jewel of their souls:
Who steals my purse steals trash; 'tis something, nothing;
'Twas mine, 'tis his, and has been slave to thousands:
But he that filches from me my good name
Robs me of that which not enriches him,
And makes me poor indeed.

I had intended, Mr. President, not to express any resentment of the statements of the senior Senator from Delaware, but in yesterday morning's Washington Post and Times Herald I saw this item:

The Senate, amid charges that someone had tried to "mislead" its Members, last night sidetracked a bill designed to stimulate the building of new type merchant ships for the United States coastal trade.

Senator JOHN J. WILLIAMS, Republican of Delaware, who had voiced the charge, told reporters later this meant "the bill is dead for this year."

WILLIAMS said the Senate had been given to understand the Eisenhower administration favored the bill, but that in fact administration officials opposed certain provisions on the ground they contained "hidden subsidies" for ship operators.

I should like to state, Mr. President, that I have never stated at any time or in any place that the Eisenhower administration favored the bill in the form in which it came from the Senate committee.

I have said that the bill as amended by the Senate committee met with the wishes of the Maritime Administration, the Department of Commerce, the Navy Department, and the Department of Defense. I do not know whether anyone has attempted to charge that I have willfully made any untrue statements concerning the attitude of the Eisenhower administration or any government agency toward the bill for the purpose of influencing anybody's action on the bill. If any statement to that effect has been made by any person anywhere, it is without any intellectually honest or justifiable basis.

What I said was that the four agencies I have enumerated—the Navy Department, the Department of Defense, the Maritime Administration, and the Department of Commerce—had had their objections to the bill met by the amendments recommended by the Senate Committee on Interstate and Foreign Commerce.

Let us consider whether my statement was true. I shall speak first about the Navy Department and the Department of Defense. At the hearing the Navy Department was represented by Vice Adm. Roscoe F. Good and Vice Adm. Francis C. Denebrink. I quote from page 10 of the record of the printed hearings. After pointing out the desirability of legislation of this nature, Admiral Good gave this testimony:

For the reasons outlined above, enactment of this legislation in the exact form proposed, would actually deprive the Navy of the only means immediately available to it to fulfill its logistics responsibilities to the military services.

Thus he opposed enactment of the bill in its then form and suggested that four amendments be made.

As set forth in his testimony on page 8 of the printed hearings, he said:

I will later recommend specific changes which, if incorporated, could make this legislation wholly acceptable to the Department of Defense.

Admiral Good suggested four changes. The original bill enumerated the specific tankers which were to be chartered by the Secretary of Commerce. Admiral Good recommended, as the first amendment, that that provision should be stricken out and that the tankers to be chartered should not be specifically designated. That amendment was made and is designated as section (a) on the 1st and 2d pages of the bill as recommended to be amended by the Senate committee.

The second amendment which Admiral Good stated that the Department of the Navy and the Department of Defense desired was that the Department of the Navy should be given the opportunity to approve or disapprove the plans for the cargo decks to be constructed, or for any other proposed conversion of the chartered tankers, based solely on the effect that the proposed alterations might have on the defense characteristics of the vessels.

That amendment was made in the section of the bill which is designated by the figure (1), and appears on page 3 of the bill as reported to the Senate.

The third recommendation which Admiral Good made on behalf of the Department of the Navy was that section 3 of the proposed bill be modified to permit the newly constructed tankers to be employed in other than the domestic coastwise trade when operated for the account of a department or agency of the United States.

That third amendment was made in the section of the bill designated by the figure (3), and appears on page 4 of the bill as reported to the Senate.

The fourth and final recommendation which Admiral Good made on behalf of the Department of the Navy was that the proposed legislation should provide for the availability of the chartered vessels to the Department of Defense when required to meet military logistic needs which cannot be met by commercial interests or to meet emergency requirements under conditions short of full mobilization.

That amendment, in substance, was made in the section of the bill which is designated by the figure (6) on pages 4 and 5 of the bill as reported to the Senate. That section provides that the charter shall contain such additional terms and conditions as the Secretary of Commerce deems necessary to protect the interests of the United States.

The committee report recommends that any charter which the Secretary of Commerce may issue under the act should specify "that the vessels shall be made available to any department or agency of the United States when required to meet the needs of the United States which cannot be met by commercial interests, or to meet emergency requirements short of full mobilization as determined by the Secretary of Commerce."

After Admiral Good testified that those four specific changes constituted the only changes which the Navy Department desired, he made this statement, which appears on page 23 of the printed hearings:

Over and above that, everybody I know in the Department of Defense strongly supports this legislation.

So Admiral Good said that if these four changes were made, the bill would meet the views and the wishes of the Department of the Navy. As I have stated, those four changes were made.

Admiral Denebrink testified at page 12 of the printed hearings:

As a preamble to my statement, I would like to set it clearly on the record that I warmly support the philosophy of S. 3877, and I will not belabor the committee with a reiteration of the views, suggestions, and recommendations already expressed by Vice Admiral Good, with which I am in complete accord.

Mr. MAGNUSON. Mr. President, will the Senator yield at that point?

Mr. ERVIN. I yield.

Mr. MAGNUSON. I think it might be well to point out that Admiral Denebrink is the retiring head of the Military Sea Transport Division, which is directly responsible to the Navy for the use of tankers, the allocation of tankers, the mothball fleet of tankers, and the use of tankers in our national defense.

Mr. ERVIN. That is true. He is charged with seeing that gasoline is transported to our oversea airbases. He stated in his testimony that it was essential to have a program of this nature in order that we might have the ability to carry to our overseas bases the gasoline which will enable the American boys stationed there to get their planes off the ground in the event of combat.

On the same day, that is, June 13, the subcommittee was presented with a letter, which appears on pages 55 and 56 of the printed hearings. This letter was written by W. R. Sheeley, rear admiral, United States Navy, Assistant Judge Advocate General of the Navy, on June 12, 1956. The letter recommended in substance that the amendments proposed by Admiral Good should be incorporated in the bill. It added:

Subject to incorporation of the foregoing recommended changes to the bill, the Department of the Navy, on behalf of the Department of the Defense, favors enactment of S. 3877.

So it definitely appears from the printed hearings and the bill reported to the Senate that the Department of the Navy and the Department of Defense favored the enactment of this bill, with the changes recommended by them. Every one of those changes were made and appear in the bill as reported to the Senate.

I can say, Mr. President, without fear of successful contradiction, that when I said the bill met the wishes of the Navy Department and the Department of Defense, my statement was 100-percent true.

I now wish to come back to my statement to the effect that the Maritime Administration, which was acting not only for itself, as I understood, but also for the Department of Commerce——

Mr. MAGNUSON. Mr. President, may we have order in the Senate? I hope the Senator from Delaware will listen to the Senator from North Carolina. I think it will clear up what was an unfortunate misunderstanding as of day before yesterday.

Mr. WILLIAMS. For the information of the Senator from Washington, I am following everything that is being said by the Senator from North Carolina.

Mr. MAGNUSON. I appreciate that.

Mr. ERVIN. Mr. President, this brings me down to the statement which I made to the effect that the bill as reported to the Senate by the Committee on Interstate and Foreign Commerce met the wishes of the Maritime Administration and the Department of Commerce. I want to say in this connection that the negotiations looking to the enactment of a bill of this character had been going on under the supervision of the House Committee on Merchant Marine and Fisheries for a considerable period of time, and that many conferences had been held by the interested parties, and the Maritime Administration and the Navy Department under the supervision of that committee and its staff.

On July 5, I suggested to the Senator from Delaware that he consult the Navy Department, the Department of Defense, the Commerce Department, and the Maritime Administration, with reference to this matter. The Senator appeared on the Senate floor on July 11 without any statement from any of these agencies other than some kind of an oral statement that some kind of assistant counsel had made to him, and a statement from the Bureau of the Budget. The statement from the Bureau of the Budget had never been seen by any member of the House Committee on Merchant Marine and Fisheries, or by any member of the Senate Committee on Interstate and Foreign Commerce, or by any member of the staffs of those two committees prior to the time it was presented on the floor by the Senator from Delaware.

As a matter of fact, I asked Mr. Harold I. Baynton to call Mr. Ralph W. E. Reid, Assistant Director of the Bureau of the Budget, the writer of the letter which forwarded this statement to the Senator from Delaware, about this matter. Mr. Baynton made the following report to me:

> On July 12, I called Mr. Ralph W. E. Reid, Assistant Director of the Bureau of the Budget and the person who signed the letter, and asked him whether the budget had informed any executive department as to their position on Senate bill 3877, and the date thereof, and to whom in the House leadership the memorandum concerning the bill was sent.
>
> This morning—

That is, July 13—

> Mr. John Clinton, of the Bureau of the Budget, informed me by telephone that they informed the Maritime Administration on July 6 that they were against the bill, that they did not notify the Navy, and that he was instructed to tell me that they had sent the memorandum to the White House.

Mr. Baynton made this conclusion, which seems valid in view of the circumstances:

> It would seem, therefore, that the closing sentence in the letter of July 6, 1956, "the enclosed memorandum has also been transmitted to the House leadership" is untrue.

It thus appears that the letter and the memorandum did not even exist until after the Senate committee and the House committee had voted to report this bill to their respective Houses. It appears from the memorandum itself that the only objection that was being voiced by the Bureau of the Budget was with reference to the trade-in allowance provided for in the bill, and the charter hire.

It appears also, from the words of the memorandum itself, that it was prepared after the House had reported the bill. This is true because it states that the House committee had reported the bill to the House without making the amendments suggested in the memorandum. Consequently, the committees concerned with this legislation, and their staffs, never saw the memorandum. It appears it was, in fact, sent to the White House. Mr. Reid states in his letter that the memorandum was sent to the leadership of the House. I would take that to mean the Speaker and the majority and minority leaders, who could not possibly have received the letter and its contents before the letter was written. So I am charged with making incorrect statements on the basis of a letter of the Bureau of the Budget which was never seen by the committees or their staffs and did not even exist until the committees had acted. I have never said how the Bureau of the Budget stood on this matter. I never heard of the budget's interest in it. I am never concerned much with the opinion of the budget, because I know in advance that the budget is virtually always against any bill which will require any expenditure of money.

The files of the Senate committee have been searched. I am advised that they contain no statement from any governmental agency additional to those presented at the hearing except a letter from the Comptroller General dated June 14. This letter suggests that perhaps the bill ought to be amended so as to restore the oldtime trade-in allowance and the oldtime charter-hire provision. But the Comptroller General rightly said the question of whether the bill should be passed was one of policy for determination by the Congress. I agree with this observation 100 percent.

I called the Maritime Administration this morning, and asked whether it had ever issued, in writing, a statement showing their position in regard to the proposed amendments. I was informed that it never had; that it had not issued a written statement subsequent to the statement which was presented to the committee by Admiral Ford on June 13.

As I have said, there were a great many negotiations by the interested parties and the Maritime Administration, under the supervision of the House Committee on Merchant Marine and Fisheries. They were oral. I recognize that whenever one relies upon oral statements, there is always danger of misunderstanding for any of three reasons. The first is that the speaker may fail to express his intent clearly, and thus may lead to misunderstanding. Second, the hearer may honestly and mistakenly place a wrong construction on what he has heard the speaker say. Third, we are always confronted with the fact that human memories are not infallible. It was for those reasons that one of the great judges of England said that one stroke of a pen is worth the slippery memories of a multitude of witnesses.

I was informed about these negotiations. Some of the negotiations reported to me were susceptible of the interpretation that the Maritime Administration had withdrawn its objections to the trade-in allowance and the charter-hire provisions, subject to the approval of the other amendments which both the House and the Senate committees have recommended should be made to these bills.

The information I had, engendered in my mind the honest conclusion that the Maritime Administration, acting for itself and the Department of Commerce, was satisfied with the provisions of the bill, as amended. It was amended first in the House committee; and the House committee sent its amendments to the Senate committee, and suggested that they be adopted by the Senate committee. Then the Senate committee considered the matter.

I may state that I did not advise any member of the Senate Committee on Interstate and Foreign Commerce as to the information I had received about this matter. For this reason, I could not have misled them. When the Senate committee met on June 21 to pass upon the matter, someone present asked the staff whether there was any objection on the part of the executive agencies to the bill; and a member of the staff, whose character is above reproach in every way, stated to the committee that originally the Maritime Administration, the Navy, and the Department of Defense had offered certain objections and had asked that the objections be removed by the making of amendments, and that the amendments which had been adopted by the House and were then pending before the Senate committee satisfied those objections. This member of the staff had, in turn, received his information from members of the staff of the House Committee on Merchant Marine and Fisheries.

I never said anything on this subject until the matter was taken up in the

Senate on July 5, when the events I have heretofore narrated occurred.

It appears that no one can prove exactly what has been stated in all the oral conversations and negotiations. But from the ones that were recounted to me, I think they were susceptible of the reasonable conclusion, by any honest man, that the Maritime Administration was satisfied with the bill as it was proposed to be amended. I have the abiding conviction that the member of the staff of the Senate Committee on Interstate and Foreign Commerce received similar information, and that he made an honest statement to the committee at the time when he gave that assurance.

I do not know why anyone would be interested in deceiving anyone else about this matter. As I have stated, I have never on any occasion made any statement that the Eisenhower administration favored this bill. As a matter of fact, the Eisenhower administration does not tell me what it favors.

Let me say, further, that the bill naturally provokes a conflict between some of the railroads and the shipping companies. Some of the railroads do not want this bill enacted, and I do not blame them for taking that position. If I were engaged in the operation of a railroad, I would oppose the enactment of any bill which was calculated to bring into being a competitive system of transportation, even if it were calculated to give the people cheaper service than that which I was able to render. Certainly railroad companies can be reasonably expected to be concerned about their own interests.

I have a considerate attitude toward all reasonable demands of the railroads. I have never been an attorney for a ship company; but during the time when I practiced as an attorney, I represented a railroad.

As a Senator, however, I seek to serve the interest of all the American people and not the interest of any particular system of transportation. For this reason, I am in favor of this bill.

It may be that no one can prove exactly what was said in the oral negotiations. My long experience in the practice of law has taught me that the old English judge was wise when he said that one stroke of a pen is better than the slippery memories of a multitude of witnesses. Good men make mistakes; they misunderstand.

From what was told me, I have hitherto had the conviction that officials of the Maritime Administration had assured the staff of the House committee that these amendments satisfied their requirements. I had no information to the contrary until the senior Senator from Delaware [Mr. WILLIAMS] made the statement that he had talked to some lawyer there. So, this morning, I called and found out that I had arrived at a mistaken conclusion, although it was based on reasonable grounds, and was honestly entertained in good faith. I am satisfied that the same statement is true in the case of the staff member.

Many good men have made mistakes. I am sorry that the Senator from Delaware [Mr. WILLIAMS] did not take my advice, and go to the Maritime Administration and ascertain from it that it was not in favor of the bill without having further amendments made to it and advise me accordingly. I would have admitted my mistake, because I do not waste my time trying to defend indefensible positions; and there is no one who will be quicker than I to admit an error. I would have done that, and this whole situation would have been avoided.

Many good men have made mistakes with respect to oral conversations, and some of them have made mistakes with respect to written communications. When I first started the practice of law, I was associated with my father, who was a practicing lawyer for 65 years.

One of the first cases we had was a murder case. A man was charged with fatally stabbing his wife. Certain witnesses went to the jail together and heard the same conversation. They were subsequently placed on the stand. All the witnesses agreed that the accused was asked whether he had killed his wife on purpose. The first witness said, "He did not say anything; just nodded his head no and broke down and wept."

The second witness said, "He did not nod his head, but said 'no' in response to the question."

The third witness said, "He said 'yes, but I did it accidentally.'"

The fourth witness said that the defendant stated, "Yes, I took a knife and jabbed it in her throat."

That was my first experience with oral testimony. I said to my father, "How can such contradictions as that be?" He replied, "There is one that is even less understandable. Take the synoptic Gospels and read the account of the crucifixion. You will find that the four writers of the synoptic Gospels stated that when Christ was being crucified a superscription was placed over his head."

I looked at the Gospel according to St. Matthew, chapter 27, verse 37. This is what the writer of that Gospel said:

> And set up over his head his accusation written, This Is Jesus the King of the Jews.

Then I opened the Gospel according to St. Mark, chapter XV, verse 26, and found this statement:

> And the superscription of his accusation was written over, The King of the Jews.

Then I looked at chapter XXIII, verse 38, in the Gospel according to St. Luke, and I found the following:

> And a superscription also was written over him in letters of Greek, and Latin, and Hebrew, This Is the King of the Jews.

I then looked at chapter XIX, verse 19, of the Gospel according to St. John, and found this statement:

> And Pilate wrote a title, and put it on the cross. And the writing was, Jesus of Nazareth, The King Of The Jews.

The four writers of the Gospels had different versions of the superscription. If they could make mistakes, other people can make mistakes. A Senator ought not to be accused on the floor of the Senate, or in newspaper interviews, or in the public press, of attempting to deceive anyone when he states an honest conclusion reasonably based upon information which he has.

I think this is a good bill. I have asked the Maritime Administration to send me a statement of all the amendments it desires made to the bill in its present form. I have been told that that would be done. The crucial arguments made on the floor of the Senate by the senior Senator from Delaware dealt with the trade-in allowance on the C–2 ships—and the charter hire of the Government tankers. I am informed that C–2 cargo ships are our most recent vessels. The Maritime Administration wants us to go back to the provisions of the law which have been in force since 1936, and which have not worked. In other words, they want us to go back to some old ideas and incorporate them in the bill, when those ideas have failed to produce the results desired when Congress enacted the old ideas into law.

I happen to be one who believes that there is nothing immoral or unholy in testing the soundness of a new idea. If Congress is interested in having tankers to carry gasoline to our boys at the foreign bases, so that they may be able to get their planes off the ground in case of combat, it cannot accomplish that purpose by reenacting statutory provisions which have been in force since 1936, and which have not produced results.

This is a good bill. It ought to be passed; and it ought to be passed at this session of Congress. Any notion that the Government can persuade people to give their property to it at less than its market value is foolish. They will not do it. Yet that is precisely the idea embodied in the proposition that the old trade-in allowance and the old charter-hire provision be incorporated in the bill.

I assert that there is no intellectually honest foundation, and no justifiable basis for any charge or insinuation that I, at any time or in any place, ever attempted to deceive anyone about this bill, or any other matter. That is not my nature. In my younger days I tried to learn to play poker. I had to give it up. I found that I did not have a poker face, and that anyone could see through me immediately. I believe that anyone who knows me knows that I would not deceive anyone if I could, and that I could not if I would. So I say that there is no intellectually honest foundation and no justification for any charge or insinuation that I have attempted willfully to mislead anyone or to misrepresent anything to the Senate. From my investigation of this subject I think the same thing can be said with reference to every member of the staff of our committee.

I think the bill ought to be passed on its merits. It ought to be argued on its merits. The issue ought not to be clouded by extraneous matters or by insinuations. I do not want anyone to say that he has been deceived or misled.

I therefore move that the bill be recommitted to the Senate Committee on Interstate and Foreign Commerce, with the recommendation that the Maritime Commission be invited to submit to that committee a written statement of amendments which it desires, so that the committee can vote the bill up or down on its merits, and make its recommendations to the Senate accordingly.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. JOHNSON of Texas. I wish to congratulate the eminent Senator from North Carolina for the very able, constructive, and comprehensive statement he has made. There is no Member of this body in whom I have greater confidence, and no Member who I think better deserves such confidence.

I think the step the Senator is taking is well advised. I believe that after the committee has an opportunity to resurvey the situation it will probably wish to ask the Senate to take action. I assure the Senator of my cooperation in that connection.

Mr. ERVIN. I thank the majority leader for his kind expression of confidence.

Mr. HILL. Mr. President, will the Senator yield to me?

Mr. ERVIN. I am pleased to yield to the distinguished Senator from Alabama.

Mr. HILL. Mr. President, the distinguished Senator from North Carolina in his remarks quoted Shakespeare. I paraphrase Ralph Waldo Emerson and say to the Senator:

What you are cries out so loud, I cannot hear what you say.

The Senator from North Carolina is so outstanding in his character and in his integrity, and by virtue of those qualities is so firmly established in the confidence of his fellow men that he need never speak on such subjects. However, I join the distinguished majority leader in congratulating him on his very fair and very fine and very able presentation today.

Mr. ERVIN. I thank the distinguished Senator from Alabama for his kind remarks.

Mr. MAGNUSON and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Carolina yield; and if so, to whom?

Mr. ERVIN. I yield first to the Senator from Washington; then I shall yield to the Senator from Delaware.

Mr. MAGNUSON. Mr. President, I was distressed on reading the RECORD yesterday morning to find what had happened on the floor in relation to the bill which is now under discussion. The Senator from Delaware and the Senator from Washington have had many friendly discussions on maritime bills. I was sorry when the Senator from Delaware left our committee. He has always had an interest in maritime matters. However, since he ceased to be a member of the committee and to be a participant in the hearings and discussions on maritime bills, he has seen fit, and rightly so, to question some of the bills which have come from the committee.

I wish to remind the Senate and the Senator from Delaware that, although I am chairman of the committee, I was not present when these hearings were held. However, hearings were held on the bill. I also know from personal knowledge, as the Senator from North Carolina has said, that negotiations concerning the bill had been going on for weeks and months, not only with the staffs of the two committees, but with the Maritime Board, the Department of the Navy, the Department of Defense, and others interested in maritime affairs.

The bill was not reported to the Senate in a hasty manner. It was developed after weeks of discussion. Witnesses were asked to appear before the committee, and they did so and testified. The Senator from Delaware could have read the hearings and read the amendments suggested by the various Departments.

Right or wrong, it has not been customary for the Committee on Interstate and Foreign Commerce always to ask the Bureau of the Budget for its opinion on all questions affecting the budget. As the Senator from North Carolina suggested, if we were to ask the Bureau of the Budget for its advice and always followed its advice, some bills, particularly those pertaining to transportation, would never pass. If we were always to back up after we had recommended legislation in committee because one form of transportation objected to it on the ground that it would be competitive with its particular kind of transportation, there would be no progress in transportation at all.

That is the status of the bill. I believe it is a good bill. It is the first sign of progress I have seen in connection with coastwise maritime trade, which is now dead on the Pacific and Atlantic coasts. The bill represents an attempt to negotiate with the Maritime Board and with the Department of Defense, and to bring about a satisfactory result. It can be done only in a certain way. If we stop to cross our "t's" and dot our "i's," it will never be done; we will never have any progress in transportation in America.

I do not know whether the railroads are opposed to the bill. They have not told me about it. I do know, however, that historically all forms of transportation—railroad, water, land, air—always oppose bills which they believe will provide competition with their particular form of transportation.

We have had to make decisions in committee, but not because we were against railroads or against trucks or in favor of maritime transportation. The bill is the first sign of some progress being made in coastwise shipping, which has been dead for the past 3 years. It is a chance to help Delaware, among other States, with its great ports. It may also help the Pacific coast. If the plan works on the Atlantic coast, it could also work on the Pacific coast. It would help coastwise trade, which has died, as I said.

It is unfortunate that in the closing hours of the session this should happen.

I know of no one who would question the integrity of the Senator from North Carolina. I would challenge anyone who did so, anywhere, any time.

As I read the RECORD, the Senator from Delaware submitted some statements from the Bureau of the Budget. Apparently they were obtained at the last minute. I do not know anything about them; the Senate committee never saw them; the House committee never saw them, and the Senator from North Carolina never saw them. All the amendments suggested by the Department of Defense were made to the bill.

I believe the Senator from North Carolina has taken a wise course; the bill will go back to committee. We will ask the Maritime Board how it wishes to amend the bill. After that we will try to make some progress in connection with our coastwise maritime transportation.

I wish to assure the Senator from North Carolina and the Senator from Delaware that after we receive the suggestions of the interested parties, I shall urge that the bill be reported promptly to the Senate and that prompt action be taken in passing the bill.

I see my good friend from California on the floor. He knows as well as anyone else the condition of the coastwise maritime trade. In my opinion the bill is an attempt, under the supervision of the Maritime Board, the Navy, and all the other Departments involved, to make some progress. That is what the Senator from North Carolina has been trying to do.

Mr. ERVIN. Mr. President, I ask unanimous consent that the unfinished business, S. 7225, Social Security Amendments of 1956, be temporarily laid aside, and that the Senate proceed to the consideration of S. 3877.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3877) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. ERVIN. Mr. President, I move that S. 3877 to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes, be recommitted to the Committee on Interstate and Foreign Commerce.

The PRESIDING OFFICER. The Chair will advise the Senator from North Carolina that the Senator from Delaware [Mr. WILLIAMS] had made a motion that the bill be recommitted.

Mr. WILLIAMS. Mr. President, I withdraw my motion out of deference to the Senator from North Carolina and allow him to enter his motion.

The PRESIDING OFFICER. The motion of the Senator from Delaware is withdrawn.

The Chair recognizes the Senator from North Carolina, who has made a motion that the bill be recommitted for further study.

Mr. WILLIAMS. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I yield.

Mr. WILLIAMS. Mr. President, I think the Senate is taking the proper procedure so that these differences can be properly ironed out in the committee. That was my suggestion last Wednesday when this bill was under discussion.

I wanted to take the floor before we vote in order to clear up a certain misunderstanding which has been raised. First, I wish to make one statement very

clear. I think it was clear in my remarks on July 5, when we first discussed this measure, and, again, on July 11 if you will read the RECORD you will find that at no point have I questioned the sincerity or the honesty of the Senator from North Carolina. I am perfectly willing to use any adjectives he suggests in order to make that point clear. I did not state that he had deliberately misrepresented the facts with reference to the bill, but I did state that he either was misinformed or had misunderstood the bill because the bill did not have the clearance and the approval of the respective agencies, as he had indicated in his remarks. I was correct in that statement, and I still stand by it.

On the very first day we discussed the measure, on July 5, I raised the question as to whether the Senator from North Carolina had made an error in quoting the Department of Commerce as being in favor of the bill. I stated that I had no question about his sincerity when at the time he said the Government agencies had approved the bill. On the other hand, I did say I thought he was in error and urged that we carry the bill over for a few days until we could check with the departments. I certainly had every reason to think that the Senator would take advantage of that 6-day interval to determine whether or not the bill had been approved by the Government agencies he was claiming. I had received information that it was not approved. The fact was that the bill had not been amended in conformity with the recommendation of the Maritime Administration and the Department of Commerce. That statement was proven by the testimony as given to the committee by Mr. Ford on June 13, 1956.

The Senator from North Carolina was clearly in error when he claimed otherwise in presenting this bill to the Senate.

The Bureau of the Budget, likewise, emphatically objected to this bill.

I fully agree with what the Senator from Washington said a few moments ago that the mere fact that an agency of the Government recommends for or against a bill is not the determining factor as to whether we should vote for or against a measure. I certainly would reserve the right to vote for or against any measure irrespective of recommendations of any agency of the Government. However, the Senator does have every right to be correctly advised of the exact position of the departments on any measure. That was not done in this case.

On July 5 I asked the Senator from North Carolina if the agencies had approved this bill, and he replied:

> I conducted the hearings on the bill. There is no opposition to the bill, except from the Association of American Railroads, which, of course, does not want any competition. The bill had the endorsement of representatives of the Department of Commerce, of the Navy, and of the Maritime Administration.

He further stated:

> Everything in the bill conforms to the wishes of the Department of Commerce, the Department of the Navy, and the Maritime Administration.

Mr. President, I never claimed that the bill did not conform to the wishes of the Navy and the Department of Defense. Nor will the Senator from North Carolina find anything anywhere in the discussion where I referred to the Eisenhower administration as being the objector. I did refer to the Department of Commerce as not being in agreement with the bill, as claimed by the Senator from North Carolina. I repeat, the bill as reported did not conform with the recommendations of the Department of Commerce, notwithstanding the statement of the Senator from North Carolina that—

> Everything in the bill conforms to the wishes of the Department of Commerce, the Department of the Navy, and the Maritime Administration.

The Department of Commerce took exception to two major points in the bill. One was the charter hire, which they said was a hidden subsidy. It would result in an extra operational subsidy to one shipping company for the next 5 years of several million.

The Department of Commerce also took exception to sections 4 and 5. The Department recommended that they be stricken from the bill.

I quote from the statement of Adm. Walter C. Ford, Deputy Maritime Administrator, on behalf of the Maritime Administration and the Department of Commerce, before the Subcommittee on Merchant Marine of the Committee on Interstate and Foreign Commerce on June 13, 1956. This statement appears in the committee records:

> The bill would fix the charter hire for use of the traded-in vessels at the rate of 15 percent of the statutory sales price of the dry-cargo vessels, whereas section 510 provides that the charter hire shall be the reasonable value of the use.

He went on further, and said:

> The provisions of section 510, with respect to trade-in of vessels, are in our opinion reasonable, and in our opinion should govern the trade-in of vessels under the bill. The bill should be amended, therefore, by striking out sections 4 and 5 and renumbering section 6 as section 4.

Reading further:

> We favor the objective of the bill in the interest of rehabilitating domestic ocean-going shipping, and recommend consideration of the amendments herein proposed.

Their endorsement was subject to those amendments whereby sections 4 and 5 would be stricken from the bill. Sections 4 and 5 were not stricken from the bill, as reported to the Senate. I agree with the Department of Commerce that it is unfair to the American taxpayers to pass this bill with sections 4 and 5 in it. The bill as reported would commit the United States Government to buy 20 ships at an average price of $1,600,000, whereas, about 10 or 12 years ago, the company bought these same ships from the Government for about half that price.

I stated that, in my opinion, there could be no justification for any such bill which would permit a company to buy a ship from the Government for $800,000, use the ship for 12 to 15 years, and then make the Government buy the same ship back for $1,600,000. The Senator from North Carolina has a perfect right to his own opinion on this question, however, and I respect his opinion, but still the bill should not be represented as having the approval of the Department of Commerce, when in fact it does not.

I said that if the Senator from North Carolina would accept those two major amendments suggested by the Department of Commerce and Maritime Administration, one striking out sections 4 and 5 and the other rewriting section 1 (e), it would bring the bill in conformity with the Department of Commerce's suggestion. He refused to make these changes.

Mr. President, I do not question the sincerity of the Senator from North Carolina, but I repeat that there was a misunderstanding. This bill was not cleared. Therefore, Mr. President, I think it is proper that the bill go back to the committee and that representatives of the Departments be called before the committee in order that the full membership can be aware of exactly where they stand.

That is what I suggested the other day, and I shall be glad to support his motion to carry out that purpose.

The Senator from North Carolina said the bill might be better understood by the Senator from Delaware had he read the hearings on the bill. Perhaps that is true. But I point out that the bill was considered so urgent by those who were sponsoring it that the Senate was being asked to vote on it prior to the time the hearings had been printed. To my knowledge, those hearings are not available even today. That was one of my complaints.

Mr. ERVIN. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. ERVIN. I assure the Senator that the hearings are available. I made inquiry to ascertain why they had not been printed earlier, and I was told that there was so much work ahead that they could not be printed, but they are available now.

I thank the Senator from Delaware for his assurance that he did not intend to impute to me unworthy motives.

Mr. WILLIAMS. I am glad to reassure the Senator on that point. I do not think anything in my remarks can be so interpreted. I did not intend them to be so interpreted. All that I said was that the bill was not in conformity with the recommendations of the Department of Commerce as it was being claimed. The Senator will agree that there was a misunderstanding and that I was correct; the bill had not been amended in conformity with the recommendations of the Department of Commerce, even though the Senator at that time thought it had.

As to whether some of the agencies have been diligent in informing the Senator from North Carolina accurately as to the facts, I am not in a position to say. But, as he pointed out before, neither of us can debate what someone else has said here or there. All we had to act on then and all we have before us now, is that which appears in the written record; and the only written record which

was before the Senate at that date is the same written record which is before us today; namely, the printed testimony which Admiral Ford, the Deputy Maritime Administrator gave to the committee on June 13.

I support the motion of the Senator from North Carolina to recommit the bill for further study.

Mr. President, I think it might be well to reprint the statement as given to the committee by Admiral Ford on June 13, 1956. I therefore ask unanimous consent to have printed at this point in the RECORD the complete testimony given by Admiral Ford followed by a copy of the bill. This will clearly prove that I was correct when I said that the bill had not been reported to the Senate in conformity with the recommendations of the Department of Commerce.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY WALTER C. FORD, DEPUTY MARITIME ADMINISTRATOR, ON BEHALF OF THE MARITIME ADMINISTRATION AND THE DEPARTMENT OF COMMERCE, BEFORE THE SUBCOMMITTEE ON MERCHANT MARINE OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, UNITED STATES SENATE, ON S. 3877, JUNE 13, 1956

Gentlemen, the bill, S. 3877, would authorize and direct the Secretary of Commerce, during the 2 years after enactment of the bill, to bareboat charter to citizens of the United States 20 named T2 tankers (and any other tankers of this class that may be applied for), in pairs or in multiples of 2, for charter periods of at least 5 years, for use exclusively in the United States coastwise trade except that with the approval of the Secretary of Commerce such vessels may be operated in any other trade for the account of any department or agency of the United States, at annual charter rates of 15 percent of the statutory sales price of the vessels determined under section 3 (d) of the Merchant Ship Sales Act of 1946, but without regard to the floor price of the vessels of 50 percent of their domestic war cost. The bill further provides that the Secretary shall, at the expense of the United States, place each tanker in good operating condition, including class, before it is chartered.

The bill is intended to provide a means for interim operations while constructing new dual-purpose tankers to aid in rehabilitating the domestic coastwise trade, and aid in upgrading the national defense reserve fleet. The bill, however, is too narrow in its application and several of its provisions, including the charter rate and trade-in provisions, are not satisfactory. We recommend that consideration be given to amendments hereinafter proposed.

The Department of Commerce now has 39 tankers under its jurisdiction in the laid-up fleet, including the 20 tankers named in the bill. Of the 20 tankers named in the bill, the Navy has requested the permanent transfer to it of 10 of the T2–SE–A2 tankers because it cannot at present charter tankers at reasonable rates. The bill would not permit the chartering of dry cargo vessels in the laid-up fleet as an inducement to the building of new vessels for the domestic trade. The words "to charter for bareboat use to any citizen of the United States" on line 7, page 1, and all of lines 8 through 10 on page 1, and lines 1 through 6 on page 2, should therefore, be stricken out and a comma and the following substituted therefor: "notwithstanding the provisions of section 11 of the Merchant Ship Sales Act of 1946, as amended, and section 510 (h) of the Merchant Marine Act, 1936, as amended, to bareboat charter to citizens of the United States vessels under his jurisdiction". Line 15, page 2, should be amended by striking out the word "tankers" and substituting the word "vessels". Line 16, page 2, should be amended by inserting after the word "coastwise" the words "or intercoastal".

Section 1 (c) should be amended by striking out of line 15 the words "tankers eligible for charter" and substituting therefor the words "vessel for which he has applied."

Since other applicants might want to charter a vessel for a period of less than 5 years, the bill should be amended by striking out the language contained in section 1 (d) and substituting therefor the following:

"Each charter made under authority of this act shall be for such period as the Secretary of Commerce shall determine."

The charter rate provided in the bill is 15 percent per year of the statutory sales price of the vessel under the Merchant Ship Sales Act of 1946, without regard to the floor price. The statutory sales price of a tanker under the 1946 act is 87½ percent of the prewar domestic cost of a tanker of that type, with certain adjustments including a reduction of 5 percent per annum for depreciation from the date of delivery of the vessel by the builder to date of charter, but the price cannot be reduced by these adjustments below the floor price which is 50 percent of the domestic war cost of vessels of the same type. The adjusted statutory sales price, without regard to the floor price, of a tanker in the reserve fleet selected at random is approximately $790,000; its floor price is approximately $1,500,000; and its unadjusted statutory sales price is approximately $2 million.

The Secretary of Commerce now has limited chartering authority under section 5 of the Merchant Ship Sales Act of 1946, as amended. Charters for operation in domestic trade are made under that section at the rate of 8½ percent of the unadjusted statutory sales price or of the floor price, whichever is higher, with an additional 6½ percent, if earned, and with a recapture provision at such rate as appears reasonable under the circumstances. The charter rate provisions in the 1946 act are in our opinion reasonable. The bill should be amended, therefore, by striking out the language contained in section 1 (e) and substituting therefor the following:

"The charter hire for any vessel chartered under this act shall be determined under section 5 of the Merchant Ship Sales Act of 1946, as amended."

Section 2 of the bill would require the United States to pay the cost of placing the vessels in good operating condition, including class. Some vessels in the reserve fleet are in poor condition and would require extensive repairs, including bulkhead work. The Emergency Ship Repair Act of 1954 directed the Secretary of Commerce to formulate and carry out a program, not exceeding $25 million, of repairing, modernizing, and converting such merchant-type vessels in the national defense reserve as may be necessary to provide an adequate and ready reserve fleet of merchant-type vessels. The purposes of this act were to upgrade the national defense reserve fleet and to place work in shipyards so as to aid in maintaining a proper mobilization base. The bill, S. 3877, would serve the same purposes. The cost of this work, therefore, may be considered a proper charge to the United States. Part and perhaps all of this cost would be offset by the charter hire earned under the bill. Section 2 should be amended to strike out the words "tanker eligible" and substituting the word "vessel."

The bill would require the charterer to place skeleton decks on the chartered vessels. From an engineering standpoint, the fitting of skeleton decks on T2–SE–A1 and T2–SE–A2 type tankers is known to be feasible and practical. It may be, however, that not all applicants would want to make this modification of the vessel, and that they would desire to make other modifications. The bill should be amended, therefore, by striking out the language in section 1 (f) (1) and substituting therefor the following:

"The charterer may, at his own expense, make such modifications of the vessel as the Secretary of Commerce approves."

The bill would require the United States to pay the charterer the cost of the skeleton deck depreciated at the rate of 20 percent per annum, if the vessel should become an actual or constructive total loss or if the charter is terminated without the fault of the charterer. The bill also provides that the Secretary of Commerce can place in the charter such conditions as he deems necessary to protect the interests of the United States. Under this provision, we contemplate that two conditions would be placed in the charter, a requirement that the charterer, at his own expense, insure the vessel, and that the Secretary during a national emergency may terminate the charters on such notice as he shall determine. The insurance would be assigned to the United States and, in the event of actual or total constructive loss of the vessel, would be distributed between the United States and the charterer as their interests may appear. This would be taken care of in the charter. On the other hand, if the United States terminates the charter before the end of the charter period, it seems reasonable to pay the charterer the depreciated cost of the improvement. The bill should be amended, therefore, by striking out the language contained in section 1 (f) (2) and substituting therefor the following:

"If the Secretary of Commerce terminates the charter prior to expiration of the charter period, the United States shall pay the charterer the depreciated cost of any capital improvement he has, with the consent of the Secretary of Commerce, made to the vessel. For the purposes of this subsection, the capital improvement shall be depreciated on a straight-line basis over the period of the charter remaining after the capital improvement is completed."

The bill would restrict the operation of the vessel to the United States coastwise trade except that it could be operated in any other trade for the account of any agency or department of the United States. If the operation of the vessels in the coastwise trade should become unprofitable, this provision might cause the charterer to default, since with the exception noted, it prevents the operation of the vessel in any trade except the coastwise trade. This might prevent the construction of the new vessels. Line 18, page 3, should be amended by striking out the word "tanker" and substituting therefor the word "vessel." Lines 21 and 22 of page 3 should be amended by striking out the words "if such operation is for the account of any department or agency of the United States." This would permit operation of the vessels in any other trade, with the approval of the Secretary of Commerce.

Section 1 (f) (4) should be amended by striking out the word "tanker" in line 24, page 3, and substituting the word "vessel."

Section 3 of the bill requires the charterers to agree to construct new tankers. Since some applicants may desire to construct some other type of vessel, the section should be amended by striking out the first three sentences and substituting therefor the following:

"Each applicant for a charter under this act shall agree that, within a period to be determined by the Secretary of Commerce, he will cause to be constructed in the United States shipyards a vessel or vessels with utility value not substantially less than that of the vessels chartered to him under this act, and that for a period of 10 years after completion of construction, such new vessel or

vessels, except with the approval of the Secretary of Commerce, shall not be operated in any trade other than the United States coastwise or intercoastal trade."

The trade-in provisions of the bill are substantially the same as those contained in section 510 of the Merchant Marine Act, 1936, except—

(1) The bill would fix the trade-in price of the vessels at their world market value for operation under foreign registry, whereas under section 510, scrap value, depreciated value based on a 20-year life, and market value for use in world trade or in the foreign or domestic trade of the United States must be considered in arriving at the trade-in price of the vessels;

(2) The bill would fix the charter hire for use of the traded-in vessels at the rate of 15 percent of the statutory sales price of the dry-cargo vessels, whereas section 510 provides that the charter hire shall be the reasonable value of the use.

The provisions of section 510, with respect to trade-in of vessels, are in our opinion reasonable, and in our opinion should govern the trade-in of vessels under the bill. The bill should be amended, therefore, by striking out sections 4 and 5 and renumbering section 6 as section 4.

We favor the objective of the bill in the interest of rehabilitating domestic oceangoing shipping, and recommend consideration of the amendments herein proposed. Due to the urgency of the matter, we have presented these comments without securing the final advice of the Department of Commerce or the Bureau of the Budget as to the relationship of S. 3877 to the program of the President.

[Matter in black brackets indicates stricken matter; italics indicate new matter]

Be it enacted, etc., That, (a) in order to encourage the construction of new vessels, and to promote the development and rehabilitation of the coastwise trade, the Secretary of Commerce (hereafter in this act referred to as the "Secretary") is authorized [to charter for bareboat use to any citizen of the United States the following T2 SE A2 tankers: Mission De Pala, Mission San Antonio, Mission Capistrano, Mission Santa Cruz, Soubarissen, Mission Loreto, Mission San Luis Rey, Sebec, Mission Dolores, Mission Purisima, Mission San Diego, Mission San Fernando, Mission San Luis Obispo, Mission San Rafael, Mission Santa Ana, Cahaba, and Pamanset, and the following T2 SE A1 tankers: Esso Cumberland, Esso Roanoke and Esso Memphis, and such other T2 SE A1 and T2 SE A2 tankers of this class as may be applied for] *notwithstanding the provisions of section 11 of the Merchant Ship Sales Act of 1946, as amended, and section 510 (h) of the Merchant Marine Act, 1936, as amended, to bareboat charter to citizens of the United States tankers under his jurisdiction.*

(b) As used in this act, the term "citizens of the United States" includes corporations, partnerships, and associations but only those which are citizens of the United States within the meaning of section 2 of the Shipping Act, 1916, as amended.

(c) No charter shall be made under this act with any applicant who does not, in the determination of the Secretary, possess the qualifications necessary to enable him to operate [the] tankers eligible for charter under this act in the United States domestic coastwise trade.

(d) Each charter made under authority of this act shall be for a period of 5 years except that, upon agreement by the Secretary and the applicant, a charter may be made for a longer period.

(e) The charter hire for any tanker chartered under this act shall be at the rate of [15 percent per annum of the statutory sales price of such tanker, computed by the Secretary as of the date of charter in accordance with the provisions of section 3 (d) of the Merchant Ship Sales Act of 1946 (60 Stat. 41) but without regard to the last two sentences of such section 3 (d)] *$150,000.*

(f) [Each charter made under authority of this act shall contain the following conditions] *As additional consideration for making of any charter under this act, the charterer shall, on such terms and conditions as the Secretary deems necessary to protect the interests of the United States, agree to the following:*

(1) The charterer shall, at his expense, install on [the] *each* chartered tanker an upper deck suitable for the carriage of cargo containers [having] *which have* an aggregate capacity of not less than 1,000 tons gross weight. Such installation shall be in accordance with plans and specifications approved by the Secretary *of Commerce and by the Secretary of the Navy.*

(2) [If the charter is terminated prior to expiration for any reason not the fault of the charterer, or the vessel becomes a constructive or actual total loss, the United States shall pay to the charterer the depreciated cost of such deck installation. For the purposes of this subsection, the cost of such deck installation shall be depreciated at the rate of 20 percent per annum] *The charterer must agree that for each two tankers chartered to him under this act the charterer will cause to be constructed in a United States shipyard or shipyards one dual purpose cargo-tankship of not less than 32,000 tons deadweight, designed for the carriage of liquid cargo, equipped with an upper deck suitable for the carriage of cargo in containers, and having a speed of at least 18 knots.*

(3) For a period of 10 years after its construction no cargo-tankship constructed pursuant to this act shall be operated in any trade other than the United States domestic coastwise trade, except that, with the approval of the Secretary, such vessel may be operated in any other trade if such operation is for the account of any department or agency of the United States.

[(3)] (4) The chartered tanker shall be restricted to operation in the United States coastwise trade, except that, with the approval of the Secretary, such vessel may be operated in any other trade if such operation is for the account of any department or agency of the United States.

[(4)] (5) When redelivered to the United States, such chartered tanker shall be in as good operating condition, including class, as when delivered to the charterer, ordinary wear and tear excepted.

[(5)] (6) [Such] *The charter shall contain such* other terms and conditions as the Secretary deems necessary to protect the interests of the United States.

Sec. 2. Tankers shall be chartered under this act only in pairs or multiples of two.

SEC. [2.]3. (a) The Secretary shall place each tanker eligible to be chartered under the provisions of this act in good operating condition, including class, before it is chartered, and the expense thereof shall be that of the United States.

[SEC. 3. Tankers shall be chartered under this act only in pairs or in multiples of two. Each applicant for a charter under this act must agree that for each two tankers chartered to him under this act the applicant will cause to be constructed in a United States shipyard or shipyards one dual purpose cargo tankship of not less than 32,000 tons deadweight, designed for the carriage of liquid cargo, equipped with an upper deck suitable for the carriage of cargo in containers, and having a speed of at least 18 knots. For a period of 10 years after its construction no cargo-tankship constructed pursuant to this act shall be operated in any trade other than the United States domestic coastwise trade. Such agreement shall contain such terms and conditions as the Secretary deems necessary to protect the interests of the United States.]

(b) If the charter is terminated prior to expiration for any reason not the fault of the charterer, the United States shall pay to the charterer the depreciated cost of the deck installation required by section 1 (f) (1). For the purposes of this subsection, the cost of such deck installation shall be depreciated at the rate of 20 percent per annum.

SEC. 4. (a) For each new cargo-tankship to be constructed in accordance with section [3] *1 (f) (2)* of this act the charterer or an affiliate under common ownership with such charterer may trade in to the United States two dry-cargo vessels for an allowance of credit to the charterer. The allowance shall be paid, by the Secretary, on terms and conditions approved by him, to the shipbuilder constructing the new cargo-tankships. To be eligible to be traded in under this section, a dry-cargo vessel must be (1) not less than 1,500 gross tons; (2) not less than 12 years old; (3) a war-built vessel, as defined in section 3 (b) of the Merchant Ship Sales Act of 1946 (60 Stat. 41); (4) owned by a citizen or citizens of the United States; (5) documented under the laws of the United States for not less than 3 years immediately preceding the date of its physical delivery to the United States; (6) a vessel that has been owned by the charterer or an affiliate under common ownership with such charterer for not less than 3 years immediately preceding the date of its physical delivery to the United States; (7) free and clear at the time of title transfer of all liens and encumbrances whatsoever, other than mortgage indebtedness due the United States; and (8) in class satisfactory to the Secretary on the date of its physical delivery to the United States with respect to its hull and machinery. The allowance of credit for a dry-cargo vessel traded in under this act shall be fixed by the Secretary at the time of the signing of the agreement required by section [3] *1 (f) (2)* of this act, at an amount not less than the fair market value for a comparable vessel if such comparable vessel were to be sold at such time of signing for operation under foreign registry or flag. The allowance of credit for such vessel shall be reduced by the amount of any mortgage indebtedness on such vessel due the United States and such indebtedness shall be thereupon discharged. The owner of a vessel being traded in under this section shall have the right to charter such vessel for such period of time as such owner may desire but not beyond the voyage current at the time of the delivery [to such owner] of the new cargo-tankship with respect to which [such owner received] an allowance of credit *has been made* for such dry-cargo vessel. Charter hire for the vessel traded in shall be paid to the Secretary at the rate of 15 percent per annum of the statutory sales price of such vessel, computed at the time of charter in accordance with the provisions of section 3 (d) of the Merchant Ship Sales Act of 1946 (60 Stat. 41).

SEC. 5. No gain shall be recognized to the charterer, or to an affiliate under common ownership with such charterer, for the purpose of Federal income taxes in the case of a trade-in of a dry-cargo vessel to the Secretary under this act. The basis for gain or loss upon a sale or exchange and for depreciation under the applicable Federal [income tax] *income tax* laws of a new cargo-tankship constructed pursuant to this act shall be the same as the basis of the dry-cargo [vessel or the sum of the losses of the dry-cargo] vessels traded in for credit, increased in the amount of the cost of such new cargo-tankship (other than the cost represented by such dry-cargo vessels) and decreased in the amount of loss recognized upon such trade-in.

SEC. 6. No charter shall be made under this act on or after 2 years from the date of enactment of this act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Carolina to recommit the bill.

The motion was agreed to.

AUTHORIZATION TO COMMITTEES TO FILE REPORTS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committees of the Senate may have authorization to file reports during the recess or adjournment of the Senate, following today's session, and that the Committee on Appropriations be authorized to file notices of motions to suspend the rules.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House insisted upon its amendment to the bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SPENCE, Mr. BROWN of Georgia, Mr. PATMAN, Mr. RAINS, Mr. WOLCOTT, Mr. GAMBLE, and Mr. TALLE were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 11683) to authorize permanent appointments in the Armed Forces of the United States, and for other purposes.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5519. An act to authorize and direct the Secretary of the Army to convey certain tracts of land in El Paso County, Tex., to the city of El Paso, Tex., in exchange for certain lands to be conveyed by the city of El Paso, Tex., to the United States Government;

H. R. 9396. An act to amend the Tariff Act of 1930 to place guar seed on the free list;

H. R. 10177. An act to amend the Tariff Act of 1930 to provide that certain lathes used for shoe last roughing or for shoe last finishing may be imported into the United States free of duty;

H. R. 12038. An act to provide increases in service-connected disability compensation and to increase dependency allowances; and

H. R. 12138. An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred as indicated:

H. R. 5519. An act to authorize and direct the Secretary of the Army to convey certain tracts of land in El Paso County, Tex., to the city of El Paso, Tex., in exchange for certain lands to be conveyed by the city of El Paso, Tex., to the United States Government; to the Committee on Armed Services.

H. R. 9396. An act to amend the Tariff Act of 1930 to place guar seed on the free list;

H. R. 10177. An act to amend the Tariff Act of 1930 to provide that certain lathes used for shoe last roughing or for shoe last finishing may be imported into the United States free of duty; and

H. R. 12038. An act to provide increases in service-connected disability compensation and to increase dependency allowances; to the Committee on Finance.

H. R. 12138. An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes; to the Committee on Appropriations.

EXTENSION OF TIME FOR FILING REPORT BY THE SUBCOMMITTEE ON DISARMAMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2459, Senate Resolution 286.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 286) providing for an additional extension of time for filing a report by the Subcommittee on Disarmament.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, the resolution extends the time for the filing of a report by the Subcommittee on Disarmament, from July 1, 1956, to January 31, 1957. The resolution also strikes out "$35,000" and substitutes in lieu thereof "$67,000."

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. ELLENDER. What is the purpose of extending the time? As I recall, when the resolution was before the Senate sometime ago, it was expected that the hearings would be concluded and a report made at the time originally stated.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. KNOWLAND. The resolution was reported from the Committee on Foreign Relations with the unanimous recommendation of Senators on both sides of the table. I raised questions with the distinguished Senator from Minnesota in the committee, because, in connection with the making of his case for the need of additional time, certain hearings have been held, information has been gathered, and reports have been made. But I think he established his case, to the satisfaction of Senators on both sides of the table in the Committee on Foreign Relations, that it would be wise to continue the resolution until the convening of the next Congress.

I specifically raised the question as to whether the termination of the subcommittee could be expected at that time. I received assurances that the extension of time which is now sought would provide the staff with time in which to submit a final report on the matter.

Mr. HUMPHREY of Minnesota. That is correct.

Mr. KNOWLAND. It was on that basis that the resolution was unanimously reported.

Mr. ELLENDER. Is it necessary to hold more hearings?

Mr. HUMPHREY of Minnesota. A substantial number of staff studies in cooperation with the Library of Congress are being completed. The studies have been very valuable sources of information, not only to public groups but also to Government agencies. We are working very closely with the Department of State, the Department of Defense, and with Mr. Stassen's office.

Furthermore, some hearings have been scheduled for November and December of this year in some States where our colleagues have indicated that university and other interested groups desire hearings.

Moreover, an interim report of the first 6 months of the Committee's activities is now being completed. A final report will be ready in the latter part of December.

I wish to give one further assurance to the Senator from Louisiana. The subcommittee is asking for additional funds, but the subcommittee has been very careful in the use of its funds. We expect to have a carryover, but we do not want to be caught short, so to speak, particularly while Congress is not in session. I can assure the Senator that the most careful economy is practiced in the use of the funds.

Mr. KNOWLAND. Mr. President, will the Senator from Minnesota yield at that point?

Mr. HUMPHREY of Minnesota. I yield.

Mr. KNOWLAND. At this time discussions are in progress at the United Nations and in other places relative to the whole problem. I think it is extremely important, partcularly when Congress is not in session, that an arm of Congress and an arm of the Committee on Foreign Relations be in a position to follow very closely the negotiations dealing with this important subject matter.

Mr. ELLENDER. Can the Senator from Minnesota give assurance that with this fund a final report will be made?

Mr. HUMPHREY of Minnesota. That is correct. That was the assurance which was made to the distinguished minority leader and the other members of the committee.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 286) was agreed to, as follows:

Resolved, That Senate Resolution 185, extending the time for filing a report by the Subcommittee on Disarmament, Eighty-fourth Congress, second session, agreed to February 8, 1956, is hereby amended as follows:

(a) In section 2, strike out "July 1, 1956", and substitute in lieu thereof "January 31, 1957".

(b) In section 3, strike out "July 1, 1956", and substitute in lieu thereof "January 31, 1957".

(c) In section 4, strike out "$35,000" and substitute in lieu thereof "$67,000".

SOCIAL SECURITY AMENDMENTS OF 1956

Mr. JOHNSON of Texas Mr President. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2156, H. R. 7225.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who had attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

The PRESIDING OFFICER (Mr. PASTORE in the chair). Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Finance with amendments.

Mr. BYRD. Mr. President, I ask unanimous consent that the committee amendments to the pending bill be agreed to en bloc; and that the bill as so amended be considered as original text for the purpose of amendment.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Is there objection?

The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 1, line 4, after the word "of", to strike out "1955" and insert "1956"; on page 2, after line 2, to strike out:

"CONTINUATION OF CHILD'S INSURANCE BENEFITS FOR CHILDREN WHO ARE DISABLED BEFORE ATTAINING AGE 18

"SEC. 101. (a) Section 202 (d) (1) of the Social Security Act (relating to child's insurance benefits) is amended by striking out 'or attains the age of 18' and inserting in lieu thereof 'attains the age of 18 and is not under a disability (as defined in section 223 (c) (2) and determined under section 221) which began before the day on which he attained such age, or ceases to be under a disability (as so defined and determined) on or after the day on which he attains the age of 18'."

And, in lieu thereof, to insert:

"CHILD'S INSURANCE BENEFITS FOR CHILDREN WHO ARE DISABLED BEFORE ATTAINING AGE 18

"SEC. 101. (a) Section 202 (d) (1) of the Social Security Act is amended to read as follows:

"'(1) Every child (as defined in section 216 (e)) of an individual entitled to old-age insurance benefits, or of an individual who died a fully or currently insured individual after 1939, if such child—

"'(A) has filed application for child's insurance benefits,

"'(B) at the time such application was filed was unmarried and either (i) had not attained the age of 18, or (ii) was under a disability (as defined in section 223) which began before he attained the age of 18, and

"'(C) was dependent upon such individual at the time such application was filed, or, if such individual has died, was dependent upon such individual at the time of such individual's death,

shall be entitled to a child's insurance benefit for each month, beginning with the first month after August 1950 in which such child becomes so entitled to such insurance benefits and ending with the month preceding the first month in which any of the following occurs: such child dies, marries, is adopted (except for adoption by a stepparent, grandparent, aunt, or uncle subsequent to the death of such fully or currently insured individual), attains the age of 18 and is not under a disability (as defined in section 223) which began before he attained such age, or ceases to be under a disability (as so defined) on or after the day on which he attains age 18.'

"(b) (1) Paragraphs (3), (4), and (5) of section 202 (d) of such act are each amended by striking out 'A child' wherever it appears and inserting in lieu thereof 'A child who has not attained the age of 18.'

"(2) Section 202 (d) of such act is further amended by adding at the end thereof the following new paragraph:

"'(6) A child who has attained the age of eighteen and who is under a disability (as defined in section 223) which began before he attained the age of eighteen shall be deemed dependent upon his natural or adopting father, his natural or adopting mother, his stepfather, or his stepmother at the time specified in paragraph (1) (C) if the child—

"'(A) was or would, upon filing an application therefor, have been entitled to a child's insurance benefit on the basis of the wages and self-employment income of such father, mother, stepfather, or stepmother for any month before the month in which he attained the age of eighteen, or

"'(B) was, at the time specified in (1) (C), receiving at least one-half of his support from such father, mother, stepfather, or stepmother.'

"(c) Section 202 (h) (1) of such act (relating to parent's benefits) is amended by striking out 'or an unmarried child under the age of eighteen deemed dependent on such individual under subsection (d) (3), (4), or (5)' and inserting in lieu thereof 'an unmarried child under the age of eighteen deemed dependent on such individual under subsection (d) (3), (4), or (5), or an unmarried child who has attained the age of eighteen and is under a disability (as defined in section 223) which began before he attained such age and who is deemed dependent on such individual under subsection (d) (6)'."

On page 5, at the beginning of line 4, to strike out "(b)" and insert "(d)"; at the beginning of line 10, to strike out "(c)" and insert "(e)"; in line 16, after the word "child", to strike out "In the case of any child who has attained the age of eighteen and is entitled to child's insurance benefits, no" and insert "No"; in line 20, after the word "which", to strike out "he" and insert "the child entitled to such benefit"; at the beginning of line 22, to strike out "(d)" and insert "(f)"; at the beginning of line 25, to strike out "(e)" and insert "(g)"; on page 6, after line 19, to insert:

"(h) (1) Title II of such act is amended by inserting after section 222 the following new sections:

"'DEFINITION OF DISABILITY FOR PURPOSES OF CHILD'S INSURANCE BENEFITS

"'SEC. 223. For purposes of sections 202 (d) and 225, the term "disability" means inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration. An individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required.

"'REDUCTION OF BENEFITS BASED ON DISABILITY

"'SEC. 224. (a) If—

"'(1) any individual is entitled to a child's insurance benefit for the month in which he attained the age of eighteen or any subsequent month, and

"'(2) either (A) it is determined by any agency of the United States under any other law of the United States or under a system established by such agency that a periodic benefit is payable by such agency for such month to such individual, and the amount of or eligibility for such periodic benefit is based (in whole or in part) on a physical or mental impairment of such individual, or (B) it is determined that a periodic benefit is payable for such month to such individual under a workmen's compensation law or plan of a State on account of a physical or mental impairment of such individuals,

then such child's insurance benefit shall be reduced (but not below zero) by an amount equal to such periodic benefit or benefits for such month. If the periodic benefit or benefits referred to in paragraph (2) exceed such child's insurance benefit, the monthly benefit for such month to which an individual is entitled under subsection (b) or (g) of section 202 shall also be reduced (but not below zero) by the amount of such excess, but only if such individual would not be entitled to such monthly benefit if she did not have such child in her care (individually or jointly with her husband, in the case of a wife).

"'(b) If any periodic benefit referred to in subsection (a) (2) is determined to be payable on other than a monthly basis (excluding a benefit payable in a lump sum unless it is a commutation of, or a substitute for, periodic payments), reduction of the benefits under this section shall be made at such time or times and in such amounts as the Secretary finds will approximate, as nearly as practicable, the reduction prescribed in subsection (a).

"'(c) In order to assure that the purposes of this section will be carried out, the Secretary may, as a condition to certification for payment of any monthly insurance benefit payable to an individual under this title (if it appears to him that such individual may be eligible for a periodic benefit which would give rise to a reduction under this section), require adequate assurance of reimbursement to the Trust Fund in case periodic benefits, with respect to which such a reduction should be made, become payable to such individual and such reduction is not made.

"'(d) Any agency of the United States which is authorized by any law of the United States to pay periodic benefits, or has a system of periodic benefits, which are based in whole or in part on physical or mental impairment, shall (at the request of the Secretary) certify to him, with respect to any individual, such information as the Secretary deems necessary to carry out his functions under subsection (a).

"'(e) For purposes of this section, the term "agency of the United States" means any department or other agency of the United States or any instrumentality which is wholly owned by the United States.

"'SUSPENSION OF BENEFITS BASED ON DISABILITY

"'SEC. 225. If the Secretary, on the basis of information obtained by or submitted to him, believes that a child who has attained the age of 18 and is entitled to benefits under section 202 (d) may have ceased to be under a disability, the Secretary may suspend the payment of benefits under such section until it is determined (as provided in section 221) whether or not such individual's disability has ceased or until the Secretary believes that such disability has not ceased. In the case of any individual whose disability is subject to determination under an agreement with a State under section 221 (b), the Secretary shall promptly notify the appropriate State of his action under this subsection and shall request a prompt determination of whether such individual's disability has ceased. For purposes of this section, the term "disability" has the meaning assigned to such term in section 223.'

"(2) Section 222 of such act is amended to read as follows:

"'REHABILITATION SERVICES

"'*Referral for rehabilitation services*

"'SEC. 222. (a) It is hereby declared to be the policy of the Congress that disabled individuals applying for a determination of disability, and disabled individuals who are entitled to child's insurance benefits, shall

be promptly referred to the State agency or agencies administering or supervising the administration of the State plan approved under the Vocational Rehabilitation Act for necessary vocational rehabilitation services, to the end that the maximum number of such individuals may be rehabilitated into productive activity.

"'*Deductions on account of refusal to accept rehabilitation services*

"'(b) Deductions, in such amounts and at such time or times as the Secretary shall determine, shall be made from any payment or payments under this title to which an individual is entitled, until the total of such deductions equals such individual's benefit or benefits under section 202 for any month in which such individual, if a child who has attained the age of 18 and is entitled to child's insurance benefits, refuses without good cause to accept rehabilitation services available to him under a State plan approved under the Vocational Rehabilitation Act. Any individual who is a member or adherent of any recognized church or religious sect which teaches its members or adherents to rely solely, in the treatment and cure of any physical or mental impairment, upon prayer or spiritual means through the application and use of the tenets or teachings of such church or sect, and who, solely because of his adherence to the teachings or tenets of such church or sect, refuses to accept rehabilitation services available to him under a State plan approved under the Vocational Rehabilitation Act, shall, for the purposes of the preceding sentence of this subsection, be deemed to have done so with good cause.

"'*Services performed under rehabilitation program*

"'(c) For the purpose of sections 216 (i) and 223, an individual shall not be regarded as able to engage in substantial gainful activity solely by reason of services rendered by him pursuant to a program for his rehabilitation carried on under a State plan approved under the Vocational Rehabilitation Act. This subsection shall not apply with respect to any such services rendered after the 11th month following the first month during which such services are rendered.'

"(3) (A) So much of section 215 (g) of such Act (relating to rounding of benefits) as appears within parentheses is amended by striking out 'section 203 (a)' and inserting in lieu thereof 'sections 203 (a) and 224.'

"(B) The first sentence of section 216 (i) (1) of such act (defining 'disability' for purposes of preserving insurance rights during periods of disability) is amended by striking out 'The' at the beginning and inserting in lieu thereof 'Except for purposes of sections 202 (d), 223, and 225, the'.

"(C) The first sentence of section 221 (a) of such act (relating to determinations of disability by State agencies) is amended by striking out '(as defined in section 216 (i))' and inserting in lieu thereof '(as defined in section 216 (i) or 223)'.

"(D) Section 221 (c) of such act (relating to review by Secretary of determinations of disability) is amended by striking out 'a disability' the two places it appears and inserting in lieu thereof 'a disability (as defined in section 216 (i) or 223)' the first place it appears and 'a disability (as so defined)' the second place it appears."

On page 12, after line 23, to strike out:

"(f) The amendment made by subsection (a) shall apply only in the case of a child (as defined in section 216 (e) of the Social Security Act) who attained the age of 18 after 1953, and then only with respect to monthly benefits under section 202 of such act for months after December 1955; except that—

"(1) in the case of such a child whose entitlement (without regard to the amendment made by subsection (a), but with regard to the last sentence of this subsection) to child's insurance benefits under such section 202 ended with a month before January 1956 solely by reason of having attained the age of 18, such amendment shall apply—

"(A) only if an application for monthly insurance benefits by reason of such amendment is filed by such child after the month in which this act is enacted and such child is under a disability (as defined in section 223 (c) (2) of the Social Security Act and determined as provided in section 221 of such act) at the time he files such application, and

"(B) only with respect to such benefits for months after whichever of the following is the later: December 1955 or the month before the month in which such application was filed, and

"(2) for purposes of title II of such act (other than section 202 (d) (1)), a child referred to in paragraph (1) of this subsection shall not, by reason of the amendment made by subsection (a), be deemed entitled to child's insurance benefits before the month determined as provided in paragraph (1) (B) of this subsection.

For purposes of the amendment made by subsection (a), and for purposes of applying this subsection, a child who attained the age of 18 after 1953 and before 1956 and who did not file application for child's insurance benefits under section 202 of such act before he attained such age shall be deemed to have filed an application for child's insurance benefits under such section on the last day of the month preceding the month in which he attained such age."

And, in lieu thereof, to insert:

"(i) (1) The amendments made by this section, other than subsection (c), shall apply with respect to monthly benefits under section 202 of the Social Security Act for months after August 1956, but only, except as provided in paragraph (2), on the basis of an application filed after August 1956. For purposes of title II of the Social Security Act, as amended by this act, an application for wife's, child's, or mother's insurance benefits under such title II filed, by reason of this paragraph, by an individual who was entitled to benefits prior to, but not for, August 1956 and whose entitlement terminated as a result of a child's attainment of age 18 shall be treated as the application referred to in subsection (b), (d), and (g), respectively, of section 202 of such act.

"(2) In the case of an individual who was entitled, without the application of subsection (j) (1) of such section 202, to a child's insurance benefit under subsection (d) of such section for August 1956, such amendments shall apply with respect to benefits under such section 202 for months after August 1956.

"(3) The amendment made by subsection (c) shall apply in the case of benefits under section 202 (h) of the Social Security Act based on the wages and self-employment income of an individual who dies after August 1956."

On page 15, after line 12, to strike out:

"RETIREMENT AGE FOR WOMEN

"SEC. 102. (a) Section 216 (a) of the Social Security Act is amended to read as follows:

"'*Retirement age*

"'(a) The term "retirement age" means—

"'(1) in the case of a man, age 65, or

"'(2) in the case of a woman age 62.'

"(b) (1) Except as provided in paragraphs (2) and (4), the amendment made by subsection (a) shall apply only in the case of monthly benefits under title II of the Social Security Act for months after December 1955 and in the case of lump-sum death payments under section 202 (i) of such act with respect to deaths after December 1955.

"(2) In the case of any individual whose entitlement to wife's or mother's insurance benefits under section 202 of the Social Security Act (as in effect prior to the enactment of this act) ended with a month before January 1956, the amendment made by subsection (a) shall apply, for purposes of subsection (b) or (e) of such section 202, only in the case of monthly benefits under such subsection for months after December 1955 and then only if an application is filed by such individual after December 1955.

"(3) For purposes of section 215 (b) (3) (B) of the Social Security Act (but subject to paragraph (1) of this subsection)—

"(A) a woman who attained age 62 prior to 1956 and who was not eligible for old-age insurance benefits under section 202 of such act (as in effect prior to the enactment of this act) for any month prior to 1956 shall be deemed to have attained age 62 in 1956 or, if earlier, the year in which she died;

"(B) a woman shall not, by reason of the amendment made by subsection (a), be deemed to be a fully insured individual before January 1956 or the month in which she died, whichever month is the earlier; and

"(C) the amendment made by subsection (a) shall not be applicable in the case of any woman who was eligible for old-age insurance benefits under such section 202 for any month prior to 1956.

A woman shall, for purposes of this paragraph, be deemed eligible for old-age insurance benefits under section 202 of such act for any month if she was or would have been, upon filing application therefor in such month, entitled to such benefits for such month.

"(4) For purposes of section 209 (i) of such act, the amendment made by subsection (a) shall apply only with respect to remuneration paid after December 1955."

And, in lieu thereof, to insert:

"WIDOW'S INSURANCE BENEFITS AT AGE 62

"SEC. 102. (a) Section 202 (e) (1) of the Social Security Act (relating to widow's insurance benefits) is amended by striking out 'retirement age' wherever it appears in such section and inserting in lieu thereof 'age 62.'

"(b) (1) Except as provided in paragraph (2), the amendments made by subsection (a) shall apply in the case of monthly benefits under title II of the Social Security Act for months after August 1956 on the basis of applications filed after August 1956.

"(2) If an individual was entitled to wife's or mother's insurance benefits under section 202 of the Social Security Act for August 1956, or any month thereafter, the amendment made by subsection (a) shall apply, for purposes of subsection (e) of such section 202, in the case of monthly benefits under such subsection for months after August 1956."

On page 18, after line 4, to strike out:

"DISABILITY INSURANCE BENEFITS FOR CERTAIN DISABLED INDIVIDUALS WHO HAVE ATTAINED AGE 50

"SEC. 103. (a) Title II of the Social Security Act is amended by inserting after section 222 the following new sections:

"'*Disability insurance benefit payments*

"'Disability Insurance Benefits

"'SEC. 223. (a) (1) Every individual who—

"'(A) is insured for disability insurance benefits (as determined under subsection (c) (1)),

"'(B) has attained the age of 50 and has not attained retirement age (as defined in section 216 (a)),

"'(C) has filed application for disability insurance benefits, and

"'(D) is under a disability (as defined in subsection (c) (2) and determined under section 221) at the time such application is filed,

shall be entitled to a disability insurance benefit for each month, beginning with the first month after his waiting period (as defined in subsection (c) (3)) in which he becomes so entitled to such insurance benefits and ending with the month preceding the

first month in which any of the following occurs: his disability ceases, he dies, or he attains retirement age.

"'(2) Such individual's disability insurance benefit for any month shall be equal to his primary insurance amount for such month determined under section 215 as though he became entitled to old-age insurance benefits in the first month of his waiting period.

"'Filing of Application

"'(b) No application for disability insurance benefits which is filed more than 9 months before the first month for which the applicant becomes entitled to such benefits shall be accepted as a valid application for purposes of this section; and no such application which is filed in or before the month in which the Social Security Amendments of 1955 are enacted shall be accepted.

"'Definitions

"'(c) For purposes of this section—

"'(1) An individual shall be insured for disability insurance benefits in any month if—

"'(A) he would have been a fully and currently insured individual (as defined in section 214) had he attained retirement age and filed application for benefits under section 202 (a) on the first day of such month, and

"'(B) he had not less than 20 quarters of coverage during the 40-quarter period ending with the quarter in which such first day occurred, not counting as part of such 40-quarter period any quarter any part of which was included in a period of disability (as defined in section 216 (i)) unless such quarter was a quarter of coverage.

"'(2) The term "disability" means inability to engage in any substantial gainful activity by reason of any medically determinably physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration. An individual shall not be considered to be under a disability unless he furnishes such proof of the existence thereof as may be required.

"'(3) The term "waiting period" means, in the case of any application for disability insurance benefits, the earliest period of six consecutive calendar months.

"'(A) throughout which the individual who files such application has been under a disability, and

"'(B) (i) which begins not earlier than with the first day of the sixth month before the month in which such application is filed if such individual is insured for disability insurance benefits in such sixth month, or (ii) if he is not so insured in such month, which begins not earlier than with the first day of the first month after such sixth month in which he is so insured.

Notwithstanding the preceding provisions of this paragraph, no waiting period may begin for any individual before July 1, 1955; nor may any such period begin for any individual before the first day of the sixth month before the month in which he attains the age of 50.

"'REDUCTION OF BENEFITS BASED ON DISABILITY

"'SEC. 224. (a) If—

"'(1) any individual is entitled to a disability insurance benefit for any month, or to a child's insurance benefit for the month in which he attained the age of 18 or any subsequent month, and

"'(2) either (A) it is determined under any other law of the United States or under a system established by any agency of the United States (as defined in subsection (e)) that a periodic benefit is payable by any agency of the United States for such month to such individual, and the amount of or eligibility for such periodic benefit is based (in whole or in part) on a physical or mental impairment of such individual, or (B) it is determined that a periodic benefit is payable for such month to such individual under a workmen's compensation law or plan of a State on account of a physical or mental impairment of such individual,

then the benefit referred to in paragraph (1) shall be reduced (but not below zero) by an amount equal to such periodic benefit or benefits for such month. If such benefit referred to in paragraph (1) for any month is a child's insurance benefit and the periodic benefit or benefits referred to in paragraph (2) exceed such child's insurance benefit, the monthly benefit for such month to which an individual is entitled under subsection (b) or (g) of section 202 shall be reduced (but not below zero) by the amount of such excess, but only if such individual would not be entitled to such monthly benefit if she did not have such child in her care (individually or jointly with her husband, in the case of a wife).

"'(b) If any periodic benefit referred to in subsection (a) (2) is determined to be payable on other than a monthly basis (excluding a benefit payable in a lump sum unless it is a commutation of, or a substitute for, periodic payments), reduction of the benefits under this section shall be made in such amounts as the Secretary finds will approximate, as nearly as practicable, the reduction prescribed in subsection (a).

"'(c) In order to assure that the purposes of this section will be carried out, the Secretary may, as a condition to certification for payment of any monthly insurance benefit payable to an individual under this title (if it appears to him that there is a likelihood that such individual may be eligible for a periodic benefit which would give rise to a reduction under this section), require adequate assurance of reimbursement to the Trust Fund in case periodic benefits, with respect to which such a reduction should be made, become payable to such individual and such reduction is not made.

"'(d) Any agency of the United States which is authorized by any law of the United States to pay periodic benefits, or has a system of periodic benefits, which are based in whole or in part on physical or mental impairment, shall (at the request of the Secretary) certify to him, with respect to any individual, such information as the Secretary deems necessary to carry out his functions under subsection (a).

"'(e) For purposes of this section, the term "agency of the United States" means any department or other agency of the United States or any instrumentality which is wholly owned by the United States.

"'SUSPENSION OF BENEFITS BASED ON DISABILITY

"'SEC. 225. If the Secretary, on the basis of information obtained by or submitted to him, believes that an individual entitled to benefits under section 223, or that a child who has attained the age of 18 and is entitled to benefits under section 202 (d), may have ceased to be under a disability, the Secretary may suspend the payment of benefits under such section 223 or 202 (d) until it is determined (as provided in section 221) whether or not such individual's disability has ceased or until the Secretary believes that such disability has not ceased. In the case of any individual included under an agreement with a State under section 221 (b), the Secretary shall promptly notify the State of his action under this subsection and shall request a prompt determination of whether such individual's disability has ceased. For purposes of this section, the term "disability" has the meaning assigned to such term in section 223 (c) (2).'

"(b) Section 222 of such act is amended to read as follows:

"'REHABILITATION SERVICES

"*'Referral for rehabilitation services*

"'SEC. 222. (a) It is hereby declared to be the policy of the Congress that disabled individuals applying for a determination of disability, and disabled individuals who are entitled to child's insurance benefits, shall be promptly referred to the State agency or agencies administering or supervising the administration of the State plan approved under the Vocational Rehabilitation Act for necessary vocational rehabilitation services, to the end that the maximum number of such individuals may be rehabilitated into productive activity.

"*'Deductions on account of refusal to accept rehabilitation services*

"'(b) Deductions, in such amounts and at such time or times as the Secretary shall determine, shall be made from any payment or payments under this title to which an individual is entitled, until the total of such deductions equals such individual's benefit or benefits under sections 202 and 223 for any month in which such individual, if a child who has attained the age of 18 and is entitled to child's insurance benefits or if an individual entitled to disability insurance benefits, refuses without good cause to accept rehabilitation services available to him under a State plan approved under the Vocational Rehabilitation Act.

"*'Service performed under rehabilitation program*

"'(c) For purposes of sections 216 (i) and 223, an individual shall not be regarded as able to engage in substantial gainful activity solely by reason of services rendered by him pursuant to a program for his rehabilitation carried on under a State plan approved under the Vocational Rehabilitation Act. This subsection shall not apply with respect to any such services rendered after the 11th month following the 1st month during which such services are rendered.'

"(c) (1) Section 202 (a) (3) of such act (relating to old-age insurance benefits) is amended to read as follows:

"'(3) has filed application for old-age insurance benefits or was entitled to disability insurance benefits for the month preceding the month in which he attained retirement age,'.

"(2) Section 202 (k) (2) (B) of such act (relating to entitlement to more than one benefit) is amended by striking out 'who under the preceding provisions of this section' and inserting in lieu thereof 'who, under preceding provisions of this section and under the provisions of section 223,'.

"(3) Section 202 (n) (1) (A) of such act (relating to denial of benefits in certain cases of deportation) is amended by inserting 'or section 223' after 'this section.'

"(4) Section 215 (a) of such act (relating to computation of the primary insurance amount) is amended by adding at the end thereof the following new paragraph:

"'(3) Notwithstanding paragraphs (1) and (2), in the case of any individual who in the month before the month in which he attains retirement age or dies, whichever first occurs, was entitled to a disability insurance benefit, his primary insurance amount shall be the amount computed as provided in this section (without regard to this paragraph) or his disability insurance benefit for such earlier month, whichever is the larger.'

"(5) Section 215 (g) of such act (relating to rounding of benefits) is amended by striking out 'section 202' and inserting in lieu thereof 'section 202 or 223.'

"(6) The first sentence of section 216 (i) (1) of such act (defining 'disability' for purposes of preserving insurance rights during periods of disability) is amended by striking out 'The' at the beginning and inserting in lieu thereof 'Except for purposes of sections 202 (d), 223, and 225, the.'

"(7) The first sentence of section 221 (a) of such act (relating to determinations of disability by State agencies) is amended by striking out '(as defined in section 216

(i))' and inserting in lieu thereof '(as defined in section 216 (i) or 223 (c))'.

"(8) Section 221 (c) of such act (relating to review by Secretary of determinations of disability) is amended by striking out 'a disability' the two places it appears and inserting in lieu thereof 'a disability (as defined in section 216 (i) or 223 (c))' the first place it appears and 'a disability (as so defined)' the second place it appears.

"(d) (1) The amendment made by subsection (a) shall apply only with respect to monthly benefits under title II of the Social Security Act for months after December 1955.

"(2) For purposes of determining entitlement to a disability insurance benefit for any month after December 1955 and before June 1956, an application for disability insurance benefits filed by any individual after January 1956 and before July 1956 shall be deemed to have been filed during the first month after December 1955 for which such individual would (without regard to this paragraph) have been entitled to a disability insurance benefit had he filed application before the end of such month."

On page 28, after line 7, to strike out:

"SERVICE IN CONNECTION WITH GUM RESIN PRODUCTS

"SEC. 104. (a) Section 210 (a) (1) of the Social Security Act is amended to read as follows:

"'(1) Service performed by foreign agricultural workers (A) under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended, or (B) lawfully admitted to the United States from the Bahamas, Jamaica, and the other British West Indies on a temporary basis to perform agricultural labor;'."

After line 17, to insert:

"FOREIGN AGRICULTURAL WORKERS

"SEC. 103. (a) Section 210 (a) (1) (B) of the Social Security Act is amended to read as follows:

"'(B) Service performed by foreign agricultural workers (i) under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended, or (ii) lawfully admitted to the United States from the Bahamas, Jamaica, and the other British West Indies, or from any foreign country or possession thereof, on a temporary basis to perform agricultural labor;'."

On page 29, after line 2, to strike out:

"EMPLOYEES OF FEDERAL HOME LOAN BANKS AND OF THE TENNESSEE VALLEY AUTHORITY

"(b) (1) Section 210 (a) (6) (B) (ii) of such act is amended by inserting 'a Federal Home Loan Bank,' after 'a Federal Reserve Bank,'.

"(2) Section 210 (a) (6) (C) (vi) of such act is amended to read as follows:

"'(vi) by any individual to whom the Civil Service Retirement Act of 1930 does not apply because such individual is subject to another retirement system (other than the retirement system of the Tennessee Valley Authority);'."

At the beginning of line 16, to strike out "(c)" and insert "(b)"; on page 31, at the beginning of line 8, to strike out "(d)" and insert "(c)"; in line 11, after the word "a", to strike out "physician (determined without regard to section 1101 (a) (7)) or as a" and insert "doctor of medicine, doctor of osteopathy, or"; after line 15, to insert:

"CERTAIN STATE AND LOCAL EMPLOYEES

"(d) Section 218 (d) (6) of such act is amended by adding at the end thereof the following new sentences: 'For the purposes of this subsection, any retirement system established by the State of Georgia, Indiana, New York, North Dakota, Pennsylvania, Tennessee, Washington, Wisconsin, or the Territory of Hawaii, or any political subdivision of any such State or Territory, which, on, before, or after the date of enactment of this sentence is divided into two divisions or parts, one of which is composed of positions of members of such system who desire coverage under an agreement under this section and the other of which is composed of positions of members of such system who do not desire such coverage, shall, if the State or Territory so desires and if it is provided that there shall be included in such division or part composed of members desiring such coverage the positions of individuals who became members of such system after such coverage is extended, be deemed to be a separate retirement system with respect to each such division or part. The position of any individual which is covered by any retirement system to which the preceding sentence is applicable shall, if such individual is ineligible to become a member of such system on the date of enactment of such sentence or, if later, the day he first occupies such position, be deemed to be covered by the separate retirement system consisting of the positions of members of the division or part who do not desire coverage under the insurance system established under this title. For the purposes of this subsection, in the case of any retirement system of the State of Georgia, North Dakota, Pennsylvania, Washington, or the Territory of Hawaii which covers positions of employees of such State or Territory who are compensated in whole or in part from grants made to such State or Territory under title III of the Social Security Act, there shall be deemed to be, if such State or Territory so desires, a separate retirement system with respect to any of the following: (A) the positions of such employees; (B) the positions of all employees of such State or Territory covered by such retirement system who are employed in the department of such State or Territory in which the employees referred to in clause (A) are employed; or (C) employees of such State or Territory covered by such retirement system who are employed in such department of such State or Territory in positions other than those referred to in clause (A).'

"CERTAIN NONPROFESSIONAL SCHOOL DISTRICT EMPLOYEES

"(e) Notwithstanding the provisions of subsection (d) of section 218 of the Social Security Act, any agreement under such section entered into prior to the date of enactment of this act by the State of Nevada, New Mexico, Oklahoma, Pennsylvania, Texas, Washington, or the Territory of Hawaii shall if the State or Territory concerned so requests, be modified prior to July 1, 1957, so as to apply to services performed by employees of the respective public-school districts of such State or Territory who, on the date such agreement is made applicable to such services, are not in positions the incumbents of which are required by State or Territorial law or regulation to have valid State or Territorial teachers' or administrators' certificates in order to receive pay for their services. The provisions of this subsection shall not apply to services of any such employees to which any such agreement applies without regard to this subsection.

"POLICEMEN AND FIREMEN IN THE STATES OF NORTH CAROLINA, SOUTH CAROLINA, AND SOUTH DAKOTA

"(f) Section 218 of such act is amended by adding at the end thereof the following new subsection:

"'(p) Any agreement with the State of North Carolina, South Carolina, or South Dakota entered into pursuant to this section prior to the date of enactment of this subsection may, notwithstanding the provisions of subsection (d) (5) (A) and the references thereto in subsections (d) (1) and (d) (3), be modified pursuant to subsection (c) (4) to apply to service performed by employees of such State or any political subdivision thereof in any policeman's or fireman's position covered by a retirement system in effect on or after the date of the enactment of this subsection, but only upon compliance with the requirements of subsection (d) (3). For the purposes of the preceding sentence, a retirement system which covers positions of policemen or firemen, or both, and other positions shall, if the State concerned so desires, be deemed to be a separate retirement system with respect to the positions of such policemen or firemen, or both, as the case may be.'

"MINISTERS

"(g) Paragraph (7) (B) of section 211 (a) of the Social Security Act is amended to read as follows:

"'(B) a citizen of the United States performing service described in subsection (c) (4) as an employee of an American employer (as defined in section 210 (e)) or as a minister in a foreign country who has a congregation which is composed predominantly of citizens of the United States.'"

On page 35, after line 10, to strike out:

"(e) The amendments made by paragraph (1) of subsection (c) shall apply with respect to service performed after 1954. The amendments made by paragraphs (2) and (3) of such subsection shall apply with respect to taxable years ending after 1954. The amendments made by subsections (a) and (b) shall apply with respect to service performed after 1955. The amendment made by subsection (d) shall apply with respect to taxable years ending after 1955."

And, in lieu thereof, to insert:

"(h) The amendments made by paragraph (1) of subsection (b) shall apply with respect to service performed after 1954. The amendment made by paragraph (3) of such subsection shall apply with respect to taxable years ending after 1954. The amendment made by paragraph (2) of such subsection shall apply with respect to taxable years ending after 1955. The amendment made by subsection (a) shall apply with respect to service performed after 1956. The amendment made by subsection (c) shall apply with respect to taxable years ending after 1955. The amendment made by subsection (g) shall apply with respect to the same taxable years with respect to which the amendment made by section 201 (e) of this act applies."

On page 36, after line 9, to insert:

"AMENDMENTS WITH RESPECT TO AGRICULTURAL LABOR

"SEC. 104. (a) Paragraph (2) of subsection (h) of section 209 of the Social Security Act is amended to read as follows:

"'(2) Cash remuneration paid by an employer in any calendar year to an employee for agricultural labor unless (A) the cash remuneration paid in such year by the employer to the employee for such labor is $200 or more, or (B) the employee performs agricultural labor for the employer on 30 days or more during such year for cash remuneration computed on a time basis;'

"(b) Section 210 of such act is amended by adding at the end thereof the following new subsection:

"'*Crew leader*

"'(m) The term "crew leader" means an individual who furnishes individuals to perform agricultural labor for another person, if such individual pays (either on his own behalf or on behalf of such person) the individuals so furnished by him for the agricultural labor performed by them and if such individual has not entered into a written agreement with such person whereby such individual has been designated as an employee of such person; and such individuals furnished by the crew leader to perform agricultural labor for another person shall be deemed to be the employees of such crew leader. A crew leader shall, with respect to services performed in furnishing individuals to perform agricultural labor for another person and service performed as a

member of the crew, be deemed not to be an employee of such other person.'

"(c) Section 213 (a) (2) (B) (iv) of such act (relating to quarters of coverage) is amended by striking out 'if such wages are less than $2000' and inserting in lieu thereof 'if such wages equal or exceed $100 but are less than $200.'

"(d) The amendment made by subsection (a) of this section shall apply with respect to remuneration paid after 1956, and the amendment made by subsection (b) of this section shall apply with respect to service performed after 1956.

On page 37, after line 20, to insert:

"COMPUTATION OF SELF-EMPLOYMENT INCOME BY FARM OPERATORS

"Sec. 105. (a) Subsection (a) of section 211 of the Social Security Act is amended by striking out the last two sentences and inserting in lieu thereof the following: 'In the case of any trade or business which is carried on by an individual or by a partnership and in which, if such trade or business were carried on exclusively by employees, the major portion of the services would constitute agricultural labor as defined in section 210 (f)—

"'(i) in the case of an individual, if the gross income derived by him from such trade or business is not more than $1,200, the net earnings from self-employment derived by him from such trade or business may, at his option, be deemed to be the gross income derived by him from such trade or business; or

"'(ii) in the case of an individual, if the gross income derived by him from such trade or business is more than $1,200 and the net earnings from self-employment derived by him from such trade or business (computed under this subsection without regard to this sentence) are less than $1,200, the net earnings from self-employment derived by him from such trade or business may, at his option, be deemed to be $1,200; and

"'(iii) in the case of a member of a partnership, if his distributive share of the gross income of the partnership derived from such trade or business (after such gross income has been reduced by the sum of all payments to which section 707 (c) of the Internal Revenue Code of 1954 applies) is not more than $1,200, his distributive share of income described in section 702 (a) (9) of such code derived from such trade or business may, at his option, be deemed to be an amount equal to his distributive share of the gross income of the partnership derived from such trade or business (after such gross income has been so reduced); or

"'(iv) in the case of a member of a partnership, if his distributive share of the gross income of the partnership derived from such trade or business (after such gross income has been reduced by the sum of all payments to which section 707 (c) of the Internal Revenue Code of 1954 applies) is more than $1,200 and his distributive share (whether or not distributed) of income described in section 702 (a) (9) of such code derived from such trade or business (computed under this subsection without regard to this sentence) is less than $1,200, his distributive share of income described in such section 702 (a) (9) derived from such trade or business may, at his option, be deemed to be $1,200.

For purposes of the preceding sentence, gross income means—

"'(v) in the case of any such trade or business in which the income is computed under a cash receipts and disbursements method, the gross receipts from such trade or business reduced by the cost or other basis of property which was purchased and sold in carrying on such trade or business, adjusted (after such reduction) in accordance with the provisions of paragraphs (1) through (7) of this subsection; and

"'(vi) in the case of any such trade or business in which the income is computed under an accrual method, the gross income from such trade or business, adjusted in accordance with the provisions of paragraphs (1) through (7) of this subsection; and, for purposes of such sentence, if an individual (including a member of a partnership) derives gross income from more than one such trade or business, such gross income (including his distributive share of the gross income of any partnership derived from any such trade or business) shall be deemed to have been derived from one trade or business.'

"(b) The amendment made by subsection (a) shall be effective with respect to taxable years ending after 1956."

On page 40, at the beginning of line 20, to change the section number from "105" to "106"; on page 41, after line 5, to insert:

"ALTERNATIVE INSURED STATUS

"Sec. 107. Section 214 (a) (3) of the Social Security Act is amended to read as follows:

"'(3) In the case of any individual who did not die prior to January 1, 1955, the term "fully insured individual" means any individual who meets the requirements of paragraph (2) and, in addition, any individual with respect to whom all but 4 of the quarters elapsing after 1954 and prior to (i) July 1, 1957, or (ii) if later, the quarter in which he attained retirement age or died, whichever first occurred, are quarters of coverage, but only if not fewer than 6 of such quarters so elapsing are quarters of coverage.'"

After line 17, to insert:

"DROPOUT OF 5 YEARS OF LOW EARNINGS

"Sec. 108. (a) Section 215 (b) (4) of the Social Security Act is amended by striking out the last sentence and by striking out 'four' in the first sentence and inserting in lieu thereof 'five.'

"(b) The amendment made by subsection (a) shall apply in the case of monthly benefits under section 202 of the Social Security Act, and the lump-sum death payment under such section, based on the wages and self-employment income of an individual—

"(1) who becomes entitled to benefits under subsection (a) of such section on the basis of an application filed on or after the date of enactment of this act; or

"(2) who is (but for the provisions of subsection (f) (6) of section 215 of the Social Security Act) entitled to a recomputation of his primary insurance amount under subsection (f) (2) (A) of such section 215 based on an application filed on or after the date of enactment of this act; or

"(3) who dies without becoming entitled to benefits under subsection (a) of such section 202 and no individual was entitled to survivor's benefits and no lump-sum death payment was payable under such section 202 on the basis of an application filed prior to such date of enactment; or

"(4) who dies on or after such date of enactment and whose survivors are (but for the provisions of subsection (f) (6) of such section 215) entitled to a recomputation of his primary insurance amount under subsection (f) (4) (A) of such section 215; or

"(5) who dies prior to such date of enactment and (A) whose survivors are (but for the provisions of subsection (f) (6) of such section 215) entitled to a recomputation of his primary insurance amount under subsection (f) (4) (A) of such section 215, and (B) on the basis of whose wages and self-employment income no individual was entitled to survivor's benefits under such section 202, and no lump-sum death payment was payable under such section, on the basis of an application filed prior to such date of enactment and no individual was entitled to such a benefit, without the filing of an application for the month in which this act is enacted or any month prior thereto."

On page 43, after line 10, to insert:

"SPECIAL STARTING AND CLOSING DATES FOR CERTAIN INDIVIDUALS

"Sec. 109. In the case of an individual who died or became (without the application of section 202 (j) (1) of the Social Security Act) entitled to old-age insurance benefits in 1957 and with respect to whom not less than six of the quarters elapsing after 1955 and prior to the quarter following the quarter in which he died or became entitled to old-age insurance benefits, whichever first occurred, are quarters of coverage, his primary insurance amount shall be computed under section 215 (a) (1) (A) of such act, with a starting date of December 31, 1955, and a closing date of July 1, 1957, but only if it would result in a higher primary insurance amount. For the purposes of section 215 (f) (3) (C) of such act, the determination of an individual's closing date under the preceding sentence shall be considered as a determination of the individual's closing date under section 215 (b) (3) (A) of such act, and the recomputation provided for by such section 215 (f) (3) (C) shall be made using July 1, 1957, as the closing date, but only if it would result in a higher primary insurance amount. In any such computation on the basis of a July 1, 1957, closing date, the total of his wages and self-employment income after December 31, 1956, shall, if it is in excess of $2,100, be reduced to such amount."

On page 44, after line 10, to insert:

"TIME LIMITATION ON FILING REQUESTS FOR HEARING

"Sec. 110. (a) Section 205 (b) if the Social Security Act is amended by striking out the second sentence and inserting in lieu thereof the following: 'Upon request by any such individual or upon request by a wife, widow, former wife divorced, husband, widower, child, or parent who makes a showing in writing that his or her rights may be prejudiced by any decision the Secretary has rendered, he shall give such applicant and such other individual reasonable notice and opportunity for a hearing with respect to such decision, and, if a hearing is held, shall, on the basis of evidence adduced at the hearing, affirm, modify, or reverse his findings of fact and such decision. Any such request with respect to such a decision must be filed within such period after such decision as may be prescribed in regulations of the Secretary, except that the period so prescribed may not be less than 6 months after notice of such decision is mailed to the individual making such request.'

"(b) The amendment made by subsection (a) shall be effective upon enactment; except that the period of time prescribed by the Secretary pursuant to the third sentence of section 205 (b) of the Social Security Act, as amended by subsection (a) of this section, with respect to decisions notice of which has been mailed by him to any individual prior to the enactment of this act may not terminate for such individual less than 6 months after the date of enactment of this act."

On page 45, after line 12, to insert:

"EARNINGS TEST FOR BENEFICIARIES IN ACTIVE MILITARY OR NAVAL SERVICE OVERSEAS

"Sec. 111. (a) Section 203 (e) (4) (C) of the Social Security Act is amended by inserting 'or performed outside the United States in the active military or naval service of the United States' after 'performed within the United States by the individual as an employee'.

"(b) The first sentence of section 203 (k) of such act is amended by inserting 'and are not performed in the active military or naval service of the United States' after 'if he performs services outside the United States as an employee and such services do not con-

stitute employment as defined in section 210'.

"(c) The amendments made by subsections (a) and (b) shall be applicable with respect to taxable years ending after 1955."

On page 46, after line 3, to insert:

"EFFECT OF REMARRIAGE IN CASE OF CERTAIN WIDOWS

"SEC. 112. Section 202 (e) of the Social Security Act is amended by adding after paragraph (2) the following new paragraph:

"'(3) In the case of any widow of an individual—

"'(A) who marries another individual, and

"'(B) whose marriage to the individual referred to in subparagraph (A) is terminated by his death but she is not his widow (as defined in section 216 (c)),

the marriage to the individual referred to in clause (A) shall, for purposes of paragraph (1), be deemed not to have occurred. No benefits shall be payable under this subsection by reason of the preceding sentence for any month prior to whichever of the following is the latest: (i) the month in which the death referred to in subparagraph (B) of the preceding sentence occurs, (ii) the 12th month before the month in which such widow files application for purposes of this paragraph, or (iii) September 1956.'"

On page 46, after line 21, to insert:

"EXTENSION OF PERIOD FOR FILING PROOF OF SUPPORT AND APPLICATIONS FOR LUMP-SUM DEATH PAYMENT

"SEC. 113. (a) Section 202 of the Social Security Act is amended by inserting after subsection (n) the following new subsection:

"'(o) In any case in which there is a failure—

"'(1) to file proof of support under subparagraph (D) of subsection (c) (1), clause (i), or (ii) of subparagraph (E) of subsection (f) (1), or subparagraph (B) of subsection (h) (1), or under clause (B) of subsection (f) (1) of this section as in effect prior to the Social Security Act Amendments of 1950 within the period prescribed by such subparagraph or clause, or

"'(2) to file, in the case of a death after 1946, application for a lump-sum death payment under subsection (i), or under subsection (g) of this section as in effect prior to the Social Security Act Amendments of 1950, within the period prescribed by such subsection,

and it is shown to the satisfaction of the Secretary that there was good cause for failure to file such proof or application, as the case may be, within such period, such proof or application shall be deemed to have been filed within such period if it is filed within 2 years following such period or within 2 years following August 1956, whichever is later. The determination of what constitutes good cause for purposes of this subsection shall be made in accordance with regulations of the Secretary.'

"(b) The amendment made by subsection (a) shall apply in the case of lump-sum death payments under title II of the Social Security Act, and monthly benefits under such title for months after August 1956, based on applications filed after August 1956."

On page 48, line 7, to change the section number from "106" to "114"; on page 50, at the beginning of line 22, to strike out "who becomes entitled to benefits under section 223 of such Act, or (4)"; on page 51, line 4, to change the section number from "107" to "115"; on page 53, after line 5, to insert:

"INVESTMENT OF TRUST FUND

"SEC. 116. Section 201 (c) of the Social Security Act is amended by striking out the fourth and succeeding sentences and inserting in lieu thereof the following: 'The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of public-debt obligations for purchase by the trust fund. Such obligations issued for purchase by the trust fund shall have maturities fixed with due regard for the needs of the trust fund and bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt that are not due or callable until after the expiration of 5 years from the date of original issue; except that where such average rate is not a multiple of one-eighth of 1 percent, the rate of interest of such obligations shall be the multiple of one-eighth of 1 percent nearest such average rate. Such obligations shall be issued for purchase by the trust fund only if the managing trustee determines that the purchase in the market of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.'"

On page 54, after line 6, to insert:

"CORRECTION OF RECORDS OF SELF-EMPLOYMENT INCOME

"SEC. 117. Section 205 (c) (5) of the Social Security Act is amended by striking out 'in excess of the amount which has been deleted pursuant to this subparagraph as payments erroneously included in such records as wages paid to such individual in such taxable year in subparagraph (F), striking out 'or' at the end of subparagraph (H), striking out the period at the end of subparagraph (I) and inserting in lieu thereof '; or', and adding after subparagraph (I) the following new subparagraph:

"'(J) to include self-employment income for any taxable year, up to, but not in excess of, the amount of wages deleted by the Secretary as payments erroneously included in such records as wages paid to such individual, if such income (or net earnings from self-employment), not already included in such records as self-employment income, is included in a return or statement (referred to in subparagraph (F)) filed before the expiration of the time limitation following the taxable year in which such deletion of wages is made.'"

On page 55, after line 2, to insert:

"SUSPENSION OF BENEFITS OF ALIENS WHO ARE OUTSIDE THE UNITED STATES

"SEC. 118. Section 202 of the Social Security Act is amended by adding after subsection (o) (added by section 113 of this act) the following new subsection:

"*'Suspension of benefits of aliens who are outside the United States*

"'(p) (1) Notwithstanding any other provision of this title, no monthly benefits shall be paid under this section to any individual who is not a citizen or national of the United States for any month after the third consecutive calendar month during all of which the Secretary finds, on the basis of information furnished to him by the Attorney General or information which otherwise comes to his attention, that such individual is outside the United States and prior to the first month thereafter for all of which such individual has been in the United States, unless such individual is a citizen of a foreign country which the Secretary finds has in effect a social insurance or pension system which is of general application in such country, under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death, and under which individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country for periods of 3 months or longer.

"'(2) No person who is, or upon application would be, entitled to a monthly benefit under this section for June 1956 shall be deprived, by reason of paragraph (1), of such benefit or any other benefit based on the wages and self-employment income of the individual on whose wages and self-employment income such monthly benefit for June 1956 is based.

"'(3) If an individual is outside the United States when he dies and no benefit may, by reason of paragraph (1), be paid to him for the month preceding the month in which he dies, no lump-sum death payment may be made on the basis of such individual's wages and self-employment income.

"'(4) Subsections (b) and (c) of section 203 shall not apply with respect to any individual for any month for which no monthly benefit may be paid to him by reason of paragraph (1) of this subsection.

"'(5) The Attorney General shall certify to the Secretary such information regarding aliens who depart from the United States to any foreign country (other than a foreign country which is territorially contiguous to the United States) as may be necessary to enable the Secretary to carry out the purposes of this subsection and shall otherwise aid, assist, and cooperate with the Secretary in obtaining such other information as may be necessary to enable the Secretary to carry out the purposes of this subsection.'"

On page 57, line 5, to change the section number from "108" to "119"; in line 12, to change the section number from "109" to "120"; in line 14, after the word "thereof", to strike out "1855" and insert "1956"; after line 14, to strike out:

"(b) Section 5 (f) (2) of the Railroad Retirement Act of 1937, as amended, is amended—

"(1) by striking out 'age 65' each place it appears and inserting in lieu thereof 'retirement age (as defined in section 216 (a) of the Social Security Act)'; and

"(2) by striking out 'section 202' each place it appears and inserting in lieu thereof 'title II'."

And in lieu thereof to insert:

"(b) Section (5) (f) (2) of the Railroad Retirement Act of 1937, as amended, is amended by inserting '(age 62 in the case of a widow)' after 'age 65' each place it appears therein."

On page 58, line 6, after "(a)", to insert "(1)"; after line 16, to insert:

"(2) The table of sections for such subchapter is amended by adding at the end thereof:

"'Sec. 3113. District of Columbia credit unions.'"

After line 18, to strike out:

"STANDBY PAY

"(b) Section 3121 (a) (9) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(9) any payment (other than vacation or sick pay) made to an employee after the month in which—

"'(A) in the case of a man, he attains the age of 65, or

"'(B) in the case of a woman, she attains the age of 62,

if such employee did not work for the employer in the period for which such payment is made; or'.

"SERVICE IN CONNECTION WITH GUM RESIN PRODUCTS

"(c) Section 3121 (b) (1) of such Code is amended to read as follows:

"'(1) service performed by foreign agricultural workers (A) under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended (65 Stat. 119; 7 U. S. C. 1461–1468), or (B) lawfully admitted to the United States from the Bahamas, Jamaica, and the other British West

Indies on a temporary basis to perform agricultural labor'."

On page 59, after line 16, to insert:

"FOREIGN AGRICULTURAL WORKERS

"(b) Section 3121 (b) (1) (B) of such Code is amended to read as follows:

"'(B) service performed by foreign agricultural workers (i) under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended (65 Stat. 119; 7 U. S. C. 1461–1468), or (ii) lawfully admitted to the United States from the Bahamas, Jamaica, and the other British West Indies, or from any foreign country or possession thereof, on a temporary basis to perform agricultural labor; '."

On page 60, after line 3, to strike out:

"EMPLOYEES OF FEDERAL HOME LOAN BANKS AND OF THE TENNESSEE VALLEY AUTHORITY

"(d) (1) Section 3121 (b) (6) (B) (ii) of such code is amended by inserting 'a Federal home loan bank,' after 'a Federal Reserve bank,'.

"(2) Section 3121 (b) (6) (C) (vi) of such code is amended to read as follows:

"'(vi) by any individual to whome the Civil Service Retirement Act of 1930 (46 Stat. 470; 5 U. S. C. 693) does not apply because such individual is subject to another retirement system (other than the retirement system of the Tennessee Valley Authority);'."

In line 18, to change the subsection letter from "(e)" to "(c)"; on page 62, line 10, to change the subsection letter from "(f)" to "(d)"; in line 13, after the word "a", to strike out "physician or as a" and insert "doctor of medicine, doctor of osteopathy, or"; after line 16, to insert:

"MINISTERS

"(e) Paragraph (8) (B) of section 1402 (a) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(B) a citizen of the United States performing service described in subsection (c) (4) as an employee of an American employer (as defined in sec. 3121 (h)) or as a minister in a foreign country who has a congregation which is composed predominantly of citizens of the United States'."

On page 63, after line 2, to insert:

"AMENDMENTS WITH RESPECT TO AGRICULTURAL LABOR

"(f) (1) Paragraph (8) (B) of section 3121 (a) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(B) cash remuneration paid by an employer in any calendar year to an employee for agricultural labor unless (i) the cash remuneration paid in such year by the employer to the employee for such labor is $200 or more, or (ii) the employee performs agricultural labor for the employer on 30 days or more during such year for cash remuneration computed on a time basis;'

"(2) Section 3121 of such code is amended by adding at the end thereof the following new subsection:

"'(m) Crew leader: For purposes of this chapter, the term "crew leader" means an individual who furnishes individuals to perform agricultural labor for another person, if such individual pays (either on his own behalf or on behalf of such person) the individuals so furnished by him for the agricultural labor performed by them and if such individual has not entered into a written agreement with such person whereby such individual has been designated as an employee of such person; and such individuals furnished by the crew leader to perform agricultural labor for another person shall be deemed to be the employees of such crew leader. For purposes of this chapter and chapter II, a crew leader shall, with respect to service performed in furnishing individuals to perform agricultural labor for another person and service performed as a member of the crew, be deemed not to be an employee of such other person.'

"(3) Section 3102 (a) of such code is amended by striking out '$100' in the last sentence thereof, and inserting in lieu thereof '$200 and the employee has not performed agricultural labor for the employer on 30 days or more in the calendar year for cash remuneration computed on a time basis'."

On page 64, after line 13, to insert:

"COMPUTATION OF SELF-EMPLOYMENT INCOME BY FARM OPERATORS

"(g) Subsection (a) of section 1402 of the Internal Revenue Code of 1954 is amended by striking out the last two sentences thereof and inserting in lieu thereof the following: 'In the case of any trade or business which is carried on by an individual or by a partnership and in which, if such trade or business were carried on exclusively by employees, the major portion of the services would constitute agricultural labor as defined in section 3121 (g)—

"'(i) in the case of an individual, if the gross income derived by him from such trade or business is not more than $1,200, the net earnings from self-employment derived by him from such trade or business may, at his option, be deemed to be the gross income derived by him from such trade or business; or

"'(ii) in the case of an individual, if the gross income derived by him from such trade or business is more than $1,200 and the net earnings for self-employment derived by him from such trade or business (computed under this subsection without regard to this sentence) are less than $1,200, the net earnings from self-employment derived by him from such trade or business may, at his option, be deemed to be $1,200; and

"'(iii) in the case of a member of a partnership, if his distributive share of the gross income of the partnership derived from such trade or business (after such gross income has been reduced by the sum of all payments to which section 707 (c) applies) is not more than $1,200, his distributive share of income described in section 702 (a) (9) derived from such trade or business may, at his option, be deemed to be an amount equal to his distributive share of the gross income of the partnership derived from such trade or business (after such gross income has been so reduced); or

"'(iv) in the case of a member of a partnership, if his distributive share of the gross income of the partnership derived from such trade or business (after such gross income has been reduced by the sum of all payments to which section 707 (c) applies) is more than $1,200 and his distributive share (whether or not distributed) of income described in section 702 (a) (9) derived from such trade or business (computed under this subsection without regard to this sentence) is less than $1,200, his distributive share of income described in section 702 (a) (9) derived from such trade or business may, at his option, be deemed to be $1,200.

"'For purposes of the preceding sentence, gross income means—

"'(v) in the case of any such trade or business in which the income is computed under a cash receipts and disbursements method, the gross receipts from such trade or business reduced by the cost or other basis of property which was purchased and sold in carrying on such trade or business, adjusted (after such reduction) in accordance with the provisions of paragraphs (1) through (7) of this subsection; and

"'(vi) in the case of any such trade or business in which the income is computed under an accrual method, the gross income from such trade or business, adjusted in accordance with the provisions of paragraphs (1) through (7) of this subsection;

and, for purposes of such sentence, if an individual (including a member of a partnership) derives gross income from more than one such trade or business, such gross income (including his distributive share of the gross income of any partnership derived from any such trade or business) shall be deemed to have been derived from one trade or business.'"

On page 67, after line 10, to insert:

"FOREIGN SUBSIDIARIES

"(h) Subparagraph (A) of paragraph (8) of section 3121 (l) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(A) a foreign corporation not less than 20 percent of the voting stock of which is owned by such domestic corporation; or',"

In line 20, to change the subsection letter from "(g)" to "(i)"; in line 22, after "January 1", to strike out "1958" and insert "1959"; on page 68, line 3, to change the subsection letter from "(h)" to "(j)"; after line 10, to insert:

"(k) (1) The amendments made by subsection (a) and paragraph (1) of subsection (f) shall apply with respect to remuneration paid after 1956. The amendments made by subsection (b) and paragraph (2) of subsection (f) shall apply with respect to service performed after 1956. The amendments made by paragraph (1) of subsection (c) shall apply with respect to service performed after 1954. The amendment made by paragraph (3) of such subsection shall apply with respect to taxable years ending after 1954. The amendments made by paragraph (2) of such subsection and by subsection (d) shall apply with respect to taxable years ending after 1955. The amendment made by subsection (g) shall apply with respect to taxable years ending after 1956. The amendmade by subsection (j) shall apply with respect to certificates filed after 1956 under section 3121 (k) of the Internal Revenue Code of 1954.

"(2) (A) Except as provided in subparagraph (B), the amendment made by subsection (e) shall apply only with respect to taxable years ending after 1956.

"(B) Any individual who, for a taxable year ending after 1954 and prior to 1957, had income which by reason of the amendment made by subsection (e) would have been included within the meaning of 'net earnings from self-employment' (as such term is defined in section 1402 (a) of the Inernal Revenue Code of 1954), if such income had been derived in a taxable year ending after 1956 by an individual who had filed a waiver certificate under section 1402 (e) of such code, may elect to have the amendment made by subsection (e) apply to his taxable years ending after 1954 and prior to 1957. No election made by any individual under this subparagraph shall be valid unless such individual has filed a waiver certificate under section 1402 (e) of such code prior to the making of such election or files a waiver certificate at the time he makes such election.

"(C) Any individual described in subparagraph (B) who has filed a waiver certificate under section 1402 (e) of such code prior to the date of enactment of this act, or who files a waiver certificate under such section on or before the due date of his return (including any extension thereof) for his last taxable year ending prior to 1957, must make such election on or before the due date of his return (including any extension thereof) for his last taxable year ending prior to 1957, or before April 16, 1957, whichever is the later.

"(D) Any individual described in subparagraph (B) who has not filed a waiver certificate under section 1402 (e) of such code on or before the due date of his return (including any extension thereof) for his last taxable year ending prior to 1957 must make such election on or before the due date of his return (including any extension thereof) for his first taxable year ending after 1956. Any individual described in this subparagraph whose period for filing a waiver cer-

tificate under section 1402 (e) of such code has expired at the time he makes such election may, notwithstanding the provisions of paragraph (2) of such section, file a waiver certificate at the time he makes such election.

"(E) An election under subparagraph (B) shall be made in such manner as the Secretary of the Treasury or his delegate shall prescribe by regulations. Notwithstanding the provisions of paragraph (3) of section 1402 (e) of such code, the waiver certificate filed by an individual who makes an election under subparagraph (B) (regardless of when filed) shall be effective for such individual's first taxable year ending after 1954 in which he had income which by reason of the amendment made by subsection (e) would have been included within the meaning of "net earnings from self-employment" (as such term is defined in section 1402 (a) of such code), if such income had been derived in a taxable year ending after 1956 by an individual who had filed a waiver certificate under section 1402 (e) of such code, or for the taxable year prescribed by such paragraph (3) of section 1402 (e), if such taxable year is earlier, and for all succeeding taxable years.

"(F) No interest or penalty shall be assessed or collected for failure to file a return within the time prescribed by law, if such failure arises solely by reason of an election made by an individual under subparagraph (B), or for any underpayment of the tax imposed by section 1401 of such code arising solely by reason of such election, for the period ending with the date such individual makes an election under subparagraph (B).

"(3) Any tax under chapter 2 of the Internal Revenue Code of 1954 which is due, solely by reason of the enactment of subsection (d), or paragraph (2) of subsection (c), of this section, for any taxable year ending on or before the date of the enactment of this act shall be considered timely paid if payment is made in full on or before the last day of the sixth calendar month following the month in which this act is enacted. In no event shall interest be imposed on the amount of any tax due under such chapter solely by reason of the enactment of subsection (d), or paragraph (2) of subsection (c), of this section for any period before the day after the date of enactment of this act."

On page 72, after line 4, to strike out:

"(i) (1) The amendments made by subsections (a) and (b) shall apply with respect to remuneration paid after 1955. The amendments made by subsection (c) and (d) shall apply with respect to service performed after 1955. The amendments made by paragraph (1) of subsection (c) shall apply with respect to service performed after 1954. The amendments made by paragraphs (2) and (3) of such subsection shall apply with respect to taxable years ending after 1954. The amendment made by subsection (f) shall apply with respect to taxable years ending after 1955. The amendment made by subsection (h) shall apply with respect to certificates filed after 1955 under section 3121 (k) of the Internal Revenue Code of 1954.

"(2) Any tax under chapter 2 of the Internal Revenue Code of 1954 which is due, solely by reason of the enactment of paragraph (2) of subsection (c) of this section, for any taxable year ending on or before the date of the enactment of this act shall be considered timely paid if payment is made in full on or before the last day of the sixth calendar month following the month in which this act is enacted. In no event shall interest be imposed on the amount of any tax due under such chapter solely by reason of the enactment of paragraph (2) of subsection (c) of this section for any period before the day after the date of the enactment of this act."

On page 73, after line 4, to strike out:

"CHANGES IN TAX SCHEDULES

"SEC. 202. (a) Section 1401 of the Internal Revenue Code of 1954 is amended to read as follows:

"'SEC. 1401. Rate of tax.

"'In addition to other taxes, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax as follows:

"'(1) in the case of any taxable year beginning after December 31, 1955, and before January 1, 1960, the tax shall be equal to 3¾ percent of the amount of the self-employment income for such taxable year;

"'(2) in the case of any taxable year beginning after December 31, 1959, and before January 1, 1965, the tax shall be equal to 4½ percent of the amount of the self-employment income for such taxable year;

"'(3) in the case of any taxable year beginning after December 31, 1964, and before January 1, 1970, the tax shall be equal to 5¼ percent of the amount of the self-employment income for such taxable year;

"'(4) in the case of any taxable year beginning after December 31, 1969, and before January 1, 1975, the tax shall be equal to 6 percent of the amount of the self-employment income for such taxable year;

"'(5) in the case of any taxable year beginning after December 31, 1974, the tax shall be equal to 6¾ percent of the amount of the self-employment income for such taxable year.'

"(b) Section 3101 of such code is amended to read as follows:

"'SEC. 3101. Rate of tax.

"'In addition to other taxes, there is hereby imposed on the income of every individual a tax equal to the following percentages of the wages (as defined in section 3121 (a)) received by him with respect to employment (as defined in section 3121 (b))—

"'(1) with respect to wages received during the calendar years 1956 to 1959, both inclusive, the rate shall be 2½ percent;

"'(2) with respect to wages received during the calendar years 1960 to 1964, both inclusive, the rate shall be 3 percent;

"'(3) with respect to wages received during the calendar years 1965 to 1969, both inclusive, the rate shall be 3½ percent;

"'(4) with respect to wages received during the calendar years 1970 to 1974, both inclusive, the rate shall be 4 percent;

"'(5) with respect to wages received after December 31, 1974, the rate shall be 4½ percent.'

"(c) Section 3111 of such code is amended to read as follows:

"'SEC. 3111. Rate of tax.

"'In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in section 3121 (a)) paid by him with respect to employment (as defined in section 3121 (b))—

"'(1) with respect to wages paid during the calendar years 1956 to 1959, both inclusive, the rate shall be 2½ percent;

"'(2) with respect to wages paid during the calendar years 1960 to 1964, both inclusive, the rate shall be 3 percent;

"'(3) with respect to wages paid during the calendar years 1965 to 1969, both inclusive, the rate shall be 3½ percent;

"'(4) with respect to wages paid during the calendar years 1970 to 1974, both inclusive, the rate shall be 4 percent;

"'(5) with respect to wages paid after December 31, 1974, the rate shall be 4½ percent.'

"(d) The amendment made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1955. The amendments made by subsections (b) and (c) shall apply with respect to remuneration paid after December 31, 1955."

On page 76, after line 7, to insert:

"TITLE III—PUBLIC ASSISTANCE AMENDMENTS

"Declaration of purpose

"SEC. 300. It is the purpose of this title (a) to promote the health of the Nation by assisting States to extend and broaden their provisions for meeting the costs of medical care for persons eligible for public assistance by providing for separate matching of assistance expenditures for medical care, (b) to reduce dependency and promote the well-being of the Nation by encouraging the States to place greater emphasis on helping to strengthen family life and helping needy families and individuals attain the maximum economic and personal independence of which they are capable, (c) to assist in improving the administration of public assistance programs (1) through making grants and contracts, and entering into jointly financed cooperative arrangements, for research or demonstration projects and (2) through Federal-State programs of grants to institutions and traineeships and fellowships so as to provide training of public welfare personnel, thereby securing more adequately trained personnel, and (d) to improve aid to dependent children."

On page 77, after line 4, to insert:

"PART I—MATCHING OF ASSISTANCE EXPENDITURES FOR MEDICAL CARE

"Medical care for old-age assistance recipients

"SEC. 301. (a) Clauses (1) and (2) of section 3 (a) of the Social Security Act are each amended by striking out 'during such quarter as old-age assistance under the State plan' and inserting in lieu thereof 'during such quarter as old-age assistance in the form of money payments under the State plan'.

"(b) Section 3 (a) (1) (A) of such act is amended by striking out 'who received old-age assistance for such month' and inserting in lieu thereof 'who received old-age assistance in the form of money payments for such month'.

"(c) Section 3 (a) of such act is further amended by inserting the following new clause immediately before the period at the end thereof: ', and (4) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as old-age assistance under the State plan in the form of medical or any other type of remedial care (including expenditures for insurance premiums for such care or the cost thereof), not counting so much of such expenditure for any month as exceeds the product of $8 multiplied by the total number of individuals who received old-age assistance under the State plan for such month'."

On page 78, after line 3, to insert:

"MEDICAL CARE FOR RECIPIENTS OF AID TO DEPENDENT CHILDREN

"SEC. 302. (a) Clauses (1) and (2) of section 403 (a) of the Social Security Act are each amended by striking out 'during such quarter as aid to dependent children under the State plan' and inserting in lieu thereof 'during such quarter as aid to dependent children in the form of money payments under the State plan.'

"(b) Section 403 (a) (1) (A) of such act is amended by striking out 'with respect to whom aid to dependent children is paid for such month' and inserting in lieu thereof 'with respect to whom aid to dependent children in the form of money payments is paid for such month.'

"(c) Section 403 (a) of such act is further amended by inserting the following new clause immediately before the period at the end thereof: '; and (4) in the case of any State, an amount equal to one-half of the total of the sums expended during such

quarter as aid to dependent children under the State plan in the form of medical or any other type of remedial care (including expenditures for insurance premiums for such care or the cost thereof), not counting so much of such expenditure for any month as exceeds (A) the product of $4 multiplied by the total number of dependent children who received aid to dependent children under the State plan for such month plus (B) except in the case of Puerto Rico and the Virgin Islands, the product of $8 multiplied by the total number of other individuals who received aid to dependent children under the State plan for such month.'"

On page 79, after line 7, to insert:

"MEDICAL CARE FOR RECIPIENTS OF AID TO THE BLIND

"SEC. 303. (a) Clauses (1) and (2) of section 1003 (a) of the Social Security Act are each amended by striking out 'during such quarter as aid to the blind under the State plan' and inserting in lieu thereof 'during such quarter as aid to the blind in the form of money payments under the State plan.'

"(b) Section 1003 (a) (1) (A) of such act is amended by striking out 'who received aid to the blind for such month' and inserting in lieu thereof 'who received aid to the blind in the form of money payments for such month.'

"(c) Section 1003 (a) of such act is further amended by inserting the following new clause immediately before the period at the end thereof: '; and (4) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as aid to the blind under the State plan in the form of medical or any other type of remedial care (including expenditures for insurance premiums for such care or the cost thereof), not counting so much of such expenditure for any month as exceeds the product of $8 multiplied by the total number of individuals who received aid to the blind under the State plan for such month'."

On page 80, after line 4, to insert:

"MEDICAL CARE FOR RECIPIENTS OF AID TO PERMANENTLY AND TOTALLY DISABLED

"SEC. 304. (a) Clauses (1) and (2) of section 1403 (a) of the Social Security Act are each amended by striking out 'during such quarter as aid to the permanently and totally disabled under the State plan' and inserting in lieu thereof 'during such quarter as aid to the permanently and totally disabled in the form of money payments under the State plan.'

"(b) Section 1403 (a) (1) (A) of such act is amended by striking out 'who received aid to the permanently and totally disabled for such month' and inserting in lieu thereof 'who received aid to the permanently and totally disabled in the form of money payments for such month.'

"(c) Section 1403 (a) of such act is further amended by inserting the following new clause immediately before the period at the end thereof: '; and (4) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as aid to the permanently and totally disabled under the State plan in the form of medical or any other type of remedial care (including expenditures for insurance premiums for such care or the cost thereof), not counting so much of such expenditure for any month as exceeds the product of $8 multiplied by the total number of individuals who received aid to the permanently and totally disabled under the State plan for such month'."

On page 81, after line 6, to insert:

"EFFECTIVE DATE

"SEC. 305. The amendments made by this part shall become effective July 1, 1957.

After line 9, to insert:

"PART II—SERVICES IN PROGRAMS OF AID TO DEPENDENT CHILDREN, AID TO THE BLIND, AND AID TO THE PERMANENTLY AND TOTALLY DISABLED

"AID TO DEPENDENT CHILDREN

"SEC. 311. (a) The first sentence of section 401 of the Social Security Act is amended to read: 'For the purpose of encouraging the care of dependent children in their own homes or in the homes of relatives by enabling each State to furnish financial assistance and other services, as far as practicable under the conditions in such State, to needy dependent children and the parents or relatives with whom they are living to help maintain and strengthen family life and to help such parents or relatives to attain the maximum self-support and personal independence consistent with the maintenance of continuing parental care and protection, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title.'

"(b) Subsection (a) of section 402 of such act is amended by striking out 'and' before clause (11) thereof, and by striking out the period at the end of such subsection and inserting in lieu thereof a semicolon and the following new clause: 'and (12) provide a description of the services (if any) which the State agency makes available to maintain and strengthen family life for children, including a description of the steps taken to assure, in the provision of such services, maximum utilization of other agencies providing similar or related services.'

"(c) (1) Clauses (1) and (2) of section 403 (a) of such act are each amended by striking out ', which shall be used exclusively as aid to dependent children,'.

"(2) Clause (3) of such section 403 (a) is amended by striking out 'which amount shall be used for paying the costs of administering the State plan or for aid to dependent children, or both, and for no other purpose' and inserting in lieu thereof 'including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision), to relatives with whom such children (applying for or receiving such aid) are living, in order to help such relatives attain self-support or self-care, or which are provided to maintain and strengthen family life for such children'."

On page 83, after line 2, to insert:

"AID TO THE BLIND

"SEC. 312. (a) The first sentence of section 1001 of the Social Security Act is amended to read: 'For the purpose of enabling each State to furnish financial assistance, as far as practicable under the conditions in such State, to needy individuals who are blind and of encouraging each State, as far as practicable under such conditions, to help such individuals attain self-support or self-care, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title.'

"(b) Subsection (a) of section 1002 of such act is amended by striking out 'and' before clause (12) thereof, and by striking out the period at the end of such subsection and inserting in lieu thereof a semicolon and the following new clause: 'and (13) provide a description of the services (if any) which the State agency makes available to applicants for and recipients of aid to the blind to help them attain self-support or self-care, including a description of the steps taken to assure, in the provision of such services, maximum utilization of other agencies providing similar or related services.'

"(c) (1) Clauses (1) and (2) of section 1003 (a) of such act are each amended by striking out ', which shall be used exclusively as aid to the blind,'.

"(2) Clause (3) of such section 1003 (a) is amended by striking out 'which amount shall be used for paying the costs of administering the State plan or for aid to the blind, or both, and for no other purpose' and inserting in lieu thereof 'including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for and recipients of aid to the blind to help them attain self-support or self-care'."

On page 84, after line 11, to insert:

"AID TO THE PERMANENTLY AND TOTALLY DISABLED

"SEC. 313. (a) The first sentence of section 1401 of the Social Security Act is amended to read: 'For the purpose of enabling each State to furnish financial assistance, as far as practicable under the conditions in such State, to needy individuals 18 years of age and older who are permanently and totally disabled and of encouraging each State, as far as practicable under such conditions, to help such individuals attain self-support or self-care, there is hereof authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title.'

"(b) Subsection (a) of section 1402 of such act is amended by striking out 'and' before clause (11) thereof, and by striking out the period at the end of such subsection and inserting in lieu thereof a semicolon and the following new clause: 'and (12) provide a description of the services (if any) which the State agency makes available to applicants for and recipients of aid to the permanently and totally disabled to help them attain self-support or self-care, including a description of the steps taken to assure, in the provision of such services, maximum utilization of other agencies providing similar or related services.'

"(c) (1) Clauses (1) and (2) of section 1403 (a) of such act are each amended by striking out ', which shall be used exclusively as aid to the permanently and totally disabled,'.

"(2) Clause (3) of such section 1403 (a) is amended by striking out 'which amount shall be used for paying the costs of administering the State plan or for aid to the permanently and totally disabled, or both, and for no other purpose' and inserting in lieu thereof 'including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for and recipients of such aid to help them attain self-support or self-care'."

On page 85, after line 21, to insert:

"EFFECTIVE DATE

"SEC. 314. The amendments made by sections 311 (b), 312 (b), and 313 (b) shall become effective July 1, 1957."

At the top of page 86, to insert:

"PART III—EXTENSION OF AID TO DEPENDENT CHILDREN

"Additional relatives

"SEC. 321. Section 406 (a) of the Social Security Act is amended by striking out 'or aunt' and inserting in lieu thereof 'aunt, first cousin, nephew, or niece.'"

After line 5, to insert:

"Requirement of school attendance eliminated

"SEC. 322. Such section 406 (a) is further amended by striking out 'child under the age of 16, or under the age of 18 if found by the State agency to be regularly attending school,' and inserting in lieu thereof 'child under the age of 18.'"

After line 11, to insert:

"EFFECTIVE DATE

"SEC. 323. The amendments made by this part shall become effective July 1, 1957."

After line 14, to insert:

"PART IV—RESEARCH AND TRAINING

"Cooperative research or demonstration projects

"SEC. 331. Title XI of the Social Security Act is amended by adding at the end thereof the following new section:

"'Cooperative research or demonstration projects

"'SEC. 1110. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1957, $5 million and for each fiscal year thereafter such sums as the Congress may determine for (1) making grants to States and public and other nonprofit organizations and agencies for paying part of the cost of research or demonstration projects such as those relating to the prevention and reduction of dependency, or which will aid in effecting coordination of planning between private and public welfare agencies or which will help improve the administration and effectiveness of programs carried on or assisted under the Social Security Act and programs related thereto, and (2) making contracts or jointly financed cooperative arrangements with States and public and other nonprofit organizations and agencies for the conduct of research or demonstration projects relating to such matters.

"'(b) No contract or jointly financed cooperative arrangement shall be entered into, and no grant shall be made, under subsection (a), until the Secretary obtains the advice and recommendations of specialists who are competent to evaluate the proposed projects as to soundness of their design, the possibilities of securing productive results, the adequacy of resources to conduct the proposed research or demonstrations, and their relationship to other similar research or demonstrations already completed or in process.

"'(c) Grants and payments under contracts or cooperative arrangements under subsection (a) may be made either in advance or by way of reimbursement, as may be determined by the Secretary; and shall be made in such installments and on such conditions as the Secretary finds necessary to carry out the purposes of this section.'"

On page 88, after line 3, to insert:

"TRAINING GRANTS

"SEC. 332. Title VII of the Social Security Act is amended by adding after section 704 the following new section:

"'Training grants for public welfare personnel

"'SEC. 705. (a) In order to assist in increasing the effectiveness and efficiency of administration of public assistance programs by increasing the number of adequately trained public welfare personnel available for work in public assistance programs, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1958, the sum of $5 million, and for each succeeding fiscal year such sums as the Congress may determine.

"'(b) From the sums appropriated pursuant to subsection (a), the Secretary shall make allotments to the States on the basis of (1) population, (2) relative need for trained public welfare personnel, particularly for personnel to provide self-support and self-care services, and (3) financial need.

"'(c) From each State's allotment under subsection (b), the Secretary shall from time to time pay to such State the Federal percentage of its expenditures in carrying out the purposes of this section through (1) grants to public or other nonprofit institutions of higher learning for training personnel employed or preparing for employment in public assistance programs, (2) special courses of study or seminars of short duration conducted for such personnel by experts hired on a temporary basis for the purpose, and (3) establishing and maintaining, directly or through grants to such institutions, fellowships or traineeships for such personnel at such institutions, with such stipends and allowances as may be permitted under regulations of the Secretary. For purposes of this subsection, the Federal percentage for any State shall be 100 percent during each fiscal year in the period beginning July 1, 1957, and ending June 30, 1967, and 80 percent during the fiscal years thereafter.

"'(d) Payments pursuant to subsection (c) shall be made in advance on the basis of estimates by the Secretary and adjustments may be made in future payments under this section to take account of overpayments or underpayments in amounts previously paid.

"'(e) The amount of any allotment to a State under subsection (b) for any fiscal year which the State certifies to the Secretary will not be required for carrying out the purposes of this section in such State shall be available for reallotment from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines have need in carrying out such purposes for sums in excess of those previously allotted to them under this section and will be able to use such excess amounts during such fiscal year; such reallotments to be made on the basis provided in subsection (b) for the initial allotments to the States. Any amount so reallotted to a State shall be deemed part of its allotment under such subsection.'"

On page 90, after line 7, to insert:

"SEC. 333. Section 1101 (a) (1) of the Social Security Act is amended by striking out 'titles I, IV, V, X, and XIV' and inserting in lieu thereof 'titles I, IV, V, VII, X, and XIV'."

After line 11, to insert:

"PART V—TEMPORARY EXTENSION OF 1952 MATCHING FORMULA

"SEC. 341. Section 8 (e) of the Social Security Act Amendments of 1952 (66 Stat. 767, 780), as amended, is amended by striking out 'September 30, 1956,' and inserting in lieu thereof 'June 30, 1959'."

After line 17, to insert:

"TITLE IV—MISCELLANEOUS PROVISIONS

"Service for certain tax-exempt organizations prior to enactment of this act

"SEC. 401. Section 403 of the Social Security Amendments of 1954 is amended to read as follows:

"'Service for certain tax-exempt organizations prior to enactment of the Social Security Amendments of 1956

"'SEC. 403. (a) In any case in which—

"'(1) an individual has been employed, at any time subsequent to 1950 and prior to the enactment of the Social Security Amendments of 1956, by an organization which is described in section 501 (c) (3) of the Internal Revenue Code of 1954 and which is exempt from income tax under section 501 (a) of such code but which has failed to file prior to the enactment of the Social Security Amendments of 1956 a valid waiver certificate under section 1426 (l) (1) of the Internal Revenue Code of 1939 or section 3121 (k) (1) of the Internal Revenue Code of 1954;

"'(2) the service performed by such individual as an employee of such organization during the period subsequent to 1950 and prior to 1957 would have constituted employment (as defined in section 210 of the Social Security Act and section 1426 (b) of the Internal Revenue Code of 1939 or section 3121 (b) of the Internal Revenue Code of 1954, as the case may be, at the time such service was performed) if such organization had filed prior to the performance of such service such a certificate accompanied by a list of the signatures of employees who concurred in the filing of such certificate and such individual's signature had appeared on such list;

"'(3) the taxes imposed by sections 1400 and 1410 of the Internal Revenue Code of 1939 or sections 3101 and 3111 of the Internal Revenue Code of 1954, as the case may be, have been paid with respect to any part of the remuneration paid to such individual by such organization for such service;

"'(4) part of such taxes have been paid prior to the enactment of the Social Security Amendments of 1956;

"'(5) so much of such taxes as have been paid prior to the enactment of the Social Security Amendments of 1956 have been paid by such organization in good faith and upon the assumption that a valid waiver certificate had been filed by it under section 1426 (l) (1) of the Internal Revenue Code of 1939 or section 3121 (k) (1) of the Internal Revenue Code of 1954, as the case may be; and

"'(6) no refund of such taxes has been obtained, the amount of such remuneration with respect to which such taxes have been paid shall, upon the request of such individual (filed in such form and manner, and with such official, as may be prescribed by regulations under chapter 21 of the Internal Revenue Code of 1954), be deemed to constitute remuneration for employment as defined in section 210 of the Social Security Act and section 1426 (b) of the Internal Revenue Code of 1939 or section 3121 (b) of the Internal Revenue Code of 1954, as the case may be.

"'(b) In any case in which—

"'(1) an individual has been employed, at any time subsequent to 1950 and prior to the enactment of the Social Security Amendments of 1956, by an organization which has filed a valid waiver certificate under section 1426 (l) (1) of the Internal Revenue Code of 1939 or section 3121 (k) (1) of the Internal Revenue Code of 1954;

"'(2) the service performed by such individual during the time he was so employed would have constituted employment (as defined in section 210 of the Social Security Act and section 1426 (b) of the Internal Revenue Code of 1939 or section 3121 (b) of the Internal Revenue Code of 1954, as the case may be, at the time such service was performed) if such individual's signature had appeared on the list of signatures of employees who concurred in the filing of such certificate;

"'(3) the taxes imposed by sections 1400 and 1410 of the Internal Revenue Code of 1939 or sections 3101 and 3111 of the Internal Revenue Code of 1954, as the case may be, have been paid prior to the enactment of the Social Security Amendments of 1956 with respect to any part of the remuneration paid to such individual by such organization for such service; and

"'(4) no refund of such taxes has been obtained, the amount of such remuneration with respect to which such taxes have been paid shall, upon the request of such individual (filed on or before January 1, 1959, and in such form and manner, and with such official, as may be prescribed by regulations made under chapter 21 of the Internal Revenue Code of 1954), be deemed to constitute remuneration for employment as defined in section 210 of the Social Security Act and section 1426 (b) of the Internal Revenue Code of 1939 or section 3121 (b) of the Internal Revenue Code of 1954, as the case may be, and such individual shall be deemed to have concurred in the filing of the waiver certificate filed by such organization under section 1426 (l) (1) of the Internal Revenue Code of 1939 or section 3121 (k) (1) of the Internal Revenue Code of 1954.'"

HOUSING FOR AMERICA'S OLD FOLKS

Mr. WILEY. Mr. President, it is my earnest hope that the House Rules Committee will reconsider its position and will revive the omnibus housing bill which it tabled on June 29.

To me, it seems unthinkable that this Congress would go home without passing comprehensive legislation—to help bolster this great cornerstone of our free economy.

As my colleagues will recall, we in the Senate had approved S. 3855. The House Rules Committee has before it H. R. 11742.

There are many provisions of this legislation which command our deep interest. Housing for our servicemen, for example, which is completely inadequate to meet the needs of our armed defenders and their families, particularly the families of the men who serve in that most crucial of all military arms, the Strategic Air Command.

But there are other phases of the bill which merit prompt approval. One such is represented in the new provisions, under which FHA Insuring Authority is extended specifically on behalf of a new category, so to speak, the category of America's senior citizens.

In speech, in article, in letter, by every means available—yes, by legislation which I have introduced, I have sought to focus attention on the housing and other needs of old folks.

The plain fact of the matter is, that while we rightfully boast the greatest housing of any major nation in the world, we simply do not have the tiniest fraction of enough housing, adapted to meet the special needs of our elderly citizens.

The other day, a good friend in my State sent to me a clipping from the Milwaukee Sentinal of July 9 entitled "Oldsters' Housing Units Are Heaven." The clipping describes the inspiring pioneering program established by the State of Massachusetts on behalf of its elderly citizens.

This newspaper clipping is like a breath of fresh air in a subject which has almost totally been ignored.

Fortunately, under the bill which we approved, we are making provision for Federal action, as well. We are providing for both sales and rental housing for old folks. For example, a son or a daughter will be permitted to go on a note for his or her parent.

Rental housing would be broken down in both profit-making and nonprofit-making categories. Ninety percent of a mortgage could be insured by FHA in the profit-making category; 100 percent in the nonprofit-making category.

I am most anxious that this provision be enacted and that work promptly be begun under it.

I feel sure that the great American housing, lumber, carpentry, plumbing, and related industry will respond to this need if we but give it the "green light."

Like anyone else, I am, of course, interested in both permanent housing and in resort housing. Representing as I do what we regard as America's greatest vacation State—Wisconsin—I am thinking of satisfying the resort housing needs of folks who could enjoy the magnificent vacation attractions of my State.

After all, we are reminded of what the poet said: "Grow old with me, the best is yet to be." That means that old folks are entitled to enjoy the good things of life. Summertime is here, and they should enjoy as happy a summertime as anyone else. If suitable housing were available to them in the great vacation areas of Wisconsin, for example, I am sure that they would flock there in vast numbers. And a great lift would be provided for the housing industry itself—a lift for construction, for lumber, for all the crafts that go into modern housing.

But this is not simply a matter of 3 or so months a year. I am thinking of the needs, as well, of our elderly citizens for 12 months' housing, for permanent residence.

Lastly, I should like to make one observation. It concerns the issue of what constitutes an "aged" citizen.

The old saying is, "You are as young as you feel." We know that mere chronological age is not genuinely significant. We know that there is no real age to man's spirit, that every man's spirit can ever be at "meridian," at noontime, so to speak, if he or she but wills it.

Under the Senate version of the Housing bill, an arbitrary age level of 60 is chosen. Under the House bill, it is 65. I, for one, would certainly prefer the age of 60 to be designated.

But that certainly does not mean that this or 65, 70, 75, or even 80 should be regarded as an age at which men's and women's contributions need stop.

On the contrary, there should not be any arbitrary age set up for shutting off men's and women's constructive contributions.

It is a fact, however, that elderly citizens are discriminated against when they pass some arbitrary age limit. Indeed, the discrimination can result as early as the age of 45, or even in the case of women, at the age of 35.

I have in my hands, for example, the text of an article which was carried on the front page of the July 11 issue of the Wall Street Journal. It pointed out the job problem faced by citizens in the middle ages, much less in the old ages.

Obviously, we Americans have to think this problem through. We don't want to put old people "on the shelf," and we certainly don't want to put middle aged people on the shelf. And yet, today, there are 47½ million citizens aged 45 and over facing this problem.

I want a fair break for them, but I want a particularly fair break for those who are less able to protect themselves in their more advanced years, and that is aged 60 and beyond.

I ask unanimous consent that the two articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Milwaukee Sentinel of July 9, 1956]

OLDSTERS' HOUSING UNITS ARE HEAVEN

WALTHAM, MASS., July 8.—A $15 million housing program for elderly Massachusetts residents is making some of the State's senior citizens feel they're "sharing a bit of heaven."

The first of 37 projects designed for residents over 65 years old opened its 24 apartment doors to 30 persons last January. Known as Carey Court, it is a 2-story brick building nestled in a settled neighborhood on a shady street two blocks from the main thoroughfare.

The oldest tenant is 87; the youngest 65. The average age of 5 married couples, 18 widows and 1 widower is 74.

SPRING TONIC

Since moving into their compact, comfortable three-room apartments the old folks at home say their new environment is "like a spring tonic."

"I'm 81," says Mrs. Gertrude Hodge, a retired watchmaker, "but for the last 5 months I haven't felt a day over 30."

The Massachusetts State Housing Board, already possessed with smoothly running know-how after its work with 200 millions of housing for veterans, put its housing design for the elderly on the drawing boards 2 years ago after studying plans for older age housing in all parts of the world.

NO NEGLECTION

"Massachusetts has no intention of neglecting its senior citizens," says Charles A. Lawless, executive director of the Waltham Housing Board. "Our golden age citizens have always given us their best. This is a small way, but the right way, for us to say 'thanks.' "

In its survey the housing board learned that its plans must contain sound psychological as well as solid building aspects.

Chief among the psychological factors, the board discovered, was the older person's tenacity to cling to old associations. As they grow older, their pictures, furniture, friends, and habits become ever more important.

FAMILIAR SETTINGS

Carey Court is built in familiar surroundings. The old folks can still shop at the old store, visit the same library and worship in their own church.

"Everything has changed, but nothing is different, only newer and nicer," says Mrs. Helen Chamberlain, 70, a retired nurse.

The Bay State plan for pleasant housing for older residents calls for a maximum rental of $41.50 a month on each apartment. Rent includes heat and water. The annual income ceiling is $3,125 for single persons and $3,750 for couples.

Each apartment is similar, but color schemes vary.

A LOT OF GLASS

Older folks don't see so well, thus glass has been used abundantly throughout the development. Entrance halls are glass enclosed, and king-size picture windows invite up to three times normal daylight into living and bedrooms.

Each apartment is laid out like the numeral seven. Entering, a visitor steps into the living room, which runs the length of the 7. To the left is a kitchen, across the hall is a bedroom and beyond that is a bathroom. A fire escape leads from the bedroom of each upstairs apartment.

The housing board discovered that old folks frequently have difficulty climbing stairs—not so at Carey Court. Steps are lower and residents are not required to lift their feet more than 7 inches. Exclusive of front entrances, thresholds have been abolished.

Bathtubs have built-in seats and grab bars.

Kitchens have sink, stove, and refrigerator arranged side by side within a 5-foot area. Under the sink is a handy disposal; to the right of the refrigerator is a roomy pantry closet with low shelves.

Because older people often have difficulty detecting odors, all appliances are electric.

Other safeguards are luminous light switches, triple lighting, and "trouble bells."

The trouble bells, one in the bedroom, another in the living room, are the apartment watchdogs. If a tenant is suddenly stricken or a suspicious noise is heard, he can summon outside help merely by pressing the bell button.

So far the trouble bell hasn't been used, but "it gives you a nice feeling to know that help is as near as the next apartment," says Mrs. Isabelle McQuillan, 74, a retired watchmaker.

Bill Burke, 71, a retired fruit and produce dealer, thinks the development's major asset is the "feeling of independence it gives us."

"Most people our age," says Burke, "have little to look forward to, but we have a bright, busy life. We know we haven't been forgotten. Yes, we've been helped, but they haven't taken any of our freedom away."

[From the Wall Street Journal of July 11, 1956]

AGE BARRIER: MORE COMPANIES SHUN JOBSEEKERS OVER 45, FRET ABOUT PENSIONS—MIDDLE-AGED MEN DON'T FIT IN, CLAIMS OIL FIRM; BIG CHICAGO STORE DISAGREES—UNCLE SAM MAPS A CAMPAIGN

(By Jerry Flint)

Remember Tantalus, the character in Greek mythology who suffered from a burning thirst even though he stood in a lake with the water up to his chin?

Tantalus was unable to drink, a punishment imposed by the gods because he slew his own son. But many a manpower-hungry company is today suffering similar pangs—by choice. While suffering from shortages of executive talent and many other types of skilled workers, they are turning away a steady stream of experienced applicants. The reason for this paradox: The jobseekers are over 45.

"They think when a guy is in his forties he's ready for the scrap heap," complains an officer of Chicago's 40-Plus Club, a nonprofit group devoted to finding jobs for executives and white-collar workers in their forties and fifties. Partial confirmation is found in a still-unreleased Labor Department survey which shows that 3 out of every 4 employer requests at public employment agencies ban middle-aged men.

PROBLEM GROWS

This scrap-heap problem is growing with rocket speed. One reason is that medical advances are bringing an increase in the proportion of the population in the over-45 bracket. At the turn of the century there were 13.5 million men and women over 45. Today there are 47.4 million. And by 1975 there will be 64 million, or half the adult population. While the United States population has slightly more than doubled since 1900, the over 45's have more than tripled.

A second factor aggravating the problem is the recent upsurge in employer-paid pension and insurance programs, which are convincing many firms it's too costly to hire middle-aged executives and workers. These developments are reinforcing the widespread prejudice against hiring workers over 45 on grounds they are allegedly less efficient, are less flexible to change and have higher absenteeism—charges which many companies and medical authorities dispute.

The growth of the over-45 problem will be put into the public spotlight by both the Federal Government and the States in coming months. Present plans call for a national publicity campaign by the Labor Department, perhaps a presidential appeal, and other efforts to induce businessmen to hire middle-aged jobseekers.

Just this month, antiage discrimination laws are going into effect in Pennsylvania and Rhode Island, banning such things as age limits in help-wanted ads. Massachusetts already has a similar law. And efforts to legislate a solution to the problem seem sure to spread. New York State has scheduled hearings for this fall on such a measure, and Illinois State Senator Robert Cherry says he "might sponsor such a measure in Illinois."

A PUBLIC PROGRAM?

Unless business shifts its hiring accent from youth, warns Secretary of Labor James P. Mitchell, the growing number of middle-aged unemployed will become the most potent group this country has ever known and force some kind of public program for their own survival.

The worry isn't that the middle-aged are in danger of losing their jobs because of their years. But if Mr. 45 and over is merged out, closed down, laid off, fired, or resigns his position, he is in for real trouble getting another job. If he is an executive or skilled worker, he may well find the labor shortage in these fields only applies to younger applicants; if he is an auto worker, farm equipment worker, or in some other industry or locality where there is widespread unemployment, he will likely find it is harder and takes longer for him to search out another job than for his younger buddies.

Census Bureau studies show long-term unemployment of 26 weeks or more among job seekers aged 45 to 64 is twice as prevalent as among men 25 to 44. Even these statistics understate the problem. After weeks of fruitless job hunting, say employment officials, many older workers tend to give up the search, live from their diminishing savings and drop from the active unemployment rolls.

Few hiring officials openly admit age restrictions. Instead, says Paul P. Connole, St. Louis manager of Missouri's Employment Security Division, a velvet curtain exists at a great many firms where workers just aren't hired beyond the age of 35 for women and 45 for men.

"We just don't hire middle-aged workers," says the Chicago personnel director of a national insurance company, "even though we have no written policy. The actuaries get jittery every time they see the average age go up."

PENSION PLAN

"Ever since our pension plan came in about 8 years ago," says the plant manager of an Oklahoma glass factory, "we usually don't hire men over 45."

"It's hard to fit a man over 40 into a large corporation," says a Midwestern oil company's industrial relations manager. "Besides pension costs, we like to promote from within."

A New York City department store vice president says hiring middle-aged employees causes a community relations problem. He explains: "Suppose an employee works here 10 or 15 years and retires without much of a pension. His neighbors think we're tightwads."

Larger corporations, the Government claims, are more likely to slap on age limits for their openings. The still-unpublished Labor Department survey shows that 88.4 percent of openings in firms employing 1,000 or more have age restrictions; firms with 50 to 99 employees put restrictions on 75.5 percent of their openings.

There are 800,000 persons over 45 looking for work now, according to the Census Bureau. This indicates "a persistent problem in getting and holding a job; despite a general condition of relatively full employment," says Charles Odell, Labor Department specialist on older workers.

In Illinois, with employment at record monthly highs, "32,000 men and women between 45 and 64 are costing the State $2 million monthly in compensation because of age discrimination when they search for work," claims Senator Cherry of the State's commission on aged and aging.

GOVERNMENTAL DISCRIMINATION

Even governmental bodies sometimes discriminate against the middle-aged job applicant.

In Detroit, the Wayne County Civil Service Commission calls for librarians, radio technicians, and elevator operators, all under 46, and nurses, hospital attendants, and psychologists, not past 51. At the same time, however, the commission has lifted age barriers on stenographers (from 35 up to 55), scarce civil engineers (up from 41 to no age limitation), and other positions.

Referring to the recent relaxing of some age barriers, but not mentioning those remaining the commission's personnel director, Eugene C. Mathivet, Jr., says:

"Along with other employers the commission believed in the old theory that younger workers should be hired in preference to older workers, other factors being equal, because they would have more stamina and drive and would produce more, and because they would be available for work for a greater period of time after the training was complete."

Employers are quick to defend their hiring policies.

"The fellow over 40 may be a grasshopper who has held 8 different jobs in the last year or two," says one Midwest farm machinery maker. A labor relations supervisor for a New Jersey chemical company calls many middle-aged workers unstable. Men that can't find work at 45 often couldn't find jobs at 30 either, he maintains.

Other young personnel managers and interviewers call older workers slow, cranky, and unable to get along with younger supervisors. An electronics engineer in his fifties, looking for work since February, admits he lost one job opportunity when he told his potential manager, "I would prefer not to work under that boy designated as my superior."

"I've tried hiring an older secretary myself," says Eugene Shea, vice president of Chicago's Cadillac Employment Agency, "but 9 times out of 10 she isn't what we wanted. The younger person we can train, but often an older person is just trying to put in time or has a know-it-all attitude."

Some other employers also note the middle-aged workers often have an inflated idea of their salary worth. An executive who had been with one company 20 years and was making, say, $15,000 a year, may have been worth that much to the company, partly because of his familiarity with its work, but a new company hiring him as an untried worker may put his value to start at considerably less. Most job applicants resist downgrading, not unnaturally.

Despite such complaints about jobseekers over 45, there are a good many companies that dispute them. They consider middle-aged workers a bargain for several reasons.

TURNOVER, ABSENTEEISM

Carson Pirie Scott & Co., a block-long Chicago department store, hired 555 of its 4,333 employees at 50 or above. Says a Carson official: "We think the older person puts a higher value to working. We've found our turnover and absenteeism among people hired at older ages is generally less. They may learn a bit more slowly but once they have learned they do as good or better a job as younger people."

Since the Wayne County Civil Service Commission upped some age limits it has found newly hired older workers more stable, adaptable and just as productive as younger persons employed, county officials report.

"Hiring employees over 40 is good business" reports Bell & Howell Co., Chicago maker of photographic equipment. Except in a few jobs, any slowing of speed by older workers is usually more than made up by added experience and higher quality of work, this company says.

An insurance company personnel director who doesn't hire the middle aged calls his own firm's policy "obsolete." He explains that higher costs in recruiting young office girls, higher training costs because of automation plus the quick turnover of young people make the policy too costly.

Chicago's Office Management Association polled 170 companies asking the results of hiring new employees in the middle-age brackets. In the 40-to-50 age group, 138 companies reported excellent or good results while 8 firms said fair and 1 firm said poor. Between the ages of 50 and 60, 17 companies claimed excellent results, 82 firms said "good," 18 had "fair" results and 2 said "poor."

"Companies that insist on promoting from within when they don't have anyone worth promoting are making a mistake turning down qualified middle-aged people," says John Gagnon, personnel director for Olin Mathieson Chemical Corp.

FEWER INJURIES

Labor Department surveys also show older workers have less absenteeism and injuries than younger men.

The pension and insurance costs, however, bring more complicated problems. An insurance consultant says an employer would pay $285 to insure the lives of 100 men for $5,000 apiece for 1 year if they are all 35. The cost jumps to $407 if half the men are 35 and half are 47 years old.

For an annuity of $100 per month at 65, says the Labor Department, a typical insurance firm would charge a man of 30 half the amount it charges a man of 45 and one-fourth the amount it charges a man of 55.

For some firms, however, the pension costs aren't considered important. "The pension situation is overrated as a deterrent to hiring," says an International Harvester Co. executive. "In a tight labor market it may be cheaper to hire the old man and absorb any piddling pension costs than to let him go."

Employers and union leaders have already made a few suggestions for overcoming the pension cost hurdle. One answer is high minimum eligibility requirements for a pension. This way employers won't have to worry about paying pensions to newly hired "over 45's." Other solutions include a voluntary waiver of pension rights by older workers in return for a job and early "vesting" of pension rights.

When a pension is vested and an employee leaves his job, he takes with him some or all of the equity in the pension plan represented by his employer's contribution. If all pension plans had an early vesting right, says Arthur Larson, Under Secretary of Labor, the older worker applying for a new job would come armed with a substantial vested pension right and the new employer's obligation would be merely to keep him current.

MOBILE PENSIONS

On the west coast, the Teamsters Union, AFL–CIO, is pushing the mobile pension plan. Under this program, employers pay pension costs into a central fund administered by the union. The employee takes his pension rights with him wherever he goes, so long as the teamsters are his bargaining agent.

The Labor Department in Washington hopes to put the national spotlight on the older worker problem soon. In addition to a study on pension and insurance costs, a survey is being made on hiring policies and the work potential of the older unemployed. When complete, the Department hopes to know just how serious the problem is, and be able to prove that newly hired older workers can be as effective as younger men.

Special counseling and placement services for older workers are being watched to see their results. But the main hope is an educational drive on employers. Illinois Employment Security Department officials say the national campaign will probably be patterned on the drives to employ handicapped workers. These included publicity, "Hire a Handicapped Worker" weeks and appeals from the Labor Department and the President.

But in Memphis, Tenn., after asking 2,000 firms for openings for "45's and over," the State Department of Employment Security admitted the response in terms of job offers was slow, meager and disheartening.

If education fails, other more controversial moves may be in the wind, such as the spreading State efforts to ease the problem by legislation.

Employers don't like the sound of these antiage discrimination laws. "The idea that I can't ask an applicant his age is dangerous and silly," warns one personnel manager.

Few believe such laws would end discrimination, "but it will remove the current sanction of discrimination as a legitimate employment practice," says State Senator Thomas C. Desmond of New York. "It will force unrealistic personnel policies to be reexamined." He says these laws are likely to spread unless industry "steps in and opens up new opportunities to older workers."

CONSTRUCTION OF FEDERAL AID HIGHWAY SYSTEM

Mr. JOHNSON of Texas. Mr. President, evidence is mounting daily that the Federal Aid Highway Act recently enacted by the Congress is one of the most far-reaching legislative measures ever to come out of this body.

In passing this legislation, we provided for the construction of a highway system—not just a series of projects.

No time is being wasted in getting work started. I am told that by the end of August contracts totaling more than $100 million will have been awarded under the new highway act.

It is expected that by the end of the year more than $400 million in contracts will be in effect.

This is quite a beginning—but it is only a beginning.

The Highway Act of 1956 contains authorization for a total Federal contribution of $25 billion over the next 13 years to complete the designated National System of Interstate and Defense Highways. The system has been expanded from 40,000 to 41,000 miles.

For primary, secondary and urban highways, there will be made available to the States a total of $2,550,000,000 in Federal funds during the next 3 years. These funds will be matched by the States on a 50–50 basis. The funds for the interstate system will be matched on a 90–10 percent basis.

Mr. President, I have briefly reviewed these facts and figures as a means of stressing the tremendous impact this road-building program will have on the Nation's economy.

Employment will be provided for a huge force of workmen.

By 1960, total highway, road and street construction expenditures are expected to amount to between eight and nine billion dollars a year. Men in the construction industry say this will require a monthly average, throughout the year, of approximately 450,000 workers employed on the site. That compares with a present average of approximately 300,000.

Experience shows that about an equal number of workers will be employed in mines, forests, factories, transportation systems and administrative offices to produce the necessary materials, supplies and equipment.

That means a total of nearly 900,000 people at work, directly and indirectly, by 1960 on highway, road and street construction.

Even this is not the end of the economic effect of the program we authorized.

New highways always result in the establishment of new businesses. Intensive industrial and commercial development accompanies the construction of controlled-access highways, such as those that will comprise a large part of the completed interstate system.

It is easily possible that within a decade the investment in new industrial, commercial, residential and public facilities stimulated by this program will equal—perhaps even surpass—the value of the investment in the highways themselves.

Rural communities and small towns all over the Nation will reap enormous economic benefits from the primary and secondary road construction phases of this program. I have a particular awareness of this, living as I do in a State where distances are great and communication between people by means of motor transportation is vitally necessary.

I was brought up in Texas in an era when a widely popular slogan proposed to "get the farmer out of the mud."

We did get the farmer out of the mud in Texas. We have kept him out. And now, with more than $434 million in Federal funds going to Texas during the next 3 years for highway purposes—with matching funds coming from the State—we are prepared to meet fully the challenge of this motorized age.

I am proud to report, Mr. President, that under this program we expect $85 million worth of road construction to be underway in Texas by the end of the year.

The Highway Act of 1956 authorizes the largest peacetime public works program in our national history. Its size is commensurate with the need it will meet.

We are a Nation on wheels.

Ten years ago there were 34,400,000 motor vehicles on our roads. Today there are nearly 60 million. It is estimated that 10 years from now the total will have mounted to 81 million.

We cannot depend on the roads of yesterday to carry the motor traffic of today and tomorrow.

Fortunately, we have a highway construction industry capable of carrying out this expanded program—promptly, efficiently, economically. We have in my own State—and I know in other States—a highway department that understands how to get the job done.

Mr. President, we are on our way with a king-sized road construction program that will benefit all the people of the United States.

I take pride in the accomplishments of this 84th Congress. There is no single accomplishment of which I am more proud than enactment of this truly major piece of legislation, the Federal-Aid Highway Act of 1956.

PAYMENT FOR CERTAIN IMPROVEMENTS IN RAPID VALLEY UNIT, SOUTH DAKOTA—CONFERENCE REPORT

Mr. MURRAY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1622) to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. PASTORE in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1622) entitled "An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted by the House amendment insert "$18,383 as reimbursement"; and the House agree to the same.

JAMES E. MURRAY,
CLINTON P. ANDERSON,
ARTHUR V. WATKINS,
Managers on the Part of the Senate.

E. L. FORRESTER,
HAROLD D. DONOHUE,
WILLIAM E. MILLER,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

DISCOVERY, DEVELOPMENT, AND PRODUCTION OF MANGANESE-BEARING ORES AND CONCENTRATES

Mr. HUMPHREY of Minnesota obtained the floor.

Mr. JOHNSON of Texas. Mr. President, if the Senator will yield, we have a motion to reconsider, and Senators interested in that motion are present. I wonder if the Senator from Minnesota will permit us to have the motion acted on, which will take about 10 or 15 minutes.

Mr. HUMPHREY of Minnesota. Knowing the majority leader's veracity and the fact that he can deliver on his promises, I shall yield the floor on that basis, without losing my right to the floor.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PASTORE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS. Mr. President, I ask unanimous consent that the vote by which Senate bill 4039 was passed be reconsidered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Delaware? The Chair hears none, and the vote is reconsidered.

The bill is before the Senate.

Mr. WILLIAMS. Mr. President, I express vigorous opposition to this bill on the basis that it commits the Government to buy several million tons of manganese ores which, based upon all testimony, is not needed. Neither the Defense Department nor Director Flemming, who is in charge of the stockpiling program, endorsed this program. The bill can only be described as providing a support price for products of the mining industry, particularly manganese ores. Certainly the bill cannot be justified on the basis of being essential to the national defense. I am wondering if those in charge of the bill are even claiming it as having merit on that basis, or will they accept the statement that it is a price-support program for the mining industry?

Mr. GOLDWATER. Mr. President, if the Senator will permit me, I should like to read from the Malone-Aspinall Act, which is Public Law 206 of the 83d Congress, which I think very substantially states the position of the Subcommittee on Minerals:

It is hereby recognized that the continued dependence on overseas sources of supply for strategic or critical minerals and metals during periods of threatening world conflict or of political instability within those nations controlling the sources of supply of such materials gravely endangers the present and future economy and security of the United States. It is therefore declared to be the policy of the Congress that each department and agency of the Federal Government charged with responsibilities concerning the discovery, development, production, and acquisition of strategic or critical minerals and metals shall undertake to decrease further and to eliminate where possible the dependency of the United States on overseas sources of supply of each such material.

If the Senator will yield 1 moment further, I should like to quote him figures for 1954, which are the latest available figures.

Manganese imports in that year were 2¼ million short tons.

Domestic consumption was 1,700,000 short tons.

Domestic production was only 200,000 tons.

I remind the Senator, in closing my brief part of this presentation, that the expression contained in Public Law 206 is justified, the junior Senator from Arizona believes, in light of the fact that 1,800 ships now lie on the bottom of the Caribbean Sea as the result of being sunk during the last war while they were carrying manganese to our shores.

The present condition of the manganese industry is such that it needs a little help for another 2 years. Maybe 1 year will be sufficient. In my State of Arizona we are very close to being able to compete in the manganese market. When that time comes, the junior Senator from Arizona will join the Senator from Delaware in urging that the program be discontinued.

Mr. WILLIAMS. Does the Senator from Arizona have any figures before his committee as to the amount of ore presently in the stockpile, and how long it would last in event of an emergency?

Can any claim be made that this measure will in any way contribute to our national defense?

Mr. GOLDWATER. I believe that is a classified figure. One of the difficulties we have had is that much of that information has been classified. I believe the information has been overclassified.

Mr. WILLIAMS. I agree with the Senator we do have some difficulty in getting information about all the tonnage in stockpile but I should like to ask the Senator if the bill was recommended by Mr. Flemming, who is in charge of the stockpiling program. Does he recommend it as essential to the national defense?

Mr. GOLDWATER. No; Mr. Flemming has never recommended the bill. I contend, as I contended last year on the floor of the Senate in colloquy with the Senator, that the Congress does not have to depend on reports from executive departments located downtown. We are not sent to Congress to be yes-men for Departments located downtown. In the opinion of the members of the Subcommittee on Minerals—and there are on that subcommittee Senators from the Western mining States—this program is vital if we are to have a manganese program adequate to the demands of war.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. MANSFIELD. I should like to support wholeheartedly what the distinguished Senator from Arizona has said, and to point out to the distinguished Senator from Delaware that we in this country supply only 9 percent of our manganese needs, and have to import 91 percent of our needs. So even if there is a little surplus in the stockpile at the present time, which I doubt very much, it would not take much to do away with what we have in reserve. We would then perhaps to a certain extent be dependent on our own resources, and could not begin to supply our needs of this highly important and strategic metal.

Mr. WILLIAMS. I agree with what the Senator from Arizona said, that we do not necessarily have to take action on the Senate floor based upon recommendations made from departments located downtown. However, when the person in charge of the stockpiling program states it is not essential, we should give some consideration to that statement. I believe the legislation should not be enacted. It represents a multimillion dollar giveaway program which is not essential to the national defense, but one which only provides price supports for the mining industry.

It is similar to the bill vetoed by the President last year and I predict that even if passed it too will be vetoed.

I hope the Senate will reject the bill.

Mr. WILLIAMS subsequently said: Mr. President, I ask unanimous consent to have printed in the body of the RECORD immediately following my remarks on Senate bill 4039 2 letters, 1 from the Director of the Budget and 1 from the Department of the Interior.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., July 13, 1956.

Hon. JOHN J. WILLIAMS,
United States Senate,
Washington, D. C.

MY DEAR SENATOR WILLIAMS: Your letter of July 12, 1956, to the Director requests the views of the Bureau of the Budget on S. 4039, a bill which would extend and enlarge the domestic purchase programs for low-grade manganese and provide for the beneficiation of such ores to commercial grade.

The Bureau's views on this particular bill have not previously been expressed, although the Bureau's general views on manganese were stated in our letter of June 5, 1956, to the chairman of the Senate Committee on Interior and Insular Affairs. The Department of the Interior has submitted an adverse report on S. 4039 to the Senate Committee on Interior and Insular Affairs. A copy of the Interior report is enclosed.

In that report, the Department notes that there are adequate supplies of manganese meeting stockpile specifications on hand and available to meet our defense and industrial requirements. The low-grade manganese ores required under the present program are not suitable for industrial consumption and do not meet stockpile specifications. S. 4039 would provide, however, for construction of facilities to beneficiate these low-grade ores to grades acceptable for industrial use.

If S. 4039 were enacted, it would appear to require expenditures of from $50 million to more than $80 million. These estimates assume a payment of about $1.70 per long ton unit to producers (based on the average grade of ore delivered in the current program), and a cost of $1 per long ton unit for beneficiating the ore to meet industrial specifications. The lower estimate of $50 million takes account of past experience in estimating the rate of production which might be expected. The higher estimate assumes delivery of the entire 30 million units specified in the bill. These figures are exclusive of administrative costs and storage charges.

In the light of these facts, the Department of the Interior reported that the soundest approach toward developing the domestic manganese industry is to continue research efforts to develop less costly and more efficient methods of upgrading low-grade ores.

It should be noted that the bill would not only extend the purchase program at Butte-Philipsburg, but would also reopen depots at Deming and Wenden, and provide for the establishment of the two new depots in the Southern Appalachian and Ozark-Cushman areas. The Office of Defense Mobilization, by administrative action, has provided for enlargement and extension to January 1, 1961, of the carload lot program under which domestic producers may sell stockpile grade manganese to the Government. Some of the producers who have been supplying material under the depot purchase program may be able to beneficiate their product and participate in the extended carload lot program.

The Bureau of the Budget concurs with the adverse views presented by the Department of the Interior on this measure. I am authorized to advise you that enactment of S. 4039 would not be in accord with the program of the President.

Sincerely yours,

ROBERT E. MERRIAM,
Assistant to the Director.

UNITED STATES DEPARTMENT
OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., July 12, 1956.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

MY DEAR SENATOR MURRAY: This responds to your request for the views of this Department on S. 4039, a bill to encourage the discovery, development, and production of manganese-bearing ores and concentrates in the United States, its Territories, and possessions, and for other purposes.

We recommend that the bill not be enacted.

S. 4039 would be known as the Domestic Manganese Program Extension Act of 1956 and would declare it to be the policy of the Congress that each department and agency of the Government charged with responsibility concerning the discovery, development, production, and acquisition of manganese shall undertake to decrease further, and to eliminate where possible, the dependency of the United States on overseas sources of supplies. The bill would authorize and direct the General Services Administration to purchase a minimum of 30 million long-ton units of manganese ores and concentrates, to be allocated as follows: (1) 6 million units each to the Wenden, Ariz.; Deming, N. Mex.; and Butte-Philipsburg, Mont., purchase depots; and (2) 6 million units each to purchase depots to be established by the Administrator of General Services in the Ozark-Cushman and Southern Appalachian areas. Regulations, specifications, and prices would be no less favorable to the producers than those in effect on May 1, 1955, at Wenden, and, in the case of rhodochrosite ores, regulations, specifications, and prices would be no less favorable to the producers than those in effect on May 1, 1955, at Butte-Philipsburg.

The Administrator of General Services is to enter into a contract or contracts, on a low-bid basis, to have the materials which would be purchased pursuant to this program, together with stocks of materials previously accumulated at the Wenden, Deming, and Butte-Philipsburg depots, beneficiated to a usable grade for industrial purposes, should an economically feasible process or processes be available. The beneficiated material would thereupon be turned over either to the strategic stockpile or to the supplemental stockpile. The program would extend through December 31, 1958, and it would be financed by direct appropriations of the Congress.

All of the purchase programs which would be authorized by the bill are programs for the purchase of low-grade manganese ores as contrasted with the "carlot" program for the purchase of industrial-grade ores. The bill would, in effect, provide for an extension and expansion of the low-grade manganese purchase programs which were instituted and carried on under the authority of the Defense Production Act of 1950, as amended, and the Domestic Minerals Program Extension Act of 1953 (67 Stat. 417).

These programs were initiated during the height of the Korean emergency at a time when specification-grade ores were in extremely short supply and stockpile accumulations were critically inadequate. In view of the uncertainties of the times, it was deemed necessary to accumulate whatever manganese ores might be available to meet the anticipated requirements. Although it was known that these ores would be extremely costly to beneficiate, the defense situation was such as to make the price of producing a usable product a secondary consideration. The defense needs under which these programs were initially justified no longer exist and the condition of our stockpile is such that there is not now an urgent need to accumulate manganese even of high grade. There now are adequate supplies of specification-grade material on hand and available to meet our defense and industry needs.

One of the long-range problems facing the domestic manganese producing industry is the fact that, while large deposits of low-grade ores are known to exist in the United States, no known methods of beneficiating these ores at prices which would make the product competitive have yet been devised. It is clear from our experience under the original programs that, for a crash emergency program, known methods of beneficiation would be able to convert some of these ores to a usable product. However, the costs of doing this are still quite high. It is estimated that it would cost more to beneficiate these low-grade ores, exclusive of mining costs, than it would cost to purchase specification-grade ores on the open market. In addition the research conducted to date has not demonstrated that there is any one known process which will efficiently beneficiate the several types of low-grade domestic manganese ores. Accordingly, the mere accumulation above ground of these low-grade ores at a time when their utilization is uneconomic does not appear to be a worthwhile objective.

It is the view of this Department that the soundest approach to this problem is the continuation of research efforts for less costly and more efficient methods of upgrading known deposits of low-grade ores so that we may be able to utilize them in any future emergency. The Bureau of Mines is continuing its work in this area under direct appropriations from the Congress. Also, the General Services Administration, utilizing funds certified by the Office of Defense Mobilization from the Defense Production Act borrowing authority, has entered into a number of contracts expanding private research in the beneficiation of manganese ores. However, we do not believe that beneficiating those ores at the depots by processes now known would be a feasible program.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your Committee.

Sincerely yours,

FRED A. SEATON,
Secretary of the Interior.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. DWORSHAK. As a member of the Interior and Insular Affairs Committee, I again find myself in disagreement with members of this group. It is all right to stand on the floor and say someing is needed for the notional defense. When someone wants to promote a subsidy or a raid on the Treasury, it is popular to say it is in the "interest of the national defense."

The bill was reported over my objections. Why is an effort being made to subsidize manganese? Manganese has been under a procurement program since 1951; but we have to have it continued 2 or 3 or 4 years, probably another decade, because manganese is vital for our national defense.

The record of hearings in our committee on this and other mineral bills

will disclose the contention, which I have consistently made, that it is the responsibility of the Congress to assume its share of the burden in formulating policies upon which we all agree should be formulated, to promote and stabilize the domestic mining industry as essential to our national preparedness.

Mr. President, a few weeks ago we took action in the case of tungsten, columbium, tantalum, flourspar and asbestos; and today we propose to take action in the case of manganese. But, Mr. President, I ask my colleagues on the committee, what has been done in the case of the other minerals which are also essential to the national defense, but have not been placed under a procurement program since 1951, or under the Malone-Aspinall bill of 1953?

If my colleagues are endeavoring to do something in the interest of the national defense, insofar as minerals are concerned, why have they not reported bills to encourage the production of antimony? Today we are not producing a single ton of primary antimony in the United States. Mr. President, antimony is just as vital to our national defense program as are manganese and tungsten.

What has the committee done in the interest of promoting the production of cobalt? In the United States there is only one mine which produces a small percentage of the amount of cobalt we require. What does that situation mean? We have built up stockpiles; but are we producing antimony, cobalt, and some of the other strategic minerals we need? Oh, no. Instead, we are purchasing them abroad. When my committee says, here, that our manganese and tungsten producers are forced to compete now with low-cost mineral production abroad, where the employees receive $1 or $2 a day, while in the United States $18 or $20 a day is paid, and that it is difficult for the United States producers of those minerals to operate on a competitive basis, I wish to point out that, of course, the same conditions confront United States producers of antimony and many other minerals.

So I say in all sincerity to the members of the Committee on Interior and Insular Affairs, as they demand the right to disregard the reports of the executive agencies, that of course the Congress has the right to do so; but why don't we be consistent and endeavor to do something realistic in the interest of promoting the national defense, instead of bringing in one subsidy bill today, and another one tomorrow?

Mr. WELKER. Mr. President, will my colleague yield to me for a question?

Mr. DWORSHAK. I yield.

Mr. WELKER. I wish to ask my distinguished senior colleague a question: Is it or is it not a fact that the cobalt mine my distinguished colleague has mentioned is in the State of Idaho?

Mr. DWORSHAK. That is true. It is the Blackbird Mine, in south-central Idaho.

Mr. WELKER. Is it not a further fact it took long and tedious hours of effort before a road or any other improvement was made available to that mine?

Mr. DWORSHAK. Yes. Let me say to my colleague that the General Services Administration has refused to pay a single penny above the world price of cobalt, for cobalt produced in the United States. That has been done apparently because it is not considered necessary to promote the production of cobalt in domestic mines, when cobalt can be purchased abroad at lower prices. That principle is laid down only in the case of antimony, cobalt, and a few other minerals produced in the State of Idaho. Hower, when it comes to tungsten, manganese, and some of the other minerals, we pay 50 percent, 100 percent, or 150 percent in excess of the world levels. We are doing that presumably in the interest of the national defense, although in the case of tungsten we have a stockpile of it that will last us for 10 years, even if we do not produce another ton of tungsten.

Mr. WELKER. Mr. President, will my colleage yield further to me?

Mr. DWORSHAK. I yield.

Mr. WELKER. I wish to pay my respects to my distinguished colleague, the senior Senator from Idaho, with whom it is my great pleasure to serve, for bringing to the attention of the Senate of the United States a situation that certainly hits at the heart of Idaho and all the other mineral-producing States. When an attempt is made to exclude the producers in Idaho from the provisions of the bill, I wish to join my colleague in saying that that is not in the interest of the national defense.

Is it not true that within the State of Idaho there is the world's finest antimony smelter—at Stibnite, Idaho?

Mr. DWORSHAK. Yes.

Mr. WELKER. However, it has not operated since 1951, although it has the largest deposit of antimony in the United States. Today, that smelter is being used as a bowling alley for rats; and hundreds of families have been forced to leave Stibnite, Idaho, and to seek employment elsewhere, while we obtain antimony from abroad—as the so-called stockpiling program provides.

Mr. DWORSHAK. I thank my colleague for those comments; this smelter should be reactivated to encourage domestic production of antimony. But I wish the RECORD to show that my interest in this matter is not a provincial one. I am not making an appeal in behalf of minerals produced essentially, if not solely, in the mines in Idaho. If we are to approach the entire problem on the basis of national preparedness, of course it makes little difference whether the needed minerals come from Idaho or Arizona or New Mexico or Montana or any other of the States of the Union.

Mr. WELKER. Certainly I agree with my distinguished colleague as regards the provincial aspect of the matter. If we are to stockpile, I think we should stockpile all the strategic minerals and metals, and not merely a few of them.

Mr. DWORSHAK. I am in accord with that statement, and I assure my colleague that during the past several years I have made an effort to emphasize the need of eliminating discrimination and of trying to report to the Senate constructive measures which will be inclusive, to the extent of taking care of all the minerals which are in short production in the United States on an equitable basis.

I should like to make one more comment, and then I shall not detain the Senate at this time, in connection with this measure: I share the concern about the constitutional prerogative of the Senate to report proposed legislation without having reports from the executive departments. But I raise the question of whether we are acting in good faith if we endeavor to pass measures when we know that they are not in accord with the views of the executive agencies which supervise the specific programs involved. In other words, are we merely playing politics in order to encourage a veto, or are we acting sincerely in the interest of promoting the production of the minerals which allegedly are essential for our national preparedness?

Personally, as a member of the committee, I repudiate the comments to be found on page 4 of the report, because if we are consistent in saying that we do not invite reports from the executive agencies, then we should pass all measures with complete disregard for obtaining reports from the pertinent executive agencies.

Let us be consistent, instead of picking out a loophole here or taking some other action because at the moment it seems to serve some presonal objective which we may have in mind. What is the cost of this purchase program? Is a Presidential veto inevitable?

So, Mr. President, I renew the contentions I have made in the committee, at the hearings on some of these mining bills, and which I have also made on the floor of this body, namely, that I am in complete accord with the views of the members of the Committee on Interior and Insular Affairs when they say they want to promote and to stabilize our domestic mining industry. But, Mr. President, let us be consistent, and not take action which nullifies that contention by proposing subsidy programs which are only remotely related to the national defense.

MANGANESE PRODUCTION—CRITICAL MINERALS PRODUCED FOR NATIONAL DEFENSE AND TO SUPPORT THE NATIONAL ECONOMY

Mr. MALONE. Mr. President, in connection with affording encouragement in the production of the necessary critical and strategic minerals two propositions are involved. One is the national defense. The other is the national economy. To that extent, I join in the remarks of my distinguished colleague, the Senator from Idaho [Mr. DWORSHAK], when he says that all the minerals should be considered.

We have continually considered all of the critical minerals and materials, including antimony, lead, zinc, and the complete range of such minerals.

We passed Senate bill 3982 and the Senate sent it to the House and today the House passed it and I hope that the Senate, yet today, will approve the bill and send it to the White House and I have every confidence that the President will sign it and keep these mines operating until we can find a permanent

plan of operation. In January 1957 I intend to introduce a bill which will include all the minerals without which a jet engine cannot be made. The proposed legislation will provide the return of these critical minerals to the Congress in accordance with the Constitution and then the Tariff Commission, an agent of Congress, can adjust the flexible duty of tariff on the basis of fair and reasonable competition to take the profit out of the foreign cheap wages at the water's edge and American producers and workingmen are back in business.

Mr. BARRETT. Mr. President, will the Senator from Nevada yield to me?

Mr. MALONE. I am happy to yield to my distinguished colleague from Wyoming.

Mr. BARRETT. I invite attention to the fact that during the Civil War gold and silver were discovered in great quantities in the State of Nevada, and it was stated at that time that, as a matter of national defense, the discovery of gold and silver won the war for the North.

The point I am attempting to make is this: Is it not extremely difficult to tell, sometimes, whether a metal is promoting the national defense, rather than merely the national economy, as the Senator suggested a moment ago?

Mr. MALONE. It is extremely difficult to say that one is more important than the other, because if our economy is destroyed it makes no difference what we have to fight with; we are down and out.

In 1953 Congress enacted the Malone-Aspinall Act. Few understood what the effect of the law would be.

As a result of the enactment of that law, Public Law 206, which has been known as the Malone-Aspinall Act, tungsten has been removed from the critical category.

Seven minerals were included: tungsten, manganese, chromite, columbium-tantalum, mica, asbestos, and beryl.

For the previous 25 years Secretaries of the Interior, including Mr. Ickes, had said, "We have no tungsten in this Nation. We must import it from China, Burma, South Africa, or Mexico."

TUNGSTEN OUT OF CRITICAL CATEGORY

As a result of the Malone-Aspinall Act, we set a price on those minerals just enough above the world price to represent the difference between the wages, taxes, and the general cost of doing business here and in the chief competing country on each mineral.

As a result we are now producing twice as much tungsten as we consume annually. Let me point out what Dr. Flemming, Director of Defense Mobilization, who is recognized as the direct representative of the White House, said:

I suggest, however, that where a domestic purchase program is about to terminate and where all defense needs have been met, the Congress should make provision beyond the scope of defense legislation to assist the industry by providing for the purchase of specified amounts from nondefense funds until the Congress has had time to consider recommendations from the appropriate nondefense agency, namely, the Department of Interior, for a long-range program.

THE PRESIDENT'S COMMITTEE

The President has appointed a committee of Cabinet members to bring in a long-range program to increase the production of the critical minerals in this country. We are told that it will be submitted early next year. The bill which I will introduce in January will include the minerals without which a jet engine cannot be made, most of which minerals are coming from Africa, Burma, India, or other equally distant areas, and most of which would be unavailable to us in the event of war, aside from considerations of the national economy, I hope other Senators will join me in sponsoring the bill.

RETURN TO CONSTITUTIONAL CONTROL

My proposal will be to return the control of those minerals to the Congress of the United States, to the Tariff Commission, and agent of Congress, and let the Tariff Commission continually adjust the duty on a flexible basis, which will represent the difference between wages, taxes, and the general cost of doing business here and in the chief competing country in each case.

We departed from the Constitution in the 1934 Trade Agreements Act. Let us return to it with the minerals without which we cannot fight a war.

The President has often said that it would be embarrassing for him to repudiate trade agreements; but no one can blame the President of the United States for trying to make the United States as nearly self-sufficient as possible in the production of materials without which a jet engine cannot be made.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as part of my remarks a table headed "Manganese Program: Program Under Authority of Public Law 206."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Manganese program: Program under authority of Public Law 206

Buying stations	Effective date	Termination date	Long-ton units allotted	Units		Total cost to Dec. 31, 1955	Actual average cost per unit to Dec. 31, 1955	Probable gross purchases at June 30, 1958 (units)	Probable gross cost based on cols. 8, 9	GSA estimate	
				Purchased in last quarter 1955	Total purchases to Dec. 31, 1955					Gross transaction cost	Probable ultimate net cost
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
			Million								
Wenden, Ariz	July 3, 1952	June 30, 1958	6		6,108,316	$10,743,179	$1.76	6,110,000	$10,750,000	$16,493,000	$12,522,000
Butte-Philipsburg, Mont	July 31, 1952	do	6	277,108	2,036,525	2,885,762	1.45	3,500,000	5,075,000	14,825,000	11,255,000
Amended	Jan. 17, 1953	do									
Deming, N. Mex	Sept. 23, 1952	do	6	1,723,769	6,183,415	11,995,725	1.96	6,183,000	11,760,000	16,200,000	12,300,000
Carlot program	Feb. 26, 1953	do	19	838,021	5,331,520	12,806,611	2.40	9,800,000	23,520,000	23,812,000	16,860,000
Total			37	2,838,898	19,659,776	38,432,491	1.96	25,593,000	50,163,000	71,330,000	52,937,000

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. MALONE. I yield.

Mr. BARRETT. If we do not have this stopgap legislation which will carry us over until such time as the Congress can consider a long-term program, will it not then be too late to revive many of the mines which are in operation at present, and which will be closed unless such legislation is enacted?

KEEP THE MINES IN OPERATION

Mr. MALONE. That is exactly what would happen. For 20 years we had no production of tungsten. Now we have such production, because of the 1953 Malone-Aspinall Act providing a purchase program. So let us keep the mines in operation until we get the final program set up.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MALONE. I yield.

Mr. AIKEN. Would this bill encourage operation of the mines themselves, or would it encourage utilization of millions of tons of slag left around the old mines, and in that way discourage actual operation of the mines?

Mr. MALONE. I always consult my distinguished colleague for advice on agricultural subjects, and I am glad that he has asked that question about minerals. It would not have the result which the Senator suggests, because operations in connection with slag are much more expensive.

Operation of the mines would be encouraged until a permanent plan can be accepted by this body.

PREDICTED SELF-SUFFICIENCY IN PRODUCTION OF TUNGSTEN

In 1953 I predicted that within from 3 to 5 years we would be self-sufficient so far as the production of tungsten was concerned under the Malone-Aspinall Act.

I now predict that within 3 to 5 years, under this proposed legislation we can become self-sufficient in the production of manganese, without which not a pound of steel can be made.

Mr. AIKEN. I asked the question in order to ascertain whether the bill would encourage actual operation of the mines,

or whether it might induce greater utilization of waste.

Mr. MALONE. I am glad the Senator asked the question. If the process of reclaiming manganese from slag were perfected, the situation might be different. Manganese is never consumed, it is a clarifier. It is discharged in the slag, but 10 or 15 percent of it is lost through every reclaiming operation. I hope the necessary laboratory work is continued in order to perfect the process of reclaiming manganese.

Mr. AIKEN. Am I correct in understanding that the reclamation of manganese from slag is a more expensive process than mining it?

Mr. MALONE. That is correct, as of the present time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (S. 4039) was passed.

AMERICAN FOREIGN POLICY

Mr. HUMPHREY of Minnesota. Mr. President, during the course of the past month President Eisenhower, Vice President Nixon, and Secretary of State Dulles individually and collectively have presented to the world an amazing merry-go-round of views on the important question of neutralism. Each in turn has seemed to go out of his way to undo the position of the other, and then to undo his own.

The first exhibition of this official merry-go-round occurred from June 6 through June 9. During these 4 days the 3 highest officials of our Government ran the gamut of all possible views on the subject of neutralism. On Wednesday, June 6, President Eisenhower told his press conference that some nations were remaining neutral "with respect to attachment to military alliance." "And may I point out," he said, "that I cannot see that that is always to the disadvantage of such a country as ours."

At the news conference the President recalled that for about 150 years of its existence the United States was neutral toward wars in Europe. He said this did not mean the United States was neutral toward right and wrong, any more than the neutrality of some new nations today meant such indifference. He went on to note that while public opinion was outraged by any attack upon a neutral country, "if it has announced its military association with another great power, things could happen to it, difficulties along its borders, and people would say 'good enough for it. They asked for it.'"

The next day the White House on its own volition issued a "clarifying" statement. The statement said that the President believed that there were "special conditions which justify political neutrality, but that no nation has the right to be indifferent to the fate of another."

The President does not believe that association for mutual security with the United States will involve any country in added danger but, on the contrary, will provide added security on the basis of mutuality and scrupulous respect for the independence of each.

On Friday night, June 8, the Vice President made his excellent speech at Lafayette College, a speech which I inserted in the CONGRESSIONAL RECORD for June 14, 1956, on page 10428. This speech followed up the President's original thoughts—and I underscore "original thoughts"—by expressing the view that uncommitted nations wanted time for economic development and "are not going to be frightened into an alliance with the West by military power, nor can their allegiance be purchased by dollars." Under the circumstances, he called for an ideological program to win the hearts and minds of men. I complimented the Vice President on his speech, a fact which was noted in the Life magazine this morning. I shall return to the item in a few minutes.

Then on the next day, June 9, Secretary Dulles addressed the Iowa State commencement at Ames. He announced that the defensive alliances which the United States had entered into over the last 10 years "abolished the principle of neutrality which pretends that a nation can best gain safety for itself by being indifferent to the fate of others. This has increasingly become an obsolete conception and except under very exceptional circumstances, it is an immoral and shortsighted conception."

Officials said that the Dulles speech had been cleared with the White House before delivery, although it was not able to be established whether the President had cleared the speech because he had been rushed to the hospital earlier the day before.

The morning after Mr. Dulles' speech there were indications in diplomatic quarters in Washington of deep resentment. Regardless of the sentiments expressed in Secretary Dulles' speech, the timing could not have been less apt. President Sukarno had just left the United States after a successful state visit of 18 days. Prime Minister Nehru of India was expected here 4 weeks later. Secretary Dulles, in effect, had told both Asian leaders that their declared position of nonalinement was immoral and shortsighted.

At his press conference on June 12, Secretary Dulles was asked to clarify the discrepancies between his remarks and the President's. I ask unanimous consent that the pertinent excerpts from the press conference of June 12 be printed in the RECORD at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Question. Mr. Secretary, there seems to be a great deal of confusion as concerns the statement you made in your speech the other day about neutrality being "immoral" and the President's statement almost simultaneously that he wouldn't be at all surprised that some nations preferred to, in view of the risks involved in becoming members of an alliance. How do you reconcile those two points of view?

Answer. In the first place, I point out that the quoted language you attribute to me is not complete or accurate. In the second place, I would point out that there is no difference whatever between the President and myself on this subject. I had a long discussion with him in the course of other matters on Thursday afternoon and I can assure you that there is no difference whatever in our points of view. As far as language differences are concerned, I think you can probably find I have expressed my own view on this subject a good many times over the last decade, perhaps 50 times, and I doubt if on any of those 50 occasions I used precisely the same language. You can find a difference in my expression on every one of those 50 occasions. But I do not think that my views have changed. As the President said, it is a complicated subject and it is not possible to find a precise formula of identical words to deal with the subject as it comes up in different contexts.

Question. Mr. Secretary, can you explain the circumstances under which the clarifying statement on nentrality was issued by the White House on Thursday?

Answer. No, the White House would issue its own statement if it thought fit to do so.

Question. Mr. Secretary, in your speech in which you said that the concept of neutrality was increasingly obsolete except under very exceptional circumstances, would you tell us what kind of circumstances you consider would not render it obsolete?

Answer. Well, the outstanding example of neutrality is, of course, Switzerland. Switzerland has declined to join the United Nations because it recognizes that the United Nations Charter is incompatible with strict neutrality.

QUESTION ON INDIA RAISED

Question. Well, would you apply that exceptional term to states like India and Indonesia, for example?

Answer. I don't care at this time to get into naming states and passing judgment upon the course of action of other governments.

Question. Could we put the question this way then, sir: Is it your feeling that those states which have joined alliances with the United States and other Western countries as of today should remain in them, but you have no objection to those which do not at the moment have such alliance remaining outside them? Is it the status quo on that problem that you are approving?

Answer. I am afraid that if I tried to answer that question that you would find in the answer a fifth version, which you would then compare with the preceding fourth or third or second or first. I believe enough has been said on that subject to make quite clear the views of the administration with reference to neutrality.

Question. Mr. Secretary, is it fair then for us to infer from what you said this morning that there is no difference within this administration and all the reporting on this subject is misleading the people as to the position of this Government?

Answer. Well, I don't want to pass judgment upon the reporting. I can say, and repeat what I said, which is that I had a discussion on this subject with the President on Thursday afternoon and I am satisfied that there is no difference of opinion between the President and myself on that subject.

Question. Mr. Secretary, did you talk to the President before his Wednesday press conference on the subject? He gave his remarks on neutrality as a voluntary statement, not in answer to a question.

Answer. I prefer not to answer that. I think that the details of the personal relations between the President and myself don't lend themselves to public exposition.

Question. Mr. Secretary, do you agree with what the President said on this subject?

Answer. I have said that there is no difference that I can detect between the views of the President and myself on this subject.

Mr. HUMPHREY of Minnesota. Secretary Dulles achieved little in the way of clarification except to say that there

was no difference of opinion between President Eisenhower and himself, despite the apparent differences of their statements.

Mr. Walter Lippmann in a column on June 12, 1956, discussed the differences between the President and Secretary Dulles, the differences which the Secretary of State that same day pretended did not exist. I ask unanimous consent that Mr. Lippmann's column be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PRESIDENT AND MR. DULLES

(By Walter Lippmann)

There is only one subject of public interest and that is the rate and the character of the President's recovery. On that his doctors alone are qualified to speak, and they have done so not only in reassuring but indeed in enthusiastic terms. Later on, however, after he is out of the hospital and has had time to try himself out, it will be the turn of the President himself to speak. Until then, the country must once again resign itself to a period of uncertainty.

Had the President not been stricken, there would be many subjects of great public interest. One of them is the sharp conflict on neutrality between what the President tried to say in his press conference on Wednesday and what Mr. Dulles said in his speech at Iowa State College on Saturday. This conflict is all the more surprising in view of the fact that at the press conference the President promised that Mr. Dulles would make it all very clear "so that we can all understand what it is we are trying to do in waging the peace." What Mr. Dulles made clear is that he and the President do not think alike, or perhaps we should say that they do not feel alike, on the subject of the nations which refuse to join our military alliances.

For the President, who remembers our own history as a neutral in respect to the alliances of Europe, it does not seem immoral, or necessarily unwise, if a nation prefers not to aline itself in a military pact. For him, such neutrality does not mean indifference "as between right and wrong, or decency and indecency."

But for Mr. Dulles, who is in one of his sternest and most righteous moods, neutrality among military alliances is "except under very exceptional circumstances * * * an immoral and shortsighted conception." This is a rather sweeping generalization in view of the fact that in Europe it covers Sweden, Switzerland, Ireland, not to speak of Austria and Finland; and in Asia it covers India, Burma, Ceylon and Indonesia; that in the Middle East it covers all the Arab states except Iraq; and that if one looks into the fact it would cover a lot of Latin America.

What has brought about the Eisenhower-Dulles muddle is that apparently uncontrollable itch in high quarters to utter resounding generalizations. Why was it necessary for the President to discuss neutrality in general and abstract terms? Why was it necessary for the Secretary of State to speak on the subject as if from a mountain top? Do other heads of state and other foreign ministers anywhere feel that they must generalize and declare moral judgments about the policies of other governments? Why then must we suffer this recurrent affliction in Washington?

The essence of the problem of neutrality and alliances is that it is the problem of each sovereign state, and that there is no general rule. What is best for some states is not necessarily best for all states. The vice of the Dulles position is that it presumes to judge and condemn on general grounds the policy of many states with whom we have no quarrel, who have done us no injury, who have as much right as we have to join or to refuse to join particular alliances. Mr. Dulles should know that his sweeping moral judgments will win him no allies but can alienate many friends.

The occasion for these untimely and dangerous utterances is that certain of the new military alliances—particularly the Southeast Asia Treaty and the Baghdad Pact—are causing so much trouble that a reappraisal has become necessary. The President's friendly remarks on neutrality reflect one aspect of this reappraisal in which he has undoubtedly been participating. Mr. Dulles' harsh remarks reflect another side of the reappraisal. They reflect the fear that if any concessions, like the President's, are made to neutrality, the whole fragile structure of the alliances will crumble.

The crux of the problem is to find ways of reducing the military character of these alliances and of transforming them into agencies of economic cooperation. The administration has not yet, however, succeeded in formulating such a solution of the problem. Fearing that the existing system of alliances will dissolve before a new system of cooperation can be worked out, Mr. Dulles is for public purposes—let us hope for public purposes only—grimly standing pat on the pretense that the whole policy is firm and is in no need of serious revision.

Mr. HUMPHREY of Minnesota. Mr. President, the second exhibition of this official merry-go-round of views on neutralism has occurred this week. It was precipitated by the Vice President's unfortunate remarks abroad. At the time I inserted in the RECORD the Vice President's Lafayette College commencement address, I told the Senate that "It is not often that I have been prompted to compliment the Vice President of the United States in broad and unqualified terms. That I do so today reflects my enthusiastic admiration and complete agreement with the substance of Vice President NIXON'S remarkable address delivered at the commencement exercises at Lafayette College last Friday night, June 8. I consider this speech a major contribution to our national evaluation of world affairs. The Vice President has given us both a comprehensive and constructive summary of the world situation. It is a statement which should be read and reread, and its message should be reflected in what we say and what we do."

I regret to say today, Mr. President, that certain things that Vice President NIXON himself has said and done on his recent Asian visit do not seem to me to be consistent with his Lafayette speech.

He made an excellent beginning in that speech, and he has failed to follow through. His recent round-the-world trip has again compounded the confusion created last month by the conflicting statements of the President and Secretary of State. If these repeated official contradictions were not so embarrassing and unfortunate, we could afford to be amused.

Mr. President, I should like to make the following remarks, in the context of an editorial which appeared in the July 16 issue of Life magazine, which is on the newsstands this morning. The editorial is entitled "Nixon Is Making Sense and Friends."

Apparently the editorial was written prior to the statements of the Vice President on the last half of his round-the-world tour.

It begins as follows:

One day recently an extraordinary thing happened in the United States Senate. Minnesota's fair dealing Senator HUBERT HUMPHREY held up a copy of Vice President NIXON'S commencement speech at Lafayette College and expressed his "enthusiastic admiration and complete agreement with * * * [this] remarkable address. * * * The Vice President has given us both a comprehensive and constructive summary of the world situation. * * * [it] should be read and reread. * * *" And he thereupon introduced it into the CONGRESSIONAL RECORD. This is one of the not-too-frequent occasions when Life finds itself in agreement with Senator HUMPHREY. We also thought the Lafayette speech was an extremely effective exposition of the Eisenhower philosophy (e. g., "The uncommitted nations are not going to be frightened into alliances with the West by military power, nor can their allegiance be purchased by dollars. * * * Whatever we do we must deal with other peoples as our moral and spiritual equals").

Today, Mr. President, is one of these frequent occasions when I disagree with Life magazine. The Life editorial goes on to draw the fantastic conclusion that I have now decided to agree with Mr. NIXON on whatever he says on foreign policy, and that in this situation I find myself in the company of both Life magazine and David Lawrence in agreeing that Mr. NIXON is an effective exponent of the Eisenhower philosophy.

Mr. President, if the Eisenhower philosophy is one of confusion confounded on international affairs, then, indeed Mr. NIXON is an effective exponent. When we study official administration statements—statements on such issues as colonialism, disarmament, and agonizing reappraisals—there have been and continue to be confusion and uncertainty.

Today we may ask: What is the Eisenhower philosophy on neutralism? What is the NIXON philosophy? What is the Dulles philosophy? After a month of conflicting statements and conflicting clarifications, all we know about the administration's attitude on neutralism is that it occasionally says good things for world consumption but then has an irresistible impulse to mount the political stump at home and use diplomatic rostrums abroad to take away doubly every good sentiment it expresses. The Vice President's performance in Asia is an excellent case in point. I told the Senate a month ago that the Vice President's Lafayette College speech contained a message which should be reflected in what we say and what we do. Let us see how the Vice President himself has reflected that message in what he said and did on his recent round-the-world tour.

First. At Lafayette the Vice President said:

First let us see what is at stake. Approximately 600 million people live in the so-called uncommitted or neutral nations. It is easy to see that the world struggle will be determined by what happens to these people.

On his round-the-world tour, Mr. NIXON did not visit the uncommitted or

neutral nations of Burma, Indonesia, and India. He not only avoided visiting them, but he took several occasions to say and do things that were anathema to the leaders and peoples of these countries.

Second. At Lafayette, Vice President NIXON said:

> If it is made to appear that our primary concern is military hardware, we may find ourselves isolated in a world that has been convinced by the traveling salesmen of the Soviet Union selling other products.

In his round-the-world trip, Mr. NIXON visited exclusively those countries in Asia and the Mediterranean which have been most concerned about receiving military hardware: Formosa, Vietnam, Pakistan, Turkey, and Spain.

Mr. President, I do not wish my remarks to be interpreted as meaning that those countries should not have been visited. They are countries with which this Nation has most cordial and friendly relations. I merely think it is important to note that the very countries which concerned Mr. NIXON at Lafayette are the countries which he excluded from his visit.

Third. At Lafayette the Vice President said:

> It is basically a war for men's minds, a struggle for their allegiance, an effort to win them peacefully to the Soviet camp. In this struggle, ideas—not guns or aircraft—are weapons.

It was for this kind of statement that I expressed my complete agreement with the Vice President last month. But in his round-the-world tour this month, Mr. NIXON used Karachi, Pakistan, as a rostrum for denouncing the views of Prime Minister Nehru of India.

Anyone who is familiar with the history of tension between India and Pakistan knows that when an American Vice President discusses the subject of neutralism from Karachi, he is, indeed, using the wrong place to say the wrong thing at the wrong time.

Fourth. At Lafayette the Vice President said that nations newly freed from colonialism desired peace, not because of war-weariness or fear, but because they wished "something much more positive." "They wished the time and freedom to build their countries economically, politically, and culturally."

In his round-the-world tour, Mr. NIXON told the uncommitted world that the price of aid from the Communists would be a "rope around the neck." He said this even though he knew that almost every country in Asia had had Communist assistance dangled before it, and that several had accepted it. He knew that even in Pakistan, where he spoke, there has been a remarkable increase in trade with the Communist bloc and a good deal of speculation about increased Communist aid.

Fifth. At Lafayette the Vice President said:

> Of this we can be sure: The uncommitted nations are not going to be frightened into alliance with the West by military power, nor can their allegiance be purchased by dollars.

The response to Mr. NIXON's round-the-world tour suggested that Prime Minister Nehru at least was not frightened by what Mr. NIXON said. The Prime Minister announced in London that Mr. NIXON's views on neutralism were undemocratic.

Sixth. At Lafayette, Vice President NIXON said:

> We must, at whatever cost, place additional emphasis on developing the kind of ideological program which is designed to win the minds and hearts of men. Whatever we do, we must deal with other people as our moral and spiritual equals. Nothing is more infuriating or more likely to make our program fail than a boastful or condescending attitude on our part.

Mr. President, I thoroughly agree with that statement, but how I wish the administration and its spokesmen would adhere to this philosophy. I respectfully suggest that the Vice President and the Secretary of State should restudy these sections of Mr. NIXON's Lafayette College speech, and in their subsequent pronouncements try to carry out this philosophy and express it in official policy.

The whole subject of neutralism was bound to be raised again Wednesday at Secretary Dulles' press conference, Mr. President, and it was. In a fantastic retreat from his Ames speech, the Secretary of State stumbled all over himself trying to show that the "immoral" neutrals, whom he had denounced last month, did not really exist anywhere in the world today. I ask unanimous consent that the pertinent excerpts from Secretary Dulles' press conference of yesterday be printed in the RECORD at this point in my remarks.

There being no objection, the transcript of the press conference was ordered to be printed in the RECORD, as follows:

Question. Mr. Secretary, are you in agreement with what Mr. [Vice President RICHARD M.] NIXON has been saying in Asia about Communist aid and the willingness of the United States to continue aid to countries that are receiving economic aid from the Communists?

Answer. I didn't get the last part of your question.

Question. Well, he said that the United States would continue to supply economic aid to Asian countries that took it from the Communists—the Russians.

Answer. I would merely say about that that I believe Vice President NIXON has very effectively and well expounded United States policy in the countries which he has visited. I don't recall the precise language to which you refer, but I am quite familiar in general with what Vice President NIXON has said in these countries and I would say in general I am quite in accord with it.

Question. Mr. Secretary, one of the specific quotes from Mr. NIXON's remarks at Karachi [Pakistan] dealt with foreign aid and specifically Soviet foreign aid. He said: "Soviet aid is offered not with strings but with a rope and the recipient runs almost the certain risk of having the rope tightened around its neck." Would you agree with that view on the Soviet aid?

Answer. I do not think that Vice President NIXON said that. He quoted somebody else as having said it. That is the report which I got of the incident.

STATE DEPARTMENT TEXT CITED

Question. I read the State Department text of that news conference, sir, and he did say it.

Answer. I read it also and that was not my understanding of it. [Laughter.]

Question. Irrespective of whether he was quoting somebody else or himself, do you agree with that statement?

Answer. I think it is almost certain there is a risk in accepting Soviet Communist aid. But I think that almost inevitably follows from the fact that the Soviet Union and satellite countries are themselves so impoverished in terms of the need for consumer goods that only a strong political purpose could justify and lead the Soviet rulers to divert economic assistance from their own people to other peoples. There must, therefore, be a strong motive behind it. That motive needs to be watched carefully.

I do not want to say in every case the taking of Soviet aid would involve a great danger, but certainly when you see an area as impoverished as the Soviet bloc is, and that is highlighted by the recent riots in Poznan [Poland] when you see the situation where the workers are rioting and risking their lives to get more bread—when you see such a country diverting its economic wealth to other people, there must be a strong political motive behind it and that is a warning.

Question. Mr. Secretary, do you still believe that neutralism is immoral?

Answer. I believe what I said which is that the kind of neutralism which is indifferent to the fate of others and which believes security can best be sought in isolation and without concern for others—I said that kind of neutrality I believe is immoral. I did not say neutralism of all kinds is immoral. I described the kind of neutralism which I think is immoral and to that view I still adhere.

Question. How is that a nation's concern for others is expressed in the international field, Mr. Secretary?

Answer. It is first of all expressed through membership, I would say, in the United Nations, which itself commits all of the members to the principle of standing together as against aggression. That indicates a concern for others. Now, of course, as we know, the operation of that provision of the United Nations Charter is subject to being impeded by the veto power in the Security Council.

The concept of mutual help, which is expressed in the United Nations Charter, has been translated in a good many cases into the collective security arrangements which are permitted under article 51 of the charter, which is written, and I helped to write it, for the reason of having an alternative to the Security Council and its veto power. So the concept of nations, being willing to help each other is inherent in the United Nations Charter and is also inherent in the collective security arrangements made under article 51 of the charter, which was devised to permit overcoming the possible veto power in the Security Council.

REMARKS BY MR. NIXON NOTED

Question. Mr. Secretary, the further point, Mr. NIXON in his Manila speech made a distinction between two kinds of neutrals, one that just is independent the way we were when we were young and the second which makes no moral distinction between right and wrong. Do you think any of the present governments in Asia qualify in the second category?

Answer. Well, I wouldn't want to call countries by name, I think I had better not do that.

Question. Mr. Secretary, the definition of a concern for others as being expressed through membership in the United Nations means, as a practical matter, does not, that there practically aren't any neutrals in the world? Practically all the countries which have been able to get into the United Nations are there.

Answer. Yes, with one exception, Switzerland, which has felt that its membership in the United Nations would be inconsistent with its traditional policy of neutrality. I would not want even there to say that the

neutrality of Switzerland was immoral. It is based upon a very special set of circumstances and I think in the statement which I made, and which has been alluded to by another questioner, I said that "except under very exceptional circumstances," and there could be exceptional circumstances, I think perhaps are, in the case of Switzerland. But Switzerland has not joined the United Nations, although it could do so, because it felt that was inconsistent with its traditional policy of neutrality.

Question. I think some of us had the impression from the statement you made that the standard which was in your mind, the standard of action or commitment, was the collective security systems; that is, the willingness to take a position on some specific current issue during the past 10 years. Your definition here broadens neutrality to the point where, well, I now have the impression that hardly any country would be considered to be immoral in its neutral policy.

Answer. I think there are very few, if any, although I do believe this: I believe that countries which denounce genuine collective security pacts are seeking to promote a somewhat wrong view of neutrality.

Mr. HUMPHREY of Minnesota. Mr. President, this morning's newspapers and yesterday's newspapers are full of news articles and editorials concerning the foot-in-mouth disease which now seems chronic in the State Department. One Associated Press dispatch by John M. Hightower, says:

Secretary of State John Foster Dulles took United States policy on neutrality around another vast turn yesterday and it wound up going in the opposite direction from that which he had last set for it.

Mr. President, I ask unanimous consent that the complete text of Mr. Hightower's article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DULLES SHIFTS ON NEUTRALITY

(By John M. Hightower)

Secretary of State John Foster Dulles took United States policy on neutrality around another vast turn yesterday and it wound up going in the opposite direction from that which he had last set for it.

Dulles accomplished this by defining the neutrality which he had denounced bitterly in a speech a month ago in such a way that, by his definition, there probably are really no neutral countries in the world.

When a reporter pointed this out at his news conference, Dulles agreed with it.

No single issue in recent months has produced so many confusing and sometimes outright contradictory comments from top administration officials.

At a news conference on June 6, President Eisenhower strongly defended the rights of neutral nations in many instances to their neutrality.

This alarmed the diplomats here of allied countries like the Philippines, Pakistan, and Turkey.

On June 7, therefore, the White House put out a statement which said that Mr. Eisenhower, when saying some countries had strong reason to remain neutral, did not mean to imply that they obtain more security through their neutrality than if they were allies. He said the greatest security for the whole free world is gained by the system of alliances.

INCREASINGLY OBSOLETE

On June 9, in a speech at Ames, Iowa, which Mr. Eisenhower had acclaimed in advance, Dulles recalled that the United States had made treaties with 42 countries around the world for mutual defense, then added:

"These treaties abolish, as between the parties, the principle of neutrality, which pretends that a nation can best gain safety for itself by being indifferent to the fate of others. This has increasingly become an obsolete conception and except under very exceptional circumstances, it is an immoral and shortsighted conception."

This attack on neutrality as immoral greatly cheered allied countries which saw in it a reaffirmation of American association with them. It upset countries like India which saw in it a condemnation of their special positions in world affairs which they had thought 3 days earlier Mr. Eisenhower was defending.

The idea that Dulles had made a broad attack on neutrality was generally reported and discussed in Washington at the time and there was no denial or suggestion that Dulles was trying to make a different point.

The denunciation of neutrality was made on a basis of comparison with those countries which had joined collective defensive systems. The need for these systems was explained in terms of inability of the United Nations to function for security purposes because of the veto in the U. N. Security Council.

U. N. IS OUTLET

Yesterday, Dulles was asked about his denunciation of neutralism and he said he was talking about a neutralism which has no concern for others.

He was then asked by what means the Nation could express concern for others. He said that could be done by membership in the United Nations.

A reporter pointed out to him that in today's world virtually all countries either belong to the United Nations or wish to become members. India and most of the other countries normally classified as neutral are in the United Nations.

Dulles said the one exception which occurred to him was Switzerland, and he said Switzerland has a long tradition of neutrality and its case was very exceptional in the sense he had used the words in his Ames speech. He clearly did not mean to imply that Switzerland's neutrality was immoral.

A reporter then suggested that this seemed to mean that his Ames denunciation for practical purposes had no application at all.

Dulles agreed that he thought there were very few if any countries which were neutral and, therefore, guilty of following an immoral policy as he had talked about it at Ames.

Mr. HUMPHREY of Minnesota. Mr. President, when he was asked to clarify what kind of neutralism was immoral, Secretary Dulles said that membership in the United Nations would indicate that a neutral nation was concerned about the fate of other nations and that, therefore, such neutralism was not immoral. When it was pointed out that almost all of today's neutrals, except Switzerland, are members of the United Nations, the Secretary of State said:

I would not want even there to say that the neutrality of Switzerland was immoral.

Of course, the Secretary went on to make clear what everyone knows, namely, that Switzerland is a great democracy, and that its neutrality has nothing whatsoever to do with any kind of international immorality, but rather is a considered policy of the people of Switzerland and its government, a policy which has long been recognized by the United States of America.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks an article entitled "View on Neutrals Eased by Dulles," written by Dana Adams Schmidt, and published in the New York Times of July 12, 1956.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIEW ON NEUTRALS EASED BY DULLES—SECRETARY ASSERTS THERE ARE "VERY FEW, IF ANY" NATIONS OF THE IMMORAL KIND

(By Dana Adams Schmidt)

WASHINGTON, July 11.—Secretary of State Dulles, who last month denounced the immorality of neutralism, said today there were, after all, "very few, if any," neutrals of the immoral kind.

Redefining his views on neutralism, Mr. Dulles said that a nation was not neutral in the immoral sense if it belonged to the United Nations. He declared this was because, by adhering to a charter that endorsed the principle of collective security, it showed its concern for the fate of others.

Meanwhile, Vice President RICHARD M. NIXON, who has figured in the debate on neutralism, returned from a 'round the world journey as representative of President Eisenhower. Mr. NIXON would not comment on attacks made in the Senate by Senator ESTES KEFAUVER, Democrat, of Tennessee, involving this issue.

Mr. KEFAUVER and Representative EMANUEL CELLER, Democrat, of Brooklyn, criticized the Vice President for having engaged in an "open feud" with Prime Minister Jawaharlal Nehru of India. Mr. CELLER's statement urged the President to disavow Mr. NIXON's attacks on neutralism, which, he said, were imperiling India's friendship.

Reporters at Mr. Dulles' news conference pointed out that nearly all countries that had been able to do so had joined the United Nations.

SWITZERLAND CALLED SPECIAL CASE

"Yes, with one exception Switzerland, which has felt that its membership in the United Nations would be inconsistent with its traditional policy of neutrality," the Secretary of State said. "I would not want even there to say that the neutrality of Switzerland was immoral."

Mr. Dulles held Switzerland to be a special case for which the had left room in his reference to "exceptional circumstances" in the speech he made in Ames, Iowa, June 9.

In that speech Mr. Dulles had declared that the United States collective security treaties "abolish, as between the parties, the principle of neutrality which pretends that a nation can best gain safety for itself by being indifferent to the fate of others.

"This has increasingly become an obsolete conception and, except under very exceptional circumstances, it is an immoral and short-sighted conception," he added in the speech.

In the absence of further elucidation the Secretary's remarks appeared sharply in contradiction with those of President Eisenhower who, 2 days earlier, had spoken words of warm understanding for the neutral position taken by some of the newly independent Asian nations.

While Indian and other neutralist leaders had enthusiastically welcomed the President's remarks, they were taken aback by those of Mr. Dulles. But Mr. Dulles, when questioned June 12, declined to acknowledge a difference between himself and the President or to develop the subject further.

At that time Indian leaders took it that Mr. Dulles meant them when he talked about immoral neutralism, and Mr. Dulles did not deny it.

Today, however, Mr. Dulles sidestepped an opportunity to name the Asian neutrals that which, in the words of Mr. NIXON in Manila, made no moral distinction between right and wrong. He said only that he thought Mr. NIXON had "very effectively and well" expounded United States policy during his Asian tour.

ALLUSION TO INDIA SEEN

Mr. Dulles entered the fray on neutralism June 9 with a declaration fortissimo. Today his last word on the subject was, by comparison, pianissimo. He said that countries that denounced genuine collective security pacts (presumably India) "are seeking to promote a somewhat wrong view of neutrality."

Secretary Dulles, a dozen diplomats, 16 Republican Senators headed by Senator WILLIAM F. KNOWLAND of California, Republican leader of the Senate, and Leonard W. Hall, chairman of the Republican National Committee were on hand to greet the Vice President and Mrs. Nixon at the airport.

The Vice President made no comment on attacks made on him in the Senate by Senator ESTES KEFAUVER, Democrat of Tennessee, and in a statement issued by Representative EMANUEL CELLER, Democrat of Brooklyn. Both criticized Mr. NIXON for having engaged during his recent trip, in what Senator KEFAUVER called "an open feud" with Jawaharlal Nehru, Prime Minister of India.

During a news conference in Pakistan, Mr. NIXON said he had the Indian Prime Minister in mind when he declared earlier that the acceptance of Communist assistance was dangerous and "inconsistent with freedom." His remarks brought an immediate and critical reaction from Indian officials, including the Prime Minister.

Mr. HUMPHREY of Minnesota. Mr. President, I thought the final paragraph of this article was most interesting. It reads:

During a news conference in Pakistan, Mr. NIXON said he had the Indian Prime Minister in mind when he declared earlier that the acceptance of Communist assistance was dangerous and "inconsistent with freedom." His remarks brought an immediate and critical reaction from Indian officials, including the Prime Minister.

Mr. President, I wish to make quite clear my own attitudes concerning our relationships with India. Certainly, India at times causes us difficulties in terms of our foreign policy. Indeed, we at times may cause some difficulties for Indian officials as our policies are related to Indian foreign policy. But I hope that sooner or later our officials will come to realize that the 375 million people of India are trying to make a democracy work. If democracy in India fails, India can go only one way. It can only go the way of Red China. It appears to me that every conceivable effort should be made to make certain that such a tragic set of circumstances shall not befall the people of India.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HUMPHREY of Minnesota. I yield.

Mr. MANSFIELD. I wish to associate myself with the remarks which have just been made by the Senator from Minnesota and to express the hope that, in view of the circumstances over which the President had no control, the visit scheduled with the Indian Prime Minister, Mr. Nehru, which had to be cancelled for the time being, or at least postponed, can, in some way and by some means, be rescheduled, say, in the month of September, which I understand he has partly free.

During that time the Prime Minister of India and the President of the United States could go somewhere, discuss mutual problems, and try to reach some solutions.

I think it is very important, in view of the decisive point made by the Senator from Minnesota, that in relation to India's position vis a vis Communist China we come to a mutual understanding and perhaps a mutual tolerance.

I sincerely hope that some way can be found whereby to extend another invitation to Mr. Nehru to come to this country in September to meet privately with the President and to discuss with him problems of mutual interest. I feel certain that, election year or not, it would be a good move on the part of the administration, and I am quite certain there would be no political repercussions so far as the Democrats are concerned.

Mr. HUMPHREY of Minnesota. I associate myself with the thoughts just expressed by the Senator from Montana. I am certain that, Democrats or Republicans, we would all welcome the opportunity of a visit by the Prime Minister of India to the President of the United States, in an effort to reach a better understanding between our two countries and between the leaders of the two countries. This is so all-important that political considerations should be put aside.

Speaking for myself, I should say this would be one time when we would want a political truce which would be fully guaranteed in terms of that kind of visit and of the highly important subject matter which would be discussed.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. HUMPHREY of Minnesota. I yield to the Senator from Tennessee, who, by the way, was the first to discuss on the Senate floor on Wednesday, some of the issues which I am discussing in detail today. I compliment him on the statement he made then.

Mr. KEFAUVER. I thank the Senator from Minnesota. I think the Senator is making a very useful statement which needs to be made at this particular time frequently and forcefully.

In discussing Mr. Nehru and India too many of our people and representatives of the Government seem to overlook the fact that on the continent of Asia it will be either the influence of India or of Communist China which will win. Certainly there can be no disputing the fact that our sympathy and our hope lie with India.

Furthermore while we may not like everything Mr. Nehru does, or may not like some of his positions, nevertheless we find that in India there is substantially a free press. The Government of India has regard for protecting the liberties of the people. India also has one of the best conducted parliaments or congresses I have ever observed, and in it English is spoken.

As the Senator from Minnesota has said, the people of India are determined to improve their standard of living, and they want to do it in a democratic way, if possible.

On that basis, I think inflammatory remarks, such as those which the Vice President has made, are not in good taste. We should be a little more considerate of exactly what India means to us and to the free world than we have been in the past.

Mr. HUMPHREY of Minnesota. I thank the Senator from Tennessee for his kind remarks. It has always appeared somewhat peculiar to me that administration officials, who can make highly controversial remarks about India's policies, make them selectively. They do not make equally pointed remarks about Yugoslavia, for example, which is under the control of Tito.

Tito is a dictator; Tito is a Communist. We have had relationships with Yugoslavia primarily because we thought it would be to the long-term advantage of our foreign policy if we could help split up the solid phalanx of the Communist Parties of the satellite countries. There has been considerable pressure brought to bear upon Congress to maintain relationships with Tito and not to permit aid to be cut off from Yugoslavia or to permit statements to be made which could jeopardize those relationships.

Yet in Yugoslavia, freedom as we know it does not exist. In India, despite our difficulties with that country, there have been free elections. India has a constitution and a bill of rights which are enforced. India has courts in which there is due process of law. India has free speech and a free press. In India there are parliamentary institutions, elected officials. and an economy which is trying to find its way toward greater production for the people.

Mr. President, can we not finally bring to an end, on the part of these high administration officials, the apparent incurable attraction they have for making conflicting statements for domestic political consumption on major issues of world importance? An editorial in yesterday morning's Washington Post and Times Herald spells out the alternatives before us if we must undergo future exhibitions of this merry-go-round of assorted administration views on world affairs. The Post editorial concludes:

Is it not time, in short, for us to stop this sideshow-barker kind of wheedling, to find something else to talk about or keep our official mouths shut? What we are succeeding in doing, against our own best interests in Asia, is create the impression that it is necessary to sign a military pact and plunge into the cold war in order to be friends with the United States. One of these days, if this keeps up, we shall find ourselves confronted by a continent full of countries which are neutral against us.

I ask unanimous consent that the full text of this editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SPEAKING OF NEUTRALISM

It is highly unlikely that Mr. NIXON, Mr. Dulles, or any of the spokesmen who have been dispensing morality on the subject of neutralism are going to change Mr. Nehru's mind. They are not likely, in fact, to pick up any converts at all, either in India or in

the other countries of free Asia. But they are altogether likely to leave a long string of animosities and bruised feelings as a result of their gratuitous advice. What, then, is the sense of offering it so profusely?

The only reason this newspaper has heard which has some point is that those countries in Asia which are allied with the United States are fearful of the attraction of neutralism. If their people see other nations which adhere to a policy of nonalliance receiving the equal blessings of the United States, they may themselves have difficulty discouraging neutralism as the easy course. Protests from some of these allied countries, it is said, may have been what induced Mr. Dulles to contradict and undo as only he can the President's understanding remarks on the position of neutral countries. The circle became complete yesterday when Mr. Dulles sought to undo Mr. Dulles, and this time he was right.

Actually is the fear of neutralism voiced by allied countries a good argument? Is it not, really, a kind of blackmail? If an alliance is so flimsy as to be swayed by a few words of understanding for the position of another country, how much reliance can be placed in it? The basic point, however, is something else. Granted that this country has an interest in maintaining its alliances in good repair, is it necessary to do this at the expense of alienated friendship with other free countries? Can we not, indeed, take a leaf from the Russians, who have been smart enough not to urge anything on the uncommitted countries except peace?

Mr. NIXON, himself, in an extraordinarily fine speech at Lafayette College last month, stated his belief that "often too much reliance is placed upon the effectiveness of bombarding the uncommitted countries with radio broadcasts, motion pictures, and press releases which present the American viewpoint." The same may be said of packaged morality about the cold war. Surely a sophisticated view of world affairs requires the recognition that there is a strong feeling in parts of Asia against any sort of military alliance. Stress on nuclear weapons, and awareness of the dangers of fallout, increase this feeling. The most effective alliances are made up of like-minded countries which face a common danger, as in NATO. In Asia there are a number of new countries to which the danger does not seem so clear cut and which are unwilling at this point formally to take sides.

This does not mean, as Mr. Eisenhower himself said before Mr. Dulles torpedoed him, that these countries are neutral between right and wrong. Their leaders are following what they regard as a patriotic course best calculated to serve their countries' interests. We may think them naive, unrealistic, or wrong. But is it wise to shout this continually from the housetops—or, worse, from the capitals of rival countries?

Is it not time, in short, for us to stop this side-show-barker kind of wheedling, to find something else to talk about or keep our official mouths shut? What we are succeeding in doing, against our own best interests in Asia, is create the impression that it is necessary to sign a military pact and plunge into the cold war in order to be friends with the United States. One of these days, if this keeps up, we shall find ourselves confronted by a continent full of countries which are neutral against us.

Mr. HUMPHREY of Minnesota. Mr. President, I consider it to be most unfortunate that, at a time when American-Indian relations are so critical, an ambassador of the distinction of John Sherman Cooper is being removed from his post in New Delhi. Apparently this question is not entirely unrelated to the one I have been discussing. In a column by Marquis Childs, which appeared on July 10, 1956, in the Washington Post and Times Herald, there is a statement that—

> Cooper has been decidedly unhappy about recent statements by Secretary of State Dulles and Vice President NIXON criticizing India's neutral policy as "immoral." Urgent telegrams that Cooper sent to the State Department from New Delhi recommending means for bettering relations with India are said to have been treated as routine "file-and-consider" dispatches by Under Secretary of State Herbert Hoover, Jr.

Unquestionably, the withdrawal of Ambassador Cooper, combined with the disappointment over Mr. Nehru's postponed visit to the United States, will be a double blow to American-Indian relations. Ambassador Cooper's withdrawal is particularly unfortunate because this administration has shown a tendency to withdraw ambassadors from New Delhi for domestic political reasons.

I note that there have been three ambassadors from the United States to the Republic of India in 3 years. I think one of the true tests of bipartisanship at the beginning of this administration could well have been leaving the then Ambassador, Chester Bowles, at his post of duty. I think it is generally conceded that Ambassador Bowles carried out his duties and responsibilities as Ambassador to India with great honor and credit to his country and himself.

I shall never be convinced that there was any other reason than politics for the withdrawal of Ambassador Bowles at the height of his own effectiveness in India in 1953. We have had two ambassadors in New Delhi since that time. I do not believe that this is an encouraging practice to continue, when the whole future of freedom in Asia may depend upon a rapid betterment of relations between the United States of America and India, the largest democracy anywhere on earth.

Let me conclude, Mr. President, by appealing for a new responsible, nonpartisan approach to our behavior on the world scene. I cannot speak for others, but I can speak for myself. I shall support this administration, as I have on many occasions, when I feel that it is honestly presenting a national viewpoint.

I think my record on the great issues of foreign policy which have come before the Senate indicates that my support is forthcoming. Frequently I have given the administration's position the benefit of the doubt. I have done it in reference to aid to Indochina, even before the truce in Indochina. I have done it in the instance of military assistance funds, when my colleagues, in whom I have great trust, urged that we cut those funds. I voted against the cuts. I have given the benefit of the doubt to the administration even on such an issue as aid to Tito.

I have complimented President Eisenhower when I have felt he has embodied and symbolized a valid nonpartisan position.

I was one of the first to compliment the President on his atoms-for-peace proposal. I can remember his address in April 1953 to the newspaper editors, when I took the floor of the Senate to compliment him on what I thought was an admirable address.

It was with the same sincere approval that I complimented the Vice President on the Senate floor over his Lafayette College speech. But frequently speeches are not followed by policy. It is disconcerting to have the President announce one policy, and the Secretary of State carry out another; or to have the Secretary of State announce a policy, and the Under Secretary carry out another; or to have the Vice President announce different policies on different days.

I cannot, and I am sure my colleagues on this side of the aisle cannot, support an administration that constantly reveals such an abysmal lack of executive leadership as has been demonstrated recently on this question of neutralism.

Like the twists and turns of our official attitudes on colonialism, disarmament, and defense policy, it would be difficult to envision a less coherent policy even if one were to try deliberately to create this confused result.

The President, the Vice President, and the Secretary of State have practically told us that various members of the administration disagree on fundamentals. Even individually, the Vice President and Secretary of State seem incapable of talking and acting today the way that they did yesterday or will again tomorrow. One day official statements are made to appeal to one segment of the population, here and abroad. The next day, contradictory statements are made to appeal to other segments of the population, here and abroad.

Mr. President, you cannot be all things to all people. I think the great tragedy of this administration is that it seeks popularity at the expense of principle and leadership; and popularity is not necessarily the same as principle and leadership—in fact, it is frequently not the same.

Mr. President, the device of appealing 1 day to 1 segment of the population, and another day to another segment, while deplorable, has sometimes seemed excusable to American politicians when conducting domestic political campaigns. It is a device which is intolerable and inexcusable in the conduct of our foreign relations. If these various contradictory views were expressed by a single individual in private life, a psychiatrist would say that the individual did not know what he wanted or where he wanted to go. He should have immediately been rushed off to a doctor to find out what was wrong. His basic convictions would seem to be so out of focus that he would be considered unpredictable and unreliable by his friends.

Let us beware, Mr. President, of further evidence through high official statements that the administration in the foreign-relations field is reflecting an unbalanced national mind. The costs would be immeasurable if the rest of the world ever became convinced, as some peoples already are, the American foreign policy is conducted under the flippant and expedient auspices of tactless and politically minded men.

I hope that is not the case, Mr. President. I still want to give those who are entrusted with responsibility the bene-

fit of the doubt. But as one citizen and one Member of this body, I ask that there be a more consistent point of view. If the point of view or the policy is to be changed, then the people should know that it is to be changed after due consultation.

An international reputation of the sort I have mentioned will drain our reservoirs of good will, trust, and confidence. To the degree that such a reputation actually becomes us, we in truth shall have become unworthy of the world's respect.

Mr. President, I also ask unanimous consent to have printed at this point in the RECORD a very remarkable study of American foreign policy. The study was developed by the director of the University of Chicago's Center for the Study of American Foreign Policy, Mr. Hans Morgenthau, who has just returned from a tour of the Far East. In his usual careful and intelligent way, he has provided us with four challenging articles on our foreign-policy predicaments in Asia. These articles have just appeared in a series in the New Republic and I ask unanimous consent that they be printed in the RECORD at this point in my remarks. The titles of the articles are, respectively, "Ideological Windmills," "Military Illusions," "The Frustrations of Foreign Aid," and "The Danger of Doing Too Much."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New Republic of March 12, 1956]

THE IMMATURITY OF OUR ASIAN POLICY—I: IDEOLOGICAL WINDMILLS

(By Hans Morgenthau)

The American position in the world, as it appears at the beginning of 1956, suggests that we have not learned or forgotten enough; we have sometimes learned the wrong lessons and forgotten what we just seemed to have learned. We have learned that in our age world politics is being fought with the weapons not only of diplomacy and military might but also of psychological warfare; it has become in good measure a struggle for the minds of men. Yet in practice we conceive that struggle for the minds of men primarily as a kind of philosophic debate, far removed from the concrete, specific concerns of living men.

We have also learned that in order to protect and promote one's interests in a world of competing and hostile nations a nation must be strong. Yet we have defined strength primarily in military terms. In doing so, we have fallen into the same error which cost us the political reward of victory in two world wars: divorcing military policy from political objectives it is meant to serve.

We have also learned that there exists a relation between the economic and technological advancement of underdeveloped countries and the objectives of our foreign policy. Yet in practice we have not been able to correlate our economic and technical aid to our political objectives, beyond discriminating between our allies and the uncommitted nations. The main standard by which we have judged our aid has been its soundness in technical terms; the correlation between aid and political stability has by and large escaped us—in theory and practice.

These different policies—psychological, military, economic—are not operationally oriented toward common political objectives. That missing common orientation has been supplied by a peculiar type of political oratory which correlates these different policies both to the highest ideals of mankind and to our ability to wage war successfully. It is typical of this oratory, singularly unrevealing about the real issues confronting the United States, that it is hardly ever followed by action, political or military. It seeks not to justify and explain action, but to provide a substitute for it. Thus official pronouncements on foreign policy, self-advertisement, bluff and hoax tend to become indistinguishable.

This combination of mechanical military measures and similarly mechanical economic aid—with the propensity to think about foreign policy in terms of philosophic abstractions and to talk about it like a huckster—has been the bane of our foreign policy. It leaves unattended that intermediate sphere of political maneuver where a peaceful foreign policy finds the opportunity of bringing its imagination, inventiveness and flexibility to bear upon the concrete political issues of the day. It is in that sphere that the political battles are won and lost.

What ails American foreign policy today—and what has ailed it during the better part of the last half century—is not primarily clumsiness in execution here, weakness in administration there, improvidence at another place—even though it is no stranger to these ailments either—but an all-pervading deficiency of understanding. The foreign policy of the United States is not based upon the threat that faces it and, hence, is not capable of countering this threat. The uncertainties and blunders of many of our concrete moves have their roots in that basic misunderstanding.

The negative political effects of that deficiency of understanding are less obvious in Europe than they are in Asia. For the conflict in Europe can indeed be defined in good measure in strictly military and purely ideological terms. The military security of western Europe is threatened by Russian imperialism, as is its intellectual and moral identity by the advance of communism. It is true that by placing these two issues in a political vacuum and divorcing them thereby from the concrete, specific interests of the individual nations of western Europe, we have done more than has our enemy to jeopardize our position in Europe.

HELPING THE ENEMY ADVANCE

But it is in Asia that the weakness of our thinking on foreign policy becomes fully apparent. For here both the extremes of philosophic generalities and local military preparations completely miss the point. The ideological cannonade, as it were, soars far above the advancing enemy, and military pacts, far from stopping him, actually help him to advance.

Nowhere in Asia, with the exception of Japan, is the conflict between communism and democracy relevant or even intelligible as a philosophic contest between tyranny and freedom, between the total state and the individual. Nowhere in Asia does either the Soviet Union of Communist China advance under the banner of Marxism, calling upon the masses to assume the historic role which Marx had assigned them. Instead, communism advances by identifying itself with the concerns and, more particularly, the grievances of different groups.

CONCRETE GRIEVANCES AND SOVIET TACTICS

All Asians are afraid of atomic war; thus the Soviet Union poses as the defender of peace. All Asians are opposed to colonialism; thus the Soviet Union poses as the enemy of colonialism. The educated classes throughout Asia seek economic advancement and technological development; thus the Soviet Union poses as the champion of that, too. The political leaders of the uncommitted nations—and the leaders of the nations committed to the United States as well—want to be on the winning side; thus both the Soviet Union and Communist China claim that the future belongs to them.

All educated Asians remember with awe or pride the past greatness of China as a culture and a state. Thus Communist China impresses the unceasing stream of visitors from all over Asia—estimated for 1955 at close to a hundred thousand—not with the Communist qualities of its philosophy and institutions, but with the restored dignity and power of a great nation. Similarly, the delegations, books, magazines and movies which Communist China is sending all over Asia make their impact by identifying themselves not with Chinese communism but with the great tradition of Chinese culture.

The Communist victory in Vietnam was a victory of anticolonialism for which communism supplied effective leadership and organization. Communist infiltration in Malaya and Singapore is accounted for in part by the specific need of a Chinese majority for protection against a Malay minority; British rule has provided that protection thus far, but its impending disappearance compels the Chinese to look elsewhere, and they look naturally to the restored power of China. Besides, here and elsewhere, grievances of Chinese labor provide a vehicle for the advance of communism. And everywhere in Asia, China and, through it, communism attracts the gifted youth of the Chinese communities because they find in China the only opportunities for study and work, commensurate with their ambitions and abilities.

Conversely, the relative lack of success of communism in certain parts of Asia, such as Cambodia, Thailand and Hong Kong, is due to nothing else but the lack of grievances which communism could exploit. The three major reverses which communism has suffered in Asia are likewise the result not, as we have been led to believe, of a revolt against Communist philosophy and the Communist way of life, but of specific and thus far unique circumstances. First, the Chinese soldiers who refused to return to Communist China after they had been captured by U. N. forces in the Korean war were members of former units of the Nationalist Army who had most recently been captured by the Communists and whom, for want of sufficient indoctrination, the Chinese Communists considered as expendable. Second, the overwhelming majority of the approximately 800,000 refugees who left the Communist part of Vietnam for the south are Catholics who had lived in the north in compact communities and left in a body under the leadership of their priests; the balance is composed of the families of soldiers of the army of South Vietnam, who happened to live north of the demarcation line. And third, the main bulk of the refugees who streamed into Hong Kong in 1949 and 1950 did so for the traditional economic reasons, and the small-scale reverse movement from Hong Kong to Communist China is motivated by similar considerations.

The Soviet Union and Communist China have joined the battle on the level of the actual, specific aspirations and grievances of the peoples of Asia, and their success has been spectacular and consistent. This success has been in part inevitable; for the restored power of China—to give only one example—makes an unanswerable case for Chinese influence in Asia. In good measure, however, that success is due to the inadequacy of our own policies, derived from a philosophy which has no bearing at all upon the actual issues at stake.

THE PHILOSOPHY OF "MILITANT LIBERTY"

That philosophy has just been codified in a document which will certainly go down in history as one of the most extraordinary

state papers of all times. It is called "Militant Liberty"; its author is John C. Broger, president of the Far East Broadcasting Co., consultant in the Office of the Joint Chiefs of Staff, and an officer in the Naval Reserve. It offers a blueprint for United States psychological warfare together with a quantitative method to evaluate its effects. It was approved last summer by a conference of a score of distinguished public figures convened by the Secretary of Defense. Admiral Radford, the chairman of the Joint Chiefs of Staff, has been its most enthusiastic champion, and last fall the Joint Chiefs approved it. Based on it, many and various activities are carried on by our Government.

"Militant Liberty" is hardly remarkable in itself. It is one of those documents which come from time to time across one's desk, impressing one by the combination of enthusiasm, ignorance, and naivete. "Militant Liberty" has these three qualities in the extreme. No description and analysis can convey the full flavor of its illiteracy.

What makes "Militant Liberty" remarkable is the faithfulness, undiluted by even the shadow of a doubt, with which it reflects the philosophy which dominates our understanding of the Asian problem and the policies devised to cope with it. What makes "Militant Liberty" a sensation and a scandal, is the fact that the government of a great and civilized country sees fit to identify itself with so unmistakably misguided and incompetent an effort. In itself, "Militant Liberty" is laughable. As a state paper endorsed by the Government of the United States of America, it is nothing short of shocking, reflecting as it does upon the judgment of our leaders in matters of basic policy.

MEASURING LIBERTY ON A SLIDE RULE

"Militant Liberty" starts with the sound observation that communism has been more successful than democracy in the struggle for the minds of men. Yet the conclusions it draws from this observation are unsound. It defines the conflict between democracy and communism in terms of "individual personality and conscience" versus "class conscience" or "conscience of the masses," which it regards to be the "hard core of Communist philosophy." It assumes that "Experience has demonstrated that aspects of Militant Liberty," defined as individual conscience, "will have a practical appeal to many individuals of every race, color, or creed, irrespective of cultural, social, economic, or political background."

What, then, ought to be done?

"The concept of militant liberty is designed as a program to be developed on a country-by-country basis to make available to peoples of the free world the ideas and ideals of individual liberty which are basic to a free society in a manner which will motivate indigenous leaders to seek training in and to foster these ideals within their own countries, insofar as local conditions will permit * * *. Therefore, the concept consists of motivating people everywhere to be collectively demonstrative of a positive philosophy of freedom. For this purpose, training must be available in the meaning of freedom, and the methodology of communication and persuasion."

Nations can be evaluated "with reasonable accuracy" as to the degree of liberty attained through a quantitative analysis of discipline, religion, civics, education, social order, and economic order. To each of these 6 categories a numerical value can be assigned ranging from 0 to plus or minus 100 according to a trend toward or away from liberty.

In the light of what has been said before, it is hardly necessary to point out that "militant liberty" has no bearing upon the situation in Asia. Neither liberty nor communism has a universal appeal, irrespective of the circumstances under which the individual appealed to lives. Communism has been successful wherever its tenets of social, economic, and political equality have appealed to people for whom the removal of inequality has been the most urgent aspiration. On the other hand, the appeal of liberty has succeeded wherever in popular aspiration political liberty has taken precedence over all other needs. For this reason, communism has largely lost the battle for the minds of men in central and western Europe, and democracy has by and large been defeated in Asia.

Little needs to be said to show that "Militant Liberty" is also defective in its own abstract philosophic terms; for it is obvious that it has hardly an inkling of the nature of Marxist philosophy. Marxism does not deny the existence of an individual conscience; it denies only that the content of this conscience derives either from supranatural or autonomous individual sources. Instead, it maintains that the consciousness of the proletarian class, as that of any other class, gives content to the individual conscience. In consequence, universal morality is transformed into class morality, determined by the consciousness of the class to which the individual happens to belong. The problem as to where the content of the individual conscience comes from is certainly different from the question of whether an individual conscience exists at all. By confounding the Marxist "consciousness" with "conscience," "Militant Liberty" offers a caricature of Marxist thought.

Its ignorance is as glaring in what it does not say about Marxism as in what it says. It would certainly be fortunate for us if there were nothing more to Marxism than this emphasis upon the collective consciousness. But must one really point out to the Joint Chiefs of Staff that Marxist philosophy contains a few other "hardcore" elements which are politically relevant and without which the persistent intellectual attraction of Marxism could not be explained?

Such is the quality of the weapon with which the Joint Chiefs of Staff intend to win the battle for the minds of men throughout the world. They might as well divine their military strategy from the flight of birds and fashion our economic policy after the Townsend plan.

[From the New Republic of March 19, 1956]

THE IMMATURITY OF OUR ASIAN POLICY—II: MILITARY ILLUSIONS

(By Hans J. Morgenthau)

Our policies in Asia are irrelevant to the political problems confronting us. At best, they are ineffective, as are our propaganda and economic policies. At worst, the political damages they do is out of all proportion to whatever intrinsic merits they may have; this is true of our military policies.

Our military policies in Asia owe their existence to the shock of the Korean war. The North Korean attack demonstrated the need for local military defenses wherever a similar attack was likely to occur. Our commitment to defend South Korea, Formosa, and South Vietnam meets that obvious military requirement. However, the Korean war gave rise to a broad interpretation of the Asian problem in primarily military terms. The North Korean attack was interpreted to have been planned by the Soviet Union as the opening move in a series of military aggressions likely to occur anywhere in Asia. The Soviet Union was believed to have changed radically its policy from peaceful penetration and subversion to open warfare. If that interpretation was correct, a corresponding shift of our policies was obviously in order.

Yet that interpretation was intrinsically implausible at the time and has been discredited further by subsequent events. The evidence, both intrinsic and explicit, points strongly toward a different interpretation. According to it, the Russian role in the outbreak of the Korean war was one of acquiesence rather than of instigation, resulting from a miscalculation of our intentions and capabilities. However, our military policies have never recovered from the shock of that original assumption of Communist determination to launch military aggression at any time anywhere in Asia. Our military policies remain oriented toward this assumption. They have taken two different forms: in our rearmament policy for Japan, and our alliance policy in South Asia. In both instances the military advantages have been negligible, while the political results have been disastrous.

The only legitimate military interest we have in Japan is the availability of air bases. Whatever Japan will do to increase that availability must be welcome to, and supported by, American policy. Thus we must welcome and support Japanese measures of internal security. However, overall rearmament of Japan, with which our policy has identified itself, does not meet that test. For no contingency can be visualized which would require the traditional armed forces of Japan to protect our bases. These traditional forces would be useless as defense against an atomic attack, and Japan is protected against an invasion by the threat of American atomic retaliation and not by whatever traditional forces she could put into the field. As far as Japan herself is concerned, the availability of our air bases rests primarily not on military but on political foundations. It is exactly these political foundations that our rearmament policy tends to undermine.

For rearmament is unpopular in Japan. It is so per se and as an instrument of American policy. Japan has drawn from World War II the lesson that militarism does not pay, especially when you are on the losing side. Rearmament and militarism are largely equated by the popular mind, and since militarism stands for defeat, devastation and degradation, the shadow of these stigmas falls upon rearmament as well. For many Japanese, impressed in particular by the pacifist provisions of the MacArthur constitution, democracy in turn has come to mean disarmament, peace and a new deal.

JAPANESE RESPONSE TO REARMAMENT

Thus it is not by accident that the democratic and pro-American elements of the Japanese population oppose rearmament while the conservative and reactionary forces, potentially hostile to the United States, support it. Some support it halfheartedly and cynically as a means for getting the American forces out of the country. Others support it as a symbol of national sovereignty. Still others—at present a small minority—favor it as the instrument of an independent foreign policy.

One attitude unites both the foes and friends of rearmament: The bewilderment and resentment at the about-face of the United States. Defeat and occupation made a deep impression upon the Japanese mind. The Japanese were ready to follow the lead of, and imitate, a Nation whose victory had proved its superiority in war and whose occupation policies seemed to prove its political superiority as well. The sudden reversal of our position on the rearmament issue has had a drastic psychological effect. It has darkened the image of the United States in the minds of precisely those Japanese upon whom the hope for a peaceful Japan, friendly to the West, has largely rested. To these Japanese the United States now appears selfish, fallible, unreliable and, more particularly, bent upon letting Japanese fight their wars.

It hardly needs emphasis that this political devastation inflicted upon us not by the enemy but by ourselves, has not occurred in a political vacuum. Our rearmament pol-

icy is being exploited for all it is worth by Marxists of all shades of opinion. More detrimental by far has been the connection which many Japanese have established between our insistence upon their rearmament and our entanglement with Communist China over the island of Formosa. While there is hardly a Japanese who does not favor the establishment of normal political and economic relations with Communist China, I have not found a single one who supports our Formosa policy. It is in this political and military context that we must put the rearmament of Japan, for it is in that context that the Japanese themselves see it. The coincidence of our China and rearmament policies suggests to them the ominous possibility of their involvement in a war against their will and their interests.

There are indeed situations in which a nation must take great political risks and incur great political liabilities for the sake of greater military advantage. The rearmament of Japan, however, is not one of them. It is the tragedy of our Japanese policy and the crowning monument to our folly that by identifying ourselves with the rearmament of Japan, we have created political conditions adverse to that very rearmament. Our very insistence upon it has made Japan reluctant to go on with it. It is hardly open to doubt that a sovereign Japan— conscious of her power, aware of her interests, and free to decide her own course of action in this as in other matters—would in the long run have rearmed, in one form or the other, much more willingly than she does now and without being able to blame the United States for a step which she would have taken on her own initiative.

MILITARY VALUE OF OUR ASIAN ALLIES

The same pattern of the payment of an exorbitant political price for insignificant or illusory military advantages is repeated in South Asia. Neither the Southeast Asia Treaty Organization (SEATO) nor the Baghdad Pact adds anything material to the strength of the West. All the nations concerned, with the exception of Iran, Pakistan, and Thailand, were already members of one or the other Western military alinement before the conclusion of these pacts. Nothing needs to be said of the obvious military insignificance of Iran and Thailand, which would be liabilities rather than assets for whatever side they would join in case of actual war. A few words, however, need to be said about Pakistan, which is the strongest ally the United States has on the continent of Asia.

The military power of Pakistan is the measure of America's military power on that continent. Pakistan has a good army of more than 200,000 men and a population of close to 100 million. As a member of both the Baghdad Pact and SEATO she is the connecting link between the two defense organizations. Her government is as reliable and cooperative as that of any of our Asian allies.

THE UNDERLYING WEAKNESS OF PAKISTAN

But beneath these appearances of strength there is enormous and, so it seems, irremediable weakness. Pakistan is not a nation and hardly a state. It has no justification in history, ethnic origin, language, civilization, or the consciousness of those who make up its population. They have no interest in common save one: fear of Hindu domination. It is to that fear, and to nothing else, that Pakistan owes its existence, and thus far its survival, as an independent state.

When India gained her independence and the civil war between Hindus and Moslems ended, two regions, the western and easternmost parts of India, remained with the predominantly Moslem population. These two regions, West Pakistan with the capital Karachi, and East Bengal, form the state of Pakistan. It is as if after the Civil War Louisiana and Maryland had decided to form a state of their own with the capital in Baton Rouge. In fact, it is worse than that.

The two parts of Pakistan are separated not only by 1,200 miles of Indian territory, but even more by language, ethnic composition, civilization and outlook. West Pakistan belongs essentially to the Middle East and has more in common with Iran or Iraq than with East Bengal. East Bengal, in turn, with a population which is one-third Hindu is hardly distinguishable from West Bengal which belongs to India, and gravitates toward the latter's capital, Calcutta; the major labor unions in East Bengal, for instance, are run from Calcutta. The man in the street in West Pakistan speaks any one of 4 languages—none of which enables him to communicate with the Bengali-speaking inhabitants of East Bengal. A politician in Karachi who is able to address an East Bengal audience in its own tongue has a rare political asset. While 84 percent of the total population of Pakistan are illiterate, the literacy rate is much higher in East Bengal, which is also much more politically conscious and active than its western counterpart.

Even Jinnah, the creator of this strange state, did originally not believe in its viability, and there are few politicians in Karachi today who really believe in it. If there are solutions which could assure the future of Pakistan, only extraordinary wisdom and political skill will find them and put them into effect. If there is such wisdom and skill in Pakistan, it is not to be found among the politicians of Karachi. Thus it is hard to see how anything but a miracle, or else a revival of religious fanaticism, will assure Pakistan's future.

Against whom and how is an army likely to fight, which is built upon so tenuous a political foundation? Aside from the fact that the Karachi Government may well need its army to maintain its rule over the 2 disparate territories of Pakistan, geography allows of military operations only against 2 countries: Afghanistan and India. While the Pakistani army could easily take care of Afghanistan and might perhaps be able to defend West Pakistan against India at the price of the surrender of East Bengal, such capabilities are obviously meaningless in view of the over-all political and strategic situation on the continent of Asia as it appears from the vantage point of the United States. A local war between Pakistan and one or the other of its neighbors would not necessarily affect the interests of the United States to the point of requiring its intervention. A general war into which Pakistan would be drawn should see the United States on the side where her interests lie, which might or might not be the side of Pakistan.

In such a general war it is not very likely that the main issue would be joined where the Pakistani army happens to be. Geography makes it impossible for that army in case of war to give effective assistance to any of its allies either under the Baghdad pact or SEATO, or receive such assistance from them. The SEATO treaty appears to take that impossibility into account by stipulating in case of military attack against a member state not automatic military assistance (as NATO does), but only consultation, which would be likely to occur even without a formal legal commitment.

A STRATEGY OF ALIENATION

The absurdity of these military alinements is surpassed only by the absurdity of their political consequences. By allying ourselves with Thailand, we have alienated Burma, which is, militarily and in view of the social and political dynamics of Asia, infinitely more important than a stagnant country, bypassed by the Asian revolution, such as Thailand, which has been traditionally misgoverned to the satisfaction of its population. By allying ourselves with Pakistan, we have alienated India, which, for identical reasons, is infinitely more important than our ally. The Baghdad pact, far from erecting a barrier against Russian penetration of the Middle East, has given Egypt and the other Arab countries hostile to Iraq the incentive and the pretext to come to terms with each other and with the Soviet Union.

The political bankruptcy of this military policy is indeed complete. Yet the origins of that military policy, at least insofar as SEATO is concerned, shed a revealing light upon the general character of our foreign policy. It can be stated on excellent authority that when SEATO was conceived in the fall of 1954, it was intended not as a measure of military policy, but of psychological warfare. It was intended to counteract the psychological damage which the partition of Vietnam at the Geneva Conference of 1954 had inflicted upon the prestige of the West, the United States included. It was intended as a gesture of defiance, as an act which would convey the appearance of initiative and strength where actual initiative and strength were lacking. As such, SEATO was slated to take its place in that series of portentous yet hollow pronouncements which range from liberation and the unleashing of Chiang Kai-shek through agonizing reappraisal and the "new look" to the brink of war.

TURNING OUR WEAPON AGAINST US

Yet while SEATO is militarily hollow and politically pernicious, it is more than a unilateral pronouncement of the Secretary of State of the United States. It is a solemn undertaking to which the representatives of the member States have put their signatures. This circumstance imposes upon the United States additional liabilities, both economic and political. Our Asian allies make no bones about their intention to use SEATO as an entering wedge into the treasury of the United States. Since they are our allies, they must have first claim upon American financial support. As one of the most astute of our representatives in Asia put it to me: "This is like the Community Chest. Two agencies acting in concert can collect more than two agencies acting alone."

SEATO, thus having become an instrument of economic pressure, transforms itself in the hands of its Asian members into a political weapon directed against the United States. Since whatever economic and political support these allies receive can never be enough, they are in a position of threatening the United States with looking for support elsewhere. The success of Egypt in playing one side against the other has impressed Thailand and Pakistan. Strong neutralist tendencies have recently come to the surface in both countries. On his recent visit to Burma, the Prime Minister of Thailand went so far as to equate his country's membership in SEATO with membership in the United Nations. And on December 26 of last year the Karachi Provincial Muslim League called upon the government to revise its foreign policy, declaring it "a failure on the whole." The Government of Pakistan has echoed these sentiments by complaining that the Government of the United States does not support Pakistan strongly enough against India.

Thus in every respect our military policy in Asia is a failure. It is a failure in its own military terms, and it is a failure in the political consequences it has had for the relations with our potential friends and actual allies.

[From the New Republic of March 26, 1956]

THE IMMATURITY OF OUR ASIAN POLICY—III: THE FRUSTRATIONS OF FOREIGN AID

(By Hans Morgenthau)

The immaturity of our foreign-aid policy is strikingly illustrated by the way in which the current debate concerning it is carried

on. The principal point at issue is the amount of money to be spent, not the substance of the policy to be pursued. Both camps assume that one can, as it were, buy the objectives of foreign aid through the outlay of a certain amount of money; the more money one spends, the more objectives one is going to buy; and the only point of difference is how many objectives one needs and can afford to buy.

This monetary conception of foreign aid has dominated our policy since the days of the Marshall plan. Yet it has been mistaken from the beginning, and many of the frustrations and futilities of our foreign-aid policy can be attributed to this misplaced emphasis.

For the objectives of economic or technical aid are not economic or technical per se but political and social, and these objectives have to be attained through the intermediary of a foreign government which may or may not be willing and able to attain them. This twofold complication of the problem of foreign aid was obscured by the stark urgency with which the economic decay of Western Europe in the aftermath of World War II posed the problem for American policy. The problem was further obscured by the spectacular success which American policy achieved, measured by the requirements of the immediate emergency.

The Marshall plan restored the productivity of Western Europe and advanced it to record heights. However, the Marshall plan sought to restore not only the economic but also the social and political health of Western Europe. Communism has not been able to take over Western Europe, and the Marshall plan deserves part of the credit for that victory. Yet communism is far from defeated in Western Europe, and the Marshall plan is partly to blame for that failure. For while the Marshall plan has regenerated the productive capacity of Western Europe, it has left its economic, social, and political structure by and large intact. The dangers to the stability and strength of Western Europe which have grown in the past from the defects of that structure have continued to grow because those defects were not repaired. The Marshall plan, almost completely lost sight of those roots of instability and unrest, which antedated the emergency and were bound to operate after it was over.

In Asia, the choices for our foreign-aid policy have as a rule not been as simple as the European ones. In Europe, an emergency had to be met, and in meeting it we had to decide whether we wanted to deal also with the economic, social and political problems transcending it. We decided not to meet them, primarily because we did not dare intervene actively in the domestic affairs of other nations. So, as a matter of principle, we gave aid "without strings attached." In Asia, the choices of objectives and of policies have been more varied and their probable consequences more difficult to assess. Rarely, as in Korea and Vietnam, were we faced with an emergency which left us little leeway in the choice of objectives and policies. Generally, in view of our overall objective of withholding the uncommitted nations of Asia and those committed to us from Communist domination, we have had a multitude of choices on different levels of decision.

BASING POLICIES ON LOCAL REALITIES

First of all, we have had a choice between action and nonaction in terms of foreign aid. Some of the Asian nations might be so firmly committed to our side or else so determinedly uncommitted that their policy does not need to be supported by foreign aid. Other nations might have economic, social and political systems of such a nature as to make them impervious to influence by foreign aid. Others still might be susceptible to political or military measures rather than to those of foreign aid. Or foreign aid might create such social, economic and political instability as to make us prefer the preservation of the status quo to change.

Once we decided that none of these four reasons for nonaction in terms of foreign aid applied, we had then to select from the many areas of action at our disposal: Military, political, economic, technological, and prestige. The choice of a particular sphere of action is dictated by the expectation that through it the desired objective is most easily attainable. However, the attainment of the objective depends also upon the willingness and ability of the foreign nation to put the necessary measures into effect; for it is, as we have seen, a peculiarity of foreign aid that it must become effective through the intermediary of a foreign agent.

The foreign government is the natural first choice. Yet it is quite possible that foreign aid, in order to be effective, requires a political change either in the composition of the government or in the overall political structure. There must be a policy then on how to interfere with the political processes of the foreign country and how to choose between government and private auspices.

LOSING SIGHT OF POLITICAL EFFECTS

Our policy of foreign aid to Asia shows hardly a trace of such thought processes. The four principles by which it is guided are, by contrast with the subtlety actually required, simplicity itself. First, it defines success and failure of a measure of foreign aid not in terms of its political objective but in its own technical terms; and economic measure, for instance, is judged not by its political consequences, but by its economic results. Second, the political objective of defense against Communism tends to become equated with military preparedness per se; in consequence, military rather than political objectives tend to provide the standard and goal for American policy. Third, as recipients of foreign aid we tend to select countries which are friendly to us, defining friendliness in military terms and, hence, attaching visible or invisible military strings to our aid. Fourth, we prefer to give aid to the government in power, thereby contributing toward keeping it in power regardless of whether or not an available political or private alternative would be preferable in view of our interests.

Thus our policy of foreign aid has virtually lost sight of the overall objective of our Asian policy. Instead, it has tended to become either an auxiliary of military policy, performing technical functions for it, or else a self-sufficient technical operation, to be judged solely in terms of the technical rules proper to it, that is, whether it will aid in the improvement of port facilities here, the increase of the agricultural yield there, and the modernization of accounting procedures elsewhere. In consequence, its operations have, at best, largely become irrelevant to the purposes of our political policy.

For an act of foreign aid is a political act, regardless of whether we want it to be so or whether we are even aware of it. Insofar as our foreign aid is, or only appears to be, an auxiliary of our military policy, it partakes of necessity of the political liabilities of that policy, to which we have referred in a preceding article. As such, it raises the spectre of Western imperialism, of militarism and of the exploitation of the human and material resources of the recipient country for alien purposes, especially those of war. Far from creating good will for the United States, it becomes a potent weapon in the Communist arsenal.

We are giving military aid to the countries which we have selected not in view of our political and military interests, but in view of their willingness to accept it. It is not we who have selected our allies to serve our interests, it is they who have selected us to serve theirs as a supplier of goods and money.

Since our military aid has no rational political objective, it is invalid not only in political but also in military terms. We are training and equipping foreign armies with apparently no thought being given to the political purposes to which those armies might be put, to the political consequences our support for them might call forth, and to the military context within which these armies might have a chance to operate successfully.

Wherever foreign aid is a self-sufficient technical operation, it tends to strengthen the status quo, without regard for the effects which the strengthening of the status quo may have upon the political interests of the United States. The increase in the productivity of a politically and socially unsound economic system is likely to accentuate unsolved social and political problems rather than bring them closer to solution. A team of efficiency experts and public accountants might well have improved the operations of the Al Capone gang; yet by doing so, it would have aggravated the social and political evils which the operations of that gang brought forth.

THE WASTE OF MISPLACED ASSISTANCE

However, the lack of an organic connection between foreign aid and a clearly defined, consistent political policy tends to defeat foreign aid even if it is narrowly defined as a self-sufficient technical operation. For the very possibility of successful foreign aid thus defined may well depend upon the existence of a political and social environment conducive to it. In the absence of such an environment and with the aiding nation being oblivious to it, foreign aid, perfectly rational in its own terms, becomes a waste of human and material resources. Thus we sent the complete modern equipment for a tuberculosis hospital to East Pakistan where it remains unused because the interest and skill to use it are not available. Thus we established in South Viet-Nam a school for radio repairmen without a sufficient number of radios available to be repaired. In some countries of Asia we have duplicated segments of the Government bureaucracy with teams of experts which form a virtual shadow government; and so has the United Nations.

As a general phenomenon the wastefulness of our foreign-aid operations is intimately connected with the political aimlessness of our policy. That policy is lacking in the practical discipline which is the reflection, in the field of action, of the discipline of the intellect. When I am sure in the knowledge of what I seek to achieve and how to go about achieving it, that certain knowledge will give all my actions a common direction and all my plans a common standard for evaluation, and the smallest detail of my planning and action will be informed by it.

The absence of a political discipline which could give intellectual standards and political direction to our foreign-aid policy in Asia has harmed our interests in yet another way. We have mentioned before the problem of prestige in connection with foreign aid. This is the tendency toward what may be called conspicuous industrialization, an industrialization spectacular for producing the symbols of industrial advancement rather than sound in the technical terms of economics. A policy of foreign aid which is technically rather than politically oriented must make it almost a point of professional honor to disparage considerations of prestige and press for compliance with the principles of sound economics. While we have sometimes yielded, haphazardly and ineffectually, to the former considerations, we have generally been too honest, too much devoted to the standards of the economic engineer to sacrifice the principles of sound economics to political expediency.

By doing so, we have sacrificed political advantage. By insisting on sound economic grounds, on going slow with industrialization, we have earned the resentment of countries which want to go fast and who suspect our insistence to be inspired by competitive, if not monopolistic motives. By emphasizing aid rather than trade, an emphasis dubious from a strictly economic point of view, we wound the self-respect of the recipient nation, and by appearing to neglect its obvious short-range economic needs through our concern with long-range and less obvious benefits, we lay ourselves open to similar suspicions of selfish policies carried on under altruistic guise. By carrying on our policy of economic aid against the overpowering background of our military concerns, all our economic aid becomes suspect of being a mere auxiliary of our military policy.

BASIC DIFFERENCE OF THE SOVIET APPROACH

Until the fall of 1955, the main immediate liabilities which the United States suffered from the immaturity of its foreign-aid policy in Asia were its futility and wastefulness; it was only long-range prognosis which suggested the possibility of political disaster. For having the field of foreign aid virtually to ourselves, we could afford failing in our foreign-aid policy without, in the short-run at least, losing the political battle for Asia. The entrance of the Soviet Union in the competition has changed all that.

We have it on very high authority that this is all to the good, that the Russians are imitating us, thus bearing witness to the success of our foreign-aid policy, and that it ought to be easy for us to beat them at that game. It would indeed be a comfort to believe that this were so and that the Russians were taking a leaf out of our own book, intending to play the game according to our own rules and trying to outspend us. What a triumph it would indeed be for American policy if we had persuaded the Soviet Union by our example that they can win the battle for Asia by being as futile, as wasteful, and as politically unaware as we have been.

Unfortunately, this authoritative analysis bears no relation whatever to the actual facts. The Russian initiative owes nothing to our example, but everything to the awareness that the cold war of position has changed to one of movement and maneuver, requiring new methods on all levels of policy. Everywhere in Asia and the Middle East the Soviet Union has completely, one might even say ruthlessly, subordinated foreign aid to the requirements of high political policy.

The Soviet Union does not ask what do these countries need in view of their economic and technical development? Rather, it asks what do they want and what should they have in view of the political objectives of the Soviet Union? Thus in Afghanistan and Egypt, in India and Burma, the Russians aid and trade oblivious of the rules of economics but fully aware of the rules of the political game.

To that aid the Russians attach no strings, military or other. More particularly, they promise and deliver arms without asking for what purpose they might be used. Nor do they try to reward their friends and punish those who refuse to exclude the enemies of the Soviet Union from their friendship. The difference between our dealings with India and the Russian treatment of Pakistan illuminates the basic difference in conception and method. We have been reluctant and grudging in giving aid to India because she has refused to become an ally of the United States. On the other hand, the Soviet Union has offered aid and trade to Pakistan, which as an ally of the United States is certainly more hostile to the Soviet Union than India is to the United States. Finally, the Soviet Union has everywhere available at least two levers for action: the established government and the Communist Party. It can use one or the other or both of them in concert or against each other.

Such are some of the methods of foreign aid against which the United States must contend. It can no more afford to imitate the Russian methods than the Russians are imitating ours. Yet it can and must bring the fullness of its human and material resources to bear upon problems which are as vital for the future of the United States and of the non-Communist world as they are difficult to grasp and solve.

This task we have hardly begun to tackle because the United States has no more understood the political function of foreign aid than it has understood the political function of psychological warfare and military policy. This lack of understanding has indeed been the besetting sin of our foreign policy both in Asia and Europe. Of it and of the remedy for it, more will be said in a concluding article.

[From the New Republic of April 16, 1956]

THE IMMATURITY OF OUR ASIAN POLICY—
IV: THE DANGER OF DOING TOO MUCH

(By Hans J. Morgenthau)

The United States once believed that the Briand-Kellogg Pact was an efficient instrument for the preservation of peace; later, that the Stimson doctrine of nonrecognition of territorial changes brought about by force could stop the imperialism of Japan; and still later that a piece of domestic legislation forbidding loans to belligerents and the transportation of the war materials in American boats could keep the United States out of World War II. Today, we look back on these policies and the state of mind from which they sprang with wonderment and almost with disbelief. What shall we and those who come after us say of our present Asian policies, once the distance of time or reflection has revealed their kinship in futility to their predecessors of the twenties and thirties?

The futility of all these policies stems from a thinking which is unable to come to terms with political reality and seeks substitutes in legal and moral abstractions or in self-sufficient technical operations. Sound political thinking requires answers to four fundamental questions: What do we want? Can we get what we want at a price commensurate with the objectives sought? If the answer to this question is negative, how must we revise our objective in order to bring it in line with what is possible and with the price we can afford to pay? Finally, how do we go about getting what we want?

Our Asian policy has given a satisfactory answer to the first of these questions; it has given a partially satisfactory answer to the second and third, and it has largely missed the fourth and most important question.

The immediate objective of our Asian policy is the containment of Russian and Chinese imperialism. Since the Soviet Union and China have used communism as the main vehicle for the expansion of their power, this objective is of necessity identical with the containment of communism. It can be sought in two different ways: through the destruction of the Russian and Chinese ability to expand, or by putting an end to their willingness to expand.

The destruction of the ability to expand means to strike at the roots of the political and military power of the Soviet Union and China. This can only be accomplished by all-out war, a course of action which the atomic stalemate rules out as suicidal. We are necessarily limited, then, to depriving Russian and Chinese communism of opportunities to expand in Asia and creating liabilities and risks which are likely to outweigh the advantages to be gained through expansion. This creation of liabilities and risks can proceed on two different levels of action: military and political.

On the military level we can deprive the prospective enemy of the incentive to attack the vital interests of the United States by way of general deterrence, or we can create local balances of military power where there is the danger of local expansion by military means. We are employing both military techniques successfully. Our ability to counter a military attack upon our vital interests through all-out atomic war has forestalled such an attack. Likewise our ability and willingness to wage local wars in the Formosa Straits, Korea, and Vietnam has thus far prevented their outbreak.

What is needed beyond these measures is not a hodge-podge of military alliances concluded regardless of their military worth and political consequences. Instead we need the actuality of military power capable and ready to aid in the defense of exposed areas. Such a military policy, in order to have even a chance for success, must have as its instrument a mobile force-in-being stationed outside the Asian continent, and it must not be committed to intervene everywhere or anywhere in particular.

LIMITATIONS OF MILITARY CONTAINMENT

Any localized military policy in Asia which is likely to avoid the two extremes of defeat and general war must be conscious of the very narrow limits within which it has a chance to succeed. These conditions are the facts of geography and of the overall distribution of military power, which are impervious to change short of a general war. For a nation which has ruled out such a general war as a deliberte instrument of national policy, these conditions of geography and military power are the preconditions of policy, not its object.

The experience of the Korean and Vietnamese wars has clearly shown the narrow limits which circumscribe even defense military action undertaken by Western Powers against an Asian nation supported by the Soviet Union or China. The military defense of any piece of territory located at the rim of the Asian Continent by a non-Asian power against one or the other or both of the great Asian land powers is possible only on condition that the latter limit their commitment regardless of the outcome. If the latter press their geographic and local military advantage to the full, local defense becomes impossible, and the alternative is either defeat or a general war.

THE APPEAL OF COMMUNIST CHINA

On the military plan, our actions, if not our words, have taken into account the narrow limits within which successful action is possible; for the consequences of not taking them into account were so obviously fraught with danger that even the most vociferous supporters of forceful action had to shrink from them. It has been different in the political sphere. For here failure and disaster do not of necessity follow foolish and improvident action as immediate consequences. Thus circumstances have allowed us to act in the political sphere with unconcern for the long-range consequences of specific failures.

Yet our freedom of political action is hemmed in by four circumstances which either cannot be eliminated at all or else can be eliminated only by a general war ruled out by our overall policy. These circumstances are: the impact of the emancipation and restoration of China, the opportunity for Communist subversion, the suspicion of western intentions, and the domestic politics of the United States.

Nobody who has recently traveled through Asia with his eyes open can fail to be impressed by the impact which the emancipation of China from western dependence and the restoration of her power as a nation and as a civilization is making upon all of Asia from Japan to Pakistan. What Asians admire and respect in China is what seems

to them the fulfillment of the aspirations of all of Asia; to be masters in their own house and to prove themselves to be the equal, if not the superior, of the West. When Japan in 1942 drove the Western Powers from southeast Asia, she established herself for a fleeting moment, the echoes of which are still audible enough throughout Asia, as the liberator rather than the conqueror of Asia and dealt the prestige of the white man a blow from which it should never recover. Similarly, China, in the teeth of the opposition of the most powerful nation on earth, has given herself a political, social, and economic order of her choosing and has defied with a considerable measure of success what appeared to Asia as the combined military strength of the Western World.

This being so, it is impossible for the United States to square a policy of implacable enmity to China with the first objective of its Asian policy: The containment of Communist imperialism. For as this enmity forces China to the side of the Soviet Union, even if other circumstances would not do so anyhow, so that very same enmity forces virtually all of Asia to the side of China. Our enmity toward China becomes a hindrance to the attainment of our objectives in Asia. Yet so strong is China's position that even if we should recognize the Communist Government of China and extend the hand of friendship to it, we would only strengthen those very factors which are responsible for China's strong position in Asia in the first place. Thus we are here faced with a condition which our policy must take into account but cannot change, short of the destruction of the Communist Government of China.

The same is true of the opportunities for domestic subversion which are throughout Asia at the disposal of Communist China and, to a lesser extent, of the Soviet Union. We have pointed out in a preceding article (NR, Mar. 26, 1956) to the spectacular success the Soviet Union and China have had in using the general aspirations and specific grievances of the peoples of Asia for their own purposes. These successes are not primarily due to Communist astuteness, but to the objective conditions which made the exploitation of these aspirations and grievances by communism almost inevitable while they largely preclude the West from exploiting them. First of all, the Soviet Union and China can count everywhere in Asia upon the support of Communist parties which they control. Furthermore, China, regardless of her ideological coloration and system of government, has traditionally had unique opportunities for exerting influence in the overseas-Chinese communities. When the Chinese of Malaya and Singapore need protection, to whom should they look if not to China? When the intellectual youth of the overseas-Chinese communities seek an outlet for their abilities and ambitions, where can they seek it if not in China? China has here an advantage which no competing nation can hope to match.

MISTRUST OF THE WEST

The West faces another disadvantage which it is not able to change, at least in the short run: the Asian suspicion of western intentions. A western nation coming to Asia comes branded with the stigma of western colonialism, no matter what its purposes and actions. The wall of hostility and suspicion which dismayed Gen. William Dean when he, begged food and shelter from the Koreans whom he had come to liberate and protect constitutes a barrier, insurmountable at least for the time being, to western influence and policy in Asia.

The intentions and policies of Western nations are doubly suspect in Asia by virtue of their domestic politics. All of Asia is extremely sensitive to the issue of racial equality, and in its relations with the West, the expiration to be free from contempt take precedence over all other issues. Every case of racial discrimination in the United States takes on in Asia the aspects of a cause célèbre. One has to travel in Asia for some length of time, reading nothing but Asian newspapers, in order to realize to what extent the Asian picture of America is determined by the American attitude on racial equality. For days on end, the only news about America the reader will find deals with racial discrimination and racial violence. Since the elimination of racial discrimination in the United States will inevitably be slow, our policies suffer from a handicap which they, at least in the short run cannot escape.

Asians also resent the fact that we take for granted the superiority of democracy as a form of government. Suspicious of all such western professions of superiority, they are eager to put our sincerity to the test of actual performance. Since the performance cannot fail to fall short of the professed ideal, Asia tends to doubt the United States and all its work. Here, then, we face yet another limitation which domestic policies may diminish but cannot completely erase.

ACTION THAT IS SELF-DEFEATING

What follows from all this for the Asian policies of the United States?

1. Our Asian policies, on different levels of action, must be subjected to continuous examination in view of our overall objectives, instead of being examined only in terms of their technical self-sufficiency.

2. No action may be vastly preferable to any kind of action and, more particularly, to action for action's sake.

3. Flexibility, both as to the kind of action and the country to be chosen, must be substituted for the doctrinaire rigidity of our present policies.

It is a peculiarity of the situation in Asia, resulting from the limiting factors mentioned above, that a western policy, even though successful in its own technical terms, may still fail to bring us closer to the containment of communism, or may even do the opposite. A military action, successful and even necessary in its own terms, may hold the advance of communism at the particular spot where it was undertaken, while the very fact of its success and of its having been undertaken by a western nation brings all of Asia closer to the Communist camp. Nothing needs to be added here to what has been said in preceding articles of the negative political effects which can follow from alliance and foreign-aid policies, successful in their own terms. What is true of all technical policies is true with particular force of our Asian policies, they stand and fall not with their success in their own technical terms, but with the service they render to the attainment of the overall objective of political policy. Whatever we do or do not do in Asia must answer to this ultimate test: Does it serve the immediate objective of our Asian policy, the containment of communism?

There is no doubt an element of hyperbole in Mr. Acheson's famous statement that we should let the dust settle in Asia. Yet it contains also a great unrecognized truth. For given the insurmountable barriers within which any western policy is confined in Asia, many an action undertaken by a western nation is bound to be futile, if not self-defeating, for no other reason than that it is a western nation which undertakes it. There is not only waste but positive harm in that frenzied activity which is unaware of those insurmountable barriers confining it and feeds on the illusion that ever more and bigger actions cannot fail to surmount them. A passive policy of patient, watchful waiting goes against the grain of the American genius. Yet there is no escape from the necessity to learn how to tread cautiously the narrow path between the Scylla of failure and the Charybdis of universal destruction.

Where there is an aspiration which we can meet or a grievance which we can redress in Asia, we should do so. Where we can extend our military protection with a chance of success and without undue political liabilities, we should do so. But we should stop offering alliances, military support, and economic and technical aid to all who will take them. We should select our allies and the recipients of our aid in view of our interests, rather than suffer to be selected by them in view of theirs.

We must select the place and nature of our Asian policies in view of the opportunities for successful action, and our policies must change with them. Opportunities for politically successful economic aid may disappear in one country, which may instead offer a chance for military support. A chance for a spectacular political or military move may suddenly open up here, to vanish as quickly as it appeared. The statesman must take a leaf out of the book of the military commander who, having at his disposal a great variety of weapons, uses them in ever-changing combinations for the attainment of his overall objective.

A REALISTIC POLICY OF RESTRAINT

There is nothing spectacular in these principles of a sound Asian policy, nothing that is likely to make good copy for the public-relations expert, nothing that lends itself to a flamboyant oratorical demonstration. Yet considering the narrow limits within which we can act in Asia with any chance of success at all, the delicacy of our psychological relations with the peoples of Asia, and sometimes the incompatibility of our policies, it may not be amiss to question whether the interests of the United States are not served best by an Asian policy which is discreet rather than spectacular, restrained rather than indiscriminately active, cautious, pragmatic, and humble rather than confident in its superior principles and technical ability, and not caring who knows it.

QUESTIONS AND ANSWERS ABOUT UNITED STATES POLICY AND PROPOSALS IN THE FIELD OF DISARMAMENT

Mr. HUMPHREY of Minnesota. Mr. President, some weeks ago, as chairman of the Subcommittee on Disarmament, I submitted a series of questions to the President's Special Assistant on Disarmament, Mr. Stassen. My purpose was to clarify certain aspects of our policy in this matter. I understand that these questions and the answers are being used by the executive branch in the information program overseas. I believe the American people should also have ready access to them. I ask unanimous consent, therefore, to have printed at this point in the RECORD the questions and answers concerning the United States disarmament policy, as transmitted to the United States overseas information posts.

There being no objection, the questions and answers were ordered to be printed in the RECORD, as follows:

ANSWERS TO QUESTIONS ABOUT UNITED STATES DISARMAMENT PROPOSALS

Question. Do the Western allies on the U. N. Disarmament Subcommittee project in their proposals an ultimate level to which the Armed Forces of all major nations would be reduced? In other words, is the 2,500,000 considered an intermediate step towards further reduction?

Answer. The United States did not propose at London a specific force level figure below 2,500,000 since its proposal was for a beginning on arms control, limitation, and reduction that could take place prior to any political settlement. It was contemplated, and so stated, by the United States representative that, upon satisfactory completion of the proposed reductions by all parties, further reductions would be considered in light of the then existing state of international affairs and progress on the unresolved political questions that now divide the world. It is the belief of the United States Government that implementation of the proposed reductions to 2,500,000 in conjunction with improvement in the political situation, would lead to further reductions.

Question. Why was the earlier figure (1,500,000) found to be inadequate and why are the present figures considered more suitable under an arms-limitation agreement?

Answer. The United States has endeavored to formulate a plan of action that could be implemented under existing conditions, without requiring resolution of the various political issues. It has been the United States Government's view that after 10 years of discussion of the arms question it would be important if some initial action could be taken now. With regard to the previous American proposal of a 1,500,000 force level, it should be noted that it was never contemplated that the United States would reduce its forces to that level so long as there continued to be threats to international peace posed by the Communist world's refusal to conclude just political settlements, nor so long as there continued to be threats of aggression in Europe, the Far East or the Near East. The United States stated in 1952—and subsequently—that the reduction then proposed should be made in a series of steps concurrent with progress on the solution of the major political problems. The 1952 force level proposal was based upon the premise that all nuclear weapons could and would be eliminated from the stockpiles of nations. It was then stated that with the verified elimination of nuclear weapons and with the settlement of political issues, the force level figure of 1,500,000 would be adequate for American and free world security. Unfortunately, however, the extensive studies undertaken during the last year and a half by the United States Government confirmed a fear which has been increasingly expressed from 1952 on, that because of the growing stockpiles of nuclear material it is no longer feasible to verify scientifically past production of nuclear material. Even though search for scientific methods of accounting for past nuclear production continues, the United States is forced to accept the fact that in the foreseeable future nuclear weapons will be a part of the arsenal of the Soviet Union. Under these circumstances the obligations of the United States military forces will have to include one important addition not contemplated in the 1952 proposal—the capacity to counter effectively with the continuing nuclear capability of the Soviet Union.

The United States view is that the 2,500,000 figure, representing as it does a level that could be reached under existing circumstances, offers the best prospect of making some initial forward movement of significance and at the same time retaining the necessary military strength to meet American security responsibilities throughout the free world under conditions in which political settlements have not yet been achieved, and at the same time maintain a capability to deal with the nuclear threat. Thus it best serves the objective of a just and durable peace.

Question. Has the United States obtained the concurrence of the countries in which United States bases are located to admit Soviet inspectors under an inspection plan? Has the United States carried on negotiations with any of these countries to obtain such concurrence? If so, what is the progress of negotiations?

Answer. The United States has maintained a very close liaison with its principal allies during the course of the disarmament negotiations, and, of course, discussed the question of inspection of American facilities under the terms of President Eisenhower's response to Chairman Bulganin.

The Soviet representative to the Disarmament Subcommittee first raised the question of inspection of bases on foreign soil in connection with President Eisenhower's "open skies" proposal. In the subcommittee the United States representative has taken the position that it would be realistic to include such a provision in the inspection agreement, subject, of course, to the concurrence of the States involved. United States allies of principal concern on this question, Great Britain, and France, have been present at these negotiations, and are well aware of the ramifications of the problem. Specific negotiations would be premature until the Soviet Union accepts the principle of the aerial survey.

Question. If the United States includes its foreign military bases, what is the American position on exchanging military blueprints and conducting aerial reconnaissance with the Eastern European satellites and Communist China?

Answer. The United States proposed that the extension of President Eisenhower's Geneva proposal to military installations of the United States and the Soviet Union outside their national territories should be done upon a reciprocal basis. The degree of the extension of inspection to Soviet facilities within what is now the Communist bloc would be a subject for negotiation and would be conditioned by the number of United States military facilities outside our national territory which would be subject to inspection by the Soviet Union.

While it is important to include ultimately all significant military powers within any arms agreement, it is considered most urgent, as an initial step, to provide reciprocal coverage of the greatest strength now in being in the U. S. S. R. and the United States. This beginning will serve as an example to all the world that the two greatest powers are sincere in their intent to renounce aggressive force as an instrument of national policy, and will encourage others to subscribe to an arms agreement for mutual benefit and future development of atoms for peace.

Question. What type of legislation or executive action would be needed to put aerial inspection plans into effect in the United States?

Answer. This would depend upon the final terms of the agreement, but it is clear that appropriate approval and concurrence of the United States Congress would be essential and would be in accordance with constitutional processes.

Question. Approximately how many inspectors would the United States need to carry out its part of the proposed inspection program if it were confined to the Soviet Union and the United States? How many qualified inspectors does the United States have at the present time? How long would it take to employ and train additional inspectors?

Answer. The number of American inspectors required, in the context of the President's Geneva proposal, would not be large if the inspection were done solely through aerial reconnaissance; this is due to the capability of aerial reconnaissance for rapid and extensive coverage of large areas and to the photointerpretative capability possessed by modern aerial reconnaissance units. The present United States aerial reconnaissance units are capable of performing this task at the present time. If the Soviet proposal for additional inspectors at key points such as airdromes, rail centers, and highways, etc., were included there would, of course, be a requirement for additional inspectors on the ground. The number of the inspectors would depend upon the number of check points which would be included. The Soviet Union has not, up to now, indicated the number of check points in its proposal. Nevertheless, the United States believes that it would easily be able to meet the requirements of qualified inspectors for any reasonable number of such check points and the number of inspection personnel, while substantial, would be a very small fraction of the number of personnel now in military establishments of the respective countries.

Question. If the inspection plan is carried out on a near-worldwide basis, how would the United States propose that the question of the training and assignment of inspectors from many countries be handled?

Answer. It is obvious that as any arms control arrangement is extended to additional countries, the problems of training and assignment of inspectors becomes more complicated. It is also true, however, that generally speaking the major military parties are the very nations with land mass so extensive as to require fairly large numbers of inspecting teams; moreover, in many of the states of the world the areas of concentration of military power are fairly limited and therefore subject more easily to inspection. The problem of the training and assigning of inspectors is nevertheless a very real one. It is for this reason that the United States has proposed—most recently in its working paper submitted at the London meetings—that the five members of the Subcommittee of the United Nations Disarmament Commission agree promptly to conduct "a limited technical exchange mission for the analysis of the problems of control and inspection of conventional armaments designed to facilitate study and negotiation of a disarmament agreement and to prepare the exchange personnel for service in inspection team leadership in a subsequent agreed system." One of the ways in which the United States has proposed that the problem of effective assignment of inspectors be handled is through the use of member states as executive agents designed for specific assignments, with 60 percent of the personnel used by the executive agent to be nationals of that state.

Question. What are the advantages and disadvantages to the United States of conducting a trial inspection plan say between the United States and a member of NATO such as the United Kingdom or Canada?

Answer. The United States has given some consideration to the trial inspection plan suggested. The more obvious advantages would be that some practical experience in the day-to-day problems of an inspection operation would be obtained by the participating states and their participating personnel. It is also possible that the results of such a trial inspection would contribute to solution of the present differences between Western nations and the Soviet Union on the inspection issue. However, it has been the view of the United States that the most beneficial trial inspection would be one involving the two major military parties, the United States and the Soviet Union. The more obvious needs of an effective inspection system are more likely to be seen by the Soviet Union if it is itself a participant; moreover, both parties are more likely to gain realistic experience if the trial inspection is carried out in territory with which neither side is familiar—for this would be the case under any actual arms agreement. The United States has proposed that it and the Soviet Union carry out a small demonstration test of control and inspection including ground posts and aerial survey in a limited nonsensitive area, in both

the United States and the Soviet Union of 20,000 to 30,000 square miles including at least 1 port, 1 airfield, and 1 railroad terminal. Such a demonstration test would not only give practical experience to both parties, but would facilitate the negotiation of a disarmament agreement.

Question. Is it the present position of the United States that an agreement on the reduction of conventional armaments cannot take place independent of one on nuclear weapons?

Answer. It is the United States position that the growing nuclear threat is the most fundamental factor in the present growth of destructive capabilities in the modern world. No arms agreement would ever be really sound until the nuclear weapons race is brought to a halt and measures initiated to begin to reduce the nuclear threat. Because nuclear weapons information is among the most sensitive of military information and because the nuclear control problem is very complex, it appears that complete control of nuclear weapons cannot come at the beginning of an arms agreement. It is also true that the limitations on means of delivery that would occur in any "conventional agreement" would have significant effects at least on the strategic capabilities of nuclear striking forces. To say all this, however, does not mean that the nuclear side should, or safely can be, ignored, for to ignore the question of nuclear weapons for any extended period of time while limiting conventional armaments would have certain very serious implications; a false sense of security and even unjustifiable complacency could result not only with regard to the degree of Soviet reasonableness but also with respect to the limitation that had actually been placed on the growth of destructive capabilities. If the nuclear area of armaments remained uncontrolled for an extended period of time there would be an inevitable concentration of military development in the uncontrolled nuclear field in a way that would, in fact, circumvent the spirit of the limitations agreement.

Question. What are some of the main elements of a type inspection system which would be needed as an adequate check on the limitation and reduction of the armaments?

Answer. The inspection system—

1. Should be comprised of a single composite organization incorporating the requirements of each and all of its national and international components, with all necessary elements in place, approved, and ready to function at the beginning of each phase of inspection operations.

2. Must be capable of discharging its responsibilities at any point in inspection operations in the most effective and efficient manner, at a minimum of cost in personnel, time and in funds, and should be acceptable and feasible on a reciprocal basis among all participating states.

3. Should provide for the inclusion of integrated military ground, sea, air, and budget inspection, and consist jointly of personnel of the signatory powers in appropriate numbers and types, including United States and U. S. S. R. nationals.

4. Control and inspection responsibilities should be carried out principally through the use of member states as executive agents designated for specific assignments. The majority of the personnel used by an executive agent on an assignment should be nationals of the executive agent's state.

5. Must be supported by a communications system which is designed to insure full, free, rapid, and uninterrupted exchange of information between and among elements of the control organization.

6. An inspection agreement should be designed to achieve the following objectives:

(a) decrease the nuclear threat over the world;

(b) reduce the burden of armaments;

(c) provide against surprise attack;

(d) increase economic development;

(e) lessen tensions;

(f) prevent a future arms race of either a conventional or nuclear nature;

(g) prepare for further stages of a comprehensive program for disarmament; and

(h) improve the prospects for a just and lasting peace.

Question. If conventional armaments are limited but nuclear weapons excluded from an agreement because they presumably cannot be controlled, does it follow that if a war starts the armed forces of the major powers will be equipped primarily with nuclear weapons?

Answer. Not necessarily. First of all, any limitation of conventional armed forces and armaments will take into consideration the degree of settlement of major international issues. It is the policy of the United States that any arms agreement which might be endorsed, regardless of how sound or adequate, must not involve deep reductions until progress is made in the solution of primary global political issues.

Question. With an agreed level of armaments conforming to an agreed level of manpower, how do the major powers propose to resolve the question of allowing the major powers to produce arms in surplus of their allowed levels to be sold to smaller nations having no arms production of their own?

Answer. Provisions governing the production and sale of arms to other countries could be provided for in the agreement. Such production and sale of these weapons, of course, would have to be strictly controlled within the terms of the agreement, and, at the same time, would be the subject of discussion and negotiation between the signatory members as each requirement was presented. It must be remembered, however, that ultimately the other countries would themselves be limited as to the amount of arms permitted, through their adherence to the arms limitation agreement.

Question. Does the current position of the United States Government respecting an arms limitation agreement among the major powers envision a system of penalties for violations, some method of enforcement?

Secretary of State Dulles discussed the possibility of an escape clause in an agreement. He said:

"What we have in mind here, in the studies that we have so far carried on, would be an escape clause which would be considerably more clearcut and explicit and which, without necessarily involving a total renunciation of the disarmament agreement, would automatically allow the insured country to take action under the agreement, which would more than compensate for the disadvantage of the infraction which had been discovered."

Would it be possible to elaborate on this concept, as it is involved in present policy? Is a role in enforcement contemplated for the United Nations or other international agencies?

In view of the United States experience with the embargo imposed by the United Nations against Communist China and the blockade of North Korea, what, if anything, was learned from them which might be useful for enforcement under an arms control agreement?

Answer. Under present conditions, penalties can be levied only insofar as they can be enforced. The sanction power with regard to major States is presently limited. The United Nations could assert itself by recording a vote of moral condemnation upon a nation found to be in violation of an arms agreement, even if the violator were a permanent member of the Security Council; or its members could individually and collectively impose sanctions. There is the very real power of the United Nations in the event that the permanent members of the Security Council are in agreement. However, the real teeth in an arms agreement, at least at the present time, lies in the right of individual signators to reconsider the terms of the agreement or abrogate the agreement and take such measures as are necessary to fulfill the requirements of their own defense. The right to take immediate steps for defense and security is inherent in the U. N. Charter. This prerogative is of especial significance today, because of the extremely narrow time gap that can exist between peace and war by virtue of the speed of modern delivery vehicles. With respect to the major powers, there would be in a sense a built-in sanction so long as inspection is adequate, for a violating major power would know that uncorrected violations on its part would probably result, at a minimum, in a resumption of a costly and dangerous arms race which would be hardly compensated for by the marginal advantage gained through an initial violation on its part, so long as the inspection system were able to ensure that a continuous series of violations could not go undetected.

Question. Are there any significant aspects of the Baruch plan which might be applicable today in an arms limitation agreement?

Answer. The Baruch plan was the result of a comprehensive and detailed analysis of the problem of the control of nuclear facilities, to ensure the use of nuclear energy for peaceful purposes only. It was designed to prevent the situation in which the world now finds itself. It was never accepted by the Soviet Union. It has served as a basis for our present continuing search for adequate international control of the nuclear threat. But it is a fact that there exist today on both sides very large stockpiles of nuclear weapons. The Baruch proposal was designed to prevent the possibility of any slight diversion of nuclear materials for weapons purposes, for it envisaged a situation in which no nation would possess nuclear weapons, and under these conditions even the smallest diversion to weapons purposes could have significantly altered power relationships.

Question. What is the opinion on the suggestion that an international scientific committee or conference be set up to work on a system for the detection of nuclear material?

Answer. All measures should be exhausted to devise scientific methods for the detection and verification of stockpiles of nuclear material. It has been proposed in the past that the United States join with other nations of the world on a scientific committee to discuss ways and means for achieving this goal. Eventually such participation on a multilateral basis may be possible. At the present time, because of the sensitivity of certain aspects of the subject, it is proposed that each individual nation conduct its own research and provide for appropriate consultation between itself and other Governments.

Question. If an agreement were reached among the major powers to ban the testing of nuclear weapons or, at least, certain types of nuclear weapons, could an inspection system be devised to determine within a high degree of accuracy that the agreement was not being violated?

Answer. It is theoretically possible that within certain limits the normal large-scale testing of nuclear weapons in violation of an agreement could be detected. However, it is also theoretically possible that certain measures could be taken to prevent detection if a violating State were willing to put forth sufficient efforts to this end. It must also be borne in mind, however, that the degree of effectiveness of any such inspection would depend upon the number of "inspection posts" which the nuclear powers were willing to permit. The further complicating factor is that if the detection were to be obtained merely through observation carried on outside the borders of a nuclear power, there would arise questions as to the exact

magnitude of the test even though it was discovered that a test had taken place; i. e., was the test just below or just under the agreed limits? These are some of the reasons why the United States has proposed that limitations upon nuclear tests should be a part of a more comprehensive agreement which would permit greater inspection facilities and would ensure greater accuracy in determining compliance.

Question. What is the opinion on recommendations which have been made that an upper limit should be set on the size of thermonuclear bombs to be placed in our stockpiles, that a limit should be set to the number of large thermonuclear bombs to be placed in our stockpile, that increasing concentration should be set on the stockpiling of a wide range of very small nuclear weapons, and that the testing of small weapons go on, but that the tests of multimegaton thermonuclear weapons be stopped?

Answer. Since World War II, in the absence of a sound agreement, the most effective instrument for insuring peace has been the construction and maintenance of an adequate military posture. The lifeblood of this military strength has been a research and development program. In the absence of positive assurance that such weapons will not be needed, it is essential that the United States continue exploration and testing in the field of thermonuclear weapons, including tests for the purpose of developing defense against such weapons. By the same token it is impossible, in the absence of an effective arms agreement, to ascertain what future circumstances will require for our military and weapons needs.

Question. Has guided missiles progress in both countries already reached a point where current inspection proposals are outdated?

Answer. It is the conclusion of the United States Government that missile development has not yet reached the point where current inspection proposals are outdated. This matter, however, is one of the most pressing with which the world is faced in the field of disarmament.

Question. There have been statements that poison gas was not used during World War II, not because of agreements prohibiting its use, but because it was not militarily advantageous. Is there information as to why this weapon was not considered militarily useful? Are bacteriological weapons subject to the same limitations as to utility as is gas? Are nuclear weapons particularly of the tactical type? Are bacteriological and chemical weapons potentially as destructive of life as nuclear weapons? Is it as essential to cover these weapons as it is to cover conventional weapons in an arms control agreement? If so, has consideration been given to means by which they can be controlled through inspection or other systems?

Answer. Bacteriological weapons have special characteristics with respect to their limitations in comparison with chemical weapons. It is obvious that an aggressor nation could not be sure that the utilization of bacteriological weapons of certain characteristics would not ultimately backfire. Furthermore, there was considerable reluctance to employ chemical weapons during World War II, because of the extreme fluidity of the battlefield.

Theoretically, a case could be made for the thesis that bacteriological and chemical weapons are potentially as destructive of life as nuclear weapons, though the world generally is impressed with the proven destructive capability of nuclear weapons on a scale much greater than that of bacteriological or chemical weapons. It would certainly be necessary, in any comprehensive arms agreement, to provide against clandestine development and buildup of bacteriological and chemical weapons. While it would be fairly easy to secretly concoct virulent batches of viruses, certain practical problems such as storage and delivery requirements would make reasonably effective control more practical than would appear to be the case at first glance. The principal safeguards to insure against the significant development of bacteriological and chemical capabilities are to be found in an effective and continuous system of disclosure and verification of all armed forces and armaments. In this way the possibility of massive—and thereby effective—use of such weapons would be eliminated.

CALE P. HAUN AND JULIA FAY HAUN

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2232, Senate bill 2691, for the relief of Cale P. Haun and Julia Fay Haun.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 2691) for the relief of Cale P. Haun and Julia Fay Haun.

Mr. KEFAUVER. Mr. President, the bill is for the purpose of waiving the requirement of a 30-day notice in connection with the liquidation of a corporation, in order to come within the terms of section 112 (b) (7) (A) of the Internal Revenue Code. The facts of the case are these: The notices were signed within the 30 days, but at about that time the attorney handling the matter for the claimants had a cerebral hemorrhage; and later it developed that because of his physical condition, the notice was not filed, and the claimants did not find out about that until later.

There is a precedent; an identical bill was passed in the 82d Congress.

I understand that the official objectors have withdrawn any opposition to the bill.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2691) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purpose of determining the individual liability for income taxes for the taxable year 1953 of Cale P. Haun and Julia Fay Haun, the elections of said Cale P. Haun and Julia Fay Haun, sole stockholders of River Grange Co., Inc., which was liquidated pursuant to a plan of complete liquidation adopted on December 24, 1953, to have the benefits of section 112 (b) (7) (A) of the Internal Revenue Code shall be considered to have been filed within 30 days after the date of adoption of such plan, such benefits having been denied because the mailing of such election was delayed, without negligence or fault on the part of such stockholders, until the 250th day following the adoption of such plan.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to have the Senate be on notice, and to have the RECORD show, that because of the very unusual cooperation we have received from all Senators, we were able today to complete consideration of a large number of bills. However, we have an extremely heavy schedule next week. The Senate will meet at 9:30 a. m. on Monday. Senators will have the weekend, that is, Saturday and Sunday, free. At least those Senators who are not occupied in their offices or in the Appropriations Committee will have the weekend free.

We hope that the mutual aid appropriation bill will be reported during the weekend, as well as the supplemental appropriation bill.

On Monday at 9:30 a. m. the Senate will proceed with a call of the calendar. Following that, the executive calendar will be disposed of, after which the Senate will resume consideration of the social security bill, the Long amendment being the pending amendment.

I should like to have Senators put on notice that, although the Senate suspended work at 5, 5:30, or 6 o'clock in the early months of the session, in the closing weeks of the session it will be necessary for us to remain in session late in the evening. It may be necessary, on many evenings next week, for the Senate to remain in session as late as 11 or 12 o'clock. The leadership has agreed that we should come early and stay late, to take care of the important legislation which will be before the Senate.

I do not want any Senator to say that he lacked adequate information, or was not on notice. Next week will probably be the longest week the Senate has had this session.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. KUCHEL. Does my friend feel that it will be the last week of the session?

Mr. JOHNSON of Texas. The Senator from Texas does not have a good batting average for predictions, and does not care to speculate too much. However, I am sure that we shall make considerable progress next week.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. ANDERSON. The question has been raised by many committees as to what they should do with respect to scheduling committee meetings next week. With the Senate meeting at 9:30 a. m., will it be the practice to allow committees to meet?

Mr. JOHNSON of Texas. That will depend on each individual case. The 9:30 meeting time has been set for only one morning. I do not know what time the Senate will convene on the other mornings.

Except for the important appropriation bills and the "must" bills which are pending, it is very unlikely that any bill not yet reported from committee will be enacted into law at this session. We have reached the point where, if a bill is not on the calendar, it will be pretty difficult to have it passed by the Senate and by the other body before adjournment.

Mr. ANDERSON. I think that is a very useful statement. Many Senators wish to know if it would be desirable to hold committee meetings next week to consider a few more bills. In one particular instance I have said that I did

not think that would be a useful procedure. I did not see how such bills could be passed. Yet there was insistence that "if we had a committee meeting at 9 o'clock we could get through by 10:30 and report a bill." I agree with the majority leader when he says that it would be extraordinary if the Senate should act on such measures.

Mr. JOHNSON of Texas. I think the Senator is correct. I am sure that in certain instances it will be necessary for committees to act. The reason there is to be no session of the Senate tomorrow is that 23 members of the Appropriations Committee will be sitting trying to dispose of the last appropriation bill, the supplemental appropriation bill. Today 23 members of that committee are working on the mutual aid appropriation bill.

We have been very fortunate. Members on both sides of the aisle have been cooperative. We have not encountered any cantankerous Members. We have been able to act on quite a number of bills today. Otherwise it would have been necessary to hold a session of the Senate tomorrow.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed the bill (S. 3982) to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories and possessions, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 11402) to extend the existing application of the Temporary Promotion Act of 1941, as amended, to the Coast Guard, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H. R. 8228. An act to suspend for 2 years the duty on crude bauxite and on calcined bauxite;

H. R. 8636. An act to continue until the close of June 30, 1957, the suspension of duties and import taxes on metal scrap, and for other purposes;

H. R. 9137. An act to waive section 142, of title 28, United States Code, with respect to the United States District Court for the Western District of North Carolina holding court at Bryson City, N. C.;

H. R. 9578. An act to provide for the conveyance of an interest of the United States in and to certain lands in Colorado;

H. R. 9774. An act to provide for the conveyance of certain lands of the United States to the Board of Commissioners of Volusia County, Fla.;

H. R. 10075. An act to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.;

H. R. 10204. An act authorizing the Administrator of General Services to transfer certain land to Richard M. Tinney and John T. O'Connor, Junior;

H. R. 10269. An act to provide for the temporary suspension of the duty on certain alumina;

H. R. 10479. An act to authorize the Administrator of General Services to convey certain land to the county of Galveston, Tex.;

H. R. 11000. An act to provide for the striking of medals in commemoration of the 100th anniversary of the birth of the late Justice Louis Dembitz Brandeis;

H. R. 11520. An act to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine; and

H. J. Res. 569. Joint resolution to provide for a medal to be struck and presented to each surviving veteran of the War Between the States.

UNWARRANTED CRITICISM OF PRESIDENT EISENHOWER BY AVERELL HARRIMAN

Mr. KUCHEL. Mr. President, yesterday a distinguished citizen of our country made a speech in the city of Washington before the National Press Club. When Governor Harriman's comments were reported in the press some of us here, and I am sure others across the country, felt rather chagrined at the manner in which Mr. Harriman expressed himself.

I read from this morning's New York Herald Tribune, which refers to a breakfast meeting which Mr. Harriman attended yesterday:

At that breakfast meeting, he hit at President Eisenhower as having failed to recognize fully the dangers of "Kremlin communism." He said that he, Governor Harriman, was "the only fellow in a position to be a candidate for President" who could never be accused of having been "soft" on communism.

When asked at the luncheon if he had meant to imply that Mr. Stevenson, Senator ESTES KEFAUVER, Democrat, Tennessee, and the President had, in fact, been "soft" on communism, Governor Harriman shot back: "That smear, if it starts, is untrue, a lie." He said that "in no sense" had he intended any aspersion on "these two great Democrats."

CALLS PRESIDENT "NAIVE"

That left the obvious implication that his disclaimer did not extend to Mr. Eisenhower. He termed the President "very naive about the Soviet situation in 1945" and said Mr. Eisenhower had claimed last summer that "the Russian leaders have the same eager desire for peace that we have."

I hope that Governor Harriman's apparent and implicit accusation that the President of the United States is a candidate who is "soft" on communism was unintentional. I hope that is the fact; otherwise that accusation is an uncalled for, unwarranted, vicious, and malicious canard against a great American citizen, Dwight Eisenhower, who now occupies the Presidency.

President Dwight Eisenhower "soft" on communism? Senators know that that is not so. The people of the United States know that is not so. The people of the free world know that is not so. I suggest that the leaders in the Kremlin and in Peiping know full well that is not so.

Only about a year ago, in the closing days of the session at Geneva, the President of the United States electrified the world with a magnificent statement, as the leader of free peoples on this globe. As a Member of the Senate, I thrilled to it. Members of this body on both sides of the aisle rose and cheered for the kind of American leadership by Dwight D. Eisenhower in the cause of freedom. The President of the United States, acting as an American, not as a partisan, electrified the entire world with the stand he took in the cause of free men and of a way to insure an enduring peace in the world.

In January of this year the President sent his state of the Union message to the Congress. I wish to recall a very brief paragraph from Dwight Eisenhower's message:

THE DISCHARGE OF OUR WORLD RESPONSIBILITY

Our world policy and our actions are dedicated to the achievement of peace with justice for all nations.

With this purpose, we move in a wide variety of ways and through many agencies to remove the pall of fear; to strengthen the ties with our partners and to improve the cooperative cohesion of the free world; to reduce the burden of armaments; and to stimulate and inspire action among all nations for a world of justice and prosperity and peace. These national objectives are fully supported by both our political parties.

In the past year our search for a more stable and just peace has taken varied forms. Among the most important were the two conferences at Geneva, in July and in the fall of last year. We explored the possibilities of agreement on critical issues that jeopardize the peace.

The July meeting of heads of government held out promise to the world of moderation in the bitterness, of word and action, which tends to generate conflict and war. All were in agreement that a nuclear war would be an intolerable disaster which must not be permitted to occur. But in October, when the Foreign Ministers met again, the results demonstrated conclusively that the Soviet leaders are not yet willing to create the indispensable conditions for a secure and lasting peace.

Nevertheless, it is clear that the conflict between international communism and freedom has taken on a new complexion.

We know the Communist leaders have often practiced the tactics of retreat and zigzag. We know that Soviet and Chinese communism still poses a serious threat to the free world. And in the Middle East recent Soviet moves are hardly compatible with the reduction of international tension.

Yet Communist tactics against the free nations have shifted in emphasis from reliance on violence and the threat of violence to reliance on division, enticement, and duplicity. We must be well prepared to meet the current tactics which pose a dangerous though less obvious threat. At the same time, our policy must be dynamic as well as flexible, designed primarily to forward the achievement of our own objectives rather than to meet each shift and change on the Communist front. We must act in the firm assurance that the fruits of freedom are more attractive and desirable to mankind in the pursuit of happiness than the record of communism.

In the face of Communist military power, we must, of course, continue to maintain an effective system of collective security. This involves two things—a system which gives clear warning that armed aggression will be met by joint action of the free nations, and deterrent military power to make that warning effective. Moreover, the awesome power of the atom must be made to serve as a guardian of the free community and of the peace.

Mr. President, once again the President of the United States laid down, in bold, unequivocal and American terms, a concept of freedom and strength for the people of the United States that can lead to world peace, the kind of concept that the American people applaud and approve.

Mr. Harriman did a sorry and a sordid thing yesterday. I hope it was an unintentional slur against a man in whom the people of this Nation place their faith, and in whom the Members of the Senate, in the field of foreign affairs, in the overwhelming number of instances, placed their faith by standing up and voting for the President's recommendation.

I regret exceedingly that a man, who is the Governor of one of the great States of our Union, should accuse Dwight Eisenhower of being soft on communism. The President's whole lifetime, whole life makes that statement a bald untruth.

COTTON PRODUCTS EXPORT AID

Mr. PAYNE. Mr. President, a great deal of concern has been expressed for the cotton industry. Some few weeks ago I had printed in the RECORD certain items which were under consideration by the administration in connection with this subject.

I ask unanimous consent to have printed in the RECORD at this point a statement released by the Department of Agriculture on July 12, 1956, relating to cotton products export aid.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COTTON PRODUCTS EXPORT AID WILL BE EXTENDED THROUGH EQUALIZATION PAYMENTS

The United States Department of Agriculture announced today that assistance in the export of United States cotton products to be shipped on and after August 1, 1956, will be made available through cash equalization payments from the Commodity Credit Corporation to eligible exporters.

On May 21, 1956, the Department announced that the benefits of the previously announced export program for raw cotton would be extended to cover exports of cotton textiles, cotton yarns, and spinnable cotton waste manufactured from American upland cotton. Under the raw cotton export program, sales of cotton from CCC stocks for export on or after August 1 are being made on a bid basis at competitive prices. Including acceptances announced on June 29, sales under this program have totaled nearly 2½ million bales.

Extension of the benefits of the export program to cotton products is designed to protect the competitive position of the domestic cotton industry in relation to sales of cotton products manufactured abroad from American cotton purchased at export prices. The current export sales prices are lower than domestic prices. The equalization payments will be based on the raw cotton content in the products exported.

Detailed operating provisions of the cotton products export program will be developed and announced in the near future.

The Department also announced today that the Commodity Stabilization Service, which will carry out program administration, will establish a special office in New York City to handle the program. This office will receive registration of export sales, take care of necessary inspections, make payments, and handle other administrative details of the new program.

The special New York office, which will be designated as the CSS Cotton Products Export Office, located at 290 Broadway, will be staffed and in operation by the August 1 beginning date for export activity.

THE BURKE AIRPORT

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "Airport Meanderings" published in the Washington Evening Star of July 12, 1956. The editorial comments on the need for the construction of the Burke Airport and on the long delay that has been occasioned in the Department of Commerce in finally getting under way with the construction of an air facility which will help to eliminate the dangerous condition which exists at Washington National Airport.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AIRPORT MEANDERINGS

The meanderings of the Commerce Department with respect to Washington's critical airport problem resemble those of a rudderless airplane whose pilot is lost in a fog. The record of the Department's varied airport recommendations in recent years shows an amazing amount of indecision, course changing and acrobatics of the Immelmann turn sort. And the end is not yet. What the next policy decision of Secretary Weeks or his advisers will be is something to wonder about.

Latest of the Department's moves is a recommendation that Baltimore's Friendship Airport be designated as an "interim" supplemental Washington air terminal, pending action on the Burke project. Secretary Weeks keeps steering back to Friendship, despite all the expert testimony and reports rejecting the Baltimore field as unsuitable for Washington air passengers. It is no secret, of course, that Maryland legislators, worried about the lagging business at Friendship, have sought to twist the Secretary's arm. The trouble with Mr. Weeks' Friendship gestures, past and present, is that they apparently have been dictated by political pressures, not by objective advice from aviation authorities. In fact, the first official study by the Civil Aeronautics Board of the proposal that Friendship serve as an alternate Washington airport is just being made. The logical procedure for the Secretary to have followed would have been to await completion of the study. But logic seems to have played little part in departmental peregrinations.

Is there any logic in the confusing and conflicting airport suggestions that have emanated from the Department of Commerce since it first recommended the Burke Airport plan? When political pressures began to build up on both sides of the Potomac over the Burke site, with resultant cutting off of further appropriations, the Department began to back away from Burke. But as traffic congestion at the National Airport grew more dangerous, the Department's Civil Aeronautics Authority urged action on a second airport. So did the Senate Commerce Committee. So did President Eisenhower, in naming the Secretary of Commerce, the Budget Director, and the Secretary of the Air Force as a special committee to review the situation and bring him a report. The report was something of a classic in the realm of muddled advice. It proposed in effect that the Government do an outside loop on the Washington airport matter. The Government's nearly $1 million investment in land at Burke was to be forgotten and primary responsibility for building an auxiliary airport here was to be shifted to the District, Maryland, and Virginia. Meanwhile, runways and other facilities at the present airport would be improved and Friendship could be used as a "supplemental airport" if desired.

This report was so absurd that it soon was filed away and, presumably, its authors would prefer to have it forgotten. In the meantime the Senate Commerce Committee demanded prompt action on Burke or some other appropriate auxiliary airport. So Secretary Weeks came up with a new report. This time he revived an old plan for joint use of Andrews Air Force Base by commercial and military aircraft, with Burke as the "best alternative" and Friendship as a third possibility. However, he overlooked checking with the Air Force first about the Andrews proposal. Air Force opposition blasted the Andrews idea. That left Burke once more the leading contender. As a result, the President has urged Congress to appropriate $34.7 million to complete the airport, at Burke. But political pressures are building up once more against this logical recommendation. It is anybody's guess whether political expediency will win out against public safety in the long-drawn-out airport controversy.

FRONTIER EDITOR

Mr. MANSFIELD. Mr. President, a new book has just been released by one of the Nation's publishing houses, a book of extreme interest to Montana and anyone who has a fondness for tales of the western frontier and the trials and tribulations of a smalltown weekly newspaper.

Dan Whetstone, editor and publisher of the Cut Bank Pioneer Press, one of the State's finest weeklies, has written this new book, Frontier Editor. The author, who founded his newspaper in 1909, has written about a period of life in the Treasure State seldom appearing in print.

Early releases indicate that Frontier Editor is another example of this country editor's delightful style, keen wit, and appreciation of human nature, so outstandingly displayed in the columns of the Cut Bank Pioneer Press. The pages of Dan Whetstone's book unfold the changes in Montana wrought by the influx of homesteaders, the breakup of the large cattle ranches, the good years and the bad years and the transformation of the economy of Cut Bank and Glacier County with the discovery of oil.

Mr. President, the people of Montana may find it difficult to believe that I have made this tribute to Dan Whetstone, for, though a friend, he is an avowed member of the opposition party, an enthusiastic and lifelong Republican. He is a former State chairman of the Republican Party and I sincerely doubt that he has ever considered casting a Democratic vote in his lifetime.

We Democrats in Montana have suffered many a partisan blow from the eloquent pen of the Pioneer Press' editor and publisher. However, I am sure that Democrats and Republicans alike will agree that Montana's frontier editor, Dan Whetstone, has made a real contribution to Montana and the literary world. I am eagerly awaiting my copy

of Frontier Editor and I feel quite sure that my Senate colleagues would find this book well worth their time.

The editorial columns of the Billings Gazette, Billings, Mont., have paid a fitting tribute to Dan Whetstone and I ask unanimous consent that the editorial dated July 8, 1956, from the Billings Gazette be printed at the conclusion of my remarks.

Incidentally, I have an idea—although I am not at all sure—that the writer of the editorial is my old friend, Tom Stout, who formerly was a Democratic Member of the House from the State of Montana during the period just prior to the First World War.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DAN WHETSTONE WRITES A BOOK

A book has just come off the press of the Hasting House Publishers, of New York, that many people in Montana will wish to read and all who read it will greatly enjoy. The title is "Frontier Editor" and the author is Dan Whetstone, founder of the Cut Bank Pioneer Press in 1909 and still the publisher and editor of that sprightly weekly newspaper. The contents of this book should, and doubtless will, form an authentic and interesting chapter of the history of Montana. It is the story of a period in the life of the Treasure State which has never been so well told before and deals in delightful fashion with a dozen or so characters whose like could have been found in many other sections of eastern Montana during those times, but in not such numbers in any other part of the entire country.

It required a keen wit, an appreciation of human nature in the raw, and a penetrating insight into the impulses that separate people into individual cells of humanity to write the sort of book that has come from the pen of this country editor. These advantages Dan Whetstone possesses. He was typical of many of his profession who were lured to Montana during those days by a spirit of adventure, the desire for change from environments that were too deadly commonplace to intrigue their interest and an ambition to discover new economic opportunities.

They were called by the too all-inclusive title of "printer-journalists." They were, in truth, printers in the accepted sense of that term in that they could perform most of the manual labor incident to "getting out the sheet"—set type by hand, "kick" a job press and feed a flatbed; and could also collect and write the news and make some sort of a hand at producing an editorial column that reflected their views of people and events, usually concerning matters of local interest that were often couched in language more forceful than elegant.

Although, with the passage of a half a century, Dan Whetstone widened the horizon of his activities, interests, associations and expanded the scope of his editorial disquisitions by becoming identified with the higher echelons of political leaders in his own State and the Nation, he is still at heart the country editor. But where scores of others of his tribe failed, he had what it takes to build a substantial newspaper property and printing business, attain a measure of economic success that does not often reward the labors of the members of his calling and gives him the leisure for doing whatever may happen to strike his fancy—attend State and national political conventions, act as unofficial host to friends in the newspaper and literary world who visit Glacier Park during the tourist season, spend a few weeks each winter in Arizona and contribute some sane observations on whatever subject that comes to mind for his paper in Cut Bank.

Abandoning an earlier ambition to become a schoolteacher, Dan Whetstone decided to become a newspaperman. After learning the printer's trade, he purchased his hometown newspaper, the Tribune, of Franklin, Minn. But life there proved too tame for the budding journalist and, after selling his Minnesota paper, he started westward in search of a new location. Passing through North Dakota, he entered eastern Montana and gradually worked his way northward, stopping for brief visits in Miles City, Billings, Lewistown and Great Falls. His meanderings finally landed him at Cut Bank, a new division point on the main line of the Great Northern.

His welcome to Cut Bank with the announced intention of starting a newspaper was not 100 percent encouraging. One of the town's several saloon operators expressed his opinion of the projected enterprise as follows: "Fella, if you start a paper here first thing we know we'll have churches, ladies' aids, temperance spielers and moves to shut up the saloons. If that happens, me for Alaska or South America." Dan did start his paper and most of the predictions by the member of the unwelcome committee did come to pass.

To obtain the full flavor of this book, one will have to read it from cover to cover. The changes wrought throughout eastern Montana by the influx of the homesteaders, "nesters," the oldtimers called them, the breakup of huge livestock ranches, the good years followed by the bad dry years that caused abandonment of thousands of soddy and tarpaper homestead shacks, the arrival of a second and third crop of farmers and the economic transformation in Cut Bank and a large section of the adjoining prairie lands caused by the discovery of oil, are related with a wealth of detail not found in any other book ever written. Those Montanans who have lived through the period covered by Dan Whetstone's book will find it difficult to lay it down until the final paragraph has been read.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am glad to yield.

Mr. ALLOTT. I am very happy that I was on the floor when the Senator from Montana made his remarks concerning Frontier Editor. I am quite aware of Mr. Whetstone's Republican proclivities, having been a close friend of his for some 20 years. I wish to say that I also look forward very much to reading Dan Whetstone's book, which I am sure is a fine book.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

The PRESIDING OFFICER (Mr. LAIRD in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 2563) entitled "An act to amend title I of the act entitled 'An Act to authorize and direct the construction of bridges over the Potomac River, and for other purposes' ", which were on page 1, line 7, strike out all after "(a)" down through and including "Bridge,' " and insert "by deleting the phrase bridge over the Potomac River" where it first appears, and inserting immediately after the word "low-level", the phrase "six lane bascule span bridge over the Potomac River, to be known as the Theodore Roosevelt Bridge,"; on page 2, to strike out lines 8 through 10, inclusive, and on page 2, line 19, after "That", to insert " 'upon completion of construction'."

Mr. BIBLE. Mr. President, I move that the Senate disagree to the amendments of the House, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BIBLE, Mr. FREAR, and Mr. BEALL conferees on the part of the Senate.

MAINTENANCE OF PRODUCTION OF TUNGSTEN AND OTHER MINERALS—EXTENSION OF THE 1953 MALONE-ASPINALL ACT

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3982) to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories, and possessions, and for other purposes, which was to strike out all after the enacting clause and insert:

That this act may be cited as the "Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956."

SEC. 2. The Department of the Interior is hereby authorized and directed to establish and maintain—

(a) a program to purchase, f. o. b. carrier's conveyance, milling point, no more than 1,250,000 short-ton units of tungsten trioxide (WO_3) contained in tungsten concentrates produced from ores mined in the United States, its Territories, and possessions, meeting the same specifications and under the regulations in effect on January 1, 1956, for purchases of this material by the General Services Administration under the authority of the Domestic Minerals Program Extension Act of 1953 (Public Law 206, 83d Cong.), at a base price of $55 per short-ton unit: *Provided*, That the Department of the Interior shall not accept offers for delivery in any one calendar month, from any one producer, in excess of 5,000 short-ton units originating in any one mining district from properties controlled by such producer. For the purposes of the foregoing proviso, tungsten concentrates produced from ores sold to a mill or processing plant in accordance with regulations issued by the Department of the Interior shall not be considered as the production of the owner(s) of the mill or processing plant but shall be considered as the production of the producer of the ores.

(b) a program to purchase nonferrous chrysotile asbestos produced from ores mined in the United States, its Territories, and possessions, meeting the same specifications and under the same regulations and at prices in effect on January 1, 1956, for purchases of this material by the General Services Administration under the authority of the Domestic Minerals Program Extension Act of 1953 (Public Law 206, 83d Cong.) in the amount of not to exceed 2,000 tons of crude No. 1 and crude No. 2 combined, and not to exceed 2,000 tons of crude No. 3, excepting that crude No. 3 may be purchased only when offered with crude No. 1 or crude No. 2, or both, at a ratio of not in excess of 1 ton of crude No. 3 to 1 ton of crude No. 1 or crude No. 2, or both.

(c) a program to purchase no more than 250,000 short tons of newly mined acid grade fluorspar produced from ores mined in the United States, its Territories, and possessions. Fluorspar purchased pursuant to this act shall meet chemical and physical requirements which are not less favorable to producers than those set forth in the National Stockpile Material Purchase Specifi-

cations P–69a dated February 13, 1952. Purchases shall be made under the program at a base price of $53 per short dry ton f. o. b. carriers conveyance at producers milling point for base quality fluorspar containing 97 percent calcium fluoride and 1 percent silica on a dry-weight basis. The base price shall be adjusted by premiums and/or penalties on quality which are not less favorable to producers than the following:

1. The price shall be increased 1.1 percent for each 1 percent calcium fluoride above 97 percent, fractions pro rata, and/or

2. The price shall be increased 4.2 percent for each 1 percent silica below 1 percent, fractions pro rata, and/or

3. The price shall be decreased 1.1 percent for each 1 percent calcium fluoride below 97 percent, fractions pro rata and/or

4. The price shall be decreased 4.2 percent for each 1 percent silica above 1 percent, fractions pro rata.

As used in this section the term "short dry ton" shall mean a short ton of 2,000 pounds with 1 percent allowable moisture. All moisture in excess of 1 percent shall be deducted from the delivery weight (out-turn U. S. Railroad Scale Weights) of the material accepted to determine the weight on which payment will be based. Adjustment of weight for moisture shall be accomplished by first deducting all moisture, as specified in Government analysis certificates, and then increasing the dry weight by 1 percent.

(d) a program to purchase columbium-tantalum-bearing ores or concentrates produced from ores mined in the United States, its Territories, and possessions, meeting the same specifications and under the regulations, and at prices in effect on December 1, 1955, for purchases of this material by the General Services Administration under the authority of the Domestic Minerals Program Extension Act of 1953 (Public Law 206, 83d Cong.) in the amount of not to exceed 250,000 pounds of contained combined pentoxide (Cb_2O_5 plus Ta_2O_5).

SEC. 3. All materials purchased pursuant to the authority of this act shall be held by the Department of the Interior to be made available to the strategic stockpile or to be turned over to the supplemental stockpile created for strategic and critical materials in accordance with the provisions of the act of July 10, 1954 (Public Law 480, 83d Cong. (68 Stat. 454)), as amended, as determined by the Director of the Office of Defense Mobilization.

SEC. 4. The Secretary of the Interior is hereby authorized to establish and promulgate such regulations as may be necessary to carry out the purposes of this act, and may delegate any of the functions authorized by this act to the Administrator of General Services.

SEC. 5. The programs established pursuant to the authority of this act shall terminate on December 31, 1958.

SEC. 6. There are hereby authorized to be appropriated to the Department of the Interior out of any moneys in the Treasury not otherwise appropriated such sums as may be necessary to carry out the provisions of this act.

Mr. MURRAY. Mr. President, S. 3982, upon which the House has just completed action, which is designed to keep alive in the interests of national security, and the economy of the Nation the tungsten, fluorspar, asbestos, and columbium-tantalum industries of our Nation, is not exactly the legislation the Senate Interior and Insular Affairs Committee would like to see enacted. We are aware of the fact that this is merely stopgap legislation, pending a program which the Secretary of the Interior has promised the Senate Interior and Insular Affairs Committee to propose early in the next session.

This bill has been amended by the House of Representatives so as to place a limitation on the amount of tungsten that can be purchased from any one producer, a provision that was not in the Senate bill. The House of Representatives has also amended the bill so as to remove the bonus which would have been paid to small producers as provided in the Senate bill.

However, in view of the fact that both the Department of the Interior and the Bureau of the Budget have endorsed the House version of S. 3982, and in view of the fact that this session of Congress is rapidly nearing its end, and the legislation must be further implemented by an appropriation, on behalf of the Senate Committee on Interior and Insular Affairs, I move that the Senate concur in the House amendment.

KEEP MINING THE MINERALS WITHOUT WHICH WE CANNOT FIGHT A WAR OR LIVE IN PEACE

Mr. MALONE. Mr. President, I concur in the statement of the chairman of the Committee on Interior and Insular Affairs.

The bill does not conform to the Senate bill in the two particulars. However, in the interest of saving the time of the Senate, and avoiding the danger of delay, I approve of the compromise and suggest that it be adopted.

In 1953 when the Malone-Aspinall bill was before this body I said that the proposed legislation fixed a unit price on each of the seven critical minerals enough above the world price to make the difference in the wage-standard of living, taxes, and the general cost of doing business here, and in the chief competing nation on each product.

I also predicted at that time that within 3 to 5 years this Nation could be made self-sufficient in the production of tungsten. We are now, Mr. President, producing twice as much annually as we consume—but we must keep the mines open pending a permanent program.

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. MURRAY. I yield.

Mr. WATKINS. I did not hear the portion of the Senator's statement setting forth what the Senate had to recede from in order to obtain a bill on the subject.

Mr. MURRAY. The statement I made explained the situation. We do not consider this proposed legislation as entirely satisfactory. However, in the interest of saving time, we believe, inasmuch as the Interior Department has approved the bill as amended in the House, that we should go along with it. Appropriations will have to be made to carry the bill into effect. The bill is only a stopgap until such time as we are able to provide a more complete solution of the problem.

Mr. WATKINS. Perhaps I have been misinformed, but as I understand the House provision which we now accept limits the amount of tonnage for any one operator to 5,000 tons. Is that correct?

Mr. MURRAY. That is correct.

Mr. WATKINS. And the provision for the payment of $63 a ton to the small producers has been eliminated?

Mr. MURRAY. That is correct.

Mr. WATKINS. So that under the bill the large producer and the small producer each gets $55 a ton.

Mr. MURRAY. That is correct.

Mr. WATKINS. And no one can sell more than 5,000 tons a year—or is it a month?

Mr. MURRAY. A month.

THE SMALL PRODUCER

Mr. MALONE. I may say that the small producer selling to the custom mill is considered apart from the mine for which the mill is designed—so that each mine can produce up to the 5,000 units per month. The small producer then is not cut off in the interest of the custom mill operators.

Mr. WATKINS. I am not objecting to the bill. I merely wished to get the record clear as to what we were actually conceding to the House in accepting the bill.

Mr. BIBLE. I wish to commend the chairman of the Committee on Interior and Insular Affairs for his work in this field of mining legislation. It was my privilege to serve on the subcommittee with the senior Senator from Montana and with my senior colleague in the consideration of this proposed legislation.

The Senator from Montana has pointed out the differences between the Senate version and the House version. I believe it is a reasonable solution of the problem. I am hopeful, as the committee was assured by the present Secretary of the Interior, that there will be forthcoming a long-range mining program. I believe this is a step in the right direction.

Mr. MURRAY. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

SOCIAL SECURITY AMENDMENTS OF 1956

The Senate resumed the consideration of the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability-insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

Mr. LONG. Mr. President, I call up my amendment which is at the desk; it is identified as "6–6–56—B." The amendment is submitted by me, on behalf of myself and a number of other Senators. I ask that the amendment be printed at this point in the RECORD, without being read.

The PRESIDING OFFICER. Is there objection?

There being no objection, the amendment submitted by Mr. LONG (for himself, Mr. GEORGE, Mr. BARRETT, Mr. BENDER, Mr. BIBLE, Mr. BUSH, Mr. CHAVEZ, Mr. CLEMENTS, Mr. DANIEL, Mr. DOUGLAS,

Mr. EASTLAND, Mr. ELLENDER, Mr. GREEN, Mr. HENNINGS, Mr. HILL, Mr. HOLLAND, Mr. HUMPHREY of Minnesota, Mr. JACKSON, Mr. JOHNSTON of South Carolina, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. KUCHEL, Mr. LANGER, Mr. LEHMAN, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MONRONEY, Mr. MORSE, Mr. MURRAY, Mr. NEELY, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. PAYNE, Mr. PURTELL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. WELKER, and Mr. YOUNG) was ordered to be printed in the RECORD, as follows:

On page 90, beginning with line 12, strike out all down to and including line 17 and insert in lieu thereof the following:

"PART V—AMENDMENTS TO MATCHING FORMULAS

"AMENDMENTS TO MATCHING FORMULA FOR OLD-AGE ASSISTANCE

"SEC. 341. (a) Section 3 (a) of the Social Security Act is amended to read as follows:

" 'SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing July 1, 1956, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal (A) in the case of a State which is qualified therefor under subsection (c), to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $65—

" '(i) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received old-age assistance for such month; plus

" '(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and, (B) in the case of a State which is not qualified under subsection (c) to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

" '(i) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received old-age assistance for such month; plus

" '(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal to one-half of the total of the sums expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose.'

"(b) Section 3 of such act is amended by adding at the end thereof the following new subsection:

" '(c) (1) A State shall be qualified to receive the amount provided by the formula contained in subsection (a) (1) (A) with respect to any quarter, beginning with the quarter commencing July 1, 1956—

" '(A) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955; and

" '(B) if, in the case of any quarter occurring after the quarter commencing October 1, 1956, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955.

" '(2) A State which has qualified under paragraph (1) of this subsection to receive the amount provided by the formula contained in subsection (a) (1) (A) for not less than four consecutive quarters shall be qualified to receive such amount for all subsequent quarters.'

"AMENDMENTS TO MATCHING FORMULA FOR AID TO THE BLIND

"SEC. 342. (a) Section 1003 (a) of the Social Security Act, as amended by section 312 (c) of this act, is amended to read as follows:

" 'SEC. 1003. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind for each quarter, beginning with the quarter commencing July 1, 1956, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount equal, (A) in the case of a State which is qualified therefor under subsection (c), to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $65—

" '(i) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received aid to the blind for such month; plus

" '(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and, (B) in the case of a State which is not qualified under subsection (c) to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

" '(i) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received aid to the blind for such months; plus

" '(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount equal to one-half of the total of the sums expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for the recipients of aid to the blind to help them attain self-support or self-care.'

"(b) Section 1003 of such act is amended by adding at the end thereof the following new subsection:

" '(c) A State shall be qualified to receive the amount provided by the formula contained in subsection (a) (1) (A) with respect to any quarter beginning with the quarter commencing July 1, 1956—

" '(1) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955; and

" '(2) if, in the case of any quarter occurring after the quarter commencing October 1, 1956, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955.'

"AMENDMENTS TO MATCHING FORMULA FOR AID TO THE PERMANENTLY AND TOTALLY DISABLED

"SEC. 343. (a) Section 1403 (a) of the Social Security Act, as amended by section 313 (c) of this act, is amended to read as follows:

" 'SEC. 1403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the permanently and totally disabled, for each quarter, beginning with the quarter commencing July 1, 1956, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount equal, (A) in the case of a State which is qualified therefor under subsection (c), to the sum of the following proportions of the total amounts expended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $65—

" '(i) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received aid to the permanently and totally disabled for such months; plus

" '(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and (B) in the case of a State which is not qualified under subsection (c) to the sum of the following proportions of the total amounts extended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

" '(i) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received aid to the permanently and totally disabled for such month; plus

"'(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount equal to one-half of the total of the sums expended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for and recipients of such aid to help them attain self-support or self-care."

"(b) Section 1403 of such act is amended by adding at the end thereof the following new subsection:

"'(c) A State shall be qualified to receive the amount provided by the formula contained in subsection (a) (1) (A) with respect to any quarter, beginning with the quarter commencing July 1, 1956—

"'(1) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the calender year commencing January 1, 1955; and

"'(2) if, in the case of any quarter occurring after the quarter commencing October 1, 1956, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955.'

"EFFECTIVE DATE

"SEC. 344. The amendments made by this part shall become effective July 1, 1956."

Mr. JOHNSON of Texas. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. JOHNSON of Texas. Do I correctly understand that the Senator from Louisiana does not intend to ask that action be taken today on the amendment?

Mr. LONG. No; but I hope the amendment will be voted on early in the day when the Senate next meets.

Mr. JOHNSON of Texas. Mr. President, the Senate has a schedule for Monday a call of the calendar, the Executive calendar, and then we shall proceed to resume the consideration of the social security bill. That may take Monday or Tuesday, or perhaps even later in the week.

I wish to make it abundantly clear that we have given assurances to all Senators that there will be no other votes today.

I wonder whether the Senator from Louisiana will yield to me, so that I may suggest the absence of a quorum, in order that we can have a quick quorum call, so that we can notify all Senators that the Senator from Louisiana is about to speak, in order that they may have the benefit of hearing him state his views.

Mr. LONG. Mr. President, the Senator from Texas is very kind. However, I am content to speak to those present and rely upon others to read my remarks in the RECORD over the weekend.

Mr. President, the amendment I have called up was introduced earlier this year on behalf of four members of the Finance Committee and 43 other Senators, is explained fully beginning on page 135 of the committee report on H. R. 7225. Although the amendment was rejected by a majority of the Committee, those of us who submitted the minority views indicate our belief that the amendment is sound economics and simple justice for more than 2,900,000 needy individuals in our country.

The amendment would revise the matching formula for Federal-State welfare programs for the needy aged, blind and disabled, along the lines of previous revisions in 1946, 1948, and 1952. Instead of the present formula under which the Federal Government pays four-fifths of the first $25, it would require a Federal payment of five-sixths of the first $30.

In other words, instead of $20 out of the first $25, the Federal share would be $25 out of the first $30 per month. Above $30, there would be dollar-for-dollar matching up to a maximum of $65, instead of the present maximum of $55.

The effect of this amendment would be to enable all States to increase their monthly payments under old-age assistance, aid to the blind, and aid to the permanently and totally disabled by at least $5. States which at present have average payments of $57.50 or more could raise their average payments by $7.50 per month. This would be a meaningful, if modest increase in view of the fact that average monthly payments to the needy aged, blind and disabled now amount to $54, $58 and $56 respectively.

The increased funds which would be available to each State for the three public assistance programs under our amendment are shown on page 136 of the committee report.

I ask unanimous consent to have printed in the RECORD at this point a table listing these amounts.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Alabama	$6,057,524
Arizona	1,246,914
Arkansas	3,755,189
California	24,548,405
Colorado	4,773,355
Connecticut	1,685,922
Delaware	148,751
District of Columbia	456,983
Florida	5,511,196
Georgia	6,751,900
Idaho	793,496
Illinois	8,676,809
Indiana	2,611,337
Iowa	3,455,871
Kansas	3,099,006
Kentucky	3,506,460
Louisiana	8,668,225
Maine	1,061,792
Maryland	1,212,425
Massachusetts	8,723,071
Michigan	6,435,485
Minnesota	4,351,656
Mississippi	4,648,660
Missouri	9,069,640
Montana	906,964
Nebraska	$1,500,124
Nevada	242,995
New Hampshire	568,675
New Jersey	2,071,152
New Mexico	798,695
New York	12,242,794
North Carolina	4,102,900
North Dakota	737,631
Ohio	9,535,873
Oklahoma	8,507,302
Oregon	1,909,993
Pennsylvania	5,699,156
Rhode Island	807,133
South Carolina	3,188,860
South Dakota	694,260
Tennessee	4,186,820
Texas	13,827,460
Utah	959,803
Vermont	572,604
Virginia	1,487,749
Washington	5,678,057
West Virginia	2,017,160
Wisconsin	3,613,253
Wyoming	385,656
Alaska	150,578
Hawaii	250,653
Total, United States	207,894,372

Mr. LONG. The cost to the Government of this proposal is estimated to be just under $208 million annually. This cost estimate is based on the assumption that States will continue to spend from their own funds at about the present rate for public assistance. It is also based on the assumption that every State will qualify for the increased benefits under the special provision which we have included in the amendment to insure that the additional funds would in fact be used to increase individual payments.

Under the amendment, a State would be required for 1 year from the effective date to maintain its average contribution per recipient as high as the State contribution was in calendar 1955 in order to receive the additional funds. In other words, we would require that there be no action on the part of a State to reduce its own contribution to programs of public assistance for the first year during which it receives the benefit of the revised formula.

If a State were to reduce its own average contribution to public welfare programs under its 1955 level, that State would receive matching on the basis of the presently-existing formula.

On the basis of past experience, it is not expected that after paying increased amounts to recipients for a year a State would reduce its share of expenditure other than to reflect a genuine reduction in need for a particular program, such as might happen eventually in the case of old age assistance because of the growth of old age and survivors insurance coverage.

NEED FOR ADDITIONAL FUNDS

Since the time when I last addressed my colleagues on this subject, the Social Security Administration has published a revealing study of income distribution among persons aged 65 or above in our Nation. The study reveals that in 1955, almost 67 percent of our aged population had annual incomes of less than $1,000. Twenty-four percent had no money income whatsoever—from public assistance or any other source. That is over nine million persons with incomes

of less than $1,000, and a million and a half with no money income. I should like to request that a table showing income distribution among our aged population, which is taken from the April 1956, Social Security Bulletin, be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Percentage distribution of persons aged 65 and over, by sex and by money income, 1948 and 1954

[Continental United States; noninstitutional population]

Annual money income	Total			Men			Women		
	1948	1954		1948	1954		1948	1954	
		1948 prices [1]	Current prices		1948 prices [1]	Current prices		1948 prices [1]	Current prices
Total number [2] (in thousands)	11,590	13,630	13,630	5,500	6,340	6,340	6,100	7,290	7,290
Total percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Less than $1,000 [3]	73.7	69.0	66.6	55.6	50.5	46.8	89.9	85.2	83.7
0	31.8	23.8	23.8	10.9	7.6	7.6	50.6	37.8	37.8
$1 to $499	21.1	22.2	18.2	20.7	18.9	14.3	21.4	25.2	21.6
$500 to $999	20.6	23.0	23.9	23.7	24.0	23.5	17.8	22.2	24.2
$1,000 to $1,999	13.1	14.9	15.3	20.0	22.0	22.1	6.8	9.3	9.5
$1,000 to $1,499	8.5	8.9	9.4	12.7	12.5	13.1	4.6	5.8	6.2
$1,500 to $1,999	4.6	6.0	5.9	7.3	9.5	9.0	2.2	3.5	3.3
$2,000 to $2,999	6.8	7.1	7.7	12.3	11.8	12.6	1.7	2.6	3.4
$3,000 to $4,999	4.3	6.1	6.9	8.1	10.6	12.4	1.0	1.9	2.0
$5,000 and over	2.2	2.9	3.6	3.9	5.1	6.1	.5	1.0	1.4

[1] Estimated roughly in the Division of Research and Statistics by converting the limits of each income class in 1954 to 1948 dollars on the basis of the change in the BLS consumer price index and then recalculating the number of persons at each revised income level.

[2] Estimated number at the survey dates, April 1949 and April 1955, respectively. April 1949 estimates adjusted to conform to the most recent population estimates.

[3] Includes a small number of persons who reported a net loss for the year. The proportion with zero income is probably overstated; see text, p. 11.

Source: Bureau of the Census, Current Population Reports, Consumer Income, Series P-60, Nos. 6 and 19, and Population Estimates, Series P-25, No. 98.

Mr. LONG. Mr. President, of the nearly 14 million persons aged 65 and above in the country, over 2,500,000 are recipients of old-age assistance. Individuals who must depend on this program have not been able to accumulate personal savings on which to subsist during their later years. They have not had an opportunity to become covered under old-age and survivors insurance, for the most part, especially in those States where agriculture has been the predominant source of livelihood. Since the median age of a recipient under this program is 75 years, there is little chance for him to engage in gainful employment. He is dependent upon the small monthly check he receives from the State department of welfare. The size of that check, experience has shown, depends upon what we in the Congress are willing to do.

The Secretary of Health, Education, and Welfare has opposed this amendment on the grounds of cost. I should like to quote the Secretary in this regard:

> Measured against other social needs we believe that the cost is excessive and that many of the effects of the proposed increases are undesirable.

I think it might be rewarding if we examine some of the other social needs for which the Federal Government has been and is continuing to disburse the taxpayers' money.

First, let us consider some of the things which we have done just in this Congress.

We led off last year by voting to raise our own salaries here in the Congress by 50 percent. Legislative and judicial pay increases were voted which cost the Government $8 million per year. Sixty-two of us voted for this increase.

We then agreed to raise the pay of the Nation's postal workers. We originally voted to spend $173 million annually for this purpose, but after a Presidential veto, settled for increases which amount to $165 million annually.

Next in order was a pay raise for other employees of the Federal Government—classified civil service workers and our own employees here in the legislative branch. We voted increases which will cost $325 million annually in order to improve the lot of these Government employees.

We also voted increases in military pay and allowances for members of the Armed Forces which are estimated to cost $745 million annually.

We have also during this Congress begun to authorize and appropriate sums of money to enlarge our quarters in the two Houses of Congress and in the Capitol. It is proposed to spend around $25 million for the Senate Office Building, $64 million for the House building, and $42 million here in the Capitol—a total of $131 million for our own additional comfort and working space.

We hope to increase the income of the Nation's farmers through the soil-bank program. The Congress was not reluctant to approve expenditure of $1.2 billion for this purpose during the coming year.

We have voted large sums for foreign military and economic aid throughout the earth.

We have increased the minimum wage from 75 cents to $1 per hour.

We are about to pass a bill which would increase benefits to survivors of our military personnel by $205 million annually.

We have considered legislation this year which would further increase the benefits under civil-service retirement, foreign service retirement, and railroad retirement programs. We are proposing to make liberal benefits available to the survivors of Federal judges.

These, then, are some of the social needs for which we are willing to make vast outlays.

I wish to make it clear that I am not against all of the expenditures and proposals which I have mentioned. In fact, I have supported most of them heartily. Most of them are designed to improve living conditions for many groups of our people. Such improvements are proposed in recognition of the fact that our national production, national income, and standard of living are constantly expanding. In short, we can afford them.

But it is against the perspective of such expenditures proposed during the 84th Congress that we must consider the charge of the administration that adding $5 to an old-age assistance check is an excessive expense, which must be sacrificed for other social needs.

Mr. President, of those who would be benefited by our proposal, 2,552,000 are recipients of old-age assistance. Many of these individuals, who never had the opportunity to participate in the old-age and survivors insurance program, are people who have contributed in large measure to the development and growth of this Nation. The original Social Security Act took the welfare of these persons every bit as much into consideration as it did those who could become covered by old-age and survivors insurance. It was never intended that the old-age assistance program be neglected, for the two programs were conceived as being complementary to each other until the eventual time when virtually all of our aged population is covered under the insurance program.

In 1954 those who had already retired under the social security program saw their insurance benefits increased by from $5 to $13.50, not as a result of any increased contributions on their part, but because of official acknowledgment of the inadequacy of previous benefits. A modest increase in the payments to our neediest citizens would be well in line with the complementary aspect of the two programs. Not only did the majority of old age assistance recipients fail to be affected by the aforementioned increases, but those who receive supplemental old age assistance in addition to small benefits under social security saw their old age assistance checks reduced by the same amount as the increase in social security payments.

Our proposal will make possible further progress among the low per capita income, low-payment States through the automatic $5 increase. At the same time our amendment will meet another problem. States with higher per capita income, particularly those States with a large percentage of their aged population already protected by old-age and survivors insurance, have found themselves able to advance public assistance payments beyond the $55 at which point Federal matching ceases.

To provide an extra $5 of Federal matching for those high-income States, States which make large contributions

to Federal revenues, would not permit those States to benefit in any genuine way. If those States cared to advance payments to their public assistance recipients, the additional $5 of Federal matching would be offset by the fact that the additional contribution of the State above $55 would not be subject to Federal matching.

Therefore, in justice and fairness those States having a higher per capita income and a higher percentage of the Federal tax burden, should be entitled to expect that the Federal Government will match State contributions to public assistance at least to the extent of $65 per month.

The Secretary of the Department of Health, Education, and Welfare has opposed any increase in the Federal rate of contribution beyond the formula established by the McFarland amendment in 1952. We find it somewhat significant that in 1951 the then Secretary did not favor the McFarland amendment, nor did the previous Secretary favor the last previous increase in the Federal share of contributions toward State welfare programs.

One of the reasons advanced by the Secretary for opposing the amendment was that the Federal Government already bears a disproportionately heavy share of the first $25 of welfare payments for old-age assistance, aid to the needy blind, and aid to the totally and permanently disabled. The argument completely overlooks the fact that States with low per capita income are those in which the most severe cases of need exist in the greatest number. It is those same States which have the greatest difficulty in providing the essential services of State government and raising sufficient revenues to provide adequately for the needy within their boundaries.

NEED FOR ADDITIONAL FUNDS

The cold hard facts are that many of the low-income States, for lack of sufficient funds, have been unable to provide for a large number of needy cases.

Furthermore, they have been unable to make adequate payments in cases where severe need exists. The following table clearly demonstrates that there is need for additional matching funds. It shows the percent of national average per capita income in each State, the percent of aged people over 65 who are receiving old-age and survivors insurance benefits, percent receiving old-age assistance grants under State public welfare plans, and the percent of persons who receive no income from either program. It will be seen that more than 45 percent of aged persons over 65 are not receiving payments from either source.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table showing the per capita income of each State in comparison to the average per capita income for the United States, 1954; population aged 65 and above, 1954; percent of aged receiving old-age assistance or old-age and survivors insurance, 1954; and the percent of aged receiving neither. The table appears in the committee report.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

State	Per capita income as percent of average per capita income for United States, 1954 ($1,770)	Population aged 65 and above, 1954 (estimate)	Percent of aged receiving neither OAA nor OASI, 1954	Percent of aged on OASI rolls, 1954	Percent of aged on OAA rolls, 1954	Percent of aged receiving OASI or OAA or both, 1954 [1]
Alabama	61.6	214,000	41.4	29.7	29.6	58.6
Arizona	72.4	53,000	40.0	40.1	26.2	60.0
Arkansas	55.3	163,000	42.4	27.1	32.3	57.6
California	122.2	1,044,000	39.4	44.2	26.0	60.6
Colorado	95.3	129,000	37.9	34.6	40.9	62.1
Connecticut	133.4	201,000	44.1	50.2	8.4	55.9
Delaware	134.0	29,000	50.9	44.2	5.8	49.1
District of Columbia	125.4	63,000	64.2	32.0	4.9	35.8
Florida	91.0	297,000	33.3	48.9	23.4	66.7
Georgia	69.9	243,000	36.9	26.3	40.1	63.1
Idaho	81.0	49,000	50.6	35.5	18.1	49.4
Illinois	121.8	854,000	59.9	40.0	11.4	49.1
Indiana	103.6	392,000	51.2	40.1	9.6	48.8
Iowa	94.2	293,000	58.6	29.5	14.5	41.4
Kansas	95.4	209,000	56.7	29.6	16.5	43.3
Kentucky	68.7	251,000	50.1	30.0	22.3	49.9
Louisiana	73.6	193,000	22.7	27.2	62.0	77.3
Maine	84.3	95,000	40.1	50.3	14.3	59.9
Maryland	109.6	181,000	54.3	40.8	5.9	45.7
Massachusetts	108.6	510,000	39.6	49.0	17.9	60.4
Michigan	114.0	534,000	45.0	44.3	14.3	55.0
Minnesota	92.9	304,000	52.7	33.1	17.1	47.3
Mississippi	49.3	159,000	39.2	20.4	42.6	60.8
Missouri	98.7	434,000	43.3	33.2	30.7	56.7
Montana	97.7	59,000	55.4	32.2	15.8	44.6
Nebraska	92.4	144 000	62.0	27.4	12.6	38.0
Nevada	136.4	13,000	47.7	40.3	20.4	52.3
New Hampshire	90.7	60,000	42.2	49.8	10.7	57.8
New Jersey	125.4	450,000	47.0	49.5	4.6	53.0
New Mexico	78.4	39,000	45.4	27.0	31.2	54.6
New York	122.2	1,430,000	48.8	45.8	7.3	51.2
North Carolina	67.2	253,000	53.2	28.0	20.4	46.8
North Dakota	67.0	54,000	67.6	18.8	15.3	32.4
Ohio	112.0	785,000	47.3	42.3	13.2	52.7
Oklahoma	82.9	209,000	35.1	26.6	25.7	64.9
Oregon	99.3	153,000	42.9	48.0	13.2	57.1
Pennsylvania	100.9	978,000	48.2	46.8	6.0	51.8
Rhode Island	103.0	78,000	37.5	54.9	10.7	62.5
South Carolina	60.1	130,000	43.0	25.5	33.1	57.0
South Dakota	75.3	63,000	61.7	23.2	17.4	38.3
Tennessee	68.5	254,000	48.2	27.2	26.6	51.8
Texas	88.9	591,000	40.1	27.0	37.6	59.9
Utah	83.8	49,000	46.7	37.4	36.9	53.3
Vermont	79.6	40,000	45.3	41.5	17.2	54.7
Virginia	83.6	237,000	59.9	33.2	7.3	40.1
Washington	110.1	240,000	37.2	45.3	25.3	62.8
West Virginia	69.6	152,000	41.9	42.6	16.7	58.0
Wisconsin	96.4	346,000	49.9	40.2	12.8	50.1
Wyoming	100.5	22,000	54.0	32.4	18.5	46.0
Alaska	----------	4,742	27.2	47.6	25.2	72.8
Hawaii	----------	25,000	51.4	42.4	7.3	48.6
Puerto Rico	----------	85,578	32.0	15.7	52.5	68.0
Virgin Islands	----------	2,011	56.6	9.7	33.9	43.4
United States	100.0	13,729,000	45.3	39.7	18.7	54.7

[1] Net total, does not duplicate concurrent recipients of both.

Source. Department of Health, Education, and Welfare, Bureau of the Census.

Mr. LONG. Mr. President, it should be particularly noted that in some States with low per capita income there are very high percentages of individuals who are not protected by old age and survivors insurance. Much of this result is due to the fact that those who were employed in agricultural endeavors in the past were not insured by social security. Such individuals have no privilege of electing to retire when they are no longer economically productive. They must exist by exhausting such meager resources as they have been able to save, obtaining help from relatives, or receiving public assistance.

Old-age assistance will largely be replaced eventually by old-age and survivors insurance when the latter program reaches full maturity. It is expected that the program will fall off sharply after the year 1980. In the meantime, however, it seems to us that it is an irresponsible attitude to overlook the immediate problems of the millions who sorely need additional income today.

ASSISTANCE TO DISABLED AND BLIND

The same essential problems exist with regard to assistance payments to the disabled and the blind. Most States have made considerable progress in initiating and improving programs for these groups. Encouragement is greatly needed, however, for them to continue their progress. It seems to us singularly inappropriate for those who oppose disability insurance provisions under social security to oppose further improvements in the public assistance programs for the disabled. We believe that the 244,000 disabled and 105,000 blind recipients of public assistance are in all justice entitled to the increased monthly payments which the revised formula would provide.

It is our earnest hope that the Congress will adopt our proposals in order to afford a modest measure of relief for our neediest citizens in a manner both humane and practical.

HELLS CANYON HIGH DAM AND THE ATTITUDE OF THE GOVERNOR OF OREGON

Mr. NEUBERGER. Mr. President, my prediction of a few days ago that the Governor of the State of Oregon would support the policy favored by the Idaho

Power Co. on Hells Canyon has been borne out.

On Monday of this week, I called attention of the Senate to a sentence in the minority report on the Hells Canyon high-dam bill (S. 1333) that the Governors of Idaho, Oregon, and Washington opposed the bill, and I questioned its accuracy because, at that time, neither the people nor the press of Oregon had a clear-cut statement of record from the Governor of Oregon on this issue. I told the Senate that I had written Governor Elmo Smith, suggesting that he clarify his stand.

I now have received a reply from Governor Smith expressing his opposition to S. 1333. He has joined the ranks of those westerners who have taken a position against the West, and in favor of monopoly domination of our priceless heritage of water resources.

I believe his decision is against the best interests of the people of the State of Oregon. But I am most concerned because his letter reveals his action was taken on the basis of erroneous impressions and mistaken information regarding development of the Hells Canyon reach of the surging Snake River. Moreover, Governor Smith's endorsement of the Idaho Power Co. project is made more incongruous by the fact that it was only a few weeks ago that he asked the Oregon attorney general to investigate the company's defiance of State law in proceeding with construction of its Brownlee Dam, without the permission required by State law.

The Governor of the State of Oregon is charged with the responsibility of supporting the laws of the State of Oregon. The attorney general of Oregon has determined that the Idaho Power Co. has not complied with State law because of its failure to obtain the necessary State permit. Since receiving the Governor's reply, I have written to urge him to reconsider his position on S. 1333, because Governor Smith's action can only be interpreted as a decision to condone the Idaho Power Co.'s refusal to abide by the laws of the State of Oregon in determining use of its water resources. Law and order become meaningless when a public official joins in ignoring the authority of statutes of the State of Oregon. The Idaho Power Co. has defied the laws of Oregon, yet the Governor of the State concurs in this noncompliance with law.

Governor Smith's letter to me claims that power from Idaho Power's Brownlee Dam "will start flowing into the transmission lines of the Northwest power pool," but this is a statement which is not supported by the facts. In my letter to the Governor I pointed out his mistaken idea is refuted in the findings of fact by William J. Costello, the Federal Power Commission examiner, who heard the entire presentation of testimony and engineering studies on the Idaho Power low dams. Mr. Costello said, in finding No. 27:

> The prospects, as reflected in this record, for the sale in the Northwest of the large amounts of excess power that would be available from the three projects at rates which would equal the cost of the power are so feeble as to be worthy of no consideration.

Before Governor Smith replied to my inquiry, newspapers in the State quoted him as saying that he did not plan to take a position on S. 1333 until he had an opportunity to read the bill. Yet his letter erroneously states that S. 1333 has "features reserving a huge block of power exclusively for Idaho." That is simply not true. S. 1333 sets up a power reservation area comprising the drainage basin of the Snake River and its tributaries down to and including the Clearwater River. This drainage includes portions of the Oregon counties of Wallowa, Union, Baker, Malheur, Grant, and Harney, as well as portions of Washington and Idaho. On the basis of Governor Smith's view that the reservation is "exclusively for Idaho," the people of these eastern Oregon counties must, therefore, assume that they have been ceded by their Governor to the State of Idaho.

Because Governor Smith has apparently taken a position on S. 1333 on the basis of incorrect factual material, I have written to suggest that he reconsider and join us in seeking approval of the high Federal dam.

Mr. President, I ask unanimous consent to have printed with these remarks the text of the letter which I received from Gov. Elmo Smith, dated July 7, 1956, and the text of my reply to him, dated July 12, 1956.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

STATE OF OREGON,
EXECUTIVE DEPARTMENT,
Salem, July 7, 1956.

Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: This will acknowledge receipt of your letter of June 29, in which you seek my position on Senate bill 1333. My position is one of opposition to Senate bill 1333.

The development of the power resources of the Snake River Canyon has been established as more beneficial under the present program by the Federal Power Commission, a bipartisan Commission established by an act of Congress. Its unanimous decision was based on thorough consideration of good engineering and sound economics.

The need for power in the Northwest is critical. Power will start flowing into the transmission lines of the Northwest power pool from Brownlee Dam within 2 years, unless construction is interrupted.

Senate bill 1333 is merely an authorization of a project and in no way gives the people of Oregon any assurance that any dam will ever be constructed under its provisions.

Senate bill 1333, because of its features reserving a huge block of power exclusively for Idaho, would put the power users of Oregon in a very disadvantageous position.

Sincerely yours,

ELMO SMITH,
Governor.

UNITED STATES SENATE,
July 12, 1956.

Hon. ELMO SMITH,
Governor of Oregon,
Salem, Oreg.

DEAR GOVERNOR SMITH: I have received your letter taking a position against the Hells Canyon bill, S. 1333, but believe your impression that power from Idaho Power Co.'s Brownlee Dam "will start flowing into the transmission lines of the Northwest Power Pool" is not borne out by facts because it is "fancy-priced power," to use the words of the Federal Power Commission examiner.

I call your attention to the findings of fact by William J. Costello, the FPC examiner, who heard the entire presentation of testimony and engineering studies on the Idaho Power Co.'s three low dams. Mr. Costello said, in Finding No. 27: "The prospects, as reflected in this record, for the sale in the Northwest of the large amounts of excess power that would be available from the three projects at rates which would equal the cost of the power are so feeble as to be worthy of no consideration."

Examiner Costello emphasizes that the only readily available market for Idaho's Brownlee Dam energy is in the service area of the company, only a fraction of which is in our State of Oregon.

On page 27 of his decision, FPC Examiner Costello says:

"The really paradoxical aspect of this whole matter is that there is a crying need for firm power additions in the Northwest, in view of the lagging program of development by the Federal Government and the steadily growing loads. One of the seemingly attractive aspects of the Idaho Power proposals and one which has been exploited and publicized was that Idaho Power Co., would, without cost to the taxpayer, relieve this need to a substantial extent. There is a serious deficiency of power in sight at least by 1961 which should be planned for right now. This deficiency may appear sooner than 1961 if median water conditions are not experienced until that time. Whether power costing 6.6 mills is marketable on a firm basis is open to serious question even in spite of this power deficiency in prospect. Six point 6 mill power is fancy-priced power in the Northwest area."

What purchasers would take Idaho Power's "fancy-priced" power from the Northwest power pool when power can now be obtained for as little as one-third that cost?

Newspaper stories from Oregon quoted you as saying that you did not plan to take a position on S. 1333 until you had an opportunity to read the bill. Yet, your letter erroneously states that S. 1333 has "features reserving a huge block of power exclusively for Idaho." Section 3 of the bill specifically says, in contrast to your claim, that the power reservation "shall be made available for use in Central and Upper Snake River Basin," and section 4b further explains: "The term 'Central and Upper Snake River Basin' as used in this act shall mean the area comprising the drainage basin of the Snake River and its tributaries down to and including the Clearwater River."

This drainage includes portions of the Oregon counties of Wallowa, Union, Baker, Malheur, Grant, and Harney—as well as a portion of the States of Washington and Idaho. The people of these eastern Oregon counties must therefore assume that they have been ceded to the State of Idaho, by their governor. Moreover, your letter neglects to mention that the hundreds of thousands of other kilowatts of low-cost Federal Hells Canyon power would be available to residents outside the reservation area, including the remainder of the State of Oregon.

I am particularly concerned about your decision in support of the Idaho Power Co. dams in Hells Canyon, especially since it was only a few weeks ago that you asked the attorney general for the State of Oregon to investigate the company's defiance of State law in proceeding with construction without Oregon permission. Your action in support of the Brownlee project must be interpreted as a decision to condone the company's refusal to abide by the laws of the State of Oregon in determining use of its water resources.

Relinquishment of Hells Canyon to the Idaho Power Co. will dim the hopes of

eastern Oregon for economic development. In view of the mistaken impressions you have gained about the Hells Canyon project, I hope that you will reconsider your position on S. 1333 and join us in seeking its approval.

Sincerely,

RICHARD L. NEUBERGER,
United States Senator.

Mr. MORSE. Mr. President, will my colleague yield?

Mr. NEUBERGER. I yield.

Mr. MORSE. The junior Senator from Oregon made a point which I was about to make, although I am glad the Senator in his speech is giving the Governor of our State a little lesson on the geography of eastern Oregon. Even though the Governor of our State has lived in eastern Oregon for a great many years, he obviously does not know even the geography of his own State, because my bill sets aside a block of 500,000 kilowatts of power for the Central and Upper Snake River Basin, and a portion of that basin includes some counties in Oregon as well as Idaho. The Snake Basin includes I may say to Governor Smith from the floor of the Senate today, the tier of Oregon counties along the eastern edge of our State.

I have heard this false representation by the Republican leadership of our State time and time again in regard to the reservation of a block of 500,000 kilowatts of power for the counties in the Snake River Basin as set forth in my bill.

From the floor of the Senate today, I say to the people of Oregon that the Republican leadership of my State is not telling the truth about the contents of my bill. I cannot speak more bluntly than that. The Republican leadership ought to be at least literate enough to read, but, apparently they cannot take the bill and read it accurately. The bill makes it perfectly clear that the 500,000 kilowatt block of power is reserved for the area served by the Central and Upper Snake River Basin and it includes the counties of Oregon within the Snake River Basin. Yet the Republican spokesmen continue to falsify about this issue, and continue to tell the people of Oregon, falsely, that my bill sets aside power exclusively for Idaho, when it sets aside power for the parts of both Idaho and Oregon which are served by the Central and Upper Snake River Basin.

This, I repeat, is a false statement by the Republican leadership of the State of Oregon, and the latest one to falsify now on this issue as pointed out by the junior Senator from Oregon, is the Governor of my State. Let me tell him I know that the answer of the people of Oregon will be to him: "Governor, you ought to be at least fair enough to read the bill, and then give us an honest statement about the language of the bill."

Permit me to quote from section 3 (a) of my bill which provides for the reservation of 500,000 kilowatts, now under discussion:

> In order to facilitate the development of the Central and Upper Snake River Basin, and also that of downstream areas, the Hells Canyon Dam and powerplant and the Federal Columbia River power system shall be interconnected, and 500,000 kilowatts of firm power attributable to the Hells Canyon project, or such portion thereof as is required from time to time to meet loads under contracts made within this reservation, shall be made available for use in Central and Upper Snake River Basin and to all other parts of Idaho lying outside the Central and Upper Snake River Basin.

What the Republican critics are overlooking is the geographic fact that part of the Snake River Basin lies outside of Idaho and in Oregon. The language of my bill specifically provides that in order to assist the development of the Central and Upper Snake River Basin 500,000 kilowatts of firm power shall be reserved for development use in that area. For example this could make feasible the development of low grade magnesium, nickel, tungsten, chrome, and manganese deposits of northeast Oregon. It is true that the language of the reservation provides that part of the 500,000 kilowatts can be used in parts of Idaho lying outside the Central and Upper Snake River Basin, or, in other words, in northern Idaho. However, this does not mean that the portions of Oregon lying within the Central and Upper Snake River Basin shall be excluded from their fair share of the power included within the reservation.

I would emphasize that this reservation is less than half the total power which will be attributable to Hells Canyon Dam. Some of this power will be produced at site and some of it at downstream Federal projects. The total power produced by Hells Canyon and existing downstream dams would be 895,000 prime kilowatts, by which I mean kilowatts available every hour of the year. When the other authorized dams are added to the system, according to the best engineering data available and as stated in the report of the Senate Interior Committee on this bill, the total power produced will be 1,122,000 kilowatts. This means that 622,000 kilowatts will be available for use in the northwest power pool which will, of course, benefit all of Oregon.

Mr. NEUBERGER. To bear out what the senior Senator from Oregon has said, I should like to read from section 3 of the bill of which the senior Senator from Oregon is the principal sponsor, along with a great many other Senators, relating to the reservation of power to which the Senator from Oregon had reference in his letter. It states: "shall be made available for use in Central and Upper Snake River Basin and to all other parts of Idaho lying outside the Central and Upper Snake River Basin."

The bill makes it very clear that it includes the Central and Upper Snake River Basin.

There are substantial portions of six counties of the State of Oregon included in the bill. Nothing said by the Governor of Oregon, or a Senator from Oregon, or any other human being on the face of the earth, can change that geographic fact. The boundaries of the various States were merely superimposed on the vast watershed of the Snake River.

I suggest that perhaps the senior Senator from Oregon might send the Governor of Oregon a map, from which he could learn that a great portion of eastern Oregon lies in the Snake River Basin. Indeed, such major rivers of the area as the Grand Ronde and the Imnaha, and the Owyhee drain major areas of Oregon and flow into the Snake River.

Mr. MORSE. Mr. President, will my colleague yield further?

Mr. NEUBERGER. I yield.

Mr. MORSE. I am at a loss to understand the criticism of the Republican leaders of our State in respect to the reservation of 500,000 kilowatts of power. If we accepted their false assumption, namely, that the bill is bad because it reserves a block of power for the people of Idaho they put themselves in a very selfish provincial position. They show a lack of appreciation of the fact that a development of our power resources on a regional basis is essential to the prosperity of the people in Oregon, Idaho, and Washington. The improvement of the purchasing power of the people of Idaho is vital to the prosperity of Oregon as well as Idaho and vice versa. The economic interests of the Pacific Northwest call for the regional development of our power resources with resulting increases in the purchasing power of the people of Oregon and Washington and Idaho. I am not going to be a party to any narrow provincial approach in developing the economic resources of the Pacific Northwest. But, I repeat, it is not true that we set aside in my bill 500,000 kilowatts of power for the sole use of the people of Idaho excluding the people of Oregon who live in the Oregon counties which lie within the Snake River Basin.

It is clearly intended that the Oregon counties within the Snake River Basin will get their fair share of the 500,000 kilowatt reservation. But I want to say, as I have said before, that I renounce the idea that we ought to develop a so-called State-line attitude about the development of the economic resources of the Pacific Northwest. I want the people of the State of Idaho, as well as the people of Oregon and Washington, to join together in the common enterprise of trying to do what we can, as citizens of the three States, to try to develop our economic resources as a region in the interest of promoting the prosperity of all of the people of the region.

Mr. NEUBERGER. Does not the senior Senator from Oregon think it exceedingly strange that the Governor of Oregon is so worried that his State will receive relatively little power from the high dam? How much power would the State of Oregon receive from the private power company's low dams? Is it not a fact that only a tiny portion of the Idaho Power Co.'s service area is in the State of Oregon, and is not it also true that the bulk of the power from the three low dams would go to the States of Idaho and Utah? I am not particularly objecting to that aspect of the low-dam program, but it is very peculiar to me that the Governor of the State of Oregon worries and frets that his State will not share in the benefits from the high dam. Yet he does not worry about the share his State will get from the low dams of the Idaho Power Co. It is very obvious that

Oregon would get, for all practical purposes, no benefits at all from these three low dams, and such power as it could receive would be extremely high-cost power.

Mr. MORSE. The Senator is absolutely right in the observations he has made.

There is another facet of this matter on which I wish to comment. I have always been of the opinion, and I still am, that the most sensible approach to the problem that could be made, and which still could be made, and which should have been made in the very beginning is to pool all of the power developed in the region by both Federal and private dams. We ought to answer the question: "What program will best develop the maximum power potential of the region?" If we sought an answer to that question we would have to come to the conclusions contained in the Costello report, which the Senator has already cited, and which shows that, from the standpoint of the Federal Power Commission's own examiner, he made it very clear that he considered a high dam at Hells Canyon to be preferable.

I think we should go ahead and build it, but I think what we should have done, and what I am perfectly willing to still do, and I think it could be done, is work out with Idaho Power Co. a pooling program whereby the power from private utility dams and Federal projects could be pooled, and the Idaho Power Co. could get, by contract, a fair share of power out of the pool. This would prevent the waste of a large share of the power potential which in my judgment is going to be wasted if we do not build a high dam at Hells Canyon.

I have never had the desire to put the Idaho Power Co. as a private utility out of business. I have been fighting for the development of the maximum power potential of the region. I should like to have the cooperation of the Idaho Power Co. in that program, in return for which I have always said they should be entitled to a long-term contract for the power they need, commensurate with the contribution they make to the pooling of power for the benefit of the region.

Mr. NEUBERGER. I was very glad the senior Senator from Oregon mentioned using the rivers to the maximum. In 1908 the Inland Waterways Commission, nearly a half century ago, in transmitting a report to President Theodore Roosevelt, said:

> Every stream should be used to its utmost.

Even as we stand here on the Senate floor today, the Soviet Union has under construction some of the greatest power projects ever built anywhere in the world. They are on such mighty Russian rivers as the Yenisei and the Volga. It is my understanding that one of those will be even larger than the power capability of our own Grand Coulee, which is at the present time the greatest powerplant ever built in the world.

What a supreme irony it is that while the country with which we are at odds over national and international policies, and which is our potential enemy, if, indeed, we have a potential enemy in the world, is using its rivers to the utmost, we here in the United States are considering a policy which will sacrifice the equivalent of almost another Bonneville Dam in Hells Canyon, because it is obvious that if the three low dams are built by the Idaho Power Co.—and we have no assurance that the company will even build the three low dams—the difference in prime power which will result from three low dams as compared with a high Federal dam is nearly the equal of a Bonneville Dam. That vast resource would be lost for all time to the people of the United States, if we abandon Hells Canyon to partial, piecemeal development.

Mr. President, a power site is unlike any other resource available to mankind. Part of the coal can be removed from a mine, and later the rest of the coal can be removed. Part of the oil can be removed from an oil well, and later the rest of the oil can be removed. The south 40 acres of a farm can be plowed, and the north 40 acres can be left idle until later on. Some timber can be cropped, and the other timber can be left standing—as is done under the sustained-yield program in effect in so many parts of the Pacific Northwest.

But similar action cannot be taken in the case of a hydroelectric site. Once the low dams—whether 1, 2, or 3—are built in Hells Canyon, that site will be destroyed, insofar as a site for a high dam is concerned, through all the years to come—indeed, perhaps through all eternity.

Mr. President, in connection with the Hells Canyon issue, I think it is quite interesting to note that on February 13 of this year, Secretary McKay said, when he was testifying on the economic report:

> I came to Washington with an open mind on the Hells Canyon. Some of the other Governors were violently opposed to the thing; but after investigation and talking to the engineers, who know more than I do about the thing, I was convinced that the Government high dam is a white elephant.

That was particularly inappropriate language for the then Secretary of the Interior to use.

Grand Coulee, as I have stated, is the greatest power project in the world. Yet, Mr. President, I remember that when Grand Coulee was being considered and being debated, many persons used exactly the same expression regarding it; they predicted that it would be "a white elephant." They said that so vast an amount of power—approximately 2 million kilowatts, I believe—never could be used.

In speeches made on the floor of the House of Representatives and in speeches made on the floor of the Senate, it was stated that there was nothing in that area except coyotes and jackrabbits to use the power that would be developed at Grand Coulee, and that it would be a monumental folly. Some person called it Franklin D. Roosevelt's pyramid, and said that Grand Coulee—the largest edifice reared by man—would be a pyramid to commemorate the folly of Franklin Roosevelt, who had poured so much of the money of the tapayers into it. But, Mr. President, because of the foresight of former Members of this body, such as Clarence Dill, Homer T. Bone, Lewis Schwellenbach, Charles McNary—and members of both political parties, I may say—Grand Coulee Dam was built; and today there are in the Pacific Northwest and elsewhere many persons who are regretting that Grand Coulee Dam was not made a higher dam, so it could have 3 powerhouses instead of 2, because all its power has long since been sold, and there is a vast demand for more power.

As a result of the construction of Grand Coulee Dam, there has been produced in the Pacific Northwest, in recent years, nearly half of all the aluminum used in the entire United States. Yet, Mr. President, prior to 1940 and completion of the Grand Coulee Dam, not a single thimble full of aluminum was smeltered in the Pacific Northwest. Furthermore, Grand Coulee has been the major source of energy to stoke the furnaces at the Hanford Atomic Energy Works, where plutonium for the atomic bomb goes through its final processing.

In addition to all that, Grand Coulee power pumps to the Columbia Basin project, the largest single irrigation project anywhere in the United States, vast amounts of water to irrigate farms.

Mr. President, one of the most inspiring assignments I ever had as a journalist was to go to the Columbia Basin area and to write a series of articles for a national magazine about ex-GI's who had come out of their military service and had obtained irrigated homesteads in the Grand Coulee area. Those men got a new start in a part of the Pacific Northwest which formerly had been sagebrush, nothing but wasteland. Today they have farms which grow alfalfa and support row crops, and are showing the beginnings of what will be flourishing orchards—all that as a result of the construction of a project which was called a white elephant.

Yet that is exactly what Secretary McKay said, in February of this year, of the proposed Hells Canyon high dam; he said it would be a white elephant.

Mr. WELKER. Mr. President, will the Senator from Oregon yield for a question?

The PRESIDING OFFICER (Mr. MONRONEY in the chair). Does the Senator from Oregon yield to the Senator from Idaho?

Mr. NEUBERGER. I yield.

Mr. WELKER. Just what lands will be irrigated from the alleged high dam?

Mr. NEUBERGER. The Senator from Idaho must not have been listening to my remarks. I did not say any land would be irrigated from the high dam at Hells Canyon. I was describing the Grand Coulee project, which was referred to as a white elephant; and the same language has been used by Secretary McKay in describing Hells Canyon.

Mr. WELKER. Very well. I understood the Senator from Oregon to take the hide off the distinguished Governor of his own State, in referring to Hells Canyon; and I thought I would like to inquire about the irrigation that is proposed in this case. Perhaps I misunderstood the Senator from Oregon, but I thought he inferred that some land would be developed by virtue of the

water from the high dam. If I misunderstood the Senator from Oregon, I am sorry.

Mr. NEUBERGER. I feel certain that the Senator from Idaho misunderstood what I said, because I was referring to Grand Coulee.

Mr. WELKER. I understood that Grand Coulee came into the act, too.

Mr. NEUBERGER. Mr. President, let me say that such phrases as "take the hide off" and "came into the act" are phrases used by the Senator from Idaho; they are not phrases used by me.

Mr. WELKER. That is correct, and I shall leave them in the RECORD.

Mr. NEUBERGER. However, let me say that some of us in the State of Oregon, neighboring the State of the Senator from Idaho, would be pleased to see the abundant power revenues from the Federal high dam make possible the development in the State of Idaho and other States of projects such as the Mountain Home project. We would be delighted to see that occur.

Mr. WELKER. The Senator from Oregon will be delighted to hear the debate, I am sure. During the debate next week, I shall do what little I can to discuss the development of the vast Mountain Home project, about which I know more than the Senator from Oregon ever heard. I shall also have something to say regarding the taxpayers of the United States, in connection with such developments, when I feel that private enterprise can do that work. We shall discuss those matters next week.

Let me say I am sorry I interrupted the Senator from Oregon, and I am sorry if I misunderstood his remarks in regard to the irrigation feature.

Mr. NEUBERGER. Mr. President, I am delighted to have the Senator from Idaho promise that he will speak next week. I shall await his remarks with a great deal of interest.

Mr. WELKER. I am quite certain that we shall both wait each other's remarks.

Mr. NEUBERGER. Mr. President, I am very pleased that the Senator from Idaho mentioned the concern for the taxpayers. If the Hells Canyon project is built, it will be part of the Bonneville power system. That system, which has been in operation since 1939, has put into the Federal Treasury in excess of $340 million from power revenues. At the present time the Bonneville system is $68 million ahead of schedule in paying for itself, both principal and interest, in the form of payments into the Federal Treasury.

Mr. President, the rate experts of the Bonneville Power Administration testified before the Senate Committee on Interior and Insular Affairs—and let me say that I am very pleased to see the distinguished chairman of the committee on the floor at this time—that Hells Canyon high dam could be added to the Bonneville system without in any way materially raising the Bonneville rate of $17.50 a kilowatt year, the lowest wholesale rate for electricity charged anywhere in the United States.

It is very interesting to me to hear all the expressions of concern about the taxpayers, as those expressions have come from Members on this side of the aisle, in referring to Hells Canyon Dam.

Mr. President, I repeat that Hells Canyon will be part of the Bonneville system, which is $68 million ahead of the repayment schedule set up by Congress, in returning to the Federal Treasury the money invested in it. But in recent months we have voted, under the leadership of Members on the other side of the aisle, authorizations for nearly $1 billion worth of projects in the upper Colorado.

I wonder if those projects are ever going to be $68 million ahead of schedule in paying for themselves just a few years after they are built. I say that the arguments about how Hells Canyon is such an iniquitous sin against the taxpayers of the United States are arguments which will rise to haunt every single advocate of development in any Western State through all the years to come.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. WELKER. I ask the Senator to yield in order that he may help me prepare for the debate next week.

Does the Senator mean to tell the Senate that there is any comparison between the Hells Canyon high dam and the upper Colorado project? As a matter of fact, the upper Colorado project is a multiple-purpose dam, is it not?

Mr. NEUBERGER. Yes; and so is Hells Canyon.

Mr. WELKER. Does the Senator propose to irrigate any land from Hells Canyon Dam? I asked the Senator that question a while ago.

Mr. NEUBERGER. Does not the Senator regard flood control as a part of a multipurpose project?

Mr. WELKER. I do not believe——

Mr. NEUBERGER. Let me finish, please. Or does the Senator believe that flood control in the United States is unimportant?

Mr. WELKER. I certainly believe that flood control is important, because in my own State the little Weiser River, near which I was born and raised, flooded this year. I am a stanch advocate of building dams for flood control, so that the floods will not tear across the economy of the State of Idaho and down into the high canyon called Hells Canyon. Yes; I am for flood control; and I will debate that subject with the Senator, and we will see who is the best engineer on flood control when we get to the facts on that subject.

Mr. NEUBERGER. I am impressed with all the promises which the Senator from Idaho is making.

Mr. WELKER. I will make good those promises.

Mr. NEUBERGER. The Senator from Idaho is a great engineer on flood control. He is the greatest authority on the Mountain Home project. I congratulate his State on having a person who describes himself so illustriously in every field.

Mr. WELKER. The only field in which I cannot meet the Senator is that of medicine. I am not a great doctor of medicine, which the Senator from Oregon has been practicing with respect to the President of the United States. Also, I think the Senator claims to be quite an engineer in his own right. I believe the Federal Power Commission has as much sense and as good engineers as are to be found in the Senate, when it comes to hydroelectric projects. I admit that I am not the medical man the Senator is, with respect to the President of the United States.

Mr. NEUBERGER. I am not a medical man, either.

Mr. WELKER. And I do not profess to be an engineer.

Mr. NEUBERGER. The Senator has made a great many promises with respect to his engineering knowledge in connection with flood control.

Mr. WELKER. I intend to set forth the facts, which are obtained from people who seem to know something about the subject.

Mr. NEUBERGER. The Senator from Idaho rose to challenge my assertion that the Hells Canyon high dam was a multipurpose project. I asked him if he considered flood control to be a part of a multipurpose project. The Senator has not answered my question.

Mr. WELKER. I say that flood control in the three low dams is just as good as in the alleged high dam. I will prove it with facts and figures.

Mr. NEUBERGER. I suggest that the Senator read the statement recently made by Brig. Gen. L. H. Foote, Chief of the North Pacific Division of the Corps of Army Engineers, in which he pointed out the vast difference in flood control storage capacity as between the three lows dams and the high dam. Is the Senator from Idaho suggesting that he is a greater authority on flood control than General Foote?

Mr. WELKER. I am not suggesting that; and I am not suggesting that the Senator from Oregon is a greater engineer than those whose views I intend to present. I think we have reached a rather low stage in the Senate when Senators profess to be doctors, engineers, and everything else. I expect to argue this question on the basis of facts coming from engineers who are just as competent as those to whom the Senator from Oregon refers.

Mr. NEUBERGER. I hope that eventually all these threats and promises will be made good.

Mr. WELKER. I am making no threats. I will meet the Senator in debate, and we will let the chips fall where they may.

Mr. NEUBERGER. The Hells Canyon high dam was recommended as a multipurpose project by the famous 308 report of the Corps of Army Engineers. The 308 report is the most comprehensive study ever made of any river basin in any of our Western States. It cost approximately $5 million, and required many years to complete. It was undertaken by an agency whose impartiality and engineering skill are beyond peradventure of doubt.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. NEUBERGER. Let me complete this thought, please.

The Corps of Army Engineers flatly and definitely recommended that the Hells Canyon reach of the Snake River

be developed with a high multipurpose dam very similar to that proposed in Senate bill 1333.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. MORSE. Is it not true that in the 308 report of the Army engineers, which is a very comprehensive report, they recommended the building of a high dam at Hells Canyon?

Mr. NEUBERGER. That is correct.

Mr. MORSE. Does the junior Senator from Oregon know of any position which the Army engineers have taken, from that day to this, which changes their recommendation of a high dam at Hells Canyon?

Mr. NEUBERGER. I am not familiar with any such changes in the views of the Army engineers.

Mr. MORSE. Does the junior Senator from Oregon recall sitting in the committee hearing held jointly by the Committee on Interior and Insular Affairs and the Committee on Foreign Relations this year, when General Itchner was on the stand, representing the Army engineers, and I asked him if it was true that the Army engineers still recommended a high dam at Hells Canyon, and he answered in the affirmative?

Mr. NEUBERGER. I well recall that episode.

Mr. MORSE. Does my colleague have confidence in the engineering ability of the Army engineers?

Mr. NEUBERGER. We would be in a very sad condition indeed if we did not have confidence in them. I believe that confidence in the Corps of Army Engineers is fully justified.

Mr. MORSE. I am willing to rest my case on their recommendations.

Mr. WELKER. Mr. President, will the Senator kindly yield to me? I have interrupted him too much already.

Mr. NEUBERGER. I am glad to yield.

Mr. WELKER. Does the Senator from Oregon have any confidence in the Federal Power Commission, a bipartisan Commission consisting of 5 members, some from our own Northwest, 1 being from the neighboring State of Washington? Does the Senator have any confidence in them?

Mr. NEUBERGER. I have more confidence in the Corps of Army Engineers in deciding what is best for a given area than in the Federal Power Commission, particularly in view of the fact that the Commission had before it only the proposed three dams of the Idaho Power Co., because the intervention of the Government in behalf of the high dam had been withdrawn by the then Secretary of the Interior, Mr. McKay.

Mr. WELKER. However, the merits and demerits of both the high dam and the low dams were discussed. While we are talking about the low dams, let me say that the Brownlee Dam happens to be 107 feet higher than the Capitol. It is one of the 15 highest dams in the world; is it not?

Mr. NEUBERGER. When I compare dams, I do not compare them with the Capitol Building, but with other dams.

Mr. WELKER. What would the Senator compare it with?

Mr. NEUBERGER. The high dam.

Mr. WELKER. Then let us make Hells Canyon a thousand feet higher, if height is what is desired. It is not a fact that the Brownlee Dam is 1 of the 15 highest dams in the world?

Mr. NEUBERGER. It is a fact that so far as capacity for power and flood control is concerned, Brownlee Dam is a pygmy as compared with the proposed high dam.

Mr. WELKER. I shall have some evidence to relate to my colleagues with respect to the "pygmy" business when we get into the debate next week.

Mr. NEUBERGER. I eagerly anticipate the Senator's contribution.

Mr. WELKER. Has the Senator any confidence in the Federal Power Commission?

Mr. NEUBERGER. I have confidence in the hearing examiner of the Federal Power Commission, who, after hearing testimony for 12 months, said flatly in his report that dollar for dollar, the high dam was the better investment for the people of the United States, and the more ideal development of the middle Snake River, but he said that he regretted that Congress probably never would authorize the high dam.

Mr. WELKER. In other words, the Senator accepts the examiner's report, rather than the report of a quasi-judicial tribunal such as the Federal Power Commission, most of whose members are men who can judge facts. I assume the Senator has not practiced law. Perhaps he has. He has practiced medicine, engineering, and a few other things.

Mr. NEUBERGER. It is not I who practiced engineering. The distinguished Senator from Idaho has been saying how much better an engineer he is.

Mr. WELKER. I merely wish to present the facts. I happen to be an advocate. I will use what testimony I have at hand.

I wish to ask the Senator this question again: Does he mean to say that he is willing to take the opinion of an examiner, who submits his report to a quasi-judicial body, and then rule out the quasi-judicial body of five bipartisan members—and I believe I will be able to show the Senator some facts with respect to the ability of those members, both Democratic and Republican—and pick out, instead, the little pygmy findings, as the Senator has done, in the examiner's report?

Mr. NEUBERGER. In other words, the Federal Power Commission official who heard testimony for 12 months has submitted pygmy findings?

Mr. WELKER. I certainly say that the Senator from Oregon is picking out pygmy findings in the examiner's report.

Mr. NEUBERGER. I suggest that the Senator from Idaho study the findings of the examiner.

Mr. WELKER. I have studied them at length. I have read the Commission's report. Congress established the Federal Power Commission for a purpose, and that purpose was to find the best power sites for the area. I shall go into that subject at length. I will give the Senator the history of the Federal Power Commission, and I hope the Senator will not overrule the facts I will give him.

Mr. NEUBERGER. Again we eagerly await what is promised for the future.

Mr. WELKER. No; not for the future. I did not know that we were going to be limited in debate as we are. I understand that under the unanimous-consent agreement only 3 hours of debate is allowed on the bill, and that it is only 3 hours for both sides. If the Senator wishes to debate this issue tonight or tomorrow, I am willing to do so.

Mr. NEUBERGER. The Senator from Idaho, as I understand, in addition to discarding the findings of the Army engineers and of the examiner of the Federal Power Commission, is now rejecting the unanimous-consent agreement entered into by the majority leader and by the minority leader.

Mr. WELKER. I did not reject the agreement.

Mr. NEUBERGER. I understood the Senator to say so.

Mr. WELKER. I am willing to submit this question to the jury after the opening statement, without further argument. That is what I am willing to do.

Mr. NEUBERGER. I will say to the Senator from Idaho that there is one jury to whom I should like to submit this case. I have said so repeatedly. The jury consists of the citizens of the three States involved, the States of Oregon, Washington, and Idaho. I have repeatedly suggested in my own State that the question of a high dam versus three low dams be put on a referendum ballot. I would be delighted to have all construction, whether it be Federal or Idaho Power Co. construction, held up until the referendum had taken place in those three States. I would be delighted to abide by the outcome of that referendum.

Mr. WELKER. Very well.

Mr. NEUBERGER. I would be delighted to abide by the decision of the people of the Northwest themselves on whether they favored the Idaho Power dams or the high dam.

Mr. WELKER. The Senator already submitted that issue to a jury to thousands of people in his own State and to thousands of people in Idaho. He has already campaigned on it. He has debated the question with SAM COON, and debated it all over the State of Oregon. That issue was debated in the election of 2 years ago. I also campaigned against the Government going into the power business.

Mr. NEUBERGER. When did the Senator campaign against it?

Mr. WELKER. Six years ago.

Mr. NEUBERGER. The Senator has not campaigned since this issue became a vital issue. Mr. COON has not run for any election since he had his debates with me.

Mr. WELKER. I suppose the Senator believes he ran Mr. COON out.

Mr. NEUBERGER. I merely wish to set the facts straight.

Mr. WELKER. I will be campaigning in 1956, and I invite the Senator from Oregon to come to my State and submit the question to a jury there.

Mr. NEUBERGER. When I propose a referendum on this issue, I do not propose a referendum on candidates, although there was such a referendum held recently, and I will tell the Senator about it in a minute. However, the kind of referendum I should like to see held on this issue—and I will sign any document the Senator wishes me to sign that I will abide by the decision—is whether there should be a development of the Hells Canyon on the Snake River by three dams of the Idaho Power Co., or by a high dam of the Federal Government.

Let us put that question on a ballot, as initiative and referendum issues are placed on ballots in our States, and confine the question to those 2 States, because the Snake River forms the border between those 2 States. Let the people of Oregon and Idaho go to the polls and vote on that question.

If in a fair referendum, with the use of the secret or Australian ballot, which is used in our elections, a majority of the voters favor the three dams of the Idaho Power Co., I will never mention the issue again.

Mr. WELKER. I do not know whether the Senator will mention the issue again. However, let me ask what he would propose doing about the thousand people who are working in the canyon now. I suppose they would vote for the Senator's view on the question. They are making good wages.

Mr. NEUBERGER. Oh; the Senator will get a thousand votes, I am sure.

Mr. WELKER. The Senator from Oregon is not likely to get a thousand votes.

Mr. NEUBERGER. Mr. President, in my colloquy with the distinguished Senator from Idaho [Mr. WELKER] I mentioned the fact that a referendum, to a certain extent, had taken place in the State of Oregon on the question of the Hells Canyon Dam. Let me explain what I mean by that.

In 1947, the Idaho Power Co. succeeded in getting through the Oregon State Legislature a bill to amend the Oregon State hydroelectric act so as to further the likelihood of the Idaho Power Co. building a dam on the Snake River at Oxbow. The bill was passed by the Oregon State Legislature, which, I regret to say, has always been quite partial to private utility companies, and it was vetoed by the then governor of the State of Oregon, the late Earl Snell. However, the legislature later passed the bill over Governor Snell's veto.

After that had happened, public interest groups in the State of Oregon, led principally by the Oregon State Grange, got out referendum petitions and placed the bill on the ballot. The bill came to a vote, as I remember, in the election of November 1948.

Although the promoters of the bill, who were mainly the private utility companies, had thousands of dollars at their disposal to spend on propaganda, and although the opponents of the bill had hardly any funds on hand, the bill to develop the use of the Snake River by the Idaho Power Co. was defeated by the voters of the State of Oregon by a margin of 69,000 votes. That certainly was the voice of the people of the State of Oregon, not speaking with reference to any candidates, where all kinds of ancillary and collateral issues are involved, but speaking directly on the question as to how the Hells Canyon reach of the Snake River should be used.

In conclusion, Mr. President, let me again state what I said to the Senator from Idaho when he was on the floor. I should be most happy to have placed on the ballot, through referendum petition or through acts of the legislatures of the States of Oregon and Idaho, the flat and simple question whether Hells Canyon should be developed by the three low dams of the Idaho Power Co., or by the high dam of the Federal Government. If a majority of the people voted to favor the three low dams of the Idaho Power Co., I would cease and desist in my advocacy of the high dam. I would not agree with the referendum decision, but I would abide by it. I would feel that the people who have the most at stake in this issue had spoken, that they had reached a verdict, and that the verdict would be a verdict which I would accept.

Mr. President, I wonder if the people who favor the three Idaho Power Co. dams would reach such an agreement with me. I wonder if they would use their influence to have such construction as has already taken place suspended until the people of Oregon and Idaho could vote on the issue in November. November is not very far away, as the calendar indicates.

It seems to me that the advocates of the three low dams of the Idaho Power Co. ought to accept the offer I have just made. I have seen a good many speeches in the CONGRESSIONAL RECORD pointing out how the sponsors of the high dams are merely playing politics and how they are not supported by public opinion. If that is true, the supporters of the Idaho Power Co. program should welcome a referendum among the voters of the two States.

Mr. President, again, I say, and I say it for the RECORD and for all to hear, I would be very pleased to abide by the results of such a referendum, whether the outcome favored the three low dams of the Idaho Power Co. or the high dam recommended by the Corps of Engineers.

Mr. MORSE. Mr. President, will my colleague yield?

Mr. NEUBERGER. I am happy to yield to the senior Senator from Oregon.

Mr. MORSE. Is the Senator aware of the fact that I, too, have taken the position which the Senator has just announced, namely, that I am perfectly willing to have the matter decided by way of a referendum of the people of the three States involved?

Mr. NEUBERGER. I know the Senator has frequently stated that as his position.

Mr. MORSE. There has been comment in the debate concerning the fact that the Idaho Power Co. is proceeding with some construction work. Does the Senator know whether the Idaho Power Co. has obtained a license in the State of Oregon to proceed with any construction on the Oregon side of the river?

Mr. NEUBERGER. It is my understanding that the Idaho Power Co., which pays lipservice to States rights, has not obtained a license from the Oregon commission to proceed with construction.

Mr. MORSE. Is it the understanding of the Senator that it is the opinion of the attorney general of the State of Oregon that the activity of the Idaho Power Co. in proceeding with construction on the Oregon side of the river is in violation of the criminal laws of the State of Oregon?

Mr. NEUBERGER. I believe the attorney general of the State of Oregon has so stated.

Mr. MORSE. Is it the understanding of the junior Senator from Oregon that the attorney general of Oregon has recommended that at least the matter concerning whether the Idaho Power Co. is participating in criminal conduct should be submitted to the criminal law processes of our State?

Mr. NEUBERGER. That is my understanding.

Mr. MORSE. Has the Senator from Oregon heard that there is under consideration the matter as to whether the Idaho Power Co. stands in violation of the criminal laws of our State?

Mr. NEUBERGER. I have heard that such a proceeding was taking place in, I believe, Baker County.

Mr. MORSE. Does the Senator from Oregon share my view that if the criminal investigation which is being conducted determines that the Idaho Power Co. does stand in violation of the criminal laws of the State, the law-enforcement officers of Oregon should proceed forthwith to make certain that action is taken on an indictment which might issue from such an investigation?

Mr. NEUBERGER. I should hope that the officers of the State of Oregon would enforce the law against a great private utility company as vigilantly as they would against any individual citizen. I should dislike to think that in the State where I was born and reared there was one law for the king and another for the people.

Mr. MORSE. Does the Senator from Oregon share my view that if and when the appropriate law-enforcement officials and those charged with the administration of criminal justice in our State have reached a conclusion as to whether the Idaho Power Co. stands in violation of the criminal laws of our State there should be no dilatory tactics and no delay whatsoever in issuing an indictment and proceeding with the criminal prosecution of the Idaho Power Co.?

Mr. NEUBERGER. The senior Senator from Oregon is one of the most widely known and recognized teachers of criminal law in the entire Nation. I certainly abide by his judgment and knowledge in that respect. But it has been

my understanding that there should be no delay or partiality in law enforcement.

Mr. MORSE. Would the Senator from Oregon share my view that any law-enforcement officer or any court has an obligation to proceed immediately with the apprehending and the arraigning of any individual who might be guilty of a violation of the criminal laws?

Mr. NEUBERGER. That is my understanding; and certainly it is my hope that the laws would be so scrupulously enforced.

Mr. MORSE. Does the Senator from Oregon agree with me that the same diligence should be exercised in prosecuting for violations of the criminal law when the defendant is a corporation, even though it may be the Idaho Power Co., as in the case of a private citizen who may be indicted for robbery?

Mr. NEUBERGER. I should certainly think the people have a right to expect such behavior.

I thank my distinguished senior colleague from Oregon for his observations. Before I yield the floor, I want to say that the people of Oregon well recognize and appreciate the fact that the long fight to save the Hells Canyon power site and the Hells Canyon reach of the Snake River for all the people and for the American public has been led with great valor, persistence, and ability by the senior Senator from Oregon.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. WELKER. I may say that I have long enjoyed my friendship with the senior Senator from Oregon, as I have my friendship with the junior Senator from Oregon, whom I have not known so long as I have known the senior Senator from Oregon. I merely wish to say that the debate on this issue in the ensuing days will be an interesting one, a debate which I feel certain we shall enjoy.

TERMINATION OF INDIAN CLAIMS COMMISSION—CONFERENCE REPORT

Mr. O'MAHONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses, on the amendments of the Senate to the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

JOSEPH C. O'MAHONEY,
CLINTON P. ANDERSON,
RICHARD L. NEUBERGER,
ARTHUR V. WATKINS,
BARRY GOLDWATER,
Managers on the Part of the Senate.

JAMES A. HALEY,
GEORGE A. SHUFORD,
ED EDMONDSON,
JACK WESTLAND,
JAMES B. UTT,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. O'MAHONEY. Mr. President, the bill extends the period in which the Indian Claims Commission shall be permitted to act. The Senate made two amendments to the bill. One of them was accepted by the House, and one was rejected. The report was signed by a majority of the conferees.

I move that the report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the Speaker had affixed his signature to the following enrolled bills:

S. 146. An act for the relief of certain aliens;

S. 976. An act to provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Montgomery, W. Va.;

S. 1895. An act to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

S. 3163. An act to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating in Hawaii and Alaska.

VIEWS OF GOVERNOR LEE, OF UTAH, ON PRESIDENT EISENHOWER'S CANDIDACY

Mr. WATKINS. Mr. President, on Thursday, July 5, I made a statement in this chamber concerning Utah Gov. J. Bracken Lee's comment to New York reporters. This comment was on President Eisenhower's announcement on February 29 that he would be a candidate for renomination and reelection.

The Governor of my State—while on an official trip to the Governors' Conference—in a widely publicized interview June 28 was quoted as saying:

I believe he (Eisenhower) announced his candidacy after his heart attack last fall only because he didn't want to lose control of Congress and because he wants to control convention votes so as to be able to swing them to someone of his choice.

He added that he thought the President would withdraw his candidacy "after Congress adjourned."

The Salt Lake Tribune of Saturday, July 7, published an article containing a statement by Governor Lee commenting on my floor statement of July 5. Governor Lee was there quoted as saying he wished this statement to appear in the RECORD. Here is that statement, as it was printed in the Tribune. Governor Lee remarked:

Some erroneous interpretations have been placed upon my remarks concerning President Eisenhower and his candidacy for reelection, particularly because of the public account of casual interviews I had with New York City reporters. These are the facts:

It should be remembered that the President attached the condition of his health to his announced intention of running again.

I felt then and feel now that this condition will persuade him to withdraw as a candidate.

I so expressed myself when interviewed in New York City, but I added that I did not intend my remarks to be in any way critical.

As a matter of fact, I described the President's announcement as good politics, since it afforded him continued leadership of Congress and the Republican Party.

At no time have I impugned or intended to impugn the honesty of the President.

I have not always agreed with his program, but I certainly believe he is just as honest and sincere in his support of them as I have been in my views.

While I have not always agreed with the administration policies and certainly reserve the right to disagree in the future, I have endorsed the President's candidacy for reelection and will support him if he is a candidate unless, of course, some candidate comes out pledging to reduce taxes and stop these unconstitutional giveaway programs.

That is the full extent of the statement, as printed by the Tribune. In addition, Governor Lee was quoted as saying that "I intend to send him"—that is, myself—"a copy of this statement." Obviously he is either dilatory or does not intend to, for I have not received it as yet, although there has been ample time to do so. However, I here honor Governor Lee's request that the statement appear in the RECORD.

Mr. President, the Governor of my State by inference suggests that I made some "erroneous interpretations" of his statement—a statement which he does not disclaim or deny—that the only reasons that President Eisenhower announced his candidacy February 29 were two—namely, that—as Lee put it—the President "didn't want to lose control of Congress" and that "he wanted to control convention votes so as to be able to swing them to someone of his choice." In other words, as Lee would have it, the sole motivating factors in the President's decision were grossly and selfishly political—and nothing else. And, in addition to that, he secretly did not intend to run, even though he had solemnly and publicly declared that he would run.

Mr. President, let me recall that the President said, at the time he made his statement, that it was made "after the most careful and devoutly prayerful

consideration." He further said, "I assure you of this: My answer would not be in the affirmative unless I thought I could last out 5 years." And further, "I would not allow my name to go before the Republican convention unless they, all the Republicans, understood, so that they would not be nominating some individual other than they thought they were nominating."

Now, Mr. President, if that is not a plain enough, full enough statement of motivation then, sir, I am not a proper judge of the English language. And if Governor Lee had not "impugned"—as he puts it—the honesty of the President when he made that statement, then I cannot read and understand even simple English.

What is the meaning of the word "impugn?" Merely this:

To assail with arguments, insinuations, or accusations; call in question; challenge; gainsay.

That definition is taken from Webster's Dictionary.

EFFECT OF LEE WORDS

Now, if the Governor of Utah, J. Bracken Lee, has not called to question—and pointedly so—the honesty of the President of the United States in making his statement February 29, then words do not mean what they are ordinarily understood to mean. In paraphrase, what he suggested was that the President acted only from the grossest political concerns, and not at all with honesty, and without the slightest intention of carrying out what he said he would do.

This week, on Tuesday, July 10, at Gettysburg, President Eisenhower again emphasized that he is a candidate for a second term. Further, he told congressional leaders that he will wage a "vigorous" campaign to hold the Presidency another 4 years. It is apparent that never at any time since making his February 29 statement has he ever deviated one iota from his original stand. The President also announced, in reference to his health—a point which Governor Lee has seen fit to raise—that he felt better now than he did when he made his original announcement.

Mr. President, there is no need to belabor this topic further. The incident speaks for itself. I wish to make the record clear. The way J. Bracken Lee feels about the President's motivations and objectives in announcing he sought renomination and reelection when he, the President, did not mean it, is not an accurate reflection of the opinions of the people of Utah—regardless of party.

I am sure there are few, if any, of them who agree the President made his announcement only to accomplish personal and extremely political purposes. That is so, even though the Governor, according to his own standards, thought the President was playing good politics.

Let J. Bracken Lee have his opinions, as any man may have. But as Governor of Utah, his remarks cannot be interpreted as those epitomizing the sentiments of the people of Utah. I wish to cite that in this instance, I think—and emphatically so—that is not the case.

I felt, as a representative of Utah, I had to speak out, lest silence be considered as agreement with the Governor.

THE FEDERAL GOVERNMENT IS CONTRIBUTING HANDSOMELY, AND WILL CONTINUE CONTRIBUTING, TO THE DEVELOPMENT OF THE PACIFIC NORTHWEST

Mr. WATKINS. Mr. President, the anguished outcries of high Hells Canyon Dam supporters in the Pacific Northwest have led many people to feel that the Northwest is being discriminated against in Federal water-resource development. Such is not the case. The fact is that the Pacific Northwest has benefited tremendously in Federal water-resource development in the past, and will continue to benefit handsomely in future Federal public-works programs.

At the first of this year, I requested the Corps of Engineers to give me a State-by-State breakdown of total construction appropriations for active navigation and flood-control projects, including completed works. The breakdown disclosed that Oregon was the No. 1 State in this civil-works program, with appropriations totaling $478,627,000. Washington was third highest, following California, with an appropriations total of $451,282,000.

These two States, therefore, have received nearly a billion dollars in flood-control and navigation funds, or roughly one-seventh of the $6,859,553,000 appropriated for the national civil-works program. In addition, they have received more than $600 million, or one-fifth of the total reclamation construction funds, for reclamation projects in Oregon and Washington.

Be it remembered that there are 17 States coming within the purview of the reclamation program.

Maj. Gen. Charles G. Holle, Deputy Chief of Engineers for Construction, pointed out the large volume of civil-works appropriations in the Columbia River Basin, during a speech in Spokane, Wash., last November 22. General Holle told the Spokane Chamber of Commerce:

During the 4 years, fiscal 1953 through 1956, almost a half billion dollars have been appropriated for new work by the Corps of Engineers in this basin [Columbia River]—a sum far greater than that provided for any other river basin in the Nation, and amounting to some 30 percent of the new-work appropriations for the entire United States.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. NEUBERGER. In the first place, I should like to say that my question will be brief, but before asking it, I should like to make one comment. I always enjoy discussing these great issues with the Senator from Utah. Nobody could serve with him on the Senate Interior and Insular Affairs Committee, as I have been privileged to do, without respecting the sincerity, integrity, and honesty with which the Senator approaches every single issue; and I say that to him in the utmost admiration.

Mr. WATKINS. I thank the Senator.

Mr. NEUBERGER. I just want to ask the Senator from Utah this one question: For what period of time is this analysis and breakdown of the sums invested in Oregon and Washington in water-resource development?

Mr. WATKINS. I think that will appear as I proceed with the statement. If it does not, I shall get you the period covered.

Mr. NEUBERGER. I would appreciate the Senator's making clear, if he does have such a breakdown, the expenditures authorized or made under this administration since it took office as contrasted with those made by previous administrations.

Mr. WATKINS. If such a contrast is to be made, I may say that the people in the Senator's part of the country have had too much as compared with appropriations for the rest of the country. It is about time the rest of us caught up. This administration has urged projects which have been hanging fire for years, but which could not get approval from the Congress. I refer to one of the largest, which is on the Colorado River.

Mr. NEUBERGER. The Senator would agree with this point, would he not: That there is considerable justification for having made such a concentration of expenditures in that region where there is the most water for development, and that happens to be in the Columbia River Basin?

Mr. WATKINS. And that is exactly where such expenditures were made for a long time, and almost to the exclusion of the other sections of the United States.

Mr. NEUBERGER. I thank the Senator.

Mr. WATKINS. Mr. President, at a speech in Portland, Oreg., on November 21, General Holle declared:

Today the [Columbia River] Basin system is providing one-sixth of the total hydroelectric power output of the entire United States. There are in the Pacific Northwest 39 navigation projects providing some 600 miles of improved waterway. Taking all kinds together, there are some 600 water-use projects in this region, plus several hundred more serving individual mines, farms, or mills.

I bring these points up not because I think that the Pacific Northwest is not entitled to this Federal assistance. On the contrary, I favor development of the burgeoning economic system in our great Pacific Northwest, and I know that the Washington and Oregon projects which I have reviewed are eminently sound and economically defensible. My reason for bringing this material to the attention of the Congress is to show that even though the Federal Government is not providing funds to construct a Federal project at Hells Canyon, the Government is pouring into the States of Oregon and Washington one-seventh of the civil-works construction funds appropriated for building water-resource projects throughout the Nation.

I hereby request unanimous consent to introduce at this point in my remarks, a table of civil-works appropriations

provided for me on January 18, 1956, by the Assistant Chief of Engineers.

I wish to document the figures I am using as I go along.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Total construction appropriations to date, by States, for active Corps of Engineers civil-works program, including completed works

Alabama	$55,404,000
Arkansas	369,412,000
Arizona	1,381,000
California	473,031,000
Colorado	31,713,000
Connecticut	31,966,000
Delaware	22,738,000
Florida	116,783,000
Georgia	148,235,000
Idaho	51,319,000
Illinois	263,260,000
Indiana	60,634,000
Iowa	97,564,000
Kansas	106,514,000
Kentucky	245,489,000
Louisiana	450,936,000
Maine	10,496,000
Maryland	26,423,000
Massachusetts	85,125,000
Michigan	118,076,000
Minnesota	58,774,000
Mississippi	255,858,000
Missouri	324,703,000
Montana	135,817,000
Nebraska	125,822,000
Nevada	0
New Hampshire	15,581,000
New Jersey	$56,378,000
New Mexico	18,058,000
New York	238,109,000
North Carolina	62,821,000
North Dakota	263,255,000
Ohio	158,657,000
Oklahoma	154,393,000
Oregon	478,627,000
Pennsylvania	227,073,000
Rhode Island	6,895,000
South Carolina	59,789,000
South Dakota	267,688,000
Tennessee	195,594,000
Texas	292,530,000
Utah	[1] 708,000
Vermont	5,259,000
Virginia	100,328,000
Washington	451,282,000
West Virginia	120,851,000
Wisconsin	13,386,000
Wyoming	300,000
District of Columbia	4,518,000
Total	[1] 6,859,553,000

[1] Includes maintenance of the Mississippi River Alluvial Valley project prior to fiscal year 1942, since both construction and maintenance funds were combined in annual appropriations in the early years of the project and are inseparable.

Source: Letter of January 18, 1956, to Senator ARTHUR V. WATKINS from E. C. Itschner, Major General, U. S. Army, Assistant Chief of Engineers.

Mr. WATKINS. Mr. President, in order to be assured that the States of Oregon and Washington are not obliged to subsist on past Federal bounty, I requested the Corps of Engineers to provide me with information on authorized flood-control and navigation projects in the 48 States. These figures likewise disclosed that Oregon is No. 1 on the authorized 6-year civil-works program, with projects approved by the Congress totaling $1,475,639,000. In the No. 3 position, following Arkansas, on this State-by-State list is the State of Washington, with $1,097,568,000 in authorized flood-control and nagivation projects.

I shall not bother to read the list at this time; but in order to show the scope of the water-resource program in Oregon and Washington, I hereby request unanimous consent to have printed at this point in the RECORD a summary of the current authorized civil-works programs in Oregon and Washington, as provided for me by the Corps of Engineers on September 1, 1955.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Summary on Oregon: Authorized projects in current 6-year civil-works program

[Figures provided by Corps of Engineers]

Project	Estimated cost		Federal appropriation to Sept. 1, 1955
	Federal	Non-Federal [1]	
Flood control:			
Amazon Creek, channel improvement	$894,000	$339,000	$639,000
Blue River Reservoir, earth dam	13,674,000	----------	96,000
Cascadia Reservoir, South Santiam River, earth dam	25,200,000	----------	112,000
Fall Creek Reservoir, earth dam	18,800,000	----------	----------
Gate Creek Reservoir, McKenzie River, earth dam	13,800,000	----------	95,000
Holley Reservoir, Calapooya River, earth dam	12,500,000	----------	----------
Johnson Creek, Gresham A, channel improvement	519,000	74,000	35,000
Lower Columbia River, Oreg. and Wash., levees	2,125,000	----------	----------
Lower Columbia River, Multnomah County, diversion drainage	1,508,000	270,000	35,000
Lower Columbia River, other units	10,626,000	----------	15,000
Lower Columbia River, Oreg. and Wash., channel	6,880,000	----------	----------
Malheur Improvement District, south bank stabilization	52,000	----------	----------
Pendleton Umatilla River, levees	633,000	----------	15,000
Pudding River Channel improvement	6,640,000	----------	5,000
Wiley Creek Reservoir, earth dam	8,070,000	----------	112,000
Willamette River Basin, channel improvement, Will River	14,800,000	----------	----------
Do	2,190,000	----------	----------
Willamette River, bank protection	11,000,000	220,000	6,002,000
	149,911,000	903,000	7,161,000
Navigation:			
Chetco River Inlet, dredging small boat harbor	600,000	----------	----------
Columbia River Channel, Bonneville-Dalles	3,580,000	----------	----------
Columbia River, Camas-Washougal dredging	104,000	----------	----------
Columbia Slough, dredging 10-foot channel	1,150,000	----------	----------
Columbia River-Chinook, Wash., dredging channel	239,000	----------	----------
Columbia River, Oreg. and Wash., dredging 48-foot channel	8,640,000	----------	750,000
Coos Bay, dredging Charleston small boat harbor	696,000	88,000	236,000
Coos and Millicoma River, dredging 5-foot channel	487,000	----------	----------
Navigation—Continued			
Rogue River Harbor, Gold Beach, dredging channel	$3,950,000	----------	----------
Sipanon Channel, dredging small boat basin	185,000	----------	----------
Smith River, dredging channel	147,000	$10,000	$147,000
Tillamook Basin, dredging Garibaldi small boat basin	111,000	----------	----------
Tillamook Basin, dike Bayocean Peninsula	1,500,000	275,000	200,000
Umatilla Harbor, Columbia River	575,000	----------	----------
Umpqua River, dredging Scholfield River	51,000	----------	----------
Umpqua River, dredging channel to Winchester Bay	103,000	17,000	103,000
Westport Slough, dredge 32-foot channel	187,000	----------	----------
Willamette River dredging channel, Oreg., Santiam River	1,870,000	----------	----------
Willamette River, construct lock and guard	9,823,000	----------	143,000
	33,998,000	390,000	1,579,000
Multiple purpose:			
Cougar Reservoir, Willamette River Basin	37,400,000	----------	766,000
Detroit Reservoir, construct dam	63,345,000	----------	63,345,000
Green Peter Reservoir, Dam, Willamette River	58,400,000	----------	215,000
Hills Creek Reservoir, Willamette River	32,300,000	----------	898,000
John Day lock and dam, Columbia River, Wash	400,000,000	----------	550,000
Lookout Point Reservoir-Dam with concrete spillway	88,600,000	----------	88,376,000
McNary lock and dam, concrete dam	287,300,000	----------	279,039,000
The Dalles lock and dam, concrete dam	300,000,000	----------	156,176,000
Waldo Lake Tunnel, Will River Basin power	922,000	----------	----------
	1,268,267,000	----------	589,365,000
Other:			
Columbia River fisheries development program	23,249,000	----------	12,341,000
Willamette Falls fish ladder facility	214,000	----------	----------
Total	23,463,000	----------	12,341,000
Grand total	1,475,639,000	1,293,000	610,446,000

[1] Does not include costs of land, rights-of-way, or legal expenses contributed by local interests.

Summary on Washington: Authorized projects in current 6-year civil-works program

[Figures provided by Corps of Engineers]

Project	Estimated cost		Federal appropriation to Sept. 1, 1955
	Federal	Non-Federal [1]	
Flood control:			
Castle Rock, strengthen levees	$147,000	$1,000	$88,000
Colfax, channel improvement	2,460,000	184,000	124,000
Dayton, bank protection, channel improvement	565,000		16,000
Eagle Gorge Reservoir, rock-fill dam	20,500,000		1,543,000
Pullman, channel improvement	1,510,000		49,000
Raymond-Willapa River levees	354,000		24,000
Total	25,536,000	185,000	1,844,000
Navigation:			
Anacortes Harbor, dredge basin	183,000		
Bellingham Harbor, dredge basin	1,388,000		
Blaine Harbor, dredge basin	444,000		
Columbia River, Baker Bay, dredge channel and basin	597,000		
Everett Harbor, 15-foot channel and construct dike	403,000		
Grays Harbor, dredge channel and basin	435,000	70,000	422,000
Grays Harbor, construct breakwater	329,000		
Grays Harbor and Chehalis River, channel and levee	1,680,000	680,000	1,228,000
Neah Bay, extend revetment	146,000		121,000
Olympia Harbor, widen channel, enlarge basin	345,000		
Port Angeles Harbor, dredge 30-foot channel	44,000		
Navigation—Continued			
Port Angeles Harbor, dredge basin	$487,000		
Quillayute River, dredge channel and basin	431,000		
Shilshole Bay, dredge basin and channel	3,470,000		$50,000
Tacoma Harbor, extend 30-foot channel	646,000		646,000
Willapa River and Harbor, dredge channels and basins	997,000		
Total	12,025,000	$750,000	2,467,000
Multiple purpose:			
Chief Joseph Dam, concrete dam	169,000,000		126,846,000
Ice Harbor lock and dam, Snake River, concrete dam	142,000,000		2,082,000
Little Goose lock and dam, Snake River, concrete dam	139,000,000		140,000
Lower Granite lock and dam, Snake River, concrete dam	116,000,000		135,000
Monumental lock and dam, Snake River, concrete dam	123,000,000		180,000
Priest Rapids Dam, concrete dam	371,007,000		350,000
Total	1,060,007,000		129,733,000
Grand total	1,097,568,000	935,000	134,044,000

[1] Does not include costs of land, rights-of-way, or legal expenses contributed by local interests.

Mr. WATKINS. Before my good friends from the Pacific Northwest—and I see that most of them are out of the Chamber at the moment—rise to point out that some of the projects on the authorized list for those States are proposed for construction by private enterprise, I hasten to add that in either case the construction of these water-resource programs will be advanced to the enduring benefit of the Pacific Northwest and the Nation as a whole. Furthermore, the construction of any of these projects by private enterprise certainly should contribute to the availability of Federal finances to complete other units on the $2 billion program for these two States, a program which is only one-third complete at this time.

Furthermore, if this tremendous civil-works program is completed for Oregon and Washington, as planned and authorized, the $2 billion worth of water-resource facilities will be built at a cost to those two States of only $2,228,000 in actual cash contributions.

In addition, the States of Oregon and Washington have benefited for many years, and will continue to benefit richly in the future, from the lowest electric-power rates in the country, a valuable area dividend contributed by Federally financed hydropower facilities.

All these benefits will accrue to the richly favored States of Oregon and Washington, regardless of whether Uncle Sam or private-power interests build the hydropower works proposed for the Hells Canyon reach of the Snake River.

In conclusion, I wish to submit an editorial from the Oregon Journal of June 22, 1956, which indicates that the people of the Pacific Northwest are beginning to consider their water-resource development needs and to question the wisdom of excluding assistance from private enterprise. Here is a concluding point in the editorial:

In our view, the difference in power and flood control which high Hells Canyon would offer is not great enough to justify perhaps a 10-year delay in time and more than triple cost. Wouldn't it be wiser, as one of our readers has suggested, to put the money high Hells Canyon would cost into other Columbia Basin projects which will furnish more effective flood control, and let Idaho Power get on with a project that will provide substantial benefits to the region?

Mr. President, I request unanimous consent to have this editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHERE EMOTION RULES

It now becomes pertinent to ask whether the 11th-hour drive in Congress to push through authorization of a high Hells Canyon Dam is designed primarily to benefit the region or reelect Democratic Congressmen in key States.

The word sent down from Democratic Chairman Paul Butler to Democratic leaders in both Houses would seem to indicate the latter reason is paramount.

Committee reshuffling following the death of Senator Alben Barkley, Democrat, Kentucky, has made it possible to jar loose from the Senate Interior Committee a Hells Canyon bill. Democrats on the House Interior Committee are confident of sending out a companion bill by having bought the vote of Representative J. EDGAR CHENOWETH, Republican, Colorado, in return for their support of the Fryingpan-Arkansas project in his State. Whether Hells Canyon legislation can be forced through before the planned mid-July adjournment is a matter of speculation. Even if it can, it seems unlikely President Eisenhower will sign it in view of his past attitude.

What must be borne in mind is that even if a high Hells Canyon dam is authorized, authorization doesn't mean construction. It could be years before any money is appropriated. This has been the experience with many other projects in the Columbia basin. And even after the go-ahead, construction would require 6 to 8 years.

Meanwhile, Idaho Power Co. is proceeding with the building of Brownlee Dam, largest of the three for which it has approval from the Federal Power Commission. It has 1,000 men at work and already has built a tunnel 2,500 feet long and 38 feet in diameter, for the purpose of diverting Snake River waters at the low-water period this summer.

If it is not stopped, it will be producing power from Brownlee in the summer of 1958. This dam is expected to yield 414,000 kilowatts, and any of these not needed by Idaho Power will be fed into the Northwest power pool. Immediately upon Brownlee's completion, Idaho Power will start construction on Oxbow and follow it with low Hells Canyon. The three will produce 783,400 kilowatts, nearly as much as high Hells Canyon.

Brownlee is consistently referred to as a low dam. It will be 395 feet high, 1 of the 15 highest in the world. For the kinds of flows produced by the main stem of the Snake, its effectiveness in lowering flood crests in the lower Columbia would not be greatly less than that of high Hells Canyon, even in such a high runoff year as this one. Army engineers' figures prove the real flood-control problem lies elsewhere than the main stem of the Snake.

In our view, the difference in power and flood control which high Hells Canyon would offer is not great enough to justify perhaps a 10-year delay in time and more than triple cost.

Wouldn't it be wiser, as one of our readers has suggested, to put the money high Hells Canyon would cost into other Columbia Basin projects which will furnish more effective flood control, and let Idaho Power get on with a project that will provide substantial benefits to the region?

It is unfortunate that Hells Canyon has been regarded, on both sides, as a symbol of the private versus public power issue. The Journal, which believes in both public and private power, has never regarded it so. Here is a place where emotion has replaced reason, to the detriment, we believe, of our region.

Mr. WATKINS. Mr. President, I have discussed this matter today simply because from time to time I have heard statements about how badly some of the representatives of the States of Oregon and Washington think those States are being treated by the present administration. Of course, if they expect to have those two States continue to receive about one-seventh of all the civil-works programs in the United States, they may be entitled to think that in the future their States will be badly treated, as compared with the treatment they received in the past. But I submit that the other 46 States of the Union are entitled to have the benefit of some of these programs; and I also submit that the private-enterprise system should carry some of the load, as it has done in the past.

Mr. President, for many years in the past, private enterprise put water on the land and built the powerplants and brought about the pioneer developments. It was only when we reached the point where private enterprise could not do the job—for the reason that the remaining projects were so large in scope and were so expensive and required so many years in which to repay the cost—that the Government stepped in. As the immortal Lincoln once said, the Government should do for the people only the things which are necessary that the people cannot do for themselves.

Mr. President, the people did go as far as they could, before we came to the reclamation program. We found ourselves with a great deal of land in that area and with water running into the ocean and not put to use, and we knew that many people coming from the East wanted to go on the land and use the water. The great reclamation program was born, to meet that situation. It had the result of bringing good land, good water, and good people together; and it has been one of the greatest development programs in the entire West. But regardless of how big that program has been, it should not be forgotten that approximately 85 percent of the development of the water and hydro power resources in the West had been made by private enterprise, and by people who stood on their own feet, before the beginning of the reclamation program. Wherever the people can still stand on their own feet and do the work, they should continue to do so.

As the immortal Lincoln said, an eternal truth in respect to mankind is that no government of no people on earth should do for the people the things they can do for themselves, because to the very extent that they do them for themselves, they develop power within themselves.

That is why the people of the West have become virile, hardy people, able for the most part to take care of themselves. Mr. President, we should always see to it, insofar as we can, that we continue to do the things we can do for ourselves.

Later, I shall discuss at greater length that principle, in respect to the proposed Government dam know as high Hells Canyon, in comparison with the projects approved by the Federal Power Commission.

Incidentally, Mr. President, the Federal Power Commission is an instrumentality of the Congress itself; it is not under the domination of the Presidency of the United States. The President cannot even discharge one of the members of the Federal Power Commission. That was tested out a number of years ago—during the time when Franklin D. Roosevelt was President, as I recall. That Commission, set up by Congress during the administration of Woodrow Wilson, and also during the administration of Franklin D. Roosevelt, has as its objective the determination of these intricate, complex matters with respect to our waterpower development on the great interstate, navigable streams in the United States. At that time it was found—as Theodore Roosevelt, William Howard Taft, Woodrow Wilson, and Franklin D. Roosevelt found—that when we come to these great engineering projects and the question of what should be done to bring about a comprehensive development of all resources of a water system, with respect to power use and water development, as well, the determinations should be made in an orderly way by men who are experts in that field. The experts should reach their determinations from the standpoint of the projects themselves—their physical characteristics, the economic problems involved, and the financing questions. All those matters should be determined in an atmosphere free from public clamor, and the determinations should be made by persons who know what they are doing, free from the clash of arguments presented by uninformed people on one side or the other. In that way they will be able to arrive at a clear-cut determination regarding the proposals and what program is in the best interests of the country.

Congress did not surrender to that Commission its power. It is true that we can review its determinations. But unless there is a case in which clearly it has made a mistake and gone far afield from the powers reposed in it, we should think twice before we attempt to overrule the findings which it makes. No matter how careful we are no matter how many hearings we hold, it is seldom that all the members of a committee or subcommittee are present to hear the testimony. Often when important bills are before us for discussion there is not a substantial attendance of Senators in the Chamber. That was one of the reasons, I am sure, which impelled the four great Presidents of the United States to make the same recommendation, and impelled Congress to create this agency to become its arm, to gather the information and facts and make findings, putting those findings in effect unless Congress chose to overrule the Commission. That is one subject which I expect to discuss in the coming debate on Hells Canyon bill now before us.

I expect to point out that the project is not a reclamation project. It is not the same, in many important details and particulars, as the Colorado project, about which there has been so much discussion. The high Hells Canyon Dam is not the same kind of dam as the Glen Canyon Dam in the upper Colorado storage project. The so-called multiple purposes of the high Hells Canyon project are not the same as those in the upper Colorado storage project. I have been over both those projects very carefully. Ordinarily, if this were a reclamation project, I would be supporting it with all my power. If it were a project which the people themselves could not build and would not build, and if it were a necessary project, I would be supporting it. But that is not the situation in this case.

This great Commission, a bipartisan Commission, a quasi-judicial body, has heard evidence and arguments for 150 days. It has heard from engineers, lawyers, and other experts. It has considered all the possibilities of the various proposals in determining what would be in the best interest of the comprehensive development of the river.

It finally reached a conclusion that for the comprehensive development of the river the three-dam plan was a better program, considering the fact that it would not cost the United States anything, and that the development would take place and the people would get the power years sooner, and at a lower construction and development cost. The $500 million or $600 million which would be necessary to construct the high Hells Canyon Dam would be available for other reclamation and water-resource projects in the United States.

In view of what I have just said about the immense sums which have gone to the Northwest and are now funneled to the two States of Oregon and Washington, it is about time for other States, where development has been slower, to get into the picture. We might as well settle once and for all in this debate the question as to whether or not we are to rely on what Lincoln said, which has been our sound policy all these years.

Much has been said about going to the people of the State with a referendum. All we need to do is to read the record before the Federal Power Commission to discover how impractical such a referendum would be. All we need to do is to read the reports of the engineers, economists, and other experts who have gone into the subject, to see how easy it would be to confuse the general public. There is plenty of confusion even in the Congress, where we have an abundance of staff help. It would be one of the most difficult questions to submit to the people in a referendum to determine whether one policy or the other would be better for the comprehensive development of that river system.

I have spent something like 20 years in the study of reclamation projects. I have gone through records and have considered the countless words which have been placed in them by people who knew practically nothing about the subject, except that they wanted a dam, and they had been told they were to get cheap power. They have been told that one policy is in the interest of the people, and the other is in the interest of big interests. It would be very difficult for the people to make the decision on such a highly technical program.

Presidents Theodore Roosevelt, Taft, Wilson, and Franklin Roosevelt, as well as Congress, decided that it was too big a job for Congress to sift all the evidence and consider the legal, engineering, and financial questions which were raised, so a Commission was created to determine such questions in an orderly way, so that there would be an orderly development of the water resources of the country. I expect to say a great deal more upon that subject as the debate progresses.

The problem we have is not as easy of solution as it sounds. It is all very well to go up and down the States delivering demagogic speeches and saying, "This policy is in the interest of the people. Someone else is trying to give away all the resources. The special interests have been robbing you. The power companies have been robbing you."

The power companies are regulated by the States and by the Federal Power Commission with respect to the rates they can charge. Yet the people are told, "These interests have been robbing you all these years, and now it is proposed to give away some more of our resources to those people."

The Idaho Power Co. is not the only company in the Northwest which has been receiving benefits from our resources. Many other interests have been receiving benefits without putting a dollar into the devolpment of these resources. I hold no brief for the Idaho Power Co., but I do hold a brief for the American enterprise system. The Government should never step into the picture if the people can do something for themselves, and do it well. We should always operate on the principle that the Government should step in only in cases in which it is necessary.

THE EFFECTS OF THE ADMINISTRATION'S TIGHT-MONEY POLICY—II

Mr. HUMPHREY of Minnesota. Mr. President, a few weeks ago I called the Senate's attention to the dangerous effects of this administration's hard-money policy and I announced that at a later date I intended to spell out in greater detail the resulting hardship to small business, municipal building programs, and home buyers.

In all candor I must confess that if nothing else the Republican Party is at least consistent. It is consistent in its devotion to the "trickle-down" theory of economics, tight credit, and high interest rates traditionally championed by such GOP stalwarts as McKinley, Harding, Coolidge, Mellon, and Hoover, and currently espoused by Secretary of the Treasury George Humphrey. No; Mr. President, the Republican Party has not changed. It still longs for a return to the good old days of the twenties with its "honest" dollar and soaring interest rates, which lined the pockets of the money lenders at the expense of the American people and led us into the country's worst depression.

Admittedly, our Republican friends through the advice and coaching of Madison Avenue publicists are more ingenious in the presentation of their views than they were 30 years ago when Secretary of the Treasury Andrew Mellon announced his solution to boom times—which meant to him full employment and prosperity. Allow me to quote from The Memoirs of Herbert Hoover: The Great Depression, 1929–41. Mr. Hoover writes:

> Mr. Mellon had only one formula: "Liquidate labor, liquidate stocks, liquidate the farmers, liquidate real estate." He insisted that, when the people get an inflation brainstorm, the only way to get it out of their blood is to let it collapse. He held that even a panic was not altogether a bad thing. He said: "It will purge the rottenness out of the system. High costs of living and high living will come down. People will work harder, live a more moral life. Values will be adjusted, and enterprising people will pick up the wrecks from less competent people."

But even Madison Avenue cannot help the Republicans when they put aside their prepared speeches and speak from the heart. Their off-the-cuff remarks show that they have not changed. "The right to suffer is one of the joys of a free economy," White House Assistant Howard Pyle said recently in answer to a question put to him concerning mounting unemployment in Detroit. And there was Secretary Charles Wilson's famous quip, "What is good for General Motors is good for the country." Former Secretary of the Interior McKay announced, "We are here in the saddle as an administration representing business and industry." Secretary of Commerce Sinclair Weeks in wide-eyed astonishment asked, "How can it be otherwise than what is good for business is good for the country?"

This theme has been faithfully adhered to by the administration's financial spokesmen.

Secretary Humphrey, on February 3, told the Joint Committee on the Economic Report that he did not view the drop in farm prices as alarming. Last month he appeared before the Subcommittee on Economic Stabilization and told Congressman PATMAN he saw nothing to be concerned about in the heavy layoffs of auto workers and that "conditions are proceeding in a very satisfactory way."

Speaking of auto layoffs, Mr. President, it is interesting and, I think, significant to note that auto production is down 25 percent from last year and will be down 57 percent from the third quarter of 1955.

Secretary Humphrey also told Congressman PATMAN that the rising interest rates didn't particularly concern him.

> I think that to have interest rates too low and over a long period of time could be a very serious thing in this country—

He stated. There is no doubt that so far as the big bankers are concerned, low interest rates would be a very serious thing, but that does not answer the question so far as the American people are concerned.

The Secretary of the Treasury also made it quite clear that the tight credit market, which hits hardest the smaller borrower and investor, is not worrying him in the least. When asked by Congressman PATMAN if he was "alarmed just a little bit about the tightness of the money market," he replied, "No, I am not."

High interest rates and tight credit have a great appeal to the "GOP crusaders," Mr. President, but just what effect do they have upon the average American? What effect do they have upon the 64 percent of our families which still have incomes of less than $5,000 a year? What effect do they have upon the States and municipalities in desperate need of schools and hospitals? What effect do they have upon the millions of families who desire to buy a home? What effect do they have upon farmers who have seen their income steadily declining? What effect do they have upon small-business men?

EFFECT UPON SMALL BUSINESS

Let us first take a look at the plight of small business which is a direct and calculated result of the administration's tight money policy. When small business fails to share in an industrial boom there is room for genuine alarm. The recent record makes it abundantly clear that small concerns today are getting crumbs while the giants are reaping all-time record profits. Let us compare 1952, the last year of the Truman Administration, with 1955. In 1952, manufacturers with assets under $250,000 enjoyed a 10.6 percent return on stockholders' equity compared to a rate of 11.25 percent realized by concerns with more than $100 million in assets. After 3 years of Republican control, the picture changed drastically. The profit rate of the biggest corporations rose to 14.6 percent while the small firms saw their profits dwindle to 5.45 percent. These figures are taken directly from the Quarterly Financial Report for Manufacturing Corporations, issued jointly by the Federal Trade Commission and the Securities and Exchange Commission.

Another indication of hard times for small business is the growing and alarming rate of business failures, currently running at a postwar high. In March alone 1,170 concerns closed their doors according to Dun & Bradstreet.

The warning was recently sounded in the June 8 issue of U. S. News & World Report, which stated:

> To more and more people, the boom has the look of something that has passed by. Farmers and auto dealers, who have been in trouble for some time, are being joined by quite a few other businessmen and a good many workers. * * * Banks and other financial institutions are doing well. The rise in interest rates and heavy demand for loans is tending to lift their profits. * * * Meanwhile, many people are finding that, for them at least, the boom is temporarily over.

Yes, Mr. President, there can be no doubt that banks and other financial institutions are doing well, and this makes the administration leaders very pleased. But it does not please America's small-business men who are finding credit more difficut to come by all the time, and interest rates steadily rising.

At the beginning of the twenties under President Harding the interest rates on short-term business loans were well over 6 percent; they averaged above 4 percent in the midtwenties; and they rose again to 6 percent under Herbert Hoover. The fiscal policies of the administration

of Franklin D. Roosevelt were instrumental in bringing such rates down to 2 percent. Interest rates today on short-term loans are 4 percent, the highest since the last time Republicans controlled the Government. Small business loans are even higher, running better than 5 percent.

The rise in interest rates has been a bonanza for big bankers.

More loans made at higher interest rates produced bigger earnings in the first 6 months of 1956 than a year ago for New York banks issuing semiannual statements yesterday—

Reports the Wall Street Journal in an article of July 3. This article reports that Guaranty Trust, the fourth biggest bank in New York and seventh largest nationally, has boosted its earnings by 19 percent; the chief factor accounting for its higher earnings was a 26 percent rise in interest on loans. New York banks have increased the prime rate—interest charged biggest borrowers with the best credit—from 3 percent a year ago to the current 3¾ percent figure.

Mr. President, I ask unanimous consent that this article entitled "Major New York Banks Report First Half Earnings Topped 1955," be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MAJOR NEW YORK BANKS REPORT FIRST HALF EARNINGS TOPPED 1955—HIGHER INTEREST RATES, RISE IN BORROWING VOLUME CITED IN BANKS' STATEMENTS

NEW YORK.—More loans made at higher interest rates produced bigger earnings in the first 6 months of 1956 than a year ago for New York banks issuing semiannual statements yesterday.

Manufacturers Trust Co., Guaranty Trust Co., Irving Trust Co., New York Trust Co., Bank of New York and Marine Midland Trust Co. all posted substantial increases in net operating earnings for the first half of the year.

Manufacturers Trust, third largest New York bank and fourth biggest in the country, reported net operating earnings for the 6 months ended June 30, of $8,653,354, equal to $1.72 a share, against $7,965,261, or $1.58 a share, last year. This was an increase of 8.6 percent.

A bank with a sizable consumer, or retail, lending operations, Manufacturers Trust said its loans and discounts at mid-year totaled $1,065,731,214, compared with $919,756,686 on June 30, last year.

Guaranty Trust, fourth biggest bank in New York and seventh largest nationally, reported a 19-percent increase in operating earnings from $11,502,878, or $2.30 a share, last year to $13,794,472, or $2.75 a share, this year.

INTEREST IS CHIEF FACTOR

The chief factor contributing to its higher earnings, according to Guaranty Trust, was a 26-percent boost in its interest on loans. Guaranty, which is a wholesale bank making most of its loans to companies, said its yield on loans in the 6 months rose some $5 million from about $20 million on June 30, 1955, to over $25 million this year.

Irving Trust, eighth biggest in New York, recorded net operating earnings for the half of $5,979,290, or $1.19 a share—a 22-percent rise over the like 1955 period's $4,906,927, or 98 cents a share.

New York Trust's net operating income rose 10 percent to $3,098,556, or $2.58 a share, from $2,810,742, or $2.43 in the first half. Marine Midland Trust reported for the same period net operating earnings of $1,914,379, or $1.84 a share, compared with $1,510,359, or $1.45 a share, in the like period last year—about a 27-percent jump. Bank of New York, meantime, chalked up a 28-percent gain to $1,689,265, or $10.56 a share, from $1,319,149, or $8.24, in the first half last year.

Increases in earnings of New York banks had been widely anticipated. Bank analysts have estimated that the current gains for representative New York institutions would average about 15 percent over last year's first half. This is about the same rate of increase as in the first quarter.

BANK LOANS UP SHARPLY

According to the 17 leading New York banks reporting to the New York Federal Reserve Bank, loans for commercial, industrial, and farm uses in the first half of this year have been running some $2 billion ahead of a year ago. Last Wednesday, those banks reported a total $10,196,000,000 such loans on the books, against $8,085,000,000 on June 29, 1955.

As of last Wednesday, the reporting banks had increased their business loans this year by $989 million, compared with a $517 million increase in the corresponding period in 1955.

Coupled with this higher loan volume is the bigger interest rates banks have been charging in the past 6 months. Since mid-April, when the Federal Reserve discount rate was hiked one-fourth percentage point in the New York and other districts, New York commercial banks have levied a 3¾ percent prime rate—interest charged biggest borrowers with the best credit. Previously this year the rate was 3½ percent.

Through the first 6 months of 1955, by contrast, the prime rate was 3 percent.

Banks issuing detailed statements yesterday bore out the fact that banks have had to sell securities in order to meet growing credit demands of business. Guaranty, for example, reported an after-tax loss of $332,027 in securities transactions in the first half, against a $37,401 profit last year.

As is generally the case in bank accounting, Guaranty gives effect to such securities transactions in arriving at its net profit figures, but excludes them from net operating earnings.

Mr. HUMPHREY of Minnesota. Mr. President, the high interest rates paid by small firms is pointed out in the April issue of the Federal Reserve Bulletin in an article entitled "Business Loans of Member Banks," which states:

The average interest rate on business loans outstanding at member banks on October 5, 1955, was 4.2 percent. * * * The lowest rates were obtained by industries in which borrowing is heavily concentrated in large enterprises with high credit rating and large individual loans, such as sales finance companies and transportation, communication, and other public utilities. * * * The highest rates were paid by individuals such as construction, services, and retail trade, in which smaller and less well-established businesses predominate and the individual loan is ordinarily small to medium size. The 4.2 percent average in 1955 was considerably higher than the 2.9 percent which obtained in 1946. * * *

In case, Mr. President, anyone is under the impression that the credit situation, as it affects small business is improving, let me set the record straight. Interest rates all the way down the line have been soaring in the past 18 months. New issues of medium-grade corporate bonds have gone from 3.3 percent to more than 4 percent. Prime commercial paper, 4 to 6 months, has soared from 1.3 percent to 3.38 percent. Treasury 91-day bills are up from 1.1 percent to 2.55 percent. The Federal Reserve Bank discount rate has climbed from 1.5 percent to 2.75 percent, and the Minneapolis and San Francisco Federal Reserve Banks have gone even higher to 3 percent. The 3 to 5 year Government securities have risen from 2 percent to 2.91. Long term Government bonds, old series, are up from 2.57 percent to 2.87 percent.

In a tight money market such as this, which has been the result of the Republican administration's fiscal policies, the small businessman is put in the impossible position of trying to compete with the giants of industry while being forced to pay exorbitant interest rates and in many cases finding it literally impossible to obtain funds at any price.

As the chief economist of U. S. News & World Report, A. S. McLeod, stated in the June 22 issue of his publication:

The little firms are hit harder than the big fellows. The big concerns have good credit lines. General Electric, for instance, had no trouble selling a recent issue of $300 million of debentures. But the small-business man doesn't have access to the capital market, and if his taxes are heavy and if he can't retain the money he needs out of his profits, he's either got to go to friends or stockholders for money or else go to the banks * * *. Because the banks are pinched, they may not have the credit available, and he has to pay a higher interest rate.

Mr. President, how can small business be expected to remain a vigorous element in our economy under such fiscal policies like these? Unless small firms can obtain the necessary credit and at rates which they can afford to pay, it is only a matter of time until they will be wiped out. This must not be permitted to happen and it need not happen. The thinking of Secretary Humphrey and this administration is as antiquated as the crystal radio sets. It is time that the Republicans stop longing for the past and realize we are living in an age requiring bold and imaginative thinking.

An illuminating study was recently released by Standard Factors Corp., which lends money to small firms, pointing out the effect of credit curbs upon small businesses in the past year. I ask unanimous consent, Mr. President, that this article issued April 24, 1956, entitled "One Year's Experience With Credit Controls," be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONE YEAR'S EXPERIENCE WITH CREDIT CONTROLS

The latest move of the Federal Reserve System in raising the rediscount rate to 2¾ percent (and 3 percent for Minneapolis and San Francisco) is the fifth such increase since April 1955. Its avowed object is to hold back the inflationary pressures in our economy. With steel, nonferrous metal, rubber, and other basic producers working at 100 percent capacity, and further rise in industrial activity would scarcely produce any more goods but merely increase prices, with the inevitable consequences in new wage demands, higher costs, etc. Hence the rise in the rediscount rate which will tighten money still more and slow up the industrial parade, somewhat.

However, since this is the fifth increase within a year, we have been able to gage how credit restraint affects the different segments of business. Since April 1955, when the first rediscount raise was set into motion, until April 1956, when the fifth raise was announced, Standard Factors Corporation has queried 727 manufacturers, and 127 banks. These manufacturers are located in every major city in the country; the banks are equally well distributed through the 12 Federal Reserve bank districts.

Despite the apparent fairness of the Federal Reserve banks' method of holding down credit expansion, we have found that the tightening of the money supply has not affected all businesses in the same fashion. Smaller business has felt the tightness worst; medium-sized corporations have been next in complaining about the money situation; large business has had little to worry about. While it is obviously not the desire of the Federal Reserve managers to discriminate among industrial and commercial borrowers, the net effect has been that as bank credit tightened, the largest borrowers have been able to supplement their bank credit by selling commercial paper, borrowing long-term funds from insurance companies or from the public. The smaller and medium-sized manufacturers, on the other hand, have had to contend with a more desperate loan situation. This situation is clearly evident from the reports to this Standard Factors' survey.

WORST IN CERTAIN INDUSTRIES

This situation, according to our reports from 727 manufacturers, is found to be worst in the following manufacturing industries: machinery (nonelectrical); food and beverages; petroleum refining and chemicals; fabricated metals; transportation equipment; textiles and apparel; electrical machinery; stone, clay, and glass products. Many other manufacturers report the same state of affairs, but the above-named industries show probably the worst effect of the uniform tightening of bank credit. In those industries, the smaller manufacturer has been virtually squeezed out of bank credit, while the medium-sized producer has had his line curtailed. Details on these companies are cited below.

On the banks' side, the reports from 127 banks show the utmost good will, and a keen desire to satisfy all their customers to the banks' best abilities. However, while banks are anxious to help all customers, there is a tendency for most of the pressure to work its way down to the smaller customer. For this there is evidently an economic reason: it takes almost as much personnel time and expense to administer a $10,000 line of credit as it does to administer a $100,000 line. Similarly, it takes no more time and personnel effort to administer a $1 million line of credit than it does to watch over a $100,000 line.

True, bank rates on small loans are higher than on larger loans. This must be so, because the bank cost of administration (and risk) is higher with the smaller credits. The cost of keeping track of smaller loans and investments in smaller business is high, and even going interest rates on smaller loans do not always cover the expense to the bank. But since lendable funds and bank personnel are at a premium—and since the risk on one $1 million account is less than the risk on one hundred $10,000 accounts—banks tend to hold on to their biggest and more stable customers.

COMMERCIAL FINANCE

The commercial finance industry has endeavored to take up the slack through accounts receivable financing, but even their resources are insufficient to help all the small and medium-sized companies which are worthy of credit. Moreover, since commercial finance companies are themselves in good part dependent on bank lines for their resources, they cannot expand their lending in the face of tightening bank credit.

According to the reports from the 727 manufacturers to this standard factors' survey, we find that prior to the first Federal Reserve Board hike in rediscount rate (April 1955), 89 percent of the companies were regular borrowers from commercial banks. Today, only 53 percent have bank lines. In terms of net worth, here is a breakdown of the experience:

Net worth of companies	Percent of companies with bank lines March 1955	Percent of companies with bank lines March 1956
$5,000 to $25,000	53	18
$25,000 to $100,000	82	44
$100,000 to $500,000	94	79
$500,000 to $1,000,000	99	98
$1,000,000 to $2,500,000	99	98
Over $2,500,000	99	99

It is interesting to notice that the smaller companies (under $25,000 net worth) had felt the most severe effects of the tightening bank credit. Slightly more than half of these companies had bank lines in March, 1955. These lines were used to discount bills, carry inventories for processing or for sale, or to take care of payrolls or current operating bills until payment had been received from sales. While only 53 percent of these smaller companies had bank lines when the credit squeeze began, only 18 percent of these companies were left with bank lines a year later. Loss of bank lines often puts the smaller businessman at a fatal disadvantage.

NEXT IN LINE

Looking at the small-medium companies ($25,000 to $100,000) net worth, the drop here was from 82 percent with bank lines, to 44 percent a year later. Almost half the companies in this category lost their bank lines. This, of course, is not as large a drop as in the smallest class, but severe enough.

When we come to the medium-sized company ($100,000 to $500,000 net worth), the drop is much smaller—from 94 percent to 79 percent. Above the $500,000 net worth class, there is virtually no change in bank credit. The minute shift in the larger companies was due to public financing, or long-term loans from insurance companies to replace bank borrowings.

What did the companies do to replace bank accommodations? Many of them went to commercial finance companies and accounts receivable financing. But here too they met the other side of the tightening bank credit situation. Since commerical finance companies operate on the basis of their own capital plus bank lines of credit—and tightening bank credit affects commercial finance companies also—the finance companies could not begin to accommodate the demand. Their own resources were squeezed by tighter bank credit—and only those larger commercial finance companies which have access to public financing, to direct placement loans from insurance companies, and to the commercial paper market, were able to make some semblance of meeting the demand.

BANKS LIKE SMALL BUSINESS

As far as the 127 banks are concerned their confidential replies to this survey indicate that far from shying away from small business, the average bank is, in itself, small business and is largely occupied with small-business loans. Nationally, most banks are small business, but many of these banks participate in larger loans through larger banks in the major commercial centers.

However, with the loan demand rising all over the country, many of the smaller banks have been withdrawing their deposits with larger banks, and using these funds for their own loans. In addition, all banks have met the expanding demand for loans by reducing their investment portfolios. This they have done by selling their Government securities. This sale has been proceeding (in 1956) at an average rate of about $200 million a week. Sale of investments on such a scale is indicative of a strong pressure of loan demands, for the sales involve losses which banks are naturally reluctant to take. Yet they do take them, in order to be able to accommodate customers.

But when it comes to determining what customers should be satisfied first, bankers (apparently like everyone else) must look to the customer which gives them volume, to the customer most apt to be around the bank in the years to come, and the customer which involves (for the bank) the least risk of the depositors' money. Volume, continuity of business, and least risk, characterize the larger corporations.

While the reports from banks show that bankers lean over backward to continue serving their smaller commercial customers, nevertheless the reports also indicate that when the question of renewal of 30-, 60-, and 90-day commercial loans or notes arises, the decision is apt to be far more severe and critical in the case of the smaller and medium-sized business, than when the corporation is larger.

Whether the country can afford to maintain uniform credit controls which affect the different segments of industry so differently, and which bankers themselves do not like, is something which the Federal Reserve System might reconsider.

The manufacturing industries covered in this study of 727 companies are: agricultural implements; automobile parts; bedsprings and mattresses; breweries; chemicals; men's and women's clothing; confectionery; cloth mills; drugs; electrical machinery; electrical parts; electronics; foundries; fruit and vegetable canners; furniture; hardware and tools; hosiery; lumber; industrial machinery; meat packers; metal stampings; paints and varnishes; paper; paper boxes; petroleum; plastics; radio and television; shoes; soft drinks; steel and metal fabricators; stone, clay, and glass products; and transportation equipment.

Mr. HUMPHREY of Minnesota. Briefly, Mr. President, this study, which covered 727 manufacturers and 127 banks throughout the Nation, revealed that the administration's tight money policy has worked a severe hardship upon smaller and medium size firms, but has had practically no effect upon the bigger companies. The large borrowers have been able to supplement their bank credit by the sale of commercial paper or by borrowing from insurance companies or the public, but in most cases no such source of funds is available to the small concerns.

The study revealed that in March of 1955, 53 percent of the companies with net worth from $5,000 to $25,000 were regular borrowers from banks. A year later, only 18 percent of them still had bank connections. Firms with net worths of $25,000 to $100,000 were also hard hit with regular borrowers dropping from 82 to 44 percent. Companies in the $100,000 to $500,000 bracket were not pinched as much, their bank lines going down from 94 to 79 percent. Corporations with net worths in excess of $500,000 were virtually unaffected, 99 percent of them having had bank credit in March 1955, compared to 98 percent a year later.

Mr. President, that is exactly what I stated on the floor of the Senate 2 weeks ago. I said then that the smaller firms have lost their line of credit; and that

the banks have closed up the credit, which to the smaller economic firms is like lifeblood to the body.

Although the banks reported that they wanted to help small business, due to tight credit it is to their economic advantage to serve first the larger accounts which are better risks and cost less to administer. The effect is to squeeze out the small borrower.

The report concludes by raising the question whether the Federal Reserve System should reconsider its high discount rates and uniform credit controls which affect the various segments of industry so differently. It might very well have added that this Republican administration should sit down and reconsider its fiscal policies. For the banking interests which have such powerful influence in the Federal Reserve System also play a significant role in the great crusade—from the White House on down.

Mr. President, the Wall Street Journal of May 1, 1956, contained an article entitled "Earnings Climb but Shortage of Capital Stymies Bigger Gains" from which I would like to briefly quote. I ask unanimous consent that it be printed in full in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EARNINGS CLIMB, BUT SHORTAGE OF CAPITAL STYMIES BIGGER GAINS—DETROITER LOOKS FOR A LOAN FOR 6 YEARS—CHICAGOAN REJECTS $800,000 ORDERS—TAXES TAX A TOY RETAILER

"If I had $25,000, I could really rake in the money. I could run circles around a lot of people in this industry."

Those are the wistful words of youthful J. P. Dunnett, owner of J. P. Dunnett & Associates, a 4-year-old electronic engineering and sales concern in Detroit.

Mr. Dunnett's problem is shared by many a small-business man. The Nation's biggest business boom is bringing plentiful sales opportunities in many fields. But smaller concerns often haven't the money to build up inventories or to finance new plant facilities.

"We recently turned down 3 contracts totaling $800,000," says the vice president of a Chicago manufacturing concern. "We have the technical ability to produce $1.2 million in business a year, and the finances to do about $500,000."

SMALL COMPANY SELLS OUT

A small manufacturer in Boston, after a fruitless search for additional capital, finally sold out to a bigger company. Says the owner: "I can make more working 40 to 50 hours a week for the larger company than I could working 80 to 100 hours for myself."

Wall Street Journal reporters talked with businessmen and bankers in 13 major cities across the United States. With few exceptions, the businessmen report earnings are running at high levels. But most of them claim they'd be doing better if they could locate additional capital.

After-tax earnings of the smallest business concerns—those with assets of less than $1 million—totaled $252 million at last report by the Small Business Administration in the third quarter of 1955. That's an increase of 37 percent from a year earlier, and it's the highest quarterly figure since the April–June period of 1953, when small-business profits totaled $264 million.

Officials of the SBA, the Government agency charged with watching over the little concerns, are confident that earnings have held at a high level since last year's third quarter.

HIGH TAXES, TIGHT CREDIT

Why is it difficult for small business to boost capital? Businessmen and bankers both mention high taxes, which make it tough for small concerns to build up capital from retained earnings. They also agree that there's a sharply limited market for new stock offerings by the smaller companies. Most businessmen—and a surprisingly large number of bankers—say small concerns usually bump into problems in lining up bank loans.

Small companies find long-term financing their chief problem.

SBA comparisons of companies with assets between $250,000 and $1 million and those with assets over $100 million point up the small concerns' greater reliance on short-term loans. In 1947, loans, notes and accounts payable within 1 year amounted to 15.2 percent of the smaller concerns' assets. By the third quarter of 1955—the latest period for which figures are available—the 1-year debt had risen to 19.9 percent of assets.

For the biggest concerns, the trend was reversed. Debt payable within 1 year declined from 8.6 percent of assets in 1947 to 7.3 percent in last year's third quarter.

"The banks prefer to make their long-term loans to larger corporations," says Jules Abels, top economist of the SBA.

PROBLEMS GROW

Small business has always struggled with capital problems, of course. But many businessmen and bankers contend these problems have been growing steadily more severe, especially when viewed in the light of abundant sales opportunities.

"The spread between the opportunity to grow and the ability to finance growth seems to be greater now than at any time I can remember," says a Detroit banker.

"The chances of a small business becoming highly successful are growing smaller all the time, something we all hate to admit, but nevertheless a fact of business life today," comments an executive of a major Boston bank.

Among small-business men, taxes arouse more bitterness than any other single capital problem. "I don't know whether I'm working for Uncle Sam or myself," complains an angry Clevelander.

"After the year's figures are in, we might see a good profit on paper," says Ben Aaron, one of three partners in Aaron Bros., a Dallas distributor of women's apparel. "But after taking out living expenses and taxes, there's never enough left to finance any expansion."

Abraham Sinoff, vice president of Jacksonville's Toytown, Inc., a retail toy store, claims high taxes helped put his brother, Toytown's president Barney Sinoff, in the hospital with a heart attack. Says he: "We were working 12 to 18 hours a day—running the business, unloading trucks, waiting on customers and so on—so we'd have something left after taxes."

FULBRIGHT BILL

Small-business men talk hopefully of a proposal introduced in Congress by Senator FULBRIGHT, Democrat, of Arkansas, but now stymied in the Senate Finance Committee. The Fulbright bill would reduce to 22 percent from the present 30 percent the tax on corporate net earnings below $25,000 a year. At the same time, the rate on profits above $25,000 would be raised to 53 percent from the current 52 percent.

Other businessmen offer other solutions to the tax problem. A Bostonian suggests graduated tax rates for corporations, similar to those for individuals. "My company pays a lower rate on the first $25,000 of its earnings—but so does General Motors, and that wouldn't even pay the people who open the doors for them," he says. But he concludes: "My idea is probably socialistic."

Arthur B. Davies, an executive of the Smaller Manufacturers Council, affiliated with the Pittsburgh Chamber of Commerce, has an even more radical suggestion: "Exempt up to $100,000 in profit, providing the company can show it put all the money back into the business. Any part that didn't go back into the business would be taxed."

An executive of Atlanta's Citizens & Southern National Bank says high taxes often push businessmen into questionable management practices—high salaries, bonuses, and expense accounts. In one case, Citizens & Southern disposed of the assets of a concern forced into liquidation by creditors. Two of the assets: A Florida fishing camp and an oversized yacht that had been at the personal disposal of the defunct company's president.

A LOT OF HURDLES

A small-business man who decides to build up his capital by selling common stock faces a lot of hurdles. "Investment banking houses generally steer clear of equity financing issues of small concerns," says the SBA's Mr. Abels.

"There is almost no risk capital available for small business," claims W. W. Faris, president of a St. Louis concern that makes minnow buckets, picnic jugs, and other sporting goods. "If something isn't done soon to correct the domination of the available supply of money by big companies, there won't be any small companies."

Frank B. Diamond, president of Philadelphia Securities Co., points to a Philadelphia food manufacturer, which he describes as "a good company with sound management." But, he adds, "they can't get capital. With this tax situation they can't build their net worth in relation to sales."

Small businesses generally are privately owned. Most of their owners would prefer to keep them that way. "If we go to public financing, we lose control of the business," explains Stanley L. Mead, who owns 31 percent of the stock of Package Containers, Inc., a Portland, Oreg., producer of paper and film bags that's now looking for capital. "We've just got the business going nicely and we don't like to lose control of it now."

George Lippincott, president of the 25-year-old Nic-L-Silver Battery Co., of Santa Ana, Calif., has needed some $250,000 for expansion for the past 5 years. He's finally had to sell stock to raise the money. "It doesn't look like taxes are ever going down enough to let us build up any capital, so I'm raising it the hard way," he says.

SEC MAY TIGHTEN UP

Stock sales may become even more difficult for small companies. The Securities and Exchange Commission, worried about recent heavy offerings of highly speculative securities, is considering tightening of its regulations on stock issues under $300,000. The SBA is objecting, contending that the proposed rules would handicap legitimate financing by small companies.

High taxes also discourage individuals from putting up funds for small business—either through stock purchases or loans. "High rates make people hesitate to take risks," says Robert Williams, vice president of Philadelphia's Girard Trust Corn Exchange Bank. "They feel the risk is all theirs while they get only a part of the profit."

Another Philadelphia banker, Vice President A. L. Raffetto, of Philadelphia National Bank, claims the plight of the small-business man has been recognized and that loans of up to 5 years have grown in popularity. But he admits: "We don't necessarily go out looking for this business."

Milton Burns, owner of a Detroit office supply store, claims he has been looking for a loan, without success, for the full 6 years that he has been in his present business. He says: "Banks have been of absolutely no help to me."

When a small-business man finds a bank that will lend him money, he usually pays a higher interest rate than a big company. "The smaller concern has to pay more because it's a poorer risk than a big company," says a Boston banker.

The size of the loan is a factor, too. It costs a bank more to process ten $10,000 loans than it would to handle one $100,000 loan.

A Federal Reserve System survey of banks in major cities shows that the average rate on short-term business loans of less than $10,000 during 1955 was 5 percent, compared with 3.5 percent for loans of $200,000 and more.

Tighter money is making bank loans even more costly. New York City banks recently boosted the "prime" rate—the rate on loans to the biggest borrowers with the best credit ratings—to 3¾ percent from 3½ percent. In some cases, rates for smaller borrowers were boosted even more. "When I applied for a loan last week, my bank told me my rate had been raised from 5 percent to 5½ percent," reports one New York City wholesaler.

FEDERAL HELP WANTED

Several businessmen argue that more liberal Government loans to small business are needed. Complains Mr. Davies, of the Pittsburgh Smaller Manufacturers Council: "If you can get a loan from the Small Business Administration now, you can certainly get it from a bank. You can't get an SBA loan unless you sign away your property and your wife's property."

Some businessmen are hopeful about the spread of business development corporations. These privately-financed organizations, providing loans to small business, have been largely limited to the Northeast. But they're spreading. In Georgia, for example, the State Chamber of Commerce, assisted by a committee of Georgia bankers, has agreed to launch a development corporation this year.

Small business capital problems in many cases stem from poor management, bankers are careful to assert. A businessman often fails to provide for sufficient capital when he starts out. According to a New York City banker, this lack of foresight is especially evident in wholesaling and retailing.

"A salesman breaks away from an existing concern—he thinks the boss is making too much money—and sets up for himself," this banker explains. "Then he suddenly discovers that he needs a lot more money than he had thought to carry inventories and accounts receivable."

Fred F. Stadelhofer, president of San Francisco's Berkeley Pump Co., sees one solution to small business capital problems: Merge with a bigger company. "At least from my own experience," he says, sadly, "I can't see any other way."

Mr. HUMPHREY of Minnesota. Mr. President, I quote briefly from the article:

The Nation's biggest business boom is bringing plentiful sales opportunities in many fields. But small concerns often haven't the money to build up inventory or to finance new plant facilities. * * *

Small business has always struggled with capital problems, of course. But many businessmen and bankers contend these problems have been growing steadily more severe, especially when viewed in the light of abundant sales opportunities.

"The spread between the opportunity to grow and the ability to finance growth seems to be greater now than at any time I can remember," says a Detroit banker.

"The chances of a small business becoming highly successful are growing smaller all the time, something we hate to admit, but nevertheless a fact of business life today," comments an executive of a major Boston bank. * * *

"There is almost no risk capital available for small business," claims W. W. Faris, president of a St. Louis concern that makes minnow buckets, picnic jugs, and other sporting goods. "If something isn't done soon to correct the domination of the available supply of money by big companies, there won't be any small companies. * * *"

When a small-business man finds a bank that will lend him money, he usually pays a higher interest rate than a big company. "The smaller concern has to pay more because it's a poorer risk than a big company," says a Boston banker.

Fred F. Stadelhofer, president of San Francisco's Berkeley Pump Co., sees one solution to small-business-capital problems: Merge with a bigger company. "At least from my own experience," he says, sadly, "I can't see any other way."

This, Mr. President, is the predicament of more and more small-business men, thanks to the fiscal policies of this administration.

I say that the fiscal policies of this administration are the worst of all the administration's policies. They have cut the lifeline of the American enterprise system. Those policies promote monopolies and mergers and concentration of wealth and economic power. The administration is proving again and again that it has little or no concern for the small free-enterprise companies.

Mr. President, as Business Week put it in its June 16 issue:

The entrepreneurs, farmers, storekeepers, operators of small-family businesses are playing a shrinking role in our economy. They are dwindling as a percentage of total income earners. Big businesses swallow up the individual operators.

Mr. President, to a man engaged in a small business that is like listening to his own funeral sermon; it is like reading his own obituary.

While the President continues with sweet and innocuous platitudes about the need for strong and prosperous small business, business failures continue to mount and mergers snowball. Secretary of the Treasury announces that there is nothing to be concerned about. Wendell Barnes, head of the Small Business Administration, would have us believe that everything is just fine.

Mr. President, that picture simply does not jibe with the facts. All I ask any Member of the Senate to do is to look at the figures I have placed in the RECORD today. They are figures taken from the Wall Street Journal, from the largest commercial banks of the country, from Business Week, from U. S. News & World Report, from the Federal Trade Commission, and from the Securities and Exchange Commission. Without any oratory and without embellishments, those figures tell the sad tale of the economic strangulation of thousands of business firms in the United States.

In plain language, Mr. President, small business is finding the going extremely tough and it needs more than just a friendly smile from Gettysburg and a pat on the back from the Treasury to set matters right.

MORTGAGE RATES GOING UP

The Nation's home-building industry and the millions of home builders have been another sacrificial lamb to the administration's tight-money policy. When the American people were given their first bitter dose of the tight-money policy in the spring of 1953, an immediate consequence was an increase by the administration in the interest rates which lenders could charge on FHA-insured and VA-guaranteed GI loans. In the case of veterans using GI financing, for example, this single action increased the interest costs over the life of the typical GI loan by more than $800.

When the administration decided to twist the tight-money tourniquet again in late 1955 and early 1956, the home buyer was again an inevitable victim. Although interest rates on Government-underwritten mortgage loans were not themselves increased, the same harmful effects appeared with the growing prevalence of excessive mortgage discounting. In order to reap a higher yield, lenders would buy FHA and GI loans only at a substantial discount, for example, 94 cents on the dollar. Somebody has to pay this 6-percent discount and, in the final analysis, it is the home buyer who has to pay it. In the case of a $12,000 house, a 6-percent discount can increase the cost to the home buyer by more than $700.

The Republican Eisenhower administration tight-money policy has also had an adverse effect on the interest rate on conventional mortgage loans, that is, loans made without Government guaranty or insurance. Whereas a year ago the typical conventional mortgage interest rate in many areas was 4½ to 5 percent, today those rates have moved up to from 5 to 6 percent.

Mr. Persident, when we spell that out over a 15-year loan, a 25-year loan, or a 30-year loan, it adds thousands and thousands of dollars to the average cost of financing a modest home for an American family.

Not only have the individual home buyers had to pay through the nose, but the home building industry itself—a vital kingpin to a healthy economy—is now in serious straits because of the tight-money situation which, in large measure, has resulted from the restrictive policies of the money managers. The annual rate of housing construction has fallen to 1.1 million dwelling units as against a rate of 1.4 million to 1.5 million at this time last year. Builders in many areas are unable to obtain commitments to finance FHA and GI housing projects except at prohibitive discounts.

Mr. President, I digress to point out that there is not a Senator in this body who has not received complaints from his State concerning the discounting of paper of banks and lending agencies. In some areas, the rate has gone as high as 8 or 10 percent; in other areas it is around 6 percent.

To make matters even worse, Mr. President, in April the Federal Reserve System raised the discount rate—the fifth time within a year—from 2½ percent to 2¾ percent, and to 3 percent in Minneapolis and San Francisco. Commenting on this rise in the discount rates, the Subcommittee on Housing of the House Banking and Currency Committee reported:

Whether or not the rediscount rate increase was a wise policy decision, its repercussions upon the housing industry can only

be unfavorable. Coming as it did in a mortgage market situation already plagued by abusive and excessive discounts and by shortages of funds in many areas, the action could very well have the most harmful consequences. The subcommittee fears that the combination of a rising interest rate structure and a restrictive monetary policy will act to curtail further the flow of funds into mortgage investment. Any further restrictions in the available supply of mortgage capital can only act to widen further the discounts on Government-underwritten loans and exacerbate further the mortgage-capital shortages facing builders and home buyers in many areas of the country.

The harmful effect of the administration's fiscal policy on the housing market is further brought out by the Wall Street Journal of May 17 in a News Roundup feature story on costlier homes, which stated that the builders' loudest complaints are directed at tighter mortgage money.

The Journal continued, quoting a Detroit builder as saying:

Our biggest concern has been the mortgage market. It has gotten to the point where we have a harder time selling the mortgages than the houses.

The article went on to report that builders—

find lenders are interested in buying VA and FHA mortgages—with their fixed 4½ percent rate—only at discounts. For example, a lender may offer $9,500 for a $10,000 mortgage, thus increasing its return on the loan. Volk-McClain Co., a Los Angeles building concern, has decided to build no more GI homes. "The cost of financing, the redtape, and the discounts on mortgages are too much to deal with," says Ronald E. White, treasurer. Volk-McClain plans to specialize in homes financed with "conventional" mortgages—those not underwritten either by the VA or the FHA.

"Money is just not available for VA and FHA financing, except at prohibitive discounts," claims a San Francisco builder. "And how can you sell at those discounts? The discounts either come out of the builder's profits or are added to the price of the house. If you add them to the price, the GI may no longer qualify for a loan."

"The buyer gets fooled at 4½ precent" claims one New York area builder. "Most builders, if they can, will pass on the discounts in the price of the house."

With the increased difficulty in obtaining FHA and VA financing, many builders, like Volk-McClain, of Los Angeles, are moving into conventionally financed—and generally more expensive—homes. Some say that price increases are pushing homes out of reach of lower-income buyers anyway.

U. S. News & World Report, in its June 8 issue carried a special report on home building. The article pointed out that: Fewer homes are being built; sales are slower; mortgage money is tighter; costs are up; profits are down; and more high-priced homes are being built.

According to the article, there will be 28 percent fewer homes built to sell for under $15,000 in 1956 as compared to 1955; but in the price bracket above $15,000 there will be an increase of 61 percent. The magazine states that there will be 30 percent fewer houses for less than $10,000; 40 percent less in the $10,000 to $12,500 category; and 13 percent fewer in the $12,500 to $15,000 bracket. In the price ranges from $15,000 to $17,500, however, a 52 percent increase is forecast this year; in the $17,500 to $20,000 bracket, a 38 percent boost, and above $20,000 the biggest increase of all 125 percent.

Here is the direct effect of the hard money policy. Fewer homes are being built for the low and middle income brackets due to credit restrictions and higher interest rates. More and more homes going up for those in the upper income level who can make large down-payments and afford heavy monthly payments on the mortgage. But what happens so far as the average American family is concerned? What about housing for the two-thirds of our families with total annual incomes of less than $5,000? They certainly cannot afford these large $20,000 homes that are going up. But this apparently, Mr. President, is of no concern to this Administration or to the banking interests which are setting its fiscal policies.

As U. S. News & World Report found in its study—the lack of mortgage funds is the number one headache for builders today. Here are a few typical responses:

From California: "Mortgage money is the most pressing problem here. Our mortgage manager reports that there just is no mortgage market in the San Francisco Bay area."

From Tennessee: "We currently have plans for 3 projects of 25 houses or more that are tabled until a mortgage outlet opens."

From Pennsylvania: "The money market in the last two weeks has tightened up greatly and there seems to be no prospect for any easing."

On June 17, 1956, in the Washington Post and Times Herald, there was an excellent article by Paul Herron, real estate editor, entitled "Housing Output Down: Interest Rates on Home Loans Moving Upward." I ask unanimous consent that this article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INTEREST RATES ON HOME LOANS MOVING UPWARD

(By Paul Herron)

Money may not really be the root of all evil but it was at the root of builders' troubles throughout the Nation last week.

The trouble with money was that it was hard to get and it cost more when builders and home buyers got it.

It's effect was dramatic—the Bureau of Labor Statistics reported a drop of 30,000 housing units in May as compared with the total building during the same month in 1955. At an annual rate this represented 1.1 million units—about the lowest estimate predicted by housing experts at the beginning of the year.

No early relief appeared to be in sight. Morton Bodfish, president of the First Federal Savings & Loan Association of Chicago, noted that "the cost of borrowing money is moving steadily upward."

Bodfish said the interest rates on conventional type home mortgage loans increased from 5 to 5½ percent nationally.

Meanwhile, he pointed out, the FHA and VA insured mortgage loan interest rates have been fixed at 4½ percent.

"This has resulted in lenders generally being willing to make money available under the fixed interest plans only if there is an arrangement with the builders and sellers of the property to provide sufficient discount or service charges to raise the yield of these loans above the established 4½ percent rate.

This arrangement says John Dickerman, executive secretary of the National Association of Home Builders, has reached a high spot of eight points on the west coast. A lender making a commitment for a $10,000 loan gives the seller or builder only $9,200 and still collects the interest on the entire $10,000 from the buyer of the property.

"If the pressure continues," says Bodfish, "further action will be taken to make an upward adjustment in FHA and VA interest rates so this type of loan can compete more freely with conventional home financing."

However, there's no guaranty that the conventional rate will remain at 5½, and such Federal action might actually serve to increase this rate. Both FHA and VA loans are partially guaranteed by the Government, and a higher interest rate might again make these loans more attractive than the conventional type.

An even darker picture has been presented by the Metropolitan Association of General Improvement Contractors in the field of refinancing loans on existing dwellings.

In a letter to congressional leaders, John H. Haas, executive secretary to MAGIC, wrote:

"The owners of older homes are unable to secure financing for their urgent and most basic requirements. We have conducted a survey of the metropolitan lenders through individual spot checking and we have just finished tabulating the results.

"Of a total of 26 banks and lending institutions approached for refinancing and improvement loans in May of 1956, only 2 have accepted applications; all loan requests submitted to these, however, were declined, due to location."

Mr. HUMPHREY of Minnesota. Mr. President, the problems which have been raised in the housing field as a result of the Republicans' fiscal policies have been and continue to be under close scrutiny of Congress, and the evidence has been conclusive that this tight money policy is detrimental to our national housing needs. As the Senator from Alabama [Mr. SPARKMAN], the able chairman of the Subcommittee on Housing of the Banking and Currency Committee, has pointed out: the discounts, resulting from credit restrictions, negate public policy.

INTEREST RATES OF MUNICIPAL BONDS

I have previously called the attention of the Senate to the thorny problem of municipal financing in the face of rising interest rates. State and local governments must, of necessity, be big borrowers to meet the vital needs of increasing populations. The need for schools, hospitals, housing, roads, and bridges has never been greater. Such projects must continue at an increasing rate if we are to meet the needs of the people. There can be no doubt that the fiscal policy of this administration has had a heavy impact upon municipal bond issues.

Mr. President, let us examine what has happened in the way of interest rates on municipal bonds. In the twenties under Republican administrations, high grade municipal bonds were at rates of more than 4 percent; the last year Herbert Hoover was in office the rate was 4.71 percent. The Democrats during the thirties and forties were successful in bringing the interest rate down to 2 percent—less than half the rate of the GOP. In 1952 the rate was 2.19 percent. What happened the very first year the crusaders got back in office? The rate

soared to 2.72 percent which amounts to an increase of better than 24 percent in the period of 12 short months. Today the rate is 2.76 percent, and it should be noted that this is on high grade bonds—the average rate on all municipal bonds is well over 3 percent with many municipalities paying as high as 3½ to 4 percent interest. It should be noted also that all such bonds are tax exempt.

This rise in the interest rates has had a twofold effect:

First, it has served to defer the marketing of bond issues. To put it in human terms, Mr. President, soaring interest rates have deferred the construction of vitally needed schools; they have slowed down the program to remedy stifling traffic problems; they have served to choke off public housing and a host of other improvements.

Mr. President, every State of the Union could submit to the Congress a list of projects which they have had to cancel because of the fiscal policy of this administration. The conference of mayors, and the American Municipal Association, in their deliberations, found that municipality after municipality had either to reduce the size of projects, because of increase in interest rates, or stop them completely. Those projects were long needed. Oftentimes the authority for the bond issue had already been voted, but the municipal officials did not go ahead with the improvements, because the rise in interest rates imposed such a burden—one which would last for years to come—that the solvency of the municipalities would literally have been impaired. Many a school has had to eliminate classrooms, auditoriums, and cafeterias in order to pay bankers' extra interest rates. I can think of one in my home city, in northeast Minneapolis. In that instance a substantial alteration in the plans for a school had to be made; important classrooms and auditorium facilities had to be eliminated because of the rise in interest rates dictated by the Federal Reserve Board and the Treasury Department.

Second. High interest rates have had the effect of boosting the cost of municipal bond issues that have been instituted. The taxpayer has been robbed of a full return on his tax dollar. Here is but one illustration of what has happened:

The Suburban Joint School Authority of York, Pa., recently issued bonds—at the high Republican interest rate of 3.2 percent—to cover the costs of a school construction program. If this bond issue had been made 5 years ago it would have cost the city of York, Pa., $7,600 less in interest payments per schoolroom—$7,600 additional going into each schoolroom for interest payments alone, which 5 years ago, under lower interest rates, could have been used for actual brick and mortar. This added interest is one-fourth of the basic cost of a schoolroom.

Mr. President, this administration hesitated to give to the farmers the price supports they should have had; but it did not hesitate to give the investment and commercial banks of the country all kinds of price supports. The discount rate of the Federal Reserve System, I submit, with the support of the Department of the Treasury and the President, is the biggest single bonanza given to any one group in the economic structure of the United States.

The largest single factor in the increase in farm production costs is the rise in the interest rate. This is an example of a burden placed upon the taxpayers of the country as a result of the tight money policy crusade. While the lenders wax rich, schoolchildren suffer and wage-earners see more and more of their taxes going into interest payments.

To many persons a discussion of fiscal policy may seem far removed and of little consequence, but the fact of the matter is that it affects each and every citizen directly. As I have tried to show in my remarks today, tight money and soaring interest rates jeopardize small business, affect the home buyer, and slash municipal-building programs.

It is high time that the fiscal policies of this Republican administration be carefully and thoroughly examined to determine how seriously they have affected our economy and every single American citizen. I agree 100 percent, Mr. President, with the recent suggestion of Allan Sproul, the retiring president of the New York Federal Reserve Bank, that some new thinking is needed as to the social and political implications of our monetary system, in particular as it relates to the advantages of big business over the smaller concerns.

It is interesting to note that one of America's most distinguished bankers has come to the conclusion that the monetary policies of the Nation must be reexamined in the light of their social and economic implications.

Later it is my intention to document the increased cost to the taxpayers of the high-interest-rate policy. The taxpayers of the United States are paying hundreds of millions of dollars extra to finance the public debt on nothing more or less than a decision by the Federal Reserve Board and the Department of the Treasury.

The cost of handling this debt has gone up several hundred million dollars, as the Senator from Louisiana stated 2 weeks ago in this Chamber; approximately between eight and nine hundred million dollars extra is paid every year on the same amount of money, simply because of a fiscal, credit, and interest-rate policy which the present administration has religiously and determinedly pursued.

Mr. President, a free enterprise, a competitive enterprise economy necessitates a just and equitable credit and fiscal system. Credit, as I have said before, is the lifeline of a free-enterprise economy. Credit at reasonable rates of interest is as important to the national economy as the air we breathe is important to the body and to life itself. This credit is being choked off from thousands and thousands of individual business firms throughout the country. The line of credit to a tremendous number of business firms in the United States is being destroyed. Housing costs and municipal costs, because of high interest rates alone, have gone up appreciably in the past 3 years.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. HUMPHREY of Minnesota. I yield.

Mr. SYMINGTON. It is true, is it not, that whereas during the first 3 years of this administration the cost of Government has gone down some $4 billion, actually $8 billion has been taken out of our national defense, and the rest of the cost of the Government has gone up some $4 billion?

Mr. HUMPHREY of Minnesota. The Senator is correct. That is a matter of recorded fact.

Mr. SYMINGTON. It is true, is it not, that the largest single component of that increase is the amount of additional money which the Secretary of the Treasury has been willing to pay the bankers, through unnecessary increases in the interest rate?

Mr. HUMPHREY of Minnesota. That is correct.

Mr. SYMINGTON. Because of our prosperity, that was not necessary because the issues would have been oversold.

Mr. HUMPHREY of Minnesota. In 1952, at a time when we were borrowing more money than at almost any other time, the Government of the United States could sell its securities at interest rates considerably less than the rates at which they are sold today. As a matter of fact, many short term notes were sold at less than 1 percent interest, and interim notes at 2 percent interest.

The same money today is borrowed at rates at least up to 2 percent on short term paper, and from 3 to 3½ percent on interim term paper.

Mr. SYMINGTON. One thing which has interested me greatly is that during the last 30 years the number of commercial banks has been reduced from 30,000 to approximately 15,000.

Mr. HUMPHREY of Minnesota. I believe that is correct.

Mr. SYMINGTON. One hundred of those banks have 50 percent of the deposits today.

Mr. HUMPHREY of Minnesota. I was not aware of that particular statistic, but I know the independent bankers have been deeply concerned about that trend.

Mr. SYMINGTON. If that be true, and if the commercial banks have been reduced in number by some 50 percent, and if vast sums of money have gone into three sources—none of which is particularly interested in lending money to small business—I refer to the giant corporations, the investment trusts, and the big insurance companies—then where does the small-business man with his increasing problems go to get his credit, which, as the Senator has said, is the lifeblood of capitalism and free enterprise?

Mr. HUMPHREY of Minnesota. This is one of the most difficult problems which small business faces today. Small business is finding fewer and fewer sources of credit, but it has to pay higher and higher interest rates. It is utterly impossible for a small firm to compete with a large firm, even if the small firm has, overall,

as much efficiency and as good a sales market. Whether it has to pay 50 percent more or 25 percent more for its money, I think it is fair to say it faces a problem.

I am not talking theory. I have had businessmen from my own State visit me within the past week and say that their line of credit has been severely curtailed. Others have told me that the interest rates on their line of credit have gone up.

In my section of the country the Federal Reserve Board discount rate is 3 percent, instead of 2½ percent as it is in other areas of the Nation. This has had some effect on promoting mergers. It has had the effect of building the big, bigger. It has had the effect of limiting the possibilities of the expansion of the small.

Mr. SYMINGTON. I congratulate the Senator from Minnesota who, as usual, is presenting a profound, logical position to his colleagues. In my opinion, if present conditions continue, we shall see the elimination of small businesses, because small businesses cannot exist if credit is denied. The basis of free private enterprise is being threatened.

Mr. HUMPHREY of Minnesota. I thank the Senator from Missouri. I do not claim to be an expert in these matters, but I made up my mind when I came to the Senate that there were two areas of Government policy which I would look into. One was the tax policy; the other was the credit and interest-rate policy.

It is pretty easy to be a so-called liberal and simply vote to build public housing, vote to provide health research, and vote for similar nice things, because many big firms are willing to pay that bill. But the real core of Government policy is tax policy, credit policy, fiscal policy.

I do not believe a Member of Congress can do his job adequately unless he begins to look into the tax policy, the credit policy, and the fiscal policy of the Nation. I am not going to be hoodwinked when I see the administration is willing to talk kindly about public housing, even though nothing is being done about it; talk kindly about social welfare; talk kindly about labor; even if something were being done about those things. If the money market is rigged, if the interest rates are increased, if credit is tightened, and if loopholes are built into the tax laws to favor a handful of people, the results will be inevitable. The big will become bigger, and the little will become smaller and smaller and fewer and fewer, until finally they will disappear from the business world.

As I said earlier, it is like having an opportunity to read one's obituary notice. It is not a pleasant experience.

I suggest that if we really want to have competitive enterprise, we should at least make rules of competition which are based upon equity and justice. There is no justice when small companies pay 6-percent interest and big companies pay 4.

Mr. President, small business cannot win in that kind of game.

I yield the floor.

APPOINTMENT OF DOCTORS OF OSTEOPATHY IN THE ARMED SERVICES—CONFERENCE REPORT

Mr. SYMINGTON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 483) to amend the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. SCOTT in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 16, 1956, p. 12958, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

AUTHORIZATION FOR THE VICE PRESIDENT OR THE PRESIDENT PRO TEMPORE TO SIGN BILLS AND RESOLUTIONS

Mr. DOUGLAS. Mr. President, I ask unanimous consent that, notwithstanding the adjournment of the Senate today until Monday next, the President of the Senate or the President pro tempore may be authorized to sign enrolled bills and joint resolutions passed by the House and found to be truly enrolled.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1953—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, and 4, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

Restore the matter proposed to be stricken out by the Senate amendment, and on page 2, line 7, of the House engrossed bill strike out "SEC. 3." and in lieu thereof insert "SEC. 2"; and the Senate agree to the same.

That the House recede from it disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following "3"; and the Senate agree to the same.

ALAN BIBLE,
J. ALLEN FREAR, Jr.,
J. GLENN BEALL,
Managers on the Part of the Senate.

JAMES C. DAVIS,
JOHN BELL WILLIAMS,
JOEL T. BROYHILL,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BIBLE. Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, if there is no other Senator who wishes to make a statement, I desire to announce that the Appropriations Committee has completed action today on the mutual security aid appropriation bill, that the report will be filed during the week end, and that the hearings will be available.

We anticipate that the Appropriations Committee will report the supplemental appropriation bill tomorrow. The committee is meeting tomorrow. We expect to call up the supplemental appropriation bill early in the week, probably to be followed by the mutual aid appropriation bill.

We shall meet late each evening, next week, in an attempt to get rid of the Sobeloff confirmation; the social security bill; the executive pay bill, which we expect will be reported; the two appropriation bills; the Hells Canyon bill, which already is set for consideration on Wednesday morning; and any other measures

which may be available to the Senate, including some 40 or 50 which already have been cleared by the policy committee.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8817) to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 11544) to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Farm Tenant Act, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. GRANT, Mr. HOPE, and Mr. AUGUST H. ANDRESEN were appointed managers on the part of the House at the conference.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 13, 1956, he presented to the President of the United States the enrolled bill (S. 47) for the relief of Guiseppe Agosta, Shakeeb Dakour, and Gertrud Charlotte Samuelis.

ADJOURNMENT TO MONDAY AT 9:30 A.M.

Mr. JOHNSON of Texas. Mr. President, under the order previously entered, I now move that the Senate adjourn until Monday, next.

The motion was agreed to; and (at 6 o'clock and 10 minutes, p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until Monday, July 16, 1956, at 9:30 a. m.

NOMINATIONS

Executive nominations received by the Senate July 13, 1956:

GENERAL ASSEMBLY OF THE UNITED NATIONS

The following-named persons to be Representatives of the United States of America to the 11th session of the General Assembly of the United Nations:

Henry Cabot Lodge, Jr., of Massachusetts.
WILLIAM F. KNOWLAND, of California.
HUBERT H. HUMPHREY, of Minnesota.
Paul G. Hoffman, of California.
Ellsworth Bunker, of Vermont.

The following-named persons to be alternate representatives of the United States of America to the 11th session of the General Assembly of the United Nations:

James J. Wadsworth, of New York.
Richard Lee Jones, of Illinois.
Frank C. Nash, of the District of Columbia.
Edward S. Greenbaum, of New Jersey.
Mrs. Oswald B. Lord, of New York.

HOUSE OF REPRESENTATIVES

FRIDAY, JULY 13, 1956

The House met at 12 o'clock noon.

Rev. George Lyon Pratt, rector, Church of the Advent, Los Angeles, Calif., offered the following prayer:

Almighty and everlasting God, who hast laid deep the foundations of this Nation through the examples and lives of Thy servants who have preceded us, grant to all those to whom Thou hast entrusted the authority of government the wisdom to learn from the past those things which have made us great among the nations of the earth and not only the knowledge to understand the needs and demands of our own day, but also the courage and vision to fulfill the same. And then, O Lord, when we shall have served Thee in our generation, may our children and our children's children say: "Our fathers have served us well." All which we ask in Thy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills, a joint resolution, and concurrent resolutions of the House of the following titles:

H. R. 5838. An act to provide that payment be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range;

H. R. 6501. An act to amend the act of July 17, 1914, to permit the disposal of certain reserve mineral deposits under the mining laws of the United States;

H. R. 8288. An act to suspend for 2 years the duty on crude bauxite and on calcined bauxite;

H. R. 9137. An act to waive section 142, of title 28, United States Code, with respect to the United States District Court for the Western District of North Carolina holding court at Bryson City, N. C.;

H. R. 9333. An act to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manufacturers;

H. R. 9578. An act to provide for the conveyance of an interest of the United States in and to certain lands in Colorado;

H. R. 10204. An act authorizing the Administrator of General Services to transfer certain land to Richard M. Tinney and John T. O'Connor, Jr.;

H. R. 10269. An act to provide for the temporary suspension of the duty on certain alumina;

H. R. 11000. An act to provide for the striking of medals in commemoration of the 100th anniversary of the birth of the late Justice Louis Dembitz Brandeis;

H. R. 11520. An act to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine;

H. R. 11873. An act to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects;

H. R. 11995. An act to provide that the 1955 formula for taxing income of life insurance companies shall also apply to taxable years beginning in 1956;

H. J. Res. 569. Joint resolution to provide for a medal to be struck and presented to each surviving veteran of the War Between the States;

H. Con. Res. 242. Concurrent resolution providing for 10 thousand additional copies of the report entitled "Special Study Mission to the Middle East, South, and Southeast Asia, and the Western Pacific";

H. Con. Res. 243. Concurrent resolution authorizing the printing as a House document of the Constitution of the United States together with the Declaration of Independence, and providing for additional copies;

H. Con. Res. 244. Concurrent resolution to provide for a joint committee of the Congress to represent the Congress at the unveiling of the Commodore John Barry Memorial at Wexford, Ireland, on September 16, 1956;

H. Con. Res. 245. Concurrent resolution authorizing the printing of additional copies of House Report No. 2189, 84th Congress, 2d session;

H. Con. Res. 248. Concurrent resolution authorizing the Joint Committee on Atomic Energy to print 30,000 additional copies of the hearings of the Research and Development Subcommittee on "Shortage of Scientific and Engineering Manpower"; and

H. Con. Res. 251. Concurrent resolution authorizing reprinting of House Document 210 of the 83d Congress.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 10285. An act to merge production credit corporations in Federal intermediate credit banks; to provide for retirement of Government capital in Federal intermediate credit banks; to provide for supervision of production credit associations, and for other purposes;

H. R. 11683. An act to authorize permanent appointments in the Armed Forces of the United States, and for other purposes; and

H. J. Res. 472. Joint resolution for the relief of certain aliens.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 11544. An act to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Farm Tenant Act, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. AIKEN, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 300. An act to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado;

S. 1696. An act to provide compensation to the Crow Tribe of Indians for certain ceded lands embraced within and otherwise required in connection with the Huntley reclamation project, Montana, and for other purposes;

S. 3779. An act to amend the act of August 27, 1954 (68 Stat. 868), with respect to the Uintah and Ouray Reservation in Utah; and

S. 4146. An act providing for a civilian atomic power acceleration program.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 146. An act for the relief of Isabel Tre;

S. 1895. An act for the relief of Anna Maria Fuller; and

S. 3163. An act to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating in Hawaii and Alaska.

The message also announced that the Senate recedes from its amendment to the bill (H. R. 2854) entitled "An act to amend title 18 of the United States Code, so as to increase the penalties applicable to seditious conspiracy, advocating overthrow of Government, and conspiracy to advocate overthrow of Government."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1622) entitled "An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes."

The message also announced that the Senate had appointed the Senator from Vermont, Mr. FLANDERS, to be a conferee on the bill (H. R. 5265) entitled "An act to exempt certain additional foreign travel from the tax on the transportation of persons," in lieu of the Senator from Pennsylvania, Mr. MARTIN.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 57–1.

AUTHORIZING PERMANENT APPOINTMENTS IN THE ARMED FORCES OF THE UNITED STATES

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11683) to authorize permanent appointments in the Armed Forces of the United States, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 6, line 12, after "law", insert "except service credited under section 103 (A) (1) and (2) of this title."

Page 6, line 14, strike out "sections 509 and 514" and insert "section 514."

Page 13, line 8, strike out "December 7" and insert "December 6."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

COMMODITY CREDIT CORPORATION

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. SPENCE, BROWN of Georgia, PATMAN, RAINS, WOLCOTT, GAMBLE, and TALLE.

GOVERNMENT ACCOUNTING AND PROCEDURE METHODS

Mr. DAWSON of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11526) to improve governmental budgeting and accounting methods and procedures, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. TABER. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. DAWSON of Illinois. Mr. Speaker, the bill as amended would have the President's budget contain information on program costs and accomplishments and the development of cost-based budgets for the various departments and agencies. It would provide for the achievement of consistency in accounting and budget classification and the simplification of apportionments. It would also require the accounts of the departments and agencies to be maintained on an accrual basis so that if the Congress at some time in the future should decide on an accrued expenditure budget the necessary accounting foundation will have been laid.

Mr. Speaker, the amendment was proposed upon the suggestion of the chairman of the Committee on Appropriations and the minority member of the Committee on Appropriations. We feel that this is a good bill and should be enacted into law. It will accomplish many benefits as far as cost is concerned in the operation of our Government.

Mr. TABER. Will the bill be presented with the amendment that the committee has agreed on?

Mr. DAWSON of Illinois. Yes. The Senate passed a similar bill, S. 3897, which contains the provision that our amendment dropped out. Of course, it will go to conference, and I am sure in conference the Senate will agree with us that it should have been dropped.

Mr. TABER. That satisfies me.

Mr. ROGERS of Florida. Mr. Speaker, I want to commend the Government Operations Committee of the House, and especially Hon. WILLIAM L. DAWSON, the chairman of the Subcommittee of Executive and Legislative Reorganization, for the splendid work done in reporting out H. R. 11526, to bring about needed changes in the accounting procedures of our Government, which is now before the House. I would also like at this time to state for the record what fine help Majority Leader JOHN MCCORMACK rendered in the consideration of this measure. Also, the Honorable GLENARD LIPSCOMB devoted much time and study to this problem and has been a driving force, along with Congressman DANTE FASCELL, both of whom are members of the Committee of Government Operations. Hearings were quickly held, due to the courtesy of the chairman and members of the committee, and reported to the House so that it might be considered during this session of the Congress.

The bill as I introduced it would carry out the recommendations of the Second Hoover Commission to revise our governmental budgeting and accounting procedures, and would accomplish two broad objectives: First, improve financial administration in the executive branch; and, second, substantially strengthen congressional control over the financial affairs of the Federal Government. It would reform and improve our accounting system by placing our Government accounting and budgeting process on a more realistic and orderly basis, and as introduced, this measure would require that Government agencies prepare their budget estimates on an accrued annual expenditure basis and that budgets be prepared on an accrued cost basis. The measure as introduced was approved by the Bureau of the Budget, the Comptroller General, the Treasury Department, and has been vigorously backed by the Chamber of Commerce of the United States, the General Federation of Women's Clubs, and the Citizens Committee for the Hoover Commission, as well as other organizations. Mr. J. Harold Stewart, Chairman of the Hoover Commission Task Force on Budget and Accounting, has taken a great interest and has been most helpful.

The Government Operations Committee, in deference to the testimony of Congressmen CANNON and TABER of the Appropriations Committee, amended the bill to strike out that portion providing that the budget be submitted on an annual accrued expenditure basis. Of course, this is one of the most vital features of the bill, as introduced, and it is my intention if I am a Member of the 85th Congress, to again introduce legislation to carry out this provision.

However, I do feel that the passage of the legislation in its present form is a step forward in getting into effect a revision of the accounting procedures of our Government and will lay the groundwork for a more businesslike operation of our Government, which will effect great savings.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc.—

AMENDMENTS TO THE BUDGET AND ACCOUNTING ACT, 1921

SECTION 1. (a) Section 201 of the Budget and Accounting Act, 1921, as amended (31 U. S. C. 11), is further amended by inserting "(a)" after the words "SEC. 201.", by changing subsection (a) to subparagraph (1); by adding after subparagraph (1) a new subparagraph "(2) at such times as may be practicable, information on program costs and accomplishments"; by changing subsections (b) through (j) to subparagraphs (3) through (11), respectively; and by adding the following new subsections:

"(b) The amounts of proposed appropriations referred to in sections 201 (a) and 203 of this act shall, to the maximum extent deemed desirable and practicable by the President, be determined on an annual accrued expenditure basis.

"'Annual accrued expenditures' shall relate to goods and services to be received in a fiscal year, advance payments, progress payments, and such other payments as are authorized by law to be made in such fiscal year.

"This subsection shall not apply to appropriations made specifically for the payment of claims certified by the Comptroller General and of judgments; appropriations for the refund of Federal taxes and of other moneys erroneously received and covered into the Treasury of the United States; appropriations made by private relief acts of Congress; appropriations for the payment of interest on trust funds; revolving funds or appropriations thereto; appropriations for the payment to former members of the Armed Forces, their dependents and beneficiaries, of any benefits to which they are entitled by reason of military service; appropriations for the payment of pensions and annuities; appropriations for the payment of any obligation of the United States for which liability is fixed by treaty; and other appropriations or funds analogous to the foregoing.

"(c) The conversion to the use of annual accrued expenditures for stating proposed appropriations in accordance with section 201 (b) of this act shall be accomplished in such manner and at such times as may be determined by the President.

"(d) As of the end of each fiscal year, the excess of any appropriation or fund made on an annual accrued expenditure basis over the accrued expenditures under such appropriation or fund shall lapse, unless hereafter provided otherwise in an appropriation act or other law. Any remaining balances of each such appropriation or fund shall be merged with any appropriation or fund made for the same general purpose for the ensuing fiscal year and shall constitute a single account."

(b) Section 216 of such act, as amended (31 U. S. C. 24), is further amended by inserting "(a)" after the words "SEC. 216." and by adding the following new subsections:

"(b) The requests of the departments and establishments for appropriations shall, in such manner and at such times as may be determined by the President, be developed from cost-based budgets.

"(c) For purposes of administration and operation, such cost-based budgets shall be used by all departments and establishments and their subordinate units. Administrative subdivisions of appropriations or funds shall be made on the basis of such cost-based budgets."

AMENDMENTS TO THE BUDGET AND ACCOUNTING PROCEDURES ACT OF 1950

SEC. 2. (a) The Budget and Accounting Procedures Act of 1950 is amended by inserting after section 105 thereof the following new section:

"ACCOUNTING AND BUDGET CLASSIFICATIONS

"SEC. 106. The head of each executive agency shall, in consultation with the Director of the Bureau of the Budget, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency on accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information on performance and program costs by organizational units."

(b) Section 113 of such act (31 U. S. C. 66a) is amended by adding at the end thereof the following new subsection:

"(c) As soon as practicable after the date of enactment of this subsection, the head of each executive agency shall, in accordance with principles and standards prescribed by the Comptroller General, cause the accounts of such agency to be maintained on an accrual basis to show the resources, liabilities, and costs of operations of such agency with a view to facilitating the preparation of cost-based budgets as required by section 216 of the Budget and Accounting Act, 1921, as amended. The accounting system required by this subsection shall include adequate monetary property accounting records as an integral part of the system."

(c) Section 118 of such act is amended by inserting "113 (c)" after the words "section 111."

SIMPLIFICATION OF SYSTEM FOR SUBDIVIDING FUNDS

SEC. 3. Section 3679 (g), Revised Statutes, as amended (31 U. S. C. 665 (g)), is further amended by adding at the end thereof the following sentence: "In order to have a simplified system for the administrative subdivision of appropriations or funds, each agency shall work toward the objective of financing each operating unit, at the highest practical level, from not more than one administrative subdivision for each appropriation or fund affecting such unit."

Mr. DAWSON of Illinois. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Committee amendment:

Page 1, line 6, after the word "amended" strike out all down to and including "(1);" on line 7.

Page 1, line 8, strike out "(1)" and insert in lieu thereof "(a)."

Page 1, line 9, strike "(2) at such times as may be practicable." and insert in lieu thereof "(b) to the extent deemed desirable and practicable by the President, and at such times and in such manner as he may determine."

Page 1, line 10, strike "subsec-."

Page 2, line 1, strike "tions" and insert in lieu thereof the word "subparagraphs."

Page 2, line 1, strike "(3)" and insert in lieu thereof "(c)."

Page 2, line 1, strike "(11)" and insert in lieu thereof "(k)."

Page 2, line 2, strike "respectively; and by adding the following new subsections:" and insert "respectively."

Page 2, beginning with line 3, strike out all of the language through page 3, line 16.

Page 3, line 21, after the word "shall," insert "to the extent deemed desirable and practicable by the President, and."

Page 3, line 22, after the word "as", insert "he."

Page 3, line 22, after the word "may" delete "be determined by the President," and insert "determine."

Page 3, line 24, after the word "operations," insert "including administrative subdivisions of funds."

Page 3, line 25, after the word "by" delete the word "all."

Page 4, line 1, after the word "establishments" insert the word "concerned."

Page 4, line 1, after the word "subordinate" delete the following: "units. Administrative subdivisions of appropriations or funds shall be made on the basis of such cost-based budgets."

Page 4, line 17, strike "by organizational units."

Page 4, line 22, after the word "agency" insert the word "concerned."

Page 5, line 2, after the word "of" add the word "such."

Page 5, line 2, after the word "as" strike "re-."

Page 5, line 3, strike "quired by" and insert "may be developed pursuant to."

Page 5, line 12, after the word "to" strike "have."

Page 5, line 13, strike "a simplified system for" and insert in lieu thereof "achieve simplification in."

Page 5, line 15, after the word "operating" strike "unit, at the highest."

Page 5, line 16, strike "practical level, from not more than one" and add the words "unit through minimum."

Page 5, line 16, after the word "administrative" strike "sub-."

Page 5, line 17, strike the word "division" and add in lieu thereof "subdivisions consistent with operational requirements."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DAWSON of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3897) to improve governmental budgeting and accounting methods and procedures, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object, does that do away with the conference?

Mr. DAWSON of Illinois. No; it does not. This is to expedite it.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc.—

AMENDMENT TO THE BUDGET AND ACCOUNTING ACT, 1921

SEC. 1. (a) Section 201 of the Budget and Accounting Act, 1921, as amended (31 U. S. C. 11), is further amended by inserting "(a)" after the words "SEC. 201."; by changing subsection (a) to subparagraph (1); by adding after subparagraph (1) a new subparagraph "(2) at such times as may be practicable, information on program costs and accomplishments"; by changing subsections (b) through (j) to subparagraphs (3) through (11), respectively; and by adding the following new subsections:

"(b) The amounts of proposed appropriations referred to in sections 201 (a) and 203 of this act shall, to the maximum extent deemed desirable and practicable by the President, be determined on an annual accrued expenditure basis.

"'Annual accrued expenditures' shall relate to goods and services to be received

in a fiscal year, advance payments, progress payments, and such other payments as are authorized by law to be made in such fiscal year.

"This subsection shall not apply to appropriations made specifically for the payment of claims certified by the Comptroller General and of judgments; appropriations for the refund of Federal taxes and of other moneys erroneously received and covered into the Treasury of the United States; appropriations made by private relief acts of Congress; appropriations for the payment of interest on trust funds; revolving funds or appropriations thereto; appropriations for the payment to former members of the Armed Forces, their dependents and beneficiaries, of any benefits to which they are entitled by reason of military service; appropriations for the payment of pensions and annuities; appropriations for the payment of any obligation of the United States for which liability is fixed by treaty; and other appropriations or funds analogous to the foregoing.

"(c) The conversion to the use of annual accrued expenditures for stating proposed appropriations in accordance with section 201 (b) of this act shall be accomplished in such manner and at such times as may be determined by the President.

"(d) As of the end of each fiscal year, the excess of any appropriation or fund made on an annual accrued expenditure basis over the accrued expenditures under such appropriation or fund shall lapse, unless hereafter provided otherwise in an appropriation act or other law. Any remaining balances of each such appropriation or fund shall be merged with any appropriation or fund made for the same general purpose for the ensuing fiscal year and shall constitute a single account."

(b) Section 216 of such act, as amended (31 U. S. C. 24), is further amended by inserting "(a)" after the words "SEC. 216," and by adding the following new subsections:

"(b) The requests of the departments and establishments for appropriations shall, in such manner and at such times as may be determined by the President, be developed from cost-based budgets.

"(c) For purposes of administration and operation, such cost-based budgets shall be used by all departments and establishments and their subordinate units. Administrative subdivisions of appropriations or funds shall be made on the basis of such cost-based budgets."

AMENDMENTS TO THE BUDGET AND ACCOUNTING PROCEDURES ACT OF 1950

SEC. 2. (a) The Budget and Accounting Procedures Act of 1950 is amended by inserting after section 105 thereof the following new section:

"ACCOUNTING AND BUDGET CLASSIFICATIONS

"SEC. 106. The head of each executive agency shall, in consultation with the Director of the Bureau of the Budget, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency in accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information on performance and program costs by organizational units."

(b) Section 113 of such act (31 U. S. C. 66a) is amended by adding at the end thereof the following new subsection:

"(c) As soon as practicable after the date of enactment of this subsection, the head of each executive agency shall, in accordance with principles and standards prescribed by the Comptroller General, cause the accounts of such agency to be maintained on an accrual basis to show the resources, liabilities, and costs of operations of such agency with a view to facilitating the preparation of cost-based budgets as required by section 216 of the Budget and Accounting Act, 1921, as amended. The accounting system required by this subsection shall include adequate monetary property accounting records as an integral part of the system."

(c) Section 118 of such act is amended by inserting "113 (c)" after the words "section 111."

SIMPLIFICATION OF SYSTEM FOR SUBDIVIDING FUNDS

SEC. 3. Section 3679 (g), Revised Statutes, as amended (31 U. S. C. 665 (g)), is further amended by adding at the end thereof the following sentence: "In order to have a simplified system for the administrative subdivision of appropriations or funds, each agency shall work toward the objective of financing each operating unit, at the highest practical level, from not more than one administrative subdivision for each appropriation or fund affecting such unit."

Mr. DAWSON of Illinois. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAWSON of Illinois: Strike out all after the enacting clause of S. 3897 and insert the provisions of H. R. 11526 as passed.

The amendment was agreed to.

Mr. LIPSCOMB. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, I am pleased to support this bill which will improve budget and accounting methods and procedures in the Federal Government.

Since significant events have transpired in connection with the subject matter of this proposal since the introduction of bills on this subject, I believe that it would be well to review briefly the background of this proposal.

The report of the Second Commission on Organization of the Executive Branch of the Government—Hoover Commission—with respect to Budget and Accounting was transmitted to the Congress by Hon. Herbert Hoover, Chairman of the Commission, on June 20, 1955.

During February 1956, I introduced in the House a bill, H. R. 9402, to put into effect the majority of the Commission's recommendations on budget and accounting.

The House Government Operations Subcommittee on Executive and Legislative Reorganization held hearings on H. R. 9402 and comparable bills during May and June 1956. It was my privilege to appear before the subcommittee in support of the bill which I had introduced. Hon. WILLIAM L. DAWSON, chairman of the House Government Operations Committee and also its subcommittee which considered this legislation, graciously permitted me to participate in the subcommittee's hearings on both the bill which I had introduced and on this legislation sponsored by Hon. PAUL G. ROGERS, of Florida.

At these hearings representatives of the Bureau of the Budget, the General Accounting Office, the Department of the Treasury, and the Department of Defense testified extensively with respect to the views of the executive branch of the Government concerning this proposed legislation. In addition, Mr. J. Harold Stewart, former Chairman of the Hoover Commission's Task Force on Budget and Accounting, presented his views to the committees.

On April 29, 1956, the White House released an exchange of correspondence between the President and Hon. Percival F. Brundage, Director of the Bureau of the Budget, revealing that steps had already been taken by the Bureau of the Budget and by some of the departments of the executive branch of the Government to put into effect administratively some of the recommendations of the Hoover Commission with respect to budget and accounting.

On May 10, 1956, the President, in a special message to the Congress, urged that the Congress seek the early enactment of appropriate legislative provisions to support the major objectives of the Hoover Commission's recommendations on budget and accounting. In this message the President reviewed briefly the administrative action already taken, and said:

The actions being taken by the executive branch to put many of the Commission's proposals into effect will require close coordination with the legislative branch and merit the support which the Congress should and can provide. I urge that the Congress seek the early enactment of appropriate legislative provisions to support the main objectives of the Commission's recommendations.

Since the passage of the Budget and Accounting Act of 1921, much has been said and written about the Federal budget process. In the 35 years since the adoption of that act a great deal of progress has been made in improving Federal fiscal procedures. If the size and nature of the Federal Government had remained at the 1921 level, today's budget processes would probably be adequate. But today the size and complexity of the operations of the Government have grown many fold since 1921, and the annual budget of some $60 billion is an amount undreamed of in 1921.

That the present fiscal system has serious shortcomings is rather unanimously agreed by all authorities in the field. As to agreement on particular shortcomings there is not so much unanimity, and with regard to possible corrective measures there is reasonable agreement on certain approaches and some disagreement on others.

The decade since the end of World War II has seen a growing demand for modernization of the budget process, and some progress has been made such as the Government Corporation Control Act of 1945, which placed the operations and accounting of Government corporations on a business-type system; the 1949 amendment to title IV of the National Security Act of 1947, which provided for performance budgeting in the Department of Defense; and the Budget and Accounting Procedures Act of 1950, which carried out some of the recommendations of the first Hoover Commission, and took some major steps toward revitalizing the budget process.

Despite the fact that the record shows considerable progress, we still have a

long way to go. There have been many proposals made which would purport to improve our fiscal system, with each receiving varying degrees of support from fiscal experts, both in and out of the Government. Naturally some have more merit than others. On several of the major proposals there is substantial agreement on the general plan, but serious disagreement on the manner of implementation. A great many of these proposals, most of which appear to have merit in the long run, are in the field of procedural changes such as the proposals for an omnibus appropriation bill coupled with the item veto, and changes in the organizational structure of Congress to provide for more coordinated consideration of appropriation and revenue measures. In addition, there are many other recommendations worthy of the most careful consideration as long range methods of improving the fiscal performance of our Government as a whole. There is probably no panacea for all of our problems in the area of fiscal performance and responsibility, but there certainly must be a logical starting point, and only by starting at the proper place can we hope to achieve the goals toward which all of us believe we should work.

It would seem that the starting point is the development of sound, accurate, meaningful, useful fiscal data which could be generated from an adequate and efficient budget and accounting system. Until we put the fiscal operations of the Government on such a system, all the desirable procedural changes in the world will have only minimum effectiveness.

It would seem that the budget and accounting recommendations of the Second Hoover Commission in its 1955 report to the Congress on budget and accounting provide one of the best comprehensive feasible approaches to the problem. The omnibus bill which I introduced in the House was intended to be a single omnibus bill including all of the Hoover Commission's recommendations on budget and accounting that appeared to be feasible to adopt at this time.

I strongly urge the enactment of this legislation because I believe such legislation will make possible more effective congressional control over Government expenditures. Such legislation would do this by providing for cost-based accounting and cost-based budgeting throughout the Government.

The bill amends the Budget and Accounting Act of 1921 and the Budget and Accounting Procedures Act of 1950 so as to improve Federal budgeting and accounting methods and procedures as recommended by the Commission on Organization of the Executive Branch of the Government, to permit: First, the inclusion of program costs and accomplishments in the annual budget; second, the agencies to prepare and execute their budgets on a cost basis; third, the head of each agency to bring about consistency between accounting and budget classifications; fourth, the synchronization of the accounting and budget classifications with the organization structure; fifth, support of the budget justifications by information on performance and program costs by organizational units; sixth, each agency to maintain its accounts on an accrual basis showing resources, liabilities, and operating costs; seventh, the integration of property accounting records with the financial accounting system; and eighth, the simplification of agency systems for subdividing funds.

The General Accounting Office, in its comments on this legislation, points out that the primary advantage of budgeting on a cost basis to both management officials in the agencies and the Congress is that total resources to be used—on hand, on order, and to be procured—are reviewed, rather than limiting the budget review processes to primary consideration of the programs and projects for which new appropriations are being requested. In terms of numbers of activities or appropriations, there is a relatively close relationship between obligations, expenditures, and costs in those many operations primarily concerned with personal services. On the other hand, dollar wise, the greatest significance should be attached to those appropriations relatively few in number but which provide for operations involving vast quantities of materials and physical assets representing the major portion of Government expenditures. Major procurement, construction, and research and development ordinarily fall in this latter category of major expenditures, and it is in these areas that budgeting on a cost basis would produce major savings, although the adoption of cost-based budgeting would improve financial management in many other areas also.

The Congress, by enactment of the Budget and Accounting Procedures Act of 1950, took a significant step forward in providing for the use of program or performance budgets by the executive agencies of the Government. The objective of that law was to have the Government departments show how they intended to spend their money on the basis of the major programs that the agencies carry out. To make such a budget effective and meaningful, Government accounts must be kept on a cost basis and not merely on an obligations basis. The agencies must be able to tell what a given program has cost in a given fiscal year, and not merely how much appropriated funds have been spent in a given fiscal year. Only with adequate accrual cost-based accounts can a budget be developed that will show how much a given program is likely to cost in a given fiscal year. Thus the enactment of legislation of this type, in my opinion, is a necessary step to make thoroughly effective the Budget and Accounting Procedures Act of 1950.

If the Congress, made up of the chosen representatives of the American people, is to exercise any constitutional degree of effective control over the executive branch, it must be in a position to control the amount of money to be expended by it. Effective control over the purse is one of the most important devices available to the Congress for protecting the American people from the potentiality of irresponsible expenditures.

A few of the Hoover Commission's recommendations for budget and accounting were omitted from this legislation for various reasons.

The most obvious recommendation which is not implemented in the House version is recommendation No. 7 which would put the executive budget and congressional appropriations in terms of annual accrued expenditures. It was thought that this would require changing the present manner of handling long lead time programs, such as major procurement and construction contracts, primarily in the Department of Defense, and that enactment of such a measure would necessarily be better deferred until development of a basic foundation and adequate accounting and an ability to program and report to the Congress more effectively.

One or two other recommendations were omitted because they were considered to require the development of adequate systems before they would have any effect.

Hoover Commission recommendation No. 8 relating to limitations upon legislation committing the Government to continuing expenditures for special programs which are not susceptible to the usual budgetary control was omitted because, other than as a hopeful statement of policy, no measures short of constitutional amendment could effectively bind future Congresses to such a policy.

Hoover Commission recommendation No. 18, which would relieve the General Accounting Office of the need to approve claims on lapsed appropriations, was omitted because of the pendency of separate legislation on this matter before Congress.

Hoover Commission Recommendation No. 19, which would allow the Comptroller General to relieve accountable officers of financial liability except where losses result from gross negligence or fraud, was omitted because it was felt that the present provisions of Public Laws 334 and 365, 84th Congress, are adequate to provide relief of the nature intended.

Several significant provisions originally included in H. R. 9402, the bill which I introduced, were not included in the bill now before the House. Most of these provisions were omitted because the Bureau of the Budget informed the committee that it believed no legislative authority was required to insure their implementation. Even though this may be true, I believe that it would have been in the public interest to have a legislative declaration indicating that Congress desired these things to be done.

For example, section 1 (a) of H. R. 9402, would have directed the Director of the Bureau of the Budget to prepare comprehensive reports showing the factual results of the activities of the departments and establishments. Similarly, section 1 (b) would have directed that subordinate operating units of departments and establishments should submit quarterly performance reports. Further, section 1 (b) would also have amended section 216 (b) of the Budget and Accounting Act of 1921 to provide that the budget contain information on program costs and accomplishments. All of these provisions were omitted from

the present bill because the Bureau of the Budget considered that it had plenty of authority to do these things and stated that it was the present policy of the Bureau to carry out these recommendations without legislation.

Section 1 (c) of H. R. 9402 would have provided that the Director of the Bureau of the Budget should assign personnel from that Bureau to serve in the departments and agencies to aid in the preparation and review and administration of their budgets. The Bureau of the Budget stated that it believed that this procedure was desirable, but that it considered that the objectives could be achieved if the Bureau staff were enlarged and if measures are invoked to increase substantially the provision of staff time spent in on-site reviews of agency operations. Again, the Bureau of the Budget considered that it had plenty of authority to perform these operations if it were granted increased staff.

Section 2 (c) of H. R. 9402 would have provided for an amendment to section 119 of the Budget and Accounting Procedures Act of 1950 providing for the creation of a Staff Office of Accounting. The Bureau of the Budget in its statement on April 29 asserts that it has already appointed an Assistant Director to deal specifically with accounting problems and that, as a consequence, no legislation is needed.

Section 2 (c) of H. R. 9402 would also have provided that section 121 (a) of the Budget and Accounting Procedures Act of 1950 should be amended to provide for the appointment of comptrollers in the major departments and establishments. The Bureau of the Budget believes that the comptrollership function should be performed in all departments and agencies but that it is undesirable and unnecessary that legislation be enacted to create specific offices of this type in all departments and agencies. It believes that most department heads have the authority to organize the comptrollership functions within their establishments under existing laws.

Section 5 of H. R. 9402 would have provided that the Director of the Bureau of the Budget and the Comptroller General jointly make a study to determine whether duplicate accounts exist within the Treasury and whether there is duplication between the accounts of the Treasury and those of other departments. The Treasury Department contends that there is now no duplication within its own accounts. The Bureau of the Budget and the Treasury Department assert that whatever duplication that might have existed between the Treasury accounts and those of departments and agencies is being eliminated. This section also would have provided that these two officials jointly should study the adequacy of internal auditing within departments and agencies. The Bureau of the Budget asserts that the Joint Program for the Improvement of Accounting in the Federal Government is in a position to make such studies and will make such studies. Therefore, the Bureau of the Budget stated that it believed this language was unnecessary.

I agree with the general theory that legislation should not unnecessarily encumber and restrict the administrative mechanisms and practices and procedures which are in many instances best left to the considered discretion of the executive branch of the Government. I believe, however, that the performance of essentially all of the functions enumerated which were included in H. R. 9402 but omitted from the present bill are important to the complete and most effective implementation of the present legislation.

Therefore, I would urge that the Members of the Congress, and particularly the appropriate committees of the Congress, continue to follow closely the actions of the Bureau of the Budget and the General Accounting Office to insure that they actually exercise effectively and in timely fashion the authority which they assert they already have to perform the various functions enumerated in H. R. 9402 but omitted from the present bill because of the assurances received from these agencies.

In view of the need for improved fiscal performance, the savings in the cost of operation of the Government to be realized through efficient financial management, and the need to put the Federal budget on a basis so that Congress can more intelligently make the important policy determinations as to the extent and scope of Federal programs, I strongly urge that the House take favorable action on this legislation which is of such prime importance to every citizen. Taking the steps included in this bill will put the Congress in a better position to properly analyze the budget itself and to better consider the appropriation bills covering the projected operations of the many departments and agencies of our Government.

I believe that favorable House action upon this legislation will be a logical and necessary step to further the objectives of the Budget and Accounting Procedures Act of 1950.

I commend the Committee on Government Operations and the House for the interest and concern being shown in the constructive consideration of this type of legislation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The proceedings whereby H. R. 11526 was passed were vacated and that bill laid on the table.

NEED TO EXTEND MILITARY HOUSING PROGRAM

Mr. ADDONIZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, failure to extend the military housing program could have grave consequences in terms of our national security. General LeMay and other competent spokesmen for the military have emphasized that decent housing is essential to attract and retain key career military personnel.

Unless we have general housing legislation this year, the title VIII military housing program will expire September 30, 1956. This would be a national calamity and it must not be allowed to occur.

In its recent action tabling H. R. 11742, the general housing bill, the Rules Committee—those members who voted to table—were, I am told, motivated by a distaste for the public housing provisions contained in the bill.

Now I realize that public housing is a controversial subject. But I am also sure that the provision of adequate housing for the military is not a controversial subject.

Section 601 of H. R. 11742 would extend the title VIII military housing program for a 3-year period. It would increase the size of the program from 100,000 units to 150,000 units. It would also raise the permitted average cost per dwelling unit so that the military can build the desirable housing which it needs.

It would be unthinkable to let the military housing program come to an end merely because there is objection to a single section of a bill which after all is an omnibus bill extending and improving a dozen or more essential housing programs.

It is my sincere hope that the action of the Rules Committee can be reconsidered so that the general housing bill can be given a green light for floor debate. Apart from public housing, the many other essential housing programs, and particularly the military housing program, are essential to the national welfare.

INACCURATE NEWSPAPER REPORTING

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include a comment by the Honorable WILLIAM G. BRAY, of Indiana.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, on July 11 there appeared an article in the Cincinnati Enquirer quoting my political opponent in the coming November elections as saying, in part:

> Only last week, according to newspapers, he—
>
> Meaning Congressman WILSON—
>
> was absent—not voting—on the veterans' bill.

Actually, Mr. Speaker, I was present and voting on that measure. First, I voted against the motion to recommit the bill which, we all know, was the critical vote since the recommital motion was intended to kill the bill. Immediately following defeat of this motion came the vote on final passage of the measure. I voted "aye," or in favor of passage.

Unfortunately, the CONGRESSIONAL RECORD covering activities of the Congress on June 27, the day of the veterans' pension bill vote, erroneously recorded

me as "not present" when the pension bill was voted upon. This error was corrected in the permanent RECORD, and on July 3 the error was noted in the CONGRESSIONAL RECORD.

Mr. BRAY. Will the gentleman yield?

Mr. WILSON of Indiana. I yield to my colleague from Indiana,

Mr. BRAY. Mr. Speaker, I am glad to corroborate the statement just made by my colleague, Mr. WILSON. On that day I was sitting alongside Mr. WILSON in this Chamber and we both voted "aye" on final passage of the bill, and the permanent RECORD so shows.

Mr. WILSON of Indiana. Thank you, Mr. BRAY. My record in favor of veterans' legislation is 100 percent. I want to keep it that way.

AUGUST IN SAN FRANCISCO: HOT AND HUMID?

Mr. MAILLIARD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MAILLIARD. Mr. Speaker, I want to address a word of warning to the Members on my side of the aisle who may be planning to attend the Republican National Convention next month in San Francisco. Each of them has recently received a letter from a District of Columbia firm of clothiers who, while perhaps expert tailors, are badly misinformed on meteorological matters. Or perhaps they do not know the difference between Democrats and Republicans.

The first two paragraphs of this unbelievable communication read as follows:

> In all likelihood, you are planning to attend the Republican nominating convention in San Francisco. If you are, you would be wise to take along the coolest and lightest clothing you can find.
>
> For San Francisco in mid-August is a hot and humid city. And unless you're wearing clothes that are in tune with the climate, you're apt to feel mighty uncomfortable.

May I suggest to Messrs. Lewis & Thos. Saltz that if they were to substitute "Chicago" for "San Francisco" and send the letter to Democratic Members, they might make some sales without ending up with disgruntled and embarrassed customers.

These sadly uninformed purveyors of "gentlemen's fine apparel" obviously do not know the world's only air conditioned city, in which the August temperature averages 59.3°; average daily maximum 64.8; daily minimum 53.8.

Republicans: please do not be misled by this letter. Take it from a native—you will want spring or autumn weight clothes, with a light topcoat for cool evenings. The ladies will find their furs useful.

Moreover, the hotels and the Cow Palace have suitable heating facilities to assure your comfort at night.

As an after thought, perhaps the Saltz brothers had the right political party, but were under the impression that our convention is to be held in San Francisco in Panama, in the Philippine Islands or in Cuba. No doubt all these sister cities would be of suitable climate for the "coolest and lightest clothing you can find," but definitely not the city by the Golden Gate.

AMENDMENT OF LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Mr. BAILEY. Mr. Speaker, at the direction of the Committee on Education and Labor, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10765) to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 10765, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BAILEY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the purposes of H. R. 10765 are necessary because of the tragic situation that developed in the neglect on the part of the Congress to adjust compensation to injured workmen in the field of the longshoremen and harbor workers, and in Federal contracts made to private individuals for construction work outside the continental United States, as well as private employees of the District of Columbia.

This legislation was originated by the Congress in 1927. It provides for a system whereby employees in return for being paid certain compensation would give up their rights to go to court. It headed off a lot of litigation that was going on at that time, and has been very useful in that particular field since the time of its adoption. It needs revision.

The bill was not amended after its passage in 1927. Some of the procedures were changed slightly in 1934, but no adjustment of compensation under this act has been made from 1927 to 1948.

At the time of the enactment an injured workman received a maximum of $25 and a minimum payment of $8. In 1948, the Congress liberalized it to the extent of upping the maximum payment to $35 and the minimum payment to $12. That is the status of the bill at the present time. The matter has been approved by the other body. The matter was referred to the Committee on Education and Labor in the House. There was some 15 or 20 bills altogether introduced and the House committee finally approved the bill introduced by the gentlewoman from the State of Oregon [Mrs. GREEN]. The House proposes to change the maximum payment of $35 to $54 and the minimum payment from $12 to $18. We made some other changes in the legislation. Probably, for the information of the members of the committee, I should deal briefly with those changes. We reduced the waiting period from 7 days under which an injured workman would receive payments to 3 days. We reduced the waiting period from 49 days to 28 days, after which compensation is payable, from an initial 3-day waiting period. We raised the payments for disabilities as follows:

Arm lost, 280 weeks to 312 weeks.
Leg lost, 248 weeks to 288 weeks.
Hand lost, 212 weeks to 244 weeks.
Foot lost, 173 weeks to 205 weeks.
Eye lost, 140 weeks to 160 weeks.
Thumb lost, 51 weeks to 75 weeks.
First finger lost, 28 weeks to 46 weeks.
Great toe lost, 26 weeks to 38 weeks.
Second finger lost, 18 weeks to 30 weeks.
Third finger lost, 17 weeks to 25 weeks.
Toe other than great toe lost, 8 weeks to 16 weeks.
Fourth finger lost, 7 weeks to 15 weeks.

Those are insignificant changes in the legislation. We also limit the total amount of compensation payments that an injured workman might draw. In the original bill that was, I believe, $7,000. In the amended bill, or the present bill, it is $11,000 and $10,000 on two separate schedules. The committee raised that total amount to $17,280. Those are the major changes made in the legislation by the committee.

Let me point out to you just one reason why this legislation should be approved by the Congress without any extended argument here. Let me give you an illustration. The Congress had been prone to take care of Federal employees, neglecting the employees in private fields. It is possible for an injured workman in the city of Washington who is a Government employee to draw a total of $122.15 a week. The highest maximum that a private employee in the District can get is $35. Let me give you an illustration. Here is an employee in the Government Printing Office operating a linotype machine. There is an explosion of hot metal. That working man is injured. He gets an average of $120 to $125 a week so he would be eligible to a maximum payment of $122.15. On the other hand, here is a man working on the same kind of machine in a privately owned printing shop in the city of Washington. The same hot metal explosion occurs. That man gets burned. He draws the insignificant pay of $35. I do not need to say anything more to the members of the committee than to give you that one illustration that shows the need for liberalizing these compensations for working men.

Now, as to why we fixed the maximum compensation at $54, we had some difficulty in determining just what the average payrolls were. Witnesses testified before the committee and showed that the average weekly payroll for the longshoremen on the west coast was around $105. The longshoremen working on the Atlantic coast ports earn from $95 to $100. In the District of Columbia, which is included under the provisions of this act, the average payroll is approximately $70. What the committee did was average the longshoremen and harbor workers average payroll with the payroll of the District of Columbia and that came out around $81 or $82.

The law, when enacted in 1927, provided that the compensation should be two-thirds of the weekly pay. Fifty-four dollars is two-thirds of the $81, which is the average payroll of the individuals covered by this legislation.

There are about 425,000 people covered by it. Two hundred thousand or more are longshoremen and harbor workers. Approximately 200,000 are employed in the District of Columbia, and about 25,000 employed in United States construction work abroad where the contract has been let to private individuals.

This is needed legislation. There should be no argument on the part of anyone in the adjustment. In fact, I think we could well justify even higher adjustments in the rates, particularly as applied to longshoremen and harbor workers, but since it involves workmen in the District of Columbia we had to take an average approach to it. That is why we are asking that this maximum payment be raised to $54.

At this time, Mr. Chairman, I desire to reserve the remainder of my time.

The CHAIRMAN. The gentleman from New York [Mr. BOSCH] is recognized.

Mr. BOSCH. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill is of utmost importance. It will allow workers in the stevedoring and ship repairing industry to receive compensation when they are injured in employment on a basis which is fair. To accomplish this result, revision of the provisions of the Longshoremen's and Harbor Workers' Compensation Act is much needed and should be made without any further delay.

The act provides workmen's compensation coverage—in other words, cash weekly benefits, hospital and medical payments for injuries and death as a result of work-connected accidents—for more than 400,000 longshoremen, ship servicemen and repairmen employed on the navigable waters of the United States. The benefits of the act are also the measure of compensation payable by the Federal Government for injuries sustained through war-risk hazards by Government contractors' employees working outside the continental United States.

It is important to remember that, although the Department of Labor administers this act, the benefits involved are not provided by the Government. In this respect, it is different from the Federal Employees' Compensation Act, also administered by the Department of Labor.

The benefits under the Longshoremen's Act are provided by private insurance or self-insurance arranged by private employers, the same as in the typical State workmen's compensation act. The longshoremen's benefits are not paid out of any single fund. They are paid by private insurance companies or by self-insured employers who are qualified as self-insured.

Under the Federal Employees' Compensation Act, the Bureau of Employees' Compensation of the Department of Labor makes the final determination, with an administrative appeal to the Employees' Compensation Appeals Board, and then the benefits accruing under that act are payable by the Government. They are paid by the Department of Labor and Congress appropriates the necessary amounts to make those payments each year.

In the case of the Longshoremen's Act, the Bureau makes, through deputy commissioners in the different regions, the initial determination of liability, but there is an appeal in the form of an action in the district court and a case can be appealed on up through the circuit court of appeals to the Supreme Court.

As you know, longshoremen and ship repairmen perform work which is hard and hazardous. The conditions of haste under which this work is often performed increase both its difficulties and dangers. These employments, however, are vital to our trade and commerce. These workers are not seafaring in the traditional sense. They are, nevertheless, recognized to be in maritime employment. So long as their workplace is a drydock for a place afloat upon navigable waters of the United States, they are, according to the Supreme Court, subject to Federal law and only to Federal law. That Court has held, not only that State workmen's compensation laws do not apply to employment on the navigable waters of the United States, but that Congress cannot delegate to the States authority to apply their laws to these employments. Congress accordingly in 1927 filled an outstanding gap in workmen's compensation protection in this country by passing the Longshoremen's Act to cover longshoremen and their fellow employees in the Federal zone. Only once has this law been substantially amended—in 1948. The 1948 level of benefits is still in effect.

The Longshoremen's Act provides that employees will receive two-thirds of their wage rate when they are disabled in employment. Survivors in fatal cases are paid on the same basis. This percentage, however, is subject to a maximum stipulated on a weekly basis. In 1948, Congress set this maximum at $35. This bill now proposes to increase this limit to $54 a week. Economic factors provide ample justification for this increase. When extended on an annual basis, this weekly sum aggregates only $1,820. Account is not taken of dependents in connection with the flat weekly sum. Thirty-five dollars a week is all that a disabled employee or his survivor may draw. As the level of wages rises the proportionate compensation dwindles. Besides this significant fact, commonsense valuation of the current purchasing power of $35 a week demonstrates further its extreme inadequacy.

Precise information on longshoremen's wage rates is not available. This is because many localities are involved and employment is frequently intermittent. However, since the limit was set in 1948 on the basis of a $52.50 weekly average wage, longshore wages have advanced substantially. In some areas, average earnings approximate $90 a week. On the basis of current earnings, therefore, the weekly maximum compensation of $35 equals only about 40 percent of the wage loss. This means that the purpose of the law to restore two-thirds of the wage loss suffered by disabled longshoremen and ship repairmen is defeated. It means that employees whose injury rights are the responsibility of the Federal Congress may have to seek public relief or private charity to supplement the present disability compensation that is made available to them.

While, of course, the compensation maximum of $54 a week will not give adequate restitution of wages in the case of injuries or death of employees with high earnings, the increased limit will cover a proportion of wage loss in the industry generally much more nearly commensurate with the intended two-thirds ratio.

Let us also look at the provision of the Longshoremen's Act having to do with waiting periods. The initial uncompensated waiting period causes a further monetary loss to an injured longshoreman. At the present time only when the period of injury under the Longshoremen's Act exceeds 49 days are workers compensated for the first 7 days of disability. H. R. 10765, however, would reduce the 7 days to 3 days. Further, it would allow compensation for this initial period to be collected when the period of disability exceeds 28 days. While in a large number of cases the initial period of injurywill continue to be uncompensated, the most serious and protracted cases will have the benefit of compensation for the full period of disability.

This bill would also raise the overall limitation of the act from $11,000 to $17,280. It is evident that an increased maximum to be effective must be joined with an increased overall limitation. It is also evident that an increased maximum is essential to give effect to the increases which will be possible under the liberalized schedule proposed by H. R. 10765 for permanent partial disability such as involve the loss of a member of the body. The schedule in this bill, that is, the number of weeks of compensation allowed for a partial disability, is the same as the schedule now contained in the Federal Employees' Compensation Act.

Since longshoremen and ship repairmen are within the exclusive jurisdiction of the Congress, our obligation to give these workers fair treatment is manifest. I would like to point out also that it was under a Republican administration that the needs of these employees were first met by adequate legislation. It was also under a Republican Congress in 1948 that necessary increases in these benefits were last authorized. It is appropriate and compelling at this time for these benefits to be allowed again to move forward in keeping with the economic movements of our times.

Mr. BAILEY. Mr. Chairman, I yield 15 minutes to the gentlewoman from Oregon [Mrs. GREEN], the sponsor of this legislation.

Mrs. GREEN of Oregon. Mr. Chairman, this bill is designed to correct what seemed to the majority of Members of Congress a serious inequality in the Federal Longshoremen and Harbor Workers Act. The basic law was originally passed

in 1927 and, at that time, it was a good law. It is not a good law now, for the simple reason that the benefits it provides are far too low for the present-day economic situation.

We pride ourselves on being a progressive people and we pride ourselves on the American standard of living as the highest and most progressive in the world. But the blunt truth is that, for workers under this program, who suffer the calamity of temporary or permanent disability, there has been no progress. The workmen's compensation program has not even stood still—it has moved backward. Historically, benefits have been intended to guarantee to the worker injured on the job two-thirds of his average weekly wage. In return for this the worker gave up his right to sue the employer for liability. In three words, there was a quid pro quo. And when the subcommittee held hearings on these bills, Arthur Larson, Assistant Secretary of Labor, had this to say:

> The right of these workmen to be paid workmen's compensation benefits is not something which has been granted to them out of the goodness of the heart of some beneficent government as a matter of grace. It is a right which they obtained in exchange for giving up their centuries-old common-law right to sue for personal injury to recover the full measure of loss suffered whenever industrial accidents were attributable to the fault of the employee.
>
> We are dealing not with a Government grant or benefit, but with a private right arranged between private individuals and backed by private insurance.

The employee gave up his right to be free from claims in nonfault cases; the employee gave up his right to recover large damage verdicts—in exchange accepted benefits in all work-connected cases at the rate of two-thirds of average wage.

Yet in the years since, the actual benefits provided by this program have regressed; in return for the rights he gave up, the longshoreman is not getting the two-thirds but instead he can obtain little more than one-third of his weekly wages at the present time.

Except for the increase in the maximum benefit to $35, passed in 1948, disability benefits still stand at the model-T level of 1927. We are in very much the position of the queen in Lewis Carroll's Alice in Wonderland where she said:

> Here, you see, it takes all the running you can do to keep in the same place. If you want to get somewhere else, you must run at least twice as fast as that.

Well, we have not even run fast enough to stand still. And in this great progressive country, in this time of prosperity, we are far behind in keeping this program up with the times.

In view of these facts, it is difficult for anyone to oppose a revision of this law, and there are few who do. The only arguments have concerned the details of revision. I would like briefly to consider the two main objections that have been made to this bill.

First, it has been argued that $54 is too high a figure for a maximum and of course, $54 is only a maximum. No worker will get more than two-thirds of his average weekly earnings under this bill. But it is also true that many workers will get far less than two-thirds of their average weekly wage. On the west coast, for instance, testimony has indicated that average longshore wages are over $100. None of those people who earn wages at or above the average will—even with this bill—get the benefits to which he is entitled. And he is entitled to them. The workers gave up something of value—the right to sue his employer—that was 30 years ago, in return for a law that in effect promised him a two-thirds benefit. Yet at the present time he is prevented by law from getting more than half of what he was promised.

It is hard for me to see what objection there can be to this $54 figure. In fact, I originally proposed a $60 maximum and I really believe that is none too high. All we are asking, is that some of these workers be given what they were promised in 1927; and that the rest of them get at least a closer approximation to what they are entitled to claim and this—I might remind you—falls far short of the Federal employees compensation system, which permits up to $121 a week—more than twice as much, as the maximum benefit recommended in this bill. This clearly indicates that the benefits provided for in this bill are modest compared to action taken by Congress in 1950 amending Federal Employees Compensation Act.

Nor can it be argued that this is an unfair financial burden on the employer. The employers got a break in the original law, which relieved them of their common-law liability to suit. They have been getting a break ever since, in an insurance system which has consistently fallen short of its own professed standards and has given the employers the benefit of cheaper rates, as a consequence. Moreover, the testimony we heard shows that the cost of benefits under this program has gone steadily down; it has been a cheaper and cheaper system for the employer.

This bill, therefore, with its $54 weekly maximum and its correspondingly improved levels of benefits for permanent disability, is a modest proposal. It asks only that we end a 30-year trend in which benefits under this program have steadily decreased in value. If there is disagreement, it should be on whether the level of benefits proposed is not too low. And there are many who would argue for no maximum exceptional cases.

The second objection that has been raised against this bill is the extent of its coverage. It is true the law in question is called the Longshoremen's and Harbor Workers' Compensation Act. The name derives from the fact that it was first enacted to bring in this group of workers, who are in Federal jurisdiction and were previously covered by no law. But it is, in fact, a basic workmen's compensation law; there is absolutely nothing in it that makes it appropriate only to longshoremen.

So Congress, faced with the obligation to bring other workers within Federal jurisdiction under the protection of some disability compensation program, sensibly—in 1928—passed a separate act which would provide that the benefits under Longshoremen's Act should cover District employees.

Yet it is now being objected that District of Columbia employees, who since 1928 have had the protection of this program, should now be excluded from it. It may be, of course, that Congress should consider enacting a separate program for District employees, though personally I consider it sounder and more economical practice to have one uniform Federal system, just as the States do. It may be, even, that District workers should be brought under the Federal Employees system, with its $121 maximum and its generous terms, since Federal employees are the closest case to that of private District employees. But any such proposals should be considered carefully and on their own merits. They should certainly not be advanced as an objection to this bill. And they should not be advanced for the very bad reasons that are being given.

It is not my intention to discuss the merits of State compensation systems. But I should like to point out that any inadequacies of Maryland or Virginia law or Federal law that applies to Longshoremen in my State of Oregon or California or Washington or New York certainly do not justify an inequity of Federal law in the District. Two wrongs do not make a right.

The fact is that this law, which is basically a sound and appropriate compensation system for workers under Federal jurisdiction, is just as well-suited to District workers as it is to longshoremen, and the historical accident of its title should not mislead anyone on that fact.

What we are considering here is an insurance program, to protect working people against calamities that are no fault of their own but which could otherwise be catastrophic for themselves and their families which depend on their regular earning capacity for a living. This principle is so firmly established in the American tradition as to be beyond argument. It is one of those foundations of decent security on which the American way of life is built. And obviously, such an insurance program must be built and measured according to its adequacy. The real question here, therefore, is whether this program offers a fair and adequate protection to working families against the catastrophe of injury or permanent disability on the job. It is, I think, clear beyond dispute that by this common sense standard the old law is miserably inadequate. Who, here, is prepared to maintain his family on $35 a week or less, for what may be a protracted period? Who, here, if he should suffer a serious permanent disability, would accept as fair a compensation for his loss of earning power that assumed his earning power to be limited to $50 a week or less?

The proposals of the present bill are only a limited correction of this present unrealistic scale. Even they are extremely modest: $54 a week—and remember, that is a maximum, not a minimum or average—is by present living costs far from a lavish insurance for the working family. For many workers who

now live on $80 or $100 or more a week will suddenly, through no fault of their own, find their income cut as much as in half.

Let me read you a letter that comes from one of these victims of our past neglect—a disabled longshoreman in my district:

I was injured in October 1953—at that time receiving a salary of over $100 per week. Since then I have had to subsist on $35 per week.

Have been in the hospital 4 times, had a spinal fusion—have spent over 10 months in a full body cast, and am still unable to work.

However, this is not so bad as the material things I have lost. I have lost my car, my furniture; my wife divorced me as unable to support her. Am unable to keep up my life insurance, have been forced to move from a nice home to a housekeeping room, and then can hardly make both ends meet. I could also list many other things, such as not being able to get glasses I need badly, dental care, and treatment for a chronic throat infection.

I believe these facts will tend to show how inadequate the compensation has been, and due to no fault of the worker.

I ask you, How am I to answer that letter? How would you answer it? If there is anyone here who will vote against this bill, and perpetuate such injustices as the one I have just read you, I would like his advice. How can we explain any justice in this obsolete law to this man who has suffered the misfortunes of Job? Can anyone, in all justice, who considers this case and thinks of the many comparable cases that must exist, who reflects, in all commonsense, on the mockery of a system that requires the man to give up his right to sue and then provides the injured and disabled the magnificent maximum of $35 a week? Could anyone explain to this man a reason for voting against this bill?

There is no economic fact that justifies our continuing to sacrifice these people to an out-of-date law.

The arguments for this bill seem to me clear and compelling. The issue framed is a simple one. Here is a long-established program based on a traditional American insurance principle. The cost to the employer of disability compensation insurance is a cost of doing business. This program is an essential part of the base on which American economic progress has been built. But in the present situation an obsolete law is being used to artificially keep down a legitimate cost of doing business, as a kind of legal subsidy to employers. One of the oldest admitted principles of justice to American workers is slowly being strangled to death by the inadequate benefits of this obsolete law. That is the situation that confronts us today. We are voting, quite simply, on whether or not the American economy and this Nation are willing to provide a modest level of elementary justice to the working people on whose labors our prosperity is built. To vote against this bill is to vote no confidence in the basic American belief that a sound and successful economy can and must be maintained by fair and just treatment of those whose work has made it prosperous and progressive.

I urge you from both an economic and a humane standpoint to give your approval to this legislation.

Mr. ALBERT. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Oklahoma.

Mr. ALBERT. May I have the privilege of complimenting the gentlewoman on the fine statement she has made.

Mrs. GREEN of Oregon. I thank the gentleman from Oklahoma.

Mrs. KNUTSON. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentlewoman from Minnesota.

Mrs. KNUTSON. May I say to the gentlewoman that I really appreciate her fine speech on this bill and her fine arguments. I want to be associated with her in support of this bill.

Mrs. GREEN of Oregon. I thank the gentlewoman from Minnesota.

Mr. BOSCH. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, as a member of the Committee on Education and Labor, I hope favorable consideration can be given to this bill, which represents a needed improvement in legislation of benefit to hundreds and thousands of our citizens. The administration has come out strongly in favor of improvements such as have been suggested in this legislation. I hope that it has favorable consideration.

The gentleman from New York [Mr. WAINWRIGHT] is very much interested in this bill. He had expected to participate in the debate today. Because of an unexpected illness in his family, he has been called out of town. Therefore, Mr. Chairman, I ask unanimous consent that he be given permission to extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WAINWRIGHT. Mr. Chairman, I earnestly favor the passage of H. R. 10765 which is, except for the maximum weekly benefits and aggregate amount payable, identical to S. 2280 which has passed the Senate. At the request of the administration, I had previously introduced similar legislative proposals.

The President has recognized the inadequate benefits now in effect under the Longshoremen's and Harbor Workers' Compensation Act. He has repeatedly called the attention of the Congress to the need for improvements in these benefits. It is time that Congress gave recognition to the plight of injured longshoremen and their families by improving their benefits under the Longshoremen's and Harbor Workers' Compensation Act. Improved benefits for longshoremen and other affected workers have the highest justification as a simple matter of equity.

H. R. 10765 does not involve any kind of Government grant. It concerns private maritime employees. These employees, however, have only the Federal Government to look to for workmen's compensation protection when they are working in the Federal maritime jurisdiction. Federal jurisdiction is assumed when a longshoreman or ship repairman is working on board a vessel or floating dock. If he is working on a wharf or on shore, the State has jurisdiction and the State compensation laws apply. This bill does not give away anything. It would provide merely for an adjustment of the compensation of longshoremen and related employees in accordance with the original purposes of the act in line with present wage rates and the cost of living. Favorable action on H. R. 10765 would mean only that Congress has decided to turn a sympathetic ear to the requests of certain maritime workers—some 400,000 in number—that their economic status under the Longshoremen's Act—continually worsening—be improved.

Neither longshoremen or other workers are mendicants in relation to workmen's compensation laws. These laws are based on the theory that a quid pro quo is involved. Under the Longshoremen's Act, for example, employers gave up their right to be free from claims in employment injury cases when they were not at fault in exchange for their obligation to pay limited compensation in these, as well as in cases involving their fault. On the other hand, employees gave up their right to recover verdicts in damage suits where fault could be shown—in some cases these rights may be very substantial—in exchange for their right to receive the moderate benefit of two-thirds of their wages in any case of employment injury. Consider also that in damage suits, wage loss is only one element of recovery. Suffering, humiliation, loss of consortium, and other factors may be included in determining the amount of damages. To the extent that we are permitting the compensation of disabled longshoremen to lag behind the two-thirds average wage figure, we are depriving these workers of the quid pro quo promised them by law. The Congress has a part in this bargain too—the vital part of seeing that it operates as agreed.

The Longshoremen's Act has for its purpose partial wage restitution. It is absolutely essential to this purpose, therefore, that a reasonable relationship be maintained between the wages lost and the wages restored. Figures introduced at the hearings on longshore legislation conducted by a special subcommittee of the House Education and Labor Committee in March of this year show numbers of different wage rates in this industry reflecting different port scales, different types of cargo and different classifications of ship repairmen. The lowest hourly wage rate specified was $2.27 an hour. On the basis of this bottom straight-time rate, any of these employees would earn a little more than $90 for a 40-hour week. These figures show, therefore, that the $54 a week which this bill proposes is certainly not an excessive measure of maximum wage restitution. Of course, all employees would not receive $54 a week. When two-thirds of an employee's wage earnings are less than $54, he will receive only two-thirds of his actual earnings as compensation. This has one exception. H. R. 10765 provides that when the average wage rate is less than $18 a week, the injured employee will receive his entire wage. The present minimum is $12 a week.

Considering the wage levels in the industry which I have just referred to, an $18 minimum is well justified.

This bill would make another substantial improvement in the operation of the Longshoremen's Act by authorizing additional and extremely beneficial uses for the so-called special fund. This special fund has no connection with appropriated money. It is derived from two private sources—from payments of $1,000 made by employers in fatal injury cases where there are no dependent survivors entitled to death benefits and from fines collected for violations of the act. At the present time, this fund can be used only for payments in equal parts for second injury cases and for a rehabilitation allowance. Payments are authorized under the act in second injury cases to provide continuation of compensation in cases where total disability follows a second injury compensable under the act. The payments from the fund commence when the compensation for the second injury has been exhausted. A maintenance allowance up to $10 a week may also be made from the fund for employees who are being rehabilitated.

I might just mention briefly what that second injury principle is, because it is important to show the usefulness and the value of this particular fund.

If a man was already blind in one eye and he went to work for an employer, it used to be that if he lost the other eye through an accident, under the court's no-apportionment rule, the employer found himself liable for total blindness.

Obviously, the liability for total blindness is much more severe than the liability for the loss of one eye, or even for the arithmetical total of two eyes, considered separately.

The result of that was, because of this risk of greatly enhanced liability, when this no-apportionment rule became understood by employers, they did not want to hire handicapped workers.

Something had to be done to take care of that problem, and the second-injury fund was devised. What that fund does, it makes up the difference, it pays the difference between what this injury would have cost if the man had been whole and what it actually costs because of the combination of his preexisting impairment and his present injury.

So, now there is no real reason why an employer should not employ a handicapped worker, as he is not saddled with any more liability for a man who is injured and has one eye than if the man had both eyes when he was hurt.

That is the main purpose of this fund.

Disbursements from the special fund for the authorized purposes average only about $10,000 a year, while contributions are usually 3 times that amount. The fund has grown steadily, therefore, since its establishment in 1927, and it now exceeds $730,000. It seems fitting that the uses of the fund be expanded.

The bill would retain the present important uses of the fund and would establish a priority for second-injury payments. Further, a rehabilitation maintenance allowance would be authorized up to $25 a week.

In exceptional cases where rehabilitation facilities as provided by the Vocational Rehabilitation Act are not adequate, H. R. 10765 would authorize the Secretary of Labor to procure essential rehabilitation services through payments from the special fund. The Secretary of Labor would be permitted to obtain amounts from the special fund, as authorized by Congress in annual appropriations to defray the administrative costs involved in promoting rehabilitation.

Finally, under this bill, the special fund could be used to pay compensation awarded to an injured worker but which is uncollectible by reason of the insolvency of the employer. The provisions of the bill pertaining to the special fund have been carefully thought out and, in my opinion, these, as well as the other provisions of the bill, have great merit.

I urge passage of the bill.

Mr. BOSCH. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, legislation to bring up to date the benefit rates of the Longshoremen's and Harbor Workers' Compensation Act is long overdue.

The Longshoremen's Act was last reviewed and amended by Congress in 1948. Since that time there have been substantial changes in wages and living costs. Under existing conditions, longshoremen and other workers covered by this statute are receiving not more than one-third of their weekly wages in the form of benefits when they are unable to work as the result of disabling injuries on the job.

In 1955, and again this year, the President spoke out in his state of the Union messages, urging legislation to bring the provisions of the Longshoremen's Act into harmony with current wage levels and living costs.

The Secretary of Labor has emphasized, repeatedly, the need for approval of such legislation.

The main feature of H. R. 10765 is an increase in the ceiling on total weekly benefits from $35 to $54. This increase is based on a basic policy originally incorporated into the Longshoremen's Act and fundamental to virtually all other compensation legislation. This policy holds that weekly benefits should be equivalent to two-thirds of average weekly earnings.

It should be noted that the maximum benefit in the Longshoremen's Act, along with that contained in most State acts, has been permitted to fall far below the basic formula. In his annual report for 1954 the Secretary of Labor called attention to this problem with the following statement:

> The workmen's compensation laws usually base compensation on two-thirds of the worker's average weekly wages. They also set maximum dollar limitations on weekly and total benefits.
>
> When compensation laws were originally passed, the dollar limitations on benefits were sufficiently high so that the workers usually received the percentage specified. Today the picture is entirely different. Although in recent years benefits have been increased somewhat by liberalization of weekly and total maximums, they have not kept pace with rising wages and increased costs. The dollar limitations on maximum payments usually operate to nullify this statutory percentage. Far from receiving the proportion of his wage loss that the percentage would indicate, it has been estimated that the worker temporarily disabled usually receives only one-third of his wage loss. The worker gets so little that often benefits must be supplemented by relief.

It is thus clear that what the Congress is being called upon to do is to restore to workers covered by the Longshoremen's Act the benefit rates to which they are entitled. Moreover, it might be said that in doing this for the Longshoremen's Act, Congress is also setting a worthy example for the States.

As far back as 1949 the Congress underscored its support of the basic doctrine that compensation benefits should be based on the 66⅔-percent formula when it amended the Federal Employees' Compensation Act. At that time the ceiling on maximum monthly benefits for Federal employees was increased from $116.66 to $525. This meant that all employees earning up to $787.50 monthly became eligible for benefits equivalent to two-thirds of their wages. That is a far more liberal application of the basic doctrine than is contained in H. R. 10765.

I have had a deep interest in this legislation since the start of this session. My concern is based on the fact that I represent one of the major port districts of the west coast. I am aware of the fact that longshoremen and other waterfront workers employed in the Seattle area are making substantially in excess of $100 weekly. It takes no great amount of imagination to appreciate the fact that these workers are subjected to substantial hardships when they are suddenly compelled to exist on $35 a week. These men, based on their earnings, are certainly entitled to a benefit of $54 weekly. I, therefore, introduced a bill on this subject which is substantially in accord with the measure under discussion.

I have also been concerned with this subject because of my interest in the field of compensation statutes generally. I share the sentiment of the Secretary of Labor to the effect that these statutes should be brought into line with present-day conditions. Such a course is bound to contribute to long-range industrial stability throughout the country.

Finally, Mr. Chairman, I would like to state that in a discussion on the rule yesterday it was my understanding of a statement made by the distinguished gentleman from Virginia [Mr. SMITH] that he was going to offer an amendment to this bill and that the longshoremen approved of his amendment. I have been informed very definitely by the representative of the longshoremen's union on the west coast that they do not approve of this amendment. They feel it would tend to kill the bill, and as such I would like to say that I will oppose the gentleman's amendment when it is offered.

Mr. TUMULTY. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield.

Mr. TUMULTY. I congratulate the gentleman on his splendid statement. I understand from the longshoremen on

the east coast that they, too, oppose that amendment.

Mr. PELLY. I think that is something that all of us should understand, that the longshoremen on both the east and west coasts are against the amendment which the gentleman from Virginia [Mr. SMITH] said he would offer.

Mr. Chairman, I yield back the remainder of my time.

Mr. BOSCH. Mr. Chairman, I have no further requests for time.

Mr. BAILEY. Mr. Chairman, at this time I yield 15 minutes to the distinguished gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, may I first call attention to the report of the committee, particularly the last paragraph on page 2, and the succeeding paragraphs on page 3.

You will note that the committee said:

> The committee was hampered in its consideration of the proper level to fix maximum benefits to be paid under various sections of the act by the lack of authoritative wage data regarding the average weekly wages now being paid longshoremen and harbor workers. Statistics ranged from a maximum of $104 weekly wage on the west coast (submitted by a representative of the International Longshoremen's and Warehousemen's Union) to an estimated low of a $63 weekly wage (submitted by a representative of the National Association of Stevedores).
>
> The committee is of the opinion that the Department of Labor, in its administration of this statute, should, and it is hoped in the future will, make more of an effort to assemble this type of information so that the Congress can act on the basis of more information than is presently available. It is only because of the fact that a majority of the committee was persuaded that the limitation to two-thirds of the average weekly wage would serve to keep average compensation benefits within reason that made approval of the raise of the maximum figure to $54 possible.

The second paragraph which I would like to call attention to is contained immediately following:

> The committee also deplores the absence of any requirement for a preemployment physical examination in the industries affected by this bill. It feels that the Department of Labor here, too, could materially improve the administration of the act if some means were devised to encourage widespread adoption of this practice. A separate request is being sent to the Secretary of Labor to explore the feasibility of enacting statutory requirement for preemployment physical examinations in these particular areas of employment.

I would like to particularly urge that because the matter of safety in this very hazardous industry is one of the most important points to consider, that both the employer and employee should in the intervening months make every effort to find some way to improve the safety provisions, particularly the health provisions under which those industries proceed in their employment.

I do hope that the Department of Labor will take most seriously these paragraphs in the committee report.

Mr. Chairman, it was I think obvious in the debate which had preceded so far that both the majority and minority sides are in practical agreement as to the provisions of this bill, and I would like to pay my particular tribute to the chairman of our subcommittee, the gentleman from West Virginia [Mr. BAILEY], who guided us through long and very complete hearings until this bill as introduced by the gentlewoman from Oregon [Mrs. GREEN] reached the point where it could have this almost unanimous support in the House.

We have, however, been served with notice by the very distinguished and very able gentleman from Virginia, on yesterday, that he will propose an amendment which would eliminate from the provisions of this bill its jurisdiction over private employment in the District of Columbia. Because of the importance of that amendment and the fact that we will then be under the 5-minute rule, I believe it is important at this time to bring in some of the reasons why I know the majority members of the committee hope that this action will not be sustained.

First of all, it is important for the members of the committee to know why it was in the first instance that the District of Columbia was included within the Harborworkers and Longshoremen's Compensation Act. It just happens that employment over navigable waters and employment within the District of Columbia are the two principal areas of Federal jurisdiction requiring a workmen's compensation act; but the principle, however, of using the same act for all private employment has been extended whenever it became necessary to have a private workmen's compensation act for an area of Federal jurisdiction. For example, this act extends to any employment on military or naval bases acquired by the United States in foreign countries, for employment on lands occupied by the United States for military purposes outside of the continental limits of the United States, in employment under a contract within the United States for the performance of any public work to be performed outside of the United States proper, and in employment in operations conducted on the outer continental shelf in other words, this act, although generally referred to as the Longshoremen's Act, is really the general purpose Federal statute applied to all private employment falling under Federal jurisdiction.

It would be an unnecessary and unjustified complication to start breaking separate compensation acts for each and every one. The result would be to throw in the ashcan all administrative and judicial precedents, to complicate greatly the process of administration, to cause confusion and uncertainty for many years about the state of the law, and to add expense an inefficiency with no corresponding gain whatsoever.

It is sometimes argued that the economic factors applicable to the ports covered by the Longshoremen's Act do not fit the conditions in the District of Columbia, but I would like to point out that this line of argument ignores the fact that the Longshoremen's Act must be flexible enough to cover areas of the navigable waters, including New York and San Francisco, and in places such as Biloxi, Miss., and a number of small ports, coastal or inland, whose range of living standards is as broad as that of the entire United States.

Once again I want to emphasize to Members of the House that you pay a maximum of $54 a week, and that does not mean that everyone under the law is going to get the $54; only those who make $81 a week or more are going to get the $54; everybody else gets only two-thirds of the average of his weekly pay, and in a great many instances, of course, it will fall far below that $54; and a provision is contained in the law so that it can go as low as $18 a week.

I think the next question that we should ask ourselves in view of the pending suggestion by the gentleman from Virginia is whether we really want the present $35 maximum to be raised or to be retained in the District of Columbia as against the $54 suggested in this bill. By any normal standard, however conservative, the present $35 maximum is much too low for the District considered completely independently and apart from the Longshoremen's Act. I want to emphasize that if you adopt the suggestion of the gentleman from Virginia it will in essence enact the bill adopted by the Committee on the District of Columbia which includes a maximum of $35 a week. The test, therefore, is whether you would force upon the District a $35-a-week maximum as against the $54 provided in this bill.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Really, one of the main effects of the amendment would be to separate off and put into a separate class the citizens of the District of Columbia and really decrease the maximum from $54 to $35 a week. Is not that right?

Mr. ROOSEVELT. The gentleman is absolutely correct.

Mr. FULTON. I point out, too, that in line with what the gentleman is saying the bill as now shaped gives uniformity over the United States whereas it would not be if we divided it up into segments.

Mr. ROOSEVELT. That is true. And if we did that, then we might go ahead and break it up into still further segments.

May I point out specifically that in the case of the District of Columbia we should look into what are the rates of wages that are being paid. It has been estimated that in the District of Columbia approximately $74 a week is the average amount now being paid or was being paid as far back as 1954. We know that manufacturing wages in the District of Columbia went up to $93 a week. Therefore, if you impose the $35 maximum as is proposed by the gentleman from Virginia, in essence you would obviously be legislating against the vast majority of those employed in the District of Columbia.

When you compare what is being paid under the Federal compensation law to those employed in the Federal Government the striking difference becomes obviously completely discriminatory.

What about costs, because I am sure it will be argued that there will be an

increase in the cost of workmen's compensation under this act?

It undoubtedly is true that raising the permissible maximum will result in some increase in workmen's compensation insurance rates in the District. The general manager of the National Council on Compensation Insurance estimated this increase at 22.4 percent. This increase is meaningful, however, only if compared with other increases that have been taking place in wages, cost of living, business profits, and various other factors that have been markedly changing since the present level of benefits was set in 1948. For example, wages in the District of Columbia have increased 44 percent in this same period. Obviously, other things being equal, it cannot be expected that insurance rates for benefits based on these rising wages can themselves remain stationary.

Mr. MURRAY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Illinois.

Mr. MURRAY of Illinois. I support the legislation and would like to concur in the fine statement made by the gentleman. Is it not a fact that insurance rates on workers' compensation are not only determined by the amount of compensation but are also determined by the amount of losses that an individual employer suffers? So increasing the compensation is not going to increase the rate of insurance if the accident rate decreases.

Mr. ROOSEVELT. The gentleman is absolutely correct. The rates are on the basis of experience.

May I now cover one more point.

Among the arguments made in favor of a separate workmen's compensation act for the District of Columbia is one that holds that compensation payments in the District are artificially high because they are based upon the rates of unrelated longshoremen and harbor workers, and that they are out of line with the neighboring States of Maryland and Virginia.

What are the facts?

Per capita income in the District of Columbia in 1954—the latest year for which such information is available—was the fourth highest in the country—15 percent higher than Maryland and 50 percent above Virginia. Since the basic theory of workmen's compensation is to give the worker about two-thirds of his weekly income, it is natural to expect that an area of high income will pay greater compensation than those of lower income.

But why must we go to other States for comparisons when a more appropriate and legitimate one may be made right here in the District of Columbia itself.

Of slightly less than 500,000 workers in the District of Columbia, over half are Government workers.

These Government workers are protected in their workmen's compensation by the Federal Employees Compensation Act. Injured and disabled Government workers may receive up to $121 a week in comparison with workers privately employed who today cannot receive more than $35 a week under the present Longshoremen's and Harbor Workers' Act and who the gentleman from Virginia's amendment would leave in status quo.

Mr. WOLVERTON. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. I am in accord with the statement the gentleman has made. I commend him for the splendid, logical, and strong manner in which he has presented the justice of this cause, and I am glad to associate myself with him in the views that he has expressed. I trust the bill will be approved without any amendment of a limiting or restrictive character.

Mr. ROOSEVELT. I am very grateful to the gentleman.

If comparisons are to be made, let us make them between workers in the same jurisdiction, living and working in the same community—not between workers miles apart. By what logic can we say that privately employed workers should have their compensation benefits geared to those of workers a hundred miles away, when at this very moment workers in private employment in the District receive less than 30 percent of the compensation of Government workers employed across the street and living across the hall?

Yet, there is still one other factor not to be ignored. If the District of Columbia is the window by which the world looks into the United States, can we afford to reveal the indifference that H. R. 3015 represents? I think not. Certainly not at this crucial time in the struggle for men's minds can we turn around and retreat to the lowlands of social legislation.

Mr. Chairman, I strongly urge the passage of this bill without the suggested amendment.

Mr. BAILEY. Mr. Chairman, I yield 8 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. BOSCH. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. SMITH of Virginia. Mr. Chairman, I recognize a futile effort when I see it. I can see what has been going on around here about this bill. But I think some of the circumstances surrounding this situation ought to be stated by me or some member of the Committee on the District of Columbia. However, before doing so, I want to reply to the statement made by the gentleman from Washington [Mr. PELLY] to the effect that my previous statement, that the longshoremen desired to be divorced from the workers of the District of Columbia, was incorrect. I only stated what was stated to me by the lobbyists for the longshoremen who have been here constantly and faithfully and diligently and effectively on this job for the past 2 months. And, I have talked with them frequently, and they have expressed themselves as in full accord with my views that the employees of the District of Columbia who are in commercial employment should not be included in a bill for longshoremen whose compensation is based upon the idea that it is a perilous occupation. I have told them repeatedly that I favor a longshoremen's bill but that the commercial workers of the District of Columbia should not be included in it. I did not undertake to say what happened on the west coast, which is controlled by the very influential alien Communist, Harry Bridges. I do not undertake to speak for him. I have frequently undertaken to speak against him and expect to do so in the future when any opportunity offers. I did not know that he had such great influence in the Congress of the United States that it was necessary to quote his views in order to influence Members of this body. If that is true, I regret it most deeply.

Now, the information that I have on the attitude of the longshoremen came from two very fine gentlemen who have been here and have talked with me about it frequently. They have been perfectly frank in their position, and I have expressed myself as in full accord with their ambitions and their desires, which is to pass a bill increasing the employment compensation for those longshoremen who are engaged in a perilous occupation.

Let me tell you a little something about the history of this bill. Some years ago, in order to get some sort of compensation act, the Congress just threw into the hopper a little amendment which said that workers in the District of Columbia should be governed by the Longshoremen's Act.

Mr. BOSCH. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New York.

Mr. BOSCH. Mr. Chairman, I wondered whether the gentleman would agree with me that the reason the District of Columbia employees were brought into this Longshoremen's Act is because of the action of the Senate District Committee, which brought in this bill, which we in the House passed. That is how the District of Columbia employees got into this Longshoremen's Act.

Mr. SMITH of Virginia. I do not question that. I do not know the history of it, but if the gentleman says that is the way it happened, then it happened that way.

But we have for the consideration of legislation for the District of Columbia a committee set up for the purpose, which is the Committee on the District of Columbia. And that committee for a long time has been working on a compensation law. I want to state these facts for the benefit of the record. Over 2 months ago the Committee on the District of Columbia reported a complete bill for compensation for the employees of the District of Columbia, which is known as H. R. 3015. Every other Monday is District day and at that time legislation from the Committee on the District of Columbia which is called up by the chairman of that committee is privileged legislation. When I say it is privileged legislation I mean it is legislation that no single Member of this House has any right to stop. On each occasion in those 2 months this bill has been put on the list of those to be taken up on District day by the chairman of the Committee on the District of Columbia, but it has been stricken from that list. So that the Committee on the District of Columbia which has jurisdiction over

this subject and exclusive jurisdiction over this subject has been denied the opportunity to bring its bill to the House and have it considered.

As I say, I know the signs around here and I know when the word has been passed around that such and such would be agreeable to the AFL and the CIO; and those who desire to be governed by those premises are at liberty to do so. For my part I expect to stand on the logic and the reason of legislation that is presented to this House. There is no earthly reason and nobody can give any logical reason why this matter should be snatched out from under the jurisdiction of the legislative committee which controls it and turned over to the Committee on Labor to act on a subject on which it has no information and no knowledge and which is in the exclusive jurisdiction of the Committee on the District of Columbia.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Indiana.

Mr. HALLECK. Am I to understand from the gentleman that it is his position that the District should have a separate Workmen's Compensation Act?

Mr. SMITH of Virginia. Of course they should, and everybody knows it.

Mr. HALLECK. And in the absence of such a separate plan—and the gentleman has just stated that for 2 months he has been trying to get such legislation considered, creating that separate plan—what is the gentleman's position in view of that fact, as to whether or not in this proposed legislation we should not follow the pattern that has prevailed up to this time and include the District employees in whatever action is here taken?

Mr. SMITH of Virginia. I can state it very briefly. The kind of employment that is covered in the District of Columbia is entirely foreign and different from that covered in the Longshoremen's Act. Up to now the Longshoremen's Act has not had a schedule that was out of line with general employment. The longshoremen's bill that is now presented, and which I am for, raises that nearly 50 percent. It raises it from $35 to $54.

Mr. BOSCH. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New York.

Mr. BOSCH. Will the gentleman agree with me that they will not get the $54? What they get is based upon two-thirds of their wages. They cannot get more than $54 but in many cases it would be much less than $54.

Mr. SMITH of Virginia. I think that is correct, but it throws the compensation here entirely out of line with that of the States of the Union. In our legislation we treat very largely on matters of this kind the District of Columbia along the same lines as the States. It is not of any material importance to me, but the fact is that now the rates are pretty well in line with the States' average and with the Maryland average and the Virginia average. This puts them way above those.

I think you gentlemen ought to stop, look, and listen a little about what goes on in the District of Columbia, because you cannot be unaware of the fact that conditions exist in the District of Columbia that are running business out of the District all the time, thereby reducing taxes; and when taxes are reduced, you gentlemen are called upon to make up the ante here in the House of Representatives. If we are going to make conditions so bad for the businessman in the District of Columbia that he cannot operate, and you are doing it mighty rapidly, let me say to you, you are going to have a bad economy here and you are getting it now. All I am suggesting is that you leave this matter of the compensation for the employees of the District where it belongs, in the District of Columbia Committee. Let them put their bill before the House and let the House work its will with the bill. If you think the rates in the bill are too low you have the privilege of amending them, and you certainly have a great power behind you in your attempt to up them.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BOSCH. Mr. Chairman, I yield the gentleman 3 minutes.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Indiana.

Mr. HALLECK. What assurance does the gentleman have or can he give us that the legislation to which he has referred from the District of Columbia will be considered in this session of the Congress?

Mr. SMITH of Virginia. I can only give the assurance that it is a privileged bill on District days. I can give you the assurance that the chairman of the committee has made most strenuous efforts to have it considered on District days. I can give you no assurance as to what someone else may do about it.

Mr. HALLECK. One further question: The gentleman, as I understood it yesterday, said that he had an amendment that he proposes to offer to this legislation. Is that amendment at the desk, or, if it is not, will the gentleman tell us substantially what is in the amendment?

Mr. SMITH of Virginia. Substantially what is in it is this: It leaves the District employees right where they are.

Mr. HALLECK. It would not provide any increase for them at all?

Mr. SMITH of Virginia. This amendment, no. It leaves them just where they are. Then when the bill from the District Committee comes up you can put in any increase you think desirable.

Mr. HALLECK. The only observation about that is that in the light of the gentleman's reckoning of the history of the last few months, I have a serious doubt in my mind as to whether or not that legislation will come up.

Mr. SMITH of Virginia. I can give the gentleman no assurance.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Washington.

Mr. PELLY. The gentleman more or less indicated that I spoke for an alien Communist.

Mr. SMITH of Virginia. I said you spoke for the longshoremen on the west coast. It is a well-known fact that that is controlled by Harry Bridges.

Mr. PELLY. I would like to assure the gentleman I was simply advising the committee what a local representative of the longshoremen's union had told me this morning, and he stated their position. I certainly do not pretend to speak for Bridges.

Mr. SMITH of Virginia. May I ask the gentleman whether he entertains any doubt that Harry Bridges runs the west coast longshoremen?

Mr. PELLY. I think, very definitely, he is their leader, but I am speaking for the Secretary of Labor, Mr. Mitchell, and the administration which is for this legislation.

Mr. SMITH of Virginia. Is that where all this is coming from—the Republican Secretary of Labor, Mr. Mitchell?

Mr. PELLY. He has been urging that this law be passed.

Mr. SMITH of Virginia. I am urging that the longshoremen's law be passed, too, but I am talking about the District of Columbia employees who have no business in it. Do you mean to say the Secretary of Labor takes the position that the Committee on the District of Columbia should not pass legislation on this matter for the District of Columbia employees?

Mr. PELLY. That is not his prerogative. I would like to assure the gentleman, whom I respect very highly, I really feel his amendment would tend to kill this bill and as I stated on the floor, I tend to oppose it.

Mr. SMITH of Virginia. I do not know how it could help to kill the bill except the effect that my being for it might have on the bill, which might deter some people from voting for it.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. FULTON. Actually, this rate of compensation payments is higher than in some of the States and particularly the gentleman's State of Virginia. I understand that the maximum compensation payment weekly in Virginia is $27, that the percentage of maximum compensation that can be obtained is 60 percent. So that, would it not be a matter, in your judgment, if you felt the Virginia payments were adequate, then, of course, you would feel this bill was too much? The question is, Do you feel the compensation payments for the State of Virginia are enough?

Mr. SMITH of Virginia. I do not know. I am not very familiar with that subject. I am not very familiar with this subject. I am trying to defend the prerogative of the Committee on the District of Columbia in trying to put the District of Columbia's compensation act on a fair average level with the States of the Union.

Mr. FULTON. So that you then put it on the basis of jurisdiction in putting in your amendment rather than on a basis of fairness of compensation payments?

Mr. SMITH of Virginia. No, I do not say that. I say they are commensurate with the payments throughout the States of the Union. But, when you consider the District bill on the floor of the House,

that is up to the House—whether you think they are high enough or not high enough. The bill will be subject to amendment and you can raise the rates, if you think they should be raised.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BAILEY. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Chairman, I take this opportunity at this time to shed some light, perhaps, on how we got into the situation today with the amendment offered by the gentleman from Virginia to amend the longshoremen's bill. It so happens I am a member of both the Committee on Education and Labor and the Committee on the District of Columbia. I was present in both committees when this bill passed—or should I say both bills passed, the District bill, and the longshoremen's compensation bill. Our attention in the Committee on Education and Labor was first called to this legislation by the passage in the other body by almost a unanimous vote of the bill that is now before you, with the exception of an increase of $4 in the weekly maximum payments which was offered by an amendment and approved in our Committee of Education and Labor. There were two changes in the Senate bill after our committee finished its task with it.

Mr. ROOSEVELT. The 3-day limitation is in the Senate bill also.

Mr. WIER. I thought it was 7. I am glad to have that correction.

The gentleman from West Virginia [Mr. BAILEY] was given the task by our chairman, Mr. BARDEN, to conduct hearings and make recommendations for this legislation. He held extensive hearings on this legislation. I think he learned considerable. I want to say at this time that it is with regret that I find my colleague, Mr. SMITH of Virginia, making this reference to Harry Bridges in this legislation picture, or making reference to the AFL or the CIO. The witnesses before our committee were not connected with either of those organizations nor the individual referred to in the first instance. I have not seen any of the longshoremen, as far as I am concerned, and I have been quite active in this picture. I would not know Harry Bridges if I saw him. I am not concerned with his particular interest in this matter. I know there are thousands of longshoremen all the way from Vancouver down to San Diego who make their living in this industry. The Great Lakes is in my district, and longshoremen are involved there.

With the completion of the subcommittee's work on this legislation, I think it was on April 26 our chairman, Mr. BARDEN, called the full committee in to hear the report and to give consideration and act upon this bill. As I said, there were 3 or 4 amendments proposed, but now I find there are only 2 amendments that the committee finally voted to the Senate bill. The bill that is before you passed from our committee by a substantial majority. That was April 26.

I want to remind you that all through the hearings in the other body, and it was given great publicity, and all through the hearings of our subcommittee, which was also given great publicity, nothing was ever said about a District bill or the divorcement of the present act. But on Monday, April 30, I received a hasty notice that a meeting of the full Committee on the District was being called to consider H. R. 3015, the District bill. The meeting was being called for the purpose of reviewing the District bill. I happened to be at that meeting. I want to advise this committee that less than 10 minutes was spent upon the consideration of this bill to divorce the District from the workmen's compensation bill now before you. I opposed it then. Nobody had read it, nobody knew what was in the bill except the subcommittee that was appointed about a year ago, headed by our good friend, the gentleman from Arkansas, Mr. HARRIS. He held hearings for 2 days about a year ago, or, to be exact, on March 7 and 8, 1955. That subcommittee heard 5 or 6 witnesses, principally District and local people, and two representatives of labor appeared before that committee. That was March 7 and 8, 1955. This bill that they had under consideration has lain dormant all of this time. As a matter of fact, the morning that this District Committee met, on April 30, they had to call the gentleman from Arkansas [Mr. HARRIS] to explain the bill and review the hearings because the members present at the meeting did not know. I think there was a quorum present, or at least they did as they usually have to do, call for a quorum. But no consideration was given to the bill and the gentleman from South Carolina [Mr. MCMILLAN] called upon the gentleman from North Carolina [Mr. BARDEN.] He called his attention to the fact that his committee, the Committee on Education and Labor, had passed a bill, if you please, out of the committee recommending favorable action, and in that bill were the District employees. Certainly I think that if the District were really interested all of these years in legislation to divorce the District employees from the compensation bill that they had plenty of time. I do not think anyone here, according to these hearings, can say that there was anything wrong in the operation by the Labor Department in the setup of the longshoremen's compensation bill, anything wrong except that we increased the payments, and then the Board of Trade of the District of Columbia really got interested.

Now, Mr. Chairman, I want to say this, and I want to say it very frankly because I will take the floor this afternoon when the amendment is offered by the gentleman from Virginia, but I want to point out to you that if you were to adopt the bill H. R. 3015 with its restrictions and limitations it would make the situation of the employees worse than under the present bill. I will point out those restrictions and limitations under the 5-minute rule. However, I want to point out to you that the bill H. R. 3015 is intended to reduce payments and contains limitations and restrictions that are very cleverly drawn. I want to say to you, you would be giving the employees of the District of Columbia a worse bill than they have now if you adopt H. R. 3015.

In justice to the gentleman from South Carolina [Mr. MCMILLAN], my chairman, I want to say that he approached me and asked me why I did not offer some amendments to the bill. I answered that I had not had a chance to study it and reminded him that his committee had not spent more than 10 minutes on it before they voted it out. I told him I considered it a bad bill that had not been adequately considered. So later on I will cite some of the provisions of these bills. I shall not accuse my good friend the gentleman from Arkansas [Mr. HARRIS] or my friend from South Carolina [Mr. MCMILLAN] of being responsible for anything wrong in the bill. I think the bill originated in the Board of Trade; I think they wrote it.

Mr. BAILEY. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. TUMULTY].

Mr. TUMULTY. Mr. Chairman, I rise to support this legislation as a matter of justice long overdue. Coming as I do from a district where there are many longshoremen I feel this bill is just a stopgap to give them something; I feel that the provisions could be more generous. Personally I think that men in their hazardous walk of life should get 100 percent payment when they are disabled. However, I think the bill is a good one, and I want to support the bill in the hope that next year we can be more generous than we have this year. Perhaps the situation politically will be different and an administration interested in the little man will be in position to give him what he deserves.

Mr. BAILEY. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina [Mr. MCMILLAN].

Mr. MCMILLAN. Mr. Chairman, I had not expected to ask for any time in the debate on this bill because I have no objection to the Longshoremen's Act and I expect to vote for same. However, it is rather difficult for me to understand why the people of the District of Columbia should be under the Longshoremen's Act. It was my opinion that the Longshoremen's Act was passed in the Congress to take care of people who were performing hazardous work on the coast of California and in other coastal areas of this country. I do not know of anyone in Woodward & Lothrop's or Garfinckel's or elsewhere here in the District of Columbia whose work could be considered hazardous and should come under the provisions of this bill. Why they should, I do not know.

The gentleman from Minnesota [Mr. WIER], a member of the Committee on the District of Columbia, stated a few moments ago that we only gave this bill a hearing lasting about 10 minutes. It is my understanding that the gentleman from Arkansas [Mr. HARRIS], who was chairman of the subcommittee, held hearings on this bill and reported it to the full committee with the recommendation that it be passed. Our committee with the exception of one, voted to report this bill to the floor of the House for consideration. That one vote against

was that of the gentleman from Minnesota [Mr. WIER].

So far as the rates are concerned, if anyone wants to offer an amendment to raise the rates in the District bill, I have no objection, and I so stated to the gentleman from Minnesota [Mr. WIER] during our committee meeting.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from Indiana.

Mr. HALLECK. Did the bill as reported to the District of Columbia Committee contain any increase in rates for District employees as against existing rates?

Mr. McMILLAN. No. The only thing this bill does is to exclude them from this bill and create a workmen's compensation bureau for the District of Columbia. That is all our bill does.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. The rates in the District of Columbia under the present bill are higher than they are in Virginia and Maryland, are they not?

Mr. McMILLAN. Much higher than they are in Virginia and Maryland.

Mr. MILLER of Nebraska. As a matter of fact, higher than anywhere in the United States?

Mr. McMILLAN. Yes, higher than anywhere in the United States.

Mr. BOSCH. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Chairman, the bill before you is known as the longshoremen's bill and I expect to support it. In my opinion, the provisions in it are perhaps a little more liberal than we need to have. I do have an objection, however, to one section of the bill and that is the section which keeps the District of Columbia employees in with the longshoremen along the coasts of our country.

There is an entirely different situation here in the District of Columbia. You do not have the same hazardous occupation, the work is different, and the present bill before us proposes to raise the compensation from $35 to $54 or two-thirds of the salary, whichever is greater. I have no objection to that. I think it is a good provision for the longshoremen. I doubt, however, that the longshoremen group in the District of Columbia are entitled to that liberal provision. We are not doing that in the States. I dare say that few of the 48 States have that high a provision for compensation. We should not treat them any different in the District of Columbia than we do in Indiana, California, or my State.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from West Virginia.

Mr. BAILEY. Let us bear in mind the fact that the State of Virginia has no minimum wage law, while the State of Maryland has a minimum wage law confined to public works only. Is there any surprise that the rates here in the District of Columbia are higher than the others?

Mr. MILLER of Nebraska. I understand the amendment to be offered by the gentleman from Virginia will keep the rates as they are now, just about $35 a week, which is higher than the majority of the States have at the present time. I have no objection to the increase for longshoremen in hazardous occupations. It affects about 400,000 longshoremen, harbor workers, service repairmen, and those people who are in far more hazardous occupations than the people here in the District of Columbia.

The Committee on the District of Columbia has had a bill before it that would correct the situation, but some mysterious force has prevented considering that bill. The leadership of the House has objected to that bill coming up. I wish there were some way we could get around this objection and bring it up and thus take the longshoremen of the District of Columbia out of the general Federal bill and treat them on the same basis as they do in each of the 48 States where they have compensation laws. The type of work is entirely different. The amendment proposed by the gentleman from Virginia leaves the amount of money in the bill at $35. It does not reduce it any; it does not increase it any. And, I rather suspect that the amount of money that we have in the proposed bill for the District of Columbia is a bit too low. I would support some measure to bring it up and make the provisions more liberal than at the present time.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from California.

Mr. ROOSEVELT. Would the gentleman agree that the rate of wages paid in the District of Columbia is quite different and separate from those paid in the neighboring States and that the reason for this is that this is a Federal district. The bill itself covers other operations of a Federal character outside the District of Columbia and others besides longshoremen. Therefore, there is justification in having them in this bill, and it must have been recognized by the Committee on the District of Columbia, because this has been true since 1928. It is not something that just happened and it is strange indeed that we suddenly are faced with such a proposal.

Mr. MILLER of Nebraska. I might say to the gentleman from California that this did not just happen, this placing of the District employees in the bill. It happened over in the other body in a rather mysterious way, because they had no place to put the group in the District of Columbia. So, they were put in with very little discussion in the old bill, when they probably had to have a place to go at that time.

Mr. ROOSEVELT. But, it has not been changed. It has not been changed since 1928.

Mr. MILLER of Nebraska. It has not been changed because there was no opportunity to change it. I am sure the gentleman must realize that the employees in New York and California and the longshoremen engaged in hazardous occupations are in an entirely different position than the employees here in the District of Columbia. It puts your merchants and their own employees in a bad light, and we ought not to treat them any differently than we do in any of the other several States, and for that reason I would support the amendment offered by the gentleman from Virginia.

Mr. BOSCH. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the Longshoremen's and Harbor Workers' Compensation Act, as amended (33 U. S. C., sec. 906), is amended to read as follows:

"SEC. 6. (a) No compensation shall be allowed for the first 3 days of the disability, except the benefits provided for in section 7: *Provided, however,* That in case the injury results in disability of more than 28 days the compensation shall be allowed from the date of the disability.

"(b) Compensation for disability shall not exceed $54 per week and compensation for total disability shall not be less than $18 per week: *Provided, however,* That if the employee's average weekly wages, as computed under section 10, are less than $18 per week he shall receive as compensation for total disability his average weekly wages."

SEC. 2. Subparagraphs (1) through (12) of section 8 (c) of the said act are hereby amended to read as follows:

"(1) Arm lost, 312 weeks' compensation.

"(2) Leg lost, 288 weeks' compensation.

"(3) Hand lost, 244 weeks' compensation.

"(4) Foot lost, 205 weeks' compensation.

"(5) Eye lost, 160 weeks' compensation.

"(6) Thumb lost, 75 weeks' compensation.

"(7) First finger lost, 46 weeks' compensation.

"(8) Great toe lost, 38 weeks' compensation.

"(9) Second finger lost, 30 weeks' compensation.

"(10) Third finger lost, 25 weeks' compensation.

"(11) Toe other than great toe lost, 16 weeks' compensation.

"(12) Fourth finger lost, 15 weeks' compensation."

SEC. 3. Section 8 (g) of the said act is amended by striking out "$10" and inserting in lieu thereof "$25."

SEC. 4. Section 9 (e) of the said act is hereby amended to read as follows:

"(e) In computing death benefits the average weekly wages of the deceased shall be considered to have been not more than $81 nor less than $27 but the total weekly compensation shall not exceed the weekly wages of the deceased."

SEC. 5. Section 14 (m) of the said act is hereby amended to read as follows:

"(m) The total money allowance payable to an employee as compensation for an injury under this act shall in no event exceed in the aggregate the sum of $17,280: *Provided,* That this limitation shall not apply to cases of permanent total disability or death: *And provided further,* That in applying this limitation there shall not be taken into account any amount payable under section 8 (g) for maintenance during rehabilitation or any amount of additional compensation required to be paid under section 14 for delay or default in the payment of compensation or any amount accruing as interest upon defaulted compensation collectible under section 18."

SEC. 6. Section 18 of the said act is amended by inserting "(a)" after "SEC. 18." at the beginning of the section and by adding a new subsection (b) to read as follows:

"(b) In cases where judgment cannot be satisfied by reason of the employer's insolvency or bther circumstances precluding payment, the Secretary of Labor may, in his discretion and to the extent he shall deter-

mine advisable after consideration of current commitments payable from the special fund established in section 44, make payment from such fund upon any award made under this act, and in addition, provide any necessary medical, surgical, and other treatment required by section 7 of the act in any case of disability where there has been a default in furnishing medical treatment by reason of the insolvency of the employer. Such an employer shall be liable for payment into such fund of the amounts paid therefrom by the Secretary of Labor under this subsection; and for the purpose of enforcing this liability, the Secretary of Labor for the benefit of the fund shall be subrogated to all the rights of the person receiving such payment or benefits, including the right of lien and priority provided for by section 17 of this act, as against the employer and may by a proceeding in the name of the Secretary of Labor under section 18 or under subsection (c) of section 21 of this act, or both, seek to recover the amount of the default or so much thereof as in the judgment of the Secretary is possible, or the Secretary may settle and compromise any such claim."

SEC. 7. (a) Section 39 (c) of the said act is amended by striking out "education" at the end of the first sentence and inserting in lieu thereof "rehabilitation."

(b) Section 39 (c) of such act is further amended by striking out the last sentence and inserting in lieu thereof the following two sentences: "Where necessary rehabilitation services are not available otherwise, the Secretary of Labor may, in his discretion, use the fund provided for in section 44 in such amounts as may be necessary to procure such services, including necessary prosthetic appliances or other apparatus. This fund shall also be available in such amounts as may be authorized in annual appropriations for the Department of Labor for the costs of administering this subsection."

SEC. 8. (a) Section 44 (a) of the said act is amended by striking out "of this act" at the end of the first sentence and inserting in lieu thereof a comma and the following: "of subsection (b) of section 18, and of subsection (c) of section 39 of this act."

(b) The second sentence of paragraph (1) of section 44 (c) of such act is amended to read as follows: "The proceeds of this fund shall be available for payments under subsections (f) and (g) of section 8, under subsection (b) of section 18, and under subsection (c) of section 39: *Provided*, That payments authorized by subsection (f) shall have priority over other payments authorized from the fund: *Provided further*, That at the close of each fiscal year the Secretary of Labor shall submit to the Congress a complete audit of the fund."

SEC. 9. The amendments made by the first section and sections 2, 4, and 5 of this act shall be applicable only with respect to injuries and death occurring on or after the date of enactment of this act notwithstanding the provisions of the act of December 2, 1942, as amended (42 U. S. C., sec. 1701 and following).

Mr. BAILEY (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 6, after line 16, add the following new section as follows:

"SEC. 10. The amendments made by the first section and sections 2, 4, and 5 of this act shall not be applicable with respect to injuries or death of an employee of an employer carrying on any employment in the District of Columbia, other than disability or death resulting from an injury occurring upon the navigable waters of the United States (including any dry dock), notwithstanding the provisions of the act of May 17, 1928, as amended (45 Stat. 600, ch. 612, sec. 1 and 2)."

Mr. BAILEY. Mr. Chairman, I desire to make a point of order, that the amendment proposed by the gentleman from Virginia [Mr. SMITH] is not germane to this bill.

The CHAIRMAN. Does the gentleman from Virginia [Mr. SMITH] desire to be heard on the point of order?

Mr. SMITH of Virginia. Mr. Chairman, I should think the gentleman from West Virginia would state why he thinks the amendment is not germane. I had no idea that it was not germane.

Mr. BAILEY. Mr. Chairman, I should be glad to do that. The original bill in 1927 came out of the Committee on Labor. It makes no mention of the District of Columbia. In 1928, the Congress by a separate bill out of the Committee on the District of Columbia, not out of the Committee on Labor, covered the employees of the District of Columbia under the terms of the Longshoremen's Act. Congress did not amend the Longshoremen's Act, they just passed a separate piece of legislation.

Mr. Chairman, I make the point that the proper approach to take the District workers out from under this legislation would be through a bill similar to the McMillan bill. It has no place as an amendment to this bill, because nowhere in the Longshoremen's Act in the initial bill or in any amendment to it, do they mention the District of Columbia. I make the point that you cannot take out something that never was in a situation in the beginning.

The CHAIRMAN. The Chair is prepared to rule. The gentleman from Virginia [Mr. SMITH] has offered an amendment which the Clerk has reported. The gentleman from West Virginia [Mr. BAILEY] makes a point of order against the amendment on the ground that it is not germane to the pending bill. The Chair has examined the amendment and invites attention to this paragraph on page 2 of the committee report accompanying the pending bill, where it states:

It covers, with few exceptions, (1) all privately employed workers in the District of Columbia—

And so on. The report itself shows clearly that the pending bill covers the workers of the District of Columbia, and the amendment offered by the gentleman from Virginia seeks to narrow or restrict the application of the pending bill.

The Chair is of the opinion that the amendment is germane and overrules the point of order.

Mr. SMITH of Virginia. Mr. Chairman, I do not wish to consume the time of the Committee in a repetition of what I said just a few minutes ago in general debate. This amendment is the amendment I referred to, which will take the District employees out of this present bill and leave them where they are, leave them subject to the jurisdiction of the Committee on the District of Columbia, where they belong. Let us proceed with the legislation which is now on the calendar which undertakes to fix the compensation of employees in the District of Columbia, and when that bill comes up, if there is any question about whether the rates are adequate, it will be subject to amendment, just as this bill is.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman says that this amendment would take employees of the District out from under this bill. It would not take them out from under the law?

Mr. SMITH of Virginia. No, it leaves them where they are now until our bill is considered by the Congress.

Mr. O'NEILL. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. Following the logic of the gentleman from Virginia, if you take out the employees of the District of Columbia, the bill says that all contractual employees working on any Army or Navy base within the country would also be included. If you took out District employees, would it not be logical also to take out employees who are working for private contractors on the various Army and Navy bases?

Mr. SMITH of Virginia I would have no objection if the gentleman desired to offer such an amendment.

Mr. O'NEILL. I believe the gentleman's amendment is chipping away at the bill. Certainly if you pull out the workers of the District of Columbia today, the next thing they would be doing is to pull out all the other workers, working for private contractors in different sections of the country.

Mr. SMITH of Virginia. That is an entirely different situation. You have a legislative committee here that is supposed to handle District legislation, and that legislation is attempted to be taken away from the committee which has jurisdiction. I gathered from my conversation with my good friend from Massachusetts that he was not averse to my proposal.

Mr. O'NEILL. I really believe now the gentleman will be chipping away at the bill in its entirety. If you pull the District of Columbia employees out of this bill, the next amendment to be offered will be to pull out all the other employees.

Mr. SMITH of Virginia. I do not know who would offer it unless the gentleman from Massachusetts wants to offer it.

Mr. O'NEILL. No.

Mr. SMITH of Virginia. Certainly there has been no suggestion about it, and it has no relationship to what I am talking about.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Illinois.

Mr. MASON. The question has been raised that if the gentleman's amendment carries, the District employees will then not be protected or not be covered

unless this bill that came out of the District Committee is passed. Will the gentleman answer that question?

Mr. SMITH of Virginia. Yes; I just answered it when requested to do so by the gentleman from Indiana [Mr. HALLECK]. This leaves them where they are now, still under that bill.

Mr. MASON. And still protected?

Mr. SMITH of Virginia. And still protected.

Mr. ROOSEVELT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not want to take up the time of the committee and go back over the same arguments. I think it becomes obvious to the committee that the effect of the gentleman's amendment will be to leave the employees of the District of Columbia exactly as they are now under a maximum $35 ceiling which, under the rate of wages being paid in the District of Columbia, is nowhere near two-thirds of the compensation to which they are entitled; in fact, it would leave them much lower than 50 percent.

The argument is made that this is a question of jurisdiction between the District of Columbia Committee and the Committee on Education and Labor. All I can say is that this is something that, it seems to me, could have been done a long time ago, considering that it has been on the statute books since 1928. The proper way to do it is for the committee to get a bill before the House where it can be properly considered, and not bring it up at this time in this bill and actually bring about a condition which would not lower but which would maintain the maximum ceiling for District of Columbia employees at $35, when every one of us knows that that is far too little.

If the proper procedure is to amend it and give the Committee on the District of Columbia the proper jurisdiction, let us do it the right way at a future time and not do it when the effect of it would be completely discriminatory to the employees of the District of Columbia.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to my committee colleague.

Mr. RHODES of Arizona. I was not a member of the subcommittee, as the gentleman knows. I should like to discover whether or not there was any testimony regarding the effect on the District employees and the industries in the District of this raise which is contemplated under this bill.

Mr. ROOSEVELT. The staff informs me that you will find on page 146 some testimony regarding it. In particular, it is the testimony included in the statement of Mr. A. J. Horn, manager of the Research and Tax Department of the Washington Board of Trade.

Mr. RHODES of Arizona. Was he in favor of this bill or was he against it?

Mr. ROOSEVELT. If I remember correctly, he was completely against it.

Mr. RHODES of Arizona. That is the only testimony the committee took on the effect of this bill on the District of Columbia?

Mr. ROOSEVELT. There were no other requests from anybody in relation to its effect on the District of Columbia.

Mr. MURRAY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. MURRAY of Illinois. The gentleman's amendment states that notwithstanding the provisions of present legislation employees of employers doing business in the District of Columbia will not be covered by the provisions of this bill. If this bill is enacted into law it will replace provisions of the Longshoremen's and Harbor Workers Compensation Act which presently protect District of Columbia employees.

Since there is no savings clause in this bill as to retaining its present provision as to District employees, is there not a serious legal question as to whether or not the District employees will be covered by any workmen's compensation law at all if this amendment is adopted?

Mr. ROOSEVELT. I can only take the word of the gentleman from Virginia, who is a much greater expert than I am, when he says that they would remain under the existing provisions of the law. I do not quite understand how that is possible, myself. The gentleman from Virginia believes that that is correct, and I would not argue with him on this matter.

Mr. MURRAY of Illinois. I agree that the gentleman from Virginia is an expert on these matters. But his amendment does raise a serious legal question. In view of the serious legal question as to whether or not the effect of this amendment might leave employees in the District without workmen's compensation, should we not have the opinion of the committee counsel before considering the amendment?

Mr. ROOSEVELT. I think I should say that the committee counsel says it is his belief the gentleman from Virginia is probably correct in his assumption, that it would remain under the existing provision of the maximum of $35.

Mr. MURRAY of Illinois. Do you not think we should have more than a "probably correct" opinion and that we should have some assurance that the District of Columbia employees will be covered by workmen's compensation?

Mr. ROOSEVELT. I feel the gentleman will have to decide that for himself.

Mr. MURRAY of Illinois. Mr. Chairman, I have decided. I oppose the amendment.

Mr. ROOSEVELT. Also, at this time I want to make something clear in view of the colloquy regarding the west coast longshoremen and read into the RECORD a telegram received from Mr. Fred R. Field, Jr., president of the New York District Council ILA. He says:

> To clear up any possible misunderstanding created by the CONGRESSIONAL RECORD of July 12, 1956, Capt. William V. Bradley, president of the International Longshoremen's Association, wishes the House of Representatives to know that our organization is unalterably opposed to removing the District of Columbia workers from the protection of the Longshoremen's and Harbor Workers' Compensation Act. We would be grateful indeed if you read this telegram during the debate today.

I think that makes the RECORD clear.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KEARNS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not find myself in the most comfortable position opposing the distinguished gentleman from Virginia because I have great admiration for him. However, I want to say at this time in doing a little research on the potentials of the amendment offered by the gentleman from Virginia that we should look at it in this light.

It is wholly inappropriate to provide by an amendment to this bill to amend the Longshoremen's Act that the proposed improvements shall not apply in the administration of the District of Columbia workmen's compensation law.

This would not only fly in the face of a policy established by the Congress after extremely careful consideration of the subject matter which lasted 8 years, but it would deprive the committee of the House having jurisdiction of the subject matter of the opportunity of considering, hearing, and reporting on the proposal.

During the 8-year period between 1921 and 1928, many exhaustive hearings were held on legislation to provide a workmen's compensation law for the District of Columbia. The final conclusion recommended by the Committee on the District of Columbia in House Report No. 1422, 70th Congress, was the application in the District of Columbia of the basic benefit and administrative provisions of the longshoremen's and harbor workers' compensation law. This policy of applying the Federal Longshoremen's Act to the District was established by Congress in 1928 after being completely satisfied that the Longshoremen's Act provisions would provide "just and adequate and reasonable compensation provision for the District of Columbia." Public hearings in connection with the operation of the Longshoremen's Act and the operation of its provisions under the District of Columbia workmen's compensation law have shown that it is being properly administered, that it is just and reasonable for employees and employers alike, and that no one has any valid complaint with it.

The bill before the House today is submitted on the report of the House Committee on Education and Labor. All matters concerning workmen's compensation in the District of Columbia are within the province and jurisdiction of the Committee on the District of Columbia, where the original act of 1928 had its origin and where there is a record of 8 years continuous hearings and discussion on the initial measure. Any proposal, such as that contained in the amendment, should be stricken and referred to the appropriate committee, there to be considered. In the light of all that has occurred in the past, the change in policy which the amendment would cause properly should receive the full consideration of the District Committee which has jurisdiction over the matter.

Furthermore, I submit the wage-and-hour figures as it affects all people who work in the District of Columbia. I think it will be very interesting to the Members of the House.

Current wage rates, Washington, as of June 20, 1956

(Subject to Revision)

[Figures in parentheses indicate health and welfare payments]

	Hourly rate	40-hour weekly wage
Asbestos workers (10 cents)	$3.25	$130.00
Boilermakers (7½ cents)	3.20	128.00
Boilermakers' helpers (7½ cents)	2.95	118.00
Bricklayers (9 cents)	3.65	146.00
Carpenters (9 cents)	3.12½	125.00
Pile drivers (9 cents)	3.25	130.00
Cement masons (10½ cents)	3.15	126.00
Electrical workers (6 cents)	3.50	140.00
Elevator constructors (8½ cents)	3.50	140.00
Elevator constructors' helpers (8½ cents)	2.45	98.00
Engineers (10 cents):		
Derricks, piledrivers, cableways, dredges, floating equipment, power shovels, cranes, draglines, truck cranes and hoist, 1 or more drums, pavers	3.30	132.00
Trenching machines	3.04	121.60
All graders, La Tourneau and wheel scrapers	2.85	114.00
Air compressor, pumpmen, mixer operator, welders, maintenance men	2.87	114.80
Bulldozer operators and fork lift	2.70	108.00
Glaziers (8 cents)	3.00	120.00
Ironworkers (10 cents)	3.65	146.00
Laborers (7½ cents)	2.10	84.00
Lathers (10 cents)	3.45	138.00
Marble masons (17½ cents)	3.52½	141.00
Marble polishers' helpers	2.30	92.00
Painters and paperhangers (10 cents)	3.05	122.00
Painters, structural, swing and hazardous work (10 cents)	3.38	135.20
Plasterers (10 cents)	3.45	138.00
Plasterers tenders (10 cents)	2.25	90.00
Plumbers (10 cents)	3.41	136.40
Plumbers laborers (10 cents)	2.10	84.00
Reinforce rodmen (10 cents)	3.25	130.00
Roofers (2 percent of gross earnings):		
Composition, foreman	2.85	114.00
Slate and tile	2.85	114.00
Sheet metal workers (10 cents)	3.26	130.40
Steamfitters (10 cents)	3.41	136.40
Stone carvers	3.87½	155.00
Stone cutters	3.50	140.00
Stone masons (17½ cents)	3.52½	141.00
Tile and terrazzo workers	3.37½	135.00
Tile and terrazzo helpers	2.37½	95.00
Waterproofers, sprayer, spandel and ironite (2 percent gross earnings)	2.70	108.00

Manufacturing—Average wage for District of Columbia, 3d quarter, 1955, $93, 40-hour week.

Printing—Average wage for all employees approximately $100 per week. For example, commercial, 37½-hour week $110.25 to $124.25; newspapers, 35-hour week $114 to $124. Linotype operators covered under the Federal Employees Compensation Act working for the Government Printing Office receive $117.20 for 40-hour week, plus 15 percent night shift differential.

Average wage for all employees in covered industries 3d quarter 1955, $74 for 40-hour week.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the proponents of this amendment argue that this amendment should be adopted so that the Congress would have time to take up the District bill. I submit, if this amendment is adopted, there will be no need for a District bill, because they will have accomplished their purpose of freezing the disability benefits at $35 a week.

One of the speakers this afternoon said this raises the disability benefits from $35 to $54 a week, or two-thirds, whichever is greater. I think a study of this bill will show that it does not increase it to whichever is greater. This bill provides that if a person is disabled he will receive two-thirds of his average weekly wages, with a maximum of $54. If there is a person in the District of Columbia who is now earning $40 a week, that person will never receive $54 for disability. The most that person can receive is two-thirds of the $40.

There has been no argument against this bill on the basis that it is appropriate only for longshoremen. May I point out that this bill is in fact a model workmen's compensation law; that it provides benefits that are fair to the worker and fair to the employer. As I tried to say a few moments ago, there is a certain quid pro quo in all workmen's compensation laws. If you go back to the original laws which were passed, the individual employee gave up his right to sue the employer in return for a promise that if he is disabled he would receive two-thirds of his average weekly wages.

Let us look at some of the wages in the District of Columbia. An asbestos worker makes $130 a week; boilermakers, $128; bricklayers, $146; carpenters, $125; pile drivers, $130. I could go on down for 2 or 3 dozen classifications where the worker is earning above $100 a week. In other words, these people are earning wages which are comparable to what the longshoreman receives on the west coast and on the docks in New York and elsewhere.

If you freeze the wages in the District of Columbia at $35 a week, you will say to the employee, "It is well for you to give up your right to sue the employer, but we will go back on our promise to you that you shall receive two-thirds of your average weekly wages in case you are injured or disabled through no fault of your own. We want you to give up your right but we will not give you the two-thirds promised," because $35 is not anywhere near two-thirds of the $100 that many of them earn.

I submit that if this bill is passed and disability benefits are increased to $54, many of these people will still not get the two-thirds originally promised them in the law when it was originally passed in 1927.

Mention has been made that the workers in the District of Columbia should not be covered because this is not a hazardous occupation. I submit that whether it is a hazardous occupation or not has nothing to do with the fairness or justice of the bill. We are considering the individual worker. If there is an individual employee in the District of Columbia who has total disability, it does not make any difference whether he was disabled in a hazardous occupation or whether that disability came while he was working behind the counter in some retail store.

Therefore I urge the defeat of this amendment, again saying that there has been no argument given that this bill is appropriate only for longshoremen. It is as appropriate for the people who are working in the District of Columbia as it is for the workmen out on the docks in Oregon or California or any other place.

Mr. WIER. Mr. Chairman, I am not so naive, sitting here during this debate, as to feel that anything more need be said. I told you a while ago I was going to follow Judge SMITH after he offers his amendment, with a breakdown of H. R. 3015, the District bill. I am not going to do that. I am going to ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

QUESTIONS AND ANSWERS ON DISTRICT OF COLUMBIA WORKMEN'S COMPENSATION

Mr. WIER. Mr. Chairman, question 1: Is it logical to have the District of Columbia Workmen's Compensation Act connected with the Longshoremen's and Harbor Workers' Act?

Answer: The reason for this connection, which is often overlooked, is the convenience and simplicity of having only one Federal Workmen's Compensation Act for private employees of all kinds.

It just happens that employment over navigable waters and employment within the District of Columbia are the two principal areas of Federal jurisdiction requiring a workmen's compensation act. The principle, however, of using the same act for all private employments has been extended whenever it became necessary to have a private workmen's compensation act for an area of Federal jurisdiction. For example, this act extends to any employment at military, air, and naval bases acquired by the United States from foreign countries, any employment on lands occupied by the United States for military purposes outside the continental limits of the United States, any employment under a contract with the United States for the performance of any public work to be performed outside the continental United States, and any employment in operations conducted on the outer Continental Shelf. In other words, this act, although generally referred to as the Longshoremen's Act, is really the general purpose Federal statute applied to all private employments falling under Federal jurisdiction. It would be an unnecessary and unjustified complication to start breaking off pieces of this coverage and create separate compensation acts for each. The result would be to throw in the ashcan all administrative and judicial precedents, to complicate greatly the process of administration, to cause confusion and uncertainty for many years about the state of the law and to add expense and inefficiency with no corresponding gain whatever.

It is sometimes argued that the economic factors applicable to the ports covered by the Longshoremen's Act do not fit the conditions in the District of Columbia. This line of argument ignores the fact that the Longshoremen's Act must be flexible enough to cover operations over navigable waters, not only in New York and San Francisco, but also in Biloxi, Miss., and a number of small ports, both coastal and inland, whose range of wage and living standards is about as broad as that of the entire country. Moreover, this argument is completely discredited by actual experience. This law has been working satisfactorily in the District of Columbia ever since May 17, 1928. No evidence has ever been brought forward that it has operated ineffectively or inappropriately.

Question 2: Should the present $35 maximum be raised in the District of Columbia?

Answer: By any normal standard, however conservative, the present $35

maximum is much too low for the District, considered completely independently and apart from the Longshoremen's Act.

The basic theory of workmen's compensation, as expressed in the act itself, is that benefits should generally be two-thirds of average weekly wage. The average wage for all employees in covered industry in 1955 in the District was about $74 a week. Thus, if the absolute maximum weekly benefit is set at $50 a week, which is approximately two-thirds of $74 a week, it is clear that only about half of covered employees would be paid the two-thirds of average weekly wage which the act basically intends them to get. In other words, if the fixed maximum benefit is the amount that would be paid to the person with average wages, it is a fair assumption that as many people are being paid wages higher than the maximum than those who are being paid wages lower than the maximum. It follows that any maximum lower than $50 would produce the obviously unsound result of setting a basic rate of benefit at two-thirds of average wage, and then depriving the majority of the participants in the system of that basic rate of benefit.

It might also be mentioned that the average wage in manufacturing in the District of Columbia in the third quarter of 1955 was $93 a week. Admittedly, manufacturing is not a relatively large segment of employment in the District, but, to the extent that it is a relevant factor, a maximum of less than $50 is obviously completely indefensible.

These conclusions can be double-checked by a comparison with the average earnings found in current District compensation cases. In 200 cases recently studied, it was found that the average wage involved was $77 a week. Nearly 50 percent had an average wage earning level of about $76 a week, and 21 percent averaged over $100 a week. Under the present law, this means that most employees are receiving less than one-half their average earnings in compensation, and that 21 percent are receiving one-third.

Employer groups in this country are usually emphatically opposed to the flat-rate benefit systems of the more socialized acts in England and some continental countries. What they apparently fail to realize is that when they insist upon an unduly low fixed dollar maximum on benefits, they are in effect substituting a European-type flat-rate system for the American-type system based on relation of benefits to prior earnings. If the overwhelming majority of claimants are squeezed against a low ceiling, the effect is to destroy the American concept of individualism and incentive in these systems, under which initiative and aggressiveness are rewarded and individual differences are recognized by the provision of benefits related to the prior level of earnings that the employee through his efforts has been able to achieve.

Even the figures that have been used in these comparisons are on the low side, since they are drawn from 1955, and since wages have increased in the meantime and will presumably continue to increase during the period when the proposed legislation is in effect.

Question 3: What about increased costs?

Answer: It is undoubtedly true that raising the permissible maximum will result in some increase in workmen's compensation insurance rates in the District. The general manager of the National Council on Compensation Insurance estimated this increase at 22.4 percent, on the basis of S. 2280.

However, this increase is meaningful only if compared with other increases that have been taking place in wages, cost of living, business profits, and various other factors that have been markedly changing since the present level of benefits was set in 1948. For example, wages in the District of Columbia have increased 44 percent in this same period. Obviously, other things being equal, it cannot be expected that insurance rates for benefits based on these rising wages can themselves remain stationary.

This apparent increase in cost must also be judged in terms of offsetting savings and advantages which will result to the business community. For example, it is well established that when workmen's compensation benefits are excessively low, it is found necessary to supplement them by public assistance in a large proportion of cases. This public assistance must be paid for, and is as much a cost to employers as the cost of workmen's compensation premiums, although it is experienced in the form of income taxes and local taxes.

Another offsetting factor is this: When disabled employees and their families are provided with cash weekly benefits, this enables these families to pay their bills and to keep up some purchasing power during the period of disability. This is an important asset to the merchants of the community. Obviously, at this level of weekly income, the money is going to be spent as fast as it is received on necessities, and will thus find its way back into the channels of trade in the area. It will prevent defaults on installment purchases, and, equally important, the knowledge that reasonable benefits are potentially available during future periods of disability for any employee enables these employees to make installment commitments which they otherwise would not make. In this manner, the existence of an adequate income insurance system for occupational disability, along with unemployment insurance and social security, has been a large factor in maintaining our high level of consumer-based prosperity.

There has been some talk of the comparison between compensation rates in the District as against Maryland and Virginia. However, each jurisdiction's compensation level must be tailored to its own economic conditions, rather than to those of other States. If we follow out this principle in this case, as the demonstration based on District wages shows, there is no escape from the conclusion that the maximum benefit in the District must be at least $50 a week. What a similar analysis for the State of Virginia as a whole would show, or for the State of Maryland as a whole, is beside the point. Those States have to work out their own level of benefits to fit their own economic levels for the entire economy of the State, and not for the comparatively small area which borders on the District.

In any event, no self-respecting community can go about its responsibility of meeting its obligations to its own citizens by proceeding on the theory that every State or jurisdiction, for competitive reasons, must debase its standards to the lowest common level of neighboring States. If all States proceeded on this theory, our State legislation in every phase of State activity would be so bad that it would probably eventually break down our entire Federal-State structure.

I want to close with this. I am very confident that everything is apparently all right.

The administration is for this bill, the Labor Department is for this bill, all segments of labor are for this bill. Considering the very fine bill passed by Congress in 1950 for the Federal employees which carries a maximum of $121, and the increases that you granted yesterday to veterans, the increases you granted postal employees, I am sure you are not going to let the District employees down.

Mr. SHELLEY. Mr. Chairman, will the gentleman yield?

Mr. WIER. I yield to the gentleman from California.

Mr. SHELLEY. I just want to say, Mr. Chairman, that I am in opposition to the Smith amendment and for the bill.

Mr. Chairman, I rise in support of this bill because I believe that the time has come when we should move forward in the field of workmen's compensation. At this time I would also like to announce my opposition to the Smith amendment, about which I will speak in a moment.

Mr. Chairman, workingmen in this country have been covered by the Longshoremen's and Harbor Workers' Compensation Act since 1927. Several changes in the act have been made from time to time since that date—the last change taking place in 1948.

Because of the increasing level of the economy and the rising cost of living since 1948, it has been generally conceded that an increase in the benefits for workers hurt on the job is long overdue. In the period between 1948 and the present time, the minimum hourly wage has been raised from 40 cents to $1 per hour; social security benefits have been extended and increased; veterans' benefits have been liberalized and unemployment compensation payments have been raised. Only Federal workmen's compensation benefits have remained unchanged over this period of time.

Congress is being given an opportunity now to amend the present law in order to make compensation benefits keep pace with contemporary economic realities. As you know this amendment has received strong labor backing as well as the endorsement of the administration and others sincerely concerned with present inadequate benefits. It deserves the support of every Member of the House who is interested in the well-being of our American workers.

Mr. Chairman, I would like to take just a few moments to express my opposition to the Smith Amendment to the Longshoremen's and Harbor Workers' Compensation Act.

Mr. Chairman, before considering this amendment, I believe the Members should explore the reasoning which originally prompted Congress to extend the Longshoremen's and Harbor Workers' Compensation Act to the District. When it was first proposed in 1921 a disagreement arose over the type of insurance to be authorized and the manner of administering the law. Congress took the position, however, that the Longshoremen's Compensation Act was operating effectively in its coverage of private employees in other parts of the Nation and decided to extend it to the District of Columbia.

The Longshoremen's Act has now been operating in the District for 28 years. It has operated successfully and no valid criticism can be made of its operation. Actually no persuasive reason can be given for renouncing its standards at this time. The only purpose of discarding these time-tested standards is to freeze compensation benefits in the District on the 1948 level. I believe this to be both unfair and unreasonable because economic conditions in the District have changed drastically in recent years, and it is ridiculous to contend that District employers should be granted a dispensation from any advance in their workmen's compensation costs.

Proponents of this amendment also argue that certain economic facts applicable to the ports covered by the Longshoremen's Act do not fit conditions in the District and that the application of the act to Washington is, therefore, inappropriate. I do not agree with this argument. Single workmen's compensation covers all types of employment within a State and it is well known that by their very nature, compensation laws are flexible. They are usually based on a percentage of wages. They always contain maximum limits which serve to cut off excessive compensation where wages are extremely high.

In succeeding years, when it became necessary for Congress to establish workmen's compensation for other employment it has consistently used the Longshoremen's Act. This act has been extended by Congress, for example, to cover workers at defense bases outside of the United States, and in other areas. In other words, the act applying in the District—although termed the Longshoremen's Act—is really the general purpose Federal compensation statute for all private employments falling within the jurisdiction of Congress. There is no real reason at this time to start departing from its standards with respect to a single group of employees. The precedent of many years during which the Longshoremen's Act and its standards have been in effect in the District refutes the argument that debased compensation standards should apply here.

Mr. Chairman, I feel the arguments raised by supporters of this amendment that passage of H. R. 10765 will adversely affect the economies of neighboring States to be without any humane consideration—especially when one considers the terribly low rates of compensation paid to injured workers in some of these States. Opponents of an increase of benefits for injured workers tend to ignore the very sad plight in which many of these men and their families frequently find themselves. In addition to overlooking the human element contained in this legislation, opponents of H. R. 10765 fail to take into consideration the fact that the rate of compensation paid to workers in specific areas is a State matter, and one which must be the concern of the State legislatures and not Congress.

Mr. HALLECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is very obvious that this is a matter about which people of honest convictions can differ. I think I ought to say at the outset that many times in the past I have found myself in agreement with the distinguished gentleman from Virginia on matters of legislation coming before the House of Representatives. But I try to look at this matter from an objective standpoint. I think it is fair to say, as I listened to the gentleman from Virginia, that it is his view that the Congress should enact by legislation coming from the District Committee a separate Workmen's Compensation Act for the District of Columbia. If that be true I must say that it would seem that the action here sought to be taken is getting the cart before the horse.

A look at the history of this whole matter will show that the Congress from 1921 to 1928 was trying to enact a Workmen's Compensation Act for the District of Columbia but because of differences of opinion and contradictory viewpoints nothing happened. Finally they said, "We will bring the employees of private employers under existing law which applies to such employees under Federal jurisdiction."

Obviously, no Congress can bind a succeeding Congress, but the legislation of 1928, speaking of the inclusion of employees in the District of Columbia, said, "including all amendments that may hereafter be made thereto." Since that time there have been two very substantial amendments to this legislation, and on each occasion the employees of the District of Columbia have been included.

So as I view the question here, it is whether on this occasion the employees of the District of Columbia should be included; and I must say, having studied it as best I can, that I agree with the Department of Labor and with the administration viewpoint that they should be so included.

I would be the last to urge that this legislation which has been reported almost unanimously, as I understand, from the Committee on the District of Columbia, should not be considered on the floor of the House. As a matter of fact it can be considered at any time that it can be brought to the floor, and the House of Representatives can work its will.

If the rates in this legislation are higher than would be deemed proper if you had this special act applying only to the District of Columbia employees, then those rates could be adjusted down even as it has already been suggested. If the rates are too low, they could be adjusted upward. The only disturbing thing that appeared to me about the argument was that the gentleman from Virginia could give no assuance that the legislation from the District of Columbia Committee would be considered in this session of Congress. As a matter of fact, if I understood him correctly, he said that for something over 2 months they have been unable to obtain consideration on the floor of the House.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Minnesota.

Mr. WIER. In regard to the comment I made, may I say it is not only the rate involved in 3015 but there are a lot of things taken away from the employees in this bill that is pending in the Rules Committee. I do not know where, it is somewhere.

Mr. HALLECK. The adoption of this amendment would break down the pattern that has prevailed and, as I pointed out, must take some cognizance of the legislation of 1928. Certainly it was contemplated in the wisdom then exercised in the Congress of the United States after the District employees were brought into this general legislation that any amendment thereafter to be made to the legislation should include the District employees as well as employees otherwise covered in the act.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from New York.

Mr. KEATING. As I understand the gentleman's point, if we defeat the Smith amendment and include the District of Columbia in this bill and later the District of Columbia bill comes before the House, all that needs to be done if the House desires to make a change is to say: Notwithstanding any other provision of law the following shall apply to the District of Columbia, and they would take precedence?

Mr. HALLECK. That is correct.

Mr. KEATING. I agree with the gentleman that that is the orderly procedure.

Mr. BOSCH. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I take this time just after the colloquy between the gentleman from New York [Mr. KEATING] and the distinguished Member from Indiana [Mr. HALLECK] to say there is nothing in this bill that refers to the District of Columbia employees. That is strictly legislation from the District of Columbia Committee. That seems to be the entire argument involved on this particular issue.

Mr. Chairman, beginning in 1921, various proposals were introduced in successive Congresses for the purpose of establishing a compensation system for the District of Columbia, but all failed to be passed, primarily because of controversies respecting the type of insurance to be authorized and the manner of administering the law. Congress resolved the conflicting arguments of different

groups by passing a law, presented through the respective District of Columbia Committees of both House and Senate, on May 17, 1928—Forty-fifth Statutes, page 600—incorporating into the District Code the existing provisions of the Longshoremen's and Harbor Workers' Compensation Act so as to apply to employees of private employers in the District of Columbia, with a number of minor exceptions, such as agricultural and domestic workers.

The Longshoremen's Act, substantially amended twice, has continued to be applied in the District since that time.

It should be pointed out that the original Longshoremen's and Harbor Workers' Compensation Act and all amendments thereto, including those proposed in this bill as reported from our committee, make no reference whatever to the employees in the District of Columbia.

The Committee on Education and Labor therefore felt it would be going outside its purview, and encroaching on that of the District Committee, if we reported a bill containing changes in the present District of Columbia Code. It is my judgment that any action regarding the compensation status of people employed by private business in the District of Columbia should come from the District Committee or its members.

LEGISLATIVE HISTORY, DISTRICT OF COLUMBIA WORKMEN'S COMPENSATION ACT

S. 3565, reported from District of Columbia Committee to Senate April 20, 1928, Senate Report No. 852.

Passed Senate, with committee amendments, April 24, 1928, without objection. No record vote.

Reported from District of Columbia Committee to House April 30, 1928, House Report No. 1422. Referred to Committee of the Whole House on the State of the Union.

Brought up on unanimous-consent request by Chairman Underhill, of the District of Columbia Committee. Passed House May 14, 1928. No record vote.

Approved May 17, 1928.

Mr. MILLER of Nebraska. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, the gentleman from West Virginia placed in the RECORD yesterday some of the rates paid in other States for compensation. This information appears on page 12572 of the CONGRESSIONAL RECORD.

Mr. Chairman, it might be wise for those who are worrying about the compensation in the District of Columbia and the provisions of this bill which raises that compensation from $35 to $54 to take a look at what you are doing in your own States maybe and go back home and try to do something about that at home. Let me read a few of these States.

Period of disability: Alabama, 55 to 65 percent disability, $28; Arkansas, $25; California, $40; Delaware, $35; Florida, $35; Georgia, $30. Going on down to Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland—none of them pay over $35. Most of them $27, $28, $29, $30.

Let us take a look at the State of Oregon. The gentlewoman from Oregon was worrying about compensation in the District of Columbia. What are the workers in Oregon now getting? The great State of Oregon is most generous, 50 to 66⅔ percent disability, minimum $25.64 to maximum $61.

I suggest maybe some people go back home and do something about the compensation in their own States. The State of Pennsylvania, 66⅔ maximum, 700 weeks, $32.50. Yet you propose in this bill to raise the rate from $35 to $54 in the District of Columbia. I say you are getting things out of joint. I have no objection to raising the compensation of the longshoremen in those areas where you have hazardous occupations, and I am for a bill with those provisions in the hazardous occupations, but I insist that in the District of Columbia you do not have those conditions.

The great State of Illinois, which I think I mentioned awhile ago, 75–97.5 maximum percentage of wages, $34 to $40 a week. The State of California. I think I read that awhile ago, but let us look at it again; 61⅔ percent for 240 weeks, $40 maximum payment per week. I suggest the Members refer to page 12572 in the RECORD and see how your State compares to what we now pay in the District of Columbia, which is $34, and you propose to raise it to $54. Just see what you pay in your own States and ask yourselves the question, Is it out of line to raise the rates in the District of Columbia to a maximum of $54 a week? How does that compare in the State of my residence? Let us do the right thing.

Mr. ROONEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I cannot at all agree with the reasoning of the distinguished gentleman from Nebraska [Mr. MILLER]. I shall vote against the so-called Smith amendment which is pending and vote for the bill H. R. 10765 as reported by the committee.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. An erroneous statement has been made regarding the disability payments for Oregon. If the Members will look at the chart which has just been referred to, they will find that the maximum disability benefits for Oregon are $61.15 a week.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield to the gentleman from Washington.

Mr. PELLY. Earlier in my remarks in general debate I pointed out the significance of this particular legislation and its effects on all the States in raising the level of their disability payments and establishing the basic principle of two-thirds of weekly earnings as the minimum of those who are disabled.

Mr. ROONEY. I trust this bill will be promptly passed and that it's passage will have a salutary effect on raising the rates of disability compensation in all the States of the Union.

Mr. Chairman, I include the following testimony given by me last March 14 before the Bailey subcommittee of the House Committee on Education and Labor:

AMENDING THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION AND LABOR,
Washington, D. C., Wednesday, March 14, 1956.

The subcommittee met, pursuant to adjournment, at 10 a. m., in room 429, House Office Building, for the consideration of amending the Longshoremen's and Harbor Workers' Compensation Act, the Honorable CLEVELAND BAILEY (subcommittee chairman) presiding.

Present: Representatives BAILEY, GREEN, ROOSEVELT, MCDOWELL, SMITH, and COON.

Present also: Fred G. Hussey, chief clerk; John O. Graham, minority clerk; James M. Brewbaker, general counsel; Kennedy W. Ward, assistant general counsel; Russell C. Derrickson, chief investigator.

Mr. BAILEY. The subcommittee will be in order.

The Chair notes the presence in the hearing room of our colleague the Honorable JOHN J. ROONEY, of New York, who represents the district known as the Brooklyn waterfront. Congressman ROONEY has evinced considerable interest in this legislation and has introduced one of the pending bills. It would be a pleasure to hear him speak in behalf of his legislation at this time.

STATEMENT OF HON. JOHN J. ROONEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. ROONEY. Thank you, Mr. Chairman, and distinguished members of the Subcommittee of the House Committee on Education and Labor.

As the chairman has mentioned, I represent the congressional district in which is included practically all of the commercial waterfront of Brooklyn, and which is a great part of the greatest port in the world. I have been very much concerned with the bill which was passed in the Senate, S. 2280, and its provisions. In connection therewith, and for the purpose of exciting some interest with regard to this on the House side, I introduced a bill on the 16th of February last, known as H. R. 9356.

I wish to advise the committee that insofar as I am concerned, I withdraw from its consideration the bill which I have introduced and join with others who have addressed the committee in urging the favorable consideration of the bill S. 2280.

Mr. Chairman, the Senate bill provides a maximum weekly compensation of $50. As has already been pointed out to the committee, I am sure, the basic act with regard to longshoremen's and harbor workers' compensation was passed in 1927. It has been amended but once, in 1948, when the amount of maximum liability was increased from $25 to $35 a week.

The instant Senate proposal which calls for $50 a week, in my opinion, should be the minimum amount. I would rather see the amount $60 a week but if I have to, rather than have no legislation at this time, I will accept $50 a week maximum compensation.

The basic legislation of 1927 contemplated that the minimum weekly compensation should be approximately 66⅔ of the longshoreman's pay in the event of his disability. It appears that today the average pay of a worker on the waterfront in Brooklyn, in the most hazardous occupation there is, is approximately $90 to $100 a week. However, I feel that it is best to accept the provisions of the Senate bill for the purpose of getting this legislation on the road, to use the vernacular, so that we may have some long overdue legislation in this 2d session of the 84th Congress. I concur in agreeing to at least the provisions of the

Senate bill and urge its favorable consideration by this learned committee.

I am very appreciative of the opportunity to address you in this regard, and I am quite confident that the committee will favorably consider this humane legislation.

Mr. BAILEY. Are there any questions?

Mr. SMITH. No questions.

Mr. GREEN. No questions.

Mr. COON. Mr. Chairman, I would like to say that I am glad Congressman ROONEY is here before this committee this morning. I served on the same committee with him for 2 years, on the Appropriations Committee. We always valued his information and his service on that committee very highly.

We are very pleased to see you here this morning.

Mr. ROONEY. I will say to the distinguished gentleman from Oregon that I very much appreciate his remarks. I enjoyed serving with him on the Committee on Appropriations, and we always did try to cooperate with one another. I trust that cooperation will continue with regard to the Longshoremen's and Harbor Workers' Compensation Act, which should be improved in every particular.

Mr. BAILEY. Thank you, Mr. ROONEY.

Mr. McMILLAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened to all this debate here this afternoon, but I have not heard very much said about the people who are in business here in the District of Columbia. This Congress authorizes approximately $23 million a year for the District of Columbia to come from the taxpayers' pocket of the entire United States, because they do not have sufficient business here to pay for the operation of the District government. If this bill passes, I know personally of a number of business establishments that will move from the District to Virginia and Maryland. The people who are interested in keeping business in the District of Columbia so that it will not be necessary to authorize so much of mine and your taxpayers' money to operate the government here should vote for this amendment.

Mr. BOSCH. Mr. Chairman, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from New York.

Mr. BOSCH. May I say to the distinguished gentleman that it could be easily solved by your committee reporting out this legislation and getting it passed.

Mr. McMILLAN. That is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia, [Mr. SMITH].

The question was taken; and on a division (demanded by Mr. SMITH of Virginia) there were—ayes 62, noes 116.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 10765) to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes, pursuant to House Resolution 569, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT AMENDMENTS

Mr. BAILEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2280) to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the Longshoremen's and Harbor Workers' Compensation Act, as amended (33 U. S. C., sec. 906), is amended to read as follows:

"SEC. 6. (a) No compensation shall be allowed for the first 3 days of the disability, except the benefits provided for in section 7: *Provided, however*, That in case the injury results in disability of more than 28 days the compensation shall be allowed from the date of the disability.

"(b) Compensation for disability shall not exceed $50 per week and compensation for total disability shall not be less than $18 per week: *Provided, however*, That if the employee's average weekly wages, as computed under section 10, are less than $18 per week he shall receive as compensation for total disability his average weekly wages."

SEC. 2. Subparagraphs (1) through (12) of section 8 (c) of the said act are hereby amended to read as follows:

"(1) Arm lost, 312 weeks' compensation.

"(2) Leg lost, 288 weeks' compensation.

"(3) Hand lost, 244 weeks' compensation.

"(4) Foot lost, 205 weeks' compensation.

"(5) Eye lost, 160 weeks' compensation.

"(6) Thumb lost, 75 weeks' compensation.

"(7) First finger lost, 46 weeks' compensation.

"(8) Great toe lost, 38 weeks' compensation.

"(9) Second finger lost, 30 weeks' compensation.

"(10) Third finger lost, 25 weeks' compensation.

"(11) Toe other than great toe lost, 16 weeks' compensation.

"(12) Fourth finger lost, 15 weeks' compensation."

SEC. 3. Section 8 (g) of the said act is amended by striking out "$10" and inserting in lieu thereof "$25."

SEC. 4. Section 9 (e) of the said act is hereby amended to read as follows:

"(e) In computing death benefits the average weekly wages of the deceased shall be considered to have been not more than $75 nor less than $27 but the total weekly compensation shall not exceed the weekly wages of the deceased."

SEC. 5. Section 14 (m) of the said act is hereby repealed.

SEC. 6. Section 18 of the said act is amended by inserting "(a)" after "(18)" at the beginning of the section and by adding a new subsection (b) to read as follows:

"(b) In cases where judgment cannot be satisfied by reason of the employer's insolvency or other circumstances precluding payment, the Secretary of Labor may, in his discretion and to the extent he shall determine advisable after consideration of current commitments payable from the special fund established in section 44, make payment from such fund upon any award made under this act, and in addition, provide any necessary medical, surgical, and other treatment required by section 7 of the act in any case of disability where there has been a default in furnishing medical treatment by reason of the insolvency of the employer. Such an employer shall be liable for payment into such fund of the amounts paid therefrom by the Secretary of Labor under this subsection; and for the purpose of enforcing this liability, the Secretary of Labor for the benefit of the fund shall be subrogated to all the rights of the person receiving such payment or benefits, including the right of lien and priority provided for by section 17 of this act, as against the employer and may by a proceeding in the name of the Secretary of Labor under section 18 or under subsection (c) of section 21 of this act, or both, seek to recover the amount of the default or so much thereof as in the judgment of the Secretary is possible, or the Secretary may settle and compromise any such claim."

SEC. 7. (a) Section 39 (c) of the said act is amended by striking out "education" at the end of the first sentence and inserting in lieu thereof "rehabilitation."

(b) Section 39 (c) of such act is further amended by striking out the last sentence and inserting in lieu thereof the following two sentences: "Where necessary rehabilitation services are not available otherwise, the Secretary of Labor may, in his discretion, use the fund provided for in section 44 in such amounts as may be necessary to procure such services, including necessary prosthetic appliances or other apparatus. This fund shall also be available in such amounts as may be authorized in annual appropriations for the Department of Labor for the costs of administering this subsection."

SEC. 8. (a) Section 44 (a) of the said act is amended by striking out "of this act" at the end of the first sentence and inserting in lieu thereof a comma and the following: "of subsection (b) of section 18, and of subsection (c) of section 39 of this act."

(b) The second sentence of paragraph (1) of section 44 (c) of such act is amended to read as follows: "The proceeds of this fund shall be available for payments under subsections (f) and (g) of section 8, under subsection (b) of section 18 and under subsection (c) of section 39: *Provided*, That payments authorized by subsection (f) shall have priority over other payments authorized from the fund."

SEC. 9. The amendments made by the first section and sections 2, 4, and 5 of this act shall be applicable only with respect to injuries and death occurring on or after the date of enactment of this act notwithstanding the provisions of the act of December 2, 1942, as amended (42 U. S. C., sec. 1701 and following).

Mr. BAILEY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BAILEY: Strike out all after the enacting clause and insert the provisions of the bill (H. R. 10765) as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H. R. 10765) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

REPORT OF BOARD OF VISITORS TO UNITED STATES COAST GUARD ACADEMY

Mr. GARY. Mr. Speaker, I present to the House the report of the Board of Visitors to the United States Coast Guard Academy, New London, Conn., and ask unanimous consent that it be printed in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(The matter referred to is as follows:)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 13, 1956.

Hon. SAM RAYBURN,
The Speaker,
House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I enclose herewith the report of the Board of Visitors to the United States Coast Guard Academy, New London, Conn. The Board visited the Academy on May 4, 1956.

With kindest regards and best wishes, I am

Sincerely yours,

J. VAUGHAN GARY.

REPORT OF THE BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY, NEW LONDON, CONN., MAY 4, 1956

The PRESIDENT OF THE SENATE.
The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

GENTLEMEN: Pursuant to section 194 of title 14 of the United States Code, the following Senators and Members of the House of Representatives were designated to constitute the 1956 Board of Visitors to the United States Coast Guard Academy:

By the President of the Senate: Senator PRESCOTT BUSH, Republican, of Connecticut.

By the chairman of the Senate Committee on Interstate and Foreign Commerce: Senator JOHN O. PASTORE, Democrat, of Rhode Island; Senator WILLIAM A. PURTELL, Republican, of Connecticut.

By the Speaker of the House of Representatives: Representative J. VAUGHAN GARY, Democrat, of Virginia; Representative DONALD W. NICHOLSON, Republican, of Massachusetts.

By the chairman, House Committee on Merchant Marine and Fisheries; Representative EDWARD J. ROBESON, JR., Democrat, of Virginia; Representative FRANK M. CLARK, Democrat, of Pennsylvania; Representative HORACE SEELY-BROWN, JR., Republican, of Connecticut.

Ex officio members: Senator WARREN A. MAGNUSON, Democrat, of Washington (chairman, Senate Committee on Interstate and Foreign Commerce); Representative HERBERT C. BONNER, Democrat, of North Carolina (chairman, House Committee on Merchant Marine and Fisheries).

A meeting of the Board of Visitors was held at the Academy on May 4, 1956. The following members of the Board were present: Senator WILLIAM A. PURTELL, Republican, of Connecticut; Representative HORACE SEELY-BROWN, JR., Republican, of Connecticut; Representative J. VAUGHAN GARY, Democrat, of Virginia; Representative DONALD W. NICHOLSON, Republican, of Massachusetts.

The following officials of the United States Coast Guard were also present from headquarters: Vice Adm. A. C. Richmond, Commandant; Rear Adm. W. W. Kenner, Chief of the Office of Personnel; Capt. William P. Hawley, Chief of the Personnel Training and Procurement Division; and Capt. David O. Reed, Liaison Officer; from the Academy, Rear Adm. R. J. Mauerman, Superintendent; and Capt. F. P. Vetterick, Assistant Superintendent.

INSPECTION TOUR OF GROUND AND BUILDINGS

Upon arrival of the Board at the Academy, the customary honors were rendered. Senator WILLIAM A. PURTELL inspected the cadet corps and the battalion passed in review before the members of the Board.

MEETING OF THE BOARD

The Board members were joined by Admiral Richmond, Admiral Mauerman, Admiral Kenner, Captain Vetterick and Captain Hawley in formal session, during which the Honorable WILLIAM A. PURTELL was elected Chairman of the Board. The general comments and specific recommendations made by the Board are herewith presented for the serious consideration of the Members of the Senate and the House of Representatives.

GENERAL COMMENTS

The composition of the student body at the Academy was discussed. The main group consists of the cadet corps of approximately 500, who participate in the 4-year course. In addition, the Officer Indoctrination School conducts throughout the year both the Merchant Marine Officer Indoctrination and the Officer Candidate program for college graduates and selected enlisted men of the Coast Guard.

The Board discussed the physical facilities of the Academy in the light of these training programs. The Superintendent listed the major needs in order of priority:

Extension of present cadet barracks to house entire cadet corps. Many cadets live in temporary wooden buildings and sufficient fireproof quarters should be provided. (Cost approximately $1 million.)

Construction of a modern fireproof barracks to house 200 men of the Merchant Marine Officer Indoctrination and Officer Candidate Schools. (Cost approximately $900,000.)

Construction of a new mess hall to adequately provide for all cadets. (Cost approximately $350,000).

Construction of a combined administration and classroom fireproof building for the Merchant Marine Indoctrination and Officer Candidate Schools. (Cost approximately $450,000.)

Construction of a modern fireproof auditorium. The present auditorium is also a temporary wooden building. (Cost approximately $600,000.)

The need for additional Government-owned family quarters for personnel stationed at the Academy and the possible availability of the park adjacent to the reservation at no cost to the Government, subject to the actual construction of the quarters.

The renewal of the grandstands in Jones Field to provide additional seating capacity and to reduce maintenance costs. (Cost approximately $95,000.)

The accomplishment of the above items would remove the nonfireproof buildings from the Academy reservation and greatly improve the living conditions and safety of the personnel involved.

The Board noted that three of the recommendations made by the previous Board have been accomplished; namely, the installation of the new heating plant, the heating of the fieldhouse, and the improved lighting for cadet rooms.

The Board also met in informal private session with the principal battalion officers of the corps of cadets without the presence of officials of the Coast Guard. The Board was impressed with the character and caliber of the members of the cadet corps.

The members of the Board advised that in the discussion with the cadets, the following matters were presented:

Establishment of the honor system.

Assignment of additional tactical officers.

The Superintendent advised that these items were being studied by the Executive Board and Academic Council, and would be presented to the Comandant for review and decision thereon.

During the course of the visit, individual members of the Board arranged for private interviews with the members of the cadet corps from their respective districts. The Board found that almost all States and Territories of the United States are represented in the cadet corps, even though entrance to the Academy is gained only by means of a nationwide competitive examination.

SPECIFIC RECOMMENDATIONS

1. Construction of a new extension on the dormitory to house the expanded cadet corps. The cadets are now crowded 3 in a room and it is necessary to use a 3-story World War II temporary barracks to accommodate the overflow.

2. Construction of a modern fireproof barracks to house 200 men of the officer candidate and merchant marine indoctrination schools.

3. Construction of a new cadet messhall large enough to accommodate 560 cadets. The galley has been completed, but at present it is necessary to use three connected messhalls to accommodate the cadets and officer candidates.

4. Construction of a combined administration and classroom fireproof building for the officer candidate and merchant marine indoctrination schools.

CONCLUSION

The Board commends the Superintendent, Rear Adm. R. J. Mauerman, and his staff for their untiring efforts in maintaining the high standards in evidence at this outstanding institution.

The Board wishes to extend its thanks to Vice Adm. A. C. Richmond, commandant; Rear Adm. W. W. Kenner, chief of the office of personnel; Capt. William P. Hawley, chief of the personnel training and procurement division; and Capt. David O. Reed, liaison officer, for the assistance rendered by them.

The chairman and members of the Board wish to express their appreciation to the battalion officers and other members of the cadet corps for their very helpful assistance in enabling the Board to understand better all aspects of the functioning of the Academy.

The Board earnestly recommends to all Members of the Senate and House of Representatives that they assist in every way possible in bringing the Coast Guard Academy to the attention of eligible candidates, and urging their constituents to participate in the nation-wide competitive examination held on the 4th Monday and Tuesday in February each year.

The Board strongly recommends to all Members of the Senate and House of Representatives that at a convenient opportunity they visit the institution, inspect its grounds and buildings, classrooms, and laboratories and judge for themselves its facilities and needs. There is every reason to be proud of the plant, equipment, and accomplishments of the Coast Guard Academy.

WILLIAM A. PURTELL,
Chairman.
J. VAUGHAN GARY.
HORACE SEELY-BROWN, JR.
DONALD W. NICHOLSON.

DOMESTIC TUNGSTEN, ASBESTOS, FLUORSPAR, AND COLUMBIUM-TANTALUM PRODUCTION AND PURCHASE BILL OF 1956

Mr. ENGLE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3982) to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories, and possessions, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956."

SEC. 2. The Department of the Interior is hereby authorized and directed to establish and maintain—

(a) a program to purchase, f. o. b. carriers conveyance, milling point, no more than 1,250,000 short ton units of tungsten trioxide (WO_3) contained in tungsten concentrates produced from ores mined in the United States, its Territories, and possessions, meeting the same specifications and under the regulations in effect on January 1, 1956, for purchases of this material by the General Services Administration under the authority of the Domestic Minerals Program Extension Act of 1953 (Public Law 206, 83d Congress), at a base price of $55 per short ton unit: *Provided,* That the Department of the Interior shall not accept offers for delivery in any one calendar month, from any one producer, in excess of 5,000 short ton units originating in any one mining district from properties controlled by such producer. For the purposes of the foregoing proviso, tungsten concentrates produced from ores sold to a mill or processing plant in accordance with regulations issued by the Department of the Interior shall not be considered as the production of the owner(s) of the mill or processing plant but shall be considered as the production of the producer of the ores.

(b) a program to purchase nonferrous chrysotile asbestos produced from ores mined in the United States, its Territories, and possessions, meeting the same specifications and under the same regulations and at prices in effect on January 1, 1956, for purchase of this material by the General Services Administration under the authority of the Domestic Minerals Program Extension Act of 1953 (Public Law 206, 83d Cong.) in the amount of not to exceed 2,000 tons of Crude No. 1 and Crude No. 2 combined, and not to exceed 2,000 tons of Crude No. 3, excepting that Crude No. 3 may be purchased only when offered with Crude No. 1 or Crude No. 2, or both, at a ratio of not in excess of 1 ton of Crude No. 3 to 1 ton of Crude No. 1 or Crude No. 2, or both.

(c) a program to purchase no more than 250,000 short tons of newly mined acid grade fluorspar produced from ores mined in the United States, its Territories, and possessions. Fluorspar purchased pursuant to this act shall meet chemical and physical requirements which are not less favorable to producers than those set forth in the National Stockpile Material Purchase Specifications P-69a dated February 13, 1952. Purchases shall be made under the program at a base price of $53 per short dry ton f. o. b. carriers conveyance at producers milling point for base quality fluorspar containing 97 percent calcium fluoride and 1-percent silica on a dry weight basis. The base price shall be adjusted by premiums and/or penalties on quality which are not less favorable to producers than the following:

1. The price shall be increased 1.1 percent for each 1-percent calcium fluoride above 97 percent, fractions pro rata, and/or

2. The price shall be increased 4.2 percent for each 1-percent silica below 1 percent, fractions pro rata, and/or

3. The price shall be decreased 1.1 percent for each 1-percent calcium fluoride below 97 percent, fractions pro rata, and/or

4. The price shall be decreased 4.2 percent for each 1-percent silica above 1 percent, fractions pro rata.

As used in this section the term "short dry ton" shall mean a short ton of 2,000 pounds with 1-percent allowable moisture. All moisture in excess of 1 percent shall be deducted from the delivery weight (out-turn United States Railroad Scale Weights) of the material accepted to determine the weight on which payment will be based. Adjustment of weight for moisture shall be accomplished by first deducting all moisture, as specified in Government analysis certificates, and then increasing the dry weight by 1 percent.

(d) a program to purchase columbium-tantalum-bearing ores or concentrates produced from ores mined in the United States, its Territories, and possessions, meeting the same specifications and under the regulations, and at prices in effect on December 1, 1955, for purchases of this material by the General Services Administration under the authority of the Domestic Minerals Program Extension Act of 1953 (Public Law 206, 83d Cong.) in the amount of not to exceed 250,000 pounds of contained combined pentoxide (Cb_2O_5 plus Ta_2O_5).

SEC. 3. All materials purchased pursuant to the authority of this act shall be held by the Department of the Interior to be made available to the strategic stockpile or to be turned over to the supplemental stockpile created for strategic and critical materials in accordance with the provisions of the act of July 10, 1954 (Public Law 480, 83d Cong. (68 Stat. 454)), as amended, as determined by the Director of the Office of Defense Mobilization.

SEC. 4. The Secretary of the Interior is hereby authorized to establish and promulgate such regulations as may be necessary to carry out the purposes of this act, and may delegate any of the functions authorized by this act to the Administrator of General Services.

SEC. 5. The programs established pursuant to the authority of this act shall terminate on December 31, 1958.

SEC. 6. There are hereby authorized to be appropriated to the Department of the Interior out of any moneys in the Treasury not otherwise appropriated such sums as may be necessary to carry out the provisions of this act.

The SPEAKER. Is a second demanded? If not, the question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

House Resolution 586 was laid on the table.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to extend their remarks at this point in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. DURHAM. Mr. Speaker, we are a nation richly endowed with so many of the blessings of a divine providence that I am afraid there are times when we are inclined to take for granted some of the essential ingredients so necessary to our survival.

I have devoted a major part of the time that I have been privileged to serve in the House of Representatives in matters dealing with our national security. I have been interested in the stockpiling of critical items for many years. I am a member of the House Armed Services Committee and the Joint Committee on Atomic Energy. Because of that fortunate experience, I would like to make a few observations on a mineral that I consider to be one of the most important in our entire economy—tungsten.

We have tungsten in this country and, in my opinion, it is of fundamental importance to our national defense that we maintain domestic production of this vital mineral.

There are about 700 mines in the United States that produce tungsten directly or as a byproduct. Seventy-two percent of the tungsten produced in this country, however, comes from the 10 largest tungsten mines. In 1955, the United States production of tungsten amounted to 15,669,000 pounds of contained tungsten, equivalent to 987,836 short-ton units of tungsten trioxide. During this same period, we imported into this country 20,736,000 pounds, while industry consumed approximately 8,861,000 pounds of contained tungsten. All of our domestic production went into the Government's stockpiling program.

Under the Defense Production Act, as amended by Public Law 206, 83d Congress, the United States Government agreed to purchase domestically produced tungsten until July 1, 1958, or until 3 million short-ton units had been purchased. Those 3 million units have now been delivered. Soon the House will be asked to pass upon S. 3982, which has been favorably reported by the House Committee on Interior and Insular Affairs. This bill would authorize and direct the Department of the Interior to maintain programs for the purchase of limited quantities of tungsten concentrates and other minerals.

I think it is important to bear in mind that our tungsten mines in this country are not able to compete with foreign imports. We have developed this competition ourselves through long-term stockpiling contracts, defense production act contracts, as well as technical assistance programs. But in considering the importance of tungsten, it seems to me that we are playing a dangerous game with national security because of increased imports and lower prices in competition with American production.

Most of our imported tungsten still comes from Bolivia and Korea. Bolivia, for example, delivered 4,600,000 pounds of tungsten to the United States in 1955. Korea delivered 2,413,000 pounds. Obviously, Korean and Bolivian labor costs are far less than American costs. But will those sources of supply be available to us in the event of a war or acute national emergency?

I think our experience with natural rubber at the outbreak of World War II should be sufficient answer to that question.

Our use of tungsten in time of peace is relatively moderate, but in time of war the use is magnified many times.

Thus, we must take positive steps to make sure that our domestic production remains available to us. If we lose these mines through nonuse, we cannot just dig new ones and we have not yet found a substitute for tungsten.

The principal use of tungsten insofar as military supplies is concerned, is in armor-piercing ammunition. Here it is used as a tungsten carbide because of its great hardness, density, and strength. But we must not overlook the essential use of tungsten as an alloy in jet engines and guided missiles. Here tungsten is one of the elements of high temperature alloys; and I need not call your attention to the high temperatures that propellant fuels now develop. And I might also caution the membership that the use of tungsten may increase considerably if present efforts to develop better alloys are successful.

Likewise, we must never forget that tungsten is used as an ingredient in high-speed tool steel, and as a tungsten carbide in cutting tools. I think I can say without fear of contradiction that without tungsten our metal cutting tool operations, and modern machine tools, could not operate efficiently, and at the very least, our rate of production would decrease considerably if our supply of tungsten was eliminated.

We know that tungsten is used as an element in radar and radio tubes, and undoubtedly it has many more uses not even now contemplated. It is one of the hardest known elements.

I am fully aware of, and support all reasonable efforts to reduce nonessential spending, but I would be remiss in my duties as a Member of the House if I did not stand before you and explain, to the best of my ability, the urgency of maintaining domestic production of tungsten.

I wish that I were at liberty to discuss with you other highly important uses of tungsten, but I trust that you will accept my statement that tungsten is an indispensable ingredient in our national-defense program.

I sincerely hope that the House will pass S. 3982 which will continue to maintain in this country the production of domestic tungsten. The other minerals contained in this measure are just as important to our national security. Columbite asbestos and tantalum are of great importance and I hope we can speedily enact this measure into law, as it definitely sets a congressional policy which has been needed for several years past.

Mr. YOUNG. Mr. Speaker, as Representative of the State producing perhaps the most tungsten in the Nation, I wish to urge favorable consideration of the domestic minerals purchase program now before us.

Tungsten, because of its unique characteristics, is of importance in national defense and the new high temperature era into which we are entering in the field of jet propulsion.

In order to keep the vital tungsten industry in existence interim legislation is a necessity.

That is the nature of S. 3982. It will permit the segments of our domestic mining industry involved to continue in existence until such time as a long-range minerals program can be worked out by Congress and the administration.

In the past we have had a fortunate situation that may not be repeated for the future. In both World War I and World War II, we were extremely lucky in having allies capable of holding back the enemy for a period, in each case of approximately 2 years, which gave us a chance to build our military machine.

From any realistic point of view we cannot consider 2 years of grace as being a safe pattern for the future. Many of the calculations of needs made in periods of peace are likely to be ultra-conservative.

We would be foolhardy to let our strategic mining industry die—to waste the investment that Federal Government has made—to scatter the technical talent which is so necessary to such a complex undertaking. Not only must we stockpile material, but we must stockpile the elements of production.

Many experts also feel that we will shortly see greatly increased use of these minerals by industry.

Under these circumstances, it is sound national policy to ask that this program be extended for an additional period during which it is hoped that sufficient attention will be given to all elements involved and we may then have a long-range basic mineral resources program that will include the logical policies and programs that we need.

Mr. ASPINALL. Mr. Speaker, I urge that S. 3982, as reported by the Committee on Interior and Insular Affairs, be adopted. The continued existence of important segments of our domestic mining industry is dependent upon the passage of this legislation.

An uninterrupted flow of mineral raw materials from reliable sources of supply is essential to the growth and stability of the peacetime economy of the United States. When the chips are down in these troubled times we must turn to the going mines in the United States for our only assured supply of mineral raw materials. Therefore, it becomes incumbent upon the executive agencies and the Congress that such action be taken as may be necessary to prevent the decay and destruction of our domestic mining industries.

For the past several years we have been confronted with a cancerous condition of our own creation. The products of foreign mines and labor have been replacing the products of American mines and labor in the domestic markets at an accelerating pace, infecting and threatening to destroy one segment after another of the domestic mining industry of the United States, and preventing the establishment of others.

Since the beginning of World War II, and continuing to the present, the Government of the United States has succeeded by various means in bringing about a tremendous expansion in the production of minerals and metals from foreign sources of supply. During this 14-year period our domestic mining industry, by and large, has been relegated to the role of playing second fiddle to our foreign minerals programs. The results are obvious.

Since 1941 our Government has poured many billions of dollars into the exploration, development, and exploitation of the mineral deposits of foreign countries, creating many new mines, expanding others. We enriched the treasuries of foreign mining companies through World War II purchase contracts and incentives, preclusive buying, defense plants built at foreign deposits and disposed of, at a fraction of their cost, foreign-aid programs, liberal loans, investment, guaranties, technical assistance, long-range purchase contracts under the authority of the National Stockpiling Act and the Defense Production Act and outright subsidy programs. Additional assistance has been extended through tariff reductions.

The greatly expanded requirements of the free world for mineral raw materials during World War II, the postwar period, and the Korean conflict made it necessary for the United States to stimulate world production by various means. Consequently, we should have taken the necessary measures to strengthen and sustain our domestic mining industries. Unfortunately, certain shortsighted proponents of our foreign minerals program in the executive agencies and elsewhere had their day, and were able to gain acceptance of their false "have not" propaganda in regard to the potentialities of the mineral resources of the United States and bring about an utter indifference to the needs and welfare of the domestic mining industry.

We must face the fact that, in general, the mineral raw material products from mines in the United States cannot be sold in competition with cheaply produced materials from foreign mines when unlimited quantities of such materials are imported for disposal on our domestic markets. It boils down to the fact that mine labor in the United States, earning $20 or more per day, cannot compete with mine labor in foreign countries earning $2 or less per day.

Without adequate compensatory or equalizing measures, which only our Federal Government can provide, little or no tungsten, asbestos, fluorspar, columbite and tantalite, mica, beryl, chromite, manganese, and antimony can be produced from the mineral deposits of the United States. To the extent that such measures are not provided, the domestic mining industries producing these materials or temporarily holding their mines on a standby basis will cease to exist, and their production capacity and payrolls will be lost to the economy of the United States. Additional minerals and metals may be added to the list in the near future. What is left of our lead and zinc mining industries have been receiving shots in the arm, so to speak, through sporadic purchases of surplus domestic production for consignment to the national stockpile.

It is encouraging that several of the executive agencies appear to have awakened to the need of a long-range, nondefense, domestic minerals program in order to assure the continued production of mineral raw materials essential to the peacetime economy of the United States. I note that the President's Cabinet Committee on Minerals Policy, in its report

dated November 30, 1954, pointed to the need of a long-range domestic minerals program; that the President subsequently authorized the Department of the Interior to determine and recommend such a program; and that the Secretary of the Interior, the Honorable Frederick A. Seaton, recently stated that the Department will develop a long-range domestic minerals program for the consideration of the Congress.

Until such time as the promised long-range program is developed by the executive agencies and considered by the Congress, it is in the national interest that we not permit the influx of basic raw materials from foreign sources of supply to spell the death of our domestic mining industries.

Interim assistance is now being extended by administrative action under existing statutory authority to domestic mining industries producing manganese, mica, chromite, and a number of other materials. Assistance which will be extended to domestic mines producing tungsten, asbestos, acid grade fluorspar, and columbite and tantalite if S. 3982 is enacted, will enable these basic industries to survive until the executive agencies have developed, as they have promised, a comprehensive, long-range domestic minerals program.

Mr. Speaker, I strongly recommend that S. 3982, as amended by the Committee on Interior and Insular Affairs, be passed by the Committee of the House.

LEGISLATIVE PROGRAM FOR REMAINDER OF WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have asked for this time in order to inquire of the majority leader as to which bills he proposes to call up and the order in which they will be called up. I have many inquiries from Members on this side of the aisle. If the gentleman could tell us, I think it would be helpful to all the Members.

Mr. McCORMACK. The next order of business is the extension of the Renegotiation Act. Then there will be the bill relating to the National Institute of Dental Research, and following that the trip-lease bill. In case of emergency some other bill will be called up.

The amendments to the Health Act of 1956, S. 3958, will be passed over.

Following the trip-lease bill there will be taken up the bill relating to research facilities for crippling and killing diseases. After that I may call up the bill relating to the loan of naval vessels to foreign governments. Then the others will follow in the order in which they appear on the program.

Does that answer the gentleman's question?

Mr. HALLECK. Yes.

Mr. ARENDS. If the gentleman will yield, may I ask if it is anticipated that in carrying out the program for tomorrow we will have any record votes?

Mr. McCORMACK. If there are record votes tomorrow they will go over until Monday. I hope, however, that we will be able to make progress today. If we do, we can dispose of the program for this week. The way we are going now is excellent, and very commendable.

Mr. ARENDS. I thank the gentleman. We will cooperate.

COAST GUARD

Mr. ROBESON of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11402) to extend the existing application of the Temporary Promotion Act of 1941, as amended, to the Coast Guard, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 10, strike out "five hundred."

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMENDING ATOMIC ENERGY COMMUNITY ACT OF 1955

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11077) to amend the Atomic Energy Community Act of 1955, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Atomic Energy Community Act of 1955 is amended in the following respects:

SECTION 1. Amend section 36 a. by striking therefrom the word "residential" in the middle thereof. Also strike therefrom the word "purchaser" at the end thereof and substitute in place thereof the following: "purchaser: *Provided*, That, with reference to commercial property, the improvement credit allowed shall be the value of the enhancement of the Government's interest in the property, as determined by the Commission on the basis of the appraisal provided for under section 32: *Provided further*, That such credit shall be reduced to the extent that lessee has been previously compensated therefor, as determined by the Commission, under the terms of the lease or otherwise."

SEC. 2. Amend section 62 to read as follows:

"SEC. 62. Commission financing:

"a. In the event that the Commission finds that financing on reasonable terms is not available from other sources, the Commission may, in order to facilitate the sale of residential property under chapter 5 of this act, accept, in partial payment of the purchase price of any house, apartment building, or dormitory notes secured by first mortgages on such terms and conditions as the Commission shall deem appropriate. In the case of houses and apartment buildings, the maturity and percentage of appraised value in connection with such notes and mortgages shall not exceed those prescribed under section 223 (a) of the National Housing Act, as amended, and the interest rate shall equal the interest rate plus the premium being charged (and any periodic service charge being authorized by the Federal Housing Commissioner for properties of similar character) under section 223 (a) of the National Housing Act, as amended, at the effective date of such notes and mortgages.

"b. In connection with the sale of residential property financed under section 62 a. of this act, the Commission is authorized to make advances for necessary repairs, or for the rehabilitation, modernization, rebuilding or enlargement of single and duplex residential properties to priority purchasers, and to include such advances in the amount of the note secured by the mortgage on such property; and in all cases where the Commission has acquired a note and first mortgage or other obligation or lien upon such residential property as provided in section 62 a. hereof, to make advances to provide for the necessary repairs or for the rehabilitation, modernization, rebuilding, or enlargement of such property and to take an additional lien, mortgage, or conveyance to secure the amount so advanced, or to take a new note secured by a first mortgage for the whole indebtedness.

"c. In the event that the Commission finds that financing on reasonable terms is not available from other sources, the Commission may, in order to facilitate the sale of commercial property under chapter 5 of this act, accept, in partial payment of the purchase price of any commercial property notes secured by first mortgages on such terms and conditions as the Commission shall deem appropriate.

"d. The Commission may sell any notes and mortgages acquired under subsections a. and c. hereof on terms set by the Commission."

SEC. 3. Section 116 of the Atomic Energy Community Act of 1955 is hereby amended by adding the following thereto: "Notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, the Commission shall have power to deal with, complete, operate, rent, renovate, modernize, insure, or sell for cash or credit, in its discretion, any properties acquired pursuant to this act, and to pursue to final collection, by way of compromise or otherwise, all claims arising pursuant to this section: *Provided*, That expenses authorized by this section shall be considered nonadministrative expenses: *Provided further*, That section 3709 of the Revised Statutes shall not apply to any contract entered into pursuant to this section if the amount thereof does not exceed $1,000."

SEC. 4. Section 117 of the Atomic Energy Community Act of 1955 is hereby amended to read as follows:

"SEC. 117 a. There is hereby established as of June 30, 1956, a Community Disposal Operations Fund, and the Commission (or the head of such agency as may be carrying out the sales and financing functions of the Commission pursuant to a delegation by the President under section 101 of this act) is authorized to credit said fund with all moneys hereafter obtained or now held by it and to account under said fund for all assets and liabilities held or acquired by it in connection with its sales and financing functions under this act, and to make temporary advances to such fund, from any other funds available for expenses of operations of such Commission or agency, as may be required to carry out such functions pending the realization of sufficient proceeds under the provisions of this act: *Provided*, That any such advances shall be repaid to the source appropriation or fund, to the extent of any unobligated balances available in the Community Disposal Operations Fund, prior to the close

of the fiscal year during which such advances are made.

"b. The Community Disposal Operations Fund shall be available to pay for all necessary costs, expenses (including administrative expenses), losses or obligations incurred in connection with the aforesaid functions, including expenses incident to sale, or other transfer and any financing under section 62, indemnities under sections 63 through 66, and expenses authorized by section 116 of this act, and expenses in connection with the defense and payment of any claims for breaches of warranties and covenants of title of any property disposed of pursuant to this act.

"c. Any amount in said fund which is determined to be in excess of requirements for the purposes thereof shall be declared and paid as liquidating dividends to the Treasury, not less often than annually."

SEC. 5. Section 118 c of the Atomic Energy Community Act of 1955 is repealed.

SEC. 6. Section 118 b of the Atomic Energy Community Act of 1955 is amended by striking therefrom the figure "$2,165,000" and inserting in lieu thereof, the figure "$2,215,000."

With the following committee amendment:

On page 3, line 10, after the word "such", strike out remainder of the paragraph and insert the word "property" and a period.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LENDING NAVAL VESSELS TO CERTAIN GOVERNMENTS

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11613) to authorize the loan of naval vessels to the Governments of the Federal Republic of Germany, Greece, Portugal, Spain, and friendly Far Eastern nations, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. GROSS. Reserving the right to object, Mr. Speaker, is this bill going to be explained to the House? We have had 2 or 3 passed without any explanation.

The SPEAKER. The gentleman can reserve the right to object and take all the time he desires.

Mr. GROSS. Very well. Will the gentleman give us an explanation of this bill?

Mr. RIVERS. This bill was reported by a unanimous vote from the Committee on Armed Services. It was reported out without a dissenting vote. It authorizes the loan of 25 vessels to the Governments of Spain, Portugal, Greece, Turkey, and the Republic of West Germany.

Mr. GROSS. Mr. Speaker, I understand this bill is to be considered in the House as in Committee of the Whole, and we will have some time under the 5-minute rule. Therefore, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President may lend 2 destroyers and 2 destroyer escorts to the Government of the Federal Republic of Germany, 2 submarines to the Government of Greece, 2 destroyer escorts to the Government of Portugal and 2 destroyers to the Government of Spain for a period of not more than 5 years and may in his discretion, extend each such loan for an additional period of not more than 5 years. The President shall, prior to delivery of any vessel under this act, conclude an agreement with the recipient government providing for the return of the vessel in accordance with the provisions of this act and in substantially the same condition as when loaned. All expenses involved in the activation of the vessels, including repairs, alterations, outfitting, and logistic support, shall be charged to funds programed for the recipient government under the Mutual Security Act of 1954, as amended, or provided by the recipient government under reimbursable provisions of that act.

SEC. 2. The act of August 5, 1953, ch. 321 (67 Stat. 363), is amended—

(1) by striking out the word "twenty-five" in section 4 (a) and inserting the word "fifty" in lieu thereof; and

(2) by striking out the words "December 31, 1956" in section 4 (c) and inserting the words "December 31, 1958" in lieu thereof.

Mr. RIVERS. Mr. Speaker, I move to strike out the last word.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield.

Mr. GROSS. I cannot even get a copy of this bill on the floor of the House.

Mr. RIVERS. There is a copy right on the desk which the gentleman may have.

Mr. Speaker, this bill authorizes the loan of 25 vessels to the Governments of West Germany, Spain, Portugal, Greece, and Turkey, added to the 25 vessels we have heretofore authorized to be loaned to other members of friendly nations.

In the case of West Germany, Germany will pay for the rehabilitation and expenses incident to the recommissioning of these ships, the work incident to placing in commission 4 DE's, 4 DD's.

These ships come out of the mothball fleet of the Navy, the reserve fleet. This is done for the specific purpose of relieving our Navy of the work now being performed by our Navy for patrol and submarine work off the coast of those nations—Spain, Portugal, Greece, and Turkey—and the work being done in the North Sea around West Germany. It will relieve the United States Navy of the patrol work we are doing all throughout Europe and parts of the Far East. There are no definite commitments in the Far East on this group of ships, but they definitely will participate.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield.

Mr. GROSS. What the gentleman is saying, by loaning these vessels—we are probably giving them to those countries.

Mr. RIVERS. Not to exceed 5 years. We are not giving anything.

Mr. GROSS. I would be surprised if we ever got them back, but that is beside the point. The gentleman is saying that this will permit the United States to remove some of its warships and men from distant points in the world?

Mr. RIVERS. They will be on patrol duty. This is for a 5-year period. We have about 18 ships over in these various nations, and this would add to that number. I may say to the gentleman that none of these ships is larger than a destroyer. They are nothing but patrol craft.

Mr. GROSS. Do I understand that these vessels are to be put in condition with funds taken from the defense appropriation?

Mr. RIVERS. From the MDAP, but in the case of West Germany they pay for it.

Mr. GROSS. The gentleman said the funds were to be taken out of what?

Mr. RIVERS. The military defense-assistance program.

Mr. GROSS. Out of the foreign give-away funds?

Mr. RIVERS. Out of foreign aid.

Mr. GROSS. That makes it just a little more palatable, inasmuch as it will require no new appropriation.

Mr. RIVERS. As far as the Germans are concerned, they are paying for theirs.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield.

Mr. HARDY. I just want to call the attention of the House to this one feature that is involved here: By taking these ships out of our mothball fleet and putting them into commission and having them in operation by a friendly government, they would be available that much quicker in case they should be needed any time soon.

Mr. RIVERS. They can be put into service right away in case of trouble in Europe or the Far East. We have no commitments for the Far East on these ships now.

Mr. VAN ZANDT. If the gentleman will yield, the military-assistance angle could be quite a consideration.

Mr. RIVERS. That is true.

Mr. VAN ZANDT. And in the organization of the navy these governments have to have ships.

Mr. RIVERS. That is a very good point. We have the military, the MAAG setup, military-assistance setup, and these ships are needed in that. I thank the gentleman for his very fine contribution. They are to be used for the purposes set out in the bill.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield.

Mr. McDONOUGH. Are these nations requesting these ships or are we suggesting that they use them?

Mr. RIVERS. They requested them in each instance, and then nothing is done until the matter has been taken up with the Navy Department.

Mr. HOFFMAN of Michigan. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I would like to ask the gentleman from Virginia [Mr. HARDY] whether these ships are down at Norfolk now?

Mr. HARDY. No, sir; they are not at Norfolk.

Mr. HOFFMAN of Michigan. Where are they?

Mr. HARDY. In different places where our reserve fleet is kept. I am not sure that I know just exactly where they are located. They are in mothballs at the present time.

Mr. HOFFMAN of Michigan. Do we take them over there? Do we deliver them?

Mr. HARDY. I do not know. Can the gentleman from South Carolina answer that?

Mr. HOFFMAN of Michigan. I do not care where I get the information from. I know it will be reliable wherever it comes from.

Mr. RIVERS. They send their crews over here to the points where the ships are located and the crews are trained in the operation of the ships.

Mr. HOFFMAN of Michigan. Then American crews take them over?

Mr. RIVERS. American crews do not take them anywhere. Crews of the countries getting the ships are trained at our yards in the operation of the ships.

Mr. HOFFMAN of Michigan. They come and get them.

Mr. RIVERS. Yes.

Mr. HOFFMAN of Michigan. Where are they now?

Mr. RIVERS. They are in the reserve fleet.

Mr. HOFFMAN of Michigan. Where is the location?

Mr. RIVERS. Some in North Carolina, some in California.

Mr. HOFFMAN of Michigan. I notice the bill says the cost is to be paid by the recipient nation.

Mr. RIVERS. Yes.

Mr. HOFFMAN of Michigan. Out of what?

Mr. RIVERS. MDAP funds.

Mr. HOFFMAN of Michigan. Well, mutual security?

Mr. RIVERS. Mutual security.

Mr. HOFFMAN of Michigan. It looks like a very pretty gesture.

Mr. RIVERS. It comes out of the mutual defense assistance program.

Mr. HOFFMAN of Michigan. But how much do we contribute?

Mr. RIVERS. I do not know. These, as I have told the gentleman are ships from the reserve fleet and it is an operation of the mutual defense assistance program.

Mr. HOFFMAN of Michigan. I hope my colleague the gentleman from Iowa [Mr. GROSS] knows something about that.

Mr. GROSS. Who is going to pay these crews who are brought over here to operate these ships?

Mr. RIVERS. The bill authorizes $27 million, half of which is paid by Germany, the rest of it coming out of mutual security funds. The recipient nations stand the expense for the crews.

Mr. HOFFMAN of Michigan. This is for 5 years?

Mr. RIVERS. It gives the President the right to lend them for 5 years.

Mr. HOFFMAN of Michigan. Then for another 5 years?

Mr. RIVERS. It gives the President the right to make an agreement for 5 years but he can terminate it at any time.

Mr. HOFFMAN of Michigan. He can make it for as long as 10 years?

Mr. RIVERS. For 5 years.

Mr. HOFFMAN of Michigan. Five to start with. Then the bill says that the President can renew it for another 5.

Mr. RIVERS. Five years for the original number.

Mr. HOFFMAN of Michigan. It is 10 years in all, is it not? I can add 5 and 5.

Mr. GROSS. Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, I would like to ask the gentleman in charge of the bill, if I may have his attention, a question. I still do not have an answer to the question of who is going to pay to bring these foreign crews to this country and their care while they are in training?

Mr. RIVERS. That is taken care of by the recipient countries out of their own money.

Mr. GROSS. They are going to pay for it out of their own money?

Mr. RIVERS. As I understand it.

Mr. GROSS. And not out of the foreign handout funds. They will be taken care of out of the revenues of their own country?

Mr. RIVERS. That is my understanding.

Mr. GROSS. Now, let me ask this question: Is that aircraft carrier that we loaned to France some years back being used now in the war between France and Algeria?

Mr. RIVERS. I just do not know. I cannot answer the question.

Mr. GROSS. I wish somebody could tell me.

Mr. RIVERS. It was first loaned to the French Republic for the defense of France and her territory.

Mr. GROSS. What is that?

Mr. RIVERS. It was loaned to them as a part of the rearmament of the French Government.

Mr. GROSS. No. We loaned it to them for training purposes.

Mr. RIVERS. And for the defense of France.

Mr. GROSS. There is a serious difference between training purposes and the French using it in their war in North Africa.

Mr. RIVERS. I never heard that.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The French Government is using that carrier that we loaned them for training purposes and also for the transportation of aircraft. The aircraft was used for training purposes. There is no information available to the committee which would indicate it is being used as a part of the war that the gentleman has mentioned.

Mr. GROSS. I am trying to find out. The gentleman says there is no indication. The gentleman on the other side of the aisle apparently does not know. I am trying to find out where it is being used. Is it being used in the war in North Africa?

Mr. VAN ZANDT. Not to the best of my knowledge.

Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, the enactment of H. R. 11613 will be in the best interests of the United States for the following reasons:

First. It will support the foreign policy of the United States by providing much needed aid to some of our most valued allies.

Second. It implements some of the recommendations of the Joint Chiefs of Staff regarding force levels which should be maintained by the recipient friendly foreign countries to meet defense commitments which supplement those of our own forces.

Third. It provides the means whereby naval forces of these friendly foreign countries can achieve a high standard of training and proficiency with United States weapons and techniques.

Fourth. It contributes to the standardization of naval arms between ourselves and our allies, whereas construction of new vessels in foreign shipyards would have exactly the opposite effect.

Fifth. It will provide a substantial amount of work for our depressed shipbuilding industry.

Sixth. It will take vessels now lying idle, deteriorating and becoming obsolescent in our Reserve Fleet, and place them in a condition of readiness for combatant service.

Seventh. By the provisions of the loan agreements these vessels must be made available to the United States at any time they are needed for our national defense.

Eighth. The operation of these vessels by our allies will serve to relieve some of our ships from the necessity for performing missions in support of the defense of these countries and make it possible to use our ships for purposes more closely related to our own defense.

In summation, I support enactment of H. R. 11613 because it is calculated in every way to strengthen our defense, our economy and our good relations with those countries in Europe and Asia which form the backbone of our mutual defense system.

Mr. SIEMINSKI. Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, I think we ought to remember one thing. Europe has had the reputation of having a war about every generation or every 21 years approximately. The last flareup ended in 1945. Twenty-one years after that is 1966. This bill carries us through 1966. I would like these boats to be where they belong when the next flareup starts. Better still, to smother the flareup, keep it from starting.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed and a motion to reconsider was laid on the table.

RENEGOTIATION ACT OF 1951

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11947) to extend and amend the Renegotiation

Act of 1951, and I further ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the requests of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Renegotiation Amendments Act of 1956".

SEC. 2. Section 102 of the Renegotiation Act of 1951 (50 U. S. C., App., sec. 1212) is amended by striking out "; but the provisions of this title shall not be applicable to receipts or accruals attributable to performance, under contracts or subcontracts, after December 31, 1956" in subsection (a); by relettering subsections (c) and (d) as (d) and (e), respectively; and by inserting after subsection (b) the following new subsection:

"(c) Termination:

"(1) In general: The provisions of this title shall apply only with respect to receipts and accruals, under contracts with the Departments and related subcontracts, which are determined under regulations prescribed by the Board to be reasonably attributable to performance prior to the close of the termination date. Notwithstanding the method of accounting employed by the contractor or subcontractor in keeping his records, receipts or accruals determined to be so attributable, even if received or accrued after the termination date, shall be considered as having been received or accrued not later than the termination date. For the purposes of this title, the term 'termination date' means December 31, 1958.

"(2) Termination of status as department: When the status of any agency of the Government as a Department within the meaning of section 103 (a) is terminated, the provisions of this title shall apply only with respect to receipts and accruals, under contracts with such agency and related subcontracts, which are determined under regulations prescribed by the Board to be reasonably attributable to performance prior to the close of the status termination date. Notwithstanding the method of accounting employed by the contractor or subcontractor in keeping his record, receipts or accruals determined to be so attributable, even if received or accrued after the status termination date, shall be considered as having been received or accrued not later than the status termination date. For the purposes of this paragraph, the term 'status termination date' means, with respect to any agency, the date on which the status of such agency as a Department within the meaning of section 103 (a) is terminated."

SEC. 3. (a) Subsections (a) and (b) of section 103 of such act (50 U. S. C., App., secs. 1213 (a) and (b)) are amended to read as follows:

"(a) Department: The term 'Department' means the Department of Defense, the Department of the Army, the Department of the Navy, the Department of the Air Force, the Maritime Administration, the General Services Administration, and the Atomic Energy Commission. Such term also includes any other agency of the Government exercising functions having a direct and immediate connection with the national defense which is designated by the President during a national emergency proclaimed by the President, or declared by the Congress, after the date of the enactment of the Renegotiation Amendments Act of 1956; but such designation shall cease to be in effect on the last day of the month which such national emergency is terminated.

"(b) Secretary: The term 'Secretary' means the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Secretary of Commerce (with respect to the Maritime Administration), the Administrator of General Services, the Atomic Energy Commission, and the head of any other agency of the Government which the President shall designate as a Department pursuant to subsection (a) of this section."

(b) The amendment made by subsection (a) shall take effect on December 31, 1956.

SEC. 4. (a) Section 103 of such act (50 U. S. C., App., sec. 1213) is amended by adding at the end thereof the following new subsection:

"(m) Two-Year Loss Carryforward:

"(1) Allowance: Notwithstanding any other provision of this section, the renegotiation loss deduction for any fiscal year ending on or after December 31, 1956, shall be allowed as an item of cost in such fiscal year, under regulations of the Board.

"(2) Definitions: For the purposes of this subsection—

"(A) The term 'renegotiation loss deduction' means, for any fiscal year ending on or after December 31, 1956, the sum of the renegotiation loss carryforwards to such fiscal year from the preceding 2 fiscal years.

"(B) The term 'renegotiation loss' means, for any fiscal year, the excess, if any, of costs (computed without the application of this subsection and the third sentence of subsection (f)) paid or incurred in such fiscal year with respect to receipts or accruals subject to the provisions of this title over the amount of receipts or accruals subject to the provisions of this title which were received or accrued in such fiscal year, but only to the extent that such excess did not result from gross inefficiency of the contractor or subcontractor.

"(3) Amount of Carryforwards: A renegotiation loss for any fiscal year (hereinafter in this paragraph referred to as the 'loss year') shall be a renegotiation loss carryforward to the first fiscal year succeeding the loss year. Such renegotiation loss, after being reduced (but not below zero) by the profits derived from contracts with the departments and subcontracts in the first fiscal year succeeding the loss year, shall be a renegotiation loss carryforward to the second fiscal year succeeding the loss year. For the purposes of the preceding sentence, the profits derived from contracts with the departments and subtracts in the first fiscal year succeeding the loss year shall be computed as follows:

"(A) If such first fiscal year ends on or after December 31, 1956, such profits shall be computed by determining the amount of the renegotiation loss deduction for such first fiscal year without regard to the renegotiation loss for the loss year.

"(B) If such first fiscal year ends before December 31, 1956, such profits shall be computed without regard to any renegotiation loss for the loss year or any fiscal year preceding the loss year."

(b) The third sentence of section 103 (f) of such act is amended by striking out "any fiscal year," and inserting in lieu thereof "any fiscal year ending before December 31, 1956,".

SEC. 5. (a) Section 105 (e) (1) of such act (50 U. S. C., App., sec. 1215 (e) (1)) is amended to read as follows:

"(1) Furnishing of financial statements, etc.: Every person who holds contracts or subcontracts, to which the provisions of this title are applicable, shall, in such form and detail as the Board may by regulations prescribe, file with the Board, on or before the first day of the fourth calendar month following the close of his fiscal year, a financial statement setting forth such information as the Board may by regulations prescribe as necessary to carry out this title. The preceding sentence shall not apply to any such person with respect to a fiscal year if the aggregate of the amounts received or accrued under such contracts and subcontracts during such fiscal year by him, and all persons under control of or controlling or under common control with him, is not more than the applicable amount prescribed in subsection (f) (1) or (2) of this section; but any person to whom this sentence applies may, if he so elects, file with the Board for such fiscal year a financial statement setting forth such information as the Board may by regulations prescribe as necessary to carry out this title. The Board may require any person who holds contracts or subcontracts to which the provisions of this title are applicable (whether or not such person has filed a financial statement under this paragraph) to furnish any information, records, or data which are determined by the Board to be necessary to carry out this title and which the Board specifically requests such person to furnish. Such information, records, or data may not be required with respect to any fiscal year after the date on which all liabilities of such person for excessive profits received or accrued during such fiscal year are discharged. Any person who willfully fails or refuses to furnish any statement, information, records, or data required of him under this subsection, or who knowingly furnishes any statement, information, records, or data pursuant to this subsection containing information which is false or misleading in any material respect, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or imprisonment for not more than one year, or both."

(b) The first sentence of section 105 (c) of such act (50 U. S. C., App., sec. 1215 (c)) is amended to read as follows: "In the absence of fraud or malfeasance or willful misrepresentation of a material fact, no proceeding to determine the amount of excessive profits for any fiscal year shall be commence more than one year after a financial statement under subsection (e) (1) of this section is filed with the Board with respect to such year, and, in the absence of fraud or malfeasance or willful misrepresentation of a material fact, if such proceeding is not commenced prior to the expiration of one year following the date upon which such statement is so filed, all liabilities of the contractor or subcontractor for excessive profits received or accrued during such fiscal year shall thereupon be discharged."

(c) The amendments made by subsections (a) and (b) shall apply only with respect to fiscal years (as defined in section 103 (h) of such act) ending after June 30, 1956.

SEC. 6. (a) Section 105 (f) (1) of such act (50 U. S. C., App., sec. 1215 (f) (1)) is amended by inserting after "after June 30, 1953," wherever appearing therein the following: "or $1,000,000, in the case of a fiscal year ending after June 30, 1956,".

(b) Section 105 (f) (3) of such act (50 U. S. C., App., sec. 1215 (f) (3)) is amended as follows:

(1) by inserting in the second sentence thereof, after "the $500,000 amount," the following: "the $1,000,000 amount,"; and

(2) by adding at the end thereof the following: "In the case of a fiscal year beginning on or before the termination date and ending after the termination date, the $1,000,000 amount and the $25,000 amount shall be reduced to an amount which bears the same ratio to $1,000,000 or $25,000, as the case may be, as the number of days in such fiscal year before the close of the termination date bears to 365."

SEC. 7. (a) Section 105 (f) (3) of such act (50 U. S. C., App., sec. 1215 (f) (3)) is further amended by striking out, in the first sentence, "for the purposes of paragraphs (1) and (2)" and inserting in lieu thereof "for the purposes of paragraph (1)".

(b) The amendment made by subsection (a) shall apply only with respect to fiscal years (as defined in section 103 (h) of such act) ending on or after June 30, 1956.

SEC. 8. (a) Section 106 (a) (7) of such act (50 U. S. C., App., sec. 1216 (a) (7)) is amended by striking out "other than para-

graph (8)" and inserting in lieu thereof "other than paragraph (1), (5), or (8)".

(b) The amendment made by subsection (a) shall apply only with respect to subcontracts made after June 30, 1956.

SEC. 9. (a) Section 106 of such act (50 U. S. C., App., sec. 1216) is amended by striking out paragraph (8) in subsection (a), and by adding at the end of such section the following new subsection:

"(e) Mandatory exemption for standard commercial articles and services:

"(1) Exemption: The provisions of this title shall not apply to amounts received or accrued in a fiscal year under any contract or subcontract for an article or service which (with respect to such fiscal year) is—

"(A) a standard commercial article;

"(B) an article which is identical in every material respect with a standard commercial article; or

"(C) a service which is standard commercial service or is reasonably comparable with a standard commercial service.

Subparagraph (B) or (C) shall apply to amounts received or accrued in a fiscal year under any contract or subcontract for an article or service only if (i) the contractor or subcontractor at his election files, at such time and in such form and detail as the Board shall by regulations prescribe, such information and data as may be required by the Board under its regulations for the purpose of enabling it to make a determination under this paragraph, and (ii) within a period of three months after the date of filing of such information and data, the Board determines that such article or service is, or fails to determine that such article or service is not, an article or service to which such subparagraph applies.

"(2) Definitions: For the purposes of this subsection—

"(A) the term 'article' includes any material, part, component, assembly, machinery, equipment, or other personal property;

"(B) the term 'standard commercial article' means, with respect to any fiscal year, an article—

"(i) which either is customarily maintained in stock by the contractor or subcontractor or is offered for sale in accordance with a price schedule regularly maintained by the contractor or subcontractor, and

"(ii) from the sales of which by the contractor or subcontractor at least 35 percent of the receipts or accruals in such fiscal year are not (without regard to this subsection and subsection (c) of this section) subject to this title; "(C) an article is, with respect to any fiscal year, 'identical in every material respect with a standard commercial article' only if—

"(i) such article is of the same kind and manufactured of the same or substitute materials (without necessarily being of identical specifications) as a standard commercial article from sales of which the contractor or subcontractor has receipts or accruals in such fiscal year,

"(ii) such article is sold at a price which is reasonably comparable with the price of such standard commercial article, and

"(iii) at least 35 percent of the aggregate receipts or accruals in such fiscal year by the contractor or subcontractor from sales of such article and sales of such standard commercial article are not (without regard to this subsection and subsection (c) of this section) subject to this title;

"(D) the term 'service' means any processing or other operation performed by chemical, electrical, physical, or mechanical methods directly on materials owned by another person;

"(E) the term 'standard commercial service' means, with respect to any fiscal year, a service from the performance of which by the contractor or subcontractor at least 35 percent of the receipts or accruals in such fiscal year are not (without regard to this subsection) subject to this title; and

"(F) a service is, with respect to any fiscal year, 'reasonably comparable with a standard commercial service' only if—

"(i) such service is of the same or a similar kind, performed with the same or similar materials, and has the same or a similar result, without necessarily involving identical operations, as a standard commercial service from the performance of which the contractor or subcontractor has receipts or accruals in such fiscal year, and

"(ii) at least 35 percent of the aggregate receipts or accruals in such fiscal year by the contractor or subcontractor from the performance of such service and such standard commercial service are not (without regard to this subsection) subject to this title.

"(3) Special rule: A contractor or subcontractor may claim that an article is identical in every material respect with more than one standard commercial article, or may claim that two or more articles are identical in every material respect with one or more standard commercial articles, but in any such case paragraph (2) (C) (iii) shall be satisfied only if at least 35 percent of the aggregate receipts or accruals in such fiscal year by the contractor or subcontractor from sales of such article or articles and sales of such standard commercial article or articles are not (without regard to this subsection and subsection (c) of this section) subject to this title.

"(4) Nonapplicability during national emergencies: Paragraph (1) shall not apply to amounts received or accrued during a national emergency proclaimed by the President, or declared by the Congress, after the date of the enactment of the Renegotiation Amendments Act of 1956."

(b) Section 102 (d) of such act is amended by striking out "section 106 (a) (8)" each place it appears and inserting in lieu thereof "section 106 (e)".

(c) The amendments made by this section shall apply only with respect to fiscal years (as defined in section 103 (h) of such act) ending after June 30, 1956.

SEC. 10. (a) Section 106 (a) of such act (50 U. S. C., App., sec. 1216 (a)) is amended by striking out the period at the end of paragraph (9) and inserting in lieu thereof "; or", and by adding after such paragraph the following new paragraph:

"(10) any contract or subcontract wholly performed outside the United States by any person who is not engaged in a trade or business in the United States and is—

"(A) an individual who is not a national of the United States;

"(B) a partnership or joint venture in which individuals who are not nationals of the United States or corporations which are not domestic corporations are entitled to more than 50 percent of the profits; or

"(C) a corporation (other than a domestic corporation) more than 50 percent of the voting stock of which is owned directly or indirectly by persons described in subparagraphs (A) and (B).

For the purposes of this paragraph, (i) the term 'United States', when used in a geographical sense, includes the Territories and possessions of the United States, the Commonwealth of Puerto Rico, and the Canal Zone, and (ii) the term 'domestic corporation' means a corporation organized under the laws of the United States or of any State, any Territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or the Canal Zone."

(b) The amendment made by subsection (a) shall apply to contracts with the Departments and subcontracts only to the extent of the amounts received or accrued by a contractor or subcontractor after June 30, 1956.

SEC. 11. (a) The next to the last sentence of section 108 of such act (50 U. S. C., App., sec. 1218) is amended by inserting "only" after "section 105."

(b) The amendment made by subsection (a) shall be effective as of the date of the enactment of the Renegotiation Act of 1951.

SEC. 12. Such act is amended by inserting after section 108 a new section as follows:

"SEC. 108A. Venue of appeals from Tax Court decisions in renegotiation cases

"A decision of the Tax Court of the United States under section 108 of this act may, to the extent subject to review, be reviewed by—

"(1) The United States court of appeals for the circuit in which is located the office to which the contractor or subcontractor made his Federal income-tax return for the taxable year which corresponds to the fiscal year with respect to which such decision of the Tax Court was made, or if no such return was made for such taxable year, then by the United States Court of Apeals for the District of Columbia, or

"(2) any United States court of appeals designated by the Attorney General and the contractor or subcontractor by stipulation in writing."

SEC. 13. Section 113 of such act (50 U. S. C. App., sec. 1223) is amended by striking out "during the period (or a part thereof) beginning July 1, 1950, and ending December 31, 1953,".

SEC. 14. Such act is amended by adding at the end thereof a new section as follows:

"SEC. 114. Reports to Congress.

"The Board shall on or before January 1, 1957, and on or before January 1 of each year thereafter, submit to the Congress a complete report of its activities for the preceding year ending on June 30. Such report shall include—

"(1) the number of persons in the employment of the Board during such year, and the places of their employment;

"(2) the administrative expenses incurred by the Board during such year;

"(3) statistical data relating to filings during such year by contractors and subcontractors, and to the conduct and disposition during such year of proceedings with respect to such filings and filings made during previous years;

"(4) an explanation of the principal changes made by the Board during such year in its regulations and operating procedures;

"(5) the number of renegotiation cases disposed of by the Tax Court, each United States Court of Appeals, and the Supreme Court during such year, and the number of cases pending in each such court at the close of such year; and

"(6) such other information as the Board deems appropriate."

With the following committee amendments:

Page 3, line 18, after "Administration", insert "the Federal Maritime Board."

Page 4, line 9, after the first comma, insert "the Federal Maritime Board."

Page 12, line 12, strike out "recipts or accruals in such fiscal year" and insert "aggregate receipts or accruals in such fiscal year and the preceding fiscal year."

Page 15, line 15, strike out all of line 15 down to and including line 22 on page 16.

Page 16, line 23, strike out "11" and insert "10."

Page 17, line 4, strike out "12" and insert "11."

Page 17, line 22, strike out "13" and insert "12."

Page 18, line 1, strike out "14" and insert "13."

Page 18, line 1, strike out "adding at the end thereof" and insert "inserting after section 113."

Mr. COOPER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I introduced H. R. 11947 to extend the renegotiation authority of

the Federal Government for 2 years and to embody the other recommendations of the Joint Committee on Internal Revenue Taxation. The gentleman from New York [Mr. REED] introduced an identical bill, H. R. 11948.

H. R. 11947 provides for a 2-year extension of the renegotiation authority to January 1, 1959. The bill raises the statutory floor below which receipts and accruals are not subject to renegotiation from $500,000 to $1 million. It redefines a standard commercial article so as to provide, in many cases, a yardstick by which contractors can determine for themselves whether or not the items which they are producing are standard commercial articles. New tests are provided for determining standard commercial articles and these tests, in some cases, would operate automatically, without requiring contractors to apply to the Renegotiation Board.

The bill would confine contracts subject to renegotiation to those made by the Departments of Defense, Army, Navy, and Air Force and the Maritime Administration and the Federal Maritime Board of the Department of Commerce, the Atomic Energy Commission, and the General Services Administration.

A 2-year carryforward of losses would be provided in place of the present 1-year carryforward.

Contractors whose renegotiable sales are below the new statutory floor would not be required to file statements with the Renegotiation Board.

The bill makes it clear that the staying of an order of the Renegotiation Board during a review proceeding can be had only where a bond has been filed with the Tax Court.

The Renegotiation Board would be required to submit an annual report to the Congress.

Subcontracts with tax-exempt organizations would be made subject to renegotiation.

Mr. Speaker, the Renegotiation Act was enacted for the purpose of eliminating excessive profits from defense contracts and thereby assuring that the Government got its money's worth in defense contracts. Our defense expenditures remain at a very high level. During this period of semimobilization it is just as necessary to continue the renegotiation authority as it is during a war period.

TWO-YEAR EXTENSION

H. R. 11947 provides that the Renegotiation Act of 1951, as amended, shall be extended for another two years so as to apply to receipts and accruals which are attributable to performance prior to January 1, 1959. The present renegotiation coverage expires as of December 31, 1956.

The country is still in a period of semimobilization and annual defense procurement expenditures still account for a very large proportion of our budget. In light of these circumstances, the Committee on Ways and Means is recommending that the renegotiation authority be extended for two more years.

MINIMUM AMOUNT SUBJECT TO RENEGOTIATION

The pending bill raises the statutory floor below which receipts and accruals are not subject to renegotiation, from $500,000 to $1 million, effective for fiscal years ending after June 30, 1956. This increase in the floor will be of substantial benefit to small business firms by relieving them of the burdens involved in renegotiation and at the same time will permit the Renegotiation Board to concentrate on larger cases. Experience has shown that only a small percentage of recoveries come from smaller firms. The bill also provides that upon termination of the Renegotiation Act the statutory floors provided in the act will be prorated in the case of contractors with fiscal years which overlap the termination date.

STANDARD COMMERCIAL ARTICLE EXEMPTION

Under the present renegotiation law a standard commercial article is exempt from renegotiation when the Renegotiation Board finds that competitive conditions affecting the sale of the article are such as may be reasonably expected to prevent excessive profits. This means that the Board must make a finding in the case of each article for which an application for exemption is filed. This annual finding by the Board imposes a great burden not only on the Board itself but also upon industry.

Under present law a standard commercial article is defined as an article which is customarily maintained in stock by the manufacturer or dealer, or which is sold by two or more persons for general commercial use. Present law also provides that an item which is identical in every material respect with a standard commercial article is exempt from renegotiation. "Identical in every material respect" is now defined generally to mean of the same kind, content, and use, without necessarily being of the same specifications.

The pending bill substitutes a new mandatory exemption for standard commercial articles which is designed to establish yardsticks by which to determine whether or not an article is a standard commercial article automatically, without having to put the Board and contractors to the expense and burden called for under present law.

The bill eliminates the requirement that competitive conditions must be such as to reasonably prevent excessive profits, but requires that at least 35 percent of the aggregate dollar amount of the sales of the article by the contractors during the fiscal year and the preceding fiscal year be nonrenegotiable. An article covered by established price quotations (the catalog test) is defined as a standard commercial article if at least 35 percent of the aggregate dollar amount of sales of such article by the contractor during the fiscal year and the preceding fiscal year are nonrenegotiable. In the definition of "identical in every material respect" the bill also eliminates the "same use" test and substitutes a "reasonably comparable price" test. For an article to be exempted on the ground that it is identical in every material respect with an article sold by a contractor which qualifies as a standard commercial article under the above-mentioned "customarily maintained in stock" or "established price quotations" tests, at least 35 percent of the aggregate dollar volume of sales for all such articles by the contractor during the fiscal year must be nonrenegotiable.

The stock and catalog tests would be self-executing in that they will operate automatically, without application to the Board. In order to obtain the exemption under the "identical in every material respect" provision the contractor would still be required to file an application with the Renegotiation Board. At the present time the Board must take action on an application within 6 months. If the Board does not so act the article is exempted. The bill would amend this provision so as to require the Board to take action within 3 months.

To the extent appropriate, the changes mentioned above, which apply to standard commercial articles, would also be made in the provisions relating to standard commercial services. These changes would be effective for fiscal years ending after June 30, 1956. The bill contains a provision calling for the suspension of the standard commercial article and service exemptions in the case of a future national emergency.

Mr. Speaker, since the Committee on Ways and Means action in reporting favorably on H. R. 11947, a question has been raised in connection with the amendments to the standard commercial article exemption. I would like to assure the membership that the problem involved can be handled adequately under the bill as reported.

As I have explained, the bill provides a self-executing standard commercial article exemption for an article which is either stocked or cataloged, if 35 percent of the sales are nonrenegotiable. The report states that for purposes of this self-executing test the term "article" is to be so construed that a price difference between variations of a given product is sufficient to characterize each as a separate article. It has been suggested in the minority report that the exemption should be allowed to classes of articles because contractors will not have adequate sales data for each separate article within the class. It has not been possible to find a way to define a class of articles with sufficient precision that the concept could safely be made part of a self-executing test. The contractor should not be permitted to take a self-executing exemption for a class of articles such as all steel products or all machines.

This does not mean, however, that such articles will be necessarily denied the exemption or even that they may not in fact be treated as a class under the exemption provision. Under the committee bill a class of articles may be exempted from renegotiation by an application to the Board. It need only be established that the various articles in the class are identical in every material respect—that is, substantially similar. The entire group of articles which are identical in every material respect could be exempted if at least 35 percent of the sales of the group were nonrenegotiable and at least one of the ar-

ticles in the group meets the standard commercial article test for both the current year and prior year.

The committee bill does provide an exemption, although not a self-executing exemption, for a class of articles as has been proposed in the minority report. The bill also provides, in effect, for this purpose, a definition of the term "class of articles," namely, a group of articles which are identical in every material respect.

Under this procedure for dealing with groups of articles, contractors may make use of such records as they keep in the ordinary course of business provided that the records show sales separately for each group of articles that are identical in every material respect. For example, the entire group of articles of different alloys known collectively as aluminum sheet might not be exempted as a single class because substantial differences might be found to exist between the various products in this class; within the broad classification of aluminum sheet, however, there could be readily established classes of aluminum alloys, each class being made up of a group of aluminum alloys that are substantially similar. The contractor under such a procedure thus will be permitted to establish that his entire output of aluminum sheet is divided into a relatively small number of classes or groups of articles which, within the group or class, are identical in every material respect, and the report indicates that he may obtain the exemption for these groups even without data on sales broken down by thicknesses, sizes, tempers, and finishes.

DEPARTMENTS COVERED BY THE ACT

At the present time the Departments of Defense, Army, Navy, Air Force, and Commerce, the Panama Canal Company, the Canal Zone Government, General Services Administration, Atomic Energy Commission, Reconstruction Finance Corporation, and Housing and Home Finance Agency are named in the act as departments and agencies contracts with which shall be subject to renegotiation. The present act also authorizes the President to designate additional agencies, contracts with which will be subject to renegotiation.

The President has designated the Federal Civil Defense Administration, the National Advisory Committee for Aeronautics, the Tennessee Valley Authority, the United States Coast Guard of the Treasury Department, and the Defense Materials Procurement Agency, as well as the Bureau of Mines, the United States Geological Survey, the Bonneville Power Administration, and the Bureau of Reclamation—all under the Department of the Interior, and the Federal Facilities Corporation, as departments and agencies with which contracts are subject to renegotiation. Experience has indicated that in the case of many of these departments and agencies many of the contracts entered into are for articles of standard specifications. For this reason, the pending bill eliminates all of these agencies except those primarily connected with defense. The departments, whose contracts would remain subject to renegotiation under the bill, are the Departments of Defense, Army, Navy, Air Force, and the Maritime Administration and Federal Maritime Board of the Department of Commerce, the Atomic Energy Commission, and the General Services Administration.

The bill also provides that in a future national emergency the President may designate other agencies which exercise functions having a direct and immediate connection with the national defense whose contracts he considers should be covered by the renegotiation statute.

TWO-YEAR CARRYFORWARD OF LOSSES

Under present law a 1-year carryforward of losses for renegotiation purposes is permitted. The bill would provide for a 2-year carryforward of losses for renegotiation purposes.

REPORTING REQUIREMENTS

Under present law a contractor who has renegotiable sales is required to file a statement to the effect that his renegotiable sales are below the statutory floor even though, since his sales are below the statutory floor, he is exempted from renegotiation. The pending bill eliminates this filing requirement but provides that a contractor may, at his option, make an appropriate filing and if in 1 year no action is taken by the Board, renegotiation is permanently foreclosed for that year in the absence of fraud, malfeasance, or willful misrepresentation of a material fact.

COURT PROCEEDINGS

Some doubt has arisen as to the staying of an order of the Renegotiation Board during a review proceeding, in the Tax Court where a bond has not been filed. The bill makes it clear that such a stay will be permitted only where a bond is filed with the Tax Court. At the present time review of a decision of the Tax Court in renegotiation cases can be had only in the United States Court of Appeals for the District of Columbia. The bill provides that such a review may be had in the United States Court of Appeals for the circuit in which is located the office to which the contractor makes his Federal income tax return. If no tax return is made, then such a review could be had in the United States Court of Appeals for the District of Columbia or any United States Court of Appeals stipulated by the Attorney General and the contractor. This will relieve contractors of the expense of appealing cases through the Court of Appeals for the District of Columbia when they are located elsewhere in the country.

ANNUAL REPORT BY THE RENEGOTIATION BOARD

At the present time the Renegotiation Board is not required to submit an annual report to the Congress. The pending bill would require an annual report covering the activities of the Board for the fiscal year ended June 30, 1956, which is to be filed by January 1, 1957. Thereafter, the report must be filed by January 1 of each succeeding year.

SUBCONTRACTS UNDER TAX-EXEMPT ORGANIZATIONS

Under present law any subcontract under a contract with a tax-exempt organization or with a nontaxable organization is exempt from renegotiation. The bill removes the exemption of subcontracts with such organizations effective as to subcontracts made after June 30, 1956.

RECEIPTS AND ACCRUALS ATTRIBUTABLE TO PERFORMANCE BEFORE THE TERMINATION DATE

The bill provides that receipts and accruals attributable to performance before the termination date are to be considered to have been received or accrued not later than the termination date. This will facilitate renegotiation of such contracts.

TRANSACTIONS BY MEMBERS OF GROUPS UNDER COMMON CONTROL

The bill amends the Renegotiation Act so as to provide that fees received by an agent or broker from principals under common control with him are not to be eliminated in determining whether the group has exceeded the $25,000 floor prescribed in section 105 (f) (2) for any fiscal year ending on or after June 30, 1956.

NET WORTH FACTOR

The Committee on Ways and Means has received complaints to the effect that the Renegotiation Board has placed undue emphasis on the net worth factor in determining excessive profits. The committee made no change in the statute relating to the net worth factor. However, I would like to bring the attention of the House to a statement in the committee report to the effect that no change was made in the net worth factor on the assumption that the Renegotiation Board places no special emphasis on the net worth factor. The Board has announced that this is its policy and practice.

CONFLICT-OF-INTEREST PROVISIONS

Under the Renegotiation Act of 1951, as originally enacted, employees of the Renegotiation Board and of the departments affected were relieved from certain conflict-of-interest provisions applicable to Government employees generally. The pending bill extends the provisions of the original act.

TERMINATION OF STANDARD COMMERCIAL ARTICLE EXEMPTION IN A NATIONAL EMERGENCY

The bill provides that the standard commercial article exemption will not be effective during a future national emergency declared by the Congress or proclaimed by the President. The minority report states that this is inadvisable because:

First, Congress can cross that bridge when it gets to it; and

Second, the emergency may not cause a major disruption of our economy.

It is my opinion that in the past there has been too much delay in enacting renegotiation legislation. This delay has caused a great many administrative difficulties and loss to the Government. Furthermore, I cannot visualize a national emergency in which there would not be a major disruption of our economy. This problem should be handled now rather than by resorting to hasty and possibly retroactive legislation at a later date. If, in the event of a future emergency, it is considered desirable to have some form of a standard commercial article exemption, the Congress could enact such an exemption at that time as

may be appropriate under the emergency conditions then prevailing.

DEPARTMENTS COVERED BY THE ACT

The minority report states that contracts entered into by the General Services Administration, the Army Corps of Engineers and the Navy Bureau of Yards and Docks should not be subject to renegotiation. The amendment proposed in the minority report would not include the Federal Maritime Board as a covered department. This agency is covered by the committee's bill upon direct request of the Federal Maritime Board.

While it is true that the purchases of the General Services Administration are largely of standard items, that agency also purchases for the military departments a large volume of items of a nonstandard nature, such as airplane tires, jet fuel, heavy machinery and machine tools.

The majority of the committee believes that these contracts should remain renegotiable.

In the case of the Army Corps of Engineers and the Navy Bureau of Yards and Docks the minority report states that since the contracts entered into by these agencies are largely under advertised bids, therefore, the contracts entered into by these agencies should not be renegotiated.

Present law exempts competitive bid contracts for construction other than housing financed with mortgages under the National Housing Act. To a large extent the contracts of the Army Corps of Engineers and the Navy Bureau of Yards and Docks are already exempt. Nevertheless, there remains a substantial volume of spending on negotiated military contracts by these two agencies, which contracts should remain subject to renegotiation. The Department of Defense did not recommend that any further exemption be extended to the contracts entered into by the agencies of the Defense Department. The Federal Maritime Board has recently entered into a number of contracts with shipbuilders to design and construct new ships in such a way that the ships can be readily converted to military use in time of emergency. These contracts involve large sums of money. For these reasons a majority of the committee believes that the contracts entered into by the Federal Maritime Board should not be relieved from renegotiation.

Mr. Chairman, the Renegotiation Act of 1951 was enacted because during the period of high defense expenditures then occurring the Congress felt that it was necessary in order to protect the Government from excessive profits being made on Government contracts and to assure that the Government received its money's worth in defense materials and services. Defense expenditures continue at a very high rate and it is necessary for these same reasons that the renegotiation authority again be extended as a protection to the Government.

The Department of Defense and the Renegotiation Board reported favorably on H. R. 11947. I urge enactment of the pending bill.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. REED of New York. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, H. R. 11947 amends the Renegotiation Act of 1951 to provide for a 2-year extension of the renegotiation authority. The new expiration date under this legislation will be December 31, 1958.

Mr. Speaker, this legislation has been requested by the administration, and I support it although I feel strongly that the time should soon come when such arbitrary interferences with normal contracting procedures, such as renegotiation represents, must be removed. I do believe that the amendments contained in this bill to the Renegotiation Act of 1951 will greatly improve the renegotiation process. The distinguished chairman of the Committee on Ways and Means, Mr. COOPER, has already explained these amendments in detail. However, I would like to point out that we have endeavored to provide assistance in this bill to small business.

In this connection, the bill raises the statutory floor below which sales may not be renegotiated from $500,000 to $1 million. Because of the substantial compliance costs, renegotiation is a serious burden on small business firms. Thus, this change in the statutory floor will be a major aid to small business. Moreover, it will also enable the board to concentrate on the larger cases.

In summary, therefore, while I have no great enthusiasm for the mandatory renegotiation process, I believe that this bill, if enacted, will at least provide some needed improvements in the present situation.

Mr. CURTIS of Missouri. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I want to call the attention of the House to the minority views which are at pages 50 through 53 of the committee report, and set forth the views of those of us who believe that it is time now to eliminate this wartime measure.

I want to say also that regrettably the committee held no hearings on this matter. The Small Business Committees of both the House and the Senate have long been concerned about the Renegotiation Act, feeling that it was one of the great deterrents to small business. The Joint Taxation Committee's staff did make a study and it was on this study rather than on hearings to which people could have come to present their views, that this committee action was taken.

There are four reasons why I feel the Renegotiation Act should not be extended. One, it is poor procurement practice. It was enacted in wartime, in an emergency, in order to meet those peculiar conditions which no longer exist. Actually, by following these procedures it is costing the United States Government considerably more money in procurement than it should.

Secondly, it works a tremendous disadvantage to small business in competing against large business when it comes to Government contracts. There has been a great deal of thought given and a great deal of lip service to trying to help small business in the bind they find themselves in in competition with big business in dealing with the Government. One of the main reasons lies in this Renegotiation Act. I think you can find the details of this argument in the minority views.

The third is the cost of this program. The details of that are set forth also in the minority views on page 51. In 5 years all we collected is $115 million, and the cost was $18 million to the Government alone, plus the cost to business, which is a deductible tax expense, which arise from conforming with the requirements of renegotiation.

Incidentally, herein lies the real reason small business is handicapped. They do not have the staff of accountants, lawyers, engineers, and so forth that are necessary in order to cope with this kind of regulation.

Then, fourth, where the renegotiation techniques are still needed, and there are areas where we need the techniques of renegotiation in experimental contracts. That is the argument that the military departments use to extend this act. Where those techniques are needed they can be and are inserted into normal contracts with the Defense Department. That point of view is set forth again in the minority views:

> The use of cost-type contracts, price redetermination contracts, and similar pricing techniques effectively limits their profits.

These techniques are available right now, and there is no need for a general Renegotiation Act.

This particular amendment of the Renegotiation Amendments Act does improve the situation considerably. The gentleman from Pennsylvania [Mr. SIMPSON] and I are going to offer three additional amendments which we think will further improve it. In my judgment, at any rate, and in the judgment of others, the time has come when this particular act should be dropped and we should go back to normalcy.

Mr. Speaker, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CURTIS of Missouri: On page 3, lines 19 and 20, strike out "the General Services Administration"; and on page 4, lines 9 and 10, strike out "the Administrator of General Services".

Mr. CURTIS of Missouri. Mr. Speaker, this is the amendment that simply removes the contracts that the General Services Administration enters into from the Renegotiation Act. One of the good things that has been done in this bill is to restrict the areas of Government contracts that are now subject to renegotiation. That has mostly been restricted to the Defense Department. The General Services Administration should never have been left in the bill, in my judgment, for this reason: The General Services Administration has cognizance only over procurement of standard commercial articles. You will find in the bill that we have further attempted to liberalize this particular program, and in a very good way, by eliminating from renegotiation standard commercial articles, but we bogged down considerably in trying to define what a standard commercial article is. The General Services Administration by the

very jurisdiction that it exercises deals only with standard commercial articles. Therefore, by eliminating them from this picture it liberalizes the program.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Connecticut.

Mr. MORANO. Can the gentleman tell us what the position of the administration is on his amendment?

Mr. CURTIS of Missouri. On this particular amendment I do not think they have any position. It was discussed in executive session.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Arkansas.

Mr. MILLS. Is it not true that the bill as reported by the committee was agreed to by all of the agencies of Government that are involved in the legislation, and we were told that the amendments that were included and the 2-year extension had been referred to the Bureau of the Budget and that it was in keeping with the President's program; so that I think the answer to the gentleman from Connecticut would be that since the General Services Administration has requested inclusion under the Renegotiation Act extension the Administration would want renegotiation applied to the General Services Administration contracts.

Mr. CURTIS of Missouri. I think the gentleman's statement is accurate except for one thing. I think the gentleman's question was directed specifically to the inclusion of the General Services Administration, and that question was never posed to the administration, as to whether or not they would approve of an amendment that would eliminate them. When I asked the representative of the General Services Administration why they wanted to be included, they said, "Well, we do buy some things for the military." And my answer was, "Yes, but they are standard commercial articles." They said, "Well, there are some things that are not." I said, "Give me an example." They said, "Airplane tires." But I submit to the judgment of the House that airplane tires are bought by the General Services Administration for the military for the very reason that they have been determined to be standard use items.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. MORANO. Does the present law include the General Services Administration?

Mr. CURTIS of Missouri. Oh, yes. It includes a great many other agencies too, which this bill, as the committee recommends, has eliminated.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. MILLS. Will the gentleman not agree that the General Counsel of the General Services Administration who was in the room during the consideration of this legislation suggested to the committee that the General Services Administration should not be eliminated from renegotiation because in addition to buying certain standard articles, that the gentleman from Missouri refers to, the General Services Administration also buys other articles that are not considered to be standard commercial articles. I would like to advise the gentleman that jet fuel that is bought by the General Services Administration is certainly not a standard commercial article. Also, there is certain heavy machinery and certain machine tools that are bought by the General Services Administration which are not altogether standard commercial articles.

Mr. CURTIS of Missouri. I will say to the gentleman that that is why we should have held hearings because I think if you dug into the details of anything that the General Services Administration buys, you would find that the very reason they have been given a particular job of procuring is because it was felt the items were not so technical that the Defense Department agency had to buy them.

Mr. MILLS. Is it not also true that in another provision of the bill most of those things that we referred to as standard commercial articles, even if purchased by the General Services Administration, will not be renegotiated?

Mr. CURTIS of Missouri. Yes; but we bog down in definitions. I know the gentleman is aware of the difficulty we come to there.

Mr. MORANO. I share the gentleman's concern about small business. Of course, I would like to do what I can to help small business, if the gentleman can convince me that his amendment would do just that and only that.

Mr. CURTIS of Missouri. I wish I could.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. MILLS. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, the gentleman from Missouri, as I understand, bases his amendment largely upon his concern for small business and his belief that the amendment might be of some benefit to small business. Is that the gentleman's thought?

Mr. CURTIS of Missouri. No; I would say to the gentleman that small business is only one part of it. I tried to point out some other areas where it would have an effect, but that was certainly one of the main ones.

Mr. MILLS. In other words, the gentleman's concern over small business is one of the reasons that prompted the amendment, if I may put it that way; is that not correct?

Mr. CURTIS of Missouri. That is right.

Mr. MILLS. The bill before us proposes to assist all business that does a million dollars' worth of business or less with the Government in a 12-month period, and to relieve them from renegotiation. I think the gentleman from Missouri would agree that this provision of the bill that would increase the statutory floor from $500,000 to $1 million on receipts and accruals that are exempt from renegotiation would relieve most of the small businesses from renegotiation that may be involved in contracts with the Government.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield.

Mr. CURTIS of Missouri. I agree with the gentleman that that goes a long way, and as I said this bill certainly improves the situation. But, I do not believe it really covers the full picture by any manner of means.

Mr. MILLS. Perhaps, some small business—what we call small businesses—would do more than $1 million worth of business every 12 months with the Government, but that would not be the total amount of business done by any organization in the course of a 12-month period. With respect to the Reorganization Act, we are talking about the business that an organization does with the Federal Government. We have raised from $500,000 to $1 million the minimum for renegotiation under this proposed extension for 2 years. What concerns me about the gentleman's amendment is the fact that if we exclude broadside an agency of the Government, which the administration thinks, or at least suggests, should be included under renegotiation, we may be making a mistake and exempting from renegotiation much business which we do not intend to exempt and which should not be exempt.

For example, General Services perhaps should not be buying some of the things that it does buy for the military, but since that is the policy and General Services purchases jet fuel, heavy machinery, machine tools, airplane tires, and things of that sort in addition to the standard commercial articles, I think it would be a mistake for the House to delete the General Services Administration from the scope of the renegotiation authority. I am strengthened in that view because of the point we discussed briefly a few moments ago, that the exclusion of standard commercial articles from renegotiation applies equally to standard commercial articles that might be purchased by the General Services organization. So that those articles coming within the definition of standard commercial articles will not be subject to renegotiation even though purchased by the General Services Administration.

I want to remind the Members of the House of the fact that this bill and every amendment contained in the bill are provisions and amendments that have been either initially requested or approved by the administration. Every one of the executive agencies and departments included within the scope of the renegotiation authority agreed in toto to the amendments that are contained in the bill. They agreed to the necessity for continuing renegotiation for a period of 2 years. Certainly when we spend $35 billion worth of military security, as we are at the present time, it is advisable for us to see that the Nation's taxpayers are not paying exorbitant prices to anyone selling defense items to the Federal Government.

Mr. BATES. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield.

Mr. BATES. I wonder if the gentleman and his committee studied this problem with relation to incentive-type contracts which are renegotiated.

Mr. MILLS. Negotiated contracts which are subject to renegotiation?

Mr. BATES. Yes.

Mr. MILLS. Those would not be subject to renegotiation under the bill unless the aggregate amount of receipts and accounts involved from all defense contracts was more than a million dollars in a 12-month period. A negotiated contract might be subject to renegotiation if it did not involve standard commercial articles that would be excluded from renegotiation under the bill.

Mr. BATES. We just completed a study of the aircraft industry before our committee. Those are negotiated contracts.

Mr. MILLS. I am aware of the fact that some of you on the Armed Services Committee have reached certain conclusions as to the advisability of extending renegotiation, but I want to call attention to the fact that when we are spending $35 billion a year for defense we are spending almost as much money as we spent in some of the years during the Korean conflict. Certainly we are buying materiel for which prices cannot be adequately determined at the time of the initial contracting. I think it is wise, when we have tax rates such as we have, to guarantee to the American taxpayer that we are not collecting taxes from him for the purpose of paying excessive prices for war materiel.

I hope the amendment will be defeated.

Mr. JENKINS. Mr. Speaker, I move to strike out the last word.

I would like to ask the distinguished gentleman from Arkansas if this is not the fact, that the Ways and Means Committee tried to take this important and complex subject and consider it from every angle, that these amendments set forth in the bill before us now represent changes that both sides could agree upon and did agree upon? We did attempt to cover the whole field.

Mr. MILLS. The gentleman is exactly correct. I think the gentleman would agree that they not only represent the best thinking on the committee but they represent the best thinking of the agencies of Government that comprise the administration.

Mr. JENKINS. In that connection this renegotiation program is a big program that we have had before us legislatively on several occasions and for some time. It is not a new issue at all, and this is just one more revival of it by way of amendments that we believed were needed and the public generally felt were needed.

Mr. BATES. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield.

Mr. BATES. I want to get, if I can, an answer from the gentleman from Arkansas as to whether the incentive type of contract also was discussed.

Mr. MILLS. The incentive type of contract was not discussed in the Committee on Ways and Means; but I will advise the gentleman that the Joint Committee on Internal Revenue Taxation made a study of this matter for quite some time, and in connection with that study the committee went into all aspects of renegotiation—all contracts subject to renegotiation and all business subject to renegotiation.

I might say that these amendments that are in this bill were recommended by the Joint Committee on Internal Revenue Taxation and that many of these amendments were recommended to the Congress and to the committee by businesses that are dealing with the Government and are subject to renegotiation.

Mr. BATES. And they did consider the question of the incentive type of contract?

Mr. MILLS. Yes, I am certain they considered all aspects.

Mr. BATES. Mr. Speaker, will the gentleman yield further?

Mr. JENKINS. I yield.

Mr. BATES. Will the gentleman advise the House whether or not the question was proposed before the committee of considering for renegotiation specific contracts rather than all contracts which a company had for an entire year?

Mr. MILLS. The committee continued to feel that it was the aggregate dollar amount of renegotiable business done by a concern that should be the controlling factor as to whether or not renegotiation would apply, rather than the amount of any one contract.

Mr. BATES. In other words the total year's business was the criterion rather than a specific contract?

Mr. MILLS. It was the total sales over a period of 12 months that determines.

Mr. BATES. Has the gentleman's committee in the report suggested that any complete review be made of this matter?

Mr. MILLS. This is a complete review, I might say, by the staff of the Joint Committee on Internal Revenue Taxation. It is not a complete review by the Ways and Means Committee.

Mr. BATES. Is such a review to be made?

Mr. MILLS. No such review as far as I know is contemplated by the committee now. I would direct the gentleman's attention to page 29, however, with respect to these incentive contracts. There the gentleman will find some discussion of the factors that are to be considered by the Renegotiation Board in evaluating the reasonableness or excessiveness of profits.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, this bill is the result of an exhaustive study by the staff of the Joint Committee on Internal Revenue Taxation. This study was conducted pursuant to statutory directive and lasted for many months. Industry had a complete opportunity to present its problems to the staff. In addition, the Government agencies involved in the renegotiation process were consulted throughout the study.

The bill now before this body represents the results of that study. I agree that the amendments which it provides with respect to the Renegotiation Act of 1951 will bring about a significant improvement in the renegotiation process. This is especially true with regard to easing the burden on small business.

I believe it is perhaps unfortunate that full public hearings were not held by the Committee on Ways and Means in order that renegotiation problems could be explored to their fullest extent. On the other hand, I believe that Mr. Stam and the joint committee staff did a magnificient job in developing these needed improvements in the act.

When and if it develops that the act needs to be amended to meet the expanding economy of the country and the expanding of Government business, I have no doubt that the committee and Congress will amend the act so as to enable it to carry out the purpose for which it was first passed.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, this subject of renegotiation which we are asked now to extend 2 years without any hearings is perhaps the most irritating subject that affects business in our country today. It is one of the very important items in increasing the cost of the things which the Government buys in our war effort, because many—I repeat—many businesses in our country will not bid on Government orders simply because of the uncertainties which exist over years, and the fact they have no way of knowing whether or not they have made a profit on a given contract for years.

Consider the company today that after bidding against stiff competition finally gets a contract with the Government. They find written into that contract, every contract, in fact, these words: "This contract is subject to repricing," which means that if the Government boys think you are making too much money, they may come along and say: "We are going to price you at a lower price in accordance with the terms of the contract." That is repricing and creates uncertainty, and after it is done, that company is subject to renegotiation, which means something uncertain as to where the company stands financially. There are many companies today that are still uncertain as to what, if any, profit they made 5 years ago on Government business.

Sure, this bill is designed to, and does in fact, make easier the burden of renegotiation in certain areas, as I hope to show a little bit later on in an amendment I shall offer with respect to standard commercial articles. In some of those areas we do not in fact make it easier.

The amendment presently before the House which would eliminate from negotiation Government business with the General Services Administration would relieve many thousands of our business people from those little plaguing things in contracts that are highly competitive. Consider any one of a thousand items in grocery stores or drug stores or hardware stores all over the Nation, wheelbarrows, axes, shovels—any one of a thousand items subject to negotiation

when bought by the General Services Administration. This agency is charged by the Congress with buying those things which generally are not military in nature. They buy them for the military service, yet we are going to specifically include General Services as one of the agencies which shall be subject to renegotiation.

This amendment does not eliminate that, but it tries to find out some of the items purchased by General Services which ought to be renegotiated. The only thing we were told, and that was told as an afterthought as we were adjourning the meeting, which was in executive session, was that General Services bought some airplane tires. No mention as to how many, no idea as to how vast the purchases are in that area, but we know that to be picayune with respect to all purchases of General Services.

I say the best thing the Congress can do is to eliminate General Services Administration as one of the agencies whose contracts are subject to renegotiation and I ask the support of the gentleman's amendment.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Michigan.

Mr. DONDERO. What happens if a bidder suffers a loss?

Mr. SIMPSON of Pennsylvania. If the bidder suffers a loss it is his hard luck. He may be renegotiated in such a way that over a year's business or 2 years' business he will have a loss.

The SPEAKER. The question is on the amendment offered by the gentleman from Missouri [Mr. CURTIS].

The amendment was rejected.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SIMPSON of Pennsylvania:

Page 10, section 9 (e) (1) to read: Amend line 25 to read "or service or class of article or service (with respect to such fiscal year) is—."

Page 12, amend line 4 to read as follows: "means, with respect to any fiscal year or article or class of articles."

Mr. SIMPSON of Pennsylvania. Mr. Speaker, an effort is made in this bill to continue the exemption presently given to standard commercial articles from this matter of renegotiation.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Arkansas.

Mr. MILLS. Is this amendment directed at the problem which arises in the metal industry with respect to the various classifications of articles that may be sold, which may be standard, which may be similar to standard articles, and so forth? Is that the purpose of the gentleman's amendment?

Mr. SIMPSON of Pennsylvania. This amendment is directed to standard commercial articles, but it is directed to product lines as distinguished from one of several which make up that product alone. Let me illustrated it this way: At the present time a large corporation with which I am familiar produces some 8,000 different items. They are divided into about 750 different product lines. At the present time those product lines are called standard commercial articles and are if so approved to be exempted.

Under this bill and particularly under the report as we have it written, that company will be forced to keep cost records on every one of those 8,000 items if it is to prove that its sales are in excess of 35 percent of that item in order to receive the benefits under this bill and to be exempted from renegotiation. I would like to repeat that. At the present time, by going in and proving that the article you make is, for example, an electric toaster, a standard commercial article—and you would not be renegotiated on that contract under this bill—if a toaster is one of a series of articles and there are 15 different kinds of toasters manufactured and they undertake to request that they be excused from renegotiating because it is a standard commercial article, then you have got to come in with cost accounts on every one of those 10 or 12 different articles, show the bookkeeping cost involved, all of which is contrary to good accounting practices, and we have the word of the best accountants in the country to that effect.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Connecticut.

Mr. MORANO. It seems to me the way the bill is written it would be discriminatory, taking the company which you have just shown as an example.

Mr. SIMPSON of Pennsylvania. As the bill is written, it will be less liberal to the corporations than the law is today in which standard commercial articles are exempt. Under this bill they would have to change their accounting systems, keep sufficient and separate costs on every one of those thousands of items that you get in the instance I speak of before they can be excused from renegotiating.

Mr. MORANO. The bill now is a new departure.

Mr. SIMPSON of Pennsylvania. The bill is intended to liberalize this question of standard commercial item exemption. The bill also provides that you cannot have any standard article exempted unless 35 percent of your sales have gone to other than Government purchases.

Mr. MORANO. Did the gentleman have an opportunity to offer this amendment in committee?

Mr. SIMPSON of Pennsylvania. I did not; that is, I had an opportunity, but I did not offer it. I was not quick enough on the trigger.

Mr. MORANO. I think the amendment is a fair one, and I intend to support it.

Mr. SIMPSON of Pennsylvania. I thank the gentleman. I ask the support of the entire Congress on this amendment, because I believe it quite properly exempts a standard commercial article, for which there is no excuse in subjecting to renegotiation. Certainly, if we are ever to come to a time in our economy when competition is back again, we have it today with respect to standard commercial articles, and I would ask that this amendment be agreed to.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from California.

Mr. McDONOUGH. Is there any discretion on the part of the board to eliminate certain types of procurement even in the Defense Department, or are they obligated to apply renegotiation to all contracts?

Mr. SIMPSON of Pennsylvania. Frankly, I do not know. That is one of the many questions I would like to have asked if we had hearings. But, they were denied. I do not know.

Mr. MILLS. Mr. Speaker, I rise in opposition to the amendment.

The gentleman from Pennsylvania [Mr. SIMPSON] refers to the fact that the committee did not hold hearings on this matter. But, the gentleman from Pennsylvania realizes full well that this is not the first time that we have considered an extension of Renegotiation Act without hearings, so that we are not establishing a precedent when we bring this bill to the House for consideration.

The gentleman complains about the lack of hearings, and he may have some justifiable complaint. But, I wonder if he would not agree with me that perhaps other members of the committee may have some justifiable complaint when he offers an amendment on the floor to one of the most technical parts of this entire act. For the first time the members of the committee saw this amendment or heard about it when the minority report was filed. We had the amendment presented today, but we did not have it presented when we were in the committee. Now, I do not criticize the gentleman for not having offered it in committee.

I certainly do not want the gentleman to feel that I am criticizing him for offering it now and not offering it in the committee. I merely point out that the gentleman's amendment does apply to one of the most technical, if not the most technical, part of the entire Renegotiation Act. Certainly the membership of the House and the members of the Committee on Ways and Means cannot on a moment's notice determine whether the amendment is in proper form, whether the amendment goes too far, whether it does damage, perhaps, to some industry. Maybe it leaves out too many industries.

I would like to ask the gentleman this: If, under his amendment it would not be possible, where he refers to a class of articles, to exempt every sale by United States Steel of steel as a classification of steel articles. Would that not be possible?

Mr. SIMPSON of Pennsylvania. I would not change the law from what it is today with respect to classification.

Mr. MILLS. If the gentleman's amendment does not add anything new to the law, I am at a loss to know why he is offering the amendment.

Mr. SIMPSON of Pennsylvania. Because you are changing the law by putting a new determination in it as to what a standard commercial article is.

Mr. MILLS. The gentleman knows that the Renegotiation Board by classification of articles does not exclude from negotiation all steel sold by a steel mill just because it happens to fall into the classification of steel. He knows that there are some steel sales that may be renegotiated and others that may not be.

Mr. SIMPSON of Pennsylvania. I do not want to go into that too much in detail. The gentleman knows that is not what this amendment does.

Mr. MILLS. I am asking the gentleman.

Mr. SIMPSON of Pennsylvania. It does not exempt those who make the steel. It exempts product lines, as I tried to explain awhile ago.

Mr. Speaker, the gentleman referred to my amendment not having been taken up in committee. Specifically it was not. I did offer an amendment to change this standard commercial product definition and to require but 35 percent. That was in committee. That was defeated. But this amendment was offered when the report was filed at the end of June and has been available to the committee since then.

Mr. MILLS. I referred to that, that it was noted in the report. I realize that there is some confusion yet by some of these metal mining processing and fabricating industries over this matter of standard commercial articles. But the point that I am trying to make is this. I do not know and I doubt that the membership of the House is in a position to know whether or not the gentleman has found a solution to the problem that is being discussed. It has been called to the attention of our staff. The staff has been in conversation as have some of us with industry. It is proposed before renegotiation is finally passed to prepare a workable amendment for submission when the matter gets to the other body. Therefore I hope that this amendment will be defeated.

The SPEAKER. The time of the gentleman from Arkansas [Mr. MILLS] has expired.

(By unanimous consent (at the request of Mr. SIMPSON of Pennsylvania) Mr. MILLS was given permission to proceed for 2 additional minutes.)

Mr. SIMPSON of Pennsylvania. Will the gentleman yield?

Mr. MILLS. Yes.

Mr. SIMPSON of Pennsylvania. I am interested in the gentleman's last statement. Am I correct in inferring that an understanding has been reached that the subject will be gone into in another body, that already work is being done to prepare an amendment for that body on this subject? If so, I shall ask unanimous consent to withdraw my amendment.

Mr. MILLS. The gentleman's understanding of my statement is correct to this extent. The matter has been called to the attention of the staff of the joint committee, to certain members of our committee, and, I presume, to Members of the other body. I also know this, that the chief of staff of the Joint Committee on Internal Revenue Taxation is at the present time trying to clear language with the various interested departments that will accomplish what industry wants done. I would suggest to the gentleman that he withdraw his amendment so that it can be offered in proper form to the other body.

Mr. SIMPSON of Pennsylvania. I heard the term "workable" used.

Mr. Speaker, I ask unanimous consent that I may be permitted to withdraw the amendment that I have offered.

The SPEAKER. Without objection, the gentleman's amendment is withdrawn.

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CURTIS of Missouri: On page 15, strike out lines 3 through 8.

Mr. CURTIS of Missouri. Mr. Speaker, may I ask the committee whether or not they would agree to this amendment? I see no purpose at all for this provision, which states that these exemptions that are set forth in the law will not prevail in the event that after the enactment of the Renegotiation Amendments Act of 1956, the President might declare a national emergency. Obviously, if that situation arose, we could meet it at that time. I just hate to see in a law that is temporary, and we all recognize that sooner or later we are going to eliminate it, a provision of this nature. It states what might happen in the future would make these liberalization provisions we have ineffective.

Mr. MILLS. The gentleman realizes that this amendment was written in during a meeting of the Committee on Ways and Means. We could not poll enough members of the committee to find out whether it would be acceptable to take it out. I would assume it would not. I have discussed the matter with the chairman. It is his opinion and my opinion that the committee should not accept the gentleman's amendment.

Mr. CURTIS of Missouri. I ask for a vote on the amendment, Mr. Speaker.

The SPEAKER. The question is on the amendment.

The amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

HEALTH RESEARCH FACILITIES BILL OF 1956

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases, such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 849, with Mr. ROONEY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HARRIS. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. ROBERTS], a member of the subcommittee which held hearings on this bill.

Mr. ROBERTS. Mr. Chairman, this bill amends the Public Health Service Act and comes here as a bill which has already passed the Senate, and will be referred to in this debate as the health-research facilities bill. I think without any doubt this is one of the most important bills we will consider during this session of the Congress.

We know, generally speaking, that we are lagging far behind the Russians in the numbers of doctors that are being produced. It is estimated they are producing around 22,000 a year to about 7,000 in this country.

We know, too, they are perhaps producing twice as many research scientists as we are producing. This bill will, in my opinion, do a great deal to overcome the lag that we are now faced with. I think it will enable us to make a great deal of progress in the field of crippling and killing diseases. We have had some experience in this field before and, as was testified by authorities in this field who appeared before the subcommittee, invariably when we make these Federal grants they act as a stimulus so that private organizations greatly increase the amounts of donations and grants to carry on this work, which is mainly carried on in universities and hospitals throughout the country. I believe in 1948, when we appropriated approximately $22 million for research in the field of cancer and heart disease, that we realized as a result of that grant $120 million from private donations and grants. So I think when these authorities testify that when the Government more or less points the way that private enterprise is quick to pick up the ball and to carry it.

The bill which was adopted in the Committee on Interstate and Foreign Commerce, of which I have the honor to be a member, has a number of changes from the Senate bill which, I think, are very important. First of all, the Senate bill attempted to set up as members of the National Advisory Council on Health Research Facilities, which will in the main advise the Surgeon General in administering this bill, most of these members would have to come from boards that are already burdened with duties in this same field. The House change would mean that 4 of the appointed members would be selected from the general public and 8 shall be selected from among the leading medical, dental, or scientific authorities who are skilled in the sciences relating to health. In the consideration of the qualifications for membership on

this council, the House bill provides that consideration be given to the following facts:

First, experience in planning, constructing, financing, and administration of institutions engaged in the conduct of research in the sciences relating to health.

Second, familiarity with the need for research facilities in all areas of the Nation.

In addition to this advisory group, the Surgeon General would be able to call upon and utilize the services of any member or members of the Federal Hospital Council, the National Advisory Health Council, or the other national advisory councils referred to in section 217 of the act.

Another feature of the House bill, which differs from that of the Senate, is that the other body attempted to approach this problem on a regional basis by dividing the country into four national regions. I think we know, and that view is supported by practically all of the doctors and scientists who appeared before our subcommittee, that medical education is a national problem and that the House bill approaches the problem from the standpoint of the availability of research workers and the availability of facilities, and I think it takes into account a more equitable viewpoint of the whole problem than the Senate bill.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield.

Mr. SHORT. I would like to commend the gentleman from Alabama for the splendid job he has done. I think the congratulations of all Members of the House should go to the able chairman of the subcommittee, the gentleman from Alabama [Mr. ROBERTS], and the gentleman from New Jersey [Mr. WOLVERTON], and all members of the subcommittee for bringing this legislation before the House. It is so vital from the standpoint of national defense. When we talk about national defense in this country we should think not only of planes, and tanks, and ships, and guns, but most of all the health of our people. Because of the shockingly large number of young men and women in this country who were rejected in World War II and in the Korean conflict because of mental incapacity or physical disability, it is enough to alarm every citizen of this Nation. You have gone a long way in building up the health and strength of this Nation, and I want to express my personal gratitude for the very fine work you have done.

Just one brief question, if the gentleman will permit: There is no provision in this bill for the construction and equipment of dental facilities for research. As I understand it, the gentleman from Tennessee, the chairman of the full committee, Mr. PRIEST, will give us a report doubling the appropriation from $2 million to $4 million for the construction of additional facilities at the National Institute of Health for dentistry research, for the prevention of dental diseases. Is that correct?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield.

Mr. HARRIS. The gentleman is interested in the application to dental research?

Mr. SHORT. That is right.

Mr. HARRIS. Yes. There is a provision in the present bill, on page 8, paragraph 4, which includes dentistry.

Mr. SHORT. That is fine.

Mr. ROBERTS. I thank the gentleman.

Mr. HARRIS. Will the gentleman yield further?

Mr. ROBERTS. I yield.

Mr. HARRIS. I want to join in the tribute paid by the gentleman from Missouri [Mr. SHORT] to our distinguished colleague on the committee [Mr. ROBERTS] for the splendid contribution that he and the others of the subcommittee have made in working out this highly important bill. The chairman of our committee, Mr. PRIEST, and the chairman of your subcommittee who have done such a magnificent job in the interest of this country certainly are due a great deal of credit. We owe each of you a debt of gratitude for the fine work you have done in presenting this bill to the House in order that we may improve the facilities spoken of by the gentleman from Missouri a moment ago.

Mr. ROBERTS. I thank the gentleman from Arkansas.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield.

Mr. DURHAM. I, too, want to join with the other Members in complimenting the committee in bringing out this measure. I think it is highly important and one that should be of great assistance to the entire country. I notice that the Surgeon General, along with the Council, will, to a large degree, control the distribution of the obligation that go to the Surgeon General. Is that right?

Mr. ROBERTS. That is correct.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HARRIS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. DURHAM. Will the gentleman state how the Council is selected and by whom, that will sit with the Surgeon General in making the distribution and passing on the applications.

Mr. ROBERTS. I think the Council would be selected by the Secretary of the Department of Health, Education, and Welfare on the recommendation of the Surgeon General, as I understand it.

Mr. DURHAM. Was there any thought given to a regional distribution of the Council?

Mr. ROBERTS. We considered that, and as a matter of fact the Senate bill attempted to approach the problem from that standpoint, but we felt and agreed with most of the doctors who appeared before us that medical education is pretty much a national problem. One of the regions that they wanted to set up would have gone possibly from New Orleans to include the Territory of Hawaii and Alaska. It would have been an almost impossible thing to get any cohesion in the type of regional planning.

Mr. DURHAM. It is the general understanding that the membership of this council will be selected on a nationwide basis. Is that correct?

Mr. ROBERTS. That is correct.

Mr. DURHAM. I think it would be unwise to take all members of the council from one section of the country.

Mr. ROBERTS. I think the way the bill is written they will give consideration to the factors of experience in planning, financing, and constructing facilities for research institutes. I do not think we need be afraid of any selection the President would make; it would be an equitable distribution.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield.

Mr. HARRIS. I am sure where the gentleman said "President" he meant "Secretary."

Mr. ROBERTS. Yes, the Secretary of the Department of Health, Education, and Welfare. I am sorry.

Mr. HARRIS. I understand what the gentleman meant. But in further response to the gentleman's question the bill does provide that persons who are appointed to the council must have a familiarity with the need for research facilities in all areas of the Nation; so it contemplates that they will be selected from all areas of the country.

Mr. ROBERTS. The gentleman is correct.

Mr. LONG. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman from Louisiana.

Mr. LONG. Mr. Chairman, I am in favor of this legislation, and I want to compliment the chairman of the subcommittee on bringing in this fine bill. I think it is one of the finest pieces of legislation we have considered this session.

Mr. Speaker, I would like to reiterate what I have said before the Subcommittee on Health and Science, House Interstate and Foreign Commerce Committee, when S. 3246 was being considered in that committee.

I appreciate this opportunity to present briefly my views on the critical need for a National Institute of Dental Research building. One of the House counterparts to S. 3246 was introduced by me. It is H. R. 9688.

I am a member of the American Dental Association, having practiced dentistry for many years. As a practicing dentist, I have observed from my own experience the ravages of dental disease. For a long time I have wondered why research into dental-disease problems did not merit greater support from the Federal Government. When the American Dental Association, this year, undertook an extensive campaign to inform the Congress of the specific measures needed to advance the Nation's dental-research effort, I gave my wholehearted support.

The objective of the legislation before you has been too long delayed. The American people will be the beneficiaries of the expanded research program at the National Institute of Dental Research. The need for adequate facilities for the

dental scientists at NIDR is much greater now than in 1948 when this committee and the Congress expressed its intention that a building be provided for the dental institute activities. I urge speedy enactment of S. 3246 so that the American people, particularly our children, will eventually be freed of much of the suffering and cost now connected with their dental ailments.

Mr. ROBERTS. I thank the gentleman.

Mr. BURNSIDE. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield.

Mr. BURNSIDE. I, too, wish to compliment the gentleman on his excellent statement and for the plan that has been worked out by the chairman and members of his committee. It has been most needed for many years.

Also, to be congratulated are the dentists of the United States, and the American Dental Association, who have evidenced a sincere and commendable interest in improving the dental health of American citizens. My attention was first called to this legislation by members of the American Dental Association in my district. I received a number of personal letters from them pointing out the need for increased dental research. Dr. D. E. Gallagher, of Parkersburg, W. Va., president of the West Virginia State Dental Society, has called to my attention the vital need for dental research and the American Dental Association has, of course, been active from the beginning in promoting this objective.

I would like to interject at this time the fact that the American Dental Association has, to my knowledge, always maintained a real interest in health matters. Officers and the general counsel of the association made a special trip to Washington some years ago to discuss with me my bill to provide increased training facilities for doctors, dentists, and other health personnel.

The vital measure now before us will accomplish many worthwhile objectives but perhaps the most important achievement of the additional space which this bill will provide is to permit the development of a visiting scientists program which goes hand-in-hand with legislation providing grants for constructing non-Federal research facilities.

Although the legislation we are considering this afternoon is before us in the form of 3 separate bills to do 3 distinct things, it is really integrated in the sense that all are health measures and all are contributing to the health and welfare of the citizens of the United States. It is equally important, therefore, that we approve the bill before us, styled S. 3958, which is designed to increase the supply of health personnel and health facilities.

West Virginia has a dynamic and progressive health department. During the past several years, we have made great strides toward improving our public health organization. Dr. N. H. Dyer, the State director, has done an excellent job in improving and advancing public health in West Virginia. I know, however, that there is a severe shortage of trained public health personnel to work in county health departments in West Virginia, and, of course, in many other States. I am sure that the training of additional people in this important field would add tremendously to the progress of public health in West Virginia and elsewhere and would enable public health services to be extended to many areas which do not have them now.

What I have just said with respect to health personnel applies equally to professional and practical nurses who are most essential in the battle against disease. But perhaps the greatest need for additional work lies in the field of mental health. I will not dwell upon the tragic figures which have been presented to us time and again revealing the deplorable conditions under which the mentally ill suffer today. S. 3958 provides for additional impetus to the Federal program in this field, and I firmly believe that advancement of the Federal contribution will prove to be of invaluable assistance to States and localities in treating the mentally ill.

S. 849 will also be brought before the House very shortly. Like the two bills I have just discussed, it is certainly in the national interest. It provides for Federal grants to institutions for research into such dreadful afflictions as cancer, polio, heart diseases, multiple sclerosis, epilepsy, muscular dystrophy, and others.

Mr. Chairman, I have read with care the excellent report of the Interstate and Foreign Commerce Committee regarding this legislation. It contains in detail the reasons why this legislation is necessary, and I want to take advantage of this occasion to go on record as wholeheartedly favoring the adoption of this act. We all know the toll taken by these diseases in death and crippling disabilities. It is time I think that we take vigorous action to halt this toll. May I again congratulate the committee on the fine job it has done on these bills. I hope we can adopt each of them.

Mr. ROBERTS. I thank the gentleman.

In this bill there is a provision I think that eliminates any fear that may arise in anyone's mind as to any Federal interference with or administration of a State institution, for section 708 of the bill provides the following:

> Except as otherwise provided in this title, nothing contained in this title shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over or impose any requirement or condition with respect to, the research conducted by and the personnel and administration of any institution.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield.

Mr. McDONOUGH. I want to compliment the gentleman for the work he has done on this very necessary legislation. In the bill I introduced the amount is $30 million for 2 years.

Mr. ROBERTS. Three.

Mr. McDONOUGH. That is $90 million total on a dollar-for-dollar matching basis. That means that the school to which any of these awards are made must be competent financially to match dollar for dollar all the money the Federal Government contributes; and this is for research into killing diseases, which research is very vital and necessary by competent people in the university. In other words, it is not a training facility only; it is a facility for research into killing diseases by competent scientists.

Mr. ROBERTS. This bill, I might say, is more than a bricks-and-mortar bill; it is a bill to put a roof over their heads and to put tools in the hands of these scientists who are doing the research. It is a bill which would encourage more of our young people to go into this field who heretofore simply have not had adequate equipment or facilities with which and in which they could work.

I think, as testified by many of the doctors, that research is the bottleneck in this whole problem and that this is the proper approach to it.

Mr. McDONOUGH. In other words this bill not only provides money for equipment but for the building as well.

Mr. ROBERTS. That is correct.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield.

Mr. SHORT. And the $90 million over a 3-year period is less than half the cost of a modern aircraft carrier.

Mr. ROBERTS. I thank the gentleman.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman from South Carolina.

Mr. RIVERS. Do I understand the gentleman to say that this also makes available facilities as well as buildings for these scientists?

Mr. ROBERTS. That is true; it will provide for equipment.

Mr. RIVERS. Will it be expended in the same manner that the Hill-Burton funds are expended?

Mr. ROBERTS. That is correct. It is not on the same formula. This would let the Federal Government go no higher than 50 percent.

Mr. RIVERS. No higher than 50 percent?

Mr. ROBERTS. That is correct.

Mr. BENNETT of Florida. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman from Florida.

Mr. BENNETT of Florida. Mr. Chairman, I favor this legislation. The enactment of legislation of this type is long overdue. The responsibility for research in these crippling and killing diseases rests squarely upon the shoulders of our Federal Government. Yet, the solution for some of these problems may be efficiently found in local research facilities. The enactment of this legislation will provide for a partnership between the Federal Government and the local facilities which seems to me to be workable and admirable in every respect. I sincerely hope that the legislation will pass.

I wish to pay tribute to the gentleman from Alabama for his splendid work on this legislation; and also to the committee which he heads. I feel that the entire country is grateful to him and to them for this fine work.

Mr. WOLVERTON. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, the gentleman from Alabama [Mr. ROBERTS] who has just preceded me, is acting chairman of the Subcommittee on Health of the Committee on Interstate and Foreign Commerce. He has covered this subject so well and so perfectly it would seem to me to be unnecessary for anything further to be said in behalf of the legislation. He has made a full and complete explanation of the bill.

I would only emphasize the fact that the committee gave this matter and the other matters of health that have been considered by the committee and which will come before the House, very full, careful and considerate attention and we are satisfied that in presenting the legislation to the House it will afford the House an opportunity to give expression to the feelings that come within the breast of everyone in a desire to promote the health and welfare of our citizenship.

I certainly trust this legislation will have the full approval of the House.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. MACK].

Mr. MACK of Illinois. Mr. Chairman, first of all I would like to compliment the gentleman from Alabama on the work that he has done in the field of health. I do not happen to be a member of the Subcommittee on Health, although I am a member of the full Committee on Interstate and Foreign Commerce. Therefore, I must rely on the hearings which were held before the subcommittee.

If I analyze the hearings correctly, we are going to authorize the construction of research buildings without the technicians to work within the buildings. There is no provision in this legislation to include training. I believe that training is more important today than research because you cannot do the research unless you train young men and women in the elementary fields and in the advanced fields so that they can do the research at a later date.

As I look over the hearings I notice the testimony of the representative of the Department of Health, Education, and Welfare, Dr. Coggeshall. In his testimony he has made a similar statement. He says:

> Since training is a vital element in the expansion of research potential, the definition of research facilities should recognize that the facilities essential to the training of future scientists may contribute as much to expanded research potential as those which are required for the immediate research activities of fully trained investigators. Such facilities are the source of supply for all our future physicians and dentists, and for most of our graduate students in the basic medical sciences.

That is the representative of the Health, Education, and Welfare Department. He says further:

> Among the shortcomings we see in the bill are four which should be mentioned.
>
> First, the limitation of grant funds to the construction or equipment of facilities "needed for the conduct of research" would appear to be too restrictive to embrace some of the related facilities—and especially facilities used for training purposes—which we believe to be essential to the expansion of the Nation's total research potential.

Another witness, Dr. Bronk, gave similar testimony. He is president of the National Academy of Sciences and president of Rockefeller Institute for Medical Research, New York City. This is what Dr. Bronk said:

> The second essential element in the furtherance of research is an adequate number of men and women with the will to understand the laws of nature and disciplined minds. I speak of that because, in Dr. Coggeshall's comment upon the importance of training as an essential element in medical research, I believe we cannot too greatly emphasize this point of view, I am continually impressed by the fact that there is a great concern for the conquest of specific diseases without adequate recognition of the fact that the ability to wage those battles successfully depends upon men and women who have been adequately trained on a broad foundation which enables them to develop their abilities for that which we are concerned with here this morning.

I reiterate that while it is most commendable to construct research facilities, there is no point in constructing research facilities unless you have the scientists and the doctors to work in those facilities. I have some very interesting figures on this subject which I would like to introduce in just a few moments.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I yield to the distinguished gentleman from Indiana because I understand the minority is opposed to the President's recommendations on this legislation.

Mr. HALLECK. Of course, the gentleman assumes something, as we say in the the law, not proven, and, if I may say so, a slightly violent assumption which is not correct. But, I would like to ask the gentleman just what his amendment proposes to do. I received his letter this morning. My understanding is that the primary purpose of the amendment is to provide facilities for the education and training of doctors seeking their degrees and presumably would be going out into the practice. Is that the primary purpose of his amendment?

Mr. MACK of Illinois. The gentleman is substantially correct. It would provide additional doctors to serve our country. I have taken the exact recommendations of the President and prepared the recommendations to offer as an amendment to this legislation today.

Mr. HALLECK. Well, what I was seeking to get at was whether or not the gentleman would not agree with me that that sort of training is one thing, and the research that is to be carried on under the bill that is presently before the committee is another thing.

Mr. MACK of Illinois. No. I could not disagree more emphatically with the gentleman. In all of the testimony that has been given on this subject you will find that nearly every doctor who testified, including the American Medical Association, said that it is impossible to separate research and training; that nearly every research institution is also a training institution. They use the same facilities, the only exception being, perhaps, a classroom. They use the same laboratories. So it is a very valid argument. And, I say that the President of the United States was right in making this recommendation to the Congress, and the Congress should enact this legislation and should amend it accordingly, to carry out his ideas.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, I am a member of the Subcommittee on Health and Science. We have before our subcommittee H. R. 4743, a bill introduced by Chairman PRIEST, of our committee, to provide for grants to medical institutions. The subcommittee has not yet reported any bill on that subject. As a matter of fact, we do not believe that our hearings are sufficiently complete to report a workable and effective bill. There are many facts concerning this matter that we need to know before we can formulate a wise bill.

Our subcommittee voted not to amend this bill with the medical aid bill. The matter then went before the full committee and the gentleman who preceded me offered an amendment to amend the research facilities bill with substantially the present amendment. We had a vote in the committee and the committee rejected his amendment. Now he undertakes to offer that amendment on the floor of the House.

I submit, Mr. Chairman, that when a subcommittee has a bill under consideration and is in the process of considering it, and when the entire committee rejects an amendment, it is not good procedure to undertake to add the amendment on the floor of the House.

Mr. MACK of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman.

Mr. MACK of Illinois. Mr. Chairman, would the gentleman inform the House why the subcommittee did not include this provision?

Mr. DIES. Of course, I would not undertake to read the mind of every member of the subcommittee. There were, in my mind, a number of good reasons. One is the fact that we do not know how many medical institutions in the United States need Federal grants. I am not going to vote to appropriate $250 million to institutions that are able through their States to get sufficient money. Our committee is not unsympathetic with the objectives of the bill. We propose to work out a bill that will aid institutions that need it and where it will provide more adequately trained doctors. But we have no such facts before us.

As a matter of fact, the witnesses who appeared before the committee could not assure us that the bill would provide many additional doctors. To appropriate millions of dollars of the taxpayers' money and to embark upon an extensive program of subsidies to medical institutions is, in my opinion, a very serious matter.

I am willing to concede that undoubtedly there are some worthy medical institutions which need help. There is no disposition on the part of the subcommittee which brought out the research bill, the dental-institute bill, and all these other measures—I think we

brought them out unanimously—there is no disposition on our part to delay a workable bill. But the record is not sufficiently complete up to this moment to enable us to bring to the floor of the House a wise and effective bill and one which will meet the approval of the medical schools, the medical profession, and will be in the public interest.

There are, as I said, many questions that ought to be answered. I would like to know how many institutions are in need of this money. I certainly do not want to vote to appropriate the taxpayers' money in order to assist schools which are able to finance themselves or which are situated in States that are able and willing to provide for their expansion and needs.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman.

Mr. BLATNIK. In attempting to supply at least a partial answer—and I think it is more than that—I have a letter from Mr. John B. Youmans, president-elect, Association of American Medical Colleges, in which he writes:

> Ever since the war the financial problem of medical schools has grown rapidly until today it threatens the maintenance of proper standards in most schools and the very existence of some of them.

Mr. DIES. I am not going to dispute what the gentleman says in the letter. I am merely saying that you have a subcommittee which has devoted many hours and days of tireless work in the entire field of health. We cannot report out all the legislation everybody wants before the adjournment of Congress.

In the last hours there is a rush to get the bills passed, but this is a serious matter that will involve the ultimate expenditure of maybe a quarter or half a billion or a billion dollars.

I simply submit for your consideration that where you have a subcommittee that is interested in the health of the people, as we have demonstrated by these very fine bills we have reported out and that you are voting on, and you have the judgment of that subcommittee, supported by the judgment of the full committee which votes to reject an amendment, then to bring it on the floor and attach it to this measure and jeopardize this measure is not justified.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Indiana.

Mr. HALLECK. I commend the gentleman and the members of the subcommittee for bringing out this bill. It has clearly been indicated here it is in line with the President's recommendations in respect to this very important matter of research. As the gentleman has well pointed out, we are getting into what we certainly hope are the closing days of this session. Is not this bill that the House committee has reported substantially in line with the bill that came over from the other body?

Mr. DIES. That is true, and the bill we have been considering, I will say to the minority leader, is a bill that contains formulas and criteria. It is considerably different from this amendment. You cannot legislate wisely when you have a hearing on a bill that is well prepared and that you are working on, and then someone comes on the floor and offers an amendment such as this which was hastily written without previous consideration and study by the committee.

Mr. HALLECK. May I say to the gentleman that I certainly am supporting the committee's bill. I hope we can get it to passage. I am very sure the President will sign it. I am concerned as to the complicating effect of the amendment the gentleman from Illinois has suggested he intends to offer, because not only is it complicating in itself but it might lead to further complicating factors. If we do not look out we might wind up getting no legislation at all.

Mr. DIES. Let me conclude with this: I know that the deans of medical institutions, at least some of the medical institutions, want a bill, but they understand that this cannot be done overnight. I discussed it with several deans and told them what the difficulties were. I said, "You undertake to legislate in this way and you will not have anything that is wise and effective." I do not believe there are any deans of any medical institutions in this country who want this bill taken away from this committee while it is in the process of careful and sympathetic consideration and a hastily constructed amendment attached to the research bill.

I hope the amendment will be rejected.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Chairman, in reporting S. 849, the Committee on Interstate and Foreign Commerce is trying to meet a tremendous need in the field of research related to health. In 1945, the total annual expenditures in this country on research related to health amounted to $60 million. In 1955, that amount rose to $240 million.

This tremendous increase has not been accompanied, however, by like expenditures for research facilities and equipment. The objective of this legislation, therefore, is to provide adequate research facilities and equipment for non-Federal research institutions.

Just a few weeks ago, the House adopted a conference report which appropriates a total of close to $90 million for health research grants to be made by the Public Health Service. I would like to remind the House that in 1947, the total amount appropriated for health research grants was $3½ million. Therefore, we are faced with the situation today where the Public Health Service is attempting to place a volume of research grants almost 30 times the volume it placed in 1947. Yet, in many instances, the non-Federal institutions which are the recipients of these grants do not have adequate housing and are without up-to-date equipment to carry this tremendous increase in federally sponsored health research activities.

The proposed program which has been reported unanimously from this committee is based on the philosophy that it is the proper role of the Federal Government to encourage through matching programs the construction of additional non-Federal health research facilities. The principal responsibility, however, in this field will be left with private citizens, voluntary workers, and State and local governments. This philosophy has been successfully tested in the Hospital Survey and Construction Act and numerous other Federal grant-in-aid programs in the field of health. Experience with these programs has demonstrated that citizens, private groups, and State and local governments go far beyond the minimum matching requirements established by law. This was the experience with the limited research construction program which was inaugurated in 1948 for the expansion of non-Federal cancer and heart research facilities. This program involved $22 million Federal money which the Nation as a whole matched with $120 million of additional funds for the construction of the needed heart and cancer research facilities. This successful program unfortunately came to an end when the outbreak of the Korean war necessitated shifting of supplies to defense needs.

The 3-year program provided for in this legislation calls for Federal grants-in-aid to be matched 50–50 with non-Federal funds. The maximum appropriation authorized annually for this purpose is $30 million.

The bill would establish a National Advisory Council on Health Research Facilities, consisting of the Surgeon General as chairman, an official representing the National Science Foundation, and 12 members appointed by the Secretary of Health, Education, and Welfare. Four of the appointed members are to be selected from the general public and eight from among leading medical, dental, or scientific authorities who are skilled in the sciences related to health.

The legislation takes care that grants will be fairly and equitably distributed throughout all areas of this Nation. The legislation provides that the Surgeon General and the Council shall take into consideration relative effectiveness of the proposed facilities in promoting an equitable geographical distribution of such research and giving due consideration to population, available scientific research workers, and available research resources in various areas of the Nation.

The committee has carefully considered all of the provisions of the legislation and has strengthened it in many respects. For example, the committee has included in this legislation an amendment providing specifically that nothing in the bill shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or to impose any requirement or condition with respect to, the research conducted by, and the personnel or administration of, any institution.

The best information available at this time shows that about 275 to 300 institutions might be eligible for grants-in-aid under this legislation. This estimate

may have to be revised upward substantially as the program gets underway. A preliminary survey conducted by the Public Health Service some time ago revealed immediate needs for research construction assistance, totaling more than $150 million among institutions which currently receive research grants from the Public Health Service.

Criticism of the legislation has been limited to the point of view that the program proposed by this legislation does not go far enough. It has been suggested that it should be a 5-year program rather than a 3-year program, that more funds should be made available, and that teaching facilities as well as research facilities should be included in the legislation.

The committee has carefully considered these questions, particularly, also the question of broadening this legislation so as to include aid to medical schools. The House will remember that legislation proposing aid to medical schools was before this body a few years ago and proved highly controversial. The committee has pledged itself to a further study of the problem of aid to medical schools. It feels that any broadening of the present program so as to include medical schools will raise highly controversial questions which may jeopardize the entire legislation which has been noncontroversial so far. I urge the House to adopt the legislation as reported from the committee because I am certain that it will make a major contribution to health research activities in this Nation.

Mr. Chairman, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD on the bill under consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DIXON. Mr. Chairman, I commend our committee for its effective work on this bill S. 849 to provide assistance to non-Federal institutions for medical research buildings and facilities. I also commend them upon their success in keeping out amendments which would probably weaken and cause the defeat of the bill.

Being acquainted, as I am, with the acute needs of the medical school of my State for buildings and facilities to promote research, I appreciate the need or this legislation.

Mr. O'HARA of Illinois. Mr. Chairman, I would like to speak in support of S. 849 and to urge its enactment. It is evident that failure to act affirmatively on this bill would materially slow the progress of medical research. The net result would be the tragic postponement of research achievements leading to important steps in the prevention and treatment of the diseases which cause premature death and prolonged suffering in this country.

The research facilities to become available through S. 849 are fundamental to the Nation's medical research mission. It is this mission which Congress has made a powerful force during the past decade by voting more and more funds each year for its implementation. Today, as a result, this country is the leading medical research center of the world and our people enjoy longer and healthier life than was ever imagined a half a century ago.

It is ironic that our support of research and training of manpower for research has helped create the conditions which have made the enactment of S. 849 a vital necessity. The fact is, however, that while we have provided the funds with which to mount a powerful attack on disease, we have not had the foresight to help provide the facilities in which the research effort must be undertaken.

NOT ENOUGH FACILITIES

As a result, there are not enough of such facilities, and those facilities that do exist are often not adequate to their purpose. On the one hand, this means that important work which should be undertaken now must be postponed; on the other hand, certain research is being undertaken under such poor conditions as to either delay achievement or adversely affect the results. The full meaning of inadequate research facilities will not come home to many of us who are living, of course, but it has great significance for those who in the future may suffer from cancer, heart, mental and other diseases which might have been prevented.

I am, of course, most familiar with the problem of inadequate research facilities in my own State of Illinois. Although Illinois is one of the leading medical research centers of the country, its research plant is fast becoming outmoded, and I am certain that the conditions which obtain for such great institutions as the University of Chicago, the University of Illinois or Michael Reese Hospital must exist everywhere.

At these institutions, investigators are working in old buildings, in basement rooms and storage areas ill-suited for the complex mechanical and electrical equipment needed for modern research and equally ill-suited to encourage the best, most persistent efforts of the scientists. Laboratories are small, but frequently shared by a large number of researchers. Laboratories are scattered, so that scientist is inaccessible to scientist, limiting the constant, useful interchange of information among those concerned with common problems.

HANDICAP TO RESEARCH

I am told that inadequate research facilities have hampered our efforts to recruit research manpower. Each year, many qualified applicants wishing to be trained by working with distinguished investigators in Illinois' great research centers are turned away for lack of accommodation. They will not be able to work at other research centers for the same reason.

The inadequate number of trained researchers in itself constitutes a major limitation to research development, and the Government has recognized this fact over the years by making increased funds available for such training. If the Congress does not enact S. 849, therefore, we shall be contributing to the defeat of our avowed purposes.

I have spoken as if the construction of research facilities is solely the Government's responsibility. This is not so, and the Nation's medical schools, universities and other institutions have striven valiantly to meet these goals during a decade when their endowments have gone down enormously relative to rising costs. They do not expect or desire the Government to meet these needs alone: The evolution of the scientific effort in this country has been a public and private partnership, and the funds provided for by S. 849 would be met by them on a matching basis. The Congress may well be proud of this partnership; it is both a guaranty of our traditional liberties and an assumption of Government responsibility in an area of profound public concern.

SHORTAGE OF RESEARCHERS

Most laymen are prone to be complacent about progress in the field of medicine. We assure ourselves that medical science has lengthened the span of life by a quarter of a century. It is a shock to learn that advance against killing diseases such as cancer, heart disease, poliomyelitis, mental illness, cerebral palsy, and other killing and crippling diseases is impeded by a bottleneck: a shortage of trained researchers and lack of adequate facilities.

Yet that is the picture painted for us by such eminent leaders as James S. Adams, chairman of research committee, American Cancer Society; Dr. R. Lee Clark, Jr., director, M. D. Anderson Hospital and Tumor Institute, University of Texas; Dr. Ralph I. Dorfman, associate director, Worcester Foundation for Experimental Biology, Shrewsbury, Mass.; Dr. Sidney Farber, director of research, Children's Cancer Research Foundation, Boston, Mass.; Dr. Louis N. Katz, director, cardiovascular department, medical research, Micheal Reese Hospital, Chicago; Dr. Cornelius H. Traeger, consultant medical director, National Multiple Sclerosis Society; Dr. Vernon Lippard, dean of the School of Medicine, Yale University; Dr. M. K. Millikar, Stritch School of Medicine, Loyola University, Chicago, Ill.; and Dr. Roscoe Pullen, University of Missouri School of Medicine.

This list is incomplete and picked at random; but it is enough to authenticate the fact that if we are to win the war against killing and crippling diseases we must have more researchers and provide room and equipment for them to carry on the war for us, our children, and grandchildren.

If we are to continue to take advantage of the progress already made in medical research, if more young scientists are to be attracted to this field and given proper facilities for their education and training and if our full potential is to be realized so that the Nation can exert its greatest effort to find the cause and better treatment of cancer and other killing and crippling diseases, we must provide adequate facilities for their basic research and clinical research and for education.

FOUR BILLION DOLLARS A YEAR

The bill for research annually in the United States in all fields is between three and one-half and four billion dollars.

Fifty-five percent of it is governmental, 40 percent is industrial, and only 4 percent goes to universities.

There are 600,000 scientists and engineers in the United States who are potential research people. Out of that group 125,000 are now carrying the load. Sixty percent are in private industry, 33 percent are in Government. That leaves 12,000 people available for basic research and application research.

This leaves for our hospitals and nonprofit institutions about 2,500 scientists possible to do the work in all phases of human disease.

Personnel in the field of medical research must be trained in medical schools. That is my reason for supporting the amendment to include instruction and research.

The Chicago American in an article on January 22, 1956, under the headline "Medical Schools Just 'Dream'" pointed out, "Plans are Rich, Facilities Poor." Dr. Morris A. Lepton, Chief of Investigative Medicine at the Veterans' Administration Research Hospital on the near North Side of Chicago is quoted in this article as saying, "Equipment is inadequate or spotty. Some of it should be given to museums." Frequently doctors hired by the VA Hospital for research projects must be sent to school to learn how to handle complicated modern equipment. "We may have to send a physician for 3 months training so he can use an electronic microscope."

Mr. Chairman, I feel strongly that our legislation in this most vitally important field should provide for instruction as well as research. Our only source of researchers in the field of medicine is the medical school. We cannot have the researchers we need unless we have the medical schools, provided with all the facilities of a modern world, to instruct and to inspire their students to go on into research, where only the dedicated have the courage to proceed.

It would seem to me plain commonsense that our support should not be divided but should go jointly to research, which in a sense is the child, and to instruction, which may be referred to as the parent.

Mr. FOGARTY. Mr. Chairman, over a year ago I introduced a bill (H. R. 4667) to authorize medical and dental educational and research construction facilities. The bill under consideration now is very similar to the legislation I proposed and I am, therefore, completely in accord with it.

I was moved to introduce a bill for these purposes because of the compelling need for laboratory space in medical schools and research institutions which was spelled out for me in the Subcommittee on Appropriations for Health, Education, and Welfare.

I have been a member of that subcommittee for 10 years. For 6 of those 10 years I have been the subcommittee chairman. Year after year, witnesses have testified before my subcommittee that lack of space, in which to teach and do research, was hampering the effort to find the cause and cure of the major diseases.

Year after year these warnings have grown more ominous. Now it seems clear that lack of these laboratory facilities is not merely hampering—it has now become an absolute roadblock.

Less than 2 weeks ago I stood on this floor and asked you to approve the highest appropriation in the history of this country for research and training in the field of public health. I told you of the pressing need for record funds for a crash program for heart disease, cancer, mental health, neurological disorders, and the infectious and crippling diseases.

You supported my plea and voted these funds. As a result we have $184,437,000 for the National Institutes of Health for fiscal year 1957, as against the figure of $102,158,000 for fiscal year 1956. That is a splendid increase. It will make itself felt in all the institutions in this Nation that devote themselves to research. But, unless we approve this bill today, to authorize funds for the expansion of facilities in which to do this research, we cannot expect to get the full dollar-and-cents value of these appropriations.

Between World War II and the Korean conflict, when medical research in this country was just starting to gain momentum, the Congress appropriated just over $22 million to assist medical schools and universities in the construction of cancer and heart research facilities. It was a short-term, spontaneous action on the part of Congress. The shortage of research facilities was clearly evident; and, although the executive branch had come forward with no long-range plan to meet the problem, the Congress wanted to do something about it.

I am informed that when the $22 million was made available for research construction grants in 1948–50, although there was no formal matching provision, more than 6 times that much money from other sources was provided to construct 81 facilities, all of which are now in full and effective use. I am confident that under the program proposed in Senate bill 849 non-Federal sources will go far beyond the dollar-for-dollar matching requirement in the bill, thus demonstrating, once again, the wisdom of the partnership approach to national problems.

The logic of Federal assistance to research construction is inescapable. Health is one of our most precious possessions. For the country as a whole health is a vital resource with profound bearing on our social, political, and economic well-being. It is our individual and collective responsibility to seek progress against disease and to maintain a healthy and productive life for the people of this country.

The most significant pathway to progress is through research. We, as a nation, can foster research in three specific ways. We can provide funds for the studies themselves. We can take steps to increase the number and caliber of the individuals to conduct such studies. And we can make sure that the individuals have the modern physical facilities and equipment required for efficient and productive research.

I urge you to vote this authorization today, and I give you my assurance that, as soon as this bill becomes law, I shall move in the Appropriations Committee to provide the funds to carry out its purposes.

Mr. EDMONDSON. Mr. Chairman, this bill is a new declaration of war by the Congress on 14 of our worst public enemies: Cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy.

Some of these enemies of American health, Mr. Chairman, are well known and dread names in many households of our country.

Some are not so well known, and have received little attention in the press.

All, however, are deadly killers and cripplers that inflict a tragic and costly toll each year, undermining our national health, reducing the Nation's productivity, bankrupting numerous families and breaking the hearts of countless mothers, fathers and loved ones.

The provision of Federal grants in aid to the institutions now leading the laboratory fight against these public enemies is a wise and humane undertaking of our Government, and is sure to have the overwhelming support of this House.

I congratulate the committee on this fine bill, and urge its approval.

Mr. WOLVERTON. Mr. Chairman, may I inquire of the gentleman in charge of the time on the other side whether he has any applications for time to speak that he has been unable to comply with?

Mr. HARRIS. Yes, I have one who has asked for time.

Mr. WOLVERTON. If the gentleman will indicate to me who it is and how much time he would like to have, I shall be glad to yield it to him.

Mr. HARRIS. The gentleman from Michigan [Mr. HAYWORTH] would like to have 5 minutes.

Mr. WOLVERTON. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Chairman, in order to keep the record straight, I would like to point out that we do know something of what additional facilities medical colleges feel they need to do better work and train more students. I have here a list of all the medical institutions in the United States. These institutions were queried by Dr. Smiley of the American Association of Medical Colleges. They have indicated to him, and I have the amounts here, their requirements. Some of them are in dire need. Others, of course, are not in such great need. But the amount which the medical schools could profitably spend, in their opinion, for new facilities amounts to $454 million and it is specified in this list by institution and by amount.

I also have here a statement from the same source which says that if they can build the facilities, these schools have agreed to add 849 freshmen students each year to their educational programs. In addition to that I have thus far not indicated the possibility that if we could help provide funds, of the establishment of new medical schools. I know of one institution which will be established if we can provide matching funds. More-

over, I know of another institution where the dean told me he would be able to double his enrollment if he had the money to construct the necessary buildings. So we can have more doctors, if the Federal Government will help the medical institutions in such need.

Mr. MACK of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HAYWORTH. I yield.

Mr. MACK of Illinois. Practically everyone spoke along the same line, and I would like to read the testimony of the president of the George Washington University School of Medicine. In regard to a question raised by the gentleman from Indiana:

> The association between research and training has been emphasized and it is impossible to separate them. Most of the research that goes on is conducted in medical schools, affiliated hospitals and research laboratories.

So I personally can well understand why the President of the United States made such a recommendation to include training as well as research.

Mr. HAYWORTH. There are only two kinds of people who can do research in the field of medicine. They are doctors of philosophy and doctors of medicine.

In the United States we are greatly lacking in both of these. We have too few doctors of philosophy, and not enough doctors even to administer to the physical needs of our population, to say nothing of research and many other valuable functions that doctors perform in our society.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HAYWORTH. I am glad to yield.

Mr. McCORMACK. Might I say that the evidence as to the increase in the training and education of persons in the field of science and medicine in the Soviet Union is amazing. Only a few years ago, the situation was that we graduated from all of these scientific classes over 50,000 persons a year while the Soviet Union had only a little over 20,000 a year. In a period of 5 years or so, the picture has completely reversed itself and now the Soviet Union is graduating highly trained and well-educated people, as I am informed, to the number of more than 50,000 a year and we, on the other hand, have dropped down to 20,000 graduates a year.

Mr. HAYWORTH. That is one of the great needs for preserving democracy against the threat of communism. We need more skilled people. If we and they continue our present trends they will, in a few years, leave us far behind in nearly all kinds of scientific training.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. HAYWORTH. I yield.

Mr. BLATNIK. What puzzles me, and I am in complete accord with the statements made by the gentleman from Michigan and the gentleman from Illinois [Mr. MACK], is, as you know, the medical schools of America by far offer the greatest opportunities for medical research and are responsible for most of the tremendous advances in medical knowledge, which has occurred mostly in recent years.

It is the deans of these medical schools, their elected representatives of the American Association of Medical Colleges that are asking to provide facilities for research without facilities for training when working. These people come and ask for it and we are told that the committee does not have sufficient information.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOLVERTON. Mr. Chairman, I yield 3 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I rise to ask if this would include research work in diabetes. It is not listed. It is my fear that diabetes might not be included.

Mr. ROBERTS. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. ROBERTS. The Senate bill specifically designated various diseases in which the research work would be attempted in case this bill is passed. However, the House bill is different. You will notice on the last page of the bill it specifically amends the title of the Public Health Service Act to read as follows:

> An act to amend the Public Health Service Act, so as to provide for grants-in-aid to non-Federal public and nonprofit institutions for the constructing and equipping of facilities for research in the sciences related to health.

We felt that that would cover the broad general field instead of picking out certain diseases, because a great deal of research carries over. For instance, discoveries can be made in some field that would be helpful in others. So, we are taking a broad general attack on the entire problem instead of separating it into different categories.

Mrs. ROGERS of Massachusetts. Of course, there is a close relationship between diabetes and heart disease today. If not watched, diabetes can cause blindness and even amputation of limbs. Up to a comparatively few years ago practically no child with diabetes lived to grow up. Great strides have been made, particularly with Dr. Eliot P. Joslin with his clinic and his foundation in Boston. With care, patients can live and lead an active live. With diabetes there is dread and horror of the needle. Many people have to use it and have to use insulin constantly, but I hope that that can be obviated within a short time.

I would like to speak of the importance of research. I know of two deaths from overdoses of penicillin. It poisons some persons and is fine for others. That is true of many powerful drugs. You have to do a great deal of research for something to counteract that poison. I know a person who was given a powerful drug just the other day and was desperately ill. There must be constant research in the effect of certain drugs used today.

Mr. ROBERTS. If the gentlewoman will yield, in the naming of specific diseases in the Senate bill, diabetes would not be included, but it is the intent of the subcommittee, and I think our bill will cover it, since it says "sciences relating to health," that research would certainly cover it.

Mrs. ROGERS of Massachusetts. I thank the gentleman, Mr. ROBERTS, and the gentleman from New Jersey, Mr. WOLVERTON. A chair in diabetes could be established in one of the educational institutions for special research work. That is most important.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. WOLVERTON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, as the gentleman from Texas explained to you a little while ago, the subcommittee has under consideration and study a bill to provide the very training that the gentleman from Illinois hopes to put into this bill by amendment; and the subcommittee has not yet completed their study.

This bill came over from the Senate as a bill to aid in medical research. The subcommittee rewrote the bill in some particulars and that is offered as an amendment to the Senate bill.

The gentleman from Illinois will attempt to insert, and I hope he does not, the word "training" after the word "research" in a number of places in the bill.

All he does is to change the bill in its entirety.

All that amendment does is to provide a small, light, easy-to-take term called "training" which means "education."

Here is what the language of subsection 5, which the gentleman will offer, says:

> The terms "training" and "training in the sciences related to health" mean training leading to a degree of doctor of medicine, doctor of osteopathy, or doctor of dental surgery or its equivalent—

And so forth. There is more to that paragraph.

That entirely changes the meaning of the bill. The bill as it came from the committee came out unanimously, everyone present voted for the bill. The gentleman from Illinois offered this amendment in committee, but it was defeated in the committee.

If you want to add aid to education to the bill that is something else; we ought to know about that and be warned of it in advance. But to have an aid to education bill brought on this floor in the form of an amendment to a bill for research is entirely out of place. Bring it in in due course for study. Nobody knows at this time whether that aid should be given to the student or the university, or how many or how much is needed.

The gentleman from Michigan has a prepared statement which I have not had the opportunity to see before.

Mr. MACK of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. MACK of Illinois. I know my good friend from California did not intend to mislead the House.

Mr. HINSHAW. I certainly did not.

Mr. MACK of Illinois. He read the definition of training. It was an accurate definition of training but not as it

relates to the bill. This bill is for the construction of facilities.

Mr. HINSHAW. That is right.

Mr. MACK of Illinois. That is research or training. If my amendment is adopted it is not any subsidy for individual students. This is a bill to provide for the construction of facilities for research, and if my amendment is adopted——

Mr. HINSHAW. That is exactly it, and if the gentleman's amendment is adopted, does not this bill then become an aid to education?

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. HALLECK. It seems to me it is quite obvious from the language of the bill that the committee has brought in a bill to further research by the construction of buildings and equipping them to carry on that research.

The amendment proposed by the gentleman from Illinois is not in that line, but it has to do with providing the facilities in order that they may be used to educate doctors looking to the degrees that the gentleman just read. They could then go out into the practice of medicine.

So I stand on my previous statement that the two matters are substantially disassociated. The bill that the committee has reported is, of course, in line with what the administration has asked and our policy of assisting in research, and our desire to continue the efforts in research.

Unless the committee has given careful consideration to the other side of the question, which is the training of doctors who presumably would profit from research and its results, unless that has been carefully worked out and studied, to adopt such an amendment at this time would only complicate the whole situation and, as I say again, jeopardize enactment of the legislation for research. I certainly would not want to take the responsibility for that.

Mr. HINSHAW. I thank the gentleman.

Mr. WOLVERTON. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Under the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Health Research Facilities Act of 1956."

SEC. 2. The Public Health Service Act (42 U. S. C., ch. 6A) is amended by adding at the end thereof the following new title:

"TITLE VII—HEALTH RESEARCH FACILITIES

"Declaration of policy

"SEC. 701. (a) The Congress hereby finds and declares that (1) the Nation's economy, welfare, and security are adversely affected by many crippling and killing diseases the prevention and control of which require a substantial increase, in all areas of the Nation, of research activities in the sciences related to health, and (2) funds for the construction of new and improved non-Federal facilities to house such activities are inadequate.

"(b) It is therefore the purpose of this title to assist in the construction of facilities for the conduct of research in the sciences related to health by providing grants-in-aid on a matching basis to public and nonprofit institutions for such purpose.

"Definitions

"SEC. 702. As used in this title—

"(1) the term 'Council' means the National Advisory Council on Health Research Facilities established by section 703;

"(2) the terms 'construction' and 'cost of construction' include (A) the construction of new buildings and the expansion, remodeling and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered;

"(3) the term 'nonprofit institution' means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

"(4) the term 'sciences related to health' includes medicine, osteopathy, dentistry, and public health, and fundamental and applied sciences when related thereto.

"National Advisory Council on Health Research Facilities

"SEC. 703. (a) There is hereby established in the Public Health Service a National Advisory Council on Health Research Facilities, consisting of the Surgeon General of the Public Health Service, who shall be Chairman, and an official of the National Science Foundation designated by the National Science Board, who shall be ex officio members, and twelve members appointed by the Secretary without regard to the civil-service laws. Four of the appointed members shall be selected from the general public and eight shall be selected from among leading medical, dental, or scientific authorities who are skilled in the sciences related to health. In selecting persons for appointment to the Council, consideration shall be given to such factors, among others, as (1) experience in the planning, constructing, financing, and administration if institutions engaged in the conduct of research in the sciences related to health, and (2) familiarity with the need for research facilities in all areas of the Nation.

"(b) The Council shall—

"(1) advise and assist the Surgeon General in the preparation of general regulations and with respect to policy matters arising in the administration of this title; and

"(2) consider all applications for grants under this title and make to the Surgeon General such recommendations as it deems advisable with respect to (A) the approval of such applications, and (B) the amount which should be granted to each applicant whose application, in its opinion, should be approved.

"(c) The Surgeon General is authorized to use the services of any member or members of the Council, and where appropriate, any member or members of the Federal Hospital Council, the National Advisory Health Council or the other national advisory councils referred to in section 217 of this act, in connection with matters related to the administration of this title, for such periods, in addition to conference periods, as he may determine. The Surgeon General shall, in addition, make appropriate provision for consultation between and cordination of the work of the Council, the Federal Hospital Council, the National Advisory Health Council and such other national advisory councils, with respect to matters bearing on the purposes and administration of this title.

"(d) Appointed members of the Council, while attending conferences or meetings of the Council or while otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b–2) for persons in the Government service employed intermittently.

"Authorization of appropriations

"SEC. 704. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1958, and for each of the two succeeding fiscal years, not to exceed $30 million, for making grants-in-aid for the construction of facilities for research in the sciences related to health; and any sums appropriated pursuant to this section shall remain available until expended.

"Approval of applications

"SEC. 705. (a) Applications for grants under this title shall be made not later than June 30, 1959.

"(b) To be eligible to apply for a grant under this title, the applicant must be a public or nonprofit institution, determined by the Surgeon General, after consultation with the Council, to be competent to engage in the type of research for which the facility is to be constructed.

"(c) A grant under this title may be made only if the application therefor is recommended for approval by the Council and is approved by the Surgeon General upon his determination that—

"(1) the applicant meets the eligibility conditions set forth in subsection (b);

"(2) the application contains or is supported by reasonable assurances that (A) for not less than 10 years after completion of construction, the facility will be used for the purposes of research in the sciences related to health for which it is to be constructed, (B) subject to subsection (d), sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility, and (C) sufficient funds will be available, when construction is completed, for effective use of the facility for the research for which it is being constructed; and

"(3) the proposed construction will expand the applicant's capacity for research in the sciences related to health, or is necessary to improve or maintain the quality of the applicant's research in the sciences related to health.

"(d) Within such aggregate monetary limit as the Surgeon General may prescribe, after consultation with the Council, applications which (solely by reason of the inability of the applicants to give the assurance required by clause (B) of subsection (c) (2)) fail to meet the requirements for approval set forth in subsection (c) may be approved upon condition that the applicants give the assurance required by such clause (B) within a reasonable time and upon such other reasonable terms and conditions as he may determine after consultation with the Council.

"(e) In acting upon applications for grants, the Council and the Surgeon General shall take into consideration the relative effectiveness of the proposed facilities in expanding capacity for research in the sciences related to health, in improving the quality of such research, and in promoting an equitable geographical distribution of such research (giving due consideration to population, available scientific research workers, and available research resources in various areas of the Nation).

"Amount of grant; payments

"SEC. 706. (a) The amount of any grant made under this title shall be that recommended by the Council or such lesser amount as the Surgeon General determines

to be appropriate; except that in no event may such amount exceed 50 percent of the necessary cost of the construction of such facility, as determined by him, or in the case of a multi-purpose facility, 50 percent of that part of the necessary cost of construction which the Surgeon General determines to be proportionate to the contemplated use of the facility for research in the sciences related to health.

"(b) Upon approval of any application for a grant under this title, the Surgeon General shall reserve, from any appropriation available therefor, the amount of such grant as determined under subsection (a), and shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine. Such payments shall be made through the disbursement facilities of the Department of the Treasury. The Surgeon General's reservation of any amount under this section may be amended by him, either upon approval of an amendment of the application or upon revision of the estimated cost of construction of the facility.

"(c) In determining the amount of any grant under this title, there shall be excluded from the cost of construction an amount equal to the sum of (1) the amount of any other Federal grant which the applicant has obtained, or is assured of obtaining, with respect to the construction which is to be financed in part by grants authorized under this title, and (2) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

"Recapture of payments

"SEC. 707. If, within 10 years after completion of any construction for which funds have been paid under this title—

"(a) the applicant or other owner of the facility shall cease to be a public or nonprofit institution, or

"(b) the facility shall cease to be used for the research purposes for which it was constructed, unless the Surgeon General determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States District Court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility.

"Noninterference with administration of institutions

"SEC. 708. Except as otherwise specifically provided in this title, nothing contained in this title shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirement or condition with respect to, the research conducted by, and the personnel or administration of, any institution.

"Regulations

"SEC. 709. (a) Within 6 months after the enactment of this title, the Surgeon General, after consultation with the Council and with the approval of the Secretary, shall prescribe general regulations covering the eligibility of institutions, and the terms and conditions for approving applications.

"(b) The Surgeon General is authorized to make, with the approval of the Secretary, such administrative and other regulations as he finds necessary to carry out the provisions of this title.

"Reports

"SEC. 710. On or before January 15, 1958, and annually thereafter, the Surgeon General, in consultation with the Council, shall prepare an annual report and submit it to the President for transmission to the Congress, summarizing the activities under this title and making such recommendations as he may deem appropriate. The report to be submitted on or before January 15, 1959, shall include an appraisal of the current program under this title in the light of its adequacy to meet the long-term needs for funds for the construction of non-Federal facilities for research in the sciences related to health. Such reports and appraisals shall include minority views and recommendations, if any, of members of the Council."

SEC. 3. (a) Section 1 of the Public Health Service Act is amended to read as follows:

"SHORT TITLE

"SECTION 1. Titles I to VII, inclusive, of this act may be cited as the 'Public Health Service Act'."

(b) The act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title VII (as in effect prior to the enactment of this act) as title VIII, and by renumbering sections 701 through 714 (as in effect prior to the enactment of this act), and references thereto, as sections 801 through 814, respectively.

Mr. MACK of Illinois. Mr. Chairman, I have a number of amendments to offer, designed to accomplish the same end, and I ask unanimous consent that my amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. MACK of Illinois:

Page 7, line 14, insert "and Training" after "Research".

Page 7, line 19, insert "and Training" after "Research".

Page 7, line 25, insert "and training" after "research".

Page 8, line 5, insert "and training" after "research".

Page 8, line 12, insert "and Training" after "Research".

Page 8, line 25, strike out "and"; on page 9, line 3, strike out the period and insert "; and"; and on page 9, after line 3, insert the following new paragraph:

"(5) the terms 'training' and 'training in the sciences related to health' mean training leading to a degree of doctor of medicine, doctor of osteopathy, or doctor of dental surgery (or its equivalent), or to a degree of doctor or master in public health; and the term 'training institution' means an institution which is accredited for such training by a recognized body or bodies approved for such purpose by the Surgeon General after consultation with the Council, or an institution with respect to which he finds, after consultation with the Council, that there is reasonable assurance of such accreditation within a reasonable time following completion of the construction for which Federal grants are applied for under this title."

Page 9, line 4, insert "and training" after "Research".

Page 9, line 8, insert "and Training" after "Research".

Page 9, lines 20 and 22, insert "or training" after "research".

Page 11, line 11, strike out "two" and insert "four".

Page 11, lines 11 and 12, strike out "$30 million" and insert "$50 million".

Page 11, line 13, insert "or training" after "research".

Page 11, line 15, before the period insert the following: "and be subject to such monetary limitations on the amounts available for the several classes of facilities for which grants are authorized under this title as may be specified in the acts appropriating the funds authorized by this section".

Page 11, line 20, after "must be", insert "a public or nonprofit training institution or".

Page 12, lines 8, 14, 16, and 18, insert "or training" after "research".

Page 13, strike lines 5 through 13 and insert the following:

"(e) In acting upon applications for grants, the Council and the Surgeon General shall, subject to the provisions of section 704, take into consideration the relative effectiveness of the proposed facilities in expanding capacity for research or training in the sciences related to health, in improving the quality of such research or training, and in promoting an equitable geographical distribution of such research or training (giving due consideration to population, available scientific research workers or candidates for training, and available research or training resources in various areas of the Nation)."

Page 13, line 24, insert "or training" after "research".

Page 15, lines 2 and 20, insert "or training" after "research".

Page 16, line 18, insert "and training" after "research".

Amendment to the committee amendment to the title of S. 849:

Page 17, in the amended title following line 9, insert "and training" after "research".

Mr. HINSHAW. Mr. Chairman, a point of order.

The CHAIRMAN (Mr. ROONEY). The gentleman will state it.

Mr. HINSHAW. Mr. Chairman, I make the point of order that the amendment offered by the gentleman from Illinois [Mr. MACK] is not germane to the substance of the bill we are now considering. This bill deals with medical research, while the gentleman's amendment presents another subject entirely.

The CHAIRMAN. Does the gentleman from Illinois [Mr. MACK] desire to be heard?

Mr. MACK of Illinois. I do. Mr. Chairman, this bill amends the Public Health Act, title 44, United States Code, chapter 6 (a) the National Research Institute. In this section they provide for both training and research. Therefore, I feel that my amendment is germane to the bill.

Mr. HINSHAW. Mr. Chairman, may I speak further on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HINSHAW. Mr. Chairman, I feel that the amendment is not germane to an amendment to the act. It is not a question of the act itself. This bill is an amendment to the act and the amendment offered by the gentleman from Illinois is not germane to this amendment.

The CHAIRMAN. The Chair is prepared to rule.

The bill under consideration provides for construction of facilities for research. Research is an entirely different subject matter from training. The Chair quotes the following syllabus from volume 8 of Cannon's Precedents, section 2952, as follows:

It is not in order to propose to amend one individual proposition by another individual proposition even though they be of the same class.

The Chair further quotes section 2953, same volume, as follows:

To a proposition providing for a class, a proposition providing for another related class is not germane.

The Chair, therefore, is constrained to rule that the point of order must be sustained and does sustain the point of order.

Mr. MACK of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I regret that a point of order was made against my amendment and that it was ruled not germane to this legislation. I realized there was that possibility but I was hoping that this afternoon we would have an opportunity to vote for aid for training facilities so that we might be able to provide this country with more doctors. It is alarming how few have been graduated here over the years, and I would like this afternoon to mention a few of the schools and the number of students they have graduated. I am taking this from the testimony of a representative of the American Medical Association. According to this testimony, in 1905 we graduated 5,606 physicians; that is, the medical schools of our country graduated 5,606. And how many do you think they graduated in 1955, 50 years later, when the population increased from 80 million to 160 million? They graduated 6,977. an increase of only 1,371 in the face of a 100-percent increase in population That is alarming. I do not know how you are going to get scientists to work in these research institutions unless you concentrate on giving a little encouragement to the training of physicians.

This bill before us today to provide for the construction of medical research facilities could very easily have been expanded upon to include training facilities.

Mr. Chairman, before I yield, I would also like to say that in 1922 we graduated fewer doctors than died in that year. So, actually we were going backward at that time. Now we are just a little more than breaking even. I do commend the American Medical Association and the other interested agencies and certainly the many, many foundations that have made contributions to this. But, as of today there is a tremendous shortage of doctors in the Public Health Service, in your rural communities, as well as in the Armed Forces of our country.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I yield to the gentleman from California.

Mr. HINSHAW. I am quite in sympathy with the gentleman's concern that there are not more doctors today, but there is also another important angle, and that is the expense involved in education to become a doctor and the long time it takes to become a doctor. It is quite possible that we may find some other means of insuring more doctors, by helping in the educational field and contributing to their education, instead of merely providing facilities within which they may be educated, because the expense involved is great.

Mr. MACK of Illinois. This would have been a very modest contribution that we would be making if we had provided the additional training facilities so that we could have facilities to train some of these young men who have been coming into our offices to see about getting an education in the field of medicine.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I yield to the gentleman from Minnesota.

Mr. JUDD. It is not just a shortage of training facilities that is responsible for the relatively small number of doctors being graduated. The big problem that the deans of the medical schools are worried about now is the inadequate number of really first-rate applicants for the medical schools. The schools can easily fill all their facilities, and they have a great many more applications than they can accept, but in every medical school I know anything about, the first concern is that they do not have enough applicants each year of the quality they would like to train in the facilities that they have already.

Mr. MACK of Illinois. That is true also at the liberal arts school at the University of Minnesota.

Mr. JUDD. Yes, but that is a little different. State universities take lots of students in from the State for liberal arts courses and the various classical subjects who do not have to be quite of the caliber that men ought to be if they are to be entrusted as physicians with your life. The difficulty has its roots down in the grade schools and the high schools, in my opinion, where the emphasis in education in recent decades has often been on protecting the tender little personality of the child who does not want to study from the strain of the disciplines required in the scientific courses. They have not been adequately challenged to take the hard, tough subjects that lead to engineering and medicine and the other exact and exacting sciences.

Mr. MACK of Illinois. I am not sure that the rest of the men in your profession agree with you altogether. Many of them agree that we do have a shortage of doctors.

Mr. JUDD. Oh, I agree with that too.

Mr. MACK of Illinois. And we do need additional facilities. In the hearings there is clear evidence that they want the additional facilities for the purpose of training additional doctors.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent to proceed for 4 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MACK of Illinois. Mr. Chairman, I want to suggest 1 or 2 additional points if I have the time.

Mr. JUDD. Mr. Chairman, if the gentleman will yield further, I am not opposed to this bill; I am for this bill and the gentleman's amendment. I am merely adding the point that there is a deeper cause for the lack of doctors than just inadequate facilities.

Mr. MACK of Illinois. I agree with the gentleman. But I am of the opinion that out of 165 million people you can find more than 7,000 of the mentality necessary to attend and graduate from a medical school.

Mr. JUDD. Certainly, but not enough of them will apply.

Mr. MACK of Illinois. I have been able to find many capable young men who have applied and have not been admitted due to limited facilities.

Mr. LONG. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I yield to the gentleman from Louisiana.

Mr. LONG. Mr. Chairman, for the information of the gentleman I will say that at the present time when 100 apply to study medicine, there are only 50 who qualify. That is the reason for the shortage of doctors.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I yield to the gentleman.

Mr. FLYNT. Is it not true that colleges and universities such as Harvard, Columbia, University of Chicago, University of Texas, and many others similarly situated have almost unlimited trust funds and endowments, running into the hundreds of millions of dollars upon which they can draw to provide adequate facilities for additional medical schools and classrooms, if they desire to do so?

Mr. MACK of Illinois. The gentleman knows that we have a difference of opinion on that. The gentleman may have access to the files of these institutions while I do not have.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. MACK of Illinois. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. I was only going to ask why some of the medical men who have graduated take up some other line of work, like politics or real estate and 101 other things.

Mr. MACK of Illinois. Mr. Chairman, I should like to mention one other thing in regard to the amendment that I offered here today. I believe that we should look into the field of training physicians; and, if it is necessary to expand facilities and construct new buildings for training purposes, we must do that. I would say that, with respect to my amendment today, I have the support of the American Medical Association, the American Association of Medical Schools, and the Departmentof Health,Education and Welfare. In fact, I have a letter here from the American Medical Association supporting me in this view. It is dated July 12 and was sent over today, and they are squarely behind this amendment.

I have designed the amendment to carry out the ideas of the President of the United States as they were presented in his message of January 26, 1956. I think that many of the gentlemen on my left should have been more interested in supporting their President.

Mr. HARRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this for the purpose of seeing if we can reach an agreement on a limitation of time on this amendment.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield to me?

Mr. HARRIS. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Chairman, I simply wanted to announce to the House that if we finish with this bill, the bill for the National Institute of Dental Health, the trip-lease bill, the marketing facilities bill, and the Washoe bill, we can go over until Monday.

Mr. HARRIS. In view of the fact that we do have other bills, though they will not require much time, Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 9 minutes, the time to be allotted 5 minutes to the gentleman from Illinois [Mr. SPRINGER], 3 minutes to the gentleman from Massachusetts [Mr. HESELTON], and 1 minute to the gentleman from Minnesota [Mr. BLATNIK].

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

(By unanimous consent, Mr. HESELTON yielded the 3 minutes allotted to him to Mr. SPRINGER.)

Mr. SPRINGER. Mr. Chairman, I thank the gentleman from Massachusetts because I am sure I reflect his views as well as mine.

Mr. Chairman, it is rather disturbing to me to see this come to the floor in this fashion, the amendment, so to speak, not having an opportunity to be heard. I would rather it had been heard and the amendment at this time be voted down. However, it is not before the House at this time, therefore, there is no chance to debate it further.

May I reassure the House that this whole question which has been raised by the gentleman from Illinois [Mr. MACK] is under thorough study in the Subcommittee on Health and Science of the House Committee on Interstate and Foreign Commerce. We have been studying this thing for some months and cannot come to any definite conclusion. That is the reason we did not bring the amendment in here at this time.

I believe I have been to just about every meeting of the subcommittee and I know what took place there. There is a great deal of doubt in the minds of the subcommittee as to how this problem ought to be approached. There is a question whether it ought to be a grant to medical schools, instead of to students, or how.

Last year, in 1955, when we were studying this matter late in the year we came to the conclusion that there ought to be an incentive in any grants made to medical schools for them to increase the number of enrolled students in successive freshman classes beginning in September 1955 as the base of what the future should be. Our thought was that if they received a grant at this time the medical school itself ought to be willing to increase its present enrollment by a minimum of 10 percent.

The gentleman from Michigan [Mr. HAYWORTH] went to as many as 15 medical schools last year and interviewed the deans. Some of them were willing to make these increases and some were not. On the whole they were not willing to.

There has been in the past few weeks, may I say, after this matter has crystallized, a general willingness on the part of medical schools to increase their enrollment. For instance, I had a call from one medical school yesterday and was told that they were willing to increase their enrollment from 160 to 190 if they were able to get this kind of grant. When the gentleman from Michigan [Mr. HAYWORTH] interviewed them in September of last year, they were willing to increase the enrollment only by as many as 4 or 5.

You may say, Why is it necessary for us to provide this incentive? If you go back to the hearings of the Committee on Armed Services last year and if you recall the words of the chairman of the Committee on Armed Services [Mr. VINSON] here on the floor of the House in 1955, you will remember that he said we are running behind in the Armed Forces and it is necessary to draft about 2,100 doctors a year.

We, having jurisdiction of this, felt that we should not successively and for always keep calling on the civilians to supply these doctors, that we ought to have enough people coming out of medical school to more or less take up the slack. That is one of the real purposes of this proposed legislation. If we can in the beginning stages of this legislation, when it is enacted, after we have given this thorough consideration, increase in the first year the total number of doctors by as much as 500, 600, or 700, we will have accomplished something in this Congress. If we are just going to scatter the money all over the country without any commitments by these medical schools as to what they are going to do for the future, I believe this Congress will have made a great mistake.

That is what we are in the process of doing and that is the purpose and the intent of the legislation when we bring it forward, to get that incentive behind it to increase the enrollment so that in 5 to 10 years we will have worked out this question of the yearly shortages of doctors both in the civilian field and in the armed services.

I think all of us recognize this is worthy legislation that the gentleman from Illinois [Mr. MACK] has been talking of. May I say again, the subcommittee on health and science of the Committee on Interstate and Foreign Commerce is very friendly to it. They have another proposition and because we have made these statements, we, the members of the subcommittee on the floor, do not wish it to be thought either by our colleagues or by the medical schools that we are against the legislation. We just want to be sure that when we get this legislation before the House it will have been thought through and we will come forward with a good plan for increasing the number of doctors and improving the general health of the people of this country.

Mr. MACK of Illinois. I appreciate the fact that the gentleman's subcommittee is going to bring this legislation before the House very shortly. But, as I understand, the subcommittee has been working on it since 1953 and held hearings in 1955 and 1956. I would think it would be appropriate to bring it up early.

Mr. SPRINGER. May I say to the gentleman that this committee has not even been in existence so far as I have been on it since January 1955, and our study of this did not begin until approximately the middle of 1955. We had to spend time after the session last year when the House adjourned in order to get some of this information. May I say further to the gentleman from Illinois that the facts, as we learned them, are not conclusive as to what ought to be done at the present time.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. DIES. The gentleman knows too that we have many other bills to consider, and the very fact that we are reporting out these other measures shows that we could not devote all of our time to this grant to medical schools.

Mr. SPRINGER. The gentleman is correct.

Mr. WOLVERTON. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. WOLVERTON. I think it should be known by the Members that the full Committee on Interstate and Foreign Commerce in discussing this matter a day or two ago agreed among themselves, and it was moved and decided that the staff of our committee should make a study of all available facts in connection with this particular subject between now and the next session of the Congress.

Mr. BEAMER. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. BEAMER. It is recognized, of course, that this particular subject comes before the Committee on Interstate and Foreign Commerce because public health is under the jurisdiction of that committee. But I want to ask the gentleman this question: If we are going to enter into a broad Federal aid program for the training of doctors, then it is not going to be necessary to respond to the needs of the veterinary schools and the schools for teachers and particularly schools for religion because, goodness knows, we need them and I wonder if that is not going to open up a large vista of an increased demand on the Federal coffers?

Mr. SPRINGER. I do not believe it will except insofar as we are authorized to do so by law and by the Constitution.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. McDONOUGH. In the early part of the debate, someone made reference to the fact that we were not producing as many medical doctors as Russia is and that they were graduating some 22,000 while we were graduating some 7,000. I think the record ought to be clear on that point. Certainly we have more doctors per capita than they have in Russia today, and the ratio of doctors being graduated, if it is lower, does not mean that we do not still have far more medical doctors and medical scientific

men in the United States than they have in Russia. Further, I would say that they are far better trained and with far better experience.

Mr. SPRINGER. Yes, I can say this. They have entered a crash program for the last 3 years in Russia, and that is what has caused the particular increase in the numbers of doctors.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Chairman, I am in wholehearted agreement with the proposed amendment to S. 849 to include medical training as well as research under the provisions of the bill, and commend the distinguished gentleman from Illinois [Mr. MACK], for introducing it here today. I am only sorry that it has been ruled out on a point of order, but am happy to learn that we now have assurances from the subcommittee which did such a fine job in bringing this bill out that further consideration will be given the problem next year with a view to including medical education as well as construction under the bill.

For some time now, Mr. Chairman, I have discussed the problem of medical research and educational facilities with some of the most able and learned men in the Nation. All of them, without exception, favor S. 849 which expands medical research facility construction, together with expanded medical education facilities. Dr. Harold S. Diehl, dean of the medical sciences at the University of Minnesota Medical School, for instance, has told me that legislation to provide Federal aid to expand and improve facilities for medical education is "basic to the improvement and expansion of medical education of this country." And as the Director General of the World Health Organization says in his report for 1954: "Health can be improved only to the extent to which the level of medical education is raised, both in quantity and in quality." I have also discussed this problem with Dr. Ray Amberg, director of the University of Minnesota Medical School; Dr. William J. Kennard, assistant director, American Medical Association; and Dr. John B. Youmans, president-elect, Association of American Medical Colleges. All agree that in addition to providing Federal grants for construction of research facilities we should also provide funds for the construction of medical school facilities to train the personnel who will utilize the research facilities for the benefit of all mankind.

Take the great medical school at the University of Minnesota as an example. Here is a school which is recognized as one of the leading medical schools in the country. Recently they completed and moved into a splendid addition to existing facilities called the Mayo Memorial. Everyone who sees this building cannot fail to be impressed. Yet, according to Drs. Diehl and Amberg the basic science departments of anatomy, pathology, physiology, physiological chemistry, and pharmacology are in buildings which were constructed more than 40 years ago with teaching laboratories for 75 students per class, laboratories which are basically the same today as when they were originally constructed but which are now being used for about 120 medical students per class, as well as for dental students, nurses, medical technicians, and other medical service groups. Portions of the university hospital are also 40 years old and in need of extensive remodeling. Dr. Diehl has written me that he has talked with many medical school deans about this and he finds that the University of Minnesota situation is typical of most of the better medical schools, and far better than average. The possibility of these medical schools being able to go forward with urgently needed additions to the teaching and research facilities of their medical schools depends upon favorable action by Congress to provide Federal funds on a matching basis for the improvement and expansion of facilities for medical education. Providing funds for medical research facilities alone is not enough.

We cannot overlook the fact, Mr. Chairman, that the 82 medical schools in the United States are the major health resource in this country. Together they produce annually over 6,000 doctors of medicine, an increase of some 14 percent since the war. In addition they provide graduate and postgraduate education to some 18,000 doctors in training and specialists and refresher courses to an even greater number of physicians. They conduct a considerable part of the education of dentists, pharmacists, nurses, physical and occupational therapists, medical social workers, and other paramedical personnel. Medical schools conduct by far the greatest part of medical research and are responsible for most of the tremendous advance in medical knowledge and care which has occurred most notably in recent years. Finally, they provide in connection with their teaching, free professional medical care to medically indigent persons of the estimated value of $100 million annually.

According to Dr. Youmans the financial problem of the medical schools has grown rapidly ever since the war until today it threatens the maintenance of proper standards in most schools and the very existence of some of them. The problem arises from the following causes:

First. The great increase in costs of goods and services of all kinds, and the need to provide increases in wages and salaries.

Second. The concomitant depreciation in the purchasing value of the dollar; of particular importance to those schools which depend largely on endowment income.

Third. The need for even more and more costly equipment and facilities by the great increase in knowledge of science and technology to which the schools themselves have contributed largely through their research.

Fourth. The inability to meet rising cost increases by increasing the tuition which already provides only a portion—about 25 percent—of the costs of education so that each student represents a financial loss to the schools. Further increases in tuition would also lead to limiting medical education to an economically formed group.

Fifth. A decrease in endowment giving with changing patterns of the national economy.

This financial crisis, which is greater in the 41 private schools, includes the tax-supported schools as well because of generally rising costs, competition for the tax dollar, practical limitations on local taxing, and the rapidly expanding needs of education in general.

The present effort to obtain aid in solving this problem by means of Mr. MACK's amendment to S. 849 to include medical education as well as research is an attempt to solve one of the major financial problems of the schools, namely the modernization and repair of plant facilities. As Dr. Diehl explained to me many, if not most, of the schools have plants or large parts of their plant which are outmoded, run down, inadequate, inefficient, and ineffective.

S. 849 as drawn provides only for construction in aid of research. While this is highly desirable and needed, it is important to point out that buildings and equipment for medical research are of little worth without research workers. The great majority of medical research workers are educated and trained in medical schools. Unless the medical schools are kept strong, able to maintain high standards, and provide adequately and constantly advancing programs of education and training, research workers will be inadequate in number and ability and the provisions of research facilities a tragic mockery.

In order to relieve this situation the Mack amendment is vitally needed and I hope that next year we will be able to approve legislation designed to assist the medical schools throughout the Nation construct needed facilities. Only by providing aid to medical education can we make the research supports as provided in S. 849 a reality.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield.

Mr. HARRIS. In order that everyone might thoroughly understand that the issue that has been debated here is of tremendous importance in the minds of everyone, I want to point out that it did not start in 1953. This issue was a part of a highly controversial question of medical-aid-to-education debate on which started shortly after World War II. We had it in the 80th Congress and the 81st Congress and again in the 83d Congress and now in the 84th Congress. So, it is not an easy question to resolve. Therefore, I think the appropriate decision was made here this evening that this matter should be given more study at a later date.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROONEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Commit-

tee, having had under consideration the bill S. 849, pursuant to the rule, reported the same back to the House with an amendment adopted in Committee of the Whole.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "An act to amend the Public Health Service Act, so as to provide for grants-in-aid to non-Federal public and nonprofit institutions for the constructing and equipping of facilities for research in the sciences related to health."

A motion to reconsider was laid on the table.

INCREASING AUTHORIZATION FOR CONSTRUCTION AND EQUIPMENT OF NATIONAL INSTITUTE OF DENTAL RESEARCH

Mr. HARRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3246) to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the "National Dental Research Act", approved June 24, 1948 (Public Law 755, 80th Cong.), is amended by striking out "$2,000,000" and inserting in lieu thereof "$5,000,000".

With the following committee amendment:

Page 1, line 6, strike out "$5,000,000" and insert "$4,000,000".

The committee amendment was agreed to.

Mr. HARRIS. Mr. Speaker, in explanation of the bill, I would like to make the following brief statement:

The bill, as amended, proposes to increase from not to exceed $2 million to not to exceed $4 million the amount authorized to be appropriated for the erection and equipment of suitable buildings and facilities for the use of the National Institute of Dental Research at the National Institutes of Health at Bethesda. The existing authorization of not to exceed $2 million for this purpose is contained in Public Law 755, 80th Congress, approved June 24, 1948, which established the National Institute of Dental Research.

Because of the intervention of the Korean conflict, construction of these buildings and facilities had to be postponed. Subsequent appropriation legislation did not provide funds for this purpose. In view of the fact that building costs have advanced considerably since 1948, the committee feels that an increase from $2 million to $4 million is needed in order to make possible the construction of the buildings and facilities for which plans have already been drawn at considerable cost.

Mr. BOLAND. Mr. Chairman, I commend the Committee on Interstate and Foreign Commerce for reporting this bill. The need for the construction of an adequate facility for dental research has been long recognized. The delay has been occasioned by the Korean conflict. Now that building materials are obtainable it is imperative that this Congress proceed forthwith to authorize its construction. The necessity for research in dentistry is keenly felt by the dental profession and dental schools. All have joined in a common effort to resolve problems connected with the teeth but have many times been stymied by lack of adequate research facilities. This bill takes a long step forward in meeting this problem. The expenditure of the sum requested will be returned many times to the Government with a realization of a reduction in dental costs occasioned by research. The public benefit of this program measured in dollars and cents fully justifies the cost. The Nation's tremendous dental bill will be greatly reduced as new techniques are developed through research.

Mr. Chairman, one of the bills in this Congress authorizing this program was filed by me. I am pleased to see it merged into the bill we are now considering and I urge the House to pass it.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on the public health bill, where it was under consideration.

The SPEAKER. Is there objection?

There was no objection.

AMENDING INTERSTATE COMMERCE ACT

Mr. HARRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 898) to amend the Interstate Commerce Act, with respect to the authority of the Interstate Commerce Commission to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, is this the bill that strikes out section 22 of the Interstate Commerce Act?

Mr. HARRIS. No, it is not. A rule has not been granted on that bill. This is the trip-lease bill.

Mr. BROWN of Ohio. I withdraw my reservation of objection, Mr. Speaker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 204 of the Interstate Commerce Act, as amended (49 U. S. C., sec. 304), is amended by adding at the end thereof the following subsection:

"(e) Subject to the provisions of subsection (f) hereof, the Commission is authorized to prescribe, with respect to the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property—

"(1) regulations requiring that any such lease, contract, or other arrangement shall be in writing and be signed by the parties thereto, shall specify the period during which it is to be in effect, and shall specify the compensation to be paid by the motor carrier, and requiring that during the entire period of any such lease, contract, or other arrangement a copy thereof shall be carried in each motor vehicle covered thereby; and

"(2) such other regulations as may be reasonably necessary in order to assure that while motor vehicles are being so used the motor carriers will have full direction and control of such vehicles and will be fully responsible for the operation thereof in accordance with applicable law and regulations, as if they were the owners of such vehicles, including the requirements prescribed by or under the provisions of this part with respect to safety of operation and equipment and inspection thereof, which requirements may include but shall not be limited to promulgation of regulations requiring liability and cargo insurance covering all such equipment.

"(f) Nothing in this part shall be construed to authorize the Commission to regulate the duration of any such lease, contract, or other arrangement for the use of any motor vehicle, with driver, or the amount of compensation to be paid for such use—

"(1) where the motor vehicle so to be used is that of a farmer or of a cooperative association or a federation of cooperative associations, as specified in section 203 (b) (4a) or (5), or is that of a private carrier of property by motor vehicle as defined in section 203 (a) (17), and is used regularly in the transportation of processed or manufactured perishable commodities or products of the character referred to in section 203 (b) (6) and such motor vehicle is to be used by the motor carrier in a single movement or in one or more of a series of movements, loaded or empty, in the general direction of the general area in which such motor vehicle is based; or

"(2) where the motor vehicle so to be used is one which has completed a movement covered by section 203 (b) (6) and such motor vehicle is next to be used by the

motor carrier in a loaded movement in any direction, and/or in one or more of a series of movements, loaded or empty, in the general direction of the general area in which such motor vehicle is based."

With the following committee amendments:

Page 3, line 9, strike out "(17)," and insert "(17)".

Page 3, line 10, strike out "processed or manufactured perishable commodities or products of the character referred to in section 203 (b) (6)" and insert in lieu thereof "property of a character embraced within section 203 (b) 6 or perishable products manufactured from perishable property of a character embraced within section 203 (b) 6,".

The SPEAKER. The question is on the committee amendments.

The amendments were agreed to.

Mr. FORD. Mr. Speaker, I move to strike out the last word.

Is the gentleman from Arkansas going to make any effort to explain precisely what this legislation does?

Mr. HARRIS. I shall be glad to do so. But I will say to the gentleman from Michigan that the gentleman from Georgia [Mr. DAVIS] intends to offer an amendment. I shall be glad to explain the bill now if the gentleman prefers. I want it thoroughly discussed.

Mr. FORD. With that assurance, I will be satisfied.

Mr. HARRIS. The trip-leasing legislation before us today has been before the Congress for several years. In 1953, the House Committee on Interstate and Foreign Commerce, after lengthy hearings, reported favorably on a similar bill, H. R. 3203, 83d Congress. This bill was passed by the House overwhelmingly on June 24, 1953, but was held up in the Senate without any action being taken prior to adjournment.

The present bill, S. 898, is a compromise bill. It passed the Senate on March 28, 1956. It is far different from H. R. 3203, which passed the House 3 years ago. H. R. 3203 would have prohibited the Interstate Commerce Commission from regulating the duration of any lease of a motor vehicle, or the basis for compensation to be paid for such use. S. 898 is far less restrictive on the power of the Interstate Commerce Commission in these respects, as I shall explain later, but it meets the necessary needs for agriculture.

This legislation is supported by many Members of Congress, the Department of Agriculture, the American Farm Bureau Federation, the National Grange, the National Council of Farmer Cooperatives, the National Farmers Union, the National Fisheries Institute, the Vegetable Growers Association of America, the United Fresh Fruit and Vegetable Association, the International Apple Association, and others.

So far as I know, there will be no opposition to it from the railroads, the regulated motor-carrier industry, or the teamsters union, which had previously opposed it.

Before going any further, I should explain what is meant by "trip leasing." By trip leasing, we mean the use by a motor common or contract carrier, under a lease, contract, or other arrangement, of a motor vehicle not owned by such carrier for a one-way or round-trip movement of property, when such motor vehicle is operated by the owner of the vehicle, or an employee of the owner.

EXPLANATION OF THE BILL

The bill before the House would amend the Interstate Commerce Act to provide for the regulation of the use by interstate motor common and contract carriers—under leases, contracts, or other arrangements—of motor vehicles not owned by them in the furnishing of transportation of property. This is accomplished by adding two new subsections to section 204 of the Interstate Commerce Act, namely, subsection (e) and subsection (f).

Subsection (e) would authorize the Interstate Commerce Commission, subject to the provisions of subsection (f), to prescribe regulations requiring that such leases, contracts, or other arrangements shall, first, be in writing; second, be signed by the parties thereto; third, specify the period during which they shall be in effect; and, fourth, specify the compensation to be paid by the motor carrier, and requiring that a copy of such lease shall be carried in each vehicle covered thereby. This subsection also would authorize the Commission to prescribe such other regulations as may be reasonably necessary to assure that motor carriers will have full direction and control of vehicles while they are being used under such leases, and will be fully responsible for the operation thereof in accordance with applicable law and regulation, as if they were the owners of the vehicles. Requirements prescribed by or under the provisions of part II of the Interstate Commerce Act with respect to safety of operation and equipment and inspection are specifically included within the meaning of applicable law and regulation. Under these requirements, the Commission's authority would include, but is not limited to, the promulgation of regulations requiring liability and cargo insurance covering all such equipment.

Subsection 204 (f) would serve to exclude from the Commission's powers under subsection (e), as well as any other provision of part II of the act, the authority to regulate the duration of such leases, contracts, or other arrangements for the use of certain specified classes of motor vehicles with drivers, or the amount of compensation to be paid for such use thereof. The specified classes of motor vehicles are:

First. Any motor vehicle described in any of the following three paragraphs if it is to be used by the motor carrier in a single movement or in one or more of a series of movements, loaded or empty, in the general direction of the general area in which the vehicle is based:

1. A motor vehicle controlled and operated by any farmer when used in the transportation of his agricultural—including horticultural—commodities or products thereof, or in the transportation of supplies to his farm—section 203 (b) (4a);

2. A motor vehicle controlled and operated by a cooperative association as defined in the Agricultural Marketing Act, approved June 15, 1929, as amended, or by a federation of such cooperative associations, if such federation possesses no greater powers or purposes than cooperative associations so defined—section 203 (b) (5);

3. A motor vehicle of a private carrier of property by motor vehicle, as defined by section 203 (a) (17), used regularly in the transportation of (A) property of a character embraced within section 203 (b) (6)—ordinary livestock, fish, including shellfish, or agricultural, including horticultural, commodities, not including manufactured products thereof—or (B) perishable products manufactured from perishable property of a character embraced within section 203 (b) (6).

Second. Any motor vehicle which has completed a movement of property consisting of ordinary livestock, fish, including shellfish, or agricultural, including horticultural, commodities, not including manufactured products thereof, and such motor vehicle is next to be used by the motor carrier in a loaded movement in any direction and/or in one or more of a series of movements, loaded or empty, in the general direction of the general area in which the vehicle is based.

Thus, the bill would give to the Interstate Commerce Commission affirmative power to regulate leasing practices, including requirements with respect to the safety of operation and equipment, but would deny to the Commission authority to regulate the duration of the lease or the amount of compensation to be paid for the use of the motor vehicle.

I should make it clear that when an agricultural hauler leases his truck with a driver to a regulated motor common or contract carrier for a backhaul, the agricultural hauler and the motor carrier may mutually agree on the rental compensation for the use of the equipment and the services of a driver, but the motor carrier must charge the published tariff rate to the shipper whose freight is being hauled, just as if the motor carrier were using his own truck for this carriage rather than a leased truck.

BACKGROUND INFORMATION

In order to understand fully the issues involved in this legislation I shall have to develop some background information.

Part II of the Interstate Commerce Act provides for the regulation of the transportation of persons and property by motor vehicle in interstate commerce.

The two principal classes of carriers regulated are common carriers, which operate under certificates of public convenience and necessity, and contract carriers, which operate under permits. For purposes of this discussion these carriers are referred to as authorized motor carriers. Outside of the scope of economic regulation and authority of the Interstate Commerce Commission, but subject to its rules and regulations with respect to the safety of operation and equipment, are four main groups of carriers who are chiefly concerned with this legislation, namely, farmers, cooperative associations of farmers, itinerant truckers who haul agricultural commodities embraced in section 203 (b) (6) of the Interstate Commerce Act, and private carriers.

Ever since the enactment of part II of the Interstate Commerce Act in 1935 it has been a common practice of authorized motor carriers of property to perform the services covered by their certificates or permits through the use—under leasing or similar arrangements—of motor vehicles owned by other persons, and in many cases such arrangements include the services of a driver. Such arrangements have never been considered to be unlawful, and have become an accepted part of the motor transportation system of the country. In fact, during World War II trip leasing was encouraged by our Government as a means of utilizing to the utmost our trucking industry and highway system as a means of furthering the war effort.

Such arrangements are made under a great variety of circumstances, in some cases covering periods of months or years. The type of arrangement with which this legislation is concerned is that of the trip leasing of a motor vehicle, with driver, for a single one-way haul or round trip. Virtually all large motor carriers occasionally trip lease a truck with driver to handle peak loads, and there are some motor carriers, who own a limited number of motor vehicles or none at all, who make very substantial use of vehicles under trip leases.

The leasing practices of authorized motor carriers have, in the opinion of the Interstate Commerce Commission, presented troublesome problems for many years.

In 1940, the Commission's Bureau of Motor Carriers began a study of such leasing practices. The study was suspended during the war, but was resumed thereafter, and in 1947, tentative rules to govern the practices were offered to representatives of the carriers for criticisms and suggestions. The motor carriers were unable to agree as to the action that should be taken to correct abuses in such practices. As a result, the Commission, on January 9, 1948, instituted, on its own motion, a proceeding respecting the lawfulness of the practices of motor common and contract carriers of property in the leasing and interchange of motor vehicles, the proceeding being docketed as *Ex parte No. MC–43*, Lease and Interchange of Vehicles by Motor Carriers.

Division 5 of the Commission, which is the division that handles motor carrier cases, decided on June 26, 1950 (51 M. C. C. 461), that there were widespread violations and evasions of the provisions of part II of the Interstate Commerce Act and the regulations prescribed thereunder, in the practices of motor carriers in augmenting their equipment by leases, contracts, or other arrangements. An examiner had recommended proposed rules, including a rule that leases must be of at least 30 days' duration, and another that compensation be on a basis other than a division of revenues. While division 5 substantially followed the examiner's recommendations in other respects, it rejected both these provisions. Subsequently the matter was reopened for proceedings before the entire Commission.

The entire Commission made its report on May 8, 1951 (52 M. C. C. 675), in which it adopted rules which were similar to those prescribed by division 5, with the important exception that the entire Commission included the rules proposed by the examiner, but which division 5 had rejected, requiring that every lease by an authorized motor carrier for the use of motor vehicle which it did not own, when such vehicle is to be operated for the authorized carrier by the owner or by an employee of the owner of the vehicle, must be of at least 30 days' duration and that compensation must be on a basis other than a division or percentage of revenues earned with the leased equipment.

The Commission stated in substance, that its rules were essential to maintain effective control over the operational safety, carrier responsibility, and the economics of the motor-carrier industry.

The Commission's authority to prescribe these rules was challenged in the courts. On January 12, 1953, the United States Supreme Court, in *American Trucking Associations, Inc.* v. *United States* (344 U. S. 298), upheld the exercise of such authority by the Commission.

The decision of the Court related, of course, solely to the power of the Commission to do what it had done. It therefore did not decide the question of the wisdom or desirability of the Commission's action.

The 30-day lease requirement in the Commission's rules is the provision to which strong objection is made. It is contended, and it seems to be admitted by everyone, that as a practical matter it would abolish trip leasing because farmers, cooperative associations of farmers, itinerant truckers and private carriers could not possibly tie up their trucks with drivers to authorized carriers, even if the authorized carriers needed them, for minimum periods of 30 days. Their need is to get a backhaul in the direction of home base, or to another harvest area where their services are required.

If trip leasing were abolished, truck haulers of agricultural commodities, livestock, and fish, who now obtain return hauls by leasing their trucks to authorized motor carriers, would no longer be able to do so, but would have to return empty. Thus, they would have to charge more for hauling such products, thereby necessitating an increase in the cost of marketing and the spread between farm and consumer prices. The economic loss involved in such wasteful use of equipment, manpower, and gasoline would be reflected in higher prices to consumers, or lower prices to farmers and other producers, or both. It is doubtful, indeed, whether the exempt haulers of agricultural commodities, livestock, and fish would be able to survive under these conditions. Hence, these agricultural haulers petitioned the Congress to establish a fair, clear policy which would preserve the economical and efficient practice of trip leasing for backhauls, and bills were introduced in the 83d and 84th Congresses to accomplish this objective.

NECESSITY FOR REGULATION OF PRACTICES CONNECTED WITH LEASING

The findings made by the Commission, on the basis of which its order was issued, indicate that regulation is necessary to deal with certain practices, growing out of the use of leased vehicles by authorized motor carriers, which tend in certain respects to prevent the effective carrying out of certain of the provisions of the Interstate Commerce Act.

The Commission found, among other things, that in many instances when authorized carriers trip-lease vehicles owned by others the safety requirements imposed under part II of the act are not observed; that the practice of trip leasing makes its difficult to fix carrier responsibility; and that some of the arrangements made between authorized carriers and the owners of trip-leased vehicles tend to hamper normal rate regulation and otherwise have an adverse effect on the economics and stability of the motor-carrier industry. It is for these reasons that the Commission issued the order of May 8, 1951.

Putting aside the controversial 30-day lease provision, the rules in the Commission's order contain a number of provisions—such as the requirement that the lease covering a vehicle must be in writing, that a copy must be carried in the vehicle, that the lease must specify the compensation to be paid, that the lease must provide for complete assumption by the carrier of responsibility for the control and use of the vehicle during the period of the lease, and so on—which are aimed directly at the abuses alleged to grow out of trip leasing.

PRESENT STATUS OF ICC LEASING ORDER

The order of the Interstate Commerce Commission, dated May 8, 1951, was scheduled to take effect on August 1, 1951. However, in response to the strong objections of agricultural interests, certain motor carriers and other parties, and in response to repeated requests of committees of the Congress, the Interstate Commerce Commission has found it necessary to postpone repeatedly the effective date of, and amend, that portion of the order dealing with the 30-day minimum rule on trip leasing. At the present time, the order, as amended, has been postponed indefinitely pending the outcome of this legislation.

As amended, the 30-day minimum leasing rule would not apply to motor vehicles used in the transportation of agricultural commodities, that is, those vehicles specified in sections 203 (b) (4a), (5), or (6) of the act. The effect of this modification is to permit authorized carrers to trip lease—without regard to the duration of the lease—a motor vehicle with driver, when such vehicle is, first, controlled and operated by a farmer, or by a farmer cooperative association or federation; and second, used for hire in carrying property specified in section 203 (b) (6) of the act, after such vehicle has completed a movement in which it was exempted from regulation by reason of sections 203 (b) (4a), (5), or (6) of the act. However, the lease of such vehicle is restricted to a single loaded movement in any direction, or to a series of movements over reasonably

direct routes in the direction of the general area in which the exempt movement originated, or in the direction of the area in which the equipment is based.

As thus modified, the Commission's order would authorize the trip leasing of motor vehicles substantially to the same degree as is provided for in the bill before the House with one important exception. The Commission's order would not permit the trip leasing of the motor vehicle of a private carrier. The committee bill would permit such trip leasing to a limited extent, namely, when the equipment of the private carrier is used regularly in the transportation of property of a character embraced within section 203 (b) (6) of the act or perishable products manufactured from perishable property of a character embraced within that section.

The committee believes that such limited trip leasing by private carriers is essential to the continuation of a flexible and efficient motor transportation service for the marketing of agricultural products and is in the public interest.

Even though the Interstate Commerce Commission has granted an exemption from the 30-day minimum leasing rules to agricultural haulers, this committee is, nevertheless, of the opinion that such exemption should be provided by statute. Several agricultural witnesses have expressed the fear that unless these exemptions are specifically provided for in the law, the Commission may, at some later date, cancel such exemption. The committee shares this view.

CONCLUSION

The committee believes that this legislation will meet the essential needs of agriculture. It will not impair the authority of the Interstate Commerce Commission over the safety of operations or over the economic regulation of the motor carrier industry. The bill is a compromise which will satisfy nearly all the parties concerned with the very difficult and complex problems embraced by this legislation.

I urge the House to approve this bill.

Mr. DAVIS of Georgia. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Georgia: Strike out all of line 9 on page 3 after the figure "17" down to and including the figure "6" where it appears in line 15 on page 3.

Mr. DAVIS of Georgia. Mr. Speaker, this amendment would strike out the provision on page 3 which restricts this bill and the right to have return-trip leases to property of the character embraced within section 203 (b) (6) or perishable products manufactured from perishable property of a character embraced within section 203 (b) (6).

I have no objection whatever to offering or guaranteeing to these producers of agricultural commodities the protection which is sought by this bill. There are, however, actual, honest, bona fide owners and operators of privately owned motor carriers who find it expedient and economical to deliver their own products to markets at varying distances from their manufacturing plants but who have no return movement with which to load their vehicles and thus counteract the cost of getting a return movement.

I am perfectly willing for the members of the agricultural segment of our population to have the protection which they deserve, but I cannot see the justice of discrimination against the businessman who is operating his own motor vehicles in order to save money and transportation charges and needs a flexible, legitimate method of trip leasing his equipment for a return haul. If they act in good faith and do not by subterfuge seek to circumvent their legal responsibilities they should have the right and the privilege to lease their vehicles to a motor common carrier for a legitimate operation in the home direction of the private truck owner.

A glance at the bill will indicate that it gives to the Interstate Commerce Commission the authorization to promulgate regulations and require that any such lease contract or other arrangement shall be in writing and be signed by the parties thereto, shall specify the period during which it is to be in effect, and shall specify the compensation to be paid by the motor carrier and requiring that during the entire period that any such lease contract or other arrangement a copy thereof shall be carried in the motor vehicle covered thereby.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. FLYNT. I will ask the gentleman from Georgia if it is not true that his amendment will in no way affect the rights of owners of trucks and trailers transporting agricultural products, which they have under the bill as brought in by the committee.

Mr. DAVIS of Georgia. I so understand the amendment.

Mr. FLYNT. And is it not also true that the effect of the amendment offered by the gentleman from Georgia would be to provide the sale and distribution of many processed and manufactured products at lower net cost to the consumer?

Mr. DAVIS of Georgia. I believe it would. I believe it would permit these owners to lease their privately owned vehicles to motor common carriers for legitimate return movement, and I think also it would protect bona fide private truck owners in the leasing of their equipment for a return movement.

I believe it is a good amendment. I hope the committee will agree with me and act favorably upon it.

Mr. HARRIS. Mr. Speaker, I rise in opposition to the amendment.

In the last Congress, you will recall, we had quite a controversy over this problem. We passed a bill in the House, which was H. R. 3203, if I recall correctly, but it was not concurred in by the other body, and it, therefore, died.

The problem of trip leasing is not new. As I have stated, this practice has led to some abuses in our transportation system. Nevertheless, trip leasing has been recognized as highly necessary in the interest of transporting farm commodities to the market. Also, common carriers and contract carriers have found it necessary to trip lease vehicles in many instances. It did, therefore, present quite a problem in our whole transportation program. Actually, the Interstate Commerce Commission became greatly concerned. Efforts were made to do something about this problem in the last Congress, as I have explained, and we have tried to meet the problem. Nevertheless, there were serious objections at that time to the program as the House had worked it out.

This time, I may say that we have used a great deal of care, and we have practically everyone in agreement with the legislation reported to the House.

This bill passed the Senate. It provided that motor vehicles of farmers and farmer cooperative associations and vehicles which had completed a movement of property covered by section 203 (b) (6) could trip lease back. In the Magnuson amendment that was adopted on the floor of the Senate it was provided that private carriers that were transporting perishable commodities or products of the character referred to in section 203 (b) (6) to market—that was the intention of it—would have the privilege of trip leasing back home.

Under the Magnuson amendment, the trip leasing of vehicles of private carriers transported perishable commodities, as an example a truck that would take a load of frozen orange juice from Florida to New York, would have the privilege under this bill to trip lease back to Florida. On the other hand if this motor vehicle of the private carrier were to transport, say, some canned orange juice to the New York market, then it would not be permitted to trip lease back home. That is the distinction in the extent of trip leasing by private carriers which the Senate-approved bill would permit.

The point is that the farm groups of the country are anxious that this matter be settled because of the importance of it to the agricultural industry. If the Senate language is not retained I am just as certain that we will have no bill as I am that I am standing here. I have worked hard, and I know the other members of our committee have worked hard, in trying to arrive at a satisfactory compromise this year.

I know precisely the gentleman's intention. I appreciate it, I understand it. However, the gentleman's amendment would put every private carrier in the country in the business of trip leasing. That is precisely what the common carriers and everybody else do not want. Consequently, if this is adopted we would get right back where we were 3 years ago into a situation that would not be acceptable.

Mr. MILLER of Maryland. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Maryland.

Mr. MILLER of Maryland. The gentleman used the example of canned goods. Under the bill as drawn and reported by the committee, would motor vehicles which hauled agricultural products be permitted to trip lease?

Mr. HARRIS. If they transported agricultural commodities of the character referred to in section 203 (b) (6), they would be permitted to trip lease.

In the case of private carriers, if their motor vehicles hauled perishable products manufactured from perishable commodities specified in section 203 (b) (6) the vehicles would be permitted to trip lease. If it were not a perishable manufactured product, then trip leasing would not be permitted.

Mr. MILLER of Maryland. If it is normally not perishable, even though an agricultural commodity, trip leasing would be permitted under the provisions of this bill?

Mr. HARRIS. That is right.

Mr. MILLER of Maryland. Under the amendment offered by the gentleman from Georgia, canned goods would be transportable under the broader provision?

Mr. HARRIS. Under the amendment offered by the gentleman from Georgia trip leasing by all private carriers would be permitted, and that is the objection to it.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Michigan.

Mr. FORD. How would the amendment offered by the gentleman from Georgia compare with what the House approved 3 years ago?

Mr. HARRIS. It would do precisely what the House agreed to 3 years ago, which was not acceptable to the other body.

Mr. FORD. In other words, the amendment offered by the gentleman from Georgia makes the bill, if approved, practically identical with what the House approved 3 years ago?

Mr. HARRIS. It would have the same result, I will say that; maybe a little more restricted but practically the same result.

Mr. JACKSON. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from California.

Mr. JACKSON. To go back to the instance cited, let us assume that I am a shipper from California. If I have a truck and ship orange juice to New York, then what?

Mr. HARRIS. You are a private carrier?

Mr. JACKSON. And if I ship canned orange juice, I cannot——

Mr. HARRIS. Trip lease back. That is right.

Mr. JACKSON. The Federal Government is telling me what I cannot do with my own property?

Mr. HARRIS. Well, you necessarily come under the same regulations as all motor carriers.

Mr. JACKSON. You mean even though the truck is mine? I am not asking this in a contentious spirit but as a point of information.

Mr. HARRIS. In order to go into the common or contract carrier business, you must have a certificate or permit from the Interstate Commerce Commission.

Mr. PHILLIPS. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from California.

Mr. PHILLIPS. In the case the gentleman from California [Mr. JACKSON], speaks of, the shipper who came up with a truckload can buy anything he wants and take it back, but the bill says he cannot enter into competitive business with any common carrier.

Mr. HARRIS. The gentleman is correct.

Mr. PHILLIPS. We have here sort of a practical situation that I think the gentleman will agree with.

Mr. HARRIS. I thoroughly agree, and that is the reason I am opposing the amendment.

Mr. PHILLIPS. And which I would also oppose, and with complete sympathy for what the gentleman from Georgia wants, because we have a situation here which we would like to apply to everybody. But then the bill would not go through on the other side. We have the practical situation confronting us. So, what we ought to do is to put through a bill before the House and discuss the other features at a separate time.

Mr. HARRIS. Yes.

Mr. MACK of Illinois. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Illinois.

Mr. MACK of Illinois. I know this committee has worked on this subject for quite a long time. I would like to ask if the effect of this amendment would not be to kill this bill.

Mr. HARRIS. That is my judgment.

Mr. GAVIN. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. I had some of the delicious peaches which were given us by the gentleman from South Carolina yesterday [Mr. DORN] and we will use that as an example. Suppose they are shipping peaches from South Carolina to Washington. If that carrier cannot pick up a load here to take back, does not that enter into the cost of the peaches to the consumer? In other words, it costs the consumer more that way. But if he could bring those peaches in and get a load back, that would reduce the cost of the peaches to the consumer and at the same time bring about more rapid turnover. What is wrong with that?

Mr. HARRIS. Yes, peaches are an agricultural exempt commodity. Let me say that the truck which brought those luscious, juicy peaches that our friend, Mr. DORN, furnished us the other day would be permitted to trip lease back under the provisions of this bill.

Mr. MARSHALL. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Minnesota.

Mr. MARSHALL. The Department of Agriculture and the farm organizations are concerned about the word "regularly," and have suggested to the gentleman's committee that in place of the word "regularly" they use "in the regular course of business." That is on line 11, page 3 of the bill. Could the gentleman clarify that for me? It seems to me that the farm organizations and the Department of Agriculture are concerned since the word "regularly" may be interpreted to mean a scheduled trip.

Mr. HARRIS. Yes. That was a matter of concern, but we did work it out with the interested groups involved, including the farm organizations. If the gentleman has a copy of the bill he will see that it contains the amendment that we worked but with them and he can see how it applies.

Mr. MARSHALL. The gentleman means that the amendment he worked out makes it satisfactory to the farm organizations and the Department of Agriculture?

Mr. HARRIS. Yes.

Mr. MARSHALL. I thank the gentleman.

Mr. HARRIS. And I might say to the Senate committee.

Mr. KING of Pennsylvania. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, as one who is quite familiar with the shipment of perishables throughout the United States, I want to take a minute or two to assure you that we should pass this bill, to avoid the threat of complete destruction of the system of hauling agricultural products to market. That threat was made by the ICC when they issued an order prohibiting the trip lease for the back haul. Farmers run their trucks and they hire independent private carriers to haul their produce to market. But in order to get a reasonable rate, these trucks need to go into the field of regulated merchandise in order to get a back haul. To do that they have always had this privilege of trip leasing.

The ICC wanted to rule that out and set up a minimum of 30 days in which they must trip lease. The purpose of this bill is simply to keep the ICC from issuing any such order. Such an order would so completely disrupt our system of agricultural merchandising that we certainly today should pass this bill as written by the committee.

Mr. MILLER of Maryland. Mr. Speaker, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Maryland as a substitute for the amendment offered by Mr. DAVIS of Georgia: On page 3, line 13, strike out the word "perishable."

Mr. MILLER. Mr. Speaker, the purpose of this amendment is merely to go not quite so far as the amendment offered by the gentleman from Georgia but to protect the interest of agricultural perishable products producers and to get away from the technicality about whether the goods carried are in perishable form or whether they are packed and canned and would be unable to be used to get the benefit of that provision.

As you know, many producers pack their products before it is carried to market. If they are limited so that they cannot carry canned goods to and fro it will not only cost the producers, it will cost the housewives, and it will put many very worthy operators out of business. Therefore, I urge the adoption of my substitute amendment.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. I am fearful that this effort to make an amendment to the

bill, if it is adopted, might result disastrously to the very interests we are trying to be helpful to in this legislation. Knowing something, as I do, of the matter after a period of 2 or 3 years in connection with it, I would say that if I were in the position of the gentleman, who I know to be very much interested in the subject of agriculture, I would leave well enough alone as it is and be sure of getting the benefit of what this bill provides.

Mr. LANKFORD. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from Maryland.

Mr. LANKFORD. As the gentleman probably knows, shellfish are included in section 203 along with agricultural products.

Mr. MILLER of Maryand. That is right.

Mr. LANKFORD. Is not the gentleman's amendment aimed at allowing those packers of oysters who, for instance, both freeze and pack oysters, to put the packed oysters in the same category with the frozen oysters?

Mr. MILLER of Maryland. That is true. All the producers of any food, agricultural, seafood, or any perishable product of that nature. It seems to me, as I understand, this restriction in the bill from the other body was put in the bill on the floor hastily by amendment. It was not considered by the committee. I do not see why we should be too timid about ascertaining the views of the House. If we adopt this position, it is still a weaker position than the House took 2 years ago.

Mr. DEVEREUX. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from Maryland.

Mr. DEVEREUX. What is the justification for excluding these other commodities of agricultural produce?

Mr. MILLER of Maryland. To my thinking, the only justification would be that it is an effort to prevent as much trip leasing as possible by the parties that do not believe in trip leasing at all.

Mr. DEVEREUX. Perhaps the chairman of the committee could explain that.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from Indiana.

Mr. HALLECK. Let me say at the outset, that I served on the Committee on Interstate and Foreign Commerce for a long time and dealt with this problem there, with the whole problem of trip leasing. The very arguments that are made in favor of it run pretty much counter to the whole philosophy of the regulation of transportation. So you start out with the proposition that it is an exception to the regularly established body of the law dealing with transportation. As you begin to extend the exception, obviously you run into more difficulties and more complaints from the common and contract carriers who hold themselves out to perform these services on regularly scheduled operations. So I can understand the position taken by the people on the committee when they point out that if you undertake to extend the exception too far we might wind up with no legislation at all.

Mr. MILLER of Maryland. I can understand the gentleman's view on it. It may be perfectly sound, but I cannot feel we are extending this provision very far to correct a situation that provided a frozen can of fruit can, and a canned can cannot.

Mr. McINTIRE. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Maryland. I yield.

Mr. McINTIRE. I would like to ask the gentleman if there is not a danger in the substitute which the gentleman is offering of flying very seriously into the face of the definition under which we have an exemption for agricultural commodities, and if we are not jeopardizing the whole principle of that exemption which is provided in our transportation act.

Mr. MILLER of Maryland. I would not think that striking one word out of that line would upset the situation too much. I think my substitute would be more acceptable for that reason than the amendment offered by the gentleman from Georgia.

Mr. HARRIS. Mr. Speaker, I rise in opposition to the substitute amendment.

Mr. Speaker, I feel somewhat like the gentleman from Kentucky. We have a practical situation here with a very, very highly important and technical problem. We have worked long and hard to get this problem worked out where it is agreeable to almost everyone. I do not say everybody in the business, but the private carriers or some of them would like to have it wide open, as it has been in the past. Since we have worked this legislation out by this language here and know precisely what it is, I am fearful that at this stage of the session if we change language, we are going to find ourselves again without any bill at all.

The Interstate Commerce Commission has postponed the effective date of their order from time to time. It was first to have gone into effect on July 1 and because of the consideration being given by the Congress, it has again been postponed. If we should adjourn this session of the Congress without clearing this matter up, I am fearful of what is going to happen. Then the agricultural industry of this country is going to suffer and suffer terrifically.

The SPEAKER. The question is on the substitute amendment offered by the gentleman from Maryland.

The substitute amendment was rejected.

The SPEAKER. The question is on the amendment offered by the gentleman from Georgia [Mr. DAVIS].

The amendment was rejected.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AMENDING BANKHEAD-JONES FARM TENANT ACT

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11544) to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Farm Tenant Act, and for other purposes, with amendments of the Senate thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. COOLEY, POAGE, GRANT, HOPE, and AUGUST H. ANDRESEN.

CONVEYANCE OF PROPERTY TO CITY OF CORBIN, KY.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8817) to provide for the conveyance of certain property of the United States to the city of Corbin, Ky., with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 3, after "by" insert "such qualified contract appraiser or appraisers as."

Page 2, line 4, after "Services" insert "shall select."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. HALLECK. Mr. Speaker, reserving the right to object, do I understand this bill which previously passed the House and was passed in the other body with an amendment, that the gentleman is simply seeking now to concur in the Senate amendments?

Mr. COOLEY. The gentleman is correct.

Mr. HALLECK. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

MARKETING FACILITIES FOR PERISHABLE AGRICULTURAL COMMODITIES

Mr. COOLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4054) to encourage the improvement and develoment of marketing facilities for handling perishable agricultural commodities.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALLECK. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. COOLEY. This is known as the marketing facilities bill. A similar bill

passed the House unanimously some time ago. I think it was in the 81st Congress. In the 82d Congress the bill was sent back to the committee for the reason that there was at that time a shortage of building materials on account of the Korean conflict. The bill has been considered by our committee time and time again. I do not know of any objection to the bill at this time. I believe that the bill is in the interest of both the producers and consumers of perishable agricultural commodities. It authorizes the Federal Government to underwrite the building or terminal markets throughout the country. In many places we have antiquated marketing facilities dating back more than 100 years. The matter has been considered for the past 30 years, I suppose.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. FORD. As the gentleman knows, I contacted him with reference to this legislation, urging that action be taken on it. I wonder if the gentleman is going to ask permission for all Members to insert their remarks in the RECORD.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks in the RECORD at this point.

Mr. HALLECK. Mr. Speaker, I thought I had the floor.

Mr. COOLEY. I beg the gentleman's pardon. I was just making a unanimous-consent request that all Members might extend their remarks.

Mr. HALLECK. I do not know that that would be in order, as the other unanimous consent has not been disposed of.

Mr. COOLEY. I withdraw it, Mr. Speaker.

Mr. HALLECK. Since this has been called up, some Members have indicated they want to speak on it.

Mr. COOLEY. I understood that Mr. KING has some views that he would like to express. I am prepared to listen to him, but I hope we can pass this bill and send it to the Senate.

Mr. HALLECK. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KING of Pennsylvania. Mr. Speaker, reserving the right to object, I ask for 5 minutes to make a statement.

The SPEAKER. After consent is granted for consideration of the bill would be the time for the gentleman to strike out the last word and get 5 minutes.

Is there objection to the present consideration of the bill?

Mr. CURTIS of Missouri. Mr. Speaker, reserving the right to object, I recall that in the 82d Congress there was a bill along this line that referred specifically to marketing facilities in the city of Philadelphia. That bill was defeated.

Mr. COOLEY. No. No. The bill has always been uniformly applicable throughout the Nation. We discussed a market in Philadelphia as one of the antiquated facilities that existed.

Mr. CURTIS of Missouri. I remember speaking on that particular bill, and if my memory does not fail me, it was defeated in the House.

Mr. COOLEY. No, it was not defeated.

Mr. CURTIS of Missouri. Mr. Speaker, I object.

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4054) to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 4054, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. COOLEY] will be recognized for 30 minutes and the gentleman from Kansas [Mr. HOPE] for 30 minutes.

Mr. COOLEY. Mr. Chairman, the gentleman from Kansas is not on the floor, but the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], the next ranking minority member, is present.

The Chair recognizes the gentleman from Minnesota will be recognized at the proper time.

The Chair recognizes the gentleman from North Carolina.

Mr. COOLEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I do not want to burden the Members of the House unduly by a detailed discussion of this legislation. I think most of the Members of the House are entirely familiar with the provisions of this bill.

Before undertaking a discussion of the measure further I would like to say that it seems to me there is some confusion about this particular piece of legislation. I would like to ask the gentleman from Missouri [Mr. CURTIS], if he would like to clarify the remark he made about the Philadelphia area?

Mr. CURTIS of Missouri. This is the same bill, if I am not mistaken, that was brought out in the 82d Congress. One of the examples used in the debate was the character of the facilities in Philadelphia. I remember taking part in that debate.

That bill was defeated. I have had a chance to look at the present bill briefly. It looks like the same subject matter, getting the Federal Government into the business of guaranteeing the cost of setting up these markets.

Mr. COOLEY. The gentleman evidently was not listening when I said to the House that this was an identical bill to that which was recommitted to the committee in the 82d Congress on motion of the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], who at that time felt that the bill should not pass the House because there was a shortage of critical building material when we were engaged in the Korean war. Since that time the situation has cleared up. The gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] has assured us of his support for the measure.

Mr. CURTIS of Missouri. No, the bill was recommitted and it was recommitted because among other arguments presented against it—and I presented it myself—was that the Federal Government ought not go into this business.

Mr. COOLEY. I do not recall what the gentleman's words were.

Mr. CURTIS of Missouri. I am talking about the debate on the floor of the House.

Mr. COOLEY. I do not mean to say that the bill was unanimously passed.

Mr. CURTIS of Missouri. It was defeated.

Mr. COOLEY. No; it was not defeated; it was recommitted.

Mr. CURTIS of Missouri. I do not know what happened in the 81st Congress, but in the 82d Congress this matter came on the floor and was defeated, and one of the reasons was that the Federal Government should not enter this field of activity.

Mr. COOLEY. In our report the committee says that the bill was reported favorably again by the House Committee on Agriculture in the 81st Congress and the House referred it back to this committee after debate in which it was stressed that due to the Korean conflict building materials were scarce and the time was not favorable for taking this step. That is correct.

Mr. CURTIS of Missouri. All right. I would say to the gentleman that his record is not complete because it should have contained also of the reasons advanced, that this was not an area in which the Federal Government ought to engage.

Mr. COOLEY. The reason was because of the shortage of materials due to the Korean war.

Mr. CURTIS of Missouri. I beg to differ with the gentleman. Quite a number of people spoke on the advisability of whether the Federal Government should go into this area of operation.

Mr. COOLEY. I think that the RECORD further shows that the bill passed unanimously in the previous Congress. Anyway the gentleman had a perfect right to oppose the bill. It is presented to you on its own merits. It deals with a subject which has engaged the attention of the Federal Government in the legislative branch and the executive branch for more than 30 years.

If you will read the report you will see that the Federal Trade Commission conducted a thorough examination and investigation into the marketing facilities in the country. Thirty-six years ago a report was made. Here is what that report said 36 years ago:

> The wholesale market districts of large cities are without a doubt the factor most responsible for the excess expense of marketing perishable foods up to the time they come into the hands of retailers and are the cause, directly or indirectly, of much of the loss, waste, and excess cost disclosed in the report.

Any wholesale market approaching the ideal would have direct rail connections for the speedy delivery of cars to one union produce terminal, where cars will be placed directly at the stores of the dealers. It would provide the necessary terminal and marketing facilities, including adequate, properly regulated, and sanitary warehouses and cold-storage space. It would also eliminate all cartage between the freight yards and the stores of the wholesale dealers and commission men.

The present market districts of such cities as New York, Chicago, Boston, etc., as well as those of other markets are utterly inadequate. They are not strategically or logically located. None of them has direct rail connection nor are they arranged for the direct unloading of shipments by water. Every pound of food must be trucked into and out of the district. * * * The majority of the markets are crowded into old, congested districts which perhaps were adequate 30 to 60 years ago, but which have received little intelligent attention for a generation or more, while the population we have has vastly increased. * * * In a word, the marketing of foodstuffs has been left to take care of itself.

If the wholesaling of foods is to be placed on an efficient basis the first and most obvious requirement is that respecting physical equipment. Facilities adequate to meet every need should be provided for the receiving, handling, storing, preserving, buying, selling, and delivering, of perishable foods. This requirement will not be met under the present organization of the marketing system. The benefits arising from economical physical handling of its food supply are dependent upon such public action as will secure the facilities required.

That report, as I say, was submitted 36 years ago. I have been interested in this subject for 11 years. In 1945 I was head of a subcommittee that conducted an investigation of the terminal markets in metropolitan areas.

Mr. BEAMER. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Indiana.

Mr. BEAMER. Could the gentleman advise the committee whether or not the Department of Agriculture and other agencies involved have given approval to this legislation?

Mr. COOLEY. The marketing division of the Department of Agriculture has worked closely with our committee throughout the years in trying to secure the passage of this legislation. The Secretary of Agriculture has taken the position in reporting on this measure that it is a job that should be done by private industry. Everyone of us knows that private industry has not done the job and private industry will not do it. There is a very good reason why. If you will take into consideration the Washington Street market in the city of New York, 20 percent of the produce that goes through that market comes from the State of California.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, more than 40 States in the Nation ship produce into the Washington Street market. That market is impressed with a national tint. If you could go there, as the members of our committee have, and if you could see how antiquated the market facility there is, you would then know we are trying to accomplish something, and that we are trying to shorten the distance between the producer and consumer.

Mr. BEAMER. I would like to inquire, Is this merely permissive legislation, making it possible for the Department to assist in the construction of these facilities?

Mr. COOLEY. The Department, in drafting plans and making a survey, can go into your city or any city and make a complete survey and they can indicate pretty accurately what can be saved if you establish a modern market facility to replace an antiquated marketing facility. It is entirely a voluntary program and the loans can only be made when they are approved by the Federal Government.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Washington.

Mr. PELLY. What is the cost of this legislation?

Mr. COOLEY. We anticipate there will be no cost. The loans will be amortized over a long period of years. The loans will be paid from the rents collected by the market facility in charge of the operation.

Mr. PELLY. The Federal Government lends the money?

Mr. COOLEY. The Federal Government does not lend any money. It does not grant any money. It guarantees the loan to the extent of 85 percent. That is what the gentleman from Pennsylvania [Mr. KING] wants to express his views on. He believes that the 85 percent is too high, that it should be reduced to 75.

Mr. PELLY. Does the gentleman mean the Government guarantees it?

Mr. COOLEY. Guarantees the loan up to 85 percent. That is done to induce communities to build these facilities. This legislation has been indorsed by one group after another. I do not know of anybody or of any formidable opposition against it.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from California.

Mr. PHILLIPS. Mr. Chairman, I want to get my two cents worth in on what appears to be a rather confused subject. Fourteen years ago when I was a member of the Committee on Agriculture I was a member of a committee which investigated these markets. We felt there is great urgency to do something about it. I have been coauthor of this bill up to the present time. I have never been known to be an over-generous dealer out of the Nation's money, nor was I interested in centralization of power. But if we do not secure a bill of this kind, we will not have a correction of the marketing situation which exists. I suggest to the gentleman that if this had been a bill coming to do something for small business and to actually loan money to small business, many of these same friends of mine who are suggesting that they do not like this bill would have been enthusiastically suporting that bill, and yet here is a bill which endeavors to do something for the small farmers in many areas who bring their produce—you used the large cities as an illustration, and I think the gentleman should perhaps have used some of the smaller cities, too—who bring their produce in and who do not have adequate, sanitary, easily-reached places in which to dispose of that produce. So, it seems to me that it is just a misunderstanding on the part of those who have raised objection to it as to what this does, because all this bill proposes is to continue the interest of the Department of Agriculture in helping prepare plans, in saying whether a project would be satisfactory in an area, whether it is feasible to put one up, how much it should cost, and then, if necessary, in some cases, to guarantee a percentage of the money involved. I do not think this involves any money on the part of the Federal Government, because I cannot think of any of these markets, under these circumstances, which would not be successful. I am for the bill and I hope it will pass.

Mr. COOLEY. I thank the gentleman for his observation, and to say that I do know of his great interest in this subject and in this legislation. As he pointed out, when he was on the committee he was at that time interested in it, and I think it is a subject that everybody from the cities and the country should be in agreement on. I do not know of a single person that appeared before the committee at any time in opposition to this legislation unless it was somebody who owned one of these marketing facilities or some cold storage plant or something like that.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Indiana.

Mr. HALLECK. I was just looking at the bill, and I see you reported it out on July 30, 1955. That is almost a year ago. Why the delay in bringing it up? Here it is 6 o'clock in the afternoon. I do not know whether I am for or against the bill. And, may I say further, we were informed that this matter was going to be scheduled for consideration next week.

Mr. COOLEY. I thought so, too.

Mr. HALLECK. Well, that is what I thought, and certainly there is a lot of confusion about it. I am not prepared to say whether it is good or bad at this point.

Mr. COOLEY. I think the Committee on Agriculture is unanimous, except maybe 1 or 2 that were not entirely satisfied. The gentleman from Kansas [Mr. HOPE] is here. He has been interested in this situation for the last 10 or 15 years, I know. It simply applies the principle of Federal housing financing to the building of markets which must be built with Federal assistance or inducements, or they will not be built. And, I do not understand that the Government is going to lose any money. It is not contemplated that the Government will operate these markets. They will be operated by local people.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Minnesota.

Mr. WIER. Let me make this comment. There are some things that happened here over a period of 8 years that remain with you. I do not think you can deny that when this bill came up in 1951 and 1952 that there was about 3 hours of very heated debate over this bill and about some individuals who were interested in this bill from about 4 or 5 cities, at which time certain charges were leveled at them as having an interest in this bill. I remember distinctly, with reference to the New York market, a facility which contemplated 3 blocks of completely degenerated property. So, I do not want you to convince me, at least, that this bill was not a most controversial bill, and it was not because of the country's being in an emergency and lacking materials. I did not hear as much about material when this bill was before the House once before as against some of the underlying features in this bill. I think you will have to admit that it was very debatable and controversial that day when it came up. Was it not?

Mr. COOLEY. I do not recall that it was. The debate centered around the fact that there was a shortage of building material.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. FORD. I would like to give an example about a small community which has a project awaiting action on this legislation, which will be most beneficial to agriculture and to the consumers.

The city of Grand Rapids, Mich., passed within the last month or so a municipal marketing authority which will take advantage of this kind of legislation; procure the land and construct adequate marketing facilities, at an interest rate which will permit them to pay off the cost of construction over a reasonable period of time. If this legislation does not pass, then this municipal marketing authority will be precluded from setting up sanitary, businesslike, efficient, and economic facilities for the benefit of both consumers and agriculture.

Mr. COOLEY. Mr. Chairman, I would like to say that the same situation exists throughout the entire country. It is not just 2 or 3 cities. I only mention the Dock Street Market in Philadelphia and the Washington Street Market in New York because they are two of the large markets and they are two of the worst markets in this country. That is the situation that exists, and unless the Federal Government lends a helping hand those marketing facilities will go on and the producers and the consumers will be burdened. Both parties have talked all through the years about doing something to shorten the distance between the producers and the consumers. Here is the opportunity. This report that I have in my hand shows that—

The bill reported herewith, H. R. 39—

This was the report of 1951—

is identical in every respect with the bill of the 81st Congress, H. R. 9141, which was favorably reported by this committee on August 7, 1951, and unanimously passed by the House after debate on August 22, 1950.

How could it be such a controversial measure if it passed the House unanimously after open debate?

Mr. BROWNSON. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman.

Mr. BROWNSON. The fact that it passed the 81st and not the 82d Congress has an explanation, if the gentleman will consider it. I happened to replace one of those who voted for that bill in the 81st Congress. I urge that we have an opportunity sometime to consider this matter other than at 6 o'clock of a Friday night, and have the opportunity to discuss it in detail.

Mr. COOLEY. The gentleman has the opportunity to discuss the matter. I did not arrange for this bill to be called up at this time. I did not know it was going to be called up at this time until I was notified by the leadership that it would be reached. And I did not anticipate any controversy. The gentleman says that he replaced the man who voted against the bill. I do not see how that could be when the RECORD shows that it passed unanimously.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman.

Mr. HALLECK. Some of the Members have the RECORD in respect to the controversy of September 26, 1951, and it appears to me from a quick examination that practically this identical bill was before the House and was recommitted by a vote of 180 to 162.

Mr. COOLEY. And Mr. AUGUST H. ANDRESEN offered the motion to recommit; did he not?

Mr. HALLECK. Mr. AUGUST H. ANDRESEN offered the motion.

Mr. COOLEY. Stating at the time that he was not opposed to the bill but he did not think it was the right time to put it into operation.

Mr. HALLECK. I only mention that to indicate that certainly it is not a noncontroversial matter, as has been indicated.

Mr. COOLEY. Certainly the gentleman has not understood me to say that it was not controversial at the time it was recommitted. But I do say that at a former session it passed unanimously and the Member who offered the motion to recommit and is responsible for its being recommitted stated at the time that he approved the principle in the bill and is now for the legislation.

Mr. MUMMA. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. MUMMA. I have a recollection that I made a motion either to amend the bill or recommit it. The point was brought out at that time that there was available concrete to build these facilities and I brought out the point that in present-day construction you could not build with concrete without steel, and you could not get the steel. Also, there was some situation up in Boston where they had the steel on hand to build this project.

Mr. COOLEY. I have some faint recollection of the gentleman's having discussed it. The Boston situation was bad at one time. I have not had any occasion to know much about it recently.

Mr. MUMMA. I have not heard about it since.

Mr. HOPE. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KING].

Mr. KING of Pennsylvania. Mr. Chairman, for more than 35 years I have been quite familiar with the produce terminals, not only most of the large ones but a great many of the small city terminals, and the handling of perishable produce. I am quite familiar with the New York situation and the Philadelphia situation, where plans have been drawn repeatedly for the creation of a facility that was supposed to give more efficiency. It has seemed impossible, however, on every occasion to find anybody willing to invest the necessary money, simply because the cost was so terrific that the rates charged for occupancy of these more efficient stores would be more than their present cost of handling the produce in their present inefficient situation.

There is no doubt but that it seems efficient in Philadelphia, New York, and many of these others, but on a strictly economic basis will it be any more efficient to plunge headlong into the building of terminals? If we were strictly following the advice of the Department of Agriculture, which under the direction of Mr. Crow has designed many of these markets and made the necessary prospectus of rentals and profits and amortization—I think the Department presently hesitates to give such blanket authority here to any city that has to pick up only 15 percent of the check to proceed with the building of a large terminal.

You must recognize also that there is less need for these large terminals today than 30, 20, or 10 years ago, because now such a large percentage of the produce is bypassing the perishable terminals, going direct to the chain store warehouses, and a large percentage particularly on some crops is going through the freezers to the retailers and not in the fresh form through the terminals.

Who is going to benefit by this? It could seem that somebody ought to benefit, but I deny that you can trace back the benefits to the farmer from the creation of terminal market facilities.

Mr. BEAMER. Mr. Chairman, will the gentleman yield?

Mr. KING of Pennsylvania. I yield to the gentleman from Indiana.

Mr. BEAMER. Does the committee have any information concerning the number of facilities that might be built, or any requests that have been made for this service?

Mr. KING of Pennsylvania. I think not. I have not heard of any.

I was making the point that farmers are going to get but little if any benefit from these terminal market facilities because the price of the perishables is set strictly and solely by the balance of supply to demand day by day. When beans are worth $4 one day and the next day worth only $2, it is not the facility that

has had anything to do with that. It is simply that the law of supply and demand is working, and very positively, on all perishable products.

What I am afraid about on this thing is that the Government is going to be in the ownership and operation, at least by lease, of many of these terminals.

While I said to the gentleman from North Carolina [Mr. COOLEY] I do not necessarily want to completely defeat this bill because I believe some Federal encouragement must be justified, I do want to modify it so that it will be less dangerous insofar as the cost to the taxpayers as a whole is involved. If you leave this 15 percent requirement in—only 15 percent for a local contribution, you are going to have cities that are going to say, "Well, O. K., we can raise the 15 percent so long as the Government guarantees the 85 percent and then, even if we lose the 15 percent, there will be an expenditure of 85 percent of money in our city which is well worth it." That is going to be the situation whether or not it can be amortized through the rentals and regardless of whether or not it is justified insofar as bringing about savings to the consumers. The cities will still have a nice big terminal facility and want that facility, if the Federal Government will guarantee as much as 85 percent.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. KING of Pennsylvania. I yield.

Mr. McDONOUGH. I see under the bill the private corporations can qualify as eligible borrowers. Even if we put the Federal contribution at 50 percent if it is a profitable operation with a 50 percent guaranty by the Federal Government, why is it not a profitable operation for private industry?

Mr. KING of Pennsylvania. If these terminal market facilities were profitable operations, they would have been built already by private capital and we would not need to be giving them this aid.

Mr. McDONOUGH. Mr. COOLEY said that the Government would lose no money on this, and that the people who occupy the terminals would pay off the loan. That means there is going to be a profit.

Mr. KING of Pennsylvania. Mr. COOLEY is right provided that they all pay out. But, it will cost the Federal Government money where there is a default where these facilities cost, perhaps, $20 million and the Government is guaranteeing 85 percent of that $20 million and the rental income does not meet the carrying charges and the amortization on that loan. There is going to be default and the bill provides that the Government shall take over the terminal. The Government will be in the terminal market business, if you let this 85 percent provision remain. But, if you make this bill a little safer by reducing the 85 percent to 70 percent so that local interests will have to risk at least 30 percent of the investment, then you will not have such careless and reckless building of these terminals. They are needed in many places. But if you let the Government guarantee as much as 85 percent of the cost, they will be built with reckless abandon and, perhaps, many local communities even will be willing to lose their 15 percent to get it.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. KING of Pennsylvania. I yield.

Mr. PHILLIPS. Putting aside for the moment whether the guaranty by the Federal Government ought to be 80 percent or 70 percent or 75 percent; is not the gentleman's concern about the approval of unfeasible projects? Is that not covered pretty well in section 8 where it says the Secretary has the right to do this, and he must require the obligations and he must require the terms of the mortgage and so forth to be approved by him? Does he not have pretty good control over the matter?

Mr. KING of Pennsylvania. I think the Secretary is likely to have good judgment so long as Mr. Crow is there to advise the Secretary, but he does not risk a dime and the real final judgment of the thing involving $10,000 or $10,000,000 is: Who is willing to invest in it? Here the city or any entity can raise only 15 percent of the money and the Government holds the bag for the rest of it. If you will reduce the 85 percent to 70 percent, then I think you would have a reasonable bill.

Mr. COOLEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 4054) to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities had come to no resolution thereon.

DISPOSAL OF U. S. S. "HARTFORD"

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9419) to authorize the disposal of the U. S. S. *Hartford*, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE. Mr. Speaker, reserving the right to object, will the gentleman explain the bill to the House?

Mr. DURHAM. Mr. Speaker, this bill is for the restoration of the U. S. S. *Hartford*. For many years the vessel has been at Norfolk in a bad state of deterioration. It either has to be destroyed or restored. The present cost of maintenance now is annually $18,928, and it will cost $35,000 to scrap or dispose of this ship. The cost of completely restoring the ship is estimated to be $1,250,000 so we can tow it to different locations throughout the United States and display it for historic purposes.

Mr. COLE. I suggest the gentleman advise the House that this is probably the most historic naval ship that we have, notably because of its having been the flagship of Admiral Byrd. It is a question of either disposing of it or preserving it. The Committee on Armed Services felt it should be preserved.

Mr. DURHAM. The gentleman is correct. There are 4 or 5 other vessels in the same state. It more or less establishes a policy which has not been adopted by the Congress, which I feel is essential.

I feel we should restore these old ships, and let the country know what kind of a Navy we had in years gone by.

Mr. COLE. I thank the gentleman.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield.

Mr. McCORMACK. I must take issue with the gentleman when he says this is the most historic vessel. It is one of them, but the U. S. S. *Constitution* is the most historic.

Mr. COLE. I think I said one of the most. I realize there are others.

Mr. DEVEREUX. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield.

Mr. DEVEREUX. We do not want to forget the *Constellation*. What is the cost of the restoration of the *Hartford?*

Mr. DURHAM. The gentleman is a valuable member of the Committee on Armed Services, and we were informed that the estimated cost was $1,250,000.

Mr. DEVEREUX. I was not sure, because there was something said about $30,000.

Mr. DURHAM. The $35,000 was the figure given the committee for upkeep after restoration and the figure $18,928 is the cost presently.

Mr. DEVEREUX. The gentleman said he would support legislation to insist on the restoration of the *Constellation?*

Mr. DURHAM. I might say it is carried in the report as I believe we should restore these 5 or 6 flagships which includes Admiral Dewey's flagship, the *Olympia*.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield.

Mr. GROSS. Before we get through with this experiment we are going to be running into some money.

Mr. DURHAM. It will cost some money, but we have spent millions and millions of dollars for battlefields in this country as historic spots; I feel the same way in regard to the United States Navy.

Mr. GROSS. The only point I want to make is that if everybody is going to get in on the act it is going to cost some money.

Mr. DURHAM. I said there were 5 or 6 of these old vessels that should be restored.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. O'HARA of Illinois. Mr. Speaker, reserving the right to object, I take this occasion when we are acting on a patriotic program of saving the historic battleships of our Nation for the inspiration of oncoming generations to call attention to a bill introduced by me in 1954 to restore the U. S. S. *Olympia*, the flagship of Admiral Dewey at the Battle of Manila Bay in the war with Spain.

It was the Spanish-American war that started the United States on the road of her destiny to world responsibility. It

would be a cruel and unforgiveable neglect if in the restoring and preservation of the historic battleships of our Nation there should be no representation of the war with Spain, nothing to remind the generations to come of the great victory of Dewey at Manila Bay, when in the course of a few minutes the entire Spanish Pacific Fleet was annihilated, and of Sampson and Schley at Santiago, when the entire Spanish Atlantic Fleet was destroyed.

In 1954 I was successful with the gracious help of my colleagues in having the doom of the *Olympia* extended for 6 months beyond the date then set for her dismantling. I believe there were further delays so that under the pattern we are not setting there still will be time to cheat the wreckers of their prey and save for the generations the priceless inspiration of the restored and permanently preserved flagship of American destiny.

The last active mission of the *Olympia* was to carry home the remains of the Unknown Soldier of World War I. He lies buried in Arlington Cemetery, his burial place a shrine for the visitation of succeeding generations. May I suggest that the *Olympia* does mean very much to those who participated in the Spanish-American War. It was the great ship of that period. It also is deeply grounded in the affection of the veterans of World War I because it brought home the unknown soldier.

Mr. Speaker, I am supporting the bill before us and I withdraw my reservation.

Mr. DURHAM. We certainly have in mind Admiral Dewey's flagship, the *Olympia*.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to dispose of the United States ship Hartford by sale or by scrapping. Any parts of historic interest may be removed prior to disposal and retained by the Department of the Navy or, in the discretion of the Secretary of the Navy, loaned or donated to such nonprofit historical or educational institutions as he may select. The Secretary of the Navy is further authorized to sell, under such regulations as he may prescribe, such parts or pieces of the Hartford as may be suitable for use as souvenirs, relics, or mementos, and any amounts collected through such sales shall be deposited and covered into the Treasury as miscellaneous receipts.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert "That the Secretary of the Navy is authorized to restore and preserve the United States ship *Hartford*, and upon completion to maintain the United States ship *Hartford* as a historic monument for display to the public either by direct operation as a Navy activity, or by contract.

"SEC. 2. The Secretary of the Navy shall make recommendations to the Congress prior to January 1, 1957, for the preservation of Navy ships and relics which are deemed to be of unusual historic interest together with an estimate of the cost of carrying out such program.

"SEC. 3. There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the preservation of the United States ship *Hartford*, and for other purposes."

A motion to reconsider was laid on the table.

AMENDMENT OF DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1953

Mr. DAVIS of Georgia submitted a conference report and statement on the bill (H. R. 7380) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities.

WASHOE RECLAMATION PROJECT, NEVADA AND CALIFORNIA

Mr. ENGLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 10643) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

Mr. HALEY. Mr. Speaker, reserving the right to object, I believe the gentleman had a rule on this bill. Is that correct?

Mr. ENGLE. That is true; yes.

Mr. HALEY. This calls for the authorization of a $43 million project. Is that correct?

Mr. ENGLE. Yes.

Mr. HALEY. Mr. Speaker, I object.

Mr. ENGLE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10643) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 10643, with Mr. SHEPPARD in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. ENGLE], will be recognized for 30 minutes and the gentleman from Nebraska [Mr. MILLER], for 30 minutes.

The gentleman from California is recognized.

Mr. ENGLE. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the purpose of this bill is to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project in the State of Nevada.

This is an unusual project in one particular, in that it is a case in which the water originates in California to be used in another State. We have often seen here on the floor of the House projects originating in other States where the water is used in California, such as occurred from time to time on the Colorado River.

The author of this bill is the gentleman from Nevada [Mr. YOUNG]. The bill has already passed the Senate under the authorship of the two Senators from Nevada, Mr. BIBLE and Mr. MALONE.

The project has the support of, and is endorsed by, the Department of the Interior in its official report as well as by the Bureau of the Budget. The project has been the subject of long study by both the Bureau of Reclamation and the Corps of Engineers. These agencies have been conducting their studies over a period of several years for the purpose of developing a multipurpose project to furnish much-needed supplemental water to alleviate severe flood damage and increase the local supply of electric energy.

The Flood Control Act of 1954 carried an authorization for construction of certain flood-control works in the Truckee Valley, but because of the operating relationship between these works and features of the Washoe project, their construction was made contingent upon authorization of this project.

In other words, the flood-control features of this project were authorized in 1954, but their construction was held in abeyance pending the bringing before Congress and the authorization of the irrigation power and reclamation features of the joint project which are before you now.

The Bureau of Reclamation completed its final planning report on the Washoe project in 1954. After the usual review by the States and interested agencies, the report was transmitted to Congress on June 6, 1955, and printed as House Document No. 181 of the 84th Congress.

Our committee held extensive hearings on this project, both here and in the field. Our committee, the Committee on the Interior, and the Senate committee, held hearings in Nevada last fall, in November of 1955 to be exact. In addition to that hearings were held before our committee and before the Senate committee.

The need for the project is based upon the need for water in the area, the need for power and the need for flood control. All three are very vitally needed in this particular area. Irrigation water will be furnished as a supplemental supply to some 38,160 acres of land in the Carson Valley and as a complete supply for 5,000 acres. So the project is largely a project for supplemental water supply.

The water will be used for the purpose of increasing the production of feed of various types for dairy and beef cattle needed in the local market and will not result in an increase in production of those farm commodities over which we have had a good many arguments in recent months.

There is a very great shortage of power in this particular area. The power for the eastern side of the mountains has been brought over the Sierra Nevada Mountains from the west. So the power to be generated by this project has already been spoken for.

With reference to flood control, as I previously stated, the Flood Control Act of 1954 carries works for the protection of floods which from time to time have inundated large parts of the city of Reno. This project, being integrated with the flood control portions which were previously authorized, will give much needed flood control protection for that area.

The total cost of the Washoe project, including facilities for the development of fish and wildlife resources, is $43,538,000. Of this amount $17 million will be allocated to irrigation and drainage, $18 million to power, $6 million to flood control, and $2 million to fish and wildlife. All of these amounts, except the amounts allocated to flood control and fish and wildlife will be repaid to the Federal Treasury in a period of 50 years. The allocation for power, in excess of $18 million, will be paid back to the Federal Government with interest amounting to about $14,600,000 during the lifetime of the project. After that the power revenues will be devoted to paying those portions of the irrigation costs which cannot be carried by the local irrigators. Studies on the Washoe project give a benefit-to-cost ratio of 1.8 to 1, or almost 2 to 1. As I previously stated, this measure has been endorsed by the Bureau of Reclamation and by the Bureau of the Budget.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ENGLE. I yield to the gentleman from Iowa.

Mr. GROSS. First of all, this provides for an appropriation of $43,700,000, is that right?

Mr. ENGLE. Correct.

Mr. GROSS. Is the $2 million for certain other projects a part of the $43,700,000?

Mr. ENGLE. It is; yes.

Mr. GROSS. Under the terms of this bill a multipurpose dam will be constructed?

Mr. ENGLE. Yes.

Mr. GROSS. Power will be derived therefrom?

Mr. ENGLE. Yes.

Mr. GROSS. In what direction would this power be wheeled?

Mr. ENGLE. The power would flow eastward to the consumers in the Nevada area.

Mr. GROSS. Who in the Nevada area would benefit by this power? What industry? Near what principal center of population is this project to be located?

Mr. ENGLE. Near the city of Reno; west of Reno in the Sierra Nevada Mountains.

Mr. GROSS. Is Reno going to use the power or California, or where is it going?

Mr. ENGLE. No. The power goes east. As the gentleman knows, the Sierra Nevada Mountains divide the States of Nevada and California. Perhaps the gentleman from Nevada will tell us the name of the power company?

Mr. YOUNG. The Sierra Pacific Power Co. will purchase the power.

Mr. ENGLE. Explain to the gentleman the service area of the Sierra Pacific Power Co., because I believe he is interested in it.

Mr. YOUNG. The Sierra Pacific Power Co. serves the Reno-Sparks area. It purchases its power largely from PGE, I believe, in California. There is very little power produced in Nevada. Less than one-fourth of the power used is produced there. There is a shortage of coal and other fuels which could be used for power generation.

Mr. GROSS. Is it logical for me to assume that none of the power would be wheeled as far east as the Middle West so we could build up some industry there on the basis of this power?

Mr. ENGLE. I doubt very much if any of this power would be wheeled to the Middle East or the Middle West.

Mr. GROSS. How many acres will you bring into production through this facility?

Mr. YOUNG. Mr. Chairman, if the gentleman will yield, the water which will be utilized amounts to about 72,000 acre-feet a year, which is now being dissipated and wasted. The water will be put to three purposes. First, some water will be furnished as a supplemental water source for about 40,000 acres in the Carson Valley. In addition, water will be furnished to two farm areas during the so-called dry cycles which we have not infrequently in Nevada. Thirdly, certain water will be made available for the putting into cultivation of about 5,000 acres sometime in the future.

Mr. ENGLE. Look at page 3 of the report which gives the project planning.

Mr. GROSS. It will be 45,000 acres plus. I do not know how much more, but I believe the gentleman has stated that at least 45,000 acres will be brought into cultivation through this project. Is that correct?

Mr. ENGLE. No; that is not correct. The amount of supplemental water supply—that is, the water which supplements the existing water—is for 38,160 acres. Then there is water supply for 5,100 acres in the Carson Valley area, and to supplement the present supply for 6,300 acres in the Empire, Dayton, and Fort Churchill areas. In other words, the only land getting a full supply of this water out of this project will be those lands in the Carson area, 5,100 acres.

Mr. GROSS. Of course, you have to take into consideration the land which will be benefited from this in dry cycles; that will be benefited and certainly will produce more crops, will it not?

Mr. ENGLE. Let us put it this way. If this project is not built there will be a lot of farmers going out of business and less crops will be produced, if that is what the gentleman is driving at. In other words, where we sustain or give a supplemental supply of water, what you are doing is to prevent areas going out of production. Now, what is happening out in western Nevada, which is a very attractive area from the standpoint of climate, is that they simply do not have water enough to take care of the people coming out there. As they move into those areas they use the water for other purposes, and the farmers have less, because domestic and municipal users can pay such high rates for water.

Mr. GROSS. I understand that perfectly, but we have plenty of food; we produce plenty of food in the Middle West and other parts of the country to supply your food needs in the western part of the United States.

Mr. ENGLE. That is right.

Mr. GROSS. The gentleman spoke a while ago about the cattle that would be raised. Did he say they were to be consumed locally, the beef that would be produced? Would it all be consumed locally?

Mr. YOUNG. The Department of Agriculture submitted a report which shows that there may be a shortage of beef and dairy products in this area by the time the benefits of this project become apparent. The economy of this area, from an agricultural standpoint, is largely devoted to dairy products and beef. In the State of Nevada less than 5 percent of the farm products come within the so-called price-support structure.

Mr. GROSS. I will say that we have plenty of agricultural products to supply your needs out there, and it will not require the spending of a lot of money to bring new land into production to produce the same thing that we are producing now.

Mr. YOUNG. If we can have judicious use of this water we will have more people out there who can eat the farm products from the gentleman's area.

Mr. BOW. Mr. Chairman, would the gentleman yield?

Mr. ENGLE. I yield to the gentleman from Ohio.

Mr. BOW. Would the gentleman tell us what the interest rate is on the money being used for the power project? I see that amount is about $18 million.

Mr. ENGLE. If I am mistaken about this, I hope some member of the committee will correct me; but our usual figure is the interest rate on Government bonds at the time the project is put into operation.

Mr. ASPINALL. Mr. Chairman, the gentleman is correct.

Mr. BOW. Is that provided in the language of the bill? I have been advised that the interest rate there is 2½ percent. I know that we are paying more than that on Government bonds today.

Mr. ENGLE. I would have to check the bill, but that is our usual provision. We take the cost of Government money at the time the money is advanced. That becomes the interest rate.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. ENGLE. I yield to the gentleman from Colorado.

Mr. ASPINALL. The answer is to be found in section 2, paragraph (c) at the top of page 4, where it states "with interest on the unamortized balance thereof at the average rate—which rate shall be certified by the Secretary of the Treasury—paid by the United States on its marketable long-term securities outstanding on the date of this act."

Mr. BOW. Mr. Chairman, I thank the gentleman.

Mr. RABAUT. Mr. Chairman, would the gentleman yield?

Mr. ENGLE. I yield to the gentleman from Michigan.

Mr. RABAUT. Is this a self-liquidating project?

Mr. ENGLE. It is. It is not only self-liquidating, but it pays interest on the major item of the expense which is the power investment. It pays that back to the Treasury, with interest.

Mr. RABAUT. What rate is this company the gentleman from Nevada [Mr. YOUNG] mentioned going to pay for this power when they purchase it? Will they pay the running rate out there?

Mr. ENGLE. It is a very high rate. It is 9 mills. But they think they can use this power for peaking purposes, so they can afford to buy it at that rate. It will be contracted for at 9 mills, which is what gives this project the kind of pay-out it has.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 5 minutes to the gentleman from Nevada [Mr. YOUNG].

Mr. YOUNG. Mr. Chairman, this is the first project that has been presented for the State of Nevada in some 20 years. There is probably no State that has less resources from the water standpoint or which must use it more wisely than this State. There is no controversy in the State with regard to the project. It has strong local support. We feel it is important to make the wisest possible use of our water resources.

I urge favorable consideration of this measure.

Mr. MILLER of Nebraska. Mr. Chairman, I have no further requests for time.

Mr. ENGLE. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, I am sure I am not going to have to use the 5 minutes that the gentleman so graciously yielded me.

Mr. Chairman, I am opposed to this project. I think we are doing something here that I have always been opposed to. We are fixing to authorize an expenditure of $43 million. And what is the justification for this project? It brings into production approximately 5,100 additional acres of land and supplements water on approximately 6,300 acres of land, putting into production acres of land when we are now being asked under the soil-bank program to take land out of production.

We have plenty of land in this country to produce the food and the fiber that we need. I am opposed to continuing to spend these monies for these high-priced acres of land out there in this part of our country, when it is not necessary.

The other thing, Mr. Chairman, is this: we are spending approximately $2 million to build a fish hatchery. I say to the members of this Committee that that is a pretty expensive fish hatchery. It is about time that we in the Congress began to think of the people who pay these bills, the American taxpayers who have been so long neglected.

This project is not justified and I hope that it is not authorized because in a time of high prosperity in our country, someone should begin to think about paying off some of the staggering national debt.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That, for the purposes of furnishing water for the irrigation of approximately fifty thousand acres of land in the Carson and Truckee River Basins, Nevada and California, providing drainage service to approximately thirty-one thousand acres of land therein, firming the existing water supplies of lands under the Truckee River storage project and the Newlands project, controlling floods, providing hydroelectric power, development of fish and wildlife resources, and for other beneficial purposes, the Secretary of the Interior is authorized to construct, operate, and maintain the Washoe reclamation project consisting of two principal reservoirs at the Stampede and Watasheamu sites, together with other necessary works for the impounding, diversion, and the delivery of water, the generation and transmission of hydroelectric power, and the drainage of lands. The dam at the Stampede site shall be so constructed as to permit its ultimate enlargement to a height at which the reservoir will have a capacity of approximately one hundred and seventy-five thousand acre-feet.

SEC. 2. (a) In constructing, operating, and maintaining the works authorized in section 1 of this act, the Secretary shall be governed by the Federal reclamation law (act of June 17, 1902, 32 Stat. 389, and acts amendatory thereof or supplementary thereto) except as is otherwise provided in this act.

(b) Any contract entered into under section 9, subsection (d) of the Reclamation Project Act of 1939 (53 Stat. 1187, 1193; 43 U. S. C., 1952 edition, sec. 458h) for payment of those portions of the costs of constructing, operating, and maintaining the Washoe reclamation project which are properly allocable to irrigation and drainage and which are assigned to be paid by the contracting organization may provide for the repayment of the portion of the construction cost of the project assigned to any project contract unit or, if the contract unit be divided into two or more irrigation or drainage blocks, to any such block over a period of not more than fifty years, exclusive of any permissible development period, or as near thereto as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within the period stated under normal conditions, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the organization to pay: *Provided*, That any contract for a supplemental water supply for irrigation under this act may omit provisions complying with the third sentence of paragraph (a) of section 46 of the act of May 25, 1926 (44 Stat. 649) if such contract, in lieu of such provisions, provides that the pro rata share of the irrigation allocation which is attributable to furnishing irrigation or drainage benefits, in each particular year, to land held in private ownership by any one owner in excess of one hundred and sixty irrigable acres, shall be returned with interest determined in accordance with subparagraph (c) of this section.

(c) Notwithstanding any other provision of law to the contrary, all net revenues derived from the sale of commercial power from the Washoe reclamation project shall be applied, first, to the amortization of that portion of the cost of constructing the project which is allocated to commercial power with interest on the unamortized balance thereof at the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this act, and thereafter to the amortization of that portion of the cost of constructing the project which is allocated to irrigation and drainage but which is beyond the ability of the contracting irrigation and drainage organizations to repay as provided above.

(d) Water users in Alpine County, Calif., shall have the opportunity to contract for project water made available by the Watasheamu Reservoir before such project is offered for the development of any new land in Nevada. Should any such project water be contracted for by Alpine County water users, then in that event such users shall be permitted to exchange such water for existing rights to natural flow or stored water of the West Carson River.

(e) The use of waters of the Little Truckee River solely for the generation of electric power by the Washoe project shall not impair or preclude the appropriation of such waters in the future for beneficial consumptive use within the Little Truckee River watershed in California, to the same extent as such waters may be presently available for such appropriation in the State of California: *Provided*, That if and when an interstate compact covering the distribution and use of the waters of the Truckee and Carson Rivers is approved by the Legislatures of the States of California and Nevada and is consented to by Congress, the operation of the Washoe reclamation project shall be in conformance with such compact, and the foregoing restriction shall not apply.

SEC. 3. The Secretary is authorized to investigate, plan, construct, operate, and maintain basic facilities for access to, and for the maintenance of public health and safety and the protection of public property on, lands withdrawn or acquired for the development of the Washoe project, to conserve the scenery and natural, historic, and archeologic objects, and to provide for public use and enjoyment of the same and of the water areas created by this project by such means as are consistent with its primary purposes. The Secretary is authorized to withdraw from entry or other disposition under the public land laws such public lands as are necessary for the construction, operation, and maintenance of said minimum basic facilities and for the other purposes specified in this section and to dispose of such lands to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance upon such terms and conditions as will best promote their development and operation in the public interest. The Secretary is further authorized to investigate the need for acquiring other lands for said purposes and to report thereon to the Committees on Interior and Insular Affairs of the Senate and House of Representatives, but no lands shall be acquired solely for any of these purposes other than access to project lands and the maintenance of public health and safety and the protection of public property thereon without further authorization by the Congress. All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable.

SEC. 4. Facilities shall be provided for the development of the fish and wildlife resources of the project area including facilities to permit increased minimum water releases from Lake Tahoe and restoration of the Pyramid Lake fishery. The cost of such facilities, including operation and maintenance, shall be nonreimbursable. The cost to the Federal Government of constructing these facilities shall not exceed $2,000,000. This amount shall not include the cost of measures undertaken, pursuant to section 2 of the act of August 14, 1946 (60 Stat. 1080, 16 U. S. C. 661a), to mitigate damages to fish and wildlife resources occasioned by the Washoe project as authorized by section 1 of this act.

SEC. 5. There is hereby authorized to be appropriated for construction of the Washoe reclamation project the sum of $43,700,000 plus such amounts, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indices applicable to the types of construction

involved therein and, in addition thereto, such sums as may be required to operate and maintain the project: *Provided*, That the appropriation of funds for the construction, operation, or maintenance of facilities authorized by section 4 of this act shall not be from the reclamation fund.

Mr. ENGLE (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that the bill be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JONES of Missouri. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask one or two questions of the chairman: I notice the report from the Bureau of the Budget mentions the fact that no commitment can be made at this time as to when any estimate of appropriation would be submitted for construction of the project, if authorized by the Congress. This means that the Bureau of the Budget does not have any idea that any money is going to be available for this project in the near future. Is that what that means?

Mr. ENGLE. This is customary language, unless as, in some cases, the Budget has already cleared money for appropriation. For instance, on the upper Colorado Basin project this year when it came up it carried I think $10 million or some such sum to initiate that project. What I understand it is saying here is that this project is all right, but they are not going to say when they will approve appropriations to construct it. In other words, they are not committing themselves with reference to that.

Mr. JONES of Missouri. I did not read this bill until today and have just read hurriedly this report from the Bureau of the Budget. It does not seem like a very enthusiastic report. I notice here they state:

> The Bureau of the Budget also believes that where proposed recreational facilities are not of national significance, as in the case of the Washoe project, they should not be included in the project report unless States and local governments agree to repay the costs.

They have agreed to do that, have they?

Mr. ENGLE. No, they have not. The $2 million which is in here for fish and wildlife was put in here because a project built some 50 years ago, called the Newlands project, killed off the fish propagation in Pyramid Lake, which was one of the great recreation areas of that section of the country and of great value to the Indians of that area. Consequently, this is taking care of something that should have been taken care of a long, long time ago.

Mr. JONES of Missouri. I have another question: In the last proviso of the bill on page 7 it is provided:

> That the appropriation of funds for the construction, operation, or maintenance of facilities authorized by section 4 of this act shall not be from the reclamation fund.

That is the fish and wildlife section there for the $2 million that the Federal Government is going to appropriate for the construction of those facilities. Is that right?

Mr. ENGLE. That is correct. That is the usual way of handling it. The reclamation fund is the amount paid in from these projects coming from the oil and gas leases and what not. That constitutes about half the money appropriated for these western reclamation projects.

Mr. JONES of Missouri. Where is the $2 million going to come from? The gentleman said this is a self-liquidating project. Where is that going to be liquidated from?

Mr. ENGLE. It comes out of the general funds of the Treasury.

Mr. JONES of Missouri. It is not going to be liquidated then?

Mr. ENGLE. That is correct. I was very careful to say that the two items which would not be paid back would be flood control and the part allotted for fish and wildlife, which is this $2 million.

Mr. JONES of Missouri. I want to refer to another thing. Things were going kind of fast for me and I could not keep up with it. You said all of this land which was going to be put into production was not going to produce anything which was now in surplus; did I understand that?

Mr. ENGLE. I cannot think of anything that is going to be produced there that has accumulated any surplus. The gentleman from Nevada says less than 1 percent of the agricultural production of the State of Nevada is under price support; is that correct?

Mr. YOUNG. That is correct.

Mr. JONES of Missouri. One thing that I am hesitant about is bringing any more land into production that would produce any crops that are in surplus. I might ask the gentleman from Nevada, Is this land which could be brought into the production of cotton if the water is made available?

Mr. YOUNG. No, the land that will probably be brought into cultivation is at an altitude, I suppose, of five, six, or seven thousand feet. There is a very short growing season at that altitude and the land would probably be adaptable only or chiefly to grazing and various dairy products.

Mr. JONES of Missouri. Will it raise wheat?

Mr. YOUNG. I doubt if it will raise very much wheat in that area.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSS. Are dairy products under price support?

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SHEPPARD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 10643) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California, pursuant to House Resolution 581, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HALEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

Mr. HALEY. Mr. Speaker, I withdraw the point of order.

The SPEAKER. The point of order is withdrawn.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. ENGLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 497) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That, for the purposes of furnishing water for the irrigation of approximately fifty thousand acres of land in the Carson and Truckee River Basins, Nevada and California, providing drainage service to approximately thirty-one thousand acres of land therein, firming the existing water supplies of lands under the Truckee River storage project and the Newlands project, controlling floods, and providing hydroelectric power, development of fish and wildlife resources, and for other beneficial purposes, the Secretary of the Interior is authorized to construct, operate, and maintain the Washoe reclamation project consisting of two principal reservoirs at the Stampede and Watasheamu site, together with other necessary works for the impounding, diversion, and delivery of water, the generation and transmission of hydroelectric power, and the drainage of lands. The dam at the Stampede site shall be so constructed as to permit its ultimate enlargement to a height at which the reservoir will have a capacity of approximately one hundred seventy-five thousand acre-feet.

SEC. 2. (a) In constructing, operating, and maintaining the works authorized in section 1 of this act, the Secretary shall be governed by the Federal reclamation laws (act of June 17, 1902, 32 Stat. 389, and acts amendatory thereof or supplementary thereto) except as is otherwise provided in this act.

(b) Any contract entered into under section 9, subsection (d), of the Reclamation Project Act of 1939 (53 Stat. 1187, 1193; 43 U. S. C., 1952 edition, sec. 485h) for payment of those portions of the costs of constructing, operating, and maintaining the Washoe reclamation project which are properly allocable to irrigation and drainage and which are assigned to be paid by the contracting organization may provide for the repayment of the portion of the construction cost of the project assigned to any

project contract unit or, if the contract unit be divided into two or more irrigation or drainage blocks, to any such block over a period of not more than fifty years, exclusive of any permissible development period, or as near thereto as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within the period stated under normal conditions, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the organization to pay: *Provided*, That neither the provisions of the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649), nor any other similar provision of the Federal reclamation laws shall be applicable to lands receiving supplemental water under the Washoe project.

(c) Notwithstanding any other provision of law to the contrary, all net revenues derived from the sale of commercial power from the Washoe reclamation project shall be applied, first, to the amortization of that portion of the cost of constructing the project which is allocated to commercial power with interest on the unamortized balance thereof at the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this act, and, thereafter, to the amortization of that portion of the cost of constructing the project which is allocated to irrigation and drainage but which is beyond the ability of the contracting irrigation and drainage organizations to repay as provided above: *Provided*, That the Secretary, prior to the delivery of project water supplies, shall have entered into a contract or contracts with an organization or organizations as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which have the capacity to levy assessments upon all taxable real property located within their boundaries to assist in making repayments.

(d) Water users in Alpine County, Calif., shall have the opportunity to contract for project water made available by the Watasheamu Reservoir before such project water is offered for the development of any new land in Nevada. Should any such project water be contracted for by Alpine County water users, then in that event, such users shall be permitted to exchange such water for existing rights to natural flow or stored water of the West Carson River.

(e) The use of water of the Little Truckee River solely for the generation of electric power by the Washoe project shall not impair or preclude the appropriation of such waters in the future for beneficial consumptive use within the Little Truckee River watershed in California to the same extent as such waters may be presently available for such appropriation in the State of California: *Provided*, That if and when an interstate compact covering the distribution and use of the waters of the Truckee and Carson Rivers is approved by the legislatures of the States of California and Nevada and is consented to by Congress, the operation of the Washoe reclamation project shall be in conformance with such compact, and the foregoing restriction shall not apply.

SEC. 3. The Secretary is authorized to investigate, plan, construct, operate, and maintain minimum basic facilities for access to, and for the maintenance of public health and safety and the protection of public property on, lands withdrawn or acquired for the development of the Washoe project, to conserve the scenery and natural, historic, and archeologic objects, and to provide for public use and enjoyment of the same and of the water areas created by this project by such means as are consistent with its primary purposes. The Secretary is authorized to withdraw from entry or other disposition under the public-land laws such public lands as are necessary for the construction, operation, and maintenance of said minimum basic facilities and for the other purposes specified in this section and to dispose of such lands to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance upon such terms and conditions as will best promote their development and operation in the public interest. The Secretary is further authorized to investigate the need for acquiring other lands for said purposes and to report thereon to the Committees on Interior and Insular Affairs of the Senate and House of Representatives, but no lands shall be acquired solely for any of these purposes other than access to project lands and the maintenance of public health and safety and the protection of public property thereon without further authorization by the Congress. All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable.

SEC. 4. Facilities shall be provided for the development of the fish and wildlife resources of the project area including facilities to permit increased minimum water releases from Lake Tahoe and restoration of the Pyramid Lake fishery. The cost of such facilities, including operation and maintenance, shall be nonreimbursable. The cost to the Federal Government of constructing these facilities shall not exceed $2,000,000. This amount shall not include the cost of measures undertaken, pursuant to section 2 of the act of August 14, 1946 (60 Stat. 1080, 16 U. S. C., sec. 661a), to mitigate damages to fish and wildlife resources occasioned by the Washoe project as authorized by section 1 of this act.

SEC. 5. There is hereby authorized to be appropriated for construction of the Washoe reclamation project the sum of $43,700,000 plus such amounts, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein and, in addition thereto, such sums as may be required to operate and maintain the project.

Mr. ENGLE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ENGLE: Strike out all after the enacting clause and insert the provisions of House bill, H. R. 10643, as passed.

The SPEAKER. The question is on the amendment offered by the gentleman from California.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

On the motion of Mr. ENGLE, the proceedings whereby the bill, H. R. 10643, was passed were vacated and that bill was laid on the table.

VERENDRYE NATIONAL MONUMENT

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1774) to abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes, with a Senate amendment thereto, disagree to the amendment of the Senate and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none and appoints the following conferees: Mr. ASPINALL, Mrs. PFOST, and Messrs. UDALL, BERRY, and OSMERS.

AMENDING MISSING PERSONS ACT, AS AMENDED

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11787) to amend further and make permanent the Missing Persons Act, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS of Louisiana. Mr. Speaker, the purpose of H. R. 11787 is to revise and make permanent the Missing Persons Act. This is the law which provides for authority for heads of military and other Government departments to continue payment of pay and allowances of military and civilian personnel during periods of absence from their posts of duty while in a missing status. It also provides authority to initiate and discontinue allowances to dependents of such personnel and to make judicial findings of death and other determinations under appropriate circumstances.

Congress first enacted the Missing Persons Act in 1942 because it was recognized that such authority was needed, inasmuch as the executive departments could not, under existing law, make appropriate and expeditious payments to dependents of persons in a missing status or settle the accounts of such missing personnel. The original act would have expired on July 25, 1947. However, mounting tensions throughout the world and the increased number of incidents which had involved mysterious disappearances and detention of individuals, military and civilian, indicated that there was a continued need for legislation of this type. In addition, commitments of the United States Government required that both military and civilian personnel continue to serve within or in the near vicinity of troubled areas. Consequently, on June 24, 1948, the Congress extended the temporary Missing Persons Act by section 4 (e) in the Selective Service Act of 1948. Since that time the Missing Persons Act has been extended from time to time.

The demands of the international situation indicate that legislation of this type is necessary, not only to meet the current needs but to meet the needs for years of future service. In the event of war, legislation of this type would be even more essential. Under the circumstances, I believe that this type of legislation should be of a permanent nature. It should not be necessary for us to have to renew or reenact this type of legislation on an annual basis.

Consequently, since 1942 this is the first complete revision of the Missing Persons Act. A great deal of the original act is retained, and I will, at this time, point out the substantive revisions.

In the first place, part-time, hourly, or intermittent employees are covered. I believe that provision of equitable treatment to Federal employees employed on a part-time, intermittent, or hourly basis is essential. It should not make any difference how an employee is

paid if he becomes missing while in the employment of the United States Government.

Secondly, employees who enter a missing status within the continental limits of the United States will now be covered when the head of the department concerned determines that the missing status is the proximate result of their employment. This extension of coverage, under the bill, to Federal employees in the United States is extremely important because of the possibility that such employees may enter a missing status, while performing their duties, as the result of aircraft accident or while engaged in security missions.

Third. The bill will extend limited coverage to members of the Reserve components while performing training duty or inactive duty for training. If these reservists enter a missing status while performing that duty they will receive, or have credited to their pay accounts, the same pay and allowances that they would receive if they were performing full-time active duty. This coverage provides benefits to members of the Reserve components comparable to those provided for Regular personnel.

Fourth. The bill provides authority to make a determination of death for dependents of personnel covered by this act. This determination will be conclusive on all agencies of the Federal Government. There have been situations where dependents of military and civilian personnel have been directed to accompany the principal as a routine requirement. With no authority to declare a dependent in a missing status, other dependents have suffered undue hardships when judicial determinations have been required prior to the payment of various benefits by the Federal Government.

Fifth. The bill provides authority to move household and personal effects to the official residence of record or residence of the dependents or next of kin of a person who is in a missing status for a period of more than 30 days, with or without the application of the next of kin or other persons having a substantial interest in the return of such effects. One of the difficulties under the law has been that it provides only for shipment to a dependent upon application and the military services have encountered serious difficulties in locating dependents to whom the household or personal effects can be shipped. This often results in unnecessary storage costs and excessive correspondence.

Sixth. The bill provides, in emergency circumstances, for the sale of privately owned vehicles and other bulky items, the proceeds to be forwarded to the owners or their dependents. This will assist in reducing unnecessary claims and excessive administration.

The committee amended the bill in three substantive instances:

First. A committee amendment provides that this bill will only be applicable to individuals who are citizens of the United States, or who are aliens who have been admitted to the United States for permanent residence. Originally the bill would have included all indigenous employees of the United States, and I believe that inasmuch as the United States Government is employing thousands of nationals at various locations around the world where it has military bases and installations, we should not include all of these employees within the provisions of the law.

Second. We have amended the bill so as to clarify the type of pay and allowances which would be received after a person is declared in a missing status. Originally the bill would have authorized the payment of per diem for any person who was in a per diem status when he became missing. It was brought to our attention that actual cases resulted during World War II whereby a serviceman, traveling under orders authorizing per diem pay, was captured by the enemy, and as a result of being in that status when captured, was entitled to draw per diem, in addition to his pay and allowances, for each day he was a prisoner of war. We do not favor this type of payment. We believe that a missing person should have his account credited with the actual pay and allowances he was receiving when he entered a missing status.

Third. The bill as originally introduced would have provided no benefits for any person who entered a missing status while officially on active duty training without pay. We have many interested and patriotic reservists who participate in Reserve training without pay, such as Reserve aviators who fly on weekends. If one of these reservists, serving in that status, should become missing, we do not believe he should be excluded from this legislation. Consequently, we included a provision whereby if a reservist is lost and declared to be in a missing status when he is officially participating in Reserve training without pay, he, or his survivors, will be entitled to the provisions of the legislation, and his pay account will be credited with the pay of his rank or grade, just as if he had been in a pay status when he became missing.

The bill also provides that entitlement to pay and allowances shall not be denied in the case of a Philippine Scout who was captured in the Philippine Islands during World War II, solely on the grounds that such member was paroled or permitted to return to his home prior to the termination of the occupation by the Japanese of the Philippine Islands.

I would like to tell you something of the Philippine Scouts. These soldiers were natives of the Philippines who were actually members of the United States Army. Now, they should not be confused with the members of the Army of the Philippines.

Early in this century the Congress authorized a military component of the United States Army to be made up of qualified Filipinos and to be known as the Philippine Scouts. This new organization became a part of the Regular Army of the United States. Throughout its proud history the personnel of the Philippine Scouts was virtually handpicked, thus representing the cream of the Philippine citizenry. As a result the prestige of the Philippine Scouts rose, and this career unit became one of great distinction.

At the beginning of World War II and upon the surrender of the Philippines, Americans and Filipinos alike were taken prisoners of war and diverted to prison camps. Thereafter, the Japanese, wanting to relieve themselves of the large number of prisoners, evolved a plan of parole for the Filipinos. There was no alternative to this parole unless it was to choose to stay in prison camps and most likely die from disease, wounds or starvation. Consequently, the members of the Philippine Scouts were paroled, and most returned to their home villages, but while there, they were under constant surveillance and were required to report to the Japanese authorities so often that they were virtually in the hands of the enemy.

As a matter of fact, the official United States history of World War II states in effect that parolees were just as effectively prisoners of war as if they had been confined to prison camps, and for violations, or suspected violations, of parole men were hauled back to prison camps for long periods of unreasonable questioning or periodical beatings, and some were executed.

When parole violators could not be found the Japanese inflicted cruel penalties upon their families or upon entire communities.

When the Philippine Islands were recaptured and the members of the Philippine Scouts returned to military control the United States Army refused to pay them their pay and allowances for the time they were on parole.

Now, I would like to point out some of the legal authorities concerning paroled prisoners. For instance, Bouvier's Law Dictionary defines a prisoner-of-war as follows:

> A prisoner of war is one who has been captured while fighting under the banner of some state. He is prisoner of war even though never confined in prison.

And let us see what the opinions of the Judge Advocate General of the United States Army have to say concerning paroled prisoners of war:

> A paroled prisoner of war is simply a soldier who has been placed under a disability to engage in active operations against the enemy. He remains a part of the army and as much subject to military control as he was before his capture. If he absents himself from a post or station to which as a paroled prisoner of war he has been assigned by the military authorities, he is absent without leave or in desertion according to the intent with which he absented himself.

Now, in addition to these quotations which I have just read, permit me to call your attention to an official Army order addressed as follows:

> Message to all Filipino officers and men and signed by Roger Hilsman, Colonel, Infantry, United States Army, Commanding.

In this order Philippine Scouts are told to surrender to the Japanese, and I quote paragraph 5 verbatim:

> 5. By surrendering you will draw full pay until you are mustered out of the service and you will be entitled to all bonus and insurance privileges from USAFFE (U. S. Army Forces Far East). You will also be recognized as an honorable prisoner of war by the Philippine Government, USAFFE and by the Imperial Japanese Army and treated as such.

I have taken your time to call these matters to your attention because it seems almost inconceivable that the

United States Army has refused to pay the members of the Philippine Scouts who were paroled. Furthermore, I wish to call to your attention the fact that Department of the Navy holds the exact opposite view, for it has paid all of its Insular Forces, which forces were made up of Filipinos and were enlisted in the United States Navy exactly as were the Philippine Scouts in the Army.

So we have the unpleasant spectacle of one branch of the military service paying its Filipino servicemen, while prisoners of war, while another branch of the service refuses to honor a similar debt.

We believe that the time has come when our Government's obligation to the remaining members of the Philippine Scouts should be met. There are approximately 6,000 remaining members of this organization, and if all now make claims, under the provisions of this bill, the total cost will not exceed $2,640,000.

In our opinion there is undoubtedly a contractual obligation between the United States Government and the Philippine Scouts who were members of the Regular Army, and that obligation until now has not been honored, insofar as the 6,000 remaining members of the Scouts are concerned. It is high time that the Congress take steps to see that this is done. And I can think of no more fitting time than during the month of July 1956, when the Government of the Philippines is celebrating the 10th anniversary of their independence. It would seem only fitting that the Congress take this action, which is so justly due and which would be so well received in the Philppines.

So I urge the support of the Members for this bill. It will make the Missing Persons Act permanent, together with the necessary revisions which have resulted in our 14 years' experience with the act, and it will authorize the payment of the just claims of the Philippine Scouts.

Mr. Speaker, I reproduce a letter just received from national headquarters of the American Legion.

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., July 13, 1956.

HON. OVERTON BROOKS,
House of Representatives,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN BROOKS: As you know, the national organization of the American Legion is deeply interested in the provisions of H. R. 11787, a bill to amend the Missing Persons Act, reported by the House Armed Services Committee on June 29, 1956, and which is about to come up for consideration on the floor of the House.

Our organization is especially concerned with the provisions authorizing benefits for the Philippine Scouts. The bill provides that entitlement to pay and allowances shall not be denied in the case of any member of the Philippine Scouts who was captured in the Philippine Islands by the enemy during World War II, solely on the ground such member was paroled or permitted to return to his home during parole.

The Philippine Scouts were members of the United States Army. They should not be confused with members of the Army of the Philippines. On or about February 2, 1901, Congress authorized the formation of the Philippine Scouts and this organization became a part of the Regular Army of the United States. As was testified to during the hearings before Subcommittee No. 1 of the House Armed Services Committee, by Rev. Father John E. Duffy, a past national chaplain of the American Legion and a former chaplain of the United States Army, who worked closely with the Philippine Scouts during his service in the Philippines from 1933 to 1937 and again from 1940 until December 13, 1944, the Philippine Scouts were virtually handpicked and represented the cream of the Philippine citizenry. As a result the prestige of the Philippine Scouts rose and their organization became one of great distinction.

As is indicated in Report No. 2535 which accompanied H. R. 11787, dated June 29, 1956, upon the surrender of the Philippines, Americans and Filipinos alike were taken to prisoner-of-war camps. Later on, desiring to be relieved of the expense and trouble of taking care of such large numbers of prisoners, thousands of Philippine Scouts were granted so-called paroles. As is set forth on page 4 of Report No. 2535:

"If there was an alternative to parole it could scarcely have been more than death through disease or wounds or starvation. Consequently, the members of the Philippine Scouts were paroled but were kept under constant surveillance and were required to report to the Japanese authorities so often that they were virtually in the hands of the enemy. As a matter of fact, the official United States history of World War II states in effect that parolees were just as effectively prisoners of war as if they had been confined to prison camps. For violations or suspected violations of parole men were hauled back to prison camps for long periods of unreasonable questioning or periodical beatings, and some were executed. When parole violators could not be found the Japanese inflicted cruel penalties upon their families or upon entire communities.

"When the Philippine Islands were recaptured and the members of the Philippine Scouts returned to military control the United States Army refused to pay them for the time they were on parole."

The reason for legislation as set forth in H. R. 11787 is that the Army refused to pay the Philippine Scouts on the alleged ground that they are not in a so-called casualty status. In this connection I invite your attention to the fact that under identical circumstances the Department of the Navy held the opposite view and paid the Filipinos engaged under its direction in the so-called insular forces. Thus we find one branch of the service (the Navy) paid its Filipino servicemen for the exact type of duty which another service (the Army) refused to honor.

The House Armed Services Committee reported there are approximately 6,000 remaining members of the organization and if all of them were to file claims under the bill, the total cost would not exceed $2,640,000.

This legislation seeks relief for the Philippine Scouts only and not for those who served in the Philippine Army. It should be borne in mind that members of the Philippine Army were not members of the United States Army, as were the Philippine Scouts.

Anything you can do to further the passage of H. R. 11787 by the House of Representatives would be deeply appreciated.

Sincerely yours,

MILES D. KENNEDY,
Director.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Missing Persons Act (56 Stat. 143), as amended, is further amended as follows:

(a) Section 1 (a) (3) is amended to read:

"(3) Civilian officers and employees of the departments except that the following categories of civilian officers and employees shall be covered only upon a determination by the head of the department concerned that such status is the proximate result of employment by the department;

"(i) Persons who enter any status listed in section 2 of this act within the continental limts of the United States; and

"(ii) Persons who enter any status listed in section 2 of this act who are residents at or in the vicinity of their places of employment in the Territories and possessions or in foreign countries and who were not living there solely as a result of their employment."

(b) Section 2 is amended to read:

"SEC. 2. Any person who is in the active service, or is performing full-time training duty, other full-time duty, or inactive duty training and who is officially determined to be absent in a status of missing, missing in action, interned in a foreign country, captured by a hostile force, beleaguered by a hostile force, or besieged by a hostile force shall, for the period he is officially carried or determined to be in any such status, be entitled to receive or to have credited to his account the same pay and allowances to which he was entitled at the beginning of such period of absence or may become entitled thereafter, and entitlement to pay and allowances shall terminate upon the date of receipt by the department concerned of evidence that the person is dead or upon the date of death prescribed or determined under provisions of section 5 of this act. Such entitlement to pay and allowances shall not terminate upon the expiration of a term of service during absence and, in case of death during absence, shall not terminate earlier than the dates herein prescribed. There shall be no entitlement to pay and allowances for any period during which such person may be officially determined absent from his post of duty without authority and he shall be indebted to the Government for any payments from amounts credited to his amount for such period. Persons performing full-time training duty, or inactive duty training shall be entitled to the benefits of this section only when such persons are officially determined to be absent in a status of missing, missing in action, interned in a foreign country, captured by a hostile force, beleaguered by a hostile force, or beseiged by a hostile force as a result of the performance of prescribed duty ordered by competent authority: *Provided,* That notwithstanding any other provision of law, such entitlement to pay and allowances shall not be denied, in the case of any member of the Philippine Scouts who was captured in the Philippine Islands by the enemy during World War II, solely on the ground that such member was paroled and permitted to return to his home and engage in civilian pursuits prior to the termination of the Japanese occupation of such islands. Claims of members of the Philippine Scouts for pay and allowances under this section (whether or not such claims have been presented and rejected or disallowed) may, until 3 years after the date of enactment of this act, be presented for consideration or reconsideration and payment under this section."

(c) Section 9 is amended by the addition of a subsection (a) to read:

"SEC. 9. (a) A dependent of any person in active service, as defined by this act, is a 'person' under this act for the sole purpose of determining status as provided in sections 5 and 9, and any determination under those sections by the head of the department concerned shall be conclusive on all other departments of the Government: *Provided,* That nothing in this section shall be construed as conferring upon any dependent any right to pay, allowances, or other compensation to which not otherwise entitled."

(d) Section 12 is amended to read:

"SEC. 12. The dependents and household and personal effects of any person in active service (without regard to pay grade) who is officially reported as dead, injured, missing for a period of 30 days or more, interned in

a foreign country, or captured by a hostile force, may be moved (including packing, crating, drayage temporary storage, and unpacking of household and personal effects) to the official residence of record for any such person or to the residence of his dependent, next of kin, or other person entitled to receive custody of the effects in accordance with regulations issued by the head of the department concerned; or, upon application by such dependent, next of kin, or other person, or upon the person's application if injured, to such other location as may be determined in advance or subsequently approved by the head of the department concerned or by such persons as he may designate. When the head of the department concerned determines that an emergency exists and that such sale would be in the best interests of the Government, he may provide for the disposition of the motor vehicles and other bulky items of such household and personal effects of the person by public or private sale. Prior to any such sale, and if practicable, a reasonable effort shall be made to determine the desires of the interested persons. The net proceeds received from such sale shall be transmitted to the owner or to other persons in accordance with regulations issued by head of the department concerned; but if there be no such persons or if such persons or their addresses are not ascertainable within 1 year from the date of sale, the net proceeds may be covered into the Treasury as miscellaneous receipts. Claims for net proceeds which are covered into the Treasury under the authority of this section may be filed with the General Accounting Office by the rightful owners, their heirs or next of kin, or their legal representatives at any time prior to the expiration of 5 years from the date the proceeds are covered into the Treasury; and, if so filed, the General Accounting Office shall allow or disallow the claim. If claims are not filed prior to the expiration of 5 years from the date the proceeds are covered into the Treasury, they shall be barred from being acted on by the courts or the General Accounting Office. The provisions of this section shall not be construed as amending or repealing the act of March 29, 1918 (ch. 31, 40 Stat. 499); section 1, subchapter II of the act of June 4, 1920 (ch. 227, 41 Stat. 809), as amended; the act of February 21, 1931 (ch. 268, 46 Stat. 1203), as amended; the act of December 28, 1945 (ch. 597, 59 Stat. 662), as amended; the Federal Tort Claims Act (60 Stat. 842–847), as amended; the act of April 14, 1949 (ch. 50, 63 Stat. 44); or section 507, title 14, United States Code. The head of the department concerned is authorized to store the household and personal effects of the person until such time as proper disposition can be made. The cost of such storage and transportation, including packing, crating, drayage, temporary storage and unpacking of household and personal effects, shall be charged against appropriations currently available. In lieu of transportation authorized by this section for dependents, the head of the department concerned may authorize the payment in money of amounts equal to such commercial transportation costs or a monetary allowance in lieu of transportation as authorized by law for the whole or such part of travel for which transportation in kind is not furnished, when such travel shall have been completed. When the person is in an 'injured' status, the movement of dependents or household and personal effects provided for herein may be authorized only in cases where the anticipated period of hospitalization or treatment will be of prolonged duration. No transportation shall be authorized pursuant to this section upon application by dependents unless a reasonable relationship exists between the condition and circumstances of the dependents and the destination to which transportation is requested. Beginning June 25, 1950, and for the purposes of this section only, the terms 'household and personal effects' and 'household effects' may include, in addition to other authorized weight allowances, not to exceed one privately owned motor vehicle, shipment of which at Government expense is authorized in those cases where the vehicle is located outside the continental limits of the United States or in Alaska."

(e) Section 15 is amended to read:

"SEC. 15. This act, except sections 13, 16, and 17, is effective from September 8, 1939."

SEC. 2. The amendments made by this act shall be effective upon the date of enactment.

With the following committee amendments:

On page 1, line 7, following the word "departments", add:

"Who are citizens or nationals of the United States, or who are aliens who have been admitted to the United States for permanent residence."

On page 2, line 18, after the word "same", delete the words "pay and allowances" and insert "basic pay, special pay, incentive pay, basic allowance for quarters, and basic allowance for subsistence."

On page 2, line 24, after the word "act." add a new sentence as follows: "For the purposes of the benefits prescribed herein the person who is performing wartime training duty or other wartime duty without pay, or in active duty training with or without pay, shall be treated as though he had been entitled to receive the active duty pay and allowances of his grade at the beginning of and for the period in which he is carried or determined to be in a missing status.

On page 6, line 2, after the word "claim.", add a new sentence as follows: "When such claim is allowed it shall be paid from the appropriation for refunding moneys erroneously received and covered."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROGRAM FOR WEEK OF JULY 16

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader about the program for next week and what is going to happen tomorrow.

ADJOURNMENT TO MONDAY

Mr. McCORMACK. With the gentleman's permission I will now ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday next week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I object.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight Monday to file a report on the bill H. R. 11526.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROGRAM

Mr. McCORMACK. Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday:

Monday: Consent Calendar and the civil-rights bill. There will be 2 days of general debate on the civil-rights bill and consideration of that bill will proceed to final action with the exception that on Tuesday the Private Calendar will be called.

Wednesday, the Calendar of Committees will be called unless dispensed with before that time.

The following bills are programed for the week:

H. R. 11709, increase authorization of appropriation for Atomic Energy Commission.

H. R. 7992, legislative authorization Defense Department—point of order bill.

H. R. 4050, marketing facilities, perishable commodities.

H. R. 8000, amend section 610 Civil Aeronautics Act of 1938.

H. R. 11708, amend Agriculture Trade Development and Assistance Act.

I cannot say that the bills will necessarily be called in the order I have given.

Any further program of course will be announced later.

Conference reports may be brought up at any time.

POLISH CITIZENS OF LOWELL, MASS.

The SPEAKER. Under the previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I received the following letter from the White House today:

THE WHITE HOUSE,
Washington, July 13, 1956.

The Honorable EDITH NOURSE ROGERS,
House of Representatives,
Washington, D. C.

MY DEAR MRS. ROGERS: On behalf of the President, I am pleased to acknowledge your July 10th letter and enclosure. I hope you will convey to the Polish citizens of Lowell, Mass., who signed the resolution the assurance that they are not alone in their concern over the treatment accorded those who took part in the Poznan uprising. Our Government's policies and actions have been aimed at being as helpful as they can to those who have suffered in this difficult situation, and the resolution has been brought to the atten-

tion of those in the executive branch most directly concerned. Your courtesy in bringing this important communication to the President's personal attention is much appreciated.

With kindest regard,

Sincerely,

BRYCE N. HARLOW,
Administrative Assistant to the President.

EXPRESSION OF APPRECIATION TO SECRETARY WILSON

Mrs. ROGERS of Massachusetts. Mr. Speaker, in the closing days or weeks of the Congress I would like to express my appreciation to Mr. Wilson, Secretary of National Defense, and to the Army and the Air Corps. To them I extend my very deep appreciation for their cooperation during this last year. I do not know what my district and I would have done without them.

HON. CARLOS P. ROMULO

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include an address by General Romulo.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, Bellarmine College, one of our country's institutions of learning that is making its mark in our educational world, a few days ago awarded its second annual Bellarmine Medal to Gen. Carlos P. Romulo, Philippine Ambassador to the United States. In announcing the award of the medal, the president of Bellarmine College, Msgr. Alfred F. Horrigan, said in a press release:

The Bellarmine medal for 1956 will be presented to Carlos P. Romulo, Ambassador from the Philippines to the United States. The presentation ceremonies will take place on June 26, 1956, at a civic dinner scheduled for the Flag Room of the Kentucky Hotel.

The Bellarmine medal award was established by Bellarmine College last year. It is named for St. Robert Bellarmine, patron of the college. Its purpose is to honor annually a person who, on the national or international scene, has exemplified in a special manner the qualities of justice, charity and temperance in dealing with difficult and controversial problems.

These qualities marked in an extraordinary degree the character of Robert Bellarmine. He lived in the turbulent and controversial 16th century. He was deeply involved in many of the central controversies of his day. His dispassionate devotion to truth, his mildness in debate, his fairness to opponents won for him universal acclaim.

The Bellarmine medal was awarded for the first time last spring. Its recipient was Jefferson Caffery, often referred to as the dean of the United States diplomatic corps. Shortly before receiving the Bellarmine medal last year, he concluded a 44-year career in the Foreign Service by resigning as American Ambassador to Egypt.

The presentation ceremony dinner honoring Ambassador Romulo on June 26, will be sponsored by the Bellarmine College Board of Overseers. The present officers of the board are Mr. B. J. Lenihan, Mr. William P. Kelly, and Mr. Bart A. Brown, Sr. Guests of honor at the dinner will include public officials of the State and local community and representatives of other institutions of higher learning.

Ambassador Romulo has enjoyed an extraordinary career as an editor, newspaperman, author, lecturer, soldier, and diplomat. He has received an almost unprecedented variety of awards from universities, foundations, and governments.

The great "cause" in his life has been the promotion of world peace and international understanding. For this cause he has fought with sword, pen, and the spoken word. His work and influence in the United Nations have been acclaimed throughout the world. He has been and remains one of the chief media of constructive contact and interpretation between East and West.

The moral and spiritual incentives of Ambassador Romulo's life were illuminated in a particular way in San Francisco in 1945, when he made a valiant effort to win agreement for the policy of opening United Nation's sessions with prayer.

Despite his outstanding accomplishment as a journalist and author, many observers feel that it is as an orator that Ambassador Romulo has made the greatest impact on our times. He is universally recognized as one of the most notable public speakers of this generation.

Having addressed 14,000 people at a convention in Cleveland, he received one of the greatest ovations accorded to a speaker in the history of that community. To tell the story of the fall of Bataan, he made a 99,000-mile speaking tour throughout the United States.

In the years before the outbreak of World War II, Mr. Romulo was engaged in editorial and publication work in Manila. In 1942 he won the Pulitzer prize in journalism for distinguished correspondence, a series of articles written on a trip through the Far East just before the war.

During the war, he served as General MacArthur's aide-de-camp on Bataan, Corregidor and Australia. He was promoted to brigadier general in September 1944. He also accompanied General MacArthur in the invasion of Leyte and in the recapture of Manila.

This year's Bellarmine medalist held posts in the cabinets of Philippine Presidents Quezon, Osmena, Roxas, and Quirino. Between 1945 and 1954, he was chief of the Philippine Mission to the United Nations. In 1949 and 1950, he was President of the Fourth General Assembly of the U. N.

APPOINTED AMBASSADOR

In February 1954 he was appointed special and personal envoy of the President of the Philippines to the United States. He resigned this position on September 23, 1955. The next day he was appointed Ambassador to the United States.

Ambassador Romulo has been awarded honorary degrees by 27 universities, including the University of Athens, Temple, Notre Dame, Manhattan College, Harvard, and Boston College. He was nominated for the Nobel peace prize in 1951 and 1953.

He is the author of seven widely acclaimed books written in English. Among them is his famous I Saw the Fall of the Philippines, Crusade in Asia, and his latest, The Meaning of Bandung.

Business and civic leaders of the community are being invited by the college board of overseers to serve as members of the committee of sponsors for the June 26 presentation dinner.

General Romulo delivered on that occasion the following address which I include as part of the RECORD. During the week when he received this medal from Bellarmine College, General Romulo was also honored by Denison University, in Granville, Ohio, and by the University of San Francisco, in California, when each university conferred on him the degree of doctor of laws, and by Bucknell University, in Lewisburg, Pa., which conferred on him the degree of doctor of civil law.

ADDRESS DELIVERED BY GEN. CARLOS P. ROMULO, PHILIPPINE AMBASSADOR TO THE UNITED STATES, UPON BEING AWARDED THE BELLARMINE MEDAL, BELLARMINE COLLEGE, LOUISVILLE, KY., TUESDAY, JUNE 26, 1956

I am thrice honored today. You have honored me by asking me here to speak in this great institution of learning where our true faith is taught. You have honored me by awarding me the Bellarmine medal, and Robert Bellarmine stood out in the sixteenth century as a great scholar, a profound philosopher, and a divinely inspired theologian. You have honored me by choosing me as the succeeding recipient of the medal last year awarded to Ambassador Jefferson Caffery, dean of American diplomats.

Diplomacy is an unusual, vital, and important art. And my good friend Ambassador Caffrey is an artist of diplomacy of the first rank. The knowledge, astuteness and flexibility he possesses in such an unusual degree have served the cause of peace and freedom during his 44-year career in American foreign service.

Heart, sympathy, understanding. Without these no diplomat can serve his nation. Ambassador Caffery has all these in abundance and I feel that to be chosen the second recipient of the Bellarmine medal, after Ambassador Caffery, is an unusual tribute primarily to my country and secondarily to its servant.

The need for good diplomats and good diplomacy is greater than ever in these days of world turmoil.

The 20th century is essentially one of struggle for man's freedom. It is the century of millions seeking and attaining freedom from outworn imperialisms. It is the century of man already free beating back threats to freedom, justice, human dignity and the right to make his decision in a democratic society.

World War II marked the greatest physical struggle of man to defeat tyrannies that would make him a slave in spirit as well as in body.

The totalitarianism of fascism, of nazism, of Japanese militarism was finally broken only after the most horrible war in man's history. Since the end of World War II we have been confronted with the threat of a tyranny that has perfected its methods of enslavement.

Communism has developed the science of terror, of mass murder, of tyranny unequalled in history.

The Soviet Union, by cajolement, by threats, by promises, by the use of force, has reached its tentacles to the furthest ends of the world.

No nation, no man, is free of the peril of a system whose evil knows no bounds.

Sometimes leaders of nations long free, or newly free, are fooled into believing the surface protestations of the rulers in the Kremlin.

But no matter what the fair words, the smiles, the tactics be, the hard fact of life of communism, and Communist strategy remains unchanged: World domination; destruction of freedom; and termination of human dignity.

These are the goals of the Soviet Union and the Communist Parties in every locus in which they operate.

But democracy has fought back in the cold war. Democratic nations have spent their treasure for defense. They faced up to the threats of Stalin as they must to wiles of the Khrushchevs and the Bulganins.

The change of line, the handshaking, the benign smiles of the new rulers have not altered one iota the essential purposes of communism.

The downgrading of Stalin does not mean that the Soviet Union has now given up world conquest as its goal.

What has happened is that the old Soviet method, the method so perfected by Stalin, is no longer working. A new tack is necessary. And so the Khrushchevs and the Bulganins say to the world: "Stalin was evil. He destroyed millions in ruthless terror. But we are not like that. We are clean as the fresh snowfall."

The new face that the Soviet is trying to put on is proof positive that communism has been thrown on the defensive.

Financial aid, technical assistance to underdeveloped countries, rearming to deter the foe of human dignity have brought about this change by the Soviet Union.

Both NATO and SEATO have proved their value. Because of this the Soviet Union is changing its tactics, taking on a New Look.

Will the Kremlin's New Look make us rest on our oars?

Will communism's New Look weaken our determination to protect freedom everywhere?

Will the Khrushchev-Bulganin New Look make us fall back into sloth and forgetfulness?

If free nations fail to redouble their efforts to halt tyranny's march then we are lost indeed.

The attacks on NATO and SEATO have been redoubled by the Soviet Union.

What is our answer to these attacks?

Shall we listen to the siren voices that would destroy the free spirit?

Or shall we go ahead and make both NATO and SEATO into even more effective instruments of freedom?

The answer is clear. It is clear in logic. It is clear in morals. It is clear in justice. Strengthen NATO. Put flesh on SEATO. That must be our answer to those who would destroy the individual and man's yearning to be free.

NATO and SEATO are ramparts of freemen. As you say, the proof of the pudding is in the eating. So the proof of the usefulness of NATO and SEATO is that the Soviet Union has had to change its tactics in the hope that we will let down our guard.

It is with reason that the Soviet Union attacks these alliances of men of good will. The attacks have become more bitter because these organizations have been important to our safety.

The neutralists, new in their freedom, new in breaking the harness of colonialism, have been fooled by the Soviet tactics. And by remaining neutralist, by failing to see the difference between the Soviet Union and the United States of America, they are playing into the hands of the most detestable of all imperialisms—that of Communist imperialism.

Some nations, just emerging into their new freedom, recently having sundered the chains of old imperialisms, have said to America: Give us capital, give us your skills, give us your aid, but don't mention military alliances.

If freedom is worth defending it is worth defending with all our tools. Those tools are not just the means of raising living standards, vital as those are. Those tools are more than new schools and hospitals and roads and factories and farm implements. Those tools of defense of freedom must mean also arms and training in arms so that the emergent nations of Asia and Africa can be certain their new freedom is not turned into new slavery.

Neutralists forget the facts of 20th century life when they say that military alliances cause world tensions.

Both NATO and SEATO, the neutralists seem to forget, are defensive, purely and entirely defensive. They are defensive, in accordance with the Charter of the United Nations. Not only do NATO and SEATO complement the United Nations, they strengthen the purposes of the United Nations.

Neutralist leaders in Asia, while attacking SEATO forget that at the Bandung Conference the Asian and African nations emphasized the right of nations to defend themselves. The Bandung Conference said that nations have the right to defend themselves singly or collectively.

Both NATO and SEATO are means of collective defense and that is exactly the principle accepted at Bandung.

How can we strengthen SEATO in which Asian nations are so vitally interested?

It must be made into the most effective instrument of peace and freedom by giving it real military strength.

At a recent meeting of the military staffs of SEATO the head of our Philippine delegation said this is a turning point, a time of decision. He said that the period of paper work, of conferences, of meetings must now move into the hard and meaningful era of concrete action.

That is the position of my country. That is what we must do if SEATO is to reach its goal of active defense of man's freedom and the preservation of peace.

As you may know, it has been my life work to foster a closer and ever closer friendship between my country and yours. In addition, I feel I know America well enough and Americans know me well enough to understand when I speak to them frankly, as friend to friend.

You, and we in the Philippines, have one goal: defense of our freedom.

That is why I ask frankly that America, as the leader of the free spirit, as the most important guardian of the world's freedom, as the leader of SEATO, provide the example for all of us.

I ask that America, as a leader of the old free nations make the greatest effort to understand the new free nations, their peoples, their hopes, their aspirations, and their different modes of life.

You cannot understand us unless you try. You must learn to know the reasons we act as we do. You must know that Asian nations which have recently emerged from colonialism, value their sovereignty, even as you do.

We in the Philippines ask that America respect our national dignity. We ask that you appreciate our self-respect, even as we do yours, even though our language, our background, our history is different from yours.

We ask that you, in keeping with your traditions at home, remember that your officials abroad, whether they be stationed at a military base, or on a mission, or in consular service be guided by the moral rectitude that has made America great.

We ask that you put legal minutae in their proper place and put first things first. By that I mean that you remember that moral position is more important than legalism. Act so that by no actions of any of your officials can anyone think you have forgotten the greater purpose because of differences of opinion in lesser matters.

The dignity of human personality is vital. It is to you. It is to us.

Please remember that a healthy, mature, nationalism is desirable with us as it is with you.

I know, we all know, that narrow nationalism is destructive. It is destructive to the nation practising it, as it is to its purposes in the maintenance of peace and the continuation and extension of freedom.

I am sometimes asked by those, perhaps inexperienced in visiting, or living abroad, to explain what they call anti-Americanism in Asia.

There is no anti-Americanism in the free countries of Asia. How can there be, for Americanism means freedom, respect for the views and rights of others. Americanism means that all men are created equal. Americanism means that a man be judged on his own merits, regardless of his race, religion, national origin or color of skin.

These principles free nations all believe in.

Americanism means self-government. It means that every man, no matter what his station in life, has the right of life, liberty and the pursuit of happiness.

We free Asians believe in and love those ideals.

No. There is no anti-Americanism in the free countries of Asia.

But there is something else. And that is a feeling that some American officials have taken certain actions, or have conducted themselves in a manner, that is contrary to Americanism. And when that happens it reflects on America as a whole as well as on the individual Americans who have acted contrary to Americanism.

If Americans abroad, if Americans stationed in the Philippines or any other free nation in Asia, act in the spirit that is the core of your country, that is the real heart of your country, then there can only be a continuous improvement in our relations, our friendship.

You Americans and we Filipinos have the same ideals of government, the same belief in the importance of human personality. We both believe and insist on freedom and justice. We both believe in, and insist, that man is not a creature of the state.

We both believe that the state must serve man and is not his master. We both oppose the theory and practice which elevates the state above the individual.

We both believe in the brotherhood of man under the fatherhood of God.

I have spoken so frankly because I believe we can set an example of real cooperation between our two countries that will convince other nations in Asia that this understanding, this fellowship, this alliance, this unity is something they should join.

I believe that our friendship can prove, more than words of yours and mine, that a North American nation and an Asian nation can work together to guarantee freedom, to bring a fuller and better life. We can do this despite our different backgrounds, our different histories, our different races.

If we are good partners, if you, an older free country can understand a new free country, if you can sympathize with the rightful and noble aspirations of an Asian land, then others will follow our example.

CIVIL RIGHTS LEGISLATION

Mr. TUCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. TUCK. Mr. Speaker, I have the high honor of presenting a resolution signed by a group of Members of the House of Representatives 83 in number with respect to the provisions of the so-called civil rights bill, H. R. 627, and I request unanimous consent that the full context of the resolution be inserted in the RECORD at the conclusion of my remarks.

The resolution needs no explanation. I cannot here improve upon it. The statements contained therein are true and cannot be contradicted. It consists of a clear and concise summation of the highly objectionable features of the bill and clearly points out that, if enacted into law, the conditions thus created will be incalculably worse than those it seeks to correct. The resolution is an admon-

ishment to our colleagues and to all the people of every State of the Union that their rights are in grave jeopardy.

This bill tears at the vitals of the form of government of this Republic which we have enjoyed for so long and under which we have been able, with the star of liberty shining in the zenith, to look forward to the future with unbounded hope and opportunity.

It has been truly said that "eternal vigilance is the price of liberty." If we are to preserve the priceless heritage which is ours under the matchless instrumentalities of freedom which have safeguarded and protected us throughout the long and glorious life of the Nation, we must be ever vigilant and determined to frequently recur to fundamental principles.

I would be glad to claim, if I could, full responsibility for this resolution if the circumstances were such as to make that appropriate. I endorse without reservations the views expressed, and I am glad to be among those who signed and thus put my imprimatur upon it. If there are others who wish to join in the resolution, they may do so at any time during the day by seeing me or the gentleman from Mississippi [Mr. COLMER].

WARNING OF GRAVE DANGER

Whereas under the guise of pious language the civil-rights bill, H. R. 627, proposes to establish a Commission on Civil Rights, and to provide for an additional Assistant Attorney General, and further purports to strengthen the civil-rights statutes and protect the right to vote; and

Whereas the truth is that these combined proposals if enacted into law would constitute a flagrant violation of States' rights; would result in further concentration of power in the Federal Government and vest unprecedented powers in the hands of the Attorney General, and would intrude the authority of the Federal Government into matters which, under our Constitution, are expressly reserved to the States and to the people: Now, therefore, be it

Resolved, That we, the undersigned Members of the United States House of Representatives, conscious of the grave and far-reaching consequences involved in it, hereby pledge our unqualified opposition to this iniquitous legislation and, confident of the soundness of our position, express the following cogent reasons that impel us to take this united stand.

The bill authorizes the Commission, with the aid of paid investigators and "voluntary" pressure groups and professional informers, to launch a sweeping "investigation of allegations" which might lead them to believe that "unwarranted economic pressure" is supposedly being exerted by private individuals over others, because of their religion as well as their race. In addition, and wholly unrelated to race or religion, the Commission is directed to "study and collect information concerning economic, social and legal developments" and "to appraise the laws and policies of the Federal Government" in the entire field of so-called civil rights. The term "civil rights" itself is not defined; and what would constitute unwarranted pressure, economic, social and legal developments, and the scope of the appraisal and investigation, are left to the whim of the Commission. And through the power of subpena the Commission could compel any person to testify and open his books to public inspection.

The proposed additional Assistant Attorney General would be in charge of a special Civil Rights Division to be created and which would be manned by a vast horde of lawyers and investigators. A politically minded Attorney General could subject the governments of States, counties, towns and localities and the officials and citizens of the same to insults, intimidation and terror, against which there would be no redress.

Armed with the power which this legislation would expressly confer, the Attorney General, even without the consent of the plaintiffs, could file purely private law suits by and for private citizens against their neighbors. In no case would it be necessary to prove the commission of any overt act, and under the bill the Attorney General could obtain an injunction on a simple allegation that the defendant "is about to engage in an attempt" to do something that the lawyers in the Civil Rights Division conceive to be objectionable. All actions would be filed in the Federal Courts and tried without a jury, and Congress, for the first time in history, would specifically permit the Attorney General to by-pass State law and ignore available local remedy. This device to concentrate more power in the Federal Government and to flout States' rights is an insult to all liberty loving American citizens.

Under the Constitution the States are the sole judges of the qualifications of voters and throughout the long history of the United States the manner in which our elections are held has been a time-honored function of the States. The broad language of the bill would open practically the entire field of elections, including State primaries, to Federal intervention. The intrusion of the Federal Government into this field has not heretofore been permitted or even considered, except in precise instances clearly defined by the Fourteenth and Fifteenth Amendments. If additional powers in matters of elections are deemed to be necessary to be vested in the Federal Government, then Congress should attack the problem squarely by proposing an amendment to the Constitution.

No one has the wildest idea of the purpose for which the extraordinary powers created by this legislation will be employed and to grant them by such vague language as is contained in the bill approaches recklessness.

The people in the United States who entertain notions that the so-called racial issue is paramount in the sum total coverage of these proposals are due for a rude awakening when their own real civil rights will be invaded if this legislation should be adopted. Our real civil rights spring from the Bill of Rights which, among other things, provides that all matters not prohibited to the States nor delegated to the Federal Government are reserved to the States or the people.

It is an unfortunate fact, however, that this bill will add further fuel and flame to discord engendered by certain agitators and if adopted could only result in deterioration of the goodwill and harmonious relations existing between the races and grevious injury to the steady progress and advancement of the very people whom the proponents profess to assist; be it, therefore, further

Resolved, That we invite and urge every Member of like mind in the House of Representatives and in the Senate, where the rules of procedure are more flexible, to join with us in the employment of every available legal and parliamentary weapon to defeat this sinister and iniquitous proposal.

MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES

Alabama: FRANK W. BOYKIN; GEORGE M. GRANT; GEORGE W. ANDREWS; KENNETH A. ROBERTS; ALBERT RAINS; ARMISTEAD I. SELDEN, JR.; CARL ELLIOTT; ROBERT E. JONES; GEORGE HUDDLESTON, JR.

Arkansas: E. C. GATHINGS; WILBUR D. MILLS; JAMES W. TRIMBLE; OREN HARRIS; BROOKS HAYS; W. F. NORRELL.

Florida: WILLIAM C. CRAMER; CHARLES E. BENNETT; ROBERT L. F. SIKES; A. S. HERLONG, JR.; PAUL G. ROGERS; JAMES A. HALEY; D. R. MATTHEWS.

Georgia: PRINCE H. PRESTON; JOHN L. PILCHER; E. L. FORRESTER; JOHN JAMES FLYNT, JR.; JAMES C. DAVIS; CARL VINSON; HENDERSON LANHAM; IRIS F. BLITCH; PHIL M. LANDRUM; PAUL BROWN.

Louisiana: F. EDWARD HÉBERT; HALE BOGGS; EDWIN E. WILLIS; OVERTON BROOKS; OTTO E. PASSMAN; JAMES H. MORRISON; T. ASHTON THOMPSON; GEORGE S. LONG.

Mississippi: THOMAS G. ABERNETHY; JAMIE L. WHITTEN; FRANK E. SMITH; JOHN BELL WILLIAMS; ARTHUR WINSTEAD; WILLIAM M. COLMER.

North Carolina: HERBERT C. BONNER; L. H. FOUNTAIN; GRAHAM A. BARDEN; F. ERTEL CARLYLE; HUGH Q. ALEXANDER; WOODROW W. JONES; GEORGE A. SHUFORD.

South Carolina: L. MENDEL RIVERS; JOHN J. RILEY; W. J. BRYAN DORN; ROBERT T. ASHMORE; JAMES P. RICHARDS; JOHN L. MCMILLAN.

Tennessee: JAMES B. FRAZIER, JR.; JOE L. EVINS; J. PERCY PRIEST; ROSS BASS; TOM MURRAY; JERE COOPER; CLIFFORD DAVIS.

Texas: MARTIN DIES; WRIGHT PATMAN; JOHN DOWDY; WALTER ROGERS; O. CLARK FISHER; BRADY GENTRY; BRUCE ALGER.

Virginia: EDWARD J. ROBESON, JR.; PORTER HARDY, JR.; J. VAUGHAN GARY; WATKINS M. ABBITT; WILLIAM M. TUCK; RICHARD H. POFF; BURR P. HARRISON; HOWARD W. SMITH; W. PAT JENNINGS; JOEL T. BROYHILL.

NATIONAL ACADEMY OF SCIENCES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. BAILEY] is recognized for 5 minutes.

Mr. BAILEY. Mr. Speaker, this is an air alert. It is the reiteration of the warning given a month ago by the National Academy of Sciences in regard to the effects of radiation on the human body and mind. I call it to your attention today because yesterday the Senate passed S. 4146, which proposes to go ahead and build unnecessary atomic power reactors despite the National Academy's solemn warning and despite the opposition of the Atomic Energy Commission itself.

On last January 19 I spoke on the floor of this House about the proposed reactor program. I based my objections to federalized atomic power primarily on these two factors: the disaster possibility and the very direct probability that—through the use of funds coming from the United States Treasury—miners, railroaders, and other workingmen dependent upon a vigorous coal industry would find themselves in the position of trying to hold their jobs in the face of competition from this new bureaucratic monstrosity.

No one has come forth to challenge the first allegation, nor have any attempts been made to deny the serious economic impact that the introduction of Government atomic powerplants might have on coal and related industries.

But as regards the risk involved in the operation of the atomic power stations and in the disposal of atomic waste, the situation has changed in the 6-month interim since I discussed this subject in the House. My arguments have been substantiated by a number of events that have taken place within the

last month. First, there is that report by the National Academy of Sciences which explains that rays given off by atoms can cause a deterioration of the human race marked by a higher death rate, lowered birth rate, and a lowered resistance to disease. The National Academy pointed out that radiation, unless carefully controlled, presents a grave threat to the generation exposed to it and to future generations as well.

On July 2 the United Press reported two explosions of radioactive thorium in an Atomic Energy laboratory that endangered some 300 persons.

On July 5 International News Service reported that Dr. Ralph Lapp, a leading scientist, warned that the world is a lot closer to the maximum safe level of radioactivity than was indicated in the National Academy's statement. He said that education about the biological effects of nuclear radiation is an absolute prerequisite if the human race is to survive.

Added up, Mr. Speaker, these opinions and news reports should serve as a red flag against proceeding without caution down the dangerous path that some of the reactor proponents have mapped out for us. I want to make it clear that I feel the Atomic Energy Commission itself should be absolved of the blame for the initiation of this program; my understanding is that the chairman and most of his associates are opposed to the plan to set up reactors before proper tests have been made on an experimental scale. Nevertheless I am convinced that the idea for going ahead helter-skelter with this program has been conceived and promoted by an organized gang within the Commission. I wonder whether some of those folks might not already have been exposed to a greater intensity of atomic radiation than is presumed to be the safe level.

On July 4 Reuters news agency told of a psychiatrist in England who has come to the conclusion that radiation from atomic and hydrogen bomb tests is making our children brighter. He is not too sure about this point, however, adding that it would be advisable not to discharge any more atomic bombs for the time being because, he said, "You cannot do anything about the radioactive effect."

That safety qualification which the psychiatrist makes might appear to be somewhat contradictory; actually, though, while he may feel that radiation has boosted child intelligence, he is sufficiently humane to want our youngsters to stay alive long enough to become adults.

Mr. Speaker, let me emphasize that I am not blaming the Joint Committee on Atomic Energy for the proposed legislation. I feel that the committee has worked hard and has felt obliged to come up with a bill that would stimulate development of an electric power program. The action of the Senators who voted for the bill yesterday is also understandable, in that there is an intense desire to carry out some sort of program that will guarantee United States leadership in the world atomic race.

It is my contention that we cannot afford to proceed with any such program at this time. I am not referring alone to the $400 million involved in the bill. I submit that we cannot afford to subject the human race to further exposure to atomic radiation until more is known about the problem. I ask my colleagues that they do not permit the House to be stampeded into accepting this measure among the many bills that will no doubt be enacted in the closing days of the session.

NATIONAL HOUSING

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, arguments have been raised before this body which seek to shift the blame for the failure of this Congress to pass a housing bill from the doorstep of the administration and of the four Republican members of the Rules Committee who voted to table H. R. 11742. We are expected to believe that the real fault is because the general housing bill reported by the Committee on Banking and Currency contains—and I quote—"radical and controversial measures."

Now, if there is anything radical about H. R. 11742, it is news to me. Charges by the administration that the banking and currency bill is "unrealistic, excessive, and ill-conceived" are completely unfounded and deliberately intended to deceive.

H. R. 11742 is the end product of months and months of labor both by the Banking and Currency Committee and the special subcommittee on housing. The bill is based upon weeks and weeks of intensive hearings, both in Washington and many parts of the country, during which the subcommittee heard expert opinions of every shade and variety. It is a bill forged from hard work which reflects the problems which were found at the grassroots.

It is my suspicion that the main motive for the administration's objection to the bill is to throw up a smokescreen to hide the deficiencies and shortcomings of the administration housing bill.

Actually, Mr. Speaker, the general housing bill reported by the House Banking and Currency Committee is realistic, moderate, and well-conceived. It is not an extreme bill. It has been carefully studied by the Banking Committee, which has been vitally concerned about the current slump in housing starts in the face of rising housing needs. A strong housing industry is vital to the health of the entire economy.

One of the great difficulties is the lack of sufficient funds for GI and FHA financing in many areas of the country, particularly the South and West. The bill contains a number of provisions to help remedy this situation.

The second major objective of the bill is to provide the necessary aids to meet a number of desirable and pressing special housing needs. It would, for example, provide much-needed housing aid to our elderly citizens, including single persons; for housing for low-income groups; for farm housing; for housing vital to slum clearance operations; for college housing; for cooperative housing; and for military housing.

No one can question the desirability of aiding housing in these categories. The aids provided in our bill are for needs which have been demonstrated beyond doubt. And I am proud to say that in no case does the bill supplant or interfere with private enterprise. It supplies aids only at those points where special Government support must be provided.

Moreover, the aids provided in our bill are real and many of the provisions in the administration bill are sheer window dressing. A good example is housing for the elderly. The administration bill provides not a single new unit of low-rent public housing for the elderly. Those in the direst need get nothing.

The administration's proposal for rental housing for the elderly just won't work. The financing costs of insured mortgage financing will keep rents far above the rent paying ability of most elderly families. In contrast the House bill, by providing 3½ percent loans for a 50-year term to nonprofit corporations, will bring the rents down to levels elderly tenants can afford.

Mr. Speaker, it will indeed be a tragedy if Republican opposition to the House bill leads to an impasse where we will get no housing legislation this year.

Failure to obtain the general housing legislation we need would lead to the most serious consequences. Our fight against slums would be greatly impeded. The crying needs of low-income families for low-rent public housing would go unanswered. The title VIII military housing program, essential to our national security, will come to an end. Long overdue legislation to provide special housing support to elderly families and elderly single persons would fail of accomplishment. Our colleges and universities would no longer be able to obtain financing to build urgently needed student and faculty housing. The FHA title I home improvement loan program would be cut off with serious repercussions for our whole home-improvement and repair industry. The vitally needed farm housing program would be killed. Efforts to bolster our sagging home-building industry by providing mortgage credit support would go by the boards.

If these grave things would come to pass, it will be the sole fault of the administration and the Republican members of the Rules Committee. Grave consequences in housing and the construction industry may be the result of the manipulation which is taking place to destroy this legislation. I sincerely hope that the administration and the Republican Party will reconsider its untenable position and offer its support to the House bill so that it can reach the floor and ultimately become the subject of conference with the Senate bill. An open rule would permit the House to work its will on this important legislation.

DISTRICT OF COLUMBIA COMMITTEE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the House District Committee may have until midnight tonight to file a conference report on the bill, H. R. 11320.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered was granted to:

Mr. HESELTON, for 20 minutes each, on Monday, Tuesday, and Wednesday of next week.

Mrs. ROGERS of Massachusetts, for 5 minutes, today.

Mr. BAILEY, for 5 minutes, today.

Mr. HOLIFIELD, for 45 minutes, tomorrow.

Mr. HESELTON, for Thursday, July 19. The special order granted him for today is vacated.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HOLLAND.

Mr. FRIEDEL.

Mr. KEARNEY and to include an address by the Honorable FRANCIS WALTER.

Mr. SILER in two instances.

Mr. BARRETT.

Mr. ROONEY and to include extraneous matter, in remarks made by him in Committee of the Whole on the longshoremen's bill.

Mr. MULTER (at the request of Mr. McCORMACK) and to include extraneous matter.

Mrs. KELLY of New York (at the request of Mr. McCORMACK) and to include extraneous matter.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1696. An act to provide compensation to the Crow Tribe of Indians for certain ceded lands embraced within and otherwise required in connection with the Huntley reclamation project, Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3779. An act to amend the act of August 27, 1954 (68 Stat. 868), with respect to the Uintah and Ouray Reservation in Utah; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 8228. An act to suspend for 2 years the duty on crude bauxite and on calcined bauxite;

H. R. 8636. An act to continue until the close of June 30, 1957, the suspension of duties and import taxes on metal scrap, and for other purposes;

H. R. 9137. An act to waive section 142, of title 28, United States Code, with respect to the United States District Court for the Western District of North Carolina holding court at Bryson City, N. C.;

H. R. 9578. An act to provide for the conveyance of an interest of the United States in and to certain lands in Colorado;

H. R. 9774. An act to provide for the conveyance of certain lands of the United States to the Board of Commissioners of Volusia County, Fla.;

H. R. 10075. An act to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.;

H. R. 10204. An act authorizing the Administrator of General Services to transfer certain land to Richard M. Tinney and John T. O'Connor, Jr.;

H. R. 10269. An act to provide for the temporary suspension of the duty on certain alumina;

H. R. 10479. An act to authorize the Administrator of General Services to convey certain land to the county of Galveston, Tex.;

H. R. 11000. An act to provide for the striking of medals in commemoration of the 100th anniversary of the birth of the late Justice Louis Dembitz Brandeis;

H. R. 11520. An act to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine; and

H. J. Res. 569. A joint resolution to provide for a medal to be struck and presented to each surviving veteran of the War Between the States.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 146. An act for the relief of certain aliens;

S. 976. An act to provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Montgomery, W. Va.;

S. 1895. An act to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

S. 3163. An act to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating in Hawaii and Alaska.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 56 minutes p. m.), under its previous order, the House adjourned until Monday, July 16, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

2057. Under clause 2 of rule XXIV, a letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation entitled "A bill to amend section 2 of the International Wheat Agreement Act of 1949, as amended," was taken from the Speaker's table and referred to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7181. A bill to provide that Mikveh Israel Cemetery, in Philadelphia, Pa., shall be a national shrine; with amendment (Rept. No. 2708). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. S. 3195. An act to authorize the Administrator of General Services to convey certain lands in the State of Rhode Island to the town of North Kingstown, R. I.; with amendment (Rept. No. 2709). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. S. 3316. An act authorizing the Administrator of General Services to convey certain property which has been declared surplus to the needs of the United States to the city of Roseburg, Oreg.; with amendment (Rept. No. 2710). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 9874. A bill to authorize Canadian vessels to be employed in the coastwise transportation of coal to Ogdensburg, N. Y.; with amendment (Rept. No. 2711). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 160. A bill to provide for the reconveyance of certain lands in the Whitney Reservoir project, Texas, to former owners of such lands; with amendment (Rept. No. 2712). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. H. R. 12033. A bill to authorize the appropriation of $5 million to be spent for the purpose of promoting the Pan-American games to be held in Cleveland, Ohio; with amendment (Rept. No. 2713). Referred to the Committee of the Whole House on the State of the Union.

Mr. DODD: Committee on Foreign Affairs. House Joint Resolution 668. Joint resolution to urge the creation of an International Juridical Commission within the framework of the North Atlantic Treaty Organization in order to document the crimes against humanity committed by the international Communist conspiracy and to reduce the dangers of world war III; with amendment (Rept. No. 2714). Referred to the House Calendar.

Mr. DAVIS of Georgia: Committee of conference. H. R. 7380. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities (Rept. No. 2715). Ordered to be printed.

Mr. RADWAN: Committee on Foreign Affairs. House Joint Resolution 549. Joint Resolution granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Dominion of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada; with amendment (Rept. No. 2716). Referred to the Committee of the Whole House on the State of the Union.

Mr. ABERNETHY: Committee of conference. H. R. 11320. A bill to amend certain

laws effecting the control of narcotics in the District of Columbia, and for other purposes (Rept. No. 2717). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRAY:

H. R. 12233. A bill to authorize the Secretary of the Interior to quitclaim all interest of the United States in and to certain lands located in Indiana to the State of Indiana and to the board of trustees for the Vincennes University, Vincennes, Ind.; to the Committee on Interior and Insular Affairs.

By Mr. COLE:

H. R. 12234. A bill to amend the Atomic Energy Act of 1954 with respect to the transfer of restricted data for military purposes, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. COOLEY:

H. R. 12235. A bill to provide that producers may relinquish their interest in agricultural commodities held as collateral for price support loans; to the Committee on Agriculture.

By Mr. DEMPSEY:

H. R. 12236. A bill relating to certain mining claims which were eligible for validation under the act of August 12, 1953, but which were not validated solely because of the failure of the owners to take certain action to protect their claims within the prescribed period; to the Committee on Interior and Insular Affairs.

By Mr. ELLIOTT:

H. R. 12237. A bill to encourage and assist the States in the establishment of State committees on education beyond the high school, and for other purposes; to the Committee on Education and Labor.

By Mr. FALLON:

H. R. 12238. A bill to provide for the construction, equipment, and furnishing of a new building for the United States Court of Customs and Patent Appeals, and the Tax Court of the United States; to the Committee on Public Works.

By Mr. KEARNS:

H. R. 12239. A bill to provide for the establishment of a Federal Advisory Council on the Arts, and for other purposes; to the Committee on Education and Labor.

By Mr. SIMPSON of Pennsylvania:

H. R. 12240. A bill to amend section 313 (b) of the Tariff Act of 1930 to allow substitution of printing papers for drawback purposes; to the Committee on Ways and Means.

By Mr. DEMPSEY:

H. R. 12241. A bill to establish a separate customs collection district comprising the State of New Mexico; to the Committee on Ways and Means.

By Mr. IKARD:

H. R. 12242. A bill to allow certain expenses paid for the repair and maintenance of a personal residence as an income-tax deduction; to the Committee on Ways and Means.

By Mr. THOMPSON of Louisiana:

H. R. 12243. A bill to repeal section 217 of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

H. R. 12244. A bill to amend the Shipping Act, 1916, as amended, to provide for the licensing of foreign freight forwarders; to the Committee on Merchant Marine and Fisheries.

H. R. 12245. A bill to amend section 16 of the Shipping Act, 1916, as amended; to the Committee on Merchant Marine and Fisheries.

By Mrs. GREEN of Oregon:

H. R. 12246. A bill to provide for assistance to and cooperation with States in strengthening and improving State and local programs for the diminution, control, and treatment of juvenile delinquency; to the Committee on Education and Labor.

By Mr. MAILLIARD:

H. J. Res. 685. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; to the Committee on Merchant Marine and Fisheries.

By Mrs. KELLY of New York:

H. Con. Res. 265. Concurrent resolution expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations; to the Committee on Foreign Affairs.

By Mr. LANHAM:

H. Res. 594. Resolution to authorize the Committee on Armed Services to investigate and study certain problems in connection with the operation of aircraft in the vicinity of certain military and naval air installations of the United States; to the Committee on Rules.

By Mr. HARDY:

H. Res. 595. Resolution to provide additional funds for the expenses of the study and investigation authorized by House Resolution 35; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. FRANCES P. BOLTON:

H. R. 12247. A bill to renew and extend the term of patent No. 1,917,634 for 5 years; to the Committee on the Judiciary.

By Mr. GUBSER:

H. R. 12248. A bill for the relief of Felipe Ollama; to the Committee on the Judiciary.

By Mr. HOEVEN:

H. R. 12249. A bill for the relief of Victoria V. F. Farhat; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H. R. 12250. A bill for the relief of John Spaniola; to the Committee on the Judiciary.

By Mr. RAY:

H. R. 12251. A bill for the relief of Eleanora Fiorini; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1194. By Mr. SILER: Petitions of some 200 residents of Los Angeles, Calif., and surrounding area urging enactment of legislation to prohibit the transportation of alcoholic-beverage advertising in interstate commerce and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

1195. Also, petitions of some 1,264 residents of the counties of Highland, Miami, Trumbull, Seneca, Clinton, Athens, Coshocton, Columbiana, Delaware, Hancock, Hamilton, Hardin, Geauga, Guernsey, Jackson, Lucas, Jefferson, Mercer, Noble, Putnam, Ross, Vinton, in the State of Ohio, and submitted by the Ohio WCTU, Columbus, Ohio, urging enactment of legislation to prohibit the transportation of alcoholic beverage advertising in interstate commerce and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Coal Against Government Subsidy for Atomic Energy

EXTENSION OF REMARKS

OF

HON. EUGENE SILER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 13, 1956

Mr. SILER. Mr. Speaker, there used to be a rhyme that went something like this:

> Old King Cole was a merry old soul
> And a merry old soul was he.
> He called for his pipe and he
> Called for his bowl and he
> Called for his fiddlers three.

Now, we have had another king by the name of Old King Bituminous-Anthracite Coal that used to be quite merry and gay down in Kentucky, West Virginia, Pennsylvania, Ohio, Illinois, and other places. But in recent years his gaiety has changed to certain deadly seriousness for the mere survival of King Coal. This has been caused by an incursion of his domain by two powerful enemies, known as natural gas and fuel oil. These enemies have already robbed thousands of honest, hard-working, patriotic Americans of their jobs in the once great coal industry. These enemies have put 1 day or 2 days of mining work on the company's weekly bulletin boards in many places where there might have been 4 days or 5 days had these un-American usurpers not intruded with their brazen robbery against the wives and children of some of our very best citizens. I refer to them as un-American because that is exactly what they are in large measure. They are considerably foreign born—coming in from Venezuela, Canada, and other places that pay no American taxes in time of peace and bear no American arms in time of war.

But just at present we are about to witness still another potential enemy of Old King Coal, namely the proposed atomic-energy legislation that has already had complete success in the Senate, and will soon come up in the House, asking you for $400 million of tax money to have our Government do these diabolical things:

First. Help destroy a great taxpaying industry like the coal industry.

Second. Put on the idle shelf of unemployment hundreds of thousands of useful, self-sustaining, family-rearing coal miners.

Third. Push our country still further into chaotic socialism by doing things through Government that could better be done by private enterprise.

Atomic development is already going forward at a very rapid and satisfactory pace through the activities of some of our great industrial giants like General Electric Co. and Westinghouse Electric Corp. and at least a dozen others that

have previously entered competitively into this great field of science and engineering.

Make no mistake about it, we Americans are going to destroy ourselves completely by further socialization if we persist in that direction in the future as we have in the past. This atomic-development scheme at a cost of $400 million from the taxpayers' purse is socialistic from stem to stern. It will destroy jobs and private industry and taxable property and will attempt to do something by Government that is already being satisfactorily accomplished by private business concerns.

The vote in the Senate was close. It carried by a margin of nine votes in that body. I hope it will fail by a margin of 99 votes in the House. It will if all of us will wake up, especially all the red-blooded Americans interested in Americanism.

The Housing Bill

EXTENSION OF REMARKS
OF
HON. WILLIAM A. BARRETT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, July 13, 1956

Mr. BARRETT. Mr. Speaker, "unrealistic, excessive and ill conceived" were the terms applied by the administration's housing spokesman to a housing bill reported out by the House Banking and Currency Committee. These were the uncomplimentary adjectives chosen by a man who once served in this House to characterize a measure that represented many months of honest toil and deliberation. This was how he chose to identify a bill that differed in some respects from an administration-sponsored measure. I do not contest his right to free speech, but I do object to the looseness of his language. Webster's International is full of words that he might have used.

Be that as it may, the Housing and Home Finance Administrator tars H. R. 11742 with a sweeping brush. He found nothing good in the bill, and the House Rules Committee echoed him with a resounding "Amen." I do not propose to discuss the obvious merits of the bill at this time. That will come when the Rules Committee reverses itself and grants a rule for the debate of the bill by this Chamber.

It seems strange that the Housing Administrator is willing to submit to us the question of appropriations with which to operate his Agency, yet balks at having us debate the housing bill of 1956.

Washington has a few treasured customs, among which are the Potomac Regatta, the Cherry Blossom Festival, and the Retreat Parade at Fort Myers. Are we to add to this catalog the annual contest over public housing? Maybe so, but it seems to me that the Rules Committee should give public housing a fair chance, and not bottle it up in star chamber proceedings. I believe, and many of you agree, that we have sufficient acumen to evaluate the merit of bills. We have been in the lawmaking business for a long time, and I do not believe we would permit something to become law that was not in the best interests of the country. At least we should be given the opportunity to demonstrate our lawmaking ability.

Time is running out. The Rules Committee must not disregard the fact that the housing bill of 1956 is vital to the homebuilding industry. The committee, with regard for the democratic process we all cherish, must give this body a chance to debate H. R. 11752. We assure the committee that we will act in the best interests of our constituents, and that our deliberations will not endanger the welfare of the Nation. All we want is the chance.

Uprising in Poland

EXTENSION OF REMARKS
OF
HON. SAMUEL N. FRIEDEL
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Friday, July 13, 1956

Mr. FRIEDEL. Mr. Speaker, a little over a week ago, the Polish workers of Poznan rose in mass protests against their country's Communist regime. They besieged the local secret police headquarters, burned its records and battled the troops sent to put down the revolt. Like their fellow workers in Berlin 3 years ago, they fought tanks and infantry until, by government admission, at least 38 lay dead and 270 injured.

These brave Polish people were driven to this desperate action because they have been ruled by the minions of a foreign power and the fruit of their factories and farms taken to strengthen that power. A revolt such as this in Poznan is a desperate way of calling the world's attention to the plight of those under Communist oppression.

The Poznan outbreak is the most spectacular of a thousand signs of crises in world communism. The rioters were clamoring for food in order to keep body and soul together and they expressed their hatred for their godless Communist overlords.

Mr. Speaker, all of us in America owe a great debt to a very great and revered patriot who fought and died in order to help and assist our own beloved country. I refer, of course, to none other than Casimir Pulaski, who was born in Podolia, Poland, in 1748. In 1777 he came to America in order to give his all on behalf of our then new Republic. It was for his exemplary conduct at the Battle of Brandywine that he was given a brigade of cavalry which he commanded until March 1778. This great soldier entered Charleston during May 1779, and held it until that city was relieved. During the siege of Savannah he was wounded and died 2 days later. For what he did for us, we shall be eternally grateful. I am proud, indeed, that my State—the Free State of Maryland—has not forgotten this great hero's sacred memory, for a modern dual highway, a part of what is now designated as U. S. 40, leading from the great city of Baltimore to the northeast, has been named after this brilliant son of Poland.

All of us are fully appreciative of the brilliant and courageous record of the Polish people over the centuries. And all Americans are cognizant of the many contributions that people of Polish descent have made to America's wealth and culture.

Although we all are confident that the indomitable spirit of Poland and its brave people will ultimately triumph over the evil forces of darkness, I urge that the Government of the United States repay its debt to Poland by its immediate protest of such action in order to prevent the further slaughter of hungry and innocent people at the merciless hands of the Communist Polish puppet government of Soviet Russia.

Need for Low Income Public Housing

EXTENSION OF REMARKS
OF
HON. ELMER J. HOLLAND
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, July 13, 1956

Mr. HOLLAND. Mr. Speaker, under leave to extend my remarks, I wish to include in the RECORD a statement pertaining to the need for low income public housing.

Mr. Speaker, the recent action of the Rules Committee tabling H. R. 11742, the general housing bill, is a body blow to the families most in need of Government housing support, namely, our families in the lowest income brackets. It is my understanding that the primary objection to the bill on the part of those Members voting to deny a rule was against the bill's public-housing provisions. For those of us who understand the urgent housing needs of our lowest income families, this type of reasoning is absolutely incomprehensible. Frankly, what some members of the Rules Committee regard as a vice is in fact the chief virtue of the bill.

The inescapable fact is that most of the unfortunate people now forced to live in slum areas do not have sufficient income to enable them to afford decent, safe, and sanitary private housing. Unless the Government provides decent housing at a rent which they can afford to pay, these poor unfortunate people are doomed to live in slums with all their attendant social evils.

Take the subject of slum clearance as a single example. Here is where the opponents of public housing fall flat on their face. Now when you clear slums people have to move. The best available data shows that approximately half of the families who live in slum areas cannot afford adequate private housing. And remember that under the law displaced families must be housed in safe and sanitary accommodations which

they can afford. For these families the only answer is low-rent public housing.

Actually, H. R. 11742 proposes only a rock-bottom minimum public housing program. It would provide 50,000 units a year for a 3-year period, and an additional 10,000 units a year for a 3-year period for elderly families.

This total will barely take care of the public housing needs of families displaced by slum clearance operations, let alone fulfill the overall need for public housing.

I would like to see the House pass legislation authorizing a public housing program of much greater magnitude. But I think that it would be a national calamity to run the risk of losing even the minimum number of public housing units proposed by H. R. 11742.

Mr. Speaker, somebody once wrote a book called Progress and Poverty in describing an earlier stage of our American history. Despite our great economic strides forward we still have a distressing amount of poverty and want, and most of it is concentrated in our slums. We cannot in conscience ignore the vicious social evils which arise from slums and slum housing. We must have a sizable public housing program because that is the only answer for our lowest-income families.

Mr. Speaker, I hope and pray those members of the Rules Committee who voted to table the general housing bill will reconsider and let us have the housing legislation the national welfare demands.

Address by Representative Francis E. Walter, at the Annual Banquet of the Department of Pennsylvania Encampment, Veterans of Foreign Wars, Benjamin Franklin Hotel, Philadelphia, Pa.

EXTENSION OF REMARKS

OF

HON. B. W. (PAT) KEARNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 13, 1956

Mr. KEARNEY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address by Hon. FRANCIS E. WALTER:

ADDRESS BY REPRESENTATIVE FRANCIS E. WALTER, AT THE ANNUAL BANQUET OF THE DEPARTMENT OF PENNSYLVANIA ENCAMPMENT, VETERANS OF FOREIGN WARS, BENJAMIN FRANKLIN HOTEL, PHILADELPHIA, PA.

During the past few months, the people of the free world have been subjected to a new propaganda barrage of dazzling size and intensity.

Most of you have become aware of it in one form or another. It originates in Moscow. In essence it seeks to persuade us that communism has suddenly transformed itself into a sweet, reasonable way of life and that we can collaborate, in fact should collaborate, with Soviet Russia with a calm and untroubled conscience.

As part of this campaign, the new rulers of Russia are making some startling disclosures. Joseph Stalin, who carried the banner of Soviet communism to nearly half the world, has been unmasked by his successors as a mad criminal who is guilty of the most horrible excesses against the Russian people and against the people of the other countries upon whom he imposed his tyranny.

The men who have made these disclosures profess to be deeply shocked by these facts, although they themselves participated in the very crimes for which they now lay all the blame on Stalin. Throughout the Communist world, these supposed disclosures are being received in a wild orgy of apology and self-abasement.

Now, for all of us who have had any contact with communism and who have not kept our eyes closed during the past years, Mr. Khrushchev isn't saying anything new at all. We have long been aware of what Stalin, with the very eager help of Mr. Khrushchev, achieved while he was in command of the Soviet empire. We have not been fooled before and there is no chance of our being fooled now.

If this were just another one of the many propaganda assaults that this world has been subjected to with varying degrees of success for the past several decades it wouldn't present any problem. The knowledge of the essential character of the Soviet Union and the global apparatus would make it easy to dispose of such new overtures. Unfortunately, this new campaign cannot be written off so simply. The new course that Stalin's successors are taking is having a tremendous impact in the free nations, in the so-called neutralist nations, and even regrettably in the United States itself.

From many sides, even from people whom we would expect to know better, we are urged to believe that a new era of peaceful coexistence has now begun. We should enter the embrace of Soviet friendship. We are even asked to believe that the despots who have ruled Russia since the revolution of 1917 have now vanished and that they have been replaced with a new breed of men, men intoxicated with the distilled milk of human kindness.

Yet fraudulent as this campaign may appear to everyone of us here tonight, the success that it is having is almost beyond conception. In Western Europe the defense structure which we have built during the past years at such great labor is crumbling. In Asia one nation after another is anchoring itself ever more firmly to Moscow. Even in countries with which we were once stanchly allied, whose traditions and aspirations we once thought were linked closely to our own, there is an unprecedented crest of anti-American hatred. And Tito, upon whom we have poured so many millions in the delusive hope that he would stand with us, has once more slipped on the Kremlin harness and has been designated to lead other countries into the Soviet grasp.

Here at home we are fast losing sight of the menace that communism embodies. The long chronicle of Communist subversion and conspiracy and deceit is being blurred until it is almost unrecognizable. The once "clear and present danger" of communism is coming to be regarded now as a danger remote and indistinct. The achievements of the Committee on Un-American Activities and other agencies, which have worked so long to expose the character of communism and the conspirators who serve it, are in danger of being swept aside.

The entire pattern permits only one conclusion: There is more possibility of the success of the international Communist movement now than at any time in the past—not by sudden revolution in our major cities but by the slow erosion of the strength that has enabled us to withstand the onslaughts of other enemies throughout our history.

I am sure that this must be a profoundly disturbing realization for you who are listening to me tonight. You have an especially acute grasp of the meaning of freedom and the way of life which we cherish. You are dedicated to the great traditions and institutions of America. You have tested your faith in armed combat. Many whom you have known and who are not here tonight have made the greatest possible contribution to the purchase of our liberty. Because you have been so directly involved with the issue of freedom, the forces that oppose that freedom today, are more than a threat to the Nation's security. They are a personal affront to everyone of you.

Times change and concepts change, science advances and so do other aspects of our society. The horseless carriage becomes the sleek, high-powered Cadillac. The technology of industry progresses—and so does the technology of treason.

Today's revolutionaries are no longer raucous, frenzied fanatics. They no longer shout openly for a blood-bath in which to drown the world. Their voices have become softer and their language more polished. They are no longer the "prisoners of starvation" beyond the pale of respectable life. Today they walk surely in the once restricted provinces of the university, the church and even finance and industry. Where once the threat they represented was an isolated and easily definable one, today it has become diffused throughout the tissue of the Nation until even the most astute diagnosis has difficulty detecting its presence. The struggle today is no longer one between reputable citizens and outcasts. It is a conflict over the basic values which this country embodies, over the very definition of men and of life itself.

Just this week in Washington, the Committee on Un-American Activities has been examining one phase of this problem, a phase which, in many respects, represents the whole. The thing that we have been concerned with is a "Report on Blacklisting" published by the Fund for the Republic, a tax-exempt institution endowed with some $15 million from the Ford Foundation. The report was prepared under the direction of John Cagley, formerly executive editor of Commonweal magazine. Mr. Cogley told the committee that he and his staff had spent more than 2 years studying cases of "blacklisting" in Hollywood and in the radio and television industry in New York.

Now, everyone with any decency deplores blacklisting, at least in the sense that we usually use the term. Blacklisting, as we ordinarily understand it, is a vicious and despicable practice. You know the kind of blacklisting I am talking about—firing someone or refusing to hire him because he has been engaged in some legitimate and morally defensible activity or because he is a Democrat or Republican, or a Negro or a Catholic or a Jew. Nobody would condemn that kind of blacklisting more than I would.

But the Fund for the Republic talks about another kind of blacklisting—one that has nothing to do with being a Democrat or a Republican or a union man or a member of some minority group. Strangely enough, it has to do only with one kind of people—Communists. This kind of blacklisting means taking action against the Communist conspiracy, and the report draws upon the revulsion we feel about blacklisting in the usual sense to arouse our condemnation of employment practices directed against Communists and against Communists only.

The report pretends to be completely objective and impartial. Actually it is about as partisan and prejudiced as it is possible to be. By the omission of some material and by the selection of other, by repeated emphasis on some facts and suppression of others, it makes an indictment of everyone who has been active in opposing the employment of Communists and Communist sympathizers in the entertainment industry. Moreover, several of the staff were already committed to a specific viewpoint before they began

their work on the report and had backgrounds that made it difficult, if not impossible, for them to be anything approaching objectivity or impartiality. Witnesses who testified before the committee confirmed that the report just isn't worth the paper it's written on.

The report considers membership in the Communist conspiracy as a "political belief." It holds that anyone who refuses to hire a Communist and anyone who hires a Communist—because he is a Communist—is engaged in "political discrimination." It tries to create the impression that people are being penalized for their beliefs and that the innocent as well as the guilty are being destroyed by a vast machinery of persecution which has a bunch of extremists and crackpots at the controls. Its total effect is to blacken the name of every organization and every individual who has sincerely and patriotically been engaged in trying to get rid of Communist conspirators in the movies and on radio and television.

This report is of tremendous concern to all of you here. For one thing, when it deals with television and radio, and with the movies and the theater, it deals with something that is very familiar to everyone of us, something that plays a very big part in our lives. Right now in Philadelphia, an actress is appearing who is identified as having participated actively in the Communist movement. This actress, Gale Sondergaard, has been named by a half dozen people before the Committee on Un-American Activities as a member of the Communist Party. Hers is one of the cases discussed in the fund report but no mention was made of her background.

Further, this report is made possible by the money which all of us pay in taxes. The millions of dollars which the Fund for the Republic has to work with are beyond the reach of the Internal Revenue Service. The fund, unlike you and me doesn't have to pay its own way with the Government. It is allowed to enjoy all the privileges of any organization or citizen who contributes to the support of the country but it escapes all the financial obligations which customarily accompany those privileges. So, inasmuch as we are in a way paying for the conclusions which Mr. Cogley and his staff have reached, we should at least get our money's worth to the extent of seeing precisely what they have to say.

If the charges which the report makes are true, then we are faced, indeed, with a very grave menace to the traditions of civil liberty and fair play upon which this country is founded. If innocent people are being thrown out of their jobs simply because of what they believe, if fanatics have established some kind of Ku Klux Klan of the air and screen which deprives good citizens of the right to work, for no justifiable reasons, then the report and the people who prepared that report are to be congratulated for having alerted us in such a fashion.

If, on the other hand, the report is not accurate and if the charges it makes are not true, then the report can be considered of value only to those people whose interests it would further—the participants in the Communist conspiracy.

The Committee on Un-American Activities has studied the problem of Communist infiltration in the entertainment industry in very great detail over a period of years. The conclusions that we have reached after hearing hundreds of witnesses and after extensive investigations are totally different from those of the Fund for the Republic.

We have not found any evidence of a blacklist of the kind that the report describes. We have found no lists which are used to banish people from jobs. We have found no clearance men who, as the report so eloquently puts it, have the power to wound and the power to heal. Nor, as the report seems to imply, anybody who wounds in order to heal—and for considerations which have nothing to do with patriotism.

I can tell you what we have found.

We have found a very serious infiltration of the entertainment industry by Communists and Communist sympathizers. We have found that increased infiltration of the entertainment industry is one of the foremost objectives of the Communists at this very moment. We have found that a number of persons who have cooperated loyally in exposing the Communist conspiracy in the entertainment industry have been denied work. I have in my desk at this very moment a letter from a prominent New Yorker containing the names of a number of people who have been denied employment because they dared to testify before the Committee on Un-American Activities. On the other hand, many persons who have been identified as Communists are still finding employment in the entertainment field.

The Communists know that movie screens and television channels are weapons of far greater potential power than any of the nuclear devices whose secrets we guard so jealously. Control of the media of communication and information means the control of the mind, and for the Communists this would mean a victory of far greater importance than victory on a dozen battlefields of war. The Communists know that before they can ever hope to win they must first destroy the freedom of the mind. They must undermine our reason and cripple our spirit. They must debase our standards and values and reduce them to rubble before the Communist tide can inundate our civilization.

Now, it is my feeling that the Fund's report proceeds from one basic error. It fails to recognize that the deprivation of employment of Communists and Communist sympathizers is possible not because of some self-appointed censors, but because—and only because—the American people themselves do not want Communists on their movie screens and on their radio and television programs. Without this repugnance of the American people to Communists and Communist sympathizers, there could be no successful action against Communists in the entertainment industry or anywhere else for that matter. When the report condemns denial of employment to Communists or Communist sympathizers, it is not just condemning some so-called pressure group or extremists. It is condemning all the people of the country who are exercising one of the most fundamental of the rights guaranteed them under the very system of government which communism seeks to destroy.

The American people realize that action against Communists is not a persecution for beliefs. Communists are being penalized, not for their beliefs, but for their actions—not for thinking something but for doing something, and doing something to further the objectives of communism. In the last analysis, the question of whether Communists and their sympathizers shall be permitted in the entertainment industry or in any other area is one for the American people to determine. The Fund for the Republic apparently does not believe that the American people have the competence or the right to express their disapproval of subversion. Nor does it believe that an employer has the right to pay or to withhold jobs from persons whom he believes are opposed to the very system from which they derive their income. It is peculiar that the report deals at great length with the rights of Communists but never with the rights of loyal patriotic citizens.

In California, where the report says much of this so-called blacklisting is taking place, there is a law that prohibits any employer from discharging or threatening to discharge anyone for political activities. But the California Supreme Court has ruled that this does not prohibit an employer from discharging anyone whose loyalty to the Nation has not been established to the employer's satisfaction. The reason for this, the court declared, is that disloyalty and subversive activity cannot be regarded as a protected political activity.

The Communists, and many who join them in their thinking, have always tried to encourage the belief that for some peculiar reason they have rights beyond those accorded to the ordinary citizen. The Communists, in this view, should not be prosecuted for any crime because this would be political retaliation—yielding to hysteria—though a Democrat or a Republican can be prosecuted for the same crime without arousing any protest on that score. Communists can't be fired from jobs in industry or from a university no matter how much they attempt to poison the atmosphere because, we are told, this would be political discrimination. As a matter of fact, if this view would prevail it would be advisable for everyone to become a Communist because he would no longer be subject to any of the normal difficulties or risks of everyday life. Being a Communist would automatically make him exempt from all social, moral, and political responsibility.

Fortunately, it does not seem as if this point of view will prevail. Treason and subversion have not yet become higher forms of patriotism. The American people are still able to think clearly on this subject and I am certain that they are not going to throw away the Constitution and the other guarantees of liberty which they have in order to establish other rights for those whom they can regard only as inflexible enemies. The structure of freedom and of liberty in America is a well-defined one. It was erected with great prudence and with great foresight. It was not designed to engineer its own collapse. It can be toppled only if we close our eyes and ears to the rules of commonsense and reason and stand aside for those who seek our ruin.

Study Mission Trips by Members of Congress

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 13, 1956

Mrs. KELLY of New York. Mr. Speaker, recent comments in periodicals and in arguments in the Congress against the authorization and appropriation for foreign aid—mutual security bill—have strengthened my belief that study mission trips by Members of Congress are essential. I do not believe the opposition to foreign aid is a question of dollars. I believe the objections that exist are directed at the willingness of the leaders of the free world to accept and to appease the new Soviet leaders. Soviet objectives have not changed but their method of attaining world domination has veered to a new course. The apathy of the peoples of the free world is an expression of hope that the Soviet will now cooperate.

The leaders of the free world must implement their beliefs in bold new policies. The program is mutual. United States policy has vacillated in leading the free world to this objective. NATO must be strengthened by the mutual action of the

free nations. NATO was a military deterrent. To weaken and to destroy NATO are the aims of the Soviet. The failure of NATO to reach and to maintain the goals established has weakened NATO. The United States should not waiver in enforcing mutual security.

The United States is accepting the ideas of the agreeing nations to make the former military pacts into economic pacts. They must be both; not one or the other.

The House Foreign Affairs Study Mission to Europe last fall, of which I was chairman, wrote the following observation in its report to the House:

The meeting of the Foreign Ministers at Geneva began on October 27, 1955, and continued until November 16. The study mission arrived in Geneva on October 31 and left the afternoon of November 2. The contact of the study mission with the conference was entirely through the Secretary of State and members of his staff. The study mission was convinced when it left Geneva that nothing would be accomplished at the meeting. This situation confirmed the judgment of all the foreign officials with whom the study mission discussed this matter that they expected nothing to come of the conference.

The two meetings during 1955 at Geneva (July and October) focused attention on one of the critical aspects of United States foreign policy. It was apparent everywhere the study mission went during its 2 months of travel that there had been a great relaxation of tension, apathy, a decided let-down in the NATO defense effort, and an alarming rise in neutralism. Most nations were giving a higher priority to their domestic problems and their conflicts of interest with their neighbors than to the Soviet threat.

Our representatives at Geneva acknowledged that, in general, this relaxation had occurred. They pointed out, however, that the objective of United States foreign policy was to promote world peace and security. They said that the United States should not, therefore, consider a course of action to be a failure which has led nations to feel that the prospects of peace were brighter than they had been previously and to believe that they were more secure than they had been for 7 or 8 years. The United States representatives at Geneva argued that a foreign policy which required continuous fear and tension to make it effective defeated its own purpose.

The study mission had noted, nevertheless, in nearly every country a conviction on the part of government leaders that the Russian smiles did not indicate a change in Soviet objectives and that the Communist danger had not diminished. The typical attitude appeared to be "We have not been fooled by the Russians; we fear that other nations may have been; there is no question but that public opinion within our country has shown an unjustified optimism." While all of the foreign officials talked to were sufficiently restrained as to avoid direct statements to this effect, there were frequent implications that statements of United States leaders last summer had been too optimistic and that the opinion of their own people toward Russia tended to be influenced more by the prevailing opinion in the United States than anything else.

There can be little doubt that serious damage was done to the NATO defense effort by the flareup of national rivalries which has occurred between Greece and Turkey. This flareup might have been prevented if the attention of the western nations had not been permitted to waiver from the necessity of meeting the common danger.

It is clear that the only good out of Geneva was to again alert the world that Russia is insincere in its objective for world peace. The study mission regrets that a setback to the free world must continually take place in order to reconfirm this fact to the people of the world. Allied unity, the NATO alliance, and the pacts in Europe have been weakened to such a degree by the Geneva atmosphere that bold, new, dynamic programs must be devised on a crash basis to overcome the gains made by the Soviet during this period. The U. S. S. R., encouraged by the acceptance of their smiles, of their new approach and their new look, again abrogated the trust of the free world and in this environment, established a foothold in the Middle East to further obstruct and divide the free world by igniting historical issues which were at the stage where solution was in sight.

The free world must always be ready to negotiate with the U. S. S. R. to obtain a just and lasting peace, but must always bear in mind that the first objective of the Communists is to conquer and enslave the world. We must never permit ourselves to be caught in that which is described in the direct quote used so ably by Congressman ROBERT C. BYRD, of West Virginia.

"War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win, we shall need the element of surprise. The bourgeoise will have to be put to sleep.

"So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fists." (The words of Dmitry Manuilsky, about 25 or 30 years ago, in a lecture at the Lenin School of Political Warfare in Moscow.)

It is clear that a program designed to meet danger will have to be adjusted from time to time when and if the danger diminishes. It is also clear that if such adjustments are made by those participating in the program when the danger hasn't diminished the effort is weakened and the enemy has won a round.

The following article by Constantine Brown as it appeared in the Washington Evening Star of July 12, 1956, substantiates the observations of the study mission.

TWO MAJOR THREATS IN EUROPE—CHURCHILL REPORTED CONCERNED OVER NATO'S WEAKNESS AND CYPRUS WAR

The publisher of a large metropolitan paper last week had an unusually long conversation with the world's foremost elder statesman, Sir Winston Churchill. Despite the fatigue and discomforts inherent in his advancing years, Sir Winston appears still to have a better and more realistic understanding of world conditions than the younger men to whom he has handed over the leadership of Great Britain in these trying days.

The former British Prime Minister seems to be particularly concerned over two important problems confronting Europe—outside, of course, the perennial threat from communism. One is the increasing weakness of NATO and the second, the tension between Greece and Turkey.

Despite official statements to the contrary, NATO has at present neither brawn nor a moral determination. The announcement last month that two of its top commanders (the supreme commander, Gen. Alfred Gruenther, and the commander of the NATO ground forces, France's Marshal Juin) will retire this fall is a significant indication. It is more than a safe speculation that the two distinguished soldiers do not want to remain identified with what so many describe as a moribund organization. It is true that both have given other reasons for their quitting. General Gruenther, who is in his late fifties, is said to be leaving because he has been offered a highly remunerative job in industry in this country. This explanation is not quite plausible. Many of our distinguished commanders such as Generals MacArthur, Bradley, Ridgway, Bedell Smith and Admirals Halsey, Denfeld, and Carney obtained well-paid positions with business firms after they retired at the statutory age of 62 or later. The explanation that Marshal Juin has given up his NATO command because he did not want to serve under Gen. Lauris Norstad—a much younger man—does not hold water either. He had served in the past under Generals Ridgway and Gruenther, both his junior in age and rank.

Sir Winston did not elaborate on these staff changes when he took a dim view concerning the future of NATO, but pointed out that the enthusiasm for the coalition has waned in most European countries where coexistence and neutralism have taken deep roots. The attitudes of the Scandinavian members, Iceland, France, and even Germany, where the rank and file is opposed to a military force of 500,000 men, are clear indications of the shape of things to come. The allied combat forces at the western borders of the Red curtain are now composed almost exclusively of Americans and British. And Britain, in the throes of another economic crisis, soon may be compelled to withdraw at least one of her four divisions.

Sir Winston is said to be more disturbed than any other European or American statesman about the growing danger of a Turkish-Greek conflict over any settlement of the Cyprus issue. The Turks are determined that there shall be no union of Cyprus with Greece. The former Prime Minister observed that the strengthening of the forces of both countries in eastern and western Thrace is disturbing. The Balkans, like the Middle East, are dangerous powder kegs. A minor incident easily could bring about an explosion, the United Nations notwithstanding.

There is no question that the Greek Government headed by Prime Minister Karamanlis will do its utmost to prevent anything as serious as a Greek-Turkish clash. But Karamanlis must reckon with a highly emotional and explosive public opinion. Some of the Athens newspapers are violent in their denunciation. The Greek press is more free than that in any other country in the eastern Mediterranean in saying that Turkey is provocative. The rank and file of the Greek people are avid newspaper readers and pay much more attention to editorials (particularly those of an inflammatory character) than to sports, financial news, or comic strips. Hence, public opinion is formulated by newspapers more than in the West.

Diplomats may dismiss such editorials as poppycock, written for the purpose of increasing the paper's circulation. But those who know Greece and the Greek people do not take such writings lightly. Greece is militarily in better shape than she has ever been before. And the Greeks are being told that, under certain circumstances, they could find support from Marshal Tito, the Arab States, and even from the U. S. S. R.

On the other hand, the Turks are not people to be easily scared or pushed around. Last year's anti-Greek demonstrations in Istanbul have shown that underneath, the Turkish masses still hate the Greeks and that the present Turkish-Greece alliance is nothing more than a marriage of convenience which easily could end in a spectacular divorce.

Social Security Benefits at the Age of 60

EXTENSION OF REMARKS
OF
HON. EUGENE SILER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Friday, July 13, 1956

Mr. SILER. Mr. Speaker, some people may consider Friday, the thirteenth, an unlucky day, but I consider this as a very lucky day when I am permitted to speak for millions of Americans who have been earning bread in the sweat of the human face over the productive years and who now only hope for a few declining years ahead that will permit them to have a little peace of mind and well-earned rest without constant worry over grocery bills and other similar charges upon everyday living as the old-age period of life overtakes them.

On February 28, 1955, I introduced H. R. 4489 seeking to reduce social-security retirement age to 60 years and to provide total and permanent disability benefits for those who have been working and covered under the law for a period of 12 quarters. I thought mine was a good bill then and I think it is a good bill now, although the House Ways and Means Committee has never seen fit to report my bill favorably up to the present time. If my mind does not change, I expect to introduce this same bill or one similar to it as long as I stay in Congress, or until ultimate success is assured on this proposition.

What is social security? Well, it is something that does not cost the taxpayers or the Government anything whatever for the payment of any of its benefits, strangely enough. It is insurance pure and simple. And insurance benefits always come from insurance premiums. If the risk is high, the premium must be high. If you take fire insurance on a paperboard house 2 miles from a fireplug, the policy cost, or the premium fixed, is necessarily high. But the fellow that wants to protect his house is always willing to pay the cost of protection and always wants his insurer to have actuarial soundness at all times. So, all that is now needed for safe social security benefits at 60 and sound disability benefits as mentioned is for a provision of a suitable premium to be paid by employers and employees that will be commensurate with the added benefits. From all my conversations with various people that would be affected, there is practically no objection among them for the added cost in view of the happy prospect of the added benefits.

We have heard much talk about our annual foreign aid that has already cost taxpayers $55 billion. So now, what about a discussion of some American aid that will cost taxpayers nothing whatever?

In one of the great newspapers of the country, in its issue of July 11, 1956, there was a front page article emphasizing the impossibility of a person over 45 years of age ever getting a job. A Labor Department survey shows, according to this article, that 3 out of every 4 employers ban middle-aged people. We all know this is true. Today, according to the news article, there are 47,400,000 people in America over the age of 45 years. But if we should provide social security benefits for workers at the age of 60 years, there would be many millions less people applying for these jobs and facing that vicious ban against the hiring of persons 45 years of age and over. Many would not seek or need these jobs at all since they would be able to live plain and simple lives in their little homes on the hills and up the hollows with some social security benefits coming in each month to keep the wolves of want away from their doors.

Moreover, if social security retirement at 60 years should become a general practice, there would be millions of job opportunities added for our young people all over America who are constantly coming out of the schools of the land. Every time a 60-year-old employee would retire, another job would be open for some willing youth of 18 or 20 years of age.

So, these are the stanch arguments for my bill or one similar, briefly summarized:

First. No cost to our taxpayers.

Second. Helping hand to our aging population.

Third. Additional job opportunities for our young people.

It is also worthwhile to observe that added social security benefits such as I have mentioned would inure to thousands of butchers, bakers and candlestick makers throughout the country. Now money is a medium of exchange. So, added money is just added exchange that eventually finds its way into the hands of all who have anything to sell. Once upon a time, a man said he had loaned a football player a dollar. His friend asked if he ever got it back. "No," said the lender, "I only got a 'halfback' on my books." Well, if we should increase social security benefits, many tradesmen and taxpayers could expect to get many real "halfbacks" in their cash registers through channels of trade and commerce. And I am not talking about football players—just plain old "e pluribus unum," is what I mean.

Senator GEORGE, of Georgia, just recently stated, in talking about social security amendments now pending, "If we can get this through, then I am ready to go away from the Senate." So, perhaps it is proper for me to say, "If I can get my own social security amendment enacted into law to help our ordinary people, then I will be ready to go away from the House and close my own career in that great body."

Socialism—Republican Style

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, July 13, 1956

Mr. MULTER. Mr. Speaker, whenever a Democrat suggests Federal aid to any part of our economy or to a large segment thereof, most of our Republican friends immediately label it "socialism" and "a step toward communism."

When our Republican friends make such suggestions, it is not socialism nor communism, it then is "conservatism where property is concerned" or "liberalism" where human rights are concerned."

I direct our colleague's attention to the article by Joseph L. S. Terrell, as it appeared on the front page of the Wall Street Journal of July 9, 1956, and suggest that the matters discussed therein are worthy of the attention of the appropriate congressional committees.

The article referred to was placed in the CONGRESSIONAL RECORD of July 12, 1956, by Senator JOHN J. WILLIAMS.

Excerpts From Address by Hon. Alexander Wiley, of Wisconsin, at Harris Memorial Foundation, University of Chicago

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Friday, July 13, 1956

Mr. WILEY. Mr. President, America and the rest of the free world were appalled at the bitter and completely unjustified attack made by Soviet Representative, Andrei Gromyko, at the United Nations Disarmament Commission against the suggestions, made in good faith, by our United States delegation.

Ambassador Henry Cabot Lodge, Jr., in replying to Mr. Gromyko, termed the Soviet delegate's unwarranted attack as "a scurrilous attack on my country in the worst traditions of Stalinism."

If the nations are to prove adequate to the challenge of the atomic bomb and the hydrogen bomb, then the world must expect something more from Soviet spokesmen than vitriol. The world has a right to expect that the Soviet Union will at least make an effort to respond to free world proposals in the spirit in which they are offered—a spirit of good faith and of genuine desire to find a common meeting ground.

We are now awaiting the new comments of the able leader who has been spearheading our disarmament efforts, the Honorable Harold Stassen.

I believe that Governor Stassen is to be commended for the great job he has been performing patiently, industriously, and with imagination and initiative.

On Saturday night, June 30, it was my own privilege to comment on the future of the United Nations, and to touch briefly upon the atomic problem. At that time, I delivered an address before the Norman Wait Harris Memorial Foundation, at the University of Chicago. I ask unanimous consent that excerpts from that address be printed in the RECORD.

There being no objection, the excerpts from the address were ordered to be printed in the RECORD, as follows:

SENATOR WILEY SAYS ATOMIC CLOUD OVER WORLD IMPELS FURTHER ALL-OUT EFFORT FOR U. N. EFFECTIVENESS—STATES U. N. CHARTER CONFERENCE CAN BE VALUABLE FORUM

I am delighted to be here with you this evening, to contribute, if only in a small way, to your most significant deliberations.

The foundation's annual symposiums in the field of international relations have been outstanding, and have proven, I am sure, invaluable in stimulating an increased public awareness of today's major world problems.

Nineteen hundred and fifty-six marks, as you so well know, the 11th anniversary of the founding of the United Nations. Thus, we are now into the second decade of its existence.

What more appropriate time to consider all aspects of the organization and some of the major issues it poses for American foreign policy?

Earlier this week you have, indeed, heard from an imposing array of experts in the overall field of United States foreign policy and international organization.

I feel particularly honored to participate in these lectures and to discuss with you one of my very special subjects—the Future of the United Nations and Charter Review.

MY WORK ON SENATE SUBCOMMITTEE

As a member of our Senate Subcommittee on Charter Review and its first chairman, I have closely studied charter problems, particularly during the past 3 years of our committee's operations.

And this spring, with the prospect of a review conference in sight, we submitted our final recommendations covering this subject.

Moreover, now that the U. N. General Assembly has approved in principle the calling of a charter review conference, and a special committee has been set up to undertake the preliminary planning, it is especially timely for a public examination such as this, of ways and means by which the United Nations can, indeed, be improved.

CAUTIOUS OPTIMISM IN U. N. JUSTIFIED

The basic theme of my comments tonight is one of optimism—cautious but definite optimism. I have faith in the U. N., justified faith, and in our ability to help make it achieve the objectives which are dead to the hearts of mankind.

I have particular faith that some of the recent achievements of the U. N. will, in the future, emerge to still larger proportions.

I refer, for example, to the outstanding contribution which has been made to the cause of peace by the successful visit of the Secretary General Dag Hammarsjkold to the explosive Middle East.

I refer, too, to the formation of the International Atomic Agency.

The actual harnessing of atoms for peace in accordance with President Eisenhower's historic address of December 1953, will represent one of the most magnificent landmarks of this 20th century, if it can reach fruition, as we earnestly hope it will.

THE ATOMIC CLOUD OVER THE WORLD

The mighty atom symbolizes both hope and danger:

Hope in the form of a world of greater plenty.

Danger through the dread heat, blast, and radiation effects of nuclear explosives. The latter problem—radiation—provides a particularly ominous background of our deliberations. I refer, for example to possible radioactive contamination of the waters of the oceans, of plant and animal life, and most important of all, of human beings—not only in the present generation but in the genetic traits of future generations.

With scientific developments accelerating, we may expect our problems of this nature in the jet-atomic age to multiply further. And our margin for error, our area of leeway, of possible mistakes—becomes narrower and narrower.

Man is still simply at the threshhold of still more dramatic phases of the Atomic Age—dramatic for good or for evil.

In the light of this and other clouds over the world, the U. N. simply has to succeed.

Dwight D. Eisenhower has said that there "is no alternative to peace." That means that there is no alternative but to work through the U. N. on behalf of these most priceless of all goals—the preservation of human freedom and the preservation of a just and durable peace.

Let us look now for a brief moment—backward—into the world of 1945, as compared with 1956.

EAST-WEST STRUGGLE IMPAIRED CHARTER HOPES

We quickly see that the great aspiration, born during World War II, the hoped-for-agreement among the Big Four soon deteriorated into a chronic East–West struggle.

That epic clash was symbolized by 33,000 heroic American dead, 110,000 United States wounded in the Korean war, plus 14,000 casualties from other gallant United Nations forces and a half-million brave South Korean casualties.

But the East–West clash is symbolized as well in virtually every geographic area of the world—a political, economic, social, cultural, propaganda contest—sometimes smooth, sometimes crude, but always there.

Inevitably, the U. N., conceived in the high hopes of San Francisco, the hopes of Big 4 unanimity, was jarred again and again by bitter dispute and by consequent stalemate and frustration.

U. N. HAS BEEN MATURING

This not to play down the organization.

Quite the contrary, it is to point out that we have learned a lot—the hard way—since 1945.

At that time, we tended to look upon the U. N. in a kind of aura of perfection. Many Americans didn't actually expect to have much to do in caring for the U. N. or in guiding it toward maturity. At that time, they felt we had helped give birth to something new and perfect, and we were rightly proud of our part.

Yet, we soon thought that the United Nations had a mind of its own. It didn't always do our bidding.

Too, it started things without seeing completion. And we saw that member nations, over the Western member group, like members of a family, didn't always see eye to eye.

Simply put, the organization was still too young to face all the most acute world problems successfully. To ask a 3, or 4, or 11-year-old child to perform all the family duties is sheer folly.

It took us a while to realize the significance of this analogy, and to proceed to let the U. N. handle those functions, commensurate with its development.

But the international organization did learn through experience what it could do. Today, the U. N. is stil not ready to meet every problem troubling the family of nations.

But it can be called on increasingly for constructive assistance. I believe that American foreign policy toward the U. N. must take this objective realistic point of view.

PHASES OF U. N. ACHIEVEMENTS

Other speakers this week have no doubt touched on a number of major issues where the Organization has come to the forefront:

The Korean conflict proved the historic force of collective security against outright aggression.

The continued meetings of the U. N. Disarmament Commission have been long and tedious. But the work of this group has proved that the Soviets can definitely be moved. Comparison of their 1946 position on reduction of armaments with their policy papers of today confirms this fact.

The world forum function of the U. N. has also shown us that moral forces and public opinon can, indeed, be successfully aroused.

The evolution of U. N. Technical Assistance and the work of auxiliary agencies—UNICEF, WHO, FAO—have proven most salutary.

ADAPTATION OF THE U. N.

As we proceed into the 11th year of the U. N., we see that a new look must be taken at its methods of operation and certain governing laws. For this reason, great importance is rightly attached to review or possible amendment of the U. N. Charter.

However, we must carefully weigh several factors in discussing this problem.

Chief Justice Marshall referring to our Constitution said that "it was intended to endure for ages to come, and consequently to be adapted to the various crises of human affairs." The Constitution has, in fact proved to be a flexible document, and it had adjusted to the growth of our country.

Similarly, the charter has often adjusted to new situations without the necessity for rigid amendment. U. N. legal powers, as such, are now, no more or no less; principles and goals have not changed. Indeed, the adjustments have brought end-goals close to fulfillment, by experimenting and avoiding futility and overcoming stalemate.

SOME CHARTER PROVISIONS HAVE FALLEN INTO DISUSE

The evolution of the charter is most interesting to note. In some cases, we have seen specific provisions fall into disuse, while others have been applied in a way that the charter framers perhaps never contemplated.

For instance, we have seen Security Council enforcement powers under article VII set aside, with the impossibility of great power unanimity. Similarly article 106 on interim enforcement measures has settled into disuse.

IMPRESSIVE NEW FUNCTIONING

On the other hand, new functions and interpretations have taken form. The General Assembly has become the leading forum for consideration of political issues. New activities in the colonial field have grown out of interpretations of article 73 regarding responsibilities with respect to non-self-governing territories. The emerging role of the Secretary General has opened another major outlet in the peaceful settlement of disputes.

All of these illustrations are not to presume that the charter is so flexible that we can change it at will, merely by interpretation. Certainly a member that supports a broad interpreation in one instance might find such a precedent against its interests in another situation. And a General Assembly which might seek to enlarge its area of power by narrow voting margins would no doubt find its influence weakened in a short time.

The point is that we must strike a happy medium between the extreme positions of loose as against strict construction.

We must also bear in mind the fact that we cannot stage a review conference, until the most thorough preparations have been undertaken by other member states, as well as by the U. N. Secretariat.

THE IMPORTANCE OF MEMBER NATIONS' SPIRIT

Whether or not the review conference will serve a lastingly constructive purpose depends largely on the attitudes with which members approach this conference.

We must have some kind of true spirit of accord, if this meeting is really to work out. This means that a number of agreements definitely have to be reached between the Soviet Union and the United States.

Of course, we have learned through experience the pitfalls of our dealings with zig-zagging Russia. So we must not be deluded by her latest tactical shifts—the new Bulganin-Khrushchev soft line.

We would nonetheless hope that the Soviet Union could join in the planning of a review conference, in cooperation with the community of nations. We should pledge ourselves to do everything consistent with out national security to bring it about. But we must not wear rose-colored glasses.

And we must remember that not all the problems complicating charter review are based solely on Soviet-American postwar relations.

Differences, as you are all aware, exist between large and small nations, between the developed and less-advanced countries, between states with colonial holdings and the newly independent countries.

However much we may be interested in some specific change, it must be remembered that 75 other nations at the coming conference will each have their proper vote.

The highly articulate Asia-African bloc, now stronger than ever in numbers, truly will play a particularly significant role. We welcome the enlarged role of the newly independent nations, although we recognize that the problem of securing agreement inevitably becomes more complex.

Unless we understand all the above considerations prior to the calling of a review conference, we are almost certain to become disillusioned when events occur which cannot be foreseen or planned.

SENATE HAS VITAL RESPONSIBILITY

Now, the responsibilities of the Senate with regard to the United Nations and other peace and security organizations are, of course, obvious.

First of all, we have the basic obligation of being a well-informed body. Likewise, we have dual constitutional responsibility. No amendments to the charter proposed at any future conference can become effective without the advice and consent of the Senate.

Secondly, the Senate has the continuing function of advice in foreign affairs. We need not and would not stand apart from a review conference and wait to see what may be produced in the way of amendments to the charter. We may work with the President and the Secretary of State on what changes, if any, are believed desirable or acceptable.

In turn, our subcommittee, in its study of charter review, has been guided by certain basic principles.

First of all we did not try to draw up precise proposals for specific changes in the language of the charter. Any international agreement involves negotiation and compromise. And these functions are, under the Constitution, essentially within the responsibility of the executive branch. Instead, we have attempted to suggest areas which we believe might be profitably explored by the Chief Executive in conference with other United Nations members.

And in our report recommendations, we have not intended to speak for the Senate as a whole, or to make any advance commitments as a group of individuals regarding future responses to specific proposals. If the President submits recommendations, it will then be time for the Senate to give them careful and thorough consideration, bearing in mind not only the subcommitee's study, but, of course, the existing international and domestic conditions.

IMPORTANT SENATE COMMITTEE WORK

Again the importance of an informed public on this subject becomes obvious. The President and Senate cannot formulate an effective foreign policy without the backing of the people. Consequently, one of the chief aims of our Senate Subcommittee on Charter Review has been to foster an intelligent American public opinion.

We have done this in several ways. During the 3 years of intensive study and research into all problems of Charter Review, we have accumulated a wealth of documentary materials—materials which have been published and subjected to careful analysis. Not only are these intended to educate the interested citizen, but we have strongly urged the Department of State to scrutinize the many specific proposals and recommendations for Charter revision.

At the same time, we have held public hearings at which we received testimony from top officials in the executive branch. And our 18 days of public hearings outside of Washington represent the first trial in taking a major issue of foreign policy directly to the people for testimony and discussion.

Witnesses were drawn from all walks of life, and their observations served to enrich our own understanding of the problems before us. Thus, we were able to tap new sources of wisdom throughout the country on this subject—sources which might have otherwise remained dormant.

PRINCIPAL SUBCOMMITTEE RECOMMENDATIONS

Let me, for a moment, focus attention on a few of the chief recommendations incorporated in our final subcommittee report.

Few aspects of the U. N. have been more widely debated than the veto problem. There is no doubt but that it has long hampered the operation of the Security Council.

Yet, more is involved here than a simple mechanical device. We cannot ignore the fact that we have insisted on the rule of unanimity in the Charter, and certainly for valid reasons.

The criticism thus really lies in misuse of the veto by Russia.

How can we now best approach this problem?

We might look for clearer distinctions between the more procedural, as against substantive questions. This is difficult, although in several minor instances, we have seen issues successfully listed as procedural through voluntary agreement.

Admittedly, the major scope of Security Council work still requires Great Power unanimity. The increase in the number of issues which can be considered as procedural will in turn depend on East-West relations.

The Vandenberg resolution of 1948 certainly remains a valid objective of policy. But except, possibly, in cases of pacific settlement and the admission of new members, it is obvious that present circumstances do not permit further restriction of the veto power.

NEW THINKING ON ADMISSION OF MEMBERS

The membership provisions of the Charter have undergone change in view of recent package developments in admission of new members. It would seem that article 4 of the Charter deserves reevaluation.

We have long wearied of the arbitrary Soviet veto on admission of Western-sponsored nations. Some way had to be found within the purview of the Charter to allow qualified, peace-loving nations to become members.

The so-called package arrangement last December signified several developments and new interpretations. The practice of abstention in this case prevented total paralysis of the Security Council, in an instance where an outright veto could be sidestepped. Thus, the principle of the Vandenberg resolution was reaffirmed in removing the veto on memrebship questions through protocol agreement.

At the same time, it was felt that the admission of a majority of qualified applicants would strengthen the United Nations morally and materially. And their participation would outweigh the obvious disadvantages, incurred by membership of the four satellites—which are, of course, hardly independent nations.

OTHER CHANGES BECAUSE OF ENLARGED MEMBERSHIP

The admission of new members will, no doubt, require future review of the seat allocations with in the various bodies.

This, in turn, will affect the voting requirements in decisionmaking which may require Charter amendment.

We can also expect new and important political problems brought before the General Assembly with the increased membership. The United Nations will speak with wider authority. It will more accurately reflect underlying conditions as they are in the world, and call our attention more decisively to the crucial problems of our age.

But a greater sense of responsibility must be assumed by all members, if the enlarged organization is to develop further in a sound and practical way, and if problems are to be solved and not aggravated.

ADVANCING CRUCIAL GOAL OF SECURITY

Another central issue is, of course, the matter of collective security under the Charter. We have learned that the original premises of universal collective security under the charter have not been attainable.

Consequently, to fight aggression, alternative methods of collective defense had to be developed.

The Uniting-for-Peace resolution and our sound regional defense pact with 42 nations have answered Russia's abuse of the veto. They have given us free world security inside the Charter, but outside the veto.

These indispensable security arrangements have definitely not impaired the United Nations machinery which can still operate in those areas not at issue among the permanent powers.

And if further machinery is necessary for the defense of the Nation, a logical step might be to explore the possibilities of linking together the various regional and other defense treaties in which we now participate.

They represent fairly close to the maximum strength which we could actually hope to mobilize in the present period, for defense against Communist aggression.

This approach could leave unimpaired the peaceful settlement and other useful machinery of the United Nations itself. It could leave intact the enforcement machinery of the U. N., available whenever some agreement among the Great Powers would permit its use.

OTHER ISSUES FOR REVIEW

These, then, are but a few of the questions which must be thoroughly though out by the Senate, the President, and by the American people, in preparation for a truly successful review conference on the U. N. Charter.

Member countries will want to take a fresh look at a good many other issues which were considered at San Francisco in 1945.

These include the impact of the United Nations on domestic jurisdiction.

The status of the specialized agencies.

And the progress of the trusteeships and dependent territories.

The alternatives on all of these are numerous, and surrounding factors highly complex.

Yet, the problem of formulating policy on these questions is not as serious as it might at first seem. These are problems which have recurred before the United Nations in one form or another during the past 10 years. The American Government has taken positions on many of these before.

The issues have been aired, and opposing points of view made known. Within reason, then, it would be possible to predict what alternatives are likely to be acceptable to a

majority of the members taking part in the review conference.

There will undoubtedly be wide room for negotiation and accommodation. And if we can eventually have a sincere and thoroughgoing exchange of ideas on some of these matters, as they relate to the charter, we may hope for useful results from the review conference.

ACCENT ON THE SPIRIT, NOT JUST THE FORM

There will be trial and error, therefore, as there has been in the past. No absolutely set plan for review and revision, no rigid formula, few hard and fast overall commitments on our part will be feasible.

We must always act by honor and principle, but still, at least partly, play by ear—adjusting, adapting, we must seek constantly, not basically a perfected form, but rather, basically, an improved spirit—an improved attitude, a more dynamic will toward agreement on the part of all nations.

CONCLUSION

In 1945, when the Senate ratified the U. N. Charter, our Foreign Relations Committee expressed the belief that United States "participation in the United Nations is in accord with our national interests, and * * * our contributions to the United Nations will be repaid many times."

Membership in the U. N. is still absolutely in our national interest.

President Eisenhower, in his latest state of the Union message, stressed the central aim of our foreign policy: "The waging of peace, with as much resourcefulnes, with as great a sense of dedication and urgency, as we have ever mustered in defense of our country in time of war."

We know that the U. N. is a vital instrument in setting the tone for international harmony. We rightly took the lead in forming this international organization. It is our continuing responsibility to utilize it to the fullest extent, aware of its limitations, yet inspired over its potential.

Peace takes practice.

The charter has set forth some very important rules of the game. Within this framework, whether there is formal amendment or not, the nations of the world can practice until peace and security are genuinely accomplished.

God grant, we hope and pray, that there will be sufficient time, a genuine spirit, in which to succeed.

Report of the Attorney General's Committee on the Antitrust Laws

EXTENSION OF REMARKS
OF

HON. ESTES KEFAUVER

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Friday, July 13, 1956

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article which I wrote for the Mercer Law Review, of the Walter F. George School of Law, of Mercer University, at Macon, Ga. The article deals with the report of the Attorney General's Committee on the Antitrust Laws.

I think the article is a timely one, Mr. President, in view of the fact that a few days ago the House passed by an overwhelming vote House bill 1840, which amends the Robinson-Patman Act so as to prevent selling at discriminatory prices where the result would be to create a monopoly or to lessen competition. The bill has received extensive hearings in the Senate committee, over a period of 7 or 8 days; and the report on the bill has been printed. The bill is now on the agenda of the committee. I can think of no measure which would give more needed protection to small business and to merchants. They have had a very difficult time in meeting discriminatory prices. They have had a difficult time in surviving in the face of increased monopolistic influences.

Enactment of the bill is very greatly needed. I hope very much that the bill will be approved by the Judiciary Committee at its next meeting, and will be placed on the calendar of the Senate, and will be considered by the Senate and passed.

Mr. President, we talk a great deal about wanting to help small businessmen and small entrepreneurs, but very few measures for that purpose are passed. This bill will give them some relief. The bill is backed by small business associations, retail grocers, wholesale grocers, and druggists' associations. Throughout the country there is tremendous interest in the bill.

The article which I had the privilige of preparing, and which appeared in the Mercer Law Review, issued by the law school which is named after the distinguished senior Senator from Georgia [Mr. GEORGE], deals with this problem. For that reason, I feel that it will be of interest to the Members of the Senate; and I ask that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ATTORNEY GENERAL'S COMMITTEE REPORT IN PERSPECTIVE

(By ESTES KEFAUVER, United States Senator from the State of Tennessee; A. B., University of Tennessee, 1924; LL. B., Yale University, 1927; Member of Congress, 1939–48; member of firm Kefauver, Duggan & McDonald, Chattanooga, Tenn.)

In a statement which I made before the Committee on the Judiciary of the House of Representatives on May 9, 1955, shortly after the issuance of the report of the Attorney General's Committee on the Antitrust Laws, I stated:

"It (the report) is a gigantic brief for the nonenforcement of the antitrust laws. It is a massive sedative designed to be absorbed by the enforcement agencies and the courts in the prosecution and trial of antimonopoly cases. The result can only be complete immobility on the monopoly front. To paraphrase General Sherman, if a complaint is received it won't be investigated. If it is investigated, it won't be brought to trial, and if it is brought to trial it won't be won."

Six months later in hearings before the House Small Business Committee, Prof. S. Chesterfield Oppenheim, the co-chairman of the Attorney General's Committee testified that the office of the Administrator of Federal Courts had sent a copy of the report of the Attorney General's Committee to every Federal judge in the United States. According to that testimony, Professor Oppenheim had suggested such action to the attorney general.

Quite apart from questions as to its propriety, the action is significant in that it illustrates the real and ultimate purpose of the report, which is to provide for every judge a complete guide or handbook on how to intepret the antitrust laws. It is handy; it is well-organized for the purpose; it has the appearance of being authoritative, enlightened and sophisticated; and it will save our overworked Federal judges, harassed as they are by overcrowded dockets, a great deal of time and labor which would otherwise have to be spent in looking up previous cases, analyzing legislative history, and carrying on the multitude of tasks required in the writing of a reasoned, well-considered opinion.

What was the special occasion for the report's appearance? Why was it felt that at this time a report of this type should be prepared? Certainly it could not have been the desire to obtain "clarification" of the antitrust laws, since the report warmly endorses the application and extension of the Rule of Reason in place of what are somewhat improperly termed "per se" rules. One can embrace either the need for clarification or the rule of reason but not both at the same time. As Prof. Louis B. Schwartz said in his dissent, "One can have more uncertainty and fewer per se rules, or less uncertainty and more per se rules. Antitrust critics will have to make a choice."

As one who has had the opportunity to observe firsthand the play of forces, the development of issues, and the activities of affected interests, my personal impression is that basically the report is merely the latest in a series of efforts to modify antitrust law enforcements. These efforts were touched off by four major decisions during the middle and late forties. Had the reasoning of this report been followed, those decisions would never have been handed down. And today, although the latter two decisions are still the law of the land, there is, I am sure, the hope on the part of the report's sponsors that, guided by its precepts and logic, the courts in the future will see the error of their ways and reverse these unfortunate mandates. What are these four cases?

They are, first: *Corn Products Refining Co.* v. *F. T. C.*;[1] second: *F. T. C.* v. *A. E. Staley Manufacturing Co.*;[2] third: *F. T. C.* v. *Cement Institute*;[3] and fourth: *Triangle Conduit Co., Inc.* v. *F. T. C.*[4]

The first two of these cases, the *Corn Products Co.* case and the *Staley Co.* case were brought under section 2 of the Clayton Act as amended by the Robinson-Patman Act.[5]

The significant facts in the *Corn Products* case were these: The Corn Products Refining Co. has two plants for the manufacture of glucose or corn sirup—one at Argo, Ill., within the Chicago switching district, and the other at Kansas City, Mo. In selling glucose, the Corn Products Co. used its Chicago plant as a basing point, charging the Chicago base price plus freight from Chicago on all sales, whether they were made from the Chicago plant or from the Kansas City, Mo., plant.

Under this practice buyers of glucose in Kansas City paid a fictitious or phantom freight of 40 cents on every 100 pounds of glucose they bought. On all deliveries from the Kansas City plant to points freightwise nearer to Kansas City than to Chicago, buyers paid phantom freight of varying amounts. On all deliveries from the Kansas City plant freightwise more remote from Kansas City than to Chicago, the Kansas City plant absorbed freight. Under this practice purchasers were denied the transportation savings that normally would accrue to them by

[1] 324 U. S. 726, 65 S. Ct. 961, 89 L. Ed. 1320 (1945).

[2] 324 U. S. 746, 65 S. Ct. 971, 89 L. Ed. 567 (1945).

[3] 333 U. S. 683, 68 S. Ct. 793, 92 L. Ed. 1010 (1948).

[4] 168 F. 2d 175 (7th Cir. 1948).

[5] 38 Stat. 730 (1914), 15 U. S. C., sec. 13 (1952).

reason of their proximity to Kansas City, and the Kansas City plant realized varying mill nets depending on the point of delivery.

It is an interesting part of the record that 2 or 3 candy plants in Kansas City buying glucose from the Kansas City plant, in order to avoid having to absorb the freight charge from Chicago to Kansas City—although the product was never actually transferred—moved their plants from Kansas City to Chicago. The Federal Trade Commission found that the practice constituted a price discrimination within the meaning of section 2 (a) of the Clayton Act—i. e. the Robinson-Patman Act—and that it had injured competition among candy manufacturers. The Supreme Court upheld the Commission's order that the Corn Products Refining Co. stop such price discrimination.

The Staley case, which was decided on the same day, is a companion case to the Corn Products Co. case. The Staley Manufacturing Co. had its glucose plant at Decatur, Ill. In selling glucose it used the Corn Products Co.'s Chicago price as a base price. Under this practice, the Staley Co. charged buyers of glucose at Decatur the Corn Product Co.'s Chicago base price plus freight from Chicago to Decatur, although glucose was bought from Staley's Decatur plant.

On all sales freightwise nearer to Decatur than to Chicago, the Staley Co. charged phantom freight. On all sales freightwise nearer to Chicago than to Decatur, the Staley plant absorbed freight. The result was price differences depending on the location of the buyer. The Commission found this to be price discrimination within the meaning of section 2 (a) of the Clayton Act and that it injured competition among the buyers of glucose. The Supreme Court affirmed the Federal Trade Commission's cease-and-desist order and in doing so rejected the defendant's pleas that its prices were made in good faith to meet equally low prices of its competitors.

The proceedings in the Cement case were under both the Federal Trade Commission Act and the Clayton Act. The Federal Trade Commission charged, first, that cement manufacturers had conspired to use the basing-point system to eliminate price competition among themselves in violation of section 5 of the Federal Trade Commission Act; and, second, that this had resulted in price discrimination that substantially lessened competition among the sellers of cement. The Federal Trade Commission's record in this case—50,000 pages of testimony and 50,000 pages of exhibits—reveals concerted action among cement manufacturers extending intermittently over almost half a century designed to eliminate competition in the sale of cement. The basing-point system had become the principal instrument in this program, but it had been supplemented by the standardization of trade practices and the use of freight rate books to make easy the calculation of identical delivered prices at all points of delivery. While the system did not work equally well through good times and bad, it worked well enough so that throughout the 1930's cement manufacturers persistently offered to supply cement on Government projects at prices identical to the fourth decimal place, although the prices were presumably submitted independently under secret and competitive bidding.

The Supreme Court, in reversing the lower court, affirmed the Commission's orders to cement manufacturers that they cease and desist from perpetuating the use of the basing-point system through any planned common course of action.

The Conduit Co. case involved an appeal to the Circuit Court of Appeals for the Seventh Circuit from the finding by the Federal Trade Commission that 14 corporate manufacturers of rigid-steel conduit had violated section 5 of the Federal Trade Commission Act[6] in the sale of their products. Section 5, of course, gives the Federal Trade Commission the right to prevent unfair methods of competition. The Commission's complaints charged violation of the law on two counts.

Count one alleged that the respondents had conspired to use the basing-point system of pricing and thereby had substantially lessened competition in the sale of rigid-steel conduit, and that that was an unfair trade practice within the meaning of section 5 of the Federal Trade Commission Act.

Count two charged that each corporate respondent had violated section 5 of the Federal Trade Commission Act through the concurrent use of a formula method of making delivered-price quotations. The Commission found that for any seller to quote prices under a basing-point system with the knowledge that his rivals are doing the same thing and with the result that such practices eliminate competition among them is an unfair trade practice. The decision of the Seventh Circuit Court of Appeals on May 12, 1948, upholding the Commission is today the law of the land, as it was in effect sustained by a 4-to-4 vote of the Supreme Court.[7]

These four cases were directed at a type of pricing method which is inherently discriminatory in character and is particularly injurious to the normal growth of underdeveloped areas. In a speech which I gave on the floor of the United States Senate on June 1, 1950, I described at some length the manner in which these pricing systems have retarded the normal economic development of the South and the West.

The effect of the 4 decisions was to give the Federal Trade Commission 3 weapons with which to attack basing-point systems. Where the circumstances were similar to those which obtained under the Staley and Corn Products cases, the Commission could attack the systems under the Robinson-Patman Act as discriminatory. Where proof of agreement could be found, as in the Cement case, they could be attacked as instruments of unlawful conspiracies. But, perhaps most important, where each seller individually followed the same system knowing that every other seller was doing the same and where the result was to substantially lessen competition, the system would be attacked under count 2 of the Conduit Co. decision as an unfair method of competition in violation of the Federal Trade Commission Act. This was a formidable armory, and it is little wonder that on April 28, 1948, the day after the Supreme Court's decision in the Cement case was handed down, Mr. Irving S. Olds, then chairman of the board of the United States Steel Corp., stated that industry was faced with two alternatives—either it must seek remedial legislation or it must educate the Supreme Court.

For 7 years big industry has labored in the legislative vineyard without avail. The Attorney General's Committee report represents an attempted "massive education."

When the Supreme Court in the subsequent Standard Oil[8] case held that good faith is a complete defense to a charge of price discrimination, it virtually rendered useless the first of these weapons. As long as good faith remains a complete defense, it is difficult to envisage the successful use of the Robinson-Patman Act against a basing-point pricing system. But the phrase "as long as" is important. The decision in the Standard Oil case was, in effect, by a 5 to 4 vote; the actual vote was 5 to 3 but Justice Minton abstained as he had written the decision in the Circuit Court of Appeals upholding the Commission. Thus, with the shift of one vote, this potentially powerful weapon could once more be made effective. It is because of apprehension on this very point that such determined efforts have been made to secure the enactment of legislation which would in effect cement the Standard Oil decision into statutory law.

Perhaps after 7 years of unsuccessful effort on the legislative front it was thought that nothing would be lost and perhaps much might be gained by issuing a document which among other things, would reaffirm to the jurists the correctness of their original views, as expressed in the Standard Oil decision, moreover, such a document might provide the opportunity of extending the Court's decision beyond the province which the Court itself had established.

Personally, I disagree strongly with the Court's interpretation of the law in this case. The Court, I believe, was guilty of substituting for congressional intent its own views, misguided in my opinion, as to what is economically desirable. But the Court at least set certain limitations as to the extent to which the "good faith" defense could be used. Now the Attorney General's Committee would wipe out these limitations and thus go beyond the Supreme Court's decision.

In the Standard Oil decision the "good faith" defense was limited to the meeting of "lawful" prices; the Attorney General's Committee would in effect extend it to the meeting of "unlawful" prices as well. The report says that "* * * a seller should be deemed to have met a lawful price unless he knew or had good reason to believe otherwise" (p. 182). The report does not describe how the Federal Trade Commission is going to establish the state of knowledge on the part of the discriminator as to the lawfulness of the price which he is meeting. This is not the lawfulness of his own price, about which he might be expected to know a little, although even here there might be room for doubt. It is the lawfulness of someone else's price. One can hardly imagine a more impossible burden of proof to impose upon the enforcement agency.

The decision limited the "good faith" defense to discriminations made to meet competitors' prices; the Attorney General's Committee would extend it to discriminations made to beat competitors' prices as well. The report says, "An incidental undercutting of the prices quoted by others, when in the course of genuinely meeting one particular competitor's equally low-price offer, hence should not invalidate a seller's defense" (p. 183). The report does not describe the circumstances under which an undercutting of price is only incidental.

In the Standard Oil decision the "good faith" defense was limited to defensive price discriminations made to retain an existing customer. The Attorney General's Committee would extend the defense to aggressive discriminations made to obtain new customers. The rationalization for this position consists of mere assertion. The report says that the Court "merely employed language describing the case at bar" and that a limitation of the defense to defensive price discriminations "would not be in keeping with elementary principles of competition * * *" (p. 184). The principle is to say the least unique. Just disregard what the Court clearly says, if it "* * * would not be in keeping with the elementary principles of competition."

The Attorney General's Committee certainly has the right to its opinion that the Supreme Court's decision does not go far enough. One can, however, question the propriety of the Committee's efforts to create the impression that what it regards as right and proper has already been accepted by the Court and is today the law of the land. But what is really astounding in its implications is the Committee's bland statement that

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[6] 66 Stat. 632. ——, 15 U. S. C., sec. 45 (1952).

[7] *Clayton Mark & Co.* v. *F. T. C.* (336 U. S. 956, 69 S. Ct. 888, 93 L. Ed. 1110 (1949)).

[8] *Standard Oil Co.* v. *F. T. C.* (340 U. S. 231, 71 S. Ct. 240, 95 L. Ed. 239 (1951)).

what it considers the law should be, not what the law is, now governs the enforcement of the law. The report states, "Since the statute may be presently interpreted as we propose, we do not consider legislative amendment necessary now" (p. 184).

The Attorney General's Committee would also immobilize the other two weapons, except where overt evidence of conspiracy was found. It must be remembered that such evidence was present in the Cement case. But its appearance in concentrated industries is becoming more and more of a rarity. The large corporations have long ago learned the importance of not keeping in their files letters, minutes, memoranda, or documents of any kind which would constitute direct evidence of conspiracy. One of the functions of the corporation lawyer is to keep his client from making precisely this type of mistake.

Now the manner in which the Attorney-General's committee sought to cope with this issue represents, whether intended or not, an interesting case example of how to create a misleading impression without actually making a misstatement. After citing the decisions in recent FTC cases, the report says, "Such developments fostered the notion that conspiracy necessarily followed from identical conduct by competitors—provided each knew what the other was doing," (p. 38). Assuming the unstated justification, i. e. that the effect of the practice substantially lessens competition the question arises as to whether this is the law of the land? The report says no, because, "The Supreme Court laid this notion to rest in *Theatre Enterprises, Inc.* v. *Paramount Film Distributing Corp.*" (p. 38). The report then goes on to quote the following passage from that decision:

"The crucial question is whether respondents' conduct toward petitioner stemmed from independent decision or from an agreement, tacit or express. To be sure, business behavior is admissible circumstantial evidence from which the factfinder may infer agreement. * * * But this Court has never held that proof of parallel business behavior itself constitutes a Sherman Act offense. Circumstantial evidence of consciously parallel behavior may have made heavy inroads into the traditional judicial attitude toward conspiracy; but conscious parallelism has not yet read conspiracy out of the Sherman Act entirely" (p. 39).

The report then draws this conclusion:

"This committee is in full accord with that Supreme Court reasoning. 'Conscious parallelism' is not a blanket equivalent of conspiracy. Its probative value in establishing the ultimate fact of conspiracy will vary case by case. Proof of agreement, express or implied, is still indispensable to the establishment of conspiracy under the antitrust Act entirely." (p. 39.)

The crucial phrase in this interpretation is "under the antitrust laws." The Theatre Enterprises[9] case was a Sherman Act case. The notion of conscious parallelism to which the committee was objecting and which the report says had been laid to rest by the Theatre Enterprises case developed from Federal Trade Commission Act cases. The principal cases cited by the report in its reference to development which "fostered the notion that conspiracy necessarily followed from identical conduct by competitors" are the Cement case and the Conduit Co. case, both of course FTC Act cases. The Theatre Enterprises case is obviously not relevant to the issue which the report is here discussing. It is possible that the authors of the report might attempt to defend themselves on the grounds that technically the Federal Trade Commission Act is not considered to be an antitrust law. But such a defense would be specious, since the whole point of the argument is to use the force of the Theatre Enterprises decision against those cases which gave rise to the conscious parallelism doctrine.

The distinction is of course fundamental. Since the Federal Trade Commission Act was intended to go beyond the Sherman Act and prevent in their incipiency practices which if not arrested would ripen into Sherman Act violations, what is not a violation of the Sherman Act may well be a violation of the Federal Trade Commission Act. In this connection it is interesting to note an often overlooked observation of the Court to be found in the Cement decision:

"While we hold that the Commission's findings of combinations were supported by evidence, that does not mean that existence of a 'combination' is an indispensable ingredient of an 'unfair method of competition' under the Federal Trade Commission Act."

Incidentally, I agree with Prof. Eugene Rostow that even insofar as the Sherman Act itself is concerned, "The emphasis given to the limited decision of the Supreme Court in the Theatre Enterprises cases should not be misinterpreted" and that it "in no way weakens the authority" of such earlier Sherman Act cases as Interstate Circuit,[10] Paramount Pictures[11] and American Tobacco Co.[12]

There are many other aspects of the report with which I thoroughly disagree. Among other things, I disagree with the evidentiary requirements it has advanced as necessary to prove a violation of the Celler-Kefauver Anti-merger Act, with its attempt to read the rule of reason into the Clayton and Federal Trade Commission Acts which Congress enacted for the specific purpose of placing on the statute books antitrust laws to which the rule of reason would not be applicable, with its recommendation for an increase in penalties as being unduly and almost ridiculously modest, with its recommendation for the extension of consent decrees, with its direct attack on private triple-damage suits and with its almost complete disregard of the problem posed by the existence of monopolistic size and power.

But in this article I have endeavored to stress what I consider to be the key issue which precipitated the far-reaching and continuing attack on the antitrust laws, of which the report is merely the latest manifestation. For the reasons which I have endeavored to set forth, the committee's interpretation of the law on this issue is in manifest error. I am confident that the courts of the land will recognize the error and will enforce the law in accordance with the intent of Congress—assuming, of course, that cases involving the issue are ever brought forward.

[9] *Theatre Enterprises, Inc.*, v. *Paramount Film Distributing Corp.* (346 U. S. 537, 74 S. Ct. 257, 98 L. Ed. 273 (1954)).

[10] *Interstate Circuit, Inc.*, v. *United States* (306 U. S. 208, 59 S. Ct. 467, 83 L. Ed. 610 (1939)).

[11] *United States* v. *Paramount Pictures, Inc.* (334 U. S. 131, 68 S. Ct. 915, 92 L. Ed. 1260 (1948)).

[12] *American Tobacco Co.* v. *United States* (328 U. S. 781, 66 S. Ct. 1125, 90 L. Ed. 1575 (1946)).

SENATE

MONDAY, JULY 16, 1956

The Senate met at 9:30 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou to whom every thought of every heart is fully known, Thou who seest and knowest all things, grant us grace, we pray Thee, so to know Thee and so to see Thee, that in knowing Thee we may know ourselves even as we are perfectly known of Thee; and in seeing Thee may we see ourselves as we verily are before Thee. In the framework of these stirring days may we see our brief passing lives against the background of eternity. Show us our own smallness and Thine infinite greatness. Show us our own lovelessness and Thy exceeding love, boundless and everlasting. Yet in Thy mercy show us also how, small as we are, we can take refuge in Thy greatness and how, loveless as we are, we may hide ourselves in Thy forgiving love. With our hearts cleansed by that forgiving love, we pray that, for the tasks set before Thy servants here in a new and vital week of legislation and deliberation, all bitterness and wrath and anger and clamor and evil speaking may be put away with all malice and that nothing be done through strife or vainglory; but, in lowliness of mind, let each esteem others better than themselves. We ask it through riches of grace in Christ Jesus our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, July 13, 1956, was dispensed with.

ENROLLED BILLS SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of July 13, 1956,

The PRESIDENT pro tempore announced that on July 14, 1956, he signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 146. An act for the relief of certain aliens;

S. 976. An act to provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Montgomery, W. Va.;

S. 1895. An act to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

S. 3163. An act to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating in Hawaii and Alaska.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of July 13, 1956,

The following reports of committees were submitted on July 14, 1956:

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

H. R. 3210. A bill to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes (Rept. No. 2578).

By Mr. HAYDEN, from the Committee on Appropriations, with amendments:

H. R. 12130. A bill making appropriations for Mutual Security for the fiscal year ending June 30, 1957, and for other purposes (Rept. No. 2579); and

H. R. 12138. A bill making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes (Rept. No. 2580).

ENROLLED BILLS PRESENTED DURING ADJOURNMENT

The Secretary of the Senate reported that on July 14, 1956, he presented to the President of the United States the following enrolled bills:

S. 146. An act for the relief of certain aliens;

S. 976. An act to provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Montgomery, W. Va.;

S. 1895. An act to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

S. 3163. An act to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating in Hawaii and Alaska.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on July 14, 1956, the President had approved and signed the following acts and joint resolution:

S. 220. An act conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande;

S. 449. An act for the relief of George Pantelas;

S. 584. An act to amend title 28, United States Code, relating to the Customs Court;

S. 1739. An act to authorize the Commissioners of the District of Columbia to fix rates of compensation of members of certain examining and licensing boards and commissions, and for other purposes;

S. 1798. An act for the relief of Mrs. Charles C. Phillips;

S. 1871. An act to amend certain provisions of law in order to provide for the reimbursement of the Post Office Department by Government agencies in certain additional cases for the transmission of mail matter;

S. 1961. An act to provide for the conveyance of part of Ethan Allen Air Force Base, Colchester, Vt., to the State of Vermont, and for other purposes;

S. 2008. An act for the relief of Winifred A. Hunter;

S. 2169. An act for the relief of M. B. Huggins, Jr.;

S. 2240. An act for the relief of James Richard Hogan;

S. 2690. An act for the relief of William G. Jackson;

S. 2705. An act to authorize the Philadelphia, Baltimore & Washington Railroad Co. to construct, maintain, and operate a branch track or siding over Second Street SE., in the District of Columbia;

S. 2772. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the World Jamboree of Boy Scouts to be held in England in 1957, and for other purposes;

S. 2896. An act to amend the act relating to cemetery associations;

S. 2972. An act to punish the willful damaging or destroying of aircraft, or motor vehicles, and their facilities, and for other purposes;

S. 3723. An act to authorize the Secretary of the Navy to convey certain land in the county of Alameda, Calif., and to accept other land in exchange therefor; and

S. J. Res. 110. Joint resolution directing the Secretary of the Interior to conduct a study and investigation of Indian education in the United States.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Foreign Relations was authorized to sit during the morning session of the Senate tomorrow.

MEETING OF THE JUDICIARY COMMITTEE FROM 10:30 A. M. TO 12 NOON TOMORROW DURING SESSION OF THE SENATE

Mr. EASTLAND. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized upon call of the chairman to meet during the session of the Senate from 10:30 a. m., to 12 noon tomorrow, Tuesday, July 17, 1956, for the purpose of considering only the following bills and amendments thereto which are germane, within the judgment of the chairman of the committee: S. 1256, S. 3570, S. 3571, S. 3574, H. R. 9424, H. R. 1840, S. 3026, S. 3284, H. R. 1971, H. R. 2128, H. R. 4642, H. R. 3561, H. R. 256, H. R. 10111, H. R. 8110, House Joint Resolution 396, House Joint Resolution 317, H. R. 2121, H. R. 6247, H. R. 3661, H. R. 5417, H. R. 9810, H. R. 6403, H. R. 9956, H. R. 7121, House Joint Resolution 511, H. R. 9314, H. R. 6332, H. R. 10949, H. R. 5274, and other bills and nominations which can be considered by unanimous consent of the committee.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that during the morning hour today statements made in connection with the transaction of routine business be limited to 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PROPOSED SUPPLEMENTAL APPROPRIATION, DEPARTMENT OF AGRICULTURE (S. DOC. NO. 140)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting a proposed supplemental appropriation for the Department of Agriculture, in the amount of $2,500,000, for the fiscal year 1957, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

RESOLUTION OF JAMES VALLEY ELECTRIC COOPERATIVE, INC., EDGELEY, N. DAK.

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the James Valley Electric Cooperative, Inc., of Edgeley, N. Dak., relating to interest rates recommended by the Hoover Commission.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

INTEREST RATES

Whereas the interest paid by the Rural Electrification Administration Cooperatives is an important item in the cost of electricity sold by an REA cooperative; and

Whereas the Hoover report made recommendations that would result in an increase in the rate of interest paid on future loans: Now, therefore, be it

Resolved, That the members of the James Valley Eletcric Cooperative, Inc., go on record opposing the interest recommendations of the Hoover Commission and that copies of this resolution be sent to members of the North Dakota delegation in Congress.

RESOLUTION OF MINNESOTA ASSOCIATION OF COOPERATIVES, ST. PAUL, MINN.

Mr. HUMPHREY of Minnesota. Mr. President, the 1955 convention of the Minesota association of Cooperatives adopted a resolution relevant to the Hells Canyon issue which will be debated this week in the Senate. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

ST. PAUL, MINN., *July 11, 1956.*

Senator HUBERT H. HUMPHREY,

Senate Office Building, Washington, D. C.

The 1955 convention of the Minnesota Association of Cooperatives adopted the following resolution now pertinent to the Hells Canyon issue.

"*Be it resolved*, That we deplore the action taken by the Federal Power Commission in issuing a license to a private power company which will result in only partial development of the great potential of hydroelectric power available for the development at Hells Canyon; be it further

"*Resolved*, That we favor full developments on all undeveloped hydroelectric power sites such as Niagara and Hells Canyon by the Federal Government together with Federally owned transmission lines that may be required to market power so produced in keeping with the purpose and the spirit of existing Federal law and so that REA cooperatives may have an adequate supply of power at reasonable rates and so the cheap sources of fertilizer may become available for Minnesota farmers."

We respectfully request your support of this proposal.

THE MINNESOTA ASSOCIATION OF COOPERATIVES,
EDWARD E. SLETTOM.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

S. 2354. A bill for the relief of Jean Goedicke (Rept. No. 2581).

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 12034. A bill to authorize the Secretary of the Interior to execute a contract with the Tule Lake Irrigation District, California, and for other purposes (Rept. No. 2582).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3787. A bill relating to the management of the Red Lake Indian Forest and sawmill (Rept. No. 2584).

By Mr. CHAVEZ, from the Committee on Public Works, with an amendment:

H. R. 8750. A bill to amend the Watershed Protection and Flood Prevention Act (Rept. No. 2585).

By Mr. MONRONEY, from the Committee on Interstate and Foreign Commerce, with an amendment:

S. 3914. A bill to amend sections 801, 802, and 1102 of the Civil Aeronautics Act of 1938, as amended (Rept. No. 2586).

AMENDMENT OF FEDERAL DEPOSIT INSURANCE ACT, RELATING TO BANK MERGERS (S. REPT. NO. 2583)

Mr. FULBRIGHT. Mr. President, from the Committee on Banking and Currency, I report favorably, without amendment, the bill (S. 3911) to amend the Federal Deposit Insurance Act to provide safeguards against mergers and consolidations of banks which might lessen competition unduly or tend unduly to create a monopoly in the field of banking. I ask unanimous consent that the report be printed, together with the individual views of the Senator from Illinois [Mr. DOUGLAS] and the Senator from New York [Mr. LEHMAN].

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Arkansas; and the bill will be placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PAYNE:

S. 4217. A bill to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Maine; to the Committee on Interior and Insular Affairs.

By Mr. MARTIN of Pennsylvania:

S. 4218. A bill to amend section 313 (b) of the Tariff Act of 1930 to allow substitution of printing papers for drawback purposes; to the Committee on Finance.

By Mr. CARLSON:

S. 4219. A bill for the relief of Dr. and Mrs. Jun Sik Cho; to the Committee on the Judiciary.

By Mr. LEHMAN:

S. 4220. A bill to amend section 304 (d) of Federal Food, Drug, and Cosmetic Act, with respect to the disposition of certain imported articles which have been seized and condemned; to the Committee on Interstate and Foreign Commerce.

By Mr. ELLENDER (by request):

S. 4221. A bill to amend the International Wheat Agreement Act of 1949; to the Committee on Agriculture and Forestry.

By Mr. MARTIN of Pennsylvania:

S. 4222. A bill to amend the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 28, 1938, as amended; to the Committee on Public Works.

By Mr. CAPEHART:

S. 4223. A bill for the relief of Margaret Dick; to the Committee on the Judiciary.

STUDY OF EXISTING BANKING AND CREDIT NEEDS

Mr. ROBERTSON (for himself, Mr. FULBRIGHT, Mr. BRICKER, and Mr. BENNETT) submitted the following resolution (S. Res. 313) to make a study of the existing banking and credit needs of the Nation, which was referred to the Committee on Banking and Currency:

Resolved, That the Senate Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of the existing banking and credit needs of the Nation with a view to ascertaining what if any changes should be made in the laws of the United States relating to banking and credit.

SEC. 2. The committee shall report its findings, together with its recommendations for such legislation as it may deem advisable, to the Senate at the earliest practicable date.

SEC. 3. For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, shall appoint an advisory committee consisting of persons from private life who are experts in the field of banking, credit, or finance. The members of such advisory committee shall receive no compensation for their services on such committee but shall be entitled to reimbursement of travel expenses incurred by them in carrying out their duties as members of such advisory committee.

SEC. 4. The committee, or any duly authorized subcommittee thereof, is authorized in carrying out the purposes of this resolution to employ on a temporary basis such technical, clerical, and other assistants as it deems advisable, and is authorized, with the consent of the head of the department or agency concerned, to utilize the service, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 5. The expenses of the committee, or any duly authorized subcommittee thereof, under this resolution, shall not exceed $50,000 and shall be paid out of the contingent fund of the Senate upon vouchers signed by the chairman of the committee.

RULES OF INTERPRETATION GOVERNING QUESTIONS OF EFFECT OF ACTS OF CONGRESS ON STATE LAWS—AMENDMENTS

Mr. LEHMAN submitted amendments, intended to be proposed by him, to the bill S. 3143) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws, which were ordered to lie on the table and to be printed.

AMENDMENT OF TARIFF ACT OF 1930—AMENDMENT

Mr. SMATHERS (for himself and Mr. HOLLAND) submitted an amendment, intended to be proposed by them, jointly, to the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws, which was referred to the Committee on Finance and ordered to be printed.

MUTUAL SECURITY APPROPRIATION BILL, 1957—AMENDMENT

Mr. CAPEHART submitted amendments, intended to be proposed by him, to the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes, which was ordered to lie on the table and to be printed.

SOCIAL SECURITY AMENDMENTS OF 1956—AMENDMENTS

Mr. CAPEHART submitted amendments, intended to be proposed by him, to the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability-insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes, which were ordered to lie on the table and to be printed.

PAYMENTS OF CERTAIN DAMAGES TO CITY OF WILLISTON, N. DAK., CAUSED BY CONSTRUCTION OF DAM AND RESERVOIR—AMENDMENT

Mr. LANGER (for himself and Mr. YOUNG) submitted an amendment, intended to be proposed by them, jointly, to the bill (H. R. 12080) to authorize the Corps of Engineers to compensate the city of Williston, N. Dak., for the acquisition and replacement of the municipal water supply and water-treatment facilities which will be damaged, impaired, or rendered inoperative by the construction and operation of Garrison Dam and reservoir on the Missouri River, and for other purposes, which was referred to the Committee on Public Works and ordered to be printed.

OPPOSITION TO DISCRIMINATORY ACTION AGAINST CERTAIN CITIZENS—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. LEHMAN. Mr. President, I ask unanimous consent that the name of the Senator from Oklahoma [Mr. MONRONEY] be added as an additional cosponsor of the resolution—Senate Resolution 298—opposing discriminatory action against United States citizens because of religious faith or affiliation, which was submitted by me, for myself and other Senators, on June 27, 1956. This brings the total number of cosponsors of the resolution to 25.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LEHMAN. I shall be glad to yield.

Mr. GORE. I find myself in full accord with the resolution. Except for the rule I have followed of not cosponsoring such measures, I would join in sponsorship. I take this means to endorse the objective of the resolution.

PRINTING OF REVIEW OF REPORTS ON RUFFY BROOK AND LOST RIVER, MINN. (S. DOC. NO. 141)

Mr. CHAVEZ. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated May 1, 1956, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of reports on Ruffy Brook and Lost River, Minn., requested by a resolution of the Committee on Public Works of August 16, 1949. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MARTIN of Pennsylvania:

Address delivered by him at the annual convention of the Veterans of Foreign Wars, in Philadelphia, on July 13, 1956.

By Mr. LANGER:

GTA Daily Radio Roundup broadcast by Farmers Union Grain Terminal Association of St. Paul, Minn., on Wednesday, June 27, 1956.

NOTICE OF HEARING ON NOMINATION OF MASAJI MARUMOTO TO BE ASSOCIATE JUSTICE, SUPREME COURT, TERRITORY OF HAWAII

Mr. EASTLAND. Mr. President, on behalf of a subcommittee of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, July 18, 1956, at 10:30 a. m., in room 424 Senate Office Building, on the nomination of Masaji Marumoto, of Hawaii, to be Associate Justice of the Supreme Court, Territory of Hawaii, for a term of 4 years, Vice Philip L. Rice, elevated.

Prior to the above-mentioned date all persons interested in the above nomination should file with the committee such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Indiana [Mr. JENNER], and myself, chairman.

HELLS CANYON DAM

Mr. GOLDWATER. Mr. President, in listening to remarks on the floor last Friday by the 2 Senators from Oregon, one could but hear the suggestion that the question of the construction of the high dam in Hells Canyon, built with Federal funds, versus the low dams, built with private money, should be put to a vote of the people of the 3 States affected.

Mr. President, they miss the point. The money they propose to spend comes from all the people of this country, not merely from the three States involved. The people of the country will have a chance to vote on this giveaway some time this week, and if the press of the Nation is any indication of the temper of our people, then the high dam will go the way all such schemes should go—down the river. I ask that further editorials expressing concern over this matter be printed in the RECORD at this point in my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Denver Post of June 26, 1956]

ALL WE ASK—BE FAIR

What's happening to the Fryingpan-Arkansas bill in Congress shouldn't happen to a boondoggle—let alone to a feasible and highly necessary reclamation project, which is what Fryingpan-Arkansas is.

Fryingpan-Arkansas is not a big project as reclamation undertakings go. It would cost $156 million. It would regulate the Arkansas River and provide an additional 69,000 acre-feet of water a year to a rich valley, where water is short.

Pueblo, Colorado Springs, and other population centers would benefit along with 300,000 acres of farmland which would receive supplemental water. No new land would be brought into production but existing farms would receive insurance against crop failures caused by drouth.

It would provide 500 million kilowatt hours of electricity for an area whose power uses are mounting steadily. Total benefits from the project would be approximately $1.50 for every $1 invested. Dangerous floods (one of which did $19 million damage) would be brought under control.

Here is a project which is justified if any reclamation project ever was. It has been before Congress approximately 4 years. It has been investigated thoroughly in committee hearings.

But the Fryingpan project has become involved in logrolling and election year politics. Democrats in the House, including Speaker SAM RAYBURN of Texas, want to pass the Hells Canyon bill and force President Eisenhower either to accept or veto it.

Representative CHENOWETH (Republican) of Trinidad, author of the Fryingpan bill, has been in a key position to keep the Hells Canyon project from reaching the House floor.

CHENOWETH has been given to understand that the Fryingpan bill will be bottled up unless he votes to release the Hells Canyon bill. When CHENOWETH promised to "deliver" on Hells Canyon, he incurred the wrath of other Republicans on the House Interior Committee and they boycotted a committee meeting with the result that a quorum could not be obtained.

So, for the moment at least, there has been no action on the Fryingpan bill and the end of the present session is fast approaching.

Neither party looks lily white in this rather shameful matter of you scratch my back, and I'll scratch yours.

Whether more adroit handling of a bill which means much to Colorado could have keyt the Fryingpan project from getting into this kind of squeeze, we do not know. But we do know that John Q. Citizen, back home, cherishes the old-fashioned idea that bills should be passed on their merits without resort to trades and boycotts. And we know that if there is enough statesmanship in Congress to give the Fryingpan fair consideration, it will win hands down.

We earnestly plead that those who want to play politics do it with some bill that is not essential to the welfare and future of an important area.

[From the San Diego Union of July 3, 1956]

HELLS CANYON AGAIN

Some time this week the Senate will begin debate on a bill to authorize Federal construction of a dam in Hells Canyon on the Snake River in Idaho.

This legislation flies in the face of some rather solid facts. One of these is that the Federal Power Commission last July 27 handed down a unanimous decision giving a private company, the Idaho Power Co., a license to build power dams in the canyon.

Last November 10 the FPC approved the company's plans and a few days later actual work was begun. This project at Brownlee went forward all during the winter and a few days ago a 2,550-foot diversionary tunnel, 38 feet in diameter, was completed.

There are a half-dozen major power projects in the power-hungry Northwest, already authorized by Congress and needing only a money bill. Why did the Democratic leadership pry the Hells Canyon legislation out of reluctant committees? Because it wants to dramatize its advocacy of public power with a widely known but little understood bill.

Democrats say that only a Federal bill will make maximum use of the resource. But the Federal plans duplicate the Idaho Power Co.'s flood-control provisions. Neither provide for irrigation because there's simply no irrigable land below the dam.

Taxpayers have two stakes in Hells Canyon. The Idaho Power Co. will pay about $10 million a year in taxes. A Federal dam will cost the taxpayers $508,300,000, of which California's share will be $47,221,070.

Simple arithmetic; painful arithmetic.

[From the Rockford (Ill.) Star of June 27, 1956]

OF CONCERN HERE

The Hells Canyon power project on the Oregon-Idaho border may seem to be a long way off and of little interest to midwesterners, but taxpayers of Illinois and its neighboring States will be affected considerably if legislation for Federal construction of the project is enacted by Congress. A survey made by the Council of State Chambers of Commerce shows that 5 midwestern States would contribute 5 times as much toward the cost of the construction as the Western States the Hells Canyon dam is planned to benefit.

Estimated cost of the project is $508,300,000. Taxpayers of the four States that would benefit most from the power supplied by the dam—Idaho, Montana, Washington, and Oregon—would contribute a total of $17,688,840 toward the cost. The share of the tax burden borne by Illinois, Indiana, Iowa, Michigan, and Wisconsin would be $96,170,360. Of the latter total, Illinois would contribute $38,579,970 and Michigan, $28,769,780.

Advocates of Federal power are pushing for enactment of the legislation even though the power potential of the Hells Canyon reach of the Snake River already is in the process of development by private power interests. The Idaho Power Co. has been licensed by the Federal Power Commission to build three hydroelectric projects on the Snake River.

Opponents of the legislation rightfully contend that the proposed Federal project would take money from the taxpayers of all the States for an unnecessary purpose. It is also pointed out that the power-producing capacity of the Federal and private projects

would be the same but the Federal project would cost one-fourth-billion dollars more.

[From the Richmond (Ind.) Palladium-Item of June 28, 1956]

ATTACK ON PRIVATE INVESTMENTS

An attempt to push through the Congress a half billion dollar hydroelectric project in Hells Canyon, Idaho, should stir inquiry from taxpayers.

Senator WAYNE MORSE, of Oregon, elected on the Republican Party ballot, but now a turncoat to the Democratic ranks, is coauthor of the bill. Representative GRACIE PFOST, Democrat, of Idaho, is back of the measure in the House.

Based on the proportionate share per State for the proposed dam, Indiana taxpayers would bear $12,250,000 of the cost.

But bad as that is, the main objection is that the project would replace a private undertaking now 7 months underway.

The Idaho Power Company was given authority to build three dams in the canyon by the Federal Power Commission last Auguest. License to perform this gigantic work was further confirmed 6 weeks later after the Federal Power Commission refused to order a rehearing of its decision.

The private company's three dams will provide almost the same number of kilowatts as that proposed in the Morse-Pfost measure.

Furthermore, while the half billion dollars that the Federal Government would spend to build the dam would come from taxpayers in every State, the cost of the project of the private power company is carried by individual investors.

When the dams are completed and the power plants in operation, the private power company will pay about $10 million a year in taxes to the Government.

Another, and important point, is that the private power company could not compete with tax-financed Government power. This means that the money now being put into the private project would be lost entirely, unless it could be recovered from the Government since the private work was duly approved and licensed by the Federal Power Commission, composed of members of both political parties.

The Federal Government has no business competing with private industry. This path is the sure way to a Socialist state with government ownership of all business and industry and government ownership of all the people.

Government projects are tax exempt. That means loss of tax money normally paid by private industry. Taxpayers also must meet all losses. Privately owned business pays its own way and creates wealth. This adds to the prosperity of the Nation.

It appears obvious that politics is involved in the attempt to have the Federal Government build a huge Hells Canyon dam.

The charge that the Government entered into a "giveaway" when the private power company was licensed, has not been able to stick. There is no evidence that this is true. The fact that a bipartisan commission approved the three dams to be built is further assurance that the "giveaway" charge is flimsy.

Millions of dollars already have been spent on the first of the three dams private enterprise is building. The hour is late to break into this private investment with a Government-substitute which has the appearance of "pork barrel" politics.

[From the Wheeling (W. Va.) Intelligencer of June 30, 1956]

HOW WILL THEY VOTE?

A public power dam on the Idaho-Oregon border may appear a matter of no direct interest to the people of West Virginia. The State chamber of commerce points out, however, that if this $350 million project is approved it will cost the people of West Virginia $3,554,780.

That it will go through is more than a possibility. Although the Government already had issued a permit to a private utility to build three smaller dams in Hells Canyon and although this concern has spent a figure estimated at $5 million in preliminary work, committees of both Houses of Congress have reported the Federal project favorably. It is expected to come up for action within a week or two.

The unexpected victory of the Hells Canyon bill in the House committee—it won by a margin of 1 vote—is attributed to an adroit piece of logrolling through which support for 2 other power projects—Niagara and Fryingpan—was arranged.

The total cost to West Virginia in direct tax money if all of these developments are undertaken is something no resident of the State can contemplate with equanimity. In these circumstances it will be enlightening to follow the votes of West Virginia's Representatives in Congress.

[From the Harrisburg (Pa.) Patriot of June 26, 1956]

WHAT'S A GIVEAWAY?

It's a long jump from here to Hells Canyon, but what's going on in that western area could hit every central Pennsylvanian a mighty wallop in his already tender tax pocket.

For it is in Hells Canyon, a deep and narrow gorge separating eastern Oregon from western Idaho, that Democrats are trying to place a public-power dam. If they succeed, you'll help pay the tab.

Already the Democrats have forced the dam bill out of the Senate Interior Committee onto the Senate floor for debate.

Estimated cost of the public-power project—$500 million. The fact that a private power company, the Idaho Power Co., by name, has proposed building three smaller dams to achieve the same purpose as the bigger dam, and at one-half the cost of the public project, is what has raised the issue to make it one of interest to everyone.

In 1955, the Federal Power Commission, favored the Idaho company's application for a 50-year license to build the smaller dams, which would flood the site of the proposed Federal project.

The National Hells Canyon Association and other public-power groups are challenging the company's license in the United States Court of Appeals. Senator WAYNE MORSE and 29 other Senators are promoting a bill to authorize construction of the $500 million Federal project.

In May 1955 Douglas McKay, former Secretary of the Interior until he resigned to run against Senator MORSE in Oregon this fall, outlined the administration's opposition to the Federal dam in these words:

"We are firmly convinced that where a non-Federal proposal can provide results which, in terms of comprehensive development, are reasonably comparable with those anticipated from a Federal project, the people of the region should be encouraged to utilize in every way the available capacities of public or private organizations for doing the job on a non-Federal basis under conditions fully protecting the public interests."

In the words of the Democrats who oppose the license grant, the administrative action is a "pure giveaway." We should like to suggest that this is poor moonshine. What the Government is giving away is a right to serve the public, with proper restrictions to protect the public interest. What the Democrats propose is, any way you look at it, a giveaway, and it's our money they're doling out.

Who's supposed to protect our interests, if not our Government?

[From the Wilmington (N. C.) Morning Star of June 26, 1956]

POWER LOGROLLING CAN BE COSTLY

In his column on this page today, observant and able Ray Tucker points directly to one of the most disturbing logrolling deals to be revealed in Congress in years.

The deal is simple. Members of the bipartisan bloc on Capitol Hill agreed to handle "vital natural resources at a cost to taxpayers of more than $1 billion." The principal consideration appears not to be the value of the proposed public power and water projects to the people but the ballot-box welfare of the members of the bloc. The proposition among the Congressmen involved is "you vote for the project in my district and I'll vote for the one in yours."

But apparently, on the basis of Mr. Tucker's report, this agreement has broken down.

Anyway, the Democrats claim they voted for the Republicans' upper Colorado project and the Republicans failed to accommodate them on their Hells Canyon development. Those aren't the only projects. There are others, which Mr. Tucker mentions. The regrettable fact is that these developments may not be decided on their merits or justification but on the basis of politics. The outcome may be, if the present quarrel between the Republicans and Democrats is smoothed over, that the projects will be approved and the country shoved deeper into Government ownership of power facilities.

Americans who believe all public works ought to be considered solely on the basis of worth to the Nation should hope statesmanship eventually will prevail over disgusting politics—in this particular. Otherwise, Uncle Sam may end up wasting untold millions of dollars simply to make a few Congressmen look good in their home districts. Such, as anyone can see, is a mighty costly deal.

THE SUPREME COURT OF THE UNITED STATES

Mr. ERVIN. Mr. President, I ask unanimous consent to have printed at this point in the RECORD some remarks, entitled "Alexander Hamilton's Phantom," which I made to the State Bar of Texas at its 17th annual meeting in Houston, Tex., on July 7, 1956.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ALEXANDER HAMILTON'S PHANTOM

Ladies and gentlemen of the State Bar of Texas, I am deeply grateful to President Bullock for inviting me to the Lone Star State, which is represented in the United States Senate with so much ability and distinction by my good friends, LYNDON JOHNSON and PRICE DANIEL.

PRICE DANIEL is one of the truly great constitutional lawyers of America. As one who has been aided on many occasions by his wise counsel, I view with a feeling little short of dismay his prospective withdrawal from the Senate. I wish there were two PRICE DANIELS—one for Texas and the other for the Senate.

For reasons which will become obvious, I entitle my remarks to you "Alexander Hamilton's Phantom."

Some years ago, Jim's administrator was seeking to hold a railroad company civilly liable for Jim's death on circumstantial evidence. The administrator called to the stand a witness who testified that he walked along the railroad track just after the train passed and that he observed Jim's severed head lying on one side of the track and the remainder of Jim's body on the other. The counsel

for the administrator then put this question to the witness:

"What did you do after discovering these gruesome relics?"

The witness replied, "I said to myself, something serious must have happened to Jim."

Something serious has been happening to the law of the land and the sovereignty of the States. I propose to talk to you about this. In so doing, I am activated by motives as lofty as those which resulted in the conviction of Job Hicks in the Superior Court of Burke County, N. C., a half century ago on the charge of disturbing religious worship.

John Watts took a notion that he was called to preach. John was skilled in the science of a bricklayer, but was sadly deficient in the art of an exhorter. He was nevertheless expounding the gospel in a rural church one Sunday, when Job Hicks, who had partaken too freely of Burke County corn, happened to stagger by. Upon observing John in the pulpit, Job Hicks entered the church, dragged John to the door and threw him out upon the ground. When Job Hicks was called to the bar to be sentenced for his offense, Judge W. S. O'B. Robinson, the presiding judge, remarked to him in a stern tone of voice: "Mr. Hicks, when you were guilty of this unseemly conduct on the Sabbath Day, you must have been so intoxicated as not to realize what you were doing."

Job made this response to His Honor: "Well, Judge, I had had several drinks. But I wouldn't want your Honor to think I was so drunk I could stand by and see the word of the Lord being mummicked up like that without doing something about it."

If I am to talk to you about what is happening to the law of the land and the sovereignty of the States, I must discuss with candor how and why the Supreme Court of the United States is usurping and exercising powers which the Constitution of the United States vests in the Congress or reserves to the States.

I know it is not popular in some quarters to tell the truth about the Supreme Court. Admonitions of this character come to us daily from such quarters: "When the Supreme Court speaks, its decisions must be accepted as sacrosanct by the bench, the bar, and the people of America, even though they constitute encroachments on the constitutional domain of the Congress, or reduce the States to meaningless zeros on the Nation's map. Indeed, the bench, the bar, and the people must do more than this. They must speak of the Supreme Court at all times with a reverence akin to that which inspired Job to speak thus of Jehovah: 'Though He slay me, yet will I trust Him.'"

Such admonitions are intellectual rubbish. Americans are not required to believe in the infallibility of judges. They have an inalienable right to think and speak their honest thoughts concerning decisions of Supreme Court majorities and all other things under the sun. When all is said, a public officer receives the confidence and respect he merits, no more and no less, whether he be President, Senator, judge, or dogcatcher. This is as it should be. The Supreme Court will justly forfeit all claim to the confidence and respect of the bench, the bar, and the citizens of our country if it flouts George Washington's warning that usurpation "is the customary weapon by which free governments are destroyed" and refuses to confine its activities to its own constitutional sphere.

My endeavor to tell the truth about the Supreme Court must begin with the Constitutional Convention of 1787.

The men who composed the Constitutional Convention of 1787 comprehended in full measure the everlasting political truth that no man or set of men can be safely trusted with governmental power of an unlimited nature. In consequence, they were determined, above all things, to establish a government of laws and not of men.

To prevent the exercise of arbitrary power by the Federal Government, they inserted in the Constitution of the United States the doctrine of the separation of governmental powers. In so doing, they utilized the doctrine of the separation of powers in a twofold way. They delegated to the Federal Government the powers necessary to enable it to discharge its limited functions as a central government, and they left to each State the power to regulate its own internal affairs. It was this use of the doctrine of the separation of powers which prompted Chief Justice Salmon P. Chase to make these memorable remarks in his opinion in *Texas* v. *White:*

"Not only, therefore, can there be no loss of separate and independent autonomy to the States, through their union under the Constitution, but it may be not unreasonably said that the preservation of the States, and the maintenance of their governments, are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National Government. The Constitution, in all its provisions, looks to an indissoluble Union, composed of indestructible States."

In their other utilization of the doctrine of the separation of powers, the members of the Convention of 1787 vested the power to make laws in the Congress, the power to execute laws in the President, and the power to interpret laws in the Supreme Court of the United States and such inferior courts as the Congress might establish. Moreover, they declared, in essence, that the legislative, the executive, and the judicial powers of the Federal Government should forever remain separate and distinct from each other.

The members of the Convention of 1787 did not put their sole reliance upon the doctrine of the separation of governmental powers in their effort to forestall the exercise of arbitrary power by the Federal Government. They balanced the President's power to veto the acts of Congress against the power of Congress to legislate, and they balanced the power of Congress over the purse against the President's power as Commander in Chief of the Army and Navy. They made the Supreme Court of the United States independent of the President and the Congress by giving its judges life tenure during good behavior and by providing that their compensation should not be diminished during their continuance in office. They failed, however, to place in the Constitution any provisions to restrain abuse of its judicial power by the Supreme Court of the United States.

This significant omission was not overlooked at the time. Elbridge Gerry, a delegate from Massachusetts, asserted:

"There are no well-defined limits of the judiciary powers, they seem to be left as a boundless ocean, that has broken over the chart of the Supreme Lawgiver, thus far shalt thou go and no further, and as they cannot be comprehended by the clearest capacity, or the most sagacious mind, it would be a herculean labor to attempt to describe the dangers with which they are replete."

George Mason, a delegate from Virginia, made this more specific objection:

"The judiciary of the United States is so constructed and extended as to absorb and destroy the judiciaries of the several States * * *."

Others declared, in substance, that under the Constitution the decisions of the Supreme Court of the United States would "not be in any manner subject to * * * revision or correction;" that "the power of construing the laws" would enable the Supreme Court of the United States "to mold them into whatever shape it should think proper;" that the Supreme Court of the United States could "substitute its own pleasure" for the law of the land; and that the "errors and usurpations of the Supreme Court of the United States would be uncontrollable and remediless."

Alexander Hamilton rejected these arguments with this emphatic assertion: "The supposed danger of judiciary encroachments * * * is, in reality, a phantom." He declared, in essence, that this assertion was true because men selected to sit on the Supreme Court of the United States would "be chosen with a view to those qualifications which fit men for the stations of judges," and that they would give "that inflexible and uniform adherence" to legal rules "which we perceive to be indispensable in the courts of justice."

In elaborating this thesis, Alexander Hamilton said: "It has been frequently remarked with great propriety, that a voluminous code of laws is one of the inconveniences necessarily connected with the advantages of a free government. To avoid an arbitrary discretion in the courts, it is indispensable that they should be bound down by strict rules and precedents, which serve to define and point out their duty in every particular case that comes before them; and it will readily be conceived, from the variety of controversies which grow out of the folly and wickedness of mankind, that the records of those precedents must unavoidably swell to a very considerable bulk, and must demand long and laborious study to acquire a competent knowledge of them. Hence, it is that there can be but few men in * * * society, who will have sufficient skill in the laws to qualify them for the station of judges."

By these remarks, Hamilton assured the several States that men selected to sit upon the Supreme Court of the United States would be able and willing to subject themselves to the restraint inherent in the judicial process. Experience makes this proposition indisputable: Although one may possess a brilliant intellect and be actuated by lofty motives, he is not qualified for the station of a judge in a government of laws unless he is able and willing to subject himself to the restraint inherent in the judicial process.

What is the restraint inherent in the judicial process? The answer to this query appears in the statements of Hamilton. The restraint inherent in the judicial process is the mental discipline which prompts a qualified occupant of a judicial office to lay aside his personal notion of what the law ought to be, and to base his decision on established legal precedents and rules.

How is this mental discipline acquired? The answer to this question likewise appears in the statements of Hamilton. This mental discipline is ordinarily the product of long and laborious legal work as a practicing lawyer, or long and laborious judicial work as a judge of an appellate court or a trial court of general jurisdiction. It is sometimes the product of long and laborious work as a teacher of law. It cannot be acquired by the occupancy of an executive or legislative office. And, unhappily, it can hardly be acquired by those who come or return to the law in late life after spending most of their mature years in other fields of endeavor.

The reasons why the mental discipline required to qualify one for a judicial office is ordinarily the product of long and laborious work as a practicing lawyer, or as an appellate judge, or as a judge of a court of general jurisdiction are rather obvious. Practicing lawyers and judges of courts of general jurisdiction perform their functions in the workaday world where men and women live, move, and have their being. To them, law is destitute of social value unless it has sufficient stability to afford reliable rules to govern the conduct of people, and unless it can be found with reasonable certainty in established legal precedents. An additional consideration implants respect

for established legal precedents in the minds of judges in courts of general jurisdiction and all appellate judges other than those who sit upon the Supreme Court of the United States. These judges are accustomed to have their decisions reviewed by higher courts and are certain to be reminded by reversals that they are subject to what Chief Justice Bleckley of the Supreme Court of Georgia called "the fallibility which is inherent in all courts except those of last resort," if they attempt to substitute their personal notions of what they think the law ought to be for the law as it is laid down in established legal precedents.

The States accepted as valid Alexander Hamilton's positive assurance that men chosen to serve on the Supreme Court of the United States would subject themselves to the restraint inherent in the judicial process, and were thereby induced to ratify the Constitution notwithstanding the omission from that instrument of any express provision protecting the other branches of the Federal Government, the States, or the people against the arbitrary exercise of its judicial power by the Supreme Court.

For several generations next succeeding its utterance, the people of America had no reason to doubt the accuracy of Alexander Hamilton's assurance. With rare exceptions, the Presidents selected for membership upon the Supreme Court of the United States men who had long and laboriously participated in the administration of justice either as practicing lawyers or as judges of State courts or as judges of the Federal courts inferior to the Supreme Court. As a consequence, the overwhelming majority of the men called to service upon the Supreme Court were able and willing to subject themselves to the restraint inherent in the judicial process and to perform their tasks in the light of the principle that it is the duty of the judge to interpret the law, not to make it.

I was taught in my youth to repose an absolute confidence in the Supreme Court by my father, an active practitioner of law in North Carolina for 65 years, who was accustomed to refer to the Supreme Court with reverential awe. He used to say that this tribunal would administer justice according to law even though the heavens fell.

I regret to say, however, that the course of the Supreme Court of the United States in recent years has been such as to cause me to ponder the question whether fidelity to fact ought not to compel us to remove from the portal of the building which houses it the majestic words, "Equal justice under law," and to substitute for them the superscription, "Not justice under law, but justice according to the personal notions of the temporary occupants of this building." In making this statement, I reveal my acceptance of this observation made by the late Justice Robert H. Jackson in *Brown* v. *Allen:* "But I know of no way that we can have equal justice under the law except we have some law."

Candor compels the confession that on many occasions during recent years the Supreme Court has to all intents and purposes usurped the power of the Congress and the States to amend the Constitution. This abuse of power was made manifest even before the decision in *Brown* v. *Board of Education,* which repudiates solely upon the basis of psychology and sociology the interpretation placed up the 14th amendment in respect to racial segregation by Federal and State courts, the Congress itself, and the executive branches of the Federal and State governments throughout the preceding 86 years. Time does not permit me to cite all the other cases supporting my present contention. I mention only one other case, namely, *Williams* v. *North Carolina,* where the majority of the Court altered the meaning of the full faith and credit clause of the Constitution by overruling the holding of *Haddock* v. *Haddock* to the effect that a State court, even of the plaintiff's domicile, could not render a judgment of divorce that would be entitled to Federal enforcement in other States against a nonresident who did not appear and was not personally served with process. In so doing, the majority of the Court held, as the late Justice Jackson asserted in his dissenting opinion, that "settled family relationships may be destroyed by a procedure that we would not recognize if the suit were one to collect a grocery bill."

Recent decisions make it manifest that the Supreme Court has usurped the power of Congress to legislate. Perhaps the most glaring of these decisions is *Girouard* v. *United States,* where the Court overruled three previous decisions and a subsequent confirming act of Congress simply because a majority of its members did not believe that Congress had exercised its legislative power wisely in denying the privilege of citizenship to aliens who were unwilling to bear arms in defense of this country. To be sure, the majority of the Court did not say that it thought that Congress had legislated unwisely. But a statement to this effect would have been a far better reason for its decision than any of those it gave.

In addition to its revolutionary decisions on constitutional and statutory subjects, the Supreme Court of the United States has substantially impaired the doctrine of stare decisis and the stability of the law of the land which this doctrine formerly insured by overruling, repudiating, or ignoring its established precedents of earlier years. The late Justice Owen J. Roberts made this comment in this connection in his dissenting opinion in *Smith* v. *Allwright:* "The reason for my concern is that the instant decision, overruling that announced about 9 years ago, tends to bring adjudications of this tribunal into the same class as a restricted railroad ticket, good for this day and train only."

It must be added, moreover, that the Supreme Court has handed down numerous decisions which place limitations on the powers of the several States wholly inconsistent with the constitutional principle that the States of the Union are indestructible. This is particularly true in the field of criminal law. By their virtual abolition of the doctrine of res adjudicata, these decisions make it extremely difficult for the States to enforce their own criminal laws against their own citizens in their own courts.

To satisfy these decisions, the States have been compelled to enact statutes providing for postconviction hearings which, in plain English, permit the accused to try the State court after the State court has tried the accused.

Other decisions of the Supreme Court sanction a practice by which the lowest court in the Federal judicial system, to wit, the United States district court, can set at naught the decisions of the highest court of a State. This practice seems particularly ironic and indefensible in the light of Alexander Hamilton's explanation as to why the Supreme Court was invested with original jurisdiction in cases "in which a State shall be a party." His explanation was as follows: "In cases in which a State might happen to be a party, it would ill suit its dignity to be turned over to an inferior tribunal."

In protesting against this practice, I am not a lone voice crying in a legal wilderness. I have in my possession a clipping from the New York Times for August 14, 1954, disclosing the fact that on the previous day the Chief Justices of the 48 States of the Union had unanimously proposed that the Congress should amend Federal procedural laws so as to curtail the power of lower Federal courts to interfere with the administration of criminal justice in State courts.

In passing from this phase of the matter, I will observe that those of us who are gravely concerned by the apparent determination of the present Supreme Court majority to nullify the constitutional doctrine of the indestructibility of the States can find no comfort in the decisions in *Chessman* v. *Teets, Pennsylvania* v. *Nelson,* and *Slochower* v. *Board of Education,* which were handed down during the last term.

The question naturally arises: Why does the Supreme Court of the United States prefer to make constitutions and laws rather than to interpret them?

The answer to this question appears in the assurance which Alexander Hamilton gave to the States when he was urging them to ratify the Constitution. It is simply this: The majority of the members of the Supreme Court during recent years have been either unable or unwilling to subject themselves to the restraint inherent in the judicial process.

When all is said, it is not surprising that this is so. The custom of past generations of appointing to membership upon the Supreme Court men who had worked long and laboriously in the administration of justice either as practicing lawyers or as State judges, or as judges of Federal courts inferior to the Supreme Court, has been more honored of late in its breach than in its observance.

All of the members of the Supreme Court are genial gentlemen of high attainments and significant accomplishments. But the majority of them have not worked either long or laboriously as practicing lawyers, or as State judges or as judges of the Federal courts inferior to the Supreme Court. As a consequence, the majority of them have not undergone the mental discipline which enables a qualified occupant of a judicial office to lay aside his personal notions of what the law ought to be and to base his decisions on what the law has been declared to be in legal precedents.

The writer of the Book of Proverbs said:

"There be three things which are too wonderful for me, yea, four which I know not: The way of an eagle in the air; the way of the serpent upon a rock; the way of a ship in the midst of the sea; and the way of a man with a maid."

Experience is undoubtedly the most efficient teacher of all things. This being true, there is one thing more amazing and more incomprehensible than the four mysteries enumerated by the writer of the Book of Proverbs. It is this: Why do Presidents of the United States ignore the numerous servants of the law who have performed years of devoted judcial service on State courts and on Federal courts inferior to the Supreme Court when they are called upon to make appointments to the Supreme Court of the United States?

These facts are astounding:

1. No member of the Supreme Court as it is now constituted, ever served as a judge of a court of general jurisdiction, either State or Federal.

2. No member of the Supreme Court as it is now constituted, ever served as a judge upon an appellate court in any one of the 48 States.

3. Only 2 of the 9 members of the Supreme Court, as it is now constituted, ever served as appellate judges on Federal courts inferior to the Supreme Court before they were elevated to their present offices. The combined prior service of these two members totaled only about 9 years. Moreover, a majority of the members of the Supreme Court, as it is now constituted, did not devote their major efforts to the actual practice of law before their appointments to the bench.

It is high time for the bench and the bar and the people of America to ponder the question whether the country ought not to

take action by constitutional amendment or otherwise to make it certain that in the future men will be selected for service upon the Supreme Court because of their possession of what Alexander Hamilton called "those qualifications which fit men for the station of judges," and because of their ability and willingness to subject themselves to the restraint inherent in the judicial process.

It may be that in making these observations, I am merely enacting the role of a fool who rushes in where discreet angels fear to tread. If so, I can plead in extenuation of my folly that I love the Constitution and know that an indissoluble Union composed of indestructible States cannot endure if our government of laws is destroyed by judicial usurpation.

AMERICAN DENTAL ASSOCIATION'S POSITION ON CERTAIN FEATURES OF THE SOCIAL SECURITY AMENDMENTS OF 1956

Mr. ERVIN. Mr. President, the American Dental Association has asked me to call the attention of the Senate to its position in respect to the proposal to extend the coverage of the old-age and survivors' insurance provisions of the Social Security Act to self-employed dentists and the proposal to require certain disabled beneficiaries of benefits under the Social Security Act to participate in State vocational rehabilitation programs in order to preserve their rights to such benefits.

The American Dental Association's position on these features of the Social Security Amendments of 1956 is set forth with complete clarity in a statement which Dr. Paul E. Jones, a distinguished dentist of Farmville, N. C., and the chairman of the association's council on legislation, made before the Senate Finance Committee on February 8, 1956.

I am happy to comply with the request of the American Dental Association. In so doing I take occasion to say that Dr. Jones is one of the most respected and useful citizens of my State. As chairman of the board of trustees of the Farmville graded schools, member of the board of education of Pitt County, trustee of the University of North Carolina, member of the North Carolina State Senate, member of the North Carolina State Board of Dental Examiners, member of the North Carolina State Board of Health, president of the North Carolina Dental Society, and president of the American Dental Association, he has rendered unselfish services of the highest value to his community, his State, and his profession.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the statement which Dr. Jones made to the Senate Finance Committee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE AMERICAN DENTAL ASSOCIATION BEFORE THE SENATE COMMITTEE ON FINANCE ON H. R. 7225, 84TH CONGRESS, THE SOCIAL SECURITY AMENDMENTS OF 1956

Mr. Chairman and members of the committee, I am Dr. Paul E. Jones, of Farmville, N. C. I am engaged in the private practice of dentistry in that community. I am a member of the North Carolina delegation to the American Dental Association's house of delegates and chairman of the association's council on legislation. I am here today to present our position on two features of H. R. 7225: First, the proposal to include self-employed dentists under the old-age and survivors' insurance plan; second, the proposed system for integrating the new disability benefits with the State vocational rehabilitation program.

INCLUSION OF SELF-EMPLOYED DENTISTS WITHIN OASI

The Social Security Act (secs. 211 (c) (5) and 1402 (c) (5)) now excludes the services performed by self-employed dentists from the occupations covered under the OASI program. H. R. 7225 (secs. 104 (d) and 201 (f)) would remove that exclusion and bring the services of self-employed dentists within the program on a mandatory basis. The house of delegates of the American Dental Association, at its 1955 annual meeting, rescinded the association's policy opposing the inclusion of self-employed dentists within the OASI program and established a new policy supporting their inclusion on an elective basis. That policy declares:

"*Resolved*, That the voluntary inclusion of dentists under the old-age and survivors' insurance program of the Federal Social Security Act be approved."

The system for covering self-employed dentists on a mandatory basis, as proposed by H. R. 7225, is, therefore, contrary to the policy of the American Dental Association. We believe that coverage on an elective basis is not only feasible but is also the most equitable and suitable method for applying the program to self-employed dentists. Before presenting the association's reasons in support of its policy, however, I believe it would be desirable to explain briefly some important features in the establishment of that policy.

The association's house of delegates is composed of 416 dentists, representing 54 constituent societies and the Federal dental services. Each of the member State and Territorial societies selects its own delegates, a society's representation in the house being proportional to its active membership. The authority for establishing association policy rests with the house of delegates. Our board of trustees may establish policy between annual meetings of the House only under emergency conditions. As a policymaking body the association's house of delegates represents more than 80 percent of the Nation's practicing dentists.

The 1955 house of delegates, by a vote of 266 to 143, rescinded its 1949 pronouncement against OASI coverage for self-employed dentists. By a vote of 245 to 163, the house adopted a resolution approving voluntary coverage. Both votes were taken by rollcall of the separate delegations. The resolution supporting voluntary coverage was unanimously approved by 35 of the 54 delegations voting on the question; a majority in each of the 4 other delegations also approved the resolution. Thus, 72 percent of the delegations which voted approved voluntary coverage of self-employed dentists under the OASI program.

The position taken by the association's house of delegates fully considers the viewpoints of those dentists who desire to be included in the OASI program and those who do not. That policy is in keeping with the decisions of responsible representative bodies on matters which can be resolved by an effective compromise.

The association's house of delegates, moreover, has never treated the OASI issue in isolation. The members of the house must consider the impact of any issue before them upon other goals which the association strives to attain. As leaders of a profession providing vital health services to the public, the members of the house, I am certain, considered what effect an inducement to retire at age 65 might have upon the availability of dental services to our sharply increasing population. The members of the house also realize that if dentistry sought OASI coverage for its self-employed members on a mandatory basis, that decision would bind not only all dentists practicing today but also those entering the profession in the future. The decision of the House, moreover, reflects the conviction that elective coverage for self-employed dentists can be adapted to the existing OASI program.

The Social Security Act, today, enables members of the clergy, not bound by the oath of poverty to choose whether or not they wish to be included within the OASI program. There is, therefore, already a statutory method for covering individuals on an elective basis. That system has evidently been administered satisfactorily; the association has not been informed of any unfavorable effects from the elective system either upon the administration of the program or upon those covered on a mandatory basis. It has been argued that elective coverage would bring within the program a disproportionate number of bad risks, and that the good risks would choose to remain outside the program. That result, if it occurred, would be only temporary. Long-range, those permitted to elect coverage would have to make their decisions within 2 years after entering an occupation to which the elective system applied. The individual, at the start of his career, would have no way of predicting with any degree of certainty his potential gain or loss from participation in the OASI program.

There are, in the association's opinion, some positive economic factors to justify including self-employed dentists under OASI on an elective basis. The self-employed person who is covered under the program throughout his career ordinarily will contribute much more to the OASI trust fund from his own income than will an employee with the same years of coverage. For self-employed persons, then, the return on contributions may not appear to be as favorable as it would to an employed person. For the self-employed dentist who does not contemplate retirement at age 65, an investment which could be used to supplement income during later years might be more suitable than OASI benefits.

The typical young dentist, today, enters practice at age 26 or 27. If he contributes to the OASI trust fund (at the present schedule of rates) from 1955 until he reaches age 65, he will have paid into the fund about $8,500, assuming his net income from practice would be at least $4,200 a year. If he retired at age 65, his return from the fund could conceivably be greater than his contributions. Experience indicates, however, that the majority of self-employed dentists do not retire; most of them carry on at least a partial practice through their advanced years. The association's bureau of economic research and statistics in its "1953 Survey of Dental Practice" disclosed that the average annual net income of self-employed dentists between the ages of 65 and 69 years was $7,192 for 1952; for the same year the average annual net income of those between the ages of 70 and 74 was $5,842. That income expectancy would certainly deter many self-employed dentists from giving up or curtailing their practices in order to collect OASI retirement benefits.

The demand for dental health care, particularly in the areas away from metropolitan communities, has increased considerably in recent years. Dentists who practice in the less densely populated communities, particularly in rural areas, may taper off in their later years, but they seldom retire from practice. The typical small community or rural dentist serves his patients as long as he is able to continue in practice. For many dentists in the smaller communities and

rural areas, participation in the OASI program would have little attraction. The association believes that Congress should recognize that the OASI program may not be economically adaptable to the conditions of practice and the career plans of a substantial number of self-employed dentists. We urge this committee to approve an amendment to H. R. 7225 that would apply the present statutory system of elective coverage to self-employed dentists. In an appendix to this statement we suggest an appropriate amendment. The language is similar to that of S. 3109 introduced by Senator CARLSON, of Kansas, a member of this committee.

The association also urges this committee to approve amendments to H. R. 7225 which will provide to those within the newly covered groups nearing age 65 or beyond that age a fair opportunity to acquire fully insured status and to qualify for maximum benefits. That was done for the groups newly covered in 1950 and 1954. Under H. R. 7225, for example, all persons within the groups proposed to be covered initially in 1955 would have to acquire at least 20 quarters (5 years) of coverage to be eligible for maximum benefits. That would produce a significant hardship upon those who are nearing age 65 or who are beyond that age. The association has included in its appendix to this statement an amendment to section 104 (d) of H. R. 7225 to correct those inequities.

DISABILITY BENEFITS AND STATE VOCATIONAL REHABILITATION PROGRAM

H. R. 7225 would incorporate within the OASI program a new type of benefit. That benefit would be paid to children receiving dependent benefits who because of permanent and total disability remain dependent after their 18th year. They would be entitled to those benefits as long as they remain disabled. A disability benefit would also be paid to certain currently and fully insured persons who are at least 50 years of age and who have not reached their 65th year. Among the conditions to be met by an individual in either group would be proof that he or she is unable to engage in any substantial gainful activity because of a medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration. The American Dental Association has taken no position on that part of the plan which offers monthly OASI benefits to the totally and permanently disabled. The association does, however, object to the provisions within H. R. 7225 (sec. 103 (b)) which would require the disabled beneficiaries to participate in a State vocational rehabilitation program to preserve their entitlement to benefits.

H. R. 7225 places within the discretion of the Secretary of the Department of Health, Education, and Welfare the right to suspend in whole or in part the benefits of any individual who refuses, without good cause, to undertake a program of rehabilitation under State auspices. This sanction would undoubtedly compel a substantial number of totally and permanently disabled individuals to enter a program which has an entirely different objective from that of establishing OASI benefits. The effectiveness of vocational rehabilitation is dependent upon the desire of the disabled individual to make himself employable. The State plans, under the Vocational Rehabilitation Act, are designed to benefit those persons who, of their own volition, strive to overcome the handicaps which have made them unemployable. Although training is the primary function of the rehabilitation program, it is often necessary for the disabled participant to obtain personal health services to complete his rehabilitation. The cost of personal health services which the participant requires is ordinarily borne or shared by the Government in relation to the individual's ability to assume that cost. The association believes that the existing system for providing vocational rehabilitation should not be changed, and that disabled OASI beneficiaries should participate in the State plans only if they desire to be rehabilitated. By requiring participation in the State rehabilitation program as a condition for obtaining OASI disability benefits, H. R. 7225 would, in the association's opinion, require the Federal Government to bear the complete cost of services for that group, including the cost of personal health services, without regard to the individual's ability to pay. The American Dental Association is opposed to the provisions of section 103 (b) of H. R. 7225.

In behalf of the American Dental Association I wish to thank this committee for the opportunity of expressing the association's views on this important legislation. I request that the committee include in the RECORD the appendixes accompanying this statement.

FOREIGN ECONOMIC AID

Mr. HUMPHREY of Minnesota. Mr. President, I am increasingly impressed by the fact that editorial comment around the country on the foreign-aid issue is far ahead of some prevailing opinions here in Washington. There is a great deal more support in the grass roots for an increased emphasis on foreign economic aid than is fully appreciated here.

One among many examples of editorial comments from Minnesota substantiating this view is an editorial from the St. Paul Pioneer Press of July 10, 1956, entitled "Getting It Backward." I ask unanimous consent that this editorial be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GETTING IT BACKWARD

President Eisenhower yesterday spoke out sharply against the severe cuts which Congress is making in the foreign-aid program. He might have gone even further than he did without doing the prevailing mood of Congress any injustice.

The reaction of Congress to the new Soviet foreign policy, or appearance of a new policy, is strangely contradictory. The present rulers of the Communist world are talking peaceful coexistence and at least making gestures toward reduction of their armed forces. They have been disavowing Stalin's policies. They have been allowing far more contacts with the outside world, and they have paid the United States the flattery of imitation. They have gone into the "loan and grant" business to make friends and influence people in many parts of the world.

It might be thought that if there were to be any effect on American policy as a result of these improved manners on the other side of the Iron Curtain, it would be to cut down on what we are spending for military purposes and to step up what we have been spending in the new field of economic assistance now entered by the opposition.

Probably we should not allow ourselves to be moved at all until the real intentions of the Soviet leaders become more certain. But if we are to be moved, it would seem logical that we would cut where the danger seems reduced and increase where the competition is getting tougher.

Instead Congress is in course of doing just the opposite. It has increased the strategic Air Force appropriation by about $900 million above what President Eisenhower asked. And yesterday the House Appropriations Committee approved a foreign-assistance program which, if it stands, would be $1,500,000 less than the President is asking.

It certainly is too early to start building bonfires of our armaments. The Economist, of London, has the right of it when it says: "It has taken the near disasters of 20 years of war and cold war to teach the democracies that they must stand ready and equipped to defend themselves against any threat to the balance of power. * * * The western powers must stay strong if the Communist powers are not to shift back again to the threat of war."

But Congress has got this thing backward. If we are going to make any shift in our program for the defense and strengthening of the free world, it should not at this time be one of decreasing our effort in the very field of foreign assistance where the Communists are increasing theirs. The Senate will have a chance to restore the greater part of the cut when the bill gets over there, and this it should do.

TENTH ANNIVERSARY OF GENERAL MIHAILOVICH'S EXECUTION BY TITO'S HANGMEN

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a telegram which I have received today from the Committee for Fair Trial for General Mihailovich, calling attention to the fact that July 16 is the 10th anniversary of General Mihailovich's execution by Tito's hangmen. The telegram is signed by the chairman and members of the committee.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *July 16, 1956.*

Senator WILLIAM KNOWLAND,
Washington, D. C.:

For your information, this wire sent to press and radio today:

"Undersigned officers committee for Fair Trial for General Mihailovich suggest you bring to attention of your readers or listeners fact that today, July 16, is 10th anniversary of Mihailovich's execution by Tito's hangmen. Following points might be emphasized:

"Mihailovich was first man to raise flag of organized military resistance in occupied Europe.

"For more than 2 years he was hero of allied press. His name was synonymous with resistance. Revolution of March 27, 1941, in which Mihailovich participated—and which Communists opposed—delayed Nazi timetable for Russian invasion almost 2 months. National uprising which he organized summer of 1941 further handicapped Germans. New York Times on day of execution suggested that monument be erected in Red Square to Mihailovich, savior of Moscow. During 1942 Africa crisis, Mihailovich's all-out campaign against Axis communications, especially vital to Belgrade-Nish-Salonika line, was probably instrumental in saving Africa from Rommel. British Near East commanders jointly wired Mihailovich August 16, 1943: 'With admiration we are following your directed operations which are of inestimable value to our allied cause.' Hitler in New Year's speech 1943, blamed African defeat on sabotage in Balkans and Italy.

"For reasons that have never been made completely clear, allies abandoned Mihailovich and threw their support to Tito in fall of 1943. This decision was dictated by Britain. American Government had serious misgivings and offered some resistance, but went along nevertheless because of Casablanca understanding that Britain would have primacy in matters affecting Balkans.

"Formal admission that total allied support was going to Tito was not made until mid-1944. Die was cast almost irrevocably, however, when allied forces headquarters at time of Italian collapse (September 1943) instructed Italian units in Yugoslavia that they were to surrender their arms to Partisans and not to Chetniks.

"Abandonment was not based on any information received from several score British and American officers attached to Mihailovich at various times. On contrary, without exception, they recommended continued support of Chetnik movement and denied Communist charges of collaboration.

"At time that BBC switched to Tito, and allied forces headquarters instructed Italian units in Yugoslavia to turn over arms to Communists, no American officer had had any contact with Partisan army, and British had had only two officers with Partisans for some 2 months.

"Tito apparently persuaded Churchill through intermediaries that partisan movement was not Communist, but a coalition of many democratic parties, including Communists; that he had no intention of upsetting private property system; that the partisans were killing Germans by thousands whereas the Chetniks were collaborating with the enemy. Tito's success in thus persuading Churchill must rank as greatest Machiavellian fraud in history. Allied military intelligence was confused and falsified so that it supported basic misconceptions of nature, intentions and accomplishments of partisan movement.

"Incredible fact is that imposition of Communist regime on Yugoslav people was not result of Russian intervention but the result of Anglo-American intervention against democratic anti-Communist forces led by General Mihailovich. First we instructed Italians to surrender to Communists. Over next critical period we shipped tremendous quantities of supplies and arms to Communists and trained their soldiers and provided hospitalization for their wounded. American and British planes air-supplied Communist armies in their attacks against Chetnik forces, and bombed and strafed Chetnik concentrations and open towns in Chetnik territory on partisan instructions. The Yugoslav sections of the British and American radio were converted into propaganda instruments of Yugoslav Communist movement, even crediting to Communists major actions against Nazis carried out by Chetniks in presence of British and American officers. Allied radio widely publicized 100,000 gold mark reward put out by Germans for head of Tito; but suppressed information that Germans had offered same reward for Mihailovich.

"Between August and September 1944, long after his abandonment and while he was being fiercely attacked by Communists, Mihailovich collaborated with American Air Force in evacuating 432 American airmen who had been rescued by his forces, frequently after sharp clashes with Germans. Air rescue mission was undertaken over strong British objections. For the 432 airmen Mihailovich did not receive so much as an official thank you. Indeed, some of aircraft sent to evacuate airmen, on their way in airdropped supplies to partisan armies then attacking the Chetniks. Story of evacuation at the time was completely suppressed because it would have been difficult to reconcile with Communist charges of collaboration which allied radio was dutifully parroting.

"Mihailovich was tried and ordered executed in typical Communist trial. In New York a commission of inquiry in the case of Drazha Mihailovich was set up consisting of Arthur Garfield Hays, Governor Charles Poletti, Adolph Berle and Theodore Kiendl. Commission took evidence of all American officers attached to Chetnik forces, of some officers attached to partisans, and of some 50 American airmen rescued by Mihailovich. Official report of commission found no evidence of collaboration with enemy and much evidence of active hostilities between Chetniks and Axis forces. Verbatim transcript of hearings was forwarded to Belgrade but court twice refused to permit its introduction into evidence."

DOROTHY THOMPSON,
Chairman.
CHRISTOPHER EMMET.
DAVID MARTIN.
RAY BROCK.
EUGENE LYONS.
SOL LEVITAS.

LABOR UNIONS AND POLITICS

Mr. GOLDWATER. Mr. President, I ask unanimous consent that I may be permitted to address the Senate for not more than 5 minutes during the morning hour.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Arizona may proceed.

Mr. GOLDWATER. Mr. President, ordinarily I would take great pride in being attacked by a publication operated by a corporation which is headed by that great friend of the Republican Party, Paul Butler. However, when that publication, "Democratic Digest," reprints an article from a newspaper of the same political leanings, the New York Post, and that article is even more false than the fact it is trying to prove false, then I must speak out and correct this body of mass misinformation. Actually, this goes beyond the "big doubt" technique, about which I spoke on the Floor of the Senate on July 11. This article says a statistic does not exist. I plan to show that not only does this specific statistic exist, but that many corroborating ones also are very much in evidence.

The article to which I refer is entitled "How a Fake Statistic Is Kept in Motion," by Murray Kempton, and is reprinted in the current issue of Mr. Butler's publication. Throughout the article Mr. Kempton not only misses the entire point of my remarks, but also makes such mistakes as listing a union local as being in the wrong State.

The point of the article seems to be that I have invented some statistics on the subject of labor unions. For example, the writer says "You cannot even say that this statistic lies; this statistic does not exist at all." The statistic to which he refers is one which I cited in connection with my contention that compulsory union dues should not be used for political purposes by labor bosses. I quoted from a pamphlet entitled "What the Members of Lemont Local 517, OWIU-CIO, Have To Say About Their Union?" which was a survey of membership attitudes conducted by the Union Education Service of the University of Chicago. That survey said, "Nearly half of the members—49 percent—feel that the union should do something in politics." It continues: "Not quite half—43 percent—feel the other way." Yet this article, and evidently those who reprint it, say "this statistic does not exist at all."

The writer of this article refers to a study by the same group of members of a Hammond, Ind., local of CIO oil workers. I believe Hammond is near Lemont, but if the writer had merely looked at the title page of the survey, he would have seen that the local was in Illinois, not in Indiana. Local 517, according to the introduction of the survey is at the Globe plant in Lemont.

The article also ridicules the fact that the survey covers 338 workers. In the first place, Mr. President, let me point out that I did not conduct the survey and do not accept the responsibility for the surveying or polling methods. That responsibility lies with the Union Education Service and the University of Chicago. If this is an insufficient sample, the writer should castigate those who conducted it for intellectual failings. In all fairness to Union Education Service, I should like to quote again from the introduction to the survey which says "these 338 questionnaires represent approximately 70 percent of the more than 450 members of the local." Therefore, contrary to what the article suggests, the survey uses more than two-thirds of the union workers as a sample to give the views of union workers on their union. Although I am not an expert on surveys, I think I would be willing to accept a 70 percent sample, although the writer might wish to debunk all surveys with less than 100 percent.

The article also quotes me as saying that "40 percent of union members are Republicans." It goes on to say "no source" could be found for this. Actually, I said 41 percent, instead of 40 percent, and the source for that figure is The Voter Decides, by Angus Campbell, Gerald Gurin, and Warren E. Miller of the Survey Research Center of the University of Michigan. About the same time as I said this last fall, a Gallup poll found that 39 percent of union members were Republicans.

Mr. President, that figure is now outdated and I am happy to say that the figure is now nearly half again as large. The latest Gallup poll shows 56 percent of union members favoring the Republicans in this Presidential campaign year. I hope these will be sufficient sources for the writer and those who reprinted the article.

All this would have been bad enough, but the article also fails to have any understanding of my stand on this important matter of political freedom. I am put down in print as beginning a campaign against union political funds. The truth is that I am opposed to the use of compulsory union dues for political purposes. I do not believe that an American worker should be forced to join a union in order to earn a living for himself and his family and then, in addition, be forced to stand by while a part of those compulsory dues is used by labor bosses for a political candidate or party whom the worker would vote against.

There are those, Mr. President, who would say this is already prohibited by Federal law. I am not a lawyer, and I am not going to usurp the duties of the courts

by giving the effectiveness of this law. I only ask that the writer, Mr. Butler and many others speak out on the morality of such a situation. Is it right or wrong for a worker to be put in such a position? If it is wrong, then let us not be afraid to put laws on the books that leave no doubt what is right and what is wrong.

Mr. President, I should now like to turn to the subject of the publication issued by Mr. Butler's corporation. And I want to make it clear this is not going to be an attack on corporations, merely because they are corporations.

I can well imagine the uproar from the other side of the aisle if the United States Chamber of Commerce or any other organization dedicated to free enterprise were to send a letter to its members asking them to subscribe to the official publication of the Republican Party. There is little doubt that this would be greeted with a storm of protest against the ethics of such action. I can assure my colleagues this will not happen with the Republican publication as there is no charge, but even a letter asking the membership to write to the Republican National Committee to be put on the mailing list would arouse most of the majority.

I wonder, therefore, if any Senators on the other side of the aisle will express indignation that the Michigan CIO Council, in a letter on official stationery and signed by August Scholle, president, and Barney Hopkins, secretary-treasurer, wrote to Michigan union members, asking them to subscribe to the Democratic Digest.

Not only did this letter ask that the union member subscribe, but a copy of the Democratic Digest was enclosed, along with a subscription blank and a no-postage-required business reply envelope—addressed to the Democratic State Central Committee, 517 Townsend Street, Lansing 33, Mich.

I wonder how much in compulsory union dues was used to pay for these letters, subscription blanks, reply envelopes, and postage. I also wonder how the Michigan CIO Council would react to the mailing of the Republican newspaper, Straight From the Shoulder, to its membership. Would the same cooperation exist? I doubt it, since it is no secret that the CIO has taken over the Democratic Party in Michigan.

Here is the comment of one union man to this highly partisan letter. He said:

> This is where they use union dues illegally in my opinion. My dues paid for the postage, paper, and printing of this junk.

Again I say that I am not going to attempt to judge whether this is illegal or legal. I will say that I believe firmly that it should be illegal because this is not the purpose for which union members pay compulsory dues.

Not only is this partisan campaign material being sent and promoted by a State union council but it is highly critical of the Nation's press. This letter says:

> This magazine, in our opinion, is very effective as the answer to the one-party press, inasmuch as its editors scan 200 daily newspapers, screen over 100 magazines here and abroad, and monitor 40 radio and TV shows to bring us a roundup of the most important Democratic thinking and writing in America.

It seems rather strange that in scanning 200 daily newspapers of the "one-party press" the editors of Democratic Digest were able to find so much important Democratic thinking and writing. This statement would seem to contradict itself, just as the entire letter is contradictory of the desires of most union members not to have their union become allied solely with one party.

I have been critical, Mr. President, of certain articles from time to time, which have appeared in the Nation's press, but I have never found the press to be one party. Certainly it was not one party when the New York Post carried an article editorially critical of me, neither was the press one party when it carried statements designed to spread the big doubt technique about so-called giveaway charges. While I reserve the right to criticize an individual article, reporter or newspaper, I am proud and happy to live in a country where the press is free to report the news as it happens and when it happens, without the censorship and control of such true one-party press countries as those behind the Iron Curtain.

Mr. President, I ask unanimous consent to have the letter from the Michigan CIO Council, the subscription order form, and the no-postage reply envelope printed in the RECORD at this point.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

MICHIGAN CIO COUNCIL,
Detroit, May 1956.

GREETINGS: Enclosed you will find a copy of the Democratic Digest, the official publication of the Democratic National Committee.

This magazine, in our opinion, is very effective as the answer to the one-party press, inasmuch as its editors scan 200 daily newspapers, screen over 100 magazines here and abroad, and monitor 40 radio and TV shows to bring us a roundup of the most important Democratic thinking and writing in America.

We feel that at least the officers of our Michigan CIO affiliates, as well as all of our political action committee delegates and leaders, should be receiving the Democratic Digest in order to keep abreast of the events taking place on a national scale which affect the lives, and livelihood, of our American citizens as a whole.

Through your subscription to the Democratic Digest you will benefit by the wealth of information contained therein, and we earnestly suggest that you bring this communication to the attention of the proper body of your council or local union and make every effort to place this magazine in the hands of all interested and active CIO officers and committee members.

Order blanks and envelopes are enclosed for your convenience, and all subscriptions should be mailed direct to the Democratic State Central Committee, 517 Townsend Street, Lansing 33, Mich.

Fraternally yours,

AUGUST SCHOLLE,
President.

BARNEY HOPKINS,
Secretary-Treasurer.

DEMOCRATIC DIGEST SUBSCRIPTION ORDER FORM

Please enter a subscription to Democratic Digest as indicated below. Remittance accompanies order.

Make checks payable to Democratic Digest.

☐ Two years, $5.

☐ One year, $3.

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Zone_____

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If above subscription is a gift, donor's name and address should be listed below:

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DEMOCRATIC STATE CENTRAL COMMITTEE
517 TOWNSEND STREET
LANSING 33, MICH.

ANALYSIS BY CONGRESSIONAL QUARTERLY OF CONGRESSIONAL SUPPORT OF PRESIDENT EISENHOWER

Mr. SCHOEPPEL. Mr. President, Raymond Moley has written a series of articles which review the support President Eisenhower has received from the two parties in the Congress. In Newsweek for July 16, on the newsstands today, under the title "Who Helps Ike?" he analyzes the methods used by the Congressional Quarterly to rank Members of the Congress in their support of President Eisenhower.

The Congressional Quarterly, as most everyone knows, is used by many newspapers as an objective source of information on Capitol Hill. It is for this reason that I am particularly interested in the current piece by Mr. Moley which shows that the Congressional Quarterly's methods of ranking the Congress has an inherent statistical bias in favor of the Democrats.

The Congressional Quarterly is owned by Henrietta and Nelson Poynter, who also publish the St. Petersburg, Fla., Times. They endeavor to give the impression of being completely nonpartisan, and that they are only doing a factual piece of reporting. The number of newspapers who depend upon the Congressional Quarterly for their political analyses attests to their success in creating this appearance of objectivity.

Mr. Poynter is, of course, entitled to his own political beliefs. However, it is a matter of record that he was a member of the National Citizens Political Action Committee, which was organized to work for the reelection of President Roosevelt in 1944. The group who constituted the National Citizens Political Action Committee, were the extreme leftwing Democrats as well as independents with strong leftwing leanings.

The St. Petersburg Times, it might also be noted, gave its editorial support to Claude Pepper, a leftwing Democrat,

in his last race for the Senate when he was successfully opposed by Senator SMATHERS. In view of this record, Mr. Poynter can hardly be regarded as a disinterested reporter.

The Congressional Quarterly was established in 1945, and its address at that time was 732 17th Street NW., Washington, D. C. Prior to the first issues of the Congressional Quarterly, Mr. Poynter operated a similar service at the same address known as Press Research.

The Dies committee held hearings in connection with their investigation of the National Citizens Political Action Committee on October 4, 1944, which shed considerable light on the political sympathies of Mr. Poynter, and on the activities and personnel of Press Research.

Mr. President, I am satisfied that Raymond Moley's analysis shows that the statistical techniques employed by the Congressional Quarterly are not a reliable means of measuring the support Members of Congress have accorded President Eisenhower.

Within a few weeks the Congressional Quarterly will once again release what will purport to be an objective review of the support given President Eisenhower by the Republican and Democratic Members of the 84th Congress. I believe that everyone who uses their statistical compilations should have the benefit of Mr. Moley's analysis of the Congressional Quarterly's methods and procedures.

The figures do not lie, and the Congressional Quarterly has accurately reported the votes on specific rollcalls. However, there is an editorial bias in interpreting the figures and the impression given by the Congressional Quarterly's statistical techniques is completely at variance with the true facts.

As chairman of the Republican Senate campaign committee, I intend to make certain that the facts are placed before the voters in November. The President must have a Republican Congress. Mr. Moley has shown who helps Ike in this series of articles.

I ask unanimous consent that Mr. Moley's column, which was published in the issue of Newsweek for July 16, may be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHO HELPS IKE?

(By Raymond Moley)

In the past 2 weeks I offered in this space an analysis of Senate and House votes on what I called divided issues during the 83d Congress and the 1st session of the 84th. It shows fairly solid support of Republican leadership on major issues in which Republican leadership was arrayed against Democratic leadership. Since the President has asserted that he regards support of Republican leadership essential to the success of his policies, the undeniable inference is that the President needs a Republican Congress. The further undeniable inference is that, since Democratic membership was heavily arrayed against him on the divided issues he has little obligation to Democratic Members. This is a truly healthy manifestation of party government. But there are those who would have you believe that the President's party support is unreliable and that without Democrats he would be in a bad way.

Plenty of ammunition for this deceptive contention can be found in what is known as the Congressional Quarterly, a private commercial information service widely used by newspapers and magazines.

VICTORIES?

On August 26, 1955, the Congressional Quarterly published a record of rollcall votes which it used to measure the support given the President in 1955. It showed 44 Eisenhower victories in the Senate, and in those victories Democrats supplied the margin of victory no less than 39 times. The method used to convey this highly debatable conclusion, however, was a curious selection of issues. For example, on eight of the issues there was actually no opposition whatever. On 19 of the remaining issues there were less than 20 votes in opposition to the President's program. Moreover, the Congressional Quarterly used the amazing method of attributing to a marginal majority credit for the passage of measures which lacked a party majority. As the Congressional Quarterly put it:

"The President * * * owes his victories to Democratic support * * * even if 90 percent of the Democrats voted against him; the other 10 percent made his victory possible."

This is like saying that Ireland ruled England for a century of more, since the Irish generally had the marginal votes in the House of Commons.

The Congressional Quarterly's analysis of House votes followed the same general pattern as its analysis of the Senate.

Very important issues were omitted on which the parties were squarely opposed to each other: For example, in the Senate analysis, vital amendments to the farm bill, defense appropriations, the mutual-security program, the extension of the Defense Production Act, the highway bill, the extension of the Trade Agreements Act, and the disposal of the Government's rubber plants. In the House, omitted issues included important amendments to the farm and appropriation bills. Alaskan and Hawaiian statehood, tax reduction, disposal of rubber plants, and important economic investigations.

FATAL BIAS

The exclusion of such important matters of policy and the inclusion of meaningless votes on which there was little or no opposition created a fatal bias in the Congressional Quarterly's analysis.

To show the effect of this, let us note an article based on the Congressional Quarterly analysis, published in the Detroit News shortly after the analysis was issued. Senator MCNAMARA was shown as supporting the President 56 percent of the time, and Senator POTTER only 67 percent. Seven Michigan Democratic Congressmen, according to the article, supported the President an average of 55 percent.

I wish at this point to repeat that the method which I used in the two analyses of rollcall votes to which I refer above is an accurate and irrefutable way of measuring support of the President and his party's leadership in Congress; that is, considering only those rollcalls on which the leaderships were in opposition one to the other. On that basis, Senator MCNAMARA supported the President's party only 8.3 percent, 1 Democratic Congressman 4.2 percent, and the other 6 Democratic Congressmen zero percent.

If Mr. Eisenhower is elected, it will be important to give him a cooperative Republican Congress.

SMALL BUSINESS AMENDMENT TO THE ROBINSON-PATMAN ACT

Mr. KEFAUVER. Mr. President, I had hoped that this morning we would be able to consider H. R. 1840, the amendment to the Robinson-Patman Act which is so vitally needed by all branches and kinds of small business.

H. R. 1840 contains all the provisions of S. 11 with which all of us are familiar. This measure was sponsored in the House by Representative WRIGHT PATMAN, coauthor of the Robinson-Patman Act, and Representative BYRON ROGERS from Colorado, and had wide bipartisan support. It passed the House by a vote of 393 to 3. This overwhelming vote in the House is itself an indication of the great need for this measure, and, with the Senate moving on toward adjournment, is clear evidence of the necessity of expeditious action here.

H. R. 1840 is now before the Judiciary Committee, having been reported from the subcommittee week before last; and it was our hope that it might be voted on in Judiciary Committee this morning. But because of the early Senate session today, the Judiciary Committee meeting was postponed.

This proposal, which essentially is an amendment to the Robinson-Patman Act, to offset the bad results of the Standard Oil of Indiana decision, and to return the act to its original intent and purposes, has been the subject of more extensive hearings than any measure that I know of.

It is the subject of several volumes of hearings produced at this session by the Senate Subcommittee on Antitrust and Monopoly Legislation, by the House Judiciary Committee, and by the House Small Business Committee.

In sponsoring this proposed legislation in the Senate, I was joined by 29 of our colleagues, who also believed that it was a good and necessary amendment.

There is some opposition to it, certainly. The strategy of the opposition, as all of us know, after having received so many telegrams, principally from oil jobbers, is to keep the measure in committee, and thus defeat it.

I think that would be a shame. This is a bill on which there should be an opportunity for Senate discussion and a vote either for it or against it.

I am confident that we shall have that opportunity; and today my purpose is merely to let the Senate know that this measure is pending and is part of the business we should finish before adjournment.

NEED FOR IMPROVEMENT IN AIR SAFETY AND AIR TRAFFIC CONTROL EQUIPMENT

Mr. BIBLE. Mr. President, the recent tragic crash of the TWA and United Airlines planes in the Grand Canyon has brought forth understandable appeals that air safety and air traffic control equipment be improved to take care of the growing needs of our great air transportation industry.

It should be borne in mind that Congress itself has been more aware of this problem than have the policy directors of the Department of Commerce and the Civil Aeronautics Administration. It should not be forgotten that up until this year budget requests for the Federal airport program and air traffic

control equipment have been reduced the last several years.

On the other hand, the Congress last year passed legislation providing $64 million annually over a 5-year period for implementation of the Federal aid in airport construction, over objections of the Department of Commerce.

Likewise, the Senate, as early as May 5 of last year, upon the recommendations of the Senate Interstate and Foreign Commerce Committee, of which I have the honor to serve as a member, passed Senate Concurrent Resolution 16 which would establish a joint committee to look into the common system of air navigation.

I ask unanimous consent to have printed in the body of the RECORD two editorials from the Las Vegas (Nev.) Review-Journal, entitled "Who Is at Fault?" and "Congressional Responsibility," both dealing with the air safety problem.

There is much food for thought in these fine editorials and I commend them to the Senate and to our good friends in the Department of Commerce and the Civil Aeronautics Administration.

There being no objection, the editorials, were ordered to be printed in the RECORD, as follows:

[From the Las Vegas Review-Journal of July 3, 1956]

WHO IS AT FAULT?

The tragic airplane crash, which took 128 persons to their deaths in the maw of Grand Canyon in Arizona, may have far-reaching effects on air transportation and may, if the proper evidence is presented, blast members of the present Civil Aeronautics Authority clear out of their jobs.

There have been increasing complaints from pilots and airline officials that the CAA is years behind in controlling air traffic and has done nothing to prepare for the jet age which is just around the corner. From all indications the CAA sits on its hands and makes no effort to keep abreast of what is going on in the development of air transportation.

It seems incredible that the CAA would allow two airplanes to be in the same approximate area at the same approximate time so that there would be a chance of the type of collision which brought the blackest day to civil aviation that the world ever has known. It is likewise incredible that the CAA would allow two airlines to send two airplanes along parallel courses, only 4 minutes apart with weather as it was along the Grand Canyon route.

The airlines, of course, will have to assume their portion of the responsibility, but the fundamental error lies with the CAA. While ostensibly exercising authority over the airlines, the CAA does little else but allow its companion group, the CAB, to parcel out the routes over the United States and then promptly forgets what is doing and allows the airlines to operate their own schedules.

With all of the electronic devices known in the field of aviation, there seems to be no reason why the CAA could not have asserted its authority and forced the airlines to use proper machinery to preclude the possibility of a midair collision. There is lots of air above the ground, and there seems little reason why it could not be properly utilized to prevent accidents of this nature.

If the CAA does not learn from this crash and start cleaning up the mess which aviation has gotten itself into, then there really will be trouble when the jet age becomes a reality.

The CAA, despite the fact that it has known, or should have realized, that a complete revision of regulations will be necessary when jet transports are flying around at 600 miles per hour, should have been giving it a great deal of thought.

Airlines officials are convinced that the jet age will bring about increasing numbers of accidents unless something is done before the jet liners get into the skies. They have been trying to prod the CAA to become active and have the skies safe when the new era arrives. But the CAA, like all typical bureaus, sit in their big seats in Washington and twiddle their thumbs until it is too late.

Congress also, as well as the last two White House administrations must assume some of the blame because, over a period of 10 years or more, appropriations for the CAA have been cut again and again. As a result, the CAA has not been able to do everything it could to make preparations for the jets. This is the basic problem, although the CAA, had it been interested, could have made a lot of noise and brought the problem to the attention of the proper authorities.

CAA is very generous in building bigger and better airports all over the United States to send more and more airplanes into the sky to bring about bigger and more violent traffic headaches. However, they are doing almost nothing in making the air safe for the passengers who fly.

As more and more speed becomes a reality, more and more people will be flying and the onus of future tragedies can be laid directly at the feet of the CAA. For CAA has, like so many bureaus, protected the airlines as such and has forgotten entirely about the people who are patronizing the airlines. These are the people who are congressional constituents, and Members of that august body should determine just what is wrong and assure its correction. It should be a continuing probe and not just a hit-or-miss affair which goes on only so long as the greatest tragedy of modern aviation is fresh in the minds of the people.

[From the Las Vegas Review-Journal of July 4, 1956]

CONGRESSIONAL RESPONSIBILITY

The proposed investigation by Congress in the tragic TWA-United plane crash in Grand Canyon, as suggested here yesterday, should not confine itself to the cause and possible solution for such accidents, but should go into the whole field of civil aviation to determine what can be done to control the air when the sky is full of planes some 20 years hence.

There is little doubt but that, within the next quarter century, there will be hundreds of thousands of airplanes flying around the country and the time to set up curbs is now, not 10 or 15 years in the future.

Oldsters can recall when automobiles were something of a curiosity and few realized that, at some time in the future, there would be any need for traffic lights at street intersections or speed cops to patrol the highways.

The same thing applies to the aviation picture today, although some plans have been made to qualify those who desire to fly airplanes. The CAA has set up rules and regulations to qualify civilian pilots and, so far, they have been fairly successful.

However, the time will come when pilots will be falling over each other to get into the air and the crowding which is becoming a major problem right now will be even worse.

Congress, in its probe, should set up an expert group in the CAA made up of people who know the aircraft picture and have vision enough to see what will happen in the years to come. Unless such a plan is developed now, we will be running into a problem which will be even tougher than is the present wanton killing on the highways of the Nation.

There never was any great amount of difficulty in piloting automobiles on the roads of the United States until Henry Ford "put the Nation on wheels" with his flivver. Prior to that time, automobiles were so expensive that only the wealthy could afford them. There were no paved highways and speed was a minor factor in the health and welfare of the citizens.

When Ford made his mass production theory work out, America began to travel. New high-speed highways were constructed, and the death toll in accidents began to climb. Now automobiles are made so they will produce top speeds of more than 100 miles per hour and we are in trouble.

There is little doubt but that the know-how of American industry, sometime in the near future, will come forth with a modern Henry Ford, who will produce airplanes at a price all can afford. Then the troubles increase 3 and 4 times over.

As things stand at the moment with the CAA, the Federal agency which qualifies pilots, has no qualified jet examiners who can test those desiring licenses to fly the new type aircraft.

As a result, those who are qualified to fly 1-engined land or sea craft are automatically allowed to fly single-engined jets. The same thing goes for multiengined jets. That means the CAA is losing completely the control over the pilots who, by all standards should be better qualified than those flying conventional type planes. If the practice continues, there will be nothing but chaos.

The congressional investigation should go into all of the phases of the operation of the CAA, not just try to prevent a recurrence of the tragic TWA-UAL crash. The CAA is a decadent organization, manned for the most part by political hacks and it should be overhauled and brought up to date.

If such a program is not followed, Congress will commit a tragic mistake, one which will cost thousands of lives in the coming half-century. Congress must take a leaf from the automobile history of the Nation and take concerted steps to see that the same errors are not made in the development of air traffic.

WHO BUILDS THE PLANTS OF OUR NATION?

Mr. MARTIN of Pennsylvania. Mr. President, there has been much discussion as to who builds the plants of our Nation. We now have the steel strike. It will in the long run lose money for the workers, the investors, and the consumers, because it will add to the cost of steel. The Wall Street Journal of July 5, 1956, has an able editorial on this subject, and I ask unanimous consent that it may be printed in the body of the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHO BUILDS STEEL MILLS?

Not so long ago a prominent commentator on the news charged the steel industry with a plot to make its customers pay for the construction of needed new capacity. If the industry weren't trying to do that, said he, steel prices would be cheaper.

Then just the other day David McDonald, president of the steelworkers, complained that "the steel companies mean to build their new mills not out of loans from banks, but of sweat from the men who make the steel."

Implicit in both of these statements is the idea that there is some third party who can and ought to pay for the construction of steel mills and if they would just do their duty, prices could be lower and wages higher.

Well, let's suppose you wanted to build a steel mill. Who would pay for it?

Assuming your credit rating is good enough, you migh borrow most of the

money, as Mr. McDonald suggests. Or perhaps you might persuade enough people to go shares with you and invest their savings in the enterprise. Or if you had previously been operating a steel mill you might have saved enough from past operations to pay for it out of accumulated reserves.

But these answers only beg the question. Who is to pay back the bankers? Who is to pay the investors for the use of their money (if no one does they certainly will not bite twice)? Or in the case of accumulated reserves from the past, who paid for them in the first place?

It ought not to tax the mind to see that initially the money can come from only one place, the customers. The people who buy steel have to pay not only for operating costs—wages and cost of material—but also for the cost of building the mills, just as the customers pay for building railroads, shoe factories and electric appliance plants.

But the matter doesn't end there. The customers pay in the money initially but if the precise amount paid in were paid out for costs, then there would be nothing left over to buy a new wrench or a blast furnace. If this happened in every industry, there would be no capital growth and the American economy would be on the level of the Soviet economy.

What actually happens is, as Mr. McDonald suggests, that the people who work in the steel mills help pay for them too. So also, though Mr. McDonald would hardly confess it, do the stockholders of the enterprise. If labor takes too much in wages there will be no funds to pay for tools and plants; the same is true if the stockholders try to milk the assets.

It makes no difference whether an industry is owned by thousands of individual savers or by the employees or by the Government—without this surplus value there is no capital and without capital there are no mills or plants or factories.

Just now the steel mills across the country are cold and still. And their stillness is costly for the voluntary investors, for the men who should be working in them, and for the customers who should be getting steel. For all these people built the steel mills.

REPORT ON BLACKLISTING ISSUED BY SPONSORSHIP OF THE FUND FOR THE REPUBLIC

Mr. LEHMAN. Mr. President, last week I introduced into the RECORD an editorial from the Catholic lay publication, the Commonweal, dealing with the current investigation being conducted by the House Un-American Activities Committee into the report on blacklisting issued under the sponsorship of the Fund for the Republic and written by Mr. John Cogley.

On Friday morning, July 13, the New York Times, America's most eminent newspaper, printed an editorial on this subject which conforms exactly to the views I expressed on the floor last week.

I ask unanimous consent that this editorial from the New York Times entitled "Cogley Quiz," be printed in the body of the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COGLEY QUIZ

If the House Committee on Un-American Activities were really interested in examining all un-American activities it might long ago have used its great powers as an investigative arm of Congress to look into the thoroughly un-American art of blacklisting in the entertainment industry. Instead, it left that thankless job to the Fund for the Republic, but it has now suddenly raised its hackles because it didn't like what the fund's independent inquiry produced.

Exactly 3 days after the fund had made public its two-volume report on blacklisting, the House committee peremptorily subpenaed—did not invite—John Cogley, director of the study, to appear before it in Washington. The intention, according to Chairman FRANCIS E. WALTER, was to determine among other things what the purposes of the fund and of Mr. Cogley truly are. Mr. WALTER'S strict objectivity may be considered against the background of his earlier query in announcing a forthcoming investigation of the fund itself: "Is this foundation * * * a friend or a foe in our Nation's death struggle against the Communist conspiracy?" Paul G. Hoffman; President George N. Shuster, of Hunter College; Chester Bowles; Dean Erwin N. Griswold, of the Harvard Law School; and other noted Americans on the fund's board of directors must have deeply appreciated that comment by the Democratic statesman from Pennsylvania.

Be that as it may, the context and tone of questions put by the committee counsel to Mr. Cogley on the subject of his blacklisting report raise the strongest suspicions that here was an obvious effort to harass a writer for what he had written. Mr. Cogley himself is a former executive editor of the highly respected liberal Roman Catholic weekly, the Commonweal, and he is capable of defending his own works. But we are concerned over any and every effort, no matter how it may be disguised, to intimidate a man for writing what he believes; and when a committee of the House of Representatives skates perilously close to doing that, we think it comes equally close to violating the first amendment.

PROPOSAL TO HAVE ISSUE OF HIGH DAM VERSUS IDAHO POWER CO. DAMS AT HELLS CANYON DECIDED BY VOTE OF PEOPLE OF IDAHO, OREGON, AND WASHINGTON

Mr. NEUBERGER. Mr. President, the pages of the CONGRESSIONAL RECORD have been clogged during recent weeks with scores of newspaper editorials criticizing S. 1333, the bill to provide for construction of a high Federal dam on the great hydroelectric and flood-control site at Hells Canyon. These editorials have been introduced into the RECORD by opponents of the bill, who claim that they represent public opinion generally throughout the Nation, and particularly in the Pacific Northwest.

I dispute that contention, Mr. President. I believe in my heart, sincerely and wholeheartedly, that the people of our region—yes, and of the Nation—favor the high Government dam which would use the great resources of Hells Canyon to the full.

Yet, of course, no one of us can know the true will of the people until the people have spoken.

Mr. President, I challenge the opponents of S. 1333 to make good on their oft-repeated claim that the people do not want the high dam.

I suggest to them, seriously and respectfully, that this issue be decided by the men and women of the three States most directly concerned. These are the States of Idaho, Oregon, and Washington—in the great Snake River watershed, which will be affected for generations to come by the decision ultimately reached in the Hells Canyon stretch of the river.

This is what I propose, in essence. I suggest that all construction in the Hells Canyon area cease immediately. Then, I propose further that the whole question be submitted to a referendum vote of the people of the three States, at the November election of 1956. Pending that decision, Idaho Power Co. shall cease present work on one of its low dams, the Brownlee Dam. Pending that decision, advocates of a high Federal dam shall not press for congressional authorization of their project. In other words, a truce shall be in effect until the people have spoken.

THE HIGH DAM VERSUS THREE LOW DAMS AT THE BALLOT BOX

I recommend that the proposition on the ballot be stated simply, concisely and fairly. It seems to me that the following alternatives might be presented to the voter at the ballot box:

"I favor development of Hells Canyon by the three low dams of the Idaho Power Co., as licensed by the Federal Power Commission.

"I favor development of Hells Canyon by a high Government dam, as proposed in the 308 Report of the Corps of United States Army Engineers."

There it is—the choice. Let the people of Idaho, Oregon, and Washington State make that choice in November. If they cast a majority vote for the three low dams of the Idaho Power Co., I may not agree with their decision, but I will abide by it. I will cease forthwith to advocate and sponsor the high Federal dam. I will accept the verdict rendered at the polls.

Will the congressional sponsors of the Idaho Power Co. program do the same thing? Will they stop trying to prevent authorization of the high dam, if the people of Idaho, Oregon, and Washington indicate at the ballot box that they prefer the high dam?

It should be easy to have the issue placed on the ballot, Mr. President. It should be especially easy if opponents of the high dam are sincere in their frequently voiced claim that the public does not really want the high dam. After all, Idaho and Oregon and Washington are three States where the initiative and referendum are in constant use. Machinery exists for referendum decisions at the polls. Indeed, such decisions are commonplace at our elections in the Pacific Northwest, and happily so.

The three Republican Governors of the the Northwest States—Robert Smylie, of Idaho, Elmo Smith, of Oregon, and Arthur B. Langlie, of Washington, all are opponents of the high Federal dam. They have claimed on many occasions that their constituents do not want the high dam. Thus, these men evidently have nothing to fear from a referendum decision on the issue, if their own statements are to be given credence.

LET THE PEOPLE OF THREE NORTHWEST STATES DECIDE THE QUESTION

The legislature of each State could be called into a brief 24-hour session to place on the ballot an appropriate and

fairly worded referendum, giving the voters a choice between the Idaho Power Co. low dams and the Federal high dam. Such a matter should take little time to go through; the ballots for November have, of course, not yet been printed, so there is ample time to have the referendum included. I suggest this method, rather than petitions, because the legal period for filing petitions has closed.

Mr. President, is this not the democratic and fair way to determine this vital issue? The people of Idaho, Oregon, and Washington and their descendants for many generations to come—are the folks who will have to live with the decision reached at Hells Canyon. They are the people who will benefit from one verdict and suffer from another. They have the most at stake. Opponents of the high dam have claimed that the halls of Congress are not an appropriate place to decide the issue. What about the offices of a Federal bureau or the headquarters of a private power company? Is that where this historic question ought to be determined?

Let it then be decided at the ballot box, as I have suggested. Surely the opponents of S. 1333 cannot disagree with my proposal, if they believe their own claims that the general public does not hold any genuine desire or hopes of having the high dam erected in America's deepest river chasm.

Could there be any fairer or more thoroughly American way of at last deciding the entire Hells Canyon question, than that of leaving it up to the men and women of the three States which lie within the vast watershed of the Middle Snake River?

I repeat my promise, and I make it as solemnly and as sincerely as I can voice any pledge. I will accept the outcome of the referendum as final, whether the people reject my own preference or whether they accept it. I challenge the opponents of the high dam likewise to leave their case to those who should be the ultimate abiters of any great and lingering decision in a democracy—the people, expressing their will through the great instrumentality of the ballot box.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. GOLDWATER. I am sorry the junior Senator from Oregon was not here earlier in the morning hour when I addressed a few remarks to the same subject. In the course of my remarks I said I was afraid that both of Oregon's distinguished Senators have completely missed the point in suggesting that the three States involved have a referendum on the question.

This is a matter for the people of the entire United States to decide, inasmuch as the tax money of all the people of the United States would be used to build a high dam, if and when it were built under the Senators' suggestion. I cannot for the life of me understand why the junior Senator from Oregon should suggest that a referendum be held in three States to decide how the people of Arizona shall spend their tax money.

Mr. NEUBERGER. To begin with, the junior Senator from Arizona, who has recently been in the forefront of the movement to spend $1 billion in the basin of the Colorado, takes an inconsistent position with respect to spending a little more than $300 million in the basin of the Columbia River.

Recently, the junior Senator from Arizona has been filling the pages of the CONGRESSIONAL RECORD with editorials published in newspapers of the Pacific Northwest which, he claims, represent public opinion. I simply suggest to the Senator from Arizona that the people of those three States vote on the question, to see who really represents public opinion.

Mr. GOLDWATER. To answer the Senator's allegations, there is no comparison between the upper Colorado Basin project and the proposed Hells Canyon project. The upper Colorado Basin project is a reclamation project; it is a multipurpose project.

The Senator knows that, even by the wildest stretch of imagination, no one could call the proposed high Hells Canyon Dam a multipurpose project.

The Senator suggested that I have been filling the RECORD with editorials published in newspapers of the Pacific Northwest. If the junior Senator from Oregon will inspect the editorials I placed in the RECORD, I think he will find that they came from newspapers published in some 22 or 23 States. Very few came from newspapers published in the Pacific Northwest.

If the Senator wants to find out how the people of the Northwest feel about the project, that is all right.

The PRESIDENT pro tempore. The time of the Senator from Oregon has expired.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that I may speak for 2 minutes, in order to conclude the colloquy.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. GOLDWATER. If the Senator from Oregon desires to find out what the people of his State think about public power, that is another thing. But for him to suggest that the people of 3 States of the Pacific Northwest should decide how the tax money of the people of the other 45 States shall be spent is, I say, a highly improper suggestion; it does not smack of a democratic operation at all.

Mr. NEUBERGER. To begin with, the junior Senator from Arizona said that the proposed high Hells Canyon Dam could not, by the wildest stretch of imagination, be called a multipurpose project.

Mr. GOLDWATER. That is correct.

Mr. NEUBERGER. The Corps of Army Engineers, in their famous 308 Report, have described it as a major flood control project in the Pacific Northwest. The junior Senator from Arizona may not regard flood control as important, but I feel that the majority of American people do.

Only a few weeks ago, in a major speech delivered, I believe, in Spokane, Wash., Brig. Gen. L. H. Foote, of the North Pacific Division of the Army engineers, listed the very substantial flood control benefits to be derived from a high dam as contrasted with the very small flood control benefits which would be received from the three low-head dams to be built by the private company. I think that is significant, and I feel certain the people of the United States will be interested to learn, that a leading member of the Republican Party in the Senate does not consider flood control as a multipurpose benefit.

Mr. GOLDWATER. The junior Senator from Oregon knows better than that. The Senator further knows that the records will show that the difference in flood control as between a high dam and the three low-head dams is a matter of, perhaps, less than 2 inches, or perhaps even less than an inch. I plan to make a speech on the floor today which will touch on that point.

Mr. NEUBERGER. The difference involves at least more than a million and a half acre feet.

Mr. GOLDWATER. In the last flood which happened on the Columbia River, the great contributing factor to the flood, as the Senator from Oregon knows, was not the Snake River. The Snake River, having some 20 reclamation projects upstream, is, for all practical purposes, controlled.

The Senator knows that testimony given by witness after witness has raised extreme doubt in the minds of Senators from Western States that there is enough water left to fill a high dam.

Mr. NEUBERGER. Does the junior Senator from Arizona think the United States Army engineers were incorrect when they proposed a flood-control project at Hells Canyon?

The PRESIDENT pro tempore. The time of the Senator from Arizona has expired.

Mr. GOLDWATER. We can continue this discussion this afternoon.

Mr. MORSE subsequently said: Mr. President, having heard the Senator from Arizona [Mr. GOLDWATER] make comments in regard to whether or not there would be enough water left in the Snake River to meet the water needs of water users after the high dam is built, I should like to say that I have heard that private utility argument and propaganda for a long time, Mr. President. I simply want to join with my colleague [Mr. NEUBERGER] in saying that we rest our case on the engineering reports of the Army engineers with regard to the water supply of the Snake River. In the historic debate which is about to take place, let the spokesman of the private utilities go to any engineering source they want to. They cannot bring forward any engineering study which can rebut on the merits the Army engineers, who for years have made a study of the water resources of the Snake River and the Columbia River. In their 308 Report the Army engineers set forth their findings. I am perfectly willing to rest my case on the report of the Army engineers, which will refute the propaganda of the private utilities with regard to the amount of water which will be available for water users in the Pacific Northwest, if the high dam at Hells Canyon is built.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business and take action on nominations under the heading "New Reports."

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting the nomination of Ralph W. Gray, of Massachusetts, to be United States marshal for the district of Massachusetts, vice Robert H. Beaudreau, resigned; and withdrawing the nomination of Edward F. Helsel to be postmaster at Newry, Pa., which nominating message was referred to the Committee on the Judiciary.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. CHAVEZ, from the Committee on Public Works:

Col. Albert E. McCollam, Corps of Engineers, to be a member of the California Debris Commission, vice Col. William J. Ely.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the first nomination on the Executive Calendar under the heading "New Reports."

MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

The Chief Clerk read the nomination of Austin L. Fickling, of the District of Columbia, to be an associate judge of the municipal court for the District of Columbia.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John H. Burnett, of the District of Columbia, to be an associate judge of the municipal court for the District of Columbia, domestic relations branch.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Godfrey L. Munter, of the District of Columbia, to be an associate judge of the municipal court for the District of Columbia, domestic relations branch.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Frank Hammett Myers, of the District of Columbia, to be an associate judge of the municipal court for the District of Columbia, domestic relations branch.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

PUBLIC UTILITIES COMMISSION OF THE DISTRICT OF COLUMBIA

The Chief Clerk read the nomination of John Lewis Smith, Jr., of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be notified immediately of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be immediately notified of the nominations this day confirmed.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

SOCIAL SECURITY AMENDMENTS OF 1956

Mr. MORSE. Mr. President, before the debate on the social security bill is concluded, I shall submit an amendment which I hope the chairman of the committee will find it possible to accept and take to conference. The amendment will seek to provide disability insurance benefits for certain disabled individuals who have attained the age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

I shall offer the amendment at the request of firemen and policemen groups in Oregon, groups which wish to participate, under a voluntary arrangement, in social-security benefits. The amendment will be offered on behalf of my colleague, the junior Senator from Oregon [Mr. NEUBERGER] and myself.

THE CALENDAR

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Under the order previously entered, the Senate will proceed to the consideration of the call of measures on the calendar to which there is no objection.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the unanimous-consent agreement, the calendar is now to be called.

The first item on the calendar will be stated.

BILLS AND JOINT RESOLUTIONS PASSED OVER

The bill (S. 636) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, was announced as first in order.

Mr. ERVIN. Mr. President, by request, I ask that Calendar No. 629, Senate bill 636, the bill just called; and Calendar No. 1487, Senate Joint Resolution 138, relating to the compensation of the Executive Director of the Joint Committee on Atomic Energy; Calendar No. 1502, House Joint Resolution 514, relating to the compensation of the Executive Director of the Joint Committee on Atomic Energy; Calendar No. 1511, House bill 3653, to amend the Tariff Act of 1930 to provide for the free importation of amorphous graphite; Calendar No. 1649, Senate Joint Resolution 1, proposing an amendment to the Constitution of the United States relating to the legal effect of certain treaties and other international agreements; Calendar No. 1786, Senate bill 924, to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services after August 31, 1931, and not heretofore paid in accordance with existing law; and Calendar No. 1887, Senate bill 1574, to provide for payments by the Secretary of the Interior to owners of non-Federal water use facilities for hydroelectric power benefits realized by the United States therefrom, and for other purposes, all go over, as not being proper calendar business.

The PRESIDING OFFICER. Objection being heard, these measures will go over.

The next measure on the calendar will be stated.

BILL PLACED AT FOOT OF CALENDAR

The bill (S. 3457) to authorize the Secretary of the Treasury to convey certain property to the county of Pierce, State of Washington, was announced as next in order.

Mr. ERVIN. Mr. President, I ask that the bill be placed at the foot of the calendar, in order to give Senators an opportunity to work out the differences involved.

The PRESIDING OFFICER. The bill will be placed at the foot of the calendar.

Mr. MORSE subsequently said: Mr. President, I have pending at the desk an amendment to Calendar No. 1987, S. 3457, to authorize the Secretary of the Treasury to convey certain property to the county of Pierce, State of Washington. It provides for the payment of 50 percent of the appraised fair market value. I have not been able to discuss the amendment with the Senator from Washington [Mr. MAGNUSON], but it has been at the desk for a long time. I am sorry to disappoint my colleague from Washington. I hope he can accept my amendment. In case he cannot, I wish to say to the Senator from Nevada

[Mr. BIBLE] that my objection is to stand. As it stands, the bill is a clear violation of the Morse formula, which ought to apply in this case.

Mr. PURTELL. Mr. President, we cannot hear what the Senator from Oregon is saying.

The PRESIDING OFFICER. As the Chair understands, the Senator from Oregon has been discussing four bills, to which he wishes to call the attention of the Senate. To two of the bills he is objecting.

Mr. MORSE. To two of them I object, and to two I have no objection.

Mr. HRUSKA. Mr. President, may we know which bills are under discussion? We could not hear the Senator from Oregon.

The PRESIDING OFFICER. The Senate is not yet considering the bills under discussion by the Senator from Oregon.

Mr. MORSE. I have referred to Calendar No. 1987, S. 3457, to authorize the Secretary of the Treasury to convey certain property to the county of Pierce, State of Washington. I also referred to Calendar No. 2614, Senate Joint Resolution 179, to authorize and direct the Secretary of Agriculture to quitclaim certain property in Mississippi. I object to those two bills.

Mr. BARRETT. We cannot hear the Senator.

Mr. MORSE. I have referred to Calendar No. 1987, S. 3457, and Calendar No. 2614, Senate Joint Resolution 179. I have asked permission to make this statement so that I may go to a conference which is awaiting my presence to establish a quorum.

JOINT RESOLUTION PASSED OVER

The PRESIDING OFFICER. The next measure on the calendar will be stated.

The joint resolution (S. J. Res. 39) proposing an amendment to the Constitution of the United States relative to equal rights for men and women was announced as next in order.

Mr. BIBLE. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

TRUST LANDS FOR CERTAIN PUEBLOS IN NEW MEXICO—BILL PASSED OVER

The bill (S. 1907) to provide that the United States hold in trust for the Pueblos of Zia and Jemez, a part of the Ojo de Espiritu Santo Grant and a small area of public domain adjacent thereto was announced as next in order.

Mr. BIBLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MORSE. Mr. President, I have made a very careful study of Calendar No. 2021, Senate bill 1907, to provide that the United States hold in trust for the Pueblos of Zia and Jemez, a part of the Ojo de Espiritu Santo Grant and a small area of public domain adjacent thereto. I think it would be most unfortunate if the Congress adjourned without doing the justice called for by this bill. The bill is a very meritorious one, and should be passed. From my study of the bill, I understand that although at one time there were objections from within the State of New Mexico to the bill, those objections by and large have been withdrawn, or at least the parties in interest have made it known that passage of the bill would not be unacceptable to the objectors.

The bill calls for the doing of simple justice to the parties involved. I certainly hope that if we are unable to pass the bill during the call of the calendar, the bill will be brought up at an early hour, by way of motion.

Mr. BIBLE. Mr. President, I certainly share the sentiments expressed by the Senator from Oregon. I shall speak to the leadership, personally, about the bill. I have heard, personally, about the bill from people in the State of New Mexico, and I hope the bill will be considered at the earliest possible moment.

RESOLUTIONS AND BILLS PASSED OVER

The resolution (S. Res. 250) prohibiting the introduction of bills or joint resolutions by two or more Senators jointly was announced as next in order.

Mr. BIBLE. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. 374) to provide for extension and suspension in certain cases, of statutes of limitation on false swearing by Government employees with respect to subversive activities and connections was announced as next in order.

Mr. BIBLE. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 3617) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities was announced as next in order.

Mr. BIBLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 782) to prevent citizens of questionable loyalty to the United States from accepting any office or employment in or under the United Nations, and for other purposes, was announced as next in order.

Mr. BIBLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7225) to amend the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes, was announced as next in order.

Mr. BIBLE. Mr. President, this is the unfinished business, and should be passed over at this time.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6888) to amend the act of September 3, 1954, was announced as next in order.

Mr. BIBLE. Mr. President, I ask unanimous consent that Calendar No. 2249, House bill 6888, the bill just called; and Calendar No. 2252, Senate bill 3143, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; Calendar No. 2284, Senate bill 3704, to authorize the acquisition of the remaining property in square 725 and the property in square 724 in the District of Columbia for the purpose of extension of the size of the additional office building for the United States Senate or for the purpose of addition to the United States Capitol Grounds; Calendar No. 2291, House bill 5712, to provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo Grant and a small area of public domain adjacent thereto; and Calendar No. 2298, S. 1333, to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes, go over, by request.

The PRESIDING OFFICER. The bills will be passed over.

Mr. BIBLE. Mr. President, Calendar No. 2298, Senate bill 1333, the Hells Canyon bill, is obviously not calendar business. It has been announced as being the pending business on Wednesday of this week.

OJO DEL ESPIRITU LAND GRANT

Mr. ANDERSON. Mr. President, do I correctly understand that Calendar No. 2291, House bill 5712, to provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo Grant and a small area of public domain adjacent thereto, is to go over?

Mr. BIBLE. We have a request that it go over, to be brought up by motion. I am sure it is the intention of the majority leader to have the bill brought up by motion at the end of the call of the calendar or as soon thereafter as possible.

Mr. ANDERSON. I have a letter from the Senator who has objected; in the letter he says the bill is a good one, and that we should try to have it passed.

Mr. BIBLE. That being true, I should think we would encounter no difficulty in connection with the bill.

Mr. President, I certainly share the sentiments expressed by the Senator from New Mexico. I shall speak personally to the leader about the bill. I have heard personally from persons in New Mexico about the bill. I hope the bill will be considered at the earliest possible moment.

Mr. President, I renew my objection.

BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 4112) to amend the Atomic Energy Act of 1954, as amended, and for other purposes, was announced as next in order.

Mr. BIBLE. Mr. President, I think it obvious that this bill is not properly calendar business, and should go over. Therefore, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2167) to make certain changes in the administration of the Panama Canal Company, and for other purposes, was announced as next in order.

Mr. BIBLE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 236) directing the Tariff Commission to investigate whether imports of textiles or textile products are affecting injuriously the domestic industry was announced as next in order.

Mr. BIBLE. Mr. President, I think it is obvious that this resolution is not properly calendar business. I ask that the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 10184) to authorize the Secretary of the Treasury to convey property to the county of Pierce, State of Washington, was announced as next in order.

Mr. BIBLE. Mr. President, previously we had a companion Senate bill placed at the foot of the calendar. In order to make it possible to work out the objections, I ask that this bill also go to the foot of the calendar.

The PRESIDING OFFICER. The bill will be placed at the foot of the calendar.

BILLS AND RESOLUTION PASSED OVER

The bill (S. 4162) to amend the Atomic Energy Act of 1954, to increase the salaries of certain executives of the Atomic Energy Commission, was announced as next in order.

Mr. BIBLE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4183) to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes, was announced as next in order.

Mr. BIBLE. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. BIBLE. I think it is obvious that this measure is not properly calendar business, and should be regularly brought up by way of motion.

The resolution (S. Res. 306) providing additional funds for the Committee on Rules and Administration was announced as next in order.

Mr. BIBLE. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (H. R. 9083) to amend the Internal Revenue Code of 1954 to extend the period of amortization of grain-storage facilities was announced as next in order.

Mr. BIBLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The joint resolution (H. J. Res. 621) to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens was considered, ordered to a third reading, read the third time, and passed.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The joint resolution (H. J. Res. 626) to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The joint resolution (H. J. Res. 627) for the relief of certain aliens was considered, ordered to a third reading, read the third time, and passed.

ADMISSION INTO THE UNITED STATES OF CERTAIN FIANCES OF UNITED STATES CITIZENS

The joint resolution (H. J. Res. 638) to facilitate the admission into the United States of certain fiances of United States citizens was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 639) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 4, after the word "act", to strike out "Jaffa Kam,".

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 637) to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary with an amendment, on page 4, line 18, after the word "and", to insert "her son, John,".

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 620) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 4, after the name "Akilloglou," to insert "Ezra Chitayat, Violet Chitayat, Georgette Chitayat, Linda Chitayat,".

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time, and passed.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 246) approving the granting of the status of permanent residence to certain aliens, which had been reported from the Committee on the Judiciary with amendments, at the top of page 2, to strike out "A-7444647, Benedikt, Erwin,", and on page 31, after line 2, to insert:

0300-387762, Foo, You Sung.
A-6958562, Fong, Wen Chih.
E-094641, Garcich, John.
T-359295, Han, Paul.
A-8057156, Salamon, Anton.
O300-170339, Shiah, Chyn Duog.
0300-465873, Swee, Tong.
A-6542172, Tai, Jun Tsei.
A-8082020, Yen, Chan Park.
A-9694637, Yeung, Foo.
0300-471299, Yook, Leong.
A-6695455, Tong, William Langson.
A-9770864, Tong, Ruth.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ERVIN. Mr. President, since House Concurrent Resolution 246 was reported from the Committee on the Judiciary the Immigration and Naturalization Service has advised that two of the cases included in the concurrent resolution will be withdrawn by the Attorney General.

I therefore move that House Concurrent Resolution 246 be further amended by striking out lines 6 and 7 on page 27.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina will be stated.

The CHIEF CLERK. On page 27, after line 5, it is proposed to strike out the following:

A-7865355, Keh (Edward) Shou Shreu.
A-7865356, Keh, Martha Mei Sing (nee Chen).

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 617) to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 10, after the word "and", to strike out "Olive Markley" and insert "Nelson

Rupert Holland"; on page 6, after line 9, to insert:

SEC. 9. Notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Aston H. Savage may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 10. Notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Maria LaSala and Gillian Allison Hackler may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited in each case as prescribed by section 213 of the said act.

SEC. 11. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Erna Barbara Kreutner may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That her marriage to her United States citizen fiancé, Staff Sgt. Hubert Griffith, shall occur not later than 6 months following the date of the enactment of this act.

On page 7, at the beginning of line 7, to change the section number from "9" to "12"; and after line 10, to insert:

SEC. 13. In the administration of the Immigration and Nationality Act, Gertrud Kreen, the fiance of Pfc. J. B. Elswick, Jr., a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Gertrud Kreen is coming to the United States with a bona fide intention of being married to the said Pfc. J. B. Elswick, Jr., and that she is found otherwise admissible under the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons does not occur within 3 months after the entry of the said Gertrud Kreen, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Gertrud Kreen, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Gertrud Kreen as of the date of the payment by her of the required visa fee.

SEC. 14. For the purposes of the Immigration and Nationality Act, Olive Markley shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

The title was amended sc as to read: "A joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, and for other purposes".

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 618) to waive the provisions of section 212 (a) (6) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 9, after the name "DiGloria", to strike out "and", and in line 10, after the name "Stachulski", to insert "Kalman Novak, and Bojana D. Bojovitch".

The amendments were agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 636) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 6, after the name "Cha", to strike out "Thung" and insert "Tsung"; in line 7, after the name "Uhachi", to strike out the comma; and on page 2, after line 9, to insert:

SEC. 4. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Cecelia Therese Lynch, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Donald F. Lynch, citizens of the United States.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read the third time.

The joint resolution was read the third time, and passed.

GIUSEPPE SCALIA

The bill (S. 579) for the relief of Giuseppe Scalia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Giuseppe Scalia, of the city of Baltimore and State of Maryland. From and after the date of enactment of this act the said Giuseppe Scalia shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

GUILLERMO B. RIGONAN

The bill (S. 1407) for the relief of Guillermo B. Rigonan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Guillermo B. Rigonan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

RACHID ABDALLAH

The bill (S. 1626) for the relief of Rachid Abdallah was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Rachid Abdallah shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ARSENE KAVOUKDJIAN (ARSENE KAVOOKJIAN)

The bill (S. 3068) for the relief of Arsene Kavoukdjian (Arsene Kavookjian) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Arsene Kavoukdjian (Arsene Kavookjian) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ELDUR EHA

The bill (S. 3103) for the relief of Eldur Eha was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Eldur Eha shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

KARL EIGIL ENGEDAL HANSEN AND OTHERS

The bill (S. 3127) for the relief of Karl Eigil Engedal Hansen, and his wife, Else Viola Agnethe Hansen, and their minor child, Jessie Engedal Hansen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Karl Eigil Engedal Hansen and his wife, Else Viola Agnethe Hansen, and their minor child, Jessie Engedal Hansen, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper

quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

MAY PING LEE

The bill (S. 3155) for the relief of May Ping Lee was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, May Ping Lee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

REDENTOR LIGOT ROMERO

The Senate proceeded to consider the bill (S. 3179) for the relief of Redentor Ligot Romero, which has been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding any other provision of the Immigration and Nationality Act, Redentor Ligot Romero shall be held to be classifiable as a nonimmigrant student under section 101 (a) (15) (F) of the act and permitted to remain in the United States for a period of not more than 2 years, or until such time as he obtains his master's degree in music, whichever occurs sooner.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DR. CHENG-EN LU

The bill (S. 3182) for the relief of Dr. Cheng-en Lu was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Dr. Cheng-en Lu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

STEPHEN KUANG-TAO HSU

The bill (S. 3188) for the relief of Stephen Kuang-Tao Hsu was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Stephen Kuang-Tao Hsu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

NATALIA KOZLOV KAVAZOV KOLUBAEV

The bill (S. 3193) for the relief of Natalia Kozlov Kavazov Kolubaev (Koljubajer, Kolubajev) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Natalia Kozlov Kavazov Kolubaev (Koljubajer, Kolubajev) may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

GEORGIANA CHING HSIEN (LIANG) NEW

The bill (S. 3257) for the relief of Georgiana Ching Hsien (Liang) New was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Georgiana Ching Hsien (Liang) New shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MARGARET KWEI CHANG (MARGARET HUA-CHEN KWEI)

The bill (S. 3258) for the relief of Margaret Kwei Chang (Margaret Hua-Chen Kwei) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Margaret Kwei Chang (Margaret Hua-Chen Kwei) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

JELENA SIMICEVIC

The bill (S. 3354) for the relief of Jelena Simicevic was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Jelena Simicevic shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien, as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

HEWEY MALACHI MACKEY

The bill (S. 3358) for the relief of Hewey Malachi Mackey was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Hewey Malachi Mackey shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PAUL YEN-HSIUNG FENG AND OTHERS

The bill (S. 3370) for the relief of Paul Yen-Hsiung Feng and his wife, Mary Stella Pao-Ching Feng, and their minor child, Joseph Shao-Ying Feng, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Paul Yen-Hsiung Feng and his wife, Mary Stella Pao-Ching Feng, and their minor child, Joseph Shao-Ying Feng, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

VINCENT LEE LAO

The bill (S. 3440) for the relief of Vincent Lee Lao was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Vincent Lee Lao shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LUCY LIN AND HER MINOR CHILD, PETER LIN

The bill (S. 3487) for the relief of Lucy Lin and her minor child, Peter Lin, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Lucy Lin and her minor child, Peter Lin, shall be held and considered to have been

lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

ATHANASIOS NICHOLAS PRITTES

The bill (S. 3521) for the relief of Anthanasios Nicholas Prittes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Athanasios Nicholas Prittes (also known as Thomas Prites, or Tom N. Phillips) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee. Upon the granting of permanent resident to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

NELSON SHU-YOUNG CHUANG

The bill (S. 3657) for the relief of Nelson Shu-Young Chuang was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Nelson Shu-Young Chuang shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

DR. JAMES R. P. WONG

The bill (S. 3813) for the relief of Dr. James R. P. Wong was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Dr. James R. P. Wong shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

GUISEPPINA COPPOLA

The bill (S. 3814) for the relief of Guiseppina Coppola was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Guiseppina Coppola shall be deemed to have been born in Great Britain.

ANTONIETTA AURORA MATTERA BERG

The bill (S. 4015) for the relief of Antonietta Aurora Mattera Berg was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraphs 9 and 12 of section 212 (a) of the Immigration and Nationality Act, Antonietta Aurora Mattera Berg may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraphs known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

JOSE MARIA ARIAS-ORTEGA

The Senate proceeded to consider the bill (S. 3191) for the relief of Jose Maria Arias-Ortega, which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "fee", to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for first year that such quota is available", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Jose Maria Arias-Ortega shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SERGIUS KUSMIN AND HIS WIFE, IRENE KUSMIN

The Senate proceeded to consider the bill (S. 3306) for the relief of Sergius Kusmin and his wife Irene Kusmin, which had been reported from the Committee on the Judiciary with amendments on page 1, line 8, after the word "fees", to insert a colon and *"Provided,* That in the case of Sergius Kusmin, he shall be required to comply with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That a suitable and proper bond or undertaking approved by the Attorney General, be deposited as prescribed by section 213 of the said act.", and on page 2, line 4, after the amendment just above stated, to strike out "Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Sergius Kusmin and his wife, Irene Kusmin, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided,* That in the case of Sergius Kusmin, he shall be required to comply with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROBERTO MARIO BETTINZOLI

The Senate proceeded to consider the bill (S. 3364) for the relief of Roberto Mario Bettinzoli, which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "fee", to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Roberto Mario Bettinzoli shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MANUEL SOUZA NOVO

The Senate proceeded to consider the bill (S. 3537) for the relief of Manuel Souza Novo, which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "visa", to strike out "fees" and insert "fee", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Manuel Souza Novo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STYLIANOS LECOMPLES

The Senate proceeded to consider the bill (S. 3557) for the relief of Stylianos Lecomples, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike out "upon the grant-

ing of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Stylianos Lecomples shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PANAGIOTA PAGANIS

The Senate proceeded to consider the bill (S. 3660) for the relief of Panagiota Paganis, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of section 3 and subsection (b) of section 4 of the Refugee Relief Act of 1953, as amended, Panagiota Paganis shall be held and considered to be under 21 years of age: *Provided*, That the words "if accompanying them" in section 3 of the said act shall not apply to the said Panagiota Paganis.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH CACAVAS (ELISAVET IOANNOU KAKAVA)

The Senate proceeded to consider the bill (S. 3713) for the relief of Elizabeth Cacavas (Elisavet Ioannou Kakava) which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Elizabeth Cacavas (Elisavet Ioannou Kakava). From and after the date of enactment of this act, the said Elizabeth Cacavas (Elisavet Ioannou Kakava) shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JUDITH KAO

The Senate proceeded to consider the bill (H. R. 5808) for the relief of Judith Kao, which had been reported from the Committee on the Judiciary with an amendment, in line 6, after the word "act", to insert a comma and "for a period of four years or until such time as she has completed her schooling, whichever occurs sooner."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OEY GIOK PO

The Senate proceeded to consider the bill (S. 3285) for the relief of Oey Giok Po, which had been reported from the Committee on the Judiciary with amendments, in line 3, after the word "and", to strike out "Naturalization" and insert "Nationality"; and in line 5, after the word "of", to strike out "Oey Giok Po" and insert "Giok Po Oey", so as to make the bill read:

Be it enacted, etc., That in the administration of the Immigration and Nationality Act, sections 201 (a) and 202 (b) shall be held not to be applicable in the case of Giok Po Oey.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Giok Po Oey."

BILL PASSED OVER

The bill (H. R. 7049) to revise, codify, and enact into law title 10 of the United States Code entitled "Armed Forces," and title 32 of the United States Code entitled "National Guard," was announced as next in order.

Mr. PURTELL. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

HIRAM W. CHITTENDEN LOCKS

The bill (H. R. 7943) to change the name of the Government locks at Ballard, Wash., to the "Hiram M. Chittenden locks" was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 9260) to amend title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes, was announced as next in order.

Mr. ERVIN. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

THOMAS J. SMITH

The bill (S. 3064) for the relief of Thomas J. Smith was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas J. Smith, of Beaver Dam, Va., the sum of $3,041.95, in full settlement of all claims against the United States for loss of salary, loss of annual leave, all caused by his having been separated without pay from the employment of the Public Housing Administration for the period from July 25, 1947, to March 1, 1948, which separation was unjustified and unwarranted as evidence by the findings of the Civil Service Commission in their opinion dated February 5, 1948, directing his reinstatement: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

IRENE MONTOYA

The Senate proceeded to consider the bill (S. 558) for the relief of Irene Montoya, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 8, after the word "of", to strike out "$25,000" and insert "$5,000", and on page 2, line 4, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Irene Montoya, Belen, N. Mex., in addition to the sum paid to such legal guardian under the provisions of Private Law 699, 79th Congress, the further sum of $5,000, in full satisfaction of her claim against the United States for compensation for expenses incident to the provision of artificial limbs and other expenses arising as a result of the loss of a leg in the explosion of a bomb which had been dropped and left unprotected in a field by the United States Army near Belen, N. Mex., on August 12, 1945: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PETER V. BOSCH

The Senate proceeded to consider the bill (S. 2815) for the relief of Peter V. Bosch, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the word "of", where it appears the first time, to strike out "$250" and insert "$175", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter V. Bosch, of Rugby, N. Dak., the sum of $175, representing the value of his Holstein cow which died shortly after and as a result of injuries sustained by her while undergoing an examination for disease conducted by representatives of the Disease Eradication Branch of the Agricultural Research Service of the Department of Agriculture on May 6, 1955: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MR. AND MRS. H. F. WEBB

The Senate proceeded to consider the bill (S. 3347) for the relief of Mr. and Mrs. H. F. Webb, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 5, after the word "of", to strike out "$1,400" and insert "$1,053.80", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,053.80 to Mr. and Mrs. H. F. Webb, of Forest, Miss., in full settlement of all claims against the United States. Such sum represents the payment for the loss of personal belongings of their son, Lt. Andrew F. Webb, United States Air Forces, who was killed in action during World War II: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANTHONY J. VARCA, JR.

The bill (H. R. 1403) for the relief of Anthony J. Varca, Jr., was considered, ordered to a third reading, read the third time, and passed.

CABRILLO LAND CO., OF SAN DIEGO, CALIF.

The bill (H. R. 1535) for the relief of the Cabrillo Land Co., of San Diego, Calif., was considered, ordered to a third reading, read the third time, and passed.

CHARLES A. BARRON

The bill (H. R. 3733) for the relief of Charles A. Barron was considered, ordered to a third reading, read the third time, and passed.

ONIE HACK

The bill (H. R. 3987) for the relief of Onie Hack was considered, ordered to a third reading, read the third time, and passed.

CPL. OSCAR H. MASH, JR.

The bill (H. R. 4456) for the relief of Cpl. Oscar H. Mash, Jr., was considered, ordered to a third reading, read the third time, and passed.

GERTRUDE I. KEEP

The bill (H. R. 5868) for the relief of Gertrude I. Keep was considered, ordered to a third reading, read the third time, and passed.

SAUL LEHMAN

The bill (H. R. 9106) for the relief of Saul Lehman was considered, ordered to a third reading, read the third time, and passed.

JESS GARY

The bill (H. R. 10011) for the relief of Jess Gary was considered, ordered to a third reading, read the third time, and passed.

A. O. NIESSEN AND DON NIESSEN

The bill (H. R. 10199) for the relief of A. O. Niessen and Don Niessen was considered, ordered to a third reading, read the third time, and passed.

M. SGT. HAROLD LEROY ALLEN

The bill (H. R. 11530), for the relief of M. Sgt. Harold LeRoy Allen, was considered, ordered to a third reading, read the third time, and passed.

ROY CLICK

The Senate proceeded to consider the bill (H. R. 10010) for the relief of Roy Click which had been reported from the Committee on the Judiciary with amendments on page 1, line 8, after the word "such", to strike out "sum" and insert "sums"; in line 9, after the name "Roy," to strike out "Click," and insert "Click"; on page 2, line 1, after the word "by", to strike out "him" and insert "them"; in line 3, after the word "Such", to strike out "sum represents" and insert "sums represent"; in line 4, after the name "Roy", to strike out "Click," and insert "Click"; and in line 7, after the word "to", to strike out "him" and insert "them."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act for the relief of Roy Click and Charlie Gardener Ford."

CAMILLUS BOTHWELL JETER

The bill (H. R. 11346) for the relief of Camillus Bothwell Jeter was considered, ordered to a third reading, read the third time, and passed.

EXCHANGE OF CERTAIN LANDS IN GEORGIA

The bill (H. R. 9339) to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee National Forest, Ga., and for other purposes was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 4059) providing for price reporting and research with respect to forest products was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

TERM PERMITS TO USE FOREST LANDS

The Senate proceeded to consider the bill (S. 2216) to amend the act of March 4, 1915 (38 Stat. 1086, 1101, 16 U. S. C. 497), which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 2, line 20, after the word "activity", to insert "The authority provided by this paragraph shall be exercised in such manner as not to preclude the general public from full enjoyment of the natural, scenic, recreational, and other aspects of the national forests.", so as to make the bill read:

Be it enacted, etc., That the last paragraph under the heading "Forest Service" in the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497), is amended to read as follows:

"The Secretary of Agriculture is authorized, under such regulations as he may make and upon such terms and conditions as he may deem proper, (a) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining hotels, resorts, and any other structures or facilities necessary or desirable for recreation, public convenience, or safety; (b) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding 5 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining summer homes and stores; (c) to permit the use and occupancy of suitable areas of land within the national forest, not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining buildings, structures, and facilities for industrial or commercial purposes whenever such use is related to or consistent with other uses on the national forests; (d) to permit any State or political subdivision thereof, or any public or nonprofit agency, to use and occupy suitable areas of land within the national forests not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining any buildings, structures, or facilities necessary or desirable for education or for any public use or in connection with any public activity. The authority provided by this paragraph shall be exercised in such manner as not to preclude the general public from full enjoyment of the natural, scenic, recreational, and other aspects of the national forests."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN REAL PROPERTY TO THE CITY OF BOISE, IDAHO

The Senate proceeded to consider the bill (S. 3133) to provide for the conveyance of certain real property of the United States to the city of Boise, Idaho.

Mr. MORSE. Mr. President, in reference to Calendar No. 2549, S. 3133, to provide for the conveyance of certain real property of the United States to the

city of Boise, Idaho, the bill provides in line 3:

That the Secretary of Agriculture is authorized to sell and convey to the city of Boise, Idaho, at market value as determined by him all the right, title, and interest of the United States in and to the real property.

There is no violation of the Morse formula, and I have no objection to the bill.

The PRESIDING OFFICER. The amendments of the committee will be stated.

The amendments of the Committee on Agriculture and Forestry were, on page 1, line 3, after the word "Agriculture", to strike out "shall" and insert "is authorized to sell and"; in line 4, after the word "Idaho", to insert "at market value as determined by him"; in line 9, after the word "meridian", to insert a colon and "*Provided*, That the funds received for said property shall be available to the Secretary of Agriculture for the purpose of providing in the city of Boise through purchase and/or construction office space and appurtenant facilities for use by the Forest Service in lieu of such facilities now afforded by the property herein authorized to be conveyed: *Provided further*, That as a condition of such conveyance the Secretary may in his discretion reserve to the United States for a period of 2 years from the date of the deed by the United States the right to use and occupy the premises herein authorized to be conveyed."; and on page 2, after line 8, to strike out:

"SEC. 2. The land conveyed pursuant to the provisions of this act shall be used only for public purposes and the conveyance herein authorized shall be made upon the express condition that if the land shall be used for other purposes, the conveyance shall be held to be forfeited and the title shall revert to the United States. The provisions of this section, however, shall cease to be in effect 25 years after the date of conveyance to the city," so as to make the bill read:

Be it enacted, etc., That the Secretary of Agriculture is authorized to sell and convey to the city of Boise, Idaho, at market value as determined by him all the right, title, and interest of the United States in and to the real property located in the city of Boise, Idaho, more particularly described as block 35 of the Boise City original townsite, section 10, township 3 north, range 2 east, Boise meridian: *Provided*, That the funds received for said property shall be available to the Secretary of Agriculture for the purpose of providing in the city of Boise through purchase and/or construction office space and appurtenant facilities for use by the Forest Service in lieu of such facilities now afforded by the property herein authorized to be conveyed: *Provided further*, That as a condition of such conveyance the Secretary may in his discretion reserve to the United States for a period of 2 years from the date of the deed by the United States the right to use and occupy the premises herein authorized to be conveyed.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS TO THE CHAMBER OF COMMERCE OF ROLLA, MO.

The Senate proceeded to consider the bill (H. R. 7723) to authorize the Secretary of Agriculture to convey certain lands in Philips County, Mo., to the Chamber of Commerce of Rolla, Mo., which had been reported from the Committee on Agriculture and Forestry with an amendment.

Mr. MORSE. Mr. President, I have no objection to House bill 7723, a bill to authorize the Secretary of Agriculture to convey certain lands in Philips County, Mo., to the Chamber of Commerce of Rolla, Mo. This bill deals with a piece of property donated to the Federal Government in the first place for certain Federal use. It is in excess of that use. The policy is very clear that when such property is in excess of the use for which it is intended it can revert to the State concerned.

Moreover, in this particular case, a portion of the property is to be used for National Guard purposes, namely, the building of a National Guard armory. That use falls within the line of precedents. If the land is proposed to be used for National Guard purposes, the Federal Government has an interest in the property.

The bill is sound, under the Morse formula, for two reasons. First, the land conveyed is in excess of the original need. The land was donated for a specific purpose, and all the property is no longer needed for that purpose. Second, the national defense interest is involved.

Mr. BIBLE. Mr. President, as I understand, the Senator is referring to House bill 7723.

Mr. MORSE. That is correct.

Mr. BIBLE. And the Senator has no objection?

Mr. MORSE. I have no objection, but in fairness to my colleagues they ought to have an explanation, because I am constantly being asked, "Why did you object to this one and not to that one?" Since 1946 my course of action has been perfectly consistent in connection with the application of the so-called Morse formula.

The PRESIDING OFFICER. The amendment will be stated.

The amendment of the Committee on Agriculture and Forestry was on page 2, after line 4, to insert:

SEC. 2. The conveyance authorized by this act shall provide that in the event that the lands cease to be used for public purposes all right, title, and interest therein shall immediately revert to and revest in the United States.

The amendment was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I send a brief statement to the desk and ask that it be printed in the RECORD, at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXPLANATION OF H. R. 7723

This bill provides for conveyance of a 5-acre tract to the Chamber of Commerce of Rolla, Mo. This 5-acre tract was part of a larger tract donated by the chamber to the Government in 1939. It is not needed by the Government and would be used by the chamber for a National Guard armory site and for a city park. The committee amendment would require the land to be devoted to public purposes.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (H. R. 11611) to provide for the establishment of the Pea Ridge National Military Park in the State of Arkansas was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 11766) to provide for the establishment of Horseshoe Bend National Military Park, in the State of Alabama, was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

TERMINATION OF SUPERVISION OVER THE PROPERTY OF THE OTTAWA TRIBE OF INDIANS

The bill (S. 3969) to provide for the termination of Federal supervision over the property of the Ottawa Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the purpose of this act is to provide for the termination of Federal supervision over the trust and restricted property of the Ottawa Tribe of Indians located in northeastern Oklahoma and the individual members thereof, and for a termination of Federal services furnished to such Indians because of their status as Indians.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to transfer within 3 years after the date of this act to each member of the Ottawa Tribe unrestricted title to funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrance by the owners of trust or restricted lands that were originally allotted to persons who were at the time of allotment members of the Ottawa Tribe, regardless of whether such owners are themselves members of such tribe, and all restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor), regardless of where the land is located, are hereby removed 3 years after the date of this act, and the patents or deeds under which titles are then held shall pass the titles in fee simple subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance 3 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of the tribe, the Secretary may:

(1) Upon request of any of the owners made within 2 years after the date of this act, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted 3 years from the date of this act;

(2) Upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof, and distribute the proceeds of sale to the owners: *Provided,* That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) If the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

SEC. 3. (a) The act of June 25, 1910 (36 Stat. 855), the act of February 14, 1913 (37 Stat. 678), and other acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of the Ottawa Tribe who die 6 months or more after the date of this act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribe who die 6 months or more after the date of this act.

SEC. 4. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this act, the Secretary of the Interior shall protect the rights of members of the tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

SEC. 5. Pending the completion of the property dispositions provided for in this act, the funds now on deposit or hereafter deposited in the Treasury of the United States to the credit of the Ottawa Tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary of the Interior.

SEC. 6. The Secretary of the Interior shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this act, or to establish a marketable and recordable title to any property disposed of pursuant to this act.

SEC. 7. Nothing in this act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary of the Interior any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency, or to a State agency with the consent of such agency and the other party or parties to such instrument.

SEC. 8. (a) The Federal trust relationship to the affairs of the Ottawa Tribe and its members shall terminate 3 years after the date of this act, and thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians. All statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of the Ottawa Tribe as citizens of the United States.

(c) Prior to the termination of the Federal trust relationship in accordance with the provisions of this section, the Secretary of the Interior is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

SEC. 9. (a) Effective 3 years after the date of this act, the corporate charter issued pursuant to the act of June 26, 1936 (49 Stat. 1967), as amended, to the Ottawa Tribe of Oklahoma and ratified by the tribe on November 30, 1938, is hereby revoked.

(b) Effective 3 years after the date of this act, all powers of the Secretary of the Interior or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the Ottawa Tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States.

SEC. 10. Nothing in this act shall affect any claims heretofore filed against the United States by the Ottawa Tribe.

SEC. 11. Nothing in this act shall abrogate any water rights of the Ottawa Tribe or its members.

SEC. 12. The Secretary of the Interior is authorized to issue rules and regulations necessary to effectuate the purposes of this act and may in his discretion provide for tribal referendums on matters pertaining to management or disposition of tribal assets.

SEC. 13. All acts or parts of acts inconsistent with this act are hereby repealed insofar as they affect the Ottawa Tribe or its members. The act of June 26, 1936 (49 Stat. 1967), and the act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members 3 years after the date of this act.

SEC. 14. If any provision of this act, or the application thereof, to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 15. (a) The tribe shall have a period of 6 months from the date of this act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this act, which shall be published in the Federal Register. The proposed roll shall be prepared in accordance with eligibility requirements prescribed in the tribe's constitution and bylaws. If the tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or any interest in its assets, or a representative of the Secretary on behalf of any such person, may, within 60 days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this act.

(b) No property distributed under the provisions of this act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided,* That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

TERMINATION OF SUPERVISION OVER THE PROPERTY OF THE WYANDOTTE TRIBE OF INDIANS

The bill (S. 3970) to provide for the termination of Federal supervision over the property of the Wyandotte Tribe of Indians and the individual members thereof, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the purpose of this act is to provide for the termination of Federal supervision over the trust and restricted property of the Wyandotte Tribe of Oklahoma and the individual members thereof, and for a termination of Federal services furnished to such Indians because of their status as Indians.

SEC. 2. For the purposes of this act:

(a) "Tribe" means the Wyandotte Tribe of Oklahoma.

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" means real property, interest therein, or improvement thereon, and include water rights.

(d) "Tribal property" means any real or personal property, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

SEC. 3. The tribe shall have a period of 6 months from the date of this act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this act, which shall be published in the Federal Register. The proposed roll shall be prepared in accordance with eligibility requirements prescribed in the tribe's constitution and bylaws. If the tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, of a representative of the Secretary on behalf of any such person, may, within 60 days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any

person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this act.

SEC. 4. Upon publication in the Federal Register of the final roll as provided in section 3 of this act, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 5 of this act without the approval of the Secretary. Any contract made in violation of this section shall be null and void.

SEC. 5. (a) Upon the request of the tribe, the Secretary is authorized within 3 years from the date of this act to transfer to a corporation or other legal entity organized by the tribe in a form satisfactory to the Secretary title to all or any part of the tribal property, or to transfer to one or more trustees designated by the tribe and approved by the Secretary title to all or any part of such property to be held in trust for management or liquidation purposes under such terms and conditions as may be specified by the tribe and approved by the Secretary, or to distribute pro rata among the members of the tribe all or any part of such property, or to sell all or any part of such property and make a pro rata distribution of the proceeds of sale among the members of the tribe after deducting, in his discretion, reasonable costs of sale and distribution.

(b) Title to any tribal property that is not transferred in accordance with the provisions of subsection (a) of this section shall be transferred by the Secretary to one or more trustees designated by him for the liquidation and distribution of assets among the members of the tribe under such terms and conditions as the Secretary may prescribe: *Provided,* That the trust agreement shall provide for the termination of the trust not more than 3 years from the date of such transfer unless the terms of the trust is extended by order of a judge of a court of record designated in the trust agreement: *Provided further,* That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary.

(c) Title to the tract of land in Kansas City, Kans., that was reserved for a public burying ground under article 2 of the treaty dated January 31, 1855 (10 Stat. 1159), with the Wyandotte Tribe of Indians shall be transferred or sold in accordance with subsections (a) and (b) of this section, and the proceeds from any sale of the land may be used to remove and reinter the remains of persons who are buried there, to move any monuments now located on the graves, and to erect at reasonable cost one appropriate monument dedicated to the memory of the departed members of the Wyandotte Tribe: *Provided,* That if S. 1335 or comparable legislation is enacted by the 84th Congress, any sale or transfer of such land shall be deferred until 3 months after the report required by such legislation has been submitted to Congress, during which time Congress shall decide whether to provide for the sale or disposition of the land on the basis of such report.

(d) The Secretary shall not approve any form of organization pursuant to subsection (a) of this section that provides for the transfer of stock or an undivided share in corporate assets as compensation for the services of agents or attorneys unless such transfer is based upon an appraisal of tribal assets that is satisfactory to the Secretary.

(e) When approving or disapproving the selection of trustees in accordance with the provisions of subsection (a) of this section, the Secretary shall give due regard to the laws of the State of Oklahoma that relate to the selection of trustees.

SEC. 6 (a) The Secretary is authorized and directed to transfer within 3 years after the date of this act to each member of the tribe unrestricted title to funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrance by the owners of trust or restricted lands that were originally allotted to persons who were at the time of allotment members of the tribe, regardless of whether such owners are themselves members of such tribe, and all restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor), regardless of where the land is located, are hereby removed 3 years after the date of this act and the patents or deeds under which titles are then held shall pass the titles in fee simple subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance 3 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of the tribe, the Secretary may—

(1) upon request of any of the owners made within 2 years after the date of this act, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted 3 years from the date of this act;

(2) upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof, and distribute the proceeds of sale to the owners: *Provided,* That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) if the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

SEC. 7. (a) The act of June 25, 1910 (36 Stat. 855), the act of February 14, 1913 (37 Stat. 678), and other acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of the tribe who die 6 months or more after the date of this act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribe who die 6 months or more after the date of this act.

SEC. 8. No property distributed under the provisions of this act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided,* That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

SEC. 9. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this act, the Secretary shall protect the rights of members of the tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

SEC. 10. Pending the completion of the property dispositions provided for in this act, the funds now on deposit or hereafter deposited in the Treasury of the United States to the credit of the tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary.

SEC. 11. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this act, or to establish a marketable and recordable title to any property disposed of pursuant to this act.

SEC. 12. Nothing in this act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency, or to a State agency with the consent of such agency and the other party or parties to such instrument.

SEC. 13. (a) Upon removal of Federal restrictions on the property of the tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of the tribe as citizens of the United States.

(c) Prior to the issuance of a proclamation in accordance with the provisions of this section, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or persons. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

SEC. 14. (a) Effective on the date of the proclamation provided for in section 13 of

this act, the corporate charter issued pursuant to the act of June 26, 1936 (49 Stat. 1967), as amended, to the Wyandotte Tribe of Oklahoma and ratified by the tribe on July 24, 1937, is hereby revoked.

(b) Effective on the date of the proclamation provided for in section 13 of this act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States.

SEC. 15. Nothing in this act shall affect any claims heretofore filed against the United States by the tribe.

SEC. 16. Nothing in this act shall abrogate any water rights of a tribe or its members.

SEC. 17. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this act and may in his discretion provide for tribal referendums on matters pertaining to management or disposition of tribal assets.

SEC. 18. All acts or parts of acts inconsistent with this act are hereby repealed insofar as they affect the tribe or its members. The act of June 26, 1936 (49 Stat. 1967), and the act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members after the date of the proclamation provided for in section 3 of this act.

SEC. 19. If any provision of this act, or the application thereof, to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

TERMINATION OF SUPERVISION OVER THE PROPERTY AF THE PEORIA TRIBE OF INDIANS, OKLAHOMA

The Senate proceeded to consider the bill (S. 3968) to provide for the termination of Federal supervision over the property of the Peoria Tribe of Indians in the State of Oklahoma, and the individual members thereof, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, line 6, after the word "held", to strike out "such" and insert "shall", so as to make the bill read:

Be it enacted, etc., That the purpose of this act is to provide for the termination of Federal supervision over the affairs of the Peoria Tribe of Indians located in northeastern Oklahoma and the individual members thereof, and for a termination of Federal services furnished to such Indians because of their status as Indians.

SEC. 2. All restrictions on the sale or encumbrance of trust or restricted land owned by members of the Peoria Tribe of Indians of Oklahoma (including allottees, heirs, and devisees, either adult or minor), regardless of where the land is located, are hereby removed 3 years after the date of this act, and the patents or deeds under which titles are then held shall pass the titles in fee simple subject to any valid encumbrance. The titles to all interest in trust or restricted land acquired by members of the tribe by devise or inheritance 3 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance.

SEC. 3. (a) The Federal trust relationship to the affairs of the Peoria Tribe and its members shall terminate 3 years after the date of this act, and thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians (including the act of June 26, 1936 (49 Stat. 1967), and the act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378)) shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of the tribe as citizens of the United States.

(c) Prior to the termination of the Federal trust relationship in accordance with the provisions of this section, the Secretary of the Interior is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

SEC. 4. (a) Effective when all claims of the tribe that are now pending before the Indian Claims Commission or the Court of Claims have been finally adjudicated, the corporate charter issued pursuant to the act of June 26, 1936 (49 Stat. 1967), as amended, is hereby revoked.

(b) Effective when all claims of the tribe that are now pending before the Indian Claims Commission or the Court of Claims have been finally adjudicated, all powers of the Secretary of the Interior or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States.

SEC. 5. Nothing in this act shall affect any claims heretofore filed against the United States by the Peoria Tribe.

SEC. 6. The Peoria Tribe shall have a period of 6 months from the date of this act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this act, which shall be published in the Federal Register. The proposed roll shall be prepared in accordance with eligibility requirements prescribed in the tribe's constitution and bylaws. If the tribe fails to submit such roll within the time specified in this section, the Secretary of the Interior shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or any interest in its assets, or a representative of the Secretary on behalf of any such person, may, within 60 days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DR. ANTON M. LODMELL

The Senate proceeded to consider the bill (S. 2419) for the relief of Dr. Anton M. Lodmell, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the word "of", to strike out "$550" and insert "$138.40", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. Anton M. Lodmell, of Walla Walla, Wash., the sum of $138.40. The payment of such sum shall be in full satisfaction of all claims of the said Dr. Anton M. Lodmell arising out of the occupancy and use by the United States Forest Service, Department of Agriculture, of approximately 1 acre of land situated in Umatilla County, Oreg., as a temporary road construction camp for the period July 1, 1948, to December 15, 1953: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF POSTAL FIELD SERVICE COMPENSATION ACT OF 1955

The Senate proceeded to consider the bill (S. 4060) to amend section 607 of the Postal Field Service Compensation Act of 1955 to include employees in the Motor Vehicle Service, which had been reported from the Committee on Post Office and Civil Service with an amendment, on page 1, after line 9, to insert:

SEC. 2. As used in this section in reference to employees in the Motor Vehicle Service the term "assigned to road duty" means assignment to a Motor Vehicle Service route which is not less than 50 miles in length one way.

SEC. 3. Subsection (b) of section 605 of the Postal Field Service Compensation Act of 1955 is amended by inserting after the words "Postal Transportation Service" the words "and the Motor Vehicle Service."

So as to make the bill read:

Be it enacted, etc., That section 607 of the Postal Field Service Compensation Act of 1955 is amended by inserting after the words "Postal Transportation Service" wherever they appear therein the words "and the Motor Vehicle Service". The heading of such

section is amended to read as follows: "Employees in the Postal Transportation Service and the Motor Vehicle Service."

SEC. 2. As used in this section in reference to employees in the Motor Vehicle Service the term "assigned to road duty" means assignment to a Motor Vehicle Service route which is not less than 50 miles in length one way.

SEC. 3. Subsection (b) of section 605 of the Postal Field Service Compensation Act of 1955 is amended by inserting after the words "Postal Transportation Service" the words "and the Motor Vehicle Service."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that a statement on the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

The purpose of this measure is to put employees of the Motor Vehicle Service who are assigned to road duty on the same basis as employees of the Postal Transportation Service who also are assigned to road duty.

The bill, if passed, will enable the Postmaster General to treat both groups of employees in a like manner in such matters as the fixing of tours of duty, allowances, and overtime assignments.

The committee amendment is merely to conform other sections of the postal-pay bill to fully effectuate the bill.

PAYMENT OF GRATUITY TO MARGARET T. JEFFERDS

The resolution (S. Res. 311) to pay a gratuity to Margaret T. Jefferds was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Margaret T. Jefferds, widow of Warren C. Jefferds, an employee of the Senate at the time of his death, a sum equal to 1 year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

RESOLUTION AND BILLS PASSED OVER

The resolution (S. Res. 303) increasing the limit of expenditures for conducting a study by the Committee on the Judiciary of juvenile delinquency in the United States was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PURTELL. Mr. President, I ask that the resolution (S. Res. 303); Calendar No. 2567, S. 3822, to amend the Atomic Energy Community Act of 1955, and for other purposes; Calendar No. 2568, S. 2643, to promote the common defense and the general welfare of the people of the United States by encouraging maximum development of low-cost electric energy from all sources of power; and Calendar No. 2569, S. 4203, to amend the Atomic Energy Act of 1954, as amended, and for other purposes, be passed over.

The PRESIDING OFFICER. The resolution and bills will be passed over.

Mr. LANGER. Mr. President, I wish to give notice that at the earliest possible moment I shall move the consideration of Calendar No. 2566, Senate Resolution 303.

COMPACT BETWEEN CERTAIN STATES RELATING TO THE WATERS OF THE LITTLE MISSOURI RIVER

The Senate proceeded to consider the bill (S. 3417) granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact relating to their interest in, and the apportionment of, the waters of the Little Missouri River and its tributaries as they affect such States, and for related purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 2, after line 13, to strike out:

SEC. 2. There is hereby authorized to be appropriated a sufficient sum to pay the salary and expenses of the representative of the United States appointed hereunder: *Provided*, That such representative if otherwise employed by the United States while so employed shall not receive additional salary in the appointment hereunder.

And insert:

SEC. 2. (a) The Federal representative shall be appointed by the President, and shall report to the President either directly or through such agency or official of the Government as the President may specify.

(b) The Federal representative shall receive compensation and shall be entitled to travel expenses, including per diem in lieu of subsistence, in the same manner as provided for experts and consultants under sections 5 and 15 of the Administrative Expenses Act of 1946 and the Travel Expense Act of 1949, except (1) that his term of service shall be governed by the terms of this act and shall not be affected by the time limitations of said section 15, and (2) his per diem rate of compensation shall be in such amount, not in excess of $100, as the President shall specify, but the total amount of compensation payable in any one calendar year shall not exceed $15,000: *Provided*, That if the Federal representative be an employee of the United States he shall serve without additional compensation: *Provided further*, That a retired military officer, or a retired Federal civilian officer or employee, may be appointed as such representative without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity, but the sum of his retired pay or annuity and such compensation as may be payable hereunder shall not exceed $15,000 in any one calendar year.

(c) The Federal representative shall be provided with office space, consulting, engineering, and stenographic service, and other necessary administrative services.

(d) The compensation of the Federal representative shall be paid from the current appropriation for salaries in the White House Office. Travel and other expenses provided for in subsections (b) and (c) of this section shall be paid from any current appropriation or appropriations selected by the head of such agency or agencies as may be designated by the President to provide for such expenses.

So as to make the bill read:

Be it enacted, etc., That the consent of the Congress is hereby given to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact relating to the interests of such States in the development, protection from pollution, and the use of the water resources of the Little Missouri River and its tributaries, and providing for an equitable apportionment among them of the waters of the Little Missouri River and its tributaries, and for matters incidental thereto, upon the condition that one qualified person appointed by the President of the United States shall participate in such negotiations as chairman, representing the United States, and shall make a report to the President of the United States and the Congress of the proceedings and of any compact entered into. Such compact shall not be binding or obligatory upon any of the parties thereto unless or until the same shall have been ratified by the legislature of each of the respective States, and consented to by the Congress of the United States.

SEC. 2. (a) The Federal representative shall be appointed by the President, and shall report to the President either directly or through such agency or official of the Government as the President may specify.

(b) The Federal representative shall receive compensation and shall be entitled to travel expenses, including per diem in lieu of subsistence, in the same manner as provided for experts and consultants under sections 5 and 15 of the Administrative Expenses Act of 1946 and the Travel Expense Act of 1949, except (1) that his term of service shall be governed by the terms of this act and shall not be affected by the time limitations of said section 15, and (2) his per diem rate of compensation shall be in such amount, tion payable in any one calendar year shall specify, but the total amount of compensation payable in any one calendar year shall not exceed $15,000: *Provided*, That if the Federal representative be an employee of the United States he shall serve without additional compensation: *Provided further*, That a retired military officer, or a retired Federal civilian officer or employee, may be appointed as such representative without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity, but the sum of his retired pay or annuity and such compensation as may be payable hereunder shall not exceed $15,000 in any one calendar year.

(c) The Federal representative shall be provided with office space, consulting, engineering, and stenographic service, and other necessary administrative services.

(d) The compensation of the Federal representative shall be paid from the current appropriation for salaries in the White House Office. Travel and other expenses provided for in subsections (b) and (c) of this section shall be paid from any current appropriation or appropriations selected by the head of such agency or agencies as may be designated by the President to provide for such expenses.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 3594) to authorize construction by the Secretary of the Interior of Farwell unit, Nebraska, of the Missouri River Basin project, was announced as next in order.

Mr. ERVIN. Mr. President, I have been requested to ask that the bill go over, on the ground that it is not a proper bill for consideration on the call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4205) to provide funds to pay nationals of the United States who have war-damage claims against Germany and Japan without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended, was announced as next in order.

Mr. ERVIN. Mr. President, I have been requested to ask that this bill go over.

The PRESIDING OFFICER. The bill will be passed over.

GRANTING OF INCREASES IN ANNUITIES TO CERTAIN CIVILIAN EMPLOYEES OF THE PANAMA CANAL

The bill (H. R. 842) granting increases in the annuities of certain former civilian officials and employees engaged in and about the construction of the Panama Canal, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an explanation of the bill which was just passed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

The purpose of this measure is to provide an increase in the annuities of certain former Federal employees engaged in the construction of the Panama Canal. These employees, of whom there are approximately 2,700 still living, did not receive an increase last year at the time cost-of-living increases were granted to former employees on the civil service retirement roll.

Specifically, the bill would increase the annuities of this small group of former employees who were not given an increase last year by $25 per month, or 25 percent of their present annuities, whichever is less, but no annuity would be increased beyond $2,160 per year. Enactment of this measure has been recommended by the Bureau of the Budget and the Civil Service Commission.

REQUIREMENT OF INFORMATION FOR CONGRESS REGARDING SUBSTANTIVE LEGISLATIVE PROPOSALS

The bill (H. R. 10368) to amend the Civil Service Act of January 16, 1883, so as to require that certain reports and other communications of the executive branch to Congress contain information pertaining to the number of civilian officers and employees required to carry out additional or expanded functions, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk a brief statement and ask unanimous consent that it may be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to assure that each congressional committee is adequately informed as to the cost of and number of employees required to carry out substantive legislative proposals.

The bill requires a brief report from the executive department when such legislation is proposed that will show the number of man-years of employment by general categories of positions. An estimate is also required of expenditures for all purposes other than personnel services.

Fulfilling the requirements of the bill will not impose a burden on the agencies nor will it result in any appreciable increase in cost. It will, however, enable Congress to consider proposed legislation with a full understanding of the cost involved.

BILL PASSED OVER

The bill (S. 2648) to encourage the discovery, development, and production of tin in the United States, its Territories, and possessions was announced as next in order.

Mr. CAPEHART. Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN LANDS OF THE STANDING ROCK RESERVATION, N. DAK.

The bill (H. R. 8005) to provide for the conveyance to the Mathew American Horse American Legion Post, No. 259, Cannon Ball, N. Dak., of certain lands upon the Standing Rock Reservation, N. Dak., for use as a site for the erection of a memorial monument in honor of members of the Armed Forces killed in battle was considered, ordered to a third reading, read the third time, and passed.

ORDER TO CONSIDER SUPPLEMENTAL APPROPRIATION BILL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at the conclusion of the call of the calendar it may be in order to consider the supplemental appropriation bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

CERTAIN FUNDS HELD IN TRUST FOR THE SEMINOLE INDIANS

The bill (H. R. 9451) to provide that certain lands shall be held in trust for the Seminole Indians and to provide that certain lands shall be designated as a reservation for Seminole Indians was announced as next in order.

Mr. DIRKSEN. Mr. President, I think the Senator from Idaho wishes to be present during the consideration of this bill, and I ask that it may go to the foot of the calendar.

Mr. PURTELL. Mr. President, we have since discussed the bill with the Senator from Idaho, and I understand that his objection has been removed.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H. R. 9451) was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF LOWER LAKE RANCHERIA TO LAKE COUNTY, CALIF.

The bill (H. R. 11163) to amend section 2 of the act of March 29, 1956 (70 Stat. 58), authorizing the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

REDUCTION IN POSTAGE RATES ON CERTAIN ARTICLES SENT ABROAD FOR RELIEF PURPOSES

The bill (S. 3500) to reduce postage rates on parcels pertaining only to food, clothing, medicines, or drugs sent abroad by mail for relief purposes was announced as next in order.

Mr. PURTELL. Over, Mr. President.

Mr. LEHMAN. Mr. President, will the Senator withhold his objection?

Mr. PURTELL. I shall be glad to withhold my objection.

Mr. LEHMAN. Mr. President, this bill is a very simple one, and there has been no objection to it, so far as I know, from any official source. It merely authorizes the President upon the declaration of a serious situation abroad, to reduce the postal rates, within his discretion, on relief parcels to be sent to any foreign country or any area of the United States, including our Territories. Such relief packages are limited to food, clothing, medicines, or drugs sent abroad by mail for relief purposes only.

The bill has been unanimously reported by the committee, and there is no objection on the part of either the Budget Bureau or the Postmaster General. It seems to me to be a very meritorious bill.

Mr. PURTELL. The bill originally provided for shipments to foreign countries. As the bill now comes before the Senate, it provides for domestic and foreign shipments also. I should like to ask the Senator how it is possible to administer the bill at a domestic level. If I may have an explanation of how it can be administered locally, I shall be glad to remove my objection.

Mr. LEHMAN. I imagine it would be administered in exactly the same way. Of course, the discretion lies entirely with the President. The Postmaster General is required to make a report.

Mr. PURTELL. If a person wished to mail at the reduced rate a package from one place in the United States to another place in the United States, how would it actually be done?

Mr. LEHMAN. Mr. President, I yield to the distinguished chairman of the Committee on Post Office and Civil Service. This is a committee amendment, and I am sure the chairman of the committee can explain it.

Mr. JOHNSTON of South Carolina. Mr. President, the bill, if the proposed committee amendment is adopted—and

I hope it will be—would authorize the President to reduce postage rates on relief parcels mailed to organizations or individuals in a foreign country or in any area in the United States, including the Territories and possessions thereof, whenever he determines that a disaster has occurred the effects of which might be alleviated thereby.

Such reduced rates would remain in effect only for such time as the President deems appropriate.

The bill provides further, that the Postmaster General shall, at the close of each fiscal year, notify the President of the loss in postal receipts due to carrying relief packages at reduced rates and that the President shall reimburse the Post Office Department for such loss out of funds appropriated therefor.

It is a matter of the President working in conjunction with the Postmaster General.

Mr. PURTELL. Mr. President, are the chairmen of the committee and of the subcommittee satisfied that the law could be administered at the local level without involving too many problems?

Mr. JOHNSTON of South Carolina. The Post Office Department says it can be.

Mr. PURTELL. Mr. President, that removes my objection.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with amendments on page 1, line 4, after the word "in", to insert "any area in the United States, including the Territories and possessions thereof, or in"; in line 10, after the word "such", to insert "area or"; and on page 2, line 9, after the word "of", to strike out "fund" and insert "funds"; so as to make the bill read:

Be it enacted etc., That, whenever the President determines that a disaster has occurred in any area in the United States, including the Territories and possessions thereof, or in any foreign country the effects of which may be alleviated by relief packages from organizations and individuals in the United States, he is authorized to reduce the rates of postage on relief packages mailed in the United States for delivery to organizations or individuals in such area or foreign country. Such reduced rates shall remain in effect for such period of time as the President may specify.

SEC. 2. The Postmaster General shall, at the close of each fiscal year, notify the President of the loss in postal receipts to the Post Office Department caused by transmitting during such year relief packages at reduced rates provided for by the first section of this act. The President shall reimburse the Post Office Department for such loss in postal receipts out of funds appropriated therefor under the authority of this act.

SEC. 3. As used in this act, the term "relief packages" means any packages containing only food, clothing, medicines, or drugs, intended as a gift for relief purposes, and not for resale.

SEC. 4. There are hereby authorized to be appropriated to the President such sums as may be necessary to carry out the purposes of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to reduce postage rates on parcels containing only food, clothing, medicines, or drugs sent by mail for relief purposes."

ESTABLISHMENT OF VIRGIN ISLANDS NATIONAL PARK

The Senate proceeded to consider the bill (H. R. 5299) to authorize the establishment of the Virgin Islands National Park, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment, to strike out all after the enacting clause and insert:

That a portion of the Virgin Islands of the United States, containing outstanding scenic and other features of national significance, shall be established, as prescribed in section 2 hereof, as the "Virgin Islands National Park."

The national park shall be administered and preserved by the Secretary of the Interior in its natural condition for the public benefit and inspiration, in accordance with the laws governing the administration of the National Parks (16 U. S. C. 1, and the following).

SEC. 2. The Secretary of the Interior is hereby authorized, subject to the following conditions and limitations, to proceed in such manner as he shall find to be necessary in the public interest to consummate the establishment of the Virgin Islands National Park:

(a) The acreage of the national park shall be limited to a total of not more than 9,500 acres of land area, such total to be comprised of not more than 50 acres on the Island of St. Thomas, and not more than 9,450 additional acres to be comprised of portions of the Island of St. John and such small islands, rocks, and cays not in excess of 1,000 acres in the general vicinity thereof as may be desirable for inclusion within the park.

(b) Tentative exterior boundary lines, to include land not in excess of the aforesaid acreage limitations, may be selected for the park in order to establish the particular areas in which land may be acquired pursuant to this act, such tentative boundaries to be selected and adjusted as may be necessary by the Secretary of the Interior.

(c) The Secretary, on behalf of the United States, is authorized to accept donations of real and personal property within the areas selected for the park until such time as the aforesaid total of 9,500 acres shall have been acquired for the park by the United States, and he may also accept donations of funds for the purposes of this act.

(d) Funds made available for purposes of this act may be used by the Secretary in such manner as he shall find to be in the public interest, in order to procure by purchase or otherwise, land or interests therein for the park.

(e) Any Federal properties situated within the areas selected for the park, upon agreement by the particular agency administering such properties that such properties should be made available for the park, may be transferred without further authorization to the Secretary by such agency for purposes of this act.

(f) Establishment of the Virgin Islands National Park, in its initial phase, shall be and is hereby declared to be accomplished and effective for purposes of administration when a minimum acreage of not less than 5,000 acres in Federal ownership for purposes of this act shall have been acquired by the United States in specific areas containing such acquired lands to be designated by the Secretary.

(g) Notice of the establishment of the park as authorized and prescribed by this act shall be published in the Federal Register.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 5299) was read the third time and passed.

Mr. JACKSON subsequently said: Mr. President, this morning, the Senate passed H. R. 5299, a bill to establish a National Park in the Virgin Islands of the United States, with an amendment in the nature of a substitute.

The Senate amendment, Mr. President, consisted of the House bill in its original form, containing the provisions recommended by the National Park Service and the Bureau of the Budget.

Mr. President, I move that the Senate insist upon its amendment, request a conference thereon with the House of Representatives, and the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JACKSON, Mr. BIBLE, Mr. LAIRD, Mr. KUCHEL, and Mr. GOLDWATER conferees on the part of the Senate.

DETERMINATION OF RIGHTS AND INTERESTS OF THE NAVAHO TRIBE AND HOPI TRIBE OF INDIANS

The Senate proceeded to consider the bill (S. 4086) to determine the rights and interests of the Navaho Tribe, Hopi Tribe, and individual Indians to the area set aside by the Executive order of December 6, 1882, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, line 3, after the word "the", to insert "lands described in the Executive order dated December 16, 1882, are hereby declared to be held by the United States in trust for the Indians who are entitled to be thereon pursuant to such Executive order. "The"; on page 2, line 1, after the word "and", to insert "on behalf of"; in line 3, after the word "December", to strike out "6" and insert "16"; and on page 3, line 14, after the word "of", to strike out "any rights or interests in" and insert "the merits of the conflicting Indian claims to", so as to make the bill read:

Be it enacted, etc., That the lands described in the Executive order dated December 16, 1882, are hereby declared to be held by the United States in trust for the Indians who are entitled to be thereon pursuant to such Executive order. The Navaho Indian Tribe and the Hopi Indian Tribe, acting through the chairmen of their respective tribal councils for and on behalf of said tribes, including all villages and clans thereof, and on behalf of any Navaho or Hopi Indians claiming an interest in the area set aside by Executive order dated December 16, 1882, and the Attorney General on behalf of the United States, are each hereby authorized to commence or defend in the United States District Court for the District of Arizona an action against each other and any other tribe or Indians claiming any interest in or to the area described in such Executive order for the purpose of determining the rights and interests of said parties in and to said

lands and quieting title thereto in the tribes or Indians establishing such claims as may be just and fair in law and equity. The action shall be heard and determined by a district court of three judges in accordance with the provisions of title 28, United States Code, section 2284, except that no judge from the State of Arizona shall serve thereon, and any party may appeal directly to the Supreme Court from the final determination by such three-judge district court.

SEC. 2. Any lands in which the Navaho Indian Tribe or individual Navaho Indians are determined by the court to have the exclusive interest shall thereafter be a part of the Navaho Indian Reservation. Any lands in which the Hopi Indian Tribe, including any Hopi village or clan thereof, or individual Hopi Indians are determined by the court to have the exclusive interest shall thereafter be a reservation for the Hopi Indian Tribe. If the court determines that the said Navaho Tribe, Hopi Tribe, including any Hopi village or clan thereof, or individual Indians have a joint or undivided interest in any part of the lands subject to section 1 of this act, the court shall determine the reservation to which such lands shall be added as in its opinion shall be fair, just, and equitable. The Navaho and Hopi Tribes, respectively, are authorized to sell, buy, or exchange any lands within their reservations, with the approval of the Secretary of the Interior, and any such lands acquired by either tribe through purchase or exchange shall become a part of the reservation of such tribe.

SEC. 3. Nothing in this act shall be deemed to be a congressional determination of the merits of the conflicting Indian claims to the lands that are subject to adjudication pursuant to this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to provide that the United States hold in trust for the Indians entitled to the use thereof the lands described in the Executive order of December 16, 1882, and for adjudicating the conflicting claims thereto of the Navaho and Hopi Indians, and for other purposes."

CONSTRUCTION OF DAM ON NORTH BRANCH OF THE POTOMAC RIVER

The bill (S. 4099) granting the consent of Congress to the Pittsburgh Plate Glass Co. for the construction of a dam on the North Branch of the Potomac River was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That authority is granted to the Pittsburgh Plate Glass Co. to construct, maintain, and operate a dam on the North Branch of the Potomac River near North Branch, Md., at a point suitable to the interests of navigation approximately 5 miles south of Cumberland, Md.

SEC. 2. Work shall not be commenced on such dam until the plans therefor, including plans for all accessory works, are submitted to and approved by the Secretary of the Army and the Chief of Engineers, who may impose such conditions and stipulations as they deem necessary to protect the interests of the United States.

SEC. 3. The authority granted by this act shall terminate if the actual construction of the dam hereby authorized is not commenced within 1 year and completed within 3 years from the date of enactment of this act.

SEC. 4. The right to alter, amend, or repeal this act is expressly reserved.

MUNICIPAL USE OF STORAGE WATER IN BENBROOK DAM, TEX.

The bill (H. R. 10964) to provide for municipal use of storage water in Benbrook Dam, Tex., was considered, ordered to a third reading, read the third time, and passed.

AUTHORIZATION FOR THE MILITARY DEPARTMENTS AND THE COAST GUARD TO INCUR CERTAIN EXPENSES

The bill (H. R. 7646) to authorize the Secretaries of the Military Departments, and the Secretary of the Treasury with respect to the Coast Guard, to incur expenses incident to the representation of their personnel before judicial tribunals and administrative agencies of any foreign nation was considered, ordered to a third reading, read the third time, and passed.

PUNISHMENT FOR FRAUDULENT ACCEPTANCE OF BENEFITS UNDER THE DEPENDENTS ASSISTANCE ACT OF 1950

The bill (H. R. 10683) to amend the Dependents Assistance Act of 1950, as amended, so as to provide punishment for fraudulent acceptance of benefits thereunder was considered, ordered to a third reading, read the third time, and passed.

PUBLISHING OF OFFICIAL REGISTERS BY SECRETARIES OF THE ARMY, THE NAVY, AND THE AIR FORCE

The bill (H. R. 2111) to authorize the Secretaries of the Army, the Navy, and the Air Force to cause to be published official registers for their respective services was considered, ordered to a third reading, read the third time, and passed.

APPOINTMENT OF DIRECTOR AND ASSISTANT DIRECTORS OF THE UNITED STATES MARINE CORPS BAND

The bill (H. R. 8290) to provide for the appointment and promotion of the director and assistant directors of the band of the United States Marine Corps, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

PAYMENTS TO SURVIVORS OF FORMER MEMBERS OF THE ARMED FORCES FOR UNUSED LEAVE CREDIT

The bill (H. R. 9246) to amend the Armed Forces Leave Act of 1946 by authorizing payments to survivors of former members for unused leave credit was considered, ordered to a third reading, read the third time, and passed.

REQUIRING ENLISTED MEMBERS OF THE ARMED FORCES TO MAKE UP TIME LOST DURING ENLISTMENTS

The bill (H. R. 8407) to require enlisted members of the Armed Forces to make up time lost during enlistments was considered, ordered to a third reading, read the third time, and passed.

PHYSICAL EXAMINATIONS PRELIMINARY TO PROMOTION OF OFFICERS OF THE NAVAL SERVICE

The bill (H. R. 9892) to amend the provisions of the Revised Statutes, relating to physical examinations preliminary to promotion of officers of the naval service was considered, ordered to a third reading, read the third time, and passed.

ESTABLISHMENT OF DATE OF RANK FOR PAY PURPOSES FOR CERTAIN NAVAL RESERVE OFFICERS

The Senate proceeded to the consideration of the bill (H. R. 7611) to establish a date of rank for pay purposes for certain Naval Reserve officers promoted to the grades of lieutenant and lieutenant commander.

Mr. BARRETT. Mr. President, may we have an explanation of the bill?

Mr. ERVIN. Mr. President, during the Korean conflict, a number of Reserve officers of the Navy were called to active duty. They were given temporary promotions by the Navy and drew pay at their advanced rank.

Later the Comptroller General ruled that the promotions had been improperly made under the act and were not authorized.

The bill merely ratifies the action of the Navy to allow those Reserve officers to retain the increased pay which they drew under the promotions.

Mr. BARRETT. I thank the distinguished Senator for his explanation. As we read the report, the committee was quite critical of the action taken by the Department in the handling of this matter. Is it correct to assume that the committee is satisfied that the proposed legislation is wise?

Mr. ERVIN. The bill was reported unanimously by the committee. We felt that justice required that the bill be passed, so that the reservists who had been drawing the increased amounts through no fault of their own should not be required to refund them.

Mr. BARRETT. We withdraw our objection.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill was ordered to a third reading, read the third time, and passed.

CONTINUANCE IN EFFECT OF THE MISSING PERSONS ACT

The bill (H. R. 9500) to continue the effectiveness of the Missing Persons Act, as extended, until July 1, 1957, was considered, ordered to a third reading, read the third time, and passed.

APPOINTMENT OF CERTAIN FORMER MEMBERS OF THE NAVY AND MARINE CORPS TO THE FLEET RESERVE

The bill (H. R. 6729) to provide that the Secretary of the Navy shall appoint certain former members of the Navy and Marine Corps to the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, and thereafter transfer such members to the appropriate retired list was considered, ordered to a third reading, read the third time, and passed.

POSTHUMOUS RECOGNITION TO LT. COL. LEE J. MERKEL, AIR NATIONAL GUARD

The Senate proceeded to consider the bill (S. 4003) to extend Federal recognition posthumously to Lt. Col. Lee J. Merkel, Air National Guard of the United States, as a colonel, Air National Guard of the United States, and for other purposes, which had been reported from the Committee on Armed Services with amendments, on page 1, line 5, after the word "Guard", to strike out "of the United States,", so as to make the bill read:

Be it enacted, etc., That the President is authorized and requested to extend Federal recognition posthumously as a colonel, Air National Guard, to Lee J. Merkel (lieutenant colonel, Air National Guard of the United States) as of January 31, 1956, the date of his death.

SEC. 2. The Secretary of the Air Force is authorized and directed to amend the records of the Department of the Air Force so as to carry the said Lee J. Merkel as a colonel, Air National Guard of the United States, as of January 31, 1956.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to extend Federal recognition posthumously to Lt. Col. Lee J. Merkel, Air National Guard of the United States, as a colonel, Air National Guard, and for other purposes."

BILL PASSED OVER

The bill (S. 2663) to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

EXTENSION OF OPERATION OF THE EMERGENCY SHIP REPAIR ACT OF 1954

The resolution (S. J. Res. 187) to extend the operation of the Emergency Ship Repair Act of 1954 was considered and agreed to, as follows:

Resolved, etc., That section 4 of the Emergency Ship Repair Act of 1954 (Public Law 608, 83d Cong.) is amended by striking out the words "within 24 months after date of enactment of this act", and inserting in place thereof "before July 1, 1958."

RESTORATION OF TRIBAL OWNERSHIP OF CERTAIN LANDS UPON THE COLVILLE INDIAN RESERVATION, WASH.

The bill (H. R. 7190) restoring to tribal ownership certain lands upon the Colville Indian Reservation, Wash., and for other purposes was considered, ordered to a third reading, read the third time, and passed.

COVERAGE OF EMPLOYEES IN DISTRICT OF COLUMBIA INSTITUTIONS UNDER THE DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

The bill (H. R. 10670) to amend the District of Columbia Unemployment Compensation Act so as to extend the coverage of such act to employees of the municipal government of the District of Columbia employed in District of Columbia institutions located in Maryland and Virginia was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF DISTRICT OF COLUMBIA PUBLIC SCHOOL FOOD SERVICES ACT

The bill (S. 3619) to amend the District of Columbia Public School Food Services Act was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 6 of the District of Columbia Public School Food Services Act (65 Stat. 369; sec. 31-1405, D. C. Code 1951 edition) is amended by adding before the period the following: "and for reimbursement of the District of Columbia Public School Food Services Fund for lunches served in accordance with section 9 of the National School Lunch Act (60 Stat. 233; title 42, sec. 1758, U. S. C., 1952 edition) to children without cost to such children or at reduced cost. The rate of such reimbursement for such lunches served by the public schools in the District of Columbia shall be the student price of 'Type A Lunch' in effect at the time such lunches are served. As used in this section the term 'Type A Lunch' means Type A Lunch as defined in regulations promulgated by the Secretary of Agriculture pursuant to authority in the National School Lunch Act."

REGULATION OF PRACTICE OF VETERINARY MEDICINE IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 5853) to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia", approved February 1, 1907.

Mr. ERVIN. Mr. President, at the request of the author of the bill, I submit an amendment which is designed merely to clear up an uncertainty and to avoid any conflict between the verbiage of this bill and Reorganization Plan No. 5 of 1952.

The amendment merely provides that where any provision of this act, or any amendment made by this act, refers to an office or agency abolished by Reorganization Plan No. 5 of 1952, such reference shall be deemed to be to the office, agency, or officer exercising the functions of the office or agency so abolished.

I understand the amendment has been cleared by the entire committee, and I offer it at the instance of the author of the bill.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, after line 2, it is proposed to insert:

SEC. 2. Where any provision of this act, or any amendment made by this act, refers to an office or agency abolished by Reorganization Plan No. 5 of 1952, such reference shall be deemed to be to the office, agency, or officer exercising the functions of the office or agency so abolished.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. ERVIN].

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RECOGNITION FOR MERITORIOUS SERVICE BY MEMBERS OF THE POLICE AND FIRE DEPARTMENTS, DISTRICT OF COLUMBIA

The bill (H. R. 10375) to amend the act entitled "An act to provide recognition for meritorious service by members of the Police and Fire Departments of the District of Columbia," approved March 4, 1929, was considered, ordered to a third reading, read the third time, and passed.

RESIDENCE REQUIREMENTS FOR MEMBERS OF THE POLICE AND FIRE DEPARTMENTS OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 2603) to increase the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside, which had been reported from the Committee on District of Columbia with amendments on page 1, line 3, after the word "That", to insert "(a)"; in line 9, after the word "district", to strike out "shall" and insert "shall, except as otherwise provided in subsection (b) of this section"; on page 2, line 2, after the word "of", to strike out "twenty" and insert "twelve"; and after line 6, to insert:

(b) For the purposes of this act, the Commissioners of the District of Columbia are

hereby authorized, in their discretion, to prescribe the area constituting the "Washington, District of Columbia, metropolitan district" so as to include the District of Columbia and the territory within any radius which is greater than 12 miles but not more than 20 miles from the United States Capitol Building.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "An act to authorize the Commissioners of the District of Columbia to prescribe the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside."

RESIDENCE OF ASSISTANT ASSESSORS FOR THE DISTRICT OF COLUMBIA

The bill (S. 2578) to amend the law relating to residence of assistant assessors for the District of Columbia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first sentence of section 2 of the act entitled "An act to provide an immediate revision and equalization of real-estate values in the District of Columbia; also to provide an assessment of real estate in the District in the year 1896 and every third year thereafter, and for other purposes", approved August 14, 1894 (28 Stat. 282), as amended by the act approved August 3, 1954 (68 Stat. 651; sec. 47–604, D. C. Code, 1951 edition), is amended to read as follows: "The Commissioners of the District of Columbia shall appoint as a permanent board of assistant assessors such persons as are conversant with real-estate values in the District of Columbia and who have been bona fide residents of the District of Columbia metropolitan area for a period of at least 5 years."

CARRIAGE OF INSURANCE BY TAXICABS IN THE DISTRICT OF COLUMBIA

The bill (S. 3887) to amend the act entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes", approved June 29, 1938, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first paragraph of the act entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes", approved June 29, 1938 (52 Stat. 1233), is amended by deleting the second and third sentences of such paragraph and inserting in lieu thereof the following:

"Any such bond shall be in such form and on such terms and conditions as the Commission may direct. The liability of the surety or insurer under such bond or policy shall be subject to a limit, exclusive of interest and costs, of not less than $10,000 because of bodily injury to or death of 1 person in any 1 accident and, subject to said limit for 1 person, to a limit of not less than $20,000 because of bodily injury to or death of 2 or more persons in any 1 accident, and if the accident has resulted in damage to or destruction of property, to a limit of not less than $5,000 because of damage to or destruction of property of others in any 1 accident."

SEC. 2. The third paragraph of such act is amended by striking out "respondent" and inserting in lieu thereof "respondeat", and by inserting at the end of such paragraph the following:

"Such sinking fund shall not be created unless the Commission is satisfied that such owner is possessed and will continue to be possessed of financial ability to pay judgments obtained against such owner. If such a fund has been created, the Commission shall have authority to require whatever evidence of such owner's financial status may be necessary to satisfy the Commission that such owner is possessed and will continue to be possessed of financial ability to pay judgments obtained against such owner, and may at such time or times as, in its discretion, may be necessary require such owner to submit in affidavit form detailed information from which such ability may be determined.

"When upon not less than 5 days' notice and a hearing pursuant to such notice the Commission finds that any such owner having created and maintained a sinking fund is not possessed or probably will not continue to be possessed of financial ability to pay judgments obtained against such owner the Commission shall require that said owner file with the Commission a bond or policy of insurance as described herein in lieu of such sinking fund and shall thereafter return to the owner the amount of such sinking fund when the Commission is satisfied that the maintenance thereof is not needed to assure the payment of any claim or judgment then outstanding against such owner. Failure to pay any judgment within 30 days after such judgment shall have become final shall constitute a reasonable ground for a finding by the Commission that the owner is not possessed of financial ability to pay judgments."

ADDITIONAL POWERS TO THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA

The bill (S. 3889) to amend the act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes", approved December 20, 1944, as amended was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the first section of the act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes", approved December 20, 1944 (58 Stat. 819), as amended (sec. 1–244, D. C. Code, 1951), is amended by adding at the end of such section the following subsections:

"(i) (1) To purchase and sell maps, regulations, and regulation manuals of the District of Columbia, and amendments thereof, including binders therefor, at such prices as the Commissioners or their designated agent may from time to time determine to be necessary to approximate the cost thereof, including the cost of distribution. All receipts from the sale of such maps, regulations, and regulation manuals shall be deposited into a fund which is hereby established, to be known as the "District of Columbia Publications Fund", which funds shall be available without fiscal year limitation for all necessary costs connected with the procurement, publication, and distribution of such maps, regulations, and regulation manuals, including postage, but not including personal services. There is hereby authorized to be appropriated from the revenues of the District of Columbia $50,000 to provide working capital, which sum shall be deposited to the credit of the fund established by this section, and receipts from the sale of maps, regulations, and regulation manuals shall likewise be deposited to the credit of such fund: *Provided*, That as soon as practicable after the close of each fiscal year, after provision has been made for payment of all obligations then incurred, the amount in such fund in excess of $50,000 shall be deposited to general revenues of the District of Columbia.

"(2) To issue the aforesaid maps, regulations, and regulation manuals, without charge, to officers and employees of the governments of the United States and the District of Columbia, to State, municipal, and foreign governments, and to institutions of research and learning; and to delegate to the heads of departments and agencies of the government of the District of Columbia the authority likewise to make the distribution authorized by this paragraph of such of the aforesaid maps, regulations, and regulation manuals as may be purchased by such departments and agencies. Maps, regulations, and regulation manuals to be distributed under the authority of this paragraph shall be supplied to the office, department, or agency of the District of Columbia proposing to make such distribution only upon payment by such office, department, or agency of the cost thereof.

"(j) To place orders, if they determine it to be in the best interest of the District of Columbia, with any Federal department, establishment, bureau, or office for materials, supplies, equipment, work, or services of any kind that such Federal agency may be in a position to supply or be equipped to render, by contract or otherwise, and shall pay promptly by check to such Federal agency, upon its written request, either in advance or upon furnishing or performance thereof, all or part of the estimated or actual cost thereof as determined by such department, establishment, bureau, or office as may be requisitioned; but proper adjustments on the basis of the actual cost of the materials, supplies, or equipment furnished or work or services performed, paid for in advance, shall be made as may be agreed upon by the departments, establishments, bureaus, or offices concerned. Orders placed as provided in this subsection shall be considered as obligations upon appropriations in the same manner as orders or contracts placed with private contractors.

"(k) To authorize any department, office or agency of the District of Columbia government, when it is determined to be in the best interest of the District of Columbia so to do, to place orders with any other department, office or agency of the District for materials, supplies, equipment, work or services of any kind that such requisitioned department, office or agency may be in a position to supply or equipped to render. The department, office or agency placing any such orders shall either advance, subject to proper adjustment on the basis of actual cost, or reimburse, such department, office or agency the actual cost of materials, supplies or equipment furnished or work or services performed as determined by such department, office or agency as may be requisitioned. Orders placed as provided in this subsection shall be considered as obligations upon appropriations in the same manner as orders or contracts placed with private contractors."

SEC. 2. The Commissioners are authorized to delegate any of the functions to be performed by them under the authority of this act to any officer or employee of the District of Columbia.

SEC. 3. The second paragraph under the caption "District of Columbia" of the act entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1910, and for other purposes", approved February 25, 1910 (36 Stat. 202, 208), as amended (title 49, sec. 110, D. C. Code, 1951 edition) is hereby repealed.

BILL PASSED OVER

The bill (H. R. 11002) to regulate and license pawnbrokers in the District of Columbia was announced as next in order.

Mr. PURTELL. Over.

Mr. BIBLE. Over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF DISTRICT OF COLUMBIA TRAFFIC ACT OF 1925

The bill (H. R. 11488) to amend the District of Columbia Traffic Act, 1925, as amended was considered, ordered to a third reading, read the third time, and passed.

PERMISSION TO MAKE CERTAIN IMPROVEMENTS TO BUSINESS PROPERTY IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 4993) to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to business property situated in the District of Columbia, which had been reported from the Committee on the District of Columbia with an amendment, on page 1, line 8, after the word "Northwest", to insert "and (2) square 2695, lot No. 806 (east side of 16th Street between Arkansas Avenue and Upshur Street NW.), both".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to two business properties situated in the District of Columbia."

DESIGNATIONS FOR HIGHWAY BRIDGES OVER THE POTOMAC RIVER.

The Senate proceeded to consider the bill (H. R. 10947) to provide particular designations for the highway bridges over the Potomac River at Fourteenth Street in the District of Columbia, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and insert:

That the highway bridge facilities crossing the Potomac River from the vicinity of Fourteenth Street in the District of Columbia to Virginia shall be known and designated hereafter as the "Rochambeau Memorial Bridges." Any law, regulation, map, document, record, or other paper of the United States or the District of Columbia in which such bridge facilities are referred to shall be held to refer to such bridge facilities as the "Rochambeau Memorial Bridges".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to designate the highway bridge facilities over the Potomac River at Fourteenth Street in the District of Columbia as the Rochambeau Memorial Bridges."

TRANSFER OF ACTIONS FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA TO THE MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 8149) which had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and insert:

That the first sentence of section 5 (a) of the act entitled "An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as 'The Municipal Court for the District of Columbia', to create 'The Municipal Court of Appeals for the District of Columbia,' and for other purposes," approved April 1, 1942 (D. C. Code, sec. 11–756), is amended to read as follows: "If, in any action, other than an action for equitable relief, pending on the effective date of this act or thereafter commenced in the United States District Court for the District of Columbia, it shall appear to the satisfaction of the court at any time prior to trial thereof that the action will not justify a judgment in excess of $3,000, the court may certify such action to the municipal court for the District of Columbia for trial."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend the act of April 1, 1942, so as to permit the transfer of an action from the United States District Court for the District of Columbia to the municipal court for the District of Columbia at any time prior to trial thereof, if it appears that such action will not justify a judgment in excess of $5,000."

EFFECTIVE DATE OF WAGE BOARD INCREASES

The Senate proceeded to consider the bill (S. 3465) relating to effective dates of increases in compensation granted to wage-board employees, which had been reported from the Committee on Post Office and Civil Service with amendments, on page 1, at the beginning of line 9, to insert "under authority of section 202 (7) of the Classification Act of 1949, as amended,"; at the beginning of line 11, to strike out "as of" and insert "not later than"; on page 2, line 1, after the word "after", to insert "the 30th days following"; in line 12, after the word "after", to insert "the 30th day following"; and in line 20, after the word "after", to insert "the 30th day following."

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. BARRETT. Mr. President, I submit a perfecting amendment on page 3, line 11, to strike out "on." The word appears to be superfluous and makes the language somewhat ambiguous.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an explanation of S. 3465.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY MR. JOHNSTON OF SOUTH CAROLINA

Section 202 (b) of the Classification Act of 1949, as amended, provides that employees in recognized trades or crafts, or other skilled mechanical crafts, or in unskilled, semiskilled, or skilled manual-labor occupations shall have their compensation fixed and adjusted from time to time by their agencies in accordance with prevailing rates in private industry.

During the hearings held on the bill, it was established that agencies often take 3 months or longer to complete their surveys of local industry wage rates. After collection of the data, it is frequently another month or more before the data is studied and the new schedule of rates prepared and made effective. The net result is that although the Government is presumed to be paying its blue-collar workers in accordance with prevailing rates in private industry, there is a lag of from 3 to 5 months before increases in the pay of employees in industry are reflected in the pay of similar employees who are employed by the Government.

While a good case was made for enactment of the bill as introduced, a similarly good case was made by the agencies against enactment of a measure which would require retroactive pay in every instance. This would most certainly be the case if the pay adjustments were required to be made effective on the date the survey is ordered to be made, for there is no possible way to avoid the taking of a reasonable period of time in which to conduct the survey, prepare the new wage schedule, and so forth.

In full appreciation of both sides of the issue, the committee believes that the bill, as amended, is reasonable and workable. The committee amendments fix the effective day of any such increase not later than the beginning of the first pay period which begins after the lapse of 30 days from the date on which the survey which determines the new rate was ordered to be made. It will not deny Government employees justified increases for an unreasonable period of time. On the other hand, it allows the agencies a reasonable period of time in which to conduct adequate wage surveys. The committee believes that if the agencies do their job in a well-planned and expeditious manner, there will be little if any occasion for the payment of retroactive wage increases. The committee recognizes the problems inherent in retroactive pay adjustments, but it believes that the bill, as amended, is amply liberal from the standpoint of time allowed the agencies to conduct wage surveys.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That whenever, pursuant to a wage survey, an increase in rates

of basic compensation is granted to any employees of the Federal Government or of the municipal government of the District of Columbia, whose compensation is fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates under authority of section 202 (7) of the Classification Act of 1949, as amended, such increase shall be made effective not later than the first day of the first pay period which begins on or after the 30th day following the date on which such survey was ordered to be made.

SEC. 2. (a) Retroactive compensation shall be paid under this act only in the case of an individual in the service of the United States (including service in the Armed Forces of the United States) or the municipal government of the District of Columbia on the first day of the first pay period which begins on or after the date on which the increase is granted, except that such retroactive compensation shall be payable (1) to an officer or employee who retired during the period beginning on the first day of the first pay period which begins on or after the 30th day following the date on which the survey was ordered and ending on the first day of the first pay period which begins on or after the date on which the increase was granted, for services performed during such period, and (2) in accordance with the provisions of the act of August 3, 1950 (Public Law 636, 81st Cong.), as amended, for services rendered during the period beginning on the first day of the first pay period which begins on or after the 30th day following the day on which the survey was ordered and ending on the first day of the first pay period which begins on or after the date on which the increase was granted, by an officer or employee who dies during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

(c) For the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954, such increase shall be considered to have taken effect prior to the first day of the first pay period which begins on or after the date on which the increase was granted.

QUITCLAIM OF CERTAIN PROPERTY IN COAHOMA COUNTY, MISS.— JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 179) to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club of Rena Lara, Miss., Inc., was announced as next in order.

Mr. MORSE. Mr. President, I shall object to Calendar No. 2614, Senate Joint Resolution 179, a joint resolution to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club, of Rena Lara, Miss., Inc. I do so with great reluctance. The joint resolution involves only 3.17 acres of land. However, it is a clear violation of the Morse formula. The report itself states that the land is valued at less than $1,000.

The purpose for which the land is to be used is in connection with Boy Scouts and 4–H Boys and Girls Club work. That is a laudable purpose, but it should be taken care of by the State, and not by the Federal Government.

We cannot start making this kind of exception to the policy which has been consistently followed since 1946. It is estimated that by adhering to that principle more than $500 million has been saved. I should like to help the Boy Scouts and the 4–H Boys and Girls Clubs, but we cannot start doing it at the Federal level and not do it in all the States. There is no reason why the State of Mississippi should receive this grant from the Federal Government, even though it amounts to less than $1,000. Therefore, I must object to the joint resolution.

The PRESIDING OFFICER. Objection being heard, the joint resolution will be passed over.

EXTENSION OF LEASE OF TRACT OF LAND IN MONTANA

The bill (S. 4058) to authorize the Secretary of Agriculture to extend and renew to Chicago, Milwaukee, St. Paul & Pacific Railroad Co. for the term of 10 years a lease of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right-of-way to said tract, for the removal of gravel and ballast material, executed under the authority of the act of Congress approved June 26, 1946, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and he is hereby, authorized, in his discretion, to extend and renew to Chicago, Milwaukee, St. Paul & Pacific Railroad Co. for a term of 10 years that certain lease to Chicago, Milwaukee, St. Paul & Pacific Railroad Co., bearing date August 16, 1946, of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, containing an approximate area of 241.67 acres, and also a strip of land for a right-of-way to said tract, executed by the Secretary of Agriculture under the authority of the act of Congress approved June 26, 1946, upon the general terms and conditions now contained in said lease but with specific provision that lessee shall pay annually a royalty of 1 cent per cubic yard on all material removed from said tract and shall in addition remove from the tract and deliver in a stockpile annually, free of charge, such quantity of sand and gravel suitable for use upon the walks and roads of the experiment station as would be required by the Government officials in charge of the station, not to exceed 100 carloads per annum; said renewal and extension to inure to the benefit of Chicago, Milwaukee, St. Paul & Pacific Railroad Co.

EXTENSION OF SPECIAL SCHOOL MILK PROGRAM

The bill (H. R. 11375) to amend the Agricultural Act of 1949, as amended, to further extend the special school milk program to certain institutions for the care and training of children was considered, ordered to a third reading, read the third time, and passed.

Mr. HUMPHREY of Minnesota. Mr. President, Public Law 465, approved on April 2, 1956, extended the special school milk program to "such nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions as are devoted to the care and training of underprivileged children on a public welfare or charitable basis."

This expansion of the special milk program, formerly carried on only through the schools, was the result of my bill introduced last year, and combined as an amendment in the Agriculture Committee to legislation continuing this fine program in our schools.

As originally introduced, my measure called for extending the program to other nonprofit youth institutions without requiring that they be devoted exclusively to underprivileged children. Our intent was to see that organizations and groups caring for children in settlement houses and summer camps should get the benefit of this program as well as schools. Unfortunately, the words "underprivileged children" added to the amendment in committee have been interpreted by the Department of Agriculture as excluding Boy Scouts or 4–H summer camps unless it can be demonstrated that almost all of the children served by the particular camp or club are economically underprivileged.

When this interpretation became known, Congressman LESTER JOHNSON, of Wisconsin, always a good friend of the dairy industry and always alert to protecting the best interest of dairying, introduced H. R. 11375 to restore the original language I had proposed, eliminating the restrictions on "underprivileged children."

Mr. President, I cannot speak too highly of the energetic efforts of Mr. JOHNSON in getting his legislation through the House in the closing hours of this Congress. He has left no stone unturned to see that this program was made available to the largest number of youth groups possible, and made sure that it was truly a youth program for stimulating milk consumption rather than strictly a welfare program limited to some "means test." It has been my pleasure to cooperate in getting this measure approved by the Senate Committee on Agriculture, so that it can be enacted into law and the full benefits of this special milk program realized.

With the adoption of H. R. 11375 Boy Scout camps and 4–H Club camps will be eligible for participating in this fine program, assuring that children provided with milk in their schools during school periods will also be provided with milk in the summer while they are at summer camps.

I appreciate the cooperation of the Department of Agriculture in finally going along with this change, which I am sure is for the best interests of our young people, for the dairy industry, and for our entire economy.

Again, I want to compliment Congressman JOHNSON of Wisconsin for his foresight and persistence in getting this action taken, and to express my pleasure at working with him toward the success of his efforts. It has been my pleasure to work closely with Mr. JOHNSON on many legislative measures in behalf of

our Midwest farm people, and I know he is a conscientious and effective representative of his district.

Mr. President, I ask unanimous consent to have printed in the RECORD in connection with my remarks a brief explanation of House bill 11375, together with a copy of the bill and the report, which I prepared for the Committee on Agriculture and Forestry to accompany the bill.

There being no objection, the explanation, the bill, and the report (No. 2576) were ordered to be printed in the RECORD, as follows:

EXPLANATION OF H. R. 11375

This bill would extend the special school milk program to summer camps and similar nonprofit institutions devoted to the care and training of children, but which are not restricted to underprivileged children or conducted on a public welfare or charitable basis. Earlier this year Congress enacted Public Law 465, extending the program to summer camps and similar nonprofit institutions which are devoted to underprivileged children and conducted on a public welfare or charitable basis. The purpose of the bill, of course, is to expand the program and thereby provide for additional consumption of milk.

[H. R. 11375]

Be it enacted, etc., That the last sentence of section 201 (c) of the Agricultural Act of 1949, as amended, is amended to read as follows: "For the period beginning September 1, 1954, and ending June 30, 1955, not to exceed $50 million, and for the fiscal year ending June 30, 1956, not to exceed $60 million, and for each of the 2 fiscal years in the period beginning July 1, 1956, and ending June 30, 1958, not to exceed $75 million, of the funds of the Commodity Credit Corporation shall be used to increase the consumption of fluid milk by children in (1) nonprofit schools of high-school grade and under; and in (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children."

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 11375) to amend the Agricultural Act of 1949, as amended, to further extend the special school-milk program to certain institutions for the care and training of children, having considered the same, report thereon with a recommendation that it do pass without amendment.

The special school-milk program was extended by Public Law 465 of this Congress (H. R. 8320) to nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of underprivileged children on a public welfare or charitable basis. This bill would extend the program to such institutions, even though not devoted to the underprivileged and not operating on a public welfare or charitable basis. The bill is fully explained on the attached report of the House Committee on Agriculture.

[H. Rept. 2472, 84th Cong., 2d sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 11375) to amend the Agricultural Act of 1949, as amended, to further extend the special school-milk program to certain institutions for the care and training of children, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

Public Law 465, 84th Congress (H. R. 8320) extended the special school-milk program for 2 additional years and also expanded the scope of the program to include "such nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions as are devoted to the care and training of underprivileged children on a special welfare or charitable basis."

The amendment referred to was added on the floor of the Senate and was accepted by the House without a conference. In undertaking to put the new provision into effect, it was found that the limitation to institutions serving underprivileged children on a special welfare or charitable basis would prevent the program from reaching most of the summer institutions for children operated in this country.

The special school-milk program is not a charity program. It is a program for the utilization of surplus fluid milk by making it available to children in schools and similar institutions. The method of distribution is for the Department of Agriculture to pay part of the cost of fluid milk over and above that normally consumed by the school or institution, so that milk may be made available to children at a reduced price, thus stimulating consumption.

The bill reported herewith removes from the provision quoted above reference to underprivileged children and service on a public welfare or charitable basis. This will make the benefits of the program available to most summer camps, nursery schools, child-care centers, settlement houses, and similar institutions which are operated on a nonprofit basis and which have the proper standing with their State educational or other agencies to qualify for the program.

The committee reemphasizes that the basic objective of the special school-milk program is to expand the consumption of milk by children of school age and that in administering the program the Department of Agriculture should limit assistance under the program to milk which is in addition to that normally consumed. In applying the program to new camps or similar eligible institutions, a reasonable base should be established and only milk consumed over and above such a base should be considered eligible for inclusion in the program.

In applying the program to the institutions listed in the bill, it is anticipated that the Department of Agriculture will require a high degree of cooperation from the States in the administration of the program.

The bill is supported by major farm organizations, by the Dairy Industry Committee, the Milk Industry Foundation, the National Milk Producers Federation, and other interested organizations. Following is the report of the Department of Agriculture:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
Washington, D. C., June 4, 1956.

HON. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR CONGRESSMAN COOLEY: This is in response to your letter of May 23 requesting this Department's views on H. R. 11375, a bill to amend the Agricultural Act of 1949, as amended, to further extend the special school-milk program to certain institutions for the care and training of children.

The special school-milk program which is provided under the Agricultural Act of 1949, as amended, was extended for an additional 2 years by Public Law 465, approved April 2, 1956. Public Law 465 also extended the special school-milk program to "such nonprofit nursery schools child-care centers, settlement houses, summer camps, and similar nonprofit institutions as are devoted to the care and training of underprivileged children on a public welfare or charitable basis." H. R. 11375 would provide that these listed types of institutions be nonprofit; it does not require that they be devoted to underprivileged children.

This Department does not object to the enactment of H. R. 11375, but desires to call attention to administrative problems involved.

Under existing provisions of law, eligibility must be limited to institutions and programs (or specific units of a program) whose whole or chief purpose is the care and training of economically underprivileged children. Therefore, such programs as, for example, a Boy Scout or 4–H summer camp or a Boys Club, are not eligible for participation under the special school milk program unless it can be demonstrated that almost all of the children served by the particular camp or club are economically underprivileged.

Since under Public Law 465 Congress has expressed its wish to extend the special school milk program to outlets other than schools, there would be merit in establishing eligibility standards that would permit the extended program to have a greater impact upon the market for fluid milk than is possible under the existing provisions of this law.

Such an expansion, however, will pose additional administrative problems to insure that the special school milk program operates further to increase milk consumption. Because the majority of the child-care institutions that would be made eligible under H. R. 11375 will have a history of milk service to children, the system of reimbursement would necessarily have to be directed toward assisting in the service of additional milk rather than merely subsidizing the cost of the regular milk service. We wish to point out, however, that even if H. R. 11375 were to be immediately enacted, it would be too late for this Department and the State agencies fully to gear up to such an expansion in time for this summer's camping program, which will be starting by mid-June.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

E. L. PETERSON,
Acting Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

Agricultural Act of 1949, as amended

* * * * *

Title II—Designated Nonbasic Agricultural Commodities

SEC. 201. * * *

(c) The price of whole milk, butterfat, and the products of such commodities, respectively, shall be supported at such level not in excess of 90 percent nor less than 75 percent of the parity price therefor as the Secretary determines necessary in order to assure an adequate supply. Such price support shall be provided through loans on, or purchases of, milk and the products of milk and butterfat, and for the period ending March 31, 1956, surplus stocks of dairy products owned by the Commodity Credit Corporation may be disposed of by any methods determined necessary by the Secretary. For the period beginning September 1, 1954, and ending June 30, 1955, not to exceed $50 million, and for the fiscal year ending June 30, 1956, not to exceed $60 million, and for each of the 2 fiscal years in the period beginning July 1, 1956, and ending June 30, 1958, not to exceed $75 million, of the funds of the Commodity Credit Corporation shall be used to increase the consumption of fluid milk by children in (1) nonprofit schools of high-school grade and under; and (2) [such] nonprofit nursery schools, child-care centers,

settlement houses, summer camps, and similar nonprofit institutions [as are] devoted to the care and training of [underprivileged] children [on a public welfare or charitable basis.]

CONSTRUCTION AND OPERATION OF BRIDGES ACROSS THE MISSISSIPPI RIVER NEAR MUSCATINE, IOWA AND DRURY, ILL.

The Senate proceeded to consider the bill (H. R. 11010) creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill., which had been reported from the Committee on Public Works with an amendment on page 21, at the beginning of line 1, to strike out "the bonds issued in connection therewith and".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 3210) to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes, was announced as next in order.

Mr. PURTELL. Over by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes, was announced as next in order.

Mr. PURTELL. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 12138) making appropriations for the fiscal year ending June 30, 1957, and for other purposes, was announced as next in order.

Mr. PURTELL. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

That completes the regular call of the calendar. Two bills were placed at the foot of the calendar, and the first one will now be stated.

The LEGISLATIVE CLERK. A bill (S. 3457) to authorize the Secretary of the Treasury to convey certain property to the county of Pierce, State of Washington.

Mr. BIBLE. I ask that the bill go over.

The PRESIDING OFFICER. Both bills, Calendar No. 1987, Senate bill 3457, and Calendar No. 2427, H. R. 10184, to authorize the Secretary of the Treasury to convey property to the county of Pierce, State of Washington, will go over, because they are companion bills.

ESTABLISHMENT OF HORSESHOE BEND NATIONAL MILITARY PARK, ALABAMA

Mr. SPARKMAN. Mr. President, before the call of the calendar is declared completed I ask unanimous consent that the Senate proceed to the consideration of calendar No. 2552, House bill 11766. The distinguished Senator from Connecticut, at the time that bill was reached on the call of the calendar, asked that it go over.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 11766) to provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PURTELL. Mr. President, I did ask previously that the bill go over. The reason is that we do not have any idea as to the cost involved. However, if an explanation is available, I shall be glad to withdraw objection.

Mr. SPARKMAN. That question did come up. Nobody can give an estimate of the cost except the Department of the Interior. The Department apparently has not made up any estimate of cost. However, I may say that only a small tract of land, consisting of 500 acres, is involved. Roads have already been built. The only requirement in the bill is that the Department of the Interior administer the park just as it does other parks. It seems to me the cost could be easily computed by the Department of the Interior. However, the Department at the time of the hearings did not give any estimate of cost.

I may say to the distinguished Senator from Connecticut that the only point of objection made by the Department of the Interior was that it had not yet been determined to the Department's satisfaction that the battle which took place in that region was one of national significance. I believe, after the hearing was over, the Department was satisfied it had been historically established. I think that objection was pretty well demolished in the course of the hearings.

Mr. PURTELL. I suggest to the distinguished Senator from Alabama that it would probably be better, in light of the fact that there is a similar bill, as to neither of which information as to cost has been given, that they be called up on motion.

Mr. FULBRIGHT. Mr. President, with regard to Calendar No. 2551, H. R. 11611, to provide for the establishment of the Pea Ridge National Military Park, in the State of Arkansas, which is a similar bill, I should like to say that the land involved is to be donated. In fact, the bill will not take effect unless the land is donated free of any cost to the Government. The cost of administration was estimated to be between $16,000 and $20,000 a year. The bill contains the words "as the Secretary may deem necessary." The cost involved would be only that which he feels would be necessary in providing tributary roads or trails. We do not know whether or not he would deem them necessary. There is no way for us to estimate in advance what the cost might be. The Secretary would not have to spend any particular amount. I do not see how the Senator can reasonably expect to obtain an estimate when there is, at present at least, no way to determine what the Secretary will deem to be necessary. That will depend to some extent on the use made of the park, and whether or not it proves to be very popular. Of course, I think it will prove to be popular. In any case, I should say the cost will be nominal, because the Federal Government will not have to purchase the land.

I may say that the letter of disapproval was based on a false assumption. The bill does not actually authorize or direct the Secretary of the Interior to purchase the land. It specifically provides that the land shall be transferred free and clear of any expense to the Government.

I hope the Senator from Connecticut will not insist on his objection.

Mr. PURTELL. The Senator from Arkansas has given information which the committee did not previously have, and I therefore withdraw objection.

The PRESIDING OFFICER. The Chair suggests that as of the moment, because of the unanimous-consent request made by the Senator from Alabama [Mr. SPARKMAN] the Senate should proceed to the consideration of Calendar No. 2552, H. R. 11766. That bill should be disposed of first.

Mr. PURTELL. I withdraw my objection to Calendar No. 2552, H. R. 11766.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 11766) was ordered to a third reading, read the third time, and passed.

ESTABLISHMENT OF PEA RIDGE NATIONAL MILITARY PARK, ARK.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2551, House bill 11611.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 11611) to provide for the establishment of the Pea Ridge National Military Park, in the State of Arkansas.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Mr. President, I withdraw objection to Calendar No. 2551, H. R. 11611.

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 11611) was ordered to a third reading, read the third time, and passed.

SUPPLEMENTAL APPROPRIATIONS, 1957

Mr. JOHNSON of Texas. Mr. President, under the order previously entered,

I ask that the Chair lay before the Senate Order No. 2620, H. R. 12138.

The PRESIDING OFFICER. The Chair lays before the Senate Calendar No. 2620, H. R. 12138, which will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 12138) making appropriations for the fiscal year ending June 30, 1957, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Arizona for an explanation of the bill.

Mr. HAYDEN. Mr. President, the bill as passed by the House provided for appropriations of $1,555,588,925.

The amount of increase recommended by the Senate committee is $166,500,400.

The total of the bill as reported to the Senate is $1,722,089,325.

The committee considered estimates recommended by the Bureau of the Budget totaling $1,358,859,825, which includes $136,010,300 not considered by the House.

On the face of the report, it appears that the recommended bill is in excess of the budget estimate by $363,229,500. However, $357 million of this increase is accounted for by the method of providing funds for the Air Force construction program. The budget estimate proposed a direct appropriation of $871 million and a transfer of $357 million from the Army stock fund. The House made a direct appropriation of $1,228,000,000, and rescinded $357 million of the Army stock fund. The Committee recommends the Senate concur in the action of the House. Of course, the end result is the same.

Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc; that the bill, as thus amended, be considered as original text, for the purpose of amendment; and that the right to make points of order in connection therewith not be considered as having been waived by virtue of this agreement.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The committee amendments considered and agreed to en bloc are as follows:

Under the heading "Chapter I—Department of Agriculture", on page 2, after line 2, to insert:

"AGRICULTURE RESEARCH SERVICE

"Salaries and expenses

"Plant and animal disease and pest control: Not to exceed $200,261 of the unobligated balances of funds appropriated under this head for the fiscal year 1956 shall be available to reimburse persons, firms, and organizations for the direct expenses heretofore incurred by them for fumigation of premises in the control and eradication of the Khapra beetle."

On page 2, after line 11, to insert:

"ANIMAL DISEASE LABORATORY FACILITIES

"For an additional amount for 'Animal disease laboratory facilities,' for establishment of such facilities, including construction and alteration of buildings and acquisition of necessary land by purchase, donation, or exchange, $18,915,000, to remain available until expended."

Under the heading "Chapter II—Department of Commerce—Bureau of Public Roads—Jones Point Bridge", on page 5, line 3, after the word "appropriation", to strike out the colon and *"Provided further,* That this paragraph shall be effective only upon the final consummation of agreements for the maintenance and operation of the bridge and approaches by the States of Virginia and Maryland."

On page 5, after line 7, to insert:

"INDEPENDENT OFFICES

"ADVISORY COMMITTEE ON WEATHER CONTROL

"Salaries and expenses

"For the necessary expenses of the Advisory Committee on Weather Control, established by the act of August 13, 1953 (67 Stat. 559), as amended, including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), $300,000."

Under the heading "Chapter III—Central Intelligence Agency—Department of the Army", on page 6, after line 8, to insert:

"MAINTENANCE AND OPERATIONS

"For an additional amount for 'Maintenance and operation', $88,369,170."

Under the subhead "Military Construction, Army", on page 6, line 24, after the word "expended", to strike out "$193,000,000" and insert "$202,000,000."

Under the subhead "Reduction in appropriation—Army stock fund," on page 7, after line 4, to strike out:

"The amount available in the Army stock fund is hereby reduced by $357,000,000, such sum to be covered into the Treasury immediately upon approval of this act."

And, in lieu thereof, to insert:

"The amount available in the Army stock fund is hereby reduced by $357,000,000, such sum to be covered into the Treasury no later than March 31, 1957."

Under the subhead "Department of the Navy—Military construction, Navy," on page 8, line 2, after the word "expended", to strike out "$400,000,000" and insert "$418,000,000."

Under the subhead "Department of the Air Force", on page 8, after line 7, to insert:

"OPERATION AND MAINTENANCE

"For an additional amount for 'Operation and maintenance', $18,626,130."

Under the subhead "Military construction, Air Force," on page 8, line 25, after the word "expended", to strike out "$1,228,000,000" and insert "$1,238,000,000, including $1,000,000 for additional facilities to increase the water supply for Holloman Air Force Base."

Under the subhead "General provisions," on page 10, line 23, after the word "to", to strike out "(a)", and on page 11, line 4, after the word "heads", to strike out the comma and "and (b) $31,500 on three units for the Deputy Chiefs of Naval Operations to be constructed at the United States Naval Observatory, Washington, D. C."

On page 11, after line 14, to strike out:

"SEC. 309. No funds appropriated for military construction shall be made available to the respective military departments in a manner so as to restrict the application of funds to any specific project or installation: *Provided,* That no reserve military appropriations herein shall be used for purposes other than for reserve purposes."

And, in lieu thereof, to insert:

"SEC. 309. In order to remedy the unsatisfactory progress being made in providing Reserve facilities, funds appropriated by this act to the Air Force in the amount of $40,000,000 shall be used solely for Reserve public works, military installations and facilities, and any funds appropriated for Reserve facilities by this or any other act shall be used for the sole purpose for which they were appropriated."

On page 12, after line 3, to insert:

"SEC. 310. None of the funds appropriated for military construction in this act shall be used for any purpose other than authorized programs as approved by the Congress for fiscal year 1957 and prior years."

On page 12, after line 7, to insert:

"SEC. 311. Not exceeding $25,000,000 of the funds available to the Department of Defense and the Coast Guard for military construction may be used for capital expenditures other than for amortization of outstanding mortgages on any housing project constructed under title VIII of the National Housing Act as in effect prior to the Housing Amendments of 1955, in accordance with section 420 of the Military Construction Act of 1956: *Provided,* That the Secretary of Defense or his designee, in acquiring such housing projects, may make purchases subject to any existing mortgage or assume such mortgage."

Under the heading "Chapter V—Executive Office of the President—Bureau of the Budget—Salaries and Expenses," on page 17, at the beginning of line 20, to strike out "$375,000" and insert "$400,000."

Under the heading "Independent Office—Commission on Government Security—Salaries and Expenses," on page 18, line 6, after the word "appropriation", to strike out "$600,000" and insert "$665,000."

On page 18, after line 7, strike out:

"PRESIDENT'S ADVISORY COMMISSION ON PRESIDENTIAL OFFICE SPACE

"Salaries and expenses

"For expenses necessary for the President's Advisory Commission on Presidential Office Space, $50,000: *Provided,* That this paragraph shall be effective only upon enactment into law of H. R. 12025, 84th Congress, or similar legislation."

Under the heading "Chapter VI—Independent Offices," on page 18, after line 17, to insert:

"FEDERAL COMMUNICATIONS COMMISSION

"Salaries and expenses

"The limitation under this head in the Independent Offices Appropriation Act, 1957, on the authorization for land and structures is increased from '$4,200' to '$18,300', and the limitation on the amount available for expenses of travel is increased from '$118,000' to '$118,650'."

Under the subhead "Acquisition of Land, District of Columbia," on page 19, at the beginning of line 17, to strike out "$150,000" and insert "$300,000."

Under the subhead "Expenses, General Supply Fund," on page 20 line 8, after the word "fund", to strike out "$200,000" and insert "$400,000."

On page 20, after line 12, to insert:

"ACQUISITION OF TIN

"For expenses necessary to carry out the purposes of section 5 (b) of the act of June 22, 1956 (Public Law 608), for acquisition of tin, and expenses of its storage and handling, $8,700,000."

Under the heading "Chapter VII," on page 22, after line 10, to insert:

"DEPARTMENT OF AGRICULTURE

"FOREST SERVICE

"Acquisition of lands for National Forests

"Special Acts

"For the acquisition of forest land within the Superior National Forest, Minn., under the provisions of the act of June 22, 1948 (62 Stat. 570; 16 U. S. C. 577c–577h), as amended, $500,000, to remain available until expended."

On page 22, after line 19, to insert:

"ADMINISTRATIVE PROVISION

"The Forest Service is hereby authorized to construct a ski shelter in the Mount Baker National Forest, Wash., at a cost of not to exceed $40,000, without regard to any limitation on the cost of such a structure contained in any other act."

Under the heading "Independent Offices," on page 23, after line 9, to insert:

"NATIONAL MONUMENT COMMISSION

"Salaries and expenses

"For expenses to carry out the provisions of the act of August 31, 1954 (68 Stat. 1029), $25,000."

Under the heading "Chapter VIII—Department of Health, Education, and Welfare—Public Health Service," on page 24, after line 6, to insert:

"TERRITORY OF ALASKA

"For an additional amount for 'Disease and sanitation investigations and control, Territory of Alaska', for the purpose of assisting the Territory in making a comprehensive survey of the need for the construction of mental health facilities, $25,000: *Provided,* That this paragraph shall be effective only upon the enactment into law of H. R. 6376, 84th Congress."

On page 25, under the subhead "Grants for Hospital Construction," after line 1, to strike out:

"Funds appropriated under this head in the Supplemental Appropriation Act, 1955, and all appropriation acts prior thereto, remaining unobligated on June 30, 1956, are hereby rescinded and ordered to be covered into the Treasury immediately upon approval of this act; funds appropriated under this head in the Department of Health, Education, and Welfare Appropriation Act, 1956, remaining unobligated on June 30, 1957, are hereby rescinded and ordered to be covered into the Treasury as of that date; and funds appropriated in the Department of Health, Education, and Welfare Appropriation Act, 1957, remaining unobligated on June 30, 1958, are hereby rescinded and ordered to be covered into the Treasury as of that date."

And in lieu thereof to insert:

"The paragraph under this head in the Supplemental Appropriation Act, 1955 (68 Stat. 810), is amended by striking out 'to remain available until expended' and inserting in lieu thereof 'to remain available until June 30, 1957'; the paragraph under this head in the Department of Health, Education, and Welfare Appropriation Act, 1956 (69 Stat. 405), and the paragraph under this head in the Department of Health, Education, and Welfare Appropriation Act, 1957 (70 Stat. 431), are amended by striking out in each the words 'to remain available until expended'; and funds appropriated under this head in the Department of Health, Education, and Welfare Appropriation Act, 1955 (68 Stat. 441), and all appropriation acts prior thereto, remaining unobligated on June 30, 1965, are hereby rescinded and ordered to be covered into the Treasury immediately upon approval of this act."

On page 27, after line 4, to insert:

"THE JUDICIARY

"COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

"Fees of jurors and commissioners

"For an additional amount fiscal year 1956, for 'Fees of jurors and commissioners', $100,000, to be derived by transfer from the appropriation for 'Salaries of supporting personnel', fiscal year 1956."

Under the heading "Funds Appropriated to the President—President's Special International Program," on page 27, line 17, after the numerals "1956", to strike out "$4,687,400" and insert "$7,100,000."

Under the heading "Chapter X—Treasury Department," on page 28, after line 9, to strike out:

"BUREAU OF THE MINT

"Salaries and expenses

"For an additional amount for 'Salaries and expenses,' $3,500: *Provided,* That this paragraph shall be effective only upon enactment into law of House Joint Resolution 569, 84th Congress, or similar legislation."

At the top of page 29, to insert:

"BUREAU OF THE MINT

"Salaries and expenses

"For an additional amount for 'Salaries and expenses,' $3,500: *Provided,* That this paragraph shall be effective only upon enactment into law of House Joint Resolution 569, 84th Congress, or similar legislation."

On page 29, after line 6, to insert:

"STRIKING OF GOLD MEDAL FOR GUSTAF E. LAMBERT

"For striking of gold medal for Gustaf E. Lambert in recognition of his service in the interest of humanity and science in connection with the yellow fever investigations in Cuba, as authorized by the act of February 28, 1929 (45 Stat. 1409), as amended by the act of July 2, 1956 (Public Law 644), not to exceed $350."

Under the subhead "Coast Guard," on page 29, after line 16, strike out:

"STRIKING OF GOLD MEDAL FOR GUSTAF E. LAMBERT

"For striking a gold medal for Gustaf E. Lamber in recognition of his service in the interest of humanity and science in connection with the yellow fever investigations in Cuba, as authorized by the act of February 28, 1929 (45 Stat. 1409), as amended by the act of July 2, 1956 (Public Law 644), not to exceed $350."

At the top of page 30, to insert:

"FEDERAL FACILITIES CORPORATION FUND

"The amount of the Corporation's funds made available under this head under title I of the Treasury-Post Office Appropriation Act, 1957, for administrative expenses of the Corporation, is increased from $250,000 to $425,000."

Under the heading "Chapter XI—District of Columbia—Operating Expenses—Department of General Administration," on page 30, line 12, after the word "vehicles," to strike out "$300,000" and insert "$308,990."

On page 30, after line 15, to insert:

"DEPARTMENT OF OCCUPATIONS AND PROFESSIONS

"For an additional amount for 'Department of Occupations and Professions,' $3,200."

Under the subhead "Metropolitan Police," on page 31, at the beginning of line 14, to strike out "$695,000" and insert "$831,200", and in the same line, after the word "which", to strike out "$83,000" and insert "$100,000."

Under the subhead "Courts," on page 31, line 19, after the word "Courts", to strike out "$379,250" and insert "$398,850."

Under the subhead "Department of Public Health," on page 31, line 23, after the word "Health", to strike out "$121,290" and insert "$261,790."

Under the subhead "National Guard," on page 32, line 7, after the word "exceed", to strike out "$7,500 per annum, $7,500" and insert "$11,600 per annum, $11,600."

On page 32, at the beginning of line 13, to strike out "$7,500" and insert "$11,600."

Under the subhead "Capital Outlay—Public Building Construction," on page 33, line 17, after the words "and a" to insert "detention unit"; on page 34, line 5, after the word "expended", to strike out "$7,427,929" and insert "$7,922,829", and at the beginning of line 6, to strike out "$1,910,500" and insert "$2,110,500."

Under the heading "Chapter XII—Legislative Branch," on page 37, after line 5, to insert "Senate."

On page 37, after line 6, to insert:

For payment to Jane R. Barkley, widow of Alben W. Barkley, late a Senator from the States of Kentucky, $22,500.

On page 37, after line 8, to insert:

"CONTINGENT EXPENSES OF THE SENATE

"Miscellaneous items: For an additional amount for miscellaneous items, fiscal year 1956, $84,000, to be derived by transfer from the appropriation, 'Salaries, officers and employees, Senate,' fiscal year 1956."

On page 37, after line 13, to insert:

"Joint Committee on Inaugural Ceremonies of 1957: For salaries and expenses of conducting the inaugural ceremonies of the President and Vice President of the United States, January 21, 1957, in accordance with such program as may be adopted by the joint committee authorized by concurrent resolution of the Senate and House of Representatives, $215,000."

On page 38, after line 4, to insert:

"GOVERNMENT PRINTING OFFICE

"Revolving fund

"The statute reference in the third paragraph under this head in the Legislative Branch Appropriation Act, 1957, is hereby amended to read '67 Stat. 330, August 1, 1953'."

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, again we have before us a supplemental appropriation bill, in this case calling for appropriations of $1,722,000,000 added to the enormous appropriations we have passed in the regular way.

I wish to say that for an administration which claims to be businesslike in its conduct of affairs—just as we are completing the last of the regular appropriation bills—for it now to request the enactment of this supplemental appropriation bill, calling for approximately $1,722,000,000 over and above the appropriations we already have made, to my mind is an indication of very poor budgeting and very poor financial procedure.

The administration claims credit for economy, when it presents its budget at the first of the year. But thereafter, when no one is looking, the administration slips in the supplemental appropriation bills. This is only the first of them; we know there will be a second supplemental appropriation bill, and probably there will be a third supplemental appropriation bill. So, Mr. President, the initial figures the public receives do not bear a very accurate relationship to what finally happens.

When it assumed office, the administration said it would be extremely businesslike, and would put the budget of the country on a sound basis. But in this case the administration violates one of the first rules, and does so in a most grievous manner, right off the bat.

So much for generalities.

Mr. SALTONSTALL. Mr. President, will the Senator from Illinois yield on that point?

Mr. DOUGLAS. Certainly.

Mr. SALTONSTALL. I shall not argue the question with the Senator from Illinois, except to say that this bill involves military construction. At all times it has been stated that the total

expenditures would be "X" dollars—$38 billion-plus and that figure included the funds for military construction.

Appropriations for military construction have never, so far as I know, been included in the regular appropriation bills; they have always been included in a supplemental bill, in order to make it possible to consider and act on that bill at the close of the session. That is the reason for the size of the appropriation.

Regarding the Army stock fund, I would simply say that the Appropriations Committee unanimously, with the approval of the Army's financial officer, decided to return this money to the Treasury. I say frankly that it has been stated that it is no longer necessary to keep the money in the Army stock fund. Therefore, the money is being returned to the Treasury, so as to keep control in the Congress.

Therefore, what has been voted by the committee, on the recommendation of the executive department, is quite customary, and is not a new supplemental appropriation.

Mr. DOUGLAS. It is quite true that during past administrations, this practice has been indulged in. But from the campaign promises which were made in 1952, I thought that under the present administration we were going to have a great business reform. We were told we were going to have an improvement in budgetary procedures. But now we find that the very same method is used—which seems to indicate that administrations may come and administrations may go, but the bureaucracy goes on forever.

Mr. THYE. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. THYE. Mr. President, as a member of the Appropriations Committee, I wish to say to the Senator from Illinois, who is my friend, that this is a customary practice.

Mr. DOUGLAS. I recognize that; but I thought that under the present administration we were going to change the old, unhappy ways.

Mr. THYE. I was trying to make the RECORD clear, to show that that had been done.

Furthermore, the Bureau of the Budget makes its recommendation 6 months in advance of the time when we deliberate on these appropriations. Thereafter, in the course of the consideration of the appropriations, new factors and new questions become involved; and therefore it is necessary to have the supplemental appropriation bill.

Mr. DOUGLAS. The Bureau of the Budget presents its figures 6 months before, and is perfectly well aware that 6 months later there will be a supplemental appropriation bill. The executive practices very loose procedure.

Mr. President, at this time I should like to speak on the item having to do with the Animal Disease Laboratory, for which an appropriation just short of $19 million is proposed. I think it is a very good thing to make the appropriation. But I wish to say that the Secretary of Agriculture has erred most grievously in regard to its location.

A Member of the House of Representatives from the State of Illinois, Congressman MACK, first raised the question of whether the new Laboratory should or should not be located at Beltsville, Md. It was the intent of the Secretary of Agriculture to locate it at Beltsville. Congressman MACK argued cogently that this should not be done.

The evidence on the floor of the House of Representatives and the presentation to the Senate committee—in which I had some share—clearly showed that the Animal Research Laboratory should be located in the Middle West, where, after all, the hogs and the cattle are raised.

The Secretary of Agriculture appointed a committee to go into the matter; and it held a public hearing in St. Louis, where testimony was taken about a number of localities in my State which are admirably adapted for the location of such a laboratory, and which had applied for it.

Then the committee went on the road, and carefully visited virtually every State except Illinois; and then the Secretary quickly announced that the laboratory was to be located at Ames, Iowa, at the Iowa State College.

Ames is a very good agricultural college. But I think the Secretary of Agriculture should at least have paid my State the countesy of having it visited, and I am driven to the conclusion that he had in fact located the Laboratory before the committee ever went on its tour. The Secretary is a graduate of Iowa State College at Ames. The committee held its hearings on June 27, at St. Louis, and had 9 days of visits in the field. And then, about the 6th of July, the Secretary made his decision.

I think this is another case similar to the case of the Air Force Academy. The hopes of various localities were then raised including a community in my State. Inspection trips were made, and the Air Force Academy was located where, in all probability, it has been originally decided to locate it, before any field inspection was undertaken, namely, in Colorado.

Now the Secretary of Agriculture, desiring to honor his alma mater, locates the laboratory at Ames. I have no complaint against Ames. It is a fine college; but the University of Illinois has an equally good agricultural college; and there are other well qualified localities in my State. We feel that the Secretary has not played fair with us. If there were any way of striking this appropriation out of the bill, I would be tempted to undertake to do so, but I shall not do it because of reasons of sportsmanship. I hope the Secretary of Agriculture will mend his ways. I know that this is an exaggerated hope, but—

> While the lamp remains to burn
> The vilest sinner may return.

Mr. CURTIS. Mr. President, I wish to speak very briefly in reference to hospital facilities which are needed at the Lincoln, Nebr., Air Force Base.

The House committee report contains the following language:

> For over a year a decision has been pending in the Bureau of the Budget regarding the construction of a hospital at the Lincoln Air Force Base or as an alternative the conversion of an existing Veterans' Hospital in the Lincoln, Nebr., area for joint use by the Air Force and veterans. Hospital facilities are badly needed for Air Force personnel at this base. Yet the matter has been awaiting a firm decision for over a year. Last year, and again this year, the Committee was requested to approve the construction of a hospital at this site on a tentative basis, pending a final determination as to whether or not the veterans' facility would be converted to joint use. Last year, the Committee eliminated this item with the following statement:
>
> "Funds for hospital facilities at the Lincoln Air Force Base have been deleted pending a decision regarding use of the existing veterans' hospital near this base."
>
> Again this year, the Committee is eliminating the hospital project from the program with reluctance but in the hope that such action will focus attention on the need for an early decision in this matter. If officials in the respective agencies working on this problem cannot reach a decision, then higher authority, probably the White House, should immediately step in and resolve the question.

In the Senate committee's report there is to be found the following brief paragraph, concurring with the position of the House committee:

> LINCOLN, NEBR., HOSPITAL
>
> The committee agrees with the House committee that a decision should be reached as soon as possible regarding the construction of a hospital at the Lincoln Air Force Base at Lincoln, Nebr. Hospital facilities are undoubtedly badly needed for the Air Force personnel at this base. Therefore, the committee urges that a final determination be made as to whether there should be conversion of the existing veterans' hospital at Lincoln, Nebr., so that the necessary action may be taken immediately.

I wish to say to the Senate that this question has been submitted to the White House. It was submitted many months ago. Mr. Sherman Adams and other high-ranking individuals in the White House were present. Mr. Hughes, Director of the Bureau of the Budget, was present. The Veterans' Administration and the Air Force were represented. The Governor of Nebraska was present. I believe the entire Nebraska delegation in Congress, in both the House and Senate, were present and representatives of several veterans' organizations were also present. The question was presented many months ago. I do not know what the decision is. I have pressed for a decision several times.

Last year the Senate inserted an amendment on the floor of the Senate providing for hospital facilities at the Air Force base. The amendment was not maintained in conference. My point in making this statement is that certainly an improvement of an Air Force base is not a local public works project. Certainly a Senator representing in part a State in which an airbase is located should not urge such construction as a matter of local improvement in his State. Airmen from all over the United States are trained at the various bases. Airmen from all the States may perhaps be located at the Strategic Air Command Base at Lincoln, Nebr.

There are no hospital facilities at the Lincoln Air Force Base. As of a year ago, the local Red Cross had gone over its

budget by more than 600 percent, in taking care of hardship cases.

I do not contend that this question is solely a responsibility of the Senator from Nebraska. For 2 years the Congress has asked the Air Force to carry on an important part of our strategic air command without hospital facilities or proper medical facilities.

With respect to the statement that a decision is being awaited as to whether or not to transfer a veterans' hospital, it is well known that the veterans' hospital will not be transferred. The Chairman of the Veterans' Affairs Committee of the House, Hon. OLIN TEAGUE, has stated publicly that no veterans' hospitals will be abandoned or discontinued.

Congress has appropriated money to continue the Lincoln Veterans' Hospital for the next year. It has a high occupancy rate. The Lincoln Veterans' Hospital is being improved for future service to veterans. There seems to be no question in the mind of anyone as to whether or not the veterans' hospital at Lincoln, Nebr., will be abandoned by the Veterans' Administration. I can find no one who says that it is planned to abandon it.

The fact remains that we have an airbase without a hospital. I think it is wrong. I think a hospital may be needed there very badly in case of an emergency.

I have presented the question as well as I could. I do not consider that an airbase belongs to my State. An airbase is a part of the Air Force of the entire United States. I believe that a very unwise decision is being made in not providing adequate hospital facilities for the men who are to be stationed there.

Mr. HAYDEN. Mr. President, it is my sincere hope that the decision referred to by the House and Senate committees will be promptly made, so at the next session of Congress we can provide the hospital facilities which are undoubtedly needed at the Lincoln Airbase.

Mr. CURTIS. I thank the distinguished chairman. I feel that this problem, being an Air Force problem, is a problem for all of us. I doubt if any more boys from Nebraska will be trained there than from any other State.

Mr. HAYDEN. I will say to the Senator that decision has not been made.

SOCIAL SECURITY AMENDMENTS OF 1956

The PRESIDING OFFICER. The hour of 11:30 having arrived, the morning hour is concluded, and the Chair lays before the Senate the unfinished business, which will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7225) to amend title II of the Social Security Act to provide disability-insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

Mr. LONG. Mr. President, I modify my amendment, which is at the desk, and is the pending question on the social security bill, by making a number of technical corrections, and also one substantive correction or change.

The PRESIDENT pro tempore. The modifications will be made.

SUPPLEMENTAL APPROPRIATIONS, 1957

The PRESIDING OFFICER. Without objection, the unfinished business, the social security bill, will be temporarily laid aside, and the Senate will resume the consideration of the supplemental appropriation bill.

The Senate resumed the consideration of the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

Mr. CURTIS. If the Senator from Arizona will yield further, I should like to state that after the question of transferring the veterans' hospital was raised, a hearing was held over a year ago before the Hon. CARL VINSON, chairman of the House Committee on Armed Services, and that proposal was turned down by the chairman, and he incorporated the hospital facilities for the Air Force at Lincoln, Nebr., in the authorization bill.

Mr. HAYDEN. That is correct.

Mr. CURTIS. The bill passed the Senate, as well. It was approved by the President. All of that was done after the proposed transfer was presented. I again wish to state that the distinguished chairman has been very kind indeed, and I appreciate it.

Mr. HICKENLOOPER. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. HICKENLOOPER. I wish to express my appreciation for the favorable consideration by the committee of the appropriation for the animal disease laboratory facilities, which are to be located near the State college in my home State. I wish to call attention to the fact that we of Iowa believe, as no doubt, other Senators believe of their States, that Iowa affords an ideal location for the institution. The oldest veterinary school in the United States is located at our State college. No veterinary school anywhere is superior to it. Of course, we have a top agricultural college. It has done a great deal of experimental work in animal diseases over a great many years. The land for the institution will be furnished by the State, as is noted in the report.

I certainly wish to express my personal appreciation and that of all citizens of Iowa to the chairman of the committee.

Mr. HAYDEN. I thank the Senator.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HAYDEN. Mr. President, on behalf of the committee I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, after line 11, it is proposed to insert:

For an additional amount for "Salaries and expenses," for "plant and animal disease and pest control", $2,500,000 to be apportioned for use pursuant to section 3679 of the revised statutes, as amended, for the control of outbreaks of insects and plant diseases under the joint resolution approved May 9, 1938 (7 U. S. C. 148–148e), and the act of August 13, 1954 (7 U. S. C. 148), to the extent necessary to meet emergency conditions.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona.

Mr. HAYDEN. Mr. President, the amendment was not included in the bill as reported by the committee, because at the time the bill was reported the President had not submitted a budget estimate for the item. The budget estimate is now on the way to the Senate. For that reason I believe it is entirely in order to include the item in the bill. If for any reason the budget estimate should fail to arrive it could be eliminated in conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona.

Mr. HOLLAND. Mr. President, I wish to say that the Senate Appropriations Committee on Saturday approved the inclusion of the amendment on the floor, provided the supplemental budget estimate had been approved by that time. It has been approved, and it is now on the way to the Senate. We are so advised by both the White House and the Bureau of the Budget. We have a copy of the estimate and also of the justification.

I exhibited to the committee on Saturday a letter from the Honorable LeRoy Collins, Governor of the State of Florida, assuring the committee and Congress of the 50–50 participation by the State of Florida in this whole effort.

I wish to read into the RECORD three of the paragraphs from the Governor's letter, which is dated July 9, 1956. The first is this:

I wish to reiterate statements I have made to you verbally regarding the participation of the State in these efforts. Florida expects to bear one-half of the cost, and this commitment has been made by me as Governor, by our State Budget Commission, and informally by representative members of both houses of our State legislature.

I may say that the State legislature has been studying the question and is merely awaiting advice on the amount of the Federal appropriations. The Governor will make the necessary recommendation to the legislature, and I am sure the legislature will promptly follow the recommendation. It will be on an equal matching basis with the Federal Government for the total amount of the appropriation for this important Mediterranean fruitfly-eradication program.

The next quotation I wish to read from the Governor's letter is this:

I am planning to convene the legislature in a special session on July 23, next, and I will include in the call a recommendation for an appropriation which will be adequate to match all Federal funds to take care of the cost of the program for the remainder of the current fiscal year, which extends to July 1, 1957.

The third quotation from the letter which I wish to read is this:

You are, of course, fully authorized to convey the information expressed herein to your congressional colleagues and to representatives of the USDA there.

The need for inclusion of the appropriation in this bill is obvious. Until the next regular session of the State legislature, following the adjournment of the special session to be held next week, it is necessary that adequate State funds be available to meet the Federal appropriation, both of them together having been determined to be adequate to cover the period of time involved, as approved by the scientists of the Federal Government and of the State government.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN].

Mr. BRIDGES. As ranking minority member of the committee I should like to say that the amendment, which has been so ably explained by the distinguished Senator from Florida, is fully justified. Inasmuch as we are assured that a budget recommendation will be forthcoming, I am hopeful that the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSTON of South Carolina. Mr. President, I send an amendment to the desk and ask that it be stated.

The CHIEF CLERK. On page 19, after line 10, it is proposed to insert a new paragraph, as follows:

REPAIR, IMPROVEMENT, AND EQUIPMENT OF FEDERALLY OWNED BUILDINGS OUTSIDE THE DISTRICT OF COLUMBIA

For an additional amount for "Repair, improvement, and equipment of federally owned buildings outside the District of Columbia," $50,000, to remain available until expended.

Mr. JOHNSTON of South Carolina. I wish to explain the amendment very briefly. The purpose of the amendment is to install an elevator in a Government building at Anderson, S. C., in my native county. The building is two and a half stories high and does not have an elevator. Judges have refused to hold court in the building for several sessions, due to the fact that, as they are old, they cannot walk up and down the steep steps in the building. The sessions of the court which would normally be held in the building have been transferred to either Greenville or Spartanburg, S. C., my home town, 65 miles away. In doing so a great deal of expense is incurred. I believe the expense, in transferring sessions of the court to other cities, would be saved if the court could sit at Anderson for the purpose of trying cases which arise in that locality.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. DOUGLAS. Does the Senator mean to say that the Federal judges in the District are so infirm that they cannot walk up one and one-half flights of stairs?

Mr. JOHNSTON of South Carolina. It is true that the judges are incapacitated to the extent of being unable to go up and down steep stairs. I understand doctors have advised them not to climb stairs.

Mr. DOUGLAS. Why do we not get new judges?

Mr. JOHNSTON of South Carolina. I prefer not to answer that question.

Mr. DOUGLAS. The Senator does not believe that would be a good plan. Would it cost as much to get new judges as to install an elevator in the building?

Mr. JOHNSTON of South Carolina. The need for the elevator exists in any event. It is an old building. If it were a new building, an elevator would have been installed in it; but this is an old building, and does not have an elevator.

Mr. HAYDEN. Mr. President, the committee will accept the amendment and take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. JOHNSTON].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed for a third reading, and the bill to be read a third time.

The bill (H. R. 12138) was read the third time, and passed.

Mr. HAYDEN. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. STENNIS, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG, Mr. KNOWLAND, and Mr. THYE conferees on the part of the Senate.

Mr. HAYDEN. Mr. President, I ask unanimous consent that the bill be printed with the amendments of the Senate numbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that the vote by which House bill 12138, the supplemental appropriations bill, 1957, was passed, be reconsidered, and that the votes by which the engrossment of the amendments and third reading of the bill were ordered also be reconsidered, for the purpose of permitting the consideration of some corrective amendments.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I send to the desk the amendments to which I refer, and ask that they me stated.

The amendments were stated, as follows:

On page 6, line 21, strike out "Act of ——, 1956 (Public Law ——)," and insert "Military Construction Act of 1956."

On page 7, line 21, strike out "Act of ——, 1956 (Public Law ——)," and insert "Military Construction Act of 1956."

On page 8, line 22, strike out "Act of ——, 1956 (Public Law ——)," and insert "Military Construction Act of 1956."

On page 9, line 7, strike out "Act of ——, 1956 (Public Law ——)," and insert "Military Construction Act of 1956."

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the amendments were considered and agreed to en bloc.

The PRESIDENT pro tempore. If there be no further amendment to be proposed, the question now is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 12138) was read the third time, and passed.

TRUST LANDS FOR CERTAIN PUEBLOS IN NEW MEXICO

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of calendar 2291, House bill 5712.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 5712) to provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo Grant and a small area of public domain adjacent thereto.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. CHAVEZ. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Mexico will be stated.

The CHIEF CLERK. At the end of the bill, it is proposed to add a new section, as follows:

SEC. 3. In the administration of the lands to be held in trust by the United States pursuant to this act, together with any remaining lands comprising the Ojo del Espiritu Santo grant, the Secretary of Agriculture, or any officer or agency of the United States hereafter administering such lands, shall make the livestock grazing capacity of such lands available to the Zia and Jemez Indians to the extent of 400 cattle units yearlong, and the remaining livestock grazing capacity of such lands available to the non-Indians included in the provisions of the Executive Order (No. 8697) signed by the President on February 28, 1941.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. ANDERSON. I am glad to accept the amendment, and I thank my colleague for arriving at an adjustment satisfactory to the State.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. CHAVEZ].

The amendment was agreed to.

Mr. CHAVEZ. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the Executive order signed by the President, and also the agreement with the Secretary of Agriculture.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

TRANSFER OF CERTAIN LANDS FROM THE SECRETARY OF THE INTERIOR TO THE SECRETARY OF AGRICULTURE

NEW MEXICO

Whereas the hereinafter-described lands, together with the improvements thereon, acquired by the United States in connection with the Jemez project, LI-NM-9, in Sandoval County, N. Mex., under authority of title II of the National Industrial Recovery Act (48 Stat. 200) and the Emergency Relief Appropriation Act of 1935 (49 Stat. 115), were transferred by Executive Order No. 7792 of January 18, 1938, from the Secretary of Agriculture to the Secretary of the Interior for administrative purposes; and

Whereas such lands are submarginal and not primarily suitable for cultivation; and

Whereas I find such lands suitable for the purposes of title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (50 Stat. 522, 525), and the related provisions of title IV thereof;

Now, therefore, by virtue of and pursuant to the authority vested in me by section 32 (a) of title III and section 45 of title IV of said Bankhead-Jones Farm Tenant Act, it is ordered (1) that the hereinafter-described lands, together with the improvements thereon, acquired in connection with the said Jemez project, LI-NM-9 be, and they are hereby, transferred from the Secretary of the Interior to the Secretary of Agriculture, and (2) that all the right, title, and interest of the United States in and to such lands be, and they are hereby, transferred to the Secretary of Agriculture for use, administration, and disposition in accordance with the provisions of title III of the said act and the related provisions of title IV thereof: Provided, however, that grazing facilities on such lands shall be made available to the Pueblo Indians to the extent of 400 cattle units yearlong:

Sandoval County, N. Mex.: New Mexico principal meridian

Townships 15, 16, 17, and 18 N., Rs. 1 E., and 1 W., those parts lying within the Ojo del Espiritu Santo Land Grant as shown upon plat approved June 29, 1885;

Townships 15, 16, and 17 N., R. 2 W., those parts lying within the Ojo del Espiritu Santo Land Grant as shown upon plat approved June 29, 1885.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February, 28, 1941.*

(No. 8697)

(F. R. Doc. 41-1439; Filed, March 1, 1941; 11:26 a. m.)

MEMORANDUM OF AGREEMENT BETWEEN THE SECRETARY OF AGRICULTURE AND THE SECRETARY OF THE INTERIOR

Subject: Cuba-Rio Puerco land-use adjustment project, LU-NM-38-22.

In order to contribute to the stabilization of the agricultural economy of the Indian and non-Indian population in the watershed of the Rio Puerco River, in Sandoval, Valencia, and Bernalillo Counties, N. Mex., the Secretary of Agriculture and the Secretary of the Interior agree as follows:

1. The Secretary of Agriculture will acquire, in connection with the Cuba-Rio Puerco Project, to be established under title III of the Bankhead-Jones Farm Tenant Act, the Antonio Sedillo grant (approximately 86,249 acres).

2. Upon the acquisition of the Antonio Sedillo grant, the Secretary of Agriculture and the Secretary of the Interior, will jointly recommend to the President—

A. That the Antonio Sedillo grant be transferred to the jurisdiction of the Secretary of the Interior, and

B. That the Espiritu Santo Grant be transferred to the jurisdiction of the Secretary of Agriculture.

3. That the Secretary of the Interior and the Secretary of Agriculture declare their mutual understanding and intention that the range on the Espiritu Santo grant shall, as early as practicable, be made available for the conservative use of the local non-Indian population, and remain available for the conservative use of the Jemez and Zia Indians in an amount not to exceed the present use of the Jemez and Zia Indians, until other satisfactory range can be supplied for them. To this end the Secretaries agree that as soon as the Sedillo grant is available—

A. The livestock of the Laguna Indians now grazed on the Espiritu Santo grant will be transferred to the Sedillo grant.

B. Insofar as the grazing capacity of the Sedillo grant exceeds the needs of the Laguna livestock from the Espiritu Santo grant, Indian livestock from the Bernabe Montano grant will be transferred to Sedillo; and to the extent grazing capacity is thereby released on the Bernabe Montano grant, livestock of the Jemez or Zia Indians now using the Espiritu Santo grant will be transferred to the Bernabe Montano grant.

C. The Secretary of the Interior will take the necessary steps to provide, if possible, from the available lands under his jurisdiction or any other lands, such additional grazing capacity as may be required to accommodate the livestock of the Jemez and Zia Indians remaining on the Espiritu Santo grant.

4. All questions of fact relating to grazing capacity, livestock numbers, users and use-rights, or related matters, shall be referred to the interdepartmental Rio Grande board, the findings of which will be accepted as a basis for administrative determinations.

In recognition of the desirability of accomplishing the objectives of this memorandum of agreement at the earliest possible date, the Secretary of the Interior and the Secretary of Agriculture will take such joint and individual action as will expedite the execution of the details involved in this agreement.

Date: July 14, 1938.

HAROLD L. ICKES,
Secretary of the Interior.

Date: June 29, 1938.

HARRY L. BROWN,
Acting Secretary of Agriculture.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 5712) was read the third time, and passed.

The PRESIDING OFFICER. Without objection, the companion bill, Calendar No. 2021, Senate bill 1907, a bill to provide that the United States hold in trust for the Pueblos of Zia and Jemez, a part of the Ojo Espiritu Santo Grant and a small area of public domain adjacent thereto, will be indefinitely postponed.

CONSTRUCTION OF FARWELL UNIT, NEBRASKA, OF THE MISSOURI RIVER BASIN PROJECT

Mr. JOHNSON of Texas. Mr. President, I ask uanaimous consent notwithstanding the order previously entered with reference to the consideration of the Executive Calendar, that the Senate proceed to the consideration of Calendar No. 2571, Senate bill 3594.

The PRESIDING OFFICER. Without objection, it is so ordered. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3594) to reauthorize construction by the Secretary of the Interior of Farwell unit, Nebraska, of the Missouri River Basin project.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments.

Mr. JOHNSON of Texas. Mr. President, I ask the distinguished Senator from Nebraska [Mr. CURTIS] to explain the bill. At the time it was reached on the calendar some objection was made to its consideration.

Mr. CURTIS. Mr. President, I thank the distinguished majority leader.

The purpose of the bill is to reauthorize the project which was authorized by the Flood Control Act of 1944. The bill has been approved by the Department of the Interior and the Bureau of the Budget, and a request has been sent from the Chief Executive that this proposed legislation be passed. The project has been found to be economically feasible. This is an authorization bill. At a later time the subject of the appropriation will be gone into.

There are some amendments suggested by the committee, which I think should be adopted.

The PRESIDING OFFICER. The committee amendments will be stated.

The amendments of the Committee and Insular Affairs were, on page 2, line 13, after the word "Basin", to strike out "project." and insert "project: *Provided*, That any contract entered into under section 9, subsection (d), of the Reclamation Project Act of 1939 (53 Stat. 1187, 1193, 43 U. S. C., sec. 485 (h)) for payment of those portions of the costs of constructing, operating, and maintaining the Farwell unit which are allocated to irrigation and assigned to be repaid by the contracting organization may provide for the repayment of the portion of the construction cost assigned to any project contract unit or, if the contract unit be divided into two or more irrigation blocks, to any such block over the period specified in said section 9 (d) or as near thereto as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within the period stated under normal conditions, permits variance

in the required annual payments in the light of economic factors pertinent to the ability of the organization to pay", and on page 3, line 9, after the word "supplemented", to insert "The Secretary is authorized to transfer to the Department of Agriculture from funds available for construction of the Farwell unit such sums as are reasonably required to construct necessary water management and channel works as hereinbefore provided.", so as to make the bill read:

Be it enacted, etc., That the authorization for construction, operation, and maintenance of the Farwell unit of the Missouri River Basin project contained in section 9 (c) of the act of December 22, 1944 (58 Stat. 887), as amended and supplemented, is hereby amended to authorize the construction, operation, and maintenance of works to furnish irrigation water for approximately 52,500 acres of land in Howard, Sherman, and Valley Counties, Nebr. The principal works of said unit shall consist of a reservoir at or near the Sherman site, works for the diversion of water from the Middle Loup River and its delivery to said reservoir, and necessary pumping facilities, canals, drains, and related works. There shall also be included as a part of the Farwell unit such watershed management and channel works as are necessary to provide channel stability in the light of the anticipated application of irrigation water to the lands involved and appropriate portions of the costs of constructing, operating, and maintaining such works shall be allocated to irrigation and returned in the same manner and under the same conditions as other irrigation costs of the Missouri River Basin project: *Provided*, That any contract entered into under section 9, subsection (d), of the Reclamation Project Act of 1939 (53 Stat. 1187, 1193, 43 U. S. C., sec. 485 (h)) for payment of those portions of the costs of constructing, operating, and maintaining the Farwell unit which are allocated to irrigation and assigned to be repaid by the contracting organization may provide for the repayment of the portion of the construction cost assigned to any project contract unit or, if the contract unit be divided into two or more irrigation blocks, to any such block over the period specified in said section 9 (d) or as near thereto as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within the period stated under normal conditions, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the organization to pay. The Farwell unit shall be integrated, physically and financially, with the other Federal works in the Missouri River Basin constructed or authorized to be constructed under the comprehensive plan approved by section 9 of the act of December 22, 1944, as amended and supplemented. The Secretary is authorized to transfer to the Department of Agriculture from funds available for construction of the Farwell unit such sums as are reasonably required to construct necessary water management and channel works as hereinbefore provided.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill S. 3594) was ordered to be engrossed for a third reading, read the third time, and passed.

ORDER FOR RECESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 10 o'clock tomorrow morning, notwithstanding the order previously entered.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPRESSION OF APPRECIATION

Mr. JOHNSON of Texas. Mr. President, I should like to express my deep appreciation to the distinguished minority leader and his very able staff for the cooperation they have given us in the consideration of the very large number of bills which have been acted upon today.

We have passed some 115 bills, and there are possibly 40 remaining on the calendar. In my experience in Congress I do not recall a time when this late in a session there have been so few bills left on the calendar.

Mr. President, I also wish to express my gratitude and deep appreciation to the distinguished Senator from Maine [Mr. PAYNE], who has made possible the expeditious action which has been taken today.

The two calendar committees have worked very harmoniously together. They have thoroughly studied all the bills. I do not think we have ever had two more effective and efficient calendar committees than those represented by the majority and the minority during this session of the Congress. I am hopeful that we can further reduce the number of bills on the calendar. The committees will be meeting to report other bills, and I am sure we can make great progress with the bills which have been passed by the House.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed the following bills of the Senate, severally with an amendment; in which it requested the concurrence of the Senate:

S. 497. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California;

S. 2280. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes;

S. 3246. An act to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research; and

S. 3897. An act to improve governmental budgeting and accounting methods and procedures, and for other purposes.

The message also announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 849. An act to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes; and

S. 898. An act to amend the Interstate Commerce Act, with respect to the authority of the Interstate Commerce Commission to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 1774) to abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mrs. PFOST, Mr. UDALL, Mr. BERRY, and Mr. HOSMER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9419. An act to provide for the preservation of the U. S. S. *Hartford*, and for other purposes;

H. R. 11077. An act to amend the Atomic Energy Community Act of 1955, and for other purposes;

H. R. 11613. An act to authorize the loan of naval vessels to the Governments of the Federal Republic of Germany, Greece, Portugal, Spain, and friendly Far Eastern nations, and for other purposes;

H. R. 11787. An act to amend further and make permanent the Missing Persons Act, as amended; and

H. R. 11947. An act to extend and amend the Renegotiation Act of 1951.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were read twice by their titles, and referred, or placed on the Calendar, as indicated:

H. R. 9419. An act to provide for the preservation of the U. S. S. *Hartford*, and for other purposes;

H. R. 11613. An act to authorize the loan of naval vessels to the Governments of the Federal Republic of Germany, Greece, Portugal, Spain, and friendly Far Eastern nations, and for other purposes; and

H. R. 11787. An act to amend further and make permanent the Missing Persons Act, as amended; to the Committee on Armed Services.

H. R. 11077. An act to amend the Atomic Energy Community Act of 1955, and for other purposes; placed on the Calendar.

H. R. 11947. An act to extend and amend the Renegotiation Act of 1951; to the Committee on Finance.

CARE OF MENTALLY ILL OF ALASKA—CONFERENCE REPORT

Mr. JACKSON. Mr. President I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6376) to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the

amendments of the Senate to the bill (H. R. 6376) to provide for the hospitalization and care of the mentally ill of Alaska, and for other persons, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendments of the Senate and agree to the same with a further amendment as follows:

Amend the first sentence of section 302 (a) so as to read:

SEC. 302. (a) Within two hundred and ten days after the date of enactment of this Act, the Secretary of the Interior, with the concurrence of the Governor of Alaska, may either (i) assign all of his rights and duties under contract numbered 14-04-001-81, entered into on June 18, 1953, between the Secretary of the Interior on behalf of the United States, and the Sanitarium Company of Portland, Oregon, to the Territory of Alaska, such assignment to become effective on the two hundred and tenth day after the date of enactment of this Act, or (ii) terminate the said contract in accordance with the terms thereof, and the Senate agree to the same.

HENRY M. JACKSON,
ALAN BIBLE,
WILLIAM R. LAIRD III,
THOMAS H. KUCHEL,
BARRY GOLDWATER,
Managers on the Part of the Senate.

LEO W. O'BRIEN,
ED EDMONDSON,
EDITH GREEN,
JOHN R. PILLION,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JACKSON. Mr. President, I can state that the conference report is signed by all of the Senate conferees. The conferees agreed upon the Senate amendments to the bill with a minor amendment to section 302. Under the conferees' amendment the Secretary of the Interior would have 210 days rather than 30 days in which to reach a determination whether to assign the contract with the Portland, Oreg., hospital for the care of Alaska mental patients to the Governor of Alaska or to terminate it in accordance with its own provisions.

On behalf of the conferees, I submitted this amendment to the Secretary of the Department of Health, Education, and Welfare and to the Secretary of the Interior. I have now received a formal reply from each that there is no objection to this amendment.

Mr. President, I ask unanimous consent that the letters of the two Secretaries be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., July 12, 1956.

Hon. HENRY M. JACKSON,
Chairman, Territories Subcommittee, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

MY DEAR SENATOR JACKSON: This will reply to your letter of July 2, in which you request the comments of this Department on the proposed action of the conferees with respect to H. R. 6376, the Alaska mental health bill.

The conferees have agreed to the Senate amendment, except that section 302 (a), the section which as reported by the committee would have required the Secretary of this Department either to assign or terminate the current hospital contract within 30 days, would be amended to authorize such an assignment or termination within 210 days.

This Department has no objection to the proposed action of the conferees.

Sincerely yours,

WESLEY A. D'EWART,
Assistant Secretary of the Interior.

DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE,
Washington, July 12, 1956.

Hon. HENRY M. JACKSON,
Chairman, Territories Subcommittee, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: This is in response to your letter of July 2, 1956, advising us of the conference agreement on H. R. 6376, the Alaska mental health bill, subject to the concurrence of this Department and the Department of the Interior concerning two amendments to section 302 (a) of the bill agreed to by the conferees.

Section 302 (a) of the bill, which would be amended by the conference amendments, relates to the authority of the Secretary of the Interior to assign to the Territory or to terminate the existing contract with Morningside Hospital for the care and treatment of mental patients committed from Alaska. Inasmuch as this, so far as the Federal Government is concerned, is entrusted solely to the Secretary of the Interior, we would defer to the views of the Interior Department as to the acceptability and workability of the conference amendments. We understand that that Department has no objection to the amendments and we therefore likewise concur.

We are gratified to know that this will make unnecessary another meeting of the conferees and will thus expedite passage of the bill which is very much needed by the people of Alaska.

Time has not permitted us to obtain the advice of the Bureau of the Budget in connection with this report.

Sincerely yours,

M. B. FOLSOM,
Secretary.

Mr. JACKSON. Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

CONSTRUCTION AND MAINTENANCE OF WASHOE RECLAMATION PROJECT, NEVADA AND CALIFORNIA

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 497) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California, which was to strike out all after the enacting clause and insert:

That, for the purposes of furnishing water for the irrigation of approximately 50,000 acres of land in the Carson and Truckee River Basins, Nevada and California, providing drainage service to approximately 31,000 acres of land therein, firming the existing water supplies of lands under the Truckee River storage project and the Newlands project, controlling floods, providing hydroelectric power, development of fish and wildlife resources, and for other beneficial purposes, the Secretary of the Interior is authorized to construct, operate, and maintain the Washoe reclamation project consisting of 2 principal reservoirs at the Stampede and Watasheamu sites, together with other necessary works for the impounding diversion, and the delivery of water, the generation and transmission of hydroelectric power, and the drainage of lands. The dam at the Stampede site shall be so constructed as to permit its ultimate enlargement to a height at which the reservoir will have a capacity of approximately 175,000 acre-feet.

SEC. 2 (a) In constructing, operating, and maintaining the works authorized in section 1 of this act, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 389, and acts amendatory thereof or supplementary thereto) except as is otherwise provided in this act.

(b) Any contract entered into under section 9, subsection (d) of the Reclamation Project Act of 1939 (53 Stat. 1187, 1193; 43 U. S. C., 1952 edition, sec. 458h) for payment of those portions of the costs of constructing, operating, and maintaining the Washoe reclamation project which are properly allocable to irrigation and drainage and which are assigned to be paid by the contracting organization may provide for the repayment of the portion of the construction cost of the project assigned to any project contract, unit or, if the contract unit be divided into 2 or more irrigation or drainage blocks, to any such block over a period of not more than 50 years, exclusive of any permissible development period, or as near thereto as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within the period stated under normal conditions, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the organization to pay: *Provided*, That any contract for a supplemental water supply for irrigation under this act may omit provisions complying with the third sentence of paragraph (a) of section 46 of the act of May 25, 1926 (44 Stat. 649) if such contract, in lieu of such provisions, provides that the pro rata share of the irrigation allocation which is attributable to furnishing irrigation or drainage benefits, in each particular year, to land held in private ownership by any 1 owner in excess of 160 irrigable acres, shall be returned with interest determined in accordance with subparagraph (c) of this section.

(c) Notwithstanding any other provision of law to the contrary, all net revenues derived from the sale of commercial power from the Washoe reclamation project shall be applied, first, to the amortization of that portion of the cost of constructing the project which is allocated to commercial power with interest on the unamortized balance thereof at the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this act, and thereafter to the amortization of that portion of the cost of constructing the project which is allocated to irrigation and drainage but which is beyond the ability of the contracting irrigation and drainage organizations to repay as provided above.

(d) Water users in Alpine County, Calif., shall have the opportunity to contract for project water made available by the Watasheamu Reservor before such project is offered for the development of any new land in Nevada. Should any such project water be contracted for by Alpine County water users, then in that event such users shall be permitted to exchange such water for existing rights to natural flow or stored water of the West Carson River.

(e) The use of waters of the Little Truckee River solely for the generation of electric

power by the Washoe project shall not impair or preclude the appropriation of such waters in the future for beneficial consumptive use within the Little Truckee River watershed in California to the same extent as such waters may be presently available for such appropriation in the State of California: *Provided*, That if and when an interstate compact covering the distribution and use of the waters of the Truckee and Carson Rivers is approved by the Legislatures of the States of California and Nevada and is consented to by Congress, the operation of the Washoe reclamation project shall be in conformance with such compact, and the foregoing restriction shall not apply.

SEC. 3. The Secretary is authorized to investigate, plan, construct, operate, and maintain minimum basic facilities for access to, and for the maintenance of public health and safety and the protection of public property on, lands withdrawn or acquired for the development of the Washoe project, to conserve the scenery and natural, historic, and archeologic objects, and to provide for public use and enjoyment of the same and of the water areas created by this project by such means as are consistent with its primary purposes. The Secretary is authorized to withdraw from entry or other disposition under the public land laws such public lands as are necessary for the construction, operation, and maintenance of said minimum basic facilities and for the other purposes specified in this section and to dispose of such lands to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance upon such terms and conditions as will best promote their development and operation in the public interest. The Secretary is further authorized to investigate the need for acquiring other lands for said purposes and to report thereon to the Committees on Interior and Insular Affairs of the Senate and House of Representatives, but no lands shall be acquired solely for any of these purposes other than access to project lands and the maintenance of public health and safety and the protection of public property thereon without further authorization by the Congress. All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable.

SEC. 4. Facilities shall be provided for the development of the fish and wildlife resources of the project area including facilities to permit increased minimum water releases from Lake Tahoe and restoration of the Pyramid Lake fishery. The cost of such facilities, including operation and maintenance, shall be nonreimbursable. The cost to the Federal Government of constructing these facilities shall not exceed $2 million. This amount shall not include the cost of measures undertaken, pursuant to section 2 of the act of August 14, 1946 (60 Stat. 1080, 16 U. S. C. 661a), to mitigate damages to fish and wildlife resources occasioned by the Washoe project as authorized by section 1 of this act.

SEC. 5. There is hereby authorized to be appropriated for construction of the Washoe reclamation project the sum of $43,700,000 plus such amounts, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein and, in addition thereto, such sums as may be required to operate and maintain the project: *Provided*, That the appropriation of funds for the construction, operation, or maintenance of facilities authorized by section 4 of this act shall not be from the reclamation fund.

Mr. BIBLE. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. ANDERSON, Mr. BIBLE, and Mr. MALONE conferees on the part of the Senate.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the order entered last Friday, the Senate will now proceed to the consideration of executive business.

The Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The first nomination on the executive calendar will be stated.

UNITED STATES CIRCUIT JUDGE SIMON E. SOBELOFF

The Chief Clerk read the nomination of Simon E. Sobeloff, of Maryland, to be a judge of the fourth circuit.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

Mr. JOHNSTON of South Carolina. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUTLER. Mr. President, Executive Report No. 8 of the 84th Congress, 2d session, dealing with the nomination of Simon E. Sobeloff to the United States Court of Appeals for the Fourth Circuit, was published last Friday. That report reveals that the Senate Committee on the Judiciary, after full consideration, has recommended confirmation by a vote of 9 to 2 with one abstention. The report contains the views of the majority and the minority.

Were it not for the fact that these conflicting views are so fully stated in the 24-page report, I might feel it necessary, because of the great importance of this matter, to dwell at length on the pros and cons of confirmation. However, because of the care which has gone into the preparation of the Report, I doubt that there is much of value which can now be added, either for or against confirmation. Nevertheless, I believe a constructive purpose can be served by discussing briefly what seem to be the key issues involved.

Fundamentally the question before the Senate is whether the nominee is qualified for appointment to a judgeship on the United States Court of Appeals for the Fourth Circuit. All other questions are pertinent and relevant only insofar as they relate to the nominee's qualifications. This is a principle which we should all keep in mind when we weigh this matter.

This is not the first time the Senate has been called upon to confirm the nominee to a high and distinguished legal office. Less than 2½ years ago we unanimously approved his nomination to the critically important post of Solicitor General of the United States. Prior to that time he had served ably as chief judge of the Court of Appeals of Maryland. Before that he had served with marked distinction as United States attorney for the district of Maryland; and as city solicitor of Baltimore city.

On pages 1 and 2 of Executive Report No. 8, there are listed many more of the nominee's honors and attainments. Indeed, there is only one matter which I feel we might have stressed more in the report. That matter is the fact that in addition to having the endorsement of the respective committees on judicial appointments of the Baltimore City and Maryland State Bar Associations, and of the corresponding committee of the American Bar Association, as well, the nominee has the endorsement and unqualified approval of the entire bench of the United States Court of Appeals for the Fourth Circuit. To be more specific, confirmation of the nomination is strongly urged by Chief Judge John J. Parker, Associate Judge Armistead M. Dobie, and the eminent jurist whom the nominee would replace, Associate Judge Morris A. Soper.

The fact that Judge Soper has taken such an active and unqualified part in urging confirmation of the nominee to replace him on the bench is, I submit, entitled to the greatest weight. For a quarter of a century Judge Soper has sat with honor and distinction as an associate judge on the Court of Appeals for the Fourth Circuit. No one who knows Judge Soper as I do could fail to recognize that in urging us to confirm the nominee he is, in effect, saying to us, "Simon Sobeloff is a man to whom I am now willing to relinquish the great office I have loved and held so long. Here is a lawyer who has every qualification, every attribute, every characteristic, which I, through my years of service on this bench, know to be required of a jurist here. Here is a man who I am confident will honor and uphold the traditions and responsibilities of this great office."

In short, I say that the fact that every judge on the Fourth Circuit Court of Appeals is urging us to confirm the nominee—were there nothing more to be said in his favor—would render worthless the contentions of the minority that he is not qualified, that his nomination is a political device and that the nominee is unacceptable to the people within the circuit.

Turning for a moment to page 12 of the report, the minority contends—

> The nomination of Simon E. Sobeloff to fill the vacancy created by the retirement of Judge Morris A. Soper, of Maryland, violates the traditional rotation custom of appointments for vacancies on the Fourth Circuit Court of Appeals.

This contention is rebutted in some detail by the majority on page 11 of the report. The experience of the past establishes that there is no such tradition. Whatever past practice there has been should under no circumstances be transformed into a rigid, inflexible requirement, unresponsive to other more important considerations. This seems so obvious that I will not comment further upon it, other than to say that even granting the general desirability of some such rotation custom when other factors

are in balance, none of us, I am sure, has ever doubted that the President is within his rights in nominating any qualified person from any part of the circuit. Said another way, for us to reject confirmation of the nomination on this ground, and thereby set up for the first time a rotation custom within our circuit courts, would not only, in my opinion, violate the separation-of-powers concept of our Constitution but would geographically straitjacket the Federal judiciary in the years to come.

Mr. President, while I am discussing this problem, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared concerning the conditions which exist and which have existed in the most recent past in the fifth, eighth, and ninth judicial circuits of the United States.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER

In the fifth circuit Elbert Parr Tuttle, of Georgia, was confirmed by the Senate August 3, 1954, at a time when Georgia was already represented on the court by Robert L. Russell (brother of Senator RUSSELL) and when Florida and Mississippi had no representatives.

In the eighth circuit Nebraska has two judges (Joseph W. Woodrough and Harvey M. Johnson), while Arkansas has no representation.

In the ninth circuit until the recent appointment of Richard H. Chambers on May 13, 1954, Arizona was unrepresented although California had several judges on the court. At present Nevada is not represented, yet the Senate recently (on March 20, 1956) confirmed Stanley N. Barnes, from California.

Turning now to pages 16, 17, and 18 of the report, the minority contends that the nominee's failure, as Solicitor General of the United States, to sign the Government's brief and to argue before the Supreme Court in the case of Peters against Hobby proves that he had a predisposition of issues disqualifying him from judicial appointment. Actually, and with all due respect to my distinguished colleagues, the senior Senator from Mississippi and the senior Senator from South Carolina who signed the minority report, I find their criticism of the nominee's conduct in the Peters case more persuasive of his confirmation than of his rejection.

The minority states, at page 17, concerning the Peters case matter:

In short the issue is whether the nominee is prejudiced against the views of the Government on the confrontation issue.

Senators will recall that Peters was discharged as a Federal health consultant by the Loyalty Board of the Federal Security Agency under the loyalty program. He brought an action seeking to be restored to his position on the ground that it was unconstitutional for the Government to dismiss him without permitting him to confront his accusers.

The minority does not contend that the Solicitor General should have made an argument in behalf of the United States in which he did not believe. They recognize that such a position would be wholly untenable. Instead they take the position that reasonable men—including potential judges—cannot differ with them on the confrontation issue. While I for one agree with them that Peters should have had no right of confrontation according to the facts of his case, I recognize, which apparently the minority is willing to do, that reasonable men and reasonable judges—potential or otherwise—have vastly differing views on this important and controversial constitutional question. Therefore, it is, I submit, both unwise and unfair for the minority to proclaim the nominee unqualified by reason of the fact that they refuse to recognize that reasonable men hold views different from theirs and mine on this important question.

The minority also contends that the nominee is unqualified because he has made public statements concerning certain well-known practices of the Supreme Court, and that these comments indicate that he does not have a proper respect for the constitutional separation of powers between the legislative, executive, and judicial branches of our Government. The minority's views on this matter are found on pages 18 and 19 of the report; the majority's, on pages 8, 9, and 10.

Rather than attempt to paraphrase both sides of this argument, I shall merely quote from a pertinent letter written to the committee by Chief Judge John J. Parker, resting content in the belief that his well-considered comments will place in proper perspective this argument against confirmation, revealing its complete lack of merit. Judge Parker said:

I understand that criticism has been made of Judge Sobeloff on the ground that in a speech which he made before the Judicial Conference of the Fourth Circuit in June 1954, he stated that "the Supreme Court is not merely the adjudicator of controversies, but in the process of adjudication it is in many instances the final formulator of national policy." I heard that speech and saw nothing in it to criticize. That it is the proper function of the Supreme Court to interpret the Constitution of the United States and acts of Congress and that such interpretation is often the final formulation of national policy has been recognized so long that it has never occurred to me there could be any doubt about the matter. *Chisholm* v. *Georgia, Marbury* v. *Madison, Gibbons* v. *Ogden*, the Standard Oil case, the Appalachian Coals case, the Washington minimum wage case, the mortgage moratorium case, the steel seizure case, and many others, which will doubtless occur to you without my mentioning them, illustrate what I mean and what I am sure Judge Sobeloff had in mind in the passage of his speech which is criticized.

At pages 2 through 7 and 19 through 22 of the report appear the majority and minority's views, respectively, concerning certain charges that the nominee acted unethically and improperly in connection with the part he played in the receivership of the Baltimore Trust Co. My only reason for even mentioning these scurrilous and utterly baseless charges, totally laid at rest by the majority of the committee on pages 2 through 7, is to call attention to the fact that the minority reveals the weakness of their case against confirmation by having to place any reliance whatsoever upon these preposterous, flimsy, unfounded, and irresponsible attacks on the nominee's character.

Now I come finally to the point which, in my opinion, is the real basis for the objection to confirmation—the nominee's participation in the argument in the Supreme Court on the segregation cases. The views of the majority of the committee on this matter are found at pages 7 and 8 of the report; those of the minority at pages 22 through 24, in particular, but see also a collateral reference on page 19.

As the majority of the committee has pointed out, the nominee was not yet Solicitor General when the original question was argued as to the legality of segregation. He had no part in presenting the case or in representing the Government until after the Court's decision was made. His first appearance occurred 11 months thereafter, when he represented the Government at the second hearing. By that time the "separate but equal" doctrine had been overruled, and the sole remaining issue was the type of decree which should be passed to implement the decision previously made.

The argument of the nominee was generally regarded as restrained and reasonable, and southern newspapers characterized his presentation as the "voice of moderation." He disagreed with the contentions of those who insisted on a decree calling for the forthwith integration of public schools. He maintained that the cases should be remanded for further proceedings to the lower courts, which were better acquainted with local conditions. He pointed out that "there is such a great variety of conditions that no single formula could be devised that would fit aptly all cases," and that the Supreme Court cannot act as a "super school board." He urged that the district courts be given discretion to determine how soon the required changes could be feasibly made. He particularly declared to the Court that "people should not be run over roughshod," and urged the Court not to fix a deadline. He told the Supreme Court that "institutions that had existed for generations cannot be wiped out by a stroke of the pen."

It has been said that the nominee argued for a deadline of 90 days to effect desegregation. This is not correct. He suggested that the district courts require the defendants merely to submit a plan within 90 days, and that this period could be extended where the Court found that more time was required. He asked the Court to allow ample time, but to require a show of good faith. Throughout his presentation the nominee showed an awareness of the human factors on both sides of the question. The majority of the committee is convinced, from his calm and dispassionate treatment of this delicate question, that there is nothing in his having participated in the Supreme Court as the chief trial lawyer for the Government that disqualifies him for the office to which he has been nominated.

In closing, I think it is fair to say that my two distinguished colleagues who signed the minority views, and certain other southern Senators, fear that the nominee if confirmed would be unfair or unjust in his consideration of matters relating to desegregation. Quite apart

from the fact that knowing the nominee as I have for many years I personally am absolutely confident that in sitting in judgment on such matters he would be impartial, fair, learned, and judicious, I must reemphasize that Chief Judge Parker, of North Carolina, has no such fears or reservations concerning the nominee and, indeed, urges his confirmation. Likewise, Judge Dobie, a lifetime Virginia jurist, steeped in the finest traditions of the South, urges confirmation.

As I have often done, when seeking guidance on constitutional matters, I turned the other day to that wonderful book by Woodrow Wilson entitled "Constitutional Government in the United States." There, within minutes, I found an analogy in his comments upon Members of Congress appointed to the Federal bench. For those among us who are concerned about the nominee's alleged "predisposition" on matters relating to civil rights, I respectfully refer to Wilson's comment:

> The point of view of the lawyer in Congress is after all not always the point of view of the lawyer on the bench, whose concern is not with political considerations, but with the legal rights of the litigants before him and the exact maintenance of the terms of the law.

Certainly if a Member of Congress, appointed to the Federal bench, merits such understanding consideration, how can we deny the Solicitor General of the United States whom we confirmed less than 2½ years ago the same treatment.

Wilson goes on to illustrate the point:

> Mr. Salmon P. Chase, when Secretary of the Treasury under Mr. Lincoln, advocated the issue of irredeemable paper currency in relief of the Treasury, and was largely instrumental in inducing Congress to pass the statutes which filled the country with greenbacks, declaring it to be his opinion that such issues were legal under the powers granted Congress in the Constitution; but Mr. Salmon P. Chase, when afterward Chief Justice of the United States, joined with the majority of that great Court in declaring the legal tender acts unconstitutional. The thing might happen with the most conscientious lawyer. It is one thing to have to decide a matter of that kind in connection with important business you are conducting, and it is quite another thing to have it to decide as a judge lifted above all personal interest in the matter and bidden take it upon its merits, not as an advocate but as an arbiter.

I need labor the point no longer. The confirmation of the nominee is long overdue, and I am confident that it will soon be overwhelmingly forthcoming from this body.

Mr. O'MAHONEY. Mr. President, I had the honor of being appointed chairman of the subcommittee appointed to hold hearings upon the nomination of the Solicitor General, Mr. Simon E. Sobeloff, to be a judge of the fourth circuit. I have held about as many hearings, in my time, on nominees for various offices, including judicial offices, as I think have been held by any Member of this body. I began service in the Senate in January 1934, and, except for a temporary interruption after the election of 1952, I have served until this date.

During that time I was a member of the Judiciary Committee for a long while. I was personally responsible for the rule of that committee which prescribed that notice should be given of a public hearing with respect to every nomination sent to the Senate. I suggested that rule early in the Roosevelt administration, because I felt that it was a public duty of the Judiciary Committee to lay before the public the notice of the nomination of every person nominated to the bench or to become a United States attorney. That rule has been followed during all these years. I mention it only because I want the Members of the Senate to know that in all that period I have never had the opportuniity to examine a nominee who was better qualified than Mr. Simon E. Sobeloff is qualified to be a United States circuit judge for the fourth circuit. He is a man of outstanding ability as a lawyer. His character cannot be successfully impunged. His integrity is above any real challenge. Not only that, but the record here shows that our friends who may oppose confirmation of the nomination, for fear that in the desegregation case before the Supreme Court, Mr. Sobeloff was the author of the Supreme Court's decision, are making a very grievous error.

Mr. Sobeloff was not on the staff of the Department of Justice when the case was first filed. At that time the Attorney General was Mr. McGranery. So the filing of the desegration case was made under the administration of President Harry S. Truman. Mr. Sobeloff was not on the staff of the Department of Justice when the case was first argued on December 9, 1952, nor on December 8, 1953, when it was argued for the second time.

Mr. Sobeloff did not appear before the Supreme Court in that case until April 1955, almost a year after the Supreme Court, by a vote of 9 to 0, had made the decision. His only part was to argue with respect to the form of the decree, and, in this respect, he was a spokesman for moderation.

He resisted the original suggestion that the Supreme Court by its decree should require the lower court to enter an order requiring a submission within 90 days of a plan to end segregation in the public schools as soon as possible. He warned that institutions which have been in existence for years cannot "be erased with one stroke of the pen"; and he urged that even though a bona fide plan of approaching the goal of desegregation should be filed, that would not mean that conditions should be ignored, that people should not be ridden over roughshod, but only that the situation should not be left hanging in the air.

Responding to a question by Justice Burton, "You do not mean a deadline for completion, but for beginning?" Mr. Sobeloff replied, "If a plan cannot be furnished in 90 days, the district judge should give further time. The burden would be on the persons seeking delay." Thus it is clear from the record that Mr. Sobeloff was an advocate of moderation in the enforcement of the decree because he realized that only time, patience, consideration, and good judgment on the part of the courts can effectively solve this problem.

Thus, it appears from the record that Mr. Sobeloff had no part in the proceedings in the Supreme Court until after the decision was made. Mr. Sobeloff was nominated for Solicitor General on January 22, 1954; he was recommended for confirmation by the Judiciary Committee on February 8, 1954, without debate or question; and his nomination was confirmed by the Senate on February 9, 1954. This all occurred after the closing argument in the case on December 8, 1953. The brief on this case was signed by Attorney General Brownell and Assistant Attorney General Rankin. The prior brief was signed by former Attorney General James McGranery. Assistant Attorney General Rankin argued the case.

The whole story of Mr. Sobeloff and the segregation case may be summarized in this sentence: Sobeloff did not appear in the desegregation case until after the decision; and when he did appear, he argued for moderation.

Mr. President, when charges were brought against the nominee and when the hearings to consider the charges were begun, and when the witnesses appeared, their testimony was taken under oath. I asked Mr. Sobeloff, the Solicitory General of the United States, whether he would be willing to take an oath before he began his testimony; and he gladly responded in the affirmative.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the full text of a letter of May 20, 1956, addressed to me by Mr. Sobeloff, in which he himself answers every single attack which has been made upon him, and, in my opinion, demonstrates that he is worthy of the confidence and support of the Senate of the United States.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 20, 1956.

Hon. JOSEPH C. O'MAHONEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR O'MAHONEY: Permit me to comment on the principal features of the letter addressed to you by Mr. Charles Shankroff, which appears in the CONGRESSIONAL RECORD of May 17.

Boiled down, Mr. Shankroff's letter levels three basic charges against me:

1. That in the sale of the Baltimore Trust Building, I was counsel both for the receiver, as seller, and for the buyer. I was neither.

2. That I settled suits against the directors for an inadequate amount.

3. That I represented inconsistent interests in the settlement of the stockholders' liability. These charges are utterly without foundation.

I. THE RECEIVER HIMSELF SOLD THE BUILDING AND NOT TO ANY CLIENT OF MINE

The facts are, and the record shows, that I represented neither the seller nor the buyer in that transaction. The seller was the receiver, but Mr. Shankroff persistently ignores the limited nature of my legal employment under the court's order, namely, that I had nothing to do with the liquidation of the assets of the receivership. My employment was limited to making an investigation of the causes of the failure of the Baltimore Trust Co., and later in suing the directors. I was appointed by the judge as an independent officer of the court. Mr. John Hospelhorn,

the receiver, had other counsel in the administration of the estate. He confirmed on May 5 that I had no part in the sale of the building and was not consulted by him in respect thereto. This was a matter beyond my scope. I was not even aware of the sale when it was made.

Nor did I represent the party that purchased the building from the Receiver. In 1943—nearly 7 years after I had completed my assignment and had been discharged by the court—a subsequent purchaser of the building (Raymond J. Funkhouser), whom I did not know at the time of his purchase, retained me, at the suggestion of his regular counsel, Mr. James Ingram of Hagerstown, to have the Receiver remove his filing cabinets which were occupying valuable office space in the building. That was the only occasion on which I had any business with or for Mr. Funkhouser. This was after the Receiver had made final distribution to the creditors. I did not even know him when he bought the building and certainly did not know him when the Receiver made the original sale to someone else. From Mr. Hospelhorn's testimony I understand that the sale to Mr. Funkhouser was the third transfer after the Receiver's sale of the building.

In these circumstances Mr. Shankroff criticizes my professional conduct. Mr. Hospelhorn, the Receiver, who was summoned to appear before the subcommittee to support the charges completely refuted them. He verified that he, as Receiver, sold the building and that I had nothing to do with it.

II. THE DIRECTORS' SUIT: WHO SETTLED AND WHAT WAS SETTLED?

The second charge is that I settled claims against the directors for an insufficient amount. Mr. Shankroff says in one part of his letter that the claim amounted to $20 million; elsewhere he fixes the amount at $56 million. Neither figure is correct.

In my report I found that the directors had been guilty of neglect of duty and recommended suits. When 1 of the 3 counsels for the Receiver declined to participate. I was appointed in his stead. Because of technical uncertainties as to jurisdiction duplicate suits were filed at law and in equity. In the main suit, to which Mr. Shankroff refers, the bill of complaint recited some 40 transactions in which losses had occurred. It was not claimed that the directors were liable for the total loss. In the prayer for relief the Court was asked to order an accounting to determine what part of the loss was attributable to negligence in any particular transaction and upon which transactions individual directors were to be held liable. No specified amount was claimed.

Mr. Shankroff's figures are arrived at by aggregating the various losses recited and on which so specific amount of liability was claimed. And he lumps together the duplicate suits to inflate the alleged total. Also he apparently adds up alternative counts where the same claim is alleged under different legal theories. Such a total is meaningless as a basis for judging the adequacy of the settlement price.

The record further shows a specific notation in the judge's order that I did not recommend the settlement.

Reasons for the settlement

There were, however, strong practical reasons making the settlement advisable—difficulties of proof due to death, unavailability of witnesses, reluctance of others to testify, etc. The wisdom of the settlement satisfied the court at that time. Despite the wide scope of interests affected, which were represented by some of the leading lawyers at the bar, no exceptions were filed to the settlement. Mr. Shankroff's accusation is based upon his interpretation and speculation 20 years after the event.

The repeated assertion that the directors were charged with criminal liability is not true

Repeatedly the Shankroff letter says that my report found criminal and civil negligence. This is not true. My report expressly absolved the defendants of fraud, bad faith, and all criminal liability. I refer to the report itself, volume II, pages 522 and following pages. See also photostat of published summary in Baltimore Sun, June 7, 1936. The featured headline reads:

"Sobeloff's Final Report on Affairs of Old Baltimore Trust Summarized—Officer of Court Finds Reckless Management—Recommends Suit Against Directors, But Asserts There Is No Ground for Criminal Action."

In view of Mr. Shankroff's acknowledged familiarity with my report, his misstatement cannot be inadvertent; yet his argument is largely based on this incorrect premise. Such deliberate distoration and misrepresentation shows his accusations to be completely irresponsible.

The Shankroff attack on James Bruce re Hendley transaction

Mr. Shankroff says that James Bruce, a director, whose letter the committee chairman read into the record, "obviously lies." He refers to a transaction for which suit was filed by me and cocounsel against Howard Bruce. The odd twist that Mr. Shankroff gives the Hendley transaction may be based on a deliberate confusion of James Bruce with Howard Bruce in order to weave into his story the sensational allegation of Hendley's suicide, which, even if true, would be of doubtful relevance. It was Howard, not James, who returned to Hendley certain collateral. This happened long after James Bruce had left the bank, and I am criticized for not suing James Bruce. Howard Bruce, who surrendered the collateral, was sued for this. However, in fairness I should add that Judge Stanton, after a full trial, found Mr. Howard Bruce not liable and absolved him. Certainly I was not favoring either James or Howard Bruce, for both were sued. (James Bruce was named a defendant for other transactions and contributed substantially to the directors' settlement fund.)

Attacks on others

In his persistence to make these charges stick, despite the repudiation at the hearing, he now finds it necessary to denounce Mr. Hospelhorn as part of a "conspiracy to cheat and defraud the depositors and creditors"; to impugn the integrity of Senator Radcliffe; to accuse the witness Mr. Stockbridge of "double talk"; and to doubt the candor of Circuit Judge Soper by referring to him as sitting "ominously silent" in the face of these charges.

III. SETTLEMENT OF THE STOCKHOLDERS' LIABILITY

Groundless, too, is the charge that I represented inconsistent interests in the settlement of the stockholders' statutory double liability. The court records show that in the latter part of 1935, while I was engaged day and night in the preparation of my report and was not doing any other work for the receiver, or indeed for any other client, a committee of lawyers negotiated with the judge to settle the $10 per share liability for $5. I did not participate in these negotiations.

Mr. Shankroff accuses me of the responsibility for inadequate assessments. I had nothing to do with the amount of the assessment nor do I agree that it was in fact inadequate. No one at the time so thought. Any aggrieved party, whether the depositor or receiver or his counsel, or depositors' protective committee, could have objected and appealed. Mr. Shankroff's is the first challenge.

Mr. Shankroff chooses to ignore the fact that what I did in my limited sphere and what the receiver and all others connected with the Baltimore Trust case did, was at every turn under the watchful eye of Judge O'Dunne, a man of the highest integrity and alertness. Mr. Shankroff is perhaps too new in Baltimore to know the firm position of Judge O'Dunne in the regard of the people of that city. It is sheer presumption for him to suggest after two decades that he has found irregularities that had been overlooked by a community and its press that were watching these proceedings with keenest interest.

Respectfully yours,

SIMON E. SOBELOFF.

REPUTATION OF CHARLES SHANKROFF

Mr. O'MAHONEY subsequently said: Mr. President, during this discussion a great deal has been heard of one Charles Shankroff, who sought to testify against the nominee. On the stand it was made clear that he did not go to Baltimore until 14 years after the Baltimore Trust Co. case had been settled. It is clear from his testimony that he had no personal qualifications to advise the committee. Nevertheless, I did admit to the record certain letters which he wrote.

I have received letters from Commissioner James M. Hepbron, of the Police Department of Baltimore; Thomas N. Biddison, city solicitor of Baltimore; and H. Paul Rome, chairman of the committee on the judiciary of the Bar Association of Baltimore City, all explaining the lack of standing Mr. Shankroff has in the city of Baltimore. I have never known of a witness before any committee of which I was a member who has been so widely condemned by the leading citizens of the community in which he lived as has Mr. Shankroff. Neither his letters nor his testimony could be deemed worthy of confidence.

I ask unanimous consent that the letters to which I have referred may be made a part of the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

POLICE DEPARTMENT,
OFFICE OF THE COMMISSIONER,
Baltimore, Md., June 11, 1956.

Hon. JOSEPH C. O'MAHONEY,
United States Senate,
Washington, D. C.

DEAR SENATOR O'MAHONEY: At a hearing last month held by your subcommittee, concerning the nomination of Solicitor General Simon E. Sobeloff, there appeared one Charles Shrankoff, of 1119 North Calvert Street, of this city (Baltimore, Md.).

Since I personally have known Shrankoff and furthermore, since this department has information concerning him and certain of his activities since he came to this city from New York, I felt that you would like to know something about him and his creditability.

My first personal contact with him was approximately 5 or 6 years ago when he began annoying our local community chest and its officials by demanding the right to inspect their accounts, records and minutes, and to likewise personally inspect all the records of the various hospitals, institutions and agencies making up its membership. His purpose was to prove that our whole private philanthropy setup was some sort of a fake, despite the fact that it was operated by our most outstanding citizens.

Shrankoff made himself an unbelievable nuisance and it was my personal opinion, shared by those at the chest, that he was definitely a mental case. Since that time, he has continued his weird activities in other

directions, causing police inquiries to be made concerning him and his activities. Those activities include the stirring up of litigation and his appearance in court when he has no status since he is not an attorney. He has likewise injected himself in real-estate matters and here again he was without status since he has no real estate license. His activities have likewise been the subject of inquiry by the better business bureau.

While he has no record of convictions in this city, he is regarded by those who know something of his activities as and I quote—"a nut," "a crackpot," "a mental case," and "a public nuisance."

All of this, in my opinion, Senator, adds up to the fact that Shrankoff is irresponsible as well as unreliable.

Now, just a word about Simon E. Sobeloff, whom I have known since school days and whose distinguished career I have followed with both interest and pride. Simon Sobeloff has one of the finest minds of any man I ever knew. His integrity is beyond question. Furthermore, he is a man of great human understanding—a kindly, gracious, warm and helpful person—and has demonstrated his great judicial abilities as chief judge of the Maryland Court of Appeals.

Sincerely yours,

JAMES M. HEPBRON,
Police Commissioner of Baltimore City.

DEPARTMENT OF LAW,
Baltimore, Md., June 11, 1956.

Hon. JOSEPH C. O'MAHONEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR O'MAHONEY: I have noted in the public press that one Charles Shankroff, of Baltimore, Md., has appeared before the Senate committee of which you are chairman objecting to the confirmation of the appointment of Simon E. Sobeloff as judge of the Federal Court of Appeals for the Fourth Circuit.

I am personally acquainted with certain activities of Mr. Shankroff in the past which I feel should be brought to your attention and I therefore respectfully submit the following for your consideration.

The board of estimates of Baltimore city, which is composed of the mayor, city comptroller, director of public works, president of the city council, and myself as city solicitor, is the major policymaking board of our city. During the period dating from August 18, 1954, until December 8, 1954, Mr. Charles Shankroff appeared at the weekly meetings of that board on 15 separate and distinct occasions, submitting 15 separate and distinct complaints and requests covering the following subject matters:

1. The Harford Road site of a library.
2. Discrepancy between purchase price and assessments of certain properties.
3. Request for leave of absence of employees.
4. Certain condemnation proceedings.
5. The method of acquiring properties for the widening of Howard Street.
6. Memorializing the Congress of the United States to restore interest on demand deposits in commercial banks.
7. The sale of 311 St. Paul Place and the purchase of 1500 Greenmount Avenue.
8. Regular meetings and Minutes of the Board of Estimates.
9. Assessments of four parcels of land.
10. A request that copies of Board of Estimates minutes be mailed to him weekly and a request to inspect the bond records of officers and employees.
11. Assessments on certain properties.
12. Purchase of various properties.
13. Department of Traffic budget for 1955.
14. Alleys, roads and lanes used and never assessed for taxation.
15. The Enoch Pratt Free Library.

No action was taken by the Board of Estimates on these matters for after due consideration of same it appeared that none was warranted.

I trust the aforegoing may be of service to you in properly evaluating the testimony of Mr. Shankroff.

I should also like to go on record with your committee as unequivocally recommending the favorable consideration by your committee of the appointment of Simon E. Sobeloff. He is an outstanding attorney with an honorable and distinguished record of public service.

Very truly yours,

THOMAS N. BIDDISON,
City Solicitor.

THE BAR ASSOCIATION OF BALTIMORE CITY,
May 18, 1956.

Hon. JOSEPH C. O'MAHONEY,
United States Senate,
Washington, D. C.

DEAR SENATOR O'MAHONEY: I attended the hearing on May 5, 1956, held by your subcommittee relative to the nomination of Solicitor General Simon E. Sobeloff for associate judge of the court of appeals for the fourth circuit. At this hearing I, together with a number of other members of the Bar Association of Baltimore City and the Maryland State Bar Association, urged the immediate confirmation of the nomination of General Sobeloff.

At that hearing there appeared one Charles Shankroff in opposition to the confirmation of General Sobeloff. Although Mr. Shankroff did not testify fully, it was obvious that his opposition to the confirmation of General Sobeloff was based on a purported investigation of his own into General Sobeloff's activities in the case involving the receivership of the Baltimore Trust Co.

From an article in this morning's Sun paper it appears that Mr. Shankroff has now filed a written complaint opposing the confirmation of General Sobeloff, and I feel that it is my duty to call the attention of your committee to Mr. Shankroff's activities in Baltimore City.

At the hearing Mr. Shankroff testified that he had lived in Baltimore since 1941, that he was engaged in the real estate business on his own behalf, and that he is not a member of the bar.

Mr. Shankroff is not, in fact, engaged in the real estate business and an examination of the land records of Baltimore City from 1940 to date shows that Mr. Shankroff has never purchased or sold any real estate in his own name. The records of the clerk's office of the court of common pleas do not show that a license to operate as a real estate broker has been issued to him.

Mr. Shankroff is known to the clerks of the circuit court and circuit court No. 2, which are the two equity courts in Baltimore City, and is also known to the clerk of the Orphans Court of Baltimore City through which court the estates of deceased persons are administered. These clerks have advised me that Mr. Shankroff is constantly in their office looking through court records and documents in an effort to find the names of persons whom he can contact for the purpose of stirring up litigation.

In order to acquaint your committee with his activities, I would like to call your attention to three recent cases in which he appeared and his connection therewith.

The case of *Safe Deposit and Trust Company of Baltimore, Substituted Trustees under the Will of Ada Blanche Bordley, et al.* v. *Helen B. Price, et al.*, in the Circuit Court of Baltimore City, (Docket 91A, folio 429, Case No. 32128) was a proceeding in which a bill of complaint was filed on October 23, 1951, for the construction of wills and deeds of trust. On December 11, 1954, Mr. Shankroff filed in the proceedings an agreement, dated March 30, 1953, btween himself and Helen Bertogalio, also known as Helen Kelly Bordley, wherein the said Helen Bordley in consideration of information furnished to her by Shankroff agreed to assign over to him one-third of any interest she would have arising out of a claim by her as widow of one of the deceased parties named in the will, a photostat of said agreement being attached hereto, and marked exhibit No. 1.

Mrs. Bordley filed a claim to a share in the estate alleging that she was the widow of one of the beneficiaries named in the will, which claim, after a hearing, was disallowed. Mrs. Bordley was represented by Douglas N. Sharretts, a member of the bar of Baltimore City Mr. Sharretts on April 20, 1955, was permitted by an order of court to strike out his appearance as attorney for Mrs. Bordley.

On August 8, 1955, Mr. Shankroff filed a petition with the court on his own behalf and on behalf of Mrs. Bordley asking for a further hearing, which petition was denied on August 9, 1955, by Judge Deeley K. Nice. A photostat of the petition is attached hereto, and marked "Exhibit No. 2."

Canton Permanent Building Association No. 1 of Baltimore City vs. Albert T. Schaffer and Elizabeth M. Schaffer, his wife, was a proceeding instituted in the Circuit Court No. 2 of Baltimore City (docket 59C, folio 34, case No. 13215C) for the sale of mortgaged premises. The property was sold and there was a fund of $2,333.92 in excess of the amount due on the mortgage, subject to other claims. On February 7, 1956, Mr. Shankroff filed in the proceedings an agreement, dated June 12, 1952, between Albert T. Schaffer and Elizabeth M. Schaffer, his wife, wherein the said Schaffers, in consideration of information furnished to them by Shankroff showing that they were entitled to a fund of approximately $2,300, assigned to Shankroff one-third of their interest in said sum. A photostat of the agreement, marked exhibit No. 3, is herewith attached. On July 10, 1956, Mr. Shankroff filed a petition in the proceedings requesting the court to set the matter for a hearing to determine his interest in the fund. Photostat of said petition is herewith attached, marked exhibit No. 4. After a hearing on this matter, the court on February 16, 1956, passed a decree allowing to the Schaffers the sum of $600 out of the fund and ordered $200 of said sum paid to Charles C. Shankroff. A copy of the decree is herewith attached, marked exhibit No. 5.

In the case of Henrietta Jenkins, widow, et al. vs. State of Maryland, et al., a bill of complaint was filed on May 23, 1944, for the construction of the residuary clause of a will. This case was instituted in the Circuit Court No. 2 of Baltimore City (docket 53A, folio 234, case No. 26490A). On April 4, 1955, Mr. Shankroff filed an assignment and power of attorney, dated February 1, 1955, wherein Frederick Robert Jackson, one of the heirs in the estate, in consideration of information furnished him by Shankroff, agreed to pay Mr. Shankroff one-third of whatever amount he recovered, a photostatic copy of the assignment is hereto attached, marked exhibit No. 6.

On March 30, 1955, the auditor and master of the Circuit Court No. 2 of Baltimore City filed his report with the court. To this report Charles Shankroff filed exceptions in which he set out:

"1. That he appears, in person, on his own behalf and on behalf of Frederick Robert Jackson, by reason of an assignment of a one-third interest, from the said Frederick Robert Jackson; also as amicus curiae; also as a duty to the public, first, on behalf of the public school system of the city of Baltimore; secondly, as a duty to the Treasury of the United States."

A copy of these exceptions is herewith attached, marked exhibit No. 7. On May 20, 1955, Mr. Shankroff filed additional exceptions to the report of the master, photostat of these additional exceptions is herewith attached, marked exhibit No. 8.

On May 24, 1955, the trustees filed a motion ne recipiatur, to which motion Mr. Shankroff filed exceptions, photostatic copies

of which are herewith attached and marked Exhibits Nos. 9 and 10. On June 23, 1955, the court, after a hearing, dismissed all of Mr. Shankroff's exceptions and petitions.

In view of Mr. Shankroff's activities in Baltimore City, as shown by the enclosed exhibits, and of your own personal knowledge of him gathered from his testimony at the hearing, I respectfully submit that your committee must conclude that Mr. Shankroff's opposition to General Sobeloff's confirmation has no merit.

As chairman of the judiciary committee of the Bar Association of Baltimore City and on my own behalf, I again respectfully urge your committee to promptly confirm the nomination of General Sobeloff.

Respectfully yours,

H. PAUL ROME,
Chairman, Committee on Judiciary.

Mr. ROBERTSON. Mr. President, I do not know Mr. Simon E. Sobeloff personally and, therefore, the objections I have to his confirmation as a Judge of the United States Circuit Court for the Fourth Circuit are necessarily on other than personal grounds. However, I am compelled to oppose him for three reasons which involve questions of principle which I cannot ignore.

In the first place, I am opposed to Mr. Sobeloff being made a judge of the Federal circuit which includes the States of Virginia and North and South Carolina because I feel his appointment is an affront to these States and that his selection represents an effort to woo certain political pressure groups in other parts of the Nation by an action which is offensive to a majority of the people in the region he will serve.

In the second place, I am opposed to the confirmation of this nomination because lack of understanding on the one hand and lack of confidence on the other between Mr. Sobeloff and the people within his jurisdiction would make his service as a circuit judge unsatisfactory and ineffective.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ROBERTSON. I will yield for this interruption, but after that I prefer to complete my statement, and then I shall be glad to yield.

Mr. JOHNSTON of South Carolina. Is it not true that six of the ten Senators representing States in the district signed a petition?

Mr. ROBERTSON. That is absolutely true. They signed a petition setting forth that the nominee was obnoxious to the people of their States and therefore obnoxious to them.

In the third place, I am opposed to confirmation because to approve this nomination would be to give implied consent to a theory of government which I consider contrary to a fundamental principle of our Republic. I am referring to the theory, which I feel already has gained too much headway, that a proper function of the Federal courts is to serve as policy-making bodies, which means constricting the powers of the legislative branch of the Government and nullifying the rights reserved by our Constitution to the States and to the people.

I shall stress particularly the third of my objections, not only because I personally consider it more important but because it has broader significance for the people of our whole Nation. To do an injury to the people of one State or of several States may not directly harm the people of the other States, although the fact that such a thing is done should serve as warning that it might be done again with different victims. But, when damage is done to the foundations of our constitutional Government, there is immediate peril which should be recognized by all, because, as Daniel Webster said:

> Other misfortunes may be borne, or their effects overcome. If disastrous war should sweep our commerce from the ocean, another generation may renew it; if it exhausts our treasury, future industry may replenish it; if it desolate and lay waste our fields, still, under a new cultivation, they will grow green again, and ripen to future harvests. It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All these might be rebuilt. But who shall reconstruct the fabric of demolished government? Who shall rear again the well-proportioned columns of constitutional liberty? Who shall frame together the skillful architecture which unites national sovereignty with State rights, individual security, and public prosperity? No, if these columns fall, they will be raised not again. Like the Coliseum and the Parthenon, they will be destined to a mournful, a melancholy immortality. Bitterer tears, however, will flow over them, than were ever shed over the monuments of Roman or Grecian art; for they will be remnants of a more glorious edifice than Greece or Rome ever saw, the edifice of constitutional Amerian liberty.

I have said that my objections to Mr. Sobeloff as a Federal circuit judge serving my own State are not personal but, in a broad sense the objections of the people of Virginia—and I believe also the people of the Carolinas—to him are similar to those which have been made to other nominees for office which have been rejected in the past on the ground that they were "personally obnoxious" to Members of this body.

Those of you who have served here when such cases were considered do not need to be told that classing a nominee as "personally obnoxious" does not mean that the objector would refuse to shake hands with him or to greet him politely, or even that the objector denies that the nominee has ability and possibly many admirable qualities. What it does mean is that the objector would find it obnoxious to have that particular individual in the particular spot in which it is proposed to place him. And that feeling has been generally respected and supported by the Senate.

By way of illustration, I might mention the case of Judge Floyd H. Roberts, of Virginia, who was nominated as judge of the western Federal district of Virginia and rejected by the Senate in 1939 by a vote of 72 to 9 after my predecessor, Carter Glass, had made known his objections to the confirmation.

In that action the Senate did not merely humor the whim of a distinguished Member of this body. It recognized that an action had been taken by the head of the executive branch of the Government obviously to lower the prestige of Members of the Senate who opposed the President's theories, and that the purpose was to discourage such independence in the future.

Former Senator Thomas of Utah made this clear when he told the Senate following the rejection of the nomination of Judge Roberts that the question had been decided, "not on the basis of Senatorial courtesy, whatever that is, but on the basis of a constitutional right and a constitutional duty."

The distinguished Senator from Utah said:

> A Senator of the United States has as much right to expect respect for his position as a representative of a sovereign State as has the President to expect respect for his.

I hasten to say that I do not mean to imply that the nomination of Mr. Sobeloff is entirely comparable with that of Judge Roberts. In the present instance the Court involved serves more than one State, and there is no evidence that in picking the nominee the President intended to embarrass or to put pressure on the Senators from those States. My contention is simply that in taking this action the President was badly advised by his Attorney General, who in addition to being his legal advisor, is the chief architect of his party's plan to win this year's election, and who has been under pressure from the National Association for the Advancement of Colored People. My hope is that if we can make a record here, showing why Mr. Sobeloff should not have been chosen, and if the Senate in acting on the nomination will show the respect which has been accorded in the past for the sentiment of States which a Presidential appointee will serve, the President will recognize his error and will send to us the name of someone better suited to this particular position.

Because of my high personal regard for the President of the United States, as an individual, as well as because of the position he holds, I cannot believe he will persist in forcing upon my State a presiding judge whom the people believe, whether rightly or wrongly, will be given the punitive assignment of whipping them into line with his own views on social problems.

The Supreme Court has said that we must change some major aspects of our southern way of life. Many of us in the South feel not only that such changes, suddenly made, would be harmful even to those the decisions were designed to benefit, but we also are convinced that the Court erred constitutionally in making those decisions, which overturned all previous decisions of the Court along the same lines. We believe in our right, as free Americans, to use every legal means at our disposal to combat those decisions in the hope that eventually the Court and the people of the Nation will see the justice of our cause. While we are doing this we want the privilege of presenting our arguments to district and to circuit court judges who are not irrevocably committed to a hostile viewpoint.

We have felt the influence of pressure groups, well heeled financially, who have threatened political reprisals unless the southern "rebels" are brought quickly into line, by use of force if necessary. And many who are aware of this cannot see the selection of Mr. Sobeloff for this particular post at this particular time as anything except a political

gesture on the eve of a national political campaign.

My record in bipartisan support of the President on issues where we have agreed in principle is well known. It has at times been a subject for criticism by some citizens of my State. I feel, therefore, that I can speak as a friend and not as a political opportunist in pointing out the unfavorable interpretation which has been placed upon this appointment and in urging the President to reconsider his choice in the light of the reaction from those people who are most deeply concerned.

Now, as to my second point of objection: Why is Mr. Sobeloff, an honorable man and a competent lawyer, personally objectionable to the people of my State as a judge of the fourth judicial circuit?

One of the Virginia witnesses who appeared against him at the Senate Judiciary Subcommittee's hearing on the nomination said members of the group he represented were unalterably opposed to confirmation because they were concerned about Mr. Sobeloff's stand on the matter of confrontation of witnesses, as illustrated particularly in the Dr. Peters case, and because they were concerned about the lengths to which he would go to further his ideas.

This witness referred also to Mr. Sobeloff's expressed philosophy of the function of the Supreme Court, which I shall discuss more explicitly later. He concluded his statement with the assertion:

> The relationship of the people to the courts is already strained, and it will be more so should Sobeloff be sent among us to preside over our pleadings.

Another Virginia witness at that hearing said members of his group opposed confirmation because they did not believe the nominee "is in a position to be impartial in the important cases involving integration which will necessarily come before this court." He pointed out that there are undecided issues involving school integration which are still to be decided by the courts and that Mr. Sobeloff already had committed himself on these not only as a Solicitor General, speaking for the United States when the school cases were before the Supreme Court, but also in his private utterances.

Still another witness, not from Virginia, but who expressed views similar to those which I have received in numerous letters from my State, said that legal and intellectual qualifications of a judicial appointee are by no means the only factors that should be considered. He said it would not be wise to impose on the Virgin Islanders or the people of any other Territory a governor or a judge who was known in advance to be personally objectionable to them, and added: "The reasons that might underlie their opposition would be of little importance. The facts of their antagonism, and its intensity, are something which do merit and which we feel should merit your consideration. Surely the attitude of citizens of old and sovereign States should merit the attention and understanding that is at least equal to that which would be accorded to the likes and dislikes of the inhabitants of the Nation's most insignificant and outlying possession."

This witness said the nomination is regarded by the people he knows "as a sort of an insult and a provocation. Its approval will be like throwing fat into a fire. We feel that when so many other able men are available for this important position, that it would be an imposition and an error to grant power over our lives and fortunes to that individual who is most prominently associated in our minds with the attempt to overturn our way of life."

He added that at this tense moment in the affairs of the Nation, "it would be neither wise nor proper, we feel, to invest with the tremendous power of judicial review and decision any man who has acquired the reputation of a crusader, whether justly or not, upon one side of the very arguments over which he would be called upon most often to preside and to adjudge, and who is already the object of such bitter animosity as to preclude any public acceptance of his judgments as being fair and impartial."

Mr. President, we must be realistic about the point made by the witness from whom I have just quoted—that even if the prejudice which exists against this nominee did not have a solid foundation, the fact of the very existence of that prejudice would make it difficult if not impossible for him to function in this judicial role.

I know that at the subcommittee hearing in response to a question as to whether he would be absolutely fair in matters coming before him and would not be influenced by the opinions he had previously expressed Mr. Sobeloff said he felt that nothing he had done had disqualified him and that he could be fair and impartial.

The fact remains, however—as was stated from the bench during arguments before the Supreme Court on the school segregation cases, and as is generally recognized—that cases involving racial integration are likely to constitute a large portion of the cases considered by Federal courts for the next generation.

The fact remains also that Mr. Sobeloff willingly, and apparently enthusiastically, entered into the argument of the school-segregation cases in opposition to the official position of the attorneys general representing Virginia and other Southern States. It may be said that as Solicitor General of the United States Mr. Sobeloff had no choice except to appear when it was decided that the Federal Government should intervene in these cases. The falsity of that claim is proved, however, by Mr. Sobeloff's action in the Peters case, when he declined, because of his personal views, to sign the brief or to appear for the Government against this alleged security risk.

The facts that Mr. Sobeloff does not hold the southern viewpoint on forced integration of schoolchildren and that he officially represented the Federal Government in arguing that issue are less important, however, than the fact that in his argument to the Court he suggested that the Southern States be given only 90 days to comply with the Supreme Court's order.

Mr. Sobeloff explained to the Senate Judiciary Subcommittee that he did not suggest that the schools actually "effect desegregation in 90 days." His suggestion, he said, was "that the Court put a time limit requiring the school districts to say what they proposed. They should say 'when,' and then the District Court could pass on that," he told the committee.

When I brought up this point in my testimony before the Judiciary Committee, it was suggested that Mr. Sobeloff's proposal to the Court was one of moderation, compared with harsher plans which others suggested and that the Court had followed his advice in taking a "medium" course between the two extremes.

Now, Mr. President, let us see exactly how "moderate" Mr. Sobeloff's proposal was. Here is what he actually said to the Supreme Court, as taken from the Court's official record:

> Mr. SOBELOFF. I think, Your Honor, that this Court ought to say to every district judge: Call for a plan within 90 days. Somebody here has said that 90 days is too short a time. I think a plan can be formulated in 90 days, especially after 11 months have already gone by since the decision. But I would say that if the plan cannot be formulated with 90 days, then the district judge, as a judge in equity, is applied to for further time, he ought to be permitted to give further time; but the burden ought to be on him who wants the delay to show that he needs it, that he is engaged in a good-faith effort to solve this problem, not that he is waiting for the day after tomorrow, the day after the expiration of the period; but that he is moving, and then when the plan is presented, there should be hearings and all these relevant considerations are to be addressed to the court, and they ought to deal with it as the facts would indicate; and he should require a bona fide beginning. * * *
>
> Mr. Justice Minton asked me, "Would you put a deadline in at all," and I replied, "I don't think I would put a deadline in the more complicated situations."
>
> That answer is not clear. What I wanted to say is that I would not have the Supreme Court put in any deadline. I thought that the whole tenor of my argument yesterday was that there should be no opened orders by the district courts, that they should have deadlines but with freedom in proper cases on a proper showing of facts requiring further time to grant further time.
>
> Justice REED. You mean you would start with a deadline?
>
> Mr. SOBELOFF. I would start with a deadline first as to the requirement—we suggest 90 days for a plan to be submitted. * * *
>
> Mr. SOBELOFF. I don't think you ought to tie the hands of the district judge, but I think it would be useful to the district judge if you were able to say to the parties, I am required to ask you to require you to produce a plan within 90 days.
>
> See what you can do in the 90 days. If anybody comes before me and shows that there has been a good-faith attempt to produce the plan but cannot be done within the time limit, I will entertain an application for further time.
>
> There is the merit of requiring motion. That is also the saving grace of not tying people to a time limit that may prove in actuality unworkable.

In short, Mr. Sobeloff wanted the Court to demand that every district judge call for a desegregation plan within 90 days, putting the burden of proof on anyone who said he needed a longer time, and he

felt it would be "useful" to the district judges if they could say to those who sought more time: "I am required to require you to produce a plan within 90 days."

As our colleague from North Carolina [Mr. ERVIN] pointed out to the Judiciary Committee, the Supreme Court required 86 years to discover the supposed constitutional requirement that schools must be integrated rather than merely equal, but Mr. Sobeloff felt that the local school boards should be able within 90 days to come into court and to say exactly what they expected to do about overturning the whole social patterns of their communities and then let the Court tell them whether it liked their plan or if they must go back and try again.

Even the Justices of the Supreme Court, although they decided against the Southern States on the main issue, recognized the unreasonableness of Sobeloff's proposal for compliance and rejected it.

The strongest indictment I would make of Mr. Sobeloff in connection with his stand on the segregation issue as related to his future duties as a circuit judge is based on his own statements at the Senate Judiciary Subcommittee hearing.

Mr. Sobeloff was protesting that he had not advocated forcible enforcement of the Supreme Court's decree and said he had advocated "that there should be time given for the orderly accomplishment of what the Court said had to be done." Then, in giving assurance of his ability to handle future cases involving this subject in a fair manner, he said:

> I think the nature of the argument I made in this case shows that I am prepared to deal with consideration and understanding and moderation with the situations that may arise.

Now, Mr. President, my point is that a man who feels that he was being "moderate" when he suggested 90 days as an adequate time for the Southern States to renounce and abandon a social pattern which has existed since the founding of our Nation and who furthermore believes he was acting with "understanding" of the people and problems he was dealing with when he made that recommendation actually has shown such an insensitivity and such a lack of understanding that I consider him unqualified for the judgeship. And certainly a majority of the people of my State, on that ground alone, would consider him unqualified.

Concern for the dignity of the court over which he presides should lead any judge who has committed himself personally to the extent Mr. Sobeloff has on the racial integration issue to recuse himself in any case where that issue was involved. But that would mean, in Mr. Sobeloff's case, that he would stay out of so many cases that he would be of little help in carrying the burdens of the circuit. Furthermore, his failure to see any reason why he ought to recuse himself in these cases proves his unsuitability for the judgeship. This is the "blind spot" of an otherwise honorable man, to which I previously referred, and I believe it is important enough to disqualify him as a dispenser of justice in the fourth circuit.

When I appeared before the Senate Judiciary Committee in opposition to Mr. Sobeloff's nomination I was asked by the distinguished Senator from Utah [Mr. WATKINS] if I did not want a judge for the fourth circuit who was favorable to the southern viewpoint in the school segregation cases. I replied that nothing could be further from my mind. What we seek in Federal judges and what every Member of the Senate should seek is men of judicial temperament, fair and just who will decide all cases on their merits according to the law and the evidence.

Now, as to my third objection: I am concerned about the attitude of Mr. Sobeloff on the proper function of Federal courts not merely because of the influence that attitude would have on his conduct in office, but even more because I feel that deliberate confirmation of a man known to have such an attitude would be just one more precedent inimical to our constitutional system of government.

Here again, Mr. President, I am aware of the defense which the nominee offered in his own behalf when this point was raised at the committee hearing but Mr. Sobeloff's explanation of his previous public statements which had been criticized did not satisfy me, nor do I believe it satisfied any large number of those who share my concern over policymaking attempts by the courts.

On June 29, 1954, the month after the Supreme Court had handed down its school segregation decisions, Mr. Sobeloff spoke before the Judicial Conference of the Fourth Circuit, meeting at Hot Springs, Va., and said:

> In our system the Supreme Court is not merely the adjudicator of controversies, but in the process of adjudication it is in many instances the final formulator of national policy. It should therefore occasion no wonder, if the Court seeks the appropriate time to consider and decide important questions, just as Congress or any other policymaking body might. * * * In the decision of great constitutional questions, especially those which are in the realm of political controversy, timing can be of supreme importance.

When he was asked in the subcommittee hearing to comment on that statement Mr. Sobeloff said it was made before about 300 lawyers, mostly from the South, and that he heard no criticism of the speech. Parenthetically, Mr. President, I might say that I suspect Mr. Sobeloff took for agreement with his view what was no more than a demonstration of southern hospitality shown by members of the judicial conference to their invited guest speaker, because certainly I have heard criticism of and disagreement with his views freely expressed in many quarters ever since that speech was delivered.

Mr. Sobeloff, in the subcommittee hearing, went on to explain his views on the function of the courts by saying:

> The suggestion has been made that I was advocating some strange and heretical doctrine of law about the role of the Supreme Court in our system of government. I think what I said is as orthodox as any expression that has ever been made in the long legal history of this country. I was only saying what every judge and every lawyer knows. I was not advocating there any notion that courts have the right to set policy for the Nation over Congress. In fact, the very speech that is brought up contains a denial of that.

He then quoted from his speech a statement about the difficult dilemma facing courts which have an obligation "to respect the separation of powers, for the disregard of this principle would itself lead to tyranny." He quoted a statement about personalized judgments to meet particular cases being fruitful sources of future trouble and the conclusion of the speech in which he recognized his obligation as a lawyer for the Government and an officer of the court not to fall prey to his own fetishes but to be "obedient to the legislative policy laid down by others." This Mr. Sobeloff interpreted as giving recognition to the idea that "the legislative policy of the Nation is paramount, that Congress makes policy."

Despite his disclaimer, however, I would have Senators note that Mr. Sobeloff at Hot Springs did say that the Supreme Court is in many instances "the final formulator of national policy," and therefore it should consider questions of timing "just as Congress or any other policymaking body might." And in his statement before the Senate subcommittee he called this an "orthodox" expression of "what every judge and lawyer knows."

Then, when he was asked the direct question as to whether, if confirmed, he would undertake to elevate the Court to a policymaking branch of the Government, he rejected the opportunity to simply say he would not, but replied, instead:

> I would do what judges who are conscientious and who obey their oaths do: I would confine myself within the judicial sphere.

But, Mr. President, having said in so many words that every judge and lawyer knows that the Supreme Court is a policymaking body and in many instances the final formulator of national policy, he obviously left himself wide latitude when he said he would do what he believed other judges who are conscientious do.

At another point in his committee testimony, when his statement about the court as the final formulator of national policy was reread to him, Mr. Sobeloff said:

> That is as true as the statement that 2 and 2 make 4.

Asked for a further interpretation of his language, Mr. Sobeloff said that when confronted with conflicting claims under State and National legislation, the Supreme Court tries "interpreting the national policy as laid down by Congress, to see what competing considerations of policy apply. If Congress has acted within its scope of authority of the Constitution, the Court has no function except to give force to that, to give effect to that congressional will."

He said that where Congress has exceeded its power, it is the duty of the Court to say so, as was asserted by John Marshall 150 years ago and has been said periodically ever since.

With all of that, Mr. President I have no quarrel; but Mr. Sobeloff went on to give illustrations of cases in which an issue is raised not covered in terms by any clause of the Constitution or by any act of Congress. These, he said, were

perfect examples of where the Court, considering all the policies, declares what is the real meaning of the Constitution and the acts of Congress. Then he said he did not and would not say the Court has the right to substitute itself for Congress in declaring national policy.

At that point, Mr. President, we come to what seems to me to be either a contradiction or else evidence that Mr. Sobeloff holds views of the functions of the Court which I consider dangerous.

What he seems to be saying is that if Congress has explicitly preempted the field by declaring policy on a specific subject, the Court must respect that policy; but whenever the Court can find an area in which the Constitution is silent or indeterminate, and where Congress has not spoken in terms, it is the privilege of the Court to step in and make the policy.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. RUSSELL. I feel certain that the distinguished Senator from Virginia will agree that that statement, when it is boiled down and stripped of all its window dressing, is simply a declaration that a court in some instances has legislative power.

Mr. ROBERTSON. There can be no doubt about it. That is our major objection to this man, who, if his nomination shall be confirmed, will be a presiding judge of the Fourth Circuit Court of Appeals, influencing all district courts and influencing the adjoining circuit courts by his belief in the policymaking powers of the courts, as I have just explained.

Mr. RUSSELL. Not only with respect to policymaking power, but he is really saying that the court has legislative power.

Mr. ROBERTSON. That is what he means; because if the Constitution does not prohibit, and if Congress has not spoken in terms, then, if the Court has some predelictions about social or economic views, it can write them into law and thereby become a legislator.

Mr. RUSSELL. We hear so much today about Congress surrendering its prerogatives as one of the coequal branches of the Government. The Founding Fathers thought that, if there were to be a predominant branch of the Government, it would be the legislative branch.

But when Congress, through the Senate, confirms the nomination to a high judicial position of a man who openly declares that the judicial branch has legislative power, Congress cannot expect anything else than to reduce its power and prestige in relation to the other branches of the Government and thereby bemeans itself in the public mind.

Mr. ROBERTSON. I could not agree more fully with my distinguished colleague, who is an able lawyer, from Georgia. I hope it will be possible for him to remain in the Chamber while I point out that this is the first time in recent years the Senate has had a clear-cut opportunity to go on record against a trend of the highest Court to become a legislation-making body.

As the Senator from Georgia said, if the Senate confirms the nomination of a man who holds those views, how can we afterward be heard to complain about legislation by the courts? How can we be certain that such legislating will stop on matters relating to school segregation, and will not apply to questions affecting the West or the North. When will we put a stop to an eroding process which will eventually undermine, as Daniel Webster said, the foundations of our American constitutional liberties, by its denial of the separation of powers as between the Federal Government and the States and the people thereof?

Mr. RUSSELL. If the Senate shall confirm the nomination of a man who has announced publicly those views, I cannot see how we shall be doing other than putting ourselves in a position secondary to the judicial branch of the Government, and doing so deliberately and with our eyes open.

I may say, further, that to me this nomination is a very clear indication of how the Senate, in certain instances, becomes subservient to the political power of the executive branch of the Government.

I may say also, without the slightest fear that my statement can be contradicted, or that anyone will undertake to contradict it, because it is a fact which is known to everyone who has served here for any reasonable period of time, that if this nomination had been submitted to the Senate by either Franklin D. Roosevelt or Harry S. Truman, we would have found our brethren on the other side of the aisle assailing it with almost unanimous voice. They would have said, "Here is a New Deal judge who proclaims the power of the judiciary to legislate."

If that question had been raised, as it surely would have been, our friends on the other side of the aisle would have been joined by some Senators on this side of the aisle who still adhere to the Constitution of the United States and who still have respect for the prerogatives of the legislative branch of the Government. In that event, in my opinion, the nomination would have been withdrawn, or would never have been confirmed, in the administrations of either President Roosevelt or President Truman, if the nominee had publicly proclaimed and insisted upon the right and power of the judiciary to legislate. A change in party power and administrations often causes miraculous reversals in the public positions and constitutional opinions of Members of this body.

Mr. ROBERTSON. Mr. President, when the senior Senator from South Carolina [Mr. JOHNSTON] asked me to yield, I said I preferred to proceed without yielding. He desired to ask me a brief question.

However, I could not refrain from yielding to my friend from Georgia, and I appreciate the very helpful suggestions he has made concerning the subject we are discussing.

But with all due deference to other Senators who might wish me to yield, I point out that I plan to have this speech reprinted and sent to the lawyers of my State. So, without making it too expensive, I wish to complete my statement; then I shall yield for as long as daylight remains for us to stay.

Mr. RUSSELL. Mr. President, I apologize for my interruption. I did not hear the Senator make the statement. If I had, I would not have interrupted him.

Mr. ROBERTSON. I understand, but I am happy the Senator asked me to yield.

This attitude of Mr. Sobeloff was well illustrated by the school decisions in which the Court declared the policy to be forced integration although the fourteenth amendment, under which it purported to act, plainly says "The Congress shall have power to enforce by appropriate legislation, the provisions of this article," and although the Congress which approved that amendment, at a time when there were segregated schools, and every subsequent Congress, well knowing that there were segregated schools, refused to legislate integration but indicated satisfaction with the "separate but equal" doctrine recognized by the Court.

Did it not occur to Mr. Sobeloff that there is an alternative to the Supreme Court making national policy on points not covered in terms by the Constitution and by congressional acts? Did he not recognize the possibility of the Court simply calling attention to these gaps and saying this is a field in which we will await determination through legislation or an amendment to the Constitution?

That admittedly would be a slower method of trying to obtain some of the changes sought by social reformers, but it would provide a needed safeguard to prevent our Constitution from being, as some of its early critics feared it might become, "all sail and no anchor."

In his testimony Mr. Sobeloff also referred to a speech he made at the Ninth National Conference on Citizenship meeting in Washington in September 1954, in which he repeated his Hot Springs statement before an audience including several Justices of the Supreme Court. Perhaps because by then he realized the need for limiting his previous statement he said in that speech that judges have no right to disregard the separation of powers, and said this was a principle of our Government which "needs to be continuously reaffirmed and revitalized."

Also during the hearing, when Mr. Sobeloff was asked if it would be his policy continuously in all cases brought before him to recognize the separation of powers in the Constitution of the United States, he replied:

> I certainly would. That would be my oath of office and that is entirely consistent with the philosophy of government that I have always had.

However, that pledge must be considered in the light of other testimony when Mr. Sobeloff was questioned about usurpation of power by the Supreme Court and said "I am opposed to usurpation," but quickly qualified that statement by saying "there is always argument about what is 'usurpation'" and "what is usurpation is a matter that requires very careful consideration."

Here again, as in his statement that he would do only what any conscientious

judge would do, the candidate left himself quite uncommitted. He would not try to "usurp" powers as a judge, but we do not know exactly what he would regard as usurpation, except that he cannot see any conflict between separation of powers and a court which is "in many instances the final formulator of national policy."

This gives me concern, Mr. President, especially since, as Mr. Sobeloff himself remarked during the committee hearings, "increasingly the courts of appeals are the final deciders of questions, not the Supreme Court."

Before concluding, therefore, I want to recall a little background of a theory which is, I regret to say, and as Mr. Sobeloff pointed out, so widely held that he has no fear of being called a "heretic" when he espouses it.

Attempts by judges and courts to broaden their powers at the expense of other branches of the Government, and the concern that such efforts cause, are not new things.

Sir Winston Churchill, in his History of the English Speaking People, for example, said the Statutes of Edward I, "which settled questions of public order, assigned limits to the powers of the seignorial courts and restrained the sprawling and luxurious growth of judge-made law, laid down principles that remained fundamental to the law of property until the mid-19th century."

Concern over the role that courts would play in the United States was evidenced by discussion in the Federalist papers and elsewhere, even before the Constitution was ratified, and an active struggle for an acceptable balance of power already was under way in Washington's administration.

Louis B. Boudin, in his Government by Judiciary, has pointed out that the first Justices of our Supreme Court also did circuit duty and held district courts along with the district judges. It was the practices of these judges, Boudin said, "to make political harangues to the grand juries in giving them instructions for guidance in the deliberations and while this practice aroused opposition to the Federal courts the gravity of the situation consisted in the unwarranted assumption of power by the judiciary in constituting themselves lawmakers on a grand scale by the adoption of the English common law without any congressional action on the subject."

This writer also recalled that before John Marshall became Chief Justice, there were two theories of judicial control. One was that so-called eternal principles of "right and justice" were supposed to give the judiciary power to disregard legislation which was contrary to the courts' requirements, the judges, of course, being the ones to discover and apply this "higher law." The other theory was that claims for judicial control must be based on the written Constitution, which was declared to be a higher law. This theory disavowed any right of the judiciary to control legislation generally, and measured that control by the express provisions of the Constitution, which was the basis of power.

It was this latter theory which prevailed and found its classic expression in Marshall's famous opinion in Marbury against Madison. Marshall, who gave new prestige to the Court, and did more than any other man to establish its future trend, freely conceded that once the power of the Legislature to legislate on a subject is admitted, there can be no further question as to the constitutionality of a law, and that the judiciary has not business to inquire into the wisdow or propriety of legislation.

Even the power to review, with the Constitution as a measure, which was claimed by Marshall, was unacceptable to Thomas Jefferson, who denounced Marshall's position as "despotism." Writing to Abigail Adams in 1804, and referring to the Marbury against Madison decision, Jefferson said:

> The opinion which gives to the judges the right to decide what laws are constitutional and what not, not only for themselves in their own sphere of action, but for the legislature and executive also, in their spheres, would make the judiciary a despotic branch.

Jefferson argued that each branch of the Government had an equal right to decide what is the meaning of the Constitution in cases submitted to its action, and that the Court which claimed exclusive right to make such decisions was assuming to itself power to alter the will of the people and was attempting to effect by stealth, through judicial interpretation, an undesirable concept of centralized government which extreme nationalists, such as Hamilton, had urged in vain at the Constitutional Convention in 1787.

It was Jefferson's contention that judges called upon to pass on the validity of National and State legislation would be plunged into the most heated controversies, and that in those controversies they would be influenced by the same passions and prejudices which sway other men. They would decide like legislators, but, Jefferson complained, they would be exempt from the responsibility to the public, which controls other legislators.

After his retirement from the Presidency, Jefferson continued to express concern over the attitude of the judiciary. Writing to Thomas Ritchie in 1820, for example, he said:

> The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our Constitution from a coordination of a general and special government to a general and supreme one alone. This will lay all things at their feet, and they are too well versed in English law to forget the maxim, "boni judicis est ampliare jurisdictionem." * * *. A judiciary independent of a king or executive alone is a good thing; but independence of the will of the Nation is a solecism, at least in a republican government.

And again in 1825 Jefferson, writing to Edward Livingston about judicial restraint, said:

> With no body of men is this restraint more wanting than with the judges of what is commonly called our General Government, but what I call our foreign department. They are practicing on the Constitution by inferences, analogies, and sophisms, as they would on an ordinary law. They do not seem aware that it is not even a Constitution, formed by a single authority, and subject to a single superintendence and control; but that it is a compact of many independent powers, every single one of which claims an equal right to understand it, and to require its observance.

Jefferson added, in this letter, that the judiciary, first considered the most harmless and helpless of the organs of Government, "has proved that the power of declaring what the law is, ad libitum, by sapping and mining, slyly and without alarm, the foundations of the Constitution can do what open force would not dare to attempt."

I know, Mr. President, that we have come a long way in our conceptions of the Federal Government since Jefferson's day, and I do not pretend that we could go back and accept in toto his ideas about the rights of each branch of the Government and of each State to be its own interpreter of the Constitution.

On the other hand, the tendency toward abuse of judicial power against which Jefferson spoke continued after his day, and its danger was clearly recognized by Woodrow Wilson, whom I consider our greatest political philosopher since Jefferson.

In a lecture on "Government Under the Constitution" Wilson said:

> Laws can have no other life than that which is given them by the men who administer and the men who obey them.

He said our Constitution has an advantage over the basic laws of other countries in that it is "perfectly definite" and "is preserved by very formidable difficulties of amendment against inconsiderate change," but he added: "It is not in having such a Constitution but in obeying it that our advantage lies."

Continuing, Wilson said:

> This legal conscience manifestly constitutes the only guarantee, for example, of the division of powers between the State and Federal Governments, that chief arrangement of our constitutional system. The integrity of the powers possessed by the States has from the first depended solely upon the conservatism of the Federal courts. State functions have certainly not decayed; but they have preserved, not by virtue of any forces of self-defense of their own, but because the National Government has been vouchsafed the grace of self-restraint.

Wilson said further that there is "no balance between the State and Federal Governments, but only the safeguard of a customary 'constitutional morality' on the part of the Federal courts."

It is on behalf of the cause of judicial self-restraint that I am speaking today, and I am concerned about the influence of our action if we confirm without at least a word of warning a Federal judge who has said that the statement that the Supreme Court should be the "final formulator of national policy" is "as true as the statement that 2 and 2 make 4."

Going back once more to our earlier experiences with politically minded judges, we find that James Madison, the father of our Constitution, said in a letter to Edward Everette in 1830:

> It is perfectly consistent with the concession of this power to the Supreme Court * * * to maintain that the power has not

always been rightly exercised. To say nothing of that period, happily a short one, when judges in their seats did not abstain from intemperate and party harangues, equally at variance with their duty and their dignity, there have been occasional decisions from the bench which have incurred serious and extensive disapprobation.

The significant point for us, I believe, about the protests of Jefferson, Madison, and others against the direction in which they felt John Marshall was leading the Supreme Court, is that they had an effect. Marshall asserted in his Marbury against Madison decision, in 1803, the right of the Court to strike down an act of Congress; but as a practical matter the Court did not attempt to exercise that privilege again for more than 50 years. And when, in 1857, the Dred Scott decision negated another act of Congress, it created a new backwash of opposition to the Court which once more checked the Court's expansive urge.

As Boudin and others have pointed out, Marshall, in the 32 years he remained the head of the Court after his 1803 decision, never again attempted to declare an act of Congress unconstitutional; and his most brilliant opinions, on which his fame as a jurist and statesman must rest, were those in which acts of Congress were upheld and its legislative competence asserted and maintained.

An indication that the present Supreme Court can not and does not rely on the philosophy of John Marshall for some of its decisions may be seen in the address given by a member of the Court last September at exercises observing the bicentennial of Marshall's birth. Mr. Justice Frankfurter said in that speech that Marshall was the "chief architect" of a "new body of jurisprudence" by which "judges are entrusted with a solemn and hitherto unheard of authority and duty"; but he added that if Marshall could listen to this conference at Harvard University on Government Under Law, "nothing would be bound to strike him more than the enlarged scope of law since his day."

Justice Frankfurter said:

Marshall would be amazed by the interpretation of law in government because during his whole era he was concerned with the Constitution as an instrument predominately regulating the machinery of government, and more particularly distributing powers between the central government and the States. The Constitution was not thought of as the repository of the supreme law limiting all government, with a court wielding the deepest cutting power of deciding whether there is any authority in government at all to do what is sought to be done.

In that address, Mr. President, which I must confess I found much sounder than some of the opinions in which he has concurred, this member of the Supreme Court referred to judicial review as "a deliberate check upon democracy through an organ of government not subject to democratic control." He said also that certain provisions of the Constitution, such as the due process and equality of laws phrases, "are defined neither by history nor in terms"; and that while their lack of a fixed technical meaning is their strength, "that is also their dubious appropriateness for judicial enforcement. Dubious because their vagueness readily lends itself to make of the Court a third chamber with drastic veto power. This danger has been pointed out by our greatest judges too often to be dismissed as a bogey."

Mr. President, I would recommend caution as to use of parts of the Constitution not defined "in terms" to the candidate for judicial office who has said that the Court should declare "what is the real meaning of the Constitution and the acts of Congress," when there is nothing in any clause of the Constitution and nothing in any act of Congress "which deals with that in terms."

I would further commend to him Mr. Justice Frankfurter's statement that "If judges want to be preachers, they should dedicate themselves to the pulpit; if judges want to be primary shapers of policy, the legislature is their place."

But, to continue, briefly, our historical review of the Supreme Court as a policy-making body: As I have said, following Marshall's 1803 decision, the Court did not attempt to overthrow another act of Congress until the Dred Scott decision of 1857; and of that decision Boudin, in his book Government by Judiciary said:

Chief Justice Taney and a majority of his associates decided that the moment was opportune for the Supreme Court's taking a hand in the disturbed condition of the country, unsettled as it had become by the repeal of the Missouri Compromise, and they attempted to establish by judicial decision that "peace and harmony" which Congress could not establish by legislation.

That this change of mind on the part of the majority of the Court was actuated by purely political considerations, and had nothing to do with the requirements of the case, is shown by the opinions of the judges as actually delivered, and is now fully proven as a matter of historic fact; although it was for a long time denied by the Court as well as by its defenders. It is a minor point in this chain of proof, but significant of the purpose of the decision, that it was communicated to President-elect Buchanan in advance of its official announcement, contrary to the proprieties, so as to enable Mr. Buchanan to foreshadow the happy solution of the problem and the restoration of "peace and harmony" to the country in his inaugural address delivered on March 4, 1857, a memorable day in the judicial annals of this country.

Mr. President, that example from history illustrates why some of us are alarmed when we hear Mr. Sobeloff talk about the importance of the Supreme Court's "timing" its decisions with other considerations in mind than settlement of the case before it. How often, we wonder, might the "timing" be determined by political considerations?

The timing of the Dred Scott decision, as I need hardly remind you, turned out to be a poor choice from the Court's standpoint, because Wisconsin and other States openly defied the Court, which was unable to make its decision effective up to the start of war sparked by the issue. In his inaugural address of 1861 Abraham Lincoln rebuked the Court by saying:

If the policy of the Government, upon vital questions affecting the whole people, is to be irrevocably fixed by the decisions of the Supreme Court the instant they are made, in ordinary litigation between parties in personal actions, the people will have ceased to be their own rulers, having to that extent practically resigned the Government into the hands of that eminent tribunal.

Incidentally, those who now regard the Supreme Court as the primary guardian of the colored people, should not forget that the same tribunal was on the opposite side when it decided the Dred Scott case; and before trusting their fate too completely to the opinions of any nine men, they might also consider the actions of the Court in the post-civil war period.

Discussing this period Boudin said:

A careful study of the judicial history of the 14th amendment leads to the conclusion that the entire purpose of the majority of the Supreme Court when they "caved in" in the Slaughter House Cases, was to give the 14th amendment an interpretation which would nullify the primary effect and purpose—protection of Negro civil rights. And once that object was obtained the Court receded from its position—gradually, under various covers and in various disguises * * * thus giving the 14th amendment, in the end, a much broader scope than had ever been intended by the people who adopted it.

This writer also said that—

The subject of Negro rights constitutes the most disgraceful chapter in the judicial history of this country; and this quite apart from the Dred Scott case.

He said the first cases, narrowly interpreting the 14th amendment "meant the sacrifice of Negro rights, and incidentally of the Constitution, as a peace offering from the North to the South."

And on this same point Dean Alfange in The Supreme Court and the National Will, said:

The Court's decision (in the Slaughterhouse cases) was probably dictated by its determination so to interpret the 14th amendment as to halt the rapid postwar progress of nationalism and, incidentally, to reaffirm its independence after a long period of acquiescence in presidential and congressional dictatorship.

Later in his book Alfange said:

A different and much more pronounced manifestation of political-mindedness was the adoption of the rule of reason in interpreting the Sherman Antitrust Act. This was undeniably a direct incursion of the Supreme Court into the legislative field, the more flagrant because it not only reversed previous decisions but limited the scope of the act after express refusal of Congress to amend it in the same restrictive sense.

Fred V. Cahill, in his Judicial Legislation, has pointed out that whereas up to 1860 the Supreme Court found only 4 Federal statutes unconstitutional, there were 15 such declarations between 1860 and 1937 and along with increasing willingness of the courts to impose judicial veto on congressional acts there was a broadening of judicial control over State legislation. He said interpretation of "due process of law" was found "ideally suited to permit the entrance of extra-constitutional notions into constitutional interpretation" and that other sections of the 14th amendment also were expanded in meaning "at the expense of the police power of the States," not merely where personal rights were concerned but also for the benefit of economic interests seeking to escape State regulation.

The course taken by the Supreme Court in its 20th century march to greater power has been interestingly outlined by Dr. Alpheus Thomas Mason, of Princeton University, in a series of lectures he gave at Boston University in 1953 titled "The Supreme Court: Vehicle of Revealed Truth or Power Group."

Dr. Mason said rising complaints that the Justices "blithely usurped power and flagrantly misused it" had brought by 1912 not only demand for the popular recall of judges but even demands for radical amendment of the Constitution or its abolition. He recalled that in 1916 when President Wilson nominated Louis D. Brandeis to the Supreme Court his nomination was opposed by those who regarded the Court as "an invincible fortress protecting vested interests" and who felt Brandeis' confirmation would make every citizen feel insecure. By 1930, however, Dr. Mason said "the shoe was on the other foot" when President Hoover nominated Charles Evans Hughes for the Court and opponents attacked him as "a representative of corporate wealth" and insisted his public attitude and views on economic questions must be considered along with his legal ability.

Mason recalled that during the debate on Hughes' confirmation my predecessor in the Senate, Carter Glass, said:

> The Supreme Court in recent years has gone far afield from its original function and has constituted itself a court in economics and in the determination of social questions rather than in the interpretation of statutes passed with reference to the Constitution itself.

Other Members of the Senate expressed similar sentiments.

Hughes was confirmed but the next nominee to the Court, Judge John J. Parker, of North Carolina, was attacked because of his personal views, particularly with regard to labor legislation and racial legislation, and he was defeated. In this instance Carter Glass voted with the minority to confirm Parker, and during the Senate debate said he wanted to remark upon—

> The amazing circumstances that we are asked in this pending contest to constitute as practical arbiter of the personnel of the Supreme Court of the United States a northern Negro association for the advancement of the black race. That is what we are warned to do, under penalty of political reprisal, and that is what the defeat of Judge Parker will mean.

Mr. President, it is an interesting sidelight that the very groups which insisted Judge Parker must not be confirmed because of his racial views are now insisting that Mr. Sobeloff should be confirmed because they like his racial views. Both cases, however, illustrate the evils of encouraging the courts to become makers of policy in the social and economic fields and then choosing judges on political grounds, rather than keeping the Court within the limits which the Constitution contemplated.

When Franklin D. Roosevelt took office in 1933, Dr. Mason said:

> The Court had by its own decisions established for itself such preeminence in our politics that it could deny important powers to both State and Nation on principles nowhere found in the Constitution itself. It could and did allocate power as between State and Nation, or as between Congress and the Executive. In this way it could and did exercise control over the economic and social policy of the country.

Dr. Mason then recalled how this powerful Court was challenged by President Roosevelt with his Court-packing plan and how that assault on the independence of the Court swung the pendulum of public opinion back in favor of the Court. The people agreed with Justice Stone, who said packing the Court was too high a price to pay for correction of some decisions which he personally felt were unfortunate.

The important point for our present discussion, however, is that after the battle against the packing plan had been won some members of the Court, as Dr. Mason said, "could revise their habits of mind and thus allow the Constitution to function as a workable charter of government." Here, as was the case after Marshall's 1803 decision and after the Dred Scott decision, a dangerous tendency of the Court was curbed and power restored to the kind of balance which the Constitution contemplated.

The point I should like to make, in conclusion, Mr. President, is that we have had recent evidences of a renewed tendency of the Court to expand judicial review into a legislative and political function.

In May 1954 the Supreme Court decided the school segregation cases with a unanimous opinion which Mr. Sobeloff commended in several speeches as an example of fine timing. A former member of the Court and of this body, the Honorable James F. Byrnes of South Carolina, has said, however, that "the Court did not interpret the Constitution—the Court amended it." And our distinguished colleague from North Carolina [Mr. ERVIN] accurately characterized this decision as—

> Based on this astounding philosophy: The Constitution automatically amends itself from time to time without any change in its wording and without any action by the Congress and the States are required by article V; and the scope and times of the automatic amendments are determined by the Supreme Court alone.

It was this same opinion that the Vice President of the United States referred to at a political rally as having been delivered by "a great Republican Chief Justice," which recalls the statement of Alfange that "judicial appointments, even when their motives are not consciously political, are of political origin and the Court is being constantly recreated by Presidents in their own image."

The Vice President's attitude in regarding the Supreme Court as a tool of politics rather than as guardian of the Constitution was echoed more recently at a political rally in Washington when Richard Tobin, public relations director of Citizens for Eisenhower, said a switch of from 5 to 10 percent of the Negro voters would insure election of a Republican Congress as well as reelection of the President, and referred to "Supreme Court decisions under a Chief Justice appointed by President Eisenhower—decisions as historic as the Emancipation Proclamation of Lincoln."

Then in April of this year the Court gave two more decisions, one of which declared unconstitutional the sedition statutes of 42 States while the other invalidated a provision of the New York City charter under which an employee was dismissed for failure to answer questions in an authorized inquiry on the ground that it might incriminate him.

In the sedition law case the majority of the Court held that the State laws were invalid because Congress had occupied the field to the exclusion of parallel State legislation, but the dissenting opinion by Justices Reed, Burton, and Minton quoted Chief Justice John Marshall in its argument that the Court was going too far in its invasion of reserved powers of the States.

The dissenting opinion said this was "a jurisdictional problem of general importance because it involves an asserted limitation on the police power of the States," and that this was "a recurring problem." The three Justices said Congress has not specifically barred the exercise of State power to punish the same acts under State law which are punishable under the Federal Smith Act.

Saying the conflict between Federal and State jurisdiction should be "clear and direct before this Court reads a congressional intent to void State legislation into the Federal sedition acts," the dissenting opinion quoted Marshall who wrote in Cohens against Virginia:

> To interfere with the penal laws of a State, where they * * * have for their sole object internal government of the country, is a very serious measure, which Congress cannot be supposed to adopt lightly or inconsiderately.

The minority went on to say that since Congress was well aware of existing State legislation on sedition "this Court should not void State legislation without a clear mandate from Congress." It said exercise of Federal police power carries no such dominancy over similar State powers as might be attributed to Federal regulations concerning such things as foreign affairs or coinage and added: "We are citizens of the United States and of the State wherein we reside and are dependent upon the strength of both to preserve our rights and liberties." The opinion said also: "Mere fear by courts of possible difficulties does not seem to us in these circumstances a valid reason for ousting a State from exercise of its police power. These are matters for legislative determination."

Some of the dangers of the Supreme Court's preemption doctrine were pointed out to the Senate recently by the senior Senator from Virginia [Mr. BYRD], who pointed out that there are State as well as Federal laws against kidnaping and the narcotics traffic which could be struck down as were the sedition laws. My colleague added: "I can think of no more direct way to destroy our system of government than to preclude State taxation in fields now occupied by Federal taxes. I cannot imagine that a responsible court would be capable of such a decision. But 5 years ago I would not have believed that the Court

would ever strike down antisedition laws in practically every State in the Union."

One other recent Supreme Court opinion to which I would direct attention is the one delivered on May 21, 1956, which knocked down State right-to-work laws as applied to the railroad industry because of conflict with a 1951 amendment of the National Railway Labor Act which authorized union shop agreements notwithstanding State laws against them.

I am not concerned at the moment with the implications of this decision itself but do find encouragement in the language of the opinion delivered by Mr. Justice Douglas which said "Much might be said pro and con if the policy issue were before us," but that the question of policy was one with which the judiciary has no concern. The opinion said Congress has the final say on policy issues, and continued: "If it acts unwisely the electorate can make a change. The task of the judiciary ends once it appears that the legislative matter is relevant and appropriate to the constitutional power which Congress exercises." The opinion also said ingredients of industrial peace may vary from age to age and industry to industry, and what would be needful one decade might be anathema the next. "The decision," it said, "rests with the policymakers, not the judiciary."

That language, Mr. President, seems to indicate a new feeling among members of the Court that they should repudiate suggestions that the Court is the final formulator of national policy.

It is getting closer to the position taken by a distinguished Virginia jurist, Judge Alexander Rives of the Virginia Supreme Court of Appeals in 1868, when he in the case of Taylor against Stearns and others, with obvious reluctance, ruled against the constitutionality of a statute passed by the general assembly to protect property owners from forced sales at a time when there was no stable currency available and they might be paid with virtually worthless paper. Judge Rives said:

> Great as might be the sufferings growing out of a judicial sentence against this law, and widespread as might be the ruin of individuals and the sacrifice of property under it, they are not, for one moment, to be compared with the evils likely to attend the demoralizing example of a judiciary seeking, however covertly, popular favor by some skillfully disguised compromise of its highest and most imperious duty—that of disdaining every pretext, however plausible, and withstanding every temptation, however strong, to betray in the slightest particular, the requirements of the State and Federal Constitutions.
>
> Such a spectacle of weakness and subserviency upon the bench, if it did not shock, would incurably deprave public sentiment; destroy confidence in the administration of the laws; spread corruption through other branches of the public service and fearfully depress the hopes of the friends of constitutional freedom.

Today, Mr. President, we need not only upon the Supreme Court but upon the bench of our circuit courts and our district courts men who have that kind of attitude toward the sacredness of our Constitution, and the public utterances of Mr. Sobeloff have not convinced me that he would be a constitutional rather than a political judge.

Although making a valuable contribution during the Revolutionary War to our fight for freedom, Tom Payne was never willing to admit the full implication of the new form of government he had helped to establish. "Credit," he said, "is suspicion gone to sleep." That was his cynical way of admitting that confidence was the foundation stone of the new business and social order. Of all phases of our unique form of self-government, confidence in the judiciary is the most vital and we should be able to say of everyone confirmed for a judicial position, as Daniel Webster did of George Washington's first Chief Justice; his character was "a jewel in the sacred treasure of national reputation, and when the spotless ermine of the judicial robe fell upon him, it touched nothing not as spotless as itself."

You, my colleagues, must make your own decisions but, referring once more to the action of the Senate in 1939 when it rejected the nomination of Judge Roberts, I want to leave with you the words of former Senator Thomas of Utah, who said:

> America's only contribution to the theory of political science is our Federal system; making that Federal system work is America's greatest contribution to the art of government. In the light of history, American democracy is important to the people of the whole world. That it has been able to function for 150 years may be deemed a miracle; that it should continue to function is a necessity. By the proper interpretation of "by and with the advice and consent" (of the Senate) we may have a key to its continuance on the basis of free association, exchange of opinion, deliberation, and action only after a meeting of minds at the end of free discussion.

Mr. BEALL. Mr. President, several days ago the citizens of this great Nation were shocked by a cowardly display of the basest form of un-Americanism—a series of sneak cross burnings in the night. The petty prejudice and warped attitudes which are reflected in such deeds are directly contradictory to our country's tradition of fair, aboveboard play; and I say that the men who were supposed to be the so-called victims of the attacks actually were cloaked in honor by being selected. Because they represent the true principles of Americanism, they were picked by hoodlums as objects of a vicious smear attempt. As I mentioned, the men in front of whose homes the crosses were burned can feel proud that they were singled out as representative of the free spirit of our democracy. It is about one of those men that I will now make my remarks.

Mr. President, I rise to speak in favor of the confirmation of Mr. Simon E. Sobeloff as a judge of the United States Court of Appeals for the Fourth Circuit. I have patiently waited for this opportunity since his nomination by the President, more than 11 months ago.

For almost 40 years I have known and admired the nominee—practically all of my adult life. But it is not our warm personal friendship alone that prompts me to speak in his behalf. It is also my deeply felt conviction that Mr. Sobeloff will make an outstanding Federal judge, and that he will adorn a bench which for many years has been known for the high quality of its judges.

There can be no question of Mr. Sobeloff's qualifications; they are numerous and impressive, they are written in the record of his service to the city of Baltimore, the State of Maryland, and the Federal Government. He is a lawyer who is known not only in his home State but throughout the country for his ability, his mature judgment, his integrity, and his conscientious performance of duty.

The nominee has a broad and solid professional background.

While still attending law school, he became secretary and bailiff to Judge Morris A. Soper, whose place on the bench he now has been nominated to fill.

For some 35 years he actively and successfully practiced law in his native city of Baltimore. During all these years he enjoyed the most valuable asset a lawyer can possess—the confidence of judges and brother practitioners.

He has always demonstrated a warmth of personality and an elevation of thought that won him many friends even among his adversaries.

As a layman, if I were ever to need a lawyer—and fortunately I have never been in a courtroom except as a witness—I would expect my lawyer to give me his best service and his best advice, and to present my side of the case to the utmost of his ability. That is certainly what Mr. Sobeloff has always done. Over the years, he has represented his private clients and the United States Government with fairness, devotion, and integrity.

His life, however, has not been narrowgaged. His interests and his activities extend far beyond the practice of law and they have enriched the life of his community. He has always been widely sought and has given unstintingly of his time to many charitable and civic organizations.

During the depression years he acted as impartial arbitrator for the men's clothing industry in Baltimore, helping to bring peace to a troubled segment of our industrial life. As a relatively young man, even prior to the enactment of the Federal social-security laws, he drafted and sponsored unemployment insurance legislation for Maryland; and he served as chairman of the governor's committee on unemployment insurance and relief.

In later years he was an officer of the Prisoners' Aid Association of Maryland and of Baltimore's Housing and Planning Association.

Perhaps his greatest civic contribution to the life of his community was made when, at Gov. Theodore R. McKeldin's instance, he headed, without compensation, a commission to reorganize the administrative structure of the State. For almost 2 years, at great personal sacrifice, he devoted a major portion of his time to this important work. Although the recommendations of his commission were far reaching, they were singularly free from partisan attack—a fact in

large measure due to Mr. Sobeloff's personal stature and the respect with which he is regarded in Maryland.

In public office, where a man's character is put to the most severe of tests, Mr. Sobeloff's record is unblemished. His performance has always been characterized by such a high degree of competence and fairness that he has consistently received the praise and the respect of leaders of both political persuasions—a distinction which very few men in public life have ever earned.

His first public position was as a page in 1910 under Speaker Joe Cannon. Twenty years later he became United States attorney for the District of Maryland. As a relatively young man embarking on my own career in public life, I can still remember hearing Judge W. Calvin Chestnut—who is generally regarded as one of the most eminent members of the Federal judiciary—publicly describe Mr. Sobeloff as the best United States attorney Maryland ever had.

He served as city solicitor of Baltimore under both Republican and Democratic mayors.

Mayor Thomas D'Alesandro's explanation of why he wanted Mr. Sobeloff to serve in his Democratic administration expresses so accurately the character of the nominee that it is worth quoting:

> The problems facing the city were so difficult that I felt the need for the soundest adviser I could find, and I had complete confidence in Mr. Sobeloff's ability, his detachment from partisan motivations, and his devotion to public duty.

From 1952 until 1954 he served with distinction as chief judge of Maryland—a position which he reluctantly relinquished to accept appointment as Solicitor General. Leaders of the Maryland bar have testified that as chief judge he brought an efficiency to the operation of the court of appeals which it had not enjoyed for some time.

I have found no one who has been in contact with the work of the Office of the Solicitor General who has not been impressed with the wisdom and balanced judgment that Mr. Sobeloff brought to his job.

The views which I express are not mine alone.

He has been endorsed by the committee on judicial appointments of the American Bar Association, and by the Bar Associations of Maryland and of Baltimore. These endorsements were not perfunctory matters. They were backed up by the personal attendance at the subcommittee hearings of the entire membership of the judicial appointment committees of the Baltimore and the Maryland Bar Associations and by other leaders of the Maryland bench and bar. In fact, one of the most notable things about those hearings was that the people who have known Mr. Sobeloff longest and best—distinguished fellow Marylanders—were, to a man, on his side. As the senior Senator from Maryland pointed out, there was present in the hearing room "the most representative group of Maryland people that has ever attended a hearing on Capitol Hill."

I wish that time permitted me to review in detail all the tributes paid to Mr. Sobeloff by former Senator George L. Radcliffe and the others who attended the hearings. But I will limit myself to Judge Soper's evaluation made on behalf of the present members of the Fourth Circuit Court of Appeals. Judge Soper said:

> I voice the sentiments of Judge Parker, the chief judge, with whom I have been associated for 25 years, and of Judge Dobie—of the opposite political party, if that means anything—with whom I have been associated for 17 years.
>
> We are all anxious to have Judge Sobeloff as a member of our court. We know his capacity as a lawyer. We know that he will strengthen us and, incidentally, we hope he will do some of the work that we qualified retired judges are carrying on without assistance.
>
> I want to point out this significant fact: That at the beginning of this man's career, I was in close personal and professional contact with him. I knew him thoroughly, and have throughout the ensuing 40 years. Now, at the close of my career, I want to say that I am happy to be with him again, and I would like to be on intimate and professional and official terms with him as a colleague.
>
> I am not only familiar with his reputation, but I am familiar with him personally, and his character as a man and his status in the profession. I recommend him unqualifiedly. I know of no reason, personal or professional, why he should not be appointed.

Only 2 years ago the Senate unanimously confirmed Mr. Sobeloff's appointment as Solicitor General. His performance in that office—in full public view—has amply demonstrated the wisdom of our action.

All ostensible objections to his appointment to the bench were fully disposed of by the recently concluded hearings of the Judiciary subcommittee. Nevertheless, in justice to Mr. Sobeloff, and so that there can be no misunderstanding, it is appropriate to examine the objections that were raised and review briefly what the record of the subcommittee conclusively shows about them.

The first objection relates to his work as special counsel, by appointment of the equity court in Baltimore, to investigate the causes of the failure of the Baltimore Trust Co., a large Baltimore bank which got into difficulties in the early thirties.

From personal knowledge, I can tell you that the suggestion of impropriety impressed no one, but shocked everyone who ever had any connection or interest in the failure of the bank. The conduct of the receivership and investigation by Mr. Sobeloff were not secret. The bank's difficulties seriously affected many people in and around Baltimore City and consequently every aspect of Mr. Sobeloff's investigation and the conduct of the receivership by the bank commissioner of Maryland was carefully scrutinized by the press and the public. There was never any contemporaneous criticism of Mr. Sobeloff's actions.

If there had been any basis for such a charge, unquestionably those officials of the bank against whom Mr. Sobeloff recommended suit and who were familiar with all the circumstances would have raised it. There is in fact no responsible testimony now to support any charges.

After the objection was raised, both the Maryland and Baltimore Bar Associations and the special subcommittee reaffirmed their endorsements of the nominee. In fact, when the receiver, who was summoned as a witness supposed to support the charges, he completely refuted them. In fairness, these charges should have been abandoned when they failed so ignominiously in the subcommittee hearings.

There was also much ado at the subcommittee hearings about two sentences in a speech which the nominee made before the Judicial Conference of the Fourth Circuit in June of 1954. A few words were isolated from their settings and lifted out of context. It was suggested that they showed that the nominee subscribed to a doctrine that the Supreme Court possesses legislative powers.

No one who heard the speech or who reads it in its entirety without preconceived notions could possibly interpret it that way.

I personally would recommend the speech to every student of government and to every young law student. It was made before the Chief Justice and all the judges and many lawyers of the fourth circuit and was published in the American Bar Association Journal.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. BEALL. I yield.

Mr. WATKINS. Would the Senator from Maryland be interested in having that speech made a part of the RECORD, immediately following his address?

Mr. BEALL. That would be most agreeable to me.

Mr. WATKINS. That very speech is printed in the record of the hearings. I thoroughly agree that a fair interpretation of Mr. Sobeloff's address would not result in the conclusions drawn by our friend, the distinguished Senator from Virginia [Mr. ROBERTSON].

Mr. BEALL. I thank the Senator from Utah.

Mr. President, I ask unanimous consent that the speech by Mr. Sobeloff be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. BEALL. Mr. President, not a single breath of criticism was expressed about that speech until it was misinterpreted in connection with this nomination. The speech gives a fine insight into the work of the Supreme Court and the Solicitor General's Office. It expresses no heretical doctrine. One of its themes—a theme which Mr. Sobeloff has again and again repeated in other speeches—is that the strength of our Government lies in the separation of its powers. This, of course, is the precise opposite of the views which have been ascribed to him.

Objections also have been raised against the nominee because of the Supreme Court's decision in the school segregation cases.

I do not subscribe to the view that a lawyer's personal qualifications can be judged by the side he represents in court. However, since there is a great deal of misunderstanding about Mr. Sobeloff's

role in the segregation cases, I feel that the confusion should be cleared up.

Mr. Sobeloff did not argue the original segregation cases. He was not the Solicitor General when they were argued and he had no hand in determining what the Government's position would be.

His only appearance before the Court was in connection with the preparation of the decree. The constitutional question had then already been decided and was not an issue in the case which he argued.

In his argument he took a reasoned middle ground, rejecting not only those who favored indefinite postponement of action but also those who advocated immediate integration.

I am not a lawyer, but I have read both his brief and the notes to his argument. He counseled moderation and he urged that time should be given consistent with local conditions for the accomplishment of what the Court had already said must be done. He judiciously urged that careful and sympathetic consideration be given to the human elements involved on both sides. He pointed out that the practices of generations could not be erased by the stroke of a pen. At the time, his argument was complimented by newspapers in all sections of the country, the southern papers included.

I think the nature of the argument he made in the Supreme Court shows that he is prepared to deal with consideration and understanding and moderation with the situations that may arise.

It also has been suggested that traditionally it is now South Carolina's turn to be represented on the circuit court. I know of no precise or ironclad tradition of rotation. If such a tradition ever did exist, the records of this court, as well as the other circuit courts, will show that it has been broken more than it has been observed.

I do not blame South Carolinians for pressing for representation, but it should not be pressed here and at the expense of an eminently qualified nominee. Another vacancy already exists on the court. That position may be available to South Carolina, and I should think that its claim will be given sympathetic consideration by the appointing authority. Our job is not to nominate, but to confirm if the nomination is a good one. We discharge our constitutional duty best when we pass solely on the merits of the men nominated rather than on competing local claims.

In conclusion, I may say again that I hope the Members of the Senate will recognize the integrity and ability of Mr. Sobeloff by approving his nomination without delay, and, at the same time, show their utter contempt for the un-American performance that we witnessed last week.

EXHIBIT A

EARLY IMPRESSIONS

(Address by Simon E. Sobeloff, Solicitor General of the United States, before the Judicial Conference of the Fourth Circuit, Hot Springs, Va., June 29, 1954)

When Judge Parker graciously invited me to address this conference of judges and lawyers of the fourth circuit I accepted with appreciation and alacrity, but as the time drew near I was filled with deep misgivings. What could I say in the presence of the Chief Justice and other Federal judges, many of long experience and skilled in American jurisprudence and procedure, that would not sound presumptuous or trite?

Moreover, some of the most interesting ideas that came to me had to be scratched at the post, as it were, because for one reason or another they were on the lengthy list forbidden by considerations of discretion.

Obviously you would expect me to speak about the work of the Solicitor General's Office. Even so, I feel some diffidence in lecturing, out of the fullness of 4 months experience, to men whose daily business is Government litigation.

The dignity and importance of this conference entitled it to a more mature presentation than I fear I am able to make. It is hazardous to give expression to views which ought not to be more than tentative at this stage. So, instead of undertaking to supply the answers I shall share with you my early impressions and indicate some of my uncertainties and perplexities.

Here in my home circuit, among old and cherished friends, I will perhaps be permitted to speak more freely about these things than I would dare when I go abroad in the land.

One can hardly cross the threshold of the Solicitor General's Office without instantly sensing the wide range and entrancing interest of its business. A lawyer could spend a lifetime in active practice in Baltimore and never have occasion to think about the so-called aboriginal land rights of the Alaska Indians or the conflicting water claims of cities and States. He might never be called upon to decide whether the marriage of a 14-year-old girl in Arkansas is void or only voidable; or to consider a railroad's liability for burning a national forest, or what type of evidence is sufficient to prove the paternity of a Chinese claiming American citizenship; or whether giving away calves involves realization of taxable income. Hardly would he find it necessary to consider whether the Government is liable for the killing of Indian ponies and driving the Indians off certain grazing lands in Utah; or whether a forced sale of radar equipment to the American Army in the Philippines involves a condemnation for which just compensation is due. He might never give thought to what practices are appropriate in weighing cattle arriving at the Chicago stockyards; or whether the waters between the island of Catalina and the mainland are a part of California; or what is the authority of the Federal Power Commission over natural-gas production; or whether Congress has admitted liability of the United States to the State of California for recruiting expenses in the Civil War.

Nor is he likely to be called upon to try his hand at drawing a decree in anything resembling the segregation cases.

Yet these exemplify the typical nature of matters that arise in the Department. They also illustrate the vast expanse and diversity of our country and its operations throughout the world. The number of certiorari petitions to be considered—ours and our opponents'—runs to more than a thousand a year, and the number of requests for review in the courts of appeals is even greater.

Naturally there is a shift in perspective when one changes his position. The work in the Solicitor General's Office is different from that on the bench, or at the bar in private practice.

The judges here will perhaps agree that one of the chief joys of their office is to be able to witness a good stiff fight, sometimes even to participate tangentially, while decorously maintaining strict neutrality with no partisan anxiety over the outcome.

The Solicitor General is not a neutral, he is an advocate; but an advocate for a client whose business is not merely to prevail in the instant case. My client's chief business is not to achieve victory but to establish justice. We are constantly reminded of the now classic words penned by one of my illustrious predecessors, Frederick William Lehmann, that the Government wins its point when justice is done in its courts.

When a lawyer in private practice advances an argument, he feels free to drive as far as he can. He is out to win that case. He has, it is true, his professional ethics, but he has no responsibility for the future of the law. He is not fashioning a rule for later cases. Provided only that his contention is not so extreme as to arouse resistance, he is free to go as far as he will. But the judge writing the opinion must, as you know, be more wary. He must proceed with greater moderation and circumspection, realizing that what he says today will have to be faced tomorrow. He is aware that a rule declared in one case may be cited in the next. Unlike the lawyer, the judge is confined by his sense of responsibility for the symmetry of the law and by his obligation to maintain its continuity and conformity to basic principles and traditions.

The Solicitor General, too, though an advocate, must not forget that his client is the United States Government, which is dedicated to the same principles. Under our system he has a special relation to the courts and in particular to the Supreme Court. It is out of this multiple relationship that the Solicitor General's perplexities arise.

A chief problem is how to reconcile legality with decency and justice. He has a delicate and not easily definable function in the development of the law. He must be mindful of all of these things in deciding which cases shall be appealed from district courts to the courts of appeals and which merit presentation to the Supreme Court.

I do not have the exact statistics and they are not necessary. It is sufficient to point out that only a small fraction of the cases lost by the Government are appealed. In the first place, Government lawyers, like those in general practice, may experience that marvelous adjustment of perspective which often comes to the most ardent advocate when he loses—that is, the realization that he really should have lost. Sometimes the realization comes with the suddenness of revelation. In this circuit, as I can testify, it may possibly come before the end of the inevitable inquisition from the bench. Sometimes, when the trial judge or the court of appeals seems to have deviated from the law, and it is nevertheless apparent that this was done in an understandable human effort to square what is legal with what is just, the Solicitor General, finding no great importance in the case as a precedent, may well look the other way and say "no appeal" or "no certiorari."

A Government lawyer was telling me with a show of shock and dismay that in a certain case Judge Parker declared from the bench "well, if that is the law, any judge worth his salt will find some way to overcome it." I wasn't shocked, for if I must make a choice between a judge who is completely orthodox and applies without imagination or feeling a rigid rule—and another judge who is perceptive of the justice of commonsense of the case, even at the expense of some harmless departure from the strictness of the legal formula—I prefer the latter.

I know that you will not misunderstand my meaning. I am not counseling a group of experienced Federal judges to become anarchists: I merely say that if you find a way to do justice in a hard case, sometimes, not always, the Government may find a way not to appeal. I say "not always" for it often happens that despite our personal preferences in the instant case, we deem it necessary to appeal because of the harm apprehended from the operation of the prescribed rule in a wider orbit.

We can submit, in an appropriate case, without appealing or without seeking certiorari where the Government has lost below; but what do we do when we have won a bad case and the opponent carries the matter up on appeal or by petition to the Supreme Court? Do we resist, or do we confess error? In the nature of things we cannot often confess error, or even the passion for justice would not overcome the annoyance of the lower courts if we too often confessed error in cases where they had ruled in our favor. One district judge, reversed on appeal, suggested, when the Solicitor General refused to seek certiorari, that he, the district judge, should have the right to personal vindication by applying for certiorari himself. District judges and appellate judges might view the matter differently.

There have been instances, and doubtless there will be more, where confession of error is not only in order but is a moral necessity. In this connection I may relate the experience of a young lawyer on the Solicitor General's staff, who went into court and confessed error, but the court nevertheless gave him an unwelcome decision for the Government. He came back moaning and gloating simultaneously, and said "I can't lose a case even when I try."

What impresses me, and depresses me, is that so often neither Government counsel nor the court is given the necessary leeway to soften harshness and mitigate absurdities which are inexorably commanded by the law. What Federal judge has not been torn in his heart by the inflexible minimum penalty prescribed in certain statutes? Recently I attended the Judicial Conference of the Fifth Circuit. Half of an entire session was devoted to the recital of instances of unconscionable penalties under the Boggs Narcotic Control Act. One judge told of a case where a highly respected pharmacist, with no prior record, violated the law by giving someone a small quantity of a narcotic drug to relieve acute suffering. He did it for no personal gain, but for humanitarian reasons, expecting that a doctor's prescription would follow. The evidence of the violation, however, was entirely clear and the jury was about to bring in a verdict of guilty. The judge related how he sent them back after explaining that if they convicted the defendant he would have no choice but to impose a minimum 2-year sentence. The jury then considered the matter further and brought in a verdict of "not guilty," to the immense relief of the judge. Of course, this is not an edifying story; but who can fail to sympathize with a judge put in such a difficult position by a rigid law passed by men of good motives who fail to foresee and understand the consequences of their legislation?

Similarly, in some of the immigration and naturalization cases, both the law and its administration have, I fear, gone far beyond what would appear necessary to carry out policy, and needless hardships are being inflicted. Admittedly, the remedy cannot be supplied by judges alone. The Congress has broad powers in this area. Insofar as administration plays a part, Attorney General Brownell is already moving to relieve the abuses in bail procedures and more will be done, I am sure, under the new Commissioner of Immigration and Naturalization, General Swing, who combines with his Army discipline a warm and understanding heart.

This brings me to the more general, still unresolved problem of the role of the courts in the review of administrative action. This I see exemplified again and again in the steady stream of papers that flow across my desk.

It is a difficult dilemma: On the one hand is the obligation to respect the separation of powers, for the disregard of this principle would itself lead to tyranny. Personalized judgments to meet particular cases are, we know, fruitful sources of future trouble. We must take care that that which satisfies the felt need today shall not breed confusion tomorrow. On the other hand is the limited but still broad role of the judiciary in determining whether fundamental rights guaranteed by the Constitution have been violated by the arbitrary exercise of power.

It has been pointed out that the due process clauses of our fundamental law are unique among national constitutions, even in the English-speaking countries. Yet this is an established feature of our constitutional system. In appropriate cases the power must be exercised with firmness and vigor, albeit with discretion. Experience has shown what is likely to happen when a court declines to interfere, out of deference to the separation of powers, even though the administrator has acted harshly, cruelly, and outrageously. These are not my adjectives; the Supreme Court used them in a recent case, where it castigated the action under review but upheld its legality. In that case the action was mandatorily required by the statute, but sometimes administrators go to great extremes in what they think is a proper exercise of discretion. Only too often the administrator's ears tune out these denunciations; he hears only that his conduct is legal and he feels that he has been granted a license to continue in his course and go even further until checked. Each branch of our Government is limited by the others, but each must, on occasion, check the others if justice is to be achieved. In deciding in a given case whether to appeal the action of the reviewing court, these are among the pertinent considerations.

The *Southland Manufacturing Co.* case (201 F. 2d) in this very circuit illustrates well that the Administrative Procedure Act failed to supply the hoped-for guiding tests as to how the reviewing judge determines whether or not to substitute his judgment for determinations of fact by administrators. As you know, that case evoked sharply divergent views by two of our most respected jurists, Judge Parker and Judge Soper.

A sometimes bothersome feature of the Solicitor General's duty of deciding what business to present to the Supreme Court is in dealing with the Government agencies concerned. His is the task of resisting their tearful importunities to seek review of cases they have lost. The loss seems to them calamitous. Their preoccupation is with the immediate result, or at least their purview is likely limited to their particular work. The Solicitor General must seek a broad perspective of the total law business of the United States, not merely the program of any single agency.

A principal task of the Solicitor General is to determine when not to press for a victory in court, for sometimes a victory may prove more disastrous than a defeat. And what lawyer of experience has not noted that there are occasions when it is wiser to leave a point obscure than to obtain clarification?

Dealing with the agencies is, however, the less difficult part of the job. After listening to them, we can tell them. Our relation to the Supreme Court presents problems of greater complexity.

The Solicitor General decides—in many instances finally—what questions shall not come before the Supreme Court, and he must therefore address himself to the inquiry, "What kinds of legal problems does the Court wish to entertain?"

The Court, as you know, does not customarily declare its reasons for granting or denying certiorari. There are nine minds that have been known to disagree, and none has fully revealed itself. We know that different approaches are possible. One Justice may vote to grant or deny certiorari for one reason, and another may agree with him for an entirely different reason. We are told on the highest authority that denial means nothing more than that four favorable votes were not available. Under these circumstances, how is the Solicitor General to divine the overall plan of the Court in the selection of cases? There is no pat answer, for there are no clear criteria. What is a case for the Court is not precisely measurable. It has to be felt; it cannot be demonstrated. There are many surprises.

At the beginning of the last term the Federal Power Commission joined with the Phillips Petroleum Co. in petitioning for certiorari to settle an important question as to the jurisdiction of the Commission in the regulation of the natural-gas industry. The petition was denied. Phillips then filed a motion for reconsideration. The Government declined to join in this motion out of deference for the rule which forbids motions for reconsideration except where new matter is to be presented. The Solicitor General's Office is perhaps more scrupulous in observing this rule than are some others. To the surprise of the profession, certiorari, though previously denied, was granted.

Again, a man convicted by the State courts of New York of murdering his parents sought certiorari to raise the validity of his confession. He claimed that with the connivance of State officers a psychiatrist ostensibly called to treat him extracted the challenged confession. Certiorari was denied. Nevertheless, most unexpectedly the Supreme Court saw fit to review the same question when it was raised by the same defendant on habeas corpus in a Federal court.

Shortly after coming to Washington I paid courtesy calls on each of the Justices. No two seemed to have exactly the same standards for certiorari; most of them said frankly that the standards defy formulation. One Justice told me that the sum involved had little weight with the Court, but that he personally was influenced by that factor. I asked him what was the dividing line, and he answered quite seriously that when he saw the Government lose $20 million he thought the case might be worth looking at. He spoke this as one might confess a personal idiosyncrasy.

The Court may reject a case, not because the question is unimportant, but because it thinks the time not ripe for decision. In our system the Supreme Court is not merely the adjudicator of controversies, but in the process of adjudication it is in many instances the final formulator of national policy. It should therefore occasion no wonder if the Court seeks the appropriate time to consider and decide important questions, just as Congress or any other policymaking body might. For example, for several years before taking the school segregation cases the Court repeatedly turned away opportunities to decide questions in that area, perhaps because they deemed them premature. Lately it declined to review a ruling on segregation in public housing, perhaps because the Court thought it best, after deciding the school cases, not to say more on other aspects of segregation at this time. Or the Court may think the record in the case at hand not adequate or otherwise unsuitable to raise and decide the point. We can only speculate. In the decision of great constitutional questions, especially those which are in the realm of political controversy, timing can be of supreme importance.

One can hardly fail to be impressed with the growing finality of the courts of appeals of the several circuits in the disposition of ordinary litigation. The Supreme Court has in late years steadily decreased the number of cases it will consent to hear, limiting the volume of business within its discretionary jurisdiction under the act of 1925. Last term it granted 88 certioraris, as compared with 193 in 1940. Only 8 percent of the petitions filed were accepted as against 22 percent in the earlier year. As to cases heard and submitted there were but 116, while in 1940 there were 204; 10 years earlier there were 267.

Of the 88 certioraris granted 52, or two-thirds of the total, were brought by or against the Government. Of certioraris sought by the Solicitor General only 40 percent were granted—a decline from 80 percent of such petitions granted only a few years ago. It is significant that the Solicitor General himself had severely culled the cases and applied for certiorari in substantially less than half of those in which some Government agency urged him to do so, in fact in about 12 percent of the total cases lost. Still the mortality in the residue was more than half. Private lawyers were successful in only 6 percent of their petitions for certiorari.

Plainly, the Supreme Court does not consider that it would make the best use of its time and energy if it were to serve merely as another appellate court. Almost a quarter of a century ago, Chief Justice Taft declared that a litigant is entitled to one appeal, not two. Even a conflict between the circuits is no infallible assurance of favorable action on a petition. Increasingly the justices seem to regard their function as that of a gyroscope to keep the ship on an even keel, confining themselves more so than in the past to the consideration of grave national issues.

Tax litigation, so prolific a decade ago, appears now almost dried up. One Justice told me that the place to seek corrections in tax law is Congress, even when a court of appeals seems to have misinterpreted a statutory provision. Nevertheless, at the end of the term earlier this month the Supreme Court unexpectedly granted a whole series of certioraris in criminal net-worth cases and reinstated a number of such cases previously declined.

At the outset I told you that I would not undertake to give final answers, but would discuss the work and its problems. The office is not exempt, for there is no exemption, from the anxieties which attend any serious undertaking. Intertwined with these, however, are deep satisfactions, as you must perceive from what I have already said.

Mr. Justice Jackson, when he was Solicitor General, once told of a letter addressed to "The Celestial General," Washington, D. C., and he rejoiced in the fact that the Post Office had no difficulty in determining that it should be delivered to him. I do not lay claim to "celestial" recognition, but there are solid compensations here; among these are the opportunities for association with able high-minded men in office and elsewhere in the Department of Justice.

I prize a letter which I received from Mr. William Marshall Bullitt who was Solicitor General in President Taft's administration—over 40 years ago. This is what he wrote me:

"If a lawyer desires only professional work, there is not an office in the country, State or national, that is to be compared with the Solicitor General, in the range of subjects to be considered and studied, and in the rare opportunity to argue great cases before the Supreme Court under the most favorable conditions as the representative of the Government.

"It will bring you into relation with that great Court and its members in such a way as to color the rest of your professional life."

If the possibilities of this office are to be realized, the incumbent must strive to learn the meaning of the process he seeks to guide. He must try to discover the social tensions, the reverberations of strife and passion, the political issues, the clashes of interest that are dressed up in technical legal forms. With what wisdom he can muster he must endeavor to foresee the consequences of his acts upon the future course of the law. What is the essence of it all? What spirit can be perceived that stirs this variegated mass of litigation? What does it signify and what does it portend, for good or ill? As the lawyer for the Government and as an officer of the Court acting within the proper limits of his special function, his constant endeavor must be, without falling prey to his own fetishes but obedient to the legislative policy laid down by others, to channel this mighty stream so as to strengthen the foundations of our society, to make freedom more secure and to promote justice between man and man and between the Government and its citizens.

Mr. DIRKSEN. Mr. President, the third article of the Constitution empowers Congress to ordain and establish the Supreme Court of the United States and the inferior courts. It establishes our whole judicial system.

Under the power to create inferior courts, the circuit courts, some 10 in number, have been created. One of them is the Fourth United States Circuit Court of Appeals, to which the nomination of Judge Sobeloff is momentarily in issue.

The President of the United States is empowered under the Constitution to make the nominations to these courts and to appoint with the advice and consent of the Senate. So the President is well within his rights in submitting such nominations. In this case, he submitted, about a year ago, the nomination of Simon E. Sobeloff. That nomination was submitted to the Senate in July 1955. That means the nomination has been pending one way or another, either by original nomination or by resubmission, for approximately 12 months. It is high time that the Senate dispose of the nomination, and dispose of it favorably.

The circuit in which the nomination is in issue comprises the States of Maryland, Virginia, West Virginia, North Carolina, and South Carolina. Since 1891, when the circuit system was created—a period of 65 years—Maryland has had 3 appointees to the circuit court; West Virginia has had 2; South Carolina has had 2; North Carolina has had 2; and Virginia has had 2. So no one can argue that there has been any great disparity as among the States which compose the fourth circuit. As a matter of fact, I do not know how they could be divided any other way, except that some State besides Maryland might have gotten three appointments. On that point, I often think of the old story told by Abraham Lincoln. He was going home one night in Springfield, and he had his two sons with him. They were making a lot of noise and shouting, and a neighbor said, "What is the matter?" Lincoln said, "Well, I have three walnuts in my pocket, and both boys want two each." That would be the case here.

As we look at the 65-year record of the court, certainly there has been no disparity between the States. The present judges of the fourth circuit are the Honorable Armistead M. Dobie, of Virginia, and the Honorable John J. Parker, of North Carolina. The vacancy is occasioned by the resignation or retirement of the Honorable Morris A. Soper.

When the nomination came before the Senate, hearings were held. To be exact, there were hearings held on the 5th, the 21st, and the 22d of May, and also on the 4th, 11th, 25th, and 28th of June.

By a vote of nine to two of the Senate Judiciary Committee, the nomination was moved to the Senate Calendar, and is now under consideration by the Senate.

What is the case for Simon Sobeloff. First, his record as a lawyer and judge. He has been a practicing lawyer in the State of Maryland for a lifetime. He was appointed a United States attorney a great many years ago. Before he could become a United States attorney, his name had to be submitted to the Senate of the United States. There had to be an FBI rundown. His nomination had to be confirmed. So Simon Sobeloff was confirmed as a United States attorney by the then incumbent Senate.

He was also selected by his compatriots in the State of Maryland to be chief judge of the Maryland Court of Appeals. Only within the last several years, he has been selected as the chief law officer of the United States, whose duty it is to present to the Supreme Court cases to which the Government is a party. So he occupies the high place of Solicitor General in the Department of Justice. He could not become the Solicitor General, Mr. President, until his nomination as such was confirmed by the Senate of the United States. So twice in his lifetime he has been designated for Federal public office. Twice his nomination has been confirmed by the Senate. So when it comes to the attributes of probity, integrity, and character, his record is a shining example. Certainly there is nothing which has developed since that time to impeach the integrity and character of the man.

The second part of the case in his behalf is the endorsements he has received from people who know him. When all is said and done, that is the way to find out about a man. Go to those who know him, go to those with whom he is associated in the practice of the law, go among those with whom he has had business associations, and there lodge the inquiry.

The very judge whom he is expected to replace, the Honorable Morris A. Soper, of the same circuit, says that he is for Simon Sobeloff, and that he has the highest regard for his integrity and character. If anyone wants to examine the documentation, he will find it on page 20 of the hearings.

Then there is the endorsement of Judge Reuben Oppenheimer, who is president of the Maryland State Bar Association. Very seldom is a judge appointed in my own State of Illinois that we do not hear from the president of the Illinois Bar Association. Here we have the president of the Maryland Bar Association acclaiming Mr. Sobeloff and attesting to his character and competence as a member of the bar.

Then comes the president of the Baltimore City Bar Association, Howard C. Bregel. On page 24 of the hearings appears the testimony of Mr. Bregel, president of the Baltimore City Bar Association, in which he pays tribute to Simon Sobeloff.

Then we have former United States Attorney Bernard J. Flynn, who is chairman of the Maryland Bar Association Committee on Judicial Appointments. The Maryland Bar Association, as well as the Illinois Bar Association, maintains a committee on fitness. So it was the fitness committee of the Maryland Bar

Association which testified to the character and the ability of Mr. Sobeloff, as appears on page 27 of the printed record.

Next testified George L. Radcliffe, former United States Senator from the State of Maryland. It so happens that Senator Radcliffe served on the other side of the aisle. He was a Democratic Senator, and occupied a place of high repute in this body. As appears on page 35 of the record, he testified in behalf of Judge Sobeloff.

Then we have the endorsement of Judge John J. Parker, one of the sitting judges of this very fourth circuit, who has occupied that place since 1925. He was nominated to be a judge of the fourth circuit by President Hoover. I read from Judge Parker's letter addressed to the Honorable JOSEPH C. O'MAHONEY, chairman of the subcommittee that handled the nomination. The letter is written from Charlotte, N. C., and is dated May 2, 1956.

I ask unanimous consent to have the entire letter printed in the RECORD at this point, but let me particularly note one or two phrases.

Judge Parker said:

I have known Judge Sobeloff for more than a quarter of a century and have the highest opinion of his character and ability. He made a splendid record as United States attorney for the District of Maryland and following his experience in that office established himself as a successful practitioner of high standing at the bar of Baltimore city.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CHARLOTTE, N. C., *May 2, 1956.*

Hon. JOSEPH C. O'MAHONEY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR O'MAHONEY: I thank you for the invitation to make a statement before the subcommittee of the Senate Judiciary Committee considering the nomination of Hon. Simon E. Sobeloff to be one of the United States circuit judges for the Fourth Judicial Circuit.

I have known Judge Sobeloff for more than a quarter of a century and have the highest opinion of his character and ability. He made a splendid record as United States attorney for the District of Maryland and following his experience in that office established himself as a successful practitioner of high standing at the bar of Baltimore city. His standing with the people of his native State is attested by the fact that he was chosen as chief judge of their court of appeals, a position which he filled with distinction and which he left to become Solicitor General of the United States. He is a careful and learned lawyer, a man of high principle, and he has had wide and varied experience as a lawyer and a public servant. I feel that he will add strength to the judiciary of our entire country as well as to the judiciary of this circuit.

With high personal regards, I am,
Sincerely yours,

JOHN J. PARKER.

Mr. DIRKSEN. Judge Parker, who has been serving for 31 years on the 4th circuit bench—since 1925—also wrote a letter to the late Hon. Harley M. Kilgore, who served as chairman of the Judiciary Committee. That letter was dated the 25th of July 1955. It came to the chairman of the Judiciary Committee very shortly after the name of Mr. Sobeloff was submitted.

I submit this letter for the RECORD and ask unanimous consent that it be incorporated in its entirety as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 25, 1955.

Hon. HARLEY M. KILGORE,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: I note that the President has nominated Solicitor General Sobeloff to fill the vacancy caused by the retirement of Judge Soper of our circuit; and I feel that as chief judge of the circuit, I should say that I regard this as an excellent appointment and am anxious that the nomination be confirmed as soon as possible so that Judge Sobeloff may be available for work within the circuit. The fourth circuit has only three circuit judges and has a heavier caseload per judge than any other circuit in the United States. With Judge Soper in retirement, we have only two circuit judges left, although Judge Soper assures me that we may count on him for such service as he feels able to render. Because of illness among the district judges we shall not be able to call upon them for much assistance in the court of appeals.

I think I should say also that I have known Judge Sobeloff well for more than a quarter of a century and have the highest regard for his character and ability. He was an outstanding district attorney during the Hoover administration and following his retirement from that office argued a number of important cases before our court. His appointment as chief judge of the court of appeals of Maryland speaks for itself of the esteem in which he is held by the people of that State. The confirmation of his appointment would bring to our court a man of outstanding ability, of wide experience at the bar and of experience as a judge upon the highest court of his State.

I understand that criticism has been made of Judge Sobeloff on the ground that, in a speech which he made before the judicial conference of the fourth circuit in June 1954, he stated that "the Supreme Court is not merely the adjudicator of controversies, but in the process of adjudication it is in many instances the final formulator of national policy." I heard that speech and saw nothing in it to criticize. That it is the proper function of the Supreme Court to interpret the Constitution of the United States and acts of Congress and that such interpretation is often the final formulation of national policy has been recognized so long that it has never occurred to me there could be any doubt about the matter. *Chisholm* v. *Georgia, Marbury* v. *Madison, Gibbons* v. *Ogden,* the Standard Oil case, the Appalachian Coals case, the Washington Minimum Wage case, the Mortgage Moratorium case, the Steel Seizure case, and many others, which will doubtless occur to you without my mentioning them, illustrate what I mean and what I am sure Judge Sobeloff had in mind in the passage of his speech which is criticized. I see nothing in what he said that would justify the holding up of his confirmation and I sincerely trust that we may have the benefit of his services on our court as soon as is reasonably possible.

With high personal regards and great respect, I am
Sincerely yours,

JOHN J. PARKER.

Mr. DIRKSEN. I merely wish to read a few extracts from the letter. After paying a personal tribute, the letter reads:

I understand that criticism has been made of Judge Sobeloff on the ground that, in a speech which he made before the Judicial Conference of the Fourth Circuit in June 1954, he stated that "the Supreme Court is not merely the adjudicator of controversies, but in the process of adjudication it is in many instances the final formulator of national policy."

That is the phrase to which the distinguished Senator from Virginia [Mr. ROBERTSON] has addressed most of his remarks. That is the phrase to which the distinguished Senator from Georgia [Mr. RUSSELL] addressed some remarks. This is what Judge Parker continues to say:

I heard that speech and saw nothing in it to criticize. That it is the proper function of the Supreme Court to interpret the Constitution of the United States and acts of Congress and that such interpretation is often the final formulation of national policy has been recognized so long that it has never occurred to me that there could be any doubt about the matter.

And by way of documentation Judge Parker cites:

Chisholm v. *Georgia,* a case which every law-school student knows; *Marbury* v. *Madison,* one of the most celebrated cases in the whole juridical history of the country; the case of *Gibbons* v. *Ogden;* the Standard Oil case; the Appalachian Coals case; the Washington Minimum Wage case; the Mortgage Moratorium case; the Steel Seizure case; and many others, which will doubtless occur to you without my mentioning them, illustrate what I mean and what I am sure Judge Sobeloff had in mind in the passage of his speech which is criticized. I see nothing in what he said that would justify the holding up of his confirmation, and I sincerely trust that we may have the benefit of his services on our court as soon as it is reasonably possible.

* * * * * * *

Sincerely yours,

JOHN J. PARKER.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Illinois yield?

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Does the Senator from Illinois yield to the Senator from South Carolina?

Mr. DIRKSEN. I yield.

Mr. JOHNSTON of South Carolina. Is it not true, however, that the Senate in years past has seen fit to search into the past of various nominees and to determine whether they fill the bill, so to speak?

Judge Parker has been greatly praised, and I agree with some of his written decisions. But is it not true that Judge Parker was nominated for membership on the circuit court of appeals, and his nomination was confirmed; and after he had served on the court, he was nominated to the Supreme Court of the United States, but the Senate rejected the nomination because of a decision Judge Parker had rendered? Is not that true?

That being so, in this particular case we have a right to look into the qualifications of the nominee, to see what his past record has been and what his beliefs are, and to decide whether we think it is proper to have on the bench a judge who probably does not believe in any

State rights and wishes to abolish the States—which is the way I view his attitude. Those are the things we are looking into at the present time.

Mr. DIRKSEN. Let me make the case on that point, Mr. President. I thank the Senator from South Carolina for his comment.

The distinguished Senator from Virginia [Mr. ROBERTSON] appeared before the committee. He testified at length, and we had a good many interchanges of one kind or another.

Mr. President, at this time I read from the testimony of the Senator from Virginia [Mr. ROBERTSON], as it appears on page 257 of the printed record:

> Some of you may recall that one of the judges who now serves on this circuit was nominated, many years ago, to the Supreme Court but was rejected when he came up for confirmation because the National Association for the Advancement of Colored People and some labor unions objected to his racial and economic views. This, of course, was Judge Parker, and I pause to say he is one of the grandest men I ever knew. He is one of the ablest judges in the United States. He was nominated to the Supreme Court by a man I have always held in the highest esteem, President Hoover. He would have been a grand man to that Court, and I am going to tell you what turned him down.
>
> In the course of that debate over Judge Parker my predecessor in the Senate, Carter Glass, of Virginia, expressed amazement that these organizations should be made the practical arbiters of the personnel of the Supreme Court and that those who opposed them should be threatened with political reprisals. That is what happened in the Parker case. They didn't like his political views.

That is what the Senator from Virginia [Mr. ROBERTSON] said; those are not my words. The Senator from Virginia praised Judge Parker to the skies; he praised him as one of the great judges in American judicial history. Judge Parker, in his letter to the late Senator Kilgore, and in his letter to the Senator from Wyoming [Mr. O'MAHONEY], said that Mr. Sobeloff would grace that court with distinction, and said he has known Mr. Sobeloff for 25 years, that he was an outstanding district attorney, and that he is a great and competent lawyer; and Judge Parker saw nothing objectionable in the speech made at Hot Springs—to which allusion is made now, on the question of formulation of policy.

So, Mr. President, as we consider the case of Mr. Sobeloff, we think first of the character and competence of the man. Second, we think of endorsements, before us, by persons who know him—by the lawyers of Maryland and elsewhere, and by those who have been associated with him.

What more is needed to commend a man? What greater tribute is required to attest to the adequacy of the President's nomination of Simon Sobeloff to the Fourth Circuit Court of Appeals?

Mr. President, now let us consider the case against Simon Sobeloff.

First of all, he is charged with being unfit. Then comes the charge arising out of the Baltimore Trust Co. receivership, in 1941 and in prior years. All that the record shows is that those charges emanated from a single witness. As a matter of fact, the originator of those charges was Charles Shankroff.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Illinois yield further to me?

The PRESIDING OFFICER (Mr. WOFFORD in the chair). Does the Senator from Illinois yield to the Senator from South Carolina?

Mr. DIRKSEN. I yield.

Mr. JOHNSTON of South Carolina. I wish to keep the record straight. If the record is examined, it will be found that first Mr. Sobeloff opposed having the stockholders pay twice the amount. He opposed the suit of the receiver. Then we find him working for the receiver, and employed by the receiver, to see whether they could collect a considerable sum of money to pay the creditors. Later we find him bringing suit—in fact, 14 suits—against the receivership.

If Mr. Sobeloff can represent both sides at the same time, in the same case, that is more than I can understand. But that is what the court records show.

Mr. DIRKSEN. Mr. President, I still stand on the statement that Mr. Shankroff was the only complaining witness in regard to the Baltimore Trust Co. receivership, and that Mr. Shankroff was forever in the hearing room.

Mr. President, we have a right to investigate and examine into the credibility of the witness. I wish to read into the RECORD at this point a letter signed by James M. Hepbron, police commissioner of Baltimore City dated June 11, 1956. The Balitimore Police Department knows about Mr. Shankroff. I now read the letter from the police commissioner of the city of Baltimore:

POLICE DEPARTMENT,
OFFICE OF THE COMMISSIONER,
Baltimore, Md., June 11, 1956.

Hon. JOSEPH C. O'MAHONEY,
United States Senate, Washington, D. C.

DEAR SENATOR O'MAHONEY: At a hearing last month held by your subcommittee, concerning the nomination of Solicitor General Simon E. Sobeloff, there appeared one Charles Shankroff, of 1119 North Calvert Street, of this city (Baltimore, Md).

Since I personally have known Shankroff and furthermore, since this department has information concerning him and certain of his activities since he came to this city from New York, I felt that you would like to know something about him and his creditability.

My first personal contact with him was approximately 5 or 6 years ago when he began annoying our local community chest and its officials by demanding the right to inspect their accounts, records, and minutes, and to likewise personally inspect all the records of the various hospitals, institutions, and agencies making up its membership. His purpose was to prove that our whole private philanthropy setup was some sort of a "fake," despite the fact that it was operated by our most outstanding citizens.

Shankroff made himself an unbelievable nuisance and it was my personal opinion, shared by those at the chest, that he was definitely a mental case. Since that time, he has continued his weird activities in other directions, causing police inquiries to be made concerning him and his activities. Those activities include the stirring up of litigation and his appearance in court when he has no status since he is not an attorney. He has likewise injected himself in real estate matters and here again he was without status since he has no real estate license. His activities have likewise been the subject of inquiry by the better business bureau.

While he has no record of convictions in this city, he is regarded by those who know something of his activities as—and I quote—"a nut," "a crackpot," "a mental case," and "a public nuisance."

All of this, in my opinion, Senator, adds up to the fact that Shankroff is irresponsible as well as unreliable.

Now, just a word about Simon E. Sobeloff, whom I have known since schooldays and whose distinguished career I have followed with both interest and pride. Simon Sobeloff has one of the finest minds of any man I ever know. His integrity is beyond question. Futhermore, he is a man of great human understanding, a kindly, gracious, warm and helpful person, and has demonstrated his great judicial abilities as chief judge of the Maryland Court of Appeals.

Sincerely yours,

JAMES M. HEPBRON,
Police Commissioner of Baltimore City.

He was the chief complaining witness in this case. So we examined into the credibility of the chief complaining witness.

Still another letter found its way into the RECORD with respect to Mr. Shankroff. It is signed by Thomas N. Biddison, city solicitor of the law department of the city of Baltimore. The letter is dated June 11, 1956. I ask unanimous consent that the letter from Mr. Biddison be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CITY OF BALTIMORE,
DEPARTMENT OF LAW,
Baltimore, Md., June 11, 1956.

Hon. JOSEPH C. O'MAHONEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR O'MAHONEY: I have noted in the public press that one Charles Shankroff, of Baltimore, Md., has appeared before the Senate committee of which you are chairman objecting to the confirmation of the appointment of Simon E. Sobeloff as judge of the Federal Court of Appeals for the Fourth Circuit.

I am personally acquainted with certain activities of Mr. Shankroff in the past which I feel should be brought to your attention and I therefore respectfully submit the following for your consideration.

The Board of Estimates of Baltimore City, which is composed of the mayor, city comptroller, director of public works, president of the city council, and myself as city solicitor, is the major policymaking board of our city. During the period dating from August 18, 1954, until December 8, 1954, Mr. Charles Shankroff appeared at the weekly meetings of that board on 15 separate and distinct occasions, submitting 15 separate and distinct complaints and requests covering the following subject matters:

1. The Harford Road site of a library.
2. Discrepancy between purchase price and assessments of certain properties.
3. Request for leave of absence of employees.
4. Certain condemnation proceedings.
5. The method of acquiring properties for the widening of Howard Street.
6. Memorializing the Congress of the United States to restore interest on demand deposits in commercial banks.
7. The sale of 311 St. Paul Place and the purchase of 1500 Greenmount Avenue.
8. Regular meetings and minutes of the board of estimates.
9. Assessments of four parcels of land.
10. A request that copies of board of estimates minutes be mailed to him weekly and

a request to inspect the bond records of officers and employees.

11. Assessments on certain properties.

12. Purchase of various properties.

13. Department of traffic budget for 1955.

14. Alleys, roads, and lanes used and never assessed for taxation.

15. The Enoch Pratt Free Library.

No action was taken by the board of estimates on these matters for after due consideration of same it appeared that none was warranted.

I trust the foregoing may be of service to you in properly evaluating the testimony of Mr. Shankroff.

I should also like to go on record with your committee as unequivocally recommending the favorable consideration by your committee of the appointment of Simon E. Sobeloff. He is an outstanding attorney with an honorable and distinguished record of public service.

Very truly yours,

THOMAS N. BIDDISON,
City Solicitor.

Mr. DIRKSEN. I quote an excerpt or two from the letter:

I am personally acquainted with certain activities of Mr. Shankroff in the past which I feel should be brought to your attention and I therefore respectfully submit the following for your consideration.

The board of estimates of Baltimore city, which is composed of the mayor, city comptroller, director of public works, president of the city council, and myself as city solicitor, is the major policymaker board of our city. During the period dating from August 18, 1954, until December 8, 1954, Mr. Charles Shankroff appeared at the weekly meetings of that board on 15 separate and distinct occasions, submitting 15 separate and distinct complaints and requests covering the following subject matters:

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8. Regular meetings and minutes of the board of estimates.

9. Assessments of four parcels of land.

10. A request that copies of board of estimates minutes be mailed to him weekly and a request to inspect the bond records of officers and employees.

11. Assessments on certain properties.

12. Purchase of various properties.

13. Department of traffic budget for 1955.

14. Alleys, roads, and lanes used and never assessed for taxation.

15. The Enoch Pratt Free Library.

There are a good many other things to indicate that here was a champertous operation, with which every lawyer is familiar. Mr. Shankroff is not a lawyer. But there is testimony by the City Solicitor of the city of Baltimore and the Police Commissioner of the city of Baltimore as to the credibility and the reliability of the only complaining witness who appeared before the committee. When they refer to him as "a nut"; when they refer to him as "a nuisance"; when they refer to him as "a mental case"; and when they refer to him as "a crackpot," what do Senators make of it? There is not a judge anywhere who would not throw the case out of court on the ground of the unreliability and incompetency of the testimany from a witness of that kind.

That is the case so far as the Baltimore Trust Co. is concerned.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. JOHNSTON of South Carolina. Is it not true that during the hearings I asked the subcommittee to subpena the records of the court?

Mr. DIRKSEN. I think that is correct.

Mr. JOHNSTON of South Carolina. Does the Senator know whether or not the subcommittee ever received those records?

Mr. DIRKSEN. I do not know. I am not the chairman of the subcommittee.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. WATKINS. The subcommittee did not subpena the records of the trust company proceeding. That took place some 20 years ago. In the course of the liquidation of a bank as large as that, the records would have run into thousands, if not hundreds of thousands, of documents. There were a large number of depositors, a large number of stockholders, and a large number of directors. Multifarious transactions took place in that bank. The investigation made by Mr. Sobeloff was with respect to a special phase of the case. To have brought the records here would have involved the use of a van. That proceeding happened 20 years ago. Of course the committee did not subpena the records. The nomination had been held up for nearly a year. We could not see the relevancy of all those records. We had before us those who were directly in charge of the liquidation. Every one who had knowledge of the subject, and who was subpenaed testified that Judge Sobeloff conducted himself properly in every respect. Why should we subpena all those records? We would have been going for 2 years if we had done so.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. JOHNSTON of South Carolina. The only thing that would have been necessary to do would have been to look into the record. It will be seen from the record that the case is still open today. It started 20 years ago, but the record shows that Mr. Sobeloff was playing various parts in that case over a period of many years. It will be found that as late as 1943 Mr. Sobeloff filed a suit against the receiver for the cancellation of a rent-free occupancy agreement, on behalf of the then owner of the Baltimore Trust Co.

A few years before that, in 1936, Mr. Sobeloff, as attorney for the receiver, filed 15 suits against officers and directors because of their alleged liability.

In 1935 Mr. Sobeloff accepted an appointment by the court to investigate and report back to the court on the alleged liability of the officers and directors.

Prior to that time, in 1935, Mr. Sobeloff appeared on behalf of stockholders opposing the double statutory stock liability.

That is record of the court. It can be found in the court. The record will show exactly what Mr. Sobeloff did. If the record were examined, I contend that it would show that he represented diverse interests in the same case, which is not ethical. The record can be found in the court of appeals.

Mr. WATKINS. Those matters were all gone into in the testimony by the receiver and others. Nothing was left uncovered with respect to the matters the Senator from South Carolina is now discussing. They were explained by witnesses on the basis of their own information, in their direct testimony. So it was not necessary to go into all those records.

Mr. JOHNSTON of South Carolina. Is it not true that it would be a simple matter to examine the records to which I have referred?

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield very briefly.

Mr. ERVIN. The Senator from Illinois made the statement that no judge would place any credence in the witness named. Does the Senator know of any judge in the United States who would permit a determination to be made as to what the contents of a record disclosed without requiring the determination to be made from the record itself? The best evidence rule would forbid doing anything else, would it not?

Mr. DIRKSEN. I think so. I do not quarrel with that statement.

Mr. President, I shall not belabor a case which has been bouncing around since 1935. The particulars of that case were common knowledge in every village and hamlet in Maryland. I know that when the trust company failed there was a great deal of discontent all over the State, particularly in Baltimore. The question was what to do in order to develop a little tranquility in the general neighborhood.

It was then that the court asked Mr. Sobeloff to enter the case. He laid aside all his work in order to do a job for the people. It was not a case of conflict of interest at all. What he did was simply to serve, at the direction and request of the court, as a public-spirited citizen and a public-spirited lawyer. I think he rendered a great service for the citizens of Maryland and other people who had an interest in the case.

Let me summarize. First of all, the nomination of Simon Sobeloff ought to be confirmed because of the integrity and character of the man, and the confidence which has been reposed in him.

Secondly, the nomination should be confirmed because of high unequivocal endorsements of his nomination, including that of Hon. John J. Parker, of the very circuit court of appeals with which this nomination is concerned.

Third, the nomination should be confirmed because of the unreliability of the only complaining witness who came before the committee, and who is characterized in such amazing fashion by the police commissioner of Baltimore and also by the city solicitor.

The next point which is made by the opponents of the nomination is that it

violates the custom of rotation. Let us see how sacred the custom of rotation is.

As I have said, in 65 years Maryland has had three judges on the court. The other four States in the circuit have had two judges on the court. That is the record. There is no law with respect to rotation. I do not know whether there is even any custom in that regard. And if there were, that would not preclude the President of the United States from submitting Mr. Sobeloff's nomination, because the Commonwealth of Maryland is a part of the fourth circuit, and the President is within his rights. Therefore, the custom of rotation is not law. I do not recognize so-called custom as a limitation on the President's power.

Let us see about some departures. Let us look at the Fifth Circuit Court of Appeals. On the 3d of August 1954 the name of Albert Tuttle, of Georgia, was submitted to the Senate. He was then serving in the Treasury Department. He was nominated to the Fifth Circuit Court of Appeals at the very time when the Honorable Robert L. Russell, who is a brother of the very distinguished junior Senator from Georgia [Mr. RUSSELL], was a member of the Fifth Circuit Court of Appeals. Therefore, that made Mr. Tuttle, of Georgia, and Mr. Russell, of Georgia, members of the same circuit court of appeals. That was at a time when Florida and Mississippi had no one on the Fifth Circuit Court of Appeals.

Senators talk about departure. There it is in the fifth circuit.

Let us look at the eighth circuit. There we find two judges on the Eighth Circuit Court of Appeals from Nebraska, at the very time when Arkansas has no judge on the Eighth Circuit Court of Appeals. What about rotation there?

Let us look at the Ninth Circuit Court of Appeals. Arizona had none on the Ninth Circuit Court of Appeals; California had several. The Senate confirmed another one from California the other day, when the name of Judge Barnes came before the Senate. Judge Barnes had been serving as Deputy Attorney General in charge of the Antitrust Division.

It is only within a short time that Arizona finally has had a member on the Ninth Circuit Court of Appeals. California has had quite a number of members appointed to that court. What about the ninth circuit?

Then, of course, there is the prize example which is cited, the so-called Allred case in the fifth circuit. It has been alleged that the nomination of former Governor Allred, of Texas, was rejected by the Senate on the ground that Texas was not entitled to another judge.

That is not the reason why the nomination of former Governor Allred was rejected by the Senate. It was rejected because of other factors and other opposition.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. JOHNSTON of South Carolina. I wish to uphold the opinion of the Senator from Texas. The Senators who opposed the Allred nomination were Senator Overton and Senator ELLENDER.

Mr. WATKINS. I call attention to the fact that from the beginning of the tenth circuit, and before that in the eighth circuit, Utah never had a judge on that circuit bench. Never in all the years of the existence of those circuits had Utah ever had one of its citizens on that bench, until this year. That fact goes very clearly to what the Senator from Illinois has been stating.

Mr. DIRKSEN. The record is clear. There have been departures in the fifth circuit, in the eighth circuit, and in the ninth circuit. Again there was a departure in the fifth circuit. There is nothing sacred about what is called rotation. I do not believe anyone claims that a system of rotation has been engraved into the pattern of judicial appointments.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator from Illinois whether there has been any instance in the past in the circuit we are discussing when, after a judge had retired from that circuit, another judge was appointed from the same State. There is not one such instance in this circuit that I have ever heard of.

Mr. DIRKSEN. I do not know about the Senator's State.

Mr. JOHNSTON of South Carolina. Always a rotation is made to another State in making the next appointment. In every instance in this circuit that has been done since the circuit was created in 1891.

Mr. DIRKSEN. All I know is that in my own State, when Indiana maintained it was entitled to fill a vacancy caused by a death or a resignation from the circuit court, I nominated a man from Illinois, and his name was sent to the Senate by the President, and his nomination was confirmed by the Senate.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. RUSSELL. I did not hear the Senator's statement, but I have been informed that he said Judge Robert L. Russell was appointed from Georgia when there were no judges on the bench from Mississippi and Florida.

Mr. DIRKSEN. No; I said that Judge Tuttle was appointed from Georgia.

Mr. RUSSELL. Oh; but that was because of a vacancy.

Mr. DIRKSEN. That is correct.

Mr. RUSSELL. It was because the judge from Mississippi had retired and the judge from Florida had died.

Mr. DIRKSEN. I am saying that two judges from Georgia were serving on the bench at the time that Mississippi and Florida had none on the bench.

Mr. RUSSELL. Oh, no.

Mr. DIRKSEN. All I know is what the record shows. That is the record that has been supplied to me. If I am in error, I shall be glad to correct it.

Mr. RUSSELL. It was because a judge had died. He had come from Florida, and another judge had not yet been appointed from Florida. Another judge, who came from Mississippi, had retired. It was a temporary situation. In the meantime another judgeship had been created for that circuit. Judge Tuttle was appointed to the newly created judgeship.

Mr. DIRKSEN. I made the point that it is possible to have two judges or even three judges from one State serving on a circuit court bench. Oftentimes other States have no judges serving on the bench at the same time.

Mr. RUSSELL. That may well be true in certain sections of the country. In our circuits there is historic basis for appointments. As a matter of fact, President Roosevelt, who was a rather powerful President, so far as Congress is concerned, undertook to take a judgeship away from the State of Louisiana and to appoint Mr. Allred, from Texas, to the circuit court, in that way giving Texas two judges and Louisiana no judge. The argument was made that most of the court's business was from Texas; therefore Texas should have the appointment and should have two judges on the bench of the circuit court. Until that time the Senate had observed a rule of comity in the appointment of judges.

Although I will never be bound to follow every tradition of the Senate, nevertheless, according to all the history and tradition of the Senate since time and memory runneth not to the contrary, the appointment we are discussing has been a South Carolina appointment. Now it is being taken away from South Carolina. Ordinarily, that of itself would have been sufficient to cause the Senate to request the President to withdraw the nomination.

Mr. DIRKSEN. When there is a vacancy to fill, nothing is taken away from a State. I have never acceded to that idea. A vacancy is a vacancy. It belongs, in a sense, to the one who sends the name to the Senate. A State has no vested right in a vacancy as such. I never heard such a contention made very persuasively.

Mr. RUSSELL. It was made sufficiently persuasive to compel President Roosevelt to withdraw Judge Allred's name, because he was taking an appointment away from Louisiana.

Mr. DIRKSEN. Mr. President, to summarize, as I go along:

First. The case of Mr. Sobeloff from the standpoint of integrety, competency, and ability as a lawyer is unanswerable.

The case against him on the ground of unfitness fails. Nothing persuasive has been established in that connection. He was the soul of honor and integrity in the whole Baltimore Trust Co. case. The only real complaint in that instance was made by a man of no stature and who had no character, according to his fellow citizens like the police commissioner and the solicitor of the city of Baltimore.

There is nothing to the argument for rotation that I can see.

Then, of course, comes the argument that he is unfit to sit on the bench because of the Peters case. What was the Peters case? Dr. Peters was a professor of medicine at Yale Medical School. He was from time to time consulted by the Department of Health, Education, and Welfare. His case involved the question whether proceedings under the former loyalty program, instituted in 1947, were

valid. There was confidential information that had to be used in determining that the employee was disloyal. The information was not disclosed to Dr. Peters, except in a general fashion. The identities of the accusing witnesses were not disclosed either to him or to the review court. That is an astonishing situation. I thought everyone was entitled to consultation, but that was not made available to him, except in a general fashion.

So a difference of opinion about the matter developed in the Department of Justice. What happened? The Solicitor General, Mr. Sobeloff, went to the Attorney General, and it was with the approval of the Attorney General that he refrained and abstained from signing a brief filed in the Peters case in the United States Supreme Court.

The Court finally disposed of the case, but on a very, very narrow ground. It made a ruling that Dr. Peters had no authority to review the case a second time. But the essential point is that he went to his boss, the Attorney General. That is not unusual. That has happened before in the history of the Department of Justice and in the history of the court system of this country.

What is so astonishing about it? After all, he is an appointee under the Attorney General who has Cabinet status.

So, Mr. President, before he abstained from signing a brief in the Peters case he simply laid his feelings bare on the subject and said, "I would rather not sign the brief."

The Attorney General said, "That is quite all right."

It is upon that situation that an effort is made to predicate a case of bias. Certainly, there is no bias there. It is as thin, as slender, and as tenuous a reason to lean on as I have seen for a long time.

Another point is the school integration case in the Supreme Court.

I have here a copy of United States Law Week of April 19, 1955, published in Washington, D. C., volume 22, No. 40. It relates to the arguments before the court in the school segregation case. It says:

> A middle of the road concept of modernization with a degree of firmness was urged on the Supreme Court by Solicitor General Sobeloff as the proper method of eliminating segregation in the Nation's public schools.

The court had already ruled, had already uttered its edict in the matter.

Let us go on to the next statement, that the Supreme Court decree required the lower court to enter an order requiring submission, of a plan within 90 days. There was nothing said, Mr. President, about forcing integration within 90 days. It was simply said they hoped that within 90 days some plan might be fashioned and presented. That is quite another thing—a plan envisioning something in the future by way of accomplishment. The whole matter has been entirely misread and misinterpreted as to the position of Mr. Sobeloff.

Mr. ERVIN. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. ERVIN. Is it not a fact that the Solicitor General insisted that the Court should require each school district involved in the litigation to devise a plan to meet the supposed constitutional requirement within 90 days, when the Court before which the Solicitor General was arguing took 86 years to discover that the supposed constitutional requirement even existed.

Mr. DIRKSEN. What did Mr. Sobeloff say? He said, "There is such a great variety of conditions that no single formula can be devised that will fit aptly all cases." He advocated moderation, a broad and conciliatory concept, a spirit of forbearance, and a recognition of the diversity of the facts and circumstances which are involved. How far was he from the mark?

We see a Mr. Robert McC. Figg, Jr., from South Carolina, representing a certain aspect of the cases. The Chief Justice said to him:

> Should not the district court have some guides?

Mr. Figg said:

> The district judge would sit as he usually does, and either side could explain their position to him.

Mr. President, that is about the attitude expressed by Mr. Sobeloff.

Mr. Figg also spoke of the May 17 decision, and said that the decree should not order forthwith desegregation, and that the Supreme Court has power to permit effective gradual integration.

Mr. Sobeloff said there should be a plan of some kind, and that there should be time to work it out.

Not even Mr. Figg, of South Carolina, who was before the Court, could disagree with that position.

So, Mr. President, when we talk about trying to force something on the school systems within 90 days, that is not what Mr. Sobeloff proposed—not for one minute. He simply proposed that there be some kind of a plan initiated, so that they could move on by orderly process.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. JOHNSTON of South Carolina. Mr. President, in order to keep the record straight, let us refer to Mr. Allred. He had been Governor of the State of Texas. Then, he was appointed a district judge. He resigned and ran for the Senate, I believe. After that, the President of the United States appointed him to the circuit court of appeals. The committee held up his nomination. The committee did not have anything personal against him, and he was nominated again for appointment as a district judge. The Senate confirmed his nomination without any extended fight whatsoever. He is now a judge of a Federal court.

Mr. O'MAHONEY. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am having a difficult time to complete these humble remarks of mine, but I yield with pleasure to my gracious and delightful friend from Wyoming.

Mr. O'MAHONEY. The Senator from Illinois is very indulgent.

Mr. President, I came to the floor after lunch and heard a discussion between the Senator from Illinois and the junior Senator from Georgia. I wish the Senator from Georgia were here. The discussion concerned the question of rotation of judges, and the question was considered by the committee because the suggestion was made that the appointment should go to South Carolina.

An examination of the Constitution and the law reveals that the Constitution places no limitation upon the President in making his appointments. It does not require him to make his appointments in rotation among the States included within a district, and the Congress has never passed a law to require such rotation. Had Congress believed in rotation at the time the nomination of Judge Allred, former Governor of Texas, was rejected because he did not come from Louisiana, Congress might have passed such a law at that time.

This Congress did not think it was worthwhile to pass such a law in the past few months, when it confirmed the nomination of Judge Barnes, California, to the ninth circuit. Judge Barnes had been serving as Assistant Attorney General in charge of the Antitrust Division.

The record shows that in the ninth circuit, to which Judge Barnes was nominated, Arizona was unrepresented, although California had several judges on the court.

At present, Nevada is not represented; yet the Senate recently, on March 20, 1953, confirmed the nomination of Judge Stanley N. Barnes, of California. No one made any protest whatsoever about the nomination, or any argument about the rotation of judges.

Prior to that the Senate confirmed the nominations of judges to the eighth circuit. Nebraska has two judges on that circuit, Joseph W. Woodrough, and Harvey M. Johnsen, while Arkansas has no representation at all.

We find such instances occurring one after another. I know the Senators from Arkansas desire that there should be a nominee from Arkansas. They believe that Arkansas was entitled to a nomination, if the rotation system was to be observed.

Congress can cure that difficulty very promptly if it wants to; but a bill has never been introduced to require nominations to be made in rotation.

Another instance occurred in the fifth circuit, where the nomination of Elbert Parr Tuttle, of Georgia, was confirmed by the Senate on August 3, 1954, at a time when Georgia was already represented on the court by Judge Robert L. Russell, while Florida and Mississippi had no representation at all on the court. But there was no protest from Mississippi at that time, so far as I know, and no protest from Florida.

The fact is that the Constitution and the law place no restriction upon the authority of the President to make a nomination; and when he makes a nomination of a man of high character and ability, such as Simon E. Sobeloff, then I conceive it to be my duty, as a member of the Committee on the Judiciary to recommend to the Senate that the nomination be confirmed.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield briefly.

Mr. JOHNSTON of South Carolina. I should like to reply briefly to the Senator from Wyoming. I think he will agree that 80 percent of our laws today are not written laws, but are common laws and customs which are adopted by the people from time to time.

The Senator from Wyoming recalled other circuits to our attention, but in the fourth circuit we are situated in this manner: Each of the States which comprise the circuit has a population of from 2,000,000 to 2,500,000 or 3,000,000. For that reason, in this circuit a practice has been established of the rotation of appointments from the various States. There are 5 States in the circuit, and we try to keep 1 State from having two successive appointments. Never before in the entire history of the fourth circuit has a vacancy occurred and the next appointment come from the same State. If that is not a custom, I do not know what would be called a custom. That is the situation which obtains in the fourth circuit at present. It is the practice for which we in South Carolina are contending.

I disagree with the Senator from Wyoming when he says that the Senate can reject a nomination only when it finds something against the individual who is being appointed. That is not true. Why, then, did not the Senate confirm the nomination of Allred, when it was submitted? Later his nomination to the bench was confirmed. But his previous nomination was rejected for cause; Texas was not entitled to the nomination at that time.

Mr. DIRKSEN. Mr. President, so much of the case about Judge Sobeloff's attitude on various public questions is predicated on one statement he made in his speech before the judicial conference of the fourth circuit at Hot Springs, Va., June 29, 1954, at which some 300 lawyers were present, as also were judges of the circuit. In the course of his speech, Mr. Sobeloff said:

> In our system the Supreme Court is not merely the adjudicator of controversies, but in the process of adjudication it is in many instances the final formulator of national policy.

We see now that that sentence has been expanded to make it appear that Mr. Sobeloff embraces the idea that there is no such thing as a separation of powers; that the Supreme Court is a legislative body. Let me make sundry responses to that.

In the first response, I think someone in the southern section of the country, if he does not agree with that statement, ought to get after the dean of the law school of the University of Mississippi. I have a quotation from page 9 of the Southern School News of July 1956, which contains this paragraph, under the caption "Judicial Legislation":

> Dean Robert Farley of the University of Mississippi School of Law told the association that "flexibility of interpretation of the laws and the Constitution is more necessary than ever before."

The article goes on to say:

> He supported "judicial legislation" and said "under the common law system the judiciary has always legislated."

The University of Mississippi is turning out a great many young lawyers under the tutelage of a dean who talks about judicial legislation. It looks as though the university is getting its students at the incubation stage. So if the southern States want to do anything about it, they had better go down and talk to Dean Farley, of the University of Mississippi.

The article continues:

> Farley described Lord Mansfield in England and Chief Justice John Marshall in the United States as two of the greatest judicial legislators of all time.

Then the article continues by quoting Mr. Farley as follows:

> Lawyers do our institutions and our form of government a disservice by leading the public to believe that judicial legislation is something new and unconstitutional.

Mr. President, that must be almost heresy in the light of the discussion which has been taking place on the floor of the Senate. But let us see how bad the situation really is, because I have here a quotation which I think is quite to the point. It is from the Addresses and Papers of Charles Evans Hughes, first edition, 1908, pages 139–140. Justice Hughes said:

> We are under a Constitution, but the Constitution is what the judges say it is, and the judiciary is the safeguard of our liberty and of our property under the Constitution.

The Supreme Court interprets what we do and what we say. They read meanings into the language that Congress writes on parchment. Who will say that the ultimate end of that is not that the Supreme Court thereby shapes some policy in this country?

Here is another quotation, this one from "Mr. Justice Holmes and the Supreme Court," by Justice Frankfurter, page 8.

> It is plain, therefore, that judges are not merely expert reporters of preexisting law. Because of the free play of judgment allowed by the Constitution, judges inevitably fashion law.

I could go on and cite a good many other examples and place them in the RECORD, if it would mean anything. Perhaps I might add one more. This is by Prof. Paul Freund, of the Harvard Law School, in his book "On Understanding the Supreme Court," introduction, page 1:

> Is the law of the Supreme Court a reflection of the notions of "policy" held by its members? The question recalls the controversy over whether judges "make" or "find" the law. A generation or two ago it was thought rather daring to insist that judges make law. Old Jeremiah Smith, who began the teaching of law at Harvard after a career on the New Hampshire Supreme Court, properly deflated the issue. "Do judges make law?" he repeated. " 'Course, they do. Made some myself." Of course the Supreme Court Justices decide cases on the basis of their ideas of policy.

So, Mr. President, what cause, then, in attaching so much significance to a single sentence that is lifted out of a speech made to the Fourth Circuit Judicial Conference in convention at Hot Springs in June 1954, when even so outstanding a jurist as John J. Parker, who has been on that court, by the nomination of President Hoover, since 1925, says in the letter to Senator Kilgore, "I saw nothing to criticize in the speech," and comments very particularly on that particular item?

That is the case. There is no point in my besetting it any longer. I simply summarize and say that for Simon Sobeloff there is his competence as a lawyer. There is the high tribute in which he is held by his fellow members of the bar, and those with whom he has been associated in Maryland. There are all the splendid endorsements in his behalf, and none, that I know of, against him. That ought to be enough to have the Senate consent and advise to his nomination.

Against his case, of course, is a complaining witness by the name of Charles Shankroff, who has been characterized by the police commissioner of the city of Baltimore, in the letter which I inserted in the RECORD, as a mental case, as a nut, as a crackpot, as a public nuisance. Here is a letter from the city solicitor of Baltimore giving him anything but a reputation for being a reliable character.

Then there is the argument of unfiitness on the ground of one sentence in a speech to the judicial circuit, and that is all contravened by the statements one can find from nearly anybody who has served on the Supreme Court of the United States or any Federal circuit court of appeals.

Then there is the Peters case, in which Judge Sobeloff abstained from signing, after he talked to the Attorney General and had the consent of the Attorney General.

What is left of the case? I say we ought to confirm him without any more discussion, because he will grace that bench with distinction, and he will become, if he is not already, one of the truly great judicial minds of our time and generation. He richly deserves to be confirmed.

Mr. President, I yield the floor.

Mr. ERVIN. Mr. President, I rise to speak in opposition to the confirmation of this nomination.

I do not intend to discuss the question as to whether or not there is any validity to the charge that the nominee violated ethical principles by appearing first against the receiver, and then for the receiver, and then against the receiver. We have no legal evidence on which to base a determination of that question. The question as to whether or not there is any validity to that charge is dependent upon the written testimony, namely, the record in the receivership proceeding, and the suits brought in the courts in Maryland.

Although one member of the committee, the distinguished Senator from South Carolina, requested the Judiciary Committee to have those records analyzed by a competent person, and although under the system of law which prevails in every Anglo-American jurisdiction, the contents and meaning of

written documents cannot be determined otherwise than by the documents themselves, the Judiciary Committee did not see fit to comply with the request.

I oppose the confirmation of Mr. Sobeloff for three reasons:

First, the confirmation of Mr. Sobeloff's nomination would run counter to the custom of rotating appointments to the Circuit Court in the Fourth Circuit, which has prevailed in the circuit since its establishment.

As the distinguished Senator from South Carolina has stated, there has never been a single instance in this circuit in which one has been appointed to fill a vacancy caused by the death or retirement of a member of the court from his own State. I concede there is nothing in the Constitution which requires the rotation of appointments to the Circuit Court for the Fourth Circuit. There is nothing in the Constitution which denies women the right to make proposals of marriage. Indeed, the Constitution is silent as to most customs. But experience in this circuit has shown that as a consequence of the practice of rotating appointments to the circuit court, the States of the circuit have been able in times past to live together in peace and harmony when vacancies have occurred upon the circuit court. Under the custom of rotation, the State of South Carolina is entitled to this appointment, and the State of West Virginia is entitled to the post being vacated by Judge Dobie.

The Senators from West Virginia should ponder the fact that if they vote to advise and consent to this nomination, they will vote at the same time to deny their State the right to have someone from their State named as successor to Judge Dobie. It is a pretty good idea, Mr. President, to follow customs which enable people and communities and States to dwell together in unity.

I oppose the confirmation of the nomination on a second ground. The nomination of Mr. Sobeloff to be a circuit judge in the fourth circuit is obnoxious to the people of 3 of the 5 States of the circuit, and to 6 of the 10 Senators from the States embraced in the circuit. If it were not for the fact that there is agitation about racial questions in the United States at this time, the Senate would not take 5 minutes to reject a nomination which is obnoxious to 6 of the 10 Senators representing the area concerned.

A circuit judge occupies an office which is local in character. A circuit judge not only sits as a member of the circuit court when it passes upon appeals from the district courts, but he also sits as a member of a three-judge court when such a court is convened in the first instance as a court of primary jurisdiction to pass upon the constitutionality of State statutes or State practices. For that reason, the nominee in this case, would be a local judge in Virginia, North Carolina, and South Carolina. I respectfully submit for this reason that the Senate ought to give consideration to the fact that the nomination is obnoxious to 3 States of the circuit and to 6 of the 10 Senators representing the area embraced in the circuit.

Mr. President, I oppose confirmation of the nomination of Mr. Sobeloff as circuit judge for this third reason: His own public utterances demonstrate that he entertains a constitutional philosophy which renders him unfit for the position of circuit judge.

From those utterances, I am compelled to the conclusion that the nominee sanctions the abdication by the Supreme Court of the United States of its judicial function and the usurpation by the Supreme Court of the United States of powers which the Constitution of the United States vests in the Congress or reserves to the States.

Mr. President, this is a serious matter. It is a serious matter to the States in the circuit and to the nominee. It is likewise a serious matter to the future of our system of government and our Constitution.

In discussing the pending question, I am compelled to talk about the Supreme Court of the United States. I am compelled to speak of the Supreme Court of the United States in a manner which is not entirely complimentary. Mr. President, it is not easy for me to criticize any court. All of my active life I have been either a lawyer or a judge. I have spent 15 years, altogether, on the bench. So it does not come easy to me to criticize courts. Furthermore, my father was a member of the North Carolina bar for 65 years, and he used to speak with reverential awe of the Supreme Court of the United States. He used to say that Court would execute justice according to the law, though the heavens fell.

But, Mr. President, the time has come when someone will have to stand up and tell the truth about the Supreme Court of the United States, as it is now constituted, if our constitutional and governmental heritage is to be preserved.

Almost every day I hear someone say, "Hush. Hush. You cannot tell the truth about the Supreme Court of the United States. Whenever the Court speaks, the bench, the bar, and the people of America must accept as sacrosanct whatever it says"—even though what it says constitutes encroachments upon the constitutional powers of Congress, and even though what it says tends to reduce the States of this Union to meaningless zeroes on the Nation's map.

To put the matter in proper perspective we must consider the Constitutional Convention of 1787, and the Constitution it produced. Today there is being put into the innocent minds of students in some of the law schools of the United States the notion that the Constitution of the United States means nothing except what judges say it means.

Mr. President, I read such a statement the other day in an article written by a professor of one of the great law schools of the Nation. He stated, in substance, that the method of amendment prescribed by article V of the Constitution is so cumbersome it threatens disaster to the Nation; and that in consequence it must be inferred that the Founding Fathers did not intend that any durable meaning should be given to the other provisions of the Constitution save those technical in character.

In other words, Mr. President, the professor said, in effect, that the Founding Fathers, who included such men as George Washington, James Madison, Alexander Hamilton, and Benjamin Franklin, went to the Constitutional Convention of 1787 and wrote a Constitution which they did not intend to have any meaning whatever, except what the judges thereafter assigned to it. This nonsense is being put into the heads of students in some of the law schools of the United States. Indeed, there are indications that intellectual rubbish of this character is accepted by some men who now occupy judicial positions.

My distinguished friend, the Senator from Illinois [Mr. DIRKSEN], read a statement made by the dean of the law school of the University of Mississippi. I did not understand that the dean was praising judicial legislation. Moreover, I do not believe my distinguished friend, the Senator from Illinois, favors judicial legislation. But if the Supreme Court of the United States is to be permitted to act as a national legislative body, the Congress should adjourn and go home, and quit wasting the taxpayers' money in the payment of congressional salaries.

If a judge would rather make than interpret law, he should relinquish his judicial office and seek a Senate or congressional seat, and give the people a chance to say whether they like the kind of legislating he wants to do.

Mr. President, I propose to read to the Senate a description of the true nature of a written Constitution. It was not penned by the dean of a southern law school. It was not penned by a southerner. It was not penned by a Democrat. It was written by Thomas M. Cooley, dean of the Law School of the University of Michigan and Justice of the Supreme Court of Michigan, who was undoubtedly the greatest authority of all time on the Constitution of the United States and who wrote the famous book entitled "Constitutional Limitations."

I digress for a moment to make these observations. Those who assembled in the Constitutional Convention of 1787 did so for the purpose of drafting the fundamental law of this Nation, and they did so for the purpose of creating, as Chief Justice Salmon P. Chase said in the case of Texas against White, "an indissoluble union composed of indestructible States."

There would never have been a United States if the States represented in the Constitutional Convention of 1787 had not believed that the Constitution which their delegates were drafting would put the essential powers of Government beyond the control of the varying moods of public opinion and beyond the control of the temporary occupants of public offices.

This brings me to Judge Cooley's description of the nature of a written Constitution. It appears on pages 88 and 89 of the seventh edition of his famous book Constitutional Limitations, and is as follows:

> A cardinal rule in dealing with written instruments is that they are to receive an unvarying interpretation, and that their practical construction is to be uniform. A constitution is not to be made to mean one thing at one time, and another at some subsequent time when the circumstances may

have so changed as perhaps to make a different rule in the case seem desirable. A principal share of the benefit expected from written constitutions would be lost if the rules they established were so flexible as to bend to circumstances or be modified by public opinion. It is with special reference to the varying moods of public opinion, and with a view to putting the fundamentals of government beyond their control, that these instruments are framed; and there can be no such steady and imperceptible change in their rules as inheres in the principles of the common law. Those beneficent maxims of the common law which guard person and property have grown and expanded until they mean vastly more to us than they did to our ancestors, and are more minute, particular, and pervading in their protections; and we may confidently look forward in the future to still further modifications in the direction of improvement. Public sentiment and action effect such changes, and the courts recognize them; but a court or legislature which should allow a change in public sentiment to influence it in giving to a written constitution a construction not warranted by the intention of its founders, would be justly chargeable with reckless disregard of official oath and public duty; and if its course could become a precedent, these instruments would be of little avail. The violence of public passion is quite as likely to be in the direction of oppression as in any other; and the necessity for bills of rights in our fudamental laws lies mainly in the danger that the legislature will be influenced, by temporary excitements and passions among the people, to adopt oppressive enactments.

I particularly invite attention to the closing sentences of Judge Cooley's statement:

What a court is to do, therefore, is to declare the law as written, leaving it to the people themselves to make such changes as new circumstances may require. The meaning of the constitution is fixed when it is adopted, and it is not different at any subsequent time when a court has occasion to pass upon it.

That is the finest statement I know of the reasons why the Founding Fathers established a written Constitution. They wrote the Constitution to put the fundamentals of Government beyond the reach of all public officers and governmental agencies except the Congress and the States acting jointly pursuant to the amendatory process set forth in article V.

All the talk about the amendatory process being too cumbersome is nonsense. If anyone will make a study, as I have, of the time which has elapsed between the submission of proposed constitutional amendments by Congress and their ratification by the States, he will discover that whenever the Congress and the States have been willing to adopt constitutional amendments they have done so with about as much ease and about as quickly as the Congress has enacted bills establishing new programs of major importance.

So we have this situation: we have a Constitution which was drafted, as Judge Cooley said, to put the fundamentals of Government beyond the reach of all governmental agencies except the agencies which are authorized to amend it.

In a sense, a constitution is a contract. The Constitution of the United States is a contract between the United States and the States and the people of the States. The words of a written contract or constitution cannot mean one thing today and another tomorrow.

Yet we are told by some that that is the kind of constitution such hardheaded men as George Washington, Benjamin Franklin, Alexander Hamilton, James Madison, and their coworkers drew. Such a statement is absurd. The Founding Fathers did not waste time and paper in writing words having meanings as variable as the shifting sands.

As I said, I must talk a little about the Supreme Court. We are told that we must accept without criticism whatever the Court says, no matter whether it constitutes an encroachment upon the constitutional powers of Congress or an encroachment upon the reserved powers of the States, as specified in the 10th amendment.

Mr. President, that is just so much intellectual rubbish. I thank God for the fact that Americans are not required to believe in the infallibility of judges. They have the inalienable right to think and to speak their honest thoughts concerning the decisions of Supreme Court majorities and every other thing under the sun.

It is said, "You must not talk about the Supreme Court, or you will lower the respect in which it is held by the people. You must be silent."

Mr. President, there is one thing that is as true as the fact that I am standing here and speaking at the moment. It is this: When all is said, a public officer receives the respect and confidence he merits—no more and no less—whether he be President, Senator, judge, or dog catcher.

Mr. President, I have followed the action of the Supreme Court during recent years with much sorrow and many misgivings. As a member of a State court, I have seen the effect its decisions are having upon our system of government and the law of the land. I can assert without fear of any successful contradiction that during recent years the Supreme Court of the United States has been to all intents and purposes usurping the power to amend the Constitution of the United States.

This trend on the part of the Court was noticeable even before it handed down its decision in Brown against Board of Education, in which the court repudiated, solely upon the basis of psychology and sociology, the interpretation which had been placed upon the 14th amendment with respect to racial segregation in the public schools, by Presidents, by governors, by Congress, by State legislatures, and by courts, both State and Federal, during the preceding 86 years.

I will not talk further about that decision, because some people seem to think that the only people who are troubled by that decision are the people of the South. I wish to talk about one or two other decisions.

I will talk about another decision, Williams against North Carolina, which I had the duty of trying the second time it was heard in the trial court. When the Williams case arose, it was well established by well-considered prior decisions of the Supreme Court that no State had the power to render a judgment of divorce which was binding upon all other States, under the full faith and credit clause, unless it was the State of the matrimonial domicile of both parties.

The Williams case involved a married man and a married woman from North Carolina who deserted their respective spouses in North Carolina, and went to Nevada where they stopped at a motor court for 6 weeks. After that time, they brought suits for divorce against their respective spouses and had service made upon them by publication. Their respective spouses in North Carolina never even knew that they were being sued.

But the Supreme Court had quit following the decisions of the past and converted itself into the policymaking body, which Mr. Sobeloff says it is. As a consequence, the Supreme Court repudiated its sound decisions of former years and held that the Nevada divorce decrees were binding upon the spouses of the parties who had been deserted in North Carolina and also upon the State of North Carolina, notwithstanding the fact that the wife and the husband in North Carolina had never even heard that the suits for divorce had been brought.

That was too much for Mr. Justice Jackson, who observed that "settled family relationships may be destroyed by a procedure which we would not recognize if the suit were one to collect a grocery bill."

That is the kind of decision the Court makes when it makes policies. Not only do I say that the Supreme Court of the United States has to all intents and purposes usurped the power of the Congress and of the States to amend the Constitution, but the Court in a number of cases has usurped the power of Congress to legislate.

I could mention a number of such cases, but I will mention only one, and that is the case of Girouard versus the United States, which overruled three previous decisions and a subsequent confirming act of Congress, merely because a majority of the Supreme Court of the United States did not think Congress ought to pass a law providing that an alien should not be admitted to citizenship unless he was willing to bear arms in the defense of the United States.

To be sure, the Court did not give that reason for its decision. Such reason, however, would have been a far better reason than the reasons the Court gave.

When I read the Girouard case and ponder the reasons the Supreme Court gave for its decision, I cannot help calling to mind the old story of the Louisiana lawyer who would not wear a necktie in court. He was accustomed to appear in local trial courts in his own community without a necktie. On one occasion he won a case, and the other side appealed it, requiring him to go to New Orleans to argue the case before the Louisiana Court of Appeals. Before he started down to New Orleans, one of his friends said: "You have done all right here in these local trial courts without a necktie, but proper consideration for

decorum would dictate that you should wear a necktie in arguing the case before the upper court."

He said, "I am not going to change my habits of dress."

So he went down to New Orleans and argued his case before the court of appeals. Several weeks later the court decided the case against him. He got to thinking about it, and wondered whether his failure to wear a necktie had anything to do with the court's decision. The thought troubled him so much that he got on the train and went down to New Orleans to see the chief judge of the court of appeals.

He said to the chief judge, "I am Lawyer So-and-So, who argued a case before you several weeks ago. I lost the case."

The chief judge said, "Yes; I remember that case, and I remember you mighty well."

The lawyer said, "I was just wondering whether your court decided that case against me because I was not wearing a necktie."

The chief judge was rather displeased by this statement, and said, "Of course, not; that's ridiculous."

The lawyer said, "I just didn't know; but that's a far better reason than the one you gave in your decision." [Laughter.]

Congress enacted a statute which provided that before an alien could become a citizen of the United States he had to take an oath that he would defend the United States against all enemies, both foreign and domestic. However, the policymakers on the Court did not like it. That was not in accordance with their liberal notions. So they handed down a decision saying that Congress did not mean what it said when it said it. That is the effect of the decision. The Court never explained how anyone could defend the United States against all enemies if he was unwilling to bear arms against an enemy who attempted to destroy the United States by force of arms. That is both an actual and a linquistic impossibility.

I could talk at great length about other decisions of this character. I will cite at this point Smith against Allwright, in which the late Justice Owen J. Roberts made this declaration in his dissenting opinion:

> The reason for my concern is that the instant decision, overruling that announced about 9 years ago, tends to bring the adjudications of this tribunal into the same class as a restricted railroad ticket, good for this day and train only.

That is not what I said, Mr. President, but what a member of the Court said about the Court's contempt for its own decisions.

As a result of its repudiation of its prior decisions, the Supreme Court of the United States during recent years has virtually abolished the doctrine of stare decisis, as Mr. Justice Roberts said in Smith versus Allwright.

Another thing disturbs me, Mr. President. During recent years, the Supreme Court of the United States, in its operation as a policymaking body, has handed down decision after decision, particularly in criminal cases, which make it exceedingly difficult for a State to enforce its laws against its own citizens in its own courts. The situation in this respect has become so bad that in August 1954, the chief justices of the 48 States unanimously adopted a resolution asking the Congress to pass legislation to prohibit the lowest Federal courts, namely, the district courts, from nullifying the decisions of the highest courts of the States.

Mr. LONG. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I yield.

Mr. LONG. I agree with the Senator's argument, and I believe he has documented his argument in a very able fashion. I thought that perhaps he would be interested in knowing that one of the best State judges in Louisiana once described the present Supreme Court as the most unstable institution in the entire Nation. It seems that at the present time the members of the Supreme Court have indicated less respect for the clear meaning and intent of the Constitution and the laws of Congress than at any other time in the history of the United States. They have also indicated less respect for the decisions of their predecessors, less respect for the rights of the States and the laws of the States, and less concern for the rights of citizens and their relationships, based on law than any previous Supreme Court.

Perhaps that is the reason that some of us see less respect for the Court and its decisions at the present time than at any other time in our lives. I do not know of any other period when the decisions of the Supreme Court have had less agreement by the inferior justices of both State and Federal courts, and also attorneys generally across the land.

Cartoonists have from time to time suggested that when someone criticizes the Court he is more or less tearing at the foundations of our democracy. But, quite the contrary, when the Court declines to uphold the Constitution and the clear meaning of the law concerning the rights of the States, the Court itself is the one that is weakening the foundations of our democracy.

Mr. ERVIN. I appreciate the observations of the distinguished junior Senator from Louisiana. The truth is that the Supreme Court is ignoring the advice which George Washington gave the American people for all time in his Farewell Address. Washington pointed out that the Founding Fathers had divided the powers of the Federal Government among its three branches, the executive, the legislative, and the judicial; that they had divided other governmental powers between the States on the local level and the Federal Government on the national level, and that it was essential for each branch of Government to protect the Constitution against encroachments by any other branch.

I do not know how we, as representatives of the legislative branch of Government, can protect our branch and the executive branch against encroachments by the Supreme Court without calling such encroachments to the attention of the people of the United States.

The Supreme Court of the United States is ignoring the advice which George Washington gave in his Farewell Message. After describing the separation of powers between the branches of the Government, he said this:

> If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

I wish to speak a little further concerning what the Court is supposed to be and then to state why I think Mr. Sobeloff is not fit to be a circuit judge by reason of his constitutional philosophy.

What were the powers created by the Constitution for the different departments of the Federal Government? Briefly, the Constitution gives the Congress the power to make laws, the President the power to execute them, and the courts the power to interpret them. Under the Constitution, the Supreme Court has no power save that conferred upon it by section 1 of article III of the Constitution which reads as follows:

> The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish.

What is the judicial power? The judicial power is of ancient origin. In order to get a glimpse of what the judicial power is and how a court is supposed to function, we might go back to the year 1215 when the barons of England wrung from the hand of King John what we know as the Magna Charta. They exacted from King John this pledge:

> To no one will we sell, to none will we deny or defer, right or justice.

By the judicial power, as distinguished from the legislative power and the executive power, is meant the authority to hear and determine controversies as to law or fact between the Government and individuals, or between individual parties.

Mr. President, I wish to go back a moment. I was about to speak of the action of the Supreme Court during its last session when the distinguished Senator from Louisiana asked me a question.

On December 17, 1955, the Supreme Court handed down a decision in the case of Chessman against Teets. In that case a resident of California was tried in a California trial court for a violation of a California law. He was convicted and sentenced to death. He appealed to the Supreme Court of California which affirmed the judgment.

After that the defendant asked the lowest Federal court sitting in California, the district court, to set aside the judgment rendered against him by the California trial court on the allegation that at the time the Supreme Court of California passed on his appeal it had a false record before it. The district court in California, dismissed the defendant's application for relief. While the

reason for the district court's ruling does not appear in the Supreme Court's opinion, it was apparently based on the thesis that the defendant should have made his application in the first instance to the California court. This ruling of the Federal district court was affirmed by the Federal circuit court, but was reversed by the Supreme Court, which ordered the Federal district court to determine whether the Supreme Court of California had a false record before it when it passed on the defendant's appeal.

I wish to call attention to another case originating in New York which the Supreme Court considered at its last term, and to emphasize that it is just as necessary for the rest of the country to preserve our constitutional system as it is for North Carolina or any of the other States in the fourth circuit.

I refer to the case of Slochower against Board of Higher Education of New York City, in which the opinion was filed on April 9, 1956. In this case a college professor employed by the city of New York was discharged by the city pursuant to a New York statute because he had invoked the privilege against self-incrimination when he was asked before a Senate investigating committee whether he had been a member of the Communist Party.

Undoubtedly the Constitution of the United States originally contemplated that a State should have the right to discharge any employee for any reason, good, bad, or indifferent, without interference by any branch of the Federal Government. However, the Supreme Court has been whittling away the constitutional intent in this area. When the validity of Professor Slochower's discharge was before the New York Court of Appeals, that court placed a construction upon the New York statute which would have deprived the Supreme Court of the United States of any right to pass on the matter if it had adhered to the hundreds of Federal decisions which hold that the Federal courts accept the construction placed upon a State statute by the highest court of a State. That rule has been uniformly recognized from the time the first cases involving State statutes began to come before the Federal courts. A contrary rule would introduce chaos into our law.

But a majority of the members of what Mr. Sobeloff calls a policymaking institution wanted to interfere in an affair of the State of New York, which was none of their business, constitutionally speaking.

So they solemnly adjudged that the New York Court of Appeals had misconstrued the New York statute and proceeded to invalidate the discharge. In so doing, they ignored hundreds of Federal decisions to the effect that Federal courts will accept the construction of a State statute made by the highest court of a State.

No man or set of men can be safely trusted with governmental power of an unlimited nature. We see this truism illustrated in the decisions which are being handed down month after month, year after year, by a Supreme Court which seems determined to nullify the constitutional doctrine of the indestructibility of the States.

I come now to Mr. Sobeloff. Mr. Sobeloff made a speech to the Bar Association of Baltimore City on December 13, 1954. The Baltimore Sun on the following morning reported upon his speech, as follows:

> The Supreme Court, he said, is not only the adjudicator of legal questions, but "in many instances is the final formulator of national policy."
>
> The example he offered of the Court's policymaking function was the decision last May in which the Court ruled school segregation unconstitutional.
>
> Like Congress, or any other policymaking body, the Court chooses the appropriate time to decide important questions, he said.
>
> "For example, for several years before taking the school segregation cases the Court repeatedly turned away opportunities to decide questions in that area * * *."
>
> And lately, the Court declined to review a ruling on segregation in public housing, "perhaps," Mr. Sobeloff said, "because the Court thought it best, after deciding the school cases, not to say more about other aspects of segregation at this time."
>
> The question of timing, especially in cases involving political controversy, "can be of supreme importance" to the Court.

On June 29, 1954, in the course of a public address before the Judicial Conference of the Fourth Circuit, at Hot Springs, Va., Mr. Sobeloff said:

> The Court may reject a case, not because the question is unimportant, but because it thinks the time not ripe for decision. In our system the Supreme Court is not merely the adjudicator of controversies, but in the process of adjudication it is in many instances the final formulator of national policy. It should therefore occasion no wonder if the Court seeks the appropriate time to consider and decide important questions, just as Congress or any other policymaking body might. For example, for several years before taking the school segregation cases the Court repeatedly turned away opportunities to decide questions in that area, perhaps because they deemed them premature. Lately it declined to review a ruling on segregation in public housing, perhaps because the Court thought it best, after deciding the school cases, not to say more on other aspects of segregation at this time. Or the Court may think the record in the case at hand not adequate or otherwise unsuitable to raise and decide the point. We can only speculate. In the decision of great constitutional questions, especially those which are in the realm of political controversy, timing can be of supreme importance.

I lay great stress on this statement of Mr. Sobeloff's:

> It should therefore occasion no wonder if the Court seeks the appropriate time to consider and decide important questions, just as Congress or any other policymaking body might.

I lay great stress on that statement because it means, to my mind—and this is the only meaning I can reasonably give to it—that the reason why Mr. Sobeloff thought that should occasion no wonder was because Mr. Sobeloff was in favor of having the Court continue to do what the Court was doing. That, to my mind, is a shocking thing.

The Supreme Court of the United States was intended to be a court of justice. It was established to exercise the judicial power of the United States, insofar as that power is not allotted to the inferior Federal courts. But Mr. Sobeloff says—and he puts the stamp of his approval on what he says—that even though one comes and knocks at the door of the Supreme Court of the United States and asks to have his constitutional or legal rights determined, the Supreme Court will deny him those rights unless it deems the time appropriate in violation of the spirit breathed into our law by the declaration of Magna Charta.

In so doing, the Supreme Court abdicates its judicial function.

Then Mr. Sobeloff said the Supreme Court is a policymaking body; and that it selects what it thinks are appropriate days for decisions of a policymaking nature. He added that timing can be of supreme importance in decisions on great constitutional questions, especially when they fall in the realm of political controversy.

I agree with some of those statements made by Mr. Sobeloff. I agree with him that the Supreme Court often attempts to make itself the final formulator of national policy. As I have said, the Supreme Court has, in effect, usurped the power of the States and of Congress to amend the Constitution. As I have pointed out, also, the Supreme Court has usurped the power of Congress to legislate. As I have pointed out further, the Supreme Court has practically nullified the 10th amendment, which provides that all governmental powers not conferred upon the Federal Government by the Constitution are reserved to the States or to the people.

But what I object to is Mr. Sobeloff's saying that it is no wonder that this is so; that it is no wonder that the Supreme Court of the United States is unwilling, to confine itself to its proper constitutional sphere; and that it is no wonder that the Supreme Court delays its policymaking decisions until it thinks the time appropriate.

Mr. Sobeloff's speeches demonstrate to my mind, that he stamps with approval the abdication by the Supreme Court of its judicial functions, and the usurpation by the Supreme Court of the powers which belong to the States and to Congress.

Any man who entertains such views is unfit to occupy a judicial post. For that reason, I oppose the confirmation of Mr. Sobeloff's nomination for circuit judge of the fourth circuit.

Mr. LEHMAN. Mr. President, rarely have I had occasion to rise in the past 3 years to praise a nomination which was pending before the Senate. There have been some very unfortunate nominations which I have opposed. There have been quite a few nominations of men of whom I knew very little, and I have, for the most part, supported the President, although sometimes without great confidence or enthusiasm. There have been only a few—a very few—truly outstanding nominees to offices requiring senatorial confirmation. On each of these occasions I have been gratified and pleased to support the President's choice.

Such a nomination is now before us. I consider the Honorable Simon E. Sobeloff most eminently qualified for the high

judicial position to which he has been named. He will be a notable addition to the circuit court bench.

Referring only to his legal talents, I have the word of some of the most eminent lawyers I know attesting to the great attainments, legal scholarship, and judicial temperament of Mr. Sobeloff. Indeed, I have heard no challenge and no disparagement of his legal abilities. As chief justice of Maryland's highest court, he conducted himself and directed that court in what has been described to me as an exemplary manner.

But I am not one to speak authoritatively of Mr. Sobeloff's legal abilities. I would rather speak of his character and his spirit, of which I do have personal knowledge.

I believe that the attacks which have been made upon him in the Senate, and the countless delays which have been interposed to the confirmation of his nomination are wholly without justification. Indeed, the basis of those objections makes him, in my judgment, all the more qualified to serve as a circuit court judge.

He has a passion for justice. What is the aim of the courts of the land, if not to do exact and equal justice to every man? Over the entrance to the building which houses the Justice Department on Pennsylvania Avenue there are inscribed these words: "The place of justice is a hallowed place." Mr. Sobeloff has taken this sentiment seriously. It has also been said by an attorney general of the United States, whose name I do not recall at the moment, that when justice is done to some individual or entity, the United States Government has won its case. Mr. Sobeloff has acted in this tradition.

I have not been in a position to follow all of his works, either in Maryland or in the Office of Solicitor General. I have followed enough of them to know that he has reflected a deep passion to do justice, to comprehend the spirit of our traditions as well as of our laws, and to carry out the spirit and letter of the Constitution.

He has served his Government well. He has served the people well. He has served the cause of justice well.

Although he is a member of the opposite political party, and although we may sometimes have been opposed to each other in a partisan sense, I respect Mr. Sobeloff as a political figure, I value him as a friend, and I admire him as a fighter for the cause of justice.

He deserves not only a vote of confidence and the confirmation of his nomination by overwhelming vote, but also a vote of respect for his understanding of the meaning of justice—an understanding that knows no party lines.

I shall vote to confirm Mr. Sobeloff's appointment to the high office to which he has been nominated, and I shall vote to confirm him with very great satisfaction and with full confidence.

Mr. JOHNSTON of South Carolina. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNOUNCEMENT OF EVENING SESSION

Mr. WOFFORD obtained the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. WOFFORD. I yield.

Mr. JOHNSON of Texas. Mr. President, I should like to announce, so that employees, members of the press, Senators, the diningroom staff, and others may know, that we shall have an evening session tonight. We certainly want to dispose of the nomination that is now pending, and perhaps embark upon the discussion on the social security bill. We shall sit rather late in an attempt to do that.

Mr. WOFFORD. Mr. President, I rise to express my opposition to the confirmation of the appointee under consideration to be a member of the Fourth Circuit Court of Appeals.

In my view, there is a primary consideration connected with this appointment which must first be considered as a matter of principle before any other issue should be taken up in connection with the appointment. The primary consideration to which I refer is whether any State in the fourth circuit, or in any circuit, should have been passed over as many times as South Carolina has been passed over in nominating new judges to sit on this court.

There are five States in the fourth circuit—Maryland, North Carolina, South Carolina, Virginia, and West Virginia. There are places for only three judges on the court. Consequently, there must be long periods of years when two of the States in the circuit do not have representatives on the court. Even a reasonable system of rotation of appointments make it impossible for each to be represented at regular intervals.

As a matter of historical fact, there have been only 10 appointments made to the court in this century, including the appointee now under consideration.

If the present nominee were to be confirmed by the Senate, he would be the third person serving on the court from the State of Maryland of the total of 10 who have been appointed from all 5 States and the District of Columbia since the year 1900. North Carolina and Virginia have received only two appointments each. South Carolina and West Virginia have had only one appointment each during this period of more than half a century.

Mr. President, I am not opposed to permitting our sister State of Maryland to have her full share of appointees on the Fourth Circuit Court of Appeals. What I am opposed to is having any State in the circuit, or in any other circuit, given more than an equitable share of the appointments to a governmental body which represents and serves all of the States of an area.

South Carolina has failed to receive due consideration, on the basis of any standard which may be applied to the pending appointment to this court.

Not since June 5, 1913, has a South Carolinian been appointed to the court. Since that time, every other State in the fourth circuit has received at least one appointment. Three appointments have been made from Maryland. Virginia has received two appointments in the same period.

Under any logical system of rotation, South Carolina was due to receive the appointment which now is being considered, and West Virginia should receive the next one.

But there is a point which should be considered even more than the fact that rotation is equitable and logical. The years of service of judges should be taken into account, along with rotation.

I hope that all Members of the Senate will listen carefully to the following information which I urge them to consider in the light of fairness and true representation of people living in a democracy.

During this century, North Carolina has had a judge serving on the Fourth Circuit Court of Appeals for a total of 48 years.

Maryland has been represented on the court 30 years.

Virginia has been represented 27 of the 56 years.

West Virginia has had a judge on the court 25 years.

But South Carolina has been represented on the court for only 16 years since 1900.

Let us consider the matter from the standpoint of the years during which the States of the fourth circuit lacked representation on the court. South Carolina leads all the rest in this respect.

For 40 of the 56 years since 1900, South Carolina has been without a judge on the court. West Virginia has lacked representation 31 years, Virginia 29 years, Maryland 26 years, and North Carolina 4 years.

It has been more than 31 years since a South Carolinian was a member of the court. West Virginia had its last judge on the court 17 years ago. The other three States of the circuit have judges on the court at the present time.

Mr. President, I have applied every standard of fairness, equity, and logic by which this appointment to the Fourth Circuit Court of Appeals can be measured. These standards should be taken into account before any question is asked about the qualifications of the appointee who has been named to the court.

There are in South Carolina many eminently qualified attorneys who would grace the bench. Several recommendations have been made to the President, who has the power to nominate the judges.

I realize that political considerations are taken into account in making such appointments, but there is ample room for such considerations and the appointment of a South Carolinian in this instance.

Mr. President, I believe that I have been completely fair in my statement here as to the first reason why South Carolina should receive the appointment which has been given to Maryland. My earnest plea to my colleagues is that they

give serious thought to my statement before they vote. If a similar situation were presented to me with reference to any other State, it is my conviction that I could not support confirmation of a nomination under such circumstances.

I urge all Senators to consider the plight of my State in this instance, and to vote against confirming the nomination presently being considered, until South Carolina has been recognized by the appointment of one of her able attorneys to the Fourth Circuit Court of Appeals.

Mr. President, again I should like to call the attention of the Senate to the fact that of the 10 Senators from the 5 States in the fourth circuit, the 2 Senators from South Carolina, the 2 Senators from North Carolina, and the 2 Senators from Virginia have signed a resolution asking that this nomination to the bench of the fourth circuit not be confirmed. So, Mr. President, disregarding the 2 Senators from Maryland, from whose State the nominee comes, we find that 6 of the remaining 8—all except the Senators from West Virginia—do not endorse this nomination. Six of the ten Senators have said that for various and sundry reasons they do not want the nomination confirmed.

I base my objection to the nomination upon the sole ground that it is South Carolina's turn to have a judge on the Fourth Circuit Court of Appeals, if there is any desire to be fair about the matter.

Mr. JOHNSTON of South Carolina. Mr. President, this is a matter in which I am very much interested, personally. I am interested in it from several points of view.

Mr. President, as I deliver a short speech of some few hours, I prefer not to be interrupted. If I am interrupted, my speech will only take that much longer. I do not mean to be discourteous to any Senator. I shall answer all questions fully and, I trust, adequately when I have concluded my remarks.

If my colleagues will be kind enough to reserve their questions, I shall do my best to satisfy all Senators who may question my reasons for opposing confirmation of the nomination of Simon E. Sobeloff.

Mr. President, the reasons for my opposition to the confirmation of this nomination have been grossly misrepresented by the press. I have yet to see any complete account of the reasons I have advanced against this nomination. I doubt if I ever will. I doubt if anyone ever will. So I want, here and now, to make the record clear. I want the CONGRESSIONAL RECORD of this day of July 1956, to show for all time why I have opposed Mr. Sobeloff's nomination. I will let history record whether I have been prompted by bias or prejudice. I will let history record the merit of my reasons. I am willing to abide the judgment of time on what I am about to say.

I assume every responsibility for my actions in this case. The chairman of the committee has been vilified, denounced, and prodded in this nomination without the slightest justification. A part of the press has mercilessly wronged him. He and I have been linked in an alleged conspiracy to do an injustice to this nominee. He and I have been wrongfully accused of holding up the business of the court. He and I have been wrongfully accused of holding this appointment in the committee for selfish gain. Therefore, I want the RECORD, today, to show who is right—the misrepresentations appearing in some of the papers, or the contentions which will be urged against Mr. Sobeloff.

When I shall have completed a brief statement of the principal reasons for the position I have taken, then I will gladly submit to the fullest interrogation.

There are three reasons why I think Mr. Sobeloff should not be confirmed. They are as follows:

A. Tradition and every consideration of the rights of the State of South Carolina are violated by this nomination.

B. Mr. Sobeloff is barred for judicial service by reason of his unethical conduct in a protracted case—20433A—still pending in Circuit Court No. 2 of Baltimore, Md.

C. The nominee's prejudgment of issues and philosophy concerning States rights are repugnant to me and the overwhelming majority of the good people whom I have the honor to represent.

Any one of these reasons is sufficient justification for our refusal to confirm this nomination. Taken together, there is every reason why this nomination should be rejected. These are the main grounds in the minority report of the Judiciary Committee. I trust that every Senator will read the full report and especially the minority views.

I have before me a statement signed by six of the Senators representing the States in the circuit, representing almost seven-tenths of the population of the district. The statement reads as follows:

WASHINGTON, D. C., *July 5, 1956.*

To the Members of the United States Senate:

The fourth circuit consists of the States of Maryland, North Carolina, South Carolina, Virginia, and West Virginia. The nomination of Mr. Simon E. Sobeloff to be a United States circuit judge for this circuit is obnoxious to our States and to us, and we ask all other Senators to join us in voting to reject it.

Sincerely yours,

SAM J. ERVIN, Jr.
W. KERR SCOTT.
OLIN D. JOHNSTON.
HARRY F. BYRD.
A. WILLIS ROBERTSON.
THOMAS A. WOFFORD.

Mr. President, I ask Senators to watch and see how little of what I am about to say appears in the metropolitan press of the country. Watch, if you please, and see how our objections are distorted and slanted. Watch, if you please, and see how our objections are diverted, giving rise to the suggestion that we who are opposed are prejudiced without reason against this nominee. There is not the slightest foundation in fact for such reporting. No such inference is even proper. No such conclusion is justified. I apologize to no one for any reason I have advanced either before the committee or here on the floor of the Senate. I shall never regret the effort spent on this undertaking. I wish now that others might anticipate the same feeling of satisfaction, which comes to me. The passage of time will prove that we who oppose are right in our opposition.

The man in the street is sometimes given the impression that the President has the sole responsibility for the appointment of our judges. Perish such a thought. If our Constitution means anything at all to those who have such a view, now is the time for their thinking to be set aright. The Senate has a dual responsibility with the President for our Federal judges. The President merely nominates. The Senate must advise and consent. Let those who have fostered this propaganda against us who oppose this nomination be advised of the Senate's constitutional responsibility. Let them know that half of the responsibility, that of confirmation of our judicial officers, is shared by the United States Senate. In the proper performance of my part of that responsibility, I resent the charge or inference that I am not properly and promptly doing my duty in the premises.

PRECEDENT AND TRADITION ENTITLE SOUTH CAROLINA TO THIS NOMINATION

For many years the custom—and it is a good one—has been followed that insofar as possible each State within the fourth circuit would be represented in rotation by a judge resident of each State. This has been the unbroken rule since 1914.

Before I became a Member of the Senate I was acquainted with the reasons which prompted the Judiciary Committee to refuse to report to the Senate, in 1943, the nomination of former Judge James V. Allred as judge of the Fifth Circuit Court of Appeals. This same custom of rotation prevailed in the fifth circuit. I recall the case from the press accounts of it at the time. The record, as I now know it, justifies those press accounts. The late Senator John H. Overton and the present senior Senator from Louisiana [Mr. ELLENDER] conducted a determined and successful opposition against that nomination, using custom and tradition as one of the primary objections. No question was ever raised in that case concerning the personal fitness of the nominee for membership on the Fifth Circuit Court of Appeals. He had become a fairly good district judge. He had made, I am told, an acceptable record as governor of the great State of Texas. Even after that time, 1943, he was nominated and confirmed again as a district judge in Texas. He is now serving as such.

The primary objection to his membership on the fifth circuit was the failure of the President to recognize and follow the precedent and custom of giving to each State in that circuit a representative, in rotation, as and when a vacancy occurred. In the rotation of appointments, a vacancy should be allocated to a State entitled to such a vacancy. This is the very essence of democracy. This is representative government at its best. The very same situation prevails today with respect to the State of South Carolina in the fourth circuit that prevailed in 1943 with respect to the State of Louisiana in the fifth circuit. It is South

Carolina's turn now to be recognized. I protest this deliberate slight to my State with all the resources I possess. It constitutes a grave reflection on many worthy constituents of mine who would grace the court with distinction and honor. The net result, of course, is a complete abrogation and a direct violation of the precedent. Moreover, it is a reflection upon the integrity and ability of the many able lawyers in South Carolina qualified to be nominated.

Why the Attorney General and the President are willing to overlook the hundreds of good and eligible lawyers and the many fine judges in the State of South Carolina and nominate a lawyer from the State of Maryland, when the State of South Carolina is entitled by custom and rotation of appointments to have one of its citizens nominated for the vacancy, is a question they should be required to answer.

What are the undisputed and historical facts concerning the appointments from and for the Fourth Circuit Court of Appeals? What does the record show? The historical background appears in detail in our minority report. A part of it will bear repeating and stressing here.

At first, from 1891 to 1914, there were only two judges of this circuit who sat with the chief justice or a district judge. They constituted the bench of three judges. After 1914 there were and still are three judges on this court.

The complete history of service on the court is as follows:

Judge's name	State of residence	Period of service
Hugh L. Bond	Maryland	Mar. 3, 1891, to Oct. 24, 1893.
Nathan Goff	West Virginia	Mar. 17, 1892, to Mar. 31, 1913.
Charles H. Simonton	South Carolina	Dec. 19, 1893, to Apr. 25, 1904.
Jeter C. Pritchard	North Carolina	Apr. 27, 1904, to Apr. 10, 1921.
Charles A. Woods	South Carolina	June 5, 1913, to June 21, 1925.
Martin A. Knapp [1]	District of Columbia	1914 to Feb. 10, 1923.
Edmund Waddill, Jr.	Virginia	June 2, 1921, to Apr. 9, 1931.
John C. Rose	Maryland	June 20, 1922, to Mar. 26, 1927.
John J. Parker	North Carolina	Oct. 3, 1925 to ——.
Elliott Northcott	West Virginia	Apr. 26, 1927, to Oct. 15, 1939.
Morris A. Soper	Maryland	May 6, 1931, to ——.
Armistead M. Dobie	Virginia	Dec. 19, 1939, to Feb. 1, 1956.

[1] Judge Knapp was transferred from the old Commerce Court in 1914.

In no instance has a circuit judge of the Court of Appeals for the Fourth Circuit been succeeded by a resident of the same State.

Mr. President, I wish that to sink in. In no instance has that happened, but it will happen if the nomination of Mr. Sobeloff is confirmed.

We find, too, that succession has been as follows:

Successor	Predecessor
Judge Bond, of Maryland	Original appointment.
Judge Goff, of West Virginia.	Do.
Judge Simonton, of South Carolina.	Succeeded Judge Bond, of Maryland.
Judge Pritchard, of North Carolina.	Succeeded Judge Simonton, of South Carolina.
Judge Woods, of South Carolina.	Succeeded Judge Goff, of West Virginia.
Judge Knapp, of District of Columbia.	Original appointment by transfer.
Judge Waddill, of Virginia.	Succeeded Judge Pritchard, of North Carolina.
Judge Rose, of Maryland.	Succeeded Judge Knapp, of District of Columbia.
Judge Parker, of North Carolina.	Succeeded Judge Woods, of South Carolina.
Judge Northcott, of West Virginia.	Succeeded Judge Rose, of Maryland.
Judge Soper, of Maryland.	Succeeded Judge Waddill, of Virginia.
Judge Dobie, of Virginia.	Succeeded Judge Northcott, of West Virginia.

At no time in the history of the Court of Appeals for the Fourth Circuit have there been two circuit judges from the same State, either active or in retirement, serving together.

Each of the 5 States in the fourth circuit has had 2 judges on the court of appeals with the exception of Maryland which, not including this nomination, has had 3.

Each of the 5 States is naturally interested in the aggregate total of its representation on the court of appeals in comparison with that of other States. The aggregate time in service, computed to the nearest whole year, by States, is as follows:

State	Judges	Aggregate total years of service
Maryland	Bond, Rose, Soper [1]	31
North Carolina	Pritchard, Parker [2]	47
South Carolina	Simonton, Woods	22
Virginia	Waddill, Dobie [2]	25
West Virginia	Goff, Northcott	33

[1] Still available for service in a retired capacity.
[2] Still in active service but retirement requested as of Feb. 1, 1956.

The tradition of rotating appointments among the five States and the simple fairness of equalizing the representation of the States on the court, therefore, require that the present appointment go to a South Carolinian. The present nominee is a resident of Maryland.

Since South Carolina last had an appointment, in 1913, Maryland and Virginia have each had two, while West Virginia and North Carolina have each had one. Since South Carolina last had a circuit judge in service, in 1925, each of the other four States in the circuit has had a new appointment to the court and at least one of its citizens in active service as a circuit judge.

From the standpoint of the current business before the court—case load and origin of cases, South Carolina should now be recognized.

From the standpoint, also, of the aggregate number of years of the combined service of all the judges, South Carolina is entitled to have one of her citizens nominated.

The volume of business in the circuit court of appeals in the fourth circuit shows that in 1954, 27 cases arose from the State of Maryland and 32 from the State of South Carolina. In the fiscal year of 1955 there were 34 cases from Maryland and 36 from South Carolina. With the large Federal project, the H-bomb plant, now practically completed in South Carolina, and with the recent decision of the Supreme Court in the school cases, it is reasonable to expect in the years ahead that the volume of business arising from South Carolina will exceed that arising from the State of Maryland.

There is no basis for discrimination against South Carolina on the basis of population. According to the 1950 official census, Maryland had a population of 2,243,001 and South Carolina had a population of 2,117,027. Populationwise there is little difference among the number of citizens to be served by the present nomination.

Mr. President, the President of the United States does not have to follow precedent. He does not have to follow representative, democratic precepts. There is no law requiring him to follow precedent. He can and does ignore precedent. There might well be a law on the subject. If the President persists in failing to follow precedent and custom, I predict that there will be a law governing such appointments. The administration can flout custom. The President received over 100,000 votes in South Carolina in 1952. The nomination now pending is an insult to most of them. He can disregard for political reasons the wishes of the great majority of the people in the area to be served. The administration can throw an obnoxious appointment in the faces of those whom I represent. They are powerless to object, save through me as I exercise my proper constitutional function of withholding my "advice and consent" to this appointment.

The vacancy on the Court of Appeals for the Fourth Circuit, created by the retirement of Judge Morris A. Soper of Baltimore, Md., should be filled by an appointment from South Carolina. Only such an appointment would be in keeping, in the fourth circuit, with, first, a tradition of rotation of such appointments among the 5 States in the circuit; second, a tradition that no 2 judges serving upon the court in an active or retired capacity at the same time should come from the same State; third, a tradition that no circuit judge should be succeeded by an appointee from the same State; and, fourth, in fairness, the general equalization of the representation of the 5 States concerned on the court of appeals.

Under the law at present, a retired judge can be called upon to serve. That being so, there would be two judges from Maryland and none from South Carolina.

Moreover, the current volume of business arising from South Carolina justifies the immediate recognition of the claims of South Carolina. The relative number of residents to be served in the respective States adds weight to the claims of South Carolina.

If the present nominee is confirmed, an inequitable situation will result in that Maryland will have had 4 judges on the fourth circuit—with South Carolina now being bypassed—while South

Carolina and other States have had but 2 each.

As a lawyer I respect precedent; I respect usage and custom. The great body of our law is built on custom and usage. I also respect the rights of those whose interests are to be served. The Supreme Court does not have to follow precedent. In recent years it has shown an amazing contempt for precedent. We in the Senate have our rules and precedents. We revere them. We follow them. It is right that we do so. We give stability and understanding to our proceedings in so doing. There are more lawyers in this body than there are members of any other profession or business. As lawyers we should stand by the established precedent which I have cited. Whether lawyers or not, we should, for the sake of representative government, recognize the vital importance of upholding the rule of precedent. Whoever seeks to violate it, or for whatever reason, we should disapprove. A departure today will work against the sovereign State of South Carolina. Tomorrow such a departure will plague the constituency or the State of other Senators. One by one, then, precedent, custom, and usage will become meaningless. Each violation of custom will be followed by another. The end result will be confusion, confounded with tradition destroyed and custom ignored. What will follow in the wake of such recklessness? Surely, a total disregard for all law is bound to follow.

Mr. President, I feel very strongly that if there were nothing else in this matter except this fact alone, it would, in and of itself, be a just and sufficient reason for the Senate to refuse its assent to the nomination. I will withhold my consent to confirmation whenever the President of the United States without rhyme or reason violates this time-honored custom and this well-established precedent in the appointment of a judge to preside over the destinies of those people who have among their number good and worthy eligibles qualified for appointment. The precedent alone, I repeat, is a sufficient challenge to the propriety of this nomination. The question then finally resolves itself simply to this:

Is the Senate prepared to give its consent to the President's violation of an established precedent?

The second reason, Mr. President, why I oppose the confirmation of Mr. Sobeloff, is:

Mr. Sobeloff is barred for judicial service by reason of his unethical conduct in a protracted case (No. 20,433–A) still pending in circuit court No. 2 of Baltimore, Md.

I realize that this is a serious charge against the Solicitor General of the United States. He must realize it too. If I were not satisfied of its truth, I would not urge it.

The Senate and the country are entitled to know how and whence the charges originated. Mr. Charles Shankroff of Baltimore, Md., wrote me several letters after Mr. Sobeloff was nominated for the vacancy on the Fourth Circuit Court of Appeals. Before that time, I had never heard of Mr. Shankroff. After the 3d or 4th letter from Mr. Shankroff, I had a member of my staff make a preliminary investigation of the charges. The report to me was that it was felt that the charges, though serious, must be thoroughly investigated. I reported this to Chairman Kilgore. It was felt they could be substantiated. The court records contain the truth. There is no substitute for the truth. Though the court records were not subpenaed, I believe now the charges are fully substantiated even by only two of the many essential court records voluntarily put in the hearings. Mr. Sobeloff's own admissions and the admissions of those voluntarily appearing in Mr. Sobeloff's interest prove these charges independent of Mr. Shankroff.

About 5 of the 11 pages of the committee report are devoted to the defense of Mr. Sobeloff's connection with the Baltimore Trust Co. case and an attempt to blackguard Mr. Shankroff. The majority report states that the charges against the nominee are baseless. The report of the majority and the record contain much criticism of Mr. Shankroff. But remember, Mr. Shankroff is not being investigated.

Having been a lawyer and practiced in the courts, and having represented many criminals, I know what I used to do. I used to try to discredit the witnesses. That is what the investigators have tried to do with Mr. Shankroff. But he has not been nominated. His name is not before us for confirmation. We need not defend him. We are not required to defend him. The issue is "are the facts reported by Mr. Shankroff true?" Why draw a red herring across the trail? The report of the majority adopts the tactics of every criminal lawyer who represents a guilty defendant.

I asked in the beginning that the subcommittee subpena the records, but that was never done. It would have been easy for the subcommittee to have subpenaed the records, to see in what position Mr. Sobeloff was representing the different clients in that case. I do not know why the records were not subpenaed, but they never were brought in.

I believe that if there had been something in the record in Mr. Sobeloff's favor, the records certainly would have been brought in.

For the moment I am going to disregard all the evidence in the case given by Mr. Shankroff. From the lips of the nominee himself and his witnesses, as shown by the record of the hearings, the charges are clear and the proof of them convincing. Let us see whether the charges are true.

The sworn testimony of the receiver, Mr. Hospelhorn, who incidentally appeared favorably for Mr. Sobeloff, proves the truth of the charges. The receiver hedges; he waivers; he attempts to obscure; but the proof is there. We must remember that this receiver is still a State government employee, the deputy banking commissioner. He is in a tight spot when testifying. What does the record show?

Mr. Sobeloff appeared in the case of State of Maryland against Baltimore Trust Company, John D. Hospelhorn, receiver, in four separate capacities and on several separate and extended periods of time. Mr. Sobeloff knows this better than any other man in the world. He has not been frank with the subcommittee. He has tried to mingle his activities and dates and the consequences of his conduct. He has not stated the order of his appearances in this case in their proper sequence as to date and action. I shall straighten this out for him and for the Senate.

FIRST APPEARANCE

He first appeared in this case in opposition to a petition filed on February 5, 1935, by Mr. Hospelhorn, the receiver, who sought to have the double Maryland statutory stock liability of $10 per share assessed against 3,900 stockholders in the defunct trust company. The order of the trial court in levying this assessment became the mandate of the court of appeals of Maryland, on July 18, 1935, *Robinson* v. *Hospelhorn et al.* (169 Md. 117). This fact is made certain in the fourth paragraph of Hospelhorn's affidavit on page 176 of the hearings.

Mr. Sobeloff admits this in a mumble-jumble fashion, because he says in the first sentence of the third paragraph of the hearings, at page 77:

My representation of stockholders was no secret.

Mr. Sobeloff again admits this fact, as shown on page 80 of the record, in the fourth paragraph, for he says:

I was one of a group of lawyers representing stockholders—

And so forth. At this point I want to say that Mr. Sobeloff is in error as to the dates, for he says that it was in September 1935 that the receiver moved to collect the double statutory liability. The fact is that it was on the 5th of February of 1935, as shown by Hospelhorn's affidavit, page 176. The test case of Robinson against Hospelhorn was decided by the court of appeals of Maryland on June 18, 1935.

As I proceed I shall have more to say about the settlement of stockholders' suits, wherein he represented plaintiffs in opposition to Mr. Hospelhorn, the receiver.

SECOND APPEARANCE

The next, or second, appearance of Mr. Sobeloff in the case was when he was appointed by the court on September 11, 1935. Here Mr. Sobeloff becomes an officer of the court to discover and report on the possible liabilities of the officers and directors. The order appointing Mr. Sobeloff and the reasons for it appear in the hearings beginning on page 83 and concluding on page 85. Mr. Sobeloff makes reference to this appearance in the fifth paragraph of his letter, appearing on page 80 of the hearings. He admits that he was paid a fee of $30,000 for the investigation and report or reports he made to the court. This admission appears in the fourth paragraph of Mr. Sobeloff's letter at page 81 of the same.

THIRD APPEARANCE

The third appearance of Mr. Sobeloff in case No. 20,433–A is admitted by him on page 77 of the hearings in the first paragraph in the following language:

I represented the receiver as one of the three lawyers in a suit against the directors.

Again, this statement is incorrect. There were 15 suits. Mr. Sobeloff knows there were nine suits in circuit court No. 2. He knows there were six others in Baltimore City court. Mr. Sobeloff has had no urge for frankness. He could have given us the number of suits and the character of the settlements he made in each. A witness for Mr. Sobeloff does it for him.

Be that as it may, Mr. Sobeloff does say, at page 81 of the record, after disclosing that he had received $30,000 for his investigation and report, that he received "$7,500 for participation in the suits themselves."

So in reality, frankness should have required a full disclosure, for he became counsel for and on behalf of the receiver as an officer of the court, and he became 1 of 3 counsel representing the receiver in the suits based on his reports, for which he admitted receiving an additional $7,500. Why all the evasive use of words from one who may sit in judgment on the lives and properties of millions of our citizens?

Again Mr. Sobeloff, under oath, states, as shown on page 178 of the record of the hearings, in the third paragraph on that page, as follows:

> My employment was limited to making an investigation of the causes of the failure of the Baltimore Trust Co. and later in suing the directors.

What a preposterous statement. Limited representation. A three-volume report as an officer of the court in the largest bank failure south of Philadelphia for which he was paid $30,000 followed by 15 suits against all the directors and officers in amounts in excess of $56 million, or, in his own words, 1 suit of $20 million. Is there anything limited about that? Why, his representation covered the field of operations which caused the bank to fail. He and his witness—Baetjer—settled those claims for $225,000. I refer to the hearings, paragraph 4 of page 32.

FOURTH APPEARANCE

Mr. Sobeloff appeared for the fourth time in the case, according to his own admission, when he filed a suit against the receiver as a defendant. The O'Sullivan Building, Inc., owned by Funkhouser, represented by Mr. Sobeloff, was the plaintiff. A copy of the suit appears on pages 12 and 13 of the record of the hearings. It is file No. 1117. It was filed October 21, 1943, not 21 years ago. Mr. Sobeloff admits this when he said that, in 1943, nearly 7 years after he completed his assignment, he was engaged by the purchaser of the building to have the receiver remove cabinets, etc., from the building. I refer my colleagues to the second main paragraph of Mr. Sobeloff's letter, page 178 of the hearings.

Let us pause here for a minute. Was that a true statement of fact? No, it was only a half-truth. Let us turn to pages 12 and 13 of the hearings, where we see that the suit was filed by Mr. Sobeloff for the cancellation of a rent-free agreement. The alternative prayer for relief related to the removal of the cabinets. The alternative prayer was for a reduction of the space in the building. A nominee who seeks to be a judge ought to be frank. He should not indulge in half-truths. Does the statement of Mr. Sobeloff, as it appears on page 178 of the hearings, exhibit the measure of frankness to which the Senate is entitled? I say it does not.

The foregoing is in the hearings, independent of a single word from Mr. Shankroff.

There were other witnesses who appeared for Mr. Sobeloff. Let us analyze their testimony and see what they had to say. Remember, Mr. President, now I am omitting any reference to Mr. Shankroff's evidence. I have mentioned the effect of what Mr. Sobeloff himself had admitted.

What do the witnesses who voluntarily testified for Mr. Sobeloff say? I refer now to what appears in the sworn testimony of the receiver, Mr. Hospelhorn, and others of Mr. Sobeloff's witnesses who gave testimony favorable to the nominee.

FIRST APPEARANCE SHOWN BY SOBELOFF'S WITNESSES

With reference to the first appearance of Mr. Sobeloff in the Baltimore Trust Co. case, we find Mr. Stockbridge saying, as appears on page 30 of the hearings:

> Mr. Sobeloff represented a group of stockholders. There were many groups, and Mr. Sobeloff happened to represent one. The bank commissioner of Maryland, under the Maryland law, became the receiver for the Baltimore Trust Co. and, after a preliminary examination by him, he filed a proceeding to enforce stockholders' liability.
>
> Mr. Sobeloff and other counsel representing other groups of stockholders took that case to the court of appeals, and the name of that case was, I think *Robinson* v. *Hospelhorn*, and I think it is reported in about volume 196, Maryland.

We find another witness, Mr. Baetjer, appearing for Mr. Sobeloff. This witness said, with reference to Mr. Sobeloff's first appearance as appears at page 32 of the hearings:

> Mr. Sobeloff represented a lot of stockholders, and pretty much every member of the bar of Baltimore City represented some of them, and it got to be so that we would have to have a hall in order to argue out the questions of stockholders' liability.

We have Mr. Hospelhorn, the receiver, confirming this first appearance as appears on page 176 of the record:

> On February 5, 1935, upon a petition of the receiver, Hon. Eugene O'Dunne, the judge of the supreme bench sitting in circuit court No. 2 of Baltimore city, found an assessment of $10 per share due and owing by the some 3,900 stockholders in the defunct trust company, and his order was subsequently approved and confirmed by the court of appeals of Maryland on June 18, 1935.

The confirmation of the order is to be found in the case of *Robinson* v. *Hospelhorn* (169 Md. 117).

SECOND APPEARANCE SHOWN BY OTHER WITNESSES

Mr. Sobeloff's second appearance in the case is confirmed by his witness Stockbridge, as appears on pages 30 and 31 of the hearings, in the following testimony:

> The court, Judge O'Dunne, whom, incidently, I have known for many years, too, long before he was a judge, asked Mr. Sobeloff to make that investigation and determination.
>
> It was not an easy job. As has been said here before, it involved many of the leading business and financial men of the city. It was not only an arduous job, but one calling for a great deal of judgment.
>
> Following that, the report of Mr. Sobeloff, a settlement was reached between the banking commissioner, with the approval of the court, the banking commissioner and the various groups of stockholders, so that that matter was disposed of.
>
> Mr. Sobeloff was acting as a representative of the court to perform a duty assigned to him. As a matter of fact, the settlement which resulted was of benefit to the stockholders, in that it was something less than the full statutory liability.

Oh, it is very easy, Mr. President, for one who represented both sides to get the case settled to suit his clients.

The second appearance is further confirmed by Mr. Baetjer, as shown on page 32 of the hearings, when Mr. Stockbridge quoted the judge's opinion:

> This tremendous agitation in the newspapers about the Baltimore Trust Co. and the suggestion of carelessness and bad loans are such that this thing ought to be settled once and for all, and it ought to be settled now, and I don't really believe that the counsel for the receivers can throw aside what they are doing and make this investigation, and I am going to have it made independently, and I am going to appoint Simon Sobeloff to take it.

Mr. President, there is no question that he was doing this job; that is shown in the hearings, by the testimony of the nominee's own witness.

The second appearance is still further confirmed by the testimony of Mr. Hospelhorn, as reported on page 39 of the hearings:

> Judge Sobeloff was a special counsel appointed by the receiver—appointed by his Honor Judge O'Dunne to do one specific purpose, and that was to make an investigation into the affairs of the Baltimore Trust Co. to determine whether or not there were any acts on the part of the directors, officers, or employees which would be in violation of the trust imposed upon them as such officials.

We can imagine that a man would be glad to take that assignment, when he had been representing the directors.

The official order of the court, appointing Mr. Sobeloff, appears at page 35 of the hearings.

MR. SOBELOFF'S THIRD APPEARANCE

The third appearance in the case was when Mr. Sobeloff was substituted for Mr. Joseph C. France, as attorney for the receiver. Mr. France found himself in an inconsistent position, and had to retire from the case. This is confirmed in the testimony of Mr. Baetjer, as appears on page 33 of the hearings, as follows:

> Now, apparently there is a suggestion that seems to linger always, and never really is brought out so much, and that is that the suits against the directors and officers of the Baltimore Trust Co. that was accepted by Mr. Sobeloff in his report, that there was something that wasn't right about that.

Mr. Hospelhorn, the receiver, confirmed the third appearance, as shown at page 176 of the hearings, as follows:

> On August 6, 1936, suits were filed by Attorneys Alexander Armstrong, J. Purdon

Wright, and Simon E. Sobeloff against various and sundry directors of the Trust Co.—

There he was suing the directors of the trust company again. Before that, he was defending them. So he represented them twice—at the beginning and at the end; and in between he was representing the other group—

based on the Sobeloff report, alleging in the suits that there were miscellaneous losses in the estate of approximately $20 million.

They were not playing with chicken feed, Mr. President.

MR. SOBELOFF'S FOURTH APPEARANCE IN THE CASE

The fourth appearance in the case is where Mr. Sobeloff again represents a client in a suit against the receiver. The exact suit appears in the record at pages 12 and 13. The answer of the receiver is interesting because it shows that Mr. Sobeloff's client knew from its minutes and from the correspondence—hearings exhibit E, page 11, and exhibit G, pages 13, 14, 115—that there existed a "rent-free agreement." Mr. Hospelhorn's answer is very complete and very thorough, and it shows a detailed knowledge of this suit and the lack of merit in it. I want the Senate to know how cleverly Mr. Hospelhorn attempts to obscure the existence of this suit in his affidavit appearing at page 177 of the record. He mentions it only casually in the last sentence in paragraph 4 of that affidavit, as follows:

And it was not until that time that Sobeloff came into the picture representing Funkhouser.

I am reading from the record. I was not a member of the subcommittee. I was not present. This was a hearing before the subcommittee. I could not be present at the hearings. They happened to be just about the time the late Senator Barkley died, and I was called away.

The last quoted statement lets two cats out of the bag. Funkhouser owned the O'Sullivan Building, the technical plaintiff, and when he says, "came into the picture," to me that is a new way of saying that Mr. Sobeloff has filed another suit against the receiver.

Mr. President, we have out of the mouths of the nominee, Mr. Sobeloff, and witnesses Stockbridge, Baetjer, and the receiver, who voluntarily appeared for the nominee, four separate courses of legal action in one case by Mr. Sobeloff. The first and last are suits against the receiver. They are contrary to the receiver's interests. The second and third series of actions are on behalf of the receiver. The net result is that we find Mr. Sobeloff representing plaintiffs in legal actions—the first and the last in case No. 20,433–A; we find him in the middle of the case as an officer of the court making an elaborate report for which he is paid $30,000; and acting as attorney for the receiver, he receives $7,500 for that service.

He had a great deal to do with all the settlements that were going on.

If this kind of conduct is not representing adverse interests in the same case, then legal actions, appeals, decisions, proceedings, and testimony mean absolutely nothing to me.

That Mr. Sobeloff represented adverse parties and that that fact was public knowledge is no excuse for him.

I do not care if the world knew about it. I do not care whether the court was conscious of the fact that the court was placing Mr. Sobeloff in a position adverse to his first action in the case. Nothing in the canons of ethics provides for any such exception. Mr. Sobeloff is guilty of representing adverse interests in the same case as I see it. No amount of confusion or omission of dates, number of suits filed, improper description of them, diversion, distortion, or rearrangement of facts can alter this inevitable conclusion.

We have never found out how much he got from the clients he represented when the receiver was suing on the stock liability. Neither have we found out how much he was receiving when he was trying to have the rent-free agreement canceled. Neither do we know how he handled clients all the way through the picture, when they were settling for about 4 cents on the dollar. I do not know how he was dealing with all of them.

So I do not care if the world knew about it. I do not care whether the court was conscious of the fact that it was placing Mr. Sobeloff in a position adverse to his first action in the case.

Now I wish to say a word about Mr. Shankroff. The letter he wrote to the committee appears at page 147 of the hearings. I should like to read at this time the letter which Mr. Shankroff wrote to the Senator from Wyoming [Mr. O'MAHONEY]. Before I begin reading the letter, let me say that it is no wonder the proponents of the nomination are trying to belittle this witness. He has brought some facts to the surface. He has let the committee know what has been taking place in the past. Naturally any lawyer would endeavor to belittle what Mr. Shankroff has had to say. Nevertheless, the facts cannot be denied. Let me read his letter:

MAY 15, 1956.

Hon. JOSEPH C. O'MAHONEY,
Senate Committee on the Judiciary,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: I avail myself of the opportunity you twice extended to me Saturday, May 5, 1956, to give the subcommittee, of which you are chairman, a statement containing my objections to the confirmation of the nomination of Simon E. Sobeloff as judge of the Fourth Circuit Court of Appeals of the United States.

I ask that my statement be inserted in and made a part of the official transcript of the record of your hearings. I am furnishing copies hereof to the other members of the Judiciary Committee.

I want you and the committee to understand at the very outset that I have no personal grievance against Mr. Sobeloff. I never saw him until I appeared before the committee. I have not suffered from his wrongdoings. My sole concern is as a civic matter, and in the public interest. I speak entirely from the records as I have studied them. My entire concern is based upon my hope and belief that our judges should not only be men above every reproach but even above the suspicion of wrongdoing. I am sure this concept of mine is not too high and is fully shared by the committee.

I also wish to correct some of the errors in the transcript. I wish to straighten out some of the impressions that may be created by the testimony of Mr. Sobeloff and others. I wish your record to be an honest statement of the pertinent facts. I do not wish the committee to reach a conclusion upon tangent, incomplete, or twisted assertions of fact. Such a result would be unfortunate indeed.

(a) Mr. Hospelhorn (deputy bank examiner) stated his records (receiver's) were destroyed under a court order and were, therefore, not available. That is true to the extent it goes but he should have said their destruction was ordered on condition that the records be microfilmed. So the records are not in fact destroyed. They are available. None of the court records have been destroyed. Your subcommittee is entitled by subpena and can see the pertinent portions of both sets of records.

(b) First of all relating to myself, I am an experienced real-estate operator. I am experienced in researching court records and documents. I have devoted well over a year in a study of the Baltimore Trust Co. case. It is case No. 20,433a, docket 44a of 1935, now pending in Circuit Court No. 2, Baltimore, Md. The subcommittee can obtain, by subpena, the proof of every statement of fact which I am about to make concerning this and the other cases.

Incidentally, if the statements Mr. Shankroff is making are not true, he could be charged with perjury.

(c) I am 74, and not 72, years old.

Mr. ERVIN. Mr. President, will the Senator yield, so that I may suggest the absence of a quorum?

Mr. JOHNSTON of South Carolina. I shall be glad to yield, provided I do not lose the floor by yielding.

The PRESIDING OFFICER (Mr. HUMPHREYS of Kentucky in the chair). Does the Senator from South Carolina yield for that purpose?

Mr. JOHNSTON of South Carolina. I yield, with the understanding that I do not lose the floor.

Mr. ERVIN. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, without the Senator from South Carolina losing the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ERVIN. Mr. President, I ask unanimous consent the the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSTON of South Carolina. Mr. President, I believe when I was interrupted I had finished reading paragraph "(c)." I continue reading from the letter Mr. Shrankroff wrote to the Senator from Wyoming [Mr. O'MAHONEY]:

(d) There were 15 court actions against the officers and directors of the Baltimore Trust Co., 9 in Circuit Court No. 2 of Baltimore city and 6 were in the city court of Baltimore. They involved in the aggregate over $56 million, not $150 million as I am reported to have said. These actions were settled by Mr. Sobeloff and his associates who represented the receiver for the small sum of $205,500. Sobeloff and his associates permitted the costs of these suits to be paid out of the assets of the receiver (the plaintiff). In the varying types of these 15 legal actions, the defendants were financially responsible and had the ability to respond in a much larger amount than the small settlement of $205,500. Judge Soper praised Mr. Sobeloff for his report on the liability of the officers

and directors. I condemn Mr. Sobeloff for his neglect in the execution of his report and the small settlement he agreed upon.

I agree with Judge Soper that Mr. Sobeloff made a good report. Where I disagree, and Judge Soper remains ominously silent, is that Mr. Sobeloff did not pursue his good report and assist in forcing a full compliance therewith to the extent of the financial ability of those charged with the duty, responsibility, and financial liability to the depositors and creditors of the bank. The subcommittee should subpena Mr. Sobeloff's reports (3) from the clerk of court (Circuit Court No. 2, Baltimore, Md.). They are available. They go into the questions of fixed criminal and civil liability, the bank's buidling, etc., in detail.

Mr. Sobeloff should not be confirmed by the Senate of the United States for the following, among other, reasons:

Having reported as an officer of the court on the statutory liability of the officers and directors of the Baltimore Trust Co., that their monetary liabilities to the receiver aggregated in excess of $56 million, he (Sobeloff) was derelict in permitting in 15 suits (6 in Baltimore city court and 9 in Circuit Court No. 2 of Baltimore City) to be settled by the payment by only 17 of the 19 defendants of the small sum of $205,500, while the financial responsibility and ability to pay more by the defendants was much greater. The effect of the small settlement was obviously detrimental to the rights of the receiver and those creditors represented by him. Two of the defendants paid nothing, though each (P. L. Goldsborough and Donald Symington) was reputed to be of large financial means. A careful examination of only 1 of the 15 cases will substantiate this charge. The other cases, if and when examined, will aggravate the charge and at the same time compound and multiply the indisputable proof of it.

In case No. 21647, in docket 45, at page 391, commenced August 6, 1936, in Circuit Court No. 2 of Baltimore City, Md., and entitled *"Hospelhorn, Receiver* (Sobeloff being one of his attorneys of record) v. *Wm. A. Dixon, A. E. Duncan, Albert D. Hutzler, Wm. B. Matthai, Safe Deposit and Trust Co., and Frank Newcomer, Executors, etc., I. Manning Parsons, Donald Symington, Henry E. Treide and Herbert A. Wagner,"* a sworn complaint was filed for damages aggregating $20,206,014.79 for losses by reason of the negligence and inattention to duties by the defendants (former officers and directors). Mr. Sobeloff's fine reports charged acts of criminal and civil negligence. There were 42 accounts or items involving negligence in this one case alone. The court still has this record in its files as well as the records in the other 14 cases. The quaere is "Why should Mr. Sobeloff have made the excellent report (Judge Soper's testimony) of the criminal and civil negligence on the part of the officers and directors in the first instance (1936) and their legal liabilities thereon, and then permit, as attorney of record for the receiver, the officers and directors to escape a $56 million liability (1937) by the payment of only $205,500?"

I suggest the propriety of a careful analysis of each of the 15 cases. Let the sunlight in on this conflict and obvious dereliction or contradiction of duties. It may be said that this settlement was approved by the court. Well, if that be true, why didn't Sobeloff appeal on behalf of the receiver? Or was it then, in 1937, to Sobeloff's greater personal interest to protect those being pursued by the receiver at the original instance of Mr. Sobeloff in his reports? The committee in pursuit of the truth may develop the correct answer.

I submit that the records in the case show that Mr. Sobeloff received $30,000 from the receiver for his reports and later the sum of $7,500 for the services in the 15 lawsuits he permitted to be settled for the trifling sum of $205,500, excusing as he did all liability on the part of financially able defendants Goldsborough and Symington. Your record should show what other amounts he may have received for resisting stockholders' liabilities, the questionable sale of the building and the other assets of The Baltimore Trust Co.

If Mr. Sobeloff was right in his reports that the officers and directors were guilty of criminal and civil negligence wherein sworn losses in excess of $56,000,000 were suffered by the creditors, how can he be right in settling those losses against financially responsible defendants for the negligible sum of $205,500? In which case was he right?

In an early suit by a stockholder, Mr. Sobeloff sought the court of appeals (Md.) ruling on the statutory stock liability of a stockholder and it was determined in that decision that a liability of $10 per share was proper. Why did he permit, without appeal, Judge O'Dunne to settle the stockholders' liability later at only $5 per share? Whose interest did he represent? Did he represent the resisting and contesting stockholders or did he represent the best interests of the estate of the receiver? Did he at various times get compensation from both sides of this issue? Did the receiver not lose over $1 million in losses from inadequate assessments by Sobeloff representing conflicting interests at the time of the settlement?

The 15 cases are as follows:

Circuit Court No. 2

Case No.	Docket	Year	Page
21647	45A	1936	391
21648	45A	1936	392
21649	45A	1936	393
21650	45A	1936	394
21651	45A	1936	395
21652	45A	1936	396
21653	45A	1936	397
21654 A	45A	1936	398
21655 B	45A	1936	399

The reason I am stating these cases by number is that Mr. Shankroff wrote a letter listing them and telling the committee to look at the records. The committee did not look at the records. They did not want to see the records. I dislike to say this, but the record is clear that they did not do so.

The cases in the city court of Baltimore are as follows:

City Court of Baltimore, Md.

Case No.	Year
164	1936
165	1936
166	1936
167	1936
168	1936
169	1936

A copy of one of these 15 suits is attached hereto for the information of the committee.

Mr. President, all this is pretty clear and convincing. The letter stated where the cases were to be found. The subcommittee did not subpoena any records or go back to look at any records, although they were accusing the man whose nomination was before the committee of representing conflicting interests. The subcommittee could have looked at the records and then said, "No"; but they cannot come before the Senate now and say that they have looked at any records. I defy any member of the subcommittee to say that he has looked at any records and has tried to get at the truth of the very matter I am calling to the attention of the Senate.

I continue to read:

The foregoing suits for criminal and civil negligence whose damages are laid in an amount in excess of $56 million are not the ordinary types of negligence suits where the amounts claimed are flexible or elastic and dependent upon the arrival of a judgment by men of varying opinions. The amount of $56 million was mathematically determined in the excellent report of the fixed dollar liability by Mr. Sobeloff. How now can he justify or how could he then justify a settlement of a fixed liability for the miserly sum of $205,500, especially against defendants whose financial ability was beyond question as being competent to respond in a larger sum? Mr. Sobeloff's judgment is festered in either his (a) reports or (b) his settlement without dissent of a $56 million liability for $205,500.

I submit the above and the other 14 cases reveal that Mr. Sobeloff knowingly represented interests that were in conflict. His conduct is well within the condemnation of the Department of Justice in the case recently reported in the press against the firm of Sullivan & Cromwell.

On page 47, line 14, of the transcript of hearing, Mr. Enos S. Stockbridge made the astounding and conflicting statement:

"There was nothing in the situation which could by any stretch of the imagination create a situation of conflict of interest."

In other words, Mr. Stockridge contends that Sobeloff's resistance in a court case against the receiver to a stockholder's liability does not conflict with the duties assumed by him and as shown in his reports as an officer of the court representing the receiver in recommending the officers', stockholders', and directors' fixed liabilities. Patently Mr. Stockbridge is in error in his conclusion for he later admits in his next paragraph:

"Mr. Sobeloff was acting as a representative of the court to perform a duty assigned to him. As a matter of fact the settlement which resulted was of benefit to the stockholders, in that it was something less than the full statutory liability."

In other words, Mr. Stockbridge approves Mr. Sobeloff's failure as a representative of the court to secure a full assessment of stock liability helpful to the stockholders in an amount of over $1,200,000 and to that very extent harmful to the depositors and creditors. Was he representing the court correctly and properly in reducing the stockholders' losses and thereby increasing the creditors' losses? The contradiction of interests and results are patent to the discerning and inquiring mind. Double talk is no excuse for this.

Former Senator Radcliffe on page 60, at line 17, of the transcript says, "There was no criticism from any member of the committee of Mr. Sobeloff at any time but on the contrary, the members of the committee felt that in a very trying situation he had handled himself entirely with propriety."

On page 61 of the transcript, at line 6, Senator O'MAHONEY asked, "What was the official relationship between the committee and the nominee?" Senator Radcliffe answered, "None," and later Senator Radcliffe said at line 22, on page 61, "No, none whatever."

What then becomes of the former Senator's praise? The fact of the matter was that the committee there referred to acted before the date of the receivership and before Mr. Sobeloff's connection with the receivership. See Hospelhorn's testimony on page 67 of the transcript at lines 21 and 22. Mr. Hospelhorn in his testimony at page 65, line 7, says he was the former receiver of the Baltimore Trust Co. He is still the receiver for the case is still open, pending and not closed.

Mr. Hospelhorn, on page 68, line 7, of the transcript, says he paid 70.34 percent on the

dollar. This I believe, was the refund to the depositors only. The record will show that the stockholders, officers and directors and guaranteed fund contributors losses exceeded $50 million. (See court records.)

Mr. Hospelhorn again on page 69 of the transcript says that Mr. Sobeloff had no connection with the Baltimore Trust Co. Building. That statement is not true. Mr. Sobeloff made an elaborate report on the building showing it had been devalued to $1 subject to a trust note of $5 million Rigger, a strawman, figured in several deals for the building and in other deals of the trust company. The committee will wish to know whether Mr. Sobeloff represented, directly or indirectly, Mr. Funkhouser or his affiliates.

Senators, that is the reason why I am saying it was too important that the committee should have gotten the record and looked into it. These matters were called to the committee's attention. But they had to rush the nomination to the full committee—so much so that they did not want me to go before the full committee. I asked to be allowed to be heard before the full committee. Finally, they cut me off in the full committee. I continue to read now from Mr. Shankroff's letter:

On this point the further testimony of Mr. Sobeloff is necessary and the testimony of Mr. Funkhouser is essential. The sale in 1941 of the stock representing the ownership of the Baltimore Trust Building was part of a conspiracy by Rigger, Funkhouser, Hospelhorn and others to cheat and defraud the depositors and creditors of the Baltimore Trust Co.

This is a statement he was making to the committee:

The transaction was not several or three steps removed as Mr. Hospelhorn (at p. 70, line 15, of the transcript) testified and before Mr. Sobeloff got into the picture with Mr. Funkhouser. This testimony is incorrect because the court record contains a letter from Mr. Hospelhorn dated in November 1942, that Mr. Funkhouser bought the stock and the $5 million note. Then, in 1942, Mr. Donald Symington (see his estate papers in Probate Court of Harford County, Md.) bought the remaining assets of the Baltimore Trust Co. through the Colonial Mortgage Co., which included the note of $5 million and other notes for $160,000. Mr. Symington at the same time acquired all the assets which the Colonial Mortgage Co. had bought which also included his own personal note of $700,000 for a consideration of about $300,000.

I ask anyone to find out whether or not Mr. Symington was able to pay it in full.

The foregoing proves lack of diligence on the part of Mr. Sobeloff in protecting one of the principal assets of the Baltimore Trust Co. for the benefit of the depositors and creditors.

The testimony of Sobeloff in quoting from a letter from Mr. James Bruce, at page 160, line 15, etc., requires examination. Mr. Sobeloff found dishonesty. He found fraud in his reports. He found criminal and civil negligence. These findings were against the officers and directors. The fact of the matter is that Director James Bruce—nephew of Howard Bruce, formerly chairman of the board of the Baltimore Trust Co.—returned $50,000 in securities which one Handley (a director) had wrongfully given to the Guarantee Fund of $7,500,000 in 1931. This $50,000 was returned by Director James Bruce to its rightful owner (a foreign depositor) through Handley. Handley became pressed and committed suicide. Director James Bruce through his attorney, Mr. Levey, threatened to go into bankruptcy if he (Bruce) were forced to pay the $50,000. How much commendation from Bruce can help Sobeloff in face of Bruce's obvious falsehoods and conduct is beyond comprehension. When he (Bruce) says "He had nothing to do with the acts complained of" he obviously lies. (See correspondence in the court records.)

This is Shankroff writing this letter as a part of the testimony.

Where Mr. Sobeloff says at page 157 of the transcript that Mr. James Bruce contributed $50,000 to the settlement fund, he is incorrect, for James Bruce threatened personal bankruptcy when called upon to pay for his wrongful act and his uncle Howard Bruce gave $50,000 to make up for the $50,000 James Bruce required to be returned through Handley to the foreign depositor. The letters from Mr. James Bruce by his attorney, Mr. Levey, in elucidation of this circuitous transaction reflect no credit either on Mr. Bruce or Mr. Sobeloff's veracity or the propriety of their official conduct. This is so notwithstanding the fact that Mr. Sobeloff is Solicitor General and Mr. Bruce was formerly an ambassador.

Another thing that requires further examination and exploration is the fact that notwithstanding Mr. Sobeloff's official duty as an officer of the court to aid in the collection and preservation of the assets of the Baltimore Trust Co. for the benefit of the receiver and ultimately for the benefit of the depositors and creditors of the trust company, he sought for other clients to diminish those assets for the benefit of his other clients. He sought to increase the receiver's obligations. He sought rent from the receiver for the Funkhouser interests (O'Sullivan Building, Inc., being in reality Raymond J. Funkhouser, the real owner in the transactions of the Baltimore Trust Building) although the receiver had a rent-free agreement to occupy space in the building for the receivership. (See petition filed October 21, 1943, signed by Simon E. Sobeloff in file No. 1117 in Case No. 2043a in said receivership proceedings and also see answer of the receiver under file No. 1118, together with attached correspondence filed November 16, 1943.)

The undersigned will assist anyone designated by the committee—

In effect, he said, "Come on, and I will show you the records, and you can examine them and see just what facts are shown here"—

to study the records on file in the clerk's offices in Baltimore, or in any other proper manner assist the committee in determining the truth of the foregoing. I am familiar with the details in the record and have made copious notes from them. The undertaking is not an easy one. A competent analysis now may prevent the confirmation of an improper nominee to a lifetime position of power, trust, and influence.

Respectfully submitted.

CHARLES SHANKROFF.

Mr. President, does that sound like the letter of a man who did not know what he was talking about? That is the letter Charles Shankroff wrote. If he had said that about me, and had referred to the records, I would want to get the records, to straighten out the matter, to see whether he had spoken incorrectly. But that was not done. This was called to the attention of the committee on May 15, and today is July 16. The committee does not have the records yet. I fear there was no desire to look at the records.

Mr. President, the hearings contain references to several pieces of litigation in which Mr. Shankroff has appeared. In them, he has not been charged with any fraud or any specific wrongdoing or any breach of ethics. Yet the hearings indicate that the technique adopted there was similar to that adopted by a criminal lawyer in attempting to clear a guilty defendant by condemning the prosecuting witness. An effort was made to place Mr. Shankroff in the position of one who had pleaded guilty and turned State's evidence. But Mr. Shankroff said—and there is no reason no deny it:

I want you and the committee to understand at the very outset that I have no personal grievance against Mr. Sobeloff.

Mr. President, I hope both of the names—Sobeloff and Shankroff—will be noticed.

I read further:

I never saw him until I appeared before the committee. I have not suffered from his wrongdoings. My sole concern is as a civic matter and in the public interest. I speak entirely from the records as I have studied them. My entire concern is based upon my hope and belief that our judges should not only be men above every reproach but even above the suspicion of wrongdoing. I am sure this concept of mine is not too high and is fully shared by the committee.

I certainly agree with that statement. I think any judge should be—like Ceasar's wife—above suspicion.

I, for one, share Mr. Shankroff's concept. He suggests that the proof of every statement he made is available by means of subpena. Yet that proof was not adduced before the committee. It is not now before the Senate, except as I have outlined it thus far in my remarks. That is one reason why I wish to place the facts in the RECORD, so as to let the facts speak for themselves.

Mr. President, I repeat the conclusion of Mr. Shankroff's letter:

The undersigned will assist anyone designated by the committee to study the records on file in the clerk's offices in Baltimore, or in any other proper manner assist the committee in determining the truth of the foregoing. I am familiar with the details in the record and have made copious notes from them. The undertaking is not an easy one. A competent analysis now may prevent the confirmation of an improper nominee to a lifetime position of power, trust, and influence.

Mr. President, I contend that we are entitled to the records in case No. 20433–A, from the clerk of Circuit Court No. 2, of Baltimore, Md.

The distinguished senior Senator from Utah [Mr. WATKINS] admits that the court records are missing from the hearings. As shown on page 239 of the hearings, the Senator from Utah said:

I do not think we have seen the records.

The majority of the committee condemned Mr. Shankroff, who, as a civic matter, pointed his finger to the records which will tell the truth. The Senate does not have to rely upon Mr. Shankroff, although I say he is reliable. Let us have the court record. Let us rely upon Mr. Sobeloff and his witnesses and their evidence and testimony. Let us consider that for a moment.

EVIDENCE AND TESTIMONY ANALYZED

Mr. President, I desire to point out for the Senate a few glaring inconsistencies in the evidence given at the hearings. Someone is making a gross misrepresentation of fact.

Mr. Sobeloff represented many stockholders. He said so, as appears on page 80 of the hearings. His witness, Mr. Baetjer, said, as shown at page 32 of the hearings:

Mr. Sobeloff represented a lot of stockholders.

Mr. Sobeloff, from the mandate in the test case, had the additional stock liability assessment fixed at $10 per share. After Mr. Sobeloff was appointed by the court as attorney for the receiver, Judge O'Dunne permitted the $10 assessment to be settled for $5.

Mr. Stockbridge, who appeared for Mr. Sobeloff—as is shown on page 31 of the hearings—although he denied the existence of an obvious conflict of interest, said—

Mr. Sobeloff was acting as a representative of the court to perform a duty assigned to him. As a matter of fact, the settlement which resulted was of benefit to the stockholders, in that it was something less than the full statutory liability.

The obvious truth is that as an officer of the court and at the same time as counsel for a lot of stockholders, he kept a $10 assessment down to a $5 settlement figure. What if the court did approve it? That does not cure the patent conflict.

Mr. Sobeloff represented a great many stockholders. He brought 15 suits against the officers and directors (they were stockholders, too). Whether the aggregate sued for was $56 million or $20 million is beside the point. These suits were based on Mr. Sobeloff's official reports as an officer of the court, for which he was paid $30,000 out of the receiver's funds. Mr. Sobeloff, while an officer of the court, then settled these 15 suits for his clients the stockholders against his defendants, officers and directors—who also are stockholders—involving millions of dollars of alleged liability for $205,500 or $225,000. With whom did he settle these enormous claims? Let Mr. Baetjer, Mr. Sobeloff's witness, tell us. At page 32 of the hearings, Baetjer said:

I am very familiar with the whole situation. I represented, in the Baltimore Trust Co. litigation, many of the directors, and I effected the final settlements of most of the suits against the directors in collaboration with Judge O'Dunne and Mr. Sobeloff.

The issue is not whether the settlement was "a good one or a bad one." The issue was the "propriety of Mr. Sobeloff permitting himself to represent the court, and the receiver at the same time when the interests of his personal clients were involved. The stockholders were adversely affected. Either the receiver suffered or Mr. Sobeloff's "lot of stockholders" suffered. No man can serve two masters. The question the Senate must resolve is, "Is such a man, who represents conflicting interests, fit to be judge?"

The Dixon-Yates contract was debated here and before the committee for months. The dual interest of Mr. Wenzel was the apparent crux of that case. The government is defending a suit at this moment on the ground that the dual interest of Mr. Wenzel makes the contract invalid.

Mr. Sobeloff's case is more glaring, and in quadruplet. There are four sets of actions showing the dual interests. The first and last suits, in the same case, are against the receiver; and the second and third sets of actions, in the same case, are on their face on behalf of the receiver. I question whether a man can divorce himself from the larger interests of the "lot of stockholders," and I question the reasonableness of a settlement of 15 suits of $56 million for the pittance of $225,000. If Mr. Sobeloff was right in his reports, he was wrong in his settlements. In any aspect, it is unquestionable that there is a conflict. Where human equations and self-interests are so entwined, no man should represent opposing interests. That is the moral and legal issue involved.

On this second basic objection, I urge the Senate to reject this nomination.

My third objection to the confirmation of the nomination is that the nominee's prejudgment of issues and his philosophy concerning State rights is repugnant to the overwhelming majority of the good people whom I have the honor in part, to represent.

As I stated at the outset, it will be found that 6 of the 10 Senators from the States comprising the fourth circuit have signed a petition stating that he is obnoxious to the people of their States, and therefore obnoxious to the 6 Senators. The great majority of the people of Virginia, North Carolina, and South Carolina are opposed to the nomination of Mr. Sobeloff, because they lack respect for his philosophy. They lack confidence in any man who espouses such a philosophy. They lack respect for the Federal courts which are willing to usurp the functions of the State courts, overrule established decisions and precedents, and usurp the constitutional power of the States and Congress to legislate within their respective spheres.

Here are three populous States, having the majority of the population of the 5 States within the fourth circuit. This nomination is personally distasteful and displeasing to the people of those States.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. EASTLAND. Is it not true that the State of South Carolina produces more litigation in the fourth circuit than does the State of Maryland?

Mr. JOHNSTON of South Carolina. The record shows that it did during 1954 and 1955.

Mr. EASTLAND. Is it not true that this nominee, if placed on the bench in this circuit, would carry on the process of erosion of our Constitution, and usurpation of the legislative power by the courts?

Mr. JOHNSTON of South Carolina. That is exactly what I fear, and that is one of the main reasons I am fighting the confirmation of his nomination.

Mr. EASTLAND. Does not the Senator believe that he is being appointed for that specific purpose?

Mr. JOHNSTON of South Carolina. It certainly seems so. It grieves me to think that this Government of ours is gradually absorbing all the rights of the States, and gradually turning over to the Supreme Court the right to legislate and govern the Nation.

Mr. EASTLAND. We are in an era of judicial tyranny, are we not?

Mr. JOHNSTON of South Carolina. There is no question about that in my mind.

Mr. EASTLAND. Mr. President, will the Senator further yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. EASTLAND. This appointee makes no bones about it. He is open in his statements that the courts should legislate.

Mr. JOHNSTON of South Carolina. I think he is. He prejudges issues which come before him. The testimony leads me to believe that his philosophy as a judge is that the court has a right to determine policies.

Mr. EASTLAND. The Senator means legislative policies. Is that correct?

Mr. JOHNSTON of South Carolina. Legislative policies. That is a dangerous thing to do, and it is a dangerous thing to put on the bench a man who entertains such a philosophy.

Mr. EASTLAND. Will the Senator yield for another question?

Mr. JOHNSTON of South Carolina. I will yield, with the understanding that I do not lose the floor.

Mr. EASTLAND. The Senator will not lose the floor by yielding for a question. Does the Senator believe that there is a plan or a program underway to destroy our Government and to destroy our system of government by destroying the powers of Congress and by destroying the powers of the Executive and by putting those powers in the hands of a judiciary which is not responsible to the people of the United States?

Mr. JOHNSTON of South Carolina. There is a trend in that direction. Mr. Sobeloff has the same philosophy of life that we see in the Supreme Court at the present time. It is something that has given me a great deal of worry.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. EASTLAND. Does not the Senator believe that it is a milestone in the destruction of the American system of Government when men who boast that they favor legislation by the court are appointed to the bench?

Mr. JOHNSTON of South Carolina. There is no question in my mind but that we are aiding and abetting such a trend when we confirm the nomination of a man like Mr. Sobeloff.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. EASTLAND. Has the Senator discussed the Peters case?

Mr. JOHNSTON of South Carolina. No; I have not gone into that yet. I

shall discuss the Peters case in a moment. The Peters case is a good illustration of Mr. Sobeloff's position.

Mr. EASTLAND. Does the Senator realize that this man is an extreme left-winger, and that that is the kindest thing that can be said in his behalf?

Mr. JOHNSTON of South Carolina. I believe that is true. He has proved, by his action in the past and by his connections that that is the case. Of course we should not say something we cannot prove. However, from his action in refusing to represent the Government, it can be clearly seen that that is his position.

Mr. EASTLAND. Why did he not do it in the Peters case? Was it not his duty to do it under his oath of office?

Mr. JOHNSTON of South Carolina. It was his duty to have done it, but he did not do it.

Mr. EASTLAND. Why not?

Mr. JOHNSTON of South Carolina. Because it was against his philosophy of life to do it.

Mr. EASTLAND. Was not the reason a desire to carry on the program of destroying our Government?

Mr. JOHNSTON of South Carolina. I believe the Senator is entirely correct. The Senator is chairman of the Committee on the Judiciary on which I serve. He is also chairman of the Internal Security Subcommittee, and he knows what is going on in this country at the present time. I believe if some of the other Senators knew what is involved in this case, they would sit up and take notice, particularly in the light of some of the connections involved. I have not mentioned that point so far, but there is something of that kind in this case.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. EASTLAND. Does the distinguished Senator believe that the kindest thing that can be said about the nominee is that he is on the borderline of the Red philosophy? Does the Senator believe that?

Mr. JOHNSTON of South Carolina. I believe he is right on the borderline. He is as close as he can get.

Mr. EASTLAND. That is the kindest thing that one can say about him. Is that correct?

Mr. JOHNSTON of South Carolina. That is the kindest thing that can be said about him. He is as close to it as he can get without being kicked over into the other group. That is my honest opinion.

Mr. EASTLAND. Why did he not appeal the Peters decision?

Mr. JOHNSTON of South Carolina. It did not agree with his philosophy of life to appeal it, and to fight for something he did not believe in.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. EASTLAND. The distinguished Senator from South Carolina knows this man's record. He sat in the hearings, and he rendered very able and very distinguished service on the committee. Does the Senator believe that this man would protect a fifth amendment employee in the Government?

Mr. JOHNSTON of South Carolina. I will have to say that, looking back on his record, I believe he would.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. EASTLAND. Does the distinguished Senator from South Carolina believe that this man has the same philosophy as Chief Justice Warren and Associate Justice Black and Associate Justice Douglas of the Supreme Court?

Mr. JOHNSTON of South Carolina. His philosophy of life is very closely alined with their philosophies of life.

Mr. EASTLAND. Does the distinguished Senator believe that Mr. Sobeloff's decisions as a judge in the Fourth Circuit Court of Appeals would be in line with the philosophies that those gentlemen expound on the Supreme Court?

Mr. JOHNSTON of South Carolina. There is no question in my mind that his decisions would be along that line.

Mr. EASTLAND. Is it not a terrible thing that we should be debating the nomination of a man who believes that his philosophy should be the law, rather than what the law is?

Mr. JOHNSTON of South Carolina. It certainly is.

Mr. President, here are three populous States, having the great majority of the population of the five States within the fourth circuit, to whom this nomination is personally distasteful and displeasing. It is not that they have anything so personal against Mr. Sobeloff. It is because he participates with approval, or at least without dissent, to a way of life and a philosophy of interpretation of our form of government in its separation of powers which is so abhorrent and unacceptable to them.

Mr. Sobeloff's disposition to prejudge issues is demonstrated by his failure as the chief law officer of the United States to participate in the Government's appeal in the case against Prof. John P. Peters of the Yale Medical School. His prejudgment of issues is further demonstrated by his failure to represent the Government, as was his duty, in connection with the security cases involving the Coast Guard employees.

In regard to the Peters case, he was discharged as a Federal health consultant by the Loyalty Board of the Federal Security Agency—now Department of Health, Education, and Welfare—under the loyalty program. Peters brought an action in the courts, seeking to be restored to his position on the ground that it was unconstitutional for the Government to dismiss him without permitting him to confront all of his accusers. This issue had been decided in favor of the Government by the Supreme Court in an earlier case, and the Government therefore prevailed over Peters in the district court and the court of appeals. Peters appealed to the Supreme Court of the United States. It became the duty of Solicitor General Sobeloff to prepare the Government's brief in the Supreme Court, in support of the dismissal of Peters. Instead, Sobeloff proposed that the Government consent to restore Peters to his job. Sobeloff argued that accusers should be concealed only when the necessity of concealment has been proved before some impartial board. Sobeloff was overruled, and the Government contested Peters' contentions vigorously in the Supreme Court. It was widely noted, however, that the brief filed by the Government was signed by Attorney General Brownell, and not by Mr. Sobeloff. This was an unusual and emphatic step on the part of Sobeloff, and was later described in an admiring article about him in the Reporter magazine as "The first public break by a solicitor general on a major policy question in at least 20 years." The Supreme Court subsequently reversed the ruling of the lower courts against Dr. Peters, on the ground that the loyalty review board did not possess jurisdiction to review the Peters' case.

Mr. Sobeloff's general philosophy of government as far as the same relates to the separation of powers in the structure of our own Government is not in accordance with the thinking and judgment of the great majority of the people in the areas over which the Fourth Circuit Court of Appeals has jurisdiction. Mr. Sobeloff may profess a great knowledge of our separation of powers and preach the doctrine of such separation of powers. His practice, however, has not been in agreement with such preaching.

A distinguished citizen from my State, Mr. Warr, has expressed my views very precisely when he testified against the confirmation. Part of what he said merits repetition here:

> The legal and intellectual qualifications of a judicial appointee are by no means the only factors that should be considered by the committee.
>
> The reasons that might underlie their opposition would be of little importance. The fact of their antagonism, and its intensity, are features that do merit and should receive your consideration. And surely the attitude of citizens of old and sovereign States is entitled to attention and understanding at least equal to that which would be freely accorded to the likes and dislikes of the inhabitants of the Nation's most insignificant and outlying possession.
>
> I would beg of you not to be misled by the comparative outer calm that has thus far prevailed. The forces that are so powerfully surging in the South today remind me of Tennyson's "Tide as moving seems asleep, too full for sound and foam." But its strength and its direction I well know, for I am myself borne upon it, whether I would or no.

In respect to this last objection, I plead with the Senate to be practical. I plead with the Senate to be as considerate of the people of South Carolina as our Government would be of the wishes of the people of the Virgin Islands or Guam. Have we ever sent to the Philippines a high commissioner who was objectionable to the Filipinos? Did we ever, in the early days, send a judge to Puerto Rico who was objectionable to the Puerto Ricons? Our Nation has never done that to any of its dependencies. Is the Senate willing to do that now to three of the original and sovereign thirteen States?

Mr. President, we are so careful of the rights of others that we even clear our ministers and ambassadors to foreign

governments before we clothe them with power merely to represent us.

If a citizen of South Carolina is nominated by the President to be an ambassador to some foreign land, I immediately receive a notice of the fact. That is true as to every Senator. The notice is sent so that it can be determined whether the nomination meets with the Senator's approval.

Is the Senate willing to confirm the nomination of a man to preside over the lives, destinies, and properties of the vast majority of native-born Anglo-Saxon Americans who find this nominee obnoxious and objectionable to them? Would we do better by others than we do by our own? I reproach and detest such action by the administration.

Mr. President, for the three reasons which I have advanced, and for any one of them standing alone, I respectfully submit that the Senate now should reject this nomination.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. Mr. President, I am opposed to the confirmation of the nomination of Simon E. Sobeloff. One of the powers of the United States Senate during the life of our Nation has been the power of confirmation, and, throughout the years, we have recognized, through unofficial agreements, that certain States should receive certain appointments. There is no argument that this appointment belongs to the State of South Carolina; under all the rules of fair play the appointment belongs to that State. In the past the Senate has recognized these unofficial understandings.

This case is on all fours with the Allred case. Judge Allred had been appointed to the fifth circuit. Under the custom, that appointment belonged to the State of Louisiana, and the Senate recognized Louisiana's right in the matter. The Senate, in 1956, should recognize the right of South Carolina to this vacancy. In fact, the Sobeloff appointment is a more powerful example than was the Allred case, because this nominee is personally obnoxious to most of the people of the fourth circuit and to most of the Senators who represent the great States comprising the fourth circuit.

In the name of decency, I think this man, who is personally obnoxious to the people of the fourth circuit, should refuse to serve if his nomination is confirmed. I do not see how in the name of decency a judge could attempt to pass upon questions arising in an area where he is so obnoxious to the vast majority of the people who live in that area.

I am not expressing my personal opinion. My personal opinion probably would coincide with that of the people of the area. They are entitled to rights under the American system. A decent lawyer, a decent man, in my judgment, would decline an appointment when he was unwanted by the vast majority of the people upon whose complaints he must pass.

I have stated earlier in a colloquy with the distinguished senior Senator from South Carolina [Mr. JOHNSTON] that the senior Senator from South Carolina has been my right arm on the Internal Security Subcommittee of the Committee on the Judiciary, which protects this Government from internal subversion, when we try to keep the ship of state oriented to the American system of government.

Mr. President, this nominee is an extreme left-winger. His nomination is a step toward the destruction of the American system of government. There could not be a plainer case.

Here is a man who says he believes the Supreme Court should legislate. Here is a man who says that the judiciary should usurp the legislative and the executive branches of the Government. That is a question which confronts the United States Senate.

Mr. President, with all deference, I may say that a few years ago such a nomination would have been scorned and repudiated by this body, because the nominee advocates and favors—and he makes no bones about it—the disruption of the American system of Government. He makes these statements in his speeches. To what a sorrowful state have we come in this country when the Senate is called upon to consider such a nomination. I quote from Mr. Sobeloff's speech before the judicial conference of the fourth circuit at Hot Springs, Va., on June 29, 1954:

> The Court may reject a case, not because the question is unimportant, but because it thinks the time not ripe for decision. In our system the Supreme Court is not merely the adjudicator of controveries, but in the process of adjudication it is in many instances the final formulator of national policy.

I ask every Senator, Is that Americanism? Is that the American system of government? When we confirm the nomination of such a man, are we upholding the Government of our country? This man says the Supreme Court is "the final formulator of national policy."

I sat in the United States Senate for many years when the Democratic Party had undisputed control and the Republican Party was in the minority. Year in and year out, I have heard speeches by Republican Senators decrying such a philosophy. Now I want to know whether those speeches were political or not; those who made them are faced with the acid test.

Will those Senators defend their country? I ask Senators, Is the Supreme Court the final formulator of national policy? If Senators vote for Sobeloff, then they say that the Supreme Court is the final formulator of national policy. I have not made the issue; the nominee, Simon E. Sobeloff, has made the issue.

When Senators cast a vote for Sobeloff, they are casting a vote for the destruction of the American system of Government.

I shall quote further from Mr. Sobeloff's speech. I give him credit; he is frank; he is open; he says what he thinks. I hope Senators will be equally frank when they take sides in this controversy. The question is before us; we shall have to pass on it tonight. Is the Supreme Court "the final formulator of national policy," as the nominee says it is? I quote further:

> It should therefore occasion no wonder if the Court seeks the appropriate time to consider and decide important questions, just as Congress or any other policymaking body might. For example, for several years before taking the school segregation cases the Court repeatedly turned away opportunities to decide questions in that area, perhaps because they deemed them premature. Lately it declined to review a ruling on segregation in public housing, perhaps because the Court thought it best, after deciding the school cases, not to say more on other aspects of segregation at this time.

Mr. President, Sobeloff underscored "perhaps." This is not my word; he underscored it. That is the issue; he cannot dodge it. I continue:

> Or the Court may think the record in the case at hand not adequate or otherwise unsuitable to raise and decide the point. We can only speculate. In the decision of great constitutional questions, especially those which are in the realm of political controversy, timing can be of supreme importance.

Mr. President, I say that is a definite program for the disruption of the American system of Government. Sobeloff says that if his nomination shall be confirmed, he will uphold the doctrine that the Supreme Court is "the final formulator of national policy." In other words, he is saying that the Senate is subservient, the House is subservient, and the President is subservient; that the United States has an all-high Court because it has unlimited power drawn from the Constitution of the United States.

We have to consider tonight a case which is, point blank: If we believe in the American system of government, how can we confirm this nomination? Sobeloff makes no bones that he does not believe in the American system of government. That is the issue.

I should like to go into the Peters case. The Attorney General forced an appeal to the Supreme Court over the violent opposition of the Solicitor General. The Solicitor General, as an officer designated to represent the Government before the Supreme Court of the United States, refused to appear. How many Senators think the Solicitor General should protect this country against Reds? This nominee does not.

Dr. John P. Peters was discharged from the Government service as a consultant. The decision regarding discharge was made by the Loyalty Review Board. He sued to get his job back. Mr. Sobeloff, instead of prosecuting this case for the Government, wanted the Government to agree to let Dr. Peters have his job back. He took the position that the Government in this instance—his own executive branch—should not be allowed to declare something secret in the interest of national security on its own say so, as it had done in the case of Dr. Peters.

I invite my colleagues to go into the Lattimore case.

Senators, there is a red tinge that runs through this man's entire record. I have heard Senators, Republicans and Democrats, rise on the floor and condemn the four recent decisions of the Supreme Court and state that they were pro-Communist—the Cole case, the Nelson case, the Slochower case, the case of the Subversive Activities Control Board versus the Communist Party. They were pro-Communist decisions.

Tonight when Senators vote for this nominee, they will cast their stamp of approval on those decisions.

We stand at Armageddon. We stand at the last chance to defend our system of government. The issue here is clear. Here is a man who says that the Supreme Court in many instances is the final formulator of national policy.

Mr. President, what was the defense for that statement in the Judiciary Committee? It was that he speaks the facts of life. The record will show that. He speaks the facts of life—what he says is true. That was the defense. That was the defense made for the speech he made.

Now, Mr. President, I ask, in all candor, how can we defend a man—and he is to be praised for the frank position he takes—who advocates a system that will destroy our system of government?

Mr. President, I think this nomination should be rejected.

Mr. WATKINS. Mr. President, the charges made against the nominee pertaining to the Baltimore Trust Co. are utterly without foundation. Having listened to the testimony and studied the record with care, I denounce these accusations as not only unproved, but cruel and irresponsible.

As one who has had some experience on the bench in appraising and weighing evidence, I am amazed and shocked by the unwarranted persistence of this attack on a man's reputation. Anyone who has taken the trouble to read and consider this record must be impressed, as I have been, with the baselessness of the charges. They have been demolished by the incontrovertible facts.

No one has come forward to substantiate any of the charges from first-hand knowledge. Before reviewing the facts, I invite the attention of the Senate to the personality of the single witness who sponsors the charges. One Charles Shankroff, a man of demonstrated unreliability, who admittedly had no personal knowledge of the things he was saying, is the only one who has sought by innuendo to sustain his otherwise unsupported allegations. Shankroff is beyond doubt completely discredited. He is shown by the police commissioner of Baltimore, by the city solicitor of Baltimore, and by members of the bar association to be a most unreliable person. He has no legitimate business. He calls himself a real-estate man, but he has no broker's license, and the land records contain not a single instance of sale or purchase by him. He haunts the clerk's office of the Baltimore City courts, examining old records to uncover and stimulate stale claims. He searches for opportunities to inject himself into lawsuits. He is not a lawyer, but he habitually offers prospective litigants information which he has purportedly ferreted out, and he solicits, in consideration for this, a one-third interest in any litigation which he foments.

I shall not review his conduct in detail. The affidavits and statements which disclose the character and activities of Mr. Shankroff are found in the record of the hearings at pages 154 to 175 and 247 to 248. The evidence convincingly shows the fairness of the characterization that has been made of Mr. Shankroff by responsible persons as a crackpot, a mental case, and a nuisance. No one would put any reliance whatever in his analyses or judgments.

Against the criticisms emanating from this extraordinarily untrustworthy source is, first of all, the plain, forthright testimony of Mr. John D. Hospelhorn, the Banking Commissioner of Maryland, who appeared, not on call of the nominee, but in response to the Judiciary Committee's summons issued at the instance of Mr. Shankroff. Mr. Shankroff gave assurances that Mr. Hospelhorn would confirm the former's charges against the nominee. Instead Mr. Hospelhorn refuted them utterly. In fact, he unstintingly praised the conduct of the nominee who, he showed, had nothing whatever to do with the transactions with which Mr. Shankroff undertook to find fault.

Let me now turn to the Baltimore Trust receivership proceeding itself, and to Mr. Sobeloff's connection with it. I shall review the facts sufficiently to give the Senate an understanding of the questions raised. I shall, however, endeavor to do this without making my recital too lengthy.

In 1933, the largest banking institution in Baltimore, the Baltimore Trust Co., failed. Mr. Hospelhorn, the Deputy Banking Commissioner, became the receiver, and he had the assistance of three lawyers, appointed by the Circuit Court of Baltimore City. Mr. Sobeloff was not one of these.

In due course, in September 1935, the receiver sought to invoke the statutory stockholders' liability. Under the law of Maryland, as it stood at that time, a stockholder in a bank could be held liable in an amount equivalent to the par value of his shares, in addition to the sum he had paid for the shares. There were many stockholders represented by lawyers who insisted that before the stockholders' liability could be imposed and collected the receiver ought to show that the losses incurred by the bank were sufficient to require the stockholder's assessment. The Court of Appeals of Maryland agreed with this contention, and Judge O'Dunne, as the presiding Judge in the Circuit Court, ordered the receiver to make such a showing.

At the hearing it was demonstrated that the probable losses in a few major loans would run to millions of dollars, and would more than wipe out the bank's capital, and that an assessment against the stockholders would be required to meet the bank's obligations.

Judge O'Dunne declared in open court that these disclosures shocked him. He noted that for many months there had been grave rumors of misconduct on the part of officers and directors of the bank. The judge stated that:

> There would be a more wholesome feeling in the community if some intelligent, impartial, efficient, disinterested outside inquiry were made by some lawyer skilled in that line of inquiry whose judgment has been accepted in the community as fair and impartial.

The judge referred to the experience and the reputation for impartiality and devotion to duty earned by Mr. Sobeloff in the office of United States Attorney, from which he had recently retired.

The nominee was present in court as one of the numerous lawyers representing stockholders. The judge charged the nominee to make such an inquiry to ascertain if there was criminal or civil liability. The nominee had not sought the assignment, but he undertook to carry out the court's direction. There was no concealment of the fact that he had previously represented stockholders. Indeed, that was how he came to be appointed to make the investigation. No one objected to Mr. Sobeloff's appointment for that or any other reason. For more than 20 years, until Mr. Shankroff appeared on the scene, no one intimated that there was a conflict of interests in the nominee's undertaking the inquiry for the court, after having represented stockholders.

In fact, it was obvious that if the inquiry should develop evidence of directors' or officers' responsibility, any resulting recovery would be beneficial both to the receivership and to the stockholders, by diminishing the unsatisfied deficit due creditors.

The Judiciary Committee perceived not the slightest conflict of interest in this situation, and I cannot imagine how anyone could.

The nominee, after 9 months of intense effort, during which he laid aside his active law practice, produced an admirable report, which is in the record. It was publicly acclaimed at the time by Judge O'Dunne, and was praised before the committee by Mr. Hospelhorn, the receiver, and by representatives of the Maryland State Bar Association and the Bar Association of Baltimore City.

Mr. Sobeloff recommended civil suits; and when 1 of the 3 counsel for the receiver declined, for personal reasons, to join in such suits, the court designated Mr. Sobeloff in his stead. The appointment was limited to this purpose. Beyond all question, it did not include representing the receiver generally, or counseling with him in respect to the liquidation of the bank's assets or the routine administration of the receivership estate. Mr. President, let me say that I can document from the record itself every one of the statements I am making.

There was absolutely no conflict of interest, and the suggestion that somehow there was such a conflict is fantastic.

Some of the suits were tried, and the rest were settled. There is an odd twist in the thesis advanced by Mr. Shankroff. In his original statement he called the suits against the stockholders and directors "nothing but a bite," that is to say, that they were unjustified pressure suits—or, in ordinary language, that they

were "pressure suits." In his later statement, however, Mr. Shankroff adopted the opposite line, and took the nominee to task for settling the suits for too small a sum. Neither charge has any truth in it.

After a lapse of 20 years, it would seem rather late to raise the question now of the adequacy of the settlement; and the United States Senate would hardly be the forum to review an action authorized by Judge O'Dunne; but there is an even better and altogether conclusive answer to this very belated criticism. The indisputable fact is that the settlement was made by the judge, who noted on the record that he acted without the recommendation of the attorneys, or the receiver, and that they had indicated to him that they were not satisfied with the amount. So much for the suit against the directors and officers.

Similarly, there is no truth or merit in the criticism that the nominee settled the stockholders' statutory liability for $5 per share, instead of $10, the par value. Here, again, it was made clear beyond question, by the receiver himself, that Mr. Sobeloff had no share in the settlement or the negotiations leading up to it. A group of lawyers, which did not include Mr. Sobeloff, approached the judge and with him conducted the settlement negotiations. The nominee was then engaged exclusively in the investigation as ordered by Judge O'Dunne. All stockholders equally got the benefit of the settlement. Neither the nominee's clients, nor anyone else, was favored.

Although the nominee had no part in the settlement, it should be added, in simple justice to Judge O'Dunne who did, that in any event there appears no reason for us to find fault with it. The senior Senator from Maryland, Senator BUTLER, who is a Baltimore lawyer, and was generally familiar with the Baltimore Trust case when it was much in the public eye, tells us that there were strong equitable reasons for Judge O'Dunne's action. In the last weeks before the bank's failure, its stock was hawked around the streets, and many innocent persons were induced by officers of the company to buy shares. Under the circumstances—especially 20 years after the event—that a court of equity, aware of the hardships involved and the possible defenses, and being desirous of bringing the controversy to a speedy end so as to realize as promptly as possible, without further litigation or expense, what cash the stockholders' liability could yield—who will undertake to say that the settlement was inadequate or unwise or unjust? Neither the depositors nor the receiver nor anyone else complained.

After almost a generation has rolled by, a man of no special qualification and of dubious judgment and motives, ventures, on the basis of his private interpretation of the record of proceedings, to suggest that Mr. Sobeloff, who had nothing to do with the settlement, was remiss in not appealing the court's action. Mr. Sobeloff represented no interest that wished to appeal, and he would have had no standing to appeal. The suggestion, coming after 20 years of Rip Van Winkle-like slumber, that the nominee was reprehensible in action or failure to act, is plain unadulterated nonsense.

The final complaint conjured up by Mr. Shankroff is, if anything, even more brazen. He asserts—and repeats the assertion, notwithstanding that all the evidence is to the contrary—that the nominee used his opportunity for "inside" information to get for a client a 34-story office building at an inadequate price.

It is established beyond the shadow of a doubt that Mr. Sobeloff—whose employment was limited, as I have said, to investigating the causes of the bank's failure, and later to bringing suit against directors and officers—had played no role in the liquidation of the bank's assets. He had no access to "inside information." This is pure fiction. The office building was sold by the receiver, with the court's approval, after negotiations in which the nominee had no participation, and after the customary advertised nisi orders. The receiver, as well as the nominee, has sworn that the nominee made no attempt to influence these negotiations; and it is doubtful that he even knew of them at the time. It is certain that the nominee did not represent the purchaser, any more than he represented the seller.

Seven years after Mr. Sobeloff had finished the special task for which the court had chosen him, and after he had been discharged, and after final distribution had been made by the receiver to the creditors, a subsequent owner—not the original purchaser of the building—wanted the receiver to remove some old filing cabinets which were still occupying valuable office space. At his instance, in 1943, Mr. Sobeloff approached the receiver and his counsel, to see whether the cabinets would be removed. Since the receiver had possession of the space, under a court order, he suggested that a petition and answer be filed, so that Judge O'Dunne might formally rule on the matter. The papers were filed, but the receiver later found that he could get along with reduced space. As this was satisfactory to the new owner of the building, the petition was dismissed without a hearing.

Now, in 1956, Mr. Shankroff tries to magnify and inflate this inconsequential, but perfectly innocent and proper, intercession into "a suit for client with a conflicting interest." This fabricated allegation would be too ridiculous to merit serious attention, but for the fact that it has been asserted here to tear down a man's reputation. The claim deserves to be condemned as gross and inexcusable mischief-making and trifling with common sense and fair play.

The point is not, as the minority views would have it, whether a defense of laches can be interposed against charges of unethical conduct. The point is, rather, that there is no basis whatever for such charges. The long interval of 20 years merely emphasizes the unlikelihood that Mr. Shankroff had in his peculiar fashion discovered lapses which vigilant judges, alert opposing lawyers, interested depositors, and an observant press had failed to note.

I have reviewed the so-called charges which fall of their own weight. But that is not all. On the other side is an impressive array of judges and lawyers, including former Senators Radcliffe and O'Connor, who are not of Mr. Sobeloff's party and who refute these absurd accusations. They speak from personal knowledge, for unlike Mr. Shankroff, who says he came to Baltimore from Brooklyn only 14 years ago, these reputable men were aware of the events when they happened and some participated in them. Senator Radcliffe served, before the court took jurisdiction, on a liquidating committee selected by the Maryland Legislature. He assured the committee that he followed with deep interest Mr. Sobeloff's conduct, which was in all respects ethical, and that he heard much praise of Mr. Sobeloff and no reflection against him.

These estimable gentlemen, as well as the present members of the United States Court of Appeals for the Fourth Circuit, all vouch for the integrity of the nominee. They testify to his high status professionally and in the civic life of his city and State. The bar associations of Baltimore and Maryland have unanimously and emphatically renewed their endorsement of him. This farrago of scandalous and defamatory charges was concocted by a person who is without standing or knowledge and is a meddler of proven irresponsibility. He seems to be a professional snooper, snooping into affairs which he has no ability to understand or interpret.

If there were even a scintilla of truth in Mr. Shankroff's disgraceful medley, the nominee could not have survived the scrutiny of bench and bar and the public these 20 years. He has, in fact, enjoyed the confidence and respect of his State and has attained the distinction of its highest judicial office without a word of reflection against him. The thorough and searching investigation of the FBI, conducted when he was chosen Solicitor General of the United States and brought up to date this year, has produced not even a word of suspicion against him.

It would be unjust and shameful to let these despicable slanders count a feather's weight in our consideration of this nomination.

Judge Sobeloff is, as the committee report states, well qualified in character, ability, temperament, and attainments, to serve as judge of the Court of Appeals for the Fourth Circuit. He should be confirmed.

Mr. President, there is another phase of this debate today which I wish to call to the attention of the Senate, and that is the statement made with respect to Judge Sobeloff's interpretation of the duties of a court, and particularly the Supreme Court of the United States. All this criticism grows out of a speech he made before the Fourth Circuit Conference some time ago.

A number of questions were asked Mr. Sobeloff about this speech in the subcommittee hearing. I submit that the statements he made and the explanations he gave with respect to the remarks which had been called to his attention indicate very clearly that he has substantially the same understanding of the Constitution and its interpretation as the courts of the country have had for many years, and as I believe nearly all

lawyers have. As a matter of fact, if a strained interpretation is not given to his remarks, his interpretation of a court's duty in interpreting the Constitution is the same as that of Senators who have been speaking against him today. I say that on my responsibility as a lawyer, and one who has had some experience in judicial work, at least in my own State.

I do not wish to reargue the entire question. Judge Sobeloff did it very well in his examination. I invite attention to the statement beginning at page 86 of the record of the hearings, wherein he was given an opportunity to explain what he had said in the speech referred to. He answered a great many questions. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the statement of Judge Sobeloff, beginning on page 86 of the record and extending through to a point near the bottom of page 106, just before the letter addressed to the Senator from Wyoming [Mr. O'MAHONEY]. The colloquy which took place, I think, fully explains the stand and the view of Judge Sobeloff, which I submit are not fundamentally different from those of most Senators who have spoken today.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. SOBELOFF. May I address myself, then, to, first, the speech that I made to the Fourth Circuit Court of Appeals at Hot Springs, Va., in June 1954.

I spoke in the presence of the Chief Justice of the United States and all the judges of the Court of Appeals of the Fourth Circuit and the district judges of that circuit and, I may add, about 300 lawyers, mostly from the South. In all conscientiousness, I can say that I heard no criticism of that speech. It was later printed in full in the American Bar Association Journal.

I received letters, some on commendation, some merely commenting on various phases of the speech. Nobody has put the interpretation on it that is sought to be put on it in these hearings.

Senator WATKINS. Mr. Chairman, at this point, it seems to me it would be well to have that speech in the record for the information of the members of the committee and the Senate.

Mr. SOBELOFF. I should be glad to have it.

Senator WATKINS. It is printed in the March 1955 issue, volume 41, page 229, and I ask that it be made a part of the record.

Senator O'MAHONEY. The speech will be made a part of the record at this point.

* * * * *

Mr. SOBELOFF. The suggestion has been made that I was advocating some strange and heretical doctrine of law about the role of the Supreme Court in our system of government. I think what I said is as orthodox as any expression that has ever been made in the long legal history of this country.

I was only saying what every judge and every lawyer knows. I was not advocating there any notion that courts have the right to set policy for the Nation over Congress. In fact, the very speech that is brought up contains a denial of that.

For example, in the course of that speech I said—I was talking about the review of administrative action in the courts, and I said:

"This I see exemplified again and again in the steady stream of papers that flow across my desk."

And I commented:

"It is a difficult dilemma: On the one hand is the obligation to respect the separation of powers."

I think that is a refutation of the interpretation that has been put on the other sentence.

Senator O'MAHONEY. This was written while you were occupying your present position?

Mr. SOBELOFF. Yes, sir. I had been in office a few months. In fact I called the address Early Impression. I said:

"On the one hand is the obligation to respect the separation of powers, for the disregard of this principle would itself lead to tyranny."

Now, any man who thinks that cannot think what is being attributed to me by these critics. I said:

"Personalized judgments to meet particular cases are, we know, fruitful sources of future trouble. We must take care that that which satisfies the felt need today shall not breed confusion tomorrow," and so forth. And in the concluding sentence of that same speech, I gave recognition to the same idea that the legislative policy of the Nation is paramount, that Congress makes policy. I said, speaking of the duties of my office, and of the variety of litigation:

"What does it signify and what does it portend for good or ill? As the lawyer for the Government and as an officer of the court acting within the proper limits of his special function, his constant endeavor must be without falling prey to his own fetishes but obedient to the legislative policy laid down by others, to channel this mighty stream so as to strengthen the foundations of our society, to make freedom more secure and to promote justice between man and man and between the Government and its citizens."

I submit that is the very opposite of what has been attributed to me.

Senator O'MAHONEY. Let me ask, do you want this committee and the Judiciary Committee to understand that if you were to be confirmed to the position to which you have been nominated, you would not undertake at any time to elevate the Court to a policy-making branch of the Government?

Mr. SOBELOFF. I would certainly not alter the form of government, Senator O'MAHONEY. I would do what judges who are conscientious and who obey their oaths do: I would confine myself within the judicial sphere.

I have in various expressions, as well as in conduct, indicated my respect for that separation of powers, and it comes as something of a shock to have a sentence lifted out and a whole theory spun out and attributed to me which is entirely foreign to my thought.

Senator O'MAHONEY. One of the opinions that was attributed to you this morning in the testimony was that you advocated the timing of decisions by the Supreme Court to facilitate the purpose of the decision.

Mr. SOBELOFF. I thank you for calling my attention to that.

Senator, I was not advocating anything there. I was describing the facts of life. Every lawyer knows that the Supreme Court jurisdiction is largely voluntary. Only in a very few instances is there a right of appeal to the Supreme Court. In most instances, application is for certiorari. The Court grants or denies certiorari without giving reasons.

I was addressing a group of judges and lawyers, and it is a matter of professional interest for them to understand something about the process, the operation of the Supreme Court. I was indicating that the Supreme Court does what you know and what all of us know it does. In selecting which cases it will hear, it considers, first, the importance of the problem; second, whether there is a conflict between the circuits; thirdly, whethter the question is ripe for determination.

One of the things that the Justices speak of often in their opinions and in their extrajudicial expressions is whether a certain question is ripe for adjudication.

Why, only last week they refused to decide a question because it was not ripe for determination. They do that every Monday. There is nothing new or startling in that.

Senator O'MAHONEY. May I interrupt you to say that I recall as a young man a great humorist by the name of Finley Peter Dunne, who wrote a column called Mr. Dooley. I read these columns with great avidity, and I remember upon one occasion his saying or putting words in the mouth of Mr. Dooley, the remark, "Even the Supreme Court follows the election returns."

Perhaps that is what you had in mind.

Mr. SOBELOFF. Senator, don't you think I have got enough troubles now without commenting on that? [Laughter.]

One of my critics here today, Senator, quoted from another speech that I made——

Senator WATKINS. Before you leave this one——

Mr. SOBELOFF. Yes, sir.

Senator WATKINS (continuing). I want to call your attention to some language that has been criticized and was criticized by witnesses this morning. I assume that is what they were talking about. It is on page 232, the bottom of the first column:

"The Court may reject a case, not because the question is unimportant, but because it thinks the time not ripe for decision."

You have already commented on that.

"In our system the Supreme Court is not merely the adjudicator of controversies, but in the process of adjudication it is in many instances the final formulator of national policy."

And that is one there has been a lot of criticism on.

Mr. SOBELOFF. That is as true as the statement that 2 and 2 make 4.

Senator WATKINS. How do you interpret that language? What is your justification for saying what you said there?

Mr. SOBELOFF. Yes. Let me take, by way of example, a few of the cases that I myself argued in my short tenure as Solicitor General.

The first case that I argued was the case of the *Franklin National Bank* v. *New York*. The issue there was as to how far New York could, by statute or administrative action, control the methods of national banks in New York in advertising for savings accounts. And that raised a question of distribution of power between the Nation and the State.

Now, the Court unanimously decided that the attempted regulation there was illegal. There a national policy was declared by the Court. It had to be. There is nothing in any act of Congress that spells it out clearly.

There is a national bank system created by acts of Congress, but that particular problem which was before the Court was not envisaged.

How can the Supreme Court, when it is confronted with conflicting claims under State and national legislation, determine the question? It tries, in interpreting the national policy as laid down by Congress, to see what competing considerations of policy apply. If Congress has spoken clearly, then the Court has no function. If Congress has acted within its scope of authority of the Constitution, the Court has no function except to give force to that, to give effect to that congressional will.

Senator WATKINS. If I understand you correctly, the Court declared under the Constitution what the policy was that would be an abuse of powers on the part of the States.

Mr. SOBELOFF. It declared the national policy as indicated in the Constitution.

Senator WATKINS. And the Court has to declare what is the national policy under the Constitution.

Mr. SOBELOFF. Yes.

Senator WATKINS. That is, when one of those conflicts comes up.

Mr. SOBELOFF. Yes. When Congress has, within the exercise of its proper function, indicated a policy, of course the Court is bound by it. Where Congress has exceeded its power, it is the duty of the Court to say so.

John Marshall said that 150 years ago, and it has been said periodically ever since.

Or take, for example, a case involving the authority of the Government here in the District of Columbia to condemn land for redevelopment purposes and for slum clearance. The question was whether, in condemning a whole area, the owner of a piece of property that is itself not a slum could be made to give up that property to this public purpose; and especially whether he could be made to surrender that property, with compensation, of course, when the plan called for the redevelopment and the resale of the property to private owners.

Now, there is nothing in any clause of the Constitution which deals with that in terms. There is nothing in any act of Congress which deals with that in terms.

A question was also raised in that very case as to whether redevelopment and conedmnation could be employed for esthetic purposes as well as to clear up slum conditions. There isn't any criterion that you can turn to in any act of Congress which gives you the answer.

There is a perfect example of where the Court, considering all the policies, declares what is the real meaning of the Constitution and the acts of Congress.

That is not to suggest in the remotest, and I did not then suggest and I would not now say, that the Supreme Court has the right to substitute itself for Congress in declaring national policy.

Senator WATKINS. It has been said, I know some of the critics have said you have gone so far as to say the Supreme Court can actually legislate.

Mr. SOBELOFF. I have never said that. On the contrary, let me say, I have said the opposite.

Senator WATKINS. Go ahead. I was going to ask another question, but I would rather have you answer that first.

Mr. SOBELOFF. Well, reference has been made here to a speech that I delivered at the Ninth National Conference on Citizenship here in Washington at the Statler Hotel in September 1954. Judge Parker was the presiding officer of that conference, and present were six members of the Supreme Court of the United States, and many other judges and lawyers, and about a thousand other people—hardly a place for me to voice a heretical doctrine.

I said the very same thing that I said before the fourth circuit, and I gave recognition to the fact that judges have no right to disregard the separation of powers. I said the very opposite of what is attributed to me.

Let me read you a paragraph:

"The rule of the majority"—I was speaking now about freedom; the title of the address is "Who Guards Our Freedoms?"

"The rule of the majority is itself subordinate to the overriding restrictions of the Constitution so that a majority shall not oppress a minority. The Constitutional Convention went one step further. It ordained a separation and distribution of the Federal powers among the several departments of Government so that each would to a degree restrain the others and none could become so powerful as to threaten the people's liberties. This feature of our Government, though it concerns structure, is an essential check against abuse of power. The principle it embodies is currently under active public discussion and appropriately has been made a theme of this conference. It is one that needs to be continuously reaffirmed and revitalized."

And I go on to discuss how, in the totalitarian governments, they disregard the separation of powers, and I attribute many of the woes and oppressions under that form of government to that disregard.

So I say implicit in everything that I have ever said is a recognition that the courts have their function, but it is a limited function as the courts have always recognized. I have never suggested that courts are the legislative branch of the Government or that they can, to suit themselves, legislate.

Senator WATKINS. As I get it from your statement on this quotation I just read to you, you are reciting what has actually happened——

Mr. SOBELOFF. Exactly.

Senator WATKINS (continuing). In the Supreme Court over the years.

Mr. SOBELOFF. Exactly.

Senator WATKINS. That in determining some of these questions, they are in effect determining national policy with respect to that——

Mr. SOBELOFF. When the Court, for example——

Senator WATKINS (continuing). Within the framework, of course, of the Constitution.

* * * * *

Mr. SOBELOFF. A few weeks ago, a few months ago, when the court decided that a former soldier, after his discharge, could not be brought back for trial, for a military trial, on a charge or an offense committed while he was in the Army, there were two contending arguments: One was that Congress has the right to legislate for the control and operation of the Army and the Navy and the Army and naval forces. And that in the maintenance of discipline, they ought to be able to try this man, even after he is discharged, in a military court for a crime committed while he was in the military service.

The opposite argument was that he was not in the Army any more; he was a civilian. And even though the offense was committed before he became a civilian, being now a civilian he is entitled to a jury trial, to an indictment and a jury trial.

Now, there is an illustration of various policies, and arguments based on these policies were adduced. The Supreme Court decided, contrary to my argument, that Congress had no authority to provide for the trial of this man in a military court.

Here was a determination of policy, but that is a judicial policy subordinate to the policy as laid down within its power by Congress, or in this instance contrary to the interpretation of the Constitution.

But there is nothing in anything I have ever said or dohe that recognizes any notion that courts are freewheeling and that they can set policy at will. I reject the notion, and I reject the suggestion that I have ever adhered to it.

Senator WATKINS. The Peters case was referred to.

Mr. SOBELOFF. Yes, sir.

Senator WATKINS. Would you care to make a comment on your attitude in that case?

Mr. SOBELOFF. I think, Senator Watkins, that what Mr. Lindsay has said, with the authority of the Attorney General, is a sufficient answer to that.

I did what I thought was right. I think I would have lost self-respect and the respect of my colleagues if I had done otherwise, and I don't see how anybody has any right to feel aggrieved if the Attorney General and the President are not aggrieved by what I did.

Senator O'MAHONEY. Any other questions?

Senator WATKINS. Not at the moment, Senator, if you have something.

Senator O'MAHONEY. Mr. Sobeloff, it is quite apparent that most, if not all, of the opposition which has been expressed against you at this hearing arises from the fact that you were Solicitor General of the United States at the time the Supreme Court heard the arguments in the so-called desegregation case.

One witness of the opposition this afternoon was obviously speaking with great sincerity, and out of deep conviction, with respect to what he felt might be an invasion of the basic rights of the white people in that force might be used to enforce that decree.

I have read your brief as submitted to the Court, and I am aware of the contention that was made upon the part of the National Association for the Advancement of Colored People.

Did you advocate the forcible enforcement of whatever decree would be made?

Mr. SOBELOFF. There was no suggestion of that sort by anybody in the courtroom, and certainly I did not advocate it. I think you will find in that brief, and my oral argument followed closely along the same line, a most careful and sympathetic consideration of the human elements involved on both sides.

Indeed, at the time when I made my argument, which was between the two extremes, the southern newspapers generally complimented my argument as being moderate. They spoke of it as the "voice of moderation."

They would hardly have said that if I had intimated that we were contemplating the use of force.

Of course, as a judge of the Court, I would do what judges generally do, almost universally do: I would respect my oath of office.

Senator WATKINS. You would also have to follow what the Supreme Court has laid down as the law, would you not?

Mr. SOBELOFF. And if there is anything that is established in an orderly government, it is that the inferior courts have to follow the superior courts. I make no concealment of my belief in that. I don't think there is any Member of the Senate who will declare to the contrary.

I don't think any responsible citizen will say that a lower court can disregard a decision of a higher court.

Senator O'MAHONEY. But, Mr. Sobeloff, was it not one of the points of your arguments that the difficulty of adjusting this fundamental policy toward existing conditions was fully recognized in what you said?

Mr. SOBELOFF. If you will let me have that, I think I can point to some of the language.

I think that the spirit of the whole brief and of the argument is that it would be unwise for an equity court to order forthwith integration as was asked for by the NAACP.

On the other hand, I said that the Court could not pass a decree which nullified its own decision, and I advocated—and the Court unanimously took the same view—that there should be time given for the orderly accomplishment of what the Court said had to be done.

To that end, it was my argument that the Supreme Court should not attempt any overall, single decree. My argument recognized that there were differences in conditions. What may be possible in Wyoming or in Utah might not be possible in Virginia or South Carolina.

Again, if I may be permitted to use the word that is so offensive to some people, "timing" is an important factor. If you disregard "timing" in crossing the street, you will come to grief; and no man who has had any experience in life will say that you disregard "timing," especially where you are dealing with delicate matters of the adjustment between human beings and races.

The whole thrust of the argument was that, in the first instance, the schedule, the method of procedure, should be examined in the

district courts by the judges who understood best the conditions of their localities. They could grant such time as they thought right; they could, if sufficient cause were shown for it, grant further time. And it was all, of course, subject to review in the higher courts.

There was no spirit of vindictiveness or imperiousness. I think I recall using the expression before the Supreme Court that we ought not to ride roughshod over people.

But, of course, I did make it clear, speaking for the Government, that the Court ought to adopt such procedures as would bring about as promptly as feasible the accomplishment of what the Court had ruled had to be done.

Senator O'MAHONEY. But you did not ask for the forthwith accomplishment of these objectives?

Mr. SOBELOFF. No, sir; I did not.

Senator WATKINS. How did the Government get into that case?

Mr. SOBELOFF. The Government was, I think, a party in the District of Columbia case, and I think the Supreme Court had asked the Government to come in, the Department of Justice, as amicus.

Of course, you remember the main case, the argument on constitutionality, was made before I became Solicitor General; though the decision was made in May of 1954, the arguments had been made in the fall of 1953. I became Solicitor General in February 1954.

The arguments that I made in 1955 occurred after the Supreme Court had declared segregation unconstitutional. The question to which I addressed myself was not a reargument of that case. The question was what form of decree should the Court adopt; and the Court asked the lawyers to address themselves to four questions pertaining to the form of the decree.

That was what this argument was about in which I participated.

Senator WATKINS. I am glad you cleared that up. I know there is an impression among a large number of people that you were one of the men who came in originally on the argument of the segregation case.

Mr. SOBELOFF. No. That was decided in May 1954, following an argument in the fall of 1953.

Senator O'MAHONEY. Well, that leaves it this way, then, Mr. Sobeloff: That you did not argue the original case.

Mr. SOBELOFF. No, sir.

Senator O'MAHONEY. That the decision of the Supreme Court on the constitutional question had been made before you appeared before the Supreme Court.

Mr. SOBELOFF. That is right.

Senator O'MAHONEY. And that your participation in this case was directed only toward the formulation of the decree, and that your argument was for moderation in the form of the decree.

Mr. SOBELOFF. That is precisely correct; and even the lawyers representing the Southern States, when they veered close to a review of the original decision, and one of the Justices asked him, "Are you rearguing that question?" he said, "Oh, no, no. That is water over the dam."

Senator O'MAHONEY. Now, then, one more question, Mr. Sobeloff: Do you consider it to be the duty of a judge, when he takes the oath of office, to separate himself, as it were, from all previous opinions on questions that are suitable for litigation, and that in deciding impartially it means he would decide the cases on the law and the facts as they are then presented in each case?

Mr. SOBELOFF. A judge, of course, is a human being, and he does not come without any opinion or pre-position. He has his experience in life. But it is a disciplined office in the sense that the occupant has to discipline himself. He has to observe his oath. He has to judge impartially.

And while I will, of course, obey the higher courts, just as the district judges in the South are doing, I have no such feeling as would disqualify me from dealing impartially and fairly with any of the people of these Southern States, or even these very people who testified here today.

Senator O'MAHONEY. Would you mind briefly summarizing for us what you conceive to be the duty of a judge in a Federal court, in the administration of justice?

Mr. SOBELOFF. Well, that is a very broad question, Senator.

Senator O'MAHONEY. I intended it to be so.

Mr. SOBELOFF. A judge in the Federal court is sworn to uphold the Constitution. He has to respect the law. He can't let his personal preferences override the binding law as laid down in the precedents, especially by the higher courts; and it is his duty to, within the law, not fashioning a rule of his own, but within the rules of the game, as determined by the proper authorities, to seek to establish justice in relations between the litigants, whether it is the Government and an individual, or whether it is two individuals, or a State and the Nation, or whoever that may be.

Senator O'MAHONEY. And if you should be confirmed by this committee and confirmed by the Senate, and then subsequently sworn in under the oath of office to administer the duties as justice of the Fourth Circuit Court, would you conduct yourself in accordance with the principles you have just laid down?

Mr. SOBELOFF. I certainly would. That would be my aim.

Senator O'MAHONEY. That is all I have to ask.

Senator WATKINS. I have this thought in mind in connection with what you just asked, but you probably have answered it.

You heard the statement of the witness who was a farmer from down in South Carolina?

Mr. SOBELOFF. Yes, sir.

Senator WATKINS. He had expressed the concern of people that because of your attitude, what you had already said, that you could not be fair and you could not hear cases fairly when they were presented to you as a member of that court.

Now, you know what we ask of jurors many times, whether they can take a position to be absolutely fair in the matter that will be before them, and not even allow previous opinions, sometimes either expressly or impliedly what they have done or said, to have anything to do in passing upon the guilt or innocence of the party who is before them at trial.

With respect to that sort of situation expressed by the southerner, what would be your answer?

Mr. SOBELOFF. Senator, assuming that our farmer friend speaks for a wider constituency than I expect he represents——

Senator WATKINS. I have a suspicion that he speaks for a good many thousands.

Mr. SOBELOFF. I think he exercises himself needlessly. There is nothing in the fact that I argued this case that disqualifies me. I think the nature of the argument I made in this case shows that I am prepared to deal with consideration and understanding and moderation with the situations that may arise.

I am not in a position and I am sure you would not expect me to indicate any particular view in a specific case.

Senator WATKINS. I am not asking that.

Mr. SOBELOFF. Of course. But my approach would be in that spirit.

Senator WATKINS. Well, in the first place, you would have to take an oath of office to defend and uphold the Constitution.

Mr. SOBELOFF. Exactly.

Senator WATKINS. And that Constitution would be before you, and what it means would be what the Supreme Court had already said that it means.

Mr. SOBELOFF. Exactly.

Senator WATKINS. In the discharge of that oath of office, you would have to follow the interpretation of the Constitution as made by the Supreme Court.

Mr. SOBELOFF. I notice that there was a three-judge court down in Columbia, S. C., not long ago which had one of these cases, and it was interesting to observe that sitting with Judge Parker was one of the southern district judges.

I do not know what his personal views are, but I notice that he followed the decision, along with Judge Parker.

Judges recognize that their oath means something.

Senator WATKINS. I want to come back to the Peters case for a moment. It has been said to me by one or two of my colleagues that at one time you made a speech in which you in effect said that a job with the Federal Government is a right, you have a right to a job.

Mr. SOBELOFF. I am sure I never said that in any speech. I would be interested to have someone point it out. I am sure I didn't say that. But the Supreme Court has said that, and if you look at the Wyman Updegraf case, in the opinion written by Mr. Justice Clark, there is recognition of this principle: that while a man has no constitutional right to hold a Federal office, nevertheless if he is going to be accused of subversive conduct or being a security risk, the Government owes him the obligation of fairness; that they can't stain his reputation, his character, take away his job, without observing certain minimum requirements of fairness.

Now, that does not necessarily mean that you have the same kind of a hearing that you do in court, but it does require certain minimum standards of fairness and decency.

I have gone that far, but I have never said there is a constitutional right to hold a job.

Senator WATKINS. The Supreme Court has already said, I think, that there isn't any constitutional right——

Mr. SOBELOFF. That is true.

Senator WATKINS (continuing). For a man to hold a job with the Federal Government, at least an appointive job.

Mr. SOBELOFF. That is true.

Senator WATKINS. I assume an elected official would have the right for the term of his election, because the people had spoken and said so, and that would be a job under the Constitution and confirmed by the people.

Mr. SOBELOFF. And even he has the judgment of his peers in the Senate, or in the House.

Senator WATKINS. That is right. He can be ousted from the Senate or the House; he can, of course, be impeached.

I think that covers it.

Mr. SOBELOFF. Thank you, sir. If there is any other question, I will be glad to answer it.

Mr. WATKINS. Mr. President, I have had prepared a brief statement in regard to the Peters case which presents in some degree at least the views of Mr. Sobeloff on one of the questions raised, which I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MEMORANDUM RE PETERS CASE

In the Judiciary Committee's report on the nomination of Simon E. Sobeloff, page 10, you will find section IV, which deals with the failure to sign the brief in the Peters case.

To the above, it may be added that the case arose when this part-time consultant-employee of the Government was dropped under the loyalty program. This was done

without permitting him to confront his accusers or even advising him of their identity. The secrecy which enveloped the accusers was still deeper; even the Loyalty Review Board, consisting of trusted officers of the United States, was not permitted to know the identity of the witnesses upon whose alleged statements it was asked to condemn, and did condemn, Dr. Peters. The nominee, as Solicitor General, thought that this last feature was particularly indefensible and that the minimum requirements of constitutional fairness had been violated. In these circumstances, he declined to participate personally in defending such procedure.

While one can readily understand and respect an administrative decision, carefully arrived at in a particular case, not to reveal to the employee the identity of a person who has furnished derogatory information about him, it is very difficult to formulate a justification, which the Court would accept, for withholding the identity of such sources from the hearers who are to judge the case. The reason for not informing the accused is that if he is in fact guilty as suspected, he may abuse the information disclosed to him, and the effect of disclosure will be to dry up that and perhaps other sources of information. These considerations cannot be invoked in support of a procedure that bars the judges of the issue from knowing upon whose testimony it is that they are asked to judge. The employee may indeed be an unreliable and even a disloyal person. The Board members, however, are not selected like a jury from a panel drawn from the community at large but are carefully chosen by the Government itself for their trustworthiness and reliability, and completely without any participation by the employee in that choice. It would be hard to uphold the view that such a tribunal is not to be trusted with the information. The administrative problems are doubtless numerous and complex. But the remedy is to seek better methods and, where necessary, better men for hearing such cases. Can we take the position that no one is fit to have such information? It cannot be believed that the Court would be hospitable to the view that in order to have an effective security program the Government is compelled to withhold from those whom it selects to sit in judgment the information necessary for judging.

Disclosure of sources to the board members is, of course, a matter of real and not abstract importance. It has direct bearing on the crucial question of the reliability of the testimony. Under present practices all that the hearing board may know is that the unidentified sources have been characterized as reliable—upon what information it is not shown. The board has no means of making an independent judgment; it is furnished neither the name of the source nor circumstances which could be made the basis for checking and testing the reliability of his information. The board's acceptance of the reliability of the evidence is thus necessarily a ratification of another's judgment, without knowledge of the underlying facts. In such circumstances the function of judging, it can well be said, is not exercised by those who are designated to judge.

The Court has frequently held it to be a fundamental principle of due process that "the one who decides must hear" (*Morgan* v. *United States*, 298 U. S. 468, 481); and a hearing can hardly enable a judge to find where the truth lies, unless he can examine the testimony on both sides to ascertain the value and weight to which it is entitled.

Mr. WATKINS. Much has been said about the views of the Supreme Court with respect to the Court's making policy. I submit for the consideration of the Senate a number of statements and extracts from opinions and writings of various judges and prominent lawyers on this subject. I ask unanimous consent that these statements be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

AS TO POLICYMAKING BY COURTS AND THE SEPARATION OF POWERS

Section III of the Judiciary Committee report on the nomination of Simon E. Sobeloff, pages 8 to 10, deals with this subject.

Attached is related material—an extended quote from the posthumously published book of Mr. Justice Robert H. Jackson, and quotes from Chief Justice Hughes, Chief Justice Stone, Justice Cardozo, Justice Holmes, and others. This would be useful if a discussion of the general principle is desired.

Southern Pacific Co. v. *Jensen*, 244 U. S. 205, at 221, Mr. Justice Holmes dissenting: "I recognize without hesitation that judges do and must legislate, but they can do so only interstitially; they are confined from molar to molecular motions."

Addresses and Papers of Charles Evans Hughes (first ed., 1908), pages 139–140: "We are under a Constitution, but the Constitution is what the judges say it is, and the judiciary is the safeguard of our liberty and of our property under the Constitution."

Hughes, The Supreme Court of the United States (1920), pages 241–242: "In our system, the individual finds security in his rights because he is entitled to the protection of tribunals that represent the capacity of the community for impartial judgment as free as possible from the passion of the moment and the demands of interest or prejudice. The ends of social justice are achieved through a process by which every step is examined in the light of the principles which are our inheritance as a free people. The spirit of the work of the Supreme Court permeates every legislative assembly and every important discussion of reforms by legislative action. We largely subject our political thinking to the conception of law, not as an arbitrary edict of power, but as governed by the fundamental conceptions of justice. No one is above the law. The officer of government, the State itself, is subject to the fundamental law that the humblest may invoke. Our relations to each other, to the society of which we are a part, to the governments, Federal and State, which are the organs of that society, come to the judicial test, as far removed from the intrusions of artifice, selfishness, and caprice as any test can be. The Supreme Court is the embodiment of this conception of our law, the exemplar of its application, and the assurance that in the complexities of an extraordinarily expanded life, we have not forgotten the ancient faith by which we have pledged ourselves to render to each one his due—a faith which alone makes it possible to look to the coming years with confidence as well as hope."

Mr. Justice Holmes and the Supreme Court, by Felix Frankfurter, page 8: "It is plain, therefore, that judges are not merely expert reporters of preexisting law. Because of the free play of judgment allowed by the Constitution, judges inevitably fashion law. And law is one of the shaping forces of society. That is why to neglect the Supreme Court's role in our social and economic history is to omit vital factors of the story. The Supreme Court gives direction to economic forces, especially to the pace and the range of their incidence. No matter how powerful the pressures behind the use of the corporation as an instrument of enterprise, it cannot be denied that the Supreme Court has enormously furthered corporate growth. By devising facilities for business conducted through the corporate form and protecting it from policies hostile or inhospitable to corporate enterprise, the decisions of the Court themselves have operated as economic factors."

Law and Its Administration, by Harlan F. Stone, page 19: "It is the duty of the judge, therefore, in formulating a rule of law to govern the case, to find and apply the rule of precedent, if such precedent exists. If there is no precedent existing governing the case, it may nevertheless be possible to extract from the precedents principles which point with certainty to the rule which should be applied. As an aid in formulating the rule resort may and should be had to the writings and opinions of those who have by study and investigation of legal questions become expert in that subject, and finally, the rule when adopted, must be one which will in the light of the facts proved, and of known experience, work well in practice, together with rules already adopted by courts and established as law, and it must also accord with an enlightened sense of morality and public policy. To summarize the matter, the law is what judges having jurisdiction of the case declare it to be. The sources of law are statutes, precedents, custom, the opinion of experts, and public policy tempered and judged in the light of experience."

The Nature of the Judicial Process, by Benjamin N. Cardozo, pages 112–114: "My analysis of the judicial process comes then to this, and little more: logic, and history, and custom, and utility, and the accepted standards of right conduct, are the forces which singly or in combination shape the progress of the law. Which of these forces shall dominate in any case, must depend largely upon the comparative importance or value of the social interests that will be thereby promoted or impaired. One of the most fundamental social interests is that law shall be uniform and impartial. There must be nothing in this action that savors of prejudice or favor or even arbitrary whim or fitfulness. Therefore in the main there shall be adherence to precedent. There shall be symmetrical development, consistently with history or custom when history or custom has been the motive force, or the chief one, in giving shape to existing rules, and with logic or philosophy when the motive power has been theirs. But symmetrical development may be bought at too high a price. Uniformity ceases to be a good when it becomes uniformity of oppression. The social interest served by symmetry or certainty must then be balanced against the social interest served by equity and fairness or other elements of social welfare. These may enjoin upon the judge the duty of drawing the line at another angle, or staking the path along new courses, of marking a new point of departure from which others who come after him will set out upon their journey.

"If you ask how he is to know when one interest outweighs another, I can only answer that he must get his knowledge just as the legislator gets it, from experience and study and reflection; in brief, from life itself. Here, indeed, is the point of contact between the legislator's work and his. The choice of methods, the appraisement of values, must in the end be guided by like considerations for the one as for the other. Each indeed is legislating within the limits of his competence. No doubt the limits for the judge are narrower. He legislates only between gaps. He fills the open spaces in the law. How far he may go without traveling beyond the walls of the interstices cannot be staked out for him upon a chart. He must learn it for himself as he gains the sense of fitness and proportion that comes with years of habitude in the practice of an art. Even within the gaps, restrictions not easy to define, but felt, however impalpable they may be, by every judge and lawyer, hedge and circumscribe his action. They are established by the traditions of the centuries, by the example of other judges, his predecessors

and his colleagues, by the collective judgment of the professions, and by the duty of adherence to the pervading spirit of the law."

Harlan F. Stone, The Common Law in the United States, 50 Harvard Law Review 4, 20: "We are coming to realize more completely that law is not an end, but a means to an end—the adequate control and protection of those interests, social, and economic, which are the special concern of government and hence of law; that that end is to be attained through the reasonable accommodation of law to changing economic and social needs, weighing them against the need of continuity of our legal system and the earlier experience out of which its precedents have grown; that within the limits lying between the command of statutes on the one hand and the restraints of precedents and doctrines, by common consent regarded as binding, on the other, the judge has liberty of choice of the rule which he applies, and that his choice will rightly depend upon the relative weights of the social and economic advantages which will finally turn the scales of judgment in favor of one rule rather than another. Within this area he performs essentially the function of the legislator, and in a real sense makes law."

Prof. Paul Freund (Harvard Law School), On Understanding the Supreme Court (Introduction, p. 1): "Is the law of the Supreme Court a reflection of the notions of policy held by its members? The question recalls the controversy over whether judges make or find the law. A generation or two ago it was thought rather daring to insist that judges make law. Old Jeremiah Smith, who began the teaching of law at Harvard after a career on the New Hampshire Supreme Court, properly deflated the issue. 'Do judges make law?' he repeated. 'Course they do. Made some myself.' Of course Supreme Court Justices decide cases on the basis of their ideas of policy.

"But to say this, as to say the judges make law, is not the end but only the beginning of sophistication. For there are levels of policy; and in Supreme Court litigation, values, like troubles, come not single file but in battalions."

Volume I, de Tocqueville, Democracy in America, (Bradley edition, 1948), page 280: "Scarcely any political question arises in the United States that is not resolved sooner or later in a judicial question."

The Supreme Court, as Maker of Policy: See review of Rodell's Nine Men by Professor Francis W. Coker in the Yale Law Journal, February 1956, particularly page 589 and citations therein contained, April 12, 1956.

Robert H. Jackson, The Supreme Court in the American System of Government (1955): "Mr. Justice Jackson has an entire chapter (ch. III) devoted to The Supreme Court as a Political Institution. The following excerpts are taken from that chapter:

" 'Few accusations against the Supreme Court are made with more heat and answered with less candor than that it makes political decisions. Of course, the line between political science and legal science is not fixed and varies with one's definition of his terms. Any decision that declares the law under which a people must live or which affects the powers of their institutions is in a very real sense political. I have previously quoted Judge Cardozo, who contrasted the New York Court of Appeals and the United States Supreme Court in these terms: "It [the New York Court of Appeals] is a great common law court; its problems are lawyers' problems. But the Supreme Court is occupied chiefly with statutory construction—which no man can make interesting—and with politics" (Jackson, Full Faith and Credit, p. 2 (1945)). Of course, he used politics in no sense of partisanship but in the sense of policymaking' (pp. 53–54).

* * * * *

" 'The judicial power of the Supreme Court however, does extend to all cases arising under the Constitution, to controversies to which the United States is a party, and to those between two or more States. Thus, the Court must face political questions in legal form, for surely a controversy between two separately organized political societies does present a political question, even if waged with the formalities of a lawsuit. And any decision which confirms, allocates, or shifts power as between different branches of the Federal Government or between it and a constituent State is equally political, no matter whether the decision be reached by a legislative or a judicial process. Our Constitution was the product and expression of a virile political philosophy held by those who wrote it. Controversies over its meaning often spring from political motives, for the object of politics always is to obtain power. Such controversies have to be solved either by consideration of the experiences and statements of the framers which indicate the original will, or by reference to some relevant subsequent events and currents of opinion deemed controlling. And all constitutional interpretations have political consequences' (pp. 55–56).

* * * * *

" 'Only those heedless of legal history can deny that in construing the Constitution the Supreme Court from time to time makes new constitutional law or alters the law that has been. And it is idle to say that this is merely the ordinary process of interpretation, as in the law of negotiable instruments, for example. While a vast and respectable body of learning on the law of bills and notes existed in the Western World, the Federal judiciary was not bound to apply it. The Supreme Court had even less jurisprudential guidance in solving its political or public law problems than in solving those of private law. The organic document itself was novel in phrase and philosophy, and there was no judicial experience and no very persuasive body of learning to aid in the interpretation of the instrument. True, the privy council in colonial times may have dealt with analogous controversies as to the ultra vires character of colonial acts, or as to the powers of colonial governments under royal charters. But in the Original States the people appear to have been highly sensitive about the newly acquired position of each State as a sovereign power, won by the treaty which recognized their independence; as parties to the Federal compact the States were not the equivalent of chartered colonial corporations. Small wonder, tnen that Marshall's great constitutional decisions cite no precedents, that they are argued out of political philosophy, and that later courts again and again have overruled outmoded doctrines and turned to new ones as political or economic conditions changed' (pp. 56–57).

* * * * *

" 'The political function which the Supreme Court, more or less effectively, may be called upon to perform comes to this: In a society in which rapid changes tend to upset all equilibrium, the Court, without exceeding its own limited powers, must strive to maintain the great system of balances upon which our free government is based. Whether these balances and checks are essential to liberty elsewhere in the world is beside the point; they are indispensable to the society we know. Chief of these balances are: First, between the Executive and Congress; second, between the Central Government and the States; third between State and State; fourth, between authority, be it State or national, and the liberty of the citizen, or between the rule of the majority and the rights of the individual' (p. 61).

* * * * *

" 'It is hard to conceive a task more fundamentally political than to maintain amidst changing conditions the balance between the executive and legislative branches of our Federal system. The Supreme Court often is required to arbitrate between the two because litigation in one form or another raises questions as to the legitimacy of the acts of one branch or the other under the doctrine of separation of powers. In such cases the Court has found no precedent from any other country or in the judicial interpretation of any similar written instrument, and it has had to devise its own doctrine from time to time' (p. 62).

* * * * *

" 'Judicial power to nullify a law duly passed by the representative process is a restriction upon the power of the majority to govern the country. Unrestricted majority rule leaves the individual in the minority unprotected. This is the dilemma and you have to take your choice. The Constitution makers made their choice in favor of a limited majority rule.

" 'In interpreting that limitation, of course, the Supreme Court from time to time makes and alters the law of the Constitution. It is idle to say that this is merely the ordinary process of private law interpretation' (p. 79).

* * * * *

" 'If an organized society wants the kind of justice that an independent, professional judicial establishment is qualified to administer, our judiciary is certainly a most effective instrument for applying law and justice to individual cases and for cultivating public attitudes which rely upon law and seek justice' " (p. 80).

Maryland v. *Baltimore Radio Show, Inc., et al.* (opinion of Frankfurter, J.) (338 U. S. 917–918) "A variety of considerations underlie denials of the writ, and as to the same petition different reasons may lead different Justices to the same result. This is especially true of petitions for review on writ of certiorari to a State court. Narrowly technical reasons may lead to denials. Review may be sought too late; the judgment of the lower court may not be final; it may not be the judgment of a State court of last resort; the decision may be supportable as a matter of State law, not subject to review by this Court, even though the State court also passed on issues of Federal law. A decision may satisfy all these technical requirements and yet may commend itself for review to fewer than four members of the Court. Pertinent considerations of judicial policy here come into play. A case may raise an important question but the record may be cloudy. It may be desirable to have different aspects of an issue further illumined by the lower courts. Wise adjudication has its own time for ripening."

Mr. WATKINS. Mr. President, I submit that in view of all the evidence taken in this proceeding by the subcommittee, of which I was a member—and I heard most of it—there can be no question as to the qualifications of Mr. Sobeloff to hold the high and important position of Judge of the 4th Circuit Court. No case has been made against him. There have been distorted interpretations of what he has said, which do not reflect his views at all. On the strength of representations of a man who is patently unable properly to interpret it, an old case of 20 years ago has been brought before the committee.

I feel that under all the circumstances a great injustice would be done to this great lawyer and fine American citizen if his nomination were not confirmed by the Senate.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. JOHNSTON of South Carolina. I believe the Senator has been a judge. Upon any occasion when a question arose concerning a matter with respect to which there was a record, and it was brought to the attention of the court——

Mr. WATKINS. I cannot hear the Senator.

Mr. JOHNSTON of South Carolina. I understand that the Senator has been a judge. Any time any question arose in regard to a subject with respect to which a record had been made, the Senator considered the record the best evidence; did he not?

Mr. WATKINS. In a judicial proceeding; yes.

Mr. JOHNSTON of South Carolina. In a case such as this, when a question has been raised that a man represented various interests, and it is recorded in the record that he appeared in various capacities, is not the record the best place to find out the truth?

Mr. WATKINS. The testimony of any responsible, substantial person who had any knowledge of the situation was given due consideration by the subcommittee. We had copies of some parts of the record which we felt were pertinent. But we did not consider it pertinent to the hearing on the qualifications of the nominee, to review an old record of 20 years ago, on the basis of a charge made by a man who knew nothing about the interpretation of the record, and who came forward without any standing whatsoever, to challenge the qualifications of Mr. Sobeloff.

Mr. JOHNSTON of South Carolina. If the Senator had examined the record, he could have learned whether or not Mr. Sobeloff was defending certain of the stockholders; and if later the Senator found that he was representing the receiver, and still later found him representing a bank, bringing suit in an effort to try to collect from the receiver, would not that be a situation in which there would be a diversity of interest?

Mr. WATKINS. Does the Senator wish to ask one question, or three or four questions at once?

We went over every pertinent allegation. We found that Mr. Sobeloff did not represent anyone who was in conflict with anyone else. His investigation was made on behalf of all the creditors of the bank, including the stockholders. The money he recovered went to everyone who had a justified claim against the bank. He was a special officer of the court for one specific purpose, to investigate charges of misconduct on the part of the directors and officers of the bank. He had nothing to do with the stockholders in that investigation.

Mr. JOHNSTON of South Carolina. He brought 15 suits. Probably the Senator from Utah has not seen that record. He has acknowledged he has not seen it.

Mr. WATKINS. I knew enough about it——

Mr. JOHNSTON of South Carolina. The Senator will find that in the record.

Mr. WATKINS. I know about that part of the record. He brought suits upon the evidence he had found against the directors. That was in the interest of everyone except the directors.

Mr. JOHNSTON of South Carolina. In his first appearance, he was defending when the receiver was bringing suit for the stockholders.

Mr. WATKINS. He was not defending anyone. He was on the other side of the issue.

Mr. JOHNSTON of South Carolina. He was not defending anyone?

Mr. WATKINS. No.

Mr. JOHNSTON of South Carolina. He was representing them. I do not believe a lawyer goes to court without representing someone.

Mr. WATKINS. His actions were in the interest of recovering for depositors and other creditors damages from directors and other officers of the bank caused by their negligence in managing its affairs.

Mr. JOHNSTON of South Carolina. The case I have in my hand shows that he was trying to get a judgment for double liability.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Utah yield for a motion on another matter?

Mr. WATKINS. I yield.

(At this point Mr. JACKSON made a motion with reference to H. R. 5922, which appears elsewhere in today's RECORD.)

Mr. JOHNSTON of South Carolina. Mr. President, I move that the nomination of Simon E. Sobeloff be recommitted to the Committee on the Judiciary. After a quorum call is had I shall make a brief statement in behalf of the motion.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I understand that the Senator from South Carolina wishes to have the yeas and nays ordered on the motion to recommit.

Mr. JOHNSTON of South Carolina. I certainly do.

Mr. JOHNSON of Texas and Mr. KNOWLAND requested the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, my motion to recommit the nomination to the Committee on the Judiciary is to carry out the request I made on January 13, 1956. At that time I wrote a letter to the late Senator Harley M. Kilgore, chairman of the Committee on the Judiciary, in which I said:

JANUARY 13, 1956.

Senator HARLEY M. KILGORE,
Chairman, Senate Judiciary Committee,
Senate Office Building,
Washington, D. C.

DEAR HARLEY: As you know, the nomination by the President of Solicitor General Simon E. Sobeloff to be United States Circuit Judge, Fourth Circuit Court of Appeals, vice Martin A. Soper, retired, has been sent to the Judiciary Committee again for consideration and appropriate action.

You will recall, last session when Mr. Sobeloff's nomination came over from the President I requested time in which to conduct a study and inquiry into his background and qualifications for this high position in our judicial system. Several other Senators also desired to make inquiries into Mr. Sobeloff's qualifications and suitability. When Congress adjourned we had not completed our inquiries and, therefore, the nomination expired under section 6 of rule 38, Standing Rules of the Senate.

My studies into Mr. Sobeloff's background and qualifications have brought to my attention the case of *The State of Maryland* v. *The Baltimore Trust Company,* in which Mr. Sobeloff was an appointed officer of the court. This case has been pending in Circuit Court No. 2 of Baltimore, since 1935. In the early stages of this litigation, Mr. Sobeloff was appointed by the court having jurisdiction, "to investigate the affairs of the Baltimore Trust Co. and to report to the court on the question of the liability of its officers and directors." For this official and quasi-judicial service by order of the court, Mr. Sobeloff was allowed and paid a fee of $30,000.

The records of the court, I understand, disclose that Mr. Sobeloff thereafter represented and presented claims for clients against this insolvent defendant, the Baltimore Trust Co., wherein many depositors and claimants suffered heavy losses.

Also in my inquiry, the case of the Department of Justice versus the New York law firm of Sullivan & Cromwell came to my attention.

In this case the Justice Department charged the New York law firm with abusing three rules of integrity in an alleged conflict-of-interests case. The Justice Department charged that because a member of the law firm once was an attorney for the Economic Cooperative Administration that the firm, in essence, violated rules of integrity which "forbids an attorney to (1) accept a fee in matters adversely affecting the interest of a one-time client, (2) use confidences reposed by a former client to his own advantage, or (3) accept any employment with a matter which he investigated while in Government employ."

In studying Mr. Sobeloff's activities in the case of *Maryland* v. *Baltimore Trust Company* and subsequent suits against the defendant in which Mr. Sobeloff represented clients, it appears to me that a striking parallel exists between Mr. Sobeloff's position and that of the law firm of Sullivan and Cromwell.

Facilities of a Senator, as you well know, for conducting complete investigations into such matters are very limited. We, the members of the Judiciary Committee, are charged with the duty of passing judgment on nominations to our courts. In fairness to our citizens who will be seeking relief through the Fourth Circuit Court of Appeals, in fairness to Mr. Sobeloff, and in fairness to our committee members, I believe this matter, as I have outlined, should be thoroughly and completely investigated by a special subcommittee.

Therefore, I respectfully request that you, as chairman of the committee, appoint a subcommittee to hold hearings and conduct a thorough investigation of the facts concerning Mr. Sobeloff which I have outlined in this letter as well as any other questions dealing with his qualifications, in order that we may determine with finality whether or not Mr. Sobeloff is eligible to be confirmed to this high court position.

I respectfully suggest that the subcommittee be empowered to engage the service of a certified public accountant, attorneys, and/or such personnel as are necessary to study with detail this case and its many ramifications, and any other matters that may arise concerning this nomination.

Your careful consideration of this request will be greatly appreciated.

With kindest regards, I am,

Sincerely yours,

OLIN D. JOHNSTON.

Mr. President, it will be found that I requested the records. When the nomination was reported by the subcommittee to the full committee I asked a question. I shall read enough from the hearings to show what we were talking about in the record. It will be found on page 239 of the committee hearings before the full committee:

At the outset, I asked the subcommittee to see the records. I do not understand that the committee has seen the official records to this very moment. Is that so?

Senator WATKINS. I do not think we have seen the records. They go back 20 years, and there was not the slightest evidence to show conflict of interest so far as I could——

Senator JOHNSTON. The newspaper accounts show the record. They are not here.

The CHAIRMAN. Is Mr. Shankroff here?

Senator JOHNSTON. I will hand the chairman, which I close with, my initial suggestion, and which will contain other papers I think this subcommittee should study.

It should not be difficult to get the records, Mr. President. If the committee will get the records, they will see that Sobeloff represented adverse interests.

For that reason, Mr. President, I am asking that the committee be given the privilege and the opportunity to inquire further into this situation. If the records clear Mr. Sobeloff, very well; but if it is shown that he represented adverse interests, then I think the Senate should not confirm his nomination.

For that reason, Mr. President, I move that the nomination be recommitted to the Judiciary Committee, so that it can determine the facts according to the records. Any lawyer will say that the records are the best evidence; and without the best evidence we are faced with hearsay evidence and only hearsay evidence.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina to recommit the nomination of Simon E. Sobeloff to the Committee on the Judiciary. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Georgia [Mr. GEORGE], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Mississippi, [Mr. STENNIS] are absent on official business.

On this vote the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Texas [Mr. DANIEL]. If present and voting, the Senator from New Mexico would vote "nay" and the Senator from Texas would vote "yea."

The Senator from Georgia [Mr. GEORGE] is paired with the Senator from Colorado [Mr. MILLIKIN]. If present and voting the Senator from Georgia would vote "yea" and the Senator from Colorado would vote "nay."

The Senator from Tennessee [Mr. KEFAUVER], is paired with the Senator from Mississippi [Mr. STENNIS]. If present and voting, the Senator from Tennessee would vote "nay" and the Senator from Mississippi would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Colorado [Mr. MILLIKIN] is necessarily absent.

The Senators from South Dakota [Mr. MUNDT and Mr. CASE] and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Arizona [Mr. GOLDWATER], and the Senator from North Dakota [Mr. YOUNG] are detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Wisconsin [Mr. WILEY] would each vote "nay."

On this vote, the Senator from Colorado [Mr. MILLIKIN] is paired with the Senator from Georgia [Mr. GEORGE]. If present and voting, the Senator from Colorado would vote "nay," and the Senator from Georgia would vote "yea."

The result was announced—yeas 20, nays 63, as follows:

YEAS—20

Byrd	Jenner	Russell
Eastland	Johnston, S. C.	Scott
Ellender	Long	Sparkman
Ervin	Malone	Welker
Frear	McCarthy	Williams
Hayden	McClellan	Wofford
Hill	Robertson	

NAYS—63

Aiken	Fulbright	Mansfield
Allott	Gore	Martin, Iowa
Anderson	Green	Martin, Pa.
Barrett	Hennings	McNamara
Beall	Hickenlooper	Monroney
Bender	Holland	Morse
Bennett	Hruska	Murray
Bible	Humphrey, Minn.	Neely
Bricker	Humphreys, Ky.	Neuberger
Bush	Ives	O'Mahoney
Butler	Jackson	Pastore
Capehart	Johnson, Tex.	Payne
Carlson	Kennedy	Purtell
Case, N. J.	Kerr	Saltonstall
Clements	Knowland	Schoeppel
Cotton	Kuchel	Smathers
Curtis	Laird	Smith, Maine
Dirksen	Langer	Smith, N. J.
Douglas	Lehman	Symington
Duff	Magnuson	Thye
Dworshak	McNamara	Watkins
Flanders	Monroney	

NOT VOTING—13

Bridges	Goldwater	Stennis
Case, S. Dak.	Kefauver	Wiley
Chavez	Millikin	Young
Daniel	Mundt	
George	Potter	

So the motion to recommit was rejected.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on the confirmation of the nomination.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. FREAR in the chair). The question is, Will the Senate advise and consent to this nomination? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Georgia [Mr. GEORGE], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

I further announce that the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Texas [Mr. DANIEL]. If present and voting, the Senator from New Mexico would vote "yea" and the Senator from Texas would vote "nay."

The Senator from Georgia [Mr. GEORGE] is paired with the Senator from Colorado [Mr. MILLIKIN]. If present and voting the Senator from Georgia would vote "nay" and the Senator from Colorado would vote "yea."

The Senator from Tennessee [Mr. KEFAUVER] is paired with the Senator from Mississippi [Mr. STENNIS]. If present and voting, the Senator from Tennessee would vote "yea" and the Senator from Mississsippi would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Colorado [Mr. MILLIKIN] is necessarily absent.

The Senators from South Dakota [Mr. MUNDT and Mr. CASE], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Arizona [Mr. GOLDWATER], and the Senator from North Dakota [Mr. YOUNG] are detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Wisconsin [Mr. WILEY] would each vote "yea."

On this vote, the Senator from Colorado [Mr. MILLIKIN] is paired with the Senator from Georgia [Mr. GEORGE]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Georgia would vote "nay."

The result was announced—yeas 64, nays 19, as follows:

YEAS—64

Aiken	Fulbright	Malone
Allott	Gore	Mansfield
Anderson	Green	Martin, Iowa
Barrett	Hayden	Martin, Pa.
Beall	Hennings	McNamara
Bender	Hickenlooper	Monroney
Bennett	Hruska	Morse
Bible	Humphrey, Minn.	Murray
Bricker	Humphreys, Ky.	Neely
Bush	Ives	Neuberger
Butler	Jackson	O'Mahoney
Capehart	Johnson, Tex.	Pastore
Carlson	Kennedy	Payne
Case, N. J.	Kerr	Purtell
Clements	Knowland	Saltonstall
Cotton	Kuchel	Schoeppel
Curtis	Laird	Smathers
Dirksen	Langer	Smith, Maine
Douglas	Lehman	Smith, N. J.
Duff	Magnuson	Symington
Dworshak	McNamara	Thye
Flanders	Monroney	Watkins

NAYS—19

Byrd	Jenner	Scott
Eastland	Johnston, S. C.	Sparkman
Ellender	Long	Welker
Ervin	McCarthy	Williams
Frear	McClellan	Wofford
Hill	Robertson	
Holland	Russell	

NOT VOTING—13

Bridges	Goldwater	Stennis
Case, S. Dak.	Kefauver	Wiley
Chavez	Millikin	Young
Daniel	Mundt	
George	Potter	

So the nomination of Simon E. Sobeloff was confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. The President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 1358. An act to authorize modification of the flood-control project for Missouri River Agricultural Levee Unit 513–512–R, Richardson Couny, Nebr.;

S. 1384. An act to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes;

S. 2092. An act transferring to the jurisdiction of the Department of the Army the bridge across the Missouri River between the Fort Leavenworth Military Reservation in Kansas and Platte County, Mo., and authorizing its removal;

S. 2305. An act to exclude certain lands from Acadia National Park, Maine, and to authorize their disposal as surplus Federal property;

S. 2424. An act to provide that lock and dam No. 17 on the Black Warrior River, Ala., shall hereafter be known and designated as the John Hollis Bankhead lock and dam;

C. 2517. An act to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska;

S. 2711. An act to authorize medals and decorations for outstanding and meritorious conduct and service in the United States merchant marine, and for other purposes;

S. 3032. An act granting the consent and approval of Congress to the Middle Atlantic Interstate Forest Fire Protection Compact;

S. 3120. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;

S. 3180. An act to amend title 28 of the United States Code to authorize the appointment of two United States Commissioners for Cumberland Gap National Historical Park;

S. 3344. An act to authorize the Secretary of Agriculture to convey to the Territory of Alaska certain lands in the city of Sitka, known as Baranof Castle site;

S. 3388. An act to provide for the conveyance of certain real property of the United States to the port of Port Townsend, Wash.;

S. 3397. An act to amend section 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, and for other purposes;

S. 3412. An act to extend the provisions of title XIII of the Civil Aeronautics Act of 1938, as amended, relating to war risk insurance for an additional 5 years;

S. 3482. An act to provide for transfer of title of certain lands to the Carlsbad Irrigation District, New Mexico; and

S. J. Res. 182. Joint resolution to extend the time for filing the final report of the Commission on Government Security to June 30, 1957, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 11124) to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. RODINO, Mr. ROGERS of Colorado, Mr. KEATING, and Mr. MCCULLOCH were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 11010) creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 10285) to merge production credit corporations in Federal intermediate credit banks; to provide for retirement of Government capital in Federal intermediate credit banks; to provide for supervision of production credit associations; and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 483) to amend the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy.

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

S. 1622. An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes;

S. 3982. An act to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories, and possessions, and for other purposes;

H. R. 2854. An act to amend title 18 of the United States Code, so as to increase the penalties, applicable to seditious conspiracy, advocating overthrow of Government, and conspiracy to advocate overthrow of Government;

H. R. 5838. An act to provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range;

H. R. 6501. An act to amend the act of July 17, 1914, to permit the disposal of certain reserve mineral deposits under the mining laws of the United States;

H. R. 8817. An act to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.;

H. R. 9333. An act to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manufacturers;

H. R. 11402. An act to extend the existing application of the Temporary Promotion Act of 1941, as amended, to the Coast Guard, and for other purposes;

H. R. 11683. An act to authorize permanent appointments in the Armed Forces of the United States, and for other purposes;

H. R. 11873. An act to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects; and

H. R. 11995. An act to provide that the 1955 formula for taxing income of life insurance companies shall also apply to taxable years beginning in 1956.

SOCIAL SECURITY AMENDMENTS OF 1956

The PRESIDING OFFICER (Mr. FREAR in the chair). The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, on behalf of the minority leader and myself, I send to the desk a proposed unanimous-consent agreement.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be read, for the information of the Senate.

The legislative clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That during the further consideration of the amendment of the Senator from Louisiana [Mr. LONG] to H. R. 7225, the social security bill, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader of some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement?

Mr. LEHMAN. Mr. President, reserving the right to object—and I shall not object—may I ask whether under the unanimous-consent agreement, it is intended to——

Mr. JOHNSON of Texas. I am going to make a statement about the plan of the leadership.

Mr. LEHMAN. Very well.

Mr. JOHNSON of Texas. It is not the intention of the leadership to have any votes tonight other than a vote on the Long amendment. Under the order previously entered, the Senate will meet at 10 o'clock tomorrow morning. It is our

hope that by coming early and staying late tomorrow night, and doing the same on Wednesday, we can complete consideration of the social security bill and send it to conference. We shall spend all day and evening tomorrow on the bill, and all day and evening Wednesday, if that is necessary.

I had stated to the sponsors of the Fryingpan-Arkansas project bill and the authors of the Hells Canyon project that we would try to accommodate each group on a day that would suit them for a vote on their respective proposals. The Senate has already voted on the Fryingpan-Arkansas project. I should like a vote on the Hells Canyon project on Wednesday, if possible, or at least on Thursday, but we shall have to let the bill go to conference with the House. For that reason, if we can get to a vote on the Long amendment tonight, we want to do so.

Mr. LEHMAN. The reason I raised a question is that I have some remarks I wish to make. I have already sent the text of the remarks to the gallery earlier in the day. While I certainly do not want to interfere in anyway with the early disposition of the bill——

Mr. JOHNSON of Texas. The unanimous consent agreement applies only to the Long amendment.

Mr. LEHMAN. That is satisfactory. I did not understand.

Mr. JOHNSON of Texas. The agreement applies only to that amendment.

The PRESIDING OFFICER. Is there objection to the proposed unanimous consent agreement? The Chair hears none, and the agreement is entered.

Mr. LONG. Mr. President, I call up my amendment, identified as 6–6–56–B, as modified.

The amendment, as modified, proposed by Mr. LONG for himself and Mr. GEORGE, Mr. BARRETT, Mr. BENDER, Mr. BIBLE, Mr. BUSH, Mr. CHAVEZ, Mr. CLEMENTS, Mr. DANIEL, Mr. DOUGLAS, Mr. EASTLAND, Mr. ELLENDER, Mr. GREEN, Mr. HENNINGS, Mr. HILL, Mr. HOLLAND, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSTON of South Carolina, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. KUCHEL, Mr. LANGER, Mr. LEHMAN, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MONRONEY, Mr. MORSE, Mr. MURRAY, Mr. NEELY, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. PASTORE, Mr. PAYNE, Mr. PURTELL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. WELKER, and Mr. YOUNG, is as follows:

On page 90, beginning with line 12, strike out all down to and including line 17 and insert in lieu thereof the following:

"PART V—AMENDMENTS TO MATCHING FORMULAS

"Amendments to matching formula for old-age assistance

"SEC. 341. (a) Section 3 (a) of the Social Security Act is amended to read as follows:

"'SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing October 1, 1956, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal (A) in the case of a State which is qualified therefor under subsection (c), to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $65—

"'(i) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received old-age assistance for such month; plus

"'(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and, (B) in the case of a State which is not qualified under subsection (c) to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

"'(i) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received old-age assistance for such month; plus

"'(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal to one-half of the total of the sums expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose.'

"(b) Section 3 of such act is amended by adding at the end thereof the following new subsection:

"'(c) (1) A State shall be qualified to receive the amount provided by the formula contained in subsection (a) (1) (A) with respect to any quarter, beginning with the quarter commencing October 1, 1956—

"'(A) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955; and

"'(B) if, in the case of any quarter occurring after the quarter commencing January 1, 1957, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955.

"'(2) A State which has qualified under paragraph (1) of this subsection to receive the amount provided by the formula contained in subsection (a) (1) (A) for not less than 4 consecutive quarters shall be qualified to receive such amount for all subsequent quarters.'

"Amendments to matching formula for aid to the blind

"SEC. 342. (a) Section 1003 (a) of the Social Security Act, as amended by section 312 (c) of this act, is amended to read as follows:

"'SEC. 1003. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind for each quarter, beginning with the quarter commencing October 1, 1956 (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount equal (A) in the case of a State which is qualified therefor under subsection (c), to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $65—

"'(i) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received aid to the blind for such month; plus

"'(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and, (B) in the case of a State which is not qualified under subsection (c) to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

"'four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received aid to the blind for such month; plus

"'(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount equal to one-half of the total of the sums expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for and recipients of aid to the blind to help them attain self-support or self-care.'

"(b) Section 1003 of such act is amended by adding at the end thereof the following new subsection:

"'(c) A State shall be qualified to receive the amount provided by the formula contained in subsection (a) (1) (A) with respect to any quarter, beginning with the quarter commencing October 1, 1956—

"'(1) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955; and

"'(2) if, in the case of any quarter occurring after the quarter commencing January 1, 1957, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such

plan for the calendar year commencing January 1, 1955.'

"Amendments to matching formula for aid to the permanently and totally disabled

"SEC. 343. (a) Section 1403 (a) of the Social Security Act, as amended by section 313 (c) of this act, is amended to read as follows:

"'SEC. 1403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the permanently and totally disabled, for each quarter, beginning with the quarter commencing October 1, 1956, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount equal, (A) in the case of a State which is qualified therefor under subsection (c), to the sum of the following proportions of the total amounts expended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $65—

"'(i) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received aid to the permanently and totally disabled for such months; plus

"'(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and (B) in the case of a State which is not qualified under subsection (c) to the sum of the following proportions of the total amounts extended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

"'(i) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received aid to the permanently and totally disabled for such month; plus

"'(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount equal to one-half of the total of the sums expended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for and recipients of such aid to help them attain self-support or self-care.'

"(b) Section 1403 of such act is amended by adding at the end thereof the following new subsection:

"'(c) A State shall be qualified to receive the amount provided by the formula contained in subsection (a) (1) (A) with respect to any quarter, beginning with the quarter commencing October 1, 1956—

"'(1) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955; and

"'(2) if, in the case of any quarter occurring after the quarter commencing January 1, 1957, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955.'

"Temporary extension of 1952 matching formula with respect to dependent children

"SEC. 344. Section 8 (e) of the Social Security Act Amendments of 1952 (66 Stat. 767, 780), as amended, is amended to read as follows:

"'(e) The amendments made by subsections (a), (c), and (d) of this section shall be effective for the period beginning October 1, 1952, and ending with the close of September 30, 1956, and the amendment made by subsection (b) shall be effective for the period beginning October 1, 1952, and ending with the close of June 30, 1959, and after such amendments cease to be in effect any provision of law amended thereby shall be in full force and effect as though this act had not been enacted.'

"Effective date

"SEC. 345. The amendments made by this part shall become effective October 1, 1956."

Mr. LONG. Mr. President, the amendment which is printed at the desk has been modified to advance the effective date from July 1 to October 1. This modification was necessary, because the quarter commencing on July 1 has already begun, and it would not be administratively practical to put the proposed amendment into effect before October 1 of this year. The amendment would do three things:

First. It would liberalize Federal aid to State welfare programs for old-age assistance, assistance to needy blind, and assistance to needy permanently and totally disabled persons. Under existing law, a State contribution of $5 is matched by a Federal contribution of $20. It is proposed by the bill, as reported by the Finance Committee, to continue that matching formula for another 2 years. The amendment which I am offering, together with 45 other Senators, would liberalize the matching formula by requiring the Federal Government to match a State contribution of $5 with a contribution of $25 of Federal funds. This should make it possible for almost 3 million needy people to have an additional $5 per month added to their welfare payments.

In the second place, the amendment would advance the maximum figure which the Federal Government will match. At present a State contribution of $20 will be matched by a Federal contribution of $35 for a maximum figure of $55, at which point Federal matching ceases. The amendment before us would change this formula to provide that a State contribution of $22.50 would be matched by a Federal contribution of $42.50, thereby advancing the maximum figure subject to Federal matching to a total payment of $65 for a needy welfare recipient.

The third thing that the amendment would accomplish is that it would require a State benefiting from the liberalized matching formula to pass the increase in Federal funds along to the persons presently on the welfare rolls. This provision is necessitated by the fact that in earlier years a considerable number of States have taken advantage of liberalized Federal matching for welfare purposes to reduce their State contributions. In seeking to benefit the 3 million needy aged, blind, and disabled persons of this country we wish to insist that the States should not shirk their responsibilities and shift the burden to the Federal Government, while reducing their State contributions. It is for that reason that the "pass on" provision would require that a State should not reduce its average per capita contribution to welfare clients below the average monthly State contribution for the calendar year 1955. The "pass on" provision applies for only one year, recognizing that in future years States may find it increasingly difficult to comply with this requirement, particularly in view of the fact that there is an increase in the tendency to make supplemental welfare payments to recipients of small social security payments. In such cases, the average State contribution tends to decline on a per capita basis, because the welfare payments must be reduced by the amount of social security payments that the individual receives.

Mr. GORE. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Louisiana yield to the Senator from Tennessee?

Mr. LONG. I yield.

Mr. GORE. Is the Senator from Louisiana convinced that this provision of his amendment would prevent the States from accepting the larger sum of money and, instead of using it to increase the stipend for those who now are on the rolls of the welfare program, using the money to put more people on the rolls?

Mr. LONG. Yes. If the State did that, it would not have the benefit of the liberalized matching formula; in other words, the State could continue with the present formula, but would not have the advantage of sharing in the new matching formula.

Mr. GORE. Mr. President, will the Senator from Louisiana yield further?

Mr. LONG. I yield.

Mr. GORE. Do I correctly understand that the Senator from Louisiana is not, by means of his amendment, undertaking to reach a determination that there are within a given State more persons who should be added to the welfare rolls; but, instead, that he is proposing that the Federal Government increase the amount of funds to be matched by the States, in order to give an increased monthly payment to those who presently are on the rolls?

Mr. LONG. That is correct.

Mr. GORE. Mr. President, will the Senator from Louisiana yield further to me?

Mr. LONG. I yield.

Mr. GORE. Then, I understand that the Senator from Louisiana has reached the determination that the amount which the recipients of welfare assistance are

now receiving is inadequate. Is that correct?

Mr. LONG. Yes; there is no doubt that they need increased assistance. This amendment would provide additional funds as a Federal expenditure, to increase Federal matching for welfare purposes.

Mr. GORE. Will the Senator from Louisiana state how much a month the increase would amount to, under his amendment?

Mr. LONG. The amendment would provide that if a welfare recipient were receiving less than $55, his welfare payment would be increased by $5. If he is now receiving as much as $57.50—in other words, if the State is going beyond the point at which Federal matching ceases, and is putting up in addition, as much as $2.50 or more, which is not at present subject to Federal matching—then that individual's welfare check could be increased by as much as $7.50, because Federal matching is extended to $65, instead of $55, as under the present law.

Another thing that the amendment would accomplish is to continue the present matching formula as established by the McFarland amendment of 1952 for those States which failed to comply with the "pass on" provision. Senators will recall that the McFarland amendment in 1952 liberalized Federal matching for State welfare purposes. Prior to that time, a State contribution of $5 was matched by a Federal contribution of $15 for the first $20, and an additional State contribution of $15 was to be matched by a Federal contribution of an additional $15, to a maximum payment of $50, at which point the Federal matching ceased. The McFarland amendment established the present matching formula of $20 Federal money to match the first $5 of State contribution, and with an additional $15 of State funds to be matched by $15 of Federal funds to a maximum payment of $55 per recipient. The McFarland amendment was adopted as a 2-year provision. It has subsequently been extended, and it will be extended again if the committee bill is passed without amendment.

The difference between my amendment and the committee amendment in this respect is that my amendment would make the matching formula permanent, insofar as the McFarland amendment is concerned, for States which failed to comply with the "pass on" provision. My amendment would also make permanent the liberalized matching formula for States which complied with the "pass on" provision.

The cost of this amendment is estimated to be $208 million annually, assuming that all 48 States and the territories of Hawaii and Alaska comply with the "pass on" provision in order to take advantage of the liberalized matching formula.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG. I yield.

Mr. HUMPHREY of Minnesota. So as to make the record clear, let me ask whether the Senator from Louisiana is saying that the cost he has mentioned—namely, $208 million annually—would be for the $65 maximum.

Mr. LONG. Yes.

Mr. HUMPHREY of Minnesota. Is that correct?

Mr. LONG. Yes.

Mr. HUMPHREY of Minnesota. Because the "pass on" provision to which the Senator from Louisiana refers is for the formula in the Long amendment, which goes beyond the formula now in effect; is that correct?

Mr. LONG. The amendment includes both; it also includes increasing the maximum to $65. The entire cost of the program for the aged, the disabled, and the blind, would be $208 million annually.

Mr. HUMPHREY of Minnesota. But the second formula the Senator from Louisiana has mentioned—that in connection with the $65—is where there is a passing on of the increased Federal contribution, plus a continuation of the State's contribution to the recipient; is that correct?

Mr. LONG. Yes; that is correct.

As a practical matter, the amendment means that 2,552,000 needy, aged persons over 65 years of age, together with 105,000 needy blind persons, and 250,000 totally and permanently disabled persons, would receive at least $5 additional in their monthly welfare payments, beginning October 1 of this year.

Mr. President, there are many reasons why the amendment should be adopted. In the first place, the cost of living has advanced since the so-called McFarland amendment of 1952. Furthermore, after the steel strike of this year, the cost of living will advance again.

In the second place, the low-income States have never been able to provide adequately for the needy persons in those States. The studies which I have placed in the RECORD on earlier occasions demonstrate that 24 percent of all aged persons over the age of 65 have no money income whatsoever—none. Think of that, Mr. President. Even taking welfare payments into consideration, 24 percent of our aged persons beyond age 65 have no money income whatsoever. Sixty-seven percent of aged persons beyond 65 years have less than $1,000 a year of income. This is taking into consideration the welfare and social security payments as a part of income. Even so, 67 percent have less than $1,000 a year of income. There are more than 9 million people in this category. Of these 9 million people, the 2,500,000 who for the most part represent the least of them all, the most unfortunate, and the most needy, are receiving welfare payments under State programs with Federal aid. There are approximately 250,000 disabled persons and 105,000 needy blind persons who find themselves in a similar situation.

Mr. President, I regard this amendment as good government, good economics, and good Christian charity. The millions of people who would be benefited by this amendment have worked hard during their early years to help build this great Nation. Now they are no longer productive. At a modest additional cost, we can assist them in a way that will be genuine and meaningful, although the increase is modest.

A person attempting to exist on a $40 welfare check will be greatly assisted by an additional $5 per month.

While the amount is small to a United States Senator, it is large and important to these individuals.

I am sure Senators would want to vote for the amendment if we consider it in its perspective. During this Congress nothing substantial has been done to assist the category of people for whom I am pleading at this moment. Great things have been done for others who are more fortunate. For example, we have increased pay and allowances for Federal civil service, military, and legislative employees by a total that exceeds $1,200,000,000. We led the way with a 50 percent pay raise for Members of the United States Senate and House of Representatives. I hardly think any Member of this body who voted to increase his own pay by $7,500 per year on an annual basis could find it in his conscience to vote to deny a mere $5 monthly increase in welfare payments to the 3 million needy persons. As a practical matter, I would like to suggest to my colleagues that those 3 million needy persons would never understand it.

The figure we have appropriated in this Congress for the soil bank exceeds six times the cost of this proposed amendment. The amount we have provided in this Congress for Federal pay raises exceeds six times the cost of this amendment. The amount by which we increased the authorization for the foreign-aid program over last year's appropriation exceeds by nine times the cost of this amendment. As a matter of fact, the cost of this amendment to benefit 3 million needy persons in the United States is approximately the same as the annual cost of the aid to Tito's Communist Government of Yugoslavia.

I hardly believe that any Member of this body who has held the prevailing view that the minimum wage should be increased, that highway workers and other Federal workers should have major pay raises, that social security payments should be advanced, and that the Federal Government should increase its contribution for survivors of civil and military personnel of the Government and retired Government workers by an amount that almost doubles the cost of the present amendment—I hardly believe that such Senators will want to vote to deny 3 million needy people in America the opportunity to live about 10 percent better.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. SYMINGTON. I have an amendment which I shall offer on behalf of my colleague, the distinguished senior Senator from Missouri [Mr. HENNINGS] and myself. I have discussed it with the distinguished Senator from Louisiana. I should like to make a brief statement with respect to that amendment.

Mr. LONG. I yield sufficient time for that purpose.

Mr. SYMINGTON. To assure that the States will not reduce their present contributions by the amount the Federal Government increases its contributions, the Senator from Louisiana

[Mr. LONG] has included the "pass along provision" in his amendment for 1 year.

I completely agree with the philosophy of this provision. Additional Federal funds should be passed along to the old age assistance recipients for whom they are intended.

In my State, however, and I am sure in many other States, this "pass along provision" may create some serious problems. Because of the recent broadening of old age and survivors insurance program, many people are now coming on the OASI rolls for the first time as they reach 65 at a very small monthly pension. Many of these senior citizens, on the basis of need, also receive assistance. Therefore average old age assistance payment may fluctuate and, in fact, may be reduced.

This reduction could come in some States where the best of faith is being observed. Missouri has always passed on to the old age assistance recipient every dollar of assistance possible. But our legislature does not meet again until next January 1, and this program goes into effect on October 1.

The same must be true in other States. Before Missouri could guarantee that the average payment from State funds would not go down, even slightly, the State Legislature would have to meet, perhaps change some of our law, and probably provide some additional State matching funds.

As a statement of Missouri policy, Mr. Proctor R. Carter, our State director of welfare since the initiation of the social security program 20 years ago, has written as follows:

> Here in Missouri we are very anxious that the full additional Federal money be passed on to every Old Age Assistance recipient immediately.

States acting in good faith should not be penalized. Therefore, Mr. President, I am offering an amendment to the Long amendment which will provide a basis for determining whether a decrease in average State contributions arises from good faith performance under the program or represents an unwillingness at the State level to pass on the additional Federal funds for the benefit of those for whom they are intended.

Our amendment would add needed flexibility to his worthwhile proposal without adding one iota to the Federal cost.

I offer this amendment to the Long amendment on behalf of the senior Senator from Missouri [Mr. HENNINGS] and myself.

Mr. MAGNUSON. Mr. President, will the Senator from Louisiana yield in order that I may ask the Senator from Missouri a question?

Mr. LONG. I yield.

Mr. MAGNUSON. I am glad the Senator is offering his amendment. In my State, after Congress had adopted the so called McFarland amendment, for some reason the money did not find its way into the checks of the pensioners. I think this amendment would correct that situation.

Mr. SYMINGTON. I thank the distinguished Senator from Washington.

Mr. MAGNUSON. I should like to ask the Senator from Louisiana a question. The Senator will recall that I submitted an amendment with respect to the blind and disabled. The Senator from Louisiana accepted that amendment. I now understand that the gist of the amendment which I submitted on behalf of the blind and disabled is now included in the modified amendment offered by the Senator from Louisiana.

Mr. LONG. The Senator is correct. The Magnuson amendment is included in the amendment I am offering for myself and 45 other Senators. The Senator from Washington is one of the sponsors of the amendment.

With regard to the amendment offered by the Senator from Missouri [Mr. SYMINGTON], I believe the Senator has devised a practical amendment which meets the intention of the "pass on" provision. The effect is this: If there is a genuine reduction of need—for example, if more and more of the aged people are receiving social security income, as the State takes additional people onto the welfare rolls, there is a tendency for the State to reduce the average State contribution, because the need of the recipient is not so great as it was previously.

Mr. SYMINGTON. That is correct.

Mr. LONG. If, as a result of that set of circumstances a per capita reduction in the contribution is called for, the State can show that it is acting in good faith by passing on the additional contribution. But if, because of a change in condition, with new recipients coming on the rolls as they reach 65, there is a slight reduction in the State contribution, which is not the result of a change in the State policy, or a desire to reduce its contribution, the State will not be penalized because the State contribution is somewhat smaller. I believe that the amendment of the Senator from Missouri is carefully drawn. I consulted with the Senator from Missouri about it. I spent many hours in correspondence with the director of welfare of the State of Missouri. I am convinced that the Missouri authorities have every intention of complying with the "pass on" provision. If a reduction in the State contribution should result because of the change of circumstances as described above, and not because of any change in State policy or State administration, the State should not be penalized if it can prove its good faith in that regard.

Mr. SYMINGTON. I thank the Senator for expressing the purpose of the amendment so ably and so clearly. He is properly recognized as an authority in this field.

Mr. LONG. I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. AIKEN. In reading the Senator's amendment I find that, in order to understand exactly what it does, one would have to be familiar with the old-age assistance laws. So I ask the Senator if he can tell us, in a few words, how much this amendment would increase the payment to old-age assistance recipients.

Mr. LONG. As a practical matter, it seems that if the 2,500,000 aged persons, the quarter of a million disabled persons, and the 105,000 needy blind persons are at present receiving $55 or less in welfare payments, they will receive a $5 increase, because of additional Federal matching, and the State will be required, in effect, to pass it on to them.

If they are receiving more than $55, if they are in one of the 20-odd high-payment States which are already paying their welfare assistance recipients a greater figure than the Federal Government will match—for example, certain States have gone to $60 or $65, whereas the Federal matching stops at $55—the Federal matching will continue up to $65. In the high-payment States the recipient would receive $7.50 additional, because the matching would continue on up to the higher figure.

Mr. AIKEN. I suppose the Senator from Louisiana has explained all this before I came on the floor. However, I should like to ask him whether it is possible for a State to pass on the Federal payment and reduce the State's own payment to the recipient of old-age assistance.

Mr. LONG. No. That is the reason for the pass-on provision which I have discussed.

Mr. AIKEN. Then if a State reduces its own payment, it would not be entitled to the additional Federal payment. Is that correct?

Mr. LONG. That is correct. The State would not be entitled to participate in the amount of the matching.

Mr. AIKEN. The Senator's amendment applies to the totally disabled and to the blind and——

Mr. LONG. It applies to the aged, the totally disabled, and the totally blind. The total is approximately 3 million people.

Mr. AIKEN. It would amount to a Federal increase of, we will say, in most cases, of from $5 to $7.50 a month. Is that correct?

Mr. LONG. Yes; it would vary from $5 to $7.50 a month. For most persons, it would amount to a $5 increase.

Mr. AIKEN. However, the State is not required to match that increase. Is that correct?

Mr. LONG. No; but the State would have to continue the average per capita contribution which the State was making.

Mr. AIKEN. Which the State is already making, but it would be required to pass on any additional Federal fund. However, in the event the coverage is expanded, as in the case of many States, would that mean that the total amount available to a State would have to be divided among all the recipients?

Mr. LONG. If the State wished to add additional persons to the rolls in any substantial number, it would be necessary for the State to put up additional funds to match the additional Federal funds which would then be available.

Mr. AIKEN. That is provided in the Senator's amendment. Is that correct?

Mr. LONG. That would be the effect of the amendment.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Missouri to the amendment of the Senator from Louisiana will be printed in the RECORD at this point.

The amendment offered by Mr. SYMINGTON to the amendment of Mr. LONG is as follows:

On page 4, line 15, insert "(i)" after "(A)."

On page 5, line 1, strike out "(B)" and insert in lieu thereof "(ii)."

On page 5, line 8, strike out the period and insert in lieu thereof "; or."

On page 5, between lines 8 and 9, insert the following new paragraph:

"(B) if the Secretary of Health, Education, and Welfare determines that neither the Governor nor the legislature of such State has, subsequent to the date of enactment of the Social Security Amendments of 1956 and prior to such quarter, taken action which resulted in a reduction of the amount of funds available for old-age assistance under the State plan for such quarter, and the State authorities responsible for the administration of the State plan have not, subsequent to such date of enactment and prior to such quarter, adopted a change of policy toward new applicants for old-age assistance which resulted in a reduction of the average monthly expenditure from State funds per recipient under the State plan for such quarter."

On page 7, line 24, insert "(A)" after "(1)".

On page 8, line 10, strike out "(2)" and insert in lieu thereof "(B)."

On page 8, line 17, strike out "1955." " and insert in lieu thereof "1955; or."

On page 8, between lines 17 and 18, insert the following new paragraph:

"(2) if the Secretary of Health, Education, and Welfare determines that neither the governor nor the legislature of such State has, subsequent to the date of enactment of the social-security amendments of 1956 and prior to such quarter, taken action which resulted in a reduction of the amount of funds available for aid to the blind under the State plan for such quarter, and the State authorities responsible for the administration of the State plan have not, subsequent to such date of enactment and prior to such quarter, adopted a change of policy toward new applicants for aid to the blind which resulted in a reduction of the average monthly expenditure from State funds per recipient under the State plan for such quarter."

On page 11, line 3, insert "(A)" after "(1)."

On page 11, line 13, strike out "(2)" and insert in lieu thereof "(B)."

On page 11, line 20, strike out "1955." " and insert in lieu thereof "1955; or."

On page 11, between lines 20 and 21, insert the following new paragraph:

"(2) if the Secretary of Health, Education, and Welfare determines that neither the governor nor the legislature of such State has, subsequent to the date of enactment of the social-security amendments of 1956 and prior to such quarter, taken action which resulted in a reduction of the amount of funds available for aid to the permanently and totally disabled under the State plan for such quarter, and the State authorities responsible for the administration of the State plan have not, subsequent to such date of enactment and prior to such quarter, adopted a change of policy toward new applicants for aid to the permanently and totally disabled which resulted in a reduction of the average monthly expenditure from State funds per recipient under the State plan for such quarter."

Mr. LONG. Mr. President, I am willing to accept the amendment of the Senator from Missouri. I so modify my amendment, to include the Symington amendment.

The PRESIDING OFFICER. The Senator from Louisiana has the right to so modify his amendment.

Mr. MARTIN of Pennsylvania. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. MARTIN of Pennsylvania. As I understand, the amendment of the junior Senator from Louisiana [Mr. LONG] has been modified by the amendment suggested by the Senator from Missouri [Mr. SYMINGTON]. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. LONG. Yes.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. CAPEHART. So that we may have a clear understanding of the situation, am I correct in understanding that the only provision in the amendment offered by the Senator from Louisiana is that which has been discussed during the colloquy between him and the senior Senator from Vermont [Mr. AIKEN]? Is that all that the amendment does? In other words, what the amendment does is to increase the payment to about 3 million people by approximately $5 each?

Mr. LONG. The Senator is correct.

Mr. CAPEHART. Is that all that the amendment would do?

Mr. LONG. It does that. Let me state it clearly to the Senator. The present law provides a matching formula of $20 of Federal money for the first $5 of State money. The amendment would increase that amount to $25 of Federal money to match the first $5 of State money.

The present law provides that then the Federal Government would match on a 50–50 basis the next $15, with a maximum payment of $55. My amendment would advance that figure to $65. It would mean that $22.50 of State money would be matched by $42.50 of Federal money.

Mr. CAPEHART. That is all that the amendment does. Is that correct?

Mr. LONG. There is one more step. The amendment further provides that to enable a State to take advantage of this liberalized matching formula, the State must not have reduced its per capita contribution to the welfare program.

Mr. CAPEHART. When was the last time that these 3 million people received an increase in their payments?

Mr. LONG. In 1952.

Mr. CAPEHART. By how much was the amount increased?

Mr. LONG. By $5.

Mr. CAPEHART. It was increased by $5 at that time?

Mr. LONG. That is correct.

Mr. CAPEHART. They have had no increase since 1952?

Mr. LONG. That is correct.

Mr. CAPEHART. That is all that the Senator's amendment does; it does only that one thing?

Mr. LONG. That is correct.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MARTIN of Pennsylvania. From what fund would this payment come?

Mr. LONG. It would come from the general revenues.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. LONG. I yield to the Senator from Colorado.

Mr. ALLOTT. As I understood the Senator's explanation, the first $5 of the State effort is matched by $20 of Federal effort. Is that correct?

Mr. LONG. That is correct. That is the present law.

Mr. ALLOTT. Then, beyond that and up to a total of $55, it is on a 50–50 matching basis. Is that correct?

Mr. LONG. That is correct.

Mr. ALLOTT. In other words, for every one-fifth of effort by a State, the Federal Government now makes four times that effort to match it. Is that correct?

Mr. LONG. That is correct; on the first $5. I am sure the Senator realizes why that is so. It is because it is very difficult for States with a low per capita income, such as Mississippi, Alabama, Arkansas, South Carolina, to find sufficient funds with which to provide for their needy, even though that is where the greatest need exists. It is for that reason that the matching is very liberal at that point.

Mr. ALLOTT. Perhaps the Senator has stated it, but I do not find any information in the record on that point, namely, as to the effort that is being made by the low-pension States to contribute to this amount. Can the Senator direct me to that information?

Mr. LONG. The State of Louisiana is a good example of that. Louisiana ranks third in the Nation on the per capita contribution to its welfare program. It makes nearly as great a per capita contribution, I might say to the Senator from Colorado, as the State of Colorado, which is one of the most outstanding States in that regard.

Mr. ALLOTT. For example, can the Senator tell me how the State of Colorado, since he has mentioned that State, will be affected in this instance? The State of Colorado has just received a notice from the Department of Health, Education and Welfare that it is in imminent danger of having the Federal contribution decreased or stopped, because its pensions are so generous that they exceed the need qualifications prescribed in the Federal statute.

Mr. LONG. My reaction toward the need qualifications in the Federal statute is that that is a relative matter. I believe in States rights, and therefore I believe that it is a matter which the States themselves can decide. If the State of Colorado wishes to do more for its aged people than the Federal law would match it in doing, it seems to me that that is completely the privilege of the State of Colorado.

As a matter of fact, the State of Louisiana to a lesser degree does the same thing. In Louisiana we have also advanced our welfare payments to aged persons beyond the $55, at which point the Federal matching ceases.

I might also say to the Senator from Colorado that there are at least 27 States which have felt there was a greater need for welfare assistance to their people than at the point at which the Federal Government would match State funds. The Senator's State, like mine, is among that number.

The amendment I have offered, so far as the Senator's State is concerned, means that aged persons who are drawing welfare payments, assuming the States comply with the pass-on provision, will receive an additional $7.50. That is the intention of the amendment.

Mr. ALLOTT. Mr. President, let me ask the Senator another question. Our people are receiving, from Federal and State sources, a total of $100 a month, or in excess of $100 a month. I cannot give the exact figure in dollars and cents, but it is at least $100 a month at the present time. The Senator's amendment would add $7.50, the Senator says, to that amount. The Department of Health, Education, and Welfare has already notified my State—and I have the correspondence in my file to that effect—that it is in imminent danger of having the Federal contribution stopped, because its assistance to our aged people is already in excess of the need formula.

Mr. LONG. I should like to make the prediction that they will not do it before the next election; and they should not do it at all.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. HUMPHREY of Minnesota. Might it be that the need formula needs to be revised?

Mr. LONG. As a matter of fact, the State of Colorado, insofar as its recipients are concerned, is one of the most liberal in making such payments. It has dedicated some of its revenue sources—as a matter of fact, all of its excise taxes—to this purpose and they are getting a great deal more revenue than anyone had anticipated the State would receive from those sources. It is true that in Colorado certain persons do receive a higher payment.

Mr. ALLOTT. Not merely certain persons, if I may add a word to what the Senator has said. I do not believe he means that. All our elder citizens who are on old-age assistance are receiving this amount. To do that, we assess a 2 percent sales tax, and all excise taxes except the gaoline tax are devoted to this purpose.

Mr. HUMPHREY of Minnesota. What is the amount?

Mr. LONG. Mr. President, I am not quarreling with the Colorado situation. That is Colorado's problem. If it wants to pay more than the Federal Government wishes to match, the State has a right to do that. If the Senator does not like the law in Colorado, I suggest that he take the matter up with the Governor of Colorado and with the State Legislature of Colorado.

I should like to suggest also that in his State 40 percent of the aged persons are receiving assistance. That does not make it the most liberal State. There are other States which are far more liberal in their eligibility requirements than is Colorado. Louisiana is one of them.

Mr. ALLOTT. Is there any State whose payments exceed those of Colorado?

Mr. LONG. Louisiana is much more liberal on eligibility requirements. We also make nearly as great a per capita contribution as Colorado does to the welfare program.

Mr. ALLOTT. Higher for whom? For the citizens or for those who are eligible?

Mr. LONG. For the citizens. The average citizen of Louisiana pays more money for the welfare program than does the average citizen of Colorado. There are far more needy people. We have a lower per capita income. Therefor, Louisiana provides very liberally under its welfare requirements and permits a much higher percentage of welfare payments than does the State of Colorado. The taxpayers of Louisiana are picking up a heavier end of the load than do the taxpayers in every State except Colorado and California, although I must say that the average payment is considerably higher in Colorado.

Mr. ALLOTT. It is high enough to bring a great many people into Colorado. I have no quarrel with the Colorado laws. I am for them, but I wish to make it perfectly clear that what the Senator is espousing is a proposal which will affect States which make less effort to take care of their senior citizens and give such States the benefit of Federal reimbursement and put a burden upon the States which already make a great effort to take care of their citizens.

Mr. LONG. Let me inform the Senator how this amendment will benefit his State to the exclusion of the low-payment States. The Senator is complaining about applying a more liberal Federal contribution against the first $5. On the other hand, when we consider the provision that extends matching up to the $65 figure the State of Mississippi has a right to complain. In Mississippi the average payment runs to $28.85. So that Mississippi will not get any benefit from advancing the maximum to 65. That will benefit States like Colorado.

Mr. ALLOTT. I should like to have the Senator explain to me how it will benefit Colorado. I am not speaking merely for Colorado, because there may be other States in the same situation. But when Colorado is already in such a situation that the Department of Health, Education, and Welfare is telling it that the Federal contributions may cease because it is, in effect, exceeding the needs formula, I should like to know how the Senator's amendment will affect the State of Colorado.

Mr. LONG. The beneficiaries are going to get an additional $7.50. If the Secretary of Health, Education, and Welfare, who is opposing this amendment, wants to tell Colorado he will cut off her matching welfare money, I rather doubt that Dwight D. Eisenhower will be willing to see the people denied Federal funds for welfare purposes. After all, he is the Executive, and he is Secretary Folsom's boss.

Mr. ALLOTT. Does not the Senator from Louisiana think the Secretary of HEW is compelled to comply with the law? The law provides that payments must be on a needs basis.

Mr. LONG. Is the Senator saying that his State has advanced payments beyond the point where he thinks it is wise?

Mr. ALLOTT. No.

Mr. LONG. It does not make the least bit of difference unless the recipients are not in need of the money. The Senator is saying that the Department is forced to comply with the law, and that the people do not need the money——

Mr. ALLOTT. Mr. President, will the Senator from Louisiana further yield?

Mr. LONG. I would rather the Senator would argue against the amendment on the time allotted to the opponents. I shall be glad to yield to the Senator, however.

Mr. ALLOTT. I do not like to have the Senator put words into my mouth which I have not said and which express no thought I have ever held in my life. I have not said here or anywhere else that the people of Colorado, the old people who are receiving old-age assistance, are receiving money in excess of what they deserve or what they need. I have never said that in my entire history. My purpose has been to fight for the peoples' rights and for a good old-age program for them. What the Senator says I have stated is not borne out by what I have said on the floor nor by my past actions.

Mr. LONG. I thought the Senator was opposed to the amendment.

Mr. ALLOTT. I am opposed to the amendment.

Mr. LONG. That is all I wanted to know.

Mr. ALLOTT. But I am not opposed to what the Senator says I am opposed to, which is an adequate program for aged people in Colorado.

Mr. LONG. It means an additional $7.50 for the average aged citizen in Colorado, and I hope they will get it. I shall do what I can to see that they do get it.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. HUMPHREY of Minnesota. It means an average of $7.50 for any recipient, does it not?

Mr. LONG. Yes.

Mr. HUMPHREY of Minnesota. And it would mean that in any State, would it not?

Mr. LONG. That is correct.

Mr. HUMPHREY of Minnesota. Where does the standard of the needs test find its way into this discussion? Is it Federal law or State law?

Mr. LONG. If I correctly understand the suggestion of the Senator from Colorado, there are some bureaucrats sitting in the Department of Health, Education, and Welfare who do not approve of a Federal matching for welfare purposes. Four years ago they opposed such an amendment, and they have steadily opposed all liberalizing of Federal matching. Some of them are Democrats, and some of them are Republicans, no doubt, and they are still opposing the matching formula and suggesting that the needy aged do not need the money. I believe that the need should be a question for State determination. I think the Federal Government should cooperate. I say that as a practical matter the needs are relative. If the State of Colorado thinks it should put up more of its own funds,

I doubt whether the Federal Government will cease making its contributions.

Mr. HUMPHREY of Minnesota. Is not the so-called needs test established by State law in each and every State and is it not more or less buried in counties within the States. The needs test is provided for by State law. The Federal Government has some general idea as to a medium of needs, but as I recall the statute—I may be in error—I do not think there is any particular dollar figure that indicates that over and above this point there is no need. I just took a look at the chart and saw, for example, that the State of Colorado has an average payment of $82.07. The State of Minnesota has an average payment of $70.13. I wonder if there is any Member of the Senate who thinks that is too much. I have never seen anyone get along on less money. If someone gets a few extra groceries on the side or a little extra rental, that is figured in the $70.13. It seems to me that if we were as generous with our own citizens as we have been recently with the citizens of Cambodia and other nations, it would be a good thing. As a matter of fact, $100 a month ought to be the minimum old-age assistance payment. If anyone thinks that is too much, I remember when the late Senator from Ohio, Mr. Taft, was talking in terms of $100 a month. That was several years ago. I cannot imagine anyone possibly subsisting on less, but people do subsist on less, apparently.

Mr. LONG. The national average is $54.

Mr. President, I am ready to yield the floor——

Mr. CURTIS. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. CURTIS. If I understood the Senator correctly, he said that all this amendment did was to give the recipients of old-age assistance $7.50 a month more. Is that correct?

Mr. LONG. The Senator is oversimplifying the situation.

Mr. CURTIS. I thought I was repeating the colloquy.

Mr. LONG. Under the matching formula—I have discussed this many times—it means an additional $5 of Federal matching against the first $5 of State money. It also means that the figure at which the Federal matching would cease would be advanced from $55 to $65.

Mr. CURTIS. The formula does change the system of Federal matching, does it not?

Mr. LONG. Yes.

Mr. CURTIS. And it makes it permanent law.

Mr. LONG. Of course, as the Senator realizes, any law can be changed by Congress.

Mr. CURTIS. Originally under the Social Security Act the matching formula was 50–50, was it not?

Mr. LONG. Yes.

Mr. CURTIS. In 1946 Congress changed the formula to two-thirds of the first $15 and one-half of the next $30, did it not?

Mr. LONG. That is correct.

Mr. CURTIS. In 1948 the formula was changed to three-fourths of the first $20 and one-half of the next $30.

Mr. LONG. That is correct; and in 1952 the formula was advanced to four-fifths of the first $25.

Mr. CURTIS. And one-half of the next $30.

It is true, is it not, that the Federal law provides that the payments shall be made to individuals who are needy and who are 65 years of age? That is the Federal law, is it not?

Mr. LONG. Yes.

Mr. CURTIS. If a State observes the Federal law—I am not suggesting whether it is good or bad—and uses all the Federal money to pay needy cases, should that State be called upon to furnish its share of Federal funds to pay to a State which does not have a needs test?

Mr. LONG. The Senator will find that the 20 high-payment States which exceed the $55, at which the Federal matching ceases, are States which make a disproportionately large distribution to the support of the Federal Government. They are also States which get back a much smaller percentage of the money they put up than the low-income States. For these reasons, the high-payment States have a right to insist that the Federal Government go along with them somewhat beyond the point where they are making payments.

There is no reason why the program should completely favor the low-payment States rather than the high-payment States. In other words, the amendment would favor the low-payment States in that it would increase the Federal matching against the first $5. It would favor the high-payment States in that it advances the point at which the Federal matching ceases from $55 to $65.

Mr. CURTIS. I am fully aware of the reasons behind the two sides to the amendment. The point I raise is that some States qualify almost everyone for old-age assistance; other States follow the Federal law and require a needs test.

Mr. LONG. If I may interrupt the Senator at that point, I must differ with those persons who think that needy persons are simply living on velvet. The fact is that 24 percent of the people over 65 years of age have no money income whatsoever. In other words, there are many people who are not being assisted in any way who should be entitled to assistance. I should like to see them receive such assistance, but that is a matter for the States to decide.

Mr. CURTIS. The Senator from Nebraska is not disputing the fact that old people need benefits. What I am trying to say is that if the needs test should be abolished, it should be abolished in the Federal law.

Mr. LONG. I am not proposing to abolish the needs test by the amendment.

Mr. CURTIS. In the Senator's State of Louisiana, there are about 193,000 individuals who are over the age of 65. Is that not correct?

Mr. LONG. Yes; that is correct.

Mr. CURTIS. How many of them receive old-age assistance?

Mr. LONG. About 65 percent.

Mr. CURTIS. Let us consider another State which has about the same population of aged persons. Kansas has 203,000 individuals who are over the age of 65. Does the Senator from Louisiana know how many of them receive old-age assistance?

Mr. LONG. Thirty-three thousand. I hope to benefit those 33,000. I would have no objection if Kansas wanted to put more aged persons on the rolls, but that is for Kansas to determine.

Mr. CURTIS. The Senator says that that is for Kansas to determine.

Mr. LONG. That is their right.

Mr. CURTIS. But is it not the concern of the Federal Government if two States have about the same aged population and one State puts 3 times as many aged persons on the rolls as does the other State?

Mr. LONG. The Senator well knows that the situation in Kansas is different from that in Louisiana. He knows that Louisiana is one of the lower-income States. Kansas has large farms. The farmers tend to own their farms. There is a higher per capita income in Kansas, and I assume that the average person in that State has more assets.

I feel certain the Senator from Kansas, who I believe is one of the sponsors of the amendment, could explain why Kansas has not seen fit to put as many people on the welfare rolls as has Louisiana.

But Louisiana ranks third in the Nation in the effort which its own people are making to look after their welfare clients. Many of the people on the welfare rolls were born in reconstruction days. Many of them suffered from malnutrition during their early years.

Mr. CURTIS. Would not the Senator agree that it is not necessarily the ability of a State to pay or its ability to raise revenue, but rather the desire and the political philosophy which determines the question? In other words, Louisiana has made an effort to do this.

Mr. LONG. It has made a very considerable effort.

Mr. CURTIS. It depends upon the political philosophy and the desire of the State, rather than the need.

Mr. LONG. The Senator is entirely correct.

Mr. CURTIS. But from the standpoint of the Federal Government, a discrepancy is created so far as the cost to the Federal Treasury is concerned.

Mr. LONG. The only way whereby there could be uniformity would be for the Federal Government to take over the welfare program rather than to have the States operate the program. That would cost a great amount of money. If that is ever done, it will be done far in the future. I have not heard anyone sugfest such a plan now.

Mr. CURTIS. The Senator from Nebraska is not suggesting it. All I am suggesting is that the States which follow the Federal law and make payments only to the needy are receiving less money and are having to pay a proportionately greater share in Federal funds, because other States are not following the Federal law in regard to paying only to the needy.

Mr. LONG. The Senator will find that State efforts vary greatly and are dependent upon many circumstances.

California is a State which provides very liberally for its aged. A very substantial number of its aged persons receive welfare payments. The Senator will find that many of the high-incomes States are high-payment States. Some of those States have a high percentage of their aged drawing welfare payments. Some of them are low-payment States.

The same thing tends to be true of the low-payment States. Some having low income are liberal, while some are extremely strict. There is simply no uniformity in that regard.

Mr. CURTIS. What will the Senator's amendment cost the Federal Treasury?

Mr. LONG. I will cost $208 million, which is in the ratio of about $1 to every $6 in the Federal pay raises which have been voted during this Congress.

Mr. CURTIS. Will it apply to the program for the aged?

Mr. LONG. It will apply to all three categories—the aged, the disabled, and the blind.

Mr. BYRD. Mr. President, for many reasons the Senate Committee on Finance after very careful consideration rejected the amendment of the Senator from Louisiana. The amendment provides an increase in the Federal share for public assistance from four-fifths of the first $25 to five-sixths of the first $30, and for an increase in the maximum from $55 to $65.

I want the Senate to understand that the committee bill continues in effect the so-called McFarland amendment, which expired June 30 of this year. That is not included in the so-called Long amendment.

Our reasons for rejecting the Long amendment are these:

First, by increasing the Federal share of old-age assistance, aid to the blind and to the disabled expenditures and requiring the States to pass the increase on to recipients, Congress would be moving in the direction of converting the State-Federal public-assistance program into a pension program without regard for the need of individuals. State-Federal public assistance has always been a program administered by the States and they determine both eligibility and the amount of payments.

Second, this increase in the maximum for Federal sharing from $55 to $65, would result in the greatest increase to the high-income States. It would give the most money to States with the least need for Federal aid.

Third, the committee bill as reported to the Senate increases expenditures for public-assistance payments through additional grants for medical care. The Kerr-George amendment, adopted by the committee, provides additional Federal matching above the existing maximums for medical expenses up to $8 for each adult on the rolls and up to $4 for each child. It provides, in effect, a pool of combined Federal-State-local funds for paying medical care costs of as much as $200 a month or more on behalf of a recipient and would increase Federal payments to the States $76 million a year. Under existing law, Federal matching applies only within the $55 maximum for each individual case.

The amendment proposed by the junior Senator from Louisiana would add an additional $208 million a year in costs to the Federal Government for public assistance, which, when added to the increase for public assistance under the bill as reported by the Committee on Finance, would make a total of $284 million a year being added to the cost to the Federal Government for grants to States for public assistance.

Perhaps the most important reason for rejecting this amendment is that the growth and development of the old-age and survivors insurance program has materially relieved States of the need for aiding many persons because they now receive old-age and survivors insurance benefits, rather than public assistance checks. Prior to the effective date of the 1950 amendments—in August 1950—the total amount of benefit payments under old age and survivors insurance was $61.7 million on a monthly basis. By December of 1955, this total was about 7 times as much, or $411.6 million a month. This represents an increase of around $350 million a month, or $4.2 billion a year, in the amount of money going into the States in the form of social security benefits.

The records in each of the States show similar increases in the amount of money which is being paid in old age and survivors insurance benefits—reducing the need for public assistance. I shall cite just a few.

In Louisiana, the amount being paid under old-age and survivors insurance in August 1950 was $578,563. By December 1955 it had increased about 7 times to a total of $4,016,302—an increase of about $3.5 million per month.

In Michigan, old-age and survivors insurance benefits for the month of August 1950 totalled $2.9 million. By December of 1955, they had increased about 7 times to $19.1 million for the month.

In Illinois, the total of old-age and survivors insurance benefits for the month of August 1950 was $4.1 million. By December of 1955 this amount had increased by $22.2 million to a total of $26.4 million.

Pennsylvania shows a similar increase from a total of $6.1 million in August of 1950 to $35.1 million in December of last year—a total increase of some $29 million in payments per month, being made under old-age and survivors insurance in that State.

In California the increase was about the same—from $5.2 million in August, 1950 to $34.2 million in December 1955.

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the increase from August 1950, to December 1955, in the number of people and the amounts paid in benefits in each State under the old-age and survivors insurance program.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Old-age and survivors insurance

	August 1950		December 1955		Increase	
	Number	Amount	Number	Amount	Number	Amount
United States and foreign countries	2,969,000	$61,690,000	7,960,616	$411,612,764	4,991,616	$349,922,764
Alabama	43,319	707,585	115,761	4,773,369	72,442	4,065,784
Alaska	1,375	26,253	4,017	186,735	2,642	160,482
Arizona	11,010	216,264	37,491	1,832,702	26,481	1,616,438
Arkansas	20,628	327,684	71,634	2,944,891	51,006	2,617,207
California	234,656	5,201,195	642,314	34,150,160	407,658	28,948,965
Colorado	22,106	448,098	66,675	3,335,347	44,569	2,887,249
Connecticut	60,011	1,419,061	134,780	7,895,214	74,769	6,476,151
Delaware	7,044	154,416	18,310	974,562	11,266	820,146
District of Columbia	11,312	229,914	29,965	1,524,106	18,653	1,294,192
Florida	55,311	1,119,111	216,699	11,204,123	161,388	10,085,012
Georgia	42,076	665,804	119,922	4,951,879	77,846	4,286,075
Hawaii	7,397	138,569	17,978	832,869	10,581	694,300
Idaho	7,736	143,982	26,787	1,271,087	19,051	1,127,105
Illinois	188,828	4,147,376	477,085	26,371,631	288,257	22,224,255
Indiana	85,085	1,733,638	228,316	11,799,459	143,231	10,065,821
Iowa	37,498	700,336	124,919	6,125,171	87,421	5,424,835
Kansas	27,303	506,208	90,103	4,354,697	62,800	3,848,489
Kentucky	45,822	802,772	128,388	5,686,295	82,566	4,883,523
Louisiana	33,540	578,563	92,527	4,016,302	58,937	3,437,739
Maine	26,656	529,883	65,253	3,203,172	38,597	2,637,289
Maryland	41,941	852,129	110,940	5,694,410	68,999	4,842,281
Massachusetts	144,955	3,251,206	328,912	18,427,555	183,957	15,176,349
Michigan	131,321	2,855,039	341,111	19,040,624	209,790	16,185,585
Minnesota	44,882	926,970	143,788	7,376,887	98,906	6,449,917
Mississippi	16,676	245,139	60,292	2,325,013	43,616	2,079,874
Missouri	70,609	1,426,213	207,405	10,497,873	136,796	9,071,660
Montana	8,783	176,375	28,129	1,393,932	19,346	1,217,557
Nebraska	16,011	293,318	57,920	2,798,770	41,909	2,505,452

Old-age and survivors insurance—Continued

	August 1950		December 1955		Increase	
	Number	Amount	Number	Amount	Number	Amount
Nevada	2,811	$59,725	8,174	$426,888	5,363	$367,163
New Hampshire	17,378	358,648	39,918	2,063,463	22,540	1,704,815
New Jersey	124,868	2,871,405	305,102	17,458,888	180,234	14,587,483
New Mexico	5,788	96,128	21,651	890,360	15,863	794,232
New York	354,843	7,825,900	890,731	49,458,171	535,888	41,632,271
North Carolina	48,741	776,549	133,358	5,562,355	84,617	4,785,806
North Dakota	3,821	67,047	16,130	710,242	12,309	643,195
Ohio	190,959	4,141,889	463,404	25,390,987	272,445	21,249,098
Oklahoma	26,174	477,501	88,629	4,049,119	62,455	3,571,618
Oregon	37,138	774,549	100,214	5,264,897	63,076	4,490,348
Pennsylvania	279,638	6,098,584	638,875	35,066,903	359,237	28,969,319
Puerto Rico			29,499	881,514	29,499	881,514
Rhode Island	25,787	576,435	55,139	3,032,819	29,352	2,456,384
South Carolina	24,479	369,695	68,665	2,750,748	44,186	2,380,783
South Dakota	5,120	94,403	23,128	1,071,452	18,008	977,049
Tennessee	40,609	674,989	119,221	5,077,270	78,612	4,402,281
Texas	83,261	1,472,558	274,900	12,388,718	191,639	10,916,160
Utah	10,009	193,425	30,100	1,495,665	20,091	1,302,240
Vermont	9,340	183,313	22,834	1,129,893	13,494	946,580
Virginia	47,499	852,297	134,717	6,109,860	87,218	5,257,563
Virgin Islands			386	12,558	386	12,558
Washington	55,944	1,227,248	146,269	7,789,442	90,325	6,562,194
West Virginia	46,523	294,690	106,982	5,074,839	60,459	4,180,149
Wisconsin	68,612	1,437,762	194,068	10,322,126	125,456	8,884,364
Wyoming	3,622	74,637	11,289	569,916	7,667	495,279

Mr. BYRD. The table shows that there have been substantial increases in the number of beneficiaries and the amount paid in benefits in the States. On a national basis, the number of beneficiaries has risen from 3 million in August 1950 to approximately 8 million, and expenditures for benefits have increased from $61.7 million to $411.6 million per month in the same period. It should be remembered that the number of beneficiaries and expenditures for old-age and survivors insurance will continue to rise as the system matures, and thus reduce the need for public assistance in all States.

Congress has intentionally broadened the contributory system of social insurance, in which workers share directly in meeting the cost of protection, as the most satisfactory way of preventing dependency. This has been the basic philosophy behind the social-security system since its beginning. It was reaffirmed at the time of the 1950 amendments, when the committee report said: "The function of assistance is to supplement insurance when necessary."

The Federal share of public assistance payments has been substantially increased through the years up to the present level. In 1946 the Congress increased the Federal share so that, on amounts up to the first $15 of each payment the Federal Government paid 66⅔ percent. In 1948 another increase set the Federal share at 75 percent of each payment. These two increases were labeled "temporary" by the Congress. Since then, the Federal share has been further increased, on a temporary basis, so that the Federal Government now pays 80 percent of the first $25 of each monthly payment.

The committee bill extends the present formula and rate until June 30, 1959. This is known as the McFarland amendment. This action is concurred in by the Department of Health, Education, and Welfare.

In view of the excessive costs of this amendment, and because the old-age and survivors insurance program will continue to pay benefits to more and more people as times goes on thus reducing the need for public assistane, this amendment, which was rejected by the committee, should be rejected.

Mr. KNOWLAND. Mr. President, I yield 10 minutes to the junior Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado [Mr. ALLOTT] is recognized for 10 minutes.

Mr. ALLOTT. Mr. President, a few moments ago, in colloquy with the Senator from Louisiana and the Senator from Minnesota—and I am sorry the Senator from Minnesota is not present on the floor—the Senator from Minnesota made a statement from a chart which was submitted here in contravention of the statement I had made that the payments in Colorado were now $100, or in excess of that, and quoted a figure of $81 and a fraction. What he apparently did not know, I am sure, is that the particular figure which he quoted is the average of insurance payments to individuals.

In Colorado the law is such that individuals may own their own homes. They also, when they go on old-age assistance, may have $750 in cash in the bank. They may own their own furniture, and certain other things. But when they go on old-age assistance, if they own their own homes, the reasonable rental value is deducted, so the payments are somewhat equalized. So the $81 represents not the maximum of what a person is entitled to receive, but represents the average payment after deductions have been made for rentals.

So again I reiterate the statement, and I shall be very glad to have it corrected in case I am wrong.

I have one or two remarks to make about the amendment of the Senator from Louisiana. I do not believe that any society suffers from being generous to its elderly citizens. They are our forebears. They struggled and they fought, and some of them tried to save, and some did, and some did not, and some were successful and made a place for themselves and a means of surviving their old age, and some did not. I have never said that any State—particularly my own State—suffered by taking a generous attitude toward its own people. That position is consistent with my own political philosophy for many years. I believe that every State has a right to prescribe its own criteria. But when it establishes its own criteria, and then when the payment of five-sixths of that is contributed by the Federal Government, it occurs to me that there should be some standardized criteria for participation in the Federal plan or program.

A few moments ago I referred to need as being the criterion. I particularly ask the Senator from Minnesota [Mr. HUMPHREY], who has returned to the floor, to consider this point. Section 1 of the Social Security Act, as amended, provides that—

> For the purpose of enabling each State to furnish financial assistance as far as practicable under the conditions in such State, to aged needy individuals—

The statement I made a few moments ago on the floor—and I repeat it now—is that the action of the Department of Health, Education, and Welfare is justified by the law; in other words, the Department of Health, Education, and Welfare is, under the law, questioning whether a State which pays over $100 to its citizens—and later I shall discuss further this particular phase of the matter, which I dealt with while the Senator from Minnesota was momentarily off the floor—is exceeding the need criterion.

Louisiana, I believe—I think I am correct in making the statement—has more than 60 percent of its men and women over age 65 on old-age assistance. That compares with an average for the country as a whole of 18 percent.

We began with this law in 1935, on a 50–50 sharing basis.

Mr. LONG. Mr. President, will the Senator from Colorado yield to me?

Mr. ALLOTT. I yield.

Mr. LONG. Of course the Senator from Colorado realizes, does he not, that in highly industrialized States, most of the workers are covered by social-security, whereas, on the other hand, in many

of the agricultural States, and particularly in quite a number of the Southern States, only a small percentage of the people are covered by the social-security system, and that situation also enters into the overall picture. In many States with low per capita income, the economy still suffers from the after effects of reconstruction days. In some of those States many people were born in poverty, and have very limited resources. Therefore more welfare assistance is needed, of course, in comparison with the amount of welfare assistance needed in the wealthy States.

In other words, certainly the Senator from Colorado realizes that all those factors enter into the situation and should be considered, does he not?

Mr. ALLOTT. Yes, I am well aware of that; and far be it for me to state that any State should not receive assistance. But I pointed out that we began on a 50–50 sharing basis, whereas at the present time the proposal is that it be changed so as to provide that the Federal Government shall contribute five-sixths of the first $30 a month in payments.

Mr. LONG. I am frank to state to the Senator from Colorado that, so far as Louisiana is concerned, Louisiana is interested in increasing the maximum the Federal Government will match. That is the part that most benefits Louisiana, because we are a relatively high-payment State; we are one of the twenty-odd States making payments over the $55 a month at which the Federal Government matching stops.

On the other hand, some States—such as Mississippi, Arkansas, Alabama, Georgia, and South Carolina—are making a great effort, but find great difficulty in doing so. It has proved to be extremely difficult to raise sufficient funds to provide even the $28.87 average payment that is made in Mississippi, for example.

It is the States with low per capita income and limited ability to raise funds for the education of their children and for the other essential State services, that are in great need of an increase in the matching Federal payments, so they can take care of the need which exists.

Mr. ALLOTT. I should like to point out that my State is a farming State.

Mr. LONG. But Colorado is not one of the low per capita income States.

Mr. ALLOTT. It is in the medium category.

The point I was about to make at this time is simply that the general effect of the amendment of the Senator from Louisiana is——

The PRESIDING OFFICER. The time yielded to the Senator from Colorado has expired.

Mr. KNOWLAND. Mr. President, I yield an additional 5 minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for an additional 5 minutes.

Mr. ALLOTT. I thank the Senator from California.

Mr. President, the point I was about to make is that in the case of a State which has more than 60 percent of its men and women over age 65 on old-age assistance, as against a national average of 18 percent, the effect of having the Federal Government pay five-sixths of the first $30 of assistance is simply to put that State in a very favorable position, in comparison with other States.

It seems to me that if we are to have such a large Federal contribution made to this fund, we should make more certain that the qualifications and limitations on the part of those who are participating in the program are more uniform in character, because by means of the pending amendment we would be making the program into practically a Federal fund, but we would permit the States to set up the criteria. Under those circumstances, the State which sets up the most liberal criteria would receive the largest share of the Federal fund.

So, Mr. President, upon that basis I conceive this amendment not to work an equality as between the States, but, rather, further to unequalize any differences which may presently exist between the States. On that basis, Mr. President, I urge my colleagues to vote against the amendment of the Senator from Louisiana.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. HUMPHREY of Minnesota. First of all, let me say I think there is considerable merit in the Senator's argument to the effect—as the facts bear him out—that the pending proposal and the progressive steps of change in the old-age contribution on the part of the Federal Government have made the old-age assistance payment program, up to the first $30 pretty much a Federal program.

Mr. ALLOTT. Yes.

Mr. HUMPHREY of Minnesota. I think the Senator is correct. After that, it becomes a 50–50 program, as between the States and the Federal Government. That is the present situation, is it not?

Mr. ALLOTT. I believe it is.

Mr. HUMPHREY of Minnesota. Let me say to the Senator from Colorado—so that I do not travel under false colors—that I see nothing wrong at all with the amendment of the Senator from Louisiana. Although the Senator from Colorado says the amendment will not work fairly as between all the States—and I think that on the basis of certain needs tests, which vary as between the respective States, the Senator from Colorado has a point there—yet I cannot bring myself to the conclusion that a citizen of Minnesota or a citizen of Colorado or a citizen of Louisiana is not also a citizen of the United States. If such a citizen is old, he is just as old and just as bad off if he is a citizen of one State, as if he is a citizen of another; age does not change, as between the various States.

I see nothing wrong with having the Federal Government pay the first $30. In the case of many programs, we have established certain basic minimums which the Federal Government pays; and in excess of those minimums, we rely on the States to take care of the responsibility.

Mr. ALLOTT. I would be happy, Mr. President, to yield further time to the Senator from Minnesota; but I myself have only a few minutes in which to speak.

I agree in part with what the Senator from Minnesota has said; I think that, essentially, he is trying, as I am, to get at the gist of this matter. After all, all people become aged; and when one is hungry, he is hungry; when one is old, he is old; when one is cold, he is cold; and it does not matter whether he lives in one State or in another. It does not matter who he is or what his color is, or what his religion is. But if one State has the privilege, under this formula, of greatly liberalizing its qualifications for the old-age pension, and it greatly liberalizes it, as Louisiana has done, that State takes an unfair and unjust portion of the moneys devoted by the Federal Government to this purpose, because it has liberalized its plans far beyond those of other States. If there were some uniformity it would not be so bad. Otherwise it works an injustice.

In conclusion, I have always thought, and have continuously maintained, that the laws of Colorado do not treat our aged people any too fairly. They need everything they get. I shall continue to feel that way. But I believe that if we are going to pile a greater burden on the Federal Government, there should be more uniformity in the qualifications for these pensions and the ability to draw them.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. HUMPHREY of Minnesota. I think the Senator from Colorado has a good point. My only reaction to the Senator's proposal is that, while we are still arguing about that particular problem, people who are in desperate need because of inadequate income go without the income. I happen to believe that citizenship in the United States is more important than citizenship in any State. That is a personal opinion. I am quite consistent, because I put the human right before the State right.

Mr. ALLOTT. The Senator is entirely correct, as I stated a few moments ago. If a person is cold, he is cold, and it does not matter who he is. But when these questions are being considered, and when this amendment is being proposed, I say that an amendment could have been drawn along the lines suggested by myself.

Mr. LEHMAN. Mr. President, will the Senator yield for a question?

Mr. LONG. I yield.

Mr. LEHMAN. I have before me the Social Security Review. I merely wish to confirm certain figures which, as I interpert them, are authentic. I should like to have the statement of the distinguished Senator from Louisiana.

Am I correct in believing that, as of March 1956, the average payment for old-age assistance was $54.07?

Mr. LONG. The Senator is correct.

Mr. LEHMAN. Am I correct in believing that, as of March 1956, the aver-

age payment for aid to the blind was $58.48?

Mr. LONG. The Senator is correct.

Mr. LEHMAN. Am I correct in believing that, as of March 1956, the average payment for aid to the permanently and totally disabled was $56.53?

Mr. LONG. The Senator is correct.

Mr. LEHMAN. Finally, am I correct in believing that, as of March 1956, the average payment for general assistance per case was only $55.32?

Mr. LONG. The Senator is correct.

Mr. LEHMAN. New York State pays considerably more than the average. It does so entirely as a matter of free will, believing that its citizens should be at least reasonably well cared for when they become totally disabled or blind, or reach an age at which they no longer can work.

However, I am just as much interested in Louisiana, Colorado, and Mississippi as I am in New York State, because this country is one Nation, and not a combination of regional areas. The idea that our old people, our totally blind and our totally disabled, should receive such niggardly payments in any State as $55.32 shocks me. It seems evident that the very slight liberalization which is proposed by the distinguished Senator from Louisiana—and I am very proud to be a cosponsor of his amendment—is eminently fair, necessary, and easily defensible. I cannot understand why anyone should oppose.

I want the Senator from Louisiana and my other colleagues in the Senate to know that I am strongly in favor of the amendment. I think if we do less than it proposes to do, we shall fail in our duty to the American public.

Mr. LONG. I thank the Senator from New York.

Mr. President, I should like to refer to some of the statements which have been made in the debate. The suggestion has been made that the States are not putting up a fair share. The latest figures I have show that for the full year 1954 the States put up, roughly, $700 million in this program. The Federal Government put up, roughly, $900 million. So the State contribution approached 50 percent. As a matter of fact, it was about 44 percent, while the Federal contribution was about 56 percent.

It is true that there is a disparity in the case of the low-income States, because there is a $20 matching against the first $5, and I am proposing that it be $25 of Federal money against the first $5.

I have prepared a memorandum showing why the States with low payments need the additional $5. That is where the greatest need exists. Those States have the greatest difficulty in caring for their people who are needy, and who receive welfare payments. I ask unanimous consent that the statement be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

States with low average public-assistance payments severely need an additional $5 per month for individual payments. These are States with low per capita incomes, comparatively small revenues, and low coverage under old-age and survivors insurance.

The 10 low-payment States under the old-age assistance program are: West Virginia, Mississippi, Virginia, North Carolina, Alabama, South Carolina, Arkansas, Tennessee, Kentucky, and Georgia. Their obvious need for additional help in providing for their needy should be apparent from the following comparisons:

	10 low-payment States	United States
Per capita income, 1954, as percent of national average	65.4	100.0
Average old-age assistance payment, November 1955	$32.40	$53.56
Percent of persons 65 and over under OASI	29.0	39.7
Percent of population	18.8	100.0
Percent of tax burden [1]	9.6	100.0
Percent of benefits under Long-George amendment	19.0	100.0

[1] As estimated by Council of State Chambers of Commerce.

Mr. LONG. Those opposing this amendment, not being content with arguing that the low-income States should not receive additional assistance, then turn around and say that the high-income States should not receive additional assistance.

As a matter of fact, they are wrong on both points. The fact is that the high-income States make very disproportionate contributions to the support of the general purposes of government. They have advanced the payments to aid recipients well beyond the point where the Federal Government will match the contributions. They feel that the fact that they make a high contribution to the general purposes of Government entitles them to expect that this amendment would also benefit them, which it would not do unless we advance the point at which the Federal matching payment ends.

Let us consider the 10 highest payment States, namely, Colorado, Connecticut, New York, Massachusetts, Washington, California, New Jersey, Minnesota, Kansas, and Oregon. Those States have 30 percent of the population. They pay 38.9 percent of the taxes, and would receive 33.3 percent of the benefit of the amendment.

Now let us consider the 10 low-payment States, namely, West Virginia, Mississippi, Arkansas, Alabama, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, and Virginia. Those 10 low-payment States have 18.8 percent of the population. They pay 9.6 percent of the tax burden, and they would receive 19 percent of the benefits of this amendment.

Based upon those figures, Senators will see that the high-payment States are certainly entitled to expect that they would receive additional matching funds when they go beyond the point where the Federal Government would match.

I ask unanimous consent that the memorandum to which I have referred be printed in the RECORD at this point as a part of my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

10 high-payment States and 10 low-payment States—Comparison of population, share of tax burden, share of benefits under proposed amendment

Group	Percent of United States population	Percent of Federal tax burden	Percent of benefit under proposed amendment
10 high-payment States (OAA). (Colorado, Connecticut, New York, Massachusetts, Washington, California, New Jersey, Minnesota, Kansas, Oregon)	30.4	38.9	33.3
10 low-payment States (OAA) (West Virginia, Mississippi, Arkansas, Alabama, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, Virginia)	18.8	9.6	19.0

Mr. THYE. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. THYE. I am not a cosponsor of this amendment, but there is no question that many aged persons who are not today qualified to receive old-age compensation or welfare payments have only this kind of income on which to exist. With the increased cost of living, we can all understand the difficulties of an aged couple. They are hard pressed to exist. As the years go on, the Social Security Act will cover all aged persons. For that reason, I respectfully suggest to the committee and the chairman that they accept the amendment. I believe the amendment is proper.

Mr. LONG. I am pleased to have the remarks of the distinguished senior Senator from Minnesota, a former governor of that great State. That State would have 54,000 people who would benefit from the amendment. Minnesota is one of the liberal States. It pays an average of $70.13 for the needy people of whom I am speaking. Its payment would be increased by $7.50, in view of the fact that it pays more than the $55 minimum at the present time.

Mr. THYE. If Senators could visualize what it is like for a couple to exist on $108 or $110 a month in these days, if they could place themselves in that position, it would not require very long for them to decide to vote for the pending amendment.

Mr. LONG. The Senate has seen fit in this Congress to increase Federal pay by $1,200,000,000. That is six times as much as is received by needy people in this country. If Senators can increase their pay, and if we can do what we have done for others, including a $350 million Federal contribution to the survivor and retirement benefit bills, it does seem to me it is in order for us to provide more liberally for the needy of the Nation.

Mr. JOHNSON of Texas. Mr. President, on the question of agreeing to the so-called Long amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I should like to ask the distinguished Senator from Virginia a question. What has been the percentage increase in the cost of living since the last increase under this statute?

Mr. BYRD. The last increase was made in 1952. I do not have the exact figures, but we were advised in committee that the increase in 1952 was sufficient to take care of the increase in the cost of living at this time.

Mr. KNOWLAND. I was going to say that the point the Senator has made is perfectly sound, namely, that the general trend of the amendment is wrong, not in that it would increase the amount of the payment, but in that it would increase the ratio of the Federal Government's contribution.

Therefore the States would proportionately put up more. In most of these projects on which the States have matched the Federal contribution, we have tried to keep the formula on a 50–50 matching basis, or at least on some reasonable proportion. Under the amendment of the Senator from Louisiana, as I understand, for every $6 paid, the Federal Government would put up $5. Is that correct?

Mr. BYRD. That is correct. It would put up 80 percent of the first $25.

Mr. KNOWLAND. I should like to ask the distinguished Senator from Virginia, from a parliamentary point of view, if the amendment should be adopted and the bill taken to conference, what would be the latitude of the conferees in making some adjustment of the proposed figure.

Mr. BYRD. The House bill did not include any amendment of this kind at all. There would be in conference the difference between the Long amendment, if it should be adopted, and nothing in the House bill along that line. The House did not include an amendment of this kind. There is nothing in the House bill relating to this subject. This is an amendment which does not deal with social security, but which it is proposed to place in a social-security bill.

Mr. LONG. The committee itself had a half dozen amendments relating to the welfare program in the bill. If the committee can adopt it own amendments, making improvements in the welfare program, I see no reason why we cannot offer such amendments on the floor.

Mr. BYRD. I merely said that the House bill did not contain such an amendment. All the House amendments related to social security.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Capehart	Ervin
Allott	Carlson	Flanders
Anderson	Case, N. J.	Frear
Barrett	Clements	Fulbright
Beall	Cotton	Gore
Bender	Curtis	Green
Bennett	Dirksen	Hayden
Bible	Douglas	Hennings
Bricker	Duff	Hickenlooper
Bush	Dworshak	Hill
Butler	Eastland	Holland
Byrd	Ellender	Hruska
Humphrey, Minn.	Magnuson	Robertson
Humphreys, Ky.	Malone	Russell
Ives	Mansfield	Saltonstall
Jackson	Martin, Iowa	Schoeppel
Jenner	Martin, Pa.	Scott
Johnson, Tex.	McCarthy	Smathers
Johnston, S. C.	McClellan	Smith, Maine
Kennedy	McNamara	Smith, N. J.
Kerr	Monroney	Sparkman
Knowland	Morse	Symington
Kuchel	Murray	Thye
Laird	Neely	Watkins
Langer	Neuberger	Welker
Lehman	O'Mahoney	Williams
Long	Pastore	Wofford
	Payne	
	Purtell	

The PRESIDING OFFICER. A quorum is present.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. Do the Senators yield back their time?

Mr. KNOWLAND. There is no additional time desired on this side. I am prepared to yield back the remaining time in opposition.

Mr. LONG. I yield back my remaining time.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from Louisiana [Mr. LONG] for himself and other Senators. On this question the yeas and nays have been ordered, and the Secretary will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announced that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Georgia [Mr. GEORGE], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

The Senator from Georgia [Mr. GEORGE] is paired with the Senator from Colorado [Mr. MILLIKIN]. If present and voting the Senator from Georgia would vote "yea" and the Senator from Colorado would vote "nay."

I further announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Mississippi [Mr. STENNIS], if present and voting, would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Colorado [Mr. MILLIKIN] is necessarily absent.

The Senators from South Dakota [Mr. MUNDT and Mr. CASE] and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Arizona [Mr. GOLDWATER], and the Senator from North Dakota [Mr. YOUNG] are detained on official business.

If present and voting the Senator from Arizona [Mr. GOLDWATER] and the Senator from Wisconsin [Mr. WILEY] would each vote "yea."

On this vote, the Senator from Colorado [Mr. MILLIKIN] is paired with the Senator from Georgia [Mr. GEORGE]. If present and voting, the Senator from Colorado would vote "nay," and the Senator from Georgia would vote "yea."

The result was announced—yeas 62, nays 21, as follows:

YEAS—62

Aiken	Hill	McNamara
Anderson	Holland	Monroney
Barrett	Humphrey, Minn.	Morse
Beall	Humphreys, Ky.	Murray
Bender	Ives	Neely
Bible	Jackson	Neuberger
Bush	Johnson, Tex.	O'Mahoney
Butler	Johnston, S. C.	Pastore
Capehart	Kennedy	Payne
Clements	Kerr	Purtell
Cotton	Kuchel	Russell
Douglas	Laird	Schoeppel
Duff	Langer	Scott
Dworshak	Lehman	Smathers
Eastland	Long	Smith, Maine
Ellender	Magnuson	Sparkman
Ervin	Malone	Symington
Fulbright	Mansfield	Thye
Gore	McCarthy	Welker
Green	McClellan	Wofford
Hayden		
Hennings		

NAYS—21

Allott	Dirksen	Martin, Iowa
Bennett	Flanders	Martin, Pa.
Bricker	Frear	Robertson
Byrd	Hickenlooper	Saltonstall
Carlson	Hruska	Smith, N. J.
Case, N. J.	Jenner	Watkins
Curtis	Knowland	Williams

NOT VOTING—13

Bridges	Goldwater	Stennis
Case, S. Dak.	Kefauver	Wiley
Chavez	Millikin	Young
Daniel	Mundt	
George	Potter	

So the amendment offered by Mr. LONG, for himself and other Senators, as modified, was agreed to.

The amendment, as modified and agreed to, is as follows:

PART V—AMENDMENTS TO MATCHING FORMULAS

Amendments to matching formula for old-age assistance

SEC. 341. (a) Section 3 (a) of the Social Security Act is amended to read as follows:

"SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing October 1, 1956, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal (A) in the case of a State which is qualified therefor under subsection (c), to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $65—

"(i) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received old-age assistance for such month; plus

"(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i); and, (B) in the case of a State which is not qualified under subsection (c) to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

"(i) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received old-age assistance for such month; plus

"(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i); and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as old-age assistance, equal to one-half of the total of the sums expended during such quarter as old-age assistance under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose."

(b) Section 3 of such act is amended by adding at the end thereof the following new subsection:

"(c) (1) A State shall be qualified to receive the amount provided by the formula contained in subsection (a) (1) (A) with respect to any quarter, beginning with the quarter commencing October 1, 1956—

"(A) (i) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribed, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955; and

"(ii) if, in the case of any quarter occurring after the quarter commencing January 1, 1957, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955, or

"(B) if the Secretary of Health, Education, and Welfare determines that neither the governor nor the legislature of such State has, subsequent to the date of enactment of the Social Security Amendments of 1956 and prior to such quarter, taken action which resulted in a reduction of the amount of funds available for old-age assistance under the State plan for such quarter, and the State authorities responsible for the administration of the State plan have not, subsequent to such date of enactment and prior to such quarter, adopted a change of policy toward new applicants for old-age assistance which resulted in a reduction of the average monthly expenditure from State funds per recipient under the State plan for such quarter."

"(2) A State which has qualified under paragraph (1) of this subsection to receive the amount provided by the formula contained in subsection (a) (1) (A) for not less than four consecutive quarters shall be qualified to receive such amount for all subsequent quarters."

Amendments to matching formula for aid to the blind

SEC. 342. (a) Section 1003 (a) of the Social Security Act, as amended by section 312 (c) of this act, is amended to read as follows:

"SEC. 1003. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind for each quarter, beginning with the quarter commencing October 1, 1956, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount equal, (A) in the case of a State which is qualified therefor under subsection (c), to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $65—

"(i) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received aid to the blind for such month; plus

"(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i); and, (B) in the case of a State which is not qualified under subsection (c) to the sum of the following proportions of the total amounts expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

"(i) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received aid to the blind for such month; plus

"(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i); and (2) in the case of Puerto Rico and the Virgin Islands, an amount equal to one-half of the total of the sums expended during such quarter as aid to the blind under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for the recipients of aid to the blind to help them attain self-support or self-care."

(b) Section 1003 of such act is amended by adding at the end thereof the following new subsection:

"(c) A State shall be qualified to receive the amount provided by the formula contained in subsection (a) (1) (A) with respect to any quarter, beginning with the quarter commencing October 1, 1956—

"(1) (A) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955; and

"(B) if, in the case of any quarter occurring after the quarter commencing January 1, 1957, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing Januanry 1, 1955; or

"(2) if the Secretary of Health, Education, and Welfare determines that neither the governor nor the legislature of such State has, subsequent to the date of enactment of the Social Security Amendments of 1956 and prior to such quarter, taken action which resulted in a reduction of the amount of funds available for aid to the blind under the State plan for such quarter, and the State authorities responsible for the administration of the State plan have not, subsequent to such date of enactment and prior to such quarter, adopted a change of policy toward new applicants for aid to the blind which resulted in a reduction of the average monthly expenditure from State funds per recipient under the State plan for such quarter."

Amendments to matching formula for aid to the permanently and totally disabled

SEC. 343. (a) Section 1403 (a) of the Social Security Act, as amended by section 313 (c) of this act, is amended to read as follows:

"SEC. 1403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the permanently and totally disabled, for each quarter, beginning with the quarter commencing October 1, 1956, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount equal, (A) in the case of a State which is qualified therefor under subsection (c), to the sum of the following proportions of the total amounts expended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $65—

"(i) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of such individuals who received aid to the permanently and totally disabled for such months; plus

"(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i); and (B) in the case of a State which is not qualified under subsection (c) to the sum of the following proportions of the total amounts extended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $55—

"(i) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $25 multiplied by the total number of such individuals who received aid to the permanently and totally disabled for such month; plus

"(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i); and (2) in the case of Puerto Rico and the Virgin Islands, an amount equal to one-half of the total of the sums expended during such quarter as aid to the permanently and totally disabled under the State plan, not counting so much of such expenditure with respect to any individual for any month as exceeds $30, and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for and recipients of such aid, to help them attain self-support or self-care."

(b) Section 1403 of such act is amended by adding at the end thereof the following new subsection:

"(c) A State shall be qualified to receive the amount provided by the formula contained in subsection (a) (1) (A) with respect to any quarter, beginning with the quarter commencing October 1, 1956—

"(1) (A) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate

stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955; and

"(B) if, in the case of any quarter occurring after the quarter commencing January 1, 1957, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955; or

"(2) if the Secretary of Health, Education, and Welfare determines that neither the governor nor the legislature of such State has, subsequent to the date of enactment of the Social Security Amendments of 1956 and prior to such quarter, taken action which resulted in a reduction of the amount of funds available for aid to the permanently and totally disabled under the State plan for such quarter, and the State authorities responsible for the administration of the State plan have not, subsequent to such date of enactment and prior to such quarter, adopted a change of policy toward new applicants for aid to the permanently and totally disabled which resulted in a reduction of the average monthly expenditure from State funds per recipient under the State plan for such quarter."

Temporary extension of 1952 matching formula with respect to dependent children

SEC. 344. Section 8 (e) of the Social Security Act Amendments of 1952 (66 Stat. 767, 780), as amended, is amended to read as follows:

"(e) The amendments made by subsection (a), (c), and (d) of this section shall be effective for the period beginning October 1, 1952, and ending with the close of September 30, 1956, and the amendment made by subsection (b) shall be effective for the period beginning October 1, 1952, and ending with the close of June 30, 1959, and after such amendments cease to be in effect any provision of law amended thereby shall be in full force and effect as though this act had not been enacted."

Effective date

SEC. 345. The amendments made by this part shall become effective October 1, 1956.

Mr. SMATHERS subsequently said: Mr. President, I ask unanimous consent that immediately following the vote on the so-called Long amendment there may be printed in the RECORD a statement I have prepared concerning the liberalization of the Federal public assistance matching formula.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SMATHERS

I support the amendment offered by my distinguished colleague, the junior Senator from Louisiana [Mr. LONG], to the pending bill, which will enable States to increase their public assistance payments to the aged, the blind, and the disabled people of our country who are in need because they have been the special victims of adversity. During the last 6 years, beginning with the 1950 amendments to the Social Security Act, the Congress has acted three times to strengthened the contributory old-age and survivors insurance system.

I am aware of the fact that 9 out of 10 American families now enjoy the protection provided by our social-security system. But I am also profoundly aware of the fact that we have taken no action at the Federal level to further relieve the tremendous problems of poverty of our needy aged, the needy blind, and the needy disabled since 1952. The amendment now before us provides an opportunity to act at once on their behalf.

Under the existing formula, the Federal Government pays four-fifths of the first $25 of each individual payment up to a maximum of $55 per month. By adopting the amendment of the junior Senator from Louisiana, and of which I am one of the cosponsors, we can increase the Federal share of each monthly payment for old-age assistance, aid to the blind, and aid to the permanently and totally disabled by from $5 to $7 per month. This would be accomplished by increasing the Federal share from four-fifths of the first $25 to five-sixths of the first $30 of each individual payment, and increasing the maximum for Federal matching from $55 to $65 per month. To insure that this increase in Federal payments to the States goes directly to people in need, the amendment carries a provision aimed at assuring that the States will spend the increased Federal funds for increasing payments to recipients.

It must be remembered that we are here concerned with over 2.9 million of the least fortunate of our people—those who have suffered the kind of misfortune which has deprived them of most of their assets and made it necessary for them to seek help.

They are people who were widowed or whose work life was ended too soon to benefit from the old-age and survivors insurance program.

They are people whose needs are not adequately met by their social-security benefits either because they are close to the minimum benefit or $30 or because they have such special needs as medical or nursing care.

They are people who are in need because of catastrophic illness or the loss of a farm or a job.

They are people who are badly handicapped requiring a helping hand and specialized care.

Under the existing programs which would be affected by this amendment, the national average payment for the needy aged receiving old-age assistance is only $54 per month. The national average for payments under the program for the needy blind is only $58 per month. For the needy disabled, the national average is just $56 per month. These pitifully small amounts—so inconsistent with our present prosperity—make it imperative that we take action on their behalf during this session of the Congress. Surely we cannot, in good conscience, fail to provide the increases provided by this amendment in Federal participation on behalf of these 2.9 million Americans who are faced with insurmountable problems in maintaining a semblance of a decent standard of living.

The public-assistance programs are, as we know, a vital part of our whole social-security system. They were incorporated into the original Social Security Act in 1935, to insure that the welfare of the needy be taken into consideration on an equal basis with the welfare of those who could qualify for old-age and survivors insurance benefits. Whatever long-range social remedies we may have, the public-assistance programs are now, and will continue to be, the source to which any American can turn when all other sources of help have proved inadequate to meet his need. They are our means of insuring that no one in this country need go hungry or lack a helping hand when all other resources have been exhausted. At the same time, our public-assistance programs have been designed to bolster and supplement assistance from the family, the church, private organizations, and the community, so that they can better perform their own functions.

Most of us remember that, on March 4, 1933, America was without any national provision to protect its aged or disabled against the unavoidable hazards of life in this modern machine age. We were without any means whereby the purchasing power of these people could be maintained in the face of advancing age. It is true that, prior to the passage of the Social Security Act in 1935, there had been some action in some States on behalf of the aged. Usually, however, the amount of aid was limited, and eligibility requirements were restricted as to residence and other requirements. But many States and communities had no organized program for meeting this problem.

The original public-assistance programs, under the Social Security Act, provided Federal matching grants on a 50–50 basis for States which would establish assistance programs for the aged, the blind, and dependent children. Within a few years all States had established such plans, and public-assistance programs were in operation throughout the Nation. Then, as now, the State had the major responsibility for determining how the program would be organized and administered, what circumstances would constitute need, who would be eligible for payments, and the amounts which would be paid to meet that need.

These programs were designed to provide Federal funds to help finance more adequate public-welfare programs, and to encourage the expansion of such programs to all States, but to leave considerable authority with the States so that their programs could be built to meet their own particular requirements.

For the first decade of their existence, the public-assistance plans used the 50–50 Federal matching formula contained in the original law in grants to the States. Beginning in 1946, however, an increase in the Federal share was provided at the base of the average monthly payment, with the major purpose of aiding low-income States to be able to increase the amount of their payments to needy people. Under this 1946 formula, the Federal Government increased its share of the base of each individual payment by providing two-thirds of the first $15 and half of the rest up to a maximum of $45. The change was made because experience had shown that States with the largest resources had been able to attract a disproportionate share of Federal funds. It also reflected the fact that those States with the least ability to raise State money to match Federal grants usually had a greater degree of need.

When it was clear that this method of matching State funds was workable and was resulting in increases in the average monthly payments, the Federal share was further increased in 1948 to pay three-fourths of the first $20 of each average payment plus half of the balance up to $50. By 1952, when the increase in the cost of living had seriously decreased the purchasing power of the pitifully small public assistance payments, Congress acted again to increase the Federal share, this time to four-fifths of the first $25 plus half of the rest up to a maximum of $55.

During the 10-year period since 1946, we have had ample opportunity to observe how a formula, weighted in its Federal money at the lower end of the amount of the individual payment, can pay more proportionately to States with the lowest average payments. We have acted to increase the Federal share from time to time because we know that States with low average grants cannot, as a rule, afford to match Federal money to the same degree as can higher-income States.

At a time when the cost of living has reached new heights, thereby increasing distress for the most needy among us, it is time to further liberalize this formula by increasing the Federal share in the manner outlined in this amendment. Moreover, it is time to provide this new formula on a permanent ba-

sis, as does the amendment, instead of continuing the practice since 1952 of making temporary increases which would revert to a lower figure without action by Congress to extend the temporary formula.

Figures just released by the Bureau of Labor Statistics show that the Nation's living costs soared last month (May) upward to match the alltime high set in October 1953, due largely to a substantial increase in food costs. During the single month of May the cost of food climbed 1.3 percent and rents increased an unusual 0.4 percent. Clothing was the only major item to stay unchanged. As a result the Consumer Price Index for the month rose to 115.4 percent of the 1947–49 average.

Under these conditions, I find it hard to understand why the Secretary of the Department of Health, Education, and Welfare is opposed to any increase in the Federal share and has, indeed, recommended that it be further reduced by providing for matching on a straight 50–50 basis for those people on public assistance who are receiving a small benefit from the old-age insurance plan. This is no time to save a small amount of money at the expense of our neediest people. For we know that increases in the cost of food and of shelter create the greatest hardship for people with the lowest income—namely, the men and women whose dire need has been demonstrated before they could qualify for public assistance.

We must bear in mind the fact that our public assistance programs are largely concerned with the aged people in our country. We must remember the unique role which Americans in this age group have played in the dynamic development which has taken place in this country during the past half-century. These are people who were the pioneers in a period of our history which started with gaslights and the horse and buggy and has evolved in so brief a span to the jet-propelled, automatized age in which we now live.

During this time they have learned new ways of working and living. They have met and mastered the new machines and the new methods in this age of unfolding wonders. They have seen good times and bad times. It must be said—and said often, that the older citizens in our country who would benefit from this amendment are the deserving veterans of one of the most difficult and dynamic periods of our history. I believe we have not fully realized this fact. And one evidence of this lack of understanding is the inadequate old-age assistance payments now available to most of them.

Today, as our improved social insurance provisions are being revised and improved, it is equally important that our public assistance plans be improved to meet more adequately the special needs of all who are still excluded from the general national prosperity. It is essential that we strengthen these programs which were established to make sure that no individuals should be deprived of their right to share in the American well-being and to find some means of meeting the most basic needs. I sincerely trust that the Senate will unanimously adopt the amendment.

Mr. JOHNSON of Texas. Mr. President, for the information of the Senate, I wish to announce that there will be no further yea-and-nay votes this evening, so far as I can control the situation.

The Senate will convene at 10 o'clock tomorrow morning. There will be 2 or 3 speeches which will not be connected with the social security bill.

I am informed, and I hope, that by 11 o'clock tomorrow morning it will be possible to enter into another unanimous-consent agreement to vote on the next amendment. But I may say for the information of Senators that although some statements will be made this evening, it is not planned to have any more yea-and-nay votes tonight.

Mr. MORSE. Mr. President, I desire to make a brief statement in support of an amendment which I should like to have printed tonight. I am offering the amendment in behalf of myself and my colleague, the junior Senator from Oregon [Mr. NEUBERGER].

In response to a request from many firemen and policemen's groups in Oregon, I ask that the pending social security bill, H. R. 7225, be amended to enable these city employees in Oregon cities to enjoy social security coverage. In previous legislation, Congress has made it possible for the employees of State and city governments to accept the Federal old-age insurance program as an alternative to their own retirement systems. But firemen and policemen have specifically been exempted at their own request from exercising that option. For many years, they have felt that their retirement systems were superior to OASI and that they ran the risk of losing more than they would gain from coverage under the national program. Therefore, Congress has exempted all policemen and firemen from any social security coverage.

Now, however, the policemen and firemen in many States are asking to be relieved from the exemption. The League of Oregon Cities, the Oregon Fire Chiefs' Association, the Oregon Association of City Police Officers, and the fire departments of several Oregon communities have expressed to me their desire to have a provision applying to our State included in the bill. Because these local organizations have themselves asked to be included with the policemen and firemen of several other States in being given a choice between social security and their local retirement programs, I feel that there would be no objection to the amendment on the part of other Members of the Senate. I wish to point out, too, that the provision of law which I seek to amend calls for local option on this question. The firemen in Portland, Oreg., have expressed their desire to remain under their own retirement system and they will be able to do so under my amendment. The policemen and firemen in each municipality will decide the matter for themselves.

Had the interest of these groups in being covered come to my attention sooner, I would have presented this amendment in time for the Senate Finance Committee to review it during its deliberations on H. R. 7225. However, I offer it now with the request and the hope that the Finance Committee will accept it as an amendment to its own amendment giving a similar option to these local employees in North Carolina, South Carolina, and South Dakota.

By referring to page 34 of the bill, lines 4 and 7, it will be found that what the amendment really does is simply to add Oregon to the list of States already included in those lines—namely, North Carolina, South Carolina, and South Dakota.

I spoke this afternoon to the chairman of the committee, the Senator from Virginia [Mr. BYRD]; and at the appropriate time tomorrow I shall offer the amendment. As I understand, the Senator from Virginia has no objection to taking the amendment to conference, because all it does is to add Oregon to the list of the States already included in the bill.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a number of communications I have received from many affected organizations which support the amendment which the junior Senator from Oregon and I are offering.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., *June 21, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Request that you intercede and have removed H. R. 7225, page 34, that portion of which allows for the inclusion of social-security benefits to firemen and policemen. The effect of such legislation would seriously hamper and endanger hard-won pension laws covering these men all over the United States.

E. J. WHELAN,
Secretary, Portland Fire Fighters Association.

SALEM, OREG., *June 28, 1956.*

Hon. WAYNE MORSE,
United States Senator,
Capitol Building, Washington, D. C.

DEAR SENATOR: The members of Salem Fire Fighters Association, Local 314, respectfully urge your support in amending H. R. 7225, section 218, paragraph (p), line 8, to include Oregon in the provisions contained in the resolution.

Very truly yours,

ROBERT NORTON,
Secretary, Local 314, Fire Fighters.

STATE OF OREGON,
PUBLIC EMPLOYEES RETIREMENT BOARD,
FEDERAL OLD-AGE AND SURVIVORS INSURANCE DIVISION,
Portland, July 2, 1956.

ELIZABETH B. SPRINGER,
Chief Clerk, United States Senate,
Committee on Finance,
Washington, D. C.

DEAR MADAM: Thank you for your letter of June 28, 1956.

In the State of Oregon there are policemen in certain cities who are frozen under the State system and not eligible for social security, although the remainder of the employees in the system, including some policemen and firemen, have social security. This was brought about by some of the employees withdrawing from the State program and entering the Federal program while others remained in the State program, this action prior to the referendum amendment of 1955.

The situation of a portion of the employees having one program and a portion having another has caused a great deal of discontent in the State. The State legislature in its enabling legislation expressed legislative intent by stating that public employees should be covered under the Old-Age and Survivors Insurance coverage, "on as broad a basis as was permitted by Federal law."

It is the earnest desire of the State of Oregon that all public employees be given the right to vote in the referendum as to whether or not they shall be covered by social security, and we do request that the State of Oregon be granted the same privileges as H. R. 7225 offers to the States of

South Dakota, North Carolina, and South Carolina.

Sincerely,

MAX M. MANCHESTER,
Executive Secretary.

CITY OF ROSEBURG,
OFFICE OF THE CITY FIRE DEPARTMENT,
Roseburg, Oreg., June 27, 1956.

Senator WAYNE MORSE,
Washington, D. C.

DEAR SIR: There are several cities in the State of Oregon where police and firemen are not on social security. The Oregon State Fire Chief's Association believes that these cities should be entitled to these benefits; therefore, we would like you to consider amending H. R. 7225, section 218, paragraph (p), line 8, page 34, to include the State of Oregon.

Respectfully,

WILLIAM E. MILLS,
Oregon State Fire Chief's Association.

OREGON FIRE CHIEF'S ASSOCIATION,
June 27, 1956.

Hon. WAYNE MORSE,
United States Senator,
Capitol Building,
Washington, D. C.

DEAR SENATOR: In support of the many communications that you have received requesting your support in amending H. R. 7225, relating to social-security legislation, the Oregon Fire Chief's Association strongly urges your serious consideration of this request.

As you may know, social-security benefits have been denied to many of our fire and police departments of the State—a condition which tends to decrease the efficiency of our protective agencies when the employees and their families are not adequately covered by retirement or survivors insurance protection.

Therefore, in conclusion, may we urge you to have section 218, paragraph (p), line 8, of H. R. 7225, amended to include Oregon in the provisions contained in the resolution.

Very truly yours,

E. L. SMITH,
Secretary, Oregon Fire Chief's Association; Chief, Salem Fire Department.

THE CITY OF BAKER FIRE DEPARTMENT,
Baker, Oreg., June 27, 1956.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: It has just been brought to my attention that H. R. 7225 excludes the State of Oregon.

I would personally appreciate your cooperation in supporting an amendment to section 218, line 8, subsection (p), to include Oregon. A number of fire and police departments in this State are not enjoying the benefits to be derived under the terms of this bill, and it would therefore be of considerable advantage to them to be included.

With sincere good wishes for your continued success,

Very truly yours,

H. B. DAMON,
Chief.

Amendment proposed by Mr. MORSE to the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes, viz:

On page 34, line 3, immediately after "North Carolina", insert "Oregon,".

On page 34, line 7, immediately after "North Carolina", insert "Oregon,".

Mr. NEUBERGER. Mr. President, I desire to join my colleague, the distinguished senior Senator from Oregon [Mr. MORSE], in his request that the pending social security bill, H. R. 7225, be amended to enable city employees in cities of Oregon to enjoy social security coverage when they prefer it as an alternative to their own retirement systems. When I say city employees, I refer particularly to firemen and policemen.

It was only a few days ago when I first heard from representatives speaking for policemen and firemen in the State of Oregon. As the senior Senator from Oregon has pointed out, at the time I first heard from these representatives of Oregon policemen and firemen, the Senate Finance Committee had already considered the amendment to H. R. 7225 which would give policemen and firemen in North Carolina, South Carolina, and South Dakota an option as to accepting Federal old age insurance as an alternative to their own retirement systems. In a series of telephone calls to my office, I was urged to join with Senator MORSE in offering an amendment that would add Oregon to the three States named in the Senate Finance Committee amendment. These telephone calls, Mr. President, were followed by supporting telegrams and letters for which I shall ask unanimous consent to have inserted in the RECORD immediately following my present remarks.

To indicate how wide is the support favoring this amendment is the fact that support has come from the chairman of the legislative committee of the Oregon Association of Chiefs of Police, from the executive secretary of the League of Oregon Cities, from the president of the Oregon Association of City Police and from many others. Several city officials and local police officers have sent letters and wires which the senior Senator from Oregon [Mr. MORSE] and I are including in the RECORD as further evidence.

Mr. President, the amendment would in no way force firemen or policemen to accept social security coverage if they prefer to retain the system under which they are presently covered. It would, however, provide some element of security for policemen and firemen in Oregon cities who are of an age to be seriously concerned about their retirement—a retirement in a considerable number of cases not many years away.

I emphasize again what the senior Senator from Oregon has said about the firemen in Portland, Oreg. They have their own retirement system, and it is their indicated desire to remain under that system. I have been told they do not object to this amendment so long as it is only permissive. The amendment will in no way jeopardize the system under which they are covered. As has been previously stated, the policemen and firemen in each municipality may decide this matter for themselves. It is with this clearly understood that I urge that our amendment be accepted.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD several representative messages which I have received from organizations endorsing this measure.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

EUGENE, OREG., *June 28, 1956.*

Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

We are interested in amendment of H. R. 7225 to include Oregon under subsection (p) of section 218 of Social Security Act. This amendment important to many Oregon police officers.

Chief VERN L. HILL,
Chairman, Legislative Committee, Oregon Association of Chiefs of Police.

KLAMATH FALLS, OREG., *June 27, 1956.*

Hon. RICHARD L. NEUBERGER,
Senate Chambers,
Washington, D. C.:

Urge support amendment H. R. 7225 subsection (p) of section 218 to include Oregon coverage under social security and State retirement.

Respectfully,

FRANK A. BLACKMER,
Police Judge.

GRANTS PASS, OREG., *June 27, 1956.*

Hon. RICHARD L. NEUBERGER,
Washington, D. C.:

Regarding bill H. R. 7225 concerning amendment to include Oregon under subsection (p) of section 218 of the Social Security Act: the Oregon Association of City Police Officers with representatives in 82 cities and over 500 members has passed a resolution to support aforementioned amendment to the bill to include Oregon.

Respectfully,

WILLIAM E. SCHOENLEBER,
President, Oregon Association of City Police.

SALEM, OREG., *June 27, 1956.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Would like to see H. R. 7225 amended so that Oregon will be included with the Carolinas and South Dakota on line 8, page 34 of bill. Some of the Salem police and fire officers cannot have social-security coverage unless this amendment is made.

ROBERT WHITE, *Mayor,*
CHRIS KOWITZ, *City Attorney.*

MEDFORD, OREG., *June 27, 1956.*

RICHARD NEUBERGER,
United States Senate,
Washington, D. C.:

With reference to H. R. 7225 and proposed amendments thereto with particular reference section 218, subsection (p), I feel that Oregon should be included.

CHARLES P. CHAMPLIN,
President, Oregon Association of Chiefs of Police.

ASTORIA, OREG., *June 27, 1956.*

Senator RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.:

Am vitally interested in making social security available to police and firemen in the State of Oregon who are presently under limited State retirement program.

Respectfully,

CASPER M. LEDING,
Chief of Police, Astoria, Oreg.

BAKER, OREG., *June 27, 1956.*

Senator RICHARD NEUBERGER,
United States Senate,
Washington, D. C.:

Baker Police Department favors amending H. R. 7225 to include Oregon under subsection (p) of section 218 of the Social Security Act.

CLIFFORD G. MURRAY,
Chief of Police.

LEAGUE OF OREGON CITIES,
Eugene, June 26, 1956.

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR DICK: I tried to reach you by telephone this morning and finally talked to your assistant, John Jones. If it is not too late we would like your assistance in a matter of interest to a group of police officers that are now excluded from social security coverage by a technicality. Specifically, we are asking that you make an effort to include Oregon along with the States of North and South Carolina and South Dakota in the amendment to subsection (p) of section 218, H. R. 225, when this bill comes on the floor for action.

I am extremely sorry that we were not aware earlier of the possibility of correcting an injustice to certain Oregon police officers and firemen through this bill. I realize that we are approaching you very late in the game, but I assume that there would be no objection from anyone to including Oregon in this subsection, and hope that it will be possible for you to obtain the consent of the Senate to making this amendment from the floor.

I am asking your personal assistance with reference to this matter because of your familiarity with the circumstances as a member of the 1951 Oregon Senate. You will recall that at that session the Oregon Legislature suspended the public employee's retirement system for a day while it brought the public employees of Oregon under social security and immediately afterward reenacted the public employee's retirement system. Under the Oregon act, cities and their employees were given some choice as to the type of coverage to be used. Several Oregon cities that had been members of the public employees' retirement system withdrew from the State program and adopted OASI coverage for their employees. However, because of age and prior service credit some employees in each of these cities remained as members of the public employee's retirement system. Some of these employees were brought under social security when PERS and OASI were integrated, but due to a clause in the Federal act, police officers and firemen who had remained in PERS in those cities which had withdrawn from PERS were not allowed to receive OASI benefits under the integrated system. Furthermore, the PERS benefits to these employees are at a reduced rate. These employees naturally feel that they are the victims of certain technicalities resulting from the integration of the two systems and that their retirement benefits will be very inadequate in view of increased living costs and also when compared with the benefits of fellow municipal employees who are either under the social security program or the integrated PERS–OASI program.

Our office is quite familiar with the situation in police departments throughout the State because of our work with the Oregon Association of City Police Officers and the Oregon Association of Chiefs of Police. I served as executive secretary of the Oregon Association of City Police Officers until 2 years ago when this post was transferred to Robert E. Moulton, of the bureau of municipal research and service staff. Various police officers have appealed to this office repeatedly for help in correcting this inequity and the matter has been discussed at the meetings of these two associations and at meetings of the League of Oregon Cities. There are about 30 policemen in the cities of Salem, Astoria, Klamath Falls, Baker, and Grants Pass that were adversely affected in this way by the integration. There would be slightly more firemen affected in these same cities. When this amendment was called to our attention by the American Municipal Association last week, Mr. Moulton conferred with members of the executive committee of the Oregon Association of City Police Officers and also with some of the officers of the police chiefs group. Both groups desire to correct the present inequity by adding Oregon to the States listed under subsection (p).

I am sending a carbon copy of this letter to Senator MORSE for his information and in hopes that he may be of assistance to you in obtaining the action necessary to make this amendment on the floor of the Senate or possibly for committee acceptance. Since the time is short I am sending a copy also to each Member of the House of Representatives in order that we may have their assistance in retaining the amendment in conference committee. I telephoned the American Municipal Association this morning and Mr. Healey or Mr. Hillenbrand has, no doubt, been in touch with your office by now to offer any information or assistance that AMA may be able to provide.

I realize that this request comes to you at a very late date but if it is possible for you to obtain the suggested amendment I know that this will be very much appreciated by the men who are now excluded from OASI coverage as a result of the Federal exclusion.

With greetings to Maurine and yourself,

Sincerely yours,

HERMAN KEHRLI,
Executive Secretary.

JUNE 28, 1956.

Mr. MAX M. MANCHESTER,
Executive Secretary, Public Employees' Retirement Board, Portland, Oreg.

DEAR MR. MANCHESTER: Mr. Alvin M. David, Assistant Director of the Bureau of Old-Age and Survivors Insurance of the Social Security Administration, has forwarded to the committee your telegram of June 21 and a copy of his reply of June 25 relative to OASI coverage of policemen and firemen in the State of Oregon.

The committee did not interpret your telegram of May 7 as a specific request for the removal of the exclusion of firemen and policemen in your State. It read: "Would prefer such amendment to cover all employees including policemen and firemen and to include police and fire positions now frozen." If your State so desires an amendment could be proposed on the floor of the Senate to include the State of Oregon in the amendment which would permit the States of South Dakota, North Carolina, and South Carolina to enter into an agreement for the coverage of policemen and firemen in their States providing they indicate their desire to be covered by referendum vote.

It does not appear likely that the social-security bill will come up for Senate debate until after the July 4 holiday, but your reply as soon as possible will be greatly appreciated.

Sincerely,

ELIZABETH B. SPRINGER,
Chief Clerk.

STATE OF OREGON,
PUBLIC EMPLOYEES RETIREMENT BOARD,
FEDERAL OLD-AGE AND SURVIVORS INSURANCE DIVISION,
Portland, July 2, 1956.

ELIZABETH B. SPRINGER,
Chief Clerk, United States Senate Committee on Finance, Washington, D. C.

DEAR MADAM: Thank you for your letter of June 28, 1956.

In the State of Oregon there are policemen in certain cities who are frozen under the State system and not eligible for social security, although the remainder of the employees in the system, including some policemen and firemen, have social security. This was brought about by some of the employees withdrawing from the State program and entering the Federal program while others remained in the State program, this action prior to the referendum amendment of 1955.

The situation of a portion of the employees having one program and a portion having another has caused a great deal of discontent in the State. The State legislature in its enabling legislation expressed legislative intent by stating that public employees should be covered under the old-age and survivors insurance coverage, "on as broad a basis as was permitted by Federal law."

It is the earnest desire of the State of Oregon that all public employees be given the right to vote in the referendum as to whether or not they shall be covered by social security, and we do request that the State of Oregon be granted the same privileges as H. R. 7225 offers to the States of South Dakota, North Carolina, and South Carolina.

Sincerely,

MAX M. MANCHESTER,
Executive Secretary.

Mr. LEHMAN. Mr. President, the Senate is now considering H. R. 7225 to amend the Social Security Act. This—in my opinion—is one of the most important pieces of proposed legislation that has come before this body during the present session. It is probably one of the most important measures which the Senate or Congress has ever had before it. It is a measure that can be understood by everyone. It does not deal with complex legal questions or abstract theories. It deals with people—with their human needs—their wants and their desires.

H. R. 7225, as passed by the House of Representatives last summer, was certainly not a perfect bill. It was deficient in a number of points which I had hoped would be corrected when the measure was before the Senate Committee on Finance. I introduced a series of amendments dealing with what I considered to be the most important of these points. These amendments were designed to accomplish the following:

First. Eliminate the requirement that a person must be 50 years of age in order to be eligible for the disability provisions of H. R. 7225.

Second. Lower the retirement age for women to 60 instead of 62.

Third. Increase the amounts to be authorized under the maternal and child welfare provisions of the Social Security Act.

Fourth. Have tips and other gratuities counted for social-security purposes.

Fifth. Amend the public-assistance program in its application to the Virgin Islands.

Sixth. Amend the public-assistance program in its application to Puerto Rico.

Not only did the Committee on Finance reject amendments which would have greatly improved H. R. 7225, but it took the heart out of the House-passed bill. It eliminated the provision providing for the payment of disability benefits to the totally and permanently disabled, and it lowered the retirement age to 62 for widows only instead of for all women.

As soon as H. R. 7225 was reported by the Finance Committee, I introduced amendments to restore these sections of the bill. I wish to make some general comments about them as well as about the other amendments which I have reintroduced. I intend to discuss each of them in detail when they are called up for consideration.

As I have said, I introduced an amendment restoring the House provisions with respect to the payment of disability benefits. More recently, however, the Senator from Georgia [Mr. GEORGE], along with the Senator from Illinois [Mr. DOUGLAS], the Senator from Louisiana [Mr. LONG], and the Senator from Missouri [Mr. HENNINGS] have offered an amendment which deals with the same subject matter in a somewhat different way. I am a cosponsor of that amendment.

I was very pleased to associate myself with this amendment, which, in addition to providing for the payment of disability benefits at the age of 50, provides for increases in the social security tax to cover the cost of these benefits. It provides, further, that this money is to be put into a special disability fund, separate and distinct from the old-age and survivors insurance fund. I think this is an excellent proposal, and should go a long way toward answering the specious arguments of those who fear that the payment of disability benefits might eat into the OASI fund and endanger its fiscal soundness.

I think that this proposal dealing with the payment of disability benefits to the permanently and totally disabled is, without question, the most important provision to be considered in the course of this debate on social security legislation.

I should like to see this program made available for all permanently and totally disabled, regardless of age. That is the proposal I made early in this session. It was the form in which I included it in the several comprehensive social security bills that I have introduced since I became a Member of this body. The House of Representatives, however, made this provision applicable to only those persons who had reached the age of 50. I think this is an unnecessary limitation. Total and permanent disability and the problems it presents for individuals and families is no respecter of age—individuals under 50 are just as much in need of help as are persons over 50.

But I am willing to accept this limitation in order to get the general principle written into law. I am willing to accept it because I think the adoption of this provision—even in its present form—would make it clear to one and all that we recognize our responsibility and obligation to the disabled citizens of this country. Recognition of this responsibility would fill the one big gap still remaining in our program of social insurance.

The plan to provide a system of benefits for the totally and permanently disabled is not new. It has been under discussion for a number of years. The House Ways and Means Committee held extensive hearings on it as far back as 1950, and it was included in the bill passed by the House that year. I included it in the bill I introduced in the Senate that same year. Unfortunately, the Senate voted it down. I included it again in my comprehensive social-security bill in 1953, but it was disapproved. Again in 1955, the House approved the plan, and the Senate Finance Committee voted it down. The Senate now has an opportunity to restore the provision. I am hopeful that the Senate will make the most of this opportunity and act in the affirmative.

Opposition to disability benefits is centered around several main arguments. First of all, we have the argument that any program of disability benefits to the permanently and totally disabled is administratively unfeasible and impractical—that it is impossible to make determinations of disability of the sort required under the provisions of H. R. 7225.

This argument is without foundation. Today the various disability programs—both public and private—now functioning are functioning in a way that has brought them praise from many groups and individuals.

Let me cite just a few of these programs—the railroad retirement system, the civil service retirement system, the disability programs being carried out under the auspices of the Veterans' Administration, the various programs operated by private insurance companies and by our large industrial concerns, and the disability programs established by labor unions such as the United Mine Workers.

But I have not referred yet to the two programs which offer the best answer to the critics of the disability program now under discussion. I am thinking of the two programs already operating under the social security system—the program of aid to the permanently and totally disabled established in 1950, under the public assistance title of the Social Security Act, and the disability "freeze" provisions that were included in the 1954 amendments to the Social Security Act. The only real difference between this last program and the proposal to make benefits payable at the age of 50 is that the former serves to freeze benefits at the level they stood at the time an individual became totally and permanently disabled. The benefits themselves are not payable until the age of 65. But we recognize that there can be a determination of total and permanent disability.

Yet, in spite of this record, in spite of the numerous programs almost identical with the proposed change in the Social Security Act, the opponents of this plan have come before the Senate Finance Committee with a straight face and have said that it cannot work.

Another set of arguments used by the opponents of this measure is centered around the charge that any program of benefits to the permanently and totally disabled would lead to malingering and idleness; that it would encourage people to become disabled and to stay that way rather than try to get well. In other words, this plan would put a premium on disabilities. There is no need to expand on this line of reasoning. I know my colleagues are all familiar with it.

It implies that people will shop around from doctor to doctor until they find one who will certify that he is totally and permanently disabled. This, to me, is a completely unwarranted reflection on the integrity of the medical profession in the United States. And interestingly enough, the principal source of this charge is the AMA itself. Frankly, I have more faith than this in the medical profession.

The answers to these charges are simple and clear cut. First of all, let us take a look at the size of benefits that would be payable under this program—and remember that only primary benefits would be payable. There would be no payments for dependent children or for a wife. Look at the size of the benefits, and compare them to the level of wages in the United States. The average nonfarm worker is now earning $332 per month. Compare this with the maximum benefit payable under social security of $108.50, and with average benefits much under $100 a month.

I find it impossible to accept the argument that an individual who is making $332 a month would be willing to plead disability in order to collect $102.90. Mr. President, you cannot make me believe, under any circumstances, that a maximum payment of less than $110 a month—and remember that most people would be receiving considerably less—is putting a profit on illness, as some have charged. The cost of living in this country is simply too high for a person to try to get along on such a limited sum if he is able to earn more money. The difference between wages and benefits is just too large for me to accept the theory that a person would willingly accept benefits if he could possibly continue to earn a living for himself and his family.

And now let us consider the character of the American people. To accept the argument that any substantial segment of the disabled would seek to collect disability benefits rather than work is to assume that they are without integrity; that they are lazy and dishonest. Again, I say that I have too much faith in our people to believe that.

I remember these same arguments about encouraging idleness and malingering when our first unemployment compensation laws were under consideration. They have been repeated every time steps have been taken to raise benefits under these laws. They have proven groundless in that connection, and they are just as groundless in this instance.

The next set of arguments used by the opponents of a disability program centers around the charge that such a program will lead inevitably to socialized medicine. Needless to say, it is the American Medical Association and its various State and local branches that resort to this argument. This is not the first time that the AMA has charged that we are headed for socialized medicine. I think, by now, the American public has realized that this is nothing more than an attempt by the opponents of disability benefits to becloud the issue. The American people will not continue to listen to this ancient shibboleth, which is designed to detract from the real issue. As a matter of fact,

even the administration, which is opposed to the disability provisions of H. R. 7225, has refused to give credence to this argument. The Secretary of Health, Education, and Welfare, in his testimony before the Senate Finance Committee, specifically stated that he did not consider this a step toward socialized medicine.

All of these arguments have been negative. But there is one set of arguments which are positive in nature—if there is such a thing as a positive argument against something—namely, the argument that this program is unnecessary because the needs of the permanently and totally disabled can be met by rehabilitation.

I have had many occasions and opportunities to familiarize myself with rehabilitation programs. I have been a strong and consistent supporter of efforts to strengthen these programs—but as Governor of New York State and as a Member of the United States Senate. I do not intend to minimize the value of the programs, inadequate as they are; and I intend to give them continued support in the months and years ahead. I wholeheartedly agree with the supporters of rehabilitation programs that rehabilitation can help solve the problems of some of the disabled. But I cannot accept the position that these programs are in any way the complete answer. I agree that a great deal can be accomplished through rehabilitation, if we provide adequate funds and sufficient trained personnel.

But at the present time our rehabilitation program is totally inadequate to meet the existing situation. There are today more than 2 million physically handicapped persons in this country.

Their number is increasing by more than 250,000 a year. Against this, because of inadequacy of appropriations and lack of trained personnel, we are rehabilitating only about 60,000 a year. In other words, we are making no dent whatsoever in the backlog of more than 2 million, and we are reaching less than 25 percent of the 250,000 persons who are disabled annually. To claim that the great army of disabled men and women must wait for, and depend for help on, rehabilitation is, in the face of the figures I have just given, a sham and an utter delusion.

Even the advocates of rehabilitation admit that there is a limit to what can be done. Only a small fraction of the physically handicapped can be helped. They know there are thousands of cases that will not respond to rehabilitation. They overlook the fact that rehabilitation techniques have not progressed to the point where they can help more than a fraction of the disabled. They overlook the fact that adequate facilities and trained personnel are not available in sufficient numbers even to begin to deal with the problem in its present magnitude. They overlook the fact that many of our disabled are too old to profit from rehabilitation. And yet these same people have come before the Senate Finance Committee and have said that rehabilitation is the way to solve the problems of the totally and permanently disabled—that no other program is required. I cannot accept the view.

I have already said that I feel that rehabilitation procedures and techniques can do much. But we are not concerned here with those who can be helped in this way. We are concerned with the thousands and thousands of people for whom this is not the answer. We cannot let these people depend on charity and public handouts for the rest of their lives. We must see that they have some source of income as a matter of right. We can do this by making a program of benefits to the permanently and totally disabled a part of our social-security system.

As I have said, I believe this proposal is the most important of the changes in the social-security program now under consideration. However, another which is almost of equal importance is the proposal to lower the retirement age for women. H. R. 7225, as it passed the House, would have lowered the retirement age for all women to 62. The Senate Finance Committee greatly modified this provision by making it applicable only to widows.

I felt that the original measure was inadequate; and, as I have already said, I submitted an amendment lowering the retirement age for all women to 60. I still feel that this is the change that should be adopted. At this time, however, I am willing to agree to the original provision of H. R. 7225; namely, retirement age of 62 for all women.

I believe that the action of the Finance Committee is discriminatory in the worst sense. The problems that confront a woman between the ages of 62 and 65 are no respecter of marital status. An employer who is reluctant to hire a widow between 62 and 65 in age is just as reluctant to hire a single woman of the same age.

There is another important point which should be considered in this connection. The Social Security Act was designed to permit voluntary retirement at 65. In practice, however, the size of the benefits is such that a person does not really have a free choice. Consider the case of a married man, Mr. A., who reaches 65. In many instances, his wife is at least 3 years younger. His benefits are not large enough for them to get along solely on what he will receive, and they are not eligible for the additional wife's benefits for another 3 years. This means that the couple will not receive enough to permit the man to retire until he reaches 68. In other words, we have a voluntary retirement age of 68—not 65, which we like to think we have. The adoption of an amendment lowering the retirement age for women will give persons such as Mr. A. and his wife the option of deciding whether he should retire at 65. Without this change, Mr. and Mrs. A have no real choice.

The opponents of this change argue that life expectancy is increasing, that the health of our citizens is improving, that many persons are able to work beyond the age of 62, or even age 65. This is true in many instances, and I think it is a wonderful thing.

I am concerned about those who have not benefited from these changes and improvements. I am concerned about the woman in her early sixties who loses her job and who, because of her advanced years, is unable to find an employer who is willing to hire her. I am concerned about the woman who finds herself a widow at age of 60 or 62—a woman without experience, training, or skills, who must find a job. What is happening to such women between the time when need and want set in to the time when they reach age 65 and become eligible for social security benefits?

It is argued that these women have resources of one kind or another to fall back on—insurance, savings, investments, children, or relatives to help support them. This is undoubtedly true in some cases, but it begs the question. I am concerned about the women who have no financial resources and have nowhere to turn and no one to go to. We cannot let these women depend on private charity, on relief, and public handouts. Our sense of humaneness and our social consciousness will not let us.

We must do all we can to help the older members of our population remain useful citizens. We must stress the fact that retirement under social security is voluntary. We must encourage people to work as long as they are able. But we must make provision for those who cannot work. We must change the law, so that husbands are given a real choice of retiring or continuing to work when they reach 65. We must help those who, because of their age, are unable to find jobs, experience has shown that many women in their early sixties fall into this group. We can help them, we can give them something to look forward to; we can make their advanced years, years of brightness and hope. By lowering the retirement age under social security, we can make them secure in the knowledge that they will not be dependent on others; that they can be self-sufficient, instead of charity cases.

The third proposal which I consider of utmost importance deals with the three maternal and child welfare programs under title V of the Social Security Act. I am proposing that the authorizations for each of these programs be increased. Under my amendment, the authorization for maternal and child welfare services would increase from the present figure of $16.5 million to $26.5 million; the authorization for crippled children would be increased from $15 million to $25 million; and the authorization for child-welfare services would be increased from $10 million to $16.5 million.

I wish to emphasize that my proposal makes no substantive changes in existing programs. It may be that such changes are needed, but the question requires much more careful study and consideration than can or should be given to it at the present time. That is a question for future study.

I have long been interested in problems relating to the welfare of our children, and I have been deeply concerned about the need to do something for them. I have been made more aware of the need as a result of my work as chairman of the Subcommittee on Juvenile Delinquency of the Senate Labor and Public Welfare

Committee. The testimony presented during the hearings of the subcommittee clearly indicates the role which our maternal and child welfare services can play in combating juvenile delinquency.

The total amount presently available is far too small. My amendment would increase the amount to be authorized for these programs by $26.5 million. This may sound like a large sum of money. But let us stop to think what it means. This increase actually amounts to less than 50 cents for each child in the United States. Certainly there is no Member of the Senate who would not be willing to spend 50 cents to improve the health and well-being of a child. I would also like to point out that this would be the first time the authorizations had been increased since 1950—a 6-year period during which our child population has risen by 4 million; and medical costs, which make up the bulk of the expenditures under these three programs, have increased by 30 percent. I think there are few who would question the need for the change which I have recommended.

Another change which I consider highly important—one which has been proposed on previous occasions without success, is to have tips and other gratuities counted as earnings for social security purposes. There are thousands of people in the United States who receive part of their wages in the form of tips—taxicab drivers, waiters and waitresses, barbers, bellhops, and others. These people are entitled to the same degree of social security coverage as the rest of our citizens. They should not be penalized simply because part of their earnings are not paid to them directly by their employer.

These people are required to include moneys received in this way in their income tax returns. I can think of no reason why they should not be entitled to have these moneys counted for social security. I have urged the adoption of an amendment along these lines on other occasions. I am hopeful that this amendment will finally be approved, and that the Members of this body will at last recognize the need for this change and take the steps necessary to put these people on an equal footing with other persons covered by social security.

The next amendment which I have introduced, and which I hope will be approved, deals with the operation of the public assistance program in the Virgin Islands. Two restrictions which I consider wholly unwarranted are imposed on this area. I think the time has come to eliminate them.

One of the restrictions is the imposition of an overall ceiling of $160,000 on the amount of money that can be allocated to the Virgin Islands. I would like to see this ceiling eliminated entirely. I realize, however, that there are some who are unwilling to go this far. I am proposing, therefore, that the ceiling be increased to $300,000. This represents an additional sum of $140,000.

Perhaps there was some basis for the restriction on the amount that could be allocated to the Virgin Islands when the public assistance program was first made applicable to this area. There may have been some doubt as to how well it would be administered and whether it could be kept within bounds. But the public assistance program has now been operating in the Virgin Islands for 6 years. The Government of the Islands has proved that it is capable of administering this program efficiently and fairly. And the time has come when the ceiling imposed on this area is working an undue hardship on the residents of the area—our fellow-American citizens.

The increase which I am asking for amounts to $140,000. The administration has indicated that it is willing to go along with this increase. When we consider the vast sums of money that we have been appropriating for various programs and purposes, it is hard for me to conceive of any Member of this body being unwilling to approve the relatively small sum of $140,000 for the public assistance program in the Virgin Islands—the sum of $140,000 to help our own American citizens.

The second part of this amendment would permit the payment of funds to a needy parent or other relative who has in his or her care a child receiving benefits under the aid-to-dependent-children program. Under this program, which operates on a Federal-State matching basis, payments to the States and the other Territories are authorized for this purpose. It is clearly recognized by all who are familiar with the work being done under the aid-to-dependent-children program that these matching funds are seriously needed and completely justified. So far as I can see, there is absolutely no reasonable ground for this discrimination against the American citizens living in the Virgin Islands. I can see no reason for not removing this unfortunate restriction which is making it extremely difficult, if not impossible, for the government of this area to provide adequate services for these American citizens.

The last amendment to H. R. 7225 which I have proposed deals with Puerto Rico and is similar to my amendment dealing with the Virgin Islands. It would eliminate the restriction preventing the payment of funds to a needy parent or other relative caring for a child under the aid-to-dependent-children program—the same restriction that applies in the Virgin Islands, but in no other State or Territory. The amendment also contains a provision to raise the ceiling on the amount of money that can be allocated under the public assistance program from the present level of $4,250,000 to $8,000,000.

The same principle is involved here as in the case of the Virgin Islands, and the same arguments in favor of raising the ceiling for the islands apply in this case. I am deeply disappointed, therefore, at the administration's position in opposing an increase for Puerto Rico. I think this position is clearly inconsistent and without justification.

I realize, of course, that a considerably larger sum of money is involved in this instance. It amounts to $3¾ million. I hope, however, that my colleagues will agree with me that the need for this increase in the ceiling of public assistance funds for Puerto Rico is essential.

The time for action is long overdue. Let us keep faith with our people. Let us adopt these amendments to the Social Security Act and thus demonstrate that we are interested in their welfare. Let us demonstrate that we are aware and concerned with humanity and social justice; that we recognize our obligation and intend to meet it. Let us, by an overwhelming vote, approve the vital amendments to H. R. 7225.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I announce for the information of Senators that the Senate will convene at 10 o'clock in the morning. We expect to remain in session until late tomorrow evening—at least as late as the Senate has been in session this evening, and perhaps even later.

I hope the Senate can conclude consideration of the social-security bill tomorrow or Wednesday, and proceed to the consideration of the Hells Canyon bill. I hope that can be taken up Wednesday afternoon, and that there can be a vote on it sometime Thursday.

We expect that the executive pay bill will be reported from the committee later in the week. Also there is a customs simplification bill. Both of them are very important measures, and we hope to obtain votes on those measures this week.

In addition, there is the mutual-security appropriation bill. It may be that we shall not be able to reach that bill until the latter part of the week or the early part of next week.

It will be necessary for us to come early and stay late.

I wish to commend Senators and members of the staff, especially the clerks at the desk, for the very fine work they have done today.

We passed 115 bills, including a supplemental appropriation bill, and adopted an important amendment to the social-security bill. In addition, we acted on a very controversial presidential nomination. If we can get as much work done during the remainder of the week as we have done today, our prospects for sine die adjournment will become increasingly brighter each day.

ADDITIONAL BILL INTRODUCED

Mr. MONRONEY, by unanimous consent, introduced a bill (S. 4224) to authorize the sale of certain vessels to Ecuadorian Lines, South America, of the Republic of Ecuador, which was read twice by its title and referred to the Committee on Interstate and Foreign Commerce.

SOCIAL SECURITY AMENDMENTS OF 1956—ADDITIONAL AMENDMENT

Mr. HENNINGS (for himself and Mr. SYMINGTON), by unanimous consent, submitted an amendment, intended to be proposed by them, jointly, to the bill

(H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes, which was ordered to lie on the table and to be printed.

RECESS TO 10 O'CLOCK A. M. TOMORROW

Mr. JOHNSON OF Texas. Mr. President, pursuant to the order previously entered, I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 10:30 o'clock p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Tuesday, July 17, 1956, at 10 o'clock a. m.

NOMINATION

Executive nomination received by the Senate July 16, 1956:

UNITED STATES MARSHAL

Ralph W. Gray, of Massachusetts, to be United States marshal for the district of Massachusetts, for the term of 4 years, vice Robert H. Beaudreau, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 16, 1956:

UNITED STATES CIRCUIT JUDGE

Simon E. Sobeloff, of Maryland, to be United States circuit judge, fourth circuit.

MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

The following-named person to be associate judge of the municipal court for the District of Columbia, for a term of 10 years, to fill an existing vacancy.

Austin L. Flickling, of the District of Columbia.

The following-named persons to be associate judges of the municipal court for the District of Columbia, domestic relations branch, for terms of 10 years, to fill new positions:

John L. Burnett, of the District of Columbia.

Godfrey L. Munter, of the District of Columbia.

Frank Hammett Myers, of the District of Columbia.

PUBLIC UTILITIES COMMISSION OF THE DISTRICT OF COLUMBIA

John Lewis Smith, Jr., of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia, for a term of 3 years expiring June 30, 1959.

WITHDRAWAL

Executive nomination withdrawn from the Senate July 16, 1956:

POSTMASTER

Edward F. Helsel to be postmaster at Newry, in the State of Pennsylvania.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 16, 1956

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, who art the source of our highest joy and the satisfaction of our deepest needs, we beseech Thee, in all simplicity and sincerity, that we may begin, continue, and end this new week with Thee and in the spirit of our blessed Lord.

Give us a restful spirit and a calm mind and strength within as we try to meet courageously and confidently each day's duties and demands.

Grant that in the bewildering experiences of these times we may yield ourselves completely to the sovereignty of Thy divine will whose appeal we cannot deny and whose authority we cannot doubt.

Inspire our minds and hearts with a lofty social idealism, and may we know what is wisest and best for our beloved country and strive to find a just and righteous solution to all the problems of human relationships.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Friday, July 13, 1956, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 842. An act granting increases in the annuities of certain former civilian officials and employees engaged in and about the construction of the Panama Canal, and for other purposes;

H. R. 1403. An act for the relief of Anthony J. Varca, Jr.;

H. R. 1535. An act for the relief of Cabrillo Land Co., of San Diego, Calif.;

H. R. 2111. An act to authorize the Secretaries of the Army, the Navy, and the Air Force to cause to be published official registers for their respective services;

H. R. 3733. An act for the relief of Charles A. Barron;

H. R. 3987. An act for the relief of Onie Hack;

H. R. 4456. An act for the relief of Cpl. Oscar H. Mash, Jr.;

H. R. 5868. An act for the relief of the estate of Gertrude I. Keep;

H. R. 6729. An act to provide that the Secretary of the Navy shall appoint certain former members of the Navy and Marine Corps to the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, and thereafter transfer such members to the appropriate retired list;

H. R. 7190. An act restoring to tribal ownership certain lands upon the Colville Indian Reservation, Wash., and for other purposes;

H. R. 7611. An act to establish a date of rank for pay purposes for certain Naval Reserve officers promoted to the grades of lieutenant and lieutenant commander;

H. R. 7646. An act to authorize the Secretaries of the military departments, and the Secretary of the Treasury with respect to the Coast Guard, to incur expenses incident to the representation of their personnel before judicial tribunals and administrative agencies of any foreign nation;

H. R. 7943. An act to change the name of the Government locks at Ballard, Wash., to the "Hiram M. Chittenden locks";

H. R. 8005. An act to provide for the conveyance to the Mathew American Horse American Legion Post No. 259, Cannon Ball, N. Dak., of certain lands upon the Standing Rock Reservation, N. Dak., for use as a site for the erection of a memorial monument in honor of members of the Armed Forces killed in battle;

H. R. 8290. An act to provide for the appointment and promotion of the director and assistant directors of the band of the United States Marine Corps, and for other purposes;

H. R. 8407. An act to require enlisted members of the Armed Forces to make up time lost during enlistments;

H. R. 9106. An act for the relief of Saul Lehman;

H. R. 9246. An act to amend the Armed Forces Leave Act of 1946 by authorizing payments to survivors of former members for unused leave credit;

H. R. 9339. An act to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee National Forest, Ga., and for other purposes;

H. R. 9451. An act to provide that certain lands shall be held in trust for the Seminole Indians and to provide that certain lands shall be designated as a reservation for Seminole Indians;

H. R. 9500. An act to continue the effectiveness of the Missing Persons Act, as extended, until July 1, 1957;

H. R. 9892. An act to amend the provisions of the Revised Statutes, relating to physical examinations preliminary to promotion of officers of the naval service;

H. R. 10011. An act for the relief of Jess Gary;

H. R. 10199. An act for the relief of A. O. Nissen and Don Nissen;

H. R. 10368. An act to amend the Civil Service Act of January 16, 1883, so as to require that certain reports and other communications of the executive branch to Congress contain information pertaining to the number of civilian officers and employees required to carry out additional or expanded functions, and for other purposes;

H. R. 10375. An act to amend the act entitled "An act to provide recognition for meritorious service by members of the police and fire departments of the District of Columbia," approved March 4, 1929;

H. R. 10670. An act to amend the District of Columbia Unemployment Compensation Act so as to extend the coverage of such act to employees of the municipal government of the District of Columbia employed in District of Columbia institutions located in Maryland and Virginia;

H. R. 10683. An act to amend the Dependents Assistance Act of 1950, as amended, so as to provide punishment for fraudulent acceptance of benefits thereunder;

H. R. 10964. An act to provide for municipal use of storage water in Benbrook Dam, Tex.;

H. R. 11163. An act to amend section 2 of the act of March 29, 1956 (70 Stat. 58), authorizing the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes;

H. R. 11346. An act for the relief of Camillus Bothwell Jeter;

H. R. 11375. An act to amend the Agricultural Act of 1949, as amended, to further extend the special school-milk program to certain institutions for the care and training of children;

H. R. 11488. An act to amend the District of Columbia Traffic Act, 1925, as amended;

H. R. 11530. An act for the relief of M. Sgt. Harold LeRoy Allen;

H. R. 11611. An act to provide for the establishment of the Pea Ridge National Military Park, in the State of Arkansas;

H. R. 11766. An act to provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama;

H. J. Res. 621. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 626. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 627. Joint resolution for the relief of certain aliens; and

H. J. Res. 638. Joint resolution to facilitate the admission into the United States of certain fiances of United States citizens.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2691. An act for the relief of Cale P. Huan and Julia Fay Haun;

S. 3508. An act to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota;

S. 3832. An act to provide for the disposal of the Government-owned synthetic research laboratories at Akron, Ohio;

S. 3868. An act to extend the Export-Import Bank Act of 1945, as amended, and for other purposes;

S. 3941. An act relating to certain mining claims which were eligible for validation under the act of August 12, 1953, but which were not validated solely because of the failure of the owners to take certain action to protect their claims within the prescribed period;

S. 4039. An act to encourage the discovery, development, and production of manganese-bearing ores and concentrates in the United States, its Territories, and possessions, and for other purposes;

S. 4076. An act to provide for the appointment of legal officers of certain departments in the executive branch by the President, by and with the consent of the Senate; and

S. J. Res. 182. Joint resolution to extend the time for filing the final report of the Commission on Government Security to June 30, 1957, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 5337. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities;

H. R. 6595. An act to amend certain provisions of law relating to the estate tax;

H. R. 11010. An act creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.; and

H. R. 11124. An act to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 3982. An act to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories and possessions, and for other purposes.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2568) entitled "An act to amend title I of the act entitled 'An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes,' " requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. FREAR, and Mr. BEALL to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 483) entitled "An act to amend the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5566) entitled "An act to terminate the existence of the Indian Claims Commission, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6376) entitled "An act to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) entitled "An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities."

SERVICEMEN'S AND VETERANS' SURVIVOR BENEFITS ACT

Mr. HARDY submitted a conference report and statement on the bill (H. R. 7089) to provide benefits for the survivors of servicemen and veterans, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

H. R. 11742, FOR AIDING SMALL BUSINESSES DISPLACED BY SLUM CLEARANCE OPERATIONS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I was very unhappy to learn of the action by the Rules Committee tabling H. R. 11742, the so-called Housing Act of 1956.

The general housing bill reported by the Banking and Currency Committee has a number of worthwhile and desirable features. I would like to address my remarks to one special section of the bill designed to do justice and equity to small businesses displaced by slum clearance operations.

Mr. Speaker, all right-thinking people are in favor of a large-scale and effective slum clearance program. But we must recognize that when large sections of a city are selected for razing and demolition, inevitably hardships are created. There are thousands of small-business enterprises of all types and descriptions who are forced to leave their present business site and their present following of customers. Hardest hit are the small business tenants who receive no compensation under existing condemnation proceedings for the cost of moving to a new location and for other costs incurred by the dislocation of their business. The need to do equity to these displaced small businesses has at long last been recognized, and H. R. 11742 would do two important things to help these small enterprises.

First, it would permit reimbursement for moving expenses and other losses of property (except goodwill) up to $5,000 for any one business.

Second, the bill would provide the Small Business Administration with $25 million to make loans, under liberal credit standards, to help small businesses to relocate. The loans would be at 4-percent interest and could extend for a term as long as 20 years.

Mr. Speaker, I am not one of those who pay lipservice to the desirability of fostering small business. I am for them 100 percent and I believe in doing something concrete and tangible for them, particularly when—as in the case of slum clearance operations—they are forced to suffer hardship through no fault of their own.

Mr. Speaker, the aids to small businesses is just one of the many compelling reasons why this body should have the opportunity to vote on the general housing bill. I sincerely hope that the Rules Committee will reconsider and give this worthwhile legislation a green light.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AMENDING FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

The Clerk called the bill (S. 2364) to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MENTAL HEALTH STUDY GRANTS

The Clerk called the bill (H. R. 9048) to amend the Public Health Service Act so as to improve the mental health of the Nation through grants for special projects to develop improved methods of care, treatment, and rehabilitation of the mentally ill.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FISH HATCHERY IN WESTERN OKLAHOMA, TEXAS, COLORADO, OR KANSAS

The Clerk called the bill (H. R. 221) to establish rearing ponds and a fish hatchery in western Oklahoma.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

INCREASING BENEFITS PAYABLE TO WIDOWS OF FORMER EMPLOYEES OF THE LIGHTHOUSE SERVICE

The Clerk called the bill (S. 2937) to increase from $50 to $75 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TOWN OF CLAYTON, N. MEX.

The Clerk called the bill (S. 218) for the relief of the town of Clayton, N. Mex.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Federal Airport Act, costs incurred by the town of Clayton, N. Mex., for construction of an administration building (including that part of such building constituting an auditorium or pilots' clubroom) and a fire reservoir which was designed and constructed to be usable as a swimming pool, pursuant to a grant agreement for airport development entered into on June 29, 1949, between such town and the Administrator of Civil Aeronautics (contract No. C4ca–5800), shall be held and considered allowable project costs within the meaning of such act, and such town is hereby relieved of all liability to the United States to refund any amounts based upon such costs heretofore received by it under such agreement.

SEC. 2. The Administrator of Civil Aeronautics is authorized and directed to pay, out of any funds available for the making of payments to public agencies for airport development under the Federal Airport Act, to the town of Clayton, N. Mex., the amount of $4,186.18, representing the unpaid balance of the Federal share of the total allowable project costs incurred by such town for airport development under contract No. C4ca–5800 (including the construction of the auditorium or pilots' lounge and briefing room and the swimming pool-fire reservoir).

Mr. BYRNES of Wisconsin. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of Wisconsin:

On page 1, line 11, after the word "shall", insert "for the sole purpose of releasing the town of liability based upon these costs."

On page 2, line 5, strike out all of section 2.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF PROPERTY TO COMMONWEALTH OF PUERTO RICO

The Clerk called the bill (H. R. 9506) to provide for the conveyance of La Puntilla Military Reservation, San Juan, Puerto Rico, to the Commonwealth of Puerto Rico.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman for Michigan?

Mr. DIES. Mr. Speaker, reserving the right to object, what is the purpose of passing over these bills? Are they objectionable bills?

Mr. FORD. In this particular case there is an objection by one of the executive departments. The universal rule, as far as the Objectors Committee is concerned is that where such objection does exist the bill be passed over without prejudice.

Mr. DIES. I note that there were some 4 or 5 bills that have been passed over. That is strange procedure but it will, of course, serve as a basis for objection to the bills next week.

Mr. FORD. Mr. Speaker, I would say to gentleman from Texas that the 4 or 5 bills to which he has referred are bills which have accumulated over the past several months. They have been repeatedly passed over without prejudice, so there is an accumulation of them. Soon we will get into a whole batch of them to which there will be no objection.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CITY OF VERO BEACH, FLA.

The Clerk called the bill (H. R. 10383) to provide for the conveyance of certain real property of the United States to the city of Vero Beach, Fla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to convey, without consideration, to the city of Vero Beach, Fla., all of the right, title, and interest of the United States in and to certain real property described as follows:

Lots 17, 18, 19, 20, 21, and the south 15 feet of lot 22 of block 48, also known as the city hall block, in the original town of Vero (now city of Vero Beach), Fla., according to plat thereof recorded in the office of the clerk of the circuit court of Saint Lucie County, Fla.; situated in Vero Beach, Indian River County, Fla.; and also all that part of the alleys shown upon the plat of the above-described property which lie east of lots 6, 7, 8, 9, 10, and 11 of the above-described block; and also all of the alley as shown upon the plat of said above-described block which lies north of the east 25 feet of lot 12 and north of lots 13, 14, 15, and 16 of said above-described block.

SEC. 2. (a) The Administrator of General Services is authorized and directed to convey to the city of Vero Beach, Fla., in consideration of the payment by such city of $15,000, all of the right, title, and interest of the United States in and to certain real property described as follows:

Lots 6 to 11, inclusive, block 48, also known as the city hall block, in the original town of Vero (now city of Vero Beach), Fla., according to plat thereof recorded in the office of the clerk of the circuit court of Saint Lucie County, Fla., situated in Vero Beach, Indian River County, Fla.

(b) Such sum of $15,000 shall be covered into the Treasury of the United States as miscellaneous receipts.

With the following committee amendments:

Page 2, line 12, strike "$15,000" and insert in lieu thereof "an amount equal to the fair market value of the property at its highest and best use as determined by said Administrator."

Page 2, line 21, after the word "Such", strike the words "sum of $15,000" and insert in lieu thereof "amount equivalent to the fair market value."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN HOLLIS BANKHEAD LOCK AND DAM

The Clerk called the bill (H. R. 7130) to provide that lock and dam numbered 17 on the Black Warrior River, Ala., shall hereafter be known and designated as the John Hollis Bankhead lock and dam.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that an identical Senate bill, S. 2424, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, in honor of the late Senator John Hollis Bankhead, and in recognition of his outstanding service in securing the improvement of the Black Warrior River, Ala., lock and dam No. 17 on such river shall hereafter be known and designated as the John Hollis Bankhead lock and dam, and shall be dedicated to his memory as a monument to his distinguished public service. Any law, regulation, document, or record of the United States in

which such lock and dam is designated or referred to as lock and dam numbered 17 shall be held and considered to refer to such lock and dam under and by the name of the John Hollis Bankhead lock and dam.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 7130) was laid on the table.

NAMING LOCK AND DAM 17 ON THE BLACK WARRIOR RIVER IN ALABAMA THE JOHN HOLLIS BANKHEAD LOCK AND DAM

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ELLIOTT. Mr. Speaker, I am happy that this bill, H. R. 7130, of which I have the privilege of being the author, is now before the United States House of Representatives for consideration. I want to take this opportunity to thank the Committee on Public Works, and particularly the gentleman from Alabama [Mr. JONES], a member of the committee, for bringing this bill to the floor today.

The bill simply provides that lock and dam No. 17 on the Black Warrior River in Alabama, shall hereafter be known and designated as the "John Hollis Bankhead lock and dam" in honor of the statesman who so ably served Alabama and the Nation in the United States Congress from 1887 until 1920.

John Hollis Bankhead was born September 13, 1842, in what is now Lamar County, Ala. He was educated in the public schools of the State. During the Civil War he rose to the rank of captain in the 16th Alabama Volunteers of the Confederate States of America.

The political career of John Hollis Bankhead began when he was elected to the Alabama House of Representatives in 1865. He served that term and again from 1880 to 1885. He was elected to the United States House of Representatives in 1887 and served the district which I now have the honor to represent. He served in the United States House of Representatives until 1907 when he was elected to the United States Senate to fill the vacancy caused by the death of Senator John T. Morgan. Senator Bankhead's service in the Senate ended with his death on March 1, 1920. He was the last Confederate veteran to serve in Congress.

After John Hollis Bankhead went to the United States Senate his son William Brockman Bankhead was elected to Congress in 1916. William B. Bankhead served honorably and ably, and from 1936 until his death in 1940, he was Speaker of the United States House of Representatives.

In 1930, another son of John Hollis Bankhead was honored by election to the United States Senate from Alabama. I refer now to John H. Bankhead, Jr. He was an able Senator, serving Alabama in that capacity until his death in 1946. His services were particularly outstanding in the field of farm legislation. He was the author of the Bankhead-Jones Act that has done so much to promote home ownership for farm tenants.

John Hollis Bankhead has many notable descendants. Among them are his granddaughter, the world famous actress, Tallulah Bankhead. Another is Walter Will Bankhead, outstanding lawyer and businessman, who served for a short time as a Member of Congress from the Seventh Congressional District of Alabama. Thus, Mr. Speaker, the congressional district which I now have the honor to represent was represented by John Hollis Bankhead from 1887 to 1907; by his son, William B. Bankhead, from 1917 to 1940; and by his grandson, Walter Will Bankhead, for a part of the 1st session of the 76th Congress in 1941. I believe that this is the only congressional district in America that has been so represented by father, son, and grandson. It is a rare testimonial to the esteem with which the family of John Hollis Bankhead has been held in what is now the Seventh Congressional District of Alabama for 70 years.

John Hollis Bankhead pioneered many important pieces of legislation. He was the author of the first bill for Federal aid to highways. A highway reaching across the continent from Washington, D. C., to San Diego, Calif., is named the Bankhead Highway in his honor. He has been called the father of good roads. While in the Congress, he served with distinction on the Committees on Public Buildings and Rivers and Harbors; he served on the Senate Post Office and Post Roads Committee; he was chairman of the Joint Commission on Postal Salaries, a member of the Agriculture Committee, and later the Commerce Committee.

John Hollis Bankhead's greatest interest in the field of domestic legislation was the development of the Warrior-Tombigbee River system in Alabama. He was always prominent in promoting navigation. It was through his efforts that the Warrior River was made navigable from the coal and iron fields of north Alabama and Birmingham to Mobile Bay. During the period of his service in the Congress, he saw the improvements begin on the river system, and before the end of his service he saw the completion of the improvement works by the building of lock and dam No. 17. While working on the development of the Warrior-Tombigbee Waterway, he also worked to have Mobile Bay deepened.

Today this great river system, which has been termed "Alabama's greatest natural asset," is a monument to the vision and courage of John Hollis Bankhead. The 467-mile Warrior-Tombigbee-Mobile Waterway, reaching from Birmingham port to Mobile, carries the bulk of all commerce moved on the inland waterways in the southeastern coastal area.

The fact that we are now engaged in modernizing the improvement works on the Warrior-Tombigbee system at a cost of more than $100 million bears out the prediction of John Hollis Bankhead that the importance of this river system would continue to grow.

Lock and dam No. 17 has the highest lift of any of the original locks and dams. It is at the top of the entire system. It creates the lake, or pool, or water on which the port of Birmingham is located on the Locust Fork of the river.

Mr. Speaker, I feel that it is peculiarly fitting that this lock and dam be named in honor of the distinguished public service rendered by John Hollis Bankhead, who did for so long so ably serve Alabama in the Congress of the United States. I urge approval of the bill, H. R. 7130.

I include a copy of the bill and the committee report as a part of my remarks:

H. R. 7130

A bill to provide that lock and dam No. 17 on the Black Warrior River, Ala., shall hereafter be known and designated as the John Hollis Bankhead Lock and Dam

Be it enacted, etc., That, in honor of the late Senator John Hollis Bankhead and in recognition of his outstanding service in securing the improvement of the Black Warrior River, Ala., lock and dam No. 17 on such river shall hereafter be known and designated as the John Hollis Bankhead Lock and Dam, and shall be dedicated to his memory as a monument to his distinguished public service. Any law, regulation, document, or record of the United States in which such lock and dam is designated or referred to as lock and dam No. 17 shall be held and considered to refer to such lock and dam under and by the name of the John Hollis Bankhead Lock and Dam.

PROVIDING THAT LOCK AND DAM NO. 17 ON THE BLACK WARRIOR RIVER, ALA., SHALL HEREAFTER BE KNOWN AND DESIGNATED AS THE JOHN HOLLIS BANKHEAD LOCK AND DAM

Mr. BLATNIK, from the Committee on Public Works, submitted the following supplemental report:

The Committee on Public Works, to whom was referred the bill (H. R. 7130) to provide that lock and dam No. 17 on the Black Warrior River, Ala., shall hereafter be known and designated as the John Hollis Bankhead lock and dam, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The site of the lock and dam No. 17 is on the Black Warrior River in the State of Alabama, 379 miles upstream from Mobile. It was authorized in 1907 and opened to traffic in 1915. The lock has a double lift, the total lift being 72 feet.

Lock and dam No. 17 is the most upstream structure on the Warrior-Tombigbee River navigation system, a unit of the Nation's vast system of inland waterways. The port of Birmingham is located on the pool created by this lock and dam.

The committee is advised that the bill has the support of interested groups and individuals in the State of Alabama. Naming the lock and dam for the statesman, John Hollis Bankhead, who so ably served Alabama and the Nation in the United States House of Representatives from 1887 to 1907 and in the United States Senate from 1907 to 1920, would seem most appropriate, and the committee recommends enactment of the legislation.

MILITARY AIRCRAFT ACCIDENT INVESTIGATIONS

The Clerk called the bill (H. R. 6805) to prohibit in any lawsuit or action for damages the use and admission as evidence of investigations by the military departments of aircraft accidents conducted in the interest of air safety.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any other law, no part of any investigation by a military department of an aircraft accident, or record or report thereof, including but not limited to the oral and written statements of witnesses, which was conducted in the interest of safety in air navigation, shall be admitted as evidence or used in any suit or action for damages growing out of any matter mentioned in such investigation, or record or report thereof.

SEC. 2. In addition to any investigation conducted in the interest of safety in air navigation, the Secretary of the military department concerned, under regulations prescribed by him, shall require an investigation into the causes and circumstances of all accidents involving military aircraft resulting in an estimated damage of more than $10,000 to private property not on the aircraft, or the death or injury of—

(1) a person not a member of the Armed Forces, except a person whose death or injuries are compensable under the Federal Employees' Compensation Act; or

(2) a member of the Armed Forces who at the time of the accident was not a passenger in the aircraft, was not on a military reservation, and was not performing military duties at the time of the accident.

Any part of this investigation or record or report thereof may be used in any suit or action for damages growing out of any matter mentioned in such investigation, or record or report thereof.

With the following committee amendment:

At the end of the bill insert the following:

"SEC. 2. In addition to any investigation conducted in the interest of safety in air navigation, the Secretary of the military department concerned, under regulations prescribed by him, shall require an investigation into the causes and circumstances of all accidents involving military aircraft resulting in an estimated damage of more than $10,000 to private property not on the aircraft, or the death or injury of—

"(1) a person not a member of the Armed Forces, except a person whose death or injuries are compensable under the Federal Employees' Compensation Act; or

"(2) a member of the Armed Forces who at the time of the accident was not a passenger in the aircraft, was not on a military reservation, and was not performing military duties at the time of the accident.

Any part of this investigation or record or report thereof may be used in any suit or action for damages growing out of any matter mentioned in such investigation, or record or report thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COASTWISE TRADE

The Clerk called the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, (a) in order to encourage the construction of new vessels and to promote the development and rehabilitation of the coastwise trade, the Secretary of Commerce (hereafter in this act referred to as the "Secretary") is authorized and directed to charter for bareboat use to citizens of the United States the following T2 SE A2 tankers: *Mission de Pala, Mission San Antonio, Mission Capistrano, Mission Santa Cruz, Soubarissen, Mission Loreto, Mission San Luis Rey, Sebee, Mission Dolores, Mission Purisima, Mission San Diego, Mission San Fernando, Mission San Luis Obispo, Mission San Rafael, Mission Santa Ana, Cahaba,* and *Pamanset*, and the following T2 SE A1 tankers: *Esso Cumberland, Esso Roanoke,* and *Esso Memphis.*

(b) As used in this act, the term "citizen of the United States" includes corporations, partnerships, and associations but only those which are citizens of the United States within the meaning of section 2 of the Shipping Act of 1916, as amended.

(c) No charter shall be made under this act with any applicant who does not, in the determination of the Secretary, possess the qualifications necessary to enable him to operate the tankers eligible for charter under this act in the United States domestic coastwise trade.

(d) Each charter made under authority of this act shall be for a period of 5 years except that, upon agreement by the Secretary and the applicant, a charter may be made for a longer period.

(e) The charter hire for any tanker chartered under this act shall be at the rate of 15 percent per annum of the statutory sales price of such tanker, computed by the Secretary as of the date of charter in accordance with the provisions of section 3 (d) of the Merchant Ship Sales Act of 1946 (60 Stat. 41) but without regard to the last two sentences of such section 3 (d).

(f) Each charter made under authority of this act shall contain the following conditions:

(1) The charterer shall, at his expense, install on the chartered tanker an upper deck suitable for the carriage of cargo containers having an aggregate capacity of not less than 1,000 tons gross weight. Such installation shall be in accordance with plans and specifications approved by the Secretary of Commerce.

(2) If the charter is terminated prior to expiration for any reason not the fault of the charterer, or the vessel becomes a constructive or actual total loss, the United States shall pay to the charterer the depreciated cost of such deck installation. For the purposes of this subsection, the cost of such deck installation shall be depreciated at the rate of 20 percent per annum.

(3) The chartered tanker shall be restricted to operation in the United States coastwise trade, except that, with the approval of the Secretary, such vessel may be operated in any other trade if such operation is for the account of any department or agency of the United States.

(4) When redelivered to the United States such chartered tanker shall be in as good operating condition, including class, as when delivered to the charterer, ordinary wear and tear excepted.

(5) The charter shall contain such other terms and conditions as the Secretary deems necessary to protect the interests of the United States.

SEC. 2. The Secretary shall place each tanker eligible to be chartered under the provisions of this act in good operating condition, including class, before it is chartered, and the expense thereof shall be that of the United States.

SEC. 3. Tankers shall be chartered under this act only in pairs or in multiples of two. Each applicant for a charter under this act must agree that for each two tankers chartered to him under this act the applicant will cause to be constructed in a United States shipyard or shipyards one dual purpose cargo tankship of not less than 32,000 tons deadweight, designed for the carriage of liquid cargo, equipped with an upper deck suitable for the carriage of cargo in containers, and having a speed of at least 18 knots. For a period of 10 years after its construction no cargo tankship constructed pursuant to this act shall be operated in any trade other than the United States domestic coastwise trade. Such agreement shall contain such terms and conditions as the Secretary deems necessary to protect the interests of the United States.

SEC. 4. (a) For each new cargo-tankship to be constructed in accordance with section 3 of this act the charterer or an affiliate under common ownership with such charterer may trade in to the United States two dry-cargo vessels for an allowance of credit to the charterer. The allowance shall be paid, by the Secretary, on terms and conditions approved by him, to the shipbuilder constructing the new cargo-tankship. To be eligible to be traded in under this section, a dry-cargo vessel must be (1) not less than 1,500 gross tons; (2) not less than 12 years old; (3) a war-built vessel, as defined in section 3 (b) of the Merchant Ship Sales Act of 1946 (60 Stat. 41); (4) owned by a citizen or citizens of the United States; (5) documented under the laws of the United States for not less than 3 years immediately preceding the date of its physical delivery to the United States; (6) a vessel that has been owned by the charterer or an affiliate under common ownership with such charterer for not less than 3 years immediately preceding the date of its physical delivery to the United States; (7) free and clear at the time of title transfer of all liens and encumbrances whatsoever, other than mortgage indebtedness due the United States; and (8) in class satisfactory to the Secretary on the date of its physical delivery to the United States with respect to its hull and machinery. The allowance of credit for a dry-cargo vessel traded in under this act shall be fixed by the Secretary at the time of the signing of the agreement required by section 3 of this act, at an amount not less than the fair market value for a comparable vessel if such comparable vessel were to be sold at such time of signing for operation under foreign registry or flag. The allowance of credit for such vessel shall be reduced by the amount of any mortgage indebtedness on such vessel due the United States and such indebtedness shall be thereupon discharged. The owner of a vessel being traded in under this section shall have the right to charter such vessel for such period of time as such owner may desire but not beyond the voyage current at the time of the delivery to such owner of the new cargo-tankship with respect to which such owner received an allowance of credit for such dry-cargo vessel. Charter hire for the vessel traded in shall be paid to the Secretary at the rate of 15 percent per annum of the statutory sales price of such vessel, computed at the time of charter in accordance with the provisions of section 3 (d) of the Merchant Ship Sales Act of 1946 (60 Stat. 41).

SEC. 5. No gain shall be recognized to the charterer, or to an affiliate under common ownership with such charterer, for the purpose of Federal income taxes in the case of a trade-in of a dry-cargo vessel to the Secretary under this act. The basis for gain or loss upon a sale or exchange and for depreciation under the applicable Federal income-tax laws of a new cargo-tankship constructed pursuant to this act shall be the same as the basis of the dry-cargo vessels traded in for credit, increased in the amount of the cost of such new cargo-tankship (other than the cost represented by such dry-cargo vessels) and decreased in the amount of loss recognized upon such trade-in.

SEC. 6. No charter shall be made under this act on or after 2 years from the date of enactment of this act.

With the following committee amendments:

On page 1, line 7, after the word "directed", delete the rest of the line and insert the following: "notwithstanding the provisions of section 11 of the Merchant Ship Sales Act of 1946, as amended, and section 510 (h) of the Merchant Marine Act, 1936, as amended, to bareboat charter to citizens of the United States tankers under his jurisdiction."

One page 1, delete lines 8 through 10.

On page 2, delete lines 1 through 5.

On page 2, line 14, between the words "operate" and "tankers", delete the word "the."

On page 2, line 21, delete "15 per centum per annum of" and insert in lieu thereof "$150,000 per annum."

On page 2, delete lines 22 through 24.

On page 3, delete lines 1 and 2.

On page 3, line 3, after the "(f)", delete the rest of the line and insert the following: "As additional consideration for making of any charter under this act, the charterer shall, on such terms and conditions as the Secretary deems necessary to protect the interests of the United States, agree to the following:"

On page 3, delete line 4.

On page 3, line 5, after the words "install on", delete the word "the."

On page 3, line 6, before the word "chartered" at the beginning of the line, insert the word "each."

On page 3, line 7, delete the word "having" and in lieu thereof insert the words "which have."

On page 3, line 10, at the end of the line, delete the period and insert the words "and by the Secretary of the Navy."

On page 3, line 11, after the "(2)", delete the rest of the line and insert the following: "The charterer must agree that for each two tankers chartered to him under this act the charterer will cause to be constructed in a United States shipyard or shipyards one dual-purpose cargo-tankship of not less than 32,000 tons deadweight, designed for the carriage of liquid cargo, equipped with an upper deck suitable for the carriage of cargo in containers, and having a speed of at least 18 knots.

"(3) For a period of 10 years after its construction no cargo-tankship constructed pursuant to this act shall be operated in any trade other than the United States domestic coastwise trade, except that, with the approval of the Secretary, such vessel may be operated in any other trade if such operation is for the account of any department or agency of the United States"

On page 3, delete lines 12 through 17.

On page 3, line 18, delete the "(3)" and in lieu thereof insert "(4)."

On page 3, line 23, delete the "(4)" and in lieu thereof insert "(5)."

On page 4, line 3, delete the "(5)" and in lieu thereof insert "(6)."

On page 4, between lines 5 and 6, insert the following paragraph:

"SEC. 2. Tankers shall be chartered under this act only in pairs or multiples of two."

On page 4, line 6, after the word "SEC.", delete the "2." and in lieu thereof insert "3. (a)."

On page 4, between lines 9 and 10, insert the following paragraph:

"(b) If the charter is terminated prior to expiration for any reason not the fault of the charterer, the United States shall pay to the charterer the depreciated cost of the deck installation required by section 1 (f) (1). For the purposes of this subsection, the cost of such deck installation shall be depreciated at the rate of 20 per centum per annum."

On page 4, delete lines 10 through 24.

On page 5, line 2, delete the "3" and insert in lieu thereof "1 (f) (2)."

On page 6, line 3, delete the "3" and insert in lieu thereof "1 (f) (2)."

On page 6, line 13, delete the words "to such owner."

On page 6, line 14, delete the words "such owner re-."

On page 6, line 15, delete the word "ceived" and between the words "credit" and "for" insert the words "has been made."

Page 6, line 25, delete the word "tradein" and insert in lieu thereof the word "trade-in."

Page 7, line 2, delete the word "income-" and insert in lieu thereof the words "income tax."

Page 7, line 3, delete the word "tax."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERCHANGE OF CERTAIN FEDERAL AND STATE EMPLOYEES

The Clerk called the bill (S. 1915) to provide for further effectuating the act of May 15, 1862, through the exchange of employees of the United States Department of Agriculture and employees of State political subdivisions or educational institutions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Congress hereby declares that the objectives of this act are to aid in the dissemination of useful information on subjects connected with agriculture and to provide a means whereby the Government of the United States and the several States may better cooperate in problems arising as a result of the interrelationships of their work in the field of agriculture.

SEC. 2. For the purposes of this act, the term "Department" shall be deemed to mean United States Department of Agriculture; "Secretary" shall mean Secretary of the United States Department of Agriculture; and "State" shall mean a State, county, city, municipality, land-grant college, or a college or university operated by any State or local government.

SEC. 3. In carrying out this act, the Secretary is authorized through cooperative agreements or otherwise to provide for the interchange of employees of the Department and employees of States. The period of assignment under such an interchange arrangement shall not exceed 2 years.

SEC. 4. Employees of the Department participating in an exchange of personnel as authorized in section 3 may be considered during such participation to be (1) on detail to a regular work assignment of the Department, or (2) in a status of leave-of-absence from their positions in the Department. Employees who are considered to be detailed shall be entitled to the same salary and benefits to which they would otherwise be entitled and shall remain employees of the Department for all other purposes except that the supervision of their duties during the period of detail may be governed by agreement between the Department and the State involved. Employees who are in a leave-of-absence status as provided herein shall be carried on leave without pay: *Provided,* That they may be granted annual leave to the extent authorized by law and may be granted authorized sick leave only in circumstances considered by the Secretary to justify approval of such leave. Except as otherwise provided in this act, such employees shall have the same rights, benefits, and obligations as employees generally who are in such leave status but notwithstanding any other provision of law such employees shall be entitled to credit the period of such assignment (1) toward periodic and longevity step-increases, and (2) upon payment into the retirement fund of the percentage of their State salary which would have been deducted from a like Federal salary for the period of such assignment, to credit such period as service within the meaning of the Civil Service Retirement Act. Any employee who participates in an exchange under the terms of this section who suffers disability or death as a result of personal injury arising out of and in the course of an exchange, or sustained in the performance of duties in connection therewith shall be treated, for the purposes of the Federal Employees' Compensation Act, as amended (5 U. S. C., sec. 790), as though he were an employee, as defined in such act, who had sustained such injury in the performance of such duty, but shall not receive benefits under that act for any period for which he elects to receive similar benefits from a State agency.

SEC. 5. Appropriations of the Department shall be available, in accordance with Standard Government Travel Regulations, as amended, for the expenses of travel of employees assigned to States on either a detail or leave basis, expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects to the location of the posts of assignment and for such expenses for the return of employees to their official stations, but shall not be available for expenses of travel of the employees during such period of assignment.

SEC. 6. Employees of States who are assigned to the Department under authority of this act may (1) be given appointments in the Department covering the periods of such assignments, or (2) be considered to be on detail to the Department. Appointments of persons so assigned may be made without regard to the civil service laws or regulations. Persons given appointment in the Department shall be paid at rates of compensation in accordance with the Classification Act of 1949, as amended. State employees who are assigned to the Department without appointment shall not be considered to be employees of the Department, except as provided in section 7, nor shall they be paid a salary or wage by the Department during the period of their detail. The supervision of the duties of such employees during the assignment may be governed by agreement between the Department and the State involved.

SEC. 7. Any State employee who is given an appointment while assigned to the Department or who is assigned to the Department without appointment and who suffers disability or death as a result of personal injury arising out of and in the course of such assignment, or sustained in the performance of duties in connection therewith shall be treated, for the purpose of the Federal Employees' Compensation Act, as amended (5 U. S. C., sec. 790), as though he were an employee, as defined in such act, who had sustained such injury in the performance of such duty, but shall not receive benefits under that act for any period for which he elects to receive similar benefits as a State employee.

SEC. 8. The appropriations of the Department shall be available in accordance with the Standardized Government Travel Regulations, Travel Expense Act of 1949, for the payment of expenses of travel, or persons assigned to, but not given appointments by, the Department under authority of this act during the periods of such assignments on the same basis as if they were employees of the Department.

With the following committee amendments:

Page 3, line 15, strike out the period after the word "Act" and insert: "; and they shall also be entitled to continuation of their in-

surance under the Federal Employees' Group Life Insurance Act of 1954, so long as the Department continues to collect the employee's contribution from the employee and to transmit for timely deposit into the Employees' Life Insurance Fund the amount of the employee's contribution, and the Government's contribution from Department appropriations."

Page 4, line 2, strike out "Standard" and insert "Standardized" and following the word "Government" insert "Travel."

Page 5, line 3, following "SEC. 7" insert:

"(a) Any State employee who is assigned to the Department without appointment shall nevertheless be subject to the provisions of sections 281, 283, 284, 434, 1902, 1905, and 1914 of title 18 of the United States Code and section 99, title 5 of the United States Code.

"(b)."

Page 5, line 17, strike 17, strike out "Travel Expense Act of 1949," and insert "as amended."

Page 5, line 18, strike out "travel, or" and insert "travel of."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRAINING OF FISHING INDUSTRY PERSONNEL

The Clerk called the bill (H. R. 10433) to promote the fishing industry in the United States and its Territories by providing for the training of needed personnel for such industry.

Mr. FORD. Mr. Speaker, the House has refused to suspend the rules and pass this bill. I ask unanimous consent that it be stricken from the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

UNITED STATES MERCHANT MARINE

The Clerk called the bill (S. 2711) to authorize medals and decorations for outstanding and meritorious conduct and service in the United States merchant marine, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the Secretary of Commerce is authorized, under such rules and regulations as he may prescribe, to provide and award with the concurrence of the Secretary of the Treasury: A merchant marine distinguished service medal to any person serving in the United States merchant marine who distinguishes himself by outstanding act, conduct, or valor beyond the line of duty, and a merchant marine meritorious service medal to any person serving in the United States merchant marine for meritorious act, conduct, or service in line of duty, but not of such outstanding character as would warrant an award of the distinguished service medal.

(b) No more than one distinguished service medal or meritorious service medal shall be awarded to any one person, but for each succeeding act, conduct, or service justifying such an award, a suitable device may be awarded to be worn with the medal or ribbon. In case any person who so distinguishes himself or so acts or serves as to justify the award of a medal under this section, dies before the award can be made to him, the award may be made and medal presented to such representatives of the deceased as the Secretary of Commerce deems proper.

SEC. 2. The Secretary of Commerce is authorized to provide and issue, under such rules and regulations as he may from time to time prescribe, a distinctive service ribbon bar to each master, officer, or member of the crew of any United States ship who serves or has served after June 30, 1950, in any time of war, or national emergency proclaimed by the President or by Congress, or during an operation by Armed Forces of the United States outside the continental United States, for such period of time and in such area or under such conditions of danger to life as the Secretary may set forth in regulations issued hereunder. Such bars shall be provided at cost by the Secretary or at reasonable prices by private persons when authorized for manufacture and sale by the Secretary. Whenever any bar presented under the provisions of this section is lost, destroyed, or rendered unfit for use, without fault or neglect of the owner, such bar may be replaced at cost by the Secretary or at reasonable prices by private persons authorized by him.

SEC. 3. The Secretary of Commerce is authorized to issue, with the concurrence of the Secretary of the Treasury, a citation as public evidence of deserved honor and distinction to any United States ship or to any foreign ship which participates in outstanding or gallant action in marine disasters or other emergencies for the purpose of saving life or property. The Secretary of Commerce may award a plaque to a ship so cited, and a replica of such plaque may be preserved, under such rules and regulations as the Secretary may prescribe, as a permanent historic record. The Secretary of Commerce may also award an appropriate citation ribbon bar to the master or each person serving on board such ship at the time of the action for which citation is made, as public evidence of such honor and distinction. Whenever such master or person would be entitled hereunder to the award of an additional citation ribbon, a suitable device shall be awarded, in lieu thereof, to be attached to the ribbon originally awarded. In any case of a proposed award or citation to a foreign ship or to a master or person serving aboard such ship, such award or citation shall be subject to the concurrence of the Secretary of State.

SEC. 4. The manufacture, sale, possession, or display of any insignia, decoration, medal, device, or rosette thereof, or any colorable imitation of any insignia, decoration, medal or device, or rosette provided for in this act, or in any rule or regulation issued pursuant to this act, is prohibited, except as authorized by this act or any rule or regulation issued pursuant thereto. Whoever violates any provision of this section shall be punished by a fine not exceeding $250 or by imprisonment not exceeding 6 months, or both.

SEC. 5. (a) The following acts of Congress are repealed effective July 1, 1954:

(1) The act entitled "To provide for the issuance of devices in recognition of the services of merchant sailors" approved May 10, 1943, as amended (57 Stat. 81, 59 Stat. 511, 60 Stat. 884; U. S. C., title 50, War, Appendix, secs. 753a–753f).

(2) The act entitled "Providing for a medal for service in the merchant marine during the present war," approved August 8, 1946 (60 Stat. 960; U. S. C., title 50, War, Appendix, secs. 754–754b).

(3) The act entitled "To provide reemployment rights for persons who leave their positions to serve in the merchant marine, and for other purposes," approved June 23, 1943, as amended (57 Stat. 162, 60 Stat. 905, 60 Stat. 945; U. S. C. title 50, War, Appendix, secs. 1471–1475).

(b) Notwithstanding the repeal of the acts of Congress in subsection (a) the Secretary of Commerce is authorized, under such rules and regulations as he may from time to time prescribe, to make replacements at cost or permit replacements at reasonable prices by persons authorized by him of the awards, medals, decorations, or other articles issued under such acts, if lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the owner.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL CEMETERY, ARLINGTON, VA.

The Clerk called the bill (H. R. 8157) to provide for the burial in the Memorial Amphitheater of the National Cemetery at Arlington, Va., of the remains of an unknown American who lost his life while serving overseas in the Armed Forces of the United States during the Korean conflict.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Defense is authorized and directed (1) to cause to be brought to the United States the remains of an American who lost his life while serving overseas in the Armed Forces of the United States during the Korean conflict and whose identity has not been established, and (2) to provide for the burial, with appropriate ceremonies, of such unknown American in the Memorial Amphitheater of the National Cemetery at Arlington, Va., near or beside the remains of the unknown American soldier of the First World War, and the unknown American of the Second World War.

SEC. 2. There is authorized to be appropriated such sum as may be necessary to carry out the purposes of this act.

With the following committee amendments:

On page 1, line 8, following the comma after the word "ceremonies" insert the words "on Memorial Day, May 30, 1958."

On page 2, line 1, following the word "American" insert "in conjunction with the burial of the unknown American of the Second World War, as authorized by the act of June 24, 1946 (Public Law 429, 79th Cong.)."

On page 2, line 4, strike the comma after the word "war", insert a period and delete the balance of line 4 and all of line 5.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CACHE NATIONAL FOREST, UTAH

The Clerk called the bill (H. R. 8898) to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $200,000, or so much thereof as may be necessary, to remain available until expended, to carry out the program for the purchase by the Secretary of Agriculture of lands within the boundaries

of the Cache National Forest in the State of Utah under the act entitled "An act to facilitate the control of soil erosion and flood damage originating upon lands within the exterior boundaries of the Cache National Forest in the State of Utah", approved May 11, 1938 (52 Stat. 347; Public, No. 505, 75th Cong.), as amended by section 2 of the act of May 26, 1944 (58 Stat. 227, 228; Public Law 310, 78th Cong). The authorization of appropriations provided by this act shall be in addition to and shall not affect the authorization for the appropriation of certain receipts for purchase of lands provided by such act of May 11, 1938, as amended.

With the following committee amendment:

Page 2, line 7, after "Congress)", insert a colon and the following: "*Provided*, That the funds authorized to be appropriated under this act shall be available for expenditure only to the extent that such funds are matched by donations of lands of not less than equal value to the United States of America within the Cache National Forest or funds of equal amount contributed by local agencies, organizations or persons, which contributed funds are hereby authorized to be expended in payment for lands acquired under this act and to defray the cost of work to rehabilitate watersheds on national-forest lands within the Cache National Forest as authorized by the Secretary of Agriculture: *Provided further*, That no permits shall be issued under the regulations of the Secretary of Agriculture for the grazing of domestic livestock on lands acquired under this act or on lands hereafter donated for matching purposes as hereinbefore referred to."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AWARDS OF CERTAIN MILITARY AND NAVAL DECORATIONS

The Clerk called the bill (S. 1637) to extend the time limit within which awards of certain military and naval decorations may be made.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, a decoration or device in lieu of decoration which, prior to the date of enactment of this act, has been authorized by Congress to be awarded to any person for an act or service performed while on active duty in the military or naval forces of the United States, or while serving with such forces, may be awarded at any time not later than 1 year after the date of enactment of this act for any such act or service performed between June 27, 1950, and July 27, 1953, inclusive, if written recommendation for the decoration or device in lieu of decoration has been submitted to the appropriate office in a military department at the seat of government before the date of enactment of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That, notwithstanding the eighth paragraph of the subheading 'Medals of Honor, Distinguished Service Crosses, and Distinguished-Service Medals' under the center heading 'Ordnance Department', in the act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919,' approved July 9, 1918, as amended (10 U. S. C., sec. 1409), any decoration or device in lieu of decoration which, prior to the date of enactment of this act, has been authorized by Congress to be awarded to any person for an act or service performed while on active duty in the military or naval forces of the United States, or while serving with such forces, may be awarded at any time not later than 2 years after the date of enactment of this act for any such act or service performed between June 27, 1950, and July 27, 1953, inclusive, if written recommendation for the award of the decoration or device in lieu of decoration is made not later than 1 year after the date of enactment of this act.

"SEC. 2. Notwithstanding section 7 of the act of February 4, 1919 (ch. 14, 40 Stat. 1056), as amended (34 U. S. C. 360), any decoration or device in lieu of decoration which has been authorized by Congress to be awarded to any person for an act or service performed while on active duty in the naval service of the United States, or while serving with such service, may be awarded at any time not later than 2 years after date of enactment of this act for any such act or service performed between June 27, 1950, and July 27, 1953, inclusive, if written recommendation for the award of the decoration or device in lieu of decoration is made not later than 1 year after the date of enactment of this act.

"SEC. 3. Nothing in this act shall be construed to decrease the period within which any decoration or device in lieu of decoration may be awarded or recommended."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAR-RISK INSURANCE ON AIRCRAFT

The Clerk called the bill (S. 3412) to extend the provisions of title XIII of the Civil Aeronautics Act of 1938, as amended, relating to war-risk insurance for an additional 5 years.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1312 of title XIII of the Civil Aeronautics Act of 1938, as amended (act of June 23, 1938, ch. 601, 52 Stat. 977, as amended by the act of June 14, 1951, ch. 123, 65 Stat. 69, 49 U. S. C. 722), is amended by striking out the word "five" and inserting in lieu thereof the word "ten."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALASKA INTERNATIONAL RAIL AND HIGHWAY COMMISSION

The Clerk called the bill (S. 985) to establish an Alaska International Rail and Highway Commission.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Reserving the right to object, Mr. Speaker, I wonder if I could have the attention of either the Delegate from Alaska or a member of the committee.

I notice that the Department of Commerce asks that the subject matter of this investigation be broadened to include, in addition to the methods of transportation mentioned, also air and sea transportation; in other words, to investigate all transportation facilities. Can the gentleman tell me why it was desired to have a limited investigation rather than an over-all investigation of the transportation facilities in Alaska?

Mr. BARTLETT. Yes. This was intended to accomplish a specific purpose, that is to say, to make a study of rail and highway routes on the western slope of the Pacific coast through Canada and Alaska.

It was not until the bill was before the House committee that the views of the Department of Commerce for a study and broader investigation was made known. However, the committee decided that in view of the limited authorization and the purpose of the bill, the views of the Department of Commerce should not be followed. The department indicated that that would be all right with them. I might add that the bill was drafted so as to provide representation on the commission for the Department of Commerce.

Mr. BYRNES of Wisconsin. In other words, there is immediate need for a limited investigation, which is provided here. A broader investigation would prove valuable but in view of the limited amount of funds, it was decided to restrict the investigation; is that it?

Mr. BARTLETT. The gentleman is exactly correct.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) there is hereby established an Alaska International Rail and Highway Commission (hereinafter referred to as the "Commission") which shall be composed of 11 members, to be appointed by the President, as follows:

(1) five of the members of the Commission shall be Members of the Congress of the United States, not more than three of whom shall be members of the same political party.

(2) three of the members shall be selected from the executive branch of the Government, of whom, if practicable, 1 shall be from the Corps of Engineers, United States Army, 1 from the Department of the Interior, and 1 from the Department of State; and

(3) three of the members shall be selected from the general public, 1 of whom shall be a resident of Alaska and 1 of whom shall be a resident of the Pacific Northwest region of the United States.

(b) The Commission shall select a chairman and a vice chairman from among its members.

(c) A quorum of the Commission shall consist of six members. Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

SEC. 2. It shall be the duty of the Commission—

(a) to make a thorough and complete study of the economic and military advantages of additional highway and rail transportation facilities connecting continental United States with central Alaska;

(b) to make a thorough and complete study of the most feasible and direct routes of rail and highway transportation between the United States and Alaska, in relation to the economic benefits to be derived there-

from by the United States, Canada, and Alaska; and

(c) to make a thorough and complete study of the most feasible feeder rail and highway routes connecting coastal ports and cities with the rail and highway facilities between the United States and Alaska, determined most feasible and beneficial by the Commission.

In making such studies, the Commission shall give particular attention to the feasibility of rail and highway facilities between the Pacific Northwest region and Alaska by the most direct route utilizing the Rocky Mountain trench. In determining the most feasible and beneficial routes for rail and highway facilities, the Commission shall take into consideration the proximity to such routes of suitable sites for airfields.

SEC. 3. The Commission is authorized to cooperate with the officials of the Dominion of Canada and of the Province of British Columbia and with any commission or similar body appointed for such purpose by the Dominion of Canada or the Province of British Columbia. The Secretary of State shall, at the request of the Commission, arrange for meetings with such officials and with such commissions or similar bodies of the Dominion of Canada or of the Province of British Columbia.

SEC. 4. (a) The Commission may, in carrying out its duties under this Act, hold such hearings, take such testimony, sit and act at such places and times, and incur such expenditures as the Commission deems necessary. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission. The Commission may, without regard to the civil-service laws and the Classification Act of 1949, employ and fix the compensation of such experts, consultants, and other employees, as it deems necessary to assist it in carrying out its duties under this Act.

(b) The Commission is authorized to utilize the facilities, information, and personnel of the departments, agencies, and establishments of the executive branch of the Government which it deems necessary to carry out its duties under this act; and each such department, agency, and instrumentality, is authorized to furnish such facilities, information, and personnel to the Commission upon request made by the chairman or vice chairman. The Commission shall reimburse each such department, agency, and instrumentality for the services of any personnel utilized. The furnishing of information by any such department, agency, or instrumentality shall be subject to such restrictions as the head of the department, agency, or instrumentality deems necessary for the security of the United States.

(c) In performing its duties under this act the Commission shall utilize all information available by reason of any surveys and plans made under the authority of the Act entitled "An act providing for a location survey for a railroad connecting the existing railroad system serving the United States and Canada and terminating at Prince George, British Columbia, Canada, with the railroad system serving Alaska and terminating at Fairbanks, Alaska", approved October 26, 1949.

SEC. 5. The Commission may delegate to any member of the Commission or to any committee composed of members of the Commission any of the duties and powers conferred upon it by this act, other than the duty of submitting reports and recommendations to the Congress pursuant to section 7.

SEC. 6. Members of the Commission shall serve without compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

SEC. 7. The Commission shall report the results of its studies and submit its recommendations to the Congress from time to time, and shall make a final report and submit its final recommendations to the Congress not later than 2 years after the date of enactment of this act. The final report shall include estimates of the cost of construction of rail and highway facilities along the routes determined most feasible and beneficial by the Commission, together with estimates of the economic benefits to the United States, Canada, and Alaska. The Commission shall cease to exist, and all authority conferred by this act shall terminate, 30 days after the date of submission of the final report.

SEC. 8. There are hereby authorized to be appropriated such sums, not in excess of $75,000, as may be necessary to enable the Commission to perform its duties under this act. Until such time as funds may be appropriated pursuant to this authorization, the President is authorized to make available to the Commission, from any emergency fund available to him, such sums as may be necessary.

With the following committee amendments:

Page 1, line 5, strike out the word "eleven" and insert the word "twelve."

Page 1, line 11, strike out the word "three" and insert the word "four."

Page 2, lines 2 and 3, strike out the words "the Corps of Engineers, United States Army" and insert the words "the Department of the Army, to be designated by the Secretary of the Army."

Page 2, strike out all of line 4 and insert the words "one from the Department of State, and one from the Department of Commerce."

Page 2, line 11, strike out the word "six" and insert the word "seven."

Page 2, following line 14, insert a new subsection as follows:

"(d) The appointment of an officer of the Army on the active list as a member of the Commission is authorized as an exception to section 1222, Revised Statutes (10 U. S. C. 576), and does not vacate his appointment as a commissioned officer of the Army."

Page 3, lines 7 and 8, insert a period following the word "Alaska" and strike out the words "by the most direct route utilizing the Rocky Mountain trench."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMERICAN BATTLE MONUMENTS COMMISSION

The Clerk called the bill (S. 3498) to extend authority of the American Battle Monuments Commission to all areas in which the Armed Forces of the United States have conducted operations since April 6, 1917, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the first paragraph of the first section of the act entitled "An act for the creation of the American Battle Monuments Commission to erect suitable memorials commemorating the services of the American soldier in Europe, and for other purposes," approved March 4, 1923 (42 Stat. 1509, as amended; 36 U. S. C. 121), is amended by inserting immediately after the first sentence thereof, the following new sentence: "Notwithstanding any other provision of law, the President is authorized to appoint to the grade of major general in the Army of the United States the officer serving as Secretary of the American Battle Monuments Commission on the date of the enactment of this sentence, who, while so serving, shall be entitled to receive the pay and allowances of an officer of such grade, and, upon relief from such services, shall be placed upon the retired list in such grade and receive retired pay computed upon the basis of the basic pay he would receive of serving on active duty in such grade. The person promoted under the provisions of this act shall be in addition to the number of commissioned officers authorized by other provisions of law now existing or hereafter enacted for the grade of major general and shall not be counted for the purpose of determining the authorized number of officers of any grade or designation in the Army of the United States."

(b) The second and third paragraphs of such section are amended to read as follows:

"The members of the Commission shall serve as such without compensation, except that (1) their actual expenses in connection with the work of the Commission, and (2) when in a travel status, a per diem of $20 in lieu of subsistence, may be paid to them from any funds appropriated for the purposes of this act, or acquired by other means hereinafter authorized.

"Upon the request of the Commission, the heads of the Federal departments or agencies are authorized to designate such personnel, and to make available to the Commission such facilities, of their respective departments or agencies, or of the Army, Navy, Air Force, or Marine Corps, as the case may be, as may be necessary to assist in carrying out the purposes of this act, and may expend for such purposes any funds appropriated to such departments, agencies, and services, with reimbursement from the Commission for the pay and allowances of the personnel so designated. The Commission is authorized to employ such further personnel as may be necessary to carry out the purposes of this act, within the limits of any appropriation or appropriations made for such purposes.

"The provisions of this subsection shall take effect on the first day of the first calendar month following the date of enactment of this act."

SEC. 2. (a) Sections 5, 8, and 9 of such act are repealed.

(b) Sections 2, 3, and 4 of such act are redesignated as sections 3, 4, and 5, respectively, of such act.

(c) Sections 10, 11, 12, 13, and 14 of such act are redesignated as sections 8, 9, 10, 11, and 12, respectively, of such act.

(d) Each reference made hereinafter to any section of such act, the numbering of which is redesignated by subsection (b) or (c) of this section, shall be deemed to be made to such section as so redesignated.

SEC. 3. (a) Such act is amended by inserting, immediately after the first section thereof, the following new section:

"SEC. 2. When, as a result of combat operations, the Armed Forces shall establish military cemeteries in zones of operations outside the United States and its Territories and possessions, the Commission and the Secretary of the Army immediately upon the cessation of hostilities, shall determine which of the cemeteries so established, if any, shall become permanent cemeteries or, as they may deem desirable, select new sites at any other location for such cemeteries. The Commission shall be solely responsible for the design and construction of such permanent cemeteries, and of all buildings, plantings, headstones, and other permanent improvements incidental thereto except that (1) the Armed Forces shall be responsible for the maintenance of such permanent cemeteries until such time as the Commission shall express its readiness to assume the functions of administration hereinafter authorized, (2) all construction undertaken by the Armed Forces in establishing and maintaining the

cemetery prior to its transfer to the Commission shall be nonpermanent in nature, (3) burials and reburials therein by the Armed Forces shall be carried out in accordance with plans prepared by the Commission, (4) the Armed Forces shall have the right to reenter any cemeteries transferred to the Commission for the purpose of making exhumations or reinterments should they deem any such action to be necessary."

(b) Section 3 of such act is amended to read as follows:

"SEC. 3. The Commission shall prepare plans and estimates for the erection of suitable memorials to commemorate the services of the American Armed Forces, and shall erect and maintain memorials in the United States and at such places outside the United States where the American Armed Forces have served since April 6, 1917, or shall hereafter serve, as the Commission shall determine. The Commission shall also erect and maintain works of architecture and art in such American cemeteries located outside of the United States, its Territories, and possessions, as have been or may hereafter be declared to be permanent cemeteries. Works of architecture and art erected by the Commission in cemeteries within the United States, its Territories and possessions, shall be maintained by the Department of Defense.

"The Commission shall control as to materials and design and provide regulations for, and supervise the erection of, all memorial monuments and buildings in American cemeteries located outside the United States, its Territories and possessions.

"The Commission shall control as to design and provide regulations for the erection of all memorial monuments and buildings commemorating the services of the American Armed Forces erected in any foreign country or political division thereof which may authorize the Commission to perform such functions."

(c) Section 4 of such act is amended to read as follows:

"SEC. 4. Before any design for any memorial is accepted by the Commission, it shall be approved by the National Commission of Fine Arts."

SEC. 4. (a) Section 9 of such act is amended to read as follows:

"SEC. 9. The records and archives of the Commission shall, when no longer required by the Commission, be deposited with the National Archives in accordance with the provisions of the Federal Records Act of 1950 (44 U. S. C. 397)."

(b) Section 10 of such act is amended to read as follows:

"SEC. 10. The President may by Executive order transfer to the Commission, with respect to any permanent military cemeteries located outside of the United States, its Territories and possessions, the same functions of administration which were transferred to the Commission by Executive Order 6614, dated February 26, 1934, and Executive Order 10057, dated May 14, 1949, as amended by Executive Order 10087, dated December 3, 1949, together with any supplies, materials, and equipment located therein or in military depots overseas which are excess to the needs of the Department of Defense and are requested by the Commission for the performance of such functions. Thereafter the Commission shall be responsible for the maintenance of such cemetery and of all improvements therein."

(c) Section 12 of such act is amended by—

(1) striking out the words "such purposes" in the first paragraph thereof, and inserting in lieu thereof the words "the purposes of this act";

(2) inserting in the second paragraph thereof, immediately after the word "outside", a comma and the words "or for use outside,"; and

(3) inserting immediately after the third paragraph thereof the following new paragraph:

"Claims of the type described in the first section of the act entitled 'An act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries', approved January 2, 1942 (55 Stat. 880, as amended; 31 U. S. C. 224d), on account of damage to or loss or destruction of property both real and personal, or personal injury or death of any person, arising on or after the date of the enactment of this paragraph and caused by the negligent or wrongful act or omission of any officer or civilian employee of the Commission while acting within the scope of his office or employment, may be considered, ascertained, adjusted, determined, and paid in the manner provided in such act for the settlement of Army claims, except that in such cases one or more officers or employees of the Commission may be appointed by the Secretary of the Army to a claims commission or commissions or as officers to approved settlements of claims made by such commission or commissions, and all payments in settlement of such claims shall be made out of appropriations made for the purposes of this act."

Mr. HOFFMAN of Michigan. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, the Committee on Government Operations through its subcommittees has four hearings scheduled for today. One of these hearings has to do with the activities of the private power companies. I have been attending these hearings this morning.

Well do I remember the days of Rexford Guy Tugwell. You will remember he was Assistant Secretary of Agriculture in 1933 and Under Secretary of Agriculture from 1934 to 1937. He was a power in the New Deal administrations. Let me quote a statement showing his political and economic philosophy:

Business will logically be required to disappear.

New industries will not just happen as the automobile industry did. They will have to be foreseen, to be argued for, to seem probably desirable features of the whole economy before they can be entered upon. * * * The future is becoming visible in Russia.

Perhaps our statesmen will give way or be more or less gently removed from duty. Perhaps our Constitution and statutes will be revised. Perhaps our vested interests will submit to control without violent resistance. * * * Yet the new kind of economic machinery we have in prospect cannot function in our present economy.

At one time H. S. Rauschenbush, who subsequently was Chief of the Research and Power Planning Branch of the Power Division of the Department of the Interior, serving until January 15, 1947, made the statement that:

Our longtime aim is the abolition of the profit system for private use.

One good man with his eyes, ears, and wits about him inside the Department * * * can do more to perfect the technique of control over industry than a hundred men outside.

* * * A scattered series of great generating plants selling their power within 300-mile radiuses might be expected to have a very considerable influence upon the extension of public ownership to the transmission lines and the whole industry.

Subsequently Carl D. Thompson, who at one time was manager of the information bureau of the Socialist Party, and who was subsequently employed as consultant and publicity man for the Bonneville Administration, said:

And finally the Nation will take over one after the other of the public utilities, mines, railroads, interurban electric lines, power plants, telegraph and telephone systems, waterways, forests.

On another occasion Kenneth Markwell, acting as Assistant Commissioner of the Bureau of Reclamation, at a program conference held in Washington in 1947, said:

I would like to offer my opinion that the Bureau should regard itself somewhat as a utility, which would supply the needed power of the West just as the Bonneville does the Northwest.

Presumably the private power companies, as well as some who oppose a socialistic government, have some of these statements in mind.

In an endeavor to protect its investments, the Montana Power Co., in March of 1948, put out a brochure entitled "Public Power Means High Taxes, Socialism, and Less Money for Irrigation."

Seventeen other companies joined the Montana Power Co. under the name of Electric Power Companies of the Rocky Mountain Area, in March of 1948, to publish and circulate another brochure entitled "Reclamation Without Waste and Regimentation."

Another brochure entitled "Cooperation or Unnecessary Spending? Contracts With Utility Eliminate Need for Federal Lines," was put out by the Montana Power Co. in the spring of 1950.

Again in 1953 several of the power companies issued a document entitled "The Federal Power Program—Its Background, Growth, and Consequences," containing charts, illustrations, and arguments in behalf of the private power industry. On the inside of the first page there is this statement:

The principal investor-owned power companies serving the Rocky Mountain area have prepared this booklet of factual information with the thought that it will be useful to persons interested in:

Cutting the Federal budget. Lowering Federal taxes.

Eliminating socialism. Reducing the Federal debt.

On pages 35 and 36, I find the following:

THE SOCIALIST APPROACH

"All business vitally essential for the existence and welfare of the people, such as railroads, express service, steamship lines, telegraphs, mines, oil wells, powerplants, elevators, packing houses, cold storage plants, and all industries operating on a national scale, should be taken over by the Nation." (1920 Socialist platform.)

"The control of electric power * * * will obviously carry with it the control of the industries of the Nation, the control of transportation, of mining and agriculture. * * * It will also dominate and determine very largely the domestic life of the people." (Carl D. Thompson, Socialist leader, 1925.)

"Our long-time aim is the abolition of the profit system for private use."

One good man with his eyes, ears, and wits about him inside the department * * * can do more to perfect the technic of control over industry than a hundred men outside.

A scattered series of great generating plants selling their power within 300-mile radiuses might be expected to have a very considerable influence upon the extension of public ownership to the transmission lines and the whole industry. (H. S. Raushenbush in the Socialism of Our Times and the New Leader.)

Many observers today are alarmed by the similarity between the utterances of Socialist proponents of public ownership and those of former Interior Department officials whose philosophy is revealed in these quotations:

"Federally owned public power developments include the basic multiple-purpose river structures and power generating and transmission facilities required to deliver the power to load centers." (Oscar L. Chapman, former Secretary of the Interior, in an address before the CIO in Chicago, Nov. 23, 1950.)

"The interest of the Secretary of the Interior is that of a competitor of VEPCO in the sale of power in the Roanoke River area." (Petition for rehearing, *U. S. A.* v. *Federal Power Commission and Virginia Electric & Power Co.*, U. S. Fourth Circuit Court of Appeals, Oct. 30, 1951.)

"The responsibility of the Department of the Interior does not end until the power has been made available to the consumer, preferably through public agencies or cooperatives." (William E. Warne, former Assistant Secretary of the Interior, before the American Public Power Association, March 28, 1950.)

All of these publications, as I read them, were opposed to the socialization of industry. They advocate that private industry has been rendering, can render, and in the future will continue to be able to render all of the services which are demanded and which are economically feasible to individuals who wish to purchase power and services from private industry.

So far as I have been able to learn and as the hearings to date have indicated, the power companies do not deny or attempt to avoid responsibility for any of these publications or the statements made therein.

They admit unequivocally that they are opposed to the socialization of the private power industry. That they are doing everything possible, everything which is morally or legally possible to counteract the socialistic trend. That being true, is it not a waste of time for a committee or for committee counsel at the hearings of a congressional committee to ask a multiplicity of questions attempting to fix responsibility for these publications or to obtain an itemized statement as to the cost or as to who wrote particular statements or paragraphs.

This morning there was almost endless questioning by the committee counsel in an endeavor to learn who paid for this, that, and the other service and how much each power company paid. Permit a repetition. The public power companies frankly admit that they made investigations, employed and paid experts, and put out literature and arguments and presented them to the Department of the Interior in an effort to obtain interpretations of the existing law, which would be favorable to them. In an effort to secure legislation, if they could, which would enable them to do more business and to make more money. That is frankly admitted.

As I understand it, under the Constitution and under our practices, methods, ways of legislating, they have the right to do just what they did.

I think to the desk of every single Member of this Congress every day there come propaganda from special groups and people who are interested in one particular thing. I know of no reason, of no law, and no practice which will stop it or which condemns the exercise of that right.

I cannot see why in the closing days of this session, any committee or subcommittee should be holding hearings and keeping the Members of the House off the floor when the sole purpose of the hearings is to create propaganda or, if you prefer, to ascertain facts; when no pertinent or relevant legislation whatsoever will come before this session of the Congress.

I do not want to make a point of no quorum, but it seems unfair to those of us who want to be here to take part in this legislative program to require us to attend subcommittee hearings or be absent from the floor.

The Clerk read the committee amendments as follows:

On page 1, strike out lines 3 through 9, and on page 2, strike out lines 1 through 18.

On page 2, strike out lines 19 and 20 and substitute in lieu thereof the following: "That the second and third paragraphs of the first section of the act entitled 'An act for the creation of the American Battle Monuments Commission to erect suitable memorials commemorating the services of the American soldier in Europe, and for other purposes', approved March 4, 1923 (42 Stat. 1509, as amended; 36 U. S. C. 121), are amended to read as follows."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMISSIONERS FOR THE TERRITORY OF ALASKA

The Clerk called the bill (H. R. 11024) to amend the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved March 15, 1948 (62 Stat. 80) as amended by the act of July 12, 1952 (66 Stat. 592, 48 U. S. C. 116a).

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDING SECTION 104, TITLE 4, UNITED STATES CODE

The Clerk called the bill (H. R. 11254) to amend section 104, title 4, United States Code.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 104 of title 4, United States Code, is hereby amended by adding at the end thereof the following new subsection, to be designated subsection (c) and to read as follows:

"(c) As used in this section, the term 'Territory' shall include Guam."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RIGHT-OF-WAY FOR PROPOSED BARGE CANAL ACROSS FLORIDA

The Clerk called the resolution (H. J. Res. 413) to provide for the conveyance of federally owned lands which are situated within the right-of-way for the proposed navigable barge canal across Florida, to the Ship Canal Authority of the State of Florida, in order to consolidate ownership thereof.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

Whereas the lands hereinafter identified are located within the right-of-way for the proposed high level lock barge canal from the St. Johns River across Florida to the Gulf of Mexico, as approved by Congress in and by Public Law 675 of the 77th Congress; and

Whereas, although title to said lands was taken in the name of the United States of America, the consideration for the acquisition thereof was furnished by the Ship Canal Authority of the State of Florida; and

Whereas large areas of other land within the right-of-way for said proposed barge canal are owned by the Ship Canal Authority of the State of Florida, a State agency created by the Legislature of the State of Florida for the purpose, among other things, of acquiring and holding lands for canal purposes; and

Whereas it is considered desirable to consolidate the ownership of all lands in the right-of-way in the said State agency, which furnished the consideration for the acquisition thereof, so that, pending such time as said right-of-way is needed for construction of the project, the management and control of said lands may be in said State agency: Now, therefore, be it

Resolved, etc., That the Secretary of the Army is authorized and directed to donate and convey to the Ship Canal Authority of the State of Florida all of the right, title, and interest of the United States of America in and to—

(1) lands in Putnam County, Fla., acquired by the United States of America by condemnation proceedings instituted in the United States District Court for the Southern District of Florida, Jacksonville Division, as case No. 356 U. S. J. Civil; and

(2) lands in Marion County, Fla., acquired by the United States of America by condemnation proceedings instituted in the United States District Court for the Southern District of Florida, Ocala Division, as cases Nos. 9, 10, 11, 12, 13, 14, 15, 16, and 22, U. S. Ocala Civil,

it being intended hereby to authorize and direct the conveyance of all lands acquired by the United States of America within the right-of-way of said proposed barge canal as described in all final judgments entered in the above-numbered several suits.

With the following committee amendment:

Page 3, line 9, insert:

"SEC. 2. The conveyance authorized herein shall be by quitclaim deed and shall contain

such conditions, restrictions, and reservations as the Secretary deems necessary to assure that any improvements constructed thereon by the Government will be maintained and preserved and that the property will not be utilized in any manner that might increase the cost of the construction of the Cross Florida Barge Canal project or hinder the prompt reconveyance of the land to the Government when it is required for the construction of the project.

"SEC. 3. Nothing in this act shall be construed as a waiver of the obligation of the Ship Canal Authority to furnish without cost to the United States, all lands, easements, and rights-of-way necessary for the construction of the canal; hold and save the United States free from damages due to construction works; and to take over, maintain, and operate all highways, bridges, and roadways built in connection with the canal project."

The committee amendment was agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MIDDLE ATLANTIC INTERSTATE FOREST FIRE PROTECTION COMPACT

The Clerk called the bill (S. 3032) granting the consent and approval of Congress to the middle Atlantic interstate forest fire protection compact.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent and approval of Congress is hereby given to the middle Atlantic interstate forest fire protection compact, as hereinafter set out. Such compact reads as follows:

"MIDDLE ATLANTIC INTERSTATE FOREST FIRE

"Article I

"The purpose of this compact is to promote effective prevention and control of forest fires in the middle Atlantic region of the United States by the development of integrated forest fire plans, by the maintenance of adequate forest fire fighting services by the member States, and by providing for mutual aid in fighting forest fires among the compacting States of the region and with States which are party to other regional forest fire protection compacts or agreements.

"Article II

"This compact shall become operative immediately as to those States ratifying it whenever any two or more of the States of Delaware, Maryland, New Jersey, Pennsylvania, Virginia, and West Virginia which are contiguous have ratified it and Congress has given consent thereto.

"Article III

"In each State, the State forester or officer holding the equivalent position who is responsible for forest fire control shall act as compact administrator for that State and shall consult with like officials of the other member States and shall implement cooperation between such States in forest fire prevention and control.

"The compact administrators of the member States shall organize to coordinate the services of the member States and provide administrative integration in carrying out the purposes of this compact.

"The compact administrators shall formulate and, in accordance with need, from time to time, revise a regional forest fire plan for the member States.

"It shall be the duty of each member State to formulate and put in effect a forest fire plan for that State and take such measures as may be necessary to integrate such forest fire plan with the regional forest fire plan formulated by the compact administrators.

"Article IV

"Whenever the State forest fire control agency of a member States requests aid from the State forest fire control agency of any other member State in combating, controlling, or preventing forest fires, it shall be the duty of the State forest fire control agency of that State to render all possible aid to the requesting agency which is consonant with the maintenance of protection at home.

"Article V

"Whenever the forces of any member State are rendering outside aid pursuant to the request of another member State under this compact, the employees of such State shall, under the direction of the officers of the State to which they are rendering aid, have the same powers (except the power of arrest), duties, rights, privileges, and immunities as comparable employees of the State to which they are rendering aid.

"No member State or its officers or employees rendering outside aid pursuant to this compact shall be liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

"All liability, except as otherwise provided hereinafter, that may arise either under the laws of the requesting State or under the laws of the aiding State or under the laws of a third State on account of or in connection with a request for aid, shall be assumed and borne by the requesting State.

"Any member State rendering outside aid pursuant to this compact shall be reimbursed by the member State receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation, wages, salaries, and maintenance of employees and equipment incurred in connection with such request: *Provided*, That nothing herein contained shall prevent any assisting member State from assuming such loss, damage, expense, or other cost or from loaning such equipment or from donating such services to the receiving member State without charge or cost.

"Each member State shall provide for the payment of compensation and death benefits to injured employees and the representatives of deceased employees in case employees sustain injuries or are killed while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such State.

"For the purposes of this compact the term employee shall include any volunteer or auxiliary legally included within the forest fire fighting forces of the aiding State under the laws thereof.

"The compact administrators shall formulate procedures for claims and reimbursement under the provisions of this article, in accordance with the laws of the member States.

"Article VI

"Nothing in this compact shall be construed to authorize or permit any member State to curtail or diminish its forest fire fighting forces, equipment, services, or facilities, and it shall be the duty and responsibility of each member State to maintain adequate forest fire fighting forces and equipment to meet demands for forest fire protection within its borders in the same manner and to the same extent as if this compact were not operative.

"Nothing in this compact shall be construed to limit or restrict the powers of any State ratifying the same to provide for the prevention, control, and extinguishment of forest fires, or to prohibit the enactment or enforcement of State laws, rules, or regulations intended to aid in such prevention, control, and extinguishment in such State.

"Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between the United States Forest Service and a member State or States.

"Article VII

"The compact administrators may request the United States Forest Service to act as the primary research and coordinating agency of the middle Atlantic interstate forest fire protection compact in cooperation with the appropriate agencies in each State, and the United States Forest Service may accept the initial responsibility in preparing and presenting to the compact administrators its recommendations with respect to the regional fire plan. Representatives of the United States Forest Service may attend meetings of the compact administrators.

"Article VIII

"The provisions of articles IV and V of this compact which relate to mutual aid in combating, controlling, or preventing forest fires shall be operative as between any State party to this compact and any other State which is party to a regional forest fire protection compact in another region: *Provided*, That the legislature of such other State shall have given its assent to such mutual aid provisions of this compact.

"Article IX

"This compact shall continue in force and remain binding on each State ratifying it until the legislature or the governor of such State takes action to withdraw therefrom. Such action shall not be effective until 6 months after notice thereof has been sent by the chief executive of the State desiring to withdraw to the chief executives of all States then parties to the compact.

SEC. 2. The right to alter, amend, or repeal this act is expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WORLD TRADE FAIR AND OKLAHOMA SEMICENTENNIAL CELEBRATION

The Clerk called the resolution (H. J. Res. 604) authorizing the President to invite the States of the Union and foreign countries to participate in the United States World Trade Fair to be held in New York City, N. Y., from April 14 to April 27, 1957.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the President of the United States is authorized, by proclamation or in such other manner as he may deem proper, to invite the States of the Union and foreign countries to participate in the United States World Trade Fair, to be held at the coliseum, New York City, N. Y., from April 14 to April 27, 1957, inclusive, for the purpose of exhibiting textiles, upholstery, fabrics, clothing, fashions, furs, footwear, haberdashery, and clothing accessories; furniture, home furnishings and interior deco-

rations, carpets and floor coverings, lamps and lighting fixtures; china, glassware, ceramics, leather goods, luggage and travel requisites, handicrafts, gifts and fancy goods, jewelry, gold and silverware, flatware, cutlery, clocks and watches, perfumery, cosmetics and toilet articles, smokers requisites, works of art and religious articles; hardware, housewares, home electrical appliances, sewing machines, lawn, garden, and light agricultural equipment, sporting goods, camping equipment, sports marine equipment and boats, bicycles and motorcycles, binoculars, photographic and cinema equipment and accessories, toys, musical instruments, radio and television equipment, and electro-acoustical equipment; foodstuffs, confections, beverages, and tobacco; office equipment, business machines, typewriters, stationery, printing materials, art materials, advertising materials and specialties, books and publications; building materials and supplies, mill and factory supplies, electronic equipment, scientific instruments, precision tools, small power tools, plumbing, electrical equipment and motors, automotive accessories and parts; and basic materials; steel, aluminum, copper, brass, plastics, chemicals, rubber, petroleum products, etc.; and the promotion of travel, tourism, and transportation; and for the purpose of bringing together buyers and sellers for the promotion of foreign and domestic trade and commerce in such products and services.

With the following committee amendment:

Page 1, line 8, after the word "inclusive", insert "and in the Oklahoma semicentennial celebration to be held in various communities in the State of Oklahoma from January 1 to December 31, 1957, inclusive, especially during America's New Frontiers Exposition in Oklahoma City, June 14 through July 7, 1957, inclusive."

The committee amendment was agreed to.

The resolution was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the United States World Trade Fair to be held in New York City, N. Y., from April 14 to April 27, 1957, and in the Oklahoma semicentennial celebration to be held in various communities in the State of Oklahoma from January 1 to December 31, 1957."

A motion to reconsider was laid on the table.

AMENDING MERCHANT MARINE ACT OF 1936, AS AMENDED

The Clerk called the bill (S. 1833) to amend the Merchant Marine Act of 1936, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1209 (a) of the Merchant Marine Act, 1936, as amended (U. S. C., title 46, sec. 1289 (a)), is amended to read as follows:

"(a) (1) The Secretary, in the administration of this title, may issue such policies, rules, and regulations as he deems proper and may adjust and pay losses, compromise and settle claims, whether in favor of or against the United States and pay the amount of any judgment rendered against the United States in any suit, or the amount of any settlement agreed upon, in respect of any claim under insurance authorized by this title.

"(2) In respect of hull insurance, the valuation in the policy for actual or constructive total loss of the vessel insured shall be a stated valuation determined by the Secretary which shall not exceed the amount that would be payable if the vessel had been requisitioned for title under section 902 (a) at the time of the attachment of the insurance under said policy: *Provided, however,* That in the case of a construction-subsidized vessel, the valuation so determined shall be reduced by such proportion as the amount of construction subsidy paid with respect to the vessel bears to the entire construction cost and capital improvements thereof (excluding the cost of national defense features): *Provided further,* That the insured shall have the right within 60 days after the attachment of the insurance under said policy, or within 60 days after determination of such valuation by the Secretary, whichever is later, to reject such valuation, but shall continue to pay premiums upon such valuation at the rate provided for in said policy. In the event of the actual or constructive total loss of the vessel, if the insured has not rejected such valuation the amount of any claim therefor which is adjusted, compromised, settled, adjudged, or paid shall not exceed such stated amount, but if the insured has so rejected such valuation, the insured shall be paid as a tentative advance only, 75 percent of such valuation so determined by the Secretary and shall be entitled to sue the United States in a court having jurisdiction of such claims to recover such valuation as would be equal to the just compensation which such court determines would have been payable if the vessel had been requisitioned for title under section 902 (a) at the time of the attachment of the insurance under said policy: *Provided, however,* That in the case of a construction-subsidized vessel, the valuation determined by the court as such just compensation shall be reduced by such proportion as the amount of construction subsidy paid with respect to the vessel bears to the entire construction cost and capital improvements thereof (excluding the cost of national defense features): *And provided further,* That in the event of an election by the insured to reject the stated valuation fixed by the Secretary and to sue in the courts, the amount of the judgment will be payable without regard to the limitations contained in the twelfth paragraph under the heading Maritime Activities in title I of the Department of Commerce and Related Agencies Appropriation Act, 1956, in the 10th paragraph under the heading Maritime Activities in title III of the Department of State, Justice, and Commerce, and the United States Information Agency Appropriation Act, 1955, in the eleventh paragraph under the heading 'Maritime Activities' in title III of the Department of Justice, State, and Commerce Appropriation Act, 1954, the tenth paragraph under the heading 'Operating Differential Subsidies' in title II of the Independent Offices Appropriation Act, 1953, the corresponding paragraphs of the Independent Offices Appropriation Act, 1952, and the Third Supplemental Appropriation Act, 1915, although the excess of any amounts advanced on account of just compensation over the amount of the court judgment will be required to be refunded. In the event of such court determination, premiums under the policy shall be adjusted on the basis of the valuation as finally determined and of the rate provided for in said policy."

SEC. 2. Section 902 (c) of the Merchant Marine Act, 1936, as amended (U. S. C., title 46, sec. 1242 (c)), is amended to read as follows:

"(c) If any property is taken and used under authority of this section, but the ownership thereof is not required by the United States, the Commission, at the time of the taking or as soon thereafter as the exigencies of the situation may permit, shall transmit to the person entitled to the possession of such property a charter setting forth the terms which, in the Commission's judgment, should govern the relationships between the United States and such person and a statement of the rate of hire which, in the Commission's judgment, will be just compensation for the use of such property and for the services required under the terms of such charter. If such person does not execute and deliver such charter and accept such rate of hire, the Commission shall pay to such person as a tentative advance only, on account of such just compensation a sum equal to 75 percent of such rate of hire as the same may from time to time be due under the terms of the charter so tendered, and such person shall be entitled to sue the United States in a court having jurisdiction of such claims to recover such amounts as would be equal to just compensation for the use of the property and for the services required in connection with such use: *Provided, however,* That in the event of an election by such person to reject the rate of hire fixed by the Commission and to sue in the courts, the excess of any amounts advanced on account of just compensation over the amount of the court judgment will be required to be refunded. In the event of loss or damage to such property, due to operation of a risk assumed by the United States under the terms of a charter prescribed in this subsection, but no valuation of such vessel or other property or mode of compensation has been agreed to, the United States shall pay just compensation for such loss or damage, to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage."

SEC. 3. The first sentence of section 902 (d) of the Merchant Marine Act, 1936, as amended (U. S. C., title 46, sec. 1242 (d)) is amended to read as follows:

"(d) In all cases, the just compensation authorized by this section shall be determined and paid by the Commission as soon as practicable, but if the amount of just compensation determined by the Commission is unsatisfactory to the person entitled thereto, such person shall be paid, as a tentative advance only, 75 percent of the amount so determined and shall be entitled to sue the United States to recover such amount as would equal just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code (U. S. C., 1946 edition, title 28, secs. 41 (20) and 250): *Provided, however,* That in the event of an election to reject the amount determined by the Commission and to sue in the courts, the excess of any amounts advanced on account of just compensation over the amount of the court judgment will be required to be refunded."

SEC. 4. All war-risk insurance issued under title XII of the Merchant Marine Act, 1936, which is in force on the date of the enactment of this act shall, as of the beginning of such date, be deemed to have been amended to conform to the requirements of section 1209 of the Merchant Marine Act, 1936, as amended by this act unless the insured, within 10 days after such date, objects to such amendment.

SEC. 5. The first sentence of section 1206 of the Merchant Marine Act, 1936, as amended (46 U. S. C. 1286), is amended by striking out the words "during any time the United States is at war or during any period of emergency declared to exist by the President of the United States."

With the following committee amendments:

Page 2, line 5, after the word "valuation", insert "(exclusive of national defense features paid for by the Government)."

Page 2, line 10, after the word "vessel," insert "for the period of insurance prior to requisition for title or use,".

Page 2, line 14, delete the colon and insert ", and for the period of insurance after requisition for use the valuation so determined shall not exceed the amount which would be payable under section 802 in the case of requisition for title or use."

Page 2, lines 19 and 20, delete "but shall continue to pay premiums upon such valuation at the rate provided for in said policy.", and insert the following: "and shall pay, at the rate provided for in said policy, premiums upon such asserted valuation as the insured shall specify at the time of rejection, but such asserted valuation shall not operate to the prejudice of the Government in any subsequent action on the policy."

Page 3, line 10, following the word "compensation" insert the following: "for any period of insurance prior to actual requisition for use or title of the vessel."

Page 3, line 14, delete the colon and insert the following: ", and for any period of insurance after actual requisition for use, the valuation determined by the court shall be the amount which would have been payable under section 802 in the case of requisition for title."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIREMENT BENEFITS OF ARMY AND AIR FORCE VITALIZATION AND RETIREMENT EQUALIZATION ACT

The Clerk called the bill (H. R. 138) to make the retirement benefits of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 available to certain persons who rendered active Federal service during the Korean conflict.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the third proviso of subsection (a) of section 302 of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 is hereby amended to read as follows: "*Provided further*, That no person who was a member of a Reserve component on or before August 15, 1945, shall be eligible for retirement benefits under this title unless he performed active Federal service during any portion of either of the three periods beginning April 6, 1917, and ending November 11, 1918, or beginning September 9, 1940, and ending December 31, 1946, or beginning June 27, 1950, and ending on such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress."

With the following committee amendments:

On page 2, line 1, strike out the word "three" and insert "two."

Page 2, line 3, after the word "or", strike out the balance of line 3, all of lines 4 and 5, and insert "perform active duty, as defined in subsection 101 (b) of the Armed Forces Reserve Act of 1952 (66 Stat. 481), during any portion of the period beginning June 27, 1950, and ending July 27, 1953."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 69 OF THE HAWAIIAN ORGANIC ACT

The Clerk called the bill (H. R. 11449) to amend section 69 of the Hawaiian Organic Act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the fourth sentence of section 69 of the Hawaiian Organic Act (31 Stat. 141, 154; 48 U. S. C. 534) is amended to read as follows: "He shall perform such other duties as are prescribed in this act or as may be required of him by the Legislature of Hawaii."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF HOMESTEAD ALLOTMENTS TO INDIANS, ETC.

The Clerk called the bill (H. R. 11696) to authorize the conveyance of homestead allotments to Indians, Aleuts, or Eskimos in Alaska.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of May 17, 1906 (34 Stat. 197; 48 U. S. C. 357), is hereby amended—

(a) by inserting after the word "Indian" in the first sentence thereof the following: ", Aleut";

(b) by inserting before the word "nonmineral" in the first sentence thereof the following: "vacant, unappropriated, and unreserved";

(c) by inserting after the word "Alaska" the first time it appears in the first sentence thereof the following: ", or, subject to the provisions of the act of March 8, 1922 (42 Stat. 415, 48 U. S. C. 376–377), vacant, unappropriated, and unreserved land in Alaska that may be valuable for coal, oil, or gas deposits,";

(d) by striking the period after the first sentence thereof and adding the following: ": *Provided*, That any Indian, Aleut, or Eskimo who receives an allotment under this act, or his heirs, is authorized to convey by deed, with the approval of the Secretary of the Interior, the title to the land so allotted, and such conveyance shall vest in the purchaser a complete title to the land which shall be subject to restrictions against alienation and taxation only if the purchaser is an Indian, Aleut, or Eskimo native of Alaska who the Secretary determines is unable to manage the land without the protection of the United States and the conveyance provides for a continuance of such restrictions."; and

(e) by adding two new sections as follows:

"SEC. 2. Allotments in national forests may be made under this Act if founded on occupancy of the land prior to the establishment of the particular forest or if the Secretary of Agriculture certifies that the land in an application for an allotment is chiefly valuable for agricultural or grazing purposes.

"SEC. 3. No allotment shall be made to any person under this act until said person has made proof satisfactory to the Secretary of the Interior of substantially continuous use and occupancy of the land for a period of 5 years."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING FEDERAL IMPORT MILK ACT TO ALASKA, HAWAII, AND PUERTO RICO

The Clerk called the bill (H. R. 609) to amend the Federal Import Milk Act, (approved February 15, 1927) (44 Stat. 1101, 21 U. S. C. Annotated, 141–149).

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 9 (b) of the act of February 15, 1927 (44 Stat. 1101, 21 U. S. C. Annotated, 141–149), be amended to read as follows:

"SEC. 9. (b) The term 'United States' means continental United States, including Alaska."

With the following committee amendment:

Page 1, line 7, after the word "States", strike out "including Alaska" and insert "Alaska, Hawaii, and Puerto Rico."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE MISSOURI RIVER BETWEEN LEAVENWORTH, KANS., AND PLATTE COUNTY, MO.

The Clerk called the bill (S. 2092) transferring to the jurisdiction of the Department of the Army the bridge across the Missouri River between the Fort Leavenworth Military Reservation in Kansas and Platte County, Mo., and authorizing its removal.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is hereby authorized and directed to transfer back to the jurisdiction of the Department of the Army the bridge across the Missouri River at Fort Leavenworth, Kans., connecting the military reservation with the lands belonging to the Department of Justice in Platte County, Mo.

SEC. 2. The provisions in the Second Deficiency Act of 1924 (43 Stat. 687) requiring that said bridge shall be open to use by the public under such rules and regulations as may be prescribed by the Attorney General is hereby repealed.

SEC. 3. The Department of the Army is authorized to remove the said bridge as it constitutes an unreasonable obstruction to navigation and such appropriation is hereby authorized as may be necessary for its removal and the relocation of the Government-owned utilities now carried by said bridge serving the lands belonging to the Department of Justice in Platte County, Mo.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE ACT ESTABLISHING CIVIL AIR PATROL AS A CIVILIAN AUXILIARY OF THE UNITED STATES AIR FORCE

The Clerk called the bill (S. 1135) to amend the act entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes."

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved May 26, 1948 (62 Stat. 274), entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes," is hereby amended by adding thereto the following new sections:

"SEC. 3. (a) Volunteer civilian members of Civil Air Patrol, except Civil Air Patrol cadets, shall, for the purpose of administration of the Federal Employees' Compensation Act, be deemed to be civilian employees of the United States within the meaning of the term 'employee' as defined in section 40 of that act, and the provisions of that act shall apply to them in all respects, subject to the remaining provisions of this section.

"(b) In the administration of that act in such cases the following shall apply: (1) The monthly pay of such members for the purpose of computing compensation for disability or death shall be deemed to be $300; and (2) as applied to such members, the term 'performance of duty,' as used in that act, shall mean only active service, and travel to and from such service, rendered in performance or support of operational missions of the Civil Air Patrol, under direction of the Department of the Air Force, and under written authorization by competent authority covering a specific assignment and prescribing a time limit for such assignment.

"(c) When a claim is filed, the Secretary of Labor or his designee may inform the Secretary of the Air Force or his designee, who shall advise, if so requested, the Secretary of Labor concerning the facts with respect to the injury, including the question whether at the time of injury the member of the patrol was rendering service, or engaged in travel to or from such service, in performance or support of an operational mission of the Patrol: *Provided*, That this shall not be construed to dispense with the reports of the member's immediate superior required under section 24, or other reports agreed upon under section 28a of that act.

"(d) The provisions of this section shall be applicable as of May 20, 1941, in the cases of members of the Civil Air Patrol as it existed under and pursuant to Executive Order 8757 of May 20, 1941, as amended by Executive Order 9134 of April 15, 1942, and Executive Order 9339 of April 29, 1943: *Provided*, That the time limitations in that act, in respect to notice of injury and claim for compensation, shall not begin to run until the date of enactment of this act: *Provided further*, That no benefits under that act shall accrue or be payable in any case for any period prior to the date of this act, but this provision shall not bar the payment or reimbursement of medical and other expenses as authorized by sections 9 and 11 of that act, if not otherwise paid or furnished by the United States: *Provided further*, That, with respect to services rendered prior to the enactment of this act, the term 'performance of duty,' as used in that act, shall mean only active service, and travel to and from such service, rendered in performance or support of operational missions of the Civil Air Patrol, under direction of the Office of Civilian Defense, the Department of the Army (War), including the Army Air Forces, or the Department of the Air Force: *And provided further*, That the entitlement of any person to receive benefits from the United States under any other provision of law in effect prior to the date of enactment of this act for an injury or death for which benefits are authorized by this act is hereby terminated.

"SEC. 4. Nothing in this act shall be construed to confer military or veteran status upon any person."

With the following committee amendments:

On page 2, strike out lines 11 through 22, and substitute therefor the following:

"(b) In administering that act for members covered by this section—

"(1) the monthly pay of such a member shall, for the purpose of computing compensation for disability or death, be considered to be $300;

"(2) the percentage applicable to payments under section 10 of that act are—

"(A) 45 percent for clause (C) of that section, in any case where the member died fully or currently insured under title II of the Social Security Act, with no additional payments for a child or children so long as the widow or widower remains eligible for payments under that clause;

"(B) 20 percent for clause (D) of that section, for one child and 10 percent additional for each additional child, but not more than a total of 75 percent, in any case where the member died fully or currently insured under title II of the Social Security Act; and

"(C) 25 percent for clause (E) of that section, if one parent was wholly dependent for support upon the deceased member at the time of his death and the other was not dependent to any extent; 16 percent to each, if both were wholly dependent; and if one was, or both were, partly dependent, a proportionate amount in the discretion of the Secretary of Labor;

"(3) no payments may be made under clause (F) of that section; and

"(4) the term 'performance of duty,' as used in that act, means only active service, and travel to and from such service, rendered in performance or support of operational missions of the Civil Air Patrol, under direction of the Department of the Air Force, and under written authorization by competent authority covering a specific assignment and prescribing a time limit for such assignment; and

"(5) the Secretary of Labor, or his designee, shall inform the Secretary of Health, Education, and Welfare whenever a claim is filed and eligibility for compensation is established under clause (C) or clause (D) of section 10 of that act, and that Secretary shall then certify to the Secretary of Labor as to whether or not the member concerned was fully or currently insured under title II of the Social Security Act at the time of his death."

On page 4 add the following after line 11:

"SEC. 2. (a) Section 760 of title 14, United States Code, is amended—

"(1) by striking out '$150' in subsection (a) and inserting '$300' in lieu thereof; and

"(2) by adding the following subsection at the end thereof:

"'(e) In administering the Federal Employees' Compensation Act for persons covered by this section—

"'(1) the precentages applicable to payments under section 10 of that act are—

"'(A) 45 percent for clause (C) of that section, in any case where the member died fully or currently insured under title II of the Social Security Act, with no additional payments for a child or children so long as the widow or widower remains eligible for payments under that clause;

"'(B) 20 percent for clause (D) of that section, for one child, and 10 percent additional for each additional child, but not more than a total of 75 percent, in any case where the member died fully or currently insured under title II of the Social Security Act; and

"'(C) 25 percent for clause (E) of that section, if one parent was wholly dependent for support upon the deceased member at the time of his death and other was not dependent to any extent; 16 percent to each if both were wholly dependent; and if one was, or both were, partly dependent, a proportionate amount in the discretion of the Secretary of Labor;

"'(2) no payments may be made under clause (F) of that section; and

"'(3) the Secretary of Labor or his designee shall inform the Secretary of Health, Education, and Welfare whenever a claim is filed and eligibility for compensation is established under clause (C) or clause (D) of section 10 of that act, and that Secretary shall then certify to the Secretary of Labor as to whether or not the member concerned was fully or currently insured under title II of the Social Security Act at the time of his death.'

"(b) The amendments made by this section apply only to benefits for months beginning after the month in which it is enacted.

"(c) The entitlement of any person to benefits under the Federal Employees' Compensation Act as it was in effect before the enactment of this section is not affected by this section."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMUNICATIONS ACT OF 1934, AS AMENDED

The Clerk called the bill (S. 1456) to amend sections 212, 219 (a), and 410 (a) of the Communications Act of 1934, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 212 of the Communications Act of 1934, as amended, is amended to read as follows:

"SEC. 212. After 60 days from the enactment of this act it shall be unlawful for any person to hold the position of officer or director of more than one carrier subject to this act, unless such holding shall have been authorized by order of the Commission, upon due showing in form and manner prescribed by the Commission, that neither public nor private interests will be adversely affected thereby: *Provided*, That the Commission may authorize persons to hold the position of officer or director in more than one such carrier, without regard to the requirements of this section, where it has found that one of the two or more carriers directly or indirectly owns more than 50 percent of the stock of the other or others, or that 50 percent or more of the stock of all such carriers is directly or indirectly owned by the same person. After this section takes effect it shall be unlawful for any officer or director

of any carrier subject to this act to receive for his own benefit, directly or indirectly, any money or thing of value in respect of negotiation, hypothecation, or sale of any securities issued or to be issued by such carrier, or to share in any of the proceeds thereof, or to participate in the making or paying of any dividends of such carriers from any funds properly included in capital account."

SEC. 2. Section 219 of the Communications Act of 1934, as amended, is amended by inserting at the beginning of the second sentence of subsection (a) the words "Except as otherwise required by the Commission," so that the section will read:

"SEC. 219. (a) The Commission is authorized to require annual reports under oath from all carriers subject to this act, and from persons directly or indirectly controlling or controlled by, or under direct or indirect common control with, any such carrier, to prescribe the manner in which such reports shall be made, and to require from such persons specific answers to all questions upon which the Commission may need information. Except as otherwise required by the Commission, such annual reports shall show in detail the amount of capital stock issued, the amount and privileges of each class of stock, the amounts paid therefor, and the manner of payment for the same; the dividends paid and the surplus fund, if any; the number of stockholders (and the names of the 30 largest holders of each class of stock and the amount held by each); the funded and floating debts and the interest paid thereon; the cost and value of the carrier's property, franchises, and equipment; the number of employees and the salaries paid each class; the names of all officers and directors, and the amount of salary, bonus, and all other compensation paid to each; the amounts expended for improvements each year, how expended, and the character of such improvements; the earnings and receipts from each branch of business and from all sources; the operating and other expenses; the balances of profit and loss; and a complete exhibit of the financial operations of the carrier each year, including an annual balance sheet. Such reports shall also contain such information in relation to charges or regulations concerning charges, or agreements."

SEC. 3. Section 221 (a) of the Communications Act of 1934, as amended, is amended to read as follows:

"SEC. 221. (a) Upon application of one or more telephone companies for authority to consolidate their properties or a part thereof into a single company, or for authority for one or more such companies to acquire the whole or any part of the property of another telephone company or other telephone companies or the control thereof by the purchase of securities or by lease or in any other like manner, when such consolidated company would be subject to this act, the Commission shall give reasonable notice in writing to the governor of each of the States in which the physical property affected, or any part thereof, is situated, and to the State commission having jurisdiction over telephone companies, and to such other persons as it may deem advisable, and shall afford such parties a reasonable opportunity to submit comments on the proposal. A public hearing shall be held in all cases where a request therefor is made by a telephone company, an association of telephone companies, a State commission, or local governmental authority. If the Commission finds that the proposed consolidation, acquisition, or control will be of advantage to the persons to whom service is to be rendered and in the public interest, it shall certify to that effect; and thereupon any act or acts of Congress making the proposed transaction unlawful shall not apply. Nothing in this subsection shall be construed as in anywise limiting or restricting the powers of the several States to control and regulate telephone companies."

SEC. 4. Section 410 (a) of the Communications Act of 1934, as amended, is amended by inserting before the words "the Commission" in the second sentence of the section the words "an examiner provided for in section 11 of the Administrative Procedure Act, designated by" so that the section will read as follows:

"SEC. 410. (a) Except as provided in section 409, the Commission may refer any matter arising in the administration of this act to a joint board to be composed of a member, or of an equal number of members, as determined by the Commission, from each of the States in which the wire or radio communication affected by or involved in the proceeding takes place or is proposed. For purposes of acting upon such matter any such board shall have all the jurisdiction and powers conferred by law upon an examiner provided for in section 11 of the Administrative Procedure Act, designated by the Commission, and shall be subject to the same duties and obligations. The action of a joint board shall have such force and effect and its proceedings shall be conducted in such manner as the Commission shall by regulations prescribe. The joint board member or members for each State shall be nominated by the State commission of the State or by the governor if there is no State commission, and appointed by the Federal Communications Commission. The Commission shall have dicretion to reject any nominee. Joint board members shall receive such allowances for expenses as the Commission shall provide."

With the following committee amendments:

Page 2, line 17, after "Section 219", insert "(a)."

Page 2, line 20, strike out "the section" and insert "such section 219 (a)."

Page 4, line 2, after "agreements", insert ", arrangements, or contracts affecting the same, as the Commission may require."

Page 5, lines 10 and 11, strike out "the section" and insert "such section 410 (a)."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO THE PORT OF PORT TOWNSEND, WASH.

The Clerk called the bill (S. 3388) to provide for the conveyance of certain real property of the United States to the port of Port Townsend, Wash.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services (herein referred to as the "Administrator") is authorized and directed to convey to the port of Port Townsend, Wash., subject to the provisions of sections 2 and 3 of this act, all of the right, title, and interest of the United States in and to certain real property consisting of 30$^{62}/_{100}$ acres, more or less, located in Jefferson County, Wash., comprising a part of the real property commonly known as Hudson Point, formerly used by the Department of the Army for amphibious training purposes, the exact legal description of which shall be determined by the Administrator.

SEC. 2. The Administrator shall determine the fair market value of the real property subject to conveyance under this act and if the port of Port Townsend fails to tender to the Administrator an amount equal to such fair market value on or before the 120th day after the date such fair market value is made known to the port of Port Townsend by the Administrator, this act shall cease to be in effect after such 120th day.

SEC. 3. There shall be reserved to the United States all minerals including oil and gas, in the real property authorized to be conveyed by the first section of this act, and the deed of conveyance shall contain such additional terms, conditions, reservations, and restrictions as the Administrator determines to be necessary to protect the interest of the United States.

SEC. 4. The Administrator shall cover into the Treasury as miscellaneous receipts all proceeds under this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR ACTIVATION REPAIR AND DEACTIVATION OF MERCHANT VESSELS

The Clerk called the resolution (H. Res. 613) to authorize the vessel operations revolving fund of the Department of Commerce to be used for expenses in connection with the chartering of merchant ships under jurisdiction of the Secretary of Commerce.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the vessel operations revolving fund created by the Third Supplemental Appropriations Act, 1951, approved June 2, 1951 (Public Law 45, 82d Cong.; 65 Stat. 52, at 59), shall, beginning July 1, 1956, be available for expenses incurred in connection with the activation, repair, and deactivation of merchant ships chartered under the jurisdiction of the Secretary of Commerce. There shall be credited to such fund all receipts on account of operations after July 1, 1956, under charters of Government-owned ships under the jurisdiction of the Secretary of Commerce.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF REVENUES FROM TONGASS NATIONAL FOREST, ALASKA

The Clerk called the bill (S. 2517) to amend subsections 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (a) of section 3 of the act approved August 8, 1947 (61 Stat. 920), is hereby amended by striking

out the period at the end of said subsection and inserting in lieu thereof a colon and the following: "*Provided*, That all receipts heretofore and hereafter received from the sale of such timber shall be subject to the provisions of the act of May 23, 1908 (35 Stat. 260), as amended, and the act of March 4, 1913 (37 Stat. 843), as amended. If any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest are determined to be valid the Territory of Alaska shall pay to the United States 25 percent of the moneys required to satisfy such claims: *Provided*, That the Territory shall not be required to pay to the United States any amount in excess of the total amount received by the Territory from the United States pursuant to the act of March 23, 1908: *Provided further*, That such payments by the Territory to the United States shall, to the extent possible, be effected by deductions from the amounts otherwise payable to the Territory pursuant to such act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTEND ACP AUTHORITY

The Clerk called the bill (H. R. 8321) to amend the Soil Conservation and Domestic Allotment Act, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3120) to amend the Soil Conservation and Domestic Allotment Act, as amended, may be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 8 of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h), is amended by striking out of subsection (a) "January 1, 1957" and "December 31, 1956," wherever they appear therein, and inserting in lieu thereof "January 1, 1959" and "December 31, 1958," respectively.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill (H. R. 8321) were laid on the table.

BARANOF CASTLE SITE

The Clerk called the bill (H. R. 9678) to authorize the Secretary of Agriculture to convey to the Territory of Alaska certain lands in the city of Sitka, known as Baranof Castle site.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3344) to authorize the Secretary of Agriculture to convey to the Territory of Alaska certain lands in the city of Sitka, known as Baranof Castle site, may be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized and directed to convey, without reimbursement therefor, to the Territory of Alaska, for use as a historic monument site, all the right, title, and interest of the United States to the following described lands, containing 1.349 acres, more or less, and improvement thereon, known as the Baranof Castle site: The tract of land formerly occupied by the Alaska Agricultural Experiment Station, more particularly shown on the plat of Sitka townsite, Alaska, United States survey No. 1474, tract A, approved April 2, 1925, as the United States Reserve for Agricultural Investigations and Weather Service: *Provided*, That if the Territory of Alaska shall attempt to transfer title to or control over these lands, or to devote them to a use other than as a historic monument site title thereto shall revert to the United States.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill (H. R. 9678) were laid on the table.

AUTHORIZING CREDITING OF CERTAIN SERVICE

The Clerk called the bill (H. R. 2035) to provide for the crediting of certain service toward retirement of Reserve personnel.

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That section 6 of the act of February 21, 1946 (60 Stat. 27), is amended by changing the period at the end thereof to a colon and adding the following proviso: "*Provided*, That in the case of officers of the Nurse Corps Reserve, a branch of the Naval Reserve, such years of active service and active commissioned service shall be based on that service specified in section 207 (h) of the Army-Navy Nurses Act of 1947 (61 Stat. 50), as amended."

SEC. 2. The Army and Air Force Vitalization and Retirement Equalization Act of 1948 (62 Stat. 1081), as amended, is further amended by—

(a) amending that part of subsection (a) of section 302 which appears before the first proviso to the subsection to read as follows: "Any person who, upon attaining or having attained the age of 60 years, has performed satisfactory Federal service as defined in this section including (1) service in the status of a commissioned officer, warrant officer, flight officer, appointed aviation cadet, nurse, or enlisted person in the Army of the United States or the United States Air Force including the respective reserve components thereof, and also including the federally recognized National Guard prior to 1933, the United States Navy, the United States Marine Corps, or the United States Coast Guard, including the reserve components thereof, and (2) all service creditable under section 110 or section 207 (h) of the Army-Navy Nurses Act of 1947 (61 Stat. 46, 50) as amended, and has completed an aggregate of 20 or more years of such satisfactory service in any or all of the aforesaid services, shall, upon application therefor, be granted retired pay:";

(b) amending section 306 (c) by deleting the word "and" where it appears at the end of part (15); changing the period at the end of part (16) to a semicolon and adding thereafter the word "and"; and adding the following new part:

"(17) the Navy Nurse Corps established by the act of May 13, 1908 (35 Stat. 146), in respect of service as a Reserve nurse after June 30, 1938.";

(c) inserting in section 306 (e) after the words "Air Force Reserve" the words "or as inactive Reserve nurse of the Army Nurse Corps established by the act of February 2, 1901 (31 Stat. 753), as amended"; and

(d) inserting in section 306 (f) after the words "Marine Corps Reserves" the words "or inactive service in a Reserve nurse status in the Navy Nurse Corps established by the act of May 13, 1908 (35 Stat. 146), before July 1, 1938."

With the following committee amendment:

Add a new section 3 as follows:

"SEC. 3. All the appointments made on or after December 7, 1941, in the Army of the United States without component under the joint resolution of September 22, 1941 (55 Stat. 728) which were not earlier terminated by affirmative administrative action or other provisions of law may be considered for all purposes to have continued in effect until April 1, 1953."

The committee amendment was agreed to.

Mr. BROOKS of Louisiana. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Louisiana: Page 2, line 9, following the words "flight officer" insert the following: "army field clerk, field clerk, Quartermaster Corps."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the crediting of certain service for purposes of pay and retirement."

A motion to reconsider was laid on the table.

RECONVEYING MINERAL INTERESTS IN LAND TO FORMER OWNERS

The Clerk called the bill (H. R. 11879) to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. SMITH of Mississippi. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1384) to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed, when he determines that the exploration for or exploitation of any mineral interests underlying lands within and for the purpose of reservoir projects of the Yazoo Basin headwater project in the State of Mississippi will not be incompatible with the development, maintenance, and operation of the reservoir projects and that the reconveyance of any such aforementioned interests to the former owners thereof will be in the public interest, to convey such interests to the former

owners thereof, or in the case of any such owner who is deceased, to his legal heirs, if any, upon (1) application made within 3 years from the date of enactment of this act, and (2) payment to the United States of an amount equal to but not in excess of the purchase price for which said interests were acquired by the United States.

SEC. 2. Each conveyance of mineral interests under this act shall contain such reservations, restrictions, terms and conditions as the Secretary determines are necessary for the development, maintenance, and operation of the reservoir projects.

The bill was ordered to be read a third time, was read the third time and passed.

A motion to reconsider and a similar House bill (H. R. 11879) were laid on the table.

EXCEPT CERTAIN COURSES FROM 2-YEAR PROVISION

The Clerk called the bill (H. R. 4127) to exempt courses leading to standard college degrees offered by nonprofit educational institutions of higher learning from the provisions of section 227 of the Veterans' Readjustment Assistance Act of 1952 prohibiting the enrollment of eligible veterans under that act when such courses have been in operation for less than 2 years.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 227 (b) of the Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 932) is hereby amended by deleting the word "or" following the semicolon at the end of clause (2), changing the period at the end clause (3) to "; or", and adding a new clause (4) to read as follows:

"(4) any course which is offered by a nonprofit educational institution of college level and which is recognized for credit toward a standard college degree."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

USE OF CERTAIN LANDS FOR CEMETERY PURPOSES

The Clerk called the bill (H. R. 10238) to authorize and direct the Administrator of Veterans' Affairs to accept certain land in Buncombe County, N. C., for cemetery purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, in view of the fact that to pass this bill by unanimous consent would set a precedent that might affect all of the veterans' hospitals in the United States, and in view of the further facts that the cost is uncertain, that the Veterans' Administration objects and does not report favorably, and that the Bureau of the Budget objects, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

BANNING PENSION PAYMENTS TO CERTAIN PRISONERS

The Clerk called the bill (H. R. 10477) to prohibit the payment of pensions to persons confined in penal institutions for periods longer than 61 days.

The SPEAKER. Is there objection to the present consideration of the bill?

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, this bill bars the payment of non-service-connected pension under any public or private law administered by the Veterans' Administration to an individual who has been imprisoned in a Federal, State, or local penal institution, as a result of conviction for a felony or misdemeanor, beginning 60 days after his imprisonment and ending when the imprisonment ends.

In other words, a person serving 60 days would not be covered by this proposal but one serving longer than that period would not be eligible to receive a pension. It would not prevent the individual involved from applying for and receiving a reinstatement of his pension upon completion of his term if he meets the other requirements.

Pension is a gratuity, legally, and payable solely to otherwise eligible veterans who served during a period of war and is not based in any way on a service-connected disability.

Recently, at my direction, a study was made of the number of veterans in prison in 10 States, as well as those incarcerated in Federal penal institutions. The number was sizable and among the crimes involved were theft, narcotic sales, forgery, bank robbery, murder, rape, adultery, kidnaping, and so forth.

The bill provides that the Administrator may apportion and pay to the wife and/or children of the veteran the pension for which he would be eligible if he were not incarcerated in a penal institution.

While admittedly there will be some additional administrative burden placed on the Veterans' Administration as a result of the enactment of this legislation, it does appear that there will be a savings as a result of this bill.

It is my opinion that sound public policy requires that no pension for a non-service-connected disability be paid to a person who is serving a sentence for a felony or misdemeanor. It should be considered that a person in this category is receiving care for all of his creature comforts and in view of the non-service-connected feature of his pension, there is no valid reason why such a person should continue to draw a benefit from the Federal Government when he has been convicted of a serious offense and is serving a term in prison for this offense.

It should be noted that the Veterans' Administration concurs in the enactment of this legislation.

PERIODIC SURVEY OF NATIONAL SHIPBUILDING CAPABILITY

The Clerk called the bill (H. R. 10560) to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BONNER. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3705) to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 502 (f) of the Merchant Marine Act, 1936, as amended, is hereby amended by striking out the first sentence thereof and inserting in lieu thereof the following two new sentences: "The Secretary of Commerce, with the advice of and in coordination with the Secretary of the Navy, shall periodically, as required for purposes of this act, survey the existing privately owned shipyards capable of merchant ship construction, or review available data on such shipyards if deemed adequate, to determine whether their capabilities for merchant ship construction, including facilities and skilled personnel, provide an adequate mobilization base at strategic points for purposes of national defense and national emergency. The Secretary of Commerce, in connection with ship construction, reconstruction, reconditioning, or remodeling under title VII and section 509, and the Federal Maritime Board, in connection with ship construction, reconstruction, or reconditioning under title V (except section 509), upon a basis of a finding that the award of the proposed construction, reconstruction, reconditioning, or remodeling work will remedy an existing inadequacy in such mobilization base as to the capabilities and capacities of a shipyard or shipyards at a strategic point, after taking into consideration the benefits accruing from standardized construction, the conditions of unemployment, and the needs and reasonable requirements of all shipyards, may, with the approval of the President, allocate such construction, reconstruction, reconditioning, or remodeling to such yard or yards in such manner as it may be determined to be fair, just, and reasonable to all sections of the country, subject to the provisions of this subsection."

The bill was ordered to be read a third time, was read the third time, and passed.

Mr. BONNER. Mr. Speaker, I offer a motion to amend the title.

The Clerk read as follows:

Mr. BONNER moves that the title of the bill be amended to read: "To require periodic surveys by the Secretary of Commerce of national shipbuilding capabilities."

The amendment was agreed to.

A motion to reconsider and a similar House bill (H. R. 10560) were laid on the table.

FINAL REPORT OF THE COMMISSION ON GOVERNMENT SECURITY

The Clerk called House Joint Resolution 655 to extend the time for the submission of the final report of the Commission on Government Security, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the House joint resolution?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that Senate Joint Resolution 182, similar to House Joint Resolution 655, be considered in lieu of the House joint resolution.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I wonder if the chairman of the Committee on the Judiciary can tell me why the operation of this Commission is costing so much money? I notice they have already had appropriated to them $250,000. There is an additional request for $665,000. The question that occurs to me is how they can spend so much money?

Mr. WALTER. Mr. Speaker, I think the answer is quite simple. The chairman of the Commission, Mr. Loyd Wright, former president of the American Bar Association, has assembled a very fine staff in order to make a complete study in this very controversial field. You would be surprised at the enormity of the task and the scope of the inquiry. I assure the gentleman that the money is not being squandered.

The personnel selected for the most part are outstanding professors and experts who are retained on a consultation basis. The staff is now composed of 48 people and will be expanded to a total of 80. I assure the gentleman that we are watching very carefully the expenditure of this money. It is necessary if we are to comply fully with the responsibility imposed upon us by the Congress.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That section 4 (a) (2) of the joint resolution, approved August 9, 1955, entitled "Joint Resolution To Establish a Commission on Government Security" (69 Stat. 595–597), is hereby amended to read as follows:

"(2) The Commission may procure, without regard to the civil-service laws and the Classification Act of 1949, as amended, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $50 per diem for individuals, and such services may be procured for any period of time during the existence of the Commission."

That section 9 of such joint resolution is hereby amended to read as follows:

"SEC. 9. The Commission may submit interim reports to the Congress and the President at such time or times as it deems advisable, and shall submit its final report to the Congress and the President not later than June 30, 1957. The final report of the Commission may propose such legislative enactments and administrative actions as in its judgment are necessary to carry out its recommendations. The Commission shall cease to exist 90 days after the submission of its final report."

The joint resolution was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. J. Res. 655) was laid on the table.

A motion to reconsider was laid on the table.

SUBPORT OF EMBARKATION, JUNEAU, ALASKA

The Clerk called the bill (H. R. 6779) to authorize and direct the Secretary of the Interior to convey certain property of the United States located in Juneau, Alaska, known as the Juneau Subport of Embarkation, to the Territory of Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to convey to the Territory of Alaska the property known as the Juneau Subport of Embarkation, located in Juneau Alaska, and more particularly described as follows:

Beginning at corner numbered 1, not set, from which a corner numbered 11, United State survey numbered 7, townsite of Juneau, Alaska, bears north 45 degrees 40 minutes east 326.73 feet and corner numbered 15 of Public Land Order numbered 657, dated August 15, 1950, as shown on the United States Engineers and Fish and Wildlife Service plats of the Juneau Subport of Embarkation, bears south 49 degrees no minutes east 21.15 feet, thence as follows:

South 48 degrees no minutes west 263.76 feet to corner numbered 2 not set; south 23 degrees 20 minutes east 134.87 feet to corner numbered 3, not set; south 66 degrees 40 minutes west 442.0 feet to corner numbered 4, not set; south 23 degrees 20 minutes east 100.0 feet to corner numbered 5, not set; south 66 degrees 40 minutes west 80.0 feet to corner numbered 6, identical, to corner numbered 4, Public Land Order 657, thence following the boundaries of said public land order as follows:

North 23 degrees 20 minutes west 689.0 feet to corner numbered 7, identical to corner 5, Public Land Order 657; north 57 degrees 45 minutes east 347.0 feet to corner numbered 8, identical to corner 6, Public Land Order 657; north 25 degrees 22 minutes west 444.0 feet to corner numbered 9, identical to corner 7, Public Land Order 657; north 64 degrees 38 minutes east 10.0 feet to corner numbered 10, identical to corner 8, Public Land Order 657; north 25 degrees 22 minutes west 77.0 feet to corner numbered 11, identical to corner 9, Public Land Order 657; north 64 degrees 38 minutes east 40.0 feet to corner numbered 12, identical to corner 10, Public Land Order 657; south 25 degrees 22 minutes east 517.6 feet to corner numbered 13, identical to corner 11, Public Land Order 657; north 57 degrees 45 minutes east 267.0 feet to corner numbered 14, identical to corner 12, Public Land Order 657; south 32 degrees 15 minutes east 80.0 feet to corner numbered 15, identical to corner 13, Public Land Order 657; south 46 degrees 35 minutes west 77.0 feet to corner numbered 16, identical to corner 14, Public Land Order 657; south 49 degrees no minutes east 404.55 feet to corner numbered 1, the place of beginning, consisting of 10.27 acres more or less.

SEC. 2. The Secretary of the Interior shall execute and deliver any and all contracts, conveyances, or other instruments, as may be necessary to effectuate the said transfer: *Provided,* That there shall be reserved to the United States all minerals, including oil and gas, in the lands so conveyed.

SEC. 3. In the conveyance of the above described lands, there shall be reserved to the United States rights of ingress and egress over roads serving buildings or other works operated by the United States or its successors or assigns in connection with the Juneau subport of Embarkation. There shall be further reserved all rights-of-way for water lines, sewer lines, telephone and telegraph lines, power lines, and such other utilities as now exist or may become necessary to the operation of said subport of embarkation.

With the following committee amendments:

Page 1, line 4, following the word "Alaska" insert the words "a portion of."

Page 3, line 16, change the colon at the end of the line to a period and strike out lines 17 and 18.

Page 3, line 19, strike out all of section 3 and insert the following new language:

"SEC. 3. The conveyance shall be on the express condition that the Territory of Alaska will grant to the United States without charge for such period or periods as may be necessary as determined by the Secretary of the Army the use of approximately 4,050 square feet of open storage area presently occupied by the Alaska Communication System together with rights of ingress and egress and rights-of-way for water lines, sewer lines, telephone and telegraph lines, power lines, and other utilities."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIMITING PAYMENTS TO CERTAIN BENEFICIARIES OF CERTAIN VETERANS

The Clerk called the bill (H. R. 10478) to amend section 21 of the World War Veterans' Act, 1924, to provide for the disposition of certain benefits which are unpaid at the death of the intended beneficiary.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, the purpose of this bill is to provide that payments of gratuities to guardians or other fiduciaries of veterans or their dependents because the intended recipient is under a legal disability shall, if the intended beneficiary dies leaving no wife, husband, child, or dependent parent, revert to the United States after payment of just debts of the deceased beneficiary and the expenses incident to the administration of his estate.

This legislation arises from a situation which was called to my attention during the recess following the first session of this Congress in which I discovered, in a preliminary investigation, that estates were building in sizable amounts for incompetent veterans in a manner which the Congress never contemplated or imagined would occur. Following the receipt of this information, early in the second session I directed a letter to all of the regional offices of the Veterans' Administration and particularly to the chief attorneys in an effort to determine the exact status of these estates on a countrywide basis. Some of the information we found is listed in appendix A, which was originally reproduced in the hearings on this bill. Members may refer to page 7 of the committee report for this information.

An incompetent veteran without dependents in a VA hospital has his estate limited to $1,500 generally, but this does not apply to incompetent veterans in other hospitals or those not in hospitals.

Members of the House, from details in the report, will note that estates of thirty, forty, fifty, or eighty thousand dollars are not at all uncommon. The first case listed in appendix A is all too typical of the case which caused this investigation to be made. The case involves a veteran's estate amounting to $45,761.60. It is derived entirely from compensation benefits and United States Government life-insurance payments. Because of the dependency of his mother, compensation benefits of $198.50 monthly were payable until her death on April 15, 1955. The insurance payments of $57.50 monthly continue. Approximately $100 annually is expended for the direct benefit of the veteran, although income from investments alone is in excess of $1,100 annually.

A brother or collaterals may eventually inherit this estate.

Another case is the case of a young World War II veteran whose estate is estimated at the time of his death to be probably $100,000, which will be inherited by brothers and sisters or their descendants.

These cases involve payments to individuals who have never seen the veteran and who, in all too many instances, do not even reside in this country. Beneficiaries have been found in Russia, Italy, Sweden, Greece, South America, Hungary, Poland, Germany, and other points overseas. In one case there is an estate of $42,186 all of which came of Veterans' Administration or interest or investments from VA funds. Unless this bill is passed, this money will go to nieces or nephews who, it must be admitted, have had very little contact with this individual case and this, too, is rather general.

This bill seeks to provide that payments from estates of the type which I have described will go to 1 of 3 specific classes: first, the spouse, second, the children, regardless of whether or not the child is an adult or minor, third, to the dependent parent of the veteran based on the present definition of dependency which exists in veterans' regulation and which governs whether or not the parent is eligible for VA compensation. While each case is adjudicated on an individual basis, dependency generally is held to exist when monthly income from sources considered does not exceed $105 for a mother or father, or $175 for a mother and father, plus $45 for each additional member of the family dependent.

Following introduction of this legislation I took the unusual step of referring it directly to the chief attorneys of all the regional offices of the Veterans' Administration and their replies are reproduced in the hearings which were held by a special subcommittee composed of the gentleman from North Carolina [Mr. SHUFORD] as chairman, Messrs. SISK, HALEY, ADAIR, and TEAGUE of California as members. These hearings were held on June 7 and 12 and every interested party was given an opportunity to testify. In addition, reports were solicited from the Veterans' Administration Central Office, the Bureau of the Budget, and the Department of Justice. The Bureau of the Budget indicates on behalf of the administration, that this legislation is sound.

The central question involved here is a question of the constitutionality of the proposed legislation insofar as it relates to payments already made to guardians and other fiduciaries. No question exists, of course, with respect to future payments since all veterans' benefits, save insurance, are legal gratuities.

The committee, while conceding that a constitutional question may exist, is firmly of the opinion that a sound interpretation of law favors the constitutionality of this proposal. It should be thoroughly understood that this bill does not propose to take away from any person any property which he now owns or in which he now has a vested interest. The bill does not provide that property of any person under legal disability shall be taken from it. If the beneficiary gains competency or attains his majority the accrued benefits and payments become his absolute property and are not affected by this proposal. The bill does, in the case of future deaths, take from distant relatives of a veteran or other beneficiary their present expectancy of inheriting that part of the estate derived from gratuities paid by the United States. No right to receive the estate of a beneficiary vests upon the beneficiary before the beneficiary dies. It follows then that the bill does not take away the vested rights of any person but merely prevents his expectancy from ever vesting. Cases of law which have been decided by courts of competent jurisdiction are cited in the committee report to sustain this conclusion.

In conclusion, Mr. Speaker, it should be emphasized again that this does not do violence in any way to the veteran for whom these benefits were primarily enacted. Rather, it seeks to provide a protection not only to the veteran but to the Government itself that these benefits shall not pass to persons who have little, if any, interest or connection with the veteran.

There would be no additional cost by the enactment of this legislation, and in fact, it seems that sizable savings would occur. This is particularly true when it is considered that the value of estates of beneficiaries under guardianship of one sort or another as of June 30, 1955, amounted to just under a half billion dollars. The amount of money held in the personal funds of patients and veterans' facilities amounted to over $55 million at the same period.

Direct quotations from replies of chief attorneys:

INCOME FROM INVESTMENTS $1,100 ANNUALLY

The veteran's estate amounts to $45,761.60. It is derived entirely from compensation benefits and United States Government life-insurance payments. Because of the dependency of his mother, compensation benefits of $198.50 monthly were payable until her death on April 15, 1955. The insurance payments of $57.50 monthly continue. Approximately $100 annually is expended for the direct benefit of the veteran, although income from investments alone is in excess of $1,100 annually.

A brother or collaterals may eventually inherit this estate.

——— is a service-connected veteran of World War I who has been hospitalized by the Veterans' Administration since his discharge from service. A committee was first appointed in 1918 and a sister, Mary Bond, is now acting as such.

The veteran's estate amounts to $27,064.63, and is derived entirely from compensation benefits and United States Government life-insurance payments. Because of the dependency of his mother, compensation benefits of $167.50 monthly were payable until her death on December 6, 1949. The insurance payments of $40.25 monthly continue. An average of less than $100 annually has been expended for the direct benefit of the veteran.

Surviving brothers and sisters or their descendants will eventually inherit a sizable estate derived entirely from Veterans' Administration payments.

ONE-HUNDRED-THOUSAND-DOLLAR ESTATE—WORLD WAR II VETERAN

As this veteran is only 36 years of age, it is possible that his estate may eventually exceed $100,000, to be inherited by brothers and sisters, or their descendants. This situation is not unique and pertains to competent as well as to incompetent veterans.

——— is a service-connected veteran of World War II who has been hospitalized at the Veterans' Administration Hospital, ———, since August 6, 1948. The ——— was appointed committee on March 19, 1951.

The committee holds an estate of $8,362.92, consisting entirely of Veterans' Administration compensation payments. Compensation of $216 monthly is currently being paid because of the dependency of the veteran's parents, which was established in 1951. As only $35 monthly is forwarded to the dependent parents in Greece and only $100 annually expended for the direct benefit of the veteran, income exceeds expenditures by more than $2,100 annually. As a result, a large estate will be accumulated before the deaths of the dependent parents. This estate may eventually be inherited by the veteran's brother or other collateral relatives.

——— is a service-connected peacetime veteran who has been continuously hospitalized at the Veterans' Administration Hospital, ———, since 1936. The ———, was appointed committee on April 20, 1936.

The committee holds an estate of $22,667.46, consisting entirely of Veterans' Administration compensation payments. Compensation of $124.40 monthly was paid only because of the dependency of the veteran's father until his death on November 14, 1949. An average of $150 annually is disbursed for the direct benefit of the veteran, an amount less than the income from investments.

Upon his death, the veteran's estate will pass to his numerous brothers and sisters or their descendants; brothers and sisters whose failure to support their father resulted in the accumulation of a large estate, consisting exclusively of Veterans' Administration benefits.

——— is a service-connected veteran of World War I who has been hospitalized by the Government since his discharge from service. He is now a patient at the Veterans' Administration Hospital, ———. ——— is now acting as committee, having succeeded the original committee appointed on April 14, 1919.

DEPENDENT MOTHER IN RUSSIA

The veteran had a dependent mother living in Russia, who was also under guardianship. She died January 1, 1936. Payments were suspended under Veterans Regulation No. 6 (C) then in effect. At that time there was an estate of approximately $9,300. Disability-insurance benefits (U. S. Government life insurance) at $26.99 per month continued payable together with the income from investments. Due to the relatively small requirements of the veteran, who remained a patient at the Veterans' Administration Hospital, ———, the estate continued to increase until the veteran's death August 5, 1950.

THREE NEPHEWS IN ITALY

The veteran now deceased and file has been obsoleted. The following is submitted based on recollection: Veteran hospitalized for many years, immediately following World War I. Guardian appointed at about time of hospitalization. VA entitlement 100 percent service-connected disability and $57.50 monthly United States Government life-insurance payments. Full amount of disability compensation entitlement was paid at all times from veterans' initial hospitalization until his death during the past year by reason of the fact that his parents, living in Italy, were considered dependents, and, at time of death of the last surviving dependent parent, which preceded the veteran's death by a short time, the veteran was not receiving hospitalization. At veteran's death, his estate amounted to approximately $30,000 and consisted of almost, if not all, VA benefits. Heirs: 3 nephews in Italy and 1 living in Michigan.

BROTHERS IN SWEDEN

———, a World War I veteran, was under guardianship of ———, a ——— lawyer, from June 25, 1923, and was a VA patient from the approximate date of discharge from military service until the veteran died on March 11, 1955. Although disability-compensation benefits were suspended pursuant to then existing legislation on June 30, 1933, $8,423.75 in benefits had been paid to the guardian prior thereto. In addition the guardian received disability-insurance benefits of approximately $15,000 on the veteran's war-risk insurance policy. This sum, together with compensation benefits and earnings on both, brought the total estate to $38,270.60 at the time of death. These funds are being distributed to brothers and sisters in Sweden and Finland.

BENEFITS FOR GREEK CITIZENS

(World War I): Veteran hospitalized since June 4, 1925. Guardian appointed November 9, 1921. VA entitlement service-connected disability 100 percent. Present value of estate, $24,305.74, all VA funds. Monthly payments, $198.50 continuing by reason of dependent mother residing in Greece. Mother is past 90 years of age. Potential heirs: Mother and possibly other relatives unknown at present. Estate is accumulating by reason of the small requirements of veteran, which have been met over the past 10 years by an expenditure of less than $100 per year, average. Mother receives $100 per month per court order, which has been determined to be adequate for her needs.

SIX BROTHERS AND SISTERS BENEFIT

——— is presently 62 years of age and single. He is a patient at the Veterans' Administration hospital at ———, and has been continuously since 1927. He is 100 percent service connected for dementia praecox and has been so rated since his discharge from the Navy after World War I (on March 4, 1919). This veteran's benefits have been stopped since approximately 1931, due to his estate being over $3,000 and no dependents. The father died in the early 1920's and the mother was never shown to be dependent and would be presently, if known to be living, 83 years of age. There is no record of her death. The veteran's estate at present, according to the guardian's last accounting, is $51,980.40 and the guardian still receives war-risk insurance benefits at the rate of $57.50 per month. There were six brothers and sisters, who apparently would be the only heirs, and there are no apparent dependents.

POLISH BENEFICIARIES

——— is a World War I veteran, who has been rated 100 percent service connected since his discharge from World War I on November 17, 1919. He has been in the VA hospital ——— since 1925. Payments were stopped on his behalf to the guardian in 1939, due to the fact that his dependent mother, ——— of Woj, Wolynakie, Poland, was in Poland at the outbreak of the war. The guardian has never heard from her since that time, and any relatives the veteran might have would apparently be in Poland. This veteran's estate, according to the last accounting of February 18, 1955, amounted to $56,094. The guardian is still in receipt of war-risk insurance benefits at the rate of $57.50 per month. The veteran was listed as single and to our knowledge, has no wife, children, or dependent parent.

DISTANT RELATIVE

In case the facts are similar to those in case No. 1, with the following exceptions: Present value of the estate is in excess of $45,000. Payments of compensation were stopped January 31, 1931, by reason of veteran's estate exceeding $3,000. No payments of compensation have been made since that time. The estate was accumulated during various extended periods of hospitalization when the veteran was paid compensation and received insurance payments of $56.02 per month since May of 1923. Insurance payments are currently being made to the conservator. In the event of the veteran's death, since he has no wife, child, or dependent parent, his estate would, under the statute, be distributed to more distant relatives.

NEPHEW OR HIS HEIRS BENEFIT

Our chief attorney reports that we have experienced no cases of the distribution of a veteran's estate to distant relatives as contemplated in your inquiry since the activation of this regional office. The situation could occur in the near future in one instance. One elderly female veteran of World War I was hospitalized soon after service because of dementia praecox. Years later, senile and completely disoriented, she was placed in a convalescent home where she now resides. She receives $181 monthly compensation and $57.50 monthly war-risk insurance from the Veterans' Administration. Her estate, representing only Veterans' Administration payments and earnings thereon now totals $49,676.84. Her next of kin and heir at law is a sister in much the same condition as the veteran, except financially. Neither has very long to live and upon the death of the survivor, the estate will be distributed to a nephew, or his heirs.

RELATIVES IN EUROPE AND SOUTH AMERICA

———: This veteran served from May 23, 1918, to August 27, 1918. He has a service-connected mental disability. He is not hospitalized. A committee has handled his estate since August 4, 1922. The committee receives disability compensation of $181 per month and insurance of $57.50. His estate is valued at $54,813.39. The committee expends $100 per month for room, board, and maintenance; $35 per month for spending money and such amounts as are needed for medical and dental care.

The veteran has 1 brother in this country, 2 brothers and a sister residing in Poland, and a sister residing in East Prussia. There is another sister, who was last heard from 10 years ago when she was living in Buenos Aires, Argentina.

FIFTY-THOUSAND-DOLLAR ESTATE TO SISTER IN ITALY

———: This veteran served from July 22, 1918, to December 15, 1918. He had a service-connected disability and was hospitalized at Veterans' Administration expense since shortly after his discharge. A committee handled his estate since December 20, 1924. Since the veteran had a dependent father in Italy, payments of disability compensation were made to the committee until November 1940 when they were discontinued as information as to the continued dependency could not be obtained from Italy, due to the unsettled conditions in that country. At that time the veteran's estate was valued at $34,382.53. The father died in 1941 so compensation payments were never resumed. The veteran died January 15, 1954, leaving one sister, in Italy, surviving him. The committee turned over to the administrator of the veteran's estate the sum of $50,504.18, which will eventually be paid to the sister.

ESTATE 36 YEARS OLD

The sixth and last case, with a current estate valuation slightly exceeding $60,000, is perhaps illustrative of accumulations which may have resulted in the very old estates in which nominal disbursements have been required and which have had the benefit of excellent estate management. This estate has been in existence for a period of 36 years. Full compensation benefit payments were made into the estate of $100 per month up to September 1, 1925; thereafter, said benefit payments were reduced to $20 per month and so continued until July 31, 1930. No gratuity-benefit payments whatsoever have been paid into the estate during the past 25½ years. The estate has been continuously administered by a near relative, but not within the relationship of wife, child, or dependent parent.

ESTATES ACCUMULATED BECAUSE OF DEPENDENTS

There are 3 cases in this office similar in nature to the 1 you have described. In case an estate of $55,061.77 has been accumulated. The incompetent has been in the Veterans' Administration hospital for many years, but continues to draw compensation because he has a dependent mother. In case, the facts are identical and an estate of $25,417.33 has been accumulated. In case, the incompetent has been in the Veterans' Administration hospital for many years. He has an estate of $16,860, which was accumulated before his dependent mother died in 1948. Since that time, payments have been discontinued because his estate exceeds the statutory limits of $1,500.

One other case may be of interest. In that case, an estate of $16,021 has been accumulated. The incompetent has been in the Utah State Hospital for a long period of time, and the guardian has paid the cost of hospitalization, fixed by the State at $50 per month. The Veterans' Administration has paid his guardian the full amount of his compensation, resulting in the accumulation.

FIFTY-TWO-THOUSAND-DOLLAR ESTATE

———: This veteran, who is still alive, has been under guardianship since 1921. At all times, since that date, he has been a patient in the VA hospital at American Lake, Wash. Until the death of his dependent

mother in 1942, he received 100 percent service-connected compensation payments, in addition to $56.76 per month from war-risk insurance. The compensation was discontinued in 1942 because of the size of his estate, as he was without dependents, but the insurance payments have continued. At the present time, his estate totals approximately $52,000. He has no wife, child, or parent, and upon his death his estate will go to collateral heirs.

PAYMENT TO BROTHER IN HUNGARY

———: This veteran was discharged incompetent 1918 and hospitalized by the VA until August 12, 1924. At that time he was returned to Hungary at his own expense and placed in a state institution where he remained until his death December 20, 1942. The veteran had been in receipt of compensation and disability insurance payments at the time of his return to Hungary, his estate totaling $8,026.36. No compensation was paid in the year 1926; otherwise, compensation and insurance payments continued through March 1942. Monthly allowance of $60 was remitted by the guardian for the veteran's support and maintenance through December 1940. A substantial estate accumulated because income to the estate from compensation, insurance, and earnings on investments greatly exceeded expenditures. In 1947, a total estate of $32,026.52 was delivered to the administrator of the veteran's estate. The file indicates that distribution was originally made to the estate of a deceased brother who had been a resident of Hungary, with subsequent administration and distribution to this man's widow and son, also residents of Hungary.

HOSPITALIZED SINCE 1918

———: This veteran was originally rated incompetent and hospitalized March 1918. Accrued compensation of $6,336.18 was paid in January 1924. Dependency of mother was established June 1926. Compensation was stopped December 1929 under General Order 382, but resumed January 13, 1936, and continued through October 1940 when payments were stopped pending determination as to continued dependency of mother. Payments were not resumed. It was determined the mother died in Poland in March 1946. There is no record of disability insurance payments. Veteran has been hospitalized almost continuously since his discharge in 1918, and is now hospitalized. Total value of the estate as of the last accounting by the guardian is $30,805.66.

THIRTY YEARS A PATIENT—$66,000 ESTATE

The committee for the estate of ——— is receiving from the Veterans' Administration disability compensation in the amount of $181 monthly and United States Government insurance in the amount of $57.50. The last accounting reports a balance on hand received from the Veterans' Administration in the amount of $66,243.72. The veteran has been a patient in the State hospital for the past 30 or more years. His only relative of record is a sister. Disability compensation payments were suspended under the provisions of Veterans Regulation No. 6 and were subsequently resumed under the provisions of Public Law 662, 79th Congress.

BENEFITS TO STEPFATHER OF 30 DAYS

———: This veteran drew service-connected benefits from the date of his commitment to a State hospital in the year 1922 until his death in 1954, at which time his estate was valued at more than $30,000. After payment of administration costs a balance in excess of $30,000 was paid to the estate of his mother, who had survived him but whose death occurred before actual distribution of the veterans' estate. There is information of record to the effect that the mother remarried less than 30 days prior to her death and that this individual has received, or will receive, the surviving husband's share of her estate.

Records show that this veteran was raised by foster parents, who predeceased him, and that he never left the confines of the State hospital from the date of commitment in 1922 to the date of death in 1954. No next of kin were ever located until about July 18, 1942, when notice was received of an application by one claiming assistance from the estate as the veteran's dependent natural mother. As the result of this application to the county court and hearing thereon, the court decreed her to be the natural mother and ordered certain allowances paid from the estate. Support allowance payments to her were thereafter continued until the veteran's death.

EIGHTY-YEAR-OLD VETERAN—$56,000 ESTATE

———: A World War I veteran. He has been under guardianship since February 1920. He is a single man, no children, with a dependent parent, ———, who is past 80 years of age, and in a greatly weakened condition. At the time of the date of this memorandum, veteran has an estate of approximately $56,000, which was derived basically from service-connected disability compensation and war risk insurance. Veteran's estate increases at a rate of approximately $2,000 a year. He is now and has been a patient at the VA hospital, ———, for a period of over 20 years. Veteran's mental prognosis is poor, although his general health apparently is good, and he will probably live for a number of years. Veteran's dependent parent, ——— receives $75 a month from veteran's estate, which is ample for his needs. Veteran is survived by one sister and several nephews and nieces who will be the heirs at law of this veteran, and receive the corpus of the estate at his death, in the event that the father does not survive veteran.

FORTY-SEVEN THOUSAND DOLLARS IN GOVERNMENT BONDS—BROTHER TO BENEFIT

———: Present estate, $47,297; under guardianship since 1926 to receive Government insurance payments, which are still being paid; assets all United States bonds; brother nearest relative; dependent mother died 1941, up to which time compensation payments were received.

THIRTY-ONE THOUSAND DOLLARS ESTATE—INCOME FROM INVESTMENTS

———: Under guardianship since 1920; estate $31,122; no VA payments being made; income solely from investments; brother (if alive) nearest relative, in Poland; compensation payments therefore suspended.

TWO BROTHERS—$85,000 ESTATE

———: This World War I veteran has been under guardianship since May 1920. He has been a patient in ——— State hospital since January 1923. As of July 1955 his total estate was $37,946.26, of which $31,746.26 is traceable to benefits paid by the Veterans' Administration. Current payments are being made of $181 a month for service-connected disabilities. He has no legal dependents. His next of kin is a brother, ———, also under guardianship, whose estate is over $48,000, 95 percent of which is traceable to funds paid by the Veterans' Administration.

NIECE AND NEPHEW IN SWITZERLAND

———: World War I veteran under guardianship from November 1926 to August 30, 1955, date of his death. At the time of his death he was drawing 100 percent service-connected compensation. He was hospitalized in Veterans' Administration hospital, ——— from 1925 to 1931. In 1931, at his wish, he was delivered to the care of a brother in Zurich, Switzerland. He died in Zurich leaving an estate of $36,000, all derived from Veterans' Administration benefits. Apparently, 1 niece and 2 nephews living in Switzerland will inherit, as no closer next of kin are known to exist.

RELATIVES UNINTERESTED

Case No. 2: This veteran served in World War I from April 6, 1917, to January 13, 1920. He was admitted to the Veterans' Administration hospital at ———, on March 7, 1921, where he has been continuously hospitalized since that time. A guardian qualified for the veteran's estate on February 13, 1922. Since the appointment of said guardian, there has been expended directly for the benefit of the veteran only about $2,000. The veteran's mother and father are both deceased and our records disclose that he had 4 brothers and 2 sisters, although there is an indication that these brothers and sisters are deceased. He is, however, survived by nieces and nephews who are eligible to take under the laws of descent and distribution of this State, which now amounts to $42,186.59, all of which came from the Veterans' Administration or interest on investments from VA funds. The veteran's estate has been paid disability insurance of $57.50 monthly since January 14, 1920, or a total payment of disability insurance of $24,150 as of January 14, 1956. In addition to the aforesaid disability insurance the veteran received disability compensation at varying rates ranging from $20 monthly to $100 monthly from January 14, 1920, until September 30, 1930, at which time the disability compensation was suspended under the provisions of Public Law No. 2, 73d Congress, his dependent father having died. One of the attorneys of this center recalls a conversation with the guardian in this case wherein it was disclosed that the veteran has only nieces and nephews eligible to eventually inherit the estate and none of the relatives personally contacted by the guardian exhibited any interest in the veteran or any desire to personally visit him at the hospital in ———, even at the expense of the estate.

BROTHER RECEIVES $41,000

———: The veteran has been continuously hospitalized in a State hospital with brief sojourns in sanitariums since 1925. He was awarded 100 percent service-connected disability. Upon his death in July 1954 his estate of $41,033.33 comprised wholly of Veterans' Administration benefits, passed to his brother.

DISTANT RELATIVE TO RECEIVE $30,000

———: Estate of $30,917.68, representing Veterans' Administration benefits obtained under Post Fund Statute (38 U. S. C. A. 17). Will go to distant relative if claimed within the statutory period.

COUSIN IN GERMANY

One is the case of a veteran who died intestate leaving assets in the amount of $26,500. The veteran died without heirs, spouse, or known next of kin entitled under the laws of Oregon to his personal property. The administrator of the estate has alleged in determination of heirship proceedings that the veteran has a first cousin who resides in Germany who is entitled to his estate. The case is now in the process of litigation as to whether reciprocal rights of inheritance existed between the Western Zone of Germany, where the alleged cousin resides, and the United States at the time of the veteran's death.

WORLD WAR I VETERAN ESTATE OF $67,000

———: An incompetent World War I veteran, served from April 4, 1918, to August 20, 1918, with the Armed Forces of the United States. Disability compensation for a service-connected disability has been paid in his behalf from August 21, 1918, to the present time with the exception of periods when he was hospitalized in a Veterans' Administration hospital. Also disability insurance payments were made in his behalf from August 21, 1918, to February 19, 1943, at the monthly rate of $57.50. His guardian, ———, appointed October 25, 1919, by the court of common pleas, ———, is receiving disability compensation at the monthly rate of $181 in his behalf. The guardian is paying from his estate allowances for his maintenance to his sister with whom he resides. His Vet-

erans' Administration funds have accumulated, have been invested by the guardian and at the present time his estate is in the amount of $67,385.91. The sister with whom he resides would be his heir under the ——— statutes provided she survives him. He also has a niece who is the daughter of this sister and also a second cousin living at the present time.

SIXTY-SEVEN THOUSAND DOLLAR ESTATE

——— is an incompetent World War I veteran who has been hospitalized many times in Veterans' Administration hospitals since his discharge on February 7, 1919, but presently is not hospitalized. Payments of disability compensation in various amounts and payments of disability insurance at the monthly rate of $57.50 have been made in his behalf since the date of his discharge. At the present time his guardian, the ———, ——— is receiving the sum of $181 disability compensation for a 100 percent service-connected disability and the monthly disability-insurance payment of $57.50. The guardian is paying funds from his estate for his maintenance at the home of his brother. The present value of the veteran's estate is $67,571.22. He has two brothers at the present time who would be his heirs under the laws of the State of ——— provided they survive him.

——— is an incompetent World War I veteran in whose behalf 100 percent disability compensation has been paid since May 4, 1919, following his discharge from service. This veteran has at all times since his discharge been hospitalized at a Government hospital but payments were continued in his behalf as he had a dependent mother. However, upon the death of his mother, payments were suspended as of April 8, 1939, inasmuch as his estate was in excess of $1,500. The veteran's guardian, the ———, is receiving payments of disability insurance in the amount of $57.06 monthly. These payments have been in effect since May 4, 1919, and are continuing as they are not subject to suspension due to the size of the estate. In addition to these payments, the guardian also received the proceeds from the veteran's adjusted service certificate in the amount of $1,565. The present value of the veteran's estate is $55,923.09. He has a sister who would be his heir under the laws of the State of ——— provided she survives him. We have no record of any other relatives.

NIECE ELIGIBLE FOR $49,000

———, a World War I incompetent veteran, has been rated 100-percent disabled since September 16, 1919, and disability compensation has been paid in his behalf in various amounts from that date until the present time. The veteran's guardian, ———, is presently receiving disability compensation for the veteran at the monthly rate of $181. Disability insurance payments have also been made on behalf of this veteran at the monthly rate of $57.50 from September 16, 1919, and are continuing at present. This veteran is not hospitalized at present nor is there any evidence of record to indicate that he has ever been hospitalized. The guardian is paying from the veteran's estate sufficient funds for his support and maintenance at the home of a friend. The estate is now valued at $49,368.40 which is made up completely of Veterans' Administration benefits and the interest from investments with the exception of the sum of $120 which was paid in his behalf as a ——— State bonus. The nearest relative of the veteran at present is a niece who would be his heir.

AUNT AND 13 COUSINS

———: A World War I incompetent veteran who was hospitalized in Veterans' Administration hospitals from September 18, 1922, until the time of his death on March 21, 1950. The court of common pleas, ——— appointed ———, his brother, guardian of his estate on March 3, 1924. Payments of disability compensation for a 100-percent service-connected disability were made to this guardian until July 1930, at which time they were suspended. The estate at the time of suspension was in the amount of $4,384.54 and the veteran was determined to be single without dependents and hospitalized at the expense of the Veterans' Administration. In addition to the disability compensation, the veteran's guardian was receiving the sum of $650 from the Veterans' Administration representing the proceeds from his adjusted service certificate. His guardian brother died in 1937 and the court of common pleas, ———, appointed the ——— Bank, ———, as successor guardian on May 24, 1937. This guardianship was still in full force and effect at the time of the veterans' death. All funds not required for the veteran's incidental needs were conserved and invested by the guardian. At the time of death the estate of the veteran was valued at $5,585.01. The funds in his estate were distributed by the court-appointed administrator to his aunt and 13 first cousins who were his heirs at law in accordance with the ——— State statutes.

TWO AUNTS, 2 UNCLES, 15 FIRST COUSINS IN ITALY

———, a World War I incompetent veteran who was committed on May 1, 1922, to the ——— State Hospital for the criminal insane. He remained at that institution until his death on July 14, 1952. On March 11, 1924, the court of common pleas, ——— appointed Reverend ——— guardian of his estate. The guardian died in 1943 and the same court appointed the ——— Bank, ——— as successor guardian on March 16, 1943. This guardianship was in full force and effect at the time of the veterans' death. The guardian received disability compensation for a 100 percent service connected disability in various monthly amounts and at the time of death payments were at the monthly rate of $167.50, which included an additional allowance for a dependent mother who resided in Italy. The guardian forwarded to the veteran's dependent mother a quarterly allowance for her maintenance. The guardian also was paying the ——— for the cost of the veteran's care and maintenance at ——— State Hospital and also forwarding to the superintendent of the hospital funds for the veteran's incidental needs. The balance of the disability compensation benefits together with the proceeds of the veteran's adjusted service certificate in the amount of $1,385 was conserved and invested by the guardian. At the time of the veteran's death, his estate was in the amount of $23,531.12. The court appointed administrator, made distribution to the heirs at law under the statutes of the State of ———. The veteran's mother predeceased him, her death having occurred on July 9, 1952, while he died on July 14, 1952. His heirs were 2 aunts, 2 uncles, and 15 first cousins all residing in Italy and these are the persons to whom distribution was made by the administrator.

SIXTY-ONE-THOUSAND-DOLLAR ESTATE TO RUMANIAN RELATIVES

Veteran ——— left an estate of $61,391.53, and brothers and sisters living in Rumania are the sole heirs under ——— intestacy laws.

Entire estate of this veteran was derived from VA benefits, and the United States Attorney, with the assistance of the chief attorney, Veterans' Administration, instituted action in the Orphan's Court of ——— for escheat of the estate to the United States under the provisions of 38 United States Code Annotated (38 (3) (5)). Claim for escheat is based on the fact that the relatives living in Rumania cannot submit satisfactory evidence of their relationship to the deceased, or proof that they will derive full benefit from estate distributed to them, in view of uncertain conditions in Iron Curtain countries and since the State Department has held that it cannot certify as to the correctness of documentary evidence submitted by citizens of such countries living therein. Extensive court hearings were completed on January 26, 1956, and decision of the court will be rendered in the near future.

BROTHER AND SISTER TO RECEIVE $88,000

Veteran ———, under guardianship since December 11, 1920. Present guardian is ——— jointly with ———, a brother. According to accounting filed July 9, 1954, estate contains $88,897.17. Veteran has been hospitalized for many years, although he does leave occasionally on short trial visits, but always returns. Veteran's immediate relatives are a brother, ———, and a sister, ———. Assets in estate are all derived from VA benefits.

ONE-HUNDRED-AND-FIVE-THOUSAND-DOLLAR ESTATE

———: This World War I veteran has had a guardian appointed for his estate since October 5, 1921. Since that time he has been hospitalized in the Veterans' Administration Hospital, ———. He is a single man without dependents. Parents are deceased and the guardian is his brother. He has not received disability compensation benefits from the Veterans' Administration for many years due to his excessive estate, but he is currently receiving disability insurance benefits of $57.50 monthly. His estate was of the value of $105,258.64 as of July 13, 1955, date of the guardian's last accounting. The bulk of this estate consists of private property owned by the war—19 housing units and 1 business building, etc., and interest received therefrom. This estate, due largely to receipt of rents and interest, is increasing approximately $5,000 per year over and above expenses.

SEVENTY-THOUSAND-DOLLAR ESTATE TO BROTHER AND SISTERS IN POLAND

During recent years there have been distributed in this area a number of estates of incompetent World War I veterans who, either immediately upon separation from service or shortly thereafter and until death, were continuously hospitalized in Government institutions and who were entitled to compensation for total disability. Due to the dependency of parents these veterans continued to receive compensation notwithstanding assets in excess of the statutory limit; and, from this compensation alone or combined Veterans' Administration compensation and disability insurance payments, accumulated sizable estates until compensation terminated upon death of the parent. In two instances, the veterans' compensation was temporarily interrupted during World War II in view of the statutory limit and because the parents resided in hostile or enemy-occupied territory and their existence and/or continued dependency could not be verified. However, subsequently, upon proof of existence and continued dependency of the parents, compensation benefits were resumed until the parent in each case died. One of these veterans was survived by an estate valued at $59,000, which was distributed equally to 1 sister in this country and 4 brothers and 4 sisters in Italy. The other left assets of $70,500 and reportedly is survived by a brother and sister in Poland. This latter estate is deposited pursuant to order of court with a register of wills in this State being held in a special account until in due course claimed by person or persons legally entitled thereto. If the purported brother and sister are unable to satisfactorily establish relationship there are aunts, uncles, and other more distant relatives in this country who are probably entitled to the inheritance under the intestacy laws of Maryland.

TWO HUNDRED AND FIFTY THOUSAND DOLLAR ESTATE—17 OIL GUSHERS

We have one pending World War I case in which an illiterate Negro has received compensation and insurance practically all the time since his discharge. Much of his time was spent in hospitals and he is now back in the hospital after an absence of more than 10 years. His parents are dead but he has several brothers and sisters. His former guardian acquired about 150 acres of land for a nominal price with funds paid by the VA and the land proved to be in the east Texas oilfield. He has about 17 gushers on his land. Much litigation has been had over his estate and a great deal of money has been spent in connection with litigation as well as for the ward's support while out of the hospital. Despite this his estate is conservatively believed to be worth at least a quarter of a million dollars. It will be inherited by his collateral kindred. Despite his wealth the VA pays compensation when the ward is not in the hospital and continues to pay insurance for total disability.

IN VA HOSPITAL SINCE 1920—$46,000 ESTATE

Totally disabled World War I veteran, under guardianship since 1920, in VA hospital since 1920, was awarded total disability compensation benefits and disability insurance benefits effective June 10, 1918. Compensation benefits were terminated in 1931 but disability insurance payments of $57.50 monthly have continued. As of September 8, 1955, the veteran's estate was $46,441. Since 1950 an average of approximately $7.50 a month has been spent for his personal needs and comforts while hospitalized. Only know relatives are brothers.

HALF BROTHERS, SISTERS, NIECES, AND NEPHEWS

The largest single estate in this office is that of a World War I veteran who is single and without dependents, and is not hospitalized. His disability compensation is $181 per month and insurance payments through the Veterans' Administration are $57.50 per month. As of March 1955, his estate was valued at $58,427.50. This veteran was formerly under guardianship in ———, and the successor guardian received $40,295.26 in March 1944. We are unable to say whether all of this estate was derived solely from Veterans' Administration benefits. The prospective legal heirs are half-brothers and sisters, nieces and nephews.

LITHUANIAN NATIONAL BENEFIT

———: The subject veteran died a patient at ——— VA hospital on July 22, 1952. Upon settlement of his guardian's account a balance of $29,322.11 was turned over to the public administrator of Kings County, ———. Since Veterans' Administration records did not reveal the survival of next of kin and since no testament was located, a claim was made to the estate by the United States Attorney for the ——— on behalf of the United States pursuant to section 17 et seq. of title 38, United States Code. Mr. ——— of ———, entered a claim to this estate based on a relationship of second cousin alleging that his grandfather and the veteran's grandmother were brother and sister. Because proof of this relationship depends upon public records of Lithuania and the testimony of Lithuanian nationals, ——— has not as yet been able to establish his claim to the satisfaction of the court and a final decision is awaiting the results of further attempts on his part to obtain necessary evidence. All the funds in this estate are from the Veterans' Administration.

AMERICAN INTERNATIONAL INSTITUTE FOR THE PROTECTION OF CHILDHOOD

The Clerk called House Joint Resolution 664, to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That Public Resolution 31, approved May 3, 1928 (45 Stat. 487), as revised by section 1 (a) of Public Law 806, approved September 21, 1950 (64 Stat. 902), is hereby amended to read as follows: "That in order to meet the obligations of the United States as a member of the American International Institute for the Protection of Childhood, there is hereby authorized to be appropriated annually to the Department of State such sums, not to exceed $25,000 per annum, as may be necessary for the payment by the United States of its share of the expenses of the Institute, as apportioned in accordance with the statutes of the Institute."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE SHOSHONE TRIBE AND ARAPAHOE TRIBE OF THE WIND RIVER RESERVATION IN WYOMING

The Clerk called the bill (H. R. 11928) to amend section 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 3397) be considered in lieu of H. R. 11928. The Senate bill is similar to the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation," approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended to read as follows:

"SEC. 3. Notwithstanding any other provision of existing law, the trust funds credited to the Shoshone Tribe and the Arapahoe Tribe, respectively, under the provisions of this act shall be available for expenditure or for advance to the tribe for such purposes as may be requested by the tribal council and approved by the Secretary of the Interior or such official as may be designated by him: *Provided*, That commencing with the quarterly period beginning April 1, 1956, 85 percent of all sums credited to said trust funds during the period ending May 19, 1959, shall be paid on the 1st day of September, the 1st day of December, the 1st day of March, and the 1st day of June each year, per capita, to the individual members of said tribes: *Provided further*, That said per capita payments shall not be subject to any lien or claim of any nature against any of the members of said tribes unless the tribal council of such member shall consent thereto in writing, except as to reimbursable Treasury loans made to individual members of either tribe which may be due to the United States, and except as to irrigation charges owed by individual Indians to the United States with respect to lands for which water is requested and received by said individual Indians, and with respect to lands that are determined by the Secretary of the Interior to be properly classified under existing law on the basis of a survey to be undertaken by the Secretary after the date of the enactment of this act: *Provided further*, That nothing in this act shall be construed to limit the existing authority of the Secretary to protect and conserve the per capita funds payable to members of the tribes who are minors, non compos mentis, or who, in the opinion of the Secretary, are in need of assistance in conducting their affairs."

SEC. 2. As a basis for determining the conditions under which per capita payments may be authorized after May 19, 1959, the Secretary of the Interior is requested to report to the Congress before January 1, 1958, (1) his recommendations regarding any new authority, if any, that he believes is needed in order to protect adequately the interests of minors and incompetent Indians, (2) the results of a survey and reclassification of the lands that should be removed from the irrigation project, and (3) the adequacy of the tribal contribution to the cost of administering the reservation.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 11928) was laid on the table.

A motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR TO CONVEY TO INDIAN TRIBES CERTAIN FEDERALLY OWNED BUILDINGS, IMPROVEMENTS, OR FACILITIES ON TRIBAL LANDS OR ON LANDS RESERVED FOR INDIAN ADMINISTRATION

The Clerk called the bill (H. R. 11248) to authorize the Secretary of the Interior to convey to Indian tribes certain federally owned buildings, improvements, or facilities on tribal lands or on lands reserved for Indian administration.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

APPOINTMENT OF UNITED STATES COMMISSIONERS FOR CUMBERLAND GAP NATIONAL HISTORICAL PARK

The Clerk called the bill (S. 3180) to amend title 25 of the United States Code to authorize the appointment of two United States commissioners for Cumberland Gap National Historical Park.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 631 (a) of title 28 of the United States Code is amended by inserting after the third paragraph of such section the following new paragraph:

"Two United States commissioners may be appointed for Cumberland Gap National Historical Park. One, whose jurisdiction shall be limited to the portion of the park situated in Kentucky, shall be appointed by

the District Court for the Eastern District of Kentucky; the other, whose jurisdiction shall be limited to the portion of the park situated in Tennessee and Virginia, shall be appointed by joint action of the District Courts for the Eastern District of Tennessee and the Western District of Virginia."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE CITY OF LEWISVILLE, TEX.

The Clerk called the bill (H. R. 10423) to provide for the conveyance of 15 acres of land more or less within the Garza-Little Elm project to the city of Lewisville, Tex., for sewage-disposal purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

HAWAIIAN ORGANIC ACT

The Clerk called the bill (H. R. 7893) to amend section 73 (i) of the Hawaiian Organic Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That after public notice as hereinafter provided, the persons entitled to take under any such certificate, lease, or agreement shall be determined by drawing or lot; *Provided, however,* That the commissioner shall have the authority to determine who shall be eligible for the same and to restrict participation in said drawing or lot to those applicants who by reason of experience or training are qualified farmers or ranchers.

SEC. 2. The sale of such lands to successful applicants shall be on an extended time basis so that such applicants are not required to pay the entire purchase price therefor upon the receipt of such lands.

SEC. 3. This act shall take effect on and after the date of its approval.

With the following committee amendment:

Strike out all after the enacting clause and insert "That the first proviso of section 73 (i) of the Hawaiian Organac Act, as amended (48 U. S. C., sec. 670), is further amended to read as follows: '*Provided, however,* That (1) lots may be sold for cash or on an extended time basis, as the Commissioner may determine, without recourse to drawing or lot and forthwith patented to any citizen of the United States applying therefor, possessing the qualifications of a homesteader as now provided by law, and who has qualified for and received a loan under the provisions of the Bankhead-Jones Farm Tenant Act, as amended or as may hereafter be amended, for the acquisition of a farm, and (2) lots may be sold for cash or on an extended time basis, as the commissioner may determine, without recourse to drawing or lot and forthwith patented to any citizen of the United States applying therefor, if such citizen has not less than 2 years' experience as a farm owner, farm tenant, or farm laborer.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RIVERSIDE IRRIGATION DISTRICT, IDAHO

The Clerk called the bill (H. R. 9918) to authorize the Secretary of the Interior to negotiate and execute a contract with the Riverside Irrigation District, Idaho, relating to the rehabilitation of the district's works, and other matters.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to negotiate and execute on behalf of the United States a contract with the Riverside Irrigation District, Ltd., of Idaho, providing (1) for the expenditure, as under the act of October 7, 1949 (63 Stat. 724), of not more than $30,000 for rehabilitation and betterment work in connection with the removal of slides from said Riverside Canal or for the relocation and repair of said canal to reduce the hazard from slides, (2) for the repayment of the amount so expended in accordance with the provisions of the act aforesaid, and (3) for the return to the United States of the unpaid portion of the obligation undertaken by the district in its contract with the United States dated March 1, 1926. The Secretary is further authorized to relieve the district from payment of penalties that have accrued under the contract of March 1, 1926, aforesaid. The obligation of the United States with respect to expenditures under (1) above shall be contingent upon the appropriation of funds to carry out the act of October 7, 1949, aforesaid, and the allotment therefrom of amounts adequate to carry out this act.

The bill was ordered to be engrossed and read a third time, and was read a third time, and passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to negotiate and execute a contract with the Riverside Irrigation District, Ltd., of Idaho, relating to the rehabilitation of the district's works, and other matters."

A motion to reconsider was laid on the table.

CARLSBAD IRRIGATION DISTRICT, NEW MEXICO

The Clerk called the bill (H. R. 10030) to provide for transfer of title of certain lands to the Carlsbad Irrigation District, New Mexico.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 3482, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey by quitclam deed to the Carlsbad Irrigation District, Carlsbad, N. Mex., at no cost to the district, all rights, title, and interest of the United States in and to the following described land situated in Eddy County, State of New Mexico: lots 1 and 3, block 43; Stevens addition to the town of Eddy, now city of Carlsbad, Eddy County, N. Mex., located at the cornor of Fox and Canal Streets in the city of Carlsbad, N. Mex.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 10030) was laid on the table.

ARCHEOLOGICAL INSTITUTE OF AMERICA

The Clerk called the bill (H. R. 9348) to amend the act entitled "an act incorporating the Archeological Institute of America" to increase the value of real and personal property that such Institute may hold.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "an act incorporating the Archeological Institute of America," approved May 26, 1906 (34 Stat. 203), is amended by striking out "1 million" and inserting in lieu thereof "20 million."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL FOOD, DRUG, AND COSMETIC ACT

The Clerk called the bill (H. R. 9547) to amend section 701 of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedures governing the prescribing of regulations under certain provisions of such act, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 401 of the Federal Food, Drug, and Cosmetic Act (21 U. S. C., sec. 341) is amended by striking out "(a)" where it appears after "SEC. 401.", and subsection (b) of such section is repealed.

SEC. 2. Section 701 (e) of such act (21 U. S. C., sec. 371 (e)) is amended to read as follows:

"(e) (1) Any action for the issuance, amendment, or repeal of any regulation under section 401, 403 (j), 404 (a), 406 (a) or (b), 501 (b), 502 (d) or (h), 504, or 604 of this act shall be begun by a proposal made (A) by the Secretary on his own initiative, or (B) by petition of any interested person, showing reasonable grounds therefor, filed with the Secretary. The Secretary shall publish such proposal and shall afford all interested persons an opportunity to present their views thereon, orally or in writing. As soon as practicable thereafter, the Secretary shall by order act upon such proposal and shall make such order public. Except as provided in paragraph (2), the order shall become effective at such time as may be specified therein, but not prior to the day following the last day on which objections may be filed under such paragraph.

"(2) On or before the 30th day after the date on which an order entered under paragraph (1) is made public, any person who will be adversely affected by such order if placed in effect may file objections thereto with the Secretary, specifying with particularity the provisions of the order deemed objectionable, stating the grounds therefor, and requesting a public hearing upon such objections. Until final action upon such objections is taken by the Secretary under paragraph (3), the filing of such objections shall operate to stay the effectiveness of those provisions of the order to which the objections are made. As soon as practicable after the time for filing objections has expired the Secretary shall publish a notice in the Federal Register specifying those parts of the order which have been stayed by the

filing of objections and, if no objections have been filed, stating that fact.

"(3) As soon as practicable after such request for a public hearing, the Secretary, after due notice, shall hold such a public hearing for the purpose of receiving evidence relevant and material to the issues raised by such objections. At the hearing any interested person may be heard in person or by representative. As soon as practicable after completion of the hearing the Secretary shall by order act upon such objections and make such order public. Such order shall be based only on substantial evidence of record at such hearing and shall set forth, as part of the order, detailed findings of fact on which the order is based. The Secretary shall specify in the order the date on which it shall take effect, except that it shall not be made to take effect prior to the 90th day after its publication unless the Secretary finds that emergency conditions exist necessitating an earlier effective date, in which event the Secretary shall specify in the order his findings as to such conditions."

SEC. 3. In any case in which, prior to the enactment of this act, a public hearing has been begun in accordance with section 401 of the Federal Food, Drug, and Cosmetic Act upon a proposal to issue, amend, or repeal any regulation contemplated by such section, or has been begun in accordance with section 701 (e) of such act upon a proposal to issue, amend, or repeal any regulation contemplated by section 403 (j) 404 (a), 406 (a) or (b), 501 (b), 502 (d), 502 (h), or 604 of such act, the provisions of such section 401 or 701 (e), as the case may be, as in force immediately prior to the date of the enactment of this act, shall be applicable as though this act had not been enacted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend sections 401 and 701 (e) of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedures governing the prescribing of regulations under certain provisions of such act, and for other purposes."

A motion to reconsider was laid on the table.

INCREASE FEES OF WITNESSES

The Clerk called the bill (H. R. 11653) to increase the fees of witnesses in the United States courts and before United States commissioners, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1821 of title 28, United States Code, is hereby amended to read as follows:

"§ 1821. Per diem and mileage generally; subsistence

"A witness attending in any court of the United States, or before a United States commissioner, or before any person authorized to take his deposition pursuant to any rule or order of a court of the United States, shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Regardless of the mode of travel employed by the witness, computation of mileage under this section shall be made on the basis of a uniform table of distances adopted by the Attorney General. Witnesses who are not salaried employees of the Government and who are not in custody and who attend at points so far removed from their respective residence as to prohibit return thereto from day to day shall be entitled to an additional allowance of $8 per day for expenses of subsistence including the time necessarily occupied in going to and returning from the place of attendance: *Provided*, That, in lieu of the mileage allowance provided for herein, witnesses who are required to travel between the Territories and possessions, or to and from the continental United States, shall be entitled to the actual expenses of travel at the lowest first-class rate available at the time of reservation for passage, by means of transportation employed: *Provided further*, That this section shall not apply to Alaska.

"When a witness is detained in prison for want of security for his appearance, he shall be entitled, in addition to his subsistence, to a compensation of $1 per day."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TWO HUNDREDTH ANNIVERSARY OF BIRTH OF ALEXANDER HAMILTON

The Clerk called the resolution (H. J. Res. 546) to amend the act of August 20, 1954, establishing a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That section 4 of the act of August 20, 1954 (ch. 770, 68 Stat. 746), is amended by inserting before the period the following "or in the alternative they may receive their transportation and not to exceed $20 per diem in lieu of subsistence."

SEC. 2. The act of August 20, 1954 (ch. 770, 68 Stat. 746), is further amended by inserting a new section 5 to read as follows:

"SEC. 5. The Commission is authorized to—

"(a) accept donations of money and property and to utilize the same in carrying out the purposes of this resolution;

"(b) accept and utilize services of voluntary and uncompensated personnel and to pay any such personnel when engaged in the work of the Commission necessary travel and subsistence expenses or, in the alternative, transportation, and not to exceed $20 per diem in lieu of subsistence;

"(c) cooperate with patriotic and historical societies and with institutions of learning; and

"(d) call upon Federal agencies for their advice and assistance in carrying out the purposes of this resolution.

"Any Federal agency furnishing advice or assistance to the Commission, may expend its own funds for this purpose, with or without reimbursement from the Commission as may be agreed upon by the Commission and the agency.

"The Commission, to such extent as it finds to be necessary, may, without regard to the laws or procedures applicable to Federal agencies, procure transportation, supplies, services and property, and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this resolution."

SEC. 3. Sections 5, 6, 7, and 8 of the act of August 20, 1954, are redesignated sections 6, 7, 8, and 9 respectively.

With the following committee amendments:

Page 2, line 15, strike out "resolution." and insert "resolution'."

Page 2, line 16, strike out all of line 16 down to and including line 2 on page 3.

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION AND CONVERSION OF MERCHANT VESSELS

The Clerk called the resolution (H. J. Res. 614) to authorize the construction of two prototype ships, and the conversion of one Liberty ship, by the Maritime Administration, Department of Commerce.

Mr. CUNNINGHAM. Mr. Speaker, in view of the fact that the vessels provided for in this bill would cost approximately $9 million and we have a rule in the objectors committee that a project costing more than a million dollars should not go through by unanimous consent, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

BANKRUPTCY ACT

The Clerk called the bill (H. R. 6681) to amend sections 323, 334, 335, 336, 337, and 376 of the Bankruptcy Act approved July 1, 1898, and acts amendatory thereof and supplemental thereto.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 323 (11 U. S. C., sec. 723) of the Bankruptcy Act approved July 1, 1898, as amended, is amended to read as follows:

"SEC. 323. A petition filed under this chapter shall state that the debtor is insolvent or unable to pay his debts as they mature, and shall set forth the provisions of the arrangement proposed by him, or, that he intends to propose an arrangement pursuant to the provisions of this chapter."

SEC. 2. Section 334 (11 U. S. C., sec. 734) of the Bankruptcy Act, as amended, is amended to read as follows:

"SEC. 334. Within 10 days after the petition is filed the court shall give notice by mail to the debtor, the creditors, and other parties in interest of a meeting of creditors to be held not less than 15 days nor more than 30 days after the date of the mailing of such notice."

SEC. 3. Section 335 (11 U. S. C., sec. 735) of the Bankruptcy Act, as amended, is amended to read as follows:

"SEC. 335. (1) The notice of such meeting of creditors shall be accompanied by a copy of the proposed arrangement, if filed, or if not filed, a summary of the liabilities as shown by the petition, and a summary of the appraisal, if one has been made, or, if not made, a summary of the assets as shown by the petition.

"(2) If the notice of such meeting is not accompanied by a copy of the proposed arrangement, the court, at such meeting, shall fix a time within which the proposed arrangement shall be filed and shall adjourn the meeting for at least 15 days after the date so fixed, or, if the proposed arrangement is filed at or before such meeting, shall adjourn the meeting for at least 15 days. At least 10 days before such adjourned date, the court shall mail notice of the adjourned meeting, together with a copy of the proposed arrangement, to the creditors and other parties in interest.

"(3) The notice of such meeting of creditors as hereinbefore provided may also name

the time for the filing of the application to confirm the arrangement and the time for the hearing of the confirmation and of such objections as may be made to the confirmation."

SEC. 4. Section 336 (11 U. S. C., sec. 736) of the Bankruptcy Act, as amended, is amended to read as follows:

"SEC. 336. At such meeting, or at any adjournment thereof, the judge or referee—

"(1) shall preside;

"(2) may receive proofs of claim and allow or disallow them;

"(3) shall examine the debtor or cause him to be examined and hear witnesses on any matter relevant to the proceeding; and

"(4) shall receive and determine the written acceptances of creditors on the proposed arrangement, if a copy thereof shall have accompanied the notice of such meeting or adjourned meeting. Such acceptances may be obtained by the debtor before or after the filing of a petition under this chapter."

SEC. 5. Section 337 (2) (11 U. S. C., sec. 737 (2)) of the Bankruptcy Act, as amended, is amended to read as follows:

"(2) fix a time within which the debtor shall deposit, in such place as shall be designated by and subject to the order of the court, the consideration, if any, to be distributed to the creditors, the money necessary to pay all debts which have priority, unless such priority creditors shall have waived their claims or such deposit, or consented in writing to any provision of the arrangement for otherwise dealing with such claims, and the money necessary to pay the costs and expenses of the proceedings, and the actual and necessary expense of the proceedings, and the actual and necessary expenses, including fees and expenses of attorneys, accountants, and agents, in such amounts as the court may allow, incurred after its appointment by a committee appointed pursuant to section 338 of this act, or incurred before or after the filing of the petition under this chapter by a committee designated in writings, filed with the court by creditors whose claims have been scheduled otherwise than as contingent, unliquidated, or disputed and who would not be disqualified by section 44 of this act to participate in the appointment of a trustee: *Provided, however,* That in fixing any such allowances the court shall give consideration only to the services which contributed to the arrangement confirmed or to the refusal of confirmation of an arrangement, or which were beneficial in the administration of the estate, and the proper costs and expenses incidental thereto; and".

SEC. 6. Section 376 (11 U. S. C., sec. 776) of the Bankruptcy Act, as amended, is amended to read as follows:

"SEC. 376. If the statement of the executory contracts and the schedules and statement of affairs, as provided by paragraph (1) of section 324 of this act, are not duly filed, or if an arrangement is not proposed in the manner and within the time fixed by the court, or if an arrangement is withdrawn or abandoned prior to its acceptance, or is not accepted at the meeting of creditors or within such further time as the court may fix, or if the money or other consideration required to be deposited is not deposited or the application for confirmation is not filed within the time fixed by the court, or if confirmation of the arrangement is refused, the court shall—

"(1) where the petition was filed under section 321 of this act, enter an order dismissing the proceeding under this chapter and directing that the bankruptcy be proceeded with pursuant to the provisions of this act; or

"(2) where the petition was filed under section 322 of this act, enter an order, upon hearing after notice to the debtor, the creditors, and such other persons as the court may direct, either adjudging the debtor a bankrupt and directing that bankruptcy be proceeded with pursuant to the provisions of this act or dismissing the proceeding under this chapter, whichever in the opinion of the court may be in the interest of the creditors: *Provided, however,* That an order adjudging the debtor a bankrupt may be entered without such hearing upon the debtor's consent."

With the following committee amendments:

On page 2 insert a new section 2 to read as follows:

"SEC. 2. Section 331 (11 U. S. C., sec. 731) of the Bankruptcy Act, as amended, is amended to read as follows:

"'SEC. 331. The judge may at any stage of a proceeding under this chapter refer the same to a referee either generally or specially. If the judge or all the judges are absent from the district, or the division of the district in which a petition under this chapter is filed, at the time of the filing, the clerk shall forthwith refer the case to the referees.'"

Renumber subsequent sections accordingly.

On page 2, line 12, strike the words ", or if not filed."

On page 2, line 13, insert the word "and" and strike the comma after the word "schedules."

On page 2, line 13 and line 15, strike the word "petition" and insert in lieu thereof the word "schedules."

On page 4, lines 9 and 10, strike the words "and the actual and necessary expenses of the proceedings."

On page 4, line 17, after the word "court", insert the words "and signed and acknowledged by a majority in amount of unsecured."

On page 4, line 17, after the above insertion, strike out the word "by."

On page 5 insert a new section at the end of line 2:

"SEC. 7. Section 363 (11 U. S. C. 763) of the Bankruptcy Act, as amended, is amended to read as follows:

"'SEC. 363. Alterations or modifications of an arrangement may be proposed in writing by a debtor, with leave of court, at any time before the arrangement is confirmed; or where the court has retained jurisdiction pursuant to the provisions of section 368 of this act, an arrangement providing for an extension of time for the payment of debts in whole or in part may be altered or modified after it has been confirmed to the extent and subject to the limitations set forth in section 387 of this act.'"

On page 6 add the following new section to H. R. 6681:

"SEC. 9. Add a new section to chapter XI of the Bankruptcy Act, as follows:

"'SEC. 387. Where an arrangement which has been confirmed provides for an extension of time for payment in whole or in part of the debts affected by the arrangement, and the court has retained jurisdiction pursuant to section 368 of this act:

"'(1) A proposal to alter or modify the arrangement by changing the time of payment of deferred installments of the consideration, or by reducing the amount of such payments, or to accomplish both of such alterations or modifications, may be filed by the debtor, with leave of court after the arrangement has been confirmed, but before the deferred consideration has been fully paid, or if such deferred consideration is represented by negotiable promissory notes, then before such notes have been delivered to the creditors.

"'(2) The proposal to alter or modify the arrangement shall set forth the proposed alterations or modifications, shall state whether the deferred payments provided for by the arrangement are evidenced by negotiable promissory notes and, if so, whether such promissory notes have been delivered to the creditors, and the reasons why such alterations or modifications are proposed. The proposal shall be accompanied by a list of the names and addresses of all creditors who have extended credit to the debtor since the arrangement was confirmed.

"'(3) If the court permits the proposed alterations or modifications to be filed, it shall call a meeting of the creditors on at least 10 days' written notice to the debtor, the creditors and other parties in interest, including creditors who extended credit during the proceeding or after the arrangement was confirmed, and shall transmit with such notice a copy of the alterations or modifications proposed.

"'(4) If at such meeting the arrangement as altered or modified is accepted as required for confirmation by section 362 of this act by the creditors affected by such alteration or modification, the court, subject to the provisions of section 366 of this act, shall confirm the arrangement as altered or modified.'"

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time and was read the third time, and passed.

The title was amended so as to read: "A bill to amend sections 323, 331, 334, 335, 336, 337, 363, and 376 of, and to add a new section to, the Bankruptcy Act approved July 1, 1898, and acts amendatory thereof and supplemental thereto."

A motion to reconsider was laid on the table.

FIX TERM OF DISTRICT JUDGES IN ALASKA AND HAWAII

The Clerk called the bill (H. R. 8937) to amend the law so as to provide that the term of office of district judges in Alaska shall be 8 years.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first paragraph of section 10 of title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as amended (48 U. S. C., sec. 112), is amended by striking out "judges," and by adding at the end thereof the following new sentence: "Judges provided for in this act shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold their offices for the term of 8 years and until their successors are appointed and qualified, unless sooner removed by the President for cause."

SEC. 2. The amendments made by this act shall only apply to judges appointed after the date of its enactment.

With the following committee amendments:

Page 2, line 4, insert:

"SEC. 2. Subsection (a) of section 134 of title 28, United States Code, is amended to read as follows:

"'(a) The district judges, except in Hawaii and Puerto Rico, shall hold office during good behavior. The district judges in Hawaii and Puerto Rico shall hold office for terms of 8 years and until their successors are appointed and qualified'."

Page 2, line 11, strike out "2" and insert "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill to amend the law so as to provide that the terms of office of district judges in Alaska and Hawaii shall be 8 years."

A motion to reconsider was laid on the table.

VALIDATE CERTAIN PAYMENTS

The Clerk called the bill (H. R. 8617) to validate certain payments of sea duty pay made to naval personnel serving on board vessels in the Great Lakes during the period November 1, 1950, to October 31, 1953.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I do so for the purpose of propounding a question of the chairman of the committee. Do I understand that if this bill is passed, there would be a refund made to those from whom collections have already been made?

Mr. CELLER. That is correct.

Mr. BYRNES of Wisconsin. So it is not just prospective?

Mr. CELLER. That is right.

Mr. BYRNES of Wisconsin. You are going to make a refund?

Mr. CELLER. That is right.

Mr. BYRNES of Wisconsin. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the payments of sea duty pay made to personnel serving on vessels operating or located on the Great Lakes during the period November 1, 1950, to October 31, 1953, both dates inclusive, are hereby ratified and confirmed. Credit shall be given in the accounts of any certifying or disbursing officer for the amounts of payments in his accounts which are ratified and confirmed by this section.

SEC. 2. All amounts recovered by the United States from each of the persons referred to in the first section of this Act representing sea duty pay for the period referred to in that section shall be refunded to the person concerned upon application therefor to the Secretary of the Navy.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That all payments of additional pay for sea duty made to enlisted members of the naval service who served on the United States Ship *Sequoia* (AG–23) from November 1, 1950, through February 28, 1954, and to those who served on vessels operating on the Great Lakes from November 1, 1950, through October 31, 1953, are hereby validated. Any such member or former member who has made repayment to the United States of any amount so paid to him as additional pay for sea duty is entitled to have refunded to him the amount repaid.

"SEC. 2. The Comptroller General of the United States, or his designee, shall relieve disbursing officers, including special disbursing agents, of the United States from accountability or responsibility for any payments described in section 1 of this Act, and shall allow credits in the settlement of the accounts of those officers or agents for payments which are found to be free from fraud and collusion.

"SEC. 3. Appropriations available to the military department concerned for the pay and allowances of military personnel are available for payments under this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill to validate certain payments made to members and former members of the naval service."

A motion to reconsider was laid on the table.

BUFORD RESERVOIR

The Clerk called the bill (H. R. 8265) relating to the use of storage space in the Buford Reservoir for the purpose of providing Gwinnett County, Ga., a regulated water supply.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Chief of Engineers is hereby authorized to contract with Gwinnett County, Ga., upon such terms and for such period not to exceed 50 years as he may deem reasonable for the use of storage space in the Buford Reservoir for the purpose of providing said county a regulated water supply in an amount not to exceed 1,000 acre-feet of water annually, and is authorized to grant to Gwinnett County, at no cost, easement over Government lands at Buford Reservoir for the sole purpose of constructing, repairing, and maintaining necessary pipelines and pumping station to remove such water from said reservoir, and the project for Buford Dam authorized by the act, entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," being Public Law 525, 79th Congress, second session, approved July 24, 1946, is hereby modified accordingly: *Provided*, That all moneys received shall be deposited in the Treasury of the United States as miscellaneous receipts: *Provided further*, That nothing herein contained shall affect water rights under State law.

With the following committee amendments:

Page 1, line 3, strike out "Chief of Engineers" and insert "Secretary of the Army."

Page 1, line 8, strike out "1,000" and insert "11,200."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HULAH RESERVOIR, CITY OF BARTLESVILLE, OKLA.

The Clerk called the bill (H. R. 8940) relating to the sale of water from the Hulah Reservoir to the city of Bartlesville, Okla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the Chief of Engineers is hereby authorized to contract with the city of Bartlesville, Okla., upon such terms and for such period, not to exceed 50 years, as he may deem reasonable, for the sale of not to exceed 20,000 acre-feet of storage space in the Hulah Reservoir, for the purpose of providing such city a regulated water supply.

(b) The project for the Hulah Reservoir on the Caney River, authorized by the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 22, 1936, is hereby modified in accordance with the provisions of this act.

(c) All moneys received by the Chief of Engineers pursuant to this act shall be deposited in the Treasury of the United States as miscellaneous receipts.

(d) Nothing in this act shall affect water rights under State law.

With the following committee amendments.

Page 1, line 3, strike the words "Chief of Engineers" and insert "Secretary of the Army".

Page 1, line 6, strike the word "sale" and insert "use".

Page 1, lines 6 and 7, strike the words "twenty thousand" and insert "fifteen thousand four hundred".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill relating to the use of storage space in the Hulah Reservoir to provide water for the city of Bartlesville, Okla."

A motion to reconsider was laid on the table.

SALE OF LANDS IN RESERVOIR AREAS FOR COTTAGE SITE DEVELOPMENT

The Clerk called the bill (H. R. 11702) to provide for the sale of lands in reservoir areas under the jurisdiction of the Department of the Army for cottage site development and use.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

FIXING UNITED STATES MARSHALS' FEES

The Clerk called the bill (H. R. 11907) to amend title 28, United States Code, with respect to fees of United States marshals.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1921 of title 28, United States Code, is amended to read as follows:

"§ 1921. United States marshals' fees

"United States marshals, including those stationed outside the United States and in the District of Columbia, shall charge fees and expenses in accordance with rates and regulations prescribed by the Attorney General. Such rates shall be based on periodic studies of operating costs of the marshals' service and the estimated proceeds shall not exceed that portion of such costs properly chargeable to private litigants."

SEC. 2. Section 1920 of title 28, United States Code, is amended by adding thereto, immediately following the paragraph designed "(5)," a new paragraph designated "(6)," as follows:

"(6) As fees for all marshals' services in a criminal case except for the summoning of witnesses, a sum to be fixed by the court, not exceeding $25 where conviction is for a misdemeanor and not exceeding $100 where conviction is for a felony."

SEC. 3. Section 1112 of the act of March 3, 1901, entitled "An act to establish a code of law for the District of Columbia" (31 Stat. 1189, 1365; sec. 11–1510, D. C. Code, 1951 edition), as amended, is repealed.

SEC. 4. This act shall become effective 90 days after enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISSOURI RIVER AGRICULTURAL LEVEE, RICHARDSON COUNTY, NEBR.

The Clerk called the bill (S. 1358) to authorize modification of the flood-control project for Missouri River Agricultural Levee Unit 513–512–R, Richardson County, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the authorization for Missouri River Agricultural Levee Union 513–512–R, lying within the area of Drainage District No. 1 of Richardson County, Nebr., included in the general comprehensive plan for flood control and other purposes in the Missouri River Basin, approved by the act of June 28, 1938, as modified by the act of December 22, 1944, and other acts, is hereby further modified to include Federal participation in certain highway bridge relocation and construction over the Nemaha River, to include constructing a new bridge near the mouth of the Nemaha River (exclusive of approaches to be provided by local interests) to replace a structure destroyed by the flood of 1951, approximately 300 feet long with 22-foot roadway, at an estimated Federal cost of $162,500.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING DISPOSAL OF CERTAIN LANDS FROM ACADIA NATIONAL PARK, MAINE

The Clerk called the bill (S. 2305) to exclude certain lands from Acadia National Park, Maine, and to authorize their disposal as surplus Federal property.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the tract of land in Acadia National Park, State of Maine, comprising approximately 300 acres and identified as the "Green Lake Fish Hatchery Tract" is hereby excluded from Acadia National Park, and the said tract is authorized to be disposed of in accordance with the laws relating to the disposition of Federal property.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN REAL PROPERTY IN THE STATE OF ALABAMA

The Clerk called the bill (H. R. 8474) to quiet title and possession with respect to certain real property in the State of Alabama.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the United States hereby releases, relinquishes, remises, and quitclaims all right, title, interest, claim, or demand which it may have in and to the tract of land described in subsection (b) of this act to the person or persons who, under the laws of the State of Alabama (including the laws of prescription and adverse possession), are or would be, except for any claim of right, title, or interest in and to such tract of land on the part of the United States, the lawful owners of such land.

(b) The tract of land referred to in subsection (a) consists of those parts of the Giles McNulty Indian Reservation and of the Thomas Wilson Indian Reservation, which lie in township 3 south, range 2 east, Huntsville meridian, Alabama, and which are more particularly described as follows: Beginning at a point on the north boundary of the Thomas Wilson Reservation, said point being north 83 degrees 30 minutes west 19.10 chains from the northeast corner of said reservation; thence south 6 degrees 15 minutes west 41.30 chains to a point on the east and west division line of said reservation, said point being 19.30 chains westwardly from the center of the east boundary of said reservation; thence north 83 degrees 30 minutes west 34.70 chains to a point in the center of Hurricane Road thence along the centerline of said road south 3 degrees 45 minutes west 9.20 chains; thence north 82 degrees 30 minutes west 5.80 chains; thence north 6 degrees 30 minutes east 9.15 chains to a stake on the division line of said reservation in the old Bell Factory Road; thence along the center of said road south 83 degrees 30 minutes east 5.80 chains to a point in the center of Hurricane Road; thence along the centerline of said road, as it meanders, as follows: north 3 degrees 45 minutes east 13.98 chains; south 86 degrees 50 minutes east 4.48 chains; north 28 degrees 30 minutes east 1.65 chains; north 5 degrees 45 minutes east 21.50 chains; north 34 degrees 45 minutes east 1.83 chains; north 62 degrees 45 minutes east 3.93 chains to the intersection of the center of said road with the north boundary of the Thomas Wilson Indian Reservation and the south boundary of the Giles McNulty Indian Reservation; thence along the boundary of said Indian reservations north 83 degrees 30 minutes west 57.82 chains to the southwest corner of the Giles McNulty Indian Reservation; thence along the west boundary of said reservation north 7 degrees 30 minutes east 41.00 chains to the center of the west boundary of said Giles McNulty Indian Reservation; thence along the centerline of said reservation south 83 degrees 30 minutes east 46.70 chains to the east bank of Hurricane Creek; thence down said creek, as it meanders, as follows: south 18 degrees east 4.50 chains; south 40 degrees 30 minutes east 7.12 chains; south 28 degrees east 6.10 chains; south 21 degrees east 2.38 chains; south 52 degrees east 7.40 chains; south 40 degrees 30 minutes east 1.92 chains; south 55 degrees east 2.35 chains; south 28 degrees east 3.65 chains; south 51 degrees east 4.66 chains; south 23 degrees east 2.76 chains; south 38 degrees east 3.19 chains; south 21 degrees east 4.23 chains; south 5 degrees east 4.00 chains to the intersection of said creek with the south boundary of the Giles McNulty Indian Reservation and the north boundary of the Thomas Wilson Indian Reservation; thence south 83 degrees 30 minutes east 0.12 chains to the point of beginning, and containing 389.99 acres, more or less, situate and being in Madison County, Ala.

With the following committee amendment:

Page 1, line 11, add a new sentence as follows: "The restrictions on the alienation of such land that are contained in the act of May 29, 1830, are repealed, and the validity of all transfers of title to such land that were made after May 29, 1830, shall be determined according to the laws of Alabama."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTHORIZING SECRETARY OF THE ARMY TO ENTER INTO CONTRACTS TO FURNISH WATER

The Clerk called the bill (S. 2374) to authorize the Secretary of the Army to enter into contracts to furnish water for municipal water supplies from flood control and river and harbor projects.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

WORLD HEALTH ASSEMBLY

The Clerk called the resolution (H. J. Res. 659) authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the Eleventh World Health Assembly in the United States in 1958.

Mr. GROSS. Mr. Speaker I ask unanimous consent that this joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER. That completes the eligible bills on the Consent Calendar.

INDIAN CLAIMS COMMISSION

Mr. HALEY submitted a conference report and statement on the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, and for other purposes.

COMPENSATION OF COMMISSIONERS FOR THE TERRITORY OF ALASKA

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 654, the bill (H. R. 11024) to amend the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved march 15, 1948 (62 Stat. 80) as amended by the act of July 12, 1952 (66 Stat. 592, 48 U. S. C. 116a).

The SPEAKER. Is there objection to the request of the Delegate from Alaska?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, and I do not intend to object, I believe it would be well for the Delegate from Alaska to make a statement as to why this bill provides for a larger fee for the commissioners for the Territory of Alaska than for the commissioners in the United States. I think it is justifiable and laudable, but I believe such an explanation should be in the RECORD.

Mr. BARTLETT. Mr. Speaker, the Committee on the Judiciary recently reported and the House passed on June 8 a bill allowing United States commissioners in the States to retain fees in a

total amount of $10,000 per annum. It was the judgment of the subcommittee considering the bill now before us that for two reasons that limit should be increased in Alaska to $12,500. One reason is because there is a differential paid, in general, to Federal employees there. The second reason is that the United States commissioners in Alaska perform functions far greater in number and in scope than do the commissioners in the States.

In recognition of those facts, the committee raised the total fees which might be recovered in 1 year to $12,500 which, may I say to the gentleman, will affect only 5 of the more than 60 commissioners in Alaska. The others do not take in enough fees.

Mr. CUNNINGHAM. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved March 15, 1948 (62 Stat. 80), as amended by the act approved July 12, 1952 (66 Stat. 592, 48 U. S. C. 116a) is hereby amended to read as follows: "That, notwithstanding the provisions relating to fees earned by commissioners for the Territory of Alaska of section 11 of the act of June 6, 1900, entitled 'An act making further provision for a civil government for Alaska, and for other purposes,' as amended (U. S. C., 1952 edition, title 48, sec. 116), each such commissioner shall pay to the clerk of the proper division of the court only so much of the aggregate net fees earned during the calendar year by such commissioner as exceeds the sum of $10,500."

With the following committee amendment:

Page 2, line 7, strike out the figure "$10,500" and insert the figure "$12,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF LEWISVILLE, TEX.

Mr. IKARD. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 689, the bill (H. R. 10423) to provide for the conveyance of 15 acres of land more or less within the Garza-Little Elm project to the city of Lewisville, Tex., for sewage disposal purposes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. FORD. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Texas if he intends to offer the amendment we discussed?

Mr. IKARD. I will offer an amendment which will strike the words providing that this shall be without compensation and instead provide that the city of Lewisville shall pay the reasonable market value therefor.

Mr. FORD. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to convey to the city of Lewisville, Tex., a portion of tract A–9 and A–27 within the Garza-Little Elm project, not to exceed fifteen acres, required by the city for the construction of its sewage treatment plant, the conveyance to be by quitclaim deed and without monetary consideration therefor, but on condition that in the event the property so conveyed shall fail or cease to be used for disposal purposes, the title thereto shall revert to and revest in the United States; and subject to such reservations, including flowage easements, restrictions, terms, and conditions, as the Secretary of the Army determines to be necessary in the interest of the United States.

With the following committee amendment:

Page 1, line 6, strike out "fifteen" and insert "18.18."

The committee amendment was agreed to.

Mr. IKARD. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. IKARD: On page 1, line 8, beginning with the word "and" strike out the remainder of line 8 and all of lines 9 and 10 and on page 2, lines 1 and 2, concluding with the word "States" and insert the words "and the city of Lewisville to pay the reasonable market value therefor."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the conveyance of 18.18 acres of land within the Garza-Little Elm project to the city of Lewisville, Tex., for sewage disposal purposes."

A motion to reconsider was laid on the table.

COASTWISE TRADE

Mr. ZELENKO. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 626, the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

Mr. BONNER. I object, Mr. Speaker.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On July 11, 1956:

H. R. 1072. An act for the relief of Clyde M. Litton;

H. R. 4031. An act to consider residence in American Samoa or the Trust Territory of the Pacific Islands by certain employees of the governments thereof, and their dependents as residence in the United States for naturalization purposes;

H. R. 5041. An act for the relief of Mrs. Margaret Dows Thyberg;

H. R. 6029. An act for the relief of Robert D. Grier (individually, and as executor of the estate of Katie C. Grier) and Jane Grier Hawthorne;

H. R. 6643. An act to amend the reclamation laws to provide that excess lands acquired by foreclosure or inheritance may receive water temporarily for 5 years;

H. R. 6850. An act to create an academic advisory board for the United States Merchant Marine Academy;

H. R. 8385. An act to transfer certain responsibilities of the Secretary of the Interior to the Public Housing Commissioner and the Secretary of Agriculture, and for other purposes;

H. R. 8452. An act to authorize and direct the conveyance of certain tracts of land in the State of Mississippi to Richard C. French, Lewis M. French, and Ruth French Hershey;

H. R. 8552. An act to authorize the Secretary of the Navy to grant to the town of Chincoteague, Va., permanent easements on certain lands for the purpose of taking subterranean water;

H. R. 9769. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue general obligation bonds;

H. R. 9828. An act to transfer 600 acres of public domain to the Kanosh Band of Indians, Utah;

H. R. 10441. An act to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to restrict its application to insurance which has been in effect 6 months at the time benefits are sought under such act;

H. R. 10504. An act to allow a homesteader settling on unsurveyed public land in Alaska to make single final proof prior to survey of the lands;

H. R. 10535. An act to include the present area of Zion National Monument within Zion National Park, in the State of Utah, and for other purposes;

H. R. 11027. An act to amend title VII of the Merchant Marine Act, 1936, as amended, to provide for experimental operation and testing of vessels owned by the United States;

H. R. 11127. An act to clarify the law relating to the grant of certain public lands to the States for school purposes;

H. R. 11558. An act to relinquish any right, title, and interest which the United States may have in and to certain land located in Forrest County, Miss., in order to clear the title to such land;

H. R. 11714. An act to amend sections 5217 (c) and 852 (b) (3) of the Internal Revenue Code of 1954;

H. J. Res. 501. Joint resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization;

H. J. Res. 592. Joint resolution for the relief of certain aliens; and

H. J. Res. 605. Joint resolution for the relief of certain aliens.

On July 14, 1956:

H. R. 1761. An act to relieve certain veterans who relied on an erroneous interpretation of the law from liability to repay a portion of the subsistence allowances which they received under the Servicemen's Readjustment Act of 1944;

H. R. 1876. An act for the relief of Martin M. Sorensen;

H. R. 3350. An act to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired;

H. R. 3351. An act to provide for the sale by the Secretary of the Interior of certain public lands of the United States which have not been used for the purpose for which acquired;

H. R. 3897. An act to relieve the Secretary of the Interior of certain reporting requirements in connection with proposed National Park Service awards of concession leases and contracts, including renewals thereof.

H. R. 4141. An act for the relief of Vivencio Fernando Raymundo, Bievenida Raymundo, Lolita Raymundo, Agnes Raymundo, Henry Raymundo, and Fred Raymundo;

H. R. 5657. An act to allow the use of certain property in Volusia County, Fla., for civil-defense purposes without payment of compensation to the United States;

H. R. 6025. An act to amend the shipping laws, to prohibit the operation in the coastwise trade of vessels rebuilt outside the United States, and for other purposes;

H. R. 6190. An act for the relief of Ensign Charles A. Binswanger;

H. R. 6218. An act to authorize payment by the Federal Government of the cost of making certain studies necessary to assist the Menominee Tribe of Indians to prepare for the termination of Federal supervision;

H. R. 7426. An act to ratify and confirm act 249 of the Session Laws of Hawaii, 1955, as amended, and to authorize the issuance of certain highway revenue bonds by the Territory of Hawaii;

H. R. 7663. An act to provide for settlement in part of certain claims of the Uintah and White River Bands of Ute Indians in Court of Claims case No. 47568, through restoration of subsurface rights in certain lands formerly a part of the Uintah Indian Reservation;

H. R. 9280. An act relating to the plan for control of the property of the Menominee Indian Tribe, and for other purposes;

H. R. 9371. An act for the relief of John R. Henry;

H. R. 9660. An act to direct the Secretary of the Army or his designee to convey an 11¼-acre tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia;

H. R. 9768. An act relating to general obligation bonds of the Territory of Hawaii amending Public Laws 640 and 643 of the 83d Congress (68 Stat. 782, ch. 889 and 68 Stat. 785, ch. 892), and ratifying certain provisions of act 273, Session Laws of Hawaii, 1955, which authorize issuance of public-improvement bonds for schools in the city and county of Honolulu and the county of Hawaii;

H. R. 9974. An act to amend section 1 of the act entitled "An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin," approved March 28, 1908, as amended;

H. R. 11926. An act to amend the Atomic Energy Act of 1954, to permit the negotiation of commercial leases at atomic energy communities, and for other purposes; and

H. J. Res. 606. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

CIVIL RIGHTS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 568 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, that upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 days, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on the Judiciary now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and pending that I yield myself 15 minutes.

Mr. Speaker, it is with the greatest reluctance that I have called up this rule making in order the consideration of H. R. 627, the erroneously labeled "civil rights bill." With complete frankness, I reported this rule to the House some weeks ago for the simple reason that I desired to control its consideration and delay the proposed legislation as long as possible.

While I realize that this proposal is aimed at my section of our common country for the purpose of incurring favoritism among certain minority groups in other sections, may I be permitted in the outset to state my own philosophy on the racial question, which philosophy, I believe, is shared by a great majority of all good citizens of my Southland?

First, I harbor no hatred for my colored brother. On the contrary, my desire is to see him improve his condition in life. There is no difference between good citizens of either the South or the so-called North in this. The trouble apparently lies in the manner of achieving that objective. The so-called race problem is relative. The problem exists in proportion to the relative degree of the residence of the two races. The trouble I find with the do-gooders and the political approach is that they overlook, on the one hand, or willfully ignore on the other, that the lot of this minority group cannot be improved by legislative statute or judicial decree. The desired goal cannot be accomplished through legislative or judicial action any more than temperance could be achieved by an act of national prohibition. No race of people has ever made greater progress in a similar period of time than has the Negro in the United States. This progress has been accomplished under the leadership of his white friends, chiefly his southern white brother. We in the South are proud of this progress and we hope for its orderly continuation. But, it must be realized that it is impossible by legislative enactment or judicial decree to place overnight a race of people, who until a few generations ago were unenlightened human beings, running wild in the jungles of Africa, on an equal plane with another race of people who for thousands of years have enjoyed the benefits of civilization, education, culture, and Christianity. As much as this might be desired, if it can be done, we can only conclude that the white man back some thousands of years ago was done an injustice. There was no legislative statute or judicial decree hastening his advancement. His progress from the caveman period has been a hard and slow one. Possibly the greatest tragedy of this whole proposal is that continued progress of our Negro friend and the harmonious relations and good will existing between him and his white brother is not only being disturbed, but neighborly good will is being displaced by racial hatred. Therefore, the consideration of this legislation can only result in grievous harm and injustice to the very people whom the proponents profess to assist.

Because of the attack it makes upon the sovereignty of all the States and the real civil rights of all the people of this Republic of all races, creeds, and points of origin including the people of the white race, I keenly deplore that it be considered at all.

In this connection, considering the fact that the Congress is scheduled to adjourn within the next few days, can it be considered improper to propound the very realistic question of why it is necessary to waste the time of the Congress and the taxpayers' money to spend the next several days debating a bill, which all Members are agreed has absolutely no chance of becoming a law at this session of the Congress? Does the answer to that question lie in the political implications of the bill? Is it true that the existing flames of discord, lighted by the Court's school decision, must be fanned to new heights for political purposes in this election year? Is it the purpose of the Democrats, on the one hand, to furnish campaign fodder for the reelection of a Democratic Congress by lip-service appeal to a minority group? Or, on the other hand, is it the aim of the Republican high command to drive a further wedge of discord between northern and southern Democrats?

If the answer to any of these proposals is in the affirmative, such action is unworthy of this great legislative body.

WOULD SET UP A GESTAPO

But, Mr. Speaker, I have an abiding faith and confidence in the Members of this body that once the rank and file of patriotic Americans, who make up this House, understand the far-reaching provisions and implications of this proposal, they will refute it by their vote. The trouble lies in the fact that in these closing weeks of the Congress, with the multitudinous duties of the Members incident to the hurried consideration of dozens of other bills, the Members simply have not had the opportunity to study and ascertain the far-reaching provisions of the proposed legislation.

As one who has had an opportunity to make such study, I say to you in all truth and without reservation that this bill would set up a veritable Gestapo to harass all of our citizens regardless of race or color.

While it is impossible in the limited time to blueprint and spell out the detailed assault contained in this iniquitous proposal on the liberties of the people of this Republic, I should like to point

out some of the evils and the far-reaching powers to be concentrated under this legislation in an already powerful Federal Government, all at the expense of the sovereignty of the States and the liberties of the people of the Union.

POWERS OF THE COMMISSION

The bill proposes still another unnecessary Federal Commission. This Commission would have powers far in excess of the numerous other Commissions centered here in Washington. For instance, it would be given the unprecedented power of subpena, a power not heretofore granted to any other Federal bureau. Under this power the strong arm of the Federal Government could and would reach out and summon your constituents from New York and California, as well as mine from Mississippi, to the seat of the Central Government here at Washington. The Commission would have the power, and, of course, would utilize it, to not only hail the private citizens to Washington, but force them to bring and open their books for public inspection on a mere suspicion of discrimination against an employee or a neighbor. This Commission would not only further interfere with the liberties of all of the people, but its powers to regiment our people is almost unlimited.

Those of you who are concerned about the ever-increasing concentration of power in Federal bureaucracies had better stop, look, listen, as well as reason before authorizing this most far-reaching proposal.

THE NEW ASSISTANT ATTORNEY GENERAL

Moreover, the proposed legislation would provide for an Assistant Attorney General in the Department of Justice under the guise of protecting the rights of minorities. Again, the powers and implications, not to mention the cost to the taxpayers, of this proposal are unlimited. The testimony before the Judiciary Committee was to the effect that a minimum of 50 additional lawyers would be employed in this new department. But even worse is a provision providing for the employment, without limits, of private citizens or informers. Then, of course, there is a provision for filing of private law suits with or without the consent of the plaintiff at the expense of the Federal Government by the Attorney General. And, this could be done on the simple charge that the defendant is about to engage in an attempt to do something which this division of the Attorney General's Office conceived to be objectionable. And, bear in mind, that the bill further provides for the trial of these cases in the Federal courts, without the benefit of a trial by jury.

It does not require much imagination to see what would happen if an unscrupulous and politically minded person became head of this department.

There is little that such an Attorney General, armed with 50 to 100 assistants, with thousands of snoopers, many of whom would be prejudiced, could do under this provision that is not today being done in Russia and other totalitarian countries.

Mr. Speaker, this is not only the old FEPC bill, it is an omnibus bill, which strikes at the very basic foundation of our Government. If enacted into law, it would destroy the liberties of the people guaranteed under the Bill of Rights. Regardless of whether it has a chance of passage in the other body is immaterial. As guardians of the liberties of all of the people, it is our solemn and sworn duty to prevent its passage here.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Speaker, it is not my intention to engage in any debate with the gentleman from Mississippi or any others as to the political features of the measure before us. I realize that we are dealing here with a piece of legislation that is highly charged with emotionalism on both sides and I realize, further, that there are men of good will who support this legislation and who oppose the legislation, and furthermore, that they exist in both political parties.

I do want to impress upon my colleagues on both sides of the aisle that the bill before us is, line by line and word for word, one of the key measures of President Eisenhower's program. It may go too far for some, it may not go far enough for others. But certain it is, it will materially strengthen our body of laws to protect civil rights without resort to anything which could fairly be called repressive, unfair, or vindictive. I hope the measure will find wide support.

I want to explain what is in this bill. It is divided into four parts. The first part creates a new Commission in the executive branch, bipartisan in composition, temporary in duration. Its work is not to extend beyond 2 years from the date of enactment. It is to be composed of six members to be appointed by the President and confirmed by the Senate.

The Commission will have no law enforcement powers, being armed only with the power of subpena. It will be in no sense a regulatory body. Its function will be to investigate trouble spots, to study the workings of existing laws and policies in the civil rights field and to make recommendations for improvement.

This proposal epitomizes the philosophy of President Eisenhower and his administration in approaching the thorny problems which exist in this field. It is a philosophy with which I concur wholeheartedly. It is simply that knowledge and understanding and the slow but steady process of enlightenment will do more, in the long run, than violence or any abrupt resolution by force.

This Commission of inquiry is as far from the processes of law enforcement by the bayonet and the truncheon and the criminal sentence as anything could be. And I emphasize that that is the attitude which dominates our approach. The protection of our civil rights is not underscored as simply a matter of criminal law enforcement, like the protection of persons and property and property rights. It carries us over into the enforcement of responsibility, not merely the execution of iron-bound duty.

But if part I exemplifies the moderation and restraint which dominates this measure, part II lends equal emphasis to the corollary, that moving slowly, we must move with vigor and resolution nonetheless. For many years the enforcement of civil-rights legislation has been left to a small section within the Criminal Division of the Department of Justice. This was a twofold error. The section really had no place in the Criminal Division at all, since criminal prosecutions are not usually the solution for civil-rights problems. In addition, it deserved more stature and prestige and authority than it has been given. Part II of the present bill would create an entirely new Civil Rights Division, headed by an Assistant Attorney General who would rank with the other second echelon of enforcement officers just below the Attorney General himself.

Parts III and IV of the bill elaborate further its controlling philosophy by strengthening existing civil remedies in important civil-rights areas. I might note in passing that our committee considered some strengthening amendments for the existing criminal sanctions and decided against any action whatsoever in this respect. These criminal sanctions are somewhat deficient, in my own judgment. But we felt that it was best not to seek any revision at this time.

Incidentally, care must be taken in reading the report, because the bill as it is reported out appears at pages 14 through 16 of the report, and the bill as originally introduced is printed immediately thereafter at pages 17 and 18. The bill as printed at pages 17 and 18 is not before us for consideration. Our committee substituted for H. R. 627 in its entirety, my bill, H. R. 10579, retaining only the original bill number.

Part III puts the Government of the United States on the same footing as any private litigant in the enforcement of the present Federal law creating civil liability for conspiracies to deprive persons of their civil rights.

Mr. MASON. Mr. Speaker, will the gentleman yield for just one question?

Mr. KEATING. I yield.

Mr. MASON. Does this report cover the real bill before us, or does it cover the first part, H. R. 627?

Mr. KEATING. It covers the italicized part of H. R. 627, which is a complete substitute for the original H. R. 627. My bill was accepted by the committee in preference to H. R. 627 as originally introduced. Only the number was retained in the bill before us.

Mr. MASON. I thank the gentleman.

Mr. KEATING. As this law now stands—section 1985 of title 42 of the United States Code, sometimes referred to as the Ku Klux Act—it gives a direct right of suit to any injured party, but it leaves the Attorney General and the Civil Rights Section of his office powerless to act on its own initiative. Thus, although the protection of an important civil right may be at stake, the Government is forced to rely on the uncertainties of enforcement by private litigants.

In some cases, we have witnessed the spectacle of eminently right causes being pursued by dubiously worthy supporters. I am just as loathe to see any

part of the civil rights struggle carried on by rag-tag and pink-tinged individuals or private organizations as I am to hear wild and irresponsible charges that all those who advocate further protection of the civil rights of our citizens are, wittingly or unwittingly, serving the Communist cause. But I think the answer is clearly to permit the Attorney General and the Department of Justice to enter this field with all the dignity and responsibility of that major arm of our Government.

That is what part III will do. The Attorney General may step in when any such conspiracy is threatened and seek relief in the District courts, including an application for a permanent injunction or restraining order, on the same footing as any private litigant.

The language would also eliminate any requirement that administrative remedies be exhausted before such relief is sought—this applying, of course, to the private litigant who already has rights under the act, as well as to the Government—in order to avoid those possible situations where delays in justice may truly amount to denials of justice.

Part IV clarifies and tightens section 1971 of title 42 of the United States Code protecting the right of all citizens, otherwise qualified by law, to vote in elections. The present section is an affirmation of principle only, with no sanctions attached. The amendatory language would make the prohibition against interfering in Federal elections more specific, and would create a direct right in the Attorney General to initiate a civil action or other proceeding to protect injured persons or persons threatened with injury through this violation of their rights.

This new language also dispenses with the necessity of proceeding through any dilatory administrative tribunals and permits the Department of Justice to act speedily in behalf of the threatened or injured person.

Now let me note one factor weighing in favor of these civil remedies which is perhaps almost as important as the conviction that criminal prosecutions are not warranted in most of these cases. The criminal statutes are frequently wholly ineffective. The very nature of offenses and conspiracies against civil rights assures that the offenders, or some of them, will often be important public officials and prominent citizens in their communities. Similarly, the victims are more often than not humble citizens whose very lack of prestige and power allows them to be victimized.

To prevail in such cases before a grand jury, and then to win a prosecution before a petit jury by establishing the offense beyond the limits of any reasonable doubt is, if not impossible, certainly surpassingly difficult. And this has resulted, sometimes, in the criminal sanctions being wholly ineffective precisely where they are most likely to be needed and deserved. How much better, therefore, to open the civil courts to the Attorney General and his assistants, where the liberty of the defendants is not at stake, passions are far less likely to be inflamed, and the verdict and judgment stand so much greater chance of being accurate and justly grounded on the merits.

I cannot emphasize, Mr. Speaker, too strongly, that the third and fourth parts of this measure, conferring the right to bring civil actions on the proposed new Civil Rights Division, are major innovations in our law, which will have immediate and lasting beneficial effect in upholding the high standards of civil right to which our citizens aspire and are universally entitled.

Mr. DIES. Mr. Speaker, will the gentleman yield for an important question?

Mr. KEATING. I will be happy to yield.

Mr. DIES. The gentleman made the statement that this is a key measure of the Eisenhower program. I had understood that all the President recommended was the establishment of a commission. Do I understand and do the people of Texas understand that this bill is the bill that President Eisenhower wants enacted?

Mr. KEATING. This bill is the bill which President Eisenhower wants enacted, and I can say that to the gentleman without any question.

Mr. DIES. There is no message before us.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 additional minutes to the gentleman from New York.

Mr. DIES. I want to clear this up.

Mr. KEATING. I would be glad to explain exactly what took place. The gentleman is quite right that no specific message on this bill is before us. The Attorney General appeared before us and asked for parts I and II of this bill and said that he had in mind doing the other things later. After that when the committee got into it the Attorney General sent to us as an administration measure the wording for parts III and IV. I can say to the gentleman unqualifiedly, therefore, what I did say that this is word for word in accordance with the administration's ideas.

Mr. DIES. The gentleman is talking about Brownell. I am talking about President Eisenhower. Has he ever supported this bill? Has he ever stated to the gentleman or anyone else that he is in favor of it?

Mr. KEATING. I am informed that President Eisenhower and his administration favor this bill which is before us today.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Illinois.

Mr. SPRINGER. I should like to ask the gentleman for his interpretation: Does part III contemplate the use of the sections included in part III for the enforcement of civil rights having to do with schools?

Mr. KEATING. It has no specific reference to schools.

Mr. MASON. No specific, but general.

Mr. SPRINGER. I am sure this is very important to the House. Will the gentleman state, then, whether or not part III and the sections therein may be used in the enforcement of any civil rights connected with enforcement of rights of individuals insofar as schools are concerned?

Mr. KEATING. I realize the gentleman has asked an important but a rather involved legal question. Let me answer it this way, that part III adds the right of the Attorney General to bring civil suits for violations that are already enumerated in the law in section 1980 of the code, in subsections 1, 2, and 3. Part III of this bill adds sections 4 and 5. In 1, 2, and 3 the individual is given the right to bring certain suits. There is nothing said in there about schools whatever. However, it is open to interpretation by the court as covering conspiracies to deprive children of the equal protection of the laws so far as schools are concerned.

Mr. SPRINGER. I understand about the schools, but in the course of civil rights, could this section be used for the enforcement of civil rights?

Mr. KEATING. That involves an interpretation of existing provisions in the law in 1, 2, and 3. I will confer with counsel and try to get an authoritative answer to that so that in the general debate I can inform the gentleman more definitely about it.

Mr. SPRINGER. I thank the gentleman.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker——

Mr. LONG. Is the gentleman speaking for the President?

Mr. HOFFMAN of Michigan. The gentleman asked if I speak for the President. No. He does not even send me any word third-hand. We have, of course, an understanding. He tends to his business. I try to attend to mine. He is doing a remarkably fine job. If I could do as well in my own, I would be very, very happy.

This talk about civil rights. Let me call your attention to what is happening today. I do not mean generally today, I mean today. What is this, Monday?

Mr. DIES. Yes, the 16th.

Mr. HOFFMAN of Michigan. Now if I read the Constitution and the Declaration of Independence correctly, every citizen has the right to petition—to petition the Congress, the Government, the President, everybody and anybody that he can get to listen to him. All right. When this gentleman was director and chief of the research and power planning branch of the Power Division of the Department of Interior—he was subsequently director—reference to him was made in a statement put out by one of the power companies—he wrote:

> Our long time aim is the abolition of the profit system—

What does that sound like?

> One good man with his eyes, ears, and wits about him inside the Department—

That is the Department of the Interior—

> can do more to perfect the technique of control over industry than 100 men on the outside.

Naturally private industry cannot swallow that without gagging.

Now assume that I do not—and it might be a violent assumption—but assuming that I just do not agree with that and I hire a group of experts and I put out a book like this which I hold in my hand and another one like that all devoted to arguments that I have a right to do business not for my own benefit, incidentally, but I want to make a profit, but, of course, my true purpose is to get money so that I can pay my taxes to hire these fellows who say I should go out of business—that is the purpose? Or is it? Where would these present and ex-bureaucrats be if that was our policy? Now I do not agree with those words or the thought expressed so I write these little booklets and some others, or I hire someone to write them for me, and I hire a research firm—in this case a New Jersey firm to help get the facts and put my ideas in order. I pay them out of my own pocket. They come up with a statement in my interest advocating what I believe. Now would you ever surmise that as long as that right to petition and to be heard—free speech, and the free press—as long as that exists, would you ever think that a committee of the Congress would hale me in here with all of my private files to find out how come I wrote those articles or had them written? You would not. But that is what a committee of the Congress, a subcommittee of the Committee on Government Operations, is doing today. Now the power fellows, if I understand their position correctly, frankly say, "Sure, we were in private business; we were serving the people adequately and satisfactorily and we intend to continue." They got these arguments ready and they submitted them to the Department of the Interior. Because they did, this House committee, your committee, my committee, has them on the stand and apparently trying to make the public believe something crooked has been done. Is that not the issue?

As long as the companies have the right to petition and the individuals have the right to petition, why criticize them? Why call them from their homes, their businesses to force them to come to Washington with their files and papers just to prove they believe in private enterprise and are but exercising the right of petition?

Should not the inquiry go rather to the methods they use rather than to their political philosophy. But here it may be is the reason for the hearings. We have a former employee or official down from the Department of the Interior, and if rumor be true, he expects, if the gentleman over here on the right can win the next election, and I understand he is a candidate already for Secretary of the Department of Interior, he may be Secretary of that Department—moreover he seems to be trying to establish what I would call a socialization of our industries. So he uses a committee of the Congress to frighten these power company boys. He was trying to frighten them. I do not think he is getting very far, but he is trying to frighten them and establish socialism. He argues for it. This same subcommittee previously put out a report convicting them. Now this is a belated effort to substantiate it. What is the use of talking about civil rights, when this kind of a hearing is carried on by a congressional committee?

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to my colleague from North Carolina.

Mr. JONAS. I thought the gentleman might like to distinguish between committee action and action on the part of just a part of the committee which happens to be in the majority. Is it not true that this entire investigation was scheduled and put underway without any consultation with the minority and without advising us what was to be investigated and giving us an opportunity of talking about it?

Mr. HOFFMAN of Michigan. Yes, and I will say to the gentleman that he ought to be used to that procedure by this time.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. HOFFMAN of Michigan. Mr. Speaker, may I have a couple of more minutes?

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 additional minutes to the gentleman.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. DONDERO. Is this investigation before your committee based upon any legislation before your committee?

Mr. HOFFMAN of Michigan. Oh no. It is instigated by the desire of this particular staff employee to socialize the power industry. That is where it comes from. I do not say that all members on the majority side are in favor of it. Five of them disagreed with the last report they filed. Four of them, one from the State of Florida—well, they said, "We do not want any of that." They said, "We realize that Eisenhower was right when he said this power business should be conducted in a sort of a partnership way." That is, neither the Government nor the industry should have a monopoly. So that report, when you subtract those four members who said this is not cricket at all—it was not a majority report.

Now, I ask the gentleman from Texas: Is that provision about the right of petition in the Constitution or in the Declaration of Independence?

Mr. DIES. It used to be in the Constitution.

Mr. HOFFMAN of Michigan. I knew you were a great authority on the Constitution. I just get a hit-and-miss skip at it. That is a constitutional right. Here is a committee of Congress, one of our own committees, persecuting these gentlemen because they are exercising the right of petition. Also the right of free speech—a free press. There ought to be something in the civil rights bill to stop that kind of proceeding. The committee has adjourned for this afternoon, but they are going back tomorrow at nine something.

Personally, I would like to have some of you gentlemen, who believe in constitutional government, come over and enjoy some of our committee hearings. If you want to see a farce, go to the next one.

The SPEAKER pro tempore. The time of the gentleman from Michigan [Mr. HOFFMAN] has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. Mr. Speaker, I have always believed in giving credit where credit is due and, in this connection, I would like to commend Secretary of Defense Wilson for his positive action in stopping the display and sale of lewd and obscene reading material in our PX's overseas. It is unfortunate that these filthy publications were ever allowed on our military posts. A very proper protest from the American people found its way to congressional offices who rightfully brought this matter to the attention of the Secretary of Defense. Mr. Wilson, as busy as he is, checked and promptly responded in a most admirable fashion, putting a halt to the printed rot that could corrupt many of our young servicemen. This is what we need from any administration—action.

Mr. ALLEN of Illinois. Mr. Speaker, I reserve the remainder of my time.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, the rule now under consideration, if adopted, will give the Members of the House an opportunity to debate and legislate on H. R. 627 which provides for future security and protection of the civil rights of all citizens within the jurisdiction of the United States. This legislation was reported favorably by the Judiciary Committee of the House and if enacted into law will be a great step in assuring civil rights protection to all persons and groups under the provisions set out in the Constitution of the United States.

This legislation provides for a special civil rights committee composed of 6 members appointed by the President with the approval of the Senate. The duties of this commission shall be to investigate protests and allegations of citizens or groups of citizens who may be deprived of their rights to vote or being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin. This commission will also study economic and legal developments which would constitute a denial of equal protection under the laws of the Constitution; which would also have authority to appraise the laws and policies with respect of civil rights under the laws of the Constitution. This Commission would also submit to the President interim reports at such times that the President or the Commission deem desirable as to its activities and recommendations. This legislation will also provide for an additional assistant Attorney General who shall be appointed by the President with the advice and consent of the Senate whose duties shall be to advise and aid the Civil Rights Commission in the carrying on of its functions.

It is common knowledge that in certain localities complaints are constantly made that Negro citizens are being deprived of their right to vote and likewise subjected to economic pressures. I believe their every fair-minded American will agree that all of our citizens should be measured or judged as far as his constitutional rights or privileges are concerned as a United States citizen rather than by his race, color, or religion. One of the cornerstones of our form of government and one of our most precious rights which must be safeguarded is the vote franchise which gives every American citizen his constitutional right to take part in the election of city, county, State and Federal officials.

The present law concerning the franchise of every American citizen is outmoded and not effective as far as enforcement is concerned. All of the provisions of this legislation which the Congress is considering today cannot be interpreted as applying in all respects to just one section of our country. Every fair-minded person knows that fanatical groups inflamed by the fuel of bigotry have at times inflicted flagrant injustices and denied protection of the law, both State and Federal, to many of our citizens throughout the land. It is indeed unfortunate that in the past our Negro citizens have been the victims of these unlawful outbursts on the part of criminally minded individuals who in most cases have escaped punishment for violating the laws of the land and the Constitution of the United States.

Mr. Speaker, this legislation, if enacted, will be a great step toward establishing respect for our Constitution and the laws of the land in the minds of millions of our citizens who heretofore have been victims of discrimination, segregation, and oppression. It will also assure to minority groups the invaluable American guaranty that an honest effort will be made by the Federal Government to apprehend, place on trial, and convict, if guilty, all malicious violators of civil and criminal rights protection which our Federal Constitution conveys to all Americans.

The free nations of the world are engaged in a great battle against the tyrannical Communist conspiracy who already have over 800 million humans enslaved. The Communist agitators have made great progress in Europe, Asia, and Africa through publicity and otherwise elaborated upon the failure of civil-rights protection to our Negro citizens within the United States. Great publicity is given by the Communist newspapers and radio over all violations of civil-rights protection to American citizens when in a great number of cases no serious effort is made on the part of our State or Government officials to apprehend and convict the guilty.

The enactment of this civil-rights legislation will be a great step forward in our fight against communism and the Communist tyranny. How can we win the bitter war in the world struggle if the Communist agitators can tell the people of the world that under their system all men are equal in personal and civil rights but not in free America.

America has made great progress during the generations since the Constitution was signed. It was not so very many years ago when the immigrants of all nationalities were looked down upon when they came to this country to enjoy its democracy and freedom. One need only go back into history to read what some newspapers and groups said about the immigrants. They graded the immigrant of that day as a representative of the dregs of Europe and all other slums who could not make a living either at their original home or in this great free land of ours. Time, education, and the progress of civilization has dispelled that feeling until today the first and second generations of these immigrants are America's leaders in Government, business, industry, and professions. The bill now under consideration may not be perfect but I know the House Members can amend the same, if necessary, to delete or substitute unworkable provisions if any. Fair legislation dealing with civil rights is necessary but it must be practical and workable. This legislation will be a great step forward to bring to the attention of the people, not only in America but throughout the world that our Government has taken affirmative action to aid in eliminating bigotry, prejudice, segregation, and denial of civil rights to each and all citizens under the American flag.

Mr. CELLER. Mr. Speaker, it is well to state at the outset that President Truman on February 2, 1948, asked this House and the other body to pass a much stronger bill than is now before you. His recommendation provided, for example, for an FEPC, it provided for criminal penalties for violation of any filching of constitutional rights. It was a very broad bill. I offered the bill embodying the Truman proposals. The bill before you, which also bears my name, is far less stronger than the so-called Truman bill.

The bill that we have now before us as a substitute is a much more moderate attempt to protect civil rights. It is definitely a gentle and sensible approach to one of the most important and pressing problems facing our country today.

I realize that many of my colleagues hold views on civil rights contrary to mine and hold them as strongly as I do. As chairman of the Committee on the Judiciary and as one who will probably take the lead in defending this bill, mine is indeed not a happy task, to flutter the dovecotes, as it were. It is not easy to speak views that run athwart those of my colleagues whom I respect and revere and with whom I come in daily and pleasant contact. But I speak without rancor, I speak without intense feeling.

I also speak with a certain element of sadness as when a parent rebukes the child he loves. I speak almost as sadly as the sunless sea and not without a bit of melancholy, but speak I must. It is my duty to do so, it is my duty to speak in opposition to so many of my friends, for whom I have an affectionate regard.

I regret any wounding of feelings or any wounding of the sensibilities of persons here, but duty calls and duty, must, indeed, rise above personalities.

It was very heartening to read in yesterday's paper a joint statement of seven Democratic State chairmen of the States of Alabama, Florida, Georgia, North Carolina, Tennessee, South Carolina, and Virginia, at a meeting in Atlanta, dated July 14. I was indeed heartened by their statement. The statement reads in part as follows:

> The difficulties arising from our differences are not insurmountable; on our part we recognize the problems and political necessities of other States, we insist that they in turn recognize ours. We urge responsible Democratic leadership everywhere to work toward this end.
>
> We believe that party unity is important to every section of the country and is essential and necessary for Democratic victory in November.

That statement betokens a desire to be fair and tolerant. It foreshadows an awareness of the problems indigenous to sections of the country and a desire to resolve them with reason and equity. It is indeed a most hopeful pronouncement. I trust that those sentiments expressed by the Democratic chairmen will prevail in the debate for the rest of today and tomorrow.

Mr. DIES. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Texas.

Mr. DIES. Does not the gentleman concede that there can be honest differences of opinion as to what will promote and protect civil liberties?

Mr. CELLER. Indeed, I do. That is why every Member should have his say, and no one should negate his right to express his views.

Mr. DIES. The gentleman said there were differences of opinion about civil rights. What he means is that there is a difference of opinion as to how civil rights can be protected?

Mr. CELLER. I abide by that pronouncement. I said at the outset that President Truman suggested far more drastic remedies than are involved in this bill.

Mr. DIES. What did President Eisenhower suggest to the gentleman's committee? That is a matter of confusion.

The gentleman from New York [Mr. KEATING] said this is his bill, that he would like to have this bill. Does the gentleman understand this is his bill?

Mr. CELLER. I take it that when Attorney General Brownell appeared before our committee, and subsequently sent communications to us, that that involved complete agreement on the part of the administration presided over by President Eisenhower as to the contents of the bill now before us.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the balance of my time to the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I realize this is a bill that has great appeal to a great many people in this House, and I also realize—and I have talked to several Members of the House—that many Members are going to vote

for this bill who have no stomach for it. There is very little enthusiasm on the part of those who are even going to vote for the passage of this bill, and I think the reason for it is that they are beginning to realize that this bill is not only going to strike at the people, for political expediency, that ought to be stricken, but this bill relates to every one of you and your people, and there is more in this bill than catches the eye, if you will take the opportunity to listen to the debate that is going to follow. I do not have time to discuss the merits of the bill now, but I do think that this is a bill of such tremendous importance, not to the South—I would not worry about that from my standpoint—but to all of your people back home who do not know what is in it.

Now, in the Committee on Rules the other day when this bill came up, the advocates of this bill, did the very unusual thing over my protest and the protests of others of fixing the time of debate by days instead of by hours as we always do. I have never known in my experience of over 20 years on the Committee on Rules that committee to fix debate by days when there was any objection to doing so. Now, the reason for that is that with 2 days' debate, when a day ends after the bill has been taken up, that day's debate ends, and on the second day, if emergencies arise or if for any reason the committee should rise, debate has ended. I do not think you folks are going to want to pass this bill without knowing what is in it and without thorough debate on its potentialities and the things that are hidden away in it, and therefore I rise here for a specific purpose. I want you folks to be fair with us; I want you to give us hours of debate instead of days of debate so that you may understand this thing thoroughly when you vote on it. And then when you go on record and when you get back home and somebody asks you, "Well, look, can the Attorney General prosecute me for doing so and so out here in my business?" and you look at the bill and you say, "Yes, he can," I want you to know that before you vote for the bill instead of, when you go back home, being embarrassed by somebody asking you that question. And, I expect in the course of this debate that we are going to show you so many instances where this thing has no relationship whatsoever to the subject that you are trying to get at but is going to affect your own people, that some of your are going to stop and think a minute and vote against it.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. MASON. The question is this: Is not title III a general title that would cover labor rights, religious rights, school rights, as well as every other kind of rights?

Mr. SMITH of Virginia. That is true. But we do not have time to debate that on the rule. What I am pleading for now is time for all of us to explore this situation and debate it at full length.

I am going to ask the gentleman from Mississippi [Mr. COLMER] if he will yield to me for an amendment and, if he does, the purpose of my amendment will be to change the time of general debate from 2 days to 8 hours on this bill.

Will the gentleman yield for such an amendment?

Mr. COLMER. Mr. Speaker, I yield to the gentleman.

Mr. SMITH of Virginia. Mr. Speaker, I offer an amendment to the resolution.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 1, line 8, strike out "2 days" and insert "8 hours."

Mr. SMITH of Virginia. Mr. Speaker, I just ask everyone to be fair to us and fair to themselves and give us all time to discuss this uninterruptedly.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Indiana.

Mr. HALLECK. Does the gentleman anticipate that 8 hours would provide any more time to debate this matter than the 2 days specified under the rule?

Mr. SMITH of Virginia. Yes.

Mr. HALLECK. I doubt that it would.

Mr. SMITH of Virginia. If it does not provide any more time, then the gentleman should not object.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New York.

Mr. CELLER. Does the amendment of the gentleman provide for 8 hours per day or 8 hours in toto?

Mr. SMITH of Virginia. Eight hours in toto under general debate.

Mr. CELLER. Mr. Speaker, will the gentleman explain the real reason for his amendment?

Mr. SMITH of Virginia. I have explained it as fully as I am capable of. If the gentleman could not understand me, I am afraid I could not make it any clearer.

Mr. COLMER. Mr. Speaker, may I ask that the amendment be reported once more?

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 1, line 8, strike out "2 days" and insert "8 hours."

Mr. CELLER. Mr. Speaker, I rise in opposition to the amendment. I should like to ask the gentleman a question. Let us assume the amendment is agreed to and we have 8 hours of general debate. Let us assume also—I do not know that this will be so—that there will be continued quorum calls at the opening of the session tomorrow. Does this mean that the 8 hours would continue after the quorum calls or any other efforts on the part of those in opposition to the bill to obstruct the orderly procedure?

Mr. SMITH of Virginia. Mr. Speaker, if I may reply to the question, may I remind the gentleman that it takes only 100 Members on the floor during general debate on this bill to make a quorum. I will say to the gentleman I think it is of such transcendent importance that this bill be thoroughly examined that 100 Members ought to be on the floor at all times. I do not know whether they will be here or not. But whether we have 2 days or 20 hours, I think there ought to be 100 Members on the floor out of 435.

Mr. HALLECK. Mr. Speaker, will the gentleman yield to me?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. Of course, I think all of us should understand that if 2 days is changed to 8 hours we will be here a great deal longer.

Mr. SMITH of Virginia. Not necessarily.

Mr. HALLECK. I am quite convinced of that. I agree with the gentleman from Virginia [Mr. SMITH] that this matter ought to be debated fully, but actually, if we start now and have a day's debate and we come in at noon tomorrow and debate all of tomorrow afternoon, certainly we will have debated for 8 hours. Of course, there could be motions to have the Committee rise that could go to a teller vote, and other actions taken that would not be taken out of the 8 hours.

Mr. COLMER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COLMER. Mr. Speaker, is it not true that the gentleman from Mississippi has control of the time?

The SPEAKER. The gentleman from Mississippi yielded the floor when he yielded to the gentleman from Virginia [Mr. SMITH] to offer an amendment.

Mr. COLMER. A further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COLMER. How much debate is permitted on the amendment?

The SPEAKER. It is under the hour rule. If the gentleman from Virginia desires to take an hour on his amendment, he will certainly be within the rules of the House.

Mr. SMITH of Virginia. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. SMITH of Virginia. The gentleman from New York has the floor under my yielding to him?

The SPEAKER. The Chair assumes so.

Mr. CELLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Virginia has the floor. Does he yield for a parliamentary inquiry?

Mr. SMITH of Virginia. I yield for a parliamentary inquiry, Mr. Speaker.

Mr. YATES. A parliamentary inquiry, Mr. Speaker. I was under the impression the gentleman from Virginia yielded the floor.

The SPEAKER. The gentleman from Mississippi yielded the floor to the gentleman from Virginia.

Mr. YATES. I was under the impression when the gentleman from Virginia left the floor he stated he had yielded the floor.

Mr. SMITH of Virginia. No, I did not.

Mr. CELLER. Am I still recognized to have the floor?

The SPEAKER. The gentleman from Virginia yielded to the gentleman.

Mr. CELLER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CELLER. Can one opposed speak in opposition to the amendment?

The SPEAKER. If the gentleman from Virginia yields to him.

Mr. SMITH of Virginia. Mr. Speaker, may I say I am anxious to be fairer to the opposition than the opposition has been to me, because I believe in debate. If the gentleman from New York desires to debate my motion to amend, I am glad to yield to him such time as he desires, provided I do not yield the floor.

Mr. YATES. Mr. Speaker, a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. YATES. I was under the impression that as soon as the gentleman from Mississippi yielded to the gentleman from Virginia for his amendment he yielded the floor.

The SPEAKER. The Chair has already held that the gentleman from Mississippi yielded the floor.

Mr. YATES. I was under the further impression that when the gentleman from Virginia told the House that he offered his amendment and walked off the floor, he stated he yielded the floor.

The SPEAKER. The gentleman from Virginia says he did not.

Mr. SMITH of Virginia. I stated I did not yield the floor. I asked for a vote on my amendment.

The SPEAKER. The question is on the amendment.

Mr. SMITH of Virginia. I do want the gentleman from New York to have the opportunity to be heard. A further parliamentary inquiry, Mr. Speaker. Can I yield 5 minutes without yielding the floor?

The SPEAKER. The gentleman can. He is in control of the time.

Mr. CELLER. Mr. Speaker, I shall not take 5 minutes, but I do believe it would be far better to have the original rule adopted rather than the rule with the amendment, which would limit the debate to 8 hours, because I believe if we adopt this amendment efforts undoubtedly will be made to obstruct the consideration of this bill, and extraneous matters will be injected into the debate, and we would not get to the bill itself until a very, very late period if at all. For that reason, I feel that the amendment should be voted down.

The SPEAKER. The question is on the amendment offered by the gentleman from Virginia to the pending rule.

The question was taken; and the Speaker being in doubt, the House divided and there were—ayes 94, noes 117.

Mr. SMITH of Virginia. Mr. Speaker, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. COLMER and Mr. ALLEN of Illinois.

The House again divided; and the tellers reported there were ayes 103, noes 151.

So the amendment was rejected.

Mr. YATES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. YATES. Do I understand the gentleman from Mississippi has now lost the floor?

The SPEAKER. Unless someone moves the previous question.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 627, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, general debate will continue not to exceed 2 days, the time to be equally divided and controlled by the gentleman from New York [Mr. CELLER] and the gentleman from New York [Mr. KEATING].

The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I yield myself 35 minutes.

Mr. Chairman, if ever a time called for the harsh necessity of accommodating to changing climates, this is it.

Much as I openly and vigorously fought for civil rights originally which would go far beyond those proposals now before you, I recognize and have always recognized the difficulty of adjustment faced by those who as vigorously as I support these measures equally vigorously oppose them.

Concepts change slowly and not without tragic tensions. The breaking of a pattern of life is perhaps one of the most difficult experiences the individual undergoes in a lifetime. It has often been said that it takes a catastrophe to move people forward to meet the inevitable. Wars and revolutions have followed in nation after nation in a futile effort to stem the tide of history. In our own times, two wars were fought before we recognized the inevitability of collective security and the interdependence of nations.

Only too often are we forced to recall the old adage that the stable is closed after the horse has escaped.

We cannot maintain for long the concept of aristocracy of one color or another. The principle of equality of opportunity so long a standard of definition for these United States is expanding, and this we must recognize. Difficult as it is to lay aside the patterns of past thinking on the subject of civil rights, and I know how passionate these convictions are in the southern region of this country, and how this pattern has not been completely destroyed in the other sections of our country. The inevitability of the destruction of such patterns must be acknowledged. And I say this in all solemnity lest with tensions high and bitterness mounting, we invite the spread of cruel antagonisms. Ultimately, the same results will have emerged that could have emerged without the bitterness and hatred that is now being engendered.

I am not one of those who reasons with my blood rather than my head. I ask for no earth-shaking changes in a thrice. For example, I do not ask for a sudden overnight mass influx of Negroes into white schools, but a genuine beginning must be made. There must be no deliberate lagging. The Supreme Court spoke of deliberate speed. The Supreme Court decision must first be recognized as the law of the land and thus binding. Eight States cannot insist upon their adamant refusal to recognize that decision.

We can no longer accept the moth-eaten argument of "separate but equal."

The innermost demand of the Negro people is recognition of equal human dignity. Any commmunity which will contrive to recognize that, publicly and privately, will be notably rewarded, and the towns where the negro population becomes a participating force will get ahead in industry, business, and culture. A few years from now emissaries will come to some of these better towns from the ones that stuck with southern tradition and will ask: "What in the world did you do?"

The answer will be: "We just treated everybody human, and it worked."

I believe that we in Congress can provide the leadership. Painful as that may be, and understandably so, to many who are opposed to the extension of civil rights, it is better to face the pain of yanking an aching tooth than to dodge the present pain only to meet it later in the body poisoned.

The bill before us is moderate. The greater proportion of the people of the United States is in favor of this legislation, as has been evidenced by the vote in favor of the rule on this bill. To oppose the inevitability of its ultimate enactment is only to prolong tensions, to widen sectional gaps. Is it not good sense to accept the moderate step-by-step way than to court the explosion of rising tempers? But we in the Congress have a duty to lead as well as to follow, and our responsibility is clear here to rise above personal feeling, to understand the concept of this bill in the context of our time and to make this explanation clear and cogent in all corners of this country. We must insist that the Constitution cannot mean 1 thing for 1 citizen and something opposite for another citizen.

It is not an easy political task for some to perform, I am aware of this, but when has it ever been easy to exercise the wisdom of restraint in opposition to emotion? And when has it ever been easy to ask people to lay aside a way of life that they have known for generations?

The primary purpose of H. R. 627 is to bring about better protection of rights

presently guaranteed by the Constitution and the laws of the United States. The emphasis is on strengthening existing rights rather than creating new ones. For this reason the bill mainly concerns the office of the Attorney General, the chief law enforcement officer of the Government. The bill authorizes an additional Assistant Attorney General to head a civil rights division in the Department of Justice and authorizes civil actions to be brought by the Attorney General to protect the already existing right to vote and to give protection against conspiracies which deprive of civil rights.

Finally, a Civil Rights Commission in the executive branch of the Government is created. These measures will provide more effective enforcement of rights already guaranteed by law and will result in a greater enjoyment of freedom in the United States.

I am aware that on last Friday, July 13, there was presented to this House the statement signed by my 83 colleagues who oppose this moderate legislation. I respect their views, but I am sure that the following analysis of H. R. 627 will clearly demonstrate their fears are greatly exaggerated.

Part I of the bill as reported creates a Commission on Civil Rights in the executive branch of the Government with subpena power. It is to be a bipartisan Commission composed of six men appointed by the President by and with the advice and consent of the Senate. The Commission is directed to investigate allegations concerning deprivations of the right to vote and allegations that citizens are being subjected to unwarranted economic pressure by reason of color, race, religion, or national origin. It is also directed to make studies concerning economic, social, and legal developments constituting a denial of equal protection of the laws under the Constitution and to appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution. Further, there is authorization for a paid staff as well as authorization for the acceptance of voluntary services. In the statement signed by the opponents of this legislation it is indicated that H. R. 627 leaves the scope of the investigation to the whim of the Commission and will result in paid investigators, voluntary pressure groups and professional informers launching an investigation of allegations concerning unwarranted economic pressure and other matters in the entire field of civil rights. I think a dispassionate reading of section 103 (a) of the bill as reported will convince all that the fears of the opponents are greatly exaggerated. The bill makes as clear as words can the purpose of the Commission and the matters it is to investigate.

The Commission on Civil Rights is given the power of subpena. The statement of the opponents indicates that with this power the Commission could compel any person to testify and open his books to public inspection. Of course, there is nothing unusual in investigating commissions having subpena powers. Recent commissions which have had such authority are the Commission on Government Security, the Intergovernmental Relations Commission and the second Hoover Commission. It is an ordinary concommitant of an investigating commission. Clearly, the fears of the opponents are greatly exaggerated on this point.

This provision for the establishment of the Commission on Civil Rights was submitted to Congress in an executive communication from the Honorable Herbert Brownell, Jr., Attorney General of the United States, dated April 9, 1956. The need for a Commission on Civil Rights in the executive branch of the Government has been recognized for many years. In 1948, President Truman, in a message to Congress, transmitting his civil-rights program, urged the creation of a similar commission in the executive branch of the Government. He said:

> I recommend that the Congress establish a permanent Commission on Civil Rights reporting to the President. The Commission should continuously review our civil-rights policies and practices, study specific problems, and make recommendations to the President at frequent intervals. It should work with other agencies of the Federal Government, with State and local governments, and with private organizations. (CONGRESSIONAL RECORD, vol. 94, pt. 1, p. 928.)

Also the creation of such a Commission was one of the recommendations of President Truman's Committee on Civil Rights.

More recently, President Eisenhower, in his state of the Union message of January 1956, called for the creation of such a Civil Rights Commission. He said:

> It is disturbing that in some localities allegations persist that Negro citizens are being deprived of their right to vote and are likewise being subjected to unwarranted economic pressures. I recommend that the substance of these charges be thoroughly examined by a bipartisan commission created by the Congress. It is hoped that such a commission will be established promptly so that it may arrive at findings which can receive early consideration. * * *
>
> We must strive to have every person judged and measured by what he is, rather than by his color, race, or religion. There will soon be recommended to the Congress a program further to advance the efforts of the Government, within the area of Federal responsibility, to accomplish these objectives.

II. ADDITIONAL ASSISTANT ATTORNEY GENERAL

Part II of H. R. 627 as reported—page 24 of the reported bill—provides for the creation of an additional Assistant Attorney General in the Department of Justice in charge of a new Civil Rights Division. At present in the Criminal Division there is a Civil Rights Section. This section is presently responsible for the enforcement of the civil-rights statutes as well as certain other criminal legislation. The statement of the opponents indicates a fear that this provision would make it possible for a politically minded Attorney General to subject State and local governments to insults, intimidation, and terror by sending upon them vast hordes of lawyers and investigators. But this fear is greatly exaggerated. Were we to follow its logic, we would abolish the office of Attorney General. The present occupant of the office or any of his predecessors have had the power to so abuse our fellow citizens if they were so disposed. However, in a matter of this nature a page of history is better than a volume of logic. Such authority has not been abused and it is absurd to even suggest that the office of Attorney General be abolished.

The creation of a Civil Rights Division under a new Assistant Attorney General has been urged for many years. President Truman, in his message to Congress on civil rights dated February 2, 1948, made such a proposal. More recently, Attorney General Herbert Brownell, Jr., in an executive communication recommended it. Mr. Brownell indicated that the "decisions and decrees of the United States Supreme Court relating to integration in the field of education and in other areas, and the civil-rights cases coming before the lower Federal courts in increasing numbers, are indication of generally broadening legal activity in the civil-rights field."

These cases often lend themselves more appropriately to civil rather than criminal remedies. Consequently, it is unwise to continue the Civil Rights Section as a part of the Criminal Division of the Department of Justice. Rather it should be invested with the prestige and independence of a separate division so that civil rights may be more effectively protected. This is the purpose of the provision and this will be its result. There is no rational basis for the fear that it will be an engine of oppression.

III. TO STRENGTHEN THE CIVIL-RIGHTS STATUTES

Part III supplements title 42, United States Code, section 1985, sometimes called the Ku Klux Act, section 1980, Revised Statutes. At present, this act provides a civil remedy in damages to the party injured as a result of conspiracies to deprive of certain civil rights. The act now has three subsections. The first subsection—title 42, United States Code, section 1985 (1)—establishes liability for damages against any person who conspires to interfere with an officer of the United States in the discharge of his duties and as a result thereof injures another or deprives another of rights or privileges of a citizen of the United States. The second subsection establishes liability for damages against any person who conspires to intimidate or injure parties, witnesses or jurors involved in any Federal court matter or conspires to obstruct the due course of justice in any State court matter with the intent to deny to any citizen the equal protection of the laws if the result of these conspiracies is injury to another or deprivation of another's rights or privileges as a citizen of the United States. The third subsection establishes liability for damages against any person who conspires to deprive another of the equal protection of the laws or of equal privileges and immunities under the laws, or of the right to vote in elections affecting Federal offices if the result thereof is to injure another or deprive another of rights or privileges of a citizen of the United States.

I repeat, these are the three subsections of the present law under which a private person now may bring an action for damages.

Part III of H. R. 627 adds two new subsections to the three subsections now in the present law. They are designated "fourth" and "fifth" and appear on pages 24 and 25 of the reported bill. The new subsection designated "fourth" gives to the Attorney General the right to bring a civil action or other proper proceeding for relief to prevent or redress acts or practices which would give rise to a cause of action under the three subsections of section 1985 described above. I want to emphasize that this provision gives an additional remedy for the protection of existing rights. It does not create any new civil rights. Furthermore, the bill expressly provides that in these cases the United States shall be liable for costs the same as a private person.

To date, this section has not been widely used by persons deprived of civil rights. Many such persons are ignorant and poor and they fail to obtain relief when their constitutional rights are violated. For this reason the Attorney General is authorized to bring a civil action to protect their rights.

The new subsection designated the "fifth" on page 25 of the reported bill makes clear that district courts of the United States have jurisdiction of these proceedings and dispenses with any requirement of the exhaustion of State administrative or other remedies. This is declaratory of existing law as far as the exhaustion of State judicial remedies is concerned. In *Lane* v. *Wilson* (307 U. S. 268, 274 (1939)), the Supreme Court of the United States held that there was no requirement that party exhaust State judicial remedies before resorting to a Federal court for relief pursuant to a Federal civil-rights statute. Any other rule would be absurd. Throughout the history of our country when Congress gives a right of action in the Federal courts, this right is not conditioned on prior resort to State judicial remedies. For example, of the 59,375 cases commenced in the United States district courts during the fiscal year ending June 30, 1955, except in the rarest of cases, such as petitions for habeas corpus, there is no requirement that State judicial remedies first be exhausted. The statement on the part of the opponents of this bill indicates the fear that this provision flouts States' rights and insults all liberty-loving American citizens. This fear is clearly misplaced as far as State judicial remedies are concerned. To the extent the bill concerns the exhaustion of State judicial remedies it is declaratory of existing law.

As to State administrative remedies, this provision changes the law to a certain extent. In certain circumstances there is a requirement that State administrative remedies must be exhausted before Federal relief may be sought. In view of the fact that State administrative remedies can sometimes be labyrinthic and by their very perplexity effectively smother the enjoyment of constitutional rights, this provision is necessary. This provision was recommended by the Attorney General in his executive communication dated April 9, 1956. When the purpose of this necessary change in the law is understood, it is clear that it is no insult to the liberty-loving American citizens and in no way flouts States rights. On the contrary part III of H. R. 627 will assist in preventing and redressing deprivations of civil rights which otherwise would go unprotected.

PART IV. PROTECTING THE RIGHT TO VOTE

Part IV of H. R. 627 provides added protection to the right to vote. This is done mainly by authorizing the Attorney General to bring a civil action to protect this right. Part IV of H. R. 627, beginning on page 25 of the reported bill, amends section 1971 of title 42 of the United States Code. That section presently specifies that all citizens who are otherwise qualified shall be allowed to vote without distinctions based on race, color or previous condition of servitude. This is a statutory declaration of the protection of the 15th amendment which applies to States as well as Federal elections. Subsection (c) of part IV provides a suit by the Attorney General to effectively implement such constitutional protection. There can be no doubt of the constitutionality of this part of the bill.

Subsection (b) of Part IV applies exclusively to elections affecting Federal office and by its inclusion here gives a civil remedy to the Attorney General to protect such elections. This subsection is practically verbatim section 594 of title 18 of the United States Code which provides criminal penalties for the intimidation of voters at elections affecting Federal office. As long ago as 1879 the Supreme Court of the United States upheld the power of Congress to enact legislation to protect elections affecting Federal office—ex parte Siebold (100 U. S. 371 (1879)). This has been the consistent position of the Court. In 1941 these well-recognized principles were reemphasized in the case of *U. S.* v. *Classic* (313 U. S. 299). This case involved a primary election in Louisiana and the Court held that Congress clearly had authority to punish wrongdoing in conjunction with State primary elections affecting Federal office.

The statement of the opponents of this legislation takes the position that H. R. 627 is an unconstitutional invasion of the States' authority to regulate voting. This is incorrect as the above cited cases indicate. The provisions of part IV of H. R. 627 are clearly within the authority of Congress and are essential to a more effective protection of the right to vote. They in no way derogate from the authority of the States to otherwise control elections or otherwise determine the qualifications of voters. They were recommended to Congress by the Attorney General in an executive communication and were recommended to previous Congresses by President Truman.

This concludes my analysis of the bill. I have explained each of the four parts of the bill and have discussed point by point the statement of the opponents of H. R. 627. I respect their views but I cannot agree with their fearful conclusions. I have demonstrated that this is a moderate bill. It does no violence to States rights and is clearly within the constitutional power of Congress. It represents a reasonable proposal to aid in the solution of a difficult national problem. We can perform no greater service to the country than the enactment of legislation which will guarantee that the words of promise spoken by the Constitution will be fulfilled in every corner of the Nation.

There are already actions that may be directed against those who deprive one of constitutional rights. That is in the law today. It goes back to 1871. We simply build on that statute and a perusal of that law will indicate that those rights given to individuals have been frittered away, chipped away and eroded by numerous court decisions. Among those chips that have hurt the original act is one, for example, that the action could not be brought by an individual against an individual, that it could be brought for conspiracy which involved two or more individuals, and the action could only be brought where the deprivation was in color of authority, namely, where some State officials were involved.

But even restricted as that act is—and that goes back to 1871—what we do here in part 3 of the bill is to say that the Attorney General shall be privileged to bring a private suit on the part of the individual aggrieved. But we do not widen in part 3 the causes for which a suit may be brought by the Attorney General. Testimony was brought to bear to the effect that the individuals who were aggrieved were usually poor and lowly, they did not have the wherewithal to bring a suit, they were ignorant in many instances, and knew not what their rights were.

Now, the Attorney General can come forward, apprise them of their rights, and bring suit on their behalf, but only within the restricted area embodied in that old statute called the Ku Klux Klan statute that goes back to 1871.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. YATES. Section 1983 of the old Ku Klux Klan statute involved penalties of the law against those who deprived citizens of the equal protection of the law. This bill gives the right to the Attorney General to bring suit to protect such rights. In the school cases the Supreme Court decided that segregation deprived schoolchildren of the equal protection of the laws; therefore would not the gentleman say that this bill would give the right to the Attorney General to implement the Supreme Court decisions?

Mr. CELLER. In my humble opinion, it would. Let us be fair about it, because that old statute covers all filching of constitutional rights, no matter what those rights may be. It covers all phases of American life. Let us be honest about it. A question was asked of one of the previous speakers, and the answer was not adequately forthcoming, with all due respect to the gentleman.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I appreciate the gentleman's frankness, and I wonder if he will go further and explore that subject a little bit more.

Mr. CELLER. I will be glad to.

Mr. SMITH of Virginia. I do not understand what you mean by your answers to the gentleman from Illinois. I think that is quite an important phase, just what the bill intends to do. There are a great many different things in this bill, and I would like to have them explained as we go along.

Mr. CELLER. That old statute which was passed by this Congress gave many rights and very, very important rights, and they covered every constitutional right that would be possessed by the individual. But there were restrictions that when those rights were trampled upon or the exercise of those rights was hindered or hampered there could be no right to a cause of action unless there was a conspiracy.

Mr. SMITH of Virginia. What I was trying to get the gentleman to explain—and I am sure he can—is just how this would operate as far as the school segregation thing was concerned. You know, we had hearings for a week or two in the Committee on Rules in which we undertook to explore every phase of this bill, and this is the first time that I have ever heard that it had anything to do with segregation.

Mr. YATES. Mr. Chairman, will the gentleman yield further?

Mr. CELLER. I yield.

Mr. YATES. In the report on this bill the minority views said that the school decision may very well be covered by this legislation, and I am sure that was before the Committee on Rules.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Georgia.

Mr. FORRESTER. I would like to say that what the gentleman from New York has stated is exactly true. This bill as written gives the Attorney General, with or without the consent and even without the knowledge of any alleged complainant, the right to go into court and to bring suit on any sort of constitutional right, period. It is just as broad as that.

Mr. CELLER. I thank the gentleman for his little speech, but I thought it was a question which I would be glad to answer.

Mr. FORRESTER. I just wanted to answer the question. The gentleman was completely honest in it when he explained it for us.

Mr. CELLER. We cannot be other than honest in a matter of this sort. It is too transcendental not to be honest, and I want to be honest.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield further?

Mr. CELLER. I yield.

Mr. SMITH of Virginia. The gentleman from Georgia said that the Attorney General could bring suit for any individual for any violation of civil rights without ever consulting the individual.

Mr. CELLER. Oh, no. His answer was in the context of what I stated. The right here is built upon the old statute, and there were restrictions in that old statute, namely that the defendants in the suit had to be those who were conspiring; that is two or more persons, and as the result of court interpretation the deprivation of right had to be under color of authority, namely, it had to be against State officials. Now, the gentleman from Georgia [Mr. FORRESTER] was right provided he understood those conditions that exist in the present statute.

Mr. SMITH of Virginia. If the gentleman will yield further, may I trespass on his time by giving an illustration. Let us say that little Rastus down in Georgia wants to go to a white school and he asks to go to the white school and they tell him no. Then he goes on about his business and goes to the colored school, where he will be happier and learn more. Then the NAACP goes to the Attorney General. May the Attorney General bring a suit whether Rastus wants to or not?

Mr. CELLER. I think he could.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. KEATING. A like question was put to me by the gentleman from Texas. I want to say that after consulting counsel I am inclined to agree with what the gentleman says, although I feel that section 3 as now worded, which must be read in connection with section 4, giving the Attorney General the right to bring the action, is not entirely free from doubt on the subject; and certainly it is limited by the use of the word "conspiracy." The gentleman from New York will agree with that, I am sure.

Mr. CELLER. Yes, indeed.

Mr. KEATING. I think probably if the deprivation of the right to go to any school he wanted to attend fell under the words "equal protection of the law and equal privileges and immunities under the law" and there was a conspiracy involved, then I should think that the individual would now have the right to bring the action and the Attorney General would be given that right under this addition.

Mr. CELLER. I thank the gentleman for his comment.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield further?

Mr. CELLER. I yield to the gentleman.

Mr. SMITH of Virginia. If the gentleman from New York [Mr. CELLER], the chairman of the committee, and the gentleman from New York [Mr. KEATING], who have collaborated in the study and preparation of this bill, cannot agree between themselves as to what it means, what are we expected to do with it?

Mr. CELLER. We do not disagree. I do not think the gentleman from New York [Mr. KEATING] disagrees with me. He said he was inclined to believe that what I said is accurate.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. SPRINGER. I asked this question a few minutes ago of the gentleman from New York [Mr. KEATING] when he had the floor, and I should like to have it clarified, if I can. Under part III, section 122, we have the language:

> To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote.

My question is this. If a child or the parent of a child sought relief against a school board, I take it it could be construed that by not allowing the child to attend a nonsegregated school, there would be a cause for civil damages against the board. Am I correct in that interpretation?

Mr. CELLER. There would be a cause of civil damages against those who were depriving him of the right to go to the school.

Mr. SPRINGER. In the general nature of things that would be the school board; would it not?

Mr. CELLER. I presume so.

Mr. SPRINGER. And he may have such other relief as an injunction or a restraining order. All of that is included in this?

Mr. CELLER. That is correct.

Mr. SPRINGER. Under what would be termed his right to attend a nonsegregated school in accordance with the decision of the Supreme Court of the United States; am I right in that?

Mr. CELLER. But I would say that today that individual, the child, or the parent acting for the child, would have such a right against the school board because there you have action under color of authority by State officials, and you have more than one person who would be the defendant; it is the result of a conspiracy and the school board or the members of the school board have conspired or agreed to keep the child out of the school. So you have that right today. All we do here is to say that the Attorney General shall, on behalf of the individual, bring such a suit.

Mr. SPRINGER. The additional right that I say is given him under this part is that he may secure damages if he is damaged and can prove it; is that correct?

Mr. CELLER. I do not think that is quite accurate. If there are damages today I assume that the damages could be recovered—even under the law today.

Mr. SPRINGER. I would not want to dispute the gentleman on this, but I do not believe it can be done.

Mr. CELLER. There have not been many cases concerning that particular statute, namely, title 42. United States Code, section 1971. There have been very few cases brought. But as I read the law, I think it would envisage exactly what I have indicated.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. KEATING. I think the gentleman is eminently correct. It says so in so many words, that the individual may now bring an action for damages under the third subdivision of section 1980. At the very end it says the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation against any one or more of the conspirators.

Mr. CELLER. I would like to make one more comment at this point, in connection with a rather recent interpretation of that old statute which is found in the Supreme Court decision in *Collins* v. *Hardyman* (341 U. S. 651). The date of that decision is 1951. The Court

stated there the statute could be applied to private conspiracies in contradistinction to conspiracies of State officials, to private conspiracies of the magnitude of post-Civil-War conspiracies, for example, the Ku Klux Klan. However, I would state the decision is not too definite. I would say also the statute applies in the main to conspiracies under order of law and not to individual cases.

Mr. BASS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. BASS of Tennessee. There was not a rollcall vote on the adoption of the rule. I flew all the way up from Tennessee and I want to say that I voted against the rule by a voice vote.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Georgia.

Mr. FLYNT. May I ask the gentleman from New York if his statement just made with reference to school boards and school board members could also be extended to the point where it would apply to members of the respective State legislatures in the exercise of their sworn duty?

Mr. CELLER. That is a difficult question to answer, but I am inclined to believe it would not apply to representatives of a legislative body in a sovereign State.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Alabama.

Mr. ANDREWS. Is it a correct statement to say, then, that the difference between existing law and the bill before the House is that under the bill before the House the Government would furnish a lawyer from the Attorney General's Office to an aggrieved party?

Mr. CELLER. The gentleman can put it that way if he wishes. I would rather say the Attorney General could intervene.

Mr. ANDREWS. Under existing law, as I understood the gentleman a few minutes ago, the aggrieved party has the right of injunction in the courts today?

Mr. CELLER. No, an aggrieved party has the right of suit.

Mr. ANDREWS. He can apply for an injunction?

Mr. CELLER. No, only for damages; not by way of injunction.

Mr. ANDREWS. But in order to do that, it would be necessary for the aggrieved party to employ an attorney?

Mr. CELLER. That is correct.

Mr. ANDREWS. His own attorney?

Mr. CELLER. Correct.

Mr. ANDREWS. Under this bill before the House now, as a matter of fact the Government would furnish the aggrieved party an attorney?

Mr. CELLER. I say, the gentleman can put it that way if he wishes.

Mr. ANDREWS. One other question: How would damages be determined? What would be the basis for the damages?

Mr. CELLER. That would be a matter for a jury to determine. If the gentleman believes in the jury system, and I think he does, the jury must assess the damages in accordance with the instructions received from the court and on the evidence.

Mr. ANDREWS. The gentleman does not know what the yardstick would be?

Mr. CELLER. I do not know what the damages would be.

Mr. ANDREWS. The sky could be the limit?

Mr. CELLER. I doubt very much whether the sky would be the limit in a matter of this kind, but nobody can gage with any degree of precision what damages may be. They may be more or less, depending on the circumstances in each case.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Texas.

Mr. DIES. If a suit is brought under this provision and the defendant prevails, is there any provision to reimburse the defendant for his attorney's fees and other costs?

Mr. CELLER. Yes; costs are paid by the Government.

Mr. DIES. That is, the court costs, but what about the attorney's fees?

Mr. CELLER. Only the court costs.

Mr. DIES. The defendant would have to pay for the attorney's fees?

Mr. CELLER. That is the situation in almost every lawsuit; is it not? The attorneys' fees do not come out of costs.

Mr. DIES. If there is a lawsuit, could the Attorney General intervene or bring the suit for private individuals?

Mr. CELLER. I cannot speak with any fair degree of certainty, but there are cases where the Attorney General can intervene.

Mr. DIES. He can intervene for the State, but there is no other instance where the Attorney General can appear voluntarily as counsel for a private citizen. Would the gentleman object to an amendment which would provide that in the event the defendant prevailed in a lawsuit that the United States would defray the necessary and reasonable attorneys' fees?

Mr. CELLER. No, I would object to that because it would be a departure from custom to pay attorneys' fees and have the litigant who failed to sustain his contention be reimbursed.

Mr. DIES. Is there any provision in the bill which would provide for the reimbursement to a citizen who is subpenaed to appear before the commission for his transportation costs, hotel and meals?

Mr. CELLER. That comes under other statutes.

Mr. DIES. I wish the gentleman would point that out because that is important as far as I am concerned.

Mr. CELLER. If a person is subpenaed as a witness in any proceeding of this sort, he gets the ordinary witnesses' fees and the per diem allowances as is provided in other statutes and the regular statute.

Mr. DIES. Yes, but there is nothing in this bill.

Mr. CELLER. It does not have to be in this bill. It is in other provisions of other statutes having to do with witnesses, subpenas, and so forth.

Mr. DIES. But, it is not applicable to a commission such as this.

Mr. CELLER. Oh, I thought the gentleman was speaking of a lawsuit. You are speaking of a commission.

Mr. DIES. No, I was speaking about the terms of this bill. You can subpena anyone to appear before the commission. There is no provision to defray his transportation costs, his hotel and his meals. What I want to know is would you be in favor of the inclusion of a provision which would pay a man's expenses?

Mr. CELLER. I tell you what you do. When you come to that point in the bill, you offer an amendment.

Mr. DIES. I have an amendment.

Mr. CELLER. One does not usually roll up his pants until he gets to the water.

Mr. DIES. I see.

Mr. CELLER. We have not reached the water yet. You offer an amendment and we will consider it.

Mr. DIES. Would you oppose an amendment which would require an allegation to be sworn to and in writing rather than simply an allegation to be investigated?

Mr. CELLER. Again, I am glad the gentleman has apprised the House of his intentions. I certainly will do a little research between now and the time that that comes up. At least we have 2 days before we will conclude general debate. I shall look into that and I will be pleased to give the gentleman an answer, and will probably have it before the expiration of the 2 days.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. WHITTEN. Reading part 3 of the bill, it would indicate to me at least that the Attorney General might move in and initiate action in the court even though the party supposedly aggrieved did not feel aggrieved at all whenever any persons have engaged in or are about to engage in any acts or practices which would give rise to cause for action—and so forth. The Attorney General can move in. Thus, he can anticipate damages or injury to individuals who themselves might not so anticipate such damage or such injury. They might be thoroughly happy with the situation. They may have no thought of any injury whatever. Yet, in this bill, as I read it, the Attorney General could move in and take all appropriate action in line with the proposed legislation.

Mr. CELLER. In all candor, I think the Attorney General could do exactly what the gentleman says.

Mr. WHITTEN. Thus, if this becomes a law, the Attorney General could not only say to the defendants what they must do so far as going to court and making them pay any damages and taking certain other actions, but he has the authority under this to tell the plaintiff or the would-be complainant what his rights are and what he should do. So here we have the Government telling people on both sides of the fence what action should be taken.

In other words, penalizing the one for the benefit of the other even though

everybody in the community may be thoroughly happy with the situation.

Mr. CELLER. The general import of this section is to be sure that the poor and indigent plaintiff—he is usually poor and indigent—can have his day in court, and therefore the Attorney General can represent that plaintiff who is aggrieved in a court. There cannot be two actions—one by the Attorney General and one by the individual.

Mr. WHITTEN. Let us read this language again. The bill says:

Fourth. Whenever any persons have engaged or are about to engage in any acts or practices which would give rise to a cause of action——

Mr. CELLER. Well, go on, read further. It says—

pursuant to paragraph first, second, or third——

Mr. WHITTEN. That is right.

Mr. CELLER. It is limited by what goes before.

Mr. WHITTEN. But the point is he can move in when he sees fit, though it may never reach that point, and although the plaintiff may be very happy.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has again expired.

Mr. CELLER. Mr. Chairman, I yield myself 10 additional minutes.

Mr. Chairman, I cannot see it that way. I do not think the Attorney General would arbitrarily barge in. He probably would act after he receives a complaint.

Mr. WHITTEN. The gentleman has been thoroughly practical in his presentation. I recall the Dixiecrat movement in the South was initiated by the Federal Government moving into one of the Southern States and acting as though the officials had no sense of responsibility. That was the beginning of that separation.

Mr. CELLER. You see to it that our party is in power and nothing like that will happen in the South.

Mr. MURRAY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. MURRAY of Illinois. Is it not true that under present legal procedure in all of our States, where a person is under legal or physical restraint by being in the penitentiary, or the like, that the State authorizes suits on his relation for an effectuation of his rights, even though it might not be with the individual's consent?

Mr. CELLER. I think the gentleman is right. The suit is brought in the name of the inmate, by the State attorney general.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. YATES. The point raised by the gentleman from Mississippi [Mr. WHITTEN] can be answered by the rule in antitrust suits. The person aggrieved can bring an action and the Attorney General can bring suit as well under the criminal aspects of that State.

Mr. CELLER. That is right.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. DIES. I call the gentleman's attention to 103, which charges the Commission with the duty of investigating allegations that certain citizens of the United States are being deprived of their right to vote. Some years ago, when I was a member of the Committee on Immigration, we made a thorough study and determined that several million aliens in the United States were voting illegally. Would the gentleman be opposed to the inclusion of a provision that would charge the Commission with the duty of investigating those who are voting illegally in the United States, as well as those who are deprived of the right to vote?

Mr. CELLER. If that subject would come within the four squares of the purposes of the Commission, of course they could then investigate.

Mr. DIES. Does not the fact that people are being permitted to vote illegally in some cities deprive me of my rights as a citizen? It might be the balance of power in some cities.

Mr. CELLER. It might be. It might be within the purview of this Commission to look into those matters. If it would, I would have no objection. What is sauce for the goose is sauce for the gander.

Mr. DIES. May I direct your attention to one other amendment that is on page 26, where you say:

No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote.

Would the gentleman object to the inclusion of the words "deceive or mislead," since it is just as bad to deceive him or mislead him? Would there be any objection if we included the words "deceive or mislead"?

Mr. YATES. Would that not include every candidate for office?

Mr. DIES. After all, if we have here the question of civil rights, let us be honest and deal with it fully.

Mr. CELLER. I think that is carrying this legislation pretty far afield. I would be inclined to oppose that.

Mr. DIES. Suppose there is a racial organization somewhere, and I can tell you of some as the result of an investigation I conducted for 7 years, where the members are being deceived and misled by propaganda, by false statements which cause them to vote for certain candidates or against certain candidates. Should this Commission not investigate such deception just the same as it should investigate intimidation?

Mr. CELLER. Was that activity limited to advocacy, pronouncement, reading matter, or printed matter?

Mr. DIES. It was a matter of deception.

Mr. CELLER. What form did it take?

Mr. DIES. Well-organized deception of the voters to influence their vote. Now, it is just as bad to deceive someone to vote contrary to his best interests and the best interests of the country as it is to threaten him or intimidate him.

Mr. CELLER. The gentleman's question now is the same as the question he propounded to me originally, and my answer in the second instance is the same as in the first.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Kentucky.

Mr. CHELF. There is one thing here that disturbs me considerably, Mr. Chairman, and that is section 103, line 6 on page 23 under subparagraph (e) which reads as follows:

Subpenas for the attendance and testimony of witnesses and/or the production of written or other matter may be issued over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman.

The thing that strikes me is that we are attempting to give to some board or commission of the United States Government the right to subpena power that the Judiciary Committee of the House of Representatives itself does not have unless and until it comes before the House of Representatives, asks for it, and receives it.

For instance, at the present time, as my chairman knows, I have been designated as chairman of a subcommittee to do an investigation in which it is alleged that the freedom of the press is involved. I needed to have certain witnesses before the committee. I found that I did not have the subpena power to force those witnesses to attend the hearings, so I had to accept in lieu of personal attendance, a written statement.

So if we are going to give a board or a commission rights that duly elected Members of Congress and the Judiciary Committee of the House of Representatives do not have, I think we are going a little too far afield.

Mr. CELLER. I think the gentleman had that power.

Mr. CHELF. Our committee counsel so advised me. He said I could not use it and did not have it.

Mr. CELLER. I wish the gentleman had applied to me for that. The subpena power does lie with the committee. The committee does have the right to issue subpenas. The power of subpena was given us at the beginning of this very Congress.

Mr. CHELF. But our Judiciary Committee counsel told me that the subject under consideration by our Subcommittee on Freedom of the Press was a new and a unique one and that I did not have any subpena power.

Mr. CELLER. I do not think it was unique, because I think you were examining into those who were excluding some people from theaters.

Mr. CHELF. It had to do with freedom of the press, a thing very much cherished by the newspapers and the public.

Mr. CELLER. No; I think the power stemmed from an entirely different subject; it stemmed from our right to investigate matters involving the antitrust laws, and when theaters banded together to exclude individuals it became a violation of the antitrust laws. I think the gentleman had eminent authority to issue that subpena. I am sorry you did not use it.

Mr. CHELF. Counsel told me I did not have it, that it was specifically granted by the House to the full committee and that the authority was limited to our certain standing subcommittees.

Mr. CELLER. Following that up a little, a committee of Congress to have the right to issue subpenas must come to this body and get that right. The gentleman is correct in that assertion. That is exactly the point in the case of this commission. In a certain sense we anticipate the establishment of the Commission for we say the Commission shall have the right to issue subpenas, and the chairman must sign the subpenas, or the chairman of a subcommittee.

Mr. CHELF. One other question: I call the chairman's attention to section 105 on page 24 and read this language:

> There is hereby authorized to be appropriated out of the Treasury out of any money not otherwise appropriated, so much money as may be necessary to carry out the provisions of this act.

That is a blank check.

Mr. CELLER. This is merely an authorization.

Mr. CHELF. That could mean $1 million or $500 million.

Mr. CELLER. But subsequently there must be an exact appropriation for the work. That is authorized under section 105 on page 24. In addition to the authorization there must be an actual appropriation authorized by the Committee on Appropriations and passed by the House.

Mr. CHELF. One other question. Line 7, page 25, reads as follows:

> Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

My interpretation of that is you do not have to exhaust your local laws, you can bypass your State laws and go directly to the Federal court.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I have an answer, but I yield to the gentleman.

Mr. WILLIS. A while ago the gentleman stated that under part 3 there was a limitation wrapped around the sections amended, 1, 2, 3 and so forth. Here is the point at which I depart from my chairman because presently the individual is given a right of action for damages. He may go to the Federal court. Of course, he has that right of action. Now, the right of action is given to the Attorney General and the gentleman says, however, he cannot go further than can the individual. Of course he can go further.

Mr. CELLER. I did not hear the last part of the gentleman's statement.

Mr. WILLIS. The gentleman said a moment ago that the Attorney General in filing these suits was not exercising any greater rights than the individual presently has. Here is one of the many broadening features of the present law. An individual under present law must exhaust his remedy under State law. In the case of *Peay* v. *Cox* (190 F. 2d 123 (1951)), cited on page 36 of the minority report the Fifth Circuit Court of Appeals required such a procedure where an individual went to the Federal court for relief. The circuit court of appeals said:

> You cannot enter the Federal courts without first exhausting your remedies provided by local law.

The effect of the section read by the gentleman from Kentucky is that here the Congress for the first time is bypassing State laws, striking down State laws, striking down State remedies, striking down local available relief and the Attorney General is deliberately flaunting State law. This is just writing off all State laws on the subject just like the Supreme Court wrote off all laws on sedition in the Nelson case.

Mr. CELLER. I do not think that the gentleman's conclusions are absolutely correct. Under present law—and I will cite a decision momentarily—one need not exhaust the judicial remedies in the State courts. I read page 8 of the majority report as follows:

> The new subsection designated the "Fifth" makes clear that district courts of the United States have jurisdiction of proceedings instituted pursuant to section 1985 and dispenses with any requirement of the exhaustion of State administrative or other remedies before proceedings under section 1985 in the United States courts. In *Lane* v. *Wilson* (307 U. S. 268, 274 (1939)) the Supreme Court of the United States held that there was no requirement that a party exhaust State judicial remedies before resorting to a Federal court for relief pursuant to a Federal civil rights statute. Therefore, as far as State judicial remedies are concerned, this provision is declaratory of existing law.

I agree with you partly. If the gentleman will be patient, as to administrative remedies we now say that the individual need not, first, as a condition precedent, pursue it administratively, and I will say as far as that is concerned that is new law.

Mr. WILLIS. The section that the gentleman from Kentucky cited has nothing to do with the judicial remedy. It speaks of exhaustion of any administrative or other remedies that may be provided by law, meaning State law. That means, therefore, exactly what I said, that if you are not required to exhaust your local remedies, you are doing away with the purpose of local boards of election, local administrators and appeal boards.

Mr. CELLER. I say that you do not have to exhaust your administrative remedies. That is not declaratory in the present law. That is new. What is declaratory is that you do not have to exhaust your remedies in the courts, your judicial remedies, as a condition precedent to suit.

Mr. WILLIS. Of course, the question of judicial remedy is not relevant. You frequently have a choice, but what this bill does is to knife local laws and local remedies.

Mr. CELLER. I do not agree to that characterization, if you will forgive me for saying that. Of course, if one has to resort to all administrative remedies, why, we would have Pelion on top of Ossa, and you will have interminable procedures to go through and involve a labyrinth of procedure, and therefore the individual could never get his case heard if he has to rely on administrative remedies, because efforts would be made to balk him at every twist and turn. For that reason, this bill says he shall have the right to go into the Federal court without going through these very difficult and arduous obstacle races which would be involved in satisfying all these administrative procedure requirements. As to the conclusion of the gentleman, I am in accord, namely, that is new statute, as far as administrative exhaustion of administrative remedies is concerned. It is not new statute as far as exhaustion of judicial remedies is concerned.

Mr. DIES. The gentleman has been very courteous. Will the gentleman indulge me to ask him several more questions?

Mr. CELLER. You are always courteous yourself and are entitled to courteous treatment.

Mr. DIES. I want to know what is meant by "unwarranted economic pressure."

Mr. CELLER. Where is that?

Mr. DIES. That is one of the things for which the Commission can bring the people before it, where there has been an allegation of unwarranted economic pressures by reason of color, race, religion, or national origin.

Mr. CELLER. Well, we hear tell that in some sections of the country those who advocate moderation, gradualism, or a fair and equitable approach to the solution of this problem have their mortgages foreclosed, are deprived of credit at the banks, lose their jobs, cannot obtain other jobs, on the basis primarily of race and color. I think that would be economic. What page is that on?

Mr. DIES. That is on page 21, line 11.

Mr. CELLER. That would be unwarranted economic pressure by reason of color, race, religion, or national origin.

Mr. DIES. Would the gentleman object to the insertion of the words "and other pressures"?

Mr. CELLER. I would.

Mr. DIES. The reason I suggest that is because for a long time there were Nazi organizations in America where tremendous pressures were exerted on the membership. Now, it was not economic pressure, but if pressure is exerted on account of someone's religion or race, it is just as dangerous and un-American as economic pressure. Why not, therefore, broaden the language so as to include other pressures so that if pressure is exerted on the part of an organization on its membership on account of their race or their religion or their color, that that would be inhibited, the same as economic pressure.

Mr. CELLER. I think you would broaden it if we adopted that language; it would be entirely too broad.

Mr. DIES. Just one other question, and then I will leave the courteous gentleman alone. On page 21, lines 14 to 17 and following that, lines 18 to 21, we find this language:

> Study and collect information concerning economic, social, and legal developments

constituting a denial of equal protection of the laws under the Constitution—

Would the gentleman object to including the words "and the rights reserved to the States and the people under the Constitution"?

It seems to me that the rights which were reserved to us under the Constitution are just as precious to the American people as are the civil liberties guaranteed by the Bill of Rights. Therefore, I cannot understand why in the study of the development of Federal law you should not study the violation of State rights and the whittling down of those constitutional rights reserved to the people of the States.

Mr. CELLER. At first blush I might have accepted the gentleman's amendment, but now, when he explains what he has in mind, I shall certainly strenuously oppose it.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. YATES. Is not what the gentleman is asking for contained within the words "under the Constitution"?

Mr. DIES. If it is, let us clarify it, because such general language as "unwarranted economic pressure" cannot be defined. I looked in the dictionary and "unwarranted" means "unauthorized."

Mr. CELLER. Did I not give the gentleman some illustrations?

Mr. DIES. Yes; the gentleman gave illustrations. But this could be extended. It could embrace almost every field. Let me show the gentleman very briefly what I mean. "Unwarranted" means "unauthorized." "Economic" applies to a man's business; and "pressure" may mean "squeezing" or "impulse." It may be very slight or it may be severe. So that here we are arming a commission with dictatorial, Hitlerlike powers, to go about the country and determine for itself when unwarranted economic pressure has been exerted.

Mr. CELLER. You know, in Alice Through the Looking Glass there is a colloquy between Alice and Humpty Dumpty. Alice says to Humpty Dumpty, "How can you make words mean so many different things?" And in response to that Humpty Dumpty says, "It all depends upon who is master."

Mr. DIES. Did Alice write this bill?

Mr. CELLER. There are 6 commissioners to be appointed by the President, 3 of the Republican Party and 3 of the Democratic Party. I take it that those commissioners will be high-class men, men of probity and integrity of purpose, and that they will not be arbitrary. We must rely upon them and their interpretation of the language. They are masters in a certain sense, but subject to review by the courts.

Mr. DIES. I know the gentleman is a sincere and ardent advocate of civil liberties. But does he not see what he is getting into? In his zeal to achieve some objective, he is willing to pursue any means to the end. That is exactly what the Nazis did and the Communists did.

Mr. CELLER. Oh, that is unfair. The gentleman does not want to make such a comparison.

Mr. DIES. It is an apt comparison, if you clothe six men with so much power.

I thank the gentleman for his courtesy.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Kentucky.

Mr. CHELF. As my chairman knows, I did not join in the majority report or in the minority report. I have tried to vote according to my own conscience and also according to the way that I felt about this particular piece of legislation. I did not sign the first manifesto or the second manifesto. I have tried to be moderate and sincere in my approach to this important subject.

Mr. CELLER. Do not call it manifesto; that sounds too strained. Manifesto is a dirty word, is it not?

Mr. CHELF. I am only repeating what the newspapers have called the two signed statements oy our southern friends. I did not sign either one of these papers. But the point that I am making is this. I know that my chairman is sincere. I know of the long and arduous fight he has made, at least in the 12 years that I have been here, and I also know for the past 30 years that he has been a member of this great body, that he has fought for the underdog and the underprivileged. I know that and I find no fault in him because of his stand here today. Let me say to the gentleman quite frankly that if I thought we could have on the Commission; that there would be named men of the gentleman's caliber, honesty and integrity, I would not be too much concerned. But I am not assured of that and I cannot be assured of that under the power that we would give to a board or commission under this proposed legislation. It is far too broad—it is as wide open as the Sahara or the proverbial bootjack. I simply cannot in good conscience vote for this bill. It takes more rights away from the majority than it gives to the so-called minority. I thank my chairman for his courtesy. He is always the perfect gentleman.

Mr. CELLER. I could say this: Since this originated with us, the Committee on the Judiciary, I think we would have some semblance of jurisdiction to follow the activities of this Commission. I am sure the gentleman and I could be very vigilant as to how these men are carrying out their functions, if they are acting properly or not within the confines of the bill. We will yank them back in line if they are not. I think the gentleman could play an important part in that.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman from Texas spoke about the Hitler-like powers granted to that Commission. Actually, what powers are granted? The power of subpena is the greatest power given, but all the Commission can do is to report back to the President what its findings are.

Mr. DIES. But the gentleman remembers when we were conducting the Un-American Activities Committee how certain liberals cried out it was Hitler-like because we were subpenaing people to appear before us.

Mr. YATES. Does the gentleman accept that answer to the question?

Mr. DIES. That was the cry of the liberal press and by so-called liberal people. They said it was un-American, Nazi, and Hitler-like. You are arming the Commission with far more power than we ever had.

Mr. CELLER. You must not lay the sins of all publications at our door.

Mr. DIES. What do you mean by the words "about to engage in an act"? The Attorney General is charged with great responsibility, and he must pass upon whether or not someone is about to engage in an act.

Mr. CELLER. We say those are words of art. They have been interpreted a thousand times. There would be no question but what they will be interpreted properly. That means, "at the threshold." The purpose of putting that language in is to prevent some illegal action, to prevent the taking away of some rights.

Mr. DIES. But this says he is about to engage in an attempt. What do you mean when you say that I am about to engage in an attempt? It is not an overt act.

Mr. CELLER. The intent may be so palpably close to an act as to be an act. That has been interpreted any number of times to be an act.

Mr. KEATING. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I feel that some of the arguments presented in the dissenting views should be discussed.

Mr. DIES. Would the gentleman mind taking enough time to answer questions on this bill?

Mr. KEATING. I will yield myself additional time. I will take 10 minutes.

Mr. DIES. We are serious about this.

Mr. KEATING. I realize that.

Mr. DIES. You gentlemen have studied this for weeks and weeks. You have been in conference with General Brownell. We have not really had an opportunity to understand all the provisions in the bill.

Mr. KEATING. I think the gentleman's point is well taken. I will take some additional time to try to explain it.

Mr. DIES. I will not interrupt you now, but I would like to ask some questions of the gentleman later.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Mississippi.

Mr. COLMER. I do not want to interrupt the gentleman's orderly procedure, either, but would he indicate at what time he would like to yield? I would like him to yield right now.

On page 22, line 13, appears this language:

> The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12).

May I ask the gentleman if there is any limit on how many of these

snoopers—that is what I would like to call them, although the gentleman possibly will not agree with the use of the word—the Commission can employ?

Mr. KEATING. I will say to the gentleman that the part of that which the gentleman has not stressed in his question is that the Commission may accept and utilize these services. The Commission composed of six members, bipartisan in character, I would hope and expect, would be composed of men of the very highest standing, the very finest men in both parties that the President could possibly find to act in this capacity. I do not believe that such a Commission is going to accept and utilize the services of snoopers. I think any organization or individuals who have legitimate information to bring before that Commission will be used, and we can rely upon them not to use others. To answer specifically—there is no limit on the number.

Mr. COLMER. Then, the gentleman says there is no limit to the number that they can employ?

Mr. KEATING. That is my understanding.

Mr. COLMER. Let us assume that some other party than the gentleman's party were in power—because, of course, the gentleman's party would not put anybody in a position that would do a thing like that—but, let us assume the other party was in power and they did not put the right kind of man or men in charge of that Commission and suppose we had an election year like we have in 1956, could not an unscrupulous director in a key position on this Commission, wanting to play a little politics, go out over the land and employ literally thousands of people to go out and dig up information to be handed to this Commission?

Mr. KEATING. The gentleman from Mississippi has stated an impossible situation because if this bill is passed this year, it will mean that the present President of the United States, a member of my party, will appoint those men and I am confident that he, or the President who preceded him, would appoint high caliber men to a commission of such great importance as this.

Mr. COLMER. All right, assuming that the gentleman is correct and that his President would not do anything like that——

Mr. KEATING. But I have included one of your Presidents, too.

Mr. COLMER. This is a continuing proposition; is it not? And do not forget that once the camel gets his nose under the tent, and this turns out to be a good political plum, it is going to continue.

Mr. KEATING. No, in response to the gentleman's question, the gentleman is incorrect in that the life of the Commission is for 2 years and the Commission would be appointed by the present President to serve for a 2-year period.

Mr. COLMER. Yes, but, of course, it can be renewed. This is going to be with us for a long time.

Mr. KEATING. But the question as to whether it should be renewed or the life of the Commission extended is a matter not now before us.

Mr. COLMER. But suppose somebody down the line—not your good President, because he does not have the time to go into all these details—but suppose somebody appointed by him wanted to play a little politics with this in 2 years from now to elect the right kind of Congress, you understand, you do agree that the sky is the limit on the number of people that they can employ?

Mr. KEATING. There is no numerical limit stated in subdivision (b).

Mr. COLMER. That is right.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. MASON. I would like to ask this question: Emphasis is being placed so much upon the caliber of these men who are to be appointed on this Commission. Let us say that they are the tops. But, is that not simply placing enforcement by men rather than by law? Is not the dependence being placed upon the caliber of the men rather than dependence upon the law?

Mr. KEATING. No; if the gentleman will refer to the powers of the Commission and the duties of the Commission as set forth on page 21 of the bill, this Commission has no powers of law enforcement at all. They have the power of subpena, but beyond that they investigate allegations. They study and collect information, and they propose laws and policies, but they make only recommendations. They do not have any power of legislation.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. MASON. Part 3 of this bill, which is a general overall civil-rights program, would you say that under part 3 labor rights, the rights of a man to work would be a part of these civil rights?

Mr. KEATING. No; under the wording of part 3, which would revise section 1980, that does not cover the so-called right-to-work laws, in my judgment. It may be that we ought to legislate in that field, but in this specific language, in all honesty and candor, it is not covered. That is not the issue now before us.

Mr. MASON. Now, I have religious rights, the right to worship as I see fit. Does this cover those rights? Could somebody bring up a question about that? Would you say that part 3 covers religious rights?

Mr. KEATING. In this respect, it does——

Mr. MASON. Then the answer is "Yes."

Mr. KEATING. Well, that is too short an answer just yet. I can explain what part 3 does, because the gentleman, I gear, has the idea that part 3 goes much farther than it does.

Mr. MASON. I am afraid I do.

Mr. KEATING. Part 3 adds two sections to already existing law. If the gentleman will look on page 14 of the report, he will find set forth in section 1980 of existing law, which sets up just exactly the violations of rights which now be made the subject of suit by someone whose rights have been violated. All that we do in part III may be said to be of a procedural character, in that we give to the Attorney General the right to enforce the same rights which the individual who has been injured now has the right to enforce. In connection with the reference to religion, it is said in existing law that if two or more people conspire or go in disguise on the highway or in the home for the purpose of depriving any person or class of persons of the equal protection of the laws or equal privileges and immunities under the law, then they violate the existing section. I assume that under a proper state of facts——

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KEATING. Mr. Chairman, I yield myself 5 additional minutes.

They have equal rights under the law. If on that basis someone tried to deprive them of those rights, I assume they would fall under this section.

Mr. MASON. Then, in your opinion, the right to work is not covered in section 3, but the right to my own religion is covered?

Mr. KEATING. In the way in which I have explained it, I think that is correct.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. DIES. In section 103 the Commission is charged with the duty of investigating allegations that certain persons are deprived of their rights, or subjected to unwarranted economic pressure.

Would the gentleman object to an amendment which would insert the words "sworn allegations in writing"? I am serious about this. If you will permit me, anyone who has had anything to do with an investigation knows that there are literally thousands of allegations made. As long as they can do it without being accountable for it, people will do it. If this Commission is going to investigate all of these allegations, then there will be no end to its work. What I propose is that it be sworn to and in writing.

Under this bill, once the allegations are made, the Commission can subpena someone from San Francisco to appear before the Commission to testify.

There is no provision in this law which would require the Commission to furnish the individual accused the allegation or furnish him with any evidence received in support of it, and here is what you run into: Not long ago in Texas we had a man who was regional director of NLRB. Someone made an allegation to his superiors that he was a Communist. It so happened that the same allegation had been made several years before to the Dies committee and I had investigated it and found it to be groundless; nevertheless, the allegation was again made, and we had a hearing. I was not in Congress, but I represented him, volunteered without pay to represent him because he was an innocent man.

The Government refused to give us a bill of particulars; they refused to state who said he was a Communist. We met in star chamber proceedings in Fort Worth, and there were six Government agents out of Washington who sat there

and said to us: "All that we can tell you is that this man has been charged with being a Communist. The burden of proof is now upon you to establish his innocence." And we had to proceed from that sort of statement.

Nothing could be more dangerous than this bill, because you can bring people in from all over the United States. Does not the gentleman think the allegation ought to be in writing, ought to be sworn to? Does not the gentleman believe that the individual or the company that is accused ought to be furnished with a bill of particulars in advance of the hearings so that he can be in a position to testify with respect to the matter? Would the gentleman object to an amendment providing that?

Mr. KEATING. I will say this to the gentleman: that I apprehend that amendments will be offered and when that stage is reached I will be very glad to consider any amendment on its merits.

Mr. DIES. Let me ask the gentleman—I want the gentleman to consider it because if the proponents of this bill are sincere, and I know they are, in believing that they should do something about this subject, they certainly ought not to come in with a dictatorial measure, a dangerous measure which can do far more harm than it can do good. Take the question of voting rights: As I said a few moments ago, we discovered that there were several million, some people estimated the number as high as 6 million, people in this country who are voting illegally, enough to affect the balance of power in some areas.

If you are going to investigate the deprivation of voting rights, why should you not investigate people who are voting illegally and depriving me of the effect of my vote? If I am voting legally and someone else votes illegally then the effect is to deprive me of my vote. Does not the gentleman think the Commission should investigate that matter?

That brings the application of this bill to New York, Chicago, and certain other places. Let us see if this bill can be broadened so that it will actually apply to the practical situations all over the United States, in other sections as well as the South.

Mr. KEATING. This bill is nationwide in its terms.

Mr. DIES. All right, let us make it nationwide.

Mr. KEATING. When we get to the amendment stage and the gentleman's amendment is offered I assure the gentleman I will give it every consideration on the merits, as far as I am concerned.

Mr. DIES. Will the gentleman tell the House what is meant by the phrase "unwarranted economic pressure" and "about to engage in an attempt"? That is language which this committee has incorporated in the bill.

Mr. KEATING. I might say to the gentleman that that language is common in jurisprudence. It is often used.

Mr. DIES. "About to engage in an attempt"?

Mr. KEATING. It does no good to bring an injunction case after the harm has been done, after the horse has been stolen.

The purpose of that language is to provide that when injury is threatened the Attorney General may bring an action. An individual now may bring an action where injury is threatened.

Mr. DIES. Can the gentleman give me one hypothetical case in which this would be applicable? Can the gentleman think of one—"about to engage in an attempt"?

Mr. KEATING. Yes. If a group of election inspectors sat down and decided that next week, in order to deprive citizens of the right to vote on grounds of race or color, they would put into effect a rule that in order for applicants to qualify to vote they would have to pass an educational test and among other things would have to say how many bubbles there were in a cake of soap.

Mr. DIES. The gentleman is talking about a conspiracy.

Mr. KEATING. I want to answer the gentleman. That would be the type of thing that could be enjoined, in my judgment, in advance. It would do no good if it were not possible to enjoin improper action in advance. I am talking now about conspiracy because that is the only situation where this section would apply.

Mr. DIES. Conspiracy is a well-known offense in jurisprudence. It is defined, it has been interpreted. Would the gentleman object to the substitution of the words "has conspired" rather than "is about to engage"?

Mr. KEATING. Has conspired or is about to conspire.

Mr. DIES. No; not about to conspire or is about to conspire.

Mr. KEATING. Is about to conspire to deprive someone of rights.

Mr. DIES. I appreciate the gentleman's attempt to answer the questions. It is a difficult task.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Indiana.

Mr. HALLECK. I have the bill before me and I do not find any language where it says or uses the words "about to engage in an attempt." About to engage in an actual practice.

Mr. DIES. Has the gentleman read the bill?

Mr. HALLECK. Yes.

Mr. DIES. If the gentleman will read the bill he will discover it also uses the phraseology "about to engage in an attempt."

Mr. KEATING. If the gentleman from Texas will read the bill, he will find there is nothing in the bill of that sort.

Mr. DIES. The gentleman knows this bill by heart.

Mr. KEATING. But I may say to the gentleman from Indiana, when you read the bill in connection with existing sections 1, 2, and 3 to which it applies, in existing law it covers attempts. So, when you read these words "has engaged or is about to engage," it is open to the interpretation of being about to engage in an attempt.

The point I make is there is no need of an individual or the Attorney General or anyone else stepping into a situation after the harm has been done and unless we give him the authority to step in before the injury is practiced upon the individual, we are destroying an essential part of this legislation.

Mr. TUMULTY. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from New Jersey.

Mr. TUMULTY. Turning to paragraph 4, page 24, I am interested in what restraints there are upon the Attorney General in exercising his duties under this paragraph and what provisions there are to protect the civil liberties of those wrongly affected by paragraph 4. Does the Attorney General, when he decides to exercise the duty he has under this procedure, have to have before him a factual situation, either in affidavit form or in some other form, or does he simply look at the person and say: "That fat guy out there looks like he is going to break the law, and right before election we will bring him in." Now what happens to my liberty after he brings me to the dock and makes some sort of a charge of that kind against me? What restrains the Attorney General, in other words, from abusing his office, because we know even an Attorney General can be loose with his charges.

Mr. KEATING. There is the power of impeachment which the Congress has over the Attorney General. He would proceed under section 4 in the same way he does in any case of alleged violation of law. He would have before him some facts before he proceeded, naturally.

Mr. TUMULTY. I do not want to consume too much of your time, but what I am trying to find out is this. As I read the section, the Attorney General alone can determine when a person is about to do something. You could not impeach the Attorney General, because he has a sufficient defense. All he has to say is, "Gentlemen, you gave me the authority, and I am administering this law. I looked out the window the other day and I saw "Fatty" TUMULTY walking down the street, and from the way he looked, I knew he was going to engage in something." Many a man has been hit on the head with a pocketbook because a woman erroneously thought he was about to do something which in fact he had no idea of doing. I think there should be a restraint on the Attorney General of some sort, or else Dunninger, the mindreader, be made Attorney General.

Mr. KEATING. The Attorney General, as the law exists now, could look at you coming down the street and could bring an action, perhaps unjustifiably, for violation of any law on the books.

Mr. TUMULTY. I disagree with you.

Mr. KEATING. Under this section, the Attorney General could, of course, bring at any time an action which was not justifiable, and that is the thing that happens any time when a person is haled into court improperly. He obtains an acquittal. That is why we have acquittals sometimes. Now, you have got to rely upon the Attorney General to bring an action only where the merits justify it. And that is true throughout this entire bill as it is under any statute.

Mr. TUMULTY. I must then assume the infallibility of the Attorney General; is that what you are saying?

Mr. KEATING. No. In any criminal prosecution you have to rely on the fact that the Attorney General will bring suit if he feels justified and will not bring suit if he is not justified.

Mr. TUMULTY. I disagree with you, because you can always bring suit for malicious prosecution.

Mr. KEATING. You can bring suit for malicious prosecution here the same as in any other case.

Mr. TUMULTY. No. His defense is perfect.

Mr. KEATING. You do not get any defense under this which he does not have under existing law with relation to the administration of any other statute.

Mr. TUMULTY. I would not want to be running in certain areas in the country with the Attorney General having the unlimited powers he has under this section even though I generally favor civil-rights legislation.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Because it is always difficult to find what position the gentleman from New Jersey takes, which part of the Democratic Party, or what Democratic Party are you representing?

Mr. TUMULTY. My dear man, I am so large I could represent all sections.

Mr. FULTON. I might say to the gentleman from New Jersey that the gap between the front and the back of this Democratic Party is just big enough for you to fill.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. The gentleman from New York stated a moment ago that if the Attorney General abused his discretion under this act he could be impeached. Will the gentleman tell the House whether or not he could be impeached if he were about to engage in an attempt to abuse his power?

Mr. KEATING. The gentleman has misstated what I said, because an abuse of discretion might not rise to the dignity of a state of facts sufficient to form the basis for impeachment. The Attorney General could be impeached for any action under this section just exactly the same as he could for any action under any other section in the performance of his duty. That is all I said.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from North Carolina.

Mr. JONAS. Turning to page 21, section 103, I would like to pursue the question submitted to the gentleman by the gentleman from Texas with respect to unwarranted economic pressure. The gentleman will remember that the gentleman from New York [Mr. CELLER], who preceded him, gave some illustrations to the gentleman from Texas of what might be economic pressures as referred to in this section. Among those illustrations was one of foreclosure of a mortgage, the inference being that certain holders of mortgages might foreclose those mortgages in order to use unwarranted economic pressures against individuals. In view of that situation, does not the gentleman from New York think the suggestion of the gentleman from Texas ought to receive real serious and grave consideration, namely, that that section should be changed to require allegations to be made in writing and under oath? Otherwise, are you not inviting a great many people who owe money to holders of mortgages to advance fictitious claims or unwarranted allegations that they are being oppressed by the threat of foreclosure?

Mr. KEATING. I will say to the gentleman from North Carolina that I always accord careful consideration to any amendment offered by the gentleman from Texas [Mr. DIES]. I simply meant that until I understood the full implication of it and exactly the way it was worded, I did not want to foreclose myself in advance. I can think of many objections to including the word "sworn."

I do not want to get into that argument now, because it seems to me that we are now considering in general the merits of this proposed legislation. If you require these allegations all be sworn, it means that every poor fellow that has something he wants to complain about must go to a notary public, perhaps at some distant point and swear to those allegations before he can present them to the Commission. I called the attention of the gentleman from Texas to the fact that even if the allegation is not sworn to, what it means here is that it is being presented to this Commission for investigation. It does not mean that one thing beyond that will happen because the Commission has no legislative authority. But I do not think we ought to debate the merits of that until we consider the bill under the five-minute rule and if the gentleman will offer that amendment I shall give it serious consideration and at that time try to present my position on it.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. DIES. May I ask the gentleman about another amendment that I have in mind. I want the gentleman to look at page 26 where it says:

> No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten or coerce any other person—

What I should like to do is insert the words "deceive or mislead," because it occurs to me that it is just as reprehensible to deceive someone or mislead someone as it is to intimidate or coerce someone. I think you would reach a number of situations that are not covered by the bill if you would insert those two words. Would the gentleman object to that?

Mr. KEATING. I think you would reach a number of situations not covered by the bill if you included the word "deceive." Some of the Members of the gentleman's party may be trying to go after Members of my party or vice versa, on the theory that they deceived them or that we are deceiving the people. I do not think that is what this is intended to cover.

Mr. DIES. This only says on account of color or race. That would not apply to a political party as the gentleman would see if he will read the language.

Mr. KEATING. I shall be very glad to consider that seriously, as I shall the gentleman's other amendment, when we come to the amendment stage.

Mr. DIES. Would the gentleman consider just one other amendment I have in mind? In the event that an allegation is made and John Doe is brought from San Francisco to Washington to testify, does not the gentleman believe it ought to be made very clear that John Doe will be reimbursed for all of his traveling expenses?

Mr. KEATING. The gentleman means to testify before the Commission?

Mr. DIES. Before the Commission, yes. There is no provision here for costs that I can find.

Mr. KEATING. The gentleman means the cost to the witness?

Mr. DIES. The witness' costs, yes.

Mr. KEATING. In other words, if a witness is brought here from outside and required to testify?

Mr. DIES. He ought to be paid his necessary traveling and other expenses. And does not the gentleman believe that if a suit is brought by the Attorney General and the defendant prevails, the Government of the United States should reimburse the defendant for his reasonable attorney's fees?

Mr. KEATING. As to both these amendments, I think we should discuss them when we reach the amendment stage of the bill. I think the gentleman from Texas [Mr. DIES] has performed a service in giving us advance information about these amendments which we can consider when we reach the amendment stage.

Mr. DIES. Would the gentleman also consider, in the course of his overall consideration, another amendment which I may offer, to add to the duty of the Commission not only to investigate and study civil rights, but the rights reserved to the States and the people? The gentleman sees what I mean. In other words, an American has many rights. He has civil rights guaranteed to him by the Bill of Rights. He also has other sacred rights which were reserved to him by the Constitution. If you are going to make a study and investigation of the invasion of rights and the violation of rights and the legal and ethical developments which restrict those rights, should you not include the rights that every citizen regardless of race or color has? They were reserved to him by the Constitution of the United States.

Mr. KEATING. If that amendment is germane to the bill, I will be very glad to consider it when it comes up.

Mr. DIES. I appreciate the gentleman's attitude.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Illinois.

Mr. BOYLE. I was thrilled at the courageous and undaunted effort the gentleman from Texas [Mr. DIES] put forth in defense of his philosophy and his attitude toward this legislation. However, I want to apprise him of that fact in order that I might ask his position as to whether he would vote for the

bill if we do put in a couple of his several amendments.

Mr. DIES. I do not mind answering the gentleman. I would not vote for this bill, because I think it is clearly un-American and that it is a violation of the Bill of Rights of the American people.

Mr. DORN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. DORN of South Carolina. I thank the gentleman from New York for his efforts here to explain this bill, being so kind to so many of us. I think the gentleman from New Jersey [Mr. TUMULTY] did raise a very important point that I think was not entirely clarified, and I hope the gentleman will clarify it. When he asked this question, what the gentleman from New Jersey was trying to get at was this: He wanted to know what happens to a man who has been accused of participating in an attempt or being about to attempt to coerce someone. What happens to his civil rights if he is subpenaed about election time and he misses his opportunity or privilege to vote? The gentleman raised a good point. What happens to a man's civil rights if he is participating in an "about to attempt"?

Mr. KEATING. The civil rights of every citizen in this country are protected under this bill. If the civil rights of the gentleman from New Jersey were affected adversely by it on the grounds set forth in the bill, he would have the same remedy as anyone else.

Mr. DORN of South Carolina. If he missed his opportunity to vote on election day, if they subpenaed him from New Jersey to Washington or from New Jersey to Chicago, I do not think there would be anything in the world he could get for missing it.

Mr. KEATING. The gentleman from New Jersey would not be subject to subpena unless the House gave permission for that, so the gentleman from New Jersey does not have anything to worry about.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. WILLIAMS of Mississippi. As the gentleman knows, this bill goes much further than the subject of racial discrimination or intimidation against Negroes with regard to their attempting to exercise their franchise.

On page 26, subsection (b), there is this language:

> No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

I know that when the gentleman's administration is in power, if these matters are handled according to custom, he is called upon on occasion to recommend suitable persons to serve as postmasters and rural carriers in his district. I know also that if the gentleman does the same thing that the rest of us do during our campaigns, he tells his friends and his people that the best qualified man is going to receive the appointment, and that one of the qualifications is that he be a friend of the incumbent who is running for reelection. Under this bill, when you tell your people that you are just going to appoint your friends in a campaign, are you not subject to action under this section because you are engaging in an attempt to threaten or to coerce in your case, it would be the Democrats, to vote against the way that that person may choose to vote?

Mr. KEATING. I will say to the gentleman that I have never in any campaign said what the gentleman has indicated.

Mr. WILLIAMS of Mississippi. Well, then the gentleman is one in a million.

Mr. KEATING. I will say to the gentleman he need have no fear that if he said that he would be subject to the terms of section (b).

Mr. WILLIAMS of Mississippi. Being one of my friends is one of the qualifications so far as I am concerned for anybody who is going to get any of the gravy.

Mr. KEATING. I can understand, and I realize that campaigning takes place differently in different parts of the country. It so happens I have not been confronted with that particular problem.

Mr. WILLIAMS of Mississippi. Assume that I might have said that.

Mr. KEATING. I do not think the gentleman has a thing to fear.

Mr. WILLIAMS of Mississippi. That would not constitute a violation of this subsection (b)?

Mr. KEATING. No, not in my judgment.

Mr. WILLIAMS of Mississippi. That would not be an attempt to coerce people into voting in any way other than the way that they may choose?

Mr. KEATING. In my judgment, it will not fall under the provisions of this section (b).

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. ANDREWS. I enjoyed the discussion between the gentleman from New York and the gentleman from Texas and was glad to learn that the gentleman from New York will give due consideration to the amendments which the gentleman from Texas plans to offer. I wonder if the gentleman would consider an amendment charging the commission with the duty of investigating whether or not the rights of the separate States of this Union have been violated. Many people in this country feel that the rights of the States have been disregarded and destroyed by the courts of this Nation and by the Federal Government.

Mr. KEATING. That was one of the amendments suggested by the gentleman from Texas. My reply to him was that if that is germane to this bill, which I would be inclined to doubt, then I would be very happy to consider that amendment on its merits when it came up.

Mr. MURRAY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. MURRAY of Illinois. I support this legislation, but the gentleman from New Jersey did raise the question in my mind as to the wording of the legislation insofar as arbitrary action by the Attorney General is concerned—not to suggest that the Attorney General is guilty of arbitrary action. You stated a citizen would have the same rights against the Attorney General for a capricious action as a citizen has against any law enforcement officer.

Mr. KEATING. May I correct the gentleman. I said that he would have the same rights against the Attorney General under this section that he would have against him in his administration of any other section.

Mr. MURRAY of Illinois. That is correct and at the present time in the Attorney General's administration of the other sections an individual has no right against any Federal officer including the Attorney General. Is that not correct?

Mr. KEATING. I believe the law would be that he could only hold the Attorney General if he had acted maliciously in some respect.

Mr. MURRAY of Illinois. Is it not true that he would not have a personal action against the Attorney General, even if the Attorney General acted maliciously and for that matter knowingly used perjured testimony against him in a civil rights action.

The point I want to bring out is this, Do you not feel that this legislation would present a stricter guide to the exercise of discretion delegated to the Attorney General if it included the words "whenever the Attorney General finds"? So at least you would have compulsion on the Attorney General to make findings of fact that persons are engaged in or are about to engage in a violation of a person's civil rights, before he is entitled to bring a temporary injunction.

Mr. KEATING. Well, he has to find that now. He would not be entitled to bring proceedings unless he made such a finding.

Mr. MURRAY of Illinois. Is it the interpretation of this law that he is required to make such finding? Because if that interpretation is correct, I certainly concur in your views on the legislation.

Mr. KEATING. The Attorney General can never proceed, in my judgment, unless he finds there is basis for proceeding. I do not believe it would add anything to put those words in the section. That is my impression offhand. I did say I would yield only to three other Members. There are other speakers who want to be heard. I fear if I yield again to others I will not get through, so I will decline, if I may.

Mr. ABERNETHY. Will the gentleman just yield for a question?

Mr. KEATING. The gentleman is so engaging that I will have to yield to him.

Mr. ABERNETHY. I thank the gentleman. I understood the gentleman, when he spoke on the rule, to say that this was the Eisenhower bill. Is it not true that the subcommittee conducted hearings on another bill and reported on another bill and that neither the subcommittee nor the full committee ever had heard of, or studied this bill until the gentleman submitted it as a substitute for the Celler bill before the full committee?

Mr. KEATING. No, that is not accurate.

Mr. ABERNETHY. Well, what is accurate? This bill was not in existence when the hearings were conducted by the subcommittee.

Mr. KEATING. The Attorney General appeared before the full committee and made a presentation which is set forth in the hearings. We have printed hearings on that. He set forth there that he supported this bill and testified before the full committee and answered questions.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. KEATING. Mr. Chairman, I yield myself 7 additional minutes.

I would like to deal with some of the points made by those filing dissenting views, because they are sincere. They have performed a service by presenting those views. Many Members have read them and perhaps are troubled by the points they have raised.

While I feel that the presentation of these dissenting views is desirable, I must say that I take issue with all of the major points made in these dissents. I disavow the arguments based on principle and policy, as well as those grounded on constitutional law.

It is simply not true that the existing civil rights statutes meet today's problems squarely, either by virtue of their number or their punitive nature. It is not true that the Department of Justice has been or will be swamped with the investigation of groundless complaints. It is silly to suggest that our national security has been imperiled by any such burden in the past. There is simply no evidence to support any such assertion.

The dissenters advance a novel proposition when they attempt to weigh the merit of this legislation by enumerating the public officials and others who failed to appear and testify before the committee one way or the other, and when they seek to rule out certain of the arguments heard by our committee on the ground that they would not be admissible as evidence in court. The fact that former Attorney General Clark, who is referred to in the dissenting views, had doubts about an entirely different legislative proposal back in the 81st Congress—if indeed that is what the quoted excerpts from his testimony suggest—leaves me mystified as to its bearing on the present bill.

Nor am I any more moved by the reckless and extravagant general attacks on the Supreme Court in the context of this argument—than anywhere else. Violently as we may disagree, and I have often disagreed with particular decisions of the Supreme Court, let us never forget that this Court as an institution is the last bulwark of protection of the individual lives and liberties of the humblest citizen in our land.

It is urged that investigation by this proposed new Commission would be unconstitutional as being directed into areas where the Federal Government has no responsibility, and the case of Hodges against the United States is cited as applicable to this proposition.

In the first place, this Commission will have only investigative powers not affecting the rights of any individual; so it is very hard to see how any constitutional question could be raised by its work.

In the second place, the right to vote has been expressly recognized as a matter directly related to the operation of the Federal Government and, therefore, squarely within the protective powers of the legislative and executive branches of the National Government. No one reading the authorities collected on pages 9, 10, and 11 of the majority report could entertain the slightest doubt about this.

Even if a court should hold that allegations of economic pressure represent an area where the Commission would have no jurisdiction, as I do not agree that they do, even that would not invalidate the statute setting up the Commission.

The discussion by the dissenters of part IV and its effects on the right to vote overlooks a distinction which has been clearly observed by the Supreme Court every time that tribunal has considered the constitutional aspects of the franchise. No one has ever questioned what the Court held in this case of Minor against Happerset, which is set forth in the dissenters' opinion, that each State could prescribe its own qualifications not conflicting with the 14th and 15th amendments as to who might be entitled to make use of the franchise in its own jurisdiction.

This is not the issue in part IV of the present bill. The present language specifies that all citizens "who are otherwise qualified by law"—I underline those words—who are otherwise qualified by law, shall be entitled to vote without any distinction based on race.

This has nothing to do with the power of the State to prescribe qualifications. It only says that those who meet the standards set up by the State shall enjoy their rights as individuals, one and all alike.

The implementing language then goes on to create a right in the Attorney General to seek an injunction or other civil relief against individuals who threaten to deprive voters of this right. This raises no constitutional questions whatsoever and is absolutely in line with the numerous authorities cited in the report.

Therefore, while I reaffirm most vigorously—I wish I could say it with more sincerity than I am capable of because of the respect I hold for my colleagues—I reaffirm every right of my colleagues to dissent, and welcome the expression of the views of those who differ on this important legislation, I am certainly unmoved by the merit of their arguments or the weight of their authorities. I hope their views do not prevail in these deliberations. I appeal to the members to pierce the thin veil cloaking these arguments and reject them.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. DIES. Will not the gentleman take more time? I have a very important question I wish to ask him.

Mr. KEATING. Mr. Chairman, I yield myself 2 additional minutes.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. DIES. I want to call the gentleman's attention to something I know something about, and that is in subparagraph (b) on page 22, which authorizes the commission to accept and utilize the services of volunteer and uncompensated personnel. That is the most dangerous provision that could be put in any bill. When a congressional committee or a commission is authorized to let volunteer groups come in and influence the course of the investigation, then the commission or the committee may become the instrumentality of some special interest or someone who has an axe to grind. I hope the gentleman will strike that provision from this bill.

Mr. KEATING. Well, I am not inclined to favor an amendment to strike it from the bill because it can be very helpful to the work of this Commission to have others who are interested in this problem volunteer their services. They are not being paid for them. They are only paid a per diem allowance for subsistence. I have complete confidence in the men who will be appointed by the President to act on the Commission, that they will only be interested in the facts and will only employ those who have a sincere and dedicated interest in this field.

Mr. DIES. It is true that you pay them $12 a day, but the point is you will find out that the people by and large who come to the Commission will be prejudiced groups who have an axe to grind. The effectiveness of the Commission will be destroyed. You have in this country certain groups that have extreme views of certain questions and any time any committee lets such a group take over or work with it it will destroy the investigation.

Mr. KEATING. I feel the Commission will not allow them to take over and that they will only recognize those who, they feel, can render a valuable service.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. SMITH].

Mr. SMITH of Mississippi. Mr. Chairman, I could talk at length of the very real dangers to our true civil liberties and personal freedoms involved in this so-called civil rights bill, but I will confine my remarks to some of the major inconsistencies involved in the bill.

I hope the Congress will not accept this dangerous precedent but will reject this irresponsible legislation.

IS THERE A NEED FOR CIVIL RIGHTS LEGISLATION?

On page 5 of the majority report on the proposed civil rights legislation is found the following:

The purpose of this legislation is clear. It is to make more certain that rights guaranteed by the Constitution and the laws of the United States will be enjoyed by all, regardless of race, creed, color, or national origin. It is directed at no particular section of America.

Despite the high-sounding phrases embodied in the official statements issued in support of the proposed legislation, it is, unfortunately, all too true that the purpose of the legislation is clearly to the contrary. No section of America has been singled out with such clarity as has the South in this piece of political catchall.

There is no need for new civil rights legislation. Already upon the statute books are numerous protective enactments in the field. In fact, this is one of the larger sections of the United States Code. A list of only some of the civil rights statutes includes the following:

1. Every person deprived of his rights under the Constitution and laws, under color of any law, is given a civil remedy against the person committing the injury. (Rev. Stats., sec. 1979, title 42, ch. 21 sec. 1983.)
2. No person to be excluded from jury service on account of race or color, and any person charged with the duty of selection of jurors who so discriminate shall be subject to court action. (Title 18, sec. 243.)
3. Relief against persons conspiring to interfere with individual civil liberties, covering every imaginable conspiracy in the civil rights field. (Rev. Stats., sec. 1980, title 42, ch. 21, sec. 1985.)
4. Civil action provided for against any person who, having knowledge of any wrong conspired to be done or about to be done, who neglects to prevent the same, this right of action extended to legal representatives of any killed through such conspiracy. (Rev. Stats., sec. 1981, title 42, ch. 21, sec. 1986.)
5. Jurisdiction of Federal District courts of matters set out in civil and criminal civil liberties statutes. (Rev. Stats., sec. 722, title 8, sec. 492.)
6. Marshals and deputies required, under penalty of fine when action by aggrieved party brought, to issue all processes required, payment for officer's services in such cases. (Title 42, ch. 21, sec. 1991–2.)
7. President empowered to direct judges, marshals, and district attorneys to conduct speedy trials in relation to alleged violations of civil liberties (Rev. Stats., sec. 1988, title 42, ch. 21, sec. 1992), and to employ the land or naval forces or militia to aid in the execution of judicial processes.)

The chief Federal law enforcement agency, and, it follows, the agency most directly concerned with the civil liberties violations, the FBI, did not recommend this new legislation; the Attorneys General of the various States have not requested such. There has been no showing of any law enforcement agency, National or State, other than the Attorney General, Herbert Brownell, who came at the direction of President Eisenhower, requesting anything new in this field.

It is stated—page 5, majority report—that failure to enact this legislation would be an unjust imposition of Federal duties on the overworked State and local law-enforcement officials. It is strangely significant that we have not heard from the local law-enforcement agencies as to this need.

Without giving any clear reason, or citing specific cases that call for this, the proposal presupposes a mass violation of civil liberties and offers a far-reaching solution. There is no need for such.

POWERS GRANTED THE ATTORNEY GENERAL

The bill grants to the Attorney General discretionary power never before considered. The important enforcement authorities, as reported in the bill, granted to the Attorney General are:

1. He may apply to the Federal court for an order requiring recalcitrant witnesses to obey a subpena of, or produce evidence for, the temporary Commission on Civil Rights (sec. 104).
2. He may institute civil or other action to enforce the provisions of the civil liberties statutes for the United States or on behalf of individuals. This allows him to institute civil actions or other proceedings for redress, preventive relief, temporary injunction, restrictive order "or other order", and recover damages "or other relief" for the party in interest. This he may do without the consent of the party involved, and it could also be without his knowledge. There is no requirement that he exhaust the administrative remedies or other remedies of the various States. (pt. 3 of the bill.)
3. He may institute civil or other actions, for the United States or in behalf of an individual, for the redress or preventive relief in connection with selection of candidates or the election of Federal officers.

This is, of course, the crux of the bill. This is the reason for requesting an additional Assistant Attorney General. It is actually putting great judicial power in the Attorney General's hand.

It has been suggested that the proposed authorization, while it may afford an opportunity to the Attorney General to exercise discretion, does not argue necessarily that an independent judiciary will issue an injunction or mandatory order merely on the basis of whim, or assume jurisdiction in a case presenting no justiciable issue. It is also contended that this section merely provides a new remedy to secure the rights presently protected by the statutes. The majority report states that this section is not intended to expand the rights presently protected but will add "flexibility" to the present Federal protection. The latter statement is a nice sounding play on words, which actually means what it does not say.

As to the wise or unwise use of the Attorney General's discretion, it does not suffice to say that the courts will not allow a misuse of this right. This merely rationalizes but doesn't justify, the grant of power. The courts may be more temporate and require some substantial evidence before they grant any kind of order, but this does not mean that the Attorney General or his representative couldn't instigate the action in the first place. The mere bringing of a suit, whether it is successfully prosecuted or not, is harassment to the defendant. Even if it could be assumed that this power will not be abused, it would still exist.

It does not take too much thought to see that commands to appear either as a defendant in a suit brought by the United States in the name of an alleged aggrieved person or as a witness before the proposed Civil Rights Commission upon information supplied by some of the "unpaid" assistants which the Commission is empowered to use could be as effective as a court order.

We are told that this will not be abused, that the Attorney General and the Commission will not engage in a witch hunt. But if it is abused just once, it is abused far too much, and so long as it is on the statute books, the possibility of its abuse is too threatening to be considered as merely adding flexibility to the civil-rights laws. The continued effort by supporters of this legislation to give assurance that there will be a calm and judicious use of this discretionary power only serves to show that there is need for concern. If we are to believe that this power will not be used, then why the need for it?

One of the important grants would allow the Attorney General or his designee to bring extraordinary action against persons whom he thinks are "about to" engage in the prohibited activities. There are no explanations as to how the Attorney General will determine that a person, or persons, are "about to" conspire or commit a prohibited act. What sort of evidence will the courts require from him when he requests a cessation of some act that a person is "about to" do?

The question is not as facetious as it might sound, nor is it too much to say that this borders dangerously on the area of thought control. There has not been too much comment on this section of the bill, but section 121, second paragraph, clearly contains such a provision. There is a world of difference in the right one has to the protection of his person and property and giving a third person the right to bring an action against someone whom, he thinks, might infringe upon the rights of another.

Where will the Attorney General get his evidence for those who are about to engage in prohibited activities? One way might be to have his paid-by-tax-money attorneys go about the country, that is, the South, investigating what people plan to do. Another way would be to utilize the services of the organizations listed in the report on the bill—such as the NAACP—who are thoroughly familiar with certain alleged phases of investigation. At any rate, it is not a pretty picture to contemplate; legislation that could ultimately violate more rights than is alleged it is intended to protect. The bill is an uncalled for abdication of our real civil liberties to political expediency.

CONSTITUTIONALITY OF CIVIL RIGHTS LEGISLATION

Part III of the proposed bill amends section 1890 of the Revised Statutes. This statute was part of the civil rights legislation passed shortly after the war for southern independence has ended. It has never been directly tested for its constitutionality, but many of its companion sections have been struck down. It was quickly settled that these statutes, passed pursuant to the 14th amendment, were invalid where they sought to project the Federal Government in private

civil suits—*Civil Rights cases* (109 U. S. 3 (1883)). Speaking in regard to section 1 of the 14th amendment, Mr. Justice Bradley, in rendering the opinion, stated:

> It is State action of a particular character that is prohibited. Individual invasion of individual rights is not the subject matter of the amendment. * * * It does not authorize Congress to create a code of municipal law for the regulation of private rights; but to provide modes of redress against the operation of State laws, and the action of State officers, executive or judicial, when these are subversive of the fundamental rights specified in the amendment * * *
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> * * * The wrongful act of an individual, unsupported by any such (State) authority, is simply a private wrong, or a crime of that individual; an invasion of the rights of the injured party, it is true, whether they affect his person, his property, or his reputation; but if not sanctioned in some way by the State, or not done under State authority, his rights remain in full force, and may presumably be vindicated by resort to the laws of the State for redress. An individual cannot deprive a man of his right to vote, to hold property, to buy and sell, to sue in the courts, or to be a witness or a juror; he may, by force or fraud, interfere with the enjoyment of the right in a particular case; he may commit an assault against the person, or commit murder, or use ruffian violence at the polls, or slander the good name of a fellow citizen; but unless protected in these wrongful acts by some shield of State law or State authority, he cannot destroy or injure the right; he will only render himself amenable to satisfaction or punishment; and amenable therefor to the laws of the State where the wrongful acts are committed * * * (id., p. 17).

This rule still stands as is indicated in *Shelley* v. *Kraemer* (334 U. S. 1 (1948)), where the opinion states:

> Since the decision of this Court in the civil rights cases * * * the principle has become firmly embedded in our constitutional law that the action prohibited by the first section of the 14th amendment is only such action as may fairly be said to be that of the States. That amendment erects no shield against merely private conduct, however discriminatory or wrongful.

Distinctions have been drawn between those rights a person has based on the Constitution and the Federal Government and those rights which are derived from the States. The national rights are limited in nature, whereas the State-derived rights of a citizen are far more broad. The Supreme Court has held that, so far, only the following are considered national rights, which have been distilled from the construction of the criminal counterpart of the civil liberty conspiracy statute:

1. Right to vote in a Federal election. (*Ex parte Yarbrough.*)
2. Right of a homesteader to remain on land to perfect title under the Homestead Act. (*U. S.* v. *Waddell.*)
3. Right to be free from violence while in custody of United States marshal. (*Logan* v. *U. S.*)
4. Right of a citizen to inform the United States authorities of a violation of Federal law. (In re Quarles.)
5. Right to move freely from State to State. (*Crandall* v. *Nevada.*)
6. Right of assembly to petition Congress. (*U. S.* v. *Cruikshank.*)
7. Right of citizen to resort to Federal court. (*Terral* v. *Burke, Commissioner*).
8. Possible right to discuss national legislation and the benefits thereof.

The area and bases of plenary congressional power to legislate on the subject of civil rights are limited largely to the selection of candidates and the election of Federal officers, and to the government of the territories, possessions, and the District of Columbia. Aside from areas and bases such as these, the civil rights cases still stand for the proposition that Congress lacks constitutional power to legislate with respect to the action of individuals. That power, under the 10th amendment, was reserved to the States.

How does the act violate these principles? It authorizes a special Commission to conduct investigations under rules in which the Attorney General can intercede, where there is contumacy of witness. Unless the civil rights cases are overruled or modified, the authority of the Commission to investigate social developments constituting a denial of equal protection of the laws under the Constitution by use of compulsory process is more than doubtful. There must be a basis for jurisdiction as well as pertinence in order to apply compulsion under congressional investigatory precedents—United States against Rumely. The bill authorizes intercession by the Attorney General whenever there is a belief that "any right or privilege of a citizen of the United States" is being violated. This means more than just national rights or privileges. It is a most dangerous situation where Congress has enacted a broad, ambiguous phrase, which, if literally applied, will extend the Federal power to an area in which it was never legitimately supposed to operate.

We will solve no problems if this bill is enacted into law, but we will merely create new ones. It will protect no civil liberties, but it will greatly endanger basic individual freedoms which are an inherent part of our constitutional system.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. WINSTEAD].

Mr. WINSTEAD. Mr. Chairman, I rise in unqualified opposition to this infamous bill now under consideration. Never, during my 14 years in the House, have I seen a more vindictive, a more unnecessary, a more politically inspired or a more unconstitutional bill reach this floor for action.

Each member of this body is familiar with the cancerous inroads that recent decisions of the United States Supreme Court have made on States rights. You are aware that recent decisions of that Court have seriously threatened the very foundations of our laws designed to provide national security against the Communist threat.

Those of us interested in our national security and in seeing our States retain their sovereign identity, as arbiters of their domestic affairs, recognize the necessity of checking the United States Supreme Court before it erases the last vestige of States rights and completely nullifies the laws passed to curb the Communist threat to our national security. At a time when we should, in my opinion, be considering legislation to effect this end, we are acting on legislation which would enable the executive branch of our Government to join with our left-wing Supreme Court in a two-pronged attack on States rights.

Sponsors of this legislation do not disguise the fact that this legislation is intended to implement the recent Supreme Court decisions in the school segregation cases. What they would like to do, no doubt, is to put the label of legitimacy on the "legislation enacted" by the Supreme Court.

This is a bill to subvert the independence of the sovereign States of this Union. The movement against the independence of the States has grown in frightening proportions in the last 20 years. Power is becoming centralized in Washington to an ever greater degree; but I had always hoped that no matter what was done by the executive branch, or by the courts, there would always be one bulwark of the rights of the sovereign States.

Mr. Chairman, my colleagues and I are here as the representatives of the people of the several States. Are we to consider legislation that would seek to destroy those very States from which we are sent? It is true that in the past the Congress has on occasion passed legislation that undermined the power of the States, but it was always done on at least the plausible excuse that the particular subject required Federal action.

Some of us have always protested at these dangerous precedents. We knew that usurpations always begin under good pretexts. But with this bill there is not even a pretext. It is a bill to take authority away from the States and transfer it to the Federal Government for no other reason than a preference for Federal action. Certain minority organizations want to have all such civil rights cases heard under shadow of Supreme Court "legislation" rather than under State laws.

That is no exaggeration. Every time I examine this bill, I am more amazed at the flagrant violation of our soundest constitutional principles that this bill proposes. It grants new powers to the Federal Government—powers that only a constitutional amendment could grant—and it takes powers from the States in a manner that is a direct antithesis of our cherished Federal principle.

Mr. Chairman, you may think that it cannot be so. That no bill so patently unconstitutional, no bill so directly contrary to our great traditions could be reported to the floor of this House. Everyone knows this legislation was politically inspired. Any examination of this bill will show that it is not a bill to protect civil rights but instead a bill to undermine the constitutional principles on which our civil rights are based.

Mr. Chairman, the motives of the supporters of H. R. 627 are well known. Let us hope they know not what they do, and that a frank examination of the character of this bill will convince them to withdraw their support before a grievous blow has been struck at the

foundations of our system of Government.

Our system of Government is a constitutional one in which there is a counterbalance of State sovereignty within a Federal Nation. It should not be necessary to explain what these terms mean, but when legislation such as this is proposed it is necessary to revert to fundamental principles. Our Constitution is a compact among the several States delegating some of their powers to a Central Government but retaining all powers not granted to that Government to themselves and to the people. The Federal Government, neither executive, judiciary, nor legislative, can exercise any power not granted to it by our fundamental charter. The words of the 10th Amendment of our Constitution must never be forgotten:

> The powers not delegated to the United States by the Constitution, nor prohibited to it by the States, are reserved to the States respectively, or to the people.

That amendment is not in the Constitution without reason. Our forefathers who framed the Constitution knew the dangers of governmental tyranny and they knew its source. It comes from too much concentration of governmental powers in a centralized system—hence, they knew that liberty was to be secured not by adding powers to government but by removing power from it. A centralized system alone cannot cope with problems on a local level without destroying the basic rights of its citizens to manage their own affairs. The 10th amendment is the safeguard against such action.

This bill is supposed to be in favor of civil rights yet its effect is the very opposite. It adds power to government while rights are secured by removing powers from government.

Before I examine the details of this bill to support my argument, let me recapitulate the vital points.

Among other things, this bill provides for the establishment of a Government Commission on Civil Rights to be composed of 6 members, appointed by the President, with no more than 3 members from the same political party.

One of the duties of this Commission would be to "investigate the allegations that certain citizens of this country are being deprived of their right to vote or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin." Nowhere in this bill are the terms "allegations," "unwarranted economic pressures," or "national origin" defined. Just what is meant by "allegations"? What is meant by "economic pressures"? How can national origin be determined exclusive of the first generation immigrants? Would it have the authority to investigate a fight between a Methodist and a Baptist on election day? Or between an Indian and a Negro because the Indian alleges the Negro kept him from getting a bank loan? It can readily be seen how this section could be used as the basis for all types of ridiculous charges.

This bill also provides that the Commission shall "study and collect information concerning economic, social, and legal developments constituting a denial of equal protection of the laws under the Constitution."

The Commission would have authority to hold hearings anywhere in the United States and could compel any person to appear and the officers of any organization to produce their records of membership. It is obvious that this section is intended to provide a weapon for the NAACP, the American Civil Liberties Union, the Americans for Democratic Action and other left wing groups, for the purpose of harassing individuals and organizations who disagree with their views on the recent decisions of the Supreme Court on the school segregation cases.

Another equally obnoxious feature of this bill is a provision which would authorize the Commission to accept and utilize the services of voluntary and uncompensated personnel and pay such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission. Money in the Treasury, not otherwise appropriated, would be used to carry out the provisions of this bill. This provision would enable the NAACP and other groups sympathetic to their cause, while acting under the color of Federal authority, to use Federal funds to finance their travel while searching for alleged violations of this act. This would, in effect, put the Federal Government in the role of financier of a campaign to foment strife between those who hold opposite views on the school segregation question. The amount of money that would be spent in financing the investigation of alleged violations would likely run into millions of dollars. In hearings before the House Judiciary Committee in July 1955, it was brought out that in 1944 alone, the Justice Department received 20,000 complaints of alleged civil-right violations. There is every reason to believe that if this bill is enacted into law, during the first year of operation of this act, many times that number of complaints would be filed with the Commission.

Another section of this bill would enable the Attorney General to institute an injunction suit in the name of the United States for the benefit of a party in interest, whenever any person has engaged in or is about to engage in any act or practice, which would deprive any other person of any right or privilege secured by this Act.

This section would allow the Attorney General to file suit for civil relief for an alleged civil-rights violation, even though the person involved may not want such action filed. This would enable the NAACP and other like groups to cause the Attorney General to institute suit even against the desire of the person for whom the action is filed. This section also provides that in such suits, the Government would pay all court costs. To my knowledge, this is the first time it has been proposed that the Federal Government finance the cost of civil action between individuals.

Our liberties have always been defended by restraints on the Federal Government and by the division of power between the Federal and the State Governments. This bill is antilibertarian because it removes restraints from the Federal Government and seeks to subvert the independence of the State governments.

I could illustrate my point from practically every clause in this so-called civil rights bill. Let us take part 4 first. Its title sounds harmless enough. It is "to provide means for further securing and protecting the right to vote." The right to vote is one of the hallmarks of democracy and it is legitimate to assume that all of us in this Chamber are in favor of it. But that does not give us a right to legislate about it. The franchise is a subject reserved to the States—it has never been delegated to the Federal Government.

Mr. Chairman, all of us in this House are familiar with the Constitution of the United States. I do not need to recite to you the clauses of the Constitution that pertain to elections. The States are prohibited from using certain criteria in drawing up their qualifications for voting, but the only other matter of Federal interest is that all persons allowed to vote for the most numerous branch of the State legislature shall also be allowed to vote in congressional elections.

The right to vote is secured by the constitutions and laws of the several States. The Congress of the United States has no business meddling with a subject reserved to the States. Since the question is not an involved or difficult one, every educated layman is qualified to offer an opinion on the constitutionality of this bill. In this case it is not necessary to do any more than to read the Constitution and compare it with the bill. We can support one or the other, but not both.

Exactly the same objection of unconstitutionality applies to part 3 entitled "to strengthen the civil rights statutes, and for other purposes." Congress is again proposing to legislate about a subject, which no matter what we may think about its merits, is clearly outside its constitutional powers. In this section we are asked to legislate against the denial of civil rights by the action of private persons. This is supposed to be done under the color of the 14th amendment but we have only to read that amendment to see that it provides no authority for such legislation. The 14th amendment is directed against State action denying civil rights—it gives the Congress no authority over the actions of private individuals. I need only add that there is a long history of Supreme Court opinion which holds exactly that.

I have given only half the argument against these two sections of this bill. Not only do these sections attempt to legislate in areas where Congress has no authority to act—they also contain a most noxious precedent that is a direct blow at the authority and independence of the States. Both of these sections provide that the Attorney General may institute civil proceedings on behalf of private persons who may feel that their rights have been infringed—or even are about to be infringed. And worst of all, they provide for removal of such cases to the Federal courts even if State judi-

cial or administrative remedies have not been exhausted.

These are extraordinary and unjustifiable provisions. Are we to make the Attorney General of the United States the private attorney for the NAACP, the Americans for Democratic Action, and other left-wing pressure groups? If the deprivation of voting or civil rights is a Federal offense, let us proceed by the normal procedure of the criminal law. Let us not create a privileged class that is given the free assistance of the highest legal officer of the United States. The intervention of the Government in private suits between two citizens is repugnant to all our traditions of fair play.

As for the removal of these cases into Federal courts before the exhaustion of State remedies, it is so ridiculous I hardly know what to say. Such an encroachment on State administrative and judicial agencies is a direct attack on the independence of the States. There is absolutely no justification for it, and it seems to be based on the fallacious premise that all wisdom and justice reside in the Federal courts—it is in fact a direct affront on the distinguished men who serve in the judiciary systems of the several States.

There are other parts of this so-called civil-rights bill that I have not even touched on yet. There is the proposal to create a new Assistant Attorney General in charge of a Civil Rights Division. No argument has been made in favor of this proposal except the flaccid assumption that an increase in the Federal payroll will automatically help in solving social problems. Such reasoning does not merit an answer.

Last of all there is part 1 of this bill—the proposal for an investigatory commission in the executive branch to study the whole subject of civil rights. I have examined this proposal carefully and I am unable to understand its purpose. This bill has already prejudged the results of that investigation. The committee that reported this bill has assumed that all charges of the denial of civil rights have been proved—even though no evidence from the parties most concerned was heard. But they assumed this situation existed—and have proposed this drastic and unprecedented legislation. Why, then, waste the taxpayers' money in an investigation that comes after this legislation has already been passed? In truth, the purpose of this Commission is not to investigate but rather to harass State officials who are conscientiously trying to do their duty.

Mr. Chairman, this so-called civil rights legislation is an unconstitutional invasion of the reserved powers of the States. The destruction of our Federal form of Government will not promote civil rights—on the contrary, this legislation is a threat to the rights of all of us because it would magnify the power of the central government and destroy local independence—the surest bulwark against Federal tyranny.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Speaker, I have lived among Negroes all my life. Among them I have many friends. I have never abused one and never intend to. None of them have ever abused me. Our association has been peaceful.

I believe I know something about them. In fact, I know that those of us of the Deep South who have lived among large segments of the Negro population know more about them and the Negro problem than any of those who promote the pending legislation.

None of my Negro citizens have, to my knowledge, ever accused me of abusing or mistreating them. No, I do not dine, worship, or live with them socially. Negroes who live in my section have never sought such. None want it. They only desire to be left alone, to live their lives to themselves as I live mine; to live in their own way as I live mine; to worship in their own way as I worship in mine; and to practice their own traditional customs as I practice mine.

As proof of this statement may I read to you an Associated Press news article which appeared in a local Washington newspaper one day last week. The article is as follows:

NEGRO EDUCATOR HITS INTEGRATION

MOUND BAYOU, MISS., July 14, 1956—A Mississippi Negro educator has called for what he describes as continued racial harmony through the maintenance of segregation.

Dr. J. H. White, president of Mississippi Vocational College for Negroes at Itta Bena, told thousands of Negroes attending the 69th anniversary of the founding of this all-Negro town this week:

"Negroes of the South should have the intelligence to size up the situation and not throw away (schools) by attempting to disrupt peaceful conditions which have existed for so many years * * * just to eat, sit, and ride beside a white person."

For 7 years I served as a district attorney. It became my unpleasant duty to prosecute many people, white and black, for the violation of crime. Not once during my career as a district attorney was I accused of taking advantage of any man, white or black. In fact, no Negro was ever brought into my court charged with crime that I did not lean over backward to see that he received a fair trial. He was afforded the same treatment afforded whites.

Furthermore, living in a community and county with a large Negro population I, as a lawyer, have had the privilege on many, many occasions to represent Negroes in civil actions. They trusted, respected, and had confidence in me. I gave them my best.

What I am trying to illustrate, Mr. Speaker, is that we of the South truly know something about the Negro. We have lived and worked with him for more than a century. Relations between the races in the South are good. Race relations are much better in the South than in the North. In fact, we have had no unusual trouble with Negroes and they have had none with us except when do-gooders and politicians of the North decided to enter the field for political purposes and to stir strife and discord among us. That is what this bill will do. It will aggravate. It will not help.

Some people seem to think that a person can be made to associate with another by passing a law. They even think that one can be made to love another by passing a law. Unfortunately, we have a group of people who everytime they see something they think is wrong or is not according to their own personal standards of social contact, always say, "There ought to be a law." They are attempting conformity by coercion. This philosophy has crept into this legislation but, actually, most of it is politics. It comes from people and political parties who are endeavoring to curry favor with the Negro vote of the northern cities. If we could only have a secret vote on this bill, where, chances are, most everyone would vote his absolute conviction, the bill would not receive more than 50 votes, if that many. It would be overwhelmingly defeated.

I repeat that conformity by coercion is impossible. Furthermore it is unconstitutional, the Supreme Court to the contrary notwithstanding. One of the finest statements hereon appeared in a recent edition of the U. S. News & World Report. I would like to read it to you, as follows:

CONFORMITY BY COERCION?

It is necessary to come to grips with the issue of enforced integration in the Nation's schools. It is a legal issue, a moral issue, a sociological issue, and a political issue.

Yet all these diverse approaches only accentuate the real question—conformity or nonconformity in organized society. It is an issue that for generations has confronted mankind.

The perennial conflict fundamentally is between theoretical equality and actual equality.

Government usually is concerned with the theoretical equality. But too often, in the passion for uniformity, obstacles arise to the practical application of the law. Sooner or later revision is found necessary. An adjustment to realistic conditions becomes inevitable.

Obedience to law is a precept with which few will disagree, but disrespect for a law written by agents of the people in contradiction of the real will of the people leads to disobedience, disregard, or repeal.

Conformity itself is a dangerous dogma when dependent solely on coercion. It is a device by which freedom often has been destroyed and totalitarianism substituted. Conformity of thought imposed by law is the tool of despots.

Conformity means that everybody must think alike, act alike, and obey the edicts of a central authority.

Our Constitution was built upon the fundamental principle that government derives its just powers from "the consent of the governed."

Realizing that our Republic was founded by groups with conflicting interests, often widely separated by big distances, our forefathers conceived the idea of separate States. Each State was to be sovereign—endowed with the right to govern itself within its own area. Only in the case of infringement upon other States was the national authority to be invoked.

The Founding Fathers, to be sure, realized that they could not apply a rule of conformity over the people of a vast territory. So they delegated to the several States the right to deal with their own sociological problems. This is why education, for example, has always been a local problem. It is also one of the reasons why the maintenance of law and order has been primarily a State and city responsibility.

Conformity cannot be successfully compelled where the customs and morals of the

people are in conflict with statutory law. It has often been truly said that government cannot legislate morals.

Perhaps the best demonstration of this in recent years was the experience of the Nation with the 18th amendment. For decades there had been attempts to solve the prohibition problem. Many States had passed "dry" laws. Congress tried to regulate the liquor traffic across State lines. The Federal courts, while upholding the interstate aspects, were careful to refrain from imposing upon each individual State an obligation to conform to a moral code which specified that people must not drink intoxicating liquors.

When the 18th amendment, however, was ratified in 1920 as a part of the Constitution, the entire Nation was asked to conform to a formula which forbade the manufacture and sale of intoxicating beverages anywhere in the United States. This meant that the will of a State was superseded entirely by national law.

What was the result? The effort to produce conformity failed. This was because the evils which came in the wake of the 18th amendment proved to be far greater than the evils which the amendment sought to correct. Disobedience of law became widespread.

Bootlegging, which began to thrive immediately after the amendment was adopted, brought in its wake vice and crime and organized gangs. Some of these gangs which had their origin at that time have not been entirely eradicated from our communities to this day.

It will be recalled that, while the 18th amendment was a part of the Constitution for nearly 14 years, it took less than 10 months during the year 1933 to get it repealed by the States after Congress submitted it to them.

This did not happen because public thinking on the use of intoxicating beverages had actually undergone any substantial change. Many people continued to think that the sale of intoxicating beverages was harmful to the community and that the manufacture of such products should be prohibited. Several States still have prohibition laws, varying according to local conditions. But the Nation voted for repeal because of a general condition—the American people found that, despite vigorous efforts to enforce the law, the illicit manufacture and distribution of liquor had intensified.

Historical experience should have taught us that there is a distinct difference between the theory of equal rights and the conditions sometimes provoked by the application of laws which go counter to public sentiment in a community.

But, while we profess to believe in the right of a community to govern itself, do we always apply the doctrine in practice? We have tried in America to give city and State communities the right to govern themselves. Yet we interpose a Federal authority sometimes and virtually disregard local self-government. Thus we impair a great principle—the right of self-government.

We have, for example, said, in effect, that because the people in the northern, eastern and western parts of the United States constitute a numerical majority, their will must prevail over the people in southern communities.

What we are attempting to do today in America is to compel the minority in the South to conform to the supposed will of the majority in the North. Do we aim thereby to wipe out State autonomy altogether?

There are basic rules to which both minorities and majorities will give their support. Thus, individual rights of association—the practice of religion, the right to educate children in accordance with local custom or tradition, and the right of the minority, even though living in the same community with the majority, to pursue its own racial or religious customs—have all been recognized as just principles in organized society.

The theory of equal rights means that there can be no denial of any public rights to citizens. Thus, the right to vote is a public right. The right to hold office is a public right. The right to own property is a public right. The right to obtain an education in a city or county school is a public right.

There are, to be sure, certain public utilities, such as conveyances, and certain public facilities where rules of limitation should not be imposed by the majority which would put the minority at a physical disadvantage.

But this is a far cry from requiring that each community must compel conformity in the educational process.

If education were entirely an impersonal affair and there were no social life at all in the schools, we would be dealing with a different problem.

But majority as well as minority groups have an equal right to freedom of association or nonassociation. Voluntarism is the key.

If one individual, for example, does the same work as another, he is entitled to equal pay, irrespective of race or creed or color. In some occupations where majorities object to working alongside of minorities, a problem of adjustment presents itself which in many instances can be solved by patience and some physical rearrangement of locker rooms and personal facilities so as to remove barriers to employment.

But attempts to impose conformity by coercion, whether in the legal or economic or social sphere, usually produce conditions not unlike those which followed the attempt to enforce the 18th amendment.

We already hear zealous extremists advocating that troops be sent "to enforce the Constitution" and compel the South to integrate its public schools.

It is not a problem that will ever be settled by bayonets. Nor will it be settled by exhorting people to forget prejudices bred in them.

II. AN ERA OF FRICTION

We have recently seen evidences of anger and violence in the North and South. We have also witnessed the use of retaliatory measures in communities in the South where the most amicable relations previously had prevailed between the races in the South. Voluntarism had made progress. Talk of coercion now retards progress.

It is an illusion to suppose that under the threat of "law enforcement," these difficulties are going to lessen with the passage of time. For social customs and social life do not function by any rule of conformity. They are bound to continue in the diversity that human nature has provided.

There will inevitably be passive resistance to laws of enforced integration. The public-school systems of the South may even disintegrate so that education in that region may lag behind the rest of the country. It would be a tragic price to pay. But men of determination have been known to pay almost any price for what they consider to be the preservation of their inalienable rights. Prejudice cannot be legislated out of existence by law.

A compromise formula — segregation through equal but separate facilities of education—was first sanctioned in a Northern State. It was upheld by the Supreme Court of the State of Massachusetts in 1849.

For 30 years after the War Between the States, the Supreme Court of the United States wrestled with legal issues growing out of racial conflict, and in 1896 ruled that systems of "equal facilities, even though separate" were constitutional. This permitted minorities to live alongside majorities in harmony.

Now, however, 60 years later, the Supreme Court of the United States, having reversed itself, is attempting to impose conformity. It should be noted that the Court, in its decision in 1954, did not say the separate educational facilities previously provided had been unequal—indeed, they have at times been even superior for the Negro. The Court took the position that, although the facilities were equal, they could not be permitted to be separate. Reliance was placed on sociological reasons—not legal precedents. The basic argument accepted was that a psychological impact of an adverse nature had occurred—that Negro children felt themselves inferior wherever segregation was legalized. It was the act of "discrimination" itself which the Court held to be illegal.

Now, as a consequence, however, a counterconflict on the sociological front has arisen. White parents in the South are arguing that the impact of integration will prove harmful to their children. Will the Court now give equal weight to this plea, or tell the white parents to send their children to private schools, which so many citizens cannot afford?

III. SOCIAL RELATIONSHIPS

So we are back again in the realm of the sociological—how can we get majorities and minorities to live harmoniously in the same community?

But it will be asked whether the right to attend a public school does not include the right to attend any public school. The right of assignment of pupils is a local—not a national—function. Even today, the most ardent exponent of equal rights would not deny that it is within the power of the State to set up schools in which there is segregation by reason of sex—all girls in one school and all boys in another school, irrespective of color.

If, for sociological reasons, it is deemed desirable to separate the sexes in the schools, there would be no constitutional barrier against this even though one State chooses to adopt the plan and another State does not. For we usually recognize as absolute the right of each State community to regulate its social life, provided there is no denial to anyone of the right to public education itself. The States can, moreover, if they wish, subsidize private schools—provided they do not discriminate as between individuals in allocating funds.

The question before the country today is whether communities are free to adjust their school systems to meet their own local conditions and local sentiment. Those States which desire to integrate their schools ought to have the sovereign right to do so, and those which desire to operate mixed schools in some counties and separate their schools in other counties, either by color or by sex or by intelligence tests, should have the same sovereign right.

It is argued, on the other hand, that, since the public schools are tax-supported and because tax receipts come from all citizens, all public schools must be opened to all citizens. But the same point—equality of participation—could be made with respect to admission to church organizations, private clubs and private schools. They, too, are supported by all taxpayers because an exemption from State and Federal income taxes is given them as non-profit-making institutions.

Theoretically, wherever the Government confers its favors, there rests authority to regulate—to withdraw those favors unless the regulation which imposes conformity is accepted. Today the President's Commission on Interracial Discrimination has adopted this principle as the genesis of its power. The Executive order under which the Commission functions provides that whosoever benefits from any Government contract must conform to its requirements against discrimination in employment if based on race, creed, color or national origin.

The central issue in the school question, however, is one of social relationships. Rooted in the minds of many people in the

South is a fear that personal associations begun in the elementary schools will lead to a state of mind among youth that will bring more intermarriage of races.

If intermarriage became widespread, it seems certain that communities would insist upon some other way of preventing them—either by ostracism or by curtailing economic opportunities in the community to those who deviate from custom.

If there were only a few intermarriages in a given State, they probably would not attract much attention. But once they became numerous, the local communities would frown upon them. Public sentiment sometimes is stronger than law in bringing about a reform or change which the law itself could never impose.

What are the limits of conformity? Conformity in theory is justified, especially when the entire national interest is involved—in times of national peril. Thus, in theory, we are not supposed to recognize any distinctions when it comes to military service. But actually we do discriminate here, too. Even the conscientious objector is allowed to refrain from participation in active combat. Able-bodied women are not compelled to fight in the frontlines though women have equal right of citizenship. "Equality" has its exceptions.

At most it must be said that the problem is not going to be solved if there is a failure to analyze studiously the viewpoints of the opposing groups. It is a situation that ultimately will have to bow to the enlightened principle that majorities and minorities each have a right to regulate their own lives and their own customs.

Thus, treaties signed at the end of World War I established an obligation upon some of the new governments in Central Europe to allocate public funds for educational, religious, and charitable purposes to "racial, religious, or linguistic minorities" within their borders. The League of Nations was given the task of guaranteeing the observance of these minority rights.

The more we examine the formulas that have been developed throughout the world to permit minorities to get along with majorities, the more we will find that adjustments precisely of this nature have been conducive to conditions of harmonious living.

IV. IS THE 14TH AMENDMENT VALID?

We hear the argument, "But it's the law of the land." There is a grave question whether the 14th amendment, under which integration is ordered, was ever legally submitted to the States and legally ratified. the specific point has never been passed upon by the Supreme Court, though the public has taken it for granted for years that the 14th amendment is an integral part of the Constitution.

What are the facts? It is necessary as an initial step for any amendment to the Constitution to be passed by a two-thirds vote of both Houses of Congress. Yet, in June 1866, when the 14th amendment was voted upon in Congress, each House had excluded all persons appearing with credentials in the first instance as Senators or Representatives from the 10 Southern States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, and Texas. If these Southern States had been permitted to vote in Congress, the amendment would not have passed.

Then, when the amendment was submitted to the legislatures of the several States, it needed to be ratified by 28 States, which was three-fourths of the 37 States then in the Union. Ten States, therefore, were able to block ratification.

But the 14th amendment was never ratified by California, and was rejected at the time by Kentucky, Delaware, and Maryland. It was rejected during the latter part of 1866 and the early part of 1867 also by the legislatures of the 10 Southern States. For the 14th amendment had in it many objectionable clauses. Apart from its provision requiring States to guarantee "equal protection of the laws," the amendment sought to punish former Confederate soldiers by forbidding them to hold office even in their own States unless Congress by a two-thirds vote removed the disability. It was argued, moreover, in those days that the State governments in the South were not legal governments but were merely "rebel States." Yet these States at the time had already received presidential recognition, and when the same southern legislatures in 1865 had ratified the 13th amendment, which abolished slavery, their action was accepted as legal by the Secretary of State. For the South had, by its vote, made possible the three-fourths vote of the States necessary for the adoption of the 13th amendment.

Furthermore, in the Reconstruction Act of 1867 Congress arrogantly proclaimed that self-rule would be restored to the States and they would be permitted representation in Congress once more only when they adopted the 14th amendment. It was so stipulated in the law which had been passed over the veto of President Andrew Johnson. He emphasized its injustices and unconstitutional aspects, and denounced it as "a bill of attainder against 9 million people."

Here is what Senator Doolittle, of Wisconsin, a conservative Republican of the North, said about the proposal on the floor of the Senate:

"My friend has said what has been said all around me, what is said every day: the people of the South have rejected the constitutional amendment, and therefore we will march upon them and force them to adopt it at the point of the bayonet, and establish military power over them until they do adopt it."

This was a flagrant case of conformity by coercion. The act of Congress was a direct violation of the letter of the Constitution. For Congress has no power to coerce the States when they pass upon the question of whether or not they will ratify or reject proposed constitutional amendments.

"Puppet" governments established in the Southern States did finally ratify the 14th amendment in 1868 but only under duress—with registration of voters being supervised by military commanders from the North and with millions of white voters deliberately disenfranchised by the Reconstruction Act because they had fought in the war against the Union. Ohio and New Jersey attempted unsuccessfully that same year to withdraw their acts of ratification before the Secretary of State formally proclaimed the amendment as adopted. Doubt was expressed at the time by the President as to the validity of the alleged ratification.

Can it be said that all this action was in accord with the spirit of American fair play? Will this record stand up as constitutional—as the "consent of the governed"? Would we say today that the people in any place under military occupation are able freely to exercise their sovereign rights? The Reconstruction Act for many years deprived the Southern States of their powers of governmental autonomy. They recovered these powers only after a long and tragic era of military compulsion.

Should not the Supreme Court today reexamine the validity of the 14th amendment? If an important decision of 1896 can be reopened and reversed by the Supreme Court in 1954, is it not logical to resurvey the doubtful procedure whereby the 14th amendment itself was forced into the Constitution? The present Court has shown itself quite solicitous lately that persons in our midst charged with disloyalty be given the protection of "due process," Cases involving Communists have, on the slightest pretext of technicality, been ordered for retrial. Can't the Court give the same consideration to the States which have demonstrated their loyalty to the Union?

If it were presented anew today, there would not be a two-thirds vote of both Houses of Congress to approve the 14th amendment unless a specific reservation were made on the points now at issue.

The reason is clear. More than a third of the membership of both Houses at present feel that the 14th amendment was itself amended by the Supreme Court in 1954 and that, as long as this new legislative action by the Court stands as the official interpretation, it makes the original language of the 14th amendment inadequate.

V. THE PHILOSOPHICAL APPROACH

What do the philosophers of history say about conformity?

George Santayana in Dominations and Powers (1951)—a work sometimes referred to as comparable to Plato's Republic or to the Ethics of Aristotle—makes this pertinent comment:

"This ideal of a perfect ultimate democracy rests on two assumptions: that human nature in all men is essentially similar, and that consequently mankind could not fully develop its vital liberty without coming to a unanimous vision of the world and a cooperative exercise of the same virtues. I think this is a biological error, and that what is identical in all life is only its germ, from which all plants and animals have developed centrifugally, as circumstances have allowed them to develop * * *

"The uniformity in American principles, as proclaimed publicly and as genuinely felt by most people, is no index to a natural unity in the vital forces at work among them. The proof appears if we consider a notorious fact: the Constitution of the United States, since the Civil War, establishes the equality of all citizens, irrespective 'of race, color, or previous condition of servitude.' And this is not merely a constitutional sham, like so many of the provisions in paper constitutions in other countries. It expresses an earnest conviction, dearly defended, by a great part of the people.

"Nevertheless whenever a difference of race, color, religion, or breeding is not so overcome in the rush of common work or duty as to pass unnoticed or even unknown, if an attempt is made to ignore it in comradeship, society, marriage, or place of residence, the real difference in the soul is instantly recognized, and an irresistible impulse causes the groups to segregate.

"This is set down by democratic doctrinaires to prejudice or snobbery. They do not perceive that contrast of character and taste can be ignored when people are engaged in some instrumental action, to which their moral diversity is irrelevant; but that as soon as the labor is over and the liberal life of play, art, affection, and worship begins, both sides equally require moral comprehension and are equally chilled, bored, and rendered sterile when comprehension is absent.

"That a white man ought to hobnob with a Negro because otherwise he would not be Christian or unselfish involves a flagrant assumption of superiority. The Negro, if he is not a fool, loves his own inspiration, and expands in the society of his own people. Vital liberty differentiates. Only vacant freedom leaves all in the same anonymous crowd."

G. K. Chesterton, in his famous work Orthodoxy, wrote in 1908:

"In modern ideal conceptions of society there are some desires that are possibly not attainable; but there are some desires that are not desirable. That all men should live in equally beautiful houses is a dream that may or may not be attained. But that all men should live in the same beautiful house is not a dream at all; it is a nightmare."

Alexis de Tocqueville, of France, a renowned philosopher who visited America in the 1830's and compared it with the systems of government in vogue from ancient days, expressed himself vehemently on the subject of tyrannical majorities—the effort by law to impose upon the minority certain customs and rules that did not have universal sanction.

Yet de Tocqueville was hopeful about America's future, little realizing the grave conflicts that were to come in later years because of the abuse of the very principles about which he wrote in 1835:

"But in the United States, the majority, which so frequently displays the tastes and the propensities of a despot, is still destitute of the most perfect instrument of tyranny.

"In the American Republics the Central Government has never as yet busied itself except with a small number of objects, sufficiently prominent to attract its attention. The secondary affairs of society have never been regulated by its authority; and nothing has hitherto betrayed its desire of even interfering in them.

"The majority has become more and more absolute, but has not increased the prerogatives of the Central Government; those great prerogatives have been confined to a certain sphere; and although the despotism of the majority may be galling upon one point, it cannot be said to extend to all. However the predominant party in the Nation may be carried away by its passions, however ardent it may be in the pursuit of its projects, it cannot oblige all the citizens to comply with its desires in the same manner and at the same time throughout the country.

"When the central Government which represents that majority has issued a decree, it must entrust the execution of its will to agents over whom it frequently has no control and whom it cannot perpetually direct.

"If an oppressive law were passed, liberty would still be protected by the mode of executing that law; the majority cannot descend to the details and what may be called the puerilities of administrative tyranny. It does not even imagine that it can do so, for it has not a full consciousness of its authority."

Perhaps it is in recognition of these very difficulties that Robert Morrison MacIver, whose name means as much to modern sociology as does that of John Dewey to philosophy, gives some pointed advice in his book, The More Perfect Union, excerpts from which appear on pages 106–133 of this issue. He offers a program for the control of intergroup discrimination. It is definitely sympathetic to integration. Yet he gives this word of caution:

"Discrimination and its evils are likely to be exacerbated by any changes that increase tensions or promote crises in a society, no matter what their source, whether economic, political, ideological, or any other. On the other hand discrimination is likely to be diminished by any changes that make for the general well being of a society or that provide more constructive outlets for the aggressive tendencies of its groups."

VI. LINCOLN ON SOCIAL EQUALITY

It is sometimes asserted, though mistakenly, that, once the Supreme Court has ruled upon a subject, there is no appeal—not even to public opinion. Lincoln didn't think so. He denounced the Supreme Court for its decision in the Dred Scott case. He was outspoken against social equality.

When Lincoln argued against slavery he pointed to the impairment of personal freedom within the community—the individual had been deprived of his liberty—the right to make his own life. But Lincoln said this did not mean enforced association between the races. Debating in Illinois with Stephen Douglas in September 1858, Lincoln said:

"I will say then that I am not nor ever have been in favor of bringing about in any way the social and political equality of the white and black races—that I am not, nor ever have been, in favor of making voters or jurors of Negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this that there is a physical difference between the white and black races which, I believe, will forever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race."

But it is insisted: "The Supreme Court has spoken." De Tocqueville's eloquent answer may be applied to the issue today. He wrote:

"When I refuse to obey an unjust law, I do not contest the right of the majority to command, but I simply appeal from the sovereignty of the people to the sovereignty of mankind. Some have not feared to assert that a people can never outstep the boundaries of justice and reason in those affairs which are peculiarly its own; and that consequently full power may be given to the majority by which it is represented. But this is the language of a slave.

"A majority taken collectively is only an individual, whose opinions, and frequently whose interests, are opposed to those of another individual, who is styled a minority. If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should not a majority be liable to the same reproach? Men do not change their character by uniting with one another; nor does their patience in the presence of obstacles increase with their strength. * * *

"When an individual or a party is wronged in the United States, to whom can he apply for redress? If to public opinion, public opinion constitutes the majority; if to the legislature, it represents the majority and implicitly obeys it; if to the executive power, it is appointed by the majority and serves as a passive tool in its hands. The public force consists of the majority under arms; the jury is the majority invested with the right of hearing judicial cases; and in certain States even the judges are elected by the majority. However iniquitous or absurd the measure of which you complain, you must submit to it as well as you can."

VII. JEFFERSON ON JUDICIAL TYRANNY

Thomas Jefferson warned against the tyranny of judges. He wrote in 1804:

"But the opinion which gives to the judges the right to decide what laws are constitutional, and what not, not only for themselves in their own sphere of action, but for the legislature and executive also, in their spheres, would make the judiciary a despotic branch."

Then, long after Jefferson left the Presidency, he wrote in 1820 and 1821:

"It is a misnomer to call a government republican, in which a branch of the supreme power is independent of the nation. * * *

"A judiciary independent of a king or executive alone, is a good thing; but independence of the will of the nation is a solecism, at least in a republican government. * * *

"To consider the judges as the ultimate arbiters of all constitutional questions (is) a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy. * * * The Constitution has erected no such single tribunal.

"The great object of my fear is the Federal judiciary. That body, like gravity, ever acting, with noiseless foot, and unalarming advance * * * is engulfing insidiously the special governments into the jaws of that which feeds them."

How much this is like the doctrines of Thomas Hobbes. In his famous work Leviathan, he wrote in 1651:

"Princes succeed one another; and one judge passeth, another cometh; nay, heaven and earth shall pass; but not one tittle of the law of nature shall pass, for it is the eternal law of God. Therefore all the sentences of precedent judges that have ever been cannot altogether make a law contrary to natural equity."

A modern writer—Walter Lippmann—in his book, the Public Philosophy (1955), says:

"There is a hiatus between the highest wisdom and the actual perplexities with which men must deal. An encyclopedia of all that the prophets and the philosophers have taught will not tell a man clearly and definitely how to make laws, how to govern a state, how to educate his children—how, in fact, to decide the problems that the priest encounters in the confessional, the doctor with his patients, the lawyer with his clients, the judge with the litigants, the man of affairs in his business."

VIII. FACING THE REAL ISSUE

Many people today are urging caution with respect to the integration problem—an approach that has come to be known as gradualism. Its fallacy lies in the belief that what cannot be resolved now will be resolved by postponement. It assumes that equality is a natural right in the community and that all forms of discrimination can be abolished by the passage of time.

The fetish of conformity, however, has demoralized the life of many nations in the world through the centuries. Where minorities have been suppressed and the right to pursue their own lives and customs has been impaired, there has been discontent and, at times, eruptions of violence.

We see today in the Island of Cyprus a bloody war because nobody has yet devised a plan whereby the Turkish minority can live alongside the Greek majority. We see the same tragedy in Algeria—as between the French minority and the native majority.

Self-determination does not mean the delegation of power to a tyrannical majority. It means adjustment of minorities alongside of majorities. In no other way can there be a maintenance of equity for all concerned.

Can we not in America find a way whereby majorities and minorities may get along with one another in peace? The Constitution of the United States provided for separate but not equal States. There was no provision that each State must be equal to the other in voting for President or in choosing Members of the House of Representatives. Equality of representation was provided only in the Senate.

Theoretically, all men are created equal. It is a doctrine that could mean that all wealth in the community must be divided equally between all citizens. The Communists believe in such a doctrine. There have been men in America who have argued for the redistribution of wealth. Do any of us honestly believe that harmonious society can ever be achieved by a law that requires all incomes to be equal, or that the possession of property should be equalized between all citizens?

Equality is a theoretical goal. Its application will depend always on the mores of the community. Even in our day some of the loudest voices declaiming against discrimination are men who in their business and social relationships are practicing discriminations of various kinds. It is common knowledge that membership in some of the principal clubs and organizations in many of our large cities and in the fraternities in almost all of our colleges is barred to persons of certain races or religions, as the case may be. It is common knowledge

also that employers in the North, for the most part, give preference to applicants of certain ethnic origins or races as against others. There is, therefore, continuously applied a doctrine of discrimination which negates the theory of equality.

One need not agree at all with the reasons given for such discriminations—indeed, one may be offended by their practice. But if we are to rely on theory, there is as much right to discrimination as there is to noncrimination. It is really the misguided attempt to override these separate and distinct rights of the individual by public law that causes the conflict of today.

Conformity by coercion is not liberalism. The answer is to be found in voluntarism—freedom's greatest vehicle of progress. It offers us the only solution to the vexatious problems of sociology in our Republic.

Mr. Speaker, I repeat that this legislation if enacted will do the reverse of what its sponsors envision. The fine relationship between the Southern Negro and Southern white man will be broken. It will stir strife, discord, and promote riots.

You are trying to make us all alike—alike socially, economically, culturally, spirtually and in every manner known to man. Such is impossible. The Lord, himself, did not so intend it; and it can't be.

Forced integration, forced social contact, forced economic equality, forced worshipping together, or enforced association of any kind or character is just absolutely impossible. There are three Negro Members of the House of Representatives. How many of you who push this legislation have dined with the Negro Members in the House restaurant or even in other places? How many of you have invited them into your home, to your apartments, to your social functions, to your club, or to anything? You don't practice what you preach. You are just playing politics, handing out political sop, and you know it.

Discrimination has existed since the world began. It will always exist. It is something which every man has a right to practice. It is practiced between as well as within the races. White people discriminate socially and otherwise against whites. Negroes do the same. Negroes of light skin prefer Negroes of light skin. Negroes of light skin usually select and woo the hand of Negroes of light skin. There are exceptions, but they are few. Everyone, white or black, has certain discriminating tastes which he practices against others. It is your right so to do. Some say they do not believe in discrimination but actually all of you do and practice it.

People of different races, different colors and even different religions segregate to themselves. This, itself, is a form of discrimination—something which I accord to be the right and privilege of every man. Negroes publish their own magazines and newspapers. Such also is a form of discrimination and segregation. I accord them that right and privilege. Surely, had the Lord intended us all to be alike, to live, mix, and amalgamate and become a race of mulattoes he would have so made it in the beginning. But still some people insist that we all be made alike. Politically, they abhor differences, or at least they claim to. On the other hand, everyone of you, after this debate is over, will pull back into your own individual group according to race, custom, religion, culture and so on.

There is not a person in this House who will not agree that a Negro problem exists in our country. For a century it was the problem of the South. Northern slave traders at one time had a thriving business capturing men and women of the Dark Continent and selling them on Southern shores. Most of them, like wild game, were captured by people of their own race and interned until the slave traders arrived. The captured were exchanged for a few yards of cloth or some other substance of ordinary value.

In the years to follow Negroes migrated to the North. Unfortunately, they have created slums and social and economic problems in many of the northern cities. They have become a problem and no one need deny it. The problem has been created in the North in spite of the fact that they live what is supposed to be an unsegregated life. Although they have attended the same schools and had the same privileges of the northern whites—at least, you claim they have had—the North has a Negro problem; and the North is going to have more of it as time goes on. The mere passing of laws will not cure it.

Under the segregated system in the South the Negro has made more progress than in any other place on earth. There is less crime among the Negroes of the South than among those in the North. There are more Negro landowners in the South. They have better health conditions in the South. The Negro has come a long way among his southern white friends. He still has a long way to go but he is making progress. On the other hand, you, that is, some of you, are trying to make the Negro over in a magic fashion by simply passing a law. It cannot be done. You have proved the truth hereof in your own northern cities. You have a Negro problem and it will get worse as more and more of them pour into your midst.

There is a Negro migration from the South to the North. And, it is not because the Negro is being driven out of the South. It is because of mechanized farming. With mechanization many of our Negroes are left without employment. Factory employment opportunity is not very broad in the South. We are making progress industrially, but we still have a long, long way to go. So, with mechanization of our farming operations both Negro and white tenant families are pouring into your industrial cities seeking work in your factories. I am told that an average of 2,500 southern Negroes are pouring into Chicago each month. Similar proportions are migrating to other northern cities. Your slums are becoming larger. You are having to dig deeper for more and more tax money to provide public services for your come-lately population. Some of you northerners are mouthing about it. You do not do so on this floor, oh, no; but behind the rails of this Chamber you ask us to keep the Negro in the South. You tell us privately you do not want them. But, when you speak publicly you in effect extend a blanket invitation for southern Negroes to move into your midst; and to your sorrow they are taking you up.

As the Negroes consider leaving our section I think they should check these debates and examine the statements of those of you who pour out this political sop, then select your districts as the appropriate places to move to. If I were a southern Negro looking for some northern point in which to live, I would examine this record and select a district represented by the Member who makes the most noise in support of this legislation. If you claim to be a real 24-carat integrationist, then I would purchase a ticket to your district. And, when I got there I would expect you to practice what you preach here, that is, take me into your social life, your home, your club, and so on; and if you mean what you say, you will do it.

All of the trouble between the races has not been made by the civil-rights leaders in the executive and legislative branches of the Government. Our politically minded and brainwashed members of the Supreme Court have come in for their share of credit. Incidentally none of the justices have practiced the orders which they have handed down without precedent or authority. They have lived very segregated lives, themselves, just as you have. As for these justices, the only outward evidences of their supreme knowledge of the law are the jet black robes which hang rather loosely from their inexperienced shoulders.

These men studied law as students. But they have spent their lives in the field of politics, the political arena, a very poor field, indeed, to attain the qualifications of supreme interpreters of the law. They have had less experience in the study and application of one of the oldest sciences known to man than has the average judge of the lowest Federal court. Men no longer reach the Supreme bench by mastering the law. They reach it as masters of the science of politics. And, the draping of black robes over their shoulders does not make judges of them. The black robe of the Supreme Court is as appropriately placed over the shoulders of a practical politician as would be a full dress suit on a circus clown.

Republicans for years criticized Democrats of the New Deal and Fair Deal eras for filling the courts, and particularly the Supreme Court, with politicians, some of whom were political rejects. Federal judgeships have become a dumping ground for the defeated politicians as well as objects of reward for faithful "rubber stamps." In very short order after our Republican friends ascended the throne of power under Eisenhower, they reversed themselves and committed the identical offenses.

Politics has its place in and under our democratic system. It is a laudible calling but a poor stage on which to train for the position of Chief Justice of the Supreme Court or for any subordinate Federal judgeships.

This is a dangerous bill. It is another step toward a centralized all-powerful Federal Government. It violates all of the principles of States rights, the bedrock of our Republic.

The Commission which is proposed to establish would be nothing short of a Gestapo. It will have unlimited power to antagonize, to abuse and oppress. It can force people across this country by way of subpoena on the flimsy and whimsical charge of the most unscrupulous person. The Commission will constantly be under the pressure of every organized pressure group in our land. Being a political Commission, created in a political atmosphere for the purpose of satisfying and appeasing political pressures, the Commission's actions and decisions will be political. It is one of the most dangerous things ever proposed in our land of liberty.

The new Assistant Attorney General which the bill proposes to create will be amenable and subject to the same pressures. He and his staff, which must unquestionably be of enormous proportions, will be constantly beseiged by masses of people to bring suits upon suits on the most flimsy charges. If the Assistant Attorney General fails or refuses, his party will be threatened with political reprisal. This legislation being inspired by political threat of pressure minorities denotes that its enforcement will unquestionably be political.

There is not a thing in the world which this bill proposes to do in the field of civil rights for which there is not now a complete, absolute, and adequate remedy.

We are going far afield. We are uprooting the bedrock of our Democracy. We are surely and gradually reducing our States to a status subordinate to that of the Federal Government. We are doing it under the whip and pressure of organized irresponsible people, who, themselves, may some day cry out that an all-powerful centralized Federal Government is destroying their liberties.

We should be careful, move cautiously, stop and listen before it is too late.

This civil rights bill is political sop. It should, and I hope will, be defeated.

Mr. CELLER. Mr. Chairman, I yield 50 minutes to the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. Mr. Chairman, it has been a long time that I have been engaged in this legislation and it has been some time since I have had an opportunity to talk concerning it.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. I would like for the gentleman from Georgia to clear up what happened in the committee regarding this particular Eisenhower bill. It is my information that the committee or a subcommittee held hearings on the Celler bill, that the subcommittee reported the Celler bill to the full committee. It was only after the Celler bill reached the full committee that the Eisenhower bill was born and it was offered then and there. There were no hearings held on it. I would like to know if that was the situation.

Mr. FORRESTER. That is absolutely true. The first we heard of this version was when the Attorney General appeared before the full committee and when there were separate bills which had been filed probably the day before and were before the committee. Then in committee the gentleman from New York moved to strike everything except the enacting clause and the Celler bill substituted, the provisions of which you have before you.

Mr. ABERNETHY. So the committee yielded on the Celler bill, the bill upon which they had conducted hearings, and substituted in place thereof a bill of the administration for the Celler bill?

Mr. FORRESTER. That is virtually correct. I do not think I could tell you we had hearings on any of them. We had about 53 bills and we conducted hearings for approximately 2½ or 3 hours, if you call that a hearing.

Mr. ABERNETHY. Did anybody appear before the committee at all except Attorney General Brownell after Mr. KEATING introduced or offered the substitute or did substitute the Eisenhower bill?

Mr. FORRESTER. No; they did not.

Mr. ABERNETHY. Not a one; no witness at all?

Mr. FORRESTER. No, sir; not a one.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from New York.

Mr. CELLER. The gentleman mentioned the Celler bill. Is it the Celler bill? Is it still the Celler bill?

Mr. FORRESTER. Certainly nothing but the name.

Mr. CELLER. Everything that is in the bill before us was in the original Celler bill.

Mr. FORRESTER. Yes, sir. And there is a lot more in the Celler bill which is not in this bill.

Mr. CELLER. That is correct.

Mr. FORRESTER. Well, there are little quirks and turns and so forth.

Mr. Chairman, I would like to say that I have a little talking that I want to do, and I do not expect to yield any more until I am through. Then I want to say to everyone here that I will be available for any questions you want to ask me, and I can stay here until Easter and answer them for you. I am not afraid, because I know this bill from beginning to end.

Mr. Chairman, almost 100 years ago a kinsman of mine stood upon this floor and amid the strife and confusion of the hour, pleaded for understanding and unity between the 4 sections of this country. His plea was unheeded, but history has recorded his stand and approves it. As I attempt to present a case for my people, and actually the case for all the people of this country, I hope and pray that what I say shall be solely in the interest of all America, and that future generations can approve what I do this day. I certainly can assure everyone that what I say will be from a heart full of love; not love only for the great section and people that I represent, but love for every one of our 48 States and possessions, and for our great Government and our traditions. At such a time as this, it is hard not to become emotional, and I hope I will not; but if I do, I ask the indulgence of this great body in that they will understand that it was because of the seriousness of this proposed legislation, and because every fiber of my being tells me that this legislation is not good for you or me, and is against the interests of our country.

Many years have passed since I was the only southerner in my company in the Army of the United States in World War I, but the friendships I formed with those laughing and happy Yankee boys have remained with me until this day and will continue as long as I live. I learned then that people from all sections of this earth react identically under similar circumstances. That truth has been demonstrated over and over again to me during my service in the Congress of the United States. No section has any monopoly on brains, patriotism, or gentleness of heart. This great truth persuades me to speak to this body today. It has been freely predicted that this legislation is going to be passed, but my faith in the American people and this Congress is such that I believe that if I can cause this body to see the truth, that the American people and this Congress will have the courage to do that which is in accord with the truth and in the interest of our country.

Mr. Chairman, civil rights legislation was an aftermath of that terrible war between the States. It was passed in an era of hysteria and when there had not been a sufficient cooling period for minds of reasonable men. It was during that era when white citizens of the South were disenfranchised and had virtually no voice in their Government. Nevertheless, in that era this legislation was directed toward State action only, and was never intended to cover, and did not cover, private individuals. Even Thaddeus Stevens and Charles Sumner conceded that and understood that. It was only a matter of 25 or 30 years after that tragic era that reasonable men from the North, East, and West, in the spirit of fairness, through congressional action reduced in number and scope the civil-rights legislation that had been enacted in an atmosphere of resentment and anger. That was what should have been done, and was in conformity with the principle that good men should cheerfully rectify wrongs unintentionally done during a time of passion and excitement. The United States Supreme Court, during those years, held several of those civil-rights laws unconstitutional because they were beyond the power of the Federal Government to enact. The actions of the Congress and the Supreme Court were highly conducive toward the development of that kind and fraternal feeling that sprang up between the North and the South and which continued over the years and resulted in our Nation becoming the greatest and most powerful that this world has ever known. That spirit of friendship carried us successfully through World Wars I and II, and if this friendship and mutual trust and affection is not impaired, it can and will not only carry us to victory on the battlefield but to grander and more glorious heights as a wonderful Nation.

Mr. Chairman, I should know this legislation. I was the only Southern member of the subcommittee that this legislation came before. I studied all of the bills and I participated in the hearings and in the executive meetings. From the study that I have made, taking into consideration the historical background of this legislation, and all of the evidence before our subcommittee, I humbly tell this body that no further legislation whatever is needed or even desirable. I also tell this body that the majority of the loyal citizens of this country do not want any additional legislation on the subject of civil rights. It is true that advocates of this legislation over the past few years have preempted this field for themselves, while the majority of the people of this country were interested in winning two world wars and in the preservation of the human race against the dire threats to engulf this world in communistic slavery and annihilation of the Christian faith. I say now, and please believe me, that people are waking up and no longer shall these proponents have this field to themselves, and the people of this country are going to demand that we take steps to preserve our country and our institutions. Faith in the people of this land makes me bold and resolute. My faith in this body authorizes me to talk plainly to this body, and that I propose to do. Let no one in this country fail to understand that I well know that the great majority of the people who think they believe in this type of legislation are intensely loyal and as patriotic as I am myself. That realization causes me to think that every member of this body will be interested in what I have to say.

Those who have read the minority report on this legislation were doubtless shocked by the numerous and comprehensive civil rights statutes already on the books. Every person who is deprived of any of his rights under the Constitution and laws, under color of law, is afforded a civil action at law, in equity, or other proper proceeding against the person committing the injury. If any qualified citizen is excluded from jury service on account of race or color, officers so excluding that citizen are guilty of a misdemeanor. Conspiracies to deprive persons of their civil rights are already punishable by law and civil action is provided for the aggrieved against any such conspiracies, against persons having knowledge of such conspiracies, and against anyone who, having knowledge, neglects to prevent the execution of any such conspiracies. Any marshal or deputy who fails to execute processes in the field of civil rights is liable for a $1,000 fine for the benefit of the aggrieved party. The President has the power to direct the judges, district attorneys, and marshals to conduct speedy trials when he has reason to believe that civil rights offenses have been committed. The President has the power to employ the land or naval forces, or the militia, to aid in the execution of such judicial processes. Under the laws now existing it is inconceivable that anyone should even ask for additional legislation in this field.

It is a known fact that communism was based upon strife and bloodshed and its very existence depended upon arraying class against class and race against race, and as soon as Russia fell to the Communists, a worldwide program designed to make the world communistic was immediately brought into being. Immediately, Communist agitators commenced their divide and conquer methods in America.

Mr. Chairman, some time ago I asked the Library of Congress to furnish me with the United States Communist Party platform, drafted by them in 1928, and a photostatic copy of that platform was furnished me. It would be well if every Member of this body would procure a copy for their files. The Communist Party devoted much of its platform to the stirring up of racial strife between the white Americans and the Negro Americans. I think it well to quote here a short statement from that platform, to wit:

> The Communist Party considers it as its historical duty to unite all workers, regardless of their color, against the common enemy, against the master class. The Negro race must understand that capitalism means racial oppression, and communism means social and racial equality.

Then follows these demands:

1. Abolition of the whole system of race discrimination. Full racial equality.
2. Abolition of all laws which result in segregation of Negroes. Abolition of all Jim Crow laws. The law shall forbid all discrimination against Negroes in selling or renting houses.
3. Abolition of all laws which disenfranchise the Negroes on the ground of color.
4. Abolition of laws forbidding intermarriage of persons of different races.
5. Abolition of all laws and public administration measures which prohibit, or in practice prevent, Negro children or youth from attending general public schools or universities.
6. Full and equal admittance of Negroes to all railway station waiting rooms, restaurants, hotels, and theaters.
7. The War and Navy Departments of the United States Government should abolish all Jim Crow distinctions in the Army and Navy.
8. Immediate removal of all restrictions in all trade unions against the membership of Negro workers.
9. Equal opportunity for employment, wages, hours, and working conditions for Negro and white workers.

Mr. Chairman, I ask this body to search their hearts and tell me if there is any portion of these Communist demands that have not been complied with by court rulings or administrative orders.

We have many organizations in this country dedicated to principles which, no matter what they say, are identical to the Communist Party demands I have just read. It may be coincidence, but nevertheless it is strange that so many of these organizations have their offices in the same building in New York, known as the Freedom House, 20 West 40th Street. The NAACP, the organization always placed in the forefront on race issues, occupies the 4th and 5th floors of the Freedom House. I am indebted to an article appearing in the daily CONGRESSIONAL RECORD of May 17, 1956, pages A4037–A4038, for certain facts which I had understood were true but which I had not had complete proof of. That article makes it crystal clear that the NAACP was not organized by Negroes, but by members of the white race, at Springfield, Ill. That article says that the NAACP has had three presidents: The first, Moorefield Storey, who had been the secretary of Massachusetts abolitionist Senator, Charles Sumner, and the second president was Joel E. Spingarn, and the third was his brother, Arthur B. Spingarn, all of whom were white. The article also says that the top executive board is interracial, with 48 directors divided about 50–50 between Negroes and whites. It is strange indeed that this should be called a Negro organization, since certain members of the white race have exclusively held the highest office from its birth to date and hold one-half of the directorships. This will be news to many good Americans, but it is absolutely true.

In the CONGRESSIONAL RECORD of February 23, 1956, pages 3214–3259, will be found the magnificent address of the gentleman from Arkansas [Mr. GATHINGS] entitled "Subversive Character of NAACP," wherein he proceeded, by documentary evidence, to prove his assertions, naming the various officials which he accused of subversion, and furnished the proof to sustain him. The gentleman from Arkansas proved his case so completely that while we have found articles in the CONGRESSIONAL RECORD praising the NAACP, nowhere, at any time, in the RECORD or in the press, have we seen any denial whatsoever that any of the facts documented by the gentleman from Arkansas were true. I ask this body, how stands the accusation of the gentleman from Arkansas, which he boldly made upon this floor, against the complete silence of these people who would make over America?

The August 14, 1948, issue of the Pittsburgh Courier carried an editorial by George S. Schuyler, warning the Negroes against following the Communist line and the recklessness of many in so doing. He criticized the Negroes for publicly opposing the deportation of Gerhardt Eisler on the ground that he was only a poor anti-Fascist, and for rushing to the defense of the Hollywood Communist plan, the notorious Cain plan for regimenting all American writers under Red control, which was smoked out by the House Un-American Activities Committee, and for sending their children to corrupted Communist camps and camouflaged Communist schools. In that same article, he said that the NAACP general staff mouthed the same Communist drivel as the Daily Worker, the Civil Rights Congress, and PM, and worked with the National Negro Congress, since merged with the Civil Rights Congress, the legal defenders of the Communist traitors afoul of the law. In the January 15, 1949, issue of the Pittsburgh Courier, Mr. Schuyler again warned the Negro and the NAACP about the Communist Party, and said that it was only through the strenuous effort of a patriotic colored woman that the Reds did not capture the Washington, D. C., NAACP branch. Despite these warnings, the NAACP is

still filled with the persons that the gentleman from Arkansas branded as subversive.

There is no doubt but what this racial movement is the work of the Communist Party, even though there are sincere people who think they are doing right and who do not know the facts. I know from personal experience that this is true. The Ingram murder cases that I tried in Georgia furnished me the opportunity to know beyond doubt that the Communists were stirring up the Negro race and determined to divide the people of the United States. The Ingrams barbarously murdered a 65-year-old white man, chasing him like a rabbit and catching him, and then methodically beating him to death. The Communists immediately entered into this case, along with the NAACP, and they distributed lies about that case all over the world. These lies were knowingly and maliciously told without any regard whatever for the facts. I have before me and I exhibit to you a pamphlet on that case put out by the Communist Daily Worker and circulars distributed on the streets of Chicago by the Civil Rights Congress. I bear the scars of battle with these Communist boys and I tell you, the truth is not in them. The tragic thing is that the Communists took advantage of good Negroes lack of intelligence and caused Negro churches, Negro schools, and Negro newspapers to repeat over and over their malicious lies. The Negro is peaceful, if left to himself, but it is absolutely true that the Negro is a fertile field for agitation. That my people know, and that people in other sections of this country are for the first time beginning to know, to their disillusionment.

Such as this is why my people consider punitive legislation against them by the Federal Government to be one of the most alarming things that they could possibly envision. We know about the Herndon case, reported in the 178th Georgia Supreme Court Report, pages 832 to 869. Herndon was convicted for attempting to incite insurrection. The evidence showed Herndon was a Communist that was sent to Atlanta as a Communist organizer; that he was teaching that this country must be overthrown by force and violence; that the Communists were planning for the Negroes a black belt, containing portions of six Southern States, and that the Negroes would have the right to set up their own government in that territory and the right to separate from the United States; that all of the lands in that territory would be taken from the whites and given to the Negroes. The United States Supreme Court reversed Herndon's conviction and thereby made it impossible for the States to stop communism in its tracks. It was not the States that prevented such convictions, but the United States Supreme Court, so it is no wonder that these un-American organizations now are objecting strenuously to proposed legislation that would allow the States to legislate against sedition. The House Un-American Activities Committee confirmed the fact that the Communist Party had promised the Negroes to set up the black belt in the South, as will be proven in its hearings of July 14, 1949, and its hearings on July 21, 1947, which carried the diagram of the proposed black belt on page 90 thereof. Theodore Browne published a book about 10 months ago entitled "The Band Will Not Play Dixie." Strange as it may seem, he wrote telling of the burning of Atlanta and the setting up of the black belt in the South. I obtained that book from the Library of Congress but was notified that so many wanted it that it must be returned with dispatch.

My people are not fools. We know the dangers confronting our people, even our women and babies. A few days ago a Negro was electrocuted in Georgia for miles from Atlanta. The body was carried to all the courts and the judgment was affirmed by all the courts. The electrocution was at Reidsville, 100 or 150 miles from Atlanta. The body was carried to Atlanta and a request was made that his funeral be conducted in the Atlanta municipal auditorium. Of course, no funeral has ever been conducted in a municipal auditorium, and the request was denied. The body was taken to a private undertaking establishment and 16,900 Negroes viewed the body and signed the guest book, and those Negroes came from all sections of this country. They did not know the criminal. That vast assemblage could only have been caused by agitation by groups unsympathetic to our country. We do not want this repeated and we cannot afford for it to be repeated. That group were agitators, and any slight incident might have set off a race riot in a great city of over 600,000 people. I am thoroughly convinced that this body is sympathetic to our view in this respect.

It has been evident all along to us Southerners that equality actually was not what the Negro had been incited to seek. The truth is, that at the present time, where segregation has been abolished, such as public parks, restaurants, theaters, schools, and transportation, the Negro has virtually had the full use thereof. In the District of Columbia, the public parks have become of no utility whatever to the white race, for they enter at the risk of assaults upon their person or the robbery of their personal effects. This will be denied, but not successfully, for no matter how strenuously it is denied, it remains absolutely true.

The District of Columbia, the guinea pig for the social experiments, has now become a place that schoolchildren of this Nation cannot come into and walk the streets at night with safety. Unless the pendulum swings back before it is too late, I predict that in 10 years, the Nation's Capital will be unsafe for them in the daytime. The American Jewish Committee published a pamphlet entitled "A Record of Progress in Civil Rights, 1948 to 1956." It takes 38 pages to tell of the so-called victories that they say have been won in behalf of the Negro race, taking pride in the fact that white Democratic primaries have been voided by judicial fiat, and that a white jury in Alabama freed a Negro charged with rape of a white woman, that legislatures in four States have repealed the ban on intermarriage between whites and Negroes, and rejoicing over the school case decision holding segregated schools unconsitutional. From that pamphlet it would seem that they have already gained not only equality but rights that none but minorities are permitted to have in this country. Yet the battle goes on for more privileges for minorities alone, which militate against the old-fashioned Yankee and the old-fashioned southerner. An apt illustration is the resentment by the NAACP and other minority groups over the proposed legislation to change the electoral system so that every person's vote in every State would be counted. They did not dispute that this would furnish equality, rather they objected to it because it would make a person's vote equal, and they angrily informed Members of this Congress that such a law would deprive them of the power to control elections in the various States. The truth is, that these tolerant groups are the most intolerant people that ever lived in the United States and you had better believe it before it is too late. They ask tolerance of you now, but they will completely deny to you the tolerance they say they are asking for.

The minority groups are conscious of their power, and in fact they overappraise their power. Actually, it is not and never has been the potent thing they claim it to be, and our way of life can be preserved any time our true and loyal Americans desire it so. As Abraham Lincoln said, there must first be a will.

I sincerely hope that this body has read the hearings regarding this legislation and has discovered the outstanding fact that the witnesses who testified before our subcommittee, with the exception of a few Members of Congress, were all members of minority groups. They are identified in our minority report. Not one State official appeared and testified in favor of further legislation in the civil rights field, nor did the FBI or any other Federal official. The evidence was completely ex parte, consisting of wild rumor and hearsay testimony, not a single sentence of said testimony being admissible in any court of record in this country. On July 27, 1955, at a time when approximately 53 civil rights bills were pending before our subcommittee, the National Lawyers Guild wrote the chairman of our subcommittee that it had pledged itself to secure a comprehensive civil rights statute and had drafted the modern civil rights bill and urged that one of the pending comprehensive bills, such as H. R. 389, or H. R. 3688, be passed by the 84th Congress. H.R. 389 appears on page 2, and the following pages of the hearings. H. R. 627 in its original form, while not including a few provisions in the legislation so recommended, with those exceptions was virtually identical with the recommended legislation. On April 23, 1956, the National Lawyers Guild advised members of the House Judiciary by letter, asking that H. R. 627 be amended to strengthen 42 United States Code, section 1985. It also recommended the creation of a Commission on Civil Rights; the adding of an Assistant Attorney General in charge of the protection of civil rights, and a provision punishing lynching. It disagreed with the Brownell recommendation that civil

remedies only be provided, as set out in the pending legislation, for the reason that they wanted criminal penalties provided also. With the additional recommendations above referred to, the National Lawyers Guild gave its approval to the Brownell version, which is now actually H. R. 627. When this civil rights legislation was being considered in our subcommittee, the Attorney General was invited several times to appear before that subcommittee and submit any recommendations he desired to make, but the Attorney General failed to appear. It was only after H. R. 627 was reported out of the subcommittee in its original form that the Attorney General manifested any interest, and the Attorney General then appeared before the full Judiciary Committee. Up to that time, the only recommendations made by the present administration were those made by the President in his state of the Union message, wherein he recommended that a committee be established to investigate civil rights complaints. At that committee meeting, however, certain bills were before it carrying out the provisions which now appear in H. R. 627. That was the first time that there was any recommendation from the administration about setting up an Assistant Attorney General, and providing for the Attorney General, in the name of the United States, with or without the consent of the alleged aggrieved party, to bypass the State courts and administrative bodies and obtain injunctive and other relief.

How one can square the suggestion of setting up a body to investigate and make recommendations with the other provisions, I confess I do not know. The Attorney General told that committee that recently the Supreme Court reversed the conviction of a Negro because of a showing that Negroes had been systematically excluded from the grand and petit juries that had indicted and tried him, and that finding having been made:

> The Department of Justice had no alternative except to institute an investigation to determine whether in the selection of jury panels in the county in question, the civil rights laws of the Federal Government were being violated, as suggested by the record before the Supreme Court.

Then the Attorney General said that this investigation aroused a storm of indignation in the county and State in question, but that the investigation showed that in recent years there had been no discrimination whatever in the selection of juries in that county and the case was closed. I wonder if the Attorney General realized what he actually was saying. What he actually did was to tell the committee that the Supreme Court had reversed a conviction in Cobb County, Ga., on a false statement of facts. Also, he was telling the committee that he felt that he already had authority to make that investigation and to take steps to correct it, and if he was right, then he needs no further legislation to empower him to perform that service in a legal way. If no further civil rights legislation is enacted into law, anyone claiming that their civil rights have been denied has full access to the Federal courts and the assistance of the district attorneys, subject only to the exception that in civil actions they are supposed to furnish their own attorneys, but this is obviated now by legal counsel being furnished by the NAACP, the American Jewish Committee, American Civil Liberties Union, and other organizations, and this fact is so well known to this body that there cannot be any dispute. Further, it is a well-known fact that the State courts have the right to correct constitutional violations, and the State courts have a fine record in so doing.

Let us discuss what this present legislation will do:

Part I relates to the establishment, compensation, duties, powers, and appropriations for a Commission on Civil Rights. Establishment of civil rights commissions is certainly not new. We all remember the Truman Civil Rights Commission. If a Presidential civil rights commission is not in existence now, the President can create one anytime. If there is to be any such commission, it would seem that the fairest approach would be for the President to set up that commission. The material difference between a commission set up by the President and this proposal is that a Presidential commission does not have broad subpena powers, whereas this proposed legislation does give to the commission full subpena powers, and provides for punishment for any person who fails to obey that summons. This commission would have the right to subpena any person to appear and testify in Washington or any other remote place, and evidently at that person's expense, as no travel pay or per diem allowances are therein provided for. No one could furnish any evidence or estimate as to what this commission would cost the taxpayers. We do know that $50 per day is lawful for the commission members, staff director, and such personnel as the commission deems advisable and may use the services of other persons who would draw a per diem allowance not in excess of $12 per day. If the past is any criterion, this voluntary assistance would probably be the NAACP, American Civil Liberties Union, and others—page 161, 1955 hearings. It is reasonable to assume that such personnel would be partisan. The duties prescribed for this commission open up Pandora's box. It is empowered to investigate all allegations that persons are deprived of the right to vote or subjected to unwarranted economic pressure by reason of their color, race, religion, or national origin, besides other enumerated duties. Anyone knows that in the field of education complainants will utilize this commission in a manner and volume heretofore unknown to any Government agency. It is a known fact that more unreasonable complaints are made in the field of civil rights than in any other field—see pages 176–177 of the 1955 hearings, appendix B, furnished by Hon. Tom Clark. That shows that in 1940, 8,000 civil rights complaints were received, with prosecutions recommended in 12 cases, including Hatch Act viola- 1940, 8,000 civil rights complaints were received and prosecutive action taken in 76 cases, the report being silent as to the number of convictions. In 1944, 20,000 complaints were received and 64 prosecutions undertaken, but it is not revealed how many were convicted.

Part II of this proposed legislation is known as the additional Assistant Attorney General provision. Under this proposal, a special civil rights division would be set up, involving staff and clerical help and many, many assistants to the Assistant Attorney General. How many assistants to the Assistant Attorney General will be required? Mr. Maslow, general counsel, American Jewish Congress, in his testimony in July 1955 said this division should have 50 lawyers in it. Mr. Maslow's estimate is most conservative, inasmuch as parts III and IV of this proposed legislation makes the United States the parent and guardian of all groups covered by this legislation. Inasmuch as this proposed legislation would provide that the Attorney General can, without any requirement that State judicial or administrative remedies be exhausted, go into the courts of this Nation with or without the consent of the complainant, then no one can estimate how many lawyers will be required at the taxpayers' expense. The majority report makes it crystal clear that part II of this legislation is designed so that the Federal Government may invade all of the States and subdivisions in matters relating to integration, the field of education, and even interstate and intrastate matters, including primary elections. In other words, according to the majority report, all decisions of the United States Supreme Court in the last few years will be rapidly enforced through this medium. Certainly this would be a Frankenstein and a constant threat to any State or local government and to virtually every officer and agent of such governments.

Part III of this proposed legislation brings new and novel principles, which, when fully appraised, are absolutely shocking. To empower the Attorney General in the name of the United States, but for the benefit of the party in interest, to institute civil actions or other proceedings for redress, preventive relief, temporary injunction, restrictive order, or other order, and recover damages or other relief for the party in interest, and even before State remedies have been exhausted, would devastate the principle of States rights. Further, it will afford to certain groups of citizens free of cost all legal representation and costs of litigation, while creating cost for the legal services and litigation so far as States and their officers and agents are concerned. It will mean that the Attorney General may institute litigation without the knowledge and even without the consent of the person designated as the party in interest. The party in interest may feel that he has no complaint, but some pressure organizations can insist that he does, and are free to importune the United States to institute such proceedings. Why single out civil rights cases as the exception to the time-honored and salutary requirement that State remedies be exhausted while leaving every other type of case subject to that requirement? Why include primary elections in this legislation? So

far as I know, this is the first time primary elections have been included.

Subsection (b) of part IV would be a new provision. A casual examination shows the dangers inherent in such legislation, and additionally, the loose language employed. What does the language "or otherwise" mean? Is that a catch-all phrase, and does it mean that this covers every instance and every imaginable conception of intimidation, or attempted intimidation? It may be that any candidate for any of the offices named would be risking violation of that provision in an innocent conversation with the voter. Then too, is it not possible that a complainant could institute an action in a State court for redress and desire State adjudication, but the Attorney General could institute a proceeding in the Federal court, and the defendant be in the awkward position of having to litigate in two separate courts on the same subject and at the same time? Or, would this new legislation mean that all State laws on this subject would be annulled upon the theory that this Federal legislation had preempted the field? On April 2, 1956, the United States Supreme Court in the case of Commonwealth of Pennsylvania against Steve Nelson, ruled that the sedition laws of Pennsylvania and the other States were void because the Federal Government had legislated upon that subject. Truly, that decision was astounding, but actually was nothing new. In *The Cloverleaf Butter Co.* v. *Patterson* (315 U. S. 148), the Supreme Court held that the Commissioner of Agriculture of Alabama was without authority to seize packing stock butter which was intended to be manufactured into renovated butter, although he was acting under State authority, for the reason that the State law was in violation of the national supremacy rule. It is interesting to note that many of the advocates of this proposed legislation on civil rights are now opposing H. R. 3, H. R. 10335, and H. R. 10344, all pending before the House Committee on the Judiciary, and all designed to correct the Pennsylvania against Nelson case. Their opposition to this legislation is based upon the argument that the States should have no right to legislate in the field of sedition, and certainly it is fair to assume that their real opposition is upon the broad ground of centralization of power, and that the States should be bypassed and ignored. If this legislation is passed, State officials will be met at the threshold with constant litigation. Anyone attempting to perform the duties of a jury commissioner, registrar of voters, school administration, or duties of interstate or intrastate character, must understand that they will be harassed with endless suits by the Government, pressure organizations, and individuals.

Subsections (c) and (d) of part IV are all subject to the same arguments presented as to subsection (b).

There are grave constitutional questions as well as practical and logical objections to this proposed legislation. In the 1955 hearings, pages 147–159, there is inserted an opinion of the former Attorney General, Hon. Tom Clark, concerning civil rights legislation before the Committee on the Judiciary, 81st Congress. Anyone reading that opinion is forced to conclude that Mr. Clark stated in the most favorable light possible the legality of that legislation; yet, he was compelled to admit that there were grave doubts. Page 179 quotes Mr. Clark as saying:

> It is true that there is a line of decisions holding that the 14th amendment relates to and is a limitation or prohibition upon State action and not upon acts of private individuals.

He cited three United States Supreme Court decisions so holding. One of these cases, *Hodges* v. *U. S.*, (203 U. S. 1), completely declared that the 14th and 15th amendments operated solely on State action and not on individual action. Anyone knows that the 14th and 15th amendments clearly show that they were designed to prevent State action and not individual action. Anyone knows that if those amendments had not been so circumscribed, that the Federal courts would be trying murder, assault, and every type of criminal case, and that the State courts and State powers to punish crimes would be useless.

The truth is, just as former Attorney General Clark virtually stated in the opinion heretofore referred to, page 179 of the hearings, where he suggested that the law of nations, the treaty powers of the United Nations Charter, and the power to conduct foreign relations could be used to make legal laws that would not be legal under the 14th and 15th amendments. I tell you now, that if this Congress wishes to endow the Federal Government to pursue individuals, it must fortify that action by treaty law, and the United Nations Charter, thereby overruling and superseding the Constitution of the United States. I tell you that President Truman's Civil Rights Commission, in its report of 1947, pages 47–135, said:

> It is true that the Federal Government does not possess broad, clearly defined delegated powers to protect civil rights which it may exercise at its discretion, a detailed examination of the constitutional aspects of the civil rights problem makes clear that very real difficulties lie in the way of Federal action in certain areas.

Also, they point out:

> In its decision in *Missouri* v. *Holland* in 1920, the Supreme Court ruled that Congress may enact statutes to carry out treaty obligations, even where in the absence of a treaty, it has no other power to pass such a statute. This doctrine has an obvious import as a possible basis for civil rights legislation.

And, they say:

> The Human Rights Commission of the United Nations is at present working on a detailed international bill of rights designed to give more specific meaning to the general principle announced in Article 55 of the Charter. If this document is accepted by the United States as a member State, an even stronger basis for congressional action under the treaty power may be established.

Indeed, President Truman's Civil Rights Commission knew what it was talking about. *U. S.* v. *Pink* (315 U. S. 203) extended the treaty doctrine to executive agreements. In that particular instance, President Roosevelt had signed an agreement with Russia. It was not referred to the Senate or known to the Senate. That agreement disposed of moneys legally impounded by a New York court of competent jurisdiction and held in receivership. The agreement took the moneys away from that court. This body might be interested in knowing that in 1954, advice was received that it would take about 9 months to supply a list of executive agreements which were never submitted to the Senate. It is probably true that there are now executive agreements existing that would be construed as legalizing any law in the civil rights field, although offensive to the United States Constitution. This body knows and the people know that executive agreements were not supposed to override our Constitution, but we all know the Supreme Court has held that they do.

I must inform this body that in *Oyama* v. *California* (332 U. S.), pages 633–689, Justices Black and Douglas said:

> There are additional reasons now why that law stands as an obstacle to the free accomplishment of our policy in the international field. One of these reasons is that we have recently pledged ourselves to cooperate with the United Nations to "promote universal respect for, and observance of, human rights, and fundamental freedoms for all without distinction as to race, sex, language, or religion." How can this Nation be faithful to this international pledge if State laws which bar land ownership and occupancy by aliens on account of race are permitted to be enforced?

And in the same case, see page 73, where Justices Murphy and Rutledge said:

> Moreover, this Nation recently pledged itself, through the United Nations Charter, to promote respect for, and observance of, human rights and fundamental freedoms for all, without distinction as to race, sex, language, or religion.

I do not need to remind this body that some of the justices in the steel case decision held that President Truman had power to seize the steel industry, not by inherent right, but under the United Nations Charter.

I invite you to meditate upon the majority report contained in the report on H. R. 627, and particularly the statement on page 5 to the effect that to leave to the States or local governments the administration of their laws "would represent, at best, an unjust imposition of Federal duties on these overworked State and local law enforcement officials, and, at worst, dereliction of sworn duties to uphold and defend the Constitution of the United States." Where the majority of the committee obtained any evidence whatever that the State and local courts were overworked, I will never know. The truth is that the State and local courts have been bypassed in recent years to such an extent that no longer can the State and local governments be said to control their affairs. What that majority report should have said is that for many years this Congress has had annually the complaint that the Federal courts are so congested that in many areas cases have remained on the dockets for 2 and 3 years without trial, and that the Federal

court are becoming more congested daily. This body knows that every year there has been a demand for more Federal court judges. Will anyone deny that the Judiciary Committee now has a bill providing for 21 additional Federal court judges, and the Judicial Council is crying out for more Federal judges? Chief Justice Warren is demanding more Federal judges. In fact the Chief Justice has pointed out the fact that he considers more Federal judges absolutely necessary, and it has been suggested on this floor that the Chief Justice be invited to address the Congress on the need for more Federal judges.

If this legislation becomes law, it cannot be estimated how many additional Federal court judges will be required, but everyone knows that it will be many.

This legislation is designed for the purpose of invading the schools and the voting systems of the respective States, and particularly those of the South. The officials controlling school affairs and the election machinery in the Southern States will be met with litigation the moment they take office, which will continue until their resignation from office. That is the avowed purpose of certain pressure groups. I wonder if this Congress is willing for that to happen. I wonder also if this Congress or the public believes that if this legislation is passed, and if the constant threats are carried out to pass legislation that would deny to States their portion of funds for school construction, farm program participation, lunch room assistance, and other Federal programs, it would bring the people to their knees. I wonder if they think that the southern people are not able to endure punishment or unfairness. Do they think that dollars will outweigh principles? I wonder if they think the suggestion that public schools be abolished is simply an idle one. It is my personal opinion that punitive legislation would only fortify the resolve of certain States. I doubt that unjustified punishment and mistreatment has ever cured anything.

Now, I wonder most of all, who would this Congress and the American people place more trust in when the chips are down. Would they place more trust in the groups demanding this legislation?

Is it not true that they would place far more trust in the particular people this legislation is designed against? I wonder if this Congress and the public have pondered in their hearts whether or not the true cause for so many young men in our military severing their connection with military service is not due fundamentally to the fact that they are not allowed to choose their associates and bedfellows. I tell you that many young men have told me that was the reason why they did not want the military as a career. I think this Congress and the public would be utterly amazed if they took time to find out how many of this country's military leaders were furnished by the South and the West in World War II.

As I have said before, this legislation is directed against loyal Americans in all of the 48 States. It is the people who are descendants of those who won this country, made this country, and then from Christian instincts allowed the majority in these groups that this legislation is for the benefit of, to come in and reap where they did not sow, partake of fruits which they did not plant, and advantages for which they did not labor, that this legislation inveighs against.

The District of Columbia; Chicago; Dearborn, Mich.; New York; and California are already finding this out, according to U. S. News & World Report, in recent issues, and according to the press, who in the past few weeks have for the first time started taking notice of this horrible situation. If we had fought communism as hard as the civil rights advocates have fought us, there would be no communism in the United States today. To say that communism does not exist in this country to any appreciable extent is to ignore absolute facts. I for one have become exceedingly weary of hearing people say that we have got to pass laws that we know are unsound, or we are going to offend Russia and her satellites. That kind of statement does no credit to America. I have no desire whatever to satisfy Russia and her satellites unless they are willing to be satisfied with that which is right. I have no fear of the Russian Communists. I exceedingly fear the American Communists. If we ever become realistic and remove communism from this country, it is my belief that danger from Russia will disappear overnight. Once Russia becomes unable to know our inventions or to know our secrets or to know of our plans, Russia will hesitate to take any action against us. So long as Russia knows every secret we have, and so long as we try to please her in any way, so long will Russia be the grave menace. So, I ask you today to vote against this legislation. To these organizations who have for so long thought that they were the who's who in America, let us tell them that they are the who's through in America. I ask you to vote against this legislation in behalf of my people, in behalf of your people equally, in behalf of God and the Christian religion. I ask you to remember that if in this fight today we lose, you who defeat us cannot possibly win.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman.

Mr. JONAS. On page 4 of the report I shall read a very remarkable statement, and I would like to have the gentleman's comment on it if he does not plan to do so anyway:

> On May 17, 1954, in the school-segregation cases (*Brown* v. *Board of Education*) the Supreme Court of the United States wrote on the pages of lawbooks what has been in the hearts of men for many years.

Now, is that not an admission on the part of the great Committee on the Judiciary that the Supreme Court is writing legislation into the lawbooks?

Mr. FORRESTER. There is no question about that. If the gentleman will read the minority report, he will notice where we said, "Yes, indeed." That is exactly what they did. They wrote law in that instance.

Mr. WINSTEAD. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I am delighted to yield to the gentleman.

Mr. WINSTEAD. Mr. Chairman, I hate to interrupt such a fine speech as the gentleman is making. He is one of the best authorities on this bill in the House; but, since the statement has been made as to what the Communists think about not passing this type of legislation, will we not find more Communists in the United States in those States that are pressing for this type of legislation than you will ever find in the section of the country against which this type of legislation is being directed?

Mr. FORRESTER. Yes. Let me say this to the gentleman. Down where I live, every now and then we have a man who would steal a hog, but he is an American thief. We have not got a thief down there that is an un-American thief.

Mr. WINSTEAD. There is one other point I would like to make. They talk about this legislation for the Negro. In my opinion, you will find less Communists in the Negro race in this country in all the States than you will among the white people who are affiliated with these left-wing organizations that press for this type of legislation day and night.

Mr. FORRESTER. Let me say this to the gentleman. I take my hat off to the Negro singer, "King" Cole, down in Birmingham who, when he was assaulted by lowdown whites, did not favor his back. He did not refuse to come out. He came out and appeared before about 10,000 fine Alabamians who cheered him until the rafters rang. He gave them an opportunity to show the world how the southerners reacted to that kind of thing.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield.

Mr. WILLIAMS of Mississippi. The gentleman knows, while he is on the subject of Nat "King" Cole, that immediately following that and his refusal to permit himself to be used as a tool for the NAACP, the leader of the NAACP immediately called for a boycott of his records.

Mr. FORRESTER. Yes. I certainly do know it, and I am hoping that the other people know it.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Alabama.

Mr. ANDREWS. I want to commend the gentleman on the great statement he has made. In my opinion from having heard him, he knows more about the pending bill than any man I have heard speak.

Recently about 81 Members of this House signed a so-called manifesto. If this bill were the law, could those 81 Members be indicted or prosecuted in any way?

Mr. FORRESTER. I would say that what they would do, they would say, "You are about to commit an offense." Although I was a prosecuting attorney for 30 years, they have told me something new. I have never heard of it, and I thought I had read every criminal-law textbook there was in the country.

Mr. CELLER. Mr. Chairman, I yield 30 minutes to the distinguished gentleman from Virginia [Mr. TUCK].

Mr. TUCK. Mr. Chairman, I thank the gentleman from New York, the distinguished chairman of the Committee on the Judiciary, of which I have the honor to be a member, for allotting me time to speak on this bill, H. R. 627.

I am unalterably opposed to this so-called civil rights legislation and am proud to have been associated with seven of my colleagues on the Judiciary Committee who submitted minority views on the bill as set forth in House Report No. 2187.

Furthermore, I considered it my duty and obligation to assist in the drafting of the declaration which it was my honor to present to this House on Friday, July 13, 1956, entitled "A Warning of Grave Danger," wherein I joined with 82 Members of this body in an attempt to direct attention to the dangers inherent in the proposals now under consideration. It was a privilege to affix my signature to that declaration and I did so with as much pride and in the same degree of seriousness as when I joined with 100 able, conscientious, and distinguished Members of the Congress in signing the declaration of constitutional principles on March 12, 1956, in protest against the unwarranted decision of the Supreme Court in the public-school cases which constitutes such a clear abuse of judicial power and so flagrant a violation of the fundamental rights of the sovereign States and the people.

The bill now under consideration, if enacted into law, will throttle, hamper, and restrict the States and localities in the orderly administration of their affairs. The bill assails the inalienable right of the people, safeguarded to them in our instrumentalities of freedom and deviates from the fundamental truths long established in this Republic, hence in obedience to my conscience and the duty resting upon me as a Representative and a citizen, I am impelled to express unalterable opposition to this infringement upon freedom and do all within my power to warn the people of these imminent transgressions.

These proposals strike at the vitals of fundamental American liberty upon the pretext of providing the means of further securing and protecting civil rights. The bill neither confers nor safeguards rights and on the contrary destroys with reckless abandon both individual and State autonomy.

The proposed Commission on Civil Rights would have the power to investigate manifold allegations in areas where the Federal Government has no authority, constitutional or otherwise, and the proposed legislation grants to a commission not chosen by or responsible to the electorate summary powers of an extraordinary nature and of such magnitude as to offend and shock the sensibilities of the citizenry.

Under the jurisdiction of the proposed additional Assistant Attorney General there would develop a special Civil Rights Division comprising a vast horde of lawyers, investigators, and shock battalions whose activities would be of such a nature as to violate the rights of the people of the sovereign States to an extent that is alarming to all thoughtful Americans who cherish the priceless privileges which we have enjoyed for so long as a result of the sacrifices made and the victories won by the virtue and valor of our forefathers. The governments of the States, counties, towns, and localities, and the officials and citizens of the same would be subjected to insults, intimidations, and tyranny powered by reckless and misguided pressure groups against which there would be no redress. A politically minded Attorney General armed with power which the bill expressly confers, through the agents of his so-called Civil Rights Division, could invade the States and localities upon the flimsiest allegations and without any supporting evidence in an attempt to frighten and intimidate the people in every conceivable, unjust, and unfair manner in open violation of their constitutional guaranties.

The amendments proposed under part III of H. R. 627 would enable high officials of the Federal Government to intrude into matters for which there are now remedies by private action. The Attorney General of the United States would be invested with plenary powers to proceed not only for damages in alleged private actions, but for injunctive relief even where there has been no overt act, contrary to the jurisprudence of all civilized countries and without the consent and presumably against the will of the person or persons in whose name he sees fit to proceed, thus endangering and abridging not only our rights to freedom of speech imbedded in the Constitution of the United States, but, also, proscribing the right of free people to think, a form of tyranny so despicable that words to describe it cannot be found in the long lexicon of human misery. In this connection Thomas Jefferson once said that he had sworn before the altar of God eternal hatred against every form of tyranny over the mind of man. Under these procedures citizens would be deprived of the basal right to trial by jury without which freedom is a mockery, and irreparable damage would ensue to our constitutional system of government.

No necessity has been established for the conferring of such extensive and unlimited power on the Attorney General of the United States, and strange as it may seem, none is claimed.

The right of suffrage is the cherished privilege of the citizen who can meet the standards and qualifications of good citizenship. One of these is a sustained interest in government as well as a willingness to discharge the responsibilities of citizenship. Of necessity this is a matter that must be left to the States and to the localities.

Under the Constitution, the States are the sole judges of the qualifications of the electors and throughout the long and glorious history of our Nation the manner in which our elections are held has been a time-honored function of the States. The broad language of the proposed legislation would open the entire field of elections, including the State primaries, to unlimited Federal intervention, a field in which the Federal Government has never before even claimed the right to invade, and the rights of the States and localities would be subverted to the authority of an unnamed Assistant Attorney General who would be supreme.

The intrusion of the Federal Government into that field has not heretofore been permitted or even considered, except in precise instances clearly defined in the 14th and 15th amendments. The right to vote must be protected by means consistent with the principles set forth in the Constitution. The proponents of the legislation have failed to establish the necessity of granting the Federal Government additional powers which would affect our elections and voting rights, and whenever—and if—it is so established the powers should be exercised in conformity to an appropriate amendment to the United States Constitution and not by legislative, executive, or judicial fiat.

The States generally, I believe, have been able to govern themselves very effectively and are opposed to surrendering the historic powers which have rested with them since the foundation of the Republic. When Government becomes removed from the States, the localities, and the people, then it no longer is responsive to the will of the people. If this legislation is adopted, the States and the people will have become enervated and helpless and the hitherto sovereign States, as well as their political subdivisions, will remain nothing more than the hollow shells of a lost liberty.

Among other powers, the proposed Commission will have authority to summon citizens all over the country, subject them to unlimited inquisition, and take them away from their businesses, their families, and their homes and—mind you—no provision is made for their pay or expenses for this inconvenience and unwarranted interference, although the bill with great care spells out that the super-duper commissars are to be paid at the rate of $50 per day plus expenses. Even the lowly and ordinary snoopers and sneakers, who are to be equipped with the eyes of Argus and the lantern of Diogenes, are to be paid a per diem of $12. The plaintiffs of their own selection, who may be any "screwball" or "bobtail", are to be provided with free lawyers.

Some who have given little or no study or thought to this bill and its provisions seem to think of it as a measure to prevent in certain States the people of one race from murdering the people of another race. If that were the case and the legislation needed, many of those who are now opposing the bill would be actively favoring it. This bill involves fundamental issues and cannot be considered as a race matter and should not be, although it was conceived in this atmosphere and it undoubtedly is aimed at one section of the country because both of our national political parties of late do not believe the South to be worth its political salt.

Irrespective of the views others may have in this regard, the facts are that this bill is a blunderbuss and its shots fly in every direction striking down the liberties of the people everywhere without regard to race, creed, or color. There

are those in this country who would—like Delilah—exult in giving the South one of those celebrated haircuts for which she became so famous, depriving us of our resources, strength, and power. This cannot be done, however, without sapping the strength of the other States of the Union, and I warn against this Samson-Delilah act lest the pillars of the synagogue be pulled down and the temple destroyed—merrymakers, squanderers, wastrels, and all.

In this connection, too, we should not overlook the experiences of another Biblical character, Haman, who constructed a scaffold for Mordecai, but in a few days Haman himself was hung upon the scaffold which he had constructed for Mordecai.

These proposals constitute a brazen and unbridled attempt on the part of the super-hierarchy in both of our national political parties to attract and hold minority groups in pivotal States in order to control presidential, senatorial, and gubernatorial elections. I look with disdain upon such Machiavellian methods. Both of our national parties seem to be engaged in a race to capture the Negro vote and the leftwing vote and seem to be willing to go to almost any length, even to sacrificing the rights of true and patriotic Americans who quarried and carved out from Magna Carta itself our form of government, wrote and proclaimed its Bill of Rights and Constitution and who, in order to save its establishment, have shed their blood upon the seas and the battlefields of the world. On this score neither of these national parties deserves the vote of the Negro and it is an ironical fact that neither of them knows who will get it.

It is comforting in hours of doubt and stress to have someone in whose judgment we have unbounded confidence to shield and protect us and to shelter us from the storm. It would be a joy if we could find such leadership today in matters of this kind that could be trusted to lead us safely into the sane pathways of betterment, but I have grave doubts and qualms about the direction in which our national leaders are going and on this subject I am unwilling to follow them blindly.

Under the conditions I must provide for my own leadership and rest upon my own powers for direction. I am somewhat in the position of the Yankee soldier who shortly after the War Between the States paid a visit to the cemetery at the old historic St. John's Church in Richmond when he read on one of the old tombstones the following epitaph:

> Whilst in Christ Jesus here I sleep;
> Prepare yourself your soul to save
> There is no repentance in the grave.
> Stop my friend as you pass by.
>
> Return my friend and cease to weep
> As you are now so once was I;
> As I am now you soon will be,
> Prepare yourself to follow me.

This soldier, ever mindful of his future conduct and being somewhat of a wag, carved this short inscription thereunder:

> To follow you I'm not content
> Until I know which way you went.

No man, no set of men, no combination of groups or individuals will ever succeed in persuading me for the sake of a few votes to jettison the South and decimate the powers of the people of the whole United States.

It is my sincere hope that I may always be fair and I hope that I am today. I have inveighed against those who called themselves Democrats when they have violated principles which I cherish and hold dear. I hope that I shall have the moral strength and courage to do so again if the need arises. So I hope my friends on the other side of the aisle will not think unkindly of me when I say that at no time since the tragic era of carpetbaggers and scalawags has the racial harmony of the South, as well as that of the Nation, been more disturbed than during the Eisenhower-Warren tenure. That team has thrown to the South, if not indeed the Nation, this apple of discord and rancor. We yearn for the return of the halcyon days that we have known and for a restoration of the peace and tranquillity which has heretofore been so characteristic of our people.

I reiterate my opposition to these so-called civil rights bills. I shall never cease to resist them with all of the vigor and power at my command. It is my firm conviction that they would exacerbate instead of allay the tensions that they pretend to treat and at the same time are repugnant to the Constitution of the United States and odious to the lovers of liberty. Their passage would result in the establishment of insufferable conditions which the people are unwilling to endure.

Let me say that in Virginia we have spit no fire and we will eat no dirt. This is not the first time that our liberties have been endangered. We will continue to hold high in the future as we have in the past the torch of freedom. We shall endeavor to find some way to preserve the liberties of our people and the fundamental principles upon which this Government was established. It will certainly be my purpose, and I believe the overwhelming majority of the people of Virginia will support me in it, to put up all of the resistance of which I am capable to these encroachments upon the liberties of the people of the South, as well as all of the people of every State in the American Union.

I oppose this bill because I believe in human liberty and the rights of the States and the localities and the people to govern themselves on a local basis.

I do not come as a bigot to fan the flames of racial hatred. I bear no malice toward any race. In this regard I can stand upon my record as well as upon the fact that in the Commonwealth of Virginia the white and colored people have lived in peace and harmony for more than 300 years—longer than any other place in the Western Hemisphere.

I hope that I may be pardoned for making reference to certain phases of my term of service in Richmond. I do this to show the record upon which we as Virginians stand.

In 1926 as a second term member of the House of Delegates of Virginia, I supported the antilynch law enacted at that session, recommended by Governor BYRD, the strongest antilynch law on the statute books of any State in the entire Nation. Since that date, Virginia has not suffered a single death by lynching. Among other things, during my own term as Governor, I recommended in my very first message to the general assembly an appropriation of $15,000 for the establishment of a monument to a Virginia Negro, Booker T. Washington. This appropriation was made, and I know of no other State in the Nation, North or South, that has made an appropriation to memorialize a Negro. I entered an executive order setting up a large sum of money for the establishment of a State park for Negroes in Prince Edward County. I entered another order setting aside a day to be known as Joseph Jenkins Roberts Day in honor of a Virginia-born Negro who became the first President of the Republic of Liberia. On another occasion during my term I drove to a small town on the outskirts of Philadelphia to participate in the dedication of a monument to the Negro composer and musician, James A. Bland, who penned that nostalgic song, Carry Me Back to Old Virginia. That monument, incidentally, was erected by the Lions Club of Virginia, and that song was adopted as our official State song by resolution of the General Assembly of Virginia.

I recommended as Governor, and the general assembly enacted into law, the largest single general tax increase in the history of the Commonwealth, of which many millions of dollars went for public health and education among both races. We took care to see that in the distribution of these funds the needs of the colored people were met, and they received a full measure of these funds.

After I returned to my home in South Boston, the late Dr. Roper, director of public health, wrote me that during my term, and upon my recommendations, more money had been appropriated for capital outlay in the eradication of tuberculosis in Virginia than had been appropriated through all the combined years that had intervened from the founding of the Virginia Health Department down to that time, and that most of this was spent for Negroes, where the disease was most prevalent and where the need was greatest.

In pardon matters coming before me in my term, I heard the pleas of the colored as well as the white and watched them wipe away their tears of sorrow. If called to witness, they would say I was considerate and kindly toward them, taking into consideration their opportunities, their background, and training. I released many of them from the penitentiary and commuted the sentence of others from death to life imprisonment. It subsequently proved that I erred on many occasions, but they were errors of the head and not of the heart, and I thank God that they were made on the side of mercy. I can stand with a clear conscience today.

I have cited these facts as to my own record for the purpose of demonstrating that I have never exercised authority conferred upon me by the people in a manner unfair and unjust to any minority group and, what is more, I never will.

These modern day abolitionists and latter day reconstructionists who seek to conform us to their own will and pattern know nothing about the Negro and his problems, and care less. Their principal interest in the Negro always has been, as is now, to use him as a vehicle upon which to ride into high public office.

Their actions remind me of Billy Mahone, of Virginia, the hero of the Battle of the Crater and a brave Confederate general under Lee, who stood with him at Appomatox, but after the war and in the dark days of reconstruction he became quite ambitious politically. He made wild and faithless promises; such as, 40 acres and a mule for every Negro and the repudiation of Virginia's debt on the grounds that another State had been formed from her boundaries and she had been stripped of her vast resources. He succeeded in forming a coalition among the worst elements of both races in our Commonwealth and captured control of the government of Virginia. He himself was elected to a seat in the United States Senate. John Jasper, the celebrated colored preacher of Richmond, had not faith in Billy Mahone and refused to yield to his blandishments. Many of the colored people excel in at least two particulars, in that they have superior allegorical powers of illustration, and the other is that they can instantly recognize a gentleman, and vice versa. In order to illustrate his lack of faith in Mahone, the Reverend Jasper told his congregation that he had dreamed of going to heaven and that St. Peter refused him entrance because he was walking. As he dejectedly descended from the pearly heights he met Billy Mahone approaching by foot, his face lighted and filled with hope and ambition. After John had related his difficulties, Mahone replied, "Shucks, John, I can remedy that. Get down on your all fours and I will get on your back and ride you right through the pearly gates and then we will both be in heaven." John succumbed to his plea, particularly since Mahone weighed less than 100 pounds. After again winding his weary way to the celestial portals with Mahone on his back, the latter knocked, and St. Peter said: "Who comes there?" Mahone replied: "This is United States Senator Billy Mahone, of the Commonwealth of Virginia, late a major general in the Confederate States Army of America." "Are you riding, or are you walking?" said the keeper of the gates. "I am riding, sir," replied Mahone. Then the heavenly gates opened and Mahone tied his faithful horse, John Jasper, on the outside, deserting the vehicle upon which he had gone to glory, and went in to enjoy the pleasures of heaven.

Because we have refused to consort with the leftwing elements in either of our national political parties, some have professed to look upon Virginia as being old-fashioned, as a land of rusty-colored aristocrats indifferent to the rest of the world as they sip their juleps in the shade of disintegrating plantation houses, shorn of their servants and yet unwilling to sully their hands or disturb their gentlemanly habits by resorting to either physical or intellectual labors.

Virginia is the oldest of the American Colonies and the cradle of the Republic, but we are as spry and vigorous and determined as in the days of Patrick Henry, George Mason, George Washington, and Thomas Jefferson. We are as modern as the jet plane, but we are old-fashioned enough to agree with Jefferson that the best governed are the least governed. We believe in public and individual integrity. We even go so far as to recognize the taxpayer as something other than an inexhaustible source of funds for the support of those who chance to be on the Government payrolls, of those who seek to sustain and even enrich themselves through excessive governmental largess.

We are so old-fashioned that we believe in economy and honesty in government, so old-fashioned that we believe in paying our debts; so old-fashioned we believe with Cleveland who affirmed that "the lesson should be constantly enforced that, though the people support the Government, the Government should not support the people."

We have resisted socialism in all of its various forms, as well as its counterpart—communism, and regardless of what may happen elsewhere we will continue to resist.

Lastly, we are so old-fashioned that we embrace and actually believe in the old-time religion taught to us by our forefathers who were fortunate enough to live and die in ignorant bliss of this new social order that some would foist upon us. Our religion goes back nearly 2,000 years. It antedates the Supreme Court of the United States. It antedates the new religion gleaned from the writings of that hater of our American Constitution, Karl Gunnar Myrdal and embodied in that despicable decision of May 17, 1954, as well as the Court's subsequent and equally horrible decisions denying the rights of the hitherto sovereign States of New York and Pennsylvania to deal firmly and resolutely and effectively with party-liners and pinks within their boundaries.

The House of Representatives will render a public service of the highest order and magnitude if the legislation now before us is defeated because to pass the bill would violate sacred and fundamental principles of government, sacrificing the rights of the States and of their people.

I know that my words may have fallen upon somewhat listless, if not, indeed, unsympathetic ears. I am enough of a realist to know that what I have here said may not affect in the slightest the outcome of the proposed legislation, but I have had a duty to perform. As a member of the Judiciary Committee and a Representative from my State, I could not shrink from it. I have held public office in Virginia for more than 35 years. There are few others now living who have been thus honored and for so long. I shall ever cherish the honors conferred and the trusts imposed. I would have been unfaithful and unworthy if I failed in this tragic hour of our history to speak frankly and unequivocably on this subject so close to our hearts and so vital to the welfare and safety of all. Whether it is popular or unpopular, politic or impolitic, expedient or inexpedient, I want it distinctly understood that I oppose this effort to rape our people of their liberties and break down the Constitution and shatter our Bill of Rights.

When the history of this turbulent period is written, if anyone cares to know my record, I want it to show that I stood for what I conscientiously believe to be right and in the best interests of the country. The knowledge that we have stood firmly and clung to the fundamental principles which have safeguarded the destiny of our Nation through the troubled waters of more than 300 years will in so far as we are concerned diminish and soften the pangs of pain that are sure to come when we hear the woes of the oppressed, their wails and cries and witness their miserable and sorrowful state. I hope that we may all have the strength to embrace those qualities of character which constitute courage and manhood, irrespective of what effect it may have upon our personal or political fortunes.

As for myself, let me live in the hope that my record now as on all other occasions will never be such that my little grandchildren and others of their generation will have cause to look upon my face or reflect upon my memory in disdain or scorn. Let them never say of me and my generation and of those with whom I am associated that we strayed so far away from the laws governing righteous conduct that we were willing to and did sell and swap their birthright and ours for a putrid mess of political pottage. In these difficult days, let us think less of morality by law, remembering that it is the duty of all to practice charity and forbearance each for the other. Let us ever be mindful of the admonition of the great immortal statesman, George Mason, who said, "No free government nor the blessings of liberty can be preserved to any people but by the firm adherence to justice, moderation, temperance, frugality, and virtue and by frequent recurrence to fundamental principles."

Mr. FULTON. Mr. Chairman, would the gentleman yield for a question?

Mr. TUCK. I yield to the gentleman.

Mr. FULTON. I was going to say this, that the people of moderation in the country appreciate the comments the gentleman has made concerning the progress of the South in its relationship to the Negro. We recognize, of course, that it has not all been bad. There have been many fine points which the gentleman has mentioned. On the other hand, there is no doubt that there are many people in the South who do not vote, and the question is how to give those people their civil rights so that they are represented. If you are educating them, if you are doing such a good job of building schools for them and bringing them up in the economy, why should they not take part as members of the electing public who elect those who make these laws, so that there is no taxation without representation?

Mr. TUCK. Mr. Chairman, my answer to that question is that that is a matter for which States of the Union are solely responsible.

Mr. FULTON. Then should not Congress redistrict this country so that the congressional districts will be redistricted on the basis of voting population and not on the basis of population alone?

Mr. TUCK. The matter of redistricting congressional districts is also a matter for the States.

Mr. DIES. Mr. Chairman, would the gentleman yield briefly?

Mr. TUCK. I yield to the gentleman.

Mr. DIES. It is a fact, is it not, that 50 percent of the people all over the United States who are eligible to vote never take the pains to go to the polls and vote?

Mr. TUCK. I think the gentleman is exactly right.

Mr. LONG. Mr. Chairman will the gentleman yield?

Mr. TUCK. I yield.

Mr. LONG. I would like to compliment the gentleman on the splendid statement he has made and the courage he has shown here today, and I want to associate myself with his remarks.

Mr. TUCK. I thank the distinguished gentleman from Louisiana.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. TUCK. I yield.

Mr. SMITH of Virginia. I want to express my deep appreciation of the fine analysis that Governor Tuck made in his speech and the fine exposition he has given of the sentiments and the feelings of the people of Virginia, the great mother of commonwealths. While the gentleman has made a very piercing analysis of the iniquities of this bill, there is one point I would like him to enlarge upon. The gentleman made the statement that a person can be sent to jail under this bill without a trial by jury. I am familiar with what he has reference to and that is a person can be hauled up in an injunction procedure on a civil matter, and if he fails to carry out the mandate of that injunction, he can be hauled into court and can be sent to jail by the judge without ever having seen a jury.

Mr. TUCK. That is absolutely my understanding, sir, and all he would have to be guilty of would be the offense of contumely, which is a new offense in the criminal code of America.

Mr. DORN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. TUCK. I yield.

Mr. DORN of South Carolina. I would like to add my compliments to those of the other distinguished gentlemen for your splendid and wonderful presentation in defense of constitutional government and liberty.

Mr. TUCK. I thank the distinguished gentleman.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. IKARD].

Mr. IKARD. Mr. Chairman, no measure has recently come before the House which incites such profound misgivings as does the so-called omnibus civil-rights bill, H. R. 627. In opposing this bill, I am moved by the emotions that all men and women must feel when their most sacred rights and freedoms are imperiled by a cynical and hypocritical attempt at political opportunism such as this is. This measure is a device of low political cunning, a kind of insidious strategy masquerading without conscience under the guise of a bill to strengthen the structure of civil rights in the United States. This is a measure devised by the politically minded Attorney General designed to placate and befuddle a whole race and deceive the American voters.

My opposition to this measure is far from being purely emotional. It is of substance based on constitutional and legal grounds. It is as firmly predicated upon the American tradition and the foundations and heritage of our country as any of the institutions that have helped to bring this Nation to the prestige which makes us foremost among the peoples of the world. It is not enough to say that this bill does violence to my conscience as an American and to the very pattern of the life of whole regions of the country—it does violence in the most deceitful form to the Constittuion of the United States itself. It strikes at the very heart of the basic principle of our Government. That is the very foundation of our system which so wisely separates the authority of our States from that of the Federal Government. This bill is brutally irresponsible. It is capricious and pregnant with mischief, the sweep and scope of which its sponsors do not even remotely understand. This bill is the ugliest enemy of genuine civil rights that has appeared since Reconstruction days. Anyone who is a lawyer and has studied H. R. 627 knows that it is shredded with legal flaws and constitutional imperfections, which reveal themselves on the most casual examination of the bill.

First, the bill sets up a Commission on Civil Rights in the executive branch of the Government, with the authority to investigate allegations that certain citizens of the United States are being deprived of their right to vote or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin. It is fundamental that Congress can only investigate those matters that it has the authority to legislate upon. Jurisdiction of this Commission, as defined by the bill, necessarily presumes that the Federal Government has unlimited jurisdiction and power over the rights of suffrage. Of course, this simply is not so. The States have the exclusive rights to provide the qualification of voters. The 14th and 15th amendments to the Constitution do not give any such power to the Federal Government, but merely forbid any discrimination in the qualifications set forth by State law.

This Commission is also directed by the bill to investigate allegations concerning unwarranted "economic pressures" alleged to have been exerted upon a person because of his color, race, religion, or national origin. By doing this, this bill moves into a field that the Supreme Court has held was reserved to the States and to their people. The sponsors of this bill would ask Congress to use it as a vehicle to move into an area in which the Supreme Court has held it has no power to legislate. It is an utter and complete destruction of our historic concept of the rights that are vested in the several States.

This commission would also be granted under H. R. 627 broad subpena powers despite the fact that we have always viewed the use of the subpena as a very extraordinary matter—so extraordinary in fact and so subject to abuse that under the rules of the House of Representatives there are only three of our committees which have the inherent power of subpena. The very climate of opinion out of which this bill was born guarantees that this commission by the very nature of its origin and by its need for later justifying its existence will be a punitive and inquisitorial body bent on finding abuses where perhaps none exist and bound to exaggerate those that may actually appear and that could easily quite properly and routinely be handled by existing State laws. H. R. 627 seeks to create a commission armed with Federal fiat to go into any State and through the use of its very special and unusual power to institute investigations of any and all alleged unwarranted "economic pressures." It is impossible to know just what fabulous fuzzy definitions this group would dream up for the term "economic pressures." Here would be established a flying squadron of Federal inquisitors. They could, on the basis of some vague complaint, or on their own initiative invade the sacred legal precincts of any State and by force of subpena and other investigative and punitive powers with which they are to be armed proceed to call to judgment, to censure, to penalize through direct or indirect application of an inflamed public opinion, the people of any State. Thus, under the incredibly distorted guise of civil rights we have after almost 200 years of free government the proposed creation of a new form of despotism and the designed amplification of Federal power at the expense of the States which is in violation of the very letter and spirit of the documented will of our Founding Fathers, the Constitution.

Part 3 of this bill would amend our criminal conspiracy statutes. It would intrude high Federal Government officials into matters that are now remedied by private actions for damages. It clothes the Attorney General with authority by a civil process to do that which heretofore he could not do even on a most limited basis by the criminal process. Anyone who has taken time to read this bill cannot help but realize that the fundamental purpose of enacting this provision is to permit the Federal Government to enter into a field which has been formerly reserved for private persons and the States. The Attorney General could move under these provisions whether the remedies provided in the States had been exhausted or not. The amendments wholly ignore the remedy of private actions for damages under the provisions of the States' law. This phase of the proposed bill would allow the Attorney General to proceed even when someone "is about to engage in any acts or practices that would give rise to a cause of action pursuant" to section 1985. Here we abandon every legal concept that has protected the individual

from the onslaught of a despotic government. This provision abandons the fundamental principle recognized throughout modern jurisprudence and in the laws of every State of the Union and of the Federal Government, and that is, that in order to be guilty of an attempt to commit an offense, you must commit an overt act. Here in the United States we have always spoke with great pride about our freedom of thought and expression. Yet, here we would empower a politically appointed and partisan-minded public official to conceivably punish a citizen of this country for an expression of opinion. How much closer can we get to thought control? Everyone should read the expression of the Attorney General, portions of which are set out in the report on this bill. It is as revealing as it is amazing. Here is the Attorney General of the United States impatient with the Anglo-American concept that in order to violate a criminal statute you must have a willful intent. Here he wants to proceed so swiftly and so quickly that it is impossible to be bound by the rules of burden of proof and guilt beyond a reasonable doubt and proof that the accused intended to violate the law. What does he recommend? He wants to reach the problem by way of the injunction where he would have no trial, no burden of proof to sustain, no bond to make, and where he could get a restraining order to accomplish whatever purpose he had in mind. The powers that these provisions of the bill bestow are terrifying in their implication. In addition to that, they are witless in their conception and dangerous beyond calculation in their lack of clarity and definition. They can be given as many interpretations and as many definitions as there are lawyers in the land. Yet, action could be taken under them that could be insulting and humiliating to a sovereign State of this Union and debasing and degrading to a citizen.

The crowning reversal of an American tradition as pronounced by H. R. 627 is that it usurps the function of the States in regulating voting. We are all aware of the elementary facts about the 14th and 15th amendments as has been pointed out here. It is possible that there are those in the House who would like to see more powers granted to the Federal Government in the matter of regulating the right to vote. If that be the case, then they should proceed under the Constitution as was done when women were given the right to vote; that is, by constitutional amendment. That would be the forthright, the lawful, the constitutional process. The method devised here is nothing more than a back door or a backhand approach which damages the basic law of our great country.

It is my solemn plea not given in terms of warning, and certainly not in terms of a threat, but only out of love for country, which I am sure every Member of the House shares with me, that inherent in this bill are elements of division, of controversy, of rancor, of disunity. You have all seen the effects of the recent Supreme Court decision on desegregation. That is but a "drop in the bucket" to the opportunities for deep schism and ugly hates capable of being engendered by this dishonest pretense at safeguarding civil rights when in fact, it imperils them. Civil rights are not won by punitive legislation or through insult by law or oppression by Federal tyrannies.

Mr. CELLER. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, this proposed legislation offers no protection under the law to the private citizens against whom it is directed. Let us not be deceived by proposals which come to us labeled with the protective innocence of civil rights which in fact destroy the right to trial by jury and the establishment of guilt through proof of willful conduct.

These unjust proposals are born of expediency upon the recommendations of political strategists, and employ the forces of fear and intimidation to impose the will of outside pressure groups upon the South and others who do not conform to their existing pattern of thinking on the establishment of a new social order. Freedom from fear was of such great importance in the mind of President Franklin D. Roosevelt that he included it in the Four Freedoms—freedom of religion, freedom of speech, freedom from want, and freedom from fear.

Social relationships are matters for personal choice and should not be subject to regulation by court decree or Government edict.

With the abandonment of the State jury system, there would be brought into being a medium of enforcement limited not by law but by the conscience and judgment of the Department of Justice. The Government would have the unprecedented authority to summon private citizens into Federal Court on mere suspicion at the instigation of the Attorney General, a procedure which a Government of free people should seek to suppress rather than endorse.

Though the Department of Justice expresses the opinion that proof of willful conduct is too burdensome under existing law, the ends of justice cannot be met by providing for a Federal judicial system which is so foreign to America that it is dependent upon mere allegations and suspicion rather than proof of guilt. The daily lives and habits of the people would be subject to the interpretations and will of a Government department. Fear of unwarranted court proceedings and misinterpretations of the most innocent acts or conversations would reign in the hearts of those against whom this legislation is directed. The protection of the innocent has somehow escaped the language and objectives of these so-called civil-rights proposals.

These proposals bring into question the ability of the courts and juries of the respective States to render fair and impartial decisions, yet it is unlikely that any State court would give great weight to such unsupported allegations as form the basis for the proposed legislation. I am of the firm belief that much of the credit for the preservation of freedom is due to the unwillingness of our State courts to give undue weight to unsupported charges and allegations. These courts exist to serve all of the people and enjoy their confidence.

The so-called civil rights proposal would, first, create a six-man commission in the executive branch, with subpena power; second, provide for the creation of an additional Assistant Attorney General, and an unknown number of assistants to the Assistant Attorney General, to be known as the civil rights division; third, add a fourth subsection to title 42 of section 1985 of the United States Code giving the Attorney General the right to bring a civil action or other proper proceeding for relief to prevent or redress acts or practices which would give rise to a cause of action under the first three subsections of section 1985 of the United States Code providing that in any proceeding thereunder the United States shall be liable for costs the same as a private person; fourth, authorize the Attorney General to bring a civil suit for damages or injunctive relief whenever any person has engaged or is about to engage in any act or practice which would deprive any other person of the right to vote, and abolish the present requirement of exhausting State administrative remedies before resorting to the Federal courts.

In one and the same bill it is provided on the one hand that a commission is to be created to investigate allegations that citizens are being deprived of the right to vote or subjected to unwarranted economic pressures by reason of race, color, religion, or national origin, while on the other hand before there is any proof of these mere allegations, the Attorney General in the same bill is to be granted the unprecedented power to invade all of the States and institute civil actions or other proceedings for preventive relief, injunctions, and restrictive orders, and recover damages or other relief for private parties without regard to exhausting State remedies. The minority report reveals that not only may the Attorney General engage in such unprecedented activity, but that the Attorney General may institute litigation presumably without the knowledge and without the consent of the persons designated as the party in interest. If the Attorney General is empowered to go into the courts with or without the consent of the complainant under the broad language of bringing "other proper proceedings" the limitations upon endless and unwarranted legal proceedings would appear to be governed solely by the judgment or lack of judgment to be exercised by the Attorney General. Never before to my knowledge has there been such an unrestricted grant of authority by the Congress to any Government department.

One of the main questions to be considered is the need for the legislation. The state of the Union message in January 1956 indicated that there were allegations of citizens being deprived of the right to vote and allegations of citizens being subjected to unwarranted economic pressures, and a request was made that a Civil Rights Commission be created to examine the charges and to arrive at findings, the assumption being that the facts were not then known.

Although I have studied the report and hearings on this matter, it does not appear to me that the allegations referred to have been substantiated. The minority report reveals that as late as April 10, 1956, the Attorney General appeared before the Judiciary Committee and testified that a Commission was necessary because "the need for more knowledge and greater understanding of these most complex and difficult problems is manifest." The minority report makes reference to the fact that more unreasonable complaints are made in the field of civil rights than any other field, and that in 1940 there were 8,000 civil-rights complaints, with prosecutions recommended in only 12 cases, including Hatch Act violations. It is further revealed that in 1944 there were 20,000 so-called civil-rights complaints and only 64 prosecutions were undertaken, and of the 64 prosecutions the number of convictions is unknown.

This bill through its implications would constitute a wholesale indictment of the courts of the 48 States and of the State officials who are now charged with the responsibility of rendering decisions or making determinations on matters covered by the bill. I cannot remain silent on these implications, for I have the greatest confidence in the fairness and impartiality of our State judges and State juries. I am sure that the substitution of Federal judges for our State jury system would not give to our citizens the necessary and desired protection under the law, and would constitute an unwarranted centralization of power. I would hope that the Congress would give recognition to the rights of the States and not join in the spirit of those unprecedented decisions of the Supreme Court which take away the rights of the States and preempt the field for the Federal Government. This proposed shifting of cases from the State courts to the Federal courts would also appear to be inconsistent with the yearly pleas that more Federal judges are required due to the fact that these Federal judges are hopelessly behind in their caseloads. This raises the further question of whether there is to be proposed a vast increase in the number of Federal judges or whether other matters falling within the jurisdiction of the Federal courts are to be further delayed for the trial of so-called civil-rights cases.

With respect to the purpose of this legislation, I would like to quote from page 33 of the minority report, as follows:

> The real purpose of the enactment of all of the proposals in the pending measure in one package was revealed in a subtle way by Attorney General Brownell in his testimony before the House Committee on the Judiciary in executive session. He developed his theme to the effect that the objectives he had in mind could be more effectively achieved through civil proceedings than by amendment of the criminal statutes. Why? On page 18 of his testimony, the Attorney General lets the cat out of the bag. He pointed out that the Supreme Court, in the case of *Screws* v. *United States* upheld the constitutionality of section 242 of title 18, United States Code, by writing in the word 'willful' as part of the offense and then goes on to say that to prove willfulness make prosecution too burdensome. It is for this reason we submit that the Department of Justice brings forth the idea that the goals to be achieved can better be accomplished by the injunctive process.

I submit that private citizens should not be hauled into Federal Court for trial on mere suspicion, whether by injunctive process or otherwise. There is an apparent failure to recognize that irreparable harm would come to a private citizen by his mere appearance in Federal court under such circumstances, even though entirely innocent. The publicity given to such an appearance would have an injurious effect upon the innocent, who happens to be unfortunate enough to be singled out and summoned to appear in Federal Court. I have no doubt that it may be burdensome to prove willful conduct, but in what manner is guilt to be established except by proof rather than mere suspicion. The fact that willful conduct has been difficult to prove by able attorneys in the Government indicates to me that the abuses are not so great as the proponents of this legislation indicate.

As the minority report indicates, if this legislation is passed, State officials will be met at the threshold with constant litigation. It is pointed out that anyone attempting to perform the duties of a jury commissioner, registrar of voters, school administrator, or duties of interstate and intrastate character, must understand that they will be harassed with endless suits by the Government, organizations, and individuals. These officials mentioned are typical of the many officials in our local States and communities who contribute so unselfishly of their time and energies with their principal reward being the appreciation of their fellow citizens and the knowledge that they have made valuable and worthwhile contributions to their communities. To subject these fair, honest, and loyal officials to useless and unjustified harassment in the Federal Courts would amount to the imposition of penalties upon community service and the performance of patriotic duties. We must realize that the source of our strength and the hope for our future lies within these communities and not in a strong centralized Government to be possessed of such unlimited authority. Although the record is sadly lacking in evidence which would support the need for such legislation, the evidence of the consequences which can result from the abuse of the police power has been clearly established throughout the world. The opportunity for such abuse of the police power is self-evident in this bill.

It is difficult to understand why greater faith and credit should be given to the mere allegations and outcries of the few who are so vocal in their denunciation of existing law than would be given to responsible local officials. On page 21 of the minority report it is indicated that the testimony consisted largely of hearsay, rumor, and unsubstantiated charges. It is further stated that these rumors and hearsay charges were against State governments and private individuals, and that the FBI had not and could not investigate these charges because of the limitation of the law. The report further states that the FBI was not brought in to give substance to these charges, and that none of the Governors or law officers of the States against whom the charges were directed testified or were notified of the charges.

In summary, there is no need for the creation of a commission with respect to civil rights matters now within the jurisdiction of the State courts, since it is to be presumed that the States are quite capable of handling their own affairs until such time as the States request assistance from the Federal Government. With respect to any civil rights matter now within the jurisdiction of the Federal Government, since the Attorney General now has a civil-rights section and has engaged in both criminal and civil cases, no additional authority appears necessary. As to the transfer of civil rights cases from the State courts to the Federal courts, there has been no showing that there is any better assurance of a fair and impartial trial than a guaranty of a trial by jury in the State courts. The consequences of the grant of the authority contained in the bill with respect to the filing of suits on behalf of individuals by the Department of Justice with or without the consent of the complainant is indicated from language set forth on page 16 of the hearing. The Attorney General was referring to an investigation by the Department of Justice into the method of selecting jurors in a county, and stated as follows:

> The mere institution of this investigation aroused a storm of indignation in the county and State in question.

I feel that it is the obligation of the Congress to come to the aid of the States in the preservation of those rights which are inherently within the jurisdiction of the States and to express our confidence in their ability to conduct their own affairs by defeating this proposed legislation and by other means available.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, let me address myself to two specific points: the importance of a civil-rights program as it affects our standing in the world and its importance from the standpoint of our own integrity and self-respect.

Each Member of this House has read the newspapers and many have read the committee transcripts of hearings that tell something more, perhaps, about the rising tides of nationalism sweeping the darker-skinned peoples of Asia and Africa. They watch America, I assure you, to observe how our own Nation treats its minorities of whatever ancestry, national origin, or color. They will judge us, weighing the balances in their minds, on the basis of our progress or lack of it, our good faith and good will or lack of them, our sincerity in seeking steps forward or our disinterest in forward steps.

As a member of the Committee on Armed Services, I assure you that it is of vast importance to our well-being, perhaps to our national security itself, that we pay attention to what the turbulent rising peoples think about us.

We are accounted the leader of the free world, and this we inescapably are. But even in the free world, men and women whose skins by accident of birth are light stand in need of friends. They are, to put it bluntly, outnumbered. The hundreds of millions in the Atlantic Alliance itself are outnumbered. It is dangerous folly to say that we need not care what the uncommitted nations—nations largely composed of darker-skinned peoples—think about us.

Entirely apart from this practical matter, we have shown from the birth of our Republic that we do not consider ourselves the sole judge of our concepts and practices. The Declaration of Independence was sent all over the earth in 1776, stating the reasons for our war for freedom and expressing our "decent respect to the opinions of mankind." We were weak then; now we are strong—but not strong enough to abandon a "decent respect to the opinions of mankind." Jefferson's concern in 1776 was to forestall any intervention against us of powers that might help King George III. I submit that this was not, however, his only concern: that the men who signed the Declaration genuinely recognized a responsibility to report to world opinion. We should be equally respectful today—and it is imperative that we be so.

We owe, further, a duty to ourselves. We cannot say, at this high moment of the second half of the 20th century, that we believe in equal justice for all and equal treatment of all—but that these high principles do not apply to one minority among us.

The problem which disturbs us—and I recognize the integrity and honor of those who stand on the other side—is an inherited problem. It was not caused wholly, or even in any significant way, by this generation of Americans. But I think it must be solved by this generation of Americans. I think it cannot be solved by standing pat, by refusing to move, by last-ditch resistance to any change.

The civil rights bill reported out of the Judiciary Committee is a mild measure. It does not go as far as many of us think it should. But its enactment would be a sign, it would be a step forward. We should take that step. We cannot ignore the fact that one group, a group we inherited, has been deprived of full development toward American freedom. We must show that the words we honor—liberty, equality under the law, equal opportunity in all fields—are not mere catch phrases. We must show that when our own broadening comprehension recognizes a flaw in our practice, we will move to correct the flaw.

This we owe to others out of a proper respect for the opinions of mankind. We owe it even more deeply to ourselves.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. CHUDOFF].

Mr. CHUDOFF. Mr. Chairman, at last some kind of civil-rights legislation has come to the floor of the House. This measure sets up a commission to study the state of civil rights, creates a special division in the Justice Department to handle enforcement and increases the power of the Federal courts to deal with cases involving denial of access to the ballot box. The measure incorporates a program belatedly recommended by Attorney General Brownell. It is not much perhaps, but it is something.

It seems to me that the legislation now before us is a perfect example of what is commonly known as "Too little and too late." Too little because I would rather see before us today the type of omnibus civil-rights legislation introduced by Congressman POWELL, of New York, in January 1955, or those bills introduced by the gentleman from New York [Mr. CELLER], about the same time. To be egotistic I would have rather been speaking on the bills that I personally introduced for civil rights in January 1955. These bills are H. R. 3562, H. R. 3563, H. R. 3566, H. R. 3567, H. R. 3569, and H. R. 3571, all providing for:

H. R. 3562, to protect the civil rights of individuals by establishing a Commission on Civil Rights in the executive branch of the Government, a Civil Rights Division in the Department of Justice, and a Joint Congressional Committee on Civil Rights, to strengthen the criminal laws protecting the civil rights of individuals, and for other purposes.

H. R. 3563, to declare certain rights of all persons within the jurisdiction of the United States, and for the protection of such persons from lynching, and for other purposes.

H. R. 3566, to amend and supplement existing civil-rights statutes.

H. R. 3567, to strengthen the laws relating to convict labor, peonage, slavery, and involuntary servitude.

H. R. 3568, to establish a Commission on Civil Rights in the executive branch of the Government.

H. R. 3569, to protect the right to political participation.

H. R. 3571, to reorganize the Department of Justice for the protection of civil rights.

It is too late, because I do not think that there is a Member in this House who is so naive to believe that the legislation now before us, if successful here, will pass in the other body, although I hope and pray with all my heart that this bill, as inadequate as it might be, will get through the Senate. Every one of us knows that, with the 84th Congress adjourning at the end of the month and with the past masters of filibuster working in the Senate, this legislation when it gets over there will be talked to death.

If civil-rights legislation had been brought before us in February or March, when it should have been, some kind of a bill which would have been a step forward could have survived a filibuster in the Senate.

President Eisenhower talked about and recommended civil-rights legislation in his state of the Union message and then did nothing with his Attorney General or the Republican leadership in the House and Senate to get the legislation moving. When several Members of Congress requested action from the Attorney General concerning the legislation at hand, the Justice Department was strangely silent.

At this time, Mr. Chairman, I would like to commend the gentleman from Missouri [Mr. BOLLING], as I know that without his courage and fight in the Rules Committee this bill would still be in the chairman's pocket. His refusal to allow the chairman to ignore the bills, together with cooperation from the liberal members of the committee, is the reason why we are considering civil rights today.

Mr. Chairman, the Constitution of the United States is supposed to give all Americans, regardless of race or color, the blessings of our democracy. All Americans are entitled to equal protection under the law. One of the greatest rights of all Americans is the right to vote for all candidates for all offices and to run for office themselves without fear of being denied these privileges by violence. All Americans are entitled to be considered for appointive office in accordance with their ability to hold same. To narrow it down, they want the elimination of second class citizenship. I feel, Mr. Chairman, that that goal is within their grasp. Under the New Deal and Fair Deal administrations, Americans attained wide social gains. They have been the recipients of social security, unemployment compensation, public housing, the right to own their own homes by easily financing same over long periods of time at low interest rates, a minimum wage law and fair labor legislation. These gains have been steady, and, although criticized by the Republican Party as socialistic, I think it is safe to say that no Republican administration in the past has had the guts to try to take these gains away.

This week will be our opportunity to eliminate a lower status of citizenship for all Americans. We stand at the crossroads. To vote for the legislation now before us will be to follow the intelligent course. I know that there will be an organized and well planned fight against this legislation, but those who oppose it are only fooling themselves. The resistance offered in the House will not be successful. It may delay, but those who seek to delay eventually must lose.

The day will come, Mr. Chairman, not in the too far distant future, when the industry that is fleeing from the North to the South to avoid organized labor, will be organized. The day will also come, Mr. Chairman, when all Americans in the South regardless of race will register and will vote for representatives in their State and Federal legislative bodies that will represent all of the people of their districts, instead of a chosen few. Then, Mr. Chairman, these representatives who today are fighting civil rights legislation, fighting legislation benefiting organized labor, fighting public housing legislation, will be knocking each other over to cast votes for civil rights, good labor legislation, minimum wage legislation, and for public housing and other liberal laws.

I know that the civil-rights legislation before us will pass the House. It is sensible law and what our Constitution provides. All of America is watching us, and the majority of the Nation agrees that the time has come when civil rights shall be the law of the land.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. LONG. Mr. Chairman, I make the point of order a quorum is not present.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

PAYMENT OF ANNUITIES TO WIDOWS AND DEPENDENT CHILDREN OF JUDGES

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11124) to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. CELLER, RODINO, ROGERS of Colorado, KEATING, and MCCULLOCH.

SALE OF LANDS IN RESERVOIR AREAS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11702) to provide for the sale of lands in reservoir areas under the jurisdiction of the Department of the Army for cottage-site development and use.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. KEATING. Mr. Speaker, reserving the right to object, has the gentleman cleared this bill with someone on the minority side?

Mr. EDMONDSON. Mr. Speaker, I have discussed this billl with the minority leader [Mr. MARTIN], and also with the objectors' committee on both sides.

Mr. KEATING. And the minority leader has indicated he has no objection?

Mr. EDMONDSON. It is a department bill which has the clearance of General Services and the Bureau of the Budget.

Mr. KEATING. I was referring to the minority leader, who is temporarily away. Does he know about this?

Mr. EDMONDSON. He does, and he has indicated his agreement to the procedure.

Mr. KEATING. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whenever the Secretary of the Army determines that any Government-owned lands within reservoir areas under his control (1) are not required for project purposes or for public recreational use, and (2) are being used for or are available for cottage site development and use, he is authorized to offer such lands, or any part thereof, for sale for such purposes in accordance with the provisions of this act: *Provided, however*, That any lands held under lease for cottage site purposes on the date of the approval of this act shall not be offered for sale to anyone other than the lessee until after 60 days from the date of the written notice to the lessee as provided in section 2 of this act, or the termination or expiration date of such lease, whichever is later, and the lessee shall have the right during such period to purchase any lands leased to him which the Secretary determines are available for sale.

SEC. 2. (a) Public notice of the availability of the lands for sale for cottage site development and use shall be given in such manner as the Secretary of the Army may by regulation prescribe, including publication within the vicinity of the lands available for sale: *Provided, however*, That notice to lessees of cottage sites shall be given in writing within 90 days after publication of such regulations in the Federal Register and the notice shall state the appraised fair market value of the land available for sale to such lessee.

(b) The sale of lands for cottage site development and use shall be accomplished by any method which the Secretary of the Army determines to be in the public interest, including public auction, seal bids, and by negotiation with lesees and with others after competitive bidding.

(c) The price to be paid for any lands sold for cottage site development and use pursuant to the provisions of this act shall be not less than the appraised fair market value thereof as determined by the Secretary of the Army.

(d) The Secretary of the Army is authorized to convey by quitclaim deed all the right, title, and interest of the United States in and to the lands sold for cottage site development and use pursuant to the provisions of this act, the conveyance to be on condition that the property conveyed shall be used for cottage site purposes only and in the event of use for any other purposes, title to the land and improvements shall revert to and vest in the United States; and subject to such other conditions, reservations, and restrictions as the Secretary may determine to be necessary for the management and operation of the reservoir, or for the protection of lessees or owners of cottage sites within the area.

SEC. 3. The Secretary of the Army may, by quitclaim deed, deed of easement, or otherwise, transfer to the State in which lands sold for cottage site development and use pursuant to this act are located, or to any political subdivision thereof, or to any organization consisting of not less than 50 percent of the owners of cottage sites in the area, without monetary consideration, any lands being used or to be used for roads primarily to serve the cottage site areas: *Provided, however*, That the deed or other instrument transferring such land shall specifically provide for appropriate use and maintenance of the property by the State, political subdivision, or organization, and any deed conveying title to such lands for roadway purposes shall contain the condition and limitation that in the event the land conveyed shall fail or cease to be used for roadway purposes the same shall immediately revert to and vest in the United States.

SEC. 4. The costs of any surveys or the relocation of boundary markers necessary as an incident of a conveyance or other property transfer under this act shall be borne by the grantee.

SEC. 5. The Secretary of the Army may delegate any authority conferred upon him by this act to any officer or employee of the Department of the Army. Any such officer or employee shall exercise the authority so delegated under rules and regulations approved by the Secretary.

SEC. 6. The proceeds from any sale made under this act shall be covered into the Treasury of the United States as miscellaneous receipts.

Mr. EDMONDSON. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDMONDSON: On page 1, line 4, after "lands", insert "other than lands withdrawn or reserved from the public domain."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MUSCATINE BRIDGE

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11010) creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 21, line 1, strike out "the bonds issued in connection therewith and."

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SIMPLIFY ACCOUNTING, FACILITATE THE PAYMENT OF OBLIGATIONS

Mr. HOLIFIELD (at the request of Mr. DAWSON of Illinois) submitted a conference report and statement on the bill (H. R. 9593) to simplify accounting, facilitate the payment of obligations, and for other purposes.

FEDERAL INTERMEDIATE CREDIT BANKS

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 10285) to merge production credit corporations in Federal intermediate credit banks; to provide for retirement of Government capital in Federal intermediate credit banks; to provide for supervision of production credit associations; and for

other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, line 21, strike out all after "States." over to and including "bank." in line 3 on page 5 and insert "Stock of each Federal intermediate credit bank held by the Secretary of the Treasury shall be transferred to the Governor who shall exchange such stock for an equal amount of class A stock of such bank. The Governor is authorized thereupon to reallocate the investment of the United States in such banks in such manner as he determines necessary to meet the needs of the respective banks. Any transfers of capital funds required as a result of such reallocation shall be made in four equal installments, the first of which shall be made on January 1, 1957, and one of which shall be made on the first day of each of the next succeeding three calendar years. Upon each such transfer of capital funds the Governor shall require an appropriate adjustment in the class A stock of each such bank."

Page 5, line 22, after "to" insert "$30,000,000 plus."

Page 17, line 17, strike out "$100,000,000" and insert "$70,000,000."

Page 24, line 3, strike out "Act" and insert "subsection."

Page 25, line 2, strike out "next following its enactment" and insert ", 1957, except subsections (a) and (b) of section 201, which shall become effective January 1, 1959."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. KEATING. Mr. Speaker, reserving the right to object, may I inquire of the gentleman whether this has been cleared with the ranking minority member of the committee?

Mr. POAGE. It has been cleared with the ranking minority member and with the minority leader.

Mr. KEATING. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

APPOINTMENT OF DOCTORS OF OSTEOPATHY

Mr. SHORT. Mr. Speaker, I call up the conference report on the bill (H. R. 483) to amend the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2702)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 483) to amend the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(a) The second sentence of section 201 (a) of the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended, is amended (1) by inserting '(1)' immediately before the word 'qualified' and (2) by striking the period at the end thereof and inserting a comma and the following: 'or (2) doctors of osteopathy who are qualified under subsection (g) hereof.'.

"(b) Sections 201 (b) and (e) of such Act are amended (1) by inserting immediately after the word 'medicine' wherever it appears therein 'or osteopathy' and (2) by inserting in the second sentence of section 201 (b) and in section 201 (e) after the word 'medical' the following: 'osteopathic'.

"(c) Section 201 of such Act is further amended by adding at the end thereof the following new subsection:

"'(g) to be eligible for appointment under this Act a doctor of osteopathy must (1) be a citizen of the United States, (2) be a graduate of a college of osteopathy whose graduates are eligible for licensure to practice medicine or surgery in a majority of the States, and be licensed to practice medicine, surgery, or osteopathy in one of the States or Territories of the United States or in the District of Columbia, (3) possess such qualifications as the Secretary concerned may prescribe for his service, after considering recommendation for such appointment by the Surgeon General of the Army or the Air Force or the Chief of the Bureau of Medicine and Surgery of the Navy, and (4) under regulations prescribed by the Secretary of Defense have completed a number of years of osteopathic and preosteopathic education equal to the number of years of medical and premedical education prescribed for persons entering recognized schools of medicine who became doctors of medicine and who would be qualified for appointment under this title in the grade for which such doctor of osteopathy is applying'."

And the Senate agree to the same.

CARL VINSON,
OVERTON BROOKS,
PAUL KILDAY,
DEWEY SHORT,
LESLIE C. ARENDS,
Managers on the Part of the House.

RICHARD B. RUSSELL,
JOHN STENNIS,
STUART SYMINGTON,
LEVERETT SALTONSTALL,
MARGARET CHASE SMITH,
Managers on the Part of the Senate.

STATEMENT

The bill, H. R. 483, passed the House July 18, 1955. Thereafter, the Senate, in its consideration of the bill, struck all after the enacting clause and amended the House version in various respects. As amended, the House bill passed the Senate on May 21, 1956.

In subparagraph (b) reference is made to section 201 (b) of the Army-Navy-Public Health Service Medical Officer Procurement Act of 1947, as amended. An additional reference, to section 201 (e) is required in order to make this subsection technically and legally correct. The House proposes such an amendment.

Subsection (c) of the Senate amendment sets forth various requirements which must be met by doctors of osteopathy to be eligible for appointment as commissioned officers in the Medical Corps of the respective military services. Among other requirements, the Senate amendment provides that a doctor of osteopathy "must be recommended for such appointment by the Surgeon General of the Army or Air Force or the Chief of the Bureau of Medicine and Surgery of the Navy." While it is obvious that the Secretaries of the Army, Navy, and Air Force would seek the recommendation of their Surgeons General, or Chief of the Bureau of Medicine and Surgery, as appropriate, it is obviously contrary to the primary principle of civilian control to place any military officer in a position where he could nullify, either by action or failure to act, the decision of his Secretary. The House amendment to the Senate language covering this specific point insures that the recommendation of the Surgeons General or the Chief of the Bureau of Medicine and Surgery of the Navy, as appropriate, will be submitted to his Secretary, but it also insures that the ultimate decision of the Secretary will prevail and not be subject to veto by any military officer. So, in the final analysis, the sole purpose of the House amendment to the Senate amendment is to retain the preeminent position of authority which each of the Service Secretaries exercise over his respective Department.

CARL VINSON,
OVERTON BROOKS,
PAUL KILDAY,
DEWEY SHORT,
LESLIE C. ARENDS,
Managers on the Part of the House.

Mr. SHORT. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS POSTPONED

Mr. WILSON of California. Mr. Speaker, I ask unanimous consent that the special orders granted the gentleman from Arizona [Mr. RHODES] and myself, for tomorrow, be postponed until Thursday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS — VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 450)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 9893, "to authorize certain construction at military installations, and for other purposes."

The bill authorizes the Secretaries of the Army, Navy, and Air Force to establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing

permanent or temporary public works and family housing necessary for the operation of the armed services.

While I recognize the manifest importance of this measure to national defense, I cannot approve it so long as it contains certain provisions found in sections 301 and 419.

Section 301 provides that none of the authorization contained in that section relating to the Talos missile "shall be effective until the Secretary of Defense shall have come into agreement with the Armed Services Committees of the Senate and of the House of Representatives with respect to its utilization." If the committees should fail or decline to agree to the plans prepared by the Secretary of Defense, the practical effect of this provision would be to lodge in the committees the authority to nullify congressional authorization. The provision would also compel the Secretary of Defense, an executive official, to share with two committees of the Congress the responsibility for the carrying out of the Talos missile authorization. This procedure would destroy the clear lines of responsibility which the Constitution provides.

Section 419 provides that:

Notwithstanding any other provisions of this act or any other law, no contract shall be entered into by the United States for the construction or acquisition of family housing units by or for the use of the Department of Defense unless the Department of Defense, in each instance, has come into agreement with the Armed Services Committee of the Senate and House of Representatives.

While the Congress may enact legislation governing the making of Government contracts, it may not constitutionally delegate to its Members or committees the power to make such contracts, either directly or by giving them the authority to approve or disapprove a contract which an executive officer proposes to make.

Two years ago I returned, without my approval, a bill, H. R. 7512, 83d Congress, containing similar provisions. At that time I stated that such provisions violate the fundamental constitutional principle of separation of powers prescribed in articles I and II of the Constitution. which place the legislative power in the Congress and the executive power in the executive branch.

Once again, I must object to such a serious departure from the separation of powers as provided by the Constitution. Any such departure from constitutional procedures must be avoided. I am persuaded that the true purpose of the Congress in the enactment of both of these provisions was to exercise a close and full legislative oversight of important programs of the Department of Defense. This purpose can be properly attained by requiring timely reports from the Executive. Such reports would provide the Congress with the basis for any further legislative action it may find to be necessary.

Accordingly, I am returning H. R. 9893, with my urgent recommendation that it be reenacted without the objectionable provisions.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, July 16, 1956.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. KILDAY. Mr. Speaker, I move that the bill and message be referred to the Committee on Armed Services and ordered to be printed.

The motion was agreed to.

THE LATE THOMAS R. UNDERWOOD

Mr. WATTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an article and an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WATTS. Mr. Speaker, it is with profound sorrow that I have to announce the death, on June 29 last, of Hon. Thomas Rust Underwood, a former member of this House and a former Member of the Senate from Kentucky.

Death was attributable to a coronary occlusion which he had suffered several days previous. He was stricken while returning from participating in the work of the State central committee of the Democratic Party, the governing body of the party in Kentucky. In this work, he was doing that which he loved.

Thomas Rust Underwood was born in Hopkinsville, Ky., on March 3, 1898, the son of Thomas E. and Frances Rust Underwood. He attended the public schools of Hopkinsville and the University of Kentucky.

Tom Underwood truly was born to his chosen fields of endeavors—politics and journalism, as his mother was a former president of the Women's Democratic Club of Kentucky, and his father a former editor of the Hopkinsville New Era newspaper.

Prior to the completion of his formal education at the University of Kentucky, he became affiliated with the newspaper he was to serve for the rest of his life. In 1917, he became a reporter for the Lexington Herald and it was not long before his unusual abilities and talents brought him recognition. His political prognostications were uncanny in their accuracy; his observations poignant in their effectiveness, and his persuasiveness weighed heavily in molding public opinion.

His formal baptism into Kentucky politics was in the successful campaign of the Honorable William J. Fields for the Governorship of Kentucky in 1923. In this campaign, Tom Underwood served as State publicity chairman for the Democratic ticket.

Subsequently, throughout the years, he fought the battles of the Democratic Party on all levels—local, State, and National. Because of his fine qualities of leadership, his levelheadedness and his practicalness, he had a most extraordinary knack of bringing folks together. He was of inestimable value in compromising differences and insuring a unison of effort by the party at the polls.

Yes, Mr. Speaker, Tom Underwood was a Democrat—a Kentucky Democrat. But, Tom Underwood was first an American. As a Democrat, he would go to no ends to assist in marshaling the forces of his party to insure victory at the polls. Similarly, were his efforts in assuring the preservation and progress of his country.

Tom Underwood was a student of Government. His knowledge of world affairs, his lifelong interest in national and local problems coupled with his inherent native ability afforded a well of wisdom and counsel that was unique.

Tom Underwood loved the Sixth District of Kentucky—Tom Underwood loved Kentucky. That the folks of the Sixth District in turn had similar love and affection for him is evidenced by the fact that he was elected to the House of Representatives by the Sixth Kentucky District, and subsequently, the whole of Kentucky evidenced their esteem by naming him to the United States Senate.

During his service in the Congress, it was not long before he obtained the niche which those of us who knew him well felt he would achieve. He blazed a trail filled with accomplishments and achievements.

He was a man of great devotion—devotion to his family—devotion to his friends and devotion to the principles which he believed in. Kind and gentle of nature, he was strong and firm in his convictions. He was a true and loyal guardian of the privileges and rights of the individual and stood steadfast without compromise when a matter of principle was involved.

Tom Underwood was a man of great versatility. The success and recognition he achieved in the political field was similar to that gained in journalistic and civic affairs. In each he was a leader. In each, he established standards of conduct and norms of accomplishments that shall long remain as a measuring rod of success for those who follow.

The voice of Tom Underwood as was heard through his editorial columns was truly the voice of his people; the voice of Tom Underwood as heard upon the floor of this House was truly the voice of the folks he represented, and the voice of Tom Underwood as a United States Senator was truly the voice of all Kentucky.

During the past quarter of a century, I was afforded the rare privilege of knowing Tom Underwood most intimately. A finer, a more gracious nor a more considerate individual I have never known. Through his passing, I have lost a true friend; Kentucky a loyal son, and his wife and family a devoted husband and father.

At this point, Mr. Speaker, I desire to insert in the RECORD an article and an editorial concerning the death of Tom Underwood which appeared in the Lexington Herald on Saturday morning, June 30, 1956. This is the paper that he served since 1917 and for the past 20 years was its editor:

[From the Lexington (Ky.) Herald of June 30, 1956]

TOM R. UNDERWOOD

The untimely death of Tom R. Underwood, editor of the Herald, is a great loss not only to his family and his associates on the newspaper he had served so well for 40 years, but to thousands in other walks of life who knew him, and liked him, and recognized his

ability in other lines of endeavor as well as his own profession.

Tom Underwood had never lived, nor wanted to live, in what newspapermen sometimes call "the ivory tower." He liked people too well for that, and he wanted to do all he could for his community, his State, and his country, not only through the columns of the Herald but through his own personal efforts.

How well he succeeded is indicated by the more detailed biographical account of his many activities published elsewhere in today's Herald.

He had served his State and his Nation well as a United States Senator and as a Congressman from his beloved home district.

For 16 years he was secretary of the State Racing Commission, and when the National Association of State Racing Commissioners was formed, he was chosen by his colleagues as the first secretary of that organization.

For 4 years he was chairman of the Democratic State Central Executive Committee. He was publicity chairman of William J. Fields' successful race for governor in 1923. and he acted as State chairman of EARLE CLEMENTS' campaign for that same office in 1947.

During World War II he was summoned to Washington by the late Fred M. Vinson as an assistant to that capable administrator, and in this capacity performed valuable wartime service for his country.

In his own hometown, he had been president of the Lexington Board of Commerce, president of the Optimist Club of which he had been a faithful member for many years; a director of the Blue Grass Automobile Club, the Community Chest, and Julius Marks Sanatorium.

He also had seen service as a member of the State Planning Commission and the Kentucky Crippled Children's Commission.

And in his own profession, he had been honored by his fellow editors by election as president of the Kentucky Press Association.

Yet, despite his many achievements in other fields, he accomplished most of all through his work as editor of the Herald.

In the 60 years that have elapsed since the Herald was established, the newspaper has had but 2 editors. The first was Desha Breckinridge, who was a personal journalist of the old school exemplified by men like Henry Watterson.

The second was Tom R. Underwood, and he did not use the personal-journalism method of operating the editorial columns. Yet, because of his wide acquaintance and his unceasing championing of the many causes that concerned his community, his State, and his country, Tom Underwood was known far and wide as an editor who never let an opportunity go by to do all he could for the burley farmers of Kentucky, the State's thoroughbred breeding and racing industry, the University of Kentucky, the upbuilding of Lexington, of central Kentucky, and of eastern Kentucky, and the welfare of the Democratic Party of which he was such a stanch member.

He was born into the newspaper profession—his father, the late Thomas Cuthbert Underwood, was editor of the Hopkinsville New Era for many years—and from his earliest days as a University of Kentucky student, Tom Underwood never gave a thought to making a career of anything but journalism. While he was still attending the University of Kentucky he obtained his first job as a cub reporter on the Herald, and had served as sports editor and managing editor before he became editor of the paper in the trying days of the midthirties.

For two decades he had guided the policies and written most of the many thousands of editorials that have appeared in the Herald during those eventful years. Though the effort must have taken its toll, he never seemed to labor over putting his thoughts on paper; the words flowed smoothly because of his unusual familiarity with the background of the subjects about which he was writing.

His knowledge of history, of politics, and of literature was amazing. He often quoted from memory long passages from books, documents, poems, and famous speeches that he had accumulated in his extensive research, as an editor and writer.

One of his outstanding characteristics was his unusual sense of humor. His witty stories, many based on personal experience, were encyclopedic in scope. He enjoyed humor to the utmost. And it always was the humor that would be expressed by a southern gentleman, because he was one.

Throughout his life, politics was of great interest to Tom Underwood. He knew and understood political history, theory, and practice and was devoted to the Democratic Party, always working for harmony within its ranks. Sometimes he was successful in this endeavor; sometimes not so successful. But he never stopped trying.

Yet despite all his other activities, Tom Underwood's first love was his family—his wife, Mrs. Eliza Piggott Underwood, herself a former newspaperwoman; his two sons, Thomas Rust Underwood, Jr., and Walter Piggott Underwood; his mother, Mrs. Thomas C. Underwood, and his wife's mother, Mrs. Walter Piggott. He was devoted to their well-being and their happiness, and to them the loss is irreparable.

Two weeks ago, Mr. Underwood made the long drive to Hopkinsville to visit his mother, though he had not been feeling well. Two days later he became ill while he was driving to Louisville to attend the Democratic State Central Executive Committee meeting. He had left at the office a supply of editorials written in advance, one commenting prophetically on the action that was taken at that meeting after he had returned to Lexington and entered the hospital.

Much more could be written, and will be written by his fellow editors in State and Nation, of this man who guided the destinies of the Herald through turbulent times for so many years. But perhaps it will never be expressed in more concise or more fitting language than that contained in the citation he received in 1949 when his beloved alma mater, the University of Kentucky, for which he had done so much, conferred on him an honorary degree.

"Distinguished son of Kentucky, born in Hopkinsville, and worthy son of the University of Kentucky," said the citation.

"Editor, statesman, versatile and eminent citizen of the Commonwealth.

"For outstanding contributions in many areas of public interest both in his native State and throughout the Nation; for distinguished service in the fields of civic progress and of public enlightenment; as a worthy representative of the Fourth Estate; as a lawmaker of great promise, and in recognition of his high qualities of leadership and patriotism, he is presented for the honorary degree of Doctor of Laws."

[From the Lexington (Ky.) Herald of June 30, 1956]

TOM UNDERWOOD, HERALD EDITOR, TAKEN BY DEATH—ATTACK IS FATAL TO DEMOCRATIC LEADER; FUNERAL IS MONDAY

Thomas Rust Underwood, Lexington Herald editor for the past 20 years and longtime Democratic leader, died unexpectedly of a second heart attack at 9:08 a. m. Friday at St. Joseph's Hospital to which he was admitted June 19 after suffering the first attack.

Mr. Underwood first was stricken while en route to the Democratic State Central Executive Committee meeting at Louisville but his recovery had been reported as satisfactory and his condition was reported as good Thursday night.

Funeral services will be conducted at 3 p. m. Monday at Christ Episcopal Church by the rector, the Reverend Robert W. Estill. Interment will be in the Lexington Cemetery.

The body was taken to the W. R. Milwarde Mortuary, where friends may call after 12 noon today.

SERVED IN BOTH HOUSES

Death of the 58-year-old editor and former United States Representative and Senator ends the four-decade newspaper and political career of a Hopkinsville native who became an influential figure in local, State, and national party politics.

Tom Underwood was born to printer's ink and politics. His father, the late Thomas Cuthbert Underwood, was editor of the Hopkinsville New Era. His mother, Mrs. Frances Rust Underwood, a former president of the Women's Democratic Club of Kentucky, has been active for years in the women's organization of her party.

His newspaper career began formally in 1917, when he became a reporter on the Herald while a student at the University of Kentucky. He stepped into the political field formally in 1923 as State publicity chairman for the Democratic ticket headed by William J. Fields who was elected governor.

Mr. Underwood was elected Kentucky's Sixth District Representative to Congress in 1948 and was re-elected in 1950.

APPOINTED TO SENATE

In 1951 he gave up his seat in the House to accept the appointment from then Gov. Lawrence W. Wetherby to the Senate. He succeeded the late Senator Virgil M. Chapman of Paris, but in 1952 lost to Republican John Sherman Cooper by a narrow margin in his race for the remaining 2 years of Chapman's term.

While in Congress, the editor continued to write editorials for the Herald for which he had been a reporter, sports editor, State editor, managing editor and general manager before succeeding the late Desha Breckenridge as editor-in-chief.

During this period of his career, the editor interpreted—often humorously as well as seriously—the business of Federal Government and life in the Nation's capital.

In 1940, Mr. Underwood became chairman of the Democratic State Central Committee, and in 1947 he managed the State campaign that resulted in the election of Earle C. Clement as governor.

DEFENDER OF RACE INDUSTRY

One of the editor's major interests was the thoroughbred industry and upon numerous occasions, when the life of thoroughbred racing in Kentucky appeared to be threatened, he threw his support into the fight to preserve it.

For 14 years, he was secretary of the Kentucky State Racing Commission and he was the first secretary of the National Association of State Racing Commissioners which he helped to found.

In 1940 he held simultantously the positions of Herald editor, Democratic State central executive committee chairman, and both State and National racing commission secretary.

During World War II, in 1943, the newspaperman was called to Washington to serve as an assistant to the late Fred M. Vinson, then Director of Economic Stabilization and later Chief Justice. Underwood had seen Army service during World War I.

In his first Senate speech, Mr. Underwood was credited with a successful defense of the United States State Department's Division of Public Liaison. Senator RICHARD M. NIXON, of California, was author of a bill to eliminate the division. The Senate voted down the bill after the Lexingtonian's talk, in which he defended the division as being invaluable in providing information for Congressmen.

SERVED ON VITAL COMMITTEES

During his membership on the Senate Post Office and Civil Service Committee, Mr. Underwood was one of the leaders in the successful battle to exempt parcel post shipments to rural areas from provisions of the Post Office parcel post bill to reduce size and weight limits on parcel post packages.

Later, he was named to a three-member Senate committee to make a thorough study of Post Office Department operations. Purpose of the committee was to develop legislation to cut costs and increase efficiency in the postal service.

During his terms in the House, Mr. Underwood was among a group of 14 Interstate and Foreign Commerce Committeemen who made a 17-day tour of Europe in 1949.

HONORED BY HOMETOWN

In 1951, while United States Senator, he was honored by Hopkinsville with a "Tom Underwood Day." Among the throngs present for the day's festivities were many of the Senator's boyhood chums, civic leaders of the area, men of high office in the State and ranking military men from nearby Fort Campbell.

The editor, who had a fine store of anecdotes—which he related with relish in his southern drawl—was in great demand as an after-dinner speaker throughout Kentucky.

His faculty for sensing humor in situations that, at first blush, appeared to be serious, was a quality that undoubtedly enhanced his value as a peacemaker in Democratic Party splits. Mr. Underwood always recognized, and generally understood, both sides in every argument and said so—both vocally and editorially. This openmindedness, however, was one quality that party politicians sometimes questioned. But Mr. Underwood, an American and a Kentuckian first and a party man second, adhered stanchly to his principles.

During the last session of the State legislature, the editor served as senate clerk, and for a week in February was Governor Chandler's acting press secretary.

The editor had served, as had his father, as president of the Kentucky Press Association.

CIVIC LEADER

Not all of his interests were devoted to press work and politics. For years the editor had been prominently identified with civic and welfare work of the community and State, and he was an active member of Christ Episcopal Church.

He was a past president of the Lexington Board of Commerce and the Lexington Optimist Club and was a member of the State planning commission, the Kentucky Crippled Children's Commission, the board of directors of the Lexington Club, the Elks Club, the Blue Grass Automobile Club, the Lexington Community Chest, and Julius Marks Sanatorium. He was also a member of the Thoroughbred Club of America and of Idle Hour Country Club.

Among honors the editor had received was an honorary law degree from the University of Kentucky.

Besides his mother, he is survived by his wife, Mrs. Eliza Piggot Underwood; two sons, Attorney Thomas R. Underwood, Jr., Lexington, and Walter P. Underwood, Cincinnati, and one grandchild, Meredith Lee Underwood, Cincinnati.

Mr. WATTS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the RECORD on the life and services of the late Thomas R. Underwood.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I am deeply distressed at the passing of my dear friend Tom Underwood. I never knew a better man than he was. He was truly a great American. He truly served his day and generation. Tom Underwood had splendid ability and was a citizen and statesman of the first order.

Mr. CHELF. Mr. Speaker, when Tom Underwood died on June 29, 1956, the world was left a far poorer place by his absence. Yet because he lived and contributed to it in manifold ways, the world was left a rare heritage.

The wellsprings of his capacity for personal friendships ran inexhaustibly deep and those of us who were fortunate enough to know him and be his friend were bountifully blessed. Here was a man who truly never had an unkind thought or said an unkind thing about anyone. He was indeed a friend not only of those whom he knew but of those whom he did not know—he was a friend of mankind. His altruistic spirit found expression in his active participation in and guidance of countless endeavors for those stricken, needy, and less fortunate persons. His broad civic interests were manifested in his constant efforts for organizations working for the betterment of all of his fellow citizens.

His devotion to his native State was evident in his driving interest in and inexhaustible knowledge of the lore and products indigenous to it. He was an expert on the thoroughbred racehorse industry and tobacco and worked diligently and effectively for their promotion.

His salty humor and rugged and pungent philosophy gave his friends untold delight and provided him with a richly deserved reputation as one of Kentucky's and the Nation's best storytellers.

Tom was a splendid newspaperman, having been reporter, sports editor, State editor, managing editor, and general manager of the Lexington Herald before becoming its esteemed and astute editor in chief. The penetrating insight and sharpness of inquiry which mark the editor's objective approach to the issues of the day, in addition to his thorough grounding in the art and science of politics at the State level, fitted him eminently for his subsequent service in the House and in the Senate. The political acumen and sagacious judgment, which characterized his tenure of office in both Houses of the Congress, compelled him, at all times, to seek out the truth and underlying fundamentals of any question. He then directed his energies and efforts, without equivocation, in the course of action for the best interests of Kentucky and the Nation.

Tom Underwood's interests were diversified and wide; his probing intellect was deep; his human responses were warm. They made for him a life of high purpose and noble achievement and provided for his friends and his family a rich legacy of unfailing sincerity and loving association.

Mr. GREGORY. Mr. Speaker, the passing of Thomas R. Underwood leaves a void in many fields difficult to fill. Kentucky has lost one of her most illustrious sons and one loved by all Kentuckians. Tom not only was loved by all who knew him in Kentucky and on the national scene, but was respected by all for his great contribution to his native State, the Nation, and his fellow man.

Tom Underwood was a newspaperman without peer, a gallant leader in the Democratic Party which he served with such distinction both in the House and Senate of the United States. His judgment was sought in party circles and his influence was broad, far reaching, and constructive. He made a great contribution to the racing industry so prevalent in central Kentucky, and his leadership in the promotion and advancement of the tobacco program will long be remembered.

He was public spirited, a civic leader, always in the forefront in the promotion of the well-being of Kentucky and her citizens. Above all, he was a Christian gentleman—considerate and thoughtful.

In the untimely passing of this fine man, his dear mother has lost the one person she loved above all else in this world and of whom she was justifiably so proud; his wife, Eliza, a devoted and close companion; and his sons, Walter and Thomas, an indulgent father to whom his wisdom and counsel have meant so much; and I with many, many others a very, very dear friend whose place cannot be filled.

COASTWISE TRADE

Mr. ZELENKO. Mr. Speaker, I ask unanimous consent that the House reconsider the action it took today in passing the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes. That bill was No. 626 on the Consent Calendar called today.

Mr. ROBESON of Virginia. I object, Mr. Speaker.

ARMED SERVICES—A PROBLEM

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. PHILBIN] is recognized for 30 minutes.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I shall include in my remarks a recent article from the New York Times by Anthony Leviero, able writer of that well-known publication entitled "Radford Seeking 800,000-Man Cut—Three Chiefs Opposed."

The position of Admiral Radford, as outlined in this article, is very significant. It illustrates a completely "new look" in military affairs and our defense plans. If it is carried out, it will mean sizable reductions in all the armed services.

Obviously, it is based upon the realities of nuclear weapons and our ability to deliver them over long distances. It also

evidently presupposes the rapid development of progress we are making respecting guided missiles, rockets and supersonic transportation. That the other three chiefs of the joint staff are in disagreement is also significant in that it poses definite resistance by high ranking military leaders to the proposed reduction plan. But it should be noted that apparently the plan has Presidential and Cabinet approval.

There are several warrantable implications that can be drawn from this situation:

First. That it might make possible the elimination of the draft and the development of professionalized career forces, scientifically and technically trained in the maintenance and use of newest weapons and equipment, which require specialized knowledge and skilled handling.

Second. That it might entail the withdrawal of many military components in foreign countries spread throughout the world.

Third. That it might permit the discontinuance, inactivation and withdrawal from the many bases we have set up in a broad circle over a far-flung world line. If this should be done, it might be followed by the more or less immediate occupation by the Soviet and its puppets of many of these bases with results that we and our allies might not like.

Fourth. The acceptance of the theory that jet propulsion and missiles have liquidated space to such an extent that we can operate, not only our defenses, but our striking forces, from the Western Hemisphere, and possibly from the continental United States and adjoining countries.

While there may be disagreements about this new program, it is entitled to be studied carefully by our appropriate congressional committees. The fact that it would save billions of dollars is important, but must never become the overriding consideration in the adoption of the plan. Whatever the cost, this Nation must maintain defenses that will be as nearly as possible impregnable, and a terrific striking force that will permit us to assail any enemy with terrible, devastating effects once we are attacked.

It is coincidental that virtually at the same time Admiral Radford made his arms reduction proposal, it was announced in London, according to an article which I am inserting as part of these remarks, that sharp slashes in Britain's defense budget appear imminent. It should be noted that the British budget for defense is about $4¼ billion in contrast to our own military budget for 1957 of about $36 billion.

A statement made in the article by Liberal Leader Davies whose party often supports the government's general policy joining in the demand for a cut, suggested that nearly $1.5 billion could be lopped off British defense appropriations.

His reported statement impressed me very much and read in part as follows:

The whole strategy of war has completely changed. Today what is really needed is a small professional, very highly skilled army, consisting in the main of technicians.

The war which Russia will wage on the world will not be a military one, but an economic one. She is waging it now. And we are weakening ourselves in out-of-date, useless armaments.

Apart from America, we are bearing a heavier burden than anybody else and, comparatively, we are bearing a heavier burden than the United States.

This reduction in armaments must be agreed with the other countries that form NATO, but I am certain we should be taking the lead.

Mr. Davies has thus summarized a point of view regarding the type of professionalized armed services we require, which I have stressed in the past and which, I believe, has no inconsiderable support in informed circles.

As we consider these matters, it is most appropriate that we should also consider how we can develop present peacetime conditions into an enduring peace. Fundamental justice must lie at the basis of any proposals and any plan—justice for all peoples, and freedom for all who choose to have it.

I should like to see more attention given to the problem of setting up an aggressive peace campaign, not only predicated on the reduction of armed strength and forces under international agreements, but also providing for disarmament and international inspection of the production of nuclear substances and other diabolical instrumentalities usable in modern war.

Why would the Soviet refuse to agree to such a program for peace? The worried peoples of the world would like to know. Sincere and honest Soviet diplomacy and specific deeds to show good faith could well launch a successful movement for peace.

I do not agree with Mr. Davies' implication that Russia would not consider waging general war, but I do not believe that at present the Soviet has a concrete intention of so doing. I believe her leaders, like leaders everywhere, recognize the lethal character of nuclear weapons and that will be a great deterrent to war. Moreover she is in no position at present to wage a great war.

I believe it is true that Russia is endeavoring to wage an economic war, and I believe that if she undertakes this on a broad scale she will find it just as debilitating and weakening to her own internal economy as she has found military expansion to be. I think that our own Nation should move slowly, deliberately and cautiously regarding reduction of armaments as such and should give immediate attention to the professionalization of our armed services and our adaptation to new weapons, new techniques, new devices and new equipment.

[From the New York Times of July 13, 1956]

RADFORD SEEKING 800,000-MAN CUT—THREE CHIEFS OPPOSED—1960 IS HIS GOAL—DISPUTE BRINGS ORDER TO DELAY PLANS UNTIL AFTER ELECTION

(By Anthony Leviero)

WASHINGTON, July 12.—A revolt by the Chiefs of the three Armed Forces against the ideas of their Chairman, Adm. Arthur W. Radford, was disclosed today.

One reported result of the dispute is that work on the joint strategic plan has been postponed until after the November election.

A proposal by Admiral Radford to reduce the Armed Forces by approximately 800,000 men by 1960 was said to have united the service chiefs in vigorous protest. They were said to have objected on the grounds that the reduction would shrivel up United States Armed Force contribution to the defense of Europe.

Informed sources said Admiral Radford was dissatisfied with estimates of force levels submitted by the service chiefs and made a counterproposal.

The political implications of his concept of policy for 3 years ahead, signifying in effect a withdrawal to a fortress America, were reported to have alarmed high Defense Department officials. The result was an order to put strategic planning on ice until after the election.

STUDY IS 2 MONTHS OLD

It was not learned who issued the stop order, but it was assumed that either Charles E. Wilson, the Secretary of Defense, or Reuben B. Robertson, Jr., the Deputy Secretary, had intervened. They could exert authority over planning the "new look" in defense for the fiscal year 1958, 1959, and 1960. The service chiefs have been engaged in the planning for about 2 months.

Highly reliable reports in the Pentagon were to the effect that the Army was bracing itself for a possible cut of 80,000 to 100,000 men in fiscal 1958, beginning July 1, 1957. It was estimated that a reduction of 100,000 men would mean the withdrawal of 40,000 men from overseas bases.

Some Senate sources have heard that the Army, under the reported Radford plan, would reduce its forces by 450,000 men by 1960. Rumors of the planning "stop" order have reached some Senators, too.

One Senator said that under so-called Defense Department guide lines for fiscal 1958 the Army was originally slated for a 200,000-man cut in the year, but recently this was cut in half.

Admiral Radford was reported to be giving the impression to colleagues that he had President Eisenhower's support for his general objectives, although it was believed his highly controversial memorandum on the reductions had not been read by the President.

RADFORD'S VIEWS GIVEN

Sources familiar with Radford's concept and views as expressed to his colleagues said they might be summarized as follows:

The protection of the United States economy is an overriding requirement and in the 1960 period the defense budget will have to be held under $40 billion.

The objectives in the period would be to reduce the Armed Forces by figures on this order: Army, 450,000; Navy and Marine Corps, 200,000; Air Force, 150,000 (virtually all in Tactical Air Command).

Any war most likely would be a general one, short, violent and involving nuclear weapons.

Consequently Army forces overseas, including the five divisions supporting this country's participation in the North Atlantic Treaty Organization, would be reduced, as one source said, to "small token forces that would wave the flag." Such forces would be smaller than division size and would have atomic weapons.

In a war the Army would not be committed, except for token forces, because both Mobilization Day and D-day would be simultaneous. Hence the decisive action might take place before the Army could be shipped overseas.

The National Guard and Army Reserves would be employed in civil defense and related roles.

The Strategic Air Command would be the dominant force. The Tactical Air Command would be reduced, especially in the elements earmarked for support of the Army.

The Navy's primary mission would be antisubmarine warfare.

ARMY AT 1,030,000 MEN

The Army's estimated strength as of last June 30 was 1,040,250 men. Actual figures are not yet compiled, but spokesmen said actual strength is now about 1,030,000. So a reduction of 450,000 would mean an Army of 580,000 men by 1960.

The Navy's estimated strength for June 30 was 662,774 and the Marine Corps' 201,000, making a total of 863,774. Under the Radford proposal this would be cut to 663,774 by 1960.

The Air Force is undergoing a planned growth from 131 to 137 wings by June 30, 1957. On June 30 it had an estimated strength of 916,000 men. The Strategic Air Command would be built up and maintained as planned but the reduction of 150,000 from a planned total of 970,000 airmen would mean an Air Force in 1960 of about 820,000 men.

A canvass of the defense picture at various levels in the Pentagon and in some civilian quarters of the administration indicated a marked emphasis on modernization. Both civilian and military officials used this word to explain the process now going on—to press for a modernization of weapons in all categories so as to enable the reduction of manpower forces. All services are striving to gain maximum firepower with guided and ballistics missiles and supersonic aircraft.

One civilian official with a son stationed in the Armed Forces in Europe said that if war broke out there he would be darned if he would like to see this country rely on conventional weapons when it had decisive atomic and thermonuclear weapons at hand. He said he felt a lot of other American parents felt the same way.

A top Army spokesman said the alternatives confronting the Army was modernization or a manpower cut. He saw a slim chance of a possible compromise of a cut in both categories, but he saw very little chance of any compromise on quality or modernity of weapons in the face of the extremely stiff technological competition now being offered by the Soviet Union in all vital fields—nuclear weapons missiles and aircraft.

In the inner councils of Government, it was said, the extremely influential voice of George M. Humphrey, the Secretary of the Treasury, has continued to insist on economies in the defense program. Administration sources insist, however, that neither Mr. Humphrey nor Secretary Wilson has imposed a money ceiling that takes priority over defense needs in strategic planning.

WILSON SAYS NO

A highly placed source explained, however, the process by which a ceiling was applied in an informal yet binding way. The service chiefs recently came up with estimates that totaled up to a defense budget of $43 billion. Secretary Wilson told them it was much too much and to try such-and-such a figure. The source would not reveal the precise ceiling Mr. Wilson suggested, but asserted it was under $40 billion.

Mr. Wilson in a recent appearance before the Senate Subcommittee on the Air Force said in reply to a question that the present budget of approximately $36 billion would be increased by a billion or 2 billion. The expectation in the Pentagon has been that the increase in the fiscal 1958 budget now being planned would have to go to the expanding Air Force.

The Air Force is the service most nearly satisfied with its share of the defense budget, though its professional leaders have warned that the Soviet Union should not be permitted to stay ahead in heavy bomber production. Nevertheless, Gen. Nathan F. Twining, Air Force Chief of Staff, was reported to have joined Gen. Maxwell D. Taylor, Army Chief of Staff, and Adm. Arleigh A. Burke in protesting the plan suggested by Admiral Radford.

The Eisenhower administration took its "new look" at the defense program in the fall of 1953. The result was a stabilizing of the program at about $35 billion a year, with sharp reductions in Army manpower. Gen. Matthew B. Ridgway, who retired as Army Chief of Staff, bitterly protested the reductions.

The new cuts proposed by General Radford, however, mean a radical change in United States defense policy, according to criticis who express their views privately. They believe that if the Radford plan is carried out all but token Army forces and some strategic air forces would remain overseas, with the bulk of United States power in a Fortress America.

Some critics believed the plan was tied somewhat to the eventual development of a West German army and the completed production of 500 B–52 intercontinental bombers by the fall of 1958.

Reequipment of the Strategic Air Command with the B–52's would make this country somewhat less dependent on overseas bases, although the Stratofortresses would require air refueling on missions into the heart of the Soviet Union.

The backbone of the Strategic Air Command now is the series of bases around the world through which war in this country could deploy the fleet of about 1,500 B–47 medium bombers. Informed Air Force sources said they thought it would be disastrous to give up foreign air bases voluntarily, although as far as could be learned there was no suggestion that this be done when the B–52's were available.

In any event the implications of the Radford paper shocked military leaders who stress the United States need for allies. They feared that adoption of the plan would seriously damage the concept of collective security to which this country is now dedicated.

In a recent appearance before the Senate Subcommittee on the Air Force, Secretary Wilson made the somewhat cryptic statement that this country would not get involved in any ground war in which its allies did not have a prominent part. He suggested this country's main contribution would be air power, although he also made a passing comment that he did not believe the Fortress America was a good one.

He was not asked to explain what he conceived as a Fortress America and it is not known whether he had seen the Radford memorandum at that time. The service chiefs filed their protests against it only a few days ago.

The Army, which has been allowed approximately $7,500,000,000 for fiscal 1957, is convinced it will feel a manpower pinch even if it were allowed $10 billion for fiscal 1958.

Any increase it would receive would be used to stress development of missiles, urgent research and development projects, and other high priority modern weapons and equipment. Therefore a reduction in manpower is viewed as inevitable. But when the showdown comes the Army is planning to demonstrate that any cut below 950,000 from a present strength of about 1,030,000 would be unwise.

It was argued that any reduction of more than 80,000 to 100,000 in 1 year would destroy the Selective Service system, which depends largely on voluntary draft boards. During the year of such a reduction there would be no need of the draft and the system would, it was contended, all but collapse from disuse, though it would be needed after that to maintain the Army.

Also, a large manpower reduction would destroy the Army's training bases through disuse, the Army said.

The Army is operating on a plan that keeps 40 percent of its troops overseas. Thus a reduction of 100,000 men would mean that about 40,000 or about two divisions and auxiliary units would have to be recalled from foreign bases.

Army sources refused to speculate on the places from which these troops might be withdrawn, but they pointed out there were 5 divisions in Europe under NATO, 2 divisions helping to maintain the truce in Korea, and 1 division in Japan.

The decision on withdrawal would have to be made by the National Security Council.

The reason for a ratio of 40 percent overseas was the need to pin down a large share of the Army in the continental United States for antiaircraft defense and for other stationary assignments and the need to rotate troops so that they are not away too long from home.

[From the Washington Post and Times Herald of July 16, 1956]

BRITISH ARMS CUT EXPECTED

LONDON, July 15.—Sharp slashes in Britain's defense budget appear imminent. There is a growing feeling here that the Soviet threat is now more economic than military.

The Russians are making headway in a campaign to convince Western countries—particularly Britain and France—that arms expenditures are the root of their economic woes. It could have a far-reaching effect on the Western defense setup.

Prime Minister Eden's Conservative government is under pressure to make drastic cuts in both men and money earmarked for defense—as much as 33⅓ percent. Government ministers are talking in terms of a 25 percent reduction.

Britain now spends about $4¼ billion on defense out of a total annual budget equivalent to $12½ billion.

The Labor Party opposition has long been clamoring for slowing the defense program.

Over the weekend, Liberal Leader Clement Davies, whose party often supports the Government's general policy, joined in demanding a cut. Davies suggested nearly $1.5 billion could be lopped off.

"The whole strategy of war has completely changed," he said. "Today, what is really needed is a small professional, very highly skilled army, consisting in the main of technicians.

"The war which Russia will wage on the world will not be a military one, but an economic one. She is waging it now. And we are weakening ourselves in out-of-date, useless armaments. * * *

"Apart from America, we are bearing a heavier burden than anybody else and, comparatively, we are bearing a heavier burden than the United States.

"This reduction in armaments must be agreed with the other countries that form NATO, but I am certain we should be taking the lead."

A major reduction in defense expenditure could mean abandoning any British attempt to match either the United States or Russia in the field of nuclear weapons and guided missiles and concentrate on crack conventional forces.

Britons were stunned by the ominous tone of Prime Minister Eden's warning Saturday that the country stands "in mortal peril of * * * poverty by stages" unless inflation is checked.

NOBLE LEADERSHIP FOR POLAND'S CAUSE

Mr. PHILBIN. Mr. Speaker, I shall include in my remarks an excellent recent article from the celebrated Worcester Evening Gazette, Worcester, Mass., entitled "Poznan Was 'Home' to

Webster Emigres," containing statements and views by the Very Reverend Monsignor Andrew Lekarczyk, pastor of St. Joseph's Church in Webster, Mass., in my district.

Certainly no one is better qualified to speak with authority on conditions in Poland and the aims and objectives of the Polish people. Let me state categorically that I share Monsignor Lekarczyk's concern and grief that such terrible suffering is permitted to take place in Poland with hardly more than a gesture by this Government, the United Nations and the free nations, so-called.

Monsignor Lekarczyk's eloquent words setting forth the contributions of the Polish people and particularly the patriotism and loyalty of young Americans of Polish descent, who served in our armed services, should deeply impress the American people.

The continued oppression of Poland constitutes a shocking and unbelievable violation of the laws of God and man. It violates every moral canon accepted by free nations for centuries. It negates all pious professions of self-determination and freedom, which were voiced by the allied leaders during World War II and which have been repeated so many times up to this very moment by those charged with high responsibility.

A most tragic development is that the Communists have heartlessly rejected the offer of food and other relief by this Government. I am presently awaiting intercessions which I made sometime ago urging aid through the Red Cross or United Nations relief agencies. Must these brave, gallant people, who are striving for freedom, be callously deprived of humane treatment and the food and sustenance they need to relieve them from the pangs of hunger and desperate suffering?

Is the conscience of the world unmoved by their need for help, their utter need for the means of keeping body and soul together? Are there no means, short of war, by which these loyal, indomitable allies can be spared from continued suffering and lingering death? Must the free world remain inert and helpless in its efforts to assist them? This question is a great challenge, not only to our own Government but to the United Nations, because what we have here is an appalling genocide—the sytematic liquidation of millions of loyal God-fearing people by brutal, conscienceless Communist masters.

The able and distinguished monsignor emphasizes the great sacrifices, as well as the sufferings of the Polish people. It is indeed an indescribable picture—a picture of hundreds of thousands of helpless orphans starving to death—without food, without clothing, without shelter, without even a piece of bread. Are some people so intent upon pursuing a policy of softness toward the Soviet that they can turn a deaf ear and close stony hearts to the plight and the pleas of these sorely afflicted human beings?

What will be left of the free world pretense of democracy, freedom, and humanity, if these poor, helpless people are to be fed into the maws of Soviet pillage and brutality in the name of abortive peace efforts? Is it not obvious and as plain as the light of day that no lasting peace can be based upon this terrible injustice and tyranny, and that there can be no security, no amity, no real peace until these terrible conditions of oppression are ended and peoples are treated like human beings?

Will this Nation stand by unprotestingly while the apostles of neutralism and reconciliation with Soviet tyranny complete their nefarious work and make it possible for the Soviet to make permanent their ill-gotten gains and to keep millions of worthy, freedom-loving peoples in a cruel subjectivity worse than death?

I again appeal to this Congress, every Member of our great legislative body, to renew our pleas for humane justice for Poland—for food for the starving, clothing for the unclad, shelter for the homeless and, what is most important, liberation and freedom for the pitiable victims of Communist tyranny.

Let us realize that this world will never find peace until these great injustices are removed from the world scene. Our struggles against the godless tyrants and dictators must never abate; they must never be corrupted by appeasement; and they must never be deterred by neutralism, or any other soft doctrine that scorns the immortal truths of the living God and abandons the principles of freedom upon which this and every other free nation is based.

Monsignor Lekarczyk, by his noble words, has not only done the Polish cause, which he has served so effectively for years, a great service, but he also has uttered a timely warning to the American people to face up to this situation now or take the grave risk that may lead to greater and even more dire danger for the United States and the free world.

For the spirit of Poznan will never die. It will live as long as liberty lives in the hearts of men and women. And it will one day ere long, we devoutly pray, restore freedom to Poland and other oppressed nations.

[From the Worcester Evening Gazette of July 12, 1956]

POZNAN WAS "HOME" TO WEBSTER EMIGRES

(By John G. Laplante)

WEBSTER, July 12.—Poznan and anguish. The two mean the same for the more than 500 foreign-born Poles here and their several thousand descendants, according to Very Rev. Monsignor Dr. Andrew Lekarczyk, pastor of St. Joseph's Church and their titular spokesman.

Monsignor Lekarczyk in an hour-long interview yesterday commented at length on the significance of the recent 3-day uprising of the working people of Poznan for bread and freedom.

According to an official Communist release, at least 48 persons were killed and more than 300 were injured.

Poznan and the surrounding area was the home town of at least half the Poles who migrated to Webster, Monsignor Lekarczyk said.

"Poles here in Webster are deeply disturbed and shocked that the Western powers are allowing such agonizing suffering to the 24 million people of Poland, a nation which during the last war was one of our most loyal allies.

TYPICAL SENTIMENT

"What is said by Webster people is equally true of the sentiments of all Polish-Americans. In World War II more than 1,100 young men of Polish-American descent in Webster served in the Armed Forces. In all, more than 900,000 Polish-Americans saw service," he continued.

"Polish-American by blood and sweat have generously contributed to the victory over our enemies.

"It is no wonder that they are greatly disturbed that the land of their ancestry was enslaved, when actually the last war was supposed to have been fought for the liberation of all oppressed peoples," he added.

"It would be more than just if at least a small portion of our foreign aid could reach these unfortunate people through the International Red Cross without the benefit of political tag, but just for the humanitarian sake."

He lauded Mr. Eisenhower for offering free food to the citizens of Poznan after news of the revolt, but suggested it would have been wiser not to stipulate that the proffered supplies be labeled "Gift from U. S. A."

POLITICAL OVERTONE

"A political overtone," he explained.

Asked whether he thought the revolt was sparked by "provocateurs" and "imperialists," as the Communists have charged, he answered, "Utter nonsense."

"It was a revolt of the people; they had taken all they could stand," he said.

"No one can expect prosperity in a country which several times has been overriden and pillaged by the Germans and the Russians, where cities and villages have been destroyed, where food and even clothing are taken from the people.

"And if one adds the present brutal oppression by the police state, the picture is indescribable," he continued.

"There are in Poland hundreds of thousands of war orphans without adequate care. A recent American visitor in Warsaw reported that the plight of the Polish war veterans who fought side by side with our boys in the last war is terrible.

"They are clothed in rags and many of them are forced by hunger to go from house to house, begging for a piece of bread to sustain their lives."

DENIES SOFTENING

He denied that there has been a softening in Red policy since Mr. Krushchev set the Communist world topsy-turvy by torpedoing the Stalin myth.

"There has been absolutely no change in Communist ideology since the new regime," he said. "All we've had is bluff and lip service. The specter is unchanged."

He agreed with political analysts who believe that the Poznan revolt may have strengthened the West by reminding such free powers as West Germany, where neutralist voices have been pressing for more amicable relations with Moscow, that the Iron Curtain still shields misery and affliction.

He explained that Poland was dismembered in 1815, when the Congress of Vienna ceded one part of the country to Russia, another part to Germany, and a third to Austria.

"The Poles who came to this area—back in the 1880's and 1890's, mostly—did so largely because their lands were expropriated by the Germans," he said.

"For more than a century Poland has been between the devil and the deep blue sea—between Russia and Germany.

"And that's the way it is even today."

SPIRIT OF MILITARISM

It's with great apprehension that Poles all over the world observe West Germany's arms buildup. The spirit of militarism is still very much alive there.

"Some day the German army will march again and Poland once more will be its first victim," he went on.

"Another thing, we resent having our beloved homeland called Communist Poland without distinguishing between the Poles and the Communist government imported from Russia and imposed on them.

"We forget that Poland was the first nation to stop the Communist march to conquer the Western countries in 1920 at the battle of Warsaw, and that during World War II millions of Poles chose to suffer death or exile to Siberia rather than godless communism," he said.

"The Polish people—even behind the Iron Curtain—are still more loyal to the cause of the United States than some Western powers.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BERRY (at the request of Mr. MARTIN) on Monday, July 16, 1956, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS of Massachusetts, for 5 minutes, today.

Mr. PHILBIN, for 30 minutes, today.

Mr. HOLIFIELD, for 40 minutes, tomorrow.

Mr. HESELTON (at the request of Mr. KEATING), to transfer his special order from today until Thursday.

Mr. BRAY (at the request of Mr. KEATING), for 30 minutes, on Thursday next.

Mrs. ROGERS of Massachusetts, for 5 minutes, tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HOLLAND and to include extraneous matter.

Mr. GENTRY and to include extraneous matter.

Mr. RICHARDS and to include extraneous matter.

Mr. ABERNETHY to revise and extend his remarks in committee on H. R. 627 and to include newspaper articles and editorials.

Mr. SMITH of Wisconsin and to include extraneous matter.

Mr. MCGREGOR in five instances and to include extraneous matter.

Mr. BEAMER and to include extraneous matter.

Mr. HILL and to include extraneous matter.

Mr. CELLER.

Mr. ALBERT and to include an editorial.

Mr. MINSHALL in two instances and to include extraneous matter.

Mr. PHILBIN and to include extraneous matter.

Mr. DINGELL (at the request of Mr. HOLIFIELD) and to include extraneous matter.

Mr. SCHWENGEL and include a statement on the AAU suspension of Wes Santee.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2691. An act for the relief of Cale P. Haun and Julia Fay Haun; to the Committee on the Judiciary.

S. 3503. An act to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota; to the Committee on Interior and Insular Affairs.

S. 3832. An act to provide for the disposal of the Government-owned synthetic research laboratories at Akron, Ohio; to the Committee on Armed Services.

S. 3941. An act relating to certain mining claims which were eligible for validation under the act of August 12, 1953, but which were not validated solely because of the failure of the owners to take certain action to protect their claims within the prescribed period; to the Committee on Interior and Insular Affairs.

S. 4039. An act to encourage the discovery, development, and production of manganese-bearing ores and concentrates in the United States, its Territories, and possessions, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 4076. An act to provide for the appointment of legal officers of certain departments in the executive branch by the President, by and with the consent of the Senate; to the Committee on Post Office and Civil Service.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2854. An act to amend title 18 of the United States Code, so as to increase the penalties, applicable to seditious conspiracy, advocating overthrow of Government, and conspiracy to advocate overthrow of Government;

H. R. 5838. An act to provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range;

H. R. 6501. An act to amend the act of July 17, 1914, to permit the disposal of certain reserve mineral deposits under the mining laws of the United States;

H. R. 8817. An act to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.;

H. R. 9333. An act to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manufacturers;

H. R. 11402. An act to extend the existing application of the Temporary Promotion Act of 1941, as amended, to the Coast Guard, and for other purposes;

H. R. 11683. An act to authorize permanent appointments in the Armed Forces of the United States, and for other purposes;

H. R. 11873. An act to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects; and

H. R. 11995. An act to provide that the 1955 formula for taxing income of life insurance companies shall also apply to taxable years beginning in 1956.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1622. An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes; and

S. 3982. An act to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its territories, and possessions, and for other purposes.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on July 14, 1956, present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 2452. An act to provide for the conveyance of certain lands by the United States to the State of Wisconsin;

H. R. 8228. An act to suspend for 2 years the duty on crude bauxite and on calcined bauxite;

H. R. 8636. An act to continue until the close of June 30, 1957, the suspension of duties and import taxes on metal scrap, and for other purposes;

H. R. 9137. An act to waive section 142, of title 28, United States Code, with respect to the United States District Court for the Western District of North Carolina holding court at Bryson City, N. C.;

H. R. 9578. An act to provide for the conveyance of an interest of the United States in and to certain lands in Colorado;

H. R. 9774. An act to provide for the conveyance of certain lands of the United States to the Board of Commissioners of Volusia County, Fla.;

H. R. 10075. An act to provide for the conveyance of certain real property of the United States to the town of Bald Knob, Ark.;

H. R. 10204. An act authorizing the Administrator of General Services to transfer certain land to Richard M. Tinney and John T. O'Connor, Jr.;

H. R. 10269. An act to provide for the temporary suspension of the duty on certain alumina;

H. R. 10479. An act to authorize the Administrator of General Services to convey certain land to the county of Galveston, Tex.;

H. R. 11000. An act to provide for the striking of medals in commemoration of the 100th aniversary of the birth of the late Justice Louis Dembitz Brandeis;

H. R. 11520. An act to provide for the transfer of certain property situated in the State of Maine to the town of Castine, Maine; and

H. J. Res. 569. Joint resolution to provide for a medal to be struck and presented to each surviving veteran of the War Between the States.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p. m.) the House adjourned until tomorrow, Tuesday, July 17, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2058. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to certain plans for works of improvement which have been prepared, pursuant to section 5 of the Watershed Protection and Flood Prevention Act (68 Stat. 667) and Executive Order No. 10654 of January 20, 1956; to the Committee on Agriculture.

2059. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to authorize the loan of two destroyers to the Government of Colombia"; to the Committee on Armed Services.

2060. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases in the Federal Communications Commission as of May 31, 1956, pursuant to section 5 (e) of the Communications Act as amended July 16, 1952 by Public Law 554; to the Committee on Interstate and Foreign Commerce.

2061. A letter from the Secretary of Defense, relative to 51 reports covering 61 violations of section 3679, Revised Statutes and Department of Defense Directive 7200.1, entitled "Administrative Control of Appropriations within the Department of Defense", pursuant to section 3679 (1) (2), Revised Statutes; to the Committee on Appropriations.

2062. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to amend section 502 of the General Bridge Act of 1946, and for other purposes"; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARDY: Committee of conference. H. R. 7089. A bill to provide benefits for the survivors of servicemen and veterans, and for other purposes (Rept. No. 2718). Ordered to be printed.

Mr. HALEY: Committee of conference. H. R. 5566. A bill to terminate the existence of the Indian Claims Commission (Rept. No. 2719). Ordered to be printed.

Mr. LONG: Joint Committee on the Disposition of Executive Papers. House Report No. 2720. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. COOLEY: Committee on Agriculture. H. R. 8384. A bill to amend section 8c (2) of the Agricultural Marketing Agreement Act of 1937, as amended; without amendment (Rept. No. 2721). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 1161. An act to abolish the Fossil Cycad National Monument, S. Dak., and for other purposes; without amendment (Rept. No. 2722). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 3556. An act to amend Public Law 551, chapter 616, 83d Congress, 2d session; without amendment (Rept. No. 2723). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 3658. An act to amend the act of May 11, 1938 (52 Stat. 347), so as to authorize, by agreement, the subsurface storage of oil or gas in restricted Indian lands, tribal or allotted; without amendment (Rept. No. 2724). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 3926. An act to authorize the Secretary of the Interior to charge for special services to purchasers of timber from Indian lands; without amendment (Rept. No. 2725). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee of Conference. H. R. 9593. A bill to simplify accounting, facilitate the payment of obligations, and for other purposes (Rept. No. 2726). Ordered to be printed.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 3998. An act to provide for the development of the Federal fish hatchery, known as the Holden trout hatchery, at Pittsford, Vt.; without amendment (Rept. No. 2727). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 8250. A bill to require conformance with State and Territorial fish and game laws and licensing requirements on Federal lands not subject to such laws; with amendment (Rept. No. 2728). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOYKIN: Committee on Merchant Marine and Fisheries. H. R. 10332. A bill to preserve the Key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida; with amendment (Rept. No. 2729). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 11197. A bill to provide for the retention in public ownership of certain lands around the Jim Woodruff Reservoir, Fla. and Ga., being administered by the Florida Game and Fresh Water Fish Commission; with amendment (Rept. No. 2730). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOYKIN: Committee on Merchant Marine and Fisheries. H. R. 11548. A bill to provide for the establishment of a new fish hatchery in the vicinity of Paint Bank, Va.; without amendment (Rept. No. 2731). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 11632. A bill to facilitate the control and eradication of certain animal diseases, to facilitate the carrying out of agricultural and related programs, to facilitate the agricultural attaché program, to facilitate the operations of the Farmers' Home Administration, the Federal Crop Insurance Corporation, and the Forest Service, and for other purposes; with amendment (Rept. No. 2732). Referred to the Committee of the Whole House on the State of the Union.

Mrs. KELLY of New York: Committee on Foreign Affairs. House Concurrent Resolution 265. Concurrent resolution expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations; without amendment (Rept. No. 2733). Referred to the House Calendar.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 11526. A bill to improve governmental budgeting and accounting methods and procedures, and for other purposes; with amendment (Rept. No. 2734). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COOPER:

H. R. 12252. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of dividends paid by regulated investment companies which hold the bulk of their assets in State and local securities; to the Committee on Ways and Means.

By Mr. REED of New York:

H. R. 12253. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of dividends paid by regulated investment companies which hold the bulk of their assets in State and local securities; to the Committee on Ways and Means.

By Mr. COOPER:

H. R. 12254. A bill to provide additional time for the Tariff Commission to review the customs tariff schedule; to the Committee on Ways and Means.

By Mr. REED of New York:

H. R. 12255. A bill to provide additional time for the Tariff Commission to review the customs tariff schedule; to the Committee on Ways and Means.

By Mr. FALLON (by request):

H. R. 12256. A bill to amend section 502 of the General Bridge Act of 1946 and for other purposes; to the Committee on Public Works.

By Mr. DONDERO:

H. R. 12257. A bill to amend section 502 of the General Bridge Act of 1946 and for other purposes; to the Committee on Public Works.

By Mr. CHASE:

H. R. 12258. A bill to provide funds to pay nationals of the United States who have war-damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H. R. 12259. A bill to amend title 28 of the United States Code, so as to provide for the appointment of two additional district judges for the eastern district of Michigan; to the Committee on the Judiciary.

By Mr. FLOOD:

H. R. 12260. A bill to authorize Federal grants to assist in the development and operation of studies and projects to help older persons; and for other purposes; to the Committee on Education and Labor.

By Mr. HALE:

H. R. 12261. A bill to provide funds to pay nationals of the United States who have war-damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of California:

H. R. 12262. A bill to amend the Merchant Marine Act of 1936, to provide for utilization of commercial marine terminal facilities by the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. HARRISON of Nebraska:

H. R. 12263. A bill to provide funds to pay nationals of the United States who have war-damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of Nebraska:

H. R. 12264. A bill to authorize the Secretary of the Interior to enter into and to exe-

cute an amendatory contract with the Northport Irrigation District, Nebraska; to the Committee on Interior and Insular Affairs.

H. R. 12265. A bill to provide funds to pay nationals of the United States who have war-damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. MORANO:

H. R. 12266. A bill to amend the Refugee Relief Act of 1953 to extend for an additional year the period during which visas may be issued, to authorize the issuance of visas to certain aliens who applied therefor prior to July 1, 1956, without regard to limitations on the number of visas which may be issued under such act, and for other purposes; to the Committee on the Judiciary.

By Mr. WEAVER:

H. R. 12267. A bill to provide funds to pay nationals of the United States who have war-damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRIS:

H. R. 12268. A bill to provide funds to pay nationals of the United States who have war damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. McINTIRE:

H. R. 12269. A bill to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Maine; to the Committee on Interior and Insular Affairs.

By Mr. VINSON:

H. R. 12270. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

By Mr. ALLEN of California:

H. J. Res. 686. Joint resolution to extend the operation of the Emergency Ship Repair Act of 1954; to the Committee on Merchant Marine and Fisheries.

By Mr. MAILLIARD:

H. J. Res. 687. Joint resolution to extend the operation of the Emergency Ship Repair Act of 1954; to the Committee on Merchant Marine and Fisheries.

By Mr. TOLLEFSON:

H. J. Res. 688. Joint resolution to extend the operation of the Emergency Ship Repair Act of 1954; to the Committee on Merchant Marine and Fisheries.

By Mr. FLOOD:

H. J. Res. 689. Joint resolution to provide for the preparation of a history of momentous scenes in the Congress since the Civil War; to the Committee on House Administration.

By Mr. PRIEST:

H. Res. 596. Resolution authorizing the printing of additional copies of the hearings on the Health Amendments Act of 1956; to the Committee on House Administration.

By Mr. HOSMER:

H. Res. 597. Resolution directing the Clerk of the House of Representatives to dispose of certain communications; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. CURTIS of Massachusetts: Memorial of the Commonwealth of Massachusetts to authorize and direct the issuance of a commemorative postage stamp depicting the Adams national historic site; to the Committee on Post Office and Civil Service.

By Mr. HESELTON: Resolutions of House of Representatives, Commonwealth of Massachusetts, memorializing the Congress of the United States to authorize and direct the issuance of a commemorative postage stamp depicting the Adams national historic site; to the Committee on Post Office and Civil Service.

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to authorize and direct the issuance of a commemorative postage stamp depicting the Adams national historic site; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H. R. 12271. A bill directing the Secretary of the Interior to convey certain property in the State of Colorado to William M. Proper; to the Committee on Interior and Insular Affairs.

By Mr. GAMBLE:

H. R. 12272. A bill for the relief of Maria Rosario Cecere Santoianni; to the Committee on the Judiciary.

By Mr. HERLONG:

H. R. 12273. A bill for the relief of John I. Strong; to the Committee on the Judiciary.

By Mr. HYDE:

H. R. 12274. A bill for the relief of Bobby Lawson, Jr.; to the Committee on the Judiciary.

By Mr. QUIGLEY:

H. R. 12275. A bill for the relief of McGann Manufacturing Co., Inc., of York, Pa.; to the Committee on the Judiciary.

H. R. 12276. A bill for the relief of Ella H. Natafalusy; to the Committee on Armed Services.

By Mrs. ST. GEORGE:

H. R. 12277. A bill for the relief of Mrs. Gabriella Mayer; to the Committee on the Judiciary.

By Mr. WEAVER:

H. R. 12278. A bill for the relief of Nelson Shu-Yung Chuang; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Donald B. Gillies: Rich Retirement

EXTENSION OF REMARKS
OF
HON. WILLIAM E. MINSHALL
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. MINSHALL. Mr. Speaker, a great friend of the Cleveland community has hung up his pickax and seven-league prospector's boots.

After almost 50 years of continuous service with Republic Steel Corp. and Corrigan, McKinney Steel Co., a Republic predecessor organization, Donald B. Gillies has fully retired from active service.

Mr. Gillies was a vice president of Republic Steel until his 75th birthday in 1947 when he was relieved of his responsibilities as an officer of the company but continued a full and active business life as a mining consultant for Republic.

In announcing Mr. Gillies' retirement, C. M. White, Republic president, hailed the service Mr. Gillies has rendered to the company in recent years.

"His work has been of tremendous value to Republic in its mining and exploration ventures," Mr. White said. "In addition, he has been a great booster of the company, a true friend of the stockholders and management, and has been a great worker for the good of the communities in which Republic's properties are located."

Mr. Gillies, who will celebrate his 84th birthday on November 4 was born in Bruce Mines, Ontario. He received his university education at the Michigan College of Mining and Technology at Houghton, Mich., from which he graduated in 1893 with the degree of B. S. and E. M. In college he was a crack football player and trackman.

Following his graduation he went to Butte, Mont., where he got a job pushing a slag pot.

For a number of years he was mining engineer for the W. A. Clark properties in Butte and also worked in the gold-silver field of Tonopah and Goldfield.

In 1906 he became associated with Corrigan, McKinney & Co. as manager of the company's Mexican mining properties.

In 1916 he came to Cleveland as vice president in charge of the Corrigan-McKinney operations in the United States and Mexico. He was made president of the company in 1932 and held that position when Corrigan-McKinney and Republic merged in 1936.

His most important contributions to Republic have had to do with raw material reserves. In 1937, he interested Republic in the iron ore possibilities of the northern Adirondacks, and revived the almost dead iron ore industry in that area. In 1938 Republic acquired and still operates both properties at Port Henry and Lyon Mountain, N. Y. They are the largest underground iron ore producers in the United States.

In the late forties he investigated and recommended to Republic the rich iron ore deposits in Liberia in which the company has acquired a majority interest and which is now in full operation. Ore from this deposit is regarded as possibly the finest in the world, yielding 68 to 69 percent iron.

Within the past 2 years, he has been instrumental in exploring an important deposit of rutile, a titanium-bearing ore in southern Mexico. Through a Mexican subsidiary, Republic has acquired this deposit and is developing it now and will have mining and concentrating

equipment in operation in 1957. The Mexican Government is now building roads and installing docks.

In addition to having served as president of Corrigan, McKinney Steel Co., Mr. Gillies has also been president of the American Institute of Mining, Metallurgical and Petroleum Engineers and of the Lake Superior Iron Ore Association. He is a member of the Mining & Metallurgical Society of America and of the Cleveland Engineering Society, and honorary member of the Montana Society of Engineers, and has been for many years chairman of the river and harbor committee of the Cleveland Chamber of Commerce. For 12 years he was captain of team No. 13 of the Cleveland community fund and is a retired treasurer of the Greater Cleveland Chapter of the American Red Cross.

In 1931 his alma mater gave him the degree of doctor of engineering, and the Montana School of Mines the degree of doctor of science in 1939.

As a result of his work in Liberia he was made a Commander of the Order of the Star, Republic of Liberia.

Mr. Gillies was the second honorary member of the Cleveland Junior Chamber of Commerce, has received the distinguished service award from the Cleveland Technical Societies' Council, and was recently made an honorary member of the Cleveland Engineering Society.

A brief and fitting tribute to this great American appeared in the Cleveland News editorial of July 12, 1956.

The editorial follows:

DONALD B. GILLIES: RICH RETIREMENT

One of this city's most colorful industrialists—and one of the most gracious men to stuff feet into high boots and lead exploring parties for ore—has announced his retirement. He's Donald B. Gillies, mining consultant for Republic Steel Corp., and a rare individual who mixed into an eminently useful career the ingredients of sound business, adventure, and civic cooperation.

The age of 83 is a respectable age at which to retire but, typically, Mr. Gillies left open the door for productive activity by saying he did not expect to "take on any serious responsibilities" henceforth unless Republic needed his further services.

Behind this stocky, shrewd executive will be 50 years of giant service to steel and to Republic. Behind him will be pacesetting for engineers and lesser-geared experts on explorations in Labrador and Mexico. Behind him will be a long history of rugged jobs to help him through college, and still more rugged jobs to carry him to his stature in a hardcase industry. We wish him affectionate good luck, and never will forget his determinated remark at the age of 80, when he said he'd never played polo but he "was going to." Maybe the leisure days ahead will permit him that new achievement.

Defense

EXTENSION OF REMARKS
OF
HON. J. HARRY McGREGOR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. McGREGOR. Mr. Speaker, I have made many trips to my district during the last year and I firmly believe that the people it is my honor to represent have confidence in President Eisenhower's judgment as to what constitutes adequate strength. I sincerely believe, Mr. Speaker, that the President knows more about military affairs than many of his citizens. Our ground forces, air defense squadrons, surface ships, and guided missiles are completely modern and ready for immediate service at any time. I am sure that this administration's defense policy has achieved the greatest efficiency, economy, preparedness, and adaptability in peacetime history. A prosperous economy easily convertible to war has been maintained, while cutting defense costs by $10 billion. Research in weapons has permitted shift from manpower to weapon power. I am sure that all will agree, regardless of politics, that this is an excellent record.

GTA Daily Radio Roundup

EXTENSION OF REMARKS
OF
HON. WILLIAM LANGER
OF NORTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Monday, July 16, 1956

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the GTA Daily Radio Roundup broadcast by the Farmers Union Grange Terminal Association of St. Paul, Minn., on Wednesday, June 27, 1956.

There being no objection, the text of the broadcast was ordered to be printed in the RECORD, as follows:

GTA DAILY RADIO ROUNDUP, WEDNESDAY, JUNE 27, 1956

Announcer: Senator MILTON R. YOUNG'S statement urging a "Yes" vote by farmers in the July 20 wheat referendum is another in a series of broadcasts by public officials on this important question. Here, speaking over the GTA radio network, by transcription for his Washington office, is the North Dakota Senator:

Senator YOUNG: The wheat-referendum election, to be held on July 20, is a tremendously important one. An adverse vote by farmers would mean that price supports for wheat next year would drop to $1.20 a bushel. Secretary Benson has not, as yet, set price supports for next year's wheat crop. I am urging him to do so immediately. The lowest price he could set would be $1.79. The highest would be $2.14 per bushel.

If the so-called modernized parity formula has been permitted to go fully into effect, the minimum support this year would have been $1.64, rather than $1.79 which is now the case. It was prevented from going into effect by an amendment to the farm bill proposed by M. W. Thatcher, of GTA, and sponsored by me in the Senate.

Simply stated, this amendment prevents the so-called modernized parity formula from going into effect for next year's crop, and holds parity at the present level for another year, or until Congress can enact a new and much fairer parity formula. It means 15 cents a bushel more for wheat farmers.

I know the low wheat acreage farmers receive under quotas is hard to take—and especially for the small farmer. The alternative of an adverse vote and $1.20 wheat supports would be much worse.

I think it is tremendously important that farmers cast a heavy vote for wheat quotas on July 20.

Government Takes Important Role in Ohio Valley Industrial Boom

EXTENSION OF REMARKS
OF
HON. CARL ALBERT
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. ALBERT. Mr. Speaker, I recently had the privilege of touring a portion of the Fourth Congressional District of West Virginia with our distinguished colleague, the Honorable M. G. BURNSIDE. The amazing revolution that is taking place in the Ohio Valley in that area is one of the most spectacular phenomena I have ever seen. In New Haven, W. Va., Congressman BURNSIDE and I visited the Philip Sporn plant of the Appalachian Electric Power Co. and we also visited the Kyger Creek plant of the Ohio Valley Electric Corp., and the new Kaiser aluminum plant, of Ravenswood, W. Va. These neat establishments symbolize the mechanical genius and industrial might of our country. The Kyger Creek and Philp Sporn plants are fueled by slack coal and represent a new hope for the coal industry in this country. The Kaiser aluminum plant will undoubtedly spearhead the unparalleled industrialization of that portion of the Ohio Valley as satellite and related plants start competing for locations in the area.

The keen interest among both management and labor in the development of this Ruhr of America reflects the tireless efforts of our colleague, Congressman BURNSIDE. He has devoted himself to the development of his district, which heretofore has suffered a serious labor depression. In a guest editorial which he wrote for the Huntington Advertiser July 9, 1956, Congressman BURNSIDE explained the important role which the Government has taken in the Ohio Valley industrial boom. This editorial follows:

GOVERNMENT TAKES IMPORTANT ROLE IN OHIO VALLEY INDUSTRIAL BOOM—A GUEST EDITORIAL BY CONGRESSMAN M. G. BURNSIDE

(EDITOR'S NOTE.—This is another in a series of guest editorials giving suggestions of prominent men on means of speeding industrialization of the Ohio Valley.)

Huntington, pivotal point of the Central Ohio Valley, at the threshold of an industrial and population development that staggers the imagination. Seven billion dollars of Government and private funds are now committed to the expansion of industry throughout the sweep of the valley, with the Fourth Congressional District of West Virginia, which I represent in Congress, participating to an extent undreamed of a few years ago. The detailed story of this industrial colossus has been told and pictured in the nationally circulated magazine, Fortune.

Happily, I had a part in this ranaissance of modern civilization while sitting in the 81st and 82d Congresses. From that same vantage point now in the 84th Congress I have the pleasure of working daily with the busy people of Huntington and the Fourth District as they plan and strive to make our dream of prosperity come true.

National defense, the dispersement of industry, coal—the black diamonds of the hills of West Virginia, vast quantities of cheap electricity, are subjects constantly before committees of Congress.

The Ohio Valley has beckoned. Finally Government and Industry are responding. Congress has moved slowly, but the wheels have been turning and they now grind exceedingly well.

The new canalization of the Ohio River will provide an inland waterway unsurpassed for its tonnage capacity. Enabling legislation for this project includes byproducts of almost equal importance—flood control, storage of water for industrial use, and pollution of streams safeguards.

The production of cheap electric power from readily accessible coal, as encouraged by Congress, is a magnet to industry from the production to the fabrication stages. Our free-enterprise system, from small to big business, has been quick to move in on the ground floor.

Transportation augmenting the greatly expanded river traffic, is on the march. I am working daily with committees preparing legislation to help the development of roads, rail, and air transportation to keep the pace. Plans for Federal highway systems will provide new superhighways, thus releasing State funds for more and better State roads. Railroads are being helped to extend all of their facilities. New roadbeds and new rolling stock. We are constantly building new airports and enlarging those already in operation. I am impressed with the forward looking, fearless planning of airline management, railroad executives, and highway engineers. No stone will be left unturned to provide all ways and means for the steadily increasing movement of men and materials.

As this cycle of prosperity gains in momentum, we in West Virginia must be on the alert to do our parts and gain our rewards.

Education, from schools of the small villages to the technical courses of Marshall College, must be prepared to double and triple services.

Farmers will be called upon to produce as they never produced before. Labor has been alerted, because as factories are built and production gets underway, there may soon be more jobs than there will be people to fill them.

I can assure you that Congress is well aware of this bustling expansion, and as your representative I am voicing your needs at every opportunity. New and greatly enlarged Federal Buildings are being built in Huntington and Parkersburg. Others are in the offing. For the safeguard of public health, new hospitals are even now being built with the help of Congress, and more are to come. Adult education, old-age insurance, and the cultural atmosphere of the valley are getting their share of congressional attention.

It is my unfaltering belief that the time is here, the die has been cast, and the Ohio Valley will be to the United States what the Nile is to Egypt, the Thames is to England, the Saar is to Europe, and the Amazon to South America. We in West Virginia have truly arrived at a wonderful age.

Communism and Security

EXTENSION OF REMARKS

OF

HON. J. HARRY McGREGOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 16, 1956

Mr. McGREGOR. Mr. Speaker, in checking the records I am pleased to note that we have new anti-Communist laws which will protect our country and our people. Among these new laws is one revoking citizenship of Communist conspirators convicted in the future. Second. Increase penalties for harboring Communist fugitives from justice. Third. Extend sabotage definition to include biological warfare items. Fourth Require registration of Communist-action and Communist-front printing equipment. These new laws and others of similar nature will go a long way toward stamping out communism in our country. Certainly our loyal citizens will appreciate this added protection.

Health Research Bill of 1956

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 16, 1956

Mr. PHILBIN. Mr. Speaker, I wish to thank and commend the committee for bringing this very desirable and needed legislation to the floor for House action. I think there can be little disagreement concerning the objectives of this bill. It will enable us to step up our medical research and to increase the number of doctors and specialists in many important fields. Of great importance is that it will provide for a much broader and more effective attack upon crippling and killing diseases.

Private agencies have long been working to combat these diseases but Government help is essential, if we are to mount a broad, determined assault upon certain diseases, which are taking a great toll among young and old people alike and which are particularly destructive and deadly. There is no question that the leadership of the Government has provided great incentive to private individuals and agencies interested in strengthening and intensifying the campaign against these diseases. Anything that the Congress can do to promote the general health and to fight against the terrible killers, which take such a toll of human life in this Nation, will be a great contribution to the permanent well-being of the Nation.

I was very glad to learn that the committee also proposes to bring in S. 849, which provides for Federal grants to institutions for research into such afflictions as cancer, polio, heart disease, multiple sclerosis, epilepsy, muscular dystrophy, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, cystic fibrosis, diabetes, and other great enemies of the public health.

This great Nation cannot afford to fall behind in the fight against disease. We owe it to this generation and to posterity to make a determined drive to eliminate the great killers, which are daily destroying the lives of our people. We must continue this work so as to develop facilities to tackle these diseases and deliver their human victims of untold suffering, and in time we shall hope to accomplish their complete obliteration.

I personally believe that the Federal Government is at last on the right track in moving with speed to control these frightful menaces to our people. We should not only adopt this program, but we should broaden the program so that much larger sums may become available for the general objectives of promoting public health, providing more effective research, more medical, nursing care and hospitalization at reasonable cost and generally stepping up the entire tenor and tone of our public health activities, which will raise the level of health throughout the Nation and in time throughout the world.

With all my heart, I urge the Congress not only to pass this bill, but to continue our work in this vital field, and it is a vital field, because it deals with the lives of our people. This work will result in saving a great many lives, in restoring many to good health and useful citizenry. There is a humane significance to this type of legislation, which should put it right at the top of the list of our "must" legislative objectives. Health is life itself and, if we would keep our America strong, we must vigorously combat disease, adequately treat the sick with all the resources of modern science and the Government and thus make our Nation stronger, better, and happier in every way.

Polish Patriots Battle for Freedom

EXTENSION OF REMARKS

OF

HON. LAWRENCE H. SMITH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 16, 1956

Mr. SMITH of Wisconsin. Mr. Speaker, Polish patriots in their zeal for freedom risk death. The Communist slaughter of Polish workmen at Poznan has fired the imagination of free people everywhere. It has hastened the day when Poland will again be free. Right must eventually prevail even though at this time it seems remote.

A just God rules the universe and right will conquor the evil forces of might.

Mr. Speaker, it is obvious to the whole world that the people of Poland are living under intolerable conditions. The Communist system which has been forcibly imposed on those gallant people is the result, as I see it, of the nefarious Yalta Agreement which sanctioned the division of the world and delivered Poland to godless Communist Russia. The United States cannot shirk its responsibility for its part in that agreement. History is bound to indicate that our leaders who made our beloved country a part of the Yalta Pack failed dismally to protect the good name of our country and the unfortunate people who are now behind the Iron Curtain.

We have a moral duty to resort to diplomatic action in support of the Polish patriots to the end that they may live

under a government which is based upon Christian principles.

Mr. Speaker, the Department of State has been slow to recognize the moral issue involved in the battle for freedom in Poland. The time has come for this Congress likewise to speak out in support of a people who demand their freedom.

The Honorable William R. Bradford, a Great South Carolinian and American

EXTENSION OF REMARKS
OF
HON. JAMES P. RICHARDS
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. RICHARDS. Mr. Speaker, the greatest men in public life are not always in the highest positions. Many serve their State and country as members of the legislative bodies of the several States. The Honorable William R. Bradford, of Fort Mill, S. C., is one of the greatest of these. He would have served with equal distinction in the Congress of the United States.

Unlike Members of Congress, members of State legislatures seldom serve more than 10 or 12 years, at most. Different reasons may be attributed for the more rapid turnover in the membership of the legislatures. One of these reasons, perhaps the most potent one, is the low salaries paid the members. In my own State, South Carolina, the salary is $1,000 annually.

Another reason for the rapid turnover in the membership of the legislatures is the fortune of politics. Not infrequently it happens that the electorate becomes dissatisfied with particular legislation, or the absence of legislation regarding what is considered an important matter. This brings changes in the personnel of the legislature.

Now and then it comes about, however, that members of the legislature are returned session after session for long periods. Such an exception has happened this year in the district I have the honor to represent in this body. When I was first elected in 1932, and for years prior thereto, one of the four house members representing York County in my district was William R. Bradford, who is still a member of the legislature. Only recently he was renominated for another 2-year term, which is equivalent to election. In the recent campaign, and 2 years ago, he broke all records in accumulating votes, and that without putting on the usual glad-handing adjunct.

In his legislative work Mr. Bradford is always serious minded. He has been a member of the Ways and Means Committee longer than any other member in the history of the State and has represented his county a greater number of years than any other member it has heretofore sent to the State capitol in Columbia. He is a former chairman of the Ways and Means Committee and has been a member of the committee since he first entered the legislature.

Mr. Bradford has served in the House of Representatives with 16 Governors of South Carolina. He was there when United States Senators were elected by the legislatures. He was there when the ballot was placed in the hands of women, and was likewise there when the national prohibition resolution was passed and when it was repealed. He saw the troops marching down Main Street in Columbia on the way to the Mexican border to curb Villa's bandits in 1916.

One of the units of the 30th Division which passed before him in mental review as it left for service overseas in World War I was Company G, 1st South Carolina Infantry, which he had organized and which was to cover itself with glory for the part it played in breaking the Hindenberg line. That engagement brought the Congressional Medal of Honor to two of its members, Sgt. Tom Hall—posthumously—and Lt. James C. Dozier, who for many years has been Adjutant General of South Carolina. In World War II, Mr. Bradford's contribution to the cause of the country was a son, S. Sgt. Morrow Bradford, who lost his life as a member of the 8th Air Force, United States Army, over Cologne, Germany, on December 29, 1944.

As a member of the South Carolina House of Representatives, Mr. Bradford heard the announcement in the statehouse of the deaths of Woodrow Wilson, William Jennings Bryan, Franklin D. Roosevelt and numerous other American statesmen of worldwide renown.

The esteem in which he is held in his home county was attested by the unveiling some months ago of an oil portrait of him in the auditorium of the courthouse at York.

I am pleased to thus pay tribute to Mr. Bradford before I retire from this House in January next. He has always been a loyal, consistent friend of mine, and my father, who served in the legislature with him, as he was of my uncle, John G. Richards, who served South Carolina as chief executive from 1927 to 1931.

Budget and Savings: Public Debt

EXTENSION OF REMARKS
OF
HON. J. HARRY McGREGOR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. McGREGOR, Mr. Speaker, I am most happy to note that in the final report of the fiscal year we finally have arrived at a place where we again have a balanced budget. The records will show, Mr. Speaker, that Government spending has been cut from $10 billion to $14 billion below the level of the previous administration, despite the continued heavy demands of the cold war. The record shows that Government spending is taking only 19 percent of the national income, which is a 6 percent cut from the 25 percent share of the previous administration.

I repeat, the 1956 budget has been balanced and we will have approximately $2 billion surplus. Mr. Speaker, this is a good record but I firmly believe that with the continuation of our existing practices we will be able to again lower our national debt and give the people of our Nation another tax reduction.

The Kind of Democrat I Am

EXTENSION OF REMARKS
OF
HON. BRADY GENTRY
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. GENTRY. Mr. Speaker, a statesman and Member of this House, the Honorable HOWARD W. SMITH, of Virginia, delivered a notable address at the New York Herald Tribune Forum in October 1949. His subject was The Kind of Democrat I Am. This address is so timely even today that it should be read by every American who loves his country. It is as follows:

I am what may be termed a conservative Democrat. It is one whose normal habitat is south of the Mason and Dixon line. I represent that congressional district in Virginia that was the home of George Washington, who conceived the idea of a Constitution; of George Mason, the great exponent of democratic government who wrote the Bill of Rights; Thomas Jefferson, who wrote the Declaration of Independence and founded the Democratic Party; James Madison, the Father of the Constitution; James Monroe, author of the Monroe Doctrine, and John Marshall, Chief Justice of the Supreme Court who, by his decisions, breathed life and vitality into the Constitution.

We conservative Democrats adhere to the underlying and fundamental principles of government that guided the thinking of these and other statesmen who wrote our Constitution.

We conservative Democrats believe in certain fundamental principles embedded in the Bill of Rights.

We are unwilling to surrender our convictions to meet every real or fancied emergency that may arise in a modern world, distressed and torn by the swarms of strange ideologies sweeping over the earth.

These conservative Democrats refuse to either marry, betroth, court, or flirt with any of these foreign innovations in government.

Our convictions can be tersely stated by quoting the language of the 10th amendment to the Constitution. "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

We therefore hold with the long-accepted theory that Congress has no power to enact legislation or expend the people's money on any subject that it is not given authority to deal with under the Constitution. These limitations of the constitutional powers are not mere academic theories. In practice, they are vital to the welfare, the personal liberties, the rights of private property, and even to the social freedom to select one's associates and business affiliates.

I shall cite with necessary brevity some instances and some consequences of the failure of Congress to confine its functions to the powers granted it under the Constitution.

In the field of social welfare, we have enacted the minimum wage law, forbidding the private citizen from working for a lesser wage or for longer hours than the Congress, in its wisdom, deems appropriate to his welfare; ignoring the obvious sequel that if Congress

can fix a minimum wage, it can with equal power fix the maximum compensation that our supposedly free citizens may be permitted to earn.

The House of Representatives has repeatedly passed the antilynching bill, under which the Federal Government proposes to inject itself into the enforcement of the criminal laws and the police powers of the sovereign States.

The House of Representatives has, in each recent Congress, passed an anti-poll-tax bill, which undertakes to fix the qualifications of voters in the States in the face of the constitutional provision reserving to the respective States exclusive authority to fix the qualifications of their voters.

For several terms past, we have had pending in both Houses of Congress, and enthusiastically endorsed by the platforms of both major parties, the so-called Fair Employment Practices Act, under which the Federal Government proposes, through the establishment of a horde of national investigators and enforcement officers, to dictate to the free American citizen whom he shall employ and to compel him to engage as his business associates persons with whom he prefers not to associate.

Time does not permit a detailed discussion of all the altruistic activities of the Federal Government that account in a large measure for the nearly bankrupt condition of the Federal Treasury.

Constantly rising over the past two decades, the Government debt has reached the appalling figure of $250 billion—more money than any country has ever owed in all history.

The bulk of this debt comes from the necessarily large expenditures of the recent war. While sound policy requires large expenditures and mounting debt during wartime, equally sound policy requires in peacetime rigid economy and reduction of the debt.

Today, in time of peace and unprecedented prosperity, our national budget is unbalanced, our debt is increasing.

In the first years following the war, our revenues were increasing and our expenditures decreasing so that in the fiscal year 1947 there was a surplus of approximately $2 billion, and in the year of 1948 a surplus of $8 billion.

But the year 1949 showed an alarming trend. There was a reduction in receipts and an increase in expenditures over the previous year, resulting in a deficit of around $2 billion, and in the present fiscal year the most optimistic predictions forecast a deficit of $5 billion.

This presents a picture that should alarm even the most unwary.

Our revenues are on the decrease, while our expenditures increase. No private business could long survive the fiscal policies of the Federal Government.

I do not believe we can continue these policies of irresponsible and reckless expenditures without ultimate disastrous results.

A few examples must suffice to indicate the trend of congressional thinking. The Congress recently passed a Federal housing bill which authorized appropriations to the extent of $18 billion, the bulk of which is to help pay house rent for one element of the people so that they may live in the kind of houses to which they would like to become accustomed. Thus, Congress takes the money of one taxpaying citizen to pay the house rent of another.

The Senate has passed, and the House almost passed, a bill to pay subsidies to those miners of certain minerals whose cost of production does not permit the profits to which they would like to be accustomed.

Last year we paid $225 million to subsidize the potato growers who, with a tempting subsidy in sight, raised more potatoes than the market could consume.

Housing subsidies, agricultural subsidies, shipping subsidies, mining subsidies, mail subsidies, and a score of other subsidies that drain the substance of our taxpayers to meet the demands of minority groups of all types.

We rob taxpayer Peter to pay supplicant Paul, if he can marshal a sufficiently potent amount of political pressure.

These briefly present some of the tendencies in Federal Government that go far beyond the functions delegated to Congress.

This Nation has been hewed out of the initiative, the ambition, sweat, and toil of our citizens, seeking by their own efforts to better their social and economic status. When we whittle away, bit by bit, the initiative and the fundamental freedoms of the people; when we teach them more and more, day by day, to depend upon handouts from the Federal Treasury to meet every actual or artificial emergency, we take away that initiative, that ambition, and the self-reliance that has made our country great.

This is the insidious way of the welfare state.

The hand that passes out the grants from the taxpayers' money becomes, in the natural course of events, the mailed fist of dictatorship. As more and more largess is distributed, so more and more restrictions and limitations are being imposed upon the liberties of the people.

Such has been the history of the growth of dictatorship.

I deeply resent these tendencies and policies, by whatever political party they are advocated. They are undermining too rapidly the freedom, the initiative, and the independence of our citizens.

Unless there is a swing back to the normal American way of life, I have grave fears for the future of our country.

I have been in Congress nearly 20 years, and watched with increasing alarm the growth of demands from pressure groups of all kinds that Congress enact legislation so foreign to the constitutional concepts of our legitimate functions that there seems no limit to the encroachment on personal liberties or the rights of the sovereign States.

What is the remedy?

There is only one.

Congress reflects the will of the people. The will of the people is transmitted to Congress by those who make the loudest noise and the most convincing threats of political reprisal.

Until and unless the great mass and majority of our thinking people awaken to their responsibility and assert their demands for sound business in Government and a return to the constitutional limits upon the functions of Congress, we shall continue the present policy until sometime, some sad day, we find that we have gone too far to retrace our steps.

In a democracy a people get the kind of government that they deserve.

If they think little, they deserve little. If they do little about it, they get little results.

If the present trend of Government is wrong, as I believe it is, it will continue wrong as long as a slothful and indifferent people remain impervious to, and neglectful of, the danger signals flying all about them.

Bill To Provide for the Appointment of Two Additional District Judges for the Eastern District of Michigan

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 16, 1956

Mr. DINGELL. Mr. Speaker, I have today introduced a bill to amend title 28 of the United States Code, so as to provide for the appointment of two additional district judges for the Eastern District of Michigan. The situation in the eastern district has been growing steadily worse since 1950 in spite of all efforts to improve it. In 1954 an additional judge was authorized—68 Statute 8—and appointed in this district; nevertheless the large increase in pending cases which started in 1950 has continued. In 1949 the total civil cases pending were 702; in 1950 they were 1,110; in 1951, 1,023; in 1952, 1,219; in 1953, 1,001; in 1954, 1,029; and in 1955, 1,159. The backlog of private civil cases has been building since 1945, when they were 246. Now they amount to 719 cases.

Statistics are dry things and I will not burden you with a recital of all of them respecting the workload in the Eastern District of Michigan. I, therefore, present seven statistical tables, prepared by the Administrative Office of the United States Courts, and request that they be printed in the RECORD at the conclusion of my remarks, as an appendix thereto.

There are now six judges in this district. These judges cannot reasonably be expected to carry the heavy burdens they have been forced to carry. There is such a thing as working a willing horse to death.

The purpose of all judicial proceedings, whether involving private litigants or the Government, is to secure justice. The Government may perhaps be in a position to wait indefinitely, but for private litigants, justice, to be adequate, must be reasonably prompt. I recognize that in many instances, considerable time must elapse before a complicated case can be duly terminated. But the failure to provide the necessary personnel for the speedy trial of a case constitutes in actuality a failure of justice: Witnesses die or move away; evidence is lost; facts are forgotten or become hazy. Justice, after a time, ceases to be justice and becomes mere chance. One might as well spin a wheel or flip a coin. The situation in the Eastern District is deplorable. Litigants have to wait, in some cases almost 2 years, for their justice. The median time for cases tried in 1955, from filing to disposition, is 19.2 months per judge; the median time ranges from 6.8 months to 23.5 months, with more than half the cases falling in the upper half of this range.

The district has had its share of long and time-consuming cases. In 1954, Judge Picard tried United States against Wellman, which included 6 Communist defendants and lasted for 61 trial days. In 1955 one personal-injury case lasted 20 trial days; a criminal suit ran 22 days, while a stockholders' suit ran 80 trial days. Some of the most time-consuming cases are Government antitrust suits. The following were pending as of the first of the year: United States against Associated Patents, Inc., filed June 22, 1951; United States against General

Mills, Inc., filed June 26, 1951; United States against Michigan Tool Co., filed April 14, 1953—criminal; United States against Michigan Tool Co., filed April 14, 1953—civil; United States against Wholesale Produce Buyers Association, filed September 2, 1953—criminal; and United States against Wholesale Produce Buyers Association, filed September 2, 1953—civil.

I know that this may sound sentimental but I cannot help it. A phrase from the Pledge of Allegiance keeps running through my mind in this connection: "With liberty and justice for all." I cannot help remembering the pride and determination with which I repeated that pledge in the classroom as a child and I am sure that I, in common with all of you, have repeated that pledge a thousand times, with the same determination and pride, since reaching manhood. I appeal to you, let us keep the Republic a Nation with liberty and justice for all. Do not let justice in the Eastern District of Michigan become injustice through delay. Give me your support in the passage of this bill to the end that there will continue to be justice for all.

The tables follow:

TABLE 1.—*Eastern District of Michigan—Civil cases commenced and terminated, by fiscal year, and pending at the end of each year, beginning with 1941*

Fiscal year	Total civil cases			Private civil cases		
	Commenced	Terminated	Pending June 30	Commenced	Terminated	Pending June 30
1941	989	1,254	838	695	1,006	613
1942	844	1,085	597	705	845	473
1943	504	664	437	253	499	227
1944	459	475	421	195	212	210
1945	949	687	683	206	170	246
1946	883	1,017	549	276	272	250
1947	1,069	907	711	506	349	407
1948	760	752	719	457	348	516
1949	898	915	702	485	545	456
1950	1,470	1,062	1,110	503	473	486
1951	1,250	1,337	1,023	526	479	533
1952	1,370	1,174	1,219	560	527	566
1953	980	1,198	1,001	535	508	593
1954	978	950	1,029	611	520	684
1955	1,147	1,017	1,159	651	616	719

TABLE 2.—*Eastern District of Michigan—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year, beginning with 1941*

Fiscal year	United States civil cases (United States a party)—price and rent control cases are in parentheses [1]			Criminal cases—cases transferred are not included in "Commenced" and "Terminated" columns		
	Commenced	Terminated	Pending June 30	Commenced	Terminated	Pending June 30
1941	294	248	225	362	360	143
1942	139	240	124	574	471	246
1943	251 (64)	165	210	567	564	249
1944	264 (73)	263	211	664	590	323
1945	743 (559)	517	437	722	767	278

[1] Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 2.—*Eastern District of Michigan—United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year, beginning with 1941*—Continued

Fiscal year	United States civil cases (United States a party)—price and rent control cases are in parentheses [1]			Criminal cases—cases transferred are not included in "Commenced" and "Terminated" columns		
	Commenced	Terminated	Pending June 30	Commenced	Terminated	Pending June 30
1946	607 (480)	745	299	496	568	206
1947	563 (388)	558	304	498	566	154
1948	303 (138)	404	203	676	615	229
1949	413 (257)	370	246	990	887	334
1950	967 (285)	589	624	692	814	184
1951	724 (278)	858	490	715	651	239
1952	810 (452)	647	653	594	583	245
1953	445 (130)	690	408	667	705	224
1954	367	430	345	581	625	197
1955	496	401	440	613	556	268

TABLE 3.—*Eastern District of Michigan—Cases commenced per judgeship*

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) [1]	
		Michigan, eastern	National average [2]	Michigan, eastern	National average [2]	Michigan, eastern	National average [2]
1941	5	198	164	139	82	------	153
1942	5	169	168	141	77	107	161
1943	5	101	158	51	58	108	174
1944	5	92	169	39	56	124	184
1945	5	190	295	41	57	135	176
1946	5	177	321	55	70	91	142
1947	5	214	271	101	109	91	134
1948	5	152	205	91	117	125	123
1949	5	180	238	97	121	187	123
1950	5	294	222	101	113	129	116
1951	5	250	204	105	111	132	106
1952	5	274	236	112	126	111	112
1953	5	196	261	107	146	106	114
1954	6	163	210	102	127	88	103
1955	6	191	212	109	126	98	104

[1] Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

[2] This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

TABLE 4.—*Eastern District of Michigan—Time elapsing in civil cases tried* [1]

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		Michigan, eastern	National median	Michigan, eastern	National median
1945	43	13.0	9.0	8.9	5.3
1946	56	8.3	8.9	5.4	5.0
1947	57	10.4	9.0	7.1	5.1
1948	79	8.8	9.9	5.9	5.8
1949	102	10.3	10.4	7.3	5.9
1950	114	11.7	11.2	7.7	6.7
1951	109	10.8	12.2	7.1	7.3
1952	99	14.2	12.1	8.9	7.0
1953	112	15.3	12.4	7.9	7.4
1954	90	16.9	13.5	10.7	8.1
1955	89	19.2	14.6	14.9	9.1

[1] The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus, and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk (*) on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

TABLE 5.—*Eastern District of Michigan—Cases commenced per judgeship in this district and in 86 districts, by nature of suit, fiscal year 1955*

	Eastern Michigan	86 districts
CIVIL CASES		
Total cases	191	212
United States cases	83	86
Private cases	109	126
UNITED STATES CASES		
United States plaintiff	72	68
Land condemnation	1	3
Fair Labor Standards Act	2	2
Other enforcement suits	6	3
Food and Drug Act	2	5
Liquor laws	2	2
Other forfeitures and penalties	2	4
Negotiable instruments	34	25
Other contracts	20	16
Other United States plaintiff	3	8
United States defendant	11	17
Enjoin Federal agencies	1	3
Habeas corpus	6	4
Tort Claims Act	1	4
Tax suits	3	4
Other United States defendant	1	3
PRIVATE CASES		
Federal question	32	31
Copyright	1	1
Employers' Liability Act	4	6
Fair Labor Standards Act	1	1
Habeas corpus	10	3
Jones Act	3	9
Miller Act	1	1
Patent	3	3
Other Federal question	11	7
Diversity of citizenship	74	84
Insurance	7	14
Other contracts	20	15
Real property	------	3
Personal injury (motor vehicle)	30	32
Personal injury (other)	9	15
Other diversity	7	5
Admiralty	3	11
CRIMINAL CASES LESS IMMIGRATION		
Total cases	98	104

TABLE 6.—*Eastern District of Michigan—Civil and criminal trials commenced*

BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Non-jury	Jury	Total	Non-jury	Jury
1951	160	113	74	39	47	13	34
1952	177	112	75	37	65	32	33
1953	237	136	99	37	101	37	64
1954	161	84	47	37	77	43	34
1955	176	106	46	60	70	31	39

PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		Michigan, eastern	National average [1]	Michigan, eastern	National average [1]	Michigan, eastern	National average [1]
1951	5	32	39	23	28	9	11
1952	5	35	40	22	27	13	13
1953	5	47	44	27	29	20	15
1954	6	27	40	14	25	13	15
1955	6	29	41	18	26	12	15

[1] This column includes 86 districts.

TABLE 7.—*Eastern District of Michigan*

CIVIL CASES PENDING PER JUDGESHIP ON JUNE 30, 1955

Nature of suit	Cases pending per judgeship		Nature of suit	Cases pending per judgeship	
	Michigan, eastern	National average		Michigan, eastern	National average
Total civil cases	193	258	Federal question	29	47
United States civil cases	73	89			
Private civil cases	120	169	Antitrust	1	2
			Copyright	1	2
United States plaintiff	57	58	Federal Employers Liability Act	3	8
			Jones Act	6	18
Land condemnation	2	13	Patent	5	5
Antitrust	1		Other Federal question	13	12
Other enforcement suits	9	8			
Forfeitures and penalties	2	4	Diversity of citizenship	88	98
Negotiable instruments	24	13			
Other contracts	16	13	Insurance	6	10
Other United States plaintiff	5	7	Other contracts	20	20
			Real property		2
United States defendant	16	31	Personal injury (motor vehicle)	37	34
			Personal injury (other)	14	21
Tort Claims Act	1	7	Other diversity	11	11
Tax suits	9	8			
Other United States defendant	6	16	Admiralty	3	24

AGE OF CIVIL CASES PENDING ON JUNE 30, 1955

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases	1,159	491	244	255	101	34	18	16
United States civil	440	238	60	64	52	14	10	2
United States plaintiff	344	219	45	35	33	3	7	2
United States defendant	96	19	15	29	19	11	3	
Private civil	719	253	184	191	49	20	8	14
Federal question	173	56	44	54	7	4	1	7
Diversity	526	188	137	133	40	16	5	7
Admiralty	20	9	3	4	2		2	

University Settlement Celebrates its 70th Anniversary

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 16, 1956

Mr. CELLER. Mr. Speaker, the University Settlement of New York City is celebrating the 70th anniversary of its founding this year. This is a significant occasion for all settlement and neighborhood houses in the United States, for the founding of the University Settlement in 1886, marked the beginning of the settlement movement in America.

On the occasion of this 70th anniversary, it is well for us to consider the significance of this movement in relation to the social welfare of our American communities. Today there are over 800 settlements and neighborhood houses in most of the States of the Union, the District of Columbia and the Territory of Hawaii. Settlements and neighborhood centers are agencies which offer a great variety of services. They exist to serve the social needs of persons in given geographical neighborhoods. The neighborhood, itself, is actually the client of the settlement.

City planners and housing officials, as well as real estate operators and industrialists, know how important "the neighborhood" is to living conditions and to property values. It is, however, the importance of neighborhood environment in the growth and development of our children and our youth, that is the neighborhood's greatest significance. Every effort to rebuild neighborhoods and to regenerate neighborly relations among people is, therefore, close to the hearts of all Americans.

While the need for social reform may seem less dramatic than it was when Stanton Coit founded the University Settlement, improvement of living conditions is still one of the main objectives of settlements. This the settlement attempts to accomplish in cooperation with its neighbors.

The settlement seeks to strengthen family life; create a feeling of neighborliness by helping individuals and groups related to each other; seeks to develop indigenous leadership and integrate a local neighborhood with its city, State, and the Nation. In its attempt to carry out these objectives the settlement works with a cross section of all cultural, racial, religious, and age groups in its neighborhood. These common purposes are the cord which binds all settlements together. Beyond these common purposes, settlements are apt to be more different from one another than they are alike. This is due primarily to the differences in neighborhoods in which settlements are located. The program and the specific objectives of a settlement are the result of neighborhood needs.

Settlements are commonly thought of as serving economically depressed areas. However, since the settlement approach of working with all persons in a neighborhood and all members of a family is effective, the demand for settlement services is increasing in many kinds of neighborhoods. Branches of existing settlements, or new neighborhood centers are spreading to suburban areas and communities.

It is my privilege to serve on the board of directors of the University Settlement, America's first and oldest settlement. I know well how it continues to pioneer in social welfare services, as do the other settlements in my district. We owe much to the settlements for their pioneering efforts. Many of our present social welfare laws had their initial inspiration and actual basis in the neighborhood work and studies made by our settlement houses. They have done much to weld our many peoples into one. They have been the birthplace of our energetic and growing profession of social work, and they have been the harbingers of our Nation's social conscience.

Settlements are the grass roots of our democracy; a place where neighbors strive not only to raise their standards

of living, but of equal importance. where neighbors seek to raise the standard of living together.

I wish to extend my greetings and best wishes on the occasion of the 70th anniversary of the University Settlement and the founding of the settlement movement in America.

Rededication of the Nation to the Ideals of Patriotic Americanism

EXTENSION OF REMARKS
OF

HON. EDWARD MARTIN

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, July 16, 1956

Mr. MARTIN of Pennsylvania. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address which I delivered at the annual convention of the Veterans of Foreign Wars, Department of Pennsylvania, in Philadelphia, on Friday, July 13, 1956.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF UNITED STATES SENATOR EDWARD MARTIN, OF PENNSYLVANIA, AT THE ANNUAL CONVENTION OF THE VETERANS OF FOREIGN WARS, DEPARTMENT OF PENNSYLVANIA, IN PHILADELPHIA, JULY 13, 1956

It is a great honor to address this convention of American veterans who have served in all parts of the world to uphold the honor of the United States and the glory of our flag.

We meet again in rededication to the sacred ideals of patriotic Americanism.

We are assembled to commemorate the valor of the American fighting man and to honor the memory of our comrades who gave their lives on the altar of freedom.

Here, in this convention, we renew our sacred obligation to care for the widows and orphans of our fallen heroes and to advance the welfare of those who are disabled by wounds suffered in our Nation's defense.

One of the outstanding purposes of our convention is to consider how we can best contribute to the great task of keeping our Republic free, strong, prosperous, and at peace.

There is a patriotic inspiration for every American in the historic city of Philadelphia. Here the courageous patriots of 1776 defied the power of the world's greatest empire when they drafted and adopted the Declaration of Independence.

The men who signed that immortal document pledged their lives, their fortunes, and their sacred honor in support of their belief that freedom—the right to life, liberty, and the pursuit of happiness—are inalienable, and that these rights are a divine endowment from the Creator of the universe.

The pledge they gave was not an empty gesture. It was just as real as their love of liberty. They were fully aware of the risks involved. They knew that they would pay with their lives if disaster overtook their fight for freedom. Each was a marked man with a price on his head.

Their way was not easy. Some of them sacrificed all they possessed in the cause of independence. Some suffered the destruction of their homes at the hands of the British. Some were driven into exile and their families exposed to severe hardships. Others fought gallantly in the Continental Army.

The patriotism and sacrifice of the signers should be an everlasting inspiration for every loyal American. Their example should be a constant reminder that freedom is won on the field of battle and retained by the people through their attention to their Government.

The United States was established on the proposition that "we, the people" are the Government. The American system placed upon every citizen an equal share of responsibility for good government.

It is therefore an obligation of citizenship to take an active interest in public affairs.

That means taking part in politics. It means working for the election of men of honor and integrity to public office. It means helping to develop an atmosphere of civic responsibility to protect and promote the principles on which our Nation grew great and strong.

Yes, my fellow Americans, under the two-party system by which we reach political decisions, the battleground for good government is in the arena of politics.

We need a deeper understanding of practical, patriotic politics—the kind of political activity that is based on the highest standards of morality, honesty, sincerity. and love of country.

Just as we hold sacred the principles of our religious faith, so must we hold fast to the highest ideals of political action.

One of the tragic situations in our country grows out of the indifference and neglect of their civic duties by so many of our people.

So many of our good citizens who are sound, honest, and sincere, fail to realize that the course of their lives may be affected by politics. Such people fail to understand the real meaning of America—and many, I regret to say, do not even take the trouble to vote on election day.

It should be a matter of deep concern to all of us that more than 40 percent of our eligible citizens never bother to go to the polls.

I call this to your attention because this year we are in another Presidential campaign. I recognize that the VFW, as an organization, makes no attempt to influence the political thinking of its members. I support that policy—but nevertheless I think it is patriotism—not politics—to go out and urge your fellow citizens to vote. No one should neglect this paramount duty of citizenship. It will make us a stronger Nation if decisions are made by a majority, with all the citizens participating.

I am not suggesting that you join one party or another. This is not a political speech. But I do say that you can serve your city, county, State, and Nation by joining the team that best represents your hope for a better America.

Unless we pay more attention to the kind of government we have, we will not enjoy the full benefit of the great advances being made in science and production.

The wonders that lie ahead cannot be imagined by any one of us here today.

Who knows what greatness is around the corner? Who knows what mysteries of nature will be revealed in the atomic age? Who can visualize the new frontiers to be explored in industry, science, and research?

The course of world progress may be completely transformed by scientific discoveries, new inventions and technological advances in the near future. We must be prepared to meet the challenge of a changing world.

That means we must arouse more widespread interest in public affairs at all levels of government. We must support constructive legislation that will place the long-range benefit of the American people above temporary expedients.

As an example of how legislative action bears upon the future of our country and the everyday lives of our people, I would point to the road bill just enacted by Congress.

As the ranking Republican member of the Senate Committee on Public Works, I had a great deal to do with bringing the road bill to final passage.

I have been very much interested in our highways and other transportation systems for many years. Much of this interest grew out of my military experience in the movement of troops across the country. In this duty I found our highways and bridges grossly inadequate to serve our defense needs.

The new road program is the biggest public works project ever undertaken by any nation in world history. It involves more people, more area, and more money than any previous project except for war.

We must keep in mind that all the great expenditures for war purposes are wasted. Their principal purpose is destruction while the funds invested in a modern, adequate, and safe highway system will add in so many constructive ways to the welfare of our country.

The new highways will be designed to serve the national defense as well as our civilian needs for commerce and industry. They will serve our social and political needs by bringing the different sections of our country closer together for the interchange of ideas and opinions. They will be engineered for safety and thus cut down the tragic toll of death and injury on our highways.

The combined Federal and State expenditures under this program will reach a total of $51 billion over a 13-year period. And it is to the credit of Congress that the Federal Government share of the cost will be financed on a pay-as-we-build basis.

Outstanding in the new program is the plan for a 41,000-mile network of roads designated as the National System of Interstate and Defense Highways. These will be built to the highest engineering standards. They will connect 42 of the 48 State Capitals and 90 percent of all the cities in America having more than 50,000 population.

The overall program makes substantial increases in funds to bring the other highway systems up to modern standards, including primary, secondary and urban roads.

I have sketched over lightly the magnitude of this great undertaking, but what it really means to the economic strength of the Nation can be illustrated by a few figures.

It has been estimated that the highway program will create at least 300,000 new jobs on direct highway construction alone and twice as many in related industries. It will take many thousands of additional workers to produce the steel, cement, asphalt, stone, sand and gravel that will be required. The production of roadbuilding machinery and equipment will have to be greatly expanded.

Each billion dollars' worth of new highway means an additional 16 million barrels of cement, 76 million tons of sand and gravel, 510,000 tons of steel, 100,000 tons of asphalt, and a $500 million outlay in new construction equipment. In a single year, the Federal highway program will require over 5 million tons of steel and 112 million barrels of cement.

These figures are most impressive, but of equal importance is the fact that the whole plan will be carried out in each State of the Union under the authority of the State and in accordance with the American plan of free enterprise.

I am proud of this magnificent peacetime achievement. It is a courageous forward step in American progress. It reflects the amazing growth of our country in population and economic development.

At this time I have a suggestion to make which I hope will appeal to many of you.

You have come from all parts of Pennsylvania to attend this convention. I hope that while you are here you will visit Independence Hall, the Betsy Ross House, Christ Church and Valley Forge. These sacred shrines of American Independence are al-

ways inspiring. They remind us that the true American can defend our country in two ways—on the battlefield and by participation in government.

Good government is the bulwark of our liberties.

If we pay closer attention to our Government we can preserve for all time the precious freedoms won by the loyalty and sacrifice of heroes and patriots in every generation of our history.

Leadership—Where Art Thou?

EXTENSION OF REMARKS
OF
HON. ELMER J. HOLLAND
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. HOLLAND. Mr. Speaker, during the past week I heard the gentleman from Indiana [Mr. HALLECK], and the gentleman from Massachusetts [Mr. MARTIN], praise and laud the Eisenhower program.

I heard them plead with their fellow Republican Members to support this program, and, failing to persuade them, I heard them harangue the Members of this body in an effort to place the blame of their failure on the Democratic Members of this House.

I must admit they made two good political speeches that might go over at a political mass meeting where the listeners were ignorant of the facts in the case.

But, to make such a speech before Members of Congress, who have witnessed the performance of Ike's alleged leadership, is a brazen affront to the intelligence of the Members of this House.

Where is this great leadership they spoke about?

In the dictionary we find "leadership" defined as a quality possessed by a "chief, a commander, or the head of a group."

An individual, having these qualities, inspires others to follow.

A leader is expected to give orders and furnish guidance—and in order to become a leader, he must have followers to carry out his instructions.

The President of the United States should have the ability to do all these things.

I have served in both wars and have had an opportunity at close hand to study the work and the minds of the "big brass."

In the Army you will always find that the "big brass" shines in the glory of the successes, but very quickly passes the buck in the reverses, and looks for some whipping boy to be the goat.

This is so true in this administration as lately shown by the Members of this House who follow Ike, and who try to cover up the failure of the Republican Members of this House to follow the President's leadership.

We have just considered two administration "must" bills. One was the school construction bill and the other—mutual security.

The leadership in the White House told the Republicans in this House that these bills must be passed as they are part of the administration program.

On the school construction bill, let us turn to the record.

This bill was defeated by a vote of 224 to 194.

Of the 194 Republicans voting on this bill, 119 or more than 61 percent of the Republicans present in this House voted against the President of the United States.

Now to show how a little bit of hypocrisy works.

There were 148 Republicans in this House who voted for the Powell amendment. You would surmise when the Powell amendment was placed in the bill that in all sincerity they would be for the bill.

But, oh, no—as the record shows—96 of these 148 who voted for the Powell amendment switched entirely around and voted against the bill in its final form.

Is this following the leadership of Ike?

Of course, we know that all of the Republicans will be on his coattails on election day.

Now the second administration-sponsored "must" bill to get the "business" from the House Republicans was the mutual security or foreign aid bill.

This bill had been cut in committee and the word had come in from the White House to restore it in its original form.

No member of the Republican Party offered amendments—nor did the Republican leadership or the gentleman from Indiana make that effort.

The President failed utterly to sell his program to the people—merely uttering a few pious platitudes regarding the need for the higher amount.

And, they were afraid to make the record for the RECORD would show more Republicans voting against the increase than the Democrats.

The RECORD shows that 36 percent of the Republicans voted against this measure.

Thirty-six percent of Ike's followers turned thumbs down on the administration request for any foreign aid.

Again, the Democrats fought to protect the best interests of the Nation.

I believe that the lack of leadership in the White House is nowhere more apparent than in the behavior of the Republican Members in the House of Representatives.

In these two specific cases—House Republicans have turned deaf ears to the "too late and too little" recommendations from the White House to support so-called administration bills.

The leadership of the Republican Party states it is well satisfied with the performance of the President since 1952.

If it was a figurehead they wanted, they have had just that.

Apparently, a lot of grins can hide a lot of sins.

The action of the Republican Party and the leaders of the Republican Members of the House, by their actions, have proven that today there is no leadership coming from the White House.

Agricultural Research To Increase Income of Farmers

EXTENSION OF REMARKS
OF
HON. JOHN V. BEAMER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. BEAMER. Mr. Speaker, a statement was presented to the House Agriculture Committee in explanation of certain bills that I introduced in behalf of the farmers and agriculture in general.

Under unanimous consent, this statement is included in the CONGRESSIONAL RECORD:

AGRICULTURAL RESEARCH TO INCREASE INCOME OF FARMERS

(By JOHN V. BEAMER, Member of Congress)

I appreciate the opportunity of appearing before your committee in behalf of H. R. 10148, a bill to provide for a scientific study and research program for the purpose of developing increased and additional industrial uses of agricultural products so as to reduce surpluses of such products and to increase the income of farmers, and for other purposes.

My interest in agriculture stems from many sources. First of all, I was born and raised on a farm and agriculture continues to be my personal main source of revenue and income. I also have the privilege to represent the Fifth Indiana Congressional District which boasts of some of the best farmlands in the United States. Real estate is at an alltime high in this area and farmers and all business dependent upon agriculture continue to express a keen interest in the welfare of agriculture.

It has been possible for me to meet with many farmers and small-business men and by means of these visits, questionnaires, and exchange of letters, I feel confident that all the people in our part of the State are keenly interested in this type of legislation.

Early this year I introduced H. R. 8586, a bill to amend the Internal Revenue Code of 1954 to relieve farmers from the excise tax on gasoline and lubricating oils used exclusively in farm tractors or farm machinery and for other agricultural purposes. The principles involved in this bill are incorporated in Public Law 466.

I also introduced H. R. 10742, a bill to provide for the protection and conservation of national soil, water, and forest resources and to provide an adequate, balanced, and orderly flow of agricultural commodities in interstate and foreign commerce, and for other purposes. A similar bill, H. R. 10875, which authorizes $1.2 billion for a voluntary soil-bank program to reduce production acreage of crops in surplus supply, fixes feed grain supports at 76 percent, and encourages disposal of surpluses at home and abroad, was passed by the Congress and now is Public Law 540.

All of these measures and numerous other worthwhile attempts on the part of the 83d and 84th Congresses to be of assistance to the farmer are appreciated and are recognized as necessary for reasonably immediate benefits.

However, it is felt that the future of agriculture must be a long-range program. The rapid rate of growth of our population, the changing tempo of the times, the remarkable discoveries and uses of new products, marketing conditions, and similar subjects, present the greatest challenge to this segment of the economy.

It seems to be entirely in line with traditional American initiative to endeavor to study new approaches and new methods for

any problem that presents itself. For example, private industries are constantly employing research in order to improve their products, to build up consumer acceptance, and to create new markets.

The agricultural colleges, the United States Department of Agriculture, and various private and public institutions have made it possible for the farmers of this country to produce more and more of their products with fewer people and in less time. The modern tractors have replaced the horses in the same manner that hybrid corn with its increased yields, for example, has replaced the open-pollinated corn of former years. The farmer has proven that he can produce both quality and quantity to meet any emergency that might arise.

However, after an emergency such as the recent wars has passed, the farmer has found himself with this high productive capacity that exceeded the demand for his goods. The idea of raising demand to meet production instead of pulling down production to meet demand is the course that has made this Nation great.

The potentialities for research for new uses of agricultural products are almost unlimited. The purposes of this bill and other bills of a similar nature which have been introduced is to increase scientific research by the use of Federal money.

It seems to me and to farmers with whom I have talked that a reduction in output in the long run would not help the farmer and might confront the Nation with a shortage in a sudden emergency. This program if brought to a successful fruition would permit the farmer to produce perhaps in greater quantity because the market would not only be adjusted but also be trained and educated to use more and more of these agricultural products.

The specific suggestion in the bill is that research facilities both private and public, including those of land-grant colleges and universities, should be used for an all-out attack on the developments of increased and additional industrial uses of agricultural products. This is a research program that would not cost a great sum of money comparatively speaking and one which would be more than offset by increased revenues resulting from increased earnings of both farmers and those who sell goods, wares, and merchandise to farmers. It also would help to eliminate the expensive and burdensome cost to the Government for its present surplus-storage program.

Briefly, the bill would create in the executive branch of the Government an Industrial Agricultural Products Administration. This Administration would be appointed by the President with the advice and consent of the Senate. Their duties would be to conduct research of various types, make tests, maintain and operate pilot plants whenever necessary, and to maintain and expand such facilities that would enable the research program to secure the necessary results.

Another provision would authorize this Administration to pay certain incentive awards to private citizens for studies in research marketing and other phases of agricultural work. Grants would also be made to accredited colleges and universities and fellowships and scholarships for research for the purposes of this act.

There are many other minor phases of this program but the entire purpose is to make possible a means of finding more uses for the farmers' goods and to create a large market and provide a ready acceptance for improved agricultural products resulting from such studies.

It is recommended that the sum of $100 million be appropriated for this specific study in order to initiate this program. It is felt that this type of research for the farmer will result in the correction of a fundamental error in the philosophy of helping agriculture. Instead of reducing production and instead of creating a scarcity, it then will be possible for the farmer and the manufacturer of agricultural products to increase production because there will be an increased demand for their goods.

Amateur Athletes

EXTENSION OF REMARKS
OF
HON. FRED SCHWENGEL
OF IOWA
IN THE HOUSE OF REPRESENTATIVES

Monday, July 16, 1956

Mr. SCHWENGEL. Mr. Speaker, because I was a former athlete and coach, I have a great interest in the problems that amateur athletes face, and because I feel that the amateur athlete is not wholly at fault for some of the charges that have been made, I ask permission to extend the following remarks in the RECORD and commend it to the study of my colleagues:

In response to the continued nationwide reaction to the suspension of Wes Santee, the National Amateur Athletic Union announced on March 24, 1956, that it planned further investigations of abuses of the amateur code. An AAU committee will start interviewing various sports leaders in the near future. Pincus Sober, member of the committee said:

> To get a good cross section of opinion, we (the committee) intend to consult with meet directors, college athletic officials, athletes and newspapermen. The committee's report will be presented at the November annual meeting.

But in the midst of the Wes Santee controversy, a pertinent question was brought forward: "What about the promoters who offered checks to the boy—Wes Santee?" asked Phog Allen. "What do they get, a reprimand?" Johnny Fulton, a champion of 1946, expressed the same idea when he told a Life reporter:

> I don't condone any athlete's going to meet a promoter and saying he won't run unless he's paid. But any meet official or promoter who pays him is even more guilty.

The guilty persons, more often than not remaining nameless, have paid amateurs and have gone unpunished before this latest suspension was invoked against Santee. Two other well remembered situations and consequent losses of amateur ratings occurred in the careers of Jim Thorpe and Paavo Nurmi. Jim Thorpe, an all-round athlete, lost his amateur standing for playing bush league baseball during two summers. Although he was paid only $25 each week, it cost him his amateur rating. Finland's great miler Paavo Nurmi was also suspended for accepting money. Nurmi was certified as an entrant into the Olympics and made the trip to Los Angeles in 1932. But the counsel of the International Amateur Athletic Federation received evidence from Germany that money had been paid to Nurmi and ruled him ineligible to compete. Santee, Thorpe, and Nurmi will long be remembered as being guilty of dishonesty and cheating while those who offered them the way of guilt go on untainted personally and professionally.

An amateur's acceptance of money is not unusual. Many critics of the AAU's decree against Santee have declared that "he only did what many other amateur athletes have done before him, and his worst sin was getting caught." An amateur's acceptance of money has become an almost standard practice simply because he cannot afford to do otherwise. It is a full-time job being a competing amateur. However, the AAU still affirms its belief in the lofty ideal that an amateur is an athlete "who engages in a sport solely for the pleasure and physical, mental or social benefits he derives therefrom and to whom a sport is nothing more than an avocation." Joe Nowicki, a former collegiate track star and later an AAU official made the following statement to writer Jack Newcombe:

> It was the practice (while competing) to talk with other runners and find out what they were getting. If the man you were beating got more than you did, you asked for more the next time. When the Santee case broke, I thought it was unfair to start enforcing rules that have been waived for years. I know AAU officials who, when they were competing, took just as much as Santee did.

With such circumstances being a part of amateur athletics, it is difficult to say that the athlete alone should be branded guilty. Care should be taken that the punishment should not exceed the guilt, and the agency brandishing the punishment be completely blameless.

Although a few have suffered extreme penalties, many amateur athletes have accepted money and have come through unscathed. Life recently featured an article entitled "Athletes Tell How Illicit Payoffs Destroy the Amateur Code." Very candidly, former amateur athletes told how like Santee, Thorpe and Nurmi, they, too, accepted money. Elmore Harris, famous on the track between 1945 and 1947, was always paid, because he never ran unless the promoter met his price. Neither he nor the promoter were punished. In another instance, Johnny Fulton, the national 800-meter champion of 1946, was given an all-expense trip to Canada to encourage him to appear in one more meet of the season. This trip was financed by the AAU itself. Fulton once planned to take a job to earn $600 for his next semester at college, but on the condition that he run in their meet, Madison Square Garden promoters supplied Fulton with the money without his having to work. Another national magazine related an incident regarding the paying of amateur athletes: "This stuff's been going on for years," laughed a baseball man in New York. "We had a miler run an exhibition race once. He was in town for a big meet, and all he had to do was take a subway to our ball park. The fare was a nickel then. He made us pay him $750 for his 'expenses.'" Frank Sedgman, Australian tennis star, was offered $89,200 to turn professional. He turned down the offer. Meanwhile, Australian newspapers began a campaign for a cash wedding gift for the future Mrs. Sedgman. In 1952, this collection, a wedding present of $12,000, was given to the newly married couple, and Sedgman was able, financially, to remain an amateur.

Russell Kingman, speaking for the United States Lawn Tennis Association, said if Sedgman were a United States player, the gift would have meant the loss of his amateur rating. Bryan Fuller, Australian official, replied:

> Amateurs must live. If they are not paid wages by sports-goods manufacturers, they must be paid by someone else.

Is it any more guilty to receive compensations than it is to give them?

Why does the issue of paying the amateur create controversy? Why do amateurs accept money, and why is it offered to them? There are many causes for cheating in amateurism. Most of the reasons, or excuses, offered by critics and amateurs reverberate to the AAU. Many critics of today's amateur athletic programs say that the AAU has taken action only on flagrant cases that could not possibly be overlooked, but little has been done to alleviate the cause of the cheating. The cause, as seen by the critics, is the meager $15 per day expense account. Under the current AAU rules an amateur can accept only $15 per day for expenses and a transportation allotment; their prize can be valued at no more than $35. Charles P. Grimes, representing Santee, contended that the AAU rule limiting athletes to the $15 daily over transportation was dead-letter stuff. He went on to say that he could prove these rules were waived by AAU officials on numerous occasions. While many are guilty of violating the rules, the guilt is not wholly the amateur athletes'. Yet theirs are the only names brought to the foreground of the news. The nameless promoters remain in obscurity.

Often, the equally or actual guilty person slips through the maze of redtape and intricacies of amateur sports controls. There is no single control agency governing all amateur sports. The Amateur Athletic Union claims jurisdiction over 19 sporting events. Other events are supervised by the National Collegiate Athletic Association, and some are controlled by still other organizations. On occasion, however, the usually unpunished persons involved in a sports scandal do receive their share of the penalties. The Pacific Coast Conference met recently at Vancouver, British Columbia, and dealt with amateur violations in the field of college sports. All of last year's University of California at Los Angeles' football players, freshmen and sophomores alike, lost a year of eligibility unless they can prove that they have not accepted "money under the table." However, the PCC did not stop with chastising the players, but the school, too, received a share of the punishment. UCLA was put on 3 years' probation, forbidden to take part in NCAA championships, deprived of Rose Bowl receipts, and Chancellor Raymond B. Allen caused the school to receive an additional $15,000 fine for his refusal to cooperate. The Universities of Southern California, Idaho, Oregon, Oregon State, and Stanford were also fined. The guilty, in this particular case, did not go entirely free but received their just share of the penalties.

In other cases punishments have been meted out to those who have deserved them. Bradley University, University of Kentucky, and Drake University are remembered as examples of the basketball scandals of the early 1950's. Gene Melchiorre, an ex-Bradley University basketball star, and six alleged gamblers were indicted in Peoria, Ill., September 14, 1951, on game-fixing charges. On September 25, 1951, New York District Attorney Frank S. Hogan revealed that 8 Bradley University and 3 Toledo University basketball stars were involved in 5 basketball fixes in New York City. Arrested as the fixers were Anthony Englisis and his brother Nicholas, both of whom were employed by the master gambler, Eli Klufofsky. Judge Saul S. Streit, of New York, on December 7, 1951, suspended the sentences and freed three ex-Bradley University players who pleaded guilty to game fixing. They were granted leniency because they helped identify the gamblers involved in the gambling ring. However, Judge Streit went on to point an accusing finger toward President David Blair Owen of Bradley University for overemphasizing basketball at his school.

Again, on April 29, 1952, Judge Streit suspended sentence on three ex-University of Kentucky basketball stars in a "fix" case. But he denounced their college as "the acme of commercialism and overemphasis" and their former coach Adolph Rupp, for having associated with Ed Kurd. As a result of the scandals, the University of Kentucky canceled its 1952–53 basketball schedule in accordance with the NCAA council's recommendation that Kentucky be put on probation for all sports in 1952–53 for violating NCAA rules. The council also ruled that Bradley would be ineligible for 1953 NCAA basketball tourneys. The attempted bribery case at Drake University was perhaps the most noteworthy because of the Iowa law dealing with athletic briberies. This act was sponsored in the 1953 legislature by State Representatives Riggenberg, Burrows, Robinson, Weiss and Schwengel. Under the Iowa law, attempting to influence an athletic contest by bribing carries a possible penalty of up to $10,000 fine and as much as 10 years in the penitentiary. Floren DiPaglia, a Des Moines businessman, was the first person to be tried and convicted under the new law. Ben Bumbry, Drake's leading scorer, was approached by DiPaglia in December 1953. Bumbry reported the incident to officials who indicted, tried and convicted DiPaglia of attempted bribery. DiPaglia was sentenced on April 19, 1954, to 10 years in a State reformatory.

It is not justice when the equally guilty, the promoters and others who pay the athletes, go unpunished. It is not justice when they are punished only infrequently and inconsistently. Public criticism has grown so loud that AAU officials have been busy defending themselves. "We will get around to those promoters" Pincus Sober promised. "There are some complications, though. The situation will have to wait until next winter." If such offenses remain permissible, it will encourage many others; however, one day will, if an effort is put forth, bring about the punishment which many days demand.

Minshall Will Hold Office Conferences Throughout District

EXTENSION OF REMARKS
OF
HON. WILLIAM E. MINSHALL
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. MINSHALL. Mr. Speaker, it is my privilege and honor to represent the people of the 23d Congressional District of Ohio in the Congress of the United States. This district is of great national importance because of the outstanding contribution of our fine citizens to the general welfare of our Nation. The social, cultural, and industrial wealth of this district is unexcelled, and even the most casual glance through Census Bureau statistics will give ready evidence of the high educational and personal income levels of these true Americans.

As the Representative of this great district in the Congress, I have considered it my duty not only to be well informed of their opinions through personal contact and use of opinion polls, but also to be of the greatest possible service to persons having problems dealing with Federal agencies or departments by prompt response to individual requests and personal handling of their problems.

I also have a full-time congressional office in downtown Cleveland where I can meet with people personally at any time during frequent trips back to the district when my official duties so permit. During the time I am in Washington attending to legislative and official duties, a competent secretary is in charge of my Cleveland office to assist callers and to help them with requests for aid in dealing with the Federal Government so that I can be of every proper assistance to them.

A further service to the people of the 23d Congressional District in addition to radio and television programs is my Washington Report which, in newsletter form, periodically presents a concise accounting of events and opinions on Capitol Hill and encourages its readers to correspond with me to let me know their views on these happenings and issues.

Last year, I initiated the idea of holding zone conference meetings in various suburban communities in the 23d district. The attendance was most encouraging, and it gives a wonderful opportunity to serve and learn at firsthand the individual needs of the people I am privileged to represent in the Congress.

With the understanding that Congress will not be in session during the latter part of September and early October, I will again this year from September 24 through October 11 follow the same procedure and have a series of conference meetings so that every resident of this suburban district can conveniently meet with me.

I am most appreciative of the fine cooperation of the many officials who have made these meeting places available as an aid in rendering this public service.

Lakewood: Monday, September 24, 1:30 to 4 p. m., Lakewood City Hall, mayor's office, 14532 Lake Avenue.

Rocky River: Monday, September 24, 6:30 to 9 p. m., Rocky River City Hall, 21012 Hilliard Road.

Pepper Pike and Hunting Valley: Tuesday, September 25, 1:30 to 4 p. m., Pepper Pike Town Hall, 28000 Shaker Boulevard.

Chagrin Falls, Chagrin Falls Township, Bentleyville, and Moreland Hills: Tuesday, September 25, 6:30 to 9 p. m., Chagrin Falls Council Chambers, 21 West Washington Street.

Independence and Seven Hills: Wednesday, September 26, 1:30 to 4 p. m., Independence Town Hall, 6675 Brecksville Road.

Brecksville: Wednesday, September 26, 6:30 to 9 p. m., Brecksville Town Hall, 49 Public Square.

Bedford, Bedford Heights, Oakwood, and Walton Hills: Thursday, September 27, 1:30 to 4 p. m., Bedford Police Station, 683 Broadway.

Maple Heights: Thursday, September 27, 6:30 to 9 p. m., Maple Heights City Hall, Mayor's Office, 5353 Lee Road.

Broadview Heights and North Royalton: Monday, October 1, 1:30 to 4 p. m., Broadview Heights Town Hall, 8938 Broadview Road.

Parma Heights: Monday, October 1, 6:30 to 9 p. m., Parma Heights Town Hall—new one, if completed.

Beachwood and Woodmere: Tuesday, October 2, 1:30 to 4 p. m., Beachwood Town Hall, 25511 Fairmount Boulevard.

Shaker Heights: Tuesday, October 2, 6:30 to 9 p. m., Shaker Heights City Hall, Mayor's Office, 3400 Lee Road.

Westlake: Wednesday, October 3, 1:30 to 4 p. m., Westlake Town Hall, Dover Center and Hilliard Road.

Bay Village: Wednesday, October 3, 6:30 to 9 p. m., Bay Village Town Hall, 350 Dover Center Road.

Berea: Thursday, October 4, 1:30 to 4 p. m., Berea City Hall, Mayor's Office, 47 East Bridge Street.

Fairview Park and Parkview: Thursday, October 4, 6:30 to 9 p. m., Fairview Park Town Hall, 20785 Lorain Road.

Brook Park: Monday, October 8, 1:30 to 4 p. m., Brook Park Village Hall, Council Room, 5950 Eastland Road.

Middleburg Heights: Monday, October 8, 6:30 to 9 p. m., Middleburg Heights Town Hall, 15700 East Bagley Road.

Warrensville Heights, Warrensville Township, North Randall, and Orange: Tuesday, October 9, 1:30 to 4 p. m., Warrensville Heights Village Hall, mayor's office, 4770 Warrensville Center Road.

University Heights: Tuesday, October 9, 6:30 to 9 p. m., University Heights Police Department, 2304 Warrensville Center Road.

Olmsted Falls, Olmsted Township, and Westview: Wednesday, October 10, 1:30 to 4 p. m., Olmsted Falls Village Hall, 7987 Columbia Road.

North Olmsted: Wednesday, October 10, 6:30 to 9 p. m., North Olmsted City Hall, mayor's office, Dover Center Road.

Cuyahoga Heights, Brooklyn Heights, and Valley View: Thursday, October 11, 1:30 to 4 p. m., Cuyahoga Heights Village Hall, 4863 East 71st Street.

Solon: Thursday, October 11, 6:30 to 9 p. m., Solon Village Hall, council chambers, 6315 S. O. M. Center Road.

No appointments are necessary for these conferences, and I urge individuals or groups to meet with me on the date and at the place most convenient to them. Every resident of the 23d district is cordially invited to talk over problems of national concern, to discuss personal problems with the Federal Government, or to just chat and get better acquainted. With the knowledge thus obtained, I know it will better enable me to represent the residents of the 23d district in the Congress of the United States.

Antitrust Enforcement Under Assistant Attorney General Stanley N. Barnes

EXTENSION OF REMARKS
OF
HON. WILLIAM S. HILL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. HILL. Mr. Speaker, Attorney General Brownell today issued a release highlighting the enforcement of our antitrust laws through the first 6 months of 1956. As we all know, Judge Stanley N. Barnes, recently elevated as a judge of the Court of Appeals for the Ninth Circuit, has been one of the outstanding heads of the Antitrust Division in our lifetime. Such minor criticism as has come Judge Barnes' way as the Assistant Attorney General in charge of the Antitrust Division has been based more on honest differences of opinion rather than on anything else.

Even those who have differed with Judge Barnes in some of his official acts nevertheless have not questioned Judge Barnes' studious and vigorous approach in his efforts to protect our free-enterprise system through the administration of our antitrust laws. Judge Barnes' particular emphasis on the small-business aspects of antitrust enforcement, I know, has given all Members of Congress truly interested in small business great satisfaction. I am sure that the statement of his successor, the Honorable Victor R. Hansen, that Judge Barnes' policies will be continued will also be a source of satisfaction not only to Members of Congress but to all small-business men everywhere in the United States.

The release follows:

DEPARTMENT OF JUSTICE

Attorney General Brownell announced today that actions charging price fixing highlighted the enforcement of the antitrust laws during the first 6 months of 1956.

The Attorney General referred to a report made by Judge Stanley N. Barnes on the activities of the Antitrust Division since January 1, 1956. The report was Judge Barnes' final official act as Assistant Attorney General in charge of the Antitrust Division, before being sworn in as a judge of the Court of Appeals for the Ninth Circuit on July 3, 1956. It stated:

"Among criminal actions filed in the first 6 months of this year were cases involving charges that 2 major oil companies, Shell Oil Co. and Socony Mobil Oil Co., Inc., have each entered into illegal price-fixing agreements with independent service-station operators. It was alleged that, in these agreements, the filling-station operators gave up their right, as independent businessmen, to determine their own prices and agreed to post prices prearranged with the oil company.

"One of these cases is against an official of Socony Mobil Oil Co. This is the first case the division has brought under section 14 of the Clayton Act which makes a criminal offense an act by a corporate officer or agent which constitutes in whole or in part a violation by the corporation of any penal provision of the antitrust laws.

"In another of the cases, the defendant Shell has already been sentenced to pay a fine of $5,000, the maximum permissible under the Sherman Act. While the maximum penalty has just recently been increased to $50,000, this defendant's action occurred at a time when the highest fine was $5,000.

"The Antitrust Division has filed 29 antitrust cases since January 1, 1956. Thirteen of these are civil actions and 16 are criminal.

"One monopoly case filed charges, among other things, on the monopolization of thermostatic temperature controls used to regulate heat in gas cooking ranges. The defendants in this case are charged with agreeing to pool patents to acquire and maintain a dominant industry position, and with agreeing to restrict the licensing of these patents. The Division is seeking to secure injunctive orders which will free this line of commerce from such restraints.

"Two cases filed this year involve alleged practices which impair the operation of the Government's cotton-disposal program. A part of the cotton acquired through the price-support program is offered for sale generally on a competitive-bid basis in which the bidder submits sealed bids. A group of cotton merchants was indicted on the charge that they had used a common purchasing agent who was permitted to fix the prices bid by them and allocate among them lots of cotton offered for sale by the Government. A companion civil action was filed to enjoin such restrictive practices.

"The Antitrust Division has continued its vigilant investigation of current mergers. A sixth important merger action was filed and consent judgments were secured in two other merger actions. These judgments against the Hilton Hotel Corp. and the General Shoe Corp. will prevent these defendants from making future acquisitions which may substantially lessen competition or tend to create monopoly and they also require divestiture of certain of defendants' holdings.

"Other cases filed this year include an action against several large rubber companies on the charge that they agreed to fix prices on rubber belts used in power-transmission units in the textile, railroad, oil, and machinery and other industries, as well as on home appliances.

"Many of the cases filed charged such well-recognized violations as price-fixing, boycotting and customer and territorial allocation. One such case charged the International Boxing Guild with conspiring with various of its affiliated local guilds to boycott nonmember managers of boxers, and promoters disapproved by the international or its affiliates. The indictment charged that the conspirators also boycotted professional boxing shows promoted for television audiences, known as studio boxing shows.

"Thirty-six cases have been terminated in the 6-month period ending June 30, 1956. This represents an increase of more than 71 percent over the number of cases closed in the corresponding period last year, in which 21 cases were closed. Of the 36 cases closed this year, 24 were civil and 12 criminal.

"The Division closed 12 civil antitrust cases by negotiated consent judgments. Two of the most important of these related to cases charging monopolization of com-

merce in telephone equipment and of the tabulating industry. Both judgments contain extensive compulsory patent licensing provisions and divestiture provisions designed to establish freedom in which competition may develop.

"An important matter involving the participation of a labor union in a trade restraint was settled by consent judgment this spring. In this case, the union owned and managed a corporation engaged in the business of selling supplies for ships' stores. The union was charged in this action with using its power as a labor organization to compel vessel owners to obtain these supplies, known as 'slop chest' supplies, from the union's corporation and to compel shipowners to refuse to purchase such supplies from other dealers. A district court had held that these particular activities were not immunized from the antitrust laws by the Norris-LaGuardia and Clayton Acts labor union exemption. Among other things, the judgment requires cancellation of provisions in collective bargaining contracts requiring vessel owners to purchase slop chest supplies from only the corporation.

"Other significant cases settled by consent judgments involved restraints on newspaper and periodical advertising, gear cutting and finishing machines and tools, booking and presentation of legitimate theater attractions, milk, linen supply and books.

"Nine criminal cases were terminated by entry of pleas of nolo contendere by the defendants. The Division has consistently opposed entry of such pleas. In some instances where nolo pleas have been accepted, the courts have indicated that defendants will not thereby be permitted to avoid or lighten the penalty for antitrust violations. In one case the court imposed suspended jail sentences against 7 individual defendants and in several instances fined defendants the maximum amount permitted by the Sherman Act.

"Two major decisions were handed down by the Supreme Court. These were in the McKesson & Robbins case and in the Du Pont cellophane case. The first one is an important victory for the Government and the second one a loss. The McKesson decision held that the 'fair trade' exemption from the Sherman Act, given to certain limited price-fixing agreements, does not include price-fixing agreements with independent wholesalers when made by a manufacturer who competes with them in selling its own products at wholesale.

"In its decision in the Du Pont case that commerce in cellophane has not been monopolized, the Supreme Court adopted a theory of 'the relevant market' which may require litigation before its meaning is clear. The Court recognized that cellophane is a part of commerce capable of being monopolized but ruled that 'cross-elasticity' of consumer demand for other products must be considered to determine the existence and effect of competition on that part of commerce alleged to have been monopolized."

The report noted finally that 99 Government antitrust cases are presently pending on the dockets of the Federal courts.

Attorney General Brownell further commented:

"Pursuant to new duties assigned by the 84th Congress, the Antitrust Division has prepared several reports to the President and Congress on special aspects of competitive enterprise. Two reports, as well as 1 supplemental report, have dealt with the economic effects of certain activities under the Defense Production Act; 1 report has been made on the competitive effects of the disposal of Government-owned synthetic rubber-producing facilities and 1 report has been made under the Small Business Act concerning problems of small business."

Taxes

EXTENSION OF REMARKS
OF
HON. J. HARRY McGREGOR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. McGREGOR. Mr. Speaker, I am one who firmly believes that a heavy tax burden weakens the economy of our country. A tax increase means lower wages because of the decrease of our purchasing power. A tax reduction means an increase in wages because we have more money to spend. I am happy to note that this administration has given Americans the biggest tax break in history—starting in 1954. Each taxpaying family has received an average tax cut of $100 per year. Here is how this administration helped everybody:

First. Reduced personal income taxes 10 percent for most taxpayers—saving $3 billion.

Second. Cut excise taxes on handbags, cosmetics, movies, household appliances, and so forth—saving $1 billion.

Third. Revised the whole tax structure, reducing taxes by giving bigger medical deductions, special aid for working mothers, retired people, parents with working dependents, partial relief against double taxation of dividends, liberalized depreciation rules, and so forth—saving $1.4 billion.

Fourth. Working widow can now deduct $600 paid for care of her children under 12 years—saving $120 on $3,000 income.

Fifth. Parents can now deduct $600 for minor child as dependent even if he earns over $600—saving $120 on $3,300 income, $132 on $6,000 income.

Sixth. Retirement income of persons over 65 not drawing nontaxable social security benefits—schoolteachers, policemen, firemen, et cetera—is now exempt up to $1,200—saving up to $240 a year.

Seventh. Excise tax cuts on luggage, jewelry, telephone bills, movies, cosmetics, et cetera, gives Americans $1 billion more spending money a year.

Testimonials to Mr. Max Abelman

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mrs. KELLY of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I include several testimonials to Brooklyn's ambassador of good will, Mr. Max Abelman. I join my colleagues from Brooklyn who have paid tribute to Mr. Abelman in placing in the RECORD the various honors that have been bestowed on this great humanitarian. Brooklyn is proud of this outstanding citizen whose life is dedicated to helping his fellowman.

The Jewish Hospital of Brooklyn cordially invites you to a reception and tea in honor of Max Abelman who will be presented by the University of Manila with a special diploma of honor for his humanitarian activities. His Excellency General Carlos P. Romulo, Philippine Ambassador to the United States and past president of the United Nations General Assembly, will make the presentation on Sunday afternoon, March 4, 1956, at 3 p. m. in the Nurses Residence Hall, 565 Prospect Place, Brooklyn, N. Y.

ISIDOR LEVITON,
President.
MAXIMILIAN MOSS,
Chairman of the Reception Committee.

BROOKLYN COLLEGE LIBRARY,
Brooklyn, N. Y., February 28, 1956.

Mr. MAX ABELMAN,
Brooklyn, N. Y.

DEAR MAX: An unexpected matter has arisen which will make it impossible for me to get to Brooklyn on Sunday afternoon, March 4. I had hoped that I could be present to witness the signal honor that will be conferred upon you. I shall be thinking of you on the occasion and, believe me, I never forget all you did for the library and the good friends you made for the college while you were president of the Library Associates.

Most cordially.

H. G. BOUSFIELD,
Chief Librarian.

MALACAÑANG, MANILA, *May 15, 1956.*

Mr. MAX ABELMAN,
New York City, United States of America.

DEAR MR. ABELMAN: This is to acknowledge your letter of April 20 and the clippings from the CONGRESSIONAL RECORD which you enclosed containing the extension of remarks of Congressman EUGENE J. KEOGH. It is heartening to note that the ceremony conferring upon you a special diploma of honor at the instance of President M. V. de los Santos of the University of Manila was successfully held at the Jewish Hospital in Brooklyn in the presence of ranking officials of the Philippine Government. That should be a memorable day for you and I would like to reiterate here my congratulations.

Assuring you of my cordial good wishes, I remain,

Sincerely yours,

R. MAGSAYSAY.

WASHINGTON, D. C., *March 3, 1956.*

MAX ABELMAN,
The Jewish Hospital of Brooklyn,
Brooklyn, N. Y.:

Congratulations and best wishes to you on the occasion of your receiving the University of Manila award in recognition of your humanitarian activities.

RICHARD NIXON.

NEW YORK, N. Y.

MAX ABELMAN,
The Jewish Hospital Nurses Residence Hall:

Congratulations on great and much-deserved honor. Your contribution direct and indirect to countless thousands, not only Filipinos but people of all nationalities, is well known to me. Only illness prevents my attendance at ceremonies. My compliments to General Romulo, also a great friend to humanity.

GEORGE E. ARMSTRONG,
Former Surgeon General, United States Army, currently Director New York University Bellevue Medical.

RUSHVILLE NATIONAL BANK,
Rushville, Ind., March 17, 1956.

Mr. MAX ABELMAN,
Brooklyn, N. Y.

DEAR MAX: I received the invitation to the reception honoring you for your humanitarian activities which was held on March 4, 1956. I wished I could have been present. There is no one else I would have rather

honored than you. With best wishes and kindest regards.

Sincerely yours,

PHILIP H. WILLKIE,
President and Attorney.

SUPREME COURT OF THE
STATE OF NEW YORK,
APPELLATE DIVISION SECOND DEPARTMENT,
Brooklyn, N. Y., March 9, 1956.

Mr. MAX ABELMAN,
Brooklyn, N. Y.

DEAR MAX: I regret that I was out of town on the occasion of the presentation of the "Special Diploma of Honor" by General Romulo on Sunday, March 4.

I did not wish the occasion to pass without extending my sincere congratulations to you as the recipient of this distinguished award.

Take care of yourself. Warm regards.

Sincerely,

GEORGE.

NEW YORK, N. Y., *March 6, 1956.*

Hon. MAX ABELMAN.

DEAR MAX: Mrs. Lockwood and I made a trip to Louisville last week and were not at home Sunday, so that we were denied the privilege of attending the presentation to you of the "Special Diploma of Honor" issued by the University of Manila.

This is a distinguished honor, but is well deserved, and we trust you will have many more years in which to continue your work for humanity.

Sincerely yours,

CHARLES.

BROOKLYN, N. Y., *March 4, 1956.*

MAX ABELMAN:

Illness confining me to bed prevents my extending personal congratulations on well deserved signal honor. Please extend my personal greetings to General Romulo.

Sincerely,

EMIL BAAR.

BROOKLYN, N. Y.

Hon. MAXIMILIAN MOSS,
Chairman Reception Committee,
Nurses Residence Hall of Jewish Hospital:

Because of a family party this afternoon to celebrate the engagement of my son Jack I cannot attend the reception and tea in honor of our mutual and dear friend, Max Abelman. Please convey to Max my heartiest congratulations at this richly deserved tribute to him.

COUNCILMAN EDWARD VOGEL.

THE AMERICAN SOCIETY
OF ANESTHESIOLOGISTS, INC.,
Chicago, Ill., February 28, 1956.

Mr. MAX ABELMAN,
Brooklyn, N. Y.

DEAR MAX: I regret very much my inability to attend the reception and tea in your honor on March 4, 1956. I shall be in Miami as an examiner for the American Board of Anesthesiology at that time.

The presentation of special diploma of honor to you by His Excellency, Gen. Carlos P. Romulo, is only a small indication of your great value to this community, our State and our country.

Having worked closely with you during your affiliation with the hospital, I am in a position to realize your greatness and your deep humanitarian instinct.

To miss this presentation leaves me with a sense of loss which is difficult to compensate. I know that you will have many more presentations of this kind, and I can assure you that nothing will keep me away.

With best wishes for your future endeavors, I remain,

Sincerely yours,

IRVING M. PALLIN, M. D.,
Secretary to Medical Board.

JEWISH CHRONIC DISEASE HOSPITAL,
Brooklyn, N. Y., March 5, 1956.

Mr. MAX ABELMAN,
Brooklyn, N. Y.

DEAR MAX: I was very happy to be one of the guests yesterday at the presentation that was made to you by the University of Manila, and want you to know how deeply impressed I was in the recognition given to you by His Excellency General Carlos P. Romulo.

I listened with great interest to what he said, and knowing you for the many years I do, and knowing of your wonderful accomplishments, I want to say "Amen" to everything that was said, and wish for you many more years of good health and contentment, so that you may continue the humanitarian activities you have been interested in most of your adult life.

With kindest personal regards,

Sincerely yours,

IKE.

IRVING J. SANDS, M. D., F. A. C. P.,
Brooklyn, N. Y., March 6, 1956.

Mr. MAX ABELMAN,
Brooklyn, N. Y.

DEAR MAX: Cele and I congratulate you on the honor bestowed upon you last Sunday on being given a special diploma of merit by the University of Manila. We were delighted to be present at the happy occasion because we feel that you had deserved all the nice things that were said about you.

It was quite appropriate that the honors were given to you at the Brooklyn Jewish Hospital, for you have done so much in behalf of that institution and for so many people associated with it. I was also delighted to hear you mention the names of the late Mr. Jonas, Dr. Leon Louria, and Dr. William Linder. They certainly were the real builders of the Jewish hospital.

With best wishes for continued success and happiness, I am as ever,

Cordially yours,

IRVING J. SANDS, M. D.

THE CHESHIRE ACADEMY,
Cheshire, Conn., March 3, 1956.

Mr. MAX ABELMAN,
Brooklyn, N. Y.

DEAR MR. ABELMAN: What a pleasure it is to me today to have an invitation from the Jewish Hospital of Brooklyn to be present at a reception and tea in your honor. I note that you will be presented by the University of Manila with a special diploma of honor for your humanitarian activities and that General Romulo will make the presentation. Since I remember so very clearly the work you did in the past in the hospital I am not surprised by this news and I must say that I am highly gratified because of our personal acquaintance. I only wish that I could be present on Sunday. I should like nothing better but unfortunately I cannot make the trip for several reasons, the main one, unfortunately, being that my present state of health militates against any unnecessary exertion. This is a temporary situation only.

May you have great gratification from the presentation which I know you so highly merit. I shall be thinking of you and I am grateful to you for your suggestion to the hospital.

With my cordial regards, I am

Sincerely yours,

ARTHUR SHERIFF.

Brooklyn, N. Y., March 6, 1956.

Mr. MAX ABELMAN,
Brooklyn, N. Y.

DEAR MAX: Upon my return from Miami I found an invitation to a reception and tea given in your honor by the Jewish Hospital of Brooklyn.

I was sorry that I was unable to attend, but at the same time, I was most delighted to read of the honors bestowed upon you, honors that you so richly deserve.

May the Lord bless you with good health so that you may continue to enjoy the affection and esteem of your innumerable friends, among whom I beg to be counted.

Sincerely yours,

RABBI JOSEPH MILLER.

WASHINGTON, D. C., *March 2, 1956.*

MAX ABELMAN,
Care Jewish Hospital,
Brooklyn, N. Y.:

Heartiest congratulations and best wishes upon your latest and well-deserved honor with kindest regards.

ABE MULTER.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., March 1, 1956.

Mr. MAX ABELMAN,
Brooklyn, N. Y.

DEAR MAX: Thank you for sending me notice of the dinner which will be given in your honor by the Jewish Hospital of Brooklyn. I certainly am very happy for you and feel that this is a great distinction of which you should be extremely proud.

I regret that I cannot be physically present to see you presented with this "Special Diploma of Honor," but a commitment of long standing will prevent my doing so.

With heartiest congratulations and every good wish.

Sincerely,

IRWIN D. DAVIDSON,
Member of Congress.

JACKSON HEIGHTS, N. Y., *March 4, 1956.*

MAX ABELMAN,
Jewish Hospital Nurses Residence Hall:

Congratulations on your well-deserved award. We from Middlesex salute you.

Dr. and Mrs. GIDDEON DRIMER.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., March 1, 1956.

Mr. MAX ABELMAN,
Brooklyn, N. Y.

DEAR MAX: Because of a previous engagement, I will not be able to join you on Sunday afternoon.

I am very happy to hear of the honor that will be accorded you, and Stella and I extend our best greetings.

With kindest personal regards, I am,

Sincerely yours,

EMANUEL CELLER.

Labor

EXTENSION OF REMARKS
OF
HON. J. HARRY McGREGOR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, July 16, 1956

Mr. McGREGOR. Mr. Speaker, I have just received a series of various reports relative to our economy, which of course included the labor field. I am indeed happy to note that employment is highest in history. An average of 63.2 million had jobs, which smashed all previous records. This record shows, Mr. Speaker, that approximately 3 million more held peacetime jobs than were held previously, even in war. We are in a sound economy, Mr. Speaker, when it is possible for our people to have jobs without war.

Both hourly and weekly wages are at an all-time record high averaging nearly 13 percent higher in peacetime 1955 than in wartime 1952.